



Wayzata Planning Commission Meeting Agenda

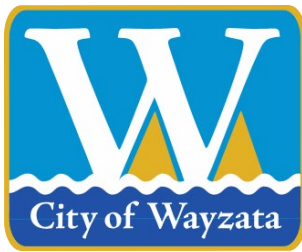
Monday, December 3, 2018
7:00 p.m.

Community Room
600 Rice Street East
Wayzata, Minnesota 55391

1. **Call to Order & Roll Call**
2. **Approval of Agenda**
3. **Consent Agenda**
 - a. Adoption of Report and Recommendation for Approval of Combined Preliminary and Final Plat Subdivision for Highcroft North at 153 Peavey Lane
4. **Old Business Items**
 - a. None
5. **Public Hearing Items**
 - a. St. Bartholomew—630 Wayzata Blvd E
Variance
 - b. Ankeny Addition—353 Ferndale Road
Preliminary and Final Plat
 - c. Hughes Development—235 and 239 Lake Street E
Preliminary and Final Plat and Conditional Use Permit
6. **Other Items**
 - a. November 20th City Council Meeting Report – Commissioner Iverson
 - b. Review of Development Activities
 - c. Next meeting is December 17, 2018
7. **Adjournment**

NOTES:

- ¹ Members of the Planning Commission and some staff may gather at the Wayzata Bar and Grill immediately after the meeting for a purely social event. All members of the public are welcome.



City of Wayzata Planning Commission Agenda Report

MEETING DATE: December 3, 2018	AGENDA ITEM: 3a
TITLE: Adoption of Report and Recommendation for Approval of Combined Preliminary and Final Plat Subdivision for Highcroft North 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 adjust the shared lot line between the two properties. The applicant is proposing to subdivide the one existing property into two single-family residential lots. The development application requests approval of a preliminary plat and final plat.

Planning Commission Review

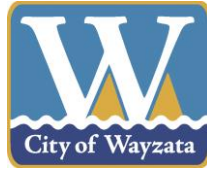
The Planning Commission reviewed the application and held a public hearing at its meeting on November 19, 2018. The Planning Commission voted three in favor and one opposed to direct staff to prepare a draft report and recommendation for approval of the development application.

PLANNING COMMISSION ACTION:

City Staff has drafted the attached Planning Commission Report and Recommendation which recommends approval of Preliminary Plat and Final Plat.

ATTACHMENTS:

1. Draft Planning Commission Report and Recommendation



**Staff Report
November 19, 2018**

Project Name: Highcroft North
Applicant Sathre-Bergquist, Inc
Addresses of Request: 153 Peavey Lane
Prepared by: PeggySue Imihy, Planner
Reviewed by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: February 26, 2019

Development Application

Introduction

The applicant, Sathre-Bergquist Inc, and the property owners 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 two single-family residential lots. The development application requests approval of preliminary and final plat subdivision.

Previous Planning Commission Review

On October 1, 2018, the Planning Commission reviewed a subdivision application from the applicant to subdivide the property into three single-family residential lots. The Planning Commission directed staff to prepare a denial recommendation for review at its next meeting. After the Planning Commission review, the applicant requested the application be tabled to allow them to submit revised plans for the subdivision.

Property Information

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

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

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

Current zoning:	R-3 Single and Two Family Residential District
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Comp plan designation:	Medium Density Multiple Family
Overlay districts:	None

Project Location

The property is located at the intersection Lake Street W and Peavey Lane:

Map 1: Project Location



Map 2: Zoning Map



Map 3. Comp plan



Application Requests

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

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

Adjacent Land Uses.

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

Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Shoreline Dr	N/A	N/A
East	Single family homes	R-3/Single Two Family Residential District	Low Density Single Family
South	Single family home	R-1A/Low Density Single Family Estate	Estate Single Family
West	The Blake School	Institutional	Institutional/Public

Public Hearing Notice

The public hearing notice was published in the *Wayzata Sun Sailor* on November 8, 2018. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on November 8, 2018.

Analysis of Application

Proposed Houses

The property currently contains a three-family residential home. As part of the project, the existing home would be demolished, and two new single family homes would be constructed. The proposed plans include preliminary house pads and driveways entrances for each of the new lots, and the applicant has submitted preliminary concept elevations for the single family homes. The proposed house pads would comply with all requirements of the R-3 zoning district, including setbacks, lot coverage, and impervious surface.

Lot Requirements

The proposed lots would meet the minimum lot requirements for the R-3 zoning district for single family homes:

	Lot area (sq. ft.)	Lot width	Lot depth
R-3 Requirements	9,000 (min.)	60 ft. (min.)	100 ft. (min.)
Lot 1	15,159 sq. ft.	116.3 ft.	134.29 ft.
Lot 2	9,606 sq. ft.	132.1 ft.	123.59 ft.

Surrounding Lot Sizes

The following summarizes the lot areas of the single family and two family residential lots in the area:

Address	Lot area
153 Peavey Lane	29,079 sq. ft.
151 Peavey Lane	25,445 sq. ft.
145 Peavey Lane	23,437 sq. ft.
141 Peavey Lane	22,052 sq. ft.
133 Peavey Lane	21,106 sq. ft.
131 Peavey Lane	20,679 sq. ft.
144 Peavey Lane	40,270 sq. ft.
310 Peavey Lane	46,797 sq. ft.
325 Highcroft Lane	68,397 sq. ft.
345 Highcroft Lane	121,099 sq. ft.

Tree Preservation

There are 21 trees located on the site that meet the minimum size requirements as either significant or heritage trees. Of the 21 trees, 18 are classified as significant trees and 3 are heritage trees. The proposed plans include removal of trees for the proposed homes, driveways, and grading of the lots.

The proposed plans indicate that four significant trees and one insignificant tree would be removed. For a subdivision application, the tree ordinance allows for removal of up to 25 percent of the inches of significant trees before mitigation is required. Based on the proposed removal, 8 inches of replacement trees would be required in place of the significant trees that would be removed. The proposed plans include the replacement of 9 inches of trees.

Action Steps

After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should direct staff to prepare a *Planning Commission Report and Recommendation*, with appropriate findings, reflecting a recommendation on the application for review and adoption at the next Planning Commission meeting.

Attachments

Applicant's Narrative
Proposed Plans
House Concept Plans
October 1, 2018 Planning Commission Meeting Minutes

Applicable Code Provisions for Review

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

1. Enhance individual character elements of residential neighborhoods through public improvements and private investment.
2. Protect property values through the consistent relationship of land uses, streets, sidewalks, natural features, and the maintenance of properties.
3. Protect residential neighborhoods from encroachment or intrusion by incompatible uses or incompatible higher densities.
4. Pursue programs to improve housing condition and maintenance, including implementing a rental housing inspection program.
5. Aggressively eliminate violations of property maintenance, outside storage or accessory building regulations which infringe upon residential neighborhood quality, pose public health and safety problems, or threaten neighboring property values.
6. Provide for continuing review, updating and enforcement of zoning, subdivision, and design standards to ensure high standards of planning and design.
7. Identify ecological and water quality impacts on the lake and other water bodies caused by proposed land use developments, for example stormwater runoff, and work to mitigate these impacts.

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

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

4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
6. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
10. The proposed lot layout and building pads shall conform with all performance standards contained herein.
11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.



**Staff Report
December 3, 2018**

Project Name: St. Bartholomew Variance
Address of Request: 630 Wayzata Blvd E
Prepared By: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: December 30, 2018

Development Application

Introduction

The applicant Marion Clark and property owner, Church of St. Bartholomew are requesting approval of a variance to allow installation of two (2) covered entry ways in the front yard of their property (the “Variance” or the “Application”) at 630 Wayzata Boulevard E (the “Property”). The Application requests approval to encroach upon the required front yard setback of 50 feet in the Institutional District to allow for the construction of the two covered entryways. The proposed plans are attached to this report

The existing building on the property currently does not conform to the required front yard setback, and the addition of the covered entryways would be an expansion of the legal non-conforming structure.

Application Requests

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

- Variance to the required front yard setback of 50 feet (Section 970.06) to allow for construction of covered entryways at 8.7 feet and 20.9 feet from the property line.

Property Information

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

Address	PID	Owner
630 Wayzata Ave E	06-117-22-13-0004	Church of St. Bartholomew

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

Zoning:	Institutional
Comp Plan designation:	Institutional
Overlay districts:	None

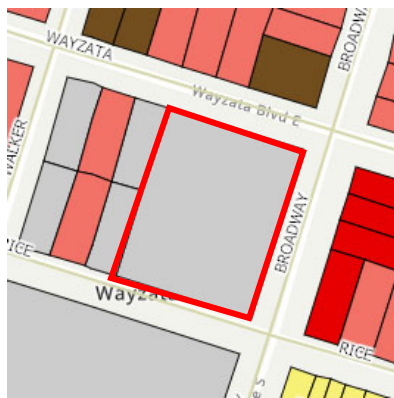
Project Location

The property is on the south side of Wayzata Boulevard and to the north of Rice Street:

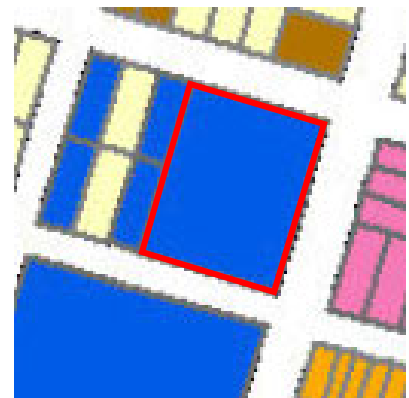
Map 1: Project Location



Map 2: Zoning Map



Map 3: Comprehensive Plan



Adjacent Land Uses

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

Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Residential	R-3A Single and Two Family Residential District	Low Density Single Family
East	Residential	C-1 Office and Limited Commercial District	Mixed Use Residential
South	Residential	Institutional	Institutional
West	Residential	Institutional	Institutional

Public Hearing Notice

The public hearing notice was published in the Wayzata *Sun Sailor* on November 20th, 2018. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on November 14, 2018.

Analysis of Application

Proposed Canopies

The applicant is requesting a variance to the required front yard setback of fifty (50) feet for the construction of two (2) covered entryways along Rice Street. The proposed covered entryways would encroach into the required setback and be located 8.7 feet and 20.9 feet from the property line.

The area where the proposed covered entryways are would be located are along Rice Street, in the south east corner of the parcel. The covered entryways are attached to the existing building entrances.

The existing school and church located on the property currently do no conform to the required setback of 50 feet. The Applicant would like to add the covered entryways to provide some protection from rain and snow and to provide for better lighting around the entrances. The design and material of the entryways is consistent with the existing building. Staff believes that given the exisiting building currently does not conform with the required setback that there is reason to issue a variance.

Applicable Code Provisions for Review

Zoning Ordinance Variance Standards. Section 801.05.1.C provides the criteria for reviewing variances from the Zoning Ordinance. The Variance requested in the Application is an Impervious Surface Variance. The variance review criteria are as follows (with Staff's comments included in *italics*):

- A. Variances shall only be permitted when they are:
- (i) in harmony with the general purposes and intent of this Ordinance; and
 - (ii) consistent with the Comprehensive Plan.

The Property is guided for Institutional use. The Application proposes to construct two covered entryways on the Property. The Variance is to encroach into the required fifty foot front yard setback have entryways located 8.7 feet and 20.9 feet from the property line. The Planning Commission and City Council should make a finding of fact on whether or not the variance requests are in harmony with the general purpose and intent of the ordinance and 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.

The Planning Commission and City Council should make a finding of fact on whether or not the Applicant has established that there are practical difficulties in complying with the Ordinance.

- C. “Practical difficulties,” as used in connection with the granting of a variance, means that:
- (i) the property owner’s proposal for the property is reasonable but not permitted by this Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.

The existing building on the property does not currently meet the required setbacks for the Institutional District. Due to this circumstance, there is no alternative for adding the covered entryways. The Planning Commission and City Council should make a find of fact on whether or not the Project meets the practical difficulties and reasonableness standard.

- 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.

The Planning Commission and City Council should make a finding of fact on whether or not economic considerations are the sole reason for the practical difficulties.

- 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.

Not applicable in this case, as the Applicant is not proposing earth sheltered construction.

- 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.

The proposed covered entryways are a permitted use in the Institutional District.

- 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.

The Planning Commission and City Council should determine if there are any applicable conditions that apply, if the Project is recommended for approval.

- 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.

The Applicant has provided a narrative to describe their reasons for requesting the Variance.

Action Steps

After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should direct staff to prepare a *Planning Commission Report and Recommendation*, with appropriate findings, reflecting a recommendation on the application for review and adoption at the next Planning Commission meeting.

Attachments

Proposed canopy designs

St. Bartholomew proposes to add entry canopies at the main entrances to the church and school.

- 2 entries on Rice Street side – one for the church and one for preschool children
- 2 entries on Wayzata Boulevard side – one for the church and one for elementary school children

The canopies are designed to aesthetically blend into the existing facades using the same materials.

- Give the impression that the canopies were constructed with the initial building
- Provide some covered protection from rain and snow
 - More welcoming and departing experience from the church and school
 - Reduces water migration through the doors and extends door hardware life
 - Enables better lighting of the entries to the building

Desirable to construct the canopies while school is not in session (mid-June to late August 2019).

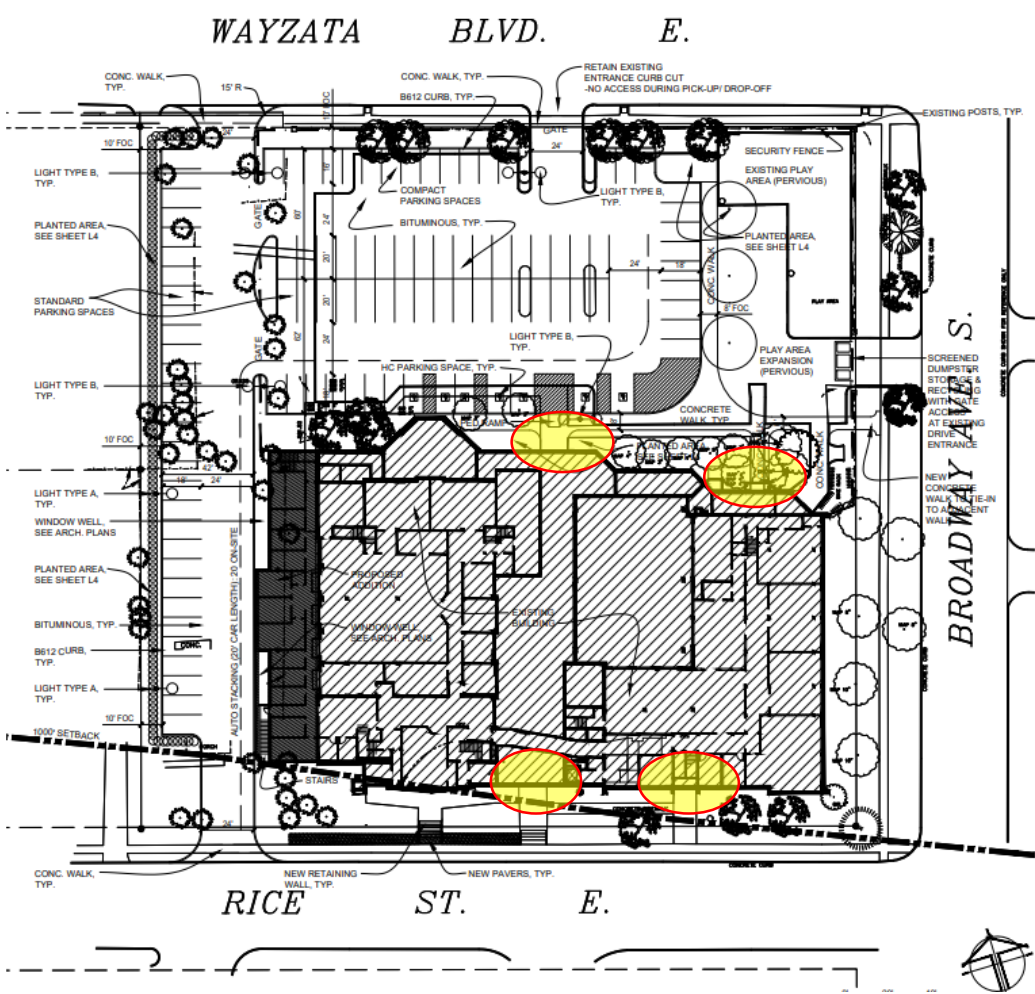
- Minimal disruption to use of the entries
- Minimizes safety concerns of working when children are present

Requesting City of Wayzata input:

- Planning and Zoning/Architectural review
- Variance for Rice Street canopies encroaching of required setbacks
- Time line and submission requirements for entitlements



Aerial View



Site Plan

SITE COVERAGE:	
35,170 SF.	EXISTING CHURCH AND SCHOOL FOOTPRINT
2,730 SF.	BUILDINGS TO BE REMOVED (WEST SIDE)
37,900 SF.	TOTAL
106,590 SF.	TOTAL SITE AREA
35.6%	EXISTING LOT COVERAGE

35,170 SF.	EXISTING CHURCH AND SCHOOL FOOTPRINT
3,400 SF.	PROPOSED CHURCH ADDITION
38,570 SF.	NET SITE COVERAGE
106,590 SF.	TOTAL SITE AREA
36.2%	PROPOSED LOT COVERAGE

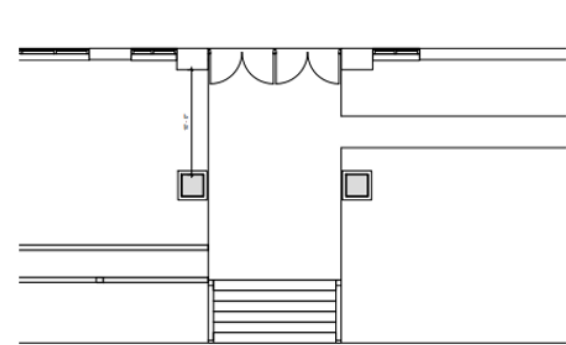
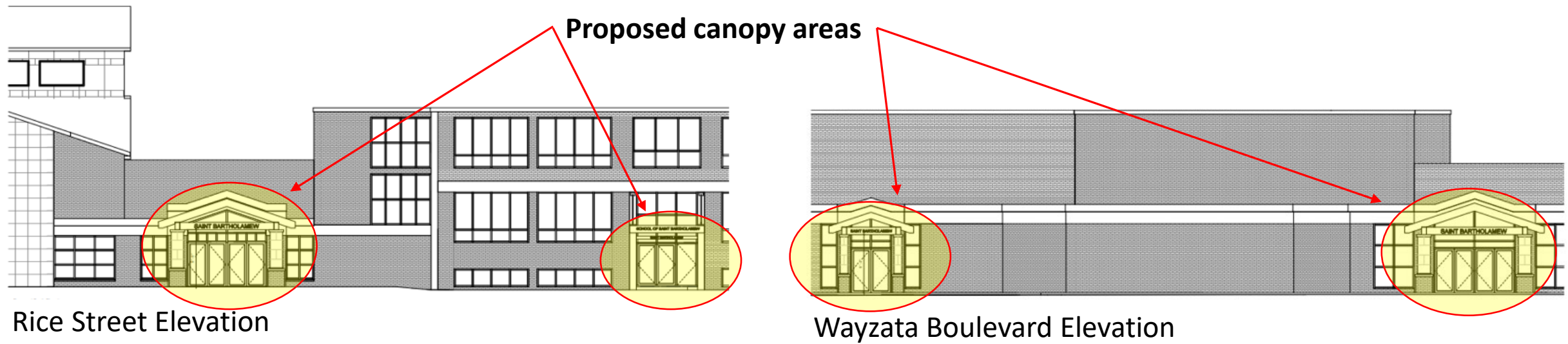
IMPERVIOUS SURFACE:	
24.9%	IMPERVIOUS SURFACE WITHIN 1000' SETBACK

PARKING:	
70	EXISTING PARKING SPACES
103	TOTAL PROPOSED PARKING SPACES
7	- HC PARKING SPACES
16	- COMPACT PARKING SPACES
80	- STANDARD PARKING SPACES
20	ON-SITE SCHOOL PICK UP/ DROP OFF AUTO STACKING (20' CAR LENGTH)

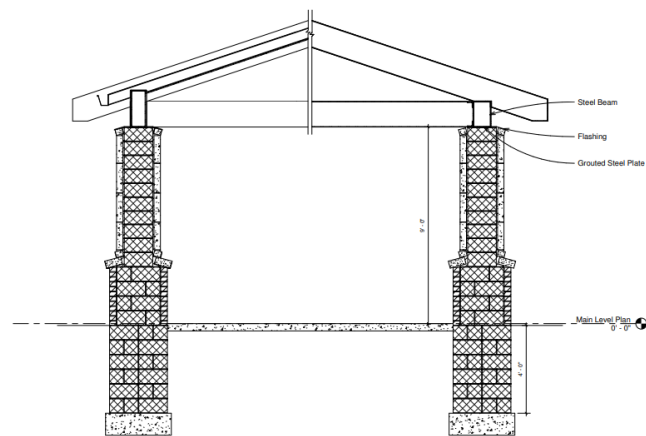
LEGEND:	
	LIGHT, TYPE A
	LIGHT, TYPE B
	EXISTING BUILDING
	PROPOSED ADDITION
	METAL PICKET FENCE
	HC PARKING SPACE



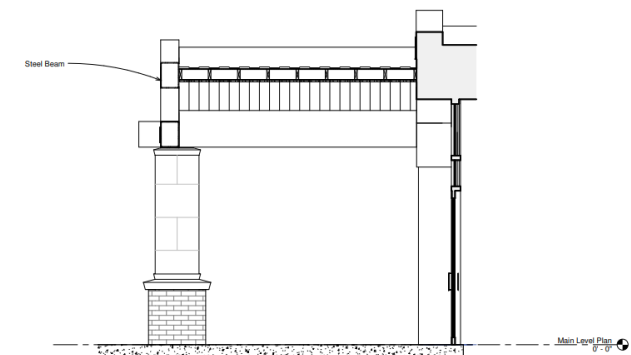
Context Aerial



Rice Street Church Entrance



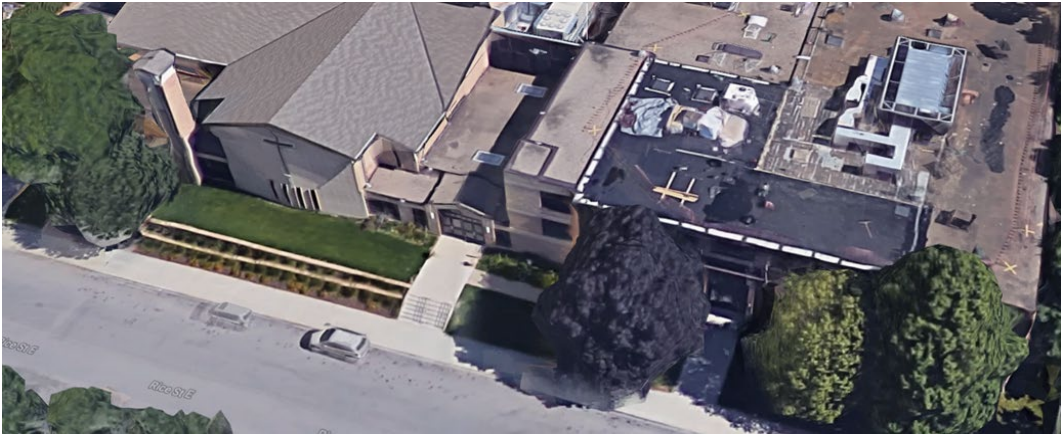
Canopy Section



Canopy Section

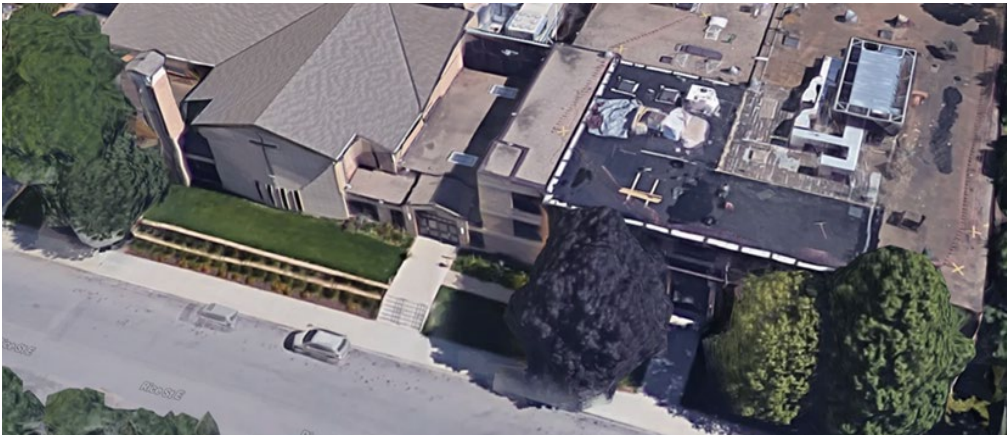


Rice Street Church Entry



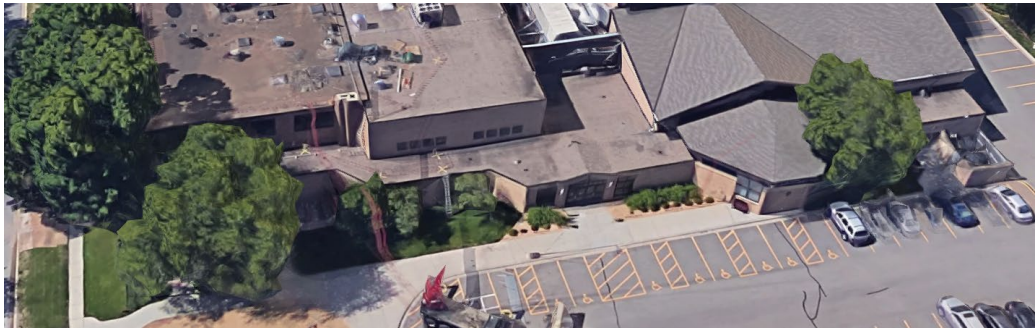


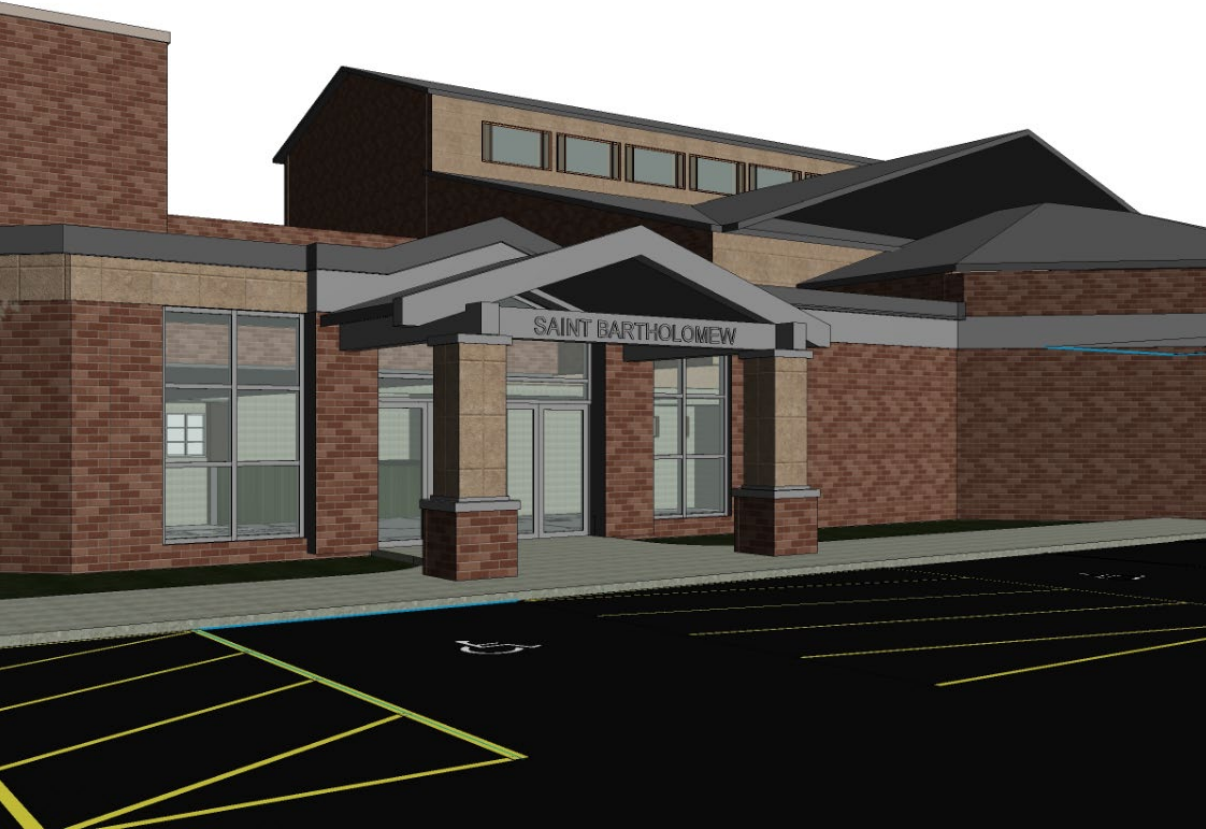
Rice Street School Entry



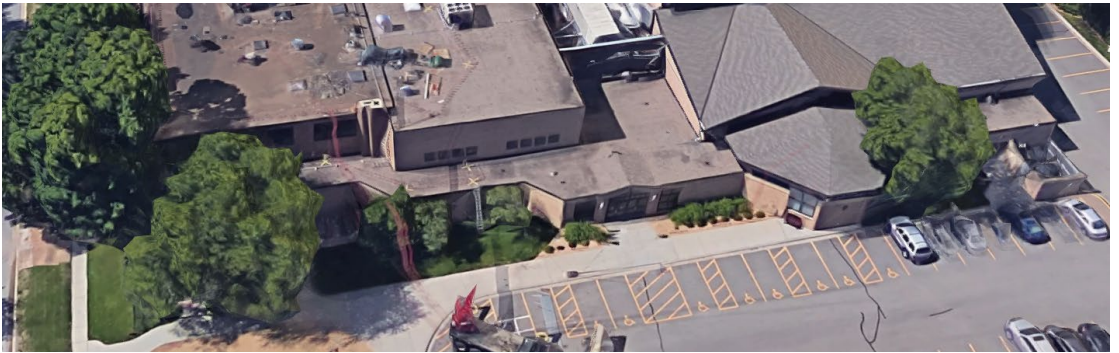


Wayzata Boulevard School Entry





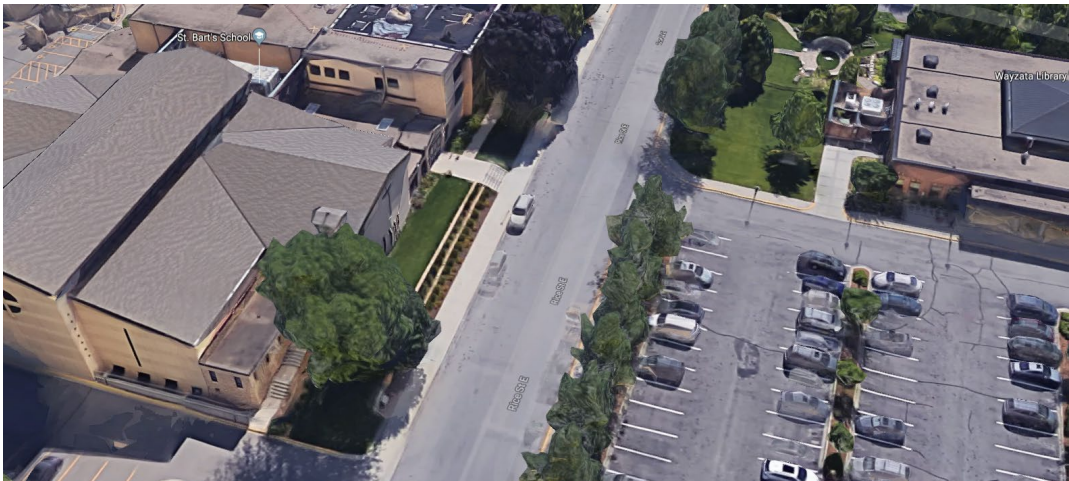
Wayzata Boulevard Church Entry



Proposed canopy



Rice Street Canopy Projection





**Staff Report
December 3, 2018**

Project Name: Ankeny Addition
Applicant Sathre-Bergquist, Inc
Addresses of Request: 353 Ferndale Road
Prepared by: PeggySue Imihy, Planner
Reviewed by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: December 28, 2018

Development Application

Introduction

The applicant, Sathre-Bergquist Inc, and the property owners Phillip and Susan Ankeny have submitted a development application to subdivide the property at 353 Ferndale Road. The applicant is proposing to subdivide the one existing property into two single-family residential lots. The development application requests approval of preliminary and final plat subdivision.

Property Information

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

Address	PID	Owner
353 Ferndale Road	01-117-23-41-0016	Phillip and Susan Ankeny

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

Current zoning:	R-1A Low Density Single Family Estate District
Comp plan designation:	Estate Single Family
Overlay districts:	Wetlands Overlay District, Shoreland Overlay District

Project Location

The property is located at the between Peavey Lane and Ferndale Road:

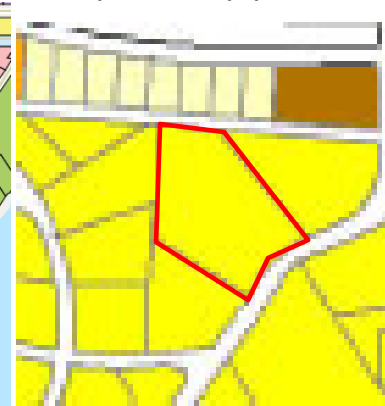
Map 1: Project Location



Map 2: Zoning Map



Map 3: Comp plan



Application Requests

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

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

Adjacent Land Uses.

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

Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Single family homes	R-3/ Single and Two Family Residential	Low Density Single Family
East	Single family homes	R-1A/Low Density Single Family Estate	Estate Single Family
South	Single family homes	R-1A/Low Density Single Family Estate	Estate Single Family
West	Single family homes	R-1A/Low Density Single Family Estate	Estate Single Family

Public Hearing Notice

The public hearing notice was published in the *Wayzata Sun Sailor* on November 20th, 2018. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on November 14, 2018.

Analysis of Application

Proposed Subdivision

The property currently contains one single family home. The proposed plans include a new preliminary house pad and driveway entrances for the newly created lot. The proposed house pad would comply with all requirements of the R-1A zoning district, including setbacks, lot coverage, and impervious surface.

Lot Requirements

The proposed lots would meet the minimum lot requirements for the R-1A zoning district for single family homes:

	Lot area (sq. ft.)	Lot width	Lot depth
R-1A Requirements	80,000 (min.)	200 ft. (min.)	200 ft. (min.)
Lot 1	93,013 sq. ft.	206.10 ft.	241.31 ft.
Lot 2	112,095 sq. ft.	232.83 ft.	265.21 ft.

The existing home is located on what would become lot 2.

Surrounding Lot Sizes

The following summarizes the lot areas of the single family and two family residential lots in the area:

Address	Lot area
353 Ferndale Road	204,800 sq. ft.
301 Ferndale Road	129,777 sq. ft.
401 Ferndale Road	95,010 sq. ft.
415 Highcroft Road	68,087 sq. ft.
340 Peavey Road	74,814 sq. ft.
330 Peavey Road	95,128 sq. ft.
144 Peavey Lane	40,270 sq. ft.
125 Peavey Lane	20,731 sq. ft.
121 Peavey Lane	21,262 sq. ft.
131 Peavey Lane	20,679 sq. ft.

Tree Preservation

The proposed plans include a tree inventory of 85 trees which are located on lot 1. Of these 85 trees, six are considered to be heritage trees, and there are no plans to remove any trees until a new home is constructed. At the time of home construction, a plan for any mitigation of lost trees will need to be provided.

Wetland Overlay District

The newly created lot is encumbered by wetlands and is subject to the Wetland Overlay District regulation. The applicant has submitted a Wetland Delineation Report which is currently being reviewed by staff and is subject to a 15 day comment period. A formal decision will be made by December 19, 2018. Any decision made regarding the subdivision should include a condition that the Wetland Delineation Report is approved.

Staff Comments

The City Engineer has reviewed these plans and had noted that the sanitary sewer service from the existing house will likely cross the newly created parcel. The Applicant will need to create an easement or the service will have to be relocated.

Action Steps

After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should direct staff to prepare a *Planning Commission Report and Recommendation*, with appropriate findings, reflecting a recommendation on the application for review and adoption at the next Planning Commission meeting.

Attachments

Proposed Plans

Applicable Code Provisions for Review

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

1. Enhance individual character elements of residential neighborhoods through public improvements and private investment.
2. Protect property values through the consistent relationship of land uses, streets, sidewalks, natural features, and the maintenance of properties.
3. Protect residential neighborhoods from encroachment or intrusion by incompatible uses or incompatible higher densities.
4. Pursue programs to improve housing condition and maintenance, including implementing a rental housing inspection program.
5. Aggressively eliminate violations of property maintenance, outside storage or accessory building regulations which infringe upon residential neighborhood quality, pose public health and safety problems, or threaten neighboring property values.
6. Provide for continuing review, updating and enforcement of zoning, subdivision, and design standards to ensure high standards of planning and design.
7. Identify ecological and water quality impacts on the lake and other water bodies caused by proposed land use developments, for example stormwater runoff, and work to mitigate these impacts.

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

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

4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
6. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
10. The proposed lot layout and building pads shall conform with all performance standards contained herein.
11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

DESCRIPTION OF PROPERTY SURVEYED

Lot 2, Block 1, except that part lying North of the a line 35 feet South of and parallel with the South line of Lot 8, said Block 1, Highcroft Subdivision.

STANDARD NOTES

- 1) **Site Address:** 353 Ferndale Road South, Wayzata, Minnesota 55391
- 2) A title opinion was not furnished to the surveyor as part of this survey. Only easements per the recorded plat are shown unless otherwise denoted hereon.
- 3) **Flood Zone Information:** X (area determined to be outside of the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27053C03091, effective date of November 4th, 2016.
- 4) **Parcel Area Information:** Gross Area: 205,108 S.F. ~ 4,799 acres
- 5) **Benchmark:** Elevations are based on City of Wayzata Benchmark: Top of iron pin of fire hydrant which has an elevation of: 996.08 feet (NGVD29).
- 6) **Zoning Information:** The current Zoning for the subject property is R-1A (Low Density Single Family Estate District) per the City of Wayzata's zoning map. The setback, height, and floor space area restrictions for said zoning designation are as follows:

Principal Structure Setbacks -

- Setback: 44 feet
Side: 20 feet
Rear: 50 feet
Height: 40 feet ~ 3 stories
Building Coverage: 10 percent
Impervious Hardcover: 20 percent of lot area

Please note that the general restrictions for the subject property may have been amended through a city process. We could be unaware of such amendments if they are not in a recorded document provided to us. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site. All setback information and hardcover data for planning and design must be verified by designers, architect or the client.

We have not received the current zoning classification and building setback requirements from the insurer.

- 7) **Utilities:** We have shown the location of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property we are unaware. Please note that we have not placed a Gopher State One Call for this survey. There may or may not be underground utilities in this mapped area, therefore extreme caution must be exercised before any excavation takes place on or near this site. Before digging, you are required by law to notify Gopher State One Call at least 48 hours in advance at 651/454-0002.

- 8) **Wetland Delineation:** The wetland delineation was performed by Kjolhaug Environmental Services Company and was flagged on September 14th, 2018. Sathre-Bergquist located the wetland flags on September 9th, 2018.



SCALE IN FEET



Readings are based on the National
Coordinate System (NAD 83 - 1986 ed.)

ENGINEER/LAND SURVEYOR

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

OWNER

Philip and Susan Ankeny
353 Ferndale Road
Wayzata, MN 55391
Tel: 612-576-1466
Tel: 612-540-8786
Email: staneky@gmail.com

PROPOSED LOT INFORMATION

ZONING/SETBACKS
R-1A (Low Density Single Family Estate District)
Street Setback: 45 feet
Side Setback: 20 feet
Rear Setback: 50 feet
Area: 80,000 sq. ft.
Lot width: 200 feet
Lot depth: 200 feet

LOT AREA INFORMATION
Lot 1: 93,013 sq.ft./2.135 acres
Hardcover: 0%
Lot 2: 112,095 sq.ft./2.573 acres
Hardcover: 11.07%

DATE 11/15/2018

BY EMM

REVISION

FIELD CREW

AT

DRAWN

DBP/EMW

CHECKED

DBP

DATE

09/18/18

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

Dated this 23rd day of October, 2018.

David B. Pemberton, PLS
dpemberton@sathre.com

Minnesota License No. 40344

REVISION

DATE

BY

FIELD CREW

AT

DRAWN

DBP/EMW

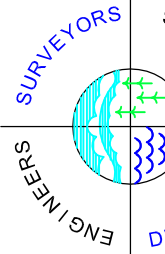
CHECKED

DBP

DATE

09/18/18

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

TWP:17-RGE:23-SEC:01

Hennepin County

WAYZATA, MINNESOTA

TREE INVENTORY
CERTIFICATE OF SURVEY

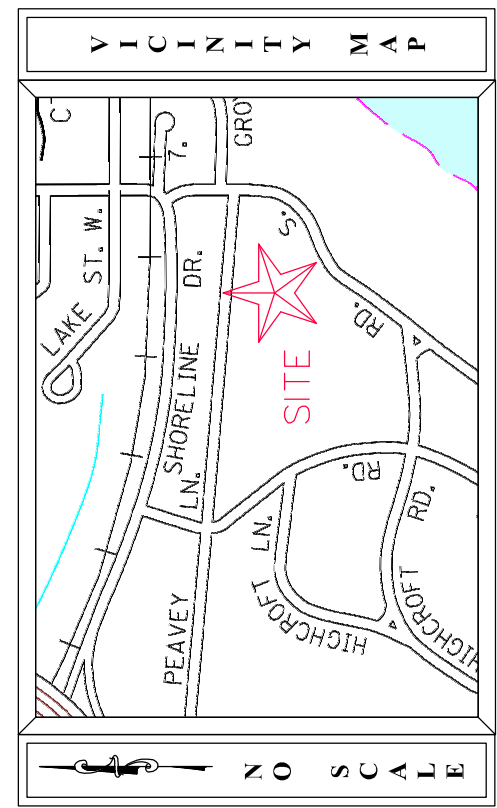
PREPARED FOR:
Philip and Susan Ankeny

FILE NO.
10052-001

1

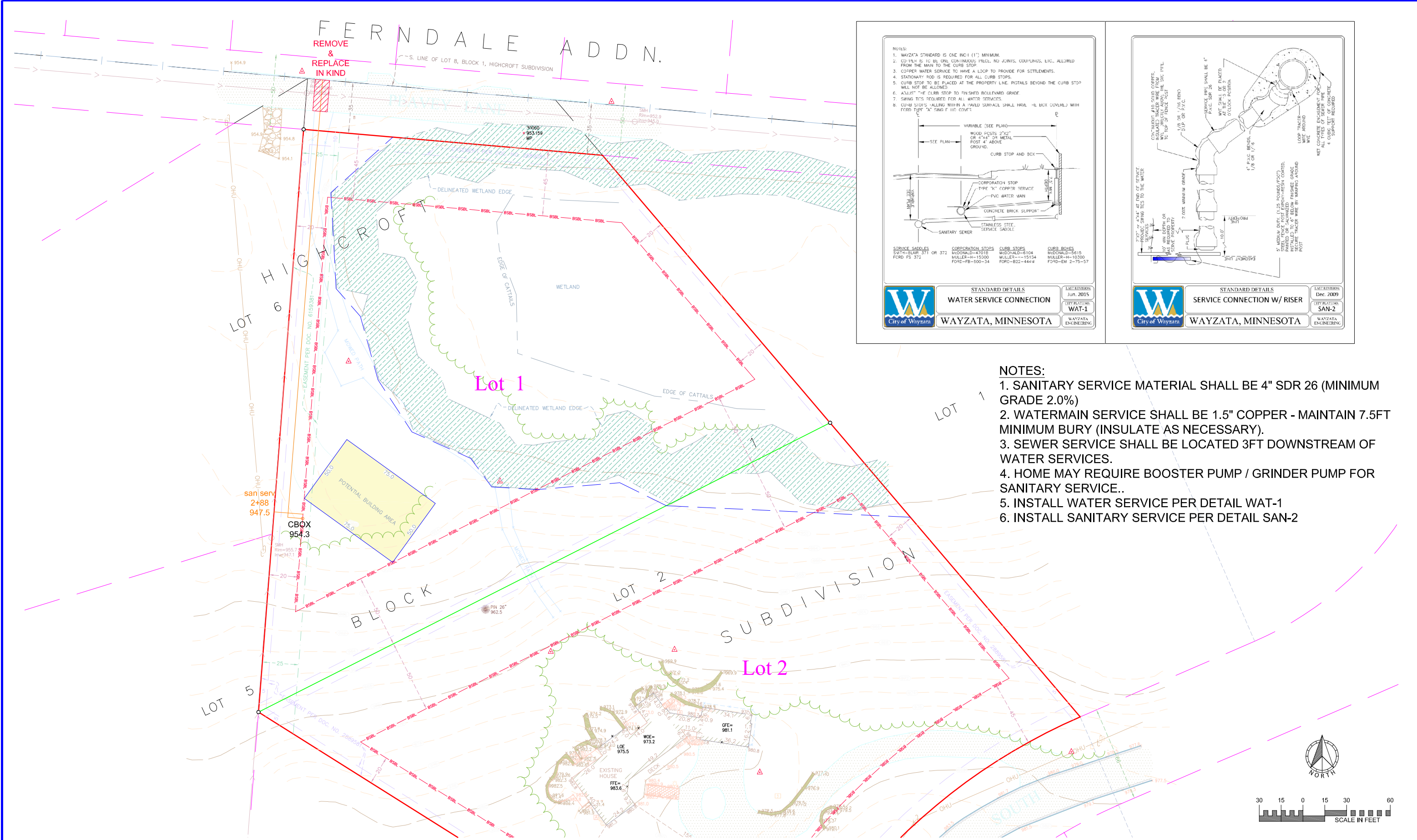
1

Tree #	Species	DBH	Condition	Height	Heritage	Tree #	Species	DBH	Condition	Height	Heritage
1	Boxelder	24.0	Good			44	Ash, green	24.0	Good		
2	Cottonwood	21.5	Good		Yes	45	Walnut, black	6.0	Good		
3	Ash, green	6.0	Good			46	Ash, green	10.0	Good		
4	Redcedar	3.0	Good	32		47	Ash, green	6.0	Good		
5	Cottonwood	38.0	Good		Yes	48	Boxelder	15.0	Good		
6	Redcedar	2.5	Good	20		49	Ash, green	3.0	Good		
7	Redcedar	25.5	Good	22		50	Ash, green	15.0	Fair		
8	Redcedar	4.0	Good	22		51	Ash, green	15.0	Fair		
9	Cottonwood	48.0	Good	20		52	Ash, green	15.0	Fair		
10	Ash, green	15.0	Good		Yes	53	Pine, white	8.0	Good	30	
11	Boxelder	15.0	Fair			54	Boxelder	16.0	Good		
12	Boxelder	15.0	Fair			55	Boxelder	16.0	Good		
13	Boxelder	15.0	Fair			56	Ash, green	14.0	Good		
14	Redcedar	9.0	Good	30		57	Ash, green	10.5	Good		
15	Redcedar	7.0	Good	26		58	Ash, green	14.0	Good		
16	Ash, green	9.0	Good			59	Ash, green	7.0	Good		
17	Pine, Scots	5.0	Good	25		60	Ash, green	11.0	Good		
18	Redcedar	11.0	Good	30		61	Ash, green	9.0	Good		
19	Ash, green	6.5	Good			62	Ash, green	7.5	Good		
20	Pine, Scots	15.0	Fair	35		63	Ash, green	8.5	Good		
21	Redcedar	10.0	Fair	25		64	Ash, green	40.0	Fair		Yes
22	Redcedar	13.0	Fair	20		65	Boxelder	27.0	Good		
23	Ash, green	24.0	Fair			66	Boxelder	16.0	Good		
24	Redcedar	7.0	Good	22		67	Ash, green	21.0	Good		
25	Redcedar	6.0	Fair			68	Ash, green	22.0	Fair		
26	Pine, white	13.0	Fair	26		69	Ash, green	7.0	Good		
27	Pine, white	8.0	Good	35		70	Boxelder	22.0	Fair		
28	Redcedar	14.0	Good	30		71	Ash, green	7.0	Good		
29	Redcedar	11.0	Good	30		72	Ash, green	20.0	Fair		
30	Redcedar	11.0	Fair			73	Ash, green	10.5	Good		
31	Pine, Scots	11.0	Fair	22		74	Ash, green	15.0	Good		
32	Redcedar	10.0	Good	30		75	Ash, green	7.0	Good		
33	Redcedar	7.5	Good	30		76	Ash, green	7.0	Good		
34	Redcedar	7.0	Good	22		77	Cottonwood	50.0	Good		Yes
35	Birch, river	6.5	Good			78	Cottonwood	50.0	Good		
36	Birch, river	10.5	Good			79	Ash, green	6.5	Good		
37	Birch, river	9.0	Good			80	Ash, green	6.5	Good		
38	Ash, green	15.5	Good			81	Ash, green	6.5	Good		
39	Ash, green	8.5	Good			82	Ash, green	6.0	Good		
40	Ash, green	22.5	Good			83	Ash, green	7.0	Good		
41	Ash, green	9.5	Good			84	Ash, green	6.0	Good		
42	Pine, white	8.0	Good	30		85	Walnut, black	6.0	Good		
43	Walnut, black	6.0	Good								



Hardcover
Lot Area = 205,108 S.F.
House Area = 3,463 S.F.
Driveway Area = 6,618 S.F.
Sweep/Steps Area = 464 S.F.
Ret. Walls = 275 S.F.
Brick/Walkways = 1,161 S.F.
Total Area = 12,466 S.F.
Coverage = 6.05%

- SURVEY LEGEND**
- WCE WALKOUT ELEVATION
FFE FIRST FLOOR ELEVATION
GFE GARAGE FLOOR ELEVATION
TOF TOP OF FOUNDATION ELEV.
LOE LOWEST OPENING ELEV.
CONCRETE CURB
CONCRETE
CONTOUR EXISTING
CONTOUR PROPOSED
GUARD RAIL
DRAIN TILE
ELECTRIC MANHOLE
ELECTRIC METER
GAS VALVE
FENCE
FIBER OPTIC UNDERGROUND
GAS UNDERGROUND
OVERHEAD UTILITY
RAILROAD TRACKS
SANITARY SEWER
STORM SEWER
TELEPHONE UNDERGROUND
UTILITY UNDERGROUND
WATERMAIN
TRAFFIC SIGNAL
- CATCH BASIN
FLARED END SECTION
GATE VALVE
GUY WIRE
HYDRANT
SURVEY MONUMENT SET
SURVEY MONUMENT FOUND
SURVEY CONTROL POINT
LIGHT POLE
POWER POLE
SANITARY MANHOLE
SANITARY CLEANOUT
PROPOSED GROUND ELEVATION
EXISTING GROUND ELEVATION
STORM DRAIN
STORM MANHOLE
YARD LIGHT
A/C UNIT
WELL
- CITY OF WAYZATA
STATE OF MINNESOTA
COUNTY OF HENNEPIN
TOWNSHIP OF RICHMOND
SECTION 23
RANGE 23
TOWNSHIP 17



NOTES:

1. WAYZATA STANDARD IS ONE (1) MINIMUM.
2. CD-1/4" IS 10 BY ONE CONTINUOUS PILE, NO JOINTS, COUPLINGS, ETC., ALLOWED FROM THE MAIN TO THE CURB STOP.
3. COPPER WATER SERVICE TO HAVE A LOOP TO PROVIDE FOR SETTLEMENTS.
4. STATIONARY ROD IS REQUIRED FOR ALL CURB STOPS.
5. CURB STOP TO BE PLACED AT THE PROPERTY LINE. PISTOLS BEYOND THE CURB STOP WILL NOT BE ALLOWED.
6. ADJUST THE CURB STOP TO FINISHED BOLLIVARD GRADE.
7. SAWING THIS REQUIRED FOR ALL WATER SERVICES.
8. CURB STOPS CALLING WITHIN A PAVED SURFACE SHALL HAVE THE BOX COVERED WITH FORD TYPE "A" SING F 110 COVERS.

STANDARD DETAILS
WATER SERVICE CONNECTION
WAYZATA, MINNESOTA

LAST REVISION: Jun. 2015
CITY PLATNO: WAT-1
WAYZATA ENGINEERING

STANDARD DETAILS
SERVICE CONNECTION W/ RISER
WAYZATA, MINNESOTA

LAST REVISION: Dec. 2009
CITY PLATNO: SAN-2
WAYZATA ENGINEERING

- NOTES:
1. SANITARY SERVICE MATERIAL SHALL BE 4" SDR 26 (MINIMUM GRADE 2.0%)
 2. WATERMAIN SERVICE SHALL BE 1.5" COPPER - MAINTAIN 7.5FT MINIMUM BURY (INSULATE AS NECESSARY).
 3. SEWER SERVICE SHALL BE LOCATED 3FT DOWNSTREAM OF WATER SERVICES.
 4. HOME MAY REQUIRE BOOSTER PUMP / GRINDER PUMP FOR SANITARY SERVICE..
 5. INSTALL WATER SERVICE PER DETAIL WAT-1
 6. INSTALL SANITARY SERVICE PER DETAIL SAN-2

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--------------	-----	----	------	-----------	---	--	---	--	---	---	---------------------------------

ANKENY ADDITION

R.T. DOC. NO. _____

KNOW ALL PERSONS BY THESE PRESENTS: That Philip D. Ankeny and Susan K. Ankeny, husband and wife, owners of the following described property situated in the State of Minnesota, County of Hennepin, to wit:

Lot 2, Block 1, except that part lying North of the a line 35 feet South of and parallel with the South line of Lot 8, said Block 1, Highcroft Subdivision.

Have caused the same to be surveyed and platted as HIGHCROFT NORTH and do hereby dedicate to the public for public use forever the drainage and utility easements as created by this plat.

In witness whereof said Philip D. Ankeny and Susan K. Ankeny, husband and wife, have hereunto set their hands this _____ day of _____, 201__.

Philip D. Ankeny Susan K. Ankeny

STATE OF MINNESOTA
COUNTY OF _____

The instrument was acknowledged before me this _____ day of _____, 201__ by Philip D. Ankeny and Susan K. Ankeny.

Notary Public, _____ County, Minnesota Notary Printed Name

My Commission Expires: _____

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

Dated this _____ day of _____, 201__.

David B. Pemberton, Licensed Land Surveyor
Minnesota License No. 40344

STATE OF MINNESOTA
COUNTY OF HENNEPIN

This instrument was acknowledged before me this _____ day of _____, 201__, by David B. Pemberton.

Notary Public, Hennepin County, Minnesota Notary Printed Name

My Commission Expires: _____

WAYZATA, MINNESOTA

This plat of ANKENY ADDITION was approved and accepted by the City Council of the City of Wayzata, Minnesota at a regular meeting held this _____ day of _____, 201__ and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subdivision 2.

CITY COUNCIL OF WAYZATA, MINNESOTA

By: _____, Mayor By: _____, City Manager

RESIDENT AND REAL ESTATE SERVICES, HENNEPIN COUNTY, MINNESOTA

I hereby certify that taxes payable in _____ and prior years have been paid for land described on this plat, dated this _____ day of _____, 201__.

Mark V. Chapin, County Auditor

By: _____, Deputy

SURVEY DIVISION HENNEPIN COUNTY, MINNESOTA

Pursuant to Minnesota Statutes Section 383B.565 (1969), this plat has been approved this _____ day of _____, 201__.

Chris F. Mavis, County Surveyor

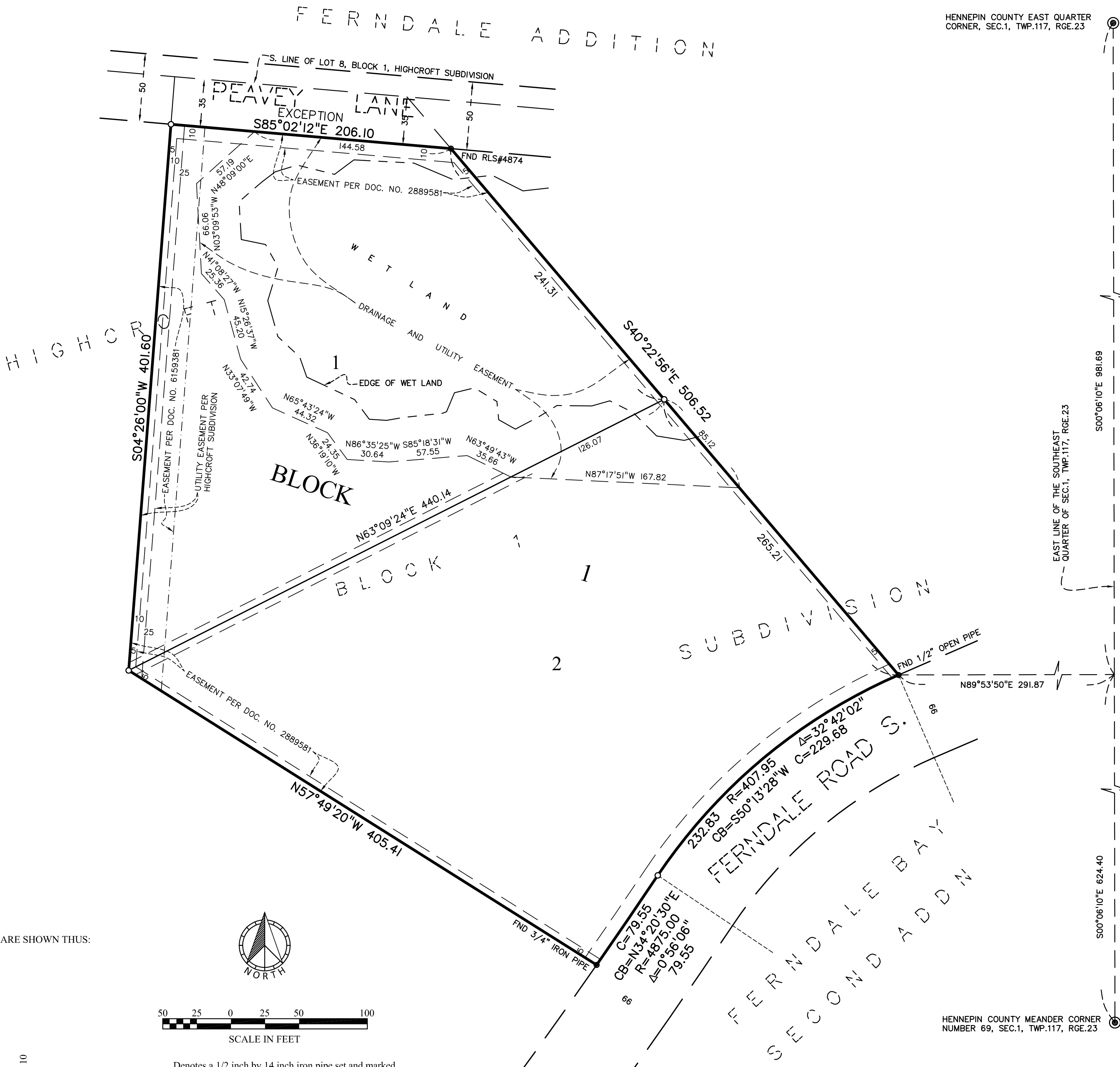
By: _____

REGISTRAR OF TITLES HENNEPIN COUNTY, MINNESOTA

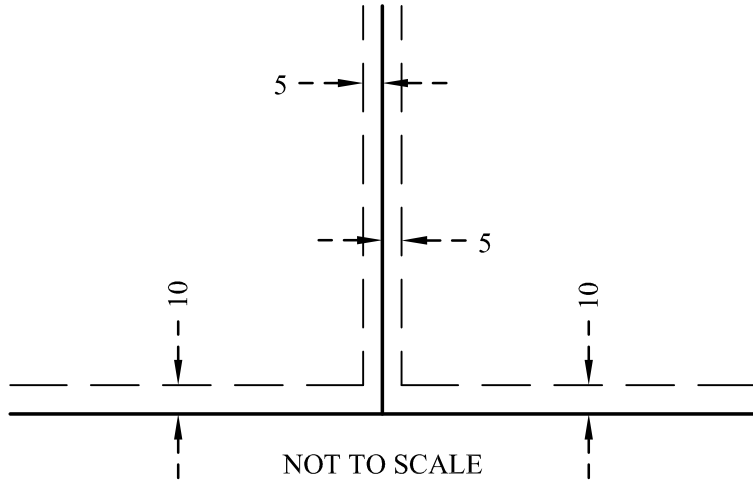
I hereby certify that the within plat of ANKENY ADDITION was filed in this office this _____ day of _____, 201__, at _____ o'clock ____ M.

Martin McCormick, Registrar of Titles

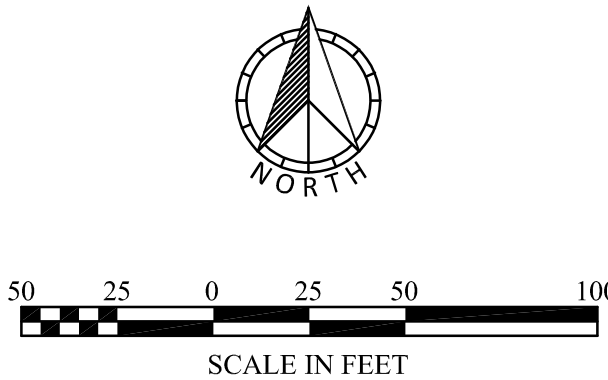
By: _____, Deputy



DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

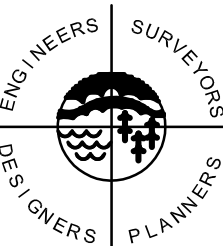


Being 5 feet in width and adjoining lot lines, unless otherwise indicated, and 10 feet in width and adjoining right of way lines, unless otherwise indicated, as shown on the plat.



- Denotes a 1/2 inch by 14 inch iron pipe set and marked by License No. 40344.
- Denotes a found iron pipe as denoted
- ⊙ Denotes a Found Cast-Iron-Monument

The basis for the bearing system is the east line of the Southeast Quarter of Section 01, Township 117, Range 23 which is assumed to bear South 00 degrees 06 minutes 10 seconds East



SATHRE-BERGQUIST, INC.

Minnesota Wetland Conservation Act

Notice of Application

Local Government Unit (LGU) City of Wayzata	Address 600 Rice Street East Wayzata, MN 55391
---	--

1. PROJECT INFORMATION

Applicant Name Phil Ankeny	Project Name 353 Ferndale Road South	Date of Application 11/28/2018	Application Number 2018-03
--------------------------------------	--	--	--------------------------------------

Type of Application (check all that apply):

☒ Wetland Boundary or Type	☐ No-Loss	☐ Exemption	☐ Sequencing
☐ Replacement Plan	☐ Banking Plan		

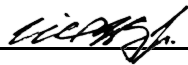
Summary and description of proposed project (attach additional sheets as necessary):

The applicant requested review of a wetland boundary determination.

2. APPLICATION REVIEW AND DECISION

Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 3 provides notice that an application was made to the LGU under the Wetland Conservation Act as specified above. A copy of the application is attached. Comments can be submitted to:

Name and Title of LGU Contact Person Mike Kelly City Engineer/Director of Public Works	Comments must be received by (minimum 15 business-day comment period): December 18, 2018
Address (if different than LGU)	Date, time, and location of decision: December 19, 2018 Wayzata Public Works
Phone Number and E-mail Address 952-404-5316 mike@wayzata.org	Decision-maker for this application: ☒ Staff ☐ Governing Board or Council

Signature:  Date: 11/28/2018

3. LIST OF ADDRESSEES

- ☒ SWCD TEP member: **Ms. Stacey Lijewski**
- ☒ BWSR TEP member: **Mr. Ben Meyer**
- ☒ LGU TEP member (if different than LGU Contact): **John Smyth, Stantec**
- ☒ DNR TEP member: **Mr. Jason Spiegel**
- ☒ DNR Regional Office (if different than DNR TEP member)
- ☒ WD or WMO (if applicable): **WCA Representative (permits office)**
- ☒ Applicant (notice only) and Landowner (if different)
- ☒ Members of the public who requested notice (notice only):
Phil Ankeny
Kyle Uhler
- ☒ Corps of Engineers Project Manager (notice only)
- ☐ BWSR Wetland Bank Coordinator (wetland bank plan applications only)

4. MAILING INFORMATION

- For a list of BWSR TEP representatives: www.bwsr.state.mn.us/contact/WCA_areas.pdf
- For a list of DNR TEP representatives: www.bwsr.state.mn.us/wetlands/wca/DNR_TEP_contacts.pdf
- Department of Natural Resources Regional Offices:

NW Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 2115 Birchmont Beach Rd. NE Bemidji, MN 56601	NE Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 1201 E. Hwy. 2 Grand Rapids, MN 55744	Central Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 1200 Warner Road St. Paul, MN 55106	Southern Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 261 Hwy. 15 South New Ulm, MN 56073
--	--	---	--

For a map of DNR Administrative Regions, see: http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf

- For a list of Corps of Project Managers: www.mvp.usace.army.mil/regulatory/default.asp?pageid=687
or send to:

➤
US Army Corps of Engineers
St. Paul District, ATTN: OP-R
180 Fifth St. East, Suite 700
St. Paul, MN 55101-1678

- For Wetland Bank Plan applications, also send a copy of the application to:
Minnesota Board of Water and Soil Resources
Wetland Bank Coordinator
520 Lafayette Road North
St. Paul, MN 55155

5. ATTACHMENTS

In addition to the application, list any other attachments:

- ☒ **Wetland Delineation Report**
- ☐
- ☐
- ☐
- ☐

353 Ferndale Road S.

Wayzata, Hennepin County, Minnesota

Wetland Delineation Report

Prepared for

Philip Ankeny

by

Kjolhaug Environmental Services Company, Inc.

(KES Project No. 2018-126)

October 25, 2018

353 Ferndale Road S.

Wayzata, Hennepin County, Minnesota

Wetland Delineation Report

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Title	Page
1. WETLAND DELINEATION SUMMARY	1
2. OVERVIEW	2
3. METHODS	2
4. RESULTS	3
4.1 Review of NWI, Soils, Public Waters and NHD Information	3
4.2 Wetland Determinations and Delineations.....	4
4.3 Other Areas	4
4.4 Request for Wetland Boundary and Jurisdictional Determination	4
5. CERTIFICATION OF DELINEATION.....	5

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Table 1. Soil types mapped on the 353 Ferndale Road S.	3
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FIGURES

1. Site Location
2. Existing Conditions
3. National Wetlands Inventory
4. Soil Survey
5. DNR Public Waters Inventory
6. National Hydrography Dataset

APPENDICES

- A. Joint Application Form for Activities Affecting Water Resources in Minnesota
- B. Wetland Delineation Data Forms
- C. Precipitation Data

353 Ferndale Road S.

Wayzata, Hennepin County, Minnesota

Wetland Delineation Report

1. WETLAND DELINEATION SUMMARY

- The 4.7-acre 353 Ferndale Road S. site was inspected on September 17, 2018 for the presence and extent of wetland.
- The National Wetlands Inventory (NWI) map showed one PEMC wetland within the site boundary.
- The soil survey showed that hydric soils were mapped within the project boundary and included Biscay clay loam soils.
- The DNR Public Waters Inventory showed one unnamed Public Wetland (27-845 W) located within the project boundaries and Lake Minnetonka (DNR Public Water 27-133-02 P) located approximately 630 feet southeast of the site.
- The National Hydrography Dataset did not show any surface water features within the site boundary.
- One Type 3 (PEM1C) shallow marsh wetland was identified and delineated within the property boundary. It was dominated by reed canary grass and cattails. The wetland extended off site to the east.

2. OVERVIEW

The 4.7-acre 353 Ferndale Road S. site was inspected on September 17, 2018 for the presence and extent of wetland. The property was located in the Southeast $\frac{1}{4}$ of Section 01, Township 117 North, Range 23 West, City of Wayzata, Hennepin County, Minnesota. The site was situated west of Ferndale Road South and south of Peavey Lane (**Figure 1**). The property corresponded to Hennepin County PID 0111723410016.

The site consisted of a single-family lot that sloped downhill to the north-northeast to the one delineated wetland. The lot was partially forested consisting of both broadleaf and conifer trees. The topography sloped from an elevation of 993 feet msl in the south portion of the site down to a low of 948 feet msl in the northeastern part of the site and wetland 1.

The property was bordered on the north by Peavey Lane, on the east by Ferndale Road and single-family homes, and on the west and south by single-family homes.

One wetland was delineated within the site boundary. The delineated wetland boundary and existing conditions are shown on **Figure 2**.

Appendix A of this report includes a Joint Application Form for Activities Affecting Water Resources in Minnesota, which is submitted in request for: (1) a wetland boundary and type determination under the Minnesota Wetland Conservation Act (WCA), and (2) delineation concurrence Section 404 of the Federal Clean Water Act.

3. METHODS

Wetlands were identified using the Routine Determination method described in the [Corps of Engineers Wetlands Delineation Manual](#) (Waterways Experiment Station, 1987) and the [Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region](#) (Version 2.0) as required under Section 404 of the Clean Water Act and the Minnesota Wetland Conservation Act.

Wetland boundaries were identified as the upper-most extent of wetland that met criteria for hydric soils, hydrophytic vegetation, and wetland hydrology. Wetland-upland boundaries were marked with pin flags that were located by land surveyors from Sathre- Bergquist, Inc. Boundaries shown on Figure 2 were acquired with a Trimble Juno and are approximate.

Soils, vegetation, and hydrology were documented at a representative location along the wetland-upland boundary. Plant species dominance was estimated based on the percent aerial or basal coverage visually estimated within a 30-foot radius for trees and vines, a 15-foot radius for the shrub layer, and a 5-foot radius for the herbaceous layer within the community type sampled.

Soils were characterized to a minimum depth of 24 inches (unless otherwise noted) using a [Munsell Soil Color Book](#) and standard soil texturing methodology. Hydric soil indicators used are from [Field Indicators of Hydric Soils in the United States](#) (USDA Natural Resources

Conservation Service (NRCS) in cooperation with the National Technical Committee for Hydric Soils, Version 7, 2010).

Plants were identified using standard regional plant keys. Taxonomy and indicator status of plant species was taken from the [2015 National Wetland Plant List](#) (U.S. Army Corps of Engineers 2014. National Wetland Plant List, version 3.2, Engineer Research and Development Center, Cold Regions Research and Engineering Laboratory, Hanover, NH).

4. RESULTS

4.1 Review of NWI, Soils, Public Waters and NHD Information

The [National Wetlands Inventory \(NWI\)](#) (Minnesota Geospatial Commons 2009-2014 and [U.S. Fish and Wildlife Service](#)) showed one PEM1C wetland within the site boundary (**Figure 3**).

The [Soil Survey](#) (USDA NRCS 2015) showed that soil hydric and partially hydric soil types on and near the property included Biscay clay loam soils. Non-hydric soils included Malardi-Hawick complex, Udorthents, and Urban land-Udipsamments. Soil types mapped on the property are listed in **Table 1** and a map showing soil types is included in **Figure 4**.

Table 1. Soil types mapped on the 353 Ferndale Road S. site

Symbol	Soil Name	Acres	% of Area	% Hydric	Hydric Category
L6A	Biscay clay loam, 0 to 2 percent slopes	0.9	19.1	100	Hydric
U4A	Urban land-Udipsamments (cut and land fill) complex, 0 to 2 percent slopes	0.04	0.9	0	Non- hydric
U2A	Udorthents, wet substratum, 0 to 2 percent slopes	0.7	14.9	0	Non-hydric
L2E	Malardi-Hawick complex, 18 to 35 percent slopes	1.8	38.3	0	Non-hydric
L2C	Malardi-Hawick complex, 6 to 12 percent slopes	0.76	16.2	0	Non-hydric
L2B	Malardi-Hawick complex, 1 to 6 percent slopes	0.5	10.6	0	Non-hydric

The [Minnesota DNR Public Waters Inventory](#) (Minnesota Department of Natural Resources 2015) showed unnamed DNR Public Waters Wetland 27-845W located in the northern portion of the site. It also showed Minnetonka – Lower Lake DNR Public Waters (27-133-2 P) 640 feet to the southeast (**Figure 5**).

The [National Hydrography Dataset](#) (U.S. Geological Survey 2015) showed one small unnamed pond located approximately 140 feet east of the site boundary (**Figure 6**).

4.2 Wetland Determinations and Delineations

Potential wetlands were evaluated during field observations on September 17, 2018. One wetland was identified and delineated on the property (**Figure 2**). Corresponding data forms are included in **Appendix B**. The following description of the wetland and adjacent upland reflects conditions observed at the time of the field visit. Herbaceous vegetation was actively growing at the time of the wetland delineation. Precipitation conditions were normal based on the gridded precipitation data worksheet and were below the normal range based on the 30-day rolling precipitation total (**Appendix D**) and field observations.

Wetland 1 was a Type 3 (PEM1C) shallow marsh wetland dominated by a fringe reed canary grass and stinging nettles with a central area dominated by cattail. Surface saturation was observed in the central portion of the wetland. This wetland covered 0.84 acres within the property boundary.

The adjacent upland was dominated by common buckthorn with patches of Canada thistle. No primary or secondary indicators of wetland hydrology were observed in the upland.

The delineated boundary followed a transition from reed canary grass, stinging nettle, and jewelweed in a depressional basin to a sloping healthy common buckthorn and sumac forest. Wetland 1 corresponded to a PEM1C wetland on the NWI map and was located in an area partially mapped as hydric Biscay clay loam on the soil survey. Wetland 1 continues offsite to the east.

4.3 Other Areas

No other areas with hydrophytic vegetation or wetland hydrology were observed on the site. No other areas were shown as hydric soil on the soil survey or as wetland on the NWI map.

4.4 Request for Wetland Boundary and Jurisdictional Determination

Appendix A of this report includes a Joint Application Form for Activities Affecting Water Resources in Minnesota, which is submitted in request for: (1) a wetland boundary and type determination under the Minnesota Wetland Conservation Act (WCA), and (2) delineation concurrence and Section 404 of the Federal Clean Water Act.

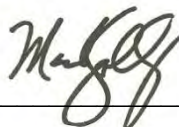
5. CERTIFICATION OF DELINEATION

The procedures utilized in the described delineation are based on the U.S. Army Corps of Engineers 1987 Wetlands Delineation Manual as required under Section 404 of the Clean Water Act and the Minnesota Wetland Conservation Act. This wetland delineation and report were prepared in compliance with the regulatory standards in place at the time the work was performed.

Site boundaries indicated on figures within this report are approximate and do not constitute an official survey product.

Delineation completed by: Kyle Uhler

Report prepared by: Kyle Uhler, Project Assistant

Report reviewed by:  _____ Date: October 25, 2018
Mark Kjolhaug, Professional Wetland Scientist No. 000845

353 Ferndale Road South

Wetland Delineation Report

FIGURES

1. Site Location
2. Existing Conditions
3. National Wetlands Inventory
4. Soil Survey
5. DNR Protected Waters Inventory
6. National Hydrography Dataset

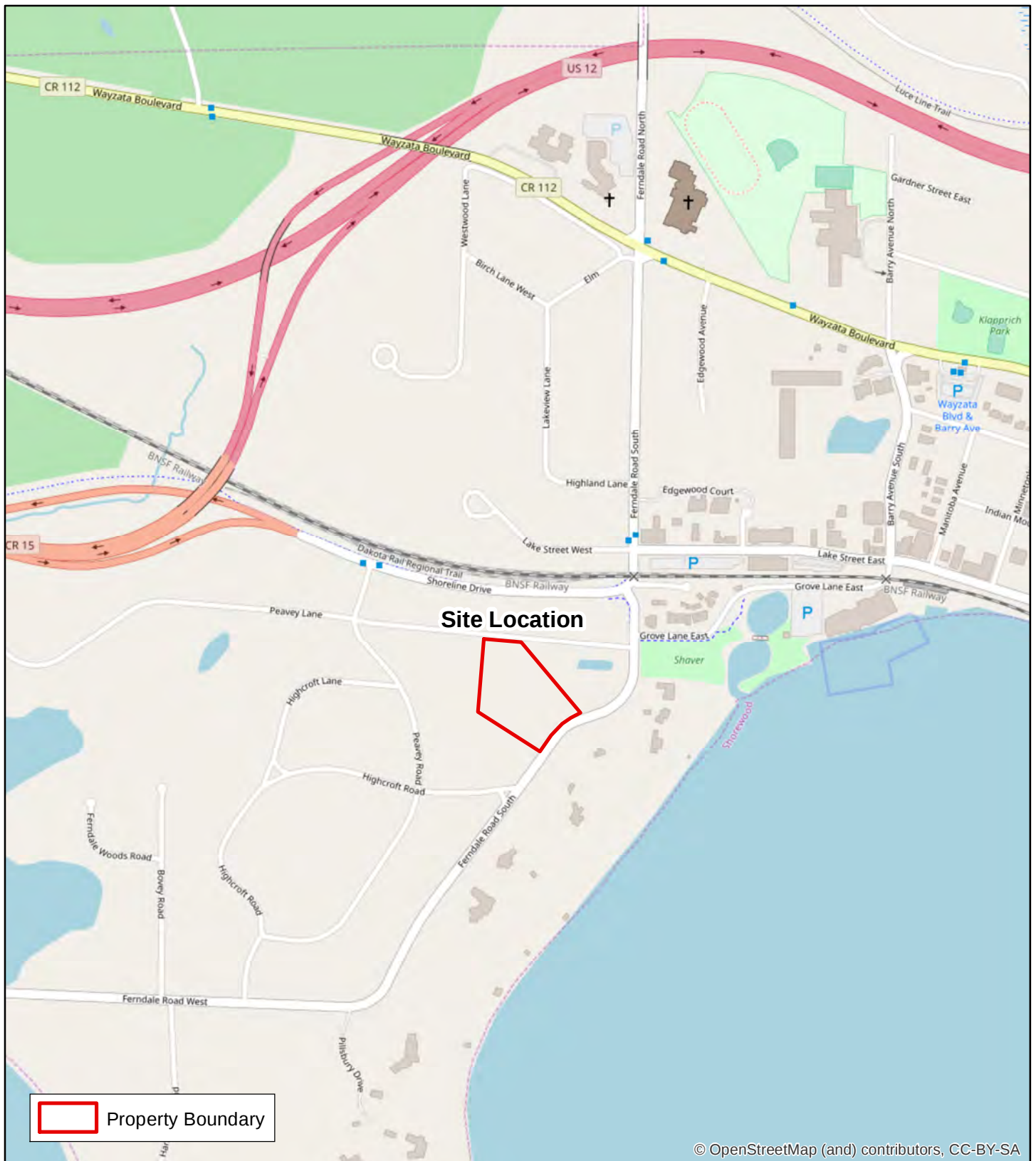


Figure 1 - Site Location Map



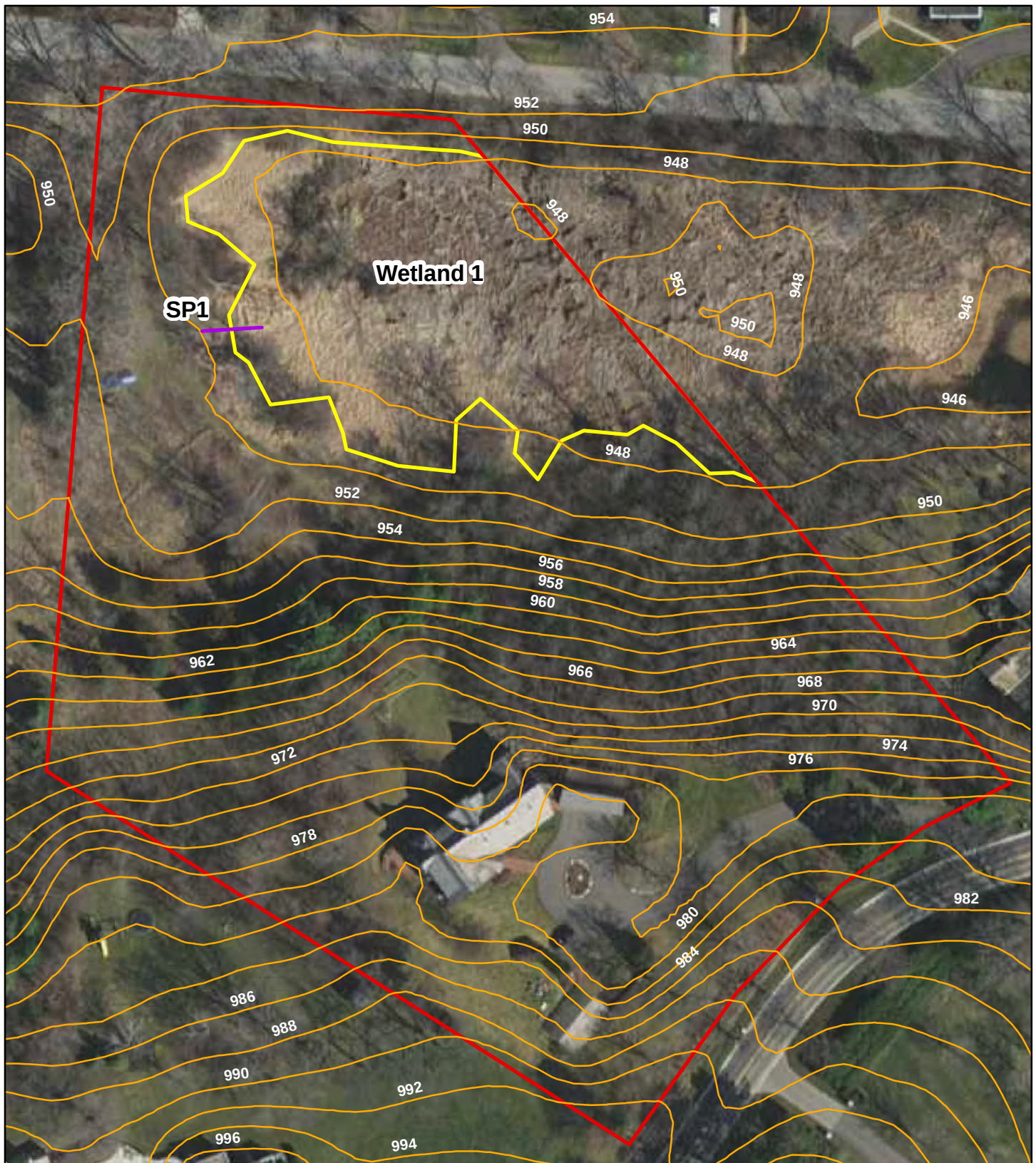


Figure 2 - Existing Conditions



KJOLHAUG ENVIRONMENTAL SERVICES COMPANY
Source: MNGEO Spatial Commons

N

0 80 Feet

353 Ferndale Rd S. (KES 2018-126)
Wayzata, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.



Figure 3 - National Wetlands Inventory



KJØLHAUG ENVIRONMENTAL SERVICES COMPANY

Source: MNGEO Spatial Commons, USFWS

N



0 250 Feet



353 Ferndale Rd S. (KES 2018-126)
Wayzata, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

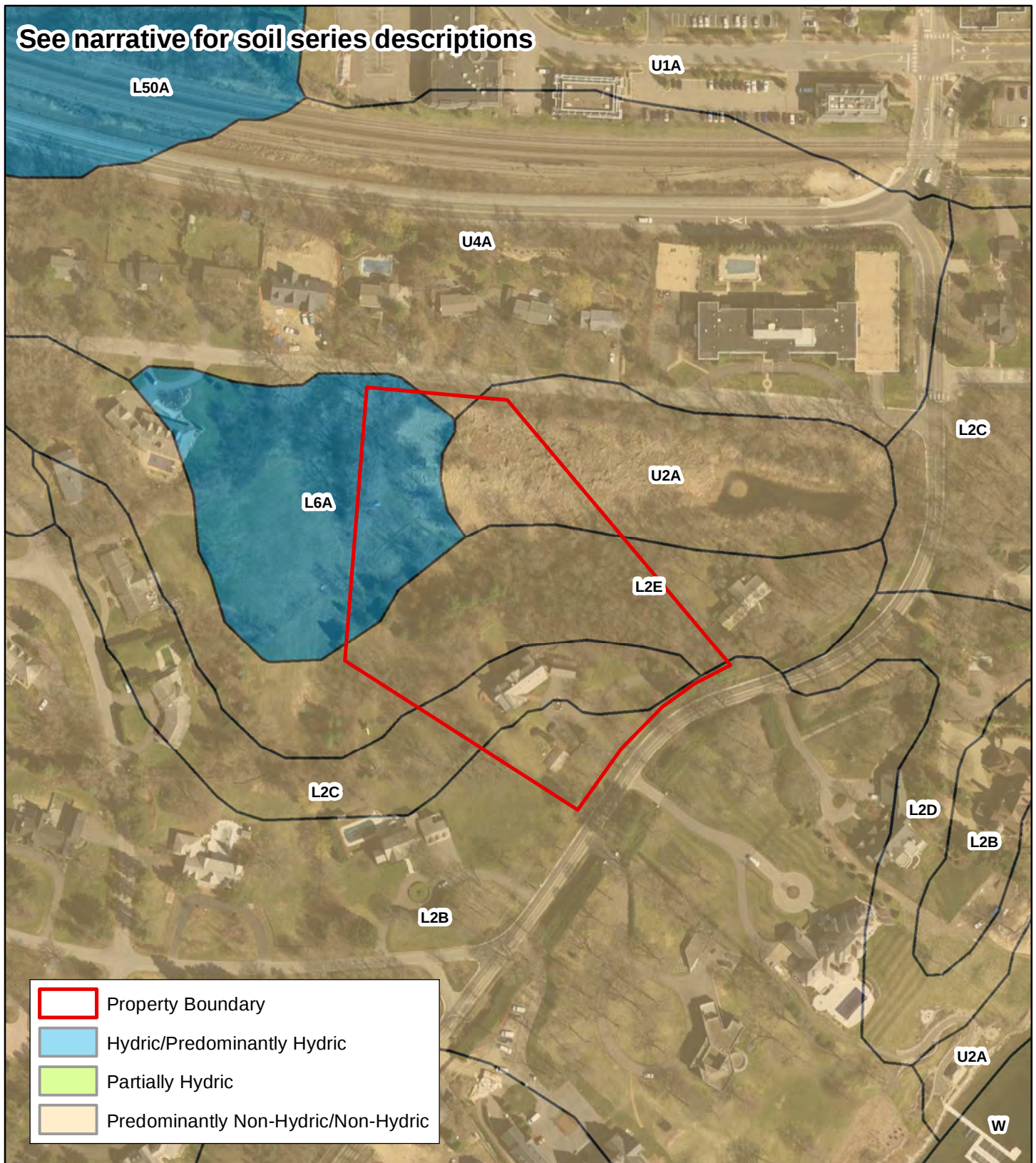


Figure 4 - Soil Survey



KJØLHAUG ENVIRONMENTAL SERVICES COMPANY

Source: MNGEO Spatial Commons, USDA, NRCS

N



0 200 Feet



353 Ferndale Rd S. (KES 2018-126)
Wayzata, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.



Figure 5 - DNR Public Waters Inventory



KJØLHAUG ENVIRONMENTAL SERVICES COMPANY

Source: MNGEO Spatial Commons, MN DNR

N



0 300 Feet



353 Ferndale Rd S. (KES 2018-126)
Wayzata, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.



Figure 6 - National Hydrography Dataset



KJOLHAUG ENVIRONMENTAL SERVICES COMPANY

Source: MNGEO Spatial Commons, USGS

0 300
Feet

353 Ferndale Rd S. (KES 2018-126)
Wayzata, Minnesota

Note: Boundaries indicated on this figure are approximate and do not constitute an official survey product.

353 Ferndale Road South

Wetland Delineation Report

APPENDIX A

Joint Application Form for Activities Affecting Water Resources in Minnesota

Joint Application Form for Activities Affecting Water Resources in Minnesota

This joint application form is the accepted means for initiating review of proposals that may affect a water resource (wetland, tributary, lake, etc.) in the State of Minnesota under state and federal regulatory programs. Applicants for Minnesota Department of Natural Resources (DNR) Public Waters permits **MUST** use the MPARS online permitting system for submitting applications to the DNR. Applicants can use the information entered into MPARS to substitute for completing parts of this joint application form (see the paragraph on MPARS at the end of the joint application form instructions for additional information). This form is only applicable to the water resource aspects of proposed projects under state and federal regulatory programs; other local applications and approvals may be required. Depending on the nature of the project and the location and type of water resources impacted, multiple authorizations may be required as different regulatory programs have different types of jurisdiction over different types of resources.

Regulatory Review Structure

Federal

The St. Paul District of the U.S. Army Corps of Engineers (Corps) is the federal agency that regulates discharges of dredged or fill material into waters of the United States (wetlands, tributaries, lakes, etc.) under Section 404 of the Clean Water Act (CWA) and regulates work in navigable waters under Section 10 of the Rivers and Harbors Act. Applications are assigned to Corps project managers who are responsible for implementing the Corps regulatory program within a particular geographic area.

State

There are three state regulatory programs that regulate activities affecting water resources. The Wetland Conservation Act (WCA) regulates most activities affecting wetlands. It is administered by local government units (LGUs) which can be counties, townships, cities, watershed districts, watershed management organizations or state agencies (on state-owned land). The Minnesota DNR Division of Ecological and Water Resources issues permits for work in specially-designated public waters via the Public Waters Work Permit Program (DNR Public Waters Permits). The Minnesota Pollution Control Agency (MPCA) under Section 401 of the Clean Water Act certifies that discharges of dredged or fill material authorized by a federal permit or license comply with state water quality standards. One or more of these regulatory programs may be applicable to any one project.

Required Information

Prior to submitting an application, applicants are **strongly encouraged** to seek input from the Corps Project Manager and LGU staff to identify regulatory issues and required application materials for their proposed project. Project proponents can request a pre-application consultation with the Corps and LGU to discuss their proposed project by providing the information required in Sections 1 through 5 of this joint application form to facilitate a meaningful discussion about their project. Many LGUs provide a venue (such as regularly scheduled technical evaluation panel meetings) for potential applicants to discuss their projects with multiple agencies prior to submitting an application. Contact information is provided below.

The following bullets outline the information generally required for several common types of determinations/authorizations.

- For delineation approvals and/or jurisdictional determinations, submit Parts 1, 2 and 5, and Attachment A.
- For activities involving CWA/WCA exemptions, WCA no-loss determinations, and activities not requiring mitigation, submit Parts 1 through 5, and Attachment B.
- For activities requiring compensatory mitigation/replacement plan, submit Parts 1 thru 5, and Attachments C and D.
- For local road authority activities that qualify for the state's local road wetland replacement program, submit Parts 1 through 5, and Attachments C, D (if applicable), and E to both the Corps and the LGU.

Submission Instructions

Send the completed joint application form and all required attachments to:

U.S Army Corps of Engineers. Applications may be sent directly to the appropriate Corps Office. For a current listing of areas of responsibilities and contact information, visit the St. Paul District's website at:

<http://www.mvp.usace.army.mil/Missions/Regulatory.aspx> and select "Minnesota" from the contact Information box.

Alternatively, applications may be sent directly to the St. Paul District Headquarters and the Corps will forward them to the appropriate field office.

Section 401 Water Quality Certification: Applicants do not need to submit the joint application form to the MPCA unless specifically requested. The MPCA will request a copy of the completed joint application form directly from an applicant when they determine an individual 401 water quality certification is required for a proposed project.

Wetland Conservation Act Local Government Unit: Send to the appropriate Local Government Unit. If necessary, contact your county Soil and Water Conservation District (SWCD) office or visit the Board of Water and Soil Resources (BWSR) web site (www.bwsr.state.mn.us) to determine the appropriate LGU.

DNR Public Waters Permitting: In 2014 the DNR will begin using the Minnesota DNR Permitting and Reporting System (MPARS) for submission of Public Waters permit applications (<https://webapps11.dnr.state.mn.us/mpars/public/authentication/login>).

Applicants for Public Waters permits **MUST** use the MPARS online permitting system for submitting applications to the DNR. To avoid duplication and to streamline the application process among the various resource agencies, applicants can use the information entered into MPARS to substitute for completing parts of this joint application form. The MPARS print/save function will provide the applicant with a copy of the Public Waters permit application which, at a minimum, will satisfy Parts one and two of this joint application. For certain types of activities, the MPARS application may also provide all of the necessary information required under Parts three and four of the joint application. However, it is the responsibility of the Applicant to make sure that the joint application contains all of the required information, including identification of all aquatic resources impacted by the project (see Part four of the joint application). After confirming that the MPARS application contains all of the required information in Parts one and two the Applicant may attach a copy to the joint application and fill in any missing information in the remainder of the joint application.

PART ONE: Applicant Information

If applicant is an entity (company, government entity, partnership, etc.), an authorized contact person must be identified. If the applicant is using an agent (consultant, lawyer, or other third party) and has authorized them to act on their behalf, the agent's contact information must also be provided.

Applicant/Landowner Name: Philip and Susan Ankeny
Mailing Address: 353 Ferndale Road South, Wayzata, MN 55391
Phone: 952-473-6844
E-mail Address: philankenym@msn.com

Authorized Contact (do not complete if same as above):

Mailing Address:
Phone:
E-mail Address:

Agent Name: Kyle Uhler
Mailing Address: 2500 Shadywood Road #130, Orono MN 55331
Phone: 952-401-8757 Ext. #106
E-mail Address: Kyle@kjolhaugenv.com

PART TWO: Site Location Information

County: Hennepin **City/Township:** Wayzata
Parcel ID and/or Address: 0111723410016
Legal Description (Section, Township, Range): S:01 T:117N R:23W
Lat/Long (decimal degrees):
Attach a map showing the location of the site in relation to local streets, roads, highways.
Approximate size of site (acres) or if a linear project, length (feet): 4.7

If you know that your proposal will require an individual Permit from the U.S. Army Corps of Engineers, you must provide the names and addresses of all property owners adjacent to the project site. This information may be provided by attaching a list to your application or by using block 25 of the Application for Department of the Army permit which can be obtained at:

http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/engform_4345_2012oct.pdf

PART THREE: General Project/Site Information

If this application is related to a delineation approval, exemption determination, jurisdictional determination, or other correspondence submitted **prior to** this application then describe that here and provide the Corps of Engineers project number.

Describe the project that is being proposed, the project purpose and need, and schedule for implementation and completion. The project description must fully describe the nature and scope of the proposed activity including a description of all project elements that effect aquatic resources (wetland, lake, tributary, etc.) and must also include plans and cross section or profile drawings showing the location, character, and dimensions of all proposed activities and aquatic resource impacts.

PART FOUR: Aquatic Resource Impact¹ Summary

If your proposed project involves a direct or indirect impact to an aquatic resource (wetland, lake, tributary, etc.) identify each impact in the table below. Include all anticipated impacts, including those expected to be temporary. Attach an overhead view map, aerial photo, and/or drawing showing all of the aquatic resources in the project area and the location(s) of the proposed impacts. Label each aquatic resource on the map with a reference number or letter and identify the impacts in the following table.

Aquatic Resource ID (as noted on overhead view)	Aquatic Resource Type (wetland, lake, tributary etc.)	Type of Impact (fill, excavate, drain, or remove vegetation)	Duration of Impact Permanent (P) or Temporary (T) ¹	Size of Impact ²	Overall Size of Aquatic Resource ³	Existing Plant Community Type(s) in Impact Area ⁴	County, Major Watershed #, and Bank Service Area # of Impact Area ⁵

¹If impacts are temporary; enter the duration of the impacts in days next to the "T". For example, a project with a temporary access fill that would be removed after 220 days would be entered "T (220)".

²Impacts less than 0.01 acre should be reported in square feet. Impacts 0.01 acre or greater should be reported as acres and rounded to the nearest 0.01 acre. Tributary impacts must be reported in linear feet of impact and an area of impact by indicating first the linear feet of impact along the flowline of the stream followed by the area impact in parentheses). For example, a project that impacts 50 feet of a stream that is 6 feet wide would be reported as 50 ft (300 square feet).

³This is generally only applicable if you are applying for a de minimis exemption under MN Rules 8420.0420 Subp. 8, otherwise enter "N/A".

⁴Use *Wetland Plants and Plant Community Types of Minnesota and Wisconsin* 3rd Ed. as modified in MN Rules 8420.0405 Subp. 2.

⁵Refer to Major Watershed and Bank Service Area maps in MN Rules 8420.0522 Subp. 7.

If any of the above identified impacts have already occurred, identify which impacts they are and the circumstances associated with each:

PART FIVE: Applicant Signature

☐ Check here if you are requesting a pre-application consultation with the Corps and LGU based on the information you have provided. Regulatory entities will not initiate a formal application review if this box is checked.

By signature below, I attest that the information in this application is complete and accurate. I further attest that I possess the authority to undertake the work described herein.

Signature:

Philip D. Aubrey

Date: 10-22-18

I hereby authorize KES to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this application.

[Signature]

¹ The term "impact" as used in this joint application form is a generic term used for disclosure purposes to identify activities that may require approval from one or more regulatory agencies. For purposes of this form it is not meant to indicate whether or not those activities may require mitigation/replacement.

Attachment A

Request for Delineation Review, Wetland Type Determination, or Jurisdictional Determination

By submission of the enclosed wetland delineation report, I am requesting that the U.S. Army Corps of Engineers, St. Paul District (Corps) and/or the Wetland Conservation Act Local Government Unit (LGU) provide me with the following (check all that apply):

☒ **Wetland Type Confirmation**

☒ **Delineation Concurrence.** Concurrence with a delineation is a written notification from the Corps and a decision from the LGU concurring, not concurring, or commenting on the boundaries of the aquatic resources delineated on the property. Delineation concurrences are generally valid for five years unless site conditions change. Under this request alone, the Corps will not address the jurisdictional status of the aquatic resources on the property, only the boundaries of the resources within the review area (including wetlands, tributaries, lakes, etc.).

☐ **Preliminary Jurisdictional Determination.** A preliminary jurisdictional determination (PJD) is a non-binding written indication from the Corps that waters, including wetlands, identified on a parcel may be waters of the United States. For purposes of computation of impacts and compensatory mitigation requirements, a permit decision made on the basis of a PJD will treat all waters and wetlands in the review area as if they are jurisdictional waters of the U.S. PJDs are advisory in nature and may not be appealed.

☐ **Approved Jurisdictional Determination.** An approved jurisdictional determination (AJD) is an official Corps determination that jurisdictional waters of the United States are either present or absent on the property. AJDs can generally be relied upon by the affected party for five years. An AJD may be appealed through the Corps administrative appeal process.

In order for the Corps and LGU to process your request, the wetland delineation must be prepared in accordance with the 1987 Corps of Engineers Wetland Delineation Manual, any approved Regional Supplements to the 1987 Manual, and the *Guidelines for Submitting Wetland Delineations in Minnesota* (2013).

<http://www.mvp.usace.army.mil/Missions/Regulatory/DelineationJDGuidance.aspx>

353 Ferndale Road South

Wetland Delineation Report

APPENDIX B

Wetland Delineation Data Forms

WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site 353 Ferndale Road South City/County: Wayzata/ Hennepin Sampling Date: 9/17/2018
 Applicant/Owner: Phil Ankeny State: MN Sampling Point: SP1-1W
 Investigator(s): K. Uhler Section, Township, Range: S01, T117N, R23W
 Landform (hillslope, terrace, etc.): Depression Local relief (concave, convex, none): Concave
 Slope (%): 0 to 1 Lat: Long: Datum:
 Soil Map Unit Name Biscay clay loam NWI Classification: PEM1C

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)
 Are vegetation , soil , or hydrology significantly disturbed? Are "normal circumstances" present? Yes
 Are vegetation , soil , or hydrology naturally problematic? (If needed, explain any answers in remarks.)

SUMMARY OF FINDINGS

Hydrophytic vegetation present?	<u>Y</u>	Is the sampled area within a wetland? <u>Y</u> If yes, optional wetland site ID: <u>Wetland 1</u>
Hydric soil present?	<u>Y</u>	
Indicators of wetland hydrology present?	<u>Y</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

30-day precipitation rolling average within normal range.

VEGETATION -- Use scientific names of plants.

Tree Stratum	(Plot size: <u>30 ft Radius</u>)	Absolute % Cover	Dominant Species	Indicator Status	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across all Strata: <u>3</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
1					
2					
3					
4					
5					
		<u>0</u>	= Total Cover		Prevalence Index Worksheet Total % Cover of: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>100</u> x 2 = <u>200</u> FAC species <u>0</u> x 3 = <u>0</u> FACU species <u>0</u> x 4 = <u>0</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>100</u> (A) <u>200</u> (B) Prevalence Index = B/A = <u>2.00</u>
Sapling/Shrub stratum	(Plot size: <u>15 ft Radius</u>)				
1					
2					
3					
4					
5					
		<u>0</u>	= Total Cover		
Herb stratum	(Plot size: <u>5 ft Radius</u>)				Hydrophytic Vegetation Indicators: <u></u> Rapid test for hydrophytic vegetation <u>X</u> Dominance test is >50% <u>X</u> Prevalence index is ≤3.0* Morphological adaptations* (provide supporting data in Remarks or on a separate sheet) Problematic hydrophytic vegetation* (explain) *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
1	<u>Urtica dioica</u>	<u>40</u>	<u>Y</u>	<u>FACW</u>	
2	<u>Impatiens capensis</u>	<u>35</u>	<u>Y</u>	<u>FACW</u>	
3	<u>Phalaris arundinacea</u>	<u>25</u>	<u>Y</u>	<u>FACW</u>	
4					
5					
6					
7					
8					
9					
		<u>100</u>	= Total Cover		
Woody vine stratum	(Plot size: <u>30 ft Radius</u>)				Hydrophytic vegetation present? <u>Y</u>
1					
2					
		<u>0</u>	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)

SOIL

Sampling Point: SP1-1W

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-8	10YR2/2	100					Loamy sand	
8-24	10YR4/2	70	10YR4/6	20	C	M	Loamy sand	
	10YR2/2	10						

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:

- ☐ Histisol (A1)
☐ Histic Epipedon (A2)
☐ Black Histic (A3)
☐ Hydrogen Sulfide (A4)
☐ Stratified Layers (A5)
☐ 2 cm Muck (A10)
☒ Depleted Below Dark Surface (A11)
☐ Thick Dark Surface (A12)
☐ Sandy Mucky Mineral (S1)
☐ 5 cm Mucky Peat or Peat (S3)
- ☐ Sandy Gleyed Matrix (S4)
☐ Sandy Redox (S5)
☐ Stripped Matrix (S6)
☐ Loamy Mucky Mineral (F1)
☐ Loamy Gleyed Matrix (F2)
☐ Depleted Matrix (F3)
☐ Redox Dark Surface (F6)
☐ Depleted Dark Surface (F7)
☐ Redox Depressions (F8)

Indicators for Problematic Hydric Soils:

- ☐ Coast Prairie Redox (A16) (LRR K, L, R)
☐ Dark Surface (S7) (LRR K, L)
☐ Iron-Manganese Masses (F12) (LRR K, L, R)
☐ Very Shallow Dark Surface (TF12)
☐ Other (explain in remarks)

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):

Type: _____
 Depth (inches): _____

Hydric soil present? Y

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ☐ Surface Water (A1)
☐ High Water Table (A2)
☐ Saturation (A3)
☐ Water Marks (B1)
☐ Sediment Deposits (B2)
☐ Drift Deposits (B3)
☐ Algal Mat or Crust (B4)
☐ Iron Deposits (B5)
☐ Inundation Visible on Aerial Imagery (B7)
☐ Sparsely Vegetated Concave Surface (B8)
☐ Water-Stained Leaves (B9)

- ☐ Aquatic Fauna (B13)
☐ True Aquatic Plants (B14)
☐ Hydrogen Sulfide Odor (C1)
☐ Oxidized Rhizospheres on Living Roots (C3)
☐ Presence of Reduced Iron (C4)
☐ Recent Iron Reduction in Tilled Soils (C6)
☐ Thin Muck Surface (C7)
☐ Gauge or Well Data (D9)
☐ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ☐ Surface Soil Cracks (B6)
☐ Drainage Patterns (B10)
☐ Dry-Season Water Table (C2)
☐ Crayfish Burrows (C8)
☐ Saturation Visible on Aerial Imagery (C9)
☐ Stunted or Stressed Plants (D1)
☒ Geomorphic Position (D2)
☒ FAC-Neutral Test (D5)

Field Observations:

Surface water present? Yes ☐ No ☒ Depth (inches): _____
 Water table present? Yes ☐ No ☒ Depth (inches): _____
 Saturation present? Yes ☐ No ☒ Depth (inches): _____
 (includes capillary fringe)

Indicators of wetland hydrology present? Y

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM - Midwest Region

Project/Site 353 Ferndale Road South City/County: Wayzata/ Hennepin Sampling Date: 9/17/2018
 Applicant/Owner: Phil Ankeny State: MN Sampling Point: SP1-1U
 Investigator(s): K. Uhler Section, Township, Range: S01, T117N, R23W
 Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex
 Slope (%): 2 to 4 Lat: _____ Long: _____ Datum: _____
 Soil Map Unit Name Biscay clay loam NWI Classification: None

Are climatic/hydrologic conditions of the site typical for this time of the year? Y (If no, explain in remarks)
 Are vegetation _____, soil _____, or hydrology _____ significantly disturbed? Are "normal circumstances" present? Yes
 Are vegetation _____, soil _____, or hydrology _____ naturally problematic? (If needed, explain any answers in remarks.)

SUMMARY OF FINDINGS

Hydrophytic vegetation present? <u>N</u>	Is the sampled area within a wetland? <u>N</u> If yes, optional wetland site ID: _____
Hydric soil present? <u>N</u>	
Indicators of wetland hydrology present? <u>N</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

Climatic conditions were normal based on the gridded database precipitation worksheet and were below the normal range based on the 30-day precipitation rolling total.

VEGETATION -- Use scientific names of plants.

Tree Stratum (Plot size: <u>30 ft Radius</u>)	Absolute % Cover	Dominant Species	Indicator Status	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across all Strata: <u>6</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>16.67%</u> (A/B)
1 <u>Acer ginnala</u>	<u>35</u>	<u>Y</u>	<u>FACU</u>	
2 _____	_____	_____	_____	
3 _____	_____	_____	_____	
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
			<u>35</u> = Total Cover	Prevalence Index Worksheet Total % Cover of: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>15</u> x 2 = <u>30</u> FAC species <u>45</u> x 3 = <u>135</u> FACU species <u>95</u> x 4 = <u>380</u> UPL species <u>50</u> x 5 = <u>250</u> Column totals <u>205</u> (A) <u>795</u> (B) Prevalence Index = B/A = <u>3.88</u>
Sapling/Shrub stratum (Plot size: <u>15 ft Radius</u>)				
1 <u>Rhus typhina</u>	<u>30</u>	<u>Y</u>	<u>UPL</u>	
2 <u>Rhamnus cathartica</u>	<u>30</u>	<u>Y</u>	<u>FAC</u>	
3 _____	_____	_____	_____	
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
			<u>60</u> = Total Cover	
Herb stratum (Plot size: <u>5 ft Radius</u>)				
1 <u>Cirsium arvense</u>	<u>25</u>	<u>Y</u>	<u>FACU</u>	Hydrophytic Vegetation Indicators: _____ Rapid test for hydrophytic vegetation _____ Dominance test is >50% _____ Prevalence index is ≤3.0* _____ Morphological adaptations* (provide supporting data in Remarks or on a separate sheet) _____ Problematic hydrophytic vegetation* (explain) _____ *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
2 <u>Arctium minus</u>	<u>20</u>	<u>Y</u>	<u>FACU</u>	
3 <u>Rhus typhina</u>	<u>20</u>	<u>Y</u>	<u>UPL</u>	
4 <u>Solidago canadensis</u>	<u>15</u>	<u>N</u>	<u>FACU</u>	
5 <u>Viola sororia</u>	<u>15</u>	<u>N</u>	<u>FAC</u>	
6 <u>Urtica dioica</u>	<u>10</u>	<u>N</u>	<u>FACW</u>	
7 <u>Impatiens capensis</u>	<u>5</u>	<u>N</u>	<u>FACW</u>	
8 _____	_____	_____	_____	
9 _____	_____	_____	_____	
10 _____	_____	_____	_____	
			<u>110</u> = Total Cover	
Woody vine stratum (Plot size: <u>30 ft Radius</u>)				
1 _____	_____	_____	_____	Hydrophytic vegetation present? <u>N</u>
2 _____	_____	_____	_____	
			<u>0</u> = Total Cover	

Remarks: (Include photo numbers here or on a separate sheet)

SOIL

Sampling Point: SP1-1U

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-8	10YR3/3	100					Loamy sand	
8-14	10YR3/3	95	10YR4/6	3	C	M	Loamy sand	
			10YR4/2	2	D	M		
14-24	10YR3/3	95	10YR4/6	3	C	M	Sand	
			10YR4/2	2	D	M		
24-32	10YR2/1	73	10YR4/6	2	C	M	Sandy clay loam	
	10YR3/3	25						

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators:

- ☐ Histisol (A1) ☐ Sandy Gleyed Matrix (S4)
☐ Histic Epipedon (A2) ☐ Sandy Redox (S5)
☐ Black Histic (A3) ☐ Stripped Matrix (S6)
☐ Hydrogen Sulfide (A4) ☐ Loamy Mucky Mineral (F1)
☐ Stratified Layers (A5) ☐ Loamy Gleyed Matrix (F2)
☐ 2 cm Muck (A10) ☐ Depleted Matrix (F3)
☐ Depleted Below Dark Surface (A11) ☐ Redox Dark Surface (F6)
☐ Thick Dark Surface (A12) ☐ Depleted Dark Surface (F7)
☐ Sandy Mucky Mineral (S1) ☐ Redox Depressions (F8)
☐ 5 cm Mucky Peat or Peat (S3)

Indicators for Problematic Hydric Soils:

- ☐ Coast Prairie Redox (A16) (LRR K, L, R)
☐ Dark Surface (S7) (LRR K, L)
☐ Iron-Manganese Masses (F12) (LRR K, L, R)
☐ Very Shallow Dark Surface (TF12)
☐ Other (explain in remarks)

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed):

Type: _____
 Depth (inches): _____

Hydric soil present? N

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ☐ Surface Water (A1)
☐ High Water Table (A2)
☐ Saturation (A3)
☐ Water Marks (B1)
☐ Sediment Deposits (B2)
☐ Drift Deposits (B3)
☐ Algal Mat or Crust (B4)
☐ Iron Deposits (B5)
☐ Inundation Visible on Aerial Imagery (B7)
☐ Sparsely Vegetated Concave Surface (B8)
☐ Water-Stained Leaves (B9)

- ☐ Aquatic Fauna (B13)
☐ True Aquatic Plants (B14)
☐ Hydrogen Sulfide Odor (C1)
☐ Oxidized Rhizospheres on Living Roots (C3)
☐ Presence of Reduced Iron (C4)
☐ Recent Iron Reduction in Tilled Soils (C6)
☐ Thin Muck Surface (C7)
☐ Gauge or Well Data (D9)
☐ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ☐ Surface Soil Cracks (B6)
☐ Drainage Patterns (B10)
☐ Dry-Season Water Table (C2)
☐ Crayfish Burrows (C8)
☐ Saturation Visible on Aerial Imagery (C9)
☐ Stunted or Stressed Plants (D1)
☐ Geomorphic Position (D2)
☐ FAC-Neutral Test (D5)

Field Observations:

Surface water present? Yes ☐ No ☒ Depth (inches): _____
 Water table present? Yes ☐ No ☒ Depth (inches): _____
 Saturation present? Yes ☐ No ☒ Depth (inches): _____
 (includes capillary fringe)

Indicators of wetland hydrology present? N

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

353 Ferndale Road South

Wetland Delineation Report

APPENDIX C

Precipitation Data

Minnesota State Climatology Office

State Climatology Office - DNR Division of Ecological and Water Resources

University of Minnesota

[home](#) | [current conditions](#) | [journal](#) | [past data](#) | [summaries](#) | [agriculture](#) | [other sites](#) | [about us](#) 

Precipitation Worksheet Using Gridded Database

Precipitation data for target wetland location:

county: **Hennepin** township number: **117N**
 township name: **Excelsior** range number: **23W**
 nearest community: **Wayzata** section number: **1**

Aerial photograph or site visit date:

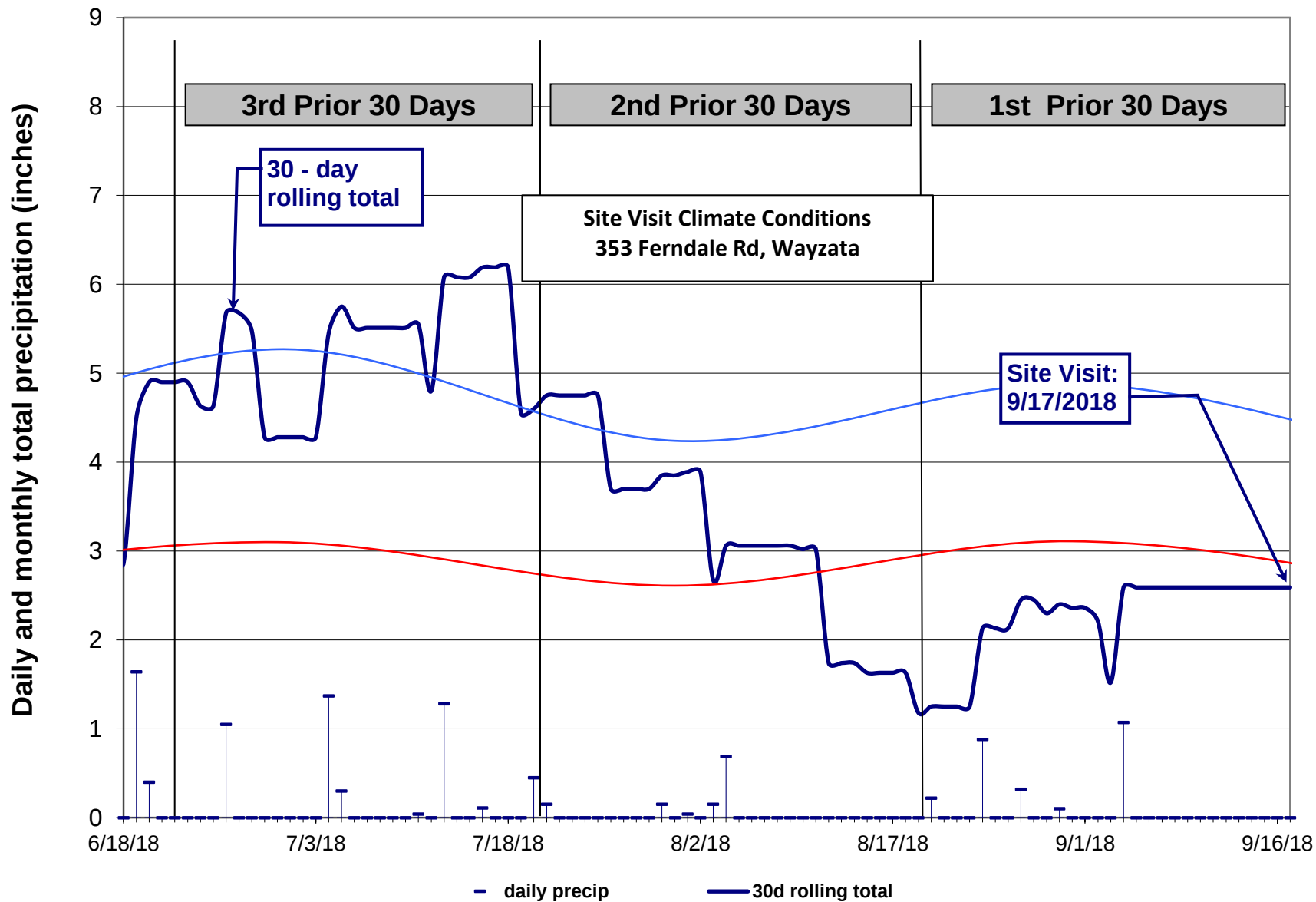
Monday, October 1, 2018

Score using 1981-2010 normal period

values are in inches A 'R' following a monthly total indicates a provisional value derived from radar-based estimates.	first prior month: September 2018	second prior month: August 2018	third prior month: July 2018
estimated precipitation total for this location:	2.92	2.68R	3.98R
there is a 30% chance this location will have less than:	2.50	3.11	2.61
there is a 30% chance this location will have more than:	4.05	4.88	4.24
type of month: dry normal wet	normal	dry	normal
monthly score	3*2=6	2 * 1 = 2	1 * 2 = 2
multi-month score: 6 to 9 (dry) 10 to 14 (normal) 15 to 18 (wet)			
	10 (normal)		

Other Resources:

- [retrieve daily precipitation data](#)
- [view radar-based precipitation estimates](#)
- [view weekly precipitation maps](#)
- [Evaluating Antecedent Precipitation Conditions](#) (BWSR)



353 Ferndale Road, Wayzata: Precipitation Summary

Source: Minnesota Climatology Working Group

Monthly Totals: 2018

Target: T117N R23W S01, Lat: 44.97107 Lon: 93.53282

mon	year	cc	tttN	rrW	ss	nnnn	oooooooo	pre
Jan	2018	10	116N	23W	15	NWS	CHAN_NWS	1.42
Feb	2018	10	116N	23W	15	NWS	CHAN_NWS	1.28
Mar	2018	10	116N	23W	13	BYRG		1.40
Apr	2018	27	117N	22W	21	MOSQ	MINNETON	2.27
May	2018	27	117N	22W	29	BYRG		2.70
Jun	2018	27	117N	22W	29	BYRG		4.28
Jul	2018	27	117N	22W	29	BYRG		3.85
Aug	2018	27	117N	23W	31	BYRG		2.40
Sep	2018	27	117N	23W	31	BYRG		6.12

June/July/August Daily Records

Date	Precip.	Date	Precip.	Date	Precip.
Jul 1, 2018	0	Aug 1, 2018	.04	Sep 1, 2018	0
Jul 2, 2018	0	Aug 2, 2018	0	Sep 2, 2018	0
Jul 3, 2018	0	Aug 3, 2018	.15	Sep 3, 2018	0
Jul 4, 2018	1.37	Aug 4, 2018	.69	Sep 4, 2018	1.07
Jul 5, 2018	.30	Aug 5, 2018	0	Sep 5, 2018	0
Jul 6, 2018	0	Aug 6, 2018	0	Sep 6, 2018	0
Jul 7, 2018	0	Aug 7, 2018	0	Sep 7, 2018	0
Jul 8, 2018	0	Aug 8, 2018	0	Sep 8, 2018	0
Jul 9, 2018	0	Aug 9, 2018	0	Sep 9, 2018	0
Jul 10, 2018	0	Aug 10, 2018	0	Sep 10, 2018	-
Jul 11, 2018	.04	Aug 11, 2018	0	Sep 11, 2018	-
Jul 12, 2018	0	Aug 12, 2018	0	Sep 12, 2018	-
Jul 13, 2018	1.28	Aug 13, 2018	0	Sep 13, 2018	-
Jul 14, 2018	0	Aug 14, 2018	0	Sep 14, 2018	-
Jul 15, 2018	0	Aug 15, 2018	0	Sep 15, 2018	-
Jul 16, 2018	.11	Aug 16, 2018	0	Sep 16, 2018	-
Jul 17, 2018	0	Aug 17, 2018	0	Sep 17, 2018	- Site Visit
Jul 18, 2018	0	Aug 18, 2018	0	Sep 18, 2018	-
Jul 19, 2018	0	Aug 19, 2018	0	Sep 19, 2018	-
Jul 20, 2018	.45	Aug 20, 2018	.22	Sep 20, 2018	-
Jul 21, 2018	.15	Aug 21, 2018	0	Sep 21, 2018	-
Jul 22, 2018	0	Aug 22, 2018	0	Sep 22, 2018	5.05
Jul 23, 2018	0	Aug 23, 2018	0	Sep 23, 2018	-
Jul 24, 2018	0	Aug 24, 2018	.88	Sep 24, 2018	-
Jul 25, 2018	0	Aug 25, 2018	0	Sep 25, 2018	-
Jul 26, 2018	0	Aug 26, 2018	0	Sep 26, 2018	0
Jul 27, 2018	0	Aug 27, 2018	.32	Sep 27, 2018	0
Jul 28, 2018	0	Aug 28, 2018	0	Sep 28, 2018	m
Jul 29, 2018	0	Aug 29, 2018	0	Sep 29, 2018	0
Jul 30, 2018	.15	Aug 30, 2018	.10	Sep 30, 2018	0
Jul 31, 2018	0	Aug 31, 2018	m		

1981-2010 Summary Statistics

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	WARM	ANN	WAT
30%	0.50	0.39	1.28	1.93	2.68	3.10	2.61	3.11	2.50	1.28	1.04	0.68	16.77	27.64	26.63
70%	1.11	0.90	1.98	2.73	4.08	5.27	4.24	4.88	4.05	3.29	1.88	1.43	21.30	34.07	34.68
mean	0.86	0.86	1.79	2.55	3.53	4.36	4.09	4.17	3.44	2.39	1.73	1.19	19.58	30.94	30.76



**Staff Report
December 3, 2018**

Project Name: Hughes Development
Applicant Melvin's 235, LLC
Addresses of Request: 235 and 239 Lake Street E
Reviewed by: Jeff Thomson, Director of Planning and Building
"60 Day" Deadline: December 30, 2018

Development Application

Introduction

The applicant, Melvin's 235, LLC has submitted a development application for Preliminary and Final Plat subdivision for the properties at 235 and 253 Lake Street East. In addition, is also requesting a Conditional Use Permit (CUP) in order to utilize shared parking through the City's Fee in Lieu of Parking Policy.

Public Hearing Notice

The public hearing notice was published in the *Wayzata Sun Sailor* on November 20th, 2018.

Action Steps

Because this application is not yet ready to be considered but the Public Hearing has already been scheduled, the Public Hearing will need to be tabled to the December 17th Planning Commission Meeting.

Attachments

N/A