

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
NOVEMBER 7, 2016**

AGENDA ITEM 1. Call to Order and Roll Call

Chair Iverson called the meeting to order at 7:02 p.m.

Present at roll call were Commissioners: Young, Gruber, Gonzalez, Iverson, Murray, Flannigan and Gnos. Absent: None. Director of Planning and Building Jeff Thomson and City Attorney David Schelzel were also present.

AGENDA ITEM 2. Approval of Agenda

Commissioner Gruber made a motion, Seconded by Commissioner Gonzalez to approve the November 7, 2016 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Approval of Minutes

a.) None.

AGENDA ITEM 4. Old Business Items:

a.) Ovsyannikova Addition – 15610 Holdridge Rd E
i. Preliminary and Final Plat Subdivision

Chair Iverson stated the applicant had requested to speak to the Planning Commission.

Applicant, Ms. Anna Ovsyannikova, 15610 Holdridge Road E, Wayzata, stated the biggest concern the Planning Commission had expressed at its previous meeting was that the smaller lots and increased density would change the character of the neighborhood. She provided pictures that showed where the proposed home would sit and how this would fit with the character of the neighborhood. She noted other properties in the neighborhood are “L” shaped and elongated. She stated that the Commission had also expressed concerns that other properties in this neighborhood would subdivide if the application was approved, but explained this is not possible because other properties do not have the same opportunities this particular lot has such as available frontage.

Applicant, Mr. Yengeny Ogranovich, 15610 Holdridge Road E, Wayzata, stated there are no other properties in the neighborhood that have a large frontage. He stated the character of the neighborhood is in the frequency of the homes, and not the actual lot sizes, because the size of

1 the lot cannot be seen from the street. If there is another home along the street, it would add to
2 the character of the neighborhood.

3
4 Ms. Ovsyannikova explained how they planned to use the hill and slope of the property in their
5 design, and how there were other homes built using this same hill. They had talked with several
6 builders. She stated the roof of one of the homes in the neighborhood is the only thing visible
7 from the street due to how the home sits in the sloped topography of the property. She clarified
8 the property has a very small section of wetland. They had hired a professional company to
9 produce a delineation report, and during construction there are particular guidelines on how to
10 protect these wetlands. They will have a large buffer and a temporary fence to protect the
11 wetland area. She clarified that there would not be damage to the trees outside of those
12 designated for removal and if there were, then these trees would be replaced with code
13 appropriate replacement trees. She stated the number of trees previously removed from the
14 property had been overstated by the neighbors. They had removed all of the damaged and
15 diseased trees. They did not remove any trees that should not have been removed. They
16 replaced all of the trees that had been removed. The property looks cleaned, maintained and
17 woodsy. The neighbors had complimented them on the cleanup, and they had discussed the
18 subdivision with neighbors prior to making an application and there had been no complaints.
19 She was surprised to have these neighbors complain during the public hearing. The project is
20 meeting all of the City's zoning requirements, and they are not seeking any variances.

21
22 Mr. Ogranovich stated the height of the home had been modified to meet the zoning
23 requirements.

24
25 Commissioner Gonzalez stated she had made her vote on the recommendation based on the
26 information they had at the last meeting, and the information presented tonight was new. She
27 asked what her options were because she had made a good faith decision at the last meeting.

28
29 City Attorney Schelzel stated the vote at the last meeting does not constrain how the
30 Commissioners vote tonight. The vote at the last meeting had been to direct staff to prepare a
31 draft report and recommendation of denial based on the information available as of the last
32 meeting. The Commission has new information and responses from the applicant for the
33 concerns that had been presented, and the Commission can take this information into account as
34 it votes tonight. The Commission could vote to adopt the draft report with a recommendation for
35 denial, or they could direct staff to prepare a new draft report and recommendation of approval if
36 they feel the new information changes their recommendation on the application.

37
38 Commissioner Flannigan stated there is not an opportunity for the neighbors that are in favor of
39 the project to speak. He asked if there would be another opportunity for a public hearing for this
40 project.

41
42 Mr. Schelzel stated all of the public had an opportunity to speak on the project at the public
43 hearing that had been held at the Commission's last meeting in October. Generally, when an
44 application goes to the City Council, the Council gives the public another opportunity to speak
45 on the application.

46

1 Commissioner Flannigan stated he stands behind his concerns expressed at the previous meeting,
2 and would recommend denial of the application.

3
4 Commissioner Gonzalez stated her recommendation is not based on the public comments alone.
5 She looks at the City's codes and applies these standards to the application. Based on the
6 information this application does not meet the requirements of the code for the reasons stated at
7 the previous meeting. There is no information on the amount of fill that would be brought to the
8 site or the amount of grading that will be required. She would recommend adopting the draft
9 report and recommendation of denial as presented.

10
11 Commissioner Gruber stated she would also stand by the denial recommendation based on the
12 comments from the previous meeting.

13
14 Commissioner Murray stated based on the information presented, he would not recommend
15 denial. Aesthetically this project would fit into the character of the neighborhood and enhance
16 the neighborhood.

17
18 Commissioner Gnos stated based on the information presented he would reconsider his decision
19 at the last meeting to recommend denial of the application.

20
21 Commissioner Young stated the request is reasonable, and he would support the application.

22
23 Chair Iverson stated she would recommend denial based on the City's code standards, grading,
24 public comments and Commission comments from the previous meeting.

25
26 Commissioner Murray stated the applicant had informed them that the grading and fill would be
27 minimal.

28
29 Chair Iverson stated they did not have the exact information in front of them.

30
31 Commissioner Flannigan made a motion, Seconded by Commissioner Gruber to adopt the
32 Planning Commission Report and Recommendation, as presented, recommending denial of the
33 proposed subdivision and preliminary and final plat at 15610 Holdridge Road E. The motion
34 carried: 4 ayes – 3 nays (Young, Murray, Gnos).

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36
37 **AGENDA ITEM 5. Public Hearing Items:**

38
39 **a.) Meyer Place at Ferndale – 105 Lake Street E**

40 **i. Rezoning, PUD Concept and General Plans, and Design Review**

41
42 Director of Planning and Building Thomson stated the applicant, Homestead Partners, and the
43 property owner, Meyer Properties, have submitted a development application to redevelop the
44 Meyer Brothers Dairy at 105 Lake Street E. The development application includes demolition of
45 the existing vacant commercial building and construction of a new 3-story building. The
46 building would include up to 21 residential condominium units and 52 underground enclosed

1 parking spaces. As part of the application, the applicant is requesting approval of Rezoning from
2 C-4A to PUD/Planned Unit Development, Concurrent PUD Concept and General Plan of
3 Development, and Project Design. The proposed project deviates from two of the requirements
4 of the current C-4A zoning district, relating to height and uses, which could be permitted in a
5 PUD District. Specifically, the C-4A district has a maximum building height of 30feet or 2-
6 stories, and requires that at least 50 percent of the building frontage on the Lake Street ground
7 level must be for retail or service commercial uses. It also requires that new buildings on Lake
8 Street must be developed with more than one of the following uses: retail, service, residential,
9 and office. The applicant is requesting a rezoning to PUD to allow for a taller building, and the
10 proposed building would be 100 percent residential use, not meeting the retail, service, and
11 mixed use requirements of the C-4A zoning district. The proposed project also does not meet
12 several of the City's design standards, including building recession, façade transparency,
13 Ferndale sidewalk, building materials, and roof color, thus requiring deviation approval. The
14 proposed project provides 2.5 parking stalls per dwelling unit, which meets the requirements of
15 the City's Parking Ordinance. He clarified the maximum number of units that would be allowed
16 would be 21 if the project is approved.

17
18 Commissioner Gonzalez asked if the City Engineer had reviewed the Storm Water Management
19 Plan for the project.

20
21 Mr. Thomson stated the City Engineer had reviewed the original plan, and he would verify if
22 there were any changes required. There is some environmental contamination on this site, and
23 the applicant is not able to do infiltration. So, they have amended the plans to provide stormwater
24 management through filtration, and this had been previously approved by the City Engineer.

25
26 Applicant's architect and representative, Mr. Tim Whitten, Whitten Associates, 4159 Heatherton
27 Place, Minnetonka, stated the current development plan is based on the comments from the
28 Planning Commission, City Council and neighbors during the previous application process. He
29 reviewed the key differences from the previous application, including a reduction in the building
30 mass, reduction in the number of units, removal of the roof patio to reduce the height,
31 introduction of garden areas, removing guest parking on the north side, a prairie style four-sided
32 architecture, a step back for the third level on all elevations, and space at the corner of Lake
33 Street and Ferndale dedicated for public benefit. He noted that they have met with the neighbors
34 and received positive feedback. He reviewed the Design Standards deviations requested, and
35 explained the reasons for requesting the deviations. He explained they would be willing to
36 expand a 5-foot sidewalk to join the driveway from the neighborhood. He said City Engineer
37 Kelly will ensure the Storm Water Management Plan meets the City's requirements.

38
39 Commissioner Gruber asked if 1800 square feet would be the smallest unit size available, and
40 what the price range would be for these units.

41
42 Mr. Whitten stated the smallest unit would probably be approximately 1800 square feet. They
43 have not priced out the building yet, so he could not give an accurate price point, but right now it
44 is about \$500 square foot retail.

45

1 Commissioner Gonzalez thanked Mr. Whitten for working with the neighbors and addressing
2 their concerns. She asked if guest parking would be in the underground garage.

3
4 Mr. Whitten stated there is short term parking available along Lake Street and overnight guest
5 parking in the parking garage.

6
7 Commissioner Gonzalez stated the Design Standards require a bicycle rack for commercial
8 developments and this is a commercial site. She asked where this would be placed.

9
10 Mr. Whitten stated there is a bicycle rack in the parking structure. He stated they could also
11 include this is the public space if the Commission wants.

12
13 Commissioner Gonzalez asked how far the building is setback from the property line.

14
15 Mr. Whitten stated they are 5-feet on the south or Lake Street side, 20-feet from the north, 10-
16 feet from the east, and 5-feet from west. Along Lake Street, the sidewalk goes to the lot line then
17 there is 5-feet for the planter and then the building. He explained the car wash on the property to
18 the east is 2-feet from the property line. So, it makes it look like their building is close to the car
19 wash, but they are actually 10-feet from the property line at the closest points.

20
21 Commissioner Flannigan asked if the single drive in and out of the garage would create any type
22 of traffic concerns with cars going in and out at the same time. He also asked why they would
23 have the pond.

24
25 Mr. Whitten stated the drive is 16-feet wide so there would not be any problems. The single
26 drive just means there is only one entrance to the underground parking. He stated the pond is a
27 detention pond to hold the water while the ground filtrates it, and would essentially be a rain
28 garden.

29
30 Commissioner Flannigan asked if Mr. Whitten would recommend planting trees in the
31 boulevard.

32
33 Mr. Whitten stated he would recommend planting trees in the boulevard, but he does not think a
34 12-foot wide sidewalk is necessary. He would recommend a narrower sidewalk and more green
35 space.

36
37 Chair Iverson asked if the building residents would be able to wash their cars in the underground
38 garage and if so, is it included in the storm water management plans.

39
40 Mr. Whitten stated they are currently discussing this option as part of the common area and if
41 this would be something residents would want. Once the project is approved they will discuss
42 this with potential buyers. He stated if they do proceed with a car wash, they would be sure to
43 include this in the storm water management plan and the City Engineer will ensure they do
44 everything to meet the code.

45

1 Commissioner Flannigan stated it was a nuisance to have a tree in the middle of the sidewalk,
2 and it was not visually appealing if these spaces were empty because the tree had died.

3
4 Chair Iverson stated they could consider having these trees outside of the sidewalk so they are
5 healthier.

6
7 Commissioner Gonzalez asked if this project would tax the City's services, such as sewer and
8 water.

9
10 Mr. Thomson stated at a macro level, the Comprehensive Plan looks at these services and the
11 projected needs of an area. The units within this project are within the number of units projected
12 for this site in the Comprehensive Plan.

13
14 Chair Iverson asked if Mr. Whitten would consider a double unit window on the north elevation,
15 so that it looks less industrial.

16
17 Mr. Whitten stated as they advanced through the floor plans this was happening. They are
18 treating this side the same as the rest of the building. Single windows are usually in bathrooms
19 and dressing rooms.

20
21 Chair Iverson opened the public hearing at 8:23 p.m.

22
23 There being no one wishing to address the Planning Commission, Chair Iverson closed the
24 public hearing at 8:24 p.m.

25
26 Commissioner Young stated this was a spectacular design, and the balance with the
27 neighborhood input and stakeholders was noted. He would support the design deviations
28 requested.

29
30 Commissioner Gruber stated she does not support this project because of the mass of the
31 building on this site. There are a lot of expensive condominiums in the City, and they do not
32 need more. She would like to see more green space on the site, and something besides
33 condominiums.

34
35 Commissioner Gonzalez stated the Council would need to decide how many condominiums are
36 too many, and how much development the City wants. She expressed concerns over the traffic
37 this project would generate. She does agree that this is a difficult site, and it would be difficult to
38 develop as a commercial site. There is too much retail and office space in the City currently.
39 This proposal is a good use of the site, and she appreciated there were no variance requests with
40 the application. She stated the only design deviation she is concerned about is the setback for the
41 second floor. This standard was established to break up the height of large buildings on Lake
42 Street.

43
44 Commissioner Murray stated the vision the City has for density for this area would have to be
45 discussed by the City Council. The east side of Lake Street does not have the lake feel or the

1 Wayzata feel because of the large buildings. He expressed concerns on the true amount of
2 density the City is going to hit. He does like the look of the building proposed.

3
4 Commissioner Flannigan stated he likes the changes that have been made with the current
5 proposal, and appreciates the reduction in density. He expressed concerns about the scale and
6 mass for residents on the Ferndale side of the building. The value or affordable housing is
7 something that needs to be addressed by the City and not property owners. He stated he would
8 support the project as presented.

9
10 Commissioner Gnos stated he liked the progress of the project, and the finished product would
11 be a better benefit for the City and residents. He appreciated the applicants looking at the
12 landscape and the willingness to extend the sidewalk. He would support this project.

13
14 Chair Iverson asked how the Commission felt about no retail in this location and this end of Lake
15 Street. She does like the design of the building but would like something with more of a lake
16 feeling with separate entrances, and with less mass and scale. She does not think that these
17 options have been explored. She expressed concern that the City is losing sight of affordable
18 housing. A different type of building may help the retail business in Wayzata in the winter
19 months.

20
21 Commissioner Young stated this is on the cusp of single family housing and is a dangerous
22 intersection for people. Having a restaurant or coffee shop would add another element of traffic
23 coming in and out of this site, and increasing the need for more parking. This type of retail could
24 make a dangerous area more dangerous for the residents.

25
26 Chair Iverson stated this is at the bike trailhead and could be an opportunity for retail.

27
28 Commissioner Murray stated the nearby car wash and the pink building would be other
29 opportunities for potential retail in this area.

30
31 Commissioner Flannigan stated retail use would be a decision that the City Council would need
32 to make. This is a transition area, and retail would not have to be included in this project. He
33 stated the economics today made retail and office space on the first floor difficult to have.

34
35 Commissioner Gruber would recommend the City Council look at the density and affordable
36 housing in Wayzata. This is a dangerous area, and this building is massive and would create
37 more traffic in this area. More visioning for this area may be needed.

38
39 Commissioner Young made a motion to direct Staff to prepare a draft Planning Commission
40 Report and Recommendation with appropriate findings recommending approval for the
41 Rezoning from C-4A to PUD/Planned Unit Development, Concurrent PUD Concept and General
42 Plan of Development Review, and Design Review with the requested deviations.

43
44 Chair Iverson asked if the Commission would want to add a condition that the City Engineer
45 review and approve the Storm Water Management Plans.

46

1 Commissioner Young asked if the Commission would want to also recommend the applicant
2 work with the adjacent property's Townhome Association to extend the sidewalk.

3
4 Mr. Schelzel asked if the Commission would want to recommend a different sidewalk width as
5 well.

6
7 Mr. Thomson stated if the Commission's direction was to explore something less than the 12-
8 foot sidewalk with the grass boulevard, then this would be a deviation, and the applicant would
9 need to look at it. This is feedback the applicant can explore.

10
11 Commissioner Young stated this could be something the applicant brought to the City Council
12 during the next step.

13
14 Commissioner Young made a renewed motion, Seconded by Commissioner Flannigan, to direct
15 Staff to prepare a draft Planning Commission Report and Recommendation with appropriate
16 findings recommending approval for the Rezoning from C-4A to PUD/Planned Unit
17 Development, Concurrent PUD Concept and General Plan of Development Review, and Design
18 Review with the requested deviations as submitted for Meyer Place at Ferndale located at 105
19 Lake Street E.

20
21 Commissioner Gonzalez urged the applicant consider the second-floor setback along Lake Street.

22
23 The motion carried: 4 ayes – 3 nays (Gruber, Iverson, Murray).

24
25
26 **AGENDA ITEM 6. Other Items:**

27
28 **a.) Review of Development Activities**

29
30 Director of Planning and Building Thomson stated that November 17 was the City's annual
31 Volunteer Appreciation Dinner at City Hall. He noted that the City is working with the applicant
32 for the Bushaway Road Third Addition project, and the City Council will review the 15610
33 Holdridge subdivision at the next Council meeting. The City Council did approve the Parking
34 Ramp, and construction activity at the site has started. The construction contract is for a no roof
35 parking ramp, but the City is looking at potential funding for the roof option to be added in the
36 future. The City Council also approved the plans and specifications for the proposed new cell
37 tower at the Middle School, and this will be a December to February Planning Commission and
38 City Council review item.

39
40 Commissioner Gonzalez stated when the development applications slow down, the Planning
41 Commission will need to look at some of the City's Ordinances, including restricting
42 development on steep slopes.

43
44 Chair Iverson stated the City should also look at setbacks.

45

1 Mr. Thomson stated the Planning Commission could hold a workshop at the next meeting, or the
2 first meeting in December.

3
4 Chair Iverson suggested having the workshop 1 hour before the next regular meeting.

5
6 Commissioner Flannigan requesting adding discussions regarding trees in sidewalks along Lake
7 Street, and sidewalks along Ferndale.

8
9 Commissioner Gruber suggested including discussions regarding subdivisions, in terms of
10 appropriate size and density.

11
12 Commissioner Gonzalez stated the Commission should also review the Design Standards so
13 there are less deviations requested.

14
15 **b.) Next Meeting is November 21, 2016**

16
17 Chair Iverson stated the next regular meeting of the Planning Commission would be Monday,
18 November 21, and there would also be a special workshop meeting at 6:00 p.m. on November 21
19 prior to the regular meeting.

20
21 **AGENDA ITEM 7. Adjournment.**

22
23 Commissioner Murray made a motion, seconded by Commissioner Flannigan to adjourn the
24 meeting of the Planning Commission. The motion carried unanimously.

25
26 The Planning Commission meeting was adjourned at 9:08 p.m.

27
28 Respectfully submitted,

29
30 Tina Borg
31 *TimeSaver Off Site Secretarial, Inc.*