

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
MARCH 5, 2018**

AGENDA ITEM 1. Call to Order and Roll Call

Chair Buchanan called the meeting to order at 7:00 p.m.

Present at roll call were Commissioners: Plantan, Murray, Young, Buchanan, Iverson, Flannigan, and Douglas. Absent: None. Director of Planning and Building Jeff Thomson and City Attorney David Schelzel were also present.

AGENDA ITEM 2. Approval of Agenda

Chair Buchanan asked for a motion to approve the agenda for the meeting.

Commissioner Young made a motion, Seconded by Commissioner Douglas, to approve the March 5, 2018 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Consent Agenda

a.) None

AGENDA ITEM 4. Old Business Items:

a.) None.

AGENDA ITEM 5. Public Hearing Items:

a.) **Philip Soran and Margaret Selby-Soran – 532 Ferndale Road W**
i. **Variance**

Director of Planning and Building Thomson stated the applicants Philip Soran and Margaret Selby-Soran, have submitted a variance application to remove a pergola on the existing deck, and install a covered open-air roof structure and reinstall the pergola structure over the existing deck at 532 Ferndale Road West. The applicant requests approval of a setback variance from the shoreland setback for Lake Minnetonka. The existing deck has a non-conforming setback of 33 feet from the lake. The new roof structure and altered pergola structure would maintain the same setback, but require a setback variance since they would not meet the 75-foot setback requirement of the Shoreland District.

1 Applicant Representative Mr. John Daly, 153 E Lake Street, stated that as the applicants have used
2 the property since moving there, they have found they would like to provide shade in the proposed
3 area of the deck in order to enjoy the outdoor space they have.

4
5 Chair Buchanan opened the public hearing at 7:09 p.m.

6
7 No member of the public came forward to address the Planning Commission on the application.

8
9 Chair Buchanan closed the public hearing at 7:10 p.m.

10
11 There being no further questions or comments from the Commissioners, Chair Buchanan asked
12 for a motion on the Application.

13
14 Commissioner Iverson made a motion, Seconded by Commission Flannigan, to direct staff to
15 prepare a draft Planning Commission Report and Recommendation with appropriate findings
16 recommending approval of a lakeshore setback variance at 532 Ferndale Road for review at the
17 next Planning Commission meeting. The motion carried unanimously.

18
19 **b.) Matthew and Maria Hensley – 649 Ferndale Road W**

20 **i. Conditional Use Permits and Preliminary Plat**

21
22 Director of Planning and Building Thomson stated the applicants, Murphy & Co. Design, on behalf
23 of Matthew and Maria Hensley, have submitted a development application to combine the four
24 properties at 649 Ferndale Road West into one lot, and construct a new home on the property. The
25 development application requests approval of a preliminary plat, final plat, a conditional use permit
26 within the Shoreland Overlay District to increase the height of the building to 40-feet, and a
27 conditional use permit to allow for a chimney structure up to 45-feet in height. Building heights
28 over 35-feet in the Shoreland Overlay District may be allowed through approval of a shoreland
29 impact plan/conditional use permit as regulated under Section 801.91.19. City Code states that no
30 structural element may exceed 40-feet in total height except by conditional use permit under City
31 Code Section 801.19.2.B. The applicant has submitted a preliminary plat to combine the four
32 existing lots into one lot. All four of the existing lots are non-conforming due to lot size.

33
34 Commissioner Douglas asked if there would have to be a written agreement with the Nature
35 Conservancy for the vacation of the right of way for North Beach Rd.

36
37 Mr. Thomson stated that City staff has discussed with the property owner the potential of vacating
38 the North Branch Road right of way, which is City right of way. He noted City Council review
39 and approval would be needed for vacation of the right of way, and that would be a separate
40 application from the development application before the Commission.

41
42 Mr. Thomson further explained that the North Brand Rd right of way does not currently have a
43 street located in it. If the City Council approves the right of way vacation, then the vacated right
44 of way would be divided and adjoined to the adjacent properties based on how the right of way
45 was originally dedicated to the City. The Hensley's have been in correspondence with adjacent

1 property owners to make them aware they would be pursuing this right of way vacation. City staff
2 discussed the vacation with The Nature Conservancy, and they did not express any objections.

3
4 Applicant Mr. Matt Hemsley, 4620 Moorland Ave, Edina, stated they have been working to clean
5 up the property, and hope to build a beautiful home similar to what previously existed on the
6 property.

7
8 Chair Buchanan opened the public hearing at 7:20 p.m.

9
10 No member of the public came forward to address the Planning Commission on the application.

11
12 Chair Buchanan closed the public hearing at 7:20 p.m.

13
14 Commissioner Young stated the architecture of the home is keeping with the surrounding area and
15 the City. He pointed out the surrounding trees are taller than the proposed home, so the home itself
16 would not block views of the lake.

17
18 Commissioner Plantan asked if there would be any tree replacement for those trees that would be
19 removed as part of the project.

20
21 Mr. Hemsley stated they would attempt to add trees along the north side of the house. There are
22 some trees that are susceptible to disease, and they would be looking at replacing these at some
23 point.

24
25 There being no further questions for staff or the Applicant, Chair Buchanan asked for a motion on
26 the Application.

27
28 Commissioner Young made a motion, Seconded by Commissioner Plantan, to direct staff to
29 prepare a draft Planning Commission Report and Recommendation with appropriate findings
30 recommending approval of the application for a concurrent preliminary and final plat subdivision,
31 Conditional Use Permit to increase the height of the building to 40-feet, and Conditional Use
32 Permit to allow for a chimney structure up to 45-feet in height, for review and adoption at the next
33 Planning Commission meeting. The motion carried unanimously.

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

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38 **a.) City Council Meeting Update:**

39 **i. February 20th – Commissioner Young**

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41 Commissioner Iverson provided an update on the February 20 City Council meeting, including
42 Verizon Wireless' telecommunications facility at 1000 Superior Blvd request being tabled until a
43 Council meeting next month.

44
45 **b.) Review of Development Activities**

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1 Director of Planning and Building Thomson stated the next meeting is scheduled to include a
2 conditional use permit request for a fence on Bushaway Road. He further noted that the public
3 comment period for the environmental assessment worksheet prepared for the Lake Effect
4 project would begin on Monday, March 12.

5
6 Commissioner Iverson asked if the City would be using TIF funds for the Lake Effect project.

7
8 Mr. Thomson stated the City could potentially use TIF funds for the project. The Lake Street
9 improvements are the City's responsibility. The City has set aside funds from several sources to
10 pay for the Lake Street improvements. Street and sidewalk improvements are an eligible TIF
11 cost, and the City may consider TIF from the new west downtown TIF district to pay for some of
12 the improvement costs.

13
14 **c.) Next Meeting is March 19, 2018**

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16 Mr. Thomson noted the next meeting of the Planning Commission is March 19, 2018.

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18 **AGENDA ITEM 7. Adjournment.**

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20 There being no further business on the agenda, Chair Buchanan asked for a motion to adjourn the
21 meeting.

22
23 Commissioner Flannigan made a motion, Seconded by Commissioner Young, to adjourn the
24 meeting. The motion carried unanimously.

25
26 The Planning Commission meeting was adjourned at 7:42 p.m.

27
28 Respectfully submitted,

29 Tina Borg

30 *TimeSaver Off Site Secretarial, Inc.*