

1 **WAYZATA PLANNING COMMISSION**
2 **MEETING MINUTES**
3 **JANUARY 4, 2017**

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, Iverson, Murray, and
11 Flannigan. Absent: Commissioner Buchanan. Director of Planning and Building Jeff Thomson
12 and City Attorney David Schelzel were also present.

13
14
15 **AGENDA ITEM 2. Approval of Agenda**

16
17 Director of Planning and Building Thomson stated the posted agenda had been amended prior to
18 the meeting to include the election of a Chair and a Vice Chair for 2017, as new agenda item 6b.

19
20 Commissioner Gonzalez made a motion, Seconded by Commissioner Gruber, to approve the
21 January 4, 2017 meeting agenda as amended. The motion carried unanimously.

22
23
24 **AGENDA ITEM 3. Approval of Minutes**

25
26 a.) None.

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28
29 **AGENDA ITEM 4. Old Business Items:**

30
31 a.) **Blue Water Theatre Company – 605 Rice Street E**
32 i. **Conditional Use Permit**

33
34 Director of Planning and Building Thomson reviewed the application of Blue Water Theatre
35 Company and Unitarian Universalist Church of Minnetonka to change the use of the existing
36 church building at 605 Rice Street E. Blue Water, a non-profit theater organization, has an
37 agreement with the church to purchase the property and Blue Water would use the existing
38 building and site as a community theater. Mr. Thomson stated that the proposal requires a
39 Conditional Use Permit. The Planning Commission reviewed the development application and
40 held a public hearing at its meeting on December 19, 2016. After the hearing and discussion, the
41 Planning Commission directed staff to prepare a draft Planning Commission Report and
42 Recommendation of approval of the development application with certain conditions. The
43 Planning Commission also requested additional information regarding how the traffic pattern for
44 pick-up and drop-off would be managed, and how on-street parking would be regulated to
45 mitigate adverse impacts on surrounding properties and public streets. Mr. Thomson updated the
46 Commission that the applicant has stated that they would use the side door along Walker Avenue

1 as the main entrance to the building, and would like to have the pick-up and drop-off area along
2 the east side of Walker Avenue. City staff has reviewed the existing on-street parking
3 regulations and the proposed use. Staff is recommending that the east side of Walker Avenue
4 from Wayzata Boulevard to Rice Street be posted for no parking. This would allow for on-street
5 parking only along the west side of Walker Avenue, and would maintain two driving lanes for
6 through traffic. Staff thinks that the pick-up and drop-off can then occur on the east side of
7 Walker Avenue, adjacent to the subject property, while minimizing impacts to traffic and access
8 on Walker. The Council will be considering a resolution which would post the east side of
9 Walker Avenue for no parking at the same time that they review the Blue Water development
10 application. In addition, as a recommended condition of approval, the applicant would be
11 required to submit an event management plan that would be reviewed annually by the City.

12
13 Commissioner Gruber asked if the City had considered posting both sides of Walker Avenue as
14 no parking.

15
16 Mr. Thomson stated staff had reviewed this option, but concluded that this would significantly
17 reduce the amount of on-street parking available for Blue Water and the residences on Walker
18 Avenue. In addition, parking is not currently allowed on Rice Street from Walker to Minnetonka
19 Avenue, and therefore posting Walker Avenue for no parking on both sides would significantly
20 impact adjacent residences.

21
22 Mr. Thomson reviewed the conditions of approval included in the draft Report and
23 Recommendation.

24
25 Commissioner Gonzalez clarified that the noise study included as a condition of approval would
26 only be required if there are valid complaints from the adjacent neighborhoods.

27
28 Mr. Thomson agreed and stated that a noise study would be required after it has been determined
29 by the City that there is a potential violation of the City's noise regulations.

30
31 Commissioner Flannigan suggested changing the condition of approval related to the maximum
32 number of seats to the maximum number of attendees.

33
34 City Attorney Schelzel asked what the maximum occupancy for the building would be under the
35 Fire Code.

36
37 Mr. Thomson stated that the state building code would establish a maximum occupancy for the
38 building, which would be set prior to the time the building is occupied by Blue Water.

39
40 Commissioner Gonzalez stated the City's minimum parking requirements are based on the
41 number of seats available, not the amount of people that could be standing in the facility.

42
43 Mr. Thomson stated for churches, auditoriums, and theaters, the parking is calculated on the
44 number of permanent seats.

45

1 City Attorney Schelzel stated the number of seats is something that could be easily measured,
2 while the number of attendees and occupants of the building could change with each
3 performance, which could make enforcement more difficult.

4
5 Commissioner Young stated setting a maximum number of seats would tie into the parking
6 requirements that the City has, and the number of attendees would be addressed by the
7 occupancy limit established by the Fire Marshal. He does not believe the City would have to set
8 limits beyond what the building code occupancy limits would be.

9
10 Commissioner Gonzalez suggested changing the condition of approval related to maximum
11 number of seats to a limit of 125 seats based on the approval of the Fire Marshall.

12
13 City Attorney Schelzel stated language requiring Fire Marshall approval of seats would not be
14 necessary.

15
16 Commissioner Flannigan asked if there has been an inventory of the number of on-street parking
17 stalls in the area. Mr. Thomson stated that the City does not have that information, but it was
18 estimated that approximately seven to eight stalls would be impacted by posting the east side of
19 Walker Avenue for no parking.

20
21 Chair Iverson asked if there would be any outdoor events.

22
23 Mr. Charlie Leonard, Blue Water Theatre Company, stated the parcel was not large enough to
24 hold an outdoor event.

25
26 Commissioner Gonzalez made a motion, Seconded by Commissioner Murray, to adopt the
27 Planning Commission Report and Recommendation of Approval of the Conditional Use Permit
28 for Community Youth Theater at 605 Rice Street East as presented, with an amendment to
29 proposed Condition E of the Report that the number of seats is limited to 125. The motion
30 carried; 5-ayes and 1-abstain (Iverson, noting her absence at last meeting).

31
32 **AGENDA ITEM 5. Public Hearing Items:**

33
34 **a.) None**

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

37
38 **a.) Review of Development Activities**

39
40 Director of Planning and Building Thomson stated the next meeting of the Commission is
41 scheduled to include the Gardner Place subdivision, a PUD concept plan review for Wayzata
42 Blu, and in February the Planning Commission is scheduled to review the City's application for a
43 new telecommunication tower on the middle school property. Mr. Thomson stated that the City
44 Council approved the Meyer Place application at its last meeting.

45
46 **b.) Election of Chair and Vice Chair**

1
2 Director of Planning and Building Thomson explained that the Planning Commission's Bylaws
3 state that the Planning Commission officers are to be elected at the first meeting of the
4 Commission in January or as soon as practical after that date.

5
6 Commissioner Gonzalez stated she would not want to be considered for either position.

7
8 Commissioner Gruber asked if Commissioner Iverson was interested in continuing as Chair.

9
10 Chair Iverson stated she would be interested, and that Commissioner Young is also interested.

11
12 Commissioner Young stated he would also be interested in the Chair position because he wants
13 to serve on the Commission in a greater leadership capacity. He currently has the time, and will
14 not be traveling as much as he has in the past year. The three things that he would like to see the
15 Commission complete in the next year include a tighter link to the strategic intensions of the City
16 Council, streamlining the Commission's processes and procedures, and streamlining meeting
17 management.

18
19 Commissioner Gonzalez stated it is not the Commission's role to make it easy for developers to
20 work within the City. It is the Commission's role to make sure that applications are complete
21 and meet the City's codes and regulations for the City Council.

22
23 Commissioner Young agreed with Commissioner Gonzalez.

24
25 Commissioner Young added that he thought that the Planning Commission should consider using
26 a consent agenda to review and take action on old business items that have been thoroughly
27 discussed by the Commission already.

28
29 Chair Iverson stated the Commission rarely has full attendance, and she does not believe that
30 items could be placed on a consent agenda when there are Commissioners who may not have
31 been present for the initial discussion of the item. She does not want the Commission to not
32 have open discussions on all applications.

33
34 Commissioner Flannigan stated that he thought there should be more discussion by the Planning
35 Commission regarding the process of reviewing and adopting Report and Recommendations that
36 come back to the Commission from staff.

37
38 Commissioner Murray stated that often the same discussions are being done for applications
39 when the Commission first reviews it, and then again when they review and adopt the Report and
40 Recommendation.

41
42 Commissioner Gruber stated there are opportunities to streamline the process.

43
44 Chair Iverson stated that this could be a topic added to the 2017 work plan for the Commission.
45

1 Commissioner Gonzalez stated the Planning Commission should also be notified when a
2 developer is presenting to the City Council during a workshop.

3
4 Commissioner Flannigan asked if Commissioner Gruber was interested in serving as Vice Chair
5 again.

6
7 Commissioner Gruber stated she was not actively seeking the position but would serve if that's
8 what the Commission wanted.

9
10 Commissioner Gonzalez nominated Commission Gruber for Vice Chair.

11
12 Commissioner Gruber declined the nomination.

13
14 Commissioner Gonzalez withdrew the nomination of Commissioner Gruber and nominated
15 Commissioner Flannigan for the Vice Chair position.

16
17 Commissioner Flannigan declined the nomination. He nominated Commissioner Young for the
18 Vice Chair position.

19
20 Commissioner Young accepted the nomination for Vice Chair.

21
22 City Attorney Schelzel suggested voting for the Chair position first, since there are two
23 Commissioners that have expressed interest in serving as Chair.

24
25 Commissioner Gonzalez made a motion, seconded by Commissioner Gruber, to elect
26 Commissioner Iverson to the Chair position for 2017.

27
28 Commissioner Flannigan asked if Commissioner Young would still want to be nominated for
29 Chair.

30
31 Commissioner Young said he would withdraw his interest in the Chair position and instead
32 accept the previous nomination for Vice Chair.

33
34 The motion to elect Commissioner Iverson to the Chair position for 2017 was called for a vote.
35 The motion carried unanimously.

36
37 Commissioner Flannigan made a motion, seconded by Commissioner Murray, to elect
38 Commissioner Young to the Vice Chair position for 2017. The motion passed; 5 ayes and 1 nay
39 (Gonzalez).

40
41 **c.) Next Meeting is January 18, 2017**

42
43 Mr. Thomson stated there would be a workshop meeting before the next Planning Commission
44 meeting for orientation and training of the new Commissioner, and all Commissioners are
45 welcome and encouraged to attend.

46

1 **AGENDA ITEM 7. Adjournment.**

2
3 Commissioner Flannigan made a motion, seconded by Commissioner Murray, to adjourn the
4 meeting of the Planning Commission. The motion carried unanimously.

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6 The Planning Commission meeting was adjourned at 7:54 p.m.

7
8 Respectfully submitted,

9
10 Tina Borg
11 *TimeSaver Off Site Secretarial, Inc.*