



Wayzata Planning Commission Meeting Agenda

Monday, October 15, 2018

Community Room
600 Rice Street East
Wayzata, Minnesota 55391

7:00 p.m. Regular Meeting

- 1. Call to Order & Roll Call**
- 2. Approval of Agenda**
- 3. Consent Agenda**
 - a. Approval of October 1, 2018 Meeting Minutes
 - b. Adoption of Report and Recommendation for Development Application at 305 and 309 Lake St E.
 - c. Adoption of Report and Recommendation of Denial of Concurrent Preliminary and Final Plat Subdivision at 153 Peavey La
- 4. Old Business Items**
 - a. None
- 5. Public Hearing Items**
 - a. None
- 6. Other Items**
 - a. October 2nd City Council Meeting Report – Commissioner Buchanan
 - b. Review of Development Activities
 - c. Next meeting is October 29, 2018
- 7. Adjournment**

7:10 p.m. Workshop Meeting

- 1. Workshop Items**
 - a. 2040 Comprehensive Plan Update
Review Draft Land Use, Housing, and Transportation Chapters

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
OCTOBER 1, 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, Buchanan, Iverson, and Douglas. Absent: Murray and Flannigan. 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 Douglas made a motion, seconded by Commissioner Iverson, to approve the October 1, 2018 agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Consent Agenda

a.) Approval of September 17, 2018 Meeting Minutes

Chair Buchanan read the items on the consent agenda and asked if any Commission wanted to pull any item for further discussion. Hearing no such request, he asked for a motion to approve the Consent Agenda as presented.

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

AGENDA ITEM 4. Old Business Items:

a.) None.

AGENDA ITEM 5. Public Hearing Items:

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

- i. Design Review, Variances, Shoreland Impact Plans, Conditional Use Permits, and Preliminary and Final Plat Subdivision**

1 Director of Planning and Building Jeff Thomson stated the applicant, Lowell Zitzloff, and the
2 property owner, Swans Corner, LLC, have submitted a development application to redevelop the
3 properties at 305 and 309 Lake St E. The applicant is proposing to demolish the existing building
4 on the site, and construct a new 3-story mixed-use building. As part of the submitted development
5 application, the applicant is requesting approval of the design, a height variance, third story setback
6 variance, Shoreland Impact Plan/Conditional Use Permit for the building height, Shoreland Impact
7 Plan/Conditional Use Permit for impervious surface, Joint Parking Conditional Use Permit, and
8 Preliminary and Final Plat Subdivision. The first floor of the building would include retail and
9 service commercial uses, as well as interior parking. The second and third floor would include
10 office uses. The proposed building includes one level of underground parking. The building
11 would be internally connected to the existing adjacent 315 Lake Street building, but would be a
12 separate building on a separate parcel of land. The underground and first floor parking garages
13 would be connected to provide for a common and shared parking area, and the internal hallways
14 of the second and third levels would also be connected.

15
16 Mr. Thomson explained that the applicant has submitted two plans as part of the Application: a
17 proposed plan that includes a fourth level/roof-top on the proposed building, and an alternative
18 plan that would not include the fourth level and related features. The proposed plan includes a
19 rooftop patio and partial fourth floor to provide elevator and staircase access to the rooftop. This
20 plan requires approval of a variance from the C-4 building height requirement and a shoreland
21 impact plan/conditional use permit from the shoreland overlay district height requirements. The
22 alternative plan eliminates the rooftop patio and the fourth story penthouse. This plan includes a
23 5-foot tall elevator overrun, as permitted by the zoning ordinance. This alternative would comply
24 with the C-4 and shoreland district height requirements and eliminate the need for a height variance
25 and a shoreland impact plan/conditional use permit for building height. Under either plan, the
26 proposed project does not meet three of the design standards and requires the following design
27 deviations: 1) second story building recession, 2) Lake St ground level transparency, and 3) Barry
28 Ave sidewalk width. The proposed building includes 54 enclosed parking spaces within the first
29 floor and underground parking garage. The applicant, who also owns the office building at 319
30 Barry Ave S, is requesting approval of a joint parking facilities conditional use permit to utilize
31 surplus parking at the 319 Barry Ave S property to accommodate the additional parking
32 requirements for the proposed project.

33
34 Commissioner Douglas asked if the shared parking would be on the north portion of the property,
35 or if it would include the internal parking on the south side of the building.

36
37 Commissioner Iverson asked why there was an excess of parking on the 319 property.

38
39 Mr. Thomson stated the City's parking requirements were reduced in 2015, and when the building
40 was originally constructed, they included excess parking to allow for flexibility in the building use
41 for this property and the surrounding properties owned by the applicant.

42
43 Chair Iverson asked if the height variance for the partial fourth floor was for 14-feet as presented
44 or 13-feet as shown in the building plans. She also asked what the 9-foot 6-inch well house was.

45
46 Mr. Thomson stated the height variance being requested would be 13-feet.

1
2 Chair Buchanan asked what the second floor recession was for the Five Swans building, and what
3 the floor area ratio and transparency for the first floor was for that building.
4

5 Mr. Thomson stated he did not have any information available at this time on the Five Swans
6 building. The project proposed in 2008 for this property had been a PUD, and there had not been
7 floor area ratio requirements. He clarified staff could look at the surrounding properties and bring
8 this information to the Commission for further review.
9

10 Applicant's representative, Darrin Schmitt, Bruce W Schmitt & Associates, 320 Manitoba Ave,
11 stated the parking ramp for the 319 building was added because the project would have been 7
12 parking stalls short at that time. The parking ramp resulted in excess stalls at that time. Using the
13 current parking requirement calculations, they have even more excess parking. The 315 building
14 second floor recess is on the corner of Lake and Manitoba, and this meets the setback requirement.
15 The parking lot had not been included in the floor area ratio in the 2008 proposed project. If they
16 do not recreate the bank façade, then the project would meet the transparency requirement.
17

18 Applicant Lowell Zitzloff, 319 Barry Avenue, stated the original plan had been to save the bank.
19 By saving the bank, they would not have been able to develop the whole property, and this would
20 result in lost revenue. Because the bank is a historical site, he met with different groups in an
21 attempt to raise money to preserve the bank. The rooftop terrace is proposed as an amenity for the
22 project, and would be a tradeoff for recreating the bank façade.
23

24 Mr. Schmitt stated they have worked with staff and recreated the plans to include the bank façade.
25 They are going to attempt to use the columns from the original bank building, but if they cannot
26 be reused, they will be recreated to look like they do now.
27

28 Commissioner Plantan stated she appreciated the attempt to save the bank façade, but would like
29 to see the widow spacing on top of the portico be more proportional.
30

31 Mr. Schmitt state the intent is to replicate the front of the bank, and they would be sure to have
32 accurate measurements when construction began.
33

34 Commissioner Douglas asked how the bank would be accessed.
35

36 Mr. Schmitt stated the Lake Street side would have an at sidewalk level access, and there will also
37 be the steps in the front of the building and access from the parking area.
38

39 Commissioner Iverson stated on page 48 of the packet, section 5 states that an additional 9-feet 6-
40 inches above the penthouse structure is requested for the light well structure.
41

42 Mr. Schmitt stated that this is an erroneous carryover from a previous design that included a
43 lighthouse structure. There is no lighthouse structure with the project proposed at this time.
44

45 Chair Buchanan opened the public hearing on the application at 7:52 p.m.
46

1 Mr. John Nolan, 328 Barry Ave, expressed concerns about the building height variance and rooftop
2 terrace. He would prefer the Planning Commission consider the alternative plan, without the patio.
3 He would like to see the Planning Commission add roof design conditions, including that applicant
4 shall obtain City approval of a detailed roof plan, all roof elements shall be consolidated to a
5 location on the roof, any future modifications shall require City approval, and no equipment,
6 plants, pots, furniture or other such features shall be allowed on the roof. He also stated the
7 previous plan submitted by the applicant showed the second floor setback along Barry Ave. He
8 would strongly prefer this plan with the setback. Moving the second floor forward would also
9 bring the third floor forward as well. This adversely affects the views from their building. He
10 would also like to see a solar study so that he could understand the solar impacts to his building
11 throughout the year. He would also like to make sure the grade plan calculations are done
12 correctly. He believes removing the components of the project he is opposed to would not
13 adversely affect the project.

14
15 There being no one else wishing to comment on this application, Chair Buchanan closed the public
16 hearing at 7:59 p.m.

17
18 Chair Buchanan asked the Commission which plan they would like to move forward with for
19 discussion purposes. There is the plan with the rooftop patio that includes height variance requests,
20 and the plan that complies with the City code on the height and includes the recreation of the bank
21 façade.

22
23 Commissioner Plantan asked why the second floor-building step back had been removed along
24 Barry Avenue.

25
26 Mr. Schmitt stated with saving the bank there is a loss of square-footage, and this would result in
27 less rental space. The setback could be reincorporated to meet the City's requirements, but then
28 the bank façade would not be preserved as part of the plans.

29
30 Commissioner Douglas stated she does not like the rooftop patio, and this is not an added amenity
31 for the building.

32
33 Commissioner Plantan agreed with Commissioner Douglas on the terrace. It does not appear there
34 was a lot of thought put into the patio design.

35
36 Commissioner Iverson stated she would agree that the City should stick to the height requirement
37 and not allow the variances required for the rooftop patio.

38
39 Chair Buchanan stated he likes the consistency of "Plan B", and would like the Commission to
40 move forward with discussions on this plan.

41
42 Commissioner Iverson stated the applicant is requesting 97.9% impervious surface coverage and
43 the Shoreland Overlay requirement is 75%. She asked what the surrounding properties had for
44 coverage.

45

1 Mr. Thomson stated there is not a maximum hard surface coverage within the downtown districts.
2 The Shoreland Overlay District does have a 75% requirement, but there is not a variance
3 requirement for exceeding this amount. Applicants can go over this 75% amount as long as it is
4 allowed in the zoning district and as long as the impact plan treats and stores the storm water
5 associated with the project on site. City Engineer Mike Kelly did stated the impervious surface is
6 the roof and this would be considered clean storm water runoff. The Commission could consider
7 rate control and water quality improvements during construction.
8

9 Commissioner Iverson asked the Commission to add a condition of approval that the water runoff
10 rate control and water quality improvements be included in the project.
11

12 Chair Buchanan stated he would support the transparency deviation, the second story recession
13 deviation, and the Barry Avenue sidewalk width deviation because of the other positive design
14 elements in the project.
15

16 Commissioner Iverson stated she would not support the second story recession deviation. The
17 building will create a mass over Barry Ave. She would like to see the recession required for both
18 sides of the building.
19

20 Commissioner Plantan stated she would support the deviations, in that they would support the
21 inclusion of the bank façade design element.
22

23 Mr. Thomson clarified that if the Commission favors the alternative plan, it would still have to
24 recommend denial of the variance for building height and Shoreland Impact Plan/Conditional Use
25 Permit for building height associated with the proposed plan with the fourth story.
26

27 Chair Buchanan stated it is important to get 54 parking stalls with this project, and he would
28 support the floor area ratio variance.
29

30 Commissioner Iverson stated the parking agreement would stay with the building, and future
31 owners of the 315 property would be required to provide these additional stalls.
32

33 Commissioner Douglas stated the there is an excess of parking at 315 Barry, and she does not see
34 a concern.
35

36 Commissioner Plantan clarified that allowing the sidewalk along Barry to be 6-feet wide would
37 allow the on street parking to remain.
38

39 Mr. Zitzloff stated the on street parking along Barry Avenue is vital to the retail that is planned
40 along this street.
41

42 Commissioner Iverson stated the Comprehensive Plan states there should be some landscaping
43 elements, and she would like to see a landscape plan. She stated the traffic should also be
44 discussed, and a determination made if it negatively impacts the downtown area and adjacent
45 neighborhoods. The City needs to be mindful of the density that is being added.
46

1 Mr. Schmitt stated there is a landscape plan included the application. The applicant is willing to
2 plant whatever type of tree the City would prefer in these locations.

3
4 Commissioner Iverson stated in order to grant a variance the applicant needs to show practical
5 difficulty, but she would be willing to support the variance because of the trade-off proposed of
6 including the bank façade. She pointed out this is not something the City would typically consider.

7
8 Commissioner Douglas made a motion, seconded Plantan by Commissioner, to direct staff to
9 prepare a draft Planning Commission Report and Recommendation with appropriate findings
10 recommending approval of the design with the deviations for first floor transparency, the second
11 story recession, and the 6-foot sidewalk width along Barry Ave, a variance for the third story
12 setback, a variance for the floor area ratio, a Shoreland Impact Plan/Conditional Use Permit for
13 impervious surface coverage with the added condition of including storm water management, a
14 Conditional Use Permit for joint parking, the preliminary and final plat subdivision and
15 recommending denial of the variance for building height and the Shoreland Impact
16 Plan/Conditional Use Permit for building height.

17
18 The motion carried unanimously.

19
20 Mr. Thomson noted that the draft Report and Recommendation would be on the consent agenda at
21 the next Planning Commission meeting.

22
23
24
25 **b.) Highcroft North – 153 Peavey La**
26 **i. Preliminary and Final Plat Subdivision**
27

28 Director of Planning and Building Jeff Thomson stated the applicant, Sathre-Bergquist Inc., and
29 the property owners And/Or Assigns, LLC have submitted a development application to subdivide
30 the property at 153 Peavey Lane. The applicant is proposing to subdivide the one existing property
31 into three single-family residential lots. As part of the submitted development application, the
32 applicant is requesting review and approval of a preliminary and final plat of the proposed
33 subdivision. The property currently contains a three-family residential home. As part of the
34 project, the existing home would be demolished and three new single-family homes would be
35 constructed. The applicant has not submitted preliminary concept elevations for the single-family
36 homes, however the proposed plans include preliminary house pads and driveways entrances for
37 each of the new lots. The proposed house pads would comply with all requirements of the R-3
38 zoning district including setbacks, lot coverage, and impervious surface. There are 21 trees located
39 on the site that meet the minimum size requirements as either significant or heritage trees. Of the
40 21 trees, 18 are classified significant and 3 are heritage. The proposed plans include removal of 4
41 significant trees and 1 insignificant tree would be removed. For a subdivision application, the tree
42 ordinance allows for removal of up to 25% of the inches of significant trees before mitigation is
43 required. Based on the proposed removal, 8-inches of replacement trees would be required in
44 place of the significant trees that would be removed. The proposed plans include the replacement
45 of 9-inches of trees.

1 Commissioner Douglas asked if the home pads and driveway locations were part of the approval.

2
3 Mr. Thomson stated the Commission is not approving homes as this time. Only the subdivision
4 of the land into three lots is what is being reviewed. The City requests the preliminary house pads,
5 tree removal and grading in order to have a general sense of where the homes would be located
6 and what the impacts might be. If the lots are approved by the City Council, the final details of
7 the building permit are reviewed by staff to ensure all of the City's codes are met. If the proposed
8 home meets all the requirements of the zoning code, then staff would issue the building permit. If
9 there are specific concerns the Planning Commission has about items, such as the driveway
10 location, these should be added as conditions of approval.

11
12 Applicant's representative, Charlie Wiemerslage, Sathre-Bergquist, Inc., 150 Broadway Ave S,
13 stated the application does not request any variances.

14
15 Chair Buchanan opened the public hearing at 7:32 p.m.

16
17 Mr. F. Mike Higgins, 144 Peavey Lane, expressed concerns that the proposed lots were not
18 consistent with the adjacent properties. These lots would be significantly different. He stated the
19 Comprehensive Plan states residential land uses should protect property values through the
20 consistent relationship of land uses. He stated allowing this development to occur would have a
21 negative impact on the value of the adjacent homes, especially the home at 151 Peavey Lane. The
22 Comp Plan also states land uses should protect residential neighborhoods from encroachment or
23 intrusion by incompatible uses or incompatible higher densities. The proposed homes pads are
24 much smaller than the adjacent properties and would not be compatible. He stated preliminary
25 plat criteria (Section 805.14.E) states the proposed subdivision shall be consistent with the
26 Wayzata Comp Plan, and he does not believe the proposed project is consistent with the Comp
27 Plan. Section 805.14.E also states the creation of a lot or lots shall not adversely impact the scale,
28 pattern or character of the City, its neighborhoods, or its commercial areas. He stated every lot to
29 the east of this property are single-family homes of like size. He further stated the proposed project
30 does not meet Section 805.14.E in the lot size that results from the subdivision would be dissimilar
31 from adjacent lots found in the surrounding neighborhood. The preliminary plat criteria also stated
32 that the proposed subdivision shall not tend to or actually depreciate the values of neighboring
33 properties in the area in which the subdivision is proposed. He believed the proposed project
34 would have a negative impact on the adjacent homes.

35
36 Ms. Carol Danner, 151 Peavey Lane, stated she has lived next to the triplex that is on the property
37 for 46 years. She expressed concerns about where the construction workers would park and that
38 additional traffic. The neighborhood has already had to accommodate construction traffic for the
39 construction on Ferndale. The traffic would increase with the addition of 3 new single-family
40 homes in the neighborhood. She stated the backyard has remained unattended since the sale of the
41 triplex, and she asked when this would change. The addition of these homes would disrupt the
42 charm of the neighborhood. Having all of the driveways exit onto Peavey Road would be
43 dangerous for school buses coming in and out of the school across from the property. She
44 expressed concerns about where the air conditioning units would be located and the amount of
45 noise these would generate. She asked when the house plans would be available for review, and
46 why the applicant was not available for the hearing.

1
2 Mr. Wiemerslage stated the average home price for the proposed subdivision would be \$1.2-\$1.5
3 million, and this would increase the values of the adjacent properties. He stated the existing
4 building is a three family unit and this would be replaced by three single-family homes, so there
5 would not be an increase in traffic. He explained the driveway for Lot one could be shifted to
6 access Peavey Lane. This shift would add only one additional driveway to Peavey Road. He
7 stated the proposed project does meet the zoning requirements, Comprehensive Plan, and
8 ordinances.

9
10 Ms. Laurel Anthony, 145 Peavey Lane, stated she had been told the homes would be smaller homes
11 with a footprint of about 1000-1200 square feet. She stated developer stated the homes would be
12 values at \$1.2-\$1.5 million. These sound like different homes and based on the proposed value,
13 these would be very large homes. She stated the scale would not fit with the neighborhood.

14
15 Ms. Sherry Smith, 133 Peavey Lane, expressed concerns about the lot size because the proposed
16 lots would be much smaller than the adjacent properties. She also expressed safety concerns with
17 the addition of three driveways. She expressed additional concerns about the impact these homes
18 would have on property values. She did not believe a home values at \$1.2-\$1.5 million would fit
19 on the proposed lots. She does not believe there is enough information available to approve the
20 subdivision because there is not a development application or renderings of the homes available.

21
22 Mr. Mike Lawrence, 141 Peavey Lane, expressed concerns about the homes being too large for
23 the proposed lots. He asked the Commission to consider the Comprehensive Plan, the comments
24 of the neighborhood and common judgment when making a decision.

25
26 Ms. Danner stated she had received a letter from the property owner and they had asked if she was
27 interested in selling. At the time she was not but if the project is approved, she may reconsider.
28 She stated if she sold and others also sold, the area would turn into a high rise and this is not what
29 the City wants. She wants the neighborhood left how it is.

30
31 Applicant representative, Ms. Lori Serum, Regency Homes, 875 Lake St, stated the homes will
32 not be 1000-1200 square feet. These homes would be larger but they would meet the 35% hard
33 cover requirement of the City. The intent is to maintain the integrity and look of Peavey Lane.

34
35 Applicant representative, Ms. Beth Ulrich, 307 Manitoba, stated the clients they have interested in
36 these properties are empty nesters looking for a smaller home with a yard.

37
38 Ms. Serum stated they would follow the City's ordinances and codes, and they are open to working
39 with the City on what these homes would look like.

40
41 Mr. Higgins stated a 9,000 square foot lot is not consistent with the neighborhood. He would like
42 to see one home built on the property.

43
44 There being no one else wishing to address the Planning Commission on this application, Chair
45 Buchanan closed the public hearing at 8:52 p.m.

46

1 Commissioner Plantan clarified based on the current zoning and Comprehensive Plan, any lot in
2 the neighborhood could be subdivided because they are zoned R-3.

3
4 Mr. Thomson stated he has not evaluated all of the lots on Peavey Lane, but some of them can be
5 subdivided and meet the zoning requirements. Not all of the lots would be able to provide the 60-
6 feet of width and 100-feet of depth that would be required under the Zoning Ordinance.

7
8 Commissioner Douglas stated the property is zoned R-3 or single-family or two family. She
9 clarified the property currently has three families living on it.

10
11 Mr. Thomson stated the zoning district currently allows for either single-family homes or twin
12 homes or duplex.

13
14 Chair Iverson stated the project does not meet the Comprehensive Plan because of the size and
15 scale of the proposed lots and homes. The other lots in the neighborhood are significantly larger.
16 The proposed project would significantly change the character of the neighborhood. She stated
17 the project does not meet Section 805.14.E.1, 805.14.E.5, 805.14.E.7, and 805.14.E.8 of the
18 Subdivision Ordinance preliminary plat criteria. She would recommend denial of the project.

19
20 Commissioner Douglas stated she would agree that the project would change the character of the
21 neighborhood. She would consider 2 single-family homes.

22
23 Commissioner Plantan agreed, and stated a twin home or duplex would be an option.

24
25 Chair Buchanan stated he would support a motion for denial.

26
27 Commissioner Iverson made a motion, seconded by Commissioner Douglas, to direct staff to
28 prepare a draft Planning Commission Report and Recommendation with appropriate findings
29 recommending denial of the preliminary and final plat subdivision for 153 Peavey Lane. The
30 motion carried unanimously.

31
32
33 **AGENDA ITEM 6. Other Items:**

34
35 **a.) September 18th City Council Meeting Report**

36
37 Director of Planning and Building Jeff Thomson provided a report on the September 18, 2018 City
38 Council meeting. The City Council discussed the redevelopment of the Boatworks at their
39 workshop. During the regular meeting, the City Council approved the conditional use permit for
40 a fence at 217 and 223 Ferndale and 101 Walker Ave. The City Council also approved the land
41 use requests for the Ventana Condos project on Lake Street.

42
43 Commissioner Iverson stated she would not be at the October 15 meeting.

44
45 **b.) Review of Development Activities**

46

1 Director of Planning and Building Jeff Thomson stated upcoming development activities include
2 the applications reviewed tonight, which would be on the next meeting's consent agenda. The
3 Comprehensive Plan would be a workshop item, and the public hearing for that would be at a later
4 date. The regular agenda would likely include a subdivision at the end of Hampton Street, and a
5 lot line adjustment in the Highcroft neighborhood.

6
7 **c.) Next Meeting**
8

9 Director of Planning and Building Jeff Thomson stated the next Planning Commissioner meeting
10 was scheduled for October 15, 2018.
11

12
13 **AGENDA ITEM 7. Adjournment.**
14

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

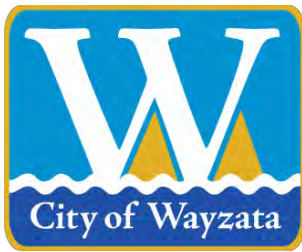
17 Commissioner Douglas made a motion, seconded by Commissioner Iverson, to adjourn the
18 Planning Commission meeting. The motion carried unanimously.
19

20 The Planning Commission meeting was adjourned at 9:05 p.m.
21

22 Respectfully submitted,
23

24 Tina Borg

TimeSaver Off Site Secretarial, Inc.



City of Wayzata Planning Commission Agenda Report

MEETING DATE: October 15, 2018	AGENDA ITEM: 3b
TITLE: Adoption of Report and Recommendation for Development Application at 305 and 309 Lake St E	
PROJECT NAME: Zitzloff Redevelopment	
ADDRESS: 305 and 309 Lake St E	
PREPARED BY: Jeff Thomson, Director of Planning and Building	

BACKGROUND:

Application Overview

The applicant, Lowell Zitzloff, and the property owner, Swans Corner, LLC, have submitted a development application to redevelop the properties at 305 and 309 Lake St E. The applicant is proposing to demolish the existing buildings on the site, and construct a new three-story mixed use building. The development application requests approval of design review, 3rd story setback variance, floor area ratio variance, building height variance, shoreland impact plan/conditional use permit for building height and impervious surface, joint parking conditional use permit, and preliminary and final plat subdivision.

Planning Commission Review

The Planning Commission reviewed the development application and held a public hearing at its meeting on October 1, 2018. After discussing the application, the Planning Commission voted four (4) in favor and zero (0) opposed to direct staff to prepare a Report and Recommendation for denial of (1) building height variance, and (2) building height shoreland impact plan/conditional use permit, and approval of (1) design review, (2) 3rd story setback variance, (3) floor area ratio variance, (4) shoreland impact plan/conditional use permit for impervious surface, (5) joint parking conditional use permit, and (6) preliminary and final plat subdivision.

PLANNING COMMISSION ACTION:

City Staff has drafted the attached Planning Commission Report and Recommendation with the findings and conditions discussed by the Planning Commission.

ATTACHMENTS:

1. Draft Planning Commission Report and Recommendation



WAYZATA PLANNING COMMISSION

October 15, 2018

REPORT AND RECOMMENDATION FOR DEVELOPMENT APPLICATION AT 305 AND 309 LAKE ST E

SUMMARY OF RECOMMENDATION

1. **Approval*** of Concurrent Preliminary and Final Plat Subdivision
 2. **Approval*** of Design of Project
 3. **Denial** of Height Variance
 4. **Approval*** of Third Story Setback Variance
 5. **Approval*** of Floor Area Ratio Variance
 6. **Denial** of Shoreland Impact Plan/Conditional Use Permit for Height
 7. **Approval*** of Shoreland Impact Plan/Conditional Use Permit for Impervious Surface
 8. **Approval*** of Joint Parking CUP
* with certain conditions listed at the end of this Report
-

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Proposed Land Use. Lowell Zitzloff, and the property owner, Swans Corner, LLC, (collectively, the "Applicant") have submitted a development application (the "Application") to redevelop the properties at 305 and 309 Lake Street East (the "Property"). The proposed redevelopment involves the demolition of the existing buildings on the site, and construction of a new three-story mixed use building with a fourth-story penthouse and elevator overrun (the "Project"). The Application includes alternative plans that would not include the fourth-story penthouse and elevator overrun, and would not require the requested Height Variance and Shoreland Impact Plan/Conditional Use Permit for Height (the "Three Story Alternative"). This Report addresses all of the requests in the Application for the Project with the fourth-story penthouse and elevator overrun, and makes a recommendation of approval on the Three Story Alternative.
- 1.2 Approvals Requested. The Application includes requests for approval of the following:

- A. Preliminary and Final Plat for Lot Combination: A concurrent preliminary and final plat to combine the three existing lots comprising the Property into a new single lot (the “Subdivision”, “Preliminary and Final Plats” or “Lot Combination”).
- B. Design: The design elements of the Project (the “Design”), as further detailed in the Design Critique attached to this Report as Attachment A, including the following three deviations from the Design Standards (collectively, the “Deviations”):
1. 2nd Story Building Recession: The second story of the building would be recessed 15% of the façade along Barry Avenue, instead of the required 25% of the façade.
 2. Lake Street Ground Level Transparency: Ground level façade glass transparency along Lake Street of 41.5%, rather than the required 50%.
 3. Barry Ave Sidewalk Width: A 6-foot sidewalk along Barry Ave rather than the required 12-foot wide sidewalks along all public streets.
- C. Variance from the Building Height Standard: A variance from the maximum 35 foot, 3 story building height permitted in the C-4 Zoning District to allow for a proposed building height of up to 44 feet to the top of a fourth story penthouse, and 48 feet to an elevator overrun (the “Height Variance”).
- D. Variance from the 3rd Story Setback Standard: A variance from the minimum third story set back requirement in the C-4 Zoning District of ten feet from the building’s front façade to allow for the proposed third story setback of 6.2 feet at its closest point on Barry Ave S, and 6.3 feet at its closest point along Lake St E (the “Third Story Setback Variance”).
- E. Variance from the Floor Area Ratio Standard: A variance from the maximum floor area ratio (FAR) requirement in the C-4 Zoning District of 2.0 to allow for a floor area ratio of 2.35 (the “Floor Area Ratio Variance”).
- F. 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 height of up to 44 feet to the top of a fourth story penthouse, and 48 feet to top of an elevator overrun (the “Height CUP”).
- G. Shoreland Impact Plan/Conditional Use Permit for Impervious Surface: A shoreland impact plan/conditional use permit for an impervious surface coverage that exceeds 75% of the lot coverages to allow for the Project’s

proposed 97.7% impervious surface coverage (the “Impervious Surface CUP”).

- H. Joint Parking Conditional Use Permit: A conditional use permit for joint parking to provide 14 of the required 68 stalls of off-street parking for the Project through joint use of one or more parking sites where the total number of spaces provided are less than the sum of the total required for each use (the “Joint Parking CUP”).

- 1.3 Property. The address, property identification numbers, and owner of the Property are:

Address	PID	Owner
305 Lake St E	06-117-22-31-0006	Swans Corner, LLC
305 Lake St E	06-117-22-31-0005	Swans Corner, LLC
305 Lake St E	06-117-22-31-0004	Swans Corner, LLC

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

Zoning:	C-4/Central Business District
Comp Plan designation:	Central Business District
Overlay districts:	S/Shoreland Overlay District

- 1.5 Notice and Public Hearing. Notice of the public hearing on the Application was published in the *Wayzata Sun Sailor* on September 20, 2018 and mailed to all property owners located within 350 feet of the Property on September 21, 2018. The public hearing on the Application was held at the October 1, 2018 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 Subdivision / Preliminary and Final Plat. Review and approval of subdivisions of property, combinations of two or more lots, and preliminary/final plats are governed by the City’s Subdivision Ordinance, Part X of City Code. The City may agree to review the preliminary and final plat simultaneously. Sec. 1003.03.A. In reviewing such requests, the Planning Commission shall consider possible adverse effects of the preliminary plat. Its judgment shall be based upon, but not limited to, the following factors found in Section 1003.2.E:

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

community assets.

- C. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filling or grading.
- D. Existing stands of significant trees shall be retained where possible.
- E. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
- F. 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.
- G. 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.
- H. 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.
- I. 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.
- J. 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.
- K. The proposed lot layout and building pads shall conform with all performance standards contained herein.
- L. 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.
- M. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

2.2 Design Standards. All new non-residential building construction in the City must comply with the Design Standards found in Chapter 909 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. 909.29 (with the exception of Section 909.10 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 978.07.A.1, the maximum building height in the C-4 Zoning District is thirty-five (35) feet and three (3) stories, whichever is less. Section 905.01.C provides the criteria for reviewing variances from the standards of the Zoning Ordinance. Criteria for granting a variance 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 Third Story Setback and Floor Area Ratio; Variances. Under Section 978.07.A.1, the minimum third story set back requirement in the C-4 Zoning District is ten feet from the building’s front façade, and under Section 978.07.C, the maximum floor area ratio in the C-4 Zoning District is 2.0. Section 905.01.C provides the criteria for reviewing variances from the standards of the Zoning Ordinance. Criteria for granting a variance 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:
 - (iv) the property owner's proposal for the property is reasonable but not permitted by Zoning Ordinance;
 - (v) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (vi) 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.
- 2.5 Shoreland Impact Plan/Conditional Use Permit for Building Height. The maximum height of buildings in the Shoreland Overlay District is 35 feet. Section 991.10. Under Section 991.10, building heights over 35 feet may be allowed through approval of a shoreland impact plan/conditional use permit. Section 991.19 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 Chapter 904 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 904.02.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.

2.6. Shoreland Impact Plan/Conditional Use Permit for Impervious Surface. The Shoreland Overlay District establishes a maximum impervious surface of 25% of the lot area, except impervious surface coverage may be allowed to exceed 75% of the lot area with a shoreland impact plan/conditional use permit pursuant to the criteria of Chapter 991 related to sediment control, water management, maintenance of landscaped features, and other shoreland management matters, and the general CUP criteria of Section 904.02.F which states that the Planning Commission and City Council shall consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:

- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
- B. The proposed use's compatibility with present and future uses of the area.
- C. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
- D. The proposed use's effect on the area in which it is proposed.
- E. The proposed use's impact upon property values in the area in which it is developed.
- F. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.

- G. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.
- 2.7. Joint Parking Conditional Use Permit. Under Section 920.09.A, the City Council may approve a conditional use permit for one or more uses to provide the required off-street parking facilities by joint use of one or more sites where the total number of spaces provided are less than the sum of the total required for each use should they provide them separately. When considering a request for such conditional use permit, the Planning Commission shall not recommend that such permit be granted except when the calculations in Section 920.09.A for parking stalls are provided through such joint parking arrangements, and the following conditions relevant to the Application are found to exist:
- A. Proximity. The building or use for which application is being made to utilize the offstreet parking facilities provided by another building or use shall be located within 300 feet of such parking facilities.
- B. Conflict in Hours. The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of offstreet parking facilities is proposed.
- C. Written Consent and Agreement. A legally binding instrument, executed by the parties concerned, for joint use of off-street parking facilities, duly approved as to title of grantors or lessors, and form and manner of execution by the City Attorney, shall be filed with the City Clerk and recorded with the Hennepin County Recorder or Registrar of titles, and a certified copy of the recorded document shall be filed with the City within 60 days after approval of the joint parking use by the City.

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 and Subdivision Ordinances, the Planning Commission of the City of Wayzata makes the following findings of fact:

- 3.1 Preliminary / Final Plat Subdivision for Lot Combination. The Planning Commission finds that there would be no significant adverse effects of the proposed Preliminary and Final Plats based upon the following factors found in Section 1003.2.E:
- A. The Subdivision is consistent with the Wayzata Comprehensive Plan which guides the property for the mixed uses proposed as part of the Project, including first floor retail uses.

- B. The building pad that results from the Subdivision will not impact sensitive areas on the Property.
- C. The building pad that results from the Subdivision has been selected and located with respect to natural topography to minimize filling or grading.
- D. There are no existing stands of significant trees on the Property impacted by the Project.
- E. The Subdivision does not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas, and is consistent with the surround areas on Lake Street.
- F. The design of the lot, the building pad, and the site layout responds to and is reflective of the surrounding lots and Lake Street character.
- G. The lot size resulting from the Subdivision is not dissimilar from adjacent lots or lots found in the surrounding area of Lake Street.
- H. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the building proposed is similar to the characteristics and quality of existing development in the City along Lake Street.
- I. The building proposed for the Subdivision meets the applicable Design Standards outlined in Section 9 of the Wayzata Zoning Ordinance, assuming approval of the Deviations as recommended.
- J. The proposed lot layout and building pad conforms with all performance standards contained in the Subdivision Ordinance with the exception of those for which CUPs and variances are being requested.
- K. The Subdivision will not tend to or actually depreciate the values of neighboring properties in the area in which it is proposed.
- L. The Subdivision will be accommodated with existing public services, including those related to transportation and utility systems, and will not overburden the City's service capacity.

3.2 Project Design. The Project meets the applicable provisions of the Design Standards as reflected in the Design Critique attached to this Report as Attachment A, except for the Deviations, which are:

1. 2nd Story Building Recession: The Design Standards require that the second story of the building be recessed at least 6 feet for 25% of the façade length along a public street. The proposed second story of the proposed building would be recessed at least 6 feet for 43% of the façade along Lake Street, but only 15% along Barry Avenue.
2. Lake Street Ground Level Transparency: The Design Standards require that at least 50% of the ground level façade of a building along Lake Street be transparent glass. The proposed building includes 41.5% glass transparency along Lake Street.
3. Barry Ave Sidewalk Width: The Design Standards require 12-foot wide sidewalks along all public streets. The Applicant is proposing a 12-foot sidewalk along Lake Street, but a 6-foot sidewalk along Barry Ave.

The Commission finds that there would be very little, if any, negative impacts of this Deviations, and that several of the Deviations are due to positive aspects of the Design, including landscaping along Barry Avenue and the recreation of the existing bank building façade along Lake Street. 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 and as noted above.
- C. The positive effect of the Project on the area in which the Project is proposed, including renovation of an important section of Lake Street.

3.3 Height Variance. The Height Variance does not meet all of the standards for granting a variance under the Zoning Ordinance:

- A. The Applicant has not demonstrated in the Application and its presentation to the Planning Commission that the request is reasonable in light of the impacts of the increased height on views and the increase in scale and mass of the building, nor 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 Third Story Setback Variance and Floor Area Ratio Variance. The Third Story Setback Variance does meet all of the standards for granting a variance under the Zoning Ordinance:

- A. The Third Story Setback Variance and the Floor Area Ratio Variance are in harmony with the general purposes and intent of the Zoning Ordinance and is consistent with the Comprehensive Plan.
- B. The Applicant has established that there are practical difficulties in complying with the third story setback and floor area ratio requirements.
- C. Practical difficulties include the fact that :
 - (i) the Applicant's proposal for the Property is reasonable but not permitted by Zoning Ordinance;
 - (ii) the plight of the Applicant is due to circumstances unique to the Property, and not created by the landowner, and driven in large part by meeting a desire to maintain the historical aesthetic of the bank façade and the desire to provide enclosed parking within the building, which is included in the floor area, rather than a surface parking lot; and
 - (iii) the Third Story Setback Variance and Floor Area Ratio, if granted, will not alter the essential character of the locality but will instead help preserve it.
- D. Economic considerations alone are not the reason for the Third Story Setback Variance and Floor Area Ratio Variance.
- E. The Applicant has explained the reasons that the Third Story Setback Variance and Floor Area Ratio Variance are justified under the criteria for granting variances in order to make reasonable use of the land, structure or building.

3.5 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 not 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 not consistent with the policies and provisions of the official City Comprehensive Plan as noted in this Report.

- C. The Proposed Height would not be compatible with present and future uses of the area, including the adjacent property, as noted in this Report.
- D. The Proposed Height would significantly impact the Lake Street streetscape, and the views from the sides and rear of adjacent properties and bluff area.

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

- 1. All structures and practices are or will be in place for the treatment of storm water runoff for the Project as reviewed and approved by the City Engineer.
- 2. A Shoreland Impact Plan has been submitted for review and approval by the City Engineer.

Section 801.04.2(F) Findings

- 1. The proposed action is compatible with the specific policies and provisions of the official City Comprehensive Plan.
- 2. The proposed use is compatible with present and future uses of the area.
- 3. The proposed use conforms with all performance standards contained in the Zoning Ordinance, except those for which a CUP is requested.
- 4. The proposed expansion and associated uses will not have a negative effect upon the surrounding area.
- 5. The proposed expansion and associated use will not have a negative impact upon surrounding property values.
- 6. The proposed expansion and associated use will not increase traffic above capacity.
- 7. The proposed expansion and associated use will not negatively impact existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

3.7. Joint Parking Conditional Use Permit. The calculations in Section 920.09.A for parking stalls can be provided through joint parking arrangements, and the following conditions relevant to the Application exist:

- A. Proximity. The proposed joint parking facilities at 319 Barry Ave S are less than 200 feet from the Property.
- B. Conflict in Hours. The Applicant is not proposing to use parking stalls on the 319 Barry Ave S during off peak hours. Rather, the 43 surplus parking stalls are above and beyond the City's minimum parking requirements for the proposed office building on the Property.
- C. Written Consent and Agreement. A condition of approval of the Joint Parking CUP should be the requirement of the agreement for joint use of off-street parking facilities as required by the Zoning Ordinance.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **DENIAL** of the (i) Height Variance, and (ii) Height CUP, and **APPROVAL** of the (i) Preliminary and Final Plat Subdivision, (ii) Design of the Project, (iii) Third Story Setback Variance, (iv) Floor Area Ratio Variance, (v) Shoreland CUP, and (vi) Joint Parking CUP, all of which comprise the Three Story Alternative in the Application, 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 B.
 - C. The final Grading, Drainage, and Erosion Plan, Utility Plan, and Landscape Plan for the Project must be approved by the City Engineer prior to the submission of building permits and submitted to the City for review.
 - D. Before the City issues a building permit for the Project, the Applicant must submit a Stormwater Management Plan that complies with the City's Stormwater Management Plan for review and approval by the City Engineer.
 - E. Park Dedication fees must be paid as required by the Subdivision Ordinance at the time the City releases the Final Plat for recording at Hennepin County.
 - F. The Applicant must record the Final Plat with the appropriate Hennepin County officials within one hundred twenty (120) days in conformance with Section 1003.03 of the Subdivision Ordinance, and 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 addresses all public improvements associated with the Project.
- H. The Applicant must provide the agreement for joint use of off-street parking facilities as required by the Zoning Ordinance.
- 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 15th day of October 2018.

Voting For Approval Recommendation: Buchanan, Douglas, Iverson, Plantan

Voting Against Approval Recommendation: None

Abstaining: None

Absent: Flannigan, Murray

Attachment A
Design Critique

DRAFT

Design Review Critique

305 and 309 Lake St E

October 1, 2018

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

1. Project Information prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
2. Design Features prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
3. Materials and Calculations prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
4. Lower Level Plan prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
5. First Floor Plan prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
6. Second Floor Plan prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
7. Third Floor Plan With Rooftop Patio prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
8. Alternate Third Floor Plan Without Rooftop Patio prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
9. Roof Plan With Rooftop Patio prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
10. Alternate Roof Plan Without Rooftop Patio prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
11. South Elevation With Rooftop Patio prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
12. Alternate South Elevation Without Rooftop Patio prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
13. West Elevation With Rooftop Patio prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
14. Alternate West Elevation Without Rooftop Patio prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
15. North Elevation With Rooftop Patio prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
16. Alternate North Elevation With Rooftop Patio prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
17. East Elevation With Rooftop Patio prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
18. Alternate East Elevation Without Rooftop Patio prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018

Design Review Critique

305 and 309 Lake St E

October 1, 2018

19. Landscape Plan prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
20. Site Utility Plan prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
21. Grading Plan prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
22. Site Lighting Plan prepared by Bruce W. Schmitt & Associates dated June 27, 2018 and revised September 24, 2018
23. Preliminary Plat prepared by Gronberg & Associates and dated June 26, 2018
24. Certificate of Survey prepared by Gronberg & Associates and dated January 7, 2008
25. Final Plat prepared by Gronberg & Associates

	Comments	Compliance
Building Uses		
<u>909.05.A – Lake Street District</u> 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.	100% of the ground level along the Lake Street frontage would be retail uses, and retail would comprise 53% of the ground floor. The remaining 47% of the ground floor would be interior parking.	Yes
Building Recesses		
<u>909.06.A.1 – All Districts</u> 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
<u>909.06.A.2</u> 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 include landscape planters and benches.	Yes

Design Review Critique

305 and 309 Lake St E

October 1, 2018

	Comments	Compliance
Building Width		
<u>909.07.A – New Buildings</u> 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 special treatment at entrances, building setbacks and articulation of the façade, and rhythm of elements.	Yes
	Comments	Compliance
Upper Story Setbacks		
<u>909.08.A.1 – All Districts – New Buildings</u> Building height shall conform to the height of the applicable zoning district. Where three (3) story buildings are permitted, the third (3 rd) story must be recessed from all façades fronting public right of ways at least a distance equal to the vertical distance of the 3 rd story height from the second (2 nd) floor footprint, or an average of ten (10) feet across the facade, but no portion of the 3 rd story structure shall be closer than six (6) feet to the 2 nd story façade. The 3 rd story façade shall be designed with railings, pillars, dimensional windows, building recesses or other similar design techniques to break up the 3 rd story façade.	The third story of the building would be fully recessed from the second story along both Barry Avenue and Lake Street. The third story along Lake St is recessed between 6.3 and 16.8 feet, with an average of 11.6 feet. The third story along Barry Ave is recessed between 6.2 feet and 16.5 feet, with an average of 13.4 feet. The third story façade includes railings, pillars to break up the façade.	Yes

Design Review Critique

305 and 309 Lake St E

October 1, 2018

	Comments	Compliance
<u>909.08.A.2 – All Districts – New Buildings</u> 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 second story of the building would be recessed at least 6 feet for 43% of the Lake St frontage, and at least 6 feet for only 15% of the Barry Ave frontage.	No. Deviation Requested.
<u>909.08.A.3 – All Districts – New Buildings</u> 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 plans include two alternatives for the building height. The first option includes a roof top deck with a penthouse structure and elevator overrun that would exceed the building height requirement in the C-4 district. The second option eliminates the rooftop patio and fully conforms to the building height requirement in the C-4 zoning district.	No Yes

Design Review Critique

305 and 309 Lake St E

October 1, 2018

	Comments	Compliance
Roof Design		
<u>909.09.A – All Districts</u> “Green” roofs, roof garden terraces, arbors and other similar structures are encouraged on roofs of building.	The proposed plan with a rooftop patio includes a planters on the roof. The plan without the rooftop patio does not include any type of green roof.	Yes
<u>909.09.B.1 – All Districts – Roof Materials</u> 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. <u>909.09.B.2 – All Districts – Roof Materials</u> 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		
<u>909.10.A – Lake Street District</u> 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 in a sunken courtyard below the third level roof deck.	Yes

Design Review Critique

305 and 309 Lake St E

October 1, 2018

	Comments	Compliance
Facade Transparency		
<u>909.11.B – Lake Street District</u> 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 is comprised of only 41.5% glass along the Lake Street façade and 42.3% glass along the Barry Ave façade. The proposed building meets the transparency requirement along Barry Ave, but not along Lake St.	No. Deviation Requested.
Ground Level Expression		
<u>909.12 – All Districts</u> 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 2 nd and 3 rd floor by an architectural cornice, a change in building materials, and an offset in the façade.	Yes
Entries		
<u>909.13 – All Districts</u> 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 along Lake Street and Barry Avenue have landscape planters located in front of the building. The main entries are located along the street at sidewalk level.	Yes

Design Review Critique

305 and 309 Lake St E

October 1, 2018

	Comments	Compliance
Building Materials and Quality		
<u>909.14.A – Primary Opaque Surfaces – All Districts</u> 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 on all sides of the building would consist of brick, stone, wood, stucco, and cast stone.	Yes
<u>909.14.B – Façade Coverage – All Districts</u> 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 – brick, stone, stucco, and cast stone – on all sides of the building.	Yes
<u>909.14.C – Type of Brick – All Districts</u> 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 brick will be standard size.	Yes

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305 and 309 Lake St E

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<u>909.14.D – Façade Detail – All Districts</u> 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 brick and stone facades will be well detailed.	Yes
<u>909.14.E – Brick Joints – All Districts</u> 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		All rick will be tooled with brick and mortar color to match.	Yes
<u>909.14.F – Stone Joints – All Districts</u> Stone joints shall be no larger than one-fourth (1/4) inch.		The stone joints would be no larger than ¼ inch.	Yes

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305 and 309 Lake St E

October 1, 2018

<u>909.14.G – Accent Materials – All Districts</u> 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 consist of the same primary building materials – stone, cast stone, and wood.	Yes
<u>909.14.H - Parapets, Flashing, Coping – All Districts</u> 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 has copper over the pitched simulated slate shingles.	Yes

Design Review Critique

305 and 309 Lake St E

October 1, 2018

<u>909.14.I – Awnings – All Districts</u> 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 does not include any awnings.	N/A
<u>909.14.J – Balconies – All Districts</u> 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 balconies with metal railings. The balconies would all be located within the property lines. The proposed rooftop patio would be surrounding by a cable railing system.	Yes
<u>909.14.K – Glass – All Districts</u> 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

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<u>909.14.L – Door Systems – All Districts</u> 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 façades along Lake Street and Barry Avenue.	Yes
	Comments	Compliance
Franchise Architecture		
<u>909.15 – All Districts</u> 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

Design Review Critique

305 and 309 Lake St E

October 1, 2018

	Comments	Compliance
Walkways		
909.16.A – 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 continuous sidewalks along both Lake St and Barry Avenue which would be composed of exposed aggregate with concrete bands. The Lake Street sidewalk would be 16 feet in width. However, the Barry Ave sidewalk is only 6 feet in width. Both the Lake St and Barry Ave frontages have benches.	No. Deviation Requested.

Design Review Critique

305 and 309 Lake St E

October 1, 2018

	Comments	Compliance
Landscaping		
<u>909.17.A – All Districts</u>		
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.	The proposed plans include seasonal landscaping within planters along Lake St and Barry Ave.	Yes
B. Window boxes, hanging baskets and planters with seasonally appropriate plantings shall be used around entries to buildings.	The proposed streetscaping consists of existing and proposed boulevard trees, exposed aggregate sidewalks, and benches.	
C. Vines shall be used to cover walls with more than one hundred (100) square feet of uninterrupted surface area.	The proposed plans include street lights according to the City's design specifications.	
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		

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<u>909.17.B – Lake Street District</u> 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 16-foot continuous sidewalk along Lake Street and 6-foot continuous sidewalk along Barry Avenue, with existing and proposed boulevard trees.	Yes
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Design Review Critique

305 and 309 Lake St E

October 1, 2018

	Comments	Compliance
Parking Lot Landscaping		
<u>909.18 – All Districts</u> 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 plans do not include a surface parking lot. All of the proposed parking would be located internal to the building.	N/A
Surface Parking		
<u>909.19 – All Districts</u> 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 do not include a surface parking lot. All of the proposed parking would be located internal to the building.	N/A

Design Review Critique

305 and 309 Lake St E

October 1, 2018

	Comments	Compliance
<u>909.20 – All Districts – Bicycle Parking</u> 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 four bicycle parking spots along Barry Avenue.	Yes
Parking Structures		
<u>909.21 – All Districts</u> 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.	All of the proposed parking would be located internal to the building. The proposed plans do not include a parking structure.	N/A

Design Review Critique

305 and 309 Lake St E

October 1, 2018

	Comments	Compliance
Signs		
<u>909.22 – 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.	The proposed plans include wall signs on the Lake Street and Barry Ave frontages. The signs would identify individual tenants within the building. The signs would be constructed of natural materials such as wood, metal, or stone. The signs will be attached directly to the building and would be lit.	Yes
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.		

Design Review Critique

305 and 309 Lake St E

October 1, 2018

<u>909.23.A – Permitted Sigs – Lake Street District</u> 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 included on the proposed plans.	Yes
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	Comments	Compliance
Parking Lot and Building Lighting		
<u>909.24 – All Districts</u> 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 a surface parking lot. Wall-mounted decorative light fixtures will be located along Lake Street and Barry Ave at entrance doors and terrace locations.	Yes

Attachment B
Plans

DRAFT

PROPOSED PROPERTY REDEVELOPMENT FOR:

305 thru 309 LAKE STREET EAST

WAYZATA, MINNESOTA

PROJECT NARRATIVE

CONCEPT AND GENERAL PLAN APPROVAL IS REQUESTED FOR THIS PROPOSED DEVELOPMENT PROJECT COMBINING THE COMMERCIAL LOTS LOCATED ON THE CORNER OF LAKE STREET AND BARRY AVENUE (305 AND 309 EAST LAKE STREET). 315 EAST LAKE STREET WILL REMAIN A SEPARATE BUILDING / LOT.

THE PROJECT HAS BEEN PROPOSED TO ALLOW EFFICIENCIES IN THE OVERALL PROJECT TO HELP SUBSIDIZE AND OFFSET THE COSTS ASSOCIATED WITH RECREATING THE BANK FACADE, CLEANING UP POLLUTION AND FURNISHING UNDERGROUND PARKING.

THIS PROJECT IS PROPOSED AS A THREE STORY MULTI-USE BUILDING WITH THE FOLLOWING USES.

- LOWER LEVEL = INDOOR PARKING
- FIRST FLOOR = RETAIL AND INDOOR PARKING
- SECOND FLOOR = OFFICE
- THIRD FLOOR = OFFICE

OFF-SITE PARKING IS REQUESTED FOR A PORTION OF THE REQUIRED PARKING STALLS. THESE STALLS WOULD BE PROVIDED AT THE 319 BARRY AVENUE BUILDING THAT IS ALSO OWNED BY THE APPLICANT.

PROJECT ADDRESSES AND LEGAL DESCRIPTIONS

305 AND 309 EAST LAKE STREET

THAT PART OF LOT 3, "STEPHEN'S ADDITION TO THE TOWNSITE OF WAYZATA" AND THAT PART OF LAKE STREET, ADJOINING SAID LOT 3, VACATED BY INSTRUMENT RECORDED IN BOOK 121 OF MISCELLANEOUS RECORDS, PAGE 42, DOCUMENT No. 512133, DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST SOUTHERLY CORNER OF SAID LOT 3; THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID LOT 3 TO THE MOST EASTERLY CORNER OF SAID LOT 3; THENCE NORTHWESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 3 TO THE MOST NORTHERLY CORNER OF SAID LOT 3; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT 3 A DISTANCE OF 102.5 FEET; THENCE DEFLECTING TO THE LEFT 88 DEGREES 25 MINUTES A DISTANCE OF 26.85 FEET; THENCE DEFLECTING RIGHT 90 DEGREES A DISTANCE OF 78.53 FEET TO THE SOUTHERLY LINE OF SAID PART OF VACATED LAKE STREET DESCRIBED IN SAID DOCUMENT 512133; THENCE EASTERLY ALONG SAID SOUTHERLY LINE A DISTANCE OF 34.43 FEET TO THE POINT OF BEGINNING.

THE NORTHWESTERLY 4 FEET OF LOT 2, "STEPHEN'S ADDITION TO THE TOWNSITE OF WAYZATA" MEASURED PERPENDICULAR TO THE NORTHWESTERLY LINE OF SAID LOT.

THAT PART OF LOT 3, "STEPHEN'S ADDITION TO THE TOWNSITE OF WAYZATA", AND THAT PART OF LAKE STREET, ADJOINING SAID LOT 3, VACATED IN INSTRUMENT RECORDED IN BOOK 121 OF MISCELLANEOUS RECORDS, PAGE 42, DOCUMENT No. 512133, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 3; THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 3 TO A POINT DISTANT 102.5 FEET SOUTHERLY FROM THE MOST NORTHERLY CORNER OF SAID LOT 3; THENCE DEFLECTING TO THE RIGHT AT AN ANGLE OF 91 DEGREES 35 MINUTES, A DISTANCE OF 26.85 FEET; THENCE SOUTHERLY AT A RIGHT ANGLE A DISTANCE OF 78.53 FEET MORE OR LESS, TO THE SOUTHERLY LINE OF SAID VACATED PART OF LAKE STREET DESCRIBED IN SAID DOCUMENT No. 512133; THENCE WESTERLY ALONG SAID SOUTHERLY LINE TO THE SOUTHERLY EXTENSION OF THE WESTERLY LINE OF SAID LOT 3; THENCE NORTHERLY ALONG SAID EXTENSION TO THE POINT OF BEGINNING.

315 EAST LAKE STREET

LOT 1 AND THE EASTERLY 56.00 FEET OF LOT 2, STEPHEN'S ADDITION TO THE TOWNSITE OF WAYZATA

LANDOWNERS AND APPLICANTS NAME AND ADDRESS

SWANS CORNER LLC
319 BARRY AVENUE SOUTH
SUITE 301
WAYZATA, MN 55391
CONTACT : LOWELL ZITZLOFF PHONE: 952-475-3980

LOWELL ZITZLOFF
319 BARRY AVENUE SOUTH
SUITE 301
WAYZATA, MN 55391 PHONE: 952-475-3980

PROJECT ARCHITECT

BRUCE W. SCHMITT & ASSOCIATES, P.A. - ARCHITECTS
320 MANITOBA AVENUE SOUTH
WAYZATA, MN 55391 PHONE: 952-476-6222

PROJECT SURVEYOR

GRONBERG & ASSOCIATES, INC.
445 NORTH WILLOW DRIVE
LONG LAKE, MN 55356 PHONE: 952-473-4141

PROJECT CIVIL ENGINEER

GRONBERG & ASSOCIATES, INC.
445 NORTH WILLOW DRIVE
LONG LAKE, MN 55356

BRUCE W. SCHMITT & ASSOCIATES, P.A.
320 MANITOBA AVENUE, SOUTH
WAYZATA, MINNESOTA 55391
(952)476-6222

ARCHITECTS

305 LAKE STREET EAST

WAYZATA, MINNESOTA

PROJECT INFORMATION

REVISED SEPTEMBER 24, 2018
REVISED SEPTEMBER 7, 2018
JUNE 27, 2018

BUILDING USES AND FLOOR AREA CALCULATIONS

PROPOSED PROJECT IS A THREE STORY MULTI-USE BUILDING WITH THE FOLLOWING USES:

LOWER LEVEL = INDOOR PARKING

FIRST FLOOR = RETAIL AND INDOOR PARKING

SECOND FLOOR = OFFICE

THIRD FLOOR = OFFICE

	LOWER LVL	FIRST FLR	SECOND FLR	THIRD FLR	ROOFTOP	TOTAL RETAIL AND OFFICE	TOTALS
PARKING AREA (gross area)	13,583 sf	6,323 sf					19,906 sf
RETAIL (gross area)		1,230 sf				1,230 sf	1,230 sf
OFFICE (gross area)			11,865 sf	9,261 sf		21,132 sf	21,132 sf
ROOFTOP PENTHOUSE (gross area)					188 sf		188 sf
TOTALS (gross area)	13,583 sf	13,553 sf	11,865 sf	9,261 sf	188 sf	28,362 sf	

BUILDING RECESSES

RECESSES HAVE BEEN PROVIDED ALONG BOTH STREET FRONTAGE FACADES AT THE ENTRIES.

BUILDING WIDTH

BUILDING FACADES ALONG BOTH STREET FRONTAGES HAVE BEEN DESIGNED TO APPEAR AS SMALLER SCALE BUILDINGS THROUGH THE USE OF BUILDING JOGS AND CONTRASTING MATERIALS / DESIGN ELEMENTS. IN ADDITION, VARIATIONS IN ROOF LINES AND THE INCLUSION OF TERRACES AT A PORTION OF THE SECOND FLOOR AND AT THE ENTIRE THIRD FLOOR WILL HELP TO REDUCE THE BUILDING'S SCALE.

BUILDING HEIGHT

WITH THE EXCEPTION OF THE SMALL PENTHOUSE STRUCTURE CONTAINING THE ELEVATOR AND STAIRS NECESSARY FOR THE ROOF PATIO, THE BUILDING HEIGHT IS 35'-0" ABOVE THE AVERAGE GRADE PLANE AND ALIGNS WITH THE EXISTING 315 LAKE STREET ROOF COPING ELEVATION.

A DEVIATION OF 13'-0" IS REQUESTED FOR THE ELEVATOR PENTHOUSE, AND 9'-0" FOR THE STAIR SHAFT PENTHOUSE.

UPPER STORY SETBACKS

THIRD STORY SETBACK = THE THIRD STORY IS NOT PARALLEL TO THE LAKE STREET OR BARRY AVENUE FACADE. THEREFORE THE SETBACK VARIES ALONG LAKE STREET (BETWEEN 6'-4" AND 16'-10") WITH AN AVERAGE OF 11'-1" (10'-0" REQUIRED). THE SETBACK VARIES ALONG BARRY AVENUE (BETWEEN 6'-2" AND 20'-8") WITH AN AVERAGE OF 13'-5" (10'-0" REQUIRED).

SECOND STORY SETBACK =	FACADE LENGTH	PORTION RECESSED ON SECOND FLOOR (6'-0" MIN)	PERCENTAGE
LAKE STREET FRONTAGE (SOUTH)	62'-4"	26'-8"	43 % (25% MIN. REQUIRED)
BARRY AVENUE FRONTAGE (WEST)	114'-4"	26'-6"	15 % (25% MIN. REQUIRED)

*A DEVIATION IS REQUESTED AT THE BARRY AVENUE STREET FRONTAGE IN ORDER TO IMITATE THE ORIGINAL BANK FACADE.

ROOF DESIGN

A ROOFTOP PATIO AREA IS PROPOSED ALONG WITH A GREEN ROOF AREA. THE REMAINDER OF THE FLAT ROOF WILL BE A DARK COLORED MEMBRANE, AND THE SLOPED ROOF AREAS WILL BE DARK COLORED SIMULATED SLATE SHINGLES.

SCREENING OF ROOFTOP EQUIPMENT

ALL MECHANICAL EQUIPMENT REQUIRED TO BE ON THE ROOF WILL BE SUNKEN IN A COURTYARD AREA AT THE THIRD FLOOR LEVEL. THIS WILL SCREEN THE EQUIPMENT FROM THE VIEW OF ADJACENT BUILDINGS.

TRASH AND RECYCLING

SHARED TRASH AND RECYCLING WILL BE LOCATED IN THE 315 EAST LAKE STREET BUILDING.

GROUND LEVEL EXPRESSION

CAST STONE ACCENT BANDS, AND THE SECOND FLOOR TERRACES WILL DISTINGUISH THE GROUND FLOOR FROM THE FLOORS ABOVE.

ENTRIES

PLANTING BEDS ARE PROVIDED ALONG BOTH STREET FRONTAGE FACADES, AND THE MAIN ENTRANCES AT BOTH STREETS ARE RECESSED AND LOCATED AT SIDEWALK GRADE LEVEL.

WALKWAYS

THE SIDEWALK ALONG LAKE STREET AND WHERE INDICATED ALONG BARRY AVENUE WILL BE EXPOSED AGGREGATE WITH BROOM FINISH CONCRETE ACCENTS TO MATCH THE EXISTING SIDEWALK IN FRONT OF THE 315 EAST LAKE STREET BUILDING. THE EXPOSED AGGREGATE SIDEWALK WILL BE EXTENDED NORTH ON BARRY AVENUE TO CONNECT WITH THE EXISTING SIDEWALK TO THE NORTH.

LANDSCAPING

LANDSCAPING (INCLUDING BOULEVARD SPECIES TREES) IS PROPOSED WHERE APPROPRIATE ALONG THE BUILDING FACADES.

TENANT SIGNAGE

IN KEEPING WITH THE WAYZATA DESIGN STANDARDS, THERE WILL BE A WALL SIGN FOR EACH STOREFRONT AND OFFICE TENANT, CONSTRUCTED OF NATURAL MATERIALS SUCH AS WOOD, METAL OR STONE. THESE SIGNS WILL BE ATTACHED DIRECTLY TO THE BUILDING. SIGNS WILL BE LIT BY LIGHTS INDICATED OR WILL BE INTERNALLY LIT.

EXTERIOR LIGHTING

WALL-MOUNTED DECORATIVE LIGHT FIXTURES WILL BE LOCATED ALONG LAKE STREET AND BARRY AVENUE AT ENTRANCE DOORS AND TERRACE LOCATIONS. ADDITIONAL RECESSED FIXTURES WILL HELP ILLUMINATE THE RECESSED ENTRANCES, AND ADDITIONAL CITY STREET LIGHTS WILL BE ADDED AS INDICATED PER CITY STANDARDS. SIGNAGE LIGHTING WILL BE PROVIDED AS INDICATED ABOVE.

BUILDING MATERIALS

FACADE COVERAGE : THE SAME OPAQUE MATERIALS ARE UTILIZED ON ALL SIDES OF THE BUILDING - BRICK, STONE, CAST STONE, STUCCO AND WOOD.

TYPE OF BRICK : ALL BRICK WILL BE STANDARD SIZES, BRICK AND MORTAR COLOR WILL MATCH THE 315 LAKE STREET. ALL BRICK JOINTS WILL BE TOOLED.

PARAPET, FLASHING AND COPING : THE TYPICAL ROOF CURB HAS COPPER FLASHING OVER PITCHED SIMULATED SLATE SHINGLES. ALL FLASHING WILL BE COPPER

BALCONIES : THE THIRD FLOOR HAS TWO BALCONIES ON THE NORTH ELEVATION AND ONE ON THE EAST ELEVATIONS. ALL BALCONIES ARE USEABLE AND DO NOT PROJECT OVER THE PROPERTY LINE. ALL HAVE DARK METAL RAILINGS.

GLASS : GLASS WILL NOT BE MIRRORRED, REFLECTIVE OR DARKENED. TINT COLOR WILL MATCH THE GLASS AT 315 LAKE STREET.

DOOR SYSTEMS: MAIN ENTRY DOORS WILL HAVE ALUMINUM FRAMES AND BE FULL GLASS.

OPAQUE MATERIALS CALCULATIONS

	SOUTH ELEVATION	WEST ELEVATION	NORTH ELEVATION	EAST ELEVATION	PERCENTAGES IN CHART ARE THE PERCENTAGE OF OPAQUE MATERIAL ON DESIGNATED ELEVATION
BRICK	11 %	20 %	30 %	23 %	
STONE	18 %	3 %	0 %	0 %	
WOOD	29 %	41 %	18 %	14 %	
STUCCO	14 %	8 %	28 %	40 %	
CAST STONE	22 %	22 %	24 %	23 %	

GROUND LEVEL FACADE TRANSPARENCY CALCULATIONS

	WALL AREA	GLAZING AREA	PERCENTAGE	A DEVIATION IS REQUIRED AT THE LAKE STREET FRONTAGE IN ORDER TO IMITATE THE ORIGINAL BANK FACADE / WINDOWS
LAKE STREET FRONTAGE (SOUTH)	790 sf	328 sf	415 % (50% MIN. REQUIRED)	
BARRY AVENUE FRONTAGE (WEST)	1869 sf	792 sf	423 % (25% MIN. REQUIRED)	

FLOOR AREA RATIO

PROPOSED FAR = 1.92 (2.00 MAXIMUM ALLOWED)

LOT AREA: 14,111 sf

(CALCULATIONS DO NOT INCLUDE THE CURRENT 315 LAKE STREET PROPERTY)

IMPERVIOUS AND GREEN SPACE CALCULATIONS

A DEVIATION IS REQUESTED TO ALLOW IMPERVIOUS SURFACE COVERAGE TO EXCEED 15% OF THE TOTAL LOT AREA.			(CALCULATIONS DO NOT INCLUDE THE CURRENT 315 LAKE STREET PROPERTY)		
	EXISTING	PROPOSED			
GREEN SPACE	441 sf OR 3.02%	341 sf OR 2.35%			
IMPERVIOUS	14,330 sf OR 96.98%	14,430 sf OR 97.65%			

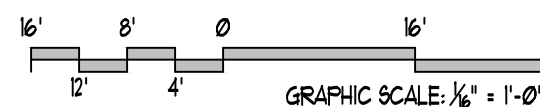
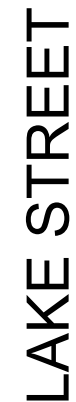
PARKING CALCULATIONS

PARKING CALCULATIONS USING NET SQ FT WITHOUT ANY DEDUCTIONS:

BUILDING ADDRESS	USE	NET SQUARE FOOTAGE	REQUIRED STALLS (3 PER 1,000 SF)	STALLS REQUIRED	STALLS PROVIDED	SURPLUS
305 LAKE (no rooftop penthouse)	RETAIL	4,836	14.51	68.79	54	
	OFFICE	18,094	54.28			
315 LAKE STREET	RETAIL	4,981	14.96	82.95	65	
	OFFICE	22,662	67.99			
319 BARRY AVENUE	RETAIL	0	0	69.96	121	
	OFFICE	23,319	69.96			
TOTAL ALL THREE BUILDINGS	RETAIL	9823	29.47	221.70 OR 222	240	18
	OFFICE	64,075	192.23			

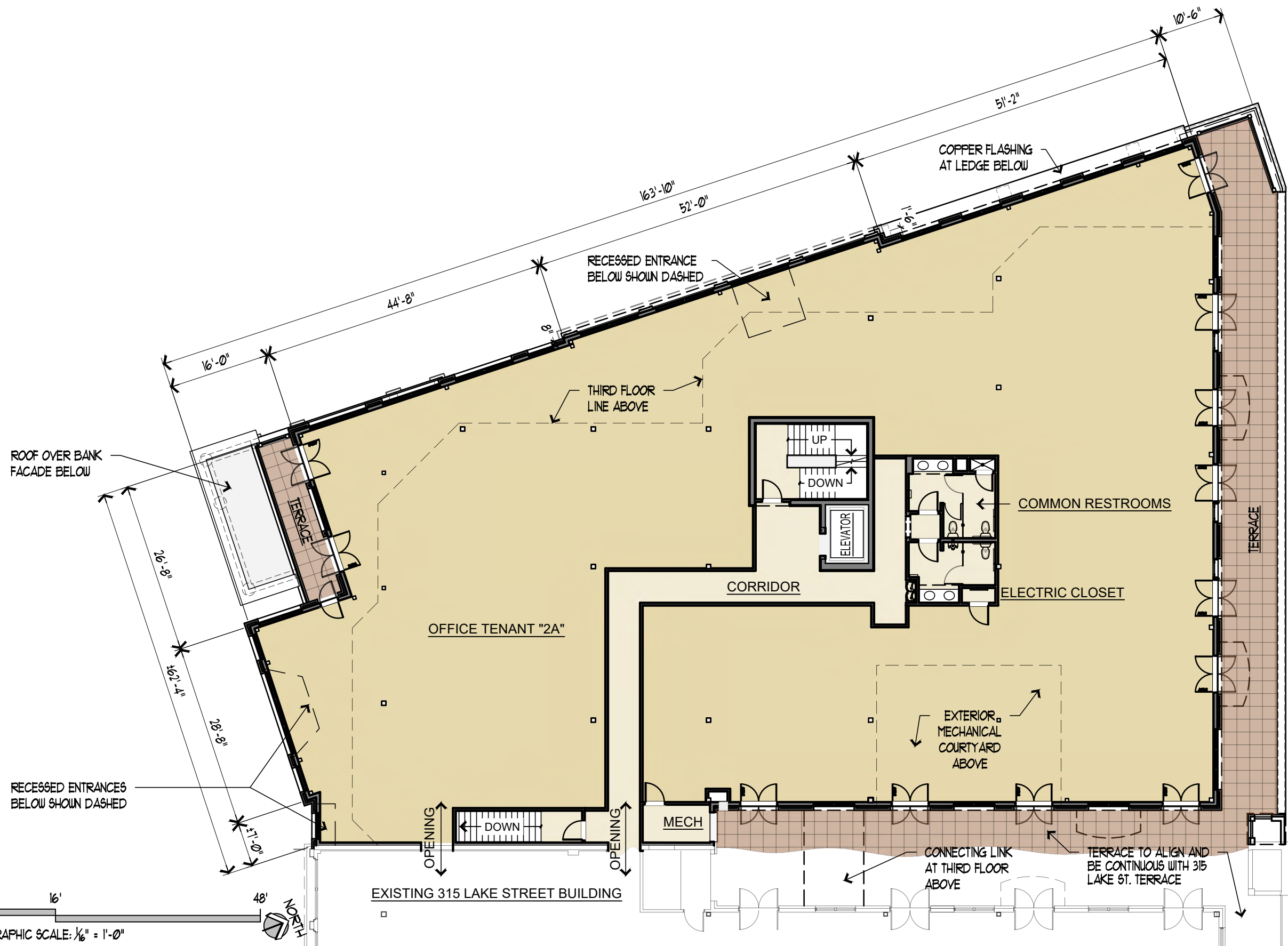
PARKING CALCULATIONS USING GROSS SQ FT MINUS 10% DEDUCTION:

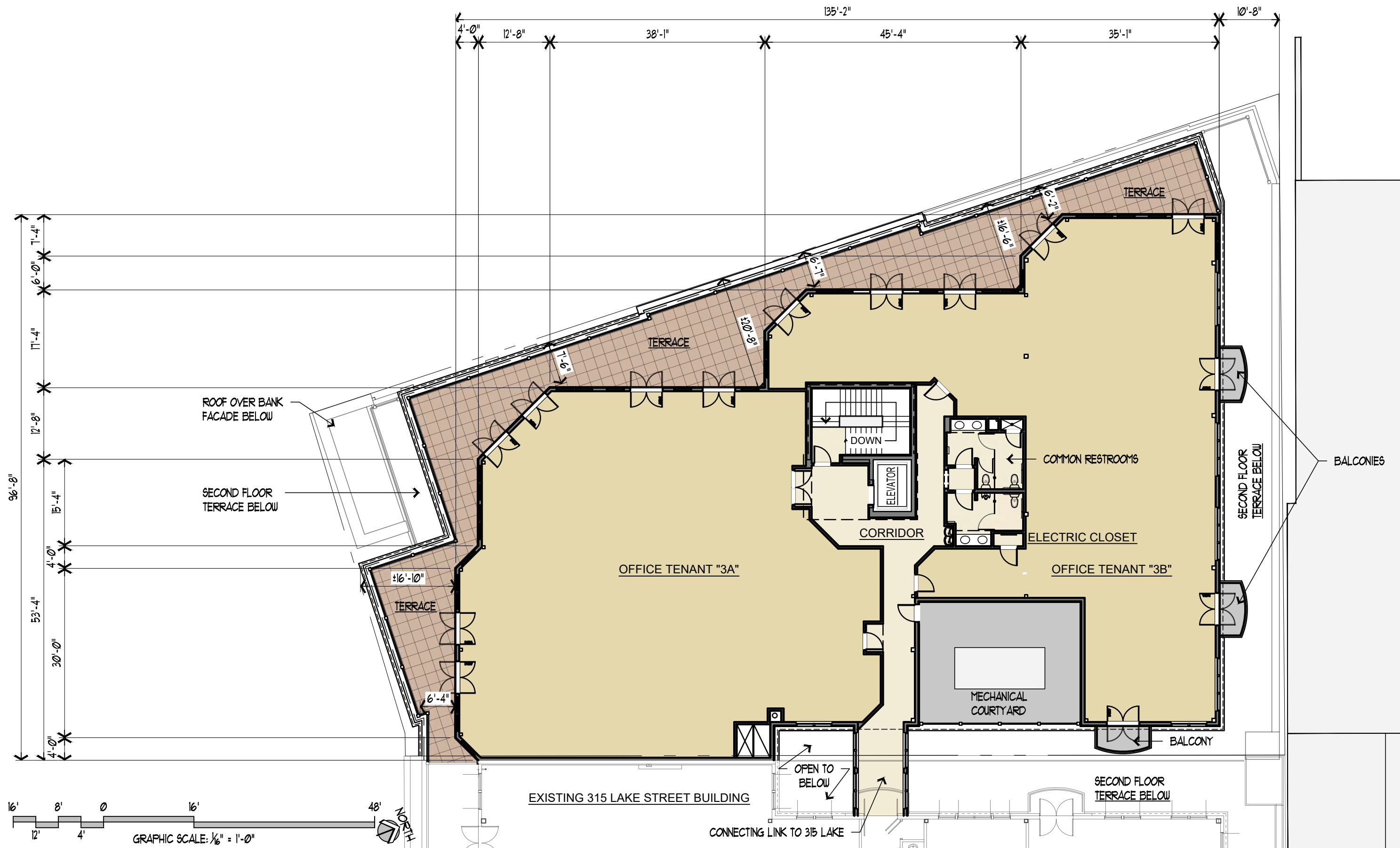
BUILDING ADDRESS	USE	GROSS SQ. FT.	10% REDUCTION	REQUIRED STALLS (3 PER 1,000 SF)	STALLS REQUIRED	STALLS PROVIDED	SHORTAGE
305 LAKE (no rooftop penthouse)	RETAIL	7,230	6,507	19.52	76.58	54	
	OFFICE	21,132	19,019	57.06			
315 LAKE STREET	RETAIL	6,868	6,181	18.54	89.29	65	
	OFFICE	26,204	23,584	70.75			
319 BARRY AVENUE	RETAIL	0	0	0	77.85	121	
	OFFICE	28,834	25,951	77.85			
TOTAL ALL THREE BUILDINGS	RETAIL	14,098	12,688	38.06	243.72 OR 244	240	4
	OFFICE	76,170	68,553	205.66			

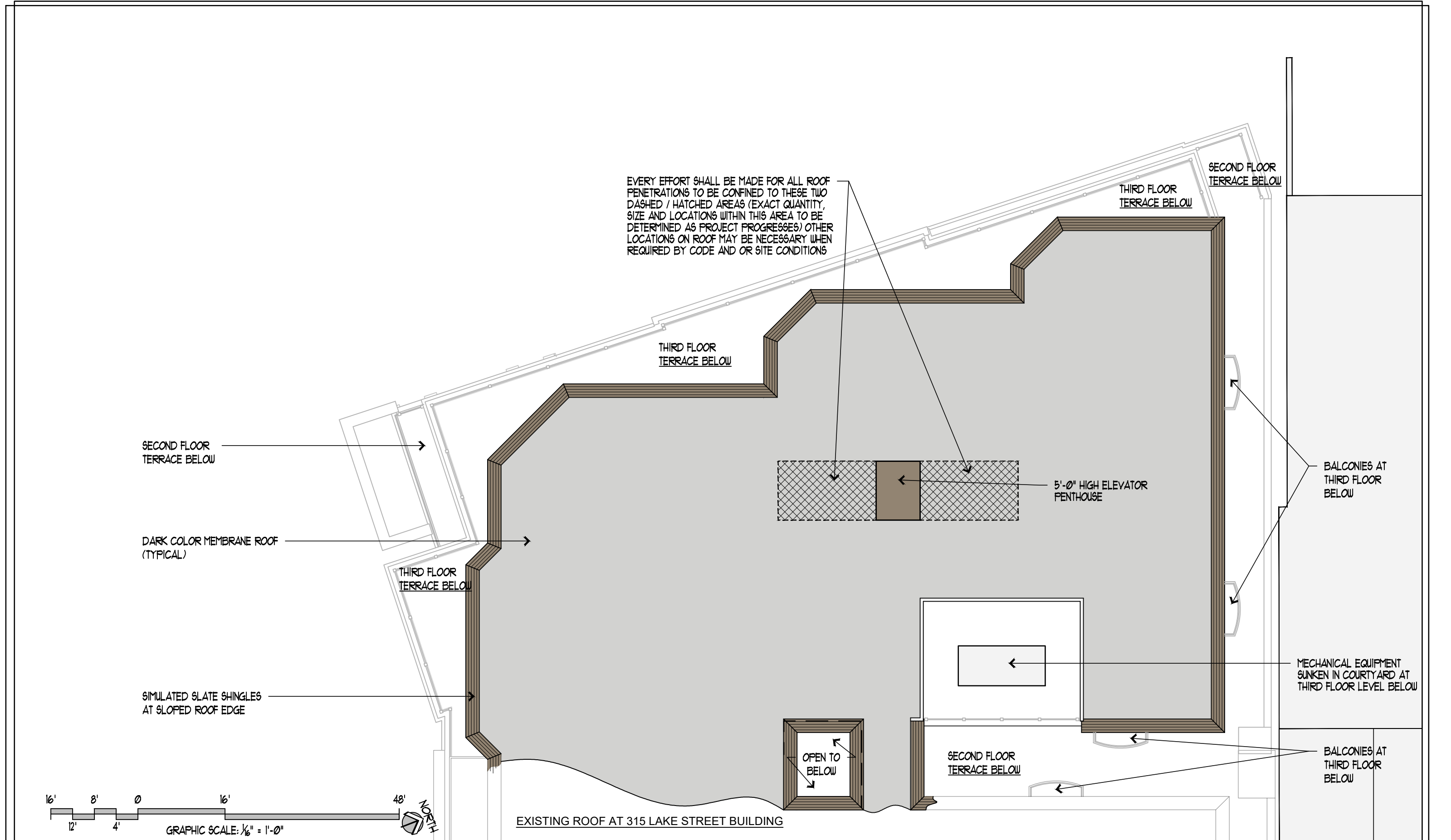


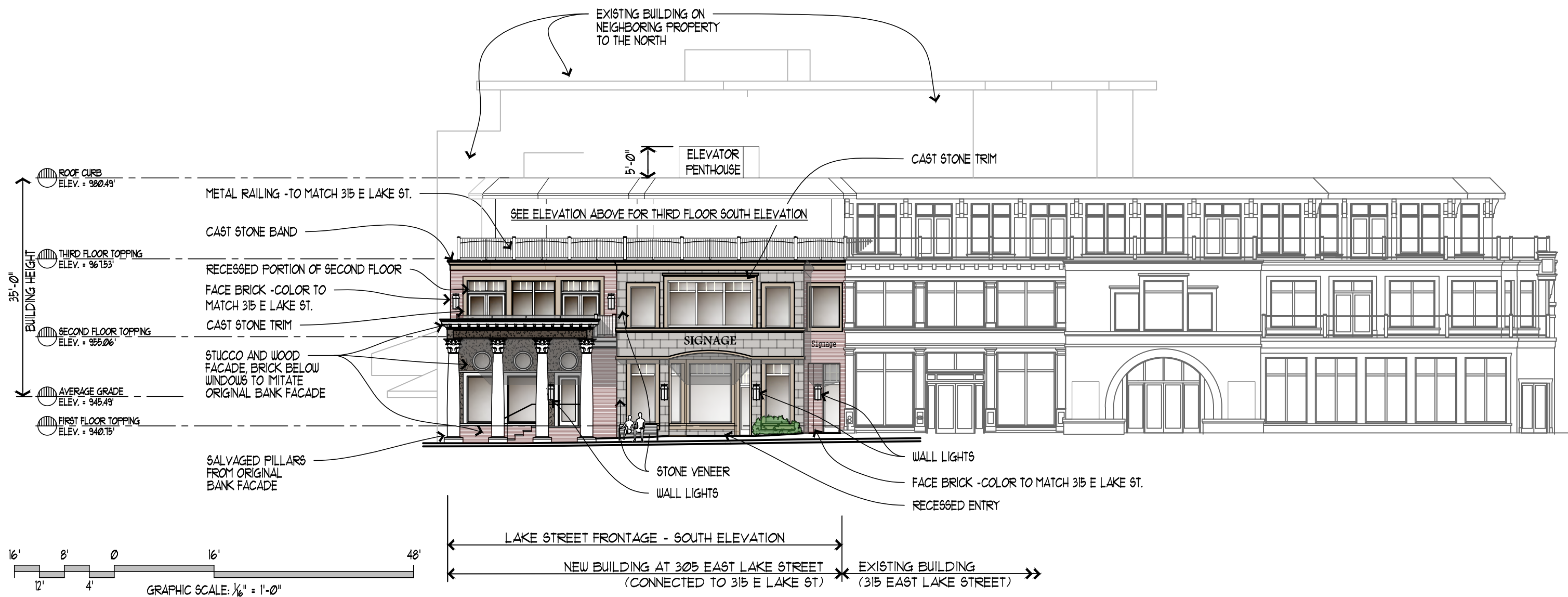
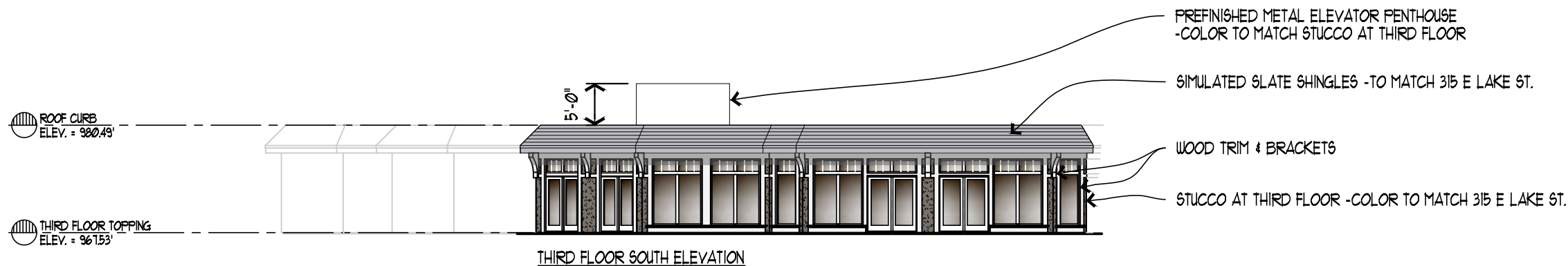
305 LAKE STREET EAST
WAYZATA, MINNESOTA

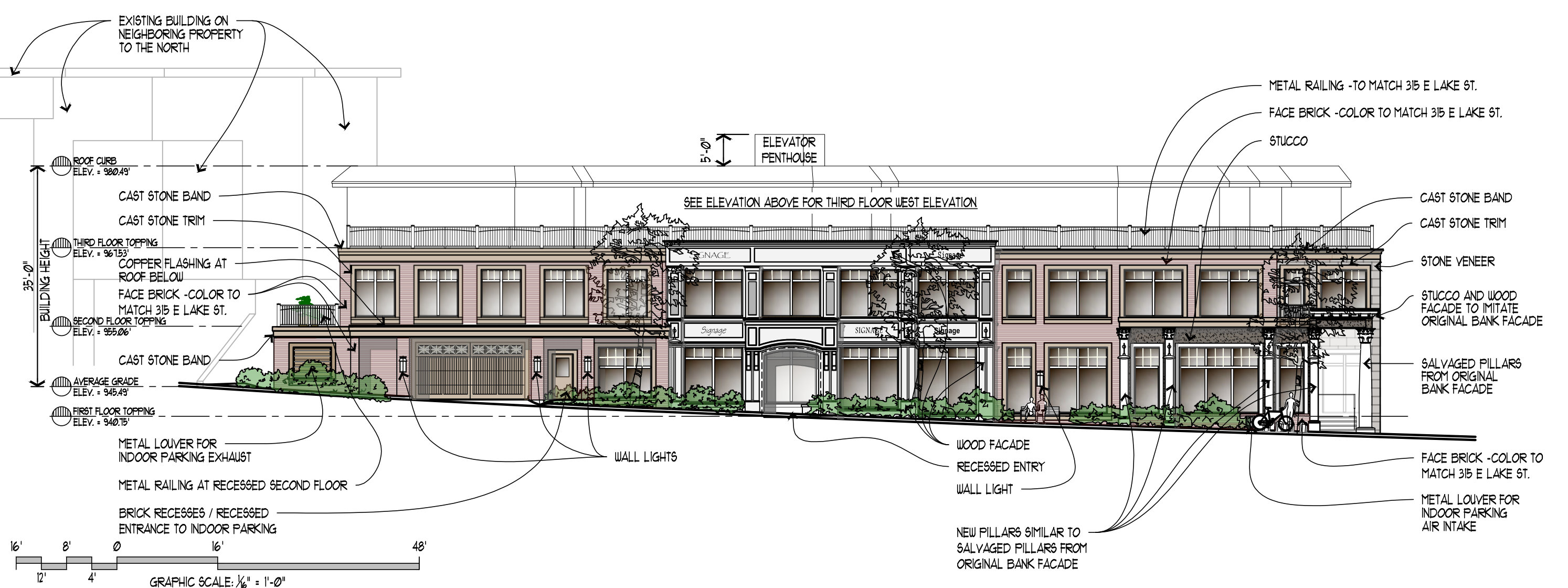
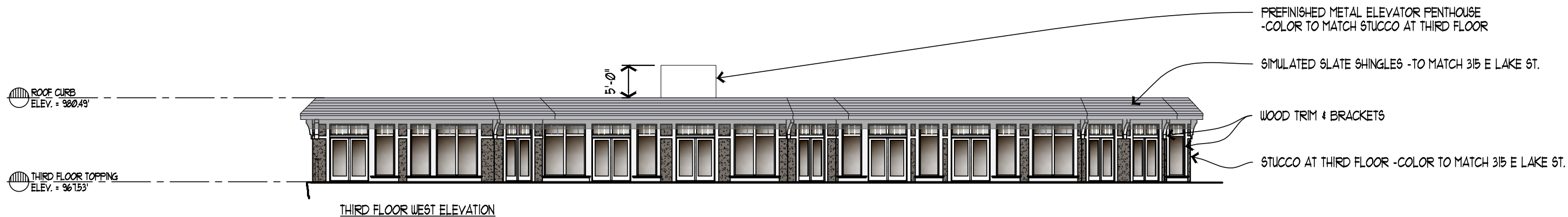
REVISED SEPTEMBER 24, 2018
REVISED SEPTEMBER 19, 2018
REVISED SEPTEMBER 7, 2018
JUNE 27, 2018

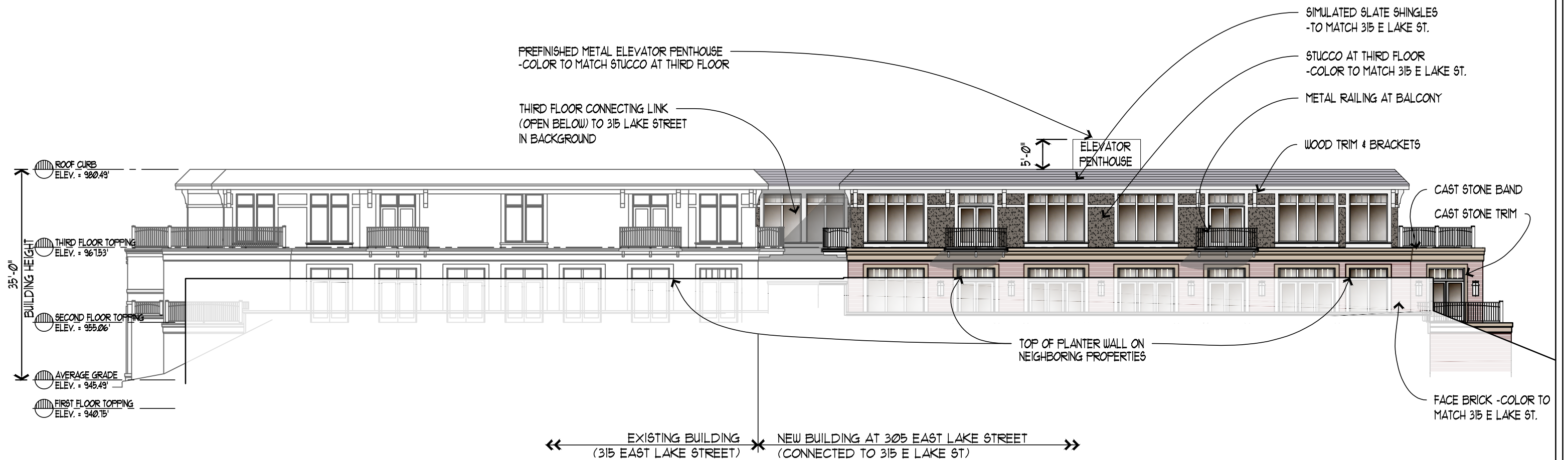










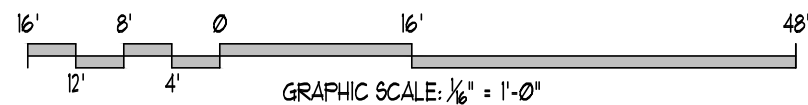
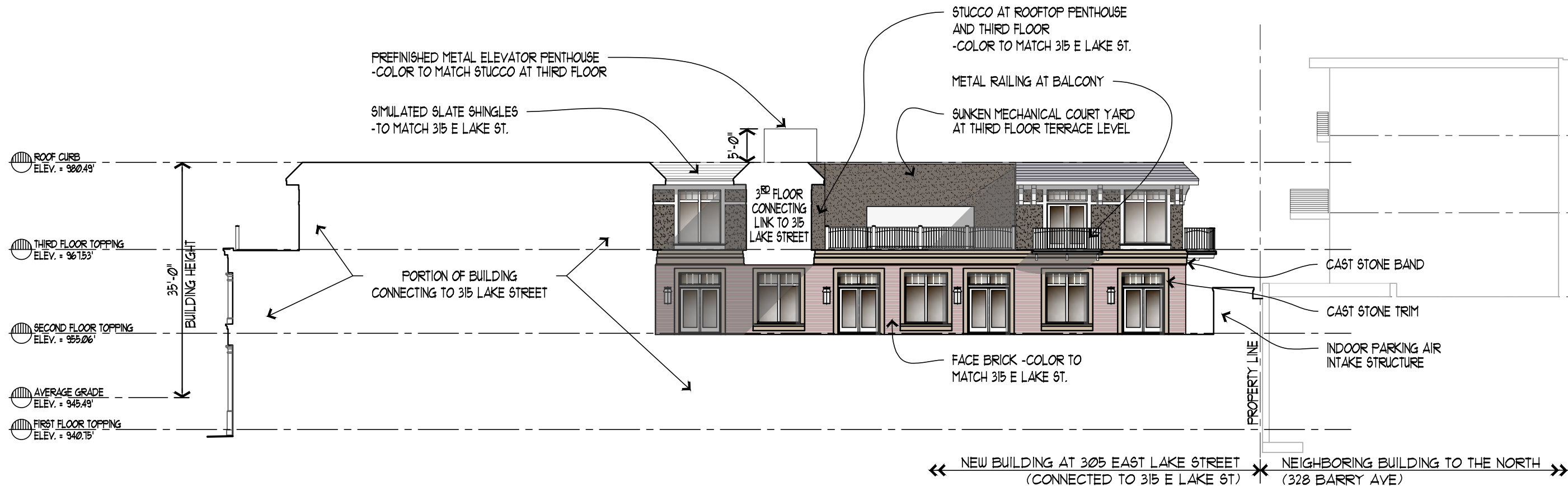


BRUCE W. SCHMITT & ASSOCIATES P.A.
 320 MANITOBA AVENUE, SOUTH
 WAYZATA, MINNESOTA 55391
 (952) 476-6222
 ARCHITECTS

305 LAKE STREET EAST
 WAYZATA, MINNESOTA

ALTERNATE NORTH ELEVATION
 WITHOUT ROOFTOP PATIO

REVISED SEPTEMBER 24, 2018
 REVISED SEPTEMBER 7, 2018
 JUNE 27, 2018



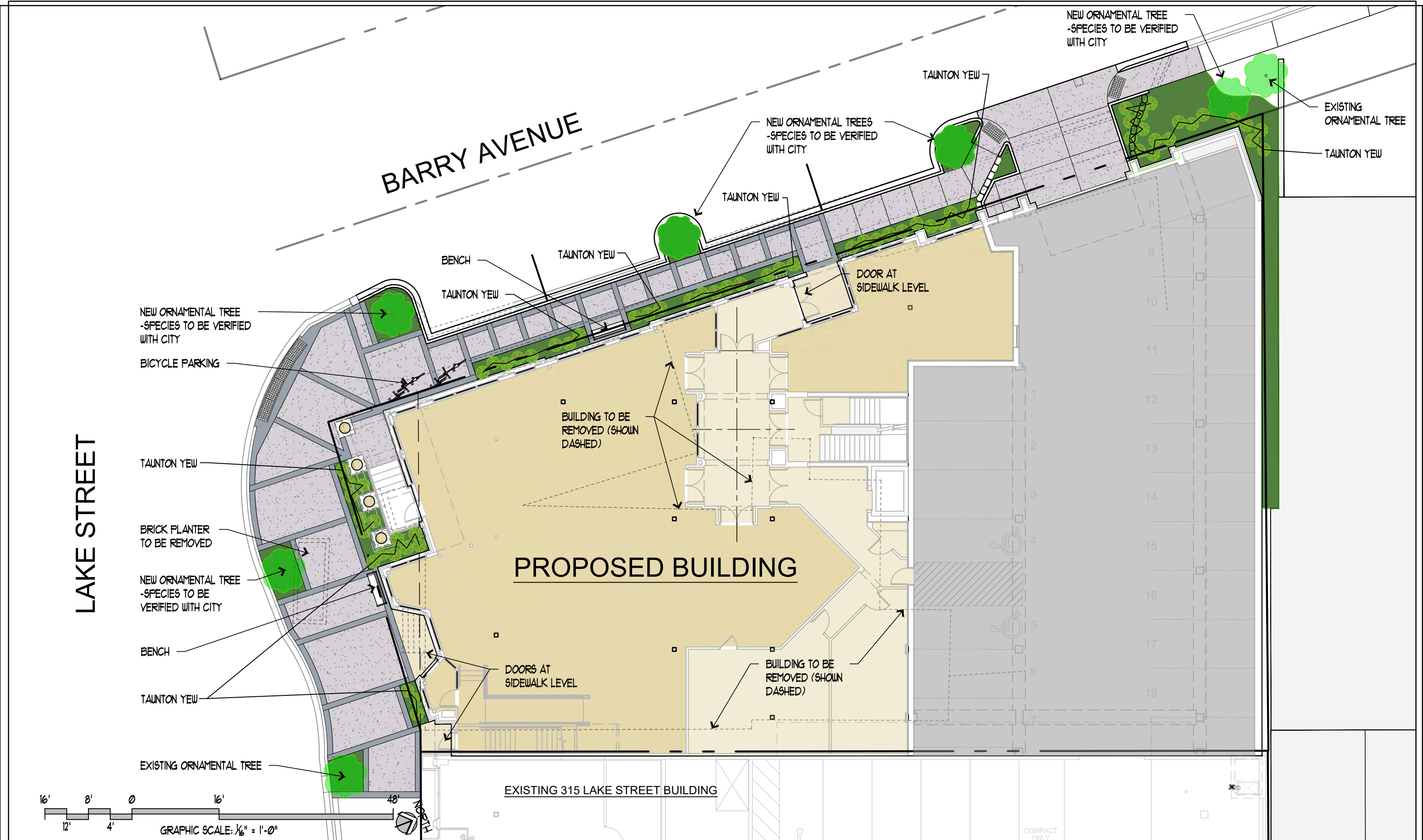
BRUCE W. SCHMITT & ASSOCIATES P.A.
320 MANITOBA AVENUE, SOUTH
WAYZATA, MINNESOTA 55391
(952) 476-6222

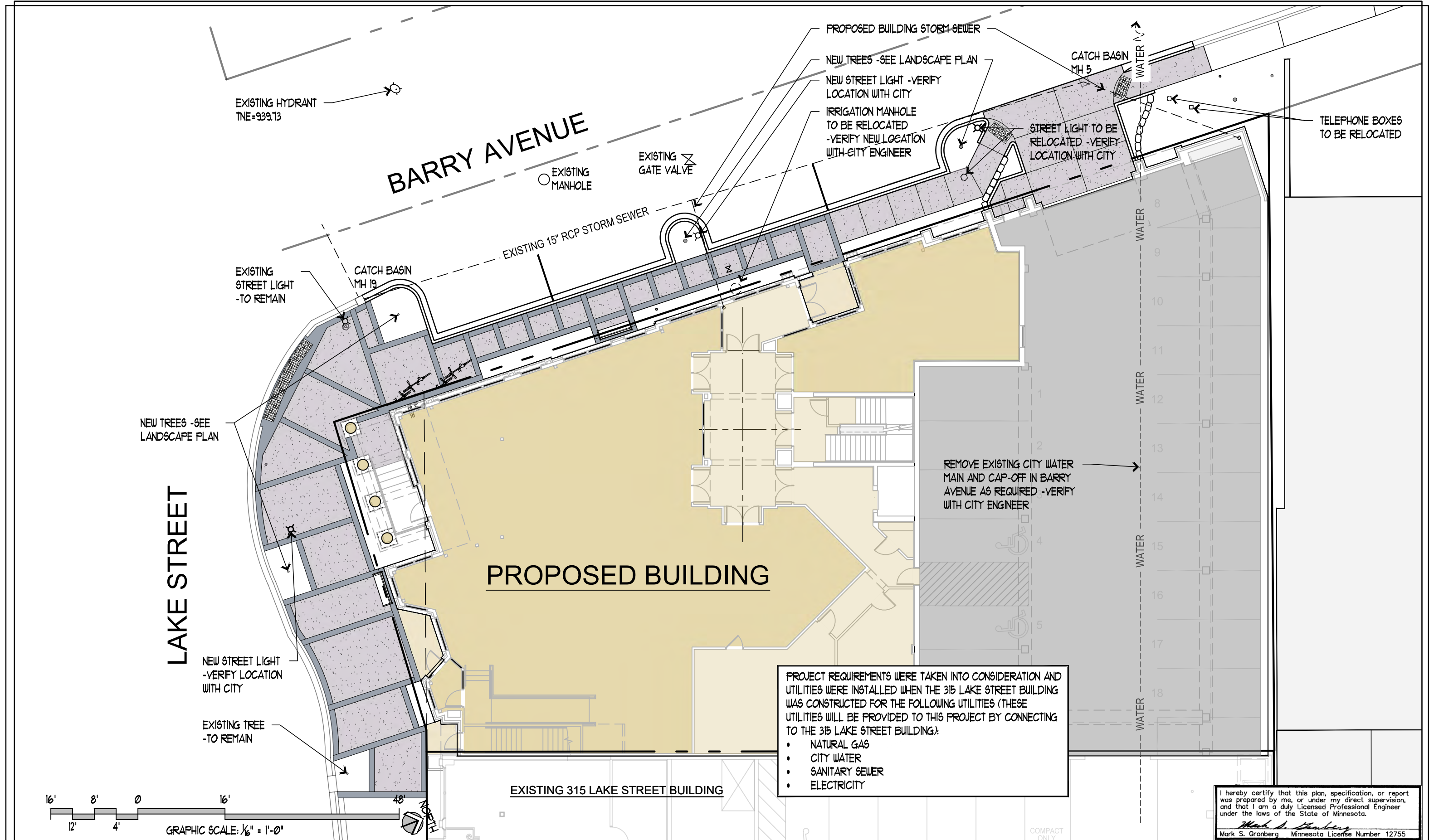
ARCHITECTS

305 LAKE STREET EAST
WAYZATA, MINNESOTA

ALTERNATE EAST ELEVATION
WITHOUT ROOFTOP PATIO

REVISED SEPTEMBER 24, 2018
REVISED SEPTEMBER 7, 2018
JUNE 27, 2018





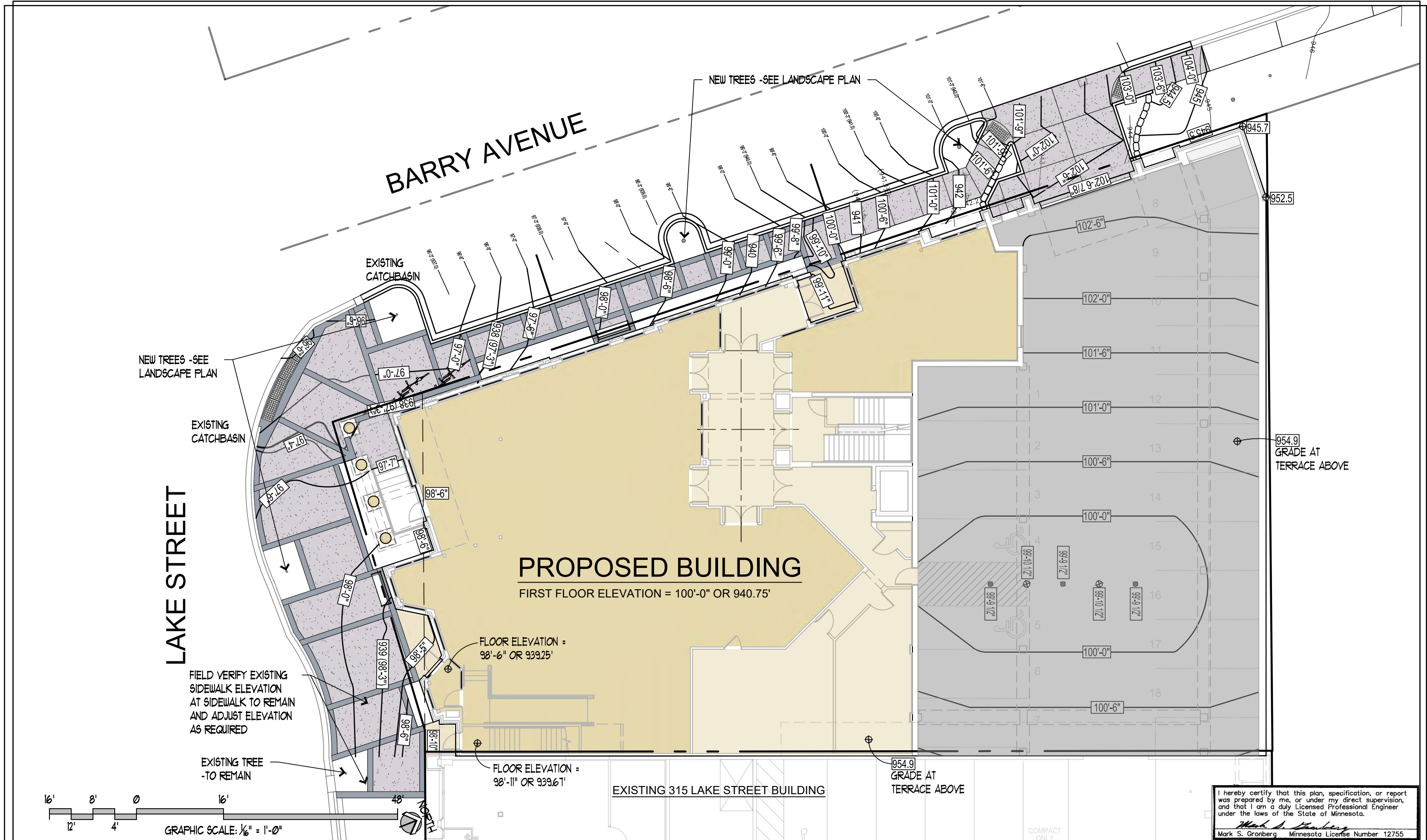
BRUCE W. SCHMITT & ASSOCIATES P.A.
320 MANITOBA AVENUE, SOUTH
WAYZATA, MINNESOTA 55391
(952)436-6222
ARCHITECTS

305 LAKE STREET EAST
WAYZATA, MINNESOTA

SITE UTILITY PLAN

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 Professional Engineer under the laws of the State of Minnesota.
Mark S. Gronberg
Mark S. Gronberg Minnesota License Number 12755

REVISED SEPTEMBER 24, 2018
REVISED SEPTEMBER 7, 2018
JUNE 27, 2018



BRUCE W. SCHMITT & ASSOCIATES P.A.

320 MANITOBA AVENUE, SOUTH
WAYZATA, MINNESOTA 55391
(952)436-6222

305 LAKE STREET EAST

WAYZATA, MINNESOTA

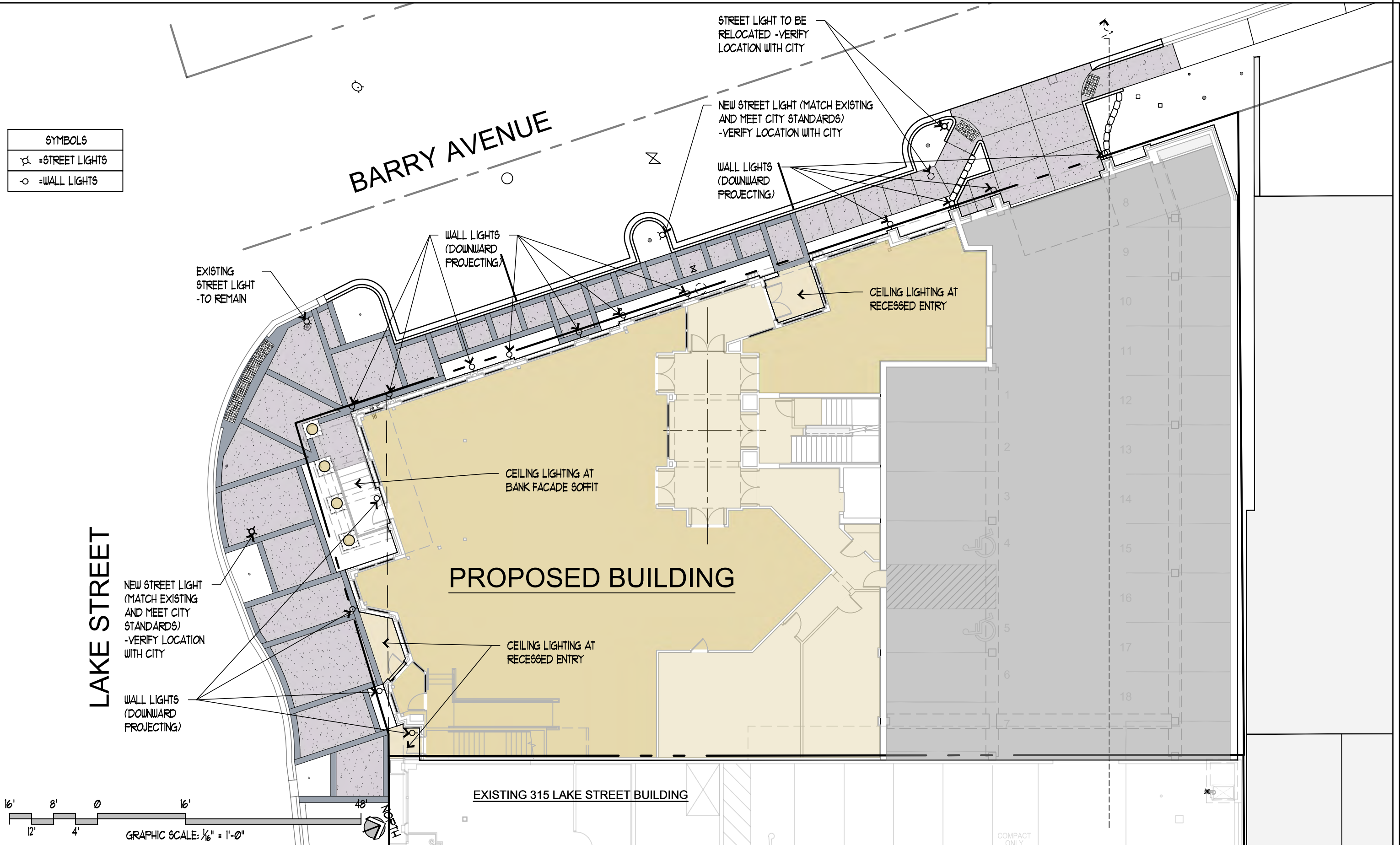
GRADING PLAN

REVISED SEPTEMBER 24, 2018
REVISED SEPTEMBER 7, 2018
JUNE 27, 2018

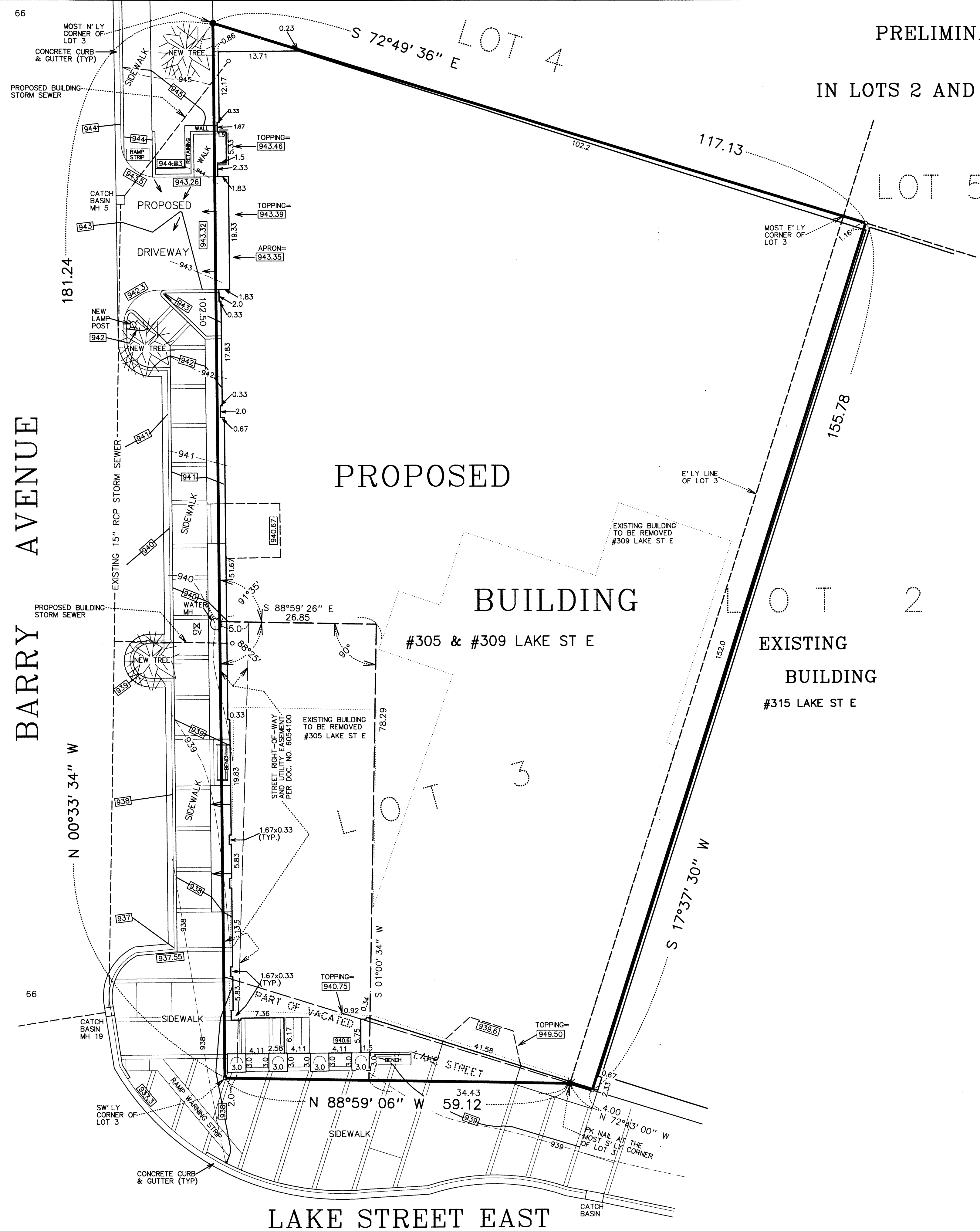
I hereby certify that this plan, specification, or report was prepared by me, or under my direct supervision, and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Mark S. Gronberg
Mark S. Gronberg Minnesota License Number 12755

SYMBOLS	
	=STREET LIGHTS
	=WALL LIGHTS



PRELIMINARY PLAT AND CERTIFICATE OF SURVEY FOR
LNR PROPERTIES
 IN LOTS 2 AND 3, STEPHENS ADD. TO THE TOWNSITE OF WAYZATA
 / HENNEPIN COUNTY, MINNESOTA



EXISTING HARDCOVER CALCULATIONS :

Lot area = 14,777 Sq. ft.

Building = 5066 sf
Blacktop parking = 5786 sf
Gravel parking = 2987 sf
Walks, steps & pillars = 491 sf

Total = 14,330 Sq. ft.

$$14,330 / 14,777 \times 100 = 96.98\%$$

NOTE: The remaining areas are
mulch and shrubs = 447 sf.

PROPOSED HARDCOVER CALCULATIONS :

Lot area = 14,777 Sq. ft.

Building = 14,100 sf
Driveway = 46 sf
Walks, steps & pillars = 404 sf

Total = 14,550 Sq. ft.

$$14,550 / 14,777 \times 100 = 98.46\%$$

NOTE: The remaining areas on the westerly and northerly sides of the proposed building are assumed to be green space = 227 sf.

LEGAL DESCRIPTION OF PREMISES :

309 Lake Street East (per Certificate of Title No. 1456915)

That part of Lot 3, "Stevens' Addition to the Townsite of Wayzata" and that part of Lake Street, adjoining said Lot 3, vacated by instrument recorded in Book 123 of Miscellaneous Records, page 42, Document No. 512133, described as follows: Commencing at the most Southerly corner of said Lot 3; thence Northeasterly along the Easterly line of said Lot 3 to the most Easterly corner of said Lot 3; thence Northerly along the Northernly line of said Lot 3 to the most Northern corner of said Lot 3; thence Southerly along the Westerly line of said Lot 3 a distance of 102.5 feet; thence deflecting to the left an angle of 88 degrees 30 minutes along a line of 78.53 feet to the most westerly corner of said Lot 3; thence Southerly along the Southerly line of said part of vacated Lake Street described in said Document 512133; thence Easterly along said Southerly line a distance of 34.43 feet to the point of beginning.

The Northwestern 4 feet of Lot 2, "Stephens' Addition to the Townsite of Wayzata" measured perpendicular to the Northwestern line of said lot.

305 Lake Street East (per Certificate of Title No. 1456916)

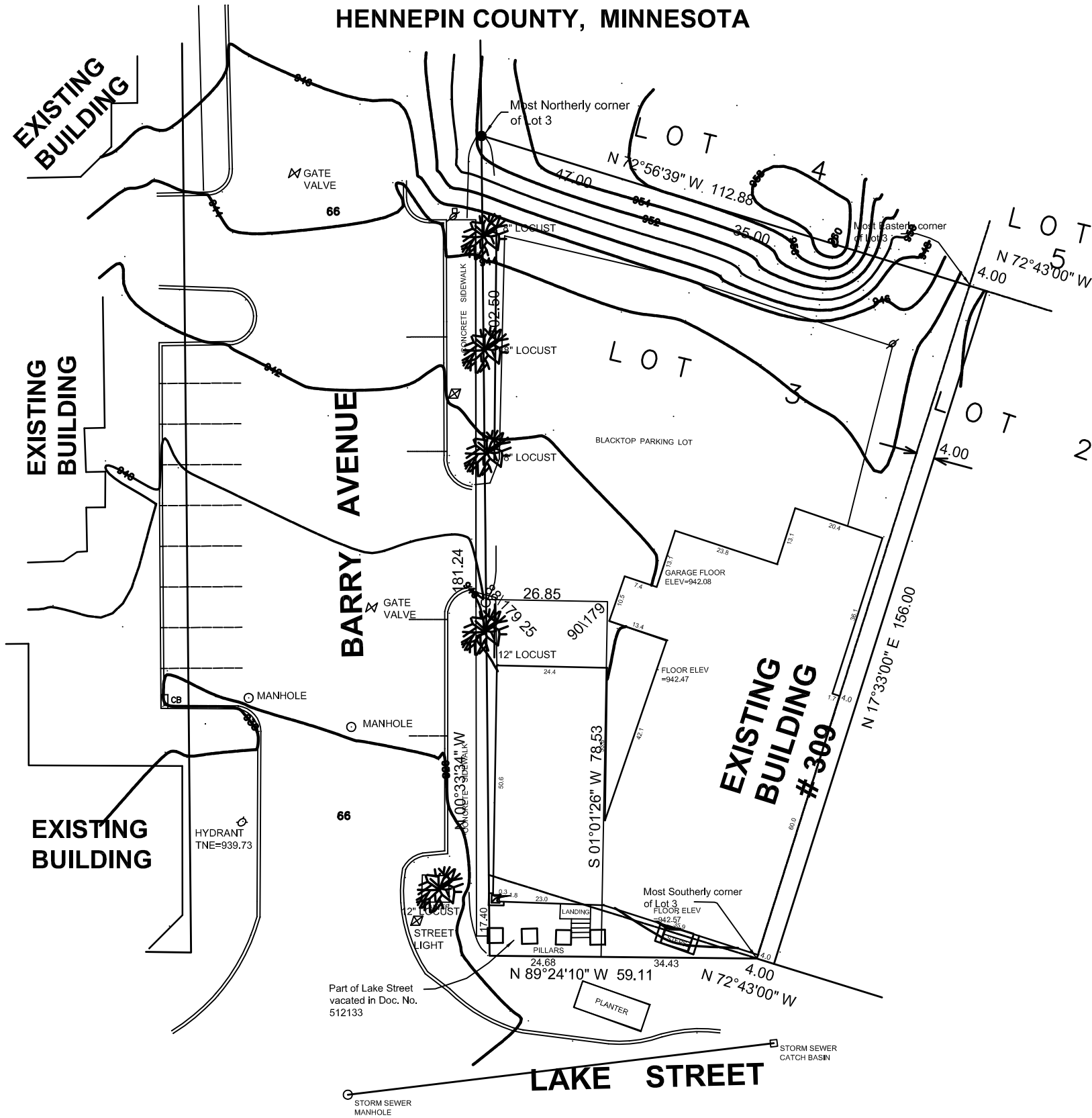
That part of Lot 3, "Stoshens' Addition to the Townsite of Wayzata" and that part of Lake Street, adjoining said Lot 3, vacated in instrument recorded in Book 121 of Miscellaneous Records, page 42, Document No. 512133, described as follows: Beginning at the southwesterly corner of said Lot 3; thence northerly along the west line of said Lot 3 to a point distant 102.5 feet southerly from the most northerly corner of said Lot 3; thence deflected to the right at an angle of 91 degrees 35 minutes, a distance of 168.5 feet; thence deflected to the right at an angle of 78.53 degrees to the southerly line of said vacated part of Lake Street described in said Document No. 512133; thence westerly along said southerly line to the southerly extension of the westerly line of said Lot 3; thence northerly along said extension to the point of beginning.

- : denotes iron marker set
- : denotes iron marker found
- (908.3) : denotes existing spot elevation, mean sea level datum
- 910.8 : denotes proposed spot elevation, per architect
- 917 — : denotes existing contour line, mean sea level datum
- 930 : denotes proposed contour line, per architect

Bearings shown are based upon an assumed datum.

This survey intends to show the boundaries of the above described property, the location of two existing buildings, to be removed, spot elevations and topography, and the proposed location of a proposed building, walks, driveway and grades thereon. It does not purport to show any other improvements or encroachments.

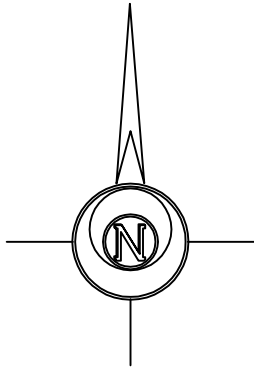
CERTIFICATE OF SURVEY FOR
FIVE SWANS
IN LOTS 2 & 3, STEPHENS ADDITION TO THE TOWNSITE OF WAYZATA
AND PART OF VACATED LAKE STREET
HENNEPIN COUNTY, MINNESOTA



LEGAL DESCRIPTION OF PREMISES:
That part of Lot 3, "Stephens' Addition to the Townsite of Wayzata", and that part of Lake Street, adjoining said Lot 3, vacated by instrument recorded in Book 121 of Miscellaneous Records, page 42, Document No., 512133, described as follows:
Commencing at the most Southerly corner of said Lot 3; thence Northeasterly along the Easterly line of said Lot 3 to the most Easterly corner of said Lot 3; thence Northwesternly along the Northerly line of said Lot 3 to the most Northerly corner of said Lot 3; thence Southerly along the Westerly line of said Lot 3 a distance of 102.5 feet; thence deflecting to the left 88 degrees 25 minutes a distance of 26.85 feet; thence deflecting right 90 degrees a distance of 78.53 feet to the Southerly line of said part of vacated Lake Street described in said Document 512133; thence Easterly along said Southerly line a distance of 34.43 feet to the point of beginning.
The Northwesternly 4 feet of Lot 2, "Stephens' Addition to the Townsite of Wayzata" measured perpendicular to the Northwesternly line of said lot,
ALSO
That part of said Lot 3 described as follows: Commencing at the most Northerly corner of said Lot 3; thence Southerly along the Westerly line of said Lot 3 a distance of 102.5 feet to the point of beginning of the property being described; thence deflecting to the left 88 degrees 25 minutes a distance of 26.85 feet; thence deflecting right 90 degrees a distance of 78.53 feet to the Southerly line of said part of vacated Lake Street described in said Document 512133; thence Westerly along said Southerly line to its intersection with the Southerly extension of said West line of Lot 3; thence Northerly along said extension and along said West line to the point of beginning.

This survey shows the boundaries of the above described property, and the location of an existing building, parking area, and pillars thereon. It does not purport to show any other improvements or encroachments.

- : Iron marker found
○ : Iron marker set
Bearings shown are based upon an assumed datum



DESIGNED	REVISION	DATE	DESCRIPTION
DRAWN PR			
CHECKED			



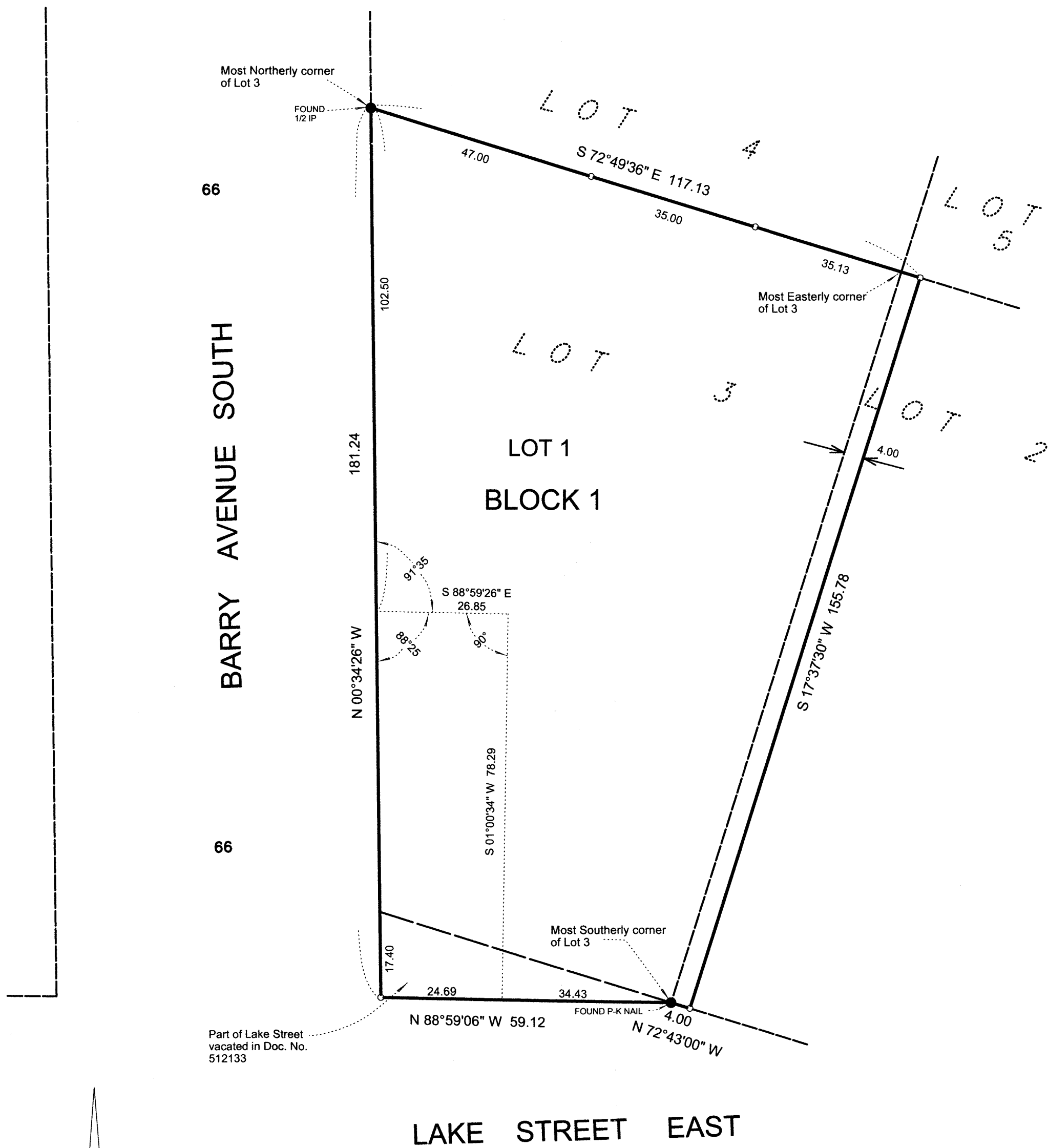
GRONBERG & ASSOCIATES, INC.
CONSULTING ENGINEERS, LAND SURVEYORS,
SITE PLANNERS
445 N. WILLOW DR. LONG LAKE, MN. 55356
952-473-4141

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 PROFESSIONAL ENGINEER AND LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE _____ MN LICENSE NUMBER _____

SCALE
~~1"=20'~~
not to scale
DATE
1-7-08
JOB NO.
08-006

SWANS CORNER



Know all persons by these presents: That Swans Corner LLC, a Minnesota limited liability company, fee owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

That part of Lot 3, "Stephens' Addition to the Townsite of Wayzata" and that part of Lake Street, adjoining said Lot 3, vacated by instrument recorded in Book 121 of Miscellaneous Records, page 42, Document No. 512133, described as follows: Commencing at the most Southerly corner of said Lot 3, thence Northerly along the Easterly line of said Lot 3 to the most Easterly corner of said Lot 3; thence Northwesterly along the Northerly line of said Lot 3 to the most Northerly corner of said Lot 3; thence Southerly along the Westerly line of said Lot 3 a distance of 102.5 feet; thence deflecting to the left 88 degrees 25 minutes a distance of 26.85 feet; thence deflecting to the right 90 degrees a distance of 78.53 feet to the Southerly line of said part of vacated Lake Street described in said Document 512133; thence Easterly along said Southerly line a distance of 34.43 feet to the point of beginning.

The Northwesterly 4 feet of Lot 2, "Stephens' Addition to the Townsite of Wayzata" measured perpendicular to the Northwesterly line of said lot.

Also

That part of Lot 3, "Stephens' Addition to the Townsite of Wayzata" and that part of Lake Street, adjoining said Lot 3, vacated in instrument recorded in Book 121 of Miscellaneous Records, page 42, Document No. 512133, described as follows: Beginning at the southwesterly corner of said Lot 3; thence northerly along the west line of said Lot 3 to a point distant 102.5 feet southerly from the most northerly corner of said Lot 3; thence deflecting to the right at an angle of 91 degrees 35 minutes, a distance of 26.85 feet; thence southerly at a right angle a distance of 78.53 feet more or less, to the southerly line of said vacated part of Lake Street described in said Document No. 512133; thence westerly along said southerly line to the southerly extension of the westerly line of said Lot 3; thence northerly along said extension to the point of beginning.

Have caused the same to be surveyed and platted as SWANS CORNER, and do hereby dedicate to the public for the public use forever the drainage and utility easements as shown on the plat.

In witness whereof said Swans Corner, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this _____ day of _____, 20____.

Swans Corner, LLC, a Minnesota limited liability company,

By _____ its _____
STATE OF _____
COUNTY OF _____) The foregoing instrument was acknowledged before me
this _____ day of _____, 20____, by _____ its _____
_____, of Swans Corner, LLC, a Minnesota limited liability company, on behalf of the company.

Notary Public, _____ County Notarys printed name
My commission expires _____

I Mark S. Gronberg 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 this 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.

De.ed the _____ day of _____, 20____.

Mark S. Gronberg Licensed Land Surveyor and Engineer
Minnesota License Number 12755

STATE OF _____
COUNTY OF _____) The foregoing instrument was acknowledged before me this
_____ day of _____, 20____, by Mark S. Gronberg, Land Surveyor and Engineer

Notary Public, _____ County Notarys printed name
My commission expires _____

WAYZATA, MINNESOTA

This plat of SWANS CORNER was approved and accepted by the City Council of Wayzata, Minnesota, at a regular meeting held this _____ day of _____, 20____. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received 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 THE CITY OF WAYZATA, MINNESOTA

_____, Mayor
_____, 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 MINN. STAT. Sec. 383B.565, (1969), this plat has been approved this _____ day of _____, 20____.

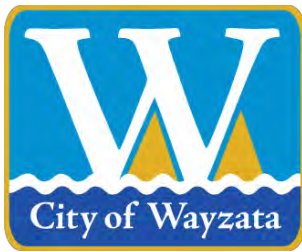
CHRIS F. MAVIS, COUNTY SURVEYOR

By _____

REGISTRAR OF TITLES, HENNEPIN COUNTY, MINNESOTA
I hereby certify that the within plat of SWANS CORNER was filed for record in this office this _____ day of _____, 20____, at _____ o'clock _____M.

MARTIN MCCORMICK, REGISTRAR OF TITLES

By _____, Deputy



City of Wayzata Planning Commission Agenda Report

MEETING DATE: October 15, 2018	AGENDA ITEM: 3c
TITLE: Adoption of Report and Recommendation of Denial of Concurrent Preliminary and Final Plat Subdivision at 153 Peavey Lane	
PROJECT NAME: Highcroft North	
ADDRESS: 153 Peavey Lane	
PREPARED BY: PeggySue Imihy, Planning Consultant	
REVIEWED BY: Jeff Thomson, Director of Planning and Building	

BACKGROUND:

Application Overview

The applicant, Sathre-Bergquist Inc., and the property owner, And/or Assigns, LLC, have submitted a development application to subdivide the property at 153 Peavey Lane. The applicant is proposing to subdivide the one existing property into three single-family residential lots. The application requests approval of preliminary and final plat subdivision.

Planning Commission Review

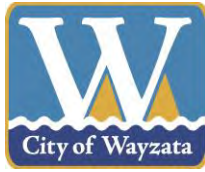
The Planning Commission reviewed the application and held a public hearing at its meeting on October 1, 2018. The Planning Commission expressed concerns about the application which proposed three (3) single-family residential lots which would each be about a third of the size of neighboring lots. The Commission voiced support for the subdivision of this lot into two, not three lots, and voted 4 to 0 to direct City staff to prepare a draft report and recommendation for denial of the development application.

PLANNING COMMISSION ACTION:

City Staff has drafted the attached Planning Commission Report and Recommendation which recommends denial of the preliminary and final plat subdivision. The Report and Recommendation reflects the findings discussion by the Planning Commission.

ATTACHMENTS:

1. Draft Planning Commission Report and Recommendation



WAYZATA PLANNING COMMISSION

October 15, 2018

REPORT AND RECOMMENDATION OF DENIAL OF CONCURRENT PRELIMINARY AND FINAL PLAT SUBDIVISION AT 153 PEAVEY LANE

SUMMARY OF RECOMMENDATION

Denial of Concurrent Preliminary and Final Plat Subdivision

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Project. The applicant, Sathre-Bergquist Inc, and the property owner And/Or Assigns, LLC, (the "Applicant") have submitted a development application to subdivide the single lot at 153 Peavey Lane (the "Property") into three single-family residential lots (the "Application"). The existing multi-family residence on the Property would be demolished and three new homes would be constructed, one on each of the three new lots (the "Project").
- 1.2 Application Requests. The Application requests simultaneous review and approval of preliminary and final plats to subdivide the Property into three single-family residential lots as depicted on the plans included as Attachment A (the "Subdivision" or "Preliminary and Final Plats").
- 1.3 Property. The address, property identification number and owner of the Property are:

153 Peavey Lane	01-117-23-42-0001	And/Or Assigns, LLC
-----------------	-------------------	---------------------

- 1.4 Land Use. The Property is zoned R-3 Single and Two Family Residential District, and is designated Medium Density Multiple Family in the Comprehensive Plan.
- 1.5 Notice and Public Hearing. Notice of the public hearing on the Application was published in the *Wayzata Sun Sailor* on September 20, 2018 and mailed to all property owners located within 350 feet of the Property on September 21, 2018. The public hearing on the Application was held at the October 1, 2018 Planning Commission meeting, at which the Applicant and members of the public spoke about the application.

Section 2. STANDARDS

- 2.1 Subdivision / Preliminary and Final Plat. Review and approval of subdivisions of property, combinations of two or more lots, and preliminary/final plats are governed by the City's Subdivision Ordinance, Part X of City Code. The City may agree to review the preliminary and final plat simultaneously. Sec. 1003.03.A. In reviewing such requests, the Planning Commission shall consider possible adverse effects of the preliminary plat. Its judgment shall be based upon, but not limited to, the following factors found in Section 1003.2.E:
- A. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
 - B. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
 - C. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filling or grading.
 - D. Existing stands of significant trees shall be retained where possible.
 - E. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
 - F. 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.
 - G. 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.
 - H. 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.

- I. 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.
- J. 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.
- K. The proposed lot layout and building pads shall conform with all performance standards contained herein.
- L. 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.
- M. 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.

Section 3. FINDINGS

Based on the Application materials, staff report, public comment and information presented at the public hearing, and the standards of the Wayzata Subdivision Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

- 3.1 Subdivision / Preliminary and Final Plat. The Planning Commission finds that there would be significant adverse effects of the proposed Preliminary and Final Plats based upon the following factors found in Section 1003.2.E:
 - A. The Subdivision and Project is not entirely consistent with the Wayzata Comprehensive Plan, which includes policies that emphasize the importance of protecting residential neighborhoods from encroachment or intrusion by incompatible uses or incompatible higher densities. The proposed lot size, configuration, and house pads would create incompatible higher densities as compared to the existing neighborhood.
 - B. The Subdivision would adversely impact the scale, pattern or character of the surrounding neighborhoods and would not maintain the existing

scale, pattern and character due to the lot size, lot configuration, and proposed building pads.

- C. The lot size, lot configuration, and building pads would be considerably smaller than the surrounding neighborhood and would not be reflective of the surrounding lots and neighborhood character.
- D. The smaller lot sizes resulting from the Subdivision are not similar to adjacent lots and lots found in the surrounding neighborhood.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in Section 3 of this Report, the Planning Commission recommends DENIAL of the Proposed Subdivision and Preliminary and Final Plats.

Adopted by the Wayzata Planning Commission this 15th day of October 2018.

Voting For Denial Recommendation: Buchanan, Douglas, Iverson, Plantan

Voting Against Denial Recommendation: None

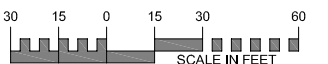
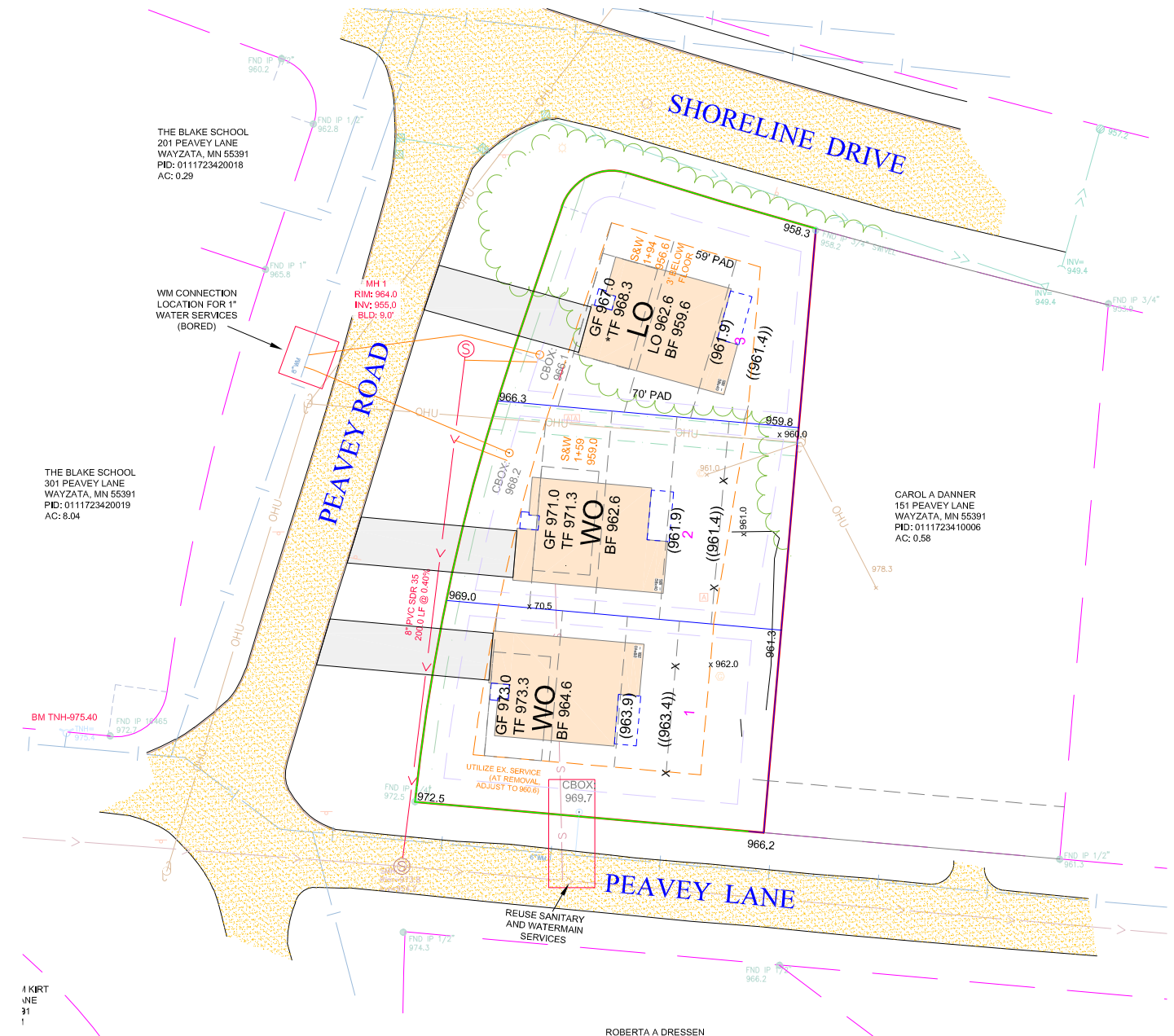
Abstaining: None

Absent: Flannigan, Murray

Attachment A
Subdivision Plans

DRAFT

UTILITY PLAN



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

UTILITY & DEMOLITION PLAN
HIGHCROFT NORTH
AND-OR ASSIGNS, LLC.

2
3

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ROBERT S. MOLSTAD, P.E.
Date: 08/28/18 Lic. No. 26428

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BASE_PEAVEY	01	07	09/14/18	ADDED DRIVEWAYS AND HOUSES	
DRAWN BY					
TCW					
CHECKED BY					
RSM					
DATE					
08/28/18					

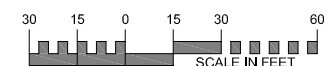


SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

CITY PROJECT NO.	GRADING, DRAINAGE & EROSION CONTROL PLAN HIGHCROFT NORTH AND-OR ASSIGNS, LLC.	FILE NO.
WAYZATA, MINNESOTA		10039-001 3 3



Total Caliper Inches	412.0
	=====
Net Caliper Inches	412.0
Removed Caliper Inches	111.5
Percent Removed	27.1%
Percent Saved	72.9%
25% Threshold	103.0
Replacement Required Cal. in.	9.0
3" Trees Required	3.0



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PEAVEY_TREE_SURVEY							--			10039-001
DRAWN BY										TS TS
TCW										
CHECKED BY										
RSM										
DATE										
08/28/18										

