

**Minnnetonka Planning Commission  
Minutes**

**January 5, 2017**

**1. Call to Order**

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

**2. Roll Call**

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

Staff members present: City Planner Loren Gordon, Assistant City Planner Susan Thomas, Planner Drew Ingvanson, Water Resources Technician Tom Dietrich, and Natural Resource Specialist Aaron Schwartz.

**3. Approval of Agenda**

***Powers moved, second by Calvert, to approve the agenda as submitted with modifications for Item 8B as provided in the change memo dated January 5, 2017.***

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

**4. Approval of Minutes: December 15, 2016**

***Calvert moved, second by O'Connell, to approve the December 15, 2016 meeting minutes as submitted.***

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

**5. Report from Staff**

Gordon briefed the commission on the land use application considered by the city council at its meeting of December 19, 2016:

- Adopted a resolution approving items for the Groveland Elementary School gymnasium and parking lot.

The State of the City address will be held February 8, 2017 at 7:30 a.m. at city hall.

The next planning commission meeting will be January 19, 2017.

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

7. **Public Hearings: Consent Agenda**

No item was removed from the consent agenda for discussion or separate action.

***Calvert moved, second by Knight, to approve the item listed on the consent agenda as recommended in the staff report as follows:***

**A. Front yard and wetland setback variances for dormer additions at 2600 Crosby Road.**

Adopt the resolution approving front yard and wetland setback variances for dormer additions to the existing home at 2600 Crosby Road.

***Powers, Calvert, Knight, O'Connell, and Kirk voted yes. Odland was absent. Motion carried and the item on the consent agenda was approved as submitted.***

An appeal of the planning commission's decision to the city council must be submitted in writing to city staff within ten days.

8. **Public Hearings**

**A. Preliminary and final plat for Tony's Addition at 9597 Sandra Lane.**

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

Ingvalson reported. He recommended approval of the application based on the findings and subject to the conditions listed in the staff report. He added that the trail easement is being proposed where pedestrians are currently using the property as a short cut and a worn path is visible.

Larry Fidler, representing the applicant, stated that he spoke to Minnehaha Creek Watershed District personnel and city staff regarding the site. The proposal would divide the parcel into two lots for single-family houses. Depending on the sale price of the lots, the residences would be anticipated to be priced between \$400,000 and \$450,000 which is comparable to the area.

The public hearing was opened.

Amy Franklin, 9602 Sandra Lane, stated that she is concerned with losing the trees and berm that provide a sound and visibility buffer to Highway 169. The area has a lot of foot traffic and kids ride bikes on the path through the site. The site is currently vacant.

Karin Flynn, 9607 Ann Lane, stated that there is a lot of foot traffic on Ann Lane and Sandra Lane. She wants pedestrians from other neighborhoods to be discouraged from walking on Ann Lane.

No additional testimony was submitted and the hearing was closed.

Mr. Fidler stated that the trail easement has nothing to do with development of the two houses. The proposal would not increase traffic for the area.

In response to Powers' question, Ingvalson pointed out where the existing bus stops are located. Thomas provided that the Metropolitan Transit Commission (MTC) requested the trail easement be dedicated as part of the proposal. Staff found the request to be reasonable given the existing, informal trail. The easement has no impact on the subdivision of the proposed parcel.

In response to Knight's question, Ingvalson explained that the easement would provide the opportunity for a trail. A trail would not be paved as part of the current proposal.

Calvert acknowledged the concerns of the neighbors. She supports a sustainable community which includes making it easier to walk and access mass transportation. That is for the public good. She noted that many pedestrians walk in the Burwell area because it has a trail and park. Those residents have come to expect pedestrians as part of their daily life. She supports staff's recommendation. Chair Kirk agreed. The easement provides an opportunity if sometime in the future access would be granted across the adjacent properties.

Powers agrees with supporting walkability. Right now the trail easement would not connect to anything.

The public hearing was reopened.

Ms. Flynn said that pedestrians walk from Minnetonka Boulevard and 34<sup>th</sup> Street West to Ann Lane.

The public hearing was closed.

In response to Chair Kirk's question, Ingvalson explained the alternatives considered and how staff chose the proposed location for a trail easement. The trail would not be constructed unless connections could be made. Gordon explained that MTC requested the trail easement, staff observed foot traffic on the proposed easement location, and St. Louis Park staff agreed that there is a need to improve walkability in the area. The subdivision provides an opportunity that could be combined with other opportunities if and when additional opportunities become available.

***Calvert moved, second by Knight, to recommend that the city council adopt the resolution approving the preliminary and final plats of Tony's Addition.***

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

**B. Preliminary plat and final plats for a five-lot subdivision at 5325 County Road 101, 5311 Tracy Lynn Terrace, and 5320 Spring Lane.**

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

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

O'Connell asked if approving the proposal would result in two approved plans. Thomas explained that if the currently proposed plat would be approved and recorded with Hennepin County, then that would take precedence over what was approved in 2015, as it was never filed with the county.

Chair Kirk understood that the seven-lot, R-1A subdivision could be proposed in the future.

Curt Fretham, of Lakewest Development, applicant, stated that the proposal would create lots that adhere to R-1 requirements on Spring Lane. He is rethinking the overall plan. He was available for questions.

The public hearing was opened.

Roger Omlid, 5321 Tracy Lynn Terrace, stated that 5311 Tracy Lynn Terrace has been vacant for five years. He wants it to be torn down or redeveloped. The house has shingles falling off of it and it looks terrible. He does not want an eye sore next to his house.

Dave Moore, of Edina Realty, working with Lakewest Development, stated that he supports the proposal. The fire hydrant would no longer be a hindrance to the driveway. He appreciates working with staff.

Audrey Omlid, 5321 Tracy Lynn Terrace, stated that she lives next door to an unattractive house that is falling down. It brings down the property values of surrounding neighbors. It looks horrible. Bushes are overgrown and the driveway is ripped up. She and additional neighbors are mad about it.

Thomas explained that city staff have investigated previous complaints about the repair of the house. No violations of the nuisance ordinance were observed. The city cannot require a house to be torn down if it is not a structural hazard. Environmental health staff will inspect 5311 Tracy Lynn Terrace prior to the city council meeting to provide an updated report. The property owner would be required to remedy a code violation if one exists.

Thomas explained that the fire marshal requires a 10-foot clearance around a fire hydrant from driveways and paved surfaces. If the proposed driveway and building meet the 10-foot clearance requirement, then the fire hydrant does not need to be moved. If a property owner wants to move the fire hydrant, then the cost for relocation would be the responsibility of the property owner.

No additional testimony was submitted and the hearing was closed.

Powers stated that it is reprehensible that the house has been vacant for five years and in disrepair.

Knight felt that the approval for three lots is straight forward. Calvert agreed.

***O'Connell moved, second by Calvert, to recommend that the city council adopt the resolution approving the preliminary and final plats for a five-lot subdivision generally located at the southeast quadrant of the County Road 101 and Excelsior Boulevard intersection with modifications to the resolution provided in the change memo dated January 5, 2017.***

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

This item is tentatively scheduled to be reviewed by the city council at its meeting January 23, 2017. Commissioners encouraged staff to inspect the site for nuisance violations and report the results to the city council.

## 9. Adjournment

***Knight moved, second by Powers, to adjourn the meeting at 7:42 p.m.  
Motion carried unanimously.***

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