Wayzata Planning Commission

Meeting Agenda

Wednesday, September 5, 2018
7:00 p.m.

Community Room
600 Rice Street East
Wayzata, Minnesota 55391

1. Call to Order & Roll Call

2. Approval of Agenda

3. Consent Agenda

a. Approval of August 20, 2018 Meeting Minutes

b. Adoption of Report and Recommendation of Approval of PUD General Plan and Design Review for Ventana Condos at 253 Lake St E

c. Adoption of Report and Recommendation of Approval of PUD General Plan, Design Review, Variance, and Shoreland Impact Plan/Conditional Use Permit for Hughes Redevelopment at 235 and 239 Lake St E

4. Old Business Items

a. Enclave at Crossdale Fence – 205, 211, 223 Byrondale Ave N
Conditional Use Permit

b. Vanderheyden Fence – 105 Walker Ave N
Conditional Use Permit

5. Public Hearing Items

a. Benton Harbor – 310 Benton Ave N and 1023 Gardner St E
Preliminary and Final Plat Subdivision

6. Other Items:

a. September 4th City Council Meeting Report – Commissioner Plantan
b. Review of Development Activities
b. Next meeting is September 17, 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
AUGUST 20 2018

AGENDA ITEM 1. Call to Order and Roll Call

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

Present at roll call were Commissioners: Plantan, Murray, Buchanan, Iverson, Flannigan and Douglas. Absent: None. Director of Planning and Building Jeff Thomson, and City Attorney David Schelzel were also present.

AGENDA ITEM 2. Approval of Agenda

Chair Buchanan asked for a motion to approve the agenda for the meeting.

Commissioner Flannigan made a motion, seconded by Commissioner Douglas to approve the August 20, 2018 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Consent Agenda

a.) Approval of July 30, 2018 Meeting Minutes

Chair Buchanan noted that staff had provided an updated draft of the July 30 Planning Commission meeting minutes, making some minor corrections and clarifications, and asked for a motion to approve these amended minutes.

Commissioner Douglas made a motion, seconded by Commissioner Plantan to approve the amended minutes as presented. The motion carried unanimously.

AGENDA ITEM 4. Old Business Items:

a.) None.

AGENDA ITEM 5. Public Hearing Items:

a.) Lowell Zitzloff – 305 and 309 Lake St E

i. Design Review, variance, Shoreland Impact Plan/Conditional Use Permit and Preliminary and Final Plat Subdivision

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Chair Buchanan stated the applicant, Lowell Zitzloff, and the property owners, Swans Corner LLC and Jeffway LLC, had requested to be removed from the August 20, 2018 Planning Commission agenda. The applicant will contact City staff to reschedule the public hearing.

Commissioner Iverson moved, seconded by Commissioner Flannigan, to move this item off the agenda and table consideration of the development application for 305 and 309 Lake St E until a future meeting. The motion carried unanimously.

Mr. Thomson noted that a public hearing on the application would be moved to that future date and re-noticed.

b.) Vanderheyden Fence – 105 Walker Ave N

i. Conditional Use Permit

Director of Planning and Building Jeff Thomson stated the applicant and property owners, Tom and Deb Vanderheyden, are requesting approval of a conditional use permit to allow installation on an 8-foot solid fence on their property at 105 Walker Ave N. The fence would be located along Wayzata Blvd. Within the side yard, the zoning ordinance allows fences that are a maximum of six feet in height and no more than 50% solid matter. Within the rear yard, the zoning ordinance allows fences that are a maximum of six feet in height and up to 100% solid. The proposed fence would not meet these requirements as it is eight feet in height and 100% solid within the side yard. Fences consisting of greater than 50% solid matter, not exceeding 8-feet, are allowed with a conditional use permit.

Commissioner Flannigan asked how high the bottom of the fence would be from Wayzata Blvd.

Mr. Thomson stated he does not have the exact height of the topography changes from Wayzata Blvd to the fence location.

Applicant, Mr. Tom Vanderheyden, 105 Walker Avenue N, stated the purpose of the fence is 100% for sound protection. Mr. Vanderheyden stated that they are trying to provide a fence that is not visible, and they are landscaping on both sides of the fence with vegetation greater in height than the fence.

Commissioner Iverson asked why 8-feet and not 6-feet.

Mr. Vanderheyden explained they were trying to get a 6-foot of fence protection factoring in the topography changes and in order to achieve this, the fence needs to be 8-feet in some places.

Chair Buchanan opened the public hearing at 7:14 p.m.

There being no member of the public wishing to address the Commission on this application, Chair Buchanan closed the public hearing at 7:15 p.m.

Commissioner Plantan stated that she would not support an 8-foot fence and that with the proposed landscaping, a 6-foot fence would suffice.

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Commissioner Douglas stated she would agree with Commissioner Plantan and does not want to start a trend of 8-foot fences in Wayzata.

Commissioner Murray stated he would agree and does not want to see a fence that would be 10-feet above grade.

Commissioner Iverson stated she would not support a 100% solid 8-foot fence.

Commissioner Flannigan stated this is an odd lot that is next to a busy road. He understands the need for the fence, and would like to see a rendering of what the fence would look like with the landscaping from street level. He suggested he would not support the current application, but would consider a 6-foot fence. He said he would like to see renderings of the fence and what it would look like from Wayzata Blvd.

Chair Buchanan stated he would like to see a rendering of the proposed fence with the landscaping being proposed, which would screen the fence.

City Attorney David Schelzel stated the Commission can recommend conditions of approval of the CUP, including that the landscaping plan must be implemented as presented in the Application and maintained by the property owners. The CUP would go with the property, and the conditions of its approval would be applicable in the future. If the landscaping was a condition of approval and not maintained, the City could revoke the approval of the fence.

There being no further questions or discussion among the Commissioners, Chair Buchanan asked for a motion on the Application.

Commissioner Flannigan made a motion to table the application to allow the applicant to provide additional details on the landscaping and renderings.

There being no second to the motion, the motion failed.

Mr. Vanderheyden stated he would like clarity on what the Commission is looking for.

Commissioner Iverson stated there are not 6-foot fences on Wayzata Blvd, and this could be setting a precedence for 6-foot fences in this area.

Mr. Thomson stated that a 6-foot fence is allowed under the Zoning Ordinance, and would not require a conditional use permit if it met the 50% openness requirement for the side yard.

Commissioner Murray made a motion, seconded by Commissioner Iverson, to table the application for a CUP for a fence at 105 Walker Ave N to allow the applicant to consider amending the application based on the Commission's discussions on a 6-foot fence, and to direct staff to prepare a draft Report and Recommendation with appropriate findings recommending approval of an amended application for a 6-foot fence with full opacity and a condition that the landscaping be provided and maintained. The motion carried unanimously.

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c.) Ventana Condos – 253 Lake St E

i. PUD, General Plan, Design Review

Director of Planning and Building Jeff Thomson stated the applicant, Weber Architects & Planners, and the property owner, Ventana, LLC, have submitted a development application to redevelop the property at 253 Lake ST E. On December 19, 2017 the City Council approved the rezoning, PUD concept plan, building height variance and shoreland impact plan/conditional use permit for the redevelopment at 253 Lake St E. The proposal includes demolition of the existing building and construction of a 3-story building with 16 residential condos with one level of underground parking. As part of the approved PUD concept plan, the applicant proposed donating the land behind the building to the City for use as public parking. On July 31, 2018, the City Council approved the development application to subdivide the property into three separate lots to facilitate the donation of the back of the property to the City. As part of the current development application, the applicant is requesting approval of a PUD general plan of development, and design review and approval. The proposed project requests one deviation from the design standards for the front door location. The designs standards state that the main entrance to the building must face the primary street at sidewalk grade. The proposed plans have the main entrance at sidewalk level, but on the side of the building and not on Lake Street. The primary reason for the entrance location is 1) the residential uses on the first floor, and 2) the width of the building and 3) the functionality of the first level floor plan. The final height of the building has been reduced from the approved 40-feet to 39.1-feet.

Commissioner Iverson clarified, and Mr. Thomson confirmed, that the air conditioning units would be in the underground parking level.

Commissioner Murray asked if the City would be working with the applicant to coordinate the construction of the public parking lot on the back of the property.

Mr. Thomson stated the City is working with the applicant, along with the neighboring property owner, to coordinate the construction. The terms have not been worked out yet and will be dependent on the applicant's TIF applications. The intention is to have the public parking constructed at the same time the project is constructed.

Commissioner Iverson asked if there had been any environmental studies done on the amount of fill that would be brought to the site for the parking.

Mr. Thomson explained the City has a preliminary layout for the parking lot and the City's engineering consultants have been engaged to start the permitting process to fill the wetland. The City has banked wetland credits through other projects in the City and these credits can be used for public projects that impact wetlands.

Chair Buchanan asked if staff would approve the landscape plan separately.

Mr. Thomson stated the applicant would do some private landscaping, but there would not be a lot of property remaining for landscaping once the building is constructed. The only space

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available would be between the building and the sidewalk. The applicant has not finalized the landscaping that would occur in this area. Staff would review and approve the landscaping as part of the building permit process.

Commissioner Douglas asked if there would be landscaping along the path that goes from the street to the parking lot.

Applicant's representative, Mr. Neal Weber, Weber Architects & Planners, clarified the three lots that were created with Lot 1 for the building, Lot 2 as a piece about 30-feet deep from the back, and Lot 3 as the remainder. As it currently sits, the land donation to the City would be Lot 3. The reason for creating the additional Lot 2 is because the Applicant's had to have an easement agreement with Wayzata Blu for access to the parking garage. Once the other projects in the area are approved they could donate Lot 2 to the City because they would have a different access for the parking garage. The concept plan for this project and the Hughes project have changed because the Hughes project previously had access on the other side of the building. Through discussions it had been determined that it would be best if the access for the properties were located between these two projects. This would allow for both pedestrian and vehicle access on the one side and separation of the buildings. The trellis from Lake Street was designed to emphasis that the entrance to the building is on the side of the building. They would work with the City and Mr. Hughes to determine the best way to landscape and light the sidewalk area and the area in front of the building. He stated the building is stepped back on the front, east and west sides and they are including as much glass as possible for each unit.

Commissioner Douglas asked if there was a walkway on the east side of the building by Wayzata Blu.

Mr. Weber stated there is no walkway between the project and Wayzata Blu on the Applicant's property. Wayzata Blu has a walkway on their property from their parking area for their employees and clients.

Chair Buchanan opened the public hearing at 8:01 p.m.

There being no member of the public wishing to address the Commission on this application, Chair Buchanan closed the public hearing at 8:02 p.m.

Commissioner Flannigan stated he would support the requested Design Standards deviation for the entry door on the side of the building.

Commissioner Iverson suggested including colors in the landscape.

Mr. Weber stated there was intention to coordinate with the neighboring properties for landscaping.

There being no further questions or discussion among the Commissioners, Chair Buchanan asked for a motion on the Application.

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Commissioner Murray made a motion, seconded by Commissioner Douglas, to direct staff to prepare a draft Planning Commission Report and Recommendation with appropriate findings to recommend approval of the PUD General Plan and Design with a deviation for the entry door on the side of the building, for Ventana Condos at 253 Lake St E. The motion carried unanimously.

d.) Hughes Redevelopment – 235 and 239 Lake St E

i. PUD General Plan, Design Review, Variance, Shoreland Impact Plan/Conditional Use Permit

Director of Planning and Building Jeff Thomson stated the applicant, Pat Hughes and Tom Dillon, and the property owner, Melvin's 235 LLC, have submitted a development application to redevelop the properties at 235 and 239 Lake St E. The applicant is proposing to demolish the existing office building and construct a 3-story, 37,879 square foot office building. The development application is the second phase for the PUD rezoning, and requests approval of the PUD general plan, design review, building height variance, and a conditional use permit/shoreland impact plan for the building height. On February 20, 2018 the City Council approved the rezoning of the subject property to PUD/Planned Unit Development along with the PUD concept plan. The current application is similar to the approved concept plan with the following modifications: the access drive has been moved from the west side of the building to the east between 235 and 253 Lake St E, the building has been increased in size from 35,181 to 37,879 square feet, and the plans include a lower level parking garage that would include 29 enclosed parking stalls, and would increase the height of the building above the 35-foot height requirement. The off-street parking for the building would be provided by a shared surface parking lot on the back of the property. The project originally requested deviations from the design standards for Lake Street façade transparency for less than 50% of the ground level façade being transparent, the proposed plans meet the material requirements for the south/Lake St and east elevations, but the use and amount of fiber cement board on the west and north sides of the building exceeds 10%. The design standards state that continuous sidewalks at least 12-feet in width must be provided along Lake Street. The proposed plans include a 6-foot sidewalk on Lake Street. In addition, the design standards require streetscaping elements including lighting, benches, and boulevard trees that are not included in the proposed plans. The design standards state that all building façade lighting must be projected downwards. The proposed plans include up/down lighting fixtures on the east, north, and west elevations. He clarified that the applicant had provided additional information regarding the design deviations requested and based on the updated plans they are requesting a design deviation for the exterior building materials. According to the design standards, 90% of non-glass surfaces of each elevation must be brick, stone, cast stone, wood, or stucco. The applicant is proposing fiber cement in excess of 10% on the west and north elevations. The applicant is requesting a variance for the building height. The proposed building would be 3-stories with an overall height of 39.7-feet, as measured from grade to the top of the parapet/coping. The proposed building also includes a basement level for underground parking, which would exceed 6.3-feet above average grade level because of the high water table on the site. The zoning ordinance states that a basement level can extend up to 6-feet above grade before it is considered an additional story. Therefore, as defined by the zoning ordinance, the proposed building is 3-story with a basement level and the maximum height in the PUD district is 35-feet or 3 stories, whichever is less and the Shoreland Overlay district states the minimum building structure height for either lake classification shall

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follow the individual district requirements of the base zoning districts but shall not exceed 35-feet. Building heights over 35-feet may be allowed through approval of a shoreland impact plan/conditional use permit. The proposed building includes 29 enclosed parking spaces and the balance of the parking would be provided in the surface parking lot to the north of the building, which is shared with the public parking behind the building. The City is the applicant for the public parking lot and an application will be before the Commission for this once the land has been acquired. This parking lot is part of the City's strategic planning and the City is looking to use the tax increment received to pay for the construction. The final details of the public parking would be worked out with the property owners through a development agreement.

Commissioner Flannigan asked how the applicant increased the sidewalk size from 6-foot to 12-foot.

Mr. Thomson stated there is enough room in the right-of-way to allow for the 12-foot sidewalk without moving the building.

Applicant's representative, Mr. Tom Dillon, 229 Minnetonka Ave S, Wayzata, clarified they had worked with staff to reduce the number of design standard deviations they were requesting as part of the application. He explained having 29 underground parking stalls would benefit the City's long-term goal of providing more public parking behind the building, as well as the marketability of the office space. They are working on submitting an additional application to have the property replatted to allow for the property to be divided so they can provide the necessary land to the City for the public parking noted. He stated the project would redevelop one of the blighted properties on Lake Street and enhance the beautification of this area. He explained the request for a height variance was due to the ground soils and water table on this property. The building itself has been compressed as much as possible to get to the requested 39.7-feet. If they can reduce this more through the design process they would.

Applicant's Architect, Mr. Brian Gadient, Momentum Design Group, 765 N Hampden Ave #180, St. Paul, clarified the fiber cement design standard deviation they are requesting is for the east elevation only. Currently they are at 12%, which is 2% more than the maximum allowed. They have been able to meet the requirements for the other elevations. He explained the height of the building's parapet reached the maximum requested height of 39.7-feet in a couple of areas, but otherwise it is around 39-feet. The areas that are marked as masonry in the drawings will be stone, and they are working through the details of the type of stone they would be using.

Applicant, Mr. Pat Hughes, 235 Lake St E, stated he is excited to move forward with the project.

Chair Buchanan opened the public hearing at 8:33 p.m.

Mr. Lowell Zitzloff, 305 Lake St E, stated he has concerns about traffic from Barry Avenue. He has been working with David Carlson, developer of Wayzata Blu. There are 85 parking stalls controlled by Rick Born and not the City. He has been working with David to allow them to use his parking. He stated the size of a building should come down to the amount of parking they are able to have. His concern is parking, and this is critical. He stated the applicants can meet the height requirements, it would just be more costly for them. He stated since the project did not

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have near enough parking, they should be sure they are able to accommodate the parking needs with the parking lot, and that Mr. Born is included in any discussions that involved the allocated 85 parking stalls.

There being no other member of the public wishing to address the Commission on the Application, Chair Buchanan closed the public hearing at 8:37 p.m.

Commissioner Douglas stated she supported the design overall and the exterior material design standard deviation. She would like to see landscaping done along the driveway so that the sidewalk is separated from the vehicle access.

Commissioner Plantan stated she would like to see the landscape plan, and she would support the requested design standard deviation.

Commissioner Iverson expressed concerns on the parking and believes the City would be able to work this out with the property owners.

Commissioner Flannigan stated he would support the variance request and the design standard deviation.

There being no further questions or discussion among the Commissioners, Chair Buchanan asked for a motion on the Application.

Commissioner Iverson made a motion, seconded by Commissioner Flannigan, to direct staff to prepare a draft Planning Commission Report and Recommendation, with appropriate findings, recommending approval of the PUD General Plan of Development Review, the Design with the requested exterior materials deviation, the height variance for 39.7-feet, and the Shoreland Impact Plan/Conditional Use Permit for the building height, at 235 and 253 Lake St E. The motion carried unanimously.

AGENDA ITEM 6. Other Items:

a.) **July 31st City Council Meeting Report – Commissioner Iverson**

Commissioner Iverson reported on the July 31st City Council meeting. She stated Becky Malone, who has retired from her position at the City, was recognized. She stated a neighbor to the Pillar Homes project made a presentation to the City expressing concerns about the noise ordinance. The City Manager and Mr. Thomson met with the Developer and they have come to a resolution. She stated she had also spoke at the meeting expressing concerns about enforcement of City Ordinances. There was also a petition signed by over 70 people to change the noise ordinance to allow workers to work from 7 am to 6 pm Monday to Friday, 7 am to 3 pm on Saturday and no construction work allowed on Sunday. The City Council did not move forward with the petition requests but she would continue to push this item. Mediacom presented their customer service report to the City.

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Director of Planning and Building Jeff Thomson stated the variance for the addition at 224 Broadway, the Right-of-Way Ordinance, and the two right of way vacation requests that were reviewed by the Planning Commission were also approved at the meeting.

b.) August 9th City Council Meeting Report – Commissioner Murray

Commissioner Murray reported on the August 9th City Council meeting. He stated the variance requests for 405 Bushaway and 635 Bushaway were approved. There was discussion on the citizen proposed striping test for the Lake Street project, which had originally been turned down by the City but there were now private parties interested in paying the cost. There was also the first reading of the City Code of Ordinances, and the approval of Resolution for Municipal Fees, Right-of-Way and Telecommunications ordinance updates.

Director of Planning and Building Jeff Thomson stated the City Council did not approve the temporary striping proposal for Lake Street. He stated the City is moving all of the City Ordinances and codes to an electronic format as part of the recodification of the City Code of Ordinances.

City Attorney Schelzel noted for the Commission that the numbering in the Code would be a little different, particularly the chapters for the subdivision ordinance and zoning ordinance.

c.) Review of Development Activities

Director of Planning and Building Jeff Thomson stated the Enclave fence CUP application is scheduled to be back on the next agenda.

d.) Next Meeting - September 5, 2018

Director of Planning and Building Jeff Thomson stated the next Planning Commissioner meeting is scheduled for September 5, 2018.

AGENDA ITEM 7. Adjournment.

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

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

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

Respectfully submitted,
Tina Borg
TimeSaver Off Site Secretarial, Inc.

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City of Wayzata
Planning Commission
Agenda Report

MEETING DATE: September 5, 2018	**AGENDA ITEM:** 3b
TITLE: Adoption of Report and Recommendation of Approval of PUD General Plan and Design Review for Ventana Condos at 253 Lake St E	
PROJECT NAME: Ventana Condos	
ADDRESS: 253 Lake St E	
PREPARED BY: Jeff Thomson, Director of Planning and Building	

BACKGROUND:

Application Overview

The applicant, Weber Architects & Planners, and the property owner, Ventana, LLC, have submitted a development application to redevelop the property at 253 Lake Street East. The proposal includes demolition of the existing building and construction of a three story building with 16 residential condos with one level of underground parking. The development application requests approval of PUD general plans and design review.

Planning Commission Review

The Planning Commission reviewed the development application and held a public hearing at its meeting on August 20, 2018. After discussing the application, the Planning Commission voted six (6) in favor and zero (0) opposed to direct staff to prepare a Report and Recommendation of approval of the development application for adoption at the next Planning Commission meeting.

PLANNING COMMISSION ACTION:

City Staff has drafted the attached Planning Commission Report and Recommendation which recommends approval of the development application. The Report and Recommendation includes the findings and conditions of approval discussed by the Planning Commission.

ATTACHMENTS:

1. Draft Planning Commission Report and Recommendation

WAYZATA PLANNING COMMISSION

September 5, 2018

REPORT AND RECOMMENDATION OF APPROVAL OF PUD GENERAL PLAN AND DESIGN REVIEW AT 253 LAKE ST E

SUMMARY OF RECOMMENDATION

1. **Approval*** of PUD General Plan of Development
2. **Approval*** of Design of Project

*** with certain conditions listed at the end of this Report**

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

1.1 Proposed Land Use. The applicant, Weber Architects & Planners, and the property owner, Ventana, LLC (collectively, the "Applicant") have submitted a development application to redevelop the property at 253 Lake Street East (the "Property"). The proposed redevelopment involves the demolition of the existing building and construction of a three story building with 16 residential condos and one level of underground parking (the "Project").

1.2 Previous Approvals. On December 19, 2017, the City Council approved the PUD Concept Plan of Development for the Project and the rezoning to PUD/Planned Unit Development, contingent upon approval of the PUD General Plan of Development, as well as a building height variance, and shoreland impact plan/conditional use permit. As part of the approved PUD concept plan, the applicant has agreed to donate land behind the building to the City for use as public parking. On July 31, 2018, the City Council approved the development application to subdivide the Property into three separate lots to facilitate the donation of the back of the property to the City for public parking, and retaining the front lot for the proposed development Project.

1.3 Approvals Requested. The Application includes requests for approval of the following:

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A. PUD General Plan of Development (the "PUD" or "PUD General Plan"): The Project would be built according to an approved PUD Plan for the Property, which includes a three story building with 16 residential condos and one level of underground parking, consistent with the approved PUD Concept Plan of development for the Project.

B. Design (the "Design"): The newly constructed building of the Project is subject to the Design Standards of the Zoning Ordinance. The Applicant is requesting approval of the design elements of the Project as well as a deviation from the Design Standards, further detailed in the Design Critique included at Attachment B, that pertains to the location of the front entrance to the building (the "Deviation").

1.4 Property. The address, property identification numbers and owners of the Property involved in the Project are:

Address	PID	Owner
253 Lake St E	06-117-22-23-0013	Berry and Co, Inc.

1.5 Land Use Designations. The Property is zoned and guided as follows:

Zoning:	PUD/ Planned Unit Development*
Comp Plan designation:	Central Business District
Overlay districts:	S/Shoreland Overlay District W/Wetland Overlay District

**The rezoning from C-4A to PUD is effective upon approval of the PUD General Plan of Development*.

1.6 Notice and Public Hearing. Notice of the public hearing on the Application was published in the *Lakeshore Weekly News* on August 9, 2018 and mailed to all property owners located within 350 feet of the Property on August 8, 2018. The public hearing on the Application was held at the August 20, 2018 Planning Commission meeting.

Section 2. STANDARDS

2.1 General Plan of Development for Planned Unit Developments (PUDs).

A. Approval Process for General Plan of Development. Approval of a Planned Unit Development is according to a multi-stage review and approval process (Concept Plan, General Plan, Final Plan) set forth in Section 33 of the Zoning Ordinance. Following the approval of a PUD Concept Plan, the Applicant must submit a new application for approval of a PUD General Plan of Development that depicts and outlines the proposed implementations of the approved Concept Plan, and that includes the information and materials outlined in Section 801.33.6. The

same review procedure and criteria is followed for a General Plan of Development as is followed with a Concept Plan. Approval of a PUD Concept Plan in no way binds the City to subsequent approval of a General Plan of Development. Sec. 801.33.5.B.1.

B. 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.

C. 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 meet.

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.

D. Residential and Non-Residential PUD Standards. Sections 801.33.3 and 4 set forth lot area, minimum frontage, municipal water and sewer availability, roadway and parking standards for PUDs which have a residential and non-residential components. In addition to the standards set forth in these sections, City Council may impose such other standards for a 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.

2.2 Design Standards. All new multi-family residential building construction in the City must comply with the Design Standards found in Section 9 of the Zoning Ordinance. The Project falls within the Lake Street Design District, and the relevant design standards applicable to the Project are outlined in the attached "Design Critique" (Attachment A). Deviations from the Design Standards may be permitted under Sec. 801.09.21 (with the exception of Section 7 of the Design Standards) if City Council (after considering the Planning Commission's recommendation) makes a finding that the negative impact of such deviation is outweighed by one or more of the following factors:

A. The extent to which the project advances specific policies and provisions of the City's Comprehensive Plan.

B. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards.

C. The positive effect of the project on the area in which the project is proposed.

D. The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.

E. The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.

F. A national, state or local historic designation.

G. The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.

Section 3. FINDINGS OF FACT

Based on the Application materials, additional materials submitted by the Applicant, staff reports and documents, public comment and information presented at the public hearing, and the standards of the Wayzata Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

3.1 PUD General Plan. The PUD General Plan of Development would implement the approved PUD Concept Plan.

A. The PUD General Plan 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 General Plan meets the land use designation for the Property, and is consistent with the goals and objectives of the comprehensive plan.

C. The PUD General Plan allows for phased and orderly development with the adjacent properties at 235, 239, and 259 Lake St E by consolidating and coordinating building location, vehicle and pedestrian access, and shared public parking.

D. The PUD General Plan creates a more desirable and creative environment than would be possible under the existing C-4A/Limited Central Business District, and accommodates public parking being constructed on the back of the Property in coordination with adjacent properties.

E. In addition, the PUD General Plan meets all of the PUD general standards listed in Section 801.33.2.A of the Zoning Ordinance and Section 2.1 of this Report and Recommendation except the maximum building height in the Project, which is permitted under the previously granted height variance and CUP.

F. The Application contains the information and materials listed in Section 801.33.5.C of the Zoning Ordinance.

3.2 Project Design. The Project meets the applicable provisions of the Design Standards except for the location of the front door. The Design Standards require that the main entrance of a building must face the primary street at sidewalk grade. The proposed Project plans have the main entrance at sidewalk grade, but on the side of the building, and not on the primary street, Lake Street (the "Deviation"). The Commission finds that there would be very little, if any, negative impacts of this Deviation, in that front door location reflects (1) the residential uses on the first floor; (2) the narrow width of the building from the Lake Street side; and (3) the functionality of the first level floor plan. To the extent there are

any negative impacts of the Deviation, those impacts are outweighed by one or more of the following factors:

A. The extent to which the Project advances specific policies and provisions of the City's Comprehensive Plan, as noted in the record.

B. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards, as noted in the record.

C. The positive effect of the Project on the area in which the Project is proposed.

Section 4. RECOMMENDATION

4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **APPROVAL** of the (i) PUD General Plan of Development, and (ii) Design of the Project, subject to the following conditions:

A. The Applicant must secure all necessary building permits for construction, and follow all laws and regulations applicable to the Project, including building codes and land use regulations.

B. The Applicant must build and complete the Project in conformance in all material respects with the plans depicted in the Application, included as Attachment A.

C. Before the City issues a building permit for the Project, the final civil engineering plans, including Site Plan, Grading and Drainage Plan, Utility Plan, Stormwater Management Plan, and SWPP must be reviewed and approved by the City Engineer.

D. Before the City issues a building permit for the Project, the final landscape plans must be reviewed and approved by the City Forester.

E. Before the City issues a building permit for the Project, the Applicant must record the Final Plat with the appropriate Hennepin County officials and provide a recorded copy to the City.

F. Before the City issues a building permit for the Project, the final lighting plans must be reviewed and approved by City staff. The exterior lighting must be coordinated with adjacent properties and must meet City specifications and requirements.

G. The Applicant must enter into a Development Agreement with the City,

with terms and in a form acceptable to the City Attorney, that incorporates the approvals and conditions of the City Council approval resolution, addresses all public improvements associated with the Project, terms for payment of park dedication fees, and in which the Applicant and any future Property owners agree to fully defend and indemnify the City for anything related to the Project and its relation to other properties within the West End TIF District, the Property and property-related rights, and in which any needed easements are granted to the City to allow for the construction, access and operation of a public parking lot and facility on the back of the Property to provide for additional public parking in the area, either entirely on the Property or in conjunction with other development or changes on adjacent properties.

H. 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 5th day of September 2018.

Voting For Approval Recommendation: Buchanan, Douglas, Flannigan, Iverson, Murray, Plantan
Voting Against Approval Recommendation: None
Abstaining: None
Absent: None

Attachment A
Amended PUD Plans

VENTANA CONDOS

253 LAKE ST. EAST
WAYZATA, MN

WEBER architects & planners

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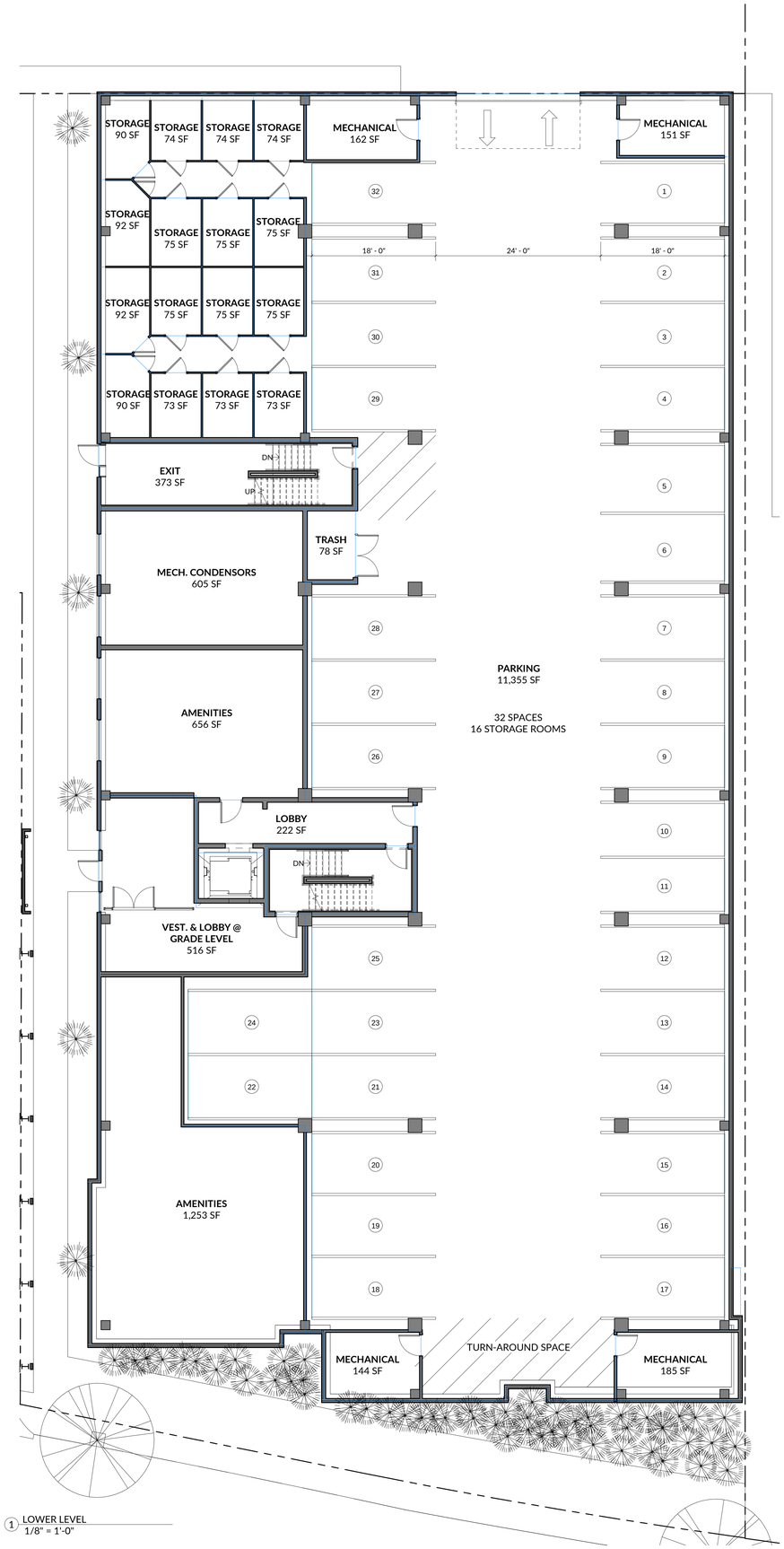
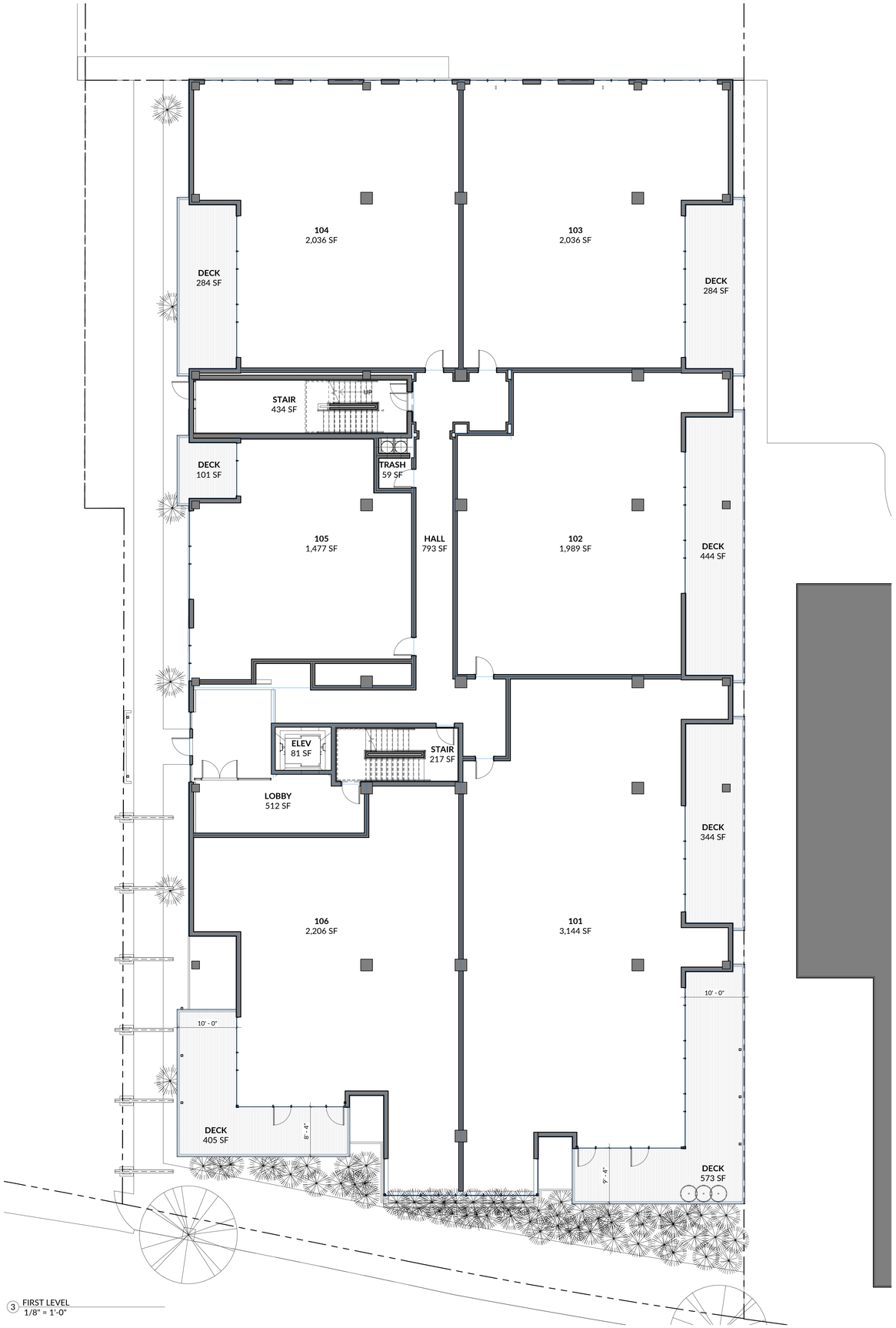


1 LOWER LEVEL
1/8" = 1'-0"



3 FIRST LEVEL
1/8" = 1'-0"

VENTANA CONDOS

253 LAKE ST. EAST
WAYZATA, MN

NOT FOR CONSTRUCTION

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

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DATE: **16 August 2018**

PROJECT NUMBER: **NW1001**
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#	REVISION	DATE

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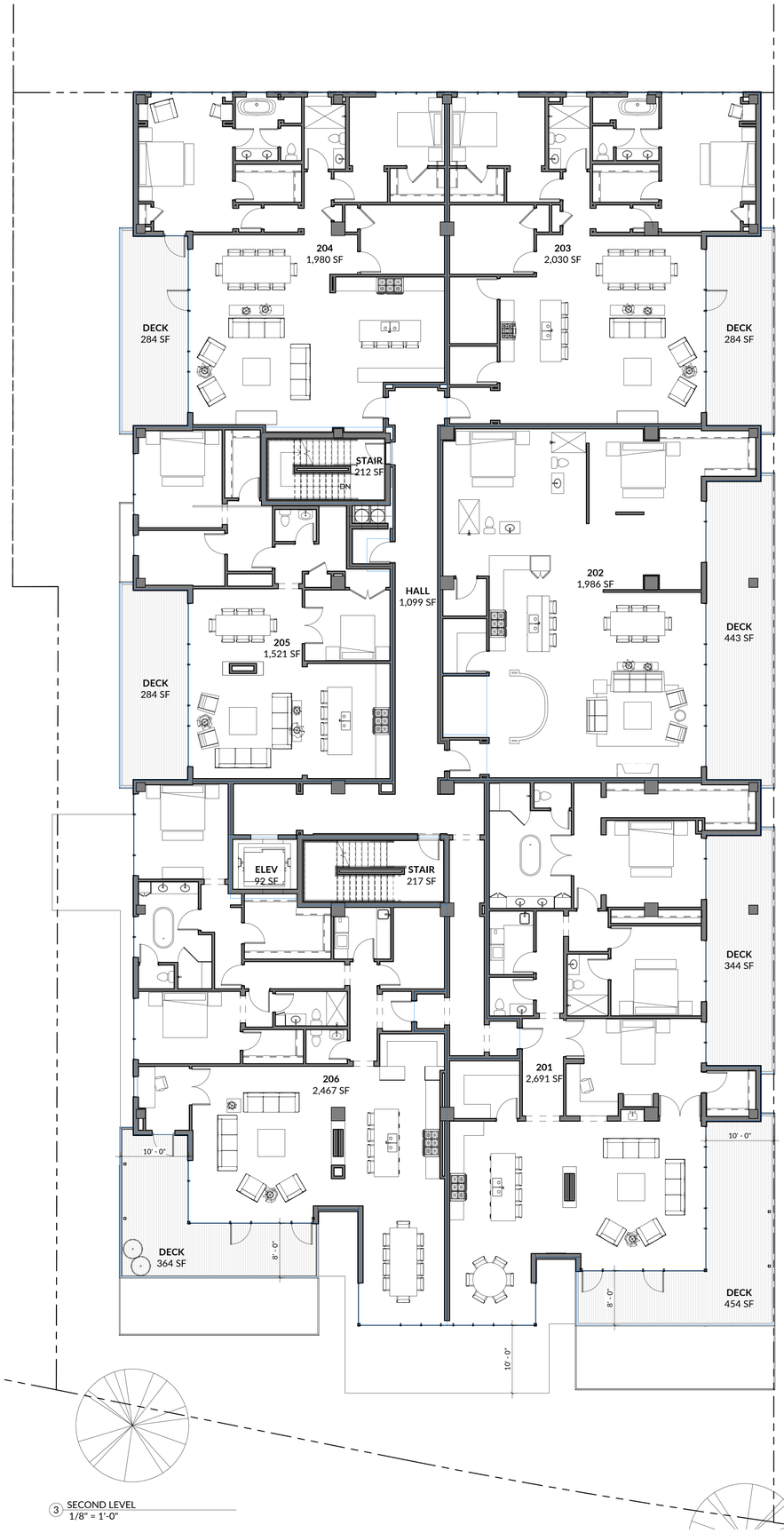
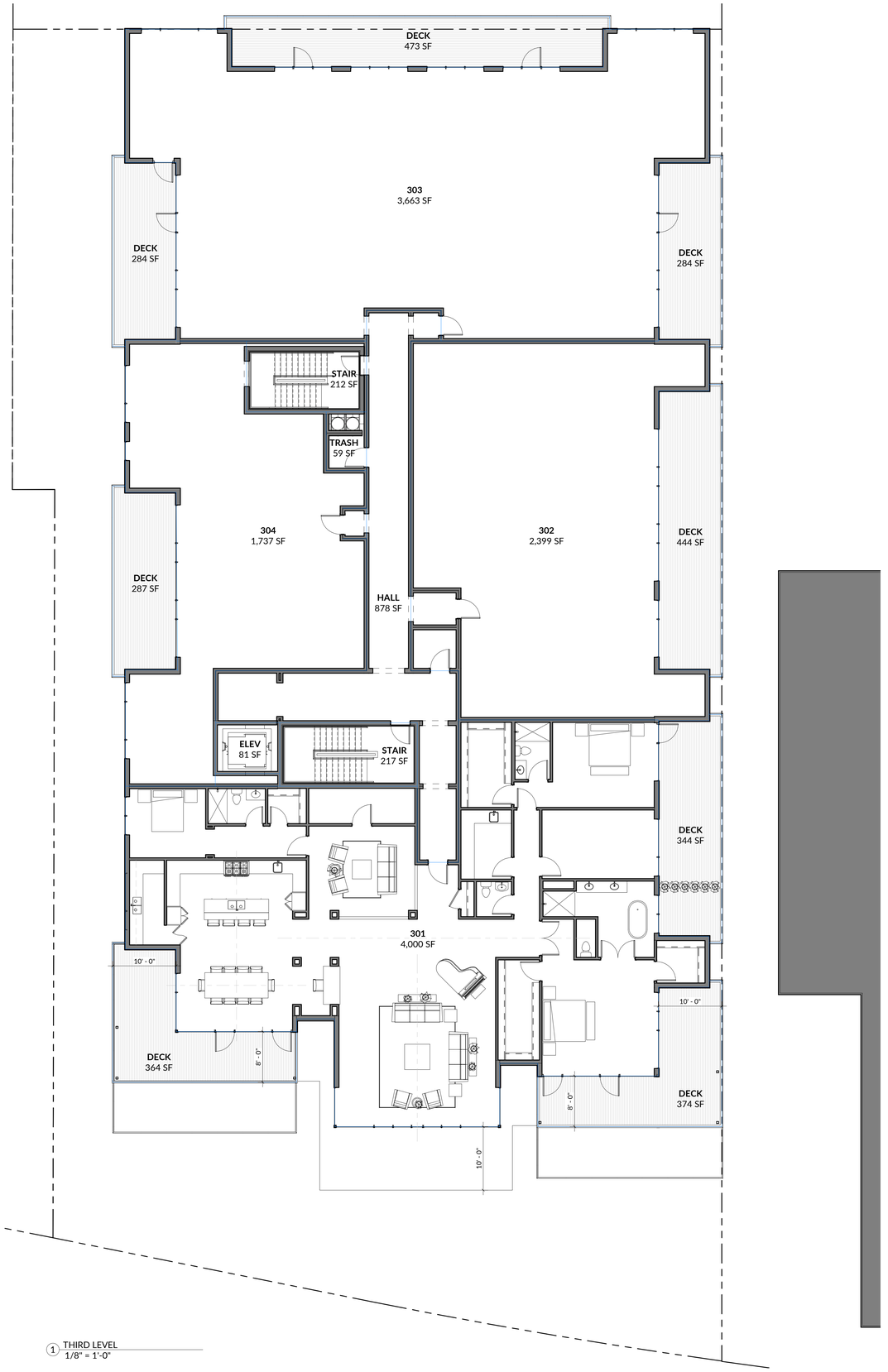
LOWER & MAIN LEVEL PLAN

4



3 SECOND LEVEL
1/8" = 1'-0"



1 THIRD LEVEL
1/8" = 1'-0"

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SECOND & THIRD LEVEL PLAN

1 SOUTH ELEVATION
1/8" = 1'-0"

2 EAST ELEVATION
1/8" = 1'-0"

3 NORTH ELEVATION
1/8" = 1'-0"

4 WEST ELEVATION
1/8" = 1'-0"

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ELEVATIONS

VENTANA CONDOS

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16 August 2018

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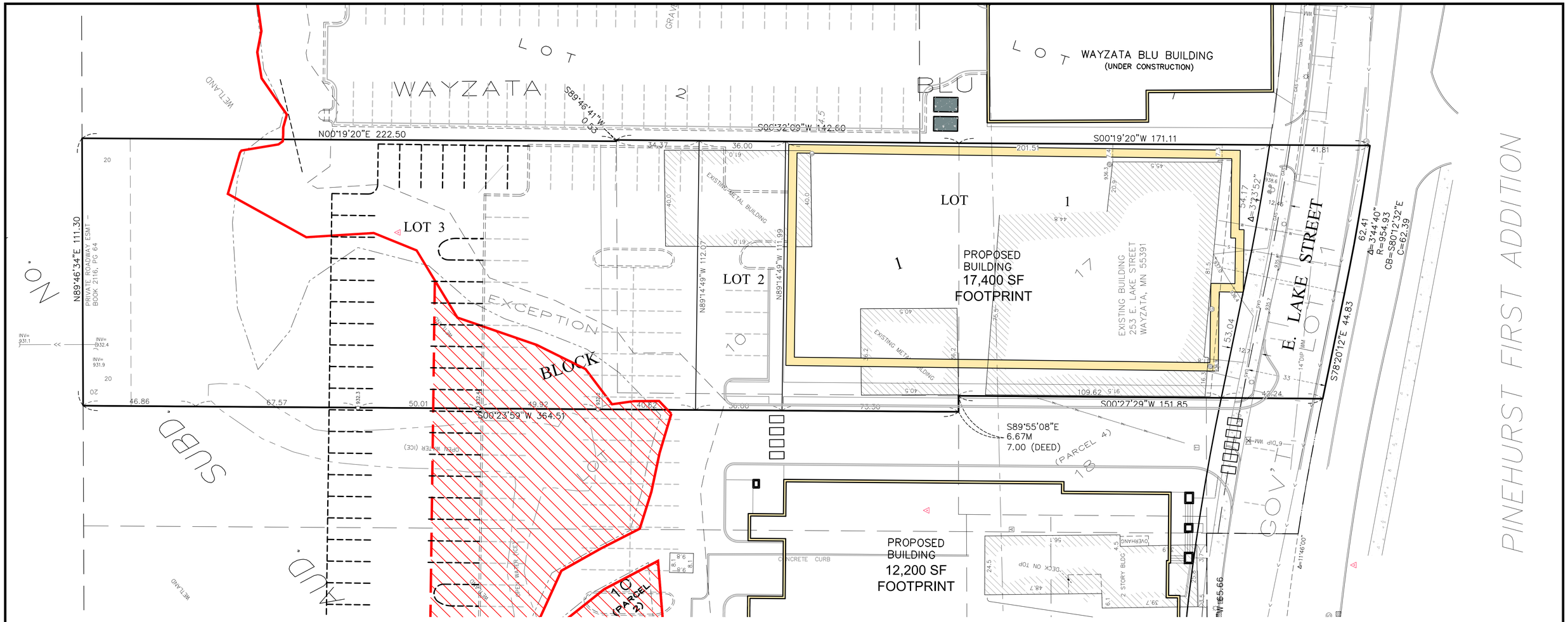


DESCRIPTION OF PROPERTY SURVEYED

That part of Lot 10, AUDITOR'S SUBDIVISION NO. 184 described as beginning at a point on the westerly extension of the north line of Lot 11, in said subdivision distant 90 feet westerly from the northwest corner of said Lot 11; thence southerly in a straight line to the northeast corner of Lot 17, in said subdivision; thence westerly along the north ine of said Lot 17 to the northwest corner to said Lot 17; thence westerly along the north line of Lot 18, in said subdivision, 7 feet; thence northerly parallel with the east line of the plat of LAKE WEST to the easterly extension of the most northerly line of said plat; thence easterly along the last described extension, to the intersection with the northerly extension of the east line of said Lot 17; thence sotherly along the northerly extension of the east line of said Lot 17 to the intersection with the westerly extension of the north line of said Lot 11; thence to the point of beginning.

And

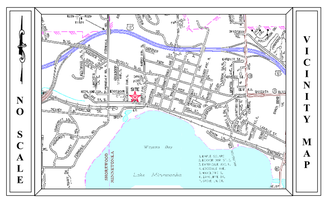
That part of Government Lot 1, Section 6, Township 117, Range 22 lying southerly of the south line of Lot 17, AUDITOR'S SUBDIVISION NO. 184 and westerly of the southerly extension of the east line of said Lot 17, which lies easterly of the southerly extension of the west line of said Lot 17 and northerly of a line described as beginning at a point on the west line of said Government Lot 1 distance 89.9 feet southerly from the northwest corner of said government lot; thence easterly at right angles from said west line of Government Lot 1 a distance of 856.3 feet; thence easterly 196.11 feet along a 6 degree tangential curve to the right having a central angle of 11 degrees 46 minutes; thence southeasterly tangent to said curve 52.2 feet; thence easterly 158.3 feet along a 6 degrees tangential curve to the left having a central angle of 9 degrees 30 minutes and said line there terminating.

Subject to right of the public in Lake Street over the southerly 33 feet of the above described part of Government Lot 1.

Subject to a private easement for roadway purposes over the north 20 feet of the above described Lot 10, as set forth in deed recorded in Book 2116 at page 64.

And

Lot 17, AUDITOR'S SUBDIVISION NO. 184, Hennepin County, Minnesota.



PROPOSED LOT INFORMATION

LOT AREA INFORMATION

Lot 1:	20,780 sq.ft./0.477 acres
Lot 2:	4,033 sq.ft./0.093 acres
Lot 3:	28,551 sq.ft./0.655 acres
ROW:	4,436 sq.ft./0.102 acres

GENERAL NOTES

1) **Site Address**: 253 Lake Street East, Wayzata, Minnesota 55391

2) **Flood Zone Information**: This property appears to lie in Zone X (area determined to be outside of the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27053C0307F effective date of November 4th, 2016.

3) **Parcel Area Information**:

Gross Area:	57,954 s.f.	~ 1.330 acres
R/W Area:	3,547 s.f.	~ 0.081 acres
Wet Area:	14,382 s.f.	~ 0.330 acres
Net Area:	40,025 s.f.	~ 0.919 acres.

4) **Benchmark**: Elevations are based on 1.) Top of top nut of first fire hydrant on the south side of Lake Street East west of site: Elevation = 938.42 feet
2.) Top of top nut of first fire hydrant on the northside of Lake Street East east of site: Elevation = 938.37 feet.

5) **Zoning Information**: The current Zoning for the subject property is C-4A (Limited Central Business District) per the City of Wayzata's zoning map. 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 February 15th, 2017 and are as follows:

Setbacks: The following minimum requirements shall be observed in a "C-4A" District subject to additional requirements, exceptions, and modifications set forth in this Ordinance.

Height. No building shall be erected or structurally altered to exceed two (2) stories and thirty (30) feet in height, whichever is lesser.

Setbacks. There shall be no front yard, exterior side yard or rear yard requirements, except that there shall be a required setback within C-4A District boundaries when such boundaries are adjacent to a residential district. In such cases, the setback shall be the same as the setback for the adjacent district.

Floor Area Ratio. The maximum floor area ratio (F.A.R.) shall be 2.0.

Area. The minimum total lot area shall be twelve thousand (12,000) square 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.

6) **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.

7) Wetland(s) shown hereon is (are) per field location of stakes as set by others.

ADDITIONAL NOTES:

Proposed Building shown hereon are preliminary. Not final construction plans were provided. The proposed structures to the east and west were provided by other and are shown to their best representation.

The common driveway between the buildings was provided by Rehder and Associates and is shown per discussion with developers of both sites. The parking configuration in back (north) is shown per a plan provided by the City of Wayzata. It has been modified to tie into the site plan provided for 235 and 253 Lake Street East developments. The darker dashed proposed parking configuration is a proposed phase two parking expansion. All parking shown hereon is for informational purposes only.

Wetland area shown in RED was provided by others.

DEVELOPER

Ventana, LLC
1907 Wayzata Blvd, #250
Wayzata, MN 55391
Attn: Traci Tomas
Tel: 952-746-4137
Email:
Ttomas@continentalpropertygroup.com

ENGINEER/LAND SURVEYOR

Sathre-Bergquist, Inc.
150 Broadway Ave. S.
Wayzata, MN 55391
Engineer: Dan Schmidt
Email:Schmidt@sathre.com
Land Surveyor: David Pemberton
Email: Pemberton@sathre.com
Tel: 952-476-6000

NORTH

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

20 10 0 10 20 40
SCALE IN FEET

SURVEY LEGEND

- CAST IRON MONUMENT
- CATCH BASIN
- FLARED END SECTION
- GATE VALVE
- GUY WIRE
- HYDRANT
- SURVEY MONUMENT SET
- SURVEY MONUMENT FOUND
- FOUND CHISELED "X"
- SURVEY CONTROL POINT
- LIGHT POLE
- POWER POLE
- SANITARY MANHOLE
- SANITARY CLEANOUT
- SIGN
- 972.5 GROUND ELEVATION
- STORM DRAIN
- STORM MANHOLE
- YARD LIGHT
- A/C UNIT
- WOE WALKOUT ELEVATION
- FFE FIRST FLOOR ELEVATION
- GFE GARAGE FLOOR ELEVATION
- TOF TOP OF FOUNDATION ELEV.
- LOE LOWEST OPENING ELEV.
- CABLE TV PEDESTAL
- ELECTRIC TRANSFORMER
- ELECTRIC MANHOLE
- ELECTRIC METER
- GAS METER
- GAS VALVE
- HAND HOLE
- SOIL BORING
- TREE CONIFEROUS
- TREE DECIDUOUS
- TELEPHONE MANHOLE
- TELEPHONE PEDESTAL
- TRAFFIC SIGNAL
- UTILITY MANHOLE
- UTILITY PEDESTAL
- BITUMINOUS
- BUILDING SETBACK LINE
- CTV CABLE TV
- CONCRETE CURB
- CONCRETE
- 960 CONTOUR EXISTING
- 960 CONTOUR PROPOSED
- GUARD RAIL
- DT DRAIN TILE
- ELC ELECTRIC UNDERGROUND
- FENCE
- FO FIBER OPTIC UNDERGROUND
- GAS GAS UNDERGROUND
- OHU OVERHEAD UTILITY
- RAILROAD TRACKS
- SANITARY SEWER
- STORM SEWER
- TEL TELEPHONE UNDERGROUND
- UTL UTILITY UNDERGROUND
- WATERMAIN

FIELD CREW	NO.	BY	DATE	REVISION
ALL				
DRAWN				
EMW				
CHECKED				
DBP				
DATE				
2-12-18				

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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 12th day of June, 2018.

David B. Pemberton, PLS Minnesota License No. 40344
pemberton@sathre.com

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

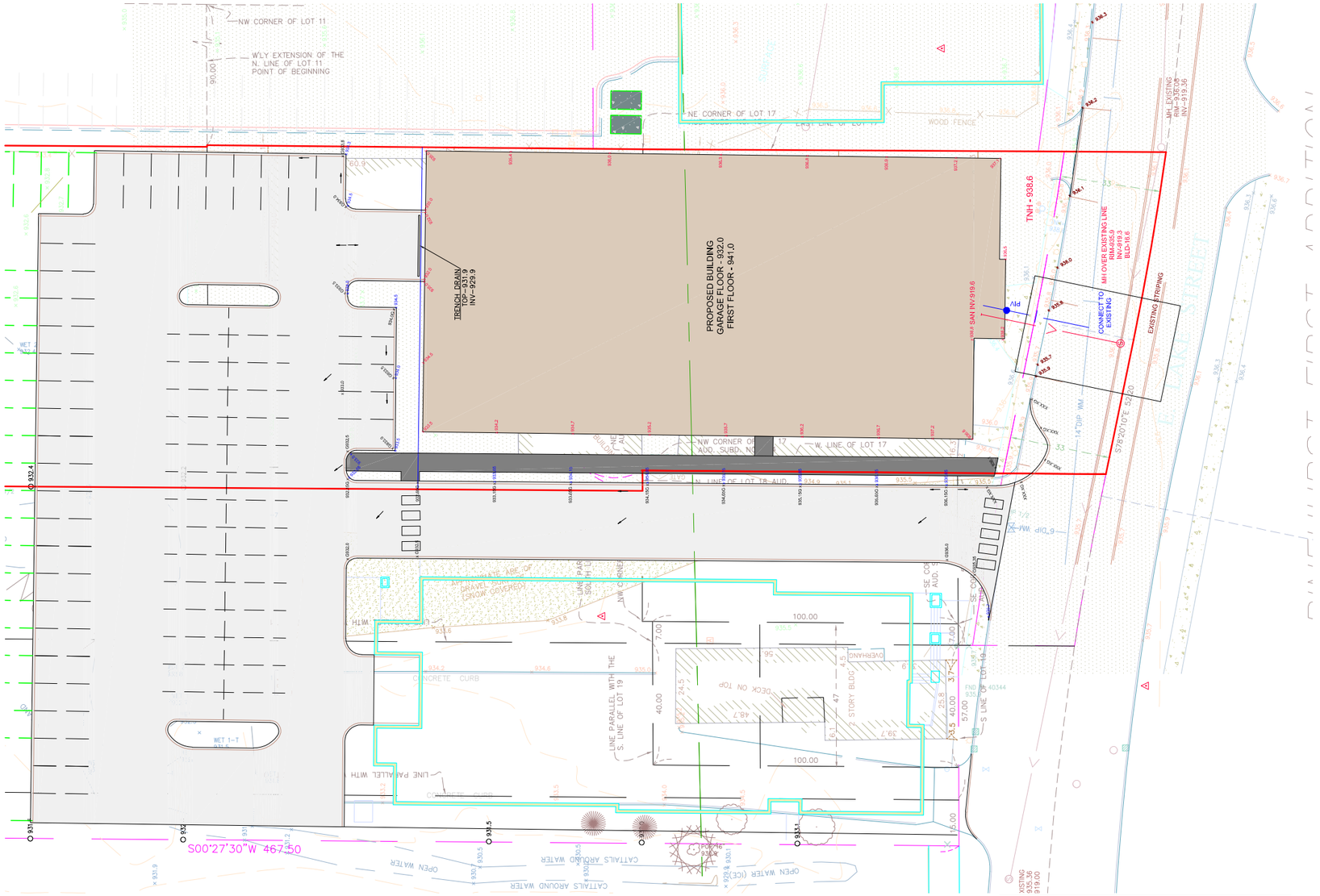
TWP:117-RGE.22-SEC.06
Hennepin County

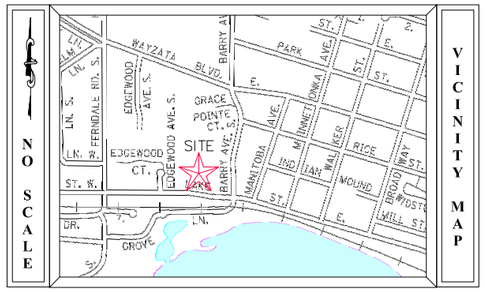
WAYZATA, MINNESOTA

Preliminary Plat of: VENTANA LLC.

FILE NO. 94818-001

1 / 1





SYMBOL LEGEND

DESCRIPTION	PROPOSED	EXISTING
MINOR CONTOUR	932	932
MAJOR CONTOUR	930	930
LOT LINE		
WATERMAIN		
BUILDING SETBACK BOUNDARY		
PARCEL BOUNDARY LINE		
DRAINAGE AND UTILITY EASEMENTS		
CURB AND GUTTER		
RIGHT-OF-WAY		
DRAINTILE W/CLEANOUTS		
BACKYARD CATCH BASIN		
CATCH BASIN		
STORM SEWER MANHOLE		
FLARED END SECTION W/RIP-RAP		
STORM STUCTURE LABEL	2	4
SANITARY STUCTURE LABEL	3	5
SANITARY SEWER MANHOLE		
HYDRANT		
GATE VALVE		
WELL		
DRAIN FLOW/RUNOFF ARROW		
EMERGENCY OVERFLOW SWALE		
SOIL BORING LOCATION		
FENCE AND FILTER LOG		
TREE PRESERVATION FENCE		
BARRICADE	OR	OR
SPOT ELEVATION	x 940.0	x 940.0
TBC SPOT ELEVATION	x MH/LT	x MH/LT
UTILITY POLE		
LIGHT POLE		
HANDICAP PARKING SPACE		

SPOT ELEVATION LEGEND

x GXXX.X	PROPOSED GUTTER ELEVATION
x XXX.X	PROPOSED TOP BACK OF CURB
x XXX.X	EXISTING TOP BACK OF CURB
x XXX.X	FINISHED BUILDING GRADE

PREPARED BY	PREPARED FOR
ENGINEER SATHRE-BERGQUIST, INC. 150 SOUTH BROADWAY WAYZATA, MINNESOTA 55391 PHONE: (952) 476-6000 FAX: (952) 476-0104 CONTACT : ROBERT MOLSTAD, P.E. EMAIL: MOLSTAD@SATHRE.COM	OWNER VENTANA, LLC 1907 Wayzata Blvd, Suite 250 WAYZATA, MN 55391 CONTACT: TRACI TOMAS PHONE: (952) 746 - 4137

GRADING NOTES
1. All elevations shown are to finished grade.
2. Contractor is responsible for obtaining a NPDES General Stormwater Permit before construction begins.

EROSION CONTROL NOTES
1. Contractor is responsible for all notifications and inspections required by NPDES Permit.
2. All erosion control measures shall be installed prior to grading operations and maintained until all areas disturbed have been restored.
3. Sweep paved public streets as necessary where construction sediment has been deposited.
4. Each area disturbed by construction shall be restored per the specifications within 14 days after the construction activity has ceased.
5. Temporary soil stockpiles must have silt fence around them and cant be placed in stormwater conveyance routes.
6. Excess concrete/water from concrete trucks shall be disposed in a concrete basin or in a contained area.
7. Spring/Summer temporary turf establishment: seed shall be MNDoT Mix 21-111 @ 100 lbs/acre and mulch shall be MNDoT type 1.

EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.

POLLUTION PREVENTION MANAGEMENT
1. All solid waste must be disposed of off-site per the MPCA disposal requirements.
2. All hazardous waste must be properly stored with restricted access to storage areas to prevent vandalism. Storage and disposal of hazardous waste must be in compliance with the MPCA regulations.

UTILITY NOTES
1. Bring watermain into proposed building and cap at floor.
2. Verify all service locations and inverts with mechanical engineer before construction.
3. All watermain to have a minimum of 7.5' of cover.
4. All sewer services to extend to a point 5' from propose building.

INSPECTION AND MAINTENANCE
1. The site must be inspected once every seven (7) days during active construction and within 24 hours after a rainfall event greater than 0.5 inches in a 24 hour period..
2. All inspections and maintenance conducted must be recorded in writing and records retained with the SWPPP.
3. Areas of the site that have undergone final stabilization, may have the inspection of these areas reduced to once per month.
4. All silt fence must be repaired, replaced or supplemented within 24 hours when they are nonfunctional or the sediment reaches ½ of the height of the fence.
5. Surface waters and conveyance systems must be inspected for evidence of sediment being deposited. Removal and stabilization must take place within seven (7) days of discovery unless precluded by legal, regulatory, or physical access constraints.
6. Construction site vehicle exit locations must have sediment removed from off-site paved surfaces within 24 hours of discovery.

20 10 0 10 20 40
SCALE IN FEET

NORTH

DRAWING NAME	NO.	BY	DATE	REVISIONS
BASE WEBER				
DRAWN BY				
TCW				
CHECKED BY				
RSM				
DATE				
07/02/18				

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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.

Robert S. Molstad

ROBERT S. MOLSTAD, P.E.
Date: 07/03/18 Lic. No. 26478

ENGINEERS SURVEYORS DESIGNERS PLANNERS

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

CITY PROJECT NO.

WAYZATA, MINNESOTA

PRELIMINARY CONSTRUCTION PLAN
VENTANA CONDOS
VENTANA, LLC.

FILE NO.
94818-001

CP / CP

PROJECT NAME AND NUMBER

Attachment B
Design Critique

Design Review Critique
Ventana Condos
August 20, 2018

The Design Review Critique is based on the following plans submitted by the applicant:

1. Narrative dated July 17, 2018
2. Building Tabulations submitted by Weber Architects and Planners dated August 17, 2018
3. Site Tabulations submitted by Weber Architects and Planners dated August 17, 2018
4. Exterior Elevations prepared by Weber Architects and Planners dated August 16, 2018
5. Floor Plans by Weber Architects and Planners dated August 16, 2018
6. Preliminary Construction Plan by Sathre-Bergquist, Inc, dated July 3, 2018

		Comments		Compliance
Building Uses				
801.09.2.1 – Lake Street District All new buildings east of Barry Avenue on Lake Street shall have retail usage at least eighty percent (80%) of the ground floor facing Lake Street. The remaining twenty percent (20%) of the ground floor frontage may only be used for walkways, public access, or public facilities. Retail activities shall comprise a total of at least fifty percent (50%) of the usage of the total building footprint.		The subject property is located west of Barry Ave on Lake St.		N/A
Building Recesses				
801.09.3.1.A – All Districts Building facades shall be articulated through the use of pilasters and/or recesses that create visible shadow lines and dimensions especially on the street level		The proposed building includes recesses and undulations in the building façade that creates shadow lines and dimensions.		Yes
801.09.3.1.B Street level landscaped courtyards, outdoor seating areas and gathering areas shall be incorporated into building and site plan design.		The front of the building adjacent to the street and public sidewalk would be landscaped.		Yes

Design Review Critique
Ventana Condos
August 20, 2018

		Comments		Compliance
Building Width				
801.09.4.1 All Districts – New Buildings In order to reduce the scale of longer façades and to eliminate the long horizontal expressions of buildings, divisions or breaks in materials shall be included and at least three of the following design strategies shall be incorporated into the design: 1. Window bays 2. Special treatment at entrances 3. Variations in roof lines or parapet detailing 4. Awnings 5. Building setbacks or articulation of the facade 6. Rhythm of elements		The proposed building incorporates awnings, variations in roof line, articulation of facades, and rhythm of form (in the columns and the decks).		Yes
		Comments		**Compliance**
Upper Story Setbacks				
801.09.5.1.A – All Districts – New Buildings Building height shall conform to the height of the applicable zoning district. Where three (3) story buildings are permitted, the third (3rd) story must be recessed from all façades fronting public right of ways at least a distance equal to the vertical distance of the 3rd story height from the second (2nd) floor footprint, or an average of ten (10) feet across the facade, but no portion of the 3rd story structure shall be closer than six (6) feet to the 2nd story façade. The 3rd story façade shall be designed with railings, pillars, dimensional windows, building recesses or other similar design techniques to break up the 3rd story façade.		The building has previously received a variance to the building height to allow for a 40-foot building height, but is still only 3 stories. The third story is recessed from the 2nd story by 6 feet, which is recessed from the 1st floor by approximately 8 feet. The 3rd story façade is designed with railings, pillars, very large windows, and building recesses.		Yes

		Comments		Compliance
801.09.5.1.B – All Districts – New Buildings The façades fronting public right-of-ways of every two and three story building, longer than sixty (60) feet, must have a recessed second story of approximately twenty-five percent (25%) of the façade's length, setting back a minimum of six (6) feet from the face of the first floor façade. The required third floor setback must follow the frontal plane of the second story setback.		The building's 2nd story is fully recessed from the 1st story by approximately 8 feet.		Yes
801.09.5.1.C – All Districts – New Buildings Wintertime sun orientation, solar access, and views of Lake Minnetonka are significant issues within the Design Districts. Building height should not negatively and significantly impact neighboring properties.		The proposed building will not impede the views of properties to the north. There is significant distance and grade elevation between this proposed building and the next building to the north.		Yes

		Comments		Compliance
Roof Design				
801.09.6.1 – All Districts "Green" roofs, roof garden terraces, arbors and other similar structures are encouraged on roofs of building.		The proposed building does not include any green roofs.		N/A
801.09.6.2.A – All Districts – Roof Materials The roof material for all sloped roofs in all districts shall be slate, untreated copper, pre-finished metal, cedar shake or asphalt shingle in dark colors. 801.09.6.2.B – All Districts – Roof Materials The roof material for all flat roofs in all districts shall be treated synthetic membrane or other similar material in dark colors.		The proposed building has a flat roof which would consist of a synthetic membrane in a dark color.		Yes

Screening of Rooftop Equipment				
801.09.7.1 – Lake Street District No mechanical equipment for a building may be located on the roof deck. All such mechanical equipment must be located within the interior of the structure.		The proposed plans do not include mechanical units on the rooftop. The mechanical equipment would be located inside the building, and would not be visible from the public street or adjacent properties.		Yes

Design Review Critique
Ventana Condos
August 20, 2018

		Comments		Compliance
Facade Transparency				
801.09.8.1 – Lake Street District No less than fifty percent (50%) of the ground level façade of any building fronting Lake Street shall be transparent glass. No less than twenty-five percent (25%) of the ground level side and rear façade facing a public right of way, parking area or open space shall be transparent glass.		The first floor of the building has 62.6% glass along the front facing façade of Lake Street, front facing façade. The rear and side façade also exceed 50% of those facades.		Yes
Ground Level Expression				
801.09.9.1 – All Districts In multi-story buildings, the ground floor shall be distinguished from the floors above by the use of at least three of the following elements: 1. An intermediate cornice line 2. A difference in building materials or detailing 3. An offset in the façade 4. An awning, trellis, or loggia 5. Arcade 6. Special window lintels 7. Brick/stone corbels		The ground floor of the proposed building is distinguished from the 2nd and 3rd floor by an architectural cornice, a change in building materials from glass to metal, an offset in the façade, and canopies.		Yes

Entries				
801.09.10.1 – All Districts The front facade of all buildings shall be landscaped with window boxes or planters with seasonally appropriate plantings. The main entries shall face the primary street at sidewalk grade.		The front façade has landscaping located in front of the building adjacent to Lake Street. However, the entrance to the building is located at sidewalk level on the side of the building, and not directly on Lake Street.		No. Deviation requested.

		Comments		Compliance
Building Materials and Quality				
801.09.11.1.A – Primary Opaque Surfaces – All Districts Other than the accent materials listed in 801.09.11.G, ninety percent (90%) of the non-glass surfaces of each elevation of the exterior building façade shall be composed of one or more of the following materials: 1. Brick 2. Stone 3. Cast stone 4. Factory finished and certified wood, including, but not limited to: a. Wood shingles (cedar shingles six (6) inch maximum exposure) b. Lap-siding (six (6) inch maximum width) 5. Stucco		The vast majority of the façade is glass. The non-glass surfaces of the building are comprised of stone and stucco, which are permitted primary materials. The building also includes metal canopies, coping, and metal panel deck/balcony railings.		Yes
801.09.11.1.B – Façade Coverage – All Districts The primary opaque surface materials of all free standing buildings must be the same on all facades of the building.		The proposed building would consist of the same primary materials – glass, stone, and stucco – on all sides of the building.		Yes
801.09.11.1.C – Type of Brick – All Districts On all facades of a free-standing building where brick is used, full course modular, Roman, Norman or other standard size brick must be used.		The proposed building does not include any brick.		N/A

801.09.11.1.D – Façade Detail – All Districts 1. Brick and/or stone façades shall be well detailed and dimensionally designed in order to avoid fractional cuts and odd pieces. All outside brick corners must be full bricks (custom if necessary), with no mitering, forming continuous vertical joints. 2. The narrow face of an exposed stone butt joint, at corners, must be a minimum dimension of two (2) inches. Mitered and quirked stone corners are also acceptable.		The proposed building does not include any brick.		N/A
801.09.11.1.E – Brick Joints – All Districts 1. The mortar for brick must be dark grey or in the color range of the brick. All joints must be concave or 'v' joint. No mortar may be used beyond the face of the brick. 2. All brick walls must be built to avoid efflorescence		The proposed building does not include any brick.		N/A
801.09.11.1.F – Stone Joints – All Districts Stone joints shall be no larger than one-fourth (1/4) inch.		The stone joints would be no larger than ¼ inch.		Yes

801.09.11.1.G – Accent Materials – All Districts Only the following materials may be used for lintels, sills, cornices, bases, and decorative accent trims, and must be no more than 10 percent (10%) of the non-glass surfaces of each elevation of the exterior building façade: 1. Stone 2. Cast stone 3. Copper (untreated) 4. Rock faced stone 5. Aluminum or painted steel structural shapes 6. Fiber cement board 7. Premium grade wood trim with mitered outside corners. Examples of premium grade wood are cedar, redwood, and fir. 8. EIFS		The building includes sills, accents, and cornices that do not consist of more than 10 percent of the surfaces and consist of stone, steel, and metal.		Yes
801.09.11.1.H - Parapets, Flashing, Coping – All Districts 1. Only the following materials may be used for parapets, flashing and coping: a. copper (untreated) b. brick c. stone d. cast stone e. premium grade wood. *2.* Pre-finished, painted .032 aluminum may only be used as a standard parapet coping with a maximum exposed edge of five (5) inches.		The parapets, flashing, and coping are metal.		Yes

801.09.11.1.I – Awnings – All Districts 1. Only the following types of awnings may be used: a. Fabric awnings of a heavy canvas in dark solid colors or other colors that are approved as part of the design review process b. Highly detailed, ornate metal in dark colors c. Glass awnings 2. Backlit awnings are prohibited. 3. Awnings with text or graphic material may be permitted but require approval via the sign permit process of the Zoning Ordinance.		The proposed building includes metal canopies but no awnings.		N/A
801.09.11.1.J – Balconies – All Districts Balconies shall be accessible and useable by persons. Fake or unusable balconies are prohibited. All balconies shall remain within the property line. Metal railings with members painted dark, or glass panels are permitted.		The building includes usable decks and balconies with metal railings.		Yes
801.09.11.1.K – Glass – All Districts Glass shall not be mirrored, reflective or darkened. Slight green, bronze and grey tints are acceptable. Spandrel glass shall not be counted as transparent glass for the purposes of calculations under the transparency requirements of Section 801.09.8 of the Standards, but may be used for detailing purposes. Environmentally appropriate glass, such as Low-emissivity glass, shall be used in all projects		The exterior glass will not be mirrored, reflective, or darkened.		Yes

801.09.11.1.L – Door Systems – All Districts Unless there are building security concerns, main entry doors shall be primarily glass. If, for security reasons, a main entry door is not possible or practical, a main entry door must be well detailed. Appropriately designed wood doors may be utilized for retail and office buildings.		All entry doors are glass on the front façade.		Yes
		Comments		**Compliance**
Franchise Architecture				
801.09.12.1 – All Districts A. Typical or standardized franchise architecture (including building design that is the trade dress of, or identified with a particular chain, franchise or business and is repetitive in nature) is prohibited. B. Large, bold or bright signage, trade dress or logos must be altered and scaled down to meet the purpose of these standards as articulated herein, and must not be repeated on the facades of the principal structure more than once. All new, altered and/or proposed signage for buildings must be submitted for review under Section 801. 09.18 by the Planning Commission at the time of Design Standards Review application		There is no franchise architecture proposed.		N/A

		Comments		Compliance
Walkways				
801.09.13.1 – Lake Street District A. Continuous sidewalks at least twelve (12) feet in width shall be provided along all public street frontages. B. Lighted sidewalks shall extend between rear and side parking areas and building entrances. All sidewalk lighting must project downward. C. Buildings with street frontage exceeding fifty (50) feet shall have at least one (1) bench. D. All sidewalk surfaces		The proposed plans include a 12-foot continuous sidewalk along Lake Street with the required streetscaping elements.		Yes

		Comments		Compliance
Landscaping				
801.09.14.1 – All Districts A. Seasonal landscaping shall be used in all Design Districts, including use of window boxes, hanging flowers baskets, vines and/or other similar seasonal landscaping. If feasible, garden areas and ornamental trees shall be used at the street level. B. Window boxes, hanging baskets and planters with seasonally appropriate plantings shall be used around entries to buildings. C. Vines shall be used to cover walls with more than one hundred (100) square feet of uninterrupted surface area. D. Streetscaping shall include all of the following: 1. Boulevard species trees, with at least three (3) caliper inches. 2. Exposed aggregate sidewalks with brick accents 3. Street lights 4. Benches (if building length is 50 feet or greater), which utilize existing city bench designs. 5. Flowers		The proposed building indicates landscaping along the front façade of the building adjacent to Lake Street.		Yes

801.09.14.2 – Lake Street District A. Established Lake Street landscape treatments shall be followed in accordance with the specifications of the Wayzata Engineering Guidelines set forth in Wayzata City Code. Exposed aggregate with brick accent sidewalks shall be used. B. Approved boulevard trees, planted in sidewalk areas, shall be planted no more than twenty six (26) feet on center from each other.		The proposed plans include a 12-foot continuous sidewalk along Lake Street with the required streetscaping elements.		Yes

		Comments		Compliance
Parking Lot Landscaping				
801.09.15.1 – All Districts A landscaped buffer strip at least five (5) feet wide shall be provided between all parking areas and the sidewalk or street. The buffer strip shall consist of shade trees appropriately spaced for the particular Design District, and a decorative metal fence, masonry wall or hedge. A solid wall or dense hedge shall be no less than three (3) feet and no more than four (4) feet in height.		The proposed parking area is going to be publicly owned and will be located behind the building.		N/A
Surface Parking				
801.09.16.1 – All Districts A. Off-street parking shall be located to the rear of buildings. When parking must be located in a side yard adjacent to the street, a landscaped buffer shall be provided in accordance with the Design Standards. The street frontage occupied by parking shall not exceed sixty (60) feet per property. B. Side-by-side parking lots creating a parking area frontage longer than sixty (60) feet are prohibited, except where a heavily landscaped buffer of at least twenty (20) feet wide completely separates both lots. C. Side yard parking shall not extend beyond the front yard setback of the primary building on the property. D. Front yard parking is prohibited. E. There shall be no corner parking.		The proposed parking area is going to be publicly owned and will be located behind the building.		N/A

		Comments		Compliance
801.09.16.2 – All Districts – Bicycle Parking Commercial developments requiring more than twenty (20) parking spaces shall provide at least four (4) bicycle parking spaces in a convenient, visible, preferably sheltered location.		This proposal is entirely residential.		N/A
Parking Structures				
801.09.17.1 – All Districts Parking structures shall meet the following standards, along with all other applicable building code standards: A. The ground floor façade abutting any public street or walkway shall be architecturally compatible with surrounding commercial or office buildings. B. The parking structure shall be designed in such a way that sloped floors do not dominate the appearance of the façade. C. Windows or openings shall be similar to those of surrounding buildings. D. Vines and other significant landscaping shall be used to minimize the visual impact of the parking structure.		There is no parking structure associated with the project.		N/A

		Comments		Compliance
Signs				
801.09.18.1 – All Districts A. Compatibility 1. Signs shall be architecturally compatible with the style, composition, materials, colors and details of the building, and with other signs on nearby buildings. Signs shall be an integral part of the building and site design. 2. A sign plan shall be developed for buildings which house more than one (1) business. Signs need not match, but shall be compatible with one another. Franchise or national chains must comply with these Sign Standards to create signs compatible with their context. 3. When illuminated signs are proposed, only the text and/or logo portion of the sign may be illuminated. Illuminated signs must be compatible with the location. Illumination of the sign to highlight architectural details is permitted. Fixtures shall be small, shielded, and directed towards the sign rather than toward the street, so as to minimize glare for pedestrians and adjacent properties. 4. Sign plans must be submitted for review as part of an Applicant for Design Approval. Proposed signs must also conform to the requirements of Section 801.27 of the Wayzata Zoning Ordinance.		There are no proposed changes to the signage on the property at this time.		N/A

801.09-18.2 – Permitted Sigs – Lake Street District A. **Lake Street District.** Only the following types of signs are permitted in the Lake Street District: 1. Awning, canopy or marquee signs 2. Wall signs 3. Monument or ground signs 4. Projecting signs 5. Window signs (small accent signs) 6. Roof signs if located on pitched-roof buildings, below the peak of the roof		There are no proposed changes to the signage on the property at this time.		N/A

		Comments		**Compliance**
Parking Lot and Building Lighting				
801.09.19.1 – All Districts A. Parking lot lighting shall be designed in such a way as to be in scale with its surroundings, and reduce glare. B. Cutoff fixtures shall be located below the mature height of trees located in parking lot islands so as to minimize ambient glow and light pollution. C. Pedestrian-scale lighting, not exceeding thirteen (13) feet in height, shall be located on walkways and adjacent to store entrances. All sidewalk lighting must be projected downwards. City light standard shall be followed for all public streets. D. Light posts shall be of a dark color. E. Lighting fixtures shall be compatible with the architecture of the building. F. Lights attached to buildings shall be screened by the building's architectural features to eliminate glare to adjacent properties. All façade lighting must be projected downwards. G. All lighting fixtures shall comply with City Code Section 801.16.6 as it relates to glare.		The proposed plans do not include any private parking lots improvements.		N/A

City of Wayzata
Planning Commission
Agenda Report

MEETING DATE: September 5, 2018	**AGENDA ITEM:** 3c
TITLE: Adoption of Report and Recommendation of Approval of PUD General Plan, Design Review, Variance, and Shoreland Impact Plan/Conditional Use Permit for Hughes Redevelopment at 235 and 239 Lake St E	
PROJECT NAME: Hughes Redevelopment	
ADDRESS: 235 and 239 Lake St E	
PREPARED BY: Jeff Thomson, Director of Planning and Building	

BACKGROUND:

Application Overview

The applicant, Pat Hughes and Tom Dillon, and the property owner, Melvin's 235, LLC, have submitted a development application to redevelop the properties at 235 and 239 Lake Street East. The applicant is proposing to demolish the existing office building and construct a three story, 37,879 square foot office building. The development application is the second phase for the PUD rezoning, and requests approval of the PUD general plan, design review, building height variance, and a conditional use permit/shoreland impact plan for the building height.

Planning Commission Review

The Planning Commission reviewed the development application and held a public hearing at its meeting on August 20, 2018. After discussing the application, the Planning Commission voted six (6) in favor and zero (0) opposed to direct staff to prepare a Report and Recommendation of approval of the development application for adoption at the next Planning Commission meeting.

PLANNING COMMISSION ACTION:

City Staff has drafted the attached Planning Commission Report and Recommendation which recommends approval of the development application. The Report and Recommendation includes the findings and conditions of approval discussed by the Planning Commission.

ATTACHMENTS:

1. Draft Planning Commission Report and Recommendation

WAYZATA PLANNING COMMISSION

September 5, 2018

REPORT AND RECOMMENDATION OF APPROVAL OF PUD GENERAL PLAN, DESIGN REVIEW, VARIANCE, AND SHORELAND IMPACT PLAN/CONDITIONAL USE PERMIT AT 235 AND 239 LAKE ST E

SUMMARY OF RECOMMENDATION

1. **Approval*** of PUD General Plan of Development
2. **Approval*** of Design of Project
3. **Approval*** of Height Variance
4. **Approval*** of Shoreland Impact Plan/Conditional Use Permit for Height

*** with certain conditions listed at the end of this Report**

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

1.1 Proposed Land Use. Pat Hughes and Tom Dillon, and the property owner, Melvin's 235, LLC, (collectively, the "Applicant") have submitted a development application to redevelop the properties at 235 and 239 Lake Street East (the "Property"). The proposed redevelopment involves the demolition of the existing office building and the construction of a new three story, 37,879 square foot office building with one level of underground parking (the "Project").

1.2 Previous Approvals. On February 20, 2018, the City Council approved the PUD Concept Plan of Development for the Project and the rezoning to PUD/Planned Unit Development, contingent upon approval of the PUD General Plan of Development.

1.3 Approvals Requested. The Application includes requests for approval of the following:

A. PUD General Plan of Development (the "PUD" or "PUD General Plan"): The Project would be built according to an approved PUD Plan for the Property, which includes a three story, 37,879 square foot office building with one level of underground parking, generally consistent with the

DRAFT

approved PUD Concept Plan of development for the Project, except for the following modifications: (1) the access drive has been moved from the west side of the building to the east, between 235 and 253 Lake Street East; (2) the building has been increased in size from 35,181 to 37,879 square feet; and (3) addition of a lower level parking garage that would include 29 enclosed parking stalls, and would increase the height of the building above the 35-foot height requirement.

B. Design (the "Design"): The newly constructed building of the Project is subject to the Design Standards of the Zoning Ordinance. The Applicant is requesting approval of the design elements of the Project as well as certain deviations from the Design Standards, further detailed in the Design Critique included as Attachment B (the "Deviations").

C. Variance from the Building Height Standard: A variance from the maximum 35 foot, 3 story building height permitted in the PUD Zoning District to allow for the proposed building with a height up to 39.7 feet (the "Height Variance").

D. Shoreland Impact Plan/Conditional Use Permit for the Building Height: A shoreland impact plan/conditional use permit for a building in excess of 35 feet in the S/Shoreland District to allow for the proposed building with a height up to 39.7 feet (the "Height CUP").

1.3 Property. The address, property identification numbers and owners of the Property involved in the Project are:

Address	PID	Owner
235 Lake St E	06-117-22-23-0010	Melvin's 235, LLC
235 Lake St E	06-117-22-23-0007	Melvin's 235, LLC
235 Lake St E	06-117-22-32-0003	Melvin's 235, LLC
239 Lake St E	06-117-22-23-0014	Melvin's 235, LLC

1.5 Land Use Designations. The Property is zoned and guided as follows:

Zoning:	PUD/ Planned Unit Development*
Comp Plan designation:	Central Business District
Overlay districts:	S/Shoreland Overlay District W/Wetland Overlay District

**The rezoning from C-4A to PUD is effective upon approval of the PUD General Plan of Development*.

1.6 Notice and Public Hearing. Notice of the public hearing on the Application was published in the *Lakeshore Weekly News* on August 9, 2018 and mailed to all property owners located within 350 feet of the Property on August 7, 2018. The

public hearing on the Application was held at the August 20, 2018 Planning Commission meeting.

Section 2. STANDARDS

2.1 General Plan of Development for Planned Unit Developments (PUDs).

A. Approval Process for General Plan of Development. Approval of a Planned Unit Development is according to a multi-stage review and approval process (Concept Plan, General Plan, Final Plan) set forth in Section 33 of the Zoning Ordinance. Following the approval of a PUD Concept Plan, the Applicant must submit a new application for approval of a PUD General Plan of Development that depicts and outlines the proposed implementations of the approved Concept Plan, and that includes the information and materials outlined in Section 801.33.6. The same review procedure and criteria is followed for a General Plan of Development as is followed with a Concept Plan. Approval of a PUD Concept Plan in no way binds the City to subsequent approval of a General Plan of Development. Sec. 801.33.5.B.1.

B. 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.

C. 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 meet.

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.

D. Residential and Non-Residential PUD Standards. Sections 801.33.3 and 4 set forth lot area, minimum frontage, municipal water and sewer availability, roadway and parking standards for PUDs which have a residential and non-residential components. In addition to the standards set forth in these sections, City Council may impose such other standards for a 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.

2.2 Design Standards. All new multi-family residential building construction in the City must comply with the Design Standards found in Section 9 of the Zoning Ordinance. The Project falls within the Lake Street Design District, and the relevant design standards applicable to the Project are outlined in the attached "Design Critique" (Attachment B). Deviations from the Design Standards may be permitted under Sec. 801.09.21 (with the exception of Section 7 of the Design Standards) if City Council (after considering the Planning Commission's recommendation) makes a finding that the negative impact of such deviation is outweighed by one or more of the following factors:

A. The extent to which the project advances specific policies and provisions of the City's Comprehensive Plan.

B. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards.

C. The positive effect of the project on the area in which the project is proposed.

D. The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.

E. The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.

F. A national, state or local historic designation.

G. The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.

2.3 Building Height; Variances. Under Section 801.33.2.14, the maximum building height in the PUD Zoning District is thirty-five (35) feet and three (3) stories, whichever is less. Section 801.05.1.C provides the criteria for reviewing variances from the standards of the Zoning Ordinance. The variance review criteria are as follows:

A. Variances shall only be permitted when they are:
   (i) in harmony with the general purposes and intent of the Zoning 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 Zoning 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.

2.4 Shoreland Impact Plan/Conditional Use Permit for Building Height. The maximum height of buildings in the Shoreland Overlay District is 35 feet. Under Section 801.91.10, building heights over 35 feet may be allowed through approval of a shoreland impact plan/conditional use permit. Section 801.91.19 states that landowners or developers desiring to develop land located within the Shoreland District must first submit a conditional use permit application as regulated by Section 801.04 and a "Shoreland Impact Plan", which shall set forth proposed provisions for sediment control, water management, maintenance of landscaped features, and any additional matters intended to set forth proposed changes requested by the applicant and affirmatively disclose what, if any, change will be made in the natural condition of the earth, including loss of change of earth ground cover, destruction of trees, grade courses and marshes. City Code Section 801.04.2.F. states that the Planning Commission and City Council shall consider possible adverse effects of a 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.

Section 3. FINDINGS OF FACT

Based on the Application materials, additional materials submitted by the Applicant, staff reports and documents, public comment and information presented at the public hearing, and the standards of the Wayzata Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

3.1 PUD General Plan. The PUD General Plan of Development would implement the approved PUD Concept Plan.

A. The PUD General Plan 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 General Plan meets the land use designation for the Property, and is consistent with the goals and objectives of the comprehensive plan.

C. The PUD General Plan allows for phased and orderly development with the adjacent properties at 253 and 259 Lake St E by consolidating and coordinating building location, vehicle and pedestrian access, and shared public parking.

D. The PUD General Plan creates a more desirable and creative environment than would be possible under the existing C-4A/Limited Central Business District, and accommodates public parking being constructed on the back of the Property in coordination with adjacent properties.

E. In addition, the PUD General Plan meets all of the PUD general standards listed in Section 801.33.2.A of the Zoning Ordinance and Section 2.1 of this Report and Recommendation except those for which additional approvals are requested.

F. The Application contains the information and materials listed in Section 801.33.5.C of the Zoning Ordinance.

3.2 Project Design. The Project meets the applicable provisions of the Design Standards except for the Deviations, which are:

(i) Exterior Building Materials: The design standards state that at least 90% of the non-glass surfaces of each elevation must be composed of brick, stone, cast stone, wood, or stucco. The proposed plans meet the

material requirements for the south/Lake Street and east elevations, but the use and amount of fiber cement board on the west and north sides of the building exceeds 10%.

The Commission finds that there would be very little, if any, negative impacts of this Deviations, and to the extent there are any negative impacts of the Deviations, those impacts are outweighed by one or more of the following factors:

A. The extent to which the Project advances specific policies and provisions of the City's Comprehensive Plan, as noted in the record.

B. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards, as noted in the record.

C. The positive effect of the Project on the area in which the Project is proposed.

3.3 Height Variance. The Height Variance meets all of the standards for granting a variance under the Zoning Ordinance:

A. The Height Variance is in harmony with the purpose and intent of the Zoning Ordinance, and is consistent with the Comprehensive Plan guidance for the area.

B. The Applicant has demonstrated in the Application and its presentation to the Planning Commission that there are practical difficulties in complying with the building height requirement under the relevant criteria of the Zoning Ordinance, including a demonstration that the Height Variance requested is (i) due to circumstances related to the topography, soils, and water table on the Property, and not created by the landowner; and (ii) the Height Variance, if granted, will not alter the essential character of the locality, which include buildings of similar height, scale and massing along Lake Street.

3.4 Shoreland Impact Plan/Conditional Use Permit for Building Height. The provisions of Section 801.91.19 and 801.04.2(F) of the Zoning Ordinance have been considered and are satisfactorily met.

A. The Applicant has submitted a "Shoreland Impact Plan" with all of the information required under Section 801.91.19.

B. The height requested under the Height CUP (the "Proposed Height") is consistent with the policies and provisions of the official City Comprehensive Plan as noted in this Report.

C. The Proposed Height would be compatible with present and future uses of the area, including the adjacent property, as noted in this Report.

D. The Proposed Height would not significantly impact the Lake Street streetscape, and the views from the sides and rear of adjacent properties and bluff area.

Section 4. RECOMMENDATION

4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **APPROVAL** of the (i) PUD General Plan of Development, (ii) Design of the Project, (iii) Height Variance, and (iv) Height CUP, subject to the following conditions:

A. The Applicant must secure all necessary building permits for construction, and follow all laws and regulations applicable to the Project, including building codes and land use regulations.

B. The Applicant must build and complete the Project in conformance in all material respects with the plans depicted in the Application, included as Attachment A.

C. Before the City issues a building permit for the Project, the final civil engineering plans, including Site Plan, Grading and Drainage Plan, Utility Plan, Stormwater Management Plan, and SWPP must be reviewed and approved by the City Engineer.

D. Before the City issues a building permit for the Project, the final landscape plans must be reviewed and approved by the City Forester.

E. Before the City issues a building permit for the Project, the final lighting plans must be reviewed and approved by City staff. The exterior lighting must be coordinated with adjacent properties and must meet City specifications and requirements.

F. Before the City issues a building permit for the Project, the Applicant must submit a subdivision application to the City for review and approval by the City Council. The subdivision must include a separate lot on the back of the property to be donated to the City for use in combination with adjacent property as public parking to serve the Project and provide additional public parking in the downtown area. The Final Plat must be recorded with the appropriate Hennepin County

officials and the Applicant provide a recorded copy to the City.

G. The Applicant must enter into a Development Agreement with the City, with terms and in a form acceptable to the City Attorney, that incorporates the approvals and conditions of the City Council approval resolution, addresses all public improvements associated with the Project, addresses parking requirements for Project, terms for payment of park dedication fees, and in which the Applicant and any future Property owners agree to fully defend and indemnify the City for anything related to the Project and its relation to other properties within the West End TIF District, the Property and property-related rights, and in which any needed easements are granted to the City to allow for the construction, access and operation of a public parking lot and facility on the back of the Property to provide for additional public parking in the area, either entirely on the Property or in conjunction with other development or changes on adjacent properties.

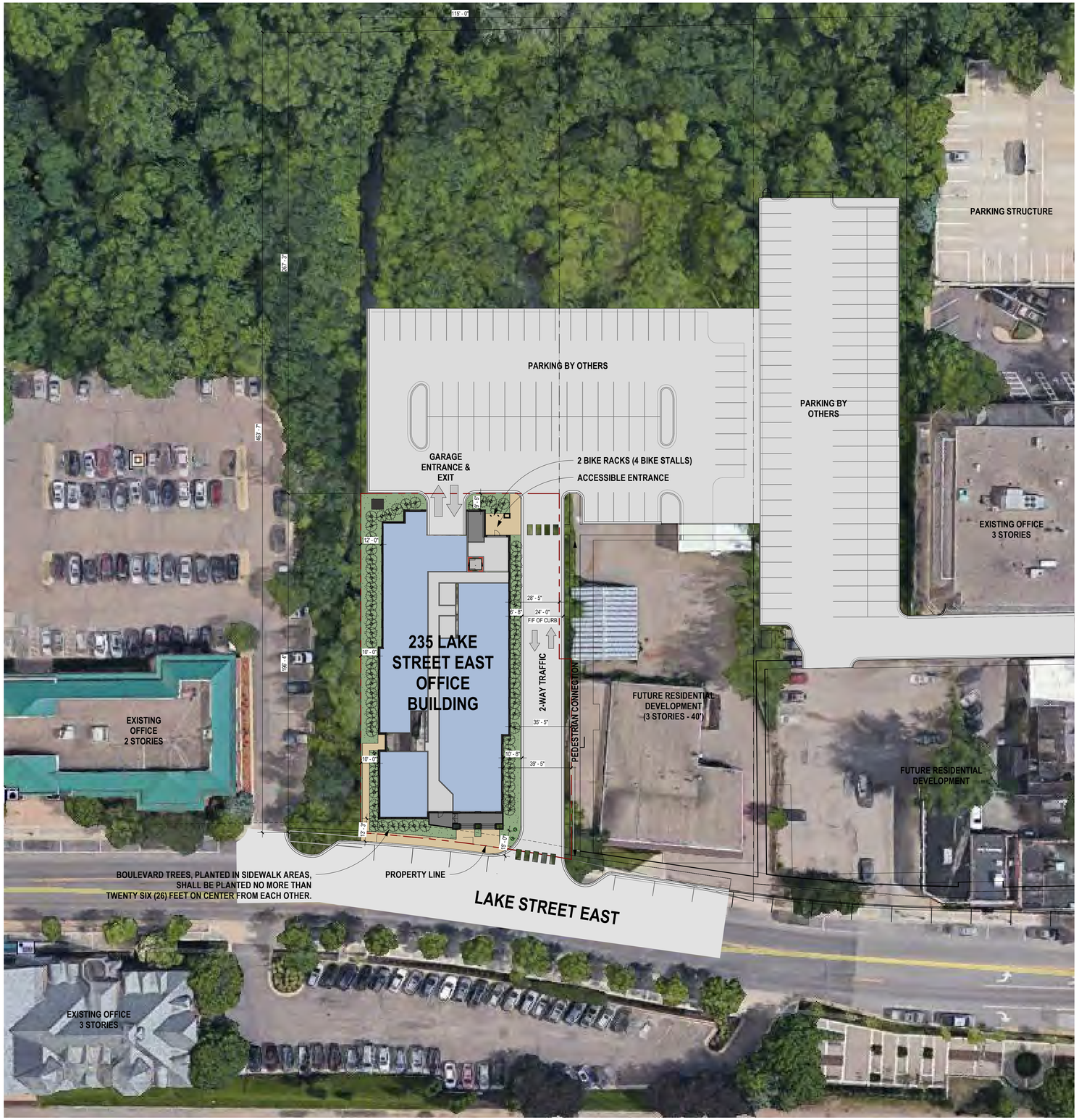
H. The Applicant must comply with all parking requirements for the Project, which may be meet through a combination of on-site and off-site parking pursuant to the City's FILOP Policy or other agreement for use of off-site parking, and the Applicant must receive any approval required by the zoning ordinance for shared or joint parking facilities.

I. 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 5th day of September 2018.

Voting For Approval Recommendation: Buchanan, Douglas, Flannigan, Iverson, Murray, Plantan
Voting Against Approval Recommendation: None
Abstaining: None
Absent: None

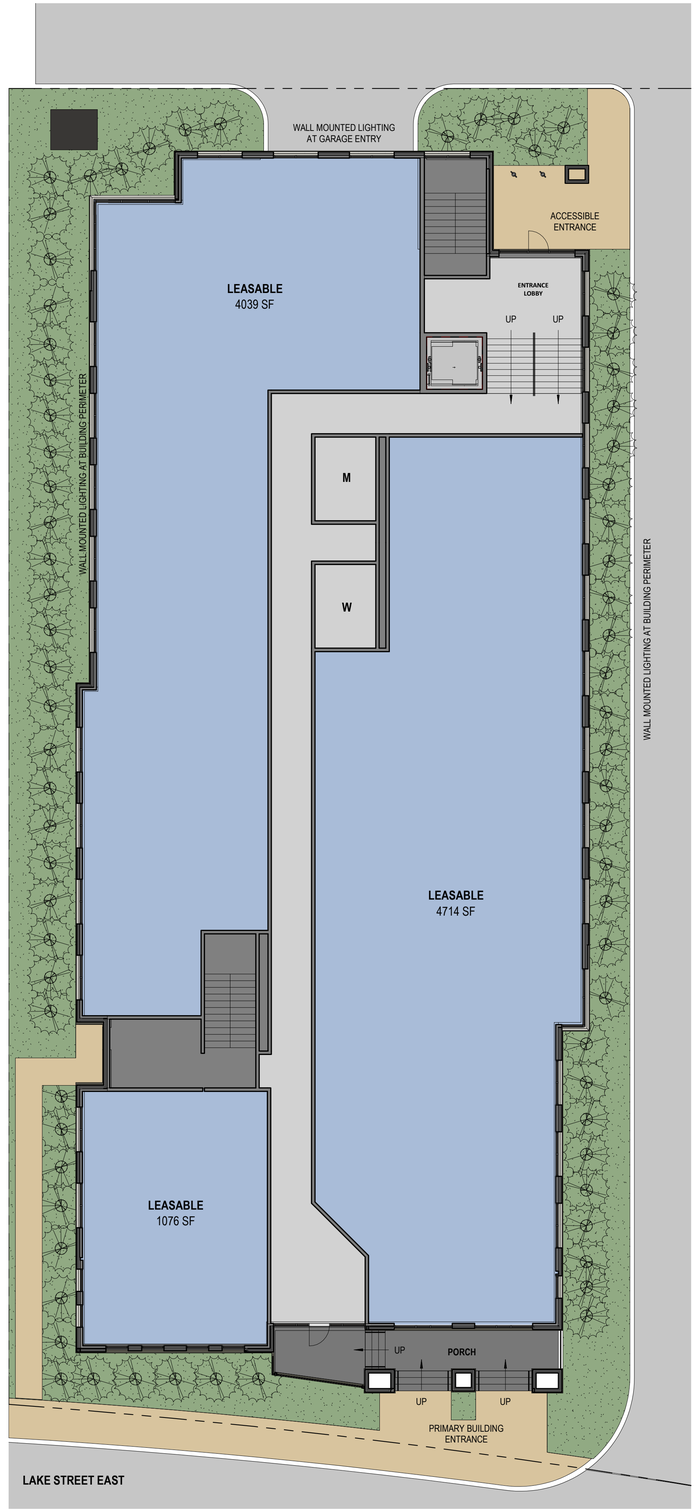
Attachment A
Amended PUD Plans



1 SITE PLAN

SCALE 1" = 30'-0"

N



2 1ST FLOOR

SCALE 3/32" = 1'-0"

- PEDESTRIAN-SCALE LIGHTING, NOT EXCEEDING THIRTEEN (13) FEET IN HEIGHT, SHALL BE LOCATED ON WALKWAYS AND ADJACENT TO STORE ENTRANCES. ALL SIDEWALK LIGHTING MUST BE PROJECTED DOWNWARDS. CITY LIGHT STANDARD SHALL BE FOLLOWED FOR ALL PUBLIC STREETS.
- LIGHT POSTS SHALL BE OF A DARK COLOR.
- LIGHTING FIXTURES SHALL BE COMPATIBLE WITH THE ARCHITECTURE OF THE BUILDING.
- LIGHTS ATTACHED TO BUILDINGS SHALL BE SCREENED BY THE BUILDING'S ARCHITECTURAL FEATURES TO ELIMINATE GLARE TO ADJACENT PROPERTIES. ALL FAÇADE LIGHTING MUST BE PROJECTED DOWNWARDS.
- ALL LIGHTING FIXTURES SHALL COMPLY WITH CITY CODE SECTION 801.16.6 AS IT RELATES TO GLARE.

Momentum Design Group
765 North Hampden Avenue, #180
St. Paul, Minnesota 55114
952.583.9788

235 Lake Street East Office Building

Wayzata, Minnesota

General Plan of Development	July 3, 2018

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PRINT NAME: BRIAN GADIENT LICENSE # : 52490

DATE: SIGNATURE:

Date	08/20/18
Project Architect	Checker
Project Number	16009

SITE PLAN / FIRST FLOOR PLAN

X1

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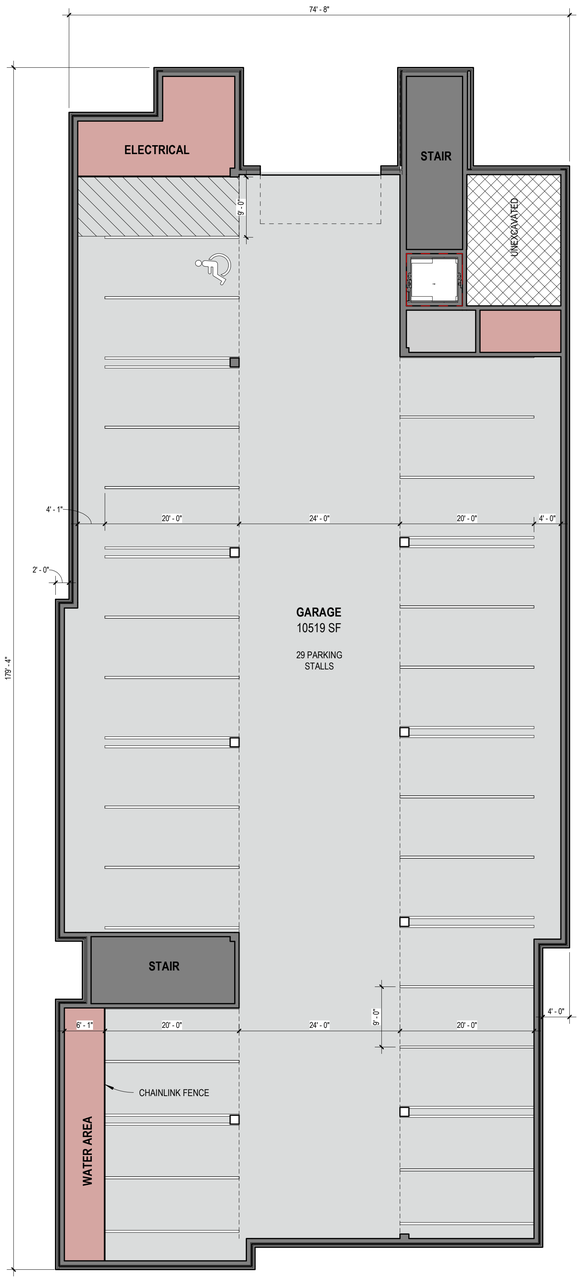
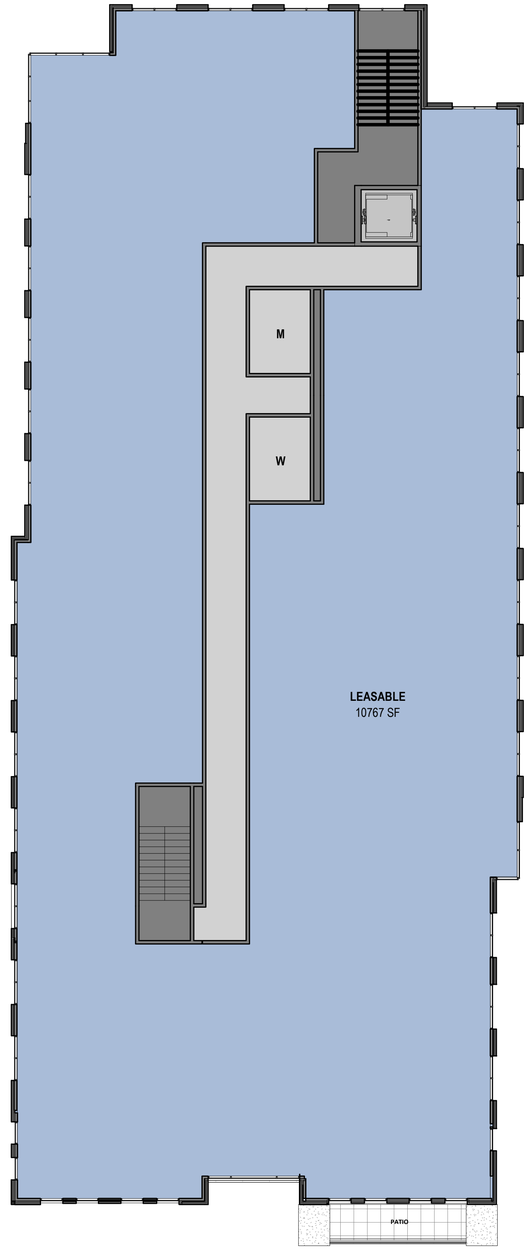
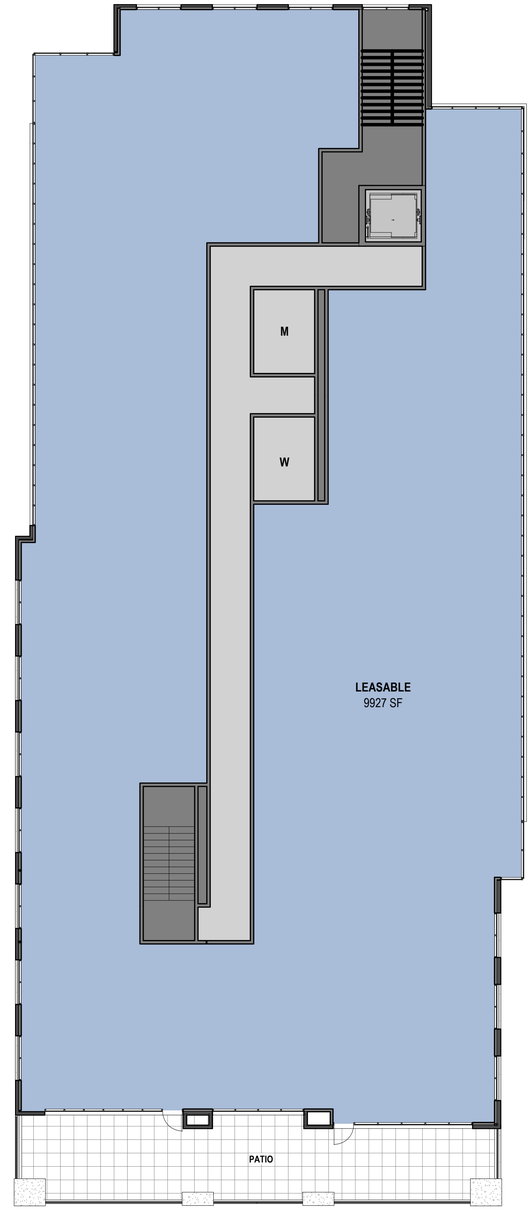


1 **GARAGE FLOOR**
SCALE 3/32" = 1'-0"



2 **2ND FLOOR**
SCALE 3/32" = 1'-0"



3 **3RD FLOOR**
SCALE 3/32" = 1'-0"

GROSS BUILDING AREA

GARAGE	12588 SF
1ST FLOOR	12820 SF
2ND FLOOR	12936 SF
3RD FLOOR	12065 SF
TOTAL	50409 SF

Momentum Design Group
765 North Hampden Avenue, #180
St. Paul, Minnesota 55114
952.583.9788

235 Lake Street East Office Building

Wayzata, Minnesota

General Plan of Development	JAN 3, 2018

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PRINT NAME: BRIAN GADIENT LICENSE #: 52480

SIGNATURE:

DATE:

Date	08/20/18
Project Architect	Checker
Project Number	16009

FLOOR PLANS

X2

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MATERIAL PERCENTAGES - EAST	
BRICK/STONE BASE	14%
STONE PANEL	38%
NICHIHA PANELS	12%
WINDOW / DOORS	35%

1 EAST ELEVATION
SCALE 1/8" = 1'-0"

MATERIAL PERCENTAGES - SOUTH	
BRICK/STONE BASE	10%
STONE PANEL	49%
NICHIHA PANELS	1%
WINDOW / DOORS (50% OF FIRST FLOOR MATERIAL)	40%

2 SOUTH ELEVATION
SCALE 1/8" = 1'-0"

MATERIAL PERCENTAGES - NORTH	
BRICK/STONE BASE	18%
STONE PANEL	35%
NICHIHA PANELS	5%
WINDOW / DOORS	42%

3 NORTH ELEVATION
SCALE 1/8" = 1'-0"

MATERIAL PERCENTAGES - WEST	
BRICK/STONE BASE	14%
STONE PANEL	44%
NICHIHA PANELS	9%
WINDOW / DOORS	34%

4 WEST ELEVATION
SCALE 1/8" = 1'-0"

Momentum Design Group
765 North Hampden Avenue, #180
St. Paul, Minnesota 55114
952.583.9788

235 Lake Street East Office Building
Wayzata, Minnesota

General Plan of Development	July 3, 2018

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PRINT NAME: BRIAN GADIENT LICENSE # : 52490

SIGNATURE:

DATE:

Date	08/20/18
Project Architect	Checker
Project Number	16009

EXTERIOR ELEVATIONS

X3

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EXTERIOR RENDERING 1

EXTERIOR RENDERING 2

Momentum Design Group
765 North Hampden Avenue, #180
St. Paul, Minnesota 55114
952.583.9788

235 Lake Street East Office Building

Wayzata, Minnesota

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PRINT NAME: BRIAN GADIENT LICENSE # : 52490

DATE: SIGNATURE:

Date	08/20/18
Project Architect	Checker
Project Number	16009

EXTERIOR RENDERINGS

X4

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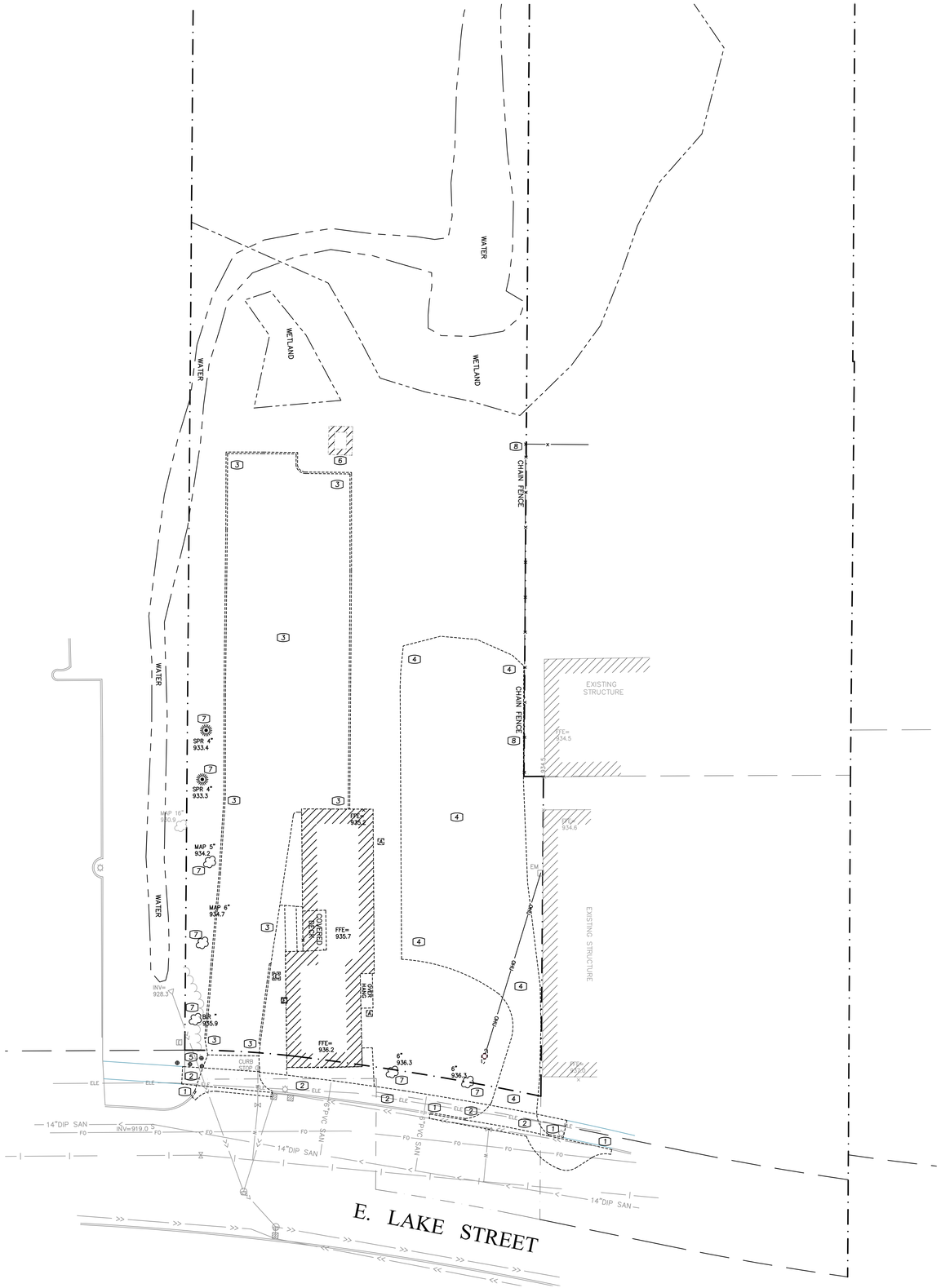


DEMOLITION NOTES

1 – Remove concrete curb & gutter
2 – Remove concrete pavement
3 – Remove bituminous pavement
4 – Remove gravel pavement.
5 – Remove bollards.
6 – Remove shed.
7 – Remove tree.
7 – Remove chain link fence (coordinate with neighboring property).

NOTE: SEE ARCHITECTURAL FOR DEMOLITION OF EXISTING BUILDING

NOTE: CONTRACTOR TO COORDINATE REMOVAL/ABANDONMENT AND RELOCATION OF EXISTING POWER POLES, OVERHEAD ELECTRIC LINES, BURIED ELECTRIC LINES, BURIED COMMUNICATION LINES AND BURIED GAS LINES WITH THE APPROPRAITE UTILITY COMPANY.

N

0 10 20 40 60
Scale in Feet

Rehder & Associates, Inc.
Civil Engineers, Planners and Land Surveyors
3440 Federal Drive, Suite 110 • Eagan, Minnesota 55122
651-452-5051 • Fax: 651-452-8797 • email: info@rehder.com

PROJECT NO.: 181-2807.013 DRAWING FILE: 2807013.DWG

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

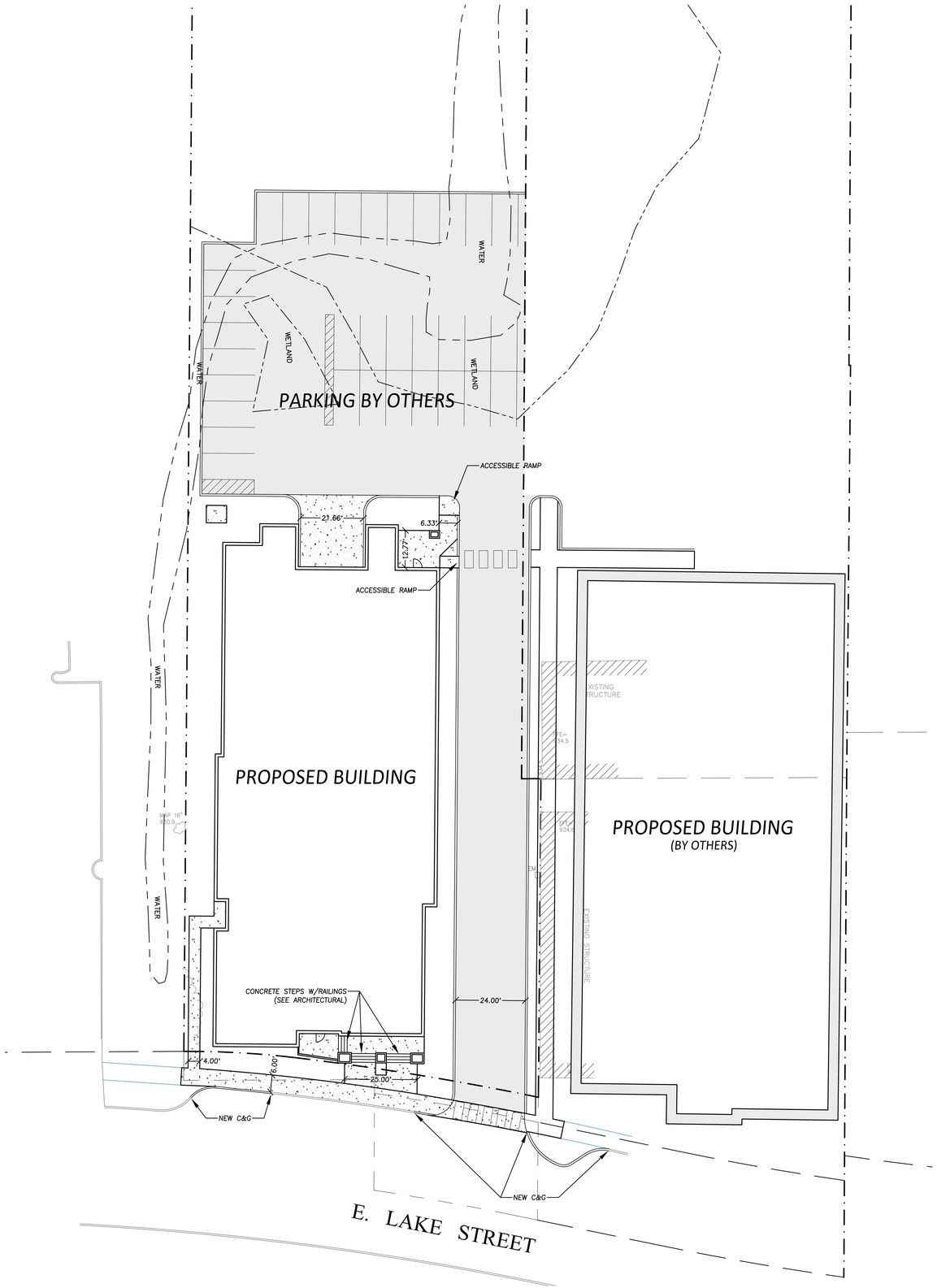
PRELIMINARY

Date
Reg. No.
Name

Issued	
7-3-18	GENERAL PLAN OF DEVELOPMENT

SITE DEMOLITION PLAN
235 E. LAKE STREET OFFICE BLDG
CITY OF WAYZATA

SHEET NUMBER
C1



SITE NOTES

1. All dimensions between curbing and to radius points are to face of curb.
2. All dimensions abutting curbs are to back of curb.
3. All curb and gutter on private property shall be type B612 unless otherwise noted.
4. All parking stall striping width is 9.00' unless otherwise noted.

LEGEND

- PROPOSED CONCRETE
- PROPOSED STD. DUTY BITUMINOUS
- BOUNDARY/ROW/BLOCK LINE
- EASEMENT
- BUILDING/PARKING SETBACK LINE

N

0 10 20 40 60
Scale in Feet

Rehder & Associates, Inc.
Civil Engineers, Planners and Land Surveyors
3440 Federal Drive, Suite 110 • Eagan, Minnesota 55122
651-452-5051 • Fax: 651-452-8797 • email: info@rehder.com

PROJECT NO.: 181-2807.013 DRAWING FILE: 2807013.DWG

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

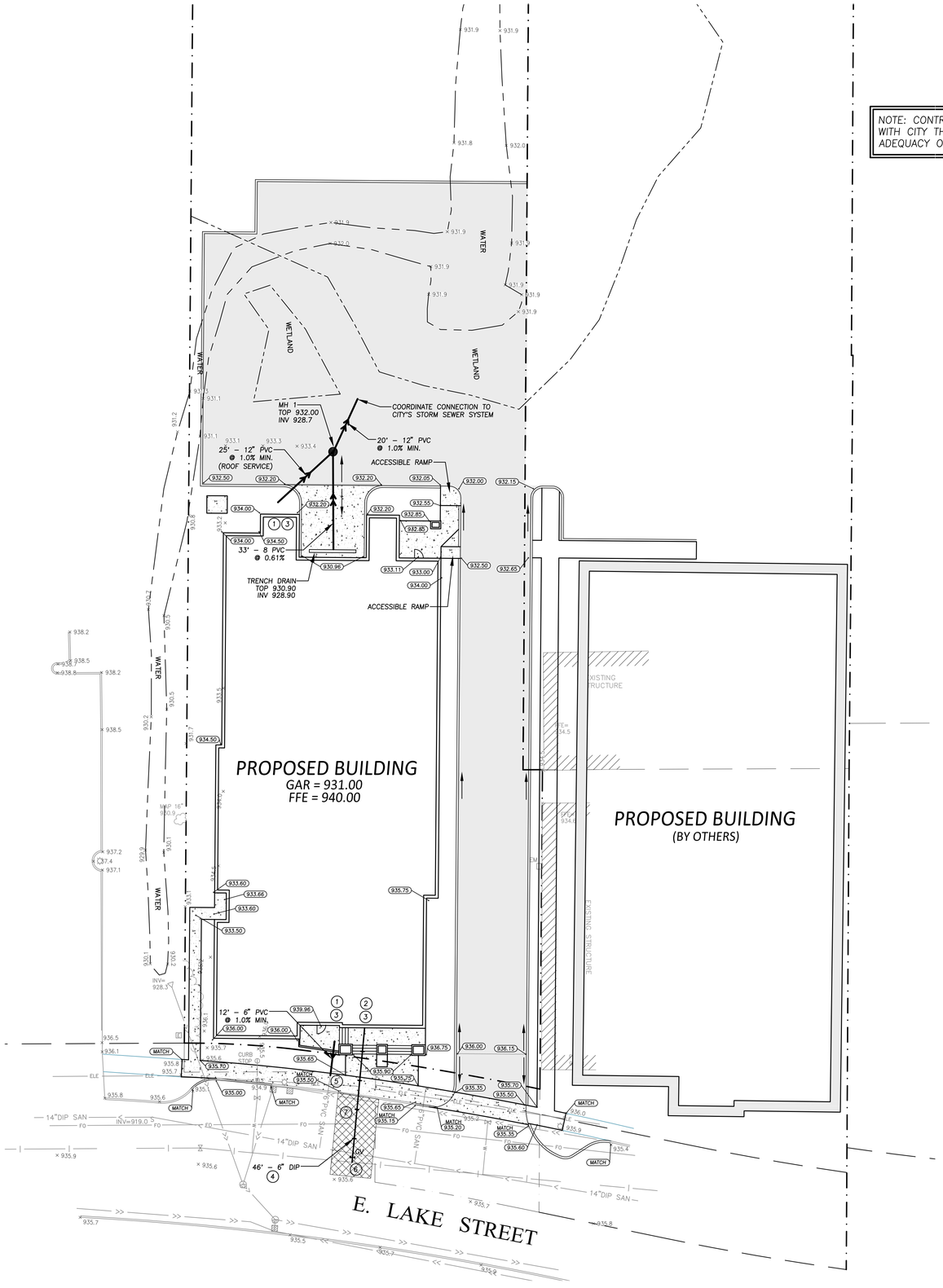
PRELIMINARY

Name _____ Date _____ Reg. No. _____

Issued
GENERAL PLAN OF DEVELOPMENT
7-3-18

SITE DIMENSION PLAN
235 E. LAKE STREET OFFICE BLDG
CITY OF WAYZATA

SHEET NUMBER
C2



GRADING NOTES

1 – All elevations shown are to final surfaces.
2 – Contractor is responsible for obtaining a National Pollutant Discharge Elimination System (NPDES) General Storm Water Permit for Construction Activity before construction begins.

EROSION CONTROL NOTES

1 – Contractor is responsible for all notifications and inspections required by General Storm Water Permit.
2 – All erosion control measures shown shall be installed prior to grading operations and maintained until all areas disturbed have been restored.
3 – Sweep paved public streets as necessary where construction sediment has been deposited.
4 – Each area disturbed by construction shall be restored per the specifications within 14 days after the construction activity in that portion of the site has temporarily or permanently ceased.
5 – Temporary soil stockpiles must have silt fence around them and cannot be placed in surface waters, including storm water conveyances such as curb and gutter systems, or conduits and ditches.
6 – Excess concrete/water from concrete trucks shall be disposed of in portable washout concrete basin or disposed of in a contained area.
7 – Spring/summer temporary turf establishment: seed shall be MNDOT Mixture 21–111 @ 100 lbs/acre and mulch shall be MNDOT Type 1.
Winter temporary turf establishment: seed shall be MNDOT Mixture 21–112 @ 100 lbs/acre and mulch shall be MNDOT Type 1.

INSPECTION AND MAINTENANCE

– The site must be inspected once every seven (7) days during active construction and within 24 hours after a rainfall event greater than 0.5 inches in 24 hours.
– All inspections and maintenance conducted must be recorded in writing and records retained with the SWPPP.
– Areas of the site that have undergone final stabilization, may have the inspection of these areas reduced to once per month.
– All silt fence must be repaired, replaced, or supplemented within 24 hours when they become nonfunctional or the sediment reaches 1/3 of the height of the fence.
– Surface waters and conveyance systems must be inspected for evidence of sediment being deposited. Removal and stabilization must take place within seven (7) days of discovery unless precluded by legal, regulatory, or physical access constraints.
– Construction site vehicle exit locations must have sediment removed from off–site paved surfaces within 24 hours of discovery.

POLLUTION PREVENTION MANAGEMENT

– All solid waste must be disposed of off–site per the MPCA disposal requirements.
– All hazardous waste must be properly stored with restricted access to storage areas to prevent vandalism. Storage and disposal of hazardous waste must be in compliance with MPCA Regulations.

UTILITY NOTES

1 – All sewer services to extend to a point 5' from proposed building.
2 – Bring water main into proposed building and cap at the floor.
3 – Verify all service locations and inverts with mechanical engineer before construction.
4 – All watermain to have a minimum of 7.5' of cover.
5 – Connect to existing sanitary sewer service.
6 – Wet tap existing water main per City requirements.
7 – Repair street and curb/gutter matching existing pavement sections.

LEGEND

- PROPOSED CATCH BASIN/MANHOLE
- PROPOSED CATCH BASIN
- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER
- PROPOSED WATERMAIN
- PROPOSED CONCRETE
- PROPOSED STD. DUTY BITUMINOUS
- PROPOSED CONTOUR (1050)
- PROPOSED ELEVATION (1023.54)
- SILT FENCE
- INLET PROTECTION DEVICE
- BOUNDARY/ROW/BLOCK LINE
- EASEMENT
- LOT LINE
- BUILDING/PARKING SETBACK LINE
- DRAINAGE ARROW
- W — EXISTING WATERMAIN
- S — EXISTING SANITARY SEWER
- ST — EXISTING STORM SEWER
- G — EXISTING BURIED GAS LINE
- E — EXISTING BURIED ELECTRIC LINE
- C — EXISTING BURIED COMMUNUCATION LINE
- 980 — EXISTING CONTOUR
- × 995.50 EXISTING ELEVATION

N

0 10 20 40 60
Scale in Feet

Rehder & Associates, Inc.
Civil Engineers, Planners and Land Surveyors
3440 Federal Drive, Suite 110 • Eagan, Minnesota 55122
651-452-5051 • Fax: 651-452-8797 • email: info@rehder.com

PROJECT NO.: 181-2807.013 DRAWING FILE: 2807013.DWG

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

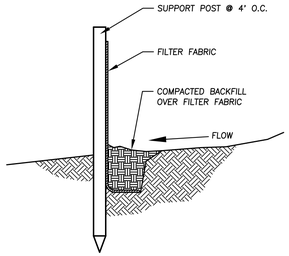
PRELIMINARY

Name _____ Reg. No. _____ Date _____

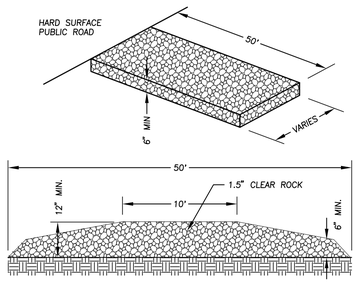
Issued
GENERAL PLAN OF DEVELOPMENT 7-3-18

GRADING, DRAINAGE, EROSION CONTROL & UTILITY PLAN
235 E. LAKE STREET OFFICE BLDG
CITY OF WAYZATA

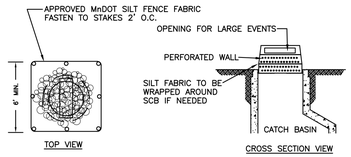
SHEET NUMBER
C3



1 C4 — SILT FENCE
NO SCALE

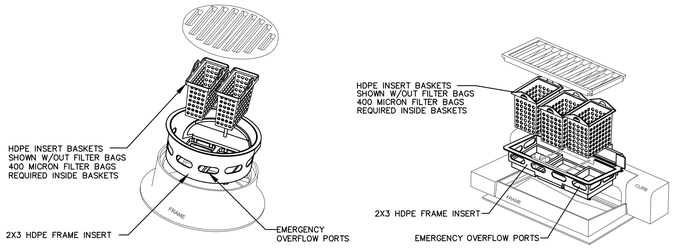


2 C4 — ROCK CONSTRUCTION ENTRANCE
NO SCALE



NOTE: USE THIS TYPE OF INLET PROTECTION BEFORE THE CASTING IS INSTALLED.

3 C4 — INLET PROTECTION (INFRASAFE OR EQUAL)
NO SCALE



NOTE: USE THIS TYPE OF INLET PROTECTION AFTER THE CASTING IS INSTALLED.

4 C4 — INLET PROTECTION (INFRASAFE OR EQUAL)
NO SCALE

Note: Where contours indicate, ignore 0.75"/ft slope indicated above and match adjoining pavement slope to prevent gutter from "ponding".

5 C4 — B612 CONCRETE CURB & GUTTER
NO SCALE

6 C4 — CONCRETE SIDEWALK
NO SCALE

NOTE: VERIFY ADEQUACY OF PAVEMENT SECTION WITH ENGINEER AFTER SUBGRADE SOILS ARE EXPOSED AND BEFORE BITUMINOUS PAVEMENT IS PLACED.

7 C4 — STANDARD PAVEMENT SECTION
NO SCALE

Rehder & Associates, Inc.
Civil Engineers, Planners and Land Surveyors
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651-452-5051 • Fax: 651-452-8797 • email: info@rehder.com

PROJECT NO.: 181-2807.013 DRAWING FILE: 2807013.DWG

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

PRELIMINARY

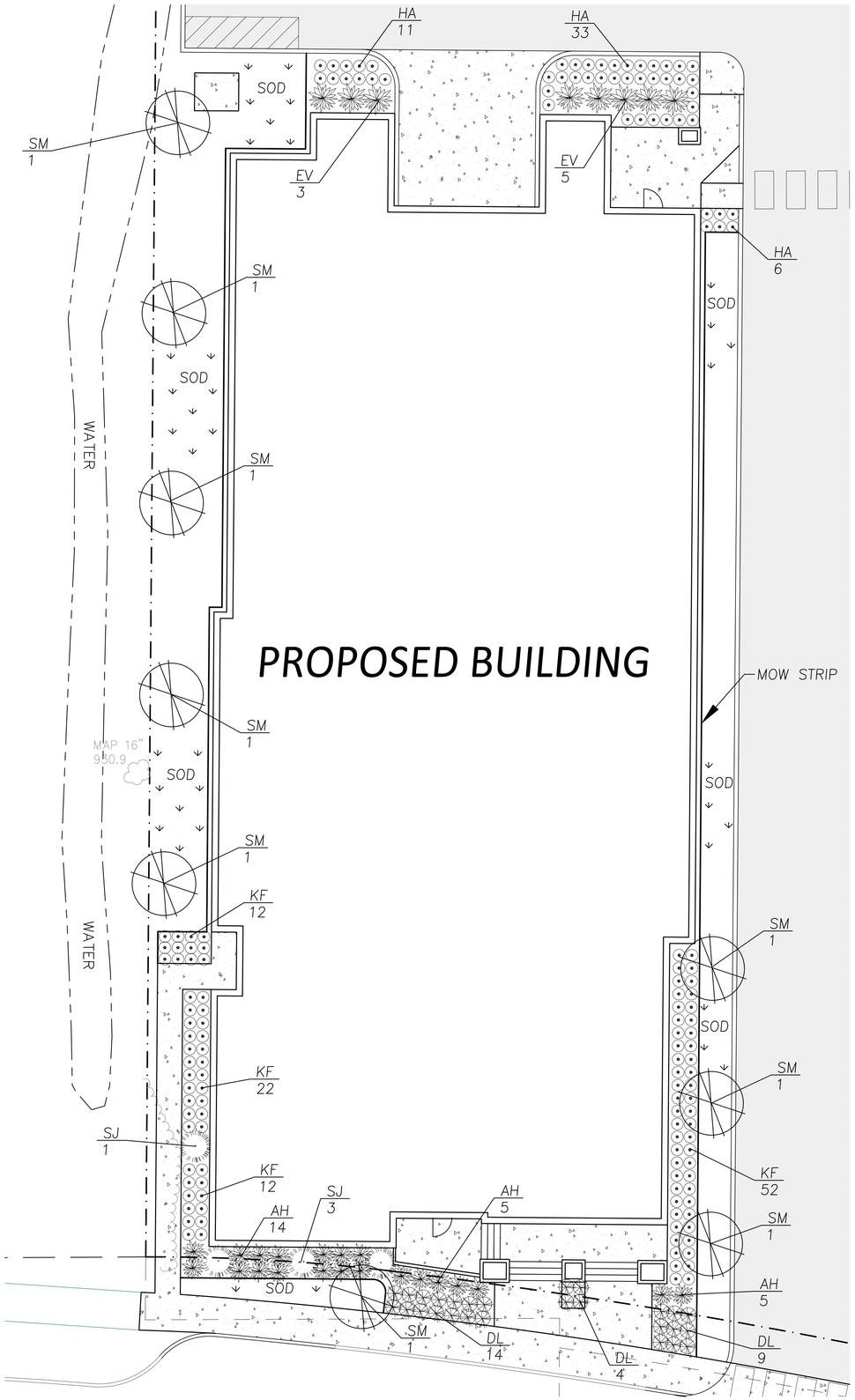
Name _____ Reg. No. _____ Date _____

Issued

GENERAL PLAN OF DEVELOPMENT	7-3-18

DETAILS & SPECIFICATIONS
235 E. LAKE STREET OFFICE BLDG
CITY OF WAYZATA

SHEET NUMBER
C4



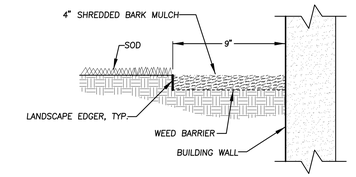
PLANT, SHRUB AND TREE LIST

PLANTS & SHRUBS

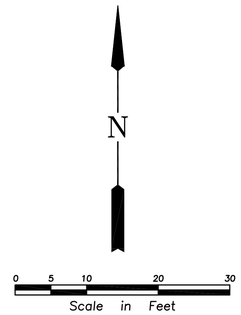
SYMBOL	QTY	SCIENTIFIC NAME	COMMON NAME	SIZE/ROOT
HA	50	Hosta	Hosta	#1 Pot
EV	8	Viburnum opulus 'Compactum'	Compact European Viburnum	#5 Pot
AH	21	Hydrangea arborescens 'Annabelle'	Annabelle Hydrangea	#5 Pot
DL	27	Hemerocallis 'Stella de Oro'	Stella de Oro Daylily	#1 Pot
KF	98	Calamagrostis acutiflora	Karl Foerster	#2 Pot
SJ	4	Juniperus chinensis 'Spartan'	Spartan Juniper	#7 Pot
TOTAL	208			

TREES

SYMBOL	QTY	SCIENTIFIC NAME	COMMON NAME	SIZE/ROOT
SM	9	Acer Saccharum 'Sugar Cone'	Sugar Cone Maple	2 – 1/2" B&B
TOTAL	9			



1 / L1 MAINTENANCE STRIP @ BLDG EDGE
NO SCALE



LEGEND

- PROPOSED MANHOLE
- PROPOSED CATCH BASIN
- PROPOSED HYDRANT
- PROPOSED GATE VALVE
- PROPOSED FLARED END
- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER
- PROPOSED WATERMAIN
- PROPOSED CONCRETE
- PROPOSED STD. DUTY BITUMINOUS
- PROPOSED HEAVY DUTY BITUMINOUS
- PROPOSED CONTOUR (1050)
- PROPOSED ELEVATION (1023.54)
- SILT FENCE
- INLET PROTECTION DEVICE
- CONSTRUCTION LIMITS
- BOUNDARY/ROW/BLOCK LINE
- EASEMENT
- LOT LINE
- BUILDING/PARKING SETBACK LINE
- SOIL BORING
- DRAINAGE ARROW
- W — EXISTING WATERMAIN
- S — EXISTING SANITARY SEWER
- ST — EXISTING STORM SEWER
- G — EXISTING BURIED GAS LINE
- E — EXISTING BURIED ELECTRIC LINE
- T — EXISTING BURIED TELEPHONE LINE
- TV — EXISTING BURIED TELEVISION LINE
- 980 — EXISTING CONTOUR
- x 995.50 EXISTING ELEVATION

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PROJECT NO.: 181-2807.013 DRAWING FILE: 2807013.DWG

7-13-18

Issued
CITY SUBMITTAL

LANDSCAPE PLAN
235 E. LAKE STREET OFFICE BLDG
CITY OF WAYZATA

SHEET NUMBER
L1

Attachment B
Design Critique

Design Review Critique
235 & 239 Lake Street E.
September 5, 2018

The Design Review Critique is based on the following plans submitted by the applicant:

1. Site Plan/First Floor Plan prepared by Momentum Design Group and dated August 20, 2018
2. Floor Plans prepared by Momentum Design Group and dated August 20, 2018
3. Exterior Elevations prepared by Momentum Design Group and dated August 20, 2018
4. Exterior Renderings prepared by Momentum Design Group and dated August 20, 2018
5. Site Dimension Plan prepared by Rehder & Associates Inc. and dated July 3, 2018
6. Grading, Drainage & Erosion Control Plan prepared by Rehder & Associates Inc. and dated July 3, 2018

		Comments		Compliance
Building Recesses				
801.09.2.1 – Lake Street District All new buildings east of Barry Avenue on Lake Street shall have retail usage at least eighty percent (80%) of the ground floor facing Lake Street. The remaining twenty percent (20%) of the ground floor frontage may only be used for walkways, public access, or public facilities. Retail activities shall comprise a total of at least fifty percent (50%) of the usage of the total building footprint.		The subject property is located west of Barry Ave on Lake St.		N/A
Building Recesses				
801.09.3.1.A – All Districts Building facades shall be articulated through the use of pilasters and/or recesses that create visible shadow lines and dimensions especially on the street level		The proposed building includes recessed entryways on the south elevation (facing Lake Street, a trellis at street level, and rails on the second and third floors to create visible shadow lines.		Yes
801.09.3.1.B Street level landscaped courtyards, outdoor seating areas and gathering areas shall be incorporated into building and site plan design.		A porch is planned for the southern elevation of the building along Lake Street, and the front of the building adjacent to the street and public sidewalk would be landscaped.		Yes

		Comments		Compliance
Building Width				
801.09.4.1 All Districts – New Buildings In order to reduce the scale of longer façades and to eliminate the long horizontal expressions of buildings, divisions or breaks in materials shall be included and at least three of the following design strategies shall be incorporated into the design: 1. Window bays 2. Special treatment at entrances 3. Variations in roof lines or parapet detailing 4. Awnings 5. Building setbacks or articulation of the facade 6. Rhythm of elements		The proposed building does not include long horizontal expressions. The front elevation includes a recessed porch, special treatment at the entrance, recesses in the facades, changes in colors and window sizes, and variations in roof lines.		Yes

		Comments		Compliance
Upper Story Setbacks				
801.09.5.1.A – All Districts – New Buildings Building height shall conform to the height of the applicable zoning district. Where three (3) story buildings are permitted, the third (3rd) story must be recessed from all façades fronting public right of ways at least a distance equal to the vertical distance of the 3rd story height from the second (2nd) floor footprint, or an average of ten (10) feet across the facade, but no portion of the 3rd story structure shall be closer than six (6) feet to the 2nd story façade. The 3rd story façade shall be designed with railings, pillars, dimensional windows, building recesses or other similar design techniques to break up the 3rd story façade.		The applicant is requesting a variance from the maximum height in the PUD district (39.5 feet where 35 feet is permitted). The 3rd story is recessed from the second story a distance equal to the vertical distance of the 3rd story height from the 2nd floor. The 3rd story façade (along Lake Street) is designed with aluminum railings and building recesses to break up the façade.		Yes, if variance is granted
801.09.5.1.B – All Districts – New Buildings The façades fronting public right-of-ways of every two and three story building, longer than sixty (60) feet, must have a recessed second story of approximately twenty-five percent (25%) of the façade's length, setting back a minimum of six (6) feet from the face of the first floor façade. The required third floor setback must follow the frontal plane of the second story setback.		Approximately 50% of the building's 2nd story is recessed 6-feet from the first story.		Yes
801.09.5.1.C – All Districts – New Buildings Wintertime sun orientation, solar access, and views of Lake Minnetonka are significant issues within the Design Districts. Building height should not negatively and significantly impact neighboring properties.		The applicant has requested a height variance for an additional 4.5 feet of building height in the PUD district. The additional height of the building will not negatively impact lake views nor neighboring properties.		Yes

		Comments		Compliance
Roof Design				
801.09.6.1 – All Districts "Green" roofs, roof garden terraces, arbors and other similar structures are encouraged on roofs of building.		Green roof design is not included in this proposal.		N/A
801.09.6.2.A – All Districts – Roof Materials The roof material for all sloped roofs in all districts shall be slate, untreated copper, pre-finished metal, cedar shake or asphalt shingle in dark colors. 801.09.6.2.B – All Districts – Roof Materials The roof material for all flat roofs in all districts shall be treated synthetic membrane or other similar material in dark colors.		The roof material has not been provided; the color is dark.		Yes

Screening of Rooftop Equipment				
801.09.7.1 – Lake Street District No mechanical equipment for a building may be located on the roof deck. All such mechanical equipment must be located within the interior of the structure.		No rooftop equipment is included in the proposed design.		Yes

		Comments		Compliance
Facade Transparency				
801.09.8.1 – Lake Street District No less than fifty percent (50%) of the ground level façade of any building fronting Lake Street shall be transparent glass. No less than twenty-five percent (25%) of the ground level side and rear façade facing a public right of way, parking area or open space shall be transparent glass.		The Lake Street façade is comprised of 50% windows and doors (glass) along the ground level facade.		Yes
Ground Level Expression				
801.09.9.1 – All Districts In multi-story buildings, the ground floor shall be distinguished from the floors above by the use of at least three of the following elements: 1. An intermediate cornice line 2. A difference in building materials or detailing 3. An offset in the façade 4. An awning, trellis, or loggia 5. Arcade 6. Special window lintels 7. Brick/stone corbels		The ground floor is distinguished by a difference in building material detailing, trellis, and inset porch areas.		Yes

Entries				
801.09.10.1 – All Districts The front facade of all buildings shall be landscaped with window boxes or planters with seasonally appropriate plantings. The main entries shall face the primary street at sidewalk grade.		Foundation plantings are proposed along the Lake Street. The main entry faces the primary street with steps leading up to the porch and entry doors.		Yes

		Comments		Compliance
Building Materials and Quality				
801.09.11.1.A – Primary Opaque Surfaces – All Districts Other than the accent materials listed in 801.09.11.G, ninety percent (90%) of the non-glass surfaces of each elevation of the exterior building façade shall be composed of one or more of the following materials: 1. Brick 2. Stone 3. Cast stone 4. Factory finished and certified wood, including, but not limited to: a. Wood shingles (cedar shingles six (6) inch maximum exposure) b. Lap-siding (six (6) inch maximum width) 5. Stucco		The exterior building materials are comprised of masonry base, stone panel, and fiber cement panels. Stone is a permitted primary material, but the proposed fiber cement board panels require a deviation. The following is the material calculations for the individual building elevations: South (Lake St) Masonry base 22% Stone panels 76.5% Fiber cement panels 1.5% East Masonry base 31% Stone panels 60% Fiber cement panels 9%* West* Masonry base 21% Stone panels 66% Fiber cement panels 13%* North* Masonry base 22% Stone panels 59% Fiber cement panels 19%* *Deviations		No. Deviation needed.

801.09.11.1.B – Façade Coverage – All Districts The primary opaque surface materials of all free standing buildings must be the same on all facades of the building.		The development includes the same materials – masonry, stone and cement panel – on all four sides of the building.		Yes
801.09.11.1.C – Type of Brick – All Districts On all facades of a free-standing building where brick is used, full course modular, Roman, Norman or other standard size brick must be used.		The proposed building does not include any brick.		N/A

801.09.11.1.D – Façade Detail – All Districts 1. Brick and/or stone façades shall be well detailed and dimensionally designed in order to avoid fractional cuts and odd pieces. All outside brick corners must be full bricks (custom if necessary), with no mitering, forming continuous vertical joints. 2. The narrow face of an exposed stone butt joint, at corners, must be a minimum dimension of two (2) inches. Mitered and quirked stone corners are also acceptable.		The proposed building does not include any brick.		N/A
801.09.11.1.E – Brick Joints – All Districts 1. The mortar for brick must be dark grey or in the color range of the brick. All joints must be concave or 'v' joint. No mortar may be used beyond the face of the brick. 2. All brick walls must be built to avoid efflorescence		The proposed building does not include any brick.		N/A
801.09.11.1.F – Stone Joints – All Districts Stone joints shall be no larger than one-fourth (1/4) inch.		The stone joints would be no larger than ¼ inch.		Yes

801.09.11.1.G – Accent Materials – All Districts Only the following materials may be used for lintels, sills, cornices, bases, and decorative accent trims, and must be no more than 10 percent (10%) of the non-glass surfaces of each elevation of the exterior building façade: 1. Stone 2. Cast stone 3. Copper (untreated) 4. Rock faced stone 5. Aluminum or painted steel structural shapes 6. Fiber cement board 7. Premium grade wood trim with mitered outside corners. Examples of premium grade wood are cedar, redwood, and fir. 8. EIFS		The lintels, sills, cornices, and building case are comprised of the same stone as the primary building materials.		Yes
801.09.11.1.H - Parapets, Flashing, Coping – All Districts 1. Only the following materials may be used for parapets, flashing and coping: a. copper (untreated) b. brick c. stone d. cast stone e. premium grade wood. *2.* Pre-finished, painted .032 aluminum may only be used as a standard parapet coping with a maximum exposed edge of five (5) inches.		The parapet, flashing, and coping materials are the same as the primary building materials.		Yes

801.09.11.1.I – Awnings – All Districts 1. Only the following types of awnings may be used: a. Fabric awnings of a heavy canvas in dark solid colors or other colors that are approved as part of the design review process b. Highly detailed, ornate metal in dark colors c. Glass awnings 2. Backlit awnings are prohibited. 3. Awnings with text or graphic material may be permitted but require approval via the sign permit process of the Zoning Ordinance.		No awnings are proposed.		N/A
801.09.11.1.J – Balconies – All Districts Balconies shall be accessible and useable by persons. Fake or unusable balconies are prohibited. All balconies shall remain within the property line. Metal railings with members painted dark, or glass panels are permitted.		The proposed third floor has a balcony all along the south elevation. A second floor balcony is located above the lake street entryway. All balconies are useable and do not project over the property line. All balconies will have dark metal railings.		Yes
801.09.11.1.K – Glass – All Districts Glass shall not be mirrored, reflective or darkened. Slight green, bronze and grey tints are acceptable. Spandrel glass shall not be counted as transparent glass for the purposes of calculations under the transparency requirements of Section 801.09.8 of the Standards, but may be used for detailing purposes. Environmentally appropriate glass, such as Low-emissivity glass, shall be used in all projects		The glass would not be mirrored, reflective or darkened.		Yes

801.09.11.1.L – Door Systems – All Districts Unless there are building security concerns, main entry doors shall be primarily glass. If, for security reasons, a main entry door is not possible or practical, a main entry door must be well detailed. Appropriately designed wood doors may be utilized for retail and office buildings.		The submitted plan specifies that the main entry door will be full glass with aluminum frames.		Yes
		Comments		**Compliance**
Franchise Architecture				
801.09.12.1 – All Districts A. Typical or standardized franchise architecture (including building design that is the trade dress of, or identified with a particular chain, franchise or business and is repetitive in nature) is prohibited. B. Large, bold or bright signage, trade dress or logos must be altered and scaled down to meet the purpose of these standards as articulated herein, and must not be repeated on the facades of the principal structure more than once. All new, altered and/or proposed signage for buildings must be submitted for review under Section 801. 09.18 by the Planning Commission at the time of Design Standards Review application		The proposed building would not be franchise architecture.		N/A

		Comments		Compliance
Walkways				
801.09.13.1 – Lake Street District A. Continuous sidewalks at least twelve (12) feet in width shall be provided along all public street frontages. B. Lighted sidewalks shall extend between rear and side parking areas and building entrances. All sidewalk lighting must project downward. C. Buildings with street frontage exceeding fifty (50) feet shall have at least one (1) bench. D. All sidewalk surfaces must match the exposed aggregate/brick accent sidewalks on Lake Street.		The proposed plans include only a 12-foot sidewalk along Lake Street and provide the required streetscaping items, including lighting, landscaping and benches.		Yes

		Comments		Compliance
Landscaping				
801.09.14.1 – All Districts A. Seasonal landscaping shall be used in all Design Districts, including use of window boxes, hanging flowers baskets, vines and/or other similar seasonal landscaping. If feasible, garden areas and ornamental trees shall be used at the street level. B. Window boxes, hanging baskets and planters with seasonally appropriate plantings shall be used around entries to buildings. C. Vines shall be used to cover walls with more than one hundred (100) square feet of uninterrupted surface area. D. Streetscaping shall include all of the following: 1. Boulevard species trees, with at least three (3) caliper inches. 2. Exposed aggregate sidewalks with brick accents 3. Street lights 4. Benches (if building length is 50 feet or greater), which utilize existing city bench designs. 5. Flowers		The streetscaping plans included the required landscaping elements.		Yes

801.09.14.2 – Lake Street District A. Established Lake Street landscape treatments shall be followed in accordance with the specifications of the Wayzata Engineering Guidelines set forth in Wayzata City Code. Exposed aggregate with brick accent sidewalks shall be used. B. Approved boulevard trees, planted in sidewalk areas, shall be planted no more than twenty six (26) feet on center from each other.		As noted above, the plans meet the required streetscaping design.		Yes

		Comments		Compliance
Parking Lot Landscaping				
801.09.15.1 – All Districts A landscaped buffer strip at least five (5) feet wide shall be provided between all parking areas and the sidewalk or street. The buffer strip shall consist of shade trees appropriately spaced for the particular Design District, and a decorative metal fence, masonry wall or hedge. A solid wall or dense hedge shall be no less than three (3) feet and no more than four (4) feet in height.		No parking area is proposed between Lake Street and the parking area on the site.		N/A
Surface Parking				
801.09.16.1 – All Districts A. Off-street parking shall be located to the rear of buildings. When parking must be located in a side yard adjacent to the street, a landscaped buffer shall be provided in accordance with the Design Standards. The street frontage occupied by parking shall not exceed sixty (60) feet per property. B. Side-by-side parking lots creating a parking area frontage longer than sixty (60) feet are prohibited, except where a heavily landscaped buffer of at least twenty (20) feet wide completely separates both lots. C. Side yard parking shall not extend beyond the front yard setback of the primary building on the property. D. Front yard parking is prohibited. E. There shall be no corner parking.		The proposed plans include parking (by others) at the rear of the building.		Yes

		Comments		Compliance
801.09.16.2 – All Districts – Bicycle Parking Commercial developments requiring more than twenty (20) parking spaces shall provide at least four (4) bicycle parking spaces in a convenient, visible, preferably sheltered location.		The proposed plans include 4 bicycle stalls at the rear entrance to the building (adjacent to the parking lot).		Yes
Parking Structures				
801.09.17.1 – All Districts Parking structures shall meet the following standards, along with all other applicable building code standards: A. The ground floor façade abutting any public street or walkway shall be architecturally compatible with surrounding commercial or office buildings. B. The parking structure shall be designed in such a way that sloped floors do not dominate the appearance of the façade. C. Windows or openings shall be similar to those of surrounding buildings. D. Vines and other significant landscaping shall be used to minimize the visual impact of the parking structure.		There is no parking structure associated with the project.		N/A

		Comments		Compliance
Signs				
<u>801.09.18.1 – All Districts</u> A. Compatibility 1. Signs shall be architecturally compatible with the style, composition, materials, colors and details of the building, and with other signs on nearby buildings. Signs shall be an integral part of the building and site design. 2. A sign plan shall be developed for buildings which house more than one (1) business. Signs need not match, but shall be compatible with one another. Franchise or national chains must comply with these Sign Standards to create signs compatible with their context. 3. When illuminated signs are proposed, only the text and/or logo portion of the sign may be illuminated. Illuminated signs must be compatible with the location. Illumination of the sign to highlight architectural details is permitted. Fixtures shall be small, shielded, and directed towards the sign rather than toward the street, so as to minimize glare for pedestrians and adjacent properties. 4. Sign plans must be submitted for review as part of an Applicant for Design Approval. Proposed signs must also conform to the requirements of Section 801.27 of the Wayzata Zoning Ordinance.		The sign plan includes illuminated wall signs between the second and third floors on the south elevation. The signs shown include only text for future tenants.		Yes

801.09-18.2 – Permitted Sigs – Lake Street District A. **Lake Street District.** Only the following types of signs are permitted in the Lake Street District: 1. Awning, canopy or marquee signs 2. Wall signs 3. Monument or ground signs 4. Projecting signs 5. Window signs (small accent signs) 6. Roof signs if located on pitched-roof buildings, below the peak of the roof		Only wall signs are proposed		Yes

		Comments		**Compliance**
Parking Lot and Building Lighting				
801.09.19.1 – All Districts A. Parking lot lighting shall be designed in such a way as to be in scale with its surroundings, and reduce glare. B. Cutoff fixtures shall be located below the mature height of trees located in parking lot islands so as to minimize ambient glow and light pollution. C. Pedestrian-scale lighting, not exceeding thirteen (13) feet in height, shall be located on walkways and adjacent to store entrances. All sidewalk lighting must be projected downwards. City light standard shall be followed for all public streets. D. Light posts shall be of a dark color. E. Lighting fixtures shall be compatible with the architecture of the building. F. Lights attached to buildings shall be screened by the building's architectural features to eliminate glare to adjacent properties. All façade lighting must be projected downwards. G. All lighting fixtures shall comply with City Code Section 801.16.6 as it relates to glare.		No parking lot lighting is included with this proposal. The building fixtures shown are down cast lighting fixtures compatible with the architecture of the building.		Yes

City of Wayzata
Planning Commission
Agenda Report

MEETING DATE: September 5, 2018	**AGENDA ITEM:** 4a
TITLE: Adoption of Report and Recommendation of approval of a Conditional Use Permit for a fence at 217 and 223 Byrondale Ave N.	
PROJECT NAME: Enclave at Crossdale Fence	
ADDRESS: 217 and 223 Byrondale Ave N	
PREPARED BY: Jeff Thomson, Director of Planning and Building	

BACKGROUND:

Application Overview

The applicant Susan Seeland, on behalf of the property owners, Scott and Sarah Johnson, Douglas and Sarah Carter, and Bruce Gates, has submitted a development application to construct a six-foot tall solid fence in the side yard between the properties at 217 and 223 Byrondale Ave N. The application requests approval of a conditional use permit.

Planning Commission Review

The Planning Commission reviewed the application and held a public hearing at its meeting on July 16, 2018. The original application requested approval of a conditional use permit for (1) a six-foot tall solid wood fence along Wooddale Ave at 205 and 211 Byrondale Ave N; and (2) a six-foot tall solid wood fence along the side property line between 217 and 223 Byrondale Ave N. During its review, the Planning Commission expressed concerns about the distance of the fence from Wooddale Ave, and directed the applicant to address the impacts to the City street, and apply for a variance if the fence did not meet the setback requirement.

After the Planning Commission meeting, the applicant submitted a letter to the City that disagreed with City staff's interpretation that the fence along Wooddale Ave is subject to the front yard fence requirements, and therefore required a conditional use permit. After reviewing the zoning ordinance, City staff has determined that the fence is subject to the rear yard fence requirements and not the front yard fence requirements as originally determined. Although the property line along Wooddale Ave is defined as a front property line since it abuts a public street, Wooddale Ave, the City's fence requirements are based on the orientation of the house, and not the definition of property line. The fence ordinance states that, "manmade fences not exceeding six feet in height and consisting of completely solid matter may be permitted at or behind the rear building line ***as established by the primary structure on the lot***." This interpretation is consistent with 2012 PUD approval when the rear yard fences were originally discussed by the Planning Commission.

Since the homes on the 205 and 211 Byrondale Ave N properties are oriented to Byrondale Ave and Wooddale Ave is the back yard of the homes, the proposed fence is subject to the rear yard fence requirements. The proposed six foot solid fence meets the rear yard fence requirements and does not require a conditional use permit. Since the fence would be located in a City utility easement, the applicant has agreed that the fence must be setback at least 5 feet from Wooddale Ave, which is the recommendation of the City engineer to ensure the fence does not obstruct the use and maintenance of the public street.

The application still requires a conditional use permit for the six-foot solid fence located in the side yard between 217 and 223 Byrondale Ave N properties since the City's side yard fence requirements state the fence must be at least 50% open.

PLANNING COMMISSION ACTION:
Based on the additional information from the applicant and the Planning Commission discussion at its meeting on July 16th, City staff has drafted the attached Planning Commission Report and Recommendation which recommends approval of the conditional use permit.

ATTACHMENTS:

1. Draft Planning Commission Report and Recommendation
2. Fence Plans

WAYZATA PLANNING COMMISSION

September 5, 2018

REPORT AND RECOMMENDATION OF APPROVAL OF CONDITIONAL USE PERMIT FOR A FENCE AT 217 AND 223 BYRONDALE AVE N

SUMMARY OF RECOMMENDATION

Approval* of Conditional Use Permit for Fence

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

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

1.1 Project. The applicant, Susan Seeland, and property owners, Crossdale Development, LLC and Bruce A Gates Revocable Trust, (together, the "Applicant") have submitted a development application (the "Application") for a fence on the properties at 217 and 223 Byrondale Ave N (the "Property").

1.2 Application Request. As part of the Application, as amended by the Applicant, the Applicant is requesting approval of a conditional use permit to allow installation of an six (6) foot solid wood fence in the side yard of the Property (the "Proposed Fence" and "Fence CUP").

1.3 Property. The street address, property identification number and owner of the Property are:

217 Byrondale Ave N	06-117-22-14-0092	Crossdale Development, LLC
223 Byrondale Ave N	06-117-22-14-0015	Bruce A Gates Revocable Trust

DRAFT

1.4 Land Use. The Property is zoned PUD/Planned Unit Development and guided Low Density Single Family Residential District in the Wayzata Comprehensive Plan.

1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Wayzata Sun Sailor* on July 5, 2018. A copy of the notice was mailed to all property owners located with 350 feet of the Property on July 5, 2018. The public hearing on the Application was held at the July 16, 2018 Planning Commission meeting.

1.6 Planning Commission Review. The Planning Commission reviewed the Application at its meeting on July 16, 2018, and directed staff to prepare a draft Report and Recommendation for approval of the Application.

Section 2. STANDARDS

2.1 Standards for Fences. Fences consisting of greater than 50 percent solid matter in front of the rear building line up to the front property line may be permitted with a conditional use permit. (City Code Section 801.18.1.F.1) 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.F of the Zoning Ordinance are considered and satisfactorily met. Section 801.04.2.F of the Zoning Ordinance requires City Council to consider possible adverse effects of the proposed conditional use. Council's judgment shall be based upon (but not limited to) the following factors:

1. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.

2. The proposed use's compatibility with present and future uses of the area.

3. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).

4. The propose use's effect on the area in which it is proposed.

5. The proposed use's impact upon property values in the area in which it is developed.

6. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.

7. 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 Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

3.1 Criteria for Fence CUPs.

A. The placement, height and design of the Proposed Fence will not create a safety hazard with regard to, from or on a public street or roadway.

B. The placement, height and design of the Proposed Fence will not create a safety problem or negatively affect adjoining properties and uses.

C. The provisions of Section 801.04.2.F of the Zoning Ordinance have been considered and are all satisfactorily met. The Proposed Fence (the "Proposed Use") would have not have adverse effects on the surrounding area based upon the following:

1. The Proposed Use is not inconsistent with any policies or provisions of the official City Comprehensive Plan.

2. The Proposed Use is not incompatible with present and future uses of the area.

3. The Proposed Use conforms with all relevant performance standards contained in the Zoning Ordinance.

4. The Proposed Use will not have a material effect on the area in which it is proposed.

5. The Proposed Use will not have a material impact upon property values in the area.

6. The Proposed Use will not generate traffic.

7. The Proposed Use will not have an impact upon existing 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 the Fence CUP, subject to the following conditions:

A. Other Permits and Standards. The Applicant must secure all necessary building, construction and other permits for improvements on the Property, and construct the Proposed Fence according to the plans submitted with the Application, and included as Attachment A.

B. Costs. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

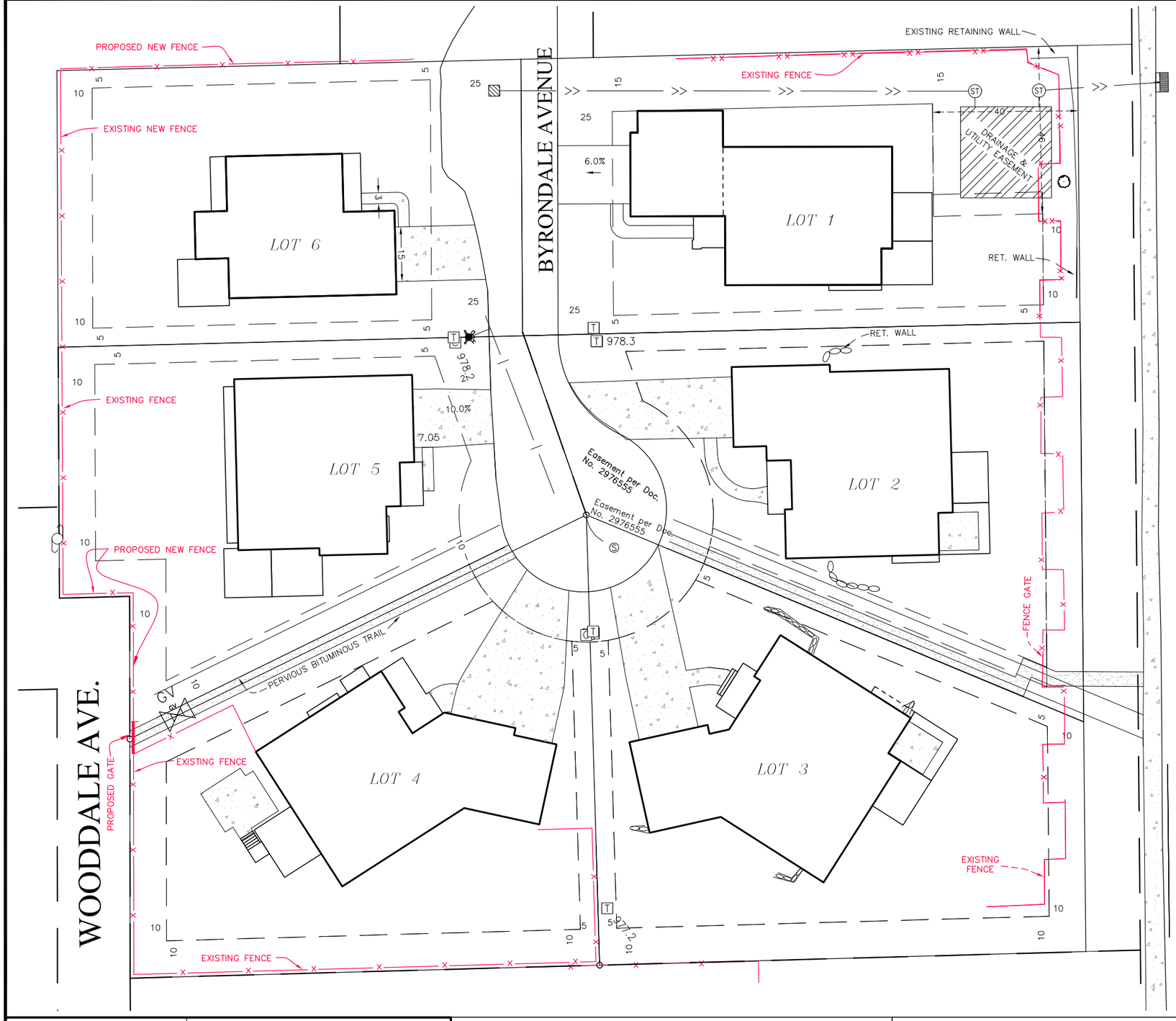
Adopted by the Wayzata Planning Commission this 5th day of September 2018.

Voting For Approval Recommendation:
Voting Against Approval Recommendation:
Abstaining:
Absent:

Attachment A
Plans

Property Description: Lots 1-6, Block 1, ENCLAVE AT CROSSDALE

1. This sketch is a compultation of the proposed lot certificates. The building and fence locations have not been field located.



JOB #:7282-007	REVISIONS
FIELD CREW:	N/A
DRAWN BY:	DLS
CHECKED BY:	DLS
DATE:	5/25/2018

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

FENCE EXHIBIT

PREPARED FOR

PRDC

30 15 0 15 30 60

SCALE IN FEET

City of Wayzata
Planning Commission
Agenda Report

MEETING DATE: September 5, 2018	**AGENDA ITEM:** 4b
TITLE: Adoption of Report and Recommendation of approval of a Conditional Use Permit for a fence at 105 Walker Ave N	
PROJECT NAME: Vanderheyden Fence	
ADDRESS: 105 Walker Ave N	
PREPARED BY: PeggySue Imihy, Planning Consultant	
REVIEWED BY: Jeff Thomson, Director of Planning and Building	

BACKGROUND:

Application Overview

The applicant and the property owner, Tom and Debra Vanderheyden, have submitted an application for a conditional use permit to construct a 100% opaque, wooden fence measuring six (6) feet in height and located in the side and rear yard of their home located at 105 Walker Ave N. The application requests approval of a conditional use permit from the opacity requirement for fences located in the side yard of a residential property.

Planning Commission Review

The Planning Commission reviewed the application and held a public hearing at its meeting on August 20, 2018. The Planning Commission expressed concerns about original proposal which asked for a 100% opaque, wooden fence measuring eight (8) feet in height. The Commission requested that the applicant provide more information about the landscaping around the fence, as well as voiced support for a fence that would be no more than six (6) feet in height.

Since the August 20th meeting, the following has occurred:

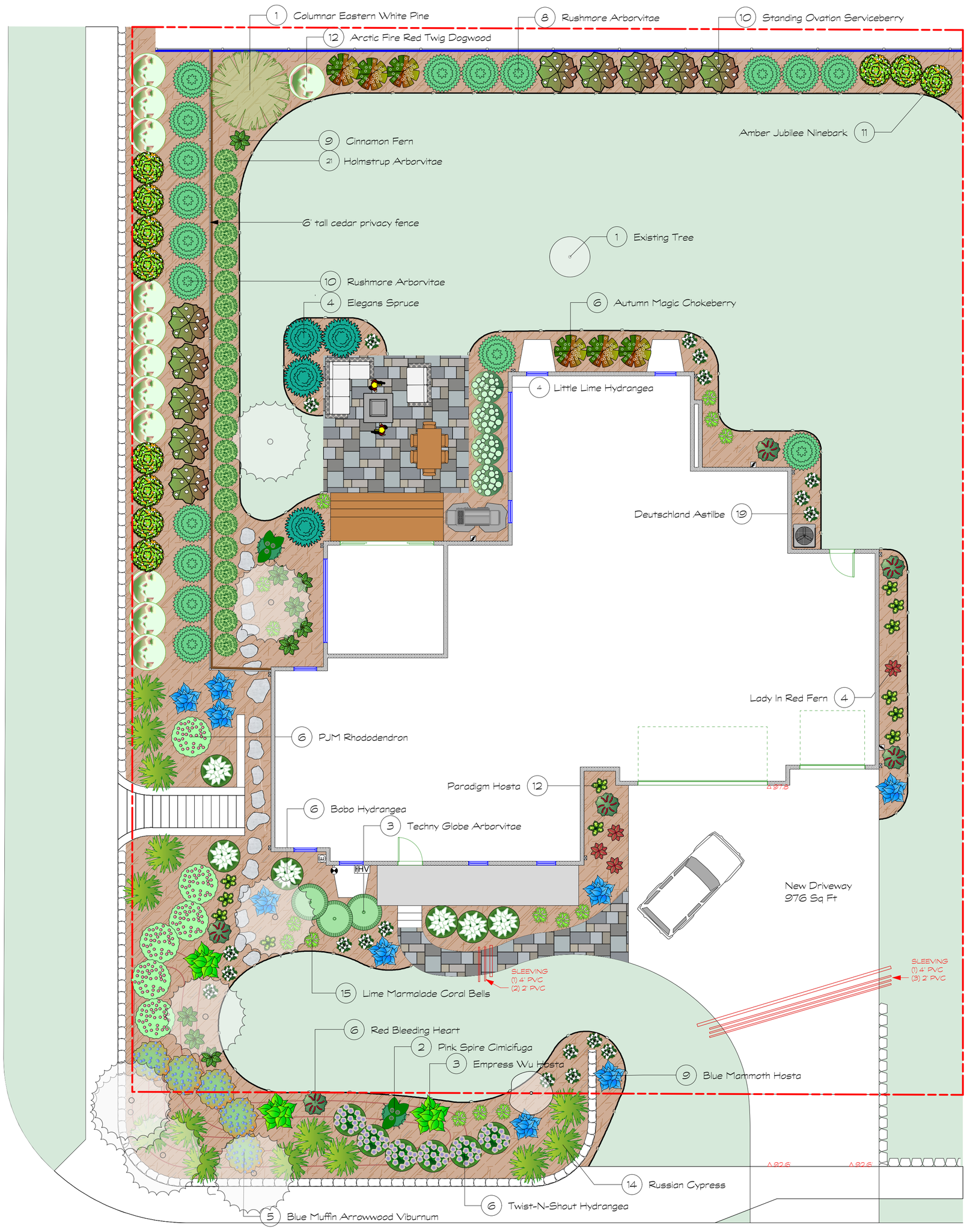
- The applicant submitted a revised plan for the fence. The height of the fence has been reduced to six (6) feet, which is an allowed height for a fence located in the side yard of a residential property.
- The applicant submitted an updated landscape plan for the screening of the fence.

PLANNING COMMISSION ACTION:

City Staff has drafted the attached Planning Commission Report and Recommendation which recommends approval of the conditional use permit. The Report and Recommendation reflects the discussion by the Planning Commission that they would be supportive of a 100% opaque fence that is six (6) feet in height.

ATTACHMENTS:

1. Revised Plans
2. Public Comments
3. Draft Planning Commission Report and Recommendation

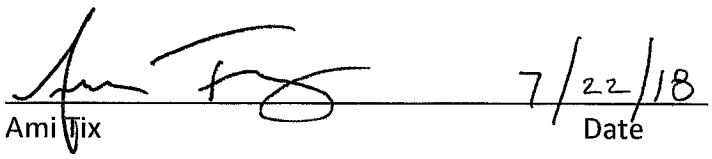


Project Name:	Scale: 1"=8'	**Debby & Tom Vanderheyden** **Landscape & 3D Deign** 105 Walker Ave N Wayzata, MN 55391	Designer: Mack Sutphin Design Associate: Scott Herbst Print Date:8/27/18 File Name:2018_05_14_Vanderheyden.vwx This drawing contains proprietary information which belongs to Southview Design Inc. Any unauthorized duplication or use is strictly prohibited. Released By:_____ Date Released:__/__/____	NO.	Date	Revision Notes	NO.	Date	Issue Notes	2383 Pilot Knob Rd Mendota Heights, MN 55120 Phone: 651-203-3000 Fax: 651-455-1734 SouthviewDesign.com	SOUTHVIEW DESIGN landscape contractors Est. 1978
Job #:											
Sheet 2 of 2	N										

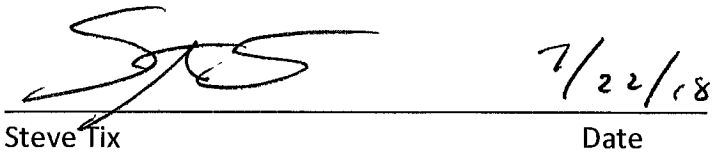
July 22, 2018

To City of Wayzata:

We, Steve and Ami Tix, property owners at 523 Wayzata Blvd E., are in agreement with the designed plan to construct an 8' tall fence along the southern property line at 105 Walker Ave N, as proposed by the property owners, Tom and Debby Vanderheyden.



Ami Tix — Date



Steve Tix — Date

Jeff Thomson

From: Brian Silus <soi.target@gmail.com>
Sent: Saturday, August 18, 2018 11:53 AM
To: Jeff Thomson
Subject: 105 Walker Avenue North

Mr. Thomson,

I received your letter regarding the conditional use permit for 105 Walker Avenue North.

I do have some concerns. However, I am unable to attend the August 20th meeting.

My concerns are as follows with respect to an 8 foot high solid fence:

1. Will it negatively impact neighboring property values?

2. Do we want to set and/or continue a trend for our neighborhoods, where every property has a big fence? Imagine Wayzata if every single property installed a fence that was even only 5 feet high.

Perhaps my concerns are unwarranted, and everything will be fine if the conditional use permit is granted. I have nothing against an owner's privacy or desire to install a giant fence. However, that is both easiest and best achieved in a rural setting.

I anticipate that the Planning Commission will take all comments into consideration and make a decision based upon the best interests of the City of Wayzata.

Kind Regards,

Brian Silus
517 Wayzata Boulevard East
Wayzata, MN 55391

WAYZATA PLANNING COMMISSION

September 5, 2018

REPORT AND RECOMMENDATION OF APPROVAL OF CONDITIONAL USE PERMIT FOR A FENCE AT 105 WALKER AVE N

SUMMARY OF RECOMMENDATION

Approval* of Conditional Use Permit for Fence

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

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

1.1 Project. The applicants and property owners, Tom and Deb Vanderheyden (together, the "Applicant") have submitted a development application (the "Application") for a fence on their property at 105 Walker Ave N (the "Property").

1.2 Application Request. As part of the Application, as amended by the Applicant, the Applicant is requesting approval of a conditional use permit to allow installation of an six (6) foot solid wood fence in the side yard of the Property (the "Proposed Fence" and "Fence CUP") along the length of the Property that faces Wayzata Blvd.

1.3 Property. The street address, property identification number and owner of the Property are:

105 Walker Ave N	06-117-22-24-0072	Tom and Deb Vanderheyden

1.4 Land Use. The Property is zoned R-3A Single and Two Family District and guided Low Density Single Family Residential District in the Wayzata Comprehensive Plan.

DRAFT

1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Wayzata Sun Sailor* on August 9, 2018. A copy of the notice was mailed to all property owners located with 350 feet of the Property on August 8, 2018. The public hearing on the Application was held at the August 20, 2018 Planning Commission meeting.

1.6 Planning Commission Review. The Planning Commission reviewed the Application at its meeting on August 20, 2018. The Planning Commission asked the Applicant to reduce the height of the fence and provide clarification of the proposed landscape plan, and directed City staff to prepare a draft Report and Recommendation for approval of the Application.

Section 2. STANDARDS

2.1 Standards for Fences. Fences consisting of greater than 50 percent solid matter in front of the rear building line up to the front property line may be permitted with a conditional use permit. (City Code Section 801.18.1.F.1) 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.F of the Zoning Ordinance are considered and satisfactorily met. Section 801.04.2.F of the Zoning Ordinance requires City Council to consider possible adverse effects of the proposed conditional use. Council's judgment shall be based upon (but not limited to) the following factors:

1. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.

2. The proposed use's compatibility with present and future uses of the area.

3. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).

4. The propose use's effect on the area in which it is proposed.

5. The proposed use's impact upon property values in the area in which it is developed.

6. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.

7. 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 Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

3.1 Criteria for Fence CUPs.

A. The placement, height and design of the Proposed Fence will not create a safety hazard with regard to, from or on a public street or roadway.

B. The placement, height and design of the Proposed Fence will not create a safety problem or negatively affect adjoining properties and uses.

C. The provisions of Section 801.04.2.F of the Zoning Ordinance have been considered and are all satisfactorily met. The Proposed Fence (the "Proposed Use") would have not have adverse effects on the surrounding area based upon the following:

1. The Proposed Use is not inconsistent with any policies or provisions of the official City Comprehensive Plan.

2. The Proposed Use is not incompatible with present and future uses of the area.

3. The Proposed Use conforms with all relevant performance standards contained in the Zoning Ordinance.

4. The Proposed Use will not have a material effect on the area in which it is proposed in that it will be screened by significant landscaping.

5. The Proposed Use will not have a material impact upon property values in the area in that it is a small part of larger improvements and landscaping being done on the Property.

6. The Proposed Use will not generate traffic.

7. The Proposed Use will not have an impact upon existing 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 the Fence CUP, subject to the following conditions:

A. Other Permits and Standards. The Applicant must secure all necessary building, construction and other permits for improvements on the Property, and construct the Proposed Fence, and install and maintain the landscaping, according to the plans submitted with the Application, and included as Attachment A.

B. Costs. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 5th day of September 2018.

Voting For Approval Recommendation:
Voting Against Approval Recommendation:
Abstaining:
Absent:

Attachment A
Plans

Staff Report
September 5, 2018

Project Name:	Benton Harbor
Applicant	Invest Capital Group, LLC
Addresses of Request:	310 Benton Ave N and 1023 Gardner St E
Prepared by:	Jeff Thomson, Director of Planning and Building
"60 Day" Deadline:	Waived

Development Application

Introduction

The applicant and property owner, Invest Capital Group, LLC, has submitted a development application to subdivide the properties at 310 Benton Ave N and 1023 Gardner St E. The applicant is proposing to subdivide the two existing properties into four single-family residential lots. The existing homes would be demolished and four new homes would be constructed. The development application requests approval of the preliminary plat and final plat.

Property Information

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

Address	PID	Owner
310 Benton Ave N	06-117-22-11-0005	Invest Capital Group, LLC
1023 Gardner St E	06-117-22-11-0003	Invest Capital Group

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:	S/Shoreland Overlay District FP/Floodplain Overlay District W/Wetland Overlay District

Project Location

The properties are located on Gardner St E on the north side of Benton Ave N:

Map 1: Project Location

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

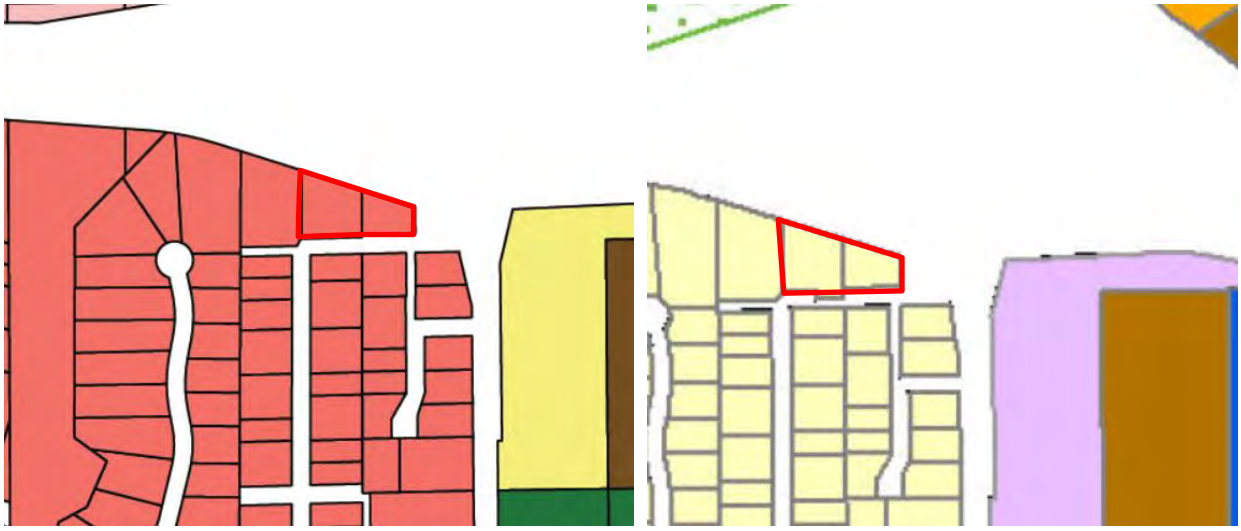
A. Concurrent Preliminary and Final Plat Subdivision: The proposal requires preliminary and final plat review to subdivide the two existing lots into four lots. (City Code Section 805.14 and 805.15)

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	Highway 12	N/A	N/A
East	Central Ave/ Co Rd 101	N/A	N/A
South	Gardner St E Single-family homes	N/A R-3A/Single and Two Family Residential District	N/A 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 Wayzata *Sun Sailor* on August 23, 2018. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on August 24, 2018.

Background Information
The Planning Commission reviewed the development application and held a public hearing at its meeting on May 21, 2018. At the meeting, the Planning Commission continued the public hearing and directed the applicant to submit all information required by the City's subdivision ordinance. The Planning Commission noted that the subdivision application did not include a preliminary grading, drainage, and erosion control plan, tree preservation plan, and utility plan.

At its June 18th meeting, the Planning Commission reviewed the revised plans submitted by the applicant, which included alteration and fill of floodplain on the property. The City does not have jurisdiction overall floodplain alteration applications. Alterations to the floodplain are reviewed and approved by the Minnehaha Creek Watershed District (MCWD). Since the proposed house pads shown on the grading plan would result in alterations to the floodplain, the Planning Commission tabled the application and directed the applicant to obtain approval from MCWD before the City considers the subdivision application. The applicant has obtain approval from MCWD for the floodplain alteration.

Analysis of Application

Proposed Houses:
The two existing homes on the properties would be removed, and new homes would be constructed on each of the four new lots. The proposed plans include preliminary house pads for each of 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.

Lot Requirements

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

	Lot area (sq. ft.)	Lot width	Lot depth
R-3A Standards	9,000 (min.)	60 ft. (min.)	100 ft. (min.)
Lot 1	11, 274 sq. ft.	66 ft.	159.7 ft.
Lot 2	9,806 sq. ft.	66 ft.	137.47 ft.
Lot 3	9,070 sq. ft.	74.3 ft.	107.40 ft.
Lot 4	9,024 sq. ft.	99.8 ft.	73.9 ft.*

*existing lot depth

Surrounding Lot Sizes

The following summarizes the lot areas of the R-3A lots located within 350 feet of the subject properties:

Address	Lot area
310 Benton Ave N 1023 Gardner St E (subject properties)	**25,370 sq. ft. 14,048 sq. ft.**
273 Central Ave N	11,227 sq. ft.
263 Central Ave N	13,015 sq. ft.
1022 Gardner St E	13,794 sq. ft.
264 Benton Ave N	9,681 sq. ft.
309 Benton Ave N	37,327 sq. ft.
265 Benton Ave N	8,020 sq. ft.
259 Benton Ave N	8,293 sq. ft.
249 Benton Ave N	11,095 sq. ft.
254 Benton Ave N	17,676 sq. ft.
239 Benton Ave N	16,645 sq. ft.
240 Benton Ave N	16,640 sq. ft.
239 Byrondale Ave N	16,387 sq. ft.
235 Byrondale Ave N	7,055 sq. ft.
243 Byrondale Ave N	11,479 sq. ft.
294 Glenbrook Rd N	49,058 sq. ft.
297 Glenbrook Rd N	26,698 sq. ft.
282 Glenbrook Rd N	12,506 sq. ft.
274 Glenbrook Rd N	12,128 sq. ft.
250 Glenbrook Rd N	12,592 sq. ft.

Utilities

The existing homes on the lot are served by public sewer and water services within Gardner Street. The application includes preliminary utility plans for the new homes. Two of the lots would utilized the existing water and sewer services as long as they are functional and meet current design requirements. New water and sewer connections would be made to provide service to the two new lots. The City engineer has reviewed the plans and confirmed they meet the City's requirements.

Tree Preservation

There are 10 trees located on the property with a total size of 76 inches. All 9 trees are defined as significant trees by the City's tree ordinance. There are no heritage trees located on the properties. The proposed plans include removal of five trees on the property for the proposed homes, driveways, private street, and associated grading. The five trees that would be removed are significant trees. 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 53 percent of the inches of significant trees. Based on the tree ordinance requirements, the applicant would be required to plant 21 inches of trees as mitigation as part of the construction of the homes.

Action Steps

After considering the items outlined in this report and the continued 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

Preliminary Plat
Grading and Erosion Control Plan
Utility Plan
Final Plat

Applicable Code Provisions for Review

Comprehensive Plan: The City's comprehensive plan includes the following policies for residential land uses:

1. Enhance individual character elements of residential neighborhoods through public improvements and private investment.

2. Protect property values through the consistent relationship of land uses, streets, sidewalks, natural features, and the maintenance of properties.

3. Protect residential neighborhoods from encroachment or intrusion by incompatible uses or incompatible higher densities.

4. Pursue programs to improve housing condition and maintenance, including implementing a rental housing inspection program.

5. Aggressively eliminate violations of property maintenance, outside storage or accessory building regulations which infringe upon residential neighborhood quality, pose public health and safety problems, or threaten neighboring property values.

6. Provide for continuing review, updating and enforcement of zoning, subdivision, and design standards to ensure high standards of planning and design.

7. Identify ecological and water quality impacts on the lake and other water bodies caused by proposed land use developments, for example stormwater runoff, and work to mitigate these impacts.

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 filing 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.

PRELIMINARY PLAT OF BENTON HARBOR
EXISTING AND PROPOSED GRADING AND TREE PRESERVATION

LEGEND:

- FOUND IRON PIPE (AS NOTED)
- SET 1/2" REBAR W/CAP #44109
- POWER POLE (WITH GUY ANCHOR)
- FIRE HYDRANT
- GATE VALVE
- SIGN
- COMMUNICATIONS PEDESTAL
- CATCH BASIN
- STORM SEWER MANHOLE (ST)
- SANITARY SEWER MANHOLE (SAN)
- DECIDUOUS TREE (SIZE IN INCHES)
- CONIFEROUS TREE (SIZE IN INCHES)
- OVERHEAD UTILITY LINE (OH)
- STORM SEWER LINE
- CHAINLINK FENCE
- CONCRETE SURFACE
- BITUMINOUS SURFACE
- EXISTING STRUCTURE (TO BE REMOVED)
- PROPOSED CONTOUR LINE (939)
- EXISTING CONTOUR LINE (TO BE CHANGED)
- EXISTING CONTOUR LINE (TO REMAIN) (937)
- TREE TO BE REMOVED (SEE TREE PRESERVATION NOTES)
- SILT FENCE

N

Scale, In Feet
0 20

PROPOSED DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

10 5 5 10

BEING 10 FEET IN WIDTH ADJOINING RIGHT-OF-WAY LINES AND 5 FEET WIDE ADJOINING LOT LINES EXCEPT AS NOTED

EXISTING PARCEL LEGAL DESCRIPTION (PID 06-117-22-11-0003) :

The South 165 feet of Lot Four, Dean's Park Outlots to Wayzata, except the East 175 feet and the South 25 feet thereof, and

The West 25 feet of the East 175 feet of the North 210 feet of the South 235 feet of Lot 4, Dean's Park Outlots to Wayzata.

EXCEPT: All that part of the following described tract:

The South 165 feet of Lot 4, except the East 175 feet and the South 25 feet thereof, Dean's Park Outlots to Wayzata,

which lies northerly of a line run parallel with and distant 115 feet southwesterly of the following described line:

Beginning at a point on the East line of Section 6, Township 117 North, Range 22 West, distant 1175.09 feet South of the northeast corner thereof; thence run northwesterly at an angle of 71°56'02" with said East section line for 400 feet and there terminating.

PROPOSED LEGAL DESCRIPTIONS:

LOTS 1-4, BLOCK 1, BENTON HARBOR, HENNEPIN COUNTY, MINNESOTA

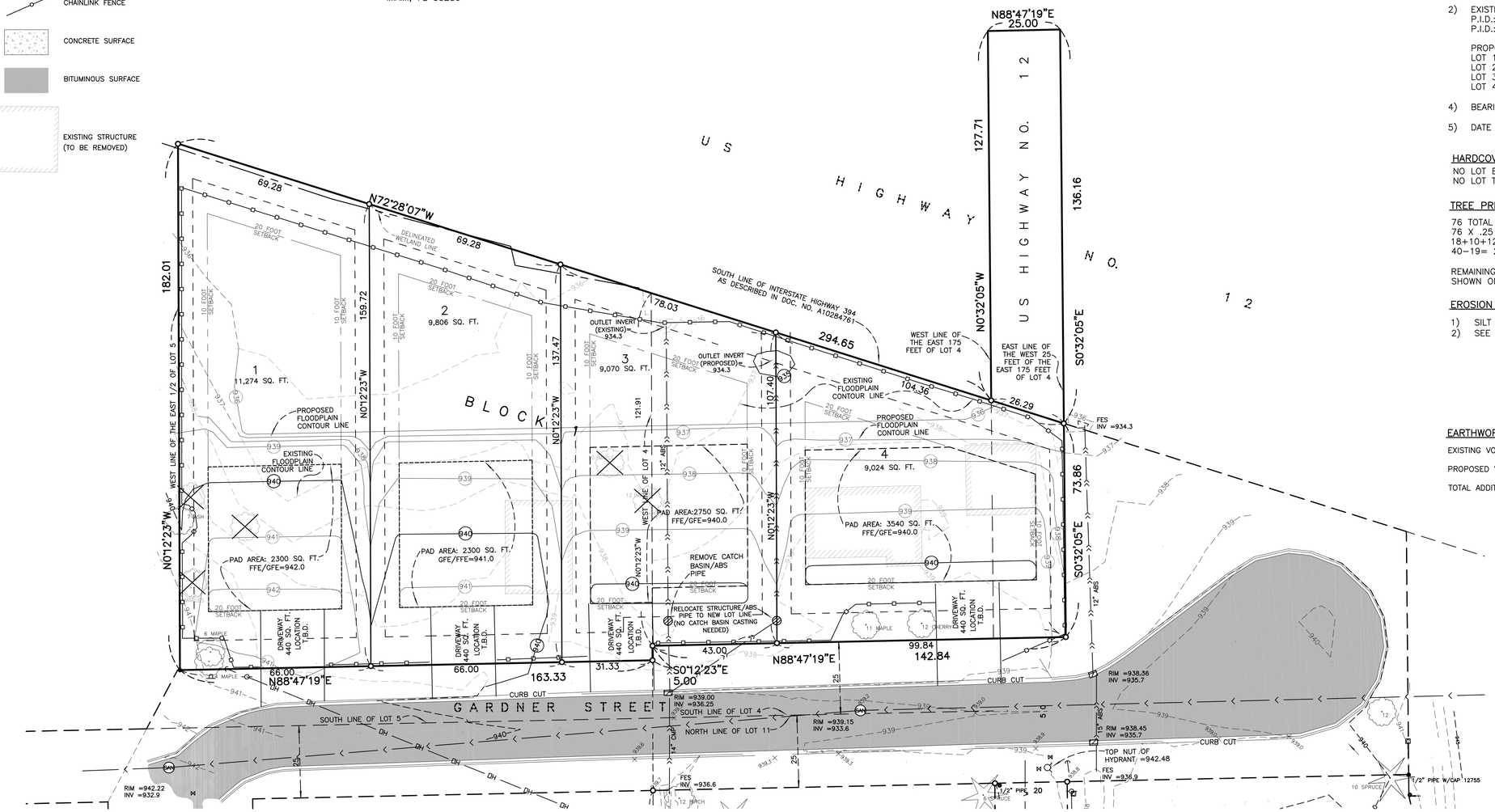
EXISTING PARCEL LEGAL DESCRIPTION (PID 06-117-22-11-0005) :

That part of the East 1/2 front and rear of Lot 5, "Dean's Park Outlots To Wayzata" described as follows: Commencing at the Southwest corner of said Tract; thence North along the West line of said Tract 330 feet; thence East parallel with the South line of said Lot to the East line of said Lot; thence South along the East line of said Lot to the Southeast corner thereof; thence West along the South line of said Lot to the point of beginning; Which lies Southerly of a line run parallel with and distant 115 feet Southwesterly of the following described line: Beginning at a point on the East line of Section 6, Township 117, Range 22, distant 1175.09 feet South of the Northeast corner thereof; thence run Northwesterly at an angle of 71 degrees 56 minutes 02 seconds with said East Section line for 700 feet and there terminating;

Except that part of the above described Tract which lies Southerly of a line run parallel with and distant 20 feet Northerly of the following described line: Beginning at a point on the East line of said Section 6 distant 1333.11 feet South of the Northeast corner thereof; thence run Westerly at an angle of 89 degrees 06 minutes 30 seconds with said East Section line (when measured from South to West) for 500 feet and there terminating, Hennepin County, Minnesota.

PREPARED FOR:

FRED AND PATRICIA JOHNSON
P.O. BOX 800345
MIAMI, FL 33280



GENERAL NOTES:

1) ADDRESS OF THE SUBJECT PROPERTY:
310 BENTON AVENUE NORTH, WAYZATA, MN 55391 (P.I.D.: 06-117-22-11-0005)
1023 GARDNER STREET, WAYZATA, MN 55391 (P.I.D.: 06-117-22-11-0003)

2) EXISTING PARCEL AREAS:
P.I.D.: 06-117-22-11-0005: 25,236 SQ. FT.
P.I.D.: 06-117-22-11-0003: 13,967 SQ. FT.

PROPOSED LOT AREAS:
LOT 1, BLOCK 1, BENTON HARBOR: 11,274 SQ. FT.
LOT 2, BLOCK 1, BENTON HARBOR: 9,806 SQ. FT.
LOT 3, BLOCK 1, BENTON HARBOR: 9,070 SQ. FT.
LOT 4, BLOCK 1, BENTON HARBOR: 9,024 SQ. FT.

4) BEARING BASIS IS ASSUMED.

5) DATE OF FIELDWORK: 1-11-2018

HARDCOVER CALCULATIONS:

NO LOT BUILDING COVERAGE TO EXCEED 30%
NO LOT TOTAL HARDCOVER TO EXCEED 35%

TREE PRESERVATION NOTES:

76 TOTAL CALIPER INCHES OF SIGNIFICNT TREES
76 X .25 = 19 TOTAL CALIPER INCHES REMOVAL ALLOWED
18+10+12 = 40 TOTAL CALIPER INCHES PROPOSED FOR REMOVAL
40-19= 21 CALIPER INCHES OF NEW TREES NEEDED - PLACEMENT TO BE DETERMINED

REMAINING TREES TO BE PROTECTED BEHIND SILT FENCE / TREE PROTECTION FENCE AS SHOWN ON MAP

EROSION PROTECTION:

1) SILT FENCE TO BE PLACED ON SITE PERIMETER AS SHOWN ON MAP.
2) SEE EROSION CONTROL PLAN FOR MORE DETAIL

EARTHWORK VOLUMES:

EXISTING VOLUME OF WATER STORAGE WITHIN SITE (BELOW 937 ELEVATION) 528 CU. YDS

PROPOSED VOLUME OF WATER STORAGE WITHIN SITE (BELOW 937 ELEVATION) 649 CU. YDS

TOTAL ADDITIONAL FILL NEEDED: (55 CU. YDS.)

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 Licensed Land Surveyor under the laws of the state of Minnesota.

SIGNED : TRAVIS W VAN NESTE

Travis W. Van Neste, Minnesota Professional Surveyor #44109
Michigan Professional Surveyor #46695

JOB # 2017030	ISSUED: 6-29-2018	
DRAWN BY: TWVN	REV: 8-2-2018	
SCALE: 1" = 20 FEET		

VAN NESTE SURVEYING
PROFESSIONAL SURVEYING SERVICES
85 WILDHURST ROAD EXCELSIOR, MN 55331
PHONE (952) 686-3055 TOLL-FREE FAX (866) 473-0120
WWW.VANNESTESURVEYING.COM

VNS

BENTON HARBOR ADDITION

Project Site Address:
310 Benton AVenue North, Wayzata, MN
1023 Gardener STreet, Wayzata, MN

Project Owner: Fred and Patricia Johnson
PO Box 800345
Miami, FL 33280

I. Introduction

The purpose of this project is to remove the existing homes on the two addresses noted above. The combined property will be subdivided into four new lots for residential home construction. Improvements will consist of residential properties and new driveways.

Project Area:
Total Site Area – 39,173 square feet
Existing Area of Impervious Surface – 4,630 square feet (Existing buildings and driveways)
Post–Construction Area of Impervious Surface – 12,590 SF (Proposed Pad Area and driveways)
Total New Impervious Surface Area Created – 7,960 square feet

Responsible Parties
Owner – Contact: Fred and Patricia Johnson
PO Box 800345
Miami, FL 33280

- Civil Engineer – Contact: Kristie Elfering, P.E., Elfering & Associates
  10062 Flanders Court NE
  Blaine, MN 55449
  Ph: (763) 780–0450 Ext. 2
  kelfering@elferingeng.com
- Architect – Contact: Wes Sampson, Sharratt Design & Company
  464 Second Street, Suite 100
  Excelsior, MN 55331
  Ph: (952) 470–9750
  WSampson@sharrattdesign.com
- Responsible Party for Long Term O&M – N/A (Residential Lots)

II. Potential Areas for Storm Water Contamination

The following potential areas were identified as possible storm water contamination areas:
- Areas of vegetation disturbance for building and driveway construction
- Areas of utility service installation

III. Storm Water Management Controls

The controls will provide soil stabilization for disturbed areas and structural controls to divert runoff and remove sediment. Currently the site drains to the north. Care will be taken to provide restoration as soon as grading operations cease.

Vegetation in areas not needed for construction shall be preserved. The allowable amount of time a site can remain without stabilization when not being worked on is 7 days.

In the case where construction activity temporarily ceases for the amount of time listed above, stockpiles and disturbed portions of the site will be stabilized with temporary seed and mulch. The temporary seed shall be Mn/DOT Mixture 21–113 for seeding between May 1 and August 1 and Mn/DOT Mixture 21–112 after August 1. The Contractor will prepare each area for permanent restoration as soon as construction in that area is completed.

All disturbed pervious areas shall be restored with sod or seed.

IV. Best Management Practices

A. Site Wide Control Measures

To prevent soil from being transported off site, for both the undisturbed and disturbed areas of the site, the following BMPs will be implemented onsite:
- Construction sequencing will allow areas to be undisturbed until necessary for construction.
- The smallest vegetated area possible will be disturbed during construction.
- After construction in an area is completed, the Contractor shall immediately restore that area to its existing condition.
- Topsoil stockpiles will be stabilized with temporary seed and mulch no later than 3 days from the last construction activities that formed the stockpiles. The Rapid Stabilization Method 3 will be used to stabilize the topsoil. The Rapid Stabilization method includes quick temporary seed and quick release fertilizer. If necessary, this work shall be incidental to the project.
- Install silt fence around the disturbed area to prevent the migration of sediment.
- Inlet protection shall be installed on all structures downstream of the project area.
- Remove all soils and sediments tracked or otherwise deposited outside of the project area. If tracking occurs the City or Watershed may order sweeping to be completed at no cost with a pick–up broom sweep.
- All measures contained in this document shall be completed by the Contractor at no cost.

V. General Notes
- Construction site waste must be properly managed, such as discarded building materials, concrete truck washout, chemicals, litter and sanitary waste at the construction site.
- All temporary erosion and sediment control BMPs must be maintained until completion of construction and vegetation is established sufficiently to ensure stability of the site, as determined by the City and Watershed District
- All temporary erosion and sediment control BMPs must be removed upon final stabilization.
- The permittee must, at a minimum, inspect, maintain and repair all disturbed surfaces and all erosion and sediment control facilities and soil stabilization measures every day work is performed on the site and at least weekly until land disturbing activity has ceased. Thereafter, the permittee must perform these responsibilities at least weekly until vegetative cover is established. The permittee will maintain a log of activities under this section for inspection by the District on request.

VI. Maintenance

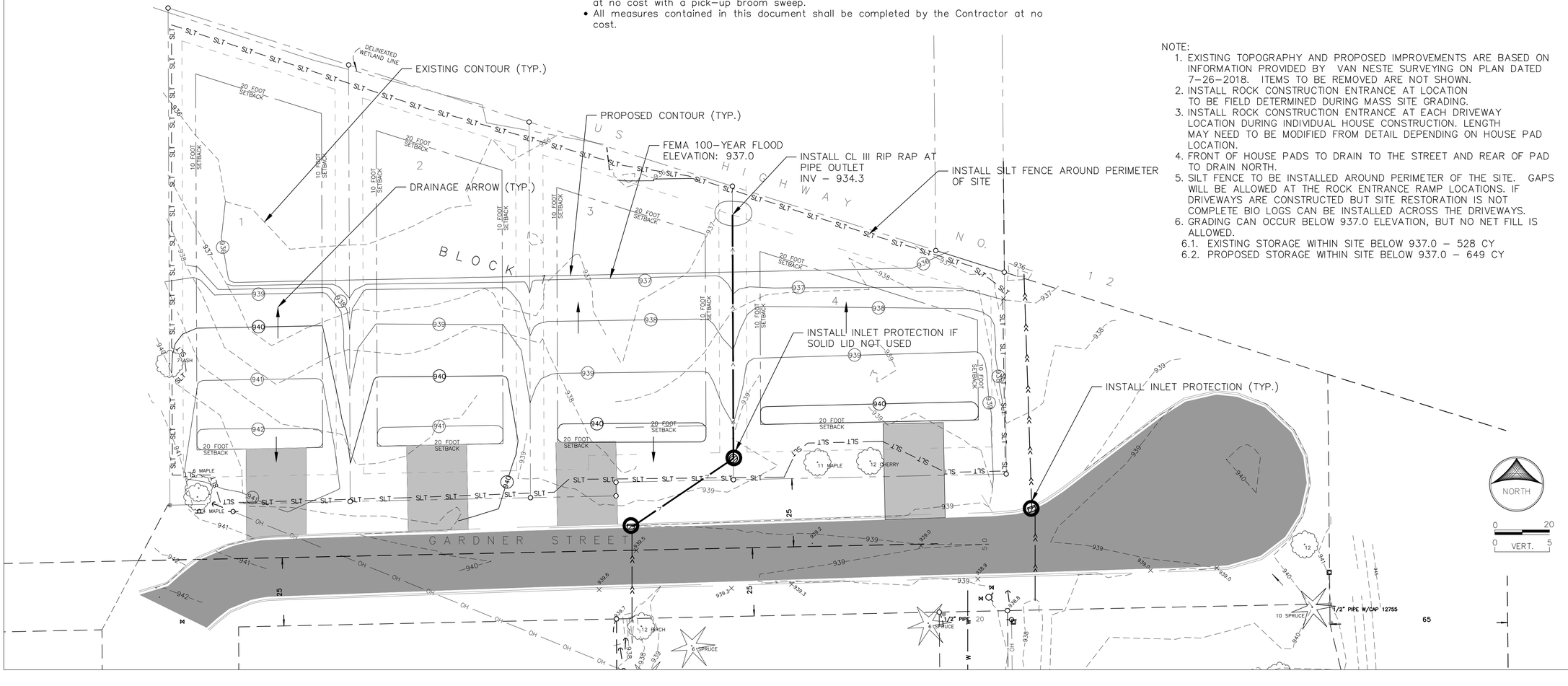
The following maintenance practices will be used to maintain erosion and sediment controls:
- Built up sediment shall be removed from silt fence within 24 hours when it has reached 1/3rd the height of the fence.
- Temporary and permanent seeding and/or planting will be inspected for bare spots and washouts.

Receiving waters, including surface water, wetlands, and Public Waters are identified within one mile of the project boundary. All specific BMPs relative to construction activities listed in this permit for special and impaired waters should be incorporated into the plan.

Name of Water Body	Type	Appendix A Special Water	Impaired Water within 1 Mile
Minnetonka – Lower Lake	Lake	No	No
Gleason	Lake	No	Yes
Unnamed	Creek	No	No

Gleason Lake is impaired, however the site drains directly to the unnamed creek, which flows from Gleason Lake to Lake Minnetonka.

NOTE:
1. EXISTING TOPOGRAPHY AND PROPOSED IMPROVEMENTS ARE BASED ON INFORMATION PROVIDED BY VAN NESTE SURVEYING ON PLAN DATED 7–26–2018. ITEMS TO BE REMOVED ARE NOT SHOWN.
2. INSTALL ROCK CONSTRUCTION ENTRANCE AT LOCATION TO BE FIELD DETERMINED DURING MASS SITE GRADING.
3. INSTALL ROCK CONSTRUCTION ENTRANCE AT EACH DRIVEWAY LOCATION DURING INDIVIDUAL HOUSE CONSTRUCTION. LENGTH MAY NEED TO BE MODIFIED FROM DETAIL DEPENDING ON HOUSE PAD LOCATION.
4. FRONT OF HOUSE PADS TO DRAIN TO THE STREET AND REAR OF PAD TO DRAIN NORTH.
5. SILT FENCE TO BE INSTALLED AROUND PERIMETER OF THE SITE. GAPS WILL BE ALLOWED AT THE ROCK ENTRANCE RAMP LOCATIONS. IF DRIVEWAYS ARE CONSTRUCTED BUT SITE RESTORATION IS NOT COMPLETE BIO LOGS CAN BE INSTALLED ACROSS THE DRIVEWAYS.
6. GRADING CAN OCCUR BELOW 937.0 ELEVATION, BUT NO NET FILL IS ALLOWED.
   6.1. EXISTING STORAGE WITHIN SITE BELOW 937.0 – 528 CY
   6.2. PROPOSED STORAGE WITHIN SITE BELOW 937.0 – 649 CY



CONSULTANT

ELFERING & ASSOCIATES
10062 FLANDERS CT NE
BLAINE, MN 55449
TRUE NORTH

PROJECT INFORMATION

BENTON HARBOR

LOT 1 - LOT 4, BLOCK 1
HENNEPIN COUNTY, MN

DRAWING LOG

REV	DATE	DESCRIPTION

EROSION CONTROL PLAN

PROFESSIONAL OF RECORD

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ENGINEER UNDER THE LAWS OF THE STATE OF: MINNESOTA

NAME REG. NO. 42350

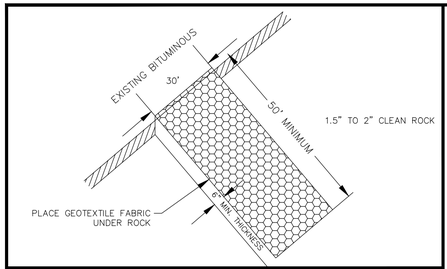
EXP DATE: 6/30/20

STAMP

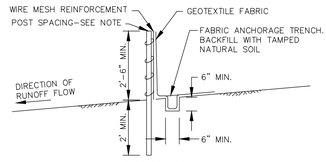
ISSUE DATE: 7/26/18

SHEET NO. C1.00

PUBLICATIONS
Issued for Permit



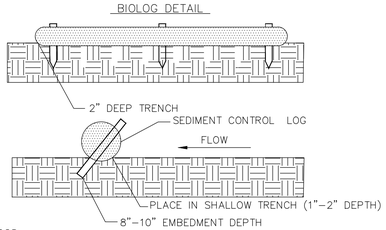
ROCK CONSTRUCTION ENTRANCE DETAIL



SILT FENCE DETAIL

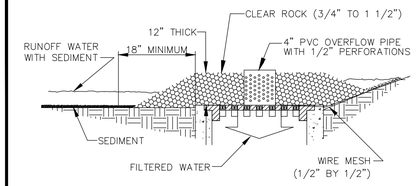
NOTE:
1. SILT FENCES CONSTRUCTED WITH SUPPORT FENCES, POSTS SHALL BE SPACED AT 10' OR LESS, AND DRIVEN AT LEAST 2' INTO THE GROUND.
2. SILT FENCES CONSTRUCTED WITHOUT SUPPORT FENCES, POST SHALL BE SPACED AT 4' OR LESS, AND DRIVEN AT LEAST 3' INTO THE GROUND.

EROSION CONTROL DETAIL

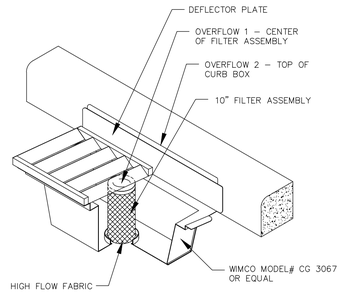


BIOLOGS:
STAKE INTO THE GROUND WITH WOOD STAKES WHERE BIOLOGS WEIGHT WILL NOT ENSURE THE LOG REMAINS IN PLACE AND SURFACE ALLOWS. WOOD STAKES ARE A MINIMUM OF .5" X 2" BY 16" LONG. WOOD STAKES DRIVEN THROUGH BACK HALF OF BIOROLL OR COMPOST LOG AT AN APPROXIMATE 45° ANGLE WITH TOP OF STAKE POINTING UPSTREAM. WHEN MORE THAN 1 BIOROLL/COMPOST LOG IS NEEDED, OVERLAP ENDS A MINIMUM OF 6" AND STAKE WHERE SURFACE ALLOWS.

BIOLOG DETAIL

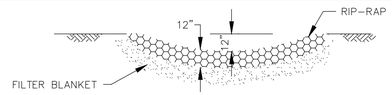


CATCH BASIN W/O CASTING SEDIMENTATION BARRIER

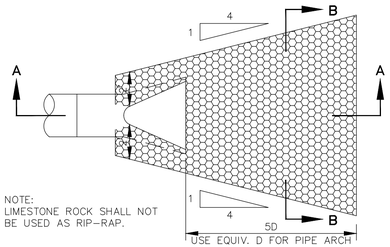


CATCH BASIN INLET PROTECTION WITH CASTING

CATCH BASIN INLET PROTECTION



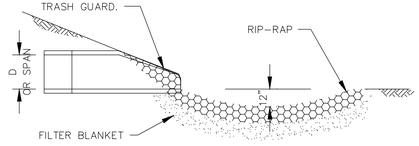
SECTION B-B



NOTE:
LIMESTONE ROCK SHALL NOT BE USED AS RIP-RAP.

PLAN

NOTE:
RIP-RAP SHALL BE INSTALLED TO PROVIDE EASY REMOVAL OF TRASH GUARD.



SECTION A-A

RIP-RAP INSTALLATION

BIOLOG DETAIL

CATCH BASIN INLET PROTECTION

RIP-RAP INSTALLATION

CONSULTANT
ELFERING & ASSOCIATES
10062 FLANDERS CT NE
BLAINE, MN 55449
TRUE NORTH

PROJECT INFORMATION

BENTON HARBOR

LOT 1 - LOT 4, BLOCK 1
HENNEPIN COUNTY, MN

DRAWING LOG

REV	DATE	DESCRIPTION

PROFESSIONAL OF RECORD

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ENGINEER UNDER THE LAWS OF THE STATE OF: MINNESOTA

NAME Kristine Elfering
REG. NO. 42350
EXP DATE: 6/30/20

STAMP

ISSUE DATE: 7/26/18

DETAILS

SHEET NO.
C2.00

PUBLICATIONS
Issued for Permit

NOTE:
1. EXISTING TOPOGRAPHY AND PROPOSED IMPROVEMENTS ARE BASED ON INFORMATION PROVIDED BY VAN NESTE SURVEYING ON PLAN DATED 7-26-2018. BUILDINGS AND TREES TO BE REMOVED ARE NOT SHOWN.
2. VERIFY LOCATION OF EXISTING SANITARY SEWER, STORM SEWER, AND WATERMAIN PRIOR TO CONSTRUCTION. NOTIFY THE OWNER OF ANY FIELD DISCREPANCIES.
3. ALL PROPOSED SANITARY SEWER SERVICES TO BE INSULATED UNDER THE PAVEMENT SURFACE ACCORDING TO THE DETAIL.
4. REMOVE AND REPLACE EXISTING CONCRETE CURB AND GUTTER (B412) AS NECESSARY FOR UTILITY INSTALLATION.
5. ANY PAVEMENT DISTURBANCE SHALL BE REPLACED TO THE FULL STREET WIDTH. PAVEMENT SECTION SHALL BE AS FOLLOWS:
   - 1.5-INCHES BITUMINOUS WEAR COURSE
   - 2-INCHES BITUMINOUS NONWEAR COURSE
   - 8-INCHES CLASS 5 AGGREGATE BASE
   - GEOTEXTILE FABRIC
   - 12-INCHES SELECT GRANULAR BORROW

   THERE IS EXISTING 4-INCH DRAINTILE ALONG BOTH CURB EDGE LINES WHICH SHALL EITHER BE REMOVED AND REPLACED OR SALVAGED AND REINSTALLED IF DISTURBED.

NORTH
0 20
0 VERT. 5

DELINEATED WETLAND LINE
U S H I G H W A Y N O. 1 2
B L O C K 1
2 3 4
20 FOOT SETBACK
10 FOOT SETBACK

EXISTING WATERMAIN SERVICE IS 3/4-INCH. VERIFY LOCATION OF EXISTING SANITARY SEWER AND WATERMAIN SERVICE. SANITARY SEWER SERVICE MUST BE A MINIMUM OF 4-INCH DIA. IF SMALLER REMOVE AND REPLACE SANITARY SERVICE FROM THE MAIN TO THE ROW. IF NEW SANITARY SEWER SERVICE IS INSTALLED CONSTRUCT NEW WATERMAIN SERVICE IN APPROPRIATE LOCATION AND ABANDON EXISTING IN-PLACE. IF SANITARY SEWER SERVICE IS NOT REPLACED REMOVE AND INSTALL NEW WATER SERVICE IN LOCATION OF EXISTING.

42' - 1" COPPER WATERMAIN SERVICE
CONNECT TO EXISTING MAIN (VERIFY LOCATION)
INSTALL CORPORATION STOP AT RIGHT-OF-WAY

31' - 4" PVC SANITARY SEWER SERVICE
INSTALL AT 1.0%
INV. AT MAIN - 933.04 (VERIFY)
INV. AT ROW - 933.35

REMOVE 126' - 15" HDPE STORM SEWER

89'-15" HDPE STORM SEWER @ 1.39%

CB 1
RIM - 939.0 (VERIFY)
INV. - 935.64, SW
INV. - 935.54, N

44'-15" HDPE STORM SEWER @ 1.39%

REMOVE YARD DRAIN

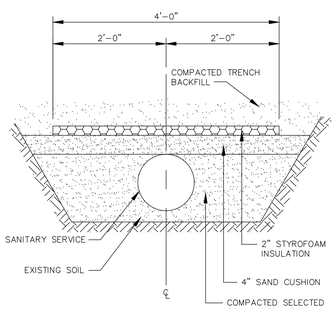
INSTALL CL III RIP RAP AT PIPE OUTLET
INV - 934.3

EXISTING WATERMAIN SERVICE IS 5/8-INCH. VERIFY LOCATION OF EXISTING SANITARY SEWER AND WATERMAIN SERVICE. SANITARY SEWER SERVICE MUST BE A MINIMUM OF 4-INCH DIA. IF SMALLER REMOVE AND REPLACE SANITARY SERVICE FROM THE MAIN TO THE ROW. IF NEW SANITARY SEWER SERVICE IS INSTALLED CONSTRUCT NEW WATERMAIN SERVICE IN APPROPRIATE LOCATION AND ABANDON EXISTING IN-PLACE. IF SANITARY SEWER SERVICE IS NOT REPLACED REMOVE AND INSTALL NEW WATER SERVICE IN LOCATION OF EXISTING.

G A R D N E R S T R E E T
RIM =939.00
INV =936.25
RIM =939.15
INV =933.6
RIM =942.22
INV =932.9
EX. 6" CAST IRON WATERMAIN

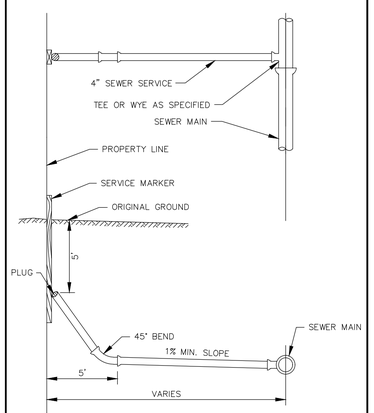
44' - 1" COPPER WATERMAIN SERVICE
CONNECT TO EXISTING MAIN (VERIFY LOCATION)
INSTALL CORPORATION STOP AT RIGHT-OF-WAY
27' - 4" PVC SANITARY SEWER SERVICE
INSTALL AT 1%
INV. AT MAIN - 933.43 (VERIFY)
INV. AT ROW - 933.70

6 MAPLE
14 MAPLE
11 MAPLE
12 CHERRY
12 BIRCH
8 SPRUCE
10 SPRUCE
24
1/2" PIPE
1/2" PIPE W/CAP 12755
OH
7 ASH



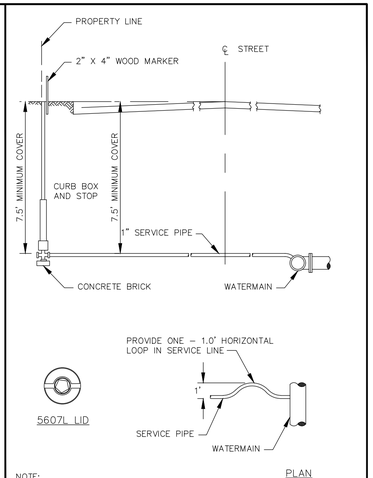
NOTE:
1. SANITARY SEWER SERVICE SHALL BE INSULATED UNDER THE ROADWAY.
2. 2" MAXIMUM SHEET THICKNESS
3. OVERLAP JOINTS

PIPE INSULATION DETAIL



NOTE: 1. CONTRACTOR TO UTILIZE FERNCO COUPLINGS TO PROVIDE WATER TIGHT JOINTS AT THE CONNECTION TO THE MAINLINE.
2. SERVICE PIPE TO BE SCHEDULE 40 OR SDR 26 PVC

TYPICAL SANITARY HOUSE SERVICE



NOTE:
1. CURB BOX FOR 1" CURB STOPS SHALL BE MINNEAPOLIS PATTERN 5610 W/ 8' SHUT-OFF ROD

TYPICAL WATERMAIN HOUSE SERVICE

CONSULTANT
ELFERING & ASSOCIATES
10062 FLANDERS CT NE
BLAINE, MN 55449
TRUE NORTH

PROJECT INFORMATION
BENTON HARBOR
LOT 1 - LOT 4, BLOCK 1
HENNEPIN COUNTY, MN

DRAWING LOG

REV	DATE	DESCRIPTION

PROFESSIONAL OF RECORD
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ENGINEER UNDER THE LAWS OF THE STATE OF: MINNESOTA
NAME
REG. NO. 42350
EXP DATE: 6/30/20
STAMP

ISSUE DATE: 08/01/18

SHEET NO.
C3.00

PUBLICATIONS
Issued for Permit

UTILITY PLAN

BENTON HARBOR

R.T. DOC. NO. _____

C.R. DOC. NO. _____

Know all persons by these presents: that Invest Capital Group, LLC, a Minnesota limited liability company, fee owners of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

That part of the East half front and rear of Lot 5, "Dean's Park Outlots To Wayzata" described as follows: Commencing at the Southwest corner of said Tract; thence North along the West line of said Tract 330 feet; thence East parallel with the South line of said Lot to the East line of said Lot; thence South along the East line of said Lot to the Southeast corner thereof; thence West along the South line of said Lot to the point of beginning; Which lies Southerly of a line run parallel with and distant 115 feet Southwesterly of the following described line:

Beginning at a point on the East line of Section 6, Township 117, Range 22, distant 1175.09 feet South of the Northeast corner thereof; thence run Northwesterly at an angle of 71 degrees 56 minutes 02 seconds with said East Section line for 700 feet and there terminating;

Except that part of the above described Tract which lies Southerly of a line run parallel with and distant 20 feet Northerly of the following described line: Beginning at a point on the East line of said Section 6 distant 1333.11 feet South of the Northeast corner thereof; thence run Westerly at an angle of 89 degrees 06 minutes 30 seconds with said East Section line (when measured from South to West) for 500 feet and there terminating

(Torrens Property)

and

The South 165 feet of Lot 4, "Dean's Park Outlots" to Wayzata, except the east 175 feet and the South 25 feet thereof, and the West 25 feet of the East 175 feet of the North 210 feet of the South 235 feet of Lot 4, Dean's Park Outlots to Wayzata.

Except: all that part of the following described tract: the South 165 feet of Lot 4, except the East 175 feet and the South 25 feet thereof, Dean's Park Outlots to Wayzata, which lies northerly of a line run parallel and 115 feet southwesterly of the following described line:

Beginning at a point on the East line of Section 6, Township 117 North, Range 22 West, distant 1175.09 feet South of the northeast corner thereof; thence run northwesterly at an angle of 71 degrees 56 minutes 02 seconds with said East section line for 400 feet and there terminating.

(Abstract Property)

Has caused the same to be surveyed and platted as BENTON HARBOR and does hereby dedicate to the public for public use the public way and the easements for drainage and utility purposes as shown on this plat.

In Witness whereof Invest Capiital Group, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this_____ day of _____, 20_____.

Signed: Invest Capital Group, LLC
by: _____ , its _____

STATE OF_____
COUNTY OF_____
The foregoing instrument was acknowledged before me this _____ day of_____, 20_____, by _____,
_____ of Invest Capital Group, LLC, a Minnesota limited liability company, on behalf of the company.

_____ _____
Notary Public,_____ County, Minnesota Printed Notary Name
My Commission Expires January 31,20_____

SURVEYORS CERTIFICATE:
I Travis W. Van Neste do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on the plat have been or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ Day of _____, 20 _____.

_____
Travis W. Van Neste, Licensed Land Surveyor, Minnesota License No. 44109

STATE OF _____
COUNTY OF_____
This instrument was acknowledged before me this _____ day of_____, 20_____, by
Travis W. Van Neste, a licensed Land Surveyor.

_____ _____
Notary Public,_____ County, Minnesota Printed Notary Name
My Commission Expires January 31, 20_____

CITY OF WAYZATA, MINNESOTA
This plat of BENTON HARBOR was approved and accepted by the City Council of Wayzata, Minnesota, at a regular meeting thereof held this _____ day of _____, 20_____. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been recieved by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes, Section 505.03, Subd. 2.

CITY COUNCIL OF WAYZATA, MINNESOTA

By_____, Mayor By_____, Clerk

RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota
I hereby certify that taxes payable in 20_____ and prior years have been paid for land described on this Plat, dated this _____ day of _____, 20_____.

Mark V. Chapin, County Auditor By_____, Deputy

SURVEY DIVISION, Hennepin County, Minnesota
Pursuant to MN. STAT. Sec. 383B.565 (1969), this Plat has been approved this _____ day of _____, 20_____.

Chris F. Mavis, County Surveyor By_____

REGISTRAR OF TITLES, Hennepin County, Minnesota
I hereby certify that the within plat of BENTON HARBOR was filed in this office this _____ day of _____, 20_____, at _____ o'clock ____.M.

Martin McCormick, Registrar of Titles By_____, Deputy

COUNTY RECORDER, Hennepin County, Minnesota
I hereby certify that the within plat of BENTON HARBOR was recorded in this office this _____ day of _____, 20_____, at _____ o'clock ____.M.

Martin McCormick, County Recorder By_____, Deputy

VAN NESTE SURVEYING
PROFESSIONAL SURVEYING SERVICES

BENTON HARBOR

R.T. DOC. NO. _____

C.R. DOC. NO. _____

LINE PARALLEL WITH THE SOUTH LINE OF LOT 5

NORTHEAST CORNER OF SECTION 6, TOWNSHIP 117, RANGE 22 FOUND CAST IRON MONUMENT

POINTS FALL IN ROADWAY – NOT SET

N88°47'19"E 25.00

U. S. HIGHWAY NO. 12

700.00

400.00

115

EAST LINE OF LOT 5

1179.05

33

1333.11

N20°56'E

127.71

136.16

25.00

175.00

N0°32'05"W

235.00

210.00

EXCEPTION

330.00

69.28

N72°28'07"W

69.28

78.03

294.65

104.36

26.29

S0°32'05"E 210.02

73.86

182.01

N0°12'23"W

"DEAN'S PARK OUTLOTS TO WAYZATA"

1

2

3

4

BLOCK 1

159.72

N0°12'23"W

137.47

N0°12'23"W

107.40

N0°12'23"W

165.00

WEST LINE OF LOT 4

WEST LINE OF THE EAST 1/2 OF LOT 5 BASED ON FOUND MONUMENTATION

EXCEPTION

1 1/4" IRON PIPE

66.00

66.00

31.33

43.00

99.84

S88°47'19"W

163.33

S0°12'23"E 5.00

S88°47'19"W

142.84

EXCEPTION

– S88°47'19"W 500.00 –

SOUTH LINE OF LOT 5

SOUTH LINE OF LOT 4

SOUTH LINE OF LOT 4

SOUTHWEST CORNER OF THE EAST HALF OF LOT 5, FRONT AND REAR

SOUTHEAST CORNER OF LOT 5

GARDNER STREET EAST

45.00

543.45

N0°12'23"W

1/2" REBAR WITH CAP

1/2" PIPE

WAYZATA

BENTON HARBOR AVENUE NORTH

TERRACE

SECOND

ADDITION

"WAYZATA"

ALLEY

EAST LINE OF LOT 4

CENTRAL AVENUE (COUNTY ROAD NO. 101)

EAST LINE OF SECTION 6, T 117, R 22

2666.78

N0°32'05"W

89°19'24"

89°06'30" (CORRECTIVE NO. 1410076)

1/2" PIPE W/CAP 12755

1" PIN

65

33

EAST 1/4 CORNER OF SECTION 6, TOWNSHIP 117, RANGE 22 FOUND CAST IRON MONUMENT

0 10 20 40

SCALE IN FEET

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS: (NOT TO SCALE)

5

10

10

BEING 10 FEET IN WIDTH ADJOINING RIGHT-OF-WAY LINES AND 5 FEET IN WIDTH AND ADJOINING LOT LINES EXCEPT AS NOTED

- DENOTES FOUND IRON MONUMENT (AS NOTED)
- DENOTES 1/2 INCH REBAR WITH CAP NO. 44109 SET

FOR THE PURPOSE OF THIS PLAT, THE WEST LINE OF THE EAST 1/2 OF LOT 5, "DEAN'S PARK OUTLOTS TO WAYZATA" IS ASSUMED TO HAVE A BEARING OF N00°12'23"W.

VAN NESTE SURVEYING
PROFESSIONAL SURVEYING SERVICES