



PLANNING COMMISSION MEETING MINUTES

November 23, 2015
7:00 p.m.

1) Call to Order

Heck opened the meeting at 7:00 p.m.

In attendance: Chair Mark Heck, Planning Commissioners: Peter Vickery, Michael Molitor, Lora Sandholm, and Sylvia Allen, Council Liaison Patricia Thoele; Staff: Associate Planner Nick Olson and City Clerk Kris Linqvist.
Absent: Bob Pollman

a) Approval of Agenda

Heck requested any changes to the agenda. Hearing no objections, Heck asked for unanimous consent of the agenda as presented.
Motion passed 5-0.
Absent: Pollman

b) Approval of Minutes of September 28, 2015

Motion by Heck, second by Sandholm to approve the minutes from September 28, 2015 as presented.
Motion passed 5-0.
Absent: Pollman

2) Public Hearing

a) **VARIANCE: Application from Mike and Theresa Maslowski requesting a variance to the front yard setback for the addition of a porch and a deck to their home from the required 35 feet to a distance of 18 feet at 1395 Westwood Drive, R-1 Zoning, PID# 12-117-24-32-0029.**

Associate Planner Olson presented the staff report found in the Planning Commission packet dated November 23, 2015. Highlights included in the presentation were:

- The applicants are requesting a front yard setback variance from 35 feet to 18 feet for a porch and deck addition. All other requirements of the R-1 Residential Zoning District will be met.
- The home was placed only 13.7 feet from Westwood Drive when it was built in 1948.
- There is a 6 foot wide creek that acts as a major drainage way located just a few feet from the rear of the home which limits which way an expansion could be done.
- Since there is an existing deck to the east of the home, a porch and deck addition would make the most logical buildable spot for the new

addition.

- The current proposal does not encroach closer to Westwood Drive than the home already sits and does not require any other variances.
- Staff has not received any comments or concerns from residents regarding this request.

Staff recommends approval of the front yard setback variance from 35 feet to 18 feet for a porch and deck addition with the following conditions:

1. The Applicants obtain all necessary permits and approvals from the City and other applicable entities with jurisdiction prior to any construction;
2. The proposed grading should maintain existing drainage patterns or improve the existing drainage of the lot and adjacent lots;
3. The Applicants are responsible for all fees incurred by the City in review of this application;
4. The variance approval is valid for one year from the date of approval and will become void and expire unless a building permit has been issued for the site;
5. No building permit will be issued until all provisions of the variance are met.
6. Any other conditions discussed by the Planning Commission.

Theresa Maslowski, applicant of 1395 Westwood Dr., commented that they need more living space so that is the reason for the variance is to add a living room.

Heck opened the public hearing at 7:05 p.m. No one was present to speak. Heck closed the public hearing at 7:05 p.m.

Motion by Heck, seconded by Sandholm to recommend the City Council approve the Variance to the front yard setback for the addition of a porch and a deck to the home from the required 35 feet to a distance of 18 feet at 1395 Westwood Drive, R-1 Zoning, PID# 12-117-24-32-0029 contingent on the conditions outlined in the staff report.

Motion passed 5-0.

Absent: Pollman

This agenda item will be presented at the December 7, 2015 Council Meeting for approval.

3) Business Items

a) **EXCAVATION/FILL PERMIT: Application from Three Rivers Park District for an excavation/fill permit required in association with a ravine stabilization project located at Lake Minnetonka Regional Park, R-1 Zoning District, PID # 35-117-24-23-0001.**

Associate Planner Olson presented the staff report found in the Planning Commission packet dated November 23, 2015. Highlights include:

- Three Rivers Park District is seeking an excavation/fill permit in association with a ravine stabilization project located in Lake Minnetonka Regional Park.
- This project involves stabilizing the intermittent, erosional stormwater

ditches that have formed from the erosion caused by increased stormwater volumes flowing through what used to be woodland swales.

- There is no base flow, yet two incising channels with head cuts migrating upstream have formed. These recently formed channels exhibit top of bank, ben and other stream channel like features.
- The proposed stabilization project consists of modification of the ditch banks to install bioengineering techniques to control the rate of flow through the ditch, reduce erosion, stabilize channel banks and reestablish native vegetation.
- Staff has not received any comments on this request.
- The ravine stabilization project has already been reviewed and approved by the Minnehaha Creek Watershed District and a permit has been issued.

Staff recommends that the Planning Commission should recommend to the City Council to approve the Excavation/fill permit for Three Rivers Park District with the following conditions

1. The edge of Lotus Drive and South Bay Drive will need to be protected from damage. The plan proposes construction access from the bituminous edge in both locations. It looks like they will be hauling in a lot of rock.
2. The 3RPD should clean out the two culverts crossing the sanitary sewer berm east of South Bay Drive. The pipes have accumulated a lot of sediment from the channel since it was repaired in 2014.
3. The plans note that the contractor needs to protect the sanitary sewer in the berm east of South Bay Drive. Public Works should mark up the sanitary sewer manholes in the berm for visibility.
4. Noise should be controlled by established working hours. The City's noise ordinance allows construction noise from 7 a.m. – 7 p.m., Monday through Friday, and 8 a.m. – 6 p.m. on Saturday.
5. The permit will expire one year from the date of adoption of the resolution.

There was some discussion on whether Three Rivers agrees to the conditions stated. There was no one present from Three Rivers Park District to answer the commission questions.

Motion by Heck, seconded by Molitor to recommend the City Council approve the Excavation/Fill Permit required in association with a ravine stabilization project located at Lake Minnetonka Reginal Park, R-1 Zoning District, PID # 35-117-24-23-0001, contingent on the conditions outlined in the staff report.

Motion passed 5-0.

Absent: Pollman

This agenda item will be presented at the December 7, 2015 Council Meeting for approval.

3) Informational Items:

a) **Staff Reports**

Associate Planner Olson explained to the Commissioner that a Special meeting will need to be called for in the month of December. The City has received an appeal to a building permit application for a new home. The Planning Commission is the board that hears such appeals. He went over the appeal process.

There was some discussion on the meeting date.

Motion by Heck, seconded by Allen to set the Special Planning Commission meeting for December 14, 2015 at 6:30 p.m.

Motion passed 5-0.

Absent: Pollman

b) **Council Reports**

Councilmember Thoele overviewed the last month with the ribbon cutting of the salt storage building, the Ground breaking for the Water Treatment Facility, League of MN Cities – Metro meeting, and the budget. She also stated that the Council will only meet on December 7, 2015 for the month of December due to the holidays.

Heck brought up the issue of the erosion of the horse path along Game Farm Road and County Road 26.

There was discussion about the roads and the roads committee.

4) **Adjournment**

Motion by Molitor, second by Heck to adjourn the meeting at 7:48 p.m.

Motion passed 5-0.

Absent: Pollman

Respectfully Submitted,

Kris Linqvist

Kris Linqvist, CMC

City Clerk