1. **Call to Order**

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

2. **Roll Call**

Commissioners Knight, O’Connell, Odland, Rettew, Calvert, and Kirk were present. Magney was absent.

Staff members present: City Planner Loren Gordon and Planning Technician Ashley Cauley.

3. **Approval of Agenda:** The agenda was approved as submitted with modifications and a comment provided in the change memo dated March 19, 2015.

4. **Approval of Minutes:** March 5, 2015

   _Odland moved, second by Rettew, to approve the March 5, 2015 meeting minutes as submitted._

   _Knight, O’Connell, Odland, Rettew, Calvert, and Kirk voted yes. Magney 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 March 2, 2015:

   - Adopted a resolution approving changes to the zoning ordinances relating to the natural resources.
   - Adopted a resolution approving an ordinance change to rezone parcels on Excelsior Boulevard from R-1 to R-1A.
   - Reviewed a concept plan for a proposed Cherrywood assisted living project.

The next planning commission meeting will be April 9, 2015.

6. **Report from Planning Commission Members**
Chair Kirk reported that the Southwest Light Rail Station Design Group will have an open house April 4, 2015 from 5:30 p.m. to 7:30 p.m. at city hall. Options for the Minnetonka and Hopkins stations will be reviewed.

7. **Public Hearings: Consent Agenda**

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

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

A. **Resolution reaffirming 2013 final site and building plan approval with parking setback variances for changes at St. David’s Center.**

Adopt the resolution on pages A52-A55 of the staff report which reaffirms the previous site and building plan approval.

*Knight, O’Connell, Odland, Rettew, Calvert, and Kirk voted yes. Magney 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. **Expansion permit and variances for a new two-story house at 3520 Meadow Lane.**

Chair Kirk 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.

Chair Kirk confirmed with Cauley that the existing house met setback requirements at the time it was built.

Jeremy Rudd, applicant, stated that staff did a very good job. He was present to answer questions.

The public hearing was opened.
Alfred Rashid, 3525 Meadow Lane, stated that he is thrilled that the house will be replaced by something new. He was wondering whether there would be a basement. The area has a problem with the water table. The street turns from Meadow Lane to river road. He requested that there be “no parking” signs on his side of the road when construction starts. He was concerned with contamination getting in the air when it would be torn down. He was happy a new house would be built.

Jeff Voigt, 3518 Druid Lane, stated that the design has great architectural features on the front of the house. He requested that the architectural features continue to the back of the house. He is thrilled a new house will be built. Parking is an issue for the area. The water table is at street level. He would appreciate a good view of the proposed house from all sides.

No additional testimony was submitted and the hearing was closed.

Cauley explained that the city’s water resources engineer reviewed the proposed plans. She will also review the building permit. Chair Kirk appreciated the neighbors mentioning the issue. He suggested the neighbors meet with the developer to discuss the issue.

Chair Kirk confirmed with Mr. Rashid that the house would have a basement.

Chair Kirk asked how the city would deal with traffic issues. Cauley explained that a condition of approval would require a construction management plan that would address issues including traffic. “No parking” signs could be used.

Cauley explained that the demolition permit process would include an inspection of the site to make sure it would be done in compliance with the building code.

Chair Kirk asked if commissioners have the authority to influence building design. Cauley answered in the negative. Commissioners may provide comments.

Calvert visited the site. The proposed house would fit well into the character of the neighborhood. She appreciated that the house would be located in the center of the lot. That would be an improvement.

Odland moved, second by O’Connell, to adopt the resolution on pages A24-A28 of the staff report which approves an expansion permit and variance for a new home at 3520 Meadow Lane.
Knight, O’Connell, Odland, Rettew, Calvert, and Kirk voted yes. Magney 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.

B. A conditional use permit for a 100-foot wireless telecommunication tower at 15001 Minnetonka Industrial Road.

Chair Kirk 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.

Chair Kirk asked if the trees that would be removed are included in the “after” photo. Cauley explained that the “after” photo reflects the removal of the trees.

Chair Kirk asked where the trees that were already removed were located. Cauley answered that the trees removed in 2011 were further west on the property. The site location has been moved to get the tower and ground equipment out of an existing easement. Cauley explained that landscaping and mitigation plans would require the trees to be replaced inch for inch based on tree diameter. For example, if a removed tree has a diameter of 20 inches, then 10 trees with 2-inch diameters could mitigate the loss. Natural resources staff would work with applicants to ensure adequate mitigation. There is a record of the trees removed in 2011.

Rettew confirmed with Gordon that there are antennae towers on the water tower at Lake Street Extension and Tonkawood Road. Most of the city’s water towers are at capacity for antennae.

Rettew asked if there are towers at Minnetonka Middle School East. Gordon answered in the negative.

Rettew asked if one of the requirements of approval require that a new antennae cover a certain amount of new area. Cauley explained that the staff report’s findings include the ordinance standards that require an applicant to prove that the proposal would reasonably close a coverage gap.

Brent Cabbott, of Verizon Wireless, applicant, thanked staff for the assistance with the process. Cauley summarized the proposal well. He was available for questions.
Knight asked how the site was selected. Mr. Cabbott answered that is based on what coverage area the network needs and zoning requirements. The carrier makes the final decision based on the candidates he provides.

Knight assumed that locating a tower on a high piece of ground would be advantageous. Mr. Cabbott said that it depends on the location of other towers and so forth. The topography plays a role, but not a significant role.

Calvert asked about waiving the landscape requirement because it would be in an industrial area. Mr. Cabbott spoke with staff who found additional landscaping somewhat unnecessary due to the existing tree coverage and screening.

Odland asked how the tower would be designed to fall. Mr. Cabbott answered that it would be designed to collapse to itself. It would be designed to handle a large wind load, but in the event of a severe tornado, there could be a detachment of the tower.

Rettew noted that 50 percent of the area is already covered. He wondered why the location was selected. Mr. Cobbott answered that the specific objective is to improve the coverage to the west and help the towers on the northeast and southeast keep up with demand. Those towers are at capacity.

Rettew mentioned that he is a Verizon customer. He asked if the water tower at Lake Street Extension and Tonkawood Road had been considered. It is located in the center of the white, non-covered area. Mr. Cabbott had looked at it. He spoke to staff and learned that it is at capacity. It would be too far away to help the existing towers. The proposed location would improve local coverage and help two existing tower areas.

Rettew asked if the middle school property had been considered. Mr. Cabbott answered that location would not help the existing two towers.

Rettew questioned if it is typical to overlap coverage. Mr. Cabbott answered affirmatively. The antennae can only provide a certain amount of signal and the demand keeps growing. It is typical to see overlap in coverage areas.

Rettew asked if there is technology to allow a smaller antennae. Mr. Cabbott said there are options, but an R.F. engineer would know.

Calvert asked for the reason why the tower would be 100 feet tall instead of 150 feet tall. Mr. Cabbott answered that the zoning ordinance requests that the minimum height be used, the tower would still meet coverage demands, and the
decreased height would minimize the visual impact. Calvert questioned if there would be a long-term benefit, considering the increase in the demand of the system, to increase the tower’s height to 150 feet now. Mr. Cabbott explained that the antennae are interchangeable. The proposed height of the tower would provide the best coverage.

Rettew asked if capacity could be added to existing towers. Mr. Cabbott answered in the negative. The structure of the tower and technology would not allow it.

The public hearing was opened.

Ingrid Berkholtz, 15403 Robinwood Drive, stated that she would object to a 150-foot tower. She asked what other locations had been considered. She questioned how the trees planted to mitigate the removed ones would fit on the site. Removing mature trees would impact the screening for some time. Her biggest concern is with stormwater management. The area is naturally depressed. There are already problems at the southwest corner of the park. It would be wise to look at that.

No additional testimony was submitted and the hearing was closed.

Cauley explained that natural resources staff would work with the applicant to find an appropriate balance for landscaping of the site. A landscape plan was done in 2011. Chair Kirk asked if the mitigated trees would have to be planted on the site or if they could be planted at a nearby park. Gordon answered that most of the time mitigated trees are planted on the site. If it would not be possible, then that could be an option. Mitigation of tree loss from 2011 and the present proposal is a condition of approval.

Cauley explained the stormwater drainage pattern for the site. The water would travel north. Chair Kirk suggested staff look at the neighbors’ water concerns regarding Victoria Evergreen Park.

James Reese, consultant for the applicant, explained that the towers work with radio frequency waves. The high frequencies cannot travel as far when carrying a lot of data. The center of the white, uncovered area is not the best location for the tower. The issue deals with demand. More people are telecommuting and streaming from tablets which creates a big demand on data. This is the solution that carriers are using. He was happy to answer questions.
Chair Kirk asked what other locations had been considered if this one did not work out. Mr. Cabbott said that this site was the specific target. The site was identified and a plan had been worked out in 2011.

Rettew asked what is unique about the proposed site that generates the need for data coverage. Mr. Cabbott explained that the need is generated by population density and traffic. It is a high-demand area. Mr. Reese added that the carriers encourage collocating of antennae. Existing structures are considered first.

In response to Rettew’s question, Mr. Reese made it clear that he is not an R.F. engineer, but explained that the antennae needs to be within a certain distance from the base station. Adding another antennae on an existing tower would not solve the problem because the FCC provides a license to operate as a licensed carrier and there are power limits that must be met.

Odland asked where the next tower would be needed. Mr. Reese had not considered those variables yet. There is no incentive for a carrier to build more towers because that costs money. The end game is to minimize the amount of capital expense.

Odland asked if a site with higher elevation would be better. Mr. Reese answered that it would in certain situations, but not in this case.

Cauley reviewed that staff supports the use of this location since it was found to meet all condition use permit standards for a 150-foot telecommunications tower location in 2011. The engineering report provided by the applicant in the staff report shows the FAA report that found that there is no tower that would provide gap coverage within one mile of the proposed tower location. Those findings have been confirmed by the city’s telecommunications engineer.

Chair Kirk appreciated the applicant’s patience. He found that the tower is necessary.

Calvert noted that screening and water runoff may be an issue since removal of trees would decrease the number of trees absorbing water.

Rettew stated that this proposal is better than the 2011 plan because it would decrease the height of the tower to 100 feet, have internal antennae, and be an unassuming color. The tower would be located in an industrial park. He was not sure if the water tower is at capacity. He questioned what is driving the demand. He was concerned another tower may be needed in the future. He questioned if
the current towers could be “better used” with stronger antennae. He did not feel he had enough information to approve the application.

Odland asked if emergency equipment would have priority over commercial equipment for location on a water tower. Gordon answered affirmatively. The water tower is full. The proposed site provides the best coverage needed right now. There are limited areas that would provide the coverage needs for the carrier. Location of a stealth monopole in an industrial park is a prime opportunity. This industrial park is a better alternative than residential neighborhoods in the area.

**Odland moved, second by O’Connell, to recommend that the city council adopt the resolution on pages A29-A36 of the staff report with changes provided in the change memo dated March 19, 2015. This resolution approves a conditional use permit for a 100-foot telecommunications tower on the property at 15001 Minnetonka Industrial Road.**

Knight, O’Connell, Odland, Calvert, and Kirk voted yes. Rettew voted no. Magney was absent. Motion carried.

The city council is tentatively scheduled to review this item at its April 6, 2015 meeting.

9. **Adjournment**

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

By: ____________________________

Lois T. Mason
Planning Secretary