



Wayzata Planning Commission

Meeting Agenda

Wednesday, September 18, 2017

Community Room
600 Rice Street East
Wayzata, Minnesota 55391

- 7:00 p.m.**
- 1. Call to Order & Roll Call**
 - 2. Approval of Agenda**
 - 3. Consent Agenda**
 - a. Approval of August 21, 2017 Planning Commission Minutes
 - b. Approval of September 6, 2017 Planning Commission Minutes
 - c. Approval of Planning Commission Report and Recommendation for Fretham 17th 2nd Addition at 1411 Holdridge Ter
 - 4. Old Business Items**
 - a. None
 - 5. Public Hearing Items**
 - a. None
 - 6. Other Items:**
 - a. Review of development activities
 - b. Next meeting is October 2, 2017
 - 7. Adjournment**

NOTES:

¹ Members of the Planning Commission and some staff may gather at the Wayzata Bar and Grill immediately after the meeting for a purely social event. All members of the public are welcome.

**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 public 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.*

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
SEPTEMBER 6, 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: Gruber, Gonzalez, Iverson, Murray, and Buchanan. Absent and Excused: Young, and Flannigan. Director of Planning and Building Jeff Thomson and City Attorney David Schelzel were also present.

AGENDA ITEM 2. Approval of Agenda

Commissioner Gonzalez made a motion, Seconded by Commissioner Buchanan, to approve the September 6, 2017 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Approval of Minutes

a.) None

AGENDA ITEM 4. Old Business Items:

- a.) Adopt Report and Recommendation on Waytonka East End – 236 Central Ave S and 1101 Lasalle St
 - i. Preliminary and Final Plat Residential 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 Ave S and 101 Lasalle St. The applicant is proposing to subdivide the two existing properties into four single-family residential lots. The Planning Commission reviewed the development application and held a public hearing at its meeting on August 7, 2017. The Planning Commission continued the item to the August 21 meeting and requested that the applicant provide additional information regarding grading, tree removal, and house design. The Planning Commission reviewed the additional information at its meeting and after discussions, the Planning Commission voted 4 in favor and 3 opposed to direct staff to prepare a draft Planning Commission Report and Recommendation for denial of the development application.

Commissioner Buchanan stated he continues to support recommending approval of the application because the neighborhood is in transition, the project enhances the value of existing properties,

1 and the lot sizes meet the requirements of the zoning code. The tree removal is disappointing, but
2 they are required to mitigate this removal under the City's Tree Ordinance.

3
4 Commissioner Gonzalez made a motion, Seconded by Commissioner Gruber, to adopt the draft
5 Planning Commission Report and Recommendation, as presented, recommending denial of the
6 Preliminary and Final Plat Subdivision for Waytonka East End at 236 Central Ave S and 1101
7 Lasalle St as presented. The motion carried 3 ayes and 2 nays (Murray and Buchanan).

8
9 **b.) Adopt Report and Recommendation on Glea Haven 3rd Addition – 190 Gleason**
10 **Lake Road and 121 Gleahaven Rd**

11 **i. Preliminary and Final Plat Residential Subdivision**
12

13 Director of Planning and Building Thomson stated the applicant, David J. Heil and the property
14 owners David J. Heil and David W. Heil have submitted a development agreement to subdivide
15 the properties at 190 Gleason Lake Rd and 121 Gleahaven Rd. The applicant is proposing to
16 subdivide the two existing properties into five single-family residential lots. The Planning
17 Commission reviewed the development application and held a public hearing at its meeting on
18 August 7. After discussing the application, the Planning Commission voted 6 in favor and 0
19 opposed to direct staff to prepare a draft Planning Commission Report and Recommendation of
20 denial of the development application.

21
22 Chair Iverson stated the applicant has talked further with City staff, and would like to make a
23 presentation prior to the Commission's vote.

24
25 The Applicant, Mr. David Heil, gave a presentation on his Application, including a tree
26 conservation and replacement plan with remarks from an arborist. Four ash trees would be
27 removed under the plan to prohibit the spread of emerald ash borer affecting the trees in the area.
28 Mr. Heil reviewed the landscaping that would be provided to preserve as many trees as possible.
29 He noted the plan they are proposing would negatively impact 16 significant trees, not 25 trees.
30 They would not be removing any heritage trees from the property. He reviewed the lot
31 characteristics adjacent to the proposed project, including lot size and the grading that would be
32 done to address runoff problems for the properties, and the structure characteristics for the
33 proposed homes. He clarified the fill would be moved utilizing the access point on the County
34 Road.

35
36 Commissioner Gonzalez asked if some of the proposed lots would be non-conforming if the
37 County was granted their request for an 8-foot easement.

38
39 Mr. Thomson stated the County did review the plat and they requested the City require an
40 additional 7-feet of right-of-way to make the street a total width of 80-feet. Staff's thoughts are if
41 the subdivision were to be approved by the Council, the Council can require right-of-way
42 dedication as part of the subdivision approval. The right-of-way dedication would impact the lot
43 depth and width, but the City would only get this right-of-way if the subdivision were approved.
44 This is not a rationale for denying the subdivision.

45

1 Commissioner Gonzalez asked if the City Engineer had reviewed the impacts the removal of the
2 mound on the property would have on the neighborhood.

3
4 Mr. Thomson stated the City Engineer had reviewed all of the plans, and there is a significant
5 amount of grading. However, he had no comments that this would negatively impact the
6 neighborhood because the applicant is providing storm water management on the property to direct
7 runoff to a catch basin or to the street.

8
9 Commissioner Gruber stated the applicant brought forward new information. She asked if this
10 would be part of the record and if so, could the Commission discuss the presentation because it
11 does address some of the Commission's findings for denial.

12
13 City Attorney Schelzel stated the presentation would be part of the record.

14
15 Chair Iverson stated the information presented is new information, and should be discussed and
16 considered.

17
18 Commissioner Gruber stated she does have concerns about the amount of grading and what the
19 neighbors think of the project. Five of the findings in the draft Report involve the size of the lots
20 and the neighborhood.

21
22 Chair Iverson stated the main reason for the denial recommendation had been the change to the
23 character of the neighborhood that the project would represent.

24
25 Commissioner Buchanan stated he would have liked to have had the information presented by the
26 Applicant during the previous review of the Application. His previous concerns had been the lot
27 sizes, and he would still not support the project.

28
29 Commissioner Murray stated the lot diagram in the presentation had shown that the proposed lots
30 would be slightly larger than other properties in the neighborhood. He would like to see this map
31 with the adjacent lots so the Commission could compare the lot sizes. He noted that the Applicant
32 has made some several improvements to the project to address the concerns of the Commission.

33
34 Mr. Thomson showed the neighborhood map with the zoning and lot sizes for the surrounding lots,
35 excluding the high-density multi-family zoning to the west.

36
37 Commissioner Gonzalez stated she would not be willing to support the project due to the amount
38 of filling and grading that would occur on the property. There is not enough information about the
39 effects the change of the topography would have on the neighborhood. The lot sizes are also not
40 reflective of the entire neighborhood.

41
42 Commissioner Gonzalez made a motion, Seconded by Commissioner Buchanan, to adopt the draft
43 Planning Commission Report and Recommendation, as presented, recommending denial of the
44 Preliminary and Final Plat Subdivision for 190 Gleason Lake Rd and 121 Gleahaven Rd. The
45 motion carried unanimously.

46

c.) Adopt Report and Recommendation on 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 at 259, 269, and 275 Lake St 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. The Planning Commission reviewed the development application and held a public hearing at its meeting on August 21. After discussing the application, the Planning Commission voted 7 in favor and 0 opposed to direct staff to prepare a draft Planning Commission Report and Recommendation for approval of the development application. Since the Planning Commission meeting, the applicant submitted updated plans for the project that remove the mechanical equipment from the roof of the building, so that the design deviation is no longer required. The updated plans also include minor modifications to further confirm that the plans meet the City's design standards.

Commissioner Gonzalez asked if the equipment on the roof would be moved to the interior of the building and the parapet would be removed. She asked if conditions would need to be included in the approval for these, and also if the Commission would need to provide findings for the approval of the deviation from the design standards.

Mr. Thomson stated the applicant had submitted revised plans that included the removal of the mechanical equipment and parapet from the rooftop.

City Attorney Schelzel stated that Section 3.2 of the draft Report does provide findings for the deviation from the design standards for the exterior materials.

Chair Iverson asked if there was any further public comment on the Application.

City Attorney clarified that this is an opportunity for additional public comments, but the actual public hearing had been held at the last meeting.

Jane Cole, 181 Ridgeview Drive, Wayzata, stated some of the concerns she had with the project are no longer issues. She stated the first she had heard of the project was when she saw the Planning Commission meeting on TV in March. She had not been notified. She enjoys how the current corner looks, and she has concerns that Candlelight Floral would have to be relocated because the building would be torn down. Judd Frost and the Barbers also wanted to stay in the current building. Candlelight Floral and the Barbers have since relocated but Judd Frost would like to stay if he could. She would like to have a moratorium placed on the property because the City is currently in the process of reviewing the Comprehensive Plan. A new Comp Plan may not allow or approve of this type of development in this location. She understands this is a decision that would have to be made by the City Council. She stated the property had been zoned commercial for many years and only changed because of a budget drought in the City. She stated the developer has a responsibility to keep within the zoning, and she would like to see this property

1 returned to a commercial zoning versus a mixed use residential. This is a corner that the residents
2 have always been able to access and she would like this to remain.

3
4 Chair Iverson asked for any further public comment and hearing from no one, brought the
5 discussion back to the Commission.

6
7 Mr. Thomson commented that the best place to get information on proposed and ongoing
8 developments in Wayzata would be in the City Council and Planning Commission meeting
9 agendas and packets, which are all publically available on the City's website and at City Hall. All
10 notices of meetings and public hearings on new development proposals are published in the
11 *Lakeshore Weekly News* at least 10 days prior to the meeting. Next year the publications will
12 change to the *Sun Sailor*.

13
14 Commissioner Gonzalez made a motion, Seconded by Commissioner Murray, to adopt the draft
15 Planning Commission Report and Recommendation, as presented, recommending approval of the
16 PUD General Plan, Design Review with exterior material deviation, Shoreland Impact
17 Plan/Conditional Use Permit for Impervious Surface, Preliminary and Final Plat Subdivision for
18 259, 269, and 275 Lake Street E and 339 Barry Avenue S.

19
20 Chair Iverson asked if there was any further discussion on the motion.

21
22 Commissioner Gonzalez stated she is disappointed that the City would be losing a thriving
23 commercial retail area. She hopes the Council considers what impacts there would be on traffic
24 with the increased number of condominiums in the area.

25
26 Commissioner Gruber stated she would like to see more done with the landscaping for the project.

27
28 Hearing no further discussion, Chair Iverson called the motion to a vote. The motion carried
29 unanimously.

30
31 **d.) Adopt Report and Recommendation on Boatworks Parking – 259 Lake Street E**
32 **and 294 Grove La E**

33 **i. Conditional Use Permit**
34

35 Director of Planning and Building Thomson stated the applicant, Gatehouse Properties Ltd. and
36 Boatworks II LLC, and the property owners Flagship Financial Group, Inc. and Boatworks II, LLC
37 submitted a development application to amend the existing Conditional Use Permit (CUP) for off-
38 site parking facilities between 259 Lake St E and 294 Grove La E. The Planning Commission
39 reviewed the development application and held a public hearing at its meeting on August 21. After
40 discussing the application, the Planning Commission voted 7 in favor and 0 opposed to direct staff
41 to prepare a draft Planning Commission Report and Recommendation for approval of the
42 development application.

43
44 Commissioner Gonzalez made a motion, Seconded by Commissioner Murray, to adopt the draft
45 Planning Commission Report and Recommendation recommending approval of Conditional Use
46 Permit amendment for 259 Lake Street E and 294 Grove La E parking as presented.

AGENDA ITEM 5. New Business:

**a.) Public Hearing and Consideration of Application for Fretham 17th 2nd Addition
– 1411 Holdridge Ter
i. Preliminary Plat Residential Subdivision**

Director of Planning and Building Thomson stated the applicant Lake West Development LLC has submitted a development application to subdivide the property at 1411 Holdridge Terrace. The applicant is proposing to subdivide the existing property into two single-family residential lots. As part of the submitted development application, the applicant is requesting approval of a preliminary plat subdivision. The applicant has submitted preliminary concept plans for the single-family homes that would be constructed on the lots. In addition, the proposed plans include preliminary house pads for each of the new lots and these would comply with all requirements of the R-2 zoning district, including setbacks, lot coverage, and impervious surface. The proposed lots would meet the minimum lot requirements for the R-3A zoning district for single-family homes. The proposed plans include removal of trees for the proposed homes, driveways, and grading of the lots. The proposed plans indicate that 21% of the inches of significant trees would be removed for the project, which is less than the 25% removal threshold for significant trees before replacement is required. One heritage tree would be removed and this requires mitigation. Based on the proposed removal, 70 inches of replacement trees would be required for the one heritage tree that would be removed. The back of the lots is encumbered by a wetland, which has been formally delineated by the applicant. Based on the management classification of the wetland, the proposed plans include the 25-foot wide buffer along the upland edge of the wetland, as required by the City's and watershed district's requirements. There are public extensions for the City's sewer and water service located on the site, and there would be new gravity sewer line and water extension added with this project to service the two new lots. These extensions are the responsibility of the developer. The City Engineer has reviewed the plans and requested that all of the runoff from the new homes and impervious surfaces be directed to the back of the lots and into the wetlands.

Commissioner Gonzalez stated the grading appeared to be close to the delineation of the wetland. She asked what measures would be taken to protect the wetlands.

Mr. Thomson stated as part of the construction process the City requires silt fence to be installed at the grading limit.

Chair Iverson stated that the silt fence must be replaced within 24 hours if it is broken or damaged. She asked how this was enforced.

Mr. Thomson stated that the City inspects the silt fence prior to construction starting, the City also has inspectors to review this and the building inspector is on the site regularly and one of the items they inspect is the silt fence. It is the contractor's responsibility to ensure this fence is in place and maintained properly.

1 Commissioner Murray asked if the developer would be able to grade into the buffer zone and once
2 the project is complete, whether they would be able to build in the buffer zone.

3
4 Mr. Thomson stated the buffer area can be used for lawn space or backyard but there cannot be
5 any building in this area.

6
7 Chair Iverson asked what the impacts would be to people who use the road in this area when the
8 water and sewer are added.

9
10 Mr. Thomson stated based on where this would be located, there may be some intermittent closure
11 on Holdridge Terrace to the west, near the water connection. The lines are not under the road.

12
13 Commissioner Gruber asked how far the lift station was from the proposed property.

14
15 Mr. Thomson stated the lift station was within 10-feet, and there is regular maintenance on the lift
16 station.

17
18 Commissioner Gonzalez asked how much fill would be brought to the site.

19
20 Mr. Thomson stated they would bring in 853 cubic yards for Lot 1 and about 1200 cubic yards for
21 Lot 2.

22
23 Applicant's representative, Mr. Perry Ryan, Lake West Development LLC, 14525 Highway 7,
24 Minnetonka, stated the amount of fill brought would depend on the size of the basement for the
25 homes that would be built. The amounts listed are within the maximum fill amounts the City
26 allows. They are not expecting to have any street closures for the water and sewer installation.

27
28 Commissioner Gonzalez asked if the applicant had looked at the replacement of the heritage tree
29 and if this would occur on the site.

30
31 Mr. Ryan stated they are looking to plant these replacement trees on the property, and these could
32 be used for noise buffers and screening in the front.

33
34 Chair Iverson stated the proposal presented does keep with the character of the neighborhood.

35
36 Commissioner Gonzalez asked what the homes would look like.

37
38 Mr. Perry stated they intended the homes to be 2-story with walkout basements. There is a similar
39 home already submitted for the development to the west. They would have 3 car garages with
40 individual access points.

41
42 Applicant's representative, Mr. Curt Fretham, Lake West Development LLC, 14525 Highway 7,
43 Minnetonka, stated the proposed homes would be approximately 3500 square feet above grade.

44
45 Commissioner Gonzalez stated the homes looked like they would be in character with the
46 neighborhood.

1
2 Chair Iverson opened the public hearing at 8:15 p.m.

3
4 There being no one wishing to address the Commission on the project, Chair Iverson closed the
5 public hearing at 8:16 p.m.

6
7 Chair Iverson clarified that because the setbacks are being met, the Commission would not be
8 reviewing the design.

9
10 Mr. Thomson stated this was correct.

11
12 Commissioner Buchanan stated the project meets all of the applicable codes and requirements, and
13 he would support recommending approval of the project.

14
15 Commissioner Murray stated he would support recommending approval of the project since the
16 wetlands would be protected.

17
18 Commissioner Gonzalez asked if a condition of approval should be added that requires a tree
19 replacement plan be submitted.

20
21 Mr. Thomson stated the tree replacement plan is a requirement and in the past, the City has required
22 this before a building permit could be issued. The problem at this time is the replacement plan
23 requires a plan of the where the trees would be planted and the species. This would be dependent
24 on the homeowner and their preferences. A plan at this time would not be reflective of what could
25 occur. Thus, the City has made this a requirement as part of the building permit process, and it
26 must be reviewed by the City Forester at that time.

27
28 Commissioner Gruber stated she would support recommending approval of the project.

29
30 Commissioner Gonzalez made a motion, Seconded by Commissioner Buchanan, to direct staff to
31 prepare a draft Planning Commission Report and Recommendation, with appropriate findings,
32 recommending approval of the Preliminary Plat Subdivision for Fretham 17th 2nd Addition located
33 at 1411 Holdridge Terrace. The motion carried unanimously.

34
35
36 **AGENDA ITEM 6. Other Items:**

37
38 **a.) Adding Consent Agenda to Planning Commission Meetings**

39
40 Director of Planning and Building Thomson stated a review of the process for adopting reports
41 and recommendations was included in the Planning Commission's 2017 work plan. With the
42 current process, staff does not include any findings in Staff Reports on new development
43 applications for a proposed project. Instead, Staff asks for the Commission's direction based on
44 findings discussed by the Commission at its meeting, and then a draft Report and Recommendation
45 is brought back to the Commission for its review and adoption at the next meeting. An alternative
46 approach to streamline the process would be to utilize a consent agenda for both meeting minutes

1 and Reports and Recommendations on applications previously considered by the Commission.
2 The City Council uses a consent agenda. A consent agenda usually includes items that have been
3 previously discussed, items that are considered routine, or items that do not warrant further
4 discussion by the Planning Commission. These items are noted in the agenda and announced at
5 the beginning of the meeting. If any items need further discussion, they can be removed from the
6 consent agenda. If there are no items removed for further discussion by the Commission, all of the
7 items are adopted with one motion.

8
9 City Attorney Schelzel clarified that if there was incorrect or missing information in a report or in
10 the minutes, or they did not reflect the discussions and direction of the Commission a
11 Commissioner could pull that item for a separate discussion. He explained the key vote for the
12 Commission is after the public hearing and the discussion of a development application or project.
13 This is when Commissioners are voting to recommend approval or denial of a project, and direct
14 staff to prepare the formal report based on the discussions and direction of the Commission. When
15 the draft report comes back at the next meeting, the Commission is voting to adopt the report itself
16 and if it accurately reflects what the Commission voted on at the last meeting, even if a
17 Commissioner voted differently on the application. The final vote is to make sure the report and
18 recommendation accurately reflects the recommendation and findings of the Commission at the
19 last meeting.

20
21 It was the consensus of the Commission to support the process of adding a Consent Agenda to the
22 Planning Commission meeting agendas starting with the September 18 meeting.

23
24 Chair Iverson suggested the Commission review the setback standards for subdivisions if the City
25 Council wants this done.

26
27 Mr. Thomson stated the review of setbacks is in the City Council's strategic plan, and the goal is
28 to have this completed by December 2018.

29 30 **b.) Review of Development Activities**

31
32 Director of Planning and Building Thomson stated at this time the next agenda includes the
33 adoption of the Fretham Addition Report and Recommendation, but other items may be added as
34 applications are completed. He noted that the City Council, HRA, and Planning Commission
35 held a joint meeting on September 5 related to a possible new West End TIF District. The Think
36 Tank 2-day workshop for the Comprehensive Plan update is currently looking for members.

37
38 Commissioner Gruber provided an update on the City Council meeting. The 630 Bushaway
39 Road project was granted an extension for the project due to a title issue, and Broadway Place
40 was also granted an extension of an additional year due to utility issues and notifying lessors.
41 The Public Hearing at the Council meeting was the modification of the Widsten TIF Plan.

42
43 Commissioner Gruber advised the Commission that this would be her last meeting as a
44 commissioner, as she has moved out of the City of Wayzata.

45
46 Chair Iverson and others thanked Commissioner Gruber for her many years of service.

1
2 c.) Next Meeting is scheduled for September 18, 2017
3
4

5 **AGENDA ITEM 7. Adjournment.**
6

7 Commissioner Gonzalez made a motion, seconded by Commissioner Buchanan, to adjourn the
8 meeting of the Planning Commission. The motion carried unanimously.
9

10 The Planning Commission meeting was adjourned at 8:38 p.m.
11

12 Respectfully submitted,
13

14 Tina Borg

15 *TimeSaver Off Site Secretarial, Inc.*



City of Wayzata Planning Commission Agenda Report

MEETING DATE: September 18, 2017	AGENDA ITEM: 3c
TITLE: Approval of Planning Commission Report and Recommendation	
PROJECT NAME: Fretham 17 th 2 nd Addition	
ADDRESS: 1411 Holdridge Terrace	
PREPARED BY: Jeff Thomson, Director of Planning and Building	

BACKGROUND:

Application Overview

The applicant, Lake West Development, LLC has submitted a development application to subdivide the property at 1411 Holdridge Terrace. The applicant is proposing to subdivide the existing property into two single-family residential lots. The development application includes review of the preliminary plat.

Planning Commission Review

The Planning Commission reviewed the development application and held a public hearing at its meeting on September 6, 2017. After discussing the application, the Planning Commission voted five (5) in favor and zero (0) opposed to direct staff to prepare a report and recommendation for approval of the development application for adoption at the next Planning Commission meeting.

PLANNING COMMISSION ACTION:

City Staff has drafted the attached Planning Commission Report and Recommendation, which recommends approval of the proposed preliminary plat subdivision at 1411 Holdridge Terrace, subject to several conditions. The Report and Recommendation reflects the vote of 5-0, and includes the findings discussed by the Planning Commission at the September 6th meeting.

ATTACHMENTS:

1. Draft Planning Commission Report and Recommendation



WAYZATA PLANNING COMMISSION

September 18, 2017

REPORT AND RECOMMENDATION OF APPROVAL OF PROPOSED PRELIMINARY PLAT SUBDIVISION AT 1411 HOLDRIDGE TERRACE

DRAFT

SUMMARY OF RECOMMENDATION

Approval of Proposed Preliminary Plat subdividing one existing lots into two single-family residential lots

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 **Proposed Land Use.** Lake West Development, LLC (the “Applicant”) has submitted a development application (the “Application”) to subdivide the existing lot at 1411 Holdridge Terrace (the “Property”) into two single-family residential lots.
- 1.2 **Approval Requested.** The Application requests review and approval of a preliminary plat to subdivide the existing lot on the Property into two lots, pursuant City Code Section 805.14 (the “Proposed Subdivision” and “Preliminary Plat”).
- 1.3 **Property.** The Property is located along the south frontage road of Highway 12. It currently has a Holdridge Terrace address, but has frontage directly on Wayzata Blvd E. The address, property identification number and owner of the Property are:

Address	PID	Owner
1411 Holdridge Terrace	05-117-22-13-0032	Lake West Development, LLC

- 1.4 Land Use Designations. The Property falls within the following land use districts:

Zoning:	R-2/Medium Density Single Family Residential
Comp plan designation:	Low Density Single Family
Overlay districts:	W/Wetlands Overlay District

- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Lakeshore Weekly News* on August 24, 2017. A copy of the notice was mailed to all property owners located with 350 feet of the Property on August 25, 2017. The public hearing of the Application was held at the September 6, 2017 Planning Commission meeting.

Section 2. STANDARDS

2.1 Subdivision / Preliminary Plat

- A. Review and approval of Preliminary Plats and subdivisions of property are governed by the City's Subdivision Ordinance, Ch. 805 of City Code.
- B. In reviewing requests for approval under the Subdivision Ordinance, the Planning Commission shall consider possible adverse effects of the proposed subdivision or Preliminary Plat reflected in the preliminary plat. Its judgment shall be based upon, but not limited to, the following factors found in Section 805.14.E:
 - 1. The proposed subdivision or Preliminary Plat shall be consistent with the Wayzata Comprehensive Plan.
 - 2. Building pads that result from a subdivision or Preliminary Plat shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
 - 3. Building pads that result from subdivision or Preliminary Plat shall be selected and located with respect to natural topography to minimize filing or grading.
 - 4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or Preliminary Plat shall be sensitively integrated into existing trees.
 - 5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
 - 6. The design of a lot, the building pad, and the site layout shall

respond to and be reflective of the surrounding lots and neighborhood character.

7. The lot size that results from a subdivision or Preliminary Plat shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
10. The proposed lot layout and building pads shall conform with all performance standards contained herein.
11. The proposed subdivision or Preliminary Plat shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or Preliminary Plat is proposed.
12. The proposed subdivision or Preliminary Plat shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

Section 3. FINDINGS

- 3.1 Based on the Application materials, additional materials submitted by the Applicant, staff reports, public comment and information presented at the public hearing, and the standards of the Wayzata Subdivision Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

A. Preliminary Plat.

1. The proposed Preliminary Plat is consistent with the Wayzata Comprehensive Plan which guides the Property to Low Density Single Family uses.
2. The building pads that result from the Preliminary Plat would

preserve sensitive areas such as the adjacent wetlands, wildlife habitat, trees and vegetation.

3. The building pads that result from the Preliminary Plat have been selected and located with respect to natural topography to minimize filing or grading, and would utilize the limited buildable area of the Property, which has a significant wetland area and buffer.
4. Existing stands of significant trees have been retained where possible. The building pads that result from the Preliminary Plat are sensitively integrated into the trees and other natural features of the Property. The inches of significant tree removal would be less than replacement threshold under the City's Tree Preservation Ordinance, though 70 inches of replacement trees would be required for the one heritage tree that would be removed.
5. The Preliminary Plat does not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
6. The design of a lot, the building pads, and the site layout responds to and is reflective of the surrounding lots and neighborhood character.
7. The lot sizes resulting from the Preliminary Plat are not dissimilar from adjacent lots or lots found in the surrounding neighborhood.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan reflected in the sketches and plans in the Application for the possible residences on the Property would be similar to the characteristics and quality of existing development in the City and surrounding neighborhood.
9. The architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance are not applicable to this Application.
10. The proposed lot layout and building pads conform with all performance standards contained in the Subdivision Ordinance, though a condition of approval related to utility easements is recommended.
11. The Preliminary Plat will not tend to or actually depreciate the values of neighboring properties in the area in which it is proposed.
12. The Preliminary Plat will be accommodated with existing public services, including those related to transportation and utility systems, and will not overburden the City's service capacity.

Section 4. RECOMMENDATION

4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **APPROVAL** of the Proposed Subdivision and the Preliminary Plat, with the following conditions:

- A. The Applicant must submit the final plat application for the Subdivision within 100 days of City Council approval of the Preliminary Plat, or the Preliminary Plat approval will be null and void. The final plat application must include the following:
 - 1. The final plat must dedicate all utility and other easements required by the Subdivision Ordinance and as recommended by the City Engineer.
 - 2. The Applicant must enter into easement agreements with the City to the extent the easements recommended by the City Engineer for the City-owned lift station and pump are not adequately documented.
 - 3. The Applicant must enter into a Development Agreement with the City for the public utility improvements constructed as part of the Subdivision, in a form acceptable to the City Attorney.
- B. The final grading & drainage plan, utility plan, and civil details must be reviewed and approved by the City Engineer prior to the City issuing a building permit for construction of the homes in the Subdivision.
- C. The final tree inventory and tree preservation plan must be reviewed and approved by the City Forester prior to the City issuing a building permit for construction of the homes in the Subdivision.
- D. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 18th day of September 2017.

Voting For Approval Recommendation: Buchanan, Gonzalez, Gruber, Iverson, Murray

Voting Against Approval Recommendation: None

Abstaining: None

Absent: Flannigan, Young