

WAYZATA PLANNING COMMISSION

Meeting Agenda

Pursuant to Minnesota Statute Sec. 13D.015, and the Executive Orders and Emergency Declarations related to the COVID19 pandemic, this Planning Commission meeting is being conducted by electronic means using the audio and video conferencing platform, Zoom. Members of the public may watch and listen to the meeting by logging into Zoom, or by calling 312-626-6799 on a phone, and entering Zoom Meeting ID 973 4636 2450 and Passcode 486071. The meeting will also be shown on Channel 8, WCTV, and streamed on the City's website at www.wayzata.org/WCTV.



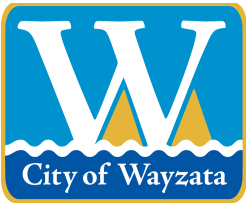
To speak during the Public Forum and/or Public Hearing portions of the meeting you can use Zoom or a phone. When using Zoom, indicate you'd like to speak by using Zoom's "raise hand" function. When using a phone, press *9. In each case, you will be muted until you have been recognized and invited to speak.

The City encourages comments or questions about items on the agenda and, when possible, requests that you submit them in advance by emailing PublicComment@wayzata.org, calling City staff at 952-404-5313, or mailing Wayzata City Hall at 600 Rice St E, Wayzata, MN 55391 (Attn: Public Comment).

Monday, February 1, 2021
6:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Approval of Agenda**
4. **Consent Agenda**
 - a. Approval of January 25, 2021 Meeting Minutes
 - b. Approval of Planning Commission Report and Recommendation for a Preliminary and Final Plat at 314 and 322 Broadway Avenue North
 - c. Approval of Planning Commission Report and Recommendation for a Heritage Preservation Site Designation for the Trappers Cabin at 220 Grove Lane East
5. **Public Hearing Items**
 - a. Consider Development Application for an Amendment to a Conditional Use Permit for Fee-In-Lieu-of-Parking (FILOP) for Melvin's 235 Office Building at 235 & 239 Lake Street East
 - b. Consider Development Application for a Comprehensive Plan Amendment, Zoning Map Amendment, Subdivision, Conditional Use Permit, and a Variance at 304, 312, and 318 Barry Avenue South
6. **Other Items**
 - a. Review of Development Activities
 - b. Planning Commissioner Liaison Schedule and City Meeting Calendar
7. **Adjournment**

Upcoming Meetings:
City Council - February 2, 2021
Planning Commission - February 22, 2021



City of Wayzata Planning Commission Agenda Report

MEETING DATE: February 1, 2021	AGENDA ITEM: 4.a
TITLE: Approval of January 25, 2021 Meeting Minutes	
PREPARED BY: Nick Kieser, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

N/A

ACTION REQUESTED:

Staff recommends approval of the draft minutes for the January 25, 2021 Planning Commission meeting.

ATTACHMENTS:

1. Draft January 25, 2021 PC Minutes

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
January 25, 2021**

AGENDA ITEM 1. Call to Order

Chair Plantan called the meeting to order at 6:30 p.m. She welcomed newly appointed Councilmember Molly McDonald and said that the Planning Commission is looking forward to working with her and the entire Council this year.

Chair Plantan read the following prepared statement:

Pursuant to Minnesota Statute Sec 13D.015 and because of the COVID-19 pandemic, this Planning Commission Meeting is being held remotely by electronic means using the audio and video conferencing platform, Zoom. Members of the Commission, City staff, and others that are a part of the meeting will be participating by video or audio connections where we can all hear each other and see the presentations being made. We have a public forum and public hearing this evening on the agenda. If you'd like to speak during these portions of the meeting you may call 1-(312) 626-6799, enter the Zoom meeting ID 94535205647, and press 9 to speak. Callers will be placed on hold and muted until the appropriate time of the meeting is reached. At that time, each caller will be recognized in turn, and invited to speak. Public comments continue to be welcomed and encouraged and we ask if possible, that comments of future agenda items be submitted in advance by emailing PublicComment@wayzata.org. Please include "public comments" in the subject line, your name and address, and the agenda item that you are speaking to. Comments can also be submitted by calling City staff or mailing comments to Wayzata City Hall at 600 Rice St E, Wayzata, MN 55391 (Attn: Public Comments). The meeting will be shown on Channel 8, WCTV, and streamed on the City's website at www.wayzata.org/wctv.

AGENDA ITEM 2. Roll Call

Chair Plantan asked Director Goellner to take roll call.

Present at roll call were Commissioners: Plantan, Douglas, Merriam, Bashioum, Stockton, and Flannigan. Community Development Director Emily Goellner, Assistant Planner Nick Kieser, and City Attorney David Schelzel were also present.

Absent at roll call was Commissioner Parkhill

AGENDA ITEM 3. Approval of Agenda

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

Commissioner Merriam made a motion, seconded by Commissioner Douglas, to approve the January 25, 2021 agenda as presented.

Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

AGENDA ITEM 4. Consent Agenda

- a.) Approval of the January 4, 2021 Planning Commission Meeting Minutes
- b.) Approval of Planning Commission Report and Recommendation for a Subdivision at 555 Bushaway Road
- c.) Approval of Planning Commission Report and Recommendation for a Fence in the Rear Yard at 600 Rice Street East

Chair Plantan read the items on the consent agenda and asked if any Commissioner had questions about an item or wished to pull an item for further discussion.

Hearing no such request, Chair Plantan asked for a motion to approve the Consent Agenda as presented.

Commissioner Douglas made a motion, seconded by Commissioner Bashioum, to approve the Consent Agenda as presented.

Director Goellner completed a roll call vote on the motion. Ayes – Bashioum, Douglas, Merriam, Stockton, and Plantan. Abstain – Flannigan. The motion carried.

AGENDA ITEM 5. Public Hearing Items

- a) Consider Development Application for a Preliminary and Final Plat at 314 and 322 Broadway Avenue North

Assistant Planner, Nick Kieser, stated that the first public hearing item is a subdivision application for a lot line adjustment that would create two conforming lots at 314 and 322 Broadway Avenue North. The properties are zoned R3A and are designated as Central Core Residential in the 2040 Comprehensive Plan. He explained that the lots are a bit unique in the neighborhood because they are longer in depth than most of the surrounding properties. One of the lots has an existing single-family home and the other lot had a home that was demolished last year and is now vacant. The request is to adjust the center lot line between the two properties. Planner Kieser noted that the Applicant plans to take down the existing home and build new homes on both lots. He noted that the pond on the back of the property is technically a wetland, so there will be a wetland buffer of 30 feet from the building pads. He reviewed the applicable R3A zoning requirements, and noted that the northerly lot is currently a legal non-conforming lot, because of its lot width, and this adjustment would make both lots legal conforming. He reviewed the proposed drainage and utility easement location, and noted that there should not be an issue with tree removal on the properties because the expectation is that the new homes will be built in similar locations to the prior homes. He reviewed the questions for the Planning Commission to consider under the criteria of the Subdivision Ordinance, noted that no public comments on the application have been received by the City, and explained that staff recommends approval.

Chair Plantan asked if the Commission had any questions for Staff.

1
2 Commissioner Flannigan asked why the property lines extend so far into the wetland area.
3

4 Planner Kieser stated that he is not sure why the lot lines were placed this way, but noted that there
5 is a sanitary sewer pipe near that wetland edge and the City is working to have the easement cover
6 that area. He also noted that the City owns the property just east of these properties, and the
7 majority of the pond area is City owned.
8

9 Commissioner Flannigan asked about the maximum building coverage on this lot.
10

11 Planner Kieser stated that the maximum lot coverage would be 30%, and the maximum impervious
12 surface would be 35%.
13

14 Commissioner Flannigan stated that it appears as though these two lots could have very large
15 houses on them because of how far the property goes into the wetland.
16

17 Commissioner Merriam asked if the new lots would be consistent with the surrounding lot sizes,
18 and whether the homes that would be built would also be consistently sized with the area homes.
19

20 Planner Kieser stated the applicant may be able to shed some light on what the plan would be for
21 the future homes. He stated that these lots are quite unique for R3A designation because of the lot
22 depth. He stated that technically, they could have larger lot coverage on these lots as compared to
23 other homes in the area because under the standards for lot coverage, the bigger the lot, the larger
24 the home you are able to have.
25

26 Chair Plantan asked if the 30% lot coverage includes the pond area within the property in the
27 calculation, or if it only includes the buildable area of the property.
28

29 Planner Kieser stated that Wayzata has historically taken into account the whole lot area, even if
30 there is a wetland or unbuildable area on it.
31

32 Commissioner Stockton asked if the concept of including wetland in the lot coverage is consistent
33 with the objective of having a limitation on impervious surfaces.
34

35 Planner Kieser explained that some cities do it differently, but overall, your property is a certain
36 size regardless of whether there are wetlands or not, and historically, the City has included all of
37 that into the lot area.
38

39 Commissioner Merriam asked if a duplex would be allowed in an R3A district if there is enough
40 property.
41

42 Planner Kieser stated that a two-family residence is allowed via a C.U.P. and would also need to
43 meet the other applicable requirements.
44

45 Commissioner Bashioum asked if this is approved whether the building plans submitted would
46 come before the Planning Commission.

1
2 Planner Kieser noted that if the building permit application meets the applicable requirements and
3 does not need a variance, a building permit could be issued and would not need additional review
4 of the Planning Commisison or approvals from the City Council.

5
6 Chair Plantan invited the applicant to address the Commission.
7

8 Applicant's representative, Beth Ulrich, 270 Peavey Road, stated that they had originally
9 purchased Lot 2 when it was 110 feet wide. She explained that the neighbor came to them about
10 buying the other lot, which was only 55 feet wide. She explained that when they purchased both
11 lots, they felt it would make sense to give 18 feet from the wider lot to the other lot in order to get
12 a home that looked more like the other homes across the street.
13

14 Commissioner Merriam asked what the applicant intentions were for the two lots.
15

16 Ms. Ulrich stated that they are working with couples that are interested in each lot. She noted that
17 they are currently building a home on 323 Broadway Avenue that will probably be similar to what
18 is built on Lot 1. She noted that for Lot 2, they are planning to build a home that is similar to the
19 home just to its right, and it will most likely be about a 5,000 square foot home. She stated that
20 because these lots are so large, it will give the buyers the room to put in a pool, which they are
21 both interested in doing.
22

23 There being no further questions from the Commission for the applicant, Chair Plantan opened the
24 public hearing on the application at 6:58 pm.
25

26 Polly Anderson, 230 Chicago Avenue North, stated that she would like to understand the buildable
27 area on the lots in relation to the bluff. She stated that she would like to know if and where the
28 builder would need to have a variance.
29

30 Planner Kieser stated that for a bluff to exist under the terms of the Zoning and Subdivision
31 Ordinances, there are certain criteria and in particular, a certain degree of grade change, which
32 means there would not be a bluff in this area. He noted that the wetland edge and the buffer area
33 will be totally unbuildable areas on the lots. He stated that staff is strongly encouraging the
34 applicant to build on the front of the lots, which is what he believes they are planning to do.
35

36 Ms. Anderson stated that the City currently does not have a tree ordinance that gets to the
37 importance of the heritage trees to the neighborhood, as well as to the ecosystem. She asked if the
38 City had plans to revisit the tree ordinance with some of these things in mind.
39

40 Planner Kieser explained that the Zoning Task Force is planning to hire a tree arborist to look into
41 the tree preservation code this fall to see what updates need to occur. He noted that it is in the
42 works, but has not yet been discussed in detail, and noted that any proposal for changes would
43 come before the Planning Commission and possibly the Energy and Environment Committee
44 before going to the Council.
45

1 Ms. Anderson stated that right now there really isn't a mechanism to recognize all of the animals
2 and plants that are relying on some of these large heritage trees, such as tree #57 on the plans
3 provided. She explained that she would like the City to look beyond the circumference and the
4 diameter of trees, and take into account the animals and plants in the ecosystem. She stated that
5 she realizes that this is not officially part of tonight's discussion, but asked that the City and the
6 applicant keep that in mind as they move forward.

7
8 There being no additional comments on the application, Chair Plantan closed the public hearing at
9 7:06 pm.

10
11 Chair Plantan asked for the Commission to share their questions and feedback on the application.

12
13 Commissioner Flannigan asked if 328 Broadway Avenue North was on the property line without
14 proper setbacks.

15
16 Planner Kieser explained that was not officially part of the survey, and noted that it is difficult to
17 tell without the official setbacks and survey information, but it appears as though it would be very
18 close.

19
20 Commissioner Flannigan asked City Attorney Schelzel if there would be any opportunity to rework
21 the back lot lines to bring it into conformity so it is not in the middle of the wetland.

22
23 City Attorney Schelzel stated that there is a particular plat under review tonight that has been
24 drawn up by the applicant and their surveyor, so that is what the Commission has to decide on. He
25 noted that the City can't unilaterally redraw those lot lines without acquiring the remnants of the
26 property. He noted wetland areas do change over time, and believes what could have happened
27 with the wetlands in this case is that it has simply grown over time. He noted that the other issue
28 that plays into how the City looks at the buildable areas is that when you own a certain number of
29 square feet of property, even if some of it is wetland, you are still responsible for the property and
30 pay property tax based on the full amount of property you own.

31
32 Commissioner Flannigan stated that he supports this application, and feels it makes a lot of sense
33 and will bring the northern lot into conformity. He stated that his concern would be the possibility
34 of having two massive homes on these lots.

35
36 Commissioner Douglas stated that in this neighborhood there have been several new homes built
37 that are larger than the older homes. She stated that she thinks the market will drive much of the
38 size of the homes. She stated that she did not believe that someone will come in and build a 15,000
39 square foot home in that neighborhood, and will support this subdivision.

40
41 Commissioner Bashioum stated that she supports the subdivision in order to bring both lots into
42 conformity. She thanked Ms. Anderson for bringing up the concerns and potential discussion
43 surrounding heritage trees. She stated that she would love to see the cottonwood tree that she
44 mentioned preserved, if at all possible.

1 Commissioner Merriam stated that she also supports the application and feels the lot line
2 adjustments makes for a better situation. She noted that she does hope the homes stay within the
3 same scale as the surrounding neighborhood.

4
5 Commissioner Stockton stated that she concurs with the thoughts surrounding consistency with
6 the other property frontages. She stated that she agrees on the thoughts shared surrounding tree
7 conservation, and encourages the Zoning Task Force and Energy and Environment Committee to
8 take a look at that because it is an important part of preserving the natural beauty of the area.

9
10 Chair Plantan stated that she agrees with the comments made by the Commission that this proposal
11 will create two conforming lots. She noted that she also appreciates the concerns raised by Ms.
12 Anderson regarding the heritage trees, and hopes the applicant takes those concerns into
13 consideration.

14
15 Planner Kieser noted that he wanted to clarify that he had said earlier that the applicant was allowed
16 up to 25% tree removal; however, that does not include for heritage trees. He noted that if any
17 heritage trees were removed, they must be replaced on a 2:1 caliper inch basis.

18
19 There being no further discussion, Chair Plantan asked for a motion on the application.

20
21 Commissioner Douglas made a motion, seconded by Commissioner Flannigan, to direct staff to
22 prepare a draft Planning Commission Report and Recommendation with appropriate findings
23 reflecting a recommendation of approval for the requested subdivision at 314 and 322 Broadway
24 Avenue North, for review and adoption at the next Planning Commission meeting.

25
26 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

27
28 **b) Consider Development Application for a Heritage Preservation Site Designation**
29 **for the Trappers Cabin at 220 Grove Lane East**
30

31 Planner Kieser stated that this public hearing and application is for a Heritage Site Designation for
32 the Trapper's Cabin in Shaver Park, at 220 Grove Lane East. He noted that the applicant is the
33 Heritage Preservation Board, and the property is owned by the City. He showed an aerial view
34 of the property, and noted that the Heritage Preservation Site designation would only apply to the
35 Trapper's Cabin and not the underlying or surrounding property. He gave a brief history of the
36 Trapper's Cabin, and noted the Chair of the Heritage Preservation Board, Dan Gustafson would
37 also be sharing more detailed information. He noted that the cabin was moved to its present
38 location in Shaver Park in 2013, and explained that there was a significant amount of research and
39 work done by Board member Irene Stemmer to preserve the cabin. He gave an overview of the
40 applicable criteria and effect of the Heritage Preservation Site (HPS) Designation.

41
42 Commissioner Stockton asked how many criteria were supposed to be met for this designation.

43
44 Planner Kieser stated that there can be just 1 criteria met in order to be eligible for approval of this
45 designation.

1 Commissioner Flannigan asked if his understanding was correct that if Trapper's Cabin is
2 designated as an HPS, the "site" is just the cabin and has nothing to do with the surrounding park
3 or any other piece of the land nearby.
4

5 Planner Kieser confirmed that is correct and the HPS designation would just be for the structure
6 itself, and nothing else that surrounds it.
7

8 Chair Plantan invited Heritage Preservation Board Chair, Dan Gustafson, to speak. Mr. Gustafson
9 gave a brief presentation that reviewed the history of the Trapper's Cabin, and noted that the
10 structure is believed to have been built around 1850. He noted that the oldest photograph they
11 have of the cabin was taken in about 1889. He explained that they believe it was built by a French-
12 Canadian named John Bourgeois, and the rumor is that Bushaway got its name because people
13 could not pronounce Bourgeois. He read aloud the plaque that is on display near the cabin.
14

15 Chair Plantan asked if the Commissioners had any questions for the applicant.
16

17 Commissioner Bashioum stated that currently the inside of the Trapper's Cabin is not accessible,
18 and asked if it would be possible for school groups to get admittance into the cabin to see the small
19 size and be able to picture a family living in the cabin. She asked if the Heritage Preservation
20 Board had ever discussed this possibility.
21

22 Heritage Preservation Board Chair Gustafson stated that he does not believe that they have dealt
23 with that specific question, but he thinks it is something that could be explored and would want to
24 consult with City staff and Public Works to ensure that this would fit within their thinking. He
25 noted that he can bring that question back to the Board for discussion.
26

27 Commissioner Bashioum expressed her appreciation to the late Irene Stemmer for doing all the
28 work to preserve this piece of Wayzata history.
29

30 There being no questions from the Commission for the applicant, Chair Plantan opened the public
31 hearing on the application at 7:35 pm.
32

33 Director Goellner stated there were no people that called or logged in to the meeting that have
34 asked to speak at the public hearing.
35

36 There being no one wishing to comment on the application, Chair Plantan closed the public hearing
37 at 7:36 pm.
38

39 Chair Plantan asked for the Commission to share their questions and feedback on the application.
40

41 Commissioner Douglas stated that Irene Stemmer was one of the first people she met when she
42 moved to Wayzata years ago, and has done much within the City to establish the City's history.
43 She stated that she worked very hard at it and unfortunately passed away a little over a year ago.
44 She stated that in her honor, she is so glad the City is considering this designation.
45

1 Commissioner Merriam stated that she thinks it is amazing that this log cabin is still standing after
2 170 years.

3
4 There being no further discussion, Chair Plantan asked for a motion on the application.

5
6 Commissioner Bashioum made a motion, seconded by Commissioner Stockton, to direct staff to
7 prepare a draft Planning Commission Report and Recommendation with appropriate findings
8 reflecting a recommendation of approval to designate the Trapper's Cabin at 220 Grove Lane East
9 as a Heritage Preservation site for review and adoption at the next Planning Commission meeting.

10
11 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

12
13 **AGENDA ITEM 6. Other Items:**

14
15 **a) Review of Development Activities**

16
17 Planner Kieser stated that the next meeting of the Planning Commission is scheduled for February
18 1, 2021, and there is currently one development application on the agenda.

19
20 Director Goellner stated that there may be one additional application for the agenda which is for
21 an existing project at Melvin's 235. She noted that in 2020, the Planning Commission and City
22 Council reviewed and approved permits worth \$81,000,000, and was a very busy year. She
23 compared 2020 to 2019 where the City approved permits worth \$51,000,000.

24
25 Commissioner Flannigan explained that he had raised a question to Director Goellner and Planner
26 Kieser regarding the vacant lot on Lake Street and Manitoba. He stated that he hopes that there
27 will soon be an update on what is going on there, and wants to make sure the City is keeping their
28 eye on that project.

29
30 Commissioner Bashioum stated that she had brought this same issue up to City staff last year when
31 the water was significantly pooling in that lot and mosquitoes were breeding. She stated that she
32 would also like to get an update on when they plan to move ahead with their construction.

33
34 **b) Planning Commissioner Liaison Schedule and City Meeting Calendar**

35
36 The Planning Commission Liaison schedule and City Meeting Calendar were noted.

37
38 **c) Election of Officers of Planning Commission for 2021 Calendar Year**

39
40 Director Goellner explained that the Chair and Vice-Chair are annually elected offices for the
41 Planning Commission for a one-year period. She explained that the Commission's bylaws state
42 that a person can hold the office for 3 consecutive years, and noted that Chair Plantan and Vice-
43 Chair Parkhill have offered to serve one more year in their respective roles.

44
45 There being no other nominations, Chair Plantan asked for a motion.

1 Commissioner Bashioum made a motion, seconded by Commissioner Douglas, to re-appoint
2 Chair Plantan as Chair for 2021.

3
4 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

5
6 Commissioner Douglas made a motion, seconded by Commissioner Merriam, to re-appoint
7 Commissioner Parkhill to continue to serve as Vice-Chair for 2021.

8
9 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

10
11 **AGENDA ITEM 7. Adjournment.**

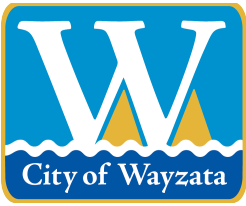
12
13 There being no further business on the agenda, Chair Plantan asked for a motion to adjourn.

14
15 Commissioner Merriam made a motion, seconded by Commissioner Stockton, to adjourn the
16 Planning Commission meeting.

17
18 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

19
20 The Planning Commission meeting was adjourned at 7:52 p.m.

21
22 Respectfully submitted,
23 Kayla Atkins Rokosz
24 *TimeSaver Off Site Secretarial, Inc.*
25



City of Wayzata Planning Commission Agenda Report

MEETING DATE: February 1, 2021	AGENDA ITEM: 4.b
TITLE: Approval of Planning Commission Report and Recommendation for a Preliminary and Final Plat at 314 and 322 Broadway Avenue North	
PREPARED BY: Nick Kieser, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: March 13, 2021	

BACKGROUND:

The property owner, 314 & 322 Broadway LLC, represented by Lori Serum of Regency Homes, has submitted a development application for a proposed lot subdivision at 314 and 322 Broadway Avenue North. The subdivision would readjust the lot line between the two properties to add approximately 18 linear feet from 314 Broadway Ave N to 322 Broadway Ave N. This lot line adjustment would create two conforming lots.

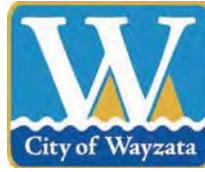
One resident spoke during the public hearing about some specific concerns about future development on these sites. The Planning Commission recommended approval on a 6-0 vote.

ACTION REQUESTED:

Approval of Planning Commission Report and Recommendation for a Preliminary and Final Plat at 314 and 322 Broadway Avenue North.

ATTACHMENTS:

1. Draft PC Report and Recommendation



WAYZATA PLANNING COMMISSION

February 1, 2021

REPORT AND RECOMMENDATION OF APPROVAL OF COMBINED PRELIMINARY AND FINAL PLAT SUBDIVISION AT 314 AND 322 BROADWAY AVENUE N

DRAFT

SUMMARY OF RECOMMENDATION

Approval* of Combined Preliminary and Final Plat Residential Subdivision to adjust lot line between adjacent parcels

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

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Proposed Subdivision. The property owners, 314 Broadway LLC and 322 Broadway LLC, represented by Lori Serum of Regency Homes, (together, the “Applicant”) has submitted an application for approval of Combined Preliminary and Final Plats of the properties at 314 and 322 Broadway Avenue North, legally described on Attachment A, (the “Property”). The proposed new plats would adjust the lot line between the two subject properties to add approximately 18 linear feet from the 314 Broadway Avenue N property to the 322 Broadway Avenue N property, which is presently a non-conforming lot, and thereby create two new, legally conforming lots.
- 1.2 Approval Requested. The Application includes requests for approval of the combined Preliminary and Final Plats (the “Preliminary and Final Plats” or “Proposed Subdivision”) as shown on Attachment A.
- 1.3 Property. The addresses, property identification numbers, and owner of the Property are:

Address	PID	Owner
314 Broadway Ave N	06-117-22-13-0025	314 Broadway LLC
322 Broadway Ave N	06-117-22-12-0009	322 Broadway LLC

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

Zoning:	R-3A Single and Two Family Residential District
Comp Plan:	Central Core Residential
Overlay District:	W/Wetland Overlay District

- 1.5 Notice and Public Hearing. Notice of the public hearing on the Application was published in the *Wayzata Sun Sailor* on January 15, 2021 and mailed to all property owners located within 350 feet of the Property on January 13, 2021. The public hearing on the Application was held at the January 26, 2021 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 Subdivision / Preliminary and Final Plat.

- A. Review and approval of lot combinations and subdivisions of property are governed by the City's Subdivision Ordinance, Part X, Chapters 1001 through 1009 of the City Code. The City may agree to review the preliminary and final plat simultaneously. Chapter 1003.03.A.
- B. In reviewing requests for approval under the Subdivision Ordinance, the Planning Commission shall consider possible adverse effects of the proposed subdivision or lot combination reflected in the preliminary plat. Its judgment shall be based upon, but not limited to, the following factors found in Section 1005.02:
 1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
 2. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
 3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filing or grading.

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

Section 3. FINDINGS OF FACT

Based on the Application materials, additional materials submitted by the Applicant,

staff reports and documents, public comment and information presented at the public hearing, and the standards of the Wayzata Subdivision Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

3.1 Subdivision / Preliminary and Final Plat.

- A. City review of the Preliminary and Final Plat simultaneously is appropriate under City Code Sec. 1003.03.A.
- B. The Planning Commission finds that there would be no significant adverse effects of the Proposed Subdivision based upon the following factors found in Section 1003.02.E:
 - 1. The Proposed Subdivision is consistent with the Wayzata Comprehensive Plan, which guides the Property to Central Core Residential.
 - 2. The building pads that result from the Proposed Subdivision will not have a significant negatively impact sensitive natural, scenic, historic or community assets. The Planning Commission encourages the Applicant to work with staff to take reasonable steps where possible to protect and preserve the heritage trees and other natural assets of the Property.
 - 3. The building pads that result from the Proposed Subdivision will respect natural topography and incorporate filing or grading only as permitted under the Zoning Ordinance. The future building pads will be in similar locations as the existing home on 314 Broadway Avenue North and the recently demolished home on 322 Broadway Avenue North.
 - 4. Impacts to existing trees as a result of the Proposed Subdivision will be mitigated by the standards and requirements of the City's Tree Preservation Ordinance, Ch. 936. A tree inventory has been completed and the applicant will work to preserve the significant and heritage trees noted in the inventory.
 - 5. The Proposed Subdivision will not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas, and will fit into the scale, pattern and character of the surrounding residential neighborhood.
 - 6. Though larger and longer lots, in general, the design of the lots, the building pads, and the site layouts respond to and are reflective of the surrounding lots and neighborhood character as noted elsewhere in this Report. The lots are unique as they encroach into the wetland in the rear of the lot which makes part of the lots unbuildable.

7. The lot sizes and particularly the road frontage of the lots resulting from the Proposed Subdivision are not dissimilar to other lots in the area.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the proposed buildings on the Property are not known at this time.
9. The design, scale and massing of the buildings proposed are not known at this time.
10. The Proposed Subdivision would make one of the two lots that is a legal, non-conforming lot, into a legal, conforming lot.
11. The Proposed Subdivision is not likely to depreciate the values of neighboring properties in the area in which it is proposed.
12. The Proposed Subdivision will be accommodated with existing public services, including those related to transportation and utility systems, and will not overburden the City's service capacity.

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 Preliminary and Final Plats, subject to the following conditions:

- A. The Applicant must record the Final Plat with the appropriate Hennepin County officials within one hundred twenty (120) days in conformance with the Subdivision Ordinance, and provide a recorded copy to the City.
- B. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission the 1st day of February 2021.

Attachment A: Legal Description and Preliminary and Final Plats

Attachment A
Legal Description and Preliminary and Final Plats

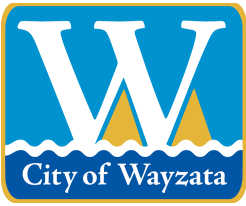
Tax Parcel No. 06-117-22-13-0025

That part of Outlot 2, Wayzata "revised" Hennepin County, Minnesota, described as follows: Beginning at a point on the Northwestern line of said Outlot 2 distant 110 feet Southwesterly from the most Northerly corner thereof; thence Southwesterly along said Northwestern line 110 feet; thence Southeasterly parallel with the Northeasterly line of said Outlot to the East line thereof; thence North along said East line to its intersection with a line drawn Southeasterly from the point of beginning and parallel with the Northeasterly line of said Outlot 2; thence Northwestern along said parallel line to the point of beginning, Hennepin County, Minnesota.

Together with a permanent private easement for roadway purposes in, over and upon that certain real estate lying 12.5 feet on either side of a line described as follows: Commencing at the southwesterly corner of Outlot 2, Wayzata "revised", thence southeasterly on the southwesterly line of said Outlot 2, a distance of 360.60 feet to the point of beginning of said line; thence northwesterly to a point on the northeasterly line of the Southwesterly 110.00 feet of said Outlot 2, said point being 360.60 feet southeasterly of the northwest corner of the southwesterly 110.00 feet of said Outlot 2, and said line there terminating. Except the southwesterly 22 feet thereof previously granted to the City of Wayzata a permanent easement for roadway purposes filed as Document No. 4382956. This instrument of easement gives and grants ingress to and egress from the Northeasterly 110 feet of the Southwesterly 220 feet of Outlot 2, Wayzata "revised", in, over and upon the above described real estate of the grantors, as shown in Document No. 4418911, who are the owners of the Southwesterly 110 feet of Outlot 2, Wayzata "revised", except the Northwestern 165 feet thereof, for access to a 22 foot extension of Chicago Avenue North and thereby to Chicago Avenue North in the public street system of the said City of Wayzata.

Tax Parcel No. 06-117-22-12-0009

That part of Outlot 2, Wayzata Revised described as follows: Beginning at a point on the northwesterly line of said Outlot 2 distant 55 feet southwesterly from the most northerly corner thereof; thence southwesterly along said northwesterly line 55 feet; thence southeasterly parallel with the northeasterly line of said Outlot 2 to the east line thereof; thence north along said east line to its intersection with a line drawn southeasterly from the point of beginning and parallel with the northeasterly line of said Outlot 2; thence northwesterly along said parallel line to the point of beginning, according to the plat thereof on file and of record in the office of the County Recorder, in and for Hennepin County, Minnesota.



City of Wayzata Planning Commission Agenda Report

MEETING DATE: February 1, 2021	AGENDA ITEM: 4.c
TITLE: Approval of Planning Commission Report and Recommendation for a Heritage Preservation Site Designation for the Trappers Cabin at 220 Grove Lane East	
PREPARED BY: Nick Kieser, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

A Heritage Preservation Site Designation application has been submitted for the Trappers Cabin at 220 Grove Lane East. A Heritage Preservation Site Designation is reserved for areas, places, buildings, structures, districts, or objects that have significant historic status. Therefore, the designation of the Trappers Cabin will be considered by the Planning Commission on specific criteria on its historic value and importance.

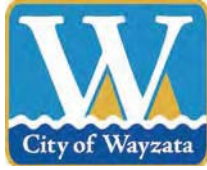
No public comments were provided for this application. The Planning Commission recommended approval on a 6-0 vote.

ACTION REQUESTED:

Approval of Planning Commission Report and Recommendation for a Heritage Preservation Site Designation for the Trappers Cabin at 220 Grove Lane East

ATTACHMENTS:

1. Draft PC Report and Recommendation



WAYZATA PLANNING COMMISSION

February 1, 2021

REPORT AND RECOMMENDATION OF APPROVAL OF HERITAGE PRESERVATION SITE DESIGNATION FOR THE TRAPPERS CABIN AT SHAVER PARK

SUMMARY OF RECOMMENDATION

Approval of Heritage Preservation Site Designation for the Trapper's Cabin

REPORT

Section 1. BACKGROUND

- 1.1 Trapper's Cabin. The Wayzata Heritage Preservation Board (HPB or the "Board") is charged with surveying historically significant "areas, places, buildings, structures, districts, or objects" to be designated as "Heritage Preservation Sites" in Wayzata, and advising property owners on ways to preserve, restore and rehabilitate their historical site, including through the designation of their property as a Heritage Preservation Site. The City-owned "Trapper's Cabin", currently situated in Shaver Park, 220 Grove Lane East, (the "Trapper's Cabin") has long been a historic structure for the City of Wayzata and a focus for the HPB.
- 1.2 Heritage Preservation Site Designation. The HPB is requesting that the Trapper's Cabin be designated as a "Heritage Preservation Site" in accordance with Section 911.04 of Wayzata City Code.
- 1.3 Notice and Public Hearing. Notice of the public hearing on the Application was published in the *Wayzata Sun Sailor* on January 15, 2021 and mailed to all property owners located within 350 feet of the Property on January 13, 2021. The public hearing on the Application was held at the January 26, 2021 Planning Commission meeting.

Section 2. STANDARDS

2.1 Heritage Preservation Site. A "Heritage Preservation Site" is any area, place, building, structure, land, district, or object which has been duly designated as a Heritage Preservation Site pursuant to Section 911.04 of the Zoning Ordinance. The process and standards for designation of Heritage Preservation Sites are as follows:

A. Documentation. The Board shall recommend to the Planning Commission areas, places, buildings, structures, districts, or objects to be designated as Heritage Preservation Sites. Documentation for the designation should include at least one of the following:

1. National Register of Historical Places. A site application approved by the National Park Service under the National Preservation Act of 1966.
2. Preservation Easement. Fully executed in a form acceptable to the Board and recordable in the Hennepin County land records.
3. Historical Planning Report. Prepared by a historic preservation consultant whose professional qualifications are satisfactory to the Board.

B. Criteria. In considering the designation of a Heritage Preservation Site, the Board shall apply the following criteria regarding the proposed site:

1. Its character, interest, or value as part of the development heritage or cultural characteristics of the City of Wayzata or the State of Minnesota;
2. Its location as a site of significant historic event;
3. Its embodiment of distinguishing characteristics of an architectural style, period, form or treatment;
4. Its identification with a person or persons who have significantly contributed to the culture and development of the City of Wayzata or the State of Minnesota;
5. Its identification as work of an architect or master builder whose individual work has influenced the development of the City of Wayzata or the State of Minnesota;
6. Its embodiment of elements of architectural design, detail, materials, or craftsmanship which represent a significant architectural innovation; and
7. Its unique location, natural attributes or singular physical characteristic representing an established and at one time or now familiar visual feature of a neighborhood, a community, the City, a region, or the State of Minnesota.

C. Planning Commission Review and Hearings. The Board shall make recommendations to the Planning Commission of the proposed designation

of a Heritage Preservation Site, including boundaries, and shall work jointly with the Planning Commission with respect to the relationship of the proposed Heritage Preservation Site to the Comprehensive Plan of the City of Wayzata. The Planning Commission shall express its opinions as to the effects of the proposed designation upon the surrounding neighborhood, and upon the City's Comprehensive Plan, and shall submit to the City Council its recommendation of approval, denial, or modifications to the proposed designation. Prior to recommending the designation of a Heritage Preservation Site, the Planning Commission shall hold a public hearing and seek the comments of all concerned citizens.

- D. City Council Action. The City Council, upon request of the Board and the Planning Commission, or at its own instigation, may by resolution designate a Heritage Preservation Site. When the City Council is reviewing a proposed designation, it shall approve, deny, or may make such modifications, changes and alterations based on the recommendations of the Board and Planning Commission or its own findings, and the standards set forth in Section 911.04.
- E. Voluntary Nature. No Heritage Preservation Site shall be so designated without the voluntary, written consent of the owner of the site at the time of designation. A designation is binding upon all future owners of the property unless the designation is removed as provided in Section 911.06.

Section 3. FINDINGS

Based on the Application materials, staff report, the Board report, public comment presented at the public hearing, and Wayzata's Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

3.1 Heritage Preservation Site.

- A. Documentation. The Board has provided the Planning Commission with a 2020 Historical Planning Report from Pathfinder CRM, LLC that is attached to this Report as Attachment 1 (the "Board Report"). The Board Report has been prepared by a historic preservation consultant whose professional qualifications are satisfactory to the Board.
- B. Criteria. The Board has applied the criteria of Section 911.04 of the Zoning Ordinance regarding the Trapper's Cabin and found that:
 - 1. The Trapper's Cabin's has a distinctive character, interest, or value as part of the development heritage and cultural characteristics of the City of Wayzata and the State of Minnesota, in that embodies the historic building style and dwellings of the early pioneer settlers.

Some of the first buildings in Wayzata were made using the same kind of architecture and materials;

2. The Trapper's Cabin embodies elements of distinctive design, detail, materials, and craftsmanship associated with the early pioneers, and the period in which it was built. Specifically, the use of Tamarack logs is a clear architectural style used in the construction of early structures in Wayzata. This type of historical architecture is underrepresented in the Lake Minnetonka area; and
3. The Trapper's Cabin is now a familiar visual feature of Shaver Park in the City since it was moved to this site in 2013.

- C. Planning Commission Review and Hearings. The Board has recommended to the Planning Commission that the Trapper's Cabin be designated a Heritage Preservation Site. The Planning Commission finds that the effects of the proposed designation upon the surrounding neighborhood, and upon Shaver Park and the City, will be positive.

Section 4. RECOMMENDATION

Based on the Findings of this Report, the Planning Commission recommends that the Trapper's Cabin be designated a "Heritage Preservation Site" in accordance with Section 911.04 of Wayzata City Code.

Adopted by the Wayzata Planning Commission the 1st day of February 2021.

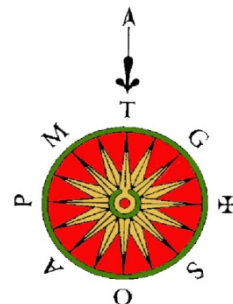
Attachment 1

2020 Historical Planning Report from Pathfinder CRM, LLC

Pathfinder CRM, LLC

Cultural Resource Management & Heritage Preservation Consultants

PO Box 503
Spring Grove, Minnesota 55974-0503
507-498-3810
www.pathfindercrm.com



MEMORANDUM REPORT

TO: Wayzata Heritage Preservation Board
FROM: Robert C. Vogel
DATE: 20 November 2020
TITLE: Intensive Survey and Evaluation of Historic Significance
Trapper's Cabin, Shaver Park
Wayzata, MN

The Wayzata Heritage Preservation Board hired Pathfinder CRM, LLC, a cultural resource management consulting firm based in Spring Grove, MN, to conduct an intensive survey of the Trapper's Cabin. The purpose of the project was to document the historic resource and evaluate its historic significance in terms of its eligibility for designation as a heritage preservation site. The survey was carried out during October and November 2020 under the direction of Robert C. Vogel, a professional historian and architectural historian with over forty years' experience in historic preservation. Consultant tasks included inspection of the subject property, review of the relevant documentary sources, and presentation of the survey results. The survey report is organized in four sections: Background Information, Description of Existing Conditions, Evaluation of Historic Significance, and Recommendations. Bibliographic references are handled in the text and endnotes.

BACKGROUND INFORMATION

The subject property is a one-story log building situated in Shaver Park. The historic structure was originally located on private property at 423 Bushaway Road. In 2012 it was donated to the City of Wayzata and in 2014 it was relocated to Shaver Park, where it was rehabilitated for heritage interpretation purposes. Architecturally, the building is classified as an example of the single-pen, round-log folk house type. Preservation site boundaries encompass the log building and a small area of adjacent parkland. The park itself is not considered a heritage preservation resource.

At the present time there appears to be significant community interest in the Trapper's Cabin as an artifact associated with Wayzata history. Local historians have apparently been aware of the property's existence for some time and scattered references to it appear in their books and articles. However, the prime mover behind the effort to preserve it as an historic site was Irene W. Stemmer,

a local history enthusiast with a special interest in the history of the Bushaway Road neighborhood. Stemmer and the Wayzata Historical Society assuredly deserve the lion's share of the credit for "saving" the log building.

Purportedly dating from the mid-19th century, the Trapper's Cabin is one of a small handful of log buildings in the Twin Cities metropolitan area that have been preserved. Although important aspects of its physical history remain shrouded in mystery, Wayzata residents and visitors appear to have embraced the building as an authentic relic of the pioneer era. The Wayzata Heritage Preservation Board is considering nominating the Trapper's Cabin for designation as a Wayzata Heritage Preservation Site, pursuant to the city's preservation ordinance. The present report is expected to inform that process.

DESCRIPTION OF EXISTING CONDITIONS

The Trapper's Cabin is a one-story log building constructed of tamarack logs. The building has a rectangular, single-pen plan which measures approximately 12 by 16 feet. It is covered by a gable roof which is oriented parallel to the building's long axis. The walls are made of peeled (debarked) logs laid horizontally and saddle-notched at the corners, enclosing a one-room pen or crib which provides approximately 180 square feet of floor space. The interior walls are unfinished. The exterior wall cladding in the gable ends consists of vertical board-and-batten siding made of milled one-inch pine lumber. The roof, which is not original construction, is covered with machine-cut cedar shingles over felt underlayment. The center of the long side wall has been pierced for the entrance, which is covered by a simple wood panel door framed by thick wooden planks nailed into the logs. There is a fixed window in each gable-end, covered with lightweight acrylic glass set in a simple wooden frame. The entire structure rests upon a reinforced concrete slab slightly larger than the building footprint. The building site occupies a low hillock or knoll near the center of the park, adjacent to the trailhead for the Dakota Rail Regional Trail, affording a spectacular view of Wayzata Bay (the eastern arm of Lake Minnetonka). There are no other buildings in the park, which is covered by greensward interspersed with mature hardwood trees. Surrounding land use is predominantly medium-density commercial buildings and off-street parking. The historic structure underwent repairs and stabilization in 2014-16 and appears to be structurally sound and in a good overall state of preservation.

The primary historic character defining architectural feature of the property is its log construction. As noted above, the load-bearing walls are made of untreated round logs made from the trunks of tamarack trees, stacked horizontally and saddle-notched at the corners to form a solid crib of interlocking timbers. The logs vary in thickness from seven to nine inches and there is abundant visual evidence of weathering, warping and cracking. Three deteriorated logs were reportedly replaced in-kind when the structure was renovated. Most of the original logs appear to have been taken from the bole of the tree (i.e., the portion of the trunk between the ground and first branches); however, the presence of numerous knots and branch stubs on several of the logs show they were taken from the crown. The bottom logs on the long walls, which form the sill plates, are thicker than the others and their upper and lower surfaces have been hewed (flattened) to provide additional stability for the load-bearing walls. No evidence of traditional "chinking" material (stones, sticks, clay, moss or animal hair) was found in the interstices between the logs, although some of the gaps have been daubed with sealant or mortar caulk in an attempt to make them

watertight. The largest gaps have been covered with narrow strips of softwood that have been fastened to the tamarack logs with galvanized round wire nails. Close inspection of the exposed log surfaces revealed no distinctive “juggle marks” which would indicate the logs were shaped using a broadax or adze, the tools traditionally used in log building (and a useful clue to help determine a log structure’s age). The window and door openings appear to have been cut with a crosscut saw.

In terms of design and materials, the Trapper’s Cabin appears not to have undergone any major alterations since it was originally constructed. The only changes in its appearance have been reconstruction of the roof, windows, and door, and the addition of a concrete slab foundation. These repairs have had a positive effect on the physical condition of the building and made conservation of the log walls possible. While the cabin’s physical surroundings were unavoidably changed when it was moved, the new site provides a compatible setting for rehabilitation and adaptive use. The downtown lakefront setting does not detract from the building’s historic character.

Except for some vintage photographs, the oldest of which is believed to have been taken circa 1889, there are no records of the cabin’s as-built appearance. No first-hand 19th century written descriptions of the property are known to exist.

EVALUATION OF HISTORIC SIGNIFICANCE

For the Trapper’s Cabin to qualify for designation as a Wayzata Heritage Preservation Site it would need to be shown to meet the eligibility criteria stated in the city’s preservation ordinance. These criteria are essentially the same as those of the National Register of Historic Places, although the local designation program provides more flexibility—for example, the city’s preservation ordinance does not discourage registration of structures that have been moved from their original locations. In addition to meeting at least one of the site eligibility criteria, the Trapper’s Cabin would also have to retain historic integrity of those physical features necessary to convey its historic significance (i.e., its heritage preservation value). Assessment of historic integrity is primarily a matter of authenticating the subject property’s essential physical features. There is no “sliding scale” for evaluating preservation value—a heritage resource either meets the eligibility criteria for historic significance and integrity or it does not.

The origins of the Trapper’s Cabin are shrouded in mystery and as a consequence its construction history is not well documented. Wayzata historian Irene Stemmer has theorized the building was constructed in the 1850s, citing local narrative histories and the recollections of long-time Wayzata area residents who claimed personal knowledge of the property.¹ Other local writers have suggested alternative year-built dates but offer little or no supporting historical evidence. The authors of the cultural resource management studies undertaken as part of the Bushaway Road and Locust Hill Estate projects appear to have accepted Stemmer’s findings at face value. However, it is worth noting that neither of the consultant teams chose to provide a professional opinion of the cabin’s potential eligibility for nomination to the National Register of Historic Places, although the structure was clearly over fifty years old and located within the area of potential effects of the projects they were working on.²

Contextually, Stemmer and the other local historians have consistently viewed the Trapper's Cabin as a relic of the early settlement period in Wayzata area history. The following dates provide the basic framework for their interpretation of the facts bearing on the property's historic value:

- 1852 Beginning of permanent Euro-American settlement in the Lake Minnetonka area
- 1855 Platting of Wayzata townsite by O. E. Garrison
- 1858 Establishment of the public highway between Shakopee and Dayton (modern-day CSAH 101/Bushaway Road)
- 1889 Date of construction of the first Thomas F. Andrews residence at 324 Bushaway Road

Within this narrow framework, they have concluded that the history of the Trapper's Cabin is entwined with that of the Andrews/Field property at 324 Bushaway Road. While Stemmer did creditable work reconstructing the ownership history and the sequence of home building on this parcel, her research shed no light on the origins of the trapper's cabin, beyond the fact that it existed on the grounds of the property where Thomas F. Andrews built his summer house in 1869. Successor residences were built on the same lot in 1889 and 1937 and the log structure is shown in early photographs of the property. Stemmer's own personal connection with the property dates from 1945, when she rented the "trapper's cabin" from John Andrews Field, Thomas Andrew's grandson.

Most local historians have focused their attention on a French Canadian pioneer named Bourgeois as the most likely candidate for being the log cabin's builder. Their theory is based on extrapolation of the information presented on page 238 of the *History of Hennepin County and the City of Minneapolis*, a popular subscription work published in 1881.³ This source states that the first settlement on Wayzata Bay was made in the year 1852 by John Bourgeois and a companion named McGalpin, who erected a "shanty" on the peninsula between Wayzata Bay and Gray's Bay on the site which later became known as "Bourgeois' Mound." Bourgeois remained there until the spring of 1853, when he and his family moved to a farm in Minnetonka township; he was purportedly the first blacksmith west of Minneapolis.⁴

A native of eastern Canada, Jean-Baptiste Bourgeois was born in 1823 in the community of Saint-Denis-sur-Richelieu in southwestern Quebec. Orphaned at a young age (his parents may have perished during the rebellion of 1837), he and his siblings were adopted by a local blacksmith named Joseph Charpentier, whose family immigrated to Minnesota Territory around 1851 and settled near what is now Corcoran. The movements of the Bourgeois brothers during this period are not well documented--the earliest printed reference to them is a notice headlined "French Letters" that appeared in the 3 July 1851 edition of *The Minnesota Pioneer*, announcing the Saint Paul post office was holding letters addressed to Pierre and Jean Bourgeois. Secondary sources place Bourgeois in the Lake Minnetonka area as early as 1852-53 and by the 1870s he and his family were living on a farm in rural Dayton Township, about twenty-five miles north of Wayzata, where there was an established community of French Canadians. According to the state census taken in 1885, Bourgeois, his wife Anne-Marie Rouillard (a native of the Province of Quebec) and their ten children (born between 1860 and 1885) were residents of the village of Dayton, where J. B. Bourgeois died in 1908 at the age of 85.⁵

No other specific information has come to light regarding the Trapper's Cabin, its association with J. B. Bourgeois, or the history of its construction and use. Its connection to the Andrews family is not particularly well documented, although Stemmer's narrative suggests there could be pertinent information preserved in private papers and family records. While deed records clearly establish a continuous chain of title from 1855 down to the present day, no reference has been found to indicate the presence of an old structure on the property at the time it was acquired by Thomas Andrews.

Historic Context: Log Buildings in the Lake Minnetonka Area

Notwithstanding the dearth of primary source documentation directly related to the Trapper's Cabin, the historical record is replete with references to other log houses, cabins and shanties erected in the Lake Minnetonka area by early settlers. Hennepin County was opened to unrestricted Euro-American settlement when native sovereignty was extinguished by the Treaty of Traverse des Sioux, which was signed on 23 July 1851 and ratified by the United States Senate on 26 July 1852. A handful of squatters made claims on the lands bordering Lake Minnetonka as early as 1852-53, before the public land survey was completed and the public domain was available for purchase. The influx of population was rapid after 1855 and the area was fully settled, though for the most part still under-developed, by the time the railroad reached Wayzata village in 1867. Land use in what is now the city of Wayzata remained predominantly rural until the 1880s.⁶

After the pioneer selected the site upon which he intended to settle, his next critical task was to erect some kind of subsistence shelter. Under frontier conditions, housing expectations were usually low and most newcomers opted to construct a small, temporary habitation, using simple tools and locally available materials. Settlers in forested regions usually (though not always) turned to log construction because it was the quickest and most economical solution to their housing problem. Although log dwellings were built by indigenous people thousands of years before the appearance of the first European colonists, the traditional American "log cabin" building form is believed to have crossed the Atlantic during the early part of the 17th century, when colonists settling along the Delaware River started building log dwellings based on Old World folk house principles.⁷ By the time Minnesota was settled over two centuries later, three distinctive log dwelling forms had evolved: the single-pen (one-room), the double pen or "saddlebag" (two connected one-room units), and the two-pens-and-a-passage or "dogtrot" (with countless regional and local variations). Individual settlers brought basic house forms and construction techniques with them to Minnesota and this "cultural baggage" inevitably helped shape the built environment in the newly settled areas.⁸

The literature composed in Minnesota during the settlement period is peppered with references to *log cabins*, *log houses* and *shanties*. Sometimes these terms were used indiscriminately to describe just about any kind of rustic shelter made of tree trunks, but more often than not, they had specific meanings which were understood by their intended audience. For example, from colonial times until the end of the 19th century, native born Americans commonly distinguished cabins from houses based on the quality of the dwelling (rather than materials, form or function); hence, the temporary buildings of the first settlers were often referred to as cabins, while more substantial log dwellings tended to be recognized as houses if they incorporated such amenities as fireplaces and masonry chimneys, window glass, puncheon floors, porches and upper-level lofts. 19th century

Midwesterners also made a point of differentiating between “log cabins” built of round logs and “log houses” built of hewn logs (i.e., logs flattened on two sides before raising)—thus, when a dwelling was described as “a snug log house” it would have been understood to mean a house built with hewn logs with the interstices properly chinked to make them weather-tight. In the Upper Mississippi Valley it was also common describe a small, crudely constructed log cabin as a “shanty” (repurposed from *chantier*, the French Canadian term for “logging camp”), particularly if built for the purpose of staking claim to a piece of land.

Regardless of whether they were erecting a log cabin or a log house, early settlers in the Wayzata area undoubtedly used whatever timber was readily available to them. While the smallest, crudest type of log dwelling could be constructed of just about any species, oak logs seem to have been the preferred material for building hewn log houses, though basswood, elm, aspen and cottonwood were acceptable alternatives. In areas covered by coniferous forest, various native species of pine and spruce were used for cabin building. Tamarack, also known as eastern larch, was well known to early Minnesota settlers and was an important component of the native plant communities around Lake Minnetonka.⁹ Buildings constructed of tamarack logs are frequently mentioned in travelers’ accounts, newspaper stories and the reminiscences of old settlers. It is not difficult to understand why this species was so widely used for building construction—tamarack was locally abundant, durable and easily worked, but most importantly, the naturally straight trunk made it ideal for log construction.¹⁰ There is no reason to suspect the logs used to build the Trapper’s Cabin were not procured from the immediate vicinity of the original construction site. Extensive stands of tamarack grew naturally in the wetlands around Wayzata Bay and would have provided an abundant, readily exploitable source of logs suitable for cabin building.¹¹

Single-pen log dwellings (both round-log cabins and hewn-log houses) probably comprised the majority of the pioneer housing stock built around Lake Minnetonka during the 1850s. Unfortunately (for preservationists), these buildings were not meant to be permanent and tended to rapidly fall into a state of disrepair due to the destructive effects of weather and structure fires. Most of these rough and ready structures were occupied for only a few years and then either torn down or converted to other uses after their owners moved into their new frame or masonry houses. Very few (if any) appear to have survived to the 20th century, though in rare cases the old log structures ended up enclosed within later additions.

Statement of Historic Significance

The primary historic significance of the Trapper’s Cabin is the product of its association with the single-pen log cabin folk house type and the dissemination of log construction methods in Minnesota. It is a rare, well preserved specimen of the property type, which is under-represented in heritage resource inventories--very few of the log buildings constructed during the 19th century have survived and most of the preserved specimens have been substantially altered or reconstructed. Therefore, it meets the relevant eligibility criteria for designation as a Wayzata Heritage Preservation Site.

Evaluated from the perspective of local history, the subject property relates to the broad theme of early settlement and development of the Wayzata community, but lacks well documented links to specific historical events. The actual date of construction is unknown and the purported

association with Jean Baptiste Bourgeois is conjectural; therefore it is impossible to make a finding of significance based on association with a specific historic event.

Finally, the property may be significant for its association with Irene W. Stemmer (1926-2019), an important local historian and a prominent member of Wayzata's preservation community who played a pivotal role in saving the Trapper's Cabin. More research is necessary to develop an appropriate historic context.

Although its historic integrity has been compromised somewhat as a result of being moved from its original location, the current site has compatible surroundings and will assure future conservation. Otherwise, the cabin retains sufficient historic integrity of design and materials to convey its architectural significance. Integrity of association is somewhat problematic due to the lack of direct, well documented links between the historic building and important historic event or person.

RECOMMENDATIONS

The principle findings of the present study are as follows:

1. The Trapper's Cabin meets the minimum requirements for designation as a Wayzata Heritage Preservation Site by being a rare, well preserved example of the single-pen log cabin folk house type.
2. The property may also be historically significant for its association with Irene Stemmer.

The integrity issues relating to association (date of construction, identity of the original builder) discussed above should be addressed through additional research. This research should focus on identifying primary sources relating to the physical history of the historic property and its linkage to important events in Wayzata history. The types of archival sources to be consulted include, but are not limited to: back issues of local newspapers, private papers and family records, photographs, land survey plats and related records, property tax rolls, deeds, wills and highway construction records. Primary archival information relevant to the career of Irene Stemmer should also be collected and analyzed.

Regarding the problem of accurately determining the date the Trapper's Cabin was actually built, it is recommended that the Wayzata Heritage Preservation Board consider sponsoring dendrochronological investigation of the cabin logs. Dendrochronology (tree-ring dating) involves the study of the concentric growth rings in trees to determine when a piece of timber was cut down, so that the age of old wooden structures may be accurately determined. The development of tree-ring chronologies for old growth tree species in North America has been ongoing for many years and this dating technique has only recently been successfully applied to "log cabin archaeology" in the Upper Midwest. The process would involve extracting a core sample from one of the cabin logs (using what foresters call an "increment borer") and carefully analyzing it in a laboratory. (One such laboratory exists at the University of Minnesota.) By comparing the growth rings in the core sample with established tree-ring chronologies for tamarack, it should be possible to accurately determine when the tree was felled. Assuming there

is a reliable tree-ring chronology for tamarack trees from Minnesota, dendrochronological dating would be feasible—but also expensive.

¹ Irene Stemmer, *The Trapper's Cabin of Wayzata: A Journey in Preservation* (Wayzata Historical Society, 2015).

² See Stemmer, “History of Bushaway Road and Its Neighborhood 1858-2008” (September 2009), originally issued on 27 May 2009 under the title, “Preliminary History of the Bushaway Neighborhood, 1858-2009”; and the consultant reports, “Evaluation of National Register of Historic Places Eligibility: Bushaway Road Historic District,” prepared by Mead & Hunt for the Bushaway Preservation Fund (August 2008) and *Phases I and II Architectural History Evaluation of the Locust Hills Estate, Wayzata, Hennepin County, Minnesota*, prepared by Summit Envirosolutions, Inc. for Locust Hills Development, LLC (January 2009). These reports focus on residential properties along Bushaway Road but do not address the historic preservation potential of the Trapper's Cabin in any detail.

³ Published in 1881, this work is one of several local history chronicles compiled by George E. Warner and Charles M. Foote, two Minneapolis-based entrepreneurs who specialized in publishing county histories, atlases and plat books. The well-known historian Rev. Edward Duffield Neill is sometimes incorrectly identified as the principal author; his contribution was limited to the essay titled the “Explorers and Pioneers of Minnesota” that was reprinted in all of Warner and Foote's Minnesota county histories. The local history material was assembled by anonymous canvassers (employed by the publisher) who conducted the actual research and sold subscriptions; the subscriber/patrons were the subjects of the biographical sketches. The Bourgeois story is repeated, more or less verbatim, in the county histories produced by Isaac Atwater and J. H. Stevens in 1893 and 1895, and this material was recycled by 20th century writers.

⁴ In 1956, the portion of County Road 101 within the Wayzata city limits was renamed Bushaway Road, ostensibly in honor of pioneer John Bourgeoisie (“bushaway” being the phonetic version of bourgeoisie), although it should be noted that Bushaway was also the name Paul Andros Brooks bestowed on his Wayzata estate in the 1920s, as recorded in the society pages of the *Minneapolis Tribune*. *Bourgeois*, the feminine noun meaning “middle class” in standard French, has an interesting etymology: in medieval times the same word was used to denote the inhabitants of a market town who lived under the shadow of a castle but in 18th century Canada, bourgeois morphed into a colloquialism indicating the partner in a fur trade company who was placed in charge of a trading post. Anglicized, the word entered American English during the 1800s as *bushwa* (sometimes *bushwah*), slang term for “hot air” or “nonsense”.

⁵ Historical data on Bourgeois was obtained from state census records, newspaper databases and genealogical information posted on the Internet.

⁶ The standard references for Wayzata area history are Thelma Jones, *Once Upon a Lake: A History of Lake Minnetonka and Its People* (Minneapolis: Ross & Haines, 1957); Ellen Wilson Meyer, *Happenings Around Wayzata: The First Hundred Years, 1853-1953* (Excelsior: Tonka Printing, 1980); and Wayzata Centennial Book Committee, *The Story of Wayzata: An Informal History of*

the Community from the Platting of the Settlement in the “Big Woods” to the Celebration of its Centennial, 1854-1953 (Wayzata, 1954). A good deal of useful material is also found in the chronicles of Minnetonka Township history presented in George E. Warner and Charles M. Foote, comps., *History of Hennepin County and the City of Minneapolis* (Minneapolis: North Star Pub. Co., 1881) and Isaac Atwater, ed., *History of Minneapolis...and Hennepin County* (New York: Munsell, 1895), which incorporates material collected and edited by John H. Stevens. The historic context for the early settlement period in Wayzata is discussed in *Historical and Architectural Resources of Wayzata, Minnesota* (Heritage Preservation Board, March 2002), which includes a narrative statement titled “Early Settlement and Townsite Development, 1854-1875” on pp. 8-11.

⁷ Built in 1638 and listed in the National Register of Historic Places, the Northangle Cabin in New Jersey is believed to be the oldest standing log house in the United States.

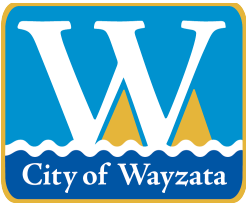
⁸ For background information on log building types and construction methods, see Henry Glassie, *Pattern in the Material Folk Culture in the Eastern United States* (Philadelphia: University of Pennsylvania Press, 1968); Terry G. Jordan, *American Log Buildings: An Old World Heritage* (Chapel Hill: University of North Carolina Press, 1985); and C. A. Weslager, *The Log House in America: From Pioneer Days to the Present* (New Brunswick, NJ: Rutgers University Press, 1969). For a more Midwestern perspective the best studies are Donald A. Hutslar, *The Architecture of Migration: Log Construction in the Ohio Country, 1750-1850* (Athens: Ohio University Press, 1986) and Richard W. E. Perrin, *Historic Wisconsin Buildings: A Survey in Pioneer Architecture, 1835-1870*, 2nd ed., Milwaukee Public Museum Publication No. 4 (Milwaukee, 1981).

⁹ The only deciduous conifer native to Minnesota, *Larix laricina* is common throughout much of Canada and the northeastern United States. It is medium-sized tree which grows to a height of 40-70 feet, with a straight, slender trunk 14-20 inches in diameter at breast height, and a narrow, pyramidal crown. It is easily identifiable by its needle-like leaves, which are light green in color, but turn yellow in the fall. Tamarack is most often found in lowland areas on poorly drained soils around lakes and swamps, where it is often intermixed with hardwood trees. The tamarack’s fine-textured wood is heavy, hard, rot resistant and somewhat oily (its turpentine was used by indigenous peoples to treat various medical conditions). It was historically used for framing lumber in building construction and during the late 19th century millions of board feet were harvested commercially for railroad ties, telegraph poles, fence posts and wood pulp. It is no longer considered a major commercial timber species in the Great Lakes region.

¹⁰ Milled dimension lumber would have been available locally by the early 1850s, by which time there were several sawmills operating at St. Anthony Falls; a sawmill was running at Minnetonka Mills by 1853 and Garrison’s steam sawmill at Wayzata opened for business in 1855. Nevertheless, the cost of procuring supplies of pine lumber would have made using locally available timber an attractive alternative.

¹¹ The report on Hennepin County produced as part of the first statewide geological and natural history survey (based on fieldwork done by the state geologist in 1875) lists tamarack as a common tree species; N. H. Winchell, “Geology of Hennepin County,” in *Geological and Natural History Survey of Minnesota, Annual Report for the Year 1876* (St. Paul: Pioneer Press Co., 1876). According to the most recent biological survey, approximately 320 acres of tamarack forest remain

in Hennepin County and tamarack bogs have been preserved as parts of nature preserves in the cities of Minnetonka, Dayton, Corcoran, Medina and Minneapolis. Throughout North America, the species is experiencing a massive die-off caused by an infestation of eastern larch beetles (a secondary effect of climate change).



City of Wayzata Planning Commission Agenda Report

MEETING DATE: February 1, 2021	AGENDA ITEM: 5.a
TITLE: Consider Development Application for an Amendment to a Conditional Use Permit for Fee-In-Lieu-of-Parking (FILOP) for Melvin's 235 Office Building at 235 & 239 Lake Street East	
PREPARED BY: Emily Goellner, Community Development Director	
REVIEWED BY:	
60 DAY DEADLINE: March 13, 2021	

BACKGROUND:

A development application has been submitted by Patrick Hughes of Melvin's 235 LLC for 235 & 239 Lake St E. The applicant is requesting approval of an Amendment to the Conditional Use Permit (CUP) approved in May 2020 to add 2 parking stalls to the permitted shortfall. The existing CUP approves the Project's parking requirement shortfall of up to 73 parking stalls. The Amendment request would increase the shortfall to 75 parking stalls.

ACTION REQUESTED:

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:

1. Melvins 235 CUP Amendment - Letter, Floor Plans, Parking Lot Concept Plan, Parking Demand Study, and FILOP Policy

January 12, 2021

City of Wayzata
Emily Goellner, Community Development Director
600 Rice Street E
Wayzata, MN 55391

Emily,

Melvin's 235 LLC is requesting a change to the CUP to add a 2nd elevator to the building. Based on feedback from prospective tenants related to access to Lake Street and walkability of downtown Wayzata, Melvin's 235 is requesting approval of 2 additional parking spaces on the public surface lot. The building will be more accessible from Lake Street for tenants and visitors.

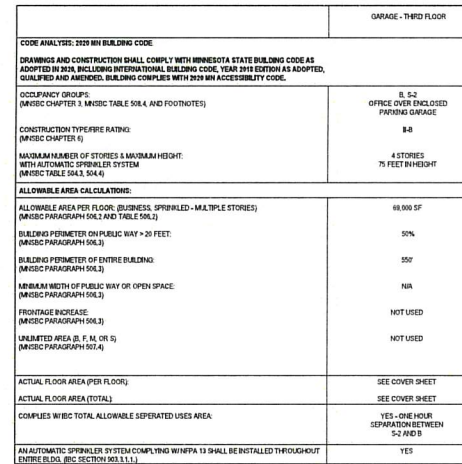
A Conditional Use Permit (CUP) under the City's Fee-In-Lieu of Parking Policy (FILOP) was approved by the City Council on April 21, 2020 (Resolution 16-2020) to meet the project's parking requirement shortfall of up to 73 parking stalls. With this request, the shortfall would increase to 75 parking stalls. The CUP required that FILOP fees be paid as required by the Development Agreement and the FILOP Policy. Melvin's 235 LLC proposes to honor this request by paying the appropriate FILOP fees and amending the Development Agreement to reflect that.

Attached is the revised development application and building plans to formally request the change at the next City Council meeting.

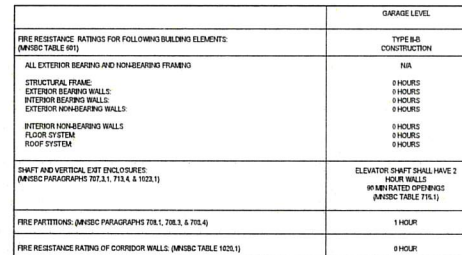
Sincerely,

A handwritten signature in black ink, appearing to read 'Pat Hughes', with a long horizontal flourish extending to the right.

Pat Hughes
Melvin's 235 LLC



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



2 CODE PLAN - 1ST FLOOR
SCALE 3/32" = 1'-0"

	GARAGE LEVEL	BUSINESS LEVELS SECOND-ROOF
REQUIREMENTS FOR ACCESSIBLE MEANS OF EGRESS (IMBC 100.1)	2 MEANS OF EGRESS PROVIDED AT GROUND LEVEL	2 MEANS OF EGRESS PROVIDED AT GROUND LEVEL
STAIRWAY WITH VERTICAL EXIT ENCLOSURE (IMBC PARAGRAPH 100.5.4 AND IMBC SECTION 1002)	AREA OF RETIRED IS NOT REQUIRED AS PER IMBC 100.3.3, EXCEPTION 2	N/A
ELEVATOR AS AN ACCESSIBLE MEANS OF EGRESS (IMBC PARAGRAPH 100.4.1)	STAIR WITH SHALL COMPLY WITH CALCULATION (IMBC 100.3.3, EXCEPTION FOR 0.2 MULTIPLIER IS NOT APPLIED)	67 MAX OCC PER FLOOR 47 OCCUPANTS / 2 STAIRS + 34 OCCUPANTS PER STAIR x 2 = 174 MAX STAIR WIDTH 47 MAX STAIR WIDTH PER CO (IMBC 100.3.3)
ELEVATOR LOBBY ENCLOSURE	AREA OF RETIRED IS NOT REQUIRED AS PER IMBC 100.3.3, EXCEPTION 2	ELEVATOR AS AN ACCESSIBLE MEANS OF EGRESS IS NOT REQUIRED
	WALLS OF LOBBY AND OPENINGS INTO LOBBY SHALL MEET BARRED REQUIREMENTS (IMBC 709 AND 708.4, EXCEPTIONS 2 & 3)	WALLS 1/8" FIRE-RESISTANT RATED BRICK OR CONCRETE (IMBC 703.1 & 709.4)

[illegible]

PRINT NAME: BRIAN GARDENT LICENSE # 92490
DATE: 12/05/2023 SIGNATURE: Brian Gardent

Project Architect	IG
Project Number	16009

CODE PLANS

A002

DOCUMENTUM DESERVA GRASIAS LI C





Memorandum

SRF No. 13970.00

To: Emily Goellner, ACIP LEED Green Associate
Community Development Director
City of Wayzata

From: Tom Sachi, PE, Associate

Date: October 7, 2020

Subject: Downtown Wayzata Parking Study

Introduction

SRF has completed a parking demand study for a proposed public parking facility west of Barry Avenue and north of developments along Lake Street. This parking facility is expected to support a number of functions, including developments along Lake Street, the Panoway on Wayzata Bay public boardwalk facility, and the Dakota Rail Trail. The main objective of this study is to identify the expected parking demand for the proposed parking facility based on the expected uses and identify the appropriate facility design. The following sections provide the assumptions, analysis, and study conclusions offered for consideration.

Proposed Development Parking Demands

The proposed parking facility currently has two design options available. The first option is for a surface parking lot with a supply of 151 parking stalls. The second option is for a parking ramp with a total supply of 212 parking stalls. A parking demand range for the proposed facility, based on adjacent land uses, was estimated using information from the City, the *ITE Parking Generation Manual, Fifth Edition*, and engineering judgement. The following developments are included within the demand calculations

- Melvins 235 Office Building
- Ventana Apartments
- Boatworks
- Dakota Rail Trail
- Panoway Phase II Park/Boardwalk

A description of each land use's parking demand is described in detail in the following sections, and the parking demand ranges are provided in Table 1. Note, demands will be estimated for the weekday midday, weekday evenings, and weekend midday. An estimated range will be provided to provide a low and a high estimate.

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Melvins 235 Office Building

Based on information provided by the City for the Melvin's 235 Office Building, it is required that 73 of the spaces are reserved during weekdays until 6:00 p.m. During the weekday evenings, ITE (Institute of Transportation Engineers) estimates there is 10 to 20 percent of the peak demand, and during weekend afternoons there is five (5) to 10 percent of the peak demand.

Ventana Apartments

The Ventana Apartments development includes 25 apartment units and 50 underground spaces within the development itself. However, guest parking is expected to be accommodated within the public parking facility. Guest parking spaces are estimated at 10 to 20 percent of the number of units (i.e. between three (3) to five (5) spaces).

Boatworks

Currently, an easement exists that Boatworks can use up to 80 spaces within the public parking facility during the weekday evenings and weekends for guest and valet parking for the restaurant/brewery. However, current parking observations provided by the City indicate that Boatworks uses a minimal number of spaces during these times. While current utilization is low, there is potential with redevelopment of portions of the Boatworks site, there may be higher demand for parking spaces at the public facility. Given the current utilization and potential redevelopment, estimates for the number of reserved parking spaces have been modified to conservative estimates. During the weekday midday, it is estimated that the parking demand could range from 10 to 40 spaces and on weekday evenings and weekend middays, the demand could range from 40 to 60 spaces.

Dakota Rail Trail

With the opening of the Panoway Park and expanded bike network in Downtown Wayzata, it is expected that usage of the Dakota Rail Trail will increase with the improved trail access and visibility within Downtown. Currently, some trail parking exists adjacent to the Boatworks site, however, this parking supply also serves users of the Wayzata Beach and the Marina. Therefore, to remain conservative, an estimate was completed for the trail users to park within the public facility. Information provided by Three Rivers Park District (TRPD) was utilized to determine this parking range estimate. TRPD completed independent parking surveys during weekdays and weekend timeframes during summer months, and this information is included within Table 1.

Panoway Park and Panoway Boardwalk

The recently constructed Panoway Park and Boardwalk facilities are expected to have a number of visitors during peak periods. A combination of ITE and engineering judgement was utilized to determine the parking demand for the park/boardwalk. The park facility itself was estimated using ITE for the study time periods.

The remaining boardwalk facilities were estimated based on the number of available seats along the boardwalk and plaza area. Note, it was assumed that during weekday evenings and weekend midday timeframes that the boardwalk seats will be fully occupied, and that weekday midday will experience a demand that is approximately 75 percent of the peak demand. The following breakdown of the seating and vehicle occupancy was used to estimate the demand

Panoway Seating Estimation

- 15 Benches x 2 people per bench = 30 people
- 6 tables x 4 people per table = 24 people
- 4 picnic tables x 6 people per table = 24 people
- 10 chairs x 1 person per chair = 10 people
- Total = 88 people
- Estimated Occupancy = 2 people per car
- Estimated Peak Demand = 44 vehicles

While the expected demand is approximately 44 vehicles, a high range was also estimated using a 1.75 people per car occupancy to remain conservative. This results in an expected demand of 50 vehicles.

Table 1. Peak Parking Demand Assessment

Development/Use	Parking Space Demand Estimate					
	Weekday Midday		Weekday Evening		Weekend Midday	
	Low	High	Low	High	Low	High
Melvins 235 Office	73	73	7	14	4	7
Ventana Apartments	3	5	3	5	3	5
Boatworks	10	40	40	60	40	60
Dakota Rail Trail	12	27	17	26	21	60
Panoway Phase II Park	3	6	3	6	4	7
Panoway Boardwalk Seating	34	38	45	50	45	50
Total	135	189	115	161	117	189

Based on the results shown in Table 1, parking demand ranges from 135 to 189 spaces during the weekday midday, 115 to 161 spaces during the weekday evening, and 117 to 189 spaces during the weekend midday.

Panoway Estimation Verification

A verification of the Dakota Rail Trail and Panoway Park/Boardwalk was completed given some of the uncertainty within the estimates. From the results in Table 1, it is expected that the parking demand for the Dakota Rail Trail and Panoway Park will range from 49 to 117.

Other similar type facilities within the Twin Cities were reviewed to determine if this level of parking is accurate for the Wayzata facilities. The following three locations were reviewed, given their similarities in uses/facilities, to provide a verification of the parking demand:

- Eden Prairie Purgatory Park – 60 Spaces with connection to bike trails
- Hastings Riverwalk Park– 105 Spaces with connections to Regional Bike Trails
- Lake Harriet Bandshell (Minneapolis) – 125 spaces with connections to Regional Bike Trails.
- Boom Island Park (Minneapolis) – 135 spaces with connections to Regional Bike Trails

Note, during peak parking times, the following locations have been observed to be at or near full utilization, indicating the parking supplies are appropriate gauges for the Panoway Park and Dakota Rail Trail and do not represent a significant excess of parking supply.

Based on the parking supplies of the similar type facilities (60 to 135 spaces), the expected demand of the Dakota Rail Trail and Panoway Park (49 to 117 spaces) appears to be appropriate for the peak demand range.

On-Street Parking Considerations

In addition to the public parking facility, there is on-street parking available for public utilization. Within approximately one (1) to two (2) blocks of the site, there are approximately 60 on-street parking spaces available. A review of previously completed parking utilization surveys from the *Update to the Downtown Wayzata Parking Study*, completed by SRF in 2014, indicates that during the study time periods, the following parking demands were observed:

- Weekday midday – 40 spaces utilized, 20 space surplus
- Weekday Evening – 15 spaces utilized, 45 space surplus
- Weekend Evening – 15 spaces utilized, 45 space surplus

However, given the age of these counts and the redevelopment occurring within the study area, on-street parking utilization for other adjacent businesses is expected to be higher than when previously collected.

Conclusion

From the parking demand results, the peak parking demand ranges from 135 to 189 spaces during the weekday midday, 115 to 161 spaces during the weekday evening, and 117 to 189 spaces during the weekend midday. Based on the high range of the proposed parking demands, the 151 space surface parking lot is not expected to be sufficient to meet the high end parking demand, with deficits of 10 to 38 spaces expected over the various timeframes. However, the low range estimates indicate the surface lot parking supply will be sufficient to meet demand. Additionally, there is potential for the on-street parking supply to accommodate a portion of the high end demands, indicating that during the majority of the peak times, the surface parking lot should be sufficient to meet demands.

While the conservative high end peak demand estimates could exceed the potential parking supply of the surface lot and available on street parking, there are other potential factors to consider with the parking lot/ramp design, including construction cost and potential for additional public parking within other redevelopments in the western portion of downtown Wayzata.

CITY OF WAYZATA

November 7, 2018

FEE-IN-LIEU OF PARKING POLICY

Background and Purpose

To address the need for additional parking and parking-related services, and make both on and off street parking improvements in the downtown area, the City is pursuing the construction of a municipal parking ramp at Mill Street (the "Mill Street Ramp"), the establishment of a new designated capital improvement plan for future downtown parking improvements ("Downtown District CIP"), and the establishment of a downtown parking and mobility district (the "Mobility District"), a special services district under Minn. Stat. Ch. 428A. The City has also amended its parking ordinance to reduce the minimum amount of parking stalls required for uses in the downtown area to recognize (i) changes in parking demands associated with certain uses, (ii) differing parking demands for different days and hours, (iii) consolidated and shared parking opportunities, and to maximize the overall efficiency of available parking spaces.

The purpose of this policy is to provide greater flexibility to developers and property owners proposing projects in the downtown area that would further the City's goals for the area but not fully meet the City's minimum parking requirements, and thereby reduce the number of variance applications, encourage consolidated and shared parking, and promote a well-designed and efficient parking system downtown.

Paying a fee in lieu of parking under this policy would not sell spaces or grant exclusive rights to parking spaces in the Mill Street Ramp or other parking facilities in the Mobility District, but would allow uses on property in the Mobility District that would otherwise fail to meet the City's parking requirements.

Criteria for Considering a Fee in Lieu of Parking

If warranted by the standards outlined in this policy, the City Council may, but shall not be required to, grant approval of a reduction in the number of parking spaces actually constructed at the time of site development or occupancy of a building under the following criteria:

A. Eligible Properties and Projects. Any new use on a property (a "Project") 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 as specified in Section B of this policy; and (2) a conditional use permit is approved based upon the requirements of Section 801.04 of the City Code and the following additional criteria:

1. The Project is located within the "Mobility District" as established by 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.

For purposes of this policy, "available capacity" shall be the number of parking spaces available for use by applicants for new fee-in-lieu of parking conditional use permits. This number shall be determined by the City Council based on an analysis of the use of the City's parking facilities. The City's "parking facilities" shall be the Mill Street Ramp and any other public parking facility in the Mobility District.

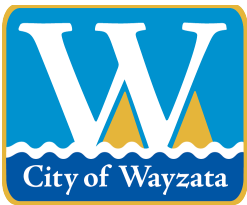
B. Fee. The amount of the fee-in-lieu of parking paid under this policy shall be established, and may be updated from time to time, by a resolution of the City Council, based on available public parking in the Mobility District, projections and/or calculations of the costs of constructing the parking facilities, improvements identified in the Downtown District CIP, and the value to applicants of satisfying the City's minimum parking requirements. The fee shall be paid in full as a one-time payment, prior to issuance of a building permit for the project, or upon the request of the applicant and the approval of Council, the fee may be paid over a period of time in the manner of an assessment, with a term of up to ten (10) years, and set to an interest rate equivalent to the Prime Interest Rate plus two (2) percent. The City Council shall approve any such payment over time at the time a conditional use permit is approved pursuant to this policy, and shall base any such approval on the following factors:

1. Amount of parking needed for the Project
2. Current Availability, or lack of availability, of public parking and/or the need to construct additional public parking for the Project
3. Availability, or lack of availability, of financing for the Project
4. Overall cost of the Project

C. Development Agreement. As a condition of approval of a conditional use permit issued pursuant to this policy, the applicant must enter into a development agreement with the City that includes an agreement to fully participate in and not contest the Mobility District and obligations thereof, and to pay the fee-in-lieu of parking. The development agreement shall be executed no later than the date on which a building permit for the Project is issued (or if no building permit is required, the date on which a certificate of occupancy is issued) and also include an agreement by the owner of the property for which the conditional use permit is issued authorizing the City to assess any unpaid fee-in-lieu of parking against the property as a special assessment and include a waiver of any right to object or appeal said assessment. The obligation to pay the fee-in-lieu of parking shall run with the property, and the development agreement shall be recorded against the property.

D. Expiration. A conditional use permit issued pursuant to this policy shall expire 12 months after being granted unless a development agreement (or amendment thereto) containing a fee-in-lieu of parking provision as described in subsection (C) above is executed by the permit holder.

E. Previous Obligations to Pay for Future Parking. Obligations in development agreements with the City, and conditions in previously granted land use approvals, that were agreed to or imposed prior to the adoption of this policy, that require a financial contribution to future City parking facilities to make up for parking shortfalls in Projects, may be satisfied upon (i) payment of the fee specified in Section B of this policy, and (ii) an amendment to the applicable development agreement as required by this policy.



City of Wayzata Planning Commission Agenda Report

MEETING DATE: February 1, 2021	AGENDA ITEM: 5.b
TITLE: Consider Development Application for a Comprehensive Plan Amendment, Zoning Map Amendment, Subdivision, Conditional Use Permit, and a Variance at 304, 312, and 318 Barry Avenue South	
PREPARED BY: Nick Kieser, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: March 29, 2021	

BACKGROUND:

A development application has been submitted from Doran Companies to redevelop the property at 304, 312 & 318 Barry Avenue South. The application proposes constructing a three-story residential condominium building including underground parking. The application includes the following:

1. Preliminary Plat and Final Plat to combine the properties located at 304, 312, and 318 Barry Avenue into one lot;
2. Conditional Use Permit to allow residential on the ground floor;
3. Comprehensive Plan Amendment to re-guide 312 & 304 Barry Avenue South from Central Core Residential to Central Business District;
4. Zoning Map Amendment to rezone 312 & 304 Barry Avenue South from R-5 Average Density Residential District to C-4 Central Business District;
5. Variance from the building placement at the sidewalk line requirement.

ACTION REQUESTED:

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:

1. Staff Report, Plans, and Narrative



**Staff Report
Wayzata Planning Commission
February 1, 2021**

Project Name	Barry Avenue Condominiums
Addresses of Request:	304, 312, and 318 Barry Avenue South
Requests:	Preliminary and Final Plat; Conditional Use Permit; Comprehensive Plan Amendment; Zoning Map Amendment; Variance
Property Owner:	Lowell Zitzloff, LNR Properties
Applicant:	Doran Companies
Prepared by:	Kristin Moen and Eric Zweber, Consulting Planners Emily Goellner, Community Development Director Nick Kieser, Assistant Planner
“120 Day” Deadline:	May 18, 2021

Development Application

Introduction

The applicant and property owner are proposing the construction of a three-story 19-unit condominium building located at the current addresses of 304, 312, and 318 Barry Avenue South. They have submitted a development application requesting the following:

- A) Preliminary Plat and Final Plat to combine the properties located at 304, 312, and 318 Barry Avenue into one lot
- B) Comprehensive Plan Amendment to re-guide 312 & 304 Barry Avenue South from Central Core Residential to Central Business District
- C) Zoning Map Amendment to rezone 312 & 304 Barry Avenue South from R-5 Average Density Residential District to C-4 Central Business District
- D) Conditional Use Permit (CUP) to allow residential on the ground floor
- E) Variance from the building placement at the sidewalk line requirement

Property Information

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

Address	PID	Owner
304 Barry Ave S	06-117-22-24-0007	Wayzata Bay Condominiums LLC
312 Barry Ave S	06-117-22-24-0008	Wayzata Bay Condominiums LLC
318 Barry Ave S	06-117-22-24-0088	Wayzata Bay Condominiums LLC

Project Location

The Project is located on the east side of Barry Ave S between Rice St E and Lake St E.

Map 1: Project Location



Application Requests

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

- A. Comprehensive Plan Amendment (§ 903.02F): The applicant is requesting a Comprehensive Plan Amendment to re-guide 304 and 312 Barry Avenue South from Central Core Residential to Central Business District.
- B. Zoning Map Amendment (§ 903.02.F): The applicant is requesting to rezone 304 and 312 Barry Avenue South from R-5 Average Density Residential District to C-4 Central Business District.
- C. Preliminary and Final Plat (§ 1003.02): The applicant has applied to combine the properties located at 304, 312, and 318 Barry Avenue South into one lot.
- D. Conditional Use Permit (CUP) (§ 978.05.E): The applicant is requesting a CUP to allow residential on the ground floor in the C-4 District.

- E. Variance (§ 978.06.E): The Applicant is requesting a variance from the C-4 District requirement that all buildings shall meet the defined sidewalk line except for small setbacks to provide outdoor seating, plazas or recess entries. The proposed building has a 30-foot setback from the sidewalk consisting of landscaped area.

Public Hearing Notice

Notice of the public hearing on the application was published in the *Sun Sailor* on January 21, 2021. The public hearing notice was also mailed to all property owners located within 500 feet of the subject property on January 21, 2021.

Summary and Analysis of Application

Vacant Land

The proposed project encompasses three parcels with frontage along Barry Avenue South, all three of which do not have any existing permanent structures. Together the three parcels have two different Comprehensive Plan Designations and are in two different zoning districts, as shown in the following tables:

Address	2040 Comp Plan Designation	Requested
304 Barry Ave S	Central Core Residential	Re-guide to Central Business District
312 Barry Ave S	Central Core Residential	Re-guide to Central Business District
318 Barry Ave S	Central Business District	

Comprehensive Plan Amendment

The adopted 2040 Comprehensive Plan land use designations for the northern two properties, 304 and 312 Barry Avenue, were recently re-guided to “Central Core Residential” in the 2040 Comprehensive Plan. The Central Core Residential category is intended to identify existing single-family homes and small-scale multiple family uses within the older neighborhoods in the City’s core.

In previous Comprehensive Plans, the northern two properties, 304 and 312 Barry Avenue, were guided for Medium Density Residential use. The Medium Density Residential land use described housing units as diverse in style and age with townhomes, garden level apartments, and smaller apartment buildings at 5-12 units/acre. The multiple family residential building directly to the north would comply with this 2030 Comprehensive Plan land use.

The decision to re-guide the properties to Central Core Residential in the 2040 Comprehensive Plan was largely driven by the size of the lots and the desire to

maintain the existing neighborhood character of predominately single-family homes. The key difference between these land use designations is density.

Address	Past <i>Density Permitted in 2030 Comp Plan</i>	Current <i>Density Permitted in 2040 Comp Plan</i>	Requested
304 Barry Ave S	5-12 units/acre	3-6 units/acre	20-30 units/acre
312 Barry Ave S			
318 Barry Ave S	N/A	20-30 units/acre	

The property at 318 Barry Ave S was designated as Central Business District in the 2030 Comp Plan, but the CBD designation did not have a density range given and it was determined that each project would be reviewed individually for the ideal density. The Central Business District provides for a wide range of uses including retail and service commercial, office, residential, and public uses. Development within the entire district is anticipated to be approximately 60 percent commercial and office uses and 40 percent residential. The densities of residential developments within the Central Business District shall be between 20 and 30 dwelling units per acre. The proposed Project fits within this density range. The surrounding area is a mixture of commercial and residential uses as envisioned.

The proposed Comprehensive Plan Amendment and Zoning Map Amendment are legislative reviews and decisions, meaning that the Planning Commission acts like a legislative body and has wide discretion on whether to recommend approval or denial to the City Council if it has a rational basis for its decision.

Zoning

The zoning designation for 304 and 312 Barry Avenue has a complex history. Even though they were guided for Medium Density Residential use for many years in Comprehensive Plans, they were zoned in the district with the highest density, R-5. For many years, the long-term vision and the zoning regulations have not aligned for these two northern properties. As the applicant hopes to combine all three lots into one lot, they are requesting that the combined lot be zoned as C-4 like the southern lot is today.

Address	Current Zoning	Requested
304 Barry Ave S	R-5 Average Density Multiple Residential District	C-4 Central Business District
312 Barry Ave S	R-5 Average Density Multiple Residential District	C-4 Central Business District
318 Barry Ave S	C-4 Central Business District	

Address	Overlay Districts	Design District
304 Barry Ave S	Shoreland Overlay District	Bluff District
312 Barry Ave S		
318 Barry Ave S		

Design Review Required

The applicant has not yet submitted an application for Design Review. If the current set of requests is approved by the City Council, then the applicant intends to submit another application for Design Review prior to submittal of a building permit application.

Surrounding Area

The proposed Project is surrounded by a variety of land uses and zoning districts.

	Existing Land Use	Zoning	Comprehensive Plan Designation
North	Multi-family residence	R-5 Average Density Multiple Residential District	Central Core Residential
South	Commercial/office building	C-4 Central Business District	Central Business District
East	Commercial business; Single-family residences	R-3A Single- and Two-Family Residential District; C-4 Central Business District	Central Core Residential; Central Business District
West	Commercial/office building; parking lot/structure	C-1 Office and Limited Commercial District	Central Business District

Neighborhood Input

The applicant hosted a neighborhood meeting on September 2, 2020. Property owners within 500 feet of the subject Property received an invitation to a meeting hosted on the audio and video conferencing platform Zoom. There were 11 people in attendance including 3 Planning Commissioners. Attendees asked about the construction schedule, outdoor spaces, common spaces, and parking. The applicant stated that the construction is expected to begin in the spring of 2021; there will be patios for the ground floor units and balconies for the upper level units; there will be a common amenity space but the actual use of the space has not been determined yet; the condominiums will be aimed at empty nesters but there will be a standard, upgrade, and premium packages; and that there are 3 additional underground parking space and a bike rack.

Density

The allowed density of the Central Business District within the 2040 Comprehensive Plan is 20-30 units/acre. Code states that the R-5 density standards shall be met for any residential project in the C-4 Central Business District. Staff has been aware for more than a year that the current R-5 standard (max. of 21.78 units/acre) does not comply with the adopted 2040 Comprehensive Plan density range. The Zoning Study Task Force will be reviewing this issue in the near future. The project would meet the 2040 Comprehensive Plan density range for the Central Business District of 20-30 units/acre, so staff expects this issue to be resolved through the Zoning Study process.

Subdivision

The Applicant has requested a Preliminary and Final Plat to combine the properties located at 304, 312, and 318 Barry Avenue South into one lot. 304 and 312 Barry Ave are 11,725 and 7,472 square feet in area, respectively, and both are non-conforming for R-5 zoning district where the minimum lot size is 20,000 square feet. 318 Barry Ave is 9,495 square feet in area and is non-conforming for the C-4 zoning district, which requires a minimum 12,000 square feet. The resulting lot will be 28,692 square feet and roughly 211 feet wide and 90 feet deep. This proposed subdivision would turn three non-conforming lots into one conforming lot.

Surrounding Lot Sizes

Below is a table of lot areas of the properties surrounding the proposed development.

Address	Lot Size
Proposed Project (304, 312, 318 Barry)	28,692 sq. ft.
328 Barry Ave	9,096 sq. ft.*
305 & 309 Lake St. (Swan's Corner)	14,952 sq. ft.
220 Barry Ave	9,975 sq. ft.
230 Barry Ave	13,680 sq. ft.*
319 Barry Ave	44,452 sq. ft.
275 Lake St (Wayzata Blu)	32,050 sq. ft.
221 Manitoba Ave	9,557 sq. ft.
225 Manitoba Ave	7,946 sq. ft.*
231 Manitoba Ave	8,085 sq. ft.*
237 Manitoba Ave	8,086 sq. ft.*
307 Manitoba Ave	10,038 sq. ft.*

*** Non-Conforming Lot Areas**

Of the six lots that are directly adjacent to the proposed subdivision (230 Barry Ave, 328 Barry Ave, 225 Manitoba Ave, 231 Manitoba Ave, 237 Manitoba Ave, and 307 Manitoba Ave), each of these parcels are non-conforming regarding their lot areas because they are below the lot area requirements in their existing zoning district.

Site Plan

The proposed project is a three-story, 100 percent residential condominium building that is set back approximately 30 feet from a proposed new sidewalk along Barry Avenue South. A landscaped area is proposed between the sidewalk and the building's façade and main entrance, which is along Barry Avenue. There are also landscaped areas proposed within the side and rear yards of the proposed property that are terraced with retaining walls along all four edges of the lot. There is an exit on the rear of the building that connects to Barry Avenue via a sidewalk along the south side of the building. The proposed parking includes 41 stalls located underground with the parking garage entrance along Barry Avenue S. on the northern half of the lot.

	C-4 Zoning	Shoreland Overlay District	Proposed Project	Project Compliance
Height (max.)	3 stories or 35 feet, whichever is less	35 feet	3 stories	Complies
Impervious Surface (max.)	N/A	25% or 75% with stormwater management or 100% with Shoreland Impact Plan/CUP	To be determined during subsequent review	To be determined during subsequent review
Property Line Setbacks (min.)	No setback requirements except when adjacent to residential; then same as adjacent district; All buildings shall meet the defined sidewalk line.	75 feet to Lake Shore	North: 13 ft. East: ~20 ft. South: N/A West: ~30 ft.*	Does not comply – Variance Requested
Lot Area (min.)	12,000 sq. ft.	Same as underlying zoning district	28,692 sq. ft.	Complies
Floor to Area Ratio (F.A.R.)	2.0	Same as underlying zoning district	1.61	Complies

*Building Setback Variance request

Conditional Use Permit for Residential on Ground Floor

The CUP requested is to allow an all residential project in a C-4 zoned property. A C-4 zoned property allows residential units on the second and third stories as a permitted use, but allows an all residential (residential units on the ground floor) as a Conditional Use. The criteria for granting this CUP is listed at the end of this report, but specific

criteria need to be met to allow this kind of CUP. Some of the items to note for this CUP are:

- The building does not front Lake Street.
- The development does not conflict with existing or potential future commercial uses and activities.
- Adequate open space and recreational space is provided on site for the benefit of the occupants.
- The development does not conflict or result in incompatible land use arrangements as related to abutting residential uses or commercial uses.

These criteria are important to consider in addition to the other criteria that is noted for every CUP approval.

Setback Variance

The variance requested is for the western, or front façade, building setback. In the C-4 Zoning District, new buildings to be built near the sidewalk line. Most of the C-4 zoned properties front Lake Street so the buildings can be right up to the sidewalk along that important pedestrian corridor.

The applicant has requested a variance to place the proposed building approximately 30 feet from the sidewalk line with the goal of meeting the other building setbacks along Barry Ave S, provide additional landscaping in front of the building, and to construct the building on a better building pad location. The applicant wanted to find a way to fit in with what the community would want in this area, to reduce the mass and scale of the building with the proposed setback, and to fit the building in with the surrounding structures. The applicant's narrative describes the practical difficulties as they relate to the property's location between existing commercial and multi-family residential properties on Barry Avenue rather than Lake St, and the building's mass as it relates to neighboring buildings (see attached).

	Setback Requirement	Proposed Project	Project Compliance
North	Side yard: 10 feet (adjacent to R-5)	13 feet	Complies
South	No requirement (adjacent to C-4)	N/A	Complies
East	Rear yard: 20 feet (adjacent to R3-A)	20 feet	Complies
West	Front yard: 0 feet (adjacent to Sidewalk)	30 feet	Variance Requested

Impervious Surface

An initial measurement of the impervious surface coverage for the proposed project is estimated to be between 60 and 65%. The Shoreland Overlay District regulations state

that impervious surface coverage may be allowed to exceed the required allowable 25% impervious surface coverage to a maximum of 75% on any one site as long the treatment of stormwater runoff is approved by the City Engineer. The Applicant must provide a plan for the treatment of stormwater runoff and/or prevent stormwater from directly entering a public water in compliance with the Stormwater Management Plan. The plan must be submitted with the Design Review and approval will be required by the City Engineer.

Parking

For multiple family dwellings, the City Code requires two parking stalls for each unit, of which one is to be enclosed. With 19 condominium units proposed, a total of 38 parking stalls are required. The Applicant is proposing 41 enclosed parking stalls within the lowest level (below-grade) of the building, which equates to 2.16 spaces per unit.

The three stalls in excess of the City Code requirements could be used by visitors to the condominiums. In addition, the frontage along Barry Avenue would allow for six one-street parking stalls and the project site is located about 250 feet from the proposed future public parking ramp. The property owner (LNR Properties) also stated that their parking ramp across the street at 319 Barry Avenue could also be available for guest parking.

Grading and Natural Topography

The existing site is sloped generally from the southwest (951 feet) to the east central (968 feet) portions of the site with approximately 17 feet of elevation change. The majority the buildable area of the site slopes up from the west to east between the 960 feet and 968 feet elevations. The proposed project will maintain the existing elevations at the property lines of the adjacent properties to the north, east, and south.

The proposed grading plan would install retaining walls about one foot from the north property line and about three feet from east property line. On the south side of the project, a retaining wall is proposed about 15 feet from the property line with a sidewalk including steps located directly south of the retaining wall to connect with a sidewalk being installed on the east side of Barry Ave and the east side of the proposed building. The project proposes a retaining wall within the Barry Ave right-of-way adjacent to the existing sidewalk which will be about 2.5 feet in height. This western retaining wall will allow the slope between the building and the right-of-way to be reduced.

The grading plan proposes an area behind the building that be relatively flat and result in a 4.2-foot-tall retaining wall to be installed about three feet from the east property line.

Tree Preservation

There are 20 significant trees for total of 374 inches and three heritage trees for a total of 92 inches located on the site. Seventeen of the 20 significant trees, for a subtotal of 322 inches, are proposed to be removed and all three of the heritage trees, for a subtotal 92 inches, are proposed to be removed for an overall total of removal of 414 inches removal. The tree replacement requirement for this tree removal would be 412.5 inches. The tree replacement formula is described within the table below:

	Existing	Removal
Significant Trees	374 Inches	322 Inches
Heritage Trees	92 Inches	92 Inches
Total Removal		414 Inches
Allowed Removal without Replacement:	25% of Existing Significant Trees	
	374 Inches * 25% = 93.5 Inches	
Significant Tree Replacement (1:1)	(322 Inches – 93.5 Inches) * 1 = 228.5 Inches	
Heritage Tree Replacement (2:1)	92 Inches * 2 = 184 Inches	
Total Replacement Required	228.5 Inches + 184 Inches = 412.5 Inches	

The minimum size of replacement trees are 2.5 inches deciduous trees or six feet tall conifer trees. The preliminary landscape plan proposes 44 inches of replacement tree will be installed but that includes five prairie fire crabapple trees at two inches in size and one weeping white pine at five feet in height. The size of the crabapple and pine trees will need to be adjusted with the final landscape plan submitted with the design review. If the final landscape plan contains 44 inches of replacement, then the applicant would need to provide funds for the equivalent of 368.5 inches of replacement trees to be installed off-site.

Utilities

The preliminary utility plan illustrates:

- An eight-inch sanitary sewer service connecting into the existing sanitary sewer main within Barry Avenue.
- An eight-inch water service connecting into the existing water main within Barry Avenue. The water service will provide both fire suppression and domestic water service.
- Two twelve-inch storm water connections into two existing storm water catch basins located along the eastern curb line of Barry Avenue.

In addition to the two storm water connections, the preliminary storm water plan shows six yard catch basins along the eastern and northern edge of the building flowing into a 72 inch wide perforated corrugated metal pipe (CMP) infiltration system, six yard catch basins along the southern edge of the building flowing into a second 72 inch wide perforated corrugated metal pipe (CMP) infiltration system. The two storm water connection lead from the infiltration systems into the existing storm water catch basin within Barry Avenue.

Comments from the City Engineer/Director of Public Works

The Public Works/Engineering Department has reviewed the proposed project and provided the following comments:

- Public Works and Engineering does not have any concerns about the existing infrastructure being sufficient for the new proposed 19 units.
- A complete stormwater management plan and the final utility plans will be provided with design review submittal and the City Engineer will review and approve these final plans before a building permit is issued.
- The City also has existing storm sewer along the east side of Barry Avenue South that flows north and discharges into the pond on the west side of Barry Avenue South. The proposed storm water management system can be connected to this existing storm sewer.
- The City has existing 6 inch water main, and 8 inch sanitary sewer main along Barry Avenue South that can be utilized to serve the proposed building. There are also some existing (abandoned) sewer and water service stubs that once served structures on these parcels that have been removed; those stubs will need to be properly permanently abandoned at the sewer or water main.

Standards of Planning Commission Review of Application Requests

The proposed Comprehensive Plan Amendment and Zoning Amendment are legislative reviews and decisions, meaning that the Planning Commission acts like a legislative body and has wide discretion on whether to recommend approval or denial if it has a rational basis for its decision.

The Subdivision, Conditional Use Permit, and Variance applications are quasi-judicial reviews. The Planning Commission acts like a judge, comparing the facts of the case to the criteria for approval.

Should the Planning Commission recommend approval of the requested applications, these comments can be included in the Report and Recommendation.

Primary Questions to Consider:

- A. Comprehensive Plan Amendment to re-guide 304 and 312 Barry Avenue South from Central Core Residential to Central Business District:
 - a. Does the development proposal implement the Central Business District goals and purpose statements?
- B. Zoning Map Amendment to rezone 304 and 312 Barry Avenue South from R-5 Average Density Residential District to C-4 Central Business District:
 - a. Is the proposed action in line with the specific policies and provisions of the official City Comprehensive Plan?
 - b. Does the proposed use conform with present and future land uses of the area?
 - c. Does the proposed use conform with all performance standards contained in the zoning code (i.e., parking, loading, noise, etc.)?
 - d. Does the proposed use adversely affect the area in which it is proposed?
 - e. Does the proposed use adversely impact property value in the area in which it is proposed?

- f. Will the proposed use generate traffic in relation to capabilities of streets serving the property?
- C. Preliminary and Final Plat Subdivision to combine all three lots:
 - a. Is the proposed subdivision consistent with the Wayzata Comprehensive Plan?
 - b. Does the building pad respect the natural topography to minimize filling or grading?
 - c. Does the creation of this lot adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas?
 - d. Is the lot size dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area?
- D. Conditional Use Permit for residential use on ground floor:
 - a. Is the proposed action in line with the specific policies and provisions of the official City Comprehensive Plan?
 - b. Does the proposed use conform with present and future land uses of the area?
 - c. Does the proposed use conform with all performance standards contained in the zoning code (i.e., parking, loading, noise, etc.)?
 - d. Does the proposed use adversely affect the area in which it is proposed?
 - e. Does the proposed use adversely impact property value in the area in which it is proposed?
 - f. Will the proposed use generate traffic in relation to capabilities of streets serving the property?
 - g. Will the proposed use adversely impact existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity?
- E. Variance for building setback from sidewalk:
 - a. Is the granting of the variance in harmony with the general purposes and intent of this Ordinance?
 - b. Is the granting of the variance consistent with the Comprehensive Plan?
 - c. Is an all-residential building a reasonable use of the property?
 - d. Has the property owner demonstrated practical difficulties that are due to circumstances unique to the property which are not created by the landowner?
 - e. Would the variance, if granted, alter the essential character of the locality?
 - f. Has the applicant demonstrated practical difficulties that are not solely economic in nature?
 - g. Will the proposed use adversely impact existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity?

Staff Recommendation

The Comprehensive Plan Amendment and Zoning Map Amendment are legislative decisions so the Planning Commission should follow the criteria listed below to determine if this application meets the criteria.

Staff is not comfortable making a recommendation on the Comprehensive Plan Amendment and Zoning Map Amendment, but can offer the following observations:

- The extension of the Central Business District up Barry Avenue remains mostly consistent with the footprint of the District. In other words, the 2040 Land Use Map and the geographic boundaries of the City's Central Business District is not drastically impacted by this proposal.
- Extending the Central Business District from Lake Street to this portion of Barry Avenue is consistent with the way that roadway functions are conceptualized in the Comprehensive Plan. Barry Avenue is designated as a Minor Collector roadway in the Comprehensive Plan. Roadways are classified in a hierarchical system from arterial highways down to local streets. Arterials are focused on high speeds and vehicle trips that travel long distances (like Hwy 12). Local streets are focused on low speeds, many driveway access points, and pedestrian traffic (like Walker Ave). The scale of development and the number of driveways permitted for each development is directly related to the roadway classification. Collector streets like Barry Ave and Lake St collect and distribute traffic from neighborhoods and commercial areas and provide a critical link between local streets.
- The southern lot in this Project is already guided as Central Business District and zoned C-4.

If the properties were re-guided and re-zoned as requested, then staff recommends approval of the Preliminary and Final Plat to combine the three existing lots into one lot because:

- The proposed subdivision would be consistent with the Central Business District should that Comprehensive Plan Amendment be approved.
- The proposed building pad elevation is between the existing minimum and maximum elevations within the proposed building pad and the reduced slope on the area between the proposed building and Barry Ave would reduce the likelihood of erosion.
- The proposed subdivision would eliminate three existing non-conforming lots due to lot size and create a lot that would conform with the C-4 zoning district and the R-5 zoning district in which the multiple family building density would be regulated.
- All six lots directly adjacent to the proposed subdivision are currently non-conforming due to lot size and therefore maintain a lot size comparable to those lots would not implement the Comprehensive Plan and/or Zoning Ordinance.
- The proposed lot is comparable in size with existing lots to the west and southwest.

If the properties were re-guided and re-zoned as requested, then staff recommends approval of the Conditional Use Permit for residential use on ground floor because:

- The proposed multiple family building would be consistent with the Central Business District should that Comprehensive Plan Amendment be approved.

- A building entirely of multiple family residences would conform with the multiple family residential buildings to the north and the southwest.
- Conformance with the zoning standards (other than the requested building setback from the sidewalk) will be approved with the future design review.
- The property would not create any adverse impacts that are greater than already created from the existing multiple family residential buildings to the north and the southwest.
- The property would not create any adverse impact the property values any greater than already created from the multiple family residential buildings to the north and the southwest.
- The proposed development would create less than 19 trips at the peak hour and therefore would exceed the capacity of Barry Ave.
- The proposed 19 condominium units would not have an adverse impact on the existing public facilities.

If the properties were re-guided and re-zoned as requested, then staff recommends approval of the Variance for building setback from sidewalk because:

- The increased setback from the sidewalk would allow for the creation of a building that uses the existing building pad elevations and maintains the building setback line of the adjacent lots.
- Granting the variance would be consistent with the Central Business District should that Comprehensive Plan Amendment be approved.
- A building entirely of multiple family residences would conform with the multiple family residential buildings to the north and the southwest.
- The applicant has stated that variance would maintain the building setback line of the adjacent lots.
- The variance would maintain the building setback line of the adjacent lots.
- The increase building setback does not have an economic impact on the proposed project.
- The proposed 19 condominium units would not have an adverse impact on the existing public facilities.

Action Steps

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

Attachments

Applicant's Narrative completed by Doran Architecture dated December 22, 2020 (2 pages)

Land Use Plans completed by Doran Architecture dated December 23, 2020(14 pages)

Additional Plan Set completed by Alliant dated December 23, 2020 (10 pages)

Neighborhood Meeting Summary completed by Doran Architecture dated September 2,
2020 (2 pages)
2040 Future Land Use Map (1 page)
Functional Roadway Classification Map (1 page)
Wayzata Zoning Map (1 page)

Applicable Code Provisions for Review

Staff has analyzed the facts provided by the applicant in comparison with the criteria for approval. While several criteria appear to be met, staff has highlighted in bold the criteria that may require additional discussion with the Planning Commission.

Comprehensive Plan Amendment

The requested Comprehensive Plan land use designation for the subject properties is Central Business District. The Central Business District category provides for a wide range of uses including retail and service commercial, office, residential, and public uses. Similar to the Mixed-Use districts, development within this land use category can include some combination of uses within the same structure. The floor to area ratio for any Central Business District development shall be a maximum of 2.0. Development within this category is anticipated to be approximately 60 percent commercial and office uses and 40 percent residential. Residential uses within the category shall be comprised of multi-family units at a density of at least 20 units per acre. Densities of up to 30 units per acre may be considered. The Central Business District is designated on the 2040 Land Use Plan along the Lake Street corridor, representing a majority of the downtown area. Though no new areas of Central Business District development have been identified, it is assumed that some development may occur in this district in the coming years.

2040 Comp Plan - Residential Goals and Policies:

- Goal: Maintain and enhance the character, diversity and livability of all residential neighborhoods.
- Goal: Create connected neighborhoods that provide access to services, housing and recreation for all ages and mobility types.

2040 Comp Plan Applicable Guiding Principles:

- Charming
- Walkable and Pedestrian Friendly
- Multi-Generational
- Connected
- City Nodes with Greater Housing Diversity

Zoning Map Amendment (§903.02.F)

The Planning Commission shall consider possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:

1. **The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.**
2. **The proposed use's conformity with present and future land uses of the area.**
3. **The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).**
4. **The proposed use's effect on the area in which it is proposed.**
5. **The proposed use's impact upon property value in the area in which it is proposed.**
6. **Traffic generation by the proposed use in relation to capabilities of streets**

serving the property.

- 7. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.**

Conditional Use Permit (§ 978.05.E)

A residential use can be a principal use in the C-4 zoning district, provided that:

1. The development does not front or border Lake Street.
- 2. The development does not conflict with existing or potential future commercial uses and activities.**
3. The density standards imposed as part of the R-5 Zoning District are complied with.
- 4. Adequate open space and recreational space is provided on site for the benefit of the occupants.**
- 5. The development does not conflict or result in incompatible land use arrangements as related to abutting residential uses or commercial uses.**
- 6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.**

Section 904.02.F notes 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:

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

Preliminary and Final Plat (§1003.02.E)

The Planning Commission and City Council shall consider possible adverse effects of the proposed preliminary plat. Their judgment shall be based upon (but not limited to) the following factors:

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

3. **Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filing or grading.**
4. **Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.**
5. **The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.**
6. **The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.**
7. **The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.**
8. **The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.**
9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Chapter 909 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.

Variances: Section 905.01 provides the following standard to be employed when evaluating the variance requests:

C. Criteria for Granting. Conditions governing considerations of variance requests.

1. Variances shall only be permitted when they are:
 - a) **In harmony with the general purposes and intent of this Ordinance;**
 - and
 - b) **Consistent with the Comprehensive Plan.**
2. **Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.**

3. "Practical difficulties," as used in connection with the granting of a variance, means that:

- a) The property owner's proposal for the property is reasonable but not permitted by this Ordinance;**
- b) The plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and**
- c) The variance, if granted, will not alter the essential character of the locality.**

4. 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.

5. Variances shall be granted for earth sheltered construction as defined in Minn. Stats. § 216C.06, Subd. 14, when in harmony with this Ordinance.

6. 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.

7. 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.

8. 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.

Project Narrative
Barry Ave Condos
304, 312, and 318 Barry Ave. S
Wayzata, Minnesota
12/22/2020

Project Description

LNR Properties, the landowner, is proposing to replat three parcels into one 0.66-acre parcel and build a three-story condominium building on the property with one level of below grade parking. The site is located half a block North from Lake Street East on Barry Avenue South. The proposed condominium building will contain 19 units totaling approximately 46,100 square feet, and include (2) one-bedroom, (7) two-bedroom, and (10) three-bedroom units. The below grade parking would contain 41 stalls which equates to 2.16 spaces per unit. The developer's goal is to provide more attainable condominiums for year-round residents.

Applications

The first round of entitlement applications will be for Comprehensive Plan Amendment, Rezoning, Conditional Use Permit and Subdivision. In the 2040 Comprehensive Plan, the two northern lots are guided Central Core Residential and the southern lot is guided Central Business District. Because the three lots are being combined, the northern lots will be re-guided to Central Business District and rezoned to C-4 to match the southern lot. The project meets all C-4 zoning height, setback and FAR requirements. The project exceeds required setbacks on the west, north and south sides. The Conditional Use Permit is required for residential to be the principal use in the C-4 district.

Subdivision Criteria

The subdivision meets the criteria as set forth in the Wayzata City Code. The proposed subdivision is consistent with the goals of the 2040 Comprehensive Plan. The property is in an ideal location for condominium development, providing quick access and a walkable environment with several popular restaurants, pubs, galleries, parks, and other recreational amenities and attractions within a short distance. Due to the property's location between existing commercial and multifamily residential properties, the proposed building seeks to transition between the residential district to the North and the commercial district to the South. To relate to the residential district and The City of Wayzata's "Village on the Lake" appeal, the project features lake-view bay windows, generous front porches, white lap siding, roof gardens, and a significant amount of front yard landscape planting. To relate to the adjacent C-4 Commercial district to the South and West, the design incorporates tan brick and white metal on the front façade. Finally, the proposed design appeals to the current residential new home market with a "Country Farmhouse" aesthetic, by adding onyx-black masonry and dark grey lap siding for the white-on-black look now popular on new luxury homes in Wayzata.

The new development does not adversely affect sensitive areas such as lakes, streams, wetlands, wildlife habitat, scenic points, historic locations or other similar community assets. The building is situated on the site to preserve the row of existing trees to the east. In addition, the project is built into the slope of the site to limit the need for fill and reduce the building's mass as it relates to the neighboring buildings. The 3rd floor is stepped back a minimum of 10 feet across the entire façade and the 1st and 2nd floors are stepped back at greater

than 25% of the façade at porch locations. This breaks up the façade and reduces the overall mass of the building. The tiered landscaping and new sidewalk along Barry Avenue enrich the pedestrian experience and brings the building down to a more human scale. The project is not being considered for design review at this time, but the intent is to meet or exceed the new architectural guidelines and criteria of the Downtown Architectural District as we submit for our next phase of applications.

The proposed project will be an asset to the area as the intention is to bring year-round residents to Wayzata to utilize the city's numerous amenities. The proposed project will not have an adverse impact upon existing public services and facilities including parks, schools, streets, utilities and the city's service capacity. At 19 units, the project will not be a large traffic generator and Barry Avenue is sufficient to handle any increased demand. In addition, the developer will be paying park dedication fees based on 10% of the land value. This will be used to improve parks and public spaces in Wayzata.



LOOKING NORTH



LOOKING EAST

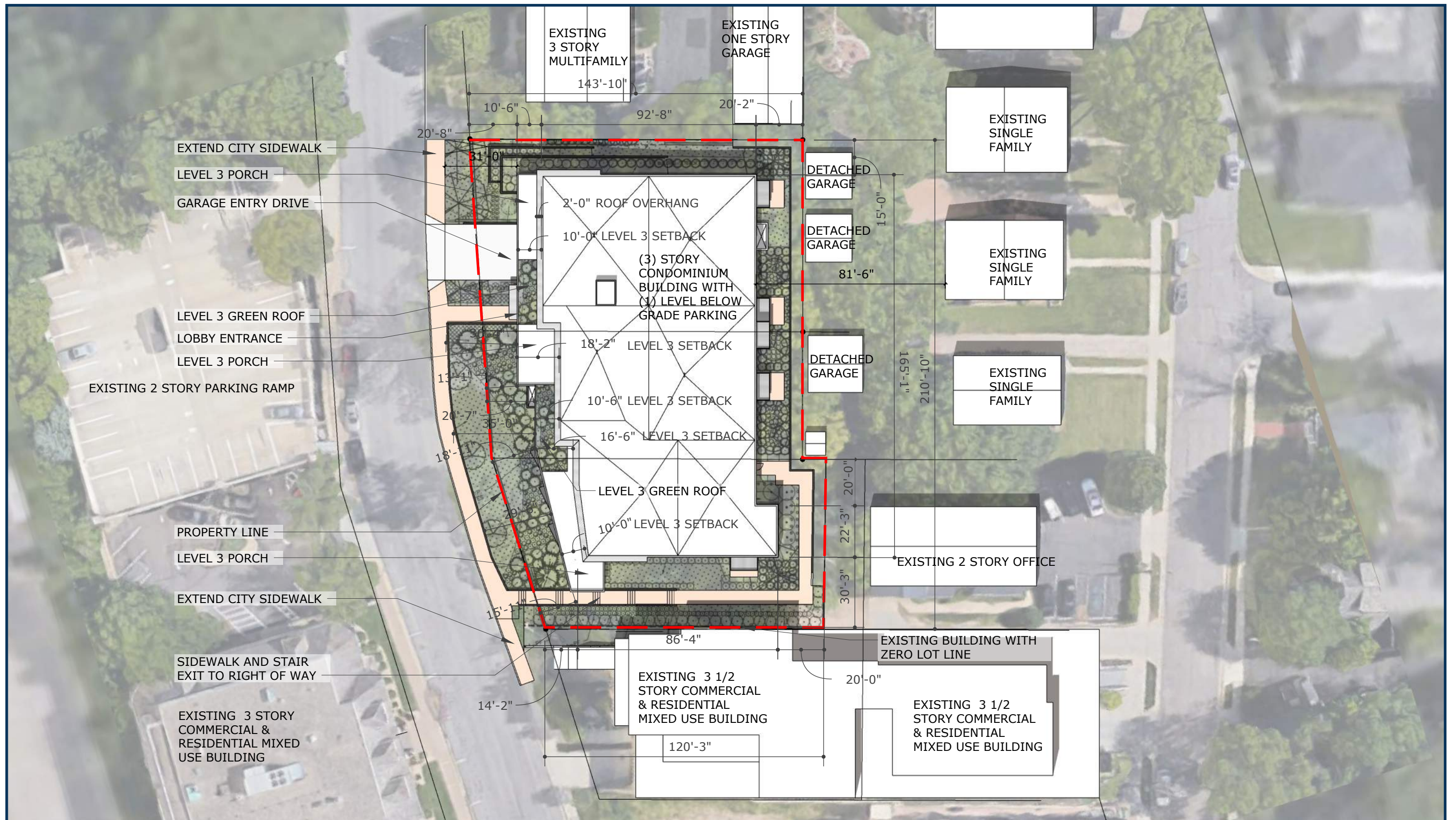


LOOKING EAST



LOOKING SOUTH

















LOOKING NORTH ALONG BARRY AVE. S.

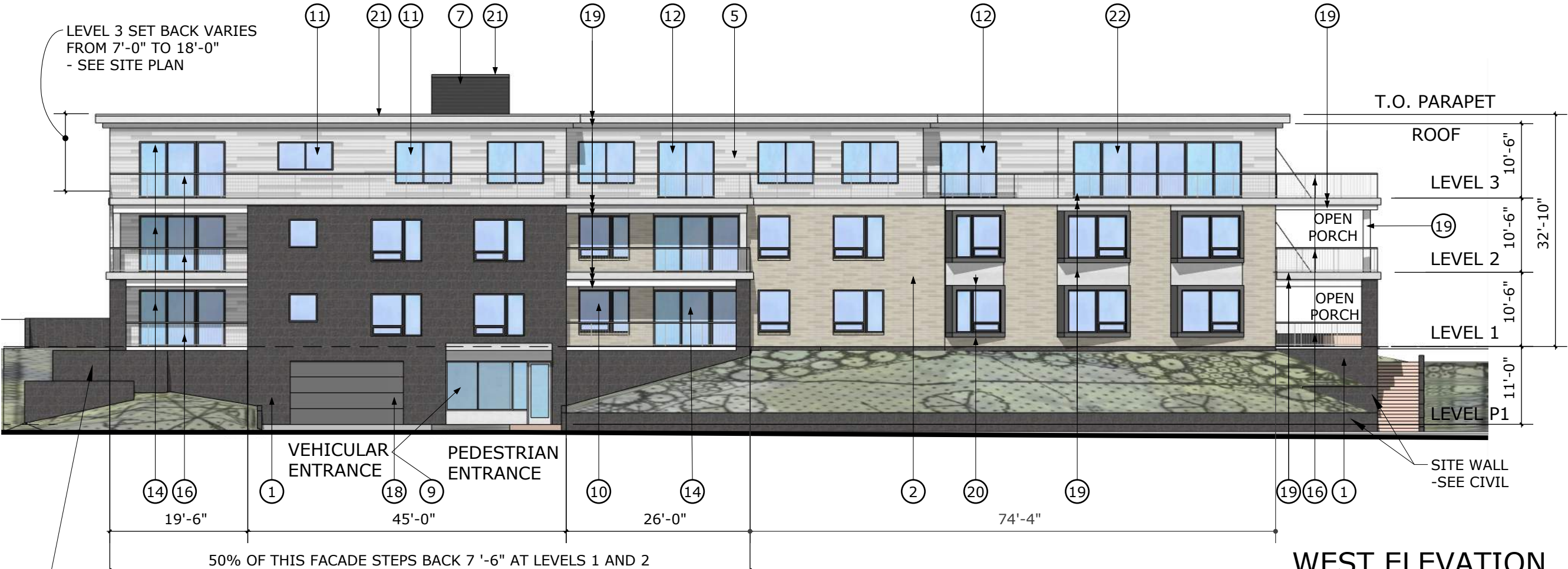


LOOKING EAST ALONG BARRY AVE. S.



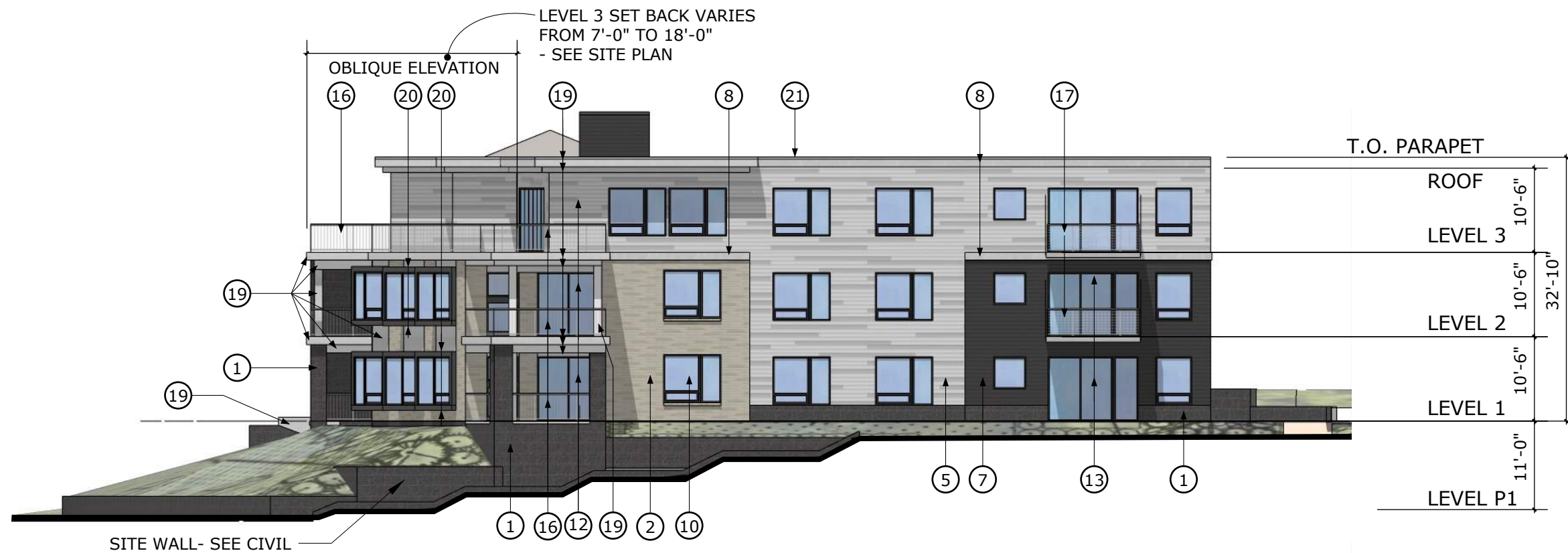
LOOKING ACROSS BARRY AVE. S.

APPROXIMATELY 1,000 SF OF THE BUILDING EXTERIOR IS EXPOSED BELOW LEVEL 1. THE BUILDING PERIMETER AT GRADE IS 543 LINEAR FEET. THEREFORE, IF THE BUILDING IS 2' BELOW THE 35' HEIGHT LIMIT, $543 \times 2 = 1,086 > 1,000$.

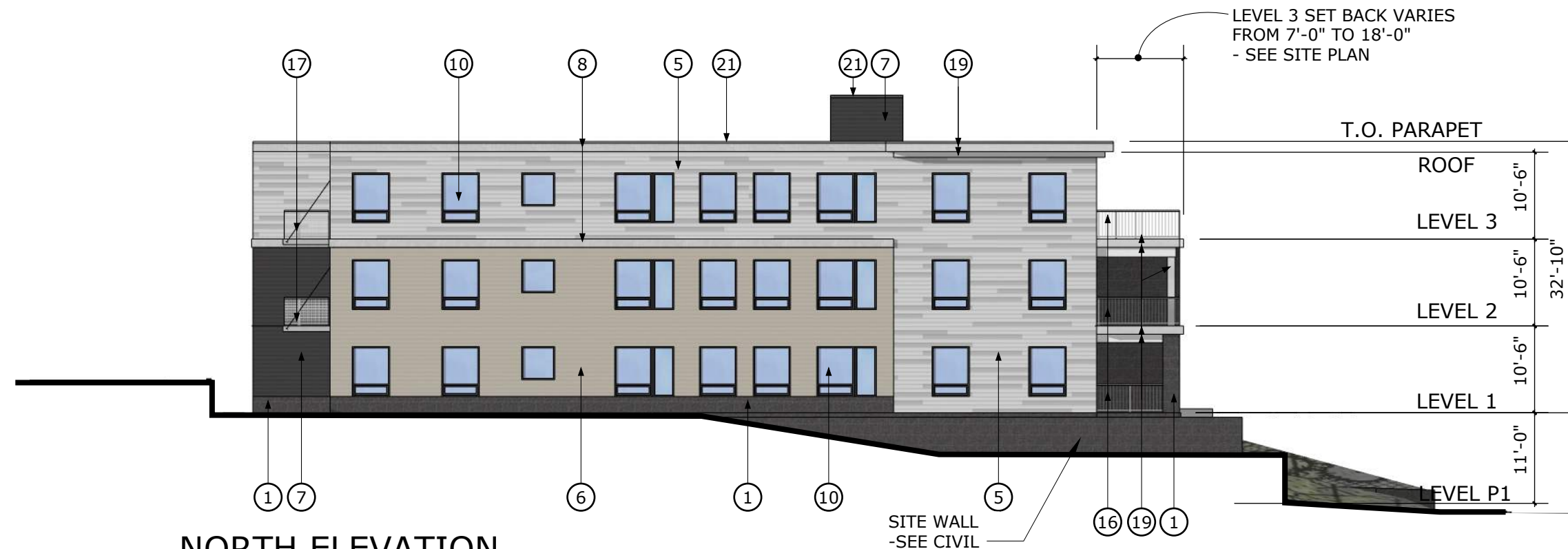


MATERIAL KEY	
①	BURNISHED BLOCK, 14" X 16" X 4", BLACK ONYX
②	UTILITY BRICK, TAN 60% / LIGHT BUFF 40% MIX
③	C.I.P. CONCRETE
④	SITE WALL - SEE CIVIL
⑤	CEMENT FIBER LAP SIDING, 80% ARTIC WHITE WITH 20% LIGHT MIST
⑥	CEMENT FIBER LAP SIDING, BAKED BISQUIT
⑦	CEMENT FIBER LAP SIDING, IRON GREY
⑧	5/4 X 12 ARTIC WHITE CEMENT FIBER TRIM
⑨	ALUMINIUM STORE FRONT
⑩	WINDOW
⑪	SLIDING WINDOW
⑫	GLIDING DOOR, 8' X 8'
⑬	GLIDING DOOR 8' X 8' WITH '8' X 3' SIDE LIGHT
⑭	GLIDING DOOR 8' X 8' WITH '8' X 4' SIDE LIGHT
⑮	HOLLOW METAL DOOR, WHITE
⑯	VERTICAL CABLE RAILING SYSTEM, WHITE
⑰	HUNG ALUMINUM BALCONY, 11'-9" WIDE BY 5'-9" DEEP, WIRE MESH RAILING, PAINT WHITE
⑱	GARAGE DOOR, IRON GREY
⑲	ACM, WHITE
⑳	PROJECTING BAY WINDOW WITH IRON GREY ACM SURROUND
㉑	METAL COPING
㉒	MULTI-SLIDE STACKING DOOR, 8' X 24'





SOUTH ELEVATION



NORTH ELEVATION

MATERIAL KEY

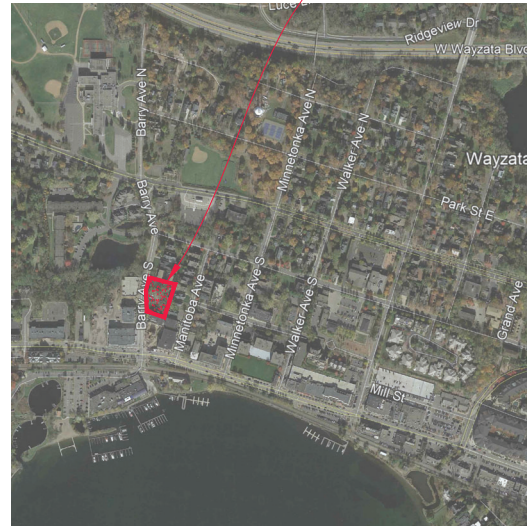
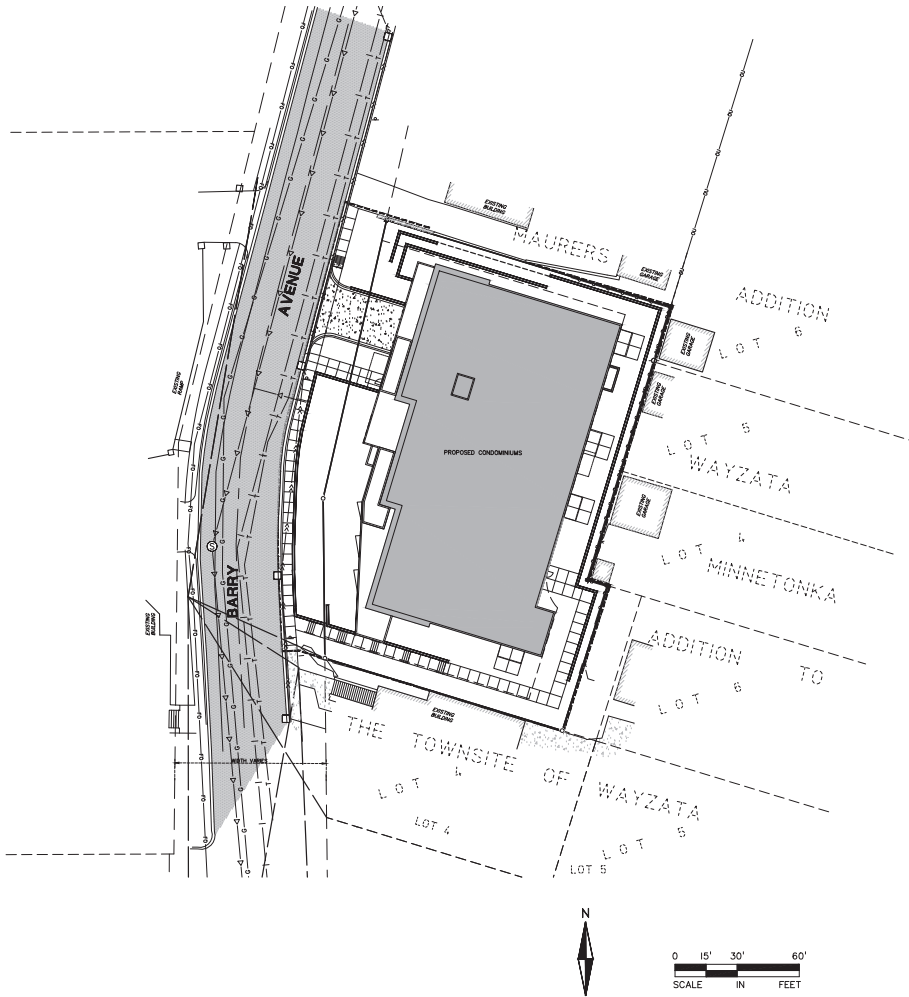
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- ② UTILITY BRICK, TAN 60% / LIGHT BUFF 40% MIX
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- ㉑ METAL COPING
- ㉒ MULTI-SLIDE STACKING DOOR, 8' X 24'

BARRY AVENUE CONDOMINIUMS

304, 312, & 318 BARRY AVENUE

WAYZATA, MN

CITY PLANNING SUBMITTAL



VICINITY MAP

NOT TO SCALE



SHEET INDEX

C-0.0	COVER SHEET
C-1.0	EXISTING CONDITIONS SURVEY
C-2.0	PRELIMINARY PLAT
	FINAL PLAT
C-3.0	SITE PLAN
C-4.0	GRADING, DRAINAGE, AND EROSION CONTROL PLAN
C-5.0	UTILITY PLAN
L-1.0	TREE MITIGATION PLAN
L-2.0	LANDSCAPE PLAN
L-2.1	LANDSCAPE DETAILS

ARCHITECT

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PRESIDENT OF ARCHITECTURE
DORAN COMPANIES
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MINNEAPOLIS, MN 55439
Phone: 952-288-2073
john.ferrier@dorancompanies.com

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Phone 612-758-3080/Fax 612-758-3099
cwicklund@alliant-inc.com

LAND SURVEYOR

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LANDSCAPE ARCHITECT

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BARRY AVENUE CONDOMINIUMS
304, 312 & 318 BARRY AVENUE
WAYZATA, MN

COVER SHEET

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed PROFESSIONAL ENGINEER under the laws of the State of MINNESOTA

PETE GOERS, PLS

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

DATE ISSUE

12-23-20 CITY SUBMITTAL

PROJECT TEAM DATA

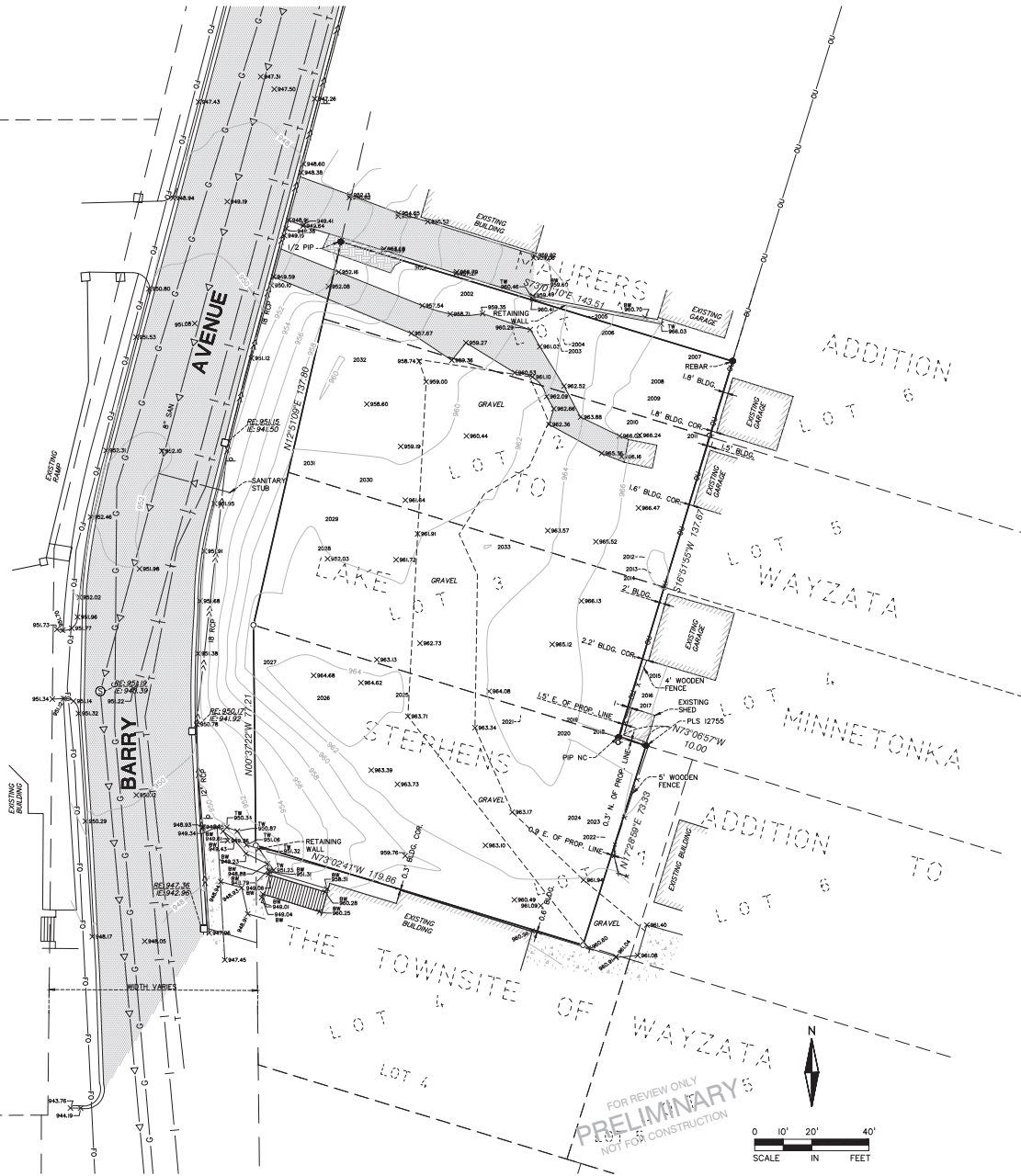
DESIGNED: MK

DRAWN: MLS

PROJECT NO: 200217

FOR REVIEW ONLY
PRELIMINARY
NOT FOR CONSTRUCTION

C-0.0



TREE TABLE

Tree Tag	Description
2001	18" ASH
2002	10" & 7" ASH
2003	2 x 8" ASH
2004	6" HACKBERRY
2005	3 x 6" ASH
2006	3 x 8" ASH
2007	8" ASH
2008	17" POPLAR
2009	17" POPLAR
2010	24" BOXELDER
2011	8" ASH
2012	19" HACKBERRY
2013	12" HACKBERRY
2014	10" COLORADO GREEN SPRUCE
2015	20" HACKBERRY
2016	6" HACKBERRY
2017	14" HACKBERRY
2018	9" BOXELDER
2019	6" HACKBERRY, 10" & 6" BOXELDERS
2020	3 x 9" BOXELDER
2021	3 x 6" BOXELDER
2022	18" HACKBERRY
2023	27" BOXELDER
2024	6" HACKBERRY, 12" & 16" BOXELDER
2025	7" ASH
2026	8" & 6" ASH
2027	18" ASH
2028	8" BOXELDER
2029	5" & 7" BOXELDER
2030	28" LOCUST
2031	28" & 14" ASH
2032	16" SILVER MAPLE
2033	36" WHITE OAK

LEGAL DESCRIPTION

Lot 2 and the Southern half of Lot 1, MAURERS ADDITION TO WAYZATA LAKE MINNETONKA, Hennepin County, Minnesota.
Torrens Property
Lot 3, MAURERS ADDITION TO WAYZATA LAKE MINNETONKA, Hennepin County, Minnesota.
Abstract Property
Lot 7, EXCEPT the East 17.00 feet thereof, STEPHENS ADDITION TO THE TOWNSITE OF WAYZATA, Hennepin County, Minnesota.
Abstract property

NOTES

- This survey was prepared from legal descriptions supplied and our in house records and may not depict all easements, appurtenances or encumbrances affecting the property.
- The locations of underground utilities are depicted based on information from Gopher State One Call system for a "Boundary Survey locate". The information was prepared by a combination of available maps, proposed plans or city records and field locations which may not be exact. Verify all utilities critical to construction or design.
- The orientation of this bearing system is based on the Hennepin County Coordinate System NAD83 1986 Adj.
- All distances are in feet.
- The area of the above described property is 28,700 square feet or 0.66 acres.
- Bench Mark 1: City of Wayzata Benchmark located at the southeast quadrant of the Lake Street E and Barry Avenue S. intersection north of railroad track having an elevation of 940.11 feet NGVD29.

LEGEND

- SET CAP IRON MONUMENT 18425
- FOUND IRON MONUMENT
- △ SIGN
- SANITARY MANHOLE
- CATCH BASIN
- ⊠ ELECTRIC METER
- POWER POLE
- 848.14 X SPOT ELEVATION
- 960— EXISTING CONTOUR
- ⊙ ARBORVITAE BUSH
- ⊗ DECIDUOUS TREE
- G — GAS
- S — SANITARY SEWER
- T — STORM SEWER
- W — WATERMAIN
- U — UNDERGROUND TELEPHONE
- O — OVERHEAD UTILITY
- F — FENCE
- CONCRETE
- BITUMINOUS
- LANDSCAPED AREA

ALLIANT
733 Marquette Avenue
Suite 700
Minneapolis, MN 55402
612.758.3080
www.alliant-inc.com

BARRY AVENUE CONDOMINIUMS

304, 312 & 318 BARRY AVENUE
WAYZATA, MN

EXISTING CONDITIONS SURVEY

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed PROFESSIONAL LAND SURVEYOR under the laws of the State of MINNESOTA

PETE GOERS, PLS
Date License No.
QUALITY ASSURANCE/CONTROL
BY DATE
DATE ISSUE
12-23-20 CITY SUBMITTAL
PROJECT TEAM DATA
DESIGNED: MK
DRAWN: JMS
PROJECT NO: 200217

C-1.0

BARRY ADDITION

R.T. DOC. NO. _____

KNOW ALL PERSONS BY THESE PRESENTS: That _____, owner of the following described property situated in the City of Wayzata, County of Hennepin, State of Minnesota, to wit:

Lot 2, and the Southerly 1/2 of Lot 1, "Maurer's" Addition to Wayzata Lake Minnetonka; (Torrens)

AND

Lot 3, "Maurer's" Addition to Wayzata Lake Minnetonka;
Lot 7, "Stephen's Addition To The Townsite Of Wayzata", except that part of said lot included within MacLachlan Addition, (Torrens)

Has caused the same to be surveyed and platted as _____:

In witness whereof said _____, has caused these presents to be signed by its proper officer this ____ day of _____, 20__.

Signed: _____

By: _____

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on this ____ day of _____, 20__, by _____.

Printed Name

Notary Public, _____ County, Minnesota
My Commission Expires _____

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

Dated this ____ day of _____, 20__.

Peter Goers, Licensed Land Surveyor,
Minnesota License No. 44110

STATE OF MINNESOTA
COUNTY OF HENNEPIN

This instrument was acknowledged before me on this ____ day of _____, 20__, by Peter Goers.

Printed Name

Notary Public, _____ County, Minnesota
My Commission Expires _____

CITY COUNCIL, CITY OF WAYZATA, MINNESOTA

This plat of _____ was approved and accepted by the City Council of the City of Wayzata, Minnesota at a regular meeting thereof held this ____ day of _____, 20__, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Wayzata, Minnesota

_____, Mayor _____, Clerk

RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota

I hereby certify that taxes payable in 20__ and prior to years have been paid for land described on this plat dated this ____ day of _____, 20__.

Mark V. Chapin, County Auditor

by _____, Deputy

SURVEY DIVISION
Hennepin County, Minnesota

Pursuant to MN. STAT. Sec. 380B.065 (1999), this plat has been approved this ____ day of _____, 20__.

Chris F. Mevis, County Surveyor

by _____

REGISTRAR OF TITLES
Hennepin County, Minnesota

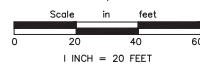
I hereby certify that the within plat of _____ was filed in this office this ____ day of _____, 20__, at ____ o'clock ____ M.

Martin McCormick, Registrar of Titles

by _____, Deputy

THE NORTHERLY LINE OF THE SOUTHERLY 1/2 OF LOT 1, "MAURER'S" ADDITION TO WAYZATA LAKE MINNETONKA IS ASSUMED TO HAVE A BEARING OF S73°01'10"E.

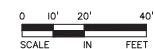
- Denotes monument found 1/2 inch iron pipe marked as shown
- Denotes 1/2 inch x 18 inch iron monument set marked by license no. 44110 unless otherwise shown



1. ALL FINISHED GRADES SHALL SLOPE AWAY FROM PROPOSED BUILDINGS.
2. THE CONTRACTOR SHALL KEEP THE ADJACENT ROADWAYS FREE OF DEBRIS AND PREVENT THE OFF-SITE TRACKING OF SOIL IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY AND WATERHEED.
3. NOTIFY GORDON STATE ONE CALL, AT (800)252-1166, 48 HOURS PRIOR TO START OF CONSTRUCTION.
4. ALL IMPROVEMENTS TO CONFORM WITH CITY OF EGAN CONSTRUCTION STANDARDS SPECIFICATION, LATEST EDITION.
5. ROCK CONSTRUCTION ENTRANCES NOT REQUIRED AS 50% OF PAVEMENT IS PROVIDED BETWEEN SITE AND PUBLIC ROADS.
6. REFER TO GEOTECHNICAL REPORT AND PROJECT MANUAL, FOR SOIL CORRECTION REQUIREMENTS AND TESTING REQUIREMENTS.
7. STRIP TOPSOIL PRIOR TO ANY CONSTRUCTION, REUSE STOCKPILE ON SITE. STOCKPILE PERMITS MUST BE PROTECTED WITH EROSION CONTROL.
8. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
9. IMMEDIATELY FOLLOWING GRADING OF (3:1 OR GREATER) SIDE SLOPES AND DRAINAGE SWALES, WOOD BIRN BLANKET OR EQUIVALENT EROSION CONTROL METHOD (DEVELOPED BY ENGINEER) SHALL BE APPLIED OVER APPROVED SEED MIXTURE AND A MINIMUM OF 4" TOPSOIL.
10. THE GENERAL CONTRACTOR MUST DISCUSS DRAINAGE PLANS WITH ALL SUBCONTRACTORS TO VERIFY NOTES. SUBCONTRACTORS MUST BE ADVISED THAT ANY CHANGES TO THE DRAINAGE SYSTEMS SHALL CONSULT WITH EROSION CONTROL INSPECTOR AND ENGINEER TO DETERMINE APPROPRIATE METHOD.
11. REFER TO STORMWATER POLLUTION PREVENTION PLAN (SWPPP) FOR ALL EROSION AND SEDIMENT CONTROL. DEVICE LOCATION, DESCRIPTIONS, NOTES AND DETAILS INCLUDING CONCRETE WASHOUT STATION INSTRUCTIONS.
12. BUILDING FOOTINGS SHALL BE RETAINED TO THE EXISTING GRADES AND THE WALLS SHALL BE DESIGNED BY A STRUCTURAL ENGINEER WITH DESIGN REVIEWED AND APPROVED BY THE CITY PRIOR TO INSTALLATION. INCLUDING ADDITIONS TO RETAINING WALLS WHICH CAUSE TOTAL WALL HEIGHT TO EXCEED 4'.
13. A 4' FOOT SAFETY RAILING IS REQUIRED AROUND ALL WALLS 30" IN HEIGHT OR GREATER.
14. A ACCESSIBLE ROUTES SHALL HAVE A MAXIMUM LONGITUDINAL SLOPE OF 5% (1:20), ACCESS TO CURB RAMP SHALL BE 1:12 (8.33%) MAXIMUM SLOPE OF 1:12 (8.33%) MAXIMUM SLOPE IN ANY DIRECTION OF AN ACCESSIBLE PARKING SPACE OR ACCESS ALLEY SHALL BE 2.08% (1:48). ACCESSIBLE ROUTE SHALL BE 48" MINIMUM CLEAR WIDTH. ACCESSIBLE ROUTES SHALL BE 48" MINIMUM CLEAR WIDTH. THE GRADES IN THE FIELD ALONG WITH AN ACCESSIBLE ROUTES PRIOR TO PLACING CONCRETE OR BITUMINOUS. CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY WHEN THERE IS A DISCREPANCY BETWEEN THE GRADES IN THE FIELD VERSUS THE DESIGN GRADES. COORDINATE ALL WITH THE GENERAL CONTRACTOR.

	CONSTRUCTION LIMITS
	EXISTING CONTOUR
	PROPOSED CONTOUR
	DRAINAGE DIVIDE
	BIO-LOG SEDIMENT CONTROL
	INLET PROTECTION
	TOP OF CURB
	FLOW LINE
	TOP OF WALL ELEVATION
	BOTTOM OF WALL ELEVATION
	DRAINAGE DIRECTION ARROW

FOR REVIEW ONLY
PRELIMINARY
NOT FOR CONSTRUCTION



304, 312 & 318 BARRY AVENUE
WAYZATA, MN

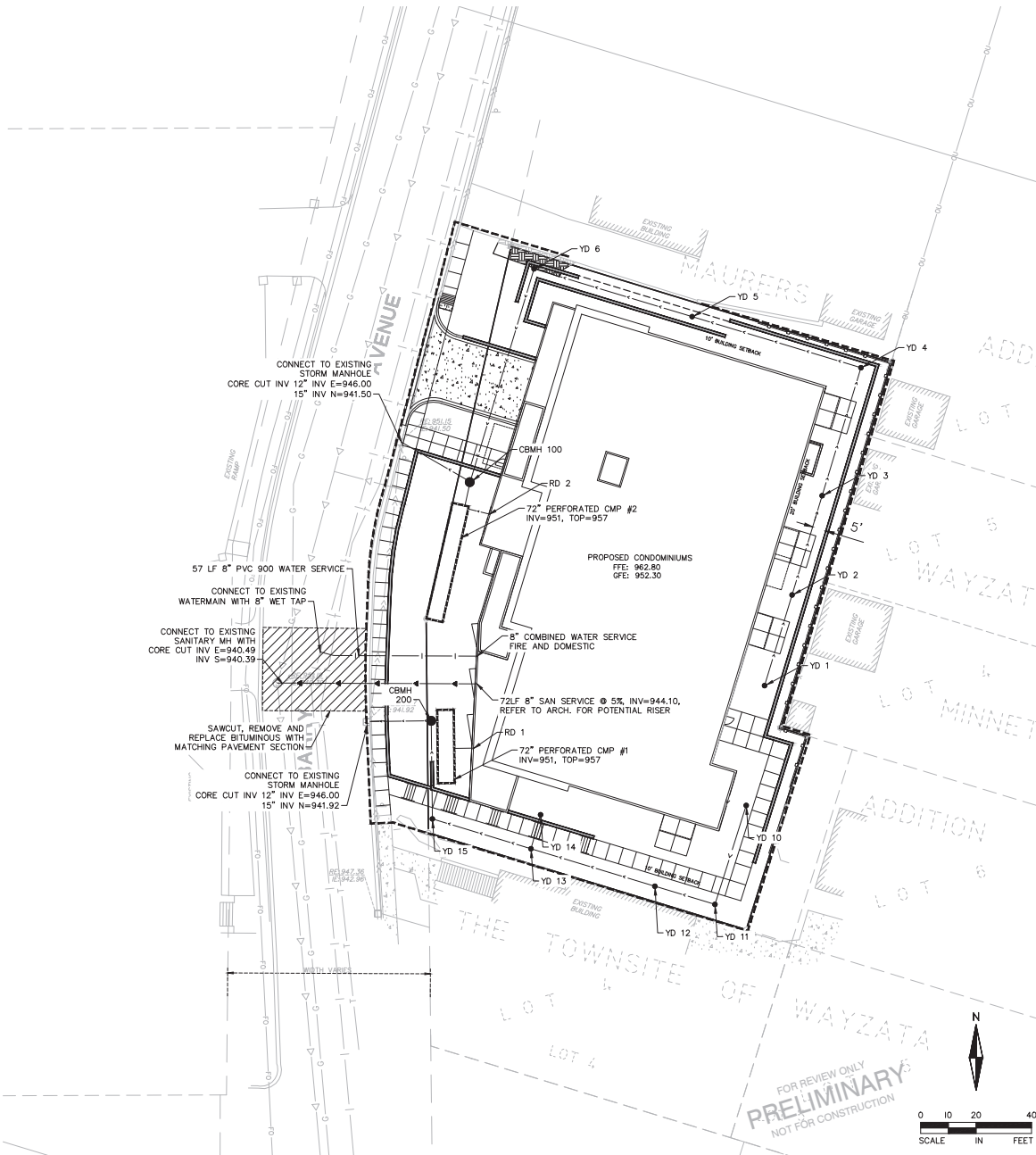
GRADING PLAN

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed PROFESSIONAL ENGINEER under the laws of the State of MINNESOTA

CLARK WICKLUND, PE	
Date	License No.
QUALITY ASSURANCE/CONTROL	
BY	DATE
DATE	ISSUE
12-23-20	CITY SUBMITTAL
PROJECT TEAM DATA	
DESIGNED:	WK
DRAWN:	MLS
PROJECT NO:	200217

C-4.0

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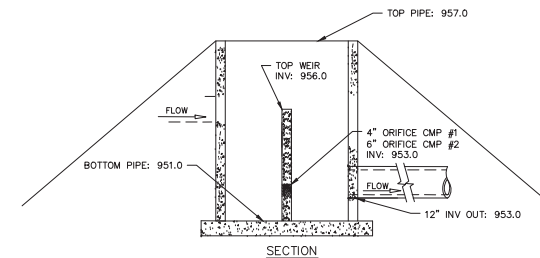


NOTES

- EXISTING UTILITIES, SERVICE LOCATIONS AND ELEVATIONS SHALL BE VERIFIED IN FIELD PRIOR TO CONSTRUCTION.
- MAINTAIN A MIN. 18" VERTICAL SEPARATION AT ALL PIPE CROSSINGS. LOWER WATERMAIN AS NECESSARY W/ BENDS AND FITTINGS. WATER AND SANITARY SEWER LINES TO MAINTAIN 10" HORIZONTAL SEPARATION.
- CONTRACTOR IS RESPONSIBLE FOR ALL PERMITS PRIOR TO THE START OF CONSTRUCTION.
- PROVIDE POLYSTYRENE INSULATION FOR ALL STORM SEWER AND WATERMAIN CROSSINGS WHERE VERTICAL OR HORIZONTAL SEPARATION IS LESS THAN 3".
- ALL UTILITY WORK WITHIN THE R.O.W. SHALL COMPLY WITH CITY OF WAYZATA ENGINEERING GUIDELINES.
- NOTIFY Gopher State One Call 48 HOURS IN ADVANCE OF ANY UTILITY WORK.
- PROVIDE TEMPORARY TRAFFIC CONTROL IN COMPLIANCE WITH MNDOT "TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS-FIELD MANUAL" LATEST REVISION, FOR ANY CONSTRUCTION WITHIN PUBLIC R.O.W.
- ALL STORM SEWER CASTINGS SHALL BE NEENAH OR APPROVED EQUAL.
- ALL SANITARY SEWER MANHOLES SHALL BE 48" DIAMETER AND HAVE NEENAH R-1642 CASTING UNLESS OTHERWISE NOTED ON THE PLAN.
- WATERMAIN, SERVICES, AND VALVES SHALL BE INSTALLED WITH MINIMUM 7.5' OF COVER.
- WATER SERVICES MAY BE PLACED IN SAME TRENCH AS SEWER SERVICES PROVIDED THAT A 24" VERTICAL & A 36" HORIZONTAL SEPARATION ARE MAINTAINED.
- ALL 8" WATERMAIN SHALL BE PVC C900. ALL PVC C900 WATERMAIN SHALL BE INSTALLED WITH TRACER WIRE (COPPERHEAD INDUSTRIES OR APPROVED EQUAL).
- ALL SANITARY SERVICES SHALL BE PVC SDR 35 OF THE SIZE NOTED ON THE PLAN.
- ALL STORM SEWER (EXCEPT TO FLARED END SECTIONS) SHALL BE ADS N-12 UNLESS OTHERWISE SPECIFIED ON THE PLAN. STORM SEWER TO FLARED END SECTIONS SHALL BE RCP.
- ALL ROOF DRAINS (RD) SHALL HAVE AN AT GRADE DOWNSPOUT OVERFLOW.
- MAINTAIN AND VERIFY 10' HORIZONTAL SEPARATION IS PROVIDED BETWEEN ALL WATERMAIN AND CATCHBASIN/MANHOLES.

STORM SEWER SCHEDULE:

MH/CB	FROM	TO	P. DIA. [IN]	P. SLOPE S [%]	P. TYPE	PIPE LENGTH [FT]	FROM INVERT	TO INVERT	RIM ELEV.	STR. TYPE	BUILD [FT]
YD 10	YD 11	6	0.030	PVC	37.0	958.1	957.0	961.1	YD	3.00	
YD 11	YD 12	6	0.020	PVC	23.0	957.0	956.5	959.5	YD	2.51	
YD 12	YD 13	6	0.020	PVC	47.0	956.5	955.6	960.0	YD	3.47	
YD 14	YD 13	6	0.020	PVC	13.0	954.6	954.3	959.6	YD	5.00	
YD 13	YD 15	6	0.050	PVC	37.0	951.3	949.5	957.8	YD	6.46	
YD 15	CBMH 200	6	0.020	PVC	35.0	949.5	948.8	952.0	YD	2.51	
RD 1	CMP #1	8	0.020	PVC	7.0	956.0	955.9	962.0		6.00	
CMP #1	CBMH 200	12	0.020	PVC	3.0	953.0	952.9	959.0		6.00	
CBMH 200	EX CBMH	12	0.030	RCP	24.0	946.7	946.0	958.0	48	11.28	
YD 1	YD 2	6	0.020	PVC	34.0	958.8	958.1	961.3	YD	2.50	
YD 2	YD 3	6	0.020	PVC	37.0	958.1	957.4	961.3	YD	3.18	
YD 3	YD 4	6	0.020	PVC	48.0	957.4	956.4	961.3	YD	3.92	
YD 4	YD 5	6	0.020	PVC	64.0	956.4	955.1	961.2	YD	4.78	
YD 5	YD 6	6	0.030	PVC	60.0	955.1	953.3	960.2	YD	5.06	
YD 6	CBMH 100	6	0.049	PVC	80.0	951.3	947.5	956.0	YD	4.66	
RD 2	CMP #2	8	0.020	PVC	8.0	956.0	955.8	962.0		6.00	
CMP #2	CBMH 100	12	0.020	PVC	8.0	953.0	952.8	959.0		6.00	
CBMH 100	EX CBMH	12	0.050	RCP	29.0	947.5	946.0	955.0	48	7.54	



TYPICAL OUTLET RESTRICTION (INTERNAL TO CMP OR MANHOLE)

LEGEND:

—	PROPOSED STORM SEWER	—	EXISTING GATE VALVE
—	PROPOSED SANITARY SEWER	—	EXISTING HYDRANT
—	PROPOSED WATERMAIN	—	EXISTING WATERMAIN
■	PROPOSED STORM CATCH BASIN /MANHOLE	■	EXISTING CATCH BASIN
●	PROPOSED SANITARY MANHOLE	●	EXISTING STORM MANHOLE
—	PROPOSED BUTTERFLY/GATE VALVE	—	EXISTING STORM SEWER
—	PROPOSED HYDRANT	—	EXISTING SANITARY MANHOLE
—		—	EXISTING SANITARY SEWER
—		—	PROPOSED LIMITS OF CONSTRUCTION
—		—	PROPOSED EASEMENT



BARRY AVENUE CONDOMINIUMS

304, 312 & 318 BARRY AVENUE
WAYZATA, MN

UTILITY PLAN

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed PROFESSIONAL ENGINEER under the laws of the State of MINNESOTA

CLARK WICKLUND, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

DATE ISSUE

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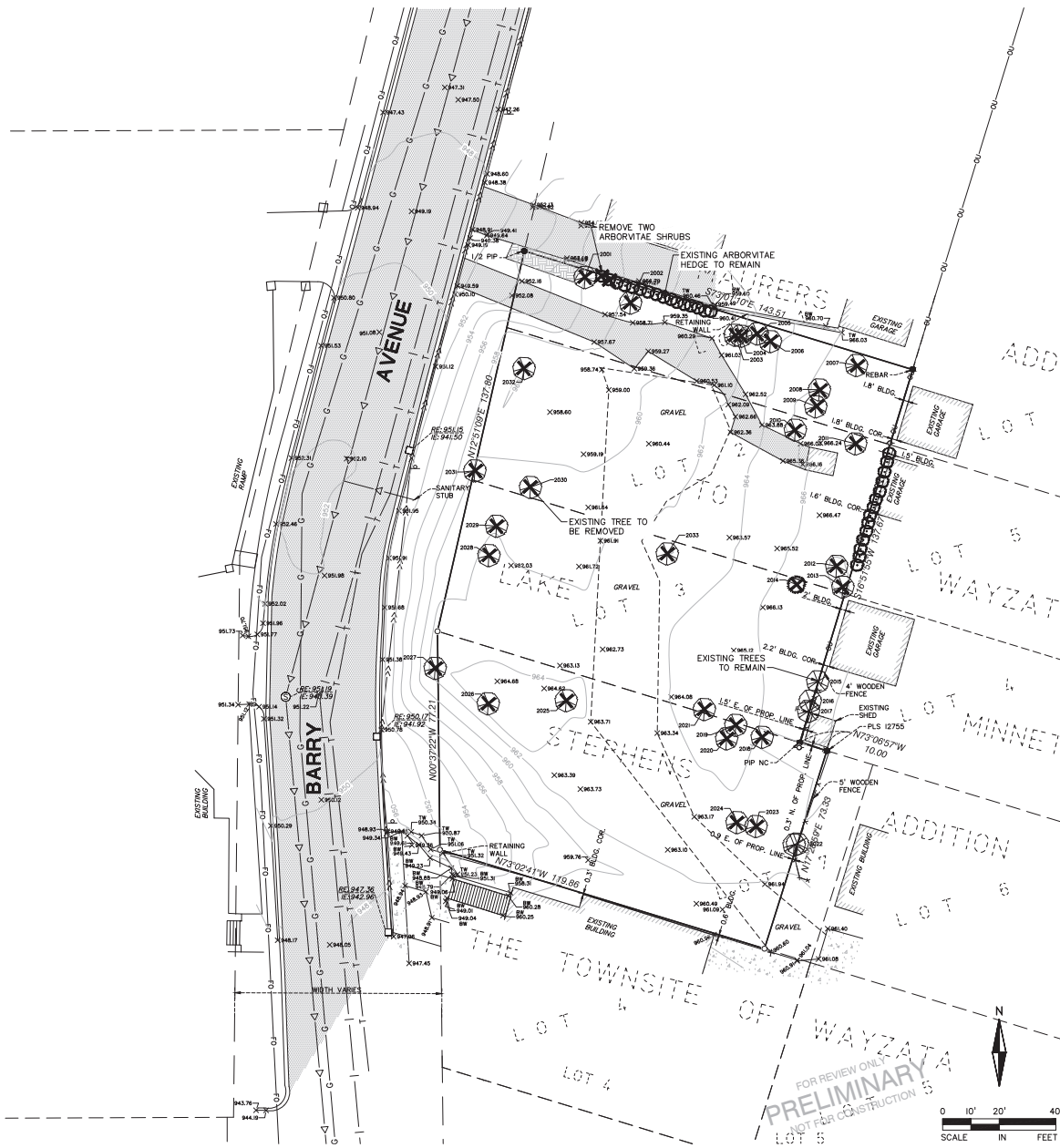
PROJECT TEAM DATA

DESIGNED: MK

DRAWN: DJS

PROJECT NO: 200217

C-5.0



TREE INVENTORY:

TREE TAG	DESCRIPTION	CLASSIFICATION	TO BE REMOVED	TO BE MITIGATED
2001	18" ASH	SIGNIFICANT HARDWOOD	X	X
2002	10" & 7" ASH	SIGNIFICANT HARDWOOD	X	X
2003	2 x 8" ASH	SIGNIFICANT HARDWOOD	X	X
2004	6" HACKBERRY	INSIGNIFICANT SOFTWOOD	X	
2005	3 x 6" ASH	SIGNIFICANT HARDWOOD	X	X
2006	3 x 8" ASH	SIGNIFICANT HARDWOOD	X	
2007	8" ASH	SIGNIFICANT HARDWOOD	X	X
2008	17" POPLAR	SIGNIFICANT SOFTWOOD	X	X
2009	17" POPLAR	SIGNIFICANT SOFTWOOD	X	X
2010	24" BOXELDER	SIGNIFICANT SOFTWOOD	X	X
2011	8" ASH	SIGNIFICANT HARDWOOD	X	X
2012	19" HACKBERRY	SIGNIFICANT SOFTWOOD	X	X
2013	12" HACKBERRY	SIGNIFICANT SOFTWOOD	X	X
2014	10" COLORADO GREEN SPRUCE	INSIGNIFICANT EVERGREEN	X	
2015	20" HACKBERRY	SIGNIFICANT SOFTWOOD		
2016	6" HACKBERRY	INSIGNIFICANT SOFTWOOD		
2017	14" HACKBERRY	SIGNIFICANT SOFTWOOD		
2018	9" BOXELDER	INSIGNIFICANT SOFTWOOD	X	
2019	6" HACKBERRY, 10" & 6" BOXELDERS	INSIGNIFICANT SOFTWOOD	X	
2020	3 x 9" BOXELDER	INSIGNIFICANT SOFTWOOD	X	
2021	3 x 6" BOXELDER	INSIGNIFICANT SOFTWOOD	X	
2022	18" HACKBERRY	SIGNIFICANT SOFTWOOD		
2023	27" BOXELDER	SIGNIFICANT SOFTWOOD	X	X
2024	6" HACKBERRY, 12" & 16" BOXELDER	2, SIGNIFICANT SOFTWOOD	X	X
2025	7" ASH	SIGNIFICANT HARDWOOD	X	X
2026	8" & 6" ASH	2, SIGNIFICANT HARDWOOD	X	X
2027	18" ASH	SIGNIFICANT HARDWOOD	X	X
2028	8" BOXELDER	INSIGNIFICANT SOFTWOOD	X	
2029	5" & 7" BOXELDER	2, INSIGNIFICANT SOFTWOOD	X	
2030	28" LOCUST	HERITAGE HARDWOOD	X	X
2031	28" & 14" ASH	1, HERITAGE HARDWOOD AND 1 SIGNIFICANT HARDWOOD	X	X
2032	16" SILVER MAPLE	SIGNIFICANT SOFTWOOD	X	X
2033	36" WHITE OAK	HERITAGE HARDWOOD	X	X

TREE MITIGATION:

INSIGNIFICANT TREES TO BE REMOVED = 9 (NOT CONSIDERED IN CALIPER INCHES TO BE MITIGATED)
SIGNIFICANT TREES TO BE REMOVED = 17 (TO BE MITIGATED AT A 1:1 DBH RATIO)
HERITAGE TREES TO BE REMOVED = 3 (TO BE MITIGATED AT A 2:1 DBH RATIO)
TOTAL TREES TO BE REMOVED = 29

TREE MITIGATION CALCULATIONS:

TOTAL SIGNIFICANT OR HERITAGE TREES TO BE REMOVED (DBH INCHES) = 460 DBH INCHES TO BE REMOVED

25% ALLOWANCE FOR TYPICAL SITE DEVELOPMENT = $460 \text{ DBH} \times 0.25 = 115$
 $460 - 115 = 345 \text{ DBH INCHES TO BE MITIGATED}$

2:1 REPLACEMENT RATIO FOR HERITAGE TREES ON SITE, 345 + 92 (HERITAGE TREE ALLOWANCE) = 437 CALIPER INCHES TO BE PROVIDED

CALIPER INCHES PROVIDED = 44 CALIPER INCHES TO BE PROVIDED ON SITE

REMAINING CALIPER INCHES TO BE MITIGATED = 393 ADDITIONAL CALIPER INCHES TO BE MITIGATED OFF SITE

CITY DEFINITIONS

"HERITAGE TREE"
MEANS A HEALTHY SOFTWOOD DECIDUOUS TREE THAT IS 30 INCHES OR GREATER IN DBH, A HEALTHY HARDWOOD DECIDUOUS TREE THAT IS 25 INCHES OR GREATER IN DBH, OR A HEALTHY CONIFEROUS TREE THAT IS 20 INCHES OR GREATER IN DBH.

"SIGNIFICANT TREE"
MEANS A HEALTHY DECIDUOUS HARDWOOD TREE THAT IS SIX INCHES OR GREATER IN DBH, A HEALTHY SOFTWOOD DECIDUOUS TREE THAT IS 12 INCHES OR GREATER IN DBH, OR A HEALTHY CONIFEROUS TREE THAT IS 12 FEET OR GREATER IN HEIGHT OR 12 INCHES OR GREATER IN DBH.



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TREE MITIGATION PLAN

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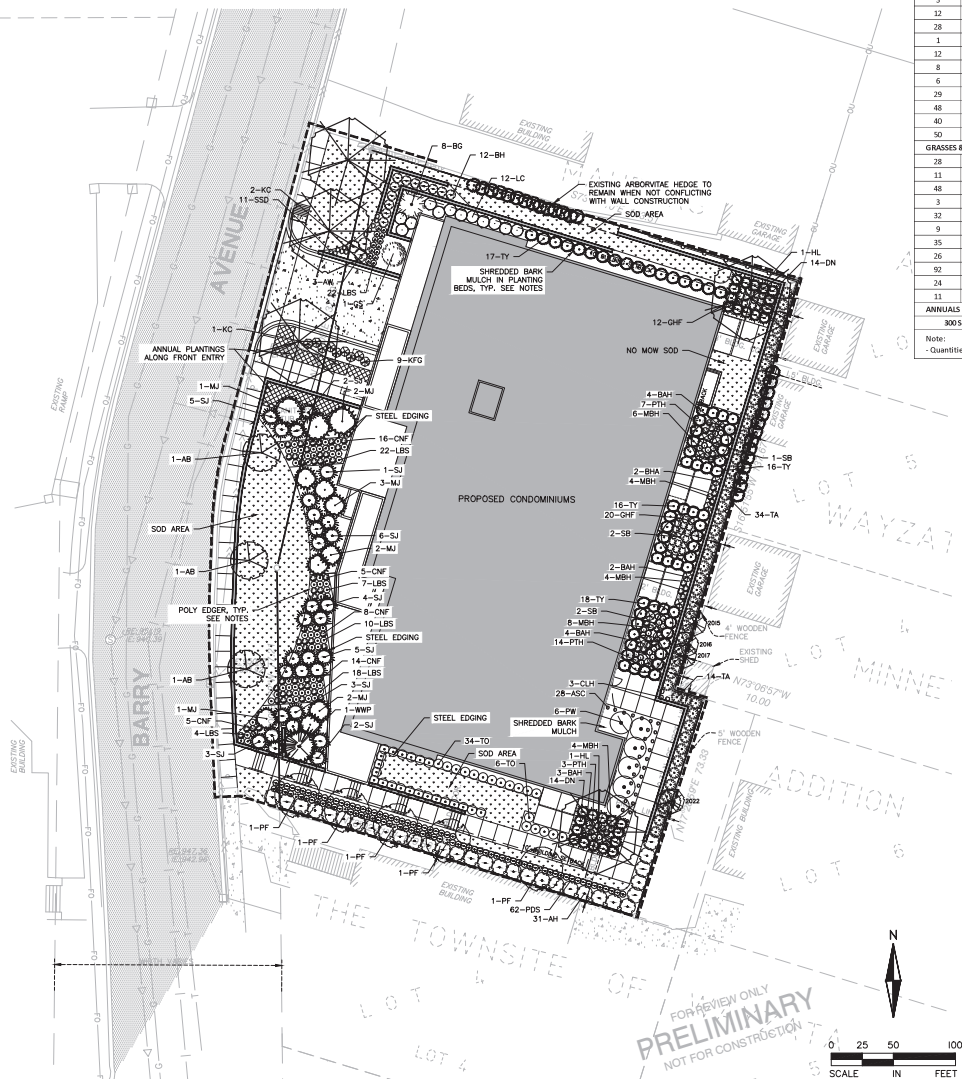
PROJECT TEAM DATA

DESIGNED: MK

DRAWN: MJS

PROJECT NO: 200217

L-1.0



LANDSCAPE SCHEDULE:

TOTAL	KEY	COMMON NAME	SCIENTIFIC NAME	PLANTING SIZE / ROOT TYPE	NOTES	MITIGATION EQUIVALENT	MITIGATION CALIPER INCHES
OVERSTORY TREES							
3	AB	Armstrong Maple	Acer rubrum 'Armstrong'	4" Cal. B&B	Straight Trunk, No V-Crotch	4" Cal.	12"
2	HL	Skyline Honeylocust	Gleditsia tricanthos var. inermis 'Skyline'	4" Cal. B&B	Straight Trunk, No V-Crotch	4" Cal.	8"
3	KC	Kentucky Coffee Tree	Gymnocladus dioica 'Espresso'	4" Cal. B&B	Straight Trunk, No V-Crotch	4" Cal.	12"
ORNAMENTAL TREES							
1	DG	Dwarf Blue Spruce	Picea pungens 'Globosa'	4" Ht. B&B	Similar Growth Habit, Full Form	N/A	
5	PF	Prairie Fire Crabapple	Malus 'Prairie Fire'	3" Ht. B&B	Clump Form 2-4 or Trunks	2" Caliper	10"
4	SB	Autumn Brilliance Serviceberry	Amelanchier x grandifolia 'Autumn Brilliance'	3" Ht. B&B	Clump Form 5 or More Canes	N/A	
1	WWP	Weeping White Pine	Pinus strobus 'Pendula'	3" Ht. B&B	Full Form on Standard	2" Caliper	2"
						TOTAL:	44"
SHRUBS							
3	AH	American Hazelnut	Corylus americana	36" Ht. Cont.	5 canes min. at size specified		
3	AW	Anthony Waterer Spirea	Spirea x bumalda 'Anthony Waterer'	32" dia. Cont.	5 canes min. at size specified		
12	BH	Bush Honeysuckle	Diervilla lonicera	24" Ht. Cont.	5 canes min. at size specified		
28	DN	Dwarf Norway Spruce	Picea abies 'Pyramis'	32" Ht. Cont.	Full Form		
1	GS	Golden Spirit Smoke Bush	Cotinus coccinea 'Aconit'	3" Ht. Cont.	5 canes min. at size specified		
12	LC	Lemon Candy Ninebark	Physocarpus opulifolia	3" Ht. Cont.	5 canes min. at size specified		
8	MJ	Mint Julep Juniper	Juniperus chinensis 'Sea Green'	24" dia. Cont.	5 canes min. at size specified		
6	PW	Pink Winky Hydrangea	Hydrangea paniculata 'Pinky Winky'	24" Ht. Cont.	5 canes min. at size specified		
29	SJ	Scandia Juniper	Juniperus sabinia 'Scandia'	24" dia. Cont.	5 canes min. at size specified		
48	TA	Techy Arborvitae	Thuja occidentalis 'Techy'	4" Ht. B&B	Full Form		
40	TO	Tor Spirea	Spirea betulifolia 'Tor'	24" Ht. Cont.	5 canes min. at size specified		
50	TY	Taunton Yew	Taxus x media 'Taunton'	24" dia. Cont.	Full Form		
GRASSES & PERENNIALS							
28	ASC	Canadian Ginger	Asarum canadensis	3 Gal. Cont.			
11	BAH	Blue Angel Hosta	Hosta 'Blue Angel'	1 Gal. Cont.			
48	CNF	Coneflower	Echinacea	1 Gal. Cont.			
3	CUH	Climbing Hydrangea	Hydrangea anomala subsp. Petiolaris	1 Gal. Cont.			
32	GHF	Ghost Fern	Athyrium 'Ghost'	1 Gal. Cont.			
9	KFG	Feather Reed Grass	Calamagrostis x acutiflora 'Karl Foerster'	1 Gal. Cont.			
35	LBS	Little Bluestem	Schizachyrium scoparium	1 Gal. Cont.			
26	MBH	Maul Buttercup Hosta	Hosta 'Maul Buttercup'	1 Gal. Cont.			
92	PDS	Prairie Dropseed	Sporobolus heterolepis	1 Gal. Cont.			
24	PH	Patrol Hosta	Hosta 'Patrol'	1 Gal. Cont.			
13	SD	Stella Supreme Daylily	Hemerocallis 'Stella Supreme'	1 Gal. Cont.			
ANNUALS							
300 S.F.							
Note: - Quantities on plan supersede list quantities in a discrepancy.							

NOTES

- INSTALL 4" MIN. TOP SOIL TO ALL SOD, SEED AND SHRUB AREAS. FINE GRADE ALL SOD AND SEED AREAS. INSTALL 12" TOP SOIL TO PERENNIAL AND ANNUAL FLOWER AREAS.
- STAKE OR MARK ALL PLANT MATERIAL LOCATIONS PRIOR TO INSTALLATION. HAVE OWNERS REPRESENTATIVE APPROVE ALL STAKING PRIOR TO INSTALLATION.
- ALL SHRUB AREAS UNLESS SPECIFIED AS OTHER, TO BE BED MULCHED WITH 4" DEPTH OF DARK BROWN COLOR SHREDDED HARDWOOD MULCH OVER FILTER FABRIC, UNLESS SPECIFIED AS OTHER. POLY-EDGER TO BE VALLEY VIEW BLACK DIAMOND OR APPROVED EQUAL. ROCK MULCH TO BE 3-4" DEPTH BUFF LIMESTONE ROCK MULCH OVER FILTER FABRIC.
- INSTALL 4-6" DEPTH SHREDDED HARDWOOD MULCH AROUND ROOT SAUCER OF ALL TREES ISOLATED FROM PLANT BEDS. DO NOT PILE MULCH AGAINST THE BASE OF A PLANT OR TREE TRUNK; PULL THE MULCH AWAY FROM THE BASE ONE TO TWO INCHES.
- PLANT SOIL SHALL CONSIST OF 1:1:1, SELECT LOAMY TOPSOIL, PEAT MOSS, PIT RUN SAND.
- COMPLETELY GUARANTEE ALL WORK FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE OF ACCEPTANCE. MAKE ALL REPLACEMENTS PROMPTLY (AS PER DIRECTION OF OWNER).
- ALL MATERIAL SHALL COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSERYMEN.
- ALL TREE TRUNKS SHALL BE WRAPPED WITH BROWN CREPE TREE WRAP. APPLY WRAP IN NOVEMBER AND REMOVE IN APRIL.
- CALL Gopher State One Call at 651-454-0002 FOR LOCATING ALL UNDERGROUND UTILITIES AND AVOID DAMAGE TO UTILITIES DURING THE COURSE OF THE WORK.
- MAINTAIN ALL PLANT MATERIALS, INCLUDING WATERING, UNTIL THE TIME OF ACCEPTANCE.
- COORDINATE INSTALLATION WITH GENERAL CONTRACTOR.
- STAKING AND GUYING OF TREES OPTIONAL: MAINTAIN PLUMBNESS OF TREES FOR DURATION OF WARRANTY PERIOD.
- SWEET AND WASH ALL PAVED SURFACES AND REMOVE ALL DEBRIS RESULTING FROM LANDSCAPE OPERATIONS.
- LANDSCAPE CONTRACTOR SHALL INSTALL KENTUCKY BLUE GRASS SOD IN DENOTED AREAS INCLUDING ALL E.O.W. PER LOCAL INDUSTRY STANDARDS. SOD SHALL BE Laid PARALLEL TO THE CONTOURS AND HAVE STAGGERED JOINTS.
- SUPPLY DESIGN AND INSTALLATION FOR NEW WATER EFFICIENT IRRIGATION SYSTEM. DESIGN SYSTEM INCLUDING CONTROLS, ELECTRICAL, AND WATER SERVICE CONNECTIONS WITH 100% COVERAGE OF NEW SOD, LANDSCAPE ISLANDS AND PLANTING AREAS. SOD, SEED AND SHRUB AREAS TO BE ON SEPARATE ZONES. DESIGN TO INCLUDE DRIP IRRIGATION IN SHRUB AREAS ADJACENT TO BUILDING. EXCESS WATER SHALL NOT COME IN CONTACT WITH BUILDING AND SIDEWALKS. THE IRRIGATION SYSTEM SHALL HAVE A RAIN/FREEZE SENSOR SHUTOFF. USE RAINBIRD OR APPROVED EQUAL COORDINATE WITH G.C. AND WORK OF OTHER SECTIONS.
- EXISTING TREES TO REMAIN MAY NOT BE LIMBED UP ABOVE 5' IN HEIGHT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ANY REQUIRED PERMITS FOR WORK IN MDOT ROW.
- ALL MULCH AND RANDOM GRANITE BOULDERS TO BE APPROVED BY OWNER AND LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

LEGEND

	DECIDUOUS OVERSTORY TREES		POLY EDGER
	ORNAMENTAL TREE		B&B CURB AND GUTTER
	EVERGREEN TREE		EXISTING CURB AND GUTTER
	FLOWERING SHRUB		PROPERTY LINE
	EVERGREEN SHRUB		LOT LINE
	ORNAMENTAL GRASS		R.O.W.
	PERENNIAL		PROPOSED CONTOUR
			PROPOSED CATCH BASINS
			PROPOSED STORM SEWER
			PROPOSED WATER
			PROPOSED SANITARY SEWER


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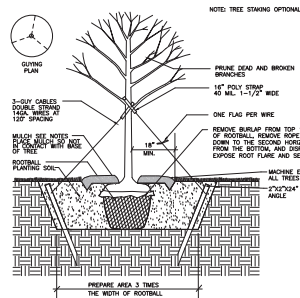
PROJECT TEAM DATA

DESIGNED: MK

DRAWN: MLS

PROJECT NO: 200217

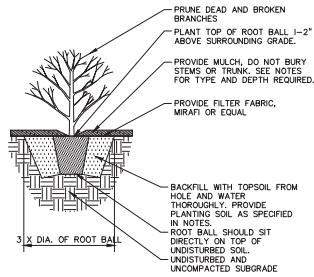
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NOTE:
CONTRACTOR IS RESPONSIBLE TO MAINTAIN TREES IN A PLUMB POSITION THROUGHOUT THE MAINTENANCE PERIOD.

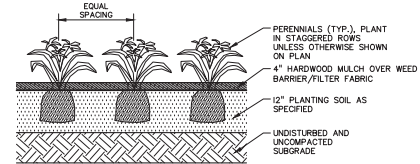
1 TREE PLANTING

NOT TO SCALE



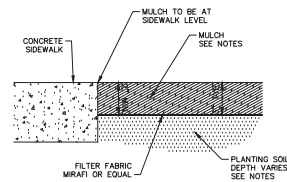
2 SHRUB PLANTING

NOT TO SCALE



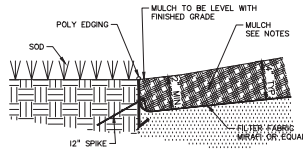
3 PERENNIAL PLANTINGS

NOT TO SCALE



4 MULCH AT SIDEWALK DETAIL

NOT TO SCALE



5 MULCH AT SOD DETAIL

NOT TO SCALE

SOIL PREPARATION:

1. PRIOR TO THE INSTALLATION OF THE LANDSCAPE AND IRRIGATION SYSTEM, CONTRACTOR TO PREPARE SOIL TO ENSURE A PROPER ENVIRONMENT FOR PLANT ROOT DEVELOPMENT.
2. CONTRACTOR TO DE-COMPACT SOILS IN PLANTING AREAS BY ROTO-TILLING, DISKING OR RIPPING TO DEPTH OF 6-8" MINIMUM AND PREFERABLE A DEPTH OF 12-18". DE-COMPACTING OF SMALL PLANTER AREAS, SUCH AS THOSE IN PARKING LOT AREAS, MAY REQUIRE THE REMOVAL OF THE COMPACTED SOIL TO A DEPTH OF 18" OR MORE AND THEN RE-INSTALLED LOOSELY WITH REQUIRED AMENDMENTS. ALWAYS REMOVE DEBRIS OVER 2" IN SIZE FROM THE SOIL.
3. WHEN PERFORMING SOIL DE-COMPACT, MULTIPLE PASSES ACROSS THE AREA WILL BE REQUIRED AND, WHEN POSSIBLE, SHOULD BE AT VARYING ANGLES TO ENSURE ADEQUATE COVERAGE. WHEN USING DISC OR RIPPING EQUIPMENT, IT IS REQUIRED THAT THE FINAL PASSES OVER THE AREA BE MADE WITH A ROTO-TILLER TO BREAK UP ANY LARGE CLUMPS TO MAKE FINAL SPREADING EASIER.
4. AFTER INITIAL SOIL DE-COMPACT, MULTIPLE PASSES ACROSS THE AREA WILL BE REQUIRED AND, WHEN POSSIBLE, SHOULD BE AT VARYING ANGLES TO ENSURE ADEQUATE COVERAGE. WHEN USING DISC OR RIPPING EQUIPMENT, IT IS REQUIRED THAT THE FINAL PASSES OVER THE AREA BE MADE WITH A ROTO-TILLER TO BREAK UP ANY LARGE CLUMPS TO MAKE FINAL SPREADING EASIER.
5. ALL AMENDMENTS SHOULD BE MIXED THOROUGHLY WITH EXISTING SOIL AND AN ADDITIONAL SOIL TEST WILL BE TAKEN TO ENSURE PROPER SOIL CONDITIONS PRIOR TO PLANTING.

FOR REVIEW ONLY
PRELIMINARY
NOT FOR CONSTRUCTION

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed LANDSCAPE ARCHITECT under the laws of the State of MINNESOTA

CLARR WICKLUND, PE	
Date	License No.
QUALITY ASSURANCE/CONTROL	
BY	DATE
DATE	ISSUE
12-23-20	CITY SUBMITTAL
PROJECT TEAM DATA	
DESIGNED:	WK
DRAWN:	MS
PROJECT NO:	200217

Barry Avenue Condo Neighborhood Meeting

Meeting Summary

September 2, 2020

Introduction

- The meeting was led by John Ferrier, President of Doran Architecture and Lowell Zitzloff, owner of LNR Properties.
- The project is the development of 3 sites, 304/312/318 Barry Ave. in Wayzata.

History of Site

- Developer originally proposed a bed and breakfast and meeting facility on the site, but with the addition of new hotel in Wayzata, this use was not needed.
- Developer has been working on a Condo concept for over a year.
- The developer would like to provide “attainable” condo units that target empty nesters who would like to reside in Wayzata for 11 to 12 months of the year.

Zoning Summary

- The 2040 Comprehensive Plan identifies 304 and 312 Barry as Central Core Residential and 318 Barry as Central Business District.
- Because the 3 sites are being combined, a Comp Plan Amendment is required for the site to be designated as Central Business District.
- Central Business District allows a density of 20 to 30 units/acre.
- PUD/Site Plan Approval will be applied for after Comp Plan Amendment Approval

Drawing Review

- Project proposes a 3-story building with 19 units and underground parking.
- The parking count is 2.16 stalls per unit currently with some bike racks at the head of stalls.
- Levels 1 and 2 have 7 units per story.
- Level 3 steps back an additional 10 feet and proposes 5 condo units and amenity space.
- The amenity space is still being programmed.
- Tenant and guest entry is provided at grade thru a lobby at the garage level.
- A sidewalk is proposed along Barry Ave.

Q and A responses:

- Peter: Q: Construction Start and Duration? A: Unknown. Desired start in Spring.
- Kevin Meyer: Q: Any Porches? A: Yes, porches on front, with hung balconies on back
- Emily: Q: parking ratio? A: 2.16 spaces per unit, with bike racks
- Lowell: New restored bank and coffee /sandwich shop on corner
- Peter: Q: On street parking for guests? Ramp across street has additional parking (Lowell owns this)

- Emily: Common Space?: Yes, amenity space on top with outdoor amenity space as well. Probably entertainment suite or club room.
- Peggy Douglass (planning commission): What is approximate price point on condos? Unknown, but more attainable for empty nesters. Built to suit with standard, upgrade and premium packages.

Attendees from Zoom:

JF	John Ferrier (Host)	 
J	john.ferrier	
JI	Jeff's iPhone	 
C	chrisplantan	 
BL	Ben Lindau	 
DP	DBS' phone	 
E	Emily	 
I(	iPad (137)	 
JA	Jack Amdal	 
KA	Katie Ahlstrom	 
	Kevin Meyer	 
LB	Lindsay Bashioum.....	 
PD	Peggy Douglas	 
BI	BWSchmitt's iPad	



Legend



Functional Classification

- Local Street
- Minor Collector
- Major Collector
- A Minor Reliever
- A Minor Expander
- Principal Arterial

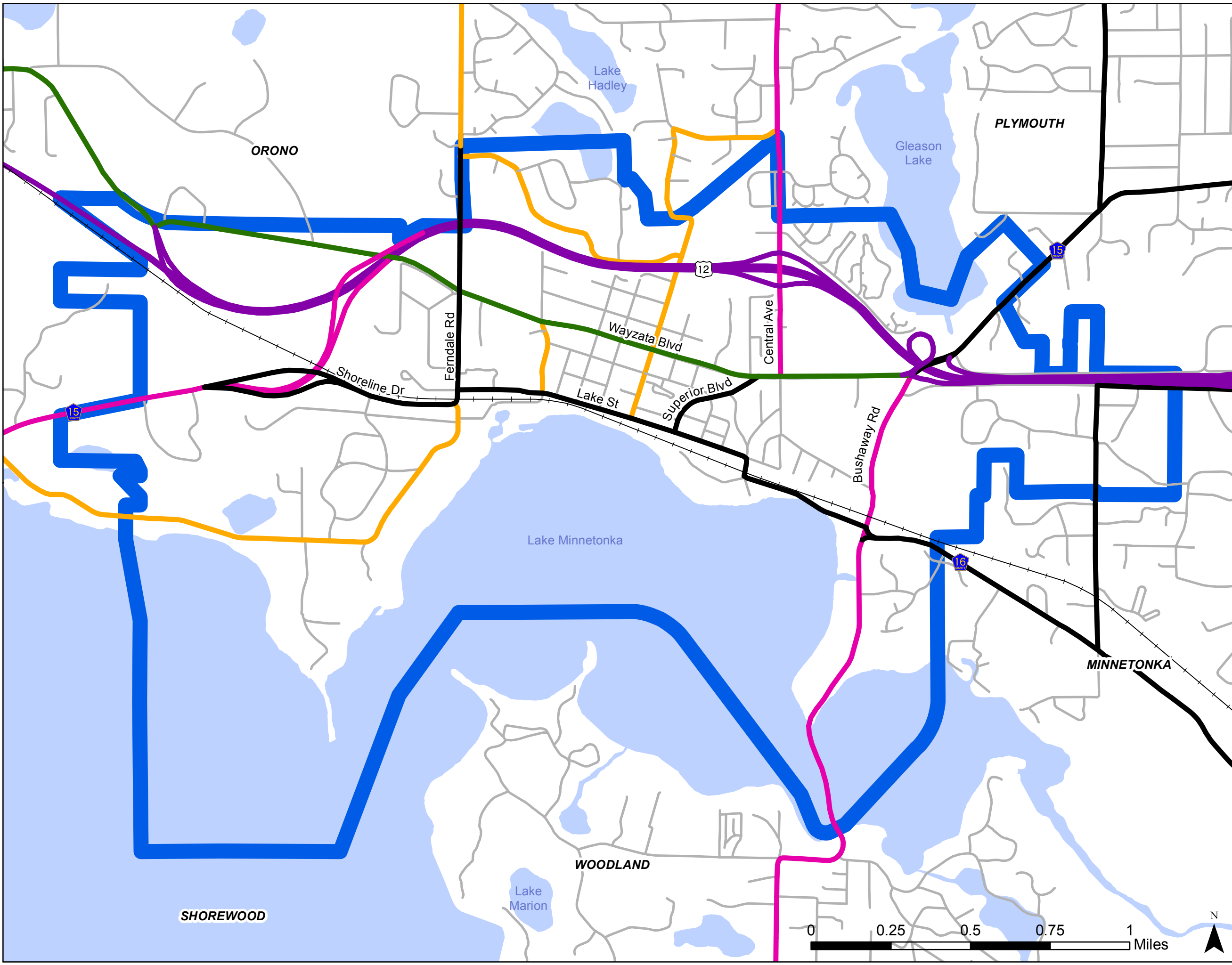


Figure 5-3
Functional
Classification



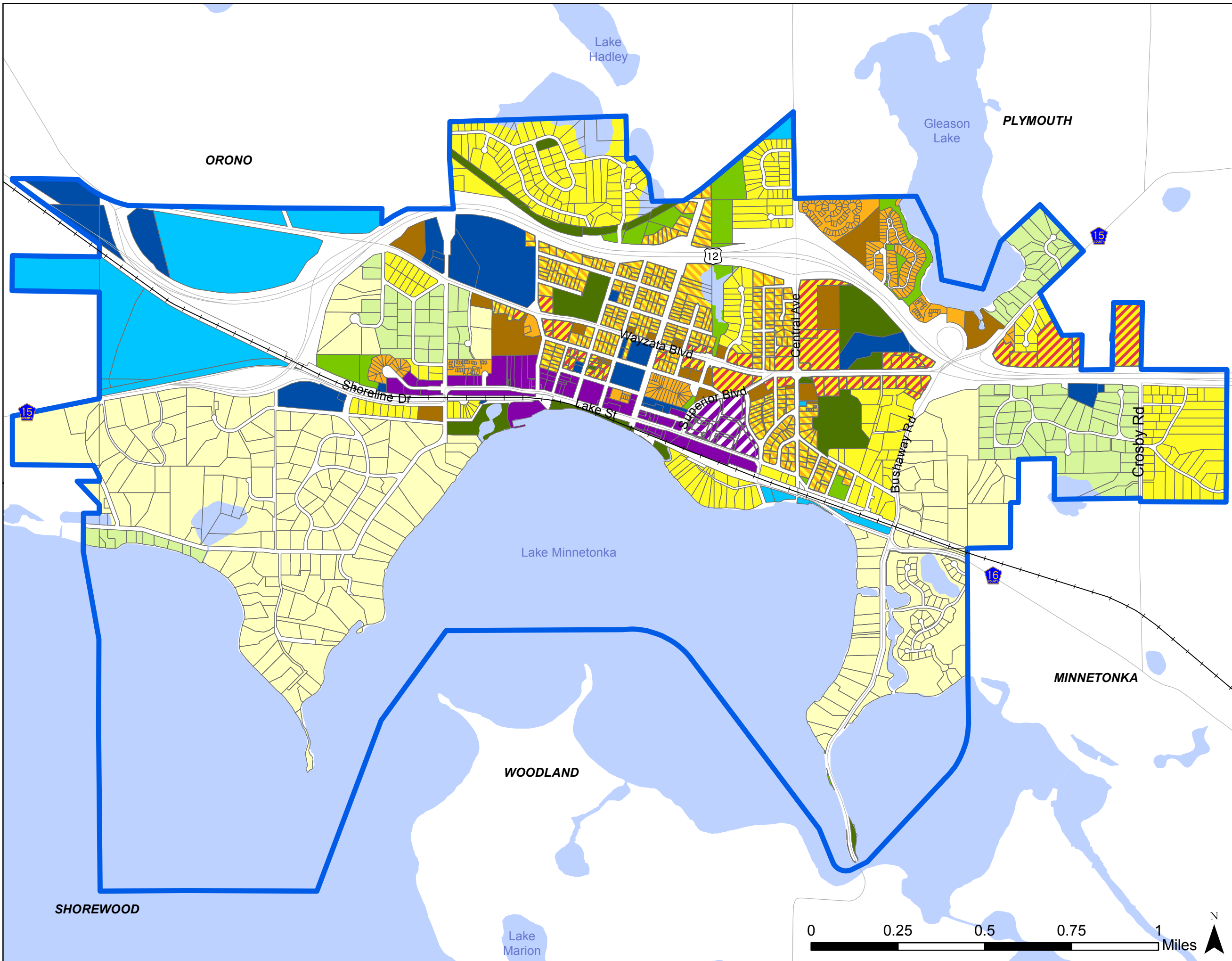
Legend

Future Land Use

- Estate Single Family - 0.25 to 0.5 unit/acre
- One Acre Single Family - 0.5 to 1 unit per acre
- Low Density Residential - 1 to 3 units/acre
- Central Core Residential - 3 to 6 units per acre
- Medium Density Residential - 6 to 12 units/acre
- High Density Residential - 12 to 40 units/acre
- Mixed-Use - Commercial/ Residential - 10 to 30 units/acre
- Central Business District - 20 to 30 units/acre
- Downtown Mixed Use District - 20 to 30 units/acre
- Insitutional/Public
- Semi-Public/Private
- Parks
- Public Open Space
- Lakes

Figure 3-2

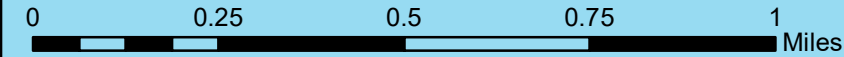
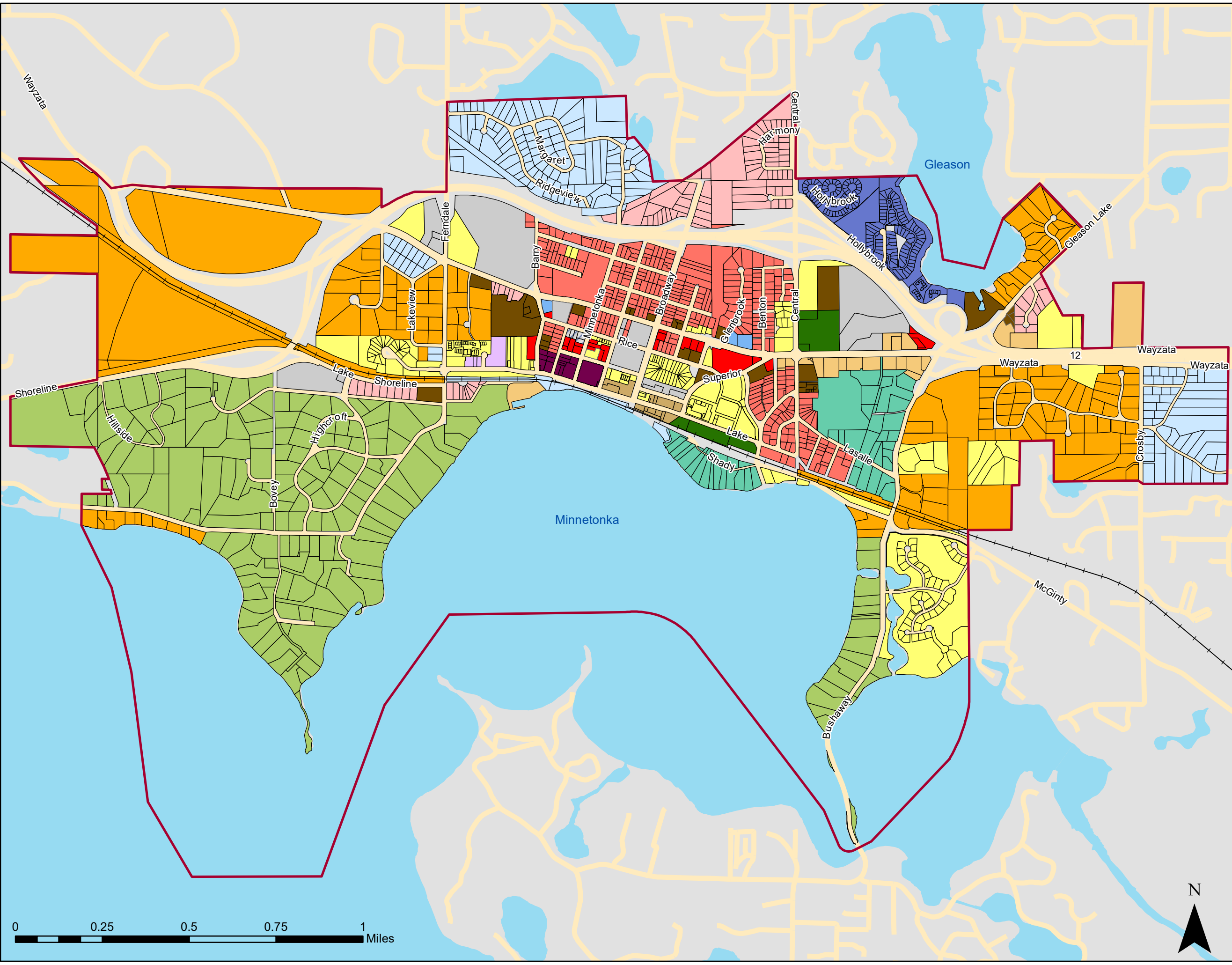
2040 Land Use Plan

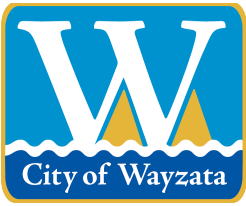


Wayzata
Zoning Map

Zoning Designation

- C-1 Office and Limited Commercial District
- C-1A Neighborhood Office and Limited Commercial District
- C-1B Mixed Use Residential
- C-2 Shopping Center Business District
- C-3 Service District
- C-4 Central Business District
- C-4A Limited Central Business District
- C-4B Central Business District
- INS Institutional
- PUD Planned Unit Development
- R-1 Low Density Single Family Residential District
- R-1A Low Density Single Family Estate District
- R-2 Medium Density Single Family Residential District
- R-2A Single Family Residential District
- R-3 Single and Two Family Residential District
- R-3A Single and Two Family Residential District
- R-4 Medium Density Multiple Residential District
- R-5 Average Density Multiple Residential District





City of Wayzata Planning Commission Agenda Report

MEETING DATE: February 1, 2021	AGENDA ITEM: 6.a
TITLE: Review of Development Activities	
PREPARED BY: Nick Kieser, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

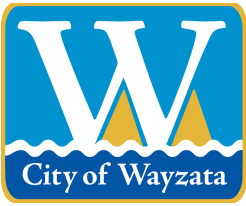
Staff will give a verbal update at the meeting.

ACTION REQUESTED:

N/A

ATTACHMENTS:

None



City of Wayzata Planning Commission Agenda Report

MEETING DATE: February 1, 2021	AGENDA ITEM: 6.b
TITLE: Planning Commissioner Liaison Schedule and City Meeting Calendar	
PREPARED BY: Nick Kieser, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

Commissioner Douglas is scheduled for the February 2, 2021 City Council meeting. The Liaison Schedule and 2021 City Meeting Calendar are attached.

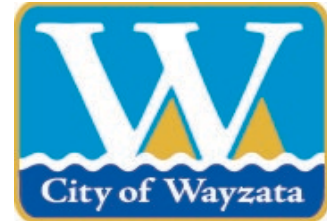
ACTION REQUESTED:

N/A

ATTACHMENTS:

1. 2021 Wayzata Calendar
2. Planning Commission Assignments at Council Meetings 2021

City of Wayzata 2021 Meeting Calendar



January 2021						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February 2021						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March 2021						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April 2021						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May 2021						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June 2021						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July 2021						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August 2021						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September 2021						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October 2021						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November 2021						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December 2021						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

- Energy & Environment Committee - 5:00 PM
- Planning Commission - 6:30 PM
- City Council - 7:00 PM
- Wayzata School Board
- Lake Minnetonka Conservation District (LMCD)
- Heritage Preservation Board (HPB) - 5:00 PM
- Housing & Redevelopment Authority (HRA) - 7:30 AM
- Parks & Trails Board - 6:00 PM
- Charter Commission - 9:00 AM
- Elections (see below)
- Night to Unite

Meeting dates and times are subject to change. Dates can be confirmed by calling City Hall.

Holiday Observed
City Offices Closed

Precinct Caucuses -

Primary Election -

General Election - School Board Election

2021
Planning Commission assignments at Council meetings

<u>Meeting Date</u>		<u>Commission Representative</u>
Tuesday	January 5, 2020	Christine Plantan
Tuesday	January 19, 2020	Jeff Parkhill
Tuesday	February 2, 2020	Peggy Douglas
Tuesday	February 16, 2020	Gregory Flannigan
Tuesday	March 2, 2020	Larissa Stockton
Tuesday	March 16, 2020	Laura Merriam
Tuesday	April 6, 2020	Lindsay Bashioum
Tuesday	April 20, 2020	Christine Plantan
Tuesday	May 4, 2020	Jeff Parkhill
Tuesday	May 18, 2020	Peggy Douglas
Tuesday	June 1, 2020	Gregory Flannigan
Tuesday	June 15, 2020	Larissa Stockton
Tuesday	July 6, 2020	Laura Merriam
Tuesday	July 20, 2020	Lindsay Bashioum
Tuesday	August 10, 2020	Christine Plantan
Tuesday	August 24, 2020	Jeff Parkhill
Tuesday	September 7, 2020	Peggy Douglas
Tuesday	September 21, 2020	Gregory Flannigan
Tuesday	October 5, 2020	Larissa Stockton
Tuesday	October 19, 2020	Laura Merriam
Wednesday	November 3, 2020	Lindsay Bashioum
Tuesday	November 16, 2020	Christine Plantan
Tuesday	December 7, 2020	Jeff Parkhill
Tuesday	December 21, 2020	Peggy Douglas

Last Updated: December 30, 2020