

1 **WAYZATA PLANNING COMMISSION**
2 **MEETING MINUTES**
3 **February 1, 2021**
4
5

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

8 Vice-Chair Parkhill called the meeting to order at 6:30 p.m.
9

10 Vice-Chair Parkhill read the following prepared statement:

11 Pursuant to Minnesota Statute Sec 13D.015 and because of the COVID-19 pandemic, this Planning
12 Commission Meeting is being held remotely by electronic means using the audio and video
13 conferencing platform, Zoom. Members of the Commission, City staff, and others that are a part
14 of the meeting will be participating by video or audio connections where we can all hear each other
15 and see the presentations being made. We have a public forum and public hearing this evening on
16 the agenda. If you'd like to speak during these portions of the meeting you may call 1-(312) 626-
17 6799, enter the Zoom meeting ID 97346362450, and press 9 to speak. Callers will be placed on
18 hold and muted until the appropriate time of the meeting is reached. At that time, each caller will
19 be recognized in turn, and invited to speak. Public comments continue to be welcomed and
20 encouraged and we ask if possible, that comments of future agenda items be submitted in advance
21 by emailing PublicComment@wayzata.org. Please include "public comments" in the subject line,
22 your name and address, and the agenda item that you are speaking to. Comments can also be
23 submitted by calling City staff or mailing comments to Wayzata City Hall at 600 Rice St E,
24 Wayzata, MN 55391 (Attn: Public Comments). The meeting will be shown on Channel 8, WCTV,
25 and streamed on the City's website at www.wayzata.org/wctv.
26

27 **AGENDA ITEM 2. Roll Call**
28

29 Vice-Chair Parkhill asked Director Goellner to take roll call.
30

31 Present at roll call were Commissioners: Douglas, Parkhill, Bashioum, Stockton, and Flannigan.
32 Community Development Director Emily Goellner, Assistant Planner Nick Kieser, and City
33 Attorney David Schelzel were also present.
34

35 Absent at roll call were Chair Plantan and Commissioner Merriam.
36

37 **AGENDA ITEM 3. Approval of Agenda**
38

39 Vice-Chair Parkhill asked for a motion to approve the agenda for the meeting.
40

41 Commissioner Stockton made a motion, seconded by Commissioner Douglas, to approve the
42 February 1, 2021 agenda as presented.
43

44 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.
45

46 **AGENDA ITEM 4. Consent Agenda**

- 1
2 **a.) Approval of the January 25, 2021 Meeting Minutes**
3 **b.) Approval of Planning Commission Planning Report and Recommendation s for a**
4 **Preliminary and Final Plat at 314 and 322 Broadway Avenue North**
5 **c.) Approval of Planning Commission Report and Recommendation for a Heritage**
6 **Preservation Site Designation for the Trappers Cabin at 220 Grove Lane East**
7

8 Vice-Chair Parkhill read the items on the consent agenda and asked if any Commissioner had
9 questions or wished to pull an item for further discussion.

10
11 Hearing no such request, Vice-Chair Parkhill asked for a motion to approve the Consent Agenda
12 as presented.

13
14 Commissioner Douglas made a motion, seconded by Commissioner Bashioum, to approve the
15 Consent Agenda as presented.

16
17 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.
18

19 **AGENDA ITEM 5. Public Hearing Items**
20

- 21 **a) Consider Development Application for an Amendment to a Conditional Use**
22 **Permit for Fee-in-Lieu of Parking (FILOP) for Melvin’s 235 Office Building at**
23 **235 and 239 Lake Street East**
24

25 Director Goellner stated that the first public hearing item is a request is to amend the existing
26 Conditional Use Permit that was issued under the City’s fee-in-lieu of parking policy (FILOP) for
27 the property at 235 and 239 Lake Street East. The properties are guided for Central Business
28 District in the Comprehensive Plan and are zoned for Planned Unit Development. She explained
29 that the existing CUP is to allow for a parking shortfall of up to 73 stalls for the project that is
30 underway. The applicant is requesting to replace 2 parking stalls in the underground garage with
31 a tenant elevator. This will reduce the office space by 300 square feet and increase the parking
32 shortfall from 73 to 75 stalls. She stated that the project on the property is a 3-story office building
33 that is currently under construction that includes 1 floor of underground parking with a public
34 parking facility planned at the rear of the building. She reminded that Commission that the
35 applicant donated land for the driveway and the planned public parking facility to the rear of the
36 building. She gave an overview of the public parking facility plans, and explained that the Council
37 has decided to move forward with a surface parking lot design with 153 spaces, and construction
38 should begin in the summer of 2021. She reviewed the parking demand study that was conducted
39 in October of 2020 which found that the lot will meet the low-end parking demands. She reviewed
40 the FILOP policy and the questions for the Commission to consider when looking at this proposed
41 change.
42

43 Commissioner Bashioum asked whether there would be a consideration of renegotiating the
44 FILOP fees even though this is only 2 more stalls. She asked if staff felt the fee currently imposed
45 was likely to be renegotiated, or if staff is recommending that it stay the same.
46

1 Director Goellner stated that under the City's existing FILOP policy, the fee is \$10,000 per parking
2 stall. She stated that it is assumed at this point that this request would change the totals fees
3 accordingly, and would be made in the Development Agreement and brought to the City Council.
4 She stated that she believes the applicant is working with the notion that it would still be \$10,000
5 per parking stall, but that question could be brought to the Council for further review.
6

7 Commissioner Douglas asked if this change to the construction plans will impact the appearance
8 of the building.
9

10 Director Goellner stated that she does not see any change to the exterior building planned because
11 the elevator is planned for the back half of the building, and accessible from the parking garage
12 below and up to the third-floor tenant. She stated that the applicant did make a slight change to
13 the front of the building during the permitting process in order to ensure ADA accessibility on the
14 front part of the building.
15

16 There being no further questions for staff, Vice-Chair Parkhill invited the applicant to address the
17 Commission.
18

19 Applicant principal and representative, Patrick Hughes, 19960 Lakeview Avenue, Deephaven,
20 stated that he is uncomfortable being in front of the Commission at this late stage. He explained
21 that the genesis of the issue relates to the feedback he is getting in the marketplace, and that the
22 primary driver behind the second elevator is walkability. He stated that the addition of this elevator
23 will not change anything on the front of the building. He stated that he is expecting that his FILOP
24 fees will increase by 2 parking spots.
25

26 There being no questions from the Commission for the applicant, Vice-Chair Parkhill opened the
27 public hearing on the application at 6:50 pm.
28

29 Director Goellner stated there were no people that called in to the meeting that have asked to speak
30 at the public hearing.
31

32 There being no one wishing to comment on the application, Vice-Chair Parkhill closed the public
33 hearing at 6:51 pm.
34

35 Vice-Chair Parkhill asked for the Commission to share their questions and feedback on the
36 application.
37

38 Commissioner Douglas stated that in looking at the parking study, she is not too concerned about
39 this change in parking. She stated that she knows quite a few people who walk and bike from
40 other areas into the City to enjoy the new plaza, and suspects that was not considered in the study.
41 She noted that she recently read an article about how COVID-19 has changed the workplace and
42 companies may continue having people work from home. She stated that she questions if the
43 City's overall parking needs will be as great as a result of the changes due to COVID-19. She
44 stated that because this request is only for 2 additional spaces, she feels this is a reasonable request.
45

1 Commissioner Bashoum stated that she is pleased that Mr. Hughes is planning to increase his
2 FILOP for the extra 2 stalls. She stated that she understands the need to come back with this
3 request late in the process, and noted that she feels the elevator will be a positive change for the
4 building tenants. She stated that she is in support of this request.

5
6 Commissioner Stockton stated that she feels access to Lake Street is important and appreciates that
7 Mr. Hughes is addressing it. She stated that Commissioner Douglas raised an interesting point
8 about the changes in the workforce and questions how the City can incorporate real-time unknowns
9 when it comes to thinking about parking, and how that may change as a result of what is happening.
10 She asked if the attractiveness of the Panoway project for the City had been considered in the
11 parking study. She stated that she does believe the City will become a more attractive place for
12 visitors.

13
14 Director Goellner stated that they did include some Panoway estimates in the parking analysis, but
15 knows they were not perfect. She stated that they came up with a demand of about 50 vehicles at
16 peak time.

17
18 Commissioner Flannigan stated that he supports this application, and thinks it is appropriate for
19 what the applicant is trying to accomplish.

20
21 Vice-Chair Parkhill thanked Mr. Hughes for his generosity in donating the land to the City for the
22 public parking lot. He stated that he thinks the safety of the tenants and employees will be
23 improved with this requested change because they will not need to walk down the alley, and he
24 plans to support this request.

25
26 There being no further discussion, Vice-Chair Parkhill asked for a motion on the application.

27
28 Commissioner Stockton made a motion, seconded by Commissioner Douglas, to direct staff to
29 prepare a draft Planning Commission Report and Recommendation with appropriate findings
30 reflecting a recommendation of approval for the requested amendment to the FILOP CUP for
31 Melvin's 235 Office Building at 235 and 239 Lake Street East for review and adoption at the next
32 Planning Commission meeting.

33
34 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

35
36 **b) Consider Development Application for a Comprehensive Plan Amendment,**
37 **Zoning Map Amendment, Subdivision, Conditional Use Permit, and a Variance**
38 **at 304, 312, and 318 Barry Avenue South**
39

40 Director Goellner stated that the next public hearing item is for the Barry Avenue Condominiums
41 proposal for 3 properties on Barry Avenue. The applicant is Doran Companies and the property
42 owner is Lowell Zitzloff. The applicant has brought forward five approval requests for the project:
43 Comprehensive Plan Amendment; Zoning Map Amendment; Preliminary and Final Plat;
44 Conditional Use Permit; and a Variance. Director Goellner noted that the applicant has begun the
45 design review process, and their plan is to finalize the design after getting through with the
46 requests being brought forward at tonight's meeting. The two northern properties are currently

1 guided Central Core Residential, and the southern property is guided Central Business District, in
2 the 2040 Comprehensive Plan. She stated that the applicant is requesting that the Central Core
3 Residential properties be re-guided to Central Business District. She explained that the largest
4 implication with a change in the land use guidance is to the densities that are permitted. She stated
5 that, in the past, the two northern properties were guided for a density of 5-12 units/acre. She
6 noted that in the 2040 Comprehensive Plan, the City set the density for the southern property at
7 20-30 units/acre, and reduced the two northern properties to 3-6 units/acre. The applicant is
8 requesting to re-guide the properties so they are permitted to have 20-30 units/acre on all three
9 properties. She reviewed general considerations for the Commission to think about for evaluating
10 an amendment to the Comprehensive Plan. She stated that the current zoning for the two northern
11 properties is R-5, and the southern lot is C-4. She explained that the zoning information is a bit
12 complicated, and noted that the long-term vision and zoning regulations have not been in alignment
13 for the two northern properties. She stated that these properties have been zoned R-5 for a long
14 time, but the more consistent zoning for Central Core Residential would be R-3. She explained
15 that the applicant is requesting that the zoning map be changed to change the two northern
16 properties to C-4 Central Business District.
17

18 Assistant Planner, Nick Kieser, continued the staff presentation and highlighted that the proposal
19 is for three story, 35-foot-tall residential building on the three properties. The building would have
20 19 condominium units which would be about 46,100 square feet in size. He reviewed the setbacks,
21 and noted that there is a variance request for the front setback. He reviewed some renderings that
22 were supplied by the applicant and noted that there will be significant landscaping installed in front
23 of the building. He explained that the applicant is proposing 41 underground parking stalls for the
24 project, and reminded the Commission that the code requires 2 parking stalls for every residential
25 unit. The applicant is proposing to remove 412.5 inches of trees and are currently proposing to
26 plant 44 tree inches on site, so the remaining mitigation for tree loss will have to be met most likely
27 with a fee for planting trees in other locations in the City. He reviewed the proposed density of
28 28.8 units/acre, and noted that in the C-4 district the residential density would need to follow the
29 R-5 zoning, which right now only allows 21.78 units/acre. He noted that the City's Zoning Task
30 Force is in the process of reviewing R-5 density standards in order to meet the new 2040
31 Comprehensive Plan density range of 20-30 units/acre. He noted that a CUP is required for an all-
32 residential project within the C-4 district, and reviewed some of the specific criteria to be
33 considered in this situation. The applicant's variance request is for a proposed setback of 29.6 feet
34 to 35 feet from the sidewalk edge to the building, and they are planning to install a five-foot
35 sidewalk extension along Barry Ave S. He reviewed the practical difficulties criteria to be
36 considered for this variance request. He explained the applicant's subdivision request to combine
37 the three lots into one, and noted that all three of the lots are currently non-conforming to either
38 the R-5 and C-4 zoning standards. He stated that if this lot combination was approved, it will
39 create a conforming C-4 zoned lot. He reviewed the grading change from an elevation of 950 to
40 966 to the proposed elevation of 952.3 for ground floor and 962.8 for the first-floor elevation. He
41 again noted that the applicant is proposing to remove 20 trees from the site, of which 17 are
42 significant and 3 are heritage. Their proposed landscape plan would replace 44 inches of tree, so
43 they would need to mitigate for 393 inches under the code standards through a fee of \$62,880. He
44 noted that a neighborhood meeting was held with the neighborhood via Zoom on September 2,
45 2020 and 13 people attended. He stated that the discussion and questions raised at that meeting
46 revolved around guest parking, common space, balcony areas and whether it would be marketed

1 for empty nesters. He noted that the City has not received any public comment on this project
2 ahead of the public hearing.

3
4 Director Goellner reviewed the considerations for the Commission with the application's requests
5 and noted that she would suggest the Commission focus on the Comprehensive Plan and Zoning
6 Map amendments first, because the other three requests are contingent on the properties being
7 rezoned as C-4.

8
9 Vice-Chair Parkhill asked if the Commission had any questions for Staff.

10
11 Commissioner Douglas stated that she just received a text from someone in the community who is
12 watching on television who asked that Vice-Chair Parkhill reiterate how people can call in to
13 participate in the public hearing.

14
15 Director Goellner noted that residents may call 1-312-626-6799, enter Meeting ID 97346352450
16 and passcode 486071.

17
18 Commissioner Flannigan asked why the applicant wouldn't rezone to R-5 rather than C-4.

19
20 Director Goellner stated that staff has talked to the applicant about a number of different options
21 and noted that one of the key pieces of the R-5 district is that it has a very limiting floor area ratio
22 standard of .7, which makes it very difficult to find a way to do a residential proposal on this
23 property.

24
25 Commissioner Flannigan stated that it appears as though there is more flexibility in the C-4 zoning,
26 and asked what the density is within the R-5 zoning.

27
28 Director Goellner stated that R-5 density is limited to about 21-22 units/acre, but noted that is
29 outdated now that the City has the 2040 Comprehensive Plan, because that plan calls for about 30
30 units/acre.

31
32 Commissioner Flannigan asked how many acres the combined three lots would cover.

33
34 Director Goellner stated that she believes it is about 28,000 square feet, which is about 2/3 of an
35 acre and they are planning 19 units.

36
37 There being no further questions for staff, Vice-Chair Parkhill invited the applicant to address the
38 Commission.

39
40 Applicant's representative, John Ferrier, Doran Architecture at 7803 Glenroy Rd Bloomington,
41 MN, stated that he is the applicant but Lowell Zitzloff is the property owner and developer for this
42 project. He noted that Mr. Zitzloff has a vast history in the City of Wayzata that spans over 70
43 years.

44
45 Lowell Zitzloff gave a brief history of the Zitzloff family and noted that they have lived in Wayzata
46 for over 100 years. He stated that he has lived in the City for 87 years and shared a little about his

1 family dynamics after his father passed away in 1943. Mr. Zitzloff explained that he had worked
2 for the City of Wayzata when he was 11 and 12 years old by taking care of the ice rink, the heater
3 house, the beach, and the parks. He had mentors from the City that stepped in and took care of
4 him as a type of father-figure, when it was needed. He shared a few stories about he and his
5 brother's days playing football for Wayzata. He stated that all three of his sons work full-time in
6 Wayzata, and their family has had many businesses in the City and noted that they are planning to
7 add a coffee/sandwich shop to their new building. He explained that they are trying to make the
8 condominiums attainable and believes that Wayzata is one of the most desired cities in the State.

9
10 Mr. Ferrier gave a brief overview of their requests and highlighted that their plans make three non-
11 conforming sites into a conforming site. He noted that the project meets all the requirements for
12 C-4 for height and floor area ratio, and meets or exceeds all setbacks. He noted that they are
13 looking for a variance to pull the building off of the sidewalk because it is a residential use and not
14 commercial. He stated that they are not yet submitting for Design Review, but would like the
15 Commission's feedback on the architecture as it is currently proposed. He stated that the building
16 features lakeview bay windows, and he described some of the other materials that they are planning
17 to use. They are planning roof gardens and significant front yard landscape plans. He explained
18 that they wanted to bring the mass of the building down to a more human scale which is one of the
19 reasons that they have sited the building in the location they are proposing, so it is set into the
20 slope in order to preserve some of the natural grade change. They reduced the massing of the third
21 floor by setting back the entire floor ten feet, and a portion of the 1st and 2nd floor will be set back
22 about 7.5 feet which they feel reduces the impact of the building at street level. He stated that the
23 intent of this project is to bring year-round owners to the building, and they believe these units will
24 be more attainable than many of the other products available in the City. He stated that the
25 developer will be paying park dedication fees that will equate to 10% of the land value.

26
27 Commissioner Flannigan asked if there were any comments from the owner on these three
28 properties when the 2040 Comprehensive Plan was being worked on.

29
30 Mr. Zitzloff stated that they had been trying to decide what the best use for the properties would
31 be over the years. He stated that other ideas had been a bed and breakfast and a commercial
32 meeting center, but with the new hotel that is no longer necessary. He stated that he did not have
33 any input into the Comprehensive Plan.

34
35 Commissioner Flannigan asked what would be the alternative uses for these properties.

36
37 Mr. Zitzloff stated that he had spoken to the neighbors about the condominiums and believes that
38 he has their blessing for his plans. He stated that he has also spoken with the surrounding neighbors
39 which are zoning C-4 commercial. They believe that the best use for these properties is residential
40 with residents that will be there 11-12 months out of the year.

41
42 Commissioner Douglas stated that she understands the building meets the 35-foot standard for
43 height, but it is also built on a hill, and asked how that compares to the height of the properties
44 behind it.

45

1 Mr. Ferrier explained that the rear of the building will have three exposed floors which means it
2 will be taller than the residential buildings behind it, but is consistent with the multi-family
3 residential to the north and the commercial buildings to the south.

4
5 Commissioner Douglas asked how much taller this building would be.

6
7 Mr. Ferrier stated that adjacent to their site are one story garages for the one-story single-family
8 homes. He stated that he would estimate that the nearby garage is about 20 feet tall, and their
9 proposed building would be another 12.5 feet above that.

10
11 Ben Lindau, architect for the applicant, noted that the back property line against the single-family
12 homes drops down 4 feet at the corner, so it is effectively almost half a level dropping down; so
13 when you look from the residences to the east side of the project, the building will be almost half
14 a story sunken in. From grade, it will be about 27 feet and not 35 feet.

15
16 Commissioner Douglas asked if the parking garage was something that you go down into, or just
17 level and straight in.

18
19 Mr. Ferrier stated that it is level.

20
21 Commissioner Douglas asked if there was a way to go down so the building is lower on the land.

22
23 Mr. Ferrier stated that they can look at recessing it a bit, but explained that the problem is that
24 going down a few feet requires quite a bit of driveway distance and if that is done inside the
25 building, they will lose parking.

26
27 Commissioner Stockton noted slide #26 in the packet shows a cross section of the building that
28 shows the landscape and the garages, and behind which shows that the garages will be
29 overshadowed; but that gives a good idea of the perspective.

30
31 Vice-Chair Parkhill asked why the idea is that these units will appeal to people who will live there
32 11-12 months out of the year, rather than be snowbirds.

33
34 Mr. Zitzloff's son, Jeff Zitzloff, stated that the price point will be quite a bit lower, which would
35 probably attract people that are more year-round residents.

36
37 Mr. Zitzloff stated that most of the people who live in the \$2,000,000 to \$5,000,000 condominiums
38 in Wayzata are only here about 5.5 months of the year.

39
40 Vice-Chair Parkhill asked if the pricing would be below market.

41
42 Mr. Zitzloff stated that they will be below market and attainable.

43
44 Commissioner Douglas asked what Mr. Zitzloff considered an attainable price.

45

1 Mr. Zitzloff stated that some units will be under \$1,000,000 and some units will be just over
2 \$1,000,000.

3
4 Commissioner Bashioum asked about the range of the condos, and would like to know the low-
5 end price and the higher price for the multi-bedroom condos.

6
7 Mr. Zitzloff stated that they were trying to have as many under \$1,000,000 as they could, and the
8 highest cost for a unit will be \$1,500,000.

9
10 Mr. Zitzloff's son, Jeff Zitzloff, stated that some of the cost will be determined by what the owners
11 decide to do in their unit. He explained that their goal is to come in and make the initial price
12 attainable and then the owners can do whatever they would like on the inside, which will have an
13 effect on the final price. He noted that the average price for the shell will be under \$1,000,000.

14
15 Mr. Zitzloff explained that the building will be done with post tension and steel materials, and not
16 wood.

17
18 Commissioner Douglas asked if there would be central halls in each floor, or individual entrances
19 off of an elevator.

20
21 Mr. Ferrier stated that there will be interior corridors. He explained that there will be a lobby space
22 that has mail boxes, and then residents would be able to go up to their units.

23
24 Commissioner Douglas expressed concern about the hallway lights being left on all the time, and
25 the impact that may have on the nearby townhomes.

26
27 Mr. Ferrier stated that the corridors are all double loaded interior corridors, and the only exposure
28 will be on the east side where the stairwell is located.

29
30 Mr. Zitzloff noted that the east side borders the C-4 properties.

31
32 There being no further questions from the Commission for the applicant, Vice-Chair Parkhill
33 opened the public hearing on the application at 8:01 pm and reiterated the instructions for calling
34 or logging into the public hearing.

35
36 Planner Kieser stated there were no people that called in to the meeting that have asked to speak
37 at the public hearing.

38
39 There being no one wishing to comment on the application, Vice-Chair Parkhill closed the public
40 hearing at 8:03 pm.

41
42 Vice-Chair Parkhill asked for the Commission to share their questions and feedback on the
43 application.

44
45 Commissioner Douglas stated that she is very bothered by the idea of a Comprehensive Plan
46 amendment because people have worked long and hard on it. She stated that there was a reason

1 that they went with lower density guidance on two of the lots. She stated that she is concerned
2 that the apartment to the north will be up for redevelopment soon, and there are three single family
3 homes just north of that. She stated she is concerned that if the City sets a precedent with this
4 change, there will be density creeping closer to the single-family homes. She stated that she is
5 also concerned about the three properties to the east. She stated that the building seems massive
6 and overwhelming. The density of 28 units feels too large for this site, and she is also bothered by
7 the clearing of all the trees. She stated that the only thing she supports in the application is the
8 variance for the west setback because that would add a lot of greenspace. She reiterated that at
9 this point, she could not recommend to approve this application.

10
11 Mr. Zitzloff's son stated that there are only 19 units, and not 28 units, in their proposal.

12
13 Commissioner Douglas explained that their request was to change the Comprehensive Plan to that
14 density standard, which could allow other people to come in with 28 units/acre.

15
16 Commissioner Stockton asked about the results of the recent Design Task Force survey. She asked
17 if any of those results aligned with some of the design considerations for this proposal.

18
19 Director Goellner stated that staff is in the process of gathering this information, and the findings
20 and recommendations for changes will be brought to the Commission and the Council sometime
21 this spring. She clarified that the City would work with the existing design standards until that
22 time. She stated that she would like to refrain from using the survey or this information until the
23 City has gone through the full review process, and noted that the applicant is not yet in the Design
24 Review phase. She stated that the Commission could give feedback and comments at this point
25 regarding design, but asked the Commission to keep the discussion focused on the criteria for the
26 specific request before the Commission tonight.

27
28 Commissioner Stockton stated that the proposal for the setback from the sidewalk and the recessed
29 third floor seem like a positive consideration.

30
31 Commissioner Bashioum reviewed some of the things that the Commission is supposed to weigh
32 as part of their decision. She stated that she feels this project adversely effects the surrounding
33 properties, and that she also shares Commissioner Douglas' concern about density creep. She
34 stated that last year when the City was looking at the Comprehensive Plan, many people had big
35 concerns about the increase in density, especially along certain corridors within the City; so she is
36 reluctant to increase density where it is not mandated. She stated that she has a big problem with
37 clear cutting the lot and the massing of the building, and feels this would be a big jump to 20-30
38 units/acre. She stated that she cannot in good conscience support this project as proposed. She
39 stated that she is very familiar with Mr. Zitzloff's history, and feels he has done wonderful things
40 in the City. She stated that she loves the Five Swans building and agrees that he has done a
41 wonderful job there, but she just does not think this is the right project for these three parcels in
42 this particular area.

43
44 Commissioner Flannigan agreed that this a tough proposal because in other areas of the City, there
45 are R-3 houses that abut three-story apartment buildings. He stated that there are other places
46 where there is mixed zoning and wished that the applicant would have raised this concern when

1 the 2040 Comprehensive Plan was being put together. He stated that in his estimation, there are
2 three properties here that are somewhat blighted and are being used as a storage property for
3 construction material. He stated that it feels like there should be something done on these
4 properties. He stated that there are no comments from the public on this project or even from
5 anyone surrounding the property. He stated that generally when a developer is doing something,
6 many people come in to talk about it. He stated that there are two premier developers in the City
7 that about this property, and they have not said anything. He stated that he agrees with his fellow
8 Commissioners, but also feels that there is a solution for this property. He stated that it feels like
9 it is too big and too much; however, the surrounding property owners aren't saying anything either
10 in support or in opposition to the project. He stated that he feels the statement regarding residents
11 in this proposed building being 11–12-month residents is not necessarily accurate, and thinks a
12 lower price point may make it more likely that it is a second home for someone. He stated that it
13 would be nice to have more attainable residential in this area and while he feels the property is
14 primed to do something, this proposal has too much massing.

15
16 Vice-Chair Parkhill stated that he appreciates that this is a boutique development and, with the
17 setback, has somewhat of the look and feel that the City would want. He stated that without
18 reiterating what everyone else on the Commission has already said, he agrees with what has been
19 stated. He asked if this should be Bluff district or Lake Street district. He stated that it is clear that
20 two of them are Bluff district and one is Lake Street district, and feels it may be okay to have some
21 sort of transition, but he is not sure jumping to the C-4 zoning is equivalent to a transition. He
22 asked if there would be a way to take another look at this and see if they can come up with more
23 of a transition building. He stated that it is not consistent with the Comprehensive Plan, nor is the
24 building charming. He stated that he would be sad about the trees coming down, even though he
25 realizes that there may be a way to make up for that. He stated that he is very surprised that the
26 two single family homes on the east side of the property have not spoken up and expressed an
27 opinion on this project. He stated that the proposal is consistent with the buildings across the street
28 and to the south, as well as Lake Street projects. He stated that he appreciates the setback that they
29 are proposing and that it would become one conforming site. He stated that he cannot support the
30 proposal as it is presented, but does think there is a way to make it more of a transition building,
31 which would be appropriate in this location.

32
33 Commissioner Flannigan stated that Vice-Chair Parkhill made a very interesting point about the
34 transitional dynamic of this property. He stated that his mind takes him to what is happening on
35 the Keller Williams site with the row homes. He stated that he agreed that it feels like this could
36 be an interesting opportunity for more of a transition project.

37
38 There being no further discussion, Vice-Chair Parkhill asked for a motion on the application.

39
40 Commissioner Flannigan made a motion, seconded by Commissioner Douglas, to direct staff to
41 prepare a draft Planning Commission Report and Recommendation with appropriate findings
42 reflecting a recommendation of denial, based on the Commission's discussion, of the
43 Comprehensive Plan amendment, Zoning Map amendment, Preliminary and Final Plat,
44 Conditional Use Permit, and the Variance requests for properties located at 304, 312, and 318
45 Barry Avenue South, for review and adoption at the next Planning Commission meeting.

1 Director Goellner completed a roll call vote on the motion. Upon a vote, the motion carried
2 4 ayes, 1 abstention (Stockton).

3
4 **AGENDA ITEM 6. Other Items:**

5
6 **a) Review of Development Activities**

7
8 Planner Kieser stated that there are no new development applications for the next Planning
9 Commission meeting but are a few in the works for March.

10
11 Commissioner Douglas asked what was happening with the discussion about one of the restaurants
12 expanding their patio area onto City property.

13
14 Planner Kieser explained that the restaurant had withdrawn their application for now, and the
15 upcoming discussion by staff and at the Council workshop will shape how this will proceed. He
16 stated that the issue has not gone away but there may be changes with that applicant's proposal.

17
18 Commissioner Douglas asked if the workshop meeting would be on Zoom.

19
20 Planner Kieser confirmed that the workshop meeting will be held via Zoom.

21
22 Director Goellner stated that there was a question at the last meeting regarding the previously
23 approved development at 401 Lake Street. She stated that she spoke to the owner today and got
24 an update that he has been working with neighboring properties to find a shared designed solution
25 for the construction space of the office. She stated that no additional public hearings will be
26 required, but since November they have been working in good faith with the neighboring
27 properties to finish out their final agreements and are hoping to begin work as soon as possible.
28 She stated that one action they are taking immediately is to include construction wrap fencing
29 which will create a barrier. She stated that she has spoken with them about making sure their
30 construction superintendent is on site every day and is very mindful of the high amount of
31 pedestrian activity that will be there, especially this summer.

32
33 **b) Planning Commissioner Liaison Schedule and City Meeting Calendar**

34
35 It was noted that Commissioner Douglas will be the liaison for the Council meeting.

36
37 **AGENDA ITEM 7. Adjournment.**

38
39 There being no further business on the agenda, Vice-Chair Parkhill asked for a motion to adjourn.

40
41 Commissioner Bashoum made a motion, seconded by Commissioner Flannigan, to adjourn the
42 Planning Commission meeting.

43
44 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

45
46 The Planning Commission meeting was adjourned at 8:30 p.m.

1
2 Respectfully submitted,
3 Kayla Atkins Rokosz
4 *TimeSaver Off Site Secretarial, Inc.*
5