WAYZATA PLANNING COMMISSION
MEETING MINUTES
April 6, 2015

AGENDA ITEM 1. Call to Order, Roll Call and Approval of Minutes.

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

Present at roll call were Commissioners: Gonzalez, Ramy, Vanderheyden, Iverson, Gruber, Young, and Gnos. Director of Planning and Building Gadow and City Attorney David Schelzel were also present.

Chair Vanderheyden stated the minutes to be reviewed are from the March 16, 2015 meeting.

Commissioner Young made a motion, Seconded by Commissioner Ramy, to approve the March 16, 2015 meeting minutes as presented. The motion carried unanimously.

AGENDA ITEM 2. Workshop Item:

a. Update on Downtown Parking Project – LSA Design

Ms. Jo Ann Olsen, LSA Design, provided an update on activities and pilot projects since the February Workshop. She reviewed the City's current Parking Ordinance and parking ratios. She explained the City could consider just the parking ratio or include other scenarios such as shared parking when looking at the Parking Ordinance. She discussed the creation of a Parking District. LSA recommends reducing the parking ratio for the City. This would require a public hearing and City Council approval. The pilot projects currently underway are valet parking, employee parking, and enforcement of the 2 hour parking limit for on street parking.

Commissioner Ramy asked if there were any guidelines for valet parking such as hours of operation.

Ms. Olsen stated the CōV currently operates valet parking 11 am to 11 pm, Monday through Saturday, year round. At this time, they would be looking to use these guidelines and building on them.

Commissioner Iverson asked where the cars would be parked.

Ms. Olsen stated they could go to City Hall or the Carisch Ramp. They have also looked at the municipal lot to the west of CōV. This would be something they would use during the pilot program only.

Chair Vanderheyden clarified the pilot projects have been approved by the City Council. He stated the Yacht Club may have a problem with limiting the parking on Broadway to 2-hours.

Commissioner Gruber stated better signs had been discussed at the last meeting and this has not been done. She would like to see this done before the City makes any drastic decisions regarding adding additional parking.

Ms. Olsen explained the way finding would be part of projects 5 and 6 and they are moving forward with these as well.

Commissioner Iverson asked how many employees the Muni has on the weekends.

Mr. Gadow stated this would depend on the shift but they had approximately 30 employees.

Commissioner Iverson suggested considering a 2-hour limit for parking in the lot in order to detour employees from parking here. She asked if paid parking options had been discussed.

Ms. Olsen stated based on the feedback they are not looking into fee-based parking outside of valet parking. The CōV currently charges $6.00 for valet parking and this may be something that is continued. The City would need to explore options for charging for this service.

Commissioner Gruber asked if a shuttle service in conjunction with the valet parking had been considered.

Ms. Olsen stated one of the pilot projects that would be coming up included looking into a shuttle and how this would operate.

Commissioner Young stated he would be supportive of reducing the parking ratio.

Commissioner Iverson asked how all the data would be collected and compiled.

Ms. Olsen stated this was currently being worked out.

Chair Vanderheyden stated he would not be in favor of a 2-hour parking limit or charging for valet parking as paying $6.00 for valet parking may be acceptable for going to the CōV but not necessarily for the Muni.

Commissioner Gonzalez arrived at 6:55 p.m. She stated she would not support a 2-hour parking limit but felt the reduced parking ratio would be a step in the right direction. She would like to see this reduced further.

It was the consensus of the Commission to support the reduced parking ratio in the Parking Ordinance.

Mr. Gadow explained Staff would put together a draft Ordinance for the Commission to review prior to holding a public hearing.

AGENDA ITEM 3. Regular Agenda Public Hearing Items:

a. **313 Central Avenue S – Pillar Homes**
   i. **Concurrent Preliminary and Final Plat for a Three (3) Lot Subdivision**
   ii. **Shoreland Conditional Use Permit**

Mr. Gadow stated Pillar Homes and Gary Gravier have submitted a Development Application requesting concurrent preliminary and final plat subdivision approval and a Shoreland Conditional Use Permit for hardcover up to 35%, with storm water mitigation techniques, for a new three (3) lot subdivision at 313 Central Avenue S. He reviewed the Building Concept Plans, the Existing Conditions Survey, Preliminary Plat, Grading and Utility Plan, tree inventory, Final Plat, and Architectural Concepts.

Commissioner Ramy asked how the Storm Water Maintenance Agreement would be defined.

Mr. Gadow explained there is a standardized agreement that the City Engineer uses and he adds the specific project elements. There would be a copy of the site plan attached to the agreement and this would be recorded at Hennepin County. Buyers of these lots would be bound by the conditions of the Storm Water Maintenance Agreement. Pillar Homes also has an agreement that the buyers would sign acknowledging they are bound by the conditions of maintaining these storm water mitigation techniques if the subdivision is approved.

Commissioner Ramy asked about the inspection and enforcement of these systems and agreements.

Mr. Gadow stated the owner of the property is responsible to provide the City with a report that a trained professional has done an inspection and the City Engineer and Public Works staff verify that the work has been completed. If there are any issues with a system not working then the City can direct the property owner to fix the issues. There is typically an annual review done by the City.

Mr. K.C. Chermak, owner Pillar Homes, 575 Far Hill Road, Wayzata, explained the storm water mitigation. He stated the materials being used for the homes would meet the City's code. He also pointed out that 2 of the 3 homes would have side loading garages in order to create some architectural interest. He explained which trees would be removed, which includes 1 large tree and 13 small trees. He asked the City to groom the large trees in the City's right-of-way.

Commissioner Gonzalez asked for clarification on what trees in the right-of-way would be removed and if the remaining trees would be protected during construction.

Mr. Chermak stated they were proposing to remove two (2) of the smaller trees in the right-of-way and they would utilize different techniques to preserve the remaining trees.

Commissioner Gonzalez asked if fill would be brought in or taken out of the site.

Mr. Chermak stated the topography of the site would not change much and all of the garages would be on the high side. He anticipated there would be fill removed from the site.

Commissioner Gonzalez asked if anything had been done to try and save the historic home on the site.

Mr. Chermak stated he had contacted some people in regard to moving the home but there are structural deficiencies that make moving it difficult.

Commissioner Gruber asked if it would be less expensive to shore up the foundation of the existing home and retain it rather than move it.

Mr. Chermak explained that in order to determine if a home is worth remodeling, they have a check list they use. The home is historic but based on these criteria it would be too costly to remodel the existing home.

Commissioner Iverson asked what the square footage would be for the new homes being proposed because the existing homes in the neighborhood are small.

Mr. Chermak stated a rambler would have approximately 2400-2600 square feet on two floors and a 2-story home would have approximately 3500-4200 square feet on three floors. He explained he was including the basement square footage in these calculations.

Commissioner Iverson stated there is potential to save the current home and make it livable for today's family and she would like to ask the Applicant to look into this further and consider it.

Chair Vanderheyden opened the public hearing at 6:56 p.m.

Ms. Merrily Borg Babcock, 337 Reno Street, Wayzata, stated the existing home is part of Wayzata history and adds character to this neighborhood. She explained the history and significance of the home and asked Mr. Chermak to consider different lot layouts and setbacks in order to preserve this home. She expressed concerns that Wayzata is losing one of only a couple historic homes that has not been altered and asked if the records for the City's inspection on pavers were public record.

Mr. Gadow stated he would check with the Engineering Department in regard to these records and find out if they would be considered public record.

Ms. Stemmer, 205 Barry Ave S, Wayzata, shared the history of the home currently on the property and she asked the Developer to consider alternatives in order to save the home.

Ms. Sue Sorrentino, 525 Queensland Lane N, Plymouth, stated she would also like to see the home maintained in its current location due to its historic significance.

Ms. Judy Starkey, 16201 Holdridge Road W, Wayzata, stated Wayzata does not have a Historic District but this home had been given centennial status and she would like to see the home remain.

Ms. Janet Lillevold, 307 Hampton Street, Wayzata, stated there are challenges to keeping the existing home but she would like the Commission to consider allowing only 2 homes in this area due to size and mass.

Chair Vanderheyden closed the public hearing 7:19 p.m.

Commissioner Gruber stated she would like to spend more time working with Mr. Chermak to save the existing home.

Commissioner Young stated he had been unaware of the historical nature of the existing home. He expressed concerns with putting three (3) homes on this property and saving the existing home does warrant additional dialogue with the Developer.

Commissioner Iverson stated she would like to ask the Developer to look at laying out the parcel differently in order to save the home and also look at different ways to fix the home. She would support continuing the meeting in order to look at options at the next meeting.

Mr. Gary Gravier, 313 Central Avenue, stated over the last twenty years they had looked at remodeling several times but the cost was greater than what the home is worth. He pointed out the parcel is legally three (3) lots.

Commissioner Gruber stated there are grants that the City could look into for the preservation of historical homes. The City should take its time to consider all possibilities because there are so few historic homes remaining in Wayzata.

Commissioner Gonzalez stated the Planning Commission should look at the Ordinances. The size of the proposed homes does not meet all the requirements of the subdivision Ordinance, the trees loss is too significant, and the proposed homes are too large for the neighborhood, altering the characteristic of the neighborhood. The developer has not clarified the amount of fill that will be brought in or removed from the site or what preservation techniques will be used to save the remaining trees. She stated two (2) lots would be better than three (3).

Commissioner Gnos asked if the Developer and Owner would even consider keeping the existing home. He clarified that the tree loss is significant but Pillar Homes has a history of brining in trees. He would like to see a landscape plan.

Commissioner Young stated that this had been presented as a subdivision but the historical value of the existing home makes it more challenging. He would like to know that all avenues for preserving the home have been exhausted. He stated he would not be prepared to render a decision on this proposal at this time.

Chair Vanderheyden stated the Application is before them and there is time constraints the City must work within. He asked Mr. Gadow what the Commission's options were.

Mr. Gadow explained the Commission could ask the Applicant for information about the plan submitted. The Applicant would need to decide if they would like to make modifications to the Application submitted based on the comments and suggestions of the Commission.

City Attorney Schelzel clarified the Commission should be specific regarding the additional information they would require.

Chair Vanderheyden stated the Commission would like more information on the restoration viability, either by the Applicant or an expert hired by the Applicant, including moving the existing home or keeping it in its current location.

Commissioner Gonzalez stated she would like more information regarding the amount of fill that would be brought onto the site or removed from the site, if the three (3) lots were approved. She requested the Applicant consider a two (2) lot subdivision.

Mr. Gravier stated over 55% of the trees would be preserved and the value of this parcel is in subdividing it into the three (3) legal lots. These lots meet the Zoning requirements for the District.

Chair Vanderheyden stated the Commission would like clarification on what techniques would be used to preserve the remaining trees. The Heritage Preservation Board should be granted access to the existing home in order to document it. He asked for details regarding any variances that may be needed to make the three (3) lots work and the Commission would like to see a landscape plan.

Commissioner Gruber suggested Staff work with the Heritage Preservation Board and the Heritage Society to look into grants for restoration. She stated there is value in subdividing the property into three (3) lots but this is an opportunity to show the community that private and public sectors can work together to solve issues to be a win/win situation.

Mr. Chermak stated the property is legally three (3) lots and it is unlikely this would be reconsidered. He provided the Commission with a landscape plan. He stated the mature trees on the property would not be disturbed. There would be fill removed from the site not brought in and the grade on the property will change minimally. He did not have an exact calculation of how much fill would be removed but could provide an estimate for the Commission.

Commissioner Gonzalez expressed concerns the Applicant was requesting to remove trees from the City's right-of-way. She does not want to set a precedent that this is acceptable and she asked the Applicant to look at alternate driveway configurations.

Mr. Chermak stated they would look at alternate driveway configuration. He explained he would continue to look into restoration of the existing home including moving it but he would not want to do something with a timeline that would infringe on the property owners rights, such

as applying for a grant that may take years. He asked if Park Dedication fees could be used in this situation to move and restore the move.

City Attorney Schelzel asked for clarification regarding the historic nature of the requests, if Staff would work with the Applicant, and what information the Applicant would need to provide to the Commission.

Chair Vanderheyden asked if there were any policies about historic properties.

Mr. Gadow explained the City has a Historic Preservation Ordinance. This is a voluntary opt in and once on the list there are some rules about what could happen with the property.

Commissioner Gonzalez made a motion, Seconded by Commissioner Iverson, to Continue Review of the Application for 313 Central Avenue for a Concurrent Preliminary and Final Plat for Three (3) lot Subdivision and Shoreland Conditional Use Permit to a future meeting. The Applicant is requested to provide additional information as outlined in the discussions. The motion carried unanimously.

Commissioner Ramy left the meeting at 8:15 p.m.

b. **901 Lake Street – East Block of the Promenade of Wayzata**

i. **Review and Adoption of Planning Commission Report and Recommendation**

Mr. Gadow stated BohLand Development LLC submitted an application for an amendment to the Planned Unit Development (PUD) and modification of the design of the East Block of the Promenade Project. The Planning Commission reviewed the Application on March 16 and held a public hearing. The Commission voted 4-0 to direct Staff to prepare a draft Planning Commission Report and Recommendation for approval for review at the next meeting.

Mr. Steve Bohl, President BohLand Development, 825 Wayzata Blvd. E., Wayzata, reviewed what the original submission had been and the scope, scale, and size changes that have been made so the building has less visual impact. He reviewed the traffic routes that would likely be used to access the property and explained they would promote the Superior/Lake Street access to the property. He also discussed the traffic counts of the original approved use and the revised traffic counts if this plan were approved.

Commissioner Iverson stated she would like to see what a different front would look like. She would also like to see more of the historic references such as porches and altered rooflines. She asked if a cupola could be added to the roof or some of the window sizes changed in order to create more charm. She would like to see the outside look more like the buildings that they used for reference.

Mr. Bohl stated it was difficult to tie in historical references and still keep the building new and modern. He pointed out areas that they had tied in the historical references. He stated they could continue to look at adding architectural detail to the building including bringing the

outdoor patio around the building. The goal had been to make the building look lake front with some historic references but still keep it current.

Commissioner Iverson suggested either the building be more historic or more modern.

Commissioner Gonzalez stated the building is tall enough and she would not support an increase in the building height.

Commissioner Iverson stated she would be willing to compromise on the height if it added interest to the building. The height would not impact the neighbors.

Mr. Bohl explained they had added formers to the roof line on the west side. The architectural details of the building are still being worked on and they would look at the Commission's recommendations.

Mr. Gadow explained currently before the Commission is the request for change in use and PUD amendment. If the Applicant is adding small details it would not come back to the Commission but if the changes involve things such as changes in roof pitch it would need to come to the City for review.

Commissioner Young stated he liked the design aesthetic and how it blended the historic and modern of the City. He would support the project.

Commissioner Gonzalez expressed concerns about the tree coverage for the east side buffer.

Mr. Bohl stated he had met with the neighbors and discussed what trees would be preserved, where trees would be added, the landscape plan, noise concerns and lighting pollution. He clarified they would also make sure that all elements of the original landscape plan were completed.

Mr. John Mehrkens, Presbyterian Homes, discussed the east side buffer and the trees in this area. He explained the trees that had been removed had been expected because they were either marked for removal or they were invasive and had to be removed. He stated he does not agree with Item 4.2.1 of the Planning Commission Report and Recommendation: "The Developer agree to a remedy or pay an assessment acceptable to the City to address the significant tree damage that occurred in the east area of the Subject Property." He stated it would be difficult to determine if these trees were damaged due to construction on the property, the City's road construction project, or caused by nature. The trees that had been removed in order to install utilities had to be removed in order to make that possible. The landscape plans include adding over 280 new trees and this is expected to be completed by 2017.

Commissioner Iverson asked if the Developer had done any calculations on how much water the pond could hold.

Mr. Bohl stated they had done extensive studies on the storm water management and the ponds.

Mr. Mehrkens stated the storm water management is the same as it had been when originally approved and would be above what is required.

Commissioner Iverson stated she had received requests from the neighbors that there be no balconies on the corner that would look down into their homes. She asked if there would be trees along the pond to reduce light pollution and keep these homes private.

Mr. Bohl stated they would look at adding something to this area.

Mr. Dan Gustafson, 1040 E. Circle Drive, Wayzata, stated he supports the use change. He would ask that the traffic study that had been done in 2009 be included with the application. He expressed concerns about traffic moving through the neighborhood and overflow parking. He recommended that City have a plan and be prepared to take action if needed. He is not pleased with the landscaping that has been done and he would like to see the Developer work with the Park Board regarding the east side.

Ms. Wendy, 1040 Circle A, Wayzata, stated the tree line is disappointing and it had been stated there would be minimal impact on these trees, which has not been the case. She would support closing the round-about and she is concerned about light pollution and privacy if there are balconies overlooking her home.

Mr. Steve Fox, 702 Winston, Wayzata, stated Mr. Mehrkens had said he would preserve and enhance the buffer and this has not been the case. He stated the solution would be for the City to fine Presbyterian Homes and not advance the application to the City Council unless there is a recommendation of a fine. He suggested fining Presbyterian Homes $10,000 per condominium and this money could be used to rebuild the buffer and any excess could be used for parks and trails.

Commissioner Gonzalez asked who was responsible for maintaining the buffer.

Mr. Gadow stated this area has a common property line between Presbyterian Homes and City right of way.

Mr. Mehrkens stated a tree survey had been done at the beginning of the project and again a couple of years ago. He also has a landscape management plan that showed the trees to be removed. He would be willing to have a third party review these documents and indicate if Presbyterian Homes removed trees that were not intended to be removed. He clarified they had followed the approved landscape plan. There had been several discussions regarding this buffer and it had been put to the Applicant to make this buffer healthy and this is what has been done.

Commissioner Iverson asked if the City has ever asked a Developer to put a deposit down for landscaping and once the landscaping is complete this could be returned.

Mr. Gadow stated the City has not done a letter of credit for landscaping. This is typically done for public infrastructure that an applicant may be building out for the City.

Commissioner Iverson suggested this may be something to consider in the future.

Commissioner Iverson voluntarily recused herself from the vote.

Commissioner Gonzalez made a motion, Seconded by Commissioner Young to approve the Planning Commission Report and Recommendation for approval for the Planned Unit Development Amendment to Allow Conversion of Proposed Office Use to Condominium and the Review of Proposed Design Modifications. The motion carried 5-ayes and 1-abstain (Iverson).

AGENDA ITEM 3. Other Items:

a. **Review of Development Activities**

Mr. Gadow stated the next meeting would include a variance request at 532 Ferndale Road S for a garage and hardcover and possibly a subdivision for 250 Bushaway Road. The will be a tour of the Bay Center on Tuesday, April 14 at 4 p.m. He stated the project at 637 Harmony Circle had requested a time extension so they could look at rambler options for the site. There will be a joint workshop with the City Council on April 21 for this project.

b. Other Items

Director of Planning and Building Gadow stated the City Council reviewed the modification to the Community Church roof.

Commissioner Gnos stated he would attend the April 14 Heritage Preservation Board meeting.

AGENDA ITEM 4. Adjournment.

There being no further business, Commissioner Young made a motion, seconded by Commissioner Gonzalez to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 9:32 p.m.

Respectfully submitted,

Tina Borg
TimeSaver Off Site Secretarial, Inc.