

1                                   **WAYZATA PLANNING COMMISSION**  
2                                   **MEETING MINUTES**  
3                                   **June 21, 2021**

4  
5  
6   **AGENDA ITEM 1. Call to Order**  
7

8   Chair Plantan called the meeting to order at 6:30 p.m.  
9

10   Chair Plantan read the following prepared statement:

11   Pursuant to Minnesota Statute Sec 13D.015 and because of the COVID-19 pandemic, this Planning  
12   Commission Meeting is being held remotely by electronic means using the audio and video  
13   conferencing platform, Zoom. Members of the Commission, City staff, and others that are a part  
14   of the meeting will be participating by video or audio connections where we can all hear each other  
15   and see the presentations being made. We have a public forum and public hearing this evening on  
16   the agenda. If you'd like to speak during these portions of the meeting you may call 1-(312) 626-  
17   6799, enter the Zoom meeting ID 9868998, passcode 3519 and press 9 to speak. Callers will be  
18   placed on hold and muted until the appropriate time of the meeting is reached. At that time, each  
19   caller will be recognized in turn, and invited to speak. Public comments continue to be welcomed  
20   and encouraged and we ask if possible, that comments of future agenda items be submitted in  
21   advance by emailing [PublicComment@wayzata.org](mailto:PublicComment@wayzata.org). Please include "public comments" in the  
22   subject line, your name and address, and the agenda item that you are speaking to. Comments can  
23   also be submitted by calling City staff or mailing comments to Wayzata City Hall at 600 Rice St  
24   E, Wayzata, MN 55391 (Attn: Public Comments). The meeting will be shown on Channel 8,  
25   WCTV, and streamed on the City's website at [www.wayzata.org/wctv](http://www.wayzata.org/wctv).

26  
27  
28   **AGENDA ITEM 2. Roll Call**  
29

30   Chair Plantan asked Director Goellner to take roll call.

31  
32   Present at roll call were Commissioners: Plantan, Douglas, Merriam, Parkhill, Stockton, and  
33   Sorenson. Community Development Director Emily Goellner, Assistant Planner Nick Kieser, and  
34   City Attorney David Schelzel were also present.  
35

36   Director Goellner noted that Commissioner Bashioum had submitted a letter of resignation and  
37   would not be in attendance at tonight's meeting.  
38

39   **AGENDA ITEM 3. Approval of Agenda**  
40

41   Chair Plantan asked for a motion to approve the agenda for the meeting.  
42

43   Commissioner Douglas made a motion, seconded by Commissioner Stockton, to approve the June  
44   21, 2021 agenda as presented.  
45

46   Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

1  
2  
3 **AGENDA ITEM 4. Consent Agenda – No items**

4  
5 **AGENDA ITEM 5. Old Business Items**

6  
7 **a.) Special Note: Approval of the June 7, 2021 Planning Commission Meeting**  
8 **Minutes will take place at the next Planning Commission Meeting**

9  
10 Director Goellner noted that the June 7, 2021 meeting minutes were still under review and would  
11 be on the next meeting's agenda.

12  
13 **b.) Consider Adoption of Planning Commission Report and Recommendation of**  
14 **Approval for Side Yard Setback, Variances, Shoreland Setback Variance, and a**  
15 **Conditional Use Permit at 900 Shady Lane East**

16  
17 Director Goellner explained that staff is comfortable with the recommendation of approval from  
18 the Commission as presented in the draft report document that was included in the packet.

19  
20 Commissioner Douglas asked if she could vote on this item since she was not in attendance at the  
21 last meeting. She noted that she had reviewed all the documents and watched a recording of the  
22 meeting.

23  
24 Chair Plantan stated that it is her understanding that Commission Douglas could vote on this item,  
25 and staff agreed.

26  
27 Commissioner Parkhill made a motion, seconded by Commission Merriam, to adopt the Planning  
28 Commission Report and Recommendation of Approval for Side Yard Setback Variances,  
29 Shoreland Setback Variance, and a Conditional Use Permit at 900 Shady Lane East.

30  
31 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

32  
33 **AGENDA ITEM 6. Public Hearing Items**

34  
35 **a) Consider Development Application for a Sign Area Variance at 16100 Wayzata**  
36 **Boulevard the Lexus of Wayzata Dealership**

37  
38 Assistant Planner, Nick Kieser, stated that the property owner and applicant, EFN Wayzata  
39 Properties, LLC has submitted a development application for a sign variance for the total area of  
40 proposed signage on the site. He explained that in May of 2020, a Design Review application was  
41 approved for the remodel of the exterior façade of the Lexus dealership building. He stated that  
42 this property is zoned C-3, and gave an overview of the zoning of the surrounding properties. He  
43 noted that the property is designated as Mixed Use in the 2040 Comprehensive Plan. He stated  
44 that their request is for a sign variance and explained that in a C-3 property, the maximum total  
45 sign area allowed is 150 sq. ft., and what they are proposing for signs exceeds that limit. He  
46 reviewed an aerial photo of the property, as well as the surrounding properties. He shared

1 renderings of the previous site design including the signage. He stated that there are also 2 existing  
2 pylons signs on the site, and this project does not propose to change anything with those; however  
3 they are included in the calculation of total sign area on the property. He reviewed examples of  
4 the proposed signs for the façade of the building, and compared them to the existing signage. He  
5 noted that overall the total signage area for the previous building was 184.05 sq. ft. and the total  
6 proposed signage for the new signage would be 266.81 sq. ft. He noted that the number of signs  
7 for the previous building was 8, which is the same for the proposed signage. He reviewed the  
8 practical difficulties the applicant had stated to support the requested variance: unique location;  
9 large size of the property; building setback from frontage road; only franchised dealership in the  
10 City; and the addition of directional signage such as ‘pre-owned’ and ‘service’ which adds to the  
11 total sign area. Assistant Planner Kieser said staff recommends approval of the applicant, and are  
12 in agreement with the stated practical difficulties. He noted that one public comment on the  
13 application was received from a nearby resident ahead of the meeting regarding lighting on the  
14 site, and noted that the applicant plans to reach out to the resident with the hopes of mitigating  
15 their concerns. He reviewed the questions for the Commission to consider that relate to a variance  
16 request.

17  
18 Chair Plantan asked if the Commission had any questions for Staff.

19  
20 Commissioner Parkhill asked about the allowed square footage for the dealerships on either side  
21 of the property that are located in Minnetonka.

22  
23 Planner Kieser stated that he had tried to reach out but had not received a response from the City  
24 of Minnetonka. He explained that when he looked through their code, it did not have a total sign  
25 area limit on the lot itself, and seemed to just limit the size of the individual signs; so he did not  
26 have a specific answer on this issue.

27  
28 Commissioner Stockton stated that she had the same question as Commissioner Parkhill, and  
29 thinks it is important to know whether there is a consideration of the allowance in the City of  
30 Minnetonka as well.

31  
32 Chair Plantan asked if the applicant would like the opportunity to speak to the Commission.

33  
34 Ron Kirsininkas, architect with Napleton Auto Group, explained that he did the design work for  
35 this project. He stated that the new signs are almost identical to what was on the old building. He  
36 explained that he believes the old signs were 1 foot tall, and the new signs are 1 foot 6 inches tall.  
37 He gave an overview of some of the visibility problems they have because they are almost 300  
38 feet back from the main streets. He stated that the new signs will be LED and will be more crisp  
39 than what is currently on the building. He stated that they have redone all the parking lot lighting  
40 with new LED, dark sky compliant lights which shine straight down and believes that the nearby  
41 resident who expressed concern about lighting will no longer have the glare issue that he had  
42 communicated to the City. He stated that they are planning to touch base with that resident to  
43 address their concerns but suspects it will end up being a moot point.

44  
45 Commissioner Stockton asked if the applicant had worked within the rules and requirements for  
46 signage in Minnetonka.

1  
2 Mr. Kirsininkas stated that they had not, because they understand that this business is within the  
3 City of Wayzata.

4  
5 Commissioner Stockton stated that she thinks all the suggested upgrades are lovely.

6  
7 Mr. Kirsininkas explained that they are simply following the Lexus USA program for what they  
8 require their dealerships to put out, and noted that he had not analyzed the neighboring cities at all.

9  
10 Commissioner Stockton asked if he meant that there were certain franchise requirements related  
11 to signage.

12  
13 Mr. Kirsininkas replied that the franchise agreement that was entered into a few years ago indicated  
14 that they would have to remodel the façade and upgrade the signage to whatever Lexus USA has  
15 called their standard.

16  
17 There being no additional questions from the Commission for the applicant, Chair Plantan opened  
18 the public hearing on the application at 7:27 pm.

19  
20 Director Goellner stated there were no people that called in to the meeting that have asked to speak  
21 at the public hearing on this application.

22  
23 There being no one wishing to comment on the application, Chair Plantan closed the public hearing  
24 at 7:27 pm.

25  
26 Chair Plantan asked for the Commission to share their questions and feedback on the application.

27  
28 Commissioner Douglas stated that she agreed with the recommendation from City staff to  
29 recommend approval of the variance, due to the setback of the property and because it is a very  
30 large acreage property. She stated that she feels the new signs are very tasteful, and the new façade  
31 also looks nice. She explained that she will wholeheartedly support this application.

32  
33 Commissioner Sorensen stated that he agreed with Commissioner Douglas, and thinks the  
34 applicant has done a nice and thoughtful job of designing the signs to be in proportion with the  
35 large frontage of the building. He stated that because they are so far from the road, it doesn't  
36 appear to be too big or offensive in any way.

37  
38 Commissioner Parkhill stated that the agreed with Commissioners Douglas and Sorensen.

39  
40 There being no further discussion, Chair Plantan asked for a motion on the application.

41  
42 Commissioner Parkhill made a motion, seconded by Commissioner Stockton, to direct staff to  
43 prepare a draft Planning Commission Report and Recommendation with appropriate findings  
44 reflecting recommending approval for the sign area variance at 16100 Wayzata Boulevard, the  
45 Lexus of Wayzata Dealership, for review and adoption at the next Planning Commission meeting.

46

1 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.  
2

3 **b) Consider Development Application for a Planned Unit Development General Plan**  
4 **and Design Deviations at 163 Wayzata Boulevard West**  
5

6 Assistant Planner, Nick Kieser, stated that the property owner, TMSO of Wayzata, LLC, has  
7 submitted a development application for approval of a Planned Unit Development General Plan  
8 and Design Deviation at 163 Wayzata Boulevard West. He reviewed the zoning for this property  
9 and the surrounding neighborhood, and explained the land use designation in the 2040  
10 Comprehensive Plan was high density residential. He gave a brief overview of the existing site  
11 and structure, and the proposed rendering of the new building that utilizes the existing structure  
12 and adds a covered entry, addition and trash enclosure to the west. He explained that their  
13 application for Design Standard Deviations is reviewed under the process of the new Design  
14 Standards. He noted that there are three design deviations requested: parking in the front yard; no  
15 massing break of the front façade; and building material allowed within the Bluff District. He  
16 explained that even though property is located along Wayzata Boulevard, it is outside of the  
17 Wayzata Boulevard Design District. He stated that the existing facility was formerly called  
18 Meridian Manor which was a senior care facility that was constructed in 1994, and their PUD  
19 included things like: 75 units to serve up to 90 residents; 52 parking spaces; reduced floor area to  
20 a minimum of 520 feet for double occupancy rooms. He noted that Meridian Manor closed in  
21 April of 2020 due to COVID-19 concerns, and this is a new owner applicant for an update and  
22 redevelopment of the property. He explained that the proposal is to reuse the existing building,  
23 but update the exterior façade, and they are also proposing a 14,657 sq. ft. addition on the west  
24 side of the property. He noted they would also like to reconfigure some of the spaces internally in  
25 order to create 85 units, including 5 double occupancy units, with the possibility of a 9-unit  
26 behavioral care unit. However, he noted that the behavioral unit would likely need to come back  
27 before the Planning Commission and City Council for additional approval. He explained there  
28 would be senior living, memory care, and adult daycare for up to 20 guests per day. He stated that  
29 the applicant is expecting there to be 8-10 employees in the building addition at a maximum, but  
30 only 3-5 employees on average. The proposal includes a total of 63 parking stalls and adding a  
31 sidewalk along Wayzata Boulevard. Assistant Planner Kieser reviewed the floor plans for the  
32 addition portion of the project, zoning for the property, and parking requirements. He gave details  
33 about the Design Deviations requested, removal plans for the garage and trees, and landscaping  
34 plans. He gave an overview of some of the additional information provided regarding staffing,  
35 shifts, and delivery schedules. He noted that the City Engineer provided some comments on  
36 additional information that is needed before this project can move forward. He stated that the  
37 applicant held two neighborhood meetings on June 10, 2021 and June 15, 2021, and there were a  
38 total of 14 community members who joined the meetings. The discussion/questions at the  
39 meetings revolved around: parking, architecture, density, environment, front yard aesthetics,  
40 sidewalk/street trees. He explained that the City had received a few public comments ahead of the  
41 meeting that related to: tree removal, use of the addition, parking lot in front yard, office use,  
42 access points along Wayzata Boulevard, trash enclosure, covered entry, light pollution, and the  
43 desire for boulevard trees. He reviewed the questions the Commission should consider with this  
44 application for PUD and design deviation approval.  
45

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

1  
2 Commissioner Douglas asked about the information on the parking chart, and how the code defines  
3 housing for the elderly and nursing homes/rest homes, and what the differentiation would be.  
4

5 Planner Kieser stated that the definitions are a bit outdated at this point. He read aloud the  
6 definition for nursing homes and elderly housing.  
7

8 Commissioner Douglas asked about the renderings depicted on page 67 of the packet, and noted  
9 that the trash enclosure seems extremely large relative to the building. She asked for an  
10 explanation of the other box-like structure between the two entrances.  
11

12 Planner Kieser that is the area that houses the mechanical equipment for the site. He stated that  
13 the City does not have standards for the size of the trash enclosures, but suggested that be a  
14 question put to the applicant about whether the size of the enclosure could be reduced.  
15

16 Commissioner Douglas stated that she thought the new Design Standards advised that there not be  
17 dark rooftops.  
18

19 Planner Kieser stated that he does not recall that specific standard being included in the new  
20 standards. The previous design standards stated that the roof material needed to be a dark color.  
21

22 Commissioner Parkhill asked how many parking spots would be required for an office building  
23 that had 9 employees.  
24

25 Planner Kieser stated that office use is based on square footage and believes it is 3 spaces per 1,000  
26 sq. ft.  
27

28 Commissioner Parkhill asked about the floor area of the office piece of the building. He asked  
29 what the parking requirements would be for a children's day care facility, for example, if they had  
30 20 kids.  
31

32 Planner Kieser stated that the floor area for the proposed addition is a bit over 14,000 sq. ft. and  
33 only one of the floors is office space, so he would estimate the office area to be around 5,000 sq.  
34 ft. He stated that with very rough calculations that means they would need around 15 spaces for  
35 that office use.  
36

37 Commissioner Parkhill reiterated his question relating to parking requirements for a children's day  
38 care facility.  
39

40 Planner Kieser stated that there is a provision in the code for group day care centers and that  
41 parking requirement is 1 space for each employee, plus one space for every 4 children.  
42

43 Commissioner Parkhill noted that if stucco is not allowed he would like a reminder of what is  
44 allowed besides hardie board, cement siding, and wood siding.  
45

46 Planner Kieser stated that it can be either stone or other board type of siding materials.

1  
2 Commissioner Parkhill asked if there was any solid, smooth, exterior insulation finishing system  
3 (EIFS) that would be allowed.

4  
5 Planner Kieser stated that the Code specifically calls out EIFS and stucco as materials that are not  
6 allowed.

7  
8 Commissioner Sorensen stated that both the trash enclosure and the mechanicals enclosure will be  
9 very visible, and feels the City really should give those areas attention to ensure it has the look that  
10 they are anticipating. He noted that the photo that was shown of a similar facility in Lakeville  
11 made it look pretty decent, but he has concerns about the large enclosures near the front of the  
12 building. He stated that if he understood the tree replacement calculations, they did not quite meet  
13 it, but they acknowledged it. He asked if the ornamental trees were not considered as replacements  
14 unless they are larger than that and asked if there was a reason that the applicant didn't just make  
15 those trees larger so they would count.

16  
17 Planner Kieser that the applicant is just 4 inches short of the tree replacement requirement and  
18 could essentially put in 2 trees at 2.5 inches and meet the requirement.

19  
20 Commissioner Merriam stated that her question is also about the trash enclosure and the  
21 mechanical enclosure both being in front of the building. She noted that staff has not raised this  
22 as any sort of deviation or regulation and expressed her surprise that they can be located in front  
23 of the building. She stated that, in her opinion, they are pretty unsightly.

24  
25 Planner Kieser explained that the City Code does not necessarily touch on it in the Design  
26 Standards, and noted that the main thing stated in the code is that trash enclosures need to be  
27 screened from the public right-of-way or neighboring properties. He stated that for mechanical, it  
28 is pretty much the same thing and in the Bluff District-- the equipment is not allowed on the  
29 rooftop, but needs to be on the ground and either screened or on the interior of the building.

30  
31 Commissioner Merriam noted that this is screened, but not in a very attractive manner. She asked  
32 why the applicant chose stucco for those areas of the building.

33  
34 Planner Kieser stated that would be a question for the applicant.

35  
36 Chair Plantan asked about the impervious surface calculation because the staff report only shows  
37 it increasing by 4%.

38  
39 Planner Kieser stated that is what the survey shows and noted that he believes the main reason is  
40 because of the parking re-configuration, excess drive in the current parking lot, and the garage  
41 stalls being removed. He reiterated that this is a large site, so 4% is significant on a 4-acre site  
42 compared to other sites in the City.

43  
44 Chair Plantan asked if there was anything in the Design Standards that call out the size and the  
45 massing for porte cochere, and asked if they were considered part of the façade or a different  
46 structure.

1  
2 Planner Kieser stated that he did not think so, and explained that the consulting architect also took  
3 a look at this and they did not bring that up.  
4

5 Chair Plantan asked if parking was allowed on Wayzata Boulevard in this area and if so, whether  
6 there are any restrictions on those spaces, such as hours.  
7

8 Planner Kieser stated that he does not think parking is allowed on Wayzata Boulevard in this  
9 location and would also assume that the City does not want parking in this location. He stated that  
10 if for some reason parking is happening there, the City could address that.  
11

12 Commissioner Stockton stated that if there is no regulation specifying the location of trash or  
13 mechanical enclosures, whether there are examples in the City of other enclosures that can be  
14 found at the front.  
15

16 Planner Kieser stated that it is a difficult question. He stated that the one that comes to mind is  
17 Colonial Square in the parking lot near the buildings, and explained that other than that example,  
18 nothing else comes to mind for that example.  
19

20 There being no further questions for staff, Chair Plantan gave the applicant the opportunity to  
21 address the Commission.  
22

23 Elizabeth Wright, 13564 Westernus Road, Minnetonka, stated that she is the current owner. She  
24 gave a brief background on what services they provide, and referenced Lakeville which was her  
25 first community. She stated that their Lakeville location opened in December of 2017, and is only  
26 memory care with 32 units. She explained that they specialize in memory care and providing a  
27 higher level of care to residents or people afflicted with one of the 78+ forms of dementia. She  
28 stated that everything they do within the building focuses on memory care, and believe that beauty  
29 on the inside and outside is important for residents, family members and neighbors. She stated  
30 that their first responsibility is to their residents and noted that there will not be any residents that  
31 will be permitted to drive. She stated that some of the concerns that have been raised have been  
32 about light pollution during the overnight and early morning hours. She stated that they are  
33 working through that situation and would like to speak to the City about the potential to partner  
34 with them to provide some screening along the boulevard between Wayzata Boulevard and  
35 Babcock. She explained that they have met with nearby residents a few times and have heard their  
36 comments and have been trying to find ways to assuage some of their concerns. She stated that  
37 she would like to assure everyone that she, literally, loves trees and have put about 450-500 trees  
38 on their property in Lakeville which is about 4.5 acres. She stated that they have made that property  
39 which is right on 35W look like a very inviting home. She introduced Burt Elmer and noted that  
40 she is excited about being in Wayzata and explained that she had spent a lot of time in Wayzata.  
41 She stated that when Meridian Manor closed because of the COVID-19 outbreak, putting in a bid  
42 on this property was a 'no brainer' for her because she has admired it from afar for quite a while.  
43 She stated that when they got into the building, they found there were some significant issues that  
44 were based on the 1994 construction which meant that they basically had to strip the entire  
45 building. She stated that she understands that the City has their Design Standards, but noted that  
46 they have kind of a 'brand' standard which is really what Lakeville 1 and Lakeville 2 are all about.



1  
2 Burt Elmer, 1105 Pineview Lane, Plymouth, stated that he works with Ms. Wright. He noted that  
3 the building itself has served the community very well throughout the years and unfortunately the  
4 pandemic intervened and changed everyone's life. He stated that one of the issues was the way  
5 the site was originally graded and the owners were trying to minimize what they had for cuts and  
6 fills and took it right to the finished floor, but unfortunately, much of the grades around the building  
7 were funneling the water to the foundation wall so there has been a significant amount of moisture  
8 intrusion which means that they need to redo the entire exterior of the building. He noted that air  
9 quality and air filtration has changed significantly since 1994 when the building was constructed  
10 and gave some examples of some of their plans. He stated that one of the things the company has  
11 adopted is using a combination of stone and man-made stone as well as stucco and they feel there  
12 are ways this can be done that are very tasteful. He stated that the enclosures on the south side of  
13 building just outside of the kitchen are two air units, which are currently in the basement. He  
14 stated that based on this conversation, they can plan to clad those enclosures in stone as well so it  
15 would be complementary to the building design. The larger structure on the west side will house  
16 dumpsters but will also hold an emergency generator, a secondary chiller, and CT cans and  
17 transformers and the enclosure is meant to mitigate sound, which explains why the enclosure seems  
18 so large. He stated that they will work to continue to define those details and noted that they will  
19 also clad the exterior of this enclosure with stone as well. One of the points that was brought up  
20 by Consulting Planner, Eric Zweber, was not having accessibility from the front to the dumpsters  
21 and mechanical systems, so the side is screened by trees and is facing west and the enclosure in  
22 front that is housing the kitchen air and hood exhaust air, also has access that is not visible from  
23 the front which he hopes address those questions from the City. He stated that there was a question  
24 regarding the parking ratios and stated that he believes there is about 6,800 sq. ft. on the main floor  
25 and 6,000 sq. ft. on the lower level, so the office space would require about 18 parking spaces and  
26 looking at these calculations was why they added additional parking. He stated that when they  
27 created their plans, they were thinking it was in the Wayzata Boulevard Design Standards, rather  
28 than the Bluff District, but now that they understand this, they will adjust their plans accordingly.  
29 He stated that the trees have been mentioned and the overall topography of the existing tress is  
30 actually funneling the water toward the building, so they are trying to rectify what was done 30  
31 years ago in the application of regrading and recontouring the lot which means there needs to be  
32 some tree removal and noted that it is unfortunate but necessary to address the drainage. The porte  
33 cochere needs to have the guidance of the fire marshal as far as the clearance and noted that they  
34 had initially used highway standards in order to have a truck be able to come underneath, but it is  
35 probably more of an emergency management service vehicle that will need to be able to come  
36 underneath the porte cochere, so they can scale that back. He explained that this is their intention,  
37 but they need to get some answers from the fire bureau to clarify the issue. He stated that they are  
38 also attempting to correct the drive access issue as well with people attempting to traverse areas  
39 that were not intended for that purpose because they are trying to exit the same way they entered.  
40 He noted that much of what is seen on the westerly side of the building is actually hardscaped. He  
41 stated that regarding the façade and the Design Standards are directed towards more of an urban  
42 downtown Lake Street event as opposed to more of the Wayzata Boulevard on the west end. As  
43 they looked at that stretch of the street along Wayzata Boulevard West from Wells Fargo moving  
44 westward, they looked and tried to refine the detail with their proposed plans.

45  
46 Chair Plantan asked if the Commission had any questions for the applicant.

1  
2 Commissioner Parkhill asked for a summary of the changes from what was presented in the  
3 application today, and the changes that the applicant has decided on making after speaking with  
4 neighbors and listening to the Commission comments. He stated a few that he believes he heard  
5 mentioned were scaling back the porte cochere, cladding to the two enclosures, and adding some  
6 trees in the right of way if the City would allow it.  
7

8 Ms. Wright explained that during the two meetings, there were a lot of question marks and most  
9 centered around the lights coming into the front yards, the porte cochere size, and the enclosures  
10 for the trash and equipment. The other main thing that came up was that they wanted them to  
11 approach the City to get speed limit brought down. She stated that they attempted to submit an  
12 updated landscaping plan in order to show what it would look like with adding additional trees and  
13 really trying to keep in mind the desire of the neighborhood that this not look brand spanking new.  
14 She stated that they have looked at adding some 18-foot blue spruce trees to the property, so it  
15 isn't just the smaller trees that take years to grow. She stated that they have talked about trying to  
16 shield from their property onto the neighbors across the street and has concern that the plans will  
17 not be enough. She stated that one potentially easy solution would be that they would put some  
18 infill types of trees over in the boulevard area.  
19

20 Mr. Elmer stated that they had considered adding in some type of coniferous trees so there would  
21 be year-round hedging and not just canopy coverage for part of the year. In addition, on the  
22 Wayzata side of the sidewalk, they have talked about adding a line of street trees that meets the  
23 gateway component coming into the City from the west going east and along the north side of the  
24 sidewalk so there would be more dense foliage in order to screen lights that could potentially shine.  
25

26 Commissioner Parkhill asked if they had said they would clad both of the enclosures.  
27

28 Ms. Wright stated that they will, and noted that all of their enclosures in Lakeville are also clad in  
29 stone.  
30

31 Commissioner Parkhill asked if they had chosen stucco because it was consistent with their  
32 branding in Lakeville.  
33

34 Ms. Wright confirmed that this was correct.  
35

36 Commissioner Parkhill asked what their other options were if the City decides not to allow that  
37 material.  
38

39 Mr. Elmer stated that their porte cochere in Lakeville has a pre-cast stone panel that has some  
40 detailing, and then above it is a running bond in the same natural sort of colors. He stated that he  
41 believes they can come up with a palette that is complementary to what the City would like and  
42 still work within their brand.  
43

44 Commissioner Douglas stated that she is feeling frustration because the neighborhood meetings  
45 were after their application was submitted. She stated that it sounds as though the applicant is  
46 open to making changes, but it makes it a bit difficult for the Commission members because they

1 have studied, sometimes for many hours, the application that was submitted, and now it appears  
2 as though there are quite a few changes coming. She asked what the changes have been in order  
3 to make this project fit the Bluff District, since there was a misunderstanding about it being part  
4 of the Wayzata Boulevard District.

5  
6 Planner Kieser stated that he wanted to thank the applicant for working with the City as the City  
7 was implementing the new Design Standards. He stated that stucco, is allowed as an accent  
8 material in the Wayzata Boulevard District, up to 10-20%. He stated that he believes that is the  
9 main difference between the two design districts.

10  
11 Commissioner Douglas asked if the berm will be removed to accommodate the new sidewalk.

12  
13 Mr. Elmer stated that the sidewalk is actually in the public right-of-way and noted that their intent  
14 is not to disrupt much of that area, and they are trying to just cut into the hillside.

15  
16 Commissioner Douglas stated that with the acuity of the residents and the adult daycare for  
17 memory care, those people will not be driving and asked why the applicant felt it was necessary  
18 to exceed the parking standards.

19  
20 Mr. Elmer stated that the reason was the office component, as well as the adult day care. He  
21 explained that there will be a certain number of trips per day, and they wanted to make sure they  
22 had the right number that included their staffing ratios.

23  
24 Commissioner Merriam stated that she is concerned about the request for 63 parking spots because  
25 of its proximity to Wayzata Boulevard. She said she was also concerned that they are planning to  
26 take down trees, and eliminate the rose garden which takes away a lot of the nice, natural features  
27 of this area in order to put in extra parking spots. She stated that she is not sure those extra parking  
28 spots are really needed.

29  
30 Ms. Wright stated that one of the things that they pride themselves on is having very fluid and  
31 frequent family member visits, and explained that most memory care facilities do not get the  
32 number of visits that they do. She stated that they have, on more than one occasion, prior to  
33 COVID, had spontaneous get togethers of just the family members and residents of the building  
34 which creates an additional need for parking. She stated that they cannot park on Wayzata  
35 Boulevard so they wanted to ensure that they had sufficient parking without having someone need  
36 to go park at the church.

37  
38 Commissioner Merriam stated that she appreciates their desire for a lot of families to visit, but the  
39 information in the packet says, "visiting guests, 3-4 families per week and 1-2 persons per group  
40 typically at or after evening dinner". She stated that does not sound like a whole lot of visitors.  
41 She asked if they were going to have a gathering whether it would be scheduled when the office  
42 workers were not present, so there would still be sufficient parking.

43  
44 Ms. Wright stated that they could not do that because most of the time the gatherings involve the  
45 administrative staff and would not just be left to the LPNs and CNAs to attend. She explained that  
46 she likes to be hands on and present in the buildings, and is planning to have her office in this

1 location. She stated that they are only increasing the parking request by 10 spaces and, in her  
2 mind, seems fairly minor.

3  
4 Commissioner Merriam stated that she wants the facility to have ample parking, but those  
5 additional 10 spaces mean that it moves closer to Wayzata Boulevard and removes the rose garden  
6 and some trees. She stated that it appears as though they are taking down many trees along the  
7 east side of the building. She noted that she had walked there today, and the trees look healthy.  
8 She asked if the drainage issue that was mentioned by Mr. Elmer was referring to this side of the  
9 building.

10  
11 Mr. Elmer stated that the issue is the grading itself, and they were the ones that were most prevalent  
12 in creating the moisture issue around the east side of the building. He stated that it was in this area  
13 where there was recontouring done.

14  
15 Commissioner Merriam stated that hearing that 67% of the significant trees and 100% heritage  
16 trees will be going down are hard numbers to hear. She stated that she has gotten a bit of an  
17 understanding behind the reasoning from their explanation, but it is still disheartening.

18  
19 Chair Plantan asked why the corporate offices would not be located in one of the other facilities.

20  
21 Ms. Wright stated that part of the reason is selfish because she lives in Minnetonka, but most of  
22 her staff lives in the west metro area. She stated that they are planning on growth, and this location  
23 seems to be more centrally located for them.

24  
25 Chair Plantan asked for details about the potential for a 9-unit behavioral care center that is planned  
26 for some time in the future.

27  
28 Ms. Wright stated that was actually put in there by mistake. She explained that Meridian Manor  
29 had a memory care section with a locked wing, and noted that is not ideal for people with dementia.  
30 She stated that they had 12 units in there, and their thought process was that if it became something  
31 that people wanted to come to the Moments of Wayzata for, they could handle those types of  
32 people and behaviors. She explained that nobody who is in the field of memory care and dementia  
33 really wants to see a resident in a 'geri psych' because it is not a mental health issue, it is a dementia  
34 issue, when people have some outbursts and yell at people. She stated that if there is the  
35 opportunity, they would have a specific space within the existing building and it would just be a  
36 space that is more adaptable for people with those types of anxieties and behaviors. She explained  
37 that they like to avoid, as much as possible, the medication side of things, and believe in a more  
38 natural approach in working through what triggers people's anxieties and what brings them to the  
39 level of having these extreme behaviors, such as lashing out, that is not life endangering. She  
40 stated that they want to make sure that those particular higher behavioral people do not affect the  
41 rest of the community. She clarified that this area would all be within the building, and they are  
42 not asking for an additional building on the property.

43  
44 Commissioner Douglas stated that the third floor of the addition was mostly to observe the lower  
45 floor except for a mezzanine area. She asked if the building could just be a two-story building, or  
46 if they needed the third floor in order to access the third floor of the current building.

1  
2 Mr. Elmer stated that what they have done with their brand in Lakeville is to have nice volumes  
3 that are part and parcel of the development. He said when they came to this site, they discovered  
4 that the building built in 1994 was very frugal, with how much space was put into the building, so  
5 the floor to ceiling is about 8 feet, then the deck is about 1 foot thick and there is another 8 feet  
6 and another 1-foot deck. One of the things that they would like to do is to illustrate and express in  
7 the new addition the characteristics that they have at the Moments of Lakeville.

8  
9 Commissioner Douglas explained that she had worked in the Meridian Manor building for two  
10 years, so she is very familiar with the building. She stated that when she worked there, there was  
11 a lot of wasted space on the lower walk-out, and asked if they would be reconfiguring that area.

12  
13 Mr. Elmer stated that one of the things they are talking about doing is providing the introduction  
14 of natural light, so on the south face they will have skylights that let light into the lower level and  
15 also provide skylights near the elevator bank in order to provide natural light in this area as well.  
16 He explained that they are also planning to remove two of the units on the southwest side and turn  
17 that area into the mezzanine/dining room space. He stated that they will basically have dining and  
18 activities on all levels so they do not have to traverse elevators or stairs.

19  
20 There being no additional questions from the Commission for the applicant, Chair Plantan opened  
21 the public hearing on the application at 9:00 pm.

22  
23 Keith Johnson, 166 Babcock Lane, stated that his wife Kris and David Kirkland were also present  
24 with him. He stated that they understand the need and desire to have a facility like this in the City,  
25 but their concern, as a neighborhood, is for the potential impact on their neighborhood. He  
26 explained that they were also concerned about the changes to the access point and removal of the  
27 heritage tree in order to move the entrance. He stated that they live right across the street, and  
28 currently the entrance point is at an angle. They consider the addition of the 14,000 sq. ft. building  
29 to basically be a commercial use because almost 50% of it will be used for office space. He stated  
30 that the addition is prompting a lot of other changes that are, in their opinion, somewhat  
31 undesirable, such as the need for more parking space. He stated that if the addition was not there,  
32 things like the trash enclosure could be moved to the west side of the building and would not  
33 require as many trees to be removed. He asked if the overall size of the portico needed to be that  
34 large. He stated that their concerns are not so much related to the grade of the building, the air  
35 exchange inside of the building or the functionality within the building, but rather everything that  
36 is changing on the outside, because that is what will impact them more than anything else.

37  
38 Daniel Dropping, 120 Westwood Lane, explained that they are in the corner home right across the  
39 street from this project. He stated that along with the previous comments, he hopes that everyone  
40 understands that they are not against Moments of Wayzata or reopening this type of facility,  
41 because they all agree that there is a need for it. He stated that the problem is the size and as Mr.  
42 Johnson stated, all the negative parts about their new design are related to the outdoor components  
43 and all of these things face their neighborhood. He stated that he attended the first neighborhood  
44 meeting at Gianni's and a comment was made by somebody that he thought was a group supporting  
45 the management of this project, that this office was being built because it would be the new world  
46 headquarters. He stated that he does not think that this neighborhood should have to take the visual

1 brunt of that type of structure, just for more parking. He stated that once the building addition is  
2 constructed, if some future management group decided to throw in another 30 offices, the structure  
3 would be there so they could, which means a parking density increase. He stated that they just  
4 want the building to remain the same footprint that it currently is because they think it is big  
5 enough. He stated that he lived here when it was built in 1994 and remembers a comment made,  
6 at that time, by that group of individuals, "Wow, we didn't think it was going to be that big." He  
7 stated that this plan is now trying to make it about 1/3 larger, and reiterated that he thinks the plans  
8 are just too big and adding on will not make it better.  
9

10 There being no additional public comments on the application, Chair Plantan closed the public  
11 hearing at 9:09 pm.  
12

13 Chair Plantan asked for the Commission to share their thoughts and feedback on the application.  
14

15 Commissioner Parkhill stated that he would like to see a revised plan that included all the new  
16 things that have been discussed tonight. He stated that he would also like to see the neighbors be  
17 a bit more placated and happy with the project. He stated that there may be a reason to have more  
18 discussion on the infill along Wayzata Boulevard, which he feels would help a lot, or a way to  
19 consider a side yard variance in order to move some parking to the back on the Highway 12 side,  
20 or move the addition back a bit. He stated that he would like to see a solution with the proposed  
21 stucco, and know whether the applicants will stick with that or switch to the other building  
22 materials. He stated that he is not opposed to this application, but feels that the Commission is  
23 being asked to guess at a lot of the changes, and it would be nice to look at a better compromise  
24 for the neighbors and have some discussion in order to see what those may be.  
25

26 Commissioner Sorensen stated that he thinks this is a very worthy application, and appreciates the  
27 openness and the apparent willingness of the applicant to cooperate with the City and the  
28 neighbors. He stated that he thinks it is important to recognize that this is a unique application that  
29 is talking about rehabilitating an existing building and maintaining that character. He said that,  
30 similar to Commissioner Parkhill, many of the changes that have been acknowledged by the  
31 applicant are very important as the Commission considers denial or approval of the application.  
32 He stated that he would also like to see them come back and incorporate many of the things that  
33 have been talked about into their application because he thinks the entire Commission would feel  
34 a bit better about it if that happened. He asked if this meant that the Commission would vote on  
35 denial and ask the applicant to come back with new plans, or if there was some other manner that  
36 could be accomplished. He reiterated that he believes this is a very valuable business for the  
37 community, but the issues that have been brought up are important to the City as well as the  
38 neighbors.  
39

40 Commissioner Stockton stated that one of the things that was just mentioned by Commissioner  
41 Parkhill was looking at some of these proposed changes. She noted that one of the things she  
42 noticed was that there are pork-chop eave designs currently shown in a number of areas on these  
43 plans that are features that are called out to be avoided in the new Design Standards. She suggested  
44 that also be addressed with new plans. She gave an explanation of what she meant by the pork-  
45 chop eave returns.  
46

1 Commissioner Douglas stated that she had mentioned her feeling of frustration earlier about how  
2 quickly this came up after the neighborhood meetings. She noted that while she likes that the  
3 applicant is willing to make some changes, she would like to see those changes reflected in the  
4 packet materials, so the Commission has time to study it. She stated that she thinks there is a  
5 definite need for this type of facility and would really like it to work out, but wants to see a more  
6 complete and accurate application. She stated that she believes the City has had to do that before  
7 with other applicants, where they have had a continuance rather than a denial action, and asked  
8 City Attorney Schelzel to weigh in on the correct procedure.  
9

10 City Attorney Schelzel stated that a number of the Commissioners have expressed interest in more  
11 clearly understanding and documenting the changes that the applicant appears to be willing to  
12 make to this application. He stated that under the City Code, when the Planning Commission is  
13 reviewing an application, there are a few options. The Commission can direct staff to prepare a  
14 report and recommendation of denial or approval as the application is presented; recommend  
15 approval but with conditions or modifications of the plans in the application; or, if there are  
16 significant or numerous revisions to be made, the applicant can request a delay, effectively tabling  
17 action on the application in order for them to modify or amend their proposal.  
18

19 Commissioner Merriam stated that she would echo much of what has already been said, and likes  
20 Commissioner Parkhill's idea of having them come back with some of the revisions that have been  
21 discussed. She stated that she also has a few additional comments on this application. She stated  
22 that one of the neighbors had commented that when Meridian Manor went up, it felt very  
23 residential and like it fit into the neighborhood. She said that the proposed plan felt more  
24 institutional with the large portico, the elimination of the screened porches and making them into  
25 additional units, and that the outside deck would be eliminated. She stated that there are a lot of  
26 features that are being taken away from the current building that will make it feel more  
27 institutional, and asked if there was anything the applicant could do to make it fit into the  
28 neighborhood better. She stated that she would also like to see them save more of the trees that are  
29 in existence, come up with a better design for the utility and trash enclosures, and soften the  
30 parking out front so the neighbors aren't just seeing a bunch of cars. She stated that from her  
31 perspective, there have been too many changes discussed to the application for her to recommend  
32 approval of it tonight, but noted that she really likes the memory care and use of what is being  
33 presented.  
34

35 Chair Plantan stated that, in general, she is in support of this project and the concept of it because  
36 it would really be an asset to the community. She noted that there is a need for facilities like this  
37 to support their Comprehensive Plan, and to have a facility for adult daycare so there is respite for  
38 their caregivers, which is important and needed. She stated that regarding the parking in the front,  
39 part of it she doesn't mind, because she understands the drop off aspect; but she stated she is not  
40 in favor of the one that is to the right of the building where the trees and rose garden will be lost,  
41 which gives it the more residential feel. She asked if there was a way to look at some variance and  
42 move some of the additional parking for staff and leave the parking in front just for guests and  
43 family. She stated that she also feels that there is some additional work that needs to be done, and  
44 applauds the applicant for addressing some of the needs of the neighbors and their willingness to  
45 work with the City and being an advocate, as requested by the neighbors for a discussion of the  
46 speed limit. She stated that her recommendation is that all of the recommended changes be

1 documented so the Commission can review the revised application in totality, and that they  
2 consider some changes in the parking location, and perhaps the size of the adjacent building.

3  
4 There being no further discussion, Chair Plantan asked for a motion on the application.

5  
6 Director Goellner asked to give some context for the tabling option. She stated that the  
7 Commission had seen similar situations with a proposal where there was a desire to see a new plan  
8 set that incorporated the changes discussed. She explained that the options are to move forward  
9 with a recommendation of denial of the current application, or to table the application to allow the  
10 applicant to come back with revised plans. She noted that tabling is not usually the best practice  
11 because it can be confusing to the public, and there are no additional public notices are sent out to  
12 the public.

13  
14 The Commission discussed various scenarios to move the application forward, having time to  
15 review the changes that have been discussed, and the possibilities of extending the timeline.

16  
17 Mr. Elmer asked the Chair to speak and stated that they would propose that the Commission table  
18 their request and set a timeline that they would come back. He said if there needs to be another  
19 notification sent to the neighbors, or hold another neighborhood meeting, they are happy to do  
20 that. He stated that they would like to stay on the agenda because he thinks many of the things  
21 discussed can be incorporated as a workable solution, and they do not want to retract the  
22 application or drag it out until September because their goal is to move forward. He stated that  
23 they are open to working with staff and are not trying to cause problems, but would like to move  
24 forward in an expeditious manner so the Commission has proper time to think about it.

25  
26 Director Goellner stated that tabling is the best option for the Commission when the Commission  
27 feels that the list of changes that they have given can be easily incorporated and it is likely that  
28 they would recommend approval upon seeing those changes made. She stated that if a majority of  
29 Commissioners are not certain or do not feel confident that they would feel comfortable  
30 recommending approval with the proposed changes, then tabling becomes a more time-consuming  
31 process for the applicant.

32  
33 Commissioner Parkhill stated that he would like to make sure they are spending time with the  
34 neighbors and working through some of these issues. He stated that there are so many changes  
35 that he would recommend moving forward with the denial option, and have the plans resubmitted  
36 as a new application, so nobody will be pushed on the timeline. He stated that will also give  
37 incentive for the applicant to work with the neighbors, and noted that he would like to make this  
38 project a win/win.

39  
40 There being no further discussion, Chair Plantan asked for a motion on the application

41  
42 Commissioner Merriam made a motion, seconded by Commissioner Parkhill, to direct staff to  
43 prepare a draft Planning Commission Report and Recommendation with appropriate findings  
44 reflecting a recommendation of denial of a Planned Unit Development General Plan and Design  
45 Deviations at 163 Wayzata Boulevard West for review and adoption at the next Planning  
46 Commission meeting.



1  
2 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.  
3

4 City Attorney Schelzel asked to clarify what will happen next. He noted that staff will prepare a  
5 draft report and recommendation recommending denial which will be on the Consent Agenda at  
6 the next Commission meeting unless the applicant decides to withdraw the current application and  
7 submit a new application. He stated that he wants to make sure the applicant understands that they  
8 have the ability to do that, and believes the timeline of the City review process would essentially  
9 be the same as if the Commission had chosen to table it.  
10

11 **c) Consider Amendment to Zoning and Subdivision Ordinance Notification**  
12 **Requirements**  
13

14 Director Goellner presented a proposed amendment to the notification requirements for the City's  
15 Zoning and Subdivision Ordinances and similar building code requests. She stated that this is  
16 something that has been initiated by the City, and she and Assistant Planner Kieser have been  
17 working on it for many months. She stated that these changes give the opportunity to increase  
18 awareness in the community of developments and construction activity, and formalizes some  
19 existing practices for neighborhood meetings into an official City policy. She noted they are  
20 proposing to add a requirement that a neighborhood mailing be sent by the applicant that provides  
21 more information than the existing standard mailing sent out that provides a link to the website.  
22 She stated that they are proposing to enlarge the area for sending mailings and public notices. She  
23 gave an overview of the current practices for notification. She explained that the proposed new  
24 policy would be adopted by Council and reflects best practices for staff. The three parts to the  
25 Policy would be: letter notifications for Land Use applications with details (mailing);  
26 neighborhood meetings for certain types of Land Use applications; letter notifications for Major  
27 Construction Projects. She gave an overview of which type of projects would have a letter  
28 notification and which would require a neighborhood meeting. She reviewed the current radius  
29 for notification and the proposed change to a radius of 500 feet and noted that in some cases that  
30 distance, for certain types or sizes of projects, could be increased. She stated that this proposed  
31 change requires numerous Ordinance amendments, which is the reason for the Public Hearing.  
32 She stated that staff has talked about the importance of trying to get notification to renters as well  
33 as property owners in the City because the data shows that 36% of the residents are renters. She  
34 stated that this proposal was discussed at a Council workshop in March of 2021, and they were  
35 supportive of the proposed changes. She reviewed the questions that the Commission should  
36 consider before making a recommendation to Council on the Ordinance amendments.  
37

38 Chair Plantan asked if the Commission had any questions for Staff.  
39

40 There being no questions from the Commission for the applicant, Chair Plantan opened the public  
41 hearing on the application at 9:47 pm.  
42

43 Director Goellner stated there were no people that called in to the meeting that have asked to speak  
44 at the public hearing.  
45

1 There being no one wishing to comment on the application, Chair Plantan closed the public hearing  
2 at 9:48 pm.

3  
4 Chair Plantan asked for the Commission to share their thoughts and feedback on the application.

5  
6 Commissioner Douglas stated that she thinks this is a great idea.

7  
8 There being no further discussion, Chair Plantan asked for a motion on the application.

9  
10 Commissioner Parkhill made a motion, seconded by Commissioner Douglas, to direct staff to  
11 prepare a draft Planning Commission Report and Recommendation with appropriate findings  
12 reflecting a recommendation of approval of the Amendment to Zoning and Subdivision Ordinance  
13 Notifications Requirements for review and adoption at the next Planning Commission meeting.

14  
15 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

16  
17 **AGENDA ITEM 7. Other Items:**

18  
19 **a) Review of Development Activities**

20  
21 Assistant Planner Kieser stated the next meeting's agenda included no new Development  
22 Applications so the meeting will just be the items discussed tonight that will be on the Consent  
23 Agenda, along with the meeting minutes that are being reviewed and edited from the last meeting.  
24 He noted that the July 6, 2021 Council meeting has been cancelled. He stated that the City has  
25 received an application for the TCF site that is not quite complete, and noted that a neighborhood  
26 meeting is being planned at the end of June or early July. He noted that there will be a community  
27 meeting to discuss and review the Tree Preservation Ordinance on July 12, 2021 at 5:00 p.m. at  
28 Shaver Park, and encouraged the Commissioners to attend.

29  
30 **b) Planning Commissioner Liaison Schedule and City Meeting Calendar**

31  
32 Director Goellner stated that she expects the July 7, 2021 Commission meeting to be a very short  
33 meeting with just the Consent Agenda items. She reiterated that the July 6, 2021 Council meeting  
34 has been cancelled. She stated that the City has been able to hold remote meetings because a State  
35 of Emergency has been in effect due to the pandemic. She explained that it looks like this  
36 emergency order is lifting on July 14, 2021, which means that if it is not extended, the Commission  
37 will need to resume meeting in person. She noted that with the a/v equipment it will be very  
38 difficult to have Commissioners join the in-person meetings remotely, so Commissioners may  
39 have to use their absences because of these limitations. She stated that currently it looks as though  
40 things are scheduled to begin, in person, on August 2, 2021.

41  
42 Commissioner Merriam asked if there was any idea of what would be on the July 19, 2021  
43 Commission agenda.

44  
45 Director Goellner stated that it is possible that the proposed TCF project will be placed on that  
46 agenda, and noted that meeting would still be held remotely.

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16

**AGENDA ITEM 8. Adjournment.**

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

Commissioner Parkhill made a motion, seconded by Commissioner Sorensen, to adjourn the Planning Commission meeting.

Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

The Planning Commission meeting was adjourned at 9:59 p.m.

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