

WAYZATA PLANNING COMMISSION

Meeting Agenda

Pursuant to Minnesota Statute Sec. 13D.015, and the Executive Orders and Emergency Declarations related to the COVID19 pandemic, this Planning Commission meeting is being conducted by electronic means using the audio and video conferencing platform, Zoom. Members of the public may watch and listen to the meeting by logging into Zoom, or by calling 312-626-6799 on a phone, and entering Zoom Meeting ID 928 1280 3039 and Passcode 396869. The meeting will also be shown on Channel 8, WCTV, and streamed on the City's website at www.wayzata.org/WCTV.



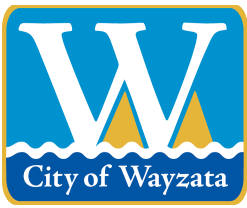
To speak during the Public Forum and/or Public Hearing portions of the meeting you can use Zoom or a phone. When using Zoom, indicate you'd like to speak by using Zoom's "raise hand" function. When using a phone, press *9. In each case, you will be muted until you have been recognized and invited to speak.

The City encourages comments or questions about items on the agenda and, when possible, requests that you submit them in advance by emailing PublicComment@wayzata.org, calling City staff at 952-404-5313, or mailing Wayzata City Hall at 600 Rice St E, Wayzata, MN 55391 (Attn: Public Comment).

Monday, October 5, 2020
6:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Approval of Agenda**
4. **Consent Agenda**
 - a. Approval of September 21, 2020 Meeting Minutes
 - b. Approval of Report and Recommendation for Design Approval for a New Amenity Structure at 230 & 240 Central Avenue North
 - c. Acceptance of Withdrawal Letter for the Development Application at 200 Lake Street East
5. **Old Business Items**
 - a. Approval of Report and Recommendation for a Planned Unit Development Amendment for 801 Lake Street East - Promenade of Wayzata
6. **Other Items**
 - a. Review of Development Activities
 - b. Planning Commissioner Liaison Schedule and City Meeting Calendar
7. **Adjournment**

Upcoming Meetings:
City Council - October 6, 2020
Planning Commission - November 4, 2020



City of Wayzata Planning Commission Agenda Report

MEETING DATE: October 5, 2020	AGENDA ITEM: 4.a
TITLE: Approval of September 21, 2020 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 September 21, 2020 Planning Commission meeting.

ATTACHMENTS:

1. Draft September 21 PC Minutes

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
September 21, 2020**

AGENDA ITEM 1. Call to Order

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

Chair Plantan read the following prepared statement:

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. Members of the Commission, City staff, and others that are a part of the meeting will be participating by video or audio connections where we can all hear each other and see the presentations being made. We have a public forum and public hearing this evening on the agenda. If you'd like to speak during these portions of the meeting you may call 1-(312) 626-6799, enter the Zoom meeting ID 95016398651, and press 9 to speak. Callers will be placed on hold and muted until the appropriate time of the meeting is reached. At that time, each caller will be recognized in turn, and invited to speak. Public comments continue to be welcomed and encouraged and we ask if possible, that comments of future agenda items be submitted in advance by emailing PublicComment@wayzata.org. Please include "public comments" in the subject line, your name and address, and the agenda item that you are speaking to. Comments can also be submitted by calling City staff or mailing comments to Wayzata City Hall at 600 Rice St E, Wayzata, MN 55391 (Attn: Public Comments). The meeting will be shown on Channel 8, WCTV, and streamed on the City's website at www.wayzata.org/wctv.

AGENDA ITEM 2. Roll Call

Chair Plantan asked Director Goellner to take roll call.

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

AGENDA ITEM 3. Approval of Agenda

Chair Plantan asked if there were any questions on the meeting agenda as presented.

Commissioner Flannigan asked if item 6b of the agenda should be removed because he thought the Commission was no longer spending time on council reports and liaisons.

Chair Plantan stated that her understanding is that the Commissioners were still encouraged to attend the Council meetings and be aware of what is going on there, but not necessarily report back to the Commission.

Director Goellner confirmed that this is correct, and the Commissioners are still encouraged to attend when they are assigned as the liaison; however, there will no longer be reporting back to the full Commission. She stated that staff still wanted to include the liaison schedule as well as the City calendar to update the Commission, so item 6b should not be removed from the agenda.

There being no other questions, Chair Plantan asked for a motion to approve the agenda for the meeting as presented.

Commissioner Flannigan made a motion, seconded by Commissioner Douglas, to approve the September 21, 2020 agenda as presented.

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

AGENDA ITEM 4. Consent Agenda

- a.) Approval of the September 8, 2020 Planning Commission Meeting Minutes**
- b.) Approval of Report and Recommendation of Approval for a Conditional Use Permit for Gate Height at 405 Bushaway Road**
- c.) Approval of Report and Recommendation of Approval for a Preliminary and Final Plat at 320 Hampton Street South**

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

Commissioner Merriam asked that a revision to the meeting minutes from September 8, 2020 be made. She clarified that her comments on page 18, lines 35 and 36 should have stated that she liked Council's idea of not opening up the possibilities along Lake Street. She noted that after listening to the recording, staff has confirmed the correction.

Chair Plantan asked for a motion to approve the Consent Agenda as presented with Commissioner Merriam's amendment to the minutes.

Commissioner Parkhill made a motion, seconded by Commissioner Merriam, to approve the Consent Agenda as presented with such amendment to the minutes.

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

AGENDA ITEM 5. Public Hearing Items

- a) Consider Development Application for Design Approval for a New Amenity Structure at 230 & 240 Central Avenue North**

Assistant Planner, Nick Kieser, stated that this Development Application is for approval of the design of a new structure on the property located at 230 and 240 Central Avenue North. He noted that the zoning for this property is R5, average density and multiple residential district. He explained that it is just south of the intersection of Central Avenue and Highway 12 and noted that

1 in the 2040 Comprehensive Plan, this property is designated as high density residential. He noted
2 that a design review and approval is required for any new construction with a non-residential or
3 multi-family component. He reviewed the site plan, including the existing apartment buildings
4 and the proposed amenity building. He stated that the applicant is proposing a one-story, 1,763
5 square foot amenity building that would be used as a leasing office and a small fitness center. He
6 stated that there will be some stormwater improvements and parking reconfiguration with this
7 structure as well. He stated that there will be a net removal of 3.5 tree inches and noted that overall,
8 there will be 5 significant trees taken down with this project, which is below the ordinance's
9 threshold of requiring replacement trees. He showed renderings of the proposed building and
10 noted that there is a design deviation being requested. He stated that this project is located within
11 the Design Standard's Bluff District. He explained that they are asking to use poly-ash trim as an
12 accent material, which will be located around the windows of the building and would account for
13 up to 3.7% of the exterior façade. He noted that the applicant has stated that it is similar to the
14 permitted fiber cement materials but is more durable and moisture resistant. He noted that the
15 applicant did provide sample materials for review by the Commission. He reviewed the key
16 questions and standards for the Commission to consider as they are looking at the design approval
17 request. He stated that reviewing Design Standards is one of first priorities of the newly formed
18 Zoning Controls Task Force, and they plan to look at building materials specifically.

19
20 Chair Plantan asked if the Commission had any questions for Staff.

21
22 Commissioner Bashioum asked what will happen to the previous leasing office space.

23
24 Planner Kieser stated that he does not know the answer to that question but the applicant should
25 be able to answer.

26
27 Commissioner Bashioum stated that the packet mentioned that some of the apartments have been
28 improved and asked what percentage of the apartments had been improved.

29
30 Planner Kieser stated that the narrative explained a few a/c updates that have been done to a few
31 of the units, and noted that they are looking to do future improvements on other units. He stated
32 that this is another area where the applicant should be able to elaborate on this information.

33
34 Commissioner Bashioum asked how many units are in the complex.

35
36 Planner Kieser stated that he believes there are between 120 and 150 units, but will get the exact
37 number.

38
39 There being no further questions from the Commission for staff, Chair Plantan opened the public
40 hearing on the application at 6:49 pm. She reiterated the instructions for the public to be involved
41 in the meeting. While members of the public were given time to connect to the meeting, she asked
42 the applicant to address the Commission.

43
44 Applicant's representative, David Holland, UrbanWorks Architecture, 901 North Third Street,
45 Minneapolis addressed the Commission. He noted that also on the call was Josh Highley from
46 UrbanWorks and a representative from the ownership group, Julie Rodriguez. He explained that

1 the project goal is to make a more accessible leasing office and give it a more modern upgrade.
2 He stated that it will provide amenity space but also solve some drainage problems in the area. He
3 stated that he would ask Julie Rodriguez to answer the remaining questions raised earlier by the
4 Commission.

5
6 Commissioner Iverson stated that she feels the new proposed building does not necessarily
7 complement the existing structure. She asked if that had been taken into consideration while
8 designing the building.

9
10 Mr. Holland, stated that they do not want to replicate the existing structure because it was built in
11 1965, but hoped to create more of a transition between the medical building and their building. He
12 stated that part of the strategy is also to refinish the old building with some paint, so the colors will
13 tie in more once that work also begins. He stated that their hope is that the new building will just
14 have a slightly different articulation than the accents to give it more of a modern “front door”.

15
16 Commissioner Iverson asked if the renderings shown on the drawings were existing or if they
17 would be planting additional trees.

18
19 Mr. Holland stated that the trees depicted on the renderings will be new trees.

20
21 Commissioner Iverson stated that she wanted to make sure that the drawings were not just
22 placeholders but that there would actually be replacement trees, since they are planning to take
23 down a few trees.

24
25 Planner Kieser noted that they are planning to add about 35 inches of trees to the site. He stated
26 that he has an answer for Commissioner Bashioum’s questions regarding the number of units and
27 explained that there are 107 units between the two buildings.

28
29 Commissioner Parkhill stated that for 3% of the building, the applicants are going through a rather
30 long process to go through the design review and asked what is so important about being able to
31 use the poly ash materials. He asked if that material came in other colors.

32
33 Mr. Holland stated that it is a paintable product and is a much more durable and more stable
34 product than fiber cement which is one of the allowed materials. He stated that it will perform a
35 lot better and, as Planner Kieser alluded to, the City may want to consider altering the design
36 standards to allow this material in the future.

37
38 Commissioner Bashioum reiterated her question about how many apartments have been
39 refurbished and asked what the timeframe will be for the remaining units to be updated.

40
41 Applicant’s representative, Julie Rodriguez, stated that currently there have been 5 units that have
42 been renovated and those were completed based on vacancy. She further noted that these units
43 have now been re-rented. She stated that their plan is to continue with that process along with the
44 renovation and structure of the building.

1 Commissioner Bashioum asked about the timeframe for the renovation of the anticipated
2 completion date for the rest of the apartments.

3
4 Ms. Rodriguez stated that because the turnover in this building is not particularly high, they
5 anticipate that it will take them about 18 months or more to turn over all the units. She stated that
6 the current leasing office space will be turned back into a one-bedroom apartment.

7
8 Commissioner Bashioum asked about the refurbishing of the apartment complex, and asked if that
9 was a similar timeframe as for the individual units.

10
11 Ms. Rodriguez stated that will be done within a 12-month period. She noted that they have already
12 replaced all of the roofs and replaced a front concrete stoop to make it ADA accessible. She stated
13 that they have also completed some drainage work in the rear of the building.

14
15 Commissioner Douglas thanked the applicants for upgrading this building because there is a great
16 need for affordable or moderately priced rentals in the City.

17
18 Director Goellner stated there were no people that called in to the meeting that have asked to speak
19 at the public hearing.

20
21 There being no member of the public wishing to comment on the application, Chair Plantan closed
22 the public hearing at 7:01 pm.

23
24 Chair Plantan asked for the Commission to share their questions and feedback on the application.

25
26 There being no commissioner wishing to speak, Chair Plantan expressed her appreciation to the
27 applicant for the improvements they are planning to the complex. She stated that she would like
28 to see someplace to sit outside and additional trees planted if possible in connection with the
29 project.

30
31 There being no further discussion among the Commission, Chair Plantan asked for a motion on
32 the application.

33
34 Commissioner Douglas made a motion, seconded by Commissioner Merriam, to direct staff to
35 prepare a draft Planning Commission Report and Recommendation with appropriate findings
36 reflecting a recommendation of approval for the project design and design deviation of window
37 trim material for the Wayzata Woods amenity building at 230 and 240 Central Avenue North, for
38 review and adoption at the next Planning Commission meeting.

39
40 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

41
42 **b) Consider Development Application for a Comprehensive Plan Amendment,**
43 **Rezoning, Multiple Variances, and a Conditional Use Permit/Shoreland Impact**
44 **Plan at 200 Lake Street East**
45

1 Director Goellner stated that the property owner, TCF National Bank, has submitted a development
2 application for a new residential development 200 Lake Street East. She stated that the property
3 is guided for Central Business District use in the 2040 Comprehensive Plan. She noted that it is
4 currently zoned Planned Use Development and has been zoned this way since the existing TCF
5 building was approved in 1989. She shared pictures of the existing building, which consists of a
6 three-story office building with underground parking, and which would be converted to a 10-
7 condominium unit building under this proposal. She showed a bird's eye view of the 2.27-acre
8 property which is over 1,300 feet long. She explained that the width of the property varies from
9 as narrow as 33 feet to 88 feet near the center of the property. She gave an overview of some of
10 the properties and uses in the vicinity, and noted that it is surrounded by a mixture of office and
11 residential uses. She stated that currently, this property has 4 driveways along Lake Street. She
12 stated that the applicant put together a concept review packet with their application which does not
13 include every design detail, but the intention was to get feedback especially on the two major
14 requests for Comprehensive Plan amendments. She explained that the Comp Plan change would
15 include a change from Central Business District to High Density Residential to allow residential
16 usage in all three buildings at the density proposed. She stated that it would also change the zoning
17 district from a Planned Unit Development to an R5 designation. She stated that the other
18 Comprehensive Plan amendment would allow density in the west building of up to 45 units per
19 acre. She noted that currently the high-density land use designation in the Comprehensive Plan
20 only allows 40 units per acre. She stated that the applicant has also requested 5 variances for:
21 rooftop mechanical equipment; lot coverage; impervious coverage; floor area ratio; building
22 height. She stated that they are also asking for a Shoreland Impact Plan/Conditional Use Permit
23 for the building height as proposed. She stated that if the project garners a recommendation of
24 approval and moves forward at Council, it would come back for a final design phase of review and
25 approvals, which would include a subdivision into three lots and the appropriate agreements to
26 address all of the easements on the property, that would either need to be vacated or added. She
27 noted that the existing middle building would be converted to 10 condominium units, the east
28 building would include 11 condominium units and a park, and the west building would include 45
29 apartment units. She noted that the applicant has stated that the west building would not
30 necessarily be apartment units, but is "most likely" to be apartment units. She stated that the west
31 building would also include a park and a parking lot. She stated that one of the big picture ideas
32 is that this property would be guided and zoned for residential use, rather than for its existing office
33 use, which is one of the key questions for the Commission to consider. She showed renderings of
34 the planned buildings and reviewed the questions for the Commission to consider. She reviewed
35 the proposed density for the overall site; however noted that once the lots are split, their density
36 ranges from 16.3 units/acre to 45 units/acre. She stated that staff feels that it is important to
37 examine the density individually on each lot since they will be owned and operated separately.
38 She showed a rendering that depicted the massing of the east building. She noted there were a few
39 public comments received that while the walk-up apartments seemed appropriate, the number of
40 steps it takes to get up to the units is quite high and makes it no longer feel like a good pedestrian
41 experience. She showed a rendering of the west building and noted that there are no walk ups
42 included in this design. She stated that public comments received on this building expressed
43 concern about how it may relate to the center building because of the flat roof, and that it seems
44 more massive because of its shape and design as opposed to the existing TCF building. She stated
45 that the existing TCF building is much taller, but because of the design features, it does not "feel"
46 as tall and fits in with the small-town charm. She stated that there is a pocket park on each end of

1 the proposal which includes refurbishing the existing one on the east and construction of a new
2 one on the west. She stated that the west pocket park is planned for passive use, such as just being
3 a nice place to sit, but the east park may be more of a public facing area because it is a bit more
4 bustling near the BoatWorks. She reviewed the questions for the Commission to consider with
5 regard to the Comprehensive Plan Amendments.

6
7 Planner Kieser continued the staff presentation. He reminded the Commission that this application
8 includes requests for five variances that should each be considered separately. He gave an
9 overview of questions for the Commission to consider as they consider these requests. He
10 reviewed the lot coverage variance requests, and noted that they are based on the condition that
11 the City Council ultimately approves the Comprehensive Plan amendments and the rezoning to
12 R5. He stated that the overall lot coverage would be at 48.9% which is over the permitted R5 limit
13 of 30%. He noted that the proposal would subdivide the property into 3 separate lots, so the lot
14 coverage should be considered for each lot separately. He stated that the lot coverage of the
15 western parcel is 49.8%, the central is 59.3%, and the eastern lot is 46.3%. He reminded the
16 Commission that lot coverage is based on the building footprint alone, and does not include
17 driveways or surface parking lots. He noted as an aside that the R5 lot coverage limit will be
18 reviewed and addressed by the newly formed Zoning Task Force. He stated that the lot coverage
19 may not be changed, but it will be reviewed. He noted that the practical difficulty expressed by
20 the applicant for the first three variances are the long, linear shape of the lot. He gave an overview
21 of the impervious surface variance request, and noted that the existing impervious surface of the
22 total lot is 74.15% and the overall proposal is for 76.7%. He stated that the R5 zoning district limit
23 is 35% which is why they are requesting the variance. He noted that each lot will be looked at
24 separately and explained that the western lot is at 80.47%, central lot is at 74.38% and the eastern
25 lot is at 72.08%. He stated that this property is also within the Shoreland Overlay district, so the
26 applicant will need to come back with a request for a Shoreland Impact Plan/Conditional Use
27 Permit. He explained the Floor Area Ratio (FAR) of the proposal and noted that if this project is
28 rezoned to R5, the FAR limit will be at .7, which is much less than most other properties in the
29 Central Business District where most have a FAR of 2. He stated that the lots will be looked at
30 separately, so the eastern lot is at a FAR of 1.36, central lot is at 1.47, and the western lot is at
31 1.13. He noted that one of the practical difficulties expressed by the applicant in complying with
32 the FAR is correlated with the density, and noted that there is minimum lot area per dwelling unit
33 which makes it quite difficult to meet the City's density requirements as well as the FAR limits.
34 He stated that the next variance request is for the proposed height of the eastern building. He
35 stated that the height limit is 35 feet, and the western building is proposed at 34 feet 11 inches, but
36 the eastern building is proposed at 39 feet 9 inches. He noted that the applicant has stated that the
37 additional height is needed mostly because of soil testing that has been done, which means the
38 building needs to be put up higher on that section of the property to accommodate underground
39 parking because of the water table. He stated that the final variance request is for rooftop
40 mechanical equipment. He stated that there is not a detailed plan showing the roof details, but
41 noted that the applicant has stated that the linear shape of the lot makes it difficult to locate the
42 mechanical equipment on grade. He stated that the City has received public comment opposing
43 this variance. He stated that the Lake Street Design District does not allow rooftop mechanical
44 equipment and thus requires a variance. He explained that the Shoreland Impact Plan/Conditional
45 Use Permit for building height is similar to the variance request, and noted that the maximum
46 building height in the Shoreland District is 35 feet. He reviewed the questions the Commission

1 should consider when considering the SIP/CUP. He stated that the applicant has set back the third
2 floor to allow views from the properties across the street. He stated that there was a neighborhood
3 meeting held on August 13, 2020 which had 35 people in attendance on the Zoom call. He stated
4 that notifications were sent to property owners within 750 feet of the property for the neighborhood
5 meeting and public hearing. He stated that the main concerns expressed at the meeting were
6 proximity to the railroad tracks, building height, visitor parking, proposed open space, and building
7 materials. He stated that there have been 7 written comments received by the City, thus far, in
8 opposition to the project. The concerns were: density/traffic; small town feel; massing/scaling;
9 proximity to the train; building height.

10
11 Chair Plantan asked if the Commission had any questions for Staff.

12
13 Commissioner Parkhill asked about the original agreement with TCF Bank for the current building
14 on the property. He stated that his understanding was that they got a height variance in several
15 instances on the condition that the adjacent lots would not be developed.

16
17 Planner Kieser stated that he reviewed the minutes from the Council meetings when this was
18 approved, and there was a major discussion around the western area of this lot and, at that time,
19 the Council made it pretty clear that they did not want the western portion of the lot to be
20 developed.

21
22 Commissioner Iverson asked how big the green space is on the eastern lot.

23
24 Planner Kieser stated that he believes it would be similar to what is currently in place in this
25 location.

26
27 Commissioner Iverson stated that she would also like to know how many trees and plants they are
28 planning.

29
30 Commissioner Douglas asked if any of the pocket park on the eastern lot was included in their lot
31 size for the building, and whether the driveway into the lower parking garage would go across any
32 of the pocket park land.

33
34 Planner Kieser stated that the eastern pocket park is included in the lot area. He stated that the
35 driveway access will be near the pocket park, but more detailed plans of this entrance/exit will be
36 completed if this plan moves forward. He noted that it will pretty much stay the same size and
37 noted that the western mini-park is also included in the lot area.

38
39 Commissioner Douglas asked how it can be included in their lot, if that is a City pocket park.

40
41 Planner Kieser explained that the City has an easement for that pocket park, so he believes the City
42 helps maintain it, but it is an easement.

43
44 Commissioner Bashoum stated that when she was walking past the project today, she noticed that
45 there is still a for sale sign on the property and asked if that is common to have a project come
46 before the Commission while the property is still for sale.

1
2 Director Goellner stated that it is typical within real estate development, and gave an overview of
3 the purchase agreement process in this situation.
4

5 Commissioner Bashioum asked about the reduction in green space along Lake Street to make room
6 for the condos and narrow the sidewalk in that location. She stated that there is so little green
7 space left along Lake Street and questions how that will affect the walkability that is highlighted
8 in the 2040 Comprehensive Plan.
9

10 Planner Kieser stated that staff also had concerns about moving the sidewalk easement. He stated
11 that it will reduce the area for the boulevard trees but they do not know how the trees will be
12 affected. He stated that the applicant wants to allow more room for them to build up to that setback,
13 since it is a long linear shape. He stated that the sidewalk easement will be looked at in a lot more
14 detail in the second phase of project approval requests, along with the subdivision. He stated that
15 one of the questions for the Commission to consider is how they feel about having that sidewalk
16 moved. He noted that, to Commissioner Iverson's point, that the eastern pocket park is around
17 8,000 square feet and has about 5 boulevard trees proposed and around 20 ornamental trees and
18 plantings. He stated that Commissioner Bashioum's concern is very valid, and the Commission
19 needs to give feedback on that area.
20

21 Commissioner Bashioum stated that if the area where the trees are planted now is reduced, that
22 will most likely kill those trees and those are the few remaining mature trees along Lake Street.
23

24 Planner Kieser stated that he will allow the applicant to shed light on that issue and share if there
25 are any plans to preserve those trees.
26

27 Commissioner Merriam asked about the underlying zoning as C4A and the properties across the
28 street. She stated that C4A is office and commercial, and asked how many developments, such as
29 Ventana and Wayzata Blue, have a Mixed Use designation.
30

31 Director Goellner stated that the Wayzata Blue development has Mixed Use and has an
32 architectural firm located on the ground floor. She noted that having commercial or office space
33 located on the ground floor was not something that the applicant was interested in for this property.
34 She stated that this is something staff would like the Commission to discuss tonight, and whether
35 they feel this would be necessary for this parcel and for Lake Street in particular west of Barry
36 Avenue.
37

38 Commissioner Merriam asked if Ventana has any commercial or office space in their development.
39

40 Director Goellner stated that Ventana does not have commercial or office space, and noted that the
41 Melvin's 235 project is for a three-story office building. She noted that there is also a car wash
42 and the C.B. Burnett building in the area.
43

44 Commissioner Merriam stated that C4A does not allow residential except on the upper levels and
45 also says something about if a building is residential, then it cannot front Lake Street and needs to
46 follow the R5 density requirements. She asked if all other buildings in the area are PUDs.

1
2 Director Goellner stated that has been the pattern recently, and feels it may be worth looking at the
3 zoning as to how the R5 district is set up. She noted that the long term vision west of Barry Avenue
4 was to continue with commercial and office on the first floor, with the potential for residential
5 above, but over time it appears as though the market has called for all residential properties in this
6 area, or all office, because mixed use can be challenging.
7

8 Commissioner Iverson stated that the City has been doing a lot of increased residential use, and
9 she wonders if the City Engineer has taken a look to determine what our waste water treatment
10 facility can handle. She asked if the City has what is considered a free capacity that tells the City
11 how much more sewer waste the City can handle with all of the development that is happening
12 along Lake Street.
13

14 Director Goellner stated that she has not reviewed that section of the Comprehensive Plan, but
15 there is a whole waste water section. She stated that she was not alerted to any areas of the City
16 where we could not allow more development without increasing our waste water system capacity,
17 so she is not aware of any restrictions that would restrict density in this area.
18

19 Commissioner Iverson asked if Director Goellner knew what the City's free capacity number is.
20

21 Director Goellner stated that she can look it up, but noted that it may be difficult to find during the
22 meeting because it is probably found in the technical appendices of the Comprehensive Plan.
23

24 Commissioner Iverson stated that moving forward, she wants to make sure that the Commission
25 is looking at infrastructure as more of these applications come in front of them. She stated that
26 she is thinking of fire, police, sewer and all the infrastructure that is necessary to continue this type
27 of growth. She suggested that perhaps the Commission spend time on a future agenda discussing
28 this issue and have staff present the information.
29

30 Director Goellner stated that at this point, the City has only received anecdotal comments from
31 Public Works that they did not see anything alarming about the proposal, but agrees that staff could
32 put more data to those comments.
33

34 Commissioner Douglas referenced page 126 of the packet and the entrance to the ramp on the large
35 building. She noted that it is right across the entrance to Edgewood Court. She referenced page
36 131 of the packet where the entrance looks like it is farther west. She expressed her concern about
37 that feeding into Lake Street because there are 70 underground parking spots, the Coldwell Banker
38 Burnett building also comes out there with 70-80 employees, the two office buildings there come
39 onto Edgewood Court and then on to Lake Street. She stated that there are 45-50 residents in the
40 townhomes at Ferndale Ridge, plus there is additional parking along the front of the Coldwell
41 Banker Burnett building. She expressed concern about this becoming a dangerous intersection,
42 and would like to know the exact location of the entrance. She asked if the City would consider
43 this potential safety issue in a development of this size.
44

1 Director Goellner stated that she feels this question is very warranted and could ask Public Works
2 to look into that further, and could also ask the applicant to complete a traffic study to determine
3 if some type of control, such as a stop sign, may be necessary.

4
5 Commissioner Douglas stated that she thinks speed control may also be necessary, and would like
6 the City to look more deeply into this issue.

7
8 Commissioner Merriam stated that the traffic going up and down Ferndale has increased
9 tremendously and has become an issue. She stated that the road may have the capacity, but she
10 feels the City also needs to consider whether it is practical or safe for the residents that live along
11 that stretch.

12
13 There being no further questions for staff, Chair Plantan asked the applicant to address the
14 Commission.

15
16 Applicant's representative, Neil Reardon, ESG Architecture and Design, stated that they think this
17 is a very exciting project for the City and noted that they got some very meaningful feedback from
18 the community meeting.

19
20 Applicant's representative, Burt Coffin, ESG Architecture and Design, explained that he would
21 answer the questions that had already been raised by the Commission as he goes through his
22 presentation. He stated that their key design objectives after reading through the Comprehensive
23 Plan were to foster charm in a community known for its small-town character so they focused on
24 the quality of the design of the buildings and the landscape. He stated that another objective was
25 to enhance a walkable and pedestrian friendly environment and the hope is for this project to
26 integrate seamlessly into the new Lake Street. He stated that they also want to enhance the
27 connection to nature by revisiting the site at the existing pocket park to the east, and give it a bit
28 of a refresh and create the new pocket park to the west. He stated that they are dedicated to using
29 very high-quality materials, including stone, brick, and stucco. He stated that they are planning
30 very large windows and as this gets further into the process, they will develop further building
31 details, like their intent to connect the first-floor units of the east building to the street to create
32 walk-up units. He reviewed some building details that they are planning, such as not building up
33 to the lot lines and being sensitive to the railroad track, and noted that they plan to take special
34 care for noise mitigation of the units facing that direction. He stated that they will be using all of
35 the existing curb cuts. He noted one of the questions from the Commissioners regarding the
36 intersection, and explained that one of their exhibits may have had a bit of a disconnect, so that
37 will need to be looked at more closely. He said they are very interested in the comments made
38 about how they integrate the ins and outs on Lake Street. He stated that right now the only curb
39 cut that they are planning to move is at the very west end of the site to move it further away from
40 the Ferndale intersection. He stated that they think it is appropriate to locate residential in this
41 area, and believe this development will help support the downtown retail by providing residences
42 that are able to walk to the retail. He stated that he feels their plans will help the City keep a
43 vibrant retail environment. He stated that they would like to build upon and connect with the
44 City's Panoway project, which is why they intend to upgrade the pocket park at the east end of
45 their site. He stated that at the west end of the site, they are looking for more passive green space
46 that will soften the intersection at Ferndale and Lake Street and provide a transition to the building.

1 He reviewed the site plan and reiterated that they will confirm the access location to address the
2 Commissions concerns with the other buildings in the area accessing Lake Street at the same point.
3 He stated that their goal with the architecture is to create something that will complement many of
4 the existing buildings in the area. He stated that the concept is for the east building to be a
5 contemporary building made with traditional materials. He stated that this building speaks to the
6 architecture and design of the Wayzata Blue and the Ventana residences that are proposed. He
7 reviewed the proposed look of the building and the walk-up units. He stated that there was a
8 concern raised by one of the Commissioners that the walk-up units seemed quite high. He
9 explained that they are constrained a bit by the water table. He stated that they would like to
10 mitigate this by providing walk-up units and layered landscaping. He noted that their intent is to
11 provide some rich landscaping that will be more visible than what they are showing in the
12 renderings. He stated that the west building will have a drop off and lobby entrance on the west
13 corner. He stated that the building materials will be similar to the east building, but noted that they
14 are not trying to copy that building, so this will look a bit different. He stated that this building
15 will have more brick, stucco and stone and will have some nice terraces on the third floor that
16 overlook Lake Street. He stated that they would like to create a trellis with vines along the parking
17 lot to soften the play between the parked cars and the sidewalk. He stated that they are proposing
18 to go above the building height for the east building because of the high-water table. He stated
19 that they are planning to stay below 40 feet because they know those were approved for both
20 Ventana and Melvin 235 and is definitely below the existing bank building which is 52 feet high.
21 He noted that they will not be making any changes to the existing building on the Lake Street side,
22 but will be adding some outdoor space on the south side. He stated that they would like to reduce
23 the size of the sidewalk in front of the east building and noted that there is a longstanding easement
24 for a public sidewalk that is within the property line at this location. He stated that they do not
25 want to build out to the property line, but would like to trade some of the green space and move
26 the sidewalk out and put some greenspace against the building which will allow them to do walk-
27 up units. He noted that they would like to have 5-6 feet of green space between the building and
28 the bicycle path. He stated that their hope is to do this without removing any of the boulevard
29 trees, but they still need to do some investigation with their landscape architect and their civil
30 engineer to find out if it is possible. He explained that if they do have to remove a few trees he
31 feels fairly confident that they will be able to replace them with fairly large caliber trees and noted
32 that they are not trying to reduce green space, but reconfigure it and create a better pedestrian
33 environment by allowing walk-up units.

34
35 Mr. Reardon stated that he believes the original boulevard trees were not saved during the Lake
36 Street reconstruction, and noted that his understanding is that those were replaced as part of the
37 2020 rebuild.

38
39 Mr. Coffin reviewed the pocket parks and their plans to refresh the east pocket park. He stated
40 that the plans are preliminary. They would like to have seating areas and bike racks but explained
41 that they are very open to suggestions from the City. He stated that they feel their design may be
42 a unique way to respond to the COVID-19 situation because there may be a way to create discrete
43 seating areas for small groups of people along the trail. He reviewed their current idea for the west
44 pocket park which would be for more passive use.

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

1
2 There being no questions from the Commission for the applicant, Chair Plantan opened the public
3 hearing on the application at 8:20 pm and reiterated how the public can be involved via Zoom or
4 calling into the meeting.

5
6 Director Goellner stated there appear to be a few people who have called in and believes they are
7 here to participate in the public hearing. She invited them to speak in turn.

8
9 John Nolan, stated that he has offices at 328 Barry Avenue, and lives at 557 Harrington Road. He
10 noted that there is a lot he likes about this proposed project. He stated that he thinks very highly
11 of the ESG team and has worked with them a number of times; however, he opposes the request
12 to exceed the height limit for the east building and the request to locate the mechanical elements
13 on the rooftops. He stated that this application is asking for a lot of zoning dimensional relief, and
14 when a proposal places so much building on a site, it will naturally bump into the City's
15 dimensional constraints, which are designed to somewhat limit density. He stated he is not
16 suggesting that granting relief in this situation is a bad thing or inappropriate, because he can see
17 places where it is appropriate; however, similar requests for exceeding the height and the rooftop
18 mechanical units have been recently rejected. He stated that more importantly, those rules have
19 been complied with in many of the surrounding buildings, some of which are ESG buildings. He
20 stated that he understands the water table issue, but feels these two requests are inappropriate. He
21 stated that the City has just spent a ton of money to create a more walkable and pedestrian friendly
22 Lake Street, and he feels this proposal goes counter to that effort because the east building sets the
23 first floor high above the sidewalk level. He stated that the TCF building triggered many changes
24 and attention in the ordinance, specifically about the adverse impact of how that building
25 confronted the sidewalk. He reiterated that he loves a lot of what has been presented in the plans,
26 but the east building sitting that high above the sidewalk will adversely impact the pedestrian
27 experience. He stated that he doesn't think there has been a practical difficulty shown to allow
28 those two variances. He stated that ESG are fully capable of designing a great building on the east
29 side that conforms with the height and the mechanical regulations. He asked the Commission to
30 recommend denial of the requests for variance for exceeding the height and allowing rooftop
31 mechanical units.

32
33 As it appeared no others wished to comment on the application, Chair Plantan closed the public
34 hearing at 8:27 pm.

35
36 Director Goellner stated that it appears as though there is someone who would like to comment
37 that just joined the meeting.

38
39 Chair Plantan reopened the public hearing at 8:27 pm.

40
41 Anna Ovsyannikova, 15610 Holdridge Road East, she stated that the broadcast of the meeting is a
42 few minutes behind the live meeting. She stated that she wanted to let them know because there
43 may be more people that want to join the meeting. She stated that while the applicant made a great
44 presentation, she had recently applied for a subdivision which was fully compliant with the
45 regulations, but was unanimously denied. She stated that in this case, the applicant is asking for 5
46 variances and has an overwhelming neighborhood response against it. She stated that if this is

1 considered for approval, she feels it would be arbitrary, unfair, and capricious. She stated that she
2 has nothing against the applicant, but would like to make sure the City is being fair to everyone.

3
4 There being no others wishing to comment on the application, Chair Plantan closed the public
5 hearing at 8:32 pm.

6
7 Chair Plantan opened up discussion among the Commissioners.

8
9 Commissioner Iverson stated that she wishes this was simple and straight forward but there are a
10 lot of variances in front of the Commission. She stated that when she looks at this, she feels the
11 space is too small for what they are trying to fit in. She stated that she also feels that there are too
12 many variances in front of the Commission, and believes the reason they are in front of the
13 Commission is because the plans just don't fit the size of the lot. She stated that Mr. Nolan made
14 some great points, and agrees that the other developers in the area have worked very hard to have
15 the ground floor at street level. She stated that she is very concerned about what is happening on
16 Lake Street with things like density, and doesn't feel this is in harmony with some of the other
17 buildings in area. She stated that because this is a concept plan, she would like to throw out a few
18 ideas for consideration. She asked if they have considered row houses that mimic the TCF
19 building, so it would feel in harmony with what is already in place, and will not have the mass and
20 scale of the buildings presented. She stated that she feels the plans as presented take the City
21 farther away from its small-town feel. She stated that she would like the developers to go back to
22 the drawing board and try to get more green space out of this area. She stated that the buildings
23 proposed are beautiful, she just does not think they fit in Wayzata.

24
25 Commissioner Bashioum stated that she would echo Commissioner Iverson's comments about the
26 density, and cited portions of the 2040 Comprehensive Plan that states development should be on
27 a human scale, and be small node development, and the policy should promote balanced housing
28 supplies. She stated that because there are so many condo buildings and buildings that were meant
29 to be condos, and turned into apartments because the market wasn't there, she is worried that the
30 City will become overbuilt and is losing the small-town charm. She stated that "charm" was one
31 of the terms that both the Council and the Commission fought to keep in the Comprehensive Plan.
32 She stated that she agreed that this project is just too big for the space, and would like to see them
33 come back with something more on a human scale.

34
35 Commissioner Douglas stated that the TCF building is one of her favorite buildings in town and
36 even though it is tall, the beautiful roof lines and ivy is just beautiful. She stated that she realizes
37 that the City really cannot duplicate that building, and does like the contemporary architecture.
38 She stated that she is not upset about the east building because Meyer Place has the first floor
39 above street level and thinks it helps with privacy. She stated that if they are on the street level,
40 people will walk by and look inside and thinks it will be more advantageous to be up a little bit.
41 She stated that she likes the row house look for the first level which reminds her a bit of her time
42 in Chicago. She stated that what bothers her is the City just approved a new Comprehensive Plan,
43 and the ink is barely dry and are already looking to make changes. She stated that for the west
44 building, she cannot imagine the bulk and massing in that location. She stated that she feels it is
45 too many units, and is concerned about the new narrow streets and the amount of activity with that
46 many more people. She stated that she doesn't think this is a wise decision, but noted if it were a

1 smaller building, similar to the east building with the row house look, she could consider that. She
2 stated that she also doesn't mind the height of the east building because the City has allowed that
3 for other buildings in the area because of the water table issue. She reiterated that she cannot
4 support the density of the west building.

5
6 Commissioner Flannigan stated that Commissioner Douglas just said exactly what he was
7 thinking. He stated that the City really worked hard on the updated Comprehensive Plan, and this
8 will be an interesting discussion for the Council to considering changing it. He stated that he
9 thinks this is an interesting concept and he, to some extent, can get behind what they are trying to
10 accomplish. He stated that he can get behind the east building because it is a handsome building,
11 but would like to take the mechanicals off the roof. He stated that he thinks the west building will
12 need to shrink tremendously, and suggested considering some low-income apartments in that
13 building because he feels there is too much of the same thing being proposed, and it's just one big
14 solid rectangular block. He stated that the first step of clearing the Comprehensive Plan hurdle of
15 the zoning change is one that needs a real deep discussion. He stated that he thinks that this first
16 step needs to clear all the way through the City Council before the Commission starts digging into
17 the variance requests.

18
19 Commissioner Merriam stated that she agrees with much of what has been said and goes back to
20 the "charm" mentioned in the 2040 Comprehensive Plan. When she looks at this project, it sounds
21 like they are thinking it is charming, but she doesn't see it. She stated that she agrees with
22 Commissioner Iverson that townhomes may be a more appropriate way of developing the extra
23 parcels. She stated that she supports using the TCF building as condominiums, and is fine if there
24 is more housing in the area, but feels what is being presented to the Commission now is too much,
25 in too little space. She stated that there needs to be more green space, open space, and recreational
26 space for the benefit of occupants.

27
28 Commissioner Parkhill stated that he is mostly in alignment with the rest of the Commission. He
29 thanked ESG for their presentation, and noted that he thinks they gave a lot of thought to the
30 streetscape and what things look like. He stated that he likes the 3 different styles of buildings and
31 thinks the east building is absolutely gorgeous. He stated that the TCF building is pretty amazing
32 and has always been an iconic building in the town. He stated that he is glad the west building is
33 different, but agrees with the other Commissioners that it is just too big. He stated that he loves
34 the walkability and the upgraded parks and a variation in the size of the living units. He stated that
35 100% residential is probably the right move, but thinks that is the first hurdle so they can see if
36 everyone is in alignment with that. He stated that he is okay with it, but does not think the density
37 is close to what it should be, especially in the west building. He stated that his overall concerns
38 are height and density, and that honoring the original agreement with the Council back in the late
39 1980s is important because they didn't really want this area developed. He stated that there were
40 a lot of concessions made to build the TCF building, but thinks the City should be a bit more
41 modest on the other buildings. He stated that if the density is reduced, they won't have to push so
42 much on the lot with the FAR, impervious surface, and lot coverage, which also means there could
43 be space to hide the mechanical elements within the units like some of the other buildings have
44 done. He would suggest the Commission take these requests one at a time, or lump them in some
45 way for a motion.

1 Chair Plantan stated that she agreed with her fellow Commissioners, and thanked the applicant and
2 architects for keeping the TCF building. She stated that even though the use will be altered, it is
3 a beautiful building. She stated that having two separate buildings that are different on either side
4 is a great idea. She suggested that there be some kind of crescendo effect so it goes up as it nears
5 the TCF building and there isn't just the big, flat huge massive buildings on either side of the TCF
6 building. She asked them to be a bit more creative in the roof line and undulating facades.
7 She stated that she is a bit concerned about mimicking Wayzata Blue and having this end of town
8 have the same look and feel. She noted that she is worried about this style standing the test of
9 time. She stated that she believes that everything the applicant is asking for is due to the density
10 of the proposed project, specifically for the west building. She explained that she does believe
11 there are some merits to this plan and if the density is reduced, the Commission could address the
12 rooftop units, the FAR, and some of the other things like lot coverage, and impervious surface.
13 She encouraged the applicant to consider this and come back to the Commission with a new
14 proposal. She stated that she thinks the spattering of some businesses like what Wayzata Blue has
15 done with the architect's office is very nice and keeps the pedestrian feel at the main level, instead
16 of all residential. She thanked the applicants for their thorough presentation.

17
18 Commissioner Flannigan stated that he had mentioned that the first hurdle is the Comprehensive
19 Plan revision, and he would be interested in knowing with the residences, how many of them are
20 part year residents. He asked what this means for the businesses in the community, and what is
21 the impact to our businesses when they bring, for example, 140 people from the former TCF
22 building, into the town day in and day out during the week, all year round, versus having some
23 number of residents in the City only for half of the year. He stated that he feels the Commission
24 needs to make a decision based off of what is good for the businesses, as well as what is good for
25 the residents of Wayzata. He is not 100% certain that continuing to add residential condo space
26 to the City is doing any good for our businesses if we cannot prove that those residents are here
27 utilizing them.

28
29 There being no further discussion, Chair Plantan asked for a motion on the application.

30
31 City Attorney Schelzel stated that the Commission has wrestled with a lot of the many aspects of
32 this application during their review and discussion. He stated he has the sense that the consensus
33 is probably to recommend denial on everything requested in the application, which sounds severe,
34 but he believes the Commission gave the applicant a lot of feedback that will hopefully be
35 constructive. He asked Director Goellner if she heard any conversation that would lead her to
36 believe that the Commission would be in support of any of the requests.

37
38 Director Goellner stated that the alternative approach would be to recommend approval with a very
39 long list of things that would need to be changed in order for the Commission to feel comfortable
40 with approval. She stated that she does not think that list could be compiled tonight. She stated
41 that she agreed with City Attorney Schelzel that a recommendation of denial for the project is
42 probably the direction they should go with, including all of these recommendations in the record,
43 with the understanding that the applicant could come back with a new concept and application that
44 incorporated all of the input from the Commission. She reminded the Commission that this is
45 exactly what happened with the 401 Lake Street project.

1 Commissioner Flannigan asked if there would be any merit to carving off A and B, and taking
2 those two items through the City Council to see if this is something that the Commission and the
3 City would want.

4
5 Director Goellner stated that if the applicant was willing to change the density of the west building,
6 the City could do some more research to see if high density residential was the best district, or if
7 there was any merit to doing a Planned Unit Development. She stated that she could see some
8 merit with continuing on with those two requests, but she would fear that it will just confuse
9 Council to involve only half of their package, and not the whole thing.

10
11 City Attorney Schelzel stated that procedurally, there is an application with all of these requests,
12 and the charge of the Commission is to make a recommendation to Council. He noted that
13 everything will go on to Council and they may have a different viewpoint. He also noted that the
14 applicant may decide to change something, or withdraw its application and submit a different one.
15 He agreed that Commissioner Flannigan makes a good point that there are some big threshold
16 issues that go to the guidance of the Comprehensive Plan. He noted that a Comprehensive Plan
17 amendment is a legislative decision that is at the discretion of Council, and requires a 4/5 vote. He
18 summarized that the next step procedurally for the Commission is to make a recommendation on
19 the request that is before them.

20
21 Commissioner Bashioum stated that she would prefer to deny the application, and put the ball back
22 in the developer's court to address some of the discussion items that were raised tonight, rather
23 than hand half of it to the Council.

24
25 Chair Plantan accepted an offer from Commissioner Parkhill to make a motion.

26
27 Commissioner Parkhill made a motion, seconded by Commissioner Bashioum, to direct staff to
28 prepare a draft Planning Commission Report and Recommendation with appropriate findings
29 reflecting a recommendation of denial for 200 Lake Street East for review and adoption at the next
30 Planning Commission meeting, specifically denial of the requested Comprehensive Plan
31 amendments, the rezoning to R5, variances from: Section 901.1A-mechanicals, Section 959.08A-
32 lot coverage, Section 958.08A-impervious surface coverage, Section 959.08B-FAR, and Section
33 959.08C-Building Height, and the Shoreland Impact/CUP standards.

34
35 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

36
37 City Attorney Schelzel explained that the Planning Commission has directed staff to prepare a
38 draft report and recommendation that will come back at the next Planning Commission meeting
39 on the Consent Agenda, and if that is adopted, the recommendation of the Commission will go on
40 to the City Council, who will make the ultimate decision on the application.

41
42 Commissioner Douglas stated that she would like to get the point across somehow that she is not
43 against multi-family housing or that part of the application. She stated that her main concern was
44 the density of the third building.

1 City Attorney Schelzel stated that this was a complex and nuanced discussion, and believes that
2 the Commission expressed their thoughts on the aspects of the project that they thought were
3 positive, and provided helpful feedback to the applicant.
4

5 **AGENDA ITEM 6. Other Items:**
6

7 **a) Review of Development Activities**
8

9 Planner Kieser stated there are no new development activities scheduled for the next meeting.
10

11 Director Goellner stated they will be bringing the Promenade report and recommendation to the
12 Commission at the next meeting.
13

14 **b) Planning Commissioner Liaison Schedule and City Meeting Calendar**
15

16 Director Goellner stated that the Council decided to move the October 7, 2020 Council meeting
17 back to October 6, 2020 because Night to Unite has been cancelled. She stated that there will be
18 a special Wednesday meeting in November because of the election.
19

20 Chair Plantan expressed her appreciation to the Commission for their detailed and thoughtful
21 comments for the development application for Lake Street and hopes that there was good feedback
22 given to the applicant.
23

24 **AGENDA ITEM 7. Adjournment.**
25

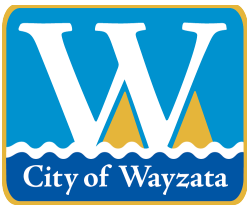
26 There being no further business on the agenda, Chair Plantan asked for a motion to adjourn.
27

28 Commissioner Flannigan made a motion, seconded by Commissioner Parkhill, to adjourn the
29 Planning Commission meeting.
30

31 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.
32

33 The Planning Commission meeting was adjourned at 9:06 p.m.
34

35 Respectfully submitted,
36 Kayla Atkins Rokosz
37 *TimeSaver Off Site Secretarial, Inc.*
38



City of Wayzata Planning Commission Agenda Report

MEETING DATE: October 5, 2020	AGENDA ITEM: 4.b
TITLE: Approval of Report and Recommendation for Design Approval for a New Amenity Structure at 230 & 240 Central Avenue North	
PREPARED BY: Nick Kieser, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: November 9, 2020	

BACKGROUND:

The owner, Wayzata Woods Apartments LLC, has submitted a development application for design approval of a new one-story accessory structure at 230 & 240 Central Ave N, Wayzata Woods apartment complex. The proposed structure is 1,763 square feet and would be used as a leasing office and fitness area for the Wayzata Woods apartment complex. This project would also incorporate a re-configuration of the parking stalls and stormwater improvements on the site.

ACTION REQUESTED:

Approval of Report and Recommendation for Design Approval for a New Amenity Structure at 230 & 240 Central Avenue North

ATTACHMENTS:

1. PC Draft Report and Recommendation



WAYZATA PLANNING COMMISSION

OCTOBER 5, 2020

REPORT AND RECOMMENDATION OF APPROVAL OF DESIGN FOR A NEW ACCESSORY STRUCTURE AT 230 & 240 CENTRAL AVENUE N

SUMMARY OF RECOMMENDATION

Approval* of Design of Accessory Structure with Accent Material Deviation

* with certain conditions listed at the end of this Report

REPORT

Section 1. BACKGROUND

- 1.1 **Project.** Property owner and applicant Wayzata Woods Apartments LLC (the “Applicant”) has submitted an application for design review and approval for a proposed new 1,763 square feet accessory structure for the apartment complex at 230 & 240 Central Avenue North (the “Property”). The Applicant plans to use the accessory structure for a leasing office and fitness center for the residents of the apartment complex (the “Project”).
- 1.2 **Approval Requested.** The Applicant is requesting approval of the design of the Project (the “Project Design”) which is outlined in the Staff Report attached to this Report as **Attachment B** (“Design Report”). The Project Design includes one deviation from the Wayzata Design Standards for accent materials used on the building (the “Deviation”).
- 1.3 **Property.** The legal description of the Property is attached to this Report as **Attachment A**, and the street addresses, property identification numbers and owner of the Property are:

Address	PID	Owner
230 & 240 Central Ave N	05-117-22-23-0004	Wayzata Woods Apartments LLC

- 1.4 **Land Use.** The Property falls within the following land use areas:

Zoning District:	R-5 Average Density Multiple Residential District
2040 Comp Plan designation:	High Density Residential
Overlay District:	Bluff Design District

- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Sun Sailor* on September 11, 2020. A copy of the notice was mailed to all property owners located within 350 feet of the Property on September 10, 2020. The public hearing on the Application was held at the September 21, 2020 Planning Commission meeting, at which no member of the public provided comments.

Section 2. STANDARDS

2.1 Design Standards.

- A. All new building construction in the City with a nonresidential and/or multifamily component must comply with the Wayzata Design Standards found in Chapter 909 of the Zoning Ordinance. The relevant design standards applicable to the Project are outlined in the Design Report.
- B. A deviation from the Design Standards may be permitted under Sec. 909.29 (with the exception of Section 909.10 of the Design Standards) if City Council (after considering the Planning Commission's recommendation) makes a finding that the negative impact of such deviation is outweighed by one or more of the following factors:
 - 1. The extent to which the project advances specific policies and provisions of the City's Comprehensive Plan.
 - 2. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards.
 - 3. The positive effect of the project on the area in which the project is proposed.
 - 4. The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.
 - 5. The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.
 - 6. A national, state or local historic designation.

7. The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.

Section 3. FINDINGS

Based on the Application materials, staff report, and Wayzata's Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

3.1 Project Design.

- A. The Project meets all of the applicable provisions of the Design Standards as reflected in the Design Report except for the Deviation.
- B. The Commission finds that there would be an overall positive effect on the area where the Project is proposed by allowing the Project to proceed as designed. The Commission finds that the new leasing and fitness center will benefit the apartment complex tenants and improve the open space, parking, and drainage on the site. The design of the structure will also fit in well with the improvements planned for the apartment buildings.
- C. To the extent there are any negative impacts of the Deviation, those impacts are outweighed by one or more of the following factors:
 1. The extent to which the Project advances specific policies and provisions of the City's Comprehensive Plan, including aesthetic, landscaping and stormwater management improvements, and residential amenities for a property that provides more affordable residences.
 2. The overall positive effect of the Project on the area, including the improvement of the Property with a modern leasing office and amenity building for residents of the apartment complex on the Property, and improved landscaping and stormwater management.
 3. The alleviation of an undue burden with respect to the allowed materials, in that the use of proposed accent material will result in lower maintenance costs and will be in keeping with the overall design of the proposed building. The material is also similar to an approved accent material, but will allow for more durability and moisture resistance.

Section 4. RECOMMENDATION

Based on the Findings of this Report, the Planning Commission recommends that the Project Design and Deviation be **APPROVED** subject to 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.

Adopted by the Wayzata Planning Commission this 5th day of October 2020.

Voting For the Findings and Recommendation of Approval in this Report:

Voting Against:

Abstaining:

Attachment A
Information and Legal Description of Property

Address	230 & 240 Central Avenue North
PID	05-117-22-23-0004
Legal Description	Lots 17, "Dean's Park Outlots to Wayzata." According to the recorded plat thereof, Hennepin County, Minnesota, together with appurtenant easement(s) for access, utility and open view purposes contained in Document No. 6298957 by HSM Associates, Inc., grantor, and Wayzata Woods Apartments, a Minnesota general partnership, grantee.
Abstract or Torrens?	Abstract
Certificate No.	N/A

Attachment B
Staff Report on Project Design



**Staff Report
September 21, 2020**

Project Name: Wayzata Woods
Addresses of Request: 230 & 240 Central Ave N
Prepared by: Nick Kieser, Assistant Planner
“60 Day” Deadline: November 9, 2020

Development Application

Introduction

The owner, Wayzata Woods Apartments LLC, has submitted a development application for design approval of a new one-story accessory structure at 230 & 240 Central Ave N, Wayzata Woods apartment complex. The proposed structure is 1,763 square feet and would be used as a leasing office and fitness area for the Wayzata Woods apartment complex. This project would also incorporate a re-configuration of the parking stalls and stormwater improvements on the site.

Application Requests

As part of the submitted development application, the applicant is requesting approval of the following item:

- Design Review – Design Standards apply to multi-family residential properties if constructing a new building (§ 909.04.B)

Property Information

The property identification number and owner of the property are as follows:

Address	PID	Owner
230 & 240 Central Ave N	05-117-22-23-0004	Wayzata Woods Apartments LLC

The current zoning and comprehensive plan land use designation for the property are as follows:

Zoning	2040 Comp Plan Designation	Overlay Districts
R-5 Average Density Multiple Residential District	High Density Residential	Bluff Design District

Project Location

Maps 1 and 2: Project Location



Source: Hennepin County

Adjacent Land Uses

The following table outlines the uses, zoning, and Comprehensive Plan land use designations for adjacent properties:

Direction	Adjacent Use	Zoning	2040 Comp Plan Designation
West	Medical	PUD	Mixed Use Commercial/Residential
North	Medical	PUD	Mixed Use Commercial/ Residential
East	Open Space	Institutional	Parks
South	Shopping Center	C-2 Shopping Center Business District	Mixed Use Commercial/Residential

This property is accessed from Central Ave North, but it is located behind the Park Nicollet Center. The entrance is just south of the intersection of Central Ave N and Highway 12.

Public Hearing Notice

The public hearing notice was published in the *Sun Sailor* on September 11, 2020. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on September 10, 2020.

Analysis of Application

City staff has reviewed the pertinent information and City Code requirements for the development application, and provides the following analysis and information:

Current Apartment Complex

The 107-unit Wayzata Woods apartment complex was built in 1965 and sold in 2018. The new owner is in the process of making improvements to the structure and site. New roofs have been constructed on the existing buildings and the rear area of the site has been improved for water ponding issues. Improvements have also been made to the existing apartment units and plans are in place for future improvements as stated in the provided narrative. The new proposed structure will add extra amenities for the tenants of Wayzata Woods.

Previous Application

In April 2019, the owner proposed to add 17 additional units to the site. The addition of units exceeded the maximum density permitted for the property, created parking issues, and introduced issues related to impervious surface and stormwater management. The application was tabled by the Planning Commission and withdrawn by the applicant after several months of discussion with staff.

Project Summary

This proposed project includes a new 1,763 sq. ft. amenity building that includes the uses listed below. Stormwater improvements would be constructed with this project along with a reconfiguration of the open space and parking spaces on the site.

New Structure Square Footage Breakdown	
Use	Area (sq. ft.)
Office	550
Fitness	977
Utility Room	67
Restroom	51
Lobby	118
Total	1,763

The proposed one-story structure would be used only by the tenants of Wayzata Woods. It would include a small leasing office for the apartment complex as well. The main exterior materials would include stucco, wood lap siding, and glass. There would be significant landscaping completed around the new structure as seen in the renderings provided. At

the entrance to the building there would be a small sign and planter boxes. The new building would connect to the apartment complex and parking areas by an existing sidewalk.

Stormwater Management

The current site has a legal non-conforming impervious surface coverage of 37.8%. This site was constructed in 1965. At that time, the R-5 Zoning District limit of 35% was not in place. This new project would maintain the 37.8% impervious surface coverage and include additional stormwater improvements.

At the north end of the site, an infiltration pond would be constructed to help mitigate and filtrate the amount of stormwater runoff on the site. A rate control pond would be constructed on the northwest area of the site to control stormwater runoff on the site.

Parking/Open Space Reconfiguration

The amount of parking is also a legal nonconforming component as the Zoning Code now states that two parking stalls are required for every multi-family dwelling unit. The number of parking stalls, 154, will be maintained with this project and no new dwelling units will be created.

There is additional open space created with this project on the southern open space inlet. The southern parking lot overall impervious surface area would decrease and open space created in that extra area. The new parking lot configuration will be similar to the northern parking lot configuration where the new structure will be located.

Landscaping/Tree Removal

This owner is able to remove 10% of the tree inches on the site without any mitigation. The plans show five trees to be removed, two of which are significant. No heritage trees are proposed to be removed. The plans show removal of 38.5 inches of trees and replacement of 35 inches of trees. This removal is significantly less than 10% of allowed removal. A majority of the trees will be planted near the northern stormwater pond and near the proposed structure.

Lighting

No lighting on the site will change besides adding two small light fixtures at the entrance of the proposed building.

Design Deviation

The project is subject to the Design Standards for the Bluff Design District. A complete Design Review of the proposal is included as an attachment. The following item does not comply with the City's Design Standards. The applicant is requesting approval for one deviation from the Design Standards:

- § 909.14.G – Accent Materials – All Districts: Only the following materials may be used for lintels, sills, cornices, bases, and decorative accent trims, and must

be no more than 10 percent (10%) of the non-glass surfaces of each elevation of the exterior building façade:

1. Stone
2. Cast stone
3. Copper (untreated)
4. Rock faced stone
5. Aluminum or painted steel structural shapes
6. Fiber cement board
7. Premium grade wood trim with mitered outside corners. Examples of premium grade wood are cedar, redwood, and fir.
8. EIFS

The applicant proposes to use a poly-ash material for the accent trim around the windows. The applicant states that this material is similar to fiber cement board. This material would comprise 3.0-3.7% of the exterior façade of the entire building. A sample of this material is available at Wayzata City Hall for review. The Planning Commission should review this proposed material to determine whether the approval of this deviation is in accordance with the Design Deviation criteria. The applicant stated that this material is more durable and moisture resistant than what they would use on the approved materials list.

Primary Questions to Consider:

1. Would the proposed design with the requested deviation advance specific policies and provisions of the City's Comprehensive Plan?
2. Would the proposed deviation have a positive effect on the area in which the project is proposed?
3. Does allowing the deviation alleviate an undue burden, taking into account current leasing, housing, and commercial conditions?

Action Steps

After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should direct staff to prepare a *Planning Commission Report and Recommendation*, with appropriate findings, reflecting a recommendation on the application for review and adoption at the next Planning Commission meeting.

Attachments

- Plans submitted on September 5, 2020 by Urbanworks
- Design Review, 230 & 240 Central Ave N – Wayzata Woods Accessory Structure

Applicable Code Provisions for Review

Design Standards City Code § 901.09:

- A. The design standards set forth in Section 9 of the Wayzata City Zoning Ordinance are referred to collectively as the “Design Standards” or the “Standards”. The purpose of the Design Standards is to shape the City’s physical form and to promote the quality, character and compatibility of new development in the City. The Standards function to:
1. To guide the expansion and renovation of existing structures and the construction of new buildings and parking, within the commercial districts of the City;
 2. To assist the City in reviewing development proposals;
 3. To improve the City’s public spaces including its streets, sidewalks, walkways, streetscape, and landscape treatments.
- B. The Standards address issues that are critical to preserving and enhancing Wayzata’s character, as described in the City’s Comprehensive Plan.

Deviations from the Design Standards – All Districts § 909.29:

- A. With the exception of § 909.10 of the Design Standards, a deviation from any section of the Design Standards shall require a finding by the City Council (after considering the Planning Commission’s recommendation) that the negative impact of such deviation is outweighed by one or more of the following factors:
- 1. The extent to which the project advances specific policies and provisions of the City’s Comprehensive Plan.**
 2. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards.
 - 3. The positive effect of the project on the area in which the project is proposed.**
 - 4. The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.**
 5. The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.
 6. A national, state or local historic designation.

7. The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.

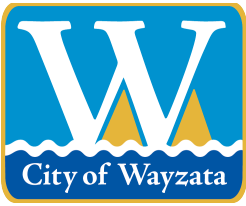
2030 Comprehensive Plan:

The Comprehensive Plan land use designation for the subject property is Mixed Use Commercial. The objective of the Mixed Use Commercial land use category is to maintain and enhance these areas for primarily general retail and other commercial uses, while allowing the integration of a residential component. The Comprehensive Plan includes the follow “1st Tier” priorities for the Mixed Use Commercial and Mixed Use Residential land use categories:

1. Allow for a broad range commercial and residential uses that provide daily goods and services, as well as a variety of housing opportunities.
2. **Increase the walkability of eastern Wayzata Blvd. where possible, through improvements in the public and private realm.**
3. **Plan development of parking so that it is not a focal point, but rather placed behind buildings with appropriate buffers and landscaping.**
4. Give particular attention in commercial and services areas to building design and scale, street trees, and extensive use of landscaping to minimize the effects of buildings, parking areas and driveways.
5. Consolidate access to streets wherever possible.
6. Develop and enforce ordinances to eliminate the visual pollution created by signs and "franchise" architecture.
7. **Adequately screen or buffer all service and commercial uses from any adjacent residential neighborhoods.**
8. Create safe and convenient pedestrian movement within all service and commercial districts.
9. Strictly regulate and enforce outdoor commercial storage and environmental quality maintenance.
10. Enact and enforce a commercial maintenance code to help ensure that commercial development continues to maintain community character.
11. **Identify ecological and water quality impacts on the lake and other water bodies caused by proposed land use developments, for example stormwater runoff, and work to mitigate these impacts.**

909.02 - City Character:

- A. One of the primary goals of the City's Comprehensive Plan is to "preserve and enhance Wayzata's lakeside small town character." Continuing reference is made in the Comprehensive Plan to the value of Wayzata's unique "small town" character, unlike the suburban qualities of other communities. The Standards seek to preserve the high quality "small town" environment while accommodating the inevitability of change. This character is to be preserved and enhanced by:
- 1. Attention to the scale, walkability, land use patterns, street and boulevard character of the City.**
 2. Reinforcing and enhancing residential neighborhoods.
 - 3. Promoting a vibrant and healthy business climate, including a strong downtown as key to the economic and social base of the community, and other primary retail/commercial areas.**
 4. Shaping the physical environment of the City to allow for the development of cultural and social activities that provide the opportunity for social engagement.
 5. Promoting community heritage by preserving and redeveloping historic or significant property to the City's small town roots.
 6. Maintaining and enhancing the diversity of housing options and addressing the need and opportunities for life cycle housing.
 7. Promoting a more connected community through building physical and psychological connections between all residential neighborhoods, business areas, and links to other recreational amenities.
 8. Protecting and preserving significant natural resource areas, and promoting access to community parks and open space resources.
 - 9. Strengthening and reinforcing community gateways, and providing announcement and a sense of place to areas of the community at key entry points through architectural, landscape and urban design elements.**
 10. Promoting sustainability in development.
- B. **The Standards encourage buildings that are well crafted and well detailed, and that express Wayzata's heritage, location, topography, and scale.** The Standards address issues of building height and views of rooftops from above as well as from below.



City of Wayzata Planning Commission Agenda Report

MEETING DATE: October 5, 2020	AGENDA ITEM: 4.c
TITLE: Acceptance of Withdrawal Letter for the Development Application at 200 Lake Street East	
PREPARED BY: Nick Kieser, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

The applicant and owner has withdrawn the development application at 200 Lake Street East since the September 21 Planning Commission meeting. The applicant is working on a revised plan that will be presented to the Planning Commission in the near future.

ACTION REQUESTED:

Accept the Withdrawal Letter for the 200 Lake Street East Development Application.

ATTACHMENTS:

1. Withdrawal Letter from Neil Reardon - 200 Lake Street East - September 2020

Director Goellner,

I am writing this email today to inform you of the our intent, as the applicant and applicant representative, to formally withdraw the current Development Application for Concept Review at 200 Lake Street East. We intend to revise the project concept and re-submit a new Development Application in the future. We look forward to discussing it and the timeline for it with you very soon.

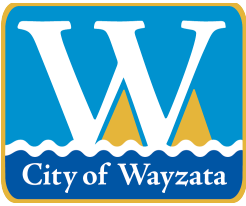
-Neil

Neil Reardon, Client & Project Manager, Senior Associate

ESG | Architecture & Design

500 Washington Avenue South, Suite 1080, Minneapolis, MN 55415

c 701.388.7286 | www.esgarch.com



City of Wayzata Planning Commission Agenda Report

MEETING DATE: October 5, 2020	AGENDA ITEM: 5.a
TITLE: Approval of Report and Recommendation for a Planned Unit Development Amendment for 801 Lake Street East - Promenade of Wayzata	
PREPARED BY: Emily Goellner, Community Development Director, Nick Kieser, Assistant Planner	
REVIEWED BY:	
60 DAY DEADLINE: October 18, 2020	

BACKGROUND:

The subject of this PUD Amendment is to clarify and expand the list of permitted uses on the ground floor of several buildings in the Promenade of Wayzata PUD (the “Promenade” or “PUD”). These spaces comprise the 130,000 square feet of “retail space” identified in the PUD General Plan approved in 2008.

A public hearing was conducted and the application was reviewed by the Planning Commission on September 8, 2020. The Commission recommended that the list of permitted and conditional uses be expanded at this site to reduce the vacancy rate and increase the vibrancy of the area while still remaining cautious to the impacts that certain land uses can have on the residential units on upper floors of the buildings. The specific list is found in the attached Report and Recommendation. The Report also includes a map that illustrates the location restrictions.

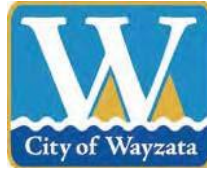
At the meeting, the Planning Commission recommended that the threshold for the CUP requirement be reduced from the applicants proposal of 10,000 square feet to 5,000 square feet. The applicant noted that the space formerly occupied by the Dough Room was 5,100 square feet, so to accommodate a restaurant or retail space there without the need for a CUP, the Commission updated the threshold to 5,100. Since the September 8 meeting, the applicant has entered into an lease agreement with a financial office that will occupy about 5,700 square feet on the Plaza block. The applicant is requesting that the threshold be set at 6,000 square feet instead. Staff finds this request to be consistent with the Planning Commission's intentions after reviewing the meeting minutes. The attached Planning Commission Report and Recommendation shows a threshold of 6,000 square feet.

ACTION REQUESTED:

Staff recommends approval of the *Planning Commission Report and Recommendation* with the change to the Conditional Use Permit threshold of 5,100 square feet to 6,000 square feet as shown.

ATTACHMENTS:

1. PC Report and Recommendation - 801 Lake Street East - Promenade of Wayzata PUD Amendment



WAYZATA PLANNING COMMISSION

October 5, 2020

REPORT AND RECOMMENDATION OF APPROVAL OF AMENDMENT TO PROMENADE PUD USES AT LAKE ST AND SUPERIOR BLVD

DRAFT

SUMMARY OF RECOMMENDATION

Approval* of PUD Amendment (Zoning District and PUD Plan)

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

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Proposed Land Use. The applicant, Wayzata Bay Senior Housing, Inc., (the "Applicant") has submitted an application for approval of an amendment to the Promenade of Wayzata Planned Unit Development (PUD) Plan and PUD District at Superior Boulevard and Lake Street that encompasses the area depicted and described on Attachment B (the "Property", the "PUD" and the "PUD District"). The Applicant is seeking the approvals to clarify and expand the permitted and conditional uses within the PUD.
- 1.2 Existing PUD. The Property received initial City Council approval in 2008 as a Planned Unit Development, which removed the then existing shopping area (Wayzata Bay Center) and created a new mixed use development that specified the following permitted uses:
 - A. 130,000 square feet of retail use
 - B. 255 senior housing units
 - C. 155 conventional housing units (condominiums or apartments)
 - D. 25,070 square feet of office use
 - E. 80-100 room limited service hotel

1.3 PUD Amendment Requested. The Application includes the request for approval of a PUD Amendment that would amend the permitted uses within the PUD to allow following uses anywhere in the PUD provided they are (i) located on the ground floor of a building; and (ii) less than 10,000 square feet:

- A. retail
- B. service businesses
- C. office
- D. clinic (medical/dental/chiropractic/esthetic)
- E. child care
- F. restaurant/deli
- G. specialty food/grocery
- H. fitness/spa/massage/health/wellness centers

1.4 Council Workshop. The City Council held a workshop with staff and the Applicant on the possible changes to the PUD on September 1 (the “Council Workshop”). At the workshop, the Council discussed some of the background of the PUD, including the historical concerns about retail and vibrancy in the area, and generally expressed a desire to preserve and grow the retail and restaurant uses along Lake Street and Superior Blvd. The Council expressed a desire to look at more flexibility of uses within the PUD, particularly if the focus of Lake Street and Superior Blvd remained retail. Council also noted potential concern about conglomeration of too many like uses within the PUD.

1.5 Property. The address, lot numbers, property identification numbers, and owners of the ground level Property in the PUD are identified on Attachment B.

1.6 Land Use Designations. The Property is zoned and guided as follows:

Zoning:	PUD/ Planned Unit Development
Comp Plan:	Downtown Mixed Use District

1.7 Notice and Public Hearing. Notice of the public hearing on the Application was published in the *Sun Sailor* on August 27, 2020 and mailed to all property owners located within 500 feet of the Property on August 26, 2020. The public hearing on the Application was held at the September 8, 2020 Planning Commission meeting.

Section 2. STANDARDS

2.1 Zoning District Amendment. Because the PUD Amendment would change the uses allowed in the PUD District, the Planning Commission and City Council shall consider the possible adverse effects of the proposed amendment to the

PUD Zoning District. Its judgment shall be based upon (but not limited to) the following factors:

- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
- B. The proposed use's conformity with present and future land uses of the area.
- C. The proposed use's conformity with all performance standards contained in the Zoning Ordinance (i.e., parking, loading, noise, etc.).
- D. The proposed use's effect on the area in which it is proposed.
- E. The proposed use's impact upon property value in the area in which it is proposed.
- F. Traffic generation by the proposed use in relation to capabilities of streets serving the property.
- G. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

2.2 PUD Plan Amendment.

- A. Process. Section 933.09 of the Zoning Ordinance provides that the same review procedure is followed by the Planning Commission and City Council for an amendment of a PUD as is followed for a new PUD.
- B. Intent and Purpose of PUDs. Section 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 of zoning and subdivision regulations of the City.
- C. General Standards. Section 933.2.A of the Zoning Ordinance sets forth the general standards for review of any PUD application. Because the PUD Amendment is limited to changes in uses within the PUD, many of the applicable criteria for evaluating a PUD Concept Plan do not apply, and thus the criteria listed here go to the proposed changes in types, mixtures and ratios of uses:
1. Health Safety and Welfare; Intent and Purpose of PUDs. 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. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.
3. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.

Section 3. FINDINGS OF FACT

Based on the Application materials, additional materials submitted by the Applicant, staff reports and documents, 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 Zoning District Amendment. The proposed uses associated with the PUD Amendment (the "Proposed Uses") would not have an adverse effect on surrounding properties or the community, and meets the standards for a zoning ordinance amendment:
 - A. The Proposed Uses are consistent with the Comprehensive Plan land use designation of the Property, and meets the policies of the Comp Plan in that the area has been guided for a mixture of commercial and residential uses.
 - B. The Proposed Uses are consistent with current and future land uses in the area, which includes a mixture of commercial, residential, and institutional uses in the downtown business district.
 - C. The Proposed Uses would meet the performance standards outlined in the Zoning Ordinance.
 - D. The Proposed Uses would not adversely impact surrounding properties. Uses with the potential for adverse impacts are categorized as Conditional Uses.
 - E. The Proposed Uses would not negatively impact property values in the area.
 - F. The existing and improved facilities can meet the traffic demand of the Proposed Uses.
 - G. The Proposed Uses would not exceed service capacity of public services and facilities including parks, schools, streets, and utilities, and the City's

service capacity. Further analysis of capacity would be provided with any Conditional Use Permit applications required in association with the Proposed Uses.

3.2 PUD Amendment.

- A. Health Safety and Welfare; Intent and Purpose of PUDs. The PUD Amendment (resulting in the “Amended PUD”) conforms with the overall intent and purpose of a PUD as outlined in Chapter 933 of the Zoning Ordinance.
- B. Intent and Purpose of PUDs. The Amended PUD would continue to encourage the following, as noted in the findings for approval of the Existing PUD and elsewhere in this Report with respect to the PUD Amendment:
 - 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 uses.
 - 2. More convenience in location and design of development and service facilities.
 - 3. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan.
 - 4. A more desirable and creative environment than might be possible through the strict application of zoning and subdivision regulations of the City.
- C. General Standards. The Amended PUD would not materially impact any of the fourteen (14) general standards listed in Section 933.2.A and in Section 2.1 of this Report, which would continue to be met as with the Existing PUD. The PUD Amendment will mainly allow for expanded and appropriate uses that are consistent with the Comprehensive Plan, realities of the current leasing market, and the City’s continued goal of a vibrant, downtown mixed PUD. The PUD Amendment would not include any other significant changes (except as noted in the Report and associated requests in the Application) to the previously approved and Existing PUD.

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)

Zoning District Amendment, and (ii) the PUD Amendment, subject to the following conditions:

- A. The Zoning District and PUD Amendment be modified to further clarify, expand, and control permitted and conditional uses as specified on Attachment A.
- B. The Applicant must enter into an amendment to the existing PUD Development Agreement with the City, with terms and in a form acceptable to the City Attorney, that incorporates the approvals and conditions of this Resolution, and maintains all conditions of previous approvals for the Existing PUD that are not superseded by the approvals this Resolution.
- C. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 5th day of October 2020.

Voting For Approval Recommendation: _____

Voting Against Approval Recommendation: _____

Abstaining: _____

Absent: _____

Attachments:

Attachment A: PUD Amendment

Attachment B: PUD District Map and Legal Description of Property

Attachment A:
PUD Amendment

1. Permitted Uses: Subject to applicable provisions of the Zoning Ordinance, and in addition to the uses permitted in the Existing PUD, any permitted use in the C-4 District is also a permitted use within the PUD District (other than adult uses and pawn shops), provided such use (i) is located on the ground floor of a building; and (ii) does not exceed 6,000 square feet in size for any single tenant or commercial use.
2. Conditional Uses: Subject to applicable provisions of the Zoning Ordinance, the following are conditional uses within the PUD District provided (i) they are located on the ground floor of a building; and (ii) a conditional use permit is issued for such use, based upon standards and procedures set forth in Chapter 904 of the Zoning Ordinance:
 - A. Any single tenant permitted use that exceeds 6,000 square feet in size
 - B. Multi-family Residential on the East Block, as shown in the PUD District Map
 - C. Childcare
 - D. Micro-Production Facilities as regulated under the standards of the C-4A District
 - E. Drive-in facilities for banks or savings and loan associations
 - F. Fitness Establishments
 - G. Residential on the ground floor of the East Block fronting Lake Street
 - H. Any other use that the City Council finds is compatible with the other current uses in the PUD District
3. Lake St. and Superior Blvd. Uses Limited to Retail and Restaurant. The area of the ground floor of a building that fronts Lake Street or Superior Boulevard, as shown on the PUD District Map, are limited to retail and restaurant uses, and other uses (i) that the City Council finds support a high level of pedestrian activity and are compatible; and (ii) a conditional use permit is issued for such use, based upon standards and procedures set forth in Chapter 904 of the Zoning Ordinance.

Attachment B:
Property Information and PUD District Map

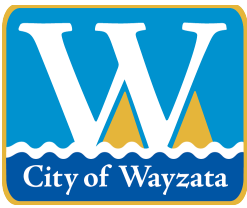
Address	PID	Owner
801 Lake Street East	06-117-22-42-0102	The Promenade Master Assn.
350 Superior Blvd	06-11722-42-0107	Wayzata Bay West All Age Hsg
300 Superior Blvd	06-117-22-42-0101	Wayzata Bay West Retail LLC
99 Address Unassigned	06-117-22-42-0106	The Promenade Master Assn
803 Lake St E	06-117-22-42-0100	Wayzata Bay West Retail LLC
801 Mill St E	06-117-22-42-0103	Wayzata Bay West Retail LLC
825 Lake St E	06-117-22-42-0099	Wayzata Bay West Senior Hsg
829 Mill St E	06-117-22-42-0104	Wayzata Bay West Senior Hsg
301 Promenade Ave	06-117-22-42-0105	Wayzata Bay West Retail LLC
320 Promenade Ave	06-117-22-41-0098	The Promenade Assn
847 Lake St E	06-117-22-41-0099	Wayzata Bay West Retail LLC
101 Promenade Ave	06-117-22-42-0094	Wayzata Bay Senior Hsg
825 Mill St E	06-117-22-42-0095	Wayzata Bay Superior Retail
202 Superior Blvd	06-117-22-42-0096	Wayzata Bay Superior Retail
121 Promenade Ave	06-117-22-42-0097	The Promenade Master Assoc
849 Mill St E	06-117-22-42-0098	Wayzata Bay Superior Retail
100 Promenade Ave	06-117-22-41-0090	Wayzata Bay Senior Hsg Inc
879 Lake St N	06-117-22-41-0110	Wayzata Bay Plaza Retail LLC
200 Promenade Ave	06-117-22-41-0011	The Promenade Master Ascnc
202 Promenade Ave	06-117-22-41-0112	Wayzata Bay Plaza Retail LLC
925 Lake St E	06-117-22-41-0177	Bohland Hotel Group LLC
99 Address Unassigned	06-117-22-41-0178	The Promenade Assn
925 Lake St E	06-117-22-41-0181	Bohland Hotel Group LLC
300 Engel St	06-117-22-41-0182	Wayzata Bay East Retail LLC
925 Lake St E	06-117-22-41-0183	Bohland Hotel Group LLC
99 Address Unassigned	06-117-22-41-0184	The Promenade Assn
937 Lake St E	06-117-22-41-0186	Wayzata Bay East Retail LLC
981 Lake St E	06-117-22-41-0187	Wayzata Bay East Retail LLC
925 Lake St E	06-117-22-41-0190	Bohland Hotel Group LLC
925 Lake St E	06-117-22-41-0191	Bohland Hotel Group LLC

Promenade Permitted Land Uses



Legend

- = Retail and/or Restaurant Uses Only
- = C-4 Central Business District Permitted Uses
- = C-4 Central Business District Permitted Uses; Residential as a Conditional Use



City of Wayzata Planning Commission Agenda Report

MEETING DATE: October 5, 2020	AGENDA ITEM: 6.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:

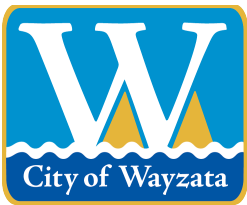
Staff will give a verbal update at the meeting.

ACTION REQUESTED:

N/A

ATTACHMENTS:

None



City of Wayzata Planning Commission Agenda Report

MEETING DATE: October 5, 2020	AGENDA ITEM: 6.b
TITLE: Planning Commissioner Liaison Schedule and City Meeting Calendar	
PREPARED BY: Nick Kieser, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

Staff is planning to cancel the October 19 Planning Commission meeting since there are not any items on the agenda. Commissioner Iverson is scheduled for the October 6, 2020 City Council meeting. Night to Unite, scheduled for October 6, has been cancelled. The Council has decided to move the October 7 meeting back to October 6. The Liaison Schedule and the 2020 City Meeting Calendar are attached.

ACTION REQUESTED:

N/A

ATTACHMENTS:

1. Planning Commission Assignments at Council Meetings 2020 - Updated 09/18/2020
2. 2020 Public Meeting Calendar - Updated 09/15/2020

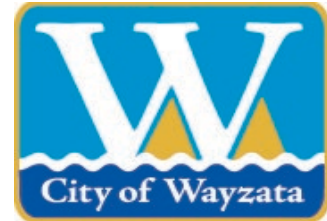
2020
Planning Commission assignments at Council meetings

<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
Tuesday	August 4, 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: September 18, 2020

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						
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

March 2020						
S	M	T	W	Th	F	S
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April 2020						
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May 2020						
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

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

July 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	

August 2020						
S	M	T	W	Th	F	S
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September 2020						
S	M	T	W	Th	F	S
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October 2020						
S	M	T	W	Th	F	S
				1	2	3
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

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

December 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		

- 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 (cancelled for 2020)
- 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
- Caucus - 2/25/2020
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Revised Sept 15, 2020