

**MINNETONKA PLANNING COMMISSION
MINUTES**

JANUARY 20, 2011

1. CALL TO ORDER

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

2. ROLL CALL

Commissioners Adams, Lehman, Magney, Sjeklocha, A. Thomas, and Cheleen were present. Daeges was absent.

Staff members present: Community Development Director Julie Wischnack, City Planner Loren Gordon, Principal Planner Susan Thomas, Natural Resource Manager Jo Colleran, and Water Resource Engineer Liz Stout.

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

4. APPROVAL OF MINUTES: January 6, 2011

Adams moved, second by Lehman, to approve the January 6, 2011, meeting minutes as submitted.

Adams, Lehman, Magney, Sjeklocha, A. Thomas, and Cheleen voted yes. Daeges was absent. Motion carried.

5. REPORT FROM STAFF

Gordon briefed the commission on land use applications considered by the city council at its meeting of January 10, 2011:

- Approved the time extension for filing of the final plat of Black Oak Estates at 16611 Black Oaks Lane.
- Approved a one-year time extension to file the final plat of Helen L. Cooley Addition for a two-lot subdivision at 2202 Meeting Street.

Gordon announced that a council study session is scheduled for Monday, January 24, 2011. On the agenda is the village center study for Highway 7 and County Road 101. The third workshop results will be reviewed and council direction given to staff for the final plan document.

The next planning commission meeting will be February 3, 2011.

6. **REPORT FROM PLANNING COMMISSION MEMBERS:** None

7. **PUBLIC HEARINGS: CONSENT AGENDA:** None

8. **PUBLIC HEARINGS**

A. Items concerning Lone Lake Highlands at 11809 Bren Road

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

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

Adams noted the significant topographical changes. He asked why 20 feet from the highest knoll would be acceptable. S. Thomas explained that significant grading would be needed to provide public access and utilities. The proposal's grading plan would be significantly different than what was originally proposed. The amount of grading would be greatly reduced. The road would start at a low point and travel up the grade.

Adams questioned why the affordable housing requirement would not be required. S. Thomas responded that the city's policy requires 20 percent of a development's units be affordable when a guide plan change is being requested. No guide plan change is being requested for the proposal. The applicant is proposing and the site is guided for medium-density. While Minnetonka advocates for affordable housing, there is also a need for moderate-priced housing. Wischnack shared that the issue was discussed by the city council. The official policy of the city requires 20 percent of units to meet affordable housing requirements only for multiple-family projects. There is special consideration for when a guide plan change is requested, but that is more of a practice than an official resolution of the city.

Adams asked for the definition of a dry basin. Stout explained that a dry basin is a storm water facility that is used primarily for rate control of a site. It would prohibit an increase in the rate of flow that could impact facilities downstream. She provided a bathtub analogy. Water in a bath tub could be filled to a certain level. The plug could be pulled and the water would drain out. If there is a clog in the drain, then the water would drain at a much slower rate. A dry basin's real impact is protecting facilities downstream.

Adams asked if it would be dry most of the time except for heavy rains. Stout answered affirmatively.

A. Thomas asked how long the property has been guided medium density. S. Thomas responded that the previous comprehensive guide plans show that the site has been guided medium density since 1980.

A. Thomas asked for the current affordable housing price requirements. S. Thomas answered the maximum price is \$209,000.

A. Thomas had never seen a paragraph on “jumping” before. He wanted more information on why it is thought that buyers are “jumping” Minnetonka to live in Plymouth or Eden Prairie. He was curious. Wischnack explained that a study called Opportunity City Partnership was completed by the Urban Land Institute which looked at the city of Minnetonka and five other cities. The study used specific data from residents’ tax returns as well as their movement and housing choices during a three-year period. It showed that when residents are ready to make a different housing choice, residents often left Minnetonka. The data shows that residents are “jumping” to Eden Prairie and Plymouth. The planning commission and city council previously met to discuss specific strategies to temper that.

A. Thomas asked if a study looked at apartment and townhome dwellers moving to Minnetonka when purchasing a house. Wischnack answered affirmatively. People purchasing a second home are choosing Minnetonka. She will provide the report to commissioners again. A. Thomas understood the concept of balanced housing. The trade off is what would happen to the landscape and topography.

Sjeklocha asked what is prohibited from being constructed in a side setback. S. Thomas answered that a structure or cantilevered building area would not be allowed. The property owner would be required to remove a fence located in the setback if it would become necessary. The proposal’s seven-foot side yard setback corresponds with the drainage and utility easements. The city and utilities would be required to have access to the easements.

Sjeklocha confirmed with S. Thomas that a variance would be required to build a structure in a setback. Fences six feet in height or less do not require a building permit. Sjeklocha confirmed with S. Thomas that an expansion permit could not be granted since the seven-foot side yard setback would be conforming if approved. Gordon noted that the easement is the overriding regulator of the building footprint. Easements would override structure setbacks. No building would be allowed in an easement.

Lehman asked for the maximum number of units allowed in medium density. S. Thomas responded that medium density allows more than 4 and up to 12 units per acre. Lehman noted that the guide plan states that this site could expect 21 to 60 residences.

Chair Cheleen asked if the elevation of the knoll would be cut in half. S. Thomas calculated the rise to be over 50 feet from the southwest corner up to the knoll. Cutting down 20 feet would reduce the difference.

Chair Cheleen noted a letter from a resident who was concerned that the drainage would be handled correctly and not travel to the west. S. Thomas responded that the dry basin is part of the overall management system. There was a concern regarding the first set of plans that prompted a condition of approval to prohibit an overland outlet to the west and require a pipe to carry water from the dry basin to a public structure.

Chair Cheleen asked why the road might be required to be 26 feet wide rather than 24 feet wide. S. Thomas explained that the standard, city street width is 26 feet. Staff may allow a road to be reduced to 24 feet in width if a developer can show a significant natural resources savings. Staff has not yet determined if there has been significant enough savings to reduce the standard street width.

Tom Gonyea, representing Estate Development Corporation and Pulte Homes, applicant, stated that the east-west configuration was done in response to the city council's comments. The city council wanted to reduce the fish-bowl effect in the middle. It made the west side a rain garden/planted area. It would also reduce grading from 20 feet at the maximum to 14 feet.

The public hearing was opened.

Patrick Divine, 5948 Bren Circle, stated that he is happy with the revisions. The dry basin would no longer be dumping into his catch basin. He questioned what type of construction would be necessary to tie the new dry bed into the drain system. He just found out the drainage system ends up draining into the Chasewood Gates ponding system. S. Thomas mentioned that public easements and a public storm system exist. She invited the applicant's engineer and Stout to respond.

Clark Wicklund, Alliant Engineering, applicant's engineer, explained that the proposal would connect to storm sewer immediately southwest of the site. He pointed out the location on the plan. There is an outlet pipe on the adjacent property that extends southerly through the Chasewood Development and makes

its way to a large wetland complex further southwest. The discharge rate from the site after development would not exceed the predevelopment discharge rates. The drainage report depicts the area currently draining to the west to be three acres. The proposal would reduce this to seven tenths of an acre. From a stormwater perspective, with the reduction in rate, the reduction in catch area, and off-site routing to the storm sewer, the drainage issues would be improved.

Lehman asked if a study had been done to determine if there would be an impact to the ponding areas downstream. Mr. Richland said that he has not done an analysis of the system used south of the site. He makes an assessment of the discharge from the proposed site prior to development. Then he determines what mitigation measures would be necessary to prevent the proposal from exceeding that amount. The city currently requires infiltration for a one inch rainfall event. The proposal would have 1.7 inches, a considerable amount beyond the minimal standard to reduce runoff. He would not anticipate a problem. The proposal certainly would not add to a problem.

Ann Davies, 5948 Bren Circle, president of the Brenwood Townhome Association, stated that she appreciated staff's hard work with the proposed development to assure neighbors that the drainage would be adequately handled. She would like assurance that the developer is noting that there is existing vegetation near the southwest corner since it was not noted on the plan. She has introduced a number of wild, native plants and invested quite a bit of money. She did not want the vegetation disturbed.

No additional testimony was submitted and the hearing was closed.

Chair Cheleen asked for reassurance from the applicant that the vegetation would be protected. Mr. Richland explained that if the storm sewer would be routed underground and connected to the storm sewer network on the southwest there would be no impact on the less than 10-year events at all. There would be work done in the area to make a connection for the storm sewer. The area would be restored.

Lehman clarified with S. Thomas that the opportunity to reorient the center lots to require less grading still exists.

Adams moved, second by Lehman, to recommend that the city council adopt the following ordinance and resolution regarding Lone Lake Highlands at 11809 Bren Road:

REZONING

- 1) *Recommend that the city council adopt the ordinance on pages A51–A54 of the staff report, 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.

PRELIMINARY PLAT

- 2) *Recommend that the city council adopt the resolution on pages A55-A65, 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) Pay a park dedication fee of \$100,000.00.
 - (3) 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 for traffic signs and installation, as required by the city engineer.
- (4) 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.

- (5) 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.
 - (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.
 - (iii) Include additional plantings along east, west, and south property lines to promote infiltration and soil stabilization.
 - (iv) Planting plan for the rain gardens.
 - (c) A stormwater management plan that meets the requirements of the city’s Water Resources Management Plan, Appendix A. Design guidelines

and standards must be approved by city staff. The plan must include

- (i) A plan for compost amendment and de-compaction of soils disturbed on the site; and
 - (ii) Illustrate the storm sewer system discharge into existing public storm sewer not into the private rain garden to the west of the subject property.
- (d) A Stormwater Pollution Prevention Plan for staff review and approval.
- (e) Individual letters of credit or cash escrow for 125% of a bid cost or 150% of an estimated cost to comply with grading permit requirements, to install proposed landscaping, and to restore the site. The developer may submit one itemized letter of credit, if approved by staff. The city will not release or reduce the letters of credit or cash escrow until work has been completed according to the plans approved by the city. Landscaping funds will not be fully released until installed landscaping has survived one full growing season.
- (f) One of the following:
- (i) Escrow dollars, in amount to be determined by natural resources staff, to contract with an erosion control inspector to monitor the site throughout the course of construction; or
 - (ii) Evidence that an erosion control inspector has been hired to monitor the site through the course of construction. This inspector must provide weekly reports to natural resource staff in a format acceptable to the city.
- (g) If the developer is constructing any public improvements, the following must be submitted for staff review and approval:

- (i) Final street and utility plans.
 - (ii) A signed agreement with the city. This agreement must guarantee that the developer will complete all public improvements and meet all city requirements.
 - (iii) A letter of credit or cash escrow in the amount of 125% of a bid cost or 150% of an estimated cost of the improvements.
 - (iv) The city will only reduce or release the letter of credit or cash escrow upon receipt of as-built drawings and a letter certifying that the streets and utilities have been completed according to the plans approved by the city.
- (h) A construction management plan. The plan must be in a city approved format and must outline minimum site management practices and penalties for non-compliance. As part of the construction management plan, a road sweeper must be kept on site or a copy of a contract for road sweeping must be submitted.
- (2) Prior to issuance of a grading permit:
- (a) Install all measures in accordance with the SWPPP for staff inspection. These items must be maintained throughout the course of construction.
 - (b) The final plat must be released by the city and filed with Hennepin County for recording. Evidence of filing must be returned to the city.
 - (c) Submit a copy of the approved MPCA NPDES permit.
 - (d) Submit evidence of closure/capping of any existing wells, septic systems, and removal of any existing fuel oil tanks.

- (e) 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.
- 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 significant 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.

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 ^A _c 1, Lot 1	30 ft – north property line 25 ft – east property line	7 ft	30 ft
Block _c 1, Lot 2	25 ft	7 ft	30 ft
Block _e 1, Lot 3	25 ft	7 ft	30 ft
Block _s 1, Lot 4	25 ft	7 ft	30 ft
Block _s 1, Lot 5	25 ft	7 ft	30 ft
Block _o 1, Lot 6	25 ft	7 ft	25 ft
Block _r 1, Lot 7	25 ft	7 ft	20 ft
Block _y 1, Lot 8	25 ft	7 ft	25 ft
Block 1, Lot 9	25 ft	7 ft	25 ft
Block ^S 1, Lot 10	25 ft	7 ft	25 ft
Block ^t 1, Lot 11	25 ft	7 ft	20 ft
Block ^r 1, Lot 12	25 ft	7 ft	20 ft
Block _c 1, Lot 13	25 ft	7 ft	25 ft
Block _t 1, Lot 14	25 ft	7 ft	30 ft
Block _u 1, Lot 15	25 ft	7 ft	25 ft
Block _r 1, Lot 16	25 ft	7 ft	25 ft
Block _e 1, Lot 17	25 ft	7 ft	30 ft
Block _s 1, Lot 18	25 ft	7 ft	30 ft
Block _a 1, Lot 19	25 ft – south property line 15 ft – west property line	7 ft	30 ft
Block _e 2, Lot 1	25 ft – north property line 19 ft – west property line 30 ft – south property line	7 ft	n/a
Block _e 2, Lot 2	25 ft – north property line 15 ft – west property line 30 ft – south property line	7 ft	n/a

mitted as outlined in the R-3 zoning district, City Code §300.12 Subd. 3.

(3) 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.

Adams, Lehman, Magney, Sjeklocha, A. Thomas, and Cheleen voted yes. Daeges was absent. Motion carried.

Chair Cheleen stated that the city council is tentatively scheduled to review the item at its January 31, 2011 city council meeting.

9. OTHER ITEMS

A. Concept plan for 3609 Park Valley Road. (10050.10a)

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

S. Thomas reported. She recommended the planning commission provide comments and feedback to assist the applicant with future direction that may lead to the preparation of more detailed development plans.

Curt Fretham, 15400 Highway 7, applicant, stated that:

- He has met with neighbors twice to obtain feedback.
- His concerns with developing the site as standard, R-1, single-family lots include that the market is not looking for those types of lots located so close to Interstate 494. It feels like the site is on Interstate 494. The site seems like a transitional area on an arterial street.

- The feedback at the first meeting supported single-family residences.
- He has had a lot of luck selling similar lots in Edina, Golden Valley, and Minneapolis with houses with 2,200 to 2,400 square feet priced in the \$350,000 to \$450,000 range. Almost all of them are catering to young families.
- He looked at the city's goals and guide plan and found the comprehensive guide plan asking for new family orientated type residences.
- He brought concept drawings of houses he has sold 7 or 8 of in the last year. All of the houses are 45-feet wide. Some of them have finished basements. All have 3 or 4 bedrooms upstairs and are 2-story plans.
- The site plan was reconfigured because the lots are a little bigger and allow more creativity with the house plan. Because of the proximity to Interstate 494, he would like to turn the garages to keep the living space screened from Interstate 494. Interstate 494 is seen and heard from every place on the site.

Adams asked if the price would be different for units that stand alone or share a wall. Mr. Fretham said that a shared wall would probably be less, but he had not given it a lot of thought. He was leaning significantly toward the single-family plan unless he got a strong direction that twin homes would be preferred. Twin homes are popular in Eden Prairie and sell well. He tried it in Minnetonka and had problems selling them. He has not done the single-family homes in Minnetonka at this price point and size, but he predicts it would be very popular because he has received a great deal of interest.

Adams asked if there would be a substantial difference in the amount of hardcover from single family to twin homes. Mr. Fretham stated that single-family residences would have more hardcover. Twin homes would have shared driveways.

Sjeklocha asked how the trees would be impacted. Mr. Fretham explained that most of the trees surround the perimeter of the property. He did not think either plan would make much of an impact on the trees. He has not done a tree survey yet.

Sjeklocha asked for the proposed lot size. Mr. Fretham said each would be 11,000 square feet.

Sjeklocha asked if developing single-family homes versus twin homes would make a difference in regard to the proposal being able to provide affordable housing. Mr. Fretham said that none of the residences would be priced at \$209,000 or below. He probably could not meet that price on a twin home either. He would entertain discussions on one affordable unit with some sort of participation by the city if he could maintain the proposed density.

A. Thomas was curious why a developer would not look at the three-acre site and prepare a plat with six residences that would meet all ordinance requirements. Mr. Fretham took a look at the property and considered the options. He looked at the city's housing goals in chapter 5 of the comprehensive plan and it says that the city is looking for diversity of housing.

Adams visited the site and noticed that the south property line is about ten feet from Favorite Lane. He asked if connecting to Favorite Lane was considered. Mr. Fretham answered affirmatively. Adams thought it might reduce paving and increase lot size. Mr. Fretham said the biggest reason was that there was a lot of resistance from the neighborhood who suspected that was what would happen and did not want the traffic traveling through their neighborhood. It might provide for a better access. Adams thought it would tie in the proposal instead of making it an isolated community, but understood the developer's apprehension if the neighbors did not want to be tied in.

Chair Cheleen noted one house, represented by a white square on the map, that would be impacted the most by residences looking directly down on it. He suggested a plan consisting of two twin houses and six single-family houses be considered. A couple more housing units might be possible if there would be a mixture and some of the proposed houses could be moved away from the existing houses. Mr. Fretham felt commissioners had good points. He noted that the owner of the property, represented by a white square on the map, was present. Mr. Fretham said he has had pleasant discussions regarding the development with the property owner and the property owner has been considering joining into the development so that property would not be notched out. There is no pressure on Mr. Fretham's part, but he left the door open for the property owners to consider that option. The property owners are entertaining those thoughts at this time. Mr. Fretham invited the property owners to comment. Mr. Fretham said that the twin-home and single-family home blend would be a possibility. If staff directed him to look at that possibility, then he would do so. Chair Cheleen was unsure if it would be a viable solution, but thought it might provide greater distances between some of the houses that overlook some of the existing houses.

Chair Cheleen invited anyone in the audience to make comments.

Dennis Olson, owner of the “white square” property, stated that the proposed road easement could come as close as 12 feet to his house. He is concerned for the noise and lost privacy created by the road being so close to his house. The proposal would create an abrupt change in density. All of the existing homes are secluded. Once the power lines and interstate are tuned out, residents are used to a rural feel. Having a higher-density development would change the feel dramatically. That is a concern for the neighborhood. He could screen his home with vegetation to keep other residents from looking into his windows.

Chris Dvorak, 3605 Park Valley Road, stated that there is currently a beautiful buffer of woods between his house and Mr. Olson’s house he would like to remain. He is all for the 0.5 acre per lot. He has 0.51 acres and other neighbors have a half an acre or a little bit more. The freeway and power lines do not bother him. From the road to the top of this property the rise is approximately 40 feet, so he would like to know what type of grading would be done where Lots 1 and 3 would be located. Along the property line are black walnut, American elm, red oak, white oak, green ash, black cherry, spruce, and red pine trees. He supports woods, trees, and renewable resources. He does not want to see any development, but would prefer 1 house per 0.5 acres. He could live with knowing that more of the trees would remain.

Chair Cheleen asked Colleran how the trees would be handled. Colleran said that the tree preservation ordinance depends on the trees’ classifications. There is not a woodland preservation area on the property. She described what trees would be considered significant or high priority. No more than 35 percent of high priority trees could be removed. If that threshold would not be met, there could only be one lot per acre or a planned unit development could be utilized if certain criteria would be met.

Brian Burke, 13709 Inverness Road, stated that:

- He has 1.5 acres of property.
- He has a city water easement. He asked what would be done with the runoff that currently runs into the pond in his front yard.
- His side of Interstate 494 does not have a noise reduction wall because there was not enough density of houses in the area to qualify. He asked if the increased density would create the necessity for a noise reduction wall.
- A builder was required to purchase 0.1 of an acre a few years ago from him so that builder would have 0.5 acres per lot. It was

- deemed at that time that that is what the neighborhood required.
- There is road noise from the freeway, but no motorists travel through his neighborhood unless they live there. There is a lot of great natural habitat and trees. There is a lot of buffer and trees.
- His biggest concern is that his house would back up pretty close to the proposed concept plan. The area now is pretty wooded. In the summer, he cannot see anyone around.
- He appreciated Mr. Fretham as a builder. He has been great and invited neighbors a couple times to Dunn Brothers. He and his wife understood that the land would be developed.
- His biggest concern is losing the natural buffer. The topography of the property is pretty substantial. It is a pretty steep grade. He would be curious how much grading would be required.

Chair Cheleen appreciated the comments and they would be passed on to the city council.

Sjeklocha asked Mr. Burke if he favored construction of a noise-reduction wall. Mr. Burke said he would be in favor of the option and learning more of what it would entail. In the past, neighbors have indicated they would be in favor of it. He thought trees would offer the same benefit and be more aesthetically pleasing than a wall. He supported trees.

Chair Cheleen reviewed the options discussed for the proposed concept plan. It appeared residents understood the property would be developed. He thanked everyone for their input.

10. ADJOURNMENT

Adams moved, second by Sjeklocha, to adjourn the meeting at 8:10 p.m. Motion carried unanimously.

By: _____
Lois T. Mason
Planning Secretary