

**MINNETONKA PLANNING COMMISSION
MINUTES**

MAY 21, 2009

1. CALL TO ORDER

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

2. ROLL CALL

Commissioners A. Thomas, Walker, Blatz, Lehman, Sjeklocha, and Cheleen were present. Adams was absent.

Staff members present: Community Development Director Julie Wischnack, Principal Planner Susan Thomas, and Planner Jeff Thomson.

3. APPROVAL OF AGENDA: The agenda was approved as submitted with additional information provided in the change memo dated May 21, 2009.

4. APPROVAL OF MINUTES: May 7, 2009

Lehman moved, second by Walker, to approve the May 7, 2009, meeting minutes as submitted.

A. Thomas, Walker, Blatz, Lehman, Sjeklocha, and Cheleen voted yes. Adams was absent. Motion carried.

5. REPORT FROM STAFF

Wischnack briefed the commission on land use applications considered by the city council at its meeting of May 18, 2009:

- Adopted a resolution approving a conditional use permit for outdoor seating at the General Store.
- Adopted a resolution approving an amendment to its conditional use permit for the school held at Faith Presbyterian Church.
- Adopted a resolution giving final approval of Curt Fretham 8th Addition, formerly known as Hopaca Hallow.
- Postponed action until June 22, 2009 on changing the land use plan for Hillside Senior Living.
- Adopted a resolution approving the Terratonka plat. The plan was modified since the planning commission made its denial recommendation. The positive changes include moving the road to better preserve the wetland preservation area.

Wischnack announced that the Minnetonka School District has requested a delay for action on its application to expand the parking lot. The new date and time for review will be posted on *eminnetonka.com*.

Wischnack shared that the Minnetonka Mills area had a workshop Tuesday evening. It was an interactive meeting to discuss development issues and options for the neighborhood. Residents placed blocks on the aerial photo. It was to scale and development scenarios were tested with real development numbers. A great deal of feedback was obtained. The next meeting will be held June 2, 2009 from 6 p.m. to 8 p.m. at the I.C.A. Food Shelf. Developers will be present to give feedback on the feasibility of development options.

Wischnack announced the next planning commission will be held June 4, 2009. The tentative agenda includes a sign review for an office building at Ridgedale Drive and tear down of a house on Crosby Road. The Lakewest development has been delayed.

6. REPORT FROM PLANNING COMMISSION MEMBERS: None

7. PUBLIC HEARINGS: CONSENT AGENDA: None

8. PUBLIC HEARINGS

A. Minnetonka School District is proposing an entryway addition to the west side of Groveland Elementary School, at 3325 Groveland School Road. The addition requires a setback variance from 50 feet to 43 feet. (92032.09a)

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

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

Mike Condon, representing Minnetonka School District, the applicant, appreciated staff's great presentation.

A. Thomas questioned why parking was not allowed on the side of the road with residential houses. He thought there should be "no parking daily" where the "no parking school days" is currently designated. Thomson explained that engineering staff took into consideration that the east side of the road is used for school functions outside of peak hours. The afternoon school program uses the

west entrance for student pick up and drop off after school is released. Parents park on the east side of the road for student pick up between 7 a.m. to 7 p.m.

Chair Cheleen lives across the street. He understood the cover would protect people during bad weather. It is currently not designated as a drop-off entrance, but when it is covered, it would be advantageous to use it. When the buses are exiting and entering, access is very tight. Last Friday, there were six cars parked on the east side of the road. There was a mini bus that got behind one of the parked vehicles. Chair Cheleen thought it was parked, so he drove around the mini bus. A big bus traveling the opposite direction honked at him. Chair Cheleen asked if that spot is going to be used as a drop off spot in the future. Mr. Condon thought it is being used just as Chair Cheleen described. Parents park there to walk their kids in the school, but take longer to move the vehicle than anticipated. Mr. Condon stated that construction workers park on the east side and that will be addressed at a construction meeting. That situation will be resolved when construction ends this fall. Chair Cheleen suggested school staff monitor the situation and put a piece of paper under the windshields of vehicles in violation of the parking signs. People in the neighborhood would appreciate it.

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

Blatz moved, second by A. Thomas, to adopt the resolution on pages A9-A13 of the staff report, which approves the proposed setback variance from 50 feet to 43 feet for an entrance vestibule at 3325 Groveland School Road. Approval is based on the following findings:

- 1) The proposal is reasonable and would meet the required standards for a variance, because:
 - a. **UNDUE HARDSHIP & UNIQUE CIRCUMSTNACE:** The existing nonconforming setback presents an undue hardship in constructing an addition to meet setback requirements.
 - b. **INTENT OF THE ORDINANCE:** The proposal meets the intent of the ordinance to provide orderly development of property and to protect surrounding properties.
 - c. **NEIGHBORHOOD CHARACTER:** The proposed addition would not adversely impact surrounding properties. The vestibule would match the architecture of the existing building. The style and

materials of the addition provide a unified building design, which blends into the surrounding neighborhood.

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 April 21, 2009.
 - Building plans date-stamped April 21, 2009.
- 2) Prior to issuance of a building permit:
 - a. A copy of this resolution must be recorded with the County and a copy of the recorded document returned to the city.
 - b. Install a temporary rock driveway, erosion control, tree protection and wetland protection fencing as required by natural resources staff for inspection and approval. These items must be maintained throughout the course of construction.
- 3) Prior to final building inspection or issuance of a certificate of occupancy, submit final grading and drainage plans for staff review and approval.
- 4) 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.
- 5) Approval does not include the signs shown on the drawings. Separate permits are required from staff.
- 6) This variance will end on December 31, 2010, unless the city has issued a building permit for the project covered by this variance or approved a time extension.

A. Thomas, Walker, Blatz, Lehman, Sjeklocha, and Cheleen voted yes. Adams was absent. Motion carried.

Chair Cheleen stated that an appeal of the planning commission's decision must be made in writing to the planning director within 10 days.

9. OTHER BUSINESS

Twin Cities BMW is reducing the building by one story from the previous approval plan and making other associated minor site adjustments.

S. Thomas reported.

Sjeklocha asked what notification is done for residents of an "information only" application. S. Thomas stated that neighbors were sent a post card outlining the changes and encouraged residents to go to the city's website to view the plans. A few calls have been received. Most of the neighborhood response has been positive to the reduction in height. Some are still concerned with color of the building and landscaping.

Walker asked if the building would be able to be expanded vertically. S. Thomas believed the change was made after the foundation was done, so there is structural capability for the building to increase to four stories in the future. The master development site was approved with a four story building. Walker questioned if the amount of parking could still handle vehicles for occupants of a four-story building. S. Thomas responded that, in accordance with the previously approved plans, the fourth story would be mainly inventory storage. While some additional surface parking could be added in the future, the overall site would need to maintain a 50% to 50% ratio of structured parking to surface parking.

Walker asked if the materials would be similar to what was originally approved. S. Thomas responded affirmatively. The proportion of the composite metal to block is roughly the same.

Blatz asked if there would still be a need for the sign that needed a variance. S. Thomas has not seen a revision to the sign plan. The applicant may choose not to add the sign.

Peter Hasselquist, Twin Cities Automotive, 13502 Wayzata Boulevard, owner and operator, applicant, stated that the sign on the west elevation will no longer be added. It would be out of proportion. Adding another story in the future would not be financially feasible. Structurally, it would be designed to have more, but the way that it is constructed now would make it economically unfeasible. This would be the building's maximum height and capacity.

Walker asked if the dealership could grow on the site. Mr. Hasselquist responded that the project is larger than the business needs. It will suit the business' needs for as long as he can see in the future. The business would not grow on that site.

Chair Cheleen commented that residents north and west of the site would be happy with the modification. Chair Cheleen felt it would fit the property well.

10. ADJOURNMENT

Walker moved, second by Blatz, to adjourn the meeting at 7:02 p.m. Motion carried unanimously.

By:



Lois T. Mason
Planning Secretary