

**MINNETONKA PLANNING COMMISSION
MINUTES**

APRIL 7, 2011

1. CALL TO ORDER

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

2. ROLL CALL

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

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.

4. APPROVAL OF MINUTES: March 3, 2011

Sjeklocha moved, second by Lehman, to approve the March 3, 2011, meeting minutes as submitted.

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

5. REPORT FROM STAFF

Wischnack briefed the commission on land use applications considered by the city council at its March 7, 2011 and March 28, 2011 meetings:

- Adopted a resolution approving a conditional use permit and site and building plan review to construct five new tennis courts at Minnetonka Middle School East located at 17000 Lake Street Extension.
- Adopted a resolution approving a conditional use permit for an indoor dog park at Cedar-73 Business Park.
- Adopted a resolution approving a conditional use permit for grading in excess of 1,000 cubic yards on and around the Cargill property at 15407 McGinty Road West.
- Adopted a resolution reaffirming the previous preliminary plat approvals for 18200 Old Excelsior Boulevard.
- Adopted a resolution approving the final plat for Rabbit Hill at 4625 Highland Road.

- Tabled action on a resolution approving a site and building plan for Toys R' Us and Babies R' Us and a resolution amending the master development plan for Ridgedale Festival located at 14200 Wayzata Boulevard on March 7, 2011 and adopted the resolution on March 28, 2011.
- Adopted a resolution approving a conditional use permit for a 150-foot wireless telecommunications tower on the property at 15001 Minnetonka Industrial Road.
- Adopted a resolution endorsing the Highway 7/County Road 101 Village Center Study.
- Adopted a resolution approving the final plat for Lone Lake Highlands located at 11809 Bren Road.
- Introduced ordinances amending the zoning and subdivision codes regarding financial security.
- Introduced an ordinance rezoning the property at 5431 and 5439 Williston Road from R-1, low-density residential, to planned unit development.
- Introduced an ordinance rezoning and adopting a master development plan for the properties at 12708 and 12720 Wayzata Boulevard.

6. REPORT FROM PLANNING COMMISSION MEMBERS

Adams reported that the Minnehaha Creek Watershed District has implemented a grant program for property owners. The city requires property owners to maintain shoreline, encourages removal of riprap, and promotes use of rain gardens. The Minnehaha Creek Watershed District grants will cost share up to 50 percent of a project's cost with a \$2,500 cap for residential storm water plans and a \$5,000 cap for residential shoreline, stream bank stabilization. Anyone interested in applying for a grant may contact the Minnehaha Creek Watershed District.

7. PUBLIC HEARINGS: CONSENT AGENDA

The item was not removed from the consent agenda for discussion or separate action.

Adams asked if vehicles would use the rear, overhead door for access. Thomson answered affirmatively.

Adams asked how the vehicles would get on the loading dock. The applicant stated that a ramp would be installed, but there would be no demolition.

Thomson stated that staff supports the proposal with the conditions listed for approval.

Adams moved, second by A. Thomas, to approve the item listed on the consent agenda as recommended in the respective staff report as follows:

A. Conditional Use Permit for an auto-related business at 15730/15736 Wayzata Blvd

Recommend that the city council adopt the resolution on pages A8-A11 of the staff report. This resolution approves a conditional use permit for a paintless auto body repair business to be located within the existing building at 15700 Wayzata Boulevard. Approval is based on the finding that the proposal meets the required conditional use permit standards and is subject to the following conditions:

- 1) Prior to issuance of a building permit or occupying the building, this resolution must be recorded with Hennepin County, and a copy of the recorded resolution must be returned to the city.
- 2) The use must not occupy more than 4,800 square feet of the building.
- 3) The business must comply with all building and fire codes.
- 4) There must be no unlicensed and inoperable vehicles stored on premises.
- 5) All automobile services must be conducted within the building. There may be no service, repair, assembly, disassembly and maintenance of vehicles outside.
- 6) There must be no public address system on the property.
- 7) All vehicles must be stored inside the building. There may be no sales, storage or display of motor vehicles on the exterior of the property.
- 8) The city council may reasonably add or revise conditions to address any future unforeseen problems.
- 9) 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.
- 10) The applicant must agree to these conditions in writing.

A. Thomas, Adams, Daeges, Lehman, Magney, Sjeklocha, and Cheleen voted yes. Motion carried and the item on the consent agenda was approved as submitted.

8. PUBLIC HEARINGS

A. Ordinance amending the zoning code regarding the planned I-394 district and planned unit development ordinances

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.

Lehman asked for an overview of what the proposal would change in the planned unit development ordinance. S. Thomas explained that the current ordinance provides flexibility from density and floor area ratio requirements to help promote housing goals such as low-income to moderate-income housing. The “density” and “floor area ratio” language would be replaced with “development standards” to allow even more flexibility.

Lehman commented that the same changes would be made to the planned I-394 district. S. Thomas agreed.

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

Sjeklocha moved, second by Adams, to recommend that the city council adopt the ordinance on pages A1–A2 of the staff report which amends the zoning ordinance to provide housing flexibility in the planned I-394 and planned unit development districts.

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

The city council is tentatively scheduled to review the item at its April 18, 2011 meeting.

B. Ordinance amending the zoning and subdivision codes regarding financial securities.

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 confirmed with S. Thomas that the city has not accepted a performance bond for a planning project in seventeen years. Wischnack explained the difference between a performance bond and construction projects that provide performance bonds for road projects. There are also bonds that guarantee the work for a certain time period. Those bonds are not the same as the bonds referred to in the proposal.

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

Adams moved, second by Daeges, to recommend that the city council adopt the ordinance on pages A1–A7 of the staff report which amends the zoning and subdivision ordinances regarding financial security.

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

The city council is tentatively scheduled to review the item at its April 18, 2011 meeting.

9. ADJOURNMENT

A. Thomas moved, second by Lehman, to adjourn the meeting at 6:55 p.m. Motion carried unanimously.

By: _____
Lois T. Mason
Planning Secretary