

**Unapproved
Minnetonka Planning Commission
Minutes**

May 5, 2016

1. Call to Order

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

2. Roll Call

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

Staff members present: City Planner Loren Gordon, Principal Planner Susan Thomas, Senior Planner Ashley Cauley, and City Attorney Corrine Heine.

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

Odland moved, second by Hanson, to approve the May 5, 2016 agenda with the removal of Item 8B, items concerning 14840 and 14900 Highway 7, in response to a request from the applicant.

Hanson, Knight, Odland, Powers, and Kirk voted yes. Calvert and O'Connell were absent. Motion carried.

4. Approval of Minutes: April 14, 2016

Odland moved, second by Knight, to approve the April 14, 2016 meeting minutes as submitted.

Hanson, Knight, Odland, Powers, and Kirk voted yes. Calvert and O'Connell were absent. Motion carried.

5. Report from Staff

Gordon briefed the commission on land use applications considered by the city council at its meeting of April 25, 2016:

- Introduced the sign ordinance.
- Adopted a resolution approving a conditional use permit for Prestige Academy.

Gordon invited commissioners interested in serving on a small committee to help guide the city's strategic planning to let him know.

There will be a planning commission meeting and training session at 5 p.m. on May 19, 2016 that will include a bus tour. The public is welcome to attend.

6. Report from Planning Commission Members

Powers stated that the boards and commissions meeting was very interesting. A futurist provided a presentation on the merits of a comprehensive guide plan. It was very informative.

Powers visited city hall and was impressed by Planner Drew Ingvalson. He was incredibly helpful.

7. Public Hearings: Consent Agenda: None

8. Public Hearings

A. A conditional use permit for a school in an industrial district at 5501 Feltl Road.

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

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

Chair Kirk asked if the right of way of the SWLRT would impact the existing parcel. Cauley provided an illustration on Page 6 of the staff report that shows the right of way. Chair Kirk noted that a fairly sizable northeast piece of the parcel would be removed. The site's size is still generous. Cauley stated that engineering staff have reviewed the proposal with the SWLRT's 100 percent plans and found no impact.

Powers asked for the reasoning used to determine the size of the outdoor area. Cauley explained that the ordinance does not have outdoor-area-size requirements that would apply to the application. She invited the applicant to comment.

Knight asked if there would be additional parking created. Cauley explained that proof of parking was established in 2008. Staff finds that the existing parking would be sufficient with the current proof of parking.

Bruce Thomas, representing the applicant, stated that a current facility in Edina would migrate to this site. He was available for questions. The proposed playground area would probably be larger than what would be needed. The applicant would be willing to work with staff to determine the size of the playground area.

Powers thought that the playground area would be too small for 40 students. Mr. Thomas said that approximately 14 students would be outside at a time. Powers favored utilizing the area used by a couple parking stalls to add on to the playground area. Mr. Thomas stated that the playground area could be increased.

Odland agreed with Powers. She asked for the dimensions of the Burnsville play area. Mr. Thomas estimated 100 feet by 25 feet.

Mr. Thomas stated that being a part of the school is very rewarding and the program helps the students immensely.

The public hearing was opened.

Tom Rendahl, 5640 Feltl Road, asked if the entire building would be purchased and used. He asked how the students would be transported to and from the site. There should be 50 parking stalls if there would be 50 employees. He was concerned that the outside play area would not be large enough because of the drop off and the new transportation system. The area already has traffic problems.

No additional testimony was submitted and the hearing was closed.

Mr. Thomas explained that there would be staggered drop off and pick up times. The Burnsville facility has 87 parking stalls for a building 36,000 square feet in size and it works fine. Parking would not be a problem.

Chair Kirk asked if more classes could be added. Mr. Thomas answered that the five-year plan would be to add another site rather than increase the number of students at this one.

Mr. Thomas explained that vans instead of buses would be used to transport some students.

Cauley reviewed that the proposal includes 82 existing stalls and 12 additional stalls that are shown as proof of parking. There is a chart in the staff report that illustrates how the proposal meets parking ordinance requirements for schools.

Chair Kirk asked if there would be events where students and parents would be at the school at one time. Mr. Thomas said that there are annual Halloween and Christmas parties. Arrangements would be looked at for the two or three times that would occur each year.

Chair Kirk noted that the topography of the site would limit the size of the playground area more than the SWLRT would and would also provide a natural buffer.

Odland asked if the sound created by the SWLRT would impact the students. Mr. Thomas answered in the negative.

Odland likes the concept. It would be a good use of the space and it would be good to have the program available to the community.

Chair Kirk felt the program would be an amenity.

Powers agreed. The program would be a valuable addition to the city. He favored more playground area.

Odland moved, second by Knight, to recommend that the city council adopt the resolution on pages A13-A18 of the staff report. This resolution approves a conditional use permit for Partners in Excellence at 5501 Feltl Road.

Hanson, Knight, Odland, Powers, and Kirk voted yes. Calvert and O'Connell were absent. Motion carried.

This item is tentatively scheduled to be reviewed by the city council at its meeting on May 23, 2016.

B. Items concerning 14840 and 14900 Highway 7.

This item was removed from the agenda.

C. Amendment to the sign ordinance.

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

Gordon and Heine reported. They recommended approval of the application based on the findings listed in the staff report.

Calvert joined the meeting.

Chair Kirk thought the proposed amendment represents a great deal of work and is very well organized.

Calvert asked how the number of dwellings was determined when establishing when to allow an identification sign. Heine explained that number had been established in 1991. During this phase of amending the sign ordinance, the goal is to reword the ordinance to use the terms that the court recognizes and organize the ordinance in a logical format to make it easier to read. During the second phase of amending the sign ordinance, content will be reviewed.

Chair Kirk asked if signs posted in windows are regulated. Gordon explained that the current ordinance does not regulate signs located inside a building seen through glass or painted on glass. The current amendment proposal would not change those types of signs. Other communities do regulate signs seen through windows. The city could review that issue.

Chair Kirk found the disposition table helpful. He thanked staff.

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

Odland moved, second by Calvert, to recommend that the city council adopt the ordinance on pages A1-A77 of the staff report.

Calvert, Hanson, Knight, Odland, Powers, and Kirk voted yes. O'Connell was absent. Motion carried.

This item is tentatively scheduled to be reviewed by the city council at its meeting on May 23, 2016.

9. Adjournment

*Odland moved, second by Powers, to adjourn the meeting at 7:38 p.m.
Motion carried unanimously.*

By: _____
Lois T. Mason
Planning Secretary