



Wayzata Planning Commission Meeting Agenda

Monday, December 17, 2018
7:00 p.m.

Community Room
600 Rice Street East
Wayzata, Minnesota 55391

- 1. Call to Order & Roll Call**
- 2. Approval of Agenda**
- 3. Consent Agenda**
 - a. Approval of November 19, 2018 Meeting Minutes
 - b. Approval of December 3, 2018 Meeting Minutes
 - c. Adoption of Report and Recommendation for Approval of a Variance for St. Bartholomew's at 630 Wayzata Blvd E
- 4. Old Business Items**
 - a. Ankeny Addition – 353 Ferndale Rd S
Preliminary and Final Plat Subdivision
- 5. Public Hearing Items**
 - a. Hughes Redevelopment—235 and 239 Lake Street E
Preliminary and Final Plat Subdivision and Conditional Use Permit
- 6. Other Items**
 - a. December 4th City Council Meeting Report – Commissioner Murray
 - b. Review of Development Activities
 - c. Next meeting is January 7, 2019 at 6:30 p.m.
- 7. Adjournment**

NOTES:

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

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
NOVEMBER 19, 2018**

AGENDA ITEM 1. Call to Order and Roll Call

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

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

AGENDA ITEM 2. Approval of Agenda

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

Commissioner Murray made a motion, seconded by Commissioner Douglas, to approve the November 19, 2018 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Consent Agenda

- a.) Approval of October 29, 2018 Meeting Minutes
- b.) Adoption of Report and Recommendation for Approval of Combined Preliminary and Final Plat Subdivision and Variance for Highcroft Court 2nd Addition at 450 and 460 Highcroft Rd
- ~~c.) Adoption of Report and Recommendation for Approval of PUD Amendment, Project Design, and Setback Variance for Wayzata Community Sailing Center at 456 Arlington Cir S~~

Chair Buchanan read the items on the consent agenda and stated he wished to pull Item C for further discussion after the Commission takes action on the consent agenda items.

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

AGENDA ITEM 3A. Pulled Consent Agenda Items

- a.) Adoption of Report and Recommendation for Approval of PUD Amendment, Project Design, and Setback Variance for Wayzata Community Sailing Center at 456 Arlington Cir S

Chair Buchanan stated the applicant had provided an update to the design of the west side of the building as shown on the submitted elevation for this side.

Director of Planning and Building Jeff Thomson stated there had been a few application items from the previous meeting the Commission wanted clarification on. These included the hours of operation, special events, and liquor licensing. He explained these items are currently addressed in the conditions of approval included in the original 2012 PUD approval. These conditions would continue to be in place if the application is approved. He noted that the Commission at the last meeting had asked the applicant to look at alternative building materials for the west side of the building. The applicant provided and amended their application with renderings showing where they planned to use cedar planking instead of the cement fiber board. If the Commission approves of this material change he recommended the Report and Recommendation be amended to specifically reference the rendering provided by HGA as an attachment.

Commissioner Douglas recommended also that the applicant include taller plantings along the west side of the building in their landscape plan, and noted that the applicant had agreed to look into this.

Commissioner Murray motioned, seconded by Commissioner Plantan, to adopt the Report and Recommendation for Approval of PUD Amendment, Project Design, and Setback Variance for Wayzata Community Sailing Center at 456 Arlington Cir S with the updated rendering showing the cedar material for the west side of the building. The motion carried unanimously.

AGENDA ITEM 4. Old Business Items:

a.) None.

AGENDA ITEM 5. Public Hearing Items:

a.) **Highcroft North – 153 Peavy Lane**

i. **Preliminary and Final Plat Subdivision**

Director of Planning and Building Jeff Thomson stated 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 existing property from one lot into two single-family residential lots. The development application requests approval of preliminary and final plat subdivision reflecting the proposed subdivision. On October 1, 2018, the Planning Commission reviewed a previous 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 the next meeting. After the Planning Commission review, the applicant formally withdrew the application to allow them to submit revised plans for a two lot subdivision. As part of the project, the existing home would be demolished, and two new single-family homes would be constructed on the two new lots. The proposed house pads would comply with all requirements of the R-3 zoning district,

1 including setbacks, lot coverage, and impervious surface. There are 21 trees located on the site
2 that meet the minimum size requirements as either significant or heritage trees. The proposed
3 plans indicate that five significant trees and one insignificant tree would be removed. For a
4 subdivision application, the tree ordinance allows for removal of up to 25 percent of the inches
5 of significant trees before mitigation is required. Based on the proposed removal, 8 inches of
6 replacement trees would be required in place of the significant trees that would be removed.
7 These would be planted along Peavey Road and Shoreline Drive.

8
9 Applicant's Representative, Todd Rapp, And/Or Assigns, LLC, stated even though the previous
10 application for a three lot subdivision met all of the zoning and ordinance criteria, they took the
11 direction from the Planning Commission and residents, and resubmitted an application for a two
12 lot subdivision. He stated the proposed homes would not exceed the hard surface requirements
13 and would improve the neighborhood by replacing the current building. He stated there had been
14 a neighborhood meeting to review the two-lot subdivision. They had received some emails but
15 no one attended the meeting, and there had been more support for the two-lot subdivision.

16
17 Commissioner Douglas asked where the property line would be.

18
19 Mr. Rapp stated the property line would be south of the utility easement.

20
21 Chair Buchanan opened the public hearing on the application at 7:21 p.m.

22
23 Ms. Sherry Smith, 133 Peavey Lane read the following comments from Jenny and Mike Higgins
24 at 144 Peavey Lane:

25 Dear Planning Commission, We would like to communicate our concerns regarding the
26 proposed plans for the development of 153 Peavey Lane. As proposed, we feel that the
27 development doesn't adhere to the Wayzata Comprehensive Plan or the preliminary plat
28 criteria. Although the plans for these homes appear to be tastefully done, the simple fact
29 that there are two of them on one lot simply does not meet the criteria of either set of City
30 guidelines. In an effort to maintain the consistency of this neighborhood, we ask that you
31 consider the following issues: 1.) Specifically the plans for 153 Peavey Lane are not in
32 accordance with the following Wayzata Comprehensive Plan codes: #2 To protect
33 property values through the consistent relationship of land use, streets, sidewalks, natural
34 features and the maintenance of properties. We feel the two-house split is inconsistent
35 with the rest of the street and neighborhood of single-family homes and #3 to protect the
36 residential neighborhoods from encroachment or intrusion by incompatible uses or
37 incompatible higher densities. We worry for the future of this block of Peavey Lane and
38 that higher densities would compromise its character as well as the property values. Nor
39 is it in accordance with the Wayzata preliminary plat criteria Section 805.14.E in points
40 1, 5, and 7: the proposed subdivision or combination shall be consistent with the Wayzata
41 Comprehensive Plan; the creation of lots shall not adversely impact the scale, pattern or
42 character of the City, its neighborhoods or its commercial areas. The two-house plan
43 definitely defies the scale and pattern of the block. In particular, the setback of the
44 proposed home at 153 Peavey Lane is not at all congruent with the setbacks of the other
45 homes. The lot size that results from the subdivision or lot combination shall not be
46 dissimilar from adjacent lots or lots found in the surrounding neighborhood or

1 commercial area. These proposed lot sizes vary from the adjacent lots on the block. The
2 zoning statutes on this block are antiquated and require future examination to avoid
3 density issues and to maintain the integrity of the block. To conclude, we request that the
4 Committee consider the consistency of this block as well as growing density issues
5 throughout Wayzata. We feel that this lot would be most appropriately suited to single-
6 family home in congruence with the stated codes as defined within the Wayzata
7 Comprehensive Plan as well as the preliminary plat criteria.
8

9 Ms. Smith stated that she agreed with the comments from Mr. and Mrs. Higgins. Splitting the lot
10 into two lots would change the look of the neighborhood. They support the redevelopment of the
11 lot and appreciated a view on what the potential houses may look like. The issue comes back to
12 the zoning of the block is antiquated and should be reviewed. This lot does not seem conducive
13 to splitting when you look at the remaining lot sizes along that block. One lot is 9606 square-
14 foot and the other is going to be 15,159 square-foot, and this is significantly smaller than all the
15 other lots on the block, which range from 26,175 to 25,445 square-foot. These sizes are due to
16 the depth of the lots. Splitting this lot into smaller lots does not align with the Comprehensive
17 Plan. She expressed concerns about adding a driveway on Peavey Road because there is
18 significant traffic on this road. As a resident on Peavey Lane she does not support this request,
19 but would support the development as a single-family residential home. She stated the
20 neighborhood meeting had been on short notice and many residents had not been able to attend.
21

22 Ms. Carol Danner, 151 Peavey Lane, stated she hates to see the neighborhood change. She is
23 pleased that the developer has reduced the number of lots from three to two but she is not happy
24 with it. Two single-family homes on this lot would disrupt the charm and look of Peavey Lane
25 for the current residents, and be unbalanced with the rest of the neighborhood. The driveway on
26 Lot 2 has access to Peavey Road and this would be hazardous and dangerous for school buses.
27 She provided statistics on the number of cars that are on Peavey Road for school. She stated that
28 the principal at the Highcroft school had not been aware of the development plans and has not
29 been able to find any information on the internet. She provided information to the school, and
30 they may be contacting the City in regards to the development.
31

32 Ms. Mary Bader, 117 Peavey Lane, stated she agrees with the neighbors who have expressed
33 concerns and object to the project. This is a very nice neighborhood, and these homes would be
34 inconsistent with the neighborhood. She agreed that the zoning ordinance is antiquated and
35 should be reviewed. She asked if this was the only area that was zone R-3.
36

37 Mr. Thomson stated there are other areas in the City zoned R-3, but there are no other R-3 areas
38 in the immediate area of this project.
39

40 Ms. Bader stated there had been a duplex on the property, but it looked like a single-family
41 residence. She stated the intention would be that if someone wanted to build a duplex this would
42 be the lot that it would work on. She would prefer to have the street remain a single-family
43 neighborhood with a consistent design. She sees the neighborhood changing dramatically with
44 the lots subdividing. She stated this would be the wrong place for these homes.
45

1 Ms. Bader stated she had received a letter from the realtor after the property at 153 Peavey Lane
2 had been sold to find out if she would be interested in selling her property. She had stated she
3 was not interested but believes that if she had, the whole neighborhood would start changing and
4 she does not want it to change.

5
6 Mr. Rapp stated there was an error in the staff report that Lot 2 is 9600 square-feet when it is
7 actually much larger. The entire property is approximately 29,079 square-feet and dividing it
8 into two lots would average a little less than 15,000 square-feet per lot. There is currently a
9 three-plex building on the site that is in a state of deferred maintenance. He understands
10 neighbors not wanting to change the character of their neighborhood, but there have been no
11 comments on the building in its current state and how it affects the neighborhood. He clarified
12 the objective of the project is to improve the character of the neighborhood and improve the
13 property values. The proposed project is consistent with the subdivision ordinance. He stated
14 just about anything can be justified by picking and choosing language from the Comprehensive
15 Plan. He stated one such example is that the directive from the Met Council is that when there is
16 redevelopment the goal should be to have a minimum of five units per acre in residential areas.
17 There are currently three units for this property and there is a current lease license. They are
18 working to meet a balance with the neighborhood by only a two-lot project.

19
20 Chair Buchanan asked if the applicant had reached out to the school, as there was a point brought
21 up about the traffic.

22
23 Mr. Rapp stated they did not reach out to the school directly. He pointed out that the proposed
24 project is 1 unit less than what is currently on the property and this would result in a reduction in
25 traffic.

26
27 Mr. Thomson stated the Blake School had been included in the public hearing notice sent out by
28 the City for both applications.

29
30 Ms. Smith stated that most of the neighbors that spoke did agree the property needed to be
31 redeveloped, but they would like it to be just one single-family home on the property and
32 keeping the lot sizes the same.

33
34 There being no one else wishing to address the Planning Commission on this application, Chair
35 Buchanan closed the public hearing at 7:40 p.m.

36
37 Chair Buchanan stated this seems to be an allowable subdivision, but it was pointed out that the
38 project does not meet the subdivision criteria items 1, 5, and 7.

39
40 Commissioner Plantan asked if the project was in compliance with the code.

41
42 Mr. Thomson stated the project is in compliance with the R-3 zoning requirements. The
43 subdivision criteria are a separate set of criteria to be considered.

44
45 Commissioner Plantan clarified that the property could be redeveloped into a tri-plex and made
46 larger to maximize the lot coverage of the property.

1
2 Mr. Thomson stated the current structure could be larger than it is today but the zoning does not
3 allow a tri-plex, so they would not be allowed to expand a non-conforming use. They could
4 build a duplex or single family home, and this could be a larger footprint based on the setbacks
5 and lot coverage. If the property were to be redeveloped as a duplex, the driveways could be
6 located in the same proposed locations.

7
8 Commissioner Murray stated the property values and density in the area would improve with the
9 redevelopment. He does struggle with the character of the neighborhood.

10
11 Commissioner Douglas stated she supported having the driveways in two different locations.
12 She asked if the driveway along Peavey Lane could be setback further to be more in line with the
13 rest of the street.

14
15 Chair Buchanan stated the Commission was just considering the subdivision and plat at this time.

16
17 Applicant's Representative, Mr. David Pemerton, Sathre-Bergquist, 150 Broadway Ave S, stated
18 the southern lot could have the home moved further back to get it off the road like the rest of the
19 neighborhood. The northern home is a little tighter and they would like to keep some buffer
20 between the two new homes and the home to the east. They are just showing general locations
21 for the homes at this time.

22
23 Commissioner Plantan asked if the other properties in this neighborhood could be subdivided
24 and have access on Shoreline Drive.

25
26 Mr. Thomson stated any proposed subdivision of those properties would have to stand on its own
27 merits and meet the codes. There is no restriction to having access on Shoreline Drive. This
28 application was not allowed access on Shoreline Drive because there was alternative access on a
29 nonarterial road. Any future developments would require a review of the access at the time they
30 would be submitted. Shoreline is not access restricted.

31
32 Commissioner Douglas stated they are not considering a change to the current zoning at this
33 time. This project would not adversely affect the property values of the neighboring homes. The
34 lot configuration is different, but could enhance the neighborhood.

35
36 Commissioner Plantan stated she understood the residents' concerns about traffic and lot size,
37 but the project does have less homes, and therefore less traffic than the current building, and the
38 lots do comply with the R-3 zoning district. She does not believe the project would detract from
39 the home values of the neighboring properties. This project may be a nice buffer for the
40 neighborhood. Intuitively, the density seems different.

41
42 Commissioner Murray stated anything different is hard for any neighborhood. In this case,
43 density is less, traffic is less, values should go up, but the character and look will be a little
44 different because these homes would not be sitting in the center of the lot. Pushing the homes to
45 the center will increase the hard surface on the property. He understands this is a project that the
46 neighborhood does not want, but he would vote to recommend approval.

Chair Buchanan stated he is struggling with this because he believes the property is zoned incorrectly. He does understand the concerns of the neighborhood, and would not support the project based on the issues raised.

Commissioner Murray made a motion, seconded by Commissioner Douglas, to direct staff to prepare a draft Planning Commissioner Report and Recommendation with appropriate findings recommending approval of the preliminary and final plat subdivision for Highcroft North located at 153 Peavey Lane for review and approval at the next meeting. The motion carried: 3 ayes and 1 nay (Buchanan).

AGENDA ITEM 6. Other Items:

a.) November 7th City Council Meeting Report – Commissioner Flannigan

Director of Planning and Building Jeff Thomson provided an update in Commissioner Flannigan's absence. The City Council tabled action on the Zitzloff project at 305 and 309 Lake Street E until their November 20th meeting. They requested the applicant revise the design to comply with the second story setback as outlined in the design standards. They also asked staff to prepare a condition of approval on where any rooftop penetrations could occur due to visual impacts that could occur. The Historical Society has asked to be a part of the public forum at the November 20th City Council meeting to provide background on the historic nature of the bank building. The City Council also adopted the first reading of an amendment to the fire code, and amended the City's Fee In Lieu of Parking policy by reducing the finance terms and increasing the interest rate to be more competitive and made this applicable to all of downtown. Mr. Thomson stated the next step for the west end public parking would be to submit an application for wetland alterations. The City does have some wetland credits banked that could be used for this project. The Hughes project was approved by the City Council but they did not submit their subdivision application at the same time. The Planning Commission would be reviewing this subdivision application at the December 3rd meeting. The City would also be talking with Wayzata Blu about the transfer of ownership for the land the City has an easement over for parking.

b.) Review of Development Activities

Director of Planning and Building Jeff Thomson stated upcoming development activities include four new development applications. These include a variance request for a deck, a variance request from St. Barts to add covered entrances, a subdivision at 353 Ferndale Road, and the subdivision for the Hughes project.

c.) Next Meeting

Chair Buchanan asked the Commission if they would like to consider moving the start time of the Commission's regular meetings from 7:00 pm to 6:30 pm starting in 2019.

1 There being no objection from the Commission, Mr. Thomson noted he will look into changing
2 the start time of the Planning Commission meetings starting in 2019.

3
4 Director of Planning and Building Jeff Thomson stated the next Planning Commissioner meeting
5 was scheduled for December 3, 2018.

6
7
8 **AGENDA ITEM 7. Adjournment.**

9
10 There being no further business on the agenda, Chair Buchanan asked for a motion to adjourn.

11
12 Commissioner Murray made a motion, seconded by Commissioner Plantan, to adjourn the
13 Planning Commission meeting. The motion carried unanimously.

14
15 The Planning Commission meeting was adjourned at 8:02 p.m.

16
17 Respectfully submitted,

18 Tina Borg

19 *TimeSaver Off Site Secretarial, Inc.*

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
DECEMBER 3, 2018**

AGENDA ITEM 1. Call to Order and Roll Call

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

Present at roll call were Commissioners: Douglas, Plantan, Buchanan, Iverson, and Flannigan. Absent and Excused: Murray. Director of Planning and Building Jeff Thomson, City Planning Consultant PeggySue Imihy from WSB & Associates, and City Attorney David Schelzel were also present.

AGENDA ITEM 2. Approval of Agenda

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

Commissioner Douglas made a motion, seconded by Commissioner Plantan, to approve the December 3, 2018 agenda as presented. The motion carried unanimously.

AGENDA ITEM 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.

Chair Buchanan read the items on the consent agenda and asked if any Commissioner wanted to pull any item for further discussion.

Commissioner Iverson stated she wished to make a statement related to the draft Report because she had been absent from the last meeting. She stated having only one house on this property would better fit the scale and character of the neighborhood, and had she been at the meeting she would have recommended denial of the application.

Commissioner Flannigan stated he would also have supported a recommendation of denial, as the neighborhood does not support the subdivision. He stated he would abstain from the vote.

Commissioner Plantan made a motion, seconded by Commissioner Douglas, to approve the Consent Agenda as presented. The motion carried 3 ayes and 2 abstentions (Iverson and Flannigan).

AGENDA ITEM 4. Old Business Items:

1 a.) None.
2
3

4 **AGENDA ITEM 5. Public Hearing Items:**
5

6 **a.) St. Bartholomew – 630 Wayzata Blvd E**
7 **i. Variance**
8

9 City Planning Consultant Peggy Sue Imihy, WSB & Associates, stated the applicant, Marion Clark,
10 and property owner, Church of St. Bartholomew, are requesting approval of a variance to allow
11 installation of two (2) covered entryways in the front yard of the subject property at 630 Wayzata
12 Blvd E. The approval would allow encroachment upon the required front yard setback of 50-feet
13 in the Institutional District by two proposed covered entryways. The existing building on the
14 property currently does not conform to the required front yard setback, and the addition of the
15 covered entryways would be an expansion of the legal non-conforming structure. The variance
16 would allow for construction of covered entryways at 8.7-feet and 20.9-feet from the property line.
17 The proposed covered entryways for which the variance is requested would be located along Rice
18 Street and would be attached to the existing building entrances.
19

20 Applicant's Representative, David Marquis, 885 Willow View Drive, Orono, stated he had been
21 in front of the Planning Commission when the church had been rebuilt. Buildings need on going
22 maintenance, and they would like to also make some improvements. This includes adding
23 canopies over the entrances. This is both a practical and aesthetic request. The canopies would
24 not only provide protection from the elements while entering and exiting the building, but also
25 help to visually break up the façade of the existing building. If the application is approved, they
26 plan to do construction during the summer to minimize the impacts to the kids.
27

28 Chair Buchanan opened the public hearing at 7:10 p.m.
29

30 There being no one wishing to address the Planning Commission on the application, Chair
31 Buchanan closed the public hearing at 7:11 p.m.
32

33 Commissioner Douglas stated she would support the application based on the application materials
34 and information presented. The canopies would enhance the look of the building.
35

36 Commissioner Plantan stated she can understand the need for some protection as you are stepping
37 in or out of the building, and that she would support the application.
38

39 Commissioner Iverson stated the design architecturally made it look as though the proposed
40 canopies had always been a part of the building. She would support the application.
41

42 Commissioner Flannigan made a motion, Seconded by Commissioner Plantan, to direct staff to
43 prepare a draft Planning Commission Report and Recommendation with appropriate findings to
44 recommend approval of the requested variance from the required front yard setback of 50-feet to
45 allow for construction of covered entryways at 8.7-feet and 20.9 feet from the property line for the
46 property at 630 Wayzata Blvd. E. The motion carried unanimously.

b.) Ankeny Addition – 353 Ferndale Road
i. Preliminary and Final Plat

City Planning Consultant PeggySue Imihy, WSB & Associates, stated 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 proposal requires preliminary and final plat review to subdivide the property. 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 related to setbacks, lot coverage, and impervious surface. The existing home is located on what would become Lot 2. The proposed plans include a tree inventory of 85 trees located on Lot 1. Of those trees, six are considered 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 would need to be provided. The newly created lot is encumbered by wetlands and is subject to the Wetland Overlay District regulations. 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 on the delineation will be made by December 19, 2018. Any approval decision made regarding the subdivision should include a condition that the Wetland Delineation Report is approved. 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 would need to create an easement or the service would have to be relocated.

Chair Buchanan asked for clarification on the easement.

Ms. Imihy stated there is a 20-foot private easement on the west side of the property of Lot 1 and along the southwest side of Lot 2. The applicant is interested in vacating this easement.

Commissioner Plantan asked how close a home could be built to the wetland buffer.

Ms. Imihy stated a home could be built right at the edge of the buffer. The buffer essentially establishes the required setback from the wetland.

Commissioner Flannigan confirmed with staff that the driveway for Lot 1 would access Peavey Road. He asked if other properties in this neighborhood had access to Peavey Road.

Ms. Imihy stated there are adjacent properties with access to Peavey Road.

Applicant's representative, Mr. David Pemberton, Sathre-Bergquist, 150 S. Broadway Ave, Wayzata, stated they would try to vacate the private easement, as it serves no purpose at this time. He noted that there are no architectural plans for a home on Lot 1 at this time.

Commissioner Iverson asked what the soil conditions were like on the site, and if they would have to bring in soil.

1 Mr. Pemberton stated there had been soil borings done, and the geotechnical expert reviewed them
2 and found nothing alarming. Once architectural plans for a home have been received, they would
3 reevaluate to ensure everything is done correctly. At this time he does not know if there would be
4 a need for additional soil to be brought in. This would depend on the house and where it is located.
5

6 Commissioner Flannigan stated the applicant is asking the Commission to make a recommendation
7 on a subdivision that requires a lot of additional information that the applicant is not willing to
8 give. He asked how much fill would need to come into the lot in order to be able to build a home
9 on the property, and how close the driveway used for construction traffic would be to the wetland.
10

11 Mr. Pemberton stated he is a land surveyor, and this is not his area of expertise. Until there are
12 plans for a home on the property, they are not able to say how much fill would have to either be
13 brought to or removed from the property. Typically the architect designing the home would work
14 with the topography of the property. He stated there is 25-feet between the wetland buffer and the
15 property line.
16

17 Chair Buchanan asked if the applicant had looked at other ways to subdivide the lot.
18

19 Mr. Pemberton stated they had looked at other layouts, but the proposed design met the zoning
20 requirements.
21

22 Chair Buchanan opened the public hearing at 7:25 p.m.
23

24 Resident, Mr. George Stickney, 340 Peavey Road, stated his property abuts the subject property
25 on the southwest side. He stated all of the surrounding properties would have a view of the newly
26 formed lot, and the house pad the applicant is showing in the plans would be about the biggest that
27 would fit on the property. He reviewed the elevations of the surrounding eight homes that would
28 be impacted by the view of the newly formed property and potential home pad shown on the
29 application. He stated the average elevation in the surrounding properties is over 980-feet and the
30 proposed home pad is at 952-feet. He stated the location of the driveway combined with the
31 fishbowl effect would make this property undesirable to homebuyers and the surrounding
32 properties. He stated most of the surrounding homes have horseshoe driveways that allow for
33 extra parking and traffic flow. He stated he is a developer and would not attempt to develop a
34 property next to a wetland. He gave a background of the property sand uses starting in 1930. He
35 stated with all of the development, the hardcover has increased, which increases the size of the
36 wetland. He presented two home layout possibilities. The first included a 500-foot driveway
37 system that would address the circulation problem that goes around the pad site that has a 10-12-
38 foot elevation. He worked on a similar project in Orono. The soil conditions were better in that
39 project but there were still hundreds of truckloads of soil being removed and replaced. He stated
40 that the applicant should be aware of all the parameters of what could happen. They would have
41 to remove 500-feet of soil for the driveway, plus all the soil for the house pad to get down to
42 compactable ground. He estimated there would be approximately 700 truckloads of material
43 moving in and out of the property. This would affect everyone in the neighborhood. He stated no
44 other home in Highcroft has a lower elevation to build on, the necessary soil corrections needed to
45 be buildable, such a small gross amount of property to build on, smallest home pad site, no other
46 homes would be this close to a wetland, and no other homes have only 25-feet to access the

1 property. He suggested working the plans to split the property so there is an access off of Ferndale
2 and tree preservation. He stated the project does not comply with items 1, 2, 3, 5, and 7 of the
3 Comprehensive Plan, and the project is not in character with the neighborhood. He stated people
4 have been dumping things on the property for years, and he would not want to be there, and as a
5 realtor he would not want to list it. He provided a copy of his presentation and materials he
6 discussed.

7
8 Applicant, Mr. Phil Ankeny, thanked Mr. Stickney for his comments. He stated they currently
9 have the largest lot in Highcroft, and they are exploring subdividing the property. They have
10 thought about building a smaller home on Lot 1 and selling the home they currently live in. He
11 stated the comments made by Mr. Stickney are interesting but highly speculative because he is
12 assuming a specific approach to building a home on the site. There are constraints to the property
13 with the wetlands and setbacks, but they do not know what the future home pad would look like
14 at this time. They have looked at different ways to subdivide the property, but the concern with
15 dividing the lot north/south is that it would dramatically encroach on the Ferndale presence that
16 their current home and the neighboring home have. They do not want the neighborhood to look
17 like the homes are jammed together. They have taken a thoughtful approach to the subdivision
18 and believe there are people who would find this property to be a lovely place to have a home. He
19 has discussed the project with other neighbors, and they have been in support of the project.

20
21 There being no one else wishing to address the Commission on this application, Chair Buchanan
22 closed the public hearing at 7:51 p.m.

23
24 Commissioner Douglas stated she been involved in a project that required building a road over
25 wetland and there had been loads of fill brought in. She suggested the applicant was requesting
26 the subdivision to soon because there were no plans for the home and driveway that could be
27 considered in making a recommendation to subdivide the property.

28
29 Commissioner Plantan stated the application does meet all of the zoning requirements of the R-1A
30 district, but she expressed concerns about the impacts to the wetlands because they do not know
31 yet what would need to be done to be able to build on the site and the wetland delineation report
32 was not completed.

33
34 Commissioner Flannigan stated just because the numbers work does not mean it should be done.
35 He stated this property is likely the largest property in the neighborhood because there should not
36 be anything built in the back. The information presented in not enough for the Planning
37 Commission to make an informed decision on a recommendation for the application. He clarified
38 that most of the subdivision and preliminary plat criteria of the Subdivision Ordinance have not
39 been addressed in the application. He would recommend denial on the application as it is
40 presented.

41
42 Commissioner Iverson stated she would agree that the application is being submitted too soon and
43 if the applicant is looking to build on this site, it would be helpful for the Commission to see this
44 and have a better understanding of the soil conditions. She stated in the Preliminary Plat Criteria
45 of the Subdivision Ordinance, Section 805.14.E, items 2 and 3 may not be met. There is not
46 enough information for the Planning Commission to understand the grading and fill or the impacts

1 to the wetlands. She is not sure that this would be a buildable lot. She would not recommend
2 approval at this time.

3
4 Chair Buchanan asked staff if the Commission can consider whether or not the lot is buildable at
5 this time.

6
7 Director of Planning and Building Jeff Thomson stated the City would define buildable area in this
8 context as upland area not encumbered by wetland that is within the setback requirements. He
9 noted that there is substantial buildable area on the proposed new lot. In terms of soil conditions
10 and construction, the City does not typically have this information until the applicant has gone
11 through the building design process. He clarified there is no wetland impact from what is proposed
12 as part of this application. There would be no wetland areas filled or driveways built in the wetland
13 area. Any potential wetland impacts are not a part of this application. He requested the
14 Commission clarify what additional information from the applicant would be helpful to them in
15 making a recommendation on the application.

16
17 Commissioner Douglas asked how large the buildable area of the lot was compared to the total
18 size of the lot, and how much hardcover there would be relative to the square footage.

19
20 Mr. Thomson stated that the wetland is still part of the lot and would be considered when
21 calculating impervious surface coverage. Based on that, there would be an allowable 18,000 square
22 feet of hard surface for the house and driveway.

23
24 Chair Buchanan clarified that the criteria for the application being considered is not if the property
25 is buildable, sellable, or marketable, but rather if the property is able to be subdivided.

26
27 Ms. Imihy stated that the application is not for a house and if the application is approved, it would
28 simply be two lots. What should be considered is whether the application meets the minimum
29 requirements for a subdivided lot per the City Code.

30
31 Commissioner Flannigan stated that he is concerned about the grading and fill on the property, and
32 the scale of the house that would be built on the new lot. He stated the code references the house
33 and should be considered.

34
35 Ms. Imihy stated there is no house proposed, so those items would not apply at this time.

36
37 Commissioner Flannigan stated the Commission's position is there is not enough information to
38 make a decision based on the criteria of the code because the code references the house and
39 building materials, and there is no house included in the plans.

40
41 Commissioner Iverson stated that most applicants that come before the Commission to potentially
42 down the road build, do build. She stated she can only go from history on what goes on at
43 construction sites, and she would like a clear understanding of what mitigation steps are being
44 taken to ensure the wetland is protected.

1 Commissioner Flannigan suggested the applicant address the items listed in the Preliminary Plat
2 criteria of the Subdivision Ordinance to help the Commission understand the project and how it
3 meets the criteria. He would like to see answers to Section 805.14.E items 3 (grading), 5 (scale,
4 pattern or character), 6 (design and scale of lot), and 8 (architectural appearance, scale, mass,
5 constructions materials of building proposed for the property). The footprint that they are showing
6 does not fit the neighborhood.

7
8 Commissioner Iverson stated she would like the applicant also address Section 805.14.E item 2,
9 regarding the construction process, and what mitigation would be done to protect the wetlands.

10
11 Commissioner Flannigan stated the applicant should also have the soil tests available, a tree
12 removal plan, an exact calculation on how many trucks would be coming in and out of the property,
13 how much fill there would be, and a rough idea of the house pad they would be considering.

14
15 Commissioner Iverson made a motion, seconded by Commissioner Flannigan, to table action on
16 the application for a concurrent preliminary and final plat subdivision at 353 Ferndale Road to a
17 future meeting, and request that the applicant supply the requested additional information noted
18 by the Commissioners related to the Preliminary Plat Criteria, Section 805.14.E, for the
19 Commission to consider at a future meeting. The motion carried unanimously.

20
21 **c.) Hughes Development – 235 and 239 Lake Street E**
22 **i. Preliminary and Final Plat and Conditional Use Permit**
23

24 Director of Planning and Building Jeff Thomson stated the applicant Melvin's 235 LLC has
25 submitted a development application for Preliminary and Final Plat subdivision for the properties
26 at 235 and 239 Lake Street East. In addition, the applicant is also requesting a Conditional Use
27 Permit (CUP) in order to utilize shared parking through the City's Fee in Lieu of Parking Policy.
28 Because the application is not yet ready to be considered, but the public hearing has already been
29 scheduled, the public hearing will need to be tabled to the December 17 Planning Commission
30 meeting.

31
32 Chair Buchanan opened the public hearing at 8:08 p.m.

33
34 There being no one wishing to address the Commission on the Application, Commissioner
35 Flannigan made a motion, seconded by Commissioner Plantan, to continue the public hearing for
36 the Preliminary and Final Plat and Conditional Use Permit for 235 and 239 Lake Street to the
37 December 17, 2018 Planning Commission meeting. The motion carried unanimously.

38
39
40 **AGENDA ITEM 6. Other Items:**

41
42 **a.) November 20th City Council Meeting Report – Commissioner Iverson**
43

44 Commissioner Iverson provided a report on the November 20th City Council meeting. She noted
45 the meeting included a presentation on the STEM program, and she stated she would like to see
46 the STEM program continued in the future. The Heritage Board had made a presentation to the

1 Council on the Bank façade and that this is the only historic building left in Wayzata. The Vantana
2 Condo project at 253 Lake Street received approvals, and bids for the rehabilitation of the water
3 tower and the second reading of Ordinance 786 were approved. The City Council also discussed
4 the Lake Street Design. The Sailing School project was approved.

5
6 Director of Planning and Building Jeff Thomson added that the Zitzloff project was also approved
7 by the City Council with a minor change to the second story recession and preservation of the
8 columns and bank. The developer will also have a TIF application that would need to be
9 considered and approved by the City at a future date.

10 11 **b.) Review of Development Activities**

12
13 Director of Planning and Building Jeff Thomson stated the City Council would have a meeting
14 with the Comp Plan Advisory Committee on December 4. The next Planning Commission agenda
15 would include the follow up to the Hughes project and continuation of the public hearing. He
16 noted the City Council is conducting interviews for the four open Planning Commission seats at
17 the December 18 workshop. The City Council will also be approving the 2019 City Council and
18 Planning Commission meeting schedule, and the proposed regular meeting time for the
19 Commission has been changed to 6:30 p.m. start time.

20 21 **c.) Next Meeting**

22
23 Chair Buchanan stated the next Planning Commissioner meeting was scheduled for December 17,
24 2018.

25 26 27 **AGENDA ITEM 7. Adjournment.**

28
29 There being no further business on the agenda, Chair Buchannan asked for a motion to adjourn.

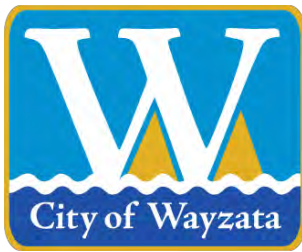
30
31 Commissioner Flannigan made a motion, seconded by Commissioner Iverson, to adjourn the
32 Planning Commission meeting. The motion carried unanimously.

33
34 The Planning Commission meeting was adjourned at 8:16 p.m.

35
36 Respectfully submitted,

37 Tina Borg

38 *TimeSaver Off Site Secretarial, Inc.*



City of Wayzata Planning Commission Agenda Report

MEETING DATE: December 17, 2018	AGENDA ITEM: 3c
TITLE: Adoption of Report and Recommendation for Approval of Variance for covered Entryways at 630 Wayzata Boulevard E	
PROJECT NAME: St. Bartholomew Variance	
ADDRESS: 630 Wayzata Blvd E	
PREPARED BY: PeggySue Imihy, Planning Consultant	
REVIEWED BY: Jeff Thomson, Director of Planning and Building	

BACKGROUND:

Application Overview

The applicant Marion Clark and property owner, Church of St. Bartholomew, are requesting approval of a variance to allow installation of two covered entryways in the front yard of the church and school property at 630 Wayzata Boulevard E. 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. The application requests approval to encroach upon the required front yard setback of 50 feet in the institutional zoning district to allow for the construction of the two covered entryways.

Planning Commission Review

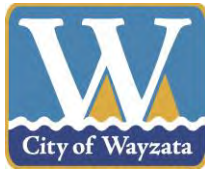
The Planning Commission reviewed the application and held a public hearing at its meeting on December 3, 2018. The Planning Commission voted five in favor and zero opposed to direct staff to prepare a draft report and recommendation for approval of the development application.

PLANNING COMMISSION ACTION:

City staff has drafted the attached Planning Commission Report and Recommendation which recommends approval of the variance request.

ATTACHMENTS:

1. Draft Planning Commission Report and Recommendation



WAYZATA PLANNING COMMISSION

December 17, 2018

REPORT AND RECOMMENDATION OF APPROVAL OF SETBACK VARIANCE AT ST. BARTHOLOMEW'S CHURCH AT 630 WAYZATA BLVD E

SUMMARY OF RECOMMENDATION

- Approval* of Setback Variance

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

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Project. Marion Clark, for and with property owner, Church of St. Bartholomew, (the "Applicant") have submitted a development application for a setback variance (the "Application") to allow two (2) covered entryways (the "Project") in the front yard of the church's property at 630 Wayzata Boulevard E (the "Property").
- 1.2 Application Request. The variance requested in the Application is for a variance from the required front yard setback of 50 feet in the Institutional District to allow for covered entryways over the existing entrances along Rice Street E at 8.7 feet and 20.9 feet from the property line (the "Setback Variance").
- 1.3 Property. The address, property identification number and owner of the Property are:

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

- 1.4 Land Use. The Property is zoned Institutional in the Zoning Ordinance and is designated Institutional in the Comprehensive Plan.

- 1.5 Notice and Public Hearing. Notice of the public hearing on the Application was published in the *Wayzata Sun Sailor* on November 20, 2018 and notices were mailed to all properties within 350 feet of the Property on November 14, 2018. The public hearing on the Application was conducted at the December 3, 2018 Planning Commission meeting. No member of the public spoke at the public hearing.
- 1.6 Planning Commission Action. After the conclusion of the public hearing on the Application at the December 3, 2018 Planning Commission meeting, the Planning Commission voted unanimously to direct staff to prepare a draft Planning Commission Report and Recommendation recommending approval of the Application.

Section 2. STANDARDS

- 2.1 Front Yard Setback Requirement. Section 970.06 of the Zoning Ordinance stipulates that the front yard setback in the Institutional District is 50 feet.
- 2.2 Zoning Ordinance Variance Standard. Section 905.01.C provides the criteria for reviewing variances from the standards of the Zoning Ordinance. The variance review criteria are as follows:
- A. Variances shall only be permitted when they are:
 - (i) in harmony with the general purposes and intent of the Zoning Ordinance; and
 - (ii) consistent with the Comprehensive Plan.
 - B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
 - C. “Practical difficulties,” as used in connection with the granting of a variance, means that:
 - (i) the property owner’s proposal for the property is reasonable but not permitted by the Zoning Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
 - D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
 - E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with this Ordinance.

- F. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
- G. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
- H. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.

Section 3. FINDINGS

Based on the Application materials, staff reports, public hearing, and the standards set forth in the Wayzata Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact with respect to the Setback Variance:

3.1 Zoning Ordinance Variance Standard.

- A. The Setback Variance requested in the Application does not change the current institutional use on the Property. The proposed entry way canopies associated with the Setback Variance are designed to compliment and improve the aesthetics of the existing building design and would not materially increase the current non-conforming building setback. They would improve the safety and ease of those entering and existing the church buildings. The Setback Variance requested is in harmony with the general purposes and intent of the Zoning Ordinance and is consistent with the Comprehensive Plan.
- B. The Setback Variance addresses practical difficulties with the Property and existing church buildings, and will not alter the essential character of the locality.
- C. The Setback Variance requested is reasonable, due to circumstances driven by the existing, legal non-conforming church buildings, a desire to enhance the aesthetics of the building, and to improve the safety and comfort of those entering and exiting the building. If granted, the Setback Variance would not alter the essential character of the locality and would improve views from adjacent properties.
- D. The practical difficulties necessitating the Setback Variance are not economic in nature.

- E. The proposed use for the Property would not change and is permitted within the Institutional zoning district.
- F. The recommended conditions for granting approval of the Setback Variance are listed below in Section 4 of this Resolution.
- G. The Applicant has provided the reasons that the Setback Variance is justified under the criteria of the Zoning Ordinance in order to make reasonable use of the land, structures and buildings on the Property.

Section 4. RECOMMENDATION

4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends approval of the Setback Variance as requested in the Application, subject to all of the following conditions:

- A. The Applicant must secure all necessary building permits for construction, and follow all laws and regulations applicable to the Project.
- B. The Applicant must build and complete the Project in conformance in all material respects with the plans depicted in the Application, included as Attachment A.
- C. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 17th day of December 2018.

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

Voting Against Approval Recommendation: None

Abstaining: None

Absent: Murray

Attachment A
Plans

DRAFT

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 construction 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).

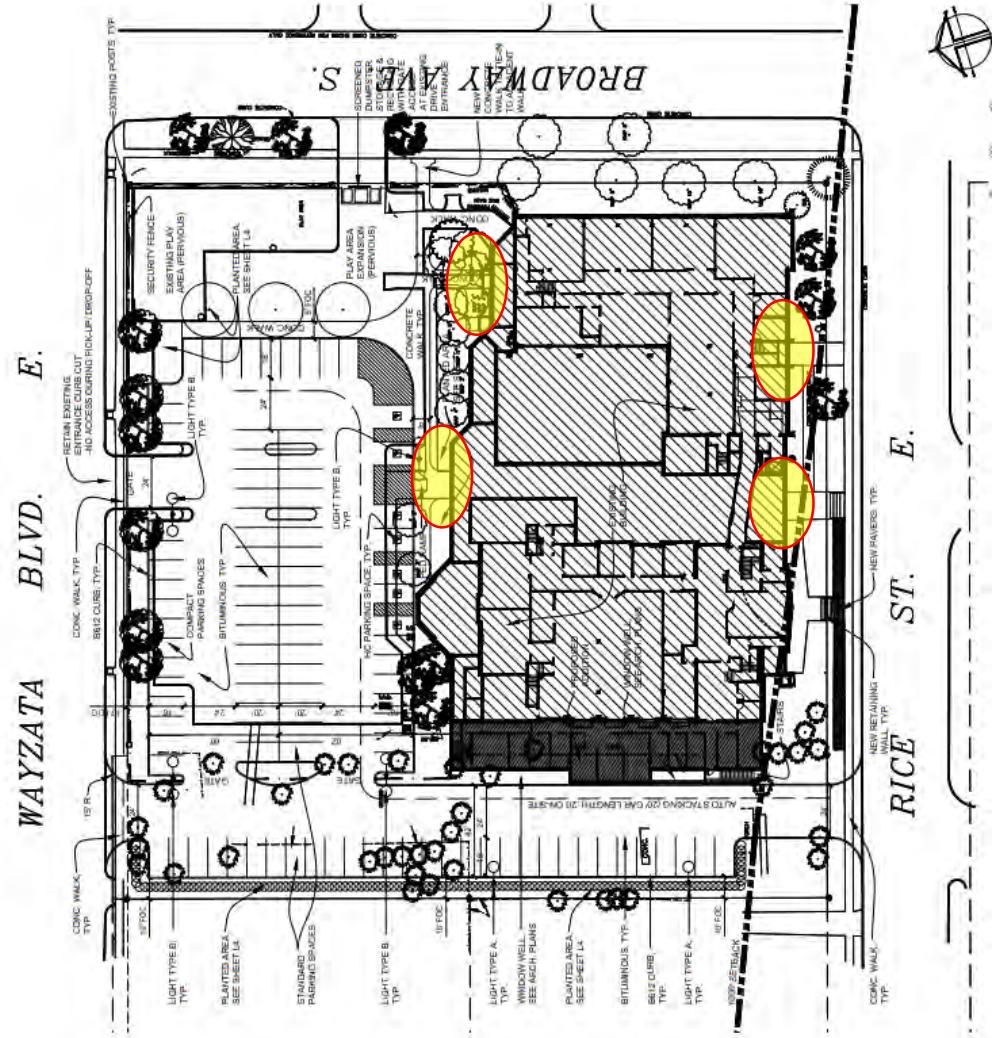
- Minimal disruption to use of the entries
- Minimizes safety concerns of working when children are present

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)	
27,900 SF.	TOTAL	
106,590 SF.	TOTAL SITE AREA	
35.6%	EXISTING LOT COVERAGE	

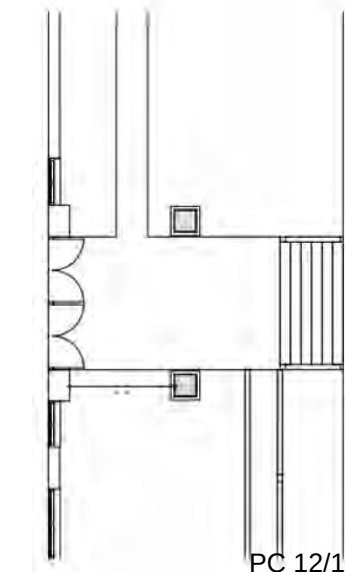
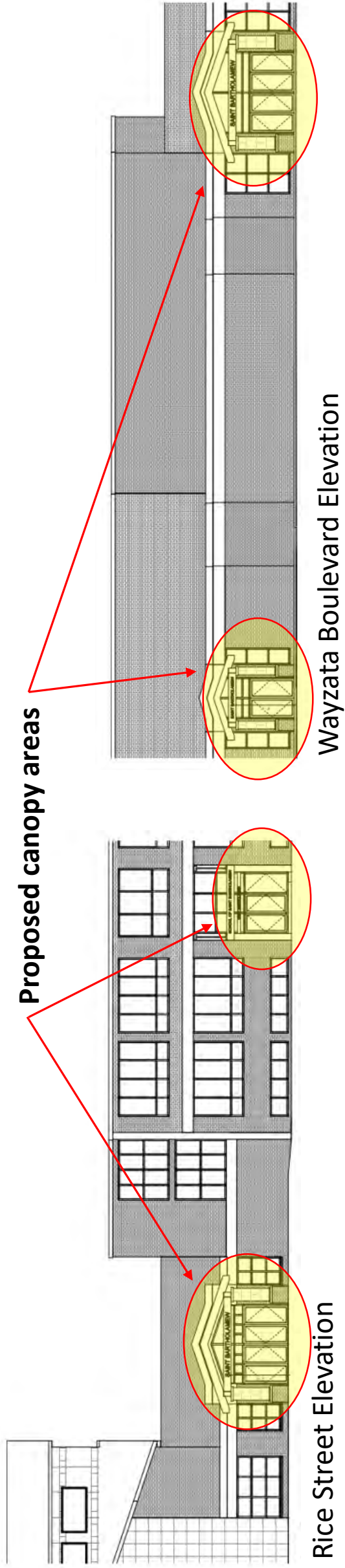
35,170 SF.	EXISTING CHURCH AND SCHOOL FOOTPRINT	
3,400 SF.	PROPOSED CHURCH ADDITION	
38,570 SF.	NET SITE COVERAGE	
106,590 SF.	TOTAL SITE AREA	
36.2%	PROPOSED LOT COVERAGE	

IMPERVIOUS SURFACE:
24.9% IMPERVIOUS SURFACE WITHIN 100' SETBACK

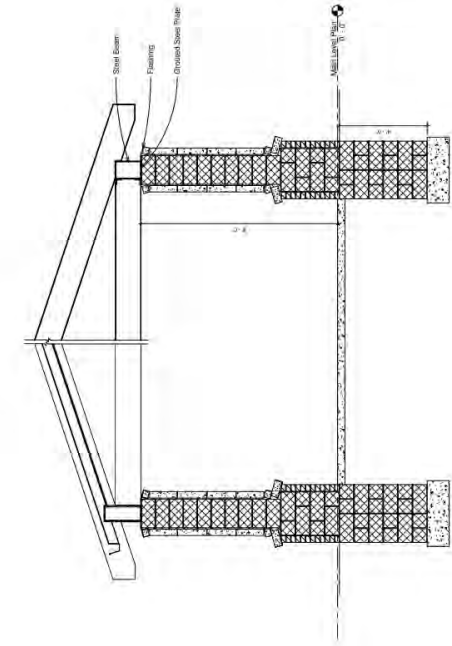
PARKING:		
70	EXISTING PARKING SPACES	
103	TOTAL PROPOSED PARKING SPACES	
7	- HC PARKING SPACES	
16	- COMPACT PARKING SPACES	
80	- STANDARD PARKING SPACES	
20	ON-SITE SCHOOL PICK UP/ DROP OFF	
	AUTO STACKING (20' CAR LENGTH)	



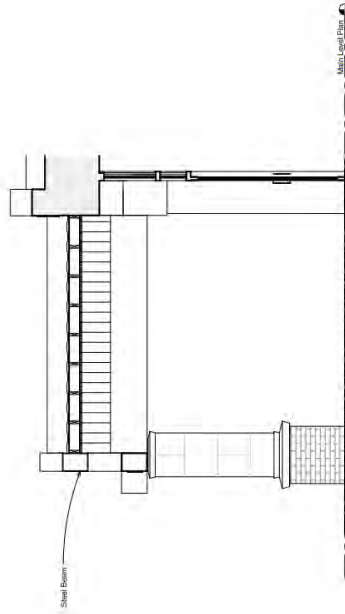
Context Aerial



Rice Street Church Entrance



Canopy Section

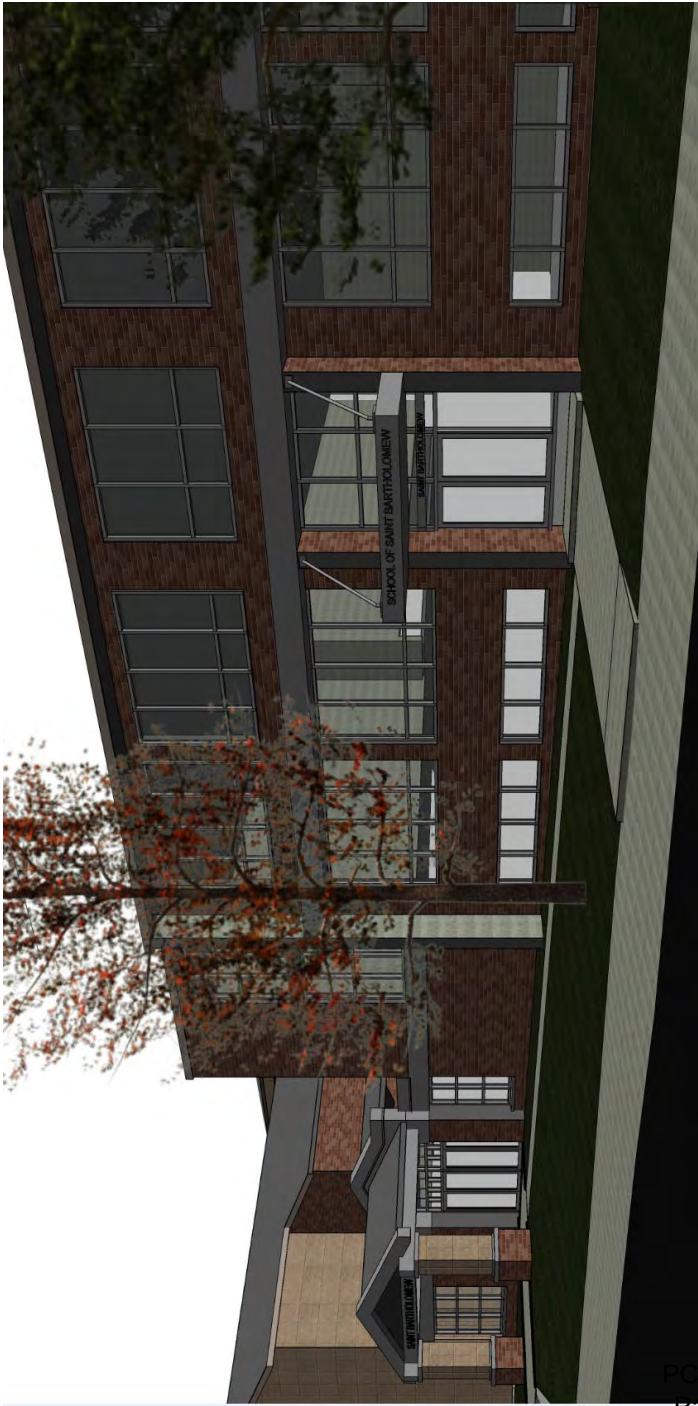


Canopy Section



Bice Street Church Entry





PG 12/19/2018
Page 29 of 70

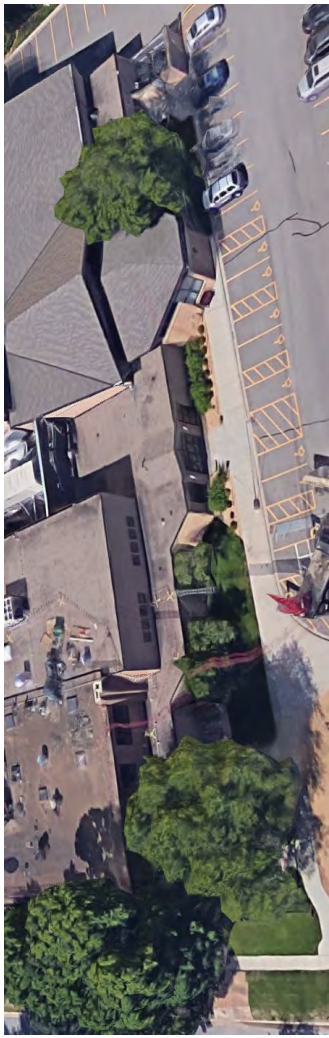
Price Street School Entry





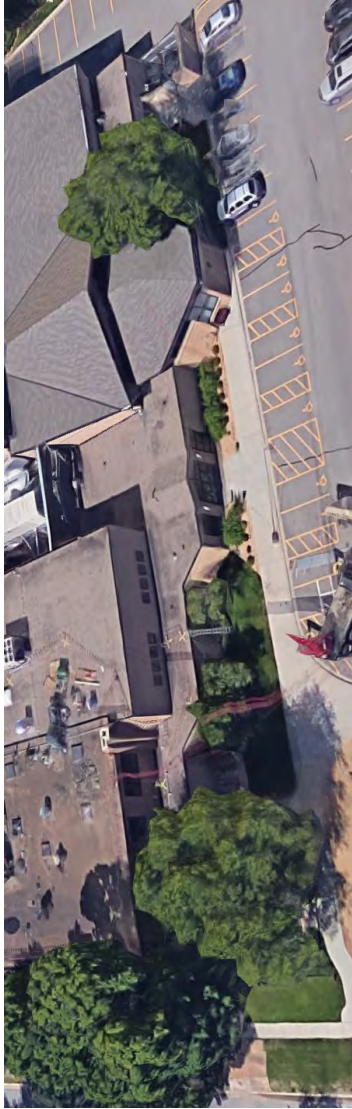
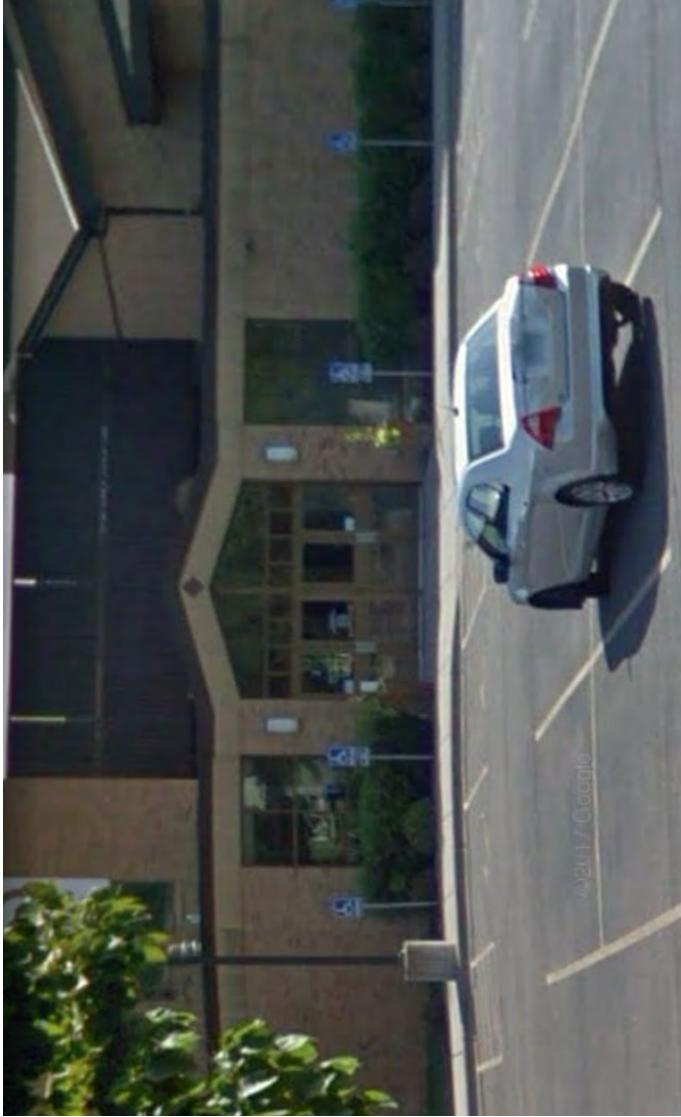
PC 12/17/2018
Page 30 of 70

Wayzata Boulevard School Entry





Wayzata Boulevard Church Entry



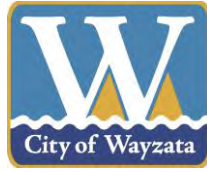
Proposed canopy



Rice Street Canopy Projection

PC 17/17/2018
Page 32 of 70





**Staff Report
December 17, 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: February 26, 2019 (120-day extension)

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.

This application was originally presented to the Planning Commission on December 3, 2018 and a public hearing was held. The Planning Commission made the recommendation to table the item until more information could be presented regarding a future home on the site. The applicant has updated their proposal to include the requested information regarding the home site, a narrative of their plans, grading and fill plans, and public letters of support.

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.

Proposed Home

The applicant has included elevations and a detailed pad site for a potential home that could be located on the property. The plans have been updated to include a potential site for a garage, a driveway turnaround and a deck with stairs. These plans are meant to illustrate the potential footprint of a home that could be located on the site in the future. The final house plans and site design would be reviewed by City staff as part of the building permit review to ensure compliance with all zoning ordinance requirements.

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. The amended plans identify five trees that may need to be removed for construction of a new home, none of which are heritage trees. Final plans for tree preservation will be submitted at time of home construction and reviewed for compliance with the City's tree preservation and replacement requirements.

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.

The Applicant has updated the Grading Plan to show details regarding construction mitigation strategies around the wetland area including silt fence installation and wetland buffer signage. The proposed plans do not include any fill or impacts to the wetland.

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

Letter from the Applicants
Updated Plans
Updated Proposed Home Elevations
Public Comments

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.

December 12, 2018

Wayzata Planning Commission
City Hall
600 Rice Street E.
Wayzata, MN 55391

RE: Ankeny Addition – 353 Ferndale Road South – Request for Additional Information

Members of the Planning Commission:

We are submitting this memorandum in connection with our application to subdivide our property at 353 Ferndale Road South submitted on October 29, 2018. After discussion at the Planning Commission's meeting on December 3, 2018, you requested additional information about the proposed subdivision and how it would be consistent with the preliminary plat criteria in the City Code.

As we stated at the meeting on December 3rd, we have always considered the possibility of subdividing our property, as we are blessed with a property with enough land and street frontage to potentially do so. After living here for 21 years, and as we approach being empty nesters, we have decided that now is a good time to explore that possibility. We love our location and the beautiful setting of our property, and have considered ways to downsize while remaining in the neighborhood. While we do not have any firm plans today, we wish to explore our options toward that objective.

As you requested, we will address each of the preliminary plat criteria in the City Code (Section 805.14.E) and how the proposed subdivision would be consistent with those criteria:

1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.

Response: We believe the proposed subdivision is entirely consistent with the Comprehensive Plan. More specifically, the subdivision is entirely consistent with the lot sizes and residential character of the neighborhood. No "incompatible higher densities" are introduced. Further, the proposed subdivision meets the zoning regulations and design standards of the City.

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.

Response: The property does contain identified wetlands, and these wetlands will be respected in any development of the property. The wetlands have been professionally delineated, and the

required buffer has been identified. State law mandates construction protocols and precautions, and no construction will take place in the wetlands or buffer.

Trees on the property will be subject to a tree removal and replanting plan. A big appeal of the property is the seclusion provided by large trees, as well as views of the marsh grass (cattails), (neighboring) pond, and wetlands. The area of the proposed lot most suitable for a building site does not have many large trees, so a house could be built without clear-cutting any wooded sections of the property. A professional tree survey has been conducted, and 85 trees were identified on the survey. To build the proposed (hypothetical) home would require removal of only 5 trees of the 85 specified on the survey.

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.

Response: To address this criterion, we have assessed the impact to the site from building a representative (hypothetical) home. This representative home would have a 3900 sf footprint, including the garage. The house would be 3 stories, include a 10' walkout basement, and be accessed by a serpentine driveway entering the property from Peavey Lane. The house would have approximately 5700 sf of finished space and a 1000 sf garage.

We have updated the plat to show where the representative home would be located on the site, and how the driveway would be routed from Peavey Lane and along the western edge of the property.

The grading required to site such a home on the subdivided lot is minimal, as the natural topography lends itself well to such a home, which would nicely take advantage of the exceptional views of the marsh grass (cattails), (neighboring) pond, and wetlands. Further, as mentioned above, very few trees would need to be cut down to accommodate this house, and the house would be situated near clusters of sizable pine and ash trees, taking advantage of the existing natural setting.

Civil engineering analysis has been performed by Sathre-Berquist to determine the volume of soil needed in building the house. Based on the soil borings we performed as well as the plans for the representative house, the engineers estimate that 600-1000 cubic yards of structural fill would be needed for the foundation and site work. For the driveway plan as shown on the plat, they estimate 550 cubic yards of Class 5 to provide a 12" depth base for the driveway coming off Peavey Lane. These volumes are quite typical for a house of this scale.

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.

Response: Trees on the property will be subject to a tree removal and replanting plan. A big appeal of the property is the seclusion provided by large trees, as well as views of the marsh grass (cattails), (neighboring) pond, and wetlands. The area of the proposed lot most suitable for

a building site does not have many large trees, so a house could be built without clear-cutting any wooded sections of the property. A professional tree survey has been conducted, and 85 trees were identified on the survey. To build the proposed (hypothetical) home would require removal of only 5 trees of the 85 specified on the survey. As detailed on the plot plan, the trees identified for removal are spread out, and are not part of any significant stands of trees. Further, the house would be situated near clusters of sizable pine and ash trees, taking advantage of the existing natural setting.

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.

Response: Most lots in Highcroft are 1-2 acres, with a median lot size of 1.56 acres. The proposed lot will be more than 2 acres, which is consistent with Highcroft lots, albeit on the high end. Further, the proposed lot is much larger than lots on north side of Peavey Lane, which average about one-half acre.

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.

Response: At more than 2 acres, the proposed lot is consistent with others in Highcroft, albeit on the high end. Further, the proposed lot is much larger than lots on north side of Peavey Lane, which average about one-half acre. The representative house demonstrates how nicely a beautiful, stately home can be built on the site, while reflecting the natural topography and taking full advantage of the gorgeous views of the marsh grass (cattails), (neighboring) pond, and wetlands. Such a house would be in keeping with the neighborhood.

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.

Response: Most lots in Highcroft are 1-2 acres, with a median lot size of 1.56 acres. The proposed lot will be more than 2 acres, which is consistent with Highcroft lots, albeit on the high end. Further, the proposed lot is much larger than lots on north side of Peavey Lane, which average about one-half acre.

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.

Response: There are no plans for a new house at this time. However, a 2+ acre lot will attract a home of similar scale and appearance to surrounding homes in the Highcroft neighborhood. The representative house demonstrates how nicely a beautiful, stately home can be built on the site. Such a home is entirely consistent with the character of the Highcroft neighborhood, with

elegant, higher-end homes that take advantage of the natural beauty of the hilly topography and numerous trees.

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.

Response: The proposed subdivision will not be subject to the architectural guidelines and criteria of the specified Districts.

10. The proposed lot layout and building pads shall conform with all performance standards contained herein.

Response: The proposed subdivision meets all performance standards and requirements of the zoning for the R-1A zoning district, as detailed in the table below (proposed new lot is Lot 2).

	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.

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.

Response: Most lots in Highcroft are 1-2 acres, with a median lot size of 1.56 acres. The proposed lot will be more than 2 acres, which is consistent with Highcroft lots, albeit on the high end. Further, the proposed lot is much larger than lots on north side of Peavey Lane, which average about one-half acre. Accordingly, the proposed lot will not change the density or average lot size appreciably. To the extent that any new house can change the views from other houses, the proposed subdivision and representative house will be nestled in among existing trees. Furthermore, all homes in the neighborhood have views of their neighbors' houses, as Highcroft is not a neighborhood with 10+ acre lots where people can't see their neighbors.

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.

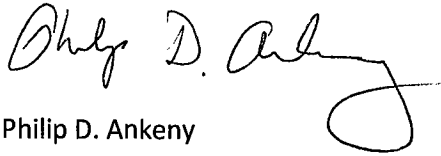
Response: The proposed subdivision will be able to tie into sewer, water, electric, and gas mains on Peavey Lane. A utility plan is included with the plot plan.

Neighbor Support

We have shared our plans for the lot subdivision with our neighbors, and most are supportive of what we are proposing to do. In fact, we have received letters of support from five of the seven neighbors in the immediate vicinity of the proposed lot, with sight lines to the proposed building pad (bounded by Peavey Lane, Peavey Road, Highcroft Road, and Ferndale Road South). Those letters of support are included as an appendix to this letter.

We look forward to discussing this response with you at the Planning Commission meeting on December 17th and welcome any questions you might have.

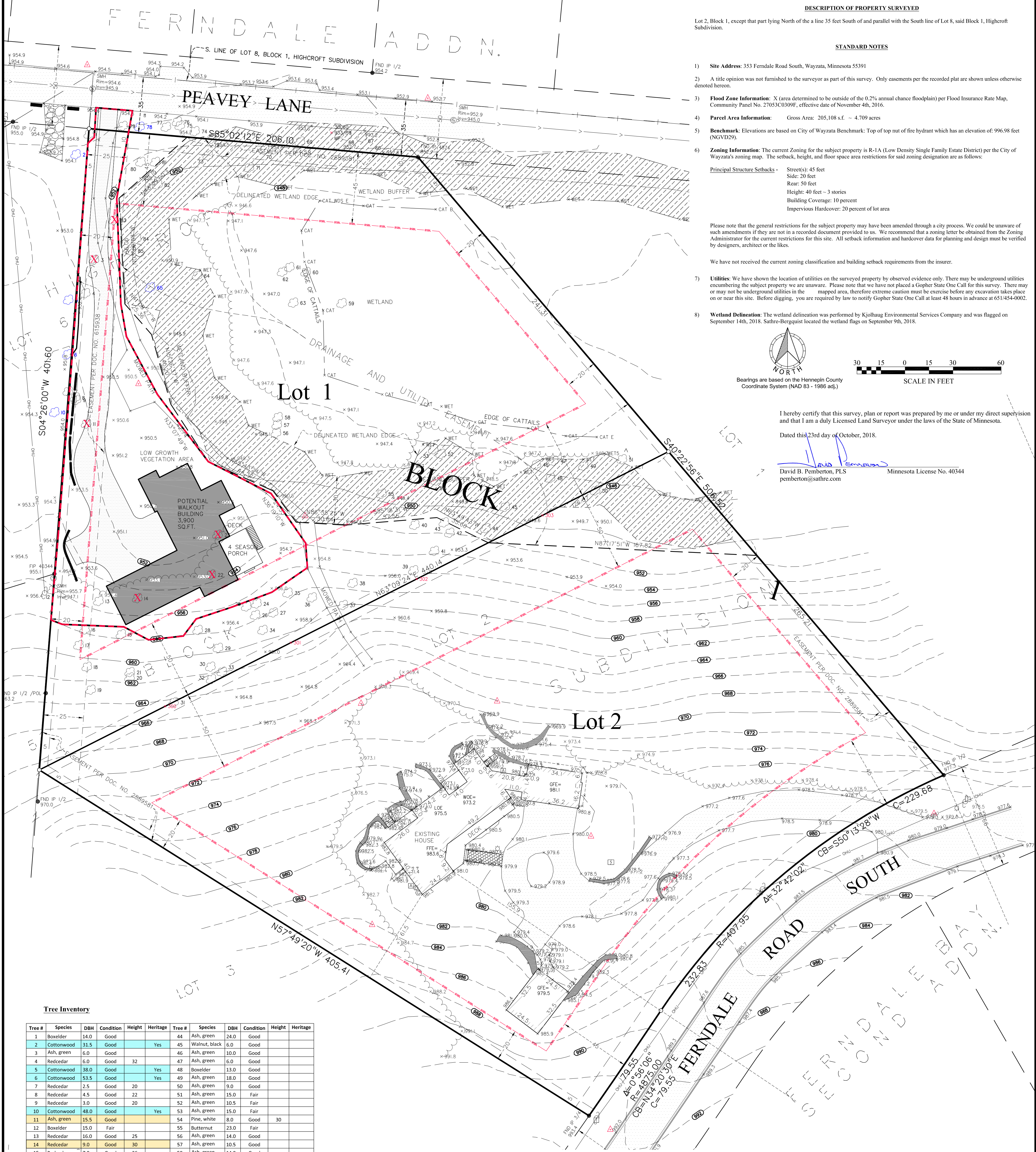
Respectfully Submitted,



Philip D. Ankeny



Susan K. Ankeny



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

- Site Address:** 353 Ferndale Road South, Wayzata, Minnesota 55391
- 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.
- Flood Zone Information:** X (area determined to be outside of the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27053C0309F, effective date of November 4th, 2016.
- Parcel Area Information:** Gross Area: 205,108 s.f. ~ 4,709 acres
- Benchmark:** Elevations are based on City of Wayzata Benchmark: Top of top nut of fire hydrant which has an elevation of: 996.98 feet (NGVD29).
- 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 -
Street(s): 45 feet
Side: 20 feet
Rear: 50 feet
Height: 40 feet ~ 3 stories
Building Coverage: 10 percent
Impervious Hardcover: 20 percent of lot area

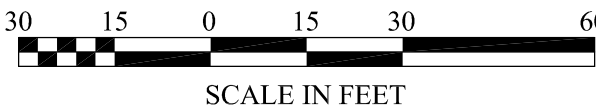
Please note that the general restrictions for the subject property may have been amended through a city process. We could be unaware of such amendments if they are not in a recorded document provided to us. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions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

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

- Utilities:** We have shown the location of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property we are unaware. Please note that we have not placed a Gopher State One Call for this survey. There may or may not be underground utilities in the mapped area, therefore extreme caution must be 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.
- 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.



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



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
pemberton@sathre.com
Minnesota License No. 40344

Tree Inventory

Tree #	Species	DBH	Condition	Height	Heritage	Tree #	Species	DBH	Condition	Height	Heritage
1	Bovelder	14.0	Good			44	Ash, green	24.0	Good		
2	Cottonwood	31.5	Good		Yes	45	Walnut, black	6.0	Good		
3	Ash, green	6.0	Good			46	Ash, green	10.0	Good		
4	Redcedar	6.0	Good	32		47	Ash, green	6.0	Good		
5	Cottonwood	38.0	Good		Yes	48	Bovelder	13.0	Good		
6	Cottonwood	53.5	Good		Yes	49	Ash, green	18.0	Good		
7	Redcedar	2.5	Good	20		50	Ash, green	9.0	Good		
8	Redcedar	4.5	Good	22		51	Ash, green	15.0	Fair		
9	Redcedar	3.0	Good	20		52	Ash, green	10.5	Fair		
10	Cottonwood	48.0	Good		Yes	53	Ash, green	15.0	Fair		
11	Ash, green	15.5	Good			54	Pine, white	8.0	Good	30	
12	Bovelder	15.0	Fair			55	Butternut	23.0	Fair		
13	Redcedar	16.0	Good	25		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	8.0	Good		
21	Redcedar	10.0	Fair	25		64	Ash, green	8.5	Good		
22	Redcedar	13.0	Fair	20		65	Ash, green	40.0	Fair		Yes
23	Ash, green	24.0	Fair			66	Bovelder	27.0	Good		
24	Redcedar	6.0	Good	22		67	Ash, green	7.0	Good		
25	Redcedar	7.0	Good			68	Bovelder	16.0	Good		
26	Pine, white	13.0	Fair	26		69	Ash, green	21.0	Good		
27	Pine, white	8.0	Good	35		70	Bovelder	22.0	Fair		
28	Redcedar	14.0	Good	30		71	Ash, green	7.0	Good		
29	Redcedar	11.0	Good			72	Ash, green	20.0	Fair		
30	Redcedar	11.0	Good	30		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	Ash, green	7.5	Good		
35	Birch, river	6.5	Good			78	Cottonwood	50.0	Good		Yes
36	Birch, river	10.5	Good			79	Ash, green	6.0	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	9.0	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								

Potential Tree Removals

Deciduous Trees: #11, 23, 83
Coniferous Trees: #14, 22

Total Caliper Inch On Site: 810"
Caliper Inch Removed: 68.5"
% Removed: 8.45%

SIGNIFICANT TREE
HERITAGE TREE

TREE TO BE REMOVED

TREE OFF SITE - NOT INCLUDED

ENGINEER/LAND SURVEYOR

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

OWNER

Phillip and Susan Ankeny
353 Ferndale Road
Wayzata, MN 55391
Tel: 612-670-1466
Tel: 612-850-8786
Email: sueankeny@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

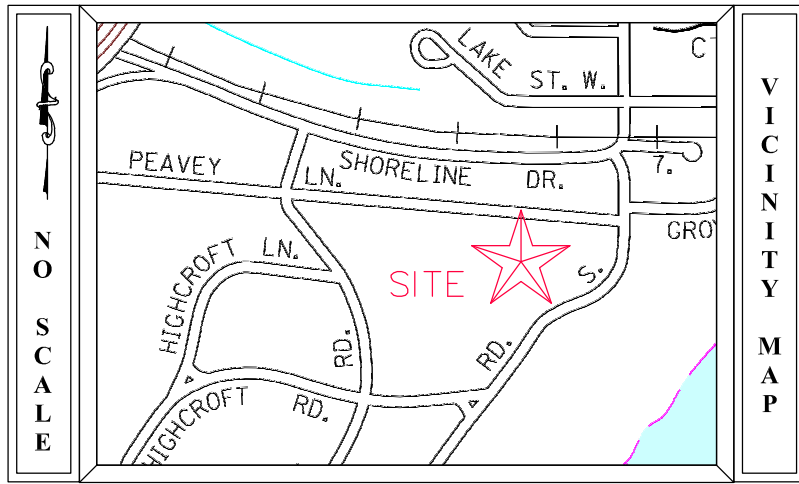
LOT AREA INFORMATION

Lot 1: 93,013 sq. ft./2.135 acres
Hardcover: %
Driveway: 5,450 sq. ft.
Home: 3,900 sq. ft.
Deck/Porch: 650 sq. ft.
Ret. Walls: 500 sq. ft.
Total: 10,500 sq. ft.
Hardcover: 11.3%

Lot 2: 112,095 sq. ft./2.573 acres
Hardcover: 11.07%

Hardcover

Lot Area = 205,108 S.F.
House Area = 3,663 S.F.
Driveway Area = 6,618 S.F.
Sloop/Steps Area = 225 S.F.
Deck Area = 464 S.F.
Ret. Walls = 275 S.F.
Brick/Walkways = 1,161 S.F.
Total Area = 12,406 S.F.
Coverage = 6.05%



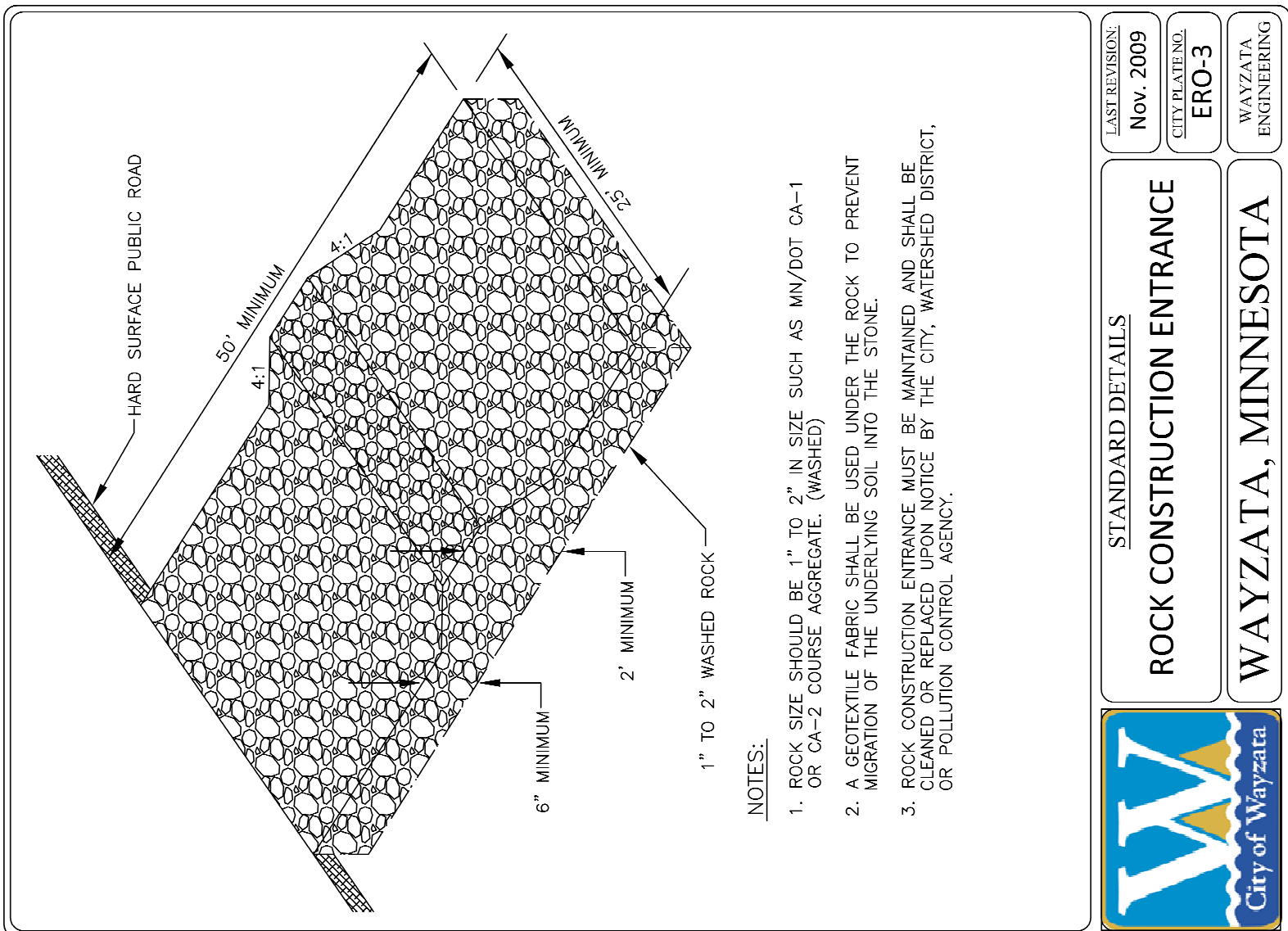
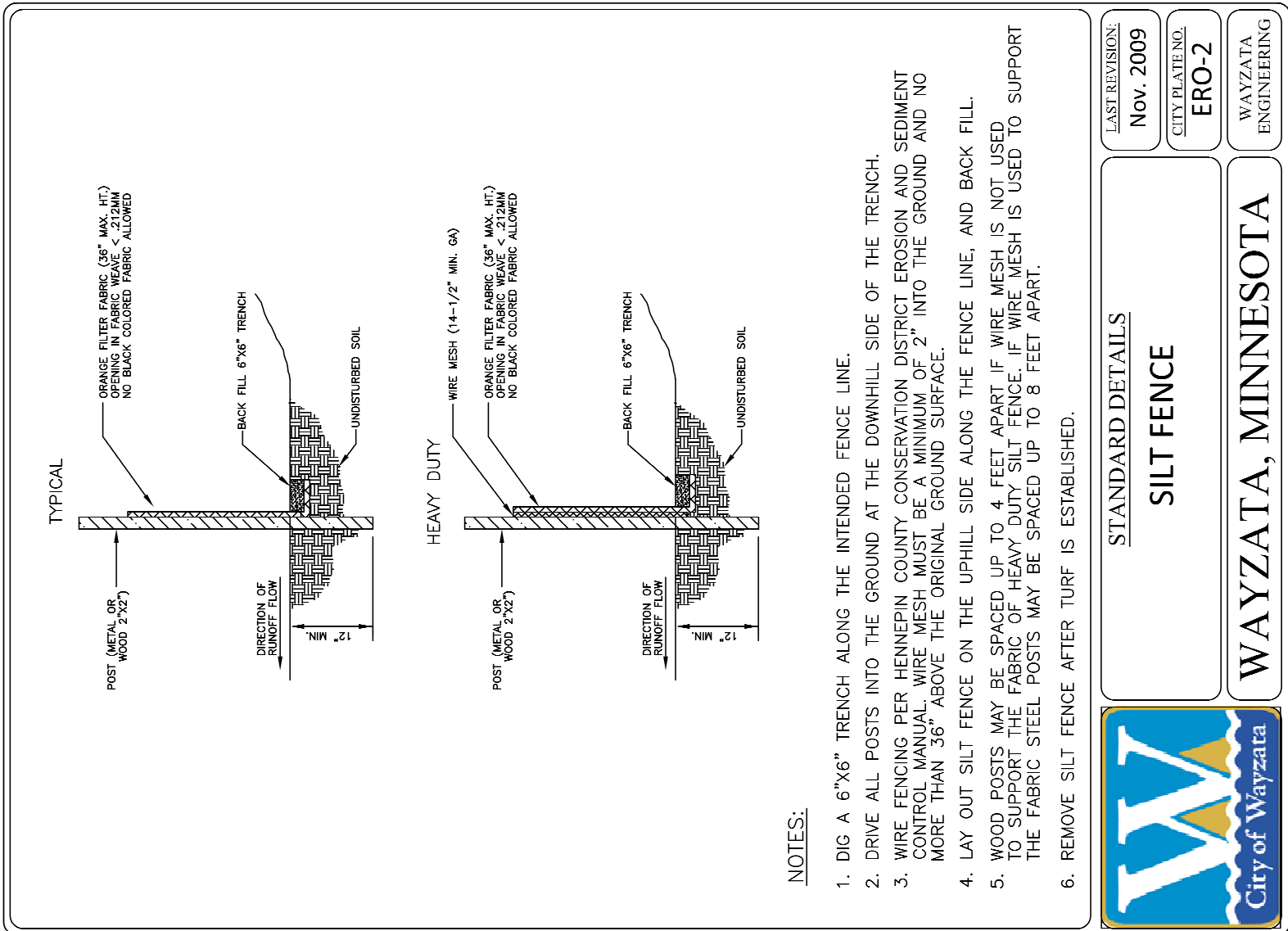
SURVEY LEGEND

- CAST IRON MONUMENT
- 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 (972.5)
- EXISTING GROUND ELEVATION
- STORM DRAIN
- STORM MANHOLE
- YARD LIGHT
- A/C UNIT
- WELL
- WALKOUT ELEVATION
- FIRST FLOOR ELEVATION
- GARAGE FLOOR ELEVATION
- TOP OF FOUNDATION ELEV.
- LOWEST OPENING ELEV.
- CABLE TV PEDESTAL
- ELECTRIC TRANSFORMER
- ELECTRIC MANHOLE
- ELECTRIC METER
- GAS METER
- GAS VALVE
- HAND HOLE
- SOIL BORING
- TREE DECIDUOUS
- TREE CONIFEROUS
- TELEPHONE MANHOLE
- TELEPHONE PEDESTAL
- UTILITY MANHOLE
- UTILITY PEDESTAL
- PIEZOMETER
- SIGN
- BITUMINOUS
- BUILDING SETBACK LINE
- CABLE TV
- CONCRETE CURB
- CONCRETE
- CONTOUR EXISTING
- CONTOUR PROPOSED
- GUARD RAIL
- DRAIN TILE
- ELECTRIC UNDERGROUND
- FENCE
- FIBER OPTIC UNDERGROUND
- GAS UNDERGROUND
- OVERHEAD UTILITY
- RAILROAD TRACKS
- SANITARY SEWER
- STORM SEWER
- TELEPHONE UNDERGROUND
- UTILITY UNDERGROUND
- WATERMAIN
- TRAFFIC SIGNAL

FIELD CREW	NO.	BY	DATE	REVISION	USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.	FILE NO.
AT	1	EMW	11/13/2018	TREE SURVEY		10052-001
DRAWN	2	DBP	12/11/2018	SITE PLAN/TREE PLAN		
DBP/EMW						
CHECKED						
DBP						
DATE						
09/18/18						

PRELIMINARY PLAT
POTENTIAL CONDITIONS
TREE INVENTORY
PREPARED FOR:
Philip and Susan Ankeny

1



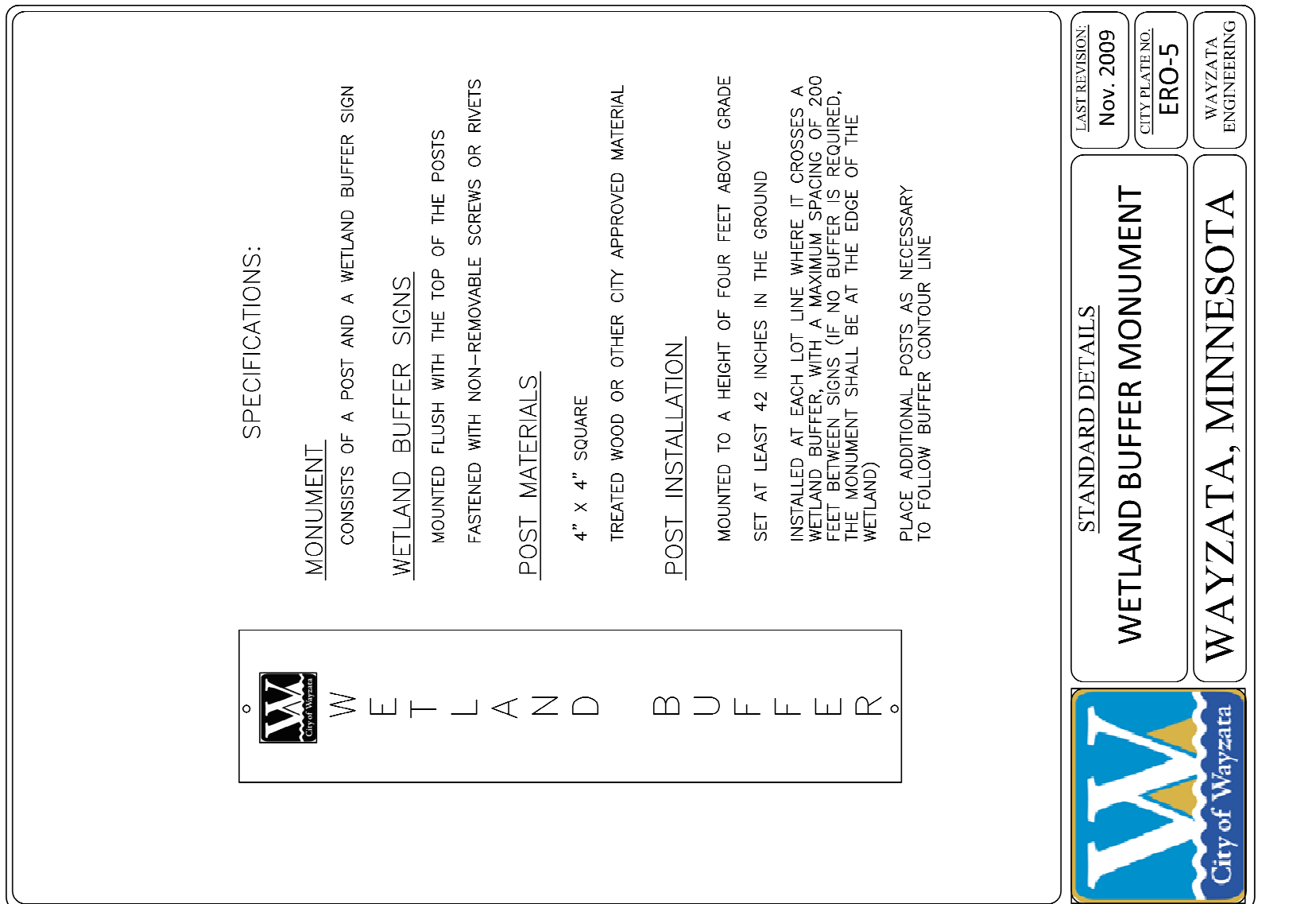
APPROXIMATE GRADING QUANTITIES

Quantities

550 c.y.12" Class 5 for driveway

600 to 1,000 c.y. of Structural Fill

The actual quantities will have to be revised after the final home plans are prepared and the geotechnical recommendations are finalized.

[illegible]

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__.

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 this 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

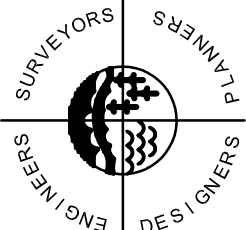


○ Denotes a 1/2 inch by 14 inch iron pipe set and marked by License No. 40344.

● 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.

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.

NOT TO SCALE

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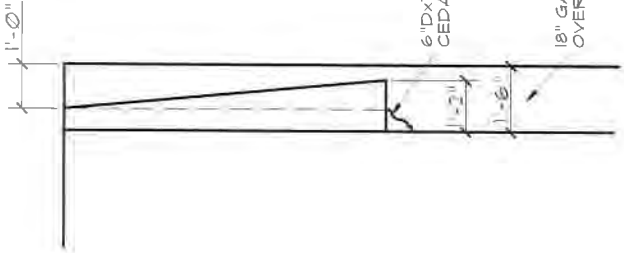
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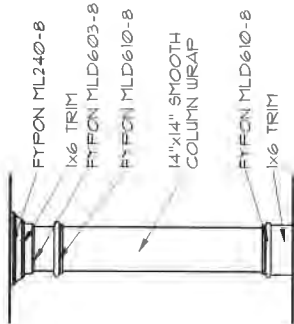
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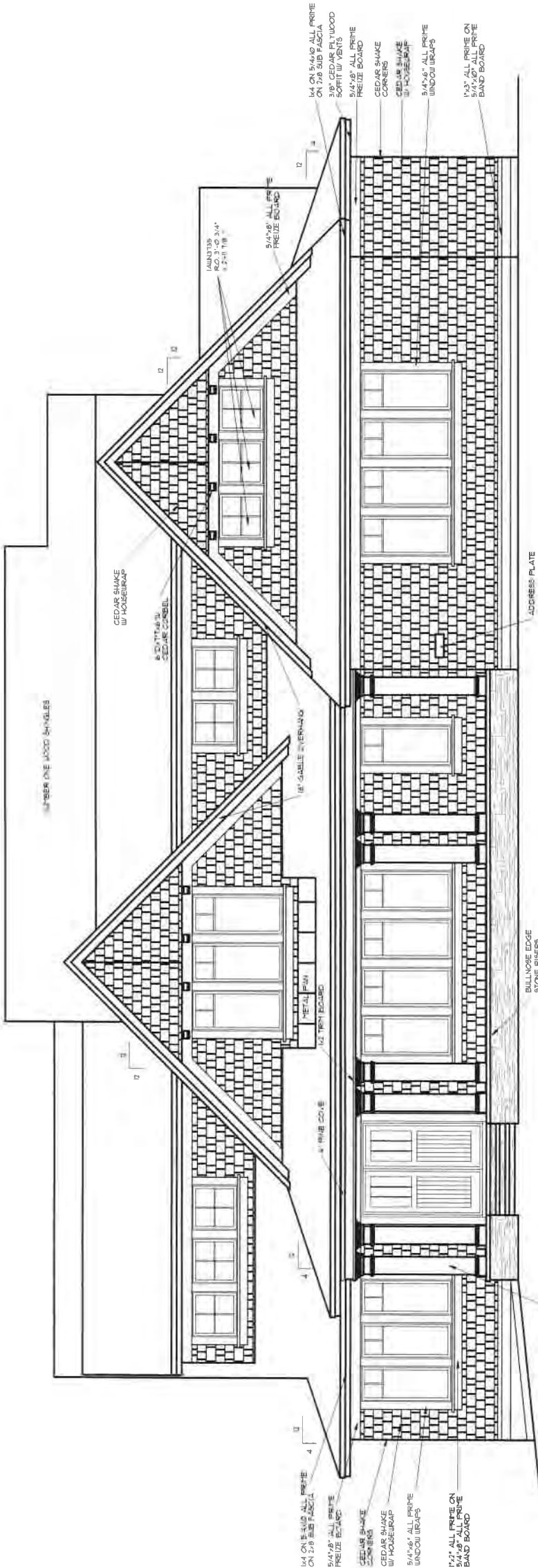
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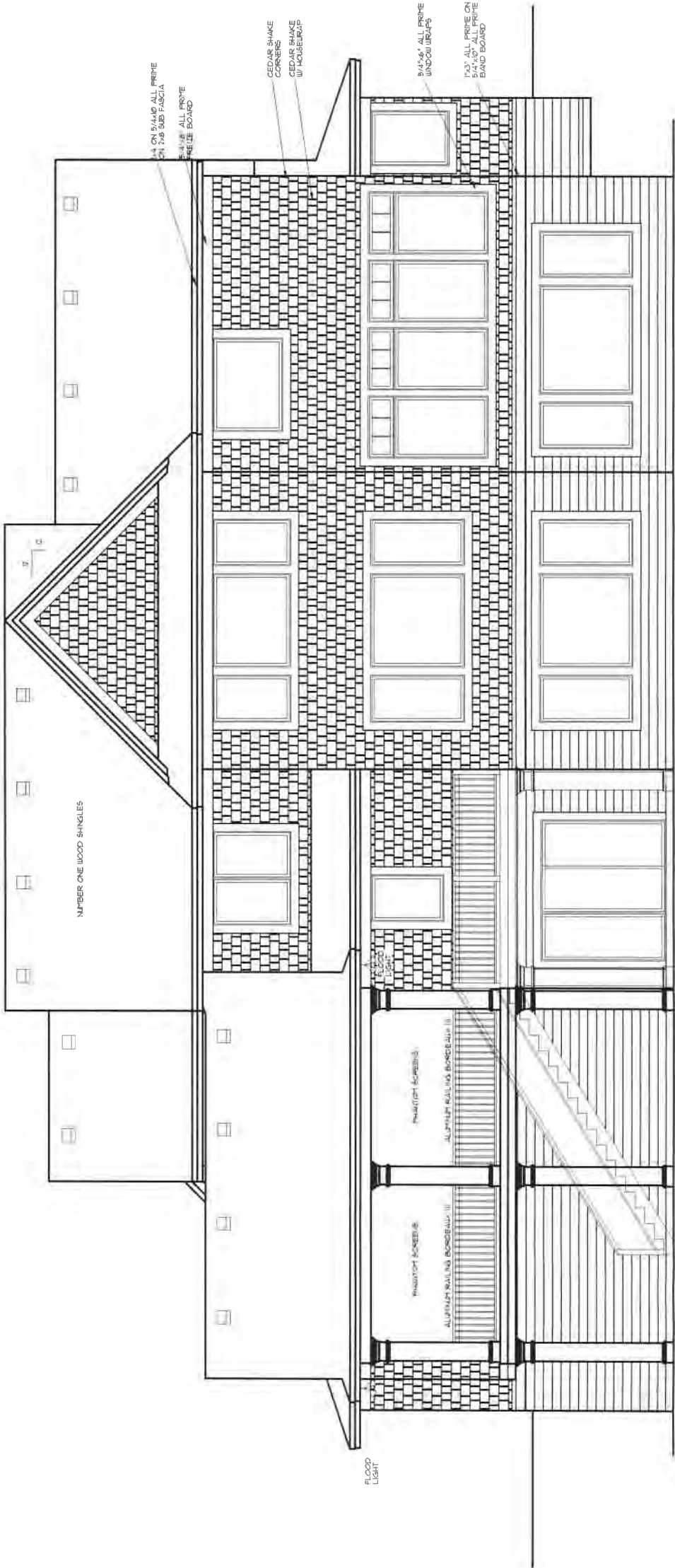
FRONT GABLE DETAIL
SCALE 1/2" = 1'-0"



FRONT COLUMN DETAIL
SCALE 1/2" = 1'-0"



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



SIDE ELEVATION
SCALE 1/4" = 1'-0"

APPENDIX
E-mails from Neighbors

Maddrey (330 Peavey Rd)

From: Tammy Maddrey
Sent: Tuesday, December 11, 2018 1:46 PM
To: JeffreyBuchanan@wayzata.org; gregoryflannigan@wayzata.org;
peggydouglas@wayzata.org; cathyiverson@wayzata.org; patrickmurray@wayzata.org;
christineplantan@wayzata.org
Cc: Phil Ankeny; Sue Ankeny
Subject: Ankeny Peavey Lane Subdivision Proposal

Hello Planning Commission Members:

I am writing to share my support for the proposed subdivision of Phil and Sue Ankeny's lot at 353 Ferndale Road South in Wayzata. I own and live at 330 Peavey Road. The back edge of my lot shares 316.99 feet with the Ankeny's current lot and their proposed new lot.

This new lot and its proposed building site appear to meet current zoning regulations; and thus, should pass with no issues. I think it will be a lovely lot and a new home there would fit well with the other homes on Peavey Lane. I have a rear gravel driveway adjacent to theirs off Peavey Lane which is seldom used by me. Construction vehicles in the future are welcome to use for overflow parking if needed.

I wish them good luck and welcome the project.

Sincerely,
Tammy Maddrey
330 Peavey Road
Wayzata

Hofstadter/Litin (401 Ferndale Rd S)

From: Claudio Hofstadter
Sent: Monday, December 3, 2018 10:19 AM
To: Phil Ankeny
Subject: Lot subdivision

Hi Phil

Just wanted to let you know that we will not be able to attend the public hearing on Monday December 3rd, but we are aware of all the particulars on the proposed subdivision of 353 Ferndale Rd S and as your neighbors we have no objections. We appreciate you keeping abreast of what your plans were and answering any questions we had.

All the best
Ann Litin and Claudio Hofstadter

Gigerich (415 Highcroft Rd)

From: David Gigerich
Sent: Tuesday, December 11, 2018 11:50 AM
To: Phil Ankeny
Subject: Lot subdivision

Phil,

I wanted to write you to personally let you know I have no issue with your desire to sub-divide your lot. I have reviewed the information and we don't see any problem with splitting your lot. If you have any questions or need anything further feel free to reach out to me directly.

David Gigerich
415 Highcroft Road
Wayzata, MN

Dressen (310 Peavey Rd)

From: Roberta Dressen
Sent: Monday, December 3, 2018 12:07 PM
To: Phil Ankeny
Subject: Re: Project

Dear Phil

I did see George Stickney's letter. He certainly alerted the reader to many technical components of the land development to which, to be quite transparent, I had not given any previous thought.

That said, I continue to support the subdivision that you and Sue seek of your property as I am certain that a land architect dedicated to ecosystem solutions can address the needs/ requirements raised by the Stickney letter.

Best Wishes with this evenings public hearing.

All the best,
Bobbie

Roberta Antoine Dressen

Gurfinkel/Howell (301 Ferndale Rd S)

From: Alexander Gurfinkel
Sent: Tuesday, December 11, 2018 4:10 AM
To: Phil Ankeny
Subject: Land subdivision

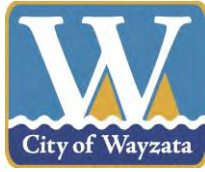
Dear Phil,

This email is intended to document and acknowledge the conversation between Lindsay Howell, Alexander Gurfinkel, and Phil Ankeny. The following points were discussed during this meeting regarding the subdivision of land for the Ankeny home at 353 Ferndale Rd. S.:

- A survey has been drafted showing the land divided into two parts, with the proposed land for sale located on northwest corner of the Ankeny property
- It is agreed that the proposed access/driveway for the subdivided property will be from Peavy Lane
- We expect our home privacy will be maintained, and as long as it is not compromised with this land subdivision, we do not object.

Thank you for your thoughtful attention to this.

Alexander Gurfinkel
Lindsay Howell
301 Ferndale Rd S



**Staff Report
December 17, 2018**

Project Name: Hughes Redevelopment
Applicant Tom Dillon and Pat Hughes
Addresses of Request: 235 and 239 Lake St E
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: January 29, 2019

Development Application

Introduction

The applicant, Tom Dillon and Pat Hughes, and the property owner, Melvin’s 235, LLC, have submitted a development application for the properties at 235 and 239 Lake Street East. The application is the final phase of land use approvals for the redevelopment of the properties.

The project includes demolishing the existing office building and constructing a three story, 37,821 square foot office building. On October 2, 2018, the City Council approved the second phase of the PUD, including PUD general plan, design review, building height variance, and conditional use permit/shoreland impact plan for building height.

The current application requests approval of a preliminary and final plat subdivision to subdivide the property into two lots, and a conditional use permit under the City’s fee in lieu of parking policy.

Background Information

Over the past year, the City has been considering redevelopment plans on Lake Street between Manitoba Ave and Ferndale Rd. The redevelopment plans include a shared public parking lot behind the buildings on the northwest corner of Lake Street and Barry Ave. The parking would serve the proposed developments, the existing easement with the Boatworks property, and provide additional public parking for the downtown area. As each of the individual development projects has been reviewed by the City, the land behind 235, 253, and 275 Lake Street has been approved with the public parking option.

Property Information

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

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

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

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

Project Location

The property is located on the north side of Lake Street, between Barry Avenue and Edgewood Court:

Map 1: Project Location



Adjacent Land Uses

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

Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
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North	Wayzata Villa Condominiums	R-5/Average Density Multiple Residential District	High Density Multiple Family
East	Ventana Condos development site	PUD/Planned Unit Development	Central Business District
South	Lake Street	N/A	N/A
	TCF Office Building	PUD/Planned Unit Development	Central Business District
West	Coldwell Banker Burnet Building	C-4A/Limited Central Business District	Central Business District

Application Requests

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

- A. Preliminary and Final Plat Subdivision: The proposed plans include subdividing the existing lots into two separate lots, which requires preliminary and final plat review. (City Code Section 1003.02 and 1003.03)
- B. Conditional Use Permit for Fee in Lieu of Parking: The City's Fee in Lieu of Parking (FILOP) Policy states that any new use on a property that cannot meet the applicable on-site minimum parking requirements of City Code may be permitted if: (1) a fee-in-lieu of parking is paid to the City; and (2) a conditional use permit is approved by the City. The applicant is requesting a conditional use permit under the FILOP Policy. (City Council Resolution No. 47-2016)

Public Hearing Notice

The public hearing notice was published in the *Sun Sailor* and mailed to all property owners located within 350 feet of the subject property on November 21, 2018. At its meeting on December 3, 2018, the Planning Commission opened the public hearing and continued the public hearing to the December 17th meeting.

Analysis of Application

Proposed Subdivision

The proposed plat would combine the four existing lots and subdivide the combined property into two separate lots. The front lot along Lake Street (Lot 1) would be the development site for the office building. The rear lot (Lot 2) would be given to the City for the public parking lot. The proposed plat would also dedicate 2,882 sq. ft. of additional right of way for Lake Street. The following table outlines the proposed lot information:

	Lot area	Lot width	Lot depth
PUD Requirement	No minimum	No minimum	No minimum
Lot 1	29,208 sq. ft.	121.7 ft.	186.3 ft.
Lot 2	24,790 sq. ft.	115 ft.	253 ft.

The PUD zoning does not have minimum lot size, width, or depth requirements, and the proposed subdivision would meet the lot requirements of the PUD zoning district.

Parking

The approved PUD plans include a conceptual layout for the shared public parking lot behind the building. The plan provides a total of 186 parking stalls, which accommodates 74 stalls required for the Hughes project, 85 stalls for the Boatworks easements, and 27 stalls of permanent public parking.

The City's parking ordinance establishes the minimum number of parking stalls that must be provided in a development. For an office development, the parking ordinance requires a minimum of 3 spaces for each 1,000 sq. ft. of floor area. The proposed building consists of 37,821 sq. ft. of gross floor area (subtracting the parking level), which requires 102 parking spaces.

Of the 102 parking spaces required for the office building, 29 would be provided within the underground parking garage, and 34 stalls would be provided in the parking lot within the property that the applicant currently owns and will be giving to the City. The project requires 39 additional parking stalls than can be provided within the building and on the property. The 39 additional stalls would be provided within the shared public parking lot, and are subject to the City's FILOP policy.

FILOP Policy

In November 2016, the City Council adopted a Fee in Lieu of Parking (FILOP) policy, which was subsequently amended in November 2018. The FILOP Policy states that any new use on a property that cannot meet the applicable on-site minimum parking requirements of City Code may be permitted if: (1) a fee-in-lieu of parking is paid to the City; and (2) a conditional use permit is approved by the City.

The purpose of the FILOP policy is to provide greater flexibility, via a uniform policy, to property owners proposing projects in the downtown area that would not meet the City's minimum parking requirements. The goal of the policy is to reduce the number of variance applications, encourage consolidated and shared parking, and promote a well-designed and efficient parking system downtown.

The policy states that the City may approved a conditional use permit under the FILOP policy if:

1. The project is located within the mobility district as established by the City Council.
2. The City Council finds that the project would enhance the accessibility, functionality, density and vitality of the downtown business district.
3. The parking impact of the project does not exceed the available capacity of the City's parking facilities.

As a condition of approval, the applicant would be required to enter into an agreement with the City that is consistent with the FILOP policy. The number of parking stalls included in the agreement would need to cover the 39 stalls provided in the shared public parking lot at a cost of \$10,000 per stall.

Action Steps

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

Attachments

Preliminary and Final Plat
Plans

Applicable Code Provisions for Review

Preliminary Plat Criteria (Section 1003.02.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:

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

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

Conditional Use Permits: City Code Section 904.02.F states that the Planning Commission and City Council shall consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:

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

**CONSOLIDATED DEVELOPMENT APPLICATION
NOVEMBER 27, 2018
235/239 LAKE STREET EAST, WAYZATA
Melvin's 235, LLC, Applicant**

NARRATIVE SUMMARY

Introduction:

The 235/239 Lake Street East property is planned to be developed into a three-story multi-tenant office building. The current property consists of four tax parcels which will be combined into a single tax parcel for the development. The new office building is currently designed to contain 37,879 of gross leasable square feet of area. The building will contain approximately 29 lower level parking stalls as well as surface parking for tenants and/or visitors located on the north side of the property. We are requesting approval for our preliminary and final plat application and for a Conditional Use Permit for shared surface parking.

The 235/239 Lake Street East development is intended to serve the local multi-tenant office market. The property owner Melvin's 235, LLC is expected to lease a portion of the building for their own company use and offices. The balance of the office space will be leased to local general office space users.

The 235/239 Development team currently includes:

Developer/Owner
Melvin's 235, LLC – Pat Hughes Principal
235 Lake Street East
Wayzata, MN 55391

Project Manager
McSharry Real Estate, LLC – Tom Dillon
229 Minnetonka Avenue South, #52
Wayzata, MN 55391

Project Architect
Momentum Design Group – Craig Hartman
765 North Hampden Avenue, #180
St. Paul, MN 55114

Project Surveyor
Sathre-Bergquist, Inc. – Dave Pemberton
150 Broadway Avenue South
Wayzata, MN 55391

Civil Engineer and Landscape Architect
Rehder and Associates, Inc.
3440 Federal Drive, Suite #110
Eagan, MN. 55122

Application Request:

The 235 Lake Street Consolidated Development Application includes the following request for approval of the combination of the existing four tax parcels into a single tax parcel and for the approval of a Conditional Use Permit (CUP) to allow for shared surface parking with the City of Wayzata.

Present Site Status:

The property has been owned by Melvin's 235, LLC for the past 13 years. There currently exists one two story office building on the property which was built in 1953. The property is currently zoned PUD. An existing zoning summary of neighboring properties within 350-foot radius of 235/239 Lake Street East has been requested of the City of Wayzata.

Site Conditions:

The site is a flat site with a low-quality wetland located on the northern edge of the property. There are no other buildings, structures, significant trees or significant landscaping located on the site. Soil conditions are expected to be structurally unsuitable to support a new building and will need driven piles for foundation support. Ground water is expected to be found very near the surface of the site. Required utilities for the new office building are located in the Lake Street East right of way.

Building Plans:

The office building plans show the following gross floor sizes:

Parking Level	12,588 square feet of gross building area
First Floor	12,820 square feet of gross building area
Second Floor	12,936 square feet of gross building area
Third Floor	<u>12,065 square feet of gross building area</u>
Total GBA	50,409 square feet of gross building area

All building space is planned as general office space and approximately 29 parking stalls provided in the basement of the 235 building. The balance of required parking will be provided the on-surface parking lot on the north side of building. The office building steps back from Lake Street on floor two by five feet and by an additional twelve feet on level three. The schematic building plans provide a building height of thirty-nine and one-half feet.

Statement of Area Use:

The surrounding properties on Lake Street East is mostly a combination of commercial and business uses. The planned redevelopments immediately to the east of the 235/239 property which would change uses from commercial use to high density residential use. Both the existing surrounding uses and the proposed future

surrounding uses are compatible with the planned office building use at 235/239 Lake Street East.

Possible Adverse Effect of the Proposed CUP:

The proposed action to approve a CUP for shared surface parking in concert with the City of Wayzata's Comprehensive Plan.

The proposed use of the property includes the approval of the requested CUP is compatible with current and future uses of the surrounding properties and the area.

The proposed approval of the CUP for shared surface parking is in conformity with the performance standards of the area.

The proposed approval of the CUP for shared surface parking will have a positive impact on the surrounding area.

The proposed approval of the CUP for shared surface parking will have a positive impact on the surrounding areas property values.

The proposed approval of the CUP for shared surface parking will not generate a level of additional traffic that will negatively impact the surrounding area and the existing streets are capable of handling any anticipated traffic increase from current levels.

The proposed approval of the CUP for shared surface parking will not have a negative impact on the existing public services and facilities including parks, schools, streets and utilities including the City's service capacity.

Site:

First floor building setback from Lake Street is estimated at between five feet to ten feet based on the varying property line along Lake Street. The proposed development would require approximately 92 parking stalls including one loading stall at the rear of the building based on one stall per thousand square feet of leasable office space. Melvin's 235, LLC and the City of Wayzata are working on a mutually beneficial parking arrangement that would provide surface parking for the 235/239 building and City of Wayzata provide public parking during off peak business hours. This arrangement would involve a conveyance of a northern portion of Melvin's 235 land and northern portion of some of the 253 Lake Street land to create this City owned surface parking area.

Access to and from the 235/239 property to Lake Street will be located on the east side of the proposed 235 building and completely on 235/239 property. It is expected that a private/public parking lot use agreement will be formalized with the City prior to approval of the 235 Lake Street General Plan.

Site Tabulation:

Total Site Area:	56,954 square feet of land
Garage Level:	12,588 square feet of gross building area
First Floor	12,820 square feet of gross building area
Second Floor	12,936 square feet of gross building area
Third Floor	12,065 square feet of gross building area

Proposed FAR .61 FAR based on current site area

Project Schedule:	City Approvals	September 2018
	Construction Start	January 2019
	Construction Completion	October 2019
	Building Occupancy	October 2019

Public or Common Space:

There are several planned public or common spaces at the 235/239 Lake Street East property and include a planned driveway and walkway connecting the north surface parking lot and Lake Street East. The driveway and walkway are planned to be located on the 235/239 building property and west of the 253 Lake Street East building property line.

Easements/Utilities:

It is anticipated that Melvin's 235, LLC will have a shared driveway/access easement with the City of Wayzata and a parking easement with the City of Wayzata when the development is completed in 2019. In addition, the approval of our requested Conditional Use Permit for shared surface parking will allow the 235 Lake Street property and the City of Wayzata to share building parking with public parking. Building required utilities are currently located in the right of way of Lake Street East and include sanitary sewer, watermain and storm sewer. All utilities are expected to be adequate to serve the needs of the new 235 office building.

Tax Increment Financing District (TIF):

Melvin's 235, LLC has been supportive of the City of Wayzata's effort to create a tax increment district in this area of Lake Street East. The proposed TIF district would include approximately 24 land parcels and would generate the ability for the City to invest in several meaningful infrastructure projects. Melvin's 235 LLC intends to apply for TIF financing through the City and be a supportive member of this TIF district for the benefit of the City.

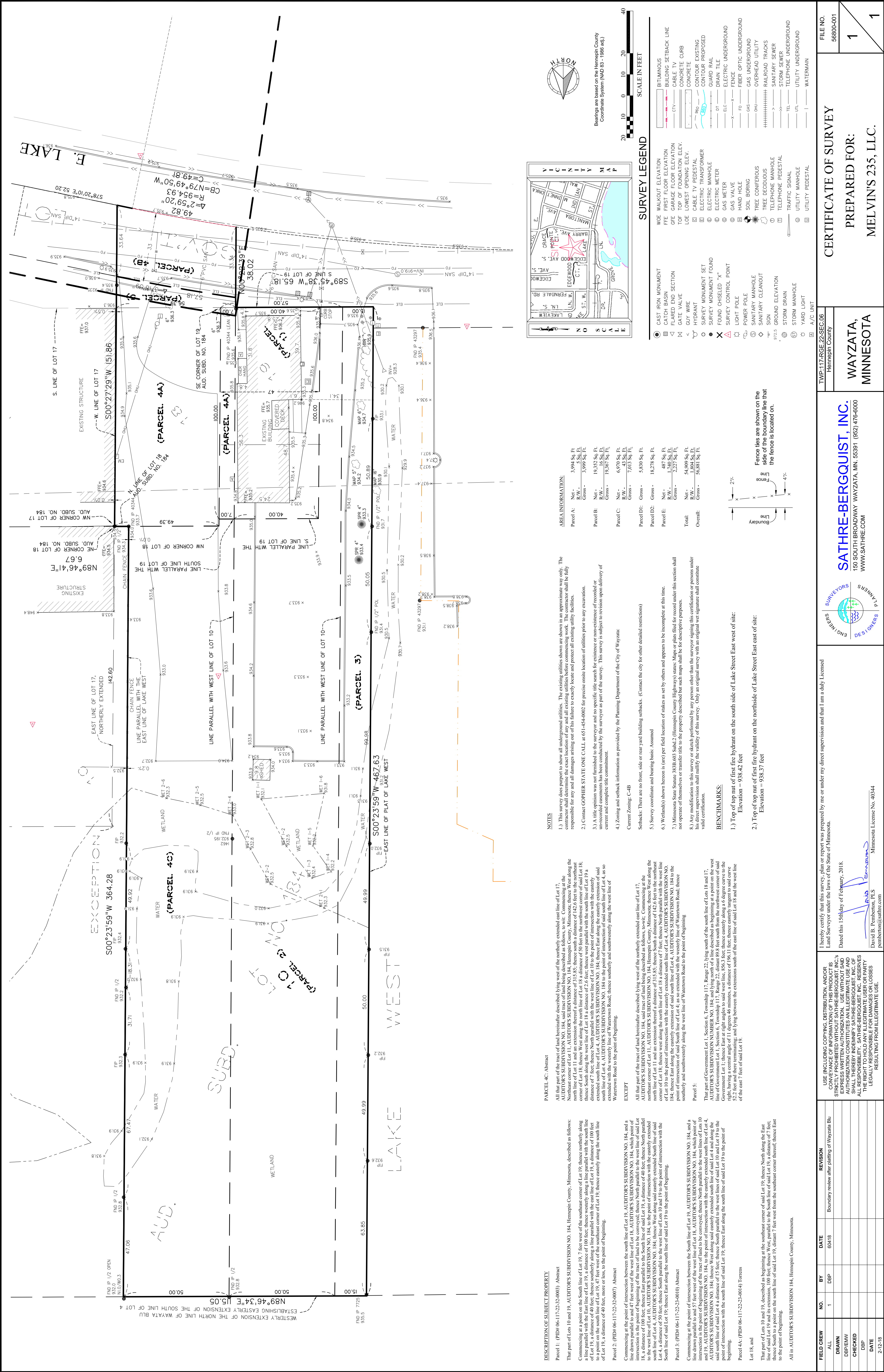
Application Conclusion:

We are requesting favorable review and approval of this Consolidated Development Application for preliminary and final plat and for a Conditional Use Permit (CUP) to allow for shared surface parking.

November 27, 2018

Planning Commission Review Criteria for Replatting of 235/239 Lake Street East, Wayzata Minnesota

- 1) The proposed replatting of the 235 Lake Street East property is consistent with the Wayzata Comprehensive plan.
- 2) The building pad that result from a replatting will preserve sensitive areas such as lakes, streams, wildlife habitat, trees and vegetation, scenic points, historical locations or similar community assets.
- 3) The building pad that results from the replatting shall be selected and located with respect to natural topography to minimize filling or grading.
- 4) The replatting of the 235/239 Lake Street East property will retain existing stands of trees where possible. The building pad that will result from the property replatting shall be sensitively integrated into existing trees.
- 5) The replatting of the 235/239 Lake Street East property shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
- 6) The replatting of the 235/239 Lake Street East property and resulting lot, building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhoods character.
- 7) The replatting of the 235/239 Lake Street East property and the resulting lot size shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
- 8) The replatting of the 235/239 Lake Street East property and the resulting architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on the combined lot 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 approved on a combined lot have been 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 outlined in Chapter 909 of the Wayzata Zoning Ordinance.
- 10) The proposed lot combination and layout and building pads shall conform with all performance standards contained in the City Ordinances.
- 11) The proposed replatting and lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the replatting and lot combination id proposed.
- 12) The proposed replatting and 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.





X2

FLOOR PLANS

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

GROSS BUILDING AREA

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

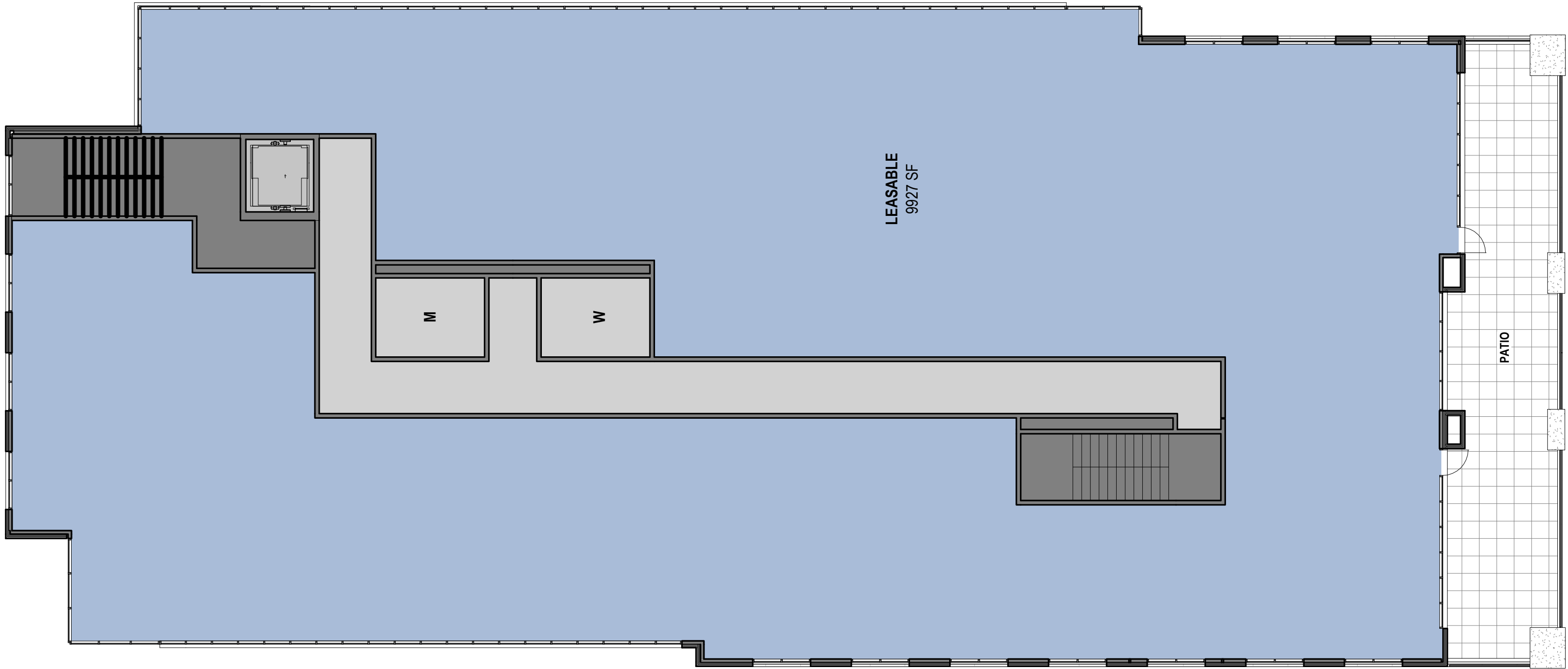
DATE: _____
SIGNATURE: _____
PRINT NAME: BRIAN GADIENT
LICENSE #: 52990

General Plan of Development

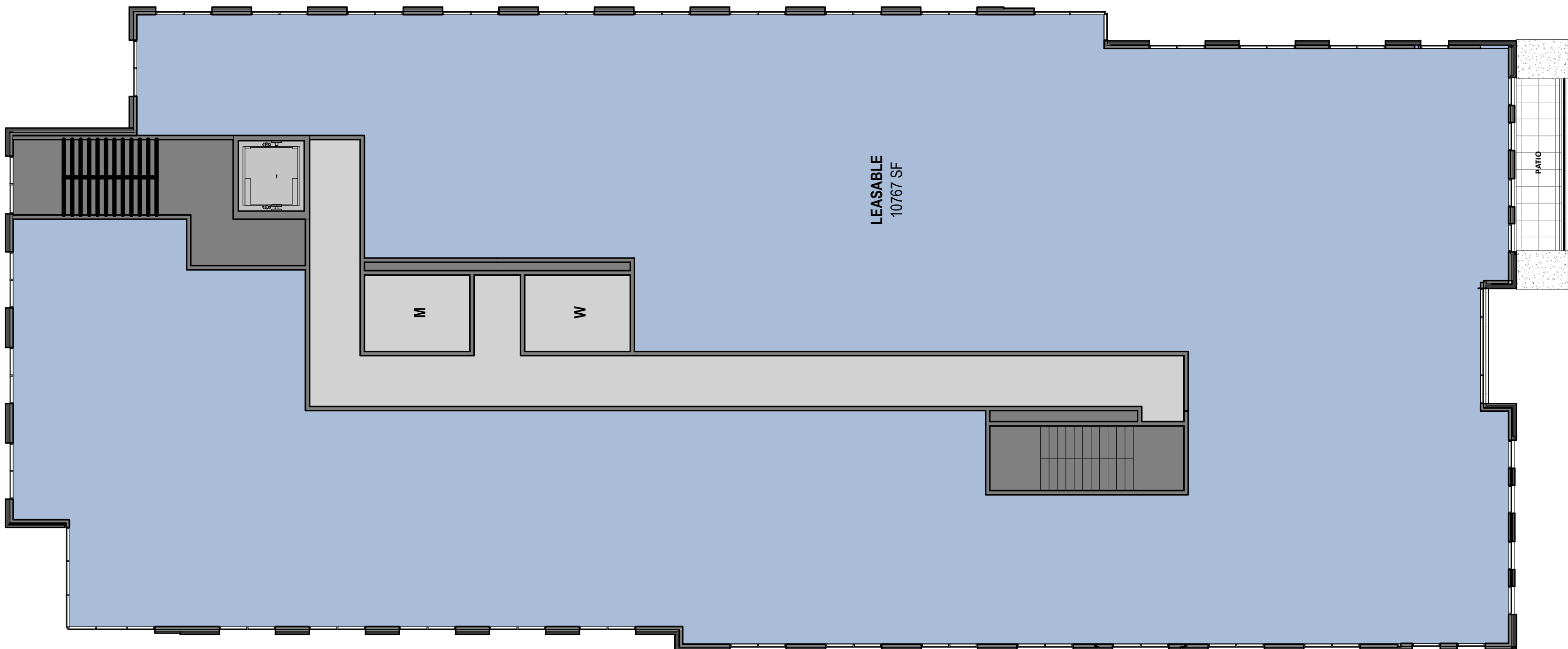
2018

Wayzata, Minnesota

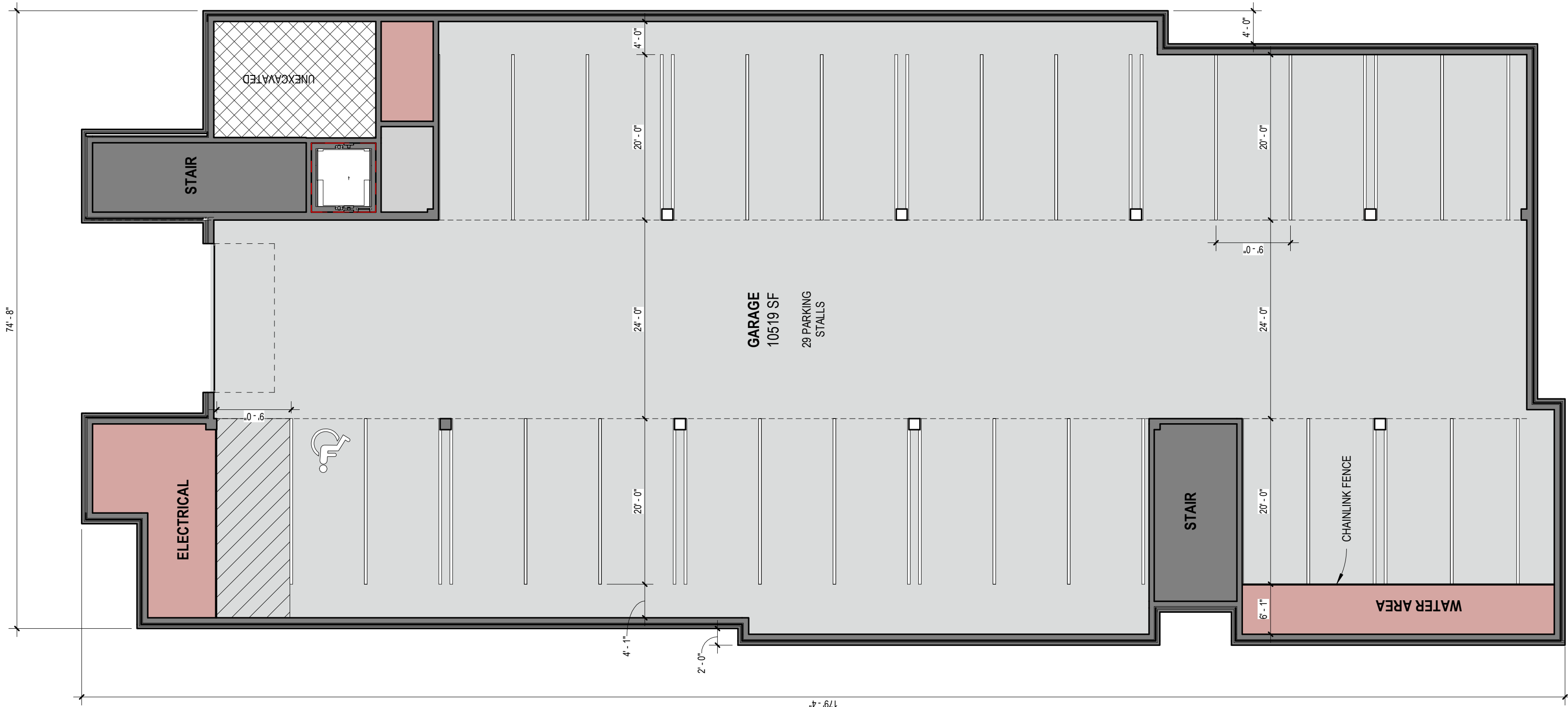
235 Lake Street East Office Building



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



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



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