

WAYZATA PLANNING COMMISSION

Meeting Agenda

Wayzata City Hall Community Room, 600 Rice Street

Monday, January 3, 2022

6:30 PM

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Members of the public may attend this meeting in person, provided they follow all City policies and protocols related to the pandemic, including wearing masks. Members of the public may also watch and listen remotely by logging into Zoom or by viewing the meeting on Channel 8, WCTV, and at the City's website at www.wayzata.org/WCTV. Public comment during the Public Forum and/or Public Hearing portions of the meeting may be provided in person at the meeting, in advance, or by using the Zoom chat feature. All comments must include your full name and address, and will be taken and/or read at the appropriate time during the meeting. 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 952-404-5323, or mailing Wayzata City Hall at 600 Rice St E, Wayzata, MN 55391 (Attn: Public Comment).

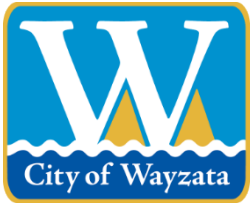
1. **Call to Order**
2. **Roll Call**
3. **Approval of Agenda**
4. **Consent Agenda**
 - a. Approval of Meeting Minutes and Workshop Minutes of December 6, 2021
 - b. Approval of Planning Commission Report and Recommendation of Approval for Planned Unit Development and Comprehensive Plan Amendment at 15419/15429 Wayzata Boulevard and 1405 Holdridge Terrace
5. **Other Items**
 - a. Review of Development Activities
 - b. Planning Commission Meeting Schedule
6. **Adjournment**
7. **Workshop Discussion**
 - a. Zoning Study: Policy Changes in the Residential and Commercial Districts

Upcoming Meetings:

City Council - January 4, 2022

Planning Commission - January 24, 2022

Members of the Planning Commission and some staff members may gather at the Wayzata Bar and Grill immediately after the meeting for a purely social event. All members of the public are welcome.



City of Wayzata Planning Commission Agenda Report

MEETING DATE: January 3, 2022	AGENDA ITEM: 4.a
TITLE: Approval of Meeting Minutes and Workshop Minutes of December 6, 2021	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

See attached Meeting Minutes and Workshop Minutes of December 6, 2021.

ACTION REQUESTED:

N/A

ATTACHMENTS:

1. Draft Planning Commission Minutes from December 6, 2021

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
DECEMBER 6, 2021**

AGENDA ITEM 1. Call to Order

Vice-Chair Stockton called the meeting to order at 6:48 p.m.

Vice-Chair Stockton read the following prepared statement:

In-person public meetings at the City of Wayzata have now resumed. Members of the public may attend this meeting in person, provided they follow all City policies and protocols related to the pandemic, including wearing masks. Members of the public may also watch and listen remotely by logging into Zoom and entering meeting ID 89994432062 and passcode 265557 or by viewing the meeting on Channel 8, WCTV, and at the City's website at 222.wayzata.org/WCTV. Public comment during the Public Forum and/or Public Hearing portions of the meeting may be provided in person at the meeting, in advance, or by using the Zoom chat feature. All comments must include your full name and address, and will be taken and/or read at the appropriate time during the meeting. 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. 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).

AGENDA ITEM 2. Roll Call

Present at roll call were Commissioners: Schwalbe, Severson, Sorensen, Douglas, Merriam, and Stockton. Community Development Director Emily Goellner, Assistant Planner Valerie Quarles, and City Attorney David Schelzel were also present.

Absent at roll call was: Chair Parkhill

AGENDA ITEM 3. Approval of Agenda

Vice-Chair Stockton asked for a motion to approve the agenda for the meeting.

Commissioner Douglas made a motion, seconded by Commissioner Merriam, to approve the December 6, 2021 agenda as presented. Motion carried unanimously.

AGENDA ITEM 4. Consent Agenda

a.) Approval of the Meeting Minutes of October 4, 2021 Planning Commission Meeting Minutes

b.) Approval of Workshop Minutes of November 1, 2021

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

Commissioner Douglas noted that she will abstain from the vote because she was not present at the previous meetings.

Vice-Chair Stockton asked for a motion to approve the Consent Agenda as presented.

Commissioner Merriam made a motion, seconded by Commissioner Sorenson, to approve the Consent Agenda as presented. Motion carried 5-0-1 (Douglas abstained).

AGENDA ITEM 5. Public Hearing Items

a) Consider Development Application for Cantissimo Senior Living at 1405 Holdridge Terrace and 15419 and 15429 Wayzata Boulevard

Community Development Director Goellner gave an overview of the proposed project for a senior assisted living facility, with dementia care. She reviewed details such as the zoning and land use for the surrounding neighborhood. She reviewed the existing conditions, history of the parcel, and renderings of the project. She noted that the proposed exterior is designed to appear as though it is a large home. She noted that although the packet materials indicated otherwise, the PUD concept plan does meet the setback requirement which was discovered after the packet was distributed. She explained that the applicant is asking to have a minimum unit size of 355 square feet which is 85 square feet less than the requirement. She noted that overall, the proposed PUD is complying with the requirements. She noted that the proposed lot coverage is at 10%, which is below the maximum of 40%, and the impervious surface is at 24%, for which there is not a maximum. She reviewed the two access points that are being proposed and the proposed plans for open space, walking trail, tree removal, and landscape plans. She gave a brief overview of the engineering comments, and noted that there was a neighborhood meeting held on November 17, 2021 where the primary topics were related to the site layout, design/architecture, and that a display of animated visualization of the project would be helpful. She explained that the Comp Plan requests from the applicant are unique, and reviewed the standards for Planning Commission to consider with a Planned Unit Development Concept Plan.

Vice-Chair Stockton asked to review the material presented that showed the reduction in unit size.

Assistant Planner Quarles noted that part of the requirements around minimum unit size vary depending on the type of building, and noted that a regular apartment building would have a specific minimum unit size as would a senior living facility, which would be slightly smaller. She stated that for memory care, the applicant is proposing a slightly smaller unit size than the City's minimum.

Commissioner Merriam asked if the other senior living facilities in the City had abided by the 441 square feet minimum.

Community Development Director Goellner noted that staff would need to review the past applications in order to have that specific information.

1 Commissioner Douglas stated that she has had some experience in this area, and noted that at times
2 staff has referred to this project as assisted living and sometimes as memory care, which are very
3 different concepts. She stated that assisted living usually has more space in the room and memory
4 care usually has much smaller rooms because the individual doesn't have as much mobility, and a
5 smaller space creates less confusion. She stated that in memory care, they usually take their meals
6 in a common area where staff can supervise and assisted living residents can many times have their
7 own kitchen space.

8
9 Assistant Planner Quarles confirmed that this proposal is for memory care.

10
11 Commissioner Merriam noted that on page 4 of 16, in the packet it says the applicant proposed to
12 construct a 40 unit assisted living with dementia care facility. She stated that does not state that
13 all of the units will be for memory care, and asked if the proposal was for all units to be dementia
14 care.

15
16 Community Development Director Goellner stated that point will have to be clarified with the
17 applicant. She stated that she believes, at this stage, the applicant would like to remain open to
18 either of those options and will be based on the market.

19
20 Commissioner Merriam stated that this issue will affect unit size but also parking because dementia
21 patients do not drive. She asked about the wetland buffer, and asked what the average proposed
22 buffer would be.

23
24 Community Development Director Goellner stated that the buffer ranges between 12 to 50 feet.

25
26 Commissioner Merriam asked if the average had been calculated because it says the 'average'
27 should be 30 feet.

28
29 Assistant Planner Quarles stated that per the City's stormwater management plan aligns with the
30 Minnehaha Creek Watershed District and requires a 30 foot wetland buffer.

31
32 Commissioner Merriam asked if it was a straight 30 foot buffer or if it was an average.

33
34 Assistant Planner Quarles noted that she would have to confirm with the City Engineer to see
35 which it was.

36
37 Commissioner Merriam asked for an overview of all three lots and their topography.

38
39 Assistant Planner Quarles gave an overview and noted that it was fair to say that there is a lot of
40 wetland on these sites, which is part of the reason that the lot coverage is only at 10% because so
41 much of the site is wetland and will not be built upon.

42
43 Commissioner Merriam asked if the Comprehensive Plan designates this all as low density
44 residential and the underlying zoning as medium density.

45
46 Community Development Director Goellner stated that it is R-2 Medium Density.

1
2 Commissioner Merriam asked if the Commission were to go by strict zoning if that mean there
3 would potentially be one house in each of these lots.
4

5 Assistant Planner Quarles noted that she believes one of the previous proposals for this group of
6 lots was 4 to 5 homes. She explained that she believes that proposal was denied due to
7 neighborhood concerns regarding character, as well as concerns about tree preservation and that it
8 would encroach on the wetland as much as possible and was pushing that boundary.
9

10 Commissioner Schwalbe stated that she is not real concerned about the trees, because it appears as
11 though there is a good plan to get rid of a lot of dead trees, but noted that this proposal seems to
12 have more density than what was proposed in 2016 with 4 townhomes.
13

14 Assistant Planner Quarles stated that the previous application for this property was also a PUD, so
15 that type of request gave more latitude to deny the request based on impacts. She explained that
16 at that time, it was determined that 4 townhomes did not fit the neighborhood character, and when
17 they talked about 'character' they referred to density.
18

19 Commissioner Schwalbe asked whether there was a difference between something being identified
20 as institutional versus an institutional/public for zoning purposes because it has been referred to
21 differently between the City and the applicant.
22

23 Community Development Director Goellner stated that she believes the 2040 Comprehensive Plan
24 discusses institutional/public pieces of land as a way to expand the definition a bit from just
25 institutions for a long-term land use plan. She clarified that it is basically the same and noted that
26 this is a 24-hour care facility and not independent living, so the applicant felt the best
27 categorization for it was institutional. She stated that it will be privately operated much like
28 Moments of Wayzata.
29

30 Commissioner Schwalbe noted that Moments of Wayzata was not considered institutional/public.
31

32 Assistant Planner Quarles stated that both are PUDs, but the underlying land use guiding in the
33 Comp Plan for Moments is high density residential, and the underlying guidance for this particular
34 parcel is medium density.
35

36 Commissioner Schwalbe confirmed that this could not become an apartment building in the future.
37

38 Community Development Director Goellner stated that it could not become an apartment building
39 under this current proposal if it is guided as institutional.
40

41 Commissioner Merriam noted that the current underlying zoning is low density residential, and
42 the applicant is requesting a Comprehensive Plan amendment to make it institutional and asked if
43 that means the underlying zoning would then become institutional or would it remain as low
44 density residential.
45

1 City Attorney Schelzel stated that it is his understanding that this would be rezoned to a PUD
2 district so there would be, in essence, no other underlying zoning. He explained that the reason
3 for the Comprehensive Plan amendment request is that the property is not currently guided for this
4 type of use.

5
6 Commissioner Merriam stated that she is asking that question because of the setback requirements.
7 She stated that with a PUD the setback follows whatever the underlying zoning.

8
9 City Attorney Schelzel stated that he believes in the case of PUD rezoning, it is the 'previous'
10 zoning and not the underlying zoning.

11
12 Community Development Director Goellner confirmed that setbacks would be based on the
13 'previous' zoning.

14
15 Commissioner Douglas noted the 'For Sale' sign on the adjacent Hillcrest property, which is in
16 Minnetonka, and asked if staff had done any research on whether that was a PUD or if they have
17 any knowledge on what could happen on that site. She asked if people in Minnetonka have been
18 notified about this application.

19
20 Assistant Planner Quarles stated that they have notified city staff at the City of Minnetonka, but
21 that the City does not typically send to residents outside of the City. She stated that Minnetonka's
22 Community Development staff is aware of what is going on in Wayzata, especially in light of the
23 possible redevelopment of the Hillcrest property. She stated that staff has not looked into what
24 the potential guidance is for the Hillcrest property.

25
26 Commissioner Sorensen asked if there was any information about the traffic impacts, and asked
27 how much additional traffic would be generated by this facility versus the traffic that is currently
28 seen.

29
30 Assistant Planner Quarles stated that there is no traffic impact information at this point, but noted
31 that part of the comments made by the City Engineer was to ask the applicant to provide that
32 information between the Concept Plan and the General Plan stages.

33
34 Commissioner Severson asked about the history of this property and what it has been in the past.
35 She asked if there has ever been houses or any other buildings on this site.

36
37 Assistant Planner Quarles stated that as far as staff knows there has not been any buildings on this
38 site. She stated that MNDOT had originally acquired this property to use for Highway 12 work
39 and when the work was completed, they decided they did not need the land anymore and sold it.
40 She explained that there have been a few development attempts over the years as briefly detailed
41 in the staff report, but nothing has materialized yet.

42
43 There being no further questions for staff, Vice-Chair Stockton asked the applicant if they would
44 like to address the Commission.

1 Applicant representative, KC Cermak, Pillar Senior Lifestyle Living, noted that he lives in
2 Wayzata at 330 Wise Avenue S. He stated that they are trying to replicate what Hillcrest used to
3 be, and feels it is a beautiful opportunity to blend some of the past with the future. He reviewed
4 the 3D rendering of the site and nearby parcels. He explained their notification process and noted
5 that there was very good turnout at the neighborhood meeting. He stated that they want to be a
6 good steward of the area, and plan to bring a residential feel with the design and landscaping so it
7 fits into the neighborhood. He stated that another thing that was extremely important to them were
8 the trees, and explained that they had done tree evaluation in the spring, summer, and fall which
9 was done by Dr. Lloyd, the "tree doctor". He stated that they also felt it was very important to
10 keep the access and the parking as far away from the single family neighborhood to the west, so
11 the accesses are located to the east. He stated that one other key decision was that the corner lot
12 will be parkland and natural, with a wood chip trail so it is kept primitive, and that it will be
13 maintained by the developer. He stated that they will also add more conifers to this area for year
14 round greenery. He reviewed some of the tree inventory details of the large trees on the corner
15 lot. He gave an overview of the design details that bring a more residential look. He addressed
16 the design elements that were designed to break up the massing. He noted that he feels they have
17 gone farther than required and feels the guidelines in the City were meant to address three-story
18 buildings along a busy street, and not a two-story building with a residential roof and feel.

19
20 Vice-Chair Stockton asked what the current capacity was within the City for memory care and
21 assisted living, and what the desire for that type of capacity is within a City.

22
23 Mr. Cermak stated that Cantissimo has done extensive research that took into account the need in
24 the City as well as the surrounding areas. He stated that the demand that exists is not close to being
25 met. He explained that he has 2.5 years of data on a similar 45 unit bed facility and the traffic
26 impacts that he can share with the City. He stated that the residents do not have cars, so the car
27 count is significantly lower. He shared information from the data that showed that from Monday
28 through Friday from 3:00 p.m. to 7:00 p.m. there are typically 3-5 cars and an average of 10 family
29 members visiting. He stated that on Saturday and Sunday from 10:00 a.m. to 4:00 p.m. there are
30 5-8 cars, with an average 16 family members visiting. He that from a staffing point, this data
31 represents 9 employees with 6 being nurses and 3 kitchen aids, so the traffic generated will be
32 extremely minimal. He stated that he will provide this information in detail to the City.

33
34 Commissioner Douglas confirmed that the developer would be taking out the trees that have just
35 fallen over and will clean up that material.

36
37 Mr. Cermak stated that it appears as though a wind storm came through and took down some trees,
38 and they will be cleaning those up.

39
40 Commissioner Schwalbe stated that Mr. Cermak had talked about this facility being boutique style
41 and smaller than usual with extra services available for things like post-surgery. She asked if there
42 would be a larger staff to patient ratio because of the added one-to-one features, and whether it
43 would cost more than other facilities.

44
45 Mr. Cermak stated that the applicant has given information that staffing during the main daytime
46 hours would be 14 employees for 40 residents. He stated that there will be 6 CNAs, 5 department

1 heads, and 3 kitchen aides. He noted that he did not know how that staffing level compares to
2 other facilities.

3
4 Commissioner Schwalbe noted that she feels the building has a lot of curb appeal and will be very
5 attractive.

6
7 Commissioner Sorensen asked who will be the actual operator of the facility.

8
9 Mr. Cermak stated that it will be the Cantissimo group and explained that Pillar Homes will be the
10 creator of the structure and not the operator.

11
12 Commissioner Sorensen suggested that a representative from Cantissimo appear before the
13 Commission at future meetings in order to talk about their history and philosophy.

14
15 Mr. Cermak explained that representatives had planned to attend the meeting tonight, however due
16 to a potential situation at their children's school, had to be tested for Covid and chose not to attend
17 out of an abundance of caution.

18
19 Commissioner Merriam asked if this facility will be 100% memory care.

20
21 Mr. Cermak stated that it will be 100% memory care.

22
23 Commissioner Merriam asked for the reason behind the request for the planned unit size of 355
24 square feet rather than 440 square feet.

25
26 Mr. Cermak concurred with Commissioner Douglas' earlier explanation that it has to do with the
27 intimacy of the room and size for memory care. He stated that the units were sized by the architect
28 and the ownership team and is the typical size for this type of building. He noted that it is very
29 similar to their Fridley location which has 46 units.

30
31 Commissioner Severson asked if the smaller unit sizes would still be ADA compliant.

32
33 Mr. Cermak stated that the rooms will be ADA compliant and believes that everything will be up
34 to code as far as ramps and push button door openings.

35
36 Commissioner Severson asked what was meant by the statement that this building will be a visual
37 and noise buffer.

38
39 Mr. Cermak stated that that area and backyards of the adjacent neighborhood are currently wide
40 open to Highway 12 and this structure will be a visual block and separation from the highway. He
41 stated that he does not have specific studies, but noted that he feels there will also be an audible
42 benefit from the building location.

43
44 Commissioner Severson asked where they anticipate the traffic will come from and about delivery
45 vehicles.

1 Mr. Cermak stated that he believes it will be easier for them to come from Minnetonka and get off
2 on the Highway 12 cloverleaf. He stated that he is hopeful that after they go see their relative, they
3 will go into Wayzata and have some dinner and leave the other way. He noted stated that is hard
4 to predict delivery vehicle routes, but knows that they will stay on the frontage road and will mix
5 and mingle with deliveries to the neighborhood.

6
7 Commissioner Merriam stated that Mr. Cermak had stated that there were no trees coming down,
8 but noted in the plans that they are taking down 50% of the significant trees and 25% of the heritage
9 trees, along with all of the exempt trees, which are apparently diseased.

10
11 Mr. Cermak stated that when he said there were no trees coming down, he was referring to the
12 corner lot.

13
14 Commissioner Merriam stated that the total of inches removed from significant and heritage trees
15 is about 380 and will only be replaced with 282 inches. She asked if that replacement number
16 could be increased and be more of a one-to-one replacement.

17
18 Mr. Cermak stated that replacing one-to-one would be much more than the tree ordinance calls for
19 and does not take into consideration that the difference has to do with diseased trees.

20
21 Commissioner Merriam noted that she was not factoring in the diseased trees because that is 1,396
22 inches.

23
24 Mr. Cermak stated that additional trees are not off the table because they have had good discussions
25 between the neighbors and the development group. He stated that he cannot say yes for the one-
26 to-one replacement, but believes they can be increased some.

27
28 There being no further questions from the Commission for the applicant, Vice-Chair Stockton
29 opened the public hearing on the application at 8:25 pm.

30
31 Terry Ray, 1409 Holdridge Terrace, stated that they feel they will be the most impacted from this
32 project. He stated that there were questions that have come up that he feels were answered
33 beautifully in their more personal meeting with the developer. He stated that a number of the
34 questions were answered by the word 'impact'. He stated that they have seen proposals come and
35 go, and they scared them because they would have no control. He feels this proposal gives them
36 control, and has been very beautifully put together. He stated that regarding the loss of trees, the
37 number of trees may not actually be the most important factor because he feels placement is more
38 important, and noted that the did not think they wanted to pack too many trees in the area. He
39 stated that he feels that issue has been addressed by the professionals in this case. He stated that
40 the Commission had also asked questions about the traffic and stated that he is familiar with this
41 type of operation and despite it being staffed for 24 hours, it is extremely quiet after visiting ends.
42 He noted that the deck on his home that was mentioned by Commissioner Douglas is more for a
43 visual enhancement to their house and is not the deck where they entertain and spend much time,
44 so the proximity to the project is not a concern. He stated that they feel that this proposal is very
45 good for both the neighborhood and the City.

1 Director Goellner stated there were no people that called in to the meeting via Zoom that have
2 asked to speak at the public hearing.

3
4 There being no additional public comments on the application, Vice-Chair Stockton closed the
5 public hearing at 8:30 pm.

6
7 Vice-Chair Stockton asked for the Commission to share their questions and feedback on the
8 application.

9
10 Commissioner Merriam asked for clarification from staff on the footprint and the ceiling height of
11 the building, and what the hardcover will be of just the building alone.

12
13 Assistant Planner Quarles stated that she believes the lot coverage for the site is at 10% but would
14 have to check on details for square footage.

15
16 Mr. Cermak stated that the ceiling height for each level is 9 feet.

17
18 Commissioner Douglas asked what the square footage will be of the building.

19
20 Community Development Director Goellner stated that staff can find the exact numbers for the
21 Commission.

22
23 Commissioner Douglas clarified that she is just curious and noted that it seems like a nice sized
24 building. She stated that there will be time later to discuss details related to design and traffic.
25 She stated that as far as the request for a Comprehensive Plan amendment, the City is looking for
26 a multi-generational community, greater housing diversity, and life cycle housing options which
27 she feels this proposal meets. She stated that for the PUD, she feels this is an innovative
28 development, and likes that this is a small memory care facility. She stated that this particular
29 architect does wonderful work and noted that she likes the idea of keeping the corner land as public
30 space. She stated that overall, she thinks this proposal is a good transition between the other area
31 uses and the single family area.

32
33 Commissioner Schwalbe stated she also thinks this looks like a great project. She explained that
34 she likes the looks of it, that there is outside seating for residents, and that it will encourage them
35 to be outside with the park-like area. She stated that she particularly likes that, so far, the neighbors
36 are on board with the project and do not appear to have concerns.

37
38 Commissioner Sorensen stated that this is a unique property and is bordered by businesses,
39 residential, and institutional space and noted that he believes the applicant has done a good job in
40 trying to come up with something that will work in this space. He stated that regarding the
41 Comprehensive Plan amendment and the land use issues, if you look at the primary objectives of
42 the plan on institutional spaces, such as providing community service, compatible with adjoining
43 development, and some of the other guiding principles like diversity, livability, access to services,
44 and life cycle housing, it seems as though this amendment, due to the uniqueness of this site, goes
45 a long way toward meeting the intent and essence of the Comprehensive Plan. For the PUD
46 concept plan, which allows some flexibility for the institutional standards, it seem reasonable. He

1 stated that he encouraged the applicant to pay close attention to the design standards, tree
2 replacement codes, and continue to be responsive to the neighborhood issues, but feels that overall,
3 this proposal seems to be very compatible with the neighborhood.
4

5 Commissioner Severson stated that she would like to have more information in the future about
6 what the city of Minnetonka would think about this, even though technically they are not included
7 in notice requirements. She stated that she would also like to know what the nearby Minnetonka
8 property is zoned, but she is in favor of continuing to move this proposal forward.
9

10 Vice-Chair Stockton stated that she feels this concept, from a design standards point of view, is
11 quite balanced. She stated that she likes how this preserves the corner lot for the neighbors.
12

13 Commissioner Merriam stated that she agrees with what has been said and feels this is a good
14 solution for this piece of land. She stated that it appears to be a practical solution and appreciates
15 all the buffers that have been provided for the neighbors, that there is low traffic, and that it is an
16 attractive building. She stated that she is in favor of making a recommendation to move forward.
17

18 There being no further discussion, Vice-Chair Stockton asked for a motion on the application.
19

20 Commissioner Douglas made a motion, seconded by Commissioner Schwalbe, to direct staff to
21 prepare a draft Planning Commission Report and Recommendation with appropriate findings
22 reflecting a recommendation of approval of the Development Application for Cantissimo Senior
23 Living at 1405 Holdridge Terrace, 15419 and 15429 Wayzata Boulevard for review and adoption
24 at the next Planning Commission meeting.
25

26 Community Director Goellner completed a roll call vote on the motion. The motion carried
27 unanimously.
28

29 **AGENDA ITEM 6. Other Items:**
30

31 **a) Review of Development Activities**
32

33 Community Development Director Goellner explained that the next potential public hearing will
34 occur in January for the 200 Lake Street property. She stated that the applicants are still working
35 on completing their application and when finished, the plans will be added to the City website and
36 noted that there will also be a neighborhood meeting scheduled sometime in January.
37

38 **b) Planning Commission Meeting Schedule**
39

40 Community Development Director Goellner noted that the December 20, 2021 meeting has been
41 cancelled because there will not be a quorum due to the nearby holiday, so the next meeting will
42 be January 3, 2022.
43

44 **AGENDA ITEM 7. Adjournment.**
45

1 There being no further business on the agenda, Vice-Chair Stockton adjourned the meeting by
2 general consent of the Commissioners.

3
4 The Planning Commission meeting was adjourned at 8:51 p.m.

5
6 Respectfully submitted,
7 Kayla Atkins Rokosz
8 *TimeSaver Off Site Secretarial, Inc.*
9

10 11 **Workshop Discussion**

12 13 **a.) Zoning Study: Introduction to Residential and Commercial District Updates**

14
15 Community Development Director Goellner gave an overview of the presentation regarding the
16 Zoning Study. She noted that the Zoning Task Force has already seen this information, and asked
17 that the commissioners who are a part of that task force offer input of what the comments were
18 from that group.
19

20 Assistant Planner Quarles gave a general overview of the make-up of the Zoning Task Force, the
21 schedule for review at workshop meetings and the public hearing process. She shared information
22 from the Zoning Study related to the introduction to the Residential and Commercial District
23 Updates. She explained that the study was designed to take a look at the Zoning Ordinance and
24 the Comprehensive Plan. She noted that what they are attempting to do with the Residential
25 Districts is make sure that each of the Zoning Districts align with the main land use designations
26 in the Comprehensive Plan.
27

28 Commissioners asked if the designation of the Zoning District is based on the size of the land or
29 if the size of the land indicated the District and which goes first.
30

31 Assistant Planner Quarles noted that the location within the City is probably the most important
32 factor, and gave the example of R-1A that calls for the largest lot sizes, and it does, in fact, have
33 the largest lot sizes.
34

35 Community Development Director Goellner explained that in addition to location, roadway type
36 is another factor and noted that the City's busier roads can handle more density.
37

38 Assistant Planner Quarles reviewed the current Zoning Map and explained that there are a lot of
39 zones and a lot of districts because, over time, past Commissions and Councils have decided they
40 like the granular separation between things such as R-1, R-1A, R-2 and R-3. She stated that the
41 City requires a lot of sensitivity in development because the City is small, and there has been a lot
42 of development pressure, which is part of why there are so many Districts. She stated that the
43 different layers of regulations are Zoning Districts, and Land Use Map of the Comprehensive Plan
44 and they need to be balanced. She gave a brief overview of the Commercial District updates in
45 three policy areas, and ways to make the zoning support the land use designation. She noted the

1 importance of modernizing the list of land uses, especially retail, within commercial and creating
2 a new, more simplified format.

3
4 Community Development Director Goellner shared examples of unique uses that are historic part
5 of the City Code, such as a 'reducing salon' where you sit in a machine and it shakes the fat off
6 your body.

7
8 Assistant Planner Quarles noted that the idea is to move towards a simplified format that should
9 be easy to use for both for staff and the business community.

10
11 Commissioners asked for clarification about commercial density.

12
13 Community Development Director Goellner gave an overview of the Comprehensive Plan which
14 says that 70 employees per acre is the guiding amount of density that the City is willing to manage.
15 She stated that staff does not get granular when they look at this issue, and noted that they limit
16 commercial activity based on all the impacts that they actually cause to the surrounding neighbors.
17 She stated that this is not always clear-cut, and they need to look at the impacts and not just the
18 number of humans.

19
20 Assistant Planner Quarles clarified that when they say 'density', they mean commercial density
21 and not residential density within commercial. She noted that it would be nice to make a code
22 change in order to make it really clear to people because in its current form, it is not intuitive.

23
24 Commissioners noted that in past projects, the City had density requirements and asked if that
25 needed to be included in the Code, if this was done because of the Met Council, and expressed
26 discomfort with a required minimum.

27
28 Assistant Planner Quarles answered that much of this comes back to the Comprehensive Plan.

29
30 Community Development Director Goellner explained that the City goes above and beyond Met
31 Council requirements in the Comprehensive Plan, so it was a community choice.

32
33 Some Commissioners expressed the opinion that they were not sure it was a community choice,
34 and referenced past discussions where members of the Planning Commission felt that they did not
35 have any choice but to pass it and forward it on to the Council. The group discussed the impact
36 that staffing changes may have had on this issue.

37
38 City Attorney Schelzel agreed that it was a difficult period when the City was transitioning
39 planning staff. He stated that he thinks it is fair to say that not everyone understood all the things
40 that went into the process, but as noted by Community Development Director Goellner, this is
41 what the City has to deal with now. He asked for details about R-4A.

42
43 Assistant Planner Quarles stated that she does not think R-4A has actually been applied to any
44 parcels.

1 City Attorney Schelzel stated that the City has density requirements in R-4 and R-5, and asked
2 where they were located within the City. He also asked if there may be a way to define where the
3 tension is that the Planning Commission feels is too much, and discuss possible solutions.

4
5 The Commission discussed the density of the R-4, R-5 zoning, Lake Street, and Wayzata
6 Boulevard.

7
8 Commissioners reiterated their feeling that the language should not include having a minimum
9 requirement, but noted that they would support a maximum requirement, and expressed concern
10 for how much traffic and density Lake Street could handle.

11
12 The Commission discussed the possibility of amending the Comprehensive Plan and the feeling
13 of some of the Commissioners that this would more accurately reflect what is desired. They
14 discussed the most recent proposal for the TCF building and the potential development of the
15 former Coldwell Banker building, as examples related to the reality of minimum requirements.

16
17 Community Development Director Goellner asked if the Commission was in support of lobbying
18 the Council to amend the Comprehensive Plan, and noted that this would be a large undertaking.

19
20 The Commission discussed reasons that they may want to lobby the Council to amend the
21 Comprehensive Plan because of the frequency this issue comes before the Commission. They
22 discussed the reputation of Wayzata among developers as being difficult to get projects through.

23
24 Assistant Planner Quarles referenced the 2030 Comprehensive Plan which stated that medium
25 density residential is intended to be 5-12 units/acre and the new Plan is from 6-12 units/acre. She
26 noted that the high density residential are above 12 units/acre with no top limit.

27
28 The Commission discussed the Central Business District unit parameters and Mixed Use areas of
29 the City.

30
31 Community Development Director Goellner explained that a change to the minimum density in
32 the Comprehensive Plan will be an intense change.

33
34 City Attorney Schelzel explained that the Commission could make a recommendation to get that
35 discussion on a future Council agenda. He stated that there may be something that could be done
36 at a zoning level to address their concerns but not conflict with the Comprehensive Plan guidance.

37
38 Some Commissioners questioned why the City would even include a minimum requirement and
39 recommended that there be some language that distinguishes between commercial and residential.
40 The Commission discussed whether a developer looks at current or future zoning when they are
41 bringing in proposals.

42
43 Assistant Planner Quarles explained that they look at current first but, can request a rezoning where
44 the City can take a look and see how it aligns with the future Land Use Map.

1 City Attorney Schelzel explained that the Zoning Code is meant to implement the guidance of the
2 Comprehensive Plan. He reiterated that perhaps the Commission could look at changing some of
3 the Zoning Code density requirements in order to accomplish what they have been discussing.
4

5 Community Development Director Goellner noted that they can plan to dig a little deeper at the
6 next workshop and encouraged the Commission to ask questions of staff as they review the
7 information.

DRAFT



City of Wayzata Planning Commission Agenda Report

MEETING DATE: January 3, 2022	AGENDA ITEM: 4.b
TITLE: Approval of Planning Commission Report and Recommendation of Approval for Planned Unit Development and Comprehensive Plan Amendment at 15419/15429 Wayzata Boulevard and 1405 Holdridge Terrace	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: The 120-day deadline is March 4, 2022	

BACKGROUND:

The applicants, Pillar/Senior Lifestyle Living LLC, have submitted a development application requesting a Comprehensive Plan Amendment and a Planned Unit Development Concept Plan review to eventually allow for the construction of an assisted living facility at 15419/15429 Wayzata Boulevard and 1405 Holdridge Terrace. The development will be a “boutique” style senior care facility that will cater to residents needing higher levels of care. The facility is proposed to house 40 residents in individual rooms or suites.

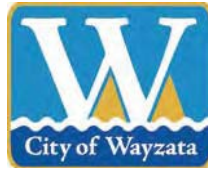
A public hearing was conducted at the Planning Commission meeting on December 6, 2021. The Planning Commission recommended that staff prepare a Report and Recommendation of approval for review at the next Planning Commission meeting.

ACTION REQUESTED:

Staff recommends approval of the Planning Commission Report and Recommendation.

ATTACHMENTS:

1. Cantissimo Report and Recommendation of Approval



WAYZATA PLANNING COMMISSION

January 3, 2022

REPORT AND RECOMMENDATION OF APPROVAL OF PUD CONCEPT PLAN AND COMPREHENSIVE PLAN AMENDMENT AT 1405 HOLDRIDGE TERRACE AND 15419 AND 15429 WAYZATA BOULEVARD

DRAFT

SUMMARY OF RECOMMENDATION

1. Approval of Planned Unit Development (PUD) Concept Plan
 2. Approval of Comprehensive Plan (Comp Plan) Amendment
-

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Project. Pillar/Senior Lifestyle Living LLC and property owner Anasazi Holdings LLC (collectively, the “Applicant”) have submitted a development application presented to the Planning Commission December 6, 2021 (the “Application”) for the property at 1405 Holdridge Terrace and 15419 and 15429 Wayzata Boulevard (the “Property”) requesting approval of a (i) PUD Concept Plan and (ii) Comprehensive Plan Amendment to allow for the construction of an assisted living facility (the “Project” or the “Proposed PUD”). The Project would require several stages of City review and approvals, and the Application represents the first stage.
- 1.2 Application Requests. The Application contains the following two approval requests:
 - A. PUD Concept Plan: A PUD concept plan for a forty (40) unit senior housing facility in the north center of the Property, as further detailed in the Application (the “PUD Concept Plan”).
 - B. Comp Plan Amendment: A Comprehensive Plan Amendment to change the land use designation for the Property in the Comprehensive Plan’s 2040 Land Use Plan Map from Low Density Residential to Institutional/Public (the “Comp Plan Amendment”).

- 1.3 Property. The three (3) parcels that comprise the Property are located at the east end of the City along Wayzata Boulevard which acts as a frontage road for US Highway 12. The east property line of the Property abuts the City of Minnetonka. The street address, property identification numbers and owner of the parcels that comprise the Property are:

Address	PID	Owner
15419 Wayzata Boulevard	04-117-22-32-0036	Anasazi Holdings LLC
15429 Wayzata Boulevard	04-117-22-32-0035	Anasazi Holdings LLC
1405 Holdridge Terrace	04-117-22-32-0034	Anasazi Holdings LLC

- 1.4 Land Use. The Property is zoned R-2 Medium Density Single Family Residential and guided Low Density Residential under the 2040 Wayzata Comprehensive Plan. The Project is subject to design standards in the Bluff District. The Property is partially impacted by the Wetland Overlay District.
- 1.5 Neighborhood Meeting; Notice and Public Hearing. A neighborhood meeting on the Application was held on November 17, 2021 in accordance with City policy. Notice of a public hearing on the Application was published in the *Sun Sailor* on November 18, 2021. A copy of the notice was mailed to all property owners located within 500 feet of the Property on November 18, 2021. The public hearing on the Application was held at the December 6, 2021 Planning Commission meeting.

Section 2. STANDARDS

2.1 Planned Unit Developments (PUDs).

- A. Intent and Purpose of PUDs. Chapter 933 of the Zoning Ordinance provides for the establishment of Planned Unit Developments to allow greater flexibility in the development of neighborhoods and/or non-residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD process, by allowing deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:
1. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.

2. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
 3. More convenience in location and design of development and service facilities.
 4. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
 5. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
 6. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
 7. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
 8. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.
- B. General Standards. Section 933.02.A of the Zoning Ordinance sets forth the general standards for a PUD and review of a PUD application. These include:
1. Health Safety and Welfare; Council Discretion. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of Section 33 of the PUD Ordinance, it may approve the PUD, although it shall not be required to do so.
 2. Ownership. Applicant/s must own all of the property to be included in the PUD.

3. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.
4. Sanitary Sewer Plan Consistency. The PUD project must be consistent with the City's Sanitary Sewer Plan.
5. Common Open Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
6. Operating and Maintenance Requirements. Whenever common private or public open space or service facilities are provided within a PUD, the PUD plan must contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD must be placed under the ownership of one of the following, as approved by the City Council: (i) dedicated to the public, where a community-wide use is anticipated, (ii) Landlord control, where only tenant use is anticipated, or (iii) Property Owners Association, provided the conditions of 933.2.A.6.c are met.
7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 933.02.A.10.
10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 933.02.A.10.
11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.

12. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
 13. Setbacks. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall be the same as imposed in the underlying districts, if a PUD conditional use permit, or the previous zoning district, if a PUD District. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street pattern.
 14. Height. The maximum building height to be considered within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser. There shall be no deviation from the height standards applied within the applicable zoning districts for PUD conditional use permits. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the maximum allowable height and number of floors shall be as negotiated and agreed upon between the applicant and the City.
- C. Residential PUD Standards. Section 933.03 sets forth lot area, minimum frontage, municipal water and sewer availability, roadway and parking standards for PUDs which have a residential component. In addition to the standards set forth in these sections, City Council may impose such other standards for a PUD project as are reasonable and as the Council deems are necessary to protect and promote the general health, safety and welfare of the community and the surrounding area.
- D. PUD Procedure.
1. Concept Plan Approval Non-Binding. Concept Plan approval is the first step in a multi-stage process of City review and approval of a PUD. Concept Plan approval in no way binds the City to subsequent approval of a General Plan of Development or other approvals that may be required. Section 933.05.B.
 2. Application Contents. An application for approval of a Concept Plan of development for a PUD project must contain the information and materials listed in Section 933.05.C.
- 2.2 Comprehensive Plan Amendment.
- A. Amending the Comprehensive Plan. The Planning Commission may recommend to City Council amendments to City's Comprehensive Plan, and City Council may propose amendments to the Planning Commission for review. Before adopting an amendment, the Planning Commission must hold

at least one public hearing on the proposed amendment. A proposed amendment may not be acted upon by the City Council until it has received the recommendation of the Planning Commission or until 60 days have elapsed from the date an amendment proposed by the City Council has been submitted to the Planning Commission for its recommendation. A resolution to amend the Comprehensive Plan must be approved by a two-thirds vote of all of the members of City Council. Minn. Stat. Sec. 462.355, subd. 2 and 3. Comprehensive Plan amendments must be submitted to the Metropolitan Council for review of their compatibility and conformity with the Met Council's regional system plans. Minn. Stat. Ch. 473.

- B. Comprehensive Plan Goals and Policies. The Comprehensive Plan has general and specific statements related to neighborhoods, residential, commercial, and institutional land uses. A listing of the vision, principles, and goals of the City's 2040 Comprehensive Plan that are relevant to the Comp Plan Amendment requested include:
1. Vision Statement: Wayzata is a forward-thinking lakeside community that is socially connected, charming, walkable, and pedestrian friendly. A multi-generational community with healthy, engaged, and active residents. A community that is in the forefront of sustainability, with a healthy environment, vibrant parks and enticing City spaces. It is a proud steward of its premier natural asset; Lake Minnetonka.
 2. Guiding Principles:
 - Multi-Generational
 - City Nodes with Greater Housing Diversity
 3. Land Use Goals:
 - Maintain and enhance the character, diversity, and livability of all residential neighborhoods.
 - Create connected neighborhoods that provide access to services, housing and recreation for all ages and mobility types.
 - Maintain all institutional facilities in a manner that efficiently serves all residents of the community, from both a cost and access perspective.
 4. Housing Goals:
 - Support housing development which recognizes the diverse housing needs of the community, including all affordability levels, young families and the elderly, and contributes to the

development of safe, comfortable, and attractive neighborhoods within the City.

- Residents recognize and advocate for the establishment of “life-cycle” housing options, so that a diverse mixture of individuals, including young families and older residents, may all have the opportunity to live within Wayzata.

Section 3. FINDINGS

Based on the Application materials, additional materials submitted by the Applicant, staff reports, public comment and information presented at the public hearing, and the standards of the Wayzata Zoning Ordinance and Comprehensive Plan, the Planning Commission of the City of Wayzata makes the following findings of fact:

3.1 PUD. The PUD proposed under the PUD Concept Plan (“Proposed PUD”) would meet the standards of the PUD Ordinance.

A. Intent and Purpose of PUDs. The Proposed PUD would represent:

1. Innovations in development to help meet the growing demands for senior and memory care facilities, through a development that would (i) provide a greater variety in type, design, and placement of structures; and (ii) conserve and make more efficient use of land.
2. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers. The design, style and massing of the proposed building successfully integrates into the location and the challenges of the Property that borders major roadways, wetlands, and a residential neighborhood; and (ii) the design, style and massing of the proposed building would successfully reflect a high-quality, larger and older residence, typical of the area.
3. More convenience in location and design of development, given its proximity to Wayzata Boulevard and Highway 12. The building will also function as a visual and sound barrier between Highway 12 and the residential neighborhood to the south.
4. The preservation and enhancement of desirable site characteristics, including the natural topography of wetlands and wooded areas that will help in the prevention of soil erosion. The wetland condition on the site is accounted for through a wetland buffer and by limiting land disturbance to the center-northwest portion of the parcel. The common open space on the western portion of the site preserves

trees and open space while providing a buffer between the project and the residential neighborhood.

5. A creative use of land and related physical development which will provide a phased and orderly development and use pattern from the active areas of Wayzata Boulevard and Highway 12, to the natural areas of the wetlands and wooded areas, to the adjacent residential neighborhood.
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, as noted elsewhere in this Report and the requested Comp Plan Amendment. The memory care use meets the Comprehensive Plan goals of multi-generational living and life-cycle housing. The site's location between a residential neighborhood, frontage road, and I-394 zoning district in the city of Minnetonka creates a unique, transitional condition that is accounted for in the Proposed PUD.
8. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.

B. General Standards.

1. Health Safety and Welfare; Council Discretion. The effects of the Proposed PUD upon the health, safety and welfare of residents of the community and the surrounding area will be positive and not detrimental.
2. Ownership. The Applicant owns all of the property to be included in the Proposed PUD.
3. Comprehensive Plan Consistency. The Proposed PUD would be consistent with the City's Comprehensive Plan and PUD Amendment as noted elsewhere in this Report.
4. Sanitary Sewer Plan Consistency. The Proposed PUD would be consistent with the City's Sanitary Sewer Plan.
5. Common Open Space. The Proposed PUD would provide open space on the western portion of the site that is sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued private operation and maintenance of such.

6. Operating and Maintenance Requirements. The General Plan for the Proposed PUD must contain provisions to assure the continued operation and maintenance of such common open space to a predetermined reasonable standard.
7. Staging of Public and Common Open Space. The open space of the Proposed PUD is not planned as a staged development over a period of time.
8. Density. The Proposed PUD would be consistent with the density standards of the Comprehensive Plan, contingent upon the Comprehensive Plan Amendment.
9. Utilities. All utilities associated with the Proposed PUD will be evaluated under the standards of Section 933.02.1.10 as part of the PUD General Plan.
10. Utility Connections. All utility connections associated with the Proposed PUD will be evaluated under the standards of Section 933.02.1.10 as part of the PUD General Plan.
11. Roadways. All roadways associated with the Proposed PUD will be evaluated as part of the PUD General Plan to ensure conformance to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
12. Landscaping. All landscaping associated with the Proposed PUD will be according to a detailed plan that must be approved by the City Council as part of the PUD General Plan.
13. Setbacks. The front, rear and side yard restrictions on the periphery of the Proposed PUD site would comply with the R-2 Medium Density Single Family Residential (the previous zoning district if the Property is rezoned to PUD District).
14. Height. The maximum building height of the building within the Proposed PUD would not exceed thirty five (35) feet or three (3) stories.

- C. Residential PUD Standards. The Residential PUD Standards will be further evaluated as part of the PUD General Plan in order to meet the minimum frontage, municipal water and sewer availability, roadway and parking standards for PUDs which have a residential component.

- 3.2 Comprehensive Plan Amendment. Comp Plan Amendment reflects the overall policy goals of the Comprehensive Plan noted in Section 2.2 of this Report, and is

consistent with and will promote the public health, safety, and welfare of the City of Wayzata, including:

- A. Contributing to the Vision Statement's call to be charming, walkable, and pedestrian friendly with a development that: (i) includes walking trails and incorporates traditional "lake style" architecture; (ii) contributes to multi-generational community with residences for seniors and individuals needed memory care; and (iii) would promote the sustainability of the wetlands, wooded areas and natural features of the site.
- B. Furthering the Guiding Principles of being "Multi-Generational" and providing a "City Node" with Greater Housing Diversity.
- C. Furthering the Land Use Goals to:
 - Maintain and enhance the character, diversity, and livability of all residential neighborhoods.
 - Create connected neighborhoods that provide access to services, housing and recreation for all ages and mobility types.
 - Maintain all institutional facilities in a manner that efficiently serves all residents of the community, from both a cost and access perspective.
- D. Furthering the Housing Goals to:
 - Support housing development which recognizes the diverse housing needs of the community, including the elderly, and contributes to the development of safe, comfortable, and attractive neighborhoods within the City.
 - Residents recognize and advocate for the establishment of "life-cycle" housing options, so that a diverse mixture of individuals, including young families and older residents, may all have the opportunity to live within Wayzata.

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) PUD Concept Plan, and (ii) Comprehensive Plan Amendment requested in the Application.

Adopted by the Wayzata Planning Commission this 3rd day of January 2022.

Attachments:

Attachment A: Legal Description of Property

DRAFT

Attachment A
Information and Legal Description of Property

DRAFT

Attachment A
Legal Description and Property Information

Address	PID	Legal Description	Abstract/Torrens
1405 Holdridge Terrace Wayzata, MN 55391	0411722320034	Lot 2, Block 1, Fretham 17th Addition	Torrens Certificate No. 1508834
15419 Wayzata Blvd E Wayzata, MN 55391	0411722320036	Outlot A, Fretham 17th Addition	Torrens Certificate No. 1508826
15429 Wayzata Blvd E Wayzata, MN 55391	0411722320035	Lot 3, Block 1, Fretham 17th Addition	Torrens Certificate No. 1508827



City of Wayzata Planning Commission Agenda Report

MEETING DATE: January 3, 2022	AGENDA ITEM: 5.a
TITLE: Review of Development Activities	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY:	
60 DAY DEADLINE: N/A	

BACKGROUND:

Staff will verbally review current development activities within Wayzata.

ACTION REQUESTED:

N/A

ATTACHMENTS:

None



City of Wayzata Planning Commission Agenda Report

MEETING DATE: January 3, 2022	AGENDA ITEM: 5.b
TITLE: Planning Commission Meeting Schedule	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

The next Planning Commission meeting is scheduled for Monday, January 24. The next City Council meeting is on January 4. The 2022 City Meeting Calendar and Planning Commissioner Liaison Schedule are attached.

ACTION REQUESTED:

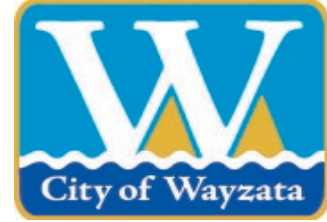
N/A

ATTACHMENTS:

1. 2022 Wayzata City Calendar
2. 2022 Planning Commission Liaison Schedule

City of Wayzata

2022 Meeting Calendar



January 2022						
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 2022						
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27	28					

March 2022						
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April 2022						
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May 2022						
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29	30	31				

June 2022						
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26	27	28	29	30		

July 2022						
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31						

August 2022						
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28	29	30	31			

September 2022						
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25	26	27	28	29	30	

October 2022						
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23	24	25	26	27	28	29
30	31					

November 2022						
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27	28	29	30			

December 2022						
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25	26	27	28	29	30	31

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

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

Holiday Observed
City Offices Closed

Precinct Caucuses - Feb 1, 2022

Primary Election - August 9, 2022

General Election - November 8, 2022

2022 Planning Commission Assignments at Council Meetings

	<u>Meeting Date</u>	<u>Commission Representative</u>
Tuesday	January 4, 2022	Ken Sorensen
Tuesday	January 18, 2022	Peggy Douglas
Tuesday	February 8, 2022	Laura Merriam
Tuesday	February 22, 2022	Jeffrey Parkhill
Tuesday	March 8, 2022	Bonnie Schwalbe
Tuesday	March 22, 2022	Jennifer Severson
Tuesday	April 5, 2022	Larissa Stockton
Tuesday	April 19, 2022	Ken Sorensen
Tuesday	May 3, 2022	Peggy Douglas
Tuesday	May 17, 2022	Laura Merriam
Tuesday	June 7, 2022	Jeffrey Parkhill
Tuesday	June 21, 2022	Bonnie Schwalbe
Tuesday	July 5, 2022	Jennifer Severson
Tuesday	July 19, 2022	Larissa Stockton
Wednesday	August 3, 2022	Ken Sorensen
Tuesday	August 16, 2022	Peggy Douglas
Tuesday	September 6, 2022	Laura Merriam
Tuesday	September 20, 2022	Jeffrey Parkhill
Tuesday	October 4, 2022	Bonnie Schwalbe
Tuesday	October 18, 2022	Jennifer Severson
Tuesday	November 1, 2022	Larissa Stockton
Tuesday	November 15, 2022	Ken Sorensen
Tuesday	December 6, 2022	Peggy Douglas
Tuesday	December 20, 2022	Laura Merriam



City of Wayzata Planning Commission Agenda Report

MEETING DATE: January 3, 2022	AGENDA ITEM: 7.a
TITLE: Zoning Study: Policy Changes in the Residential and Commercial Districts	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

See attached memo.

ACTION REQUESTED:

No Action Requested. Discussion Item Only.

ATTACHMENTS:

1. Memo: Residential and Commercial Zoning Policy Changes
2. Presentation: Residential and Commercial Zoning Policy Changes
3. Wayzata Zoning Map (May 18, 2021)
4. 2040 Future Land Use Map
5. ADU Code Language

Zoning Study: Policy Changes in the Residential and Commercial Districts

Background

Changes to the residential and commercial zoning districts were discussed by the Task Force for over a year. These changes have been reviewed and adapted by staff in accordance with the concerns of the Task Force. A high-level overview of all the proposed changes, including code cleanup items, was given at the Planning Commission's December 6 workshop. This workshop's materials are principally focused on the policy changes that have come out of the Task Force's work. These items are intended to move to a public hearing after this workshop.

Staff is asking the Planning Commission to ask questions and seek clarifications on this material in preparation for a public hearing and subsequent vote. Changes from today's discussion will be integrated into the code language presented at the public hearing. Redlined code is partially present within this memo but will be formally presented in full at the public hearing.

The basis for these specific changes is explained within each section, but this workshop's presentation and the presentation on December 6 both provide additional tables and maps for improved context.

Residential Change: Accessory Dwelling Units

Accessory dwelling units (ADUs) are proposed within Wayzata to allow for a diversity of housing, provide lower cost housing, and increase density in the residential areas to be consistent with the 2040 Comprehensive Plan. ADUs are proposed in the R-1 through R-3 residential districts to meet the goals listed above in the 2040 Comp Plan. The current R-3A and R-3 zoning districts only allow a maximum density of 4.8 units/acre, but the new Comp Plan allows a maximum density of 6 units/acre. An ADU on these sites would allow a density to fit the Comp Plan. Additionally, they fulfill two of the eight guiding principles in the Comp Plan – Multi-Generational and City Nodes with Greater Housing Diversity.

Accessory dwelling units have been known in the past as: carriage houses, mother-in-law apartments, basement apartments, backyard cottages, granny flats, and other terms. The most common existing ADU type in Wayzata is detached guest houses in the R-1 and R-1A zoning districts, but ADUs of different configurations can exist at nearly all single-family densities.

Below is a summary of the Task Force's discussions on ADUs, which spanned multiple meetings.

ADUs have been proposed within Wayzata to allow for a diversity of housing, provide lower cost housing, and increase density in the residential areas to be consistent with the 2040 Comprehensive Plan. ADUs are proposed in the R-1 through R-3 residential districts to meet the goals listed above in the 2040 Comp Plan. The current R-3A and R-3 zoning districts only allow a maximum density of 4.8 units/acre, but the Comprehensive Plan allows a maximum density of 6 units/acre. An ADU on these sites would allow a density that fits the Comprehensive Plan Central Core Residential land use designation. ADUs are proposed in the additional residential districts to meet the goals listed above in the 2040 Comp Plan.

Staff is proposing the code language attached to this packet to allow ADUs in all residential districts, besides the R-4 and R-5 districts. The same code language that is attached would be used for each residential district to provide consistency within the code for ADUs. The only difference is that the R-1 and R-1A code does not propose a maximum of 960 sq. ft. for the ADU, but still keeps the maximum area allowed of 33% of the gross floor area of the principal structure.

The one condition that the Task Force discussed in detail was to only allow the ADU as a housing unit for a family member of the owner of the principal structure. Through staff's research, staff would recommend not adding in a condition of that kind. Putting in a condition to only allow a family member could result in legal issues through administration. Enforcing this condition would also be difficult for staff. Case law supports that a City can require either the principal structure or the ADU be owner-occupied but that it is illegal to prohibit the second unit from being a rental unit. Therefore, staff has added in a condition that states either the principal structure or ADU must be owner occupied. This condition will help to resolve any issues or concerns that arise from an ADU if the owner is on site. Our existing rental licensing will also help to mitigate any issues for a rental structure.

The main concern of the Zoning Task Force was the potential impact of an ADU on the neighborhood and how staff would be able to maintain these structures so they do not negatively impact the neighboring properties. In response, the main way that staff is able to enforce specific requirements is through the rental license application process. The application is attached for reference. The form will need to be modified to add "ADU" to the "Single-Family/Townhome/Condominium" property type category. Additionally, an amendment will need to be made to the rental dwelling licenses code (Chapter 815) to change "guest and caretaker houses" to "accessory dwelling units". Each ADU would need a rental license and that would require annual renewal. A rental license ensures the safety of the renters, but it also is able to enforce other items that revolve more around aesthetic requirements such as; yard maintenance, vehicle parking, wall and roof maintenance, pest-free conditions, etc. If the rental property or structure does not adhere to these requirements then the City can take away or not renew the rental license. As another measure, for each rental license, a background check is required before the issuance of the license and the applicant must also complete a Crime Free/Drug Free training to obtain a certificate.

Along with the rental license, staff can also apply Section 916 of City Code which regulates additional items such as; refuse, exterior storage, noise, waste, drainage, etc.

All of these items would be used to control the continued maintenance and upkeep of an ADU. These items are also in combination with the proposed Code language that will enforce how an ADU could be built on a lot, which requires the design to be similar to the principal house, limits the size of the ADU, requires specific amount of parking, and states the ADU and/or the principal home need to be owner occupied.

Residential Change: R-5 Allowances

The R-5 district is intended to allow the city's highest densities. The land use designations within R-5 call for densities as high as 40 units/acre, but R-5 in its current state only allows 17.4 units per acre (not including allowances, which can bring densities up to 21.8 units/acre). Adjustments are needed in order to bring the R-5 district in line with the Comprehensive Plan. The process by which allowances are granted should allow for appropriate oversight. The R-5 purpose statement will also be amended to better fulfill its intended objectives.

Background

From the Comprehensive Plan: "The High Density Residential category allows for the highest density standalone residential uses at a density of at least 12 units per acre. Densities of up to 40 units per acre may be considered. Residential uses within this category predominately include multi-unit and multi-story buildings."

Most instances of High Density Residential designations fall within the R-5 district. In order to bring R-5 into alignment with this designation, developments subject to R-5 standards (which includes some mixed-use options) should be able to achieve part or all of this range. Regulations for other residential districts are set up to allow a certain amount of density through mechanisms like the lot area per unit. R-5 also does this, but in the past has also included a set of "allowances" to enable developments to become denser in exchange for some sort of benefit to the public. The process is similar to that within a PUD, but this path to flexibility is much narrower and more well-defined than the PUD process. An allowance should be structured in the following way:

1. The incentive for the developer (for example: greater density, a reduction in open space requirements, a reduction in parking requirements)
2. The benefit to the public (for example: affordable housing units, public open space)
3. The nexus/purpose/logic (for example: our comprehensive plan values affordable housing, so if the developer includes affordable housing the City will allow greater density, which allows the developer to make greater profit)

Besides being well-constructed, allowances should be easy to comprehend, linked to outcomes, durable despite changing conditions, and usable within Wayzata's land use context. When evaluating the City's current allowances within R-5, some don't meet these criteria and have an incomplete structure. As a

result, they can be difficult to use and produce uncertain outcomes. The current allowances are also a mix of incentives and disincentives. Here is a strong example of an existing incentive in Wayzata's code:

For each parking space provided under the living area of a building or underground subtract 300 square feet from minimum lot area required per unit.

1. Developer incentive: Receive an increase in density (smaller lot area per unit)
2. City benefit: Decrease a project's surface parking
3. Purpose: The city's design standards and comprehensive plan encourage a greener and more walkable city, and decreasing surface parking meets that goal.

Here is a weak example of a disincentive:

For each unit containing bedrooms in excess of two, add 300 square feet.

1. Developer: A loss in density (larger area per unit)
2. City benefit: Encourage larger 3-bedroom units
3. Purpose: The intent and outcome are unclear without interrogation, and this is an unnecessary level of oversight from the City – the market requires no intervention regarding the size of three-bedroom apartments.

Here is an incentive that should be accounted for by a different portion of the zoning code. Essentially, the incentive attempts to split the zoning district into even more specific parts – trying to create mini-districts on the edges in order to ease the transition from another zoning district. However, the city already has eight residential zoning districts that are mapped with density transitions at the forefront.

If an adjacent site is zoned for commercial use, subtract 300 square feet per unit for that portion of any building within 200 feet of said district.

1. Developer incentive: Receive an increase in density
2. City benefit: Place higher-density housing next to commercial areas
3. Purpose: The city's comprehensive plan encourages a more pedestrian-oriented community, and the need to use a vehicle for daily errands decreases for residents of higher-density housing co-located with commercially zoned areas. It also increases housing diversity within city nodes.

Allowances should advance the City's Comprehensive Plan goals in ways that the rest of the zoning code may not have the flexibility to do without entering into PUD territory. With this in mind, the following draft allowances are proposed for initial consideration:

If the project includes a renewable energy component or meets a sufficient energy certification as defined by the City's Sustainability Policy, subtract 300 square feet.

1. Developer incentive: Receive an increase in density
2. City benefit: Increase usage of renewable energy systems and/or reduce energy usage
3. Purpose: The city's comprehensive plan calls for environmental sustainability to be encouraged in new developments.

If the project includes an affordable housing component as defined by the City's Inclusionary Housing Policy, subtract 300 square feet.

1. Developer incentive: Receive an increase in density
2. City benefit: Increase housing affordability
3. Purpose: The city's comprehensive plan calls for increased affordable housing options and greater housing availability.

For each 1,000 square feet of privately owned, publicly accessible open space, subtract 100 square feet.

1. Developer incentive: Receive an increase in density
2. City benefit: Increase the availability of accessible open space
3. Purpose: The city's comprehensive plan calls for a walkable and pedestrian friendly community and for human scale spaces to be at the forefront of new development.

Including an existing and updatable policy or plan with allowance guidelines allows staff to make sure that the benchmarks for success continue to stay current and achievable without needing to make frequent amendments to the code itself.

Currently, allowances are granted administratively. Staff proposes instead using the Conditional Use Permit process in order to set specific conditions of success for each allowance, as well as allow the City Council and Planning Commission to evaluate the impact of allowance execution on the project's surroundings. For instance, the design of a privately-owned public space could initially fail to adequately connect to existing pedestrian pathways in the city – defeating the purpose of including it. This type of oversight would be remedied within the CUP process.

Allowances are currently structured as a change in the minimum average square feet per unit. While this is likely the best way to fit future changes into the existing code, a strong definition of the calculation methodology should be included in code.

Staff is considering the best levels at which to set “base” and “bonus” density. The R-5 district needs to fall within the 12-40 unit range, but this is a range – the lower portion should be by-right and the upper should be achievable through allowances only. For example, by-right density could range from 12-25 units/acre, and with maximum allowances (and therefore maximum public benefit) a project could achieve 40 units/acre.

Staff is also considering changes to the R-5 purpose statement language, which is currently as follows: “The R-5 District is intended to provide a general multiple residence district of average density in those areas where such development property relates to other land uses and thorough fares, or where said use may act as a transition between land uses.” The existing language is vague and should convey a stronger purpose.

Residential Change: Support Townhomes in R-4 and R-4A

The 2040 Comprehensive Plan identifies the Medium Density Residential land use as the appropriate land use designation for twin homes and townhouses. Below is the description for the Medium Density Residential land use.

“Medium Density Residential represents a range of residential uses and can accommodate a mixture of housing typologies. This includes twin homes, townhomes, and small- to mid-range apartments. Densities within this category range from 6 to 12 units per acre.”

The zoning districts that are most suitable for the development of twin homes and townhomes are the R-4A and the R-4 zoning districts. The R-4A zoning district allows for a maximum density of 4.36 units per acre and the R-4 zoning district allows for a maximum density of 4.84 units per acre. These existing zoning districts would not support the intensity of development described within the Medium Density Residential land use but they also do not support the majority of the existing twin home and townhome development within Wayzata. R-4A is currently located between Hollybrook Road and Gleason Lake, while R-4 does not currently apply to any parcels in Wayzata but could be rezoned to.

Residential Zoning District Summary	R-4A	R-4
Lot Requirements		
Lot Area	12,000 to 30,000	9,000 to 27,000
Lot Area per Unit	10,000 to 12,000	9,000

Maximum Density	4.36	4.84
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Based on the discussion at the January 11, 2021 Task Force meeting, the following revisions to the R-4A and R-4 have been proposed which would increase the R-4A zoning district density to 6.22 units per acre and the R-4 zoning district to a density of 11.62 units per acre. The R-4 zoning district would implement nearly the full Medium Density Residential density of 12 units per acre.

Residential Zoning District Summary (Redlined)	R-4A	R-4
Lot Requirements		
Lot Area	12,000 to 30,000 <u>18,000 to 21,000</u>	9,000 to 27,000 <u>14,000 to 30,000</u>
Lot Area per Unit	10,000 to 12,000 <u>7,000 to 9,000</u>	9,000 <u>3,750 to 7,000</u>
Maximum Density	4.36 <u>6.22</u>	4.84 <u>11.62</u>
Principal Building		
Front Yard Setback	30 to 35 <u>30</u>	20 to 35 <u>20</u>
Side Yard Setback	10 to 20 <u>10</u>	10
Rear Yard Setback	20 to 40 <u>20</u>	20 <u>10</u>
Height	2.5 stories 35 Feet <u>30 Feet</u>	2.5 stories <u>3 stories</u> 35 Feet
Lot Coverage	35% <u>30%</u>	35%
Impervious Surface	35%	35% <u>45%</u>
Accessory Buildings		
Front Yard Setback	40	40 <u>20</u>
Side Yard Setback	10	40 <u>5</u>
Rear Yard Setback	10	40 <u>5</u>

Commercial Change: Upper-Story Housing in C-2 and C-3

There are eight commercial zoning districts in Wayzata, which is a relatively large number of districts for the geographic area they cover. This is beneficial for Wayzata since there is a relatively strong sensitivity in the community to development intensity. The development intensity increases so that C-1 is the least intense and C-4 is the most intense. C-1 districts are located primarily in the Central Core neighborhood surrounded by residential and commercial uses. C-4 is located in the downtown area. Wayzata Boulevard is an important corridor that stretches across the entire length of the city. The development intensity varies throughout the corridor, but is most intense east of Superior Boulevard. Parcels here are zoned C-

3. In the 2040 Comprehensive Plan, mixed-use nodes were identified as a way to strengthen the sense of community, increase walkability, and provide enhanced connections between residential neighborhoods and commercial areas.

The C-2 and C-3 zoning districts are the most appropriate zoning districts for the Mixed-Use Commercial/Residential area near Wayzata Boulevard. The majority of the existing C-3 zoned land is within the Mixed-Use Commercial/Residential land use designation with only the Boatworks (which is actually C-3/PUD) located outside of that designation. There are only two areas within the City that are zoned C-2: Colonial Square at the northwest corner of Central Ave and Wayzata Blvd and The Shoppes located on the south side of Lake St east of Superior Blvd.

Currently, residential is not allowed in the C-2 and C-3 zoning districts while upper story dwelling units are allowed within the C-4 districts (subject to the density restrictions of the R-5 zoning district – see more details about the C-4 districts below). Staff recommends that the same upper story dwelling units, subject to the density restrictions of the R-5 zoning district, become a permitted use within both the C-2 and C-3 zoning districts.

C-2	C-3	C-4A	C-4	C-4B
PERMITTED AND CONDITIONAL RESIDENTIAL USES				
<u>N/A GGG.</u> <u>Upper story</u> <u>dwelling units</u> <u>subject to the</u> <u>density</u> <u>standards of the</u> <u>R-5 District.</u>	<u>N/A NNN.</u> <u>Upper story</u> <u>dwelling units</u> <u>subject to the</u> <u>density</u> <u>standards of the</u> <u>R-5 District.</u>	DDD. Upper story dwelling units subject to the density standards of the R-5 District.	DDD. Upper story dwelling units subject to the density standards of the R-5 District.	5. Upper story dwelling units subject to the density standards of the R-5 District.

To support the shopping center purpose of the C-2 zoning district, 2040 Comprehensive Plan objectives, and Design Guideline survey results, staff recommends lowering the height standard for C-2 to a two-story building while increasing the height standard for the C-3 zoning district to three-stories. Additionally, to implement the 2040 Comprehensive Plan objectives to protect water and natural resources, the lot coverage limitation for the C-2 is established at 50% and the impervious surface is limited to 75% for both zoning districts. The 75% impervious surface requirement will make all C-2 zoned properties non-conforming and most C-3 zoned properties non-conforming. Staff will continue evaluate the appropriate method to implement a limitation on total impervious surface on a property without creating numerous non-conforming properties.

Finally, the revised C-3 zoning district allows a three-story building with 50% lot coverage, the floor area ratio (FAR) is increased to 1.5, and the lot area per unit for both zoning districts is limited to 1,500 square feet per dwelling unit to limit the residential density to no more than 30 units/acre.

Zoning District Summary	C-2	C-3
Lot Requirements		
Lot Area	20,000	15,000
Lot Area per Unit	<u>N/A 1,500</u>	<u>N/A 1,500</u>
Lot Width	N/A	N/A
Lot Depth	N/A	N/A
Principal Building		
Front Yard Setback	0	10
Side Yard Setback	20	10
Rear Yard Setback	20	10
Height	35 30 ft. (mid) 3 2 stories	30 35 ft. (mid) 2 3 stories

Third Story Setback	N/A	N/A
Intensity		
Lot Coverage	N/A <u>50%</u>	50%
Impervious Surface	N/A <u>75%</u>	N/A <u>75%</u>
Floor to Area Ratio (FAR)	1.0	1.0 <u>1.5</u>

Commercial Change: C-4, C-4A, C-4B

Upper story dwelling units are allowed in all three C-4 zoning districts with a density allowed within the R-5 zoning districts. Any revisions to the R-5 zoning district would also become revisions to the C-4 zoning districts and subsequently the C-2 and C-3 zoning districts with the proposed upper story residential allowance.

The C-4 zoning district is generally located on Lake St between Barry Ave and Walker Ave, while the C-4A zoning district is generally located along Lake St west of Barry Ave and the C-4B zoning district is generally located along Lake St between Walker Ave and Superior Blvd. Upper story dwelling units are allowed in all three zoning districts while the C-4 zoning district would allow a three-story building and the C-4A and C-4B zoning districts only allows for only a two-story building. The majority of the three-story buildings currently located along Lake Street west of Barry Avenue are zoned planned unit development (PUD).

There is no lot coverage or impervious surface limitations within any of the C-4 districts but the entire portion of Lake St east of Ferndale Rd is located within the Shoreland Overlay district. The Shoreland district allows for an impervious surface of 25% by right, an impervious surface of up to 75% with a stormwater management plan approved by the City Engineer, and an impervious surface of greater than 75% with a conditional use permit (CUP).

Staff is recommending one change to the C-4A zoning district performance standards, two changes to the C-4 district standards, and two changes to the C-4B district standards. The common change to all three zoning districts is adding a lot area per unit limitation of 1,500 square feet per dwelling unit to limit the residential density to no more than 30 units/acre. The common change between the C-4 and C-4B zoning districts is to address the existing non-conforming lots within the two zoning districts. Many of the C-4 zoned properties along Barry Ave and Manitoba Ave are below 12,000 square feet while many of the C-4B zoned properties along Lake St are also below 12,000 square feet. Staff recommends a new minimum lot size of 8,000 square feet for the C-4 zoning district and 6,000 square feet for the C-4B zoning district.

Zoning District Summary	C-4A	C-4	C-4B
Lot Requirements			
Lot Area	12,000	12,000 <u>8,000</u>	12,000 <u>6,000</u>
Lot Area per Unit	Same as R-5 <u>1,500</u>	Same as R-5 <u>1,500</u>	Same as R-5 <u>1,500</u>
Lot Width	N/A	N/A	N/A
Lot Depth	N/A	N/A	N/A
Principal Building			
Front Yard Setback	0	0	0
Side Yard Setback	0	0	0
Rear Yard Setback	0	0	0
Height	30 ft. (mid) 2 stories	35 ft. (mid) 3 stories	30 ft. (mid) 2 stories
Intensity			

Third Story Setback	N/A	10	N/A
Lot Coverage	N/A	N/A	N/A
Impervious Surface	N/A	N/A	N/A
Floor to Area Ratio (FAR)	2.0	2.0	2.0
Shoreland Ordinance			
Base Impervious Surface	25%	25%	25%
Impervious Surface with City Engineer Approval	75%	75%	75%
Impervious Surface with CUP	100%	100%	100%

Conclusion

Changes to the residential and commercial zoning districts were discussed by the Task Force for over a year. These changes have been reviewed and adapted by staff in accordance with the concerns of the Task Force. A high-level overview of all the proposed changes, including code cleanup items, was given at the Planning Commission's December 6 workshop. This workshop's materials are principally focused on the policy changes that have come out of the Task Force's work. These items are intended to move to a public hearing after this workshop.

Staff is asking the Planning Commission to ask questions and seek clarifications on this material in preparation for a public hearing and subsequent vote.

Policy Changes Residential and Commercial Zoning Districts



Agenda

Process/Review

Residential Updates

- Accessory Dwelling Units, Supporting Townhomes/Twin Homes in R-4 and R-4A, R-5 Density Allowances

Commercial Updates

- Upper-Story Housing in C-2 and C-3, Revisions to C-4, C-4A, C-4B

Discussion



Zoning Code Update Process + Schedule

Zoning Task Force → Planning Commission → City Council

- The Task Force began reviewing this work in October 2020.
- Task Force recommended on November 22 that the work be forwarded on to the Planning Commission for review.

Tentative Review Schedule

- ~~• December 6, 2021: Planning Commission Workshop #1~~
- January 3, 2022: Planning Commission Workshop #2
- January 24, 2022: Planning Commission Workshop #3 (if requested by Commission)
- February 7, 2022: Public Hearing
- February 22, 2022: City Council Review (tentative)



Summary of December 6 Workshop Discussion

- Overview of Zoning Study Task Force work on residential and commercial districts
- Zoning vs. land use designation
- Commercial density vs. residential density
- History of the Comprehensive Plan
- Minimum and maximum densities in all zoning districts



Basis for Changes

The updates are intended to **align the code** with the most recent Comprehensive Plan and to promote **ease of use**.

Residential updates especially must **balance** guiding principles and density goals.

Integrating the guiding principles into the residential and commercial districts helps provide the basis by which development **fulfills the vision and goals** set forth by the Comprehensive Plan.



Charming



Walkable and
Pedestrian Friendly



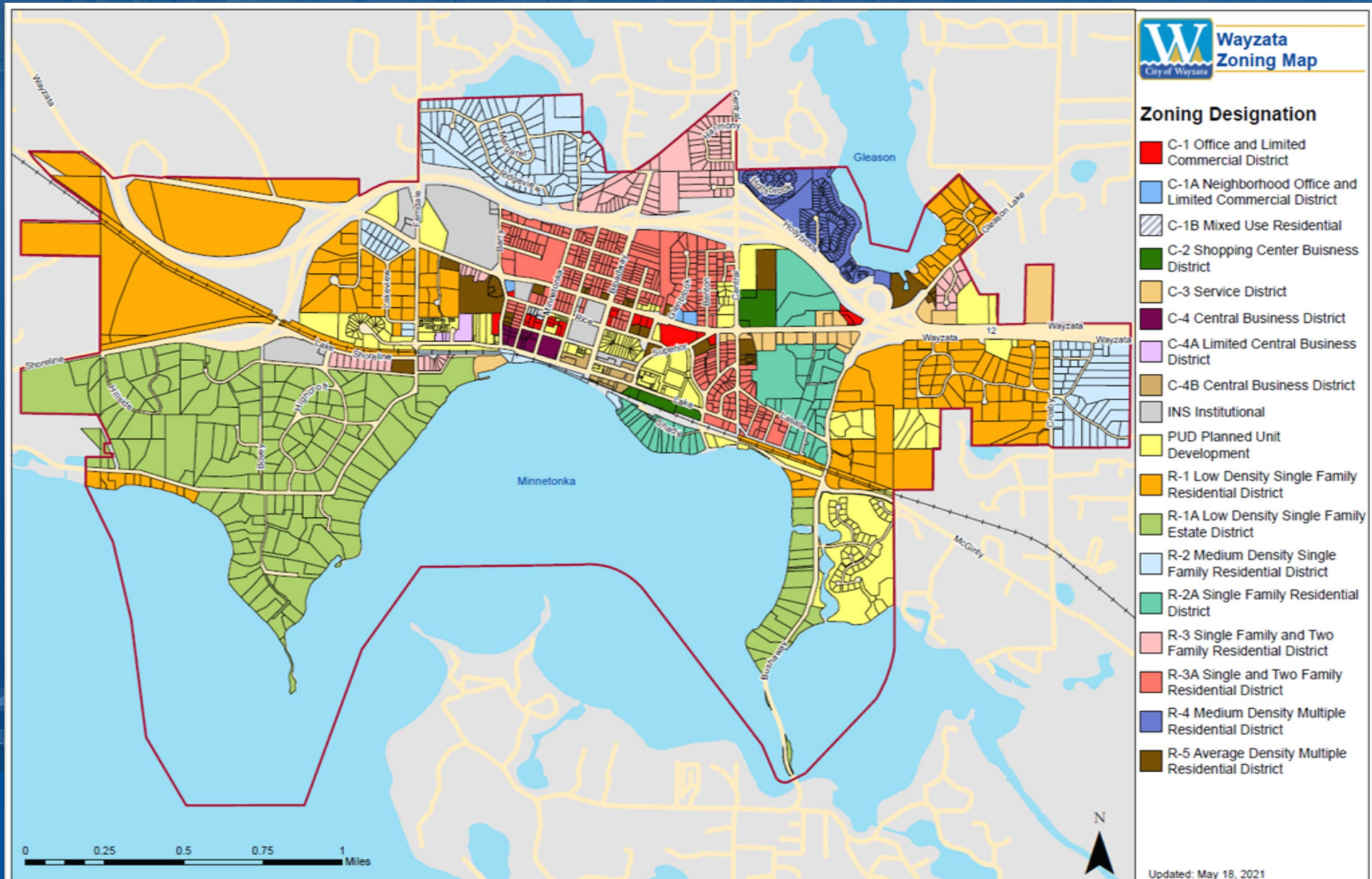
Environmental
Sustainability



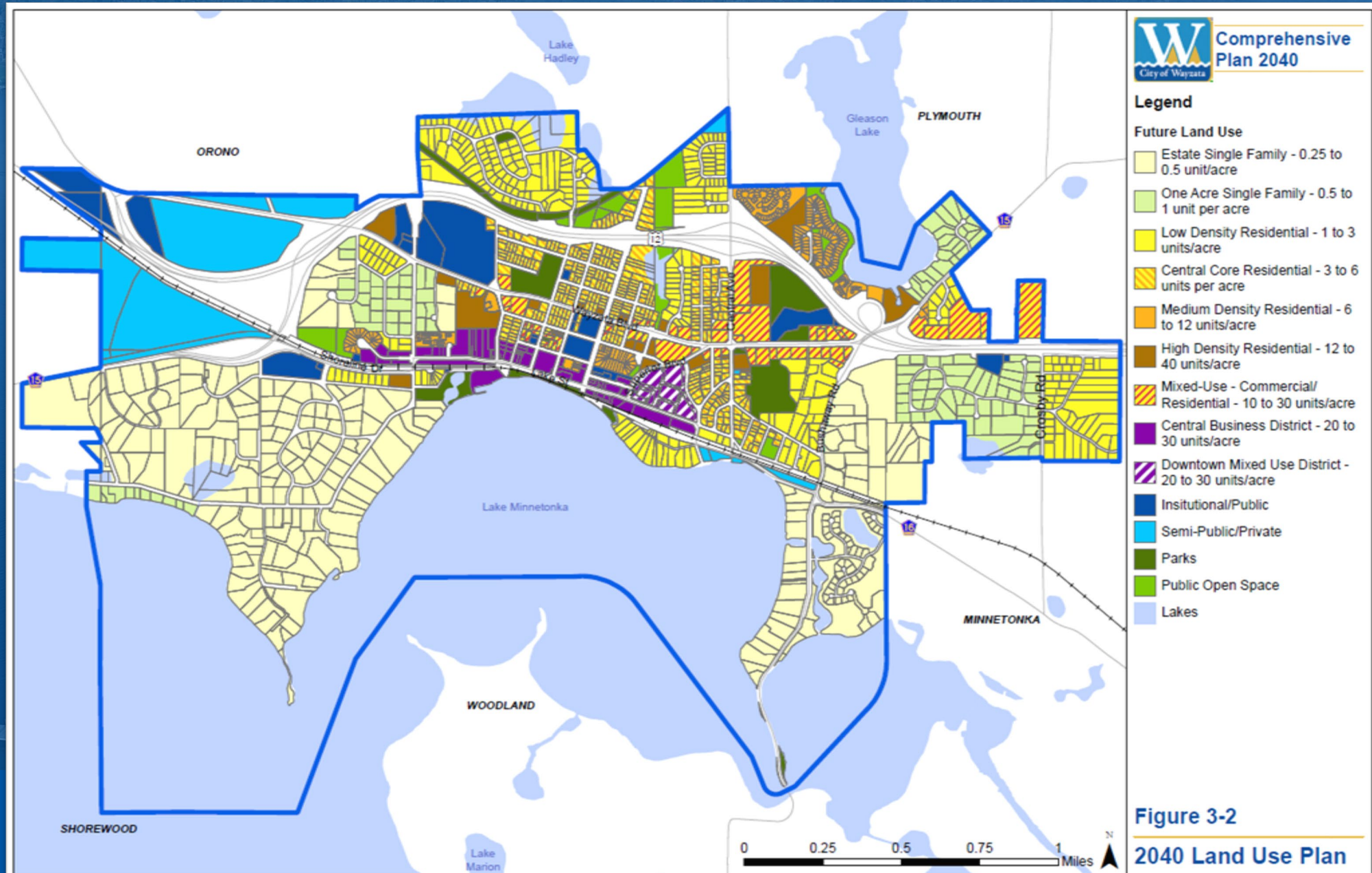
City Nodes with
Greater Housing
Diversity



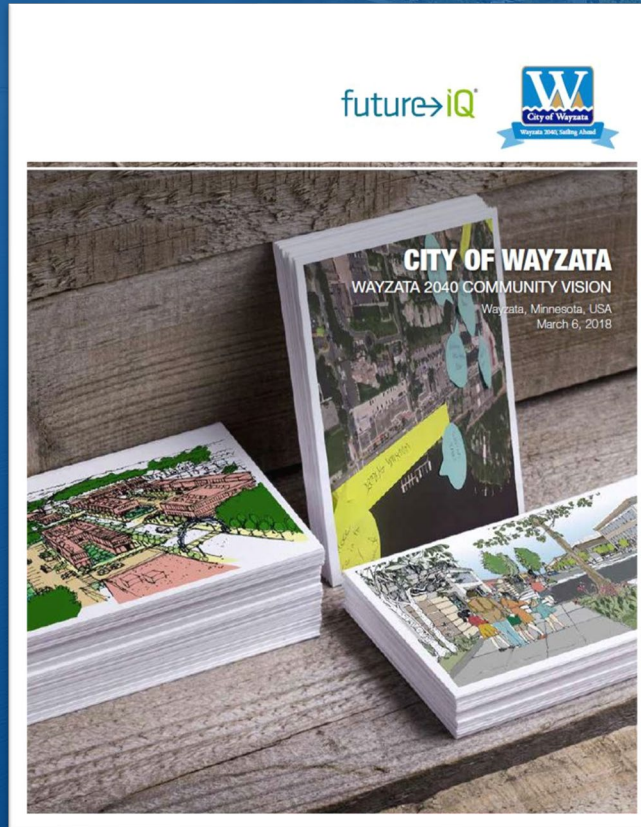
Current Zoning Map



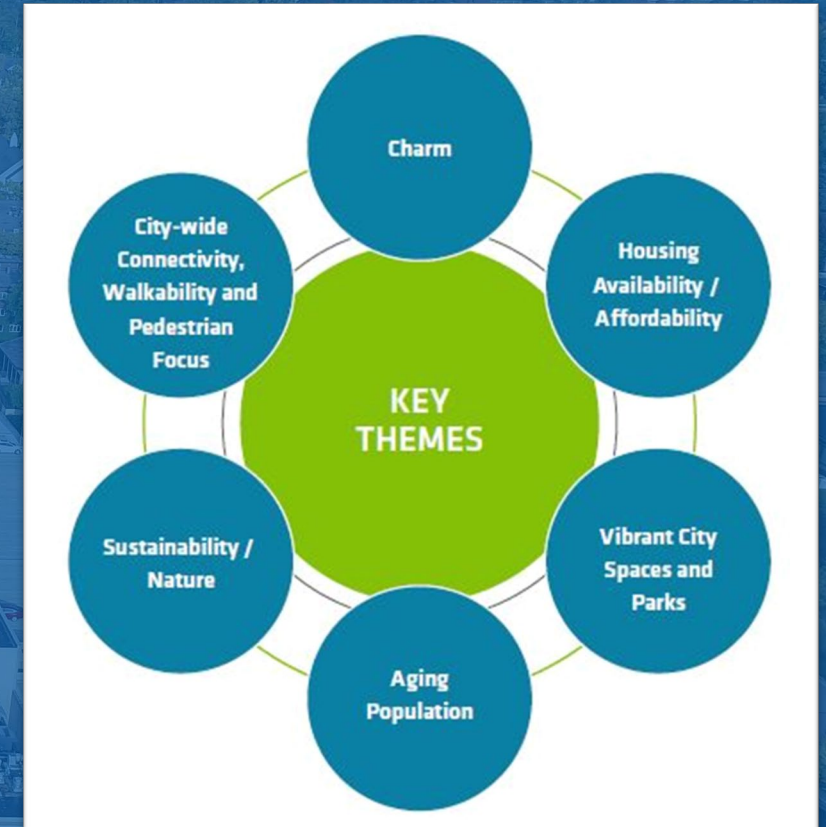
Future Land Use Map



2040 Community Vision



When asked what Wayzata's population mix should look like in 2040, over 80% of Vision Survey respondents believe that it should be geared towards a diverse, mixed-age community attractive to families and younger professionals.



2040 Community Vision – Multi-Generational

VISION IN ACTION

- Foster Intergenerational programs throughout the community: Senior tutors at Wayzata Library, community garden classes.
- Encourage establishment of start up companies in Wayzata.
- Support developments that create multi-generational friendly housing.
- Increase walkability and bikeability in an effort to attract Millennials and Baby Boomers.
- Establish park activities that cater to different generational cohorts.
- Invest in state of the art playgrounds and activities that specifically cater to young families.



2040 Community Vision – Greater Housing Diversity

VISION IN ACTION

- Encourage mixed developments throughout Wayzata Boulevard.
- Revitalize the streets around Wayzata Boulevard in order to accomodate a more walkability-seeking resident cohort.
- Encourage the development of more affordable town-homes as a means of attracting younger families to Wayzata.
- Update Wayzata's affordable housing plan.
- Attract start up companies to Wayzata.



2040 Comprehensive Plan



City of Wayzata 2040 Comprehensive Plan
May 2020



This work implements:
2040 Housing Goals
2040 Land Use Goals



Residential Updates

Zoning districts should **align** with their predominant land use designation in the Comprehensive Plan.

Density in the R-3, R-3A, R-4, R-4A, and R-5 districts is currently lower than the Comprehensive Plan requires. Solutions include:

- R-1 through R-3: Accessory Dwelling Units (ADUs)
- R-4 and R-4A: Revisions to support townhomes and small apartment building uses
- R-5: Density allowances

Residential Zoning District	Single Family Max. Net Density	Multiple Family Residential Maximum Density	Land Use Designation allowing Residential	Density Range	Relationship to Zoning Districts
R-1A	0.545	N/A	Estate Single Family	0.25 to 0.5 units per acre	The R-1A zoning district aligns with the density and allowed uses of this category. (Max Density of 0.545 du/ac)
R-1	1.089	N/A	One Acre Single Family	0.5 to 1.0 units per acre	The R-1 zoning district aligns with the density and allowed uses of this category. (Max Density of 1.089 du/ac)
R-2	2.904	N/A	Low Density Residential	1 to 3 units per acre	The R-2A and R-2 zoning districts align with the densities and allowed uses of this category. (Max. Density of 2.904 du/ac)
R-2A	1.742	N/A			
R-3	4.840	N/A	Central Core Residential	3 - 6 units per acre	The R-3 and R-3A zoning districts have a maximum density that is about the midpoint of the Central Core Residential density range. (Max. Density of 4.840 du/ac)
R-3A	4.840	N/A			
R-4	4.840	N/A	Medium Density Residential	6 - 12 units per acre	The R-4 zoning district has a maximum density that is below the Medium Density Residential density range. (Max. Density of 4.840 du/ac)
R-4A	3.630	N/A			
R-5	4.840	21.780	High Density Residential	12 - 40 units per acre	The R-5 zoning district has a maximum density for multiple family residential that is about a one-third of the High Density Residential density range. (Max. Density of 21.780 du/ac for MFR and 43.560 for MFR-Elderly)



Residential Updates

Accessory Dwelling Units

- ADUs are a **secondary**, or accessory, unit on a lot with an existing home
- ADUs can be internal conversions, additions, or detached structures
- Separate living facilities accessed **independently** from the main home
 - Kitchen, bathroom, living space
- ADUs have existed on large lots as carriage houses or guest cottages for most of Wayzata's history





"Old Wayzata Plat" Boundaries Garage Type

Source: City of Wayzata

Created on:
3/13/2008



Residential Updates

Accessory Dwelling Units – Code Language

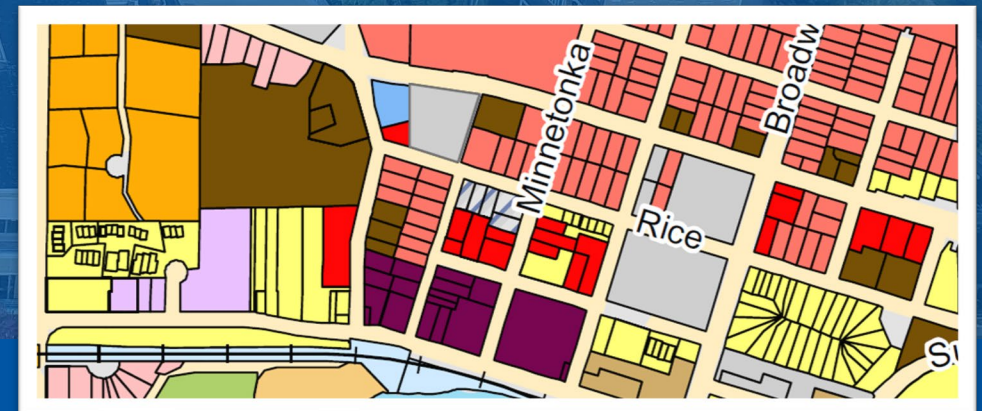
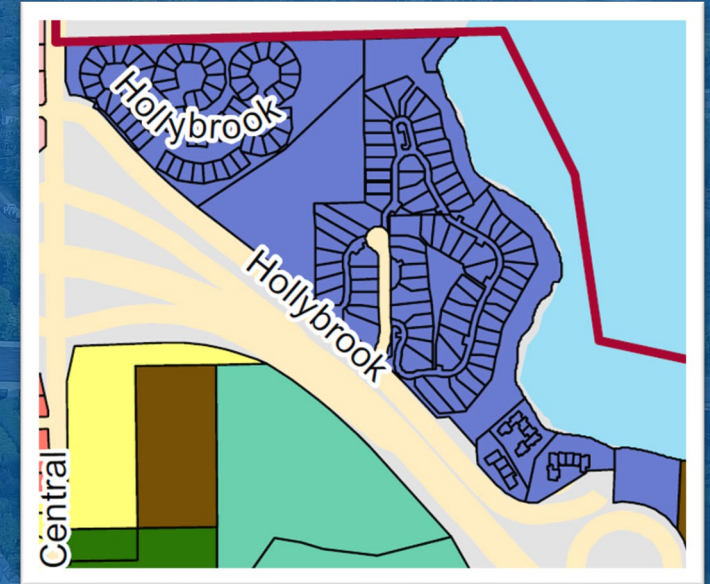
1. An ADU's total floor area shall be no more than **33%** of the primary residence's gross habitable space and no more than **960** square feet. The minimum ADU size is 300 square feet.
2. An ADU shall be designed and maintained as to be **consistent** with the architectural design, style, appearance and character of the primary residence. If an ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing facade, roof pitch, siding and windows.
3. **One off-street parking space** shall be required for the ADU, in addition to the two off-street parking spaces required for the primary residence.
4. The principal structure or ADU must be **owner-occupied**.
5. No more than one ADU shall be permitted on a lot or parcel.



Residential Updates

Support Townhomes in R-4 and R-4A

- Medium Density Residential land use designation
- Increase density to meet land use designation by better supporting townhome and twin home development
- Many existing townhomes on smaller lots achieved by PUD, despite becoming a prominent housing type in Wayzata



Residential Updates

R-5 Allowances – Proposed

Allowances should advance the City's Comprehensive Plan goals in ways that the rest of the zoning code may not have the flexibility to do without entering into PUD territory.

Allowances

- If the project includes a **renewable energy** component or meets a sufficient energy certification as defined by the City's Sustainability Policy, subtract 300 square feet.
- If the project includes an **affordable housing** component as defined by the City's Inclusionary Housing Policy, subtract 300 square feet.
- For each 1,000 square feet of privately owned, publicly accessible **open space**, subtract 100 square feet.
- (Existing) For each **parking space** provided under the living area of a building or **underground** subtract 300 square feet from minimum lot area required per unit.



Residential Updates

R-5 Allowances – Additional Considerations

- Including an **existing and updatable policy or plan** with allowance guidelines allows staff to make sure that the benchmarks for success continue to stay current and achievable without needing to make frequent amendments to the code itself.
- Currently, allowances are granted administratively. Staff proposes instead using the **Conditional Use Permit** process in order to set specific conditions of success for each allowance, as well as allow the CC and PC to evaluate the impact of allowance execution.
- Staff is also considering changes to the R-5 purpose statement language.



Commercial Updates

Upper Story Housing in C-2 and C-3

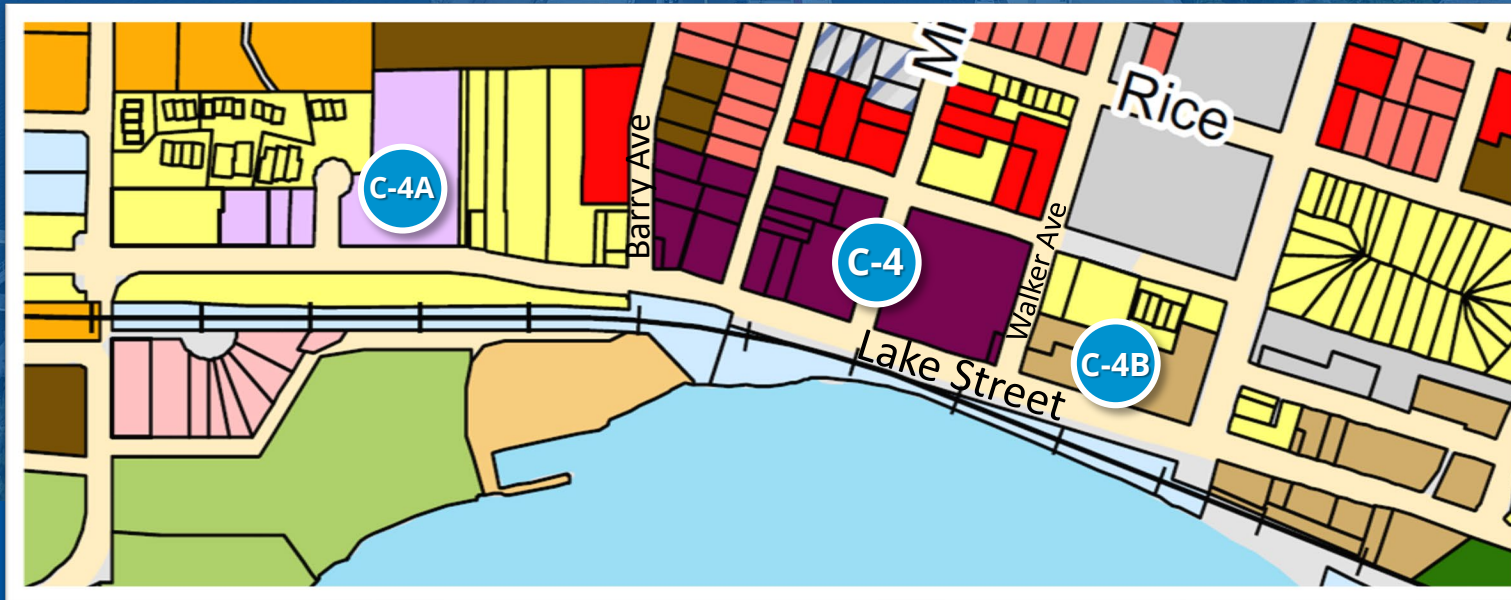
- Mixed-Use Commercial/Residential land use, Wayzata Blvd corridor
- Preliminary accounting for redevelopment – more detailed planning as part of Corridor Study in 2022
- No more than 30 units/acre – 2 stories in C-2 (decrease) and 3 stories in C-3 (increase)



Commercial Updates

Revisions to C-4, C-4A, C-4B

- Located along Lake St in distinct segments
- Upper story dwelling units subject to R-5 densities (currently)
- Limit density to no more than 30 units/acre
- Address existing non-conforming lots by decreasing minimum lot size

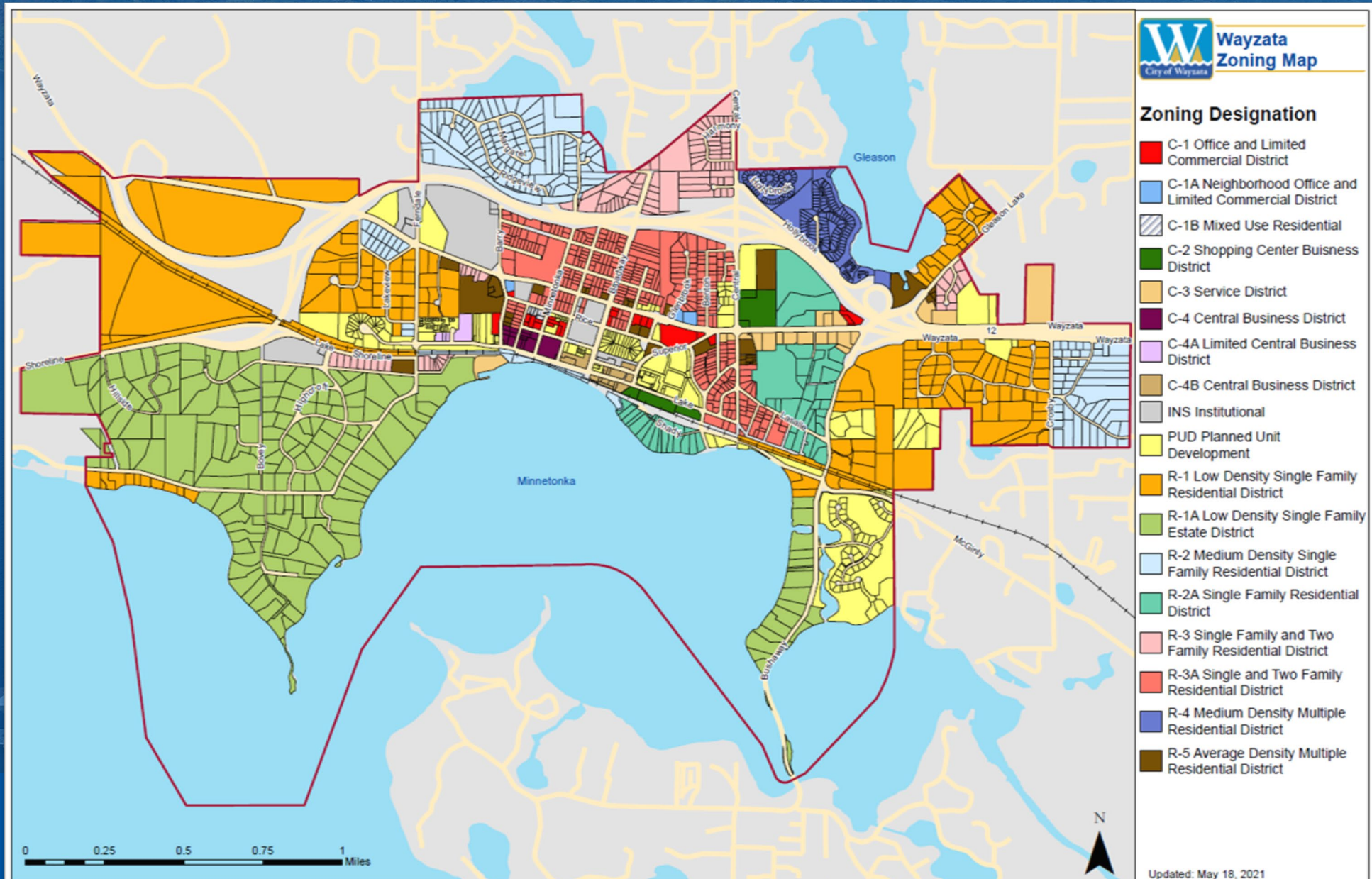


Questions for Discussion

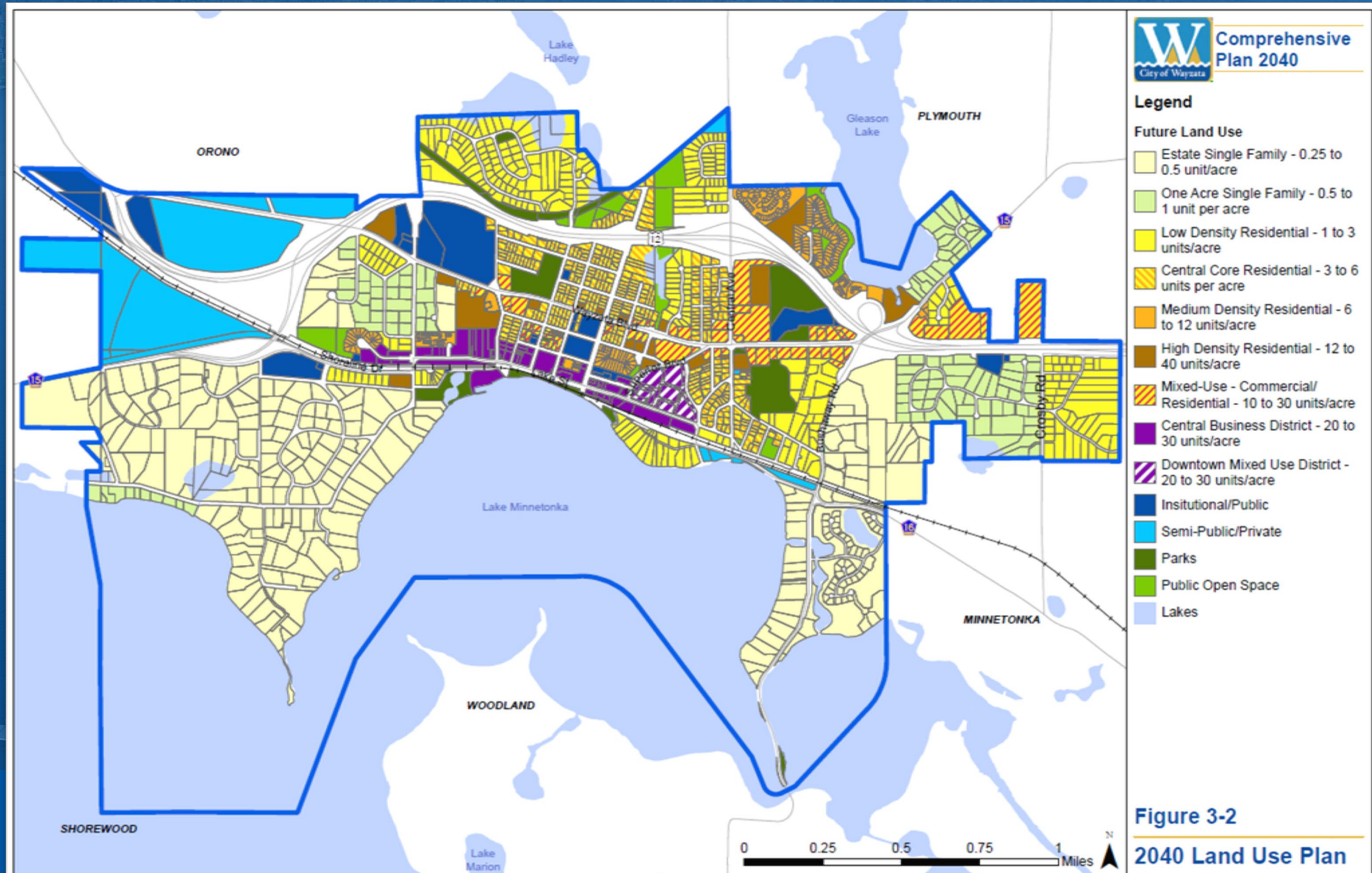
- ❓ Which updates do you feel merit more discussion?
- ❓ What questions need to be addressed in order to write the best code language possible?
- ❓ What information do you feel would best accompany these changes at the public hearing?
- ❓ Does the Commission request another workshop prior to conducting the public hearing for these Code amendments?



Current Zoning Map

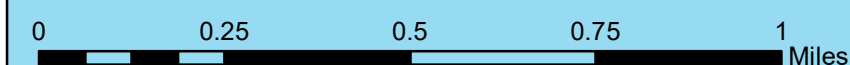
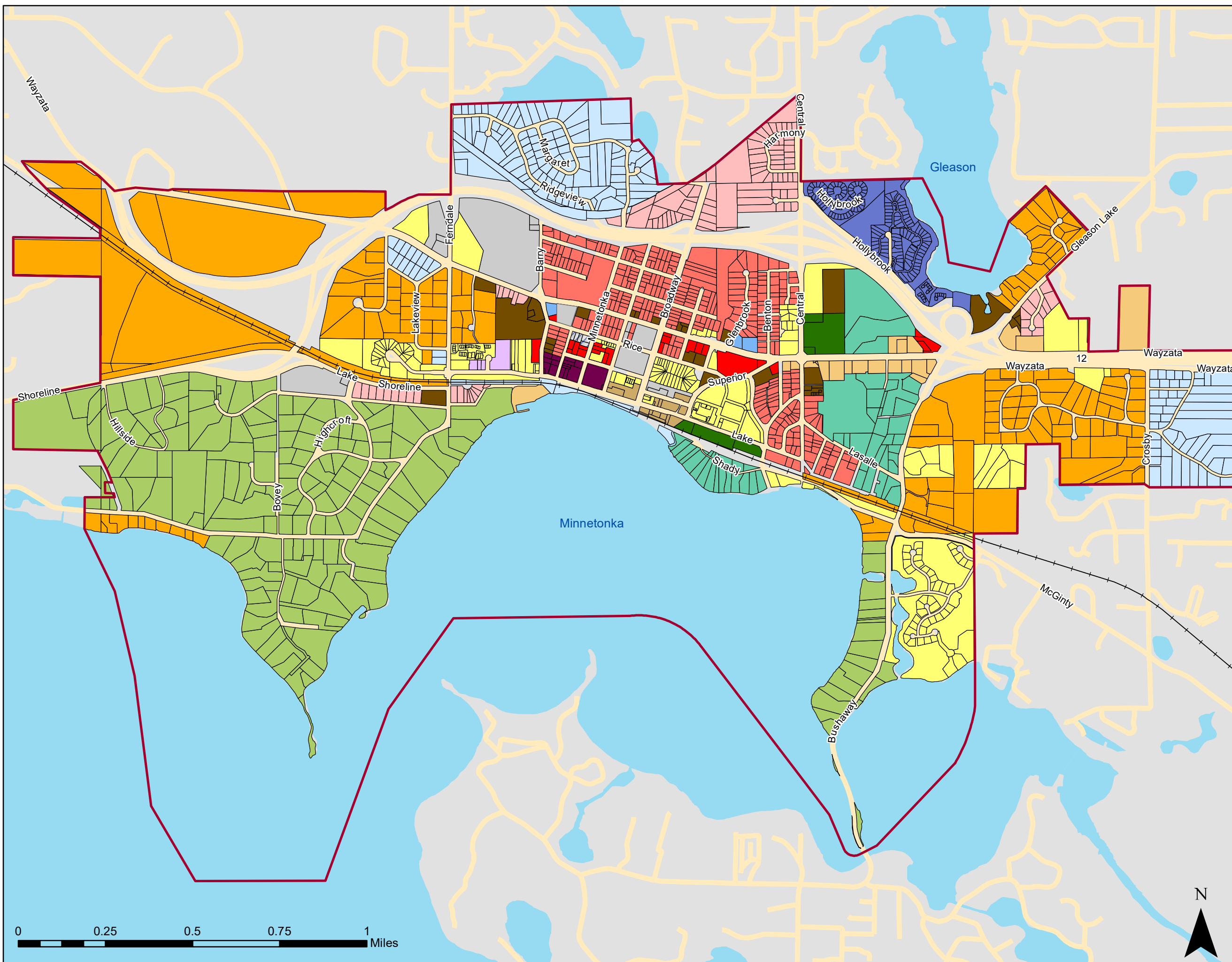


Future Land Use Map



Zoning Designation

- C-1 Office and Limited Commercial District
- C-1A Neighborhood Office and Limited Commercial District
- C-1B Mixed Use Residential
- C-2 Shopping Center Business District
- C-3 Service District
- C-4 Central Business District
- C-4A Limited Central Business District
- C-4B Central Business District
- INS Institutional
- PUD Planned Unit Development
- R-1 Low Density Single Family Residential District
- R-1A Low Density Single Family Estate District
- R-2 Medium Density Single Family Residential District
- R-2A Single Family Residential District
- R-3 Single Family and Two Family Residential District
- R-3A Single and Two Family Residential District
- R-4 Medium Density Multiple Residential District
- R-5 Average Density Multiple Residential District





Comprehensive Plan 2040

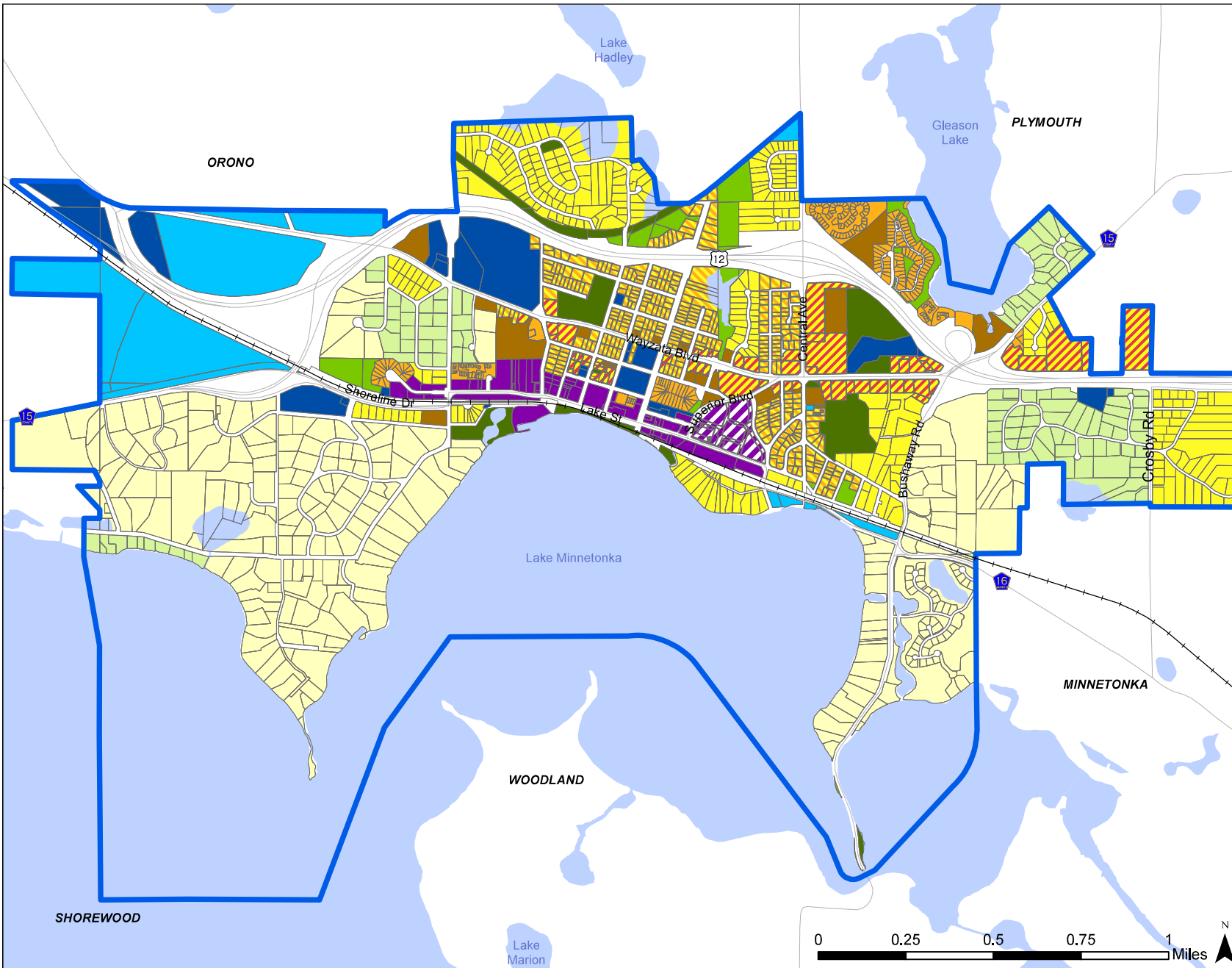
Legend

Future Land Use

- Estate Single Family - 0.25 to 0.5 unit/acre
- One Acre Single Family - 0.5 to 1 unit per acre
- Low Density Residential - 1 to 3 units/acre
- Central Core Residential - 3 to 6 units per acre
- Medium Density Residential - 6 to 12 units/acre
- High Density Residential - 12 to 40 units/acre
- Mixed-Use - Commercial/Residential - 10 to 30 units/acre
- Central Business District - 20 to 30 units/acre
- Downtown Mixed Use District - 20 to 30 units/acre
- Institutional/Public
- Semi-Public/Private
- Parks
- Public Open Space
- Lakes

Figure 3-2

2040 Land Use Plan



Proposed Changes to Wayzata Code of Ordinances *Regarding Accessory Dwelling Units (ADUs)*

Summary of Code Sections to be Updated:

- Section 902.02 – Definitions
- Chapter 955 – R-3A District (the same language would also be applied to Chapter 956 - R-3 District, but it is not listed here to shorten the document)
- Chapter 954 – R-2 District (the same language would also be applied to Chapter 953 - R-2A District, but it is not listed here to shorten the document)
- Chapter 951 – R-1A District (the same language would also be applied to Chapter 952 - R-1 District, but it is not listed here to shorten the document)

Note: The following Code sections are provided in an underlined/overstruck format. The underlined language is new proposed language that could be added to the City Code. The ~~overstruck~~ language is current language that could be removed from the City Code.

902.02 - DEFINITIONS.

Accessory Dwelling Unit (ADU) An Accessory Dwelling Unit (ADU) refers to a habitable living unit added to, created within, or detached from a primary one-unit Single Family dwelling, which together constitute a single interest in real estate. It is a separate additional living unit, including kitchen, sleeping, and bathroom facilities

CHAPTER 955 - R-3A SINGLE AND TWO FAMILY RESIDENTIAL DISTRICT

955.01 - Purpose.

The purpose of the R-3A Single and Two Family Residential District is to provide for high density single family dwelling units in the community's oldest neighborhoods and to introduce on a restricted basis, two family dwelling units, accessory dwelling units, and directly related, complementary uses.

955.04 - Accessory Uses.

Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the "R-3A" District:

F. Accessory Dwelling Unit (ADU), defined as a subordinate habitable dwelling unit that provides the basic requirements of shelter, heating, cooking and sanitation, provided that:

1. An ADU's total floor area shall be no more than 33% of the primary residence's gross habitual space and no more than 960 square feet. The minimum ADU size is 300 square feet.

2. An ADU shall be designed and maintained as to be consistent with the architectural design, style, appearance and character of the primary residence. If an ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing facade, roof pitch, siding and windows.

3. One off-street parking spaces shall be required for the ADU, in addition to the two off-street parking spaces required for the primary residence.

4. The principal structure or ADU must be owner-occupied.

5. No more than one ADU shall be permitted on a lot or parcel.

G. Accessory uses customarily incidental to the uses permitted in Sections 955.02 and 955.05 of this Ordinance.

955.06 - Lot Area and Setback Requirements.

The following minimum requirements shall be observed in an "R-3A" District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

2. Accessory Structure(s):
 - a) Front Yard: 20 feet.
 - b) Side Yard: Five feet.
 - c) Rear Yard: Five feet.

955.07 - Lot Coverage and Height.

The following lot coverage and height requirements shall be observed in an "R-3A" District:

- A. Lot coverage shall not exceed 30 percent of lot area. Impervious surfaces on a lot shall not exceed 35 percent of the lot area.

- B. All residences shall be limited to a maximum height of two stories and 32 feet in vertical distance above the Grade Plane, as measured to the peak of the roof, whichever is lesser.
- C. All residential accessory buildings shall be limited to a maximum height of 20 feet.
- D. All Accessory Dwelling Units shall be limited to two stories, or 25 feet, whichever is lesser.

CHAPTER 954 - R-2 MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT

954.01 - Purpose.

The purpose of the R-2 Medium Density Single Family Residential District is to provide for medium density single family detached dwelling units, accessory dwelling units, and directly related, complementary uses.

954.04 - Accessory Uses.

Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the "R-2" District:

- F. Accessory Dwelling Unit (ADU), defined as a subordinate habitable dwelling unit that provides the basic requirements of shelter, heating, cooking and sanitation, provided that:

1. An ADU 's total floor area shall be no more than 33% of the primary residence's gross habitual space and no more than 960 square feet. The minimum ADU size is 300 square feet.
2. An ADU shall be designed and maintained as to be consistent with the architectural design, style, appearance and character of the primary residence. If an ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing facade, roof pitch, siding and windows.
3. One off-street parking spaces shall be required for the ADU, in addition to the two off- street parking spaces required for the primary residence.
4. The principal structure or ADU must be owner-occupied.
5. No more than one ADU shall be permitted on a lot or parcel.

954.05 - Conditional Uses.

Subject to applicable provisions of this Ordinance, the following are conditional uses in an "R-2" District: (Requires a conditional use permit based upon procedures set forth in and regulated by Chapter 904 of this Ordinance.)

~~F. Living quarters of persons employed on the premises, provided that:~~

- ~~1. Occupancy is limited to the principal structure.~~
- ~~2. Such accommodations are provided for no more than one family.~~
- ~~3. Two extra off-street parking spaces are provided on the lot.~~
- ~~4. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

954.06 - Lot Area and Setback Requirements.

The following minimum requirements shall be observed in an "R-2" District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

B. Setbacks:

2. Accessory Structure(s):
 - a) Front Yard: 30 feet.
 - b) Side Yard: Five feet.
 - c) Rear Yard: Five feet.

954.07 - Lot Coverage and Height.

The following requirements shall be observed in an "R-2" District:

- A. Lot coverage shall not exceed 20 percent of lot area. Impervious surfaces on a lot shall not exceed 30 percent of the lot area.
- B. All single family residences shall be limited to a maximum height of 2½ stories and 30 feet, whichever is lesser.
- C. All accessory buildings shall be limited to a maximum height of 20 feet.

D. All Accessory Dwelling Units shall be limited to two stories, or 25 feet, whichever is lesser.

CHAPTER 951 - R-1A LOW DENSITY SINGLE FAMILY ESTATE DISTRICT

951.01 - Purpose.

The R-1A District is intended to provide a low density residential district for existing large and estate-type properties. These properties are unique in that they are unusually large in size and frequently include accessory structures, such as ~~guest houses and employees' quarters~~ accessory dwelling units. This district also allows recreational uses.

951.04 - Accessory Uses.

Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the "R-1A" District:

H. Accessory Dwelling Unit (ADU), defined as a subordinate habitable dwelling unit that provides the basic requirements of shelter, heating, cooking and sanitation, provided that:

1. An ADU 's total floor area shall be no more than 33% of the primary residence's gross habitual space. The minimum ADU size is 300 square feet.
2. An ADU shall be designed and maintained as to be consistent with the architectural design, style, appearance and character of the primary residence. If an ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing facade, roof pitch, siding and windows.
3. One off-street parking spaces shall be required for the ADU, in addition to the two off- street parking spaces required for the primary residence.
4. The principal structure or ADU must be owner-occupied.
5. No more than one ADU shall be permitted on a lot or parcel.

951.05 - Conditional Uses.

Subject to applicable provisions of this Ordinance, the following are conditional uses in an "R-1A" District: (Requires a conditional use permit based upon procedures set forth in and regulated by Chapter 904 of this Ordinance.)

~~A. One guest, carriage, or caretaker's house as an accessory use, provided that:~~

- ~~1. The structure will not be used for rental purposes.~~
- ~~2. The structure, design, building materials and color are compatible with the principal structure and surrounding land uses.~~
- ~~3. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

951.06 - Lot Area and Setback Requirements.

The following minimum requirements shall be observed in an "R-1A" District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

B. Setbacks:

2. Accessory Structure(s):

- a) Front Yard: 50 feet.
- b) Side Yard: Ten feet.
- c) Rear Yard: Ten feet.

951.07 - Lot Coverage and Height.

The following requirements shall be observed in an "R-1A" District:

- A. Lot coverage shall not exceed ten percent of lot area. Impervious surfaces on a lot shall not exceed 20 percent of the lot area.
- B. All single family residences shall be limited to a maximum height of three stories and 40 feet, whichever is lesser.
- C. All accessory buildings shall be limited to a maximum height of two stories and 25 feet, whichever is lesser.

CHAPTER 815 - RENTAL DWELLING LICENSES

815.01 - Purpose.

This chapter may be referred to as the Rental Dwelling License Ordinance. The purpose of this chapter is to ensure that rental housing in the City is decent, safe, and sanitary; that it is so operated and maintained as not to become:

- A. A nuisance to the surrounding neighborhood; or
- B. An influence that fosters blight and deterioration, or creates a disincentive to reinvestment in the community.

815.02 - Scope.

This chapter applies to all rental dwellings and the individual units therein that are rented or leased in whole or in part, including apartment buildings, town homes, single-family and two-family housing, ~~guest and caretaker houses~~ Accessory Dwelling Units, and condominiums with private entrances. It also includes any accessory structures of the rental dwellings, such as garages and storage buildings, and appurtenances such as sidewalks, driveways and retaining walls, which are on the property of the rental dwelling. This chapter does not apply to Minnesota Department of Health licensed rest homes, convalescent care facilities, nursing homes, hotels or motels licensed by the City.

CHAPTER 916 - GENERAL BUILDING AND PERFORMANCE REQUIREMENTS

916.02 - Dwelling Unit Restriction.

- A. No garage, tent, accessory building, travel trailer or motor home shall at any time be used as living quarters, temporarily or permanently, unless authorized as an Accessory Dwelling Unit.
- B. Tents, play houses or similar structures may be used for play or recreational purposes.
- C. Basements and cellars may be used as living quarters or rooms as a portion of the principal residential dwelling. Energy conserving designs in housing are not prohibited by this provision of the Ordinance, provided that a conditional use permit is approved by the City Council and the structure complies with standards imposed by the State Building Code