

**Minnetonka Planning Commission
Minutes**

Dec. 14, 2023

1. Call to Order

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

2. Roll Call

Commissioners Powers, Waterman, Banks, Hanson, Henry, Maxwell and Sewall were present.

Staff members present: Community Development Director Julie Wischnack, City Planner Loren Gordon, Assistant City Planner Susan Thomas and Planner Bria Raines.

3. Approval of Agenda: The agenda was approved as submitted.

4. Approval of Minutes: Nov. 30, 2023

Powers moved, second by Waterman, to approve the Nov. 30, 2023 meeting minutes as submitted.

Powers, Waterman, Banks, Hanson, Henry, Maxwell and Sewall voted yes. Motion carried.

5. Report from Staff

Gordon briefed the commission on land use applications considered by the city council at its meeting on Dec. 4, 2023:

- Introduced an ordinance adopting a master development plan for redevelopment of the existing property at 1809 Plymouth Road.
- A motion to approve items concerning Walser Kia at 15700 and 15724 Wayzata Blvd. failed.

The city council will consider a motion to rescind a decision for a land-use application for 12620 Orchard Road at its meeting scheduled for Dec. 18, 2023.

The next planning commission meeting is scheduled to be held Jan. 4, 2024. The Dec. 28, 2023 planning commission meeting has been canceled.

6. Report from Planning Commission Members: None

7. Public Hearings: Consent Agenda

No item was removed from the consent agenda for discussion.

Powers moved, second by Henry, to approve the item listed on the consent agenda as recommended in the staff report:

- A. Expansion permit for a new garage and second-story living space at 12514 Orchard Road.**

Expansion permit for a new garage and second-story living space at 12514 Orchard Road.

Powers, Waterman, Banks, Hanson, Henry, Maxwell and Sewall voted yes. Motion carried and the item on the consent agenda was approved as submitted.

Chair Sewall stated that an appeal of the planning commission's decision must be made in writing to the planning division within ten days.

8. Public Hearings

- A. Floodplain alteration permit and conditional use permit for an attached accessory dwelling unit at 19102 Covington Road.**

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

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

Judy Tauer, the applicant, stated that it has been a long process to get to this point. A civil engineer designed the proposal to meet all city and watershed requirements.

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

Powers stated that the proposal is a reasonable use for the property. Allowing the attached accessory dwelling unit to be a little larger matches today's needs. He applauded the applicant and staff for working to reach a reasonable proposal. He supports staff's recommendation.

Waterman agreed with Powers. The proposal would be a reasonable use. He supports staff's recommendation. He likes the proposal's location and that it would be attached to the house. The property has unique challenges.

Waterman moved, second by Banks, to recommend that the city council adopt the resolution approving a conditional use permit and floodplain alteration permit for an attached accessory dwelling unit at 19102 Covington Road.

Powers, Waterman, Banks, Hanson, Henry, Maxwell and Sewall voted yes. Motion carried.

This item is scheduled to be reviewed by the city council on January 18, 2023.

B. Preliminary plat with floodplain alteration permit and variances for Woodbridge Estates, a 14-lot subdivision, at 2503, 2505, 2511 and 2615 Plymouth Road.

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

Thomas reported. She recommended denial of the application based on the findings listed in the staff report.

Chair Sewall confirmed with staff that the application does not have an accurate tree inventory. He recommends commissioners consider postponing review of the application since the information needed to make a decision is missing.

Powers agrees with postponing review of the incomplete application.

Chair Sewall confirmed with Thomas that the application currently includes 18 variance requests that do not include variances that may be required if the proposal does not meet the tree protection ordinance requirements to be determined once an accurate tree inventory has been submitted.

In response to Banks' question, Thomas explained that either the planning commission must make a recommendation to the city council on the application or the applicant must agree to waive or extend the 120-day deadline for the city to take action on the application.

Kelsey Thompson, development director at Lakewest Development, applicant, stated that the applicant agrees to sign a waiver to extend the city's deadline to take action on the application. She hopes to have the required information in a couple of weeks and be ready for the planning commission meeting on Jan. 4, 2024.

Chair Sewall supports reviewing the application when it includes all of the required information to make it complete and waiting to receive public comments on a completed, final application. He confirmed with staff that they will continue to provide feedback to the applicant for each revised plan submitted. He will open the public hearing to provide those present the opportunity to provide comments, but cautioned that interested parties may need to evaluate and submit comments again once the city receives the final plan and reviews it at a future planning commission meeting.

Thomas spoke with the applicant earlier in the day and had a waiver prepared for the applicant to sign to agree to extend the city's 120-day limit to take action on the application until Jan. 31, 2024. Ms. Thompson agreed that the applicant will sign the waiver agreeing to extend the city's 120-day time limit to take action on the application until Jan. 31, 2024.

The public hearing was opened.

Julie Rudowsky, 2460 Emerald Trail, stated that:

- She would like the applicant to plant evergreen trees along the road where the entrance is because it is adjacent to her backyard.
- She is concerned with an increase in noise. Right now, there is nice greenery. She would like the applicant to plant evergreen trees.
- Her property currently has water issues with runoff flowing through her backyard. She discussed it with the applicant who said that they would look into it. Her neighbor also has some water runoff behind their property.

Bryan Badzin, 2600 Crescent Ridge Road, stated that:

- He has met with the applicant.
- He is going to wait to comment on the proposal until the final application is reviewed by the planning commission in the future.

No additional testimony was submitted and the hearing was continued until the next review of the application at a planning commission meeting.

Powers moved, second by Hanson, to table taking action on a preliminary plat with floodplain alteration permit and variances for Woodbridge Estates at 2503, 2505, 2511 and 2615 Plymouth Road.

Powers, Waterman, Banks, Hanson, Henry, Maxwell and Sewall voted yes. Motion carried.

9. Adjournment

Waterman moved, second by Maxwell, to adjourn the meeting at 7:17 p.m. Motion carried unanimously.

By:

Lois T. Mason
Planning Secretary