



1 zoning districts should be permitted. Commissioner Douglas stated if keeping of chickens were  
2 to be extended to smaller lot sizes, then neighbors might want to have input.

3  
4 Hearing no other comments or questions, Acting Chair Parkhill asked for a motion to approve the  
5 Consent Agenda as presented.

6  
7 Commissioner Sorenson made a motion, seconded by Commissioner Douglas, to approve the  
8 Consent Agenda as presented. The motion carried unanimously.

9  
10 **AGENDA ITEM 5. Old Business Items**

11 None.

12  
13  
14 **AGENDA ITEM 6. Public Hearing Items**

15  
16 **a) Development Application for a Variance to Allow an Impervious Surface at 1640**  
17 **Holdridge Circle**

18  
19 Director Goellner introduced Planning Consultant Zweber.

20  
21 Planning Consultant Zweber gave an overview of the Applicant's request for a Variance from the  
22 maximum impervious surface area of 25% within the R-1 District to allow for the paving of a  
23 driveway on the property located at 1640 Holdridge Circle. He discussed the current zoning,  
24 Comprehensive Plan land use designation, property location, the Applicant's request, background  
25 information and proposed changes, staff's analysis of the application, and next steps.

26  
27 Acting Chair Parkhill asked if the Commission had any questions for Staff.

28  
29 Commissioner Sorenson asked about the history of how the City had dealt with shared driveway  
30 situations in the past. Director Goellner said staff has learned over time about the implications of  
31 allowing shared driveways. It tends to reduce impervious surface overall; however, it can lead to  
32 tighter development patterns and issues with the shared space. The City typically prefers  
33 independent driveways, but this shared driveway was approved many years ago.

34  
35 Commissioner Stockton asked why the shared impervious surface was not split between the two  
36 homes. Acting Chair Parkhill also asked if the impervious surface was lower next door. Planning  
37 Consultant Zweber explained the reason the impervious surface was not split was because of the  
38 definitions within the ordinance. All impervious surfaces are counted on the lots in which they  
39 are located. He said he did not have access to the numbers for the impervious surface coverage of  
40 the property to the west.

41  
42 Commissioner Schwalbe asked if the two lots' impervious surfaces were counted together would  
43 they be over the 25% allowance. Planning Consultant Zweber said he was not sure. The City  
44 Code would allow each to go up to the 25% impervious surface.

45

1 Commissioner Severson asked if this was not a shared driveway, would it impact tonight's  
2 discussion. Planning Consultant Zweber said the property had a looped driveway which did not  
3 have to be looped, so they have made choices. He noted that part of the Planning Commission's  
4 consideration was to decide whether there was a practical difficulty to support the variance  
5 requested. City Attorney Schelzel added that one of the criteria for a variance was the  
6 consideration of whether the request was reasonable. The Planning Commission could find that  
7 the request was reasonable because of the shared driveway.

8  
9 There being no further questions for staff, Acting Chair Parkhill invited the Applicant to address  
10 the Commission.

11  
12 Reed Lewis, 1640 Holdridge Circle, Applicant, explained the proposed area to be paved was 906  
13 square feet which would change the total impervious surface to 26.9% of the lot. The said the  
14 practical difficulty was because the existing pavement had not held up structurally. He said they  
15 had also tried grass with a structural mat, but it did not last.

16  
17 Acting Chair Parkhill asked if the Commission had any questions for Staff or the Applicant.

18  
19 There being no additional questions from the Commission for the applicant, Acting Chair Parkhill  
20 opened the public hearing on the application at 6:50 pm.

21  
22 Planning Consultant Zweber stated no comments on the Application had been received online.

23  
24 There being no one else wishing to comment on the application in person or online, Acting Chair  
25 Parkhill closed the public hearing at 6:51 pm.

26  
27 Acting Chair Parkhill asked for the Commission to share their thoughts and feedback on the  
28 application.

29  
30 Commissioner Schwalbe said it seemed that the applicant had made at least two attempts to make  
31 a workable driveway with access to the front door. She said it was a very small percentage increase  
32 in impervious surface and not a concern to her.

33  
34 Commissioner Sorensen thought the request was reasonable because of the shared driveway  
35 situation. He also noted it would not change the physical characteristics.

36  
37 Commissioner Douglas agreed.

38  
39 Commissioner Stockton added that the applicant had tried to work with the current impervious  
40 surface and if there was not a shared driveway, they would have to take down additional trees to  
41 add a driveway.

42  
43 Commissioner Severson agreed and had no additional comments.

44  
45 Acting Chair Parkhill also agreed and said not taking down any trees was always a bonus.  
46

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

2  
3 Commissioner Douglas made a motion, seconded by Commissioner Schwalbe, to direct staff to  
4 prepare a draft Planning Commission Report and Recommendation with appropriate findings  
5 reflecting a recommendation for approval for a Variance from the maximum impervious surface  
6 area of 25% within the R-1 District to allow for the paving of a driveway on property located at  
7 1640 Holdridge Circle for review and adoption at the next Planning Commission meeting. The  
8 motion carried unanimously.

9  
10 **b) Development Application for a Planned Unit Development (PUD) Amendment at**  
11 **520, 524, 530, and 534 Rice Street East**

12  
13 Director Goellner gave an overview of the Applicant's request for a Planned Unit Development  
14 (PUD) amendment to construct two new townhome buildings, with two units in each building,  
15 completing the development of the Rice Street Townhomes on 520, 524, 530, and 534 Rice Street  
16 East. It was noted these properties are part of a three-building townhome PUD originally approved  
17 in 2006, and only one of the three planned townhome buildings has been constructed. She  
18 discussed the current zoning, Comprehensive Plan land use designation, property location,  
19 background, and the Applicant's request.

20  
21 Planning Consultant Zweber discussed the site plan, front elevations, comparison with previous  
22 2021 application, front yard setback, height staggering, and additional changes.

23  
24 Director Goellner also shared public comments, request and questions for consideration, and action  
25 steps.

26  
27 Acting Chair Parkhill asked if the Commission had any questions for Staff.

28  
29 Commissioner Douglas asked if the landscape plan was complete. She thought it was missing the  
30 list of materials. Planning Consultant Zweber said the final plans would include complete  
31 landscaping plans.

32  
33 There being no further questions for staff, Acting Chair Parkhill invited the Applicant to address  
34 the Commission.

35  
36 K.C. Chermak, Owner Pillar Homes, thanked staff for their time and effort. He said this unique  
37 situation had come a long way and was a result of a lot of work based on the 2005 PUD. He said  
38 it had been a difficult process to work through, but he was excited with how it all worked out.

39  
40 Acting Chair Parkhill asked if the Commission had any questions for Staff or the Applicant.

41  
42 Acting Chair Parkhill asked if all ten items noted in the letter from Mr. Tony Straszewski were  
43 included in the current plan. Mr. Chermak said yes, they were in the plans as requested or  
44 improved upon. Acting Chair Parkhill asked staff to conform. Planning Consultant Zweber  
45 pointed out that the top floor did not have a functioning deck.

46

1 There being no additional questions from the Commission for the applicant, Acting Chair Parkhill  
2 opened the public hearing on the application at 7:18 pm.

3  
4 Planning Consultant Zweber stated no comments on the Application had been received online.

5  
6 Tom Robbins, 523 Rice Street E, said there was a problem with the original plan. They were able  
7 to build one beautiful duplex and then stopped in 2008. He talked about the grade and asked about  
8 bringing in dirt. He presented the Commission with pictures and the original plans.

9  
10 John Adams, 544 Rice Street E, said he was the original developer and apologized to the City of  
11 Wayzata for not being able to complete the project. He said he had a meeting with Mr. Chermak  
12 and confirmed that Mr. Chermak's plans included all of the ten requests. He thought the plan was  
13 pretty close to the original final approved plan and talked about the elevator.

14  
15 Tony Straszewski, 527 Rice Street E, started by apologizing if he offended anyone during the many  
16 conversations about this application. He thanked Mr. Adams and Mr. Chermak for working  
17 together. He asked if he could go through the list of the ten requests.

18  
19 Acting Chair Parkhill said yes, but asked him to stick to the ones he had concerns about.

20  
21 Mr. Straszewski went through the list and shared his concerns.

22  
23 Nicole Dunham, 530 Rice Street E, was supportive of the plan with one exception, being the  
24 removal of the elevator access to the rooftop. She requested the City include elevator access to  
25 the rooftop. She said she had a family member that could not use the stairs and thought it was  
26 important that the community be inclusive. She noted that the inclusion of the elevator would not  
27 add any height and would not include any additional equipment on the roof. She said it would not  
28 impede the view of others.

29  
30 Rick Brama, 13100 Wayzata Blvd #400, Minnetonka, said he was a real estate broker and friend  
31 of Nicole Dunham. He talked about the history of the land and all of the times that Mr. Adams  
32 had attempted to leave and sell the property. He said almost all of the other properties had elevator  
33 access though not all had roof access. He thought the elevator was a no brainer.

34  
35 A member of the audience asked if a conversation about the elevator was warranted. Acting Chair  
36 Parkhill said the elevator was not part of the proposed PUD Amendment, but could be included as  
37 a condition.

38  
39 There being no one else wishing to comment on the application in person or online, Acting Chair  
40 Parkhill closed the public hearing at 7:47 pm.

41  
42 Mr. Adams asked the Chair if he could note one further thing. Acting Chair Parkhill said yes. Mr.  
43 Adams said he did not own the lots in 2011. He also noted that the elevator would impede his  
44 views.

45

1 Ms. Dunham asked if she could respond. Acting Chair Parkhill said yes. She said the existing  
2 footprint was 148 square feet and the addition would be 50 square feet for a total of 198 square  
3 feet, not double the size.

4  
5 Acting Chair Parkhill asked for the Commission to share their thoughts and feedback on the  
6 application.

7  
8 Commissioner Stockton noted a discrepancy on the roof cornice height and asked why it was  
9 different than the 540/544 building. Mr. Chermak said he relied on mathematics and a civil  
10 engineer. He stated that his numbers are actual measurements. The building that Commissioner  
11 Stockton was referring to was a place holder to show there was stepping but not meant to show  
12 actual measurements. Commissioner Stockton asked how the elevator became a consideration for  
13 his client if it was not supposed to be included. Mr. Chermak said it came out of conversations  
14 with the buyer.

15  
16 Commissioner Douglas asked about the false deck mentioned on the rear elevations. Mr. Chermak  
17 said it was basically the same deck as the 540/544 building but without railings. Commissioner  
18 Douglas asked if the sliders lead out to the lower deck. Mr. Chermak said yes.

19  
20 Commissioner Sorensen asked about elevations. Mr. Chermak said 534 Rice unit was going up.  
21 The lowest level of 530 Rice unit would be slightly lower.

22  
23 Acting Chair Parkhill asked if there were any screen porches. Mr. Chermak said there were not.  
24 Acting Chair Parkhill asked if the parapet for the two buildings was the same as the original. Mr.  
25 Chermak said based on their calculations the parapet was higher above the deck than what was on  
26 the original plans. Acting Chair Parkhill asked if any fill had been brought in. Mr. Chermak said  
27 he brought in fill to replace unstable soils, but did not raise the level of the site.

28  
29 Commissioner Douglas thanked Mr. Adams and Mr. Chermak for trying to solve the issues related  
30 to the project, and also the neighbors. She noted that the units were smaller and it met impervious  
31 surface and the concerns of the neighbors. She was not supportive of the elevator rooftop access.  
32 She thought if that exception was made, the City would get a lot more requests. She thought it  
33 was time to complete the project and restore order.

34  
35 Commissioner Sorensen said the City had been on a journey with the applicant, staff, and  
36 neighbors. He thought the ten items highlighted by the neighbors and addressed by the Applicant  
37 took away the Planning Commission's biggest concerns with the last proposal. He said elevators  
38 were not part of the application. He said he empathized with Ms. Dunham, but said the issue was  
39 between builder and homeowner. He said was supportive of the PUD Amendment.

40  
41 Commissioner Schwalbe thanked the neighbors for showing up and said she understood how  
42 difficult this had been. She wished the elevator issue would have been resolved, but agreed it was  
43 between the builder and the client.

44

1 Commissioner Stockton said this project had been looked at multiple ways by multiple groups.  
2 She commended the developers and the community for working together. She wanted to see it go  
3 through and come to completion.  
4

5 Commissioner Severson said she was somewhat at a disadvantage on this project with so much  
6 history since this was only her second meeting. She was supportive of the project and the requested  
7 elevator, but was not sure what was involved for the elevator to be included.  
8

9 Acting Chair Parkhill asked about the process to allow elevator access. Planning Consultant  
10 Zweber explained the original resolution approving the PUD specifically stated no elevator would  
11 be allowed to the roof. The PUD amendment would need to include the removal of that language.  
12 He also talked about the past practice of the City in regards to elevator roof access. The Planning  
13 Commission and City Council deemed that the past requests would need a variance to the height  
14 requirement, and each variance was either withdrawn or denied. City Attorney Schelzel said that  
15 the Commission could call things to the Council's attention in its report, but agreed that the  
16 elevator roof access was not part of the Commission's prerogative as it was not included in the  
17 proposed PUD Amendment or required in the ordinance. Acting Chair Parkhill said he thought  
18 the City should look at elevator roof access in general.  
19

20 Acting Chair Parkhill said he did not think a win here would be possible. He applauded the efforts  
21 and was in favor of this project moving forward. He was counting on Pillar Homes to produce a  
22 high-quality product. He also added that he was open to the Council considering the elevator and  
23 thought it was important to be an inclusive community.  
24

25 There being no further discussion, Acting Chair Parkhill asked for a motion on the application.  
26

27 Commissioner Sorensen made a motion, seconded by Commissioner Schwalbe, to Adopt the  
28 Planning Commission Report and Recommendation of Approval of PUD Amendment at 520, 524,  
29 530, and 534 Rice Street East as proposed. The motion carried unanimously.  
30

31 **AGENDA ITEM 7. Other Items:**  
32

33 **a) Election of Officers of Planning Commission for Remainder of 2021 Calendar**  
34 **Year**  
35

36 Director Goellner explained that staff recommended the Planning Commission hold an election  
37 for officers for the remainder of 2021, given the recent resignation of the Chair. It was noted that  
38 officer elections for the 2022 calendar year will be held in January 2022.  
39

40 Commissioner Schwalbe made a motion, seconded by Commissioner Stockton, to elect Jeffrey  
41 Parkhill as Chair for the remainder of the 2021 calendar year. The motion carried unanimously.  
42

43 Commissioner Douglas made a motion, seconded by Commissioner Sorensen, to elect Larissa  
44 Stockton as Vice Chair for the remainder of the 2021 calendar year. The motion carried  
45 unanimously.  
46

1           **b) Review of Development Activities**

2  
3 Director Goellner provide a brief update on upcoming development activity in the City.  
4

5           **c) Planning Commission Meeting Schedule**

6  
7 Director Goellner noted the next Planning Commission meeting was scheduled for Monday,  
8 September 20, 2021.  
9

10           **d) Planning Commissioner Liaison for the September 7, 2021 City Council Meeting**

11  
12 It was noted that Commissioner Douglas will present at the September 7, 2021 City Council  
13 meeting.  
14

15           **AGENDA ITEM 8. Adjournment.**

16  
17 There being no further business on the agenda, Chair Parkhill asked for a motion to adjourn.

18  
19 Commissioner Schwalbe made a motion, seconded by Commissioner Severson, to adjourn the  
20 Planning Commission meeting. The motion carried unanimously.  
21

22 The Planning Commission meeting was adjourned at 8:23 p.m.  
23

24 Respectfully submitted,

25 Sarah Peterson

26 *TimeSaver Off Site Secretarial, Inc.*