

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
AUGUST 21, 2017**

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: Young, Gruber, Gonzalez, Iverson, Murray, Flannigan and Buchanan. 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 Flannigan, to approve the August 21, 2017 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Approval of Minutes

a.) Approval of August 7, 2017 Planning Commission Minutes

Chair Iverson stated Commissioner Gonzalez had provided minor changes including the addition of page numbers to staff.

Commissioner Buchanan stated the commissioner reference on page 3, line 10 should be changed to "Commissioner Buchanan" and page 5, line 22 should be changed to "Commissioner Buchanan"

Commissioner Gruber made a motion, Seconded by Commissioner Gonzalez, to approve the August 7, 2017 Planning Commission Minutes as amended by Commissioners Gonzalez and Buchanan. The motion carried unanimously.

AGENDA ITEM 4. Old Business Items:

a.) Continued Consideration of Waytonka East End – 236 Central Ave S and 1101 Lasalle St

i. Preliminary and Final Plat Subdivision

Director of Planning and Building Thomson stated the applicant, Pillar Homes, and the property owners, AM Partners, LLC and Brian and Lauren Tholen, have submitted a development application to subdivide the properties at 236 Central Avenue S and 1101 Lasalle St. The applicant is proposing to subdivide the two existing lots into four single-family residential lots. The Planning Commission reviewed the development application and held a public hearing at its

1 August 7, 2017 meeting. The Planning Commission continued the item to the August 21 meeting
2 and requested that the applicant provide additional information including: cut/fill amounts; revised
3 grading plan; additional measures to preserve the trees shown as trees #329, #330, #332 and #300
4 on the plans; and estimated home prices.

5
6 Commissioner Gruber asked the applicant to explain their plan for saving as many significant trees
7 as possible on the property so that the character of the neighborhood is not greatly changed.

8
9 Applicant's Representative, Mr. David Pemberton, 150 Broadway Ave S, Wayzata, from Sathre-
10 Bergquist, stated in order to preserve the silver maple in the front they have added retaining walls
11 and minimized grading. They are confident they can save this particular tree. Tree #329 will also
12 have a retaining wall around it.

13
14 Chair Iverson asked if the applicant had looked at ways to preserve the oak trees along the property
15 line and the trees along the road. These are trees #317, #318, #328, #331, and #332. She stated
16 she lives in the neighborhood, and she is concerned that every tree in the front yards would be
17 removed and this is a change in character for the neighborhood because the neighborhood is
18 heavily wooded.

19
20 Mr. Pemberton stated the trees between the lots would not be preserved and these are trees #318
21 and #328. The critical root zone would be impacted during the grading.

22
23 Chair Iverson stated she would like to see the developer do more to be creative in how they can
24 grade and develop the property without impacting these trees and changing the character of the
25 neighborhood.

26
27 Mr. Pemberton stated he would discuss this with their Civil Engineer.

28
29 Commissioner Gruber stated the Commission had suggested the applicant consider three houses
30 instead of four for this development. Four homes in this area is too dense. She asked if the
31 developer had considered this.

32
33 Applicant's Representative, Mr. James Lura, 255 Bushaway Road, Wayzata, from Pillar Homes,
34 stated three lots had been considered. The four lots fit the neighborhood better, and when they
35 looked at the three-lot option there was more impact to those trees that they are trying to save.

36
37 Commissioner Gonzalez asked how many loads of fill would be brought to the site or removed
38 from the site.

39
40 Mr. Pemberton stated there would be about 1,200 cubic yards of fill removed from the site, and
41 this would be between 80-100 truckloads depending on the size of the trucks.

42
43 Chair Iverson asked if staff had discussed with the applicant parking during construction. They
44 have had problems in this neighborhood with getting around with the other construction going on
45 in the area. She would suggest having the construction traffic park on one side of the street.

46

1 Mr. Lura stated they could arrange for all construction related parking to be located on one side of
2 the street.

3
4 Commissioner Gonzalez asked why the developer was not able to work with the existing
5 topography of the property. She also asked if there would be any infiltration system for the
6 stormwater that would go into the City's park.

7
8 Mr. Pemberton stated part of the application is to adhere to proper drainage requirements. He
9 stated during construction there would be silt fencing installed, but after that the water would be
10 filtered through the grass and forest.

11
12 Chair Iverson asked if the proposed homes met the wetland setback requirements.

13
14 Mr. Thomson stated the homes would meet the wetland setback requirements. In the City's Water
15 Resources Management Plan, the wetland on the site is classified as a manage one wetland, which
16 requires a 40-foot setback from the edge of the wetland. The proposed house pads meet this
17 requirement.

18
19 Commissioner Flannigan stated the goal should be to save tree #300, and some of the other trees
20 that are being removed are not as significant.

21
22 Commissioner Buchanan stated he is satisfied that the applicant is doing everything they can to
23 preserve the trees the Commission has requested they try to preserve. He would be in favor of
24 recommending approval of the application as presented.

25
26 Commissioner Murray stated the applicant has met the requirements of the Ordinance, and he
27 would support recommending approval of the application.

28
29 Commission Flannigan expressed concerns about the number of lots, the shape of the lots, and the
30 compression that occurs at the back of the lots.

31
32 Commissioner Gonzales stated the density is too much for this particular site and area. She stated
33 the Commission needs to look at the Ordinance for future development for those lots with
34 wetlands. There should be a minimum buildable lot size established. She expressed additional
35 concerns about the increase in density, increase in traffic, the amount of fill being removed, and
36 that the increased number of homes would increase the amount of chemicals going into the
37 wetlands. She is also concerned about the number of large significant trees that would be lost.
38 The City loses significant trees with every development.

39
40 Commissioner Gruber stated she would not support recommending approval of the application
41 because the density was too high for this area, the increased traffic, and the price point was too
42 high.

43
44 Commissioner Young stated the applicant had stated that having fewer lots could result in the loss
45 of more trees.

46

1 Commissioner Flannigan stated if that application for fewer lots comes forward then the
2 Commission would review it.

3
4 Commissioner Buchanan stated there are currently four families living on the properties in the two
5 duplexes, and changing this to four single-family homes would not change the density or the
6 amount of traffic. There is no evidence that there would be an increase in traffic.

7
8 Chair Iverson stated not all the duplex units are typically rented at the same time so there are not
9 always four families there. The density would change from two homes to four homes. The four
10 new homes are also moving closer to the road, and this is not in character with the rest of the
11 neighborhood because the homes are set back further on the properties.

12
13 Commissioner Buchanan stated the proposal is within the requirements of the City's ordinances.

14
15 Chair Iverson stated the application meets some of the criteria of the City's ordinances, but it does
16 not meet the Comprehensive Plan because it is not in character with the existing neighborhood.

17
18 Commissioner Buchanan stated this proposal does fit with the character of the previous, more
19 recent development in the area.

20
21 Commissioner Gruber stated the previous, more recent development did change the character of
22 the neighborhood because it involved large homes with no yards, increased traffic, and higher
23 priced homes.

24
25 Chair Iverson stated the City's Comprehensive Plan is the true guideline for the Planning
26 Commission. This is the broad overview of the City.

27
28 Commission Flannigan stated the overall mass of the proposed structures would be significantly
29 more than the current structures, and impact the overall density of the property and neighborhood.

30
31 Commissioner Young stated the project does seem dense but in his opinion this project does
32 conform to the standards of the City that are in the subdivision ordinance. If this proposal does
33 not proceed and then a three-lot subdivision is presented, then there would be even bigger homes
34 built at higher price points because the lots would be bigger. The character of the neighborhood
35 should not be the only reason for denial because the alternatives may not create something better,
36 and result in greater tree loss, higher price points, and bigger homes in this area. He would
37 recommend approval because the current application conforms to the standards of the ordinance.

38
39 Commissioner Gonzalez made a motion, seconded by Commissioner Gruber, to direct staff to draft
40 a draft Planning Commission Report and Recommendation, with appropriate findings from the
41 meeting on August 7, the public hearing, and the meeting on August 21, to recommend denial of
42 the Preliminary and Final Plat Subdivision for Waytonka East End located at 236 Central Ave S
43 and 1101 Lasalle St. The motion passed 4 ayes and 3 nays (Young, Murray, and Buchanan).

44
45
46 **AGENDA ITEM 5. New Business:**

a.) Public Hearing and Consideration of Application for Wayzata Blu – 259, 269, and 275 Lake St E and 339 Barry Ave S

i. PUD General Plan, Design Review, Shoreland Impact Plan/Conditional Use Permit, Preliminary and Final Plat Subdivision

Director of Planning and Building Thomson stated the applicant, Gatehouse Properties Ltd, has submitted a development application to redevelop the properties located at 259, 269, and 275 Lake Street E and 339 Barry Ave S. The proposal involves the demolition of the existing commercial buildings on the properties and construction of a new 3-story mixed use building consisting of office and retail uses and 18 residential condominiums. On February 21, 2017, the City Council approved the rezoning to Planned Unit Development (PUD) and a PUD concept plan for a 3-story mixed-use building comprising up to 15 residential dwelling units on the upper two levels and office, residential, and/or retail uses on the street level of the building. The City Council approval of the concept plans included a condition that the street level of the building must contain a minimum of 3,000 square feet of retail, office, or service commercial uses, and the remaining portion of the street level may contain up to 2 residential dwelling units. As part of the submitted development application, the applicant is approval of the PUD general plan of development, design review, approval of a Shoreland Impact Plan and Conditional Use Permit for impervious surface coverage of 78.5% , and approval of the preliminary and final plat subdivision combining the four lots into one. He reviewed the project including the private parking easement and public parking, the building height, storm water management, landscaping, exterior lighting, exterior building materials, and site access and circulation.

Commissioner Buchanan asked how the height of the proposed project compared to the building located at 319 Barry Avenue.

Mr. Thomson stated he would have to review the records, but the grade of Barry Avenue goes up from Lake Street. The basement of the building at 319 Barry Avenue would be similar to the first floor of the proposed project.

Commissioner Flannigan asked if there would be enough room for people to walk together or pass each other with the width of the sidewalk at 12-feet wide with 4-foot planters. He stated the City should review the requirement of the trees in the sidewalk. He asked if the reason for not wanting the HVAC equipment of the roof was because the properties behind this would be looking down at the rooftop.

Mr. Thomson stated the rooftop HVAC restrictions are specific to the Lake Street District because the Bluff District is looking down on it.

Commissioner Flannigan stated the parking stalls on the street are 21-feet in length and parking stalls are usually 23-feet in length. He asked why they were smaller.

Mr. Thomson stated there are currently 9 “head in” parking stalls along Barry, and these would be removed as part of the project. The applicant is trying to maintain the same number of on-street parking stalls. The City Engineer did comment that the northerly parking stall on Barry Ave may

1 impact sight lines for vehicles existing onto Barry. If this parking stall needs to be removed then
2 the applicant could make the remaining stalls larger.

3
4 Commissioner Gonzalez stated the Commission had received an email regarding an easement
5 agreement between the adjacent property owned by Norway Property and the property included in
6 the application. She asked if these were private easements. She stated if the Planning Commission
7 recommended approval, it would be recommending approval of access that the City does not
8 control.

9
10 Mr. Thomson stated the current driveway on the north side of the site provides ingress and egress
11 access to the underground parking to the building next door on the adjacent property, and there is
12 a private easement between these property owners that allows the adjacent property to use the
13 driveway on the subject property. The City is not a party to this easement. Staff would review the
14 concerns of the adjacent property owner and discuss them with the applicant. The City would not
15 want to condition the approval of a project based on a private agreement between two property
16 owners. He stated there would have to be substantial changes to the building and design to allow
17 for a different access point. He noted that the parking easement that is the subject of a later, related
18 agenda item is different because this private easement is part of a City approval for the land use of
19 the Boatworks building.

20
21 Commissioner Gonzalez stated there should be a way for the applicant to meet the Shoreland
22 Overlay District impervious surface of 75%.

23
24 Mr. Thomson stated they could discuss this with the applicant. He clarified that the amount of
25 impervious surface would be allowed by the original zoning district, and additional impervious
26 surface coverage was not approved as part of the PUD Concept Plan. The only thing restricting
27 the amount of impervious surface for this project is the Shoreland Overlay District.

28
29 Commissioner Gonzalez stated the wetlands had been a problem for a past development
30 application. She asked why this was not a problem for this application.

31
32 Mr. Thomson stated that the wetland was to the rear of the property and parking area, and had
33 recently been delineated.

34
35 Applicant's representative and principal, Mr. David Carlson, owner of Gatehouse Properties, LLC,
36 stated since the last Planning Commission meeting, he reviewed the retail portion of the project
37 and the on-street parking. Changing the entrance to the back of the property would eliminate 9
38 perpendicular parking spots. They are asking for a vacation of 2-feet of the easement in order to
39 provide 4-5 parallel spots. The length of the spaces they have is based on the average length of
40 the spaces along Barry. By removing the access from Lake Street, they are able to gain 4 parking
41 stalls on Lake Street that they had lost on the Barry side. The revised on-street parking stalls would
42 create a safer environment. The Planning Commission had previously asked about the
43 affordability of the units in the project. He had a unit that was listed at \$599,900 and it was sold
44 immediately. Because of this demand, he modified the plans to create 3 additional units in this
45 range, as reflected in the PUD General Plan. The project has affordability, parking, and retail.
46 Because of the size of the property there is no room along the side of the building to locate the

1 mechanical equipment on the ground. He had been told that the mechanical units could be screened
2 by a parapet wall, and the parapet would not require a height variance. He stated the building
3 materials for which he is requesting a deviation are more expensive than what is allowed by the
4 design standards. The deviation is requested to allow a comprehensive, forward thinking,
5 contemporary design that would meet the requirements of the PUD, and provide a unique building
6 for this corner.

7
8 Applicant's engineer, Mr. Scott Dahlke, Civil Engineering Site Design, 118 East Broadway,
9 Monticello, stated they had tried to work with the existing topography and elevations on the site.
10 There had been comments about the grading along the private access on the north side of the
11 building. They are matching the existing elevation with the two existing garage entrances to 319
12 Barry, and the elevations are similar as you continue towards Barry. They are improving the
13 property with the proposed grading and they would be available to go through the grading in more
14 detail.

15
16 Commissioner Gonzalez asked if there would be fill removed or brought to the site and if so, how
17 much. She asked if there was something that could be done to reduce the lot coverage from 78%
18 to 75%.

19
20 Mr. Dahlke stated they would be trying to work with the material that was already on site but there
21 would be some material removed because the existing parking area will need to be removed and
22 replaced. The project is challenged with meeting the parking easement of 85 parking stalls, and
23 they are trying to meet this with the minimum sizing of parking stalls. In order to meet the
24 impervious surface coverage requirement, they would need to deviate further from the parking
25 stall dimensions they are proposing. They did minimize pavement everywhere they could by
26 adding green space where they could.

27
28 Commissioner Gonzalez encouraged the developer to look at additional ways to treat storm water
29 runoff in order to offset the amount of impervious surface on the property.

30
31 Mr. Dahlke stated the proposal improves the existing conditions of the property but they would
32 also discuss this request with the architects.

33
34 Commissioner Gonzalez asked what the water table was for this particular project.

35
36 Mr. Dahlke stated they would not be digging down or providing a basement or lower level. The
37 project would be at street level with Lake Street.

38
39 Chair Iverson opened the public hearing at 8:24 p.m.

40
41 Mr. Lowell Zitzloff, 319 Barry Avenue, stated he had his architects review the plans for the project
42 and how these would impact his adjacent property to the north on Barry Ave. He provided
43 background on the property and the easements. He stated his concern was the HVAC on the
44 rooftop. The project that he would be proposing had to have this equipment on the inside of the
45 building. The equipment on the rooftop would block the view of his tenants, and they have
46 expressed concerns about this.

1
2 Mr. Zitzloff's attorney, Mr. Darren Knight, 319 Barry Avenue, Wayzata, stated they would like
3 more time to review the proposed project plans. There are concerns about the mechanical
4 equipment being on the rooftop and blocking their views. The HVAC can be placed inside of the
5 building similar to the other projects that are in the area. Using the easement area for parking
6 could create traffic and safety issues. He asked if additional public parking was being
7 contemplated by the City because the memo states "...as part of the PUD Concept Plan review,
8 the applicant is willing to enter into an agreement with the City for an easement that would allow
9 for the construction of a parking structure on the back of the property to provide for additional
10 public parking in the area."

11
12 Mr. Zitzloff stated he owns a portion of this easement, and he is concerned about the traffic a
13 public parking structure would create. He does appreciate the affordable housing in the project
14 being proposed.

15
16 Chair Iverson stated there are no plans being presented at this time for a public parking structure
17 in this location, and the Planning Commission does not know what the long term plans will be for
18 public parking.

19
20 Mr. Thomson stated the City has been talking to many of the property owners in the area about
21 possible redevelopment. This project is the first project in what the City thinks will be a series of
22 redevelopment projects in the area. Previous studies by the City have supported the need for
23 additional public parking in the area. The City wants to maintain the ability to consider public
24 parking as part of the redevelopment in the area, including the proposed PUD, and the applicant
25 has agreed to grant the City an easement for public parking. There are no specific plans for public
26 parking in this area at this time.

27
28 Chair Iverson clarified Mr. Zitzloff and Mr. Knight's concerns were about the HVAC on the
29 rooftop and the traffic for the easement, including a request for a traffic study for this.

30
31 Commissioner Flannigan asked if Mr. Zitzloff had talked with the applicant during any portion of
32 the planning process.

33
34 Mr. Zitzloff stated he had talked with the applicant, and he would like to put his mechanical
35 equipment on the top of his proposed project if this is allowed.

36
37 Commissioner Flannigan clarified Mr. Zitzloff's concern was about his other properties and
38 projects, and not the property next door.

39
40 Mr. Zitzloff stated he is concerned about the HVAC on the rooftop would block the view of the
41 tenants in his building next door. He would like to see the applicant have to work with the
42 ordinance and put the HVAC inside of the building.

43
44 Commissioner Gruber asked Mr. Knight to address the concerns about the stormwater drain being
45 located in the easement and a need for additional studies to determine if this is the best location,
46 and the concerns about disruption during the construction phase.

1
2 Mr. Knight stated he had met briefly with Mr. Carlson but these particular items had not been
3 discussed. He believes the disruption during construction could be worked out with the applicant.
4

5 Ms. Judy Starkey, 16201 Holdridge Road, Wayzata, provided the Commission with her written
6 comments. She expressed concerns about the removal of a historical building in the City and
7 changing the character of the City as buildings are replaced and uses are changed. The City needs
8 to save some of its history and not replace everything with 3-story brick buildings.
9

10 Ms. Sue Sorentino, 525 Queensland Lane N, Plymouth, asked if the Chair had heard from Jane
11 Cole.
12

13 Chair Iverson stated she had and would bring this up after the public hearing.
14

15 Ms. Sorentino expressed concerns about the abundance of condos in the City. She would like to
16 see the Planning Commission put a moratorium in place immediately from Barry Street west and
17 look at what the City would like to see done long term for this development area. It sounded like
18 the City may have a long-term plan, but no one is aware of it yet. She does not find it fair that the
19 citizens do not have a say in how the City is developed, especially along Lake Street. She has
20 worked with Jane Cole and passed around a petition expressing these concerns. She had worked
21 on the Lake Street Effect Task Force and they had established nine community values. These
22 values included: Be Wayzata, a family friendly community and to be an engaged community
23 because citizens care about the community and its future and want to be active in shaping their
24 community. She does not feel that these values are a part of the City.
25

26 Chair Iverson stated she had talked with Mr. Thomson about the feedback from the community
27 that there had been short notice provided for the public hearing for this project. She recommended
28 continuing the public hearing to the next Planning Commission meeting.
29

30 Commissioner Flannigan stated this project has been worked on for several years and the concept
31 plan has already been approved by the City Council. He asked for clarification on the short notice
32 received by the public.
33

34 Chair Iverson stated the public had not received the Planning Commission packet in a timely
35 manner, and part of the Planning Commission's responsibilities was to allow the public to voice
36 their opinions.
37

38 Commissioner Flannigan stated this would need to focus more on just the topics brought up.
39

40 Chair Iverson stated the public should be given more time to voice their opinions on this
41 development because the meeting packets were not received with enough time for residents to
42 review the information and people are traveling.
43

44 Mr. Thomson stated the City's standard notice was provided in the *Lakeshore Weekly News*, and
45 the public hearing notices were sent to the property owners within 350-feet, both of which were
46 within the City's standard timeframe. Mr. Thomson stated that Planning Commission packet was

1 posted on the City's website on Friday before the meeting, which is also the City's standards
2 practice. The City provided the same public notice and followed the same process for this project
3 as they do for every development application.
4

5 Chair Iverson stated this is the first time that she has had so many residents reach out stating they
6 had just received the information.
7

8 Commissioner Flannigan stated if the same public notification and posting process is followed
9 then the process should be reviewed, and any future public comments need to be pertinent to what
10 is presented because the project has already been approved.
11

12 Commissioner Gonzalez stated the idea of a moratorium should be addressed to the City Council.
13 The Planning Commission looks at the project and the City's codes and makes recommendation
14 based on this information.
15

16 Commissioner Flannigan asked if the City Council would hold another public hearing.
17

18 City Attorney Schelzel stated the public hearing required by City Code and state law is conducted
19 by the Planning Commission, though Council has the discretion to take additional public comment,
20 which it generally does when it considers a development application. The public hearing tonight
21 is for the second stage of necessary approvals for the proposed project—PUD General Plan, Design
22 Review, Shoreland Impact Plan/CUP, and the Preliminary and Final Plan Subdivision. The
23 Planning Commission can decide to continue the public hearing to the next meeting, as well as
24 direct staff to prepare a draft report and recommendation for its consideration. Alternatively, the
25 Commission can decide to close the public hearing, which would be the normal procedure, but still
26 hear public comment at the next meeting. All would still be part of the public record. Chair
27 Iverson stated her preference would be to close this public hearing but allow residents the
28 opportunity to speak at the next meeting.
29

30 There being no one further wishing to speak on the application, Chair Iverson closed the public
31 hearing at 9:01 p.m.
32

33 Mr. Zitzloff stated they had received the notice but had not received the materials for his engineer
34 to review until the Friday before the meeting.
35

36 Commissioner Young stated he respects the Chair's decision to allow additional comment on the
37 application at the next Commission meeting, but would like to see the process continue to move
38 forward. He questioned the value of the Commission continuing discussions on this project at this
39 meeting if they are going to accept additional comment at the next meeting. He would like to get
40 additional facts on what the impacts are for the points brought up during this meeting, including
41 the impacts of the rooftop equipment.
42

43 Commissioner Buchanan stated the public hearing has been closed. The Chair is allowing
44 additional comment at the next meeting to address the larger concept of what is happening on Lake
45 Street west of Barry Avenue.
46

1 Chair Iverson stated the Planning Commission could only address what is presented to them.

2
3 Commissioner Gruber expressed concerns that Mr. Zitzloff had not been provided enough time for
4 his engineers to review the impacts of the project to his property.

5
6 Commissioner Gonzalez stated the Commission needed more information on the easement and if
7 there would be an agreement between the property owners. She would not support the mechanicals
8 on the rooftop. The City has been clear on the buildings on Lake Street not having mechanical
9 equipment on the rooftops. The Comprehensive Plan has been clear that the views from the Bluff
10 area need to be protected. All the previous projects have had to find ways to put the mechanical
11 equipment inside of the buildings.

12
13 Commissioner Flannigan expressed concerns that the process has failed in this particular project.
14 He would support continuing the discussions for this project to the next meeting.

15
16 Commissioner Buchanan stated he would like to see additional information regarding the rooftop
17 mechanicals at the next meeting, but he would also like to see the Commission consider the
18 deviation for the building materials being proposed. The City's code does not address materials
19 that are available today, and the materials being presented are a high quality material.

20
21 It was the consensus of the Commission to recommend approval of the Design Standards deviation
22 for the building materials for the project.

23
24 Commissioner Murray clarified any public comments received at the next meeting should be
25 focused on the project presented, not what should be in the building because this has already been
26 approved by the City.

27
28 Commissioner Young stated stalling the process of this application for additional public comment
29 is not warranted because the public has been given enough notice and opportunities to bring their
30 comments forward regarding this project. The Planning Commission held public hearing in
31 February, and the City Council also held public comments prior to their approval.

32
33 City Attorney Schelzel stated the public hearing on the application is now closed, but the Chair
34 can decide to take additional public comment at the next meeting. The chair can also set the
35 parameters on what the pubic can speak to. He stated several Commission members have
36 expressed that the comments should be about the application, and if anyone wants to make a
37 general comment this can be done at the beginning of the meeting.

38
39 Commissioner Flannigan stated he would like to see what this project would look like as far as
40 height compared to the adjacent projects.

41
42 Commissioner Gonzalez stated she would also like to see more information regarding the
43 impervious surface coverage and what could be done to reduce this to 75% and conform with the
44 Shoreland Overlay District.

45

1 Commissioner Buchanan asked if the applicant would be allowed to build a parapet on the rooftop
2 without requiring a deviation.

3
4 Mr. Thomson stated this was correct. A parapet wall could be up to 40-feet in height above grade.

5
6 Commissioner Young clarified that the deviation was to allow the mechanical equipment on the
7 rooftop, not the height of the parapet because this was allowed.

8
9 Mr. Carlson stated he would modify his plans to remove the mechanicals from the rooftop, and he
10 would not build a parapet just to spite his neighbor.

11
12 Commissioner Gonzalez made a motion, seconded by Commissioner Murray, to direct staff to
13 prepare a draft Planning Commission Report and Recommendation, including appropriate findings
14 of fact, to recommend approval of the PUD General Plan, Design Review with a deviation for
15 building material, Shoreland Impact Plan/Conditional Use Permit, Preliminary and Final Plat
16 Subdivision for Wayzata Blu located at 259, 269, and 275 Lake Street E and 339 Barry Avenue S,
17 with the conditions that the rooftop mechanical equipment would be located in the building and
18 no parapet would be constructed on the rooftop, and request the applicant look into additional
19 information to reduce the impervious surface for the project. The motion carried unanimously.
20

21 **b.) Public Hearing and Consideration of Application for Boatworks Parking – 259**
22 **Lake Street E and 294 Grove La E**

23 **i. Conditional Use Permit**
24

25 Director of Planning and Building Thomson stated the applicant, Gatehouse Properties, Ltd. And
26 Boatworks II, LLC, and the property owners Flagship Financial Group, Inc. and Boatworks II,
27 LLC have submitted a development application to amend the existing Conditional Use Permit for
28 shared parking facilities between 259 Lake St E and 294 Grove La E. Off-street parking
29 facilities provided on a site elsewhere that the principle use requires a conditional use permit
30 (CUP). The applicant has applied to amend the CUP that was approved for off-street parking
31 facilities on 1997. In 1997, the City granted a CUP for off-site parking for the Boatworks
32 property to be located on the 259 Lake Street property since the Boatworks property does not
33 have enough on-site parking for the uses that occupy the building. The CUP approval was to
34 “allow reduced number of required parking spaces, off-site parking spaces on (259 Lake St E)
35 site and for joint use.” A condition of approval stated, “the (259 Lake St E) property shall not be
36 considered as part of a future redevelopment area unless said redevelopment includes a parking
37 ramp that allocates at least 72 parking spaces for use by the Boat Works site.” In 2002, the City
38 Council approved an amendment to the CUP, which resulted in the increasing number of parking
39 stalls on 259 Lake St E from 72 stalls to 85 stalls. The applicants and property owners have
40 applied to amend the existing CUP due to the proposed redevelopment of the 259 Lake St E
41 property for the Wayzata Blu project. As part of the Wayzata Blu project, the Gatehouse
42 Properties is proposing to construct a defined parking lot on the back of the 259 Lake St E
43 property which would include a total of 85 parking stalls to comply with the existing Boatworks
44 CUP.
45

1 Commissioner Gonzalez asked how the Planning Commission and City could approve this when
2 the access from Barry Avenue is a private easement.

3
4 Mr. Thomson stated that the area encumbered by the easement is a part of the 259 Lake Street
5 property.

6
7 Chair Iverson stated the two owners have come together and made an agreement.

8
9 Chair Iverson opened the public hearing at 9:28 p.m.

10
11 Mr. Darren Knight, 319 Barry Avenue, Wayzata, stated the City has stated there may be public
12 parking in the future, and they do not have the information at this time. This agreement may be
13 contingent upon an agreement between Mr. Zitzloff and the developer in regards to the private
14 easement that may be impacted by the City's easement request.

15
16 Chair Iverson stated the agreement is between two private parties, and the City has no control over
17 what happens.

18
19 There being no one further wishing to speak on the application, Chair Iverson closed the public
20 hearing at 9:29 p.m.

21
22 Commissioner Gonzalez stated the traffic generated would increase.

23
24 City Attorney Schelzel clarified that the application being considered is for an amendment to an
25 existing CUP that would allow the co-applicant to build the Wayzata Blu project. Because the
26 current CUP has restrictions on new development, an amendment to the parking CUP between the
27 Boatworks and the Wayzata Blu property would be required.

28
29 Chair Iverson stated there was a concern with the traffic all being directed to the Barry Avenue
30 access and the access on Lake Street being closed.

31
32 Commissioner Gruber stated the application does not state that the Lake Street access would be
33 closed. She asked if this should be added.

34
35 Commissioner Murray stated the CUP was tied to the property. He asked if it would be up to the
36 property owner how the access occurs.

37
38 Mr. Thomson stated that there are no restrictions in the original CUP approval about where the
39 access would have to come from.

40
41 Commissioner Young made a motion, Seconded by Commissioner Buchanan, to direct staff to
42 prepare a draft Planning Commission Report and Recommendation, with appropriate findings of
43 fact, recommending approval of the Amendments to the Conditional Use Permit for the Boatworks
44 Parking located at 259 Lake Street and 294 Grove La E. The motion carried unanimously.

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

2
3 **a.) Review of Development Activities**

4
5 Director of Planning and Building Thomson stated the next meeting's agenda would include
6 adoption of Reports and Recommendations on the two applications for Wayzata Blu that were
7 reviewed by the Planning Commission tonight. He noted that the Planning Commission has a
8 joint workshop with the HRA and City Council scheduled for September 5 to discuss a possible
9 TIF District on the west end of Lake Street.

10
11 Commissioner Gonzalez stated the City Council also held a workshop on the Tree Ordinance and
12 possible further revisions to the ordinance.

13
14 **b.) Next Meeting is scheduled for September 6, 2017**

15
16
17 **AGENDA ITEM 7. Adjournment.**

18
19 Commissioner Gonzalez made a motion, seconded by Commissioner Murray, to adjourn the
20 meeting of the Planning Commission. The motion carried unanimously.

21
22 The Planning Commission meeting was adjourned at 9:43 p.m.

23
24 Respectfully submitted,

25
26 Tina Borg
27 *TimeSaver Off Site Secretarial, Inc.*