

APPROVED
Minnetonka Beach Planning Commission Meeting Minutes
December 18, 2017

1. Call to Order

Chair Orehek called the meeting to order at 7:00 pm.

2. Roll Call

Present: Chair Orehek. Commissioners Anderson, Breazeale, Haag, Halverson, Moriarty, and Council Liaison Bartel. **Absent:** None

Staff in attendance: City Administrator Susanne Griffin, Zoning Administrator Ben Gozola

3. Approve Agenda

(Anderson Motion, Halverson second to approve the agenda; all ayes). Motion passed.

4. Approve Minutes: October 23, 2017

Commissioner Anderson noted that the minutes incorrectly showed former Commissioner Steinke in attendance.

(Anderson motion, Haag second to approve the minutes of the regular Planning Commission meeting of October 23, 2017 as amended removing former Commissioner Steinke; all ayes). Motion passed.

5. Public Hearing

5.1. Variance Request - 3028 Northview Road – Rear Yard Setback

Zoning Administrator reviewed the staff report in the Planning Commission packet. He stated that a purchase agreement on the property was subject to variance approval. He reminded commissioners that the old code would be in effect for this variance because the application was deemed complete prior to the new zoning code taking effect.

Gozola stated that the applicants Jamie Gmach and current home owner are seeking approval to tear down the existing legal nonconforming home at 3028 Northview Road and replace it with a new home in a different footprint requiring a rear yard setback variance. The proposed home would be 10.5 feet from the road right of way rather than the current 9 feet from the road right of way. The applicant requests a 29.5 foot variance from the required 40 feet rear setback primarily due to the size of the lot.

He reminded commissioners that as requested there was no recommendation from the staff on the variance, however, he provided variance criteria and template motions.

Gozola reviewed the findings, comprehensive plan guidance and reviewed each of the criteria as provided in the applicant's narrative and the staff report. Gozola stated that the City received no complaints or concerns about the variance being requested.

Chair Orehek asked if the applicant or representative wanted to speak. Sven Gustafson representing the builder and Kathy Alexander, the architect introduced themselves. It was noted that they looked at seven different homes on this part of Northview and only one conformed to the required rear setback, and that was because it was a deeper lot.

Commissioner Moriarty asked if they had considered flipping the garage to the other side. Ms. Alexander stated that would have increased the hardcover and Mr. Gustafson stated that it would also made for a difficult approach to the garage.

Chair Orehek opened the public hearing at 7:14 pm

Paul Kozloski – 3034 Northview Road – he thought they did a good job utilizing the space on the lot and he supports the variance.

Seeing no one else wishing to speak, Chair Orehek closed the public hearing at 7:15 pm

Chair Orehek asked about how the new code would affect the request and Gozola stated there would be no impact as building setbacks did not change.

(Moriarty motion, Halverson second to recommended approval of the rear yard setback variance request at 3028 Northview Road subject to the recommended conditions in the staff report and based on the following findings of fact:

- Lots on Northview Road have limited building area, specifically as it relates to rear yard setbacks
- Hardcover proposed to be conforming
- Home position will improve existing conditions
- Follow general rear setback – consistent with existing neighborhood
- Reasonable size and height given lot dimensions
- Applicant did not create the substandard lots on Northview Road
- Applicant is not seeking the variance solely to increase the value of the lot

; all ayes). Motion passed.

The applicant, Jaime Gmach introduced himself to the Commissioners.

6. Safe Crossing Public Input Session

Commissioner Halverson thanked the public who were in attendance. She reviewed a power point presentation showing the history of the topic of a safe pedestrian crossing. After many attempts in the past, a sub-committee was formed to meet with Hennepin County and start to talk about possible options. Hennepin County performed some traffic studies and provided data showing where the highest crossings were. Based on that information the county has recommended a median refuge, or a raised median in the middle of Shoreline Drive near the Arcola Lane/Lafayette Road area. She also explained that the proposal includes a slight change to the approach to Arcola Lane slowing down traffic. She showed a photo of a raised median in Tonka Bay. Tonka Bay currently has flashing lights, but that isn't being recommended at this time. They could be added later if deemed appropriate.

There was discussion about the stairs that dock slip holders are currently using and Halverson stated that the county has requested that the stairs be removed as they are not ADA complaint. Removing the stairs would encourage folks to use the new path access.

Resident Nell Mathews was concerned about hearing from more residents, particularly those who have docks, and felt there was short notice about the input session.

Commissioner Halverson explained that there was a sense of urgency to ask the City Council to act on approval for path design specifications as there are deadlines for grants the city may be eligible for to construct the paths.

Commissioner Anderson asked for clarification on signage or flashing lights for the crossing. Halverson stated that initially there would not be, but could be added later.

Commissioner Breazeale asked about notice on public input. Halverson reiterated that there is a sense of urgency to keep the process moving for grant applications.

Resident Bridget Wortman stated that she felt that there has been ample communication about this project. She feels this solution is timely and appropriate.

Resident Mike Fasching asked about the purpose of the crossing and whether it was only for the dock slip holders. Commissioner Breazeale clarified that this has been an issue that was raised by residents at previous public hearings in a past transportation study. A pedestrian crossing was the top concern and would allow residents from both sides of the community to access amenities on either side.

Fasching also expressed concerns that this project has a low benefit ratio and it would impact traffic. Halverson clarified that it would not stop traffic but that it would get traffic down to posted speeds and allow for a safer way to cross the road. She reiterated that Hennepin County Transportation officials have recommended this solution.

Commissioners discussed the use of the term "safe crossing" and a question arose about liability issues in using that terminology. Commissioner Breazeale suggested using "safer" crossing. Commissioner Haag stated it should be referred to as a crosswalk or pedestrian crossing.

Resident Mike Bloom asked about location of the crossing. Halverson stated that Hennepin County traffic engineers established this location based on traffic engineering best practices. She stated that she had hoped Bob Byers from Hennepin County could have been at the meeting to better explain their rationale. She did state that the county owns the county road and would have ultimate say where it would go, and they are paying for the portions of the crossing on the county road. The City would only have responsibility for access to the crossing.

Commissioner Breazeale felt that this has been the subject of a lot of discussion, but he was concerned about the short notice. City Council could hold another hearing.

Council Member Kozloski asked about costs. Halverson stated that the plan is to budgeted city funds to do the design drawings and construction specifications and then use that information to apply for grants for construction. Design bids are between \$10,000-\$29,000 and construction is roughly estimated at about \$100,000.00 and if grants were awarded the city would be responsible for approximately 25% of that cost.

Commissioner Breazeale stated he feels the Planning commission has done due diligence, there will be other opportunities to offer input. The only thing that is being recommended at this time is seeking funding for design drawings to submit grant applications. He feels it's difficult to determine cost/benefit without all the facts.

A fact sheet on the proposal was suggested. It was also suggested that the website be updated to include current proposal drawings. There was concern raised that once design drawings were complete that it would be set in stone with no chance for change. Commissioner Anderson felt that a public input session should occur with all the necessary parties to answer all questions.

Chair Orehek closed the public portion of the input session. Commissioners agreed that it was appropriate to move forward with the request to the City Council at the January 8, 2018 meeting, and request that they support the use of budgeted funds to secure design drawings and construction specifications.

(Halverson Motion, Haag second to recommend to the City Council that they authorize the Planning Commission to proceed with design drawings at a cost of not to exceed \$10,730 with budgeted CIP funds; all ayes). Motion passed.

7. New Business

7.1 Comprehensive plan process – Long Range Planning Committee member Mike Bloom spoke to Planning Commission regarding the Metropolitan Council required update to the comprehensive plan. He stated that the Comprehensive Plan is a forward-looking document and the Long Range Planning Commission has been convened to oversee updating the plan. The committee is looking for Planning Commission input on the land use portions of the plan. Included in the packet was the portion they were being asked to provide input on. Long Range Planning Committee member Nell Mathews provided an historical perspective on the current plan.

Planning Commissioners were asked to review their section of the plan and send input to Administrator Griffin by January 16th. Griffin will compile their feedback and commissioners will discuss it at the January 22nd Planning Commission meeting.

7.2 2018 calendar – Regular Planning Commission meeting dates:

Commissioners discussed the schedule and decided to move the March meeting to March 19th rather than the 26th. There was brief discussion about availability in March (Anderson and Breazeale unavailable in March) particularly since the commission was short one member.

(Haag motion, Anderson second to approve the Planning Commission regular meeting schedule moving the March meeting to March 19th; all ayes).

8. Reports

- 8.1. Chairperson –.
- 8.2. Commissioner Reports-.
- 8.3. Council Liaison Bartel – reported that videotaping not approved by the City Council as previously discussed. At the December 11th meeting the City Council discussed the following: holiday lights were discussed for next year, feasibility study on replacing all remaining 4” water mains, resident Chris Dovolis was appointed to the Park Commission, Capital Improvement Program was amended – the Planning Commission was approved for \$20,000 for transportation initiatives, total of bond funded portion would be \$2,225,000 – tax levy portion is \$137,000 with a 3% tax increase overall, seeking new city attorney – Lindquist and Vennum merged with another firm, approved request to extend deadline for joint cooperative agreement with Mound Fire department to renegotiate contract for fire service, approved resolution opposing proposal to merge Hennepin County crime lab with Minneapolis.
- 8.4. Planning and Zoning Administrator – no report
- 8.5. Building Permit Report – Received and filed

9. ADJOURNMENT

(Halverson motion, Breazeale second to adjourn; all ayes). Motion passed. Meeting adjourned at 8:44 p.m.

PUBLIC IN ATTENDANCE – The following individuals signed the sign-in sheet: Andrew Myers, Nell Mathews, Vanessa Abraham, Mike Fasching, Paul & Sue Kozloski, Kathy Alexander, Sven Gustafson, Jaime Gmach, Ann Wellmuth, Patty Rezabek, Nathan Arnold, Bridget Wortman.

Minutes respectfully submitted by City Administrator Susanne Griffin.

Susanne Griffin, City Administrator