

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
AUGUST 5, 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: Stockton, Schwalbe, Severson, Elg, and Cameron. Community Development Director Emily Goellner, Planning Consultant Eric Zweber, Assistant Planner Valerie Quarles, and City Attorney David Schelzel were also present.

Absent at roll call were Commissioners: Sorensen and Plantan

Community Development Director Goellner introduced new Commissioner Blake Cameron.

Commissioner Cameron shared a bit of information on his history in the City and his past experience serving on the Parks and Trails Board.

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 August 5, 2024 agenda as presented. The motion carried unanimously.

AGENDA ITEM 4. Consent Agenda

- a.) Approval of the July 8, 2024 Planning Commission Meeting Minutes**
- b.) Approval of Planning Commission Report and Recommendation of Approval for Development Application at 1903-1907 Wayzata Boulevard East**

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

AGENDA ITEM 5. Public Hearing Items

a) Consider Development Application for Comprehensive Plan Amendment, Zoning Map Amendment, Conditional Use Permit, Variance to the West Side Yard Setback, and Design Deviations for an Elderly Care Facility (Moments of Wayzata) at 163 Wayzata Boulevard West

Community Development Director Goellner reviewed details of the application by Moments of Wayzata that includes a Comprehensive Plan Amendment, Zoning Map Amendment, Conditional Use Permit, Variance to the West Side Yard Setback, and Design Deviations.

Planning Consultant Zweber reviewed the past PUD amendment requests by the applicant that had been approved by the City for the property but explained that the MN Health Department had not approved the building being used for a memory care facility. He explained that in February, the applicant had submitted a proposal for a completely new building and gave an overview of their current proposed plans and requests.

Community Development Director Goellner noted that the notification regarding the request for a Comprehensive Plan amendment was sent to Orono and Plymouth, and explained that the City had not received any specific comments or concerns from them. She outlined the notification process and that a neighborhood meeting on the application was held by the applicant on June 27, 2024. She stated that 8 people attended the neighborhood meeting and gave a brief review of the topics raised during the meeting. She stated that the City had received one public comment which had been forwarded to the Planning Commissioners earlier in the day. She reviewed comments from the City Engineer and the City Forester regarding the application.

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

Commissioner Severson stated that she remembered that the last time staff had asked the Commission to address certain questions first, and asked if that was applicable to the new application as well.

Community Development Director Goellner suggested that it would be best for the Commission to address the requests for the Comprehensive Plan and Zoning Map amendments first.

Commissioner Schwalbe asked about the plans to not have a second exterior door, and if there would be a reason that not having one would be hazardous.

Community Development Director Goellner explained that this request would be considered a design standard deviation. She stated that the reason the design standards require a second exterior entry was to make the building more walkable.

1 Planning Consultant Zweber reviewed the renderings found on page 74 of the packet, and outlined
2 how the plans had changed since the initial submittal.

3
4 Chair Stockton asked if the second door was a function priority related to fire safety.

5
6 Planning Consultant Zweber referenced page 80 of the packet which showed a closer view of the
7 front entrance, and outlined what the second doorway would look like.

8
9 Community Development Director Goellner stated that the applicant has indicated that their
10 proposal related to doors complies with building code, but noted that it would still be reviewed by
11 the building official before it could be permitted. She explained that this was really just a zoning
12 request at this point, for aesthetic purposes.

13
14 Chair Stockton stated that she believed the Commission had also discussed this during the last
15 review and asked if staff felt that this situation was similar to the roof, where non-compliance
16 would be a benefit to both function and aesthetics.

17
18 Planning Consultant Zweber noted that the question is whether having a shorter roof would
19 improve the appearance.

20
21 Commissioner Cameron stated that one of the variance requests was related to parking, and asked
22 how many of the proposed parking stalls were proposed to be in the front versus the rear.

23
24 Planning Consultant Zweber stated that he could look up that information for the Commission in
25 a bit, but explained that they were requesting a variance from the side yard setback on the west
26 side and that would need to follow the variance standards in the State statute. He noted that
27 departures from the design standards do not require a variance, because they are considered a
28 deviation and not a variance.

29
30 Commissioner Severson stated that the renderings appear to indicate that there would be 13
31 parking stalls in the front.

32
33 Planning Consultant Zweber explained that there are 7 parking stalls on the far west side, 25 west
34 of the door, and another 10 east of the door for a total of 42 that would be in front of the building.

35
36 Commissioner Elg asked for a reminder on how the required number of parking spaces was
37 established because, to him, it felt excessive, because the residents would not be car owners.

38
39 Planning Consultant Zweber explained that the parking requirement is 1 space per 1.5 units.

40
41 Commissioner Elg asked if that standard should apply to this type of institutional development.

42
43 Planning Consultant Zweber cautioned that this property was kind of an island by itself because
44 there is no public parking on Wayzata Boulevard. He clarified that a 1 to 1.5 ratio is the code
45 requirement.

46

1 Commissioner Elg noted that if he had been the applicant, he would have had a parking study done
2 over the last 6 months and reiterated his point that the residents of these buildings will not own a
3 vehicle.

4
5 Planning Consultant Zweber noted that at the previous public hearing the applicant had stated that
6 they were looking to invite community members to come to the facility.

7
8 Chair Stockton asked about parking for staff, and if that would be in the rear.

9
10 Planning Consultant Zweber confirmed that the staff entrance was in the back, and noted that the
11 applicant had indicated that would also be where staff would park.

12
13 Chair Stockton asked if the front parking was intended for the guests.

14
15 Planning Consultant Zweber stated that it would be for guest parking but also for other services
16 that may come to the facility that would not necessarily be an employee of the facility.

17
18 Chair Stockton explained that she was trying to assess the level of activity in the front parking area
19 versus the back parking area.

20
21 Community Development Director Goellner stated that there was not a maximum parking
22 restriction within the City, and suggested that the applicant address the Commission questions
23 related to parking.

24
25 Commissioner Schwalbe asked if the footprint of this building had changed from the footprint of
26 the previous proposal.

27
28 Planning Consultant Zweber stated that the footprint had changed, but the change was almost
29 exclusively on the south façade in order to accommodate 7 building recesses.

30
31 Chair Stockton asked about the grading change, and whether the building was oriented a different
32 way if that would result in a significant change in the grading deviation being proposed.

33
34 Planning Consultant Zweber stated that he did not know, and explained that the building height
35 was due to the average grade around the building. So, if they went to the north there would be
36 grade change difference, which could affect height calculations. He noted that there would still be
37 parking, and the applicant would most likely still want a flat area for the outdoor recreation space.
38 He stated that he does not have any reason to believe that the average grade would significantly
39 decrease by changing the orientation of the building.

40
41 There being no further questions for staff, Chair Stockton invited the applicant to address the
42 Commission.

43
44 Jeff Schuler, representing applicant Moments of Wayzata, and Elizabeth Wright, owner,
45 introduced themselves.

46

1 Mr. Schuler stated that they had planned to show a short video that would give a tour of their
2 Lakeville facility, but had been informed that would not be possible tonight due to technical
3 difficulties.

4
5 Ms. Wright explained that the Moments of Lakeville lends itself to a beautiful, almost impossible
6 setting which is similar to this property. She stated that one of the reasons that they had put
7 together the video is because she wanted to show the interior of their building in order to explain
8 to the Commission why they need a linear building for their residents with dementia. She stated
9 that they believe that their residents should have freedom of movement and one of the ways to do
10 that is to allow them to wander around. She explained that they do not have 'dead ends' at the end
11 of hallways, and instead have a vignette or a purpose. She stated that at the building in Lakeville,
12 on one end they have a little General Store and at another end of the hallway they have a little
13 library. She explained that every part of the building has a purpose, and having a linear building
14 that is basically a walking track inside is something that is important to them as well as the residents
15 because people with dementia wander. She stated that they can also tend to have anxiety and a
16 need to constantly be in motion, and this is a way to provide safe movement opportunities for them.
17 She stated that they had also wanted to show the Commission the exterior of the building in
18 Lakeville, and the beautiful landscaping that they had done.

19
20 Mr. Schuler stated that through multiple neighborhood meetings and from the Planning
21 Commission, they heard that this building needed to fade in and essentially bleed into the
22 neighborhood and surroundings a bit more. He stated that they also heard feedback on the
23 importance of breaking up the building through materials, colors, and breaks in the massing which
24 is what they have done. He reviewed their plans to change from a white building to one that is
25 earth-toned, natural, and has darker façade that they feel matches the nature and will blend in more
26 with the surrounding area. He stated that he feels that they have incorporated many improvements
27 since the last application, and he reviewed the tree preservation and new vegetation that is planned
28 on the site. He noted that they have put a lot of effort into maintaining the trees along Wayzata
29 Boulevard in order to help preserve the older, ingrained feeling of the area, but will also help screen
30 the building and the activity from the neighbors. He stated that by keeping the building further
31 away from Wayzata Boulevard, they will be able to stay away from excavating around the trees.
32 He pointed out the row of arbor vitae that will serve as a natural, but functional wall. He noted
33 that their proposed parking is very similar to the last iteration of their plans, but that they have also
34 added a retaining wall on the south side of the property, and explained that all that will be seen
35 from Wayzata Boulevard would be a gentle hill. He explained that all of their lighting is about as
36 low as they can go while still safely providing lighting. He noted that all the fixtures are dark sky
37 and will have minimum light pollution impact. He stated for the side yard variance request, right
38 now, the existing building is 10 feet off of the existing property line and gives the look of a nearly
39 solid building. He explained that they were proposing to improve the situation from a 10 foot
40 setback to a 30 foot setback. He noted that many of their requests are the result of the unique shape
41 of the property as a triangle and the existing grade change. He explained that within the City's
42 design standards, there is a requirement that each residential unit that is within 4 feet of the grade
43 plane have an exterior door, and explained the reasons why they felt that having an individual
44 exterior door in the units would be very detrimental to the residents of the building.

1 Ms. Wright stated that she felt that they have shown that they have listened to the City and the
2 neighbors throughout this entire process, and have tried their best to meet their various desires, but
3 also make sure that their business is the best it can be for their residents. She stated that related to
4 the parking questions, they do have outside vendors that come in, such as hospice, medical
5 professionals, and entertainers. She noted that she really wants them to really be part of the
6 community, and felt that seeing families having fun inside the building with their loved ones, it is
7 truly heart-warming. She noted that Moments has been named as one of four memory care
8 operators to watch in the entire nation, and stated that she wanted to make sure that they continue
9 down this path as leaders and set the bar for others.

10
11 Commissioner Severson asked more about the doors, and about State requirements and licensing.

12
13 Mr. Schuler stated that the building, as designed, meets all of the building and safety codes for
14 required egress. He stated that the exterior door requirement within the design standards is just a
15 Wayzata aesthetic standard, and that would only apply to the south side of the building.

16
17 Commissioner Schwalbe asked if they were expecting a different type of resident than Meridian
18 Manor had.

19
20 Ms. Wright stated that she believes that Meridian Manor had 10 dementia specific little apartments
21 in the basement in the far northeast corner hidden behind a locked door. She stated that Moments
22 will have a significantly different clientele because they are about memory care, and offer what is
23 considered an enhanced assisted living.

24
25 Chair Stockton asked about the level of activity in the parking areas and how they may be able to
26 manage some of the noisier activities towards the back.

27
28 Ms. Wright stated that their variance request will allow them to have deliveries from vendors like
29 U.S. Foods, garage collection, Medline, Hillyard, and others that have large trucks to be able to
30 make the deliveries in the back which will help eliminate much of the louder noises.

31
32 Mr. Schuler explained that the front parking would primarily be for visitors who would typically
33 not be there before 8:00 a.m. and would usually be gone by 8:00 or 9:00 p.m., which means that
34 in the dark hours there would be very little activity in the front parking lot.

35
36 Ms. Wright stated that they had also eliminate 6 parking spots that faced out onto Wayzata
37 Boulevard which are currently there. She noted that they are planning on an immense amount of
38 arbor vitae to screen the property, which is something that they have heard from the neighbors is
39 important.

40
41 Amit Sela, Ms. Wright's husband, explained that he helped her build their Lakeville facility. He
42 stated that both his wife and Mr. Schuler were extraordinarily modest and wonderful human beings
43 and explained that he wanted to tell the Commission a short story.

44
45 Chair Stockton asked him to make the story very short.

46

1 Mr. Sela stated that there are almost 2,000 feet of outside patio space at the Lakeville site, and 2
2 cabanas for families to come and be with their loved ones out of the dining room during 3 seasons,
3 and also have places for kids to play and opportunities for shorter term day care services. He stated
4 that this was something that nobody else in the State has ever taken the time and money to put
5 together. He stated that there were almost 500 trees that were planted on one of the most difficult
6 sites on 35W and 46th, and feels that they have exceeded the expectations of the community. He
7 stated that his wife and Mr. Schuler work very hard with the community to design a building where
8 people would be honored to be, because they spent the money, time and energy to do the right
9 thing, and to create an environment where people and families who suffer from this disease want
10 to have.

11
12 There being no additional questions from the Commission for the applicant, Chair Stockton opened
13 the public hearing on the application at 7:39 pm.
14

15 Beth Flynn-Ferry, 154 Babcock Lane, stated that she lives across from the development and noted
16 that she had attended all the meetings that the developer has had through this process. She stated
17 that she is supportive of the changes, and felt that the applicant had really listened to their concerns.
18 She asked staff to explain the difference in zoning designation to institutional from a PUD.
19

20 Community Development Director Goellner stated there were no people who called into the
21 meeting that have asked to speak at the public hearing.
22

23 There being no one else wishing to comment on the application, Chair Stockton closed the public
24 hearing at 7:41 pm.
25

26 Chair Stockton asked for the Commission to share their questions and feedback on the application.
27

28 Community Development Director Goellner offered to answer the question raised by Ms. Flynn-
29 Ferry during the public hearing. She stated that the difference between the current zoning of PUD
30 and the proposed institutional designation is that at its core, the PUD requires a specific contract
31 for a planned development and can only be changed with review from the Planning Commission
32 and approval of City Council. She stated that it is usually for a specific, phased development, and
33 explained that Meridian Manor had a very specific plan and contract. She explained that the
34 current proposal is to build a project on an institutional parcel, which are parcels that do not tend
35 to redevelop very quickly, such as hospitals, schools, or religious assembly locations. She stated
36 that if they were compliant with the City's institutional district, it wouldn't necessarily require
37 changes to the development agreement if they wanted to make change over time, and would likely
38 simply be allowed through a building permit.
39

40 Planning Consultant Zweber stated that the work the City has done over the last 5 years or so was
41 to improve the zoning code in order to allow for uses instead of using the PUD. He explained that
42 when Meridian Manor was created, the City did not have the design guidelines like it does today.
43 He noted that in 2022, they did a series of updates to the City code that were predominantly to
44 implement the City's Comprehensive Plan, but much of it was also updating old code.
45

1 Commissioner Schwalbe stated that it sounds like the institutional designation would be the correct
2 way to go for this situation. She stated what she particularly likes about their design is when they
3 were describing the linear idea so anybody can find their way home which she thinks is a brilliant
4 idea. She noted that she has several relatives who live in nursing homes, and they frequently get
5 lost because there are shoot outs that go to various areas throughout the building. She stated that
6 she really likes the whole project and just has one thing that she does not like, which is the darker
7 color palette for the building. She stated that she liked the lighter palette that they had proposed
8 with the previous plans better than what their current proposal is. She noted that she felt that they
9 had the perfect opportunity with their 3 separate areas to be able to do something more creative.
10 She explained that she was fine with the architecture they were proposing, but would like the color
11 palette to be changed in order to make it look more inviting and happier and not just brown, on
12 brown, on brown.

13
14 Chair Stockton asked that the Commission's discussion stay within the zoning designation and
15 then discuss the various design deviations that were being requested. She stated that the last time
16 this project was discussed, the Commission came to the conclusion that they were comfortable
17 with the change to institutional because of its purpose. She noted that if they were still comfortable
18 with that she would suggest that they move the discussion onto the CUP.

19
20 There was general consensus of the Commission that they were in support of the institutional
21 designation for this property.

22
23 City Attorney Schelzel stated that he wanted to clarify for the record that there are two requests
24 that are related zoning, one being the change to the Comprehensive Plan that would then allow for
25 the change in zoning from PUD to Institutional.

26
27 Commissioner Severson stated that, similar to what she thought last time, she felt it made sense to
28 have the parking in the front which also gives residents space in the back. She noted that this
29 would be the same as what Meridian Manor had.

30
31 Commissioner Cameron stated that he felt it highlighted an interesting conundrum where the City
32 is saying that they have to have a recreation area in the rear and parking in the rear at the same
33 time.

34
35 Chair Stockton moved the discussion onto the side yard setback request.

36
37 Commissioner Elg stated that he believes that the setback is where the driveway is that goes to the
38 back parking lot and currently, a building is there that they called the garage and east of that were
39 some utilities behind a wall. He stated that, to him, it seems that the space from Highway 12 to
40 the building would actually become more open. He noted that he believes that the existing garage
41 is as close or possibly closer to the property line than the proposed driveway. He stated that he
42 would support allowing this variance, and felt that the look alone would be an improvement.

43
44 Commissioner Severson asked if the current building matched the code if it were to be considered
45 institutional, for example, the garage referenced by Commissioner Elg.

46

1 Planning Consultant Zweber stated that the accessory garage would have been out of compliance
2 and a non-conforming structure. He explained that he was not as familiar with how the mechanical
3 utilities were connected with the building. He noted that the west wall of the Meridian Manor
4 building itself would have complied with the 50-foot setback, but the utilities and the garage would
5 have been non-compliant.

6
7 Community Development Director Goellner stated that she had one other note from the previous
8 discussion, and explained that the Commission was thinking about a finding on how the applicant
9 had requested a linear-shaped building on a triangular-shaped lot, which led to this design choice.

10
11 Commissioner Elg stated that he thinks the property shape and the grade provide challenges to the
12 project, and felt that the applicant had done a good job of dealing with the widest part of the triangle
13 in order to properly place the building in order to fit their needs.

14
15 Chair Stockton moved the discussion onto the design deviation requests. She noted that the more
16 the Commission has seen for this project, she thinks they have been able to have a better
17 understanding of what it takes to run this type of facility, and that the form and function balance
18 needs to be looked at in great detail. She stated that when she was discussing this with staff, she
19 shared that she felt the door and roof deviations both seemed to be a benefit for both the City and
20 the applicant.

21
22 Commissioner Elg stated that he felt that because the second level was solid glass and almost
23 skyway like, it created an openness in the massing breaks. He stated that if the recesses were a bit
24 deeper it could feel like three separate buildings.

25
26 Chair Stockton stated that she liked how it pulled it away from the street in its design, and was
27 fading away, which she would also say is a benefit.

28
29 Commissioner Severson stated that she likes the changes that have been made, and thinks the
30 building looks nice. She explained that she actually liked the void, and likes how the roof line is
31 flat which helps it recess back in. She noted that she also liked the change that had been made to
32 the porte-cochere with the sunroom because in the previous version, it felt heavy and intense. She
33 stated that she did not have any problems with the proposed parking, and commended the applicant
34 for listening to the concerns shared by the City and the neighbors. She stated that she did not love
35 the idea of a variance on the setback because this is a brand-new building, but she also understood
36 the constraints of the property.

37
38 Chair Stockton stated that she felt it was very clear that the applicant had been listening to the
39 feedback they have gotten. She noted that she was hopeful that their discussion tonight about the
40 various conundrums are able to help residents understand the project better. She stated that it was
41 unfortunate that they did not have a picture with the trees in front.

42
43 Community Development Director Goellner stated that the Commission could recommend that
44 those images be included for the Council meeting.

45

1 Chair Stockton stated that she had not seen any fixtures that depict what the lighting will look like,
2 so they can't get an idea of how they will look aesthetically. She referenced the recent adjustment
3 that had been made to the car wash lighting, and asked what staff understood about the lighting in
4 this situation.

5
6 Planning Consultant Zweber described where the lights would be located for the front parking lot
7 and the building itself.

8
9 There being no further discussion, Chair Stockton asked for a motion on the application.

10
11 Commissioner Severson made a motion, seconded by Commissioner Schwalbe, to direct staff to
12 prepare a draft Planning Commission Report and Recommendation with appropriate findings and
13 conditions, as discussed, reflecting a recommendation of approval for Comprehensive Plan
14 Amendment, Zoning Map Amendment, Conditional Use Permit, Variance to the West Side Yard
15 Setback, and Design Deviations for an Elderly Care Facility (Moments of Wayzata) at 163
16 Wayzata Boulevard West, for review and adoption at the next Planning Commission meeting.
17 The motion carried unanimously.

18
19 Chair Stockton recessed the meeting at 8:09 p.m. and reconvened at 8:16 p.m.

20
21 **b) Consider Development Application for Amendments to Conditional Use Permits**
22 **for Eloise Restaurant Parking at 332 Broadway Avenue South**

23
24 Assistant Planner, Valerie Quarles, reviewed the request for parking entitlement amendments for
25 Eloise Restaurant, a new restaurant planned for the City this fall at 332 Broadway Avenue South.
26 She reviewed the project location, zoning and land use, site history, and off-site joint use of
27 parking. She explained that the proposal was to allow Eloise to open before 6:00 p.m. on weekdays,
28 which means they would need to amend the existing CUPs for off-site joint use of parking and
29 fee-in-lieu of parking.

30
31 At the conclusion of Assistant Planner Quarles' presentation, Chair Stockton asked if the
32 Commission had any questions for staff.

33
34 Commissioner Severson asked for clarification surrounding the two different CUPs.

35
36 Assistant Planner Quarles explained that not all off-site joint use of parking arrangements are in
37 public parking and many of them are in private parking lots, which do not require any fee-in-lieu
38 of parking because it is private. She noted that the fee-in-lieu of parking kicks in because they are
39 proposing to use additional public parking, so they have to pay for the impact on that parking.

40
41 Commissioner Severson asked if Grocer's Table and Eloise would be sharing their spaces.

42
43 Assistant Planner Quarles stated that she felt the best way to think about it is that Grocer's Table
44 spaces were already taken care of under the existing CUP and so they are just entitling the extra
45 spaces for Eloise.

1 Commissioner Severson asked where the two different CUPs were coming from.

2
3 Assistant Planner Quarles stated that the existing PUD has both CUPs, so they are existing
4 entitlements and this action just changes the number of parking spaces in those CUPs.

5
6 Commissioner Schwalbe stated that she was a bit confused, and asked what Eloise was actually
7 asking for and asked about the comment staff had made about them opening earlier, and asked
8 what that had to do with the CUP.

9
10 Assistant Planner Quarles explained that the existing CUP has a number that essentially says that
11 this is the most parking that this building requires, which is 92 spaces and it is during the day, on
12 weekdays. She stated that the change here is that they are changing one of their retail spaces to a
13 restaurant, which requires more parking during that time than a retail space would. She noted that
14 staff had done the math and figured out how much additional parking would be needed during that
15 specific time which is what the CUP amendments are for.

16
17 Commissioner Schwalbe asked how much the fee-in-lieu of parking fee would be in this scenario.

18
19 Assistant Planner Quarles stated that with the 2024 numbers, it would be \$100,000 total for the 10
20 spaces.

21
22 Commissioner Schwalbe stated that meant that they needed to pay \$100,000 in order to open an
23 hour early.

24
25 Community Development Director Goellner stated that conversation will primarily happen at the
26 City Council level about how that payment is applied to the property. She stated that the
27 Commission should focus on whether there is impact to the surrounding area and whether they
28 find that there is sufficient parking capacity for the proposed use in this location.

29
30 City Attorney Schelzel stated that the Planning Commission's role is to make a recommendation
31 to the City Council about these two requests to amend the existing CUPs. He explained that it was
32 really being driven by the desire to change one of the existing uses, which requires more parking
33 spaces.

34
35 Commissioner Cameron asked if he was understanding correctly that the parking spots go to the
36 property itself, and not the actual lessor of the property, Eloise.

37
38 City Attorney Schelzel stated that was correct in one sense, and explained that these were not
39 designated spaces, and they would essentially be getting an entitlement to be able to utilize parking
40 in the public lot for the new use. He stated that it will run with the property but not necessarily
41 this particular tenant, which is why it is a CUP tied to the property rather than something tied to
42 the lease.

43
44 Commissioner Severson asked what would happen in 5 years, if the City tears down the parking
45 ramp and the parking isn't available.

46

1 Community Development Director Goellner stated that the ramp was built in 2015, so she would
2 not foresee any kind of demolition of the structure for many decades. She stated that there is a
3 capital plan for the downtown improvement area, so there will be a plan for the end of life of the
4 structure and noted that it would likely be rebuilt in the same location, but may add additional
5 capacity.

6
7 Commissioner Severson asked if it would change the fact that the City had already entitled them
8 to having parking outside of their building or property.

9
10 City Attorney Schelzel stated that he thinks the City's position in that situation would be that they
11 could continue to operate the restaurant with those parking entitlements even if the City ramp went
12 away temporarily. He noted that downtown parking is critical to the City, so this is something that
13 would be addressed on a more global scale and if there was a major change to the ramp, the City
14 would be looking for other parking solutions, but the property owner would not have to shut down
15 the restaurant.

16
17 Chair Stockton asked if the parking calculations were showing that they needed 10 more spots than
18 Lululemon did.

19
20 Assistant Planner Quarles confirmed that they were saying that they needed 10 more spots than
21 Lululemon, at that time.

22
23 Commissioner Severson noted that if Eloise wanted to open at 6:00 p.m., they wouldn't need to
24 do this.

25
26 Assistant Planner Quarles stated that was correct.

27
28 There being no further questions for staff, Chair Stockton invited the applicant to address the
29 Commission.

30
31 Applicant's representative, Jimmy Beltz, 430 Peavey Road, explained that they own Beltz
32 Enterprises which owns 701 Lake Street and 332 Broadway Avenue S. He stated that staff had
33 already laid out most of the details, and explained that this CUP amendment is primarily for the
34 additional hour in order for the restaurant to be able to open at 5:00 p.m. He stated that they think
35 Eloise will be a great addition to the downtown area, and noted that the addition of the ramp offered
36 a huge improvement for the parking situation in the area because it added a lot of capacity.

37
38 There being no questions from the Commission for the applicant, Chair Stockton opened the public
39 hearing on the application at 8:38 pm.

40
41 Community Development Director Goellner stated there were no people that called into the
42 meeting that have asked to speak at the public hearing.

43
44 There being no one wishing to comment on the application, Chair Stockton closed the public
45 hearing at 8:38 pm.

46

1 Chair Stockton asked for the Commission to share their feedback on the application.

2
3 Commissioner Elg stated that he felt this was consistent with the Comprehensive Plan and will
4 also be an enhancement to the downtown. He noted that staff has illustrated that there is capacity
5 for the extra spaces and will comply with the fee-in-lieu of parking policy, so he was in favor of
6 recommending approval.

7
8 Commissioner Severson stated that she was happy to have more locally-owned restaurants, and
9 also supports this action.

10
11 There being no further discussion, Chair Stockton asked for a motion on the application.

12
13 Commissioner Schwalbe made a motion, seconded by Commissioner Elg, to direct staff to prepare
14 a draft Planning Commission Report and Recommendation with appropriate findings reflecting a
15 recommendation of approval of the Amendments to Conditional Use Permits for Eloise Restaurant
16 Parking at 332 Broadway Avenue South for review and adoption at the next Planning Commission
17 meeting. The motion carried unanimously.

18
19 **AGENDA ITEM 6. Other Items:**

20
21 **a) Review of Development Activities**

22
23 **b) Planning Commission Meeting Schedule**

24
25 Community Development Director Goellner stated that she has accepted a new position at the City
26 of Golden Valley, and her last meeting with the Commission will be on August 19, 2024. She
27 noted that they will only have a Consent Agenda for that meeting, so it will be a short, but important
28 meeting. She stated that she was anticipating cancelling the September 9, 2024 meeting in order
29 to give staff a bit more transition time following her departure.

30
31 Chair Stockton stated that she was sad to see Community Development Director Goellner leave
32 and would miss her support.

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

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

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

40
41 The Planning Commission meeting was adjourned at 8:44 p.m.

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