

1 **WAYZATA PLANNING COMMISSION**
2 **MEETING MINUTES**
3 **MARCH 7, 2022**

4
5 **AGENDA ITEM 1. Call to Order**

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

8
9 Chair Parkhill read a prepared statement regarding the hybrid meeting format, including
10 information on attending, viewing and providing public comment.

11
12 **AGENDA ITEM 2. Roll Call**

13
14 Chair Parkhill asked Community Development Director Goellner to take roll call.

15
16 Present at roll call were Commissioners: Merriam, Parkhill, Stockton, Sorensen, and Severson.
17 Community Development Director Emily Goellner, Planning Consultant Eric Zweber, Assistant
18 Planner Valerie Quarles, and City Attorney David Schelzel were also present.

19 Absent at roll call were Commissioners: Douglas and Schwalbe
20

21 **AGENDA ITEM 3. Approval of Agenda**

22
23 Chair Parkhill asked for a motion to approve the agenda for the meeting.

24
25 Commissioner Stockton made a motion, seconded by Commissioner Sorensen, to approve the
26 March 7, 2022 agenda, as presented.

27
28 The motion carried unanimously.
29

30 **AGENDA ITEM 4. Consent Agenda**

31
32 **a.) Approval of Planning Commission Report and Recommendation of Approval for**
33 **Driveway Setback Variance at 445 Bovey Road**

34
35 Chair Parkhill read the item listed on the consent agenda and asked if any Commissioner wished
36 to pull it for further discussion.

37
38 Hearing no such request, Chair Parkhill asked for a motion to approve the Consent Agenda as
39 presented.

40
41 Commissioner Severson made a motion, seconded by Commissioner Merriam, to approve the
42 Consent Agenda, as presented.

43
44 The motion carried unanimously.
45

46 **AGENDA ITEM 5. Public Hearing Items**

1
2 **a) Consider Zoning Ordinance Text Amendments for Residential and Commercial**
3 **Zoning**
4

5 Assistant Planner, Valerie Quarles, reminded the Commission that staff had presented the first
6 portion of the proposed text amendments to the Zoning Ordinance at the last Commission meeting,
7 and noted that the Public Hearing for this item was opened on February 28, 2022 and continued to
8 this meeting. She stated that on March 1, 2022 there was also a community meeting held to discuss
9 the proposed amendments related to Accessory Dwelling Units (ADU), and noted that there were
10 about eight people in attendance at that meeting who raised some of the same concerns that had
11 been raised by the Commission, but who also expressed support for the City having the opportunity
12 for ADUs in the City. She gave an overview of the proposed language changes to support
13 townhomes/twin homes in R-4 and R-4A; Density Allowances in R-5; Upper Story Housing in C-
14 2 and C-2; and Revisions to C-4, C-4A, C-4B. She noted that the reason for the proposed text
15 amendments are to align the City's Zoning Code with the recently updated Comprehensive Plan.
16

17 Commissioner Merriam stated that the City does not have the results of the Wayzata Boulevard
18 corridor study yet, and asked why the City would consider increasing C-3 height limits to three
19 stories along Wayzata Boulevard when it has not yet received the answers from the study.
20

21 Planning Consultant Zweber stated that when they were discussing this with the Zoning Task
22 Force, they had the results of the survey that was done in connection with the Design Standards
23 updates, where they had asked questions about what height people were comfortable with on Lake
24 Street and Wayzata Boulevard. He stated that the results were favorable for three stories on
25 Wayzata Boulevard and even had some support for four stories. He stated that in this part of the
26 corridor, there are a few existing three-story buildings which are zoned C-1. He stated that they
27 felt in looking at the purpose statements of the zoning districts and the Comprehensive Plan that
28 this would be kind of a 'work around' and explained that in order to avoid using a neighborhood
29 commercial C-1 to achieve the three stories on this part of the corridor, they recommended
30 increasing it to three stories within the C-3 district.
31

32 Commissioner Merriam asked what existing three story buildings he had referred to and noted that
33 she could only think of the Wells Fargo building.
34

35 Planning Consultant Zweber referenced the Edina Realty building and explained that the others
36 are on the corner of Bushaway Road and Wayzata Boulevard.
37

38 Commissioner Merriam stated that she felt this would completely change the look of Wayzata
39 Boulevard in this area and explained that she was personally uncomfortable with changing this to
40 allow three stories in this corridor.
41

42 Assistant Planner Quarles continued review of the recommended changes related to Upper Story
43 Housing in C-2 and C-2; and Revisions to C-4, C-4A, C-4B. She gave a brief overview of what
44 the Commission had discussed at the prior meeting relating to ADUs. She reviewed the two
45 options that staff came up with to potentially reduce the impact of ADUs in R-3 and R-3A zoning

1 districts, including setting a minimum lot size or not allowing detached ADUs. She reviewed other
2 metro cities minimum lot sizes for ADUs.

3
4 Commissioner Merriam stated that she has heard about the concern raised about lot size and ADUs
5 but noted that they will have to abide by the lot coverage rules and questioned whether it would
6 really be a concern because of those standards.

7
8 Assistant Planner Quarles explained that this concern was raised by both the Commission and
9 members of the public, but staff's initial thinking was that the lot coverage restrictions would be
10 sufficient.

11
12 Commissioner Sorensen stated that he had raised a concern at the last meeting about allowing
13 ADUs in R-3A. He stated that he is supportive of the Comprehensive Plan and trying to increase
14 diversity in housing, especially for multi-generational options, but thinks they also need to be
15 respectful of the current neighborhoods and maintaining their character. He stated that people live
16 in these neighborhoods because they like the single-family, character, and feel of them. He stated
17 that he has a concern that detached ADUs in R-3 and R-3A may be pushing what most people in
18 the community would like.

19
20 Commissioner Severson stated that the second option presented by staff does not allow for a
21 detached ADU and asked if it would still allow a basement or garage conversion.

22
23 Assistant Planner Quarles stated that was correct and noted that the thought was that an attached
24 ADU would not have the same impact as a detached ADU.

25
26 Commissioner Stockton asked if, similar to a hotel room, there would be a limit to the number of
27 inhabitants based on square footage allowed in the ADUs.

28
29 Assistant Planner Quarles explained that the building code occupancy limits would limit the
30 number of occupants. She reviewed a map that showed the parcels that would have the 10,000
31 square foot minimum lot size and noted that all R-3 parcels are over 10,000 square feet. She noted
32 that they had also discussed a potential separate height limit for a detached ADU and the possibility
33 of tying that limit to the main home.

34
35 Commissioner Merriam asked if there was language included so the ADU would not be taller than
36 the main structure and if not, she would recommend that language be added.

37
38 Planning Consultant Zweber stated that language does not currently exist.

39
40 Commissioner Severson asked if someone could build an ADU on the top of their attached garage
41 of a one-story home, so just the garage would be a double story.

42
43 Assistant Planner Quarles explained that currently if it were an attached garage and it had an ADU
44 built over it, it would be subject to the same height regulations as the principal structure. She noted
45 that if it were a detached garage, under these regulations, it could be taller than the main house.

46

1 Commissioner Sorensen stated that he feels there may be an unintentional consequence with a
2 detached ADU being utilized for short-term use, such as VRBO or Airbnb.

3
4 Community Development Director Goellner stated that this was discussed at the ADU information
5 session last week. She stated that the City explored options for regulating short-term rentals in
6 about 2018, but at the time, the Council felt there were not enough short-term rentals that would
7 require regulation. She stated that the Council directed staff, at that time, to just continue
8 responding to complaints if they came in, with police calls for nuisances or property maintenance
9 issues. She noted that it has not been an overwhelming issue, so that approach stands. She stated
10 that she would say that it is a consistent activity that is seen in the City but not necessarily a
11 nuisance. She suggested that staff bring the short-term rental discussion to the Council in tandem
12 with this discussion so they can decide if it has reached a tipping point with the need for adopting
13 short-term rental policies.

14
15 Assistant Planner Quarles gave a brief overview of the previous discussion around the use table
16 that was presented at the last Commission meeting and the proposed change to group all retail into
17 just two categories.

18
19 Commissioner Merriam asked about the location of C-1B zoning in the City.

20
21 Community Development Director Goellner showed the location of the C-1B zoning on the current
22 map.

23
24 Commissioner Merriam stated that the area indicated are single family homes and an apartment
25 building.

26
27 Planning Consultant Zweber stated that this was correct but explained that zoning district allows
28 commercial businesses within what looks like a home and many of the C-4 lots on Barry and
29 Manitoba Avenue are office buildings that look like homes. He stated that it may be that the homes
30 located in the C-1B have chosen not to have businesses within them.

31
32 Commissioner Merriam asked when that area changed to C-1B.

33
34 Planning Consultant Zweber stated that he has been working with the City for about 6 years and
35 he does not remember it changing during that time.

36
37 Commissioner Merriam noted that it appears to be spot zoning.

38
39 Community Development Director Goellner stated that staff can do some more digging on the
40 history of C-1B which would also help them envision where it could or could not work in the
41 future as a zoning tool.

42
43 Assistant Planner Quarles asked if the Commission had an opinion on whether retail should be
44 limited by size or by accessory use for limited retail.

45

1 Planning Consultant Zweber explained the current limitations for commercial retail activity and
2 explained the way this could be changed to limit by either size or by its purpose.

3
4 Chair Parkhill asked if the proposed changes simplify what is currently in place, and if it ‘loosens
5 the reins’ from what is there now or makes it tighter and noted that he finds it confusing.

6
7 Commissioner Merriam gave the example of someone wanting to have a yoga studio and if that
8 would be permitted in this district.

9
10 Planning Consultant Zweber stated that a yoga studio would fall into the personal services category
11 and would not be a retail establishment. He clarified that the intent of the proposed language would
12 be that the maximum business size is 2,000 square feet.

13
14 The Commission discussed examples and various scenarios of limiting the retail by size or by its
15 purpose.

16
17 Assistant Planner Quarles suggested that the City move forward with a size limit and a ‘can be’
18 accessory use.

19
20 Chair Parkhill stated that he likes that idea because it would give people an option to have an
21 accessory retail business.

22
23 Assistant Planner Quarles stated that it could also be a small business independent of another
24 use. She asked if there was consensus from the Commission to support a 2,000 square foot limit
25 that can either be stand-alone or accessory to another use.

26
27 The Commission discussed the 2,000 square foot limit.

28
29 Commissioner Merriam noted that she could be much more flexible with C-1A and allow larger
30 spaces than C-1B and suggested that perhaps there should be a separate mindset for those two
31 districts.

32
33 Commissioner Stockton noted that she was about to suggest the same thing.

34
35 Planning Consultant Zweber stated that would be completely appropriate because different zoning
36 districts can have different standards.

37
38 Assistant Planner Quarles explained that following the Commission direction tonight, staff will
39 take time to process the feedback and incorporate it into the Code language before presenting it to
40 the Council.

41
42 Chair Parkhill asked for a refresher on what the Commission feedback has already been on this
43 subject.

44
45 Planning Consultant Zweber stated that they can incorporate that information with the report and
46 recommendation that staff will prepare for the next meeting. He stated that he believes the

1 Commission was comfortable with a size limitation in C-1B, but does not need to be additional
2 size limitations for C-1A.

3
4 Commissioner Stockton stated that she would also to see that professional services are not
5 eliminated within C-1B.

6
7 Planning Consultant Zweber assured Commissioner Stockton that those would not be eliminated
8 and would be governed by lot size, lot coverage, and other requirements that limit the size of the
9 building.

10
11 Assistant Planner Quarles asked if staff has adequately addressed the concerns that the
12 Commission raised at the last meeting.

13
14 Chair Parkhill gave the example of someone coming to the City and wanting to buy a 1 acre lot in
15 a C-1 zoning district, and asked if they could easily determine exactly what they could build.

16
17 Planning Consultant Zweber stated that the way the City would communicate is through the
18 minimums or maximums of the regulations, such as lot coverage, floor area ratio, or height
19 requirements. He explained that having the usage table makes it easier to have the conversation
20 that explains here are the uses that are allowed, which have also been updated to remove a lot of
21 the old nomenclature.

22
23 The Commission discussed details of how mixed-use density and usage would be calculated.

24
25 Chair Parkhill explained that when he sees 6-12 units, it confuses him because he doesn't
26 understand how they would know if it is 6 or 12 units.

27
28 Planning Consultant Zweber gave an easy example of a project with 50/50 mixed use, on two
29 floors, with one floor being businesses and one floor for residential. He stated that in order to
30 figure out how much of that land should go toward the residential density, it would be 50%.

31
32 Chair Parkhill explained that he just wanted to ensure that this can be figured out mathematically
33 and would not be subjective.

34
35 Planning Consultant Zweber stated that it can absolutely be worked out mathematically but noted
36 that other things come into play for calculations, such as parking. He noted that it is all empirical
37 and there are formulas in the Code that can be applied to any mixed-use development.

38
39 Community Development Director Goellner stated that she would agree that it is objective how
40 they get to the mix of uses, but the difficulty would be that staff will always remain a bit reactionary
41 because they really need to see a proposal from the developer in order to analyze it.

42
43 Chair Parkhill stated that his experience in other places has been that this can be much more
44 straight forward with what they can do with a lot.

45

1 Community Development Director Goellner stated that staff could look into this more deeply and
2 questioned whether the other communities Chair Parkhill was referring to had more similar lot
3 sizes for their districts. She stated that there may be a way for them to provide a bit more clarity
4 on what mixture of uses is possible with perhaps a handout or info sheet.

5
6 Commissioner Merriam stated that she really thinks the new use table will be very helpful.

7
8 Assistant Planner Quarles noted that there is also an additional layer of communicating the Code
9 changes. She stated that she would like to have more information available to people on how to
10 interpret code with something like a facts sheet so they have a cursory understanding of what is
11 going on before they have to contact staff or dive into the code.

12
13 There being no additional questions from the Commission for staff, Chair Parkhill returned to the
14 public hearing that was continued from the previous meeting at 7:48 pm.

15
16 Director Goellner stated there were no people that called in to the meeting that have asked to speak
17 at the public hearing.

18
19 Chair Parkhill noted that there was also no one present in the chambers.

20
21 There being no one wishing to comment on the application, Chair Parkhill closed the public
22 hearing at 7:49 pm.

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

25
26 Commissioner Merriam noted that staff had mentioned R-4A, but that was not shown on the map
27 and asked if it needed to exist.

28
29 Planning Consultant Zweber stated that the R-4 would essentially become compliant with the new
30 R-4A standards. He explained that they are not proposing that these are rezoned, but the existing
31 townhomes in the Bluff District would be the new R-4 and the townhomes that are towards the
32 edge of the City, such as on Hollybrook, would comply with the new R-4A.

33
34 Commissioner Merriam stated that Hollybrook is the only area she sees zoned as R-4 and noted
35 that it appears as though this is excluded from having an ADU and asked if there was a reason for
36 that.

37
38 Planning Consultant Zweber explained that it would be keeping the existing practice.

39
40 Commissioner Merriam stated that she feels that makes sense but would question why it would be
41 allowed in R-5 which is typically more of an apartment building use.

42
43 Planning Consultant Zweber stated that is just because that is the current practice, and staff did not
44 change how the existing R-4, R-4A, and R-5 address ADUs.

45

1 Commissioner Merriam stated that she thinks it is reasonable to restrict ADUs in R-5. She stated
2 that the corners on Wayzata Boulevard that have R-5 zoning feels a bit high to her because she
3 does not think they are as dense as that currently.

4
5 Assistant Planner Quarles stated that was correct, and explained that part of the revisions for R-5
6 have two scenarios and R-5 does not have to be mixed use.

7
8 Commissioner Merriam stated that she was curious why those locations were R-5 rather than a
9 lower density type of zoning because they abut single family homes.

10
11 Community Development Director Goellner noted that staff could research the lot size and the unit
12 count and see what density they are at, and explained that had been done for the larger properties.
13 She stated that it could be that they are closer in density to R-4 than R-5.

14
15 Commissioner Merriam asked about parking referenced on page 10, where retail requires 3 spaces
16 for every 1,000 square feet of floor area and a shopping center requires 1 space for 150 square feet
17 of floor area.

18
19 Assistant Planner Quarles stated that the parking regulations are a huge policy discussion in and
20 of themselves. She suggested that the Commission have a separate policy discussion on the
21 parking regulations.

22
23 Commissioner Merriam stated that she would agree there should be a discussion about parking.
24 She asked about lighting standards under Food and Beverage Establishments and whether that
25 means they must either be landscaped or covered. She stated that if that is the intent, it is missing
26 the words 'must be'.

27
28 Chair Parkhill asked if the Commission could make a change like this right now and reword it.

29
30 City Attorney Schelzel explained that part of the process between now and when the Commission
31 gets the proposed final planning report and recommendation from staff will be to catch these kinds
32 of things. He explained that he would to go through the proposed final text of the amendments to
33 make sure these types of things are caught.

34
35 Commissioner Merriam asked why, for condition #11, they would limit the gross square footage
36 of bakeries, and noted a typographical error where a word should be 'excess' in that statement.
37 She asked how the gross square footage number came about.

38
39 Planning Consultant Zweber stated that he was unsure how this number came about but believes
40 'a' number came when there were more commercial bakeries in the region, and to allow more of
41 a retail bakery than a commercial bakery.

42
43 Commissioner Merriam asked about condition #12, that states that no seating is provided and asked
44 if chairs were outlawed.

45

1 Assistant Planner Quarles stated that she believes an example would be a Domino's, and stated
2 that she does not think the City would nit-pick seating in take out restaurants. She noted that
3 Domino's is not a sit down restaurant.

4
5 Community Development Director Goellner stated that under the Code language, the seating
6 cannot be provided for customer dining on the premises. So, if the seating was designed for
7 waiting, that would be acceptable.

8
9 Commissioner Merriam stated on this same page, 937.04A, Dwelling Multi-Family, it states that
10 the development does not border or front Lake Street. She stated that there are several buildings
11 on the north side of Lake Street along the west end that are solely residential, and the zoning map
12 does not even show them as PUDs, such as Meyer Place and Ventana.

13
14 Planning Consultant Zweber stated that those are PUDs which allows them to make adjustments.

15
16 Commissioner Merriam apologized, and noted that she had been looking at an old map and sees
17 that they are designated as PUD on the new map.

18
19 Community Development Director Goellner stated that staff is not yet ready to bring forward a
20 policy discussion on bordering or fronting Lake Street, and feels it needs more research to
21 determine if the City is comfortable changing that provision.

22
23 Commissioner Merriam referenced page 27, Recreation Indoor, which states that the use shall not
24 serve alcoholic beverages but noted that she can think of something like a pickleball where they
25 may want to serve alcoholic beverages. She asked if the language was necessary and if it was
26 something that they really wanted.

27
28 Community Development Director Goellner noted that she would prefer not to get too deep into
29 alcohol regulations within the zoning code, and would instead like to keep those regulations in the
30 parts of code that are more closely related to business licensing.

31
32 Planning Consultant Zweber noted that he did not have any reasons to argue to maintain that
33 standard and if the Commission felt it was appropriate to remove it, he would not have any
34 arguments.

35
36 Chair Parkhill noted that he believes it is the only spot that mentions alcohol, and asked if this
37 reference was needed.

38
39 Planning Consultant Zweber stated that normally alcohol is addressed in the business licensing
40 part of code, and not the zoning ordinance, so staff could support its removal.

41
42 Community Development Director Goellner stated that staff will look more closely to see if there
43 are other references, and then discuss it with the City Clerk to see if she sees any concerns or
44 implications this removal may have.

45

1 Commissioner Merriam noted that on page 28, Storage Outdoor, under Accessory Uses, item D,
2 she questioned if it should just say screened from view of neighboring uses, including residential
3 because she feels there is excess language.

4
5 Assistant Planner Quarles suggested that a simple solution may be to change the word ‘and’ to ‘if’
6 to provide clarity in that section.

7
8 Commissioner Merriam referenced page 47 of 109 and confirmed that the height restriction was
9 decreased for R-4A from 35 feet to 30 feet. She asked if in the shopping center district they are
10 lowering the height of the Lund’s quadrant and the strip mall across from the Promenade from 35
11 feet to 30 feet.

12
13 Planning Consultant Zweber stated that this was correct.

14
15 Commissioner Merriam asked what discussion happened at the task force, and the reasoning
16 behind that recommendation.

17
18 Planning Consultant Zweber stated that it was two-fold with one looking at the existing uses, for
19 example there are currently some offices uses on the second floor. He stated that they swapped
20 heights between C-2 and C-3 and were recommending decreasing C-2 and increasing C-3, which
21 he knows Commissioner Merriam had stated she was uncomfortable with.

22
23 Commissioner Merriam stated that she would like to wait before making this change until the City
24 has the results of the Wayzata Boulevard corridor study.

25
26 Chair Parkhill stated that he thought the study was only being done on the corridor.

27
28 Community Development Director Goellner explained that for the corridor study they are planning
29 to focus on Wayzata Boulevard but thinks there is an interesting point being made about the C-3
30 property that exists south of Lake Street that has a big impact on lake views, so this is a relevant
31 discussion. She stated that perhaps there needs to be more discussion with the Commission and
32 Council before action is taken on C-3 knowing that Boatworks is part of that.

33
34 Planning Consultant Zweber shared details from the most recent redevelopment application for the
35 Boatworks site that was for a four-story development, with a 50 foot height, which required a
36 variance and was not approved. He noted that if someone came in and requested that Boatworks
37 be rezoned to a PUD, the existing PUD standard would be 3 story, 35-foot height.

38
39 City Attorney Schelzel stated that this is a good line of inquiry because most of the zone lies along
40 Wayzata Boulevard, but the Boatworks property is an outlier for the district and a unique property
41 in the City. He stated that if the underlying zoning district of C-3 went from 2 stories and 30 feet
42 to 3 stories and 35 feet, it would obviously affect the Boatworks property. He stated that it does
43 change the land use and what could possibly be a permitted use and structure on the property, but
44 not without process. Any change from the current PUD would still have to go through the PUD
45 process to alter or get rid of the PUD/CUP altogether with a new proposal. He stated that if this is

1 a concern, staff can think about different ways of addressing it, including a possible rezoning of
2 the property.

3
4 Community Development Director Goellner suggested that staff do more research on this to
5 provide more clarity, because she senses that there is not comfort from the Commission in
6 increasing the permitted height of that property without a clear description of what that entails.

7
8 Chair Parkhill noted that he felt having properties south of Lake Street at two stories is a good
9 idea.

10
11 City Attorney Schelzel stated that the City could look at something like having a different district
12 for the Wayzata Boulevard corridor properties that are currently C-3. He suggested that staff take
13 a closer look at this and figure out what makes the most sense, and determine if these different
14 areas should be treated differently for land use regulation.

15
16 Community Development Director Goellner noted that one of the action items that will likely come
17 out of the study and visioning process for Wayzata Boulevard is to talk about the height
18 requirement and what the community is comfortable with. She stated that one of the ideas brought
19 up at the workshop was to hold off on the discussion of the upper story housing and height
20 increases in C-3 until the study is completed, but this is likely to take 15 months until it is
21 completed with additional time to update the code. She stated that would result in a pretty long
22 waiting period and should be considered as well.

23
24 Chair Parkhill stated that if the Commission is concerned about three stories on Wayzata
25 Boulevard given that everything has moved so close to the road, so holding off on the change may
26 be the only option.

27
28 Community Development Director Goellner asked if the Commission felt like that was a good
29 move. She noted that in the workshop, there was still a majority of Commissioners that felt there
30 was enough in the Comprehensive Plan that very strongly support upper story housing above the
31 commercial uses on Wayzata Boulevard, so the goal of this language was to implement that.

32
33 Chair Parkhill stated that he is less concerned about it now that he thinks through it a bit more, and
34 felt it would kind of end up looking like the buildings on Lake Street which he feels are
35 proportional, such as Wayzata Blu.

36
37 Community Development Director Goellner asked for a bit more clarification from the
38 Commission if they were comfortable moving forward with the increased height in the C-3 district.

39
40 Commissioner Sorensen stated that he thinks there is enough concern about C-3 on Wayzata
41 Boulevard that waiting for the study to be completed may be appropriate, and that they should hold
42 off on making that change until that time.

43
44 Chair Parkhill stated that he would support the change because he thinks it will end up looking
45 like the buildings along Lake Street, with a third-floor setback.

46

1 Commissioner Stockton stated that she thinks the Design Standards will be able to address some
2 of the concerns. She stated that she thinks that there may be a subconscious visual of the medical
3 building that is making it difficult for the Commission to think past that situation. She reiterated
4 that she thinks the Design Standards will address many of the concerns with the inclusion of a
5 third-floor setback.

6
7 Commissioner Severson stated that she agreed, and noted that she would expect that every building
8 will not just be right along the sidewalk.

9
10 Commissioner Merriam stated that she hears the points being made that the Design Standards will
11 help address the concerns but reiterated that they do not know the results of the corridor study.
12 She stated that she has heard that there are a lot of concerns about what is going on along Wayzata
13 Boulevard right now. She stated that those concerns may be more involved than just a height issue,
14 and asked why the City would allow 35 feet now when it may possibly be reversed once the study
15 has been completed.

16
17 Assistant Planner Quarles stated that staff can bring both perspectives forward to the Council for
18 discussion.

19
20 Community Development Director Goellner stated that she thinks there is plenty of text within the
21 Comprehensive Plan and the way the land use map is laid out that a third story is very clearly
22 justified in the long-term plan and the policy direction has been laid out.

23
24 City Attorney Schelzel stated that the next step for the Commission on the proposed Zoning
25 Ordinance amendments is to direct staff to prepare a draft report and recommendation on those
26 particular amendments, but noted that the discussion tonight about the amendments will be
27 included in the minutes for Council's review. He stated that the Commission did not need to take
28 a vote on every single item but staff will bring forward a draft report and recommendation that has
29 all of these things outlined one way or another.

30
31 Chair Parkhill suggested that the Commission outline their concerns about ADUs, and asked if
32 staff wanted any additional feedback on the other items.

33
34 Assistant Planner Quarles stated that she would also like to see if there were concerns or questions
35 about the R-5 allowances.

36
37 Planning Consultant Zweber referenced the proposed allowances in Section 959.07, and noted
38 that the private open space was not included in the allowances.

39
40 Assistant Planner Quarles noted that she will ensure that is included for the Council and apologized
41 for the oversight. She asked if the Commission felt good about these particular allowances
42 including renewable energy, affordable housing, open space, and existing parking.

43
44 Commissioner Stockton asked for the definition of affordable housing.

45

1 Assistant Planner Quarles stated that would be defined and written in as part of a City housing
2 policy which does not yet exist, and explained that it would be written principally with the HRA.

3
4 Community Development Director Goellner stated that there is a long complicated way of
5 describing affordable housing, but the simplest to describe it for the Twin Cities metro area would
6 be as housing that is affordable for a family of four that earns \$50,000 in their household income.

7
8 Chair Parkhill asked if staff was concerned about putting this in the code because the housing
9 policy and affordable housing has not yet been defined.

10
11 Community Development Director Goellner explained that she finds comfort in not overly
12 defining it within the zoning code. She stated that they are hoping to offer a possible incentive for
13 a developer who is looking to increase density on their property and wondering how they may be
14 permitted to do so.

15
16 Chair Parkhill stated that he would have the same question for the renewable energy because that
17 policy also does not yet exist.

18
19 Community Development Director Goellner noted that there is some risk in adopting code
20 language that refers to policies that are not adopted at the exact same time. She stated that they
21 could carry this forward to the Council to ask if they were comfortable with that because those
22 policies will take some time and stakeholder input. She explained that what she thinks lessens the
23 risk is that the policies only come into play with an 'opt in' scenario.

24
25 Commissioner Merriam stated that 1,500 square feet/unit is what it can get down to with
26 allowances and asked how many units that would be per acre.

27
28 Planning Consultant Zweber stated that it would be almost 30 units/acre but shared ways that could
29 get up to 40/units per acre, for example if it was affordable housing or multi-family elderly
30 housing.

31
32 Commissioner Merriam stated that she thinks that the City needs to further explore areas that are
33 zoned R-5, and the new language before there can be a determination made on whether or not this
34 is a good thing to do in the City.

35
36 Chair Parkhill stated that he feels these comments and concerns can be shared with the Council in
37 the report for consideration.

38
39 Assistant Planner Quarles asked if there was a consensus from the Commission on whether it
40 makes sense to blanket ban detached ADUs in R-3 and R-3A, or to consider a minimum lot size
41 of 10,000 square feet.

42
43 Commissioner Merriam stated that she didn't think it needed to be higher than 10,000 square feet.

44
45 Commissioner Stockton asked to see the map that referenced this zoning in relation to the 10,000
46 square foot minimum lot size.

1
2 Chair Parkhill noted that there are a lot of lots that are smaller than 10,000 square feet that may
3 want to build above their garage. He stated that the question becomes should that be allowed and
4 if so, what happens if the house is a one-story home.

5
6 Commissioner Sorensen reiterated that he would encourage the Council to continue to look at the
7 short-term rental situation because he thinks it could come in to play in this situation. He stated
8 that he is quite familiar with lots under 10,000 square feet and he feels the idea of having two
9 separate parcels on those lots would jeopardize the character of the neighborhood. He stated that
10 he would like to not allow detached ADUs in both of the R-3 districts.

11
12 Commissioner Severson stated that she would agree and would prefer the option of no detached
13 ADUs in R-3 and R-3A while still allowing an attached option.

14
15 Commissioner Merriam asked if they were saying that if someone had a detached garage that they
16 would not want them to be able to build an ADU above the garage even if it was no higher than
17 the house.

18
19 Commissioner Severson agreed that was her feeling on that situation.

20
21 Chair Parkhill stated that he comes from a place that has a lot of coach houses and, in his view,
22 they add a lot of character. He stated that he feels they are nice looking and create some density,
23 and noted that as long as there is parking, he does not see it causing problems. He stated that he
24 is not sure having a unit above a garage implies a lack of character. He stated that his concern
25 with 25 feet versus 20 feet is if it is limited to the current height of the house, what would happen
26 if the house is torn down and rebuilt, and whether that meant the garage would also have to be torn
27 down and rebuilt. He noted that he is not overly concerned about the additional five feet above
28 the garage.

29
30 Assistant Planner Quarles asked for Chair Parkhill's opinion on any limitations on ADUs in the
31 R-3 districts.

32
33 Chair Parkhill noted that he was not thinking there would be any restrictions on ADUs in the R-3
34 districts.

35
36 Commissioner Merriam stated that she feels the lot coverage regulations will solve many of the
37 issues being raised by the Commission.

38
39 Commissioner Sorensen stated that he believes lot coverage would help but remains concerned
40 about the unintended consequence on lots that are less than 10,000 square feet and the intent in
41 building an ADU on a small lot, because it does change the character of that immediate
42 neighborhood. He stated that he did not think any of the ADUs in the R-3 districts will be anything
43 like a coach home would be in R-1 or R-2.

44
45 Commissioner Merriam stated that she understands what he is saying, but she lived in one of those
46 homes on a small lot, and she does not know if they could have even added on because they had

1 already reached their maximum lot coverage. She reiterated that was why she wasn't as concerned
2 about something being built because most of the lots are already maxed out.

3
4 Planning Consultant Zweber reminded the Commission that in R-3 and R-3A, the limit is 30% lot
5 coverage.

6
7 Commissioner Stockton asked if there was a way to understand how many of the lots that have the
8 required 10,000 square feet already, have a separate structure on the lot. She stated that she would
9 also like to know how many properties would be affected if the minimum square footage was
10 raised, for example, to 11,000 square feet.

11
12 Assistant Planner Quarles displayed a map that highlighted which properties in the R-3 which had
13 detached garage, attached, and no garage.

14
15 Commissioner Sorensen stated that it appears that many of the lots who have detached garages are
16 lots that are less than 10,000 square feet.

17
18 Commissioner Severson asked if there was any information on the make-up of the people who
19 lived in an attached ADU versus a detached ADU. She stated that she is assuming that an attached
20 ADU would only have one or possibly two additional people, and a detached structure would
21 perhaps be more likely to be for a family or more people. She stated that her concern on the R-3
22 properties is the number of people that could be added to the properties related to parking and
23 overall disruption.

24
25 Assistant Planner Quarles explained that from a cursory search of the State building code and
26 occupancy limitations she does not believe more than two people can share a bedroom. She stated
27 that based on the City's size limitations, she does not envision a lot of multi-bedroom ADUs and
28 thinks they could plan for an average of 2-3 people.

29
30 Community Development Director Goellner noted that she did not think they would be able to find
31 much research on preferences for attached or detached based on the family make-up but believes
32 that the City's ADUs would be for a lot of single living situations.

33
34 Commissioner Severson asked if anything came out of the public meeting that was held on ADUs
35 last week.

36
37 Community Development Director Goellner explained that the majority of the people present at
38 the meeting were interested in doing an ADU.

39
40 Chair Parkhill stated that there has not really been a consensus of the Commission but they have
41 given staff a lot of feedback and suggested moving the conversation onto the height restrictions.

42
43 Planning Consultant Zweber noted that he had taken a lot of notes on all comments but didn't
44 record Commissioner Stockton's view on detached ADUs.

45

1 Commissioner Stockton explained that she was still on the fence regarding this issue. She
2 explained that on one hand she can see that there is a benefit to these structures, but on the other
3 hand, she is concerned about the impact to the neighborhood overall. She stated that it is hard to
4 envision which was why she made the suggestion to perhaps push the limit up to 11,000 square
5 feet because that will change it a bit and break it up so there is less availability.

6
7 Commissioner Merriam stated that she does not want to see an ADU as a rental unit, such as having
8 an Airbnb on the property because she feels that is an inappropriate use.

9
10 Chair Parkhill asked why the City couldn't just say no VRBO or Airbnb's for the ADUs so they
11 are not rented nightly.

12
13 Community Development Director Goellner stated that what they know from other communities
14 that have decided to allow these, it is preparing the City for a future trend of more people living
15 alone. She explained that this is an attempt at providing more options for people to live alone at
16 an affordable rate but noted that staff does not believe there will be a large influx of permits for
17 this type of thing, because it is a big financial investment. She stated that they could bring forward
18 a recommendation that the Commission is comfortable with detached ADUs, but not in a short-
19 term rental capacity.

20
21 Assistant Planner Quarles stated that the short-term rental situation may become more of a problem
22 once they get into the second generation of ownership with ADUs after there have been one or two
23 house sales. She explained that it would take someone a long time to make their investment money
24 back utilizing the short-term rental income. She stated that she does not see detached ADUs being
25 a huge use in the City.

26
27 Chair Parkhill noted that theoretically you could make more with the nightly rentals than with
28 monthly rentals, especially in the summer months. He stated that good feedback to give the
29 Council is that the Commission's biggest concern with the ADUs is the VRBO potential because
30 that could disrupt people quickly with transient, nightly renters.

31
32 There was a consensus of the Commission to bring forward a minimum lot size of 10,000 square
33 feet for an ADU.

34
35 City Attorney Schelzel stated that staff will attempt to address all of their comments and
36 incorporate the consensus as they have been directed into the draft report and recommendation,
37 and that proposed amendment will move on to Council.

38
39 There being no further discussion, Chair Parkhill asked for a motion on the application.

- 40
41 **b)** Commissioner Merriam made a motion, seconded by Commissioner Sorensen, to direct
42 staff to prepare a draft Planning Commission Report and Recommendation with
43 appropriate findings reflecting a recommendation of approval for Zoning Ordinance
44 text amendments for residential and commercial zoning, for review and adoption at an
45 upcoming Planning Commission meeting.
46

1 The motion carried unanimously.

2
3 **AGENDA ITEM 6. Other Items:**

4
5 **a) Review of Development Activities**

6
7 Community Development Director Goellner stated that on March 21, 2022, three Public Hearings
8 are scheduled: for 1022 Wayzata Boulevard; 150 Broadway Avenue S; and for ordinance
9 amendments related to the Shoreland Overlay District.

10
11 **b) Planning Commissioner Meeting Schedule**

12
13 Community Development Director Goellner noted that the City had released Request for Proposals
14 for the Wayzata Boulevard corridor study that will be open for 5 weeks. She noted that the
15 Planning Commission will be involved in the study in joint workshops with the City Council and
16 the Housing and Redevelopment Authority.

17
18 **AGENDA ITEM 7. Adjournment.**

19
20 There being no further business on the agenda, Chair Parkhill asked for a motion to adjourn.

21
22 Commissioner Severson made a motion, seconded by Commissioner Stockton, to adjourn the
23 Planning Commission meeting.

24
25 The motion carried unanimously.

26
27 The Planning Commission meeting was adjourned at 9:22 p.m.

28
29 Respectfully submitted,
30 Kayla Atkins Rokosz
31 *TimeSaver Off Site Secretarial, Inc.*
32