

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
AUGUST 7, 2023**

AGENDA ITEM 1. Call to Order

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

Chair Stockton read a prepared statement outlining multiple options for joining remotely or submitting comments and questions.

AGENDA ITEM 2. Roll Call

Chair Stockton asked Community Development Director Goellner to take roll call.

Present at roll call were Commissioners: Douglas, Stockton, Sorensen, Schwalbe, Elg, and Severson. Community Development Director Emily Goellner, Planning Consultant Erik Zweber, and City Attorney David Schelzel were also present.

Absent at roll call: Commissioner Merriam

AGENDA ITEM 3. Approval of Agenda

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

Commissioner Sorensen made a motion, seconded by Commissioner Schwalbe to approve the August 7, 2023 agenda, as presented. The motion carried unanimously.

AGENDA ITEM 4. Consent Agenda

a.) Approval of the July 17, 2023 Planning Commission Meeting Minutes

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

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

Commissioner Severson made a motion, seconded by Commissioner Schwalbe to approve the Consent Agenda as presented. The motion carried unanimously.

AGENDA ITEM 5. Public Hearing Items

a) Consideration of Planned Unit Development (PUD) General Plan, Shoreland Residential Planned Unit Development/Conditional Use Permit (PUD/CUP), and

Zoning Map Amendment (Rezoning) for Westway Condominiums at 201 Lake Street East

Community Development Director Goellner introduced the application, and shared details of the proposal for Westway Condominiums located at 201 Lake Street East. She reviewed the surrounding neighborhood zoning and land use guidance, and presented a summary of the requests within the development application. She noted that the proposed PUD would include 38 residential condominiums, 3 commercial condominiums, and 3 flexible (commercial and/or residential) condominiums. She noted that a design review was conducted by staff, and there are no design deviations required, so this review could be completed and the proposed design approved administratively.

Planning Consultant Zweber reviewed the existing conditions on the site, right-of-way, lot size, wetland area. He reviewed the various approvals that had already been given at the December 6, 2022 City Council meeting, including PUD concept plan approval. He reviewed details of the proposed site plan and noted that it is very similar to the concept plan. He stated that this is a single building that is designed to look like two separate buildings that would have underground parking for residents and the public. He noted the location of the shared courtyard space in the center of the site and the location of a shortened nature trail that will be adjacent to the stormwater pond. He noted that the trail would only be available to Ferndale Ridge and Westway residents and would not be a public open space. He reviewed the site plan and details of the changes from the concept approval, and reviewed elevations from the building and shared atrium space. He gave an overview of the proposed density and noted that it meets the guidance of the Comprehensive Plan. He shared details of what has changed with relation to open space since the concept plan and explained that overall, they are providing 20,783 square feet of open space when at the concept plan they proposed 21,945 square feet. He reviewed the Shoreland Residential PUD/CUP standards and explained that the project meets those requirements. He briefly reviewed lot coverage and Floor Area Ratios (FAR) and noted that both are lower than other recent Lake Street projects. He noted that the impervious surface plans will require a Shoreland Impact Plan that will need to be approved by the City Engineer. He explained that they are proposing 3 commercial condominiums, including one coffee shop and 3 flexible condominiums. He reviewed the proposed parking plans for 113 spaces and noted that there are 16 tandem stalls proposed but noted that the applicant has indicated that the tandem spaces would be given to either the same residential or commercial unit. He stated for tree replacement, the applicant must replace 232.25 inches and they are proposing 322.75 inches.

Community Development Director Goellner reviewed the various neighborhood notifications given for the application, and explained that no public comment letters had been received. She explained that there was a neighborhood meeting held on July 20 2023 where 13 people attended. She reviewed the comments that have been shared by the City Engineer about this project, and shared the questions for the Commission to consider with this application.

At the conclusion of the Staff presentation, Chair Stockton asked if the Commission had any questions for Staff.

1 Commissioner Severson asked about the 3 flexible condominium units, and if that was something
2 that the City needed to do something about to make sure that they would always be flexible for
3 either residential or commercial use.

4
5 Community Development Director Goellner stated that for the 3 flexible spaces she would
6 recommend that the Commission think about them being flexible in perpetuity so if market
7 conditions changed, they could change use. She stated that they could ask the applicant if they
8 have a prediction on whether they foresee them changing uses very often.

9
10 Chair Stockton asked about the elevation from Lake Street and where the retail was located.

11
12 Planning Consultant Zweber gave an overview of the location of the retail spaces as depicted on
13 the elevation renderings.

14
15 Commissioner Douglas stated that the information shared earlier said that there would be 38
16 residential, 3 commercial and 3 flexible spaces. She noted that if the coffee shop is counted that
17 is really 7 spaces that could be commercial.

18
19 Planning Consultant Zweber explained that the coffee shop was considered one of the 3
20 commercial spaces and explained that the northern of the 7th commercial spaces in the Concept
21 Plan has been converted to a residential unit.

22
23 Commissioner Douglas asked about the open space plans and noted that there is currently a
24 sidewalk from Lake Street to Edgewood Court and asked why that had not been depicted on the
25 drawings.

26
27 Planning Consultant Zweber stated that it was not included because it is in the public right-of-way.

28
29 Commissioner Douglas referenced the amenity plan that talked about signage and the row of arbor
30 vitae. She asked if because it was included in the drawing if it was guaranteed to happen or does
31 it also have to be included someplace in the text.

32
33 Planning Consultant Zweber explained that these plans would be incorporated into the
34 Development Agreement should this be approved by the City Council.

35
36 Commissioner Schwalbe asked about the stormwater pond and path area.

37
38 Planning Consultant Zweber noted that the renderings show a reconstructed pond that is a different
39 shape than the existing pond and explained that this was necessary to accommodate the stormwater
40 for the revised development.

41
42 Commissioner Schwalbe asked for an explanation of the walking path location.

43
44 Planning Consultant Zweber described the proposed location within the concept plan and the most
45 recent proposal and explained that staff was supportive of the trail, as proposed.

46

1 Commissioner Schwalbe asked if the City had any experience with tandem parking stalls.

2
3 Planning Consultant Zweber stated that the City has experience with other underground parking
4 structures, as well as the City's parking lot, and noted that staff would be concerned if the plans
5 were for them to be used by multiple owners.

6
7 Commissioner Schwalbe asked if she should ask the applicant about their reason for wanting to
8 remove the wetland delineation from the stormwater pond.

9
10 Planning Consultant Zweber noted that a very technical finding needs to happen and explained
11 that there is an environmental evaluation of the area. He stated that the applicant's expert
12 evaluated the area, and noted that there are exceptions to the Wetland Conservation Act if it is a
13 man-made water body. He stated that in that case, it is not a wetland because it is not natural. He
14 explained that the existing stormwater pond was created with the existing development, so it
15 appears to meet those exemption standards but a certain process will need to be followed with
16 Stantec, the City's wetland consultant. He stated that staff is aware of this potential exemption
17 and believe it applies, in this case.

18
19 There being no further questions from the Commission for Staff, Chair Stockton invited the
20 applicant to address the Commission.

21
22 Applicant's architect, Darrin Schmidt, Bruce Schmidt and Associates, gave a brief presentation
23 about the project and stated that their concept had been modified since they went through the
24 concept approval process based on all of the feedback they received. He reviewed renderings and
25 plans of the project from various angles.

26
27 Chair Stockton asked if the Commission had any questions for the applicant.

28
29 Commissioner Severson asked if the surface parking was intended mostly for the commercial
30 building.

31
32 Mr. Schmidt explained that those 11 stalls would be intended for guests and customers whether
33 they are coming to see someone in a condominium or one of the commercial units.

34
35 Commissioner Severson asked about the accessibility for visitors since it appears some will have
36 stairs.

37
38 Mr. Schmidt explained that the sidewalk level is like a split entry where they will have access to
39 an elevator.

40
41 Commissioner Severson asked if the residential and commercial units on the first floor would use
42 the same entrance.

43
44 Mr. Schmidt stated that was correct for the west units, but noted that the two buildings are actually
45 separated.

46

1 Chair Stockton asked about the outdoor tables that were depicted in the renderings and asked which
2 ones were not intended for public use.

3
4 Mr. Schmidt stated that they are all for public use with the exception of the private terrace spaces.

5
6 Commissioner Sorensen stated that he understands that it is public space but asked how the
7 developer envisioned that space actually being used.

8
9 Mr. Schmidt stated that the intent is for the public to just be able to come up and sit at a table. He
10 stated that it is not dedicated to either the commercial or residential units. He stated that the people
11 parking in the 11 spots in the surface lots would walk through this space, so it is accessible.

12
13 Commissioner Sorensen asked about the anticipated length of construction.

14
15 Mr. Schmidt stated that they anticipate it to take 2 years.

16
17 Applicant's principal, Lowell Zitzloff, referenced some existing needs among the Ferndale Ridge
18 residents for a meeting space that will be able to utilize these public spaces. He stated that he
19 expects with the coffee shop in this location that this will end up being the social area for the west
20 end of Lake Street.

21
22 Commissioner Sorensen explained that he had asked about the length of construction because of
23 the residents of Edgewood Court and believes there is just one way in and out for cars and
24 pedestrian access and was concerned about how that access would be maintained during the
25 construction process.

26
27 Mr. Schmidt stated that they anticipate that Edgewood Court would remain open the whole time.
28 He noted that they may have to move the sidewalk access a bit, but they should have ways of
29 working around this.

30
31 Commissioner Sorensen asked the developer to keep this as a priority.

32
33 Mr. Schmidt assured the Commission that this would be a priority for them.

34
35 Commissioner Schwalbe stated that he liked the original plan for a nature trail in the concept plan.
36 She stated that the most recent plans are for a trail that is quite a bit smaller and asked how much
37 smaller it is than the original plan.

38
39 Mr. Schmidt stated that he would estimate it is probably half the length of what was proposed as
40 part of the concept plan. He explained that Ferndale Ridge was concerned with potential activity
41 back there and the City Council was also concerned about removing trees in order to create this
42 pathway. He stated that they still wanted some sort of path to go back here but the rest of the area
43 will be left in a natural state. He explained that the public input they had gotten from the neighbors
44 was that they would prefer that they left the northern portion of the property be left as close to the
45 existing state as possible.

46

1 There being no additional questions from the Commission for the applicant, Chair Stockton
2 opened the public hearing on the application at 7:47 pm.

3
4 David Carland, 130 Edgewood Court, stated that he is on the Board of Ferndale Ridge. He stated
5 that Commissioner Sorensen and Commissioner Douglas ‘beat him to the punch’ making the two
6 points that they consider to be ongoing work. He stated that they have been very pleased with the
7 applicant and appreciate the opportunity that they have been given to have input on this project.
8 He stated that they are particularly concerned about the ability to get in and out of the cul-de-sac
9 during construction and to ensure that the enhanced buffer plans with additional trees, happen, as
10 discussed. He stated that they were not truly against the larger nature trail, but were interested in
11 maintaining as large of a buffer as they could and did not see the point in creating a contrived loop
12 for this purpose.

13
14 Community Development Director Goellner stated there were no people that have called in to the
15 meeting that have asked to speak at the public hearing.

16
17 There being no one else wishing to provide public comments on the application, Chair Stockton
18 closed the public hearing at 7:49 pm.

19
20 Chair Stockton asked for the Commission to share their questions and feedback on the application.

21
22 Commissioner Elg thanked the developer for the work they have done to work towards meeting
23 the requests put forth by the City Council and feels that all of their concerns have been
24 accommodated. He stated that he thinks this is a lovely project.

25
26 Commissioner Douglas stated that she feels the PUD does encourage innovations in development
27 for all styles of economic expansion and is in harmony with the City’s Comprehensive Plan.

28
29 Commissioner Sorensen stated that he thinks a big part of being at this second level in the process
30 is making sure that what was included in the concept plan is still valid. He stated that he believes
31 the applicant has done a good job of including those items and agrees with the statements that the
32 other commissioners had already been made.

33
34 Commissioner Schwalbe stated that she feels that the concerns raised during the concept plan
35 phase have been addressed. She stated that she is excited about this project because she thinks it
36 will be gorgeous and will be a good fit for the site.

37
38 Chair Stockton noted that she likes the additional setback which allows for the tables for public
39 use.

40
41 Community Development Director Goellner reviewed some potential conditions that she had come
42 up with for the Commission to consider, based on their questions during the discussion. These
43 conditions include:

- 44 1. Require that tandem spaces are used by the same ownership entity;
- 45 2. Amenities on page 94 are required;

- 1 3. Easements shall be recorded dedicating public access as shown on the open space plan;
2 and
- 3 4. A construction management plan shall be submitted for approval by the City which
4 includes a focus on site access on Edgewood Court.

5
6 Commissioner Elg asked if all units would be assigned a private/personal parking space.

7
8 Community Development Director Goellner confirmed that this was the intent of the developer.

9
10 Planning Consultant Zweber stated that their plans match up with the Code requirements.

11
12 There being no further discussion, Chair Stockton asked for a motion on the application.

13
14 Commissioner Sorensen made a motion, seconded by Commissioner Douglas, to direct staff to
15 prepare a draft Planning Commission Report and Recommendation with appropriate findings
16 reflecting a recommendation of approval of a Planned Unit Development (PUD) General Plan,
17 Shoreland Residential Planned Unit Development/Conditional Use Permit (PUD/CUP), and
18 Zoning Map Amendment (Rezoning) for Westway Condominiums at 201 Lake Street East,
19 including the four conditions outlined by staff based on the discussion, for review and adoption at
20 the next Planning Commission meeting. The motion carried unanimously.

21
22 **AGENDA ITEM 6. Other Items:**

- 23
24 a) Review of Development Activities
25 b) Planning Commission Meeting Schedule

26
27 Community Development Director Goellner noted that the next meeting is scheduled for August
28 21, 2023 which will have discussion about fencing. She noted that the first meeting in September
29 will be held on a Wednesday due to Labor Day and will include at least one public hearing. She
30 noted that the City Council meeting dates for the month of October have shifted one week back
31 and encouraged the Commission to check the schedule of liaisons for those meetings so they don't
32 miss them.

33
34 **AGENDA ITEM 7. Adjournment.**

35
36 There being no further business on the agenda, Chair Stockton asked for a motion to adjourn.

37
38 Commissioner Severson made a motion, seconded by Commissioner Schwalbe to adjourn the
39 Planning Commission meeting. The motion carried unanimously.

40
41 The Planning Commission meeting was adjourned at 8:18 p.m.

42
43 Respectfully submitted,
44 Kayla Atkins Rokosz
45 *TimeSaver Off Site Secretarial, Inc.*
46