<u>MISSION STATEMENT</u>: "The City of Mound, through teamwork and cooperation, provides, at a reasonable cost, quality services that respond to the needs of all citizens, fostering a safe, attractive and flourishing community."

MOUND PLANNING COMMISSION REGULAR MEETING AGENDA TUESDAY, AUGUST 19, 2025, 6:00 P.M. COUNCIL CHAMBERS, MOUND CENTENNIAL BUILDING 5341 MAYWOOD ROAD, MOUND, MN

- 1. Call to Order
- 2. Roll Call
- 3. Review and approval of agenda, including any amendments
- 4. Review and action
 - A. July 1, 2025 regular meeting minutes

5. Board of Adjustment and Appeals

A. Review/recommendation – Planning Case No. 25-07
 Bluff Variance – construction of new/replacement home
 3343 Warner Lane
 Applicant: Greenwood Design Build on behalf of Tiffany Winter (Beitler)

6. Old / New Business

- A. 2025 Planning Commission Term Expirations
- B. City Council Liaison and Staff Project Update / Report
- C. Next Meeting Tues., September 2, 2025 Regular Meeting 6:00 p.m.

7. Information Items - None

8. Adjourn

The Planning Commission is an advisory body to the City Council. One of the Commission's functions is to hold public hearings and make recommendations to the City Council. The City Council makes all final decisions on these matters. Mound City Ordinances require that certain documents and information be included in applications. The Planning Commission may postpone consideration of an application that is incomplete and may for other reasons postpone final action on an application. For each agenda item the Commission will receive reports prepared by the City staff, open the hearing to the public, and discuss the action on the application."

QUESTIONS: Call Sarah Smith at 952-472-0604

MEETING MINUTES REGULAR PLANNING COMMISSION JULY 1, 2025

1. Call to Order

Chair Goode called the meeting to order at 6:00 p.m.

2. Roll Call

Members present: David Goode, Sheri Wallace, Jason Baker, Drew Heal, Samantha Wacker, and

Kristin Young

Members absent: Nick Rosener and Kathy McEnaney

Staff present: Sarah Smith, Sarah Lenz

Others present: Molly Williams, 5075 Windsor Road, Dallas Hansen and Paul Babb, 5259 Eden

Road

3. Review and approval of agenda, including any amendments

MOTION by Baker, seconded by Heal, to approve the agenda. **MOTION** passed unanimously.

4. Review and action

A. June 3, 2025 regular meeting minutes

MOTION by Baker, seconded by Heal, to approve the June 3, 2025 meeting minutes. **MOTION** passed unanimously.

5. Board of Adjustment and Appeals

A. Review/recommendation – Planning Case 25-06
 Substantially Similar Use Determination – Proposed Building/Property
 Reuse at 2378 Wilshire Boulevard
 Applicant: Molly Williams

Smith presented a summary overview of the request explaining the intended use will be general office use which is permitted in the Mixed-Use Downtown District and will also include flexible co-working, meeting and event rental space which is why it is being reviewed for a substantial use determination. Smith added there is intention to do some internal and external remodeling including improved technology, improved landscaping, and cleanup/repair of the parking lot area. Smith displayed provided graphics showing examples of the proposed layout and cosmetic possibilities in flex space. Smith noted the code requires a fence for parking lots adjacent to residential uses.

Smith said Staff recommends approval of the request to include conditions and findings of fact. Baker asked about parking. Smith explained with no intensification of the building there would be no additional parking needed and that parking would be evaluated with the submittal of project plans. The parking lot is large.

Heal asked whether alcohol licensing would be allowed with the building being across the street from the elementary school. Smith replied this property is not eligible for a liquor license because it is not a restaurant but a temporary liquor application or catering options are possibilities.

Wallace asked about the building capacity for special events. Smith explained capacity limits would be determined after the final site plan is received and will be based on the layout and special provided.

determined after the final site plan is received and will be based on the layout and seating provided. Molly Williams introduced herself and provided an overview of her current business, The Optimists, which is located in the Lost Lake office building on Commerce and explained the new office would be called The Bright Spot and act as an extension of her current by siness for an alternate space to connect, collaborate or

work outside the home. The Optimists would act as the primary tenant of the building with the other 5 rooms being rented out to other similar businesses and the flex space being available to guests or groups as needed.

Williams said the intent is to keep the building mostly as it is but will be adding windows to the east side of the building, sealing and painting the parking lot, bringing necessary areas up to code and adding an interior wall to create a backroom/storage/deliveries room.

Williams reviewed a graphic to explain the backroom/storage/delivery room and how the layout would be set up on either side of the wall.

Heal asked what the time frame is for the project. Williams said the closing is expected July 10th and she would like to start construction in August with the opening hopefully being in February, 2026.

Wallace asked for clarification of the technology upgrade. Williams listed screens/monitors, wi-fi and HDMI and explained it would be similar to what's available at the Gillespie Center.

Heal asked if there was any asbestos present. Williams said no, the inspectors found no evidence of it, there was no moisture detected and the cracks on the exterior can be covered with paint.

Smith asked if the color of the building is going to change. Williams replied it will be painted cream but there may be color added to the parking lot side of the building.

Chair Goode asked if anyone else would like to address the Commission regarding this planning case.

Paul Babb introduced himself and expressed concern about the north fence between his property and 2378 Wilshire Boulevard needing repairs and providing privacy but explained that his concerns have been addressed hearing that it's a code requirement for it to be fixed.

There were no further comments or questions.

Young mentioned the Pique Travel event venue in Excelsior and asked if The Bright Spot would be of a similar scale that funeral receptions or similar events could be held there. Williams stated that the Pique is mostly wood décor with open space and The Bright Spot would be modern and could be accommodating for similar events.

Wacker asked how the payments would be handled to reserve/rent space and if there will be age limits to make reservations. Williams stated there will be an online booking tool used and she would prefer to keep the building more professional, most likely 18 or older, rather than a study hall but there may be collaboration with the high school later down the road.

Goode summarized Staff's recommendation for approval of the request at 2378 Wilshire Boulevard with two findings of fact and four conditions.

MOTION by Baker, seconded by Wallace, to approve Planning Case 25-06 with Staff recommendation. **MOTION** passed unanimously.

6. Old / New Business

A. 2025 Planning Commission Term Expirations

Smith summarized at the joint meeting earlier this year there was discussion of earlier notification of expirations. Smith indicated that the terms for Young, Wallace and the vacant seat are up at the end of the year, a 2-year term for Young, and 1-year term for Wallace. Smith said the City Council would like to evaluate $\mathbf{2}$ its appointment procedures and the number of members of the Planning Commission. The re-evaluation has started at the Staff level but if Wallace and Young have interest in reappointment they can contact Staff.

B. City Council Liaison and Staff Project Update / Report

Smith said the City Council will be starting to work on the budget soon. The City remains busy with activities and events including the Spirit of the Lakes annual festival and projects. An updated application for Halsted Point, now called North Pointe, is anticipated soon possibly as soon as August.

Wallace asked when conversations would start for updated yard ordinances. Smith replied it's in the works but scheduling has not allowed for it to move forward yet.

Young asked what is happening with the Library. Smith said the building permit application was received, it's being reviewed and they are hopeful they can start construction at the end of July.

C. Next Meeting - Tues., August 19, 2025 Special/Rescheduled Meeting 6:00 p.m.

Smith reminded the Commission about the rescheduled August meeting from the 1st Tuesday to the 3rd Tuesday so that Staff, Council Members and Commission Members can attend Night to Unite.

7. Information Items - None

8. Adjourn

MOTION by Baker, seconded by Wallace, to adjourn at 6:35 p.m. **MOTION** passed unanimously.

Submitted by Sarah Lenz





PLANNING REPORT

TO: Planning Commission

FROM: Rita Trapp and Mia Colloredo-Mansfeld, Consulting Planners

Sarah Smith, Community Development Director

DATE: August 15, 2025

SUBJECT: Consideration of request for bluff setback variance

(Case No. 25-07)

APPLICANT: Greenwood Design Build on behalf of Tiffany Winter (Beitler)

LOCATION: 3343 Warner Ln (PID 25-117-24-21-0128)

MEETING DATE: August 19, 2025

COMPREHENSIVE PLAN: Low Density Residential

ZONING: R-1 Single Family Residential; Shoreland

SUMMARY

The applicant is requesting approval for a bluff setback variance for the construction of a house to replace an existing house that currently sits within the bluff setback. The 13,896 square foot property is in the shoreland, zoned R-1 Single Family Residential, and is a lot of record. There are two bluff areas located on the property, one on the western side and one on the northern side. The proposed house sits within the bluff impact zone setback on the north side of the property. The existing house that is being replaced is currently located within the northern bluff impact zone setback, with decks extending into the western bluff impact zone. The proposed front, side yard, and lakeshore setbacks for the proposed house and hardcover are conforming.

REVIEW PROCEDURE

60-Day Land Use Application Review Process

Pursuant to Minnesota State Statutes Section 15.99, local government agencies are required to approve or deny land use requests within 60 days. Within the 60-day period, an automatic extension of no more than 60 days can be obtained by providing the applicant written notice containing the reason for the extension and specifying how much additional time is needed. For the purpose of Minnesota Statutes Section 15.99, "Day 1" is determined to be June 28, 2025 as provided by Minnesota Statutes Section 645.15. The 60-day timeline expires on or around August 27, 2025. A letter extending the City's timeline for review to October 25, 2025 was sent to the applicant on August 14, 2025.

Variance

City Code Section 129-40 states that a variance may be granted to provide relief to a landowner where the application of the City Code imposes practical difficulty for the property owner. In evaluating the variance, the City Council must consider whether:

- (1) The variance proposed meets the criteria for Practical Difficulties as defined in City Code Sub. 129-2.
- (2) Granting of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to owners of other lands, structures or buildings in the same district nor be materially detrimental to property within the same zone.
- (3) The variance requested is the minimum variance which would alleviate the practical difficulty.
- (4) A variance shall only be permitted when it is in harmony with the general purposes and intent of the zoning ordinance and when the terms of the variance are consistent with the comprehensive plan.

According to City Code Sec. 129-2, "Practical Difficulties" is defined as follows:

Practical Difficulties, as used in conjunction with a variance, means that:

- (i) The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
- (ii) The plight of the landowner is due to circumstance unique to the property including unusual lot size or shape, topography or other circumstances not created by the landowner; and
- (iii) The variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

NOTIFICATION

Neighboring property owners of the subject site, per Hennepin County tax records, were mailed an informational letter on August 13, 2025 to inform them of the Planning Commission's review of the variance application at its August 19, 2025 meeting.

STAFF / CONSULTANT / AGENCY / UTILITIES REVIEW

Copies of the request and supporting materials were forwarded to involved departments, consultants, agencies, and private utilities for review and comment. To date, Staff has received no comments on the requested variance.

DISCUSSION

- 1. The applicant is proposing to construct a single-family home on the lot, which has two bluffs located on it. The lot currently has a single-family home located within both bluff setback areas. A variance is being requested to construct the proposed new house to replace the existing house located within the bluff impact zone on the lot. The proposed house is a 4,630 square foot single family home with an attached two-car garage. The existing house is a single-family home with an attached two-car garage.
- 2. Per Sec. 129-385 (d), a 10 ft setback from the top of the bluff is required. Exceptions to this setback are made for stairways and landings.

Bluff impact zones. Stairways and landings shall be allowed within bluff impact zones. Other structures and accessory facilities shall be required to observe a tenfoot setback from the top of the bluff.

- The existing house is nonconforming as it is located in the bluff setback for both the
 western bluff and northern bluff. It also has a nonconforming south side yard setback.
 The proposed house increases the conformity of the structure on the lot compared to
 the existing house.
 - Setbacks for the front, side yard, and lakeshore are conforming for the proposed house. The existing house has a nonconforming side yard setback on the south side. The proposed house brings the side yard setback into conformity. The A/C unit shown on the survey will need to be reduced as it extends more than 2 feet into the 6 foot setback. Per code, mechanical equipment can encroach into setbacks by 2 feet. Applicant is advised that eaves are allowed to encroach not more than 2 feet into setbacks.
 - The proposed house removes the decks that currently extend into the bluff setback on the west side, conforming with the bluff setback requirement on this side. The existing house is located within the bluff impact zone setback on both the west side (lakeshore side) and the north side.

Setbacks	Required	Existing	Proposed
Front Yard	30 ft	48.6 ft	43.2 ft
Side Yard	10 ft;	7.6 ft (north);	10 ft (north);
	6 ft	4.9 ft (south)	6 ft (south)
Lakeshore	50 ft	105 ft (approx.)	105 ft (approx.)
Bluff Impact Zone (west)	10 ft	0 ft	10 ft
Bluff Impact Zone (north)	10 ft	0 ft	0 ft

- The proposed hardcover on the lot is 27%, which is conforming for a lot of record, and is less than the current 28.3% hardcover on the lot.
- The proposed lowest floor elevation is 983.0 ft. The minimum floor elevation for new structures on Lake Minnetonka is 933.0.
- According to the information submitted, the proposed building height is 32 ft and 6 inches, which is less than the maximum height of 35 ft. This will be confirmed as part of the building permit process.

PLANNING COMMISSION ACTION

Staff recommends approval of the variance, and proposes the following conditions:

- 1. The proposed building shall meet building height requirements as identified in the Mound City Code.
- 2. Applicant shall be responsible for payment of all costs associated with the variance request.
- 3. No building permit will be issued until evidence of recording of the resolution at Hennepin County is provided.
- 4. Applicant shall be responsible for procurement of any and/or all public agency permits including the submittal of all required information prior to building permit issuance.
- 5. Additional comments and/or conditions from the City Council, Staff, consultants, and public agencies.

Staff recommends Planning Commission recommend approval of the variance based on the following findings of fact:

- 1. The criteria of City Code Section 129-40 Variance are being met.
- 2. The request to build a single-family home is in harmony with other uses in the area and fits the character of the neighborhood and the R-1 district.
- 3. The proposed home is more in conformance than the existing home as the south side setback is being met.
- 4. The location of the northern bluff along the side lot limit would limit the ability of the house to be reconstructed on the lot. The new home proposed will meet the 10 foot bluff setback for the western bluff.

CITY COUNCIL REVIEW

In the event a recommendation is received from the Planning Commission, it is anticipated that the variance request will be considered by the City Council at either the August 26, 2025 or September 9, 2025 meeting. The timeline for consideration will be made after Planning Commission consideration.



2415 Wilshire Boulevard, Mound, MN 55364 Phone 952-472-0600 FAX 952-472-0620

VARIANCE APPLICATION

	Please type or print legibly
SUBJECT PROPERTY LEGAL DESC.	Address 3343 WARNER LANE, MOUND, 1MN Lot 59 Block — Subdivision WH IPPLE SHORES PID# 25-117-24-21-0128 Zoning: R1 R1A R2 R3 B1 B2 B3 (Circle one)
PROPERTY	Name TIFFANY WINTER (BEITLER) Email Address 3343 WARNER LANE, MOUND, MN
	Phone Home Wcx
APPLICANT IF OTHER THAN DWNER)	Name GREEN MOOD DESI LIN BUILD Email Address 4550 W. 77TH ST., SUITE 190, EDINA, MN 55 Phone Home Work /
for this propert	ation ever been made for zoning, variance, conditional use permit, or other zoning procedure y? Yes () No (. If yes, list date(s) of application, action taken, resolution number(s) pies of resolutions.
	iption of proposed construction or alteration (size, number of stories, type of use, etc.): TE TEAR DOWN OF EXILTING 1920'S HOME,

Case	No.	
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3. Do the existing structures comply with all area, height, bulk, and setback regulations for the zoning district in which it is located? Yes () No (<). If no, specify each non-conforming use (describe reason for variance request, i.e. setback, lot area, etc.):

EXISTING	STRUCTURE AND LAND	SCAPINA CURA	ENTLY IMPACT
A HAI QUE	9 99 99		320
SETBACKS:	REQUIRED	REQUESTED (or existing)	VARIANCE
Front Yard:	(NSEW)30_ft.	ft.	ft.
Side Yard:	(NSEW)ft.	ft.	ft.
Side Yard:	(NSEW)ft.	<i>b</i> ft.	ft.
Rear Yard:	(NSEW)ft.	ft.	ft.
Lakeside:	(NSEW) 0 HWL 50 ft.	50_ft.	ft.
	(NSEW) BUFF 10 ft.	ft.	ft.
Street Frontag	ge: 50.04 ft.	50.04 ft.	ft.
Lot Size:	13,896 sq ft	13,896 sq ft	sq ft
Hardcover:	PROPOSED 3,752 sq ft	3937 sq ft	sq ft
Does the present use of the property conform to all regulations for the zoning district in which it is located? Yes (No (). If no, specify each non-conforming use: 			

4.

5. Which unique physical characteristics of the subject property prevent its reasonable use for any of the uses permitted in that zoning district?

() too narrow () too small	() topography () drainage	() soil particle specify () other; specify
() too shallow	() shape	() other: specify

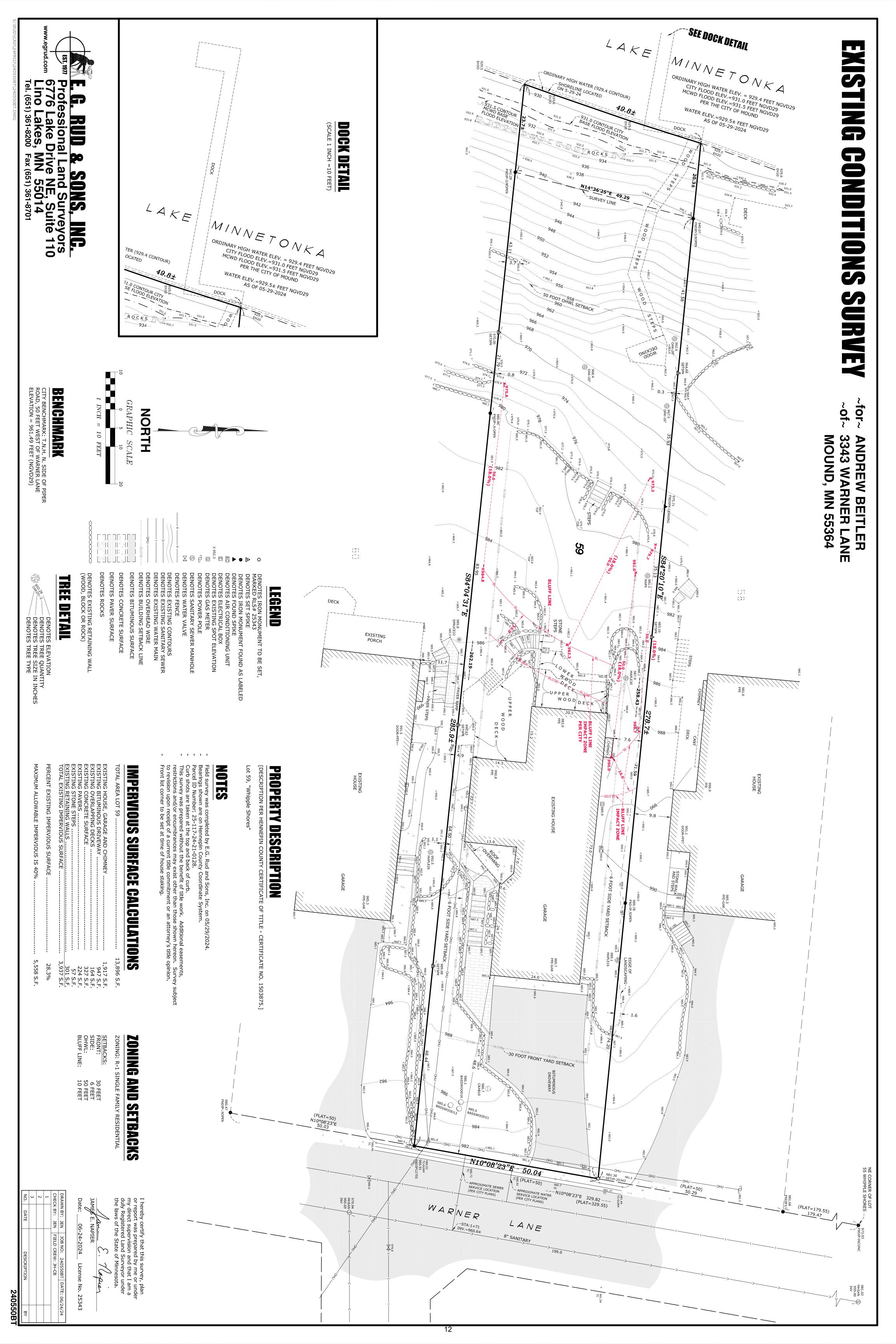
Please describe: THERE EXISTS A UNIQUE BLUFF IMPALT ZONE ON THE NORTH SDE OF THE PROPERTY, CUPRENTLY IMPACTED BY THE EXISTING HOME. IT WILL BE IMPOSSIBLE TO THIS DOWN THE EXISTING HOME AND CONSTRUCT A NEW HOME WITHOUT GONTINUING TO IMPACT THIS BLUFF IMPACT ZONE

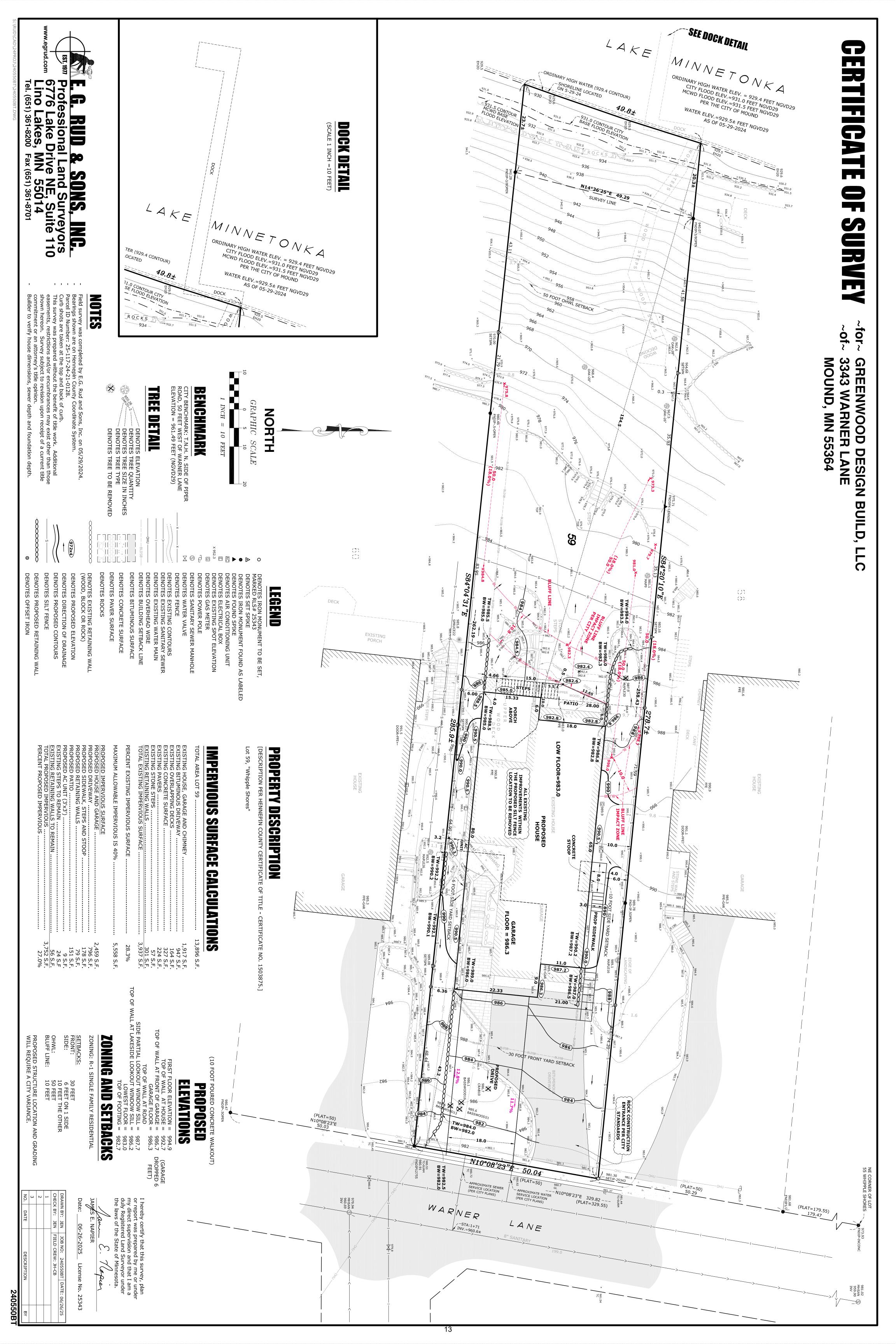
Variance Information (3/9/2023) Page 5 of 6

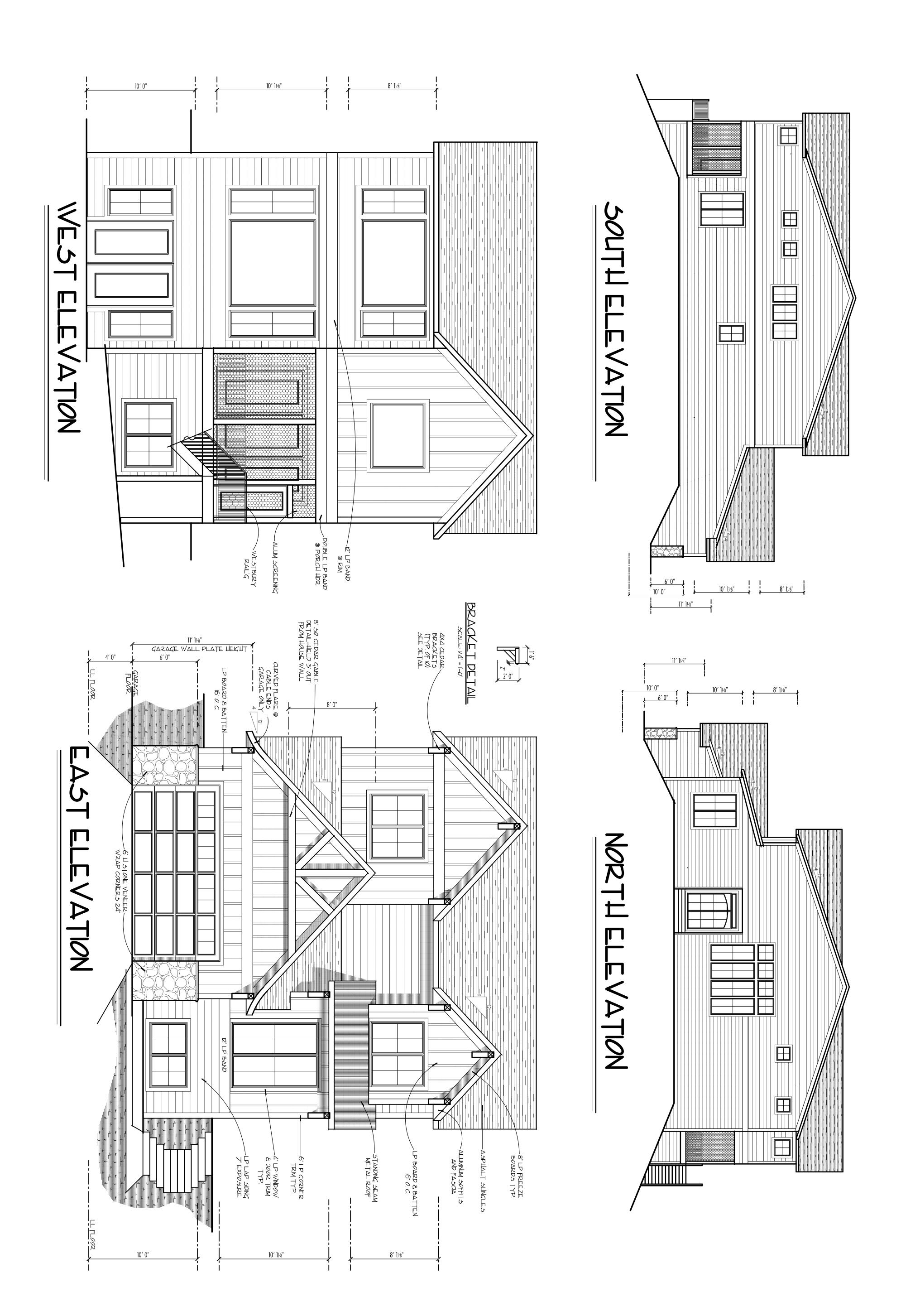
6.	Was the practical difficulty described above created by the action of anyone having property interests in the land after the zoning ordinance was adopted (1982)? Yes (), No 1985, explain:
7.	Was the practical difficulty created by any other human-made change, such as the relocation of a road? Yes (), No (). If yes, explain:
8.	Are the conditions of practical difficulty for which you request a variance peculiar only to the property described in this petition? Yes (>>, No (). If no, list some other properties which are similarly affected?
9.	Comments: DWNER'S FAMILY HAS DWNED THE PROPERTY SINCE 1979. DAVINHTER (TIFFANY) AND FAMILY ARE TAKING OVER THE PROPERTY FROM HER MOTHER, AND WISH TO CONSTRUCT A NEW HOMES FOR THEMSELVES WHICH DOES NOT HAVE THE ISSUES ASSOCIATED
su pr	sertify that all of the above statements and the statements contained in any required papers or plans to be bmitted herewith are true and accurate. I acknowledge that I have read all of the variance information ovided. I consent to the entry in or upon the premises described in this application by any authorized official the City of Mound for the purpose of inspecting, or of posting, maintaining and removing such notices as any be required by law.
	wner's Signature Date 6.27.2025 Date 6.27.2025 Date 6.27.2025

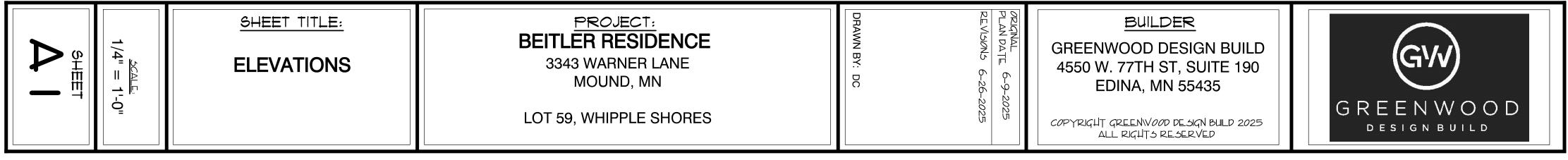
Case No. _____

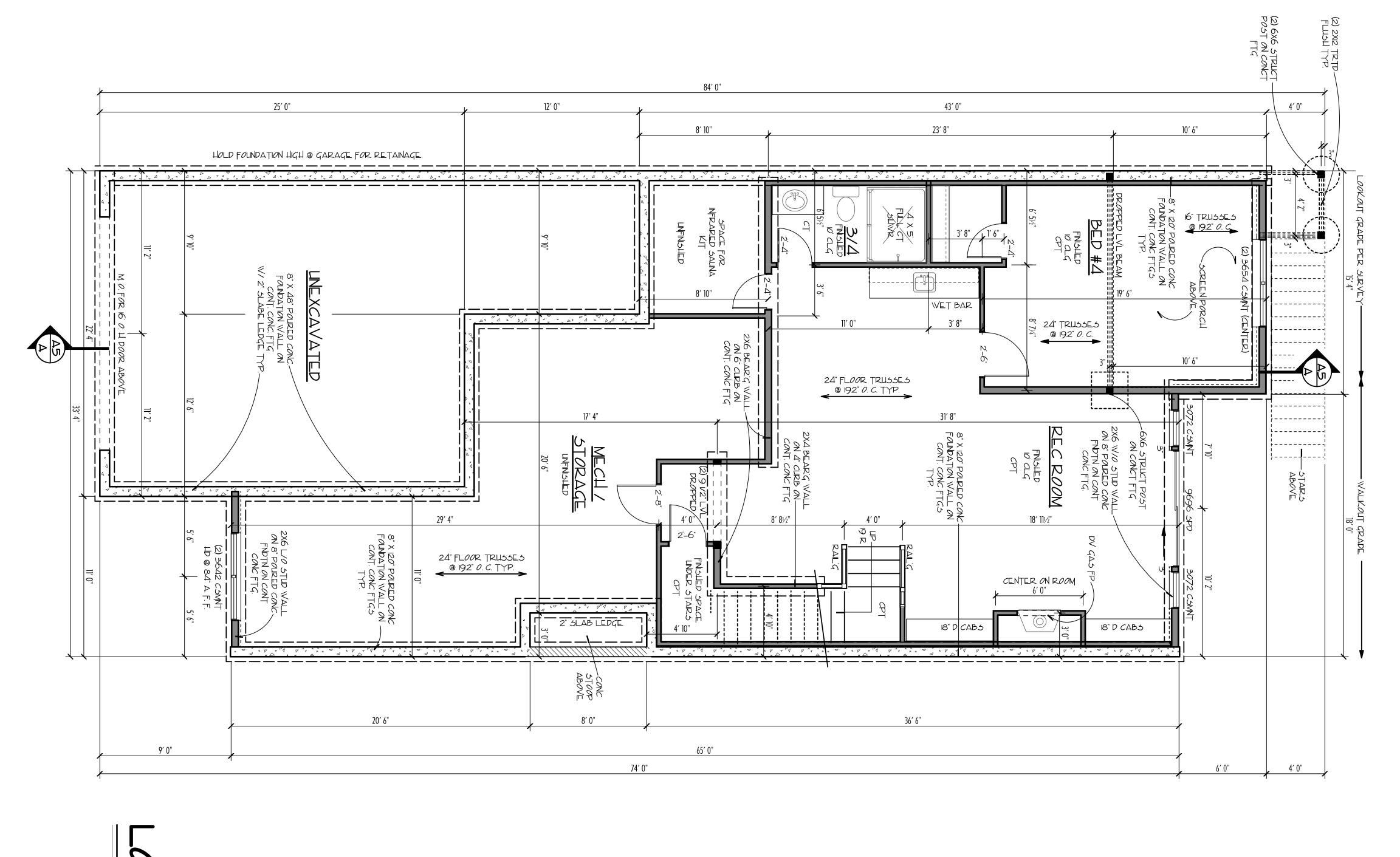
Variance Information (3/9/2023) Page 6 of 6











> SHEET

 $\frac{3CALE_{:}}{1/4"=1'-0"}$

LOWER LEVEL/
FOUNDATION PLAN

THIS

THIS NOTED ON PLAN

HEIGHT THIS LEVEL

J.N.O)

BE (2)2X10 (UNO)

KING FOR CURTAINS AND

IES INCL. ALL LEVELS

PROJECT:

BEITLER RESIDENCE

3343 WARNER LANE

MOUND, MN

LOT 59, WHIPPLE SHORES

PLAN DATE 6-9-2025
REVISIONS 6-26-2025
DRAWN BY: DC

BUILDER
GREENWOOD DESIGN BUILD
4550 W. 77TH ST, SUITE 190
EDINA, MN 55435

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