

1
2 **a.) Approval of the May 18, 2020 Planning Commission Meeting Minutes**
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 Hearing no such request, Chair Plantan asked for a motion to approve the Consent Agenda as
8 presented.

9
10 Commissioner Parkhill made a motion, seconded by Commissioner Douglas, to approve the
11 Consent Agenda as presented.

12
13 Interim Community Development Director Zweber completed a roll call vote on the motion. The
14 motion carried unanimously.

15
16 **AGENDA ITEM 5. Public Hearing Items**

17
18 **a) Development Application for a Preliminary and Final Plat at 15610 Holdridge**
19 **Road**
20

21 Assistant Planner, Nick Kieser, stated that the applicants, Anna Ovsyannikova and Yengenyi
22 Ogranovich, have submitted a development application for a two-lot subdivision at 15610
23 Holdridge Road. He explained that this property is zoned R2, Medium Density, Single Family and
24 noted its proximity to the boundary between Wayzata and Minnetonka. He stated that the land use
25 designation is Low Density Residential. He noted that a similar application was submitted in 2016
26 and, at the time, the Planning Commission recommended denial on a 4-3 vote based on findings
27 of the negative impact on the natural areas of the site and the proposed smaller lot sizes compared
28 to other lots in the neighborhood. He explained that the City Council denied that application on a
29 5-0 vote.

30
31 Mr. Kieser stated that in the current application, the applicant has made the eastern lot larger and
32 reviewed the proposed new lot subdivision. He noted that the house renderings submitted with the
33 application are not construction plans and do not depict what would actually be built if this is
34 approved; just what a house could look like on the site. He noted that they are proposing a
35 landscaped berm to help with the visual impact for the property to the east, as well as help with
36 drainage and erosion. He reviewed the location of the wetland buffer on the property. He noted
37 that the average slope on the site is 18% so if approved, the applicant will need to address drainage
38 to ensure that it goes to the rear of the lot and not the neighboring properties. He stated that there
39 will also need to be erosion control measures taken if approved. He reviewed the tree inventory
40 and the tree survey for the proposed subdivision and noted that tree #49 on the survey has been
41 designated as a heritage tree. He noted that the proposed lot size was part of the discussion with
42 the application that was submitted in 2016. He reviewed the lot areas of the nearby homes and
43 compared them to the proposed smaller lot sizes for 15610 Holdridge Road. He stated that there
44 have been approximately eight written public comments on the application submitted prior to the
45 meeting that do not support this application. He stated that only five of the comments were
46 received in time to distribute them with the meeting packet. He noted that the questions for the

1 Planning Commission to consider in reviewing the application include whether the subdivision is
2 consistent with the 2040 Comprehensive Plan; whether the creation of a new lot will adversely
3 impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas; and,
4 are the lot sizes similar to the lots in the surrounding neighborhood.

5
6 Chair Plantan asked if the Commission had any questions for Staff.

7
8 Commissioner Flannigan joined the meeting.

9
10 Commissioner Douglas asked if the final style of home will come back to the Commission for
11 review and approval.

12
13 Assistant Planner Kieser stated that while not a code requirement, there have been similar
14 conditions made like that for other subdivisions and have been based on whether there is a need
15 for it to be compatible with the neighborhood.

16
17 Commissioner Bashioum asked about the study commissioned by the residents for the previous
18 application. She stated that it appeared that the findings were that because of the slope of the lot,
19 it would not be feasible to put another house in this location. She asked if this conflicted with
20 what the City Engineer found regarding the site.

21
22 Assistant Planner Kieser stated that the City's engineering staff did find that they could build on
23 this site, even though it wouldn't be usual to build on this type of slope.

24
25 Commissioner Iverson joined the meeting.

26
27 Commissioner Bashioum confirmed with Assistant Planner Kieser that staff felt it would be
28 possible to build on this site, but it would depend on where the home is sited.

29
30 City Attorney David Schelzel noted for the record that Commissioners Flannigan and Iverson had
31 joined the meeting.

32
33 Commissioner Flannigan apologized for being late and asked for a brief overview of how the
34 current application is different than the application that was reviewed in 2016.

35
36 Assistant Planner Kieser explained that the most significant difference is that the eastern lot is
37 slightly larger.

38
39 There being no further questions for staff, Chair Plantan invited the applicant to speak about the
40 application, and to state their name and address for the record.

41
42 Yengeny Ogranovich, 15610 Holdridge Road, gave a presentation and overview of their request
43 for a subdivision and how they feel it will compliment the character and feel of the neighborhood.
44 He noted that although concerns have been raised about building on this slope, the home to their
45 east is built on this same exact slope, so it can be done successfully. He noted that they are working
46 with and relying on professionals for all areas of this proposed subdivision. He gave a brief

1 overview of comparable subdivisions that have been approved in the City since their original
2 application. He noted that they would like to build a 2 story home with a walk out basement. He
3 stated that they believe their plans comply with the City standards for a subdivision and will not
4 require any variances. He stated that they moved to the City in 2014 and began improvements and
5 clean up on the property right away and feel that they have improved the curb appeal of the
6 property. He briefly addressed some of the public comments made regarding this subdivision. He
7 noted that they have also gotten positive feedback from some of the neighbors that are just not
8 comfortable putting their opinions on the record.

9
10 Commissioner Iverson asked about the grade of the backyard for the proposed new home.

11
12 Assistant Planner Kieser stated that the slope in the area of the proposed building is around 20%.

13
14 Commissioner Iverson asked how big the backyard area is before it would start to drop down.

15
16 Assistant Planner Kieser stated that on the plans that were submitted, it looks like it is about 10
17 feet before there is a 2 foot drop.

18
19 Commissioner Iverson stated that the plans appear to show that it continues to descend tier by tier
20 by about 5-10%.

21
22 Assistant Planner Kieser noted that it would be difficult to say exactly, but it should be something
23 near that range. He reiterated that the overall slope averages around 18%.

24
25 Commissioner Parkhill stated that he got the impression that the driveway will be a bigger issue
26 than the backyard. He stated that he went to the site and stood on the road to look at the property
27 it appears very steep on the portion of the property near the road. He expressed concern about
28 creating a driveway that will be able to be traversed in the winter months.

29
30 Mr. Ogranovich said he believes that this is one of the areas where there will be dirt brought in to
31 decrease the slope so the driveway is not too steep. He noted that the driveway is also supposed
32 to go in at an angle to help it not be quite so steep. He stated that he feels there are many things
33 that can be done to make it usable during the winter months such as putting it radiant heat under
34 the concrete so there is no ice build up.

35
36 Commissioner Parkhill asked if he was planning to put in radiant heating under the driveway. He
37 stated that he just did not get the impression that there is enough land to make a long gradually
38 sloped driveway.

39
40 Mr. Ogranovich reviewed the proposed driveway renderings and explained how the driveway is
41 designed to be used.

42
43 Assistant Planner Kieser stated that if the subdivision was approved, the City would review this
44 issue in greater detail.

45

1 Interim Community Development Director Zweber stated that the City Code standard is a
2 maximum of a 10% slope. He noted that there will need to be two engineered retaining walls in
3 order to construct the driveway as submitted. He stated that the plans they have submitted show
4 that they can meet the City Code requirements.

5
6 Commissioner Douglas asked if the applicant could comment on the planned berm relative to the
7 house.

8
9 Mr. Ogranovich stated that the length is longer than the actual house and the height is something
10 that they will be working on closely when they are in the building process. He stated that if there
11 is a recommendation from the City, they will look at following that recommendation.

12
13 Commissioner Douglas asked if they were planning any plantings along the top of the berm to
14 provide more screening.

15
16 Mr. Ogranovich stated that if including plantings will provide more privacy to their neighbors,
17 they are willing to do it.

18
19 Commissioner Bashoum asked if the applicant had made an effort to meet with the neighbors
20 regarding the subdivision. She noted that it is seldom that the City hears from eight neighbors that
21 they are opposed to the plans.

22
23 Mr. Ogranovich stated that they mailed letters to multiple neighbors and have also personally
24 spoken with many of them. He reiterated that there are some neighbors that support the
25 subdivision.

26
27 There being no further questions from the Commission for the applicant, Chair Plantan opened the
28 public hearing on the application at 7:27 pm.

29
30 Interim Community Development Director Zweber stated there were no people that have called
31 into the meeting that have asked to speak at the public hearing. He noted that he had also checked
32 the public comment e-mail address and there were no additional public comments left there other
33 than the ones Assistant Planner Kieser had already forwarded to the Commission.

34
35 There being no one wishing to comment on the application, Chair Plantan closed the public hearing
36 at 7:28 pm.

37
38 Chair Plantan asked for the Commission to share their questions and feedback on the application.

39
40 Commissioner Parkhill stated that it bothers him that there is so much objection to the subdivision.
41 He stated that congestion and a narrow roadway is not something that should stop this from moving
42 forward but admitted that he is still a bit on the fence.

43
44 Commissioner Flannigan stated that he continues to be opposed to this subdivision. He referenced
45 past subdivisions on Peavey Lane and Gardner Street that have altered the character of their
46 neighborhoods. He stated that he stands by what he said back in 2016 that there is a reason that

1 this lot is set up the way it is and that the house has been placed where it has been placed. He
2 stated that he does not think there has been any compelling changes made in the current application
3 that would change his viewpoint from 2016. He stated that he does not think there should be two
4 separate houses on two separate lots in this location.

5
6 Commissioner Iverson stated that she was also on the Planning Commission in 2016, and does not
7 feel that the proposed lot sizes are in harmony with the character of the neighborhood. She stated
8 that she feels the topography of the lot is an issue and agrees with Commissioner Flannigan that
9 there is a reason that things are set up the way they are. She stated that the opinion she held in
10 2016 remains the same, and she would recommend denial of the request.

11
12 Commissioner Douglas stated that she drove by the property today and took lots of pictures and
13 has many concerns. She stated that although she felt better after hearing the applicant talk about
14 using an experienced builder, she still feels this will just make the lots too small and will interrupt
15 the flow of the beautiful trees along that street. She stated that she cannot support the subdivision.

16
17 Commissioner Bashoum stated that she would echo the thoughts of the other Commissioners and
18 is a strong proponent of keeping neighborhoods intact and not adversely affecting their character.

19
20 Chair Plantan stated that she agrees with the opinions already expressed by the other
21 Commissioners and noted that just because something meets some of the requirements of the City
22 doesn't always mean that it should be approved. She stated that this subdivision doesn't feel right,
23 and the topography of the land supports the current home location.

24
25 There being no further discussion, Chair Plantan asked for a motion on the application.

26
27 Commissioner Flannigan made a motion, seconded by Commissioner Parkhill, to direct staff to
28 prepare a draft Planning Commission Report and Recommendation with appropriate findings
29 reflecting recommending denial for a Development Application for a Preliminary and Final Plat
30 at 15610 Holdridge Road for review and adoption at the next Planning Commission meeting as
31 part of the Consent Agenda.

32
33 Interim Community Development Director Zweber completed a roll call vote on the motion. The
34 motion carried unanimously.

35
36 Commissioner Flannigan left the meeting at 7:39 p.m.

37
38 **AGENDA ITEM 6. Other Items:**

39
40 **a) Review of Development Activities**

41
42 Assistant Planner, Nick Kieser stated that for the next Planning Commission meeting there are two
43 development applications tentatively scheduled for discussion: an impervious surface variance at
44 128 Broadway Avenue North; and, an impervious surface and setback variance for an accessory
45 structure at 225 Manitoba Avenue South.

46

1 Interim Community Development Director Zweber explained that the City Council has asked the
2 Emergency Management Team to evaluate the possibility of holding in person meetings while
3 observing the social distancing guidelines. He stated that they are working out the details but
4 wanted to give the Commission a heads up that the City is looking to work towards meeting again
5 in person.

6
7 Commissioner Bashoum asked if there would be a way for one of the Commissioners to join the
8 meeting via Zoom if they were unable to meet in person.

9
10 Interim Community Development Director Zweber stated that they are exploring that option and
11 asked City Attorney Schelzel to weigh in on this issue.

12
13 City Attorney Schelzel stated that this is a legally permitted way to conduct a meeting as long as
14 all the technical requirements and capabilities remain in place, similar to how they are working
15 now where the entire group is meeting remotely.

16
17 Commissioner Douglas stated that she is willing to work around what is the easiest for City staff,
18 but she will not be able to attend in person meetings at this time.

19
20 **b) Planning Commissioner Report for the May 19, 2020 City Council Meeting**

21
22 Commissioner Douglas gave an overview of the May 19, 2020 City Council meeting and
23 workshop. She noted that one of the agenda items was to discuss the budget and relief for
24 businesses due to the Panoway project but noted that because of COVID-19 all the businesses were
25 closed, so the Council delayed that discussion. She noted that at the regular Council meeting there
26 was a public forum to honor LaDonna Hoy who is the founder of Interfaith Outreach. She
27 reviewed the Consent Agenda items that were approved at the meeting. She noted that the City
28 received a clean opinion as part of the 2019 audit. She reviewed the other items from the May 19,
29 2020 agenda.

30
31 **c) Planning Commissioner Report for the June 2, 2020 City Council Meeting**

32
33 Chair Plantan noted that Commissioner Flannigan was due to give a report on the June 2, 2020
34 City Council meeting, but he has left the Planning Commission meeting. She asked if anyone else
35 had attended or watched the meeting.

36
37 Interim Community Development Director Zweber gave a brief overview of the June 2, 2020 City
38 Council meeting.

39
40 Commissioner Bashoum asked if the width of the patio area at Gianni's was temporary because
41 there is only about 2 feet of sidewalk that can be used.

42
43 Interim Community Development Director Zweber stated that calling what is there today is
44 "temporary" would be accurate.

45

1 Assistant Planner Kieser stated that there will be 5 feet of sidewalk between the road and where
2 the outdoor patio will be.

3
4 Commissioner Iverson asked if the City should require a minimum of 6 feet to match the social
5 distancing requirement. She asked if there would be any kind of roping system or bollards installed
6 around the tables.

7
8 Assistant Planner Kieser noted that the plans he is looking at are for further down the road outside
9 of the COVID-19 situation. He noted that the regulation for outdoor café sidewalks are 5 feet in
10 width.

11
12 Commissioner Bashioum stated that she feels this is an issue and this basically becomes a
13 pedestrian roadblock because people will have to go through the area single file.

14
15 Commissioner Iverson stated that she agrees with Commissioner Bashioum's opinion and asked
16 the City Council to take a look at creating a minimum of a 6-foot width. She stated that she feels
17 uncomfortable walking around the people that are eating and thinks this needs further discussion.
18 She suggested that one table may need to be removed in order to accommodate a greater distance
19 for separation.

20
21 Interim Community Development Director Zweber stated that he will pass along those concerns
22 to the Council.

23
24 Commissioner Douglas asked when the public will be able to make comments regarding the bike
25 trail along Ferndale. She stated that she is adamantly opposed to this because it is a gateway into
26 Wayzata and is one of the prettiest streets, especially in the fall, because it is lined with maple
27 trees. She stated that she is hopeful that they will not have to remove trees in this area and
28 encouraged the public to comment when the comment period opens.

29
30 Interim Community Development Director Zweber stated that he will speak with Public Works
31 Director Kelly and find out when they will be opening for public comment.

32
33 **d) Planning Commissioner Liaison for the June 16, 2020 City Council Meeting**

34
35 It was noted that Commissioner Iverson will serve as the liaison for the June 16, 2020 City Council
36 meeting.

37
38 **AGENDA ITEM 7. Adjournment.**

39
40 There being no further business on the agenda, Chair Plantan asked for a motion to adjourn.

41
42 Commissioner Bashioum made a motion, seconded by Commissioner Douglas, to adjourn the
43 Planning Commission meeting.

44
45 Interim Community Development Director Zweber completed a roll call vote on the motion. The
46 motion carried unanimously.

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The Planning Commission meeting was adjourned at 8:00 p.m.

Respectfully submitted,
Kayla Atkins Rokosz
TimeSaver Off Site Secretarial, Inc.