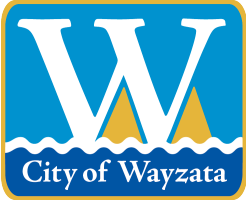


WAYZATA PLANNING COMMISSION

Meeting Agenda

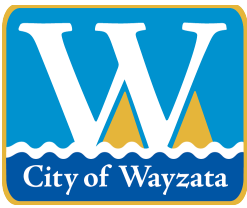


Monday, April 6, 2020
6:30 PM

Pursuant to Minnesota Statute Sec. 13D.015 and because of the COVID-19 pandemic, this Planning Commission Meeting is being held remotely by electronic means using the audio and video conferencing platform, Zoom. The meeting will be shown on Channel 8, WCTV, and streamed on the City's website at: www.wayzata.org/wctv. Members of the public may submit comments or questions about items on the agenda in advance by emailing PublicComment@wayzata.org, calling City staff, or mailing comments to Wayzata City Hall at 600 Rice St E, Wayzata, MN 55391 (Attn: Public Comment).

1. **Call to Order**
2. **Roll Call**
3. **Approval of Agenda**
4. **Consent Agenda**
 - a. Approval of the March 4, 2020 Planning Commission Meeting Minutes
 - b. Approval of Report and Recommendation for PUD Concept Plan and Variances for the Boatworks Redevelopment at 294 Grove Lane East
 - c. Approval of Report and Recommendation for a Side Yard Setback Variance, Impervious Surface Variance, and Curb Cut Spacing Variance at 244 Wayzata Boulevard East
5. **Other Items**
 - a. Review of Development Activities
 - b. Planning Commissioner Liaison Report from the March 10, 2020 City Council Meeting
 - c. Planning Commissioner Liaison for the April 7, 2020 City Council Meeting
 - d. Public Meeting Changes in Response to COVID-19 Pandemic
6. **Adjournment**

Upcoming Meetings:
City Council - April 7, 2020
Planning Commission - April 20, 2020



City of Wayzata Planning Commission Agenda Report

MEETING DATE: April 6, 2020	AGENDA ITEM: 4.a
TITLE: Approval of the March 4, 2020 Planning Commission Meeting Minutes	
PREPARED BY: Nick Kieser, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

N/A

ACTION REQUESTED:

Staff recommends approval of the draft minutes for the March 4, 2020 Planning Commission meeting.

ATTACHMENTS:

1. Draft Meeting Minutes - March 4, 2020 Planning Commission Meeting

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
March 4, 2020**

AGENDA ITEM 1. Call to Order

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

AGENDA ITEM 2. Roll Call

Present at roll call were Commissioners: Plantan, Merriam, Parkhill, Bashioum, Flannigan and Iverson. Absent: Commissioner Douglas. Community Development Director Emily Goellner, Consulting Planner Eric Zweber, Assistant Planner Nick Kieser, and City Attorney David Schelzel were also present.

AGENDA ITEM 3. Approval of Agenda

Chair Plantan asked for updates or revisions to the agenda.

Hearing none, Chair Plantan asked for a motion to approve the agenda for the meeting as presented.

Commissioner Bashioum made a motion, seconded by Commissioner Parkhill, to approve the March 4, 2020 agenda as presented. The motion carried unanimously.

AGENDA ITEM 4. Consent Agenda

a.) Approval of the February 19, 2020 Planning Commission Meeting Minutes

b.) Approval of a Report and Recommendation of Approval for Fee in Lieu of Parking (FILOP) Conditional Use Permit and Combined Preliminary and Final Plat for Melvin's 235 at 235 and 239 Lake Street East

Chair Plantan read the items on the consent agenda and asked if any Commissioner wished to pull an item for further discussion.

Hearing no such request, she asked for a motion to approve the Consent Agenda as presented.

Commissioner Parkhill made a motion, seconded by Commissioner Merriam, to approve the Consent Agenda as presented. The motion carried 5 ayes and 1 abstain (Iverson).

AGENDA ITEM 5. Public Hearing Items:

a.) Development Application for a Planned Unit Development Concept Plan and Variances for the Boatworks Re-Imagined Redevelopment at 294 Grove Lane East

Community Development Director, Emily Goellner, stated that the applicant and property owner, Boatworks II, LLC, has submitted a development application requesting approval of (i) a Planned Unit Development (PUD) Concept Plan for a new 49-foot-tall, four-story, mixed-use building consisting of office, restaurant, and residential condominiums uses, and (ii) four variances to height, setbacks, shoreland setback and rooftop restaurant ventilation equipment to allow for the redevelopment of the property at 294 Grove La E. The applicant is proposing to demolish the existing building to construct a new 49-foot tall, four-story building. The two lower floors would be comprised of office and restaurant uses. The third and fourth floors would include 35 condominiums which is one less condominium than was proposed with the last submission. A PUD Concept Plan was submitted in October 2019 and reviewed by the Planning Commission and City Council from October through December of 2019. The proposal was ultimately denied by the City Council. The past proposal was for a 66.6-foot-tall building at its tallest point and included a rooftop terrace accessible to condo owners and their guests, as well as mechanical equipment. The current proposal is for a four-story building, but with a reduced height of 49-feet measured up to the top of the coping. The applicant is also proposing a number of public benefits on the site that would add value to the community.

Director Goellner stated that in addition to the request for the approval of the PUD Concept Plan, the applicant is requesting four variances for: building height over 35-feet tall, building setbacks that are closer than 10-feet on the west and north sides of the property, the presence of restaurant ventilation equipment on the rooftop where it is prohibited, and for a building setback closer than 75-feet from the shore of Lake Minnetonka. If the applicant receives approval from the City Council for a PUD Concept Plan, they would need to apply for approval of a PUD General Plan, as well as a design review and approval of the architectural design in accordance with the Cities Design Standards. The applicant would also be required to re-zone the property to a PUD District at a later date, as well as apply for a Shoreland Impact Plan and Conditional Use Permit for a height over 35 feet, impervious surface greater than 25%, and get approval from FEMA for a letter of map adjustment based on fill, and then a vertical plat for condominiums.

Director Goellner stated that the property is located near the Lake St. E. and Grove Lane E. intersection. The current zoning is C-3/Service Commercial and Planned Unit Development (C-3/PUD). The 2030 and 2040 Comprehensive Plan Designation is Central Business District. The property is also in the Shoreland Overlay District and the Bluff Design District.

Planning Consultant, Eric Zweber, stated that he would be going over more detailed information on the five requests in the Application, and explain the plans based on the requests. The applicant is asking for approval of the PUD Concept Plan for a new 49-foot-tall, four-story, mixed-use building consisting of a 2-level parking ramp, office, restaurant, and residential condominiums uses. Should PUD Concept Plan approval be granted, this approval in no way binds the City to subsequent approval of General Plan of Development. The property has access to Lake Street to the north, the Depot to the east, and the City's Marina and beach to the west. The bottom level of the parking ramp will be accessed off of Grove Lane and the top level accessed from Lake Street.

1 The ground floor parking ramp will include a gate to reserve 70 parking spaces for condominium
2 owner. There will also be 51 public parking spaces as well as a turnaround area by the restaurant
3 and office access areas. The second level will include office space, 101 public parking spaces with
4 turnaround area, mechanical equipment, restrooms, elevator, and a staircase. The third and fourth
5 floors will contain 35 condominiums.

6
7 Mr. Zweber noted that the required number of parking stalls for the proposed PUD is 338. The
8 proposal provides 327 parking stalls 24 hours/day. The total parking stalls at peak demand (6 am-
9 7 pm weekdays) is 351. He reviewed terms of the existing developer's agreement and parking
10 agreement for the property. He explained restrictions that currently exist for a number of parking
11 stalls that are reserved for City use or require a City permit. If the project moves forward to the
12 General Plan, these parking agreements would need to be modified.

13
14 Mr. Zweber shared the City Engineer/Director of Public works comments regarding the PUD
15 Concept Plan. The total number of parking stalls currently on the north/south running aisle of the
16 beach/marina property is being reduced to construct the turn-around at the south end. 27 parking
17 stalls would be reserved as beach/marina parking on the weekend, as is required in the current
18 parking agreement, to replace the three stalls removed for the turn around. The proposed site plan
19 eliminates a number of parking stalls on the north side of Grove Lane that currently exist and
20 proposes a sidewalk and boulevard pedestrian way on the north side of the parking structure. The
21 City Engineer recommended that this pedestrian way should be reduced in width to allow for the
22 construction of 24-foot roadway and maintain parking stalls on the north side of Grove Lane. The
23 pedestrian access on the east side of the beach/marina parking lot should be reduced to the
24 minimum allowable width to provide additional parking stall(s).

25
26 Chair Plantan asked the Commission if it had questions for staff regarding the proposed PUD
27 Concept Plan.

28
29 Commissioner Iverson asked for explanation of two of the future requests noted by Director
30 Goellner: approval from FEMA for a letter of map adjustment based on fill, and a vertical plat for
31 condominiums.

32
33 Mr. Zweber explained that the map adjustment is in response to the applicant stating that the city
34 beach and marina parking lot is currently below the floodplain. One of the public benefits that the
35 applicant is offering with the PUD is that when the parking is constructed, the parking area will
36 get raised to come out of the floodplain. The process from FEMA to get that approval is through
37 a letter of map adjustment. The vertical plat for condominium is the process to provide unit
38 ownership to the condominium owners by plating the 35 condominiums separately from the other
39 building areas.

40
41 Commissioner Flannigan asked what the difference in the number of parking stalls that the City
42 has rights to would be if the City Engineer's changes were accepted and incorporated into the
43 proposal.

44
45 Mr. Zweber stated that the number of parking stalls that would be restricted would be the same.
46 Three of the stalls would be moved to the City owned property Marina. The parking stalls that

1 would be available 24 hours/day would go down to 324, but the total available during peak hours
2 would stay at the existing 351.

3
4 Commissioner Iverson asked how the weekday parking for the beach would be addressed because
5 it is busy seven days a week.

6
7 Mr. Zweber stated that one of the City Engineer requests was that the curb line and pedestrian way
8 to the north of the property be made smaller to potentially accommodate an additional 20 parking
9 stalls in the area. These spots would not be exclusive to the City but would increase parking in the
10 area.

11
12 Commissioner Iverson expressed concern that a number of parking spots from an existing parking
13 agreement with the City are being included in the number of parking that the applicant is required
14 to provide for the proposed PUD.

15
16 Mr. Zweber stated that the comment was valid. He stated that the PUD General Plan phase will
17 contain more detail regarding the parking issue. He further added that there was potential for
18 additional parking spaces to be created in the future. He noted that the location of the parking
19 would be in the floodplain and would therefore be subject to flood conditions. He also added that
20 there are also an additional 19 parking spots located further down Grove Lane.

21
22 There being no further questions from the Commission regarding the information provided, Chair
23 Plantan asked Mr. Zweber to continue with his presentation.

24
25 Mr. Zweber stated that there were four variances requested in the Application for the project, and
26 that information on the practical difficulties was provided as part of the Application. He stated
27 that each variance and practical difficulty needed to be considered separately.

28
29 With respect to the requested Height Variance, Mr. Zweber shared that the maximum building
30 height within a PUD District is 35 feet and three stories, whichever is lesser. The proposed
31 building height is 49 feet and four stories. The applicant has stated that the practical difficulties
32 include not being able to provide underground parking due to the high-water table, that current
33 building is non-compliant, and the 14-foot first floor to allow indoor loading dock.

34
35 With respect to the requested Setback Variance, Mr. Zweber shared that the front, rear, and side
36 yard restrictions on the periphery of the Planned Unit Development site at a minimum must be the
37 same as the previous zoning district, in a PUD District. The previous Zoning District in this case
38 is C-3/Service Commercial, which has a minimum setback requirement of ten feet. The western
39 (side) and northern (front) yards are proposed to have zero-foot setback. In the case of the
40 northwestern corner of the property, the proposed parking structure is located across the property
41 line to construct parking stalls available for public use.

42
43 With respect to the requested Variance to Allow Rooftop Mechanical Equipment, Mr. Zweber
44 shared that the Bluff District does not allow for any mechanical equipment for a building to be
45 located on the roof deck. The Boatworks proposal included mechanical rooms located on the east
46 and west ends of the second floor to house much of the mechanical equipment inside the building,

1 but Boatworks is asking for a variance for the proposed restaurant's up-blast centrifugal roof
2 exhaust fan. The plan is to keep the height of the van under 5 feet and potentially powder coat it
3 a dark color to disguise it. The applicant's information on practical difficulties include that
4 horizontal ducting can lead to grease build up, and the kitchen odors could be sent to neighboring
5 properties or public spaces.

6
7 With respect to the requested Shoreland Setback Variance, Mr. Zweber shared that no principal
8 structure or building addition other than a water oriented accessory structure as specified can be
9 located closer to the ordinary high water mark than the greater of 75 feet, a line which is drawn
10 between the two closest riparian principal structure on either side of a proposed building site, the
11 average setback of the two closest riparian principal structures on either side of a proposed building
12 site, or the average setback line shall be measured parallel to the ordinary high-water level. The
13 existing Boatworks building is about 24 feet from the ordinary high-water level (OHWL). The
14 proposed Boatworks would be about 21 feet from the OHWL. The City-owned Wayzata Depot &
15 Museum property is located to the east and the City-owned Beach and Marina is located to the
16 west of the subject property. The Depot building is about 52 feet from the OHWL at its closest
17 point. The City Beach and Marina have a beach house that is located about 17 feet from the
18 OHWL. However, the beach house is considered a water oriented accessory structure, which is
19 exempt from the OHWL setback requirement. The applicant noted that their practical difficulties
20 include the limited depth of the lot, no underground parking due to the high-water table, and it is
21 an existing condition & past practice. The applicant also provided information regarding their
22 proposed stormwater treatment plan and the benefits of the location being closer to the water.

23
24 Director Goellner reiterated the applicant's requests. She stated that three public comment letters
25 were received by the City, have been added to the packet, and will be posted on the City website.
26 She provided information regarding the next steps for the application.

27
28 Chair Plantan asked the Commission if they had any questions for Staff.

29
30 Commissioner Merriam asked for clarification regarding a statement that the applicant made as to
31 the practical difficulties with variance request number one. The applicant stated that the current
32 building was non-compliant, and she questioned if the building was currently under 35 feet and if
33 so, what were the applicants referring to.

34
35 Mr. Zweber stated that the non-compliance is actually in separation between the high-water mark
36 and the first-floor elevation. The requirement by building code and City code is that the first floor
37 needs to be at least one foot above the OHWL mark and any opening need to be 3-feet above. The
38 current building has a portion that is actually below the OHWL mark. If they were to reconstruct
39 the first floor, they would have to increase the first-floor height a little bit to meet that compliance.

40
41 Commissioner Merriam asked for clarification regarding Section 991.1 of the zoning ordinance
42 that states that building heights of over 35 feet may be allowed through approval of Shoreland
43 Impact Plan Conditional Use Permit. She asked if this section was part of the PUD code.

44
45 Mr. Zweber responded that the section was in the Shoreland Ordinance, which is a separate chapter
46 of the Zoning Ordinance. The applicant is currently asking for a variance to allow the building to

1 be taller than 35 feet based on practical difficulties. The mitigating measures that are called for
2 in the Shoreland Ordinance will be reviewed and detailed in the General Plan and Design Review
3 stage.

4
5 Commissioner Merriam stated that the FAR in the C-3 District is one. She asked for clarification
6 as to the reason FAR had not been addressed.

7
8 Mr. Zweber responded that there is not a FAR requirement in a PUD District. If the application
9 gets approved, the zoning will be changed to PUD District.

10
11 Commissioner Merriam asked if there were other C-3 zoned properties in the area because C-3
12 zoning requires a FAR of one. She also asked if there were other zoning districts in the downtown
13 that have a FAR of one.

14
15 Mr. Zweber responded that to his knowledge the Boatworks property is the only C-3 zoned
16 property in the Central Business District. He added that C-4 also requires a FAR of 2. He added
17 that the properties on the north side of Lake Street, based on those underlying zoning districts,
18 would have a FAR of 2.

19
20 Commissioner Flannigan asked for the amount of office square footage on the second floor.

21
22 Mr. Zweber provided an answer.

23
24 There being no further questions from the Commission for Staff, Chair Plantan asked for the
25 Applicant to address the Commission regarding the application.

26
27 Applicant's principal and representative, Rick Born, 294 Grove Lane thanked the Commission for
28 allowing them to present an application again. He stated that the first application had a building
29 height of 71-feet, the next application had a building height of 58-feet, and the current application
30 is at 49-feet in height. He acknowledged that building height and building mass are important
31 issues, and the current plan includes large decreases of both. He explained that they were able to
32 make the decreases in building height by removing a level from the parking ramp. He provided a
33 visual with other buildings in the area and their height. He stated that their proposed building is
34 lower than the average height of the buildings on Lake Street. He added that setback from the
35 railroad is almost 30-feet. The changes made in the new application improve the safety and
36 walkability around the property. The current focus has been to decrease the height and overall
37 density. He stated that if the height and density can be agreed upon, they would accept changes
38 suggested to the exterior aesthetic of the building. The proposal greatly increases the walkability
39 of the area, increases the safety, and connects the neighboring properties in a much better way than
40 what currently exists. He also provided more visuals regarding the public benefits of the proposal
41 for the property. He explained that the timeline for the construction would be very aggressive.
42 The plan would be to move the current tenants out by the end of the current year and start
43 construction. The first summer may be a little rough, but the following summer should only have
44 interior construction and very minimal exterior work remaining.

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

1
2 Commissioner Flannigan stated that he appreciates the work that Mr. Born's team has put into the
3 project. He stated that the first practical difficulty listed in the application was regarding
4 economics. He asked what the 39,000 square-feet of office space on the second-floor means to
5 the viability of the project. He added that removal of the second-floor could alleviate the parking
6 difficulties and would get the building height very close to the requirement.
7

8 Mr. Born responded that the current building is 70,000 square-feet and is 100% occupied. He
9 stated that they would need to move out very successful businesses at great cost to be able to re-
10 develop the property. He explained that the expense would need to be justified by the building of
11 an economically commensurate replacement.
12

13 Commissioner Flannigan stated that the existing building does not have condominiums, and he
14 posed the question as to what they mean to the project. He reiterated that the applicant's first
15 practical difficulty listed was economic.
16

17 Mr. Born responded that the question is a fair one. He joked that the economic practical difficulty
18 should be moved to last on the list. He further stated that return on investment was a factor. He
19 added that the property is very unique in the large number of public benefit improvements that
20 they are proposing to make, such as \$2 million for an improved boardwalk and the loss of \$30,000
21 in slip rentals for the construction of a public pier. He stated that the applicant is giving up a lot
22 for these things, and would like to see some give-and-take.
23

24 Commissioner Iverson stated that she has completed some calculations of her own. She stated that
25 office space will likely earn \$50/square foot and the condominiums will start at \$500/square foot.
26 She questioned the need to keep the office space when there are already a number of vacant office
27 spaces within the City.
28

29 Mr. Born responded that having only condominiums on the property would result in problems with
30 those owners not liking so many people walking by all day long. He added that economically he
31 would be better off selling the building rather than having three floors of condominiums. He stated
32 that others have commented that the City doesn't need more condominiums, it needs more open
33 spaces and increased accessibility.
34

35 Commissioner Iverson stated that the proposal has four-stories with office space on the first and
36 second floor. She added that leaving the first floor as it currently is and only removing the second
37 floor of office space could be a good option.
38

39 Mr. Born stated that the current building is 70,000 square-feet and by removing the second floor
40 and the additional changes the building would have a value of half of what it currently has.
41

42 Commissioner Bashioum thanked Mr. Born for his perseverance. She reminded him of his
43 statement made at a previous Commission meeting where he said that he could not lose the
44 penthouses from the plan that was being presented at that time.
45

1 Mr. Born stated that the current proposal is nowhere near as economically viable as previous plans,
2 but it is likely reasonable. He added that he will not build the property with only three floors, and
3 he stated that there wouldn't be any other developers in town willing to do it either. The risk is
4 too high for the potential reward. His window for getting a decision on the property is very small.
5 He needs to make a decision with his tenants to sign new leases or not by mid-April. If they do
6 not get approval, then he will likely never develop the property. He clarified that his statements
7 are not threats, but that he has to be able to move forward with the proposed project, or invest
8 money in making repairs to the property as is and move on. The leases for his tenants are for ten-
9 year time spans, and he does not see the redevelopment opportunity happening again.

10
11 Commissioner Bashioum stated that she has a problem with the height of the building and the
12 setbacks from the shoreline. She added that Lake Minnetonka is one of the City's greatest assets,
13 and she dislikes having to encroach on the shoreline more than the building already does. She
14 added that the new proposal moves the building a couple feet closer to the shoreline than where it
15 currently is.

16
17 Mr. Born stated that there may be some flexibility to the shoreline setback. The intent was to keep
18 the same setback as the existing building.

19
20 Commissioner Merriam asked for clarification regarding the marina.

21
22 Mr. Born stated that they are planning on removing two of the very prime boat slips to create a
23 public space.

24
25 Commissioner Parkhill stated that there have been many comments from property owners located
26 up the hill from the proposed redevelopment. He asked if he had any responses to those property
27 owners.

28
29 Mr. Born stated that the properties up the hill are each privately owned and don't have a public
30 amenity attached to their property. He added that many of the properties do not currently have a
31 view of the lake, and therefore may not be losing anything. He acknowledged the idea of fairness
32 and that each property should be held to the same standard, but that not all properties need the
33 same things. He added that there have been changes granted to specific properties, and he assumed
34 that those changes were granted with good reason.

35
36 Commissioner Iverson stated that a previous meeting discussed the creation of a public amenity as
37 part of the proposal, but also that it may not be accessible to the public. She asked for reassurance
38 that the amenities that have been provided in the current proposal will actually occur and be open
39 to the public.

40
41 Mr. Born stated that if the proposal does not get approved then access will stay as it is. If the
42 proposal gets approved and they move forward with redevelopment, then the details and language
43 will be determined.

44
45 Commissioner Iverson stated that it is important that the public is made aware of the details.
46

1 Chair Plantan asked for Staff to comment.

2
3 Director Goellner stated that the typical process is that the Planning Commission and City Council
4 would voice the specific areas that they would like to see be public amenities, whether they are
5 represented on the plans or not. During the PUD General Plan, the exact details would be
6 determined and approved as part of the plan. If the builder decides to make changes, then they
7 would need to get approval to amend the General Plan. All of the negotiations made with the
8 developer on these points need to be approved by the City Council and memorialized in the
9 exhibits, all of which get added to public record.

10
11 Project Developer, Terry Schneider, stated that the design of the dock gathering space in the
12 illustration will likely not comply with LMCD's dock ordinance, and that was noted on the
13 illustration. The illustration is for information of size and location only and with the understanding
14 that additional discussions on the particulars of this feature will occur during the General Plan
15 review stage. The development agreement will contain language as to its use and its limitations.
16 He added that the intent is for the dock gathering area to predominately be available for public use.
17 He explained that they plan to provide alternate solutions to any of the comments or concerns
18 identified by the Planning Commission so that the City Council has additional information to make
19 decisions.

20
21 Commissioner Bashioum asked for the measurement from the front edge of the building to where
22 the lake starts.

23
24 Mr. Schneider stated that the measurement will have some variability along the length of the space.
25 They plan to rebuild a seawall on the lake edge that has deteriorated. They acknowledge that the
26 walking path may not be uniform, but they will not encroach on the waterline. The current building
27 is very straight, and the proposed building will not be so straight, as to have places for landscaping
28 and seating.

29
30 Commissioner Bashioum stated that the edge of the building in the rendering does not appear to
31 have adequate space allowed for the large walkway depicted.

32
33 Mr. Schneider stated that the rendering plan is to scale and in general, on average, there is more
34 area to work with than what is currently available. The details will be worked out with the
35 authorities.

36
37 Chair Plantan stated that Mr. Born spoke of addressing height and massing concerns that were
38 shared by the Commission, the Council, and the public. It was mentioned that the building was
39 reduced by nine feet and the mass was reduced by 17%, but the building footprint remains the
40 same. She asked where the mass reduction was coming from.

41
42 Mr. Schneider stated that most of the reduction comes from the removal of an entire parking deck
43 floor. The mezzanine parking was all removed and that allowed the reduction of the visible wall
44 along Grove Lane. Additional details can be discussed with the PUD General Plan. He calculated
45 17.6% less cubic feet of building than the previous application with 30,000 square-feet coming
46 from the parking ramp.

1
2 Commissioner Parkhill stated that the plan has a point where the building is 3-feet closer to the
3 water line than the current building.
4

5 Mr. Schneider stated that it was an oversight and the intention was not to go over the setback line
6 for the building. This can be adjusted back 3 feet.
7

8 There being no further questions from the Commission for the applicant, Chair Plantan opened the
9 public hearing on the application at 8:14 p.m.
10

11 Eric Myhran, 900 Willow Drive North, Orono, stated that he has lived in and around Wayzata for
12 50 years. He thanked the Planning Commission for their time and energy. He appreciated the
13 Council and Planning Commission pushing back on the first two proposals. He stated that Ms.
14 Bashioum may think that continuing to push back at the developer will result in a smaller building.
15 He sees the current proposal as the best option. He acknowledged the need to respect zoning
16 regulations but feels that the property is unique and should be considered on its own merit. Unlike
17 the properties along Lake Street and elsewhere, this property for good or bad is integrated into the
18 public experience with everything around it. This property has significant impact on public safety,
19 traffic, walkability, water quality, the connectivity of the new boardwalk, and more. The new
20 building would be, by design, woven into the public experience of life. The building starts
21 essentially at sea level and will be shorter than the TCF building and homes on Ferndale Road. He
22 respected other opinions regarding the project, but asked that consideration be made for the
23 substantial public benefits which the developer is offering. Refusing to approve the application
24 may leave the antiquated building, with its horrible traffic and pedestrian flow, with its negative
25 impact on water quality, and with its current public walkway along the lake will essentially be “as
26 is” for decades. He stated that it would be an extraordinary loss for the City to deny the world
27 class building being proposed. He ended by stating that the height starting point should be
28 reconsidered because a person can be taller if they are standing on a box.
29

30 Sarah Biondi, 3985 St. Louis Ave, stated that she is not anyone special, a millionaire or a
31 developer. She stated that she has a voice, an opinion, and lives in the area. She stated that the
32 City has been successful thus far because they have followed the Comprehensive Plan. The plan
33 has strong language that outlines the community’s priorities. She thinks Rick Born has chosen a
34 path that outright ignores the design standards that all previous developments have adhered to. She
35 agreed that a new Boatworks could bring a wonderful refresh to the west side of Lake Street, but
36 not at 49 feet, and not at the cost of setting a new precedence for developers. The Boatworks
37 application is asking for the variances not for practical or reasonable purposes, but because that
38 extra fourth story of condos will make an excess profit. Ms. Biondi stated the numbers do work,
39 and that she was calling Mr. Born’s bluff. She stated in our world today, greed and excess can
40 sometimes blur our vision, but as a community it is our job to step in and say let’s reshuffle the
41 deck. Ms. Biondi suggested making this an opportunity that doesn’t serve only a small number of
42 investors but one that can work for the community as a whole. She read from the City’s
43 Comprehensive Plan, Chapter 3, item 3.10 under mixed-use commercial and residential policies:
44 enact and enforce a commercial maintenance code to help ensure the commercial development
45 continues to maintain community character. Ms. Biondi ended by stating, “Let’s band together
46 with integrity, for the City that we love.”

1
2 Darrin Knight, 319 Barry Ave, stated that he is an attorney and has an office in Wayzata. He
3 commented the Mr. Born is a pleasant and successful individual. He stated that the application
4 should be denied, and that it isn't even a close call. He listed many of the buildings in the area and
5 stated the heights of each building which ranged from 35 to 40 feet. He stated that there are soil
6 issues and a high-water table for many of the properties, and they still build to 35 feet. If the
7 application is approved, the surrounding properties values will diminish. He asked for all
8 properties to be treated equally. He offered warnings for the potential precedence that approval of
9 the current proposal would establish. He stated that other developers/property owners that were
10 unable to attend the public meeting, asked him to mention "spot zoning". He stated that spot
11 zoning is the application of zoning to a specific parcel within a larger zoned area that is at odds
12 with the master plan or the existing zoning restrictions. Arguably, this parcel would be favored
13 over the other parcels in the area, which could create issues.
14

15 Lowell Zitzlof, 201 Lake St E, stated that he is a developer and has been in Wayzata since 1934
16 and financial is not a reason for a variance for buildings. The public of Wayzata has done a
17 wonderful job of protecting their greatest asset, which is the sparkling blue waters. He explained
18 that one of his tenants did not renew their lease in his building because the construction of Wayzata
19 Blu is now blocking the view of the lake. He stated that he has no anger with Wayzata Blu because
20 they built their property to 35 feet. The additional 14 feet of the proposed building is more than
21 one story. He explained the ways that he has had to adjust his plans to comply with the ordinances.
22 He believes that there is a way to reconfigure the applicant's plans. He explained that the absentee
23 ballot percentage is 40% in the City of Wayzata, noting the majority of condominiums that sell
24 from \$1-4 million typically only have occupancy for five months a year, but businesses in the area
25 rely on people and their business 12 months out of the year. He would love to see the project move
26 forward, but within the rules. He ended by stating that there is a highway underneath the English
27 Channel. In this case, underground parking is possible, but it will cost more money.
28

29 Rufus Winton, 150 Ferndale Rd, stated he and his parents were born and raised in Wayzata and
30 noted that his grandfather was even mayor in the 1930s. He has served on the Planning
31 Commission in the past and understands the difficulty facing the Commission. He stated that
32 what is being proposed is attractive, but he thinks that being neighborly, consideration of others
33 and the City standards need to be applied in this situation. Mr. Winton stated that he doesn't like
34 the idea of impairing others' view of the lake and finds the height variance request unacceptable.
35

36 John Nolan, 328 Barry Ave, stated he owns the building on the bluff just above the Boatworks
37 project. He feels the height of this project will negatively impact his views in that his views will
38 be completely eliminated. He appreciates the position that the Commission has taken regarding
39 this project, and encouraged the Commission not to fatigue in their clarity on this issue. He is not
40 opposed to redevelopment of Boatworks because he thinks there are a lot of good ideas in the
41 proposal, but he would like it to be at the 35-foot height restriction. Mr. Nolan stated he feels the
42 height regulation is one of the most important aspects to the City's code as it helps maintain a
43 lower scale massing, is pedestrian friendly, preserves views, and keeps the small-town character.
44 He stated the only thing that matters in the end is whether the variance meets the high standards
45 required by law in order to allow this to exceed the maximum height in the City. He stated a
46 variance is a very big deal because it is a deviation from the rules the City has agreed upon and

1 applied to everyone else. Mr. Nolan read aloud language from the state law regarding granting
2 variances, and quoted from the City Code regarding development and variances. He stated that he
3 has problem with multiple aspects of this proposal but right now is just focusing on the height,
4 which he thinks should be a pretty easy call for the Commission. He thanked the Commission for
5 their time to hear his opinions.

6
7 There being no one else wishing to comment on the application, Chair Plantan closed the public
8 hearing at 8:41 p.m.

9
10 Chair Plantan asked for the Commission to provide feedback regarding the application.

11
12 Commissioner Merriam asked if this was being used as a means of bypassing underlying zoning
13 restrictions. She noted this property is currently in the C3 zoning district, so it has a FAR of 1,
14 and the request is for a FAR of 2.13. She stated with a PUD, you can have a FAR of 2.13 but on
15 top of that, the applicant is requesting variances. Commissioner Merriam stated under the PUD
16 standards you need to stay with the height restrictions and setbacks. Because of that, it seems to
17 her that this application would devalue properties on the north side of Lake Street. She stated she
18 cannot support a recommendation to move forward with the PUD.

19
20 Commissioner Iverson stated she shares the same concerns and would have the same
21 recommendation.

22
23 Commissioner Parkhill stated there are aspects of the PUD that he thinks could be considered
24 reasonable, given the uniqueness of the site. He looks forward to talking about that at some point.
25 He stated he likes the building and wants it in some fashion, as it is good for Wayzata, anchors
26 both ends, keeps the tax burden down, and would be great for Panoway. Commissioner Parkhill
27 stated he would also consider recommending approval of several of the variances dealing with
28 screening of rooftop equipment, front and side setbacks, and the lake setbacks, which seem
29 reasonable. However, given this is a terraced community that has held strong on height limits, he
30 would say no on the height variance.

31
32 Commissioner Flannigan stated from a concept standpoint, he could find a way to support the PUD
33 as it goes to the effect of creating a more desirable and creative environment than strict application
34 of zoning standards. He noted, as the Planning Commission has heard, this is an issue of height.
35 He commended the development team for their persistence, but stated he struggles with the
36 ultimate decision and has to trust the developers, staff, and Council to come to the right solution.
37 Commissioner Flannigan noted there have been comments on protecting the lake for the
38 community, but there is a flip side to protect the six owners of buildings and tenants looking at
39 their view. He noted there is an existing access, the public can walk the boardwalk, go between
40 the beach, and will be able to utilize a longer boardwalk through Wayzata with this proposal. He
41 thinks if another use for the building was available, there would be restrictions with that on public
42 utilization. Commissioner Flannigan noted that developers have interesting ways to express their
43 interests and if some who spoke tonight were joint venture partners, he wondered if they would
44 address the same issues and come with a three-story building. He stated he supports the project
45 with the height reduced ultimately to 37 or 38 feet. Commissioner Flannigan stated the City
46 Council should look seriously at this project for this side of town because the other pieces of the

1 plan work well for this parcel, and it is located on the side of the community where there is not
2 much going on, and which has significantly outdated areas. He supports the plan but wishes there
3 was easy way to resolve the height.

4
5 Commissioner Bashioum stated she has the same struggles mentioned, and in particular the height
6 and upholding the Code across every street in the City. She stated she understands Mr. Born is
7 providing public amenities but does not think that is a fair trade off when blocking views of the
8 lake from properties behind. Also, massing of the buildings is a concern when viewed from the
9 beach, as it seems to be out of character and does not meet the spirit of the 2030 or 2040
10 Comprehensive Plans. She would like the project to move forward but not at the currently
11 proposed height.

12
13 Commissioner Iverson stated she has spoken to a lot of people, including her mom who said the
14 easiest way to resolve the height concern, is to buy the property. Commissioner Iverson stated this
15 is a beautiful piece of property, and the City should be excited to see it improved. She struggles
16 with the application of standards, as the City has a height standard for a reason, and she supports
17 following the Code. Another consideration relates to fatigue, as it is easy to get beat down and
18 give in; but this consideration is for a long standing, 100+ year building. Commissioner Iverson
19 stated she is concerned with the requested height, noting some of the condos are as large as 4,500
20 square feet, so perhaps the applicant should look at adding condos on the second floor. Another
21 concern is with overall parking, as well as the beach and impact of this massing. She stated a lot
22 of people have approached her about their utilization of the beach, and it is hard to tell the true size
23 of what this building will really look like. Commissioner Iverson asked the developer to look at
24 the height and consider if there is some wiggle room to reduce it to 37 feet or 38 feet. She stated
25 she hopes the developer does not walk away and can find a way to make it financially work. She
26 would hate to see the walkway go away, but the height restriction was placed for a reason.
27 Commissioner Iverson commented on the criteria required for variance consideration.

28
29 Commissioner Merriam said one PUD requirement is if it creates a more desirable environment
30 than what would be available through strict application of zoning regulations. She stated this is an
31 exciting project but her experience of using the beach is with the building being set back and of a
32 lower height. She looked at it today and where the building would come to, covering the parking
33 lot and at a height of 49 feet. Commissioner Merriam noted that means your experience at the
34 beach will be of a building looming over you, which will impact your experience.

35
36 Chair Plantan stated she was excited to see the application was submitted, but disappointed the
37 height was only reduced to 8 feet. She stated the Commission and Council had discussed concerns
38 about height and massing with previous applications. While it is understood why the Promenade
39 was approved, no one wants another. Chair Plantan stated she was excited for this project, but had
40 hoped more would have been done to address height and massing. She stated the variances
41 practical difficulties are self-imposed, but maybe the Planning Commission could get behind
42 variances for the rooftop equipment and setbacks, but not the height. She stated she hopes the
43 developers go back and work out those concerns. She stated people are excited about the public
44 amenities, but the height and massing are her concern.

45
46 Chair Plantan asked for a motion on the application.

1
2 Director Goellner stated if there is no debate about there being a split recommendation, it would
3 be appropriate to consider the application under one motion.
4

5 City Attorney, David Schelzel clarified the motion to make is to direct staff to prepare a draft
6 Planning Commission Report and Recommendation, with appropriate findings, making a
7 recommendation on each of the five requests. He referenced a slide detailing the applicant's
8 request is for PUD Concept Plan, variances for building height, property line setbacks (west and
9 north), restaurant rooftop equipment, and shoreland setback (south).
10

11 Commissioner Parkhill made a motion, seconded by Commissioner Flannigan, to direct staff to
12 prepare a draft Planning Commission Report and Recommendation, with appropriate findings,
13 reflecting a recommendation approval for the PUD Concept Plan with height at the 35-foot range,
14 property line setbacks (west and north), restaurant rooftop equipment, and shoreland setbacks
15 (south), and a recommendation of denial for the variance for building height for review and
16 adoption at the next Planning Commission meeting.
17

18 Commissioner Iverson noted two Commissioners had addressed concern with massing, scaling to
19 the beach, and the building having no setback. She would like to see the building pushed back a
20 little bit.
21

22 Attorney Schelzel stated a motion has been made and seconded and suggested taking a vote or
23 asking those making the motion to modify it. He clarified that the PUD Concept Plan contemplates
24 a building at the height requested with the height variance, so the motion would be approval of the
25 PUD Concept Plan apart from the height aspect. He asked to clarify that is the intent of the motion.
26

27 Commissioners Parkhill and Flannigan confirmed that is the intent of the motion.
28

29 Commissioner Bashioum stated the PUD Plan allows the project to increase the mass.
30 Commissioner Merriam explained that massing is part of the Concept Plan as the request is for
31 height plus setbacks.
32

33 Commissioner Parkhill restated the motion on the floor.
34

35 Chair Plantan asked for a roll call vote, which was as follows: Bashioum – aye; Parkhill – aye;
36 Flannigan– aye; Plantan – nay; Iverson – nay; Merriam - nay. The motion failed.
37

38 Attorney Schelzel, advised that on a tie vote, the motion fails.
39

40 Chair Plantan asked for another motion on the application.
41

42 Commissioner Parkhill made a motion, seconded by Commissioner Flannigan, to direct staff to
43 prepare a draft Planning Commission Report and Recommendation, with appropriate findings,
44 reflecting a recommendation approval for the PUD Concept Plan with height at 35-foot range for
45 review and adoption at the next Planning Commission meeting.
46

1 Commissioner Merriam asked if this motion would say 'yes' to a PUD at 35 feet. Attorney
2 Schelzel advised the report would recommend approval of the Concept Plan but not the element
3 of the requested height reflected in the plan.
4

5 Mr. Zweber explained the building is close to a FAR of 1 but adding the residential use changes it
6 to a mixed use so the FAR formula prorates the size of the lot with 50% commercial and 50%
7 height, shrinking the lot size in half. That is how the FAR increased from around 1 to 2 even
8 though the amount of office and restaurant had not increased.
9

10 Commissioner Iverson stated the Commission's recommendation would be more clear if the
11 motion was made on the existing PUD proposal, and not something the Commission would
12 propose or wish changed in the PUD.
13

14 Attorney Schelzel stated there is a motion on the floor that would recommend approval of the PUD
15 Concept Plan proposed without the height. The benefit of the motion is that it expresses support
16 for the other elements in the PUD plan. He stated the Council will want as much feedback as
17 possible, and if the stickler for the Planning Commission relates to the height, and some concerned
18 about massing, it would be good to put that in the Report. With this motion the focus is height and
19 if massing is another concern, then maybe the Commission will want to consider recommending
20 denial of the Concept Plan at this point.
21

22 Commissioner Parkhill asked if the Commission recommends approving PUD, does it then
23 approve the 49-foot height.
24

25 Attorney Schelzel advised the Commission cannot recommend approval of the Concept Plan
26 without considering the variances because they are part of the proposed PUD plan. The current
27 motion is to approve the PUD Concept Plan, minus the height as proposed.
28

29 Commissioner Iverson stated she preferred to consider and vote on each item in the Application
30 separately so the Council is clear on the Planning Commission's recommendation for each item.
31

32 The Planning Commission discussed the best way to consider and vote on the requests in the
33 application.
34

35 Attorney Schelzel stated there is a motion on the floor, which can be either withdrawn or the Chair
36 can call for a vote.
37

38 Commissioner Parkhill and Commissioner Flannigan withdrew the motion.
39

40 Commissioner Flannigan suggested considering the variance requests first, as that will impact the
41 outcome of the PUD Concept Plan. Attorney Schelzel explained if the variances are considered
42 first, then the motion on the Concept Plan can be considered, with consideration of those parts not
43 permitted without the variances.
44

45 Chair Plantan asked for a motion on the application related to the variances.
46

1 Commissioner Parkhill made a motion, seconded by Commissioner Bashioum, to direct staff to
2 prepare a draft Planning Commission Report and Recommendation, with appropriate findings,
3 reflecting a recommendation of denial of the variance for a building height of 49 feet, for review
4 and adoption at the next Planning Commission meeting.

5
6 Commissioner Flannigan noted for building height, he would support something other than 35 feet
7 but not 49 feet.

8
9 Chair Plantan asked for a roll call vote: Bashioum – aye; Parkhill – aye; Flannigan– aye, Plantan
10 – aye; Iverson – aye; Merriam - aye. The motion carried unanimously.

11
12 Chair Plantan asked for a motion on the application related to the other variances.

13
14 Commissioner Parkhill made a motion, seconded by Commissioner Flannigan, to direct staff to
15 prepare a draft Planning Commission Report and Recommendation, with appropriate findings,
16 reflecting a recommendation of approval for the variances for property line setbacks (west and
17 north), for review and adoption at the next Planning Commission meeting.

18
19 Chair Plantan asked for a roll call vote: Bashioum – nay; Parkhill – aye; Flannigan – aye, Plantan
20 – nay; Iverson – nay; Merriam - nay. The motion failed.

21
22 Chair Plantan asked for another motion on the application related to the setback variances.

23
24 Commissioner Merriam made a motion, seconded by Commissioner Iverson, to direct staff to
25 prepare a draft Planning Commission Report and Recommendation, with appropriate findings,
26 reflecting a recommendation of denial for the variances for property line setbacks (west and north)
27 of less than ten feet, for review and adoption at the next Planning Commission meeting.

28
29 Chair Plantan asked for a roll call vote: Bashioum – aye; Parkhill – nay; Flannigan– nay, Plantan
30 – aye; Iverson – aye; Merriam - aye. The motion carried.

31
32 Chair Plantan asked for a motion on the application related to the rooftop equipment variance.

33
34 Commissioner Parkhill made a motion, seconded by Commissioner Bashioum, to direct staff to
35 prepare a draft Planning Commission Report and Recommendation, with appropriate findings,
36 reflecting a recommendation of approval for screening for restaurant rooftop equipment for review
37 and adoption at the next Planning Commission meeting.

38
39 Attorney Schelzel clarified the request is not for screening of restaurant rooftop equipment but to
40 have it located on the roof.

41
42 Commissioner Parkhill amended his motion, seconded by Commissioner Bashioum, to direct staff
43 to prepare a draft Planning Commission Report and Recommendation, with appropriate findings,
44 reflecting a recommendation of approval of restaurant rooftop equipment, for review and adoption
45 at the next Planning Commission meeting.

1 Chair Plantan asked for a roll call vote: Bashioum – aye; Parkhill – aye; Flannigan– aye, Plantan
2 – aye; Iverson – nay; Merriam - aye. The motion carried.

3
4 Commissioner Iverson stated she voted against the motion, as it did not contain a requirement for
5 screening.

6
7 Chair Plantan asked for a motion on the shoreland setback.

8
9 Commissioner Parkhill made a motion, seconded by Commissioner Flannigan, to direct staff to
10 prepare a draft Planning Commission Report and Recommendation, with appropriate findings,
11 reflecting a recommendation of approval for property and shoreland setbacks (south), for review
12 and adoption at the next Planning Commission meeting.

13
14 Commissioner Bashioum noted it had been mentioned this was for only the one little corner.
15 Commissioner Flannigan explained the corner went from 24 feet to 21 feet in the most recent
16 application but it's 21 feet from the required setback of 75 feet.

17
18 Mr. Zweber stated with height or setback variances, it is preferred to include a not to exceed
19 measurement so the intent it is clear.

20
21 Commissioner Parkhill asked if the language should indicate not to exceed 21 feet. Commissioner
22 Merriam stated the existing setback is 24 feet, and only one corner goes to 21 feet. The request is
23 for 21 feet from the required 75-foot setback.

24
25 Attorney Schelzel recommended the motion reference the actual request from the applicant.

26
27 Commissioner Parkhill amended his motion, seconded by Commissioner Flannigan, to direct staff
28 to prepare a draft Planning Commission Report and Recommendation, with appropriate findings,
29 reflecting a recommendation of approval for a variance of 54 feet off the required 75-foot
30 shoreland setback requirement for a total of 21 foot setback for review and adoption at the next
31 Planning Commission meeting.

32
33 Commissioner Merriam stated her preference to have the corner brought back to 24 feet.
34 Commissioner Bashioum stated she would also like to see it brought back to 24 feet.

35
36 Chair Plantan asked for a roll call vote: Bashioum – nay; Parkhill – aye; Flannigan– aye, Plantan
37 – aye; Iverson – nay; Merriam - nay. The motion failed.

38
39 Commissioner Iverson reconsidered and changed her vote to aye so the item can keep moving
40 forward. She noted the City Council will be aware of the Commissioner's concerns.

41
42 The motion carried.

43
44 Chair Plantan asked for a motion on the PUD Concept Plan.

Commissioner Parkhill made a motion, seconded by Commissioner Flannigan, to direct staff to prepare a draft Planning Commission Report and Recommendation, with appropriate findings, reflecting a recommendation of approval for the PUD concept plan with the exception of those parts not permitted without the variances, for review and adoption at the next Planning Commission meeting.

Chair Plantan asked for a roll call vote: Bashioum – aye; Parkhill – aye; Flannigan– aye, Plantan – aye; Iverson – aye; Merriam - aye. The motion carried.

Attorney Schelzel stated staff will prepare the Planning Commission Report and Recommendation incorporating each of the recommendation in the one report, which will be on the consent agenda at the next Planning Commission meeting. He encouraged Commissioners to review it carefully as this was a complicated consideration.

Chair Plantan thanked staff, the applicant, and public for their hard work on this case.

Recess and Reconvene

Chair Plantain called for a recess at 9:28 p.m. The meeting was reconvened at 9:35 p.m.

b.) Consider Development Application for Side Yard Setback, Impervious Surface, and Curb Cut Spacing Variances for the Doolittle Residence at 244 Wayzata Blvd East.

Assistant Planner, Nick Kieser, stated that the applicant and property owner of 244 Wayzata Blvd. E, Patrick Doolittle, is requesting a side yard setback variance and an impervious surface variance for a new 244 square-foot addition to the rear of the principal structure. The applicant is also requesting a curb cut spacing variance for the new curb cut for a reconfiguration of the driveway. The project also includes two proposed rain gardens for stormwater management. The proposed addition will be used for extra living space and to allow for more room to improve the stairway in the house. He explained that it is currently zoned R-3 and to the south and to the west it is zoned R-5. He stated that in the 2030 Comprehensive Plan the land use is low density single-family and in the 2040 Comprehensive Plan it is designated as central core residential. He explained that there is a total of three variance requests: side yard setback; impervious surface; and, curb cut spacing. He gave a detailed explanation of each variance request and stated that the applicant is present if the Commission has any questions for him.

Chair Plantan asked if the Commissioners had questions for staff.

Commissioner Parkhill asked if the proposed rain gardens would get this down to the 35% or less impervious surface mark.

Assistant Planner Kieser explained with the rain gardens, the Public Works Director stated that it will essentially mitigate 41% of the impervious surface which would mean that only mean 3-4% of the impervious surface would not be mitigated on site.

1 Commissioner Flannigan asked how a rain garden works, and if they were somehow directing
2 water into the garden areas.

3
4 Assistant Planner Kieser stated there is some piping including the gutters on the primary structure
5 that directs water towards the rain gardens, and there is also some drain tile incorporated into the
6 driveway that will direct the water to the rain gardens. He noted that a rain garden basically acts
7 as a filtration system so the stormwater doesn't just run off into the street.

8
9 Commissioner Flannigan asked about the location of the driveway.

10
11 Assistant Planner Kieser stated it is technically .25 feet off the property line which is about 3
12 inches.

13
14 Commissioner Flannigan asked if a driveway was allowed to be that close to the property line.

15
16 Assistant Planner Kieser stated the driveway is allowed to be that close, but the curb cut needs to
17 be setback 10 feet from the property line.

18
19 Commissioner Bashioum asked if water from the rain garden just percolates down or if there is a
20 receptacle that holds it.

21
22 Assistant Planner Kieser stated there are certain plantings that the rain gardens need to have, and
23 a certain depth that it needs to hold, in order to be approved. It will allow some of the nutrients to
24 flow through and percolate into the groundwater.

25
26 Commissioner Parkhill asked who would be responsible for paying for the sidewalk repairs
27 because of the change with the curb cut.

28
29 Assistant Planner Kieser stated that would be done at the applicant's expense.

30
31 Commissioner Merriam stated that the existing driveway is gravel and the plans are to replace that
32 with cement. She asked how the overall hardcover was reduced with the proposed plans.

33
34 Assistant Planner Kieser explained this type of gravel is classified as impervious surface because
35 it does not allow water to flow through it.

36
37 Commissioner Iverson noted the aerial view of the properties makes it look like they are currently
38 not meeting zoning requirements of setbacks.

39
40 Assistant Planner Kieser stated that was correct.

41
42 Commissioner Iverson asked if the neighboring properties meet the setback requirements
43 anywhere.

44
45 Assistant Planner Kieser stated he is not sure and would need to examine things more carefully to
46 make that determination.

1
2 Commissioner Bashioum clarified that the gravel driveway would no longer be used ,and asked if
3 it would be possible to plant grass or put in some other type of landscaping in that area.

4
5 Assistant Planner Kieser noted this was already the plan in their proposal.

6
7 There being no further questions from the Commission for Staff, Chair Plantan asked for the
8 Applicant to address the Commission regarding the application.

9
10 Applicant's representative, David Pemberton, Sathre-Bergquist Inc., clarified the driveway angles
11 inward and is not .25 feet off the property line for the full length of the property. He explained the
12 existing gravel access and noted there are many reasons to get rid of that material. He stated
13 removing the gravel driveway will also help clean up the title and issues with encroachment on the
14 neighboring property, as well as reduce the hardcover. He believes the rain gardens have been
15 designed in order to calculate for the 100-year rainfall event.

16
17 Commissioner Bashioum stated she was on site today and noted this is a big job, but is happy to
18 see something done with the property. She was surprised that the Commission only had the
19 addition information and didn't have the remodeling information.

20
21 Mr. Pemberton noted that Mr. Doolittle and his family will be moving into the house when it is
22 completed.

23
24 Commissioner Flannigan asked what happened to the wizard.

25
26 Applicant, Mr. Doolittle, stated it has disappeared. He explained that it was a tree that had a pole
27 going up the middle and was sitting on a large concrete footing that is still there.

28
29 Commissioner Iverson thanked Mr. Doolittle for saving this old house. She asked if they had
30 looked at ways to construct the addition in the back, which would have kept them within the 10-
31 foot setback area.

32
33 Mr. Pemberton stated that they did look at it, but the layout and the roofline would have had issues
34 if they had attempted to jog in that corner in order to meet the setback requirements.

35
36 Commissioner Parkhill asked if there had been any discussions with the neighbor regarding the
37 setback request.

38
39 Mr. Doolittle stated that they have had conversations, and Assistant Planner Kieser has a copy of
40 a letter stating that he does not have a problem with them going over the setback line.

41
42 There being no further questions from the Commission for the applicant, Chair Plantan opened the
43 public hearing on the application at 10:01 p.m.

44
45 Clark Wolf, 250 Wayzata Blvd E, stated that his parents bought this house in 1965. He noted that
46 the existing driveway on the west side of the property was in use that whole time and has always

1 been sufficient. He asked how the driveway could be over the property line if it was fine for 50-
2 60 years as it was. He stated that he is not in favor of moving the driveway to his side of the
3 property, and noted that headlights of people coming down this driveway will be shining into his
4 family room window. He is also concerned about possible issues down the line if these variances
5 are granted. He stated the picture that shows the proposed location of the driveway makes it look
6 like a double lane freeway and if the City decides to grant this variance and allow the driveway in
7 that location, he asks that it be put in at least 10 feet from his property line. He stated his driveway
8 has never been shared with that property nor has he ever given permission for that to happen. He
9 noted the home was a rental property for 20 years and those people cut into his driveway and used
10 it without his permission. If the driveway is moved, he does like the idea of the rain gardens
11 because it helps his concern about this project creating problems for flooding his garage. He also
12 has concern about the remodel taking proper precautions because the lap siding probably contains
13 asbestos. He stated this property has been declining for years and he is glad to see someone coming
14 in and making improvements, he just doesn't like the driveway plans.

15
16 There being no one else wishing to comment on the application, Chair Plantan closed the public
17 hearing at 10:06 p.m.

18
19 Chair Plantan asked for the Commission to provide feedback regarding the application.

20
21 Commissioner Bashioum asked about asbestos mitigation procedures.

22
23 Assistant Planner Kieser stated the City will work through the permitting process to ensure that
24 any work done is under the regulations that protect the workers and the neighboring property.

25
26 Commissioner Merriam asked about the curb cut because she feels that the request by Mr. Wolf to
27 have the curb cut moved 10 feet over and the driveway curve back would cause more headlights
28 to shine into Mr. Wolf's home than if it just went straight back.

29
30 Assistant Planner Kieser stated this is the first time he has heard the concerns regarding headlights.
31 He can see valid points for either placement of the curb cut but cannot say for certain which way
32 would be more obtrusive.

33
34 Commissioner Merriam asked the applicant if he had explored the possibility of putting the
35 driveway along the west side of the property.

36
37 Mr. Pemberton stated because of the addition, there will not be enough room. He noted that even
38 with the existing home, there is barely enough room to continue the driveway within the property
39 line. He explained the potential boundary issues with the neighboring property to the west.

40
41 Commissioner Flannigan stated he thinks the applicant is protecting his rights as a land owner and
42 making sure the investment he has made in this property is protected into the future. He noted that
43 the driveway to the east will result in a close driveway, so he understands Mr. Wolf's concerns,
44 but this plan allows Mr. Doolittle to utilize his property. He stated that he has concern about things
45 like snow removal on the driveways, but would like to recommend approval of this application as

1 it is laid out. He encouraged the applicant to give strong consideration to making certain that
2 everything is done to honor what has been there for many years with Mr. Wolf.

3
4 Commissioner Bashioum asked about landscaping in the area that separates the two homes in order
5 to help separate the two driveways and stop it from looking like a freeway.

6
7 Mr. Pemberton stated the issue raised by Mr. Wolf is new so they have not planned any landscaping
8 at this time. He suggested Mr. Wolf and Mr. Doolittle have a discussion about that possibility.

9
10 Commissioner Iverson stated that she has made a conscious decision based on things she has seen
11 in the past, to not support allow something to encroach upon the 10-foot setback because it changes
12 the character of the neighborhood. She did not feel houses should be that close together and doesn't
13 think it is wanted in this community. She reiterated that she is not comfortable recommending
14 approval of this proposal because of the side yard setbacks.

15
16 Commissioner Flannigan noted the encroachment already exists.

17
18 Commissioner Iverson stated she understands that but does not want to make the situation worse,
19 and noted that the City has setback requirements for a reason.

20
21 Chair Plantan stated she feels the proposed variances are in harmony with the general purpose and
22 intent of the zoning ordinances, does not believe they alter the character, and are in agreement with
23 the Comprehensive Plan. She encouraged Mr. Wolf and Mr. Doolittle to work together and discuss
24 some possible landscaping that can alleviate some of Mr. Wolf's concerns. She stated she supports
25 the variance requests.

26
27 Commissioner Merriam stated she agrees with Chair Plantan, does not think it makes sense to
28 move the curb cut over 10 feet, and thinks putting in some bushes or something similar to create
29 some separation between the two homes is a good idea.

30
31 Chair Plantan asked for a motion on the application.

32
33 Commissioner Flannigan made a motion, seconded by Commissioner Merriam, to direct staff to
34 prepare a draft Planning Commission Report and Recommendation, with appropriate findings,
35 reflecting a recommendation of approval of the three variance requests for side yard setback
36 variance, impervious surface variance, and curb cut spacing variance as presented, for review and
37 adoption at the next Planning Commission meeting. The motion carried 5-1 (Iverson opposed).

38 39 **AGENDA ITEM 6. Other Items:**

40 41 **a.) Review of Development Activities**

42
43 Assistant Planner Kieser stated the next scheduled Commission meeting has one design review
44 and approval application on the agenda for 1120 Wayzata Boulevard E, the property next to Jimmy
45 John's.

1 Community Development Director Goellner stated there is one other item they are considering for
2 the March 16, 2020 agenda, which is to give the Commission some background information on a
3 corridor study for Wayzata Boulevard.
4

5 **b.) Planning Commissioner Liaison for the March 10, 2020 City Council Meeting**
6

7 Chair Plantan noted that Commissioner Iverson will provide a report at the next Planning
8 Commission meeting.
9

10 **c.) 2020 Planning Commission Meeting Calendar**
11

12 Community Director Goellner stated that the next meeting is scheduled for Monday, March 16,
13 2020.
14

15
16 **AGENDA ITEM 8. Adjournment.**
17

18 There being no further business on the agenda, Chair Plantan asked for a motion to adjourn.
19

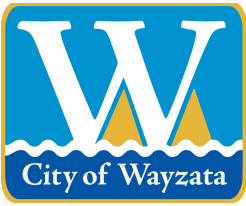
20 Commissioner Parkhill made a motion, seconded by Commissioner Merriam to adjourn the
21 Planning Commission meeting. The motion carried unanimously.
22

23 The Planning Commission meeting was adjourned at 10:22 p.m.
24

25 Respectfully submitted,
26

26 Jenny Groess

27 *TimeSaver Off Site Secretarial, Inc.*
28



City of Wayzata Planning Commission Agenda Report

MEETING DATE: April 6, 2020	AGENDA ITEM: 4.b
TITLE: Approval of Report and Recommendation for PUD Concept Plan and Variances for the Boatworks Redevelopment at 294 Grove Lane East	
PREPARED BY: Emily Goellner, Community Development Director	
REVIEWED BY:	
60 DAY DEADLINE: June 12, 2020 (120-Day Extension)	

BACKGROUND:

The applicant and property owner, Boatworks II, LLC, has submitted a Development Application for the proposed "Boatworks Re-Imagined Redevelopment". The applicant is proposing to demolish the existing building to construct a new 49-foot-tall, four-story, mixed use building with a restaurant, offices, 35 condominium units, and a two-level parking structure. The applicant has requested approval of a Planned Unit Development (PUD) Concept Plan and four variances for height, setbacks, shoreland setback, and rooftop restaurant ventilation equipment.

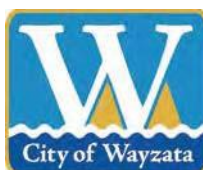
The Planning Commission reviewed this application and a public hearing was held at the March 4, 2020 meeting. Members of the public provided comments supporting and opposing various components of the proposed project. The Planning Commission recommended approval of the PUD Concept Plan, with the exception of the building height and the building setbacks on the north and west sides. The Commission recommended denial of the Building Height Variance and the PUD Setback Variance. The Commission recommended approval of the Rooftop Mechanical Equipment Variance and the Shoreland Setback Variance.

ACTION REQUESTED:

Staff recommends approval of the Draft Planning Commission Report and Recommendation.

ATTACHMENTS:

1. Draft Planning Commission Report and Recommendation - Boatworks Redevelopment at 294 Grove Ln E



WAYZATA PLANNING COMMISSION

April 6, 2020

DRAFT REPORT AND RECOMMENDATION ON PUD CONCEPT PLAN AND VARIANCES FOR THE BOATWORKS REDEVELOPMENT AT 294 GROVE LANE

SUMMARY OF RECOMMENDATION

1. Approval* of Planned Unit Development (PUD) Concept Plan, with the exception of proposed building height and setbacks
2. Denial of Height Variance
3. Denial of PUD Setback Variance
4. Approval* of Variance for Rooftop Equipment
5. Approval* of Shoreland Setback Variance

** with certain conditions listed at the end of this Report*

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 **Project.** Boatworks II, LLC (the “Applicant”) has submitted a development application (the “Application”) for the property at 294 Grove Lane (the “Property”) requesting approval of a (i) PUD concept plan and (ii) four associated variances for building height, setback, and rooftop equipment for a new 49-foot-tall, four-story mixed-use building consisting of office, restaurant, and residential condominiums uses, as well as related public and private improvements to the Property and portions of adjacent public property that are used for parking, a marina, and a beach (the “Project” or the “Proposed PUD”).
- 1.2 **Application Requests.** As part of the Application, the Applicant is requesting approval of the following:
 - A. **PUD Concept Plan:** A PUD concept plan for a new 49-foot-tall, four-story mixed-use building consisting of office, restaurant, and residential condominiums uses, including related public and private improvements to the Property and portions of adjacent public property that are used for parking, a marina, and a beach (the “PUD Concept Plan”).

- B. Variance from the PUD Height Standard: A variance from the PUD height standard to allow a forty-nine (49) foot tall, four (4) story building (the “Height Variance”).
- C. Variance from the PUD Setback Standard: A variance from the front and side yard setback on the periphery of the PUD for a zero (0) foot setback in the side and front yards as shown in the PUD Concept Plan (the “PUD Setback Variance”).
- D. Variance from the Wayzata Blvd District Rooftop Equipment Standard: A variance from the Design Standards’ prohibition of mechanical equipment on the roof deck of a building for a restaurant upblast centrifugal roof exhaust fan, as depicted in the plans submitted with the Application (the “Rooftop Mechanicals Variance”).
- E. Variance from the Shoreland Setback Standard: A variance from Lake Shore Setback to allow a principal structure to be located closer to the ordinary high water than 75 feet as depicted in the plans submitted with the Application (the “Shoreland Setback Variance”).

- 1.3 Property. The street address, property identification number and owner of the Property are:

294 Grove Ln E	06-117-22-32-0023	Boatworks II, LLC
----------------	-------------------	-------------------

- 1.4 Land Use. The Property is located on the shore of Lake Minnetonka, between the Lake to the south, Grove Lane to the north, the Wayzata Beach/Marina to the west, and the Wayzata Depot/Railroad Museum to the east. The Property is zoned C-3 PUD/Service Commercial Planned Unit Development and guided Central Business District under the Wayzata Comprehensive Plan. The adjacent properties are zoned R-1A/Low Density Single Family Estate District to the west and zoned R-2/Medium Density Single Family to the north and the east; and guided Park to the east and west and Central Business District to the north under the Wayzata Comprehensive Plan.
- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Sun Sailor* on February 20, 2020. A copy of the notice was mailed to all property owners located within 500 feet of the Property on February 18, 2020. The public hearing on the Application was held at the March 4, 2020 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 Planned Unit Developments (PUDs).

- A. Intent and Purpose of PUDs. Chapter 933 of the Zoning Ordinance provides for the establishment of Planned Unit Developments to allow greater flexibility in the development of neighborhoods and/or non-residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD process, by allowing deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:
1. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
 2. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
 3. More convenience in location and design of development and service facilities.
 4. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
 5. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
 6. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
 7. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
 8. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.
- B. General Standards. Section 933.02.A of the Zoning Ordinance sets forth the general standards for a PUD and review of a PUD application. These include:
1. Health Safety and Welfare; Council Discretion. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health,

safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of Section 33 of the PUD Ordinance, it may approve the PUD, although it shall not be required to do so.

2. Ownership. Applicant/s must own all of the property to be included in the PUD.
3. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.
4. Sanitary Sewer Plan Consistency. The PUD project must be consistent with the City's Sanitary Sewer Plan.
5. Common Open Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
6. Operating and Maintenance Requirements. Whenever common private or public open space or service facilities are provided within a PUD, the PUD plan must contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD must be placed under the ownership of one of the following, as approved by the City Council: (i) dedicated to the public, where a community-wide use is anticipated, (ii) Landlord control, where only tenant use is anticipated, or (iii) Property Owners Association, provided the conditions of 933.2.A.6.c are met.
7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.

9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 933.02.A.10.
 10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 933.02.A.10.
 11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
 12. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
 13. Setbacks. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall be the same as imposed in the underlying districts, if a PUD conditional use permit, or the previous zoning district, if a PUD District. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street pattern.
 14. Height. The maximum building height to be considered within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser. There shall be no deviation from the height standards applied within the applicable zoning districts for PUD conditional use permits. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the maximum allowable height and number of floors shall be as negotiated and agreed upon between the applicant and the City.
- C. Residential and Non-Residential PUD Standards. Sections 933.03 and 933.04 set forth lot area, minimum frontage, municipal water and sewer availability, roadway and parking standards for PUDs which have a residential and non-residential components. In addition to the standards set forth in these sections, City Council may impose such other standards for a PUD project as are reasonable and as the Council deems are necessary to protect and promote the general health, safety and welfare of the community and the surrounding area.
- D. PUD Procedure.
1. Concept Plan Approval Non-Binding. Concept Plan approval is the first step in a multi-stage process of City review and approval of a PUD. Concept Plan approval in no way binds the City to subsequent

approval of a General Plan of Development or other approvals that may be required. Section 933.05.B.

2. Application Contents. An application for approval of a Concept Plan of development for a PUD project must contain the information and materials listed in Section 933.05.C.

2.2 Building Height; Variance. Under Section 933.02.14, the maximum building height in a PUD Zoning District is thirty-five (35) feet and three (3) stories, whichever is less. Section 905.01.C provides the criteria for reviewing variances from the standards of the Zoning Ordinance. The variance review criteria are:

- A. Variances shall only be permitted when they are:
 - (i) in harmony with the general purposes and intent of the Zoning Ordinance; and
 - (ii) consistent with the Comprehensive Plan.
- B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
- C. "Practical difficulties," as used in connection with the granting of a variance, means that:
 - (i) the property owner's proposal for the property is reasonable but not permitted by Zoning Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
- D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
- E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with this Ordinance.
- F. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
- G. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

- H. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.

2.3 PUD Setbacks; Variances. Under Section 933.02.14, the applicable front, rear and side yard setbacks for the Proposed PUD are ten (10) feet from the property line. The variance review criteria are noted above.

2.4 Rooftop Mechanicals; Variances. Under Section 909.10.A, no mechanical equipment for a building may be located on the roof deck of the building. All such mechanical equipment must be located within the interior of the structure. The variance review criteria are noted above.

2.5 Shoreland Setback; Variances. Under Section 991.09. D.2, no principal structure shall be located closer to the ordinary high water than 75 feet. Under Section 991.20, variances from provisions of the Shoreland Ordinance may be granted by the City Council in accordance with Chapter 905 of the Zoning Ordinance in extraordinary cases, but only when the proposed use is determined to be in the public interest. The following additional criteria shall apply within Shoreland areas:

- A. Result in the placement of an artificial obstruction which shall restrict the passage of storm and flood water in such a manner as to increase the height of flooding, except obstructions approved by the U.S. Army Corps of Engineers in conjunction with sound floodplain management.
- B. Result in incompatible land uses or which shall be detrimental to the protection of surface and ground water supplies.
- C. Be not in keeping with land use plans and planning objectives for the City of Wayzata or which shall increase or cause danger to life or property.
- D. Be inconsistent with the objectives of encouraging land uses compatible with the preservation of the natural land forms, vegetation and the marshes and wetlands within the City of Wayzata.
- E. Shall constitute a hardship as defined in Chapter 905 of this Ordinance.
- F. No permit or variance shall be issued unless the applicant has submitted a Shoreland Impact Plan as required and set forth in this Ordinance. In granting any variance, the City Council may attach such conditions as they deem necessary to ensure compliance with the purpose and intent of this Section.

Section 3. FINDINGS

Based on the Application materials, additional materials submitted by the Applicant, staff reports, public comment and information presented at the public hearing, and the standards of the Wayzata Zoning Ordinance, the Planning Commission of the City of

Wayzata makes the following findings of fact:

- 3.1 PUD. The PUD Concept Plan meets the purpose and intent of the PUD Ordinance *with the exception of* the proposed building height and setbacks for which the Height Variance and Setback Variance are requested.
- A. The PUD reflects higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
 - B. The PUD meets the land use designation for the Property, and is consistent with the goals and objectives of the comprehensive plan, with the exception of the height and setback components of the design.
 - C. The PUD creates a more desirable and creative environment than would be possible under the existing zoning.
 - D. The PUD meets all of the following PUD general standards listed in Section 933.2.A of the Zoning Ordinance for PUDs *except for height and setbacks for which variances are requested*:
 - 1. Health Safety and Welfare. The Project, with the exception of the proposed height and setbacks of the proposed building, will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area, and conforms with the overall intent and purpose of the PUD Ordinance as noted in this Report.
 - 2. Ownership. The Applicant owns all of the property to be included in the PUD, or has rights to use such property for its proposed purpose.
 - 3. Comprehensive Plan Consistency. The Project is consistent with the City's Comprehensive Plan as noted in this Report.
 - 4. Sanitary Sewer Plan Consistency. The Project is consistent with the City's Sanitary Sewer Plan.
 - 5. Common Open Space. The Project will provide common private and public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and the Development Agreement with the Applicant for the Project should contain provisions to assure the continued operation and maintenance of such.
 - 6. Operating and Maintenance Requirements. The Development Agreement for the Project and future Property Owners Association governing documents should contain provisions to assure the

continued operation and maintenance of the common private and public open space and service facilities provided within the Project.

7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density. The Project density standards are acceptable to the City and consistent with the Comprehensive Plan.
9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 933.02.A.10, which would be reviewed as part of a PUD General Plan application.
10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 933.02.A.10, which would be reviewed as part of a PUD General Plan application.
11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council, which would be reviewed as part of a PUD General Plan application.
12. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan. This would be reviewed as part of a PUD General Plan application.
13. Setbacks. The front and side yard restrictions on the periphery of the Project do not meet the standards of the previous zoning district and are found to be inconsistent with the goals and objectives of the Comprehensive Plan. The Concept Plan should thus be modified to comply with this requirement if the requested PUD Setback Variance is not approved.
14. Height. The maximum building height in the Project will exceed the limit of thirty five (35) feet, which is found to be inconsistent with the goals and objectives of the Comprehensive Plan. The Concept Plan should thus be modified to comply with this requirement if the requested Height Variance is not approved.

- E. The Application contains the information and materials listed in Section 933.05.C.

3.2 Height Variance. The Height Variance does not meet all of the standards for granting a variance under the Zoning Ordinance:

- A. The building height that would be allowed with the Height Variance is *not* in harmony with the purpose and intent of the Zoning Ordinance, and is not consistent with the Comprehensive Plan, which require building height, size and massing that are consistent with a small town character, respect pedestrian scale, and highlight the importance of views of the lake from the bluff area above Lake Street.
- B. The Applicant has *not* demonstrated that there are practical difficulties in complying with the building height and stories requirement under the relevant criteria of the Zoning Ordinance, including a demonstration that the Height Variance requested:
 - 1. *Is Reasonable*. The proposed building height is fourteen (14) feet and one (1) additional story over the height limit for a PUD District, and would permit a building that is significantly taller, and hence larger, than the other buildings in the area; and
 - 2. *Will not alter the essential character of the locality*. The proposed building height would significantly alter the essential character of the area around the Property, including the views and the look and feel of the City beach and marina areas; Lake Street and adjacent bluff areas; the shoreline of Lake Minnetonka; and the areas being improved and enhanced as part of the City's Panoway project.

3.3 PUD Setback Variance. The PUD Setback Variance does not meet all of the standards for granting a variance under the Zoning Ordinance:

- A. The setbacks that would be allowed with the PUD Setback Variance are *not* in harmony with the purpose and intent of the Zoning Ordinance, and are not consistent with the Comprehensive Plan, which require buildings and massing that are consistent with a small town character, respect pedestrian scale, and the sensitive to areas along the Lake.
- B. The Applicant has *not* demonstrated that there are practical difficulties in complying with the building setback requirements under the relevant criteria of the Zoning Ordinance, including a demonstration that the PUD Setback Variance requested:
 - 1. *Is Reasonable*. The proposed building setback is zero (0) feet and in some areas the building would encroach into public property; and

2. *Will not alter the essential character of the locality.* The proposed building setbacks, with the associated massing and height of the building, would significantly alter the essential character of the area around the Property, including the views and the look and feel of the City beach and marina areas; Lake Street and adjacent bluff areas; the shoreline of Lake Minnetonka; and the areas being improved and enhanced as part of the City's Panoway project.

3.4 Rooftop Mechanicals Variance. The Rooftop Mechanicals Variance meets all of the standards for granting a variance under the Zoning Ordinance:

- A. The Rooftop Mechanicals Variance, and its relation to the PUD Concept Plan and general rooftop design of the proposed building, is generally in harmony with the general purposes and intent of the Zoning Ordinance; and consistent with the Comprehensive Plan.
- B. The Applicant has established that there are practical difficulties in complying with the Design Standard provision on rooftop mechanicals, in that:
 1. The request to place this type of rooftop mechanical on the rooftop is reasonable given its function of removing smoke and odors from areas used by occupants of the building and the general public in the area, and is necessary to meet the health, safety, building and fire codes;
 2. The plight of the landowner is due to circumstances unique to the property, such as the lack of a traditional rear yard, its mixed use commercial, residential and public nature, and the proximity to highly-visited public spaces on all sides of the property. These represent unique qualities of the property that are not created by the landowner; and
 3. The Rooftop Mechanical Variance, if granted, will not alter the essential character of the locality in that it is a small part of the roofscape, and most of the rooftop mechanicals will be located elsewhere in the interior of the building.
- C. Economic considerations alone do not constitute practical difficulties in this case, but rather health, safety and code compliance considerations.
- D. The Rooftop Mechanicals Variance is not a use variance.
- E. The Application submitted by the Applicant set forth reasons that the Rooftop Mechanicals Variance is justified under the criteria of the Zoning Ordinance in order to make reasonable use of the building.

- 3.5 Shoreland Setback Variance. Granting the Shoreland Setback Variance is an extraordinary case, as the Project and associated improvements and public benefits are in the public interest.
- A. Shoreland Setback Variance will not result in the placement of an artificial obstruction which shall restrict the passage of storm and flood water in such a manner as to increase the height of flooding, as it will allow redevelopment that will greatly improve storm and flood water management on the Property.
 - B. Shoreland Setback Variance will not result in incompatible land uses or which shall be detrimental to the protection of surface and ground water supplies.
 - C. Shoreland Setback Variance will allow for a PUD that is in keeping with land use plans and planning objectives for the City of Wayzata to the extent noted elsewhere in this Report, and shall not increase or cause danger to life or property.
 - D. The Shoreland Setback Variance will allow development that is consistent with the objectives of encouraging land uses compatible with the preservation of the natural land forms, vegetation and the marshes and wetlands within the City of Wayzata.
 - E. As a condition of approval, the applicant must submit a Shoreland Impact Plan as required and set forth in the Zoning Ordinance.

With respect to the criteria of Chapter 905 of the Zoning Ordinance:

- A. The Shoreland Setback Variance, and its relation to the PUD Concept Plan and general design of the proposed building, is generally in harmony with the general purposes and intent of the Zoning Ordinance; and consistent with the Comprehensive Plan.
- B. The Applicant has established that there are practical difficulties in complying with the Shoreland setback requirement, in that:
 - 1. The request is reasonable given that it is generally similar to the setback of the current building;
 - 2. The plight of the landowner is due to circumstances unique to the property, its location on the Lake, and its mixed use commercial, residential and public nature, and not created by the landowner; and
 - 3. Shoreland Setback Variance, if granted, will not alter the essential character of the locality in that it is generally similar to the setback of the current building.

- C. Economic considerations alone do not constitute practical difficulties in this case.
- D. The Shoreland Setback Variance is not a use variance.
- E. The Application submitted by the Applicant sets forth reasons that the Shoreland Setback Variance is justified under the criteria of the Zoning Ordinance in order to make reasonable use of the building.

Section 4. RECOMMENDATION

4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends:

- A. **APPROVAL** of the following land use requests in the Application:
 - 1. PUD Concept Plan, with the exception of the elements of the plan that require the Building Height Variance and Setback Variance
 - 2. Rooftop Mechanicals Variance
 - 3. Shoreland Setback Variance
- B. **DENIAL** of the following land use requests in the Application:
 - 1. Building Height Variance
 - 2. PUD Setback Variance

4.2 Recommended Conditions of Approval. The Planning Commission recommends approval of the PUD Concept Plan, Rooftop Mechanical Variance, and Shoreland Setback Variance be conditioned upon the following:

- A. The height and setbacks of the building proposed in the PUD Concept Plan must be modified in the PUD General Plan to either comply with the standards of building height and setbacks in the PUD District, or provide more reasonable requests that are more closely aligned with the standards in order to meet the goals and objectives of the Comprehensive Plan.
- B. The Applicant must submit a Shoreland Impact Plan as required and set forth in the Zoning Ordinance.
- C. All expenses of the City of Wayzata related to processing the Application, including consultant, expert, legal, and planning fees incurred, must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 6th day of April 2020.

Voting For the Findings and Recommendations of this Report:

Voting Against:

Abstaining:

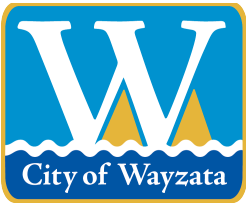
Chair, Planning Commission

Attachment A: Legal Description of Property

Attachment A

Legal Description and Information of Property

Address	294 Grove Lane East
PID	06-117-22-32-0023
Legal Description	<u>Parcel 1:</u> Tract C, Registered Land Survey No. 959, Hennepin County, Minnesota. Being Torrens property. Certificate No.: 1364676 <u>Parcel 2:</u> All that part of Lot 26, Auditor's Subdivision 184, described as follows: Beginning at the most Southerly corner of Tract D, Registered Land Survey No. 959, files of the registrar of Titles, Hennepin County, Minnesota; thence South along the East line of said Lot 26 to the Southeast corner thereof, thence West along the South line thereof 17 feet; thence Northeasterly to the point of beginning. All that part of Grove Street vacated lying Easterly of a line drawn from the Southeast corner of Tract A, Registered Land Survey No. 959, files of the registrar of Titles, Hennepin County, Minnesota, to the most Northerly corner of Tract B, said Registered Land Survey No. 959, and there ending, according to the recorded plat thereof. Being Abstract Land.
Abstract or Torrens?	Both
Certificate No.	1364676



City of Wayzata Planning Commission Agenda Report

MEETING DATE: April 6, 2020	AGENDA ITEM: 4.c
TITLE: Approval of Report and Recommendation for a Side Yard Setback Variance, Impervious Surface Variance, and Curb Cut Spacing Variance at 244 Wayzata Boulevard East	
PREPARED BY: Nick Kieser, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: June 4, 2020 (120-Day Extension)	

BACKGROUND:

The applicant and owner of 244 Wayzata Blvd E, Patrick Doolittle, is requesting a side yard setback variance and impervious surface variance for a new 244-square-foot addition to the rear of the principal structure. The applicant is also requesting a curb cut spacing variance for the new curb cut for a reconfiguration of the driveway. The project also includes two proposed rain gardens for stormwater management. The proposed addition will be used for extra living space and to allow for more room to improve the stairway in the house.

The Planning Commission reviewed this application and a public hearing was held at the March 4, 2020 meeting. The owner of the neighboring property to the east spoke against the driveway configuration at the public hearing. The side yard setback variance, impervious surface variance, and curb cut spacing variance was recommended for approval on a 5-1 vote.

ACTION REQUESTED:

Staff recommends approval of the Draft Planning Commission Report and Recommendation.

ATTACHMENTS:

1. Planning Commission Report and Recommendation for 244 Wayzata Blvd E



WAYZATA PLANNING COMMISSION

April 6, 2020

DRAFT REPORT AND RECOMMENDATION OF APPROVAL OF SETBACK, IMPERVIOUS SURFACE, AND CURB CUT SPACING VARIANCES FOR ADDITION AND DRIVEWAY RELOCATION AT 244 WAYZATA BLVD E

SUMMARY OF RECOMMENDATION

1. **Approval*** of Setback Variance for addition to residential structure
2. **Approval*** of Impervious Surface Variance for addition and new driveway
3. **Approval*** of Curb Cut Spacing Variance for relocation of driveway

* with certain conditions listed at the end of this Report

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Proposed Development. The property owner, Patrick Doolittle, (the “Owner” or “Applicant”) has submitted a development application (the “Application”) for a new 244-square-foot addition to the rear of the principal residential structure and relocation of the existing driveway (the “Project”) on the property at 244 Wayzata Boulevard East (the “Property”).
- 1.2 Application Requests. As part of the Application, the Applicant is requesting approval of the following:
 - A. Setback variance of 3.9 feet less than the required 10-foot setback, for a setback of 6.1 feet from the side yard (west) property line (the “Setback Variance”).
 - B. Impervious surface variance for an impervious surface of 44.29% of the lot area (the “Impervious Surface Variance”).
 - C. Curb cut spacing variance for a curb cut opening that is 9.75 feet less than the required 10 foot setback to a distance of .25 feet from the east side property line (the “Curb Cut Spacing Variance”).

- 1.3 Property. The Property address, tax identification number, and owner are:

244 Wayzata Blvd E	06-117-22-23-0025	Patrick Doolittle
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- 1.4 Land Use. The Property is zoned R-3 Single and Two-Family Residential, and is designated Low Density Single Family under the 2030 Comprehensive Plan.
- 1.5 Notice and Public Hearing. Notice of the public hearing on the Application was published in the *Sun Sailor* on February 21, 2020 and notices were mail to all properties within 350 feet of the Property on February 19, 2020. The public hearing was conducted at the March 4, 2020 Planning Commission meeting.
- 1.6 Planning Commission Action. After the conclusion of the public hearing on the Application at the March 4, 2020 meeting, the Planning Commission voted five (5) in favor and one (1) opposed to direct staff to prepare a draft *Planning Commission Report and Recommendation* recommending approval of the Application.

Section 2. STANDARDS

- 2.1 Side Yard Setback; Variance. The side yard setback for a principal structure in the R-3 Single and Two-Family Residential District is 10 feet. Sec. 956.06.B.1.B. The criteria for reviewing variances from the standards of the Zoning Ordinance in Sec. 905.01.C are as follows:
- A. Variances shall only be permitted when they are:
 - (i) in harmony with the general purposes and intent of the Zoning Ordinance; and
 - (ii) consistent with the Comprehensive Plan.
 - B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
 - C. “Practical difficulties,” as used in connection with the granting of a variance, means that:
 - (i) the property owner’s proposal for the property is reasonable but not permitted by the Zoning Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
 - D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

- E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with this Ordinance.
 - F. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
 - G. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
 - H. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.
- 2.2 Impervious Surface; Variances. Under Section 956.07.A, impervious surface of developments within the R-3 Zoning District shall not exceed 35% of the total lot area. The variance review criteria are noted above.
- 2.3 Curb Cut Spacing; Variances. Under Section 920.05.E.8, curb cut openings shall be located at a minimum of 10 feet from the side yard lot line in all districts, except for the C-4, C-4A and C-4B Districts. The variance review criteria are noted above.

Section 3. FINDINGS

Based on the Application materials, staff reports, public comment presented at the hearing, and Wayzata's Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

3.1 Setback Variance.

- A. The Setback Variance requested in the Application does not change the current single family residential use and the proposed addition it would allow is consistent with the general footprint of the current principal structure that has long existed on the Property. The Setback Variance requested is in harmony with the general purposes and intent of the Ordinance, and consistent with the Comprehensive Plan. The Setback Variance allows to keep the small town character by preserving the original house by performing maintenance and improvements rather than constructing a new home.
- B. The Setback Variance is to address the practical difficulty with the Property in terms of its size and shape, and the re-location of the driveway

to fit entirely on the Property. The lot narrows towards the rear of the property and the existing home runs parallel to Wayzata Blvd and not the lot lines. This makes it difficult to keep the existing home structure for any new addition to the back of the home. The existing home was found to encroach on the setback line already so any new addition to the rear of the home would not be possible in that location without a variance. It will not alter the essential character of the locality.

- C. The Setback Variance is reasonable, due to circumstances driven by the existing lot and building layout, and the relocation of the driveway entirely on the Property. If granted, the Setback Variance would not alter the essential character of the locality in that (i) there are other, similar homes, the general location, (ii) the orientation of the principal structure would not change, (iii) no significant trees would be lost, and (iv) the conditions of the Property and structures thereon would be improved.
- D. The practical difficulties necessitating the Setback Variance are not solely economic in nature.
- E. The proposed use for the Property would not change and is permitted within the R-3 District.
- F. The recommended conditions for granting approval of the Setback Variance are listed below in Section 4 of this Resolution.
- G. The Applicant has provided the reasons that the Setback Variance is justified under the criteria of the Zoning Ordinance in order to make reasonable use of the land, structures and buildings on the Property. The use of the property will not change and will make improvements to the existing home and driveway. Work will be done with the Project to improve the staircase in the rear of the home and significant work will be completed to improve the structure and aesthetics of the existing home.

3.2 Impervious Surface Variance.

- A. Impervious Surface Variance requested in the Application does not change the current single family residential use and the proposed addition and driveway relocation it would allow is consistent with the general lot layout of the current principal structure that has long existed on the Property. Impervious Surface Variance requested is in harmony with the general purposes and intent of the Ordinance, and consistent with the Comprehensive Plan. The Project will also reduce the amount of total impervious surface on the site and add stormwater management techniques which will advance the policies of the Comprehensive Plan.

- B. Impervious Surface Variance is to address the practical difficulty with the Property in terms of its size and shape, and the re-location of the driveway to fit entirely on the Property. The current driveway encroaches on the property to the west and connects to the neighboring driveway to the east which both will be removed with the new driveway configuration. The existing garage is located in the rear of the property which adds additional driveway impervious surface to allow access to that garage. It will not alter the essential character of the locality.
- C. Impervious Surface Variance is reasonable and will allow for a lower impervious surface than presently exists on the Property, and include better stormwater management techniques, such as rain gardens. The request is due to circumstances driven by the existing lot and building layout, and the relocation of the driveway entirely on the Property. If granted, the Impervious Surface Variance would not alter the essential character of the locality in that (i) there are other, similar homes, the general location, (ii) the orientation of the principal structure would not change, (iii) no significant trees would be lost, and (iv) the conditions of the Property and structures thereon would be improved.
- D. The practical difficulties necessitating the Impervious Surface Variance are not solely economic in nature.
- E. The proposed use for the Property would not change and is permitted within the R-3 District.
- F. The recommended conditions for granting approval of the Impervious Surface Variance are listed below in Section 4 of this Resolution.
- G. The Applicant has provided the reasons that the Impervious Surface Variance is justified under the criteria of the Zoning Ordinance in order to make reasonable use of the land, structures and buildings on the Property. The Applicant is not changing the use of the Property and is improving the existing principal structure and driveway configuration. The proposed addition will bring the interior of the home up to building code standards.

3.3 Curb Cut Spacing Variance.

- A. The Curb Cut Spacing Variance requested in the Application does not change the current single family residential use and the driveway relocation it would allow is consistent with the general footprint of the current principal structure that has long existed on the Property. The Curb Cut Spacing requested is in harmony with the general purposes and intent of the Ordinance, and consistent with the Comprehensive Plan. The Curb

Curb Cut Spacing Variance will allow the improvement of the existing home and driveway configuration to preserve the small town character of Wayzata.

- B. The Curb Cut Spacing Variance is to address the practical difficulty with the Property in terms of its size and shape, and the re-location of the driveway to fit entirely on the Property. The driveway needs to be placed to the side of the existing home while staying on the Property to reach the rear garage which does not leave room for the required curb cut spacing while maintaining a straight driveway. It will not alter the essential character of the locality.
- C. The Curb Cut Spacing Variance is reasonable, due to circumstances driven by the existing lot and building layout, and the relocation of the driveway entirely on the Property. If granted, the Curb Cut Spacing Variance would not alter the essential character of the locality in that (i) the orientation of the principal structure would not change, (ii) no significant trees would be lost, and (iii) the access and general conditions of the Property and structures thereon would be improved.
- D. The practical difficulties necessitating the Curb Cut Spacing Variance are not solely economic in nature.
- E. The proposed use for the Property would not change and is permitted within the R-3 District.
- F. The recommended conditions for granting approval of the Curb Cut Spacing are listed below in Section 4 of this Resolution.
- G. The Applicant has provided the reasons that the Curb Cut Spacing Variance is justified under the criteria of the Zoning Ordinance in order to make reasonable use of the land, structures and buildings on the Property.

Section 4. RECOMMENDATION

4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends approval of the (i) Setback Variance; (ii) Impervious Surface Variance; and (iii) Curb Cut Spacing Variance, subject to all of the following conditions:

- A. The Applicant must secure all necessary building permits for construction, and follow all laws and regulations applicable to the Project, including building codes and land use regulations.
- B. The Applicant must build and complete the Project in conformance, in all material respects, with the plans depicted in the Application.

- C. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.

DRAFT

Adopted by the Wayzata Planning Commission this 6th day of April 2020.

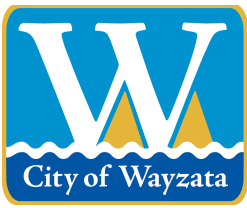
Christine Plantan
Chair, Planning Commission

Voting For Approval Recommendation:
Voting Against Approval Recommendation:
Abstaining:
Absent:

Attachments:
Exhibit A: Legal Description of Property

Exhibit A
Information and Legal Description of Property

Address	244 Wayzata Blvd E
PID	06-117-22-23-0025
Legal Description	All of Lot 1, Ravenwood Addition to Wayzata except the following portion thereof; Beginning at the Southeasterly corner of said Lot 1; thence Northeasterly along the Easterly line of said lot a distance of 84.4 feet; thence Southwesterly 86.08 feet more or less to a point on the Southerly line of said lot which is 8 feet westerly of point of beginning; thence east to the point of beginning, and all that part of Lot 2, Ravenwood Addition to Wayzata; described as follows, to-wit: Beginning at a point on the Westerly line of said Lot 2 distant 84.4 feet from the Southwesterly corner of said Lot 2; thence Northeasterly along the West line of said Lot 2 a distance of 108.6 feet more or less to the Southwesterly line of the Watertown Road; thence Southeasterly along said Southwesterly line of the Watertown Road a distance of 10.3 feet; thence Southwesterly to the point of beginning, according to the recorded plat there of, and situate in Hennepin County, Minnesota.
Abstract or Torrens?	Abstract
Certificate No.	N/A



City of Wayzata Planning Commission Agenda Report

MEETING DATE: April 6, 2020	AGENDA ITEM: 5.a
TITLE: Review of Development Activities	
PREPARED BY: Nick Kieser, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

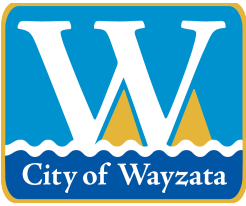
Staff will give a verbal update at the meeting.

ACTION REQUESTED:

N/A

ATTACHMENTS:

None



City of Wayzata Planning Commission Agenda Report

MEETING DATE: April 6, 2020	AGENDA ITEM: 5.b
TITLE: Planning Commissioner Liaison Report from the March 10, 2020 City Council Meeting	
PREPARED BY: Nick Kieser, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

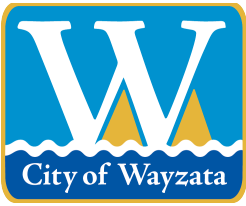
Commissioner Iverson will provide a report of the March 10, 2020 City Council meeting.

ACTION REQUESTED:

N/A

ATTACHMENTS:

None



City of Wayzata Planning Commission Agenda Report

MEETING DATE: April 6, 2020	AGENDA ITEM: 5.c
TITLE: Planning Commissioner Liaison for the April 7, 2020 City Council Meeting	
PREPARED BY: Nick Kieser, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

Commissioner Bashoum is scheduled for the April 7, 2020 City Council meeting. This meeting will also be held remotely.

ACTION REQUESTED:

N/A

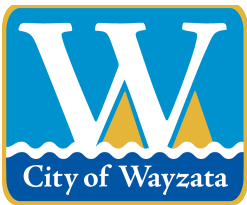
ATTACHMENTS:

1. Planning Commission Assignments at Council Meetings 2020

2020
Planning Commission assignments at Council meetings

<u>Meeting Date</u>		<u>Commission Representative</u>
Tuesday	January 7, 2020	Christine Plantan
Tuesday	January 21, 2020	Jeff Parkhill
Tuesday	February 4, 2020	Peggy Douglas
Tuesday	February 18, 2020	Gregory Flannigan
Tuesday	March 10, 2020	Cathy Iverson
Tuesday	March 24, 2020	Jeff Parkhill
Tuesday	April 7, 2020	Lindsay Bashioum
Tuesday	April 21, 2020	Lindsay Bashioum
Tuesday	May 5, 2020	Laura Merriam
Tuesday	May 19, 2020	Peggy Douglas
Tuesday	June 2, 2020	Gregory Flannigan
Tuesday	June 16, 2020	Cathy Iverson
Tuesday	July 7, 2020	Jeff Parkhill
Tuesday	July 21, 2020	Christine Plantan
WEDNESDAY	August 5, 2020	Lindsay Bashioum
Tuesday	August 18, 2020	Laura Merriam
Tuesday	September 1, 2020	Peggy Douglas
Tuesday	September 15, 2020	Gregory Flannigan
Tuesday	October 6, 2020	Cathy Iverson
Tuesday	October 20, 2020	Laura Merriam
Tuesday	November 10, 2020	Christine Plantan
Tuesday	November 24, 2020	Lindsay Bashioum
Tuesday	December 1, 2020	Laura Merriam
Tuesday	December 15, 2020	Peggy Douglas

Last Updated: January 1, 2020



City of Wayzata Planning Commission Agenda Report

MEETING DATE: April 6, 2020	AGENDA ITEM: 5.d
TITLE: Public Meeting Changes in Response to COVID-19 Pandemic	
PREPARED BY: Emily Goellner, Community Development Director	
REVIEWED BY:	
60 DAY DEADLINE: N/A	

BACKGROUND:

The next Planning Commission meeting is scheduled to be on Monday, April 20, 2020 and it will also be held remotely by electronic means using the audio and visual conferencing platform, Zoom, like the April 6 meeting. There are three public hearings scheduled for the April 20 meeting, which will require additional coordination of the new remote meeting technology. Staff appreciates the patience and willingness to adapt from the Commission and members of the public during this time.

The City Council Meetings scheduled for April 7 and April 21 will also be held remotely. The Housing and Redevelopment Authority Meeting was rescheduled from March 24 to April 21. It will be held remotely as well. All of these meetings will be shown on Channel 8, WCTV, and streaming on the City website at www.wayzata.org/WCTV.

Members of the public are encouraged to provide their feedback in an email to staff prior to the meeting. The best email address to use is PublicComment@wayzata.org. The public may also call staff to provide input. If sending comments by mail is preferred, mail should be postmarked at least three days prior to the meeting and addressed to Wayzata City Hall, 600 Rice St E, Wayzata, MN 55391, Attn: Public Comment.

If a member of the public would like to call in to the meeting during the public hearing period of a meeting, they can follow the instructions posted on the City website at www.wayzata.org/632/Virtual-City-Hall. The agenda packets will continue to be posted on the City website at www.wayzata.org/AgendaCenter.

For information on other public meetings that have been cancelled for the month of April, please visit www.wayzata.org/631/Coronavirus-COVID-19.

The format for public meetings and the potential cancellation of public meetings for the month of May has not yet been determined. However, at this point, it is expected that the Planning Commission and City Council meetings will NOT be cancelled in May and will continue as scheduled.

ACTION REQUESTED:

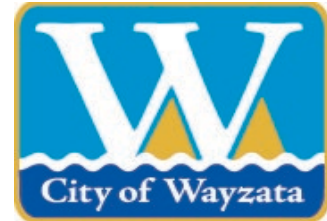
N/A

ATTACHMENTS:

1. 2020 Public Meeting Calendar FINAL

City of Wayzata

2020 Meeting Calendar



January 2020						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February 2020						
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March 2020						
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29	30	31				

April 2020						
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26	27	28	29	30		

May 2020						
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24	25	26	27	28	29	30
31						

June 2020						
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14	15	16	17	18	19	20
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28	29	30				

July 2020						
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26	27	28	29	30	31	

August 2020						
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23	24	25	26	27	28	29
30	31					

September 2020						
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27	28	29	30			

October 2020						
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25	26	27	28	29	30	31

November 2020						
S	M	T	W	Th	F	S
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15	16	17	18	19	20	21
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29	30					

December 2020						
S	M	T	W	Th	F	S
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6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- Energy & Environment Committee - 5:00 PM
- Planning Commission - 6:30 PM
- City Council - 7:00 PM
- Wayzata School Board
- Lake Minnetonka Conservation District (LMCD)
- Heritage Preservation Board (HPB) - 5:00 PM
- Housing & Redevelopment Authority (HRA) - 7:30 AM
- Parks & Trails Board - 6:00 PM
- Charter Commission - 9:00 AM
- Elections (see below)
- Night to Unite

Meeting dates and times are subject to change. Dates can be confirmed by calling City Hall.

- Holiday Observed
City Offices Closed

Presidential Nomination Primary Elec - 3/3/20

Primary Election - 8/11/2020

General Election - 11/3/2020