



Wayzata Planning Commission

Meeting Agenda

Wednesday, January 18, 2017

Community Room
600 Rice Street East
Wayzata, Minnesota 55391

5:30 p.m. Workshop Meeting

- 1. Workshop Items**
 - a. Introduction of new Planning Commissioner
 - b. Planning Commission Orientation and Training

7:00 p.m. Regular Meeting

- 1. Call to Order & Roll Call**
- 2. Approval of Agenda**
- 3. Approval of Minutes**
 - a. December 19, 2016
- 4. Old Business Items:**
 - a. None
- 5. Public Hearing Items:**
 - a. Wayzata Blu – 259, 269 and 275 Lake St E and 339 Barry Ave Rezoning, PUD Concept Plans
- 6. Other Items:**
 - a. Review of Development Activities
 - b. Next Meeting is February 6, 2017
- 7. Adjournment**

NOTES:

¹ Members of the Planning Commission and some staff may gather at the Wayzata Bar and Grill immediately after the meeting for a purely social event. All members of the public are welcome.

WAYZATA PLANNING COMMISSION
DRAFT MEETING MINUTES
December 19, 2016

AGENDA ITEM 1. Call to Order and Roll Call

Vice Chair Gruber called the meeting to order at 7:00 p.m.

Present at roll call were Commissioners: Young, Gruber, Gonzalez, Murray, Flannigan and Gnos. Absent: Commissioner Iverson. Director of Planning and Building Jeff Thomson and City Attorney David Schelzel were also present.

AGENDA ITEM 2. Approval of Agenda

Commissioner Murray made a motion, Seconded by Commissioner Gonzalez, to approve the December 19, 2016 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Approval of Minutes

a.) Approval of December 5, 2016 Planning Commission Minutes

Commissioner Gonzalez made a motion, Seconded by Commissioner Murray, to approve the December 5, 2016 Planning Commission Minutes as presented. The motion carried unanimously.

AGENDA ITEM 4. Old Business Items:

a.) None.

AGENDA ITEM 5. Public Hearing Items:

a.) Blue Water Theatre Company – 605 Rice St E
i. Conditional Use Permit

Director of Planning and Building Thomson stated the applicant, Blue Water Theatre Company, and the property owner, Unitarian Universalist Church of Minnetonka (UUCM), have submitted a development application to change the use of the existing church building at 605 Rice Street East. Blue Water, a non-profit youth theater organization, has an agreement with the church to purchase the property. Blue Water would occupy the building and use the existing building as a community theater. The proposal requires a Conditional Use Permit (CUP). The property is zoned institutional, which is a district for uses and facilities devoted to serving the public.

1 Permitted uses within the institutional zoning district include schools, religious institutions, and
2 publicly-owned civic or cultural buildings. A non-profit community theater does not fall under
3 the definition of these permitted uses. One of the conditional uses in the institutional zoning
4 district is uses that are of the same general character as other permitted, accessory, or conditional
5 uses specifically listed in the Zoning Ordinance for the institutional zoning district. Staff
6 believes that a non-profit community theater is similar to several permitted uses.
7

8 Mr. Thomson stated that the City's parking ordinance states that when there is a change in use,
9 tenancy, or occupancy of a building which requires additional parking spaces, the minimum
10 parking requirements established in the parking ordinance must be met. The City's parking
11 requirement for a church and a theatre are the same. Since the applicant is not proposing to
12 increase the seating capacity of the current sanctuary, the proposed change in use does not
13 require additional parking. The applicant has provided detailed information on hours of
14 operation and the schedule for performances which would draw larger crowds and increase
15 parking demands. The applicant has stated that the parking demands could be accommodated
16 with existing on-street parking and by working with the adjacent St. Bart's church and the City
17 to use their respective parking lots in the evenings when they are generally available. Parking is
18 a consideration for the requested CUP but a parking variance is not required.
19

20 Mr. Charlie Leonard, Founder of Blue Water Theatre Company, 1900 Shenandoah Court,
21 Plymouth, and Applicant's representative, provided background on Blue Water Theatre
22 Company, their productions, and the locations they have worked out of in Wayzata. The
23 company's goal is to have a permanent location in Wayzata to operate out of. He reviewed the
24 proposed uses for the building including rehearsals and public shows. The facility currently
25 seats approximately 100 people and the larger performances they have would be in larger rented
26 facilities off site. He reviewed the parking needs and noted there are over 100 on-street parking
27 within a block of the facility. They have also talked to St. Bart's about using their parking if
28 needed. There is not a lot of day-to-day parking needs because most of it is pick up and drop off.
29

30 Commissioner Gonzalez stated concerns that usually come up with similar applications are noise
31 and lighting. Having activity until 11:00 pm on a weeknight may be too intrusive to an adjacent
32 residential property. She recommended the Commission propose a condition of approval that
33 would set reasonable hours of operation for weekdays and weekends. She asked how much of
34 the building interior would be changed.
35

36 Mr. Leonard stated that the goal would be to preserve as much of the interior as possible. They
37 would be doing some painting, installing theater lighting, and extending the alter area for a stage.
38

39 Commissioner Flannigan asked how the drop off traffic pattern would work. He stated this
40 would be a bigger issue than parking because the parking will work itself out.
41

42 Mr. Leonard stated it would be similar to the pattern that is used by St. Bart's.
43

44 Mr. Thomson stated staff had discussed traffic and pickup/drop off patterns with the applicant,
45 Public Works and City Engineer Kelly. The Police and Fire Departments are interested in
46 posting one side of Walker as "no parking" because there are areas where parking is allowed on

1 both sides, and this reduces the road width to one lane. Public Works will be working on this
2 change in conjunction with the application. This will allow Walker to be less congested for
3 pickup and drop off. Staff can work with the applicant about the parking flow. He stated the
4 Commission could recommend a condition of approval that the applicant maintain ongoing
5 communication with the City in regards to scheduled events so if there are conflicts with other
6 activities in the area, these can be identified early.

7
8 Mr. Leonard stated when they have performances, they sell the tickets prior to the show and
9 would then have the ability to let those people know the day of the show where parking would be
10 available.

11
12 Vice Chair Gruber asked if there had been any consideration for how maintenance of the existing
13 historic building will be funded.

14
15 Mr. Leonard stated they have built this into their financial plan because this is an old building.

16
17 Commissioner Gonzalez asked if this particular application would require to payment for
18 additional parking in the City's Mill Street parking ramp that is under construction.

19
20 Mr. Thomson stated the Fee In Lieu of Parking Policy is applicable to development applications
21 that do not meet the parking requirements for the development proposed. The policy does not
22 apply to this application because there is no additional parking required, and this property is
23 outside of the district that the Fee In Lieu of Parking Policy applies to.

24
25 Vice Chair Gruber opened the public hearing at 7:30 p.m.

26
27 Ms. Kim Anderson, 335 Broadway Avenue N, Wayzata, stated she was there as the current Chair
28 of the Heritage Preservation Board and the board supports this project because it would preserve
29 this architecturally and historically significant building for Wayzata.

30
31 Ms. Sue Sorentino, 525 Queensland Land, Plymouth, stated she was part of the Historical
32 Society and supports the proposed project because they would be preserving a historically
33 significant building.

34
35 Mr. Tom Vanderheyden, 534 Wayzata Boulevard E, Wayzata, stated his property is adjacent to
36 the subject property, and he liked that the building would be maintained in its current form. He
37 stated all of the traffic in this area goes from Wayzata Boulevard to Walker, and people stop half
38 way to let people out for the church. He expressed concerns about safety of this traffic drop
39 off/pick up pattern and noise. He would also question the parking requirements of the proposed
40 use, because of the frequency of use would be changing.

41
42 Commissioner Flannigan stated the flow of traffic should be looked at by the City Council. He
43 asked what the effect of the noise from the church would have on his residence.

44
45 Mr. Vanderheyden stated you can hear church services through the windows but the material
46 issue with the proposed use would be the traffic flow.

1
2 Ms. Betsy Schill, 815 Alvarado Lane N, Plymouth, stated she was on the Board of Blue Water
3 Theater and would like to continue discussing the traffic flow and parking with Mr.
4 Vanderheyden. They would make the traffic flow very clear to their group.
5

6 Commissioner Gonzalez asked what would be a reasonable limitation to the hours of operation.
7

8 Ms. Schell stated currently the last pickup from rehearsals is typically 9:30 p.m.
9

10 Mr. Leonard stated that for a typical performance night, the show would end between 10 and
11 10:30 p.m. so they would probably be gone from the premises by 11 p.m. Based on their 2016
12 schedule they would have done 8 of their 12 productions at this facility, or about 22
13 performances total. They are looking at adding a shutter type system to the stained-glass
14 windows to protect them. This would reduce the amount of noise that is heard outside of the
15 building as well.
16

17 Commissioner Gonzalez asked if outside lighting would be increased.
18

19 Mr. Leonard stated they did not have plans to change the outside lighting.
20

21 Vice Chair Gruber closed the public hearing at 7:47 p.m.
22

23 Commissioner Flannigan stated that this is a natural opportunity for this space. The concerns
24 that the City Council would need to consider are the flow of traffic and the burden on the nearby
25 residences, but this is not a hindrance to moving this project forward. This will make Blue
26 Water more a part of the community.
27

28 Commissioner Gnos stated this is a great opportunity and organization for this space. The traffic
29 flow would be a concern, and this should be discussed by the City Council. He would support
30 the project.
31

32 Commissioner Murray stated this is a great opportunity from a preservation standpoint and
33 community standpoint. This would bring the small town feel to the area.
34

35 Commissioner Young stated this project would add to the community. He would support the
36 project. He recommended adding a condition of approval that would require the applicant to
37 work with the City to develop a traffic flow plan that would be tied to the CUP. The hour
38 limitation to 11-12 p.m. would be appropriate. He asked if the City's Ordinances provided any
39 sound or noise guidelines.
40

41 Mr. Thomson stated the Zoning Ordinance does have a provision on noise, and the City uses the
42 MPCA standards for maximum decibel levels. The challenge with sound is that it can be
43 difficult to model and measure. The City could add a condition to approval that if there are
44 problems with the sound, then there can be testing required to measure the sound and if it is
45 outside of the noise standards, then mitigation methods would need to undertaken by the
46 applicant. .

1
2 City Attorney Schelzel stated the agreement between the applicant and the City to work together
3 to coordinate events could also include working together on the traffic flow and addressing any
4 noise concerns that may be brought forward. This agreement would be similar to a development
5 agreement.

6
7 Commissioner Gonzalez stated this is a great project that will bring young people to the
8 community. Limiting the hours of operation would address the concerns of noise.

9
10 Vice Chair Gruber stated she would also support the project, and the safety concerns with traffic
11 flow and noise can be addressed. She was pleased to see the applicant planned to preserve the
12 existing historical building.

13
14 Commissioner Young stated based on the hours of rehearsals and performances he would
15 recommend 11 p.m. as the latest time they could be in operation.

16
17 Commissioner Murray asked if 11 p.m. would be the latest time for amplified noise or for
18 anyone to be on the premises.

19
20 Commissioner Gonzalez stated the City Council included hours of operation for exterior lighting
21 for the new UUCM building.

22
23 Commissioner Flannigan recommended a production with amplified sound could not go past an
24 established time.

25
26 Mr. Leonard stated he would recommend 11:00 p.m. to be on the safe side but in reality, this
27 would be between 10 and 10:30 p.m.

28
29 Commissioner Murray asked if the noise levels could be reviewed again in six months.

30
31 City Attorney Schelzel stated the conditions have to be reasonable and simple conditions and
32 parameters would be easier to administer.

33
34 Mr. Leonard stated that their clientele is children, so there would not be a lot of activity after
35 performances due to curfews.

36
37 Commissioner Gonzalez suggested no amplified sound after 11 p.m.

38
39 Vice Chair Gruber stated staff and the City Council could determine how they would like this to
40 read.

41
42 Commissioner Flannigan recommended no production or amplified sound after 11 p.m.

43
44 Commissioner Young suggested directing staff to move forward with drafting a report and
45 recommendation for approval, contingent on a site management plan that addresses traffic flow,
46 hours of operation, and noise abatement measures as needed.

1
2 Commissioner Gonzalez stated the Commission's job is to review and make recommendations
3 on projects based on the City's Ordinances and recommend reasonable conditions. She
4 suggested a condition that the applicant would work with staff to come up with an event
5 management plan that would address the traffic flow for pickup and drop off. The Commission
6 should be able to recommend hours of operation. City Attorney Schelzel had recommended that
7 the applicant also have a parking agreement with St Bart's.
8

9 Commissioner Young made a motion to direct staff to prepare a Planning Commission Report
10 and Recommendation for review and adoption at the next Planning Commission meeting that
11 would recommend approval of the Blue Water Theatre Company Conditional Use Permit for 605
12 Rice Street E, with the condition that the applicant work with City staff to develop a site event
13 management plan that addresses issues such as traffic flow and parking, a condition of no
14 productions and amplified sound later than 11 p.m., and a condition of addressing noise
15 abatement measures as needed after operations have begun.
16

17 Commissioner Gonzalez stated the City Ordinance for noise and noise abatement is already in
18 place, and if there are complaints then the Ordinance would be in effect. This should not be a
19 condition of approval.
20

21 Commissioner Young stated he would like staff to review the Ordinance and ensure that it would
22 address the concerns brought forward.
23

24 Mr. Thomson stated staff will provide specific language that addresses the concerns brought up.
25

26 Commissioner Young made a renewed motion, Seconded by Commissioner Flannigan, to direct
27 staff to prepare a draft Planning Commission Report and Recommendation for review and
28 adoption at the next Planning Commission meeting that would recommend approval of the Blue
29 Water Theatre Company Conditional Use Permit for 605 Rice Street E, that includes a site event
30 management plan that addresses traffic flow and parking, and adding a condition of no
31 productions and amplified sound later than 11 p.m. The motion carried unanimously.
32
33

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

35 36 **a.) 2017 Planning Commission Work Plan** 37

38 Director of Planning and Building Thomson stated the Planning Commission held a workshop in
39 November to discuss goals, opportunities, and priorities for 2017. He presented and reviewed a
40 2017 work plan recommended by staff based on the workshop discussion.
41

42 Vice Chair Gruber stated she would like to see subdivision regulations spelled out clearly as a
43 bullet item under review, and have the Commission make recommendations to the City Council
44 on amendments to the City's zoning and subdivision regulations.
45

Commissioner Flannigan stated he would like to see clarification on the process for adopting reports and recommendations where the Commission has already had discussions and a vote on what to recommend on a project, and it should not have a different vote at the next meeting when the Report and Recommendation is adopted because there are Commissioners absent. He would also like to see periodic discussions with the City Council about the work of the Planning Commission.

Commissioner Gonzalez stated the Planning Commission use to have regular workshops with the City Council, and she would like to see these begin again and for the Commission to be included in workshops the City Council has regarding development applications in the City. She would also like to have the Planning Commission define what would be the front of a property for subdivisions and PUDs when there is a main road and a private street. She would also like to see the Commission address the amount of development that can occur on parcels that are steep.

Mr. Thomson stated there were other items discussed at the workshop, but these may have larger policy questions that the City Council would need to be involved in.

b.) Review of Development Activities

Director of Planning and Building Thomson stated the next Planning Commission agenda is scheduled to include review and adoption of the report and recommendation for Blue Water Theatre. The City Council meeting on December 20th is scheduled to include review of the proposed Meyer Dairy project and the proposed subdivision on Holdridge Road.

Commissioner Flannigan thanked Commission Gnos for his service on the Planning Commission, as this would be his last meeting.

c.) Next Meeting is January 4, 2017

AGENDA ITEM 7. Adjournment.

Commissioner Flannigan made a motion, seconded by Commissioner Gonzalez, to adjourn the meeting of the Planning Commission. The motion carried unanimously.

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

Respectfully submitted,

Tina Borg
TimeSaver Off Site Secretarial, Inc.



**Staff Report
Wayzata Planning Commission
January 18, 2017**

Project Name: Wayzata Blu
Applicant Gatehouse Properties Ltd
Addresses of Request: 259, 269 and 275 Lake St E and 339 Barry Ave S
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: February 14, 2017

Development Application

Introduction

The applicant, Gatehouse Properties, has submitted a development application to develop the properties located at 259, 269 and 275 Lake St E and 339 Barry Ave S. The project includes demolition of the existing commercial buildings and construction of a three story mixed use building consisting of ground level office and 17 residential condominiums.

Property Information

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

Address	PID	Owner
259 Lake St E	06-117-22-23-0005	Flagship Financial Group, Inc.
269 Lake St E	06-117-22-32-0006	Theodore T Asao et al Trustees
275 Lake St E	06-117-22-32-0005	Theodore T Asao et al Trustees
339 Barry Ave S	06-117-22-32-0004	Theodore T Asao et al Trustees

The current zoning and comprehensive plan land use designations for the four properties are the same, and are as follows:

Current zoning:	C-4A/Limited Central Business District
Comp Plan designation:	Central Business District
Overlay districts:	S/Shoreland Overlay District W/Wetland Overlay District

Project Location

The properties are located on northwest corner of the Lake St E and Barry Ave S intersection:

Map 1: Project Location



Adjacent Land Uses.

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

Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Wayzata Villa Condominiums	R-5/Average Density Multiple Residential District	High Density Multiple Family
	Office Building	C-1/Office and Limited Commercial District	Central Business District
East	Barry Avenue	N/A	N/A
South	Lake Street	N/A	N/A
West	Commercial Building	C-4A/Limited Central Business District	Central Business District

Application Requests

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

- A. Rezoning from C-4A to PUD/Planned Unit Development: The properties are currently zoned C-4A and the applicant is requesting a rezoning to PUD.
- B. PUD Concept Plan of Development Review: A rezoning to PUD requires both concept and general plan of development review. The applicant is requesting concept plan review prior to submitting the full development application for general plan of development and design review.

Public Hearing Notice

The public hearing notice was published in the *Lakeshore Weekly News* on January 5, 2017. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on January 6, 2017.

Project Overview

The development site consists of four separate properties, and the properties currently contain four separate retail commercial buildings that are occupied by local businesses – Judd Frost Clothiers, Candlelight Floral & Gifts, and the Barbers Inn. The commercial building on the 259 Lake St E property is currently vacant. The applicant, Gatehouse Properties, has a purchase agreement with the two separate owners of the properties.

The development application includes demolition of the existing commercial buildings and construction of a new three-story building mixed use building. The first floor of the building would include office space and up to two residential condominiums. The upper levels of the building would include 15 residential condominiums. The proposed building includes 34 enclosed parking spaces within the first floor of the building, which would be dedicated to the 17 residential condominiums.

Private Parking Easement

There is an existing parking easement on the 259 Lake St E property which benefits the Boatworks property on the opposite side of Lake Street. The easement allows the Boatworks property to use the 259 Lake St property for 85 parking stalls for valet and employee parking. As part of the development application, the applicant is proposing to construct a defined parking lot on the back of the site which would include a total of 85 parking stalls. The proposed parking lot layout includes a single drive aisle with 58 standard head-in parking stalls. In addition there are 27 tandem parking stalls that could be utilized by valet parking services, for a total of 85 parking spaces to meet the parking easement. The parking lot would be accessed from Barry Avenue via a two-way drive aisle on the north side of the proposed building. The access drive also provides access to the existing underground parking for the office building to the north at 319 Barry Ave S. The driveway access from Lake Street would be removed.

Public Parking

There are nine on-street parking stalls currently located on Barry Avenue on the east side the site. As part of the development, the applicant is proposing that the nine

parking stalls be removed to allow for a continuous 12-foot sidewalk along the west side of Barry Avenue. In conjunction with the removal of the parking stalls, the applicant is requesting that the City terminate the existing easement over the 339 Barry Ave S property. There would be no changes to the on-street parking along Lake Street.

As a consideration of the PUD, the applicant is willing to enter into an agreement with the City for an easement that would allow for the construction of a parking structure on the back of the property to provide for additional public parking in the area. The applicant states that the public parking could be done on the subject property, or in conjunction with other development or changes on adjacent properties.

Planned Unit Development Process

The planned unit development zoning district is unique compared to a standard zoning district in that the development plans that are submitted with an application and approved by the City Council, are the regulating documents for the zoning of the property. Any future changes to the development must be consistent with the approved plans, or the property owner must apply to amend the PUD.

In Wayzata, there is a two phase review of a PUD request. The first phase of PUD review is the concept plans, which provides an overview of the development and a general schematic design of the project, but does not include detailed engineering and architectural design of the buildings and site improvements. The intent of the concept plan is to review the general project characteristics such as consistency with the Comprehensive Plan, consistency with the purpose and intent of the PUD district, and compliance with the general standards outlined in the PUD zoning district. The second phase of a PUD review is the general plan, which is a more detailed review of the site and building design.

On many recent development applications, the City has received applications for concurrent review of both the concept and general plans of development, which is allowed by the PUD ordinance. In this case, City staff, the Planning Commission, and the City Council review both the general framework of the PUD and the details of the project at the same time. The applicant is requesting review of only the concept plans for the current application. If the City Council approves the PUD rezoning and concept plans, the applicant would submit the general plan, design review, and any other required development applications for future review by City staff, the Planning Commission, and the City Council. If the City approves the PUD concept plans, it does bind the City to subsequent approval of the general plans.

Analysis of Application

City staff has reviewed the pertinent information and City Code requirements for the PUD concept plan, and provides the following analysis and information:

Comprehensive Plan

The Comprehensive Plan land use designation for the subject property is Central Business District. The Comprehensive Plan includes the following discussion for the Central Business District:

The Central Business District (CBD) includes the main thoroughfare of Lake Street and is generally referred to as downtown. The CBD continues to evolve into a diverse environment of retail stores, offices, restaurants, and residential land uses. This diversity is seen as healthy in that it attracts a wide variety of people into the downtown area at all times of the day. This diversity along with its proximity to Lake Minnetonka, make the CBD a destination place in the region.

Zoning

The properties are currently zoned C-4A/Limited Central Business District, and are located within the Shoreland and wetland overlay districts. The following table outlines the zoning standards for the C-4A, PUD, and Shoreland overlay districts:

	C-4A Zoning	PUD Zoning	Shoreland Overlay District	Proposed PUD
Height (max.)	2 stories and 30 feet, whichever is less	3 stories and 35 feet, whichever is less	35 feet	35 feet
Floor Area Ratio (max.)	2.0	None	None	0.94
Impervious Surface (max.)	None	None	25% 75% with stormwater management 100% with shoreland impact plan/CUP	TBD
Property Line Setbacks (min.)	None (not adjacent to residential district)	Same as imposed by previous zoning district	None	TBD
Lot Requirements (min.)	12,000 sq ft total lot area	None	Same as underlying zoning district	64,964 sq ft

The proposed project deviates from two of the requirements of the C-4A zoning district. Specifically, the C-4A district has a maximum building height requirement of 30 feet or 2 stories, whichever is less. Secondly, the C-4A district requires that at least 50 percent of the building frontage on the Lake Street ground level must be used for retail or service commercial uses. The application includes rezoning to PUD for two reasons. The first reason is to allow for a taller building than is permitted in the C-4A zoning district. The second reason is that the proposed building would contain residential and office uses on the first floor, which would not meet the Lake Street retail and service commercial requirements of the C-4A zoning district.

The PUD zoning district is an ordinance that can be used to allow for greater flexibility in development by incorporating design modifications from the strict application of the standard zoning district requirements. The PUD zoning district allows modifications of the strict standards for projects that meet a specific purpose, as outlined in “Applicable Code Provisions” section of this report. In addition, the PUD zoning district establishes general standards for a PUD, which are also outlined below.

The City’s Comprehensive Plan includes objectives that pertain to the deviations from the C-4A requirements. The Comp Plan states that within the Central Business District, commercial buildings on Lake Street, west of Barry Avenue, should not be required to have a first floor retail use, although it is allowed and encouraged. In addition, the Comp Plan states that the City will consider third story uses with appropriate considerations for design and scale. Commercial and residential uses are allowed as a third story, but the third story must be set back significantly more from the front façade of the floor below.

Density

The PUD zoning district states that the residential area standards of the R-5 zoning district apply to multiple family residential PUD projects, as determined by the City Council. The proposed PUD would meet the residential area requirements of the R-5 zoning district. The R-5 zoning district would require a minimum of 2,000 square feet of lot area per dwelling unit. The proposed PUD would have a lot area per dwelling unit of 3,821 sq. ft. with the proposed 17 dwelling units.

Action Steps

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

Attachments

Applicant’s Narrative
PUD Concept Plans
Public Comment

Applicable Code Provisions for Review

Comprehensive Plan

The Comprehensive Plan land use designation for the subject property is Central Business District. The objective of the Central Business District land use category is to promote a diversity of retail, office, service, and residential land uses at a high level of development quality to enhance it as a regional destination. The Comprehensive Plan includes the follow “1st Tier” priorities for the Central Business District:

- Allow a mix of commercial, office, and residential uses that strengthen the CBD as the shopping, employment, and entertainment destination of Wayzata.
- Update development standards continually to assure the highest development quality possible for the Central Business District.
- Complement the CBD and its strong sense of place through land use choices, urban design principles, traffic, parking, and architectural style.
- Investigate strategies to increase retail vitality throughout the CBD.
- Define and evaluate on-street/off-street parking needs consistent with land use, and requirements within the CBD so as to emphasize circulation ease and access control.
- Continue to provide a safe, comfortable, and attractive pedestrian scale environment through the enhancement of the pedestrian circulation system by improving sidewalks, walkways and street furniture; mitigating conflicts with traffic and street intersections, and by providing proper demarcation and sign control.
- Enhance the image and identity of the CBD by emphasizing street trees and landscaping elements.
- Plan for an orderly transition between the CBD development and adjacent residential neighborhoods.
- Accommodate traffic without negatively compromising the integrity of the downtown and its adjacent neighborhoods.
- Consider complementing abutting edges, both residential and retail/commercial.
- Consider public financial support that is fiscally responsible and provides value to the City's infrastructure and community systems.
- Consider ways to assist with redevelopment when properties become a liability to the community.

- Commercial buildings on Lake Street, west of Barry Avenue, should not be required to have a first floor retail use, although it is allowed and encouraged. Transparency requirements under the Lake Street District of the Design Standards remain in effect.
- Identify ecological and water quality impacts on the lake and other water bodies caused by proposed land use developments, for example stormwater runoff, and work to mitigate these impacts.

In addition, the Comprehensive Plan includes the following “2nd Tier” priorities:

- Plan development of parking so that it is not a focal point but rather placed behind buildings with appropriate buffers and landscaping.
- Adjust City’s Zoning Ordinance to address concerns of sun-orientation on southern side of Lake Street by requiring upper story setbacks for all new construction to avoid shading the north side of Lake Street.
- Continue to evaluate ways to encourage a variety of housing options for upper-story housing.
- Consider 3rd story’ uses with appropriate considerations for design and scale. Commercial and residential uses are allowed as a third story, but the third story must be set back significantly more from the front facade of the floor below.

Amendments to Zoning Ordinance (Section 801.03.2.F): City Council has the discretion and authority under state law and City Code to amend the City’s Zoning Ordinance. Minn. Stat. Section 462.357; Wayzata City Code Section 801.03. A zoning ordinance amendment may be initiated by the governing body, the planning agency or by petition of affected property owners. Minn. Stat. Section 462.357, Subd. 4. In considering a proposed amendment to the Zoning Ordinance, the Planning Commission and City Council shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:

- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
- B. The proposed use’s conformity with present and future land uses of the area.
- C. The proposed use’s conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
- D. The proposed use’s effect on the area in which it is proposed.
- E. The proposed use’s impact upon property value in the area in which it is

proposed.

- F. Traffic generation by the proposed use in relation to capabilities of streets serving the property.
- G. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

Purpose of PUDs: Section 801.33 of the Zoning Ordinance provides for the establishment of Planned Unit Developments to allow greater flexibility in the development of neighborhoods and/or non-residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD process, by allowing deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:

- A. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
- B. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
- C. More convenience in location and design of development and service facilities.
- D. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
- E. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
- F. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
- G. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
- H. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.

PUD General Standards. Section 801.33.2.A sets forth the general standards for review of a PUD application. These are:

- A. Health Safety and Welfare. In reviewing the PUD application, the Council shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area.
- B. Intent and Purpose of PUDs. In reviewing the PUD application, the Council shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the Zoning Ordinance.
- C. Ownership. Applicant/s must own all of the property to be included in the PUD.
- D. Comprehensive Plan. The PUD project must be consistent with the City's Comprehensive Plan.
- E. Sanitary Sewer Plan. The PUD project must be consistent with the City's Sanitary Sewer Plan.
- F. Common Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
- G. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
- H. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
- I. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
- J. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
- K. Setbacks. The front, rear and side yard restrictions on the periphery of the PUD shall be the same as imposed in the respective districts.

General Narrative for:
WAYZATA BLU CONDOMINIUMS

- Introduction:
Wayzata Blu is a 3 story building located on the corner of Lake Street and Barry Avenue. It uses two properties as shown on the submitted survey. The building contains office space and 17 condos with 34 enclosed parking spaces and accommodating the 85 car parking easement relating to the Boat Works building. We are requesting concept approval before submission of the General Plan and Design Review.

The current project team includes;

Developer
Gatehouse Properties Ltd.
2249 Portico Green
Wayzata, MN 55391

Design Architect
ESG Architects
500 Washington Avenue South
Minneapolis, MN 55415

Civil Engineering
Civil Engineering Site Design
118 East Broadway
Monticello, MN 55302

- Present Site Status:
Gatehouse Properties currently controls the properties pending project approval. The properties are currently zoned C4A. We are requesting a rezoning to a PUD.
- Site Conditions:
The property's current status is:
 - Essentially a flat site with a slight slope to the north towards a piece of wetland
 - A low grade wetland on the north portion of the site as shown on the survey
 - There are no significant trees or landscaping currently on the site
 - Soil conditions are standard and construction of the building would require some minor soil corrections but not a piling system.
 - Required utilities are located in the street right of way on Lake and Barry.

- Schematic Drawings:
 - Site Plan/Ground Level Plan
 - Building;
 - 2 condos are shown on ground level
 - Office use is shown at the west side of the building. The plan shows 4 separate offices with 2 being accessed from the west and 2 internal to the building.
 - Elevator is shown which allow access from the parking area to the condo units.
 - Has 34 enclosed parking spaces for the 17 condo units.
 - Site;
 - Setback from street—The building is set back from the edge of the curb to allow a 12 foot wide sidewalk on Lake Street and Barry Avenue.
 - Parking on Barry—The perpendicular parking on Barry has been eliminated as all parking for the project is on site. Removal of that parking will also make the street more safe for traffic.
 - Access to Zitzloff property and on grade parking
 - Outside access to office use—There is a sidewalk from the parking area to Lake Street which would also allow access to the offices.
 - This development is willing to enter into a agreement for a future easement granted to the City of Wayzata which would allow for a construction of a parking structure for the purpose of providing additional parking which would be open to the public. This could be done on this site or in combination with adjacent sites.
 - Boat Works parking easement—
 - As stated earlier we are parking 34 cars enclosed for the 17 condo units.
 - the Boat Works has a perpetual easement dated 26 March 1997 for 85 spaces to be accessed by valet parking. This is accommodated by showing 85 spaces (9' x18' with a drive aisle of 26' on grade behind the condo building. Access for this parking is off of Barry with an access drive of 24'. It is the intention of this proposal to meet all the requirements and conditions of the easement agreement. Since the parking it required to be accessed by valet parking we are showing spaces between #32 and #85 as a double row of tandem parking. The Boat Works will have the use of spaces #1 thru #58 without needing to use tandem parking. Spaces #1 thru #9 would be shared with the office users from 8AM to 6PM.

- Second Floor Plan
This floor contains 9 condo units with plan layouts as shown. The elevation facing Lake street is set back 6 feet for 32% of it's length. The elevation along Barry Avenue is set back 6 feet for 30% of it's length.
- Third Floor Plan
This floor contains 6 condo units with plan layouts as shown. The floor is set back 10 feet along Lake Street and Barry Street.
- Step Back Diagram/Building Section
This diagram clearly shows the setbacks of the second and third floors and the general concept of elevation variations on Lake and Barry. The building section shows the height of the structure being at the 35 foot level with the 6 foot and 10 foot setbacks at the second and third levels.
- Image Sketch
The image submitted shows a view from the intersection giving an image of the set backs and materials. We will develop elevations and details of the building for the design review in the General Plan/Design Review submittal of the project.

- Site Tabulation:

Total site area	64,964 sf
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Ground floor area	20,666 sf
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Second floor area	21,476 sf
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Third floor area	19,071 sf
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Total building area	61,213 sf
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FAR	.94
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Residential density	3,821 sf/unit
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Project schedule	June 2017 Construction Start Date June 2018 1st Move in Date
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- Utilities/Easements:
The easement adjacent to Barry Street appears to be for the parking stalls for the existing businesses and sidewalk in front of the stalls. Once the parking stalls are removed, the sidewalk can be relocated back within the street right-of-way, the easement would no longer be needed and will be requested be requested to be vacated.

The easement in the south west corner is noted on the survey that it is for previously vacated Lake Street. No utilities are indicated on the survey that would require this easement to remain. Lake Street alignment must have been shifted to the south at some point in time. This easement would no longer be needed and will be requested to be vacated.

Survey drawing does not show sanitary sewer extending east from the adjacent property to the west (building 253) to a manhole inside the property, then continues to extend to the east to Barry Avenue. Rerouting of the sanitary would be needed.

- Conclusion:
We are requesting approval of this Concept Plan submittal so we can proceed with the General Plan submittal and Design Review. The submittal will have no requests for variances from the zoning requirements or deviations of the design standards. We believe that this project meets the market demand for this property. It will successfully improve an area of Wayzata that is in need of re-development and provides a potential for shared public parking at the west end of Wayzata into the future.



Wayzata Condos

CONCEPTUAL RENDERING
12/19/2016

PC 1/18/2017
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SURVEY FOR:
GATEHOUSE PROPERTIES
2249 Portico Green
Wayzata, MN 55391

Legal Description

PARCEL 1:
Lot 13, Auditor's Subdivision No. 184, Hennepin County, Minnesota.

PARCEL 2:
Lot 14, Auditor's Subdivision No. 184, Hennepin County, Minnesota.

PARCEL 3:
The East 27 feet, front and rear, of Lot 15, Auditor's Subdivision No. 184, Hennepin County, Minnesota.

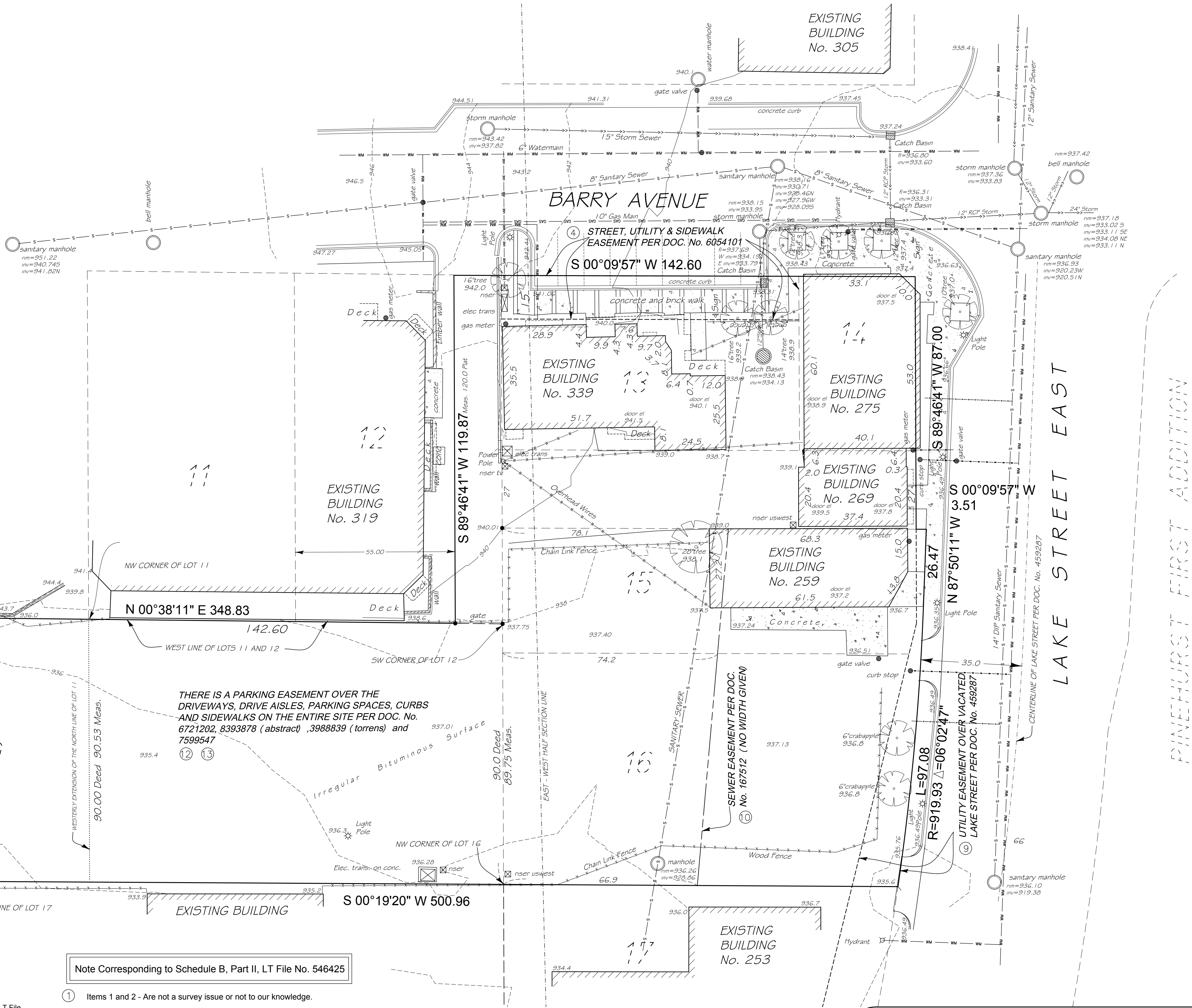
PARCEL A:
That part of Lot 10, Auditor's Subdivision Number 184, Hennepin County, Minnesota, described as follows, to wit:
Beginning at a point on the South line of said Lot 10 which is the Northwest corner of Lot 16 of said subdivision; thence Easterly along said South line a distance of 90 feet to a point which is the southwest corner of Lot 12 of said subdivision; thence North along the west line of Lots 12 and 11 of said subdivision a distance of 142.6 feet to the northwest corner of Lot 11; thence West along an extension of the North line of said Lot 11, a distance of 90 feet; thence South to the point of beginning.

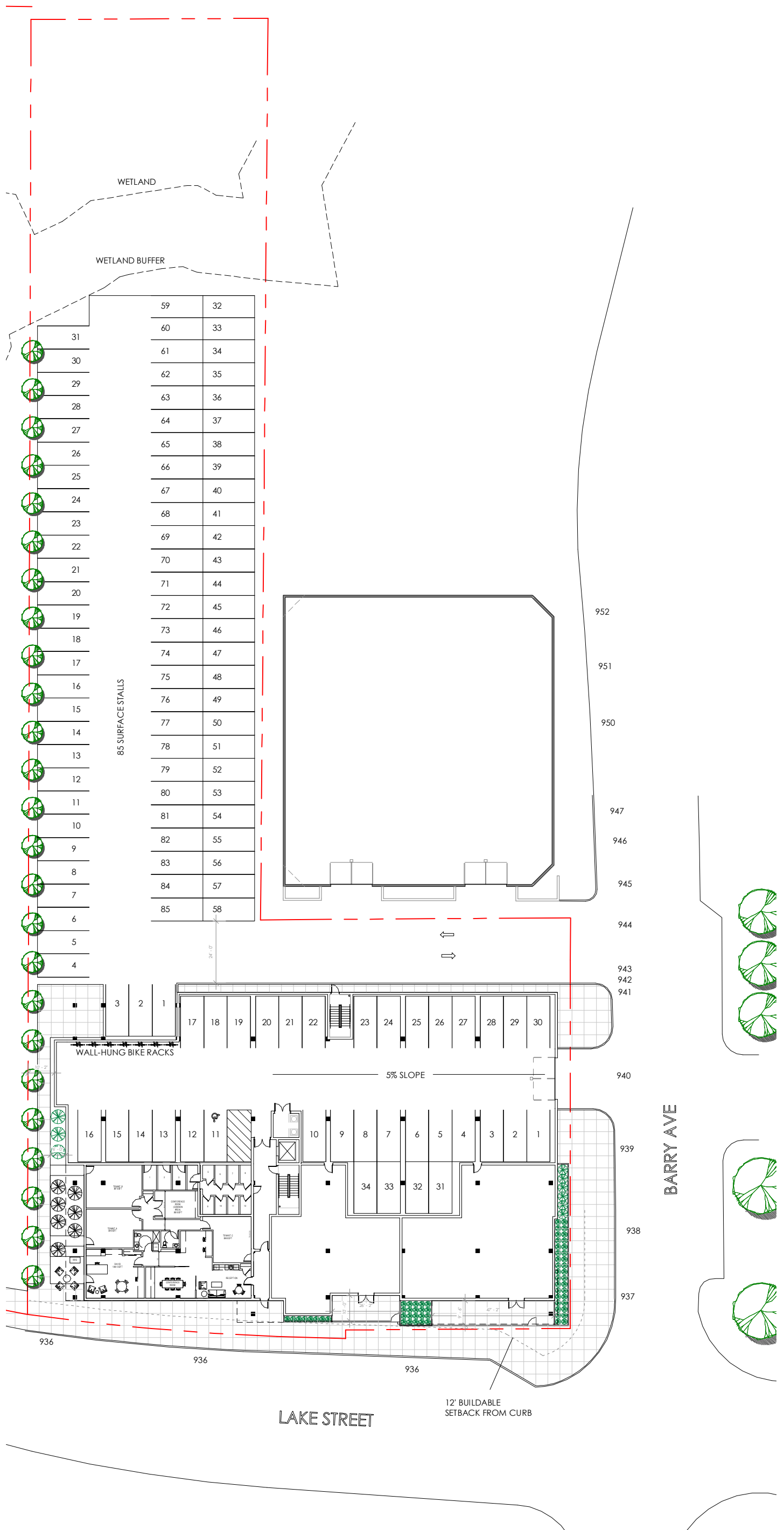
Lot 15, except the East 27 feet front and rear thereof, of Auditor's Subdivision Number 184, Hennepin County, Minnesota, also that part of Lake Street, vacated lying between the front line of said Lot 15 and the center line of said street and between the extensions across it of the side lines of said part of Lot 15.

Lot 16 of Auditor's Subdivision Number 184, Hennepin County, Minnesota, also that part of Lake Street vacated, lying between the front lot line of said lot and the center line of said street and between extensions across said strip of land on the side lines of said Lot 16.

PARCEL B:
All that part of the tract of land hereinafter described lying East of the Northerly extended East line of Lot 17, Auditor's Subdivision Number 184, and West of the Northerly extended West line of Lot 11, of Auditor's Subdivision Number 184, said tract of land being described as follows, to wit:
Commencing at the Northeast corner of Lot 11, Auditor's Subdivision Number 184, Hennepin County, Minnesota; thence West along the North line of Lot 11 and an extension thereof a distance of 315.85 feet; thence South a distance of 142.6 feet to the Northeast corner of Lot 18; thence West along the North line of said Lot 18 a distance of 50 feet to the Northwest corner of said Lot 18; thence South along the West line of said Lot 18 a distance of 2.6 feet; thence West parallel with the South line of Lot 19 a distance of 7 feet; thence North parallel with the West line of Lot 10 to the point of intersection with the Easterly extended South line of Lot 4, Auditor's Subdivision Number 184; thence East along the Easterly extension of said South line of Lot 4, Auditor's Subdivision Number 184 to the point of intersection of said South line of Lot 4, as so extended, with the Westerly line of Watertown Road; thence Southerly and Southwesterly along the West line of Watertown Road to the point of beginning.

Lot 12, Auditor's Subdivision Number 184, Hennepin County, Minnesota, except the North 55 feet thereof.







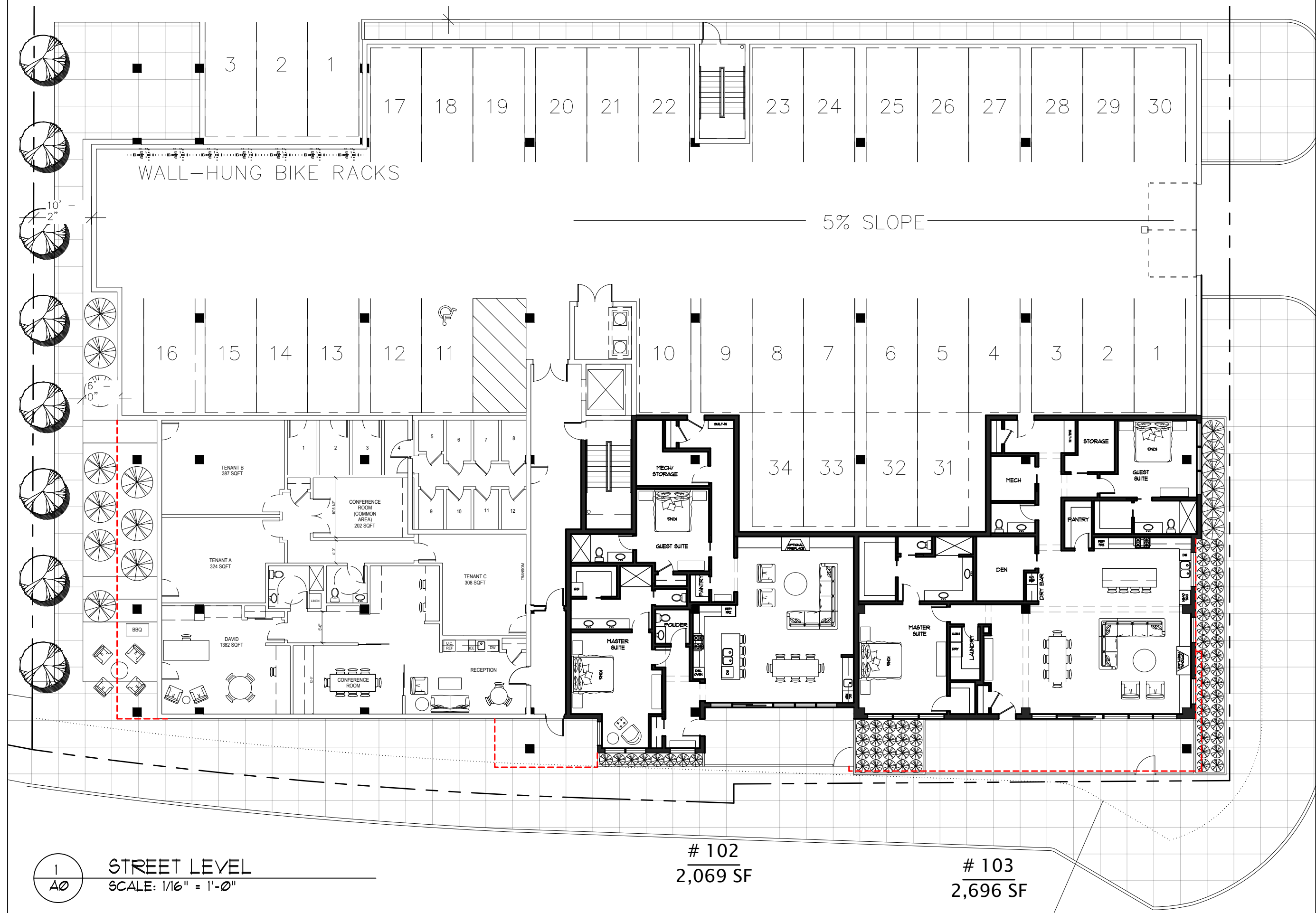
WAYZATA

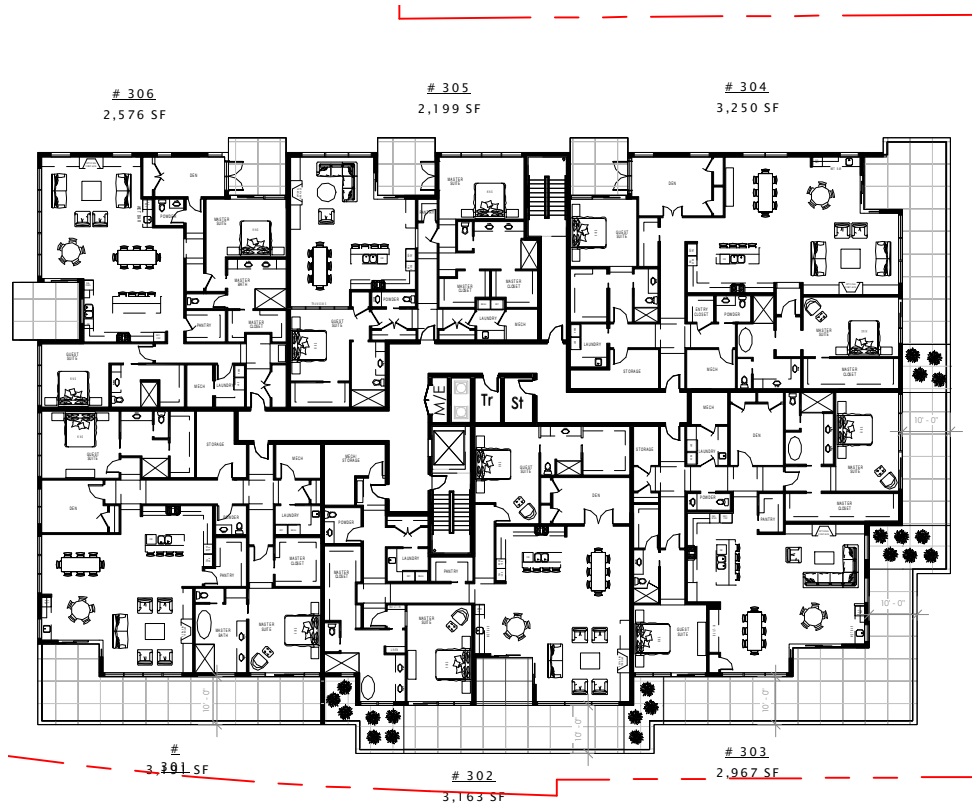
PART 2

The drawings and information provided within is to be used for design intent only. Verify all structural, mechanical, and architectural assemblies with project architect and general contractor before construction. This design is property of Martin Patrick 3 and may not be reproduced for any project other than the project stated above.

DATE: 12.20.2016

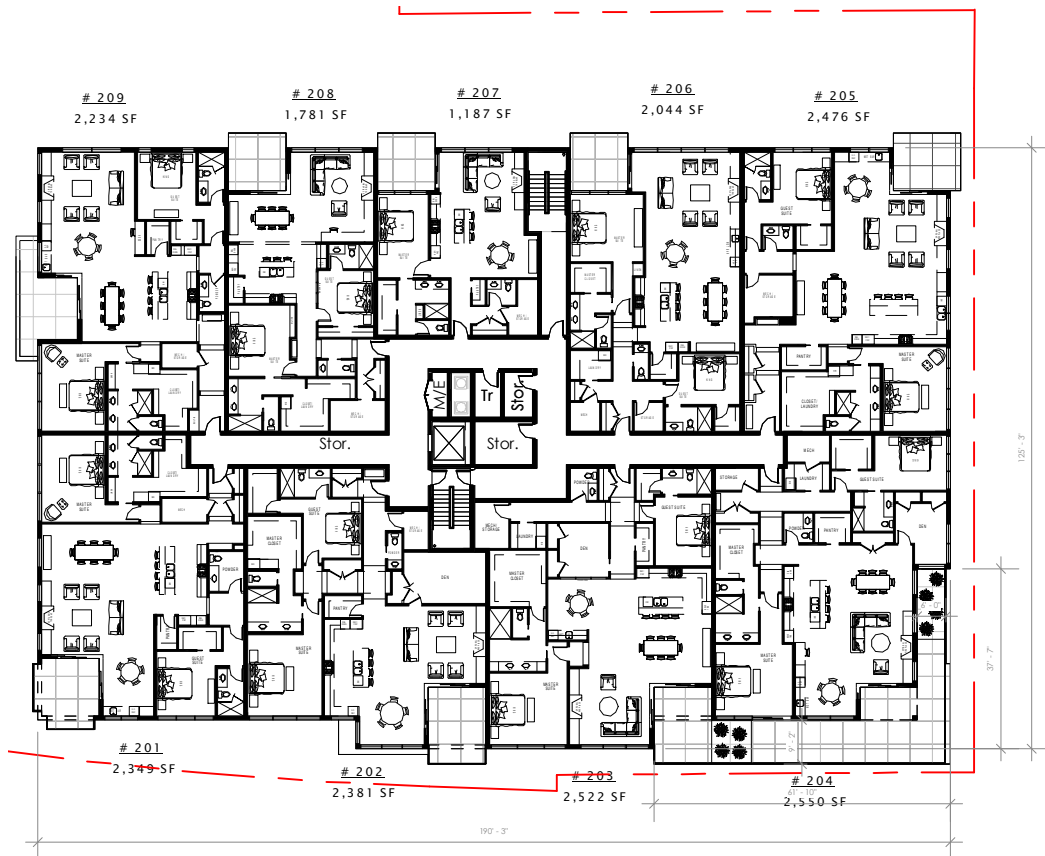
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LEVEL 3 PLAN

1" = 40'-0"



LEVEL 2 PLAN

1" = 40'-0"

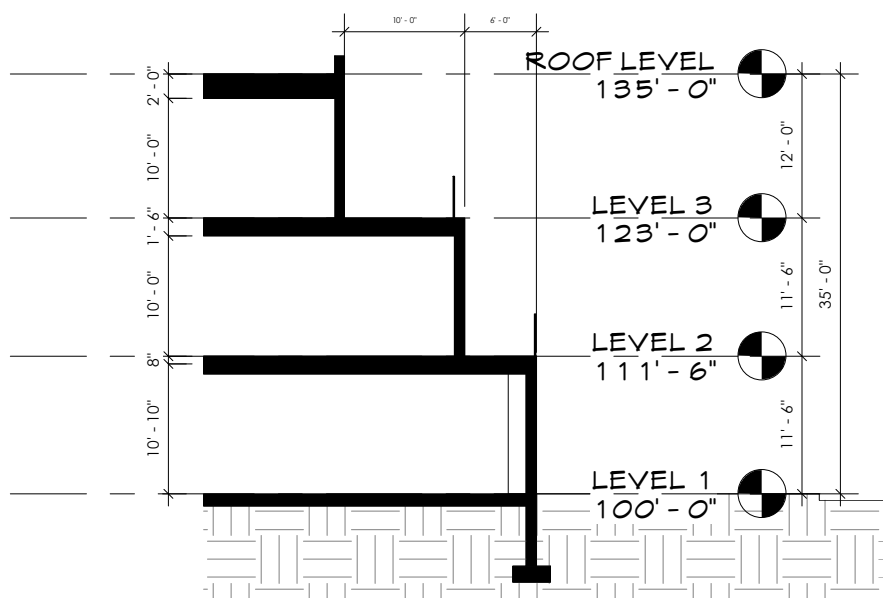
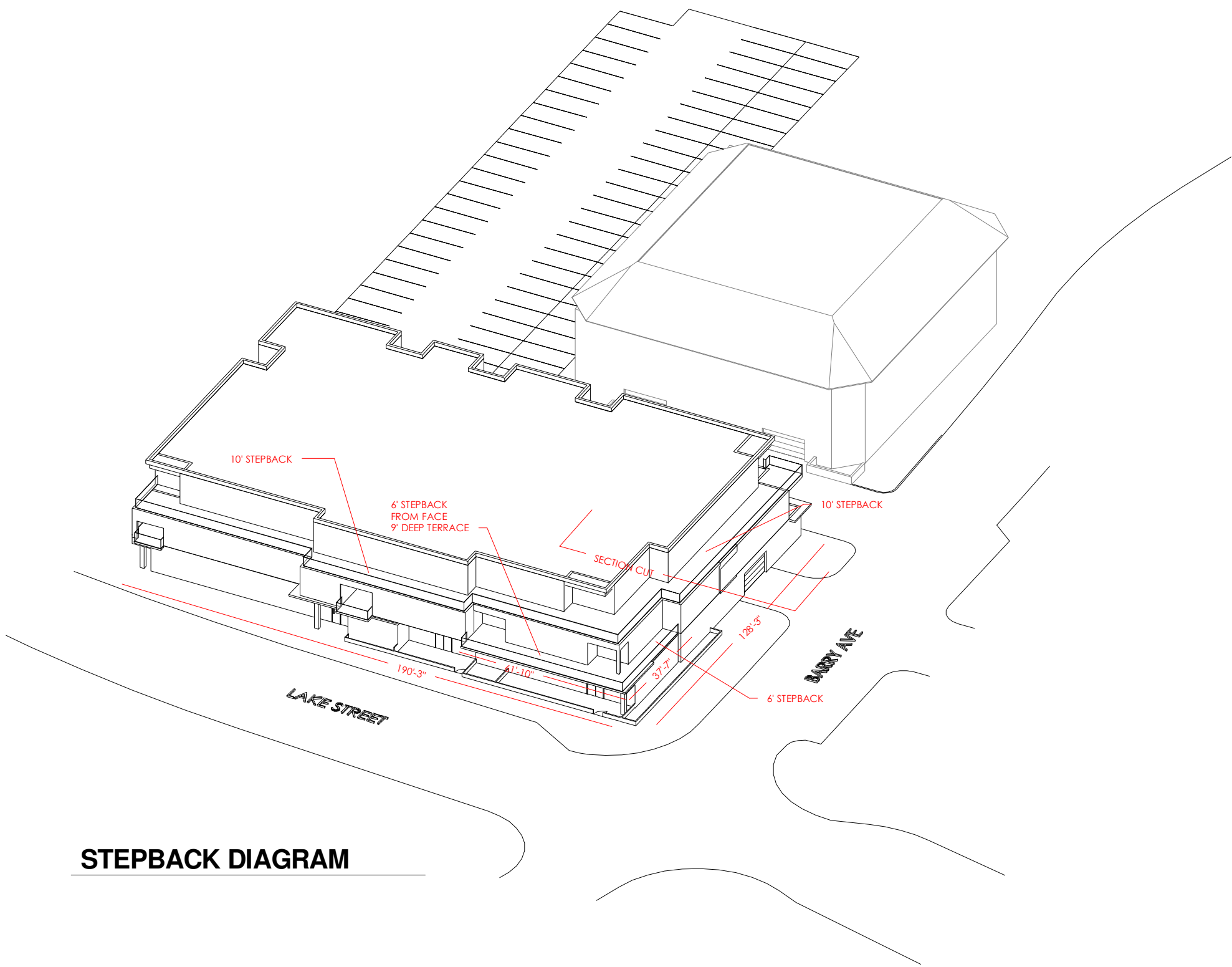


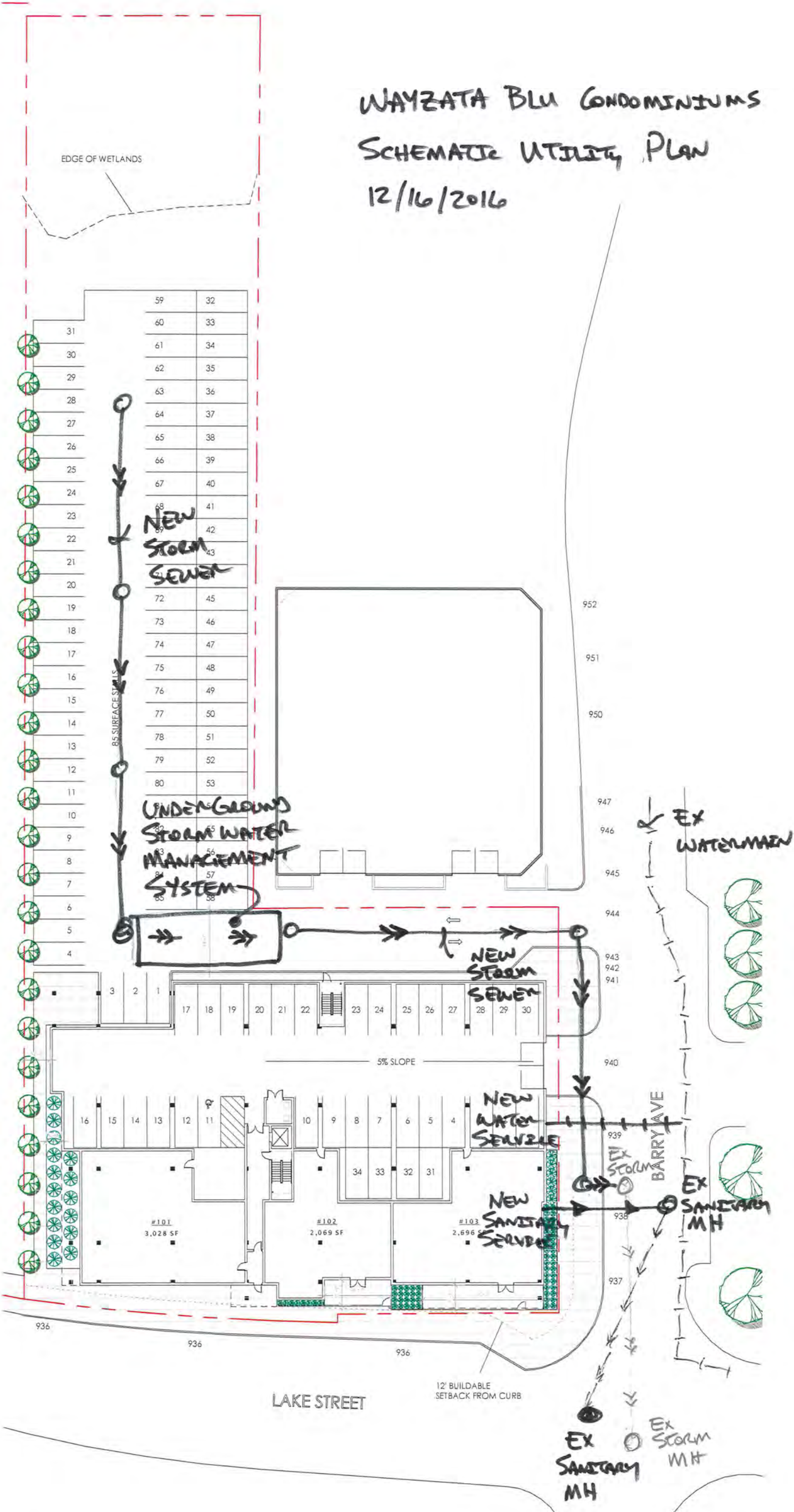
DIAGRAM SECTION

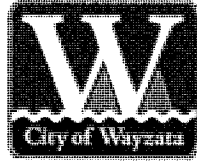
1/16" = 1'-0"



STEPBACK DIAGRAM

WAYZATA BLU CONDOMINIUMS SCHEMATIC UTILITY PLAN 12/16/2016





**City of Wayzata
Public Hearing Notice
Rezoning and PUD Concept Plan Review**

NOTICE IS HEREBY GIVEN that the Wayzata Planning Commission will hold a public hearing to consider a request from Gatehouse Properties to rezone the properties at 259, 269, and 275 Lake St E and 339 Barry Ave S. The application would include demolition of the existing commercial buildings on the properties and construction of a new three story mixed use building consisting of office/commercial uses and 17 residential condominiums. The application includes rezoning the properties from C-4A/Limited Central Business District to PUD/Planned Unit Development, and PUD concept plan review.

The Planning Commission public hearing is scheduled for Wednesday, January 18, 2017 at 7:00 p.m., or as soon as possible thereafter in the Wayzata Community Room, 600 Rice Street East, Wayzata, Minnesota.

All pertinent information is on file and available for public viewing at Wayzata City Hall during regular business hours. All interested persons are invited to attend the public hearing and be heard on the matter, or to submit written materials prior to the meeting.

Jeffrey R. Thomson
Director of Planning and Building
jthomson@wayzata.org
(952) 404-5312

Agree with mt.
W. Amore
215 Barry Ave S
Unit #205
Wayzata 55391