

**Minnetonka Planning Commission
Minutes**

Jan. 17, 2019

1. Call to Order

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

2. Roll Call

Commissioners Luke, Powers, Sewall, Henry, Knight, and Kirk were present. Hanson was absent.

Staff members present: Community Development Director Julie Wischnack, City Planner Loren Gordon, Assistant City Planner Susan Thomas, Planner Drew Ingvalson, and Natural Resources Specialist Aaron Schwartz.

3. Approval of Agenda

Sewall moved, second by Knight, to approve the agenda as submitted with modifications and an additional comment provided in the change memo dated Jan. 17, 2019.

Luke, Powers, Sewall, Henry, Knight, and Kirk voted yes. Hanson was absent. Motion carried.

4. Approval of Minutes: Jan. 3, 2019

Powers moved, second by Henry, to approve the Jan. 3, 2019 meeting minutes as submitted.

Luke, Powers, Sewall, Henry, Knight, and Kirk voted yes. Hanson was absent. Motion carried.

5. Report from Staff

Gordon briefed the commission on land use applications considered by the city council at its meeting of Jan. 7, 2019:

- Adopted a resolution approving a two-lot subdivision on Nantucket Road.
- Adopted a resolution approving the Minnetonka 2040 Comprehensive Guide Plan. It will next be reviewed by adjacent communities and the Metropolitan Council early this summer.

There will be a series of meetings with councilmembers, planning commission members, and EDAC members to review a proposal for redevelopment of 16 acres of the Opus area. The dates are listed on eminnetonka.com and tentatively set for Jan. 24, 2019, Feb. 14, 2019, and March 21, 2019 from 5:30 p.m. to 7:30 p.m. Please RSVP to Gordon.

The mayor will present the State of the City address Feb. 6, 2019 with social hour starting at 7:30 a.m. and the address at 8 a.m.

The next planning commission meeting is scheduled for Feb. 7, 2019.

6. Report from Planning Commission Members: None

7. Public Hearings: Consent Agenda

No items were removed from the consent agenda for discussion or separate action.

Luke moved, second by Powers, to approve the items listed on the consent agenda as recommended in the respective staff reports as follows:

A. Resolution amending the existing Waterstone Place Apartments master development plan at 9700 Waterstone Place.

Adopt the attached resolution approving the amendment to the master development plan for Waterstone Place Apartments.

Chair Kirk stated that this item is scheduled to be reviewed by the city council on Jan. 28, 2019.

B. Resolution approving an expansion permit for construction of a deck at 5414 Highland Road.

Adopt the resolution approving an expansion permit for construction of a deck on the property at 5414 Highland Road.

Luke, Powers, Sewall, Henry, Knight, and Kirk voted yes. Hanson was absent. Motion carried and the items on the consent agenda were approved as submitted.

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

8. Public Hearings

A. Resolution approving the preliminary and final plats of Inverness Estates, a two-lot subdivision at 13321 Inverness Road.

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.

Tim Whitten, of Whitten and Associates, applicant, stated that:

- It was great working with staff.
- The slope prevents creating deep lots, so the lots would be wide and shallow.
- The locations for the driveways were limited.
- He was pleased that the proposal would not require a variance.
- He was available for questions.

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

Powers moved, second by Sewall, to recommend that the city council adopt the resolution approving the preliminary plat of Inverness Estates, a two-lot subdivision at 13321 Inverness Road.

Luke, Powers, Sewall, Henry, Knight, and Kirk voted yes. Hanson was absent. Motion carried.

B. Resolution denying the preliminary plat of Williston Heights, a four-lot subdivision at 4716 and 4724 Williston.

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

Ingvalson reported. He recommended denial of the application based on the findings listed in the staff report.

The public hearing was opened.

Celeste DeMars, 14900 Peteler Lane, stated that:

- She was concerned with the significant deviation.
- Lot 4 looks like it is already being developed. She asked about the high-priority trees.
- She confirmed with staff that the northeast area on Lot 1 would be protected if it is determined to be a wetland.

No additional testimony was submitted and the hearing was closed.

Ingvalson explained that when an existing house is demolished and a new one is built on the same lot, then the tree ordinance does not apply. The tree ordinance only applies to newly formed lots created by division of a property. At this point, because Lot 4 is included in the proposed plat, the trees are included in review of the look-back clause.

Ingvalson confirmed that additional requirements would be applied if the area would be identified as a wetland which would impact the setbacks for Lot 1. The trees would be

preserved in the existing plan and would not be removed if the area would be determined to be a wetland.

Knight asked if the two lots on the cul de sac would have property lines the same distance to the edge of the paved cul de sac or if the paved portion would extend more into the developed lot. He questioned if the cul de sac could be reconfigured to be similar to most cul de sacs. Ingvalson stated that engineering staff have no concerns with the shape of the cul de sac. Thomas added that the dimensions of the right of way and pavement meet all requirements.

Henry confirmed with Ingvalson that trees located in the right of way would be removed and a three-lot plat would still violate tree ordinance requirements.

Powers supports denying the proposal on the basis that it would remove too many trees. He agrees with staff's recommendation.

Sewall saw no reason to not adhere to the tree ordinance for this application. He supports staff's recommendation.

Chair Kirk supports staff's recommendation.

Powers moved, second by Luke, to recommend that the city council adopt the resolution denying the preliminary plat request for Williston Heights with a correction provided in the change memo dated Jan. 17, 2019.

Luke, Powers, Sewall, Henry, Knight, and Kirk voted yes. Hanson was absent. 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.

C. Items concerning the Minnetonka Police and Fire facility project at 14500 and 14600 Minnetonka Blvd.

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

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

Powers asked if a warning device to signal when an emergency vehicle would be exiting onto Minnetonka Blvd. could be located on city property. Gordon explained that the county's right of way on Minnetonka Blvd. is very wide and extends into the wetland adjacent to city hall.

Henry asked if the grading plan and construction area would need to extend up to the wetland protection area. Gordon pointed out an area that would serve as a storm water

outlet. Grading would be needed to install the pipe that would lead to an underground chamber.

Perry Vetter, Minnetonka Assistant City Manager and Administrative Services Director, representing the applicant, introduced Police Chief Scott Boerboom, Fire Chief John Vance, Public Works Director Brian Wagstrom, and consultants John Macnamara, Paige Sullivan, and Jake Wollensak from Wold Engineers. Vetter stated that studies were done to create a project plan. The project would provide for growth, community and personnel safety, and equipment and evidence protection.

Mr. Wollensak, a consulting architect for the applicant, stated that:

- There would be a designated woodland protection area (WPA).
- The proposal would meet wetland setback requirements.
- He reviewed the site plan and identified the WPA, reinforced soil slope, wetland, snow-melt system, and stormwater management areas.
- The sustainability features would include a rainwater capture and reuse system; using wood from the trees removed from the site in the building and throughout the city; and a solar array on the roof of the fire apparatus bay.
- The building materials would match the existing campus.
- He was available for questions.

Chair Kirk liked the sustainability practices. Vetter noted that there is a long list of sustainability practices built into the project, but, hopefully, the bids would allow for funding of additional sustainable features.

Henry asked if LEED certification has been considered. He suggested locally sourced stone rather than bricks trucked in from other parts of the country. Mr. Wollensak answered that LEED certification would add to the cost. Materials would be locally sourced or within a 500-mile radius when possible.

Mr. Macnamara stated that the LEED checklist would be used, but the project would not comply with certification requirements to provide the project with more flexibility. An energy analysis of the building was done to determine which features to include in the project, from mechanical systems to LED lighting, to figure out what the payback would be from investing in those features. The features that would be paid back and make sense would be incorporated into the project. Construction waste would be recycled.

In response to Henry's question, Gordon explained that engineering staff determined that a pervious parking and driving surface would cause infiltration problems for the site.

Chair Kirk asked if larger fire trucks could be needed in the future. Vance answered in the negative. A ladder truck longer than the one the city already has would not be structurally sound. The turning radius would be fine. He explained the duty crew bay

areas, how specialty equipment is now being stored at different fire station locations, and how the driveway location was modified to protect the woodland preservation area.

Henry asked if there would be a new police canine training area. Boerboom explained that most of the training takes place at the public works facility. There would be a kennel in the new police department.

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

Powers appreciated how the best and most economically feasible LEED practices would be incorporated. There would be a better return on the investment in the shortest period of time. Many of the factors that go into LEED certification would be unnecessary for this type of project. He supports the project being done right and being attractive.

Chair Kirk stated that the solar panels and reuse of water would provide a good example of sustainability practices.

Sewall liked that the drive would still have a pass through.

Henry toured the police and fire departments and was impressed with how they are currently used to their maximum efficiency potential. The fire department was built in 1989 and handled an average of 200 calls per year. The fire department now averages 3,000 calls a year and still uses the same space. It is a well-deserved project.

Chair Kirk supports staff's recommendation.

Knight hoped that Hennepin County would consider a traffic control device to warn motorists and pedestrians when emergency vehicles would access Minnetonka Blvd.

Henry moved, second by Powers, to recommend that the city council adopt the ordinance and resolutions approving the police and fire facility improvements on the Minnetonka civic center campus at 14500 and 14550 Minnetonka Blvd.

Luke, Powers, Sewall, Henry, Knight, and Kirk voted yes. Hanson was absent. Motion carried.

9. Adjournment

Sewall moved, second by Knight, to adjourn the meeting at 8 p.m. Motion carried unanimously.

By: _____
Lois T. Mason

Planning Secretary