

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
JANUARY 4, 2014**

AGENDA ITEM 1. Call to Order, Roll Call and Approval of Minutes.

Chair Gonzalez called the meeting to order at 7:00 p.m.

Present at roll call were Commissioners: Vanderheyden, Pearson, Gnos, and Gonzalez. Absent and excused: Commissioner Ramy and Tyacke. City Planner Gadow was also present.

Commissioner Vanderheyden stated Page 15, Line 23, has a typo and the point needs to be clarified more about needing to be accommodating for smaller lots.

Commissioner Vanderheyden made a motion, seconded by Commissioner Pearson to approve the December 16, 2013 workshop minutes as amended above. The motion carried unanimously.

AGENDA ITEM 2. Regular Agenda Public Hearing Item.

**a. 1409 HOLDRIDGE TERRACE – LAKEWEST DEVELOPMENT CO. LLC
(Continued from December 2, 2013 meeting)**

i. Concurrent Preliminary/Final Plat for Three (3) Lot Subdivision

City Planner Gadow presented the application of 1409 Holdridge Terrace for a three (3) lot subdivision. He stated at the December 2, 2013 meeting the Planning Commission had requested additional information. He reviewed the grading plan with the cut/fill calculations, drainage plans for all three (3) lots, the proposed landscape and screening plan, and the tree inventory including the number of trees that will be removed. He stated the City Engineer has reviewed the grading plan and the cut/fill calculations. The City Engineer's response is what the applicant is proposing for the amount of fill for Lot 2 and Lot 3 would meet the City's Code and be under the 2-foot average threshold of fill. If the subdivision is approved, the Applicant would be required to receive a grading permit, and ensure that proper grading and erosion control techniques are utilized, and would be field verified. The Applicant's engineer also provided calculations for water runoff on the properties based on 2 yr, 10 yr, and 100 yr rainfall events. The City Engineer has reviewed the drainage plan and calculations, and has requested a water flow line, which was provided by the applicant today. The Applicant has also provided an illustrated preliminary landscape and screening plan for the properties. The plan proposes to plant a mixture of 22 deciduous and coniferous trees and 46 shrubs on Lots 2 and 3. The Plan includes a planting inventory. Per the Commission's request, the Applicant has revised the tree inventory and removal calculations to exclude the undeveloped Outlot A and only include Lots 1, 2, and 3. For Lots 1, 2, and 3, the total number of significant trees is 133. As part of the development of Lots 2 and 3, 52 trees are proposed to be removed for construction of the houses and grading (39.1%). Staff sent the proposed landscaping and tree removal plans to the City's tree consultant for review and there are comfortable with the plans but did have some additional questions for the applicant to ensure the trees marked for removal on the plan match the trees that are removed. The tree consultant also recommended a few of the trees be changed to a

1 species that would work better in this environment. This information has been provided to the
2 applicant. The Applicant has provided an illustration of the proposed house design with an
3 inventory of proposed building materials. The Applicant's architect is working on a building
4 material sample board. At the December 2nd meeting, the Commission discussed the possible
5 condition of approval that the proposed house on Lot 3 would be required to remain in the north
6 section of the parcel as shown on the preliminary plat, and could not be moved further to the
7 south. This is to prevent impacts to the adjacent residential properties to the south. The Applicant
8 indicated on December 2nd that they were agreeable to this condition.

9
10 Commissioner Vanderheyden asked if the water flow line analysis requested by the City
11 Engineer was in addition to the one included in the staff report.

12
13 City Planner Gadow explained that at the time the staff report had been prepared, the applicant
14 did not have the water flow line analysis available. This has been provided since then and has
15 been provided to the Planning Commission for review.

16
17 Chair Gonzalez stated the minutes from the December 2, 2013 meeting reflect concerns from
18 residents that this development would limit future development in this area. She asked how
19 future development would be impacted.

20
21 City Planner Gadow stated there was never a formal plan submitted but at one time, there had
22 been discussion by the neighborhood about a larger scale, multiple-lot subdivision project. The
23 concern that was raised at the public hearing was if this subdivision was approved, it would
24 prevent a road from coming off the frontage down to the lots farther to the south. This would
25 limit those residents from doing the larger scale multiple-lot development they had discussed.
26 The proposed lot subdivision does not allow for a road in this particular location but different
27 configurations could be looked at once a formal plan has been submitted.

28
29 Mr. Ben Wikstrom, Lakewest Development Co. LLC, 15545 Highway 7, Minnetonka, stated
30 Marty Campion is the project engineer.

31
32 Chair Gonzalez thanked the applicant for providing the additional information in a format the
33 Planning Commission could use.

34
35 Commissioner Vanderheyden stated according the building design plan submitted, the garage
36 would be on the left side of the home but the preliminary landscape plan shows the garage on the
37 right.

38
39 Mr. Wikstrom clarified this was a mirror image based on the layout of the lot but the design is
40 the home that would be built.

41
42 Commissioner Vanderheyden asked what the side elevation would be for the end-loading garage.

43
44 Mr. Wikstrom stated he would provide this information.
45

1 Commissioner Vanderheyden stated on Page 5 of the run off report, it appears there would be
2 .18-inch variance between the two run-off amounts. He asked where this would be.

3
4 Mr. Marty Campion, Project Engineer, explained this takes into account the run off in the
5 increase in the volume and the depth, which is due to the increase in the impervious surface (the
6 two (2) homes that are being added). It is the same rainfall falling in the area and the 2.9-inches
7 versus the 3.18-inches is over the area that it falls on. The pertinent calculation to look at is once
8 the runoff gets to the wetland. The topography of the area is a swale in the middle of the three
9 (3) lots to protect the lots to the south and this is deposited in the wetlands. The wetland
10 calculation provides the volume of water to the wetlands at .516 acre-feet. He used this figure to
11 calculate the increase in the level of the wetlands. The portion of the wetland that he used was
12 just the portion that is included in the subdivision, simulating if there were a wall at the property
13 line based on the 100-year rainfall the wetlands would raise approximately .5-inch.

14
15 Commissioner Vanderheyden stated this amount would be inconsequential.

16
17 Commissioner Pearson clarified all the runoff would work its way to the wetland naturally and
18 there would not be a need for manmade drainage.

19
20 Mr. Campion stated this was correct. He stated the Forrester who reviewed the plan had asked
21 why some of the trees in the rear of Lot 3 were being removed. According to the grading plan,
22 those trees are located in the swale that brings water from Lot 2 to the wetland. There is some
23 additional grading that is causing the removal of 6-8 trees.

24
25 Commissioner Vanderheyden asked if there would be fill going in this area.

26
27 Mr. Campion clarified it would be a cut. The existing condition has a 946-foot pocket and
28 another 946-foot contour with a high ground in between. The grading will cut down this high
29 ground so the water can drain to the wetlands. This is being cut for the intention of clearing the
30 drainage.

31
32 Commissioner Pearson asked how much of the calculations would be considered 'science' and
33 how much would be considered 'art.'

34
35 Mr. Campion stated the drainage will work the way it is suppose to because the contours are
36 such that the water will be routed to the wetlands. Most engineering firms use the same Hydro-
37 CAD program to do storm water runoff calculations. The inputs are usually static but you can
38 get some variations in interpretation.

39
40 Commissioner Vanderheyden clarified the elevation for the Outlot is 942-feet and the pocket
41 would be cleared to 946-feet.

42
43 Mr. Campion stated the Outlot elevation is approximately 942-feet and the plan is to grade the
44 high ground between the two (2) 946-feet elevation points so that it flows to wetlands, which is
45 at an elevation of 941-feet.

46

1 Chair Gonzalez expressed concerns that if everything is drained to the wetlands there would be a
2 chance of contamination. She asked if the developer had considered including rain gardens or
3 other means of cleaning the water prior to it going into the wetlands.

4
5 Mr. Champion explained these are two different things in terms of cleansing and limiting the
6 water. All the water going to the wetlands is overland flow so it would be through swales and
7 grass, which provide natural filtering. Generally when they are working with backyard drainage,
8 similar to this development, they do not include rain gardens. Rain gardens or permanent pools
9 are to clean what comes off the streets.

10
11 Commissioner Vanderheyden asked if there would an easement or drainage easement agreement
12 between Lot 1, Lot 2 and Lot 3 to ensure the owner of Lot 3 understands there will be some
13 water that drains in the rear of their property.

14
15 Mr. Champion stated there would be some arrangement for this to make sure they understand
16 there will be drainage and to ensure they do not change the topography of this area to impede the
17 drainage. This is typically done through a drainage easement. He clarified the side yard
18 easements are typically drainage and utility easements but for Lot 3 it would be platted as a
19 drainage easement only.

20
21 Chair Gonzalez asked if the Mr. Champion expected any drainage onto the existing properties to
22 the south of this development.

23
24 Mr. Champion explained there would not be any direct runoff to the south. The water would drain
25 into the wetland and then be discharged to the existing location to the south.

26
27 Chair Gonzalez stated she would not recommend the Planning Commission approve a plan that
28 would turn the wetland area into a holding pond.

29
30 Mr. Champion stated all necessary precautions are taken to protect the wetlands in accordance
31 with State laws.

32
33 Chair Gonzalez asked what the height of the proposed homes would be.

34
35 Mr. Wikstrom stated the elevation is 30-feet off the front entry grade.

36
37 Commissioner Vanderheyden asked if there would be a significant roof change to accommodate
38 the entry of the proposed homes.

39
40 Mr. Wikstrom stated there would not be.

41
42 Chair Gonzalez stated the City's Ordinance only allows up to 30-feet in elevation in this district.

43
44 City Planner Gadow clarified it would be allowed 30-feet to the mid-point and 5-feet above that
45 full roof pitch.

46

1 Chair Gonzalez asked if the developer had reviewed the comments provided by the City's tree
2 consultant.

3
4 Mr. Wikstrom stated he had received these comments today. Some of the comments included
5 how they would need to change some of the call outs to clarify species and genus. The plan filed
6 with the City will include this information. The arborist had asked about some of the tree
7 removals and these were for drainage. There were a few dead trees that will be removed at the
8 same time everything else is graded out. The inventory list was modified as requested. One
9 thing the landscape architect had mentioned was they would do everything they could to save the
10 42-inch oak tree on the property. It is called out as removed in the plan but they will try and
11 save it.

12
13 Commissioner Vanderheyden asked if the City's Ordinance required the genus to be listed.

14
15 City Planner Gadow stated it is required for the formal administrative permit for tree removal. It
16 is not required for preliminary or final plat approval but this is something that the Planning
17 Commission has reviewed in their workshops.

18
19 Chair Gonzalez opened the public hearing at 7:33 p.m.

20
21 Ms. Nancy Tessmer, 1501 Holdridge Terrace, expressed concerns regarding the placement of the
22 home for Lot 3. Originally it was 30 feet from the frontage road. Anything farther back will
23 impact her property more because she does not want to be in her backyard and see someone
24 else's backyard.

25
26 City Planner Gadow clarified the home was shown at 23 feet from the frontage road.

27
28 Ms. Tessmer requested the home be kept in this location. She also asked that the Planning
29 Commission put something in place so no additional future development, like a pool, could be
30 done on this property because it would change the character of the neighborhood. She stated she
31 had concerns about the wetland drainage and if this would affect her property. It appears the
32 area closer to her home would not be affected but the outer portions of the property may be and
33 this should be addressed. She stated there had been a development proposal that did not get to
34 the City, which included her property, the property being reviewed, and another property
35 developing eight (8) homes. There are other neighbors who are interested in subdividing their
36 property. She asked about the number of trees being removed. The proposal shows 52
37 significant trees being removed but at the December 2, 2013 meeting there were 239 total trees
38 being removed. She asked what percent of the non-significant trees would be removed.

39
40 City Planner Gadow stated the tree calculations presented at the December 2, 2013 meeting
41 included the trees on Outlot A. The Planning Commission had asked that these trees be removed
42 from the calculations because that lot was not being impacted and the Planning Commission felt
43 this deflated the number of tree impact. Only the trees that are significant are on the plat. These
44 include trees that are 6-inches in diameter or larger or 8-feet or taller for a coniferous tree.

45

1 Ms. Tessmer stated the number of non-significant trees removed would impact the residents to
2 the south of this development.

3
4 Chair Gonzalez closed the public hearing at 7:37 p.m.

5
6 Commissioner Vanderheyden stated there were a couple of conditions that could be added to
7 provide additional protection. There are 52 trees being removed and only 22 trees being put in.
8 He would like to increase this amount to 32-35 trees.

9
10 Chair Gonzalez stated the Subdivision Ordinance and the Comprehensive Plan take the removal
11 of trees into consideration. She asked if there was an opportunity or if there was room to add
12 more trees.

13
14 City Planner Gadow stated there might be in the back area where there was concern about the
15 buckthorn and underbrush being removed. He stated he would work with the Parks Department
16 and the Tree Consultant regarding this.

17
18 Commissioner Pearson stated he had concerns previously about the drainage and grading and the
19 applicant has addressed these concerns.

20
21 Commissioner Gnos agreed with increasing the number of trees being replaced in the
22 development.

23
24 Commissioner Vanderheyden suggested the Planning Commission add the following conditions:
25 1.) A drainage easement be established and recorded with the City, 2.) The front yard position
26 for the home on Lot 3 is maintained as it is currently proposed, and 3.) Staff review the side
27 elevation for the end-loading garage.

28
29 City Planner Gadow asked if Commissioner Vanderheyden would also consider a condition for
30 adding tree density for Lot 3 or where appropriate for additional screening.

31
32 Commissioner Vanderheyden agreed that a condition should be added that required an increase
33 in the number of trees replaced and the caliber of these trees to match the current proposal.

34
35 Chair Gonzalez recommended a condition that the drainage impacts to the property to the south
36 be minimized.

37
38 City Planner Gadow stated this would be a requirement but it could also be called out in a
39 condition.

40
41 Commissioner Vanderheyden stated the wetland to the south is 2-feet higher and the water
42 should not go up hill to impact this property.

43
44 Commissioner Vanderheyden made a motion, seconded by Commissioner Pearson, to
45 recommend approval of the Preliminary/Final Plat for Three (3) Lot Subdivision located at 1409

1 Holdridge Terrace subject to the finding listed in the staff report and five (5) conditions noted by
2 City Planner Gadow.

3
4 City Planner Gadow stated the conditions are: 1.) Affirmation of a drainage easement on Lot 3
5 showing Lot 1 and Lot 2 would be draining onto Lot 3, 2.) The property owner, for Lot 3,
6 maintain the front yard position for the home site at 25.3-feet to the property line, 3.) The
7 applicant provide a side yard elevation for the home site on Lot 2 for the side-loading garage. 4.)
8 The applicant add additional tree density to the rear yard of Lot 3 to provide additional screening
9 to the adjacent properties to the south, approximately ten (10) more trees of the same caliber as
10 those trees contained in the landscape plan, and 5.) The applicant must mitigate or limit the
11 drainage to the lots to the south, including but not limited to 1501 Holdridge Terrace and the
12 wetlands therein. The standard conditions would also be included as part of the approval.

13
14 The motion carried unanimously.

15
16 City Planner Gadow stated this would be presented to the City Council at the January 21, 2014
17 meeting.

18
19 **AGENDA ITEM 3. Other Items.**

20
21 **a. Review of Development Activities**

22 City Planner Gadow reported the January 27 workshop would include the City Attorney to
23 review land use with the new Planning Commissioners and if there were any other ordinances
24 ready for review, they would be looked at during this meeting. The City Council has a workshop
25 scheduled for January 5, 2014 to continue discussions about the design for the Anchor
26 Bank/Walgreen building. The City Council will formally review this plan January 21, 2014.

27
28 **b. Other Items**

29 City Planner Gadow stated the City Council had discussed the Bushaway Road project and this
30 would be again considered at its January 5, 2014 meeting.

31
32 Commissioner Pearson asked if there was a schedule outlining what Council meetings each
33 Planning Commissioner was responsible to attend.

34
35 City Planner Gadow stated this had been provided but he would make sure that other members
36 who were not in attendance at the last meeting received a copy.

37
38 Chair Gonzalez stated the City has a Heritage Preservation Board and the Planning Commission
39 should have a member attend their meetings.

40
41 City Planner Gadow stated the first meeting of the month is an evening meeting starting at 7:00
42 p.m. and the second meeting of the month is a 7:00 a.m. meeting.

43
44 Chair Gonzalez stated she would send an e-mail to the Planning Commission as it would be good
45 to have someone attend those meetings.

46

1 Commissioner Pearson asked if new elections needed to be done.

2
3 City Planner Gadow stated elections for a new Chair and Vice-Chair would be conducted at the
4 January 27, 2014 meeting when all members are in attendance.

5
6 **AGENDA ITEM 4. Adjournment.**

7 There being no further business, Commissioner Vanderheyden made a motion, seconded by
8 Commissioner Pearson, to adjourn the meeting. The motion passed unanimously.

9
10 The meeting was adjourned at 7:52 p.m.

11
12 Respectfully submitted,

13
14
15 Tina Borg
16 *TimeSaver Off Site Secretarial, Inc.*