

1 Plan of Development, and approval of a Preliminary Plat Subdivision. The Planning Commission
2 held a public hearing and reviewed the current development application at its meeting on
3 December 4, 2017. At that meeting, the Planning Commission directed staff to prepare a draft
4 Planning Commission Report and Recommendation, recommending approval of the development
5 application, and also requested additional information from the applicant about the project. The
6 applicant submitted an updated narrative and revised plans for the project and the Application,
7 which address the comments from the Planning Commission. The additional information included
8 driveway maintenance and landscaping information, and the revised plans have removed the storm
9 sewer outlet at the end of Gardner Street and the associated tree removal from the City right-of-
10 way, and removed any encroachment of driveway on to the 344 Gardner St E property.

11
12 Commissioner Flannigan stated he had a note that the applicant would replace additional inches
13 for tree removal in the right-of-way, but only in front of the two new homes. He asked why they
14 would not go further down because those trees would be affected during the building process as
15 well.

16
17 Mr. Thomson stated there would be no healthy trees removed within the City's right-of-way for
18 this project.

19
20 Commissioner Flannigan stated he would like to see that any gap in the trees created by the project
21 further down the road be filled by something of substance and size. He would recommend adding
22 a condition to that effect.

23
24 Commissioner Flannigan stated it appeared the maintenance for the utilities and sewer going under
25 the driveway would need to split equally among the two new properties and the existing adjacent
26 property that used the driveway. He asked if this is something the existing property should be
27 responsible for.

28
29 City Engineer Mike Kelly stated the utilities for the property at 344 are served in front of the
30 property and would not be impacted by this utility work.

31
32 Mr. Thomson stated conditions 4.1.A.2 and 4.1.A.3 of the draft Report and Recommendation state
33 the Applicant must provide and submit a private easement between the individual lots that
34 memorialize the maintenance responsibilities of the private driveway and private sanitary sewer
35 force main. The City would not be a part of these private easements and how they are worked out
36 is between the individual parties.

37
38 Applicant's representative, Mr. Steve Bohl, 550 Far Hill Rd, stated if they did remove trees in
39 front of the property at 344 then they would be sure to replace these. The shared driveway and
40 utility maintenance as it pertains to the new properties will be handled through a developer's
41 agreement and pertain to the access and utilities for these two properties. The utilities and access
42 for the properties further east would be addressed through other means. The gap in the surface
43 driveway between the end of the public road and the beginning of the new lots would need to be
44 discussed with the neighbors. They would be paying the cost to replace this small section of
45 driveway.

46

1 Commissioner Flannigan asked if the drainage was adequate with the removal of the second catch
2 basin.

3
4 Mr. Kelly stated the existing catch basins were adequate with the changes the applicant made with
5 the drainage.

6
7 There being members of the public wishing to comment on the Application, Chair Iverson invited
8 them forward to speak.

9
10 Mr. Joe Madson, 344 Gardner Street E, stated Mr. Bohl had addressed their concerns. He had
11 concerns about the surface maintenance of the driveway being separate from the utility
12 maintenance and according to the applicant these would be separate agreements. He also had
13 concerns about the trees in front of his property, and the applicant did state that if there were any
14 removal they would replace these trees.

15
16 Mr. Thomson stated condition 4.1.B.2 of the draft Report and Recommendation does address the
17 tree inventory, tree preservation plan, and tree replacement plan requirements.

18
19 There being no one further wishing to comment on the Application, Chair Iverson asked the
20 Commissioners for a motion on the Report and Recommendation.

21
22 Commissioner Young made a motion, Seconded by Commissioner Plantan, to approve the draft
23 Planning Commission Report and Recommendation recommending approval of Rezoning, PUD
24 Concept and General Plan, and Preliminary Plat subdivision at 330 Gardner St E, as presented,
25 including the conditions outlined in the Report. The motion carried unanimously.

26
27
28 **AGENDA ITEM 5. Public Hearing Items:**

29
30 **a.) Jereczek Fence – 119 Benton Ave N**

31 **i. Conditional Use Permit**

32
33 Director of Planning and Building Mr. Thomson stated the City of Wayzata and the property
34 owner, Jason Jereczek, have jointly submitted a development application to construct a fence on
35 the property at 119 Benton Avenue N. The City is currently designing a reconfiguration of the
36 Wayzata Blvd E and Superior Blvd intersection and as part of the intersection project, the property
37 owner has requested a fence be constructed on their property for a visual and noise buffer. The
38 applicant is proposing to construct a 6-foot solid fence on the front of the property along Wayzata
39 Blvd E and requests approval of a conditional use permit for the fence.

40
41 Commissioner Douglas asked what would happen with the timber wall that is currently at this
42 location.

43
44 City Engineer Mike Kelly stated the timber wall would be replaced as part of the City's project.
45

1 Commissioner Murray clarified the fence would be 6-foot high from grade not 6-foot high from
2 the sidewalk.

3
4 Commissioner Flannigan asked who would pay for the fence.

5
6 Mr. Kelly stated as part of the noise mitigation for the project, the City would be participating in
7 payment for the fence, but the amount of that has not been determined. The fence would be the
8 property owner's, and they would be responsible for the maintenance of the fence. The type of
9 material used for the fence would be the decision of the homeowner.

10
11 Mr. Thomson stated the City's Fence Ordinance requires that fences be kept in good repair, and
12 the City can enforce this requirement.

13
14 Applicant Mr. Jereczek, 119 Benton Ave N, stated the main concerns with the changes associated
15 with the intersection project were the increased noise and lights from the roadway, and the noise
16 associated with the meter for blind pedestrians. The existing 42-inch fence does not provide much
17 of a sound barrier.

18
19 Chair Iverson opened the public hearing on the application at 7:33 p.m.

20
21 There being no one wishing to comment, Chair Iverson closed the public hearing at 7:34 p.m.

22
23 Commissioner Douglas asked if the vegetation between the timber wall and the fence would be
24 maintained.

25
26 Mr. Kelly stated the goal of the project is to maintain as much of the existing vegetation as possible
27 and minimize the impacts.

28
29 Commissioner Flannigan asked if the volume could be controlled on the crosswalk beeper.

30
31 Mr. Kelly stated the City was still working to determine if the use of these meters was mandatory
32 but the volume could be controlled but is still based on the ambient noise.

33
34 Commissioner Young stated he would support the application and also the City's financial
35 participation in the construction of the fence. This property would be significantly impacted by
36 the City's intersection project.

37
38 There being no further comments or discussion among the Planning Commission, Chair Iverson
39 asked for a motion on the application.

40
41 Commissioner Young made a motion, Seconded by Commissioner Flannigan, to direct staff to
42 prepare a draft Planning Commission Report and Recommendation with appropriate finding
43 recommending approval of a Conditional Use Permit for a fence at 119 Benton Avenue N. The
44 motion carried unanimously.

45
46 **b.) Brinza Addition – 315 Park St E**

1 **i. Variances**
2

3 Director of Planning and Building Mr. Thomson stated the property owners, Matthew and Deanna
4 Brinza, have submitted a development application to construct a four-season porch addition to the
5 existing house at 315 Park St. E. As part of the application, the applicant is requesting approval
6 for a lot coverage variance for the total footprint of the house, garage, and accessory structure,
7 approval of a lot coverage variance for impervious surface coverage, and a front yard setback
8 variance. The R3-A zoning district has maximum lot coverage of 30 percent. With the proposed
9 addition, the property would have lot coverage of 33.7 percent. The maximum impervious surface
10 coverage for the R-3A zoning district is 35%. With the proposed addition the property would have
11 an impervious surface coverage of 51.1 percent. The R-3A zoning district also has a minimum
12 front yard setback of 20-feet and the zoning ordinance states that the front yard requirement shall
13 be observed on each street frontage of a corner. The proposed addition would be setback 14.2-feet
14 from the Park St E property line. The property currently has non-conforming lot coverage of 30.7
15 percent, non-conforming impervious surface of 48.2 percent and a non-conforming front yard
16 setback from Park St E of 10.8-feet. The City's zoning ordinance pertaining to non-conforming
17 buildings and structures states that non-conforming buildings and structures may be expanded,
18 enlarged or modified provided that the expansion, enlargement or modification meets the current
19 zoning regulations and no other non-conformities are created.
20

21 Applicant, Mr. Matt Brinza, 315 Park Street E, provided background of the neighborhood since he
22 moved in 8 years ago. He stated if the City right-of-way were included in the lot size, his lot would
23 be 25% larger than what is used to make the hard cover and impervious surface calculations. The
24 proposed addition for which the variances are requested is consistent with the scale of the existing
25 home and neighborhood,
26

27 Chair Iverson opened the public hearing on the application at 7:45 p.m.
28

29 There being no one wishing to comment, Chair Iverson closed the public hearing at 7:46 p.m.
30

31 Mr. Thomson stated after the agenda packet was distributed the City received six additional emails
32 from surrounding property owners in support of the application.
33

34 There being no further comments or discussion among the Planning Commission, Chair Iverson
35 asked for a motion on the application.
36

37 Commissioner Flannigan made a motion, Seconded by Commissioner Young, to direct staff to
38 prepare a draft Planning Commission Report and Recommendation with appropriate findings
39 recommending approval of the lot coverage variance, impervious surface variance, and front yard
40 setback variance for 315 Park Street E. The motion carried unanimously.
41
42

43 **AGENDA ITEM 6. Other Items:**
44

45 **a.) Schneiderman Stob Residence – 1058 Circle Dr E**
46 **a. Review of House Plans**

1
2 Director of Planning and Development Mr. Thomson stated the applicant, Streeter & Associates,
3 and the property owners, Jason Schneiderman and Natalie Stob, have submitted a development
4 application to construct a new house at 1058 Circle Dr. E. As part of the 2008 subdivision approval
5 the property owners are required to submit plans for review and approval by the Planning
6 Commission and City Council, “depicting architectural appearance, scale, mass, construction
7 materials, proportion and scale of roof line and functional plan of the building proposed to
8 demonstrate similarity to the characteristics and quality of the existing homes in the
9 neighborhood.” The proposed house would be one story with a tuck-under garage. The house
10 would include 3724 gross square feet with a two-story garage on the lower level. The exterior
11 materials consist of Hardie board lap siding, black metal panels, and stone veneer. The proposed
12 house would meet all of the R-3A zoning requirements. The plans indicate that five significant
13 trees would be removed for construction. The one heritage tree on the property would be
14 preserved. Based on the proposed tree removal, 18 inches of trees would need to be replaced on
15 the site as part of a landscaping plan. The tree replacement plan was received after the agenda
16 packet was sent out.

17
18 Chair Iverson stated there is nothing left on the lot, and she wants to ensure that what had been
19 removed was put back. She would like to request the City Council ask for a more in depth
20 landscaping and tree replacement plan.

21
22 Applicant’s Representative, Bill Kastel, Streeter & Associates, stated they have taken care to
23 address the neighborhood trees. They have worked with the City Arborist. The trees that had been
24 in the City right-of-way had been elm trees, diseased trees, or interfered with the utilities and had
25 to be removed.

26
27 Chair Iverson asked if the applicant would consider planting additional hardwood trees.

28
29 Mr. Kastel stated the applicant would. They are using the spruce for screening.

30
31 Chair Iverson asked if the utility lines had been looked at because they appear to be hanging very
32 low.

33
34 Mr. Kastel stated they were in the process of looking into these utility lines and working to have
35 them buried if possible.

36
37 Commissioner Flannigan stated that the tree removal would provide an opportunity to enjoy what
38 is being preserved versus having to look at the scrub, diseased or dead trees that are there.

39
40 There being no further comments or discussion among the Planning Commission, Chair Iverson
41 asked for a motion on the application.

42
43 Commissioner Young made a motion, Seconded by Commissioner Flannigan, to recommend the
44 City Council approve the house plans for 1058 Circle Drive E. based on the findings that the design
45 meets the standards of City Code Section 805.14.E.6 and 805.14.E.9 and satisfies the conditions
46 of Resolution No. 50-2008, approving the Ramsland Knoll subdivision, along with a

1 recommendation to include additional hardwood trees in the final landscaping plan. The motion
2 carried unanimously.

3
4 **b.) Election of Chair and Vice Chair**

5
6 Director of Planning and Building Mr. Thomson noted that the Commission should consider
7 tabling action on the election of Chair and Vice Chair for 2018 until all commissioners could be
8 present.

9
10 Commissioner Murray made a motion, Seconded by Commissioner Young, to table the election
11 of Chair and Vice Chair until the January 22 Planning Commission meeting when all
12 Commissioners are scheduled to be in attendance. The motion carried unanimously.

13
14 Chair Iverson stated she would not seek reelection.

15
16 **c.) Review of Development Activities**

17
18 Director of Planning and Building Mr. Thomson stated the January 22 agenda is scheduled to
19 include two development applications, including Verizon Wireless and 235 Lake Street E.

20
21 **d.) Next Meeting is January 22, 2018**

22
23 Director of Planning and Building Mr. Thomson stated the next regular meeting of the Planning
24 Commission is scheduled for January 22, 2018.

25
26
27 **AGENDA ITEM 7. Adjournment.**

28
29 There being no further business on the agenda, Chair Iverson asked for a motion to adjourn.

30
31 Commissioner Young made a motion, Seconded by Commissioner Murray to Adjourn the meeting
32 of the Planning Commission. The motion carried unanimously.

33
34 The Planning Commission meeting was adjourned at 8:08 p.m.

35
36 Respectfully submitted,

37
38 Tina Borg
39 *TimeSaver Off Site Secretarial, Inc.*