WAYZATA PLANNING COMMISSION
MEETING MINUTES
October 21, 2019

AGENDA ITEM 1. Call to Order

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

AGENDA ITEM 2. Roll Call

Present at roll call were Commissioners: Merriam, Plantan, Flannigan, Douglas, Iverson and Bashioum. Absent: Parkhill. Community Development Director Emily Goellner, Assistant Planner Nick Kieser, City Attorney David Schelzel, and Consulting Planner Eric Zweber were also present.

AGENDA ITEM 3. Approval of Agenda

Chair Flannigan asked for a motion to approve the agenda for the meeting.

Commissioner Plantan made a motion, seconded by Commissioner Douglas, to approve the October 21, 2019 agenda as presented. The motion carried unanimously.

AGENDA ITEM 4. Consent Agenda

a.) Approval of October 7, 2019 Meeting Minutes
b.) Receipt of Withdrawal Letter for Development Application at 401 Lake St E
c.) Report and Recommendation of Approval for Setback Variances and a Conditional Use Permit/Shoreland Impact Plan for a Detached Parking Structure at 214/216 Minnetonka Ave S
d.) Report and Recommendation of Approval for a Conditional Use Permit for Fence Height and Opacity at 663 Bushaway Road

Chair Flannigan read the items on the consent agenda and asked if any Commissioner wished to pull an item for further discussion. Hearing no such request, he asked for a motion to approve the Consent Agenda as presented.

Commissioner Douglas made a motion, seconded by Commissioner Bashioum to approve the Consent Agenda as presented. The motion carried unanimously.

AGENDA ITEM 5. Old Business Items:

a.) None

AGENDA ITEM 6. Public Hearing Items:

a.) Consideration of Development Application for the Boatworks Redevelopment Planned Unit Development Concept Plan and Zoning Ordinance Text Amendments at 294 Grove Lane East

Community Development Director Emily Goellner, stated that the applicant and property owner, Boatworks II, LLC, has submitted a development application requesting approval of (i) a planned unit development (PUD) concept plan for a new four-story mixed use building (with rooftop access) consisting of office, restaurant, and residential condominiums uses, and (ii) zoning ordinance text amendments related to height, setbacks and rooftop equipment in connection with a proposed redevelopment of the property at 294 Grove Lane E. The property is currently zoned C-3/Service Commercial which is intended to serve as a Business District. The 2030 and 2040 Comp Plan Designation is Central Business District.

As part of the submitted development application, the applicant is requesting approval of a PUD Concept Plan and three Zoning Ordinance Text Amendments, which would change the standards for PUD Setbacks, PUD Building Height, and the Wayzata Blvd District Design Standards for Rooftop Equipment. If the Concept Plan moves forward, the applicant would be required to get additional approvals including: PUD General Plan, Project Design , Rezoning to PUD, Shoreland Impact Plan/Conditional Use Permit (SIP/CUP) for a height over 35 feet, SIP/CUP for an Impervious surface greater than 25%, Conditional Use Permit (CUP) for parapet walls screening mechanical equipment greater than five feet higher than the overall building height, and a vertical Plat for condominiums.

Director Goellner noted that Hennepin County records show that the existing Boatworks building was built in 1940. The original use of the building was for boat and railcar repairs. The property underwent major renovations in the late 1990's and early 2000's. In 2015, an amendment to the existing PUD/CUP for the property was granted to allow for a joint brewery and distillery to be constructed within the Boatworks building. In 2019, the owner submitted a Development Application for a five-story mixed-use building. On June 3, 2019, the Planning Commission conducted a public hearing for the five-story redevelopment proposal. Following the public hearing and after consideration of the redevelopment application, the Planning Commission directed staff to prepare a Planning Commission Report and Recommendation to deny the application request. Following that meeting, the applicant withdrew the Development Application. Since June 3, the applicant considered the comments received during the public hearing and from the Planning Commission on the last application. In the current application, the applicant and property owner has applied for approval of a PUD concept plan and Zoning Ordinance Text Amendments for a new four-story mixed-use building consisting of office, restaurant and residential condominium uses. The proposal includes a rooftop recreation area for the condominium tenants and their guests. The applicant is requesting a PUD because there are a mix of uses proposed for the property. The C-3 Zoning District does not permit residential uses, so the applicant has proposed rezoning to the PUD District to allow the mix of uses.

Director Goellner asked the Planning Commission to consider a key question for the proposed PUD: "Would allowing a Planned Unit Development here create a more desirable, innovative and creative environment that would have a mix of uses and is that made possible through a PUD or through strict application of the zoning rules?".

Planning Consultant, Eric Zweber, continued the staff presentation and explained that the proposed Boatworks project as shown in the PUD Concept Plan includes a four-story building with rooftop access that would be occupied by commercial uses on the lowest two floors and residential uses on the highest two floors. The first two floors are proposed to be occupied primarily by restaurant and office uses, but also would include a portion of the common or utility spaces such as the lobby for the residential uses, a loading dock, mechanical and electrical equipment, and a potential public restroom. The public restroom would be available for these residents using the park, beach, marina, depot or any future Lake Effect improvements. The top two floors would be occupied by 36 residential condominium units. There is a portion of the roof that is proposed to be available to the residents and guests of the 36 condominium units that would be accessed through the secure residential elevator and two of the staircases. There will be three levels of parking available.

Planner Zweber explained that building height is determined by averaging the grade plane around a building and it was determined that the proposed building would reach 58 feet to the top of the parapet and 71'8" to the top of the elevator penthouse. Since the property is currently zoned C-3, the maximum height allowed on this property is 30 feet or two stories, whichever is less. The PUD District establishes a maximum building height of 35 feet and three stories, whichever is less. There is one exception to the standard that states: In PUD Districts that were zoned C-3 commercial prior to PUD and exceed 13 acres, the maximum allowable height shall be as negotiated and agreed upon between the applicant and the City. To allow for the Boatworks redevelopment to exceed 35 feet or three stories, the applicant is proposing a Zoning Ordinance text amendment to add that properties that were zoned C-3 prior to PUD, in excess of three acres, and with sufficient public benefit can negotiate the maximum allowable height between the applicant and the City. Section 991.10 of the Zoning Ordinance stipulates that building heights of over 35 feet may be allowed through approval of a Shoreland Impact Plan/Conditional Use Permit (SIP/CUP).

The Shoreland Ordinance require a minimum of a 75-foot setback to the Lake Shore. The existing building is approximately 25 feet. This is legal non-conforming building. To construct the new building, it would need to meet the standards of §991.17 & 991.18 which regulate the use of a PUD within Shoreland Ordinance and state that the application for a residential PUD shall follow the guidelines in Chapter 933 of the Zoning Ordinance. If the requested Text Amendment for the PUD setback is granted, then that would allow the City to negotiate the setback. This would no longer need a variance from the Shoreland Ordinance because the PUD standards would apply.

Planner Zweber posed a number of questions for the Planning Commission to consider when considering the PUD Concept Plan which included: Is the community willing to make the trade-off between the impacts of the additional height and density requested and the public benefits of the project? Should there be flexibilities for setbacks in exchange for public benefits? Can

sufficient public benefit be reached to match what is given up with the smaller setback? Who else is affected by the code change? What are the unintended consequences?

Planner Zweber provided a list of potential public benefits of the project articulated by the applicant which included: potential full ADA access, potential public restrooms, public access on the peninsula, safer pedestrian access, increases in on-site parking, improved stormwater management system, and consolidation of miscellaneous service and other traffic. The applicant provided a larger list of potential public benefits as well as the applicant's level of commitment.

Planner Zweber provided a list of questions for the Planning Commission to consider in evaluating the requested Zoning Ordinance Amendments which included: Why only the C-3 commercial zoning district? Is three acres the right threshold? Should the proximity to public property be included? Should the public benefits be better defined? Should there be further limitation on height increase or setback reduction? He identified other parcels in the City that could potentially be governed by the proposed new height and setback standards.

Planner Zweber stated that the applicant has provided information in their narrative that the mechanical equipment on the roof is required to operate their building. To address this concern, the applicant is requesting a Zoning Ordinance Amendment that would allow this lot to be reviewed under the Wayzata Blvd Design Standards, which state that all mechanical equipment shall be completely screened behind a parapet wall, so as not to be visible from adjacent properties and pedestrian view vantage points from adjacent sidewalks. If the requested Design Standard Zoning Ordinance Amendment is approved, further approvals are needed in the form of a Conditional Use Permit. The following rooftop element would still be subject to the structural elements in the building height regulations of §919.02.B, which limits the height of these structural features to no more than 5 feet above the maximum height of the building unless a CUP is approved. The applicant has also requested a Zoning Ordinance Text Amendment to modify the rooftop equipment design standards.

Chair Flannigan asked if any of the Commissioners had questions to clarify the information provided by staff.

Commissioner Bashioum asked whether the authors of the letters received in support of the project were known to have any financial gain or impact from the project itself.

Director Goellner stated that those providing testimony can share that information if they wish, but the focus for Commissioners should be more on the Code standards, the land use approvals requested, and the project itself. The motivation behind the submitted letters is unknown and less important in evaluation of the project.

Chair Flannigan asked if the applicant is offering as a public benefit that the public would have access to the property on the Boardwalk and back side of the building.

Director Goellner stated that the applicant is offering a fairly unprecedented amount of public access in a Concept plan for a Planned Unit Development. As part of the General Plan process

official public access agreements would need to be obtained and spelled out in the project agreements.

Commissioner Douglas asked if there was an existing public access agreement for the property.

Director Goellner stated that staff is not aware of an existing public access agreement at this time and cannot verify whether one has been executed. Planner Zweber stated that the only agreement for public access the City has that he is aware of pertains to the public parking stalls on Grove Lane.

Commissioner Iverson asked for clarification regarding what can or cannot be part of the project.

Chair Flannigan stated that he was specifically questioning whether public access would be allowed from a location like the boat launch, across the boardwalk, and to Wayzata Beach. He further asked for the responsible party of the maintenance of the boardwalk.

Planner Zweber stated that the applicant has committed to building the boardwalk. The maintenance of it would be part of the PUD agreement if passed.

Commissioner Iverson asked how the boardwalk would tie into Lake Effect.

Planner Zweber stated that if the project moved forward, and the boardwalk was constructed, a person could walk along the lakeshore from the proposed Eco Park to the marina.

There being no further questions from the Commission for Staff, Chair Flannigan asked the applicant to speak to the Planning Commission about the application.

Applicant and property owner principal, Rick Born, stated that at the last meeting, a lot of feedback was provided regarding scale and height of the proposed building, as well as positive comments regarding design and public access. The information was used in hopes of creating a transformational project with significant and unique public benefit for Wayzata. He stated that they are hoping to create a true public asset for the community through the access on the boardwalk and world class restaurants. There will be condominiums requiring some amount of privacy, but the intention is to have everything around it be accessed and become an asset of the community. He added that he purchased the property in the mid 1990's because of its great potential to be a mixed-use property. He stated that the property screams to be a public asset and not just a private property. He acknowledged that change is difficult but necessary. The Council, Commissioners, Staff, and the community have been exceptional stewards of Wayzata and have created an exciting, workable, enjoyable, and sustainable vision for a world class village. He wants to see the property become a mainstay for generations of Wayzatians to come.

Applicant Representative, Steve Bohl, stated that one of the public benefits of the project is to allow for the opportunity to join resources to improve the property and the adjoining public spaces. He stated that the current building is outdated and needs to be redeveloped, and the proposal utilizes world class architecture. There will be little or no extra burden on the current infrastructure, or the resources of Wayzata, and it will provide significant, long-term increases in

the tax base without the use of public funding or TIF. There will be safer and adequate parking that is better managed. The property will be made accessible to all, which includes additional access from the peninsula to the beach through the creation of a dock. They are also proposing to build a gathering place by the beach that would be open to the public. He ended by stating that the property is likely one of the most valuable properties from a public benefit/experience standpoint in the Twin Cities, and possibly the Midwest.

Mr. Born stated that to his knowledge, the letters received by staff were not provided by any person that had direct financial interests in the project. He acknowledged that not everyone will agree with everything. Wayzata has undergone a number of changes that have allowed it to become a world class location. Change is necessary. He explained that the property frequently floods due to the inadequate system that is in place, the proposal will address this issue for the next generation and help protect the Bay. He identified concerns with vehicle traffic and pedestrian safety. He stated that they are planning for more than enough parking than what is required. They will be creating a huge tax base that is disproportional to the amount of public services that they are also creating. He acknowledged that many may be upset about the height of the building, but he asks for consideration of the benefits and asked if they are commensurate with the variances that they are requesting. He added that there have been great improvements to the east end of Wayzata, but the west end has been left out. He stated that the building is 100% occupied, he is in a unique spot where he will need to decide whether to renew leases or allow the leases to expire to accommodate a two-year redevelopment plan. He added that if he extends the leases, it is likely that he will not be able to consider redevelopment of the location for another 10-15 years.

Chair Flannigan asked if the Commission had any questions for the applicant.

Chair Flannigan asked what would happen to the marina during and following redevelopment.

Mr. Born stated that it would continue on like it is and continue to function as a public marina.

There being no further questions from the Commission for the applicant, Chair Flannigan opened the public hearing on the application at 7:30 p.m.

Resident, Lowell Zitzloff, The Five Swans, stated that he provided a letter to the Commission but wanted to add a few comments. He stated that there is no question that the building is beautiful. He would like to see the public benefits provided without the added height that is being requested. He proposed adding a terrace on the top of a building that he was constructing, but it was not allowed. He provided other examples of how he had to make changes to his projects to stay within the ordinances. The ordinance in Wayzata makes it difficult to construct a building, but it is there to protect Wayzata and the beautiful water. He would like to see a reconfiguration of the project to stay within the three-story standard of the ordinance. He stated that it seems like they are trying to write their own ordinance. He added that finances is not a hardship.

Attorney, Darren Knight, 319 Barry Ave S. #304, Wayzata, stated that he is a lawyer and real estate broker and that he shares an office with Mr. Zitzloff and has represented him with his development project. He stated that “spot” zoning to favor an individual developer hypothetically invites litigation and is unfair to other landowners and developers in the area. He added that this

text amendment could be argued as "spot" zoning. He shared that a number of other business owners would be able to ask for additional height on their adjacent buildings. He stated that the application is impressive and audacious, but the reality is the application is for a five-plus story building. He ended by stating that although there have been a number of public benefits mentioned, the developers are smart men and they are in it to make money.

Resident, David Carlson, 2249 Portico Dr, Wayzata, stated that he is on the development team for Wayzata Blu condominiums which is located directly across Lake Street from the project. He stated that as a developer, his comments are not directed at any specific team. He stated that he presented an application to create a four-story building and was told that it was "dead upon arrival". He was told that he could not have mechanicals on the roof and that he had to stick to 35 feet without one inch above. He wants everyone to be treated the same. He thanked the Planning Commission for their 7-0 unanimous rejection of the previous application. He stated that he had been struggling with his sales because nobody wanted to buy on the third floor because the unknown of what was going to happen across the street. He stated that soon after the last development application was rejected, he was able to sell out the top floor of his building. He showed the Commission pictures from a third story unit in the Wayzata Blu building, with markings to demonstrate the estimated building height and the negative impact for the tenants. He stated that he is unable to determine a difference between the original application and the "reimagined" one. He added that he had wanted to add a rooftop deck for his tenants but was again told "dead on arrival". He also showed the potential loss of view from the Ventana Condominiums. He does not believe that any of the letters in support of the project were written by a resident of any of the condominiums located across the street. He shared a quote "an exception to one is an injustice to everybody". He stated that a beautiful 35-foot high building could be built that follows the rules that everyone else had to follow. He could support that type of development.

Resident, Sherry and Brian Heeb, 5425 Bartlett Blvd, Mound, MN 55364, stated that they purchased a third-floor condominium at Wayzata Blu with the understanding that their view of the lake would be protected due to the height restrictions. She added that they have utilized the marina and the beach and have grandchildren that live in the area. She stated that the public benefits can occur with a building following the 35-foot height limit. She ended by stating that they live in Wayzata, and Rick does not.

Minnetonka resident, Annette Ferguson, stated that she and her husband are hoping to relocate to Wayzata from Minnetonka primarily because of Wayzata's downtown. They have adopted Wayzata and have been loyal to the businesses, restaurants, and community offerings. She has admired Wayzata's stringent design standards and the character it has created which she identifies as very special and appealing. She stated that she wanted to discuss scale and design. She explained that she has been a creative director for many years and that she defines "World Class design" to mean something distinctive, stellar, and masterfully crafted. She identified the design in the proposed building as an architectural trend that is happening across the United States and referred to it as "modulated façade". She stated that this is characterized by flat windows, boxy design, with blocks of colors. She stated that the term "fast casual architecture" can also describe the design. Fast casual design buildings are designed that way because it's the cheapest way to do it, you can cram the most units in it, it's fast to design, and it's fast to build. If you were to take away the water, there is nothing to the design that speaks to downtown Wayzata. She stated that

they are asking for 100% variance in height and a 100% variance in floor area ratio. She stated that the variances are not being requested for a special architectural feature and instead are for pure financial reasons of being able to cram as many units as possible into the structure. She added that she is not familiar with the term "spot zoning" but her understanding is that Minnesota statute doesn't allow variances for purely economic reasons. She has heard a little rationale for a setback variance but not for the height variance other than economics. She added that it is almost appalling that a developer would approach the City and tell them how to change the ordinances that were created through a lot of community engagement. Any development of the property would be required to be ADA compliant, address flood plain and storm water concerns, and tie in with the water and Lake front effect. She asked the Commission to be patient in choosing the right development for the prime piece of property.

Resident, Pat Broyles, 212 Benton Avenue, stated that her problem with the development is that it is too large. She doesn't like the precedence that a building that size could set. She also mentioned a parking lane concern that she read online.

Architect, Neil Weber, Neil Weber Architects, PO Box 930, stated that he has been working in Wayzata for 47 years. He stated that he had never presented a project to the City that was not approved and in fact he only requested one variance. He has been asked by others how he is able to work in Wayzata. He replied that Wayzata has a strong set of ordinances, good leadership, and if you play by the rules, your project will get approved. He doesn't see how public benefit cannot be achieved through a building of less height.

Resident, Rob Johnson, 366 Ferndale Road S., Wayzata, stated that he is a neighbor of the project. He started by thanking Rick for stabilizing an asset that has gone through a lot of tribulations over the years. He has lived in the area for over 50 years and feels that he has a good understanding of the area and the potential. He stated that the most compelling argument that he heard was that of equity. Standards are created for a reason and are enforced on everyone, creating an exception really requires a compelling reason. He has been following the discussion regarding the redevelopment and recognized new public benefits that were mentioned. He would argue that those mentioned benefits may be considered primarily private benefits. He did not think that such a large exception needed to be made.

Development Analyst, Kim Van Dyn Hoven, Nolan Properties Group, 328 Barry Ave S., Wayzata, stated that their building sits both north and up the hill from the project. The proposed building would be at the same height as their building and would completely block their view of the lake. She stated that although the redevelopment would benefit the site, it would cause a loss of value for many of those properties whose views would be completely blocked. She added that many of the benefits identified would be required for any development and are not specific to the proposed plan, and they appear to primarily benefit the building tenants and property owners.

There being no one else wishing to comment on the application, Chair Flannigan closed the public hearing at 8:01 p.m.

Chair Flannigan stated that there have been a number of correspondences received regarding the redevelopment application and that they would all be included as part of the record for the application.

Chair Flannigan asked the Commission to provide feedback and comments on the application being mindful of the guiding questions provided by Director Goellner during her presentation.

Commissioner Merriam stated that she reviewed the documents and it appeared that two rows of parking would be removed, and the remaining one strip of outside parking is primarily used for the beach.

Planner Zweber stated that the proposed parking structure provides 228 parking stalls, an existing 41 surface parking locations within the easement on the publicly owned property encompassing Grove Lane to the north of the building, and an additional 85 parking stalls located north of Lake St for a total of 354 parking stalls. The 41 public parking stalls are included in the calculation because they were constructed by Boatworks and they have an agreement with the City to have access to those stalls.

Commissioner Iverson stated that the required parking spaces during peak use is 354 stalls. She stated that there is also a minimum parking number provided. She asked how parking for the Dakota trail and the beach are going to be compensated for when it appears that there isn't enough parking already.

Planner Zweber stated that the information provided is for the existing rights and new uses for the parking isn't part of the agreement.

Commissioner Merriam asked if additional public parking was being added or removed.

Planner Zweber stated that the amount of parking made available to the public in the current agreement would remain the same. He explained that there would be improvement of the existing marina stalls that are often inundated by high water by addressing the water.

Commissioner Merriam stated that multiple people have mentioned walking along a dock that connects the depot to the beach and on to downtown. She asked if there was any reason to think that it would not remain that way. She asked if the PUD agreement provides protection of the dock.

Planner Zweber stated that the current PUD does not have that language but there would still need to be access to the businesses, marina, and other public parts of the property.

Commissioner Douglas stated that the construction timeline would begin in the fall of 2020 and be finished in 2023. She asked what would happen to the beach and how it would be affected.

Planner Zweber stated that there would be a boundary that the construction would need to adhere to.

Commissioner Douglas stated that development of the property would be difficult to contain in a small area.

Commissioner Bashioum asked for clarification regarding ADA access to the Depot.

Planner Zweber stated that there is a ramp to provide ADA access, but it is not a pedestrian sidewalk and is a mixed environment with other traffic.

Commissioner Iverson asked for the width of the current and proposed boardwalk.

Planner Zweber stated that the information would be addressed in the General Plan.

Commissioner Iverson asked about the availability to the public for access to the pier. She remembered a conversation where it was explained that the pier would not be open to the public due to liability issues.

Planner Zweber stated that his understanding was that the pier would be available to the public, but that a permit could be obtained to close it off for private events.

Chair Flannigan asked for the Commission to provide feedback regarding their thoughts regarding the concept plan and the text amendments.

Commissioner Iverson thanked the public for the feedback. She stated that she has heard of three different building heights for the Boatworks project ranging from 66'7" to 71'8". She continues to struggle with the proposed height for multiple reasons, some of which were made in the public comment. She stated that other developers have been able to build while staying within the required height limits, and issues outside of the developer's control were identified when height increases were allowed. The proposal includes a number of text amendments for height, setbacks, mechanics on the roof, modifying the rooftop equipment design, and shoreline impact. She stated that the PUD and text amendments appear to be a way to get around some of the code requirements and ordinance standards, and remove the necessity to request variances. A text amendment can set a precedence with negative consequences for other areas and districts. She stated a great concern is to protect the lake and the neighboring views. She would like to see the exterior design softened up and made to look more timeless. She would hope that the boardwalk would continue to be available to the public no matter what happens with the redevelopment project. She felt that the list provided detailing the public benefits when further examined appear to truly benefit the property owners more. She ended by stating that the 35-foot height requirement was made for a reason.

Commissioner Merriam stated her appreciation for the intent of the project to upgrade the space and provide more condominiums. She continues to struggle with the height of the building and called it excessive. She stated that there has been a lot of good development in the area and that hasn't appeared to slow down. She believes that a solution can be found that stays within the restrictions and provides public benefits. She cannot support the project at this time and would recommend denial to the City Council.

Commissioner Douglas stated that she appreciates all of the work that has been done since it was last presented to the Planning Commission. She stated that it was an attractive building but is more fitting in California than downtown Wayzata. She stated that she was against all of the text amendments. She added that she has been in Wayzata a long time and has loved to see the changes, the vitality, and community and believes that it is the best it's been in a long time. The proposed height, scale, setbacks, precedence setting text amendments, and construction fatigue trouble her greatly. She would like to keep the charm of Wayzata and cannot imagine the visual of what is being proposed. She cannot support the project presented.

Commissioner Bashioum stated that if she didn't have to consider the effect the project would have on other people, she would say yes. She is unable to hold one person to a standard and not the next, things need to be fair and no advantages given to specific people. She would like to see the developers roll up their sleeves and try to stay within the 35 feet height limit. She appreciates the focus that Wayzata has made to create access and improve walkability.

Commissioner Plantan thanked everyone for their feedback. She stated that she was very hopeful that the project was going to return to the Planning Commission with something different, but she did not think that the new proposal was much different. She stated that "World Class Amenity" should really be the lake and not a building. She pointed out a dead-end parking area by the beach that would be challenging to navigate. She added that the City is well run when they stick to the rules. She cannot recommend approval at this time.

Chair Flannigan stated his appreciation for the conversations regarding the project. He supports the PUD concept, but he cannot get behind the project due to the height. He would be willing to discuss a concept that brings the project closer to the 35-feet height limit. He acknowledged the public benefit. He added that there is a current entity in the location, and it may be difficult to conceptually see something different.

Chair Flannigan asked for a motion on the application.

Commissioner Plantan made a motion, seconded by Commissioner Iverson, to direct staff to prepare a draft Planning Commission Report and Recommendation, with appropriate findings, reflecting a recommendation of denial of the planned unit development concept plan and the three zoning ordinance text amendments as outlined in the proposal for 294 Grove La E, for review and adoption at the next Planning Commission meeting. The motion carried unanimously.

The next Planning Commission meeting will be on Thursday, November 7, 2019.

AGENDA ITEM 7. Other Items:

a.) Review of Development Activities

Assistant Planner, Nick Kieser stated that there are no new complete development applications.

b.) October 15 City Council Meeting Report

Community Development Director, Emily Goellner stated that there were three new firefighters introduced. One item was pulled from the Consent agenda. City Council denied the receipt of the quarterly report from Mediacom in an attempt to symbolize ongoing frustration with the customer service. A City Hall remodel project was approved and will occur over the winter. Election items were discussed noting that there would be three elections in 2020. A stormwater ordinance was inducted. A public hearing was held for delinquent utility bills and the assessment will be placed onto resident property taxes for the next year. There were changes made in Boat Slip ordinances. The City Council approved the Animal Clinic as the first reading of the ordinance. The "Skyfall" house was approved after a very lengthy discussion. The Council approved the consideration of Stahl Construction as the construction management firm for the Lake Effect phase one. Phase one will consist of Lake Street only. There will be a strong focus on open and consistent communication with the business owners.

c.) Planning Commissioner Liaison for the November 6 City Council Meeting

Commissioner Parkhill will attend this meeting and report back to the Planning Commission.

AGENDA ITEM 8. Adjournment.

There being no further business on the agenda, Chair Flannigan asked for a motion to adjourn.

Commissioner Bashioum made a motion, seconded by Commissioner Douglas, to adjourn the Planning Commission meeting. The motion carried unanimously.

The Planning Commission meeting was adjourned at 8:54 p.m.

Respectfully submitted,
Jenny Groess
TimeSaver Off Site Secretarial, Inc.