

**Unapproved  
Minnetonka Planning Commission  
Minutes**

**January 7, 2016**

**1. Call to Order**

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

**2. Roll Call**

Commissioners O'Connell, Odland, Powers, Calvert, Knight, Magney, and Kirk were present.

Staff members present: Community Development Director Julie Wischnack, Principal Planner Susan Thomas, Natural Resource Manager Jo Colleran, and planning consultant Jeff Miller of Hoisington Koegler Group, Inc.

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

**4. Approval of Minutes:** December 17, 2015

***Odland moved, second by Magney, to approve the December 17, 2015 meeting minutes as submitted with the following modification:***

***Page 3: ~~Calvert~~ Odland confirmed with Mr. Deanovic . . .***

***O'Connell, Odland, Powers, Calvert, Knight, Magney, and Kirk voted yes. Motion carried.***

**5. Report from Staff**

Wischnack briefed the commission on land use applications considered by the city council at its meeting of January 4, 2016 and on upcoming meetings:

- Adopted a resolution for items for a hotel on Clearwater Road.
- Reviewed and provided feedback for the concept plan for redevelopment of the TCF Bank building.
- There will be a neighborhood meeting January 13, 2016 at 3 p.m. at city hall to discuss redevelopment of the city-owned property on Shady Oak Road, the former Chalet Pizza site.
- There will be a Glen Lake neighborhood meeting January 20, 2016.
- The State of the City address will be held February 10, 2016.
- The boards and commissions dinner will be held April 27, 2016.

6. **Reports from Planning Commission Members:** None

7. **Public Hearings: Consent Agenda:** None

8. **Public Hearings**

**A. Items concerning Williston Woods West, a four-lot subdivision, at 5431 Williston Road.**

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

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

Powers asked if the proposal includes a significant reduction in the number of parking stalls. Miller stated that the Sanctuary project had 23 units and the driveway lengths were shorter. The current proposal has been reduced to 4 single lots which would each be able to accommodate 4 vehicles. Powers noted that the Sanctuary is not on a main road. Thomas added that parking was a concern for the Sanctuary lots due to their odd-shaped driveways. The current proposal's lots function as single-family lots which would each have a standard-size driveway.

Miller stated that Parcel B could be used for a single-family residence.

A resident stated that she was told that parking is not allowed on Williston Road.

Calvert asked if there had been an investigation regarding the safety of accessing the proposed driveways from the busy road. Miller was unaware of a traffic study. Chair Kirk noted that a driveway with a turnaround might be advisable. Calvert noted that it might be possible for a driver to back into a neighbor's driveway in order to exit the proposed residences.

Chair Kirk asked staff to explain why the site was rezoned PUD instead of R-1A. Wischnack explained that the applicant proposed rezoning the site to a PUD. During the concept plan review, criteria to establish a public benefit was identified. Providing smaller houses on smaller-than-typical lots would be a public benefit. R-1A zoning would require each lot area to be 15,000 square feet.

When asked what the difference would be between floor area ratios (FAR) of .24 and .35, Miller stated that the proposed houses would be 4,400 square feet in

size. For the proposed properties to reach an FAR of .24, the square footage of the houses would have to be reduced by 1,000.

Chair Kirk noted that creation of the water retention pond would require removal of trees in the northeast corner. Colleran confirmed that three significant trees and two high-priority trees located in that area would be removed.

Chair Kirk asked if new trees could be planted in the area graded for the water retention pond. Colleran said that there would be an opportunity for planting shrubs or non-woody vegetation on the edges. A landscape plan would be required to comply with tree mitigation standards.

Calvert asked if she understood correctly that PUD zoning adds an opportunity for tree preservation through the use of conservation easements. Colleran explained that the proposal would meet R-1 tree preservation ordinance standards. Less than 35 percent of the high-priority trees would be removed and mitigation would be done for certain trees. A PUD requires a proposal to have an additional public benefit. This site does not have a woodland preservation area, so the city has not requested that it be placed in a conservation easement.

Miller clarified that a condition of approval would require the shared driveways for Lots 1 and 2 to be changed to match the shared driveways for Lots 3 and 4 and there would be a condition requiring a turnaround.

Powers asked how much of the 1.48 acres would become hard surface. Chair Kirk noted that the stormwater calculations would take that into account.

Powers said that his driveway and front lawn flood after every rain and it increased after new houses were built on Rainbow Drive. He was concerned that the intersection would be turned into a flood basin. Thomas answered that engineering staff have reviewed the proposal for consistency with stormwater management rules. The two infiltration areas would manage the site's stormwater to meet the city's rules.

Calvert questioned why a conservation easement would not be required. Colleran explained that conservation easements are used to protect high-valued woodland areas, high-valued trees, and wetland buffers. The existing trees are planted too close together and are not healthy enough for the city to put the resources into monitoring the area as a conservation easement.

Curt Fretham, of Lakewest Development, applicant, stated that:

- He was happy to answer questions.
- If the site would be zoned R-1A, then a street with a cul de sac would be needed which would increase the amount of hard surface coverage and tree loss dramatically.
- The driveway on the north two lots was designed in response to a request to keep the driveway as far to the north as possible because of sight lines. He is open to moving it to the south.
- The original proposal included an additional lot. It was a good plan. Staff requested the removal of one lot and circular drive lane.
- He has not had a chance to evaluate the FAR request. The 4,400 square feet figure includes 500 square feet of garage and the basement. It would take away the opportunity for the buyer to have a 3-car garage. He was sure something reasonable would be figured out. He was not sure what FAR would be needed by the builders.

Knight asked for Mr. Fretham's thoughts on the smallest parcel. Mr. Fretham stated that it was not included in the application because there have been a number of options being considered including an apartment building, daycare, or another residence. It was left out to keep its options flexible. The house is occupied right now and the north one is vacant.

The public hearing was opened.

Charles Swanson, 5436 Williston Road, stated that:

- He is glad the proposal has moved to this point. The proposed site is currently deteriorating and not looking good.
- He asked for the distance between two houses and the price of the houses.

Ellen Swanson, 5436 Williston Road, stated that:

- It is difficult to back onto Williston Road. There is a hill north of the proposed site. A builder should consider creating a turn around. It could be very dangerous.
- She asked for the distances between each house and from each house to the curb.

No additional testimony was submitted and the hearing was closed.

Miller explained that each house would be required to have 7-foot side setbacks, so there would be a minimum of 14 feet between houses. The minimum front setback would be 40 feet from the house to the front property line. Chair Kirk noted that the proposed setbacks are not uncommon. Miller clarified that the front setback would be larger than what is required by R-1 and R-1A zoning.

Mr. Fretham estimated that the properties would sell from \$400,000 to \$600,000. Chair Kirk agreed that would be accurate for new construction even with .24 FAR.

Mr. Fretham identified a tree close to the street that was preserved when the street was improved. There is a large, block retaining wall around it. He thought it looked odd and suggested it be looked at and cleaned up at this time.

Knight likes this proposal the best. He likes the driveway configuration the best. It would be a nice addition to the neighborhood.

Magney concurred with Knight. It would be a nice-looking development. He asked what would happen if the applicant could not make .24 FAR work. Thomas answered that the condition would prevent a residence with a FAR larger than .24 to be built without a change to the condition by the city council. Magney suggested that staff and the applicant work together on that condition and resolve it prior to the city council's review of the application. In general, the planning commission can support staff's recommendation to try to reach .24 FAR.

Powers had environmental concerns with water runoff and the increase in hard-surface coverage. Attention should be paid to how safe it would be to access Williston Road from a driveway.

Odland noted the location of an existing runoff, ponding area that is fairly sizable for the area.

Chair Kirk stated that Minnetonka lacks new single-family housing. This is one of the best proposals for this parcel. Requiring turnarounds should be a condition of approval. Wischnack clarified that it is a condition of approval.

***Odland moved, second by O'Connell, to recommend that the city council adopt the following:***

- 1. Ordinance rezoning the property from R-1, low-density residential, to PUD, planned unit development, and adopting a master development***

*plan for the Williston Woods West housing development (see pages A26-A29 of the staff report).*

2. *Resolution approving a preliminary plat for the Williston Woods West housing development (see pages A30-A34 of the staff report).*
3. *Resolution approving a final site and building plan for the Williston Woods West housing development (see pages A35-A45 of the staff report).*

***O'Connell, Odland, Powers, Calvert, Knight, Magney, and Kirk voted yes.  
Motion carried.***

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

## 9. **Adjournment**

***Odland moved, second by Knight, to adjourn the meeting at 7:34 p.m.  
Motion carried unanimously.***

By: \_\_\_\_\_  
Lois T. Mason  
Planning Secretary