

# **Adopted Minutes Regular City Council Meeting May 27, 2014**

Mayor Slavik called a Regular Meeting of the Plymouth City Council to order at 7:05 p.m. in the Council Chambers of City Hall, 3400 Plymouth Boulevard, on May 27, 2014.

COUNCIL PRESENT: Mayor Slavik, Councilmembers Bildsoe, Prom, Stein, Willis, and Wosje.

ABSENT: Councilmember Johnson.

STAFF PRESENT: City Manager Callister, City Attorney Poehler, Community Development Director Juetten, Public Works Director Cote, Park and Recreation Director Evans, Planning Manager Thomson, Fire Chief Kline, Police Chief Goldstein, Senior Planner Darling, Administrative Services Director Fischer, and City Clerk Engdahl.

## **Plymouth Forum**

Hanna Hill, 4890 Magnolia Lane North, requested the City install more streetlights along the City's sidewalks and trails. She stated there are so many people using the sidewalks and trails on a regular basis and felt there should be additional lighting. She stated if it is a matter of money, the City should assess the costs as it would be a value to the community.

Mayor Slavik stated the City has a policy that allows residents to petition for streetlights and pay for those lights. She added the City has taken an inventory of all the streetlights in the community and has a consistent plan in place for upgrading and paying for streetlights.

Public Works Director Cote stated he would follow-up with Ms. Hill regarding her request.

## **Presentations and Public Information Announcements**

### **(4.01) Presentation of Plymouth Metrolink Driver Awards**

Cory Schultz, Audrey Britton, and Cynthia Davies of the Plymouth Advisory Committee on Transit (PACT), Paul Buharin, First Transit General Manager, and Mayor Slavik presented the 2013 Plymouth Metrolink Driver Awards to Ger Yang and Jennie Ehlert.

Councilmember Stein announced his resignation from the City Council effective June 30. He has thoroughly enjoyed serving on the City Council, and it has been an honor to serve.

Mayor Slavik thanked him for his service. She stated that the Ward 3 seat would be placed on the November 4th General Election ballot.

### **Approval of Agenda**

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Wosje, to approve the agenda. With all members voting in favor, the motion carried.

### **Consent Agenda**

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Wosje, to adopt the Consent Agenda that included the following items:

- (6.01) City Council meeting minutes from May 13, 2014.
- (6.02) Resolution Approving Disbursements ending May 17, 2014 (Res2014-167).
- (6.03) Resolution Approving Contract Amendment with WSB & Associates for Construction Services for Peony Lane North of Schmidt Lake Road (10015 - Res2014-168) and Resolution Approving Agreement No. PW 57-17-13 with Hennepin County for Peony Lane North of Schmidt Lake Road (10015 - Res2014-169).
- (6.04) Resolution Awarding a Contract for the Kingswood Farms Lift Station Rehabilitation (14009 - Res2014-170).
- (6.05) Resolution Approving Transfer Between Funds (Res2014-171) and Resolution Adopting Amended 2013 Budgets (Res2014-172).
- (6.06) Resolution Approving Asphalt Bid from DMJ Asphalt, Inc. to Overlay Park Trails and Other Asphalt Surfaces for 2014 and 2015 (Res2014-173).
- (6.07) Resolution Approving the Purchase of Real Property and Dispensing with Statutory Requirements for Review by Planning Commission of Acquisition of Property (Res2014-174).
- (6.08) Resolution Approving to Designate Funding for Public Improvement Projects (Res2014-175).
- (6.09) Resolution Approving a Preliminary and Final Plat for U.S. Home Corporation for "Kirkwood 3rd Addition" for Property Located between 53rd Place and Black Oaks Lane North (Res2014-176) and Resolution Adopting Assessments Trunk Sanitary Sewer and Water Main Kirkwood 3rd Addition (2014015 - Res2014-177).
- (6.10) Ordinance Amending Chapter 21 (Zoning Ordinance) of the City Code to Classify Certain Land located at 5600, 5630, and 5700 Dunkirk Lane (2014018 – Ord2014-16),

Resolution Approving Findings of Fact for the Rezoning of Land located at 5600, 5630, and 5700 Dunkirk Lane (2014018 - Res2014-178), and Resolution Approving a Preliminary Plat for GW Land Development of Plymouth, LLC, for “MJP Parcels” for Property located at 5600, 5630, and 5700 Dunkirk Lane (2014018 - Res2014-179).

**(6.11)** Resolution Approving a Conditional Use Permit to Replace an Existing Light Pole with a Dual-Purpose Monopole for Lighting and Cellular Antennas at Wayzata Central Middle School, 305 Vicksburg Lane (2014022 - Res2014-180).

**(6.12)** Resolution Approving a Site Plan Amendment for Alliant Engineering at Bass Lake Hills Townhomes Located at 5850 Teakwood Lane North (2014026 - Res2014-181).

**(6.13)** Resolution Approving Request for Payment No. 3 and Final 2013 Sanitary Sewer Lining Project (13008 - Res2014-182).

With all members voting in favor, the motion carried.

### **Public Hearings**

There were no public hearings.

### **General Business**

**(8.01) Site Plan Amendment and Conditional Use Permit Amendment for an addition to the Golgotha Slavic Church at 12300 18th Avenue (Negen and Associates – 2014005)**

Senior Planner Darling explained the applicant has requested a site plan amendment and conditional use permit amendment to allow an expansion of the church including a new sanctuary, entry, and classrooms on the south side of the building. She stated the new sanctuary will be the same size as the existing sanctuary and the proposed addition would allow the church to separate worship activities from fellowship activities. She advised that at the public hearing, several neighbors raised concerns about on-site parking shortages and overflow parking taking place on the adjacent streets. She stated the applicant is required to have 124 parking spaces and the applicant has responded to the parking concerns by providing a total of 164 parking spaces.

Councilmember Willis stated it appears that the applicant has made additional efforts to ameliorate the parking problems and encouraged the applicant to remind their congregants to utilize the parking lot before parking on the street.

Mayor Slavik referenced the correspondence received from residents indicating there are issues with the current parking situation and size of the church and asked if the City has any documented complaints related to parking and/or noise.

Public Works Director Cote advised the City was contacted by the neighborhood approximately one year ago and the residents were provided with a petition that they could circulate if they wanted to prohibit on-street parking, however, the City has not received a petition.

Police Chief Goldstein added they also met with the church and the church was quick to respond by working with their congregants to encourage parking in the lot. He noted that on some occasions it is inevitable that some cars will be required to park on the street.

Senior Planner Darling stated that the resolution includes a condition that the applicant place no parking/fire lane signs throughout the drive aisles and fire lanes.

Mayor Slavik asked the applicant if they have made an effort to reach out to the neighbors to address their concerns.

Sergy Simonovich and Ivan Simonovich reported they have talked with the neighbors and most of the neighbors around the church have no issues. They stated the only parking issue appears to be during services on Sunday mornings between 10:00 a.m. and 12:00 noon, adding that they have small services on Wednesdays, Thursdays, Fridays, and Saturdays, and then on Sunday morning at 10:00 a.m. and Sunday evening at 6:00 p.m.

Councilmember Stein asked if they anticipate more people would be attending their services.

Sergy Simonovich and Ivan Simonovich stated they are not growing their membership and the reason for the proposed addition is to provide a place for fellowship activities that is separate from the worship activities. They advised that they have a couple of church members who have volunteered to help control traffic in and out of the parking lot before and after services.

Mayor Slavik encouraged the neighbors to utilize the petition process if they want to eliminate on-street parking.

Motion was made by Councilmember Willis, and seconded by Councilmember Bildsoe, to adopt Resolution Approving a Site Plan Amendment and Conditional Use Permit Amendment for an Expansion of Golgotha Slavic Church at 12300 18th Avenue (2014005 - Res2014-183). With all members voting in favor, the motion carried.

**(8.02) Approve Rezoning, Preliminary and Final Plat and PUD General Plan for “Ferndale Terrace” located at the southeast corner of County Road 6 and Ferndale Road in the Wayzata School District (Rachel Contracting LLC – 2014011)**

Senior Planner Darling stated the applicant has presented a proposal for six single family dwellings accessed by a private drive for the property located at Ferndale Road and County Road 6. She advised the applicant proposes to rezone the property to PUD to allow the homes to be accessed by a private drive with the intent to provide a single access to Ferndale Road and reduce traffic conflicts on that roadway.

Councilmember Wosje stated he was concerned about how close the driveway would be to County Road 6 from a public safety standpoint.

Public Works Director Cote advised that the small size of the development is expected to generate approximately 60 trips per day or six to ten vehicles during the peak hour so traffic is not a concern. He added that Ferndale Road is straight and provides good visibility.

Councilmember Willis asked where guests of the homeowners would park. He also asked how a refuse truck would navigate in and out of the site. Public Works Director Cote replied that a refuse truck would likely turn around in the driveways.

Councilmember Prom asked if there would be covenants that state homeowners can't park on their driveways. Senior Planner Darling explained that the entry drive would be signed for no parking. She stated the applicant has included four guest parking spaces located two on each side of the drive aisle.

Mayor Slavik asked why the site has a private drive and not a public street. Senior Planner Darling replied that a public street could be constructed but it would reduce the number of homes to three instead of six. She indicated the developer would be allowed to have three single family homes facing directly onto Ferndale Road and the City would then request that they have a shared driveway to reduce the number of access points.

Chuck Alcon representing Rachel Contracting, appeared before the City Council and introduced Mr. Mark Gronberg, project engineer.

Mayor Slavik stated she is not a proponent of private drives and stated that while HOAs have the best of intentions, the City has continually seen issues created by private drives that require the City to come in and repair. She stated she doesn't see a clear reason why the site can't have a public street even if it means having fewer dwellings.

Mr. Alcon acknowledged the concerns and stated he felt they could address those concerns with the HOA documents that will be filed with the City. He agreed this is a challenging site but felt the revised configuration best fits the site.

Motion was made by Councilmember Bildsoe, and seconded by Councilmember Wosje, to adopt Ordinance Amending Chapter 21 (Zoning Ordinance) of the City Code to Classify Certain Land Located at the Southeast Corner of County Road 6 and Ferndale Road (2014011 - Ord2014-17), Resolution Approving Findings of Fact for the Rezoning of Land Located at the Southeast Corner of the Intersection of County Road 6 and Ferndale Road (2014011 - Res2014-184), Resolution Approving a Preliminary and Final Plat for "Ferndale Terrace" for Property Located at the Southeast Corner of Ferndale Road and County Road 6 (2014011 - Res2014-185), and Resolution Approving a PUD General Plan for Ferndale Terrace on Property Located at the Southeast Corner of County Road 6 and Ferndale Road (2014011 - Res2014-186). With all members voting in favor but Slavik and Prom, the motion carried.

### **Reports and Staff Recommendations**

There were no reports and staff recommendations.

### **Adjournment**

Mayor Slavik adjourned the meeting at 7:52 p.m.

  
\_\_\_\_\_  
Sandra R. Engdahl, City Clerk