

**MINNETONKA PLANNING COMMISSION
MINUTES**

SEPTEMBER 2, 2004

1. CALL TO ORDER

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

2. ROLL CALL

Commissioners Allendorf, Britain, Gallop, Periolat, and Hart were present. Bonoff and Maes were absent.

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

3. APPROVAL OF AGENDA: The agenda was approved with the following changes:

- The tentative city council review date for Item 8A, a conditional use permit, with variance, for a 150-foot radio communications tower on the Minnetonka Civic Center Campus for the City of Minnetonka (86047.04a), was changed from September 27, 2004 to October 4, 2004.
- Item 8B, items concerning auto-related business at 13118 Excelsior Boulevard for Bauer's Express Lube/Bauer's Custom Hitches (86165.04a), was withdrawn. Public hearing notices will be sent out when it is rescheduled.
- Item 8C, request for parking lot setback variances to reconfigure the existing parking lot at 3435 County Road 101 for Boyer Building Corporation (04053.04a), has been postponed by the applicant until the September, 23, 2004 planning commission meeting.

Olson reviewed items included in the change memo dated September 2, 2004.

Olson explained that, due to the absence of two commissioners, items that needed four votes for approval would need three votes and five vote items would still need five votes to pass a motion.

Chair Hart inquired if anyone was present to speak regarding Item 8C, a request for parking lot setback variances to reconfigure the existing parking lot at 3435 County Road 101 for Boyer Building Corporation (04053.04a). No one

responded. She apologized for the late notice of the postponement, but the request was received the same day.

4. **APPROVAL OF MINUTES:** August 19, 2004

Periolat moved, second by Allendorf, to approve the August 19, 2004, meeting minutes as submitted with the changes from the change memo dated August 19, 2004:

Page 1, item 3:

Britain Gallop arrived at the meeting.

Page 7, second paragraph:

Chair Hart stated that the alternate plan submitted by the applicant proposal would meet all R-1 ordinance requirements. ~~under the R-4 plan submitted by the applicant.~~ Variances would not be necessary for this the proposed plan.

Allendorf, Britain, Periolat, and Hart voted yes. Bonoff and Maes were absent. Gallop abstained. Motion carried.

5. **REPORT FROM STAFF**

Olson briefed the commission on land use applications considered by the city council at its meeting of August 23, 2004:

- Adopted a resolution approving rezoning from B-1, Office to B-2, Limited Business; a conditional use permit for a fast-food restaurant; and a site and building plan review for the intensification of use of the property from retail to fast-food restaurant to remodel the old B-Dalton Book Store at 5101 County Road 101 into retail space and a coffee shop/restaurant by Redstag Properties, LLC.
- Adopted ordinances making changes to the floodplain, shoreland, drainage, and storm water ordinances and the ordinance regarding the water resources management plan.
- Took no action on the application regarding detachment and an annexation agreement to build 28 townhomes (Deephaven Cove) at 3600 County Road 101 for Steven Scott Development since it did

not benefit the city enough to justify the action. The applicant was given more time to consider a plan that would include affordable housing.

Olson announced that the next planning commission meeting would be held September 23, 2004, instead of September 16, 2004, in observance of the Rosh Hashana holiday.

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.

Allendorf moved, second by Britain, to approve the items listed on the consent agenda as recommended in the respective staff reports as follows:

A. Resolution approving a front yard setback variance for a two-story addition at 16423 Devon Drive for Steve and Kimberly Cannon (04059.04a)

RESOLUTION, CUP

1) *Recommend that the city council adopt the resolution on pages A1–A3 of the staff report, which approves a conditional use permit for recreational facilities in a wetland buffer area in Knollway Park for Brauer & Associates, Ltd. 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 following must be completed before starting any site work:

(1) Install, for staff approval, erosion control and tree protection fencing. The fencing must be maintained throughout the construction process.

(2) Submit copies of Minnehaha Creek Watershed District approval of wetland buffers. The city may require revisions to the approved plans to meet the district's requirements.

- b. The trail must be developed and maintained in substantial compliance with the following plans:
 - (1) Overall Layout Plan date-stamped July 8, 2004.
 - (2) Overall Grading Plan date-stamped July 8, 2004.
 - (3) Overall Landscape Plan date-stamped July 8, 2004
- 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.

SITE PLAN REVIEW

- 2) *Recommend the city council approve the building plans for arbor-covered seating areas in Knollway Park, subject to the following conditions:*
 - a. The arbors must be developed and maintained in substantial conformance with the following plans, unless modified by the condition below:
 - (1) Overall Layout Plan date stamped July 8, 2004.

Allendorf, Britain, Gallop, Periolat, and Hart voted yes. Bonoff and Maes were absent. Motion carried and the items on the consent agenda were approved as submitted.

8. PUBLIC HEARINGS

- A. Conditional use permit, with variance, for a 150-foot radio communications tower on the Minnetonka Civic Center Campus for the City of Minnetonka (86047.04a)**

Chair Hart introduced the proposal and called for the staff report.

Thomas reported. She recommended approval of the application based on the findings and subject to the conditions listed in the staff report.

Chair Hart asked if staff was comfortable that all possible alternatives had been investigated. Thomas stated that staff feels comfortable that various locations, many outlined in the staff report, had been considered. The proposed location is preferred due to its technical viability and distance from public areas.

Allendorf asked the consultant to address when an aesthetically pleasing tower that could accommodate microwave technology would be available. Allendorf caught the omission of the word "not" in staff's report. He believed the finding for approval should indicate that the variance would not set a precedent.

Allendorf questioned why the proposed tower would be prohibited from co-location. Thomas stated that staff did not intend to prohibit co-location of the tower. However, staff did not believe that co-location should be an absolute requirement. Allendorf asked if the city would be open to consider co-location of the proposed tower if public safety would not be compromised. Olson answered in the affirmative.

In response to Periolat's question, Thomas explained that the microwave technology would increase the phone system's reliability. The phone line usage would still be utilized to some extent.

Leonard Koehnen, consulting engineer, stated that:

- Microwave technology requires a stable mount.
- The most important antennas are the ones at the top.
- The farther that the antenna is from the metal in the tower, the better the reception. Six feet to seven feet long would be optimal.
- There are three ways to provide communication: air, with microwave; ground, with fiber optic cable; or telephone circuits.
- The Metro Radio Board has set this as the recommended method for highest reliability for public safety service.
- There was no technology on the immediate horizon that would allow for a more aesthetically pleasing tower.
- He designed the tower strictly for the city's needs. The spare capacity would be intended for the city. If the city chose to give up the extra capacity, that would be a policy decision made by the city.

Gallop was concerned with the 15-foot diameter of the tower. Mr. Koehnen explained that the tower would be 15-feet in diameter where it connected to the ground. It would taper as it went up and be in the 4-foot to 6-foot diameter range at the top.

Gallop asked if all towers would move to some extent. Mr. Koehnen answered in the affirmative. What mattered was the amount of movement tolerable to the function of the equipment.

Gallop asked why a monopole and guy wiring would not work. Mr. Koehnen stated that the guy tower would be a smaller structure, but the use of one would result in significant tree loss to accommodate the guy wires and would take up an extensive amount of public space.

Gallop stated that aesthetics from half a mile away as well as the view from next door to the site need to be considered. Mr. Koehnen agreed. Mr. Koehnen stated that the guy wires' length would equal 80 percent of the tower height. He walked the site with the city forester to locate the antenna where it would maximize tree preservation. Only a minimal amount of trees would have to be removed. A group of trees that would need to be removed are in various stages of dying. The contractor would be required to install barriers to protect the drip line of the trees.

Gallop asked if guy wires could be housed on a monopole. Mr. Koehnen had not seen any, except as a last resort safety measure. The ones he had seen have been failing. Mr. Koehnen could not answer if the monopole with guy wires would be stable enough for microwave antennas. It might provide a benefit for one situation, but create a big problem for another. In practice, it was not done.

Periolat asked about the role of phone lines with the proposed antenna. Mr. Koehnen reviewed the history of monthly phone line failures. He found the phone lines were lying on top of the ground, spliced right outside of the cabinet, and the phone lines would fail when it rained. Working with Qwest has not gotten the city any closer to a solution. The purpose of the new system is to bypass the phone circuits, build to a higher reliability level and, over time, the city would discard the phone lines. Most of his western metro clients have the same issues with phone circuits.

Periolat asked what would be the down side of microwave technology. She asked if there are ways to scramble or disrupt microwave signals. Mr. Koehnen stated that technology exists to eavesdrop or disrupt communication by damaging the tower. To affect the microwave beam, the disruption would have to be directly in the beam.

Periolat asked what would be used as a back-up system. Mr. Koehnen stated that the city would have bypass capability, with lower functionality, but would have the ability to communicate with Hennepin County. Dispatchers and officers would still be able to communicate. Part of the proposal would be to eliminate, in

time, the use of phone lines. The primary system would include a second circuit as a backup. If the primary and the secondary systems fail, the city has two-way radios as a third backup.

Britain asked if any other cities have a similar tower; if 150 feet would be the minimum height; and could the microwave antennas be placed on existing structures, such as water towers. Mr. Koehnen stated that Eden Prairie has a similar 200-foot tower, Hopkins has a 120-foot tower, and Bloomington has one. Having antenna towers on city hall campuses is becoming common. The problem is that the Minnetonka city campus site is on a relatively low site and there is no place to get a direct line of sight to a water tower. The need for the 150-foot height is driven by the primary dish's need to "see" the Hennepin County antenna. The tower must be at least 140 feet tall. He added 10 feet as a margin of error for tree growth and future building height.

Chair Hart asked for clarification if the public safety concern consisted of the phone lines going down. Captain Raquet stated that the phone lines have proven unreliable. It was documented at least 11 times in the last 2 years that radioactivity was interrupted. It creates a liability issue. Qwest is not putting money into upgrading their system. Predictability is important in public safety because having communication shut down could be a matter of life and death. This is a risk that the city should not take.

Perolat asked how a 911 call would be transmitted to the police department. Captain Raquet stated that it is transmitted directly to city dispatchers. He explained that two 911 lines are cellular and four 911 lines are cable phone lines. Half of the lines are from Minneapolis and half are from St. Paul, so they are able to backup each other. The administration lines do not have a backup system.

Captain Raquet preferred the tower not have co-location to avoid interference and a concern about who would maintain the non-city antennas.

Perolat asked about the difference between microwave and cellular technology and how long microwave technology would be considered state of art. Mr. Koehnen stated that they are similar technologies. Microwave technology continues to be the better, more reliable choice. He sees nothing new on the horizon that would be an improvement. Railroads and pipelines use microwave technology.

Gallop questioned the difference in reliability between satellite and microwave technology. Mr. Koehnen stated that the technologies are similar. The basic difference is the delays in satellites are longer. Satellites are affected by sun

radiation, life of the satellite, and the wishes of the additional owners of the satellite.

The public hearing was opened.

Gerald Bich, 3320 Hazelwood West, directly across from the fire station. Mr. Bich stated:

- He supported the need for public safety.
- He objected to the tower location.
- It would be directly in his view from his home and deck.
- Neighbors are more important than motorists driving down Williston Road, Minnetonka Boulevard and Interstate 494. He deserved a little more respect.
- He asked about using the Williston Tower to communicate to the Hennepin County tower.
- He suggested using the power lines on Interstate 494.
- He felt the location by the ice arena would have an impact on fewer neighbors.

Thomas explained that the ice arena was removed from consideration because of its proximity to neighbors and central location on the campus.

Mr. Koehnen stated that a tower would have to be constructed to send the signal to the Williston water tower. He indicated a group of trees that would block the signal. He described the electric power field that surrounds the pole called a "corona." It makes a sound similar to a beehive. A piece of fire radio equipment would be drowned out. Cellular technology can tolerate that noise, but microwave cannot.

Jim Zilverberg, Timberhill Road, stated that the tower would be right in his line of sight. He's put up with a lot of things on Timberhill Road that he did not like. He objected to its unsightliness.

No one else was present to speak and the hearing was closed.

Perolat asked what made the beam-to-beam communication with the county necessary. Captain Raquet stated that security is not the issue. It is a reliability issue. The problem is that surrounding cities have different radio systems. Linking to the county system will allow police officers to talk to other city's police officers. That is a public safety and officer issue.

Gallop asked if the police department has a preference regarding the appearance of the tower. Captain Raquet based the proposal on the engineer's study. It has been studied for approximately nine years. He believed it would be the minimum height to do the job effectively. It would be the optimum structure for its intended use.

Chair Hart reviewed the primary issues.

Allendorf did not feel that the proposal would negatively affect public health or property values. He identified that the primary concern was created because it would be an ugly tower. He heard similar comments about the Williston water tower. Eventually, people got used to it. He was convinced that this would be the right location and less disruptive than other options. City staff has studied possible locations since May of 2002.

Gallop agreed with Allendorf, with the exception of the tower design. He considered a narrower tower with guy wires. The Hennepin County tower is 450 feet tall, but only 2 feet in width. He noted that the guy wire design would be more disruptive to the site, but less of an impact to neighbors' views. He was not convinced that the lattice tower would best meet community needs. He supported the height.

Britain agreed with Allendorf and Gallop. He supported the project, but he thought that more could be done with the design to make it look more state of the art or unique.

Perolat concurred. She supported the need for the tower, but was concerned about the appearance of the tower. It would be an ugly tower and would be seen a great distance by hundreds of people. She favored making the tower look like something else, but still provide the microwave capability. Once construction was completed, it would be a feature of the campus.

Chair Hart did not think that using guy wires to reduce the tower width would be a significant improvement. She suggested staff and the consultant research if something could be done to enhance the tower's appearance.

Allendorf supported Chair Hart's comment. He suggested that staff get photos of the last two or three towers that were erected to pick the most attractive one.

Allendorf moved to recommend that the city council adopt the resolution on pages A1–A4 of the staff report, which approves a conditional use permit for a 150-foot communications tower on the Minnetonka Civic

Center Campus with the addition of the word “not” to indicate that a precedent would not be set.

No one seconded. Motion failed.

Gallop asked about tabling the item until a better design could be reviewed. Britain stated that councilmembers would make the final decision.

Britain moved, second by Gallop, to recommend that the city council adopt the resolution on pages A1–A4 of the staff report, with a request that the council consider options for a more aesthetically pleasing tower, which approves a conditional use permit for a 150-foot communications tower on the Minnetonka Civic Center Campus. This resolution is based on the following findings:

- 1) Apart from the six-foot horizontal extensions, the proposed tower meets all conditional use permit standards for communication towers.
- 2) The proposed tower would improve the reliability of the city’s public safety communications system.
- 3) The proposed height is justified. A 150-foot tower would ensure microwave dishes and antennas could be mounted at 140 feet, the minimum height necessary
- 4) The proposed location is appropriate for several reasons:
 - a. It is close to the city’s dispatch center;
 - b. The elevation of the location provides clear line of site to the Hennepin County Sheriff’s towers;
 - c. The base of the tower and ground equipment would be screened by mature trees;
 - d. The site would be removed from the more public areas of the campus.
- 5) The proposed horizontal extensions meet the required standards for a variance, because:

- a. Microwave technology constraints constitute a practical difficulty. A six-foot horizontal separation from the primary tower structure is necessary to minimize the tower's affect on the antennas that would hang inverted from the extensions.
- b. The proposed microwave tower would be located on public property, zoned PUD, and would be used for public purposes. This is a unique circumstance not similar to every other PUD property. Approval of a horizontal projection variance in this instance would not set a precedent for similar projections on private telecommunications towers.
- c. While staff acknowledges that the proposed 150-foot tower would alter the view of the area northeast of Fire Station #1, the six-foot horizontal projections would not.

Approval is subject to the following conditions:

- 1) The color of the tower and associated microwave dishes and antennas must be approved by the city council.
- 2) The tower must be in substantial compliance with the design and location presented in this report.
- 3) Prior to issuance of a building permit or beginning any site work:
 - a. Submit copies of any required FAA and/or FCC permits.
 - b. Submit a construction management plan for city forester review and approval.
 - c. Install erosion control and tree protection fencing. This fencing must be maintained throughout the course of construction.
- 4) This resolution covers any future antennas mounted on the tower structure.

Allendorf, Britain, Gallop, Periolat, and Hart voted yes. Bonoff and Maes were absent. Motion carried.

Chair Hart announced that the city council is tentatively scheduled to review the application on October 4, 2004.

B. Items concerning auto-related business at 13118 Excelsior Boulevard for Bauer's Express Lube/Bauer's Custom Hitches (86165.04a)

The application was withdrawn by the applicant.

C. Request for parking lot setback variances to reconfigure the existing parking lot at 3435 County Road 101 for Boyer Building Corporation (04053.04a)

Britain moved, second by Periolat, to postpone review of Item 8C, a request for parking lot setback variances to reconfigure the existing parking lot at 3435 County Road 101 for Boyer Building Corporation, until the September 23, 2004 planning commission meeting.

Allendorf, Britain, Gallop, Periolat, and Hart voted yes. Bonoff and Maes were absent. Motion carried.

D. Conditional use permit, and site and building plan review, to add a car wash to the building at 13305 Excelsior Boulevard for Knutson's Car Wash & Detail Center (96074.04a)

Chair Hart introduced the proposal and called for the staff report.

Teague reported. He recommended approval of the application based on the findings and subject to the conditions listed in the staff report.

Allendorf asked if a requirement could be added to require the doors be closed if the noise level was too high. He questioned if the car wash could operate with the doors shut. Teague stated that a condition would allow the planning commission and city council to review the conditional use permit if the noise ordinance was not met, as well as any other unforeseen problem, and require changes. Allendorf favored a specific condition to refer to the arguably foreseeable problem of noise.

David Knutson, 13305 Excelsior Boulevard, applicant, was present with the project's general contractor, Craig Moss, with Vanguard Construction, St. Paul. Mr. Knutson presented an example of the paneling. Floor sensors would be installed in the concrete so that exit and entrance doors would open and close. There could be a car entering as another one would be going through the drying

cycle. The drying cycle would last 15 seconds to 20 seconds. The door would close behind it.

Gallop asked what the lifespan of the tile would be. Mr. Knutson stated that the car wash in Plymouth has been using the same panels since 1988. Gallop asked what guarantee the city had that the tile would be replaced with the same sound-buffering type panel. Mr. Knutson stated that the water would go behind the panel. Fiberglass lasts forever. He would probably never have to change them.

Mr. Knutson pointed out where stacking of waiting vehicles would be located.

The public hearing was opened.

Lisa Anderson, lives just south of Knutson's, asked if the car wash would operate 24 hours a day. Allendorf stated that the hours of operation would be from 7 a.m. to 8 p.m. She was confused as to where the vehicles would exit. Teague indicated that the front would be remodeled. He pointed out where the exit would be located.

No additional testimony was submitted and the hearing was closed.

Chair Hart reviewed the primary issue.

Allendorf moved, Gallop second, to approve the conditional use permit and site and building plan to add a car wash to the building at 13305 Excelsior Boulevard for Knutson's Car Wash and Detail Center with the condition that a violation of the noise ordinance would be regulated in the same manner as an unforeseen occurrence.

Conditional Use Permit

1) *Recommend that the city council adopt the resolution on pages A1–A4 of the staff report, which approves the conditional use permit to add a car wash to the building at 13305 Excelsior Boulevard for Knutson's Car Wash & Detail Center. This resolution is based on the following findings:*

- a. The proposal meets the required conditional use permit standards.

Approval is subject to the following conditions:

- a. Record this resolution with the county before the city issues a building permit.

- b. Hours of operation would be from 7:00 am to 8:00 p.m.
- c. There may be no outside vacuums permitted.
- d. The building must be constructed with insulated panels as shown on the plans date stamped July 22, 2004.
- e. The city council may reasonably add or revise conditions to address any future violation of the noise ordinance and unforeseen problems.
- f. 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.
- g. The applicant must agree to the above conditions in writing.

Site Plan Review

- 2) *Recommend approval of the site and building plans for the car wash at 13305 Excelsior Boulevard. Approval is subject to the following conditions:*
 - a. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:
 - Site plan date stamped July 22, 2004
 - Landscaping plan date stamped July 22, 2004
 - Building elevations date stamped July 22, 2004
 - b. The following must be submitted to the city before the city issues a building permit:
 - (1) All required hook-up fees.
 - (2) The building must be constructed with insulated panels as shown on the plans date stamped July 22, 2004.
 - (3) The building must include a fire sprinkler system subject to review and approval of the Fire Marshal.

- c. The property owner is responsible for replacing any required landscaping that dies.
- d. Storm water runoff from the car wash cannot be directed into the sanitary sewer system in the side of the building.
- e. A trench drain must be provided at the entrance to the car wash.
- f. All garbage dumpsters must be stored inside the building or an enclosure constructed to match the building.
- g. Storm sewer must be added to direct drainage towards the ponding area at the corner of Excelsior and Baker Road.
- h. The grading around the car wash entrance must be revised to include retaining walls, and eliminate the grading to the south, which would remove trees.
- i. 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.
- j. Approval does not include the signs shown on the drawings. Separate permits are required from staff.
- k. Construction must begin by December 31, 2005, unless the planning commission grants a time extension.

Allendorf, Britain, Gallop, Periolat, and Hart voted yes. Bonoff and Maes were absent. Motion carried.

E. Master development plan, with variances, for an office building at the southwest corner of the intersection of Hopkins Crossroads and Wayzata Boulevard for the Shelter Corporation (87103.04b)

Chair Hart introduced the proposal and called for the staff report.

Teague reported. He recommended approval of the application based on the findings and subject to the conditions listed in the staff report.

Jay Jensen, Shelter Corporation, applicant, thanked Teague and the staff for helping to improve the plan. He tried to create a residential feel while preserving the environmental uniqueness of the site. He sent a mailing to all of the neighbors. Two positive responses were received.

Chair Hart noted that the plan was preferable to previous proposals for the site. It does appear residential. She complimented staff for working with the applicant.

Britain concurred with Chair Hart. He doubted that the neighborhood would agree to any proposal regarding the site, but he congratulated the applicant on doing so.

Allendorf agreed. He questioned the traffic flow pattern. He felt motorists would cut through the park and ride because there would be no other way to get there. Teague indicated where the median, the proposal's access, the park and ride's access, and stoplight would be located.

Allendorf asked if the use of pervious pavers would benefit the site by reducing runoff. Teague explained that run-off would be directed into a stormwater pond to filter out sediment. Staff was not concerned with the impervious surface.

The public hearing was opened. No testimony was submitted and the hearing was closed.

Gallop moved, second by Britain, to recommend that the city council adopt the ordinance on pages A1–A6 of the staff report that approves the proposed master development plan with the following variances at 1610 Hopkins Crossroad with the addition provided in the change memo dated September 2, 2004:

- 1) Drive-aisle setback variance from 20 feet to 1 foot along Hopkins Crossroad, and from 10 feet to 5 feet from the south lot line.***
- 2) Building setback variances from 50 feet to 46 feet and from 50 feet to 36 feet along Hopkins Crossroad and the I-394 frontage road.***
- 3) A building setback variance from 50 feet to 44 feet from the south lot line.***
- 4) An impervious surface variance from 30 percent to 37 percent.***
- 5) A building setback variance from 20 feet to 10 feet from the proposed 100-year stormwater retention pond.***

This ordinance is based on the following findings:

- 1) With the exception of the required variances, the proposal would meet the required standards and ordinances for a site and building plan approval.
- 2) The proposal would meet the required standards for a variance, because:
 - a. There is a unique hardship to the property caused by the undersized lot with restrictive setbacks from two arterial roadways and a lake.
 - b. The variance would meet the intent of the ordinance because the site plan provides adequate parking for the proposed use, and minimizes impacts as much as possible on the natural features of the site.

Approval is subject to the following conditions:

- 1) Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:
 - Site plan date stamped July 12, 2004
 - Grading plan date stamped July 12, 2004
 - Landscaping plan date stamped July 12, 2004
 - Building elevations date stamped July 12, 2004
- 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. The grading plan must include stormwater calculations.
 - 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. If required, 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.
- 3) The following must be submitted to the city before the city issues a building permit:
- a. A final landscape and irrigation plan for staff approval
 - b. A letter of credit or cash escrow for 150% of the estimated cost of all required landscaping
 - c. An illumination plan for staff approval
 - d. Minimum basement elevation must be 922.5 or two feet above the 100-year elevation in the storm water pond, whichever is greater.
 - e. All required hook-up fees
 - f. Approval of a driveway permit from Minnesota Department of Transportation.
 - g. Approval of a permit from Hennepin County to install the sewer and water services.
 - h. Record this ordinance with the county.
- 4) The property owner is responsible for replacing any required landscaping that dies.
- 5) 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.
- 6) Approval does not include the signs shown on the drawings. Separate permits are required from staff.

- 7) Conservation easement 25 feet from the delineated wetland and a drawing of the easements for the approval of the city attorney. The easements and drawing must be recorded with the county.
- 8) The building must be constructed to satisfy any issues with the Fire Department. A hydrant may be required, or the building built with a sprinkler system.
- 9) Conservation easement over the trees adjacent to the wetland and along the south lot line, final location subject to staff approval.
- 10) Drainage and utility easement over the 920.5 contour.
- 11) Construction must begin by December 31, 2005, unless the planning commission grants a time extension.

Allendorf, Britain, Gallop, Periolat, and Hart voted yes. Bonoff and Maes were absent. Motion carried.

Chair Hart stated that the city council is tentatively scheduled to review the application on September 27, 2004.

9. ADJOURNMENT

Periolat moved, second by Britain, to adjourn the meeting at 8:35 p.m. Motion carried unanimously.

By: _____
Lois T. Mason
Planning Secretary