WAYZATA PLANNING COMMISSION
MEETING MINUTES
NOVEMBER 2, 2015

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

Vice Chair Iverson called the meeting to order at 7:00 p.m.

Present at roll call were Commissioners: Iverson, Gonazalez (7:05 p.m.), Ramy, Gnos, Young, and Gruber. Absent and excused: Commissioner Vanderheyden. Director of Planning and Building Jeff Thomson, Interim City Planner Eric Zweber (AICP), and Management and Planning Intern Jason Peters were also present.

a.) Approval of the October 5, 2015 Planning Commission Meeting Minutes

Commissioner Gruber made a motion, Seconded by Commissioner Ramy, to approve the minutes of the October 5, 2015 Planning Commission Workshop meeting as presented. The motion carried unanimously.

AGENDA ITEM 2. Regular Agenda Old Business Items:

a.) 1120 Wayzata Blvd. E – Davis Group

i) Design Review

Director Thomson stated the Planning Commission had reviewed a development application for 1120 Wayzata Boulevard East at its October 5, 2015 meeting. Mr. Thomson reviewed the Planning Report from the October 5 meeting, and noted that the Planning Commission had requested additional information from the Applicant at that meeting regarding the site and building design. Mr. Thomson reviewed the Applicant's subsequently submitted revised plans and additional information, as well as comments from Staff on parking and traffic analysis, setback requirements for the west property line, the design standard deviations, and tree preservation analysis. He clarified when the project for the property to the east was approved, a Conditional Use Permit (CUP) was included for shared parking with the subject property. He stated there had been a traffic study done in 2006 for the property to the east. At that time, there were discussions regarding access on Wayzata Boulevard, and one of the changes recommended at that time for the east parcel was to remove the westerly access from Wayzata Boulevard East. This access would have been on the property currently being reviewed. He pointed out the proposed occupants for the east property in 2006 had a higher parking requirement and generated more trips than the current uses occupying the building. He stated the majority of the trees that would be removed as part of the present project were in the west and south section of the property, and this was to accommodate the larger size of the parking lot.

Vice Chair Iverson asked where the canopies on the building were that would be removed.

Mr. Thomson stated they are located on the four corners of the building.

Mr. Mark Davis, Davis Group, 2487 Crown Hill Road, Minnetonka, stated they would not want to remove the metal clad elements they have on the building. He stated that the project has met the six (6) design requirements without including the canopy, and that the metal awnings they are proposing would look better than a fabric canopy.

Commissioner Gonzalez joined the meeting at 7:05 p.m.

Commissioner Gruber asked why Staff was recommending removing the metal awnings.

Mr. Thomson clarified Staff's interpretation is based on the design standards of the Zoning Ordinance. If these elements of the proposed building are classified as awnings, there are material requirements that must be met under the design standards, and metal is not one of the allowed materials in the design standards for awnings. He noted that these elements of the building are not being included as one of the design elements for the façade treatment requirements, so the Commission could make the determination that these design elements are not awnings, but rather façade elements and thus acceptable, and include this in their findings.

Commissioner Ramy asked what the dimensions were for the overhang.

Mr. Patrick Giordana, BDH and Young, 7001 France Avenue S., stated the canopy elements on the west side have a projection of 18-inches. The eastern corner projects about 4-feet. This is to protect clients as they enter the facility and also identify this as the main entry point.

Commissioner Gonzalez asked if there would be any danger of snow and ice falling off the metal canopy in the winter months.

Mr. Giordana stated the roof is flat and the water and runoff would be taken internally then dumped out appropriately. This will also prevent ice buildup on the sidewalk.

Commissioner Gonzalez stated the design standards state the door on the main street should be enlarged. She asked if this would be done.

Mr. Giordana stated they would make the door on Wayzata Boulevard a double door to meet this requirement.

Vice Chair Iverson asked if the Applicant would consider heating this area of the sidewalk.

Mr. Giordana stated the roof and overhang would eliminate the condensation and potential for ice buildup.

Commissioner Gonzalez asked if the City Engineer had reviewed the storm water management plan. The plans show that there were no changes but when there is redevelopment this is an opportunity to make improvements.

Mr. Thomson stated there had been additional modeling with the storm water management and the City Engineer had reviewed this. There are some mitigation methods proposed prior to the water reaching the wetlands. The proposed plans would meet the City's storm water management requirements.

Commissioner Ramy stated he liked the awning design element proposed by the Applicant.

Commissioner Young stated the awnings are more of a design element than an awning and the building design would suffer aesthetically if it were removed. He also agreed that having a second entry point on Wayzata Boulevard would be a good idea.

It was the consensus of the Planning Commission that the metal overhangs should not be considered true awnings, but rather façade design elements and noted as such in the findings of the final Report and Recommendation.

Commissioner Young stated based on the plan and the number of physicians on staff currently, there would be enough parking on the site. He asked how the City would ensure that the shared parking would still be in effect if there were additional needs in the future.

Mr. Thomson stated the draft Planning Commission Report and Recommendation includes a condition for a cross parking agreement between the two (2) properties which would be filed on the property. If the properties were sold in the future, this agreement would continue to be followed for the properties.

Commissioner Ramy asked how the bank customers would be routed.

Mr. Giordana stated they had made adjustments to the previous site plan proposal. They reduced the amount of parking of the project site to make the traffic flow better, and this is why a cross parking agreement would be needed.

Vice Chair Iverson stated the City Engineer expressed concerns on how the proposed perforated pipe would affect the retaining wall and what affect the grading would have on this retaining wall. She stated she would like clarification on what will happen with this retaining wall. She would also like to know what the impacts would be on the apartment complex and what would be done to ensure they feel safe once the trees are removed.

Mr. Thomson stated he had discussed these items with the City Engineer. He noted that the current plans include more detail, including elevations, on the location of the pipe in relation to the retaining wall, and there is enough distance between the base of the wall and the pipe.

Vice Chair Iverson stated if the Application were to move forward, she would like to have more detailed information on the sewer, water, and mitigation pipe locations and what is required in Schedule 40.

Mr. Thomson clarified the pipe is 10-feet below the retaining wall and is 10-inches in diameter.

Vice Chair Iverson stated she would like to have the details of Schedule 40 included with the Application if it moves forward.

Commissioner Gonzalez stated if the Application moves forward, all of the City Engineer's concerns should be addressed for the Council to consider.

Commissioner Gonzalez stated one of the goals of the City was to have shade trees and boulevard trees planted, and the trees proposed would not be considered boulevard trees. The Park and Trails Board is also trying to have developers plant a greater diversity of native trees. She asked the Applicant to consider the types of trees that would be planted on the property. She recommended the City review the design standards and reconcile them with the tree replacement information with the City's proposed Tree Preservation Ordinance.

Vice Chair Iverson stated the City and Minnehaha Creek Watershed require a minimum of 6-inches of topsoil, and note 1 on the Landscaping Plan states they are using 4-inches. She stated this should be changed and a minimum of 6-inches should be required. She stated she would like to see more information prior to making a recommendation to the City Council.

Mr. Thomson stated the draft recommendation would be presented to the Planning Commission for approval prior to going to the City Council, and the draft would include the additional information requested by the Commission.

Commissioner Gonzalez asked if the City had received any feedback from neighboring residents on the Project.

Mr. Thomson stated the City has heard from two (2) residents. One expressed concerns about the amount of trees being removed and one requested a Commission packet with the Application.

Commissioner Gnos asked if the Applicant was replacing an adequate amount of trees based on the City's proposed Tree Preservation Ordinance.

Commissioner Gonzalez stated the Tree Preservation Ordinance has not been approved by the City Council so it is not in effect at this time.

Vice Chair Iverson stated the City may need to approve having work done at night for the installation of a water connection. She stated there is no information on the impacts this would have on the residents including what the hours would be, the sound levels, and the light, and information on exactly what work would be performed on night. She would like this information included as conditions of approval.

Vice Chair opened the public hearing at 7:49 p.m.

Ms. Sarah Rockswold, 208 Central Avenue South, Wayzata, asked if some of the trees could be saved if there was more shared parking between the two (2) properties. She would also like to see some of the larger trees that are visible from inside the building saved because these are relaxing to patients. She also expressed concerns about noise levels at night during construction.

Ms. Nancy Forstrom, expressed concerns about the number of trees that would be removed.

Mr. Davis stated there are 33 significant trees on the west side of the property that would not be removed.

Vice Chair Iverson closed the public hearing at 7:54 p.m.

Mr. Thomson clarified that the additional information and conditions the Planning Commission would like included in the PC Report and Recommendation of approval would include: detailed resolutions to the comments and concerns of the City Engineer, specifications on the water service, the top soil depth on the Landscape Plan, and the work hours for the utility connections.

Vice Chair Iverson added she would like to see the requirement of 3-inch trees along Wayzata Boulevard as a condition.

Mr. Thomson stated other conditions included a double door for the second main entrance and approving the metal awning structure proposed.

Commissioner Gonzalez added a condition that a cross parking easement be recorded against the properties.

Commissioner Gonzalez made a motion, Seconded by Commissioner Young, to direct Staff to prepare a Planning Commission Report and Recommendation, with the findings and conditions as noted, reflecting a recommendation of approval on the Application for review and adoption at the next Planning Commission meeting.

Commissioner Gruber asked if the Developer could consider looking at adding trees in the parking lot.

Mr. Davis stated there are trees incorporated in the parking lot.

Vice Chair Iverson stated the residents are also requesting additional tree be planted toward the back of the property to provide additional screening.

Mr. Ramy asked if Mr. Davis would consider adding a short wall to block headlights along the back of the parking lot.

Mr. Davis stated he would look into this.

The motion was called to a vote. The motion carried 5 ayes; 1 nay (Iverson).

AGENDA ITEM 3. Workshop Items:

a.) Alternative Energy Ordinance discussion with presentation by Brian Ross

Mr. Brian Ross, Senior Program Director for Great Plains Institute for Sustainable Development (GPI) made a PowerPoint presentation outlining Renewable Energy Local Government Tool Kit for Wind Energy including comprehensive plans, development regulations, and administration and programs, and wind energy ordinance standards. He reviewed the model Ordinance for the State of Minnesota, which is currently under revision. He discussed renewable energy best practices including policies, development regulations, and the administration and programs in the community. He noted that the Comprehensive Plan format should include existing conditions, desired conditions, and the actions to move the City to the desired conditions and local energy resources should be addressed in all three of these components. He discussed the solar and wind land use conflicts and nuisances.

Commissioner Gonzalez asked what kind of wind energy would make sense for a community such as Wayzata, which is 4-square miles and fully developed.

Mr. Ross stated the simplest way to answer would be to ask where the City would allow a 100-foot tower to be constructed. If there is no where then the answer would be there would be no opportunity for wind energy development in the community. He explained the reasons for identifying the location of wind and solar resources in the City in order to determine the most practical locations for these structures to be. If there is no resource available in the City, then there is a justification for the City to restrict these structures. Wind resources are identifiable and measurable, and the City's decisions should be based on the value as a renewable energy source versus the potential nuisances of this type of development. When developing wind energy zoning, the City should distinguish between types of wind energy applications and wind resources, define necessary permits, identify wind resource standards, establish setbacks and dimensional standards, establish safety and nuisance standards, establish design standards, and minimize impacts to infrastructure.

Commissioner Gruber asked if there were provisions that provided for the protection of birds and other wildlife.

Mr. Ross stated this is something they do not have to worry about with a distributed wind system but it is with a wind farm. The potential risks to birds and wildlife would be restricted to the areas around wind farms.

Commissioner Gonzalez asked if there were restrictions to keep turbines out of migratory bird paths.

Mr. Ross stated the Minnesota DNR does review the placement with every wind farm in Minnesota. There is no prohibition in Minnesota for placement in a flyway but developers are required to provide an environmental review and the DNR is involved with this.

Mr. Peters stated one of the City Council members had asked if it would be possible to put a wind turbine on a cellular tower.

Mr. Ross stated there are some designs that are made to go on existing towers. These are small and use some alternative energy turbine and do not usually function well. Cellular towers are not designed to accommodate large turbines and turbine manufactures have specifications for the type of tower these units can be attached to.

Commissioner Gruber asked if GPI was working with other groups to provide some standardization on these types of ordinances.

Mr. Ross stated GPI does work with several organizations and he does present best practices based on a variety of viewpoints.

Commissioner Young stated he would like to have a similar presentation on solar energy. He stated the City would need to determine if there are any areas within the City that would have a wind resource because this would determine if the City develops site-specific ordinances or citywide Ordinances.

AGENDA ITEM 4. Other Items:

a.) Review of Development Activities

Mr. Thomson stated on October 20th, the City Council had a workshop to review a proposal for the Meyers Brothers property, and the Council appointed the Lake Effect and Technical and Steering Committees for the next phase. On November 4, the City Council will have its first discussion on the Telecommunications Ordinance and the Tree Preservation Ordinance.

b.) Other Items

Commissioner Gonzalez stated one of the conditions of approval for the development occurring across from the Post Office was the protection of the park to the north, and they have excavated up to the property line and trimmed limbs off of trees along the property line. She does not believe this tree will survive. She asked what mechanism the City had to enforce this condition of approval especially since this tree is on a neighboring property.

Mr. Thomson stated he would look into this.

AGENDA ITEM 5. Adjournment.

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

The meeting was adjourned at 9:07 p.m.

Respectfully submitted,

Tina Borg
TimeSaver Off Site Secretarial, Inc.