



Wayzata Planning Commission

Meeting Agenda

Tuesday, January 9, 2018

Community Room
600 Rice Street East
Wayzata, Minnesota 55391

5:30 p.m. Workshop Meeting

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

7:00 p.m. Regular Meeting

- 1. Call to Order & Roll Call**
- 2. Approval of Agenda**
- 3. Consent Agenda**
 - a. Approval of December 4, 2017 Planning Commission Minutes
 - b. Approval of December 18, 2017 Planning Commission Minutes
- 4. Old Business Items**
 - a. Gardner Place – 350 Gardner St E
Rezoning, PUD Concept and General Plan, Preliminary Plat
Subdivision
- 5. Public Hearing Items**
 - a. Jereczek Fence – 119 Benton Ave N
Conditional Use Permit

- b. Brinza Addition – 315 Park St E
Variances

6. Other Items:

- a. Schneiderman Stob Residence – 1058 Circle Dr E
Review of House Plans
- b. Election of Chair and Vice Chair
- c. Review of development activities
- d. Next meeting is January 22, 2018

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
MEETING MINUTES
DECEMBER 4, 2017**

AGENDA ITEM 1. Call to Order and Roll Call

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

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

AGENDA ITEM 2. Approval of Agenda

Commissioner Buchanan made a motion, Seconded by Commissioner Young, to approve the December 4, 2017 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Consent Agenda

a.) None

AGENDA ITEM 4. Old Business Items:

a.) None.

AGENDA ITEM 5. Public Hearing Items:

a.) **Kiser Subdivision – 227 Walker Avenue N, 521 and 529 Park St E**
i. **Preliminary and Final Plat**

Director of Planning and Building Thomson stated the property owners, Joseph and Mary Kiser, have submitted a development application to combine the lots at 227 Walker Avenue N and 529 Park St E, and a portion of the lot at 521 Park St E, into one lot. As part of the submitted development application, the applicant is requesting approval of the concurrent preliminary and final plat of the lot combination. In January 2015, the same property owners applied for and received approval of a preliminary and final plat to combine the 227 Walker Ave N and 529 Park St E lots into one lot. The plat was never filed with Hennepin County and the 2015 approval has expired. The 2015 plat application did not include the 521 Park St E lot. Currently, the 521 Park St E property meets all of the R-3A District lot requirements. The 529 Park St E property and 227 Walker Ave N properties do not meet the R-3A requirements. With the proposed lot combination and lot line adjustment, both of the new lots would meet all of the R-3A lot requirements, and the

1 resulting lots could not be subdivided in the future and meet the R-3A lot requirements. Given the
2 familiar background on the application, Mr. Thomson noted that a draft Planning Report and
3 Recommendation of approval was included in the Commission's materials for the meeting.

4
5 Commissioner Flannigan asked if the properties would conform to the hardcover requirements,
6 and the reason for the expedited review.

7
8 Mr. Thomson stated that the lots would meet the hardcover requirement of the R-3A District, and
9 the applicant would like to file the final plat with Hennepin County before December 31, 2017 for
10 property tax purposes.

11
12 Chair Iverson noted that the applicant indicated that there is not any more to add to the discussion
13 at this time.

14
15 Chair Iverson opened the public hearing on the application at 7:09 p.m.

16
17 There being no one wishing to comment, Chair Iverson closed the public hearing at 7:10 p.m.

18
19 There being no further comments or discussion among the Planning Commission, Chair Iverson
20 asked for a motion on the application. Commission Buchanan made a motion, Seconded by
21 Commissioner Young, to adopt the Planning Commission Report and Recommendation as
22 presented, recommending approval of the Preliminary and Final Plat Subdivision for 227 Walker
23 Ave N, 521 and 529 Park St E.

24
25 Chair Iverson asked for any discussion on the motion and hearing none, asked Mr. Thomson if
26 there would be a home built on the 521 Park St E.

27
28 Mr. Thomson stated there were no plans submitted for the 521 Park St E property at this time. He
29 read the findings included in the Planning Commission Report and Recommendation presented.

30
31 Chair Iverson clarified that the motion based on the findings in the Report, and read the conditions
32 included in the Planning Commission Report and Recommendation.

33
34 Commissioner Buchanan restated his motion to expressly include the findings of fact and
35 conditions as stated. The motion was seconded by Commission Young. The motion carried
36 unanimously.

37
38
39 **b.) Gardner Place – 350 Gardner St E**

40 **i. Rezoning, PUID Concept and General Plan, Preliminary Plat Subdivision**

41
42 Director of Planning and Building Mr. Thomson stated the applicant, Bohland Homes, has
43 submitted a development application to subdivide the property at 350 Gardner St E into two single-
44 family residential lots. The existing house would be demolished and two new homes would be
45 constructed with access from a private driveway. The application requests rezoning from R-3A to
46 PUD/Planned Unit Development, PUD concept and general plan, and preliminary plat subdivision.

1 Mr. Thomson noted that earlier in 2017, the Planning Commission and City Council reviewed a
2 three-lot subdivision of the property. The previous development application retained the existing
3 R-3A zoning, and requested approval of a subdivision variance to allow for a private street, and a
4 zoning variance from the impervious surface limitation. The City Council denied that application
5 due to concerns about the number of homes, small lot sizes, tree removal, private street, amount
6 of grading and fill, and impacts on adjacent properties. The current development application
7 includes the removal of the existing house, and the construction of new homes on each of the new
8 lots. The proposed house pads would comply with all requirements of the R-3A zoning district
9 including setbacks, lot coverage, and impervious surface. The property currently has a private
10 driveway that is shared with the adjacent property. Although the driveway would be commonly
11 referred to as a shared driveway, it would be considered a private street under the broad definition
12 of a private street in the subdivision ordinance. The City's subdivision ordinance prohibits private
13 streets except in the case of planned unit developments. The applicant is proposing to widen the
14 private street to 14-feet and extend it to provide access to the two new homes, which is the reason
15 for the request to rezone to PUD. The City Engineer recommended that the sanitary sewer force
16 main serving the property be private, with an agreement between the two lots for maintenance.

17
18 Commissioner Buchanan asked for clarification on where the private road began and where the
19 public portion of Gardner Street ended. He clarified that a private road was defined as a driveway
20 or road that serviced two or more homes, and a private road did not have to be constructed to the
21 same standards as a public street. He asked if the private road would be compliant for emergency
22 vehicle access.

23
24 Mr. Thomson stated the application was reviewed by the Fire Marshal, and he had provided two
25 options related to access and fire safety. The first option is to extend a code compliant fire access
26 lane to both lots, and the second option is for the homes to include a fire sprinkler system, in which
27 case the expanded fire access lane would not be needed. Given the grading, tree removal, and
28 impervious surface impacts of a code compliant fire access lane to the property, City staff would
29 recommend that the homes be required to have fire sprinklers as a condition of approval.

30
31 Commission Flannigan asked if there was an agreement with the neighboring property to allow
32 the private driveway/road to cross their property. He asked if the applicant has agreed to the
33 condition of requiring sprinkler systems for the homes.

34
35 Mr. Thomson stated part of this driveway already exists on the adjacent property, but he is not sure
36 if there is an agreement for the proposed extension. He stated he did not know if the applicant had
37 agreed to the condition of having fire sprinklers in the homes.

38
39 Chair Iverson stated even with the sprinklers, if there were a fire, the trucks would need to get to
40 the property. She asked how these trucks would turn around.

41
42 Mr. Thomson stated with the fire sprinklers the number of trucks that would be required would be
43 less, but if they did have a full-size fire truck on the property it would have to back out.

44
45 Commissioner Douglas stated to the east there is a large hill going to the water tower. She asked
46 if staff had reviewed the impacts of the runoff from this hill.

1
2 Mr. Thomson stated the City Engineer did review the plans and he recommended the grading
3 maintain the existing drainage patterns, and the storm water runoff from the new hardcover would
4 have to be appropriately directed.

5
6 Chair Iverson asked if there was a way to reroute the stormwater catch basin so that the two
7 significant trees located in the City's right of way would not have to be removed. These trees are
8 a buffer for Highway 12, and the adjacent homeowner had come to the last meeting and expressed
9 concerns about potential water issues. She stated the Commission would need additional
10 information on the stormwater management. She stated at the last public hearing a neighbor had
11 also expressed concern about the significant trees on her property being impacted by the grading.
12 She asked if this had been addressed.

13
14 Commissioner Flannigan stated the concerns had been raised because the previous proposal had
15 included the construction of a retaining wall and the grading for this could have impacted the trees
16 on her property.

17
18 Chair Iverson asked how much of a reduction there would be in the slope. She stated the
19 topography was changing significantly, and she would like to understand how this would impact
20 the stormwater runoff and drainage.

21
22 Commissioner Douglas asked what the City's experience was with grinder pumps located in homes
23 in Wayzata.

24
25 Mr. Thomson stated grinder pumps require more maintenance. If the pump fails, it could impact
26 the home it is located in, but it would not impact the City's sewer main or cause backups in other
27 homes.

28
29 Chair Iverson asked if the applicant has worked out an agreement with the neighbors regarding the
30 private driveway/road. She expressed concerns about the removal of the significant trees. They
31 had reviewed pictures during the public hearing on the previous proposal for this property and the
32 pictures depicted the coverage these trees provide to the neighborhood from Highway 12, which
33 buffer the noise. The driveway had been a concern at the previous public hearing as well.

34
35 Applicant's representative, Steve Bohl, 550 Far Hill Rd, stated the proposed driveway would go
36 onto the neighboring property about a foot. They could push the driveway a foot further north and
37 most of the private driveway would then be in the public right-of-way. He explained the previous
38 application had proposed a wider driveway and this had impacted more trees, so their goal with
39 this design was to stay as close to the existing driveway as possible to serve the one additional
40 home. He stated that they have not had any discussions with the adjoining property owner on the
41 new proposal.

42
43 Chair Iverson asked for clarification on the retaining wall and the impacts to the trees and the
44 grading that would occur.

45

1 Mr. Bohl stated the retaining wall is a 4-foot retaining wall and is pushed away from the eastern
2 property line, and they would not impact the trees along the eastern property line. The grading
3 that is occurring on the eastern property is to direct the water around the home. The grade of the
4 hill to the east of the retaining wall would remain. They would only be removing dirt to build the
5 retaining wall.

6
7 Commissioner Douglas asked what the size of the footprint and price point would be for the homes
8 on these properties.

9
10 Mr. Bohl reviewed the plans that had been previously reviewed by the Commission and noted that
11 the square footage on the main level would be 1178 square-feet, and the garage would add another
12 757 square-feet.

13
14 Commissioner Flannigan asked if the applicant would consider providing some screening in the
15 right-of-way in order to offset what would be removed.

16
17 Mr. Bohl stated there would be an opportunity to look at this. There are some trees that would
18 have to be removed because they are dead or poor growing. He explained if they removed the
19 catch basin on the northern side, then the two trees they are showing as being removed would be
20 saved. He said was not sure if the catch basin in the right of way had been a recommendation from
21 City staff.

22
23 Mr. Thomson clarified that the City's Arborist did review the trees in the City's right-of-way and
24 confirmed that there are dead and diseased trees that may need to be removed even if this
25 application is not approved, given their dead and diseased state.

26
27 Commissioner Flannigan stated these trees have presented a liability to the City for the last 15-
28 years, and the City has not looked at this area for 30-years.

29
30 There being no further questions of the Applicant and staff, Chair Iverson opened the public
31 hearing at 7:57 p.m.

32
33 Mr. Joe Madson, 344 Gardner Street E, asked if it was a City requirement that the catch basin be
34 put in. He would like to see as much screening from Highway 12 maintained as possible. If there
35 is an option to not remove these trees he would like that reviewed, and if the catch basin does need
36 to be installed he would like the City to look at adding tree replacement for the trees that would be
37 removed. He also asked if it had been a City requirement that the private road be pushed back
38 onto his property. He expressed concerns about the construction process and how this access
39 would impact his property.

40
41 Ms. Robin Bintossi, representing Linda Linden at 345 Gardner Street E, stated Ms. Linden had
42 requested she attend for her. Ms. Linden has expressed concerns since the beginning for the
43 proposed project and several of these concerns are still pertinent today. Her concerns include the
44 fact that the new proposal still proposes the rerouting of the existing water drainage, and this would
45 significantly impact her building pad. She clarified whether two trees would be removed in the

1 City's right-of-way, and she would like to know if the City is giving any of the City owned right-
2 of-way to the developer for what is being proposed for the properties adjacent to 350 Gardner.

3
4 Ms. Elissa Madson, 344 Gardner Street E, stated where the public street ends and the private
5 driveway begins there are two existing catch basins. In her conversations with City Engineer
6 Mike Kelly, she had been told that 15-years ago the City of Wayzata came in and dug up the private
7 driveway. Water is currently being routed under the driveway and routed down to a catch basin by
8 the smaller garage, and there is a catch basin in the north corner that catches any water that comes
9 off. The street water funnels under the driveway and meets up with the catch basin at the bottom
10 of the driveway and other water that funnels off the hill. From here it goes north into the City
11 right-of-way.

12
13 Ms. Lucy Bruntjen, 402 Gardner Street E, asked if the hill on the project property would be affected
14 at all.

15
16 Mr. Bohl stated clarified the retaining wall locations and the slight grading changes to allow the
17 water to be redirected. He noted that the change to the slope will be minor but there would be a
18 4-foot drop because of the retaining wall. There will be soil correction on the driveway, and this
19 may involve some grading.

20
21 There being no other member of the public wishing to speak, Chair Iverson closed the public
22 hearing at 8:08 p.m.

23
24 Chair Iverson asked about the portion of private driveway that would be in the City's right-of-way.

25
26 Mr. Thomson stated he would look into the questions regarding the catch basin at the end of
27 Gardner Street. The City is not requiring the driveway to be located in any particular location, but
28 they are requiring the driveway to be at least 14-feet in width. The City is not selling, vacating or
29 getting rid of any portion of the right-of-way.

30
31 Commissioner Flannigan asked if the City Engineer was confident that this plan addressed all the
32 stormwater issues that may exist.

33
34 Mr. Thomson stated there are some items that need to be clarified on the storm sewer
35 improvements, but that the grading plan is generally acceptable under the standards of maintaining
36 drainage patterns and not directing storm water onto adjacent properties. The City would need to
37 look further at alternatives to the storm sewer plan.

38
39 Commissioner Flannigan stated there would need to be a commitment from the applicant regarding
40 the fire sprinklers because if they are not going to be installed in the homes, then the access would
41 need to change based on the Fire Marshall's recommendations.

42
43 Chair Iverson stated that the fire sprinklers could be included in the conditions of approval when
44 the property owners apply for building permits. She stated the Commission could move forward
45 with the application with the added conditions the applicant provides the additional information
46 the Commission has requested.

1
2 Commissioner Flannigan stated the applicant has made significant changes to the project to address
3 previous concerns. He would like to see a landscape plan for the City's right-of-way. He would
4 also like the applicant to work with the Madson's regarding the driveway and its location, and
5 what the plan would be for the maintenance of the private driveway.
6

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

9 Commissioner Young made a motion, Seconded by Commissioner Flannigan, to direct staff to
10 prepare a draft Planning Commission Report and Recommendation with appropriate findings
11 recommending approval of the Rezoning from R-3A/Single and Two Family Residential District
12 to PUD/Planned Unit Development, the PUD Concept and General Plan of Development, and the
13 Preliminary Plat Subdivision for 350 Gardner St E, and further directing staff to request additional
14 information from the City Engineer and the applicant regarding the catch basins, the maintenance
15 of the private driveway, the landscaping for the City's right-of-way, and the driveway location in
16 relation to the Madson's property. The motion carried unanimously.
17

18
19 **c.) Whittington Garage – 126 Circle A Dr S**
20 **i. Variances**
21

22 Director of Planning and Building Thomson stated the property owners, Michael and Julie
23 Whittington, have submitted a development application to construct a garage on the property at
24 126 Circle A Drive S. The applicant is proposing to tear down the existing detached garage and
25 construct a new detached garage in the same general location. As part of the submitted
26 development application, the applicant is requesting approval of a front yard setback variance from
27 20-feet to 8.3-feet and a side yard setback variance from 5-feet to 0.1-feet. The proposed garage
28 would maintain the same setbacks as the existing garage. The new garage would be two stories
29 with a gabled roof. There would be an internal staircase at the back of the garage to provide
30 connection between the first and second floor. The detached garage would meet the accessory
31 building requirements of the R-3A zoning district, except for the front and side yard setbacks.
32

33 Commissioner Buchanan asked how the height of the proposed structure compared to the height
34 of the existing structure.
35

36 Mr. Thomson stated the new structure is 16-feet in height and the existing structure is about 11-
37 feet in height.
38

39 Commissioner Flannigan asked if there were any sight lines the proposed structure would block.
40

41 Mr. Thomson stated he was not aware of any sight lines that would be obstructed.
42

43 The applicant, Mike Whittington, 126 Circle A Dr S, stated the goal is to get a workable two-stall
44 garage. He explained moving the garage further back to comply with setback requirements would
45 cause tree removal and more hardcover.
46

1 There being no further questions of the Applicant and staff, Chair Iverson opened the public
2 hearing at 8:30 p.m.

3
4 There being no member of the public wishing to address the Commission regarding the application,
5 Chair Iverson closed the public hearing at 8:31 p.m.

6
7 Chair Iverson asked for a motion on the application.

8
9 Commissioner Young made a motion, Seconded by Commission Buchanan, to direct staff to
10 prepare a draft Planning Commission Report and Recommendation with appropriate findings
11 recommending approval of the Front Yard Setback Variance and Side Yard Setback Variance for
12 126 Circle A Drive S. The motion carried unanimously.

13
14
15 **d.) Otten Addition – 908 Shady La E**
16 **i. Variance**

17
18 Director of Planning and Building Thomson stated the property owner, Clifford Otten, has
19 submitted a development application to construct an addition to the existing house at 908 Shady
20 La E. The applicant is proposing to remove the existing deck and construct an enclosed porch in
21 the same general location. The applicant is requesting approval of a side yard setback variance
22 from 15-feet to 10.3-feet. The applicant is proposing to tear down an existing deck on the back of
23 the house, which is setback 7-feet from the side property line, and construct a four-season porch
24 in the same location. The porch would be one story in height with a lower level storage area. The
25 proposed addition would be set back 10.3-feet from the side property line, which does not meet
26 the 15-foot side yard setback requirement.

27
28 Commissioner Douglas asked who owned the arborvitae on the retaining wall on the east side of
29 the property.

30
31 The applicant, Cliff Otten, 908 Shady Lane E, stated he owned the retaining wall, and the
32 arborvitae are shared with the neighboring property because they are right on the property line.
33 He asked if they would require an additional variance because there is a 1-foot portion of the
34 project that would not meet the lakeshore setback requirement. If a variance is required, he would
35 ask that this be included in the application being presented and discussed.

36
37 Commissioner Young asked if the additional variance request could be added at this time.

38
39 Mr. Thomson clarified the nature of the variances needed for the proposal and explained that a
40 corner of the porch addition extends approximately 1-foot into the Shoreland setback. He noted
41 that the applicant has not applied for a Shoreland setback variance, so that would need to be
42 requested for the proposal in addition to the R-2A setback variance. If the Shoreland setback
43 variance is not requested and approved, the applicant would need to revise the plans to meet the
44 Shoreland setback requirement. The Commission could discuss this variance and the Commission
45 could continue the public hearing to the next meeting to allow the City to publish notification on

1 the Shoreland variance request. Staff can include this variance in the report and recommendation
2 for the Commission to review at the next meeting.

3
4 City Attorney Schelzel stated the applicant would also need to amend the application to include
5 the request for a Shoreland setback variance.

6
7 Mr. Otten stated he would amend the application to include the request for a Shoreland setback
8 variance.

9
10 There being no further questions of the Applicant and staff, Chair Iverson opened the public
11 hearing at 8:46 p.m.

12
13 There being no member of the public wishing to speak, Chair Iverson continued the public hearing
14 to the Planning Commission meeting on December 18, 2017 for any additional public comment
15 on the amended application, and asked for a motion from the commission.

16
17 Commissioner Young made a motion, Seconded by Commission Douglas, to direct staff to prepare
18 a draft Planning Commission Report and Recommendation recommending approval of the
19 Variance from the R-2A Zoning District Side Yard Setback requirement and the Variance from
20 the Shoreland District Lakeshore Setback requirement for review at the December 18th Planning
21 Commission meeting. The motion carried unanimously.

22 23 24 **AGENDA ITEM 6. Other Items:**

25 26 **a.) Review of Development Activities**

27
28 Director of Planning and Building Mr. Thomson stated the next Planning Commission meeting
29 agenda is scheduled to include discussion on the modification to the redevelopment plan for the
30 Central Area Redevelopment District and a Tax Increment Financing Plan for TIF District No. 6.
31 The Planning Commission's role in the proposed modifications is to ensure the modified plan
32 complies with the City's Comprehensive Plan.

33 34 **b.) Next Meeting is December 18, 2017**

35
36 Director of Planning and Building Mr. Thomson stated the December 18th meeting would be the
37 last meeting of the Planning Commission for 2017, and the last meeting for Commission Gonzalez.
38 He noted that Chris Plantan has been appointed by City Council to fill the vacancy, and she will
39 be joining the Planning Commission at the first meeting in January.

40 41 42 **AGENDA ITEM 7. Adjournment.**

43
44 There being no further business on the agenda, Chair Iverson asked for a motion to adjourn.
45

1 Commissioner Flannigan made a motion, Seconded by Commissioner Murray, to adjourn the
2 meeting of the Planning Commission. The motion carried unanimously.

3
4 The Planning Commission meeting was adjourned at 8:51 p.m.

5
6 Respectfully submitted,

7
8 Tina Borg

9 *TimeSaver Off Site Secretarial, Inc.*

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
DECEMBER 18, 2017**

AGENDA ITEM 1. Call to Order and Roll Call

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

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

AGENDA ITEM 2. Approval of Agenda

Commissioner Buchanan made a motion, Seconded by Commissioner Gonzalez, to approve the December 18, 2017 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Consent Agenda

a.) Approval of November 20, 2017 Planning Commission Minutes

b.) Adoption of Report and Recommendation of Approval of front and side yard setback variances for detached garage at 126 Circle A Dr S

Vice Chair Young read the items on the Consent Agenda and asked if the Commissioners wished to remove any items for further discussion.

Commissioner Gonzalez requested that item A, Approval of November 20, 2017 Planning Commission Minutes, be pulled from the consent agenda.

Vice Chair Young asked for a motion to approve the Consent Agenda, amended to remove item A.

Commissioner Buchanan made a motion, Seconded by Commissioner Murray, to approve the Consent Agenda as amended. The motion carried unanimously.

AGENDA ITEM 3A. Item Removed From Consent Agenda

a.) Approval of November 20, 2017 Planning Commission Minutes

Commissioner Gonzalez stated she would like to abstain from voting on this item as she had not been in attendance.

1 Commissioner Buchanan made a motion, Seconded by Commissioner Flannigan, to approve the
2 November 20, 2017 Planning Commission minutes as presented. The motion carried 4/0/1
3 (Abstain – Gonzalez)
4
5

6 **AGENDA ITEM 4. Old Business Items:**
7

8 a.) None.
9

10
11 **AGENDA ITEM 5. Public Hearing Items:**
12

13 a.) **Continued Public Hearing and Consideration of Report and Recommendation of**
14 **Approval of setback variances for a building addition at 908 Shady Lane E**
15

16 Director of Planning and Building Mr. Thomson stated the property owner, Clifford Otten, has
17 submitted a development application to construct an addition to the existing house at 908 Shady
18 La E. The applicant is proposing to tear down an existing deck on the back of the house, which is
19 setback 7-feet from the side property line, and construct a four season porch in the same location.
20 The porch would be one story in height with a lower level storage area. The proposed addition
21 would be set back 10.3-feet from the side property line, which does not meet the 15-foot side yard
22 setback requirement. Mr. Thomson noted that the application has been amended since the last
23 Planning Commission meeting to include a variance request from the required lakeshore setback
24 of a line drawn between the two closest riparian principal structures on either side of a proposed
25 building site in the S/Shoreland Overlay District (Section 801.91.9.D.2.b). He stated the public
26 hearing had been continued at the December 4th meeting to this evening's meeting.
27

28 Vice Chair Young stated the public hearing was still open and asked if anyone would like to
29 address the Commission on the application.
30

31 There being no member of the public wishing to address the Commission on the application, Vice
32 Chair Young closed the public hearing at 7:09 p.m.
33

34 Commissioner Gonzalez asked if the City had heard from any of the neighbors.
35

36 Mr. Thomson stated that the City had not received any formal public comments regarding the
37 project.
38

39 Commissioner Gonzalez stated that with anything that intrudes into the setback and affects the
40 lake, she likes to see creative landscaping to ensure that any water that ends up in the lake is
41 cleaner. She asked the applicant to consider this.
42

43 Mr. Thomson stated the Commission had discussed the arborvitae that provides screening of the
44 structure from the adjacent property. He noted also that the site is well landscaped currently. The
45 Shoreland landscaping requirements are triggered with the impervious surface requirements, and
46 this project complies with all of the impervious surface requirements.

1
2 There being no further questions or discussion, Vice Chair Young asked for a motion on the
3 Application.

4
5 Commissioner Buchanan made a motion, Seconded by Commission Murray, to adopt the draft
6 Planning Commission Report and Recommendation recommending approval of the Variance from
7 the R-2A Zoning District Side Yard Setback requirement and the Variance from the Shoreland
8 District Lakeshore Setback requirement for the building addition at 908 Shady Lane E, as
9 presented. The motion carried unanimously.

10
11
12 **AGENDA ITEM 6. Other Items:**

13
14 **a.) Consider Approval of Resolution regarding modification to the redevelopment**
15 **plan for the Central Area Redevelopment District (CARD) and a Tax Increment**
16 **Financing (TIF) Plan for TIF District No. 6.**
17

18 Director of Planning and Development stated over the past year, the City has been discussing
19 redevelopment of multiple properties along Lake Street, west of Manitoba Avenue. Several
20 property owners in the area are interested in redeveloping their properties with uses consistent with
21 the City's Zoning Ordinance and Comprehensive Plan. On September 5, the City Council,
22 Planning Commission, and Housing and Redevelopment Authority (HRA) held a joint workshop
23 to discuss the redevelopment plans. The goal of the workshop was to review and discuss the
24 individual development projects, and a tax increment financing (TIF) district to support the
25 projects. On December 5th, the City's HRA adopted the TIF Plan for the proposed TIF District,
26 and the City Council will be holding a public hearing and considering the establishment of the TIF
27 District at its meeting on December 19th. As part of the establishment of the TIF District, the
28 Planning Commission must review the TIF Plan to ensure that it is consistent with the City's
29 Comprehensive Plan.

30
31 Commissioner Flannigan asked if the properties east of Barry would be included.

32
33 Mr. Thomson stated the Zitzloff property on the corner had always been considered a part of the
34 district.

35
36 Commissioner Flannigan asked if Mr. Zitzloff's property on Barry Avenue was included and if
37 not what were the ramifications of this.

38
39 Mr. Thomson stated this property is not included in the TIF district because it may not meet the
40 standards for the TIF district, and redevelopment of the site is not anticipated.

41
42 Commissioner Gonzalez stated Appendix A of the packet materials states the District currently
43 consists of 24 parcels and is being created to facilitate the construction of approximately 71 condos.
44 She asked if these 71 condos were in addition to the ones that had already been approved by the
45 City.
46

1 Mr. Thomson stated the 71 condos would include all of the condos that are being built in the TIF
2 district, which includes the projects that have already been approved, or are included in projects
3 that have been discussed by the City.

4
5 Commissioner Gonzalez stated Appendix A also mentions pay-as-you-go TIF. She asked if this
6 was what was being contemplated, because in another place in the documents it references bonds.

7
8 Mr. Thomson stated that pay-as-you-go TIF is what is anticipated.

9
10 Mr. Thomson provided updates on the Meyer's Place project and the Wayzata Blu project.

11
12 There being no further questions or discussion, Vice Chair Young asked for a motion from the
13 Commission on the requested resolution.

14
15 Commissioner Buchanan made a motion, Seconded by Commissioner Murray, to approve and
16 adopt Resolution 01-2017 as presented, regarding Redevelopment Plan for Central Area
17 Redevelopment District (CARD) and Tax Increment Financing (TIF) Plan for TIF District No. 6.
18 Motion carried unanimously.

19 20 21 **b.) Review of Development Activities**

22
23 Director of Planning and Building Mr. Thomson stated this would be the last meeting of the
24 Planning Commission for 2017. He stated this would also be the last meeting for Commissioner
25 Gonzalez. The January 9th Planning Commission meeting agenda would include the Gardner
26 Place project, a variance application for a property on Park Street, and the proposed cell site on
27 the Edina Realty building.

28
29 Vice Chair Young thanked Commissioner Gonzalez for her many years of service to the City.

30
31 Commissioner Gonzalez thanked the people of Wayzata for their support and encouragement,
32 the City Council for putting their trust in her, and the support of her fellow Commissioners.

33 34 35 **c.) Next Meeting is January 9, 2018**

36
37 Director of Planning and Building Thomson noted that the next regular meeting of the Planning
38 Commission is scheduled for January 9, 2018.

39 40 41 **AGENDA ITEM 7. Adjournment.**

42
43 There being no further business on the agenda, Vice Chair Young asked for a motion to adjourn.

44
45 Commissioner Flannigan made a motion, Seconded by Commissioner Gonzalez, to Adjourn the
46 meeting Planning Commission. The motion carried unanimously.

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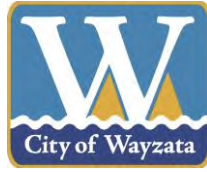
The Planning Commission meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Tina Borg

TimeSaver Off Site Secretarial, Inc.

DRAFT



**Staff Report
January 9, 2018**

Project Name: Gardner Place
Applicant Bohland Homes
Addresses of Request: 350 Gardner St E
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: February 24, 2018

Development Application

Introduction

The applicant, Bohland Homes, has submitted a development application to subdivide the property at 350 Gardner St E into two single-family residential lots. The existing house would be demolished, and two new homes would be constructed with access from a private driveway.

Application Requests

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

- A. Rezoning from R-3A/Single and Two Family Residential District to PUD/Planned Unit Development: The property is currently zoned R-3A, and the applicant is requesting a rezoning to PUD.
- B. PUD Concept and General Plan of Development: A rezoning to PUD requires both concept and general plan of development review. (City Code Section 801.33.5 and 801.33.6)
- C. Preliminary plat subdivision: The proposal requires preliminary plat review to subdivide the one existing lot into three lots. (City Code Section 805.14)

Property Information

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

Address	PID	Owner
350 Gardner St E	06-117-22-21-0027	Bohland Homes, Inc.

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

Current zoning:	R-3A/Single and Two Family Residential District
Comp plan designation:	Low Density Single Family
Overlay districts:	None

Project Location

The property is located on the south side of Gardner St E, east of Barry Ave N:

Map 1: Project Location



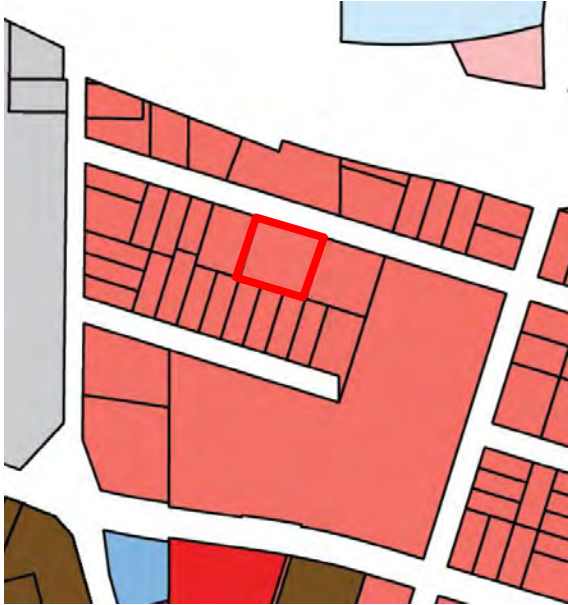
Adjacent Land Uses.

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	Gardner Street right of way	N/A	N/A
	Single-family homes	R-3A/Single and Two Family Residential District	Low Density Single Family
East	Single-family home	R-3A/Single and Two Family Residential District	Low Density Single Family
South	Single-family homes	R-3A/Single and Two Family Residential District	Low Density Single Family
West	Single-family homes	R-3A/Single and Two Family Residential District	Low Density Single Family

Map 2: Adjacent Land Uses

Zoning



Comp Plan Land Use Designation



Public Hearing Notice

The public hearing notice was published in the *Lakeshore Weekly News* on November 23, 2017, and was mailed to all property owners located within 350 feet of the property on November 22, 2017. The public hearing was held at the Planning Commission meeting on December 4, 2017.

Background Information

Previous Application

Earlier in 2017, the Planning Commission and City Council reviewed a three lot subdivision of the property. The previous development application retained the existing R-3A zoning, and requested approval of a subdivision variance to allow for a private street, and an impervious surface zoning variance. The previous plans included a 16-foot wide private street with fire turnaround at the end, which required a large retaining wall, substantial grading, and significant tree removal within the City's right of way. The City Council denied the subdivision application due to concerns about number of homes, small lot sizes, tree removal, private street, amount of grading and fill, and impacts on adjacent properties.

Previous Planning Commission Meeting

The Planning Commission held a public hearing and reviewed the current development application at its meeting on December 4, 2017. At that meeting, the Planning Commission: (1) directed staff to prepare a Planning Commission Report and

Recommendation recommending approval of the development application, and (2) requested the following additional information from the applicant:

- Review alternatives to adding an additional catch basin at the end of Gardner Street to eliminate tree removal within the City's right of way
- Outline the maintenance responsibilities for the private driveway
- Review driveway location in relation to the adjacent property at 344 Gardner St E
- Landscaping plan for the City's right of way

The applicant has submitted an updated narrative and revised plans for the project which address the comments from the Planning Commission, and are attached to this report. The additional information provide the driveway maintenance and landscaping information, and the revised plans have removed the storm sewer outlet at the end of Gardner Street and the associated tree removal from the City right of way, and removed further encroachment of driveway on to the 344 Gardner St E property.

Analysis of Application

Proposed Houses:

The existing house on the property would be removed, and new homes would be constructed on each of the new lots. The proposed plans include preliminary house pads and plans for the new homes. The proposed house pads would comply with all requirements of the R-3A zoning district, including setbacks, lot coverage, and impervious surface.

Access and Private Street

The property currently has a private driveway from the end of Gardner Street that is shared with the adjacent property at 344 Gardner Street East. Although the driveway would be commonly referred to as a shared driveway, the subdivision ordinance includes a broad definition of a private street. The definition includes a drive that serves as vehicular access to *two or more* parcels of land that is not dedicated to the public and is owned by one or more private parties. Therefore, the existing shared driveway is considered a private street. The City's subdivision ordinance states that private streets are prohibited, except in the case of planned unit developments. The applicant is proposing to widen the private street to 14 feet, and extend it to provide access to the two new homes, which is the reason for the request to rezone the property to PUD.

Lot Requirements

The following table outlines the R-3A and PUD lot requirements:

	Lot area (sq. ft.)	Lot width	Lot depth
R-3A Standards	9,000 (min.)	60 ft. (min.)	100 ft. (min.)
PUD Standards	None	None	None
Lot 1	13,151 sq. ft.	80 ft.	165 ft.
Lot 2	16,522 sq. ft.	100 ft.	165 ft.

Surrounding Lot Sizes

The following summarizes the lot areas of the R-3A lots located immediately adjacent to the subject property:

Address	Lot area
350 Gardner St E (subject property)	29,974 sq. ft.
344 Gardner St E	19,983 sq. ft.
402 Gardner St E	27,554 sq. ft.
345 Gardner St E	37,965 sq. ft.
343 Park St E	10,007 sq. ft.
353 Park St E	10,007 sq. ft.
359 Park St E	10,007 sq. ft.

Fire Access

Each of the new homes would need to meet the fire code access requirements. The fire code typically requires a structure be within 150 feet of a fire access lane that must be at least 20 feet in width with a turn-around. The City's fire marshal has reviewed the plans, and provided two options to provide fire access. Since the proposed houses would be more than 150 feet from the end of Gardner Street, the first option is to extend a code-compliant fire access lane. The second option is for the homes to include a fire sprinkler system, in which case the fire access lane would not be needed. Given the grading, tree removal, and impervious surface impacts of a code-compliant fire access lane, City staff would recommend that the homes be required to have fire sprinklers as a condition of approval.

Utilities

The existing house on the lot is served by public sewer and water services from the end of Gardner Street. The applicant is proposing to extend the water and sewer to provide two new services to the new lots. The proposed sanitary sewer extension would be a force main which would be located underneath the proposed driveway. The proposed water main extension would be located south of the sanitary sewer line. The City engineer recommends that the water main extension be public, and the applicant would need to dedicate the necessary easements to the City. The City engineer recommends that the sanitary sewer force main be private with an agreement between the two lots for maintenance.

Tree Preservation

There are 13 trees located on the property with a total size of 249 inches. Of the 13 trees, 11 are classified as significant trees by the City's tree ordinance, and two trees are heritage trees. The proposed plans include removal of six trees on the property for the proposed homes, driveways, private street, and associated grading. The six trees that would be removed are significant trees. Both of the heritage trees would be preserved.

The tree ordinance allows the removal of up to 25 percent of the inches of significant trees before mitigation is required on an inch for inch basis. The proposed plans result in the removal of 54 percent of the inches of significant trees. Based on the tree ordinance requirements, the applicant would be required to plant 54 inches of trees as mitigation.

Action Steps

After reviewing the items outlined in this report, the additional information provided by the applicant, and the revised plans, the Planning Commission should consider adopting the draft *Planning Commission Report and Recommendation*, which recommends approval of the development application.

Attachments

Applicant's Narrative
Additional Information from Applicant
Revised Plans
Preliminary House Plans
Draft Planning Commission Report and Recommendation

Applicable Code Provisions for Review

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.

PUD Purpose (Section 801.33.1): This Section is established to provide comprehensive procedures and standards designed to all 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 this 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):

1. In its review of any application under this Section, the City Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations of the Design Review Board and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of this Section. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of this Section, it may approve a PUD permit, although it shall not be required to do so.
2. Ownership. An application for a PUD District or conditional use permit approval must be filed by the land owner or jointly by all land owners of the property included in a project. The application and all submissions must be directed to the development of the property as a unified whole. In the case of multiple ownership, the approved Final Plan shall be binding on all owners.
3. Comprehensive Plan Consistency. The proposed PUD shall be consistent with the City Comprehensive Plan.

4. Sanitary Sewer Plan Consistency. The proposed PUD shall be consistent with the City Comprehensive Sewer Plan and shall not create a discharge which is in excess of the City's assigned regional limitations.
5. Common Open Space. Common private or public open space and facilities at least sufficient to meet the minimum requirements established in the Comprehensive Plan and such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the residents of the PUD shall be provided within the area of the PUD development.
6. Operating and Maintenance Requirements for PUD Common Open Space Facilities. Whenever common private or public open space or service facilities are provided within the PUD, the PUD plan shall contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD may be placed under the ownership of one or more of the following, as approved by the City Council: (a) dedicated to public, where a community-wide use is anticipated and the City Council agrees to accept the dedication; (b) landlord control, where only use by tenants is anticipated; or (c) Property Owners Association, provided all of the conditions of 801.33.2.A.6.c are met
7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density.
 - a. The maximum allowable density in a PUD District shall be determined by standards negotiated and agreed upon between the applicant and the City. In all cases, the negotiated standards shall be consistent with the development policies as contained in the Wayzata Comprehensive Plan. Whenever any PUD is to be developed in stages, no such stage shall, when averaged with all previously completed stages, have a residential density that exceeds one hundred twenty-five (125) percent of the proposed residential density of the entire PUD.
 - b. There shall be no density variation from the standards applied in an applicable zoning district for PUD conditional use permits.

9. Utilities. In any PUD, all utilities, including telephone, electricity, gas and telecable shall be installed underground.
10. Utility Connections.
 - a. Water Connections. Where more than one property is served from the same service line, individual unit shut off valves shall be provided as required by the City Engineer.
 - b. Sewer Connections. Where more than one (1) unit is served by a sanitary sewer lateral which exceeds three hundred (300) feet in length, provision must be made for a manhole to allow adequate cleaning and maintenance of the lateral. All maintenance and cleaning shall be the responsibility of the property owners association or owner.
11. Roadways. All streets shall conform to the design standards contained in the Wayzata Subdivision Regulations unless otherwise approved by the City Council.
12. Landscaping. In any PUD, landscaping shall be provided according to a plan approved by the City Council, which shall include a detailed planting list with sizes and species indicated as part of the Final Plan. In assessing the landscaping 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.
13. Setbacks.
 - a. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall be the same as imposed in the underlying districts, if a PUD condition use permit, or the previous zoning district, if a PUD District.
 - b. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street pattern.
 - c. No building within the project shall be nearer to another building than one-half (1/2) the sum of the building heights of the two (2) buildings.
 - d. In PUD Districts that were zoned commercial prior to PUD and exceed 13 acres, the allowable setbacks shall be as negotiated and agreed upon between the applicant and the City.
14. Height.

- a. The maximum building height within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser.
- b. There shall be no deviation from the height standards applied within the applicable zoning districts for PUD conditional use permits.
- c. In PUD Districts that were zoned commercial prior to PUD and exceed 13 acres, the maximum allowable height shall be as negotiated and agreed upon between the applicant and the City.

PUD Residential Area Standards (Section 801.33.3): Purpose. The purpose of this Section is to establish standards for single family, multiple family, institutional and other residential PUD District and conditional use permit projects, in addition to those standards contained elsewhere in this Ordinance for all PUD projects. All residential PUD projects shall be developed in accordance with the following residential area standards:

1. Minimum Lot Area. There shall be no minimum lot or area size required for a tract of land for which a PUD District project is proposed. There shall be no minimum lot or area size imposed for a PUD conditional project except for standards applicable within the zoning district in which it is utilized.
2. Minimum Frontage. There shall be no minimum frontage on a public street required for a tract of land for which a PUD project is proposed.
3. The tract of land for which a PUD project is proposed shall have municipal water and sewer available to it.
4. It is the City's policy to discourage private roadways within a residential PUD project. Regardless if roads are private or dedicated to the public, they shall be designed to right-of-way widths and constructed to standards imposed by the Wayzata Subdivision Regulations.
5. For single family residential PUD District projects, the normal standards of either the R-1A, R-1, R-2, or R-3 zoning districts shall apply to each project, excepting usage standards, as determined by the City Council and as provided above in Section 801.33.2, Subd. 3.
6. For multiple family residential PUD District projects, the normal standards of either the R-4 or R-5 Zoning Districts shall apply to each project, excepting usage standards, as determined by the City Council and as provided above in Section 801.33.2, Subd. 1.
7. In addition to the above standards, the City Council may impose such other standards for a residential PUD project as are reasonable and as the Council

deems are necessary to protect and promote the general health, safety and welfare of the community and the surrounding area.

Preliminary Plat Criteria (Section 805.14.E): The Planning Commission shall consider possible adverse effects of the preliminary plat. Its judgment shall be based upon, but not limited to, the following factors:

1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
2. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filling or grading.
4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
6. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
10. The proposed lot layout and building pads shall conform with all performance standards contained herein.

11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

**City of Wayzata
Planning Commission**

October 27, 2017

Gardner Place – 350 Gardner Street East

Legal Description: Lots 2, 3 and 4, “Wayzata Park Addition”, Hennepin County.

BohLand Homes

Application Narrative:

Planned Unit Development - Request to Re-Plat into one additional lot.

350 Gardner Street East currently has one single family home set on the most westerly 60' portion of 180' of the property that was previously three 60' individually platted lots. The Legal Description for the property is Lots 2, 3 and 4, “Wayzata Park Addition”, Hennepin County. The original intent for this property was for (3) 60' wide lots similar to almost all other lots within a 7 block area.

The existing home has structural defects and is too difficult to remodel to repair the defects.

We previously submitted an application for a three lot split that was denied. I believe that we have addressed almost all of the concerns by proposing only one additional home.

The primary issues for denial were due to the variance requests for hard surface coverage, the impact of three homes on the property that pushed the most easterly property into the slope, the impact of the grading and tree removal from the street design to meet subdivision standards and the uncertainty of the definition of a private street.

We are adding only 1 additional lot similar to most other properties surrounding this property, but with a much wider lot widths than most other properties in the area.

This revised application accomplishes the following:

1. Virtually minimal impact to any trees other than for the house pad and landscaping.
2. No trees will be removed along the driveway.
3. There are no hard surface coverage variances required.

4. Grading is significantly less and there will be limited correction to the current driveway except for the installation of new water and sanitary sewer lines for the two individual homes. We will re-pave the driveway upon completion of the two homes.
5. Significant less impact to the adjoining neighbor. Only one new property.
6. Simpler design, simpler project.
7. The current defective home will be rebuilt into a nice new home.
8. Little impact to the easterly slope.
9. Meets the intent of the Comp Plan (see below).
10. Minimalized retaining walls and minimal impact to slopes.
11. Wider lots than adjoining neighborhoods. Meets scale of neighborhood and even larger lot widths.
12. More flexibility with landscape plans.
13. Simplified access.
14. Improve values for the neighborhood.
15. Maintain most of the predominate trees that were previously impacted.
16. Significant reduction to import and export of materials due to utilizing current driveway.
17. Minimal impact of storm water runoff in comparison to existing hard surface runoff.
May actually be improved from existing conditions.
18. Only adding living services to one more home. Trash, mail etc.
19. Allow for corrected utility and other easements to be filed. New plat filing would eliminate current and future property line disputes.
20. Addresses and eliminates almost all concerns from the previous application submission.
21. Other similar properties all over Wayzata with the same topography, narrow streets, character in building sites.
22. PUD application allows for the approval of the driveway conditions.

Fire and safety. There is a fire hydrant within 150' to the farthest building and is much shorter than a typical length in most homes in Wayzata. We believe that the one additional home and the proximity to the fire hydrant is similar or even better than many other homes and a turn around and additional hydrant are excessive and not consistent with similar conditions.

We have reviewed this with staff regarding sewer/water and storm sewer improvements. By utilizing the current driveway width, it has significantly less impact on the property. There are properties all around Wayzata that have more impact on grading and trees and have more complex and non-conforming street and driveway access and widths.

Summary:

Based on the comments from the previous application, we have eliminated all primary concerns and believe this meets the intent of Wayzata's interest in maintaining more single family home opportunities that fit perfectly into existing neighborhoods with little impact.

This plan easily accommodates one additional home and provides oversized lots for both homes with little impact to the environment.

Comp Plan Excerpts:

Strengths One of Wayzata's greatest strengths and assets is its unique single-family residential neighborhoods and individual estates, which are a vital component to the community's sense of identity.

Another important strength of the community is its reputation for quality, in both materials and overall design of residential structures. As discussed in the City's Design Standards, design is an important component of Wayzata's sense of place, and the City strives to encourage the highest quality housing stock within the community. The selection of the highest quality building materials is encouraged, as well as the continued maintenance of all residential properties within the city.

Residents at the City's community visioning exercise expressed strong support for preserving the existing feel and character of the established single family residential neighborhoods within the community

December 15, 2017

BohLand Homes proposed subdivision

350 – 356 (proposed lot number for lot 2), lot 1 and lot 2 Gardner Place

Shared driveway “private street” proposed agreements:

Because this 2-lot subdivision will add only one additional home and the lot configuration is reasonable for these two properties there is no need to formalize a homeowners association or any other obligation on the properties. Simpler recorded documents that memorialize the intended use will be adequate to assure maintenance and access to the properties.

1. There will be a utility and access cross easement for the benefit of these two properties. This will allow for ingress and egress and any service and utility requirements for the benefit of lot 2 across lot 1. There will be also be an easement for both properties onto the private street. It will be recorded along with the plat and individual lot deeds.
2. Based on a Developers Agreement with the City of Wayzata for the maintenance and access to any public utilities, a document referencing the Developers Agreement and any necessary easements will be recorded along with the plat and individual lot deeds.
3. There is currently no easement for the existing private street because it sits inside the City of Wayzata right of way. Because it is a private street, the three property owners benefiting from the use of the private street will be required to maintain the section between 350 Gardner up to the end of the public street.
4. Each property owner will be responsible for the snow removal, lawn care and any individual landscaping on their property and any trash pickup and mail delivery.

December 15, 2017

BohLand Homes proposed subdivision

350 – 356 (proposed lot number for lot 2), lot 1 and lot 2 Gardner Place

Landscaping:

As part of the renovation of the driveway and the requirements for tree replacement for the two homes, BohLand Homes agrees to use any required tree replacement calculations to replace any trees that are damaged as a result of the construction.

BohLand Homes will not be required to apply the tree replacement requirements to replace any of the already dead or dying trees on the city right of way.

Any excess tree replacement requirements not used as a result of construction in the right of way will be installed at BohLand Homes discretion on lots 1 and 2 or along the northern edge of those properties.



- DESCRIPTION OF PROPERTY SURVEYED**
Lot 2, 3, and 4, Block 2, WAYZATA PARK ADDITION. WAYZATA MINNESOTA, according to the recorded plat thereof, Hennepin County, Minnesota.
- Site Address:** 350 Gardner Street, Wayzata, MN 55391
 - Parcel Area Information:** Gross Area: 29,674 s.f. ~ 0.681 acres
 - Benchmark:** Top Nut Hydrant at the northerly corner of Lot 5, Block 2, WAYZATA PARK ADDITON, WAYZATA MINNESOTA. Elevation = 975.59
 - Zoning Information:** The current Zoning for the subject property is R-3A (Single and Two Family Residential District) per the City of Wayzata's zoning map dated 4/28/2015. The setback, height, and floor space area restrictions for said zoning designation were obtained from the City of Wayzata found on their web site on the date of 3/18/2016 and are as follows:

Principal Structure Setbacks - Front: 20 feet; Side: 10 feet; Rear: 20 feet
Height: 2 Stories and 32 feet
Hardcover: 35 percent of lot area

Accessory Structure Setbacks - Front: 20 feet; Side: 5 feet; Rear: 5 feet

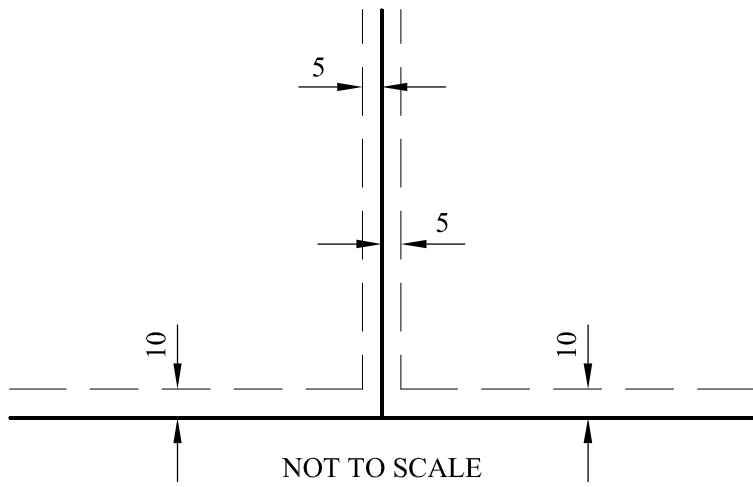
- Please note that the general restrictions for the subject property may have been amended through a city process. We could be unaware of such amendments if they are not in a recorded document provided to us. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site.
- Utilities:** We have shown the location of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property we are unaware. Please note that we have not placed a Gopher State One Call for this survey. There may or may not be underground utilities in the mapped area, therefore extreme caution must be exercise before any excavation takes place on or near this site. Before digging, you are required by law to notify Gopher State One Call at least 48 hours in advance at 651/454-0002.
 - Easements:** There may be easements for the lift station, underground sanitary sewer and storm sewer that crosses the subject property that the Surveyor has not been made aware of. There may also be an easement for the water service and possibly a sanitary service that crosses the contiguous property to the west that the Surveyor has not been made aware of. There may also be an easement for the overhead utility lines along the southerly and easterly lines that the Surveyor has not been made aware of.

PROPOSED LOT INFORMATION PROPOSED DRAINAGE AND UTILITY EASEMENT INFORMATION

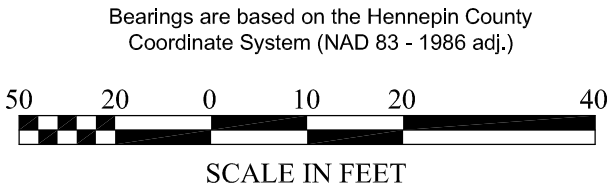
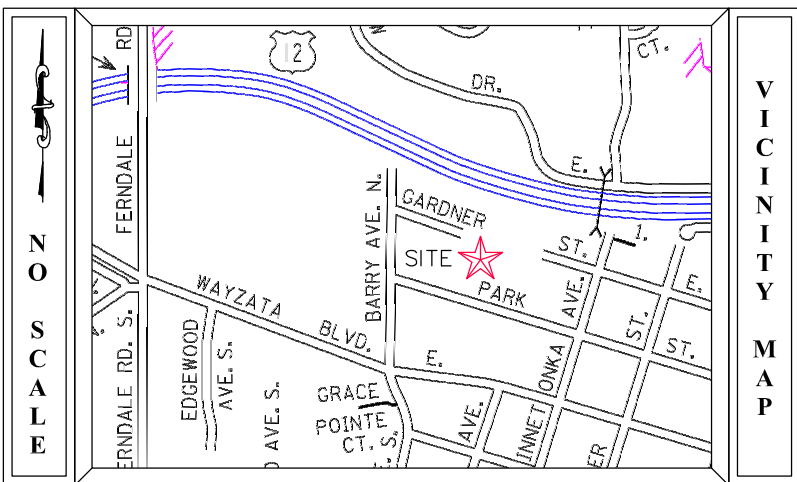
Parcel Descriptions:

Lot 1, Block 1, GARDNER PLACE
Area: 13,151 sq. ft.

Lot 2, Block 1 GARDNER PLACE
Area: 16,522 sq. ft.



Being 5 feet in width and adjoining lot lines, unless otherwise indicated, and 10 feet in width and adjoining right of way lines, unless otherwise indicated, as shown hereon.



SURVEY LEGEND

- | | | |
|-------------------------|------------------------|-------------------------------------|
| ● CAST IRON MONUMENT | ⊠ A/C UNIT | — BITUMINOUS |
| ⊠ CATCH BASIN | ⊠ CABLE TV PEDESTAL | — BSL — BSL — BUILDING SETBACK LINE |
| △ FLARED END SECTION | ⊠ ELECTRIC TRANSFORMER | — CTV — CABLE TV |
| ⊠ GATE VALVE | ⊠ ELECTRIC MANHOLE | — CONCRETE CURB |
| < GUY WIRE | ⊠ ELECTRIC METER | — CONCRETE |
| ⊠ HYDRANT | ⊠ GAS METER | — CONTOUR EXISTING |
| ⊠ SURVEY MONUMENT SET | ⊠ GAS VALVE | — CONTOUR PROPOSED |
| ● SURVEY MONUMENT FOUND | — GUARD RAIL | — DT — DRAIN TILE |
| ⊠ SURVEY CONTROL POINT | ⊠ HAND HOLE | — ELC — ELECTRIC UNDERGROUND |
| ⊠ LIGHT POLE | ⊠ SOIL BORING | — FO — FIBER OPTIC UNDERGROUND |
| ⊠ POWER POLE | ⊠ TREE CONIFEROUS | — GAS — GAS UNDERGROUND |
| ⊠ SANITARY MANHOLE | ⊠ TREE DECIDUOUS | — OHU — OVERHEAD UTILITY |
| ⊠ SANITARY CLEANOUT | ⊠ TELEPHONE MANHOLE | — RAILROAD TRACKS |
| ⊠ SIGN | ⊠ TELEPHONE PEDESTAL | — SANITARY SEWER |
| ⊠ GROUND ELEVATION | ⊠ TRAFFIC SIGNAL | — STORM SEWER |
| ⊠ STORM DRAIN | ⊠ UTILITY MANHOLE | — TEL — TELEPHONE UNDERGROUND |
| ⊠ STORM MANHOLE | ⊠ UTILITY PEDESTAL | — UTL — UTILITY UNDERGROUND |
| ⊠ YARD LIGHT | ⊠ WELL | — WATERMAIN |

FIELD CREW	NO.	BY	DATE	REVISION
CL. AT	1	DBP	5/4/2016	Revise to 2 lot preliminary plat
DRAWN	2	DBP	10/27/2017	Update 2 lot preliminary plat
CHECKED				
DATE				
03-18-2016				

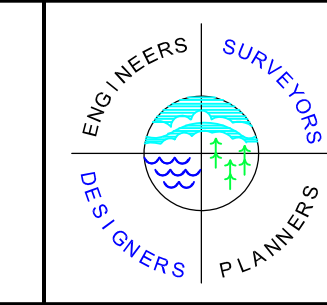
USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'s EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.

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

Dated this 20th day of October, 2017.

David B. Pemberton, PLS
pemberton@sathre.com

Minnesota License No. 40344



SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

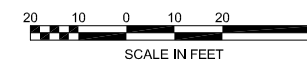
TWP.117 - RGE.22 - SEC.06
Project City: Wayzata
Hennepin County

**PRELIMINARY PLAT
OF
GARDNER PLACE**
Prepared for:
BOHLAND HOMES, LLC

FILE NO.
7806-041
1
1

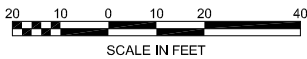
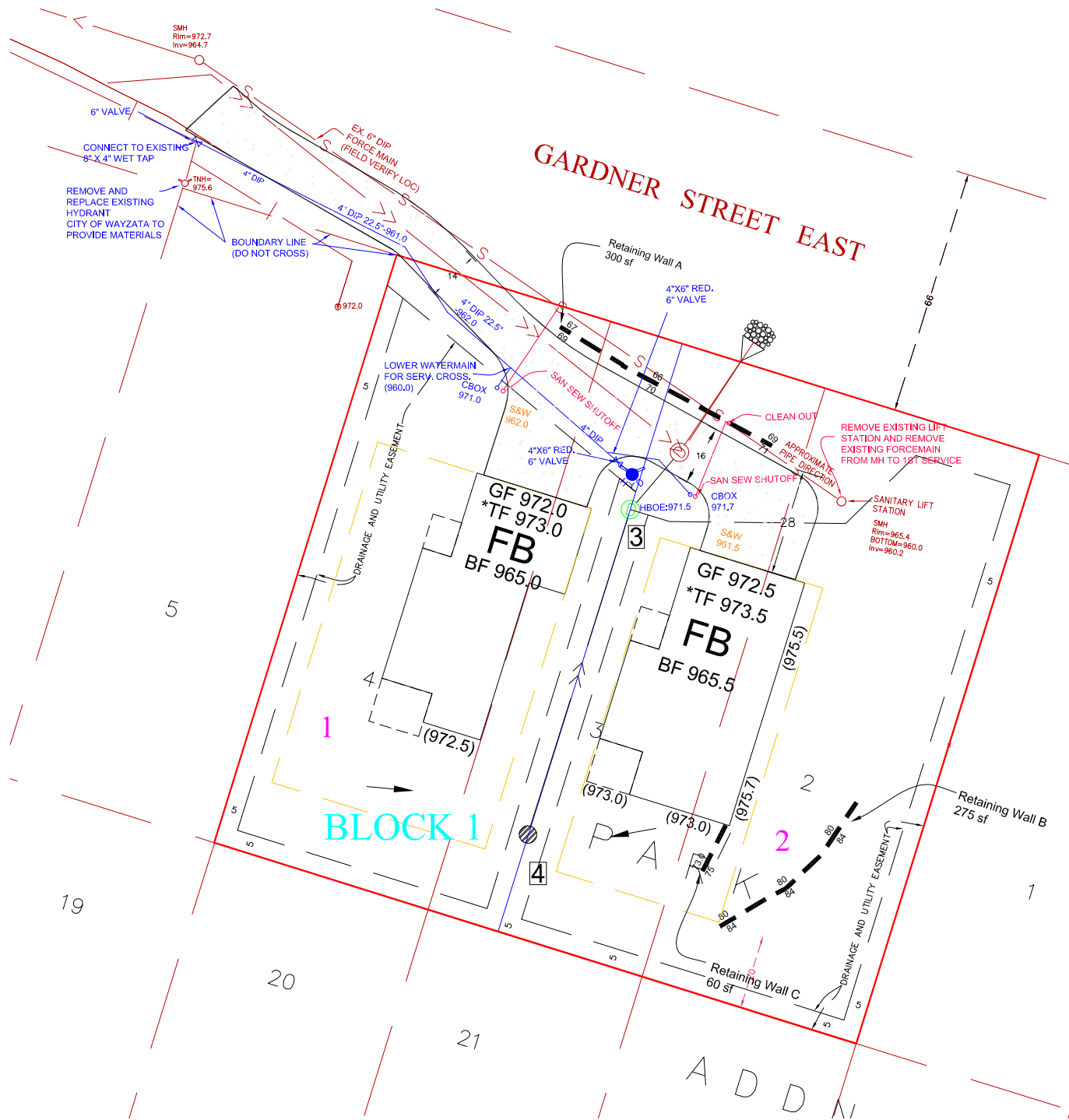
DRAWING NAME	NO.	BY	DATE	REVISIONS	USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'s EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.	I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.  Name, P.E. Date: 09-15-2017
--------------	-----	----	------	-----------	---	---

PROPOSED DRIVE SECTION
1.5" WEAR COURSE
2.0" BASE COURSE
6" CLASS 5
12" SELECT GRANULAR BORROW - CHECK WITH
CITY AND GEOTECHNICAL ENGINEER TO VERIFY IF
EXISTING SOILS ARE ACCEPTABLE

[illegible]

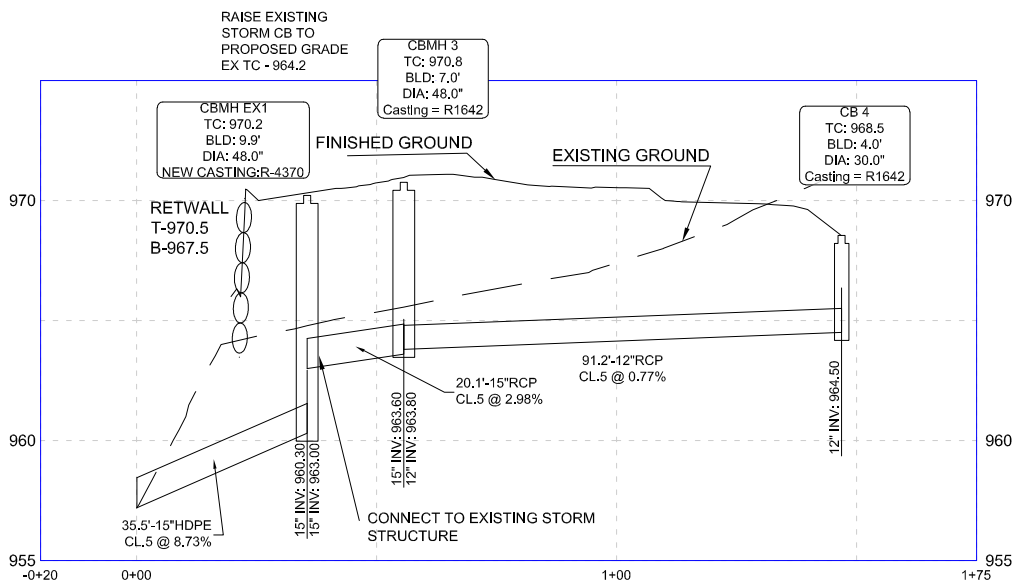
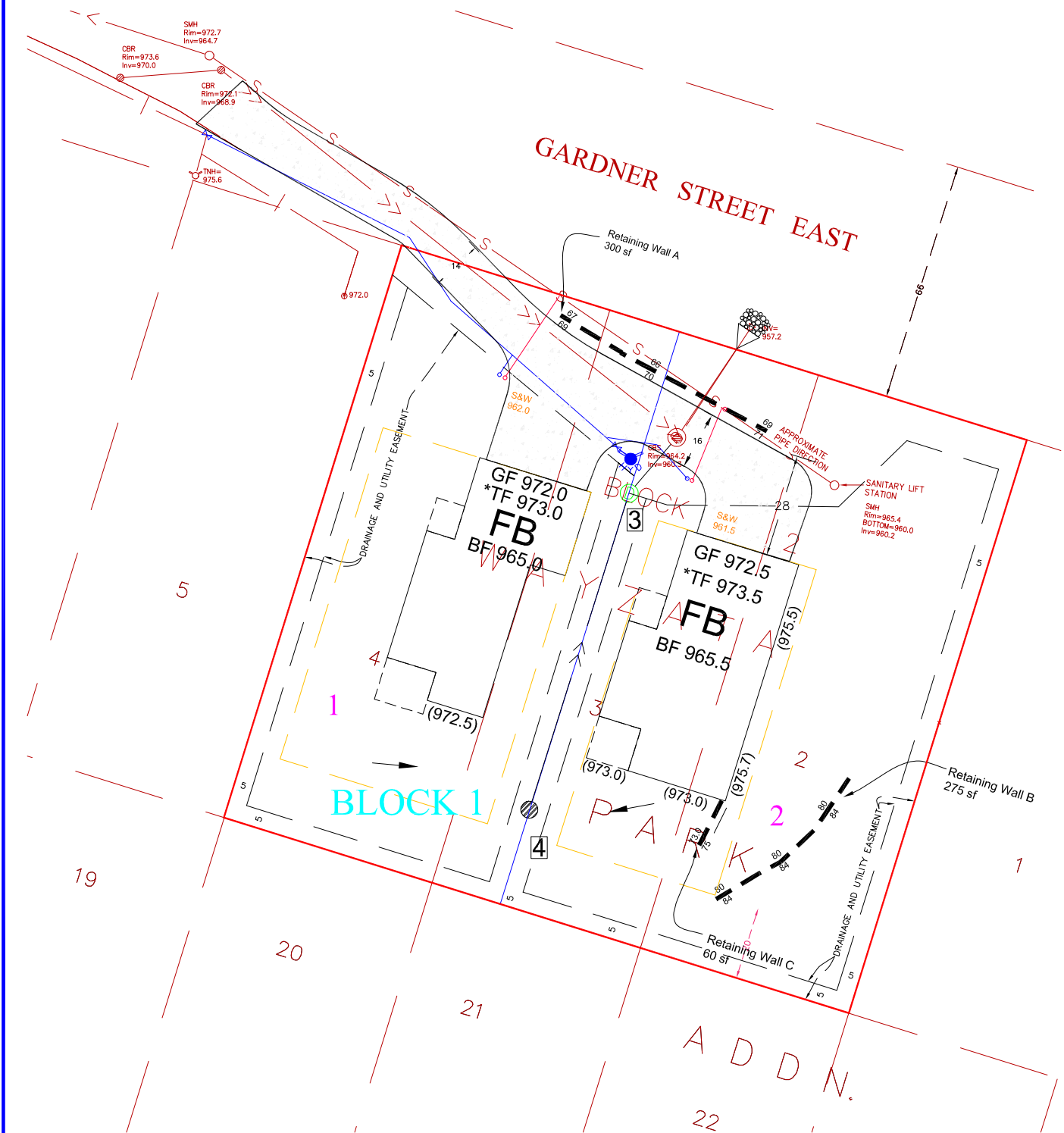
NOTES

- ALL DIP FOR SANITARY SEWER LINES SHALL BE POLY-WRAPPED AND ALL BOLTS USED SHALL BE STAINLESS STEEL.
- REFER TO DETAIL SHEETS TO SEE STRUCTURE DETAILS.
- ALL HYDRANT BENCHMARKS ARE TOP NUT OF HYDRANT.
- ALL VALVES ON THE WATERMAIN FOR THIS PROJECT SHALL BE GATE VALVES. NO BUTTERFLY VALVES SHALL BE USED ON THE WATERMAIN FOR THIS PROJECT.
- THE CITY OF WAYZATA CURRENT "ENGINEERING GUIDELINES" AND "SPECIFICATIONS" SHALL GOVERN.
- ALL WATERMAIN SHALL HAVE A MINIMUM OF 7.5' COVER.
- THE WATER SERVICE AT THE STORM SEWER SHALL BE INSULATED.
- INSTALL HYDRANTS 5' BEHIND CURB (TYPICAL). INSTALL HYDRANTS 4' BEHIND THE CURB ON THE WALK SIDE OF THE BLVD. PER CITY ENGINEER
- UNITS TO BE SERVICED FOR SANITARY SEWER BY 2 INDIVIDUAL GRINDER PUMPS. THE EXISTING FORCE MAIN SHALL BE INSPECTED AND REUSED IF POSSIBLE.
- LOCATION OF EXISTING FORCEMAIN TO BE FIELD LOCATED AS BEST AS POSSIBLE. THE RETAINING WALL SHALL BE FIELD ADJUSTED TO AVOID BE ING CONSTRUCTED OVER THE TOP OF THE FORCEMAIN.
- THE EXISTING FORCEMAIN SHALL BE TESTED PRIOR TO CONSTRUCTION.
- THE EXISTING HYDRANT AT THE CONNECTION POINT SHALL BE REMOVED AND REPLACED WITH A NEW HYDRANT. MATERIALS TO BE PROVIDED BY THE CITY OF WAYZATA.
- THE EXISTING SERVICE SHALL BE ABONDONED AT THE MAIN IN ACCORDANCE WITH CITY STANDARDS
- THE EXISTING CURB BOX IS TO BE REMOVE.
- NO EXCAVATION SHALL BE ALLOWED ON ADJACENT PROPERTY WITHOUT PERMISSION FROM THE HOMEOWNER. A TRENCH BOX SHALL BE USED TO INSTALL 4" DIP WATER MAIN IF NEEDED.
- ACCESS FOR ADJACENT PROPERTY OWNER SHALL BE COORDINATED BY CITY OF WAYZATA, DEVELOPER, AND CONTRACTOR.
- TRACER WIRE SHALL BE INSTALLED WITH ALL FORCEMAIN.



DRAWING NAME	NO.	BY	DATE	REVISIONS	USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.	I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA. <i>Daniel J. Schmidt</i> Name, P.E. Date: 09-15-2017 Lic. No. 26147	ENGINEERS SURVEYORS DESIGNERS PLANNERS	SATHRE-BERGQUIST, INC. 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000	CITY PROJECT NO. ---	WAYZATA, MINNESOTA	FINAL SANITARY SEWER AND WATER MAIN PLAN GARDNER PLACE BOHLAND HOMES, LLC	FILE NO. 7806-041 3 7
BASE	01	DLS	10/03/2017	REV. FROM 3 TO 2 LOTS								
DRAWN BY	02	DLS	10/20/2017	CLIENT REVISIONS								
MDM	03	DLS	12/18/2017	REVISIONS								
CHECKED BY												
DLS												
DATE												
04/29/16												

1. 6" DRAINTILE SHALL STUBBED TOWARDS EACH HOUSE TO ALLOW TO CONNECT SUMP PUMPS, GUTTERS, AND DRAINTILE. THEY SHALL BE INSTALLED 1' ABOVE THE INVERT.
2. WIMCO'S OR APPROVED EQUAL TO BE INSTALLED AT ALL STORM INLETS.
3. EXISTING CBMH #1 SHALL BE SWITCHED TO A 4370 CASTING AND ADJUSTED TO A TOP OF CASTING OF 970.2

[illegible]



Tree #	Species	DBH (Sig)	DBH(Poor)	Condition	Stems	Heritage Tree	Removed	Notes
1	Ash, green	15.0		Good	1	No		
2	Ash, green	8.0		Fair	1	No		
3	Elm, red	17.5		Fair	1	No		
4	Basswood	21.5		Good	1	No		
5	Basswood	56.0		Fair	4	No		
6	Boxelder	9.5		Fair	1	No	9.5	
7	Boxelder	11.5		Fair	2	No	11.5	
8	Oak, red	19.0		Good	1	No		
9	Ash, green	11.0		Fair	1	No		
10	Ash, green	24.0		Good	1	No		
11	Elm, American	14.0		Fair	1	No	14.0	
12	Boxelder	24.0		Fair	1	No		
13	Hackberry	17.0		Good	1	No		
14	Ash, green	7.0		Good	1	No		
15	Elm, American	16.5		Good	1	No		
16	Ash, green	6.5		Fair	1	No		
17	Ash, green	8.0		Good	1	No		
18	Ash, green	8.0		Fair	1	No		
19	Ash, green	8.5		Fair	1	No		
20	Hackberry	16.5		Good	1	No		
21	Ash, green	7.0		Fair	1	No		
22	Boxelder	14.0		Fair	1	No		
23	Boxelder	12.5		Fair	1	No		
24	Maple, silver	24.5		Good	1	No	24.5	
25	Oak, red	32.0		Good	1	Yes		
26	Maple, sugar	22.0		Good	1	No		
27	Boxelder	13.5		Fair	1	No		
28	Maple, sugar	21.5		Good	1	No		
29	Maple, sugar	18.0		Good	1	No	18.0	
30	Oak, red	24.5		Good	1	No		
31	Oak, red	28.0		Good	1	Yes		
32	Maple, sugar	22.0		Good	1	No	22.0	
33	Maple, sugar	22.0		Good	1	No		
34	Ironwood	7.0		Good	1	No		
272	Maple, sugar		17.0	Poor	1	No	N/A	large cavity/hollow
273	Boxelder		12.0	Dead	1	No	N/A	dead & damaged
274	Boxelder		22.0	Very Poor	1	No	N/A	decay
275	Boxelder		17.0	Very Poor	1	No	N/A	decay/hollow
276	Hackberry		8.0	Very Poor	1	No	N/A	top missing
277	Boxelder		10.0	Very Poor	1	No	N/A	hollow, cracked
278	Boxelder		16.5	Very Poor	1	No	N/A	nearly dead & extensive decay
279	Boxelder		14.5	Very Poor	1	No	N/A	decay/hollow
280	Boxelder		10.0	Very Poor	1	No	N/A	dead top
281	Boxelder		13.0	Very Poor	1	No	N/A	decay/top missing
282	Boxelder		36.0	Poor	3	No	N/A	tops missing from all stems
Total Caliper inches		587.50	147.00				99.50	0.00
Number of Trees							9.0	
Number of Trees Removed								
%Removed							25.7%	
Caliper Inches								
Caliper Inches removed							99.5	
% Removed							16.9%	

LEGEND

TREES REMOVED

TREES EXEMPT

TREES SAVED

NORTH

20102040

SCALE IN FEET

[illegible]



ALEXANDER
DESIGN GROUP



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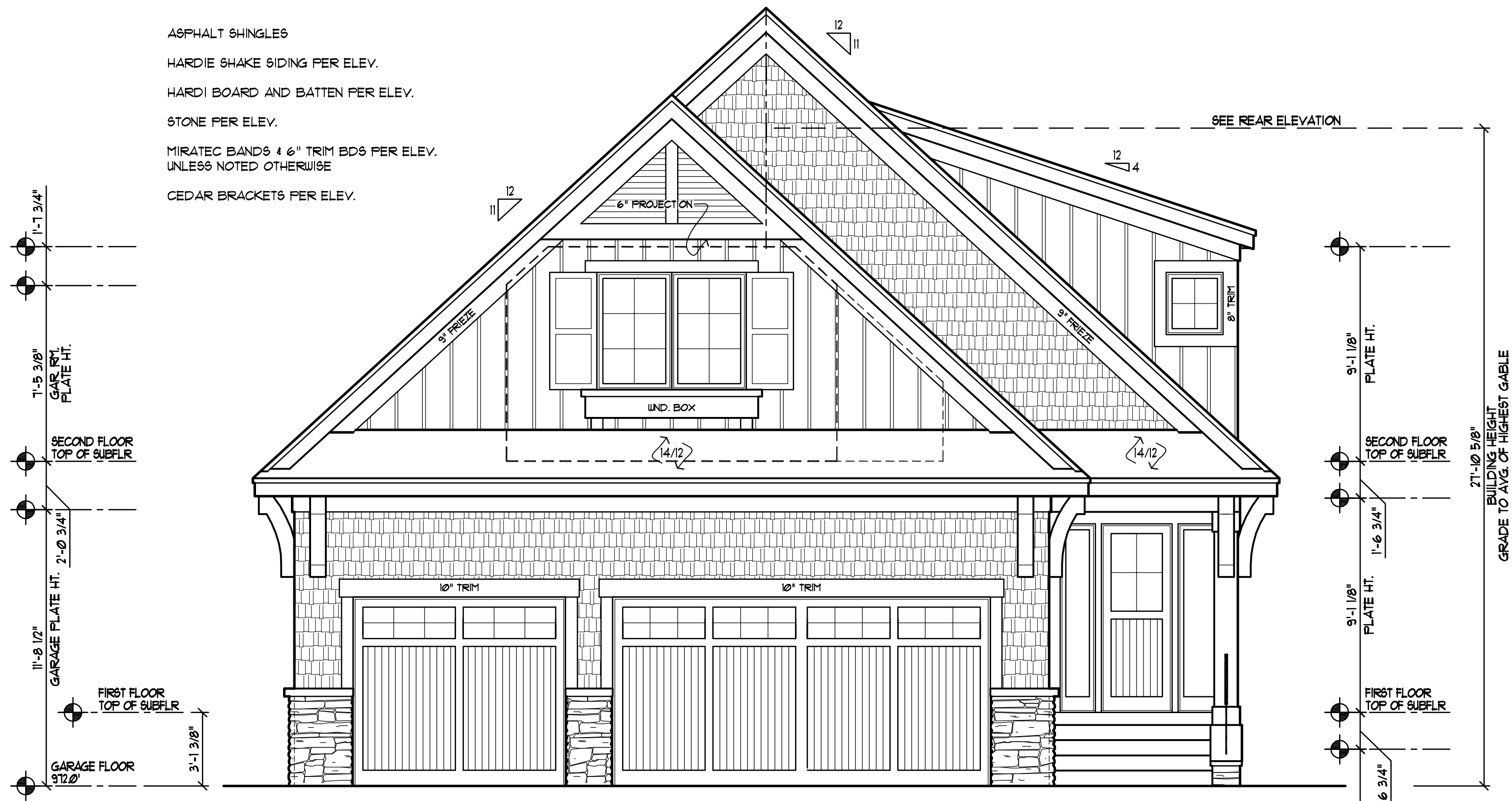
Gardner #2

3D Conceptual Illustration

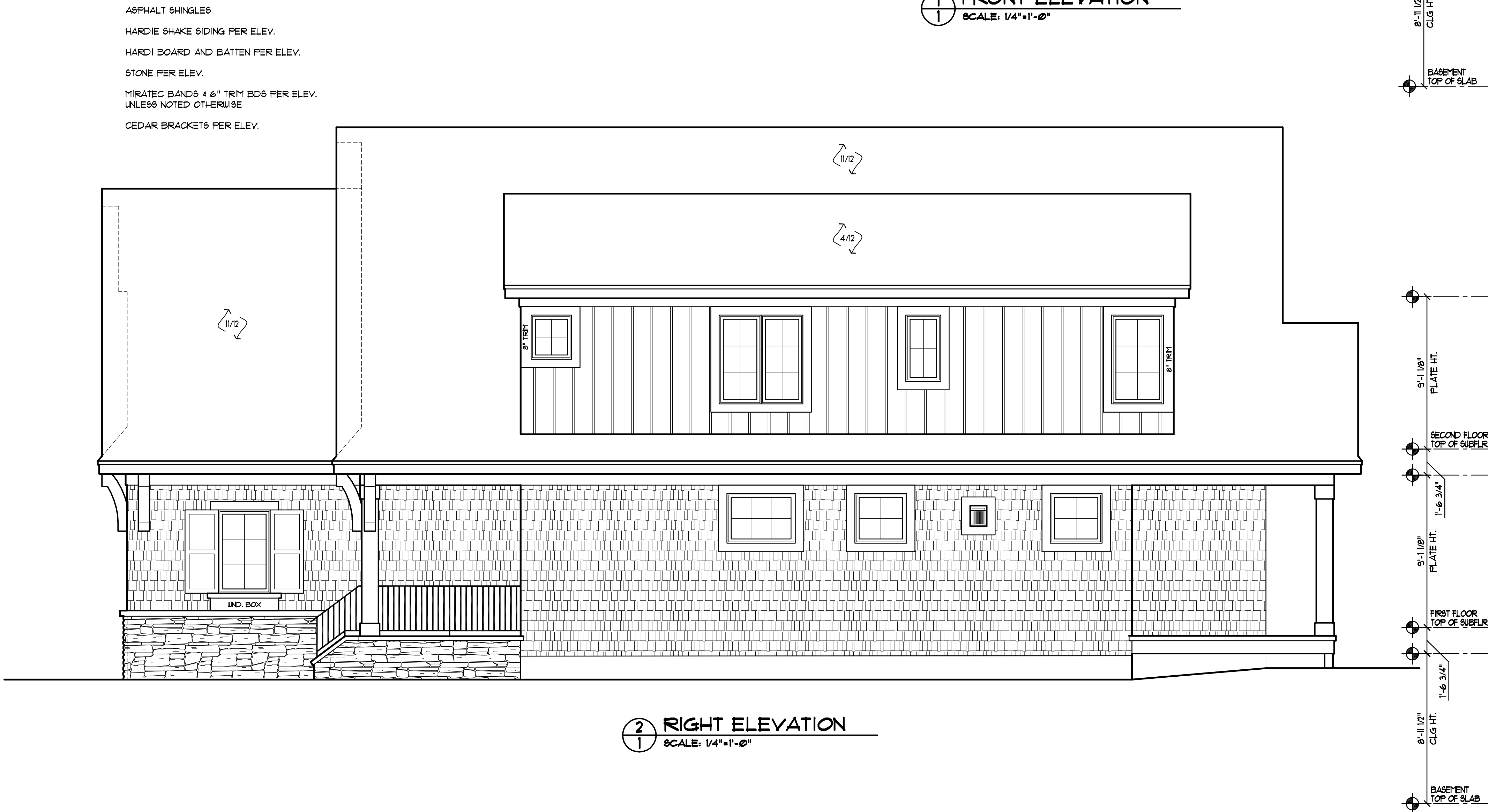
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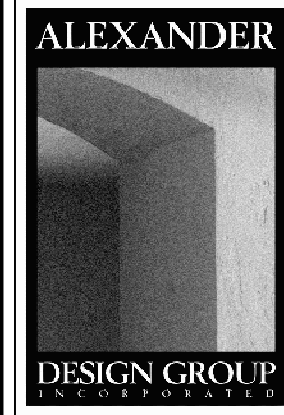
04/27/16



FRONT ELEVATION
SCALE: 1/4"=1'-0"



RIGHT ELEVATION
SCALE: 1/4"=1'-0"



401 EAST LAKE STREET
WAYZATA, MN 55391
Phone: 952.473.8777
FAX: 952.473.8222

ISSUE DATE:
31 MAY 2016
PREVIOUS ISSUE DATES:

DRAWING DESCRIPTION:
FRONT & RIGHT
ELEVATIONS
ADG

BID SET

GARDNER ST. EAST #2
WAYZATA, MN
55391

ASPHALT SHINGLES
HARDIE SHAKE SIDING PER ELEV.
HARDI BOARD AND BATTEN PER ELEV.
STONE PER ELEV.
MIRATEC BANDS & 6" TRIM BDS PER ELEV.
UNLESS NOTED OTHERWISE
CEDAR BRACKETS PER ELEV.

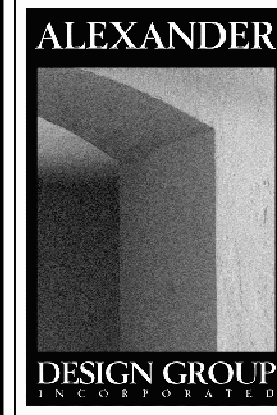


1
2 REAR ELEVATION
SCALE: 1/4"=1'-0"

ASPHALT SHINGLES
HARDIE SHAKE SIDING PER ELEV.
HARDI BOARD AND BATTEN PER ELEV.
STONE PER ELEV.
MIRATEC BANDS & 6" TRIM BDS PER ELEV.
UNLESS NOTED OTHERWISE
CEDAR BRACKETS PER ELEV.



2
2 LEFT ELEVATION
SCALE: 1/4"=1'-0"



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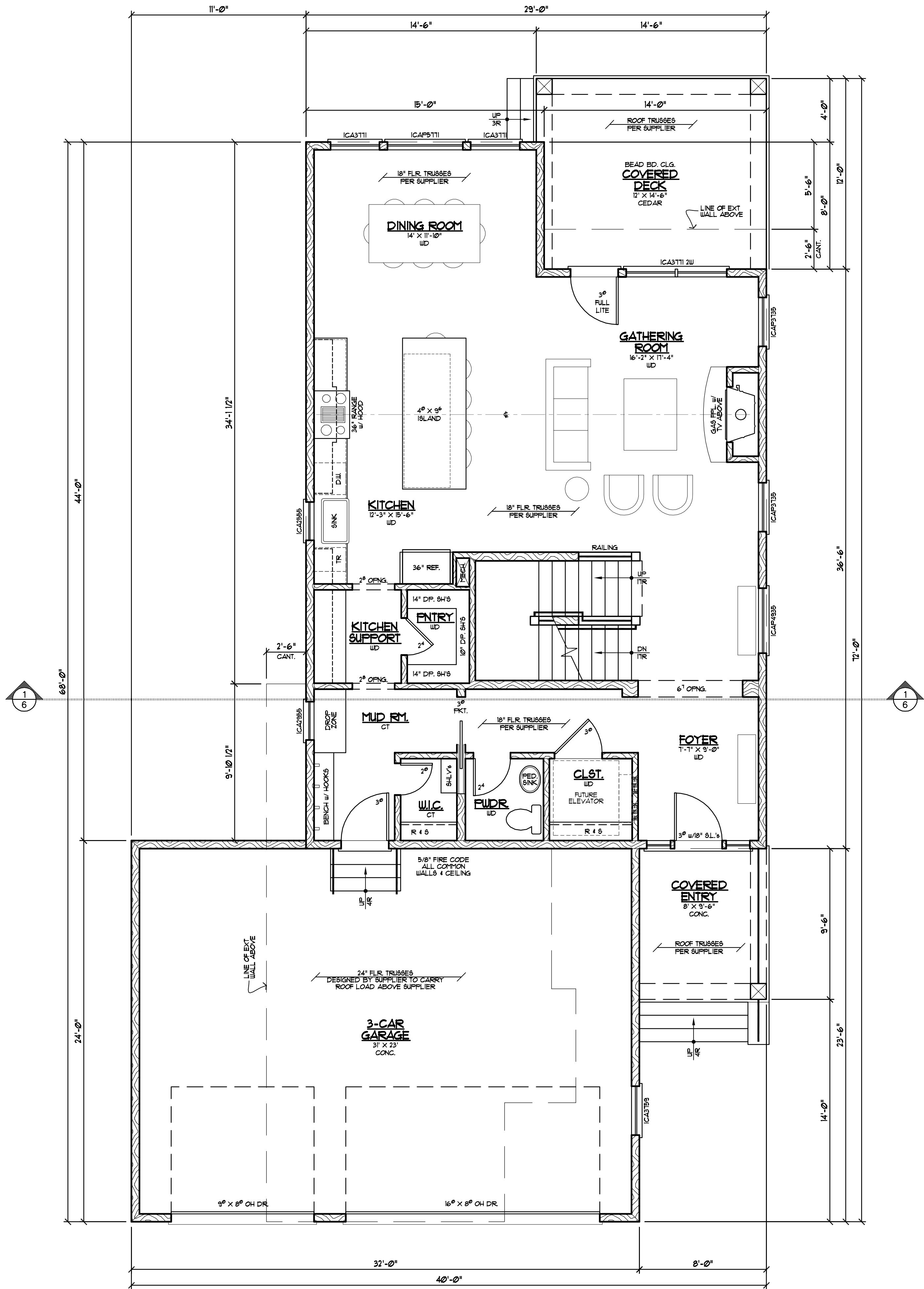
DRAWING DESCRIPTION:
REAR & LEFT
ELEVATIONS
ADG

BID SET

GARDNER ST. EAST #2
WAYZATA, MN
55391



NOTE:
OFFSET EXTERIOR STUDS 1-1/2" TO
THE OUTSIDE FACE OF FOUNDATION
WHERE EXT. FND. INSUL. IS APPLIED,
EXCEPT WHERE NOTED.



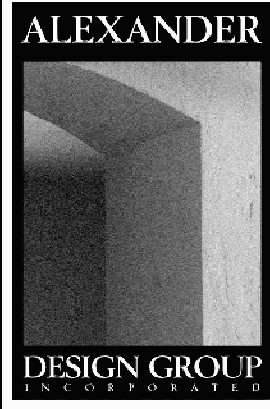
1 4 MAIN LEVEL FLOOR PLAN
SCALE: 1/4"=1'-0"

SQUARE FOOTAGE	
MAIN -	1778#
UPPER -	655#
TOTAL (FIN.) -	2433#
GARAGE -	151#
WUR UNFIN. -	178#
TOTAL (UNFIN.) -	1933#

MARVIN INTEGRITY WINDOW CODES

NOTE - ALL WINDOW & DOOR HEAD HGT'S. TO BE SET AT 8'-0" AT MAIN LEVEL UNLESS NOTED OTHERWISE

NOTE: OFFSET EXTERIOR STUDS 1-1/2" TO THE OUTSIDE FACE OF FOUNDATION WHERE EXT. FND. INSUL. IS APPLIED, EXCEPT WHERE NOTED.



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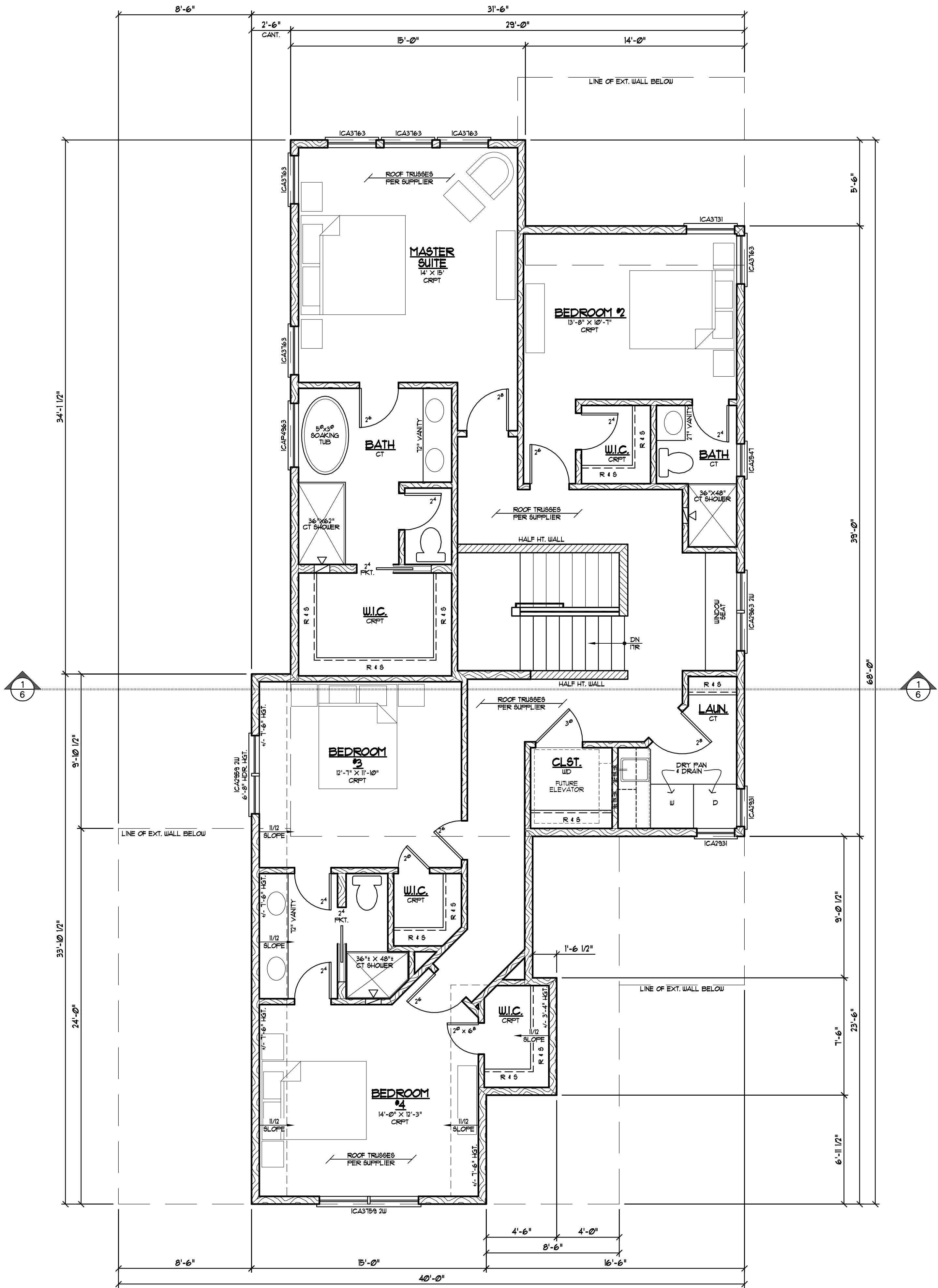
ISSUE DATE:
31 MAY 2016
PREVIOUS ISSUE DATES:

DRAWING DESCRIPTION:
MAIN LEVEL
FLOOR PLAN
ADG

BID SET

GARDNER ST. EAST #2
WAYZATA, MN
55391

4
4 OF -



SQUARE FOOTAGE	
MAN -	1175#
UPPER -	1650#
TOTAL (FIN.) -	2825#
GARAGE -	757#
WUR UNFIN. -	1175#
TOTAL (MISC.) -	1935#

MARVIN INTEGRITY WINDOW CODES

NOTE - ALL WINDOW & DOOR HEAD HGT'S. TO BE SET AT 8'-0" AT UPR LEVEL UNLESS NOTED OTHERWISE

5 UPPER LEVEL FLOOR PLAN
SCALE: 1/4"=1'-0"



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WAYZATA, MN 55391
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ISSUE DATE:
31 MAY 2016
PREVIOUS ISSUE DATES:

DRAWING DESCRIPTION:
UPPER LEVEL
FLOOR PLAN
ADG

BID SET

GARDNER ST. EAST #2
WAYZATA, MN
55391

5
OF -



GENERAL CONSTRUCTION NOTES:
ALL EXTERIOR DIMENSIONS TAKEN FROM OUTSIDE OF STUD.
EXTERIOR STUD OFFSET FROM FOUNDATION 1/2" OF FACE
OF FOUNDATION WHERE EXTERIOR FOUNDATION
INSULATION IS APPLIED, EXCEPT WHERE NOTED.
ALL DIMENSIONS SHALL HAVE PRECEDENCE OVER
SCALED DRAWINGS.
ALL DIMENSIONS & CONDITIONS TO BE VERIFIED BY
GENERAL CONTRACTOR.
ALL STRUCTURAL COMPONENTS & CONNECTIONS TO BE
ENGINEERED BY SUPPLIER.
ALL WOOD HEADERS TO BE 2-x10 UNLESS OTHERWISE
NOTED.
ALL WOOD ABUTTING CONCRETE TO BE TREATED.
VERIFY ANGLES WITH FLOORPLANS (45° UNLESS
OTHERWISE NOTED)
CONSTRUCTION SHOULD BE PERFORMED TO CURRENT
STATE OF MINNESOTA BUILDING & ENERGY CODES AND
TO LOCAL INDUSTRY STANDARDS & STANDARD
INDUSTRY PRACTICES.
ALL WINDUOS AND DOORS SHOULD BE INSTALLED PER
MANUFACTURERS INSTALLATION REQUIREMENTS
ALL STUCCO SHALL BE INSTALLED PER MINNESOTA LATH
AND PLASTER BUREAU GUIDELINES.
ALL WEATHER RESISTIVE BARRIERS SHALL BE
INSTALLED PER IRC SEC. R103.2 AS AMENDED BY THE
STATE OF MINNESOTA RULES SECTION 1309.0101.

ROOF CONSTRUCTION:
ROOF VENTS AS REQ'D. - 1/300.
ASPHALT SHINGLES - PER MANUF. INSTALL REQUIREMENTS.
FELT PAPER w/ ICE & WATER SHIELD.
5/8" OSB ROOF SHEATHING.
WOOD TRUSSES @ 24" O.C. - ENGINEERED BY SUPPLIER.
BAFFLE @ EACH TRUSS SPACE.
R-44 BLOW-IN INSULATION.
POLY VAPOR BARRIER - 6 MIL.
5/8" GYP. BD. CEILING.

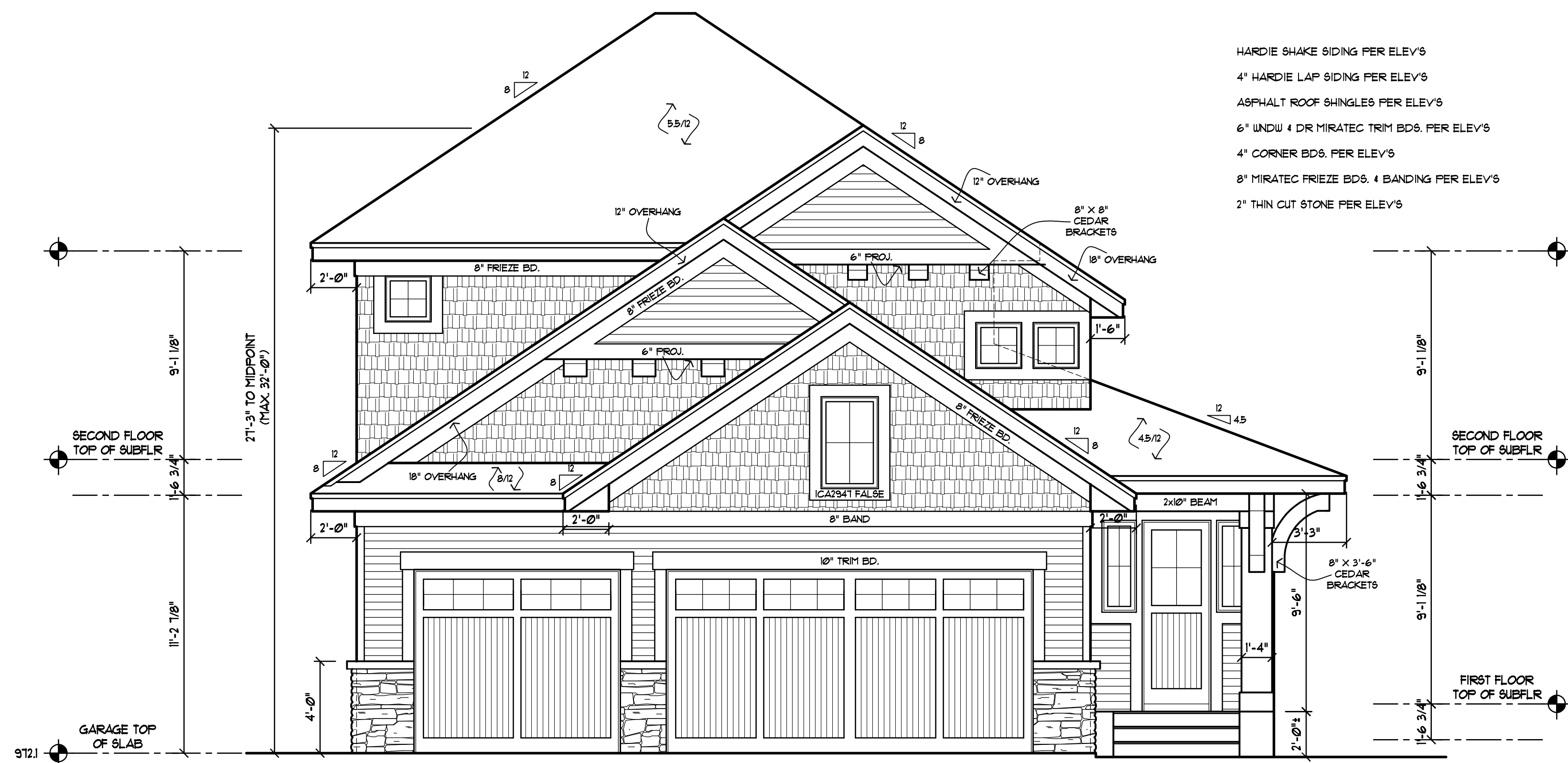
SOFFIT/FASCIA CONSTRUCTION:
HARDIE SOFFIT w/ CONT. VENTS.
5/4" x 8" MIRATEC FASCIA BD
5/4" x 3" MIRATEC TRIM BD

WALL CONSTRUCTION:
91DING/STONE FER ELEVATIONS.
2 LAYERS GRADE "D" BUILDING PAPER
1/2" PLYWOOD SHEATHING.
2x6 STUDS @ 16" O.C.
3" SPRAY "U" FOAM INSUL & SEALER - R-19 MIN OR FIBER
GLASS BATT.
CONTINUOUS POLY VAPOR BARRIER - 6 MIL. - SEAL ALL
SEAMS & PENETRATIONS
1/2" GYP. BD. - TAPED, SANDED, PAINTED

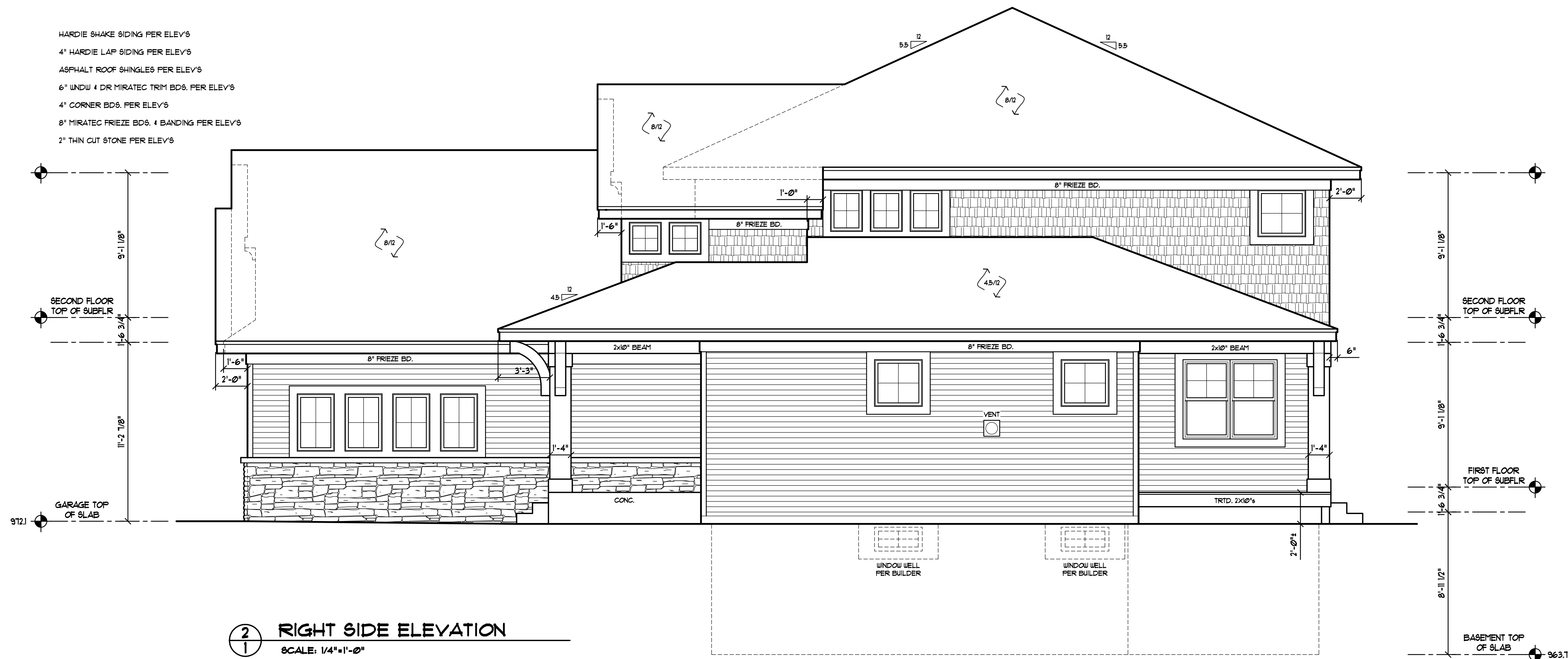
FLOOR CONSTRUCTION:
FINISHED FLOOR
3/4" T. & G. FLYWOOD SUBFLOOR
FLOOR TRUSSES (PER PLAN) @ 16" O.C. UNLESS
OTHERWISE NOTED.
SPRATED U-FOAM INSUL. @ RIM R-21.
5/8" GYP. BD. @ FINISHED AREAS.

FOUNDATION:
1/2" x 14" ANCHOR BOLTS @ 5' O.C.
2-26# TREATED SILL & SEALER
8"U#1 POURED CONC. WALLS MIN. (SEE DETAILS & PLANS)
2x4 FURRING @ 16" O.C. - HOLD OUT 1/2" FROM CONC. - 2x4
TRTD SILL PLATE
R-11 SPRAYED ISOPHENE INSUL. & SEALER OR EQUAL
8"U#1 CONC. FTG. W/ 2- 4#s CONT. MIN. (SEE DETAILS &
PLANS)
WATCH-DOG WATERPROOFING OR EQUAL
3 1/2" CONC. SLAB
2" RIGID INSULATION
VAPOR BARRIER
INTERIOR AND EXTERIOR DRAIN TILE TO SUMP BUCKET

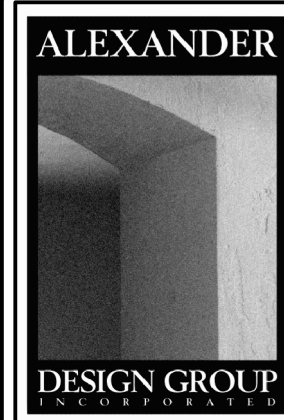




1 FRONT ELEVATION
SCALE: 1/4"=1'-0"



2 RIGHT SIDE ELEVATION
SCALE: 1/4"=1'-0"



401 EAST LAKE STREET
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ISSUE DATE:
31 MAY 2016
PREVIOUS ISSUE DATES:

DRAWING DESCRIPTION:

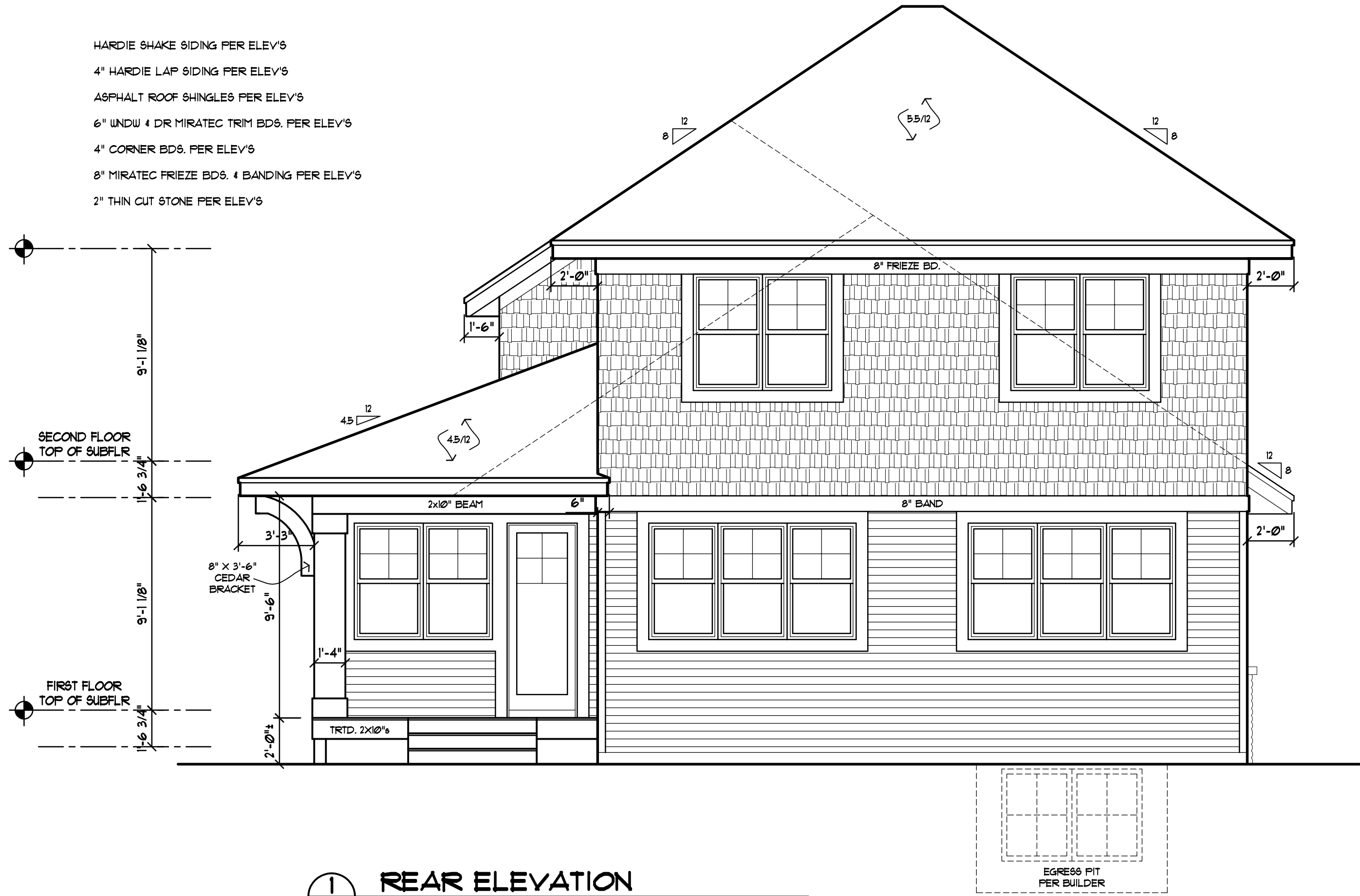
ELEVATIONS

ADG/BOH/LAD

BID SET ONLY
NOT FOR CONSTRUCTION

GARDNER STREET EAST #3
WAYZATA, MN

- HARDIE SHAKE SIDING PER ELEV'S
- 4" HARDIE LAP SIDING PER ELEV'S
- ASPHALT ROOF SHINGLES PER ELEV'S
- 6" UNDW 4 DR MIRATEC TRIM BDS. PER ELEV'S
- 4" CORNER BDS. PER ELEV'S
- 8" MIRATEC FRIEZE BDS. 4 BANDING PER ELEV'S
- 2" THIN CUT STONE PER ELEV'S

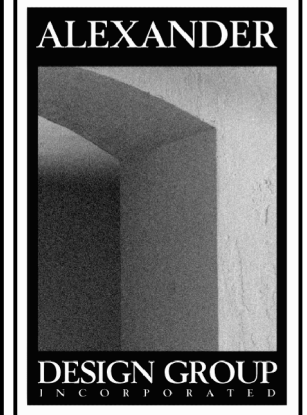


1
2 REAR ELEVATION
SCALE: 1/4"=1'-0"

- HARDIE SHAKE SIDING PER ELEV'S
- 4" HARDIE LAP SIDING PER ELEV'S
- ASPHALT ROOF SHINGLES PER ELEV'S
- 6" UNDW 4 DR MIRATEC TRIM BDS. PER ELEV'S
- 4" CORNER BDS. PER ELEV'S
- 8" MIRATEC FRIEZE BDS. 4 BANDING PER ELEV'S
- 2" THIN CUT STONE PER ELEV'S



2
2 LEFT SIDE ELEVATION
SCALE: 1/4"=1'-0"



401 EAST LAKE STREET
WAYZATA, MN 55391
Phone: 952.473.8777
FAX: 952.473.8222

ISSUE DATE:
31 MAY 2016
PREVIOUS ISSUE DATES:

DRAWING DESCRIPTION:
ELEVATIONS
ADDITIONAL

BID SET ONLY
NOT FOR CONSTRUCTION

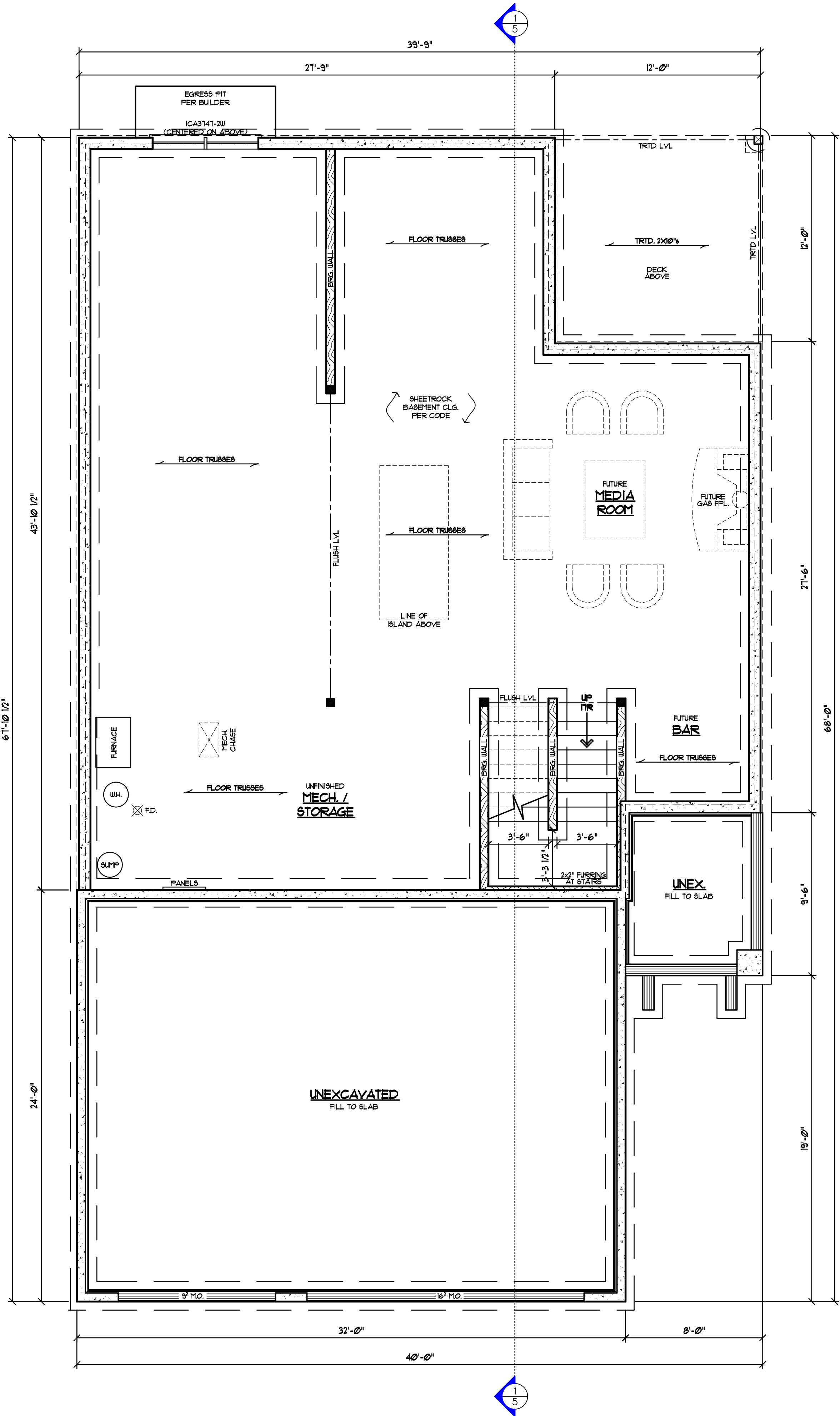
GARDNER STREET EAST #3
WAYZATA, MN

NOTE - ALL WINDOW & DR. HEAD HGTs. TO BE SET AT 8'-0" AT LOWER LEVEL UNLESS NOTED OTHERWISE

MARVIN INTEGRITY WIND CODES

NOTE: OFFSET EXTERIOR STUDS 1-1/2" TO THE OUTSIDE FACE OF FOUNDATION WHERE EXT. FND. INSUL. IS APPLIED, EXCEPT WHERE NOTED.

SQUARE FOOTAGE	
MAIN -	1596#
UPPER -	1184#
FIN. LOWER -	XXX#
FIN. TOTAL -	2780#



1/3 LOWER/FDN LEVEL PLAN
 SCALE: 1/4"=1'-0"



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 WAYZATA, MN 55391
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ISSUE DATE:
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DRAWING DESCRIPTION:
 LOWER LEVEL
 FLOOR PLAN
 ADD/BO/AND

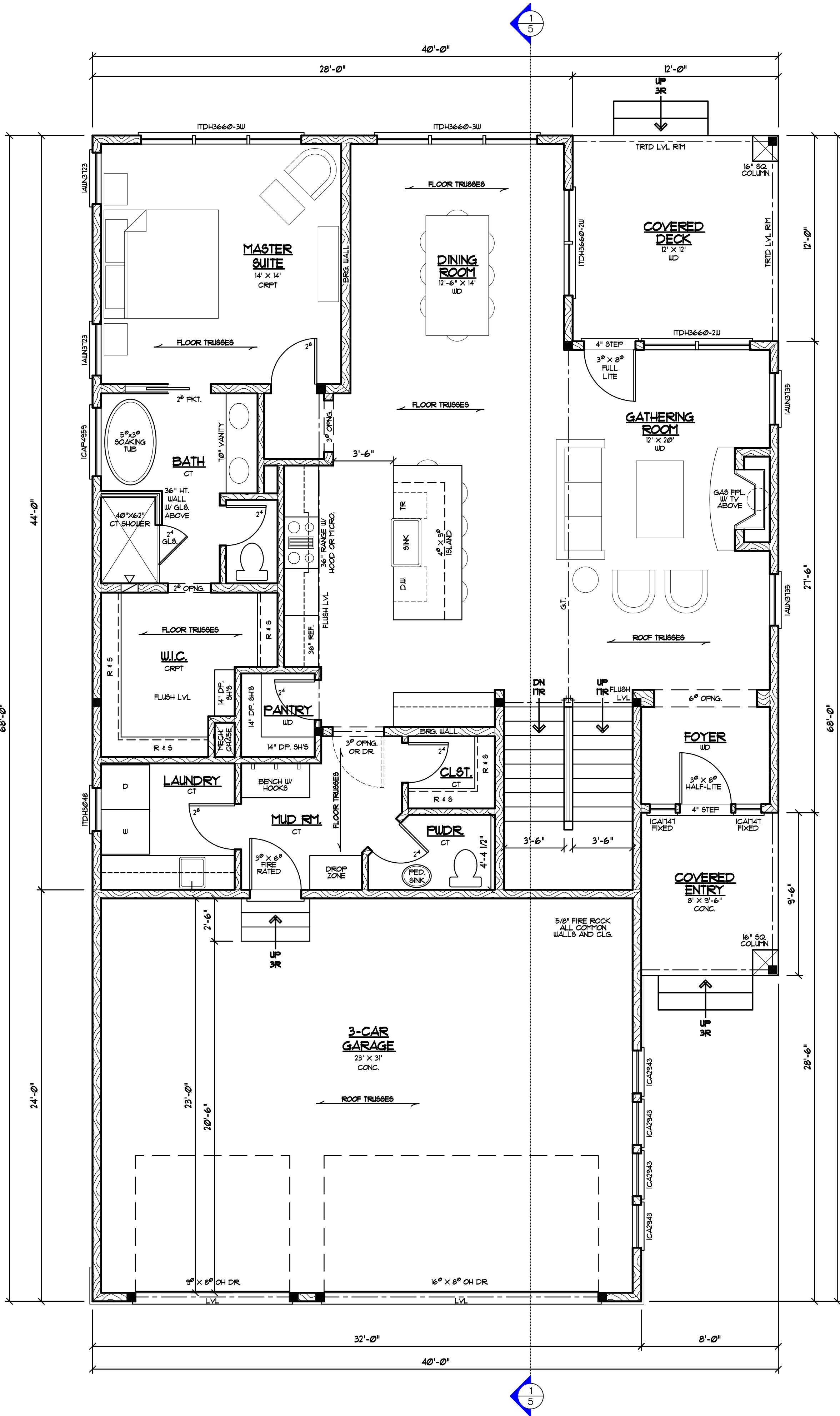
BID SET ONLY
 NOT FOR CONSTRUCTION

GARDNER STREET EAST #3
 WAYZATA, MN

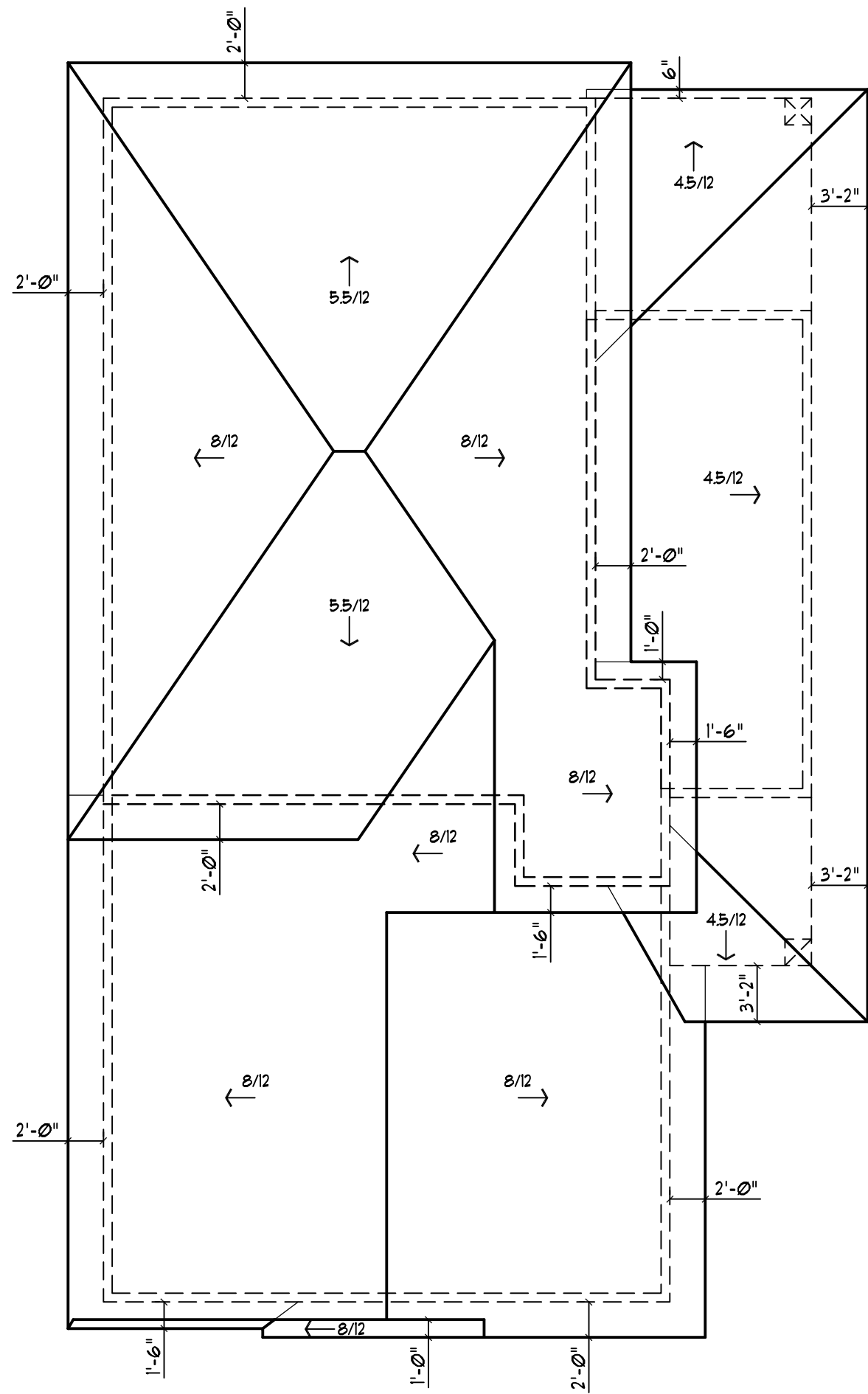
NOTE - ALL WINDOW & DOOR HEAD HGT'S. TO BE SET AT 8'-0" AT MAIN LEVEL UNLESS NOTED OTHERWISE

MARVIN INTEGRITY UND. CODES

SQUARE FOOTAGE	
MAIN -	1536#
UPPER -	1184#
FIN. LOWER -	XXX#
FIN. TOTAL -	2780#



2 MAIN LEVEL PLAN
4 SCALE: 1/4"=1'-0"

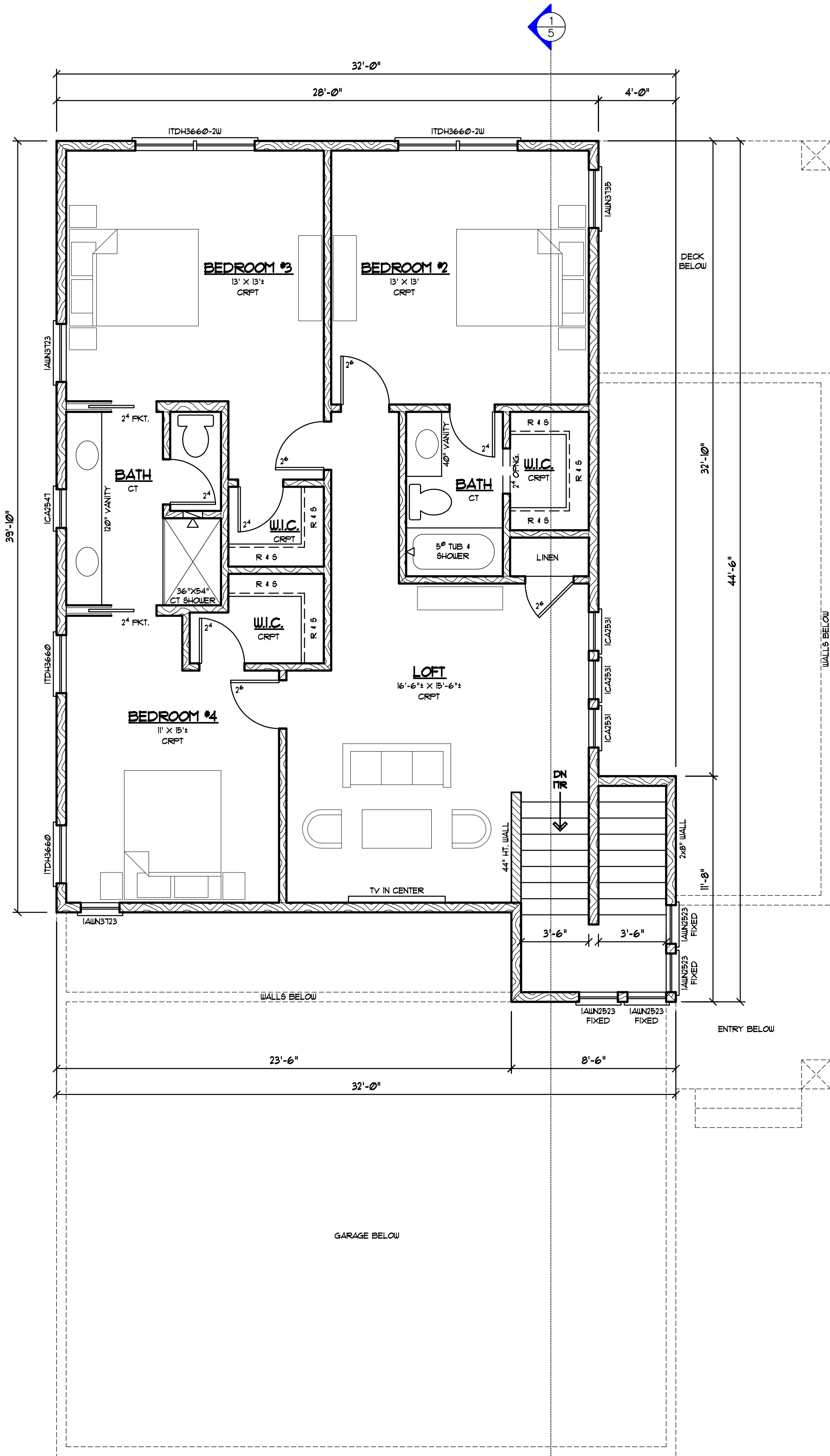


2
5 **ROOF PLAN**
SCALE: 1/8"=1'-0"

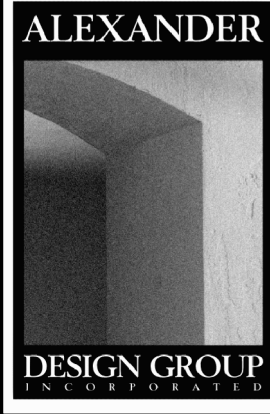
NOTE -ALL WINDOW & DOOR HEAD
HGTs. TO BE SET AT 8'-0"AT UPPER
LEVEL UNLESS NOTED OTHERWISE

MARVIN INTEGRITY WIND CODES

SQUARE FOOTAGE	
MAIN -	1596#
UPPER -	1184#
FIN. LOWER -	XXX#
FIN. TOTAL -	2780#



1
5 **UPPER LEVEL PLAN**
SCALE: 1/4"=1'-0"



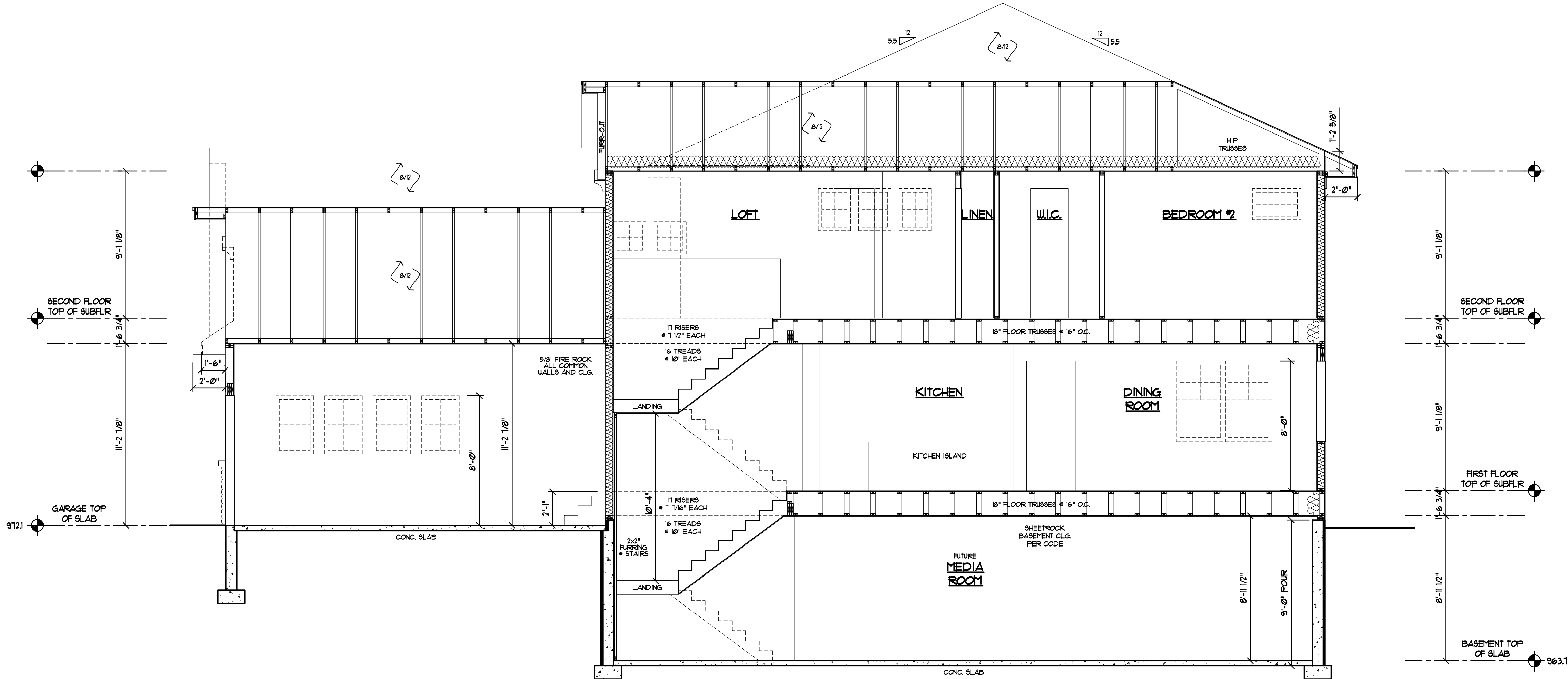
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WAYZATA, MN 55391
Phone: 952.473.8777
FAX: 952.473.8222

ISSUE DATE:
31 MAY 2016
PREVIOUS ISSUE DATES:

DRAWING DESCRIPTION:
UPPER LEVEL PLAN
& ROOF PLAN
ADD/BO/HLND

BID SET ONLY
NOT FOR CONSTRUCTION

GARDNER STREET EAST #3
WAYZATA, MN



BUILDING SECTION
SCALE: 1/4"=1'-0"

NOTE:
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GENERAL CONSTRUCTION NOTES:
ALL DIMENSIONS TAKEN FROM OUTSIDE OF STUD
ALL DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED DRAWINGS.
ALL DIMENSIONS & CONDITIONS TO BE VERIFIED BY GENERAL CONTRACTOR
ALL STRUCTURAL COMPONENTS & CONNECTIONS TO BE ENGINEERED BY SUPPLIER.
ALL WDU HEADERS TO BE 2-2x10 UNLESS OTHERWISE NOTED.
ALL WOOD ABUTTING CONCRETE TO BE TREATED. VERIFY ANGLES WITH FLOORPLANS (45° UNLESS OTHERWISE NOTED.)
CONSTRUCTION SHOULD BE PERFORMED TO CURRENT STATE OF MINNESOTA BUILDING & ENERGY CODES AND TO LOCAL INDUSTRY STANDARDS & STANDARD INDUSTRY PRACTICES.
ALL WINDOWS AND DOORS SHOULD BE INSTALLED PER MANUFACTURER'S INSTALLATION REQUIREMENTS.
ALL STUCCO SHALL BE INSTALLED PER MINNESOTA LATH AND PLASTER BUREAU GUIDELINES.
ALL WEATHER RESISTIVE BARRIERS SHALL BE INSTALLED PER IRC SEC. R103.2 AS AMENDED BY THE STATE OF MINNESOTA RULES SECTION 1309.0101.

ROOF CONSTRUCTION:
ROOF VENTS AS REQ'D. - 1/320.
ASPHALT SHINGLES - PER MANUF. INSTALL REQUIREMENTS.
FELT PAPER w/ ICE & WATER SHIELD.
5/8" OSB ROOF SHEATHING.
WOOD TRUSSES @ 24" O.C. - ENGINEERED BY SUPPLIER.
BAFFLE @ EACH TRUSS SPACE.
R-44 BLOW-IN INSULATION.
POLY VAPOR BARRIER - 6 MIL.
5/8" GYP. BD. CEILING.

SOFFIT/FASCIA CONSTRUCTION:
HARDIE SOFFIT w/ CONT. VENTS.
5/4" x 8" MIRATEC FASCIA BD
5/4" x 3" MIRATEC TRIM BD

WALL CONSTRUCTION:
SIDING PER ELEVATIONS
2 LAYERS GRADE "D" BUILDING PAPER
1/2" PLYWOOD SHEATHING.
2x6 STUDS @ 16" O.C.
3" SPRAY "UP" FOAM INSUL & SEALER - R-19 MIN OR FIBER GLASS Batts.
CONTINUOUS POLY VAPOR BARRIER - 6 MIL. - SEAL ALL SEAMS & PENETRATIONS
1/2" GYP. BD. - TAPED, SANDED, PAINTED

FLOOR CONSTRUCTION:
FINISHED FLOOR
3/4" T. & G. PLYWOOD SUBFLOOR.
FLOOR TRUSSES (PER PLAN) @ 16" O.C. UNLESS OTHERWISE NOTED.
SPRAYED U-FOAM INSUL. @ R11 R-21
5/8" GYP. BD. @ FINISHED AREAS.

FOUNDATION:
1/2" x 14" ANCHOR BOLTS @ 5' O.C.
2x6 TREATED SILL & SEALER.
8"U Poured CONC. WALLS MIN. - (SEE DETAILS & PLANS)
2x4 FURRING @ 16" O.C. - HOLD OUT 1/2" FROM CONC. - 2x4 TRTD SILL PLATE
R-11 SPRAYED ISONENE INSUL & SEALER OR EQUAL
8" x 20" CONC. FIG. w/ 2- 1/4" CONT. MIN. - (SEE DETAILS & PLANS)
WATCHDOG WATERPROOFING OR EQUAL
3 1/2" CONC. SLAB
2" RIGID INSULATION (INSTALL FLASHING AT TOP)
POLY VAPOR BARRIER
INTERIOR AND EXTERIOR DRAIN TILE TO SUMP BUCKET

401 EAST LAKE STREET
WAYZATA, MN 55391
Phone: 952.473.8777
FAX: 952.473.8222

ISSUE DATE:
21 MAY 2016

PREVIOUS ISSUE DATE:

DRAWING DESCRIPTION:

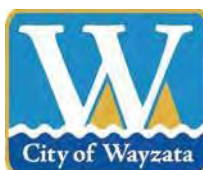
BUILDING SECTIONS

ADD/RELAND

BID SET ONLY
NOT FOR CONSTRUCTION

GARDNER STREET EAST #3
WAYZATA, MN

6 OF 6



WAYZATA PLANNING COMMISSION

January 9, 2018

REPORT AND RECOMMENDATION OF APPROVAL OF REZONING, PUD CONCEPT AND GENERAL PLAN, AND PRELIMINARY PLAT SUBDIVISION AT 350 GARDNER ST E

SUMMARY OF RECOMMENDATION

1. **Approval*** of Preliminary Plat subdividing existing lot into two lots
2. **Approval*** of PUD Concept and General Plan
3. **Approval*** of Rezoning to PUD

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

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 **Project.** Bohland Homes (the "Applicant") has submitted a development application (the "Application") to subdivide the property at 350 Gardner St E (the "Property") into two single-family residential lots and rezone the properties to PUD/Planned Unit Development District. The existing house would be demolished, and two new homes would be constructed with access from a private driveway. The property is currently accessed via a shared private driveway, and the Gardner St. right of way adjacent to the property is undeveloped.
- 1.2 **Application Requests.** As part of the Application, the Applicant is requesting approval of the following as depicted on the plans attached as **Attachment A:**
 - A. **Preliminary Plat Subdivision.** The preliminary plat submitted with the Application would subdivide the Property into two single-family residential lots (the "Subdivision" or "Preliminary Plat").
 - B. **Planned Unit Development.** The Subdivision would occur pursuant to the concurrent PUD concept plan and general plan of development for a two lot single-family residential development submitted with the Application (the

“Concurrent PUD Concept and General Plan of Development”).

- C. Rezoning from R-3A to PUD. The property would be re-zoned from the current R-3A/Low Density Single and Two Family Residential District to the PUD/Planned Unit Development District (the “Rezoning” or “Zoning Amendment”).

- 1.3 Property. The property identification number and owner of the Property are:

350 Gardner St E	06-117-22-21-0027	Bohland Homes, Inc.
------------------	-------------------	---------------------

- 1.4 Land Use Designations. The Property falls within the following zoning and land use districts:

Zoning:	R-3A/Single and Two Family Residential District
Comprehensive Plan:	Low Density Single Family

- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Lakeshore Weekly News* on November 23, 2017. A copy of the notice was mailed to all property owners located with 350 feet of the Property on November 22, 2017. A public hearing on the Application was held at the December 4, 2017 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 Subdivision / Preliminary and Final Plat. Review and approval of subdivisions of property and preliminary plats are governed by the City’s Subdivision Ordinance, Ch. 805 of City Code. In reviewing such requests, the Planning Commission shall consider possible adverse effects of the preliminary plat. Its judgment shall be based upon, but not limited to, the following factors found in Section 805.14.E:
- A. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
 - B. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
 - C. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filing or grading.
 - D. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
 - E. The creation of a lot or lots shall not adversely impact the scale, pattern or

character of the City, its neighborhoods, or its commercial areas.

- F. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
- G. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
- H. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
- I. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
- J. The proposed lot layout and building pads shall conform with all performance standards contained herein.
- K. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
- L. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

2.2 Planned Unit Developments (PUDs).

- A. Intent and 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:
 - 1. 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.

2. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
 3. More convenience in location and design of development and service facilities.
 4. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
 5. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
 6. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
 7. 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.)
 8. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.
- B. General Standards. Section 801.33.2.A of the Zoning Ordinance sets forth the general standards for review of a PUD application. These include:
1. Health Safety and Welfare; Council Discretion. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of Section 33 of the PUD Ordinance, it may approve the PUD, although it shall not be required to do so.
 2. Ownership. Applicant/s must own all of the property to be included in the PUD.
 3. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.

4. Sanitary Sewer Plan Consistency. The PUD project must be consistent with the City's Sanitary Sewer Plan.
5. Common Open 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.
6. Operating and Maintenance Requirements. Whenever common private or public open space or service facilities are provided within a PUD, the PUD plan must contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD must be placed under the ownership of one of the following, as approved by the City Council: (i) dedicated to the public, where a community-wide use is anticipated, (ii) Landlord control, where only tenant use is anticipated, or (iii) Property Owners Association, provided the conditions of 801.33.2.A.6.c are met.
7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 801.33.2.A.10.
11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
12. 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.

13. Setbacks. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall be the same as imposed in the underlying districts, if a PUD conditional use permit, or the previous zoning district, if a PUD District. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street pattern. No building within the PUD project shall be nearer to another building than one-half (1/2) the sum of the building heights of the two (2) buildings. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the allowable setbacks shall be as negotiated and agreed upon between the applicant and the City._
14. Height. The maximum building height to be considered within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser. There shall be no deviation from the height standards applied within the applicable zoning districts for PUD conditional use permits. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the maximum allowable height and number of floors shall be as negotiated and agreed upon between the applicant and the City.

2.3 Zoning Ordinance Amendments / Rezoning. In considering a proposed amendment to the Zoning Ordinance, the Planning Commission shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon 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 in the Zoning Ordinance (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.

Section 3. FINDINGS

Based on the Application materials, staff reports, public comment presented at the public

hearing, and Wayzata's Zoning and Subdivision Ordinances, the Planning Commission of the City of Wayzata makes the following findings of fact with respect to the (i) Preliminary Plat; (ii) Concurrent PUD Concept and General Plan of Development; and (iii) Rezoning that are requested as part of the Application:

3.1 Preliminary / Final Plat.

- A. The proposed Subdivision is consistent with the Wayzata Comprehensive Plan.
- B. The building pads that result from the Subdivision preserve the sensitive areas on the Property, including the topography, significant trees and vegetation, and scenic points.
- C. The building pads that result from the Subdivision have been selected and located with respect to natural topography to minimize filling or grading.
- D. Existing stands of significant trees have been retained where possible. The building pads that results from the Subdivision are sensitively integrated into existing trees.
- E. The Subdivision does not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
- F. The design of the lots, the building pads, and the site layout responds to and is reflective of the surrounding lots and neighborhood character.
- G. The lot sizes resulting from the Subdivision are not dissimilar from adjacent lots or lots found in the surrounding neighborhood.
- H. Final plans for buildings within the Subdivision are not proposed at this time, and therefore a finding cannot be made as to whether the architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the buildings proposed is similar to the characteristics and quality of existing development in the City and surrounding neighborhood.
- I. The architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance are not applicable to this Application.
- J. The proposed lot layouts and building pads conform with all performance standards contained in the Subdivision Ordinance with the exception of those for which a variance is being requested.
- K. The Subdivision will not tend to or actually depreciate the values of neighboring properties in the area in which it is proposed.

- L. The Subdivision will be accommodated with existing public services, including those related to transportation and utility systems, and will not overburden the City's service capacity.

3.2 PUD. Concurrent PUD Concept and General Plan of Development set forth in the Application meets the purpose and intent of the PUD Ordinance.

- A. The PUD reflects higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
- B. The PUD includes appropriate large lot residential uses, and is consistent with the goals and objectives of the comprehensive plan.
- C. The PUD creates a more desirable and creative environment that preserves sensitive and important natural and environmental resources, including the topography, trees and vegetative screening in the right of way, than would be possible under the existing R-3A District and applicable standards of the Subdivision Ordinance as related to the private street.

In addition, the PUD meets all of the PUD general standards listed in Section 801.33.2.A of the Zoning Ordinance.

3.3 Zoning Ordinance Amendments / Rezoning. The Rezoning for the proposed residential use set forth in the Application (the "Proposed Use") would not have an adverse effect on surrounding properties or the community, and meets the standards for a zoning ordinance amendment:

- A. The Proposed Use is consistent with the Comprehensive Plan land use designation of the Property, and meets the policies of the Comp Plan.
- B. The Proposed Use is consistent with current and future land uses in the area.
- C. The Proposed Use would meet the performance standards outlined in the Zoning Ordinance.
- D. The Proposed Use would not have an adverse effect on the area in which it is proposed.
- E. The Proposed Use would not adversely impact property values in the area.
- F. Traffic generation by the Proposed Use could be met by the capabilities of streets serving the property.
- G. The Proposed Use would not exceed service capacity of public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends approval of (i) the Preliminary Plat, (ii) the Concurrent PUD Concept and General Plan of Development, and (iii) the Rezoning as part of the Application and as depicted on the plans attached as Attachment A, subject to all of the following conditions:
- A. The Applicant must submit the final plat application for the Subdivision within 100 days of City Council approval of the Preliminary Plat, or the Preliminary Plat approval will be null and void. The final plat application must also include the following:
1. The final plat must dedicate all public easements required by the Subdivision Ordinance and as recommended by the City Engineer.
 2. The Applicant must submit a private easement between the individual lots in the Subdivision that memorializes the maintenance responsibilities of the private sanitary sewer force main.
 3. The Applicant must submit a private easement between the individual lots in the Subdivision that memorializes the maintenance responsibilities of the private driveway.
 4. The Applicant must enter into a development agreement with the City for the public utility improvements constructed as part of the Subdivision, and that memorializes the improvements, drainage, landscaping, utilities, access, maintenance and use of the City right of way adjacent to the Property, with provisions acceptable to the City Engineer, City Fire Marshall, and City Attorney.
 5. Park Dedication fees must be paid as required by the Subdivision Ordinance, in an amount of two thousand five hundred dollars (\$2,500.00) per new lot.
- B. The Applicant or future homeowner must apply for and obtain all necessary building permits from the City, prior to commencement of any construction activity on the Property. The building permit application must also include the following:
1. The final grading & drainage plan, erosion control plan, utility plan, and civil details must be prepared for each lot and submitted to the City for review and approval of the City Engineer.
 2. The final tree inventory, tree preservation plan, and tree replacement plan must be prepared for each lot and submitted to the City for review and approval by the City Forester.

- C. The homes built on the Property must be constructed with fire sprinklers that meet the recommended specifications of the City Fire Marshall.
- D. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 9th day of January 2018.

Voting In Favor:

Voting Against:

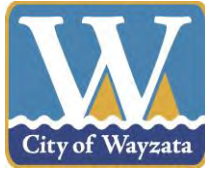
Abstaining:

Absent:

DRAFT

Attachment A

DRAFT



**Staff Report
January 9, 2018**

Project Name: Jereczek Fence
Applicant City of Wayzata
Property Owner: Jason Jereczek
Addresses of Request: 119 Benton Ave N
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: January 21, 2018

Development Application

Introduction

The City of Wayzata and the property owner, Jason Jereczek, have submitted a development application to construct a fence on the property at 119 Benton Ave N. The applicant is proposing to construct a six-foot solid fence along Wayzata Blvd E, and requests approval of a conditional use permit.

Property Information

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

Address	PID	Owner
119 Benton Ave N	06-117-22-14-0076	J J Jereczek & M A Jereczek

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

Current zoning:	R-3A/Single and Two Family Residential District
Comp plan designation:	Low Density Single Family
Overlay districts:	None

Project Location

The property is located on the northwest corner of the Wayzata Blvd E and Benton Ave N intersection:

Map 1: Project Location



Application Requests

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

- A. Conditional use permit: The applicant is proposing to construct a six-foot tall solid wood fence on the front of the property along Wayzata Blvd. Fences located in the front yard that are greater than 50 percent solid matter and exceed 42 inches in height require a conditional use permit.

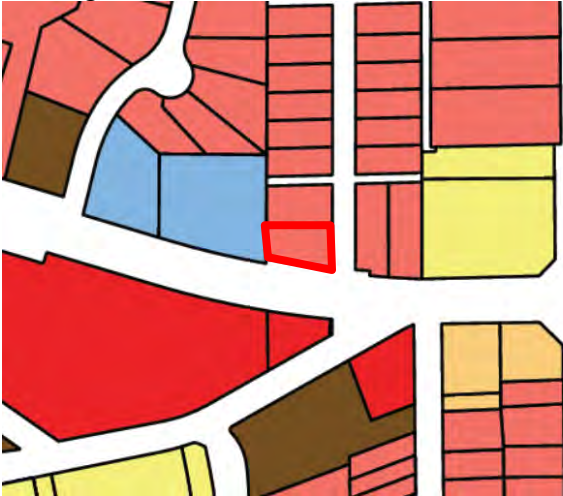
Adjacent Land Uses.

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	Single-family home	R-3A/Single and Two Family Residential District	Low Density Single Family
East	Benton Ave N	N/A	N/A
	Single-family home	R-3A/Single and Two Family Residential District	Low Density Single Family
South	Wayzata Blvd E	N/A	N/A
	Wells Fargo building	C-1/Office and Limited Commercial District	Mixed Use Commercial
West	American Legion	C-1A/Neighborhood Office & Limited Commercial District	Mixed Use Commercial

Map 2: Adjacent Land Uses

Zoning



Comp Plan Land Use Designation



Public Hearing Notice

The public hearing notice was published in the *Lakeshore Weekly News* on December 28, 2017. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on December 29, 2016.

Analysis of Application

Background Information

The City is currently designing a reconfiguration of the Wayzata Blvd E and Superior Blvd intersection. In 2017, the City Council selected the design option which reconfigures the existing skewed intersection into a four way intersection between Wayzata Blvd, Superior Blvd, and Benton Ave. The City is completing the detailed intersection design, which includes engaging the surrounding property owners and the Benton Ave neighborhood. As part of the intersection project, the property owner of 119 Benton Ave has requested a fence be constructed on their property for a visual and noise buffer. The fence, as requested by the property owner and proposed by the City, requires a conditional use permit due to its height and opaqueness.

Fence Requirements

The City's zoning regulations include specific requirements for fences that are based on the location of the fence on the property. In the front yard, defined as the area between the house and the street, a fence with a maximum height of 42-inches and a maximum opaqueness of 50 percent is permitted. In the side yard – the area between the front and back of the house – a fence with a maximum height of six feet and a maximum opaqueness of 50 percent is permitted. Finally, in the rear yard – the area between the house and the rear property line – a fence with a maximum height of six feet is permitted with no opaqueness requirement. The City's fence requirements also state that fences in

the front yard that consist of more than 50 percent solid matter and not exceeding eight feet in height are allowed by conditional use permit.

Proposed Fence

The subject property is a corner lot with frontage on both Benton Ave and Wayzata Blvd. The zoning ordinance defines both street frontages as a front yard. Therefore, the fence requirements for the front yard apply to any fence constructed along Wayzata Blvd. In order to provide the visual and noise buffer that is requested by the property owner, the proposed fence would be constructed in the Wayzata Blvd front yard, and would be a solid six-foot wood fence.

The applicant has submitted with the development application a survey, photos of the proposed fence, and a narrative outlining the justification for the conditional use permit, which are attached to this report.

Public Comments

The City has received one email from a surrounding property owner regarding the development application. The public comment is attached to this report.

Applicable Code Provisions for Review

Conditional Use Permit for a Fence: City Code Section 801.18.1.F.2 outlines the following standards for evaluating fence conditional use permits:

- A. The fence placement, height or design does not create a safety hazard with regard to, from or on a public street or roadway.
- B. The fence placement, height or design does not create a safety problem or negatively affect adjoining properties or use.
- C. The provisions of Section 801.04.2.G of this Ordinance are considered and satisfactorily met.

Conditional Use Permits: City Code Section 801.04.2.F. states that the Planning Commission and City Council shall consider possible adverse effects of the proposed conditional use. Their 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 compatibility with present and future 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 values in the area in which it is developed.
- F. Traffic generated by the proposed use is 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.

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
Proposed Plans
Public Comments

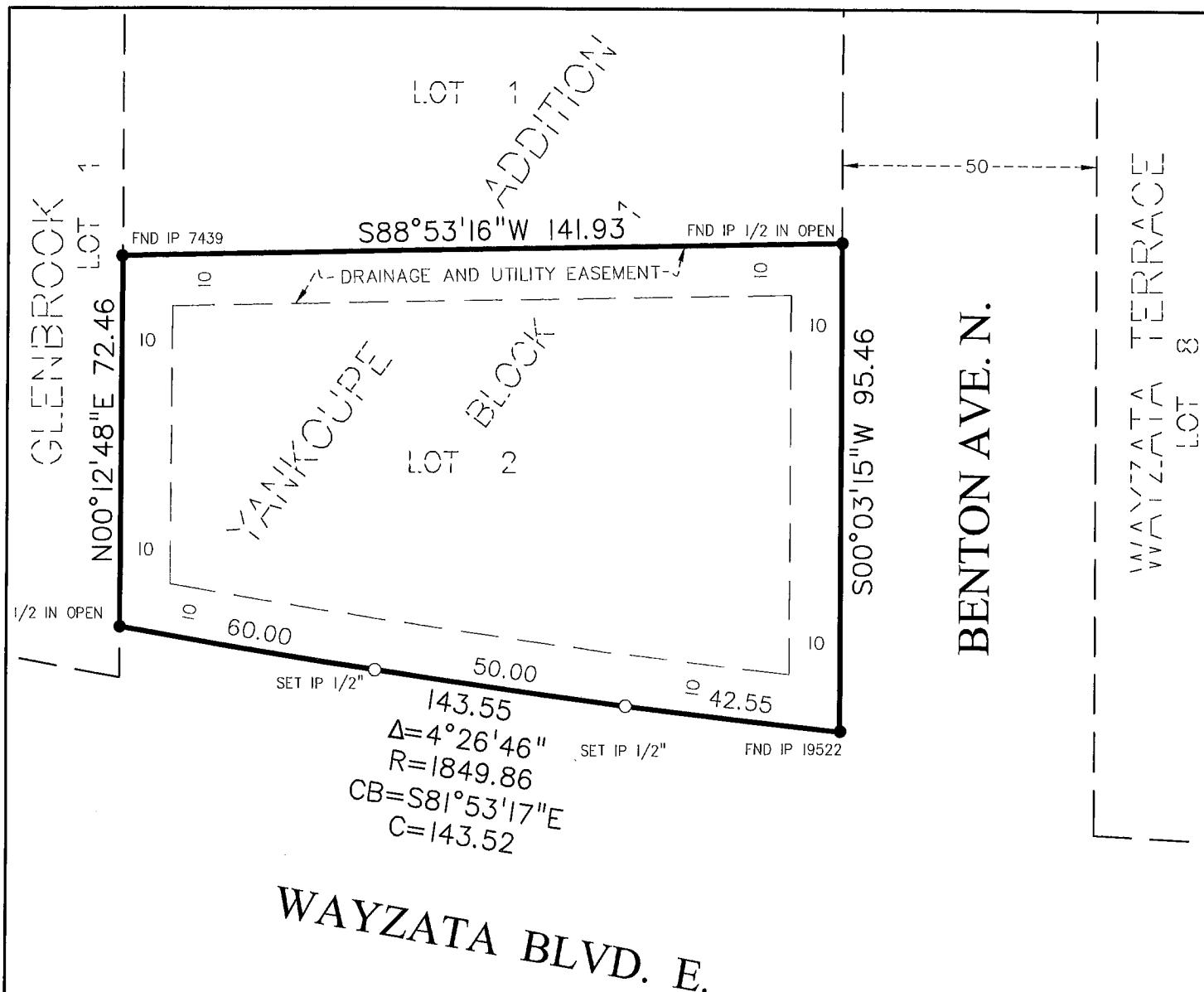
11/17/2017

Hello, my name is Jason Jereczek, and my wife Molly and I live at 119 Benton Ave. We would like to ask the city council for assistance with building a fence in our yard. As you know next spring the current intersection at Superior Blvd & Wayzata Blvd will be moved to Benton Ave, and we along with the majority of the home owners on Benton Ave. were opposed to this move, as it will bring noise and bright lights right up the entrance our neighborhood. For my wife and I living at 119 Benton Ave, we will be effected the most. We are at the south end of Benton, and we will have this intersection directly against our property. We will be looking at bright flashing lights. We will have crosswalk chatter echoing into our yard, along with loud noises from vehicles waiting at a red light. We are greatly concerned that we will not be able to enjoy being in our back yard. So will all that said, we are petitioning the city of Wayzata for help in building a 6' high fence on the South side of our Property. This fence would be solid wood to help mitigate sound and light in our yard. We are asking for approval of a fence 6' in height, as well as for covering the expense of the project.

We thank you for your time and consideration of our request.

Jason Jereczek

A handwritten signature in blue ink, appearing to read 'Jason Jereczek', written over a horizontal line.



WAYZATA BLVD. E.

DESCRIPTION OF SUBJECT PROPERTY

Lot 2, Block 1, YANKOUPÉ ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota.

Area: 12,056 s.f.

General Notes

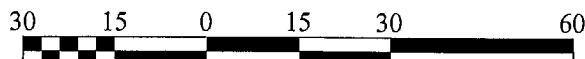
- Site Address:** 119 Benton Ave. N., Wayzata, MN 55391
- Parcel Area Information:** 12,056 s.f. ~ 0.277 acres



SURVEY LEGEND

- SURVEY MONUMENT SET
- SURVEY MONUMENT FOUND

Bearings are based on the Hennepin County Coordinate System (NAD 83 - 1986 adj.)



SCALE IN FEET

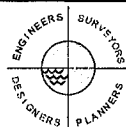
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 17th day of November, 2017.

SATHRE-BERGQUIST, INC.

David B. Pemberton, PLS
pemberton@sathre.com

Minnesota License No. 40344



SATHRE-BERGQUIST, INC.

150 South Broadway Ave.
Wayzata, MN. 55391
(952) 476-6000 www.sathre.com

Boundary Survey
Prepared For
Jason Jereczek

Date: 11/16/17	Revision Date:
Prepared By: DBP	Check By:
Layout Sheet: BNDY SURV	
Project Number: 42030-001	

1/1



505 Randolph Ave St. Paul, MN 55102
Ph: 651/646-8305 Fax: 651/646-1615

PROPOSAL

TO: Jason Jereczek
119 Benton Ave
Wayzata, MN

BID DATE: 11/16/17
PROPOSAL NUMBER: rs2100
FOB: Jobsite

Regarding: **South Fence**

Keller Fence Company proposes to furnish and install the following:

154' of 72" high Western Red Cedar framed batten board privacy fence. 1x6 boards mounted on three 2x4s, three 1x4s and a concrete set 4x4 post with a decorative post cap. Included is one walk gate.

Fence to have a 2x top cap not 1x
Keller to remove and haul away existing fence.
All 2xs to be screwed in place not nailed
All soil to remain on site

For the sum of.....\$7,682.00

The above quotation is good for a period of thirty (30) days from the date of this proposal. Keller Fence Company appreciates the opportunity to quote on this project and hope it merits your favorable review. If you have any questions or need additional information do not hesitate to call us at the above number.

Sincerely,

KELLER FENCE COMPANY, INC.

Tim Dyrhaug



Jeff Thomson

From: Jim Richter <jimmymar@me.com>
Sent: Thursday, January 4, 2018 10:52 AM
To: Jeff Thomson
Subject: Application for Fence @ 119 Benton Ave

I want to go on record as supporting applicant Jason Jereczek on his request for permission to erect a six foot high fence on what is technically his front yard.

I don't personally know Jason other than saying hi from time to time. I believe he is a landscaper and I have witnessed a lot of hard work by him as he has greatly improved the landscape on his property. I feel strongly if he erects this fence it will be tastefully done as evidenced by his other improvements.

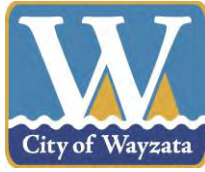
There currently is a four foot fence across the front that is not noticeable and for years the city portion there is a mess and deteriorating. Evidently this has been ignored by the city for years. I understand that this will be reconstructed as part of the intersection realignment. This realignment will not benefit the property as it is believed there will be an increase in road noise. I assume this is the primary reason for the fence request.

I also assume that this variance request is required because the fence crosses his "front" yard. I don't feel that this really needs to fall under that requirement. That front yard hasn't been used as such for many many years and this shouldn't cause any harm to the neighborhood.

This simply a request from a citizen to hopefully make his home more livable.

Jim Richter
152 Benton Ave
Wayzata 55391
952-473-0819
jimmymar@me.com

Sent from my iPad Jim R
I think, therefore I am!



**Staff Report
January 9, 2018**

Applicant Matthew and Deanna Brinza
Addresses of Request: 315 Park St E
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: February 6, 2018

Development Application

Introduction

The property owners, Matthew and Deanna Brinza, have submitted a development application to construct a four season porch addition to the existing house at 315 Park St E. The development application requests approval of lot coverage, impervious surface coverage, and front yard setback variances.

Property Information

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

Address	PID	Owner
315 Park St E	06-117-22-21-0036	Deanna L Brinza Trustee

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

Current zoning:	R-3A/Single and Two Family Residential District
Comp plan designation:	Low Density Single Family
Overlay districts:	None

Project Location

The property is located on the northeast corner of the Barry Ave N and Park St E intersection:

Map 1: Project Location



Application Requests

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

- A. Lot Coverage Variance: The R-3A zoning district has a maximum lot coverage – the total footprint of the house, garage, and any accessory structures divided by the lot area – of 30 percent. With the proposed addition, the property would have a lot coverage of 33.7 percent, which requires a variance. (Section 801.55.7.A)
- B. Lot Coverage Variance: The R-3A zoning district has a maximum impervious surface coverage – the total lot coverage and any additional hard surface divided by the lot area – of 35 percent. With the proposed addition, the property would have an impervious surface coverage of 51.1 percent, which requires a variance. (Section 801.55.7.A)
- C. Front Yard Setback Variance: The R-3A zoning district establishes a minimum front yard setback of 20 feet, and the zoning ordinance states that the front yard requirement shall be observed on each street frontage of a corner lot. The proposed addition would be set back 14.2 feet from the Park St E front property line, which requires a variance. (Section 801.55.6.B.1.a and Section 801.19.4.C)

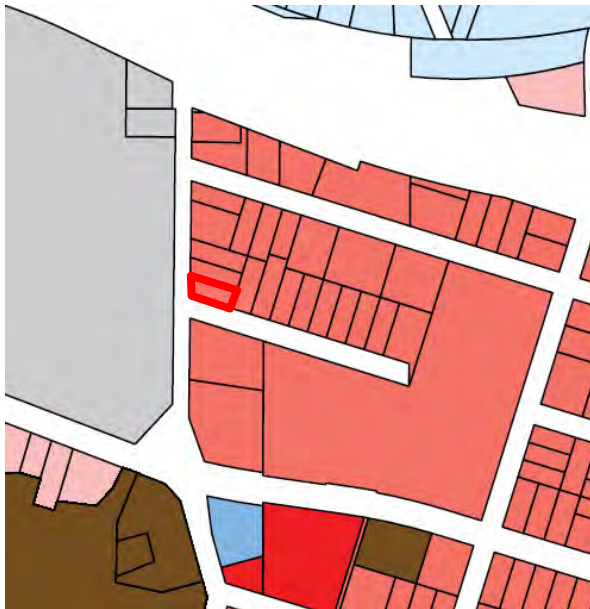
Adjacent Land Uses.

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	Single family home	R-3A/Single and Two Family Residential District	Low Density Single Family
East	Single family home	R-3A/Single and Two Family Residential District	Low Density Single Family
South	Park St E	N/A	N/A
	Single family home	R-3A/Single and Two Family Residential District	Low Density Single Family
West	Barry Ave N	N/A	N/A
	Wayzata West Middle School	INS/Institutional	Institutional/Public

Map 2: Adjacent Land Uses

Zoning



Comp Plan Land Use Designation



Public Hearing Notice

The public hearing notice was published in the *Lakeshore Weekly News* on December 28, 2017. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on December 29, 2017.

Analysis of Application

Proposed Plans

The property is currently improved with a single-family home that was constructed in 1949. The property currently has non-conforming lot coverage of 30.7 percent, non-conforming impervious surface of 48.2 percent, and a non-conforming front yard setback from Park St of 10.8 feet. The City's zoning ordinance pertaining to non-conforming buildings and structures states that non-conforming buildings and structures may be expanded, enlarged or modified *provided that the expansion, enlargement or modification meets the current zoning regulations and no other non-conformities are created*.

The applicant is proposing to construct a four season porch addition on the south west corner of the house. The porch addition would be one story in height and would have a footprint of 227 square feet. Since the addition would increase the footprint of the house and would be constructed over existing landscaped area, the proposal would increase the non-conforming lot coverage and impervious surface coverage, which requires a variance. The addition would also be set back 14.2 feet from the Park St front property line. Although it would be located further from Park St than the existing house, the addition still requires a front yard setback variance because of the City's non-conforming building requirements.

The applicant has submitted with the development application a site plan, detailed building plans, and a narrative outlining the justification for the variances, which are attached to this report.

Public Comments

The City has received several emails from surrounding property owners regarding the variance request. The public comments are attached to this report.

Applicable Code Provisions for Review

Variance Standards: Section 801.05.1.C provides the criteria for reviewing variances from the zoning ordinance, which are as follows:

- A. Variances shall only be permitted when they are:
 - (i) in harmony with the general purposes and intent of this Ordinance; and
 - (ii) consistent with the Comprehensive Plan.
- B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
- C. "Practical difficulties," as used in connection with the granting of a variance, means that:
 - (i) the property owner's proposal for the property is reasonable but not permitted by this Ordinance;

- (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
- D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
- E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with this Ordinance.
- F. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
- G. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
- H. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.

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
Proposed Plans
Public Comments

Description of Project:

The project consists of a small 227 square-foot 3-season porch addition I would like to add to my existing house at 315 Park Street E.

My lot is located on the corner of Park Street E and Barry Ave N, and because it is a corner lot encumbered by two city right of way's the size of the parcel is reduced to 7,707 square feet, far below the minimum lot size of 9,000 square feet as per the zoning ordinance. My house was built in 1949 and currently exceeds the zoning ordinance on coverage (31%) and impervious surface (48%). Adding the 227 square foot porch would increase the coverage to 34% and impervious to 51%.

If I were to calculate the lot size based on back of curb, disregarding the two City ROW's, the effective parcel size would be 10,169 square feet resulting in a 23% coverage and 36% impervious. After the porch addition the coverage would be 26% and 39% impervious of the effective parcel size.

Another issue that exists is that the setback of the existing house from Park Street is noncompliant. The existing setback is 10'-9" while minimum required by zoning is 20-feet. The proposed porch addition would be 14'-2" off of Park Street (better than the 10'-9" of the existing structure) and is compliant with the minimum setback requirement off of Berry Street.

Due to the practical difficulties of the existing non-conforming lot, I feel increasing the existing coverage and impervious by 3% and variance for the setback of the addition is not asking too much. I am improving the look and scale of the house and maintaining the existing architectural character of the neighborhood by improving an older home rather than tearing it down and rebuilding to suit the needs of a modern day family. I am also not cutting down any trees for this proposed addition.

We enjoy raising our children in this wonderful community and look forward to continuing to invest in our home with this small addition.

SUBDIVISION

AUDITOR

BARRY AVE. NO.

Cedar to Aluminum

changed 11/5/86

Aluminum

42" 11/5/86

50% 11/5/86

Block aluminum 50% 11/5/86

6 ft Cedar privacy fence

move back to Silver changed 11/5/86

LOT 13

LOT 14

ADDITION

LOT 16

LOT 14

S 72°34'46" E 146.92

NORTH

BLOCK

315 PARK ST. W.
2-STOP WOOD HSE

BLOCK RE' NA

GARAGE

EXTG. BLDG.

ELEC. METER
BLOCK DET. WALL

A.C. UNIT

N 72°34'01" W 130.37

S 16°41'34" W 55.00

PARK STREET W.

Extreme snow and ice cover on subject survey area may cause some points to be non visible at time of survey.

State Building Code says
for fence height on hot July?
How long is permit good?

LEGEND

Iron Pipe Found
Overhead Electric
Light Pole
Power Pole
Telephone Box
Concrete
Concrete Curb

LOT CERTIFICATION SURVEY

for:

2 GIRLS & A HOUSE
315 PARK STREET WEST SITE,
WAYZATA, MN.



PRINTED

MAR 10 2003

HARRY S. JOHNSON CO. INC

CERTIFICATION:

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota

Date: February 6, 2003

Thomas E. Hodorff
Minn. Reg. No. 23677

Revision History

Sheet No
1 OF 1

Book
574

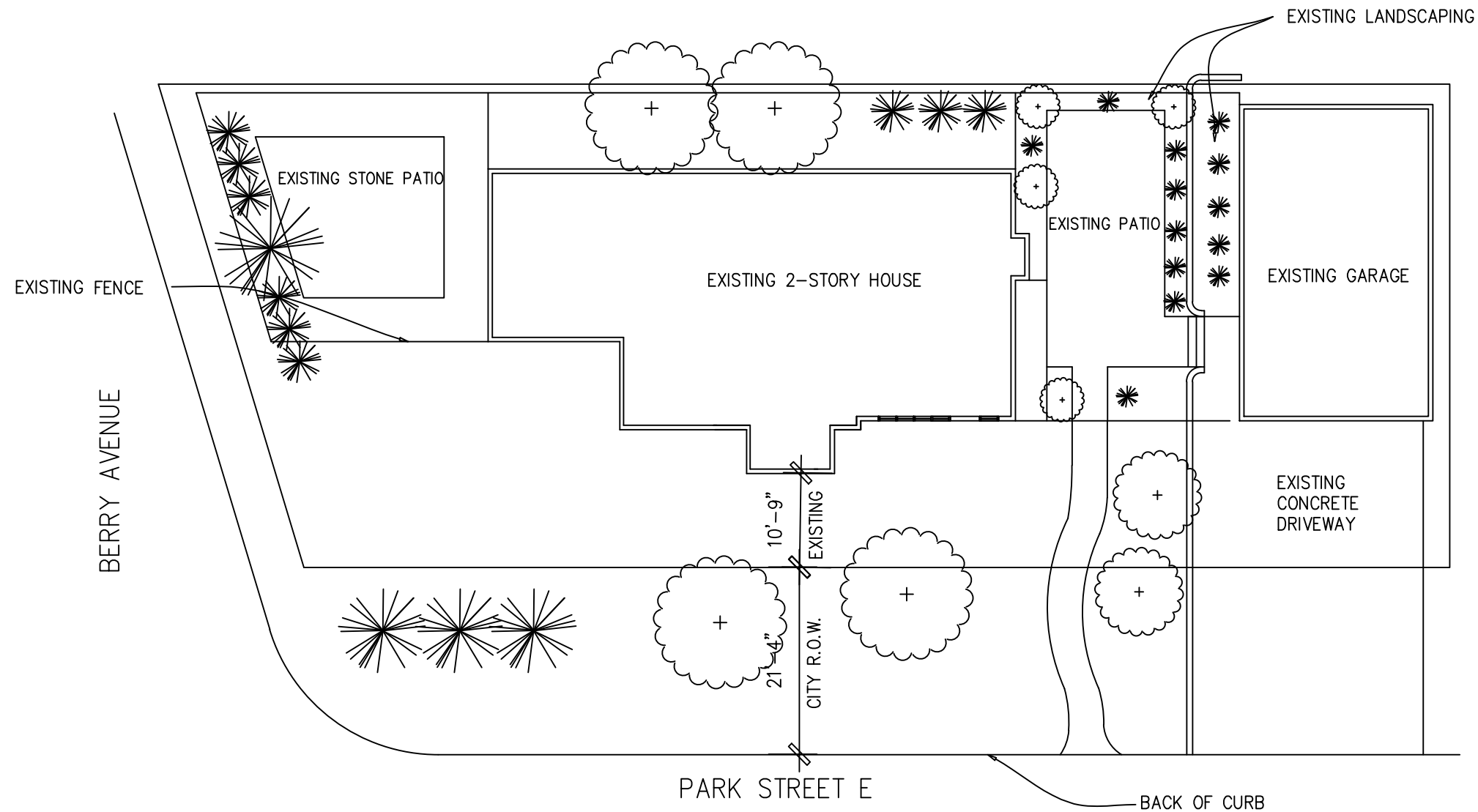
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44

File No
1-3-6288

W.O. Number
2003112

CAD Technician
ONI

HARRY S. JOHNSON CO., INC.
LAND SURVEYORS CONSULTANTS
BLOOMINGTON, MINNESOTA
PHONE: 952-884-5341 FAX: 952-884-5344



315 PARK STREET E. WAYZATA, MN 55391

ZONING DISTRICT R-3A

PARCEL SIZE (PROPERTY LINE)= 7,707 SF
EFFECTIVE PARCEL SIZE (B.O. CURB)= 10,169 SF

EXISTING COVERAGE= 2,367 SF (31%) OR (23% of EFFECTIVE PARCEL SIZE)

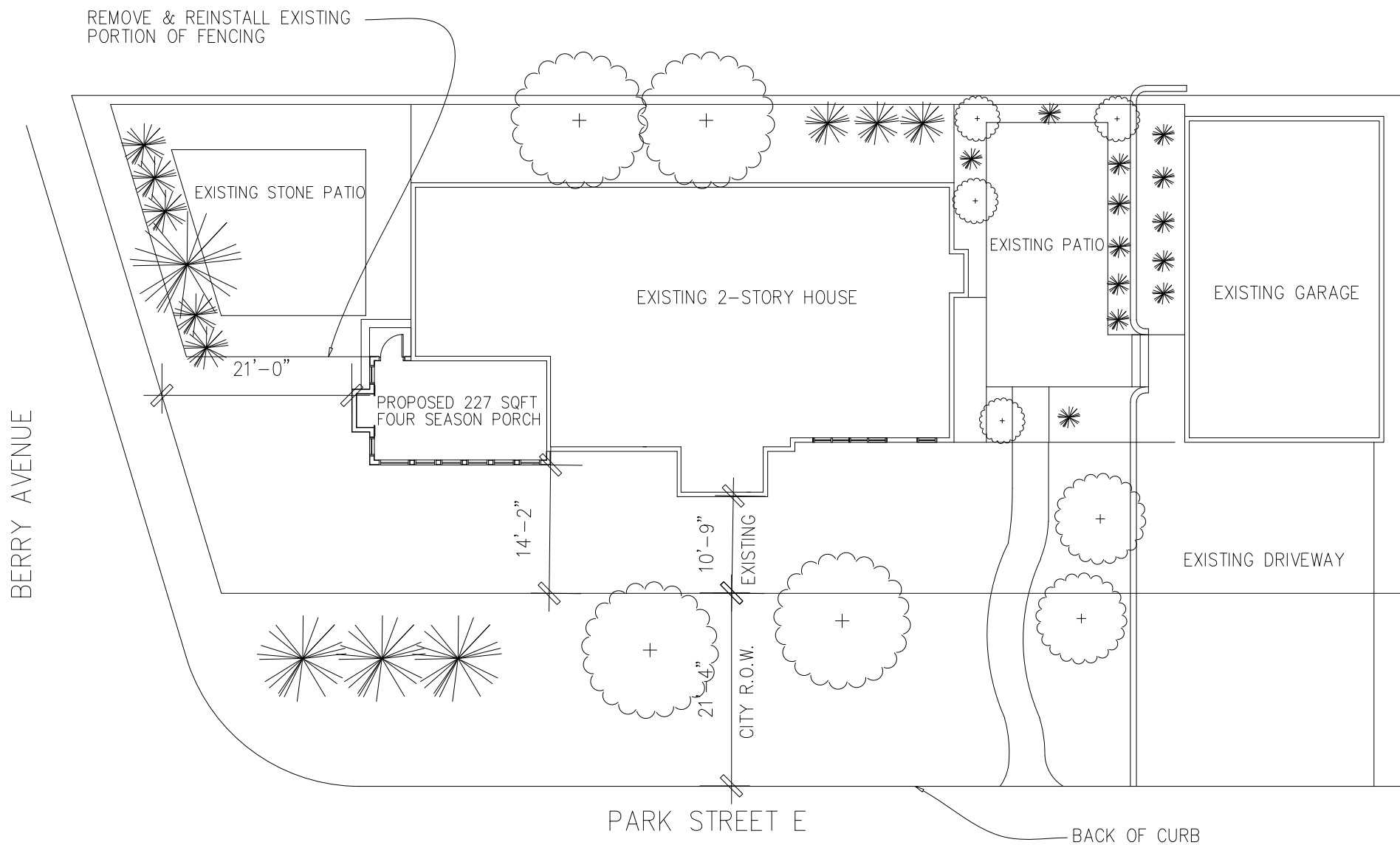
MAX LOT COVERAGE= 30%

EXISTING IMPERVIOUS SURFACE= 3,715 SF (48%) OR (36% OF EFFECTIVE PARCEL

MAX IMPERVIOUS SURFACE= 35%

MIN SET BACK= 20'
(CORNER LOT FRONT & SIDE YARD ABUTTING A PRINCIPAL STREET)

 **EXISTING SITE PLAN**
SCALE: 1/16" = 1'-0"



315 PARK STREET E. WAYZATA, MN 55391

ZONING DISTRICT R-3A

PARCEL SIZE (PROPERTY LINE)= 7,707 SF
EFFECTIVE PARCEL SIZE (B.O. CURB)= 10,169 SF

EXISTING COVERAGE= 2,367 SF (31%) OR (23% OF EFFECTIVE PARCEL SIZE)
PROPOSED LOT COVERAGE= 2,594 SF (34%) OR (26% OF EFFECTIVE PARCEL SIZE)

MAX LOT COVERAGE= 30%

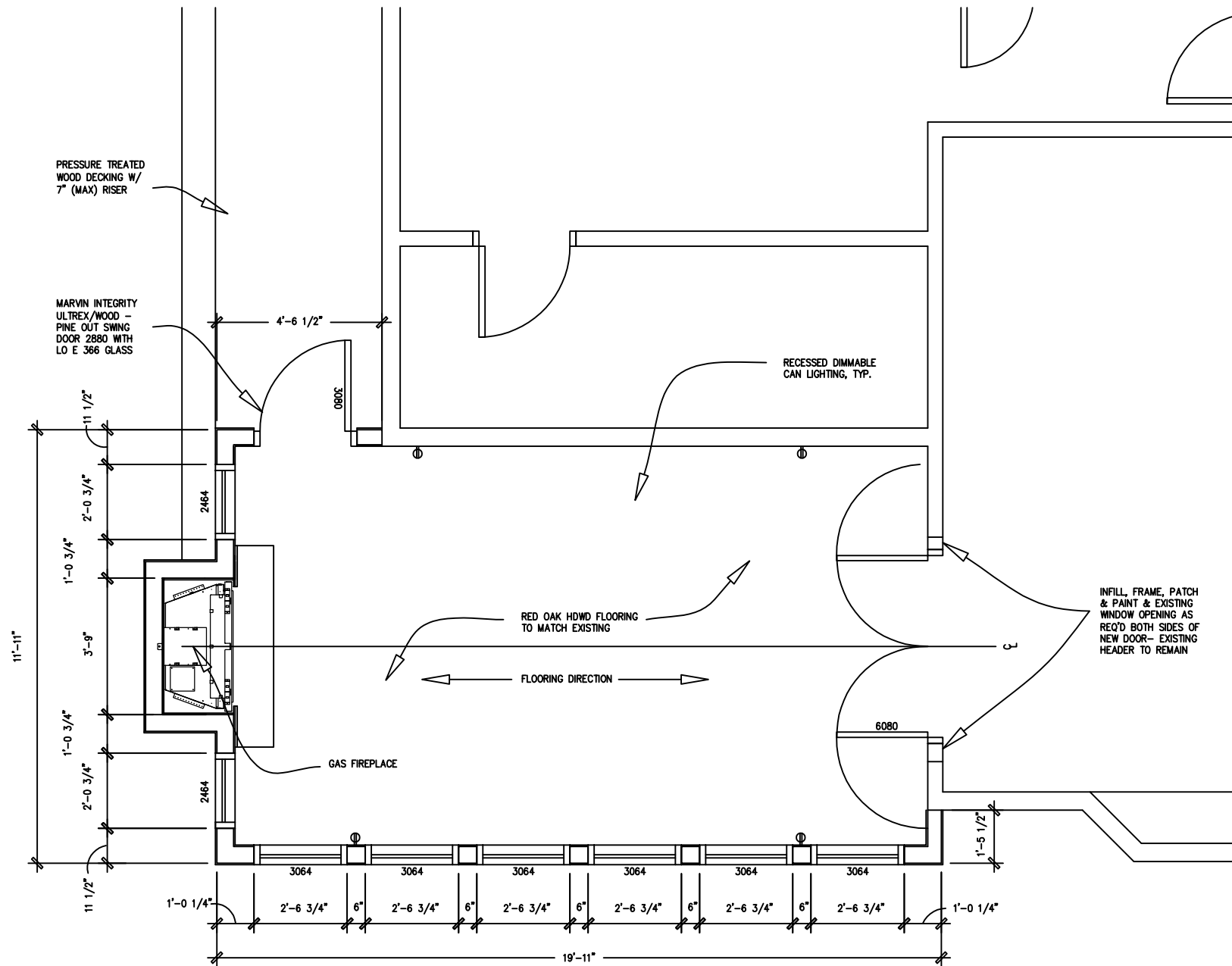
EXISTING IMPERVIOUS SURFACE= 3,715 SF (48%) OR (36% OF EFFECTIVE PARCEL SIZE)
PROPOSED IMPERVIOUS= 3,942 SF (51%) OR (39% OF EFFECTIVE PARCEL SIZE)
(includes porch addition and removal of existing stone patio)

MAX IMPERVIOUS SURFACE= 35%

MIN SET BACK= 20'
(CORNER LOT FRONT & SIDE YARD ABUTTING A PRINCIPAL STREET)

PROPOSED SITE PLAN

SCALE: 1/16" = 1'-0"

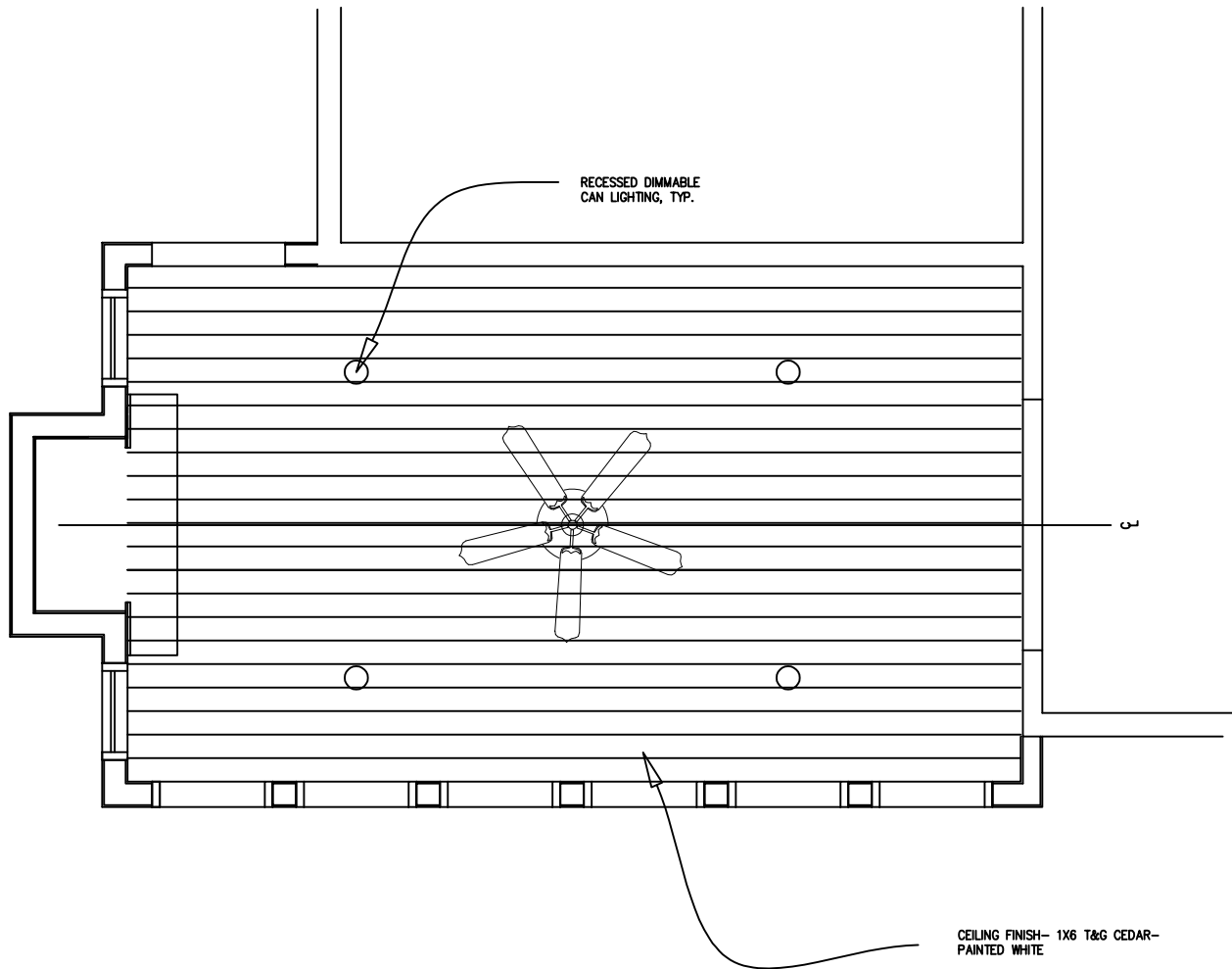


NOTE: ALL DIMS ARE FROM FACE OF STUD. ALL HEIGHTS ARE TAKEN FROM TOP OF 3/4" PLYWOOD FLOORING.

1

FLOOR PLAN

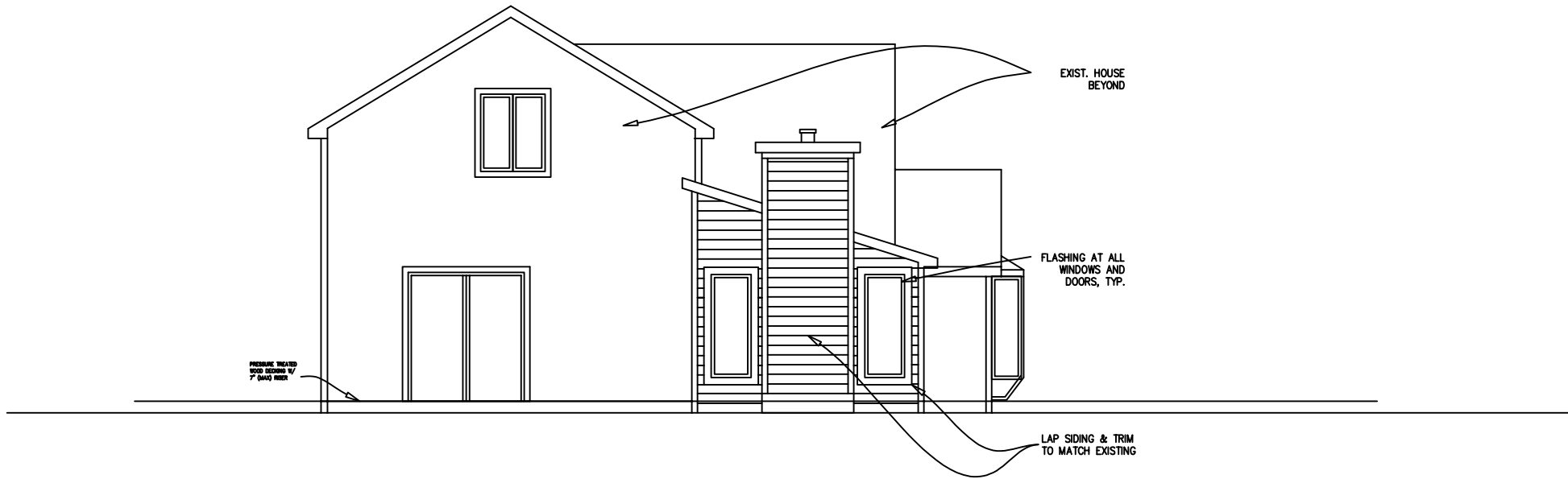
SCALE: 1/4" = 1'-0"



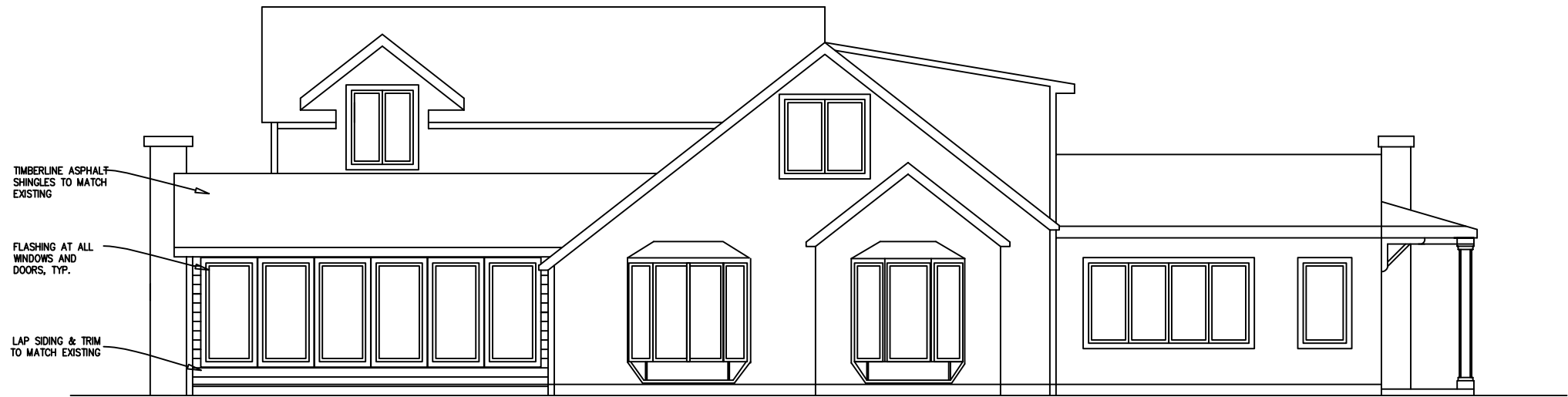
2

REFLECTED CEILING PLAN

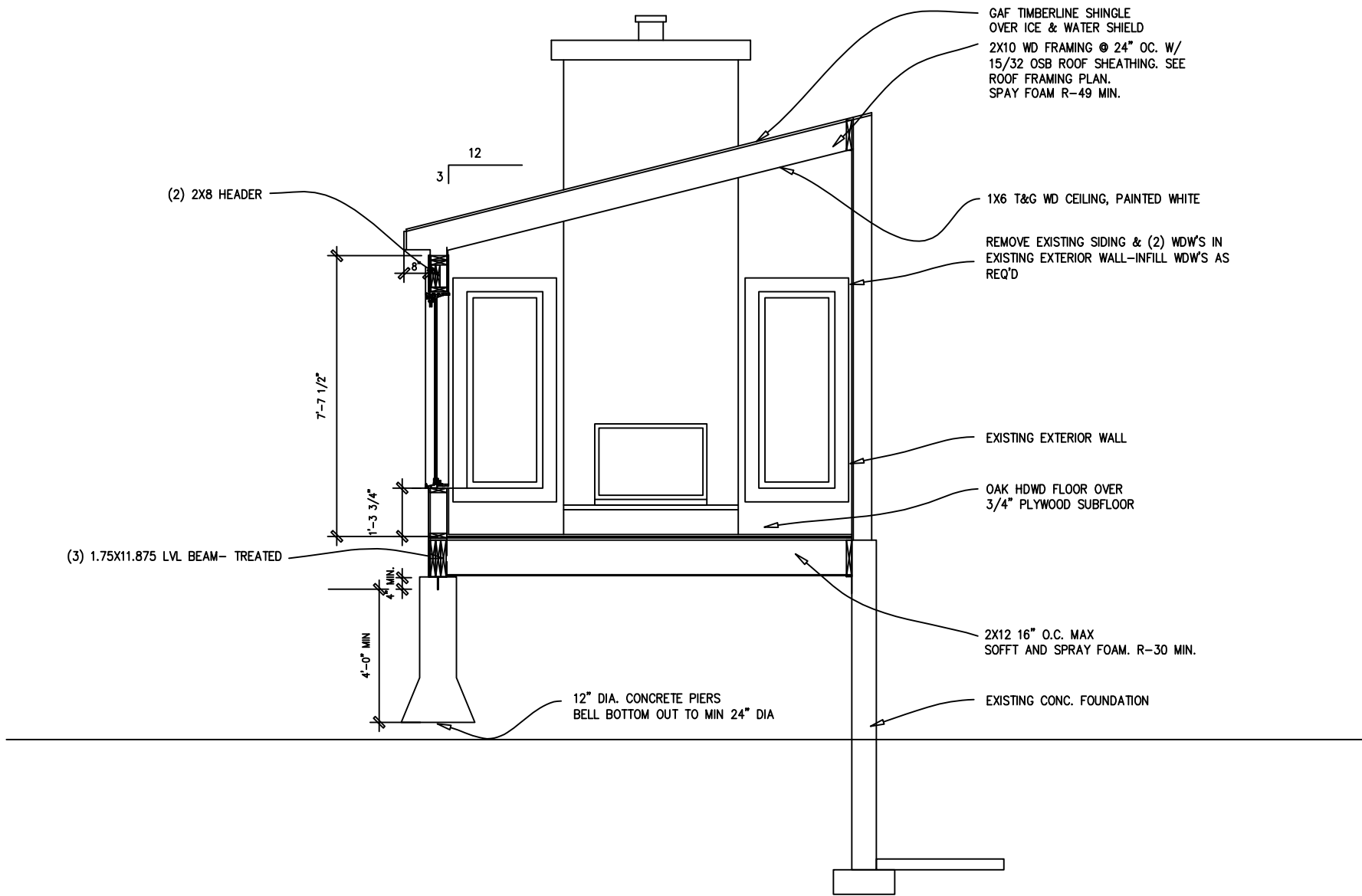
SCALE: 1/4" = 1'-0"



10 WEST ELEVATION
SCALE: 1/8" = 1'-0"



10 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

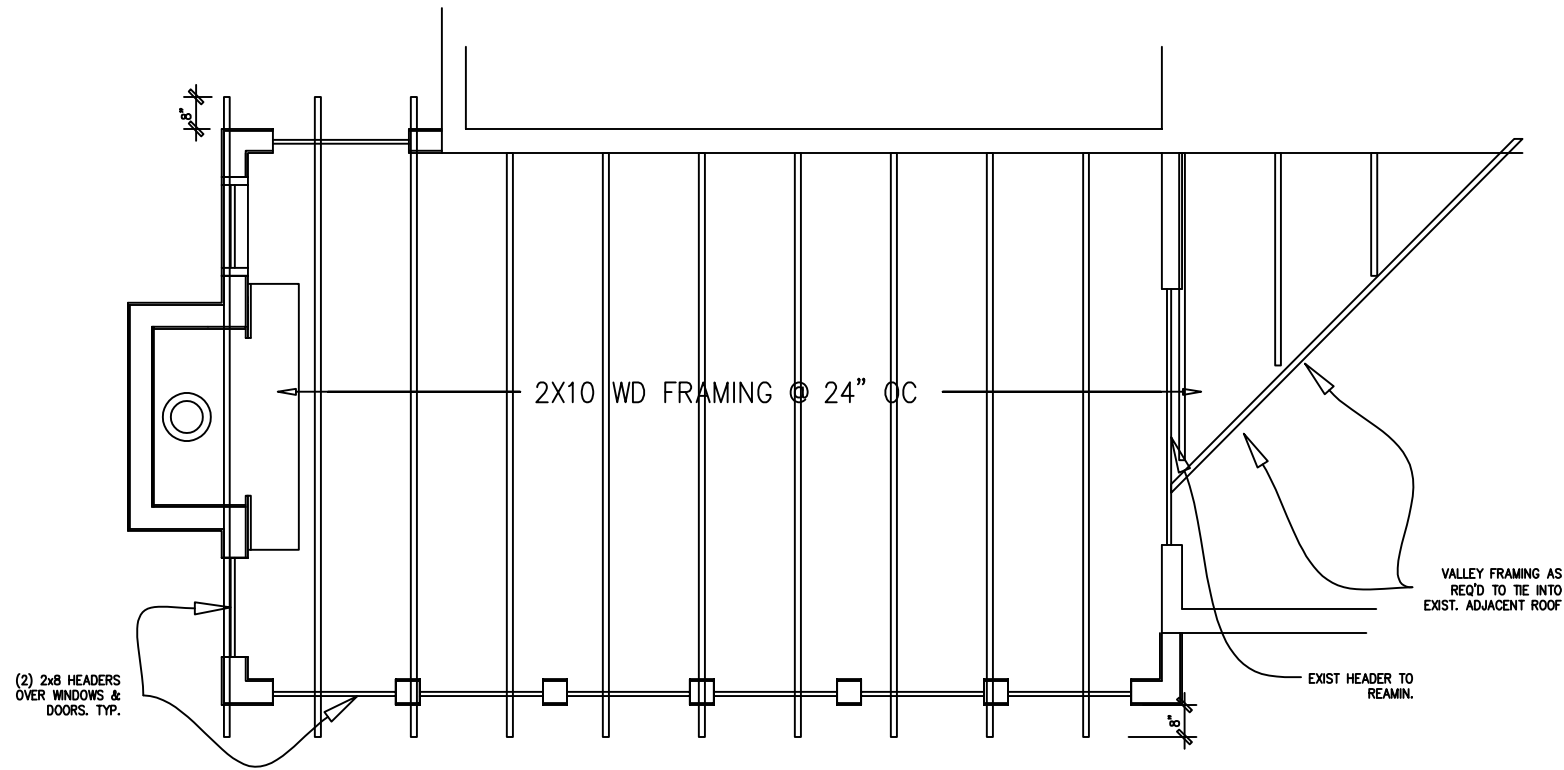


1

SECTION

SCALE: 1/4" = 1'-0"

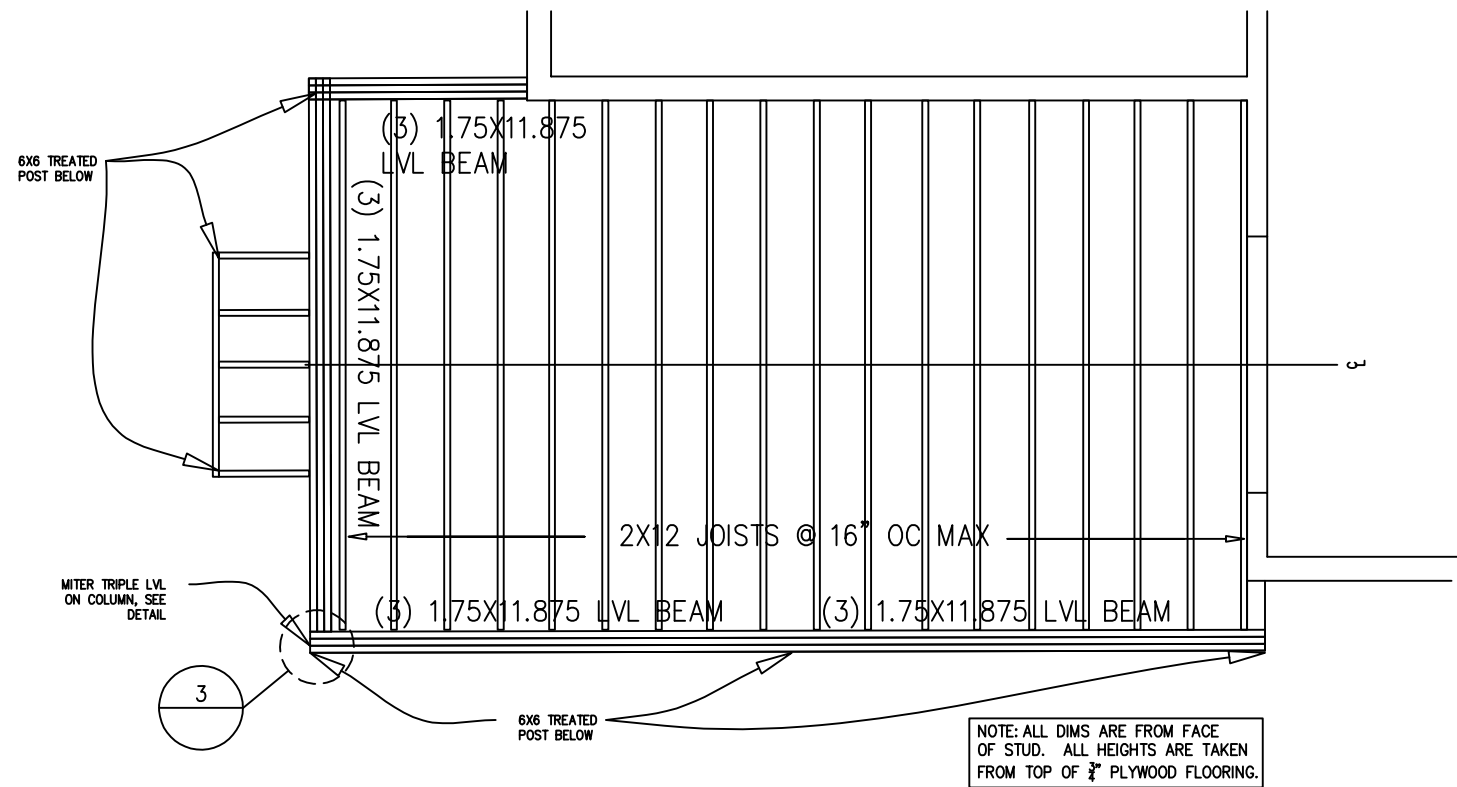
NOTE: ALL DIMS ARE FROM FACE OF STUD. ALL HEIGHTS ARE TAKEN FROM TOP OF 3/4" PLYWOOD FLOORING.



2

ROOF FRAMING PLAN

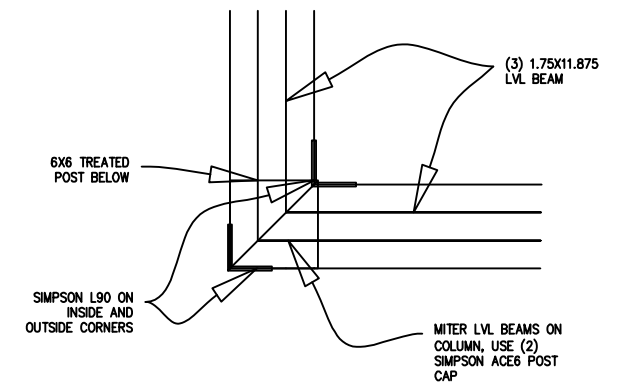
SCALE: 1/4" = 1'-0"



1

FLOOR FRAMING PLAN

SCALE: 1/4" = 1'-0"



3

MITER LVL TO POST DETAIL

SCALE: 1 1/2" = 1'-0"

Jeff Thomson

From: Katie Cullinan <kkarkela@comcast.net>
Sent: Tuesday, January 2, 2018 8:09 PM
To: Jeff Thomson
Cc: Shane Cullinan
Subject: 315 Park Street Porch Addition / Neighboring Property in Support of Addition

Good Evening Mr. Thompson,

I am writing in regards to the development application for 315 Park. As a neighboring property owner I wanted to let you know that my husband and I are in support of the proposed porch addition. Although the development application requires a variance for both coverage and impervious surfaces, the size and scale of the addition does seem appropriate especially considering the size of the parcel is significantly reduced due to the two city right-of-ways.

The proposed addition relates to the existing neighborhood context in architectural character and scale. Given the age of the house and nonconforming size of the lot, in my opinion it is important the Commission consider this application in order to allow families to stay and invest in the community, especially the existing housing stock. This truly is a win-win for all parties.

Thank you for your time and attention to this matter.

Respectfully,

Katie L. Cullinan
Kkarkela@comcast.net

Jeff Thomson

From: Suzanne Flannigan <sflannigan@arborphilanthropy.org>
Sent: Tuesday, January 2, 2018 12:05 PM
To: Jeff Thomson
Subject: Development Application - 315 Park Street East

Dear Mr. Thompson:

I am writing in regards to the development application for 315 Park Street East. As a neighboring property owner living at 331 Park Street East, I wanted to let you know that I am in support of the proposed porch addition. Although the development application requires a variance for both coverage and impervious surfaces, the size and scale of the addition does seem appropriate especially considering the size of the parcel is significantly reduced due to the two city right-of-ways.

The proposed addition relates to the existing neighborhood context in architectural character and scale. Given the age of the house and nonconforming size of the lot, in my opinion it is important the Commission consider this application in order to allow families to stay and invest in the community, especially the existing housing stock.

Best Regards,

Suzanne Flannigan

Suzanne Flannigan, CPA

Chief Financial Officer

GHR Foundation® | Suite 2950, 60 South 6th Street | Minneapolis, MN 55402

612.440.2529 office | ghrfoundation.org

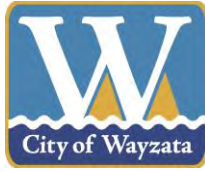
Jeff Thomson

From: Elissa Madson <elissamadson@hotmail.com>
Sent: Wednesday, January 3, 2018 10:07 PM
To: Jeff Thomson
Subject: 315 Park Street East Proposal

To Whom it May Concern:

As neighbors to Matt and Deanna Brinza (315 Park Street East, Wayzata), we are supportive of their submitted 4-season porch addition proposal to their home. Modest improvements to existings homes that maintain the character of the neighborhood are a valuable asset to our community, and we feel this proposal accomplishes that goal.

Sincerely,
Joseph and Elissa Madson
344 Gardner Street East, Wayzata



**Staff Report
January 9, 2018**

Project Name Schneiderman Stob Residence
Applicant Streeter & Associates
Addresses of Request: 1058 Circle Dr E
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: February 3, 2018

Development Application

Introduction

The applicant, Streeter & Associates, and the property owners, Jason Schneiderman & Natalie Stob, have submitted a development application to construct a new house at 1058 Circle Dr E.

Application Requests

The property is part of a three lot subdivision that was approved by the City Council in December 2008. The subdivision was subsequently filed at Hennepin County, but the lot has remained vacant since that time. As a condition of the 2008 approval, the property owners are required to submit plan for review and approval by the Planning Commission and City Council, “depicting architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the building proposed to demonstrate similarity to the characteristics and quality of the existing homes in the neighborhood.” The property owners have purchased the vacant lot for construction of a single family home, and have submitted the plans for review and approval by the Planning Commission and City Council.

Property Information

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

Address	PID	Owner
1058 Circle Dr E	06-117-22-41-0073	Jason Schneiderman & Natalie Stob

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

Current zoning:	R-3A/Single and Two Family Residential District
Comp plan designation:	Low Density Single Family
Overlay districts:	None

Project Location

The property is located on the east side of Circle Dr E between Circle A Dr and Central Ave S:

Map 1: Project Location



Adjacent Land Uses.

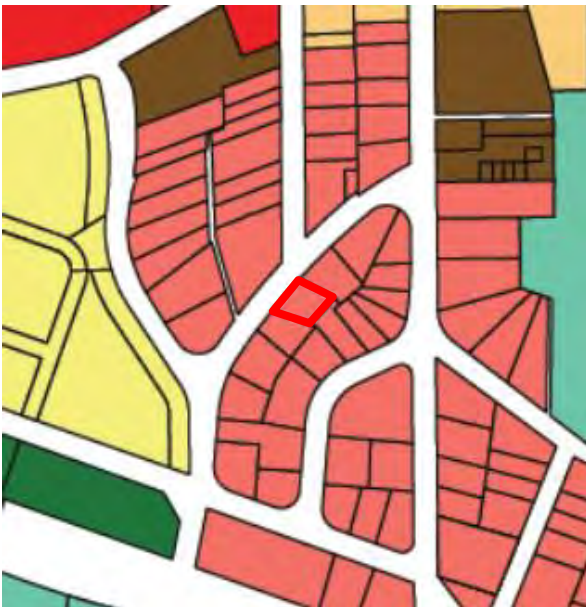
The following table outlines the uses, zoning, and Comprehensive Plan land use designations for adjacent properties:

Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Circle Dr E	N/A	N/A
	Single family home	R-3A/Single and Two Family Residential District	Low Density Single Family

East	Single family home	R-3A/Single and Two Family Residential District	Low Density Single Family
South	Single family home	R-3A/Single and Two Family Residential District	Low Density Single Family
West	Single family home	R-3A/Single and Two Family Residential District	Low Density Single Family

Map 2: Adjacent Land Uses

Zoning



Comp Plan Land Use Designation



Analysis of Application

Proposed Plans

The applicant has submitted detailed house plans, including a site plan, building elevations, and floor plans. The proposed house would be one story with a tuck-under garage. The house would include 3,724 gross square feet, and 3,062 finished square feet, with a two story garage on the lower level. The exterior materials consist of Hardie board lap siding, black metal panels, and stone veneer. The proposed house would meet all of the R-3A zoning requirements.

Zoning

The proposed house meets all of the requirements of the R-3A zoning district:

	R-3A Requirements	Proposed
Front yard setback	20 ft. (min)	20 ft.
Side yard setback	10 ft. (min)	10 ft. (east) 10 ft. (west)
Rear yard setback	20 ft. (min)	37 ft.
Lot coverage	30% (max.)	23.4%
Impervious surface	35% (max.)	32.9%
Building height	32 ft. (max.)	27 ft.
Garage size	750 sq. ft. (max.)	592 sq. ft.

Tree Preservation

The application materials include a tree inventory of the property. There are nine trees on the property that meet the minimum size requirements as either significant or heritage trees. The plans indicate that five significant trees would be removed for construction of the home and associated grading. The one heritage tree on the property – a 32 inch oak on the back of the lot – would be preserved. For construction of a home on a vacant lot, the City's tree preservation ordinance allows for removal of up to 25 percent of the inches of significant trees before mitigation is required. Based on the proposed tree removal, 18 inches of trees would need to be replaced on the site as part of a landscaping plan. The proposed plans do not include a tree replacement plan. The City's tree ordinance encourages tree replacement to occur on the site. If on-site tree replacement is not feasible due to site conditions or constraints, then the City may accept a fee-in-lieu of tree replacement for the required mitigation.

Applicable Code Provisions for Review

Preliminary Plat Criteria (Section 805.14.E)

The City Council condition requiring review and approval of the home design on Lot 2 is based on the ordinance criteria for preliminary plat review, which include the following factor:

8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.

Action Steps

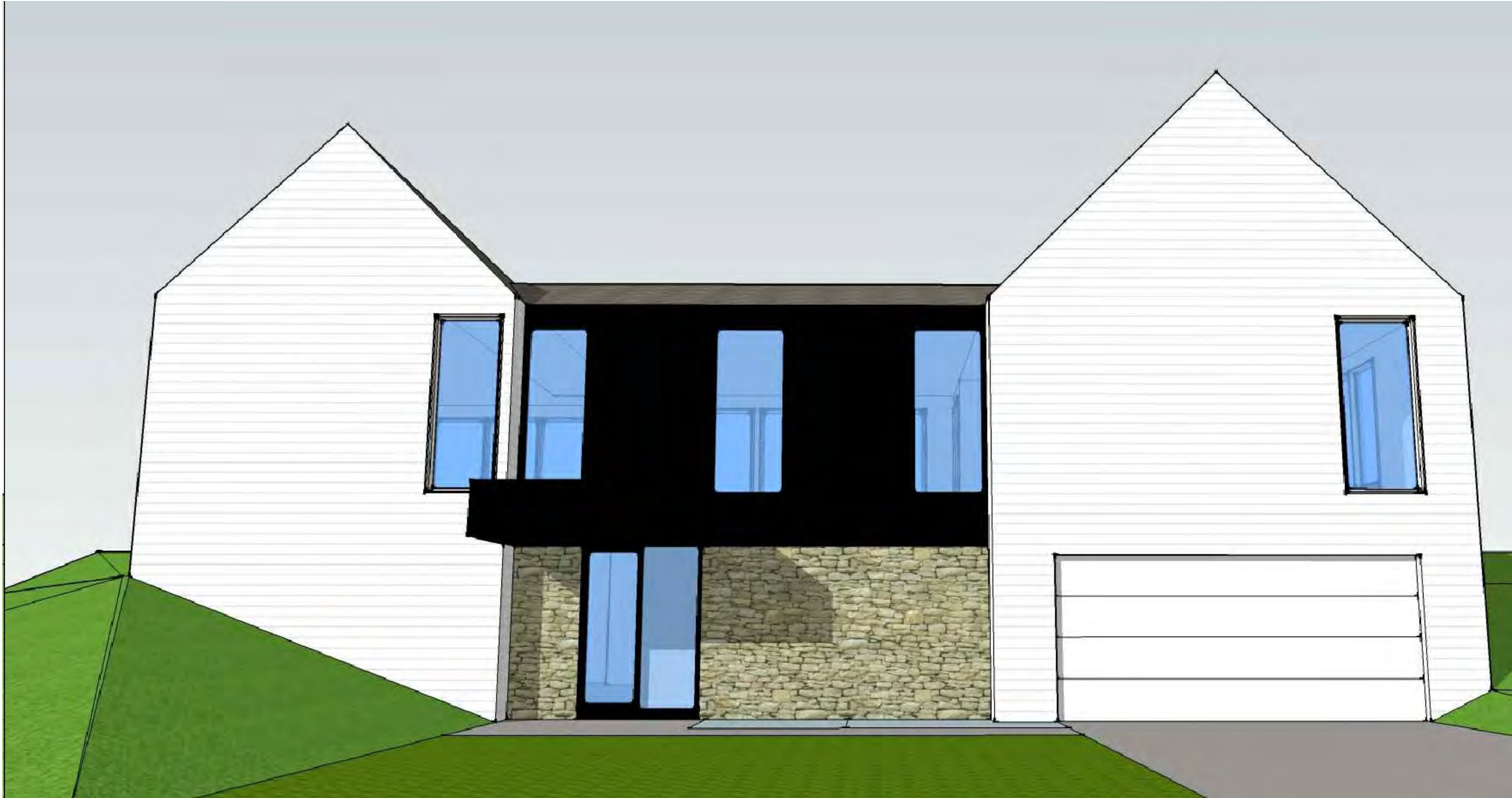
After considering the items outlined in this report, the Planning Commission should consider a motion which recommends the City Council approve the house plans for 1058

Circle Dr E, based on the finding that the design meets the standards of City Code Section 805.14.E.8 and 805.14.E.9, and satisfies the conditions of Resolution No. 50-2008 approving the Ramsland Knoll subdivision.

Attachments

Proposed Plans

City Council Resolution Approving 2008 Subdivision



Google Maps

1058 E Circle Dr

Map data ©2017 Google 200 ft

1058 E Circle Dr
Wayzata, MN 55391

PROJECT DIRECTOR:
Julie Lindemann
julie@elevationhomes.com

ARCHITECT:
Bill Costello, AIA

STRUCT. ENGINEER:
Align Structural
Christian Solterman, PE

SHEET INDEX

A0.0 COVER
A0.1 EXIST. SURVEY
A0.2 SITE PLAN
A1.0 LOWER PLAN
A1.1 MAIN PLAN
A1.2 UPPER PLAN
A1.3 ROOF PLAN
A2.0 EXT. ELEV.
A2.1 EXT. ELEV.
A2.2 EXT. ELEV.

ISSUED FOR:

11-02-17 PRELIM EST.
11-05-17 CITY SUBMITTAL
11-10-17 REVISED CITY
11-27-17 REVISED
12-06-17 REVISED
01-02-18 REVISED

PROPOSED NEW CONSTRUCTION OF:

STOB RESIDENCE

1058 Circle Drive E
WAYZATA, MN

Made For:
Natalie Stob
18968 67th Ave North
Maple Grove, MN 55311

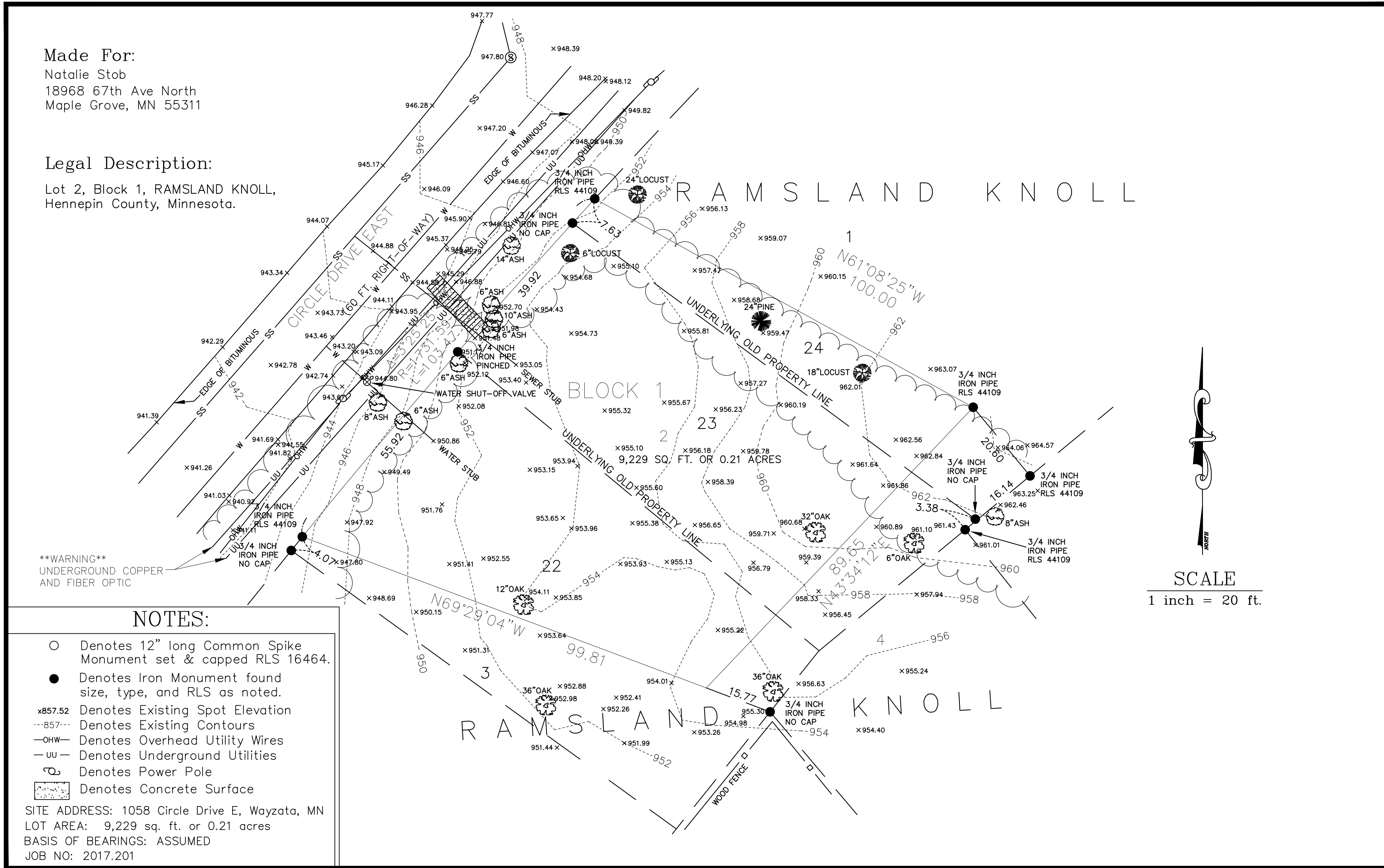
Legal Description:

Lot 2, Block 1, RAMSLAND KNOLL,
Hennepin County, Minnesota.

NOTES:

- Denotes 12" long Common Spike Monument set & capped RLS 16464.
- Denotes Iron Monument found size, type, and RLS as noted.
- x857.52 Denotes Existing Spot Elevation
- 857--- Denotes Existing Contours
- OHW--- Denotes Overhead Utility Wires
- UU--- Denotes Underground Utilities
- P--- Denotes Power Pole
- C--- Denotes Concrete Surface

SITE ADDRESS: 1058 Circle Drive E, Wayzata, MN
LOT AREA: 9,229 sq. ft. or 0.21 acres
BASIS OF BEARINGS: ASSUMED
JOB NO: 2017.201





ARCHITECT:
Bill Costello, AIA

STRUCT. ENGINEER
Align Structural
Christian Solterman

SHEET INDEX

A0.0 COVER
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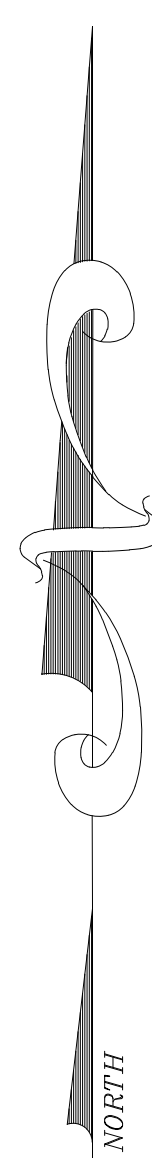
PROPOSED NEW CONSTRUCTION OF:
STOB RESIDENCE
1058 Circle Drive E

A0.2

LEGAL NOTICE:
THESE DOCUMENTS SHALL NOT BE REPRODUCED OR REDISTRIBUTED WITHOUT WRITTEN

Legal Description:
Lot 2, Block 1, RAMSLAND KNOLL,
Hennepin County, Minnesota.

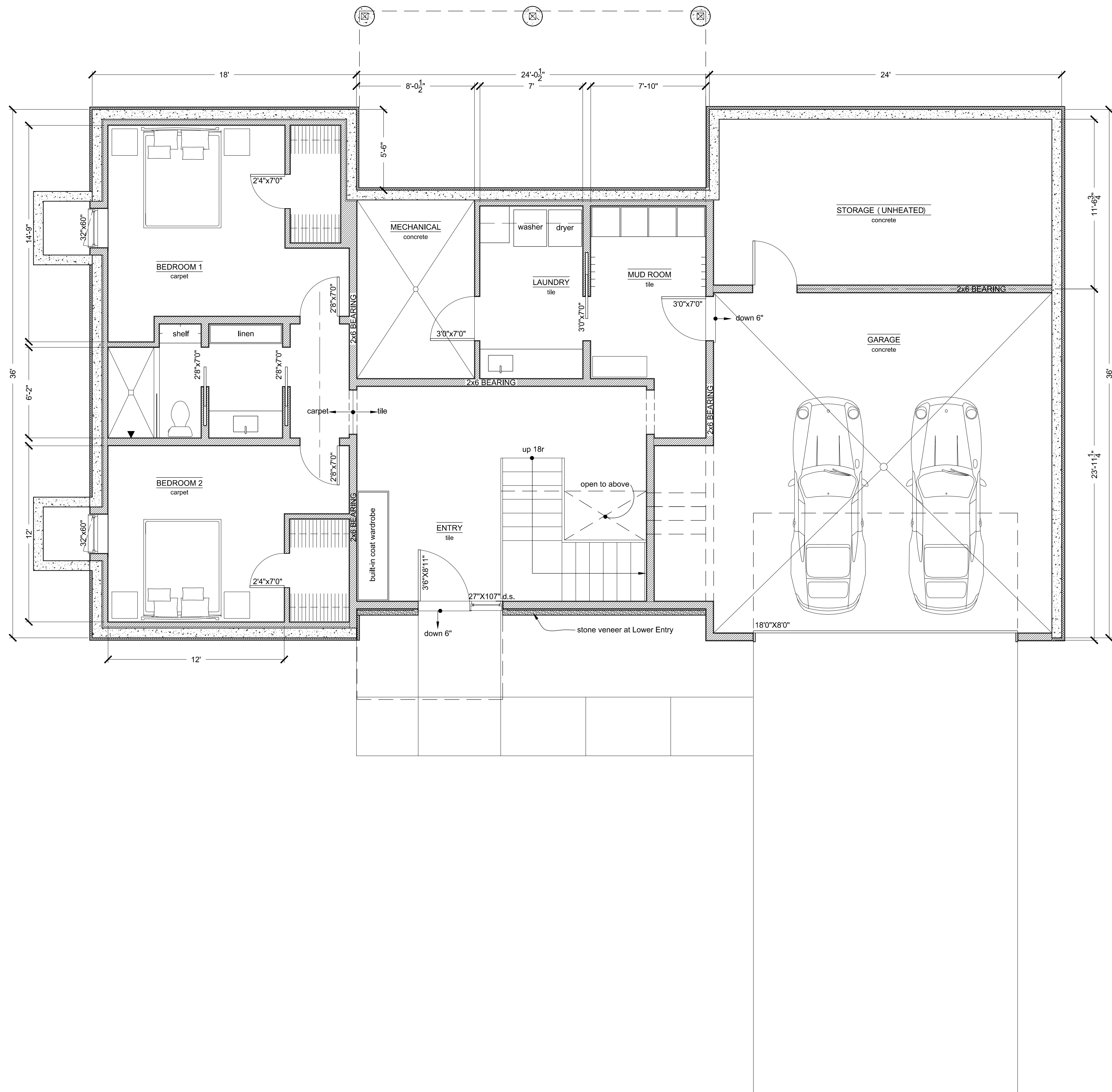
9.229 SQ. FT. OR 0.21 ACRES

[illegible]

LOT COVERAGE
Maximum allowed by
Ordinance is 30%
Lot Size = 9,229 square feet
Allowable = 2,769 square feet
Actual = 2,157 square feet

IMPERVIOUS COVERAGE
Maximum allowed by
Ordinance is 35%
Lot Size = 9,229 square feet
Allowable = 3,230 square feet
Actual = 3,032 square feet

PROPOSED SITE PLAN
Scale : 1/8"=1'-0'



1
A1.0

LOWER LEVEL FLOOR PLAN

Scale : $\frac{1}{4}"=1'-0"$
Garage = 592 sf
Finished = 1133 sf
Unfinished = 97 sf
Storage = 271 sf



PROJECT DIRECTOR:
Julie Lindemann
julie@elevationhomes.com

ARCHITECT:
Bill Costello, AIA

STRUCT. ENGINEER:
Align Structural
Christian Solterman, PE

SHEET INDEX

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11-05-17 CITY SUBMITTAL
11-10-17 REVISED CITY
11-27-17 REVISED
01-09-17 REVISED
01-02-18 REVISED

PROPOSED NEW CONSTRUCTION OF:

STOB RESIDENCE

1058 Circle Drive E
WAYZATA, MN

A1.0

LEGAL NOTES:
THESE DOCUMENTS SHALL NOT BE REPRODUCED
OR REPRESENTED WITHOUT WRITTEN CONSENT

PROJECT DIRECTOR:
Julie Lindemann
julie@elevationhomes.com

ARCHITECT:
Bill Costello, AIA

STRUCT. ENGINEER:
Align Structural
Christian Solterman, PE

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01-02-18 REVISED

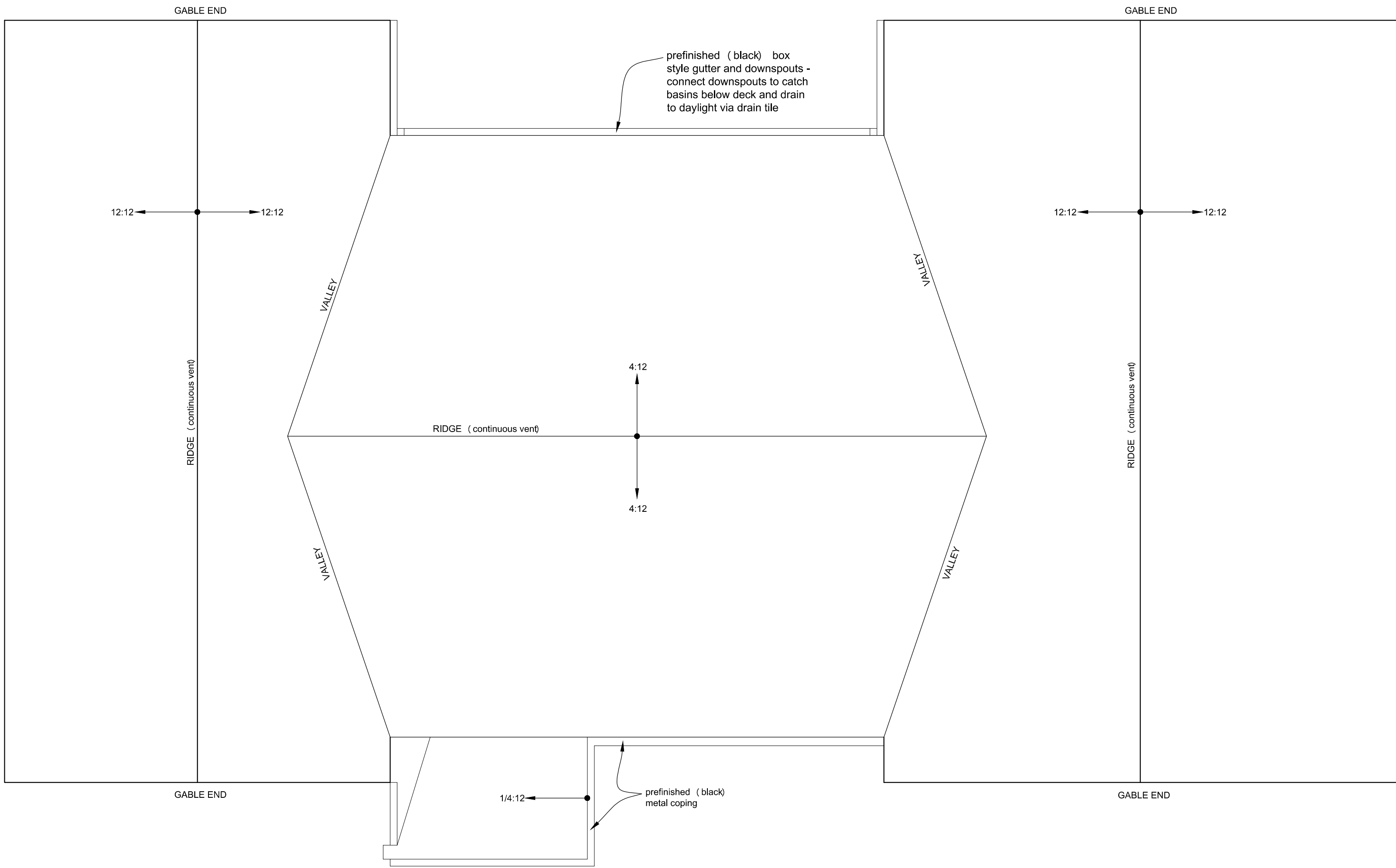
PROPOSED NEW CONSTRUCTION OF:

STOB RESIDENCE

1058 Circle Drive E
WAYZATA, MN

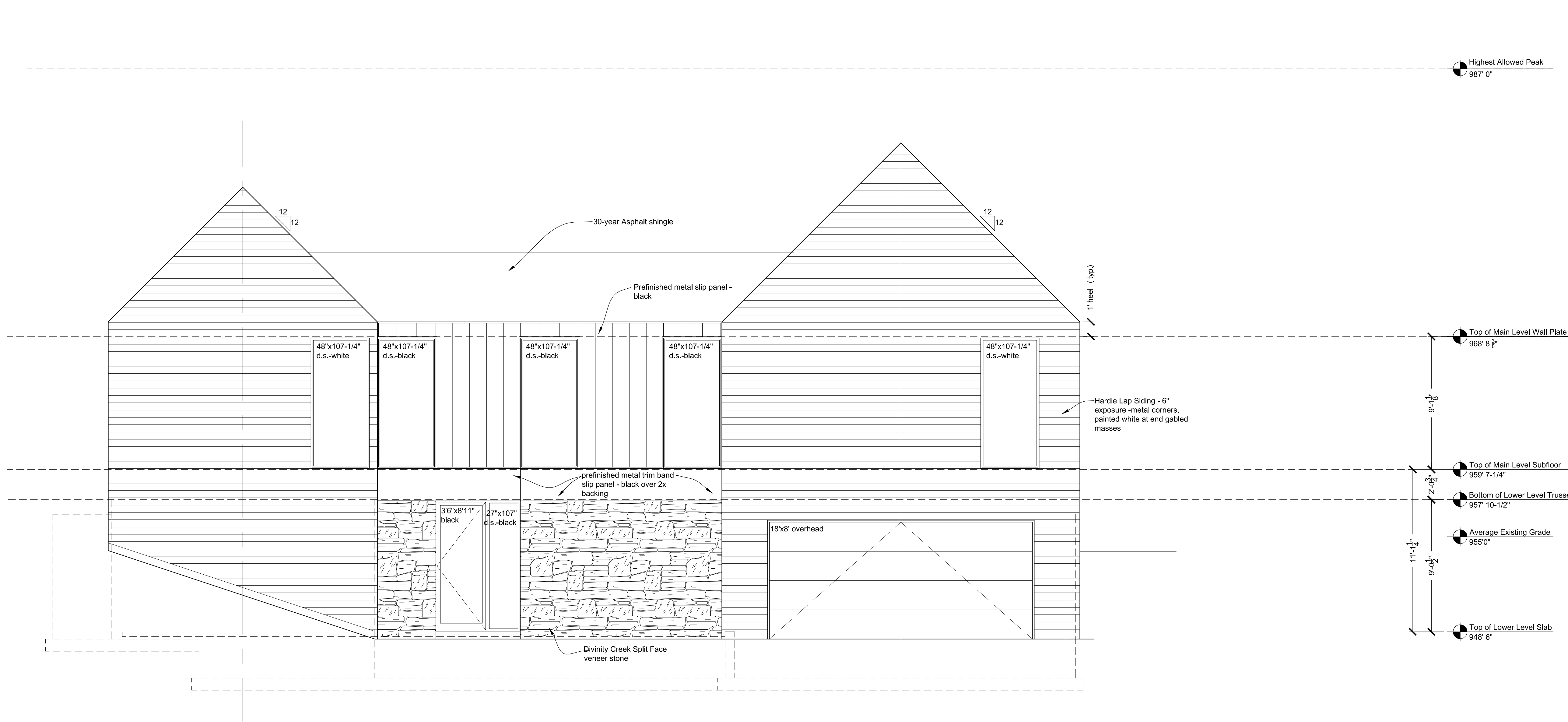
A1.3

LEGAL NOTICE
THESE DOCUMENTS SHALL NOT BE REPRODUCED
OR REPRESENTED WITHOUT WRITTEN CONSENT



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A1.3

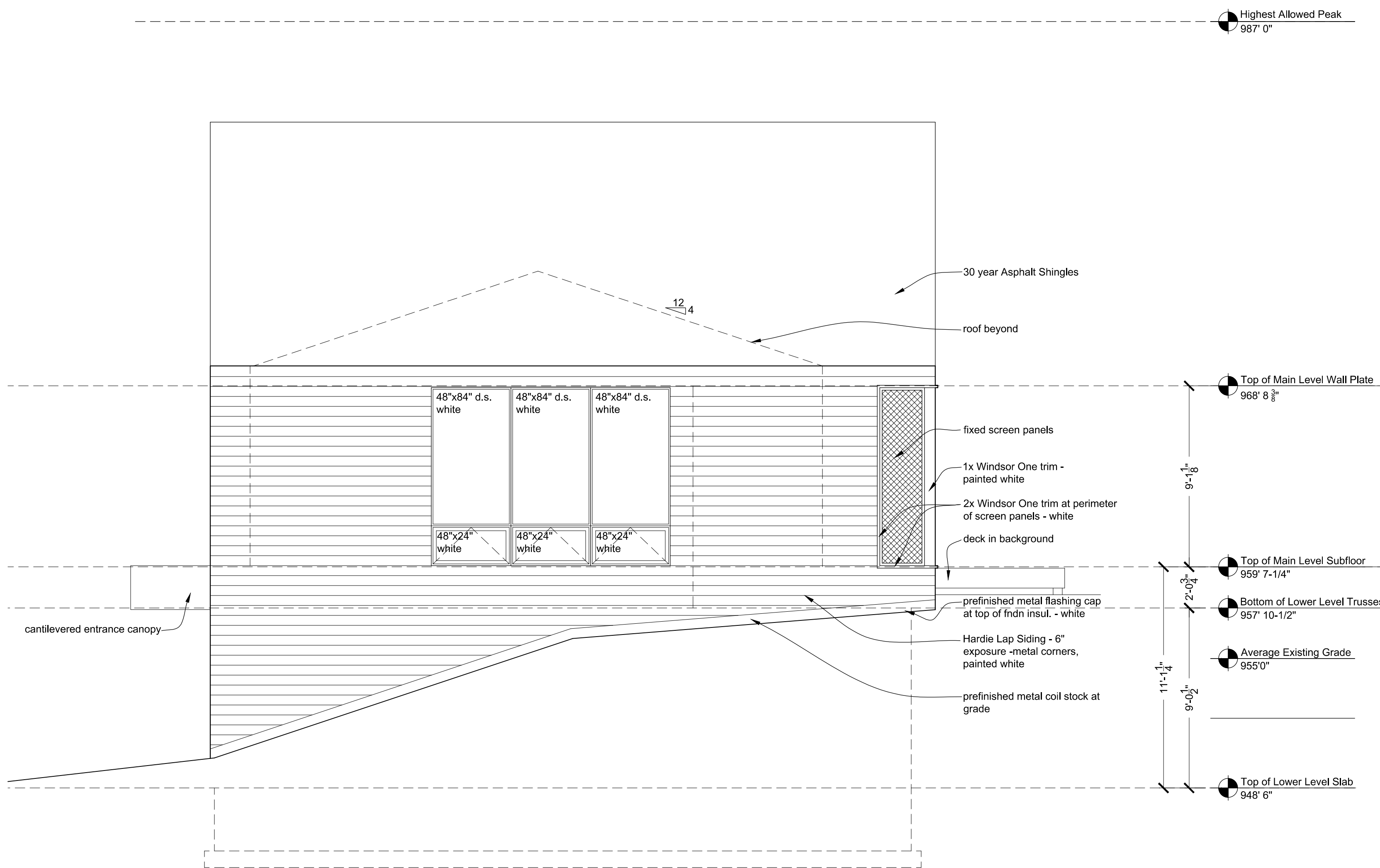
ROOF PLAN
Scale : $\frac{1}{4}$ "=1'-0"



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A2.0

WEST EXTERIOR ELEVATION

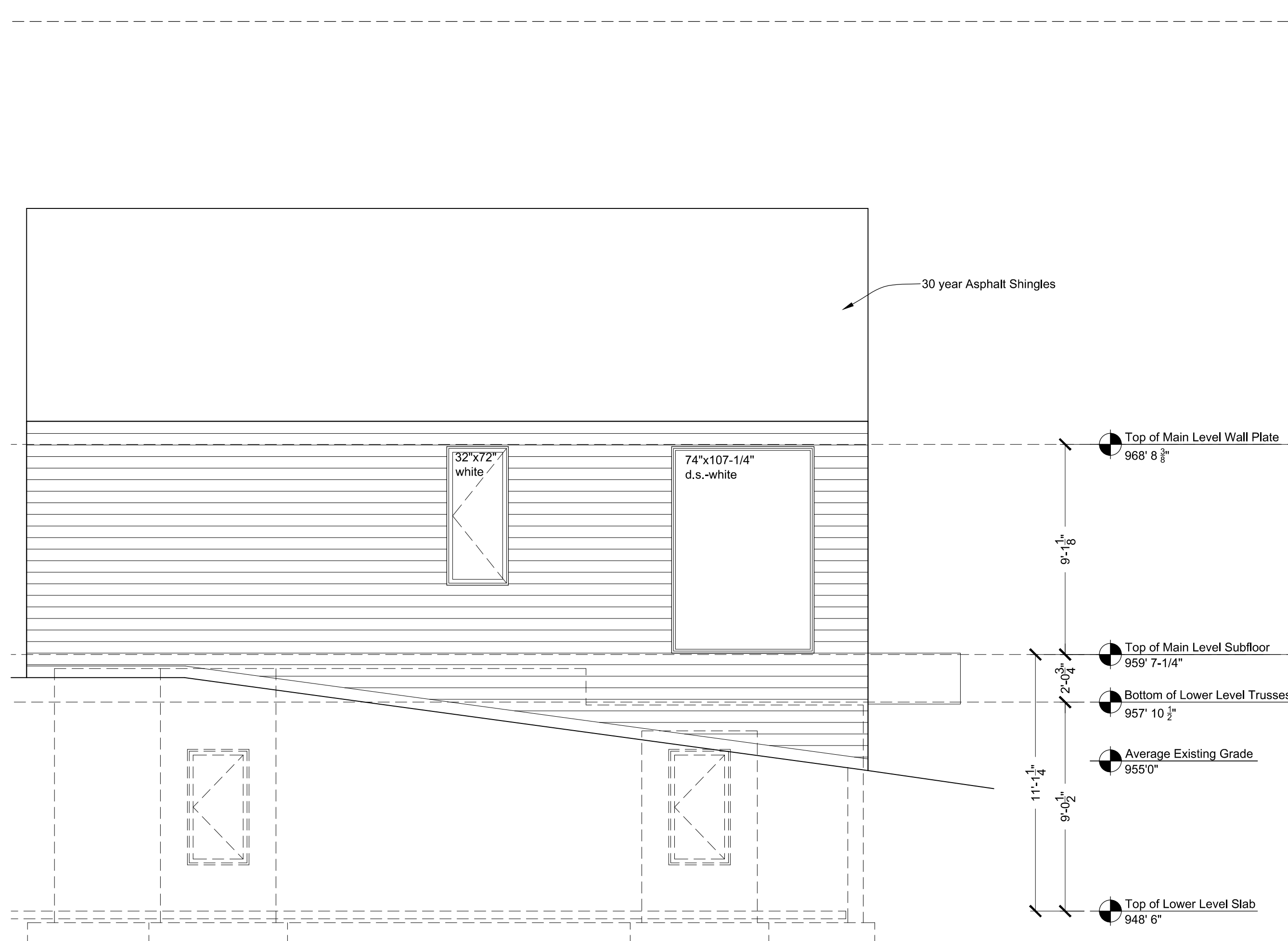
Scale : 1/4"=1'-0"



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A2.1

SOUTH EXTERIOR ELEVATION

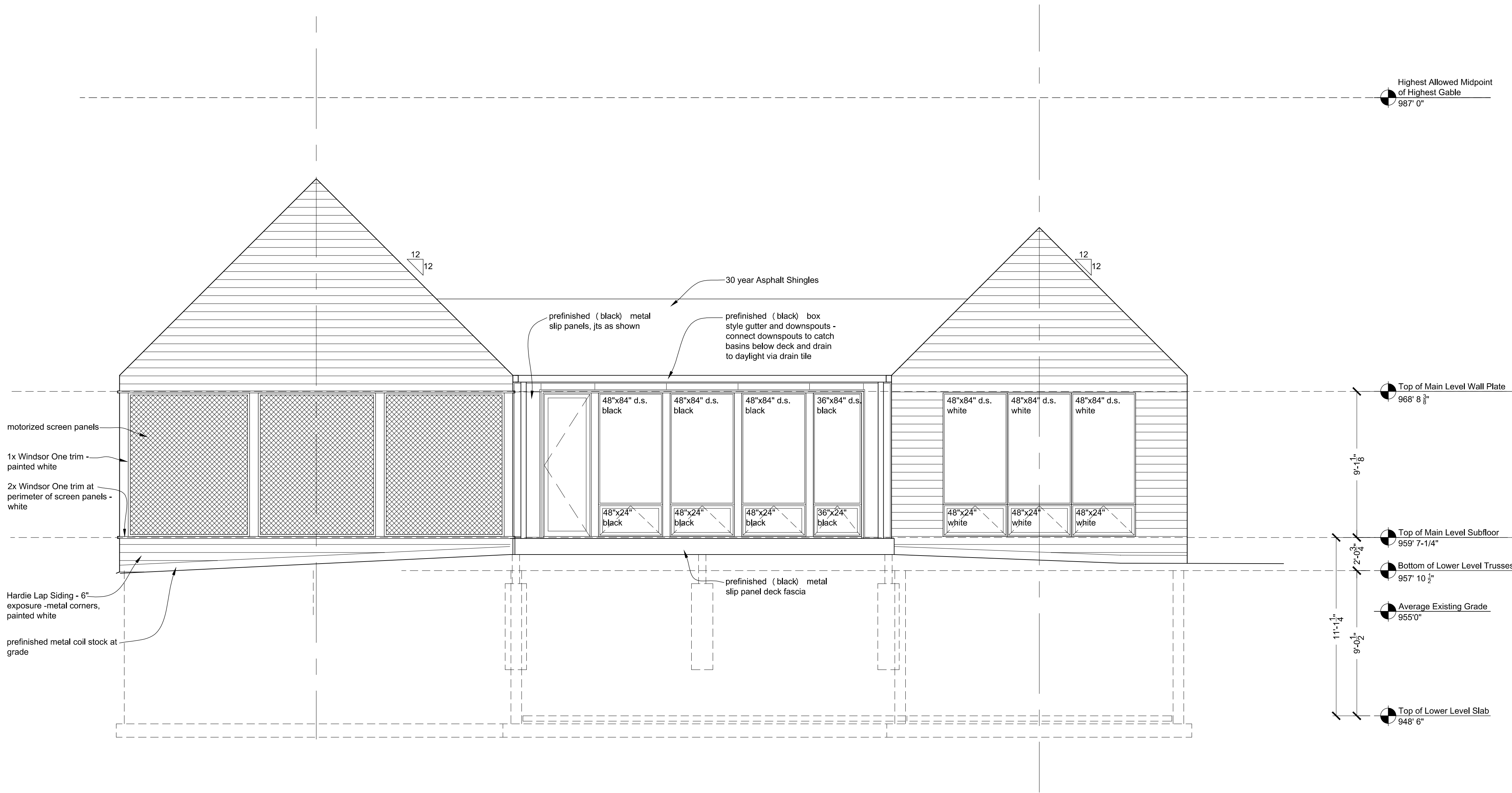
Scale : $\frac{1}{4}$ "=1'-0"



1
A2.1

NORTH EXTERIOR ELEVATION

Scale : $\frac{1}{4}$ "=1'-0"



1
A2.2

EAST EXTERIOR ELEVATION

Scale : 1/4"=1'-0"

RESOLUTION NO. 50-2008

RESOLUTION APPROVING, WITH CONDITIONS, PRELIMINARY AND FINAL PLAT SUBDIVISION AT 1052 CIRCLE DRIVE E AND 1066 CIRCLE DRIVE E

BE IT RESOLVED by the City Council of Wayzata, Minnesota as follows:

Section 1. BACKGROUND

1.1 Development Application. Rolf and Janet Skjei, and Steve Cool (collectively, "the Applicant") have submitted a Development Application (the "Application") to subdivide the 1052 Circle Drive E into 3 buildable parcels, with a portion of land from the adjacent 1066 Circle Drive E (the "Subdivision" or the "Preliminary/Final Plat" or the "Project"). The Project would require the removal of the existing structure on the Property and a subdivision of the parcel.

1.2 Legal Description. The property identification numbers and owners of the properties involved in the Application are (collectively, the "Property"):

1052 Circle Drive E	06-117-22-41-0043	Rolf and Janet Skjei
1066 Circle Drive E	06-117-22-41-0048	Steven J Cool

1.3 Land Use. The Property is located within the R-3A, Single and Two Family Residential District, as defined in Section 801.55 of the Wayzata Zoning Ordinance. The Property is guided for Low Density Single Family Residential use in the Wayzata Comprehensive Plan, and located within Planning District 7, as outlined in the Comprehensive Plan. The Property is located within the Shoreland Overlay District, as defined in Section 801.91 of the Wayzata Zoning Ordinance.

1.4 Notice. Notice of a public hearing on the Application was published in the Sun Sailor on October 23, 2008. A copy of the notice was also mailed to all property owners located within 350 feet of the Property on October 23, 2008.

1.5 Planning Commission Action. A public hearing on the Application was held at the Planning Commission's November 3, 2008 meeting at which the Planning Commission voted seven (7) in favor and zero (0) opposed to adopt findings and recommend that the City Council approve the Preliminary/Final Plat requested in the Application.

Section 2. STANDARDS

2.1 Subdivision Approval Required. Chapter 805 of the Wayzata City Code, (the "Subdivision Ordinance") sets forth the procedure and substantive review criteria for applications for a subdivision. A subdivision is defined in the Subdivision Ordinance as (i) the division of land into two or more lots or (ii) the combination of two or more lots. Section 805.08.yy.¹ Before any plat can be recorded or of any validity, it must be referred to the City Planning Commission and approved by the City Council as having fulfilled the requirements of the Subdivision Ordinance. Section 805.03.

A. Goals. Under Section 805.2.b of the Subdivision Ordinance, subdivisions approved under the Subdivision Ordinance must be guided by the following:

1. Preserve and enhance Wayzata's "small town" character (Comprehensive Plan).
2. Respect the existing scale, character and pattern of the City, recognizing existing neighborhoods and commercial areas (Wayzata Physical Plan).
3. Support a pedestrian environment at a human, not automotive scale (Wayzata Physical Plan).
4. Relate development/redevelopment to the natural characteristics of the land to enhance the development through the preservation of attractive natural amenities (i.e., lakes, wetlands, creeks, wooded areas, slopes, etc.) (Comprehensive Plan).

B. Criteria for Approval. Under Section 805.14.e of the Subdivision Ordinance, the Planning Commission must consider the possible adverse effects of a preliminary plat and report its findings and recommendation to City Council. Its judgment must be based upon, but not limited to, the following factors:

1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
2. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.

¹ All sections cited in this Report are of the Wayzata Subdivision Ordinance, ch. 805 of City Code, unless otherwise noted.

3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filling or grading.
4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
6. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
9. The proposed lot layout and building pads shall conform with all relevant performance standards.
10. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
11. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

2.2 Concurrent Preliminary/Final Plat.

Section 805.15 of the Subdivision Ordinance allows the City to review the preliminary and final plat simultaneously. The final plat shall incorporate all changes, modifications, and revisions required by the City. Otherwise, it shall conform to the approved preliminary plat.

2.3 Parkland Dedication. Section 805.37 of the Subdivision Ordinance requires that all newly created lots dedicate land, or fees in lieu of land, for public park and

recreation purposes in accordance to the criteria and formula listed in Section 805.37.

Section 3. FINDINGS

The City Council of the City of Wayzata hereby confirms and memorializes that the Preliminary/Final Plat requested in the Application meet the applicable requirements of Wayzata's Zoning and Subdivision Ordinances, based upon the following findings of fact made on the record (as well as all Application materials, staff reports, public comment presented at the hearing, and the Report and Recommendation of the Planning Commission):

3.1 Preliminary and Final Plat Subdivision.

- A. Goals. The Subdivision is not inconsistent with the goals of the Subdivision Ordinance.
- B. Criteria for Approval.
 - 1. The Subdivision is not inconsistent with the Wayzata Comprehensive Plan.
 - 2. Building pads that result from the Subdivision would not negatively impact any sensitive areas. As a condition of approval, further review and approval of the plans for development within the Subdivision that would impact sensitive areas would be required.
 - 3. Building pads that result from the Subdivision would be selected and located with respect to natural topography to minimize filling or grading. As a condition of approval, further review and approval of the plans for development within the Subdivision that would impact filling and grading would be required.
 - 4. Existing significant trees would be retained where possible on the Property. As a condition of approval, further review and approval of the plans for development within the Subdivision that would impact the existing trees on the Property would be required.
 - 5. The Subdivision would not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas as it would be consistent with the surrounding area.
 - 6. The design of a lot, the potential building pads, and the site layout of the Preliminary/Final Plat responds to and is reflective of the surrounding lots and neighborhood character.

7. The lot size that results from the Subdivision would not be dissimilar from adjacent lots or lots found in the surrounding neighborhood.
 8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the buildings for the new lot created by the Subdivision will be similar to the characteristics and quality of existing development in the City and neighborhood. As a condition of approval, further review and approval of the building and architectural plans for development would be required.
 9. The proposed lot layout and building pads of the Subdivision would conform will all relevant performance standards in the R-3A Zoning District.
 10. The Subdivision would not tend to or actually depreciate the values of neighboring properties in the area in which the Subdivision is proposed.
 11. The Subdivision would be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.
- C. Parkland Dedication. The Applicant shall be required to pay a minimum of two thousand five hundred dollars (\$2,500.00) or ten percent (10%) of the determined land value, whichever is greater, for Parkland Dedication fees, as required under Section 805.37(i)(1) of the Subdivision Ordinance for the creation of a new single-family lot.

Section 4. CITY COUNCIL ACTION

- 4.1 Preliminary and Final Plat Subdivision. Based on the Findings of this Resolution, the request for approval of the Preliminary/Final Plat, as set forth in the Application is **APPROVED** subject to all of the following conditions (failure to comply with any one of these conditions shall result in the revocation of this approval):
- A. Park Dedication fees must be paid as required by the Subdivision Ordinance, in an amount of two thousand five hundred dollars (\$2,500.00) per lot or ten percent (10%) of the determined land value, whichever is greater, to be paid at the time of recording of the final plat for the Subdivision.
 - B. That all expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred be fully reimbursed by the Applicants.

- C. The Applicant must apply for and obtain all necessary building permits from the City, prior to commencement of any construction activity on the Property.
- D. Tree Preservation Plans must be prepared for each lot and submitted to the City for review prior to the submission of building permits by either the Applicant or a future owner.
- E. Grading, Drainage, and Erosion Plans must be prepared and submitted to the City for review by the Applicant or a future owner prior to the submission of building permits and be coordinate with the Tree Preservation Plan for each lot.
- F. A Final Plat document shall be submitted to the City Council for review and approval.
- G. The Applicant must record the Final Plat document with the appropriate Hennepin County officials, and provide a recorded copy to the City.
- H. Prior to issuance of building permits, the Applicant or future homeowner shall submit plans for review and approval by the Planning Commission and the City Council depicting architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the buildings proposed to demonstrate similarity to the characteristics and quality of the existing homes in the neighborhood as required under Section 805.14.e.8 and 805.14.e.9.

Adopted by the Wayzata City Council this 1st day of December, 2008.

ATTEST:



City Manager Allan Orsen



Mayor Andrew Humphrey

ACTION ON THIS RESOLUTION:

Motion for adoption: Bader

Seconded by: Bangert

Voted in favor of: Amdal, Bader, Bangert, Humphrey, Willcox

Voted against: None

Abstained: None

Absent: None

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on December 1, 2008.



Sandy Langley, City Clerk
SEAL