

WAYZATA PLANNING COMMISSION

Meeting Agenda

Wayzata City Hall Community Room, 600 Rice Street

Monday, July 8, 2024

6:30 PM

HYBRID MEETING INFORMATION

Click here to join Zoom Meeting

Meeting ID: 881 4072 8471 Passcode: 800771

Members of the public may attend this Planning Commission meeting in person, or watch and listen remotely 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 logging into the zoom call and raising your hand during the public hearing. **When your name is called in the meeting, you will be seen and heard in our Council Chambers and the cable channel.** You will be asked to unmute and then you may begin your comment. All public comments must include your full name and address.

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 of June 3, 2024
 - b. Approval of Planning Commission Report and Recommendation of Approval for Development Application at 715 Rice St E
5. **Public Hearing Items**
 - a. Consider Development Application for PUD Amendment at 1903-1907 Wayzata Blvd E (Wayzata Executive Park)
6. **Other Items**
 - a. Review of Development Activities
 - b. Planning Commission Meeting Schedule
7. **Adjournment**

Upcoming Meetings:
City Council - July 9, 2024
Planning Commission - July 22, 2024

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: July 8, 2024	AGENDA ITEM: 4.a
TITLE: Approval of Meeting Minutes of June 3, 2024	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

N/A

ACTION REQUESTED:

Staff recommends approval of the regular meeting minutes of June 3, 2024.

ATTACHMENTS:

1. Planning Commission Meeting Minutes of June 3, 2024

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
JUNE 3, 2024**

AGENDA ITEM 1. Call to Order

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

Chair Stockton read a prepared statement that outlined 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: Plantan, Stockton, Sorensen, Schwalbe, Severson, and Elg. Community Development Director Emily Goellner, Assistant Planner Valerie Quarles, and City Attorney David Schelzel were also present.

Commissioner Elg asked to address the Commission to apologize for what he described as his lack of decorum a few meetings ago. He explained that he had spoken over other Commissioners, and had also spoken without being acknowledged by Chair Stockton, and wanted to apologize for that behavior. Chair Stockton acknowledged Commissioner Elg's apology.

AGENDA ITEM 3. Approval of Agenda

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

Commissioner Severson made a motion, seconded by Commissioner Schwalbe, to approve the June 3, 2024 agenda as presented. The motion carried unanimously.

AGENDA ITEM 4. Consent Agenda

- a.) Approval of the May 20, 2024 Planning Commission Meeting Minutes
- b.) Approval of Planning Commission Report and Recommendation of Denial for Development Application at 565 Ferndale Road W. (Ferndale Bluff)

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

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

Commissioner Plantan 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) Consider Development Application for Impervious Surface and Driveway Setback Variances at 715 Rice Street E.

Assistant Planner, Valerie Quarles, gave an overview of the request for variances related to impervious surface and driveway setback at 715 Rice Street East. She reviewed the project location, zoning and land use for the surrounding neighborhood, existing conditions, zoning history, and details of the application. She noted the neighborhood notification that had been given for the application, and City Department comments.

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

Commissioner Severson asked about the variance request related to the driveway setback. She asked if she was correct that their driveway was already over the setback on portions of the driveway, and if this request was just to be able to straighten things out.

Planner Quarles stated that was correct, and explained that this would basically take the existing issue and make it a bit worse, in terms of how much of the driveway is inside the setback, which was why a variance was needed.

Commissioner Severson asked what would need to 'go away' for them to meet the impervious surface requirements.

Planner Quarles explained that it would be really tough because the home itself takes up about 23% of the lot and the driveway is another 15% of the lot, which already puts them at 38% impervious surface.

Commissioner Sorensen read aloud from the staff report about how the City treats things equally, and asked why the City did not acknowledge that the proposed pavers are permeable.

Planner Quarles explained that it relates to the complexity of administering permits for this work. She stated that there are lot of cities around the lake that have different approaches in how they handle this issue, for example, some cities have credit systems. She stated that the City's policy is to count everything as impervious surface. In situations that require a variance, the City requires mitigation efforts for excess stormwater runoff, such as using pervious pavers. She noted that there can be flaws in the system, but it leads to applicants having more flexibility to do what they need to do within the threshold stated in their zoning district rather than working within a credit system.

Commissioner Sorensen asked if new residential construction was dealt with in the same way.

1 Planner Quarles stated that the City did treat it in the same way, and explained that has the effect
2 of not necessarily incentivizing stormwater systems like pervious pavers until applicants need a
3 variance.

4
5 There being no further questions for staff, Chair Stockton invited the applicant to address the
6 Commission.

7
8 Bob Palmer, Landscape Renovations, Applicant's representative stated that this is a difficult
9 project because they are so far over the surface limits. He explained that they had worked hard to
10 try to come up with a solution to mitigate the water and reduce the square footage, and still have a
11 usable and viable outcome for the applicants. He said he believes that what they have presented
12 is a viable option for managing their water.

13
14 There being no questions from the Commission for the applicant, Chair Stockton opened the public
15 hearing on the application at 6:50 pm.

16
17 There was no one present in person wishing to speak, and Community Development Director
18 Goellner stated there were no people that called in to the meeting that have asked to speak at the
19 public hearing.

20
21 There being no one wishing to comment on the application, Chair Stockton closed the public
22 hearing at 6:50 pm.

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

25
26 Commissioner Severson stated that in 2001, when the home was built, Planner Quarles had
27 indicated that there were not the same impervious surface limits on this lot that there are today,
28 and asked how this lot had ended up being the way it is.

29
30 Planner Quarles stated that this entire area along Rice Street was developed around the same time,
31 and stated that it is possible that the City will end up seeing similar issues from the other homes in
32 the area as well, if they want to make significant changes to their hardcover. She stated that
33 sometimes it is just how the City codes were written at the time of development and noted that
34 since that time, the City has clamped down more on impervious surfaces. She stated that it was
35 also common at that time for cities to just limit impervious surface within the shoreland districts
36 and this is outside of that, which may also be a factor.

37
38 Community Development Director Goellner noted that she believes the impervious surface limit
39 was added around the time that there were a lot of teardowns in the neighborhood.

40
41 Commissioner Severson stated that she felt that this was a pretty easy call because the impervious
42 surface is actually getting better despite still being over the limit. She noted that she did not think
43 there was really much that they could do if they want to be able to do any kind of renovations in
44 their yard. She explained that she does not have any issues with these requests, and asked how
45 many feet over the driveway would actually be.

1 Planner Quarles stated that it would end up being 7 feet over the setback.

2
3 Commissioner Schwalbe noted that if there would be one thing for her to question, it would be
4 why they could not just leave the driveway the way it is right now. She stated that there did not
5 appear to be a really good reason for making that change. But she noted that she also didn't feel it
6 was too big of a deal and overall, she felt the requests were reasonable.

7
8 Commissioner Plantan stated that she agreed with the comments that had already been made by
9 the Commission. She stated that overall the impervious calculations will end up less than they are
10 today, which she feels is a positive. She stated that their plans for the stormwater management
11 also align with the City's commitment to best practices.

12
13 Commissioner Elg stated that he felt that the plans look beautiful and the application meets the
14 expectations of the Commission's guidance for a recommendation of approval.

15
16 Commissioner Sorensen stated that he also agreed with the commentary that had already been
17 made, and noted that this is situation where the property owner acquired a legal non-conforming
18 situation and are trying to make the best of it and improve things for the neighborhood.

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

21
22 Commissioner Schwalbe made a motion, seconded by Commissioner Sorensen, to direct staff to
23 prepare a draft Planning Commission Report and Recommendation with appropriate findings
24 reflecting a recommendation of approval for the development application for Impervious Surface
25 and Driveway Setback Variances at 715 Rice Street E for review and adoption at the next Planning
26 Commission meeting. The motion carried unanimously.

27
28 **AGENDA ITEM 6. Other Items:**

29
30 **a) Review of Development Activities**

31
32 **b) Planning Commission Meeting Schedule**

33
34 Community Development Director Goellner stated that the commission meeting scheduled for
35 June 17, 2024 will be cancelled due to a lack of agenda items, but noted that they will meet on July
36 8, 2024 for a Public Hearing item. She asked the Commissioners to make sure to let her know if
37 they have dates throughout the summer when they will be unable to attend the meetings.

38
39 **AGENDA ITEM 7. Adjournment.**

40
41 There being no further business on the agenda, Chair Stockton asked for a motion to adjourn.

42
43 Commissioner Severson made a motion, seconded by Commissioner Elg, to adjourn the Planning
44 Commission meeting. The motion carried unanimously.

45
46 The Planning Commission meeting was adjourned at 7:02 p.m.

1
2 Respectfully submitted,
3 Kayla Atkins Rokosz
4 *TimeSaver Off Site Secretarial, Inc.*

DRAFT



City of Wayzata Planning Commission Agenda Report

MEETING DATE: July 8, 2024	AGENDA ITEM: 4.b
TITLE: Approval of Planning Commission Report and Recommendation of Approval for Development Application at 715 Rice St E	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: August 27, 2024 (extended to 120 days)	

BACKGROUND:

Owners Jeff and Janet Von Gillern, represented by Amber Hill (PEBL Design), have submitted a development application requesting an impervious surface variance and driveway setback variance to support hardcover and landscaping changes to the existing home at 715 Rice Street East. As of July 3, no public comments have been received.

The Planning Commission considered the application at their June 3, 2024 meeting and recommended approval of the application by a vote of 6-0. They primarily cited the existing high impervious surface associated with the house and driveway, which was previously allowed under the zoning ordinance at the time of construction, as well as the overall improved stormwater condition proposed for the property in their recommendation.

ACTION REQUESTED:

Staff recommends approval of the Planning Commission Report and Recommendation.

ATTACHMENTS:

1. 715 Rice St E - Planning Commission Report and Recommendation of Approval

WAYZATA PLANNING COMMISSION

July 8, 2024

**REPORT AND RECOMMENDATION OF APPROVAL
OF IMPERVIOUS SURFACE AND DRIVEWAY SETBACK VARIANCES
AT 715 RICE STREET E**

SUMMARY OF RECOMMENDATION

1. Approval* of Variance from Impervious Surface Area Limit
2. Approval* of Variance from Driveway Setback

** subject to certain conditions noted in Section 4 of this Report*

REPORT AND RECOMMENDATION**Section 1. BACKGROUND**

- 1.1 Project. Property owners Jeff and Janet Von Gillern, represented by Amber Hill (PEBL Design) (the “Applicant”) have submitted a development application (the “Application”) requesting an impervious surface variance and a driveway setback variance for proposed hardcover and landscaping changes (the “Project”) to the existing home and property at 715 Rice Street East, legally described on Attachment A (the “Property”).
- 1.2 Application Request. The Applicant is requesting approval of the following two variances:
 - A. Variance for Impervious Surface (Sec. 955.07.B): A variance of an additional 15.2% beyond the maximum impervious surface area of 35% permitted in the zoning district, for a total impervious surface area of 50.2% (the “Impervious Surface Variance”).
 - B. Variance for Driveway Setback (Sec. 920.05.D.1): A variance of seven (7) feet less than the required setback for parking areas and driveways, from ten (10) feet to three (3) feet (the “Driveway Setback Variance”).
- 1.3 Property. The street address, property identification number and owner of the Property are as follows, and the legal description of the Property is attached.

715 Rice St E	0611722130001	JANET N VON GILLERN JEFFRY H VON GILLERN
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1.4 **Land Use.** The Property is zoned and guided as follows:

Zoning:	R-3A Single and Two Family Residential District
Comp Plan:	Central Core Residential
Overlay Districts:	N/A
Design District:	N/A

1.5 **Notices and Public Hearing.** In accordance with City policy, the Applicant sent a letter on the Application to all property owners located within 500 feet of the Property on May 24, 2024. Notice of the public hearing on the Application was published in the *Sun Sailor* on May 23, 2024, and mailed to all property owners located within 500 feet of the Property on May 24, 2024. The public hearing on the Application was held at the June 3, 2024 Planning Commission meeting.

Section 2. STANDARDS

2.1 **Variances.** The applicable criteria for granting a variance from the standards of the Zoning Ordinance under Sec. 905.1.C. are:

- A. Variances shall only be permitted when they are:
 - (i) in harmony with the general purposes and intent of the Zoning Ordinance; and
 - (ii) consistent with the Comprehensive Plan.
- B. Variances may be granted when the Applicant establishes that there are practical difficulties in complying with the Zoning Ordinance.
- C. "Practical difficulties," as used in connection with the granting of a variance, means that:
 - (i) the property owner's proposal for the property is reasonable but not permitted by the Zoning Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
- D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
- E. The City Council shall not permit as a variance any use that is not allowed under the Zoning Ordinance for property in the zoning district where the

affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two-family dwelling.

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

Section 3. FINDINGS

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

- 3.1 Variances. The Impervious Surface Variance and Driveway Setback Variance requested are in harmony with the general purposes and intent of the Zoning Ordinance and are consistent with the Comprehensive Plan. The following conditions are met for the Impervious Surface Variance and Driveway Setback Variance (collectively, the "Variances"):
 - A. The Applicant has established that there are practical difficulties in complying with the applicable impervious surface and driveway setback standards for the Property.
 - B. The Applicant's Project and the Variances requested are reasonable in that they will (i) allow for the improvement of the usability, safety, and aesthetics of an existing driveway area and the existing house; (ii) improve stormwater management on the Property with pervious pavers; and (iii) will bring the Property into better conformance with the Zoning Ordinance by reducing the amount of the current impervious surface area.
 - C. The Variances are due to circumstances related to the unique conditions of the Property, including its current high impervious surface, and are not created by the Applicant.
 - D. The Variances would not alter the essential character of the locality in that, as noted above, they would allow for maintaining but improving existing conditions on the Property.
 - E. The practical difficulties necessitating the Variances are not solely economic in nature.
 - F. The uses associated with the Project and the Variances are permitted within the R-3A Single and Two Family Residential Zoning District.

- G. The Applicant has provided the reasons that the Variances are justified under applicable criteria in order to make reasonable use of the land, structures and building on the Property.

Section 4. RECOMMENDATION

4.1 Planning Commission Recommendation. Based on the findings in Section 3 of this Report, the Planning Commission recommends **APPROVAL** of the Impervious Surface Variance and Driveway Setback Variance, subject to the following conditions:

- A. The Applicant must secure all necessary building permits for construction and a Right of Way encroachment, and follow all laws and regulations applicable to the Project, including building codes, tree preservation, land use regulations, and City Code and policies applicable to days and times of work, and construction management.
- B. The Applicant must build and complete the Project in conformance, in all material respects, with the plans depicted in the Application, including the plans for stormwater management and mitigation, and enter into a Stormwater Facilities Maintenance Agreement with the City for the ongoing maintenance of such facilities.
- C. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 8th day of July 2024.

Attachment A
Legal Description of Property

Address	715 Rice St. E., Wayzata, MN 55391
PID	0611722130001
Legal Description	Lot 7, Block 11, Wayzata, Hennepin County, Minnesota.
Abstract or Torrens?	Abstract
Certificate No.	[Not Applicable]



City of Wayzata Planning Commission Agenda Report

MEETING DATE: July 8, 2024	AGENDA ITEM: 5.a
TITLE: Consider Development Application for PUD Amendment at 1903-1907 Wayzata Blvd E (Wayzata Executive Park)	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: September 11, 2024 (extended to 120 days)	

BACKGROUND:

Owner CWE, LLC, represented by Megan Rogers (Larkin Hoffman), has submitted a development application requesting a PUD Amendment to the existing building complex at 1903-1907 Wayzata Blvd E, also known as Wayzata Executive Park. The request is to modernize the list of allowed uses in alignment with the C-3 district. Today, the property's list of allowed uses dates from 1997.

As of July 3, no public comments have been received.

ACTION REQUESTED:

After considering the items outlined in this report, holding the public hearing on the application, and discussing the requests of the Application, the Planning Commission should direct staff to prepare a draft Planning Commission Report and Recommendation, with appropriate findings, reflecting a recommendation on the variances requested in the application, for review and adoption at the next Planning Commission meeting.

ATTACHMENTS:

1. 1903-1907 Wayzata Blvd - Staff Report
2. 1903-1907 Wayzata Blvd - Application Materials



**Staff Report
Wayzata Planning Commission
July 8, 2024**

Project Name: Wayzata Executive Park PUD Amendment
Request: Planned Unit Development Amendment
Applicant: CWE, LLC
Addresses of Request: 1903, 1905, and 1907 Wayzata Blvd E
Prepared by: Valerie Quarles, Assistant Planner

“60 Day” Deadline: July 13, 2024
“120 Day” Extension: September 11, 2024

Development Application

Introduction

Applicant CWE LLC has submitted a PUD Amendment request for the property at 1903-1907 Wayzata Boulevard East, known as Wayzata Executive Park. The PUD Amendment is intended to bring the property’s list of permitted and conditional uses in line with today’s list of uses in the C-3 zoning district. No physical change to the property is proposed under this application. The PUD includes one other property, which is not included in this application.

Property Information

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

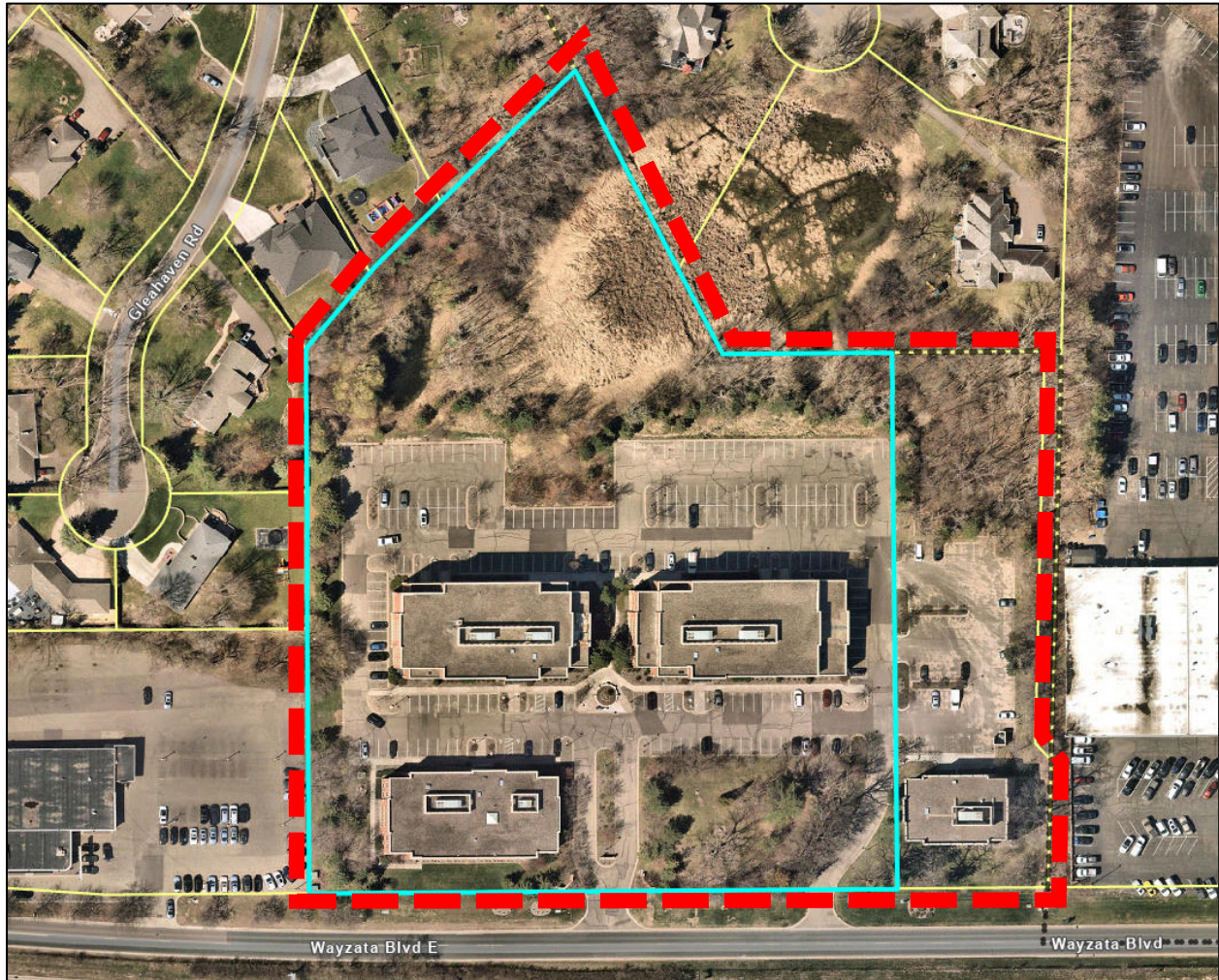
Address	PID	Owner
1903, 1905, & 1907 Wayzata Blvd E	05-117-22-13-0034	CWE, LLC

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

Current Zoning:	Planned Unit Development
2040 Comp Plan Designation:	Mixed-Use – Commercial/Residential – 10 to 30 units per acre
Overlay Districts:	Shoreland Overlay District Wetlands Overlay District
Design District:	Wayzata Boulevard District

Project Location

The subject property (in blue) is located on the north side of Wayzata Boulevard East between Gleason Lake Rd and Twelve Oaks Center Drive. The full PUD is outlined in red.



Map 1: Project Location

Source: Hennepin County

Application Requests

The applicant is requesting approval of:

1. Planned Unit Development (PUD) Amendment (\$933.09): To amend the list of permitted and conditional uses at 1903-1907 Wayzata Blvd E to align with the C-3 zoning district.

Public Hearing Notice

Notice of the public hearing on the Application was published in the *Sun Sailor* on June 27, 2024 and mailed to all property owners and residents who rent located within 500 feet of the subject property on June 27, 2024.

Neighborhood Letter

The applicant mailed a letter to all property owners and residents who rent located within 500 feet of the subject property on June 27, 2024.

Public Comments

As of July 3, no public comments have been received.

History

1997 PUD Rezoning Approval

The City Council passed Ordinance 591 on March 4, 1997 to rezone the subject property (then 1909 Wayzata Blvd E) from the Institutional district to PUD. The approval included details regarding:

- List of uses allowed
- Dimensional height, lot coverage, and setbacks
- Landscaping and screening requirements
- Hours of operation
- Architectural appearance
- Parking and loading, refuse enclosure
- Lighting, surfacing

2000 PUD Amendment and Development

A resolution was passed on October 17, 2000 to amend the 1997 PUD to subdivide 1909 Wayzata Boulevard East into two parcels. This resolution allowed for the development of the Wayzata Executive Park, referring to both properties at 1907 Wayzata Blvd E (now 1903/1905/1907 Wayzata Blvd E) and 1909 Wayzata Blvd E. This resolution also allowed for increased building height and approved a Conditional Use Permit to reduce the number of required parking stalls for the project by 39 spaces. Following the adoption of the resolution, a development agreement and an access and cross parking easement were approved in 2001, and construction began shortly thereafter. The full development was completed in 2005.

Today, the PUD encompasses both properties. 1903-1907 contains two 3-story office buildings and one 2-story office building, with a surface parking lot provided around the edges of the buildings and underground parking under each building. 1909 contains one two-story office building and additional surface parking. The north end of 1903-1907 is undeveloped in a natural state with trees and wetlands.

2024 Conditional Use Permit

In 2024, the City Council approved a Conditional Use Permit for a medical office use at 1905 Wayzata Blvd, pursuant to the list of allowed and conditional uses under Ordinance 591. This process created a significant administrative burden for the property owner and staff and was approved with limited discussion by the Planning Commission and City Council. Staff then recommended to the property owner that they update the PUD to account for modern leasing conditions and land use impacts.

Summary and Analysis of PUD Amendment Application

The primary purpose of the original PUD appears to have been to group multiple buildings on the same parcel for the purpose of sharing parking infrastructure, rather than to seek a unique set of uses. City Code does not allow for more than one principal building on a parcel without a PUD. Ordinance 591 appears to have simply replicated the allowed and conditional uses in the C-3 zoning district at the time, with some additional conditions meant to address potential traffic conditions in nearby Minnetonka. (This area was anticipated to develop with higher-intensity uses that would have produced higher traffic counts. This does not appear to have occurred.) Since then, the C-3 district's uses have been updated, modernized and/or consolidated as part of the City's zoning updates, including the most recent Zoning Study, while the Wayzata Executive Park PUD's uses have not.

The applicant proposes to tie the allowed and conditional uses within their portion of the PUD to the C-3 district, so that as the C-3 district's uses evolve and change over time, the PUD's list of permitted and conditional uses do as well. Note that the update is only proposed to apply to the 1903-1907 parcel and not the 1909 parcel. These properties do not share a common owner and the 1909 property has not requested to update their allowed and conditional uses. The 1909 parcel will continue to be subject to Ordinance 591.

Comprehensive Plan Designation

The Comprehensive Plan land use designation for the subject property is Mixed-Use Commercial Residential with a residential density of 10 to 30 units per acre. In the 2040 Comprehensive Plan Land Use Map, this comprises nearly the entire length along Wayzata Boulevard east of Central Avenue. The traditional development in this area is commercial use. Mixed-Use Commercial/Residential use can be achieved in a variety of ways, including traditional vertical or horizontal mixed use on a single lot. This designation allows for the continued use of commercial development and encourages the inclusion of residential uses.

The buildings on the subject property are currently used as office buildings for a variety of uses including investment company offices, legal firms, and a range of private companies.

Direction	Adjacent Land Use	Zoning	2040 Comp Plan Designation
North	Residential	R-3, <i>Minnetonka R-1</i>	Low Density Residential, <i>Minnetonka Low Density Residential</i>
East	Office (Hammer Residences)	PUD	Mixed Use – Commercial/Residential
South	Right of Way (Wayzata Blvd, Highway 12)	N/A	N/A
West	Commercial, Residential	C-3, R-3	Low Density Residential, Mixed Use – Commercial/Residential

Zoning

The property is currently zoned PUD. The property is also located within the Shoreland Overlay District. The following table compares the allowed and conditional uses on the property today (Ordinance 591) with the allowed and conditional uses in the C-3 zoning district. Uses that are directly shared between Ordinance 591 and C-3 are not included. Other uses allowed or conditional under C-3 zoning that are not realistic for the site, like sailing schools and sidewalk cafes, have also been excluded. Future concerns about impacts would be addressed through permit review and code enforcement. Property managers at this site have typically addressed any issues without City involvement.

The following uses are not allowed under the PUD today but would become permitted under the proposed PUD Amendment.	
Use	Analysis
Adult Day Care	Adult Day Cares are allowed in every commercial district besides C-2 (Shopping Centers) and the C-4 districts (Lake Street) but would be a change from Ord. 591. However, the use is not typically impactful on surrounding properties.
Dwellings, Multiple Family, Upper Stories	Upper-story residential is allowed in all commercial districts but would be a significant change from Ord. 591. Multifamily residential is becoming a more common use along the I-394 corridor in other suburbs, but the applicant states that the floor plates of the existing office buildings would not easily accommodate conversion to residential use and that they do not see this as a likely path in the foreseeable future.
Food and Beverage Establishment	Ord. 591 allows ice cream parlors but does not note any other restaurant uses, so this would be a significant expansion, but compatible with existing uses depending on the proposed scale. The applicant states that a coffee shop or deli could be desirable to their tenants.

The following uses are not allowed under the PUD today but would become permitted under the proposed PUD Amendment.	
Use	Analysis
Liquor Store	Ord. 591 already allows pipe and tobacco shops, so a liquor store is not a significant change and would be compatible with the original intent of the PUD.
Recreation, Indoor	Ord. 591 allows community centers, but not private indoor recreation. Like most significant changes, a large indoor recreation use would require a review of available parking.

The following uses are conditional under the PUD today but would become permitted under the proposed PUD Amendment.	
Use	Analysis
Recreation, Outdoor Public	Outdoor public recreation is permitted in all zoning districts and is defined as: "An area of land, water, or any building in which amusement, recreation or athletic sports are provided for public or semi-public use, whether temporary or permanent, except a theatre, whether provision is made for the accommodation of an assembly or not. The definition may include golf courses, arenas, stadiums, gymnasiums, soccer fields, multi-purpose athletic fields, and similar uses." It is unlikely that the current layout of the site would support these uses.
Theaters, Excluding Drive-Ins	This would change theater uses from conditional to permitted, which would put the change under staff oversight only rather than under a public approval process. It is unlikely that the current buildings would adapt to support this use.

The following uses are not allowed under the PUD today but would become conditional under the proposed PUD Amendment. They would require separate Conditional Use Permits if proposed.	
Use	Analysis
Manufacturing	Manufacturing is conditional in the C-3 and C-3A districts and defined as: "A building where compounding, assembly, packaging, treatment or storage of products and materials occurs." The applicant states that this use is not consistent with existing operations on the property.
Micro-production Facilities	These facilities are conditional in C-2, C-3, C-3A, and the C-4 districts and defined as: A facility in which beer, wine, or other alcoholic beverages are brewed, fermented, or distilled for

	distribution and consumption. Micro-production facilities include breweries, brewpubs, wineries, and distilleries.” The applicant states that this use is not consistent with existing operations on the property.
Places of Assembly	Places of assembly are permitted in the Institutional district and conditional in C-2, C-3, C-3A, and the C-4 districts and are defined as: “A building or portion of a building used or designed for the gathering together of 50 or more persons for such purposes as meetings, conferences, celebration, worship, entertainment, and/or amusement.” These districts include much of Wayzata Boulevard and Lake Street. The applicant states that having the ability to hold large meetings is important to their office operations.
Public Services and Utilities	Public services and utilities are conditional in all zoning districts.
Recreation, Outdoor Commercial	Outdoor commercial recreation is conditional in C-3 and C-3A only and is defined as: “An area of land, water, or development where amusement, recreation or outdoor athletic sports are provided, whether temporary or permanent, except a theater, whether provision is made for the accommodation of an assembly or not. The definition may include golf courses, arenas, stadiums, gymnasiums, soccer fields, multi-purpose athletic fields, and similar uses.” It is unlikely that the current layout of the site would support these uses.

Parking

1903-1907 Wayzata Blvd provides 311 parking spaces on-site with both surface and underground lots. There is also a 2001 Access and Cross Parking Easement Agreement between the subject property and 1909 Wayzata Blvd E.

The application involves no change in the size or use of the buildings. There were no previous issues with the availability of shared parking sufficient to meet the needs of building uses. Office buildings and professional offices require three parking spaces for each 1,000 square feet of floor area. Future uses requiring parking at a higher rate will need to be evaluated case-by-case to manage shared parking capacity across the site.

Standards of Planning Commission Review of Application Requests

The review and decision on the PUD Amendment is a legislative action, meaning that the Planning Commission acts like an advisor to a legislative body (the City Council), and has wide discretion on whether to recommend approval or denial as long as it has a rational basis in fact and in the relevant standards for its recommendation.

Primary Questions to Consider:

1. Zoning Text Amendment Standards
 - a. Would the proposed PUD amendment match the goals of Comprehensive Plan, particularly the Mixed-Use Commercial/Residential land use guidance?
 - b. Would the proposed PUD amendment conform with present and future land uses in the area?
2. PUD General Standards
 - a. Would the proposed PUD amendment have any detrimental effects upon the health, safety and welfare of residents of the community or the surrounding area?

Action Steps

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

Attachments

Narrative

Ordinance 591

2023 Survey (Note that the “Proposed Tract A” overlay is from a previous proposal and is not part of this application.)

Surrounding Land Use Map

Supplemental Narrative

Proposed Draft PUD Amendment

Applicable Code Provisions for Review

Staff has analyzed the facts provided by the applicant in comparison with the criteria for approval. While some criteria appear to be met, staff has highlighted in **bold** the criteria that may require additional discussion with the Planning Commission.

2040 Comprehensive Plan:

Commercial Goals and Policies

- **Goal: Promote a diversity of retail, office, service and residential land uses at a high level of development quality to enhance Wayzata as a regional destination and provide services for residents.**
- **Goal: Support the existing commercial core within the community, and encourage business retention and reinvestment.**

Zoning Text Amendment Standards. Section 903.02 states that the Planning Commission shall consider possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors.

1. **The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.**
2. **The proposed use's conformity with present and future land uses of the area.**
3. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
4. **The proposed use's effect on the area in which it is proposed.**
5. The proposed use's impact upon property value in the area in which it is proposed.
6. Traffic generation by the proposed use in relation to capabilities of streets serving the property.
7. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

PUD General Standards. Section 933.02 sets forth the general standards for review of a PUD application.

1. Review. In its review of any application under this Section, the City Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations of the Design Review Board 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 this Section.** 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 this Section, it may approve a PUD permit, although it shall not be required to do so.

2. Ownership. An application for a PUD District or conditional use permit approval must be filed by the land owner or jointly by all land owners of the property included in a project. The application and all submissions must be directed to the development of the property as a unified whole. In the case of multiple ownership, the approved Final Plan shall be binding on all owners.
3. **Comprehensive Plan Consistency. The proposed PUD shall be consistent with the City Comprehensive Plan.**

PUD Amendments. Section 933.09 notes the procedure by which PUD Amendments are processed.

Action by the Planning Commission and City Council. The same review procedure by the Planning Commission and City Council shall be followed for an amendment of a PUD permit as was followed with respect to the applicant's Concept Plan, outlined in Sections 933.05 and 933.06. The affirmative majority vote (three of five) of the City Council shall be required for approval of an amendment of a PUD permit.

Additional standards for PUDs that are not applicable to this proposal may be found in Chapter 933 of City Code.

April 26, 2024

Ms. Valerie Quarles
City Planner
City of Wayzata
600 Rice Street East
Wayzata, MN 55391

Re: *Application for an amendment to the PUD for Wayzata Executive Park*

Dear Ms. Quarles:

We represent Continental Properties and its entity CWE, LLC (“Applicant”) owner of the Wayzata Executive Park (the “Property”). When Ecker Dermatology applied for a building permit related to improvements in an existing suite at the Property, CWE realized that the entitlements for the Property listed the permitted and conditional uses from the 1997 version of the C-3 District. We are thankful for staff’s quick response to the immediate issue of permit approvals and processing of a conditional use permit (as required by the City’s 1997 ordinance) for Ecker Dermatology. In order to address this issue for future tenants and to ensure that the Planned Unit Development (PUD) approvals for the Property reflect the flexibility and policy goals of the City’s current code, the Applicant is seeking to amend the 1997 PUD, replacing the list of permitted and conditional uses with the City’s current C-3 Service District (the “C-3 District”).

I. Project Summary

In 1997, the Property was rezoned from Wayzata’s former Institutional District to a Planned Unit Development (PUD) more fully described in Ordinance No. 591 (the “Original District”). The Property was fully developed in 2001 pursuant to site plan approval and a development agreement recorded against the Property between Wayzata (the “City”) and Hammer Residences, Inc. the former Property owner. The overall project consists of three office buildings addressed as 1903-1907 East Wayzata Boulevard with a total 99,430 square feet of commercial office space (the “Project”). The Project is served by 310 surface and underground parking stalls.

The primary purpose of rezoning the Property to a PUD was to allow for a single property to have multiple interrelated buildings and shared amenities including parking. The uses approved for the Original District, mirrored the City’s existing C-3 Commercial District. The Original District lists a broad array of permitted uses including antique shops, bakeries, automotive accessory stores, beauty parlors, furniture stores, mortuaries and funeral homes, recording studios and even pet shops and the Property remains subject to these standards.

This application seeks to replace the uses described in the Original District with the uses City's C-3 District. No further deviation or modification from the amended PUD permit is sought, and no exterior expansions or modifications to the approved site plan are contemplated by this application.

II. The proposed PUD amendment will not be detrimental to the health, safety, and welfare of residents of the community and the surrounding area, the Project conforms with the overall intent and purpose of the City Code.

Chapter 990 of the City Code governs the use of Planned Unit Development Districts in the City and their subsequent amendment, which is heard via the process described in Section 933.05. The Original District incorporates a long list of uses that has since been refined (Ordinance No. 591 approving the PUD is attached as Exhibit B). From a land use perspective, the most significant benefit of amending the PUD to create consistency with the C-3 District is to permit low impact uses like health clinics, financial services, and personal services. Uses like auto agencies, car lots and washes, retail green house and garden stores or outdoor storage for tenants remain conditional and subject to further City review. This is reflective of the work and study completed by the Zoning Study Task Force over the past three years and the natural evolution of the City's land use regulations.

A. The proposed action is consistent with the City's Comprehensive Plan.

The 2040 Plan contemplates a Mixed Use-Commercial/Residential land use for the Property. The intent of this category is to encourage development that responds to the characteristics and locality of the Property, while encouraging a mixture of uses to serve residents. The C-3 District is specifically contemplated as an appropriate zoning district within the Mixed Use-Commercial/Residential land use designation. The uses contemplated in the C-3 Service District, including health clinics, office, and financial services firms are consistent with the goals of the 2040 plan, the historic use of the Property, and are the most viable market uses that encourage tenant retention and acquisition.

B. The proposed amendment ensures compatibility with present and future uses of the area.

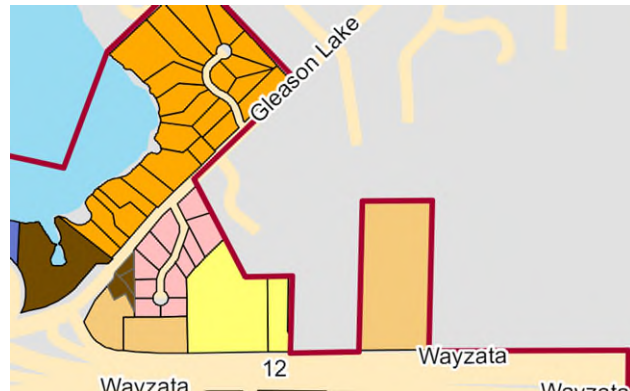
The Original District included a variety of uses that are no longer appropriate for the Project or have been eliminated by the City in its recent comprehensive zoning code revisions. Retail pet stores on this Property adjacent to residential homes are not consistent with the expectations of the community nor are they the highest and best use of space at an executive office park. Incorporating permitted uses like health care clinics, educational facilities, professional services firms and limited retail sales as outlined in the C-3 District are not only consistent with the present use of the Property and expectations of the surrounding properties, but also will serve to grow the Project's tenant list with sought after uses encouraged by the City Code. Finally, amendment of the PUD to include today's C-3 District is also consistent with the past use and operation of the Property. The Project has long served a variety of commercial uses, from development firms to financial services offices.

C. The proposed amendment conforms with all performance standards contained herein (i.e., parking, loading, noise, etc.)

The proposed amendment is consistent with the standards approved within the PUD. While the PUD parking standards are distinct from the City's revised zoning ordinance and broadly provides for shared parking across tenant classes, the permitted and conditional uses allowed within the C-3 District are consistent with the existing parking capacity on the Property as developed to serve the overall Project. The purpose of the C-3 District is to provide a district for service facilities orientated to vehicular traffic and access. The Project uniquely serves the type of commercial activity promoted by the C-3 District because of its proximity to major streets and highways. The Project is benefited by easy access to both 394 and 494 with sufficient service on Wayzata Boulevard East. While amendment of the PUD does permit a variety of uses, it is clear from Dr. Ecker's CUP application and study of the historical use of the Property that the permitted uses within the C-3 District will not raise traffic volumes beyond the capacity of the surrounding streets. Any traffic, noise, parking, or loading considerations may be addressed through the CUP process for those uses that the City has determined require additional review and consideration.

D. The PUD amendment will not have an effect on the area in which it is proposed.

The proposed amendment will have no negative impact on the surrounding area. The adjacent commercial parcels are already zoned C-3, as shown in the parcel map here- C-3 properties are shown in light brown, the Property is shown in yellow. Residential properties will benefit from application of the revised C-3 District and all physical site conditions and concerns of the adjacent homeowners were addressed through the original site planning process.



E. The PUD amendment will only enhance property values for the Project and surrounding properties.

The C-3 District permits high demand uses like medical office and removed barriers to entry for potential tenants. The Project currently has a vacancy rate of 41%, the proposed amendment will bring the approved uses in line with today's market. The proposed amendment encourages continued investment in a high value commercial asset within the City. Lastly, the revision of the allowed uses encourages a future development pattern in compliance with the adopted zoning map and 2040 plan.

F. Traffic generated by the PUD Amendment is sufficiently served by the streets used to access the Property.

No additional traffic impacts are anticipated to be generated through the approval of the proposed PUD amendment. As previously described herein, the Project is benefited by easy access to both 394 and 494 with sufficient service on Wayzata Boulevard East. The existing facilities can meet the traffic demand of the proposed uses.

G. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

No changes in the built Project are proposed by the Applicant. No additional or improved utilities or services will be required for the proposed uses. There is no evidence that changes to the permitted uses within the Original District will have an undue or adverse impact on parks, schools, streets and utilities or the City's general service capacity. Uses that drive up City service capacity are classified as conditional uses and further analysis of capacity impacts would be provided through the CUP application process.

Applicant's proposed use is consistent with the 2040 Plan, zoning ordinance, and the purpose and intent of the approved PUD. Based on the findings above, we respectfully request the City amend the PUD to bring the permitted and conditional uses into compliance with the C-3 District. The Applicant agrees to enter into an amended development agreement for the Property, incorporating the revised uses as a condition of such approval. The following exhibits are attached:

Exhibit A: Legal Description
Exhibit B: Ordinance No. 591
Exhibit C: As-Built Survey (2023)
Exhibit D: Surrounding Land Use Map

Please do not hesitate to contact me or the Applicant with any questions or if any additional information is required.

Sincerely,



Megan C. Rogers, for
Larkin Hoffman

Direct Dial: (952) 896-3395
Direct Fax: (952) 842-1847
Email: mrogers@larkinhoffman.com

Exhibit A

Lot 1, Block 1, Wayzata Executive Park, according to the registered plat thereof, Hennepin County, Minnesota

4876-7354-9751, v. 3



CITY OF WAYZATA

600 RICE STREET, WAYZATA, MINN. 55391
PHONE 473-0234

PUBLIC NOTICE

The following Ordinance is published by reference and in summary fashion. Copies of the Ordinance are available for public inspection during normal business hours at the Wayzata City Hall, 600 Rice Street, Wayzata, MN 55391.

ORDINANCE NO. 591

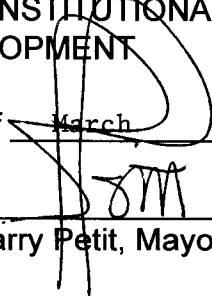
**AN ORDINANCE AMENDING CHAPTER 801 OF THE WAYZATA CITY CODE
(ZONING ORDINANCE) AND THE OFFICIAL WAYZATA ZONING MAP
TO PROVIDE FOR A CHANGE IN ZONING CLASSIFICATION OF THE
HAMMER RESIDENCES PROPERTY FROM INS, INSTITUTIONAL DISTRICT
TO PUD, PLANNED UNIT DEVELOPMENT**

Adopted by the Wayzata City Council this 4th day of March, 1997.

ATTEST:



Allan Orsen, City Manager



Barry Petit, Mayor

Published: March 13, 1997

**CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA**

AN ORDINANCE AMENDING CHAPTER 801 OF THE WAYZATA CITY CODE (ZONING ORDINANCE) AND THE OFFICIAL WAYZATA ZONING MAP TO PROVIDE FOR A CHANGE IN ZONING CLASSIFICATION OF THE HAMMER RESIDENCES PROPERTY FROM INS, INSTITUTIONAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT.

THE CITY OF WAYZATA ORDAINS:

Section 1. Rezoning. The Wayzata Zoning Ordinance and Official Zoning Map are hereby amended to rezone the following described property from INS, Institutional District to PUD, Planned Unit Development District:

Legal Description:

Parcel 1: That part of Lot 10, Auditor's Subdivision Number 84, Hennepin County, Minnesota, described as beginning at the Southeast corner of Lot 6, Block 1 Glea Haven Addition; thence North to the most Southerly corner of Lot 8, in said Block 1, thence Northeasterly to the angle point on the Southeasterly line of said Lot 8; thence Northeasterly to the most Easterly corner of said Lot 8; thence continuing Northeasterly along the extensions of the last described line to the Easterly Line of said Lot 10; thence Southeasterly and Southerly along said Easterly line to the North line of the South 17 feet of said Lot 10; thence West along said North line to its intersection with the extension South of the East line of said Lot 6; thence North along the last described extension to the point of beginning, according to the Government Survey thereof.

Parcel 2: The part of Lot 9, Auditor's Subdivision Number 84, Hennepin County, Minnesota, lying west of a line drawn North, parallel with the East line of said Lot 9, from a point on the South line of said Lot 9 distant 238 feet East from the Southwest corner of said Lot 9, according to the Government Survey thereof, except that part of the East 15 feet thereof lying Northeasterly of the following described line: Commencing at a point on the South line of said Lot 9, distant 238 feet East from the Southwest corner of said Lot 9; thence North parallel with the East line of said Lot 9 a distance of 132 feet to the point of beginning of the line being described; thence Northwesterly deflecting 45 degrees left to an intersection with the West line of said East 15 feet and said line there terminating.

Section 2. District Provisions. Property within this District, as established by this Ordinance, shall be subject to the following provisions:

- A. Procedures:** The PUD, Planned Unit Development District established by this Ordinance shall be governed subject to the amendment and procedure requirements, plus other applicable procedures, conditions and standards imposed by the Wayzata Zoning Ordinance. Applications for development of the site shall be subject to the full procedural requirements of Section 801.33, Planned Unit Development, and amendments to the site plans or requirements specified herein shall be subject to the provisions of Section 801.33.9, Amendment of a PUD Permit, of the Wayzata Zoning Ordinance.
- B. Permitted Uses:** Subject to applicable provisions of the Wayzata Zoning Ordinance, the following are permitted uses within the PUD, Planned Unit Development District established by this Ordinance:
1. Antique shops
 2. Appliance sales or service stores.
 3. Art galleries or studios.
 4. Art supply, school supply, book or stationary stores.
 5. Automotive accessory stores.
 6. Bakeries, provided the room or rooms containing the preparation and baking process shall not have a gross floor area in excess of two thousand four hundred (2,400) square feet.
 7. Barber shops.
 8. Beauty parlors.
 9. Bicycle stores, including bicycle rental, repair or sales.
 10. Blue printing, photostating or instant printing establishments under two thousand (2,000) square feet in gross floor area.
 11. Business machine sales or service stores.
 12. Camera and photo stores.
 13. Candy or ice cream parlors.
 14. Carpet and rug stores.
 15. Catering establishments.
 16. Clothes pressing or tailoring shops.
 17. Community centers.
 18. Drug stores.
 19. Dry cleaning or laundry establishments.
 20. Florist shops.
 21. Furniture stores.
 22. Hardware stores.
 23. Hobby or toy stores.
 24. Interior decorating studios.

25. Jewelry stores.
26. Laboratories (medical or dental).
27. Leather goods or luggage shops.
28. Libraries.
29. Locksmith shops.
30. Monument sales, excluding processing.
31. Mortuaries or funeral homes.
32. Newsstands.
33. Offices, including both business and professional uses.
34. Optical stores.
35. Orthopedic or medical appliance stores.
36. Paint or wallpaper stores.
37. Pet shops.
38. Phonograph, record or sheet music stores.
39. Photography studios.
40. Picture framing or picture stores.
41. Pipe or tobacco shops.
42. Post office stations.
43. Plumbing sales.
44. Public utility service stores.
45. Recording studios.
46. Schools, such as music, dance, business or vocational schools.
47. Sporting goods stores.
48. Taxidermy shops.
49. Trading stamp redemption centers.
50. Variety, gift, notion or soft goods stores.
51. Wearing apparel stores.

C. Permitted Accessory Uses: Subject to applicable provisions of the Wayzata Zoning Ordinance, the following are permitted accessory uses within the PUD, Planned Unit Development District established by this Ordinance:

1. Accessory uses customarily incidental to the uses permitted above.
2. Off-street parking and loading areas and structures. Parking of trucks used in the conduct of a permitted principal use, other than delivery trucks parked for not more than two (2) consecutive hours, shall be limited to vehicles of not more than twelve thousand (12,000) pounds gross vehicle weight.
3. Enclosed storage of merchandise in either a principal or accessory building, solely intended to be retailed by a related and established principal use.
4. Bus or taxi loading and unloading facilities.

D. Conditional Uses: Subject to applicable provisions of the Wayzata Zoning Ordinance, the following are conditional uses within the PUD, Planned Unit Development District established by this Ordinance (subject to the conditions provided below for each use, and the criteria specified in Section 801.04.2.F of the Wayzata Zoning Ordinance):

1. Drive-in facilities for banks, or savings and loan associations.
 - a. Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movements.
 - b. Drive-through service windows shall be allowed if the following additional criteria are satisfied:
 - i. Not less than one hundred eighty (180) feet of segregated automobile stacking lane(s) must be provided for the service window.
 - ii. The stacking lane(s) and related access must be designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.
 - iii. No part of the public street or boulevard may be used for stacking of automobiles.
 - iv. The stacking lane, service intercom, and service window shall be designed and located in such a manner as to minimize automobile and communication noises, emissions and headlight glare upon adjacent premises, particularly residential premises, and to maximize maneuverability of vehicles on the site. Levels of noise, light and air quality shall occur and be measured at property lines and shall satisfy established state regulations.
 - v. At any common boundary shared with a residential district, a strip of not less than ten (10) feet shall be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.
2. Indoor amusement or recreation establishments, commercial bowling alleys, billiard halls, game centers, swimming pools, skating rinks or tennis courts as a principal use.
 - a. Any and all applicable local state and federal laws, permits, licences and operational regulations are complied with.
 - b. The use is located and developed so as not to create an incompatible operation problem with adjoining and neighboring commercial and/or residential uses.

3. Repair stores or fix-it shops which provide services for the repair of home, garden, yard or personal appliances.
 - a. The use is conducted completely indoors.
4. Restaurants, excluding drive-ins or convenience food operations.
 - a. The use obtains all local, state and federal food and beverage handling licences and/or permits.
 - b. There shall be no excessive noise or odors emitted from the use.
 - c. There shall be no outdoor storage and/or display.
 - d. Adequate parking and loading spaces shall be provided on the site including adequate room to accommodate the parking and maneuvering of cars and/or semi-tractor trailers in conformance with Sections 801.20 of the Zoning Ordinance.
5. Open and outdoor storage as an accessory use.
 - a. The storage area is completely landscaped, fenced and screened from view of neighboring uses and abutting "R" Districts.
 - b. Storage is completely landscaped and screened from view from the public right-of-way.
 - c. Storage is blacktopped or concrete surfaced.
 - d. The storage area does not take up parking space or loading space as required for conformity to the Zoning Ordinance.
6. Open or outdoors services, sale and rental as a principal or accessory use.
 - a. Outside services, sales and equipment rental connected with the principal use is limited to thirty (30) percent of the gross floor area of the principal use. Uses specified as requiring a separate conditional use permit shall be exempted from this provision.
 - b. Outside sales areas are completely landscaped and fenced or screened from view of neighboring residential uses or an abutting "R" District.
 - c. Outdoor service, sale and rental areas are asphalt or concrete surfaced.
 - d. The use does not take up parking space or loading space as required for conformity to the Zoning Ordinance.
7. Child care facilities as an accessory use.
 - a. The ages of children attending range from sixteen (16) months to twelve (12) years.

- b. The hours of operation coincide with those of the commercial retail stores in the area or complex.
 - c. The employees and facility are licenced by the State Department of Human Services.
 - d. Liability insurance coverage for the operation is demonstrated to the satisfaction of the City, and includes the City as an additional named insured.
- 8. Automobile agencies, used car lots, automobile washes, boat or marine stores or agencies and major auto repair as a principal or accessory use.
 - a. Adequate measures are taken to control noise levels.
 - b. Adequate measures are taken to control pollution and emissions exhaust.
 - c. Vehicle access points shall be limited and shall create a minimum of conflict with through traffic movements.
 - d. The entire area shall have a drainage system which is subject to the review and approval of the City Engineer.
 - e. Adequate parking and loading spaces shall be provided on the site including adequate room to accommodate the parking and maneuvering of automobiles and semi-tractor trailers in conformance with Section 801.20 of the Zoning Ordinance.
- 9. Motels, hotels, or lodges.
 - a. All state regulations are complied with including obtaining all required permits and/or licences.
- 10. Nursery or garden stores or retail green houses.
 - a. There are no growing fields on the site.
 - b. Outdoor sales and display areas shall be limited to thirty (30) percent of the gross lot area and be in conformance with the performance standards of Section 801.16.12 of this Ordinance.
- 11. Outdoor sale and display of fruits and vegetables.
 - a. There are no growing fields on the site.
 - b. Outdoor sales and display areas shall be limited to thirty (30) percent of the gross lot area and be in conformance with the performance standards of Section 801.16.12 of this Ordinance.
- 12. Banks, savings, lending or other financial institutions.
 - a. The traffic generated will not raise traffic volumes beyond the capacity of the surrounding streets.

13. Medical or dental clinics.
 - a. The traffic generated will not raise traffic volumes beyond the capacity of the surrounding streets.
14. Physical fitness, health service establishments or reducing salons.
 - a. The use shall not serve alcoholic beverages.
 - b. The use is located and developed so as not to create an incompatible operation problems with adjoining and neighboring commercial and/or residential uses.
 - c. Any and all applicable local, state and federal laws permits, licences and operational regulations are complied with.
15. Pick up or delivery food establishments provided no seating is provided and that no facilities exist for customer dining on the premises.
 - a. Adequate measures are taken to control odor and noise levels.
 - b. Vehicular access points shall be limited and shall create a minimum of conflict with through traffic movements.
 - c. Adequate parking and loading spaces shall be provided on the site including adequate room to accommodate the parking and maneuvering of cars and/or semi-tractor trailers in conformance with Sections 801.20 of the Zoning Ordinance.
 - e. The use shall obtain all local, state and federal food and beverage handling licenses and/or permits.
16. Rental agencies for the rental of automobiles, trucks or carriage trailers.
 - a. The storage area is landscaped, fenced and screened from view of neighboring uses and abutting "R" Districts.
 - b. Storage is landscaped and screened from view from the public right-of-way.
 - c. The storage area is blacktopped or concrete surfaced.
17. Theaters, excluding drive-ins.
 - a. The use shall be adequately screened from view of neighboring residential uses.
 - b. Adequate measures shall be taken to control noise levels.
 - c. Vehicular access points shall be limited and shall create a minimum of conflict with through traffic movements.

E. Height, Lot Coverage and Setback Requirements for all Permitted, Conditional and Accessory Uses:

1. **Height.** No building shall be erected or structurally altered to exceed two (2) stories or thirty (30) feet in height. Under no circumstances shall there be habitable space, for office, residential, or other use, above the second story of any structure on the site. The building shall not exceed a maximum height of thirty-five (35) feet to the peak of the roof in accordance with Section 801.91.3 of the Zoning Ordinance. The height shall be measured in accordance with the building height definition specified in the Wayzata Zoning Ordinance.
2. **Lot Coverage.** The maximum lot coverage of all hardcover, including buildings, parking lots and sidewalks shall be sixty (60) percent and limited to the area (excluding setbacks) defined in Exhibit 1. No significant trees, as defined by the City of Wayzata's Tree Preservation Policy shall be damaged or removed in those areas excluded from development by the lot coverage provisions of this Ordinance.
3. **Setbacks:**

Front	Side		Rear		Residential Zoned Land
20 feet	Principal Structure	10 feet	Principal Structure	10 feet	50 feet
	Accessory Structure	10 feet	Accessory Structure	10 feet	
	Parking Areas/ Driveway	10 feet	Parking Areas/ Driveway	10 feet	

- F. Landscaping and Screening Requirements.** Where any non-residential use abuts property zoned for residential use, the non-residential use shall provide landscaping and/or screening along the boundary of the residential property. All landscaping and/or screening specifically required by this Ordinance shall be subject to Section 801.18 of the Zoning Ordinance and shall consist of a natural features, added vegetation plantings, or fencing, or combination thereof, as provided for below.

1. Existing Natural Features. Attention shall be given to preserving existing natural features, including but not limited to, vegetation, wetlands and topography, especially when such natural features enhance and contribute to the visual screening of the property from residential zoned land.
2. Landscape Screening. A green belt planting strip shall consist of evergreen trees and or deciduous trees and plants and shall be of sufficient width and density to provide an effective visual screen as determined by the City Council. This planting strip shall be designed to provide adequate visual screening to a minimum height of six (6) feet. Earth landforms may be used in conjunction with vegetation plantings, but shall not be used to achieve the entire screen.
3. Screening Fence.
 - a. Height. A required screening fence shall provide a solid screening effect of eight (8) feet in height. Fences in excess eight (8) feet shall require approvals as outlined in Section 801.18.1.F.2 of the Wayzata Zoning Ordinance.
 - b. Design. A required screening fence shall be constructed of masonry, brick, wood or metal. The design and materials used in constructing a required fence shall be subject the provisions of Section 801.18.1.D and Section 801.18.1.E of the Wayzata Zoning Ordinance, except as provided for in Section F.3.a above, and review and approval of the City Council.
4. Mechanical Equipment. Mechanical equipment located on the roof of any structure visible from street level or from neighboring properties shall be screened with material designed to blend harmoniously with the structure's facing materials. Where buildings have exposure to buildings with higher elevation, roof equipment shall be totally screened or enclosed to blend with the roof surface material.
5. Approval. The design, layout and type of materials and plantings utilized to satisfy the landscaping and screening requirements of this Section shall be subject to the review of the Design Review Board and approval of the City Council.

6. **Tree Preservation.** Owners, contractors, developers, builders and applicants shall preserve a significant amount of the existing vegetation and significant trees on the Hammer site and shall comply with the City of Wayzata Tree Preservation Policy. Trees that are removed shall be replaced with significant landscape materials to enhance the site and provide necessary screening to adjacent residential and commercial properties.
- G. Hours of Operation.** The hours of operation for all permitted and conditional uses within this District, as outlined in Sections "B" and "D" above, shall be limited as necessary to minimize the effect of nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses by the City Council.
- H. Architectural Approval.** The architectural appearance, scale, construction materials and functional plan of the building and site shall be similar to the characteristics and quality of existing development in the community, and shall not cause impairment in property values, or constitute a blighting influence within a reasonable distance of the site and shall be subject to the review of the Design Review Board and approval of the City Council.
- I. Parking and Loading.** All uses within this District shall accommodate sufficient parking and loading areas in conformance with Section 801.20 of the Zoning Ordinance.
- J. Surfacing.** The entire area other than that portion occupied by buildings or structures or plantings shall be surfaced with a material that will control dust and drainage, and which is subject to review by the Design Review Board and approval of the City Council.
- K. Refuse Enclosure.** All refuse shall be stored in containers as specified by the City Code. Said containers are to be fully screened and enclosed by a fence or similar structure. The type and materials used for an enclosure shall be subject to review of the Design Review Board and approval of the City Council.
- L. Lighting.** An electric photometric plan shall be submitted to determine the impact of proposed site lighting, if any. All lighting shall be hooded and so directed that the light source shall be visible from the public right-of-way or from neighboring residences. The lighting plan and type and design of fixtures shall be subject to review by the Design Review Board and approval of the City Council.

M. Conditional Use Criteria. The provisions of Section 801.04.2.F of the Zoning Ordinance are considered and satisfactorily met.

N. Other Requirements. Except for as included within this Ordinance, the uses within this District shall be subject to the provisions of the City of Wayzata Zoning Ordinance or other requirements which the City Council may deem as necessary to prevent potential negative impacts to adjacent properties and uses.

Section 3. Effective Date. This Ordinance shall be in full force and effect upon its passage and publication.

PASSED this 4th day of March of 1997.

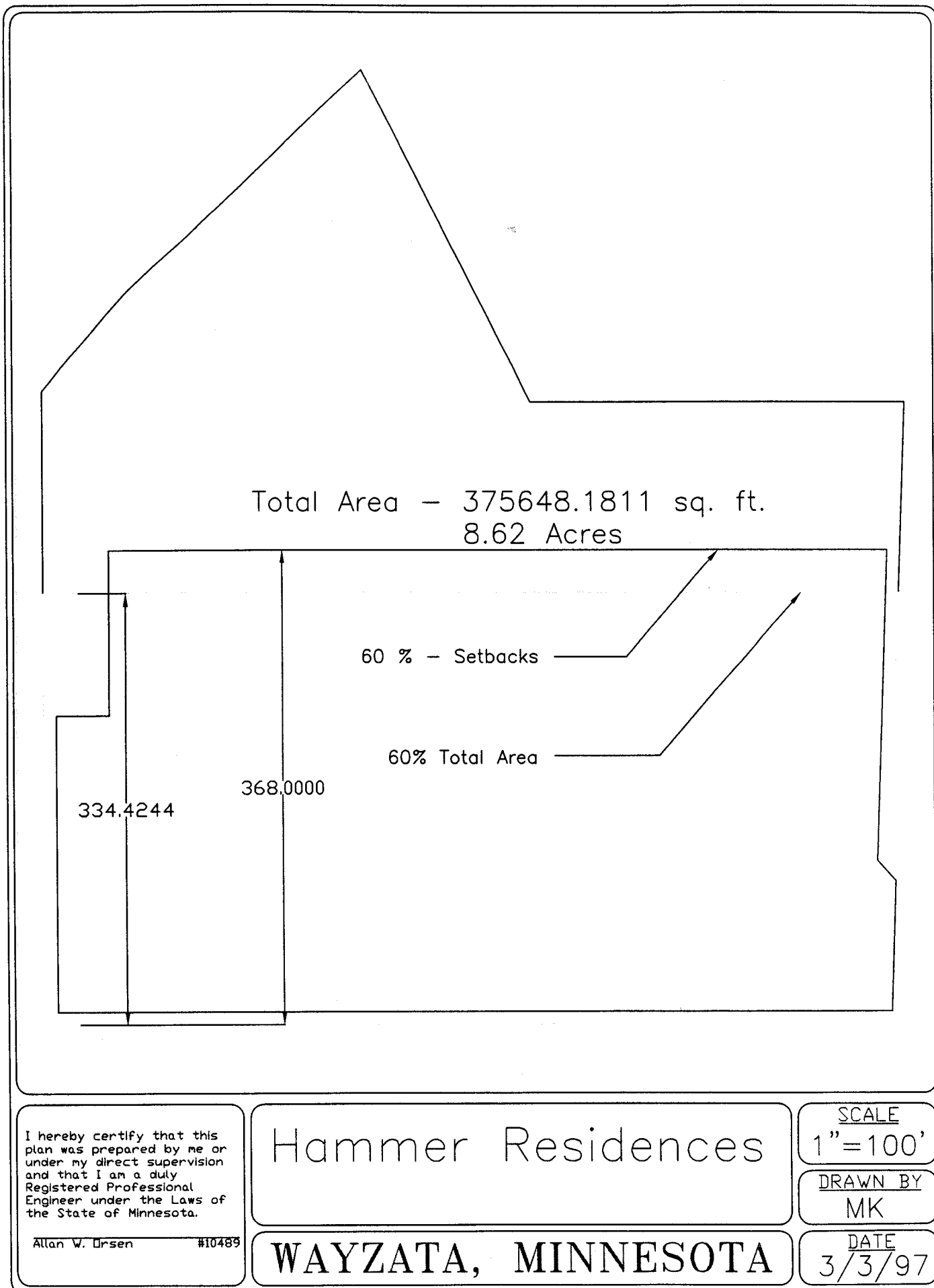


Barry Petit, Mayor

ATTEST:



Allan Orsen, City Manager



ALTA/NSPS LAND TITLE SURVEY CERTIFICATION

I hereby certify to CWE, LLC, a Minnesota limited liability company; to Independent School District 284, a Minnesota independent school district, or its assigns; and to First American Title Insurance Company that this is a survey of:

Lot 1, Block 1, Wayzata Executive Park, Hennepin County, Minnesota.

(Torrens Property - Certificate of Title No. 1329802)

and Is based upon Information found In Title Commitment Number NCS-1183906-MPLS, dated June 18, 2023 at 7:30 AM, prepared by First American Title Insurance Company National Commercial Services, and that all easements, If any, listed In Schedule B-II on the herein referenced commitment for title insurance, are shown hereon; and that this map or plat and the survey on which It is based were made (I) in accordance with "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys," jointly established and adopted by ALTA and NSPS In 2021, and (II) pursuant to the Accuracy Standards as adopted by ALTA and NSPS and In effect on the date of this certification, the undersigned further certifies that In my professional opinion, as a land surveyor licensed in the State of Minnesota, the Relative Positional Accuracy of this survey does not exceed that which is specified therein and includes Items 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10, 11(a), 11(b), 13, 16, 17, & 18 of Table A thereof. The field work was completed on June 19, 2023.

I further certify that this survey was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Date: 7/21/2023

E.G. Rud & Sons, Inc.

Jason E. Rud, Land Surveyor
Minnesota License No. 41578

GENERAL NOTES

- Fee ownership is vested in CWE, LLC, a Minnesota limited liability company.
Parcel ID Number: 05-117-22-13-0034.
- Per Hennepin County Tax Records, the surveyed property's address is 1903, 1905, & 1907 Wayzata Blvd E, Wayzata, MN 55391.
- Bearings shown hereon are based on the Hennepin County Coordinate System.
- Surveyed premises shown on this survey map is In Flood Zone X (Areas determined to be outside the 0.2% annual chance floodplain), according to Flood Insurance Rate Map Number 270188, Panel 0326, Suffix F by the Federal Emergency Management Agency, effective date November 4, 2016.
- Boundary area of the surveyed premises: ±306,848 sq. ft. (±7.04 acres).
- The surveyed premises currently has direct access to Wayzata Boulevard East, a public street. The proposed division line, as shown, would result in the need for an ingress/egress easement to serve 1903 Wayzata Blvd.
- No zoning endorsement letter was provided to the surveyor at the time of the survey, however, a search of the City of Wayzata's website indicates the surveyed property is currently zoned PUD. For additional information regarding zoning and setbacks, contact the City of Wayzata's Planning Department at (952) 404-5312.
- There were 234 marked or striped above-ground parking stalls observed on the surveyed property (228 regular and 6 handicapped) and 76 underground parking stalls.
- Above ground utilities have been field located as shown. Underground utilities shown hereon are those which were field marked by utility companies responding to Gopher State One Call, Ticket No. 231671145, dated 6/26/2023, taken from mapping as provided by the client, or were taken from utility plans provided by the City of Wayzata. All underground locations shown hereon are APPROXIMATE. Prior to any excavations or digging, contact Gopher State One Call for an on-site location (651-454-0002). However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, Gopher State One Call locate and other similar utility locate requests from surveyors may be ignored or result in an incomplete response. Where additional or more detailed information is required, the client is advised that excavation may be necessary.
- No party walls were observed one the surveyed property at the time of the survey.
- Subsurface and environmental conditions were not examined or considered during the process of this survey. No statement is made concerning the existence of underground or overhead containers or facilities that may affect the use or development of the surveyed premises.
- The surveyed parcel is proposed to be subdivided into two tracts through us of a 3-dimensional Registered Land Survey. The proposed surface division line is shown hereon.
- Title Commitment Number NCS-1183906-MPLS, dated June 18, 2023 at 7:30 AM, prepared by First American Title Insurance Company National Commercial Services, Schedule B, Part II Survey Related Exceptions:
 - Item #12 - Subject to a snow fence easement in favor of the State of Minnesota as shown by Instrument recorded April 07, 1922, in Book 934 of Deeds, page 454, and as Document No. 1075318 and re-recorded July 25, 1923, in Book 1034 of Deeds, page 14, and as Document No. 1159210, shown as rectal on the Certificate of Title.
[SURVEYOR'S NOTE: Said easement adjoins the southerly boundary of the surveyed property.]
 - Item #13 - Subject to drainage and utility easements as shown on plat of Wayzata Executive Park recorded March 07, 2001, as Document No. 3365717, shown as a rectal on the Certificate of Title.
[SURVEYOR'S NOTE: As shown hereon.]
 - Item #14 - Subject to a highway easement in favor of the State of Minnesota, together with a snow fence easement, as shown by Instrument recorded January 14, 1938, in Book 361 of the Miscellaneous records, page 369, and as Document No. 1918752, shown as a rectal on the Certificate of Title.
[SURVEYOR'S NOTE: As shown hereon.]
- Item #15 - Terms, conditions, covenants, obligations, provisions and restrictions as contained in the City of Wayzata Development Agreement dated March 06, 2001, by and between the City of Wayzata, a Minnesota municipal corporation, and Wayham, LLC, a Minnesota limited liability company, and Hammer Residences, Inc. a Minnesota nonprofit corporation, recorded March 07, 2001, as Document No. 3365718.

As affected by Certificate of Completion and Release dated September 27, 2005, recorded December 06, 2005, as Document No. 4197485
[SURVEYOR'S NOTE: Not survey related and not shown hereon.]

- Item #16 - Terms, conditions, covenants, obligations, provisions and easements as contained in the Access and Cross Parking Easement Agreement dated March 06, 2001, by and between Wayham, LLC, a Minnesota limited liability company, and Hammer Residences, Inc., a Minnesota nonprofit corporation, recorded March 07, 2001, as Document No. 3365721.
[SURVEYOR'S NOTE: The surveyed property is encumbered by a Driveway Easement and Parking Easement for the benefit of Lot 2, Block 1, WAYZATA EXECUTIVE PARK. The document states that the easement locations are depicted on "Exhibit A" contained therein, however, "Exhibit A" does not indicate or define any easement areas. The locations of the easements encumbering the surveyed property are undefined, unknown, and not shown hereon. The above document grants a perpetual nonexclusive easement for vehicular parking over the surface parking areas designated by striping over Lot 2, Block 1, WAYZATA EXECUTIVE PARK, for the benefit of the surveyed property. All easements contained in the above document are not mathematically confined or depicted. "Exhibit A" is shown hereon.]

- Item #17 - Mortgage executed by CWE, LLC, a Minnesota limited liability company to Bank of the West, dated December 18, 2017, recorded December 26, 2017, as Document No. T05501088, securing the original amount of \$12,000,000.00, and any other amounts which may become due and payable under the terms thereof.
[SURVEYOR'S NOTE: Not survey related and not shown hereon.]

- Item #18 - Assignment of Rents executed by CWE, LLC, a Minnesota limited liability company, as assignor, to Bank of the West, as assignee, dated December 18, 2017, recorded December 26, 2017, as Document No. T05501089.
[SURVEYOR'S NOTE: Not survey related and not shown hereon.]

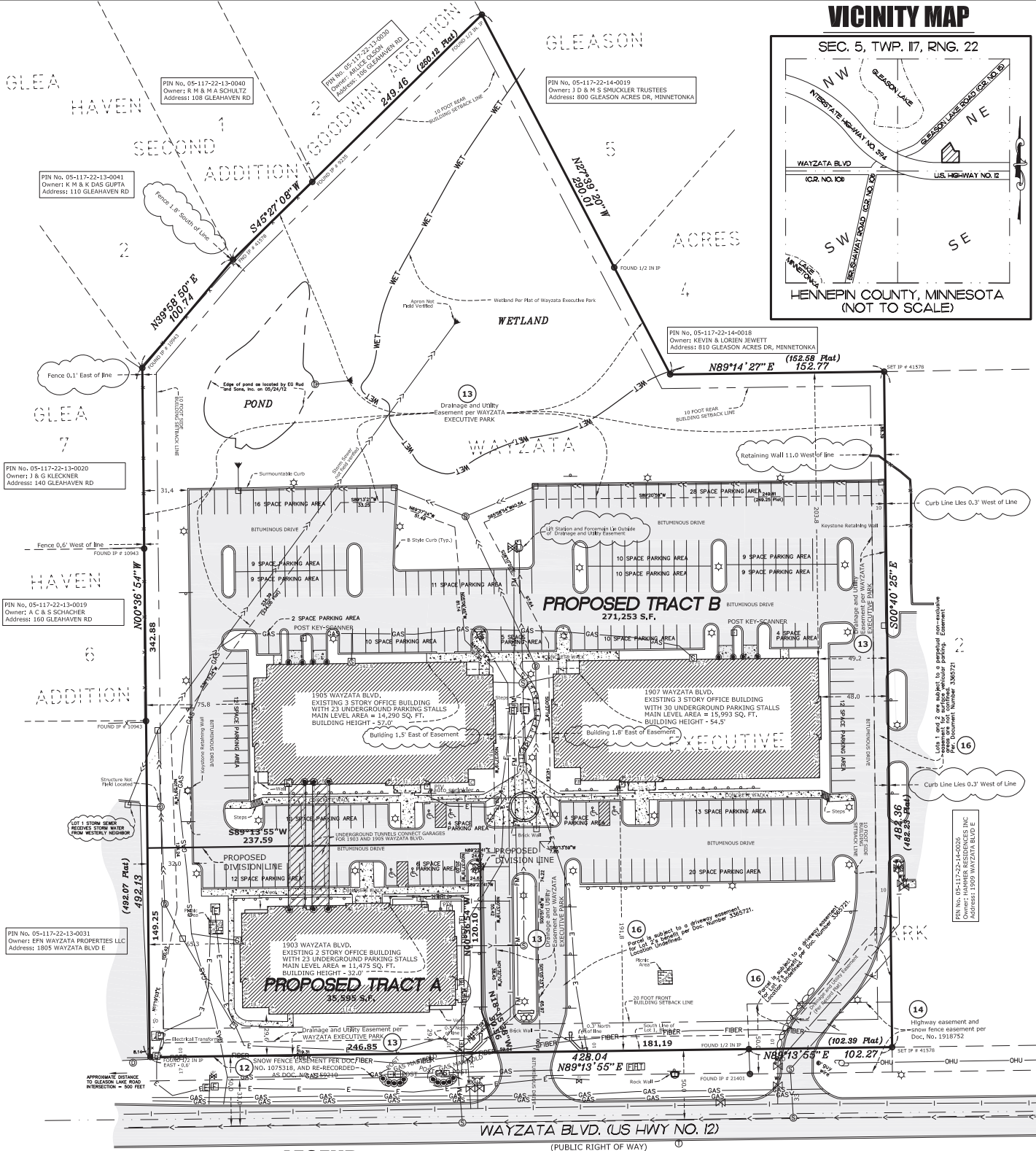
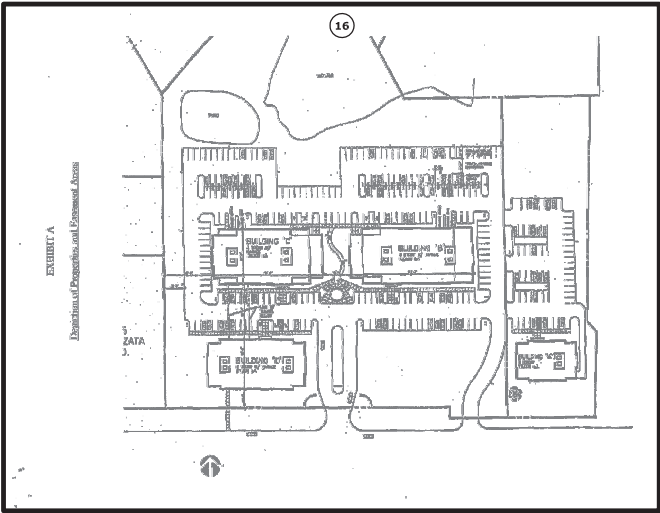
- Item #19 - The following which appear as memorials and/or rectals on the Certificate of Title:

a. Subordination, Non-Disturbance and Attornment Agreement dated June 20, 2012, recorded August 16, 2012, as Document No. T4984129;

b. Memorandum of Lease dated April 8, 2010, recorded April 22, 2010, as Document No. T4747818.
[SURVEYOR'S NOTE: Said documents are not survey related and not shown hereon.]

~for~ CONTINENTAL PROPERTY GROUP
~of~ 1903, 1905, & 1907 WAYZATA BLVD
WAYZATA, MINNESOTA

EXHIBIT A - DOC. NO. 3365721



LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- DENOTES BOLLARD
- DENOTES CATCH BASIN
- DENOTES CABLE PEDESTAL
- DENOTES CLEAN OUT
- DENOTES CURB STOP
- DENOTES ELECTRICAL BOX
- DENOTES FIBER OPTIC BOX
- DENOTES GAS METER
- DENOTES GAS VALVE
- DENOTES GUY WIRE
- DENOTES HYDRANT
- DENOTES LIGHT POLE
- DENOTES MISCELLANEOUS MANHOLE
- DENOTES POST INDICATOR VALVE
- DENOTES POWER POLE
- DENOTES SANITARY SEWER MANHOLE
- DENOTES SIGN
- DENOTES STORM SEWER APRON
- DENOTES STORM SEWER MANHOLE
- DENOTES TELEPHONE PEDESTAL
- DENOTES UTILITY BOX
- DENOTES WATER VALVE
- DENOTES FENCE
- DENOTES RETAINING WALL
- DENOTES EXISTING FORCEMAIN
- DENOTES EXISTING SANITARY SEWER
- DENOTES EXISTING STORM SEWER
- DENOTES EXISTING WATER MAIN
- DENOTES OVERHEAD UTILITY
- DENOTES UNDERGROUND ELECTRIC LINE
- DENOTES UNDERGROUND GAS LINE
- DENOTES UNDERGROUND CABLE LINE
- DENOTES UNDERGROUND FIBER OPTIC LINE
- DENOTES UNDERGROUND TELEPHONE LINE
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE
- DENOTES ADJACENT PARCEL OWNER INFORMATION (PER HENNEPIN COUNTY TAX INFORMATION)

DRAWN BY:	KCM	JOB NO:	230579PP	DATE:	7/21/23
CHECK BY:	JER	FIELD CREW:	RW/MR		
1					
2					
3					
NO.	DATE	DESCRIPTION		BY	

E.G. RUD & SONS, INC.
EST. 1977
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701

Exhibit D
Surrounding Land Use Map



June 21, 2024

Ms. Valerie Quarles
City Planner
City of Wayzata
600 Rice Street East
Wayzata, MN 55391

Re: *Supplemental Narrative- Application for an amendment to the PUD for Wayzata Executive Park*

Dear Ms. Quarles:

Thank you for your close review of our application to amend the planned unit development (PUD) approvals for the Wayzata Executive Park (the "Property"). Our application seeks to replace the list of permitted and conditional uses under the 1997 PUD with the City's current C-3 Service District (the "C-3 District").

The existing approvals include a variety of uses that are no longer appropriate for the Project or have been eliminated by the City in its recent comprehensive zoning code revisions- like retail pet stores. Similarly, the C-3 District expands access to several uses for the Property, including the more impactful uses described below:

Use	Existing Approvals	C-3 District
Dwellings, Multiple Family, Upper Stories	Not allowed	Permitted
Food and Beverage Establishment	Conditional	Permitted
Manufacturing, Micro-Production Facilities	Not Allowed	Conditional
Places of Assembly	Not Allowed	Conditional

Staff requested further clarification from CWE (the "Applicant") on how these uses might function at the Property, post-amendment of the PUD.

I. Dwellings, Multiple Family, Upper Stories

The Property is designed as an executive office park. The existing floor plates do not easily accommodate conversion to residential use. Providing additional utility connections for new residential units would likely be cost prohibitive. Transition to residential uses on the second and third stories of the existing structures would require significant tenant transition in addition to the substantial interior structural

changes required to develop desirable units. We do not believe that redevelopment through inclusion of residential uses on the Property is likely in the foreseeable future.

II. Restaurants, Breweries and Distilleries (Micro-production)

Under the existing PUD, restaurants are permitted as conditional uses. Currently, the park does not have an interior coffee shop or deli. Allowing restaurants would permit this use which may be attractive to tenants. Historically, this corridor has struggled to support broader restaurant uses as evidenced by the closure of Bukara Indian Bistro just east of the Property and redevelopment of the former Market BBQ property. Because of the extensive parking available on site and the likelihood a restaurant use would be tenant focused, retaining restaurants as a permitted use is appropriate for the Property.

Micro-production facilities are defined in the Code as:

A facility in which beer, wine, or other alcoholic beverages are brewed, fermented, or distilled for distribution and consumption. Micro-production facilities include breweries, brewpubs, wineries, and distilleries.

This use is not consistent with existing operations. The buildings are not designed to accommodate a microproduction facility. Significant structural and tenant mix changes would need to be achieved to lease a portion of the Property for this use. If conditions changed and ownership elected to lease a portion of the Property to a Microproduction facility, traffic, parking and potential impacts to surrounding property owners can be addressed through conditional use permit review.

III. Place of Assembly

While “places of assembly” often refer to religious uses, the City’s definition incorporates all spaces intended to gather 50 or more people- including conference areas. In order to accommodate future tenants- especially larger companies that may be interested in occupying a floor of a building or multiple floors, retaining the ability to build out conference space for more than 50 people is an essential component of maintaining flexible business friendly uses on this Property. Traffic, parking and potential impacts to surrounding property owners can be addressed through conditional use permit review.

As described in our narrative, the goal of this application is to create consistency between the PUD and the C-3 District. And it is for this reason that the Applicant desires to retain the structure of the C-3 District instead of creating exceptions for the Property. The City’s zoning ordinances are designed to regulate land use and development in a structured manner. By aligning the PUD with the existing district, it prevents potential conflicts or contradictions that may arise from having different regulations in the same area. While the Applicant is now very familiar with the limitations of the original PUD approvals, applying the C-3 use standard provides

Ms. Valerie Quarles
April 26, 2024
Page 3

predictability for potential tenants, their brokers, and surrounding residents to better understand what uses are permitted on the Property.

In summary, aligning the PUD with the C-3 District supports a modern tenant mix for the Property alongside orderly development principles and consistency with the zoning ordinance. Please do not hesitate to contact me or the Applicant with any questions or if any additional information is required.

Sincerely,

A handwritten signature in blue ink that reads "Megan C. Rogers". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Megan C. Rogers, for
Larkin Hoffman

Direct Dial: (952) 896-3395
Direct Fax: (952) 842-1847
Email: mrogers@larkinhoffman.com

4871-4453-9337, v. 2

Attachment A:
PUD Amendment

The PUD shall be governed subject to the amendment and procedure requirements, plus other applicable procedures, conditions and standards imposed by the Zoning Ordinance. Amendments to the approved site plan shall be subject to the provisions of Chapter 933 Planned Unit Development.

1. Permitted Uses: Subject to applicable provisions of the Zoning Ordinance, and in addition to the uses permitted in the Existing PUD, any permitted use in the C-3 Service District is also a permitted use within the PUD District.
2. Accessory Uses: Subject to the applicable provisions of the Zoning Ordinance, any accessory use in the C-3 Service District is also a permitted accessory use within the PUD District.
3. Conditional Uses: Subject to applicable provisions of the Zoning Ordinance, any conditional use in the C-3 Service District is also a conditional use within the PUD District so long as a conditional use permit may be issued for such use, based on the standards and procedures set forth in Chapter 904 of the Zoning Ordinance.



City of Wayzata Planning Commission Agenda Report

MEETING DATE: July 8, 2024	AGENDA ITEM: 6.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 2024 City Calendar and City Council Liaison Schedule are attached. The next City Council meeting is scheduled for July 9. The next Planning Commission meeting is scheduled for Monday, July 22.

ACTION REQUESTED:

N/A

ATTACHMENTS:

1. 2024 Wayzata City Calendar
2. 2024 City Council Liaison Schedule - updated May 2024

City of Wayzata 2024 Meeting Calendar



January 2024						
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 2024						
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March 2024						
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31						

April 2024						
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May 2024						
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26	27	28	29	30	31	

June 2024						
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30						

July 2024						
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28	29	30	31			

August 2024						
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September 2024						
S	M	T	W	Th	F	S
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October 2024						
S	M	T	W	Th	F	S
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27	28	29	30	31		

November 2024						
S	M	T	W	Th	F	S
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17	18	19	20	21	22	23
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December 2024						
S	M	T	W	Th	F	S
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

- Energy & Environment 5:00 PM
- Planning Commission - 6:30 PM
- City Council - 7:00 PM
- Charter Commission - 9:00 AM
- Lake Minnetonka Conservation District (LMCD)
- Heritage Preservation Board (HPB) - 11:30 AM
- Housing & Redevelopment Authority (HRA) - 7:30 AM
- Parks & Trails Board - 6:00 PM
- 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

2024 Election Dates

- February 27—Precinct Caucus
- March 5—Presidential Nomination Primary
- April 30—Special Primary Election (Hennepin Co Commissioner)
- May 14, 2024—Special Election (Hennepin Co Commissioner)
- August 13—State General Primary Election
- November 5—State General Election

Revised
10/24/2023

2024 Planning Commission Assignments at Council Meetings

	<u>Meeting Date</u>	<u>Commission Representative</u>
Tuesday	January 9	Peggy Douglas
Tuesday	January 23	Adam Elg
Tuesday	February 6	Chris Plantan
Tuesday	February 20	Bonnie Schwalbe
Tuesday	March 12	Jen Severson
Tuesday	March 26	Ken Sorensen
Tuesday	April 9	Larissa Stockton
Tuesday	April 23	Peggy Douglas
Tuesday	May 7	Adam Elg
Tuesday	May 21	Chris Plantan
Tuesday	June 4	Bonnie Schwalbe
Tuesday	June 18	Jen Severson
Tuesday	July 9	Ken Sorensen
Tuesday	July 23	Larissa Stockton
Wednesday	August 7	TBD
Tuesday	August 20	Adam Elg
Tuesday	September 3	Chris Plantan
Tuesday	September 17	Bonnie Schwalbe
Tuesday	October 8	Jen Severson
Tuesday	October 22	Ken Sorensen
Tuesday	November 12	Larissa Stockton
N/A	No meeting November 26th	
Tuesday	December 3	TBD
Tuesday	December 17	Adam Elg