

1 the multiple requests in the application. Subsequently, the Applicant submitted a letter and
2 revised plans to the City responding to the Planning Commission's comments. Mr. Thomson
3 reviewed the revised plans and additional information the Commission had asked for, including
4 the Environmental Report, grading balance calculations, exterior lighting hours of operation and
5 sign lighting, visibility of the roof to surrounding properties, the Tree Preservation Plan,
6 additional screening for the parking lot, parking lot setback requirements, and Traffic Analysis.
7 He reviewed a Draft Planning Commission Report and Recommendation for approval of the
8 design except for the requested deviations for the roof color and the exterior building material,
9 approval of the PUD amendment, denial of the preliminary plat creating a new substandard
10 residential lot, zoning Lot B of the property to R-1 Single Family Residential, the
11 Comprehensive Plan Amendment to guide Lot B as one acre single family and the variances for
12 lot depth and minimum lot size. The Commission had stated they would support zoning and
13 guiding the entire outlot as PUD and Institutional, respectively. He reviewed the conditions of
14 approval in the Draft Planning Commission Report and Recommendation, including that the
15 width of the one-way drive being a minimum of 18-feet wide, the exterior lighting must be
16 turned off when the building is not in use or by 10:00 p.m., and the wetland delineation report
17 must be reviewed and confirmed by the City Engineer.

18
19 Mr. Doug Johnson, 4775 Dodd Road, Eagan, Project Manager for UUCM, stated prior to the
20 State taking the outlot property for the highway, there had been a home on the parcel that they
21 are proposing to zone as residential. He stated in the Holdrige neighborhood there are 14
22 properties of the 40 in the neighborhood that are less than the minimum lot size. The lot they are
23 proposing does not deviate from the neighborhood and does contain a flat buildable site. UUCM
24 bought this parcel in order combine some of it with its existing parcel to meet the parking
25 requirements, but they do not have a need for the portion of the property they are requesting be
26 rezoned R-1.

27
28 Commissioner Gonzalez asked if the Church would have enough land to meet their parking
29 needs if the proposed residential parcel were reconfigured to meet the 40,000 square foot lot area
30 minimum.

31
32 Mr. Johnson explained to do so, the southern portion of the parking lot would need extend into
33 the "old" wetland delineation. If the revised wetland delineation is confirmed by the City, the
34 parking lot could move further south and this would allow them to reconfigure the lot lines.
35 They are proposing the property line location at this time based on saving some of the trees on
36 the property. But they could look at this to see if they could reconfigure this.

37
38 Chair Iverson asked what the square footage would be for the flat "buildable" area on proposed
39 Lot B.

40
41 Mr. Johnson stated he would get this information.

42
43 Mr. Paul Neseth, 3617 DuPont Avenue S, Locus Architecture, representing the Applicant, asked
44 if there was room for any deviation from the approved plan.

45

1 Mr. Thomson stated minor changes to the site design and building design may be permitted but
2 the Applicant would need to make sure that these minor changes would still comply with the
3 Design Standards and what was approved. Any changes impacting the Zoning Standards,
4 including setbacks, cannot be changed at all.

5
6 Chair Iverson stated the exterior building materials could not change, and they would need to
7 stay within the materials permitted under Design Standards.

8
9 Mr. Neseth stated sustainability is important to UUCM and they took this into consideration
10 when they designed the building and selected building materials. The siding was not chosen for
11 sound mitigation but because they had chosen to use precast concrete walls for the building.
12 They could do painted wood shingles that would meet the Design Standards but the metal
13 shingles they are proposing would be a superior product because it will not peel, chip, or degrade
14 as wood shingles would.

15
16 Commissioner Young clarified the Commission could make recommendations to the City
17 Council on the deviations requested and the zoning of Parcel B, but did not make the decisions
18 on these things.

19
20 Commissioner Gonzalez stated the Planning Commission had to look at the Design Standards
21 and the law to determine if the deviations would impact the City negatively. The materials
22 proposed have not historically been approved when considered as part of a deviation request.
23 The Planning Commission can recommend deviations but they must provide a good reason why
24 they are supporting these deviations that is based on the standards. She stated she would support
25 the Applicant having a white roof for environmental reasons, and there would not be significant
26 impact to the neighborhood.

27
28 Commissioner Flannigan clarified the reason the Applicant had presented the need to use the
29 exterior material was that it was associated with the need to use precast concrete to buffer the
30 sound from the Highway.

31
32 Mr. Neseth stated they have not been able to find any information that the white roof would
33 impact the neighborhood. They would like to go with a white roof to lessen the impact on the
34 environment and how much energy they use.

35
36 Chair Iverson opened the meeting to public comment at 7:49 p.m.

37
38 Mr. Robert Dachelet, 4801 Highland Road, Minnetonka, stated he is a member of the Church but
39 not speaking on behalf of the Applicant. He stated that at the last meeting, Commissioner
40 Flannigan had asked one of the residents if they would prefer a parking lot or home on Lot B,
41 and he did not get a response. Mr. Dachelet stated that another resident had requested the
42 Church not have access to Holdridge Terrace, and that a home be constructed on Lot B. Mr.
43 Dachelet pointed out that a home on Lot B would put another property on the City of Wayzata's
44 tax roll. He stated the City's zoning guidelines state "green" roofs would be recommended and
45 the white roof proposed would be considered "green." He explained the values of the Church
46 and Congregation, and their desire to blend into the neighborhood.

1
2 Chair Iverson asked for further public comment, and hearing none, closed the public comment
3 period at 8:00 p.m.
4

5 Commissioner Gonzalez stated the roof of the proposed church building is flat and would not be
6 visible, so the impact to the community of a roof color deviation would be minimal. The sight
7 lines for the homes that surround the property would not be affected and the environmental
8 considerations of UUCM are justified. She would recommend the deviation for the roof color.
9

10 Commissioner Young stated he would support denial of the deviation because he does not
11 believe that this is warranted.
12

13 City Attorney Schelzel stated the draft findings of fact do not include a finding that a white roof
14 is more efficient or energy friendly. He asked if the Commission would recommend approval of
15 the requested roof color deviation if the Applicant provided information that a white roof would
16 be environmentally and energy friendly. He suggested that the provision of this material could
17 be listed as a condition of approval.
18

19 Commissioner Gruber stated she would approve the white roof if there was supporting
20 documentation that this is energy efficient and this project would have a positive effect on the
21 area.
22

23 Commissioner Flannigan stated the Commission could approve the deviation of the roof color
24 based on the extent to which the project advances specific policies and provisions of the City's
25 Comprehensive Plan and the positive effect of the project on the area.
26

27 Commissioner Murray stated he would approve the white roof based on supporting
28 documentation that this would be a "green" roof.
29

30 City Attorney Schelzel stated that if the Commission would like to move forward with this
31 approach, he'd recommend the following language: The negative impact of the deviation on the
32 roof color, which would not be visible from most vantage points, would be outweighed by the
33 positive effect of the project on the area in which it is proposed, and a greater conformity with
34 the policies behind the standards including environmental policies and conservation.
35

36 Commissioner Flannigan asked why the Design Standard lists the specific exterior building
37 materials it does, because the materials presented with the deviation request may not have been
38 considered or available at that time.
39

40 Commissioner Young stated the Design Standards had been created to protect design aesthetics,
41 and the material presented with the deviation request for the exterior was not included in the
42 standards. In order to support a deviation he would need to know that this material would
43 perform aesthetically in a similar manner as the materials that are part of the Design Standards.
44 He expressed concerns about the requested material providing a more reflective surface, and that
45 it would not blend into the neighborhood.
46

1 Commissioner Flannigan pointed out the orientation of the building is such that the entry of the
2 building faces north, and the portion that would be hit by sunlight is covered by trees.

3
4 City Attorney Schelzel clarified the Commission is not looking at recommending a variance
5 from the Design Standards, but rather a deviation from a requirement of the Standards, which
6 involves a different process and factors.

7
8 Commissioner Gonzalez stated the Commission could consider the alleviation of an undue
9 burden factor, taking into account current leasing, housing, and commercial conditions. The
10 Applicant had stated they are considering this material because of the cost, and if this is a
11 component of their application then the Commission should consider it.

12
13 City Attorney stated the cost burden of using the required exterior building materials would need
14 to be quantified because all materials have costs associated with them, and whether there is an
15 undue cost burden in using those materials is another question.

16
17 Commissioner Flannigan stated the noise is an existing factor and this could be considered an
18 undue burden.

19
20 Chair Iverson stated there were no other noise remedies presented to the Commission.

21
22 Commissioner Gonzalez stated the noise barrier is provided by the concrete interior wall, not the
23 exterior covering for which a deviation is requested. She stated the idea behind the Design
24 Standards is to have quality materials, and she is not sure that the material presented as part of
25 the deviation request would meet this standard of quality.

26
27 Commissioner Flannigan stated there is enough within the Standards to allow the City Council to
28 approve the metal exterior, and it would be of interest for the City to look at different types of
29 building materials as they evolve.

30
31 Commissioner Murray stated when the Standards were established the type of metal in use for
32 this kind of exterior building material was different as well.

33
34 Chair Iverson clarified the Commission was leaning towards recommending denial of the
35 deviation pertaining to the exterior building material. She asked the Commission about the
36 lighting condition in the draft Planning Commission Report and Recommendation, and if the use
37 of lighting until 10:00 p.m. was acceptable.

38
39 Commissioner Gonzalez stated there should be some kind of lighting allowed at all times for
40 safety reasons.

41
42 Mr. Thomson stated the language could be written to allow for minimal lighting as needed for
43 safety and security reasons.

44
45 Commissioner Flannigan suggested landscape lighting or walkway lighting. He asked if the
46 signs would need to be turned off since the building faces the Highway.

1
2 Mr. Thomson stated the proposed language pertaining to the signs comes from the Sign
3 Ordinance, and it does apply because this is adjacent to residential property.

4
5 Mr. Neseth stated there should be enough lighting for people to move around safely on the site
6 and this can do done through motion lighting. They would also like to have lighting near the
7 building to deter vandalism.

8
9 Mr. Thomson stated the flexibility to add security and safety lighting would need to be included
10 because this is not specifically called out in the condition.

11
12 Commissioner Gonzalez stated these lights cannot reflect into the neighborhood.

13
14 Chair Iverson stated Condition 4.2.C of the draft PC Report should include language that pertains
15 to landscape lighting and safety and security lighting.

16
17 Commissioner Murray asked if they could reduce the lighting for the south portion of the
18 property at night for the neighborhood.

19
20 Chair Iverson stated the Church could contact the City and let them know whenever the lights
21 would be on later than 10:00 p.m.

22
23 City Attorney Schelzel stated the way the condition in the draft PC Report is written currently is
24 tied to use of the building. Because the Church is not restricted in its times of use, whenever
25 they are using the building, they can have lights on. He recommended looking at a design
26 solution for concerns of the impacts of the lighting on the neighborhood versus, an hours on-off
27 solution.

28
29 Chair Iverson clarified the Commission was asking to modify Condition 4.2.C to include
30 language that the design of the lighting would be effective in protecting the neighborhood and
31 language for landscaping and safety and security lighting.

32
33 Commissioner Gonzalez stated she was concerned that allowing the creation of a substandard
34 residential parcel would set a bad precedent for the City. These are variance requests, and she
35 would defer this matter to the City Council. A single family home in this location may be
36 desirable but it does not meet the requirements of the variance standard or State Statute for
37 variances. She would not recommend creating a substandard lot.

38
39 Commissioner Gruber stated there are lots in the Holdridge neighborhood that are substandard.
40 There are not a lot of options for use for this parcel. She would consider zoning this parcel to
41 residential.

42
43 Commissioner Gonzalez pointed out that the substandard parcels in the Holdridge neighborhood
44 had existed prior to the City establishing the R-1 District and the minimum lot size. The City
45 Council may choose to grant the variance requests.

46

1 Commissioner Murray stated he would support zoning this parcel as residential.

2
3 Commissioner Flannigan stated the comments from residents of the neighborhood were not clear
4 on what they would like to see done with this parcel. He would lean towards making this a
5 usable parcel. He would defer the final decision to the City Council. There is enough to support
6 making it R-1.

7
8 Commissioner Young stated a R-1 zoning would be warranted, and he would recommend this.
9 He would like to see the Planning Commission recommend zoning this parcel as R-1.

10
11 Chair Iverson clarified the Commission would support recommending an R-1 zoning request and
12 letting the City Council make the decision on if this should be allowed. She stated this is a
13 policy decision that the City Council would have to make regardless of the recommendation
14 from the Planning Commission.

15
16 City Attorney Schelzel stated under the Ordinance, the Planning Commission does need to make
17 a Report and Recommendation to the City Council on Zoning amendments and there are criteria
18 in the Staff report to guide this. He stated the Planning Commission can take a vote on the draft
19 Report and Recommendation as presented at this time, with a modification to recommend
20 approval of the roof color deviation as requested. If that vote fails, they could take a vote on
21 directing Staff to come back with a redrafted Report and Recommendation that would
22 recommend approval of the roof color design standard deviation and the residential parcel as
23 requested in the Application. This will allow Staff to draft the final Report and Recommendation
24 with the appropriate findings.

25
26 Commissioner Gonzalez made a motion, Seconded by Commissioner Murray to adopt the Draft
27 Report and Recommendation as presented with the change that the deviation for roof color be for
28 approval based on the finding that the negative impact of the roof color, which would not be
29 visible from most vantage points, would be outweighed by the overall positive effect of the
30 project on the area in which it is proposed and greater conformity with the policies behind the
31 standards as they relate to green roof and environmentally sensitive design, subject to further
32 data supporting such findings and the additional language for landscape, security, and safety
33 lighting. The motion failed 3-ayes and 3-nays (Young, Gruber, Flannigan).

34
35 Commissioner Flannigan made a motion, Seconded by Commissioner Gruber to direct staff to
36 prepare a Report and Recommendation for consideration at the Commission's next meeting
37 recommending:

- 38
39 (1) Approval of Design Review, except for the requested deviation for primary
40 exterior building material, but including approval of the deviation for roof color
41 based on the finding that the negative impact of the roof color, which would not
42 be visible from most vantage points, would be outweighed by the overall positive
43 effect of the project on the area in which it is proposed and greater conformity
44 with the policies behind the standards as they relate to green roof and
45 environmentally sensitive design, subject to further data supporting such findings;
46 and

- 1
2 (2) Approval of the PUD amendment for the revised site plan, subject to an additional
3 condition for landscape, security, and safety lighting; and
4
5 (3) Approval of Preliminary Plat Suidivision creating new PUD lot and residential lot;
6 and
7
8 (4) Approval of variances for lot depth and minimum lot size; and
9
10 (5) Approval of zoning to PUD/Planned Unit Development and R-1/Low Density
11 Single Family Residential District; and
12
13 (6) Approval of Comprehensive Plan Amendment to designated Parcel B to
14 Institutional/Public and One-Acre Single Family
15

16 The motion carried 5 ayes and 1 nay (Gonzalez).
17

18 Commissioner Gruber made a motion, Seconded by Commissioner Flannigan, to adjourn the
19 regular Planning Commission meeting and move to a workshop. The motion carried
20 unanimously.
21

22 The Planning Commission regular meeting was adjourned at 8:56 p.m.
23

24 The Planning Commission workshop was called to order at 9:05 p.m.
25
26

27 **AGENDA ITEM 6. Workshop Agenda Items:**
28

29 **a.) Meyer Place on Ferndale – 105 Lake St E**

30 **i. Review of concept plans**
31

32 Mr. Thomson stated Homestead Partners is proposing to redevelop the former Meyer Brothers
33 Dairy building at 105 Lake Street East. The proposed building would be four (4) stories in
34 height and would include 23 residential condominiums with 48 enclosed parking spaces. They
35 have requested a workshop with the Planning Commission to review the proposed building
36 design and receive any preliminary feedback that the Commission has. He provided background
37 on the zoning and comprehensive plan land use designation for the property.
38

39 Mr. Jeff Schoenwetter, JMS Custom Homes, stated the Meyer Dairy site has had development
40 issues and they are still working to clean up the chemicals and asbestos on the site. The
41 integrity of the project is about making a difference and doing custom condominiums. After
42 reviewing the comments from the Planning Commission, City Council and surrounding
43 residents, the concept plan was redesigned. This redesign makes for a more visually attractive
44 building and provides a grand statement at the corner of Ferndale Road and Lake Street. He
45 reviewed the changes in the site plan, building, green roof elements, roof top deck, planters,
46 lattices, and trellises.

1
2 Commissioner Gonzalez stated the Ordinance requires residential and retail space and the Comp
3 Plan identifies this area as mixed use. She asked where the retail or office space would be
4 located in the building.

5
6 Mr. Schoenwetter stated the proposal has no retail or office space.

7
8 Mr. Thomson stated the current zoning does require a mixed use building or commercial use on
9 the first floor. The comprehensive plan states that the properties on Lake Street, west of Barry
10 are encouraged to include retail or services, but it is not required. The Applicant would need to
11 request rezoning of the property if the application moves forward.

12
13 Commissioner Gonzalez asked if the Design Standards required mixed use.

14
15 Mr. Thomson stated he would look into this but the Design Standards would not typically
16 regulate use.

17
18 Commissioner Gonzalez asked what the price point would be for the proposed condominiums.

19
20 Mr. Schoenwetter stated the unit sizes vary and would range from \$700,000 to over \$1 million.
21 This will depend on the finishes, size, and amenities.

22
23 Commissioner Gonzalez asked how the Applicant would justify the variance requests for
24 building height, elevator structure height, and impervious surface coverage.

25
26 Mr. Schoenwetter stated the Ordinance is intended to provide an idea of what Lake Street would
27 look like in the future. This particular site is unique and a 3-story façade would not make a
28 grand statement. The Ordinance gives the latitude in a PUD to identify the intent and what
29 should be done with this property because it is the west end entrance into Wayzata. The
30 redesign makes for a more visually attractive building than what the standards specify.

31
32 Commissioner Flannigan asked what the effects of the height would be to the neighboring
33 residents.

34
35 Mr. Schoenwetter stated the previous building designs may have visually impacted the
36 neighborhood but they had pulled back from the rear property line and stepped back the façade.

37
38 Commissioner Flannigan asked what about the location made retail or office space unnecessary
39 in this project.

40
41 Mr. Schoenwetter stated they are not asking for subsidy from the City to clean up the site and
42 ground water or demolish the building. This is a private development, and they have looked at
43 the site and what the code suggests. They want to build a project that is successful in the
44 community. Wayzata is oversupplied with retail, and the economics of retail does not work.
45 Requiring a retail component would not make this project successful. The neighbors expressed

1 concerns about the uncertainty of commercial or retail space and the effects this would have on
2 their neighborhoods. They would like to see residential property in this area.

3
4 Commissioner Flannigan stated this may not be the right place for retail, and there are areas where
5 these types of projects do make sense.

6
7 Commissioner Young stated he liked the project design, and that it would do a lot for Lake Street
8 and provide an entrance to Wayzata. The project would be a PUD, and there is plenty of retail
9 and office space in the City. He would be less interested in this project if it contained mixed use.

10
11 Commissioner Gruber stated she was not in favor of the design and the stucco exterior. She
12 asked if the developer had considered more elegant designs. She stated there has been a ramp up
13 of residences for wealthy people, but she does not see this reflected in the proposed design.
14 Wayzata deserves better design. She would like to see this design more stylized.

15
16 Chair Iverson stated the mass and density of the project is too much. She asked what effects the
17 additional traffic would have on the area. The back of the building is not good to look at. She
18 asked the Developer to be more innovative. There is no affordable housing left in Wayzata.

19
20 Mr. Schoenwetter stated the design they presented 4-months ago had complied with the
21 Ordinance for density, hard cover, and size and was very plain. They are significantly reducing
22 the hardcover on the site and the Ordinance does allow them to build a square box with a high
23 twenty condominium count but they are proposing a building the market and the neighbors are
24 asking for.

25
26 Commissioner Flannigan stated \$700,000 to \$800,000 starting price is not unrealistic for prime
27 real estate. Affordable housing on Lake Street is not realistic. He does not think every home in
28 Wayzata should be \$1 million home but those located in prime areas should be expected to be
29 valued higher. The market is driving the value and the price point of the homes should not be in
30 the discussions.

31
32 Chair Iverson stated she would like to see a softer façade. She stated there is no affordable
33 housing in Wayzata and the Commission needs to be mindful of what will happen in the
34 community moving forward.

35
36 Commissioner Gonzalez stated she liked the additional green space and the use of different
37 exterior materials. These are preliminary drawings and may change when the application is
38 presented. She asked if the Developer would be asking for TIF funding for the project.

39
40 Mr. Schoenwetter stated they were not requesting TIF funding but if it were offered then he
41 could reduce the unit costs.

42
43 Commissioner Gonzalez asked what justification the Applicant would have for a 4-story building
44 on this site.

45

1 Mr. Schoenwetter stated a PUD gives the City greater latitude and the Developer greater risk and
2 flexibility to propose the best possible project. The City is getting the best designed project for
3 the site.

4
5 Mr. Tim Whitten, Whitten Associates, stated the challenge with designing for the location is the
6 Ordinance and Design Standards are rigid and does not allow for a design that would be better
7 for the location and the neighbors. The design offers a greater setback from the neighboring
8 properties and a green roof for better viewing. Wayzata has approved 3-story building with a
9 rooftop space. This requires additional height for elevators and equipment, making the height
10 significantly more than 3-stories. The design presented puts the rooftop space on the third floor
11 so that the overall height is less than what a standard 3-story building would be. The Design
12 Standards allow for 4 different exterior materials and they are using one of the materials. They
13 also designed the building to have movement.

14
15 Commissioner Murray asked what negative feedback there had been from the neighborhood.

16
17 Mr. Whitten stated they have been working with the neighborhood to create a building they
18 would like to see and they have worked closely with a resident from the neighborhood, who is an
19 architect. They plan to continue this process throughout the project.

20
21 Chair Iverson suggested the applicant consider bringing other building proposals to a future
22 meeting for discussion.

23
24
25 **AGENDA ITEM 7. Other Items:**

26
27 **a.) Review of Development Activities**

28
29 Mr. Thomson stated the City Council would be discussing 201/259 East Lake Street for a 4-
30 building project during a workshop on April 5. The Council would be reviewing the Parking
31 Ordinance on April 5 and the Tree Ordinance in May.

32
33 **b.) Other Items**

34
35 There were no other items.

36
37 **AGENDA ITEM 8. Adjournment.**

38
39 The workshop meeting was adjourned at 10:06 p.m.

40
41 Respectfully submitted,

42
43 Tina Borg
44 *TimeSaver Off Site Secretarial, Inc.*