

**Minnetonka Planning Commission
Minutes**

May 7, 2020

1. Call to Order

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

2. Roll Call

Commissioners Maxwell, Powers, Waterman, Hanson, Henry, and Sewall were present. Luke was absent.

Staff members present: Community Development Director Julie Wischnack, City Planner Loren Gordon, Senior Planner Ashley Cauley and Natural Resources Manager Leslie Yetka.

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

4. Approval of Minutes: April 23, 2020

Hanson moved, second by Henry, to approve the April 23, 2020 meeting minutes as submitted.

Maxwell, Powers, Waterman, Hanson, Henry, and Sewall voted yes. Luke 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 May 4, 2020:

- Introduced a concept plan for The Pointe, an apartment complex and hotel that would be located near the Carlson Towers on Carlson Parkway.
- Adopted a resolution approving a conditional use permit for Taco Theresa's.
- Denied an application for the Fretham 29th Addition preliminary plat which did not meet lot width requirements.

Gordon stated that the next regular planning commission meeting is scheduled to be held May 21, 2020.

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.

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

A. Setback variance for a deck at 15184 Crestview Lane.

Adopt the resolution approving a setback variance for a deck at 15184 Crestview Lane.

Maxwell, Powers, Waterman, Hanson, Henry, and Sewall voted yes. Luke was absent. 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 city planning staff within 10 days.

8. Public Hearings

A. Preliminary plat of Damyan's Addition, a two-lot subdivision, at 9598 Ann Lane.

Chair Sewall 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.

Powers asked why the pond is not considered a wetland. Yetka explained that the water basin is a constructed water body. It is not a naturally occurring pond. It has wetland characteristics but it is not a regulated wetland.

In response to Henry's questions, Cauley explained that the grading and fill would impact the high-priority trees' critical root zones but staff's alternative would relocate a portion of the utilities and minimize impacts. The 100-year floodplain elevation was lowered after discovering a second outlet which allows the application to meet the horizontal floodplain setback requirements.

Waterman confirmed with Cauley that a separate driveway could be constructed that would impact less than 30 percent of the critical root zone. Staff would review that plan during the building permit review process.

Mr. Damyan, applicant, stated that two of the three significant trees would be saved. The staff report describes the proposal well. He was available for questions.

Powers asked if he would prefer shared or separate driveways. The applicant had not decided yet. He will make a decision in time for the city council meeting.

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

Hanson supports the proposal. He likes the plan that would preserve more trees, but understands that both plans would be acceptable.

Powers looks forward to the review of the city's tree preservation ordinance. He would like it to include reviewing regulations regarding significant trees as well as high-priority trees. Chair Sewall agreed. Yetka stated that the city council will be having a study session to review the tree protection ordinance. Wischnack stated that staff will send links to the tree protection ordinance study session packets to commissioners.

Waterman supports staff's recommendation with the conditions of approval.

Henry thanked staff for working with the applicant to reroute the watermain to save a high-priority tree. The tree helps maintain the quality of the water that travels to the creek.

Chair Sewall supports staff's recommendation.

Powers moved, second by Maxwell, to recommend that the city council adopt the resolution approving the preliminary plat of Damyan's Addition, a two-lot subdivision, at 9598 Ann Lane.

Maxwell, Powers, Waterman, Hanson, Henry, and Sewall voted yes. Luke was absent. Motion carried.

The city council is tentatively scheduled to review this item at its meeting on May 18, 2020.

9. Adjournment

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

By: _____
Lois T. Mason
Planning Secretary