

**MINUTES
CITY OF WAYLAND
PLANNING COMMISSION
DECEMBER 9, 2008**

Chairman Gonzales called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE:

Chairman Gonzales led the Pledge of Allegiance.

ROLL CALL:

Members Present: Chairman Gonzales, Dorothy DeWeerd, Sam Dykstra, Joel Frederickson, Ron Kobish, Jim Ramey, Doug Shafer, Kelle Tobolic.
Members Absent: John Frigmanski.
Others Present: Ron Kobish, Nate Kobish, Jay L. Smith, Julie Meza, Fred Meza, Mayor Tim Bala, City Planner Mark Sisson, City Manager Deborah Nier.

PUBLIC HEARING: RE Group Child Day Care at 313 W. Superior St.

Chairman Gonzales opened the Public Hearing at 7:02 p.m. There being no public comment, Chairman Gonzales closed the Public Hearing at 7:07 p.m.

Dorothy DeWeerd made a motion to approve the Special Use Permit for the property at 313 West Superior Street to be used as a Group Child Care Facility with the following stipulations:

- the facility to be licensed as a Group Child Day Care Home and not a day care center, and that the permit shall become void if State licensing is not obtained and continuously maintained.
- That the outdoor play area is a required improvement, to be installed within 30 days of the final State license.
- The continued availability of the off-street parking arrangement for the lot supporting the facility and the apartment building to the rear (313 ½ W. Superior Street) must be maintained. If the two properties are sold independently, appropriate easements must be created and recorded with the City Clerk AND the County Register of Deeds.
- The structure is modified, as needed, to meet applicable building and fire codes.
- Units A and B of the first and second floors shall be modified to create internal linkages, which shall combine the units into one living unit, thus removing the non-conforming nature of the use and satisfying the requirements for group day care homes.

Motion was seconded by Doug Shafer. All ayes.

PUBLIC HEARING: RE Re-zoning from B-2 to B-1, Clark, W. Elm & Mill Streets; Re-zoning From B-2 to B-1, Railroad Street between W. Maple and W. Cherry Streets; Re-zoning from R-3 to R-2, Between W. Sycamore and Pine Streets and Commerce and Alpine Streets.

Chairman Gonzales opened the Public Hearing at 7:23 p.m.

**CITY OF WAYLAND
PLANNING COMMISSION
DECEMBER 9, 2008
PAGE TWO --**

City Planner Mark Sisson pointed out that he had made an error on the notice for re-zoning the area of Clark, West Elm, and Mill Streets. The consideration should be for re-zoning from B-1 to I-1 for Clark, West Elm, and Mill Streets. It will be necessary to re-notice the hearing to be held at a later date.

Jay L. Smith was present to discuss the proposed zoning of Railroad Street between West Maple and West Cherry Streets from B-2 to B-1. He told the Commission that he feared that the re-zoning would limit the uses for property and restrict his ability to sell his property. He also pointed out that there is a variety of zoning classifications in that area; and, perhaps, more consistent zoning is needed. Dorothy DeWeerd suggested delaying any decision on the re-zoning for the Railroad Street area until the January meeting. The members agreed.

There being no other comments or discussion, Chairman Gonzales closed the Public Hearing at 8:20 p.m.

Jim Ramey made a motion to recommend re-zoning from R-3 to R-2, the area between W. Sycamore and Pine Streets and Commerce and Alpine Streets. Motion was seconded by Dorothy DeWeerd. All ayes. Motion passed.

Dorothy DeWeerd made a motion to recommend re-zoning of the area south of W. Elm Street and west of Clark Street from B-2 to B-1. All ayes. Motion passed.

CONSIDERATION OF MINUTES – Meeting of November 11, 2008:

Sam Dykstra made a motion to approve the minutes of the November 11, 2008 meeting as presented. The motion was seconded by Kelle Tobolic. All ayes. Motion passed.

OTHER MINUTES FOR REVIEW:

The Commission acknowledged the minutes of the November 3 and 17, 2008 City Council meetings for file.

CITIZENS APPEARING BEFORE THE COMMISSION:

None.

NEW BUSINESS:

None.

OLD BUSINESS:

- a) **By-Laws and Rules of Procedure.** The Commission continued discussion of the draft By-Laws presented by Mark Sisson. There was considerable discussion of the conflict of interest provisions. It was decided that the City Council should address conflict of

**CITY OF WAYLAND
PLANNING COMMISSION
DECEMBER 9, 2008
PAGE THREE--**

interest and establish the policy through its processes. Mark Sisson will provide a final format of the By-Laws for consideration at the January meeting.

PUBLIC COMMUNICATIONS AND COMMENTS:

Doug Shafer made a motion to excuse John Frigmanski. The motion was seconded by Joel Frederickson. All ayes. Motion passed.

Joel Frederickson, Jim Ramey, Dorothy DeWeerd, and Doug Shafer thanked City Manager Deborah Nier for her work with the Planning Commission and wished her well with her new job.

ADJOURNMENT:

Chairman Gonzales adjourned the meeting at 8:50 p.m.

Respectfully submitted,

Deborah K. Nier, City Manager

J.D. Gonzales, Chairman