

1 **WAYZATA PLANNING COMMISSION**
2 **MEETING MINUTES**
3 **SEPTEMBER 19, 2016**
4
5

6 **AGENDA ITEM 1. Call to Order and Roll Call**
7

8 Chair Iverson called the meeting to order at 7:00 p.m.
9

10 Present at roll call were Commissioners: Young, Gruber, Gonzalez, and Iverson. Absent:
11 Commissioners Murray, Flannigan and Gnos. Director of Planning and Building Jeff Thomson,
12 City Engineer Mike Kelly, and City Attorney David Schelzel were also present.
13
14

15 **AGENDA ITEM 2. Approval of Agenda**
16

17 Commissioner Gonzalez made a motion, Seconded by Commissioner Gruber to approve the
18 September 19, 2016 meeting agenda as presented. The motion carried unanimously.
19
20

21 **AGENDA ITEM 3. Approval of Minutes**
22

23 **a.) None.**
24
25

26 **AGENDA ITEM 4. Old Business Items:**
27

28 **a.) Beacon Five – 529 Indian Mound E**

29 **i. PUD General Plan of Development, Design Review**
30

31 Director of Planning and Building Thomson reviewed the development application of applicant,
32 Ron Clark Construction, to develop property at 529 Indian Mound E. The project includes the
33 construction of a 3-story mixed use building consisting of five (5) residential condominiums, 600
34 square-feet of office space, and ten (10) underground parking stalls. The Planning Commission
35 reviewed the development application and held a public hearing at its meeting on September 7,
36 2016. After discussing the application after the public hearing, the Planning Commission
37 directed staff to prepare a draft Planning Commission Report and Recommendation for approval
38 of the development application for the PUD General Plan and Design with conditions.
39

40 Commissioner Gonzalez asked why there was not a Park Dedication Fee included in the
41 application.
42

43 Mr. Thomson stated Park Dedication Fees are a requirement of the Subdivision Ordinance and
44 the application does not include subdivision.
45

1 Commissioner Young made a motion, Seconded by Commissioner Gruber to adopt the Planning
2 Commission Report and Recommendation recommending approval of PUD General Plan of
3 Development and Project Design for a PUD Development at 529 Indian Mound East, as
4 presented. The motion carried unanimously.
5
6

7 **AGENDA ITEM 5. Public Hearing Items:**
8

9 **a.) Mill Street Parking Ramp – 725 Mill Street E**

10 **i. Design Review**
11

12 Director of Planning and Building Thomson stated the City of Wayzata is requesting approval of
13 a design for the City’s proposed public parking ramp at 725 Mill Street E. The proposed parking
14 ramp would consist of one level of parking at grade, with one level of structured parking above.
15 The parking ramp and surface parking stalls along Mill Street would provide a total of 387
16 parking spaces. The proposed plans also include a partial roof over the second level as an add-on
17 alternative to the plans. Since the roof is included as a bid-alternative, the plans include two (2)
18 additional alternatives that could be constructed if the City Council decides not to construct the
19 roof. The first includes an enhanced landscaping plan along the north side of the parking ramp to
20 provide year-round screening of the upper level and the second is a portal structure that would be
21 constructed over the vehicle entrance from Broadway to provide an enhanced building elevation
22 from Broadway and to partially screen the upper level from the public street. With the
23 application, the City is requesting approval of the design for the ramp, including a deviation from
24 the Design Standards for the exterior building materials, as concrete and metal are not allowable
25 primary building materials and would comprise 4% of the west elevation, 27% of the south
26 elevation, and 7% of the east elevation.
27

28 The Applicant’s architect, Mr. Victor Pechaty, HGA Architects and Engineers, 420 North 5th
29 Street, Minneapolis, reviewed the different schematic design options that had been reviewed by
30 the City and the Steering Committee. These were priced so the City could evaluate what
31 amenities and options would provide the most benefit. He explained there would be a total of
32 385 parking stalls and vehicle access to the lower level of the parking ramp would be from two
33 (2) entrances/exits along the south side of the ramp along Mill Street. Vehicle access to the
34 upper level would be via a new curb-cut directly from Broadway Avenue. There would be no
35 internal vehicular connection between the two (2) parking levels. Pedestrian access would be
36 provided adjacent to all vehicle entrances/exits and an additional access would be provided mid-
37 ramp to provide a connection to the existing walkway to Lake Street through the 701 Lake Street
38 building. A new raised walkway and crosswalk would be provided between the ramp and the
39 walkway entrance. The proposed half roof would cover half of the upper parking level and they
40 completed a study that determined a half roof would screen most of the upper level from the
41 residential townhomes located behind the ramp on the bluff. He stated they also did a parking
42 study for parking south of the Muni and by restriping this along with minor curb and gutter
43 alterations the City could gain 18-20 stalls in this location. He reviewed the building materials
44 that would be used, explaining the rationale behind the choices, and presented renderings of the
45 parking structure including the alternate options.
46

1 Chair Iverson asked what the maintenance would be for the grout used with the brick material.

2
3 Mr. Pechaty stated it would be decades before the grout would need maintenance. He reviewed
4 the proposed landscape design for each of the design options. He explained the trees that were
5 selected with the enhanced landscape plan would grow large enough to block the view of the
6 parking structure but not block the views of the lake, as viewed from above. He explained the
7 next steps for the project included issuance of the construction documents, bid and contract
8 negotiation in October, construction beginning in November and completing in May 2017.

9
10 Mr. Thomson clarified that the Planning Commission was being asked to review the design of
11 the proposed ramp only, and the compliance of that design with the City's Design Standards.

12
13 Commissioner Gonzalez asked what would be done with the light fixtures on the upper level to
14 make sure they do not affect the residents in the townhomes.

15
16 Mr. Pechaty stated these would be LED fixtures with reflectors to direct light in a specific and
17 designed way, and this will be down and towards the south. The LED fixtures will also be
18 dimmable and the poles are only 15-feet tall.

19
20 Commissioner Gonzalez asked how the lighting would work if there was a partial roof on the
21 structure.

22
23 Mr. Pechaty stated the northern bay of parking stalls that are covered by the roof they would use
24 more conventional fixtures that are attached to the ceiling and there would be fixtures mounted
25 to the edge of the roof to light up uncovered portion of the upper level. He noted that there is an
26 organization called the Illumination Society that provides design standards for how exterior
27 parking lots should be lit, and they are meeting these standards with the proposed design.

28
29 Commissioner Gruber asked if the structure would be handicapped accessible.

30
31 Mr. Pechaty stated the lower level is slightly taller to accommodate handicapped vehicles and
32 there are handicapped accessible parking stalls. In the upper level there is a sidewalk adjacent to
33 drive that goes into this level and this is the on grade access.

34
35 Commissioner Gruber asked if there had been consideration of balancing the lighting needs of
36 the ramp for safety reasons with not disturbing the surrounding residents.

37
38 Mr. Pechaty stated the way the meet the needs for safety concerns without creating a glowing
39 surface is by having frequently placed localized LED lighting. In the areas where the lighting in
40 the center it does not provide adequate lighting there are recessed lights that just shine down in
41 that area. There are also light bollards lining the sidewalks, there is the backlit entrance and light
42 strips along the wood.

43
44 Commissioner Gruber asked if there were any concerns about the retaining wall shifting because
45 it was so long.

46

1 Mr. Pechaty stated the retaining wall an independent structure with a 2-inch gap between the
2 retaining wall and the parking structure. This gap will be filled with a rubberized filler.

3
4 Commissioner Gonzalez asked what the roof material and color would be if a roof were
5 included.

6
7 Mr. Pechaty stated the material would be a rubberized membrane and the color of this material is
8 black. This will then be covered with a darker gray river rock.

9
10 Chair Iverson opened the public hearing at 7:50 p.m.

11
12 Ms. Chris Morrisson, 728 Widsten Circle, Wayzata, stated the current design is the result of a
13 collaboration of members of the Steering Committee. The current design provides the best
14 options for the City for mass, maximum parking stalls, and screening. She would like to see
15 more than the minimum tree replacement and landscaping to enhance the project.

16
17 Mr. Paul Webster, 726 Widsten Circle, Wayzata, asked how many parking spaces were currently
18 available. He asked why the parking on the upper level was angled and parallel on Mill Street.

19
20 Mr. Thomson stated that there are 182 parking spaces within the Mill Street parking lot today.
21 The proposed ramp would have 385 total parking spaces, which would be 203 additional stalls
22 beyond what currently exists.

23
24 Mr. Pechaty stated Mill Street functions as a service drive for the businesses and semi-trucks use
25 this area. Providing angled parking stalls within Mill Street would either create a one-way street,
26 which would compromise service access to the buildings on the south side of Mill Street, or
27 would reduce the number of parking stalls available on Mill Street.

28
29 Ms. Cathy Whiting, 1800 Crosby Road and 611 Bushaway Road, Wayzata, stated she likes the
30 use of the natural wood and would like to see Wayzata keep its lake character. She stated she
31 would like to see more natural materials used in place of the brick component to provide a more
32 stone like appearance.

33
34 There being no one else wishing to speak, Chair Iverson closed the public hearing at 7:59 p.m.

35
36 Mr. Pechaty stated that in earlier iterations of the structure, they had looked at partial stone
37 facing but it was a best cost decision to go with the brick.

38
39 Chair Iverson suggested Mr. Pechaty have information available for the City Council on what the
40 additional cost would be for stone.

41
42 Commissioner Gonzalez asked if cost was the only thing driving the deviation from the exterior
43 materials design standard, and why they were requesting a deviation from the accent materials.

44

1 Mr. Pechaty stated cost was one factor but they also looked at durability due to the type of
2 environment associated with a parking ramp. The decorative concrete would hold up better with
3 vehicles potentially hitting the structure.

4
5 Commissioner Young asked if the Steering Committee had considered a design that had the two
6 levels of the ramp connected.

7
8 Mr. Pechaty stated they had looked at this type of design during the pre-design phase and it had
9 been a consensus that it would be more efficient to be able to access the ramp from different
10 points and remove the inefficiencies of having a sloped structure. This made it possible to have
11 more capacity on the two levels versus the capacity that they would have had with a three level
12 structure with internal access.

13
14 Chair Iverson asked if there would be signage that would indicate when the ramp is full.

15
16 Mr. Pechaty stated this had been discussed recently but there has not been a determination yet.

17
18 Commissioner Gonzalez suggested adding a condition to the approval that the applicant plant the
19 largest size trees that would be feasible.

20
21 Mr. Thomson stated they would look at the tree inventory and landscape plans to determine the
22 mitigation requirements for the project.

23
24 Commissioner Young stated he liked the proposed design and thought it wise to get the costs for
25 alternative design elements such as the roof, but that he would not support anything pertaining to
26 the ramp because he does not believe that one is needed. He is not sure the backlit metal feature
27 would fit with the aesthetics of the structure because it looks more modern.

28
29 Commissioner Gruber stated the design was good, but she would like to see more traditional
30 style of light fixtures.

31
32 Commissioner Gonzalez stated the deviations that are being requested have been justified and
33 she would support the design. She would like to see an enhanced landscape plan. She stated the
34 half roof would provide good screening for the residents.

35
36 Chair Iverson stated she does not support the ramp because of the cost and the number of parking
37 spaces that will be gained is not significant compared to the cost. As a citizen she is concerned
38 about how the project will be financed. The City has an influx of people 3-months out of the
39 year and the ramp will be empty most of the year. She would prefer to see the City do more
40 signage. She stated the half roof and enhanced plantings would help to screen the structure from
41 the residents on the hill. Because she does not believe there should be a ramp, she would
42 recommend denial of the application.

43
44 City Attorney Schelzel clarified the Commission should provide direction to the City Council on
45 the proposed design, and if it meets the City's Design Standards.

46

1 Commissioner Gonzalez made a motion, seconded by Commissioner Gruber, to direct staff to
2 prepare a Planning Commission Report and Recommendation recommending approval of the
3 Design for the Mill Street Parking Ramp with the two (2) deviations specified for accent and
4 principle materials subject to the condition the City explore enhanced landscaping and increased
5 caliper of replacement trees. The motion failed 2-ayes, 2 nays (Young, Iverson).
6

7 City Attorney Schelzel stated although the Commission did not adopt a report, information on
8 the discussion and the vote will be provided to the City Council.
9

10 Commissioner Gonzalez made a motion, seconded by Commissioner Gruber, to recommend to
11 the City Council consider having a partial roof on the parking ramp, based on comments from
12 the community. The motion failed 2-ayes, 2 nays (Young, Iverson).
13

14 The Commission recessed at 7:24 p.m.
15

16 The Commissioner reconvened at 7:29 p.m.
17

18 **b.) Pflaum Home – 630 Bushaway Road**

19 **i. Variance and CUP**
20

21 Director of Planning and Building Thomson stated the applicant and property owner, Peter
22 Pflaum, is proposing to demolish the existing house and construct a new house on the property at
23 630 Bushaway Road. As part of the submitted development application, the applicant is
24 requesting approval of variances from the R-1A zoning district requirements for the front yard
25 setback, rear yard setback, lot coverage, and impervious surface, variances from the Shoreland
26 Overlay District requirements for shoreland setbacks, a Conditional Use Permit (CUP) for a
27 fence, and a CUP for non-conforming lot size and lot width. The proposed house would be 2-
28 stories in height and would not include a basement. The City's zoning regulations for fences
29 require a maximum height of 42-inches and a maximum opacity of 50 percent within the front
30 yard. The applicant is proposing to construct a 5-foot fence clad in stone. Mr. Thomson
31 explained the Non-Conforming Use Ordinance. The existing lot and building are non-
32 conforming for lot size, lot width, building setbacks, lot coverage, and impervious surface.
33 Under state statute, the owner would be allowed to repair, maintain, improve and/or replace the
34 building, but any expansion or redevelopment is subject to the current ordinance requirements.
35 Hennepin County controls the Bushaway Road right-of-way, and has reviewed the proposed wall
36 location. The County has indicated after preliminary review that they would approve the
37 encroachment into the right-of-way. The homeowner would be responsible for obtaining all
38 required permits and encroachment agreements with the County prior to starting construction.
39

40 Commissioner Young asked what the overall impacts were for the proposed project compared to
41 the existing building.
42

43 Mr. Thomson stated the shoreland setback would be the same. Staff would look at the other
44 setbacks and provide this information to the Commission.
45

1 Commissioner Gruber stated the Variance Ordinance requires that an application for a variance
2 set forth reasons that the variance is justified under the criteria of the ordinance in order to make
3 reasonable use of the land, structure, or building. She asked if the applicant had provided a
4 written narrative outlining why they were asking for a variance.

5
6 Mr. Thomson that there may be a narrative with the original application, but there is not one
7 included in the materials presented at this time.

8
9 Commissioner Gonzalez stated the neighbor to the north had received approval from the City for
10 a 6-foot fence then went to the County and got approval for a 10-foot fence. She asked what
11 would prevent the applicant from going to the County to get approval for a taller fence.

12
13 Mr. Kelly stated the County did not have anything to do with any modification to that project if
14 there had been any modifications. He clarified because the proposed fence was in the County
15 right-of-way the City has the purview to approve the materials, height and opaqueness but the
16 location within that right-of-way is subject to the approval of the County.

17
18 Mr. Thomson stated if there was a resolution of approval, it would specify what fence is being
19 approved. If the fence is not constructed in accordance with the approval, then the City can
20 demand it be modified to be in compliance with the approval.

21
22 Commissioner Gonzalez asked what materials would be used for the patio.

23
24 Mr. Thomson stated the patio in noted on the plans as being made from pervious pavers.

25
26 The Applicant, Mr. Peter Pflaum, Breezy Point Road, provided background on the property. He
27 stated the structure of the existing home is in poor condition and it was not constructed to keep
28 out the noise from Bushaway Road. He had met with all of the surrounding neighbors and they
29 had requested the buffer between the properties be maintained. He explained the additional size
30 of the home would be the size of a double garage or a net difference of 42 square feet and the
31 key to making this property livable would be the proposed stone wall. The wall would provide
32 safety, noise protection, and buffering the lights from the traffic on Bushaway road and they
33 would be requesting a 6-foot fence rather than a 5-foot fence. He explained their property line
34 was in the middle of the road and the County has an easement over this portion. This makes it
35 difficult to meet setbacks. He explained the way the hardcover is calculated makes if a hardship
36 to meet the hard surface coverage requirements. They did include as much for pervious pavers
37 as possible to assist in mitigation. The new home would not be any closer to the lake as it is
38 currently.

39
40 Commissioner Gonzalez asked if the two trees to the right of the garage would be removed.

41
42 Mr. Pflaum stated the foot print is similar to the existing foot print and only one (1) tree would
43 be removed and they would be planting 7-8-foot arborvitae behind the stone fence.

44
45 Commissioner Gonzalez asked Mr. Pflaum what the height of the fence would be because he had
46 mentioned different heights in his presentation.

1
2 Mr. Pflaum stated the written material and application is for a 5-foot fence but after discussions
3 with his neighbor, he had decided that they would like to construct a 6-foot fence with columns
4 that would be a foot taller. They may come back to request a taller fence if this is not adequate
5 to reduce the noise from Bushaway road.

6
7 Commissioner Gonzalez asked what the plans were for landscaping along the lake shore to
8 prevent runoff into the lake.

9
10 Mr. Pflaum stated there is riprap and they have not prepared a landscape plan at this time. There
11 is a rain garden along the edge of the driveway to filter any runoff from the driveway.

12
13 Commissioner Gruber asked what mitigation would be required from the Lake Minnetonka
14 Watershed District during construction to protect the lake during the construction.

15
16 Applicant's architect, Mr. Mike Sharratt, 464 2nd Street, Excelsior, stated they would have silt
17 fence along the shoreline just above the riprap. They would not be digging a basement for the
18 proposed home. There is some bad soil on the property so they would be going to a grade beam
19 system to hold up the foundation and this would be less invasive.

20
21 Chair Iverson asked where the contractors would park during the project.

22
23 Mr. Pflaum stated there is space for 8-10 vehicles on the site, and they would have to coordinate
24 the delivery of materials.

25
26 Commissioner Gonzalez stated the code stated no permit shall be issued until a shoreland impact
27 plan has been submitted. She asked if this had been included.

28
29 Mr. Thomson stated the shoreland impact plan is the accumulation of the documents in the
30 packet that was presented to the Commission, including the storm water management plans, the
31 grading plan, erosion control plan, and the building height diagram.

32
33 Chair Iverson opened the public hearing at 9:10 p.m.

34
35 Mr. David Whiting, 1800 Crosby Road and 611 Bushaway Road, Wayzata, said he supports the
36 project. It is a difficult property and this plan works with the aesthetics of the neighborhood. He
37 is concerned about the safety of the residents in the neighborhood, so it is important to have a
38 wall. The walkway also presents some issues that the wall would protect them from.

39
40 There being no one else wishing to speak, Chair Iverson closed the public hearing at 9:12 p.m.

41
42 Commissioner Young stated he liked the project, but he would like to know what the proposed
43 impacts would be compared to what currently exists on the property. He would like to also have
44 the application reflect what the applicant is requesting for the height of the fence before he made
45 a decision.

46

1 Commissioner Gruber stated she had some concerns about the number of variances that were
2 being requested, but Mr. Pflaum's presentation did address these concerns. The diagrams he
3 presented showed how little displacement there would be with the new home versus what is
4 currently there and also assisted in understanding what was being proposed. She stated she
5 would like to have the applicant address specifically why he is requesting each variance in one
6 report. She is not prepared to make a decision on this request at this time.

7
8 Commissioner Gonzalez stated she usually votes against recommending variances unless they
9 are justified and there is no way that this particular property can meet the requirements of the
10 code. The City allowed construction of a home on this site, and this application meets the
11 requirements for a variance. She wants to make sure that the applicant is doing everything
12 necessary to protect the lake. The house is close to the main road and it would be justified to
13 recommend a fence height taller than what the code allows, but the applicant needs to provide
14 the information on the height being requested.

15
16 Chair Iverson stated the property does present a hardship, and this was expressed during the
17 applicant's presentation. It would be important to know prior to approval to know what the
18 height of the fence would be.

19
20 Mr. Pflaum stated he would request a 6-foot fence with 7-foot columns.

21
22 City Attorney Schelzel stated the Commission could direct staff to prepare and bring back a draft
23 report and recommendation for the next meeting along with the additional information requested.

24
25 Commissioner Young made a motion, seconded by Commissioner Gruber, to direct staff to
26 prepare a report and recommendation for approval of the variances from the R-1A Zoning
27 District requirements for front yard setback, rear yard setback, lot coverage, and impervious
28 surface variance with appropriate findings, the variances from the Shoreland Overlay District
29 requirements for shoreland setback with appropriate findings, Conditional Use Permit for non-
30 conforming lot size and lot width, and Conditional Use Permit for a fence at 630 Bushaway Road
31 and provide the additional information requested, including a written narrative on the hardships
32 and a comparison of the current and proposed homes to be reviewed at the next Planning
33 Commission meeting. The motion carried unanimously.

34
35 **c.) Enclave at Crossdale – 202-217 Byrondale Ave N**
36 **i. PUD Amendment**

37
38 Director of Planning and Building Thomson stated the property owner, Crossdale Development,
39 LLC is requesting to amend previously approved PUD concept and general plans for the Enclave
40 at Crossdale development at 202 to 217 Byrondale Ave N. The proposed PUD amendment
41 would remove a portion of the public trail which runs along the south side of the cul-de-sac and
42 connects from Byrondale Avenue to Central Avenue. The PUD Ordinance requires common
43 private or public open space and facilities and such complementary structures and improvements
44 as are necessary and appropriate for the benefit and enjoyment of the residents of the PUD. The
45 PUD Ordinance allows for dedication to the public where a community-wide use is anticipated
46 and the City Council agrees to accept the donation. The public trail was included in the PUD to

1 satisfy the requirements of the PUD Ordinance and was accepted by the City Council in lieu of
2 park dedication fees. He reviewed the proposed site plan and the approved site plan.

3
4 Applicant's representative, Jennifer Haskamp, Crossdale Development, 246 South Albert St, St.
5 Paul, stated the original plan had 310 linear feet of trail and one of the portions of the trail that
6 was not planned out well is the portion that goes around the curve on lots 3 and 4. They are
7 proposing to keep the trail that is located entirely on lot 5 (not on lots 4 and 5). They are
8 proposing to make this change for safety concerns and sound mitigation. There is a steep grade
9 change from the cul-de-sac to the sidewalk, lack of visual access from top to bottom, angle of the
10 trail connection with Central and no cue to slow down on Central Avenue. The gap in the fence
11 for the trail is acting as a sound tunnel into the neighborhood. They were given park dedication
12 credits for the trail segments they had proposed to install, but if they are permitted to remove
13 approximately 207 linear feet of the trail, they would pay a fee in lieu for the segment that will
14 not be constructed. They will also construct approximately 103 linear feet of trail connecting
15 Braes Court with the Benton neighborhood, and close the fence gap and install plantings. They
16 would like to be able to relocate and split the trail coverage between lots 4 and 5.

17
18 Commissioner Gruber asked if they had met with residents of the neighborhood.

19
20 Ms. Haskamp stated they have not had a neighborhood meeting. When the project was first
21 proposed, the neighborhood had been concerned with the gap in the fence for the trail, if people
22 would feel they could use this trail section and if there would be cut through traffic. They have
23 reached out to the neighbors and one has responded in favor of closing this gap in the fence to
24 Central Avenue, but they would like to keep the trail connection from Benton to Byrondale.

25
26 Chair Iverson asked if the applicant had considered alternatives to slow down the traffic on the
27 trail, such as steps or a soft trail.

28
29 Ms. Haskamp stated they had and talked with staff about alternatives. The stairs present a safety
30 concern for people going down the hill. They also considered "jogging" the fence line but this
31 was not intuitive for pedestrians. They also considered gating the trail because this would help
32 with sound mitigation and would require people to get off their bicycles to go on the trail.

33
34 Mr. Kelly stated they had talked with the applicant about the options available. The sections of
35 trail in front of the homes on lots 3 and 4 would not be necessary and could be removed. Staff
36 would also be willing to consider the coverage of the existing trail be split between lots 4 and 5.
37 He had recommended the applicant consider adding a jog in the fence line at the Central Ave end
38 of the trail. This would help with sound mitigation and provide a visual cue that a person should
39 slow down.

40
41 Chair Iverson opened the public hearing at 9:44 p.m.

42
43 Applicant's builder, Mr. Steve Schwieters, Wooddale Builders, 6117 Blue Circle Drive,
44 Hopkins, stated he has been at the model and talked with prospective homeowners and
45 neighbors, and there does not seem to be a reason to construct this segment of the path and they
46 would prefer to not have the trail.

1
2 The Applicant, Ms. Susan Sealand, 470 Peavy Road, Wayzata, stated the trail should not have
3 been included in the original PUD approval. The trail is unsafe, would be excessive hardcover
4 and should not be constructed.

5
6 Mr. Thomson stated the City received an email from Jim Richter and this is included in the
7 record.

8
9 Commissioner Gonzalez stated the Planning Commission had received an email from Pat
10 Broyles, and she has requested this be part of the public record. The email from Ms. Broyles
11 states that the developer used a “bait and switch” because this trail had been an enticement for
12 the Benton Avenue neighborhood to accept this development.

13
14 There being no one else wishing to speak, Chair Iverson closed the public hearing at 9:50 p.m.

15
16 Commissioner Young stated he would support the request.

17
18 Commissioner Gruber would also agree to support the request.

19
20 Commissioner Gonzalez stated there was nothing new to justify the request. This had been a
21 promise the developer had made to the neighborhood. There are options to address the safety
22 and noise concerns. She would not support the request.

23
24 Chair Iverson stated there are options available, and the developer could look at these. This trail
25 is a nice amenity for the neighborhood. The model home is very well done, and she did not hear
26 much road traffic when she went to the site. She would not support the request.

27
28 Commissioner Young stated there are significant safety concerns when there is cut through
29 traffic involved. There is no economic benefit for the developer to remove the trail.

30
31 Commissioner Gonzalez stated there is a significant burden to the Byrondale neighborhood
32 because they will see an increase in pedestrian and bicycle traffic. This neighborhood had
33 already been inconvenienced because the dead end street was extended to serve this new
34 development.

35
36 Commissioner Gruber clarified that the developer is only closing one segment of the trail. If
37 both trails were being vacated, then she would have significant concerns.

38
39 Chair Iverson asked if the footprint of the home was larger than what had been proposed.

40
41 Mr. Thomson stated he does not have specific information on any footprint changes. When the
42 Council approved this project, there were house plans that had been approved as part of the PUD
43 and the these have been reviewed as part of the permit process. There will always be changes,
44 and these had been minimal and a building permit was issued.

45

1 Commissioner Young made a motion, seconded by Commissioner Gruber, to direct staff to
2 prepare a draft Report and Recommendation recommending approval to amend the PUD concept
3 and general plans for the Enclave at Crossdale development at 202 to 217 Byrondale Avenue N
4 to remove a portion of the public trail which runs along the south side of the cul-de-sac and
5 connects from Byrondale Avenue to Central Avenue and to center the trail on lots 4 and 5.
6

7 Mr. Thomson clarified the motion was to direct staff prepare the draft report and
8 recommendation, and the Commission can vote on it at the next meeting when there are more
9 Commissioners available to reach a consensus. This would allow the Commission to provide a
10 recommendation to the City Council. This motion will only allow staff to prepare the documents
11 for the next meeting. The Commission can make a decision on the recommendation to approve
12 or deny the amendment at the next meeting.
13

14 The motion passed 3-ayes and 1-nay (Gonzalez).
15
16

17 **AGENDA ITEM 6. Other Items:**
18

19 **a.) Review of Development Activities**
20

21 Director of Planning and Building Thomson stated the agenda for the next meeting is scheduled
22 to include an amendment to the Flood Plan Ordinance and a subdivision in the Holdridge
23 neighborhood. The City Council is scheduled to have a workshop on concept plans for the 253
24 Lake Street property and the Mobility District.
25

26 Commissioner Gonzalez suggested a Commissioner attend the workshop since the
27 redevelopment at 253 Lake Street could be coming to the Planning Commission for review.
28

29 Chair Iverson stated she would attend the workshop.
30

31 **b.) Next Meeting is scheduled for October 3, 2016**
32
33

34 **AGENDA ITEM 7. Adjournment.**
35

36 Commissioner Young made a motion, seconded by Commissioner Gruber, to adjourn the
37 meeting of Planning Commission. The motion carried unanimously.
38

39 The Planning Commission meeting was adjourned at 10:08 p.m.
40

41 Respectfully submitted,
42

43 Tina Borg
44 *TimeSaver Off Site Secretarial, Inc.*