

WAYZATA PLANNING COMMISSION  
MEETING MINUTES  
MARCH 1, 2021

**AGENDA ITEM 1. Call to Order**

Chair Plantan called the meeting to order at 6:30 p.m.

Chair Plantan read the following prepared statement:

Pursuant to Minnesota Statute Sec 13D.015 and because of the COVID-19 pandemic, this Planning Commission Meeting is being held remotely by electronic means using the audio and video conferencing platform, Zoom. Members of the Commission, City staff, and others that are a part of the meeting will be participating by video or audio connections where we can all hear each other and see the presentations being made. We have a public forum and public hearing this evening on the agenda. If you'd like to speak during these portions of the meeting you may call 1-(312) 626-6799, enter the Zoom meeting ID 94366615663, and press 9 to speak. Callers will be placed on hold and muted until the appropriate time of the meeting is reached. At that time, each caller will be recognized in turn, and invited to speak. Public comments continue to be welcomed and encouraged and we ask if possible, that comments of future agenda items be submitted in advance by emailing [PublicComment@wayzata.org](mailto:PublicComment@wayzata.org). Please include "public comments" in the subject line, your name and address, and the agenda item that you are speaking to. Comments can also be submitted by calling City staff or mailing comments to Wayzata City Hall at 600 Rice St E, Wayzata, MN 55391 (Attn: Public Comments). The meeting will be shown on Channel 8, WCTV, and streamed on the City's website at [www.wayzata.org/wctv](http://www.wayzata.org/wctv).

**AGENDA ITEM 2. Roll Call**

Chair Plantan asked Director Goellner to take roll call.

Present at roll call were Commissioners: Plantan, Douglas, Merriam, Parkhill, Stockton, and Bashioum. Community Development Director Emily Goellner, Assistant Planner Nick Kieser, and City Attorney David Schelzel were also present. Commissioner Flannigan was absent.

**AGENDA ITEM 3. Approval of Agenda**

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

Commissioner Bashioum made a motion, seconded by Commissioner Parkhill, to approve the March 1, 2021 agenda as presented.

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

**AGENDA ITEM 4. Consent Agenda**

**a.) Approval of the February 22, 2021 Planning Commission Meeting Minutes**

1                   **b.) Approving of Planning Commission Report and Recommendation for a Design**  
2                   **Review at 700 Lake Street East**

3  
4 Chair Plantan read the items on the consent agenda and asked if any Commissioner wished to pull  
5 an item for further discussion.

6  
7 Commissioner Stockton asked to make a change to the February 22, 2021 Planning Commission  
8 Meeting Minutes on page 8, to accurately reflect her statement that she lived in Singapore and  
9 Manhattan Beach.

10  
11 Chair Plantan acknowledged this change.

12  
13 Commissioner Bashioum stated that she had no specific changes to the minutes on the consent  
14 agenda, but noted that she believes that there was no consensus amongst the Planning Commission  
15 regarding the comments made by Mr. Vlahos. She stated that she would like to make it clear that  
16 she was deeply concerned when Mr. Vlahos asserted that City Manager Dahl came to him to  
17 suggest he build a bar adjacent to his restaurant to be located within the public easement. She  
18 explained that Mr. Vlahos stated that assertion more than once in the course of speaking about  
19 their proposal. He stated that Mr. Vlahos went as far as suggesting that the City wished to discuss  
20 the possibility of serving liquor in the plaza. She stated that she wonders if this is what the residents  
21 really want. She also asked that the representation that Cov's proposed addition is not a permanent  
22 structure is really disingenuous, as would be the case with a permanent structure taking up the  
23 majority of the newly paved sidewalk at Gianni's. She stated that she believes there is no intention,  
24 whatsoever to remove these privately annexed structures from the public property. She stated that  
25 she refutes the notion that everyone loves having to squeeze past the remaining, seriously  
26 restricted, pedestrian walkway caused by Gianni's patio addition.

27  
28 City Attorney Schelzel asked if Commissioner Bashioum's comments are something that she  
29 would like to see reflected in the Report on the Cov application, or whether they are corrections to  
30 the minutes of the meeting. He explained that minutes are meant just to reflect what was actually  
31 said, or a summary of what they said. He stated that her comments sound like they were additional  
32 points she wanted to make about the Cov application, and that they be included in or with the  
33 Report and Recommendation.

34  
35 Commissioner Bashioum stated that her comments are an explanation of why she voted "Nay",  
36 and noted that some of the things she shared tonight were comments she made during the course  
37 of the meeting in response to Mr. Vlahos' comments. She stated that if it is more expedient for  
38 these comments to be included in the recommendation to Council, she would support that.

39  
40 City Attorney Schelzel suggested that Commissioner Bashioum's comments be included in either  
41 tonight's meeting minutes or with the Report and Recommendation, rather than as an addition to  
42 the minutes of the last meeting. He stated that, in his opinion, it makes the most sense to include  
43 the statement Commissioner Bashioum read as part of the tonight's minutes related to that  
44 particular application.

45

1 Commissioner Bashoum expressed concern that this particular application will be in front of the  
2 City Council on March 2, 2021.

3  
4 Director Goellner stated that it will not be on the City Council agenda until March 16, 2021.

5  
6 Commissioner Bashoum stated that she would like her statement on the record prior to the City  
7 Council hearing the proposal for the design review.

8  
9 Chair Plantan stated that approval of tonight's meeting minutes will be considered by the Planning  
10 Commission on March 15, 2021.

11  
12 Director Goellner stated that if the minutes are approved that night, she can make a note to share  
13 those with the Council upon request by the Planning Commission.

14  
15 Commissioner Douglas noted a small correction needed on page 10, line 16 of the minutes, the  
16 words 'ventilation system' was left out of the sentence and should be placed after the word 'the'.

17  
18 Commissioner Merriam noted a correction needed on page 6, line 31 of the minutes, and asked  
19 that 'to 15' be removed and it just refer to the bar table that can seat 6 people.

20  
21 Chair Plantan asked for a motion to approve the Consent Agenda, with the minutes as amended.

22  
23 Commissioner Merriam noted that she saw something in the Report and Recommendation on the  
24 application that was reviewed that evening. The Report says that the Planning Commission  
25 recommends that the façade transparency deviation be denied, but the overall project design and  
26 opaque surface deviation be approved. She stated that she is not comfortable with that wording  
27 because she is not okay with the overall project design. She stated that she is okay with the use of  
28 Hardie board, but the overall project design includes a bar, and even during the discussion that  
29 evening, the whole Planning Commission had concerns about there being a bar in that location.

30  
31 Chair Plantan stated that she believes the summary of Commissioner comments made by staff  
32 following the discussion and in the Report reflect the views of the Planning Commission on that  
33 issue.

34  
35 Commissioner Merriam stated that she understands that, but does not understand how the approval  
36 recommendation ended up in the Report because she did not realize that was what she was voting  
37 in favor of.

38  
39 City Attorney Schelzel explained that this is a complicated Report, and he thinks it is important to  
40 appreciate that this is not a Report recommending approval of the entire project, per se. The  
41 Planning Commission was charged with reviewing the project design under the City's Design  
42 Standards, and whether the proposed design conforms with those particular standards. It was not  
43 whether it is a good idea, or whether the project meets with the intent and other standards of the  
44 Ordinance or the Comprehensive Plan, but only whether the specific design features comply. He  
45 stated that this is what the staff Design Report looked at, including standards relating to the  
46 deviations, which was a split vote by the Commission. He stated that there is also a section in the

1 Planning Commission Report and Recommendation referred to by Chair Plantan where all of the  
2 concerns expressed by the Commission about the proposal, that were raised during the discussion,  
3 are noted for Council. He stated that he understands approval of design could be misinterpreted  
4 that Planning Commission was recommending approval of the whole project, but what the  
5 Commission is really saying is that with respect to the design standards that the City has for  
6 buildings like this, the project does conform with those standards. The other issues such as right-  
7 of-way permitting, sidewalk café permitting, or a liquor license is not within the purview of the  
8 Planning Commission, and is a Council decision and in some cases, a staff decision. The Planning  
9 Commission is advising Council about the design, should Council decide that they want to permit  
10 the other things needed for this proposal.

11  
12 Commissioner Merriam stated that she understands what City Attorney Schelzel is saying, but  
13 when she read the recommendation, and saw that was what the Planning Commission was  
14 recommending be approved, she really questioned it.

15  
16 City Attorney Schelzel stated that staff looks to the motion that is made and the discussion by the  
17 Planning Commission. He stated that they understood that the Planning Commission was  
18 recommending approval of the design and not approval of the project. He stated that the Planning  
19 Commission is simply telling the Council that the Planning Commission thinks it meets the design  
20 standards for the elements that are used apart from the two deviations, one of which the  
21 Commission feels makes sense and one they do not. In addition to that, in section 2 of the Report,  
22 there are listed the larger concerns that the Planning Commission really encourages the Council to  
23 take a strong look at.

24  
25 Commissioner Douglas stated that along those same lines, she thinks it is very important that all  
26 of the minutes, including the ones from this meeting, and all the notes that have been made move  
27 forward with the Report to the Council because it is very important for her as she considers  
28 approval of the Consent Agenda.

29  
30 Chair Plantan asked for a motion to approve the Consent Agenda as amended with the corrections  
31 to the minutes.

32  
33 Commissioner Parkhill made a motion, seconded by Commissioner Douglas, to approve the  
34 Consent Agenda as amended.

35  
36 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

37  
38 Chair Plantan expressed her appreciation for the hard work that went into the issues being  
39 discussed and noted that the comments from the Planning Commission have been noted and  
40 recorded for the minutes.

41  
42 **AGENDA ITEM 5. Public Hearing Items**

- 43  
44 **a) Consider Development Application for a Preliminary and Final Plat for**  
45 **Harrington Estate at 522 and 530 Harrington Road**  
46

1 Assistant Planner, Nick Kieser, stated that the application is for approval of a lot combination at  
2 522 and 530 Harrington Road, termed Harrington Estates and owned by JLA Harrington, LLC.  
3 The properties are currently zoned R-1A, Low Density Single-Family Estate District, as is the  
4 surrounding neighborhood. The 2040 Comprehensive Plan designates these two properties as  
5 Estate Single-Family, along with the surrounding neighborhood. The development application is  
6 for preliminary and final plat to combine these two lots into one buildable lot. He gave an overview  
7 of the existing lot via aerial photos, but noted that the structures visible in the photos have recently  
8 been taken down. He noted that there is still a small cabin on the property, and explained that the  
9 applicants are looking to preserve the structure on a different site. He gave an overview of the  
10 proposed Final Plat, and reviewed the lot requirements for R-1A zoning for both the existing and  
11 proposed lot structure. He stated that the proposed lot combination would eliminate the non-  
12 conformity of one of the lots, and the new lot would meet the R-1A requirements. He reviewed  
13 the Preliminary Plat information and noted that the Applicant is proposing to place a single-family  
14 residence on the lot, which is currently proposed to be around 13,000 square feet, and reviewed  
15 the proposed locations for the driveway and the auto court. The applicant is also planning a  
16 swimming pool on the south side of the lot. He explained that with Preliminary and Final Plat,  
17 staff looks at surrounding lots sizes, which in this case average around 120,793 square feet. There  
18 are a bit over 3,000 inches of trees on the two sites currently, and the proposal would remove 404  
19 inches with the new residence but also save the 6 spruce trees and transplant them onto the eastern  
20 side of the lot. The plan proposes around 15.8% impervious surface and the utilities would be able  
21 to use the existing connections. He noted that the City had not received any public comments on  
22 the application, and reviewed the questions for the Commission to consider with this application.

23  
24 Chair Plantan asked if the Commission had any questions for Staff.

25  
26 There being no questions for Staff, Chair Plantan invited the applicant to address the Planning  
27 Commission.

28  
29 Nate Wissink, Streeter and Associates, 4235 Grimes Avenue, Edina thanked the City for  
30 considering this lot combination. Mr. Wissink's connection to the meeting started breaking up at  
31 this point.

32  
33 Chair Plantan noted that there appeared to be a problem with Mr. Wissink's connection, and the  
34 Commission could not hear him. She asked if he had a way to find a better connection.

35  
36 Applicants Tom and Lindsay Pohlada, 2209 Huntington Point Road E, Minnetonka Beach, assumed  
37 the presentation, and thanked the Planning Commission for their consideration of their request to  
38 combine these two lots. Mr. Pohlada stated that with Ms. Pohlada opening the Grocer's Table last  
39 year, their three boys are adamant that they be able to bike to it, which they cannot do from their  
40 current location, and that is one of their reasons for moving to Wayzata.

41  
42 Chair Plantan asked if the Commission had any questions for the Applicant. Hearing none, Chair  
43 Plantan repeated the instructions for participation in the public hearing and reviewed the  
44 importance of, and process for, the public meeting. She then opened the public hearing on the  
45 application at 7:05 pm.

46

1 Planner Kieser stated there were no people that called in to the meeting or that have asked to speak  
2 at the public hearing.

3  
4 There being no one wishing to comment on the application, Chair Plantan closed the public hearing  
5 at 7:07 pm.

6  
7 Chair Plantan asked for the Commission to share their questions and feedback on the application.

8  
9 Commissioner Douglas stated that she feels the home is in keeping with the size of the combined  
10 lot and meets all of the standards. She stated that she also likes that they plan to protect many of  
11 the trees on the property, and feels the planned location of the home is a good fit and a natural  
12 location, based on the slope and will endorse this application.

13  
14 Commissioner Bashoum stated that she loves that they plan to save the cabin and transplant the  
15 spruce trees that are located in the auto court area. She stated that she is in support of this  
16 application.

17  
18 Commissioner Parkhill stated that he thinks the Planning Commission should look for any  
19 opportunity to make lots that are non-conforming into conforming lots. He stated that this is one  
20 of those cases where the Planning Commission has that opportunity. He stated that he also feels  
21 their tree plans are very reasonable, and they are not removing as much as they are allowed to,  
22 which he feels is wonderful. He stated that he is in full support of this application.

23  
24 Commissioner Merriam stated that she also supports this application, and thinks it is wonderful  
25 that they are transplanting the trees on the lot and that this will make a non-conforming lot into a  
26 conforming lot.

27  
28 Commissioner Stockton stated that she would echo the Commissioners' previous comments. She  
29 noted that she had toured the property before demolition was completed and feels the sensibility  
30 of the new lot combination seems very clear.

31  
32 Chair Plantan stated that she agrees with staff and the Commissioners and would also recommend  
33 approval of this application. She noted that the lot size is similar to others in the area, and the size  
34 of the single-family home is within the R-1A limits.

35  
36 There being no further discussion, Chair Plantan asked for a motion on the application.

37  
38 Commissioner Stockton made a motion, seconded by Commissioner Douglas, to direct staff to  
39 prepare a draft Planning Commission Report and Recommendation with appropriate findings  
40 reflecting a recommendation of approval for the lot combination request at 522 and 530 Harrington  
41 Road for review and adoption at the next Planning Commission meeting.

42  
43 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

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

46

1           **a) Review of Development Activities**  
2

3 Planner Kieser stated that there will likely be no new development applications on the next agenda.  
4 He explained that there are plans to hold a workshop session at that meeting. He noted that there  
5 are a few bigger projects that staff is working on which will be coming back before the  
6 Commission shortly.  
7

8 Commissioner Bashioum asked what will be going into the old Starbuck's space.  
9

10 Planner Kieser stated that there was a building permit issued for an interior remodel at that location,  
11 along with a small amount of exterior work. He stated that he does not know exactly what will be  
12 going into the building, but believes it will be some sort of food establishment.  
13

14           **b) Planning Commissioner Liaison Schedule and City Meeting Calendar**  
15

16 Director Goellner stated that Commissioner Stockton is scheduled for the March 2, 2021 City  
17 Council meeting.  
18

19 **AGENDA ITEM 7. Adjournment.**  
20

21 There being no further business on the agenda, Chair Plantan asked for a motion to adjourn.  
22

23 Commissioner Bashioum made a motion, seconded by Commissioner Merriam, to adjourn the  
24 Planning Commission meeting.  
25

26 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.  
27

28 The Planning Commission meeting was adjourned at 7:15 p.m.  
29

30 Respectfully submitted,  
31 Kayla Atkins Rokosz

32 *TimeSaver Off Site Secretarial, Inc.*  
33