

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
DECEMBER 5, 2016**

AGENDA ITEM 1. Call to Order and Roll Call

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

Present at roll call were Commissioners: Gruber, Gonzalez, Iverson, Murray, and Flannigan.
Absent: Commissioners: Young and Gnos. Director of Planning and Building Jeff Thomson and City Attorney David Schelzel were also present.

AGENDA ITEM 2. Approval of Agenda

Commissioner Murray made a motion, Seconded by Commissioner Gonzalez, to approve the December 5, 2016 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Approval of Minutes

a.) Approval of November 21, 2016 Planning Commission Minutes

Commissioner Gruber requested a change of “condo” to “condos” on page 2, line 23 of the minutes in the Commission’s packet materials.

Commissioner Gruber made a motion, Seconded by Commissioner Murray, to approve the November 21, 2016 Planning Commission Minutes as presented, with Commissioner Gruber’s requested change. The motion carried 3 ayes and 2 abstain (Gonzalez and Flannigan).

AGENDA ITEM 4. Old Business Items:

a.) Adopt Report and Recommendation on Meyer Place on Ferndale – 105 Lake Street E

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

Director of Planning and Building Thomson stated the applicant, Homestead Partners and the property owner, Meyer Properties, have submitted a development application to redevelop the Meyer Brothers Dairy site at 105 Lake Street E. The development application includes requests for Rezoning from C-4A to PUD/Planned Unit Development, concurrent PUD Concept and General Plan of Development review, and Design Review with deviations: building recession between first and second floor of the building, width of the sidewalk along Ferndale Rd, and a tan roof color. The Planning Commission reviewed the development application and held a public hearing at its meeting on November 7, 2016. After discussing the application, the

1 Planning Commission directed staff to prepare a Planning Commission Report and
2 Recommendation for approval of the development application. On November 21, the Planning
3 Commission considered the draft Report and Recommendation for approval. At the meeting, a
4 motion to adopt the draft Report and Recommendation failed on a 2 to 3 vote. The Planning
5 Commission subsequently tabled action on the development application until the December 5th
6 meeting to have a full Commission in attendance.
7

8 City Attorney Schelzel stated the Planning Commission does need to make a recommendation at
9 this meeting regarding the project, given the requirements under City Code to act upon the
10 application within the timeline required by law.
11

12 Commissioner Gonzalez clarified the role of the Planning Commission is to look at the project
13 and ensure that it meets the requirements of the City's Codes. The Commission does not make
14 policy, and they do not have to like a project or agree with the project but rather to ensure that
15 what is proposed meets the requirements of the Code, and if there are deviations requested these
16 are justified and to make appropriate findings. This is a difficult site, and the City Council made
17 a decision years ago that they would not require the Commission to strictly enforce commercial
18 use requirement west of Barry Avenue because of the difficulty to have commercial sites, and a
19 lot of residential sites do not want to have commercial sites near their homes. This project meets
20 the spirit of the Comprehensive Plan and the PUD Ordinance. The project is justified because
21 the transition from residential to commercial is reasonable. Commissioner Gonzalez would
22 recommend adopting of the draft Recommendation and Report for approval, with the addition of
23 a condition that the second and third story meet the setback requirements along Lake Street.
24

25 Commissioner Gruber stated this site is not proper for a PUD, and appreciates that Staff put
26 together alternative findings for a recommendation of denial of the project based on concerns
27 expressed by some commissioners. She would also like to add that this is the west gateway to
28 the City, and the City needs to have a more innovative building at this gateway. In Section
29 807.9.12, there are other options that could be in this location including an art exhibit. It is time
30 for the City to balance the mix of residential homes that the City has, and she would not vote to
31 recommend approval of the project.
32

33 Commissioner Flannigan stated he would recommend approval of the project, and it is City
34 Council's role to work through the policy issues that have been brought up by the
35 commissioners. The effort of the applicant to work with the community, surrounding residents,
36 the Planning Commission, and the City Council has been done in good faith and is
37 commendable. The property itself and that side of the City may be something that requires more
38 discussion by the City Council. The appropriate action for the Commission would be support
39 and recommend approval of the project that has been presented.
40

41 Commissioner Murray stated he has been on the record stating he would like to see something
42 different in this location, but in the spirit of where the Commission had voted at the November 7
43 meeting, he would vote to adopt the Report and Recommendation of approval.
44

45 Chair Iverson stated the project does not meet the innovation in development requirement under
46 the PUD Ordinance, and the City should require something more unique and innovative in

1 design. The PUD also requires the creative use of land, and this project does not meet this
2 requirement. There are some options other than housing that could be looked at. The City has
3 enough \$1-\$2 million condos, and there could be more creative ways to use the land. The
4 project also does not provide a desirable and creative environment that might be possible through
5 the strict application of the zoning and subdivision regulations of the City, as noted in the PUD
6 Ordinance. Chair Iverson would not recommend approval of this project.

8 Commission Flannigan stated there may be people that believe the City has enough high end
9 housing, but there are people continuing to purchase these homes and this would mean there is a
10 demand for this in the City. It is important to understand that this is a different type of property,
11 by the Lake, and would have a fair market value more than the typical starter home.

13 Chair Iverson stated part of the PUD Ordinance requires innovation, and having additional
14 housing of this type is not thinking out of the box and is not creative. The location may be
15 driving the price, but this is the gateway to the City and they should be innovative and creative
16 and challenge the developers.

18 Commissioner Gonzalez made a motion, Seconded by Commissioner Flannigan, to approve the
19 December 5, 2016 Planning Commission Report and Recommendation, as presented,
20 recommending approval of the PUD Rezoning, Concurrent PUD Concept and General Plan of
21 Development, and Project Design for a new three story residential development at 105 Lake
22 Street East. The motion carried 3 ayes and 2 nays (Gruber and Iverson).

24 Commissioner Gonzalez stated she would also recommend the City Council add a condition that
25 project meet the second and third story setbacks along Lake Street.

28 **AGENDA ITEM 5. Public Hearing Items:**

30 **a.) None.**

33 **AGENDA ITEM 6. Other Items:**

35 **a.) Review of Development Activities**

37 Mr. Thomson stated the City Council would be doing interviews for Boards and Commissions at
38 their December 6 meeting including applicants for the Planning Commission. There are 4
39 applicants and 2 open seats. The City Council would also be reviewing the house plans for 143
40 Westwood Lane, the Frenchwood Third Addition, financing for the parking ramp, and an update
41 of the Lake Effect.

43 **b.) Next Meeting is December 19, 2016**

45 Director of Planning and Building Thomson stated the December 19 Planning Commission
46 meeting agenda would include a development application from the Water Theater Company for

1 the Unitarian Church property on Rice Street for use as a non-profit community theater group.
2 This will require a Conditional Use Permit and parking considerations. The agenda will also
3 include the review of the draft Planning Commission work plan for 2017. The new
4 Commissioners to be appointed will take their seats on January 1. There will also be training
5 available for the new members and additional training for current members in January.
6

7 Commissioner Gonzalez noted the City Council had voted to deny the request for a PUD
8 modification for the property north of Anchor Bank to remove a section of trail.
9

10
11 **AGENDA ITEM 7. Adjournment.**
12

13 Commissioner Flannigan made a motion, seconded by Commissioner Murray, to adjourn the
14 meeting. The motion carried unanimously.
15

16 The Planning Commission meeting was adjourned at 7:28 p.m.
17

18 Respectfully submitted,
19

20 Tina Borg
21 *TimeSaver Off Site Secretarial, Inc.*