

WAYZATA PLANNING COMMISSION

Meeting Agenda

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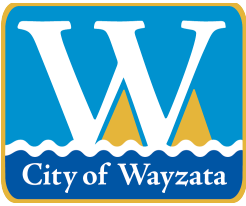


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Monday, May 3, 2021
6:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Approval of Agenda**
4. **Consent Agenda**
 - a. Approval of April 19, 2021 Meeting Minutes
5. **Old Business Items**
 - a. Consider Adoption of Planning Commission Report and Recommendation of Approval of New Wayzata Design Standards and Related Amendments to Chapter 909 of Zoning Ordinance
6. **Public Hearing Items**
 - a. Consider Development Application for a Planned Unit Development Amendment and Variance for the Rice Street Townhomes at 520, 524, 530, and 534 Rice Street East.
7. **Other Items**
 - a. Welcome New Planning Commissioner Ken Sorensen
 - b. Review of Development Activities
 - c. Planning Commissioner Liaison Schedule and City Meeting Calendar
8. **Adjournment**

Upcoming Meetings:
City Council - May 4, 2021
Planning Commission - May 17, 2021



City of Wayzata Planning Commission Agenda Report

MEETING DATE: May 3, 2021	AGENDA ITEM: 4.a
TITLE: Approval of April 19, 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 April 19, 2021 Planning Commission meeting.

ATTACHMENTS:

1. Draft PC Minutes - April 19

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
APRIL 19, 2021**

AGENDA ITEM 1. Call to Order

Chair Plantan called the meeting to order at 6:30 p.m.

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 91012293735 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.

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

Absent at roll call were Commissioners: Parkhill and Bashioum

AGENDA ITEM 3. Approval of Agenda

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

Commissioner Douglas made a motion, seconded by Commissioner Stockton, to approve the April 19, 2021 agenda as presented.

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

1 **AGENDA ITEM 4. Consent Agenda**

2
3 **a.) Approval of the April 5, 2021 Planning Commission Meeting Minutes**

4
5 Chair Plantan read the items on the consent agenda and asked if any Commissioner wished to pull
6 an item for further discussion.

7
8 Hearing no such request, Chair Plantan asked for a motion to approve the Consent Agenda as
9 presented.

10
11 Commissioner Merriam made a motion, seconded by Commissioner Douglas, to approve the
12 Consent Agenda as presented.

13
14 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

15
16 **AGENDA ITEM 5. Public Hearing Items**

17
18 **a) Consider Zoning Ordinance Amendment to Update Chapter 909 – Design**
19 **Standards**

20
21 Director Goellner reminded the Commission that they began the discussion on the updates to the
22 City's Design Standards at their April 5, 2021 meeting. She introduced Andrew Faulkner from
23 Van Meter Williams Pollack, the City's consultant on the project. She noted that Assistant Planner
24 Kieser had compiled information about feedback the City had received from the public on the
25 proposed changes, and noted that he will summarize the comments after Mr. Faulkner's
26 presentation.

27
28 Andrew Faulkner, Project Manager with Van Meter Williams Pollack, continued his presentation
29 on the proposed Design Standards which touched on Public comment received so far; proposed
30 Additional Site Standards; and proposed new Building Design Standards. He noted that there were
31 comments made at the last meeting that the new Design Standards document may seem overly
32 detailed or complicated. He noted that their experience is that this level of rigor and clarity will
33 help applicants get on the same page with the community much earlier in the process, will allow
34 more issues to be resolved administratively, and will bring about fewer variances and
35 modifications. He stated that Van Meter Williams Pollack doesn't just operate within the
36 'planning realm' but are also architects of multi-family housing projects in three states, which
37 means they have spent a lot of time looking at design standards of the various cities that they are
38 working in. He stated that because of this, they feel this document should be organized from big
39 issues to small issues, and highlight the type of information that different audiences need. He
40 stated that they have reorganized the design standards to begin with the most general items, and
41 then increasing in detail towards the end of the document. The 'introduction' section will include
42 information on the community priorities as well as submittal requirements. The 'site design'
43 section will cover scale and configuration. The 'building design' section will move into significant
44 building mass requirements, design and material standards. He stated that they consciously tried
45 to use the same organization and format for the entire document and each page has: General
46 Statement; Intent; Applicability; Standards; and Guidance. He explained that the guidance section

1 turned into kind of the Swiss army knife of the document. He stated that this section allows there
2 to be suggestions, not requirements, that would exceed zoning and ordinances. He shared
3 examples and explained that the goal for this document is that it will be clear and will reduce the
4 need for deviations. He stated that there is also the possibility of guidance items being changed
5 into standards, and shared some examples. He stated that they met with the Zoning Task Force on
6 April 12, 2021 where several changes were recommended. The Task Force also voted
7 unanimously to recommend approval of the proposed draft of the Wayzata Design Standards, and
8 send them to the Planning Commission. He reviewed the proposed new revisions based on
9 feedback from the Zoning Task Force and the Planning Commission.

10
11 Mr. Faulkner reviewed the public comments that were received prior to the day of the meeting,
12 and the responses to them from Van Meter Williams Pollack. He stated that their suggestions for
13 Usable Open Space Design would ensure that the open space that is required will provide a good
14 quality amenity for residents and is something that can actually be used, which means: the ground
15 should be sloped less than 6.25% or terraced; for private - be accessible from a dwelling unit and
16 have a minimum 5-foot dimension in order to qualify as usable; for shared use - have a minimum
17 area of 250 square feet. He reviewed the short- and long-term focus items for the standards and
18 gave examples along Wayzata Boulevard. He gave a brief overview of the additional landscape
19 standards that were included. He reviewed the proposed building design standards, including roof
20 design; façade design; material application; and material character. He stated that they have
21 designed all of these standards to work together to create an integrated system of proportions that
22 help break down the buildings.

23
24 Assistant Planner Kieser noted that they had received 9 public comments ahead of the meeting.
25 Two were in general support of the work that had been done thus far, one comment asked for more
26 green space to reduce the heat island and implement sustainability practices, and another comment
27 related that the ‘charm’ of Wayzata was gone. He noted that there was a detailed comment that
28 went over the history of Wayzata’s development, and asked that the design standards be kept clear
29 and simple and specific to the City. There was a comment that the buildings should feel like they
30 “belong” in the City and it should be communicated to architects that this is taken seriously. This
31 commenter also felt that the Tree Preservation Ordinance should be revisited. He noted that there
32 were three additional comments that the Tree Preservation Ordinance should be revisited and
33 updated to help preserve and protect the trees in the City. Planner Kieser gave an overview of the
34 next steps in the process of reviewing the proposed new Design Standards, and when it may be
35 presented to the City Council. He stated that since there were so many comments surrounding the
36 Tree Preservation Ordinance, the Zoning Task Force and Environment Committee will be taking
37 a closer look at this item with the hopes of bringing an update to the City Council around October
38 of 2021.

39
40 Chair Plantan asked if the Commission had any questions for Staff.

41
42 Commissioner Douglas asked Mr. Faulkner about Usable Open Space, and asked how the
43 measurements were calculated.

44
45 Mr. Faulkner noted that this amount is in another section of the current Zoning Ordinance, but
46 noted that in their experience 500 square feet per unit is a bit on the high side.

1
2 Commissioner Douglas agreed that this number seems high to her because the City does not have
3 large lots.
4

5 Mr. Faulkner stated that this may be a good thing to keep in mind during the zoning update, and it
6 may be helpful to look at some recent proposals and see whether that is in line with what they have
7 actually provided. He stated that he agrees that this would be a lot of space in the in-fill conditions
8 around the Lake Street District, and feels as though it may have been written more for a duplex or
9 tri-plex situation and probably not a 40-unit project.
10

11 Commissioner Douglas asked whether the photo of Lake Street on page 41 of the document from
12 the lake, and if it could be changed to a summer photo so there isn't ice being shown on the lake.
13 She noted that on page 40 there is a statement that says the City "has sustained its strong small
14 town Midwest character for 120 years". She asked where they came up with 120 years, because
15 the City is 167 years old.
16

17 Mr. Faulkner stated that is a good point and suspects that he had pulled information from multiple
18 sources. He noted that they have a screen check version that they will go through before this is
19 brought to the Council and encouraged anyone that may notice things like this to bring them to
20 their attention.
21

22 Commissioner Merriam asked for clarification on the two-foot sidewalk extension requirement
23 proposed in the Wayzata Boulevard District. She asked if that was meant to be in addition to the
24 existing sidewalk within the County right-of-way.
25

26 Mr. Faulkner stated that was correct, and explained that since Hennepin County controls the right-
27 of-way, the City cannot control what sidewalk they are doing in their right-of-way and this was
28 just an effort to get a bit more sidewalk width for those properties.
29

30 Commissioner Merriam asked what 'human scaled materials' would be.
31

32 Mr. Faulkner stated that he thinks they could probably do a better job communicating that meaning,
33 but explained that the intent was materials like masonry materials, such as brick and tile, that are
34 broken down into units the size of a human hand rather than materials that come in big 4 x 8-foot
35 sheets.
36

37 Commissioner Merriam stated that he had touched on the color and material transitions which she
38 thinks are great, but stated that this information sounded more like guidance than a standard
39 because the word 'should' was used.
40

41 Mr. Faulkner stated that was a good point, and should probably be made into a standard.
42

43 Commissioner Merriam noted that she has a lot more questions but suggested that the Commission
44 may want to reopen the public hearing up for comment before she goes through them all.
45

1 Chair Plantan asked about page 23 of the document, and for some clarification on the sidewalk
2 standard because it says 'Lake Street District 12 feet inclusive of a 6-foot planting zone', but then
3 Standard S3 on page 23 says '5-foot minimum'. She asked if there was an opportunity to make
4 the sidewalk wider so there can be two people walking side by side passing each other.
5

6 Mr. Faulkner stated that he thinks the requirement may have to be 5 feet at the bluff and 6 feet at
7 Lake Street because it should be 6 feet at Lake Street. He stated that he sympathizes with her
8 second point and shared an example of when he lived somewhere that had 12-foot sidewalks. He
9 stated that the difficulty is that so much of the frontage on Lake Street is now built, so to require a
10 larger sidewalk may mean you are butting out into the street and possibly removing street parking
11 or setting new buildings back from where the existing buildings are, which could also pose some
12 challenges. He stated that they had hoped to address that with the building breaks and recesses to
13 open up small rooms that provided more space, but it could be something discussed for the zoning
14 ordinance update.
15

16 Chair Plantan noted that she would be very concerned if they did not incorporate the standards
17 regarding aesthetics, versus the energy goals, for solar panels into the building design standards.
18

19 Mr. Faulkner stated that they would like to see where the discussion goes with the Zoning Task
20 Force and if necessary, could come back and make an amendment to the document.
21

22 There being no additional questions for staff from the Commission, Chair Plantan re-opened the
23 public hearing on the application at 8:05 pm.
24

25 Polly Anderson, 230 Chicago Avenue North, stated that she feels these design enhancements will
26 leave a positive and indelible legacy in the City for generations to come. She stated that she is the
27 chair of the Energy and Environment Committee, and their charter is to recommend sustainable
28 advancement; so they would like to find ways to include language to promote the use of
29 sustainability. She noted that an Energy Action Plan was approved by the City Council a few
30 months ago, and its overarching goal is to position the City as a leader in sustainability in the Twin
31 Cities. She reviewed the 4 specific areas where the City can support sustainability in the design
32 standards. She stated that she would like the City to be forward looking and create public EV
33 charging stations because they will be critical for residents and visitors. She stated that under 2.E.
34 of the proposed application submittal requirements, she feels the City should find a way to promote
35 solar and other renewable energy technology. She noted that with Site Design/Lighting standards
36 for parking lots and walkways, lighting has been shown to significantly disrupt pollinators. She
37 noted that pollinators are referred to in Landscape Design standards, and she feels it should be
38 carried over to lighting in order to be consistent. They would like to see references to pollinator
39 friendly habitat lighting for pedestrian walkways and parking lots. She stated that her final point
40 is to the proposed sec. 2.B.4. Guidance for Landscaping, where it refers to trees, gardens, grasses,
41 hedges, and perennials, but only mentions native plants in passing. She stated that she feels the
42 City should heavily promote native plants because that is sustainable and the most environmentally
43 sound practice. She stated that she would like to see a required percentage called out, such as
44 80%. She stated that the enhancements to the proposed standards she mentioned will help create
45 a positive legacy for tomorrow and will be seen as far-reaching leadership for today.
46

1 There being no other public comments, Chair Plantan closed the public hearing at 8:12 pm.

2
3 Chair Plantan asked for the Commission to share their questions and feedback.

4
5 Commissioner Merriam stated that in looking at this document, she wants to make sure nothing is
6 overlooked because it will be put into the City's policy. She stated that she had a number of
7 questions, and asked to begin with the Applicability section and the three design districts. She
8 noted that there had been discussion about the Wayzata Boulevard District stopping at Superior
9 but noticed that in the chart on page 8, the cutoff point was at Grand instead. She asked how that
10 decision was made.

11
12 Mr. Faulkner stated that they have not revised this chart and can split the District at Superior, and
13 thinks the original idea was to capture what is now the Wells Fargo site within the district. He
14 stated that if it is desirable to the Planning Commission, the boundary can be revised before this
15 goes to City Council and have it extended to Superior.

16
17 Commissioner Merriam stated that her concern is that there are a lot of residential areas along that
18 stretch, as well as the VFW. She stated that she would just like to make sure it is considered. She
19 stated that there is also one little piece of property on the Comprehensive Plan zoning map that is
20 west of Barry that is zoned mixed use along Wayzata Boulevard, and she would prefer to see that
21 property fall under the Bluff District standards, rather than Wayzata Boulevard District. She noted
22 that on page 19 there were four phases, but admitted that she did not really understand what the
23 diagrams were showing.

24
25 Mr. Faulkner explained that this was provided as an example of guidance for how a large retail
26 property may be transformed over time into a mixed-use property. He stated that this section just
27 provides guidance for which items should be focused on first as they are making the transition
28 from commercial to mixed use as guided by the Comprehensive Plan. He stated that it may be a
29 sort of memo to future staff members, and noted that this type of property typically does not
30 transform all at once.

31
32 Commissioner Merriam asked if underground parking was part of phase 4 of this transitioning.

33
34 Mr. Faulkner noted that in the examples shown, phase 3 and phase 4 show structured parking, and
35 noted that one of the secrets to this sort of development is that it often requires parking shared
36 between uses.

37
38 Commissioner Merriam stated that page 20 talks about usable open space with very little slope or
39 space that could be terraced. She asked if there is any reason to put a size of the terrace in this
40 section so people don't simply have steps.

41
42 Mr. Faulkner noted that this was a great comment and they could consider putting more
43 information about the size.

44
45 Commissioner Merriam noted that on page 24 there are pictures of bicycle parking and explained
46 that neither of the photos presented seem like a practical solution to her. She stated the top photo

1 makes it appear as though the tire will protrude out into the street and the bike will be blocking the
2 sidewalk, and the other photo shows orange and green which are not the colors of what the City is
3 striving towards. She asked about the meaning of two points of locking.
4

5 Mr. Faulkner explained that there is a set of bicycling parking best practices that they reference.
6 He noted that both of the pictures Commissioner Merriam is referring to provide two points of
7 locking. He explained how two points of locking would work compared to the old fashion racks
8 which only allow locking the front of the bicycle, which makes it easier to steal the bicycle. He
9 suggested that they could find a diagram to illustrate that point, and agrees that there should be
10 better images for this page.
11

12 Commissioner Merriam asked if the two points of locking means that a bicyclist would actually
13 have two locks with them.
14

15 Mr. Faulkner explained that the bicyclist would not necessarily need two separate locks, but could
16 have a U lock and a long cable, and run it through both parts of the bike frame.
17

18 Commissioner Merriam referred to page 27 on parking lot landscaping and noted that one of the
19 standards was a decorative solid masonry wall between 3 and 4 feet in height. She asked if the
20 City really wants masonry walls at all of the parking lots.
21

22 Mr. Faulkner stated that this item comes back to the point he made in his presentation. As it has
23 been implemented now, there are spaced tree plantings which look good, but many of those die
24 back in winter. He stated it then becomes tree/hedge and in their observation, the hedges are not
25 doing that well; so they do not provide much visual screening between the parking lot and the back
26 of the sidewalk. He explained that their thought with the wall is that it would provide a visual
27 barrier regardless of whether the hedges are thriving or there are leaves on the trees. He stated that
28 they called out masonry because of its proximity to a parking lot where they would be concerned
29 about the long-term durability of a wooden fence.
30

31 Commissioner Merriam stated that she wonders about the possibility of using what is called
32 "Wayzata Fencing", which is the black wrought iron with circles at the top, rather than a masonry
33 wall. She stated that she has seen this along parking lots along Lake Street by the TCF building.
34

35 Mr. Faulkner stated that wrought iron would be a good compromise.
36

37 Commissioner Merriam stated that on page 35 it talks about applicability for upper story setbacks
38 and asked if 60 feet was too long.
39

40 Mr. Faulkner stated that he believes that number came from the existing design standards and
41 explained what he perceived as the reasoning behind using 60 feet. He further explained that they
42 are pretty confident that this is a good measurement to use.
43

44 Commissioner Merriam asked what would happen if there was a 60-foot-long building, then a few
45 feet, and then another 60-foot building.
46

1 Mr. Faulkner explained that could be an issue in a zero-lot line condition like Lake Street. He
2 stated that other than the Ventana project, he cannot think of any other recent development that
3 was even close to 60 feet wide and most have been 200-300 feet wide.
4

5 Commissioner Merriam stated that this page lists guidance about winter time sun orientation and
6 that building height not negatively and significantly impacting neighboring properties. She asked
7 whether this item should be a standard rather than a guidance point.
8

9 Mr. Faulkner stated that they had considered that but worried about the enforceability of it.
10

11 Commissioner Merriam stated that on page 37 it talks about applicability for buildings that exceed
12 80 feet in length, and then it talks about articulation elements with a maximum spacing of 40 feet.
13 She stated that if someone had a 79-foot building, they would not be required to have any type of
14 articulation elements. She wondered if it should just be for all buildings and not have something
15 that exceeds a certain width.
16

17 Mr. Faulkner stated that he agrees that this is a good clarification and can be revised in that
18 direction.
19

20 Commissioner Merriam stated that page 39 has a few photos of buildings that she does not really
21 feel are suited to Wayzata, especially the photos shown in figures 3.45 and 3.46.
22

23 Mr. Faulkner noted that he believes those were included because they were focusing on the stoop
24 and fence, and not so much on the architecture, but they can look for better images.
25

26 Commissioner Merriam asked for clarification on page 41 under standards at the top bullet point.
27 She stated that she feels that the language should actually say “ ‘more than three feet tall’ shall be
28 fully concealed”.
29

30 Mr. Faulkner stated that is correct and they will be changing to only refer to Wayzata Boulevard
31 because the Bluff and Lake Districts will only require mechanicals to be placed on the ground, or
32 not on the roof.
33

34 Commissioner Merriam stated that on page 48, the photos do not fit with the City because they
35 look very ‘standard’, especially the one in figure 3.64.
36

37 Mr. Faulkner noted that figure 3.64 is actually located in Wayzata and is the back of Wayzata Blue.
38

39 Commissioner Merriam stated that overall she found there were other photos that didn’t seem to
40 fit, but noted that perhaps it is the same type of thing as the ones that show the back of Wayzata
41 Blue. She stated that she loved the picture of the balcony on page 50. She asked about discussion
42 of architectural features, such as arched windows, and a way to create more interesting buildings
43 with the use of arches and other more interesting features.
44

45 Mr. Faulkner stated that they made a decision to be kind of agnostic about specific features like
46 that because if people are following all the rules for massing and making buildings that fit within

1 the community, they hoped that the designers would be smart enough to design good buildings
2 that will fit in. He stated that they were also struck by the debate around brick in the City right
3 now, and noted that it appears as though brick was highly emphasized in the current design
4 standards from the early 2000s, and what they received in the public comments is that there is a
5 big backlash against all of these large brick buildings that feel out of place. He stated that the hope
6 is that in allowing architects to make their own decisions about individual projects, there will be
7 less of that type of blanket aesthetic that may feel as though it is imposed by these design
8 guidelines.

9
10 Commissioner Merriam stated that on page 61 it talks about neon signs only on the inside of
11 windows. She stated that she is unsure if she even wants to see them on the inside of the windows.

12
13 Mr. Faulkner noted that this came from the existing standards and noted that he had also raised an
14 eyebrow when he saw it.

15
16 Commissioner Douglas stated that she appreciates how Commissioner Merriam really does her
17 homework, and thanked her for being so thorough. She stated that early in the presentation, it
18 talked about guidance vs. standards, and stated that she would like to have a bit more information
19 on guidance and how it figures into the Planning Commission's deliberations when they are
20 considering an application. She stated that she likes that there will be a checklist for applicability
21 because it makes it more cut and dry what everybody needs to do. She stated that the guidance
22 statements are not firm standards, and asked what would happen if someone came in and said this
23 is just guidance and not one of the City standards, so they don't have to do it. She asked if the
24 Planning Commission could turn down a project based on guidance principles and if so, could the
25 developer come back and argue that it is not one of the City's standards.

26
27 Mr. Faulkner stated that they designed the guidance to be deliberately 'squishy' which is why they
28 used the term guidance and not guidelines. He stated that he does not believe the Planning
29 Commission could reject an application because of something included in the guidance, and
30 explained that the guidance section was something that, as staff is working with applicants early
31 in the process, they could point to it and say this is something that the community really wants to
32 see. He stated that their view on this was that it would help give a bit of flexibility to get things
33 that are beyond what the standard could require, or things that would be unique for each site that
34 are hard to legislate across the entire town. He stated that he thinks the guidance points are
35 something that will be more of a conversation point between staff and the applicant, and less about
36 something that would come to the Planning Commission.

37
38 City Attorney Schelzel stated that he thinks Commissioner Douglas' question is a good one, and
39 that Mr. Faulkner did a good job of explaining that standards are binding for an applicant whereas
40 guidance is not. He stated that it makes sense to ask why people would follow the guidance, but
41 that it could help with the dialogue between staff and the applicant, particularly on the larger
42 projects. He added that a step further would be to ask what incentives the City could provide to
43 developers to follow that guidance.

44
45 Commissioner Stockton noted that she is part of the Zoning Task Force and that the questions
46 being raised tonight by the Planning Commission are very thorough and thoughtful. She stated

1 that the comment about the Bluff District extending to Ferndale makes a lot of sense, as does the
2 catch regarding neon signage. She stated that the things that are coming up are very detailed, and
3 she appreciates that the Commission took the time to think through how this will be applied in real
4 time. She stated that she likes the comment made regarding how the guidance can be used more
5 specifically, so it is not just a high hope but also an incentive.

6
7 Chair Plantan noted that she had a question regarding sidewalks, and referred to page 58 of the
8 presentation regarding bike racks, and asked how they will fit in if there are only 5-foot-wide
9 sidewalks. She asked if they were needed at every entrance to every building.

10
11 Mr. Faulkner stated that he will have to double check the details, but believes that they may be
12 required in the existing zoning language, so the question is how it can be applied. He stated that
13 generally, it is harder for buildings that just have a straight frontage on the street and noted that
14 what is often seen is that one bike rack would be located parallel with the street between the street
15 trees or in the boulevard which keeps the bikes off of the sidewalk. He stated that would be within
16 the public right-of-way, so that would have to be coordinated at the City level. Ultimately, with
17 the design standards, building recesses should be adequately sized so a bike rack should be able to
18 be in there without compromising the space. He stated that this may be a good example for
19 guidance regarding places that would be acceptable for bicycle parking.

20
21 Chair Plantan stated that she just does not want to encroach into the 5 feet of sidewalk for
22 pedestrians.

23
24 There being no further discussion, Chair Plantan asked for a motion on the application.

25
26 Commissioner Merriam asked if, with everything that was discussed tonight, whether the
27 Commission is ready to make a motion to send this to the City Council or if changes should be
28 made first and then have the Commission review it again before making a final recommendation.

29
30 Director Goellner stated that she thinks staff and Mr. Faulkner can work on the changes that were
31 suggested. She stated that she sensed consensus around those issues, and they could make the
32 changes and bring them back at the May 3, 2021 Planning Commission meeting for their review.

33
34 City Attorney Schelzel stated that the normal procedure would be a motion to direct staff to prepare
35 a draft report and recommendation for the Zoning Ordinance amendment, but because this is so
36 large with a lot of moving parts including the recommended changes brought forward tonight, he
37 thinks the Commission will have to pay close attention and review a lot of information prior to the
38 next meeting. He stated he does not see a problem moving forward, as usual, with a motion to
39 direct staff to prepare the draft report with the attached proposed Design Standard document and
40 zoning ordinance amendment updated. He stated that he would not suggest putting that on the
41 Consent Agenda at the next meeting but rather as a New Business item so the Planning
42 Commission can discuss and make sure that all the I's have been dotted and the T's crossed before
43 it is sent to Council for final approval. He noted that there is no real deadline with this, but he
44 likes the idea of staying on course if staff and consultants feel they can get it close to what has
45 been discussed by the next meeting.

1 Director Goellner and Mr. Faulkner both expressed their comfort with proceeding in this manner.

2
3 There being no further discussion, Chair Plantan asked for a motion on the application.

4
5 Commissioner Douglas made a motion, seconded by Commissioner Merriam, to direct staff to
6 prepare a draft Planning Commission Report and Recommendation with appropriate findings
7 reflecting a recommendation of approval of the Design Standards for review and adoption at the
8 next Planning Commission meeting, incorporating all of the feedback heard at tonight's meeting
9 as an item under New Business.

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 the next Planning Commission will be May 3, 2021 and, on the agenda, will
18 be the Design Standards that were reviewed tonight and also a new development application for
19 the Rice Street townhomes.

20
21 **b) Planning Commission Liaison Schedule and City Meeting Calendar**

22
23 It was noted that Chair Plantan would attend the next City Council meeting. She also expressed
24 her appreciation to staff and the consultants for their hard work on getting the Design Standards
25 ready for discussion.

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

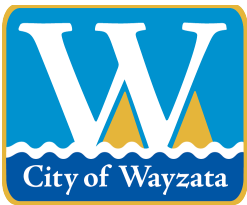
28
29 There being no further business on the agenda, Chair Plantan asked for a motion to adjourn.

30
31 Commissioner Douglas made a motion, seconded by Commissioner Stockton, to adjourn the
32 Planning Commission meeting.

33
34 Director Goellner completed a roll call vote on the motion. The motion carried unanimously.

35
36 The Planning Commission meeting was adjourned at 8:27 p.m.

37
38 Respectfully submitted,
39 Kayla Atkins Rokosz
40 *TimeSaver Off Site Secretarial, Inc.*
41



City of Wayzata Planning Commission Agenda Report

MEETING DATE: May 3, 2021	AGENDA ITEM: 5.a
TITLE: Consider Adoption of Planning Commission Report and Recommendation of Approval of New Wayzata Design Standards and Related Amendments to Chapter 909 of Zoning Ordinance	
PREPARED BY: Emily Goellner, Community Development Director	
REVIEWED BY:	
60 DAY DEADLINE: N/A	

BACKGROUND:

Process Summary

This process was launched in September 2020 Van Meter Williams Pollack (VMWP) began work in October and met with the Task Force six times between November 2020 and April 2021. VMWP received 380 responses to the Visual Preference Survey to inform this work. On April 12, the Zoning Study Task Force unanimously recommended approval of the proposed Design Standards updates. A public hearing was held on April 5 and April 19 with the Planning Commission. At the April 19 meeting, the Commission directed staff to prepare a Planning Commission Report and Recommendation of Approval including all of the relevant changes discussed at both meetings. The attached documents are updated to reflect those changes.

Summary of Documents Attached

There are three documents attached for Planning Commission review:

1. Planning Commission Report and Recommendation of Approval of New Wayzata Design Standards and Related Amendments to Chapter 909 of Zoning Ordinance (Draft)
2. Proposed New Wayzata Design Standards and Guidelines Document (Draft dated April 29, 2021)
3. Zoning Ordinance Amending Wayzata City Code Ch. 909 (Draft)

The draft report that VMWP has provided for review is organized to guide the applicant from large scale issues such as site design down to the level of architectural detail and materiality. The document is structured to provide an understandable explanation for the standards, clear diagrams to visually explain important standards, and rewritten quantifiable standards to lessen the burden of enforcement. Since this is a set of amendments to existing text in the Zoning Chapter of the Wayzata Code of Ordinances, underlined/overstruck language is also provided for utmost transparency.

Deviation Requests

In discussions with the consultant and the City Attorney, staff is recommending that Design Review become an administrative review process unless Significant Deviations are requested. Significant Deviations, as defined in Section 909.29 of the attached overstruck language, would be reviewed by the Planning Commission and City Council. Staff sees this as an opportunity to best utilize City resources and decrease liability for the City. Staff is also recommending that VMWP continue to work with the City on retainer when staff needs assistance in interpreting and applying the new Design Standards to applications.

Next Steps

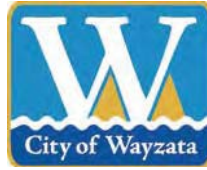
If this Report and Recommendation and its attachments properly encompass all Planning Commission feedback (and is therefore approved), then the City Council is expected to review this work at two meetings occurring on May 18 and June 1, 2021. The process can be delayed if changes to the work are requested.

ACTION REQUESTED:

On April 19, the Planning Commission directed staff to prepare a Planning Commission Report and Recommendation of Approval, with appropriate findings and all relevant feedback incorporated, of the proposed Zoning Ordinance Amendment. It includes all of the comments suggested by Commissioners at the April 5 and April 19 meetings. Staff is recommending adoption of this Report with its attachments.

ATTACHMENTS:

1. Planning Report and Recommendation - Ch 909 Design Standards - with Report and Draft Ordinance Attached



WAYZATA PLANNING COMMISSION

May 3, 2021

REPORT AND RECOMMENDATION OF APPROVAL OF NEW WAYZATA DESIGN STANDARDS AND RELATED AMENDMENTS TO CHAPTER 909 OF ZONING ORDINANCE

DRAFT

SUMMARY OF RECOMMENDATION

Approval* of Design Standards document and related Zoning Ordinance Amendments

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Proposed Update to Design Standards. The applicant, the City of Wayzata, (the “Applicant”) has developed a new guide and standard document on building and site design (the “Wayzata Design Standards Document”) that is intended to work in concert with Part IX of the City Code (the “Zoning Ordinance”) and Ch. 909 thereof (the “Design Standards”).
- 1.2 Approvals Requested. The approvals sought are: (i) the Wayzata Design Standards Document (referenced on Attachment A); and (ii) Zoning Ordinance amendments to the text of Ch. 909 of City Code (shown on Attachment B, the “Zoning Ordinance Amendment”).
- 1.3 Development of Proposed New Design Standards. The proposed new Wayzata Design Standards Document was developed by the City’s consultant, Van Meter Williams Pollack, based on the City’s 2040 Comprehensive Plan, with input from City Planning Staff, the Zoning Study Task Force, a “Visual Preference Survey” of the community, public comments, and the Wayzata Planning Commission.

- 1.4 Notice and Public Hearing. Notice of the public hearing on the Application was published in the *Sun Sailor* on March 25, 2021 and on the City's website. The public hearing on the Application was held over two Planning Commission meetings on April 5, 2021 and April 19, 2021.

Section 2. STANDARDS

- 2.1 Zoning Ordinance Amendment. City Council has the discretion and authority under state law and City Code to amend the City's Zoning Ordinance (Text or Zoning Map). In considering a proposed amendment to the Zoning Ordinance under Sec. 903.02.F of the Zoning Ordinance, the Planning Commission and City Council must consider the possible adverse effects of the proposed amendment. Their judgment shall be based upon (but not limited to) the following factors:
- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
 - B. The proposed use's conformity with present and future land uses of the area.
 - C. The proposed use's conformity with all performance standards contained in the Zoning Ordinance (i.e., parking, loading, noise, etc.).
 - D. The proposed use's effect on the area in which it is proposed.
 - E. The proposed use's impact upon property value in the area in which it is proposed.
 - F. Traffic generation by the proposed use in relation to capabilities of streets serving the property.
 - G. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

Section 3. FINDINGS OF FACT

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

- 3.1 Zoning District Amendment. The Planning Commission has considered all of the factors of Sec. 903.02.F of the Zoning Ordinance and finds that the proposed Zoning Ordinance Amendment to the Design Standards would not have an

adverse effect—but rather a positive effect—on properties in the City and the City overall. The Zoning Ordinance Amendment meets the applicable standards for a zoning ordinance amendment in that:

- A. The Zoning Ordinance Amendment is consistent with and furthers the Comprehensive Plan's guidance and direction for the City.
- B. Specifically, the Zoning Ordinance Amendment is consistent with and furthers the Comprehensive Plan's guidance for current and future development and land uses in the City.
- C. The Zoning Ordinance Amendment would have a positive impact on properties, neighborhoods, commercial areas, community spaces, and other areas of the City.

Section 4. RECOMMENDATION

4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **APPROVAL** of (i) the proposed new Wayzata Design Standards Document, and (ii) the Zoning Ordinance Amendment, subject to the following:

- A. Incorporation of any final edits to the documents that correct minor errors, clarify existing or proposed language, properly codify within City Code, and/or are recommend by the City Attorney or City Clerk.

Adopted by the Wayzata Planning Commission this 3rd day of May 2021.

Attachments:

Attachment A: Proposed New Wayzata Design Standards Document

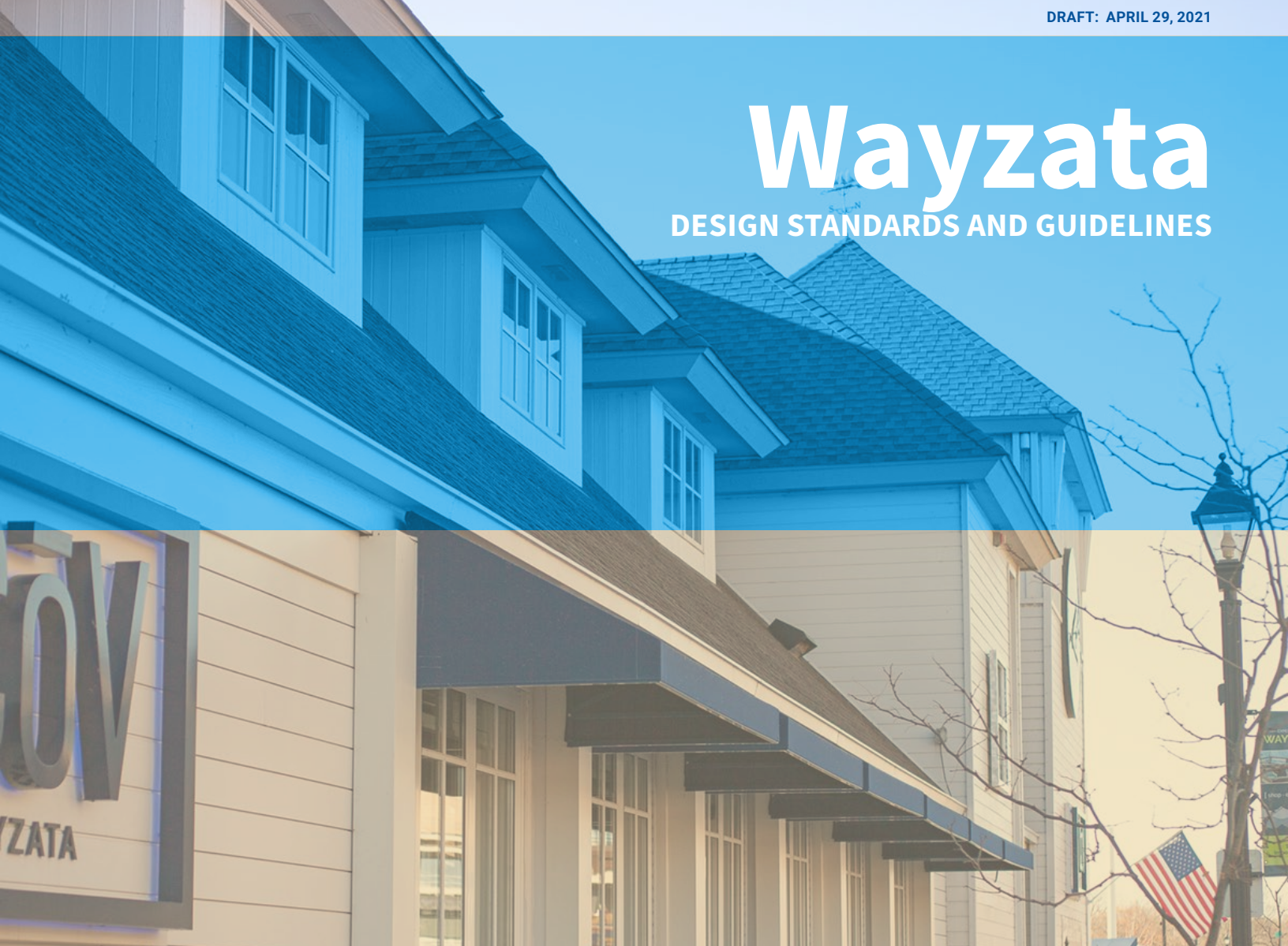
Attachment B: Zoning Ordinance Amendment



DRAFT: APRIL 29, 2021

Wayzata

DESIGN STANDARDS AND GUIDELINES



Acknowledgments

The process of revising the Wayzata Design Standards would not have been possible without the collaboration of a large group of stakeholders, staff and representatives. We are grateful for the tireless work and passion of the following individuals and the community of Wayzata without which this document would not be possible. The depth of your commitment and conscientiousness has shaped this document as it will shape Wayzata in the years to come.

CITY OF WAYZATA

Johanna Mouton, Mayor
Jeffrey Dahl, City Manager
Emily Goellner, Director of Community Development
Nick Kieser, Assistant Planner
Eric Zweber, Planning Consultant

WAYZATA CITY COUNCIL

Johanna Mouton
Jeff Buchanan
Alex Plechash
Cathy Iverson
Molly MacDonald

WAYZATA PLANNING COMMISSION

Lindsey Bashioum
Peggy Douglas
Gregory Flannigan
Cathy Iverson
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Steve Fox

Planning Commission
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Larissa Stockton

Energy and Environment Committee
KC Chermak

Community Members
Suzanne Candell
Meredith Howell
Lora Ward Lake
John Nolan

PREVIOUS VERSIONS

Mayor Barry Petit (former)
City Manager Al Orsen (former)
Chris Slania
Bob Ambrose
Sue Bangert
Robyn Cook
Andrew Humphrey
Jack Amdal
Russ Crowder
M. Graciela Gomez
Jim Gooley
Kent Howe
Julie Ann Schmidt
Ken Willcox
Scott Richards

Rick Williams, RA; Partner
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DRAFT

1 Introduction

CHAPTER CONTENTS

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1.A INTRODUCTION

Founded in 1854 and incorporated as a village in 1883, Wayzata was first known as a recreational destination on the shores of beautiful Lake Minnetonka. By the early twentieth century improved transportation allowed a balanced year-round community with a greater diversity of residents and commerce. The core of Wayzata's identity is founded on this generally modest community of engaged residents and business owners who built and sustained its strong small-town Midwest character and values for the past 167 years. These ideals are embodied in the shared vision of a "charming small town" -- a phrase frequently used by Wayzatans to describe their goals for community fabric and culture.

Recently, this shared identity has come into conflict with some of the strongest development pressures in the Twin Cities region, and in reaction citizens have demanded stricter oversight of development. Cognizant that change is inevitable and no place can be frozen in time, these Design Standards seek to guide applicants to successful development proposals that will fit comfortably within the community and enhance the built environment of Wayzata for generations to come.

These standards contribute to the implementation of the vision contained in the Wayzata Comprehensive Plan and focus on site and building design. These development standards do not presuppose a specific architectural style. Instead, these standards establish regulations and provide guidance to minimize the impact of building scale, relate buildings to and reference existing context; incorporate quality materials; and provide the level of detail necessary to support the walkable main-street culture of a vibrant small town.



Purpose

The following Design Standards have been developed to shape the City's physical form; to improve the quality, character, and compatibility of new development or extensive renovations; and to implement the goals and guidance of the City's Comprehensive Plan.

The Standards have three primary functions:

- To guide applicants and provide consistent standards for the significant expansion; major renovation; or new construction of commercial, mixed-use, or multifamily buildings or parking within the City;
- To assist the City and the public in reviewing such development proposals;
- To leverage new development to contribute to the improvement of the City's public realm -- its streets, sidewalks, walkways, and its streetscape and landscape treatments

The Standards also address issues of scale and topography that are especially critical to preserving and enhancing Wayzata's character.

Vision

The Wayzata Comprehensive Plan sets forth guiding principles to encourage heterogeneous development at a human scale; to increase walkability through safe and physically enticing spaces and routes; to provide more vibrant open spaces; to improve access to enable greater physical activity and health for a multi-generational community; and to increase focus on sustainability and green energy, all while maintaining the character that has characterized Wayzata for generations and safeguarding the health of Wayzata Bay.

These Standards seek to implement the principles of the Comprehensive Plan by maintaining a high quality "small town" environment while accommodating the inevitability of change. In order to provide compatibility with the scale and heritage of Wayzata, these Standards encourage the reduction of building mass; the simple use of quality materials; and the enhancement of building facades through articulation and well-designed detailing. These standards also will contribute to the improvement of the public realm and increased walkability and access through site design.

Character

The character of Wayzata is shaped by its natural setting. The location of the downtown business district along the shoreline of Lake Minnetonka, combined with the bluff that rises behind it, bestows an unusually scenic and picturesque quality. Elsewhere, the City is shaped by a wooded character and small lakes and ponds. Successful projects will be designed to reinforce their surrounding context and to minimize their impact on views, natural ecosystems, and assets..



Wayzata exists because of Wayzata Bay. Maintaining visual and physical connections to the lake is extremely important.

1.B APPLICABILITY

The Design Standards apply to all development in the City that has a nonresidential and/or multifamily component and that involves any of the activities listed in Section 909.04.B of the Wayzata Code of Ordinances. Standards that fall under the heading "All Districts" or similar shall apply in all Design Districts. Standards specified for a particular District or Districts shall apply in those specified District or Districts. As illustrated in [Section 1.D How To Use This Document](#), these Design Standards provide both "Standards" and "Guidance". Sections of the Design Standards that fall under the heading "Standards" are mandatory, and are incorporated in Ch. 909 of the Zoning Ordinance. Sections of the Design Standards that fall under the heading "Guidance" are not mandatory or part of the Zoning Ordinance unless specifically referenced therein.

The following types of activities **require compliance** with these Design Standards:

- New building construction.
- Modification involving 50 percent or more of an existing building's exterior facade.
- Addition which adds an additional story to an existing building.
- Addition which increases the existing building's square footage by 50 percent or more.
- Alteration of the roof massing and roof height of an existing building.
- Site alteration that changes 50 percent or more of the existing site.

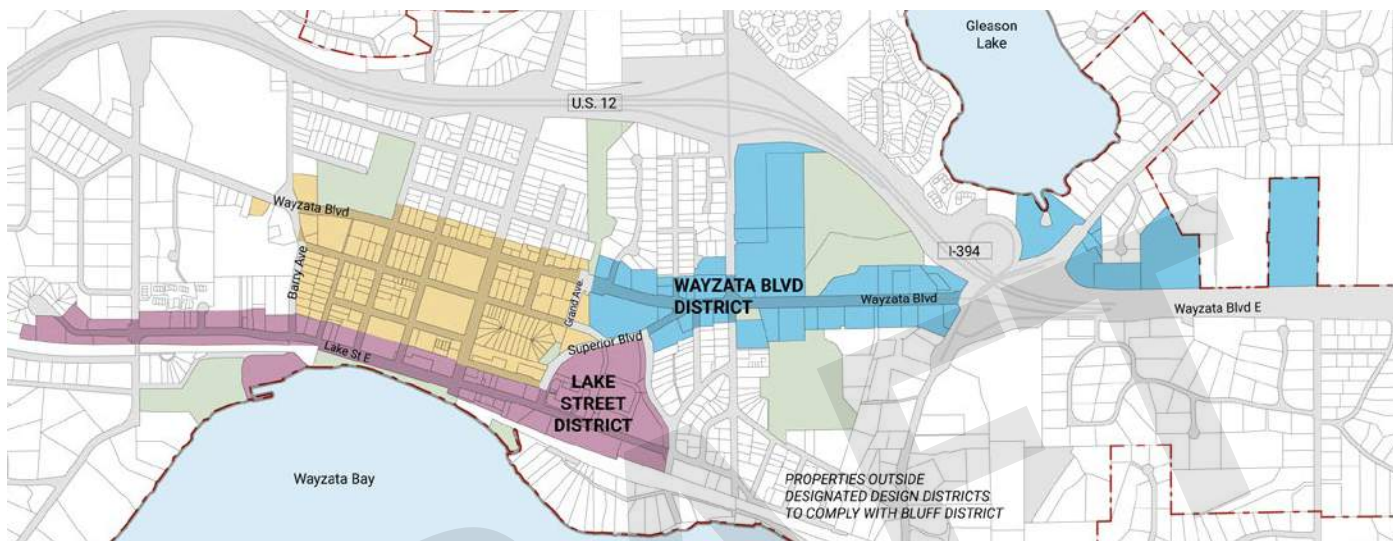
The Design Standards **do not apply** to the following activities:

- Replacement, repair, or modification of existing windows or doors with those of a similar size or design.
- Replacement, repair, or modification of roofs with the same or similar materials.
- Exterior painting.
- Interior renovations.
- Site alterations which only repave or repair the existing site.

Design Districts

Refer to the map on the following page.

- The Lake Street District, extends along both sides of Lake Street from Circle Drive to the Wayzata Bay Townhomes at 201 W. Lake Street. Lake Street is the "Main Street" of Wayzata and the section between Circle Drive and Ferndale Road should reinforce the existing character of buildings meeting the sidewalk, with a vertical rhythm evoking narrow storefronts, and distinct and diverse uses. Buildings proposed for Lake Street should support a vibrant and active street frontage and enhance visual and physical access to Wayzata Bay.
- The Bluff District, includes all the land atop the natural bluff above Lake Street generally bounded on the west by Barry Avenue, on the east by the line of Grand/Superior Avenue and extending from a half block north of Lake Street to a half block north of Wayzata Boulevard. The Bluff District is characterized by a fabric of small-scale retail and office buildings, houses converted into offices, single-family, attached and multifamily housing, and anchor institutions such as City Hall, the Library, and St Bartholomew. Development here should respect the finer scale of its surroundings through careful massing and attention to fine grained materiality.
- The Wayzata Boulevard District extends east from the ravine below the Bluff District at Grand/Superior Avenue to the large commercial parcels on the north frontage of I-394, including frontage parcels on both sides of Wayzata Boulevard and the east side of Central Avenue. This area is currently characterized as a typical "commercial strip," but incremental change is anticipated that will gradually result in more mixed-use development in accordance with the 2040 Plan.



The Design Standards apply to the three specified Design Districts and elsewhere as defined below.

Land Uses in the Design Districts

Land Use in all Design Districts is controlled by the underlying zoning as specified in the Wayzata Zoning Ordinance found in Part IX of the Wayzata Code of Ordinances.

Standards Outside the Design Districts

In areas outside of the three Design Districts, Standards shall apply based on the Land Use identified within the Wayzata Comprehensive Plan and summarized in the following table:

Project Location	Comprehensive Plan Land Use	Applicable Design Standards
Lake Street District	All Land Uses	Lake Street District Standards
Bluff District	All Land Uses	Bluff District Standards
Wayzata Boulevard District	All Land Uses	Wayzata Boulevard District Standards
Commercial, Multi-family Residential, and Mixed Use Developments located outside the designated Design Districts	Estate Single Family	n/a
	One Acre Single Family	n/a
	Low Density Residential	Bluff District Standards
	Central Core Residential	Bluff District Standards
	Medium Density Residential	Bluff District Standards
	High Density Residential	Bluff District Standards
	Mixed-use Commercial/Residential	Wayzata Boulevard District Standards
	Institutional/Public	Bluff District Standards
	Semi-public/Private	Bluff District Standards
	Vacant	Bluff District Standards

1.C FRANCHISE ARCHITECTURE

Franchise Architecture is defined as a standardized architectural building style or other elements used as part of a standardized program to promote brand identity through visual recognition.

Applicants shall modify their standardized exterior designs as necessary to comply with these Design Standards, including but not limited to

- *Parking Lot Landscaping*
- *Parking Lot and Site Lighting*
- *Facade Design*
- *Rooftop Equipment Location and Screening*
- *General Standards for Materials Placement*
- *General Standards for Materials and Detailing*
- *Building Lighting*
- *Signage*

Franchise Architecture shall:

- Locate the parking behind the building and shall provide an entrance at the sidewalk on the public right of way frontage
- Screen surface parking from the back of the sidewalk by a combination of planting strip, a wall less than 4 feet in height,
- Compose building facades and architectural elements such as awnings, trims, and roofing of materials drawn from the included Materials palettes; high intensity and florescent colors shall be prohibited for use.
- Franchise signage shall be integrated into the building architecture, complement and enhance proposed building materials, and comply with the following Standards. All new, altered and/or proposed signage for buildings must be submitted for review under Section 909.22 by the Planning Commission at the time of Design Standards Review application.



This gas station design subordinates the signage and branding elements to the building architecture while locating the fuel pumps behind the building.



This small retail building uses detailing and additional height to enhance a one story franchise building

1.D HOW TO USE THIS DOCUMENT

DOCUMENT STRUCTURE

The Wayzata Design Standards document is organized into 3 Chapters and an Appendix:

1.0 Introduction

Explains why the Design Standards and Guidelines have been created, their intended function, where they apply, and how to successfully implement them.

2.0 Site Development Standards

Provides Design Standards and Guidelines for configuring sites to support the City's goals for high quality patterns of residential, commercial, and mixed-use development.

3.0 Building Design Standards

Establishes Design Standards and Guidelines for the architectural detailing of buildings, including massing, façade rhythm, creating visual interest through materials, and communicating building functionality and hierarchy through design.

A.0 Appendices

The appendices provide reference information to support the content of the Design Standards.

CHAPTER 3 BUILDING DESIGN
3.C.3 Roof Design

The strategic use of flat and sloped roof forms can help break up the scale of larger buildings.

INTENT
Memorial small-scale architecture in cold climates was characterized by steeply pitched roofs to shed snow and rain. While the scale of buildings has grown due to new technology and economic imperatives, small visible roof forms relating to massing can be effectively used to break down the scale of larger buildings.

APPLICABILITY
The following Roof Articulation Standards shall apply to every proposed multifamily and commercial façade exceeding 60 feet long and fronting a public right-of-way.

STANDARDS

- A visible sloped roof provided at the same level as the upper story setback required in Section 3.3.2 shall be allowed to fully approach in the setback up to a maximum width equal to 40% of the façade length.
- Sloped roof forms that provide decorative eaves and ridges, porchtop eaves and rake returns shall be permitted.
- Visible sloped roofs should provide a minimum roof pitch of 9:12.

RELATED SUBSECTIONS
Section 3.3.2 Upper Story Setback; Stepbacks

GUIDANCE

- Visible sloped roofs should be located to accentuate building massing and significant architectural features.
- Where provided, roof forms that be designed and located to coordinate and enhance building massing including significant eaves, porches, building entrances, and cornice design.

Fig. 3.3-1 A combination of upper story setbacks and visible sloped roofs can provide multiple variety and roof-to-building harmony.

Fig. 3.3-2 Porchtop eaves return are permitted.

Fig. 3.3-3 Visible sloped roofs are allowed to approach into the required upper story setback, up to a maximum width of 40% of the façade length.

CHAPTER 3 BUILDING DESIGN
3.C.4 Rooftop Equipment Location and Screening

Necessary equipment should be located where it won't detract from the architecture.

INTENT
Mechanical equipment is a necessary and while it is governed by overlapping codes and regulations, applicants must make every effort to conceal large and bulky equipment from public view.

APPLICABILITY
These standards apply to all commercial, multifamily residential, and mixed-use developments.

STANDARDS

- Rooftop equipment at the Lake Street and Macalester Boulevard Districts shall meet the following standards:
- No mechanical equipment shall be located on the roof deck. All equipment shall be located at the side or rear yard and concealed from view.
- Rooftop mechanical equipment is only allowed in the Macalester Boulevard District, and must be screened from view with a screen.
- Rooftop equipment at the Wayzata Boulevard District shall meet the following standards:
- Individual mechanical equipment items less than 3 feet square feet in area may be located on the roof surface.
- The total roof area covered by such equipment shall be limited to 20% of roof area.
- All mechanical equipment located on roofs shall be fully enclosed by a parapet or compatible architectural elements.
- Mechanical equipment in excess of the standard shall be located on grade in the rear or side yard and screened from view.
- Any mechanical equipment required by these standards to be located on grade shall be fully enclosed by a parapet or compatible architectural elements.
- Where allowed by the Wayzata Code of Ordinances, solar photovoltaic (PV) panels installed on flat roofs shall be installed on racks not exceeding 2 feet above the roof deck and shall be surrounded by parapets at least 3 feet in height.
- Where allowed by the Wayzata Code of Ordinances, solar photovoltaic (PV) panels installed on decorative features or awnings shall be recessed at least 12 inches from the edge of the structure.

GUIDANCE

- To the maximum extent feasible, rooftop equipment should be located in the least visually intrusive rooftop locations.

RELATED SUBSECTIONS
Section 3.3.2 Upper Story Setback; Stepbacks

Fig. 3.3-4 Mechanical equipment located on grade shall be fully concealed by screening material complementing the proposed building design.

Intent
Explains the rationale for the Standards

Standards
Enforceable and objective requirements for design and development

Images
Provide real-world demonstrations of the implementation of Standards and guidance.

Diagrams
Diagrams are provided to illustrate important and numerical Standards for development

Guidance
Where provided, additional Guidance helps to explain how standards can be met successfully or exceeded voluntarily

Related Subsections
References to other related sections in the Design Standards

1.E SUBMITTAL REQUIREMENTS

Scope

In addition to the other requirements of the Zoning Ordinance, applicants seeking design approval under the Standards shall provide the following design information to the City with an application:

Site Documentation

1. Eye level perspective images of the site from all publicly accessible frontages adjacent of the site with adjacent buildings labeled
2. Colored Illustrative Site Plan of the proposed project including the following:
 - 2.1 Graphic scale, north arrow, and vicinity map inset
 - 2.2 Dimensioned property boundaries and underlying lot lines; easements; and labeled and dimensioned adjacent Rights of Way
 - 2.3 Dimensioned proposed building footprints; buildings and building openings located on adjacent properties
 - 2.4 Lot coverage area, impervious surface area, and exterior paving,
 - 2.5 Dimensioned setbacks from all property lines
 - 2.6 Dimensions for any surface parking or structured parking entrances.
 - 2.7 Location of any proposed at-grade refuse enclosures or mechanical equipment (eg. A/C condensers, backflow preventers, cooling towers, pump houses, electrical transformers)
 - 2.8 Site topography and drainage plan depicting any creeks, ponds, bogs, lakes, or other waterways within 50 feet of the project site with "top of bank" line and elevation indicated
3. Illustrated Landscape Plan of the proposed project including the following:
 - 3.1 Tree inventory locating Significant and Heritage trees as defined by the City of Wayzata Tree Preservation Ordinance (Chapter 936). Trees proposed for removal and replacement trees shall be identified.
 - 3.2 Extent of Landscaping and Tree Canopy depicted at ten years' growth.
 - 3.3 Proposed hardscape location, dimensions, and area.

Design Documentation

4. Planning data including project density calculations, open space calculations, floor area, and parking count.
5. Accurately colored and detailed three-dimensional perspective images from at least two vantage points that clearly show all aspects of the project. The perspective images may be waived at the discretion of Community Development staff for renovations or small projects.
6. Colored building elevations of all facades (one-eighth inch scale min.) including the following:
 - 6.1 Any structures or landscaping adjacent to the property line
 - 6.2 Height dimensions to the top of wall plate, 1/2 of the height of sloped roofs, and total height to the highest roof ridge or parapet
 - 6.3 Location and dimensioned clear width of any Significant Massing Break and Building Recess
 - 6.4 Incorporation and identification of material and finish of all windows, trims, eaves, awnings, trellises, doors, storefronts, chimneys, downspouts, vents, proposed roof equipment and screening, rooftop decks, elevator and stair enclosures, and other exterior building elements.
 - 6.5 Location and appearance of proposed fences, walls, and exterior mechanical equipment
7. Diagrams of each building facade providing:
 - 7.1 Calculations of glazing percentage and solid wall surfaces for all exterior facades

- 7.2 Dimensioned length of each facade frontage, inclusive of any Building Recess
- 8. Floor Plans of each floor including:
 - 8.1 Exterior entrances and glazing
 - 8.2 Dimensions for required Significant Massing Break, Upper Story Building Stepbacks, and Building Recess
 - 8.3 Residential common amenity areas and residential units
 - 8.4 Elevators, stairs, and building circulation
- 9. Roof Plan including:
 - 9.1 Conceptual location of any proposed Rooftop Equipment Location and Screening and details and dimensions of such equipment
 - 9.2 Equipment screening location and details
 - 9.3 Conceptual location and configuration of proposed trellises, canopies, and photovoltaic solar arrays.
- 10. Conceptual Building Sections to depict the following:
 - 10.1 Relationship of building and parapet heights to adjacent buildings
 - 10.2 Section diagram showing concealment of any proposed rooftop equipment from eye-level view at adjacent public rights of way
 - 10.3 Any sites located on or directly adjacent to slopes greater than 10% shall provide longitudinal and cross sections through adjacent properties to illustrate how the proposed building fits within the surrounding topography
- 11. Lighting Information
 - 11.1 Lighting Plan identifying the location, mounting height, and type of all exterior lighting
 - 11.2 Cut sheets for proposed exterior lighting fixtures including: material and finish; conceptual light output level (lumens); Backlight/Uplight/Glare (BUG) rating; Color Rendering Index (CRI); and Correlated Color Temperature (CCT) for the luminaire.

Lighting Plan identifying the location, mounting height, and type of all exterior lighting¹¹.

Material and Color Documentation

- 12. Materials and color documentation shall include (but not be limited to):
 - 12.1 Physical samples of any exterior materials proposed as deviations from the defined materials palettes shall be provided along with a sample of the palette material the deviation is proposed to replace. Samples shall be mounted on one 24x36" board with a proposed rendering of the project.
 - 12.2 Color chips for walls, accent materials, trims, awnings, architectural metalwork and samples of visible roofing

2 Site Design

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2.A Site Design Standards

Good site design helps buildings connect to and integrate better with the overall city fabric and provides amenities for a livable community. The single most important design strategy is prioritize people over automobiles by locating buildings adjacent to public streets and walks and by placing parking behind buildings. The configuration of development sites should use design strategies appropriate to Wayzata in order to relate to and better reflect the existing context and to enhance the existing small town character.

The Standards and guidance provided in this chapter apply to projects at different scales with the understanding that site design and development amenities become more important as the proposed development area grows larger.



Infill projects should continue the vibrant, walkable character of Wayzata and projects on larger sites should k to extend this character to fill in existing gaps.

2.A.1 Design Standards for Medium-Scale Sites

Site design for medium sized sites is more focused on the site than at small, infill sites.

INTENT

Site design determines the relationship between buildings and their surroundings. Medium-scale sites present more opportunities for landscaping and placemaking than small infill sites do. These sites are large enough to comfortably fit two or three buildings and additional site amenities. Medium-Scale sites should be seen as an opportunity to fill in gaps in the built fabric and sidewalk network of Wayzata.

APPLICABILITY

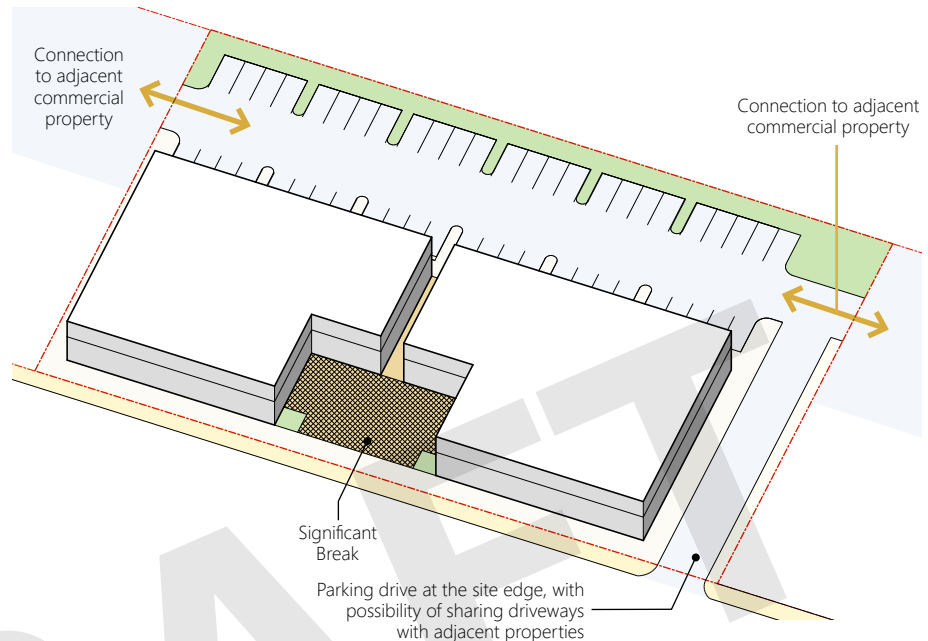
Medium-scale sites are defined as follows:

- A proposed total area from 1-3 Acres, either as a single parcel or multiple contiguous parcels in the same development application.

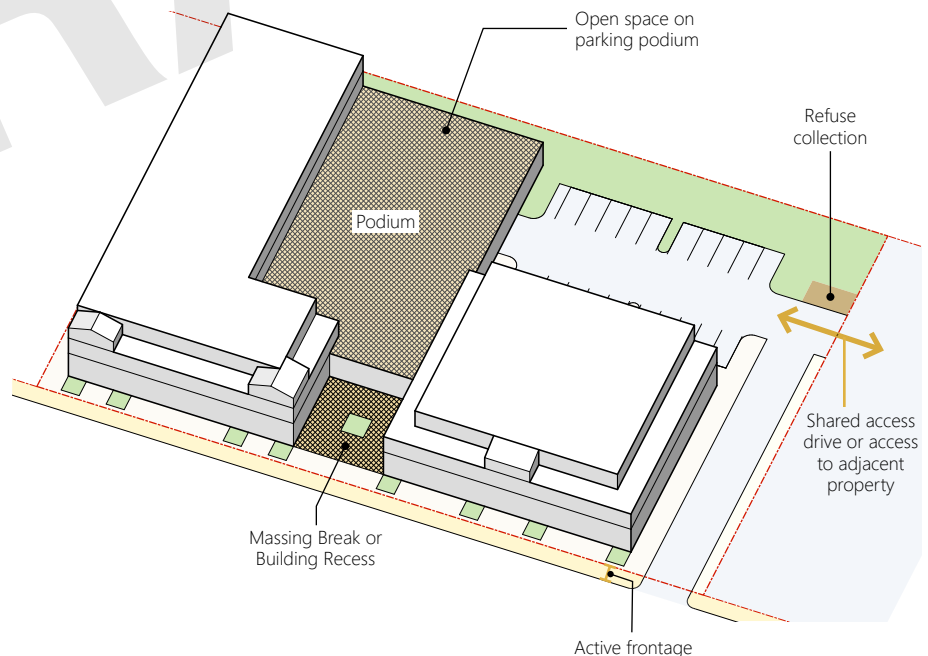
Medium-scale sites shall comply with underlying zoning.

STANDARDS

- S1. Proposed buildings shall be located on and oriented to public rights of way and parking shall be located behind the building
- S2. Proposed new construction located on designated Hennepin County rights of way and directly abutting County sidewalks shall construct a sidewalk extension with a minimum 2 foot width on the proposed parcel.
- S3. Service areas such as refuse bins and trash rooms shall be located behind or inside the building and away from any proposed Usable Open Space.



LOW INTENSITY DEVELOPMENT OF A MEDIUM SCALE SITE



HIGH INTENSITY DEVELOPMENT OF A MEDIUM SCALE SITE

Fig. 2.1 Analyze and understand the importance of a development site within the surrounding context. Consider the location of uses and connections to the surrounding area when designing a new development.



Fig. 2.2 Retail development centered on a pedestrian walkway connecting store entrances to a rear parking lot.



Fig. 2.3 Outdoor dining plaza attached to ground floor restaurant.



Fig. 2.4 Active frontage at the ground level created using retail, restaurants and outdoor seating.

GUIDANCE

- G1. Proposed commercial buildings should provide a setback between the sidewalk and building sufficient to accommodate outdoor dining and seating areas. Setbacks may need to exceed the existing zoning minimum to be functional.
- G2. Proposed residential buildings should provide a setback between the sidewalk and building sufficient to accommodate enhance landscaping, stoops, or terraces. Setbacks may need to exceed the existing zoning minimum to be functional.
- G3. When required by [Section 2.B.1](#), retail and mixed-use site design should be centered around pedestrian walkways and plazas.
- G4. Site circulation elements should anticipate future connection to adjacent parcels where street or pedestrian connections are feasible, but not currently existing.
- G5. Residential and mixed-use projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.
- G6. Proposed open spaces should be oriented appropriately for solar exposure when possible to create a more comfortable micro-climate.
- G7. The design and location of a building and its massing on the site should enhance solar exposure for open spaces and residential units and minimize shadow impacts on adjacent structures and public areas to the maximum extent feasible.

RELATED SUBSECTIONS

[Section 2.B.1 Walkways and Pedestrian Amenities](#)

2.A.2 Site Design Standards for Large-Scale Sites

Development for larger scale sites should focus as much on the site as on the buildings

INTENT

Site design determines the relationship between buildings and their surroundings. Large-scale sites present the most opportunities for landscaping and placemaking. These sites are large enough to comfortably fit four or more buildings and additional site amenities. Since these sites are much larger than their surrounding context, proposed site design must provide internal circulation and appropriately-scaled amenities to sensitively fit into the surrounding town fabric.



Fig. 2.5 Multiple buildings developed on a large site, with internal circulation, appropriately-scaled open spaces and active frontages along the public streets.



APPLICABILITY

Development sites with

- a proposed total area exceeding 3 Acres, either as a single parcel or multiple contiguous parcels proposed in the same application.
- or as determined by Community Development Staff

STANDARDS

- S1. In areas with identifiable street patterns, internal circulation (such as drives, driveway aisles, alleys, and private streets) shall align with the surrounding street network. Connections to existing streets shall be made to the maximum extent feasible.
- S2. Proposed buildings shall be located on and oriented to public rights of way and parking shall be located behind the building or in the center of the site.
- S3. Proposed buildings located on designated Hennepin County rights of way shall construct a sidewalk extension with a minimum 2 foot width on the proposed parcel.
- S4. When required by [Section 2.B.1](#), retail and mixed-use site design should be centered around pedestrian walkways and plazas.

GUIDANCE

- G1. Proposed commercial buildings should



Fig. 2.6 Retail pad site development providing a corner open space

- G2. provide a setback between the sidewalk and building sufficient to accommodate outdoor dining and seating areas.
- G2. Proposed residential buildings should provide a setback between the sidewalk and building sufficient to accommodate enhanced landscaping, stoops, or terraces as required by [Section 3.B.2](#)
- G3. Site circulation elements should anticipate future connection to adjacent parcels where street or pedestrian connections are not currently feasible.
- G4. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.
- G5. Proposed open spaces should be oriented appropriately for solar exposure when possible to create a more comfortable micro-climate.
- G6. The design and location of a building and its massing on the site should enhance solar exposure and minimize shadow impacts on adjacent structures and public areas to the maximum extent feasible.

RELATED SUBSECTIONS

[Section 2.A.3 Design Standards for Usable Open Space](#)

[Section 2.B.1 Walkways and Pedestrian Amenities](#)

[Section 3.B.2 Ground Floor Design](#)

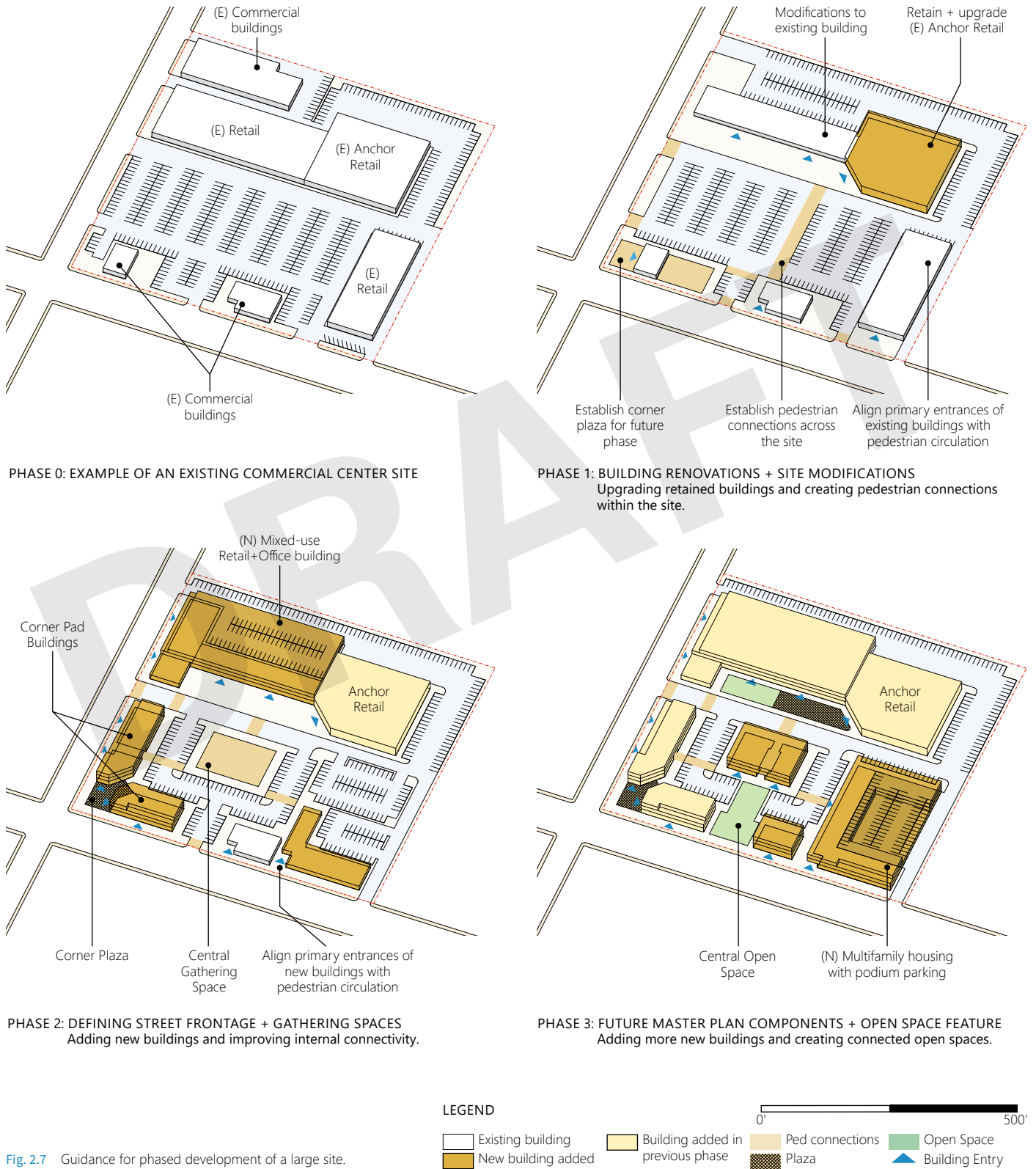


Fig. 2.7 Guidance for phased development of a large site.

2.A.3 Design Standards for Usable Open Space

Usable Open Space isn't a burden in a town like Wayzata, it's an amenity

INTENT

Open Spaces must be more than just the space between buildings. They provide desirable amenities to development residents and improve the perception of development quality while contributing to a unique sense of place.

APPLICABILITY

Usable Open Space for is required to be provided for residents of multifamily development, including multifamily mixed-use development, in accordance with Wayzata Code of Ordinances section 919.08: Usable Open Space. The following Design Standards establish the usability of Open Spaces such as lawns, patios, gardens, decks, balconies, swimming pool areas, and pet areas.

STANDARDS

Site area designated as Usable Open Space shall be sloped at less than 3/4 inch per foot (6.25%) or be terraced to achieve this slope. Terraced areas shall meet the following minimum area standards

- S5.** Usable Open Space intended for private use by an individual dwelling shall meet the following:
- Private open space shall be directly accessible from and adjacent to the associated dwelling unit
 - Private open space shall provide a minimum dimension of 5 feet in any direction to be considered usable
- S6.** Usable Open Space intended for shared use by residents in a proposed building or development shall meet the following:
- Buildings, streets, or walkways shall face onto shared use open spaces
 - Shared use open spaces shall provide a minimum area of 250 square feet and a minimum dimension of 15 feet to be considered usable
 - Shared use open spaces shall provide lighting, walkways, benches or tables, and landscaping.



Fig. 2.8 Roof terraces provide the opportunity for open space to be shared among building residents.



Fig. 2.9 Front terraces provide sociable, private open space.



Fig. 2.10 Stoops allow for a balance of privacy and interaction



Fig. 2.11 'Podium' levels on top of structured parking provide an opportunity for shared open space and resident amenities.



Fig. 2.12 Open Space requirements are an opportunity to create usable amenities for residents

GUIDANCE

- G1. Proposed open spaces should be oriented appropriately for solar exposure when possible to create a more comfortable micro-climate.
- G2. Open spaces should be the fundamental organizing element of the site plan for any site larger than 3 acres
- G3. Open spaces should provide good quality landscaping, trees, and amenities.
- G4. Residential developments on large scale sites should consider the inclusion of pet exercise areas.
- G5. If provided, play equipment should be located in areas demonstrated to be convenient and highly visible for a majority of residents.

RELATED SUBSECTIONS

[Section 2.A.2 Site Design Standards for Large-Scale Sites](#)

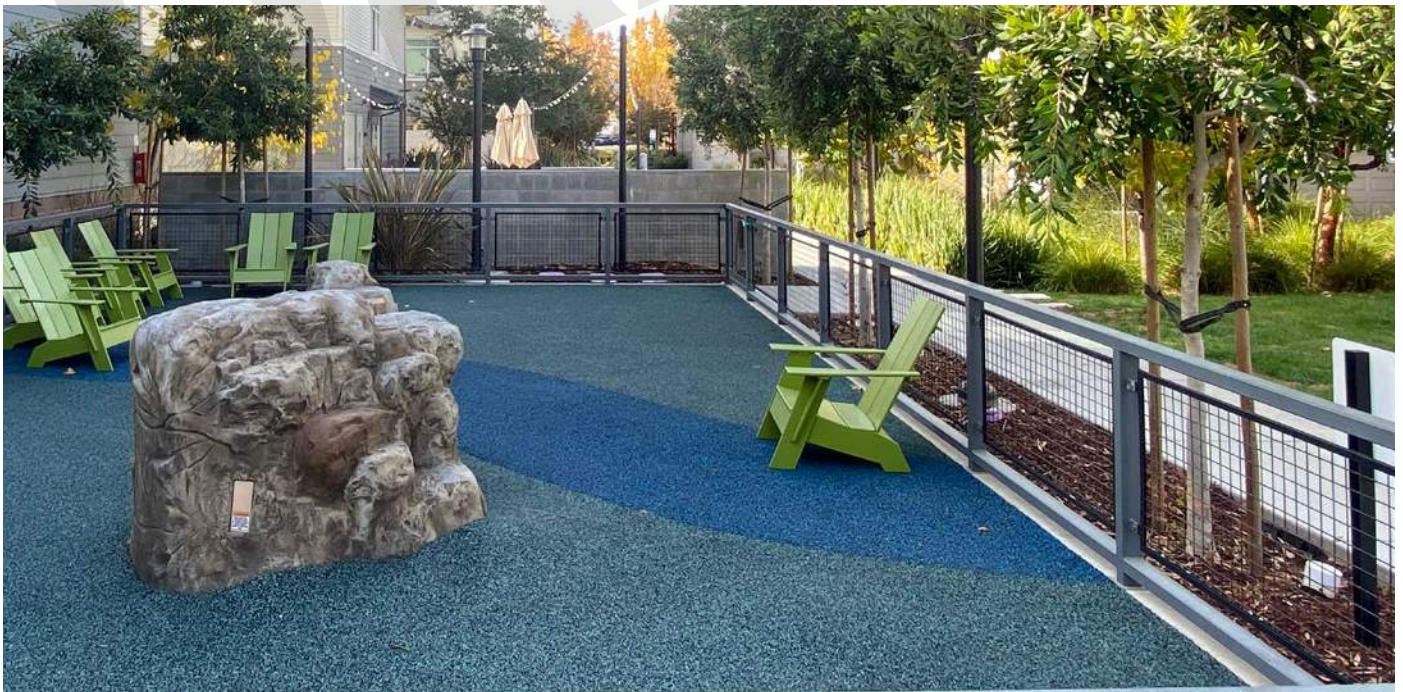


Fig. 2.13 A pet exercise area is a useful open space amenity for residential development on large sites.

2.B Standards for Site Elements

The following standards exist to ensure that the quality of site design extends from the overall site concept to its constituent parts. This section focuses on the most important considerations to support good site design: the establishment of an active pedestrian realm through walkways and landscaping and the reduction of parking impact through sensitive parking design and location.



The layout of site elements should reinforce, not detract from, the overall design concept.

2.B.1 Walkways and Pedestrian Amenities

Encouraging walkability makes for inviting neighborhoods and healthy lifestyles

INTENT

As both a small town established generations before the invention of the automobile and as a community blessed with a beautiful natural setting and phenomenal recreational opportunities, Wayzata should not be developed like a typical car-centric suburb. New development should strive to provide comfortable pedestrian access and to fill in existing gaps in the pedestrian network.

APPLICABILITY

The following standards apply to walkways interior to development sites and to public sidewalks. At public frontages, sidewalks shall also comply with relevant engineering standards of the City of Wayzata or of Hennepin County, as applicable.



Fig. 2.15 Walkways need to provide attractive lighting and landscaping

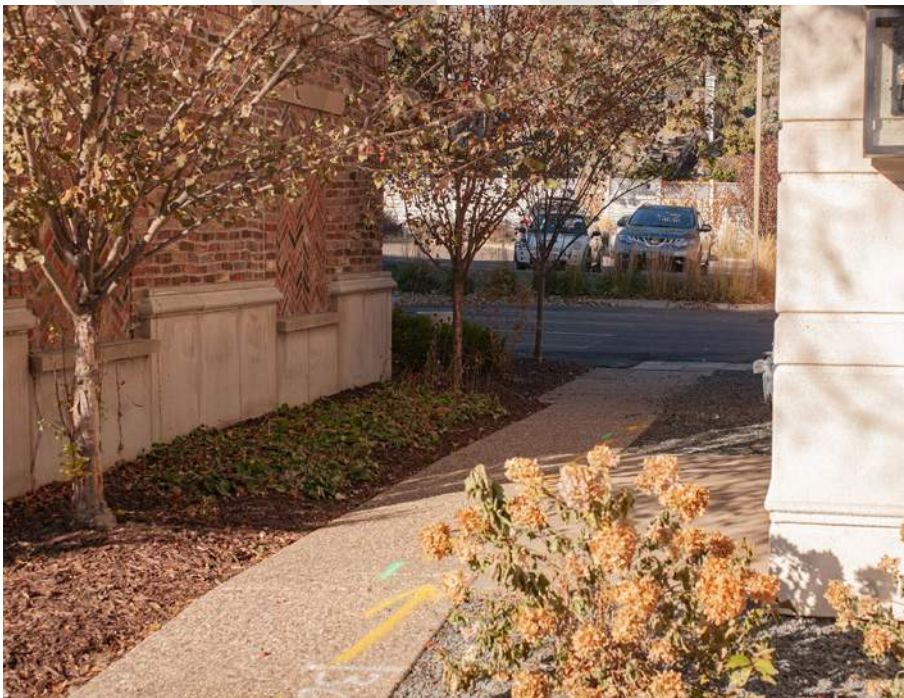


Fig. 2.14 A landscaped pedestrian walkway connects rear parking with the public sidewalk

STANDARDS

All Districts

- S1.** Continuous sidewalks shall be provided along all public street frontages to the following dimension:
- Lake Street District: 12 feet, inclusive of 6 foot planting zone
 - Bluff District: 5 feet
 - Wayzata Boulevard: total sidewalk width inclusive of Hennepin County sidewalk and private extension shall be no less than 7 feet in width. Refer to [Section 2.A.1](#) and [Section 2.A.2](#)
- S2.** Where the street grid is interrupted by steep slopes or other topographic impediments, walkways, ramps, or stairways shall be provided to maintain pedestrian continuity.

Lake Street and Wayzata Boulevard

- S3.** Internal walkways shall extend on private property to connect building entrances to rear or side parking areas. These walkways shall provide:
- Pedestrian-scale lighting
 - 5 foot minimum sidewalk width
 - 6 foot wide minimum landscape strip at any adjacent building wall
- S4.** Sidewalk surfaces at public street frontages shall provide exposed aggregate/brick sidewalks matching those on Lake Street.

GUIDANCE

- G1.** Where parking lot or vehicular connections are infeasible between adjacent properties, walkway connections should be provided.

RELATED SUBSECTIONS

[Section 2.A.1 Design Standards for Medium-Scale Sites](#)

[Section 2.A.2 Site Design Standards for Large-Scale Sites](#)

[Section 2.B.4 Landscaping](#)

[Section 2.B.6 Parking Lot and Site Lighting](#)

2.B.2 Surface Parking and Bicycle Parking

Development should support active transportation and embrace life in a trail town

INTENT

Parking is necessary for convenience and access, but it should not be allowed to overwhelm the friendly, walkable character of a small town. The following standards have been developed to respect the character of Wayzata.

APPLICABILITY

These Standards apply to all districts.

STANDARDS

All Districts

- S1. Off street parking shall be located behind buildings, or in side yards if a rear location is proven to be infeasible. Front yard and corner parking locations are prohibited.
- S2. Side yard parking lot width shall be limited to 60 feet and shall be separated from the sidewalk by a landscape buffer (See [Section 2.B.5 Parking Lot Landscaping](#)).
- S3. Side yard parking shall not extend beyond the front yard setback of the primary building on the property.
- S4. Side yard parking lots on adjacent properties shall either share or be separated by a landscaped buffer with a minimum dimension of 20 feet.
- S5. Bicycle parking shall be provided as follows:
 - Commercial development providing more than 20 spaces shall provide a minimum of 4 secure bicycle parking spaces
 - Mixed-use development with a retail or commercial component shall provide a minimum of 4 secure bicycle parking spaces
 - Bicycle parking spaces shall be located within 100 feet of the main building entrance in a visible and convenient location.
 - Bicycle racks shall allow two points of locking and shall conform to applicable City standards.



Fig. 2.17 Visible and convenient bicycle parking serving commercial functions and located close to the main entrance

- Bicycle parking shall be located in the [Building Recess](#), in side yards, or, where approved by the city, in boulevard or street tree areas.

GUIDANCE

- G1. Surface parking should be located in the rear yard to the maximum extent feasible.
- G2. Bicycle parking should be weather protected by roofs or interior locations where feasible.
- G3. Bicycle parking racks should conform with the Association of Pedestrian and Bicycle Professionals (APBP) guidelines.

RELATED SUBSECTIONS

[Section 2.B.5 Parking Lot Landscaping](#)



Fig. 2.16 Bicycle parking can be located in building recesses, or in boulevard or street tree areas where allowed by the city.

2.B.3 Parking Structures

Parking structures must be integrated carefully into a small town context.



Fig. 2.18 A parking facade that achieves compatibility with the materials and rhythm of surrounding buildings

INTENT

Parking structures can be used to minimize surface parking, but are visually intrusive. The following Standards reduce the visual impact of parking structures to fit them into the small town context of Wayzata.

APPLICABILITY

These Standards apply to all above-ground parking ramps. Private garages serving individual units shall be exempt from these Standards.

STANDARDS

All Districts

- S1.** Parking structures shall comply with all Design Standards for nonresidential buildings.
- S2.** Parking structure facades fronting any public street or walkway shall be

compatible with the materials and architectural rhythm of surrounding commercial buildings.

- S3.** Sloped floors or ramps shall not be expressed on exterior parking structure facades.
- S4.** Parking structure windows or openings shall be similar in scale and proportion to those of surrounding buildings.
- S5.** Trellised vines and other significant landscaping shall be used to minimize the visual impact of parking structure walls.

Lake Street District

- S6.** If any part of a parking structure abuts Lake Street, that entire portion of the ground floor facade shall be occupied by at least 80 percent retail usage, extending to a depth of at least 30 feet.
- S7.** Parking structures shall be located a minimum of 40 feet from the Lake Street right of way at the ground level.
- S8.** The top decks of parking structures visible from adjacent properties shall be designed with overhead trellises or shade structures demonstrated to screen at least 50 percent of the visible area.

GUIDANCE

- G1.** Parking structures should be located behind buildings to the maximum extent feasible.
- G2.** Where feasible, parking structures may be built partially subgrade or built into slopes to reduce their perceived mass.
- G3.** Parking structures should integrate electric vehicle (EV) charging stations or prewire for future EV station installation.



Fig. 2.19 This parking structure is sited behind buildings and built into a slope to reduce visual intrusiveness.

2.B.4 Landscaping

Landscaping is the setting that will help make architecture shine.

INTENT

Lush and attractive landscaping helps to reinforce the charm of a small town like Wayzata and to mark the progression of the seasons. Development projects are responsible for providing both perennial site landscaping and for maintaining seasonally-appropriate displays of flowers.

APPLICABILITY

All Design Districts.

Where these Standards conflict with city ordinances such as Chapter 936: Tree Preservation, the most stringent regulation shall prevail.

STANDARDS

- S1.** Street trees shall be planted at all public frontages to comply with the following:
 - Minimum size of three caliper inches
 - Maximum spacing of 26 feet
 - Located within a landscaped boulevard or tree well 6 feet in width
 - Street trees at Hennepin County right of way frontages shall be planted between the building and sidewalk.
- S2.** Window boxes, hanging baskets and planters with seasonally appropriate plantings shall be provided at entries to buildings and public frontages at a rhythm corresponding to architectural features.
- S3.** Development sites with street frontage exceeding 50 feet in length shall provide a minimum of one bench using a City-approved design for each 150 feet of frontage length.
- S4.** Trellised vines shall be used to cover walls with more than 100 square feet of uninterrupted surface area.
- S5.** Perennial Landscape design documents shall depict species growth 10 years after installation.



Fig. 2.20 Landscaping contributes to an attractive building frontage and helps to buffer outdoor dining from the public sidewalk.

GUIDANCE

- G1.** To the maximum extent feasible, ornamental garden areas and trees shall be used at the street level.
- G2.** Landscape plans should demonstrate incorporation of seasonal variety and diverse color and texture to the maximum extent feasible
- G3.** Perennial plants should be selected to achieve a target of 60% Minnesota native species, species attractive to pollinators, and low-maintenance species to reduce use of pesticides and water.



Fig. 2.21 Planters provided at entries add variety when perennials are out of season.



Fig. 2.22 Benches provide opportunities for socialization.

2.B.5 Parking Lot Landscaping

The goal of parking lot landscaping is to minimize the visual and environmental impact of parking lots.



Fig. 2.23 Surface parking lots shall provide Planting Strips parallel or perpendicular to parking aisles.

INTENT

When surface parking is proposed adjacent to public rights of way landscaping must be used to screen the view of parking.

APPLICABILITY

Surface parking lots in all Design Districts.

STANDARDS

- S1.** A landscaped buffer strip shall be provided between surface parking areas and all sidewalks or public streets. Landscape Buffer Strips shall provide all of the following:
- 6 foot minimum planting width
 - Shade trees of a minimum 3 inch caliper size planted at 26 foot maximum spacing or a continuous, dense hedge
 - A decorative solid masonry wall or ornamental iron rod fence between 3-4 feet in height

- S2.** Parking Planting Strips shall be provided at surface lots with more than one aisle. Such parking strips shall be either parallel or perpendicular to parking lot aisles to comply with the following:

- Shade trees shall be planted in Parking Planting Strips at 30 foot maximum linear spacing in parking planting strips and shall be 2 1/2 inch caliper minimum size.
- Parking Planting Strips shall be a minimum of 6 feet deep
- Parking Planting Strips oriented perpendicular to parking aisles shall be provided at a maximum average spacing of 40 feet on center.
- Parking Planting Strips oriented parallel to parking aisles shall be provided at a maximum average spacing of 65 feet on center.

GUIDANCE

- G1.** Developments proposing parking lots with multiple aisles should provide a pedestrian path through the parking area to the building entrance.
- G2.** Trees planted in the landscaped buffer strip should be aligned parallel to boulevard tree planting to the maximum extent feasible.

RELATED SUBSECTIONS

[Section 2.B.2 Surface Parking and Bicycle Parking](#)

[Section 2.B.6 Parking Lot and Site Lighting](#)

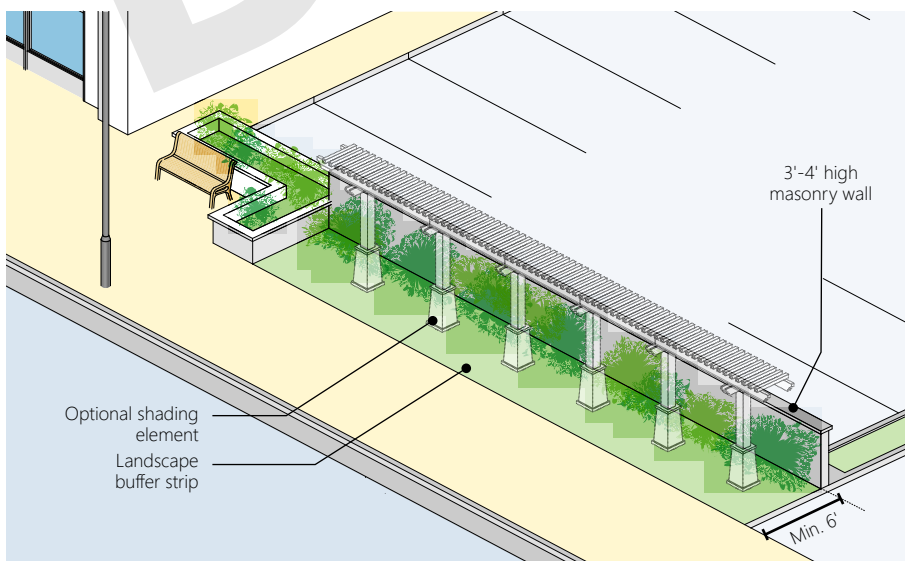


Fig. 2.24 Surface parking areas shall be screened from sidewalks and public streets using a landscape buffer strip.

2.B.6 Parking Lot and Site Lighting

Site lighting should minimize light pollution while ensuring security and walkability

INTENT

Uniform lighting is important to ensure safety and security, however the over-lighting of parking lots is a significant contributor to light pollution and impacts the health of migratory species. These Standards ensure safety while protecting environmental quality.

APPLICABILITY

All surface parking lots and site development for commercial, multifamily, and mixed-use development in all Design Districts.

Where Standards conflict with City ordinance, the most stringent shall prevail.

STANDARDS

- S1. Parking lot lighting shall be scaled in proportion with its surroundings. Fixture mounting height shall not exceed 24 feet.
- S2. Pedestrian-scaled lighting shall be provided at walkways and shall not exceed 13 feet in mounting height.
- S3. Lighting fixtures shall minimize glare and light pollution through all of the following means:
 - Specified lighting fixtures shall demonstrate a maximum Backlight/Uplight/Glare (BUG) rating of B2 U2 G0
 - Fixtures located less than 48 feet from property lines or residential windows shall be shielded to prevent light trespass.
 - Fixtures shall be located below the anticipated mature height of shade trees located in parking lot islands to minimize ambient glow and light pollution.
- S4. All lighting fixtures shall comply with City Code Section 916.06 as it relates to glare.



Fig. 2.25 Pedestrian-scale and parking lot site lighting contributes to reducing light pollution by using fixtures with minimal backlight, uplight, and glow.

- S5. Where used for site lighting LED (Light Emitting Diode) luminaires shall be demonstrated to comply with the following:
 - Minimum Color Rendering Index (CRI) of 90
 - Correlated Color Temperature (CCT) between 2700-3500K.
- S6. Light posts shall be a dark color selected to complement proposed architectural materials.
- G2. Smart and networked technologies should be integrated to the maximum extent feasible to limit excess lighting and conserve energy:
 - Astronomical timers used to shut off landscape and accent lighting between the hours of 10pm-6am.
 - Motion and occupancy sensors for security lighting allowing 50% dimming for unoccupied areas

GUIDANCE

- G1. Parking lot and site lighting levels should be provided at the minimum level allowed under the Illumination Engineering Society of North America (IESNA) lighting guidelines and applicable codes.

3 Building Design

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Introduction

Wayzata was once an ordinary small town in an extraordinary location on Lake Minnetonka. As the Twin Cities region has prospered, Wayzata has struggled with the inevitable pressure of suburbanization. It is the goal of the City that new development will respect the character of Wayzata and prioritize human scaled small-town charm over large statement buildings that stand out from their context.

However, it is not the intent of these Design Standards to require a singular design solution or architectural style for all new development. The following Building Design Standards attempt to develop a common vocabulary of massing, materiality, and design elements that work together to reinforce a place-based character that supports the vibrant, small-town lifestyle envisioned by the Wayzata Comprehensive plan.

The following Standards are meant to guide applicants to successfully break down the scale of their buildings; to develop façade patterns reflecting the traditions of the past while reinforcing human-scale; to propose simple combinations of materials that are applied logically to building massing; and to enhance building character through tasteful lighting and signage.



3.A Massing

Building scale is often a contentious issue in Wayzata. Desires for economic efficiency have led to larger and larger projects that have been grossly out of scale with Wayzata's small-town character.

It is notable that several projects been perceived as being out of scale have frequently run into issues gaining approvals and a clear, predictable framework for evaluation is desirable.

The goal of these Massing Standards is to guide applicants to craft buildings that strategically reduce their bulk to respect the fine grain of Wayzata, respect views, and enrich the public life of our small town.

The following Massing Standards require applicants to break long buildings into smaller buildings, provide façade relief through recesses, and to substantially step back the upper floor to reinforce a two-story Main Street streetfront character.



3.A.1 Significant Massing Break

Long buildings must be subdivided to respect the small-town scale of Wayzata

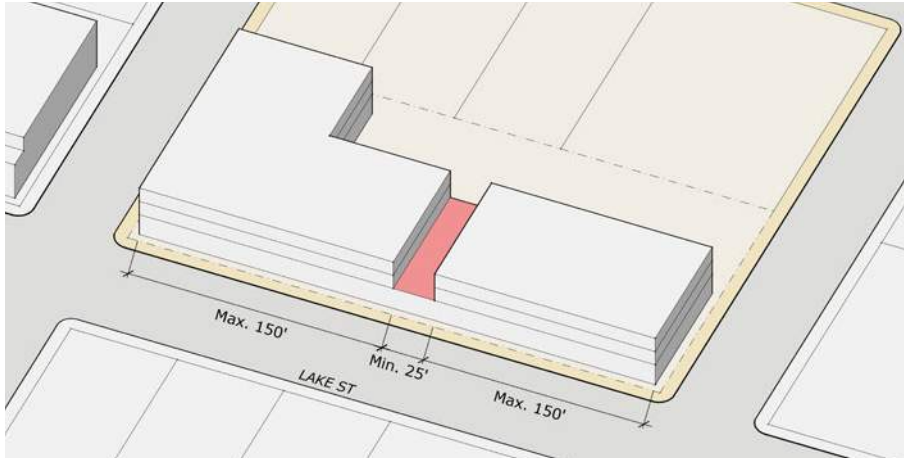


Fig. 3.26 Provide a significant massing break for every 150' of façade.

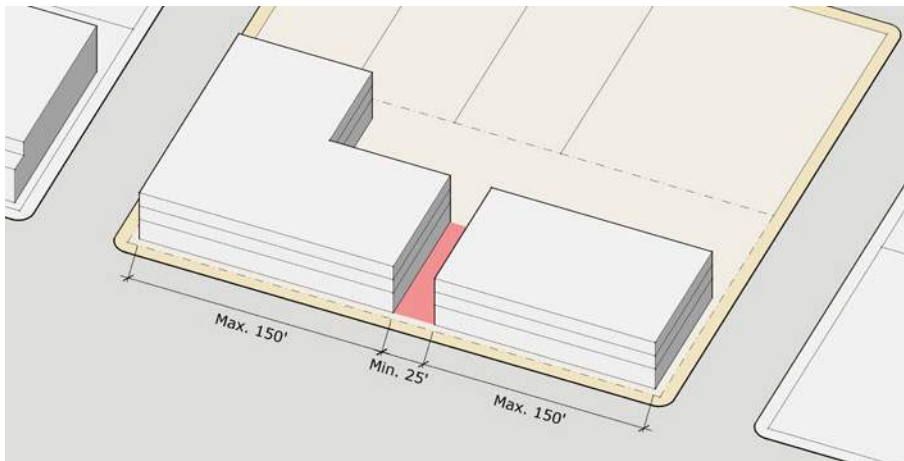


Fig. 3.27 For development located between Lake Street and the shoreline, provide mid-block connections for every 150' of façade to ensure views and access to the Lake when feasible.



Fig. 3.28 A significant massing break can help break down the scale of new development.

INTENT

The traditional town form of Wayzata is based on multiple buildings fitting within an average block length of 350 feet. These standards ensure that no building mass will be perceived to be larger than a half block in length. In addition, significant massing breaks will preserve views of Lake Minnetonka.

APPLICABILITY

Façades longer than 150 feet located on a public right of way.

STANDARDS

- S1. Buildings exceeding 150 feet of length on public rights of way shall provide one significant massing break for every 150 feet of façade to respond to the small-scale character of Wayzata. Significant massing breaks shall be defined as:
 - A massing void providing a minimum width of 25 feet and extending through the depth of the building above the ground floor level. (see Fig. 3.26)
 - A publicly accessible midblock pedestrian connection or street through the building with a minimum clear width of 25 feet. (see Fig. 3.27)
- S2. Proposed development located between Lake Street and the shoreline of Wayzata Bay shall provide any required significant massing breaks as midblock connections to provide street-level views of Lake Minnetonka and allow for potential future access to the lake. (see Fig. 3.27)

RELATED SUBSECTIONS

3.A.2 Building Recess

Building recesses are required to provide relief for long façades and to create unique street fronting amenities.

INTENT

Along with significant breaks, smaller recesses can reduce the impact of longer buildings. These regular façade breaks provide opportunities for increased outdoor dining, seating, landscaping, and other ground-level amenities.

APPLICABILITY

Each façade longer than 100 feet fronting on a public right of way.

STANDARDS

- S1. Building Recesses shall be provided to allow space for outdoor dining, seating, or landscaping. A *Significant Massing Break* located at the ground level shall also be allowed to qualify as a Building Recess.
- S2. Building Recesses shall provide a minimum dimension of 8 feet, a minimum area of 250 square feet, and shall not be located under upper story floor area. (see Fig. 3.29)
- S3. Building Recesses shall be provided to comply with the following:
 - a. **Lake Street:** one Building Recess shall be provided for every 100 feet of building frontage length on public right of ways
 - b. **Bluff District:** One Building Recess shall be provided for every 50 feet of building frontage length on public right of ways
 - c. **Wayzata Boulevard:** One Building Recess shall be provided for every 100 feet of building frontage length.

GUIDANCE

- G1. Building recesses should be located in proximity to main building entrances or dining uses.
- G2. To the maximum extent feasible, building recesses should be located with consideration for microclimate and favorable solar exposure.

RELATED SUBSECTIONS

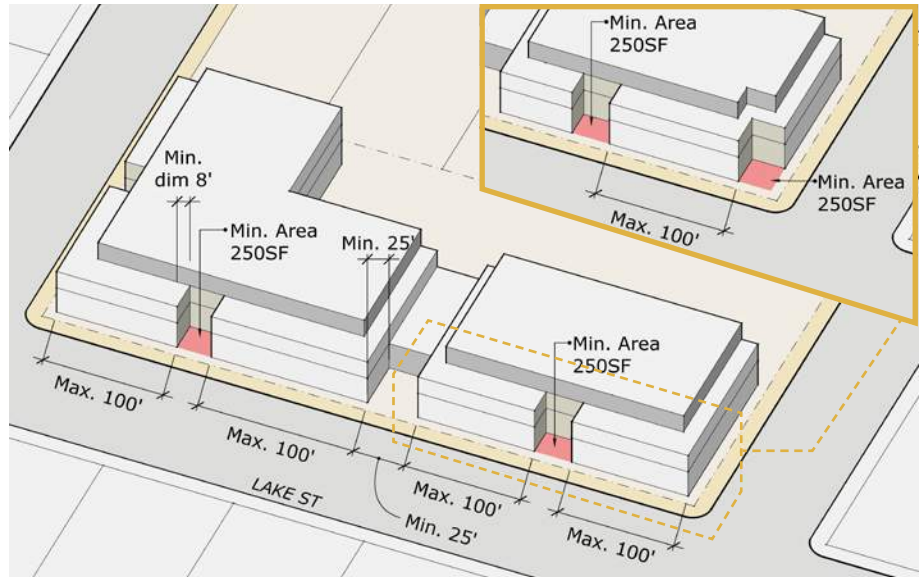


Fig. 3.29 Provide building recesses along façades longer than 100' in length. These may also be located on the corners, with appropriate spacing.

2.A.5 Landscape Design

3.B.1 Significant Break



Fig. 3.31 Landscaping and seating provisions can impart a sense of privacy to these spaces, which can be restful locations in the city.



Fig. 3.30 A building recess provides a gracious entry to a restaurant



Fig. 3.32 A charming recessed space with lighting and landscaping, used for outdoor dining.

3.A.3 Upper Story Building Stepbacks

Stepbacks at the upper story reinforce the streetwall while reducing the perception of height.



Fig. 3.34 Upper story stepback in a mixed-use building.

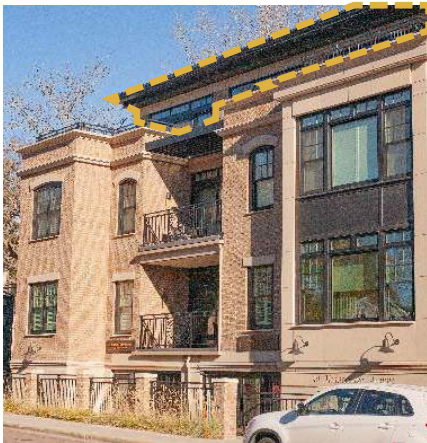


Fig. 3.33 Upper story stepback in a residential building.

INTENT

Wayzata should feel like a small town by the lake. Buildings must prioritize small-scale, two story massing to fit in. The following stepback standards ensure that the visual bulk of the third story elements is subordinated to two story massing. The third story design should be distinguished from the lower stories to visually recede from the pedestrian-scale street frontage.

APPLICABILITY

Every proposed multifamily and commercial façade exceeding 60 feet in length and fronting a public right of way shall provide an Upper Story Stepback at the highest occupied story.

STANDARDS

- S1. Where required, a building Stepback shall be provided at the highest occupiable story to reduce the perceived bulk and height of new development.
- S2. Required Stepbacks shall recess upper floors a minimum of 10% of the frontage length inclusive of the width of any provided *Building Recess* (see Fig. 3.35).
- S3. The required Stepback shall be allowed to be reduced where visible roof forms are located at the level of the Stepback.

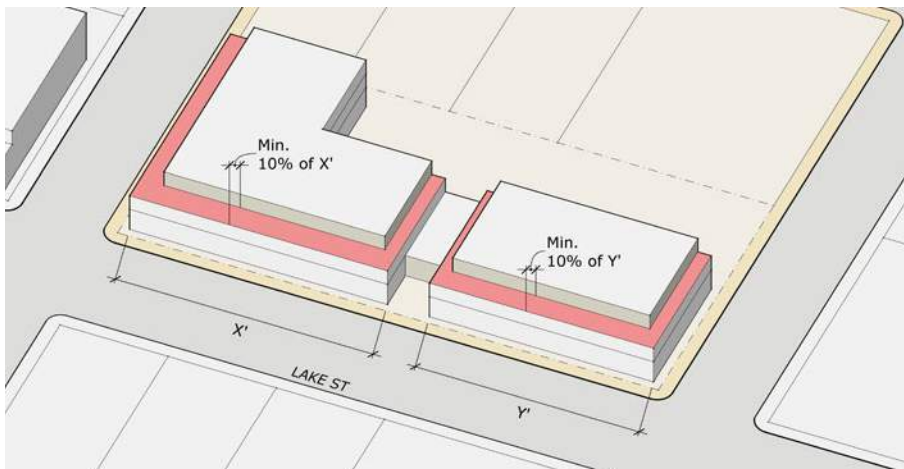


Fig. 3.35 Provide a Stepback at the upper story of developments. The Stepback shall be a minimum of 10% of the length of the facade.

Refer to [Section 3.B.3](#)

- S4. The following design elements shall be allowed to encroach within the Stepback area:
 - Awnings
 - Permanently installed trellises or pergolas
 - Sunshades
 - Solid parapets and railings up to 42 inches in height
 - Container plantings
 - Visible sloped roofs as limited by [Section 3.B.3](#)
- S5. The following design elements shall be allowed to encroach in upper story Stepbacks to a maximum width equal to 30% of frontage length:
 - Decorative tower elements
 - Screened porches
 - Solariums
 - Raised parapets exceeding 42" in height
 - Glass windscreens exceeding 42" in height.
- S6. The defined Stepback shall apply to each district as follows:
 - a. **Lake Street District and Bluff District:** the defined Upper Story Stepback shall apply to the third floor.
 - b. **Wayzata Boulevard District:** the defined Upper Story Stepback shall apply to the uppermost floor (see Fig. 3.35).

GUIDANCE

- G1. Wintertime sun orientation, solar access, and views of Lake Minnetonka are significant issues within the Design Districts. Building height should not negatively and significantly impact neighboring properties.

RELATED SUBSECTIONS

[Section 3.B.1 Facade Design](#)

[Section 3.B.3 Roof Design](#)

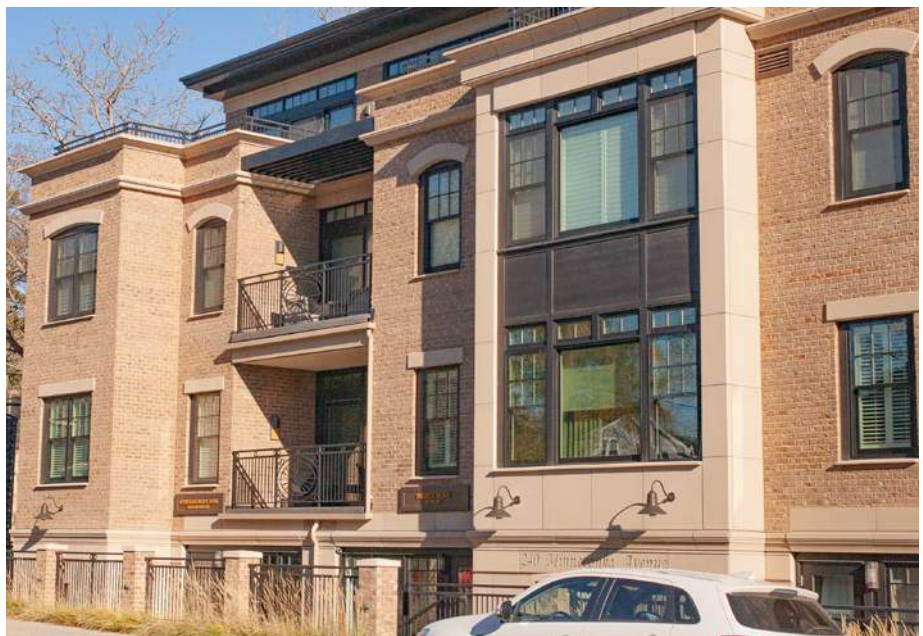
3.B Elements of Building Design

Well-designed buildings throughout time and place have a few fundamental characteristics in common. This section is provided to guide applicants toward design approaches that will fit comfortably in the fabric of Wayzata and will stand the test of time.

This section is structured around a tripartite division of building facades into a base, a middle, and a top. This horizontal articulation helps to anchor buildings solidly to the ground and relate them to human scale, while using the roofline to delineate them against the sky.

An additional design consideration is the issue of vertical rhythm. The traditional fabric of towns and cities from Wayzata to Warsaw has been characterized by multi-story buildings on narrow lots; these create a complex vertical rhythm along the streetfront.

In the current era, economic imperatives favor the largest possible building to spread land and labor costs across the greatest rentable area. In order to fit in a traditional small-town context like Wayzata, buildings should articulate themselves with tripartite horizontal divisions and small-scale vertical rhythm.



Vertical bays and recessed balconies provide small-scale articulation to this larger building

3.B.1 Facade Design

The articulation of building façades adds to the visual richness of development and the character to neighborhoods.



Fig. 3.36 Residential buildings - Design façades with base, middle, and top, and articulate them with bays, plane changes, decks, and balconies.

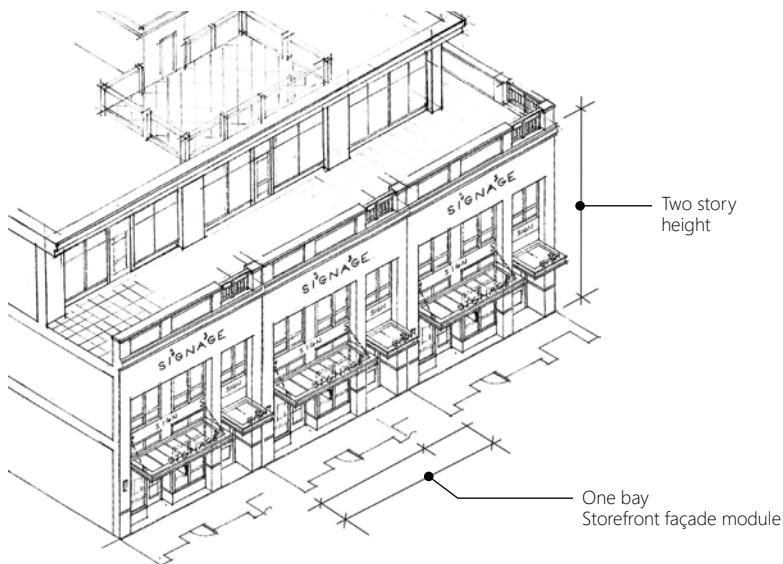


Fig. 3.37 Emphasizing a human-scale streetscape by creating façade rhythm and articulation that emphasizes the first two stories of the building.



Fig. 3.38 A two story façade module with upper story setback



Fig. 3.39 This existing human-scale storefront façade creates rhythm with shutters & awnings

INTENT

Most buildings in Wayzata were originally built on small lots, resulting in fine grained development. These Standards ensure that façades provide a vertical rhythm at a scale comparable to traditional development.

Attentive building design can provide transitions between different elements and reinforce visual hierarchies. Elements such as bay windows, awnings, balconies, changes in wall plane and parapet height, or the differentiation of materials and colors impart a human-scale and quality to larger building volumes.

APPLICABILITY

The following guidance applies across all districts, to all commercial, multi-family, and mixed-use buildings.

STANDARDS

- S1.** Building articulation elements shall be provided at a maximum average spacing of 40 feet. (See Fig. 3.36)
- S2.** Facade articulation shall be provided through any of the following elements:
 - A projecting bay, entry vestibule, or recess extending from the ground level through the second floor
 - A ground-level Building Recess (refer to [Building Recess](#))
 - A change in the rhythm of windows and awnings at the ground level and second floor combined with a change of parapet height or material

RELATED SUBSECTIONS

[Section 3.A.2 Building Recess](#)

[Section 3.C Building Materials: Placement](#)

3.B.2 Ground Floor Design

Good buildings are a frame for the canvas of small town life

INTENT

The charm of Wayzata, like small towns everywhere, comes from a lively streetscape creating opportunities for window shopping, sociability, and spaces for people. Appropriate ground floor design for buildings is crucial to respect the charm of Wayzata. It is desirable to provide extensive transparency at ground floor glazing to reinforce the liveliness of commercial area.

APPLICABILITY

The following Standards apply to all commercial, multifamily, and mixed-use development in all districts.

STANDARDS

- S1.** Ground level commercial and mixed-use facades located between two and twelve feet above ground level shall meet the following standards:
- Lake Street and Wayzata Boulevard Districts: A minimum of 50% of the ground level facade area fronting Lake Street and 25% of the ground level facade area facing other public right of ways, or parking area or open space shall be glazed.
 - Bluff District: A minimum of 35% of ground level facade area facing public right of ways shall be glazed.
- S2.** Facade transparency is essential for good Ground Floor Design. The applicant shall provide facade diagrams with calculations of glass and solid surfaces. Glazing required by this section shall comply with the following:
- Glazing shall be clear glass with a visible light transmittance of at least 80%.
 - Glazing shall not be obstructed with opaque films or signage
 - The minimum unobstructed depth from the required glazing to the closest parallel interior wall shall be 10 feet.



Fig. 3.40 Ground level commercial façade in a mixed-use building with residential above.



Fig. 3.42 Storefront with expansive glazing

- S3.** Main entry doors shall be primarily glass. If, for security reasons, a glazed entry door is not possible or practical, a main entry door shall be well detailed with decorative panels. Wood doors consistent with this standard may be utilized for retail and office buildings.



Fig. 3.41 A fabric awning provides protection and character at a traditional storefront



Fig. 3.43 A storefront and awnings accentuate a corner



Fig. 3.44 Stoop entry with landscaping



Fig. 3.45 At-grade entries require an 8 foot setback from the property line.

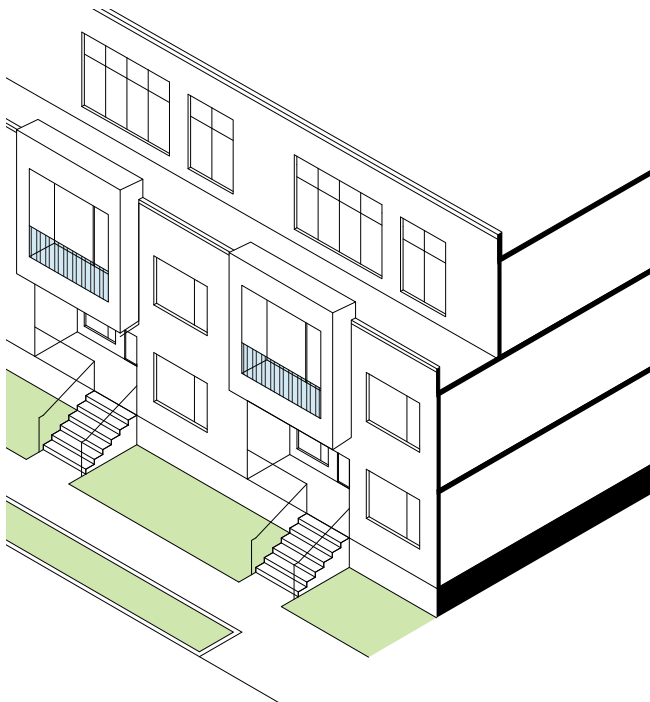


Fig. 3.46 Secondary exterior entry provided in the form of a stoop.

S4. Awnings shall be limited to the following:

- Fabric awnings composed of heavy canvas in colors complimenting the proposed color palette.
- Well-detailed aluminum or powder-coated steel awnings complimenting the proposed color palette.
- Glass awnings using frosted or clear glazing
- Backlight, waterfall, and box awnings shall be prohibited,

S5. Ground floor residential units shall comply with the following standards:

- Lake Street District and Wayzata Boulevard: Residential units located within 4 feet of ground level at public right of way or open spaces shall provide a secondary exterior entry to the unit as a private terrace or stoop.
- Bluff District: Residential units located within 4 feet of ground level at any public right of way shall provide a secondary exterior entry to the unit as a residential stoop.
- Where site constraints prevent units from being raised above grade, secondary entries and private terraces may be located less than 2 feet above grade if the unit entry door is set back a minimum of 8 feet from property line.

GUIDANCE

- G1. Residential units located at the ground floor are strongly encouraged to meet the preceding facade transparency standard [Section 3.B.2 S2](#)
- G2. Multifamily buildings are encouraged to locate resident amenity rooms, leasing offices, and resident lobbies at locations fronting on public right of ways and to provide storefront design at these locations.

3.B.3 Roof Design

The strategic use of flat and sloped roof forms can help break up the scale of larger buildings.

INTENT

Vernacular small-scale architecture in cold climates was characterized by steeply sloped roofs to shed snow and rain. While the scale of buildings has grown due to new technology and economic imperatives, small visible roof forms relating to massing can be effectively used to break down the scale of larger buildings.

APPLICABILITY

Every proposed multifamily, commercial, and mixed-use building in all Design Districts.

STANDARDS

- S1. A visible sloped roof provided at the same level as the Upper Story Stepback required in [Section 3.A.3](#) shall be allowed to fully encroach in the stepback up to a maximum width equal to 40% of the façade length.
- S2. Sloped roof forms shall provide decorative eaves and rakes; 'porkchop' eave and rake returns shall be prohibited.

GUIDANCE

- G1. Visible sloped roofs should be located to accentuate building massing and significant architectural features.
- G2. Where provided, roof forms shall be designed and located to coordinate and reinforce building massing including [Significant Massing](#).



Fig. 3.47 A combination of Upper Story Stepbacks and visible sloped roofs can provide rooftop variety and reinforce building massing.

Breaks, Building Recesses, and Facade Design.

- G3. Visible sloped roofs should provide a minimum roof pitch of 9:12.

RELATED SUBSECTIONS

[Section 3.A.3 Upper Story Building Stepbacks](#)



Fig. 3.48 'Porkchop' eave returns are prohibited.

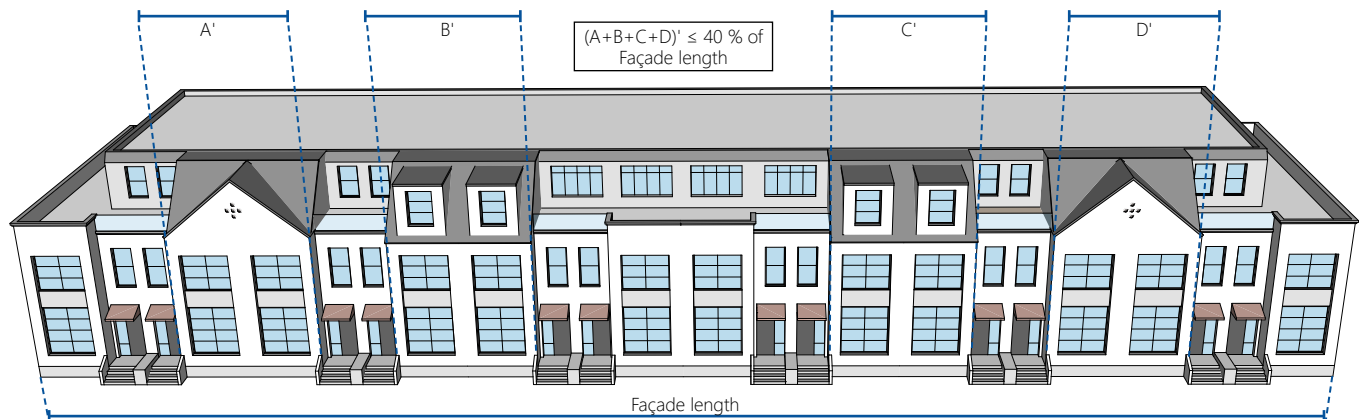


Fig. 3.49 Visible sloped roofs are allowed to encroach into the required Upper Floor Stepback, up to a maximum width of 40% of the façade length.

3.B.4 Rooftop Equipment Location and Screening

Necessary equipment should be located where it won't detract from the architecture



Fig. 3.50 Rooftop mechanical equipment is only allowed in the Wayzata Boulevard District and must be screened from view with parapets.

INTENT

Mechanical equipment is a necessary evil. While it is governed by overlapping codes and regulations, applicants must make every effort to conceal large and bulky equipment from public view.

APPLICABILITY

These standards apply to all commercial, multifamily residential, and mixed-use development.

STANDARDS

- S1.** Rooftop equipment at the Lake Street and Bluff Districts shall meet the following standards:
- No mechanical equipment shall be located on the roof deck. All equipment shall be located at the building interior or on grade at the side or rear yard and concealed from view.

- S2.** Rooftop equipment at the Wayzata Boulevard District shall meet the following standards:

- Individual mechanical equipment items less than 3 feet in height and 9 square feet in area may be located on the roof surface.
- The total roof area covered by such equipment shall be limited to 25% of roof area.
- All mechanical equipment located on roofs shall be fully concealed by 42" parapets or compatible architectural elements
- Mechanical equipment in excess of this standard shall be located on grade in the rear or side yard and concealed from view.

- S3.** Any mechanical equipment required by these Standards to be located on grade shall be fully concealed using materials complimenting the proposed building design.

- S4.** Where allowed by the Wayzata Code of Ordinances, solar photovoltaic (PV) panels installed on flat roofs shall be installed on racks not exceeding 2 feet above the roof deck and shall be surrounded by parapets at least 3 feet in height

- S5.** Where allowed by the Wayzata Code of Ordinances, solar photovoltaic (PV) panels installed on decorative trellises or arbors shall be recessed at least 12 inches from the edge of the structure

GUIDANCE

- G1.** To the maximum extent feasible, rooftop equipment should be clustered in the least visually obtrusive rooftop locations.

RELATED SUBSECTIONS

[Section 3.A.3 Upper Story Building Stepbacks](#)



Fig. 3.51 Mechanical equipment located at grade shall be fully concealed by screening material complimenting the proposed building design.

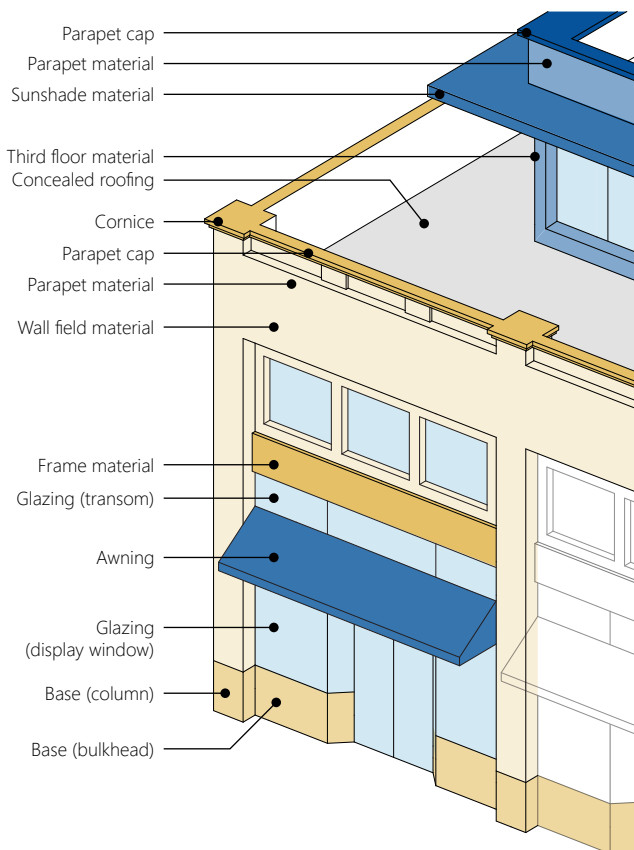
3.C Building Materials: Placement

The successful expression of materiality is inherently connected to tactility, tectonics, and tradition.

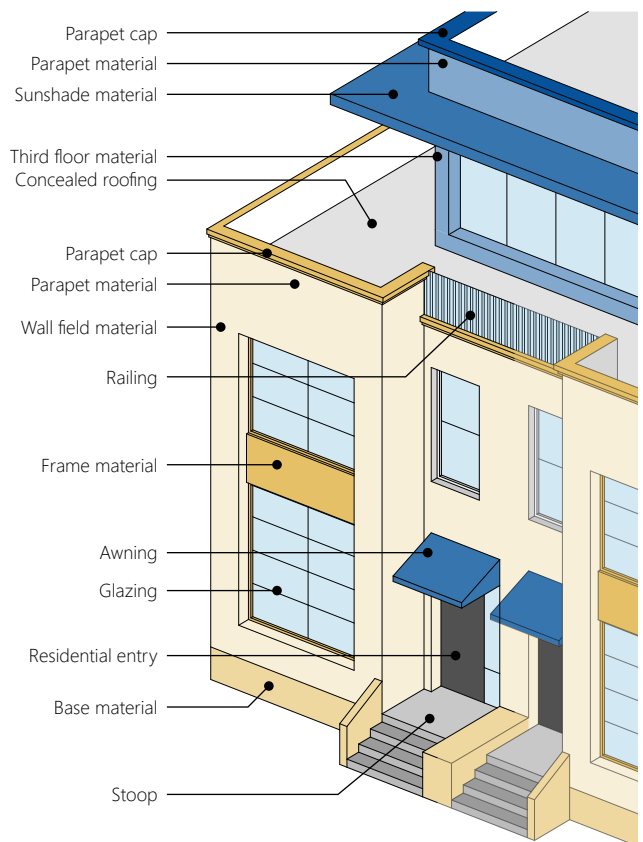
It is unfortunate that even the right material can be easily used in the wrong location or in the wrong application.

The following section establishes a benchmark for architectural quality by providing standards for the application of materials, defining types of materials, and identifying complementary materials to connect proposed architecture with the character of Wayzata and the heritage of small-town Minnesota.





Components of a Commercial façade



Components of a Residential façade

3.C.1 General Standards for Materials Placement

Materials need to be used in a restrained and purposeful manner

INTENT

As a small town, individual projects have a big impact in Wayzata. Recent development has departed from the traditional material palette of wood and masonry, and issues of identity have become increasingly important. While these guidelines seek to allow some degree of flexibility in design, it is essential for projects to use high quality materials in conventional applications.

APPLICABILITY

These General Standards apply to all multifamily and commercial development in Wayzata.

STANDARDS

- S1.** The materials used shall be consistent with the Material Application Standards identified in [Section 3.C.2](#) through [Section 3.C.7](#) and with the Standards for Materials and Detailing identified in Section provided in [Section 3.D.1](#) through [Section 3.D.6](#).

GUIDANCE

- G1.** Higher quality and more fine-grained materials should be focused at ground level on public rights of way and at building entrances to relate to human-scale.
- G2.** The number of materials used will depend on the size of the project, but buildings should attempt to limit themselves to no more than 4 wall materials:
- Base material
 - Primary wall material
 - Second or Accent wall material
 - Wall material at the upper story stepback
- G3.** Materials should not be used to camouflage overly complex massing or inappropriate building scale

RELATED SUBSECTIONS

[Section 3.C.2 Building Base Materials Application](#)

[Section 3.C.3 Public-facing Walls Materials Application](#)

[Section 3.C.4 Concealed Rear or Parcel Interior Walls Materials Application](#)

[Section 3.C.5 Upper Story Stepback Materials Application](#)

[Section 3.C.6 Balconies and Soffit Materials Application](#)

[Section 3.C.7 Roof and Parapet Materials Application](#)

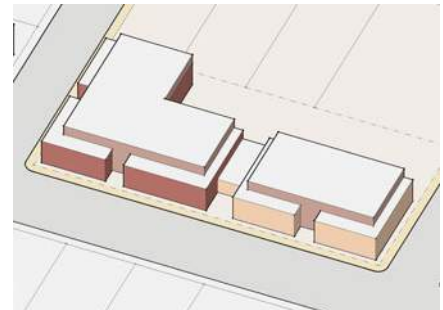


Fig. 3.52 Materials and color can be used to create the appearance of multiple buildings



Fig. 3.53 Changes in materials shall be used to emphasize building masking

3.C.2 Building Base Materials Application

The Building Base should evoke solidity



Fig. 3.54 Use of a strong building base anchors a mixed-use building to the site



Fig. 3.55 Masonry buildings in the Bluff District do not require a separate masonry base

INTENT

The building base should be designed to provide a robust transition between the building and the ground. Well defined building bases provide a legible sense of continuity to buildings and anchor buildings to their sites.

APPLICABILITY

The following guidance applies across all districts to all multifamily and commercial buildings.

PERMITTED MATERIALS

- Masonry Materials as defined in [Section 3.D.3](#)

STANDARDS

Lake Street District

- S1. Buildings shall provide a defined base above ground level between 2-3 feet in height for the entire length of the Facade inclusive of storefronts.

- S2. The Building Base shall be composed of *Masonry Materials*; projecting trims and moldings shall also be composed of complementary *Masonry Materials*

Bluff District

- S3. Buildings proposing masonry facades shall not be required to provide an additional masonry base.
- S4. Where required, the defined Building Base shall extend to 2-3 feet in height above ground level.
- S5. The Building Base shall be composed of *Masonry Materials*; projecting trims and moldings shall be composed of either complementary *Masonry Materials* or dimensional *Board Siding Materials*

Wayzata Boulevard District

- S1. Buildings shall provide a defined base above ground level between 2-3 feet in height for the entire length of the Facade inclusive of storefronts.
- S2. The Building Base shall be composed of *Masonry Materials* as described in [Section 3.D.3](#); projecting trims and moldings shall also be composed of complementary *Masonry Materials*.
- S3. Polished face CMU in hues similar to allowed *Masonry Materials* shall be allowed as an additional Building Base material within the Wayzata Boulevard District

RELATED SUBSECTIONS

[Section 3.D.3 Masonry Materials and Detailing](#)

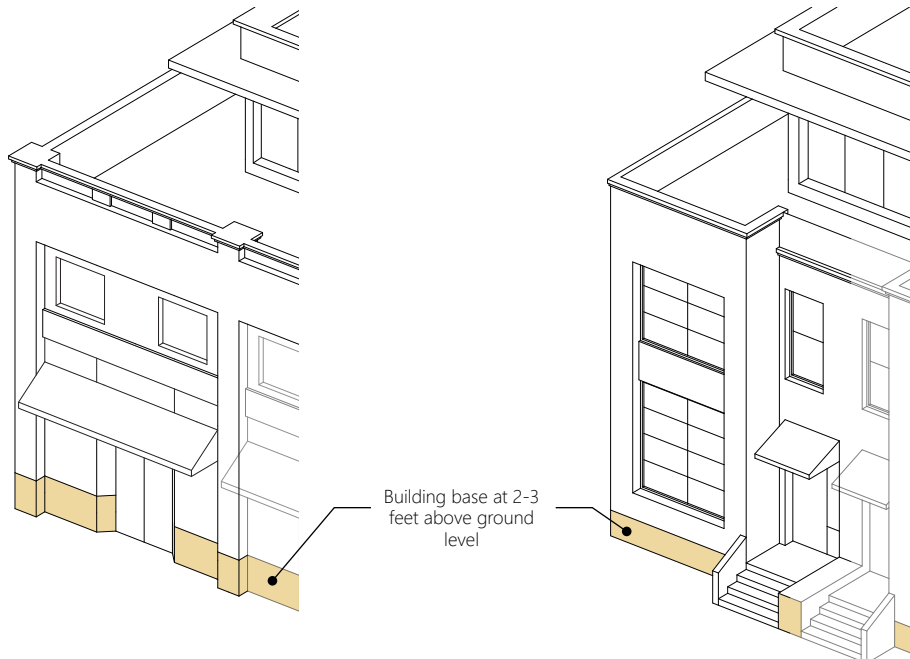


Fig. 3.56 Masonry Base location at mixed-use building (left) and multi-family building (right)

3.C.3 Public-facing Walls Materials Application

Wall materials should emphasize proportions of two story massing

INTENT

Facades fronting on public right of ways should carefully choose materials and detailing to project a cohesive appearance.

APPLICABILITY

The following standards apply to all materials proposed for use on facades of commercial, multifamily, and mixed-use buildings fronting on public right of ways

PERMITTED MATERIALS

The following materials may be used on public-facing walls as a primary and/or accent material:

- Masonry Materials as defined in [Section 3.D.3](#)
- Board Siding Materials as defined in [Section 3.D.2](#)

The following materials may be used on public-facing walls as an accent material only:

- Architectural Panel System Materials as defined in [Section 3.D.4](#)
- Stucco/EIFS Materials (limited to the Wayzata Boulevard District) as defined in [Section 3.D.5](#)

STANDARDS

Lake Street District

[Board Siding Materials](#)

- S1.** Digitally printed extruded aluminum siding shall be prohibited as a primary wall material.

[Architectural Panel System Materials](#)

- S2.** The use of Architectural Panel Systems Materials shall be limited to 20% of the facade area per frontage and shall be limited to use at

- facade recesses
- inset wall panels
- projecting bays
- awnings
- entrance canopies



Fig. 3.57 Walls may use one material or use an accent or field material within a frame

Bluff District

[Masonry Materials](#)

- S3.** Masonry Materials proposed for wall applications in the Bluff District shall be limited to dimensional brick, natural stone, cast stone, or adhered stone in combination with mortar. Preassembled masonry panels shall be prohibited.

[Board Siding Materials](#)

- S4.** Same as S1, 3.C.3.

[Architectural Panel System Materials](#)

- S5.** Same as S2, 3.C.3.



Fig. 3.58 A simple and elegant façade color scheme may be created using contrasting frame and field materials, with a strong base.



Fig. 3.59 Board siding material used on levels above masonry material on primary walls.



Fig. 3.60 One material and color unifies this two story element



Fig. 3.61 Three materials emphasize the base, middle, and top of this small office building.

Wayzata Boulevard District

Masonry Materials

S6. Preassembled masonry panels shall be allowed in the Wayzata Boulevard District.

Board Siding Materials

S7. Digitally printed extruded aluminum siding shall be prohibited as a primary wall material.

Architectural Panel System Materials

S8. The use of Architectural Panel Systems Materials shall be limited to 60% of the facade area per frontage and shall be limited to use at

- facade recesses
- inset wall panels
- projecting bays
- awnings
- entrance canopies

Stucco/EIFS Materials

S9. The use of Stucco/EIFS Materials as a wall accent material at public-facing facades shall be limited to 40% of the facade area per frontage.

GUIDANCE

All Districts

Board Siding Materials

G1. Board Siding Materials should not be used below Masonry Materials for primary/accent walls.

RELATED SUBSECTIONS

Section 3.D.1 General Standards for Materials and Detailing

Section 3.D.2 Board Siding Materials and Detailing

Section 3.D.3 Masonry Materials and Detailing

Section 3.D.4 Panel Systems Materials and Detailing

Section 3.D.5 Stucco and EIFS Materials and Detailing

3.C.4 Concealed Rear or Parcel Interior Walls Materials Application

Walls concealed from public view do not need as intense materiality and articulation as public-facing facades.

INTENT

While walls fronting on public rights of way must provide high quality materials and detailing, facades interior to properties and concealed from view provide opportunities for less intense design.

APPLICABILITY

The following guidance applies across all districts for walls concealed from view from public right of ways at commercial or multifamily development.

PERMITTED MATERIALS

The following materials may be used on concealed rear or parcel interior walls at the wall field:

- Masonry Materials
- Board Siding Materials
- Stucco/EIFS Materials (as regulated by the following standards)

STANDARDS

Lake Street District

Stucco/EIFS Materials

- S1. The use of Stucco/EIFS Materials shall be limited to 50% of facades at rear or interior parcel walls.
- S2. Stucco/EIFS Materials shall not be placed closer than 50 feet to any public right of way.

Bluff District

Stucco/EIFS Materials

- S3. The use of Stucco/EIFS Materials shall be limited to facades fully concealed from view from public rights of way.

Wayzata Boulevard District

Stucco/EIFS Materials

- S4. Stucco/EIFS Materials shall not be placed closer than 25 feet to any public right of way.



Fig. 3.62 This building demonstrates a simpler façade treatment at the rear driveway (bottom) than at façades facing public rights of way (top). Walls at private driveways, rear façades, and the interior of properties may provide muted materials and articulation.

RELATED SUBSECTIONS

[Section 3.D.2 Board Siding Materials and Detailing](#)

[Section 3.D.3 Masonry Materials and Detailing](#)

[Section 3.D.5 Stucco and EIFS Materials and Detailing](#)

3.C.5 Upper Story Stepback Materials Application

The upper story volume is a background element which can express a different materiality



Fig. 3.63 The stepped back mass of the upper story provides an opportunity for a different materiality

INTENT

Volumes located behind the Upper Story Stepback are perceived as a different element than the lower story streetfronts. They provide an opportunity to use contemporary materials and alter patterns of fenestration.

APPLICABILITY

The following guidance applies across all districts, to buildings with required Upper Story Building Stepbacks.

PERMITTED MATERIALS

The following materials may be used on walls at the stepback level at the wall field and/or for accent walls:

- Masonry Materials
- Board Siding Materials
- Architectural Panel System Materials (except for primary walls in the Bluff District)
- Stucco/EIFS Materials (allowed only in the Wayzata Boulevard District)

STANDARDS

Lake Street District & Wayzata Boulevard Districts

Architectural Panel System Materials

- S1.** The use of Architectural Panel System Materials shall not be limited at facade volumes complying with Upper Story Stepback requirements.

GUIDANCE

All Districts

Masonry Materials

- G1.** Masonry Materials should only be used above other Masonry Materials.

RELATED SUBSECTIONS

Section 3.A.3 Upper Story Building Stepbacks

Section 3.D.1 General Standards for Materials and Detailing

Section 3.D.2 Board Siding Materials and Detailing

Section 3.D.3 Masonry Materials and Detailing

Section 3.D.4 Panel Systems Materials and Detailing



Fig. 3.64 Variation in materials at the stepback level helps to emphasize the lower level massing.

3.C.6 Balconies and Soffit Materials Application

Projecting elements attract attention and should provide design worthy of scrutiny

INTENT

Balconies and projecting soffits add richness and articulation to facades. Since they project from the wall, they draw increased attention and should provide a high degree of detail and materiality

APPLICABILITY

The following guidance applies across all districts, to all commercial and multifamily buildings.

PERMITTED MATERIALS

The following materials may be used for balconies and soffits:

- Masonry Materials
- Board Siding Materials
- Architectural Panel System Materials

STANDARDS

All Districts

All Permitted Materials

- S1.** Balconies shall be designed as usable space with a minimum depth of 4 feet unless designed as a Juliette-type balcony.
- S2.** All balconies shall remain within the property line.
- S3.** Exposed deck framing of balconies and soffits, unless designed as an exposed element (i.e., heavy timber) shall be prohibited.

RELATED SUBSECTIONS

Section 3.D.1 General Standards for Materials and Detailing

Section 3.D.2 Board Siding Materials and Detailing

Section 3.D.3 Masonry Materials and Detailing

Section 3.D.4 Panel Systems Materials and Detailing

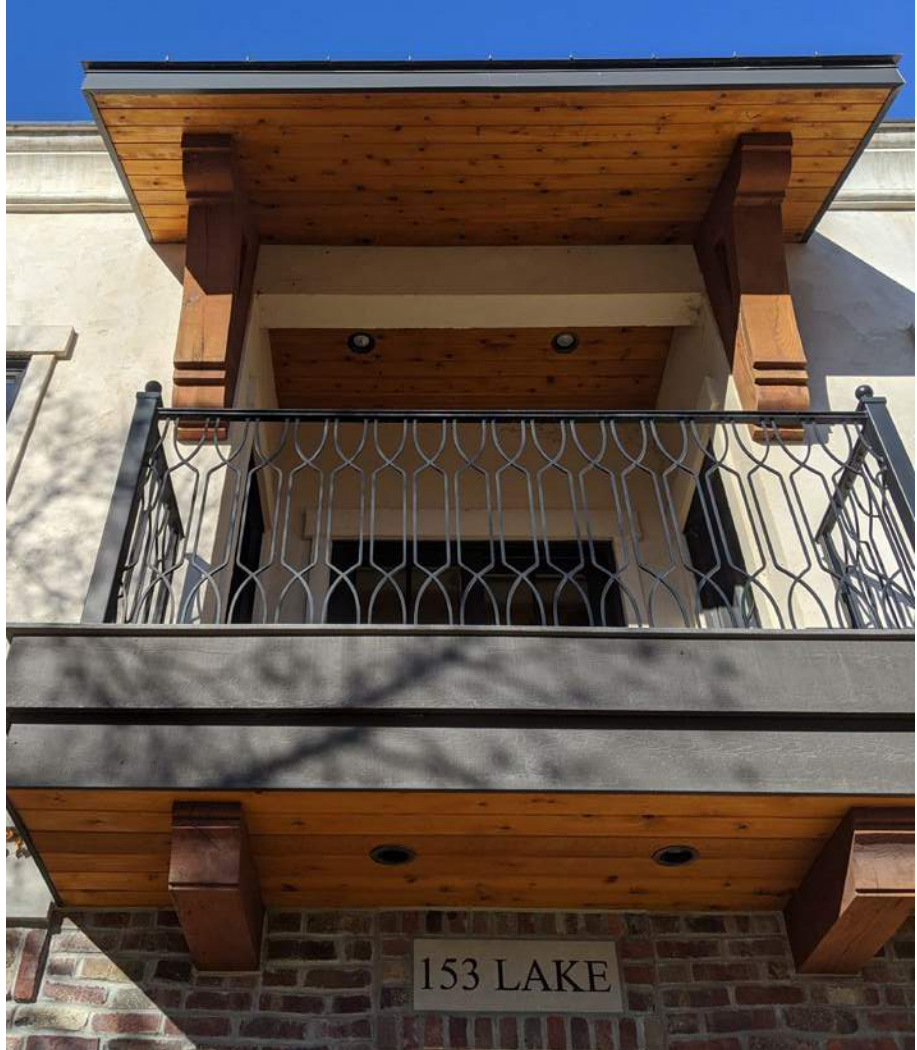


Fig. 3.65 Balconies should be constructed of high quality materials and provide thoughtful detailing for railings, soffit, and posts or corbels.



Fig. 3.66 Balconies should be designed to compliment building massing

3.C.7 Roof and Parapet Materials Application

The top of the building should reinforce the building massing and style



Fig. 3.67 Use of parapet material consistent with the wall below. Strong parapet caps are encouraged to produce a defined shadow line.

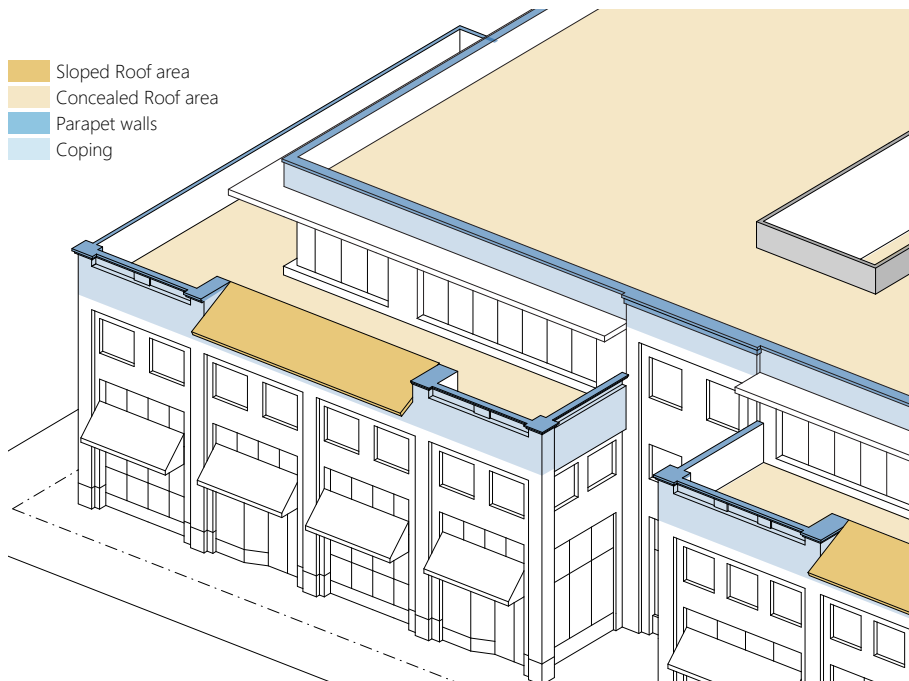


Fig. 3.68 The tops of the building can be designed to provide interesting profiles while reinforcing building massing and style.

INTENT

As the fifth facade rooflines play an important role by defining the building against the sky. The following guidelines are provided to ensure that roof materials are well detailed and do not detract from the building architecture.

APPLICABILITY

The following guidance applies across all districts, to all multifamily and commercial buildings.

PERMITTED MATERIALS

Materials of the following category may be used for sloped roofs:

- Unit Roofing

Materials of the following category may be used for concealed roofing

- Sheet Roofing

STANDARDS

All Districts

Sheet Roofing

- S1.** Sheet roofing shall be concealed from view by raised parapets/roof copings.
- S2.** Where provided, sloped roofing shall provide a minimum 12 inch projection at eaves and rakes

Parapet/Roof Coping

- S3.** The Parapet/Roof Coping Material shall be the same as the wall material immediately below and shall be used to articulate building massing.
- S4.** Where rooftop equipment is permitted, parapets shall be located to conceal such equipment from view.

RELATED SUBSECTIONS

Section 3.B.3 Roof Design

Section 3.D.6 Roofing Materials and Detailing

3.D Building Materials- Detailing

The following standards for Materials and Detailing have been developed to simplify the universe of potential building materials into coherent materials palettes to facilitate smoother review processes.

The intent of the following Materials Palettes is to shift the frame of review from whether or not a specific material is appropriate to a process where the applicant justifies the materials chosen as part of a group of conventionally-accepted materials.

The following section establishes acceptable types of materials to connect proposed architecture with the character of Wayzata and the heritage of small-town Minnesota.



3.D.1 General Standards for Materials and Detailing

Materials should be used honestly with appropriate details



Fig. 3.1 A limited palette of materials shall be used to emphasize building massing.

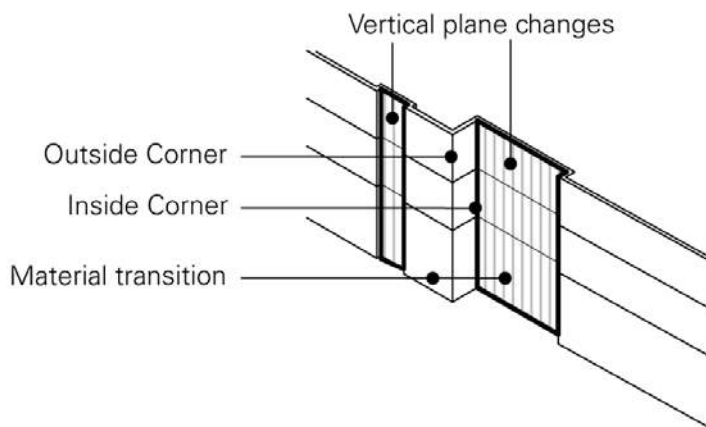


Fig. 3.2 Material Transitions must occur at locations that will emphasize building volumes and massing, such as interior wall corners.

INTENT

Building design in Wayzata should strive to use as few materials as possible. It is more preferable to pair two or three building materials with high quality detailing to provide a high quality design.

Changes between different materials should be located to emphasize building massing and should be carefully detailed.

APPLICABILITY

This section applies to all commercial, mixed-use, and multifamily construction.

STANDARDS

- S1. Changes in materials shall be used sparingly and shall be used to emphasize building articulation. These locations are generally:
 - Inside wall corners at bays, projections, and recesses
 - Plan offsets such as stepbacks and step-downs
 - Building base articulation such as projecting foundations and water tables
 - Low walls and curbs under storefront glazing
- S2. A change in materials shall be detailed to occur at a change in building plane no less than 6 inches in depth.
- S3. Buildings shall propose a traditional color palette complementing the defined materials. Florescent or highly saturated colors shall be prohibited.

RELATED SUBSECTIONS

[Section 3.D.2 Board Siding Materials and Detailing](#)

[Section 3.D.3 Masonry Materials and Detailing](#)

[Section 3.D.4 Panel Systems Materials and Detailing](#)

[Section 3.D.5 Stucco and EIFS Materials and Detailing](#)

[Section 3.D.6 Roofing Materials and Detailing](#)

3.D.2 Board Siding Materials and Detailing

Wood siding has given Minnesota neighborhoods character for generations

MATERIAL DEFINITION

This category consists of the following material types:

- Horizontal siding consisting of shakes, shingles, or shiplap, tongue and groove, v-groove, or lapped profiles
- Vertical siding consisting of board and batten or v-groove profiles in wood or materials that emulate wood such as fiber cement or digitally printed extruded aluminum siding.

MATERIAL APPLICATION

Primary walls at public and interior-facing frontages.

STANDARDS

Material Standards

- S1. Board Siding Materials shall provide a minimum exposure of 6 inches.
- S2. Board Siding Materials shall either be factory finished; or stained or painted on all six sides.
- S3. The following materials shall be prohibited: vinyl siding; plastic; sheet fiberglass; rolled metal sheet, rolled residential aluminum siding.

Trim/Complementary materials

- S4. Trim shall be made from defined Board Siding materials.

GUIDANCE

- G1. Alternating horizontal lap siding exposures should be considered where ground floors benefit from a greater level of detail.
- G2. Vertical board or board and batten siding should be detailed with uniform exposure widths. (see Fig. 3.3)
- G3. Board Siding Materials should provide careful detailing at exterior corners. Butt joints and miter joints are strongly discouraged.



Fig. 3.3 Fiber cement lap siding with wood window trim, horizontal projecting trim, and wood pilaster are complementary Board Siding Materials



Fig. 3.4 Board and Batten or other vertical siding should provide uniform exposure widths



Fig. 3.5 Wood or fiber cement shingle should provide careful detailing at outside corners



Fig. 3.6 Wood trim can be used to make transition between materials in this category.

3.D.3 Masonry Materials and Detailing

Masonry can be used to anchor buildings to the ground and provide fine detail



Fig. 3.7 Masonry trim and detailing provides fine-grain character and interest.



Fig. 3.8 Ashlar stone modules at a scale and color appropriate for a building



Fig. 3.9 Masonry trim accompanying Masonry Materials with a soldier row and concealed lintel spanning openings.

MATERIAL DEFINITION

Masonry Materials shall be defined as:

- Modular, Roman, Norman, or clinker face brick in buff, grey, purple, and red hues;
- Natural stone or cast stone evoking Minnesota native granite, limestone, or sandstone;
- Porcelain or ceramic tile
- Adhered Modular, Roman, Norman, or clinker brick in buff, grey, purple, and red hues exceeding 1.5 inches in thickness;
- Adhered granite, limestone, or sandstone exceeding 1.5 inches in thickness

MATERIAL APPLICATION

Primary walls at public and interior-facing frontages; building base.

STANDARDS

Material Standards

- S1. Face brick and stone shall provide full units or custom corner modules at outside corners.
- S2. Adhered masonry and tile should provide mitered joints at outside corners to create the appearance of a corner block.

- S3. All Masonry Materials shall provide 3/8" maximum concave or v-joint mortar or grout joints in colors matching the color of the block or tile material.
- S4. Individual masonry modules must be scaled appropriately to the building massing
 - Brick and tile modules or veneers less than 1.5 inches in height shall be prohibited
 - Stone block or veneer modules less than 6 inches in height shall be prohibited.
- S5. Where masonry spans an opening, masonry units shall be oriented to provide an arch, jack arch, masonry lintel, or soldier row extending beyond the opening.

Trim/Complementary materials

- S6. Trim shall be provided from defined Masonry Materials
- S7. Board Siding Materials shall also be allowed for use as masonry trim in the Bluff District with dimensions approximating proportional wood.

GUIDANCE

- G1. Openings should be made with arches, masonry lintels, or concealed lintels and soldier rows made from materials in the same category
- G2. Stone Masonry Materials should be selected to reflect the color and texture of local stone types: 'St. Cloud Grey' granite, Platteville Limestone, Kasota Limestone, Shakopee Limestone, and St. Peter Sandstone.

3.D.4 Panel Systems Materials and Detailing

Contemporary panel systems should be used to highlight important elements

MATERIAL DEFINITION

Engineered architectural-grade panels and joints including, but not limited to:

- Fiber cement panels,
- Phenolic composite panels,
- Terra cotta panels,
- Aluminum composite panels, or
- High-pressure wood laminate panels

MATERIAL APPLICATION

Building walls at upper-story stepback; recesses, inset wall panels, projecting bays, awnings, and entrance canopies subject to specific Design District Standards.

STANDARDS

Material Standards

- S1. Panel Systems with exposed fasteners shall be prohibited
- S2. Panel materials shall be designed and manufactured explicitly for use in a system application.
- S3. 'Open Joint' panel systems shall be backed by dark colored material

Trim/Complementary materials

- S4. Anodized aluminum or powder coated metal joint covers and trims to compliment panel color shall be used.



Fig. 3.10 Panel used in recess



Fig. 3.11 Architectural Panel used to help Upper Story Stepback to recede from streetfront materials

3.D.5 Stucco and EIFS Materials and Detailing

Stucco and EIFS be used as background materials



Fig. 3.12 Stucco joints relate to the proportions of this building mass.



Fig. 3.13 Architectural grade metal stucco joint

MATERIAL DEFINITION

Monolithic material systems including, but not limited to:

- 3 coat stucco,
- Dryvit, or
- Exterior insulation and finishing (EIFS) systems

MATERIAL APPLICATION

Stucco and EIFS are less appropriate materials for use in Wayzata. These materials should be limited to use at non-public rear and interior-facing frontages, subject to specific Design District Standards.

STANDARDS

Material Standards

- S1. Stucco/EIFS system joints should be designed to reinforce building massing and proportions.
- S2. Stucco/EIFS system joints shall be trimmed with architectural grade metals. Painted galvanized metal joint covers and trims shall be prohibited.

Trim/Complementary materials

- S3. Trims shall be made from contrasting Board Siding or Masonry materials and shall not be coated with stucco or EIFS. Panel joints shall be made from Anodized aluminum.
- S4. Foam trims shall be prohibited.

3.D.6 Roofing Materials and Detailing

Roofing is the fifth facade and should not detract from the architecture of the building

MATERIAL DEFINITION

- Sheet roofing includes PVC, TPO, KEE, Built up Asphalt, and other comparable membrane and sheet roofing materials
- Unit roofing is limited to wood shake, wood shingle, slate tile, dimensional ('architectural') asphalt shingle, and powder-coated standing seam metal roofing

MATERIAL APPLICATION

- Sheet roofing materials shall be used on flat and low-slope roofs concealed by solid raised parapets no less than 36" in height.
- Unit roofing shall be used on visible sloped roofs.

STANDARDS

Material Standards

- S1. Sheet roofing shall be selected to provide tan or grey membranes with a three year Solar Reflectivity Index (SRI) between 0.40 - 0.70 to balance issues of glare and heat island mitigation.
- S2. Visible metal roofing shall be a neutral color chosen to harmonize with the materials of the proposed and surrounding buildings

Trim/Complementary materials

- S3. Sheet Roofing surfaces fully concealed by parapets shall be permitted to use any trims at locations concealed by the parapet.
- S4. Trim materials shall be specified as follows:
 - Metal Trims: zinc; untreated copper; powder coated aluminum or steel in colors complimenting the roofing color shall be used for fascias, parapet caps, and similar trim elements;
 - Wood or board siding materials may be used for projecting eaves, rakes, and horizontal trims



Fig. 3.14 Dimensional ('architectural') asphalt shingles provide more shadow than 3-tab



Fig. 3.15 Membrane roof material should be terminated at a location hidden from view by parapets.



Fig. 3.16 Metal roofing in a neutral color complementing the building's color palette.



Fig. 3.17 Traditional sloped shingle roof detail with eave return

3.E Building Details

Building details such as lighting and signage perform functional roles to enhance safety and usability.

These elements should be designed creatively to make large contributions to the public perception of development quality and towards the creation of a unique, place-based identity for the proposed project.



3.E.1 Building Lighting

Quality lighting contributes to safety and a sense of place

INTENT

Effective and attractive lighting creates safe and lively environments for pedestrians, bicyclists, vehicles, residents, and visitors while mitigating light pollution.

APPLICABILITY

The following guidance applies to commercial, mixed-use, and multifamily residential development in all districts. The City light standard applies to lighting on all public streets.

STANDARDS

- S1. Building lighting shall be designed and located to prevent light trespass and glare in the public realm.
- S2. Pedestrian-scale lighting, not exceeding 13 feet in height, shall be located on walkways and adjacent to store entrances.
- S3. All lighting fixtures shall be compatible with the City Code Section 801.16.6 as it relates to glare.
- S4. Lights attached to buildings shall be screened by the building's architectural features or fixture design to eliminate glare to adjacent properties.
- S5. Exterior building lighting levels shall be provided at the minimum level allowed under the Illumination Engineering Society of North America (IESNA) lighting guidelines and applicable codes.
- S6. Exposed electrical elements including wires, conduit, junction boxes, transformers, ballasts, and panel boxes shall be prohibited.
- S7. Where used LED (Light Emitting Diode) luminaires shall be demonstrated to comply with the following:
 - Minimum Color Rendering Index (CRI) of 90
 - Correlated Color Temperature (CCT)



Fig. 3.18 Indirect lighting can enhance safety and help to create a sense of place.

between 2700-3500K.

GUIDANCE

- G1. Lighting fixtures should be compatible with the architecture of the building.
- G2. Lighting design should rely primarily on indirect sources that light adjacent surfaces. Direct view of light fixtures should be minimized except for decorative fixtures.
- G3. Smart and networked technologies should be integrated to the maximum extent feasible to limit excess lighting and conserve energy:
 - Astronomical timers used to shut off landscape and accent lighting between the hours of 10pm-6am.
 - Motion and occupancy sensors for security lighting allowing 50% dimming for unoccupied areas



Fig. 3.19 Decorative lighting fixtures can enhance identity.

3.E.2 Signage

Signage should not detract from architecture.



Fig. 3.20 This signage imbues character to the streetscape and is appropriate for the business it represents



Fig. 3.21 This street is shaped by pedestrian scale features such as shop awnings and modestly scaled blade signs

INTENT

Signage should enhance place-based character, but should not overwhelm architectural design or site context.

APPLICABILITY

These standards apply across all design districts for commercial, mixed-use, and multifamily residential development. Proposed signs must also conform to the requirements of Chapter 927 of the Wayzata Zoning Ordinance. Signage plans must be submitted for review as part of an Applicant for Design Approval. Buildings including more than one business shall submit a signage plan demonstrating compatibility between different businesses.

PERMITTED SIGN TYPES

The following sign types may be used in all design districts across Wayzata, as defined by the Zoning Ordinance:

- Awning, canopy or marquee signs
- Free-standing signs (in the Bluff district, these may only be used in buildings with front yards)
- Ground, low-profile or monument signs (in the Bluff district, these may only be used in buildings with front yards)
- Projecting signs
- Roof signs
- Wall signs
- Window signs (window accent signs)

STANDARDS

- S1.** Signs shall be architecturally compatible with the style, composition, materials, colors and details of the building, and with other signs on nearby buildings.
- S2.** Franchise or national chains must comply with these Sign Standards to create signs compatible with their context.

- S3.** The following signage shall be prohibited:

- Internally illuminated box signs
- Kinetic and inflatable signs
- Programmable digital signs
- Neon signs

- S4.** External spotlight or integral "halo" illumination shall be limited to the signage text and/or logo portion of the sign.

- S5.** Wall signs on a multistory storefront-type buildings shall be placed between the first and second floors of a building.

- S6.** Wall or roof signs on buildings that are not storefront type buildings shall be placed where they do not obscure architectural features.

- S7.** Sign materials and design shall be consistent and complimentary with the existing or proposed architectural materials and style of the building facade. Signage shall comply with the following:

- Durable materials, such as wood and metal, shall be used, as appropriate, to fabricate the signage.
- Freestanding ground or monument signs shall use materials and colors compatible with proposed building design.

- S8.** A sign program shall be developed for buildings which house more than one business. Signs need not match, but shall be compatible with one another.

GUIDANCE

- G1.** Wall, awning or projecting signs are encouraged for storefront buildings at the street line.
- G2.** Low-profile ground signs or monument signs are encouraged for highway-oriented commercial uses such as restaurants and gas stations.
- G3.** A roof sign that does not project above the peak of the roof may be used in place of a wall sign on buildings with sloped roofs.

**CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING WAYZATA CITY CODE
CH. 909 (DESIGN STANDARDS)**

Whereas, pursuant to Resolution No. _____, the City has approved and adopted a new guide and standard document on building and site design that is intended to work in concert with Part IX of City Code (the “Zoning Ordinance”) and Ch. 909 (the “Design Standards”);

NOW THEREFORE, THE CITY OF WAYZATA ORDAINS:

Section 1. Amendments to Chapter 909. Chapter 909 of the Wayzata City Code (Design Standards) is hereby amended as follows (~~struck~~ text deleted, underlined text added):

CHAPTER 909 - DESIGN STANDARDS

909.01 - Purpose.

- A. The design standards set forth in ~~this~~the Wayzata Design Standards document and Chapter 909 of the Wayzata City Zoning Ordinance, are referred to collectively as the "Design Standards" or the "Standards." The purpose of the Design Standards is to shape the City's physical form and to promote the quality, character and compatibility of new development in the City. The Standards function to:
1. Guide the expansion and renovation of existing structures and the construction of new buildings and parking, within the commercial districts of the City;
 2. Assist the City in reviewing development proposals;
 3. Improve the City's public spaces including its streets, sidewalks, walkways, streetscape, and landscape treatments.
- B. The Standards address issues that are critical to preserving and enhancing Wayzata's character, as described in the City's Comprehensive Plan.

909.02 ~~—~~ City Vision and Character.

- A. ~~—One of the primary goals of the City's~~ Vision

1. Principles

The Comprehensive Plan is sets forth guiding principles to "preserve and enhance Wayzata's lakeside small town character." Continuing reference is made in the Comprehensive Plan to the value of Wayzata's unique "small town" character, unlike the suburban qualities of other communities. The Standards seek to preserve the increase walkability, provide more vibrant open spaces, improve access to enable greater physical activity and health for a multi-generational community, pursue a new focus on sustainability, while maintaining the charm that has characterized Wayzata for generations and safeguarding the health of Wayzata Bay..

2. Role of the Design Standards

~~The Standards seek to implement the principles of the Comprehensive Plan by maintaining a high quality "small town" environment while accommodating the inevitability of change. This character is in order to be preserved and enhanced by: provide compatibility with the scale and heritage of Wayzata, the Standards encourage the reduction of building mass, the simple use of quality materials, and enhancement of building facades through articulation and well-designed detailing. These standards will also contribute to the improvement of the public realm and increased walkability through design.~~

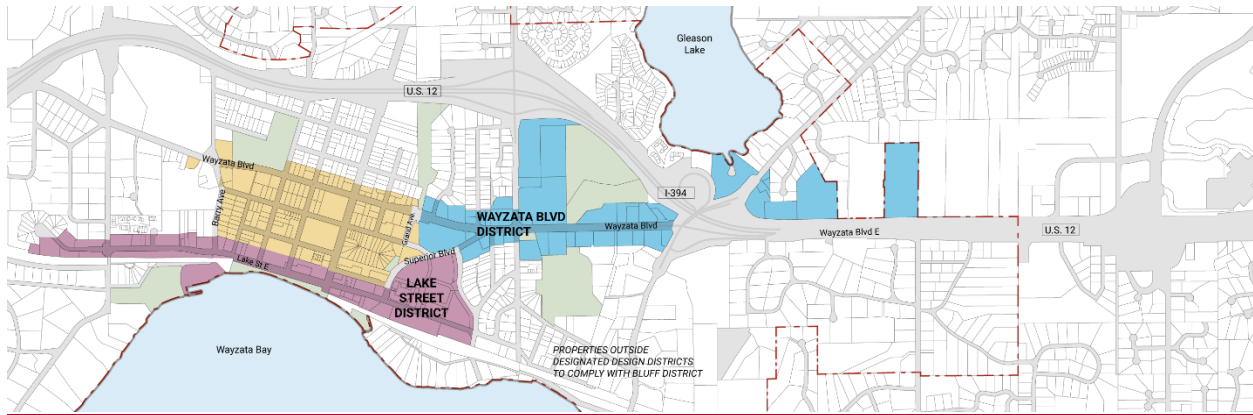
- ~~1. Attention to the scale, walkability, land use patterns, street and boulevard character of the City.~~
 - ~~2. Reinforcing and enhancing residential neighborhoods.~~
 - ~~3. Promoting a vibrant and healthy business climate, including a strong downtown as key to the economic and social base of the community, and other primary retail/commercial areas.~~
 - ~~4. Shaping the physical environment of the City to allow for the development of cultural and social activities that provide the opportunity for social engagement.~~
 - ~~5. Promoting community heritage by preserving and redeveloping historic or significant property to the City's small town roots.~~
 - ~~6. Maintaining and enhancing the diversity of housing options and addressing the need and opportunities for life cycle housing.~~
 - ~~7. Promoting a more connected community through building physical and psychological connections between all residential neighborhoods, business areas, and links to other recreational amenities.~~
 - ~~8. Protecting and preserving significant natural resource areas, and promoting access to community parks and open space resources.~~
 - ~~9. Strengthening and reinforcing community gateways, and providing announcement and a sense of place to areas of the community at key entry points through architectural, landscape and urban design elements.~~
 - ~~10. Promoting sustainability in development.~~
- ~~B. The Standards encourage buildings that are well crafted and well detailed, and that express Wayzata's heritage, location, topography, and scale. The Standards address issues of building height and views of rooftops from above as well as from below.~~

B. Character

~~The character of Wayzata is shaped by its natural setting. The location of the downtown business district along the shoreline of Lake Minnetonka, combined with the bluff that rises behind it, bestows an unusually scenic and picturesque quality. Elsewhere, the City is shaped by a wooded character and small lakes and ponds. Successful projects will be designed to reinforce their surrounding context and to minimize their impact on views, natural ecosystems, and assets.~~

909.03 - Design Districts.

The Design Standards apply in three "Design Districts" in the City that are established according to location, and use: Lake Street District; Bluff District; and Wayzata Boulevard District. Each Design District (or "District") shall be set forth in the Zoning Map according to delineations in the following summary and in coordination with the following Design District Map:



- A. The Lake Street District, extends along both sides of Lake Street, from Circle Drive to the Wayzata Bay Townhomes at 201 W. Lake Street. Lake Street is the "Main Street" of Wayzata and the section between Circle A Drive on the east, and Ferndale Road on the west, should reinforce the existing character of buildings meeting the sidewalk, with a vertical rhythm evoking narrow storefronts, and distinct and diverse uses. Buildings proposed for Lake Street should support a vibrant and active street frontage and enhance visual and physical access to Wayzata Bay.
- B. ~~Bluff District comprises the land between Lake Street on the south and Wayzata Boulevard on the north, but not the street frontage of either street, as well as Barry Avenue on the west and Superior Avenue on the east.~~
- C. ~~B.~~ The Bluff District, includes all the land atop the natural bluff above Lake Street generally bounded on the west by Barry Avenue, on the east by the line of Grand/Superior Avenue and extending from a half block north of Lake Street to a half block north of Wayzata Boulevard. The Bluff District is characterized by a fabric of small-scale retail and office buildings, houses converted into offices, single-family, attached and multifamily housing, and anchor institutions such as City Hall, the Library, and St Bartholomew. Development here should respect the more intimate scale of its surroundings through careful massing and attention to fine grained materiality.
- C. The Wayzata Boulevard District comprises all extends east from the ravine below the Bluff District at Grand/Superior Avenue to the large commercial parcels on the north frontage of I-394, including frontage parcels on both sides of Wayzata Boulevard from the eastern interchange and the east side of Central Avenue. This area is currently characterized as a typical "commercial strip," but incremental change is anticipated that will gradually result in more mixed-use development in accordance with Hwy 12 to the western reconnection with Hwy 12. The the 2040 Plan.
- D. Land uses in the Design Districts
- Land Use in all Design Districts is controlled by the underlying zoning as specified in the Wayzata Zoning Ordinance found in Part IX of also includes properties fronting Central Avenue, from the Wayzata Code of Ordinances.

~~Housing uses are encouraged for all proposed projects located with commercially zoned areas in the Lake Street, Bluff, and Wayzata Boulevard to Hwy 12.~~

~~Districts and in areas identified for Mixed-Use Commercial/Residential in the Wayzata 2040 Plan. Mixed-use development provides a residential consumer base for commercial uses, contributes to the 2040 goal of greater housing diversity, and evokes the traditional small town arrangement of "living above the store".~~

E. Standards outside the Design Districts

In areas outside of the three Design Districts, Standards shall apply based on the Land Use identified within the Wayzata Comprehensive Plan and summarized in the following table:

<u>Project Location</u>	<u>2040 Comprehensive Plan Land Use</u>	<u>Applicable Design Standards</u>
<u>Lake Street District</u>	<u>All Land Uses</u>	<u>Lake Street District</u>
<u>Bluff District</u>	<u>All Land Uses</u>	<u>Bluff District</u>
<u>Wayzata Boulevard District</u>	<u>All Land Uses</u>	<u>Wayzata Boulevard District</u>
<u>Applications for Commercial, Multi-family Residential, and Mixed-Use projects located outside designated Design Districts</u>	<u>Estate Single Family</u>	<u>n/a</u>
	<u>One Acre Single Family</u>	<u>n/a</u>
	<u>Low Density Residential</u>	<u>Bluff District Standards</u>
	<u>Central Core Residential</u>	<u>Bluff District Standards</u>
	<u>Medium Density Residential</u>	<u>Bluff District Standards</u>
	<u>High Density Residential</u>	<u>Bluff District Standards</u>
	<u>Mixed-Use Commercial / Residential</u>	<u>Wayzata Boulevard Standards</u>
	<u>Institutional/Public</u>	<u>Bluff District Standards</u>
	<u>Semi-Public/Private</u>	<u>Bluff District Standards</u>
	<u>Vacant</u>	<u>Bluff District Standards</u>

909.04A - Applicability.

- A. The Design Standards apply to all development in the City that has a nonresidential and/or multifamily component and that involves any of the activities listed in Section 909.04.B. Standards that fall under the heading "All Districts" or similar shall apply in all Design Districts. Standards specified for a particular District or Districts shall apply in those specified District or Districts. In areas outside of the three Design Districts, the Standards applicable in the Bluff District shall apply.
- B. Subject to the exceptions listed in Section 909.04.C, these Design Standards ~~shall~~ apply to all development with a nonresidential and/or multifamily component within the Design Districts. Standards that fall under the heading "All Districts" or similar shall apply in all Design Districts. Standards specified

for a particular District or Districts shall apply in those specified District or Districts. As illustrated in the Wayzata Design Standards Document Section 1.D: How To Use This Document, these Design Standards provide both "Standards" and "Guidance". Sections of the Design Standards that fall under the heading "Standards" are mandatory, and are incorporated in Ch. 909 of the Zoning Ordinance. Sections of the Design Standards that fall under the heading "Guidance" are not mandatory or part of the Zoning Ordinance unless specifically referenced therein. The Design Standards specifically apply to work that involves any of the following activities:

1. Modification involving 50 percent or more of an existing building's exterior facade.
 - ~~2. Building demolition.~~
 3. New building construction.
 4. Addition which adds an additional story to an existing building.
 5. Addition which increases the existing building's square footage by 50 percent or more.
 6. Alteration of the roof ~~typemassing and roof height~~ of an existing building.
 7. Site alteration that changes 50 percent or more of the existing site.
- C. The Design Standards ~~shall do~~ not apply to the following activities:
1. Replacement, repair, or modification of windows or doors ~~with those of a similar size or design.~~
 2. Replacement, repair, or modification of roofs with the same or similar materials.
 3. Exterior painting.
 4. Interior renovations.
 5. Site alterations which only repave or repair the existing site.

909.054B - Franchise Architecture.

- A. Definition: Franchise Architecture is a standardized architectural building style or other elements such as signage or other building elements used as part of a standardized program to promote brand identity through visual recognition.
- B. Mitigation: Applicants shall modify their standardized exterior designs as necessary to comply with these Design Standards, including but not limited to sections on Building Uses, Placement, Building Materials, Signage, and Lighting. Franchise Architecture shall:
 1. Locate the parking behind the building and shall provide an entrance at the sidewalk on the public right of way frontage.
 2. Screen surface parking from the back of the sidewalk by Landscaped Buffer Strip as defined in Section 909.18. ~~a combination of planting strip, a wall less than 4 feet in height,~~
 3. Compose building facades and architectural elements such as awnings, trims, and roofing of materials drawn from the included Materials palettes; high intensity and florescent colors shall be prohibited for use.
4. Franchise signage shall be integrated into the building architecture, complement and enhance proposed building materials, and comply with the following Standards. All new, altered and/or proposed signage for buildings must be submitted for review under Section 909.22 by the Planning Commission at the time of Design Standards Review application. ~~A. Lake Street District. All new buildings east of Barry Avenue on Lake Street shall have retail usage at least 80 percent of the ground floor facing Lake Street. The remaining 20 percent of the ground floor frontage may only be used for walkways, public access, or public facilities. Retail activities shall comprise a total of at least 50 percent of the usage of the total building footprint.~~

909.05A Design Standards for Medium-Scale Sites

- A. Definition: Medium-scale sites shall be defined as site(s) providing a proposed total area from 1-3 Acres, either as a single parcel or multiple contiguous parcels in the same development application.
- B. Design Standards for Medium-Scale Sites
1. Proposed buildings shall be located on and oriented to public rights of way and parking shall be located behind the building
 2. Proposed new construction located on designated Hennepin County rights of way and directly abutting County sidewalks shall construct a sidewalk extension with a minimum 2 foot width on the proposed parcel.
 3. Service areas such as refuse bins and trash rooms shall be located behind or inside the building and away from any proposed Usable Open Space.

909.05B Design Standards for Large-Scale Sites

- A. Definition: Medium-scale sites shall be defined as sites providing a proposed total area exceeding 3 Acres, either as a single parcel or multiple contiguous parcels proposed in the same application.
- B. Design Standards for Large-Scale Sites
1. In areas with identifiable street patterns, internal circulation (such as drives, driveway aisles, alleys, and private streets) shall align with the surrounding street network. Connections to existing streets shall be made to the maximum extent feasible
 2. Proposed buildings shall be located on and oriented to public rights of way and parking shall be located behind the building
 3. Proposed new construction located on designated Hennepin County rights of way and directly abutting County sidewalks shall construct a sidewalk extension with a minimum 2 foot width on the proposed parcel.
 4. When Usable Open Space is required, retail and mixed-use site design should be centered around pedestrian walkways and plazas.

909.06 — Building Recesses.

- A. ~~—All Districts.~~ **New Buildings—All Districts. Building Recess:** Building Recesses shall be provided at each facade longer than 100 feet on public rights of way.
- ~~1. — Building facades~~ 1. — Building facades ~~Recesses shall be articulated through provided to relieve the use impact of pilasters long facades and/or recesses that create visible shadow lines and dimensions especially on the street level.~~
 - ~~2. — Street level landscaped courtyards to provide allow space for outdoor dining, seating areas and gathering areas, or landscaping. A Significant massing breaks located at the ground level shall also be incorporated into building and site plan design.~~
- allowed to qualify as a Building Recess.

2. Building Recesses shall provide a minimum dimension of 8 feet, a minimum area of 250 square feet, and shall not be located under upper story floor area.~~be open to the sky above the ground floor.~~
3. Building Recesses shall be provided to comply with the following:
 - a. Lake Street: one Building Recess shall be provided for every 100 feet of building frontage length on public right of ways
 - b. Bluff District: One Building Recess shall be provided for every 50 feet of building frontage length on public right of ways
 - c. Wayzata Boulevard: One Building Recess shall be provided for every 100 feet of building front-age length.

909.07 ~~—~~ Building Width.

A. **New Buildings—All Districts.** Significant Massing Break façade

1. Buildings exceeding 150 feet of length on public rights of way shall provide one significant massing break for every 150 feet of facade to respond to the small-scale character of Wayzata. Significant massing breaks shall be defined as:
 - a. A massing void providing a minimum width of 25 feet and extending through the depth of the building~~for a minimum of two stories above the ground floor.~~
 - b. A publicly accessible midblock pedestrian connection or street through the building with a minimum clear width of 25 feet.
2. ~~In order to reduce the scale of longer facades and to eliminate the long horizontal expressions of buildings, divisions or breaks in materials shall be included and at least three of the following design strategies shall be incorporated into the design:—~~ Proposed development located between Lake Street and the shoreline of Wayzata Bay shall provide any required significant massing breaks as midblock connections to provide views of Lake Minnetonka and allow for potential future access to the lake.
- ~~1. Window bays.~~
- ~~2. Special treatment at entrances.~~
- ~~3. Variations in roof lines or parapet detailing.~~
- ~~4. Awnings.~~
- ~~5. Building setbacks or articulation of the facade.~~
- ~~6. Rhythm of elements.~~

909.08 - Upper Story ~~Setbacks~~Building Stepbacks.

A. **New Buildings—All Districts.**

1. Building height shall conform to the height of the applicable zoning district. ~~Where three-story buildings are permitted, the third story must be recessed from all facades fronting public rights-of-way at least a distance equal to the vertical distance of the third story height from the second floor footprint, or an average of ten feet across the facade, but no portion of the third story structure shall be closer than six feet to the second story facade. The third story facade shall be designed with railings, pillars, dimensional windows, building recesses or other similar design techniques to break up the third story facade.~~ Every proposed multifamily and commercial facade exceeding 60 feet in façade length and fronting a public right of way shall provide an Upper Story Stepback at the highest occupiable story.
2. Required Upper Story Stepbacks shall recess upper floors a minimum of 10% of the frontage length inclusive of the width of any provided Small Recesses

3. The required stepback shall be allowed to be reduced where visible roof forms are located at the level of the stepback in accordance with Section 909.09.-
4. The following design elements shall be allowed to encroach within the stepback area:
 - Awnings
 - Permanently installed trellises or pergolas
 - Sunshades
 - Solid parapets and railings up to 42 inches in height
 - Container plantings
 - Visible sloped roofs
5. The following design elements shall be allowed to encroach in Uupper Sstory Sstepbacks to a maximum width equal to 30% of frontage length:
 - Decorative tower elements
 - Projecting bays
 - Screened porches
 - Solariums
 - Raised parapets exceeding 42" in height
 - Glass windscreens exceeding 42" in height.
6. The defined stepback shall apply to each district as follows:
 - a. Lake Street District and Bluff District: the defined Upper Story Stepback shall apply to the third floor.
 - b. Wayzata Boulevard District: the defined Upper Story Stepback shall apply to the uppermost floor
- ~~2. The facades fronting public right-of-ways of every two- and three-story building, longer than 60 feet, must have a recessed second story of approximately 25 percent of the facade's length, setting back a minimum of six feet from the face of the first floor facade. The required third floor setback must follow the frontal plane of the second story setback.~~
- ~~3. Wintertime sun orientation, solar access, and views of Lake Minnetonka are significant issues within the Design Districts. Building height should not negatively and significantly impact neighboring properties.~~

909.09 - Roof Design.

- A. **All Districts.** ~~"Green" roofs, roof garden terraces, arbors and other similar structures are encouraged on roofs of building. Every proposed multifamily and commercial facade exceeding 60 feet long and fronting a public right of way shall comply with the following Roof Articulation Standards~~
- ~~B. **Roof Materials—All Districts.** 1. A visible sloped roof provided at the same level as the Upper Story Stepback shall be allowed to fully encroach in the stepback up to a maximum width equal to 40% of the facade length.~~
2. Sloped roof forms shall provide decorative eaves and rakes; 'porkchop' eave and rake returns shall be prohibited.

- ~~1. The roof material for all sloped roofs in all districts shall be slate, untreated copper, pre-finished metal, cedar shake or asphalt shingle in dark colors.~~
- ~~2. The roof material for all flat roofs in all districts shall be treated synthetic membrane or other similar material in dark colors.~~

909.10 - ~~Screening of~~ Rooftop Equipment Location and Screening.

A. **Lake Street and Bluff Districts.**

- ~~1. No mechanical equipment for a building may shall be located on the roof deck. All equipment shall be located at the building interior or on grade at the side or rear yard and concealed from view. Mechanical equipment shall be located on the roof deck. All such mechanical equipment must be located within the roofs above first or second floors at rear or interior of the structure, side parcel locations and shall be screened with compatible architectural elements at least one story in height.~~

B. ~~Wayzata Blvd District.~~

- ~~1. Individual mechanical equipment items less than 3 feet in height and 9 square feet in area may be located on the roof surface.~~
- ~~2. The total roof area covered by such equipment shall be limited to 25% of roof area.~~
- ~~3. All mechanical equipment located on roofs shall be fully concealed by 42" parapets or compatible architectural elements~~
- ~~4. Mechanical equipment in excess of this standard shall be located on grade in the rear or side yard and concealed from view. 1. All mechanical equipment shall be completely screened behind a parapet wall, so as not to be visible from adjacent properties and pedestrian view vantage points from adjacent sidewalks.~~
- ~~2. No enclosure shall be larger than 25 percent of the roof area.~~

C. All Districts.

- ~~1. Any mechanical equipment required by these Standards to be located on grade shall be fully concealed using materials complimenting the proposed building design.~~
- ~~2. Where allowed by the Wayzata Code of Ordinances, sSolar photovoltaic (PV) panels installed on flat roofs shall be installed on racks not exceeding 2 feet in height and surrounded by parapets at least 3 feet in height~~
- ~~23. Where allowed by the Wayzata Code of Ordinances, Ssolar photovoltaic (PV) panels installed on decorative trellises or arbors shall be recessed at least 12 inches from the edge of the structure~~

909.11 - Facade Transparency.

- A. **Glass Calculations—All Districts.** ~~Applications for design approval must include~~The applicant shall provide facade diagrams that contain calculations of glass and solid surfaces. Calculations of facade areas for multiple story building shall be measured from grade to the floor above. Calculations of facade areas for one story buildings shall be measured from grade to the roof deck.

~~B. Lake Street District. No less than and Wayzata Boulevard District. A minimum of 50 percent of the ground level facade of any building fronting Lake Street shall be transparent glass. No less than 25 percent of the ground level side and rear facade facing aother public right of way, ways, or parking area or open space shall be transparent glass.~~

- ~~C. Bluff District. No less thanA minimum of 35 percent of ground level public facades for buildings containing commercial or office uses shall be transparent glass.~~

~~DB.~~ ~~D.~~ **Wayzata Boulevard District.** No less than 50 percent of the ground level facade for buildings containing commercial or office uses fronting Wayzata Blvd shall be transparent glass.

Glazing required by this section shall comply with the following:

1. Glazing shall be clear glass with a visible light transmittance of at least 80%.
2. Glazing shall not be obstructed with opaque films or signage
3. The minimum unobstructed depth from the required glazing to the closest parallel interior wall shall be 10 feet.

909.12 ~~Ground Level Expression~~ Façade Design—All Districts.

~~In multi-story buildings, the ground floor shall be distinguished from the floors above by the use of at least three of the following elements:~~

~~A.—An intermediate cornice line.~~

~~B.—A difference in building materials or detailing.~~

~~C.—An offset in the facade.~~

~~D.—An awning, trellis, or loggia.~~

~~E.—Arcade.~~

1. Building articulation elements shall be provided at a maximum average spacing of 40 feet.

2. Façade articulation shall be provided through any or a combination of the following elements:

- A projecting bay, entry vestibule, or recess extending from the ground level through the second floor
- A ground-level Building Recess
- A change in the rhythm of windows and awnings at the ground level and second floor combined with a change of parapet height or material

~~F.—Special window lintels.~~

~~G.—Brick/stone corbels.~~

909.13 - Ground Floor Design

~~Ground floor residential units shall comply with the following standards:~~

Ground level commercial and mixed-use facades, defined as those located between two and twelve feet above ground level, shall meet the following standards:

1. A.—Lake Street District and Wayzata Boulevard District. A minimum of 50 percent of the ground level façade area of any building fronting Lake Street shall be transparent glass. No less than 25 percent of the ground level facade facing other public right of ways, or parking area, or open space shall be transparent glass.
2. Bluff District. A minimum of 35 percent of the ground level façade area facing public right of ways for buildings shall be transparent glass.

A. Main entry doors shall be primarily glass. If, for security reasons, a glazed entry door is not possible or practical, a main entry door shall be well detailed with decorative panels. Wood doors consistent with this standard may be utilized for retail and office buildings.

B. Awnings shall be limited to the following:

1. Fabric awnings composed of heavy canvas in colors complimenting the proposed color palette.
2. Well-detailed aluminum or powder-coated steel awnings complimenting the proposed color palette.
3. Glass awnings using frosted or clear glazing
4. Backlight, waterfall, and box awnings shall be prohibited.

C. Ground floor residential units shall comply with the following standards

Lake Street and Wayzata Boulevard Districts: r

1. ~~1.~~—Residential units located within 4 feet of ground level at public right of way or open spaces shall provide a secondary exterior entry to the unit as a private terrace or stoop.

2B. Bluff District: r

1. ~~1.~~—Residential units located within 4 feet of ground level at any public right of way shall provide a secondary exterior entry to the unit as a residential stoop.

3C. Entries—All Districts.

~~The front facade of all buildings shall be landscaped with window boxes or planters with seasonally appropriate plantings. The main entries shall face the primary street at sidewalk grade.~~

1. ~~1.~~—Where site constraints prevent units from being raised above grade, entries and private terraces may be located less than 2 feet above grade if provided the unit entry door is set back a minimum of 8 feet from property line.

909.14 - Building Materials and Quality—All Districts.

~~The following standards for building materials and building details apply in all Design Districts:~~

~~A. **Primary Opaque Surfaces.** Other than the accent materials listed in Section 909.14.G, 90 percent of the non-glass surfaces of each elevation of the exterior building facade shall be composed of one or more of the following materials:~~

- ~~1. Brick.~~
- ~~2. Stone.~~
- ~~3. Cast stone.~~
- ~~4. Factory finished and certified wood, including, but not limited to:

 - ~~a) Wood shingles (cedar shingles six-inch maximum exposure).~~
 - ~~b) Lap siding (six-inch maximum width).~~~~
- ~~5. Stucco.~~

~~A. **General Standards for B. Facade Coverage.** The primary opaque surface materials of all free standing buildings must be the same on all facades of the building.~~

~~C. Type of Brick.~~ On all facades of a free-standing building where brick is used, full course modular, Roman, Norman or other standard size brick must be used.

~~D. Facade Detail.~~

- ~~1. Brick and/or stone facades shall be well detailed and dimensionally designed in order to avoid fractional cuts and odd pieces. All outside brick corners must be full bricks (custom if necessary), with no mitering, forming continuous vertical joints.~~
- ~~2. The narrow face of an exposed stone butt joint, at corners, must be a minimum dimension of two inches. Mitered and quirked stone corners are also acceptable.~~

~~E. Brick Joints.~~

- ~~1. The mortar for brick must be dark grey or in the color range of the brick. All joints must be concave or 'v' joint. No mortar may be used beyond the face of the brick.~~
- ~~2. All brick walls must be built to avoid efflorescence~~

~~F. Stone Joints.~~ Stone joints shall be no larger than one-fourth inch.

~~G. Accent Materials.~~ Only Placement

- ~~1. The materials used shall be consistent with the following Material Application Standards and with the following Standards for Materials and Detailing.~~
- ~~2. A change in materials shall be detailed to occur at a change in building plane no less than 6 inches in depth.~~

~~B. materials may be used for lintels, sills, cornices, bases,~~ Building Base Materials Application

- ~~1. Building Base shall use Masonry Materials, as defined in the following Standards for Materials and decorative accent Detailing~~
- ~~2. Lake Street District~~
 - ~~a) Buildings shall provide a defined base above ground level between 2-3 feet in height for the entire length of the Facade inclusive of storefronts.~~
 - ~~b) The Building Base shall be composed of Masonry Materials; projecting trims, and must be no more than ten percent of the non-glass surfaces of each elevation of the exterior building facade; moldings shall also be composed of complementary Masonry Materials~~

- ~~1. Stone.~~
- ~~2. Cast stone.~~
- ~~3. Copper (untreated).~~
- ~~4. Rock faced stone.~~
- ~~5. Aluminum or painted steel structural shapes.~~
- ~~6. Fiber cement board.~~
- ~~7. Premium grade wood trim with mitered outside corners. Examples of premium grade wood are cedar, redwood, and fir.~~
- ~~8. EIFS.~~

~~H. Parapets, Flashing, Coping.~~

- ~~1. Only the following 3. Bluff District~~
 - ~~a) Buildings proposing masonry facades shall not be required to provide an additional masonry base.~~
 - ~~b) Where required, the defined Building Base shall extend to 2-3 feet in height above ground level.~~

c) The Building Base shall be composed of Masonry Materials; projecting trims and moldings shall be composed of either complementary Masonry Materials or dimensional Board Siding Materials

4. Wayzata Boulevard District

a) Buildings shall provide a defined base above ground level between 2-3 feet in height for the entire length of the Facade inclusive of storefronts.

b) The Building Base shall be composed of Masonry Materials; projecting trims and moldings shall also be composed of complementary Masonry Materials.

c) Polished face CMU in hues similar to allowed Masonry Materials shall be allowed as a Building Base material within the Wayzata Boulevard District

C. Public-facing Walls Materials Application

1. The following materials shall be allowed for use on public-facing walls as a primary or accent material:

a) Masonry Materials as defined in the following Standards for Materials and Detailing

b) Board Siding Materials as defined in the following Standards for Materials and Detailing

2. The following material shall be allowed for use on public-facing walls as an accent material only:

a) Architectural Panel System Materials as defined in the following Standards for Materials and Detailing

b) Stucco/EIFS Materials (limited to the Wayzata Boulevard District) as defined in the following Standards for Materials and Detailing

3. Lake Street District

a) Digitally printed extruded aluminum siding shall be prohibited as a primary wall material.

b) The use of Architectural Panel Systems Materials shall be limited to 20% of the facade area per frontage and use at:

- façade recesses
- inset wall panels
- projecting bays
- awnings
- entrance canopies.

4. Bluff District

a) Masonry Materials proposed for wall applications in the Bluff District shall be limited to dimensional brick, natural stone, cast stone, or adhered stone in combination with mortar. Preassembled masonry panels shall be prohibited.

b) Digitally printed extruded aluminum siding shall be prohibited as a primary wall material.

c) The use of Architectural Panel Systems Materials shall be limited to use at facade recesses, inset wall panels, projecting bays, awnings, and entrance canopies; where used Architectural Panel Systems Materials shall be limited 20% of the facade area per frontage.

5. Wayzata Boulevard District

a) Preassembled masonry panels shall be allowed in the Wayzata Boulevard District.

- b) Digitally printed extruded aluminum siding shall be prohibited as a primary wall material.
- c) The use of Architectural Panel Systems Materials shall be limited to 60% of the façade area per frontage and use at:
 - -façade recesses
 - -inset wall panels
 - -projecting bays
 - -awnings
 - -entrance canopies.
- d) The use of Stucco EIFS Materials as a wall accent material at public-facing facades shall be limited to 40% of the facade area per frontage.

D. Concealed Rear Walls or Parcel Interior Walls Application

- 1. The following materials may be used on concealed rear or parcel interior walls at the wall field in accordance with the following standards:
 - a) Masonry Materials
 - b) Board Siding Materials
 - c) Stucco/EIFS Materials (as regulated by the following standards)
- 3. Lake Street District
 - a) The use of Stucco/EIFS Materials shall be limited to 50% of facades at rear or interior parcel walls.
 - b) Stucco/EIFS Materials shall not be placed closer than 50 feet to any public right of way.
- 4. Bluff District
 - a) The use of Stucco/EIFS Materials shall be limited to facades fully concealed from view from public rights of way.
- 5. Wayzata Boulevard District
 - a) Stucco/EIFS Materials shall not be placed closer than 25 feet to any public right of way.

E. Upper Story Stepback Materials Application

- 1. The following materials may be used on walls at the stepback level at the wall field and/or for accent walls:
 - a) Masonry Materials
 - b) Board Siding Materials
 - c) Architectural Panel System Materials (except for primary walls in the Bluff District)
 - d) Stucco/EIFS Materials (allowed only in the Wayzata Boulevard District)
- 2. Lake Street & Wayzata Boulevard Districts
 - a) The use of Architectural Panel Systems Materials shall not be limited at facade volumes complying with Upper Story Stepback requirements.

F. ~~for~~ Roof and Parapet Materials Application

1. The following materials shall be allowed for the specified application:

- a) Sloped Roofs: Unit Roofing Materials
- b) Concealed Roofing: Sheet Roofing

2. All Districts

- a) Sheet roofing shall be concealed from view by ~~raised~~ parapets, ~~flashing and~~ or ~~roof copings~~.
 - a) ~~Copper (untreated).~~
 - b) ~~Brick.~~
 - c) ~~Stone.~~
 - d) ~~Cast stone.~~
 - e) ~~Premium grade wood.~~
- 2. ~~Pre-finished, painted .032 aluminum may only be used as a standard parapet coping with a maximum exposed edge of five inches.~~
- b) Where provided, sloped roofing shall provide a minimum 12 inch projection at eaves and rakes
- c) The Parapet/Roof Coping Material shall be the same as the wall material immediately below and shall be used to articulate building massing.
- d) Where rooftop equipment is permitted, parapets shall be located to conceal such equipment from view.

G. General Standards for Materials and Detailing

1. ~~Changes in materials shall.~~ ~~Awnings.~~

~~1. Only the following types of awnings may be used sparingly and shall be used to emphasize building articulation. These locations are generally:~~

- a) Inside wall corners at bays, projections, and recesses
- b) Plan offsets such as stepbacks and step-downs
- c) Building base articulation such as projecting foundations and water tables
- d) Low walls and curbs under storefront glazing

2. A change in materials shall be detailed to occur at a change in building plane no less than 6 inches in depth.

3. Buildings shall propose a traditional color palette complimenting the defined materials. Florescent or highly saturated colors shall be prohibited.

H. Board Siding Materials and Detailing

1. Board Siding Materials shall provide a minimum exposure of 6 inches. Refer to the Design Standards document for examples of appropriate Board Siding Materials.

2. Board Siding Materials shall either be factory finished; or stained or painted on all six sides.

3. The following materials shall be prohibited: vinyl siding; plastic; sheet fiberglass; rolled metal sheet, rolled residential aluminum siding.
4. Trim shall be made from defined Board Siding materials.

I. Masonry Materials and Detailing

1. Masonry Materials shall be defined as

- a) Modular, Roman, Norman, or clinker Face brick in buff, grey, purple, and red hues
 - b) Natural stone or cast stone evoking Minnesota native granite, limestone, or sandstone
 - c) Porcelain or ceramic tile
 - d) Adhered Modular, Roman, Norman, or clinker brick in buff, grey, purple, and red hues exceeding 1.5 inches in thickness;
 - e) Adhered granite, limestone, or sandstone exceeding 1.5 inches in thickness
2. Face brick and stone shall provide full units or custom corner modules at outside corners.
 3. Adhered masonry and tile should provide mitered joints at outside corners to create the appearance of a corner block.
 4. All Masonry Materials shall provide 3/8" maximum concave or v-joint mortar or grout joints in colors matching the color of the block or tile material.
 5. Individual masonry modules must be scaled appropriately to the building massing;
 - ~~B~~Brick and tile modules or veneers less than 1.5 inches in height shall be prohibited ~~and~~
 - ~~S~~Stone block or veneer modules less than 6 inches in height shall be prohibited.
 6. Where masonry spans an opening, masonry units shall be oriented to provide an arch, jack arch, masonry lintel, or soldier row extending beyond the opening.
 7. Trim shall be provided from defined Masonry Materials
 8. ~~Dimensional~~ Board Siding Materials shall also be allowed for use as masonry trim in the Bluff District with proportions approximating dimensional wood.

J. Panel Systems Materials and Detailing

Refer to the Design Standards document for examples of appropriate Board Siding Materials.

1. ~~Panel Systems with Exposed fasteners~~ ~~Panel Systems~~ shall be prohibited.
2. Panel materials shall be designed and manufactured explicitly for use in a system application.
3. 'Open Joint' panel systems shall be backed by dark colored material.
4. Anodized aluminum or powder coated metal joint covers and trims to compliment panel color shall be used.

K. Stucco and EIFS Materials and Detailing

Design Standards for materials including:

- a) 3 coat stucco;
- b) Dryvit; ~~or~~
- c) Exterior insulation and finishing systems (EIFS)

1. Stucco/EIFS system joints should be designed to reinforce building massing and proportions.
2. Stucco/EIFS system joints shall be trimmed with architectural grade metals. Painted galvanized metal joint covers and trims shall be prohibited.1. Face brick and stone shall provide full units or custom corner modules at outside corners.
3. Trims shall be made from contrasting Board Siding or Masonry materials and shall not be coated with stucco or EIFS. Panel joints shall be made from Anodized aluminum.
4. Foam trims shall be prohibited.

L. Roofing Materials and Detailing

1. Sheet roofing (including PVC, TPO, KEE, Built up Asphalt, and other comparable membranes) shall be selected to provide tan or grey membranes with a three year Solar Reflectivity Index (SRI) between 0.40 - 0.70 to balance issues of glare and heat island mitigation.
2. Unit roofing limited to wood shake, wood shingle, slate tile, dimensional ('architectural') asphalt shingle, and powder-coated standing seam metal roofing shall be used on visible sloped roofs in a neutral color chosen to harmonize with the materials of the proposed and surrounding buildings.
3. Sheet Roofing surfaces fully concealed by parapets shall be permitted to use any trims at locations concealed by the parapet.
4. Trim materials shall be specified as follows:
 - a) Metals Trims: zinc; untreated copper; powder coated aluminum or steel in colors complimenting the roofing color shall be used for fascias, parapet caps, and similar trim elements;
 - b) Wood or board siding materials may be used for projecting eaves, rakes, ~~coursings,~~ and horizontal trims

M. Awnings.

1. Awnings shall be limited to the following:
 - a) Fabric awnings composed of a heavy canvas in ~~dark solid colors or other colors that are approved as part of the design review process.~~
 - ~~b) Highly detailed, ornate metal in dark colors, complimenting the proposed color palette..~~
 - b) Well-detailed aluminum or steel awnings complimenting the proposed color palette..
 - c) Glass awnings using frosted or clear glazing.
2. Backlit, waterfall, and box awnings are prohibited.
3. Awnings with text or graphic material may be permitted but require approval via the sign permit process of the Zoning Ordinance.

~~JN.~~ Balconies and Soffit Materials Application.

1. The following materials may be used balconies and soffits:
 - a) Masonry Materials
 - b) Board Siding Materials
 - c) Architectural Panel System Materials
2. All Districts

- a) ~~Balconies shall be accessible and useable by persons. Fake or unusable balconies are prohibited, designed as usable space with a minimum depth of 4 feet unless designed as a Juliette-type balcony.~~
- b) ~~All balconies shall remain within the property line. Metal railings with members painted dark, or glass panels are permitted.~~
- K. ~~**Glass.** Glass shall not be mirrored, reflective or darkened. Slight green, bronze and grey tints are acceptable. Spandrel glass shall not be counted as transparent glass for the purposes of calculations under the transparency requirements of Section 909.11 of the Standards, but may be used for detailing purposes. Environmentally appropriate glass, such as Low emissivity glass, shall be used in all projects.~~
- ~~Lc) Exposed framing of balconies and soffits, unless designed as an exposed element (i.e., heavy timber) shall not be allowed be prohibited.~~

~~O. **Door Systems.** Unless there are building security concerns, main~~Main ~~entry doors shall be primarily glass. If, for security reasons, a main entry door is not possible or practical, a main entry door must be~~shall be ~~well detailed. Appropriately designed wood with decorative panels. Wood doors consistent with this standard may be utilized for retail and office buildings.~~

909.15 - ~~Franchise Architecture—All Districts.~~ Usable Open Space

- A. ~~Typical or standardized franchise architecture (including building design that is the trade dress of, or identified with a particular chain, franchise or business and is repetitive in nature) is prohibited.~~
- B. ~~Large, bold or bright signage, trade dress or logos must be altered and scaled down to meet the purpose of these standards as articulated herein, and must not be repeated on the facades of the principal structure more than once. All new, altered and/or proposed signage for buildings must be submitted for review under Section 909.22 by the Planning Commission at the time of Design Standards Review application. Where required by the Wayzata Code of Ordinances Part IX, Usable Open Space shall meet the following Design Standards:~~

~~BA. _____~~ Site area designated as Usable Open Space shall be sloped at less than 3/4 inch per foot (6.25%) or be terraced to achieve this slope. Terraced areas shall meet the following minimum area standards.

~~CB. _____~~ Usable Open Space intended for private use by an individual dwelling shall meet the following:

- 1. Private open space shall be directly accessible from and adjacent to the associated dwelling unit
- 2. Private open space shall provide a minimum dimension of 5 feet in any direction.

~~DC. _____~~ Usable Open Space intended for shared use by residents in a proposed building or development shall meet the following:

- 1. Buildings, streets, or walkways shall face onto shared use open spaces
- 2. Shared use open spaces shall provide a minimum area of 250 square feet and a minimum dimension of 15 feet to be considered usable.

3. Shared use open spaces shall provide lighting, walkways, benches or tables, and landscaping.

909.16 ~~—~~ Walkways.

A. ~~—~~ All Districts

1. Where the street grid is interrupted by steep slopes or other topographic impediments, walkways, ramps, or stairways shall be provided to maintain pedestrian continuity.

B. Lake Street District.

1. Continuous sidewalks at least 12 feet in width, and inclusive of a 6 foot planting zone at the back of curb, shall be provided along all public street frontages.
2. Lighted sidewalks shall extend between rear and side parking areas and building entrances. All sidewalk lighting must project downward.
3. ~~Buildings with~~ Sidewalk surfaces at public street frontage exceeding 50 feet frontages shall ~~have at least one bench.~~
4. ~~All sidewalk surfaces must~~ match the exposed aggregate/brick accent sidewalks on Lake Street.
- ~~B4. Internal walkways shall extend on private property to connect building entrances to rear or side parking areas. These walkways shall provide~~
 - a) Pedestrian-scale lighting
 - b) 5 foot minimum sidewalk width
 - c) 6 foot wide landscape strip at any adjacent building wall

C. Bluff District.

1. Continuous sidewalks at least five feet in width shall be provided along all public street frontages. The sidewalk street grid shall be maintained and extended wherever possible.
- ~~2. Where the sidewalk street grid is interrupted by steep slopes or other topographic variations, walkways or stairways shall be built to maintain pedestrian continuity.~~

C. Wayzata Boulevard District.

1. Continuous ~~sidewalks at least five~~ sidewalk ~~width inclusive of Hennepin County sidewalk and private extension shall be no less than 7 feet in width shall be provided along Wayzata Boulevard.~~
2. ~~Lighted sidewalks~~ Sidewalk surfaces at public street frontages shall match the exposed aggregate/brick accent standard sidewalks on Lake Street.
3. Internal walkways shall extend between from building entrances to rear or side parking areas and. ~~These walkways shall provide~~
 - a) Pedestrian-scale lighting
 - b) 5 foot minimum sidewalk width
 - c) 6 foot wide landscape strip at any adjacent building entrances.wall

909.17 - Landscaping.

A. Applicability

1. The Design Standards for Landscaping shall apply to all Design Districts. Where these Standards conflict with city ordinances such as Chapter 936: Tree Preservation, the most stringent regulation shall prevail.

AB. All Districts.

~~1. Seasonal landscaping shall be used in all Design Districts, including use of window boxes, hanging flowers baskets, vines and/or other similar seasonal~~ 1. Street trees shall be planted at all public frontages to comply with the following:

- a) Minimum size of three caliper inches
- b) Maximum spacing of 26 feet
- c) Located within a landscaped boulevard or tree well 6 feet in width
- d) Street trees at Hennepin County right of way frontages shall be planted between the building and sidewalk.

~~landscaping. If feasible, garden areas and ornamental trees shall be used at the street level.~~

2. Window boxes, hanging baskets, and planters with seasonally appropriate plantings shall be ~~used around~~ provided at entries to buildings and at public frontages at a rhythm corresponding to architectural features.

~~3. Vines~~ 3. Development sites with street frontage exceeding 50 feet in length shall provide a minimum of one bench using a City-approved design for each 150 feet of frontage length.

4. Trellised vines shall be used to cover walls with more than 100 square feet of uninterrupted surface area.

5. Perennial Landscape design documents shall depict species growth 10 years after installation.

~~4. Streetscaping shall include all of the following:~~

- ~~a) Boulevard species trees, with at least three caliper inches.~~
- ~~b) Exposed aggregate sidewalks with brick accents.~~
- ~~c) Street lights.~~
- ~~d) Benches (if building length is 50 feet or greater), which utilize existing city bench designs.~~
- ~~e) Flowers.~~

B. Lake Street District.

~~1. Established Lake Street landscape treatments shall be followed in accordance with the specifications of the Wayzata Engineering Guidelines set forth in Wayzata City Code. Exposed aggregate with brick accent sidewalks shall be used.~~

~~2. Approved boulevard trees, planted in sidewalk areas, shall be planted no more than 26 feet on center from each other.~~

~~C. Bluff District and Wayzata Boulevard District. Trees with a minimum of three caliper inches shall be planted no more than 26 feet apart within a landscaped boulevard.~~

909.18 - Parking Lot Landscaping—All Districts.

~~A. A landscaped Buffer Strip at least five feet wide shall be provided between all surface parking areas and the sidewalk all sidewalks or street. The buffer strip public streets. Landscape Buffer Strips shall consist provide all of shade the following:~~

- 1. 6 foot minimum planting width

~~2. Shade trees of a minimum 3 inch caliper sShade treesize appropriately spaced for the particular Design District, and planted at 26 foot maximum spacing or a continuous, dense hedge~~

~~3. A decorative metal fence, solid masonry wall or ornamental iron rod fence or hedge. A solid wall or dense hedge between 3-4 feet in height~~

~~B. 6 foot wide tree planting strips shall be no less than three feet and no provided between spaces at an minimum average spacing of 40 feet on center and shall provide subsurface drainage.~~

~~B. Parking Planting Strips shall be provided at surface lots with more than one aisle. Such parking strips shall be either parallel or perpendicular to parking lot aisles to comply with the following:~~

~~1. Shade trees shall be planted in Parking Planting Strips at 30 foot maximum linear spacing in parking planting strips and shall be 2 1/2 inch caliper minimum size.~~

~~C. Trees planted in parking lots or landscaped buffers shall be 15 gallon minimum size.~~

~~D. Parking Planting Strips shall be provided at surface lots with more than four one aisle. Such parking strips shall be either parallel or perpendicular to parking lot aisles to comply with the following:~~

~~12. Parking Planting Strips shall be a minimum of 6 feet deep~~

~~23. Parking Planting Strips oriented perpendicular to parking aisles shall be provided at a maximum average spacing of 40 feet on center.~~

~~34. Parking Planting Strips oriented parallel to parking aisles shall be provided at a maximum average spacing of 65 feet on center.~~

~~4. Shade trees shall be planted in height.~~

~~Parking Planting Strips at 30 foot maximum spacing in parking planting strips and shall be 15 gallon minimum size.~~

909.19 - Surface Parking—All Districts.

~~A. Off-street parking shall be located to the rear of buildings. When parking must be located in a side yard adjacent to the street, a landscaped buffer shall be provided in accordance with the Design Standards. The street frontage occupied by parking shall not exceed 60 feet per property, or in side yards if a rear location is proven to be infeasible. Front yard and corner parking locations are prohibited.~~

~~B. Side-by-side yard parking lots creating a parking area frontage longer than lot width shall be limited to 60 feet are prohibited, except where a heavily landscaped and shall be separated from the sidewalk by a landscape buffer of at least 20 feet wide completely separates both lots strip.~~

~~C. Side yard parking shall not extend beyond the front yard setback of the primary building on the property.~~

~~D. Front yard parking is prohibited. Side-by-side parking lots on adjacent properties shall either share one entrance drive or be separated by a landscaped buffer with a minimum dimension of 20 feet.~~

~~E. There shall be no corner parking.~~

909.20 - Bicycle Parking—All Districts.

Bicycle Parking shall be provided in accordance with the following:

- A. Commercial ~~developments requiring development providing~~ more than 20 ~~parking~~ spaces shall provide ~~at least four~~ a minimum of 4 ~~secure~~ bicycle parking spaces ~~in a~~
- B. Mixed-use development with a retail or commercial component shall provide a minimum of 4 ~~secure bicycle parking spaces~~
- C. Bicycle parking spaces shall be located within 100 feet of the main building entrance in a ~~visible and convenient, visible, preferably sheltered~~ location
- D. Bicycle racks shall allow two points of locking and shall conform to applicable City standards.
- E. Bicycle parking shall be located in the Building Recess, in side yards, or, where approved by the city, in boulevard or street tree areas.

909.21 - Parking Structures.

- A. **All Districts.** Parking structures shall meet the following standards, along with all other applicable building code standards:
 - 1. ~~The ground floor facade abutting any public street or walkway. Parking structures shall be architecturally compatible~~ comply with surrounding commercial or office all Design Standards for nonresidential buildings.
 - 2. ~~The parking structure 12. Parking Structure facades abutting any public street or walkway shall be designed in such a way that sloped~~ compatible with the materials and architectural rhythm of surrounding commercial buildings.
 - 23. ~~Sloped floors or ramps do~~ shall not dominate the appearance ~~and of the facade shall not be expressed on exterior parking structure facades.~~
 - 3. ~~Windows~~ Parking structure windows or openings shall be similar in scale and proportion to those of surrounding buildings.
 - 4. ~~Vines~~ Trellised vines and other significant landscaping shall be used to minimize the visual impact of the parking structure walls.
- B. **Lake Street District.**
 - 1. If any part of a parking structure abuts Lake Street, that entire portion of the ground floor facade shall be occupied by at least 80 percent retail usage, extending to a depth of at least 30 feet.
 - 2. ~~The ground floor level of a parking structure~~ Parking structures shall ~~not come within~~ be located a minimum of 40 feet ~~off from the~~ Lake Street ~~right of way at the ground level.~~
 - 3. The top decks of parking structures visible from adjacent properties shall be designed with overhead trellises ~~and or landscaping shade structures sufficient demonstrated~~ to screen at least 50 percent of the visible area.

909.22 - Signs—All Districts.

A. Sign plans must be submitted for review as part of an Applicant for Design Approval. Proposed signs must also conform to the requirements of Chapter 927 of the Wayzata Zoning Ordinance. Buildings including more than one business shall demonstrate compatibility between different businesses.

AB. Compatibility.

1. Signs shall be architecturally compatible with the style, composition, materials, colors and details of the building, and with other signs on nearby buildings. Signs shall be an integral part of the building and site design.
2. ~~A sign plan shall be developed for buildings which house more than one business. Signs need not match, but shall be compatible with one another.~~
2. ~~Franchise or national chains must comply with these Sign Standards to create signs compatible with their context.~~
3. ~~When illuminated signs are proposed, only the text and/or logo portion of the sign may be illuminated. Illuminated signs must be compatible with the location. Illumination of the sign to highlight architectural details is permitted. Fixtures shall be small, shielded, and directed towards the sign rather than toward the street, so as to minimize glare for pedestrians and adjacent properties.~~
4. ~~Sign plans must be submitted for review as part of an Applicant for Design Approval. Proposed signs must also conform to the requirements of Chapter 927 of the Wayzata Zoning Ordinance. Buildings including more than one business shall demonstrate compatibility between different businesses.~~
3. ~~Franchise or national chains must comply with these Sign Standards to create signs compatible with their context.~~
43. The following types of signage shall be prohibited:
 - a. Internally illuminated box signs
 - b. Kinetic and inflatable signs
 - c. Programmable digital signs
 - d. Neon signs
54. Only the text and/or logo portion of the sign shall be illuminated by eExternal spotlight or integral "halo" illumination use shall be limited to the signage text and/or logo portion of the sign.

BC. Sign Location.

1. Wall signs on amultistorey storefront-type buildingbuildings shall be placed between the first and second floors of a building.
2. Wall or roof signs on buildings that are not storefront type buildings shall be placed where they do not obscure architectural features.

CD. Sign Material.

1. ~~The material of which signs are constructed shall Sign materials and design shall be consistent and compatiblecomplimentary with the original construction materials and existing or proposed architectural materials and style of the building facade on which. Signage shall comply with the signs are affixed. following:~~
 2. ~~Materiala. Durable materials~~, such as wood and metal, shall be used, as appropriate, ~~for to fabricate~~ the sign ~~location~~.
 - 3b. Freestanding ground or monument signs shall use materials and colors compatible with proposed building design.

~~c. Neon signs may shall only be used for located inside windows.~~

D. Signage Program

1. A sign program shall be developed for buildings which house more than one business. Signs need not match, but shall be compatible with one another.

909.23 - Permitted Signs.

A. **Lake Street District.** Only the following types of signs are permitted in the Lake Street District:

1. Awning, canopy or marquee signs.
2. Wall signs.
3. Monument or ground signs.
4. Projecting signs.
5. Window signs (small accent signs).
6. Roof signs if located on pitched-roof buildings, below the peak of the roof.

B. **Wayzata Boulevard District.** Only the following types of signs are permitted in the Wayzata Boulevard District:

1. Wall or awning signs.
2. Free-standing signs.
3. Monument or ground signs.

Low-profile ground signs or monument signs are required for highway-oriented commercial uses such as restaurants and gas stations. Sign materials, colors and architectural detailing shall be similar to those of the principal building. External illumination of signs is permitted.

C. **Bluff District.** Only the following types of signs are permitted in the Bluff District:

1. Wall, awning or projecting signs (for storefront buildings at the street line).
2. Free-standing, ground or monument signs (for buildings with front yards).
3. Roof signs if located on pitched-roof buildings, below the peak of the roof.

909.24 ~~A~~ - Parking Lot, ~~and Site, and Building~~ Lighting—All Districts.

A. Parking lot lighting shall be ~~shall be scaled in proportion designed in such a way as to be in scale~~ with its surroundings, ~~and reduce glare.~~ Fixture mounting height shall not exceed 24 feet.

~~B. Cutoff fixtures shall be located below the mature height of trees located in parking lot islands so as to minimize ambient glow and light pollution.~~

~~C.B.~~ Pedestrian-scale lighting shall be provided at walkways and shall not, not exceeding 13 feet in mounting height. height, shall be located on walkways and adjacent to store entrances. All sidewalk lighting must be projected downwards. The City light standard shall be followed for all public streets.

C. Lighting fixtures shall minimize glare and light pollution though all of the following means:

1. Specified lighting fixtures shall demonstrate a maximum Backlight/Uplight/Glare (BUG) rating of B2 U2 G0

2. Fixtures located less than 48 feet from property lines or residential windows shall be shielded to prevent light trespass.

3. Fixtures shall be located below the anticipated mature height of shade trees located in parking lot islands to minimize ambient glow and light pollution.

~~§D.~~ All lighting fixtures shall comply with City Code Section 916.06 as it relates to glare.

E. Where used for site lighting LED (Light Emitting Diode) luminaires shall be demonstrated to comply with the following:

1. Minimum Color Rendering Index (CRI) of 90

2. Correlated Color Temperature (CCT) between 2700-3500K.

~~§F.~~ Light posts shall be of a dark color, selected to compliment proposed architectural materials.

~~E. Lighting~~Building lighting fixtures shall be compatible with the architecture of scale, design, and color palette proposed for the building.

~~F. Lights attached to buildings shall be screened by the building's architectural features or engineered to eliminate light trespass and glare to adjacent properties. All facade lighting must be projected downwards.~~

~~G. All lighting fixtures shall comply with City Code Section 916.06 as it relates to glare.~~

~~H. Lighting levels shall be provided at the minimum level allowed under the Illumination Engineering Society of North America (IESNA) lighting guidelines and applicable codes.~~

~~I. Exposed electrical elements including wires, conduit, junction boxes, transformers, ballasts, and panel boxes shall be prohibited.~~

~~J. Where used at site lighting LED (Light Emitting Diode) luminaires shall be demonstrated to comply with the following:~~

~~1. Minimum Color Rendering Index (CRI) of 90~~

~~2. Correlated Color Temperature (CCT) between 2700-3500K.~~

909.24B – Building Lighting – All Districts

A. Building lighting shall be designed and located to prevent light trespass and glare in the public realm.

B. Pedestrian-scale lighting, not exceeding 13 feet in height, shall be located on walkways and adjacent to store entrances.

C. All lighting fixtures shall be compatible with the City Code Section 801.16.6 as it relates to glare.

D. Lights attached to buildings shall be screened by the building's architectural features or fixture design to eliminate light trespass and glare to adjacent properties.

~~E.~~ ~~H.~~ ~~Exterior building~~ ~~I.~~ Lighting levels shall be provided at the minimum level allowed under the Illumination Engineering Society of North America (IESNA) lighting guidelines and applicable codes.

~~F.~~ Exposed electrical elements including wires, conduit, junction boxes, transformers, ballasts, and panel boxes shall be prohibited.

~~J.~~ ~~G.~~ ~~Where used at site lighting~~ LED (Light Emitting Diode) luminaires shall be demonstrated to comply with the following:

1. Minimum Color Rendering Index (CRI) of 90
2. Correlated Color Temperature (CCT) between 2700-3500K.

909.25 - Design Review Process—Presentation Requirements.

- A. In addition to the other requirements of the Zoning Ordinance, applicants seeking design approval under the Standards shall provide the following design information to the City with an application:

- ~~1. Aerial image of subject property including identifying north, graphic scale, adjacent buildings, and public right of ways~~
- ~~21. Eye level perspective images of the site from all publicly accessible frontages adjacent of the site with adjacent buildings labeled~~
- ~~32. Colored Illustrative Site Plan of the proposed project— including the following:~~
 - ~~a. Graphic scale, north arrow, and vicinity map inset~~
 - ~~b. Dimensioned property boundaries and underlying lot lines, easements, and labeled and dimensioned adjacent Rights of Way~~
 - ~~c. Dimensioned proposed building footprints; buildings and building openings located on adjacent properties~~
 - ~~d. Lot coverage area, impervious surface area, and Exterior paving~~
 - ~~e. Dimensioned setbacks from all property lines~~
 - ~~f. Dimensions for any surface parking or structured parking entrances.~~
 - ~~g. Location of any proposed at-grade refuse enclosures or mechanical equipment (eg. A/C condensers, backflow preventers, cooling towers, pump houses, electrical transformers)~~
 - ~~h. Site topography and drainage plan depicting any creeks, ponds, bogs, lakes, or other waterways within 50 feet of the project site with "top of bank" line and elevation indicated~~
- ~~23. Illustrated Landscape Plan of the proposed project (this can be incorporated into the Site Plan). All images shall depict including the following:~~
 - ~~i. Tree Inventory Location of any Significant and Heritage Trees on site as designated by the City of Wayzata Tree Preservation Ordinance. Trees proposed for removal and replacement trees shall be identified with size and tree species.~~
 - ~~j. Extent of landscaping and tree canopy at five-ten years' growth.~~
- ~~3. Samples of all exterior materials used in connection with the project including (but not limited to):~~
 - ~~a) Brick mortar color.~~
 - ~~b) Glass samples.~~
 - ~~c) Window frame color.~~
 - ~~d) Primary Opaque Surfaces and Accent Materials.~~
- ~~4-k. Proposed hardscape location, dimensions, and area~~
- ~~4. Planning data including project density calculations, open space calculations, floor area, and parking count.~~
- ~~53. Accurately colored and detailed three-dimensional computerperspective images from a program like Google Sketch Up (or similar program) from at least two vantage points that clearly show all aspects of the project. For small projects where the design changes mainly focus on a street facade, the computerperspective images may be waived at the discretion of Community Development Staff for renovations or small projects..~~

- ~~564.~~ Colored building elevations of all facades (one-eighth inch scale min.). ~~The applicant must also include.) including the following:~~
- ~~a. Any structures adjacent buildings. The Planning Commission to the property line~~
 - ~~b. Height dimensions to the top of wall plate, 1/2 of the height of sloped roofs, and City Council must be able to accurately see the scale of adjacent buildings total height to the highest roof ridge or parapet~~
 - ~~c. Location and landscaping from such elevation documents. dimensioned clear width of any Massing Breaks and Building Recesses~~
 - ~~6. Facade diagrams with calculations of glassd. Incorporation and identification of material and finish of all windows, trims, eaves, awnings, trellises, doors, storefronts, chimneys, gutters, downspouts, vents, proposed roof equipment and screening, rooftop decks, elevator and stair enclosures, and other exterior building elements.~~
 - ~~e. Location and appearance of proposed fences, walls, and exterior mechanical equipment~~
7. —Diagrams of each facade providing
- a. Calculations of glazing percentage and solid surfaces for all exterior facades.
- ~~8. 7. For the presentations before the City Planning Commission and the City Council, applicants shall provide a PowerPoint (or other similar format) presentation which provides a project overview and highlights the project's design features.~~
- ~~9-8. 8. Other information and material reasonably requested by City staff~~ Dimensioned length of each facade frontage, inclusive of any Building Recesses
9. Floor Plans for each occupiable floor including:
- a. Exterior entrances and glazing
 - b. Dimensions for required Massing Breaks, Upper-level Stepbacks, and Building Recesses
 - c. Residential common amenity areas and residential units
 - d. Elevators, stairs, and building circulation
- ~~97.~~ Roof Plan including:
- a. Conceptual location of any proposed rooftop mechanical details and dimensions of such equipment
 - b. Equipment screening location and details
 - c. Conceptual location and configuration of trellises, canopies, and photovoltaic solar arrays.
 - d. Roof pitch and slope direction notations.
- ~~108.~~ Conceptual Building Sections to depict the following:
- a. Relationship of building and parapet heights to adjacent buildings
 - b. Section diagram showing concealment of any proposed rooftop equipment from eye-level view at adjacent public rights of way
 - c. Any sites located on or directly adjacent to slopes greater than 10% shall provide longitudinal and cross sections through adjacent properties to illustrate how the proposed building fits within the surrounding topography
- ~~119.~~ Diagrams and data tables confirming the proposed development complies with quantitative Design Standards, and/or information and material that applicant believes would be helpful to the City in evaluating the project under the standards.

12. Lighting Information

a. Lighting Plan identifying the location, mounting height, and type of all exterior lighting

b. Cut sheets for proposed exterior lighting fixtures including: material and finish; conceptual light output level (lumens); Backlight/Uplight/Glare (BUG) rating; Color Rendering Index (CRI); and Correlated Color Temperature (CCT) for the luminaire.

~~10. Presentations before the City Planning Commission and the City Council. Applicants shall provide the following:~~

~~a. Presentation file in pdf or Powerpoint format providing a project overview, highlighting the project's design features, and and other information and material reasonably requested by City staff.~~

~~13. Materials and Color Documentation Physical samples of all exterior materials used in connection with the project mounted on one 24x36" board with a proposed rendering of the project. Materials shall include (but not be limited to):~~

~~a. Physical samples of any exterior materials proposed as deviations from the defined materials palettes shall be provided along with a sample of the palette material the deviation is proposed to replace. Samples shall be mounted on one 24x36" board with a proposed rendering of the project. Window frame corner and glazing samples.~~

~~b. Window frame material and color~~

~~c. Wall materials and color proposed for frontages on public right of ways~~

~~d. If masonry is proposed, Masonry mortar color sample shall be provided~~

~~e. Color chips for accent materials, trims, awnings, and architectural metalwork, and samples of visible roofing.~~

~~f. Samples of visible roofing~~

12. Cut sheets for proposed exterior lighting fixtures including:

a. Fixture material and finish

Conceptual light output level (lumens) and Backlight/Uplight/Glare (BUG) rating. LED luminaires shall also provide Color Rendering Index (CRI) and Correlated Color Temperature (CCT)

B. The City Planning Department may require an applicant for design approval to prepare an accurate three dimensional massing model, built to at least a 1"= 30' scale, that depicts the proposed development; any existing buildings on the site that will remain following the proposed development; any adjacent structures; and topography on the site with a contour interval of not less than two feet. A physical massing model is required as part of a Design Review application for all projects involving properties of six acres or larger in lot area. For all other properties requiring a design review application, the

The City Planning Department may require a physical massing model if the City Planning Department determines that~~for other projects requiring Design Review:~~

1. The project is a complex development with structures or architectural features;
2. The project is determined by the Planning Department to be of great public significance; or
3. The site has project negotiates conditions of unique topography, sensitive natural, features, sensitive manmade features, or is highly visible. If such massing model is required, the City Planning Department shall notify the applicant within ten days of submission of the application, and the following shall apply:
 - a) Before preparing the model, the applicant shall confer with the City Planning Department to determine whether the model should show topography and existing buildings on properties within 350 feet to the subject property, to provide a neighborhood connect for the proposed development.

- b) The applicant shall provide the model for inspection by the City Planning Department no less than one week prior to the initial meeting at which the application is scheduled for review by the Planning Commission, so the Planning Department may confirm the accuracy and completeness of the model.
- c) Following conclusion of the review of the project, the applicant shall submit photographs of the model so documentation of the appearance of the model can be part of the record of the application.

909.26 - ~~Design Review Process Schedule~~ Review of Applications.

- A. The ~~Design Review~~ process for reviewing and approving applications under this Chapter shall be as follows ~~the following general schedule~~:
 - 1. ~~City staff shall have at least 30 days to review a completed development application and all required materials prior to review by the Planning Commission meeting.~~
 - 2. ~~The application and all supporting information shall be formally reviewed by City staff for conformance with the Design Standards.~~
 - 3. ~~Once~~ If the application is deemed completed by City ~~s~~Staff ~~under the Section 909.25, and reviewed under the standards of this Chapter,~~ City staff shall ~~inform the applicant;~~ prepare a written report on the application. ~~;~~ If the application includes or requires any significant deviations from the standards of this Chapter, City staff shall and schedule the application for a public hearing before the Planning Commission. If no significant deviations are requested or required, and the application meets all of the standards of this Chapter, City Staff shall approve the application and forward an approval letter with the report to the applicant. If the application does not meet all of the standards of this Chapter, City staff shall deny the application and inform the applicant of such, along with the report.
 - 4. ~~If a public hearing before~~ After the Planning Commission is scheduled, ~~after such has held a public hearing on the application has been held, and the Planning Commission shall made make~~ a report and recommendation to the City Council, City staff will schedule the application for review by the City Council. The City Council will review the Application and provide a formal approval or denial of the application based on the Planning Commission Report and Recommendation and the standards of this Chapter.
 - 5. If the applicant materially alters an application ~~made for design approval~~ under ~~these Standards~~ this Chapter after the Planning Commission has made a recommendation on the application, the applicant must submit a side-by-side comparison, which highlights the changes in submittal materials presented to the Planning Commission and the altered submission to the City Council. This side-by-side comparison submittal must be received by City Staff at least one week prior to the City Council meeting at which the application will be reviewed.

909.27 - Meeting with City Planning Department.

- A. If requested by the City, after submitting an application for Design Approval, the applicant shall meet with the City Planning ~~Department~~ staff to discuss the application and the proposed design. ~~Such meeting with the City Planning Department, if requested, must take place prior to the review of the Planning Commission and other City approvals.~~
- B. At such meeting, the City Planning ~~Department~~ staff will review the proposed design and applicable Standards with the applicant and determine what information and material may be required for review of the project and the application, or what may be altered to fully comply with the Standards.
- C. The applicant may schedule additional meetings with the City Planning Department as needed during the ~~design~~ process.

909.28 - Final Review—Design Report.

- A. The applicant shall schedule a final review with the City Planning Department, from which the City Planning Department staff shall prepare a staff report on project design ~~to be used by the Planning Commission in its review of the application.~~
- B. The staff report on design shall provide a detailed review of the design of the project, any deviations from the Design Standards, and its conformance to the Design Standards.

909.29 - Deviations from the Design Standards—All Districts.

A. ~~With the exception of—Significant Deviations shall be defined as deviations that amount to a significant departure from the Standards enumerated in Section Chapter 909.10 of the Design Standards, a deviation from any section of the Design Standards and do not qualify as Minor Deviations. Approval of any Significant Deviation~~ shall require a finding by the City Council (after considering the Planning Commission's recommendation) that the negative impact of such deviation is outweighed by one or more of the following factors:

1. The extent to which the project advances specific policies and provisions of the City's Comprehensive Plan.
2. The extent to which the deviation permits greater conformity with other Standards, the Guidance of the Design Standards, policies behind the Standards, or with other Zoning Ordinance standards.
3. The positive effect of the project on the area in which the project is proposed.
4. The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.
5. The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.
6. A national, state or local historic designation.
7. The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.

B. Minor Deviations shall be defined as a deviation from any of the following Standards and portions thereof:

1. Sections 909.05B, 909.10, 909.12-2, 909.13-A, 909.13-B, and 909.22 C
32. Inclusion of other materials into the materials palettes in Sections 909.14 with documentation defined by 909.25-13A
3. The entirety of Section 909.20: Bicycle Parking
47. Any deviation from numerical standards equal to or less than 5% of the required numerical standard if specifically requested in writing by the applicant in their development application.

C. Minor Deviations may be approved by City Staff based upon the criteria of Sec. 909.29.A.

909.30 - Conflict with Other Sections of the Zoning Ordinance.

~~To the extent possible, these~~ Design Standards are meant to be read in conjunction with all other applicable requirements in the Zoning Ordinance. To the extent there is a conflict between the Design Standards and any other section of the Zoning Ordinance or City Code, the stricter standard shall apply.

Section 2. Effective Date. This Ordinance will become effective upon passage and publication.

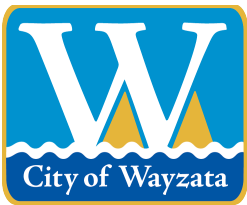
Adopted by the City Council this ____ day of _____, 2021.

Johanna Mouton
Mayor

ATTEST:

Jeffrey Dahl
City Manager

First Reading:
Second Reading:
Publication:



City of Wayzata Planning Commission Agenda Report

MEETING DATE: May 3, 2021	AGENDA ITEM: 6.a
TITLE: Consider Development Application for a Planned Unit Development Amendment and Variance for the Rice Street Townhomes at 520, 524, 530, and 534 Rice Street East.	
PREPARED BY: Nick Kieser, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: June 15, 2021	

BACKGROUND:

The property owner and applicant, Pillar Homes Partner Inc., has submitted a development application for completion of the development of the Rice Street Townhomes on 520, 524, 530, and 534 Rice Street East. The project would construct two new townhome buildings, with two units in each building. The properties are part of a Planned Unit Development (PUD) that was originally approved in 2006, and in which one of the three planned townhome buildings has been constructed.

In 2019, City staff met with the applicant on the unfinished portion of the Rice Street Brownstones project which had been vacated for close to 15 years. After some deliberation, the new local developer ultimately indicated to staff that they would complete the project as originally approved, thus no development approval was needed.

In 2020, when City staff was reviewing the building permit and plans for one of the buildings, staff misinterpreted some of the proposed changes between the new building and the 2006 PUD plans as minor and, therefore, issued a building permit for the middle building (Building 2). In early 2021, construction commenced.

In March 2021, residents adjacent to or near the Rice Street Brownstones alerted Council Members and staff that the changes that were administratively made to the original plan should have gone through the PUD Amendment Process. After reviewing this concern with the City Attorney, staff agreed that the changes needed to be considered through the PUD Amendment Process and that major construction be halted immediately. Work halted on Friday, March 26. The applicant received approval from the City Building Official to do work to secure the project until the public review process is completed.

The applicant is requesting a PUD Amendment and a Variance from the R-4 and R-5 Standards applicable in the PUD District. The requests are further summarized in the attached report.

ACTION REQUESTED:

After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should consider adoption of either the draft *Planning Commission Report and Recommendation of Approval or Denial*, with appropriate findings based on the Commission discussion. If the Commission is comfortable with this approach, the Report and Recommendation can be reviewed by the City Council as early as May 18, 2021.

If the Planning Commission would like more time to review a draft Planning Commission Report and Recommendation, the Commission can direct staff to return to the Commission on May 17, 2021 with revisions to one of the draft documents. In this case, it would be expected that the City Council would conduct the review of this application and recommendation on June 1, 2021.

ATTACHMENTS:

1. Staff Report and Plans 4-29-2021
2. Public Comments Received by 4-29-2021
3. Planning Commission Report and Recommendation of Approval of PUD Amendment and Variance at 520, 524, 530, and 534 Rice St E (Draft)
4. Planning Commission Report and Recommendation of Denial of PUD Amendment and Variance at 520, 524, 530, and 534 Rice St E (Draft)



**Planning Report
Wayzata Planning Commission
May 3, 2021**

Project Name: Rice Street Townhomes
Applicant Pillar Homes Partner, Inc.
Addresses of Request: 520, 524, 530, and 534 Rice Street East
Prepared by: Nick Kieser, Assistant Planner
“60 Day” Deadline: June 15, 2021

Development Application

Introduction

The property owner and applicant, Pillar Homes Partner Inc., has submitted a development application for completion of the development of the Rice Street Townhomes on 520, 524, 530, and 534 Rice Street East. The project would construct two new townhome buildings, with two units in each building. The properties are part of a Planned Unit Development (PUD) that was originally approved in 2006, and in which one of the three planned townhome buildings has been constructed. The applicant proposes to construct the remaining two buildings in a similar manner as the originally approved plans with a few modifications.

Property Information

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

Addresses	PIDs	Owner
534 Rice Street East	06-117-22-24-0098	Pillar Homes Partner, Inc.
530 Rice Street East	06-117-22-24-0099	
524 Rice Street East	06-117-22-24-0100	
520 Rice Street East	06-117-22-24-0101	

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

Current Zoning	2040 Comp Plan Land Use Designation
Planned Unit Development	High Density Residential

Project Location

The properties are located between Minnetonka Avenue South and Walker Avenue South on the south side of Rice Street East.

Map 1: Project Location



Source: Hennepin County Interactive Map

Application Requests

The applicant is requesting approval of the following:

- A. Planned Unit Development Amendment (§ 933): The Amendment to the existing PUD would incorporate the Applicant's current plans for the proposal that would complete the previously approved PUD project in a similar manner as the existing PUD Plans with a few modifications. The proposed modifications to the PUD plans require a PUD Amendment. (City Code § 933)
- B. Variance from the R-4 and R-5 Standards Applicable in the PUD District (§ 933.03.A.6): Multi-family PUDs are required to follow the R-4 or R-5 standards. The proposed project would require a variance from these standards and allow it to be constructed in a similar manner as what was approved in the existing PUD District and address stormwater management issues as recommended by the City Engineer.

Adjacent Land Uses.

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

Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Single-Family	R-3A Single and Two Family Residential District	Central Core Residential
East	City Hall	Institutional	Institutional/Public
South	Townhomes/ Commercial	PUD/C-1 Office and Limited Commercial District	Mixed-Use Commercial/Residential
West	Commercial	PUD	Mixed-Use Commercial/Residential

Public Hearing Notice

Notice of the public hearing on the Application was published in the *Wayzata Sun Sailor* on April 23, 2021 and mailed to all property owners located within 500 feet of the subject property on April 21, 2021.

Neighborhood Meeting

The applicant hosted a neighborhood meeting on April 28, 2021 on the audio/video conferencing platform Zoom. There was one device in attendance for the Zoom meeting. The applicant gave a description of the proposed project and application. The participant asked questions regarding; building height, front yard setbacks, marketing of the proposed buildings, and architectural design. There was a conversation between the applicant and

Analysis of Application

Background

In 2006, a new PUD District was approved which incorporated the properties listed above along with 540 & 544 Rice Street East, 206 Minnetonka Ave S, and an additional property to the south (which does not have an address but is the driveway and parking area for the townhomes). The approved PUD was to include three new separate townhome buildings with six units total, two in each building. Since the 2006 PUD approval, only one of the buildings has been built in the PUD District (Building 1). The additional properties have since been vacant and recently sold to the applicant and current owner.

The current owner proposes to complete construction of the remaining two townhome buildings in a similar manner as the approved 2006 plans show, but with a few modifications which are described in more detail later in this report. Construction on the middle building (Building 2) commenced in early 2021. However, after further review of the PUD plans and PUD Development Agreement (DA), construction was halted until such time as the current project receives the necessary approvals that are requested in the Application and noted above. The applicant has included plans for Building 3 in this application.

General Project Information

The proposed project would complete construction of the two additional buildings at 530 & 534 Rice Street East (Building 2) and 520 & 524 Rice Street East (Building 3). These buildings would be three-story, brick and stone buildings, with a style similar to the existing townhome building. The applicant has stated that the main goal of this development is to be similar to the plans that were part of the 2006 approved PUD project, but with some updates and modifications as shown in the application. The total building footprints are listed in the table below, which shows that the two new proposed buildings (2 and 3) would be smaller than the existing building at 540 & 544 Rice Street East (Building 1).

Building	Address	Unit Footprint (square feet)
1 (existing)	540 Rice Street East	1,486
	544 Rice Street East	1,422
2 (proposed)	534 Rice Street East	1,363
	530 Rice Street East	1,363
3 (proposed)	524 Rice Street East	1,378
	520 Rice Street East	1,415

The proposed buildings would include a front entrance to Rice Street East. Each building would include a two-car garage entrance with driveway access to Walker Avenue South. The Rice Street Brownstone Homeowners Association (HOA) owns and maintains the driveway entrance and parking area property to the south of the proposed buildings. Underneath this parking area is a stormwater management system that controls all of the stormwater runoff for all of the property within the PUD. This stormwater management system was built during the construction of Building 1.

Retaining walls are proposed in the front of Buildings 2 and 3, similar to the existing Building 1, and would also incorporate landscaping and a sidewalk to the entrances. The retaining walls would require an encroachment permit that could be approved administratively. The sidewalk would be extended in the right-of-way along Rice Street East to connect with the driveway entrance to the property to the west. Currently, the sidewalk ends at the end of the property line for Building 1.

The length of existing Building 1 is approximately 63 feet. The length of Building 2 would be 60 feet and Building 3 would be 64 feet. The additional four feet for Building 3 is for the western unit only, since the building has less depth based on the stormwater pipe, which is explained later in this report, and the lot boundaries.

The proposed buildings would have a deck for each unit on the rear of the buildings and a small balcony for each unit on the front of the buildings. The height of the buildings would be under 35 feet, as measured from the top of the guard rail on the rooftop. The rooftop stairway enclosures were an approved amenity in the existing PUD, and the proposed buildings would incorporate a similar structure on the roof. Rooftop enclosures would be located on the roof for each unit. The windows would be stone arch windows, similar to the existing Building 1, accented with cast stone trim.

PUD Amendment for Proposed Changes/Modifications from Existing PUD Plans

- **Front Yard Setback** – The approved front yard setback in the existing PUD District is 6.5 feet. This setback measurement is calculated from the front property line to the front building line. The proposed setback for Building 2 is 2.1 feet and the proposed setback for Building 3 is 0.5 feet. In the applicant's narrative, the reason for placing the buildings closer to the front property line is because of the stormwater pipe in the rear of Building 3. This existing pipe would be located 1.9 feet from Building 3 at the nearest point. In the 2006 approved PUD plans, it shows the pipe running parallel with the southern property line as it runs west. The updated survey shows that the pipe actually angles more towards the north, which is a reason why the applicant suggest moving the building closer to the front property line from 6.5 feet to .5 feet. The location of Building 2 was then moved forward as well to a setback of 2.1 feet to create a stepping or staggering of the three townhome buildings along Rice Street East. There is an additional 24.5 feet of right-of-way from the front property line to the curb of Rice Street East. The proposed buildings also have a larger rear yard setback to keep the buildings a similar size as the existing Building 1.
- **Staggering of Unit Heights for Building 2** – The renderings from the PUD plans approved in 2006 show that Building 2 was to have a staggering of the unit heights (534 and 530 Rice Street East). Building 1 was constructed with a staggering of the units, but Building 3 was approved to be built without a staggering of the units, according to the 2006 plans. The approved plans do not give a measurement for what that elevation change should be from unit to unit. The applicant proposes to not stagger the units in the Building 2, but lower the elevation of the eastern unit to match the western unit. This essentially lowers the height of the eastern unit, but keeps the same height of the western unit. The table below shows the existing and proposed ground floor elevation of the units. From the table, Building 2 would be 2.8 feet lower than 544 Rice Street East and 4.9 feet lower than 540 Rice Street East. Building 3 would be 3.2 feet lower than Building 2.

Building	Address	Ground Floor Elevation for Units
1 (existing)	540 Rice Street East	956.1
	544 Rice Street East	954
2 (proposed)	534 Rice Street East	951.2
	530 Rice Street East	951.2
3 (proposed)	524 Rice Street East	948
	520 Rice Street East	948

- **Rooftop Enclosure** – The approved PUD plans show the rooftops with a stairway enclosure and privacy walls for each building. The approved PUD plans do not give measurements or an approved total area for the rooftop enclosure. Building 1 has a rooftop enclosure of approximately a little over 100 square feet for each unit

and a width of 8'3". Building 2 would have a rooftop enclosures of ~144 square feet for each unit and 8'10" in width. Building 3 would have rooftop enclosures of ~144 square feet and 8'10" in width (524 Rice Street East) and ~148.5 square feet and 11' in width (520 Rice Street East). All of the rooftops would have deck areas and a privacy wall in between each unit, similar to Building 1.

- **Building Materials** – The exact exterior building materials that were approved in 2006 are difficult to determine, as the DA and PUD plans do not state the materials to be used. From the existing Building 1, the materials used were brick as the main material and limestone as the accent material. The proposed buildings would be constructed with brick veneer and cast stone to match the existing Building 1 as best as possible with the materials currently available. These materials will be available for the Planning Commission to review at City Hall.
- **Construction Deadline**
The original PUD project received several construction deadline extensions from those specified in the original PUD Agreement (DA). The last amendment that was approved extended the construction deadline to December 31, 2014. As part of the application, the applicant is asking that the construction deadline in the DA again be extended for two years from the time of approval of the current application.
- **Approval of Proposed Plans**
Overall, the requested PUD Amendment would approve and incorporate the plans submitted with the application (and that are attached to this report) into the existing PUD. The proposed project would need to be constructed according to those attached plans, otherwise the applicant would need to return with a request for approval of a new PUD amendment (and any other needed approvals) if any of the plans are changed.

Additional changes in the proposed plans compared to the plans in the original PUD include: exact locations of the windows, floor plans, removal of service door next to garage door, and removal of deck on third floor. The only proposed change to the front façade is the removal of one window on the most east and west side on the third floor. The proposed PUD Amendment would include all of these changes to allow the construction of the project according to the attached plans submitted with the application.

Variance from the R-4 and R-5 Standards

Under the PUD Ordinance, Multi-family PUD development projects must follow the R-4 or R-5 standards. Townhomes are an allowed use in the R-4 and R-5 Districts but some of R-5 and R-4 standards, such as setbacks, are different in the original PUD and PUD amendment requested. Thus, the application includes a request for a variance from these R-4 and R-5 standards to the extent they differ from the existing PUD and the PUD amendment requested. The practical difficulties stated include the location of the

existing stormwater pipe and management system, and relating the new buildings to the existing PUD and the building that has already been built within the PUD.

Stormwater Management

The stormwater management system for the Rice Street Townhomes was constructed in 2005, essentially as shown on the “Grading and Drainage Plan, dated June, 10 2005, however the drawing does not show the storm water storage pipes that are located beneath the 6 stall parking area.

The “storm water storage area detail” drawing shows the location of the stormwater storage pipes that are located beneath the 6 stall parking area, as well as the location of the 72 inch diameter Stormceptor structure. Together the storage pipes and structure provide the structural treatment and storage volume to treat stormwater for all 3 buildings as they were planned in 2005 at 75% impervious surface.

The Stormceptor structure is a 72 inch diameter concrete structure, which receives and treats discharge from the storm water storage pipes. A 12 inch diameter high density polyethylene (HDPE) pipe then carries the stormwater from the Stormceptor to the City’s catch basin on the east side of Minnetonka Avenue. This 12 inch HDPE pipe lies along the south edge of the 206 Minnetonka Ave S property, however the City’s catch basin on the east side of Minnetonka Avenue is actually located approximately 10 feet farther to the north than what was shown on the 2005 drawings.

Public Comments

All public comments received by April 29, 2021 are attached to this report. There are several comments from nearby property owners concerned about the proposed changes from the 2005 PUD Plans, such as the front yard setback, change in the staggering of the unit heights, visual impact of rooftop elements, changes to building materials. A petition signed by seven property owners (totaling 14 residents) states that the original applicant worked with the neighborhood during the first PUD approvals and lists the modifications they find to be unacceptable.

Conclusion

Construction on the middle building (Building 2) commenced in early 2021. However, after further review of the PUD plans and PUD Development Agreement (DA), construction was halted until such time as the current project receives the necessary approvals that are requested in the Application and noted in this report. Since the project is partly constructed, staff is seeking a resolution by the City Council to this matter as soon as possible. Because of that, staff has drafted two options for Planning Commission consideration:

1. Planning Commission Report and Recommendation of Approval with findings
2. Planning Commission Report and Recommendation of Denial with findings

Action Steps

After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should consider adoption of either the draft *Planning Commission Report and Recommendation of Approval or Denial*, with appropriate findings based on the Commission discussion. If the Commission is comfortable with this approach, the Report and Recommendation can be reviewed by the City Council as early as May 18, 2021.

If the Planning Commission would like more time to review a draft Planning Commission Report and Recommendation, the Commission can direct staff to return to the Commission on May 17, 2021 with the draft document. It would be expected that the City Council would conduct the review of this application and recommendation on June 1, 2021.

Attachments

- Proposed survey by Sathre-Bergquist, Inc. dated 3/29/2021
- Impervious surface survey calculations by Sathre-Bergquist, Inc. dated 4/9/2021
- Narrative by Pillar Homes Partner, Inc.
- Floor Area Ratios by lot by Pillar Homes Partner, Inc.
- Architectural plans and elevations of 520 and 524 Rice Street East by DFP Planning and Design dated 4/12/2021
- Architectural plans and elevations of 530 and 534 Rice Street East by DFP Planning and Design dated 3/12/2021
- Development Agreement dated 7/24/2006
- Resolution 2887 dated 8/22/2005
- Floor Plans dated 6/5/2005
- Grading and Drainage Plan dated 6/5/2005
- Renderings dated 6/5/2005
- Site Plans dated 6/5/2005
- Storm water storage area detail
- Utility Plan dated 2/14/2006
- Survey by Advance Surveying and Engineering dated 6/20/2005

Applicable Code Provisions for Review

PUD Amendment (§ 933.01 et. seq.)

The same review procedure by the Planning Commission and City Council shall be followed for an amendment of a PUD as was followed with respect to the applicant's Concept Plan, outlined in Sections 933.05 and 933.06.

The PUD Ordinance is established to provide comprehensive procedures and standards designed to all greater flexibility in the development of neighborhoods and/or non-residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD

process, by allowing deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage.

A. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.

B. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects and engineers.

C. More convenience in location and design of development and service facilities.

D. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.

E. A creative use of land and related physical development which allows a phased and orderly development and use pattern.

F. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.

G. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)

H. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.

Variance from R-4 and R-5 Standards (§955.01.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.

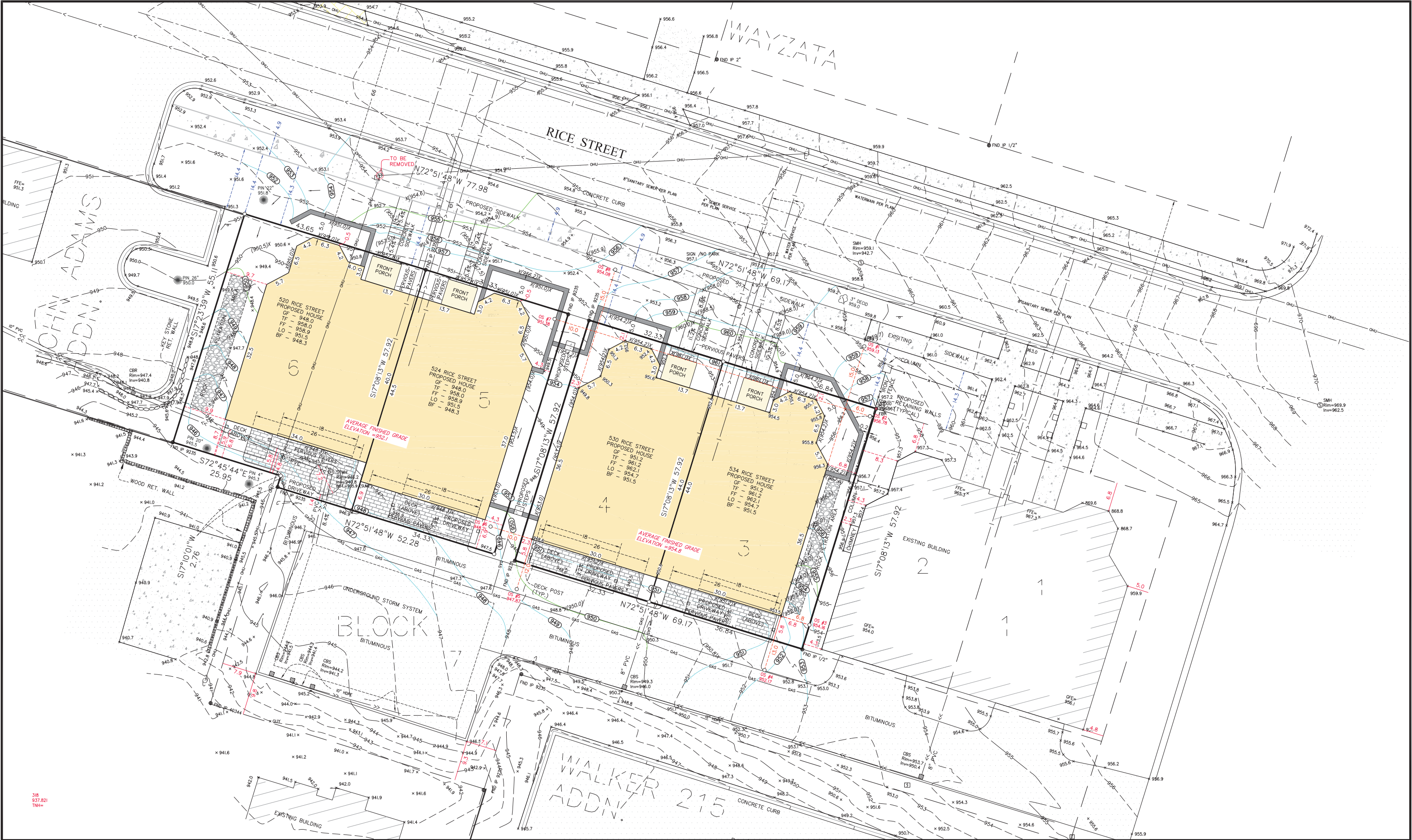
4. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

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.

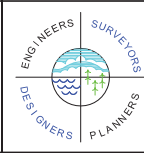
8. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.



FIELD CREW	NO.	BY	DATE	REVISION
CL	15	JRS	11/4/2020	REVISED BUILDINGS & PROPOSED CONDITIONS
DRAWN	16	JRS	11/5/2020	REVISED PROPOSED CONDITIONS
JJA	17	JRS	11/24/2020	REVISED PROPOSED CONDITIONS
CHECKED	18	JRS	12/2/2020	REVISED BUILDING ELEVATIONS & PROPOSED CONDITIONS
DBP	19	JRS	12/8/2020	BUILDING 530-534 STAKEOUT
DATE	20	JRS	3/29/2021	CHANGE COLOR OF BUILDING & SIDEWALK TIES
12/02/15				

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WALKER AVENUE 215

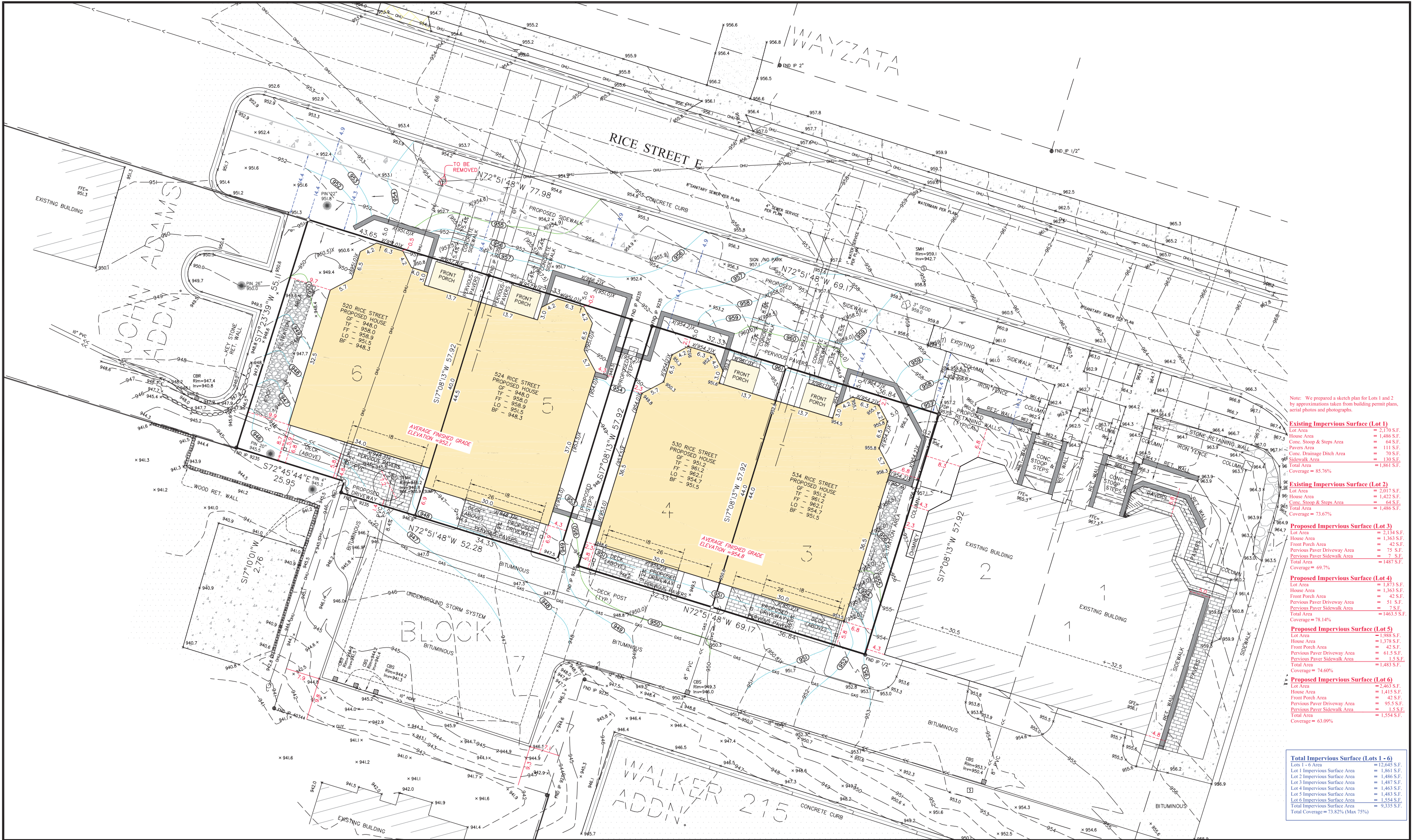


SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

TWP.117 - RGE.22 - SEC.06
Project City: Wayzata
Hennepin County

CERTIFICATE OF SURVEY
PROPOSED CONDITIONS
PREPARED FOR:
PILLAR HOMES

FILE NO. 7056-075
1
1



Note: We prepared a sketch plan for Lots 1 and 2 by approximations taken from building permit plans, aerial photos and photographs.

Existing Impervious Surface (Lot 1)
Lot Area = 2,170 S.F.
House Area = 1,486 S.F.
Pavers Area = 64 S.F.
Conc. Stoop & Steps Area = 111 S.F.
Conc. Drainage Ditch Area = 70 S.F.
Total Area = 1,861 S.F.
Coverage = 85.76%

Existing Impervious Surface (Lot 2)
Lot Area = 2,017 S.F.
House Area = 1,422 S.F.
Conc. Stoop & Steps Area = 64 S.F.
Total Area = 1,486 S.F.
Coverage = 73.67%

Proposed Impervious Surface (Lot 3)
Lot Area = 2,134 S.F.
House Area = 1,363 S.F.
Front Porch Area = 42 S.F.
Pervious Paver Driveway Area = 75 S.F.
Pervious Paver Sidewalk Area = 7 S.S.F.
Total Area = 1,487 S.F.
Coverage = 69.7%

Proposed Impervious Surface (Lot 4)
Lot Area = 1,873 S.F.
House Area = 1,363 S.F.
Front Porch Area = 42 S.F.
Pervious Paver Driveway Area = 51 S.F.
Pervious Paver Sidewalk Area = 1.5 S.F.
Total Area = 1,463.5 S.F.
Coverage = 78.14%

Proposed Impervious Surface (Lot 5)
Lot Area = 1,988 S.F.
House Area = 1,378 S.F.
Front Porch Area = 42 S.F.
Pervious Paver Driveway Area = 61.5 S.F.
Pervious Paver Sidewalk Area = 1.5 S.F.
Total Area = 1,483 S.F.
Coverage = 74.60%

Proposed Impervious Surface (Lot 6)
Lot Area = 2,463 S.F.
House Area = 1,413 S.F.
Front Porch Area = 42 S.F.
Pervious Paver Driveway Area = 95.5 S.F.
Pervious Paver Sidewalk Area = 1.5 S.F.
Total Area = 1,554 S.F.
Coverage = 63.09%

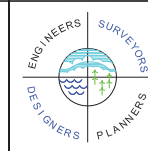
Total Impervious Surface (Lots 1 - 6)
Lots 1 - 6 Area = 12,645 S.F.
Lot 1 Impervious Surface Area = 1,861 S.F.
Lot 2 Impervious Surface Area = 1,486 S.F.
Lot 3 Impervious Surface Area = 1,487 S.F.
Lot 4 Impervious Surface Area = 1,463.5 S.F.
Lot 5 Impervious Surface Area = 1,483 S.F.
Lot 6 Impervious Surface Area = 1,554 S.F.
Total Impervious Surface Area = 9,335 S.F.
Total Coverage = 73.82% (Max 75%)

FIELD CREW	NO.	BY	DATE	REVISION
CL	1	JRS	4/9/2021	IMPERVIOUS SURFACE CALCULATIONS LOTS 1-6
DRAWN		JJA		
CHECKED				
DATE				
12/02/15				

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**IMPERVIOUS SURFACE
CALCULATION LOTS 1 - 6**

04/09/2021



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

TWP.117 - RGE.22 - SEC.06
Project City: Wayzata
Hennepin County

**CERTIFICATE OF SURVEY
PROPOSED CONDITIONS**

PREPARED FOR:
PILLAR HOMES

FILE NO.
7056-075

1

1



**Resolution Narrative for
Rice Street Townhomes
520/524/530/534 Rice Street**

Pillar Homes will be constructing the final two buildings in the likeness of the first building (townhomes 1 & 2). The 2020 version is designed with the same exterior products that will match in quality and color. The use of full brick, buff limestone detail and black accents will continue to complete this quaint development. The final two townhome buildings will continue to meet the requirements of the 2005 PUD (Resolution 2887) with details that apply to the site and the design standards 2.4. The final two buildings (four total townhomes) meet scale and character and embrace the direction started by the townhomes in 2005.

Attached you will find plans for buildings 2&3, complete site engineering and survey work for the entire development. Please see below photos of the matching exterior products, to be used to complete this development.



**Pillar Homes Partner, Inc.
1700 Niagara Lane
Plymouth, MN 55447
763-475-1700
www.pillarhomes.com**

The groundwork for the final townhome's design and completed survey analysis was reviewed (and assembled during the very difficult COVID-19 timeframe of 2020) using experienced architects and engineers with continuous feedback from the City of Wayzata planning, building and engineering departments. The building design and placement was finalized to meet current building codes, height requirements, and required permit engineering summarized below:

- A. 35 foot Maximum height requirement;
- B. 75% development hardcover;
- C. All structural engineering for construction based on 2020 building codes;
- D. City engineering review with improved on-site water management and all required engineering permits.

Once this extensive review was final, it was integrated with on-site details and improvements started in 2005. The findings and location of the site improvements steered the placement for the final two buildings. These details have been vetted by city historical documents and collaborated with on-site survey work. The location of the final two buildings have been placed on their appropriate lots to create separation from the existing on-site storm water system and allow safe access to the townhomes, all while meeting above stated codes, engineering and building permit requirements.

Pillar Homes is requesting to extend the relevant PUD timelines that have expired and extend once before for an additional 24 months.

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**Rice Street Townhomes
520/524/530/534 Rice Street**

Below is a detailed description of the adjustment from the 2005 General site plan (Concept Plan) based on current site conditions:

- 1-Building Locations: The placement for the townhomes on 3&4 and 5&6 have been adjusted for consistent but stepped building locations north to avoid the site water management storm culvert located on lot 6. This culvert is 7.2 feet wide and is located in the driveway of lot 6 townhome. The overall size and final location of culvert/piping is more intrusive into the site than originally submitted. This culvert gathers water from the site and discharges it west to Minnetonka Avenue out a pipe that angles north/west collecting additional water from the neighboring driveways and parking area. This flow of water connects with the city stormwater system at Minnetonka Avenue. A review process by both Sathre-Bergquist Engineers and city staff helped to determine that a placement adjustment of the townhomes would be necessary and that we cannot build on the culvert. The adjustment would step the locations of each building north to achieve clearance away from the culvert and provide proper driveway access to garages and safe access to the culvert for future maintenance and service. Sathre-Bergquist engineers incorporated these complete adjustments to determine the site requirements that state 75% hardcover for the three buildings integrated together. Pillar Homes also collaborated with the city and received approval to use additional onsite water management techniques (pervious

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pavers) for enhanced water treatment mitigation. This blends the original water management system with new onsite water treatment techniques.

2-The first floor elevations: Building 2 was designed to meet current height requirements and engineered by Sathre-Bergquist using all current grades and available data - not 2005 concept info. This current data was used to determine average site grade which becomes the starting point for height. Using this data, we determined that level townhomes for 3&4 allows us to be compliant with current city height requirements. The existing conditions made it not feasible to step townhomes 3&4 and meet overall height requirements. This strategy will also be used by the engineer for lots 5&6 grades and the first-floor elevations will also be level. All these details and grades integrate with water drainage and site water management.

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**Rice Street Townhomes
520/524/530/534 Rice Street**

Floor Area Ratio by Lot

Lot 3 – 534 Rice Street

Lot Area 2,134 divided by Home Sq. footage 3,545
Equals a FAR of
1.66

Lot 4 – 530 Rice Street

Lot Area 1,873 divided by Home Sq. footage 3,545
Equals a FAR of
1.89

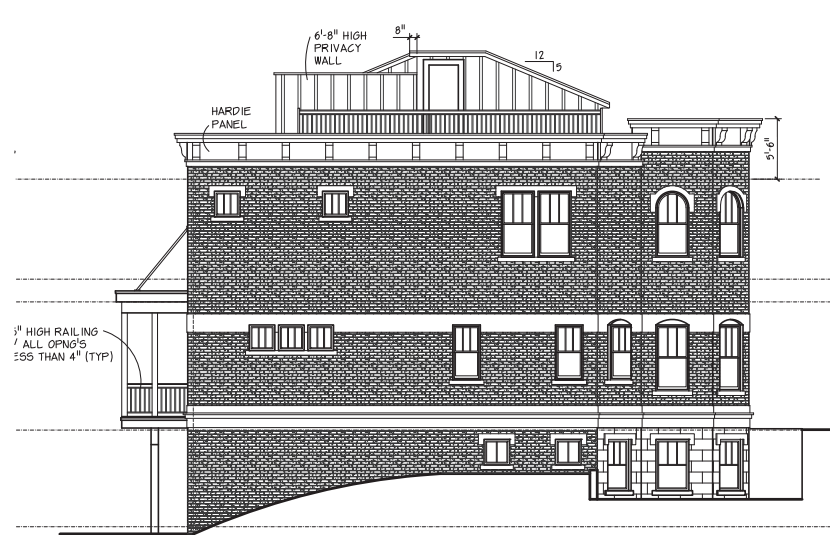
Lot 5 – 524 Rice Street

Lot Area 1,988 divided by Home Sq. footage 3,545
Equals a FAR of
1.78

Lot 6 – 520 Rice Street

Lot Area 2,463 divided by Home Sq. footage 3,600
Equals a FAR of
1.46

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524
LEFT ELEVATION
SCALE: 1/8" = 1'-0"



520
REAR ELEVATION
SCALE: 1/8" = 1'-0"



524
RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

REVIEW PLAN

This plan is at a review stage and is NOT a permit set. Please review the plan in its entirety and let DFP know if you have any changes prior to us proceeding. The plan will be placed on hold until we receive confirmation from you to proceed, meaning no additional work will be done on the plan until we receive your approval to move forward.

04/12/2021 3:09:23 PM



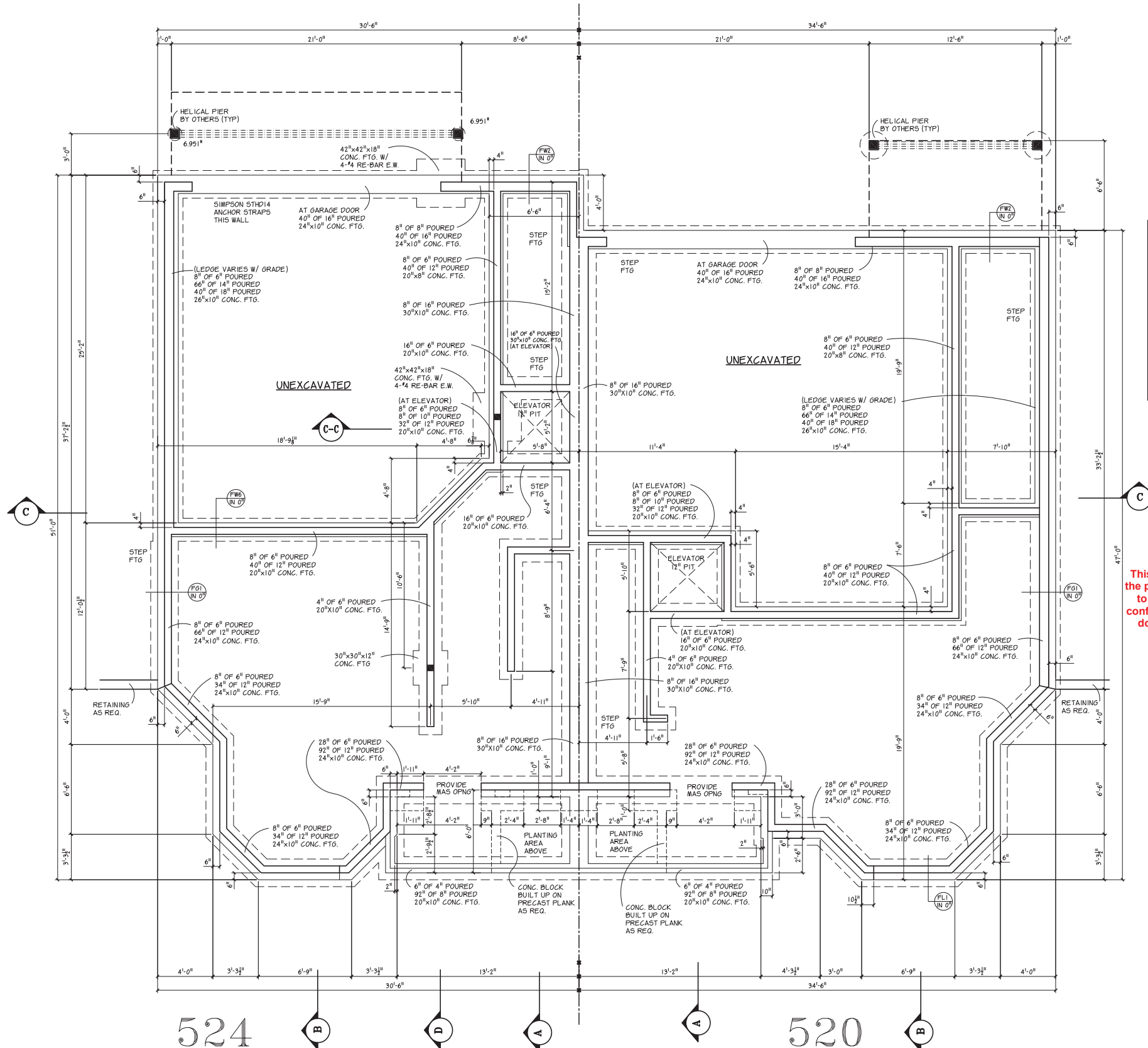
FRONT ELEVATION

SCALE: 1/4" = 1'-0"
1ST FLOOR 1,363 SQ. FT.
2ND FLOOR 1,377 SQ. FT.
ROOF TOP ENTRY 149 SQ. FT.
BASEMENT FIN. 606 SQ. FT.
TOTAL 3,545 SQ. FT.

FRONT ELEVATION

SCALE: 1/4" = 1'-0"
1ST FLOOR 1,415 SQ. FT.
2ND FLOOR 1,429 SQ. FT.
ROOF TOP ENTRY 149 SQ. FT.
BASEMENT FIN. 607 SQ. FT.
TOTAL 3,600 SQ. FT.





FOUNDATION PLAN
SCALE: 1/4"=1'-0"

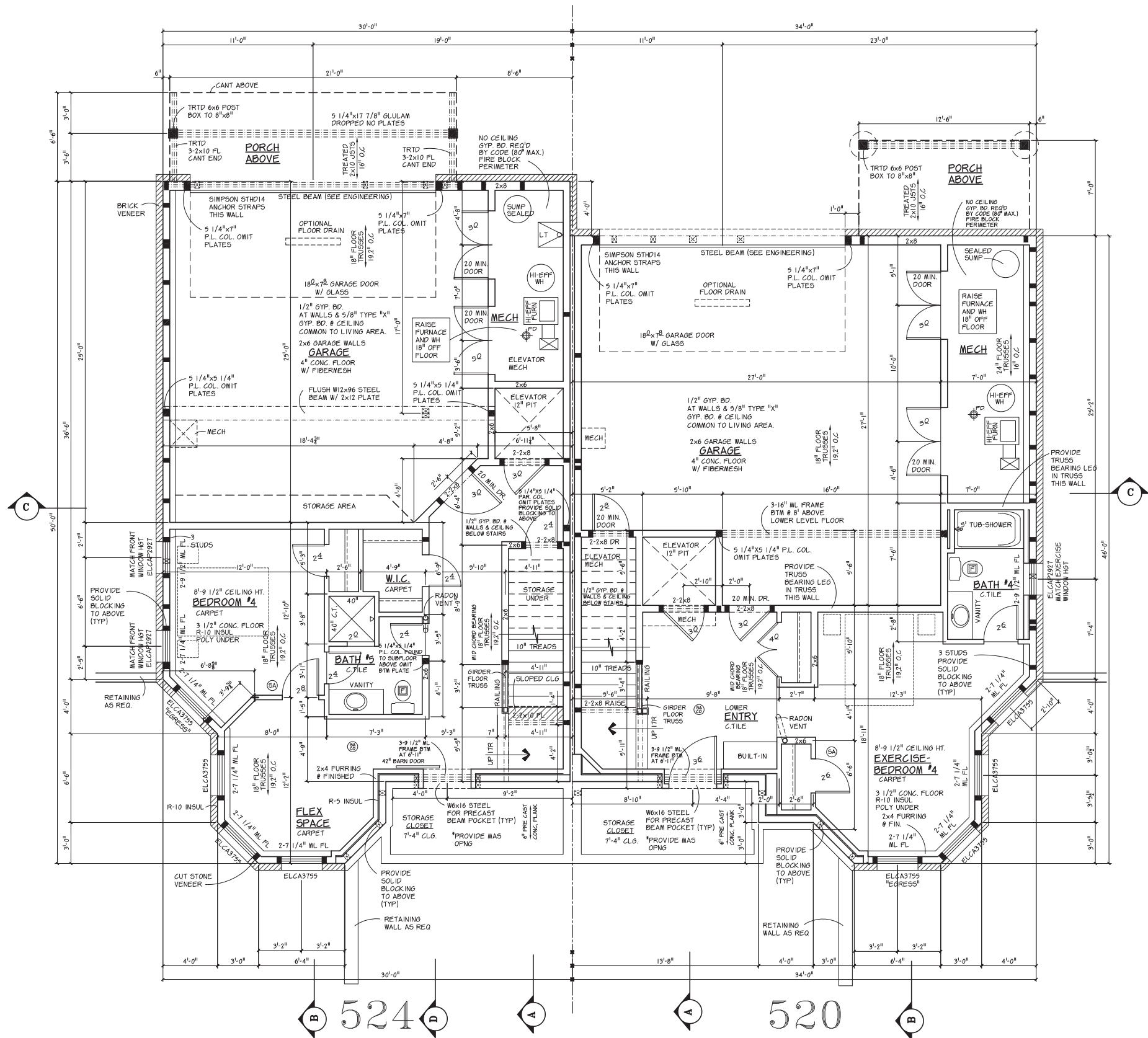
FOUNDATION WALL & FOUNDATION INSULATION NOTES

- POURED FOUNDATION WALLS W/ SINGLE PLATE
- BASEMENT FLOOR RAISED TO TOP OF WALKOUT STEM WALL
- ASSUMED SOIL BEARING CAPACITY 2,000 LBS
- MAINTAIN 42" MIN. GRADE ABOVE FOOTING
- MASONRY CONTRACTOR TO VERIFY WALL & FOOTING REQUIREMENTS WITH SITE CONDITIONS
- MASONRY CONTRACTOR TO VERIFY ALL WALL AND FOOTING REQUIREMENTS AT ALL UNBALANCED BACKFILL LOCATIONS

FX SEE FOUNDATION WALL DETAIL ON PAGE D1
IN X INDICATES DISTANCE FOUNDATION IS HELD IN FROM SHEATHING ABOVE

- SEE FOUNDATION WALL DETAILS FOR FOUNDATION WALL INSULATION (R-10 EXTERIOR/ R-5 INTERIOR)

REVIEW PLAN
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BASEMENT PLAN	
SCALE: 1/4"=1'-0"	
EXTERIOR DIMENSIONS ARE FROM EXTERIOR OF FOUNDATION WALLS AT FULL BASEMENT AREAS AND AS NOTED AT FRAMED WALLS AT LOOKOUT AND WALKOUT AREAS	
524 BASEMENT FINISHED	656 SQ. FT.
524 BASEMENT UNFINISHED	125 SQ. FT.
524 STORAGE CLOSET	83 SQ. FT.
524 GARAGE	582 SQ. FT.
520 BASEMENT FINISHED	607 SQ. FT.
520 BASEMENT UNFINISHED	137 SQ. FT.
520 STORAGE CLOSET	83 SQ. FT.
520 GARAGE	671 SQ. FT.

WINDOW & DOOR NOTES	
•	MARVIN ELEVATE WINDOWS
•	CODE MAX. U VALUE = 0.32 MAX. SHGC = 0.35
•	ALL WINDOWS SET AT SET # SILL UNLESS NOTED OTHERWISE
•	BUILDER TO PROVIDE WINDOW ORDER LIST WITH U FACTOR, SHGC, & STC RATING FOR EACH WINDOW & EXTERIOR DOOR
•	BUILDER TO VERIFY ALL WINDOW, DOOR & OPENING HDR. HTS.
•	WINDOW WELLS WITH A VERTICAL DEPTH OF MORE THAN 44" MUST BE EQUIPPED WITH AN APPROVED LADDER

GUARDRAIL NOTES	
•	GUARDRAIL REQUIRED ON OPEN SIDE OF ANY STAIR MORE THAN 30" ABOVE FLOOR
•	ALL OPENINGS LESS THAN 4" AT ALL GUARDRAILS

FLOOR SYSTEM NOTES	
•	ALL FLOORS TO BE L/480
•	FLOOR TRUSS MANUFACTURER TO VERIFY FRAMING BELOW GRANITE TOPS, TUBS & TILE AREAS ABOVE
•	FLOOR TRUSS MANUFACTURER TO PROVIDE HEAT SUPPLY & RETURN CHASE IN TRUSSES
•	BUILDER TO PROVIDE CITY WITH TRUSS LAYOUT PLANS

SHEETROCK & INSULATION NOTES	
•	GYP. BD. REQUIRED AT ENTIRE CEILING (EXCEPT 80 SQ.FT. MAXIMUM AT MECHANICAL)
•	1" GYP. BD. AT WALLS & CEILING BELOW STAIRS
•	ALL SPRAY FOAM INSULATION MUST BE COVERED BY MIN. 1" GYP. BD. AT HABITABLE AREAS

FRAMING NOTES	
•	8'-9 1/2" PLATE HEIGHT UNLESS NOTED OTHERWISE
•	2X6 STUDS @ POCKET DOOR WALLS UNLESS NOTED OTHERWISE
•	DOUBLE STUDS AT ALL WINDOW & PATIO DOOR HEADERS UNLESS NOTED OTHERWISE
•	PROVIDE LVL/LSL SOLID BLOCKING AT ALL POINT LOADS, SUPPORT BEAMS, MICROLAMS, & GIRDER TRUSSES TO FOUNDATION
•	PROVIDE FIRE BLOCKING VERTICALLY @ CEILINGS & FLOORS & HORIZONTALLY @ INTERVALS NOT EXCEEDING 10'-0" (CONCEALED SPACES @ SOFFITS, DROPPED CEILINGS, BETWEEN STAIR STRINGERS & BETWEEN STORIES)
•	PROVIDE DRAFT STOPPING BETWEEN STORIES DIVIDED INTO APPROXIMATELY EQUAL SPACES NOT EXCEEDING 1,000 SQ.FT.

SMOKE AND CARBON MONOXIDE ALARMS	
•	PROVIDE SMOKE ALARM IN EVERY BEDROOM & THE CORRIDOR GIVING ACCESS TO THE BEDROOM ON EACH FLOOR INCLUDING THE BASEMENT, & IN ANY ROOM THAT HAS A CEILING HEIGHT MORE THAN 24" HIGHER THAN A CORRIDOR GIVING ACCESS TO THE BEDROOMS.
•	PROVIDE CARBON MONOXIDE ALARM WITHIN 10'-0" OF ALL BEDROOMS

REVIEW PLAN

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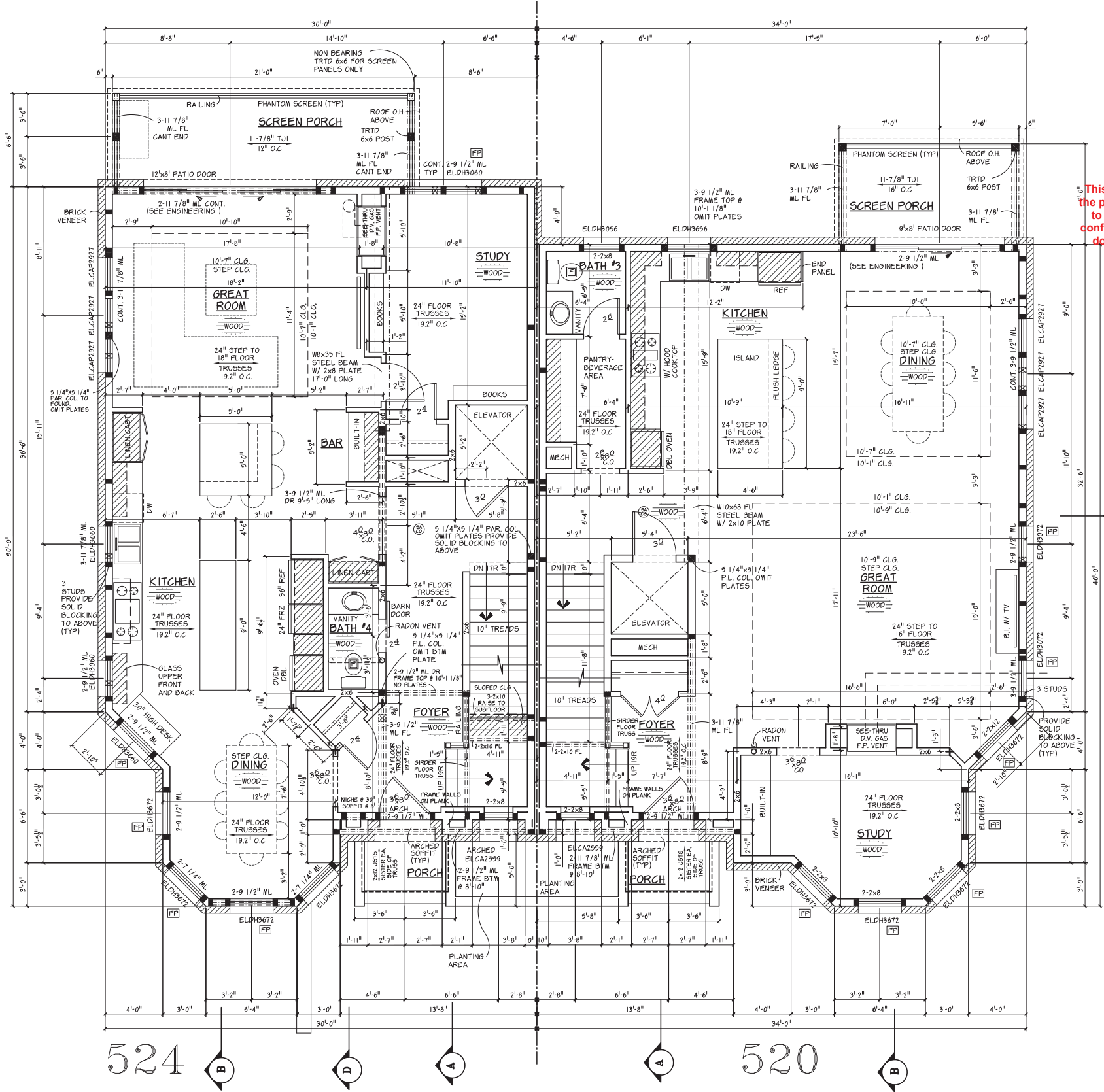
PILLAR HOMES

RICE STREET TOWN HOMES
520-524
RICE STREET EAST
WAYZATA, MINNESOTA

DATE:
4-8-21
REVISIONS:
4-12-21

DRAWN BY:
JJ
COMM. NO.
220122
SHEET NO.

3



REVIEW PLAN
This plan is at a review stage and is NOT a permit set. Please review the plan in its entirety and let DFP know if you have any changes prior to us proceeding. The plan will be placed on hold until we receive confirmation from you to proceed, meaning no additional work will be done on the plan until we receive your approval to move forward.

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FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"
EXTERIOR DIMENSIONS ARE FRAMING TO FRAMING

524 FIRST FLOOR FINISHED	1,363 SQ. FT.
520 FIRST FLOOR FINISHED	1,415 SQ. FT.

WINDOW & DOOR NOTES

- MARVIN ELEVATE WINDOWS
- CODE MAX U VALUE = 0.32 MAX SHGC = 0.35
- ALL WINDOWS SET 8'-0" UNLESS NOTED OTHERWISE
- BUILDER TO PROVIDE WINDOW ORDER LIST WITH U FACTOR, SHGC, & STC RATING FOR EACH WINDOW & EXTERIOR DOOR
- BUILDER TO VERIFY ALL WINDOW, DOOR & OPENING HDR. HTS.
- FP = PROVIDE FALL PROTECTION & OPERATING WINDOWS

GUARDRAIL NOTES

- GUARDRAIL REQUIRED ON OPEN SIDE OF ANY STAIR MORE THAN 30" ABOVE FLOOR
- ALL OPENINGS LESS THAN 4" AT ALL GUARDRAILS

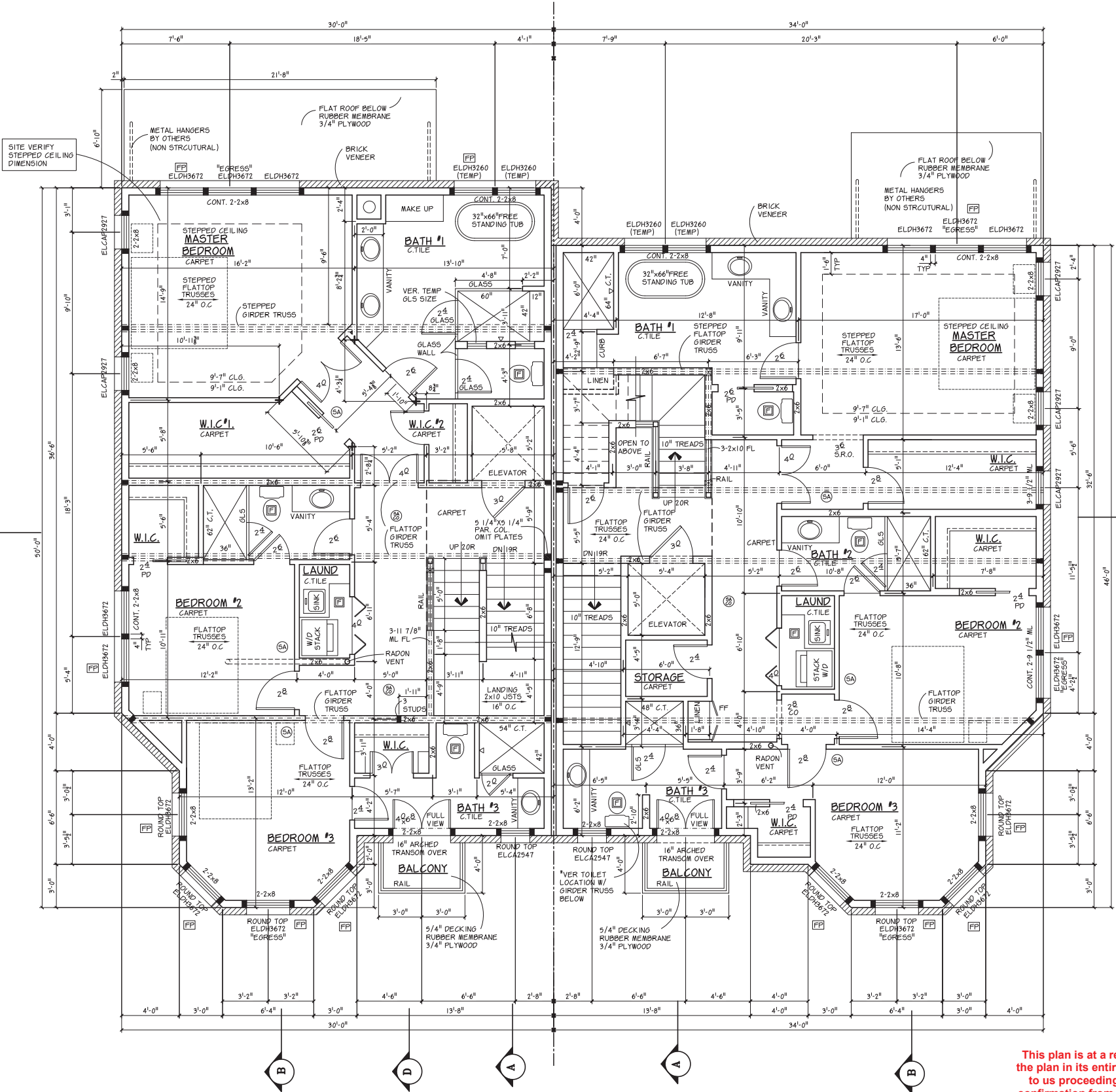
FLOOR SYSTEM NOTES

- ALL FLOORS TO BE L/480
 - FLOOR TRUSS MANUFACTURER TO VERIFY FRAMING BELOW GRANITE TOPS, TUBS & TILE AREAS ABOVE
 - FLOOR TRUSS MANUFACTURER TO PROVIDE HEAT SUPPLY & RETURN CHASE IN TRUSSES
 - BUILDER TO PROVIDE CITY WITH TRUSS LAYOUT PLANS
- #### FRAMING NOTES
- 10'-1 1/8" PLATE HEIGHT UNLESS NOTED OTHERWISE
 - 2X6 STUDS @ POCKET DOOR WALLS UNLESS NOTED OTHERWISE
 - DOUBLE STUDS AT ALL WINDOW & PATIO DOOR HEADERS UNLESS NOTED OTHERWISE
 - PROVIDE LVL/LSL SOLID BLOCKING AT ALL POINT LOADS, SUPPORT BEAMS, MICROLAMS, AND GIRDER TRUSSES TO FOUNDATION
 - PROVIDE FIREBLOCKING VERTICALLY @ CEILINGS & FLOORS & HORIZONTALLY @ INTERVALS NOT EXCEEDING 10'-0" (CONCEALED SPACES @ SOFFITS, DROPPED CEILINGS, BETWEEN STAIR STRINGERS & BETWEEN STORIES)
 - PROVIDE DRAFT STOPPING BETWEEN STORIES DIVIDED INTO APPROXIMATELY EQUAL SPACES NOT EXCEEDING 1,000 SQ. FT.
 - ALL SPRAY FOAM INSULATION MUST BE COVERED BY MIN. 1" GYP. BD AT HABITABLE AREAS

SMOKE AND CARBON MONOXIDE ALARMS

- PROVIDE SMOKE ALARM IN EVERY BEDROOM & THE CORRIDOR GIVING ACCESS TO THE BEDROOM ON EACH FLOOR INCLUDING THE BASEMENT, & IN ANY ROOM THAT HAS A CEILING HEIGHT MORE THAN 24" HIGHER THAN A CORRIDOR GIVING ACCESS TO THE BEDROOMS
- PROVIDE CARBON MONOXIDE ALARM WITHIN 10'-0" OF ALL BEDROOMS





SECOND FLOOR PLAN

SCALE: 1/4"=1'-0"

EXTERIOR DIMENSIONS ARE FRAMING TO FRAMING

924 SECOND FLOOR FINISHED	1,377 SQ. FT.
920 SECOND FLOOR FINISHED	1,429 SQ. FT.

WINDOW & DOOR NOTES

- MARVIN ELEVATE WINDOWS
 - CODE MAX. U VALUE = 0.32 MAX. SHGC = 0.35
- ALL WINDOWS SET 8'-0" UNLESS NOTED OTHERWISE
- BUILDER TO PROVIDE WINDOW ORDER LIST WITH U FACTOR, SHGC, & STC RATING FOR EACH WINDOW & EXTERIOR DOOR
- BUILDER TO VERIFY ALL WINDOW, DOOR & OPENING HDR. HTS.
- FP = PROVIDE FALL PROTECTION @ OPERATING WINDOWS

GUARDRAIL NOTES

- GUARDRAIL REQUIRED ON OPEN SIDE OF ANY STAIR MORE THAN 30" ABOVE FLOOR
- ALL OPENINGS LESS THAN 4" AT ALL GUARDRAILS

FRAMING NOTES

- 9'-1" PLATE HEIGHT UNLESS NOTED OTHERWISE
- 2X6 STUDS @ POCKET DOOR WALLS UNLESS NOTED OTHERWISE
- DOUBLE STUDS AT ALL WINDOW & PATIO DOOR HEADERS UNLESS NOTED OTHERWISE
- PROVIDE LVL/LSL SOLID BLOCKING AT ALL POINT LOADS, SUPPORT BEAMS, MICROLAMS, AND GIRDER TRUSSES TO FOUNDATION
- PROVIDE FIREBLOCKING VERTICALLY @ CEILINGS & FLOORS & HORIZONTALLY @ INTERVALS NOT EXCEEDING 10'-0" (CONCEALED SPACES @ SOFFITS, DROPPED CEILINGS, BETWEEN STAIR STRINGERS & BETWEEN STORIES)
- PROVIDE DRAFT STOPPING BETWEEN STORIES DIVIDED INTO APPROXIMATELY EQUAL SPACES NOT EXCEEDING 1,000 SQ.FT.
- ALL SPRAY FOAM INSULATION MUST BE COVERED BY MIN. 1" GYP. BD AT HABITABLE AREAS

SMOKE AND CARBON MONOXIDE ALARMS

- PROVIDE SMOKE ALARM IN EVERY BEDROOM & THE CORRIDOR GIVING ACCESS TO THE BEDROOM ON EACH FLOOR INCLUDING THE BASEMENT, & IN ANY ROOM THAT HAS A CEILING HEIGHT MORE THAN 24" HIGHER THAN A CORRIDOR GIVING ACCESS TO THE BEDROOMS.
- PROVIDE CARBON MONOXIDE ALARM WITHIN 10'-0" OF ALL BEDROOMS

REVIEW PLAN

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RICE STREET TOWN HOMES
520-524
RICE STREET EAST
WAYZATA, MINNESOTA

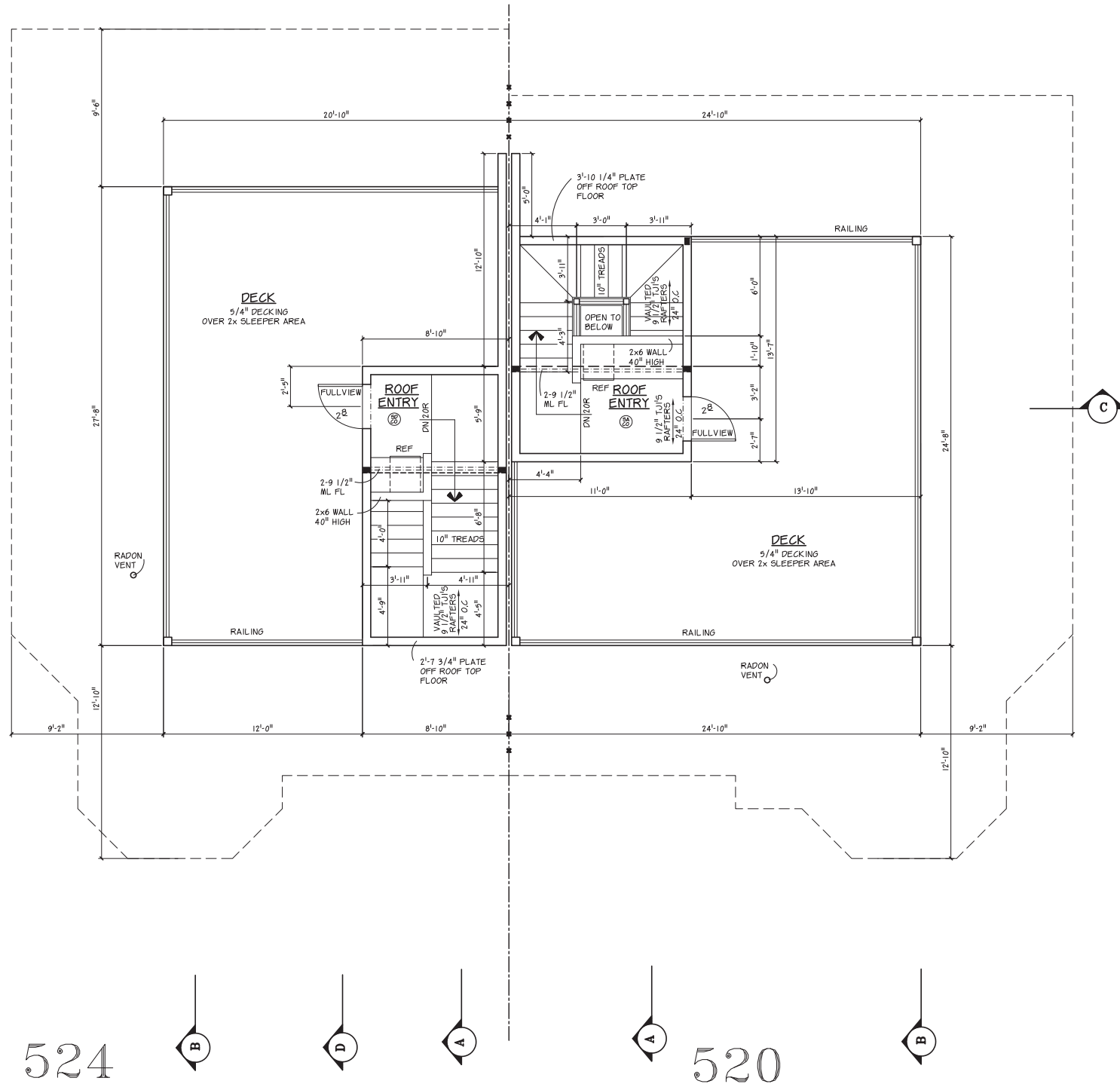
DATE:
4-8-21
REVISIONS:
4-12-21

DRAWN BY:
J

COMM. NO.
220122

SHEET NO.

5



REVIEW PLAN

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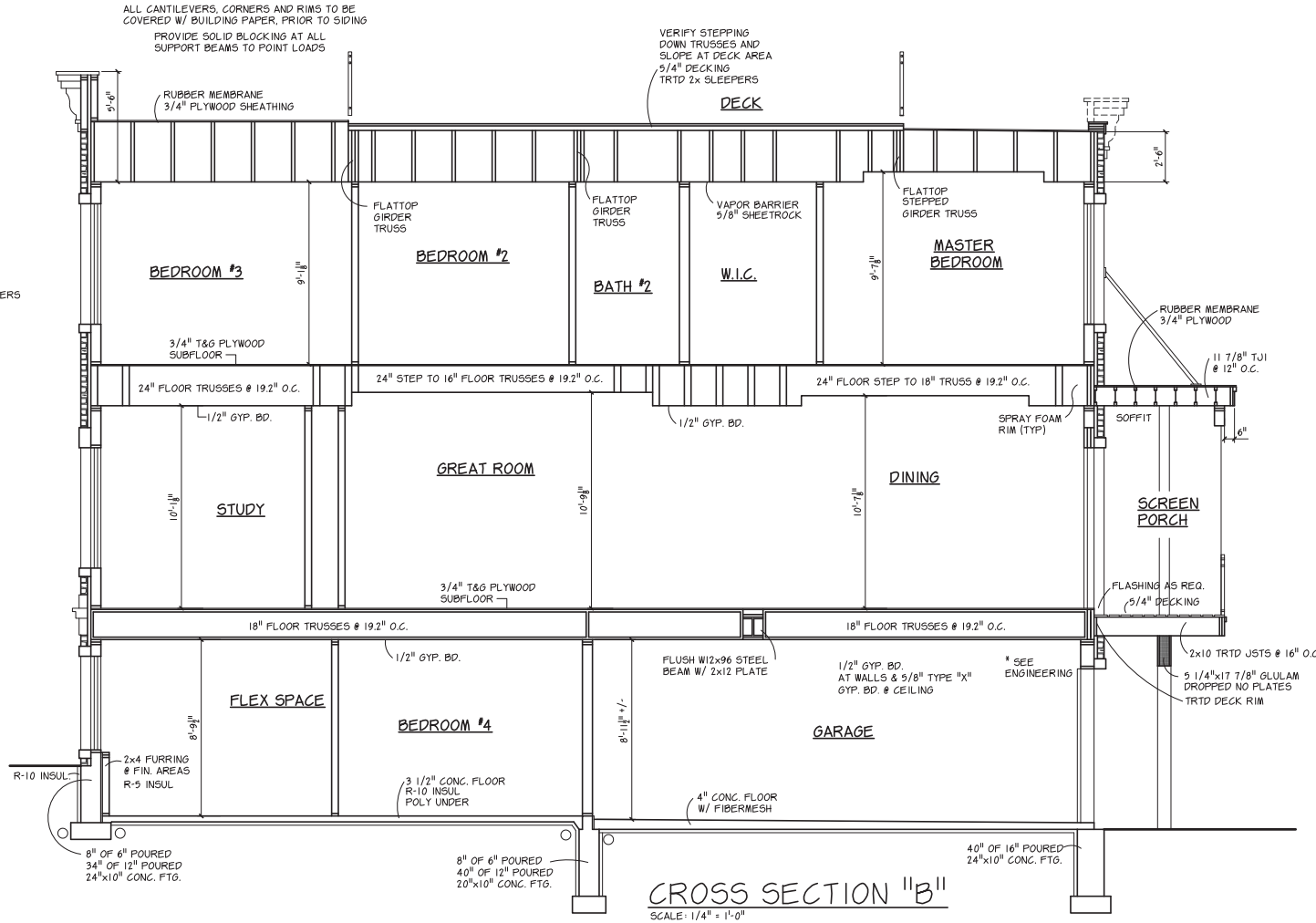
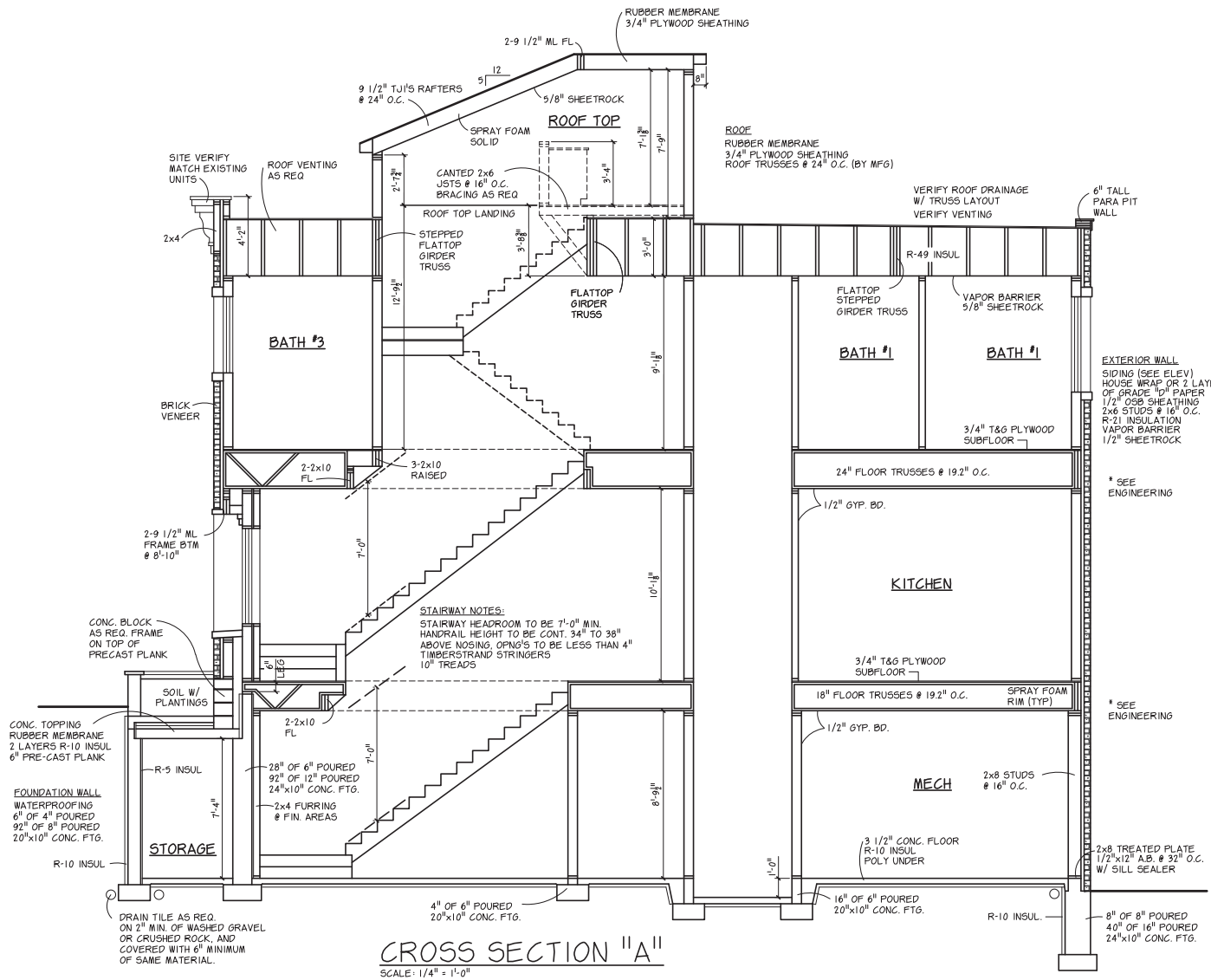
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ROOF TOP DECK	
SCALE: 1/4"=1'-0"	
EXTERIOR DIMENSIONS ARE FRAMING TO FRAMING	
UNIT 524 ROOF TOP ENTRY	149 SQ. FT.
UNIT 524 DECK	428 SQ. FT.
UNIT 520 ROOF TOP ENTRY	149 SQ. FT.
UNIT 520 DECK	463 SQ. FT.
WINDOW & DOOR NOTES	
- MARVIN ELEVATE WINDOWS - CODE MAX. U VALUE = 0.32 MAX. SHGC = 0.35 - ALL WINDOWS SET 6'-8" UNLESS NOTED OTHERWISE - BUILDER TO PROVIDE WINDOW ORDER LIST WITH U FACTOR, SHGC, & STC RATING FOR EACH WINDOW & EXTERIOR DOOR - BUILDER TO VERIFY ALL WINDOW, DOOR & OPENING HDR. HTS. - FP = PROVIDE FALL PROTECTION @ OPERATING WINDOWS	
GUARDRAIL NOTES	
- GUARDRAIL REQUIRED ON OPEN SIDE OF ANY STAIR MORE THAN 30" ABOVE FLOOR - ALL OPENINGS LESS THAN 4" AT ALL GUARDRAILS	
FRAMING NOTES	
7'-9" PLATE HEIGHT UNLESS NOTED OTHERWISE 2X6 STUDS @ POCKET DOOR WALLS UNLESS NOTED OTHERWISE - DOUBLE STUDS AT ALL WINDOW & PATIO DOOR HEADERS UNLESS NOTED OTHERWISE - PROVIDE LVL/LSL SOLID BLOCKING AT ALL POINT LOADS, SUPPORT BEAMS, MICROLANS, AND GIRDER TRUSSES TO FOUNDATION - PROVIDE FIREBLOCKING VERTICALLY @ CEILINGS & FLOORS & HORIZONTALLY @ INTERVALS NOT EXCEEDING 10'-0" (CONCEALED SPACES @ SOFFITS, DROPPED CEILINGS, BETWEEN STAIR STRINGERS & BETWEEN STORIES - PROVIDE DRAFT STOPPING BETWEEN STORIES DIVIDED INTO APPROXIMATELY EQUAL SPACES NOT EXCEEDING 1,000 SQ.FT. - ALL SPRAY FOAM INSULATION MUST BE COVERED BY MIN. 1" GYP. BD AT HABITABLE AREAS	
SMOKE AND CARBON MONOXIDE ALARMS	
- PROVIDE SMOKE ALARM IN EVERY BEDROOM & THE CORRIDOR GIVING ACCESS TO THE BEDROOM ON EACH FLOOR INCLUDING THE BASEMENT, & IN ANY ROOM THAT HAS A CEILING HEIGHT MORE THAN 24" HIGHER THAN A CORRIDOR GIVING ACCESS TO THE BEDROOMS. - PROVIDE CARBON MONOXIDE ALARM WITHIN 10'-0" OF ALL BEDROOMS	

REVIEW PLAN

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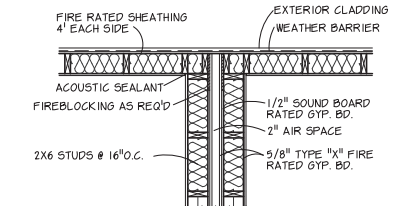
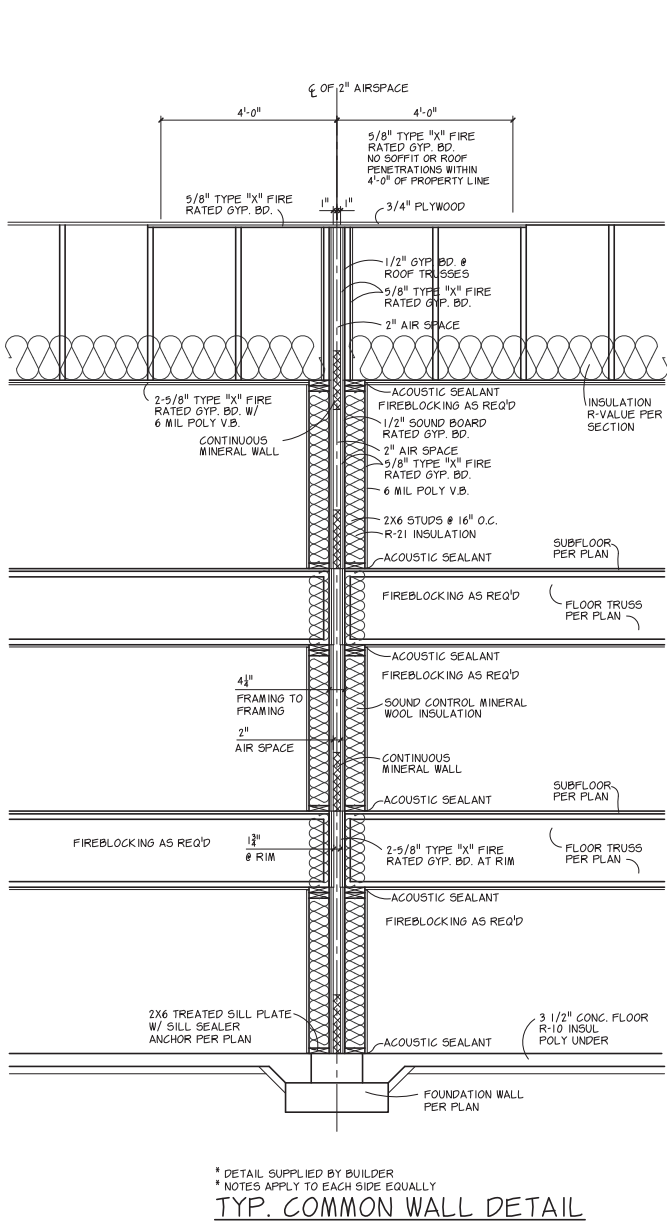
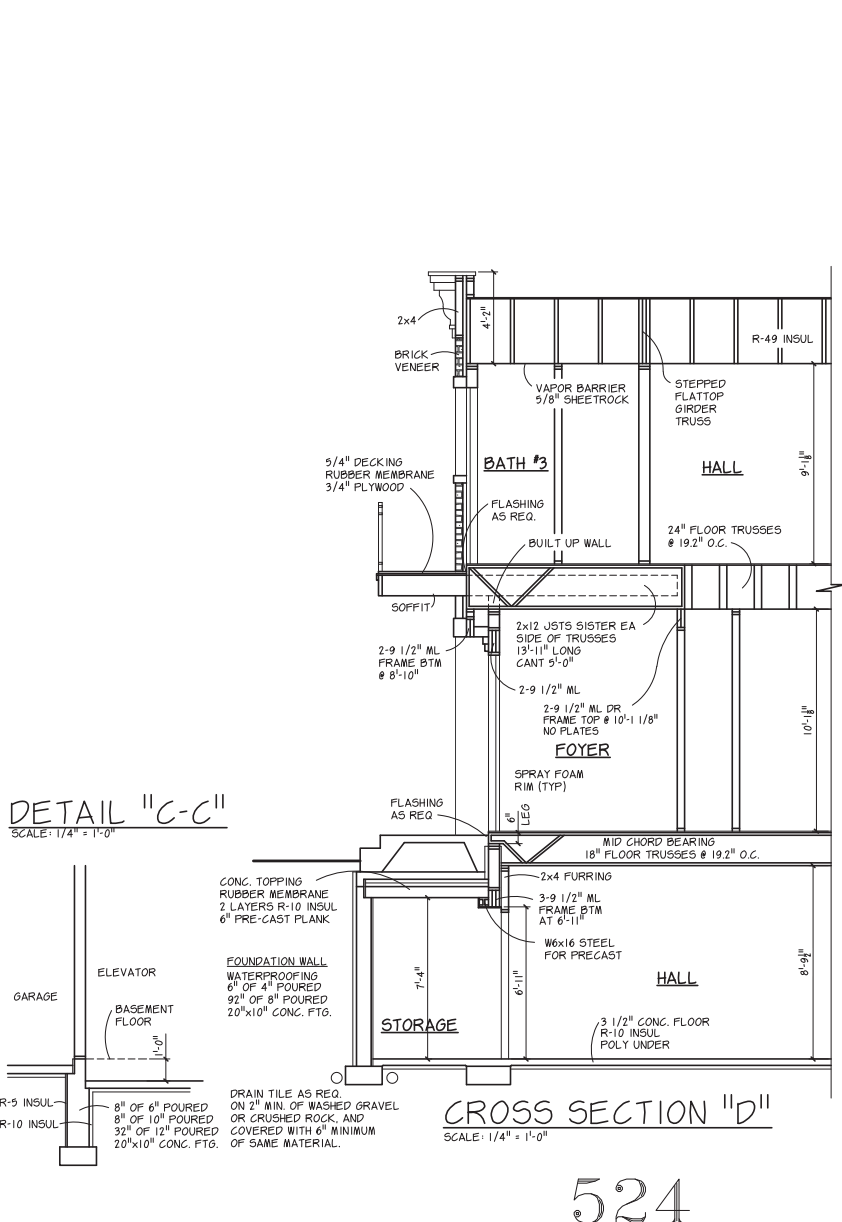
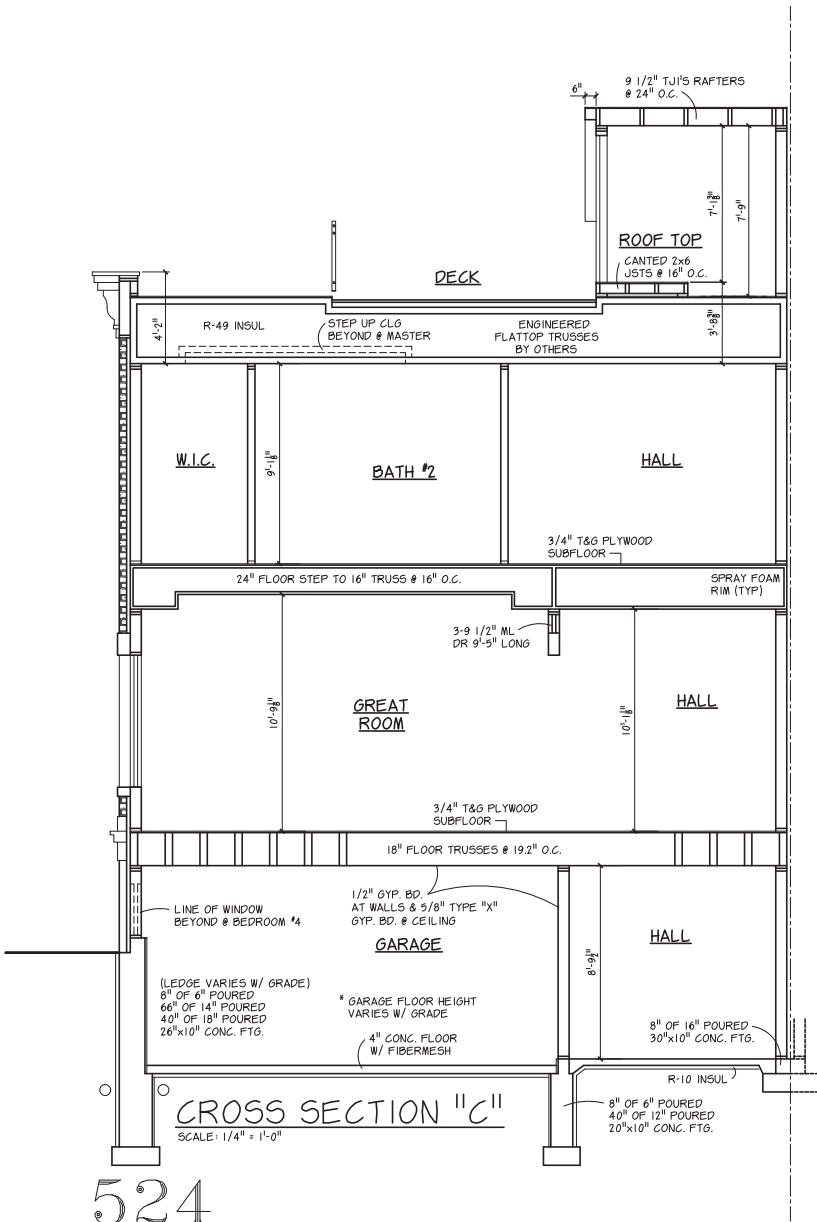




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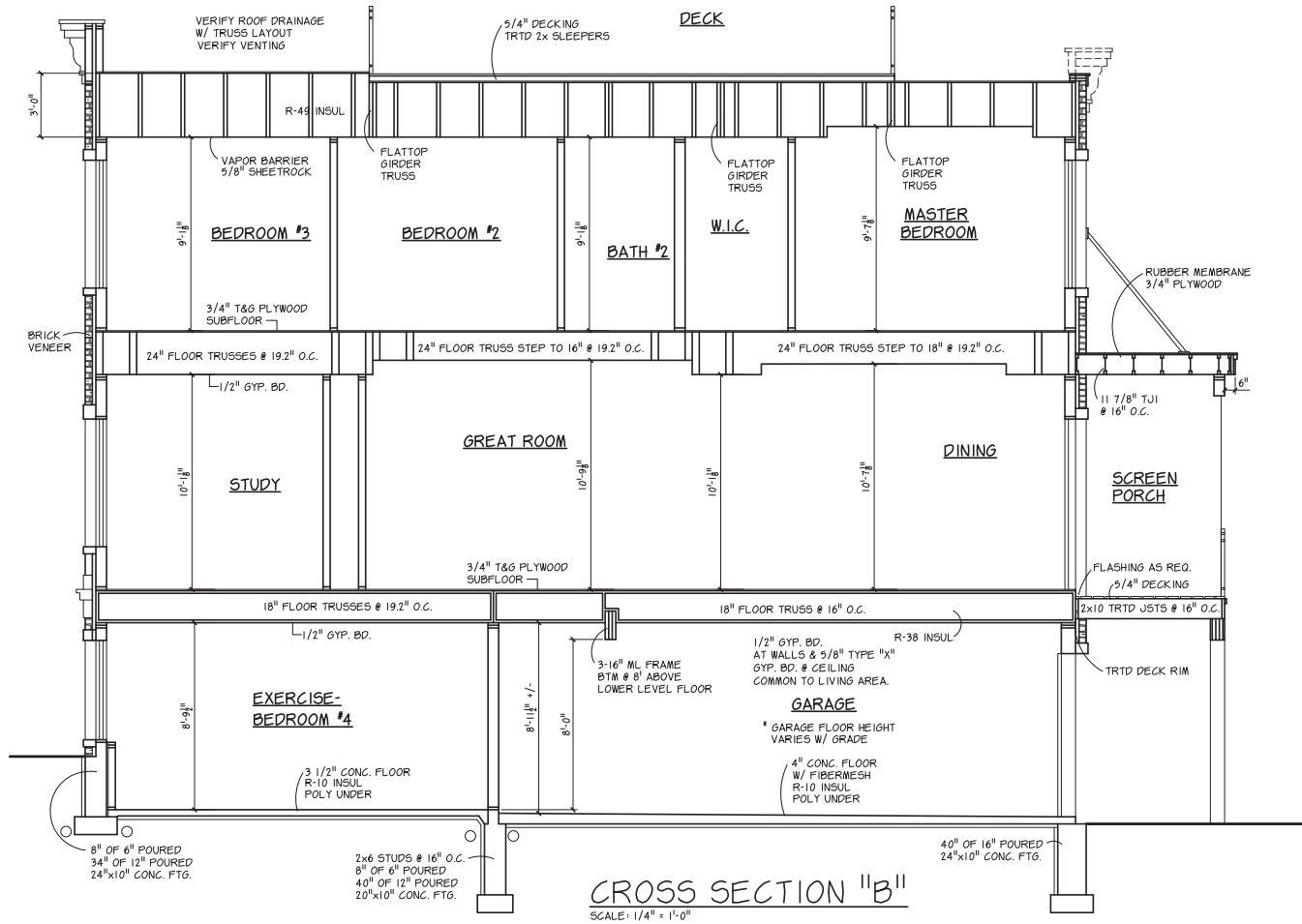
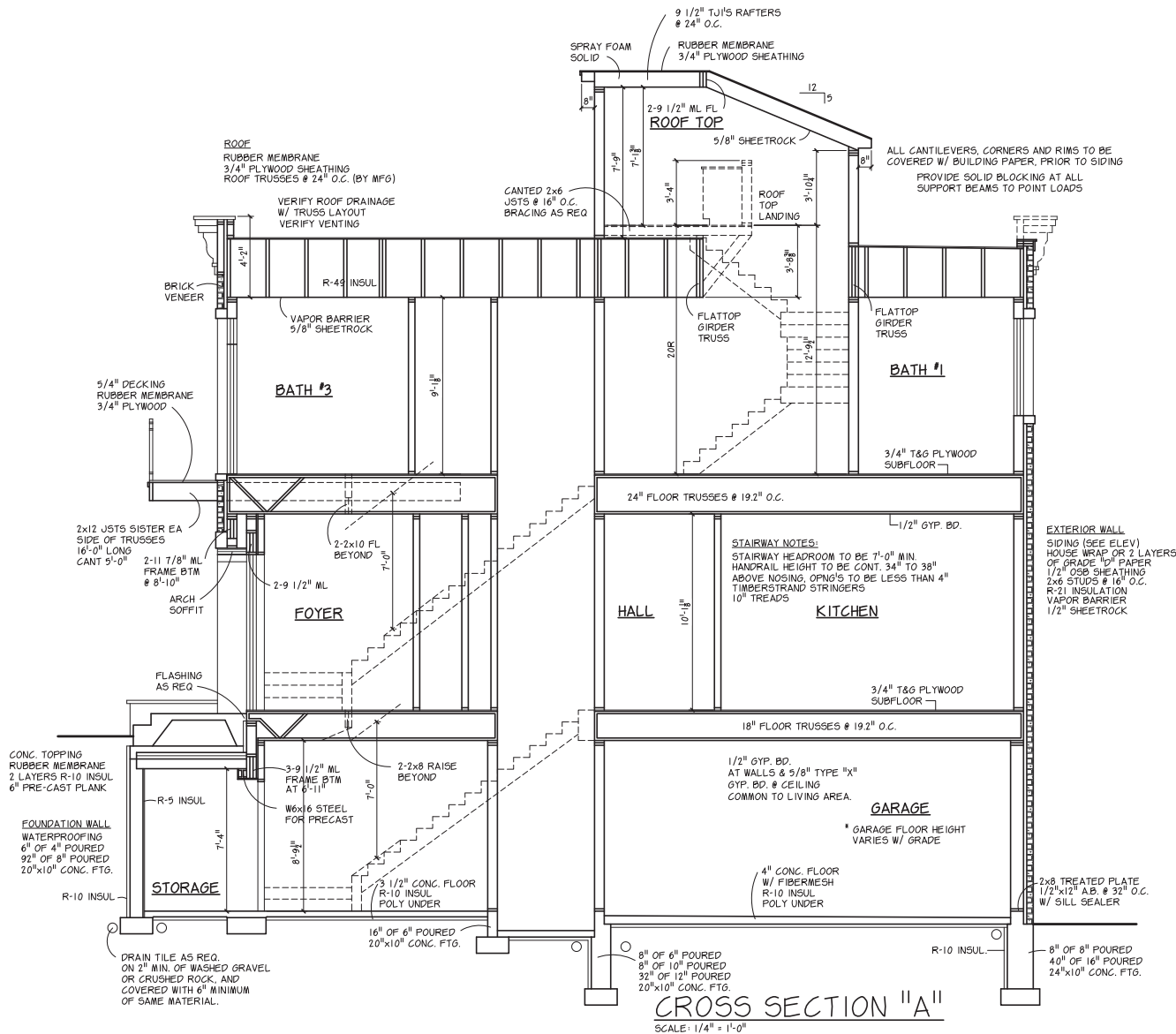
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D.F.P.
PLANNING & DESIGN
9100 BALTIMORE ST NE, SUITE 106 BLAINE, MN, 55449
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Phone: 763-780-8004 Fax: 763-780-8015

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RICE STREET TOWN HOMES
520-524
RICE STREET EAST
WAYZATA, MINNESOTA

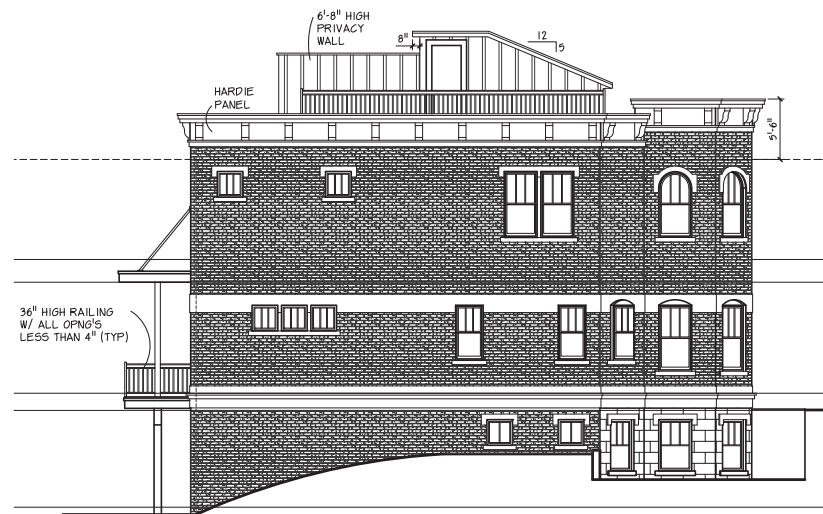
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JJ

COMM. NO.
220122

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520



534

LEFT ELEVATION
SCALE: 1/8" = 1'-0"



REAR ELEVATION
SCALE: 1/8" = 1'-0"

530

534



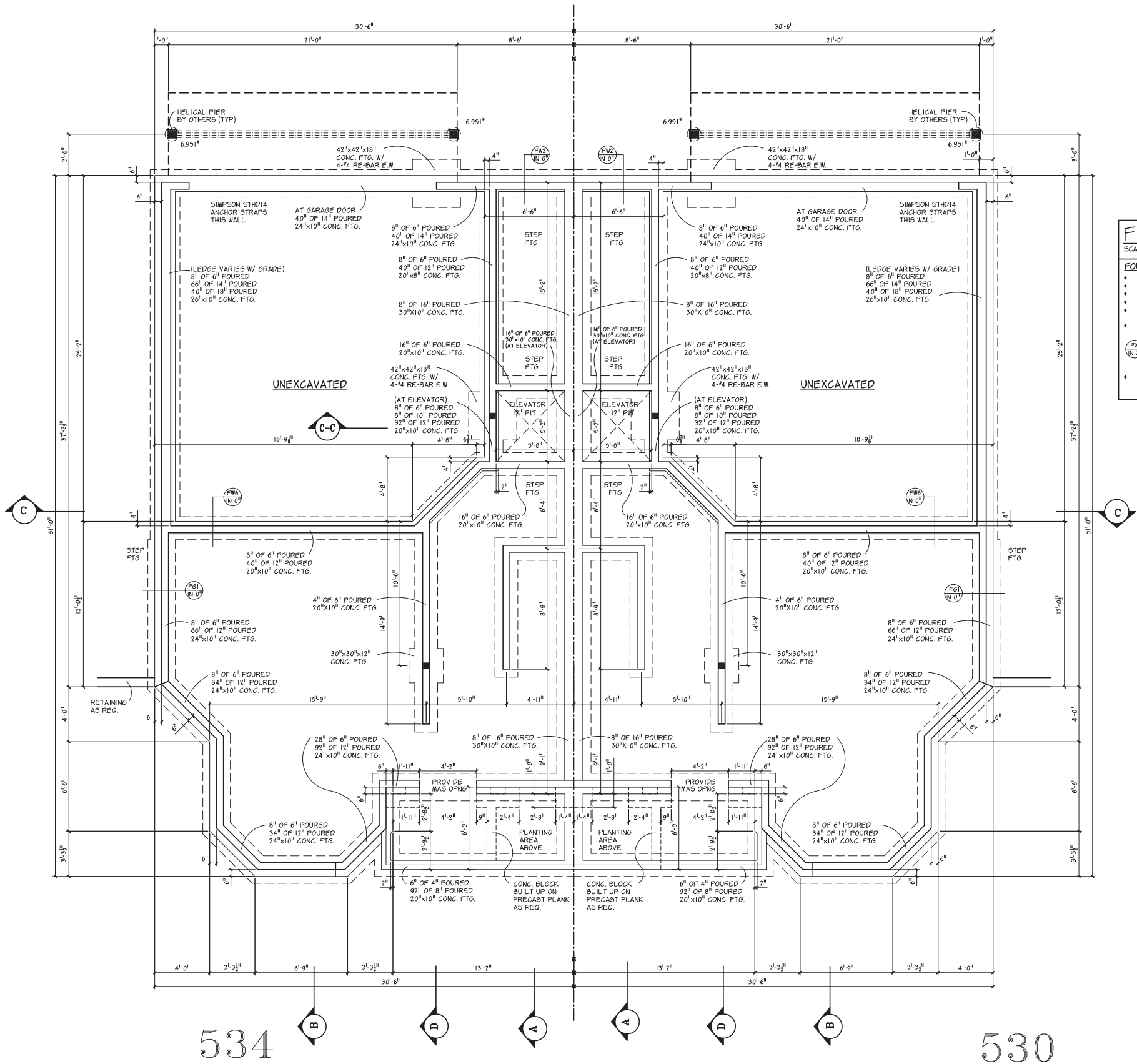
RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

530



534

530



FOUNDATION PLAN
SCALE: 1/4"=1'-0"

FOUNDATION WALL & FOUNDATION INSULATION NOTES

- POURED FOUNDATION WALLS W/ SINGLE PLATE
- BASEMENT FLOOR RAISED TO TOP OF WALKOUT STEM WALL
- ASSUMED SOIL BEARING CAPACITY 2,000 LBS
- MAINTAIN 42" MIN. GRADE ABOVE FOOTING
- MASONRY CONTRACTOR TO VERIFY WALL & FOOTING REQUIREMENTS WITH SITE CONDITIONS
- MASONRY CONTRACTOR TO VERIFY ALL WALL AND FOOTING REQUIREMENTS AT ALL UNBALANCED BACKFILL LOCATIONS
- SEE FOUNDATION WALL DETAIL ON PAGE D1
- INDICATES DISTANCE FOUNDATION IS HELD IN FROM SHEATHING ABOVE
- SEE FOUNDATION WALL DETAILS FOR FOUNDATION WALL INSULATION (R-10 EXTERIOR/ R-5 INTERIOR)

D.P.F. PLANNING & DESIGN
3100 EAL TADORE ST NE, SUITE 100, BLAINE, MN 55449
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Phone: 763-760-8004 Fax: 763-760-8004

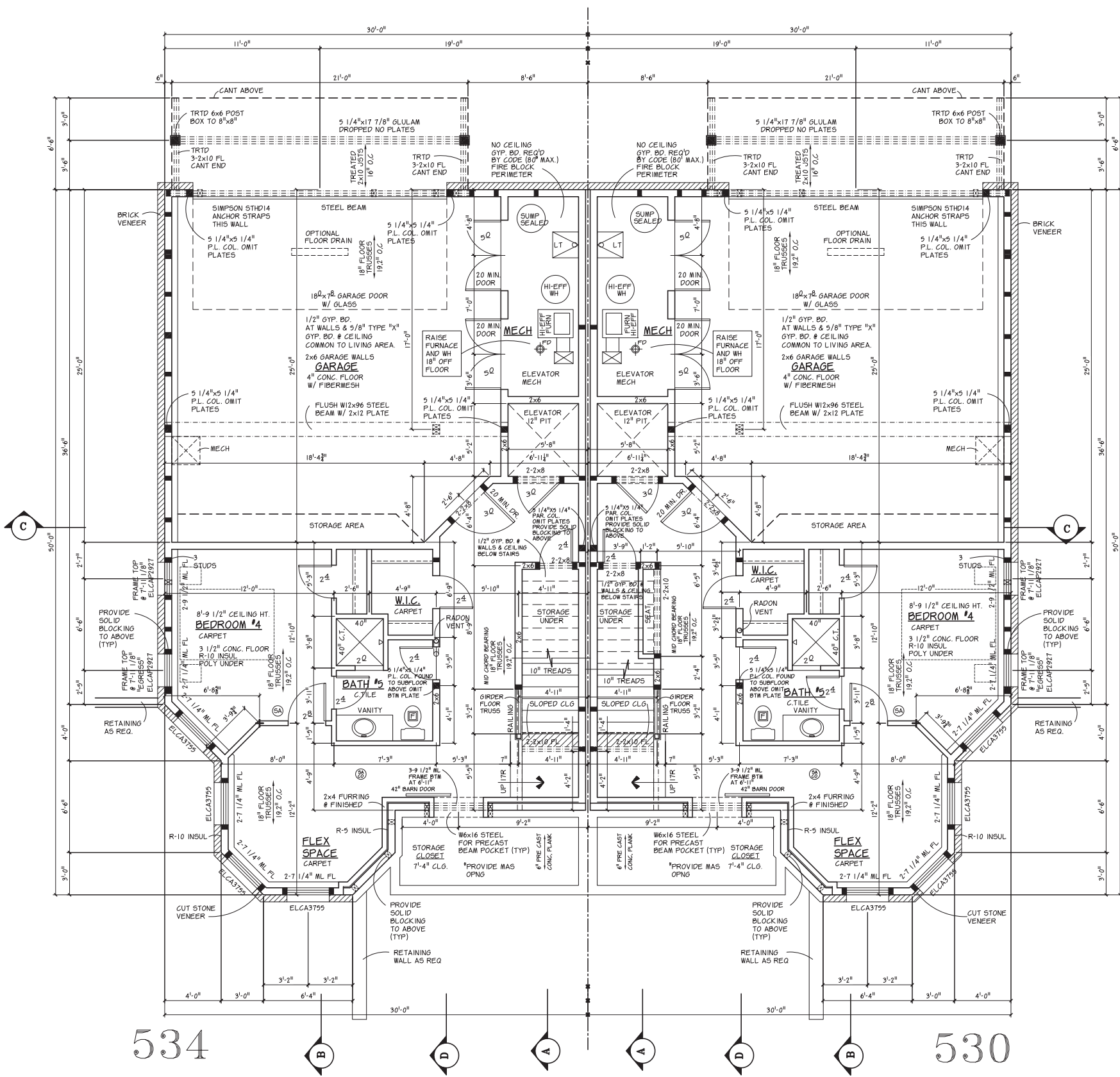


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RICE STREET TOWN HOMES
530-534
RICE STREET EAST
WAYZATA, MINNESOTA

DATE:	11-2-20
REVISIONS:	11-29-20
	12-1-20
	12-3-20
	12-9-20
	12-21-20
	12-23-20
	1-18-21
	1-28-21
	2-11-21
	2-22-21
	3-8-21 3-12-21
DRAWN BY:	JJ-3-30-21
COMM. NO.	220121
SHEET NO.	2



BASEMENT PLAN
SCALE: 1/4"=1'-0"

EXTERIOR DIMENSION ARE FROM EXTERIOR OF FOUNDATION WALLS AT FULL BASEMENT AREAS AND AS NOTED AT FRAMED WALLS AT LOOKOUT AND WALKOUT AREAS

BASEMENT FINISHED	656 SQ. FT.
BASEMENT UNFINISHED	125 SQ. FT.
STORAGE CLOSET	89 SQ. FT.
GARAGE	592 SQ. FT.

WINDOW & DOOR NOTES

- MARVIN ELEVATE WINDOWS
- CODE MAX. U VALUE = 0.32 MAX. SHGC = 0.35
- ALL WINDOWS SET AT SET # SILL UNLESS NOTED OTHERWISE
- BUILDER TO PROVIDE WINDOW ORDER LIST WITH U FACTOR, SHGC, & STC RATING FOR EACH WINDOW & EXTERIOR DOOR
- BUILDER TO VERIFY ALL WINDOW, DOOR & OPENING HGT. HTS.
- WINDOW WELLS WITH A VERTICAL DEPTH OF MORE THAN 4" MUST BE EQUIPPED WITH AN APPROVED LADDER

GUARDRAIL NOTES

- GUARDRAIL REQUIRED ON OPEN SIDE OF ANY STAIR MORE THAN 30" ABOVE FLOOR
- ALL OPENINGS LESS THAN 4" AT ALL GUARDRAILS

FLOOR SYSTEM NOTES

- ALL FLOORS TO BE L/480
- FLOOR TRUSS MANUFACTURER TO VERIFY FRAMING BELOW GRANITE TOPS, TUBS & TILE AREAS ABOVE
- FLOOR TRUSS MANUFACTURER TO PROVIDE HEAT SUPPLY & RETURN CHASE IN TRUSSES
- BUILDER TO PROVIDE CITY WITH TRUSS LAYOUT PLANS

SHEETROCK & INSULATION NOTES

- GYP. BD. REQUIRED AT ENTIRE CEILING (EXCEPT 80 SQ.FT. MAXIMUM AT MECHANICAL)
- 1" GYP. BD. AT WALLS & CEILING BELOW STAIRS
- ALL SPRAY FOAM INSULATION MUST BE COVERED BY MIN. 1/2" GYP. BD. AT HABITABLE AREAS

FRAMING NOTES

- 8'-9 1/2" PLATE HEIGHT UNLESS NOTED OTHERWISE
- 2x6 STUDS @ POCKET DOOR WALLS UNLESS NOTED OTHERWISE
- DOUBLE STUDS AT ALL WINDOW & PATIO DOOR HEADERS UNLESS NOTED OTHERWISE
- PROVIDE LVL/LSL SOLID BLOCKING AT ALL POINT LOADS, SUPPORT BEAMS, MICROLAMS, & GIRDER TRUSSES TO FOUNDATION
- PROVIDE FIRE BLOCKING VERTICALLY @ CEILINGS & FLOORS & HORIZONTALLY @ INTERVALS NOT EXCEEDING 10'-0" (CONCEALED SPACES @ SOFFITS, DROPPED CEILINGS, BETWEEN STAIR STRINGERS & BETWEEN STORIES)
- PROVIDE DRAFT STOPPING BETWEEN STORIES DIVIDED INTO APPROXIMATELY EQUAL SPACES NOT EXCEEDING 1,000 SQ.FT.

SMOKE AND CARBON MONOXIDE ALARMS

- PROVIDE SMOKE ALARM IN EVERY BEDROOM & THE CORRIDOR GIVING ACCESS TO THE BEDROOM ON EACH FLOOR INCLUDING THE BASEMENT, & IN ANY ROOM THAT HAS A CEILING HEIGHT MORE THAN 24" HIGHER THAN A CORRIDOR GIVING ACCESS TO THE BEDROOMS
- PROVIDE CARBON MONOXIDE ALARM WITHIN 10'-0" OF ALL BEDROOMS

D.P.F. PLANNING & DESIGN
9100 BALTIMORE ST. NE, SUITE 100, BLAINE, MN 55449
WEB: WWW.DPFDDESIGN.COM E-MAIL: INFO@DPFDDESIGN.COM
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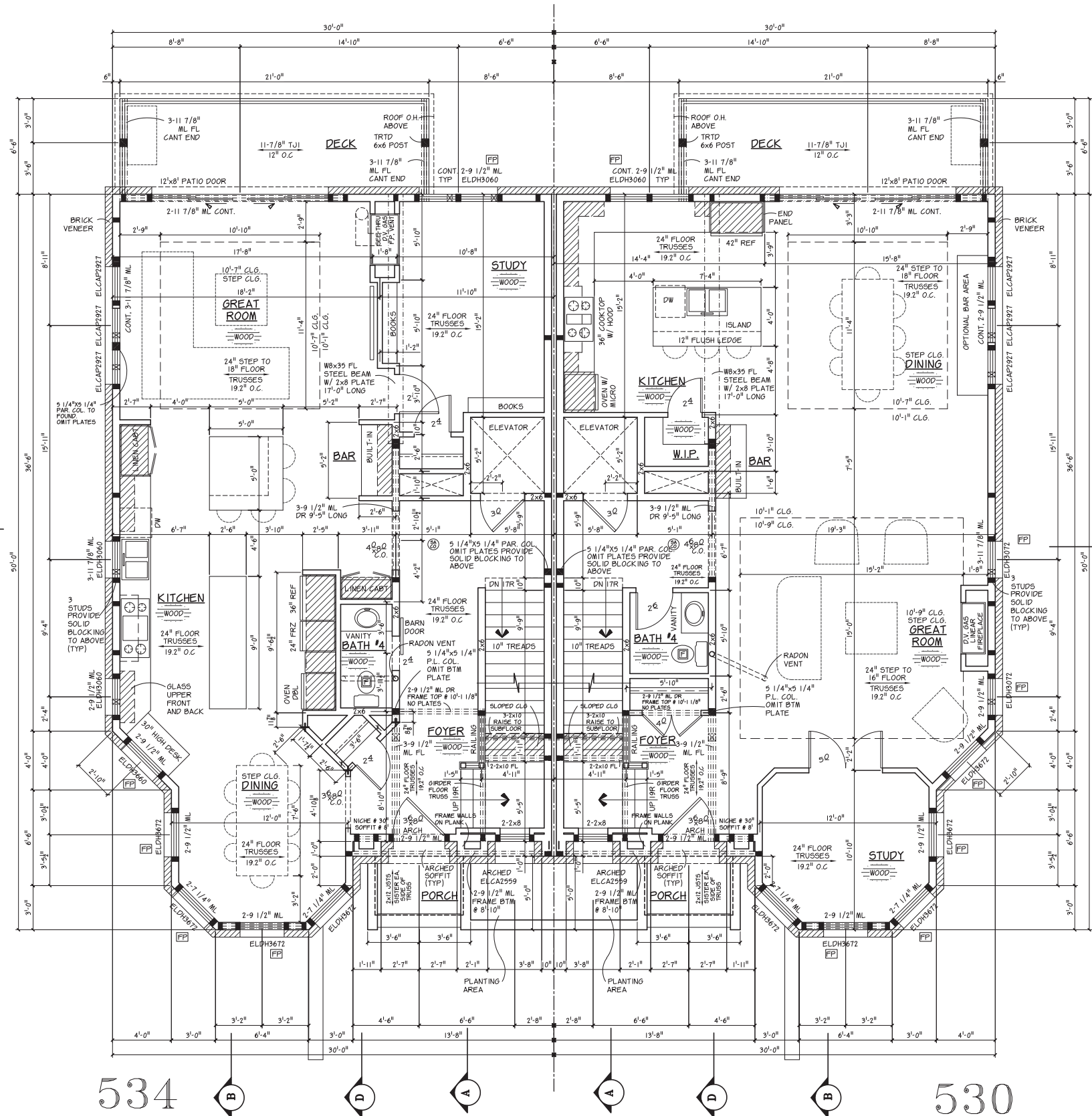
PILLAR HOMES

RICE STREET TOWN HOMES
530-534
RICE STREET, EAST
WAYZATA, MINNESOTA

DATE:
11-2-20
REVISIONS:
11-29-20
12-1-20
12-3-20
12-9-20
12-21-20
12-23-20
1-18-21
1-28-21
2-11-21
2-22-21
3-8-21 3-12-21
DRAWN BY:
JJ-3-30-21

COMM. NO.
220121

SHEET NO.
3



FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"
EXTERIOR DIMENSIONS ARE FRAMING TO FRAMING

FIRST FLOOR FINISHED 1,363 SQ. FT.

WINDOW & DOOR NOTES

- MARVIN ELEVATE WINDOWS
- CODE MAX. U VALUE = 0.32 MAX. SHGC = 0.35
- ALL WINDOWS SET 8'-0" UNLESS NOTED OTHERWISE
- BUILDER TO PROVIDE WINDOW ORDER LIST WITH U FACTOR, SHGC, & STC RATING FOR EACH WINDOW & EXTERIOR DOOR
- BUILDER TO VERIFY ALL WINDOW, DOOR & OPENING HOR. HTS.
- FP = PROVIDE FALL PROTECTION & OPERATING WINDOWS

GUARDRAIL NOTES

- GUARDRAIL REQUIRED ON OPEN SIDE OF ANY STAIR MORE THAN 30" ABOVE FLOOR
- ALL OPENINGS LESS THAN 4" AT ALL GUARDRAILS

FLOOR SYSTEM NOTES

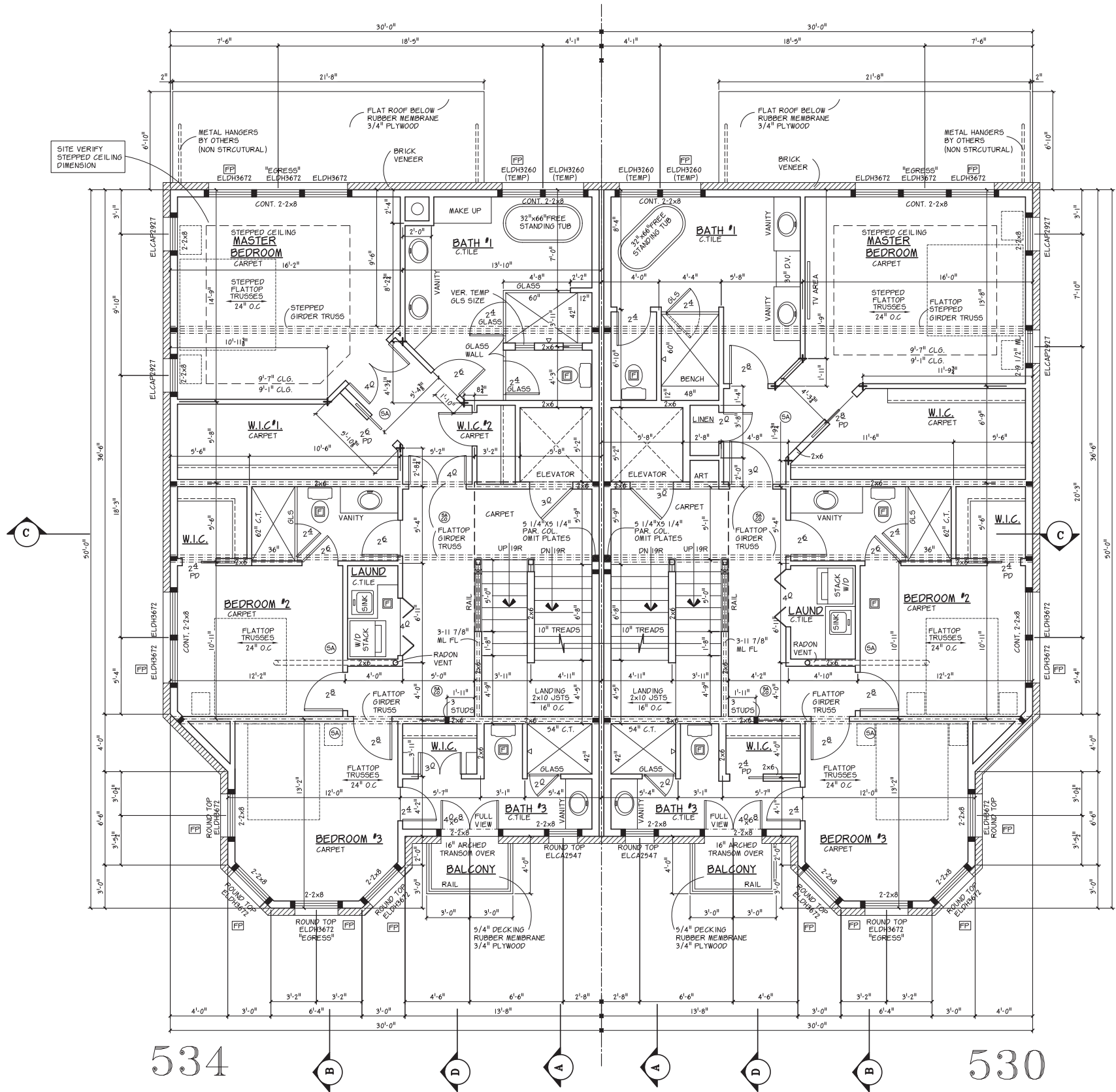
- ALL FLOORS TO BE L/480
- FLOOR TRUSS MANUFACTURER TO VERIFY FRAMING BELOW
- GRANITE TOPS, TUBS & TILE AREAS ABOVE
- FLOOR TRUSS MANUFACTURER TO PROVIDE HEAT SUPPLY & RETURN CHASE IN TRUSSES
- BUILDER TO PROVIDE CITY WITH TRUSS LAYOUT PLANS

FRAMING NOTES

- 10'-1 1/8" PLATE HEIGHT UNLESS NOTED OTHERWISE
- 2X6 STUDS @ POCKET DOOR WALLS UNLESS NOTED OTHERWISE
- DOUBLE STUDS AT ALL WINDOW & PATIO DOOR HEADERS UNLESS NOTED OTHERWISE
- PROVIDE LVL/LSL SOLID BLOCKING AT ALL POINT LOADS, SUPPORT BEAMS, MICROLAMS, AND GIRDER TRUSSES TO FOUNDATION
- PROVIDE FIREBLOCKING VERTICALLY @ CEILINGS & FLOORS & HORIZONTALLY @ INTERVALS NOT EXCEEDING 10'-0" (CONCEALED SPACES @ SOFFITS, DROPPED CEILINGS, BETWEEN STAIR STRINGERS & BETWEEN STORIES)
- PROVIDE DRAFT STOPPING BETWEEN STORIES DIVIDED INTO APPROXIMATELY EQUAL SPACES NOT EXCEEDING 1,000 SQFT.
- ALL SPRAY FOAM INSULATION MUST BE COVERED BY MIN. 1/2" GYP. BD AT HABITABLE AREAS

SMOKE AND CARBON MONOXIDE ALARMS

- PROVIDE SMOKE ALARM IN EVERY BEDROOM & THE CORRIDOR GIVING ACCESS TO THE BEDROOM ON EACH FLOOR INCLUDING THE BASEMENT, & IN ANY ROOM THAT HAS A CEILING HEIGHT MORE THAN 24" HIGHER THAN A CORRIDOR GIVING ACCESS TO THE BEDROOMS.
- PROVIDE CARBON MONOXIDE ALARM WITHIN 10'-0" OF ALL BEDROOMS



SECOND FLOOR PLAN

SCALE: 1/4"=1'-0"

EXTERIOR DIMENSIONS ARE FRAMING TO FRAMING

SECOND FLOOR FINISHED 1,377 SQ. FT.

WINDOW & DOOR NOTES

- MARVIN ELEVATE WINDOWS
- CODE MAX. U VALUE = 0.32 MAX. SHGC = 0.35
- ALL WINDOWS SET 6'-10" UNLESS NOTED OTHERWISE
- BUILDER TO PROVIDE WINDOW ORDER LIST WITH U FACTOR, SHGC, & STC RATING FOR EACH WINDOW & EXTERIOR DOOR
- BUILDER TO VERIFY ALL WINDOW, DOOR & OPENING HDR. HTS.
- FP = PROVIDE FALL PROTECTION & OPERATING WINDOWS

GUARDRAIL NOTES

- GUARDRAIL REQUIRED ON OPEN SIDE OF ANY STAIR MORE THAN 30" ABOVE FLOOR
- ALL OPENINGS LESS THAN 4" AT ALL GUARDRAILS

FRAMING NOTES

- 9'-1" PLATE HEIGHT UNLESS NOTED OTHERWISE
- 2X6 STUDS @ POCKET DOOR WALLS UNLESS NOTED OTHERWISE
- DOUBLE STUDS AT ALL WINDOW & PATIO DOOR HEADERS UNLESS NOTED OTHERWISE
- PROVIDE LVL/LSL SOLID BLOCKING AT ALL POINT LOADS, SUPPORT BEAMS, MICROLAMS, AND GIRDER TRUSSES TO FOUNDATION
- PROVIDE FIREBLOCKING VERTICALLY @ CEILINGS & FLOORS & HORIZONTALLY @ INTERVALS NOT EXCEEDING 10'-0" (CONCEALED SPACES @ SOFFITS, DROPPED CEILINGS, BETWEEN STAIR STRINGERS & BETWEEN STORIES)
- PROVIDE DRAFT STOPPING BETWEEN STORIES DIVIDED INTO APPROXIMATELY EQUAL SPACES NOT EXCEEDING 1,000 SQ.FT.
- ALL SPRAY FOAM INSULATION MUST BE COVERED BY MIN. 1" GYP. BD AT HABITABLE AREAS

SMOKE AND CARBON MONOXIDE ALARMS

- PROVIDE SMOKE ALARM IN EVERY BEDROOM & THE CORRIDOR GIVING ACCESS TO THE BEDROOM ON EACH FLOOR INCLUDING THE BASEMENT, & IN ANY ROOM THAT HAS A CEILING HEIGHT MORE THAN 24" HIGHER THAN A CORRIDOR GIVING ACCESS TO THE BEDROOMS.
- PROVIDE CARBON MONOXIDE ALARM WITHIN 10'-0" OF ALL BEDROOMS

RICE STREET TOWN HOMES

530-534
RICE STREET EAST
WAYZATA, MINNESOTA

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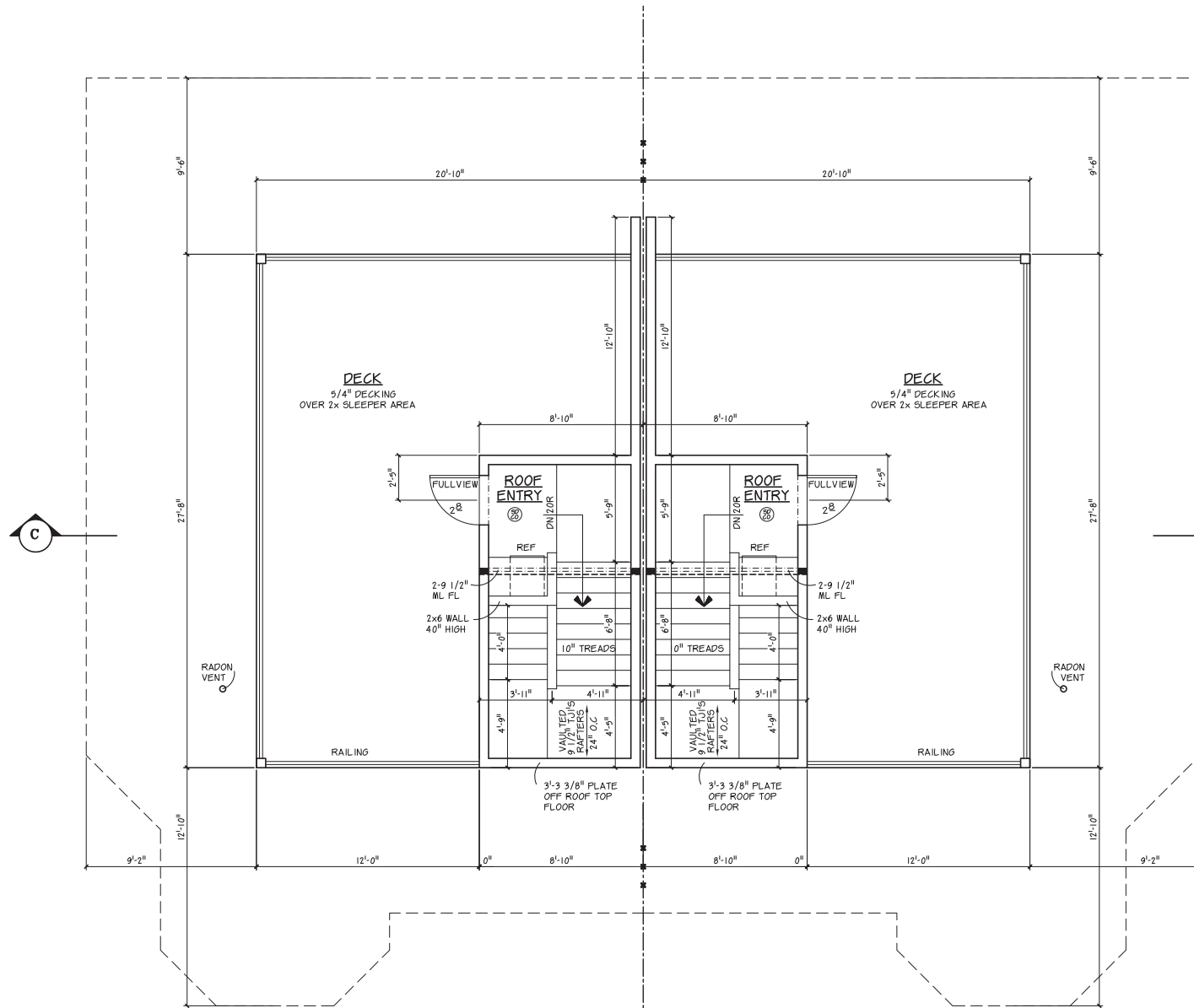


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PLANNING & DESIGN
9000 BALTIMORE ST. NE, SUITE 106 BLAINE, MN. 55449
WEB: WWW.DFPDESIGN.COM E-MAIL: INFO@DFPDESIGN.COM
Phone: 763.780.8004 Fax: 763.780.8005

DATE:
11-2-20
REVISIONS:
11-2-20-20
12-1-20
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12-23-20
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2-22-21
3-8-21 3-12-21
DRAWN BY:
JUL-3-30-21

COMM. NO.
220121
SHEET NO.

5



ROOF TOP DECK

SCALE: 1/4"=1'-0"

EXTERIOR DIMENSIONS ARE FRAMING TO FRAMING

UNIT 534 ROOF TOP ENTRY	149 SQ. FT.
UNIT 534 DECK	428 SQ. FT.
UNIT 530 ROOF TOP ENTRY	149 SQ. FT.
UNIT 530 DECK	428 SQ. FT.

WINDOW & DOOR NOTES

- MARVIN ELEVATE WINDOWS
- CODE MAX. U VALUE = 0.32 MAX. SHGC = 0.35
- ALL WINDOWS SET 6'-8" UNLESS NOTED OTHERWISE
- BUILDER TO PROVIDE WINDOW ORDER LIST WITH U FACTOR, SHGC, & STC RATING FOR EACH WINDOW & EXTERIOR DOOR
- BUILDER TO VERIFY ALL WINDOW, DOOR & OPENING HDR. HTS.
- FP - PROVIDE FALL PROTECTION @ OPERATING WINDOWS

GUARDRAIL NOTES

- GUARDRAIL REQUIRED ON OPEN SIDE OF ANY STAIR MORE THAN 30" ABOVE FLOOR
- ALL OPENINGS LESS THAN 4" AT ALL GUARDRAILS

FRAMING NOTES

- 7'-5" PLATE HEIGHT UNLESS NOTED OTHERWISE
- 2X6 STUDS @ POCKET DOOR WALLS UNLESS NOTED OTHERWISE
- DOUBLE STUDS AT ALL WINDOW & PATIO DOOR HEADERS UNLESS NOTED OTHERWISE
- PROVIDE LVL/LSL SOLID BLOCKING AT ALL POINT LOADS, SUPPORT BEAMS, MICROLAMS, AND GIRDER TRUSSES TO FOUNDATION
- PROVIDE FIREBLOCKING VERTICALLY @ CEILINGS & FLOORS & HORIZONTALLY @ INTERVALS NOT EXCEEDING 10'-0" (CONCEALED SPACES @ SOFFITS, DROPPED CEILINGS, BETWEEN STAIR STRINGERS & BETWEEN STORIES
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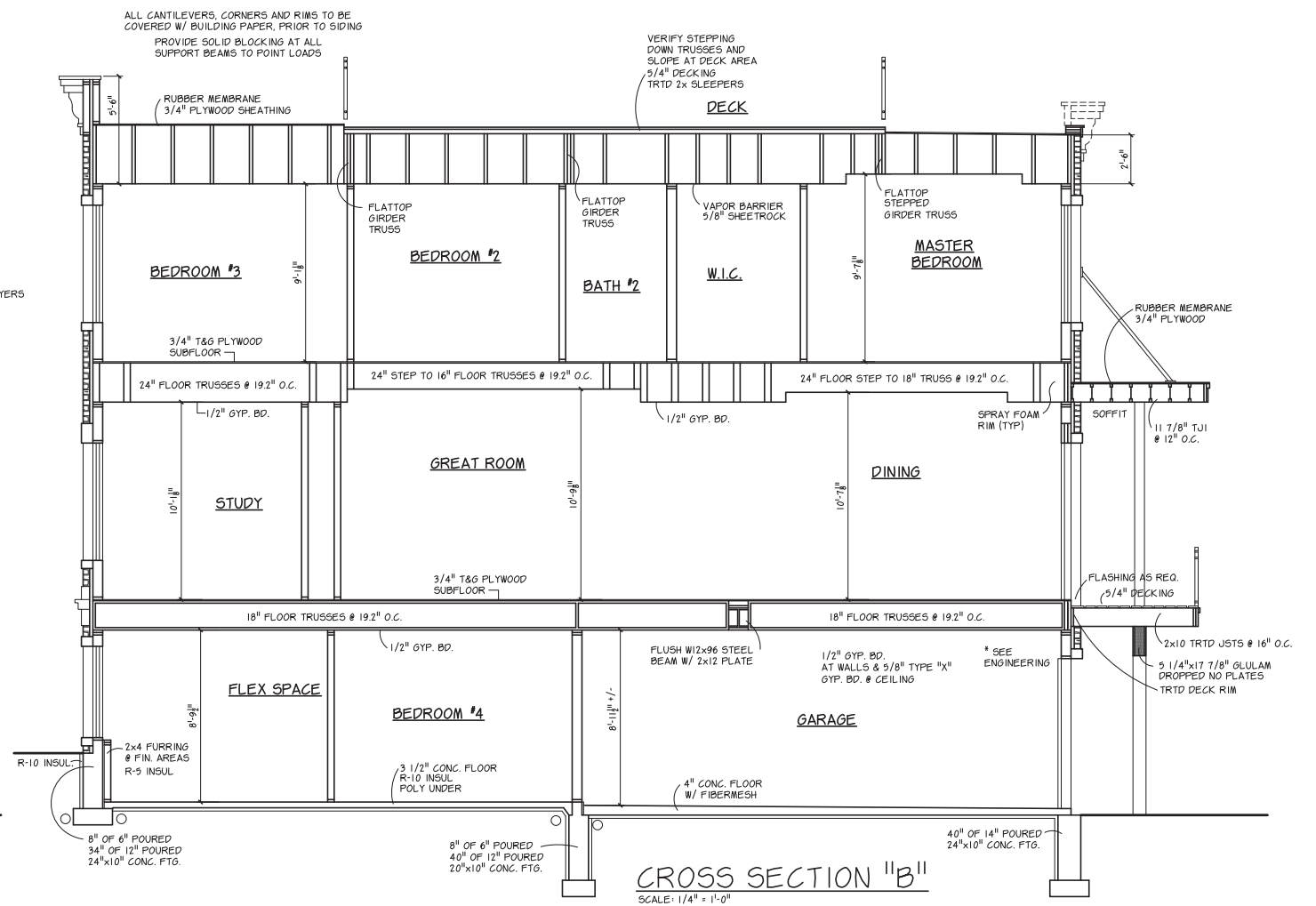
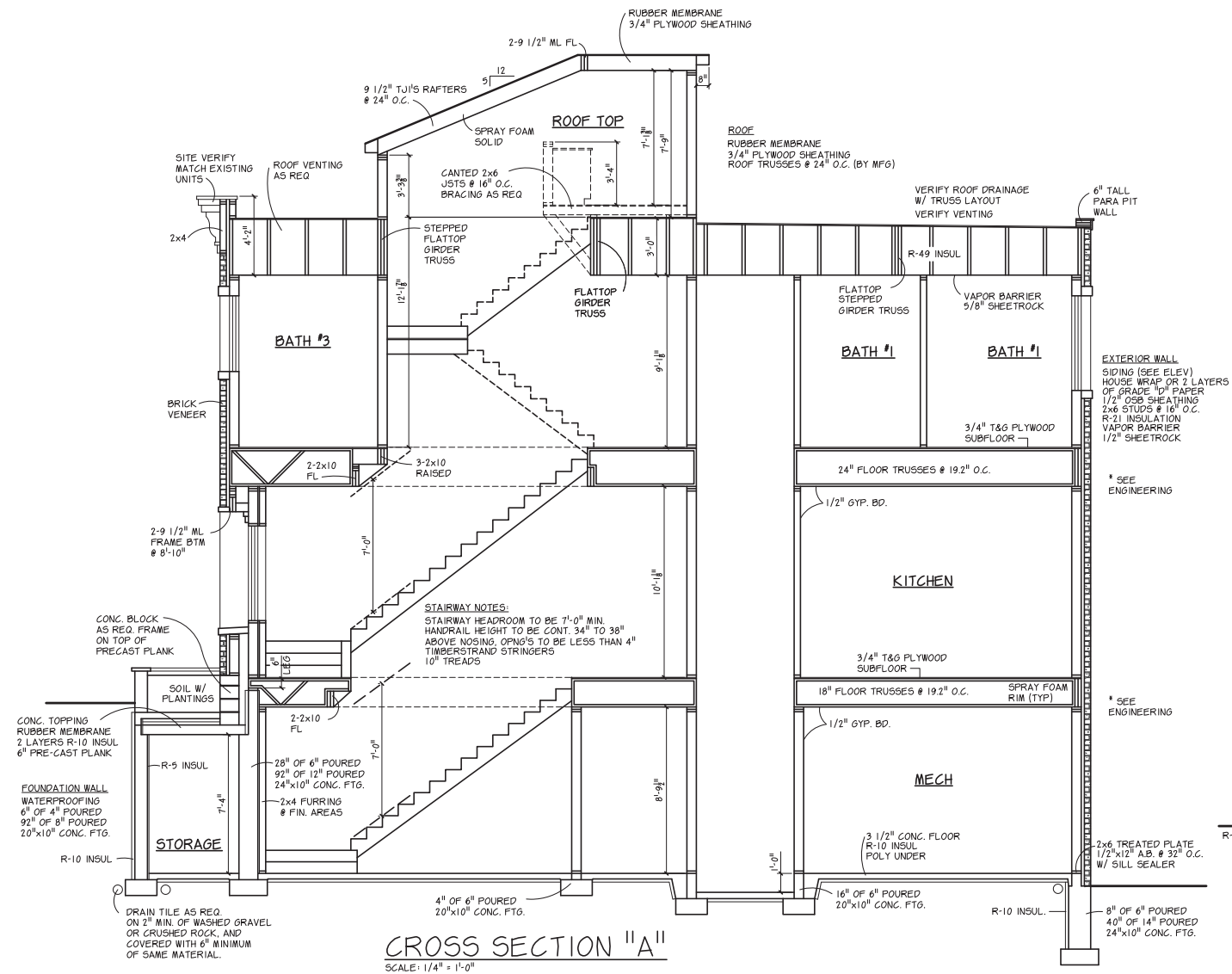
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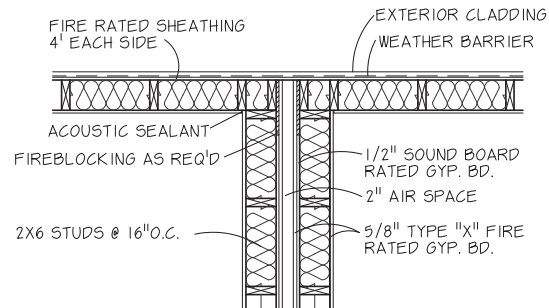
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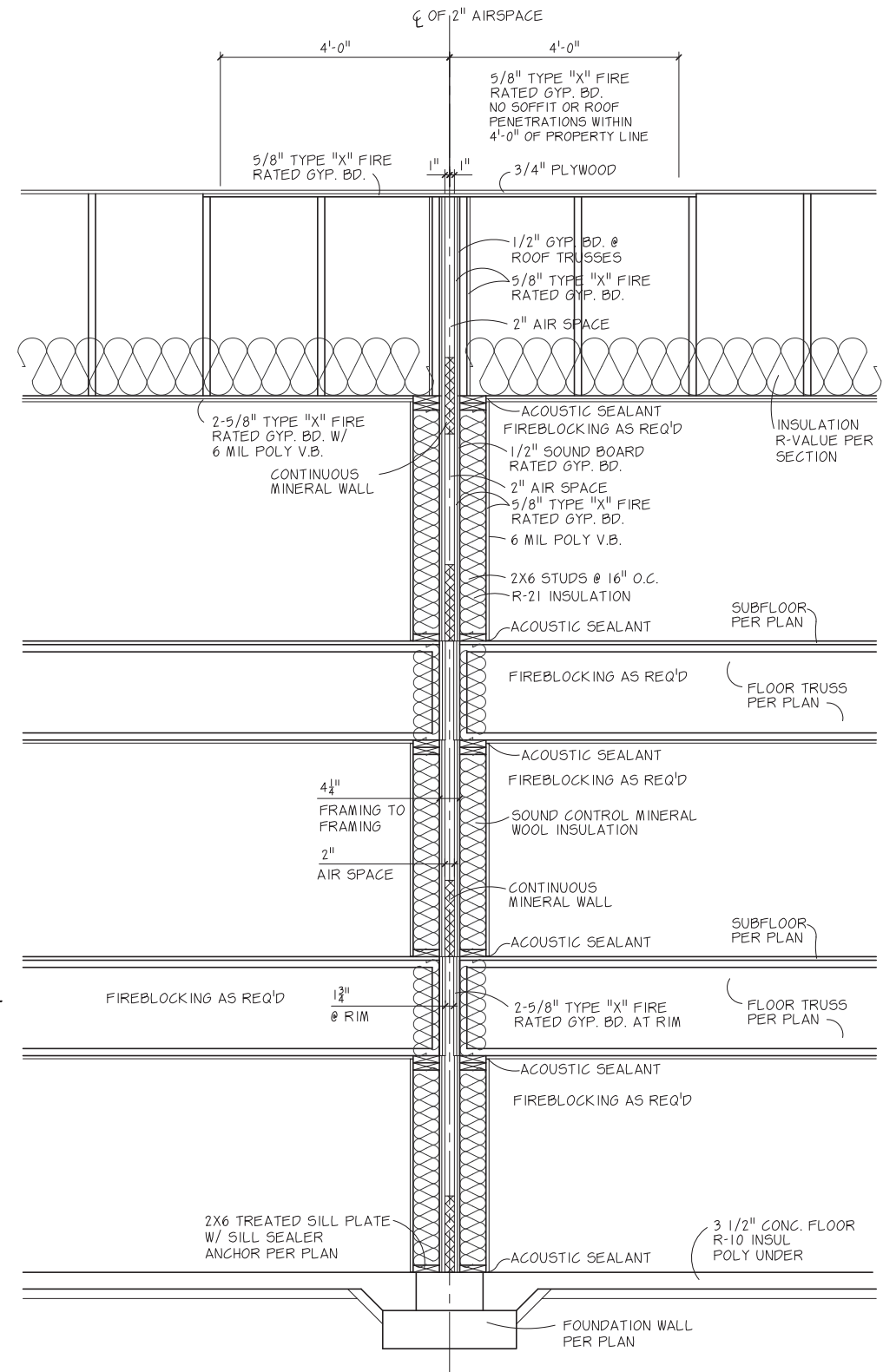
SEE ENGINEERING PAGES S1-S4



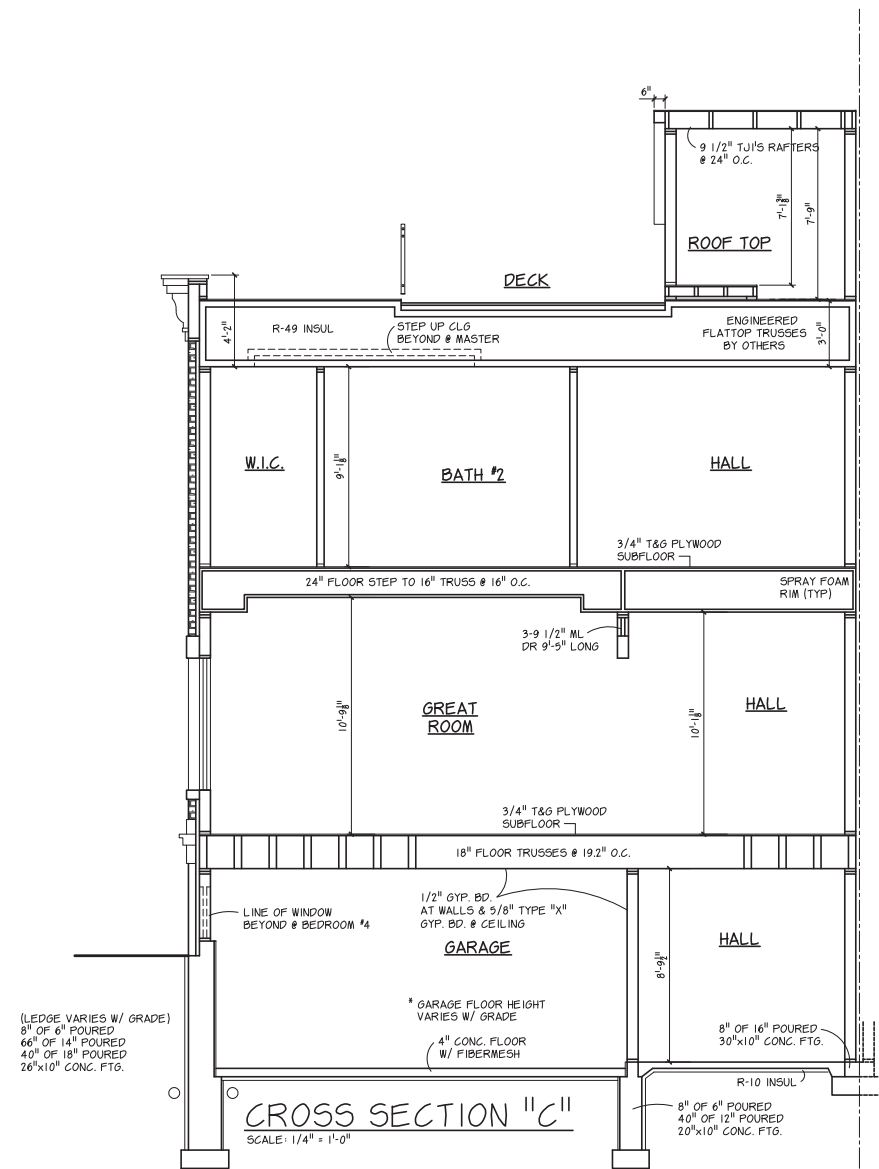
SEE ENGINEERING PAGES S1-S4



TYP. COMMON WALL SECTION @
EXTERIOR WALL INTERSECTION
SCALE: 1/2"=1'-0"

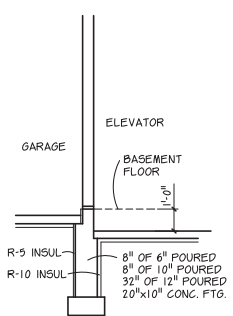


* DETAIL SUPPLIED BY BUILDER
* NOTES APPLY TO EACH SIDE EQUALLY
TYP. COMMON WALL DETAIL
SCALE: 1/2"=1'-0"



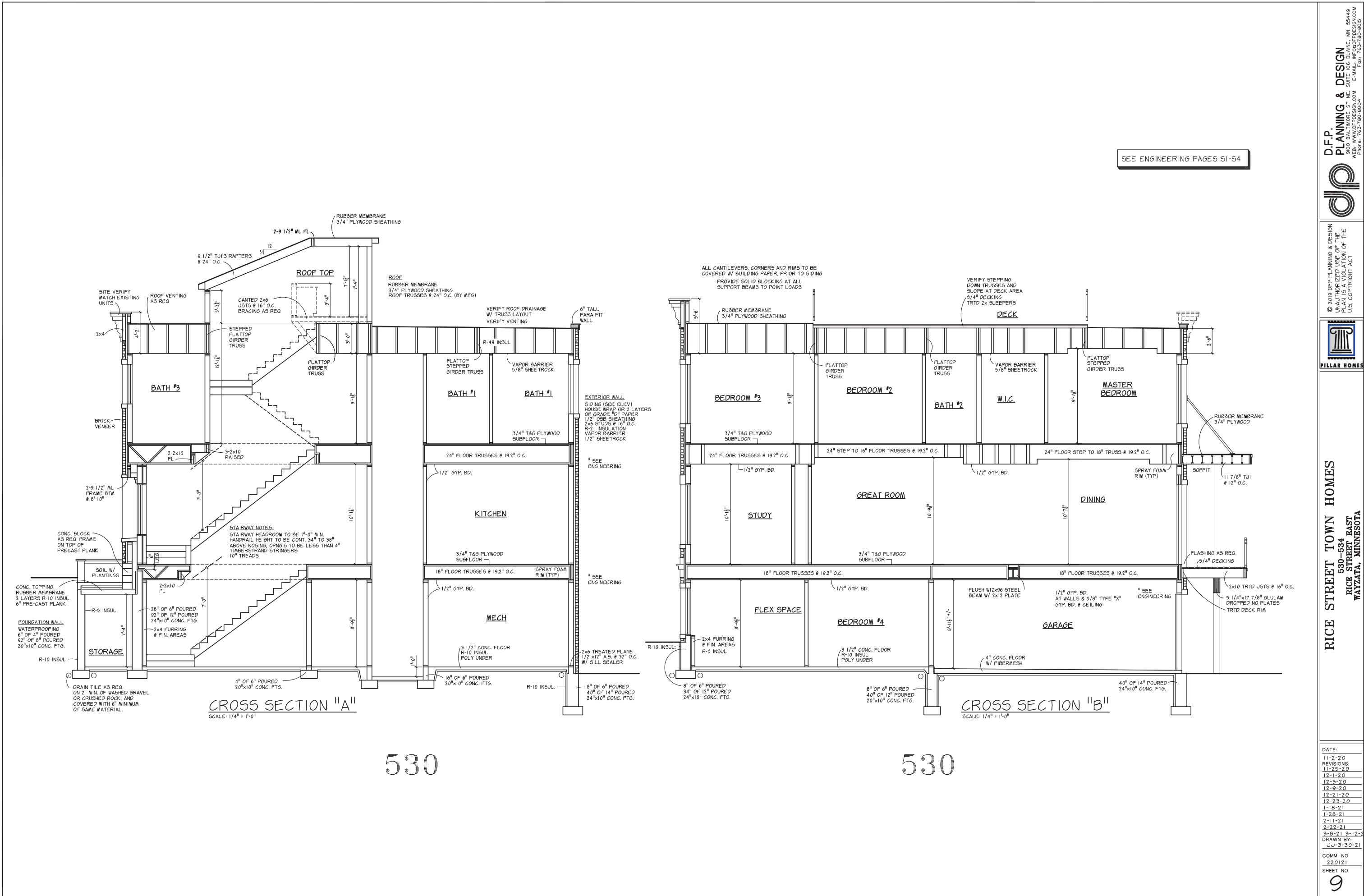
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DETAIL "C-C"
SCALE: 1/4"=1'-0"



534

CROSS SECTION "D"
SCALE: 1/4"=1'-0"



530-534

RICE STREET EAST

WAYZATA, MINNESOTA

DATE: 11-2-20

REVISIONS: 11-29-20

12-1-20

12-3-20

12-9-20

12-21-20

12-23-20

1-18-21

1-28-21

2-11-21

2-22-21

3-8-21

3-12-21

DRAWN BY: JJ-3-30-21

COMM. NO. 220121

SHEET NO. 9

D.F.P. PLANNING & DESIGN

9100 EAL TADORE ST. NE. SUITE 100 BLAINE, MN 55449

WEB: WWW.DFPDESIGN.COM E-MAIL: INFO@DFPD.COM

Phone: 763-760-8004 Fax: 763-760-8015

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PILLAR HOMES

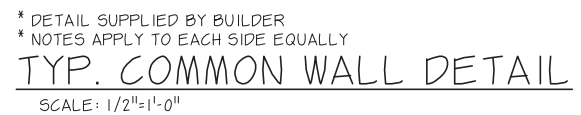
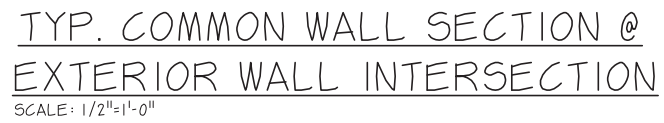
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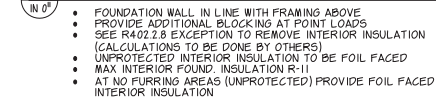
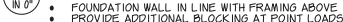
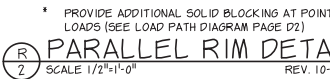
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RICE STREET TOWN HOMES
530-534
RICE STREET EAST
WAYZATA, MINNESOTA

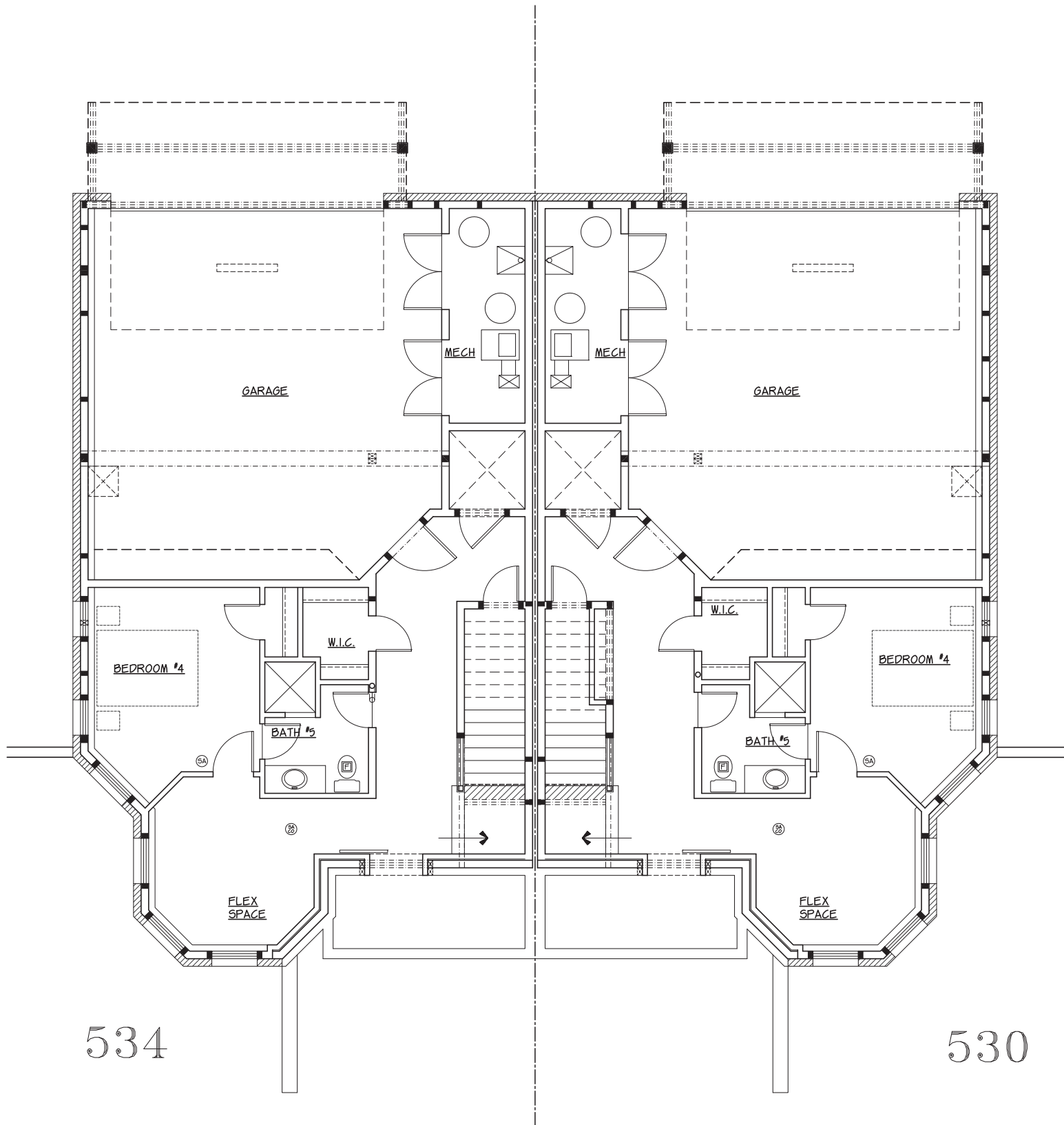
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 -8-21 3-12-21
 DRAWN BY:
 JJ-3-30-21
 COMM. NO.
 220121
 SHEET NO.





- LATH AND PAPER

☐ Notification of attic R value and date of installation posted near building permit inspection card



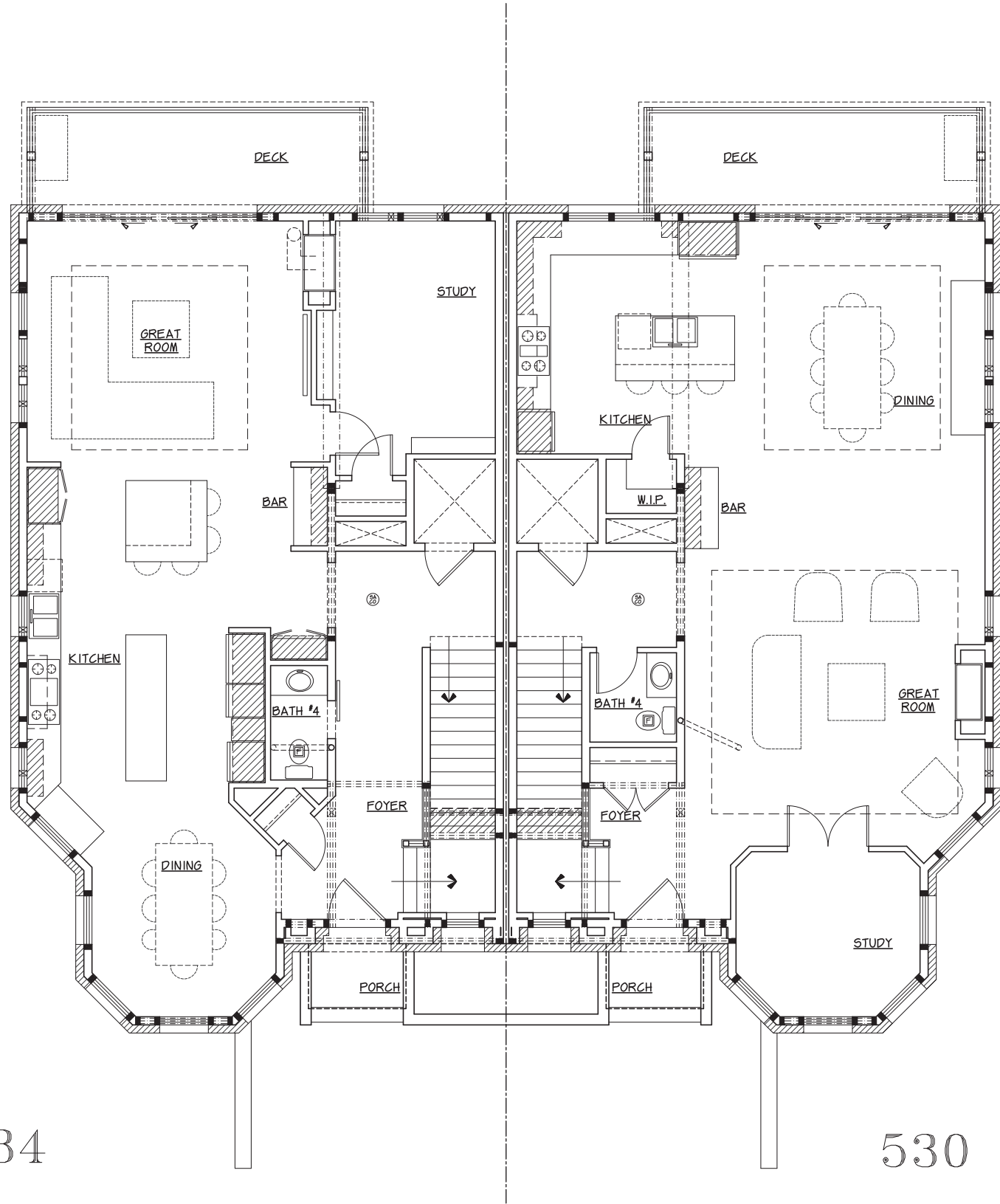
- | | | |
|--|---|---|
| <ul style="list-style-type: none"> LED SMART-FLOOD CEILING FLUSH MOUNT LED LIGHT RECESSED LIGHT MINI RECESSED LIGHT MINI EYEBALL LIGHT LED WALL SCONCE LIGHT PULL CHAIN LIGHT BAR PENDANT LIGHT HEAVY WIRE STAIR LIGHT KEYLESS LIGHT UNDER CABINET LED PUCK LIGHT LED ROPE LIGHT | <ul style="list-style-type: none"> LED BAR LIGHT AUTO LIGHT UNDER CABINET FLUORESCENT FAN CAN FAN: PANASONIC FV-2511VQZ1 (NO LIGHT) SEE NOTES CEILING FAN SWITCH 2 WAY SWITCH 3 WAY SWITCH MOTION ACTIVATED SWITCH MOTION SENSOR | <ul style="list-style-type: none"> OUTLET OUTLET w/USB CHARGING OUTLET (WEATHER PROOF) OUTLET (GROUND FAULT) DRYER OUTLET RANGE OUTLET DISHWASHER OUTLET SMOKE ALARM SMOKE ALARM - CARBON MONOXIDE ALARM WALL/ CEILING SPEAKER CAM. C.M. = CEIL. MOUNT CAM. S.M. = SOFFIT MOUNT CAM. W.M. = WALL MOUNT PHONE DATA JACK/CAT 6 ETHERNET HDMI COAX JACK |
|--|---|---|
- * ALL ELECTRICAL, LOW VOLT, THERMOSTATS ETC. MUST BE ON A CENTERLINE PLANE
 * 75% OF ALL LIGHTING EQUIPMENT TO BE HIGH EFFICIENT (R404)
 * OUTLETS PER CODE
 * MULTI SWITCH ORDER IS FOR PLAN CLARITY
 * ORDER OF SWITCHES TO BE VERIFIED IN FIELD

LOWER LEVEL LIGHTING PLAN
SCALE: 1/4" = 1'-0"

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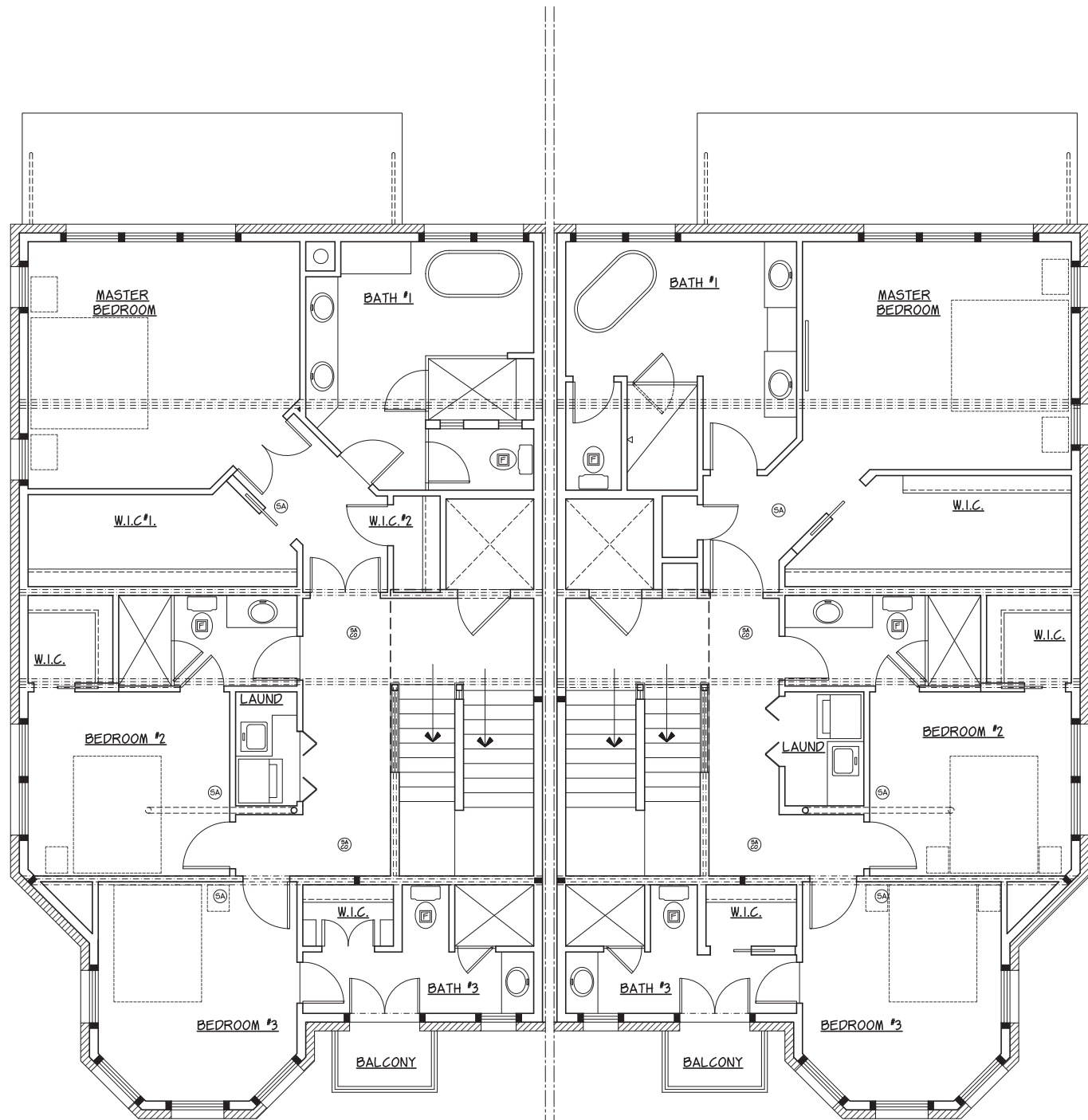


FIRST FLOOR LIGHTING PLAN

SCALE: 1/4" = 1'-0"

- | | | |
|-------------------------------|---------------------------------------|--|
| LED SMART-FLOOD | LED BAR LIGHT | OUTLET |
| CEILING FLUSH MOUNT LED LIGHT | AUTO LIGHT | OUTLET w/USB CHARGING |
| RECESSED LIGHT | UNDER CABINET | OUTLET (WEATHER PROOF) |
| MINI RECESSED LIGHT | FLUORESCENT | OUTLET (GROUND FAULT) |
| MINI EYEBALL LIGHT | FAN CAN | DRYER OUTLET |
| LED WALL SCONCE LIGHT | FAN, PANASONIC FV-0511VQZ1 (NO LIGHT) | RANGE OUTLET |
| PULL CHAIN | SEE NOTES | DISHWASHER OUTLET |
| LED LIGHT BAR | CEILING FAN | SMOKE ALARM |
| PENDANT LIGHT | SWITCH | SMOKE ALARM - CARBON MONOXIDE ALARM |
| HEAVY WIRE | 2 WAY SWITCH | WALL/ CEILING SPEAKER |
| STAIR LIGHT | 3 WAY SWITCH | CAM. C.M. = CEIL. MOUNT |
| KEYLESS LIGHT | MOTION ACTIVATED SWITCH | CAM. S.M. = SOFFIT MOUNT |
| UNDER CABINET LED PUCK LIGHT | MOTION SENSOR | CAM. W.M. = WALL MOUNT |
| LED ROPE LIGHT | | PHONE |
| | | DATA JACK/CAT 6 ETHERNET |
| | | HDMI |
| | | COAX JACK |
| | | * ALL ELECTRICAL, LOW VOLT, THERMOSTATS ETC. MUST BE ON A CENTERLINE PLANE |
| | | * 75% OF ALL LIGHTING EQUIPMENT TO BE HIGH EFFICIENT (R404) |
| | | * OUTLETS PER CODE |
| | | * MULTI SWITCH ORDER IS FOR PLAN CLARITY |
| | | * ORDER OF SWITCHES TO BE VERIFIED IN FIELD |

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COMM. NO.	220121
SHEET NO.	E2



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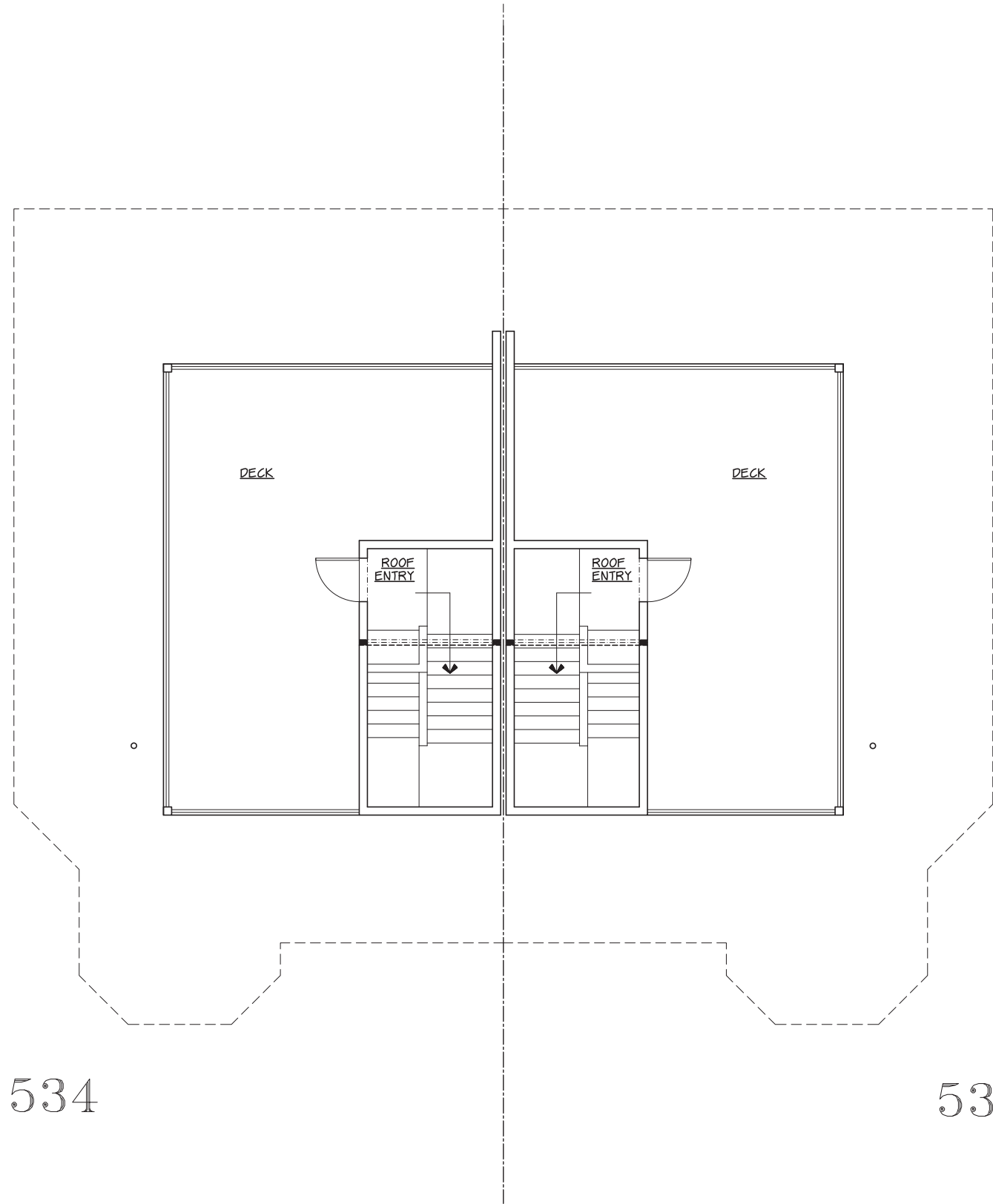
RICE STREET TOWN HOMES
530-534
RICE STREET EAST
WAYZATA, MINNESOTA

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	2-22-21
	3-8-21 3-12-21
DRAWN BY:	JJ-3-30-21

COMM. NO.
220121
SHEET NO.
E3

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530



- | | | |
|-------------------------------|---------------------------------------|-------------------------------------|
| LED SMART-FLOOD | LED BAR LIGHT | OUTLET |
| CEILING FLUSH MOUNT LED LIGHT | AUTO LIGHT | OUTLET w/USB CHARGING |
| RECESSED LIGHT | UNDER CABINET | OUTLET (WEATHER PROOF) |
| MINI RECESSED LIGHT | FLUORESCENT | OUTLET (GROUND FAULT) |
| MINI EYEBALL LIGHT | FAN CAN | DRYER OUTLET |
| LED WALL SCONCE LIGHT | FAN: PANASONIC FV-0511VQC1 (NO LIGHT) | RANGE OUTLET |
| PULL CHAIN | SEE NOTES | DISHWASHER OUTLET |
| LIGHT BAR | CEILING FAN | SMOKE ALARM |
| PENDANT LIGHT | SWITCH | SMOKE ALARM - CARBON MONOXIDE ALARM |
| HEAVY WIRE | 2 WAY SWITCH | WALL / CEILING SPEAKER |
| STAIR LIGHT | 3 WAY SWITCH | CAN. C.M. = CEIL. MOUNT |
| KEYLESS LIGHT | MOTION ACTIVATED SWITCH | CAN. S.M. = SOFFIT MOUNT |
| UNDER CABINET LED PUCK LIGHT | MOTION SENSOR | CAN. W.M. = WALL MOUNT |
| LED ROPE LIGHT | | PHONE |
| | | DATA JACK / CAT 6 ETHERNET |
| | | HDMI |
| | | COAX JACK |
- * ALL ELECTRICAL, LOW VOLT, THERMOSTATS ETC. MUST BE ON A CENTERLINE PLANE
* 75% OF ALL LIGHTING EQUIPMENT TO BE HIGH EFFICIENT (R404)
* OUTLETS PER CODE
* MULTI SWITCH ORDER IS FOR PLAN CLARITY
* ORDER OF SWITCHES TO BE VERIFIED IN FIELD

ROOF TOP LIGHTING PLAN
SCALE: 1/4" = 1'-0"



#1118

Doc No 8833637 07/24/2006 10:05 AM
Certified filed and or recorded on above date:
Office of the County Recorder
Hennepin County, Minnesota
Michael H. Cunniff, County Recorder
TransID 240321

Deputy 58
Fees
\$35.50 DOC
\$10.50 SUR
\$46.00 Total

**DEVELOPMENT AGREEMENT
BETWEEN
CITY OF WAYZATA
AND
RICE STREET BROWNSTONES, LLC**

Box 218
Burnet Title 6-22639 402465

THIS DEVELOPMENT AGREEMENT ("Agreement"), made this ____ day of July, 2006, by and between the City of Wayzata, a Minnesota municipal corporation ("City") and Rice Street Brownstones, LLC, a Minnesota limited liability company ("Developer") regarding that property located at 520 Rice Street, 206 Minnetonka Avenue and 207 Walker Avenue, Wayzata, Minnesota (the "Property"). In consideration of One dollar and other good and valuable consideration, including the terms set forth herein, and pursuant to Resolution No. 2887 and Ordinance No. 662 adopted by the Wayzata City Council on the 22nd day of August and the 6th day of September, 2005, respectively (collectively, the "City Resolutions"), the parties agree as follows:

1. **Terms.**

- A. **The Property.** The Property is located at 520 Rice Street (p.i.d. # 06-117-22-24-0036), 206 Minnetonka Avenue (p.i.d. # 06-117-22-24-0037) and 207 Walker Avenue (p.i.d. # 06-117-22-24-0034), Wayzata, Hennepin County, Minnesota, and is legally described on attached Exhibit A (the "Property").
- B. **The Project.** The Project includes an approved Planned Unit Development (the "Project") as well as a rezoning of the Property to a Planned Unit Development District both as approved subject to the conditions of Wayzata City Council Resolution numbered 2887, dated the 22nd day of August, 2005, and Ordinance numbered 662, dated the 6th day of September, 2005.

2. **PUD General Plan Approval.**

A. **Grant of PUD.** The City, pursuant to City Code Zoning Ordinance Section 33 and City Code Zoning Ordinance Section 801.33.2.A, approves the PUD General Plan subject to the conditions set forth in this Agreement and the conditions in the City Resolutions. The Property shall be developed, and all improvements installed and maintained, in accordance with the Plans listed below (the "Plans") which, subject to the additional or varying requirements stipulated in this Agreement, satisfy the requirements of the Zoning Ordinance of the City and other applicable ordinances, except as may otherwise be set forth in this Agreement. The Property, developed in accordance with the Plans and this Agreement, shall be referred to as the "Project." Reduced copies of these Plans are attached to this Agreement with large-scale copies of the Plans, which are or will be on file with the City, and are incorporated into this Agreement by reference. The Plans, as specified below, may be amended or prepared, subject to City approval, after entering this Agreement, but shall be filed by Developer with the City and must be approved by the City before issuance of building permits. The recorded copy of this Agreement, as required below, shall be considered amended by the Plans as submitted to the City. To the extent required by the City, the parties shall execute an agreement acknowledging any amendment to this Agreement or documents referenced by this Agreement and record the same with the appropriate Hennepin County land records for the Property. If, during the course or after completion of the Project, the City determines that any of the new improvements are not adequate to serve the Project, or do not satisfy the performance standards of the City or other governmental agency, then the City may require modifications in such Plans and the improvements shown thereon to correct such deficiencies, and the City shall not be estopped from making such requirements notwithstanding its approval of the original Plans. If the Plans vary from the written terms of this Agreement, the written terms shall control. The Plans are as follows:

Utility Plan, dated February 14, 2006
Survey by Advance Surveying & Engineering Co., dated June 20, 2005
Storm Water Storage Area Detail
Renderings (two pages), dated June 10, 2005
Site Plan (three pages), dated June 10, 2005
Grading and Drainage Plan, dated June 10, 2005
Rendering (seven pages), dated June 10, 2005
Floor Plans (four pages), dated June 10, 2005

B. **Conditions.** The preliminary/final PUD approval is based upon and subject to the following conditions:

1. Developer must obtain approval of a preliminary and final plat (for Lot 2, John Adams Addition of the plat of Rice Street Brownstones Addition) pursuant to the Wayzata Subdivision Ordinance in accordance with the plans submitted with the PUD General Plan ("PUD").
2. The impervious surface coverage of the PUD shall not exceed 75% of the replated property compromising the PUD. Developer shall install a state of the art underground water collector system to minimize water run off that meets with the approval of the City Engineer.
3. No buildings associated with the PUD shall exceed the maximum height allowed for under the Zoning Ordinance for a PUD District. No elevator access to the roof and no rooftop equipment is permitted. Rooftop enclosed stairways shall maintain a 10-foot setback from the closest setback to the main building front of each unit. No rooftop privacy wall shall be permitted unless not visible from the pedestrian level of Rice Street and Minnetonka Avenue.
4. The ornamental iron gates, or any other gating structure, that surrounds each building of the PUD must never be locked, and the buildings of the PUD must be accessible at all times to guests.
5. Steps, fencing, retainer walls or other aspects of the PUD shall not encroach on to any City right-of-way, unless the Developer, or if not Developer, then any subsequent owners of the units within the PUD, first enters into an agreement with the City, in the form of the Public Right-of-Way Encroachment Agreement attached hereto as Exhibit B.
6. A Restrictive Covenant Agreement, in the form of the attached Exhibit C, encumbering the parcel containing the existing small house that is to remain on the Property (the "Blue House"), such parcel being Lot 1, Block 1, John Adams Addition, and will be executed by the Developer and recorded with the Hennepin County property records.
7. The set-back requirements shall be as designated in the new PUD District.
8. The impervious surface coverage for the replated residential lot containing the Blue House must not exceed that shown on the approved Site Plan.

9. The grading, drainage, sewer, utility and water plans for the PUD must be reviewed and approved by the City Engineer in accordance with the Zoning Ordinance and all other relevant standards. All utilities associated with the PUD shall be installed underground and meet utility connection requirements of City ordinances.
10. A tree inventory and preservation plan must be submitted to, and reviewed and approved by, the City Forester.
11. A landscape plan must be reviewed and approved by City Staff and City Council, and all landscaping in the PUD shall be installed and maintained consistent with such plan.
12. A sidewalk must be put in place along Walker Avenue, at Developer's sole expense, the plans for which must be reviewed and approved by City staff. Continuous sidewalks at least 5 feet in width shall be provided along all public street frontages.
13. All buildings and new construction in the PUD must conform to the findings herein with respect to the City of Wayzata Design Standards and maintain compliance at all times with all relevant City of Wayzata Design Standards.

3. **Rezoning from C-1 Office and Limited Commercial District to PUD/Design Approval.** The rezoning of the Property from C-1 Office and Limited Commercial District to PUD is approved, subject to the conditions set forth in Section 2 (B) above, the City Resolutions and other conditions set forth within this Agreement. The Property shall be limited to residential use except that the Blue House use shall be as provided in the City Resolutions. In addition, the Project is approved as meeting the Wayzata Design Standards as set forth in Wayzata City Code Section 801.09, subject to the conditions set forth in Section 2 (B) above.

4. **Water and Sewer Charges.** The Developer shall pay any sanitary sewer and water connection charges based on the Metropolitan Council Environmental Services ("MCES") SAC Units as determined by the MCES. The Developer shall be responsible for any increase in the fees due at the time of paying the fees to the City and the MCES, and the fees may change to reflect the City and MCES rates in effect at the time the building permit is issued and the fee paid. The fees are calculated as follows, based upon existing rates:

<u>To City:</u>		
Water:	\$1,600.00	Per Sewer Availability Charge Unit
Sanitary Sewer:	\$ 400.00	Per Sewer Availability Charge Unit
<u>To MCES:</u>		
SAC Charge:	\$1,550.00	Per Sewer Availability Charge Unit

The number of sewer availability charge units in the Project shall be determined pursuant to regulations and procedures of the MCES. Any SAC unit credits provided to the Developer by MCES will also be credited in calculating the City's SAC charges.

5. **Maintenance Costs.** The Developer, and, following conveyance by the Developer, all succeeding owners of the Property, shall be liable for the cost of maintaining the improvements installed by the Developer.

6. **Responsibility for Cost of Improvements.** The City shall not install or pay for any of the improvements associated with the Project. The Developer shall, at its cost, install, in accordance with the Plans and in accordance with all applicable City ordinances and standards, all the improvements set forth in the Plans.

7. **Erosion Control.** After the site is rough graded, but before any utility or building construction is commenced, erosion control measures shall be immediately implemented, inspected and approved by the City. The City may impose additional erosion control requirements. All areas disturbed by the excavation and backfilling operations, with the exception of those areas to be covered by an impervious surface or built upon, shall be reseeded (weather permitting) immediately after the completion of the work in that area. Except as otherwise provided in the erosion control plan, seed shall be rye grass or other fast growing seed suitable to the existing soil to provide a temporary ground cover as rapidly as possible. All seeded areas shall be mulched and disc anchored as necessary for seed retention. The parties recognize that time is of the essence in controlling erosion. If the Project does not comply with the erosion control plan and schedule or supplementary instructions received from the City, the City may cause its agents to enter the Property and take appropriate erosion control actions, at Developer's expense. Except in emergency situations, the City shall notify Developer in advance of taking any such action and shall provide the Developer a reasonable opportunity to cure its default, not to exceed thirty (30) days. If the Developer does not reimburse the City for any cost the City incurred for such work within thirty (30) days. No development will be allowed and no building or occupancy permits will be issued unless the development is in full compliance with the erosion control requirements.

8. **Clean Up.** Prior to issuance of any certificate of occupancy, the Developer shall remove from that portion of the Property covered by the certificate of occupancy any excess soil, earth or debris resulting from construction work by the Developer as directed by the City.

9. **Hazardous Waste.** Developer agrees that prior to or during site redevelopment work, it shall completely remove any hazardous waste, and any contaminated soil and ground water from the Property, if any is discovered, to the extent required by the Minnesota Pollution Control Agency and shall furnish the City with documented approval by such Agency of project completion prior to the issuance of any certificate of occupancy.

10. **Warranty.** The Developer warrants all work required to be performed by it pursuant to this Agreement against poor material and faulty workmanship for a period of one (1) year after substantial completion is certified by the Developer's architect. Any repairs or replacements shall be warranted for twelve (12) months from the time of construction or installation. All trees, grass, sod or ornamentals shall be warranted to be alive, of good quality, and disease free for twenty-four (24) months after planting. Developer further warrants that no changes in the structure or form of the improvements to the Property shown on the Plans shall be made unless this Agreement is amended by both parties.

11. **Security.** The Developer shall furnish the City with an irrevocable letter of credit or payment and performance bond for \$125,000.00 (125 percent of estimated costs) due at the

time of issuance of the building permit, allocated as follows: \$45,000.00 for landscaping and sidewalks, \$26,000.00 for driveway, parking and paving, \$54,000.00 for storm water improvements. The amount of security shall include, but not be limited to, the costs, as estimated by City staff, of all improvements listed under Sections 2.b.9, 10, 11, 12 and 14 of this Agreement. The amount of security shall be subject to approval by the City Manager at the time of issuance of the building permit and will be adjusted to reflect project costs at that time. The bank and form of the letter of credit or payment and performance bond shall be subject to the approval of the City Manager. The letter of credit or payment and performance bond shall be in force until all objectives under this Agreement have been satisfied. The letter of credit or payment and performance bond may be for a one year term provided it is automatically renewable for successive one year periods from the present or any future expiration dates, unless sixty (60) days prior to an expiration date, the bank notifies the City that it elects not to renew for an additional period. The letter of credit or payment and performance bond shall secure compliance with the terms of this Agreement and all financial obligations of the Developer under it. The City may draw down the letter of credit or payment and performance bond, with five (5) business days notice to Developer, for any violation of the terms of this Agreement, or to reimburse itself for costs incurred in performing obligations Developer has defaulted on, or to pay outstanding, past due costs Developer has incurred under this Agreement, provided however, that the City shall not call such letter or other security, if within such notice period, Developer commences and diligently pursues to completion such cure in a manner satisfactory to the City. The City shall not call the letter of credit or payment and performance bond to pay past due costs incurred by the Developer under this Agreement if Developer posts adequate additional security and diligently contests the claims represented by such past due costs. With City approval, the letter of credit or payment and performance bond may be reduced from time to time as obligations of Developer under this Agreement secured by such letter of credit or payment and performance bond are satisfied, provided that the improvements completed have received final approval from the City. The amount of such reduction shall equal the lesser of the cost or value of the obligation satisfied, provided, however, that the remaining amount after any such reductions shall be sufficient to fund the improvements yet to be completed by the Developer. If a contractor of the Developer provides a payment and performance bond for 125% of the estimated cost of the improvements, which said bond names the City as an obligee and otherwise conforms to the bond requirements set forth herein and said bond is approved by the City Manager, then security required from Developer under this Section shall be reduced by an amount corresponding with the estimated amount of the improvements.

12. **License.** The Developer hereby grants the City, its agents, employees, officers and contractors a license to enter the Property to perform all necessary work and/or inspections deemed appropriate by the City, provided that the City shall take no action on the Property to cure Developer's default without first providing the notice and cure rights provided under this Agreement. The license shall expire after all the improvements required by this Agreement have been inspected and accepted by the City.

13. **Snow Removal.** The Developer shall arrange for, and the City shall not be responsible for the plowing and removal of snow from the parking areas and/or driveways within the Property and all associated costs. Snow piles shall not be allowed to occupy parking spaces, in order to ensure that the required number of spaces are available at all times during the year. Excess snow will be promptly removed from the Property or stored in locations on the Property previously approved by City staff so that snow or snow piles do not constitute an obstruction to

emergency service vehicles. "Promptly" shall mean no later than twenty-four (24) hours after the end of the last snowfall.

14. **Construction Deadline.**

A. The Developer shall begin actual construction of the improvements shown on the Plans according to plans approved by City staff, on or before six months from the date that this Agreement is signed by the City. To satisfy this requirement, the Developer must have obtained a building permit and commenced construction of the improvements associated with the Project.

B. The Developer shall complete construction of the improvements specified in the plans referenced in paragraph 2 (A) hereof as follows:

1. Phase 1 improvements to be completed by October 1, 2006 (unless otherwise set forth):

- first (of three) building [exterior by October 1, 2006 and interior by March 1, 2007]
- driveway (paved for first building, with base course for asphalt elsewhere sufficient to protect installed storm sewer system)
- storm sewer system
- sidewalk along Walker Avenue
- landscaping in front and side yards (first building only and ground cover on the Rice Street side of Phase I will be acceptable until the location of any Rice Street widening is determined by the City).

2. Phase 2 improvements to be completed (or a building by building basis) three months after implementation of Rice Street widening improvements and/or prior to the issuance of certificate of occupancy for second and third buildings, whichever comes later:

- Rice Street landscaping plan
- sidewalk along Rice Street

Phase 2 improvements include the Rice Street landscaping plan which is to be completed after the implementation of Rice Street widening and sidewalk improvements. Because building construction may be completed at different times, the respective portion of the landscaping plan adjacent to each building (not impacted by the Rice Street widening and sidewalk improvements) shall be installed as buildings are completed and prior to Certificates of Occupancy.

3. Developer shall complete and obtain certificates of occupancy for the second building by October 1, 2008 and the third building by October 1, 2010.

4. For any building lots not under construction within three months of the date hereof, Developer shall remove all debris and excess soil, and install erosion control measures, including rapid growth vegetation as required by the Minnehaha Creek Watershed District and City.

- C. If the Developer fails for any reason to satisfy one or more of the deadlines provided for by this Section, then such failure shall constitute an "Event of Default" hereunder, and, in addition to any other remedies provided for in this Agreement, the City may cancel the Planned Unit Development - Conditional Use Permit granted pursuant to this Agreement. Neither party expects nor shall be entitled to any extensions or delays in the deadlines stipulated by this Section, other than those granted strictly in accordance with the terms hereof.

15. **Responsibility for Costs.**

- A. Except as otherwise specified herein, the Developer shall pay all costs incurred by it or the City in conjunction with the development itself, including but not limited to legal, planning, engineering and inspection expenses incurred in connection with approval and acceptance of the development, the preparation of this Agreement and all costs and expenses incurred by the City in monitoring and inspecting the progress of the project.
- B. The Developer shall hold the City and its officers, employees and agents harmless from claims made by itself and third parties for damages sustained or costs incurred resulting from development approval, construction and operation, except for such damages or costs resulting from the gross negligence, intentional misconduct or intentional violation of this Agreement by the City. Except as limited by the preceding sentence, the Developer shall indemnify the City and its officers and employees for all costs, damages or expenses which the City may pay or incur in consequence of such claims, including attorney and other consulting fees.
- C. The Developer shall reimburse the City for reasonable costs incurred in the enforcement of this Agreement, including engineering, building official, planning and attorney's fees.
- D. The Developer shall pay in full all bills submitted to it by the City for obligations properly incurred under this Agreement within thirty (30) days after receipt. If the bills are not paid on time, the City may halt all development work and construction until the bills are paid in full, and may draw on any collateral that might be provided by Developer to the City to discharge such obligations. Bills not paid within thirty (30) days shall accrue interest at the rate of eight percent (8.00%) per annum.

16. **Events of Default.**

- A. **Events of Default Defined.** The following shall be considered "Events of Default" under this Agreement:

- (1) Failure by the Developer to pay when due amounts required to be paid under any provision of this Agreement.
- (2) Failure by the Developer to observe and substantially perform any covenant, condition or obligation on its part to be observed or performed hereunder.

B. **Remedies of Default.** Whenever any Event of Default occurs and the Developer fails to cure such default within (i) five (5) days after notice of a monetary default by the City; or (ii) thirty (30) days after notice by the City of a non-monetary default (or such longer period as is reasonable, not to exceed 90 days, provided Developer promptly initiates and consistently prosecutes the cure of such default); or (iii) in the case of an emergency, such shorter period of time as may be reasonable under all of the circumstances, then the City may, in addition to any other remedies or rights available to the City at law or equity and those specifically given the City under this Agreement or its ordinances, take any one or more of the following actions:

- (1) Perform or hire a third party to perform for the account of the Developer any obligation of the Developer. The Developer shall promptly reimburse the City for any expense incurred by the City. This Agreement is a license for the City to act, and it shall not be necessary for the City to seek a Court order for permission to enter the Property or act in accordance with this Agreement. When the City does any work, the City may, in addition to its other remedies, assess the cost in whole or in part against the Property and the Property shall be deemed to have benefited from the work in the amount expended by the City to perform such work.
- (2) Withhold approval of any permit with respect to the Property, including building permits for the Property.
- (3) Draw on any collateral (such as a letter of credit, or payment and performance bond) deposited with the City to pay for the cure of the default.
- (4) Require the Developer to discontinue work on the Property until such time as the Event of Default has been cured.
- (5) Assess against the Property any costs incurred by the City and not theretofore reimbursed by the Developer and the Property shall be deemed to have benefited in the amount and to the extent of such costs.
- (6) Cancel and terminate any Conditional Use Permit granted to the Developer pursuant to this Agreement (except for any portion of the Project for which a certificate of occupancy has been issued and which is not then in default under this Agreement).

17. **Conformance with Laws.** The Developer shall comply with the terms of this Agreement and all local, state, and federal laws and regulations applicable to the development and Property. The Developer represents to the City that to the best of its knowledge that the development is not of "metropolitan significance," and that an environmental impact statement is not required. If the City or another governmental entity or agency determines that such a review is needed, however, the Developer shall prepare it in compliance with legal requirements so issued from said agency. The Developer shall reimburse the City for all expenses, including

staff time and attorney's fees, that the City necessarily incurs in assisting in the preparation of the review.

18. **Miscellaneous.**

- A. The Developer represents to the City that, to the best of Developer's knowledge, the Project complies with all county, metropolitan, state and federal laws and regulations, and that Developer has no knowledge of any violations by the Project or Developer of City Subdivision Ordinances, City Zoning Ordinances, and environmental regulations. If the City determines that the Project does not comply, the City may, at its option, refuse to allow construction or preliminary work in the Project until the Developer does comply. Upon the City's demand, the Developer shall cease work until there is compliance.
- B. Only the Developer shall have recourse against the City under this Agreement.
- C. If any portion, section, sub-section, sentence, clause, paragraph, or phrase of this Agreement is for any reason held invalid, such decision shall not affect the validity of the remaining portions of this Agreement.
- D. The action or inaction of the City shall not constitute a waiver or amendment to the provisions of this Agreement. To be binding, amendments or waivers shall be in writing, signed by the parties and approved by written resolution of the City Council. No building permit or certificate of occupancy shall be issued which conflicts with the requirements of this Agreement. The City's failure to promptly take legal action to enforce this Agreement shall not be a waiver or release.
- E. Developer and its successors and assignees are liable under this Agreement. The Developer may not assign this Agreement without written consent of the City Council prior to issuance of the Certificate of Completion described below. This Agreement, and any amendments thereto, shall run with the land and shall be recorded against the title to the Property by the City at the expense of the Developer. No building, grading, filling or utility permits shall be issued until evidence of such recording acceptable to the City has been provided by the Developer. Third parties not signatories to this Agreement are not intended to be, and shall not be beneficiaries of this Agreement or entitled to enforce the terms thereof.
- F. After the Developer has completed the work required of it under this Agreement, at the Developer's request, the City will execute and deliver to the Developer a Certificate of Completion ("Certificate") in recordable form evidencing performance by Developer of its obligations hereunder, subject to:
 - (1) Any representation or warranties which may be in effect subsequent to the date of completion, and
 - (2) The Developer's obligations to retain the improvements in the form described by the Plans referenced herein,

- (3) Any other obligations that are not specifically identified in such Certificate as having been performed.

Any obligations imposed by this Agreement not certified as having been satisfied in such Certificate, and all warranties and representations of the Developer, shall remain the ongoing obligation of the Developer and Developer's successors and assigns. Any owner of the Property shall be subject to all the restrictions and obligations contained herein to the extent that such restrictions and obligations have not been satisfied by the Certificate. As appropriate, the City shall issue partial Certificates as particular portions of the Property are completed.

- G. Each right, power or remedy herein conferred upon either party is cumulative and in addition to every other right, power or remedy, express or implied, now or hereafter arising, available to such party at law or in equity, or under any other agreement, and each and every right, power and remedy herein set forth or otherwise so existing may be exercised from time to time as often and in such order as may be deemed expedient to the party having such right, power and remedy and shall not be a waiver of the right to exercise at any time thereafter any other right, power or remedy.

20. **Effect of Development Approval.** Notwithstanding any provision of this Agreement to the contrary, to the full extent permitted by State laws, any further development or construction of new improvements and any additions or alterations to existing improvements not expressly approved under this Agreement will require additional approvals from the City and full compliance with any amendments to the City's Comprehensive Plan or Zoning Ordinance requirements enacted after the date of this Agreement.

21. **Notices.** Required notices to the Developer shall be in writing, and shall be either hand delivered to the Developer, its employees or agents, or mailed to the Developer by certified or registered mail at the following address:

Rice Street Brownstones, LLC
Attn: John Adams
c/o Coldwell Banker Burnet
201 East Lake Street
Wayzata, Minnesota 55391

Notices to the City shall be in writing and shall be either hand delivered to the City Manager, or mailed to the City by registered or certified mail in care of the City Manager at the following address: Wayzata City Hall, 600 East Rice Street, Wayzata, Minnesota, 55391.

22. **Blue House.** Provisions in this Agreement relating to the construction of improvements on, or serving, the row houses intended to be constructed on Lot 2, Block 1, John Adams Addition, shall not be applicable to Lot 1, Block 1, John Adams Addition, the site of the Blue House.

[NEXT PAGE IS THE SIGNATURE PAGE]

CITY OF WAYZATA,
a Minnesota Municipal Corporation

By: Andrew Humphrey, Mayor

By: Allan Orsen, City Manager

RICE STREET BROWNSTONES, LLC,
a Minnesota limited liability company

By: John Adams

Its: Chief Manager

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 10th day of July, 2006 by Andrew Humphrey, Mayor of the City of Wayzata, a Minnesota municipal corporation, on behalf of the corporation.

Notary Public

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

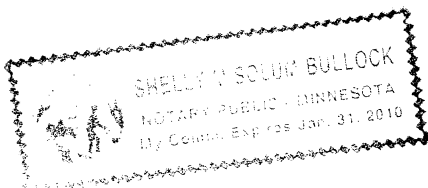
The foregoing instrument was acknowledged before me this 12 day of July, 2006 by Allan Orsen, City Manager of the City of Wayzata, a Minnesota municipal corporation, on behalf of the corporation.

Notary Public

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 12 day of July, 2006, by John Adams, the Chief Manager of Rice Street Brownstones, LLC, a Minnesota limited liability company, on behalf of the company.

Notary Public



THIS INSTRUMENT DRAFTED BY:

City of Wayzata
600 E. Rice Street
Wayzata, MN 55391

EXHIBIT A
PROPERTY LEGAL DESCRIPTION

Lots 1 and 2, Block 1, John Adams Addition, according to the recorded plat thereof, Hennepin County, Minnesota.

EXHIBIT B

Public Right-of-Way Encroachment Agreement

Rice Street Brownstones, LLC (the "Property Owner") at 520 Rice Street (PID #06-117-22-24-0036) and 207 Walker Avenue (PID #06-117-22-24-0034) (the "Property") is hereby granted a license to install and maintain on the City Right-of-Way adjacent to the Property (which is legally described on the attached Exhibit A), the materials identified on Exhibit B (the "Permitted Encroachment Materials").

In consideration of this license, the Property Owner agrees to the following:

Any and all costs associated with the initial installation and maintenance of the Permitted Encroachment Materials will be borne exclusively by the Property Owner.

If at any time the city of Wayzata, for itself or on behalf of Public utility companies who have permission to have their utilities within the City Right-of-Way, requires temporary or permanent modification or removal of any or all of the Permitted Encroachment Materials for maintenance of existing public improvements or the installation of any other public improvements, or because of the need to use the City Right-of-Way in such a manner that requires removal of the Permitted Encroachment Materials, such removal or modification will be done by the City of Wayzata, provided that the City first informs the Property Owner of its intentions, explains to the Property Owner the need to access the City Right-of-Way, and does all such removal or modification in such a way so as to minimize the impact to the Permitted Encroachment Materials, to the extent reasonably possible without significant delay or cost, or if approved by the City, such removal or modification may be done by the Property Owner.

If there is an emergency situation requiring full or partial removal of any or all of the Permitted Encroachment Materials and the City, for itself or on behalf of Public utility companies, is unable to contact the Property Owner within a reasonable time, the City will engage in such removal of the Permitted Encroachment Materials as deemed necessary to perform the emergency repairs.

Replacement of the Permitted Encroachment Materials will be at the discretion of the City, shall not interfere with the operation of any improvements constructed by the City in the City Right-of-Way, and the cost thereof shall be paid by the Property Owner.

The Property Owner agrees to indemnify the City from any claim made against the City for any damage or injury caused by the locating of the Permitted Encroachment Materials in the City Right-of-Way. Upon conveyance of fee title to the Property, the grantee, by accepting such conveyance, will thereby become the "Property Owner" and a new party to, and be bound by, this Agreement, and the conveying owner will be released from any and all liability under this Agreement for any obligation to be performed or breach of this Agreement occurring thereafter. The City shall not be responsible for any damage to the Permitted Encroachment Materials except as specifically set forth in this Agreement.

This Agreement is executed as of the 12 day of July, 2006.

CITY OF WAYZATA

By: _____
Its: _____

PROPERTY OWNER(S)

Rice Street Brownstones, LLC

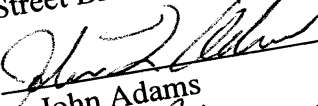
By:  (Print Name)
John Adams
Its: 

EXHIBIT A
City Right-of-Way Legal Description
Lot 2, Block 1, John Adams Addition

EXHIBIT B
Permitted Encroachment Materials

1. Stairs and sidewalks on Rice Street side of 207 Walker Street and 520 Rice Street properties.
2. Wrought iron fence structure on Rice Street side of 207 Walker and 520 Rice Street properties.

EXHIBIT C

RESTRICTIVE COVENANT AGREEMENT

This Restrictive Covenant Agreement (the "Agreement") is made this 12 day of July, 2006 by Rice Street Brownstones, LLC, a Minnesota limited liability company ("Owner") for the benefit of the City of Wayzata, a body corporate and politic under the laws of Minnesota ("City").

WHEREAS, Owner is the owner of property located at 206 Minnetonka Avenue, Wayzata, Minnesota, which said property is legally described as Lot 1, Block 1, John Adams Addition, Hennepin County, Minnesota (the "Property"); and

WHEREAS, Owner has received from the City a PUD General Plan and Design Standards approval for a project that includes the Property pursuant to City of Wayzata Resolution No. 2887 ("City Approval"); and.

WHEREAS, one of the requirements under the City Approval was the requirement that certain restrictions be placed upon the Property and Owner desires to meet that obligation;

NOW, THEREFORE, Owner hereby declares that the Property is subject to the following restrictive covenant (the "Covenants"):

- 1) The existing home structure located on the Property (the "Home") shall remain located on the Property.
- 2) The Owner shall restore, paint, re-roof, replace damaged wood and generally renovate the exterior of the Home on or before the 22nd day of August, 2006 in a manner that complies with the Wayzata Design Standards. The Owner shall have the right to make any improvements or changes from time-to-time on the interior of the Home, or on the grounds surrounding the Home.
- 3) The Home shall not be demolished and shall remain in perpetuity as a single family home with its current square footage, with no material structural renovations or additions to the exterior of the Home that substantially change the Dutch Colonial architecture of the Home as it exists on the date of this Agreement; it being acknowledged that commercial uses of the single-family home shall be permitted as and to the extent permitted under applicable zoning as contemplated by Section 4 below.
- 4) The Home shall continue to be regulated by the City's C-1A Neighborhood Office and Limited Commercial District zoning classification.

The terms of this Agreement shall run with the Property, shall apply to and bind each and every successor in interest thereof; and is imposed upon the Property as a servitude in favor of the City. Upon conveyance of fee title to the Property, the grantee, by accepting such conveyance, will thereby become the "Owner" and a new party to, and be bound by, this Agreement, and the conveying owner will be released from any and all liability under this Agreement for any breach of this Agreement occurring thereafter; provided, however, that Rice Street Brownstones, LLC shall not be released from its obligation to the City for the performance

of the covenant set forth in the first sentence of Section 2 above, notwithstanding that Rice Street Brownstones, LLC may convey title to the Property or that Rice Street Brownstones, LLC's grantee may assume responsibility for performance of such covenant vis-à-vis Rice Street Brownstones, LLC.

The terms of this Agreement are for the benefit of the City, and the power and privilege of enforcement thereof against any party or parties who shall violate or attempt to violate the same by appropriate proceedings at law or in equity are granted to the City, and as part of such an enforcement proceeding, the City shall have the right to collect reasonable attorneys fees and costs. Failure of the City to enforce any part of this Agreement upon its violation shall in no event be deemed to be a waiver of the right to do so as to any subsequent violation.

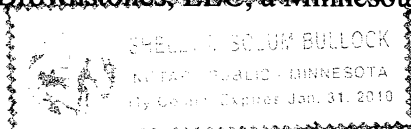
The terms of this Agreement shall terminate in the event that the Home is destroyed or substantially damaged by fire, wind, or other casualty and not rebuilt. In such event, a termination of this Agreement, executed by the City and the Owner (or its successors or assigns) shall be executed and recorded and this Agreement shall terminate upon the recording of such agreement.

Rice Street Brownstones, LLC, a Minnesota limited liability company

By: [Signature]
Its: Chief Manager

STATE OF MINNESOTA)
) SS.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 12 day of July, 2006, by John F. Adams, the Chief Manager of Rice Street Brownstones, LLC, a Minnesota limited liability company, on behalf of the company.



[Signature]
Notary Public

THIS INSTRUMENT DRAFTED BY:
Paul E. Kaminski
BEST & FLANAGAN LLP
225 South Sixth Street, #4000
Minneapolis, Minnesota 55402

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RESOLUTION NO. 2887

RESOLUTION APPROVING GENERAL PLAN FOR PLANNED UNIT DEVELOPMENT AT 520 RICE STREET, 206 MINNETONKA AVENUE, AND 207 WALKER AVENUE ("RICE STREET ROWHOUSES")

BE IT RESOLVED by the City Council of Wayzata, Minnesota as follows:

Section 1. BACKGROUND

- 1.1 Concept Plan Approval. On May 3, 2005, City Council approved a concept plan (the "Concept Plan") for a new Planned Unit Development encompassing property at 520 Rice Street, 206 Minnetonka Avenue, and 207 Walker Avenue (the "PUD") subject to the following conditions:
- 1) The Applicant review and attempt to reduce the overall density and massing of the PUD Project, including the possible elimination of Building 4.
 - 2) The Applicant shall adjust the buildings to better comply with setback requirements.
- 1.2 General Plan. The Applicant has submitted a PUD general plan (the "General Plan") that varies from the Concept Plan in that three, two dwelling units are now proposed, instead of four. The rear building has been eliminated and the Applicant proposes to sell a portion of the Properties to an adjacent property owner. The General Plan has also been revised slightly from the Concept Plan to provide additional setbacks for the proposed Building 3 of the PUD project.
- 1.3 Property. The property identification numbers for the properties involved in the PUD (collectively, the "Properties") are as follows:
- | | |
|-----------------------|-------------------|
| 520 Rice Street | 06-117-22-24-0034 |
| 206 Minnetonka Avenue | 06-117-22-24-0036 |
| 207 Walker Avenue | 06-117-22-24-0037 |
- 1.4 Land Use. The Properties are currently located within the C-1, Office and Limited Commercial District as defined in Section 801.75 of the Wayzata Zoning Ordinance. The land use designation under the Comprehensive Plan for the property and the entire block is mixed residential and commercial. The Properties fall within the "Bluff District" of the Wayzata Design Standards.
- 1.5 Notice. Pursuant to Section 801.33.5.B.2, notice of a public hearing on the Development Application was published in the *Lakeshore Weekly News* on July 5,

2005. A copy of the notice was mailed to all property owners located with 350 feet of the Properties on July 5, 2005.

- 1.6 Planning Commission Recommendation. At its July 18, 2005 meeting, the Wayzata Planning Commission reviewed the General Plan but was unable to pass either of two separate motions to recommend approval of the PUD General Plan with certain conditions and sent the General Plan to City Council without a recommendation.

Section 2. STANDARDS

- 2.1 PUD Districts. Section 801.90 of the Zoning Ordinance provides for the establishment of Planned Unit Development Districts. A Planned Unit Development District is established and governed subject to the amendment and procedure requirements as outlined in Section 801.03 of the Zoning Ordinance, plus the procedures, conditions and standards imposed by Section 801.33. The PUD process, by allowing deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:
- A. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
 - B. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
 - C. More convenience in location and design of development and service facilities.
 - D. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
 - E. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
 - F. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
 - G. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
 - H. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.

2.2 General PUD Standards. Section 801.33.2.A sets forth the general standards for review of a PUD application. These are:

1. Health Safety and Welfare. In reviewing the PUD application, the Council shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area.
2. Intent and Purpose of PUDs. In reviewing the PUD application, the Council shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the Zoning Ordinance.
3. Ownership. Applicant/s must own all of the property to be included in the PUD.
4. Comprehensive Plan. The PUD project must be consistent with the City's Comprehensive Plan.
5. Sanitary Sewer Plan. The PUD project must be consistent with the City's Sanitary Sewer Plan.
6. Common Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
7. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
8. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
9. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
10. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.

11. Setbacks. The front, rear and side yard restrictions on the periphery of the PUD shall be the same as imposed in the respective districts.
- 2.3 Residential PUD Standards. Section 801.33.3 sets forth standards for residential PUD Districts. In addition to the standards set forth in this section, City Council may impose such other standards for a PUD District as are reasonable and as the Council deems are necessary to protect and promote the general health, safety and welfare of the community and the surrounding area.
- 2.4 Design Standards. The design of all new buildings and exterior improvements to the public side of nonresidential and/or multifamily buildings in Wayzata which clearly alter the appearance of a structure are subject to the review and approval of the Wayzata Planning Commission and City Council. City Code Section 801.09; Wayzata Design Standards Section 1.5. The relevant design criteria applicable to the PUD are as follows:
- a. Building Uses. All new multi-story buildings in the Bluff District not zoned residential shall be developed with at least one floor of residential use. Design Standards Section 2.3.
- b. Building Scale and Character. The following commentary is to be used as guidance (not imposed as binding obligations):
- Although the prevailing building style in the Bluff Neighborhood is single-family residential, there are situations where commercial-style buildings dominate. The applicant's design should thoroughly study the existing character and attempt to find meaningful design clues from the surrounding context. The applicant must form a strong logic supporting the design of its building based on the influences of the context.*
- Design Standards Section 3.3.
- c. Building Width. Divisions or breaks in materials shall be included in order to reduce the scale of longer facades and to eliminate the long horizontal expressions of buildings. Design Standards Section 5.2.
- d. Upper Story Setback. The façade fronting on public rights of way of every two and three story building, longer than 60', must have a recessed second story of approximately 25% of its length, setting back a minimum of six feet from the face of the first floor façade. The required third floor 10 foot setback must also follow these second story recesses.
- e. Roof Design. The following commentary is to be used as guidance (not imposed as binding obligations):

The applicant should study the surrounding context and discuss his/her direction with the Design Consultant and / or the staff to determine the appropriate use of flat versus sloped roofs.

Design Standards Section 7.2.

- f. Screening of Rooftop Equipment. All rooftop equipment must be screened from view from adjacent properties and sidewalks using well-designed, detailed, dark color screens. It must be set back from any primary façade that fronts a public street by a distance equal to 1½ times its height and must not be larger than 25% of the roof area. Design Standards Section 8.1.
- g. Ground Level Expression. In multi-story buildings, the ground floor must be distinguishable from the floors above by the use of at least three distinguishing elements. Design Standards Section 10.1.
- h. Entries. The main entry must face the primary street at sidewalk grade. Design Standards Section 11.2.
- i. Building Materials, Details & Quality. The detailed requirements for building materials are listed in Section 12 of the Design Standards.
- j. Color. The following commentary is to be used as guidance (not imposed as binding obligations):

With respect to color, light colors dominate while darker colors recess. Bright accent colors at doors are acceptable but aggressive colors may only be used on recommendation.

Design Standards Section 13.1.

- k. Walkways. Continuous sidewalks at least 5 feet in width shall be provided along all public street frontages and where the street grid is interrupted by steep slopes, walkways or stairways shall be built to maintain pedestrian continuity. Design Standards Section 15.
- l. Landscaping. Street trees shall be planted within a landscaped boulevard at least six feet wide, spaced no more than 30 feet apart. Design Standards Section 16.3.
- m. Parking Lot Landscaping. A landscaped buffer strip at least 6 feet wide shall be provided between all parking areas and the sidewalk or street. The buffer strip shall consist of shade trees at maximum intervals of 30 feet and a decorative fence, masonry wall or hedge. Design Standards Section 17.1.

Section 3. FINDINGS

The City Council of the City of Wayzata hereby confirms and memorializes that the PUD General Plan submitted by the Applicant meets the requirements of the Zoning Ordinance with respect to Planned Unit Developments and the Design Standards based upon the following findings of fact made on the record (as well as all Staff reports, the Development Application, Planning Commission minutes and public comment presented at the public hearing on the Development Application, all of which are incorporated herein by reference):

- 3.1 Purpose of PUDs. The PUD outlined in the General Plan conforms with the overall intent and purpose of Section 33 of the Zoning Ordinance.
 - A. The PUD's rowhouse design and efficient use of land will help meet the growing demands for all styles of residential expansion.
 - B. The PUD incorporates higher standards of site and building design through the use of trained and experienced architects, landscape architects, and engineers.
 - C. The PUD will be a creative use of land and related physical development, and will allow a phased and orderly development and use pattern in the area.
 - D. The PUD is in harmony with the objectives of the Wayzata Comprehensive Plan, including the increase in residential development rather than commercial/office development.
- 3.2 General Standards. The PUD outlined in the General Plan meets all of the General Standards for PUD approval set forth in Section 801.33.2.A of the Zoning Ordinance, including:
 1. Health Safety and Welfare. The PUD will have an overall positive effect on the health, safety and welfare of residents of the community and the surrounding area by adding to stable and diverse residential development within the City, rather than additional commercial development. Structures and uses permitted in the existing C-1 zone are potentially detrimental to the surrounding neighborhoods and not in Wayzata's best interests.
 2. Intent and Purpose of PUDs. The PUD will conform with the overall intent and purpose of Section 33 of the Zoning Ordinance.
 3. Ownership. Applicant has a purchase agreement for all of the property to be included in the PUD. As a condition of approval the applicant must own the property to be included in the PUD.

4. Comprehensive Plan. The PUD is consistent with the City's Comprehensive Plan, including the following specific goals:
 - a. adding to the diversity of housing stock in the City
 - b. protecting the surrounding residential neighborhood by limiting the encroachment of larger scale commercial development
 - c. adhering to the highest standards of planning, design and construction
 - d. reinforcing, maintaining, and upgrading the character of the surrounding residential neighborhoods
 - e. accomplishing a transition between the downtown office and commercial areas and the surrounding residential neighborhoods
 12. Sanitary Sewer Plan. As a condition of approval, the PUD will be consistent with the City's Sanitary Sewer Plan.
 13. Common Space. As a condition of approval, the agreements and restrictions on the PUD will provide for the maintenance of aspects of the PUD that encroach on the public right of way and other common spaces.
 14. Density. The standards of the PUD District established for the PUD will be consistent with the Comprehensive Plan.
 15. Utilities. All utilities associated with the PUD will be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
 16. Landscaping. As a condition of approval, all landscaping associated with the PUD will be according to a detailed plan approved by the City Council.
 17. Setbacks. The standards of the PUD District established for the PUD will be consistent with the Comprehensive Plan.
- 3.3 Residential PUD Standards. The standards set forth in the General Plan for the PUD District are reasonable and appropriate for the project, will not negatively impact but rather positively contribute to the general health, safety and welfare of the community and the surrounding area.

- 2.5 Design Standards. The General Plan conforms to the relevant standards applicable to the PUD under the Design Standards.
- a. Building Uses. The entire PUD will be residential.
 - b. Building Scale and Character. The new buildings of the PUD will be traditional brick rowhouse style. This architectural style and character of this project will contribute positively to the surrounding neighborhood.
 - c. Building Width. The new buildings of the PUD are designed with bays, balconies, and varying roof lines.
 - d. Upper Story Setback. Upper story setbacks are not required due to the size and dimensions of the buildings of the PUD.
 - e. Roof Design. The new buildings of the PUD will have flat roofs which is not out of context with surrounding buildings.
 - f. Screening of Rooftop Equipment. There will be no rooftop equipment on the buildings of the PUD.
 - g. Ground Level Expression. The new buildings of the PUD feature balconies and window detailing that distinguish the floors.
 - h. Entries. The rowhouse design of the new buildings features steps to the sidewalk. Any negative impact of this deviation of from the applicable standard is outweighed by the positive effect of the project on the area in which it is proposed.
 - i. Building Materials, Details & Quality. The PUD conforms with the detailed requirements for building materials listed in Section 12 of the Design Standards.
 - j. Color. The colors proposed for the PUD conform to the recommendations of the Design Standards.
 - k. Walkways. As part of the General Plan and as a condition of approval, continuous sidewalks at least 5 feet in width will be provided along all public street frontages in the PUD.
 - l. Landscaping. As a condition of approval, an appropriate landscape plan must be reviewed and approved by City Staff and City Council.
 - m. Parking Lot Landscaping. As a condition of approval, an appropriate landscape plan must be reviewed and approved by City Staff and City Council.

Section 4. CITY COUNCIL ACTION

- 4.1 Based on the Findings set forth herein, the Applicant's requests for approval of the PUD General Plan and Design approval under the Design Standards are hereby approved subject to the following conditions:
1. Applicant must obtain approval of a preliminary and final plat pursuant to the Wayzata Subdivision Ordinance in accordance with the plans submitted with the General Plan, and must convey the premises it is selling to the adjacent property owner as referenced in section 1.2 herein.
 2. The impervious surface coverage of the PUD shall not exceed 75% of the replatted property compromising the PUD. Applicant shall install an innovative underground water collector system to minimize water run off that meets with the approval of the City Engineer.
 3. No buildings associated with the PUD shall exceed the maximum height allowed for under the Zoning Ordinance for a PUD District. No elevator access to the roof is permitted.
 4. Rooftop enclosed stairways shall maintain a 10 feet setback from the closest setback to the main building front of each unit.
 5. No rooftop privacy wall shall be included unless it can be demonstrated that they are not visible from a pedestrian level of Rice Street and Minnetonka Avenue.
 6. The ornamental iron gates, or any other gating structure, that surrounds each building of the PUD must never be locked, and the buildings of the PUD must be accessible at all times to guests.
 7. Steps, fencing, retainer walls or other aspects of the PUD shall not encroach on to the City right-of-way, unless the Applicant, and any subsequent owners of the units within the PUD, first enter into an agreement with the City, in a form acceptable to the City Attorney, that (i) grants the owners the right to encroach upon the right-of-way for said encroachments, (ii) requires the owners to maintain the encroachment and the City right-of-way, (iii) indemnifies and holds the City harmless from all expenses should the City be required to remove said encroachments to access the right-of-way for sewer, water, or utilities, and any loss due to negligence or slip and fall claims relative to the encroachment onto the City right-of-way.

8. A deed restriction, in a form acceptable to the City Attorney, is established for the parcel containing the existing small house that is to remain on the 206 Minnetonka Avenue property (the "Blue House") that provides that (i) the Applicant shall restore, paint, re-roof, replace damaged wood and generally renovate the Blue House prior to the 12 month anniversary of this Ordinance, in a manner that complies with the Design Standards, (ii) the Blue House will not be demolished and will remain in perpetuity as the small single family home that currently exists, and (iii) use of the existing residence at 206 Minnetonka Avenue in the PUD District shall be as regulated by the C-1A Neighborhood Office and Limited Commercial District.
9. The set-back requirements shall be as designated in the new PUD District.
10. The grading, drainage, sewer, utility and water plans for the PUD must be reviewed and approved by the City Engineer in accordance with the Zoning Ordinance and all other relevant standards.
11. A tree inventory and preservation plan must be submitted to, and reviewed and approved by, the City Forester.
12. A landscape plan must be reviewed and approved by City Staff and City Council.
13. A sidewalk must be put in place along Walker Avenue, at Applicant's sole expense, the plans for which must be reviewed and approved by City staff.
14. All buildings and new construction in the PUD must conform to the findings herein with respect to the Design Standards and maintain compliance at all times with all relevant Design Standards.
15. The Applicant must enter into a development agreement with the City that (i) incorporates the conditions of approval of this Resolution, (ii) the agreement of the Applicant to reimburse the City for all legal and consultant fees associated with the approval process and continued review of the PUD project, and (iii) such other provisions as are customary in such development agreements, all in a form acceptable to the City Attorney.

Adopted by the Wayzata City Council this 22nd day of August, 2005.



Mayor Andrew Humphrey

ATTEST:



City Manager Allan Orsen

ACTION ON THIS RESOLUTION:

Motion for adoption: offered by Council Member John Berns

Seconded by: Council Member Sue Bangert

Voted in favor of by Mayor Andrew Humphrey, Council Member John Berns, and Council Member Sue Bangert.

Voted against: Council Member Jack Amdal and Council Member Ken Willcox

Abstained: none

Absent: none

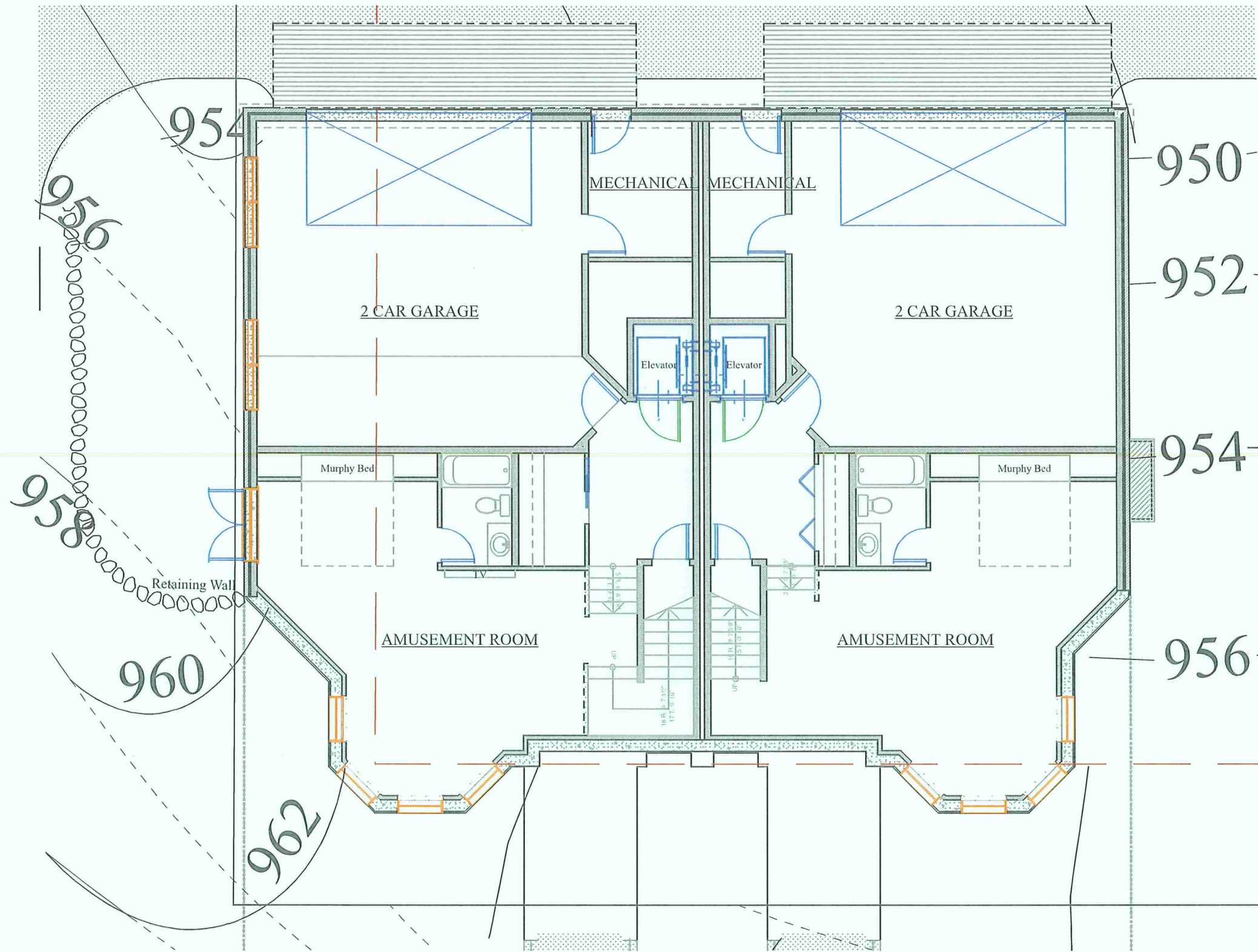
Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on August 22, 2005.



Sandy Langley, City Clerk

SEAL



16 LOWER LEVEL PLAN 750 SF
1/8"=1'-0"

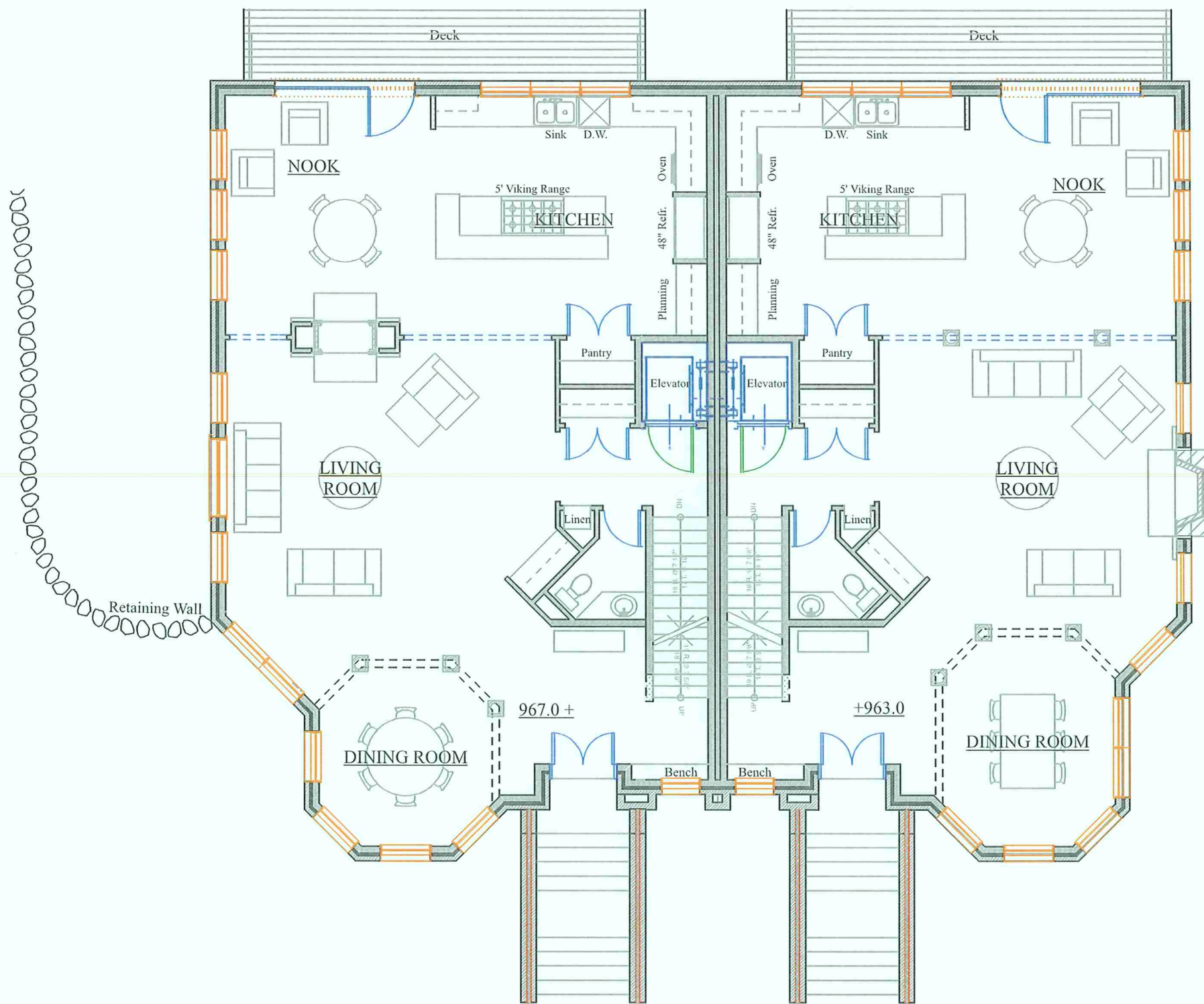
LOWER LEVEL PLAN 722 SF
1/8"=1'-0"

P R O J E C T	
Rice Street Rowhouses	
520 Rice Street East	DATE
Wayzata, MN	6/10/2005

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17 MAIN LEVEL PLAN
1/8"=1'-0"

UPPER 1,500 SF
MAIN 1,500 SF
LOWER 750 SF
TOTAL 3,750 SF

MAIN LEVEL PLAN
1/8"=1'-0"

UPPER 1,420 SF
MAIN 1,420 SF
LOWER 722 SF
TOTAL 3,562 SF

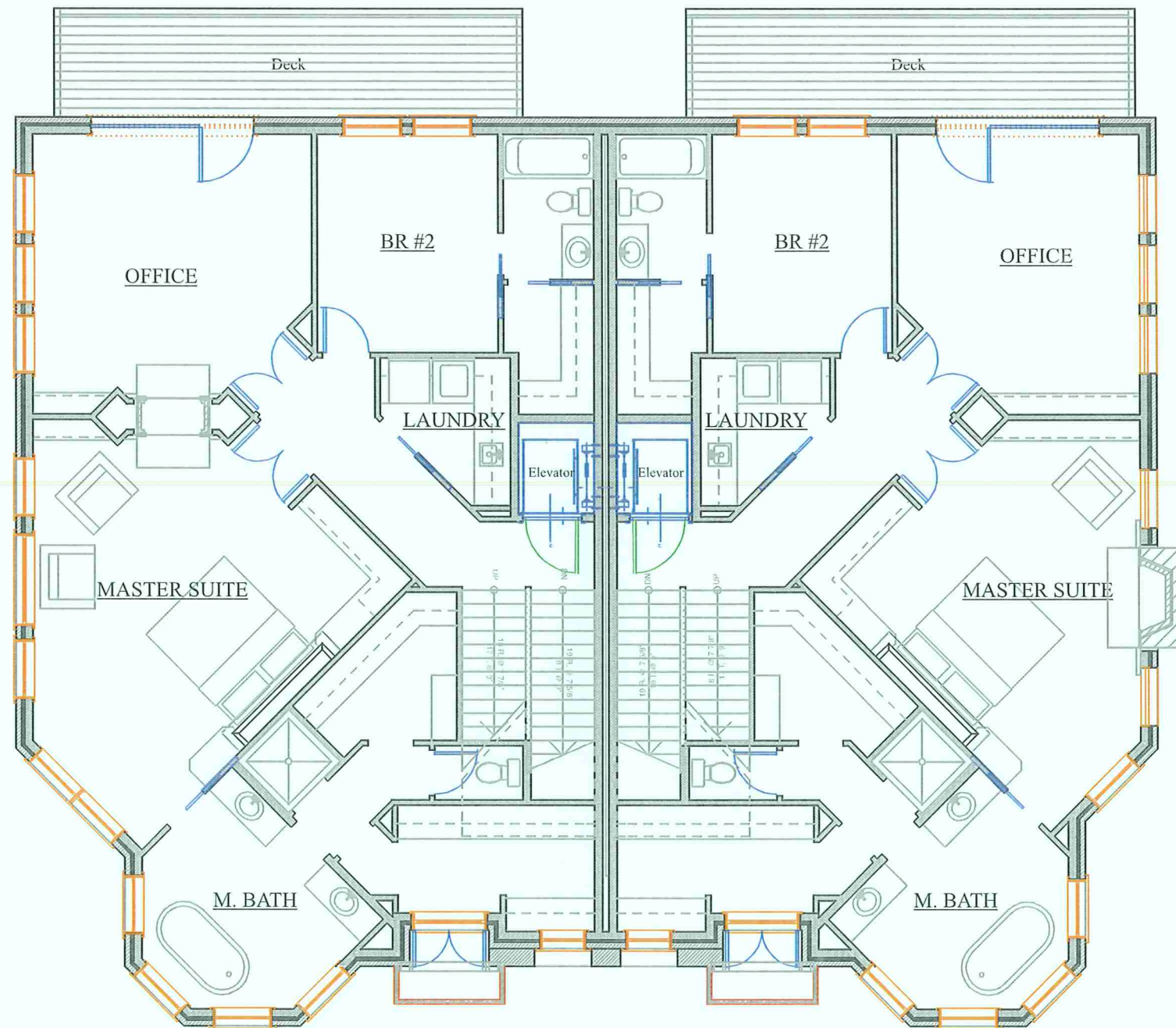
P R O J E C T
Rice Street Rowhouses
520 Rice Street East
Wayzata, MN

DATE
6/10/2005

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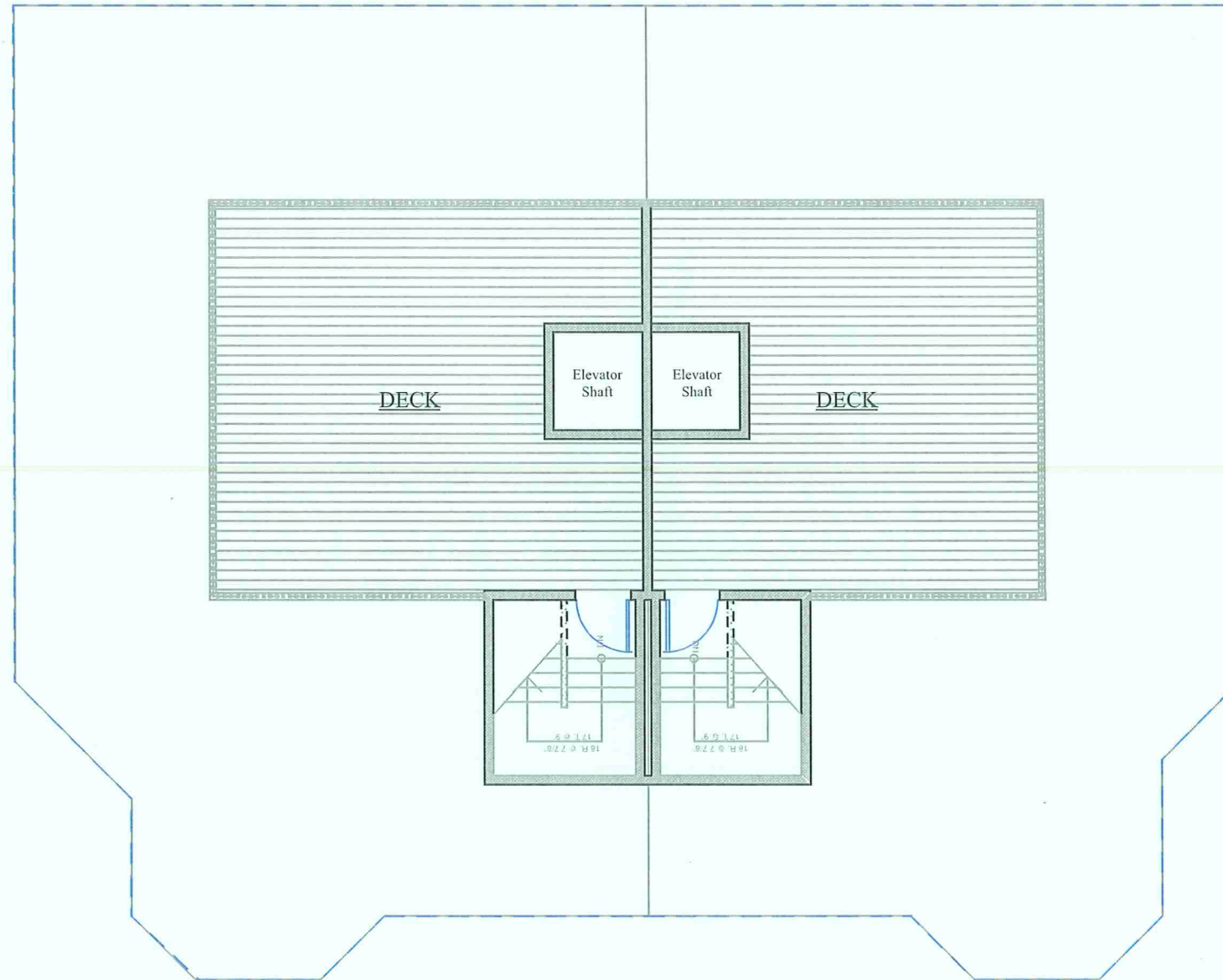
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18 SECOND LEVEL PLAN 1,500 SF
1/8"=1'-0"

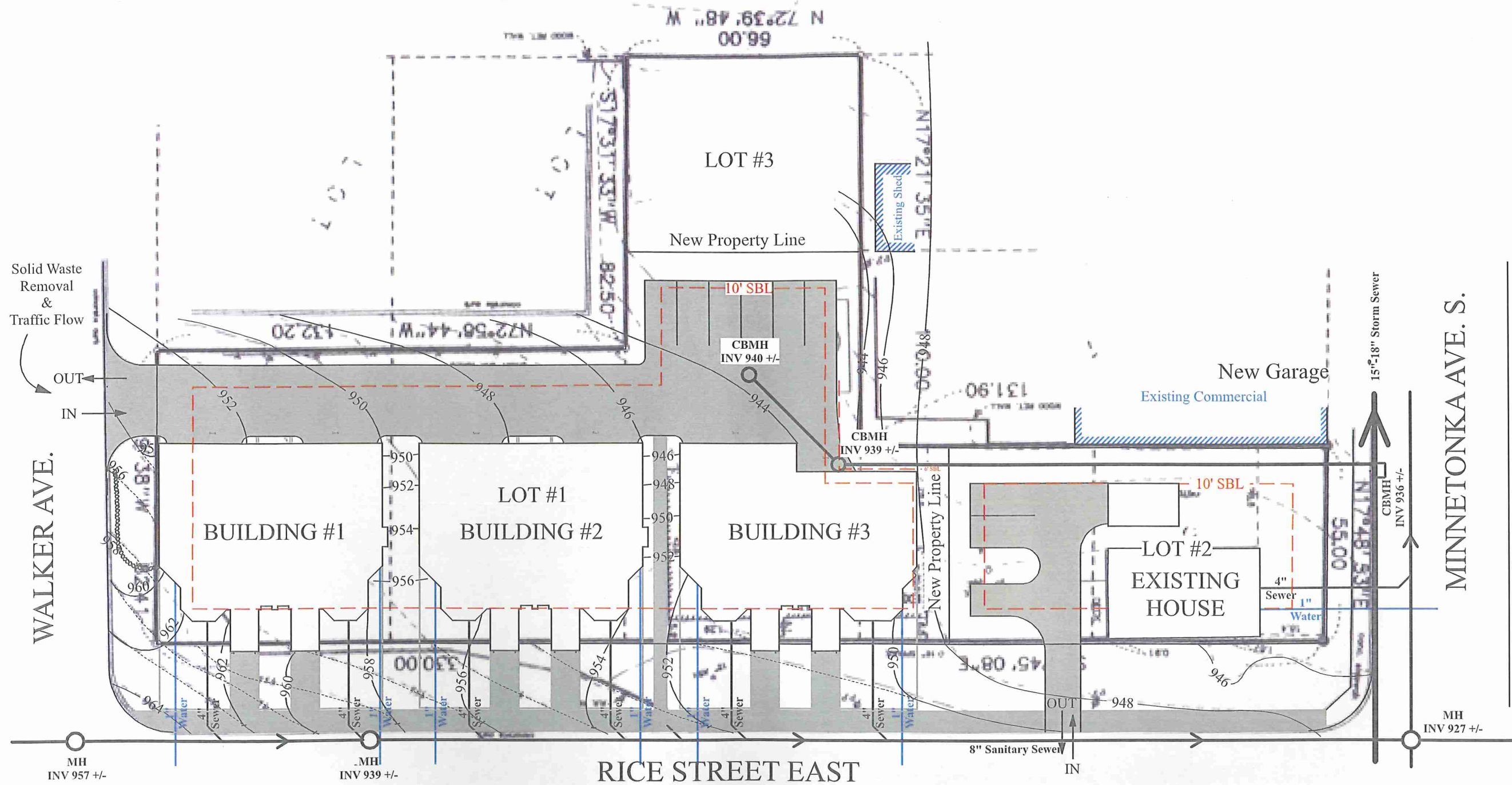
SECOND LEVEL PLAN 1,420 SF
1/8"=1'-0"

P R O J E C T		© 2005	
Rice Street Rowhouses		Landschute	
520 Rice Street East	DATE	500 Lake Street #110	
Wayzata, MN	6/10/2005	Excelsior, MN 55331	
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19 ROOF TOP GARDEN PLAN
1/8"=1'-0"

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		500 Lake Street #110 Excelsior, MN 55331 (952) 470-7416	



8

GRADING & DRAINAGE PLAN
ROWHOUSE SCHEME

1"=30'-0"

P R O J E C T
Rice Street Rowhouses
520 Rice Street East
Wayzata, MN

DATE
6/10/2005

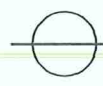
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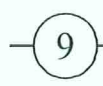
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© 2005




RICE STREET ELEVATION
 1/16"=1'-0"




RICE STREET ELEVATION
 1/16"=1'-0"

P R O J E C T		 © 2005
Rice Street Rowhouses 520 Rice Street East Wayzata, MN		
DATE	6/10/2005	

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INDIAN MOUND ST. E. ELEVATION
1/16"=1'-0"



INDIAN MOUND ST. E. ELEVATION
1/16"=1'-0"

PROJECT
Rice Street Rowhouses
520 Rice Street East
Wayzata, MN
DATE
6/10/2005

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WALKER STREET ELEVATION
1/16"=1'-0"



MINNETONKA AVE. ELEVATION
1/16"=1'-0"



11 WALKER STREET ELEVATION
1/16"=1'-0"



MINNETONKA AVE. ELEVATION
1/16"=1'-0"

PROJECT
Rice Street Rowhouses
520 Rice Street East
Wayzata, MN
DATE
6/10/2005

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○ BUILDING HEIGHT
BUILDING #1 1/16"=1'-0"



○ BUILDING HEIGHT
BUILDING #2 1/16"=1'-0"



12 BUILDING HEIGHT
BUILDING #3 1/16"=1'-0"

P R O J E C T		 500 Lake Street #110 Excelsior, MN 55331 (952) 470-7416
Rice Street Rowhouses 520 Rice Street East Wayzata, MN	DATE 6/10/2005	
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712 RICE STREET
EXISTING STRUCTURE



520 RICE STREET
ROWHOUSE PROPOSAL

HEIGHT COMPARISON
RICE STREET ELEVATION 1/16"=1'-0"



520 RICE STREET
ROWHOUSE PROPOSAL



706 RICE STREET
EXISTING STRUCTURE

13 HEIGHT COMPARISON
RICE STREET ELEVATION 1/16"=1'-0"

P R O J E C T		 500 Lake Street #110 Excelsior, MN 55331 (952) 470-7416
Rice Street Rowhouses 520 Rice Street East Wayzata, MN	DATE 6/10/2005	
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3 RENDERING FROM WALKER & RICE ST.
ROWHOUSE SCHEME

PROJECT
Rice Street Rowhouses
520 Rice Street East
Wayzata, MN

DATE
6/10/2005

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4

RENDERING OF RICE STREET ROWHOUSE SCHEME

PROJECT
Rice Street Rowhouses
520 Rice Street East
Wayzata, MN

DATE
6/10/2005

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DWELLING UNIT TABULATION

BLOCK #1

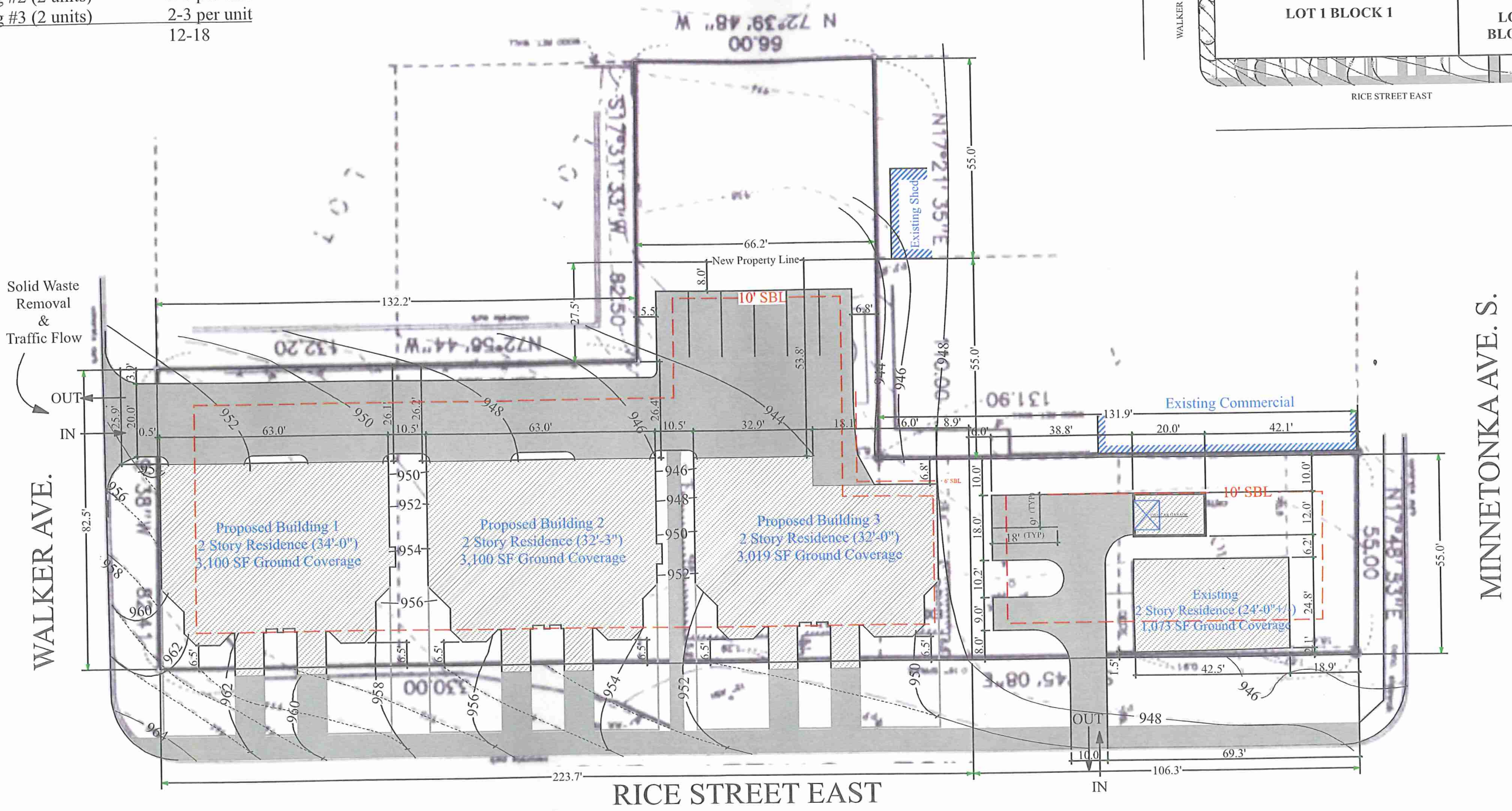
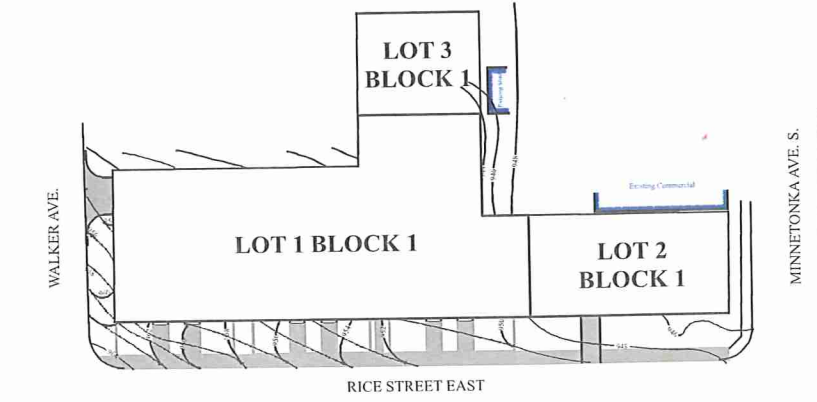
Lot #1 (Rowhouses)

Description	Population
Building #1 (2 units)	2-3 per unit
Building #2 (2 units)	2-3 per unit
Building #3 (2 units)	2-3 per unit
Total	12-18

Legal Description

The Northerly 1/2 of lots 1 & 2, all of lot 3, the NorthEasterly 55' of lots 4 & 5, all in Block 5, Wayzata, Hennepin County, Minnesota.

PROPOSED LOTS AND BLOCK PLAN



EXISTING HARDCOVER CALCULATIONS

Old Lot #1 (Walker & Rice)		Old Lot #2 (Rice)	
Description	Area	Description	Area
Shed	48 SF	House& Decks	2,956 SF
Sub-Total	48 SF	Sub-Total	2,956 SF
Total Lot Area	10,939 SF	Total Lot Area	10,943 SF
Percent Hardcover	0.44%	Percent Hardcover	27.01%

Legal Description

The Northerly 1/2 of lots 1 & 2, all of lot 3, the NorthEasterly 55' of lots 4 & 5, all in Block 5, Wayzata, Hennepin County, Minnesota.

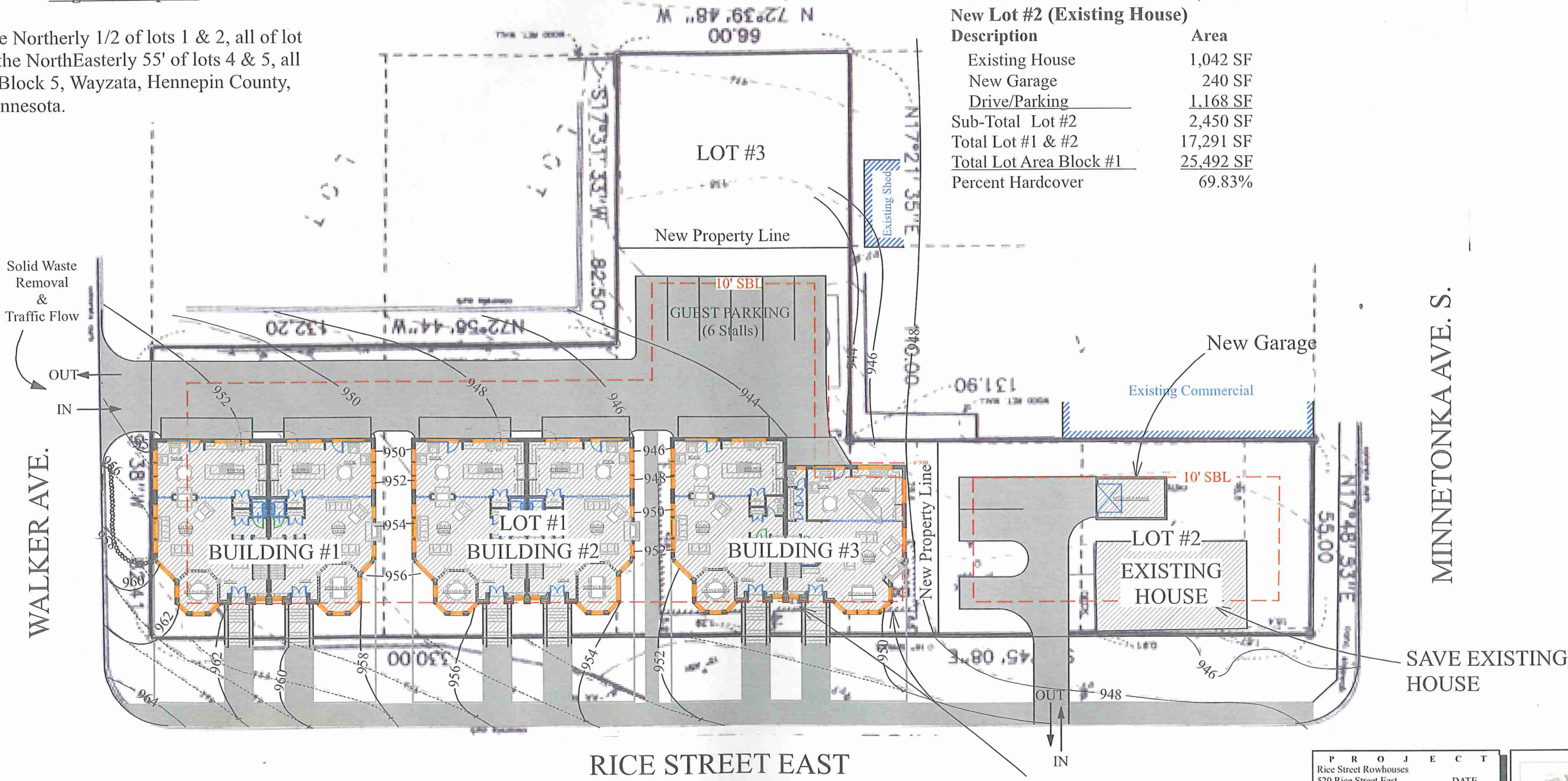
Old Lot #3 (Minnetonka & Rice)	
Description	Area
Garage	372 SF
House & Decks	1,156 SF
Sub-Total	1,528 SF
Total Lot Area	7,240 SF
Percent Hardcover	21.10%

PROPOSED HARDCOVER CALCULATIONS

BLOCK #1 New Lot #1 (Rowhouses)	
Description	Area
Building #1	2,900 SF
Building #2	2,900 SF
Building #3	2,829 SF
Front Steps	697 SF
Drive/Parking	5,515 SF
Sub-Total Lot #1	14,841 SF

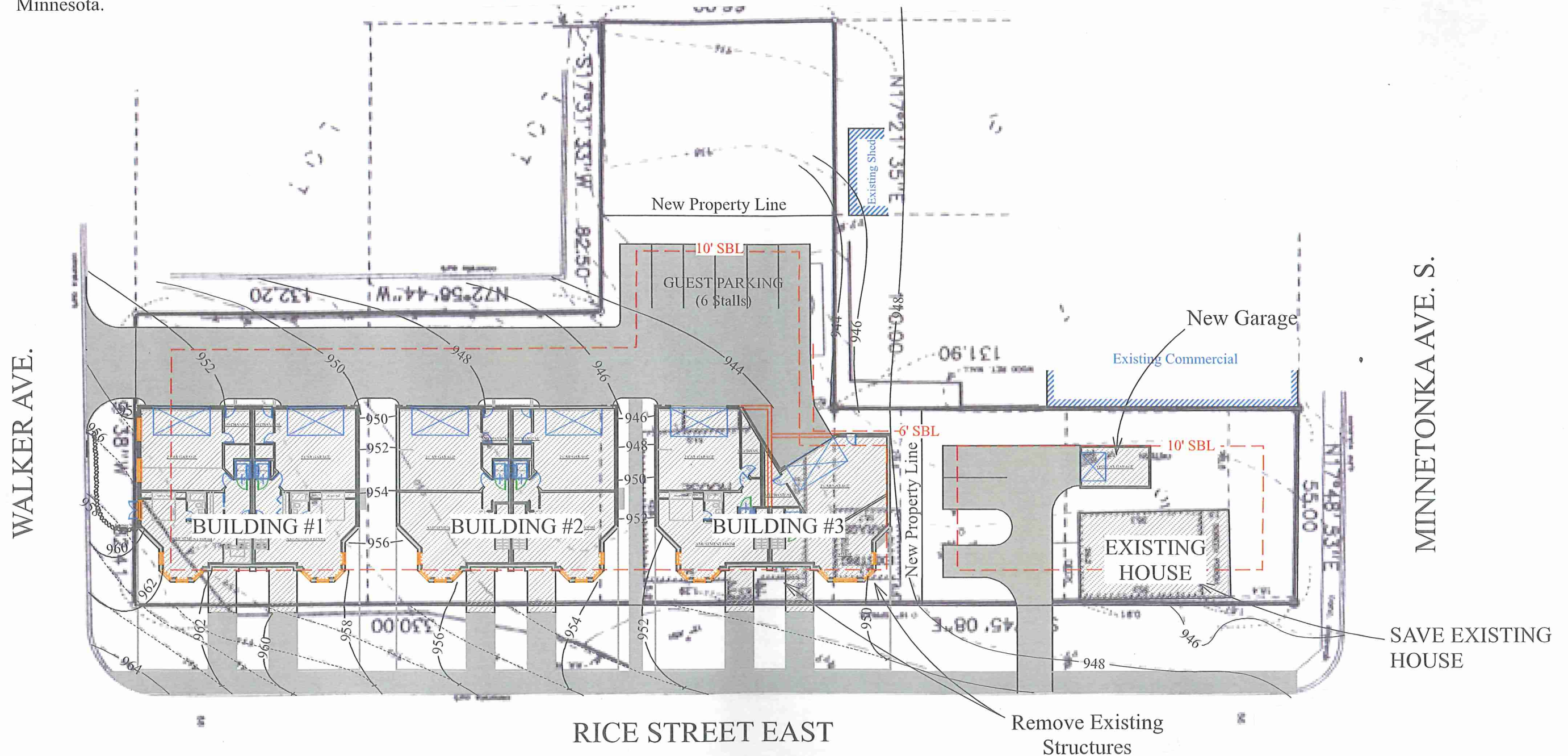
New Lot #2 (Existing House)	
Description	Area
Existing House	1,042 SF
New Garage	240 SF
Drive/Parking	1,168 SF
Sub-Total Lot #2	2,450 SF
Total Lot #1 & #2	17,291 SF
Total Lot Area Block #1	25,492 SF
Percent Hardcover	69.83%

New Lot #3	
Description	Area
No Hardcover	0 SF
Sub-Total	0 SF
Total Lot Area	3,630 SF
Percent Hardcover	0.0%



Legal Description

The Northerly 1/2 of lots 1 & 2, all of lot 3, the NorthEasterly 55' of lots 4 & 5, all in Block 5, Wayzata, Hennepin County, Minnesota.



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Single Inline Unit

Here you can view the flow of runoff through the various sections of this unit.

The animation controls below will toggle the sequence on and off.

→ Shows Primary Flows / By-Pass Flows

[Profile Description](#)
[Normal Operating Conditions](#)
[By-Pass Operating Conditions](#)
[Point Summary](#)

[Play Animation](#) ☐ [Stop Animation](#)

In-Line Stormceptor® Profile

The In-Line Stormceptor® is a stormwater separator that efficiently removes grit, fine sediment and free oil from stormwater. These pollutants are stored inside a treatment chamber for safe and easy removal. Stormceptor® protects lakes, rivers, streams and coastal areas from hazardous material spills and daily stormwater runoff pollution. The In-line Stormceptor® is a unique solution because of its patented internal by-pass. This prevents the re-suspension and scouring of trapped pollutants during infrequent high flow periods.

[Top](#)

Design and Operation

A fibreglass insert separates a by-pass chamber and treatment chamber. In areas where oil or chemical spills accumulate prior to cleaning, the fibreglass insert provides dual wall containment of floating oils and chemicals inside the treatment chamber. This makes the In-Line Stormceptor® ideal of industrial properties, gas stations and parking lots where there is a potential for oil or chemical spills.

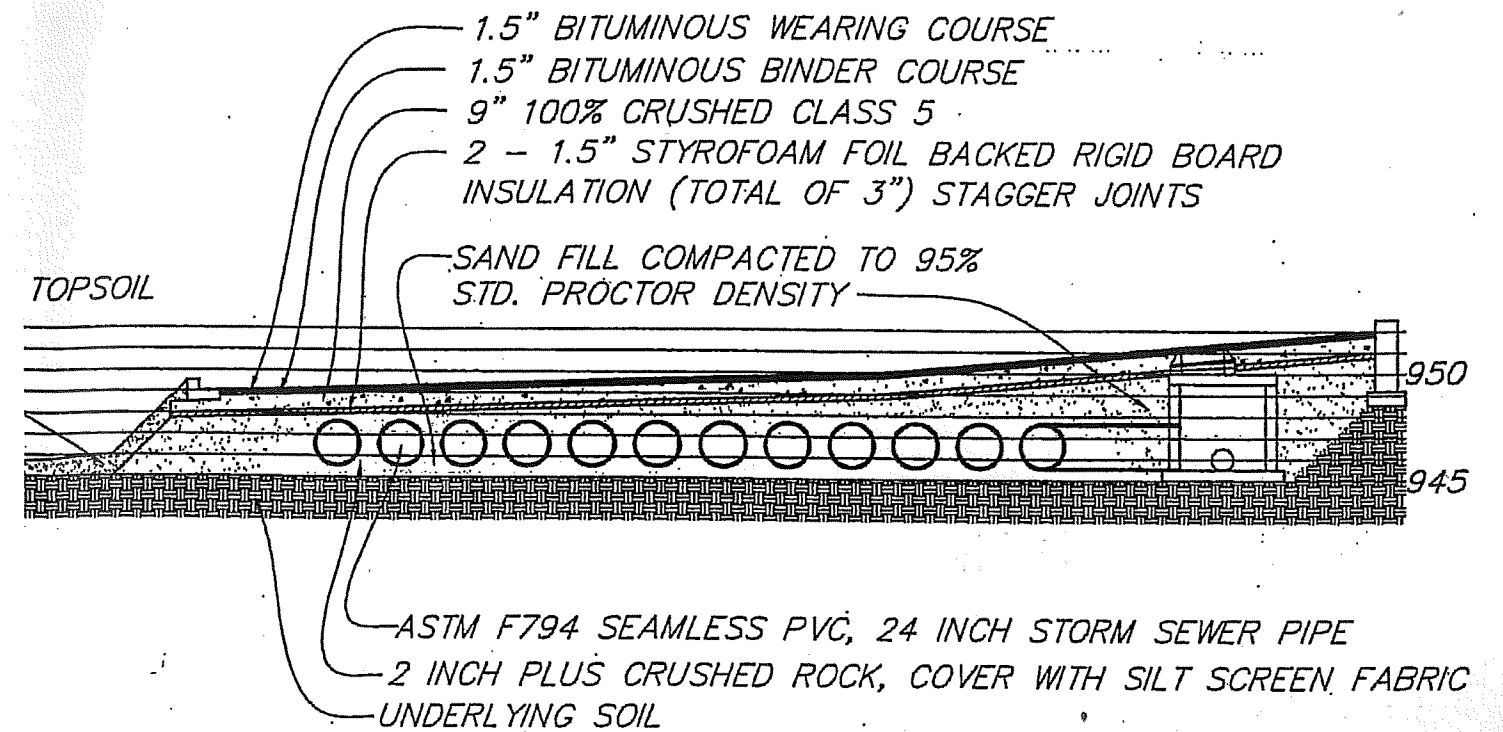
[Top](#)

By-Pass Operating Conditions

During high flow periods (about 10% of the annual runoff), water flows over the fibreglass weir into the downstream sewer preventing previously trapped oil, grit and sediment from being scoured out.

[Top](#)

Storm water storage area detail



Summary

- Stormwater flows into the upper by-pass chamber via the storm sewer pipe.
- Low flows are diverted into the lower treatment chamber by a weir and drop tee/orifice assembly.
- The drop tee/orifice assembly will discharge water parallel to the lower treatment chamber wall.
- Flows in excess of the drop tee/orifice assembly capacity will flow over the weir and into the downstream sewer.
- Surcharged water will create a backwater effect on the riser pipe and the head differential between the drop tee/orifice assembly and outlet riser pipe will decrease.
- This prevents large flows entering the treatment chamber and scouring any trapped pollutants.
- Oils and other liquids with a specific gravity less than water will be trapped underneath the fibreglass insert.
- Sediment will settle to the bottom of the chamber by gravitational forces.
- The circular design of the treatment chamber is designed to prevent turbulent eddy currents and to promote settling.
- The riser pipe is down stream of the by-pass chamber and is connected to the downstream sewer pipe.
- Water flows up through the riser pipe based on the head at the inlet weir.

[Top](#)

ADVANCE SURVEYING & ENGINEERING CO.

5300 S. Hwy. No. 101 Minnetonka, MN 55345 Phone (952) 474-7964 Fax (952) 474-8267

SURVEY FOR: **LANDSCHUTE**

SURVEYED: June, 2005

DRAFTED: June 20, 2005

LEGAL DESCRIPTION:

Lot 3, Block 5, WAYZATA, Hennepin County, Minnesota

PROPOSED AREAS:

PROPOSED AREAS:	SQ. FT.	ACRES	C	CxACRES
BUILDINGS	8,675	0.199	0.95	0.189
DRIVE AND PARKING	8,024	0.184	0.95	0.175
WALKS	2,652	0.061	0.95	0.058
GRASS & PLANTING	10,569	0.243	0.35	0.085
TOTAL	29,920	0.687	0.74	0.507

$L = 312$ FEET (LENGTH FLOW TRAVEL TO MOST REMOTE CORNER WATERSHED)

$s = 6.9\%$ (AVERAGE SLOPE FROM MOST REMOTE POINT TO OUTLET POINT)

$n = .19$ (30% over sodded lawn ($n = .4$) and 70% over conc. curb ($n = .1$))

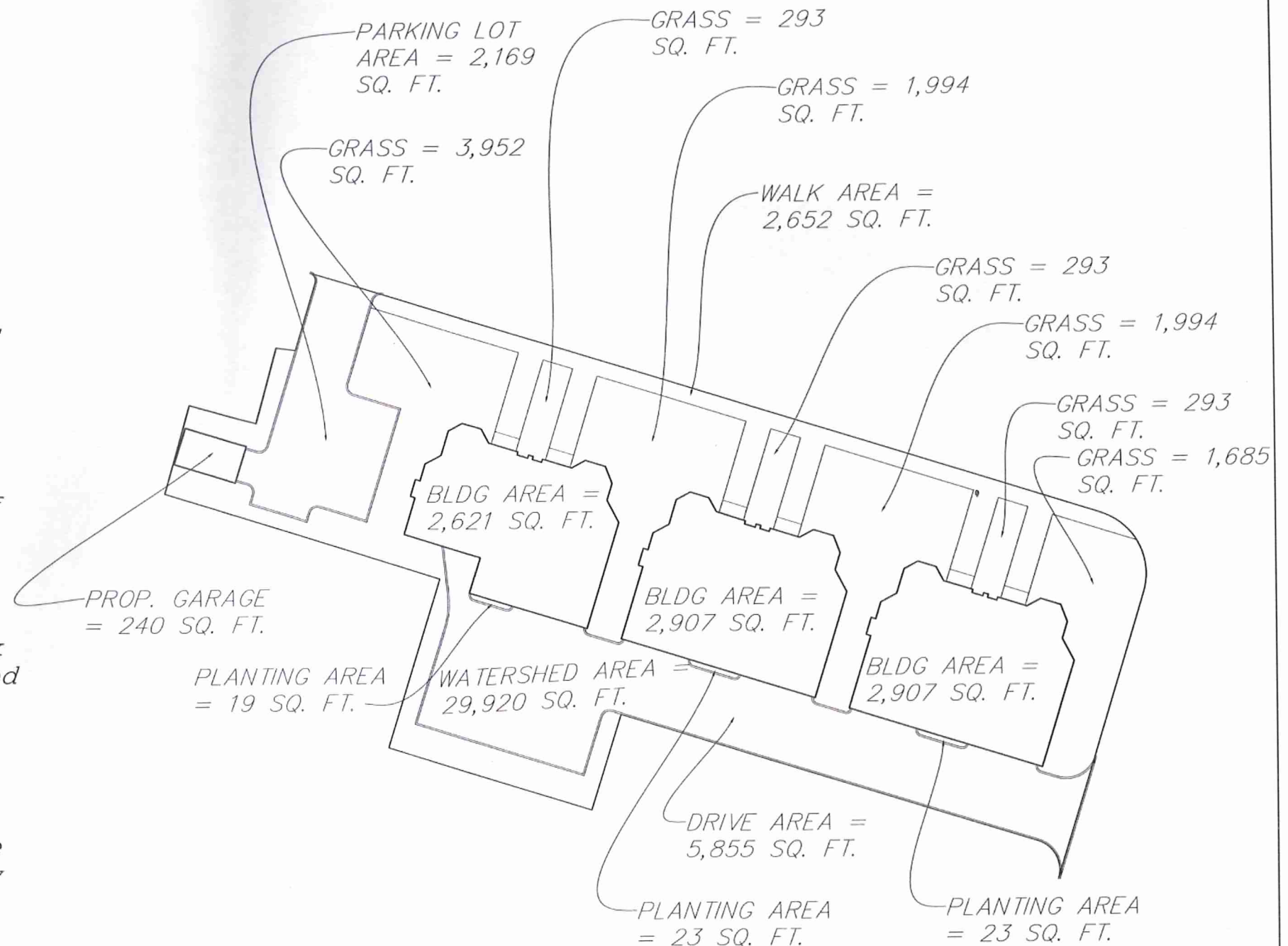
$t_c = 10$ minutes (time required for all parts of watershed to be contributing to outflow volume)

$i(100) = 8$ inch/hour (rainfall intensity during 100 year event)

$Q(100) = CiA = .74 \times 8 \times .687 = 4.07$ cfs (Peak flow during 100 year event from entire watershed after proposed project complete)

To keep the peak flow from the 100 year event the same as the existing site requires a 51.4% reduction in the 4.07 cfs flow, 51.4% of 8 in/hr = 4.1 in/hr. It takes 27 minutes for the 100 year event to abate to a rainfall intensity of 4.1 inches/hour.

During that 27 minutes the average flow from the watershed is $(8 + 4.1)/2 = 6.05$ inches/hour. The storage required is the excess flow of 1.95 inches/hour $(6.05 - 4.1) \times 29,920$ sq. ft. in the watershed $\times 27$ min $\times 1$ hr/60 min $\times 1$ foot/12 inches = 2,188 cubic feet.



Public Comments

City of Wayzata Representatives,

The residents most impacted by this project are the five (5) residential properties on the North side of Rice Street between Walker Ave and Minnetonka Ave and the two (2) residents in the existing Brownstone building. Those seven (7) properties and their Owners/Occupants are as follows:

- 125 Walker Ave S | Christopher & Deneen Vojta
- 527 Rice St E | Tony & Marlene Straszewski
- 523 Rice St E | Tom Robbins
- 517 Rice St E | Rod & Denica Fraser
- 507 Rice St E | Kathleen Nash & Bob Kinghorn
- 544 Rice St E | John & Ronda Adams
- 540 Rice St E | Judy Wright, John & Kelly Harrington

When John Adams obtained the initial approvals for the PUD for the Rice Street Brownstones, the Wayzata City Council would not support the project without John working with the Rice Street residential Owners and design a project that those residents looking across the street at the project would approve of. So, those Rice Street residents had a lot of input into the approved PUD design.

The Wayzata City Staff states in the application being made for this project: "The applicant proposes to construct the building in a similar manner as the approved plans with a few modifications."

We, the Owners/Occupants of the 7 most affected residential properties respectfully disagree. There are many modifications, not "a few modifications" to the original approved PUD design. The following is a partial list of the unacceptable modifications Pillar Homes is proposing:

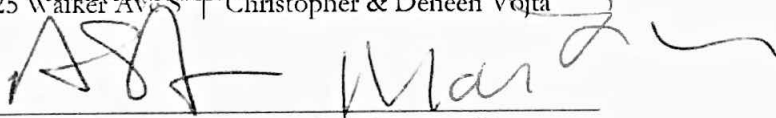
1. The existing building (544 + 540 Rice) has a front setback from the lot line of 6.8 feet. In the approved PUD, all 3 buildings were in a row with the same front setback. Pillar has moved the new buildings (534 + 530 Rice) forward 4.7 feet to a setback of 2.1 feet. The westerly building is proposed to be built with a zero setback from the front lot line – 6.8 feet forward of the approved PUD plan. This is significant because John Adams had agreed to move the buildings as far back on the site as possible to lessen the impact on the residential homes on the North side of Rice St. Now, Pillar is proposing to take that beneficial setback that the Rice St residents had negotiated for their initial support of the project. In Wayzata, when often inches are the difference between an approval and not getting an approval to give Pillar Homes a 4.7 feet and a 6.8 feet variance to the detriment of the Rice St residential neighbors across the street is completely unacceptable. This move forward of the new building significantly affects the scale and massing to those Rice St residents. In #9 of the Resolution approving this project, it states: "The set-back requirements shall be as designated in the new PUD district."
2. Pillar Homes is proposing lowering the garage floor in 534 Rice St below the driveway. Even though Pillar Homes claims this has been engineered, in a downpour there will be a

strong possibility that water goes into the garage and then becomes an Association problem down the road. The project was designed to follow the grade and each unit going west was designed to be 2 feet lower, not the almost 3 feet lower that is proposed. It was a perfect design by Landschute, Pillar Homes' design is flawed and potentially problematic.

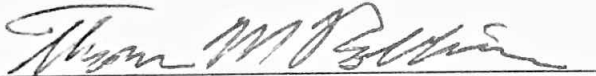
3. Pillar Homes is proposing to raise the height of the new buildings. The approved PUD height in the 534 + 530 building was 32 feet 3 inches, which was a mutually agreeable height compromise between the residential neighbors in R-3 zoning and this project in B-1 zoning. The proposed height in the same building is 34 feet 7 inches, which is 2 feet 4 inches higher than the approved PUD height. Even though the height standard is 35 feet in the underlying B-1 zoning district, there was a height compromise between the 35 feet and the 30 feet in the R-3 zone across the street to all agree on the 32 feet 3 inch height of this building in the PUD design. Similarly, the height of the westerly building was approved at 32 feet and Pillar Homes is proposing 34 feet 4 inches, which again is a 2 feet 4 inch variance from the approved PUD height. Without the agreed upon height concessions and front setbacks that are specified in the PUD standards, the Rice St residents would not have supported this project and it would not have been approved 15 years ago.
4. The staircase enclosure of the new proposed 534 + 530 building on the roof top deck are 8 feet from the front of the building. On the approved PUD plan, the staircase enclosures are 12 feet from the front of the building. That 4 foot difference closer to the front will make the staircase enclosures far more massive for the Rice St residents. In addition, the proposed staircase enclosures are 1 foot wider than the approved plan again making them more massive. On 524 Rice St, the proposed setback from front is 8 feet and the approved PUD setback is 15 feet. All of this PUD approved design detail was done in order to minimize the massing impact on the Rice St residents in order to gain their support for the project in getting the project approved.
5. On the Pillar Homes proposed plan, the roof top deck privacy wall is 6 feet 8 inches. On the existing 544 + 540 building, the privacy wall is 3 feet 4 inches – proposal is twice as high. In #5 of the Wayzata City Council action in the Resolution is states: "No rooftop privacy wall shall be included unless it can be demonstrated that they are not visible from a pedestrian level of Rice St and Minnetonka Ave.
6. On the South side of 534 + 530 building, the bedroom level decks or roof for lower deck, Pillar Homes is proposing a size of 21 feet 8 inches x 6 feet 10 inches and the approved PUD size is 13 feet x 4 feet 4 inches (149 sq. ft. versus 55 sq. ft.). This is almost 3 times the size and will block natural light into the existing 544 + 540 building.
7. On the 524 + 520 building, Pillar Homes has proposed screen porches on the South side instead of the PUD approved decks. This again will increase massing and negatively affect a neighbor on Minnetonka Ave.
8. Pillar Homes is proposing a number of square windows in place of the rounded windows in the PUD approved design. This will adversely affect the architectural integrity of the project.

9. Pillar Homes is proposing the use of cast concrete instead of limestone used on the existing building. Again, this cheapens the overall architectural integrity and value of the project.
10. On proposed plans, there is a white out of the front staircases and there is no landscape plan and no elevations showing all 3 buildings together. Other details such as the windows all being inset in to the brick and limestone trim are not apparent on Pillar Homes submitted plans.

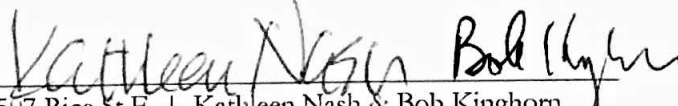
This property and project are governed by the criteria, setbacks and design standards as designated in the new PUD district, not the underlying B-1 zoning. The particulars of the new PUD district was a compromise between the neighborhood, the City Council and the developer. Pillar Homes should be required to comply with all the standards of the newly (15 years ago) created PUD district. We, the undersigned, are asking the City to uphold all of the standards set forth in the PUD district as established 15 years ago. We want Pillar Homes to start over and build the last 2 buildings exactly in accordance with all the approved PUD standards with no modifications.

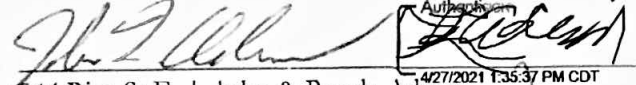
Authentisign
Christopher Vojta
 125 Walker Ave S Christopher & Deneen Vojta


527 Rice St E | Tony & Marlene Straszewski


 523 Rice St E | Tom Robbins

Authentisign
Denica Fraser
 517 Rice St E | R6D & Denica Fraser


 517 Rice St E | Kathleen Nash & Bob Kinghorn


 544 Rice St E | John & Ronda Adams


 540 Rice St E | Judy Wight, John & Kelly Harrington

Other neighbors close to Rice Street Project

216 MINNETONKA AVE S.

Bruce Merry Ann Schaefer

Mike Lunn 214 Minnetonka Ave. S.

Duplicate

Robert Kinghorn ROBERT KINGHORN 507 RICE ST E

Debbie Vandenberg 7105 Walker Ave N.

Duplicate

Kathleen Nash 507 Rice

To Wayzata City Council & Wayzata Planning Members:

In Pillar Homes/K.C. Chermak's quest to be the "premier builder in this city, because I own Wayzata" (his words, not mine), it's increasingly apparent his philosophy is that he is exempt from the rules that apply to everyone else.....

When my husband and I purchased our home in June, 2011, we were told by various sources that the vacant property located northeast, and adjacent to our property line, was part of the PUD of the existing Rice Street brownstone, and that it would remain vacant until it could be REPLICATED by a future builder/developer. And, moreover, the "word-on-the-street" (no pun intended) was that it would remain vacant (much to our delight given the proximity/view from our bedroom and outdoor deck) until a builder with deep pockets would be willing and able to build to exact specifications of the original PUD. Given the increasing costs of the required exterior materials, and high design standards of the original PUD, it did remain vacant until this last fall.

When we first realized that the property would be developed, we were greatly disappointed for many reasons, not the least of which would be that our aesthetic quaint view of Rice Street/Walker/Blue Water Theatre/St Bart's Church landscape would be blocked by two behemoths, and also greatly impact our privacy. But we knew we were powerless to do anything about it. The fact that we'd just come off of a COVID year with incessant Lake Street construction, along with increased noise/traffic on our Minnetonka Ave S street, and with the Walker Townhome development to our southeast beginning construction, it felt like a gut-punch. I had contacted Jeffrey Dahl during the COVID year construction madness and he assured me that all would settle down after the first phase of the Panoway development. Little did we realize that just months later we'd be looking out our bedroom window/back deck at total chaos. And that the total chaos would be worse than anticipated....

For several weeks, I called Nick Kieser several times to determine who had purchased the property and what was going to be built. We "played phone tag" and never did connect. We were completely in the dark as there had not been any notification for a neighborhood/council/planning commission meeting, or even a posted sign indicating the proposed development. The rude awakening, however, came in the form of a retaining wall that suddenly materialized ON our property line. What???? And then the digging began, along with the knowledge that it was a Pillar Homes project and a couple unsettling and tense "run-ins" with K.C. Chermak, who skirted my questions/concerns. As the construction ensued, I became increasingly concerned from our home's vantage point, that though K.C. had "suggested" he would adhere to the original PUD in a similar way, (and my retort was "it can't be similar, it needs to be exactly replicated"), it was obvious even with my naive building experience, that what was being built was not following the original PUD. It was a sickening, anxious feeling that we eventually realized we shared with our neighbors, and "a light-bulb" moment when we learned that many of us had been attempting to uncover what was unfolding right in front of us, and to no avail.

It was a much different scenario when we applied and sought approval for the building of our simple (soon to be built) 4 car garage. Along with our HOA partner, Peter Slocum, we invested an untold amount of time and energy, beginning in 2018, in front of the city planning commission/city council, in meetings with Nick Kieser (and his predecessor), submitting embellishment/variance request changes and the exorbitant fees required to apply. And, without any notice, the city posted a very large "Proposed Development" sign in front of our property for several months. In other words, it was an exhausting process, but WE PLAYED BY THE RULES.

I feel dismissed, disrespected and insulted with the mess Pillar Homes/K.C. Chermak and city officials have wrought on our neighborhood. If the rules we've experienced and witnessed since our years residing in this community had been followed, this wouldn't be an issue. But, even as K.C. has been allowed to finish the roof to keep the structure dry, when a tarp could have sufficed, our concern then becomes that structure will be allowed to stand, without any modifications or changes.

We implore the City of Wayzata not to send the message to its' tax-paying citizens, that unless you have the power and the means, don't bother" fighting city hall".

Anne LaFrance
216 Minnetonka Ave S

Anthony Straszewski
527 Rice Street East
Wayzata, Minnesota 55391
(763) 242-3441
tstraszewski2@gmail.com

April 25, 2021

Sent via email: PublicComment@Wayzata.org, lindsaybashoum@wayzata.org, peggydouglas@wayzata.org, gregoryflannigan@wayzata.org, lauramerriam@wayzata.org, jeffreyparkhill@wayzata.org, christineplantan@wayzata.org, Olarissa@larissastockton.com, w/ copies to City of Wayzata Council Members

Wayzata Planning Commission
600 Rice Street East
Wayzata, MN 55391

RE: **May 3, 2021 Public Hearing 520, 524, 530, 534 Rice Street East, PUD Amendment**
Anthony Straszewski Public Comments for the Record

City of Wayzata Planning Commissioners,

Before purchasing our home in 2011 at 527 Rice Street East, my wife Marlene and I checked with the City of Wayzata Planning Department about the status of the then vacant lots (referenced above) and were told the lots were part of a Planned Unit Development (PUD); the next two buildings would need to conform to the PUD and would be identical to the existing building at 544 and 540 Rice St. East. Given the steep downward slope of the vacant lots, it was evident our lake views would not be disrupted by the future buildings. We were also pleased to know the future buildings would be built to the exact standards of 544 & 540 Rice Street. Satisfied with the news from the City we proceeded with the purchase of our home.

On December 9, 2020, after construction started, we received a letter from Pillar Homes. We e-mailed Community Development Manager, Emily Goellner, for clarification about Pillar's letter as it stated the next two buildings would be built in a "similar fashion too" the existing building. The email thread with Ms. Goellner and her Assistant Planner, Mr. Nick Kieser, is included here as **Appendix A**. Mr. Kieser made misrepresentations about changes to the PUD, changes that he had already unilaterally and without authority approved. He consistently maintained there were no changes. Despite multiple requests to post information about the project to the City's website, that information was not posted until April 16.

As construction advanced, it became evident significant changes were unfolding. Building 534 & 530, a brownstone style row house is four feet closer to the street than 544 & 540, and unit 530 is not stepped down from unit 534 as required by the approved 2006 PUD. I always thought row houses were in a row? Our neighbor and the original Developer of the Rice Street Brownstones PUD, John Adams, informed me that he had the opportunity to view Pillar Homes' revised plans, which included a fourth story and multiple other significant changes. This prompted my letter to the City Manager, Attorney, Mayor and Council Members, dated, March 22, and attached here as **Appendix B**.

The Code of Ordinances, Section 933.09 clearly states: "**Any** deviation or modification from the terms or conditions of an approved PUD permit or **any alteration** in a project for which a PUD permit has been approved shall require an amendment of the original permit. An application for amendment of the original PUD permit specifying the proposed variance or alteration shall be submitted to the City ..." Please note the code states "**any**" change. It does not state "any significant" or "any structural" or "any engineering" change. It clearly states **any** change. The letter and intent

of the Code requires **all** changes to a PUD be addressed via an amendment. This would include, and certainly not be limited to, changes to the location, shape, materials, and style of every element, including and not limited to windows, doors, light fixtures, railings, stair enclosures, steps, and casements.

The Code also requires, *“The same review procedure by the Planning Commission and City Council shall be followed for an amendment of a PUD permit as was followed with respect to the applicant's Concept Plan, outlined in Sections 933.05 and 933.06. The affirmative majority vote (three of five) of the City Council shall be required for approval of an amendment of a PUD permit.”* Moreover, the Code states, *“In the event that any real property within an approved PUD project is conveyed in total or in part, the buyer(s) thereof shall be bound by all provisions of the PUD permit and the General Plan of Development for that project.”* Clearly, City Staff overstepped their authority in unilaterally approving any changes requested by Pillar Homes. Why? And why the secrecy and transparency in posting the information on the City’s website where all the other projects are listed with relevant documentation? Even the new fence behind the Police Station is included on the website.

City Manager, Jeffrey Dahl, conceded publicly that the City made a mistake in issuing permits to Pillar Homes, and ordered Pillar Homes to halt construction on March 25. Further advising Pillar Homes that an amendment to the PUD would be required. On April 16, City Manager Dahl approved further minor construction to “preserve the building in its current state.” Since, Pillar Homes has re-engaged in major construction where floor trusses were added, and sub flooring is being applied. When neighbors objected, City Manger Dahl advised that any construction since March 25 is at risk.

I am advocating for this Planning Commission to make a recommendation to the City Council to strictly enforce the PUD as approved in 2006 and compel the Developer to remove all non-conforming structures and rebuild them to conform exactly to the original PUD. Several facts support this position:

- Fact, in 2005 and into 2006, the original Developer collaborated and negotiated with Rice Street Residents to reach a compromise on the building’s height restrictions, 34 feet for Building 1, 32’-3” for Building 2, and 32 feet for Building 3. These height restrictions are clearly defined in the approved PUD and must be adhered to. Assistant Planner Kieser is mistaken that 35-foot zoning height restrictions apply. This is a critical distinction where all three buildings exceed 60 feet in length and without a PUD, zoning codes would have required second story setbacks. Please be reminded the PUD is adjacent to a residential R-3 zoned neighborhood and general planning guidelines hold this PUD to a higher standard. The PUD district applies and not the various zoning districts.
- Fact, Pillar Homes has made misrepresentations that the original Developer and his Builder, Landschute and Builders of Fine Homes, made a mistake in the placement of the storm sewer, and the City of Wayzata compelled the remaining two buildings to be moved closer (4 feet and 6.5 feet respectively) to Rice Street. Not true. Rather, the original plans clearly show that unit 6 (aka 520) is on average 328 square feet smaller than the other five units and was designed with a smaller footprint to accommodate the storm sewer. It is probable Pillar Homes redesigned and inflated the size of unit 6 (520) to optimize their profits. The approved PUD must be applied ... moving the building closer to Rice street is not acceptable or consistent with the mass and scale considerations agreed to in the 2006 PUD.
- Fact, Pillar homes used the same misrepresentation about the storm sewer to justify moving building two (530 & 534) four feet closer to Rice street. Not true. Rather, the original PUD required varying roof lines and unit 530 to be stepped down from unit 534. It is probable Pillar homes made the change to save on construction costs associated with the step-down requirement.
- Fact, all the streets in the Bluffs District have buildings with equal setbacks from the street. If the City Council approves Pillar Homes’ request to amend the original PUD allowing varying setbacks, this will disrupt the

rhythm of the elements. The brownstones style row houses approved in the 2006 PUD were intended to be in a row with equal setbacks. It is highly unlikely the 2006 Planning Commissions would have recommended varied setbacks and equally unlikely varied setbacks would have been approved by City Council.

- Fact, the original Developer collaborated with Rice Street Residents on many architectural design elements and according to the Wayzata City Code of Ordinances, **any** changes or alterations require an amendment to the PUD. This is a critical element where all three buildings are intended to have a uniform look. Pillar Homes' proposed change to window style, shape and location is just one example that conflicts with the spirit and intent of the 2006 PUD.
- Fact, the 2006 PUD strictly limited roof-top equipment and required the staircase enclosures be setback at least 12 feet from the front of the building. The 2006 PUD also prohibits roof-top privacy walls that would be visible from the pedestrian level of Rice St, and Minnetonka Ave.

Sincerely,

Anthony Straszewski

Appendix A

Email Thread with Goellner and Kieser

530 Rice Street E. Development Project

Anthony Straszewski <tstraszewski2@gmail.com> Fri, Dec 18, 2020 at 5:29

PM

To: egoellner@wayzata.org

Cc: Marlene Straszewski <marstraszewski@gmail.com>

Hello, Emily,

We're writing about the current development at 530 Rice Street East. The City of Wayzata Website doesn't have this project listed? Could you please email the original general plan submission & approval documents and drawings to me and Marlene.

We received a letter from Pillar Homes Partner, Inc., dated December 9, and after construction started, stating the final four townhomes would be constructed in a "similar fashion to what was originally approved." When we purchased our home at 527 Rice Street East in 2012 The City of Wayzata assured us the final four townhomes would conform exactly as approved. We do not recall a Notice or any meetings in connection with the City of Wayzata granting Pillar Homes a variance to the original approved plans. Could you please advise to what extent the City of Wayzata is allowing Pillar Homes Partner to diverge from the approved development plans?

Kindest regards,

Tony and Marlene Straszewski

763 242 3441

Emily Goellner <egoellner@wayzata.org> Mon, Dec 21, 2020 at 9:09 AM

To: Anthony Straszewski <tstraszewski2@gmail.com>

Cc: Marlene Straszewski <marstraszewski@gmail.com>, Nick Kieser <nkieser@wayzata.org>

Hi Tony and Marlene,

We are happy to add the plans to the website and send you a link. I have copied Nick Kieser, Assistant Planner, here, so that he can also clarify how the Pillar Homes plan compares to the original development plan. He can also explain the review process that he has been conducting with the Building Official, myself, and the City Attorney over the last 9-12 months for this project.

Thanks for reaching out. We will have more information for you within the next couple days.

-Emily Emily Goellner, AICP, LEED Green Associate

Community Development Director

egoellner@wayzata.org | 952-404-5312

600 Rice St E | Wayzata, MN 55391

www.wayzata.org

Anthony Straszewski <tstraszewski2@gmail.com> Tue, Dec 22, 2020 at 7:47 AM

To: Emily Goellner <egoellner@wayzata.org>

Cc: Marlene Straszewski <marstraszewski@gmail.com>, Nick Kieser <nkieser@wayzata.org>

Nick and Emily,

Many thanks, we look forward to hearing from you.

Happy Holidays,

Tony

Nick Kieser <nkieser@wayzata.org> Tue, Dec 22, 2020 at 10:46 AM

To: Anthony Straszewski <tstraszewski2@gmail.com>, Emily Goellner <egoellner@wayzata.org>

Cc: Marlene Straszewski <marstraszewski@gmail.com>

Good Morning,

Thanks for reaching out about this. For the plans themselves, I checked with our City Clerk about the data sharing practices and we are unable to share the building plans as of right now. The plans are copyrighted so I will work to get permission from the architect to be able to share the plans and put them on the website. I would suggest reaching out to the architect directly (D.F.P. Planning and Design, www.dfpdesign.com<<http://www.dfpdesign.com>>) to see if they will give out those plans.

I will say that we used the "similar fashion" language because building materials have changed over the years so it cannot be exactly the same materials. The new buildings will look exactly like the existing building and to what was approved with the original Development Agreement. For example, the buildings will be made with the brick material and 35 feet in height.

Let me know if you have any questions on this information and we will work to get permission to share the plans. Thank you,

Nick Kieser, AICP Candidate

Assistant Planner

nkieser@wayzata.org | 952-404-5313

600 Rice St E | Wayzata, MN 55391

www.wayzata.org

Anthony Straszewski <tstraszewski2@gmail.com> Wed, Dec 23, 2020 at 5:34

PM

To: Nick Kieser <nkieser@wayzata.org>

Cc: Emily Goellner <egoellner@wayzata.org>, Marlene Straszewski <marstraszewski@gmail.com>

Thanks, Nick,

I completely understand about the plans' copyright protection. We are mostly concerned about the exterior elevations and building materials. For example, changing from brick to stucco would be a change that neighboring property owners may object to.

Can you share the details about changes the city has approved that will impact the exterior of the building?

Best,

Tony

Nick Kieser <nkieser@wayzata.org> Thu, Dec 24, 2020 at 10:25 AM

To: Anthony Straszewski <tstraszewski2@gmail.com>

Cc: Emily Goellner <egoellner@wayzata.org>, Marlene Straszewski <marstraszewski@gmail.com>

Hi Tony,

The exterior materials are going to be brick all around the building so it will be the same as what is existing.

Nick Kieser, AICP Candidate

Assistant Planner

nkieser@wayzata.org | 952-404-5313

600 Rice St E | Wayzata, MN 55391

www.wayzata.org

Anthony Straszewski <tstraszewski2@gmail.com> Thu, Dec 24, 2020 at 12:19

To: Nick Kieser <nkieser@wayzata.org>

Cc: Marlene Straszewski <marstraszewski@gmail.com>, Emily Goellner <egoellner@wayzata.org>

Thanks, Nick,

Are you able to share what specifically has changed that gave rise to the similar fashion language? I was simply using the brick as one example.

I believe the original plans were approved around 15 years ago. I was searching through recent Planning Commission and Council minutes to find the present-day changes, and may have missed it? Given the significance of the project, some additional transparency may put neighboring property owners at ease.

Best,

Tony

Nick Kieser <nkieser@wayzata.org> Mon, Dec 28, 2020 at 11:48 AM

To: Anthony Straszewski <tstraszewski2@gmail.com>

Cc: Marlene Straszewski <marstraszewski@gmail.com>, Emily Goellner <egoellner@wayzata.org>

Hi Tony,

We ensured that the proposed buildings will be exactly the same as what the approved plans were back with the original Development Agreement. Since none of the plans proposed to change with this new construction, no approvals were necessary to issue a building permit. So this project did not need to go to the Planning Commission and City Council. Staff worked with the developer for months to ensure that the proposed buildings will be the same as the building that exists now.

The main reason for the similar fashion language was because of the brick material and interior floor plans. The exact brick material used in the existing building is not available anymore so an updated, but essentially similar brick material will be used. Also, the interior floor plans changed slightly, but that will have no impact on the exterior visual of the buildings. Let me know if this helps clarify or if you have any additional questions.

Thanks

Nick Kieser, AICP Candidate

Assistant Planner

nkieser@wayzata.org | 952-404-5313

600 Rice St E | Wayzata, MN 55391

www.wayzata.org

Anthony Straszewski <tstraszewski2@gmail.com> Mon, Dec 28, 2020 at 1:23 PM

To: Nick Kieser <nkieser@wayzata.org>

Cc: Marlene Straszewski <marstraszewski@gmail.com>, Emily Goellner <egoellner@wayzata.org> Nick,

Yes, absolutely, that explanation is very helpful. Thank you.

The "similar fashion" language is concerning because it is open to interpretation. We are relieved to learn that the brick and cast stone headers & sills materials will be essentially the same.

We are not at all concerned about the internal floor plans.

Appreciate your quick response... Happy New Year!

Tony

Anthony Straszewski <tstraszewski2@gmail.com> Wed, Mar 17, 2021 at 12:54

PM

To: Emily Goellner <egoellner@wayzata.org>

Cc: Marlene Straszewski <marstraszewski@gmail.com>

Hello Emily,

I left you a voicemail this morning ... It occurred to me that you may not have access to phone service at the City due to the Pandemic, So sending this follow up email.

Still there is no information posted about the building project at 530 Rice St. E? Nick assured us (I've heard from at least seven neighboring property owners) saying, "We ensured that the proposed buildings will be exactly the same as what the approved plans were back with the original Development Agreement. Since none of the plans proposed to change with this new construction, no approvals were necessary to issue a building permit. So this project did not need to go to the Planning Commission and City Council."

It has become evident that the building does not conform to the originally approved PUD. Would you be open to meeting with a small group of neighbors (we would use Zoom to accommodate some) and address the following questions? I would be happy to help set up the meeting.

1. What was approved circa 15 years ago, and what has changed?
2. What was the grade plane of the original lot, and what is the grade plane today?
3. Is it true that the City has approved a 4th floor?
4. Were any variances approved by the City for this project? If so, what impact has Wayzata City Code 905.03f had?

I welcome a call to discuss ... 763 242 3441. Would like to get a meeting set up ASAP.

Best,

Tony

Anthony Straszewski <tstraszewski2@gmail.com> Wed, Mar 17, 2021 at 11:03

PM

To: Emily Goellner <egoellner@wayzata.org>

Cc: Marlene Straszewski <marstraszewski@gmail.com>

Hello, Emily,

I did pick up your voicemail and appreciate the returned call. You mentioned having to clear up a matter raised by John Adams before we could move forward with a meeting. I believe it is in everyone's best interest to move forward with a meeting as soon as possible. Could you please share a couple dates and times? Given Nick Kieser has made misrepresentations about changes to the PUD, It may be best if you and Jeff Dahl walk the neighboring property owners through the original PUD approvals and the current plans.

Before Marlene and I moved forward with the purchase of our property at 527 Rice St. E. we were advised by the City that the future buildings in the Rice St PUD would conform exactly to the existing building. Our expectation is that the City enforce the PUD as approved, and any changes would require the builder to make a formal application followed by public hearings before the Planning Commission and City Council.

A fourth story on 530 and 534 Rice St will have a significant impact on our views of Lake Minnetonka and the market value of our home. There are at least five other homes where lake views will be impacted. The Northern Lakes Residences on the south side of 530 and 534 Rice St. may also object to views of a four-story building.

Concerned,

Tony

763 242 3441

Anthony Straszewski <tstraszewski2@gmail.com> Thu, Mar 18, 2021 at 9:02

AM

To: johannamccarthy@wayzata.org

Cc: jeffreybuchanan@wayzata.org, AlexPlechash@wayzata.org, cathyiverson@wayzata.org,

mmacdonald@wayzata.org, Marlene Straszewski <marstraszewski@gmail.com>, jdahl@wayzata.org,

jadams@cbburnet.com

Dear, Mayor Mouton,

Writing to you for direction and action to immediately enforce the City's Regulations.

Background:

My wife Marlene and I purchased our home at 527 Rice Street E. in 2012. Before doing so we were advised by the City of Wayzata that any future development of the then vacant lots at 520 - 534 Rice St would necessarily have to conform to the approved Planned Unit Development (PUD), and that the future structures would be "Exactly" the same as the existing Building at 540 & 544 Rice St. Marlene and I were satisfied and moved forward with our purchase. Some of our primary concerns then and today included views of Lake Minnetonka, architectural/aesthetic appropriateness with the neighborhood and existing single-family homes, and zoning/land use. When construction on lots 530 and 534 abruptly started last Fall, we reached out to Ms. Emily

Goellner, Wayzata Community Development Director, and requested information about the project to ensure the approved PUD had not changed. That e-mail thread is included below. Today, we still have not received the plans and nothing has been posted to the City's web site. Rather, Mr. Nick Kieser, Assistant Planner, assured us, "... the proposed buildings will be exactly the same as what the approved plans were back with the original Development Agreement. Since none of the plans proposed to change with this new construction, no approvals were necessary to issue a building permit. So this project did not need to go to the Planning Commission and City Council."

At Issue

A neighbor, original developer of the 520 - 544 brownstone buildings, and subject matter expert about the original approved PUD, John Adams, advised us that the City of Wayzata "administratively" approved multiple major and material changes to the original PUD ... to point out a few ...

- The building at 530 & 534 has been moved four feet closer to Rice St.
- Unit 530 was originally planned to be stepped down from unit 534, in the same manner 540 is stepped down from 544 ... as it stands 530 and 534 are at the same level
- The Builder has approved plans to add a fourth floor to both 530 and 534. This fourth floor will block views of Lake Minnetonka for as many as seven neighboring homeowner owners
- Many materials (i.e. exterior lime stone casings and trim) will be substituted with inferior building products

Our Ask

We respectfully ask ...

- That construction be immediately stopped at 530 & 534 Rice St.

- That the Builder be required to make a formal application for ANY changes to the original/approved PUD
- The City immediately post all documentation (i.e. approved site plans) in connection with the original PUD to the City's web site
- The City immediately post the plans the Builder is using to construct 530 & 534 to the web site
- If the Builder's application for changes to the PUD is declined after the standard and customary public hearings, the existing construction at 530 & 534 be altered to meet the original PUD specifications
- The City Council assign a Committee to review the City's current Codes and Regulations to address instances where a project is approved, and construction commences more than on

Appendix B

Anthony Straszewski
527 Rice Street East
Wayzata, Minnesota 55391
(763) 242-3441
tstraszewski2@gmail.com

March 22, 2021

Sent via email: jdahl@wayzata.org and dschelzel@bestlaw.com

Mr. Jeffrey Dahl, City Manager
Mr. David Schelzel, City Attorney
600 Rice Street East
Wayzata, MN 55391

RE: **Rice Street Brownstones Planned Unit Development (RSBs-PUD)**

Dear Jeffrey and David,

I am writing in response to Jeffrey's March 19 email. I will start where Jeffrey ended, and agree that the common objective is, **"to ensure what was approved (RSBs-PUD) is ultimately built."**

The issue is whether the City of Wayzata is appropriately enforcing the **Wayzata City Code of Ordinances** in connection with ongoing violations of the RSBs PUD. Multiple Wayzata property owners and the RSBs Homeowners Association take issue with the fact that the City of Wayzata has allowed Pillar Homes Partner Inc., the buyer of the conveyed RSBs PUD, to deviate from and violate the City Council approved PUD, recorded July 24, 2006.

The rules spelled out in the **RSBs PUD** and the **Wayzata City Code of Ordinances** clearly state:

- The RSBs PUD lapsed on October 1, 2010, the Construction Deadline.¹ According to **Wayzata City Code of Ordinances** Section 933.09 (D) the PUD was automatically cancelled, and the application for extension of a PUD permit shall be administered in the same manner as outlined in Section 904.06.B.²
- "Any deviation or modification from the terms or conditions of an approved PUD permit or any alteration in a project for which a PUD permit has been approved shall require an amendment of the original permit. An application for amendment of the original PUD permit specifying the proposed variance or alteration shall be submitted to the City, together with a fee established by City Council resolution and such information as is required by the City or as the applicant deems necessary to fully explain his application."³
- "The same application and hearing procedure for an amendment of a PUD permit shall be followed as was followed with respect to the applicant's Concept Plan, as outlined in Section 933.05."⁴
- "The same review procedure by the Planning Commission and City Council shall be followed for an amendment of a PUD permit as was followed with respect to the applicant's Concept Plan, outlined in Sections 933.05 and 933.06. The affirmative majority vote (three of five) of the City Council shall be required for approval of an amendment of a PUD permit."⁵

- “In the event that any real property within an approved PUD project is conveyed in total or in part, the buyer(s) thereof shall be bound by all provisions of the PUD permit and the General Plan of Development for that project.”⁶
- “Following Final Plan approval of a PUD, or a stage thereof, the City Building Official, shall at least annually until the completion of development, review all permits issued and construction undertaken and compare actual development with the approved development schedule. If the City Building Official finds that development is not proceeding in accordance with the approved schedule, or that it fails in any other respect to comply with the PUD plans as finally approved, he shall immediately notify the Council. Within 30 days of such notice, the Council shall either by ordinance or resolution as may be applicable, revoke the PUD and the land shall thereafter be governed by the regulations applicable in the district in which it is located, or shall take such steps as it shall deem necessary to compel compliance with the Final Plan as approved; or shall require the landowner or applicant to seek amendment of the Final Plan.”⁷
- The approved RSBs PUD requires many specific design and structural elements. Too many specifications to reasonably list here. A few examples, and not intended to represent all elements, include: No elevator access to the roof, no roof top equipment, strict limitations on roof top privacy walls, set back requirements, varying roof lines (critical that unit 2 stepped down from unit 1, unit 4 stepped down from unit 3, full brick (not veneer), cut stone casings (not cast concrete), window shape/location/style, architectural details around the roof top perimeter, brick pillars and iron railings, lighting and landscaping .⁸
- “The facades fronting public rights-of-way of every two- and three-story building, longer than 60 feet, must have a recessed second story of approximately 25 percent of the facade's length, setting back a minimum of six feet from the face of the first-floor facade. The required third floor setback must follow the frontal plane of the second story setback.”⁹

This list of rules represents a few of the many codes and RSBs PUD requirements that impact and govern the ongoing construction at 530 and 534 Rice Street, located squarely within the RSBs PUD District. An application and analysis of these rules beg many questions and support the neighboring property owners’ claims.

Has the RSBs PUD lapsed and has the City of Wayzata missed an opportunity to compel the current owner to apply for an extension? The Construction Deadline was October 1, 2010. Were extensions filed and granted? If the PUD lapsed, would the current owner be required to apply for a new PUD subject to Planning Commission review and City Council approval?

Let us assume the RSBs PUD is still valid. Neighboring property owners have been kept in the dark because the City Planning Office has refused to post the approved RSBs PUD and General Plan to the City’s website. All other current projects in the City are listed along with relevant documents such as PUD site plans and submittals. Despite the unusual lack of transparency, neighboring property owners have identified too many deviations and violations of the RSBs PUD to list here. I will list a few of the most egregious.

- Building two (530 and 534 Rice St.) has been moved four feet closer to Rice Street than the RSBs PUD set back allows. Moving an eight thousand square foot building four feet closer to a residential street will undoubtedly lead to multiple issues such as drainage, erosion, street scape, scale, massing, and inconsistencies with the overall city plan from a flow of elements perspective. Please be reminded that the RSBs PUD is located adjacent to single family homes located in a R-3A zoning district.
- Unit number four (530 Rice St.) is not stepped down to comply with the “varying roof lines” requirement of the RSBs PUD. This is a critical element where the Planning Commission waived the Upper Story Setback

requirement for two- and three-story buildings with façades exceeding sixty feet. Building number one (540 & 544 Rice St) measures sixty-two feet and building number two (530 & 534) measures sixty feet and six inches. Again, the RSBs PUD is adjacent to a residential R-3A district, so completely reasonable to hold this PUD to a higher standard versus a PUD located adjacent to districts zoned for commercial use. Should the RSBs PUD be held to at least the same standard applied to buildings on Lake Street?

- The builder's non-conforming building plans call for a fourth story to accommodate "flex space," an elevator, and far exceeds scope and size of the roof-top staircase enclosure approved in the RSBs PUD.
- The placement, shape and character of windows have deviated from the approved RSBs PUD.
- A thread of communication between RSBs Homeowner Association members and the builder reveal debate over whether real bricks or an artificial brick veneer will be used on the building.

All these deviations are violations of the RSBs PUD. As clearly spelled out in the City's Code, any deviation, modification, or alteration require an amendment to the RSBs PUD. The same review procedure by the Planning Commission and City Council must be followed for an amendment of a PUD. This is the same process followed with respect to the original Concept Plan. Moreover, the Code requires that a City Building Official report any violations of the RSBs PUD to the City Council within thirty days. In this case, the City Building Official unilaterally provided his "administrative" approval for alterations he found "insignificant." I personally spoke with the Mayor and two Council Members, none of them had any awareness of the RSBs PUD violations.

As a resident of a city I love, I respectfully ask that you mitigate further liability and harm to the City of Wayzata, and immediately halt all further construction within the RSBs PUD. Pillar Homes Partnership Inc. should be held to the same standards and building codes to which other Wayzata residents have adhered. The Code is clear and indisputable, an amendment seeking variances for the deviations is required and subject to Planning Commission review, public hearings, and ultimate approval by the City Council. Any alteration, even as minor as the relocation or style of a window, is subject to the required amendment and procedures set out in the Code.

Sincerely,

Anthony Straszewski

CC: Mayor Johanna Mouton, CM Jeff Buchanan, CM Cathy Iverson, CM Molly McDonald, and CM Alex Plechash

1. Development Agreement between RSBs LLC and City of Wayzata. Doc. No. 8833637, July 24, 2006. Office of the County Recorder, Hennepin County, Transaction ID 240321
2. Wayzata City Code of Ordinances 933.09 - Amendment of a PUD Permit and 904.06 - Lapse of Approval
3. Wayzata City Code of Ordinances 933.09 - Amendment of a PUD Permit, A – Application Procedures
4. Wayzata City Code of Ordinances 933.09 - Amendment of a PUD Permit, A – Application Procedures
5. Wayzata City Code of Ordinances 933.09 - Amendment of a PUD Permit, B. Action by the Planning Commission and City Council.

6. Wayzata City Code of Ordinances 933.09 - Amendment of a PUD Permit, H. Conveyance of Property Within a PUD Project.
7. Wayzata City Code of Ordinances 933.09 - Amendment of a PUD Permit, J. Compliance with Overall Plan
8. Development Agreement between RSBs LLC and City of Wayzata. Doc. No. 8833637, July 24, 2006. Office of the County Recorder, Hennepin County, Transaction ID 240321
9. Wayzata City Code of Ordinances 909.08 – Upper Story Setbacks

Adams, John F

From: Bruce Merry <merrydds@yahoo.com>
Sent: Tuesday, April 27, 2021 9:27 AM
To: Adams, John F
Subject: Recollections of conversation with KC Chermak (4/16)

Hi John,

As promised, the following are the three highlights of my conversation with KC that I remember in detail:

I specifically asked why the building under construction was moved closer to Rice St.

His response; "The city made me do that because of the placement of the storm drain."

I also worded a question that my understanding was the brick, limestone and windows had to be the exact same as the original building.

His response; "They will be. I already sourced the brick and limestone."

In addressing my question regarding the lack of stagger to the roof heights of the constructed building.

His response; "That's in the plan."

These are very close to verbatim responses.

Bruce

April 27, 2021

City of Wayzata Planning Board,

My wife, Anne LaFrance, and I live in close proximity to the undeveloped lots planned for the Rice Street Brownstones . Since the purchase of our home in 2011, it's always been our understanding that any RSB building additions would need to adhere to the exact design standards and exterior materials outlined in the original PUD. However, as we witnessed the daily progress of the construction from our back deck, we became convinced the evolving structure could not possibly be conforming to the required PUD and design of the original RSB. And, as we've learned more about how the builder's design was possibly approved, it seems clear either the variations to the original PUD were granted by the city without council approval, or the builder went ahead without any authorized approval.

I'm not going to reiterate the numerous PUD violations, but rather speak to the violation of trust. I'm beyond disappointed, and have lost all trust in a builder that would place his own self interests ahead of our neighborhood and defy an original, well-defined PUD.

I'm also disturbed by the lack of transparency from city officials. I'm suspicious that this building project appears to have been granted some form of "closed door" approval outside of the strict PUD parameters. Frankly, my trust has eroded in city officials that place the interest of builders and developers above their tax-paying citizens and constituents.

I'm holding out hope that the city planning commission and city council will honor their required commitment to hold K.C. Chermak (aka Pillar Homes), to the exact standards outlined in the original RSB PUD.

Bruce Merry
216 Minnetonka Ave S.
merrydds@yahoo.com

John & Ronda Adams
544 Rice Street E
Wayzata, MN 55391
612.720.4827
JAdams@CBBurnet.com

April 27, 2021

RE: Rice Street Brownstones - May 3, Planning Commission Meeting/Hearing - John Adams Public Comments Submission

1. Ronda and I were informed by the City last summer/fall that all current residents of the Rice Street Brownstones Homeowners Association would need to both approve and sign off on any modifications/changes to the approved PUD design. KC Chermak attempted on several occasions to obtain Ronda's and my signatures and we said no unless we had an opportunity to completely review the plans we were signing off on to determine they were in fact the same plans as the PUD approved plans. We subsequently had a conversation with Jeff Dahl and he assured us what KC was building was exactly the same as the approved PUD plans. Ronda and I then stated if KC's plans were the same as the PUD plans, why was it necessary to have our signatures? Jeff stated he agreed, and we did not need to sign anything. We depended on City Staff to make sure the plans were the same, as Jeff had represented. They were not the same, at all.
2. During the summer of 2020, KC stated to me in discussing the project that he had built more homes in Wayzata than any other builder, 30 homes, and he could get things done with City Staff that no other builders could. I knew the City Staff and had worked with them before and did not believe they would give KC preferential treatment because he had built more homes in Wayzata than anybody. Now, after seeing all the variances KC got approved with administrative approval and Staff issuing a building permit, I am inclined to believe KC does in fact get preferential treatment. Question for City Staff: Does KC get preferential treatment? If so, why? And exactly who on City Staff gives him special treatment?
3. Question for City Staff: Why was KC issued a building permit with an elevator going to the roof top deck when it clearly states in the Resolution and Developers Agreement that the elevator shall Not be permitted to go to the roof top deck?
4. Question for City Staff and specifically for Mike Kelly: KC states: "The location of the final two buildings have been placed on their appropriate lots to create separation from the existing on-site storm water system..." When I asked KC why the middle building #2 was moved 4.5 feet closer to Rice St and the westerly building #3 moved 6.5 feet closer to Rice Street, he said it was necessary to move both buildings forward because of the location of the storm sewer and the City required it. Question for Mike Kelly, our very long time and outstanding, City Engineer: Did you in fact

require KC to move the building forward, 4.5 feet on building #2 and 6.5 feet on building #3? If so, why? Mike, you supervised, approved, and signed off on the location of the storm sewer system in relation to the approved PUD building locations when Landschute and I installed the system. Mike, were you aware that proposed building #3 is a much larger building on the Pillar Homes Plan than on the approved PUD plan? Specifically, 520 Rice St was redesigned so that the West wall of this unit was increased from 41 feet 8 inches to 46 feet – an additional 4 feet 4 inches, making the Pillar Homes plan 3,600 finished square feet instead of the approved PUD plan of 3,272 finished square feet – an increase of 328 square feet all in the name of additional Pillar Homes profit. The garage was also changed to be straight instead of at an angle on the approved PUD plan. So, the additional 4 feet 4 inches of the 520 Rice unit length and the garage design change is what made it necessary to move the building 6.5 feet closer to Rice St. Jon Monson with Landschute did a masterful job of designing the project to accommodate the neighbors to get their support. Mike, as you know the storm sewer manhole is on the SW corner of building #3. The far West unit, (520 Rice St), Landschute designed to be much smaller with a garage that was at an angle to accommodate the storm sewer location and accommodate the neighbors request that the building be at the back of the lot, as far back from Rice St as possible. If I had not agreed to do that, the neighbors would not have supported the project and Sue Bangert would not have voted for the project and the project would not have been approved.

5. In KC's letter to the neighborhood, for his April 28 neighborhood zoom meeting, he stated:

“The groundwork for the final townhomes’ design and completed survey analysis was reviewed using experienced architects and engineers with continuous feedback from the City of Wayzata Planning, Building and Engineering Departments. The building design and placement was finalized to meet current building codes, height requirements and required permit engineering summarized below:

A. 35-foot maximum height requirement”

Question for City Staff: why was KC not informed that he was not governed by the B-1 zoning standards, but was governed by the approved PUD standards which clearly state: 32.3-foot maximum height requirement for building #2 (534-530 Rice) and 32-foot for building #3 (524-520 Rice)?

Was he informed? If not, why not? If so, why would City Staff allow a height variance with administrative approval? KC received a 2.4-foot height variance when City Staff issued a building permit, why?

Rick Born had a 100+ Million condominium project denied over possibly a lack of a 2-foot height concession. Mayor Ken Wilcox voted no on Garrison Landing because I was unable to give him 2 feet in a height concession.

6. Questions for City Staff and specifically Mike Kelly: Why did City Staff not require the buildings to follow the grade down east to west? Landschute designed the project to have 2-foot elevation drops from 544 Rice to 540 and then another 2 feet lower to

534 and another 2 feet lower for 530 Rice. The Landschute design perfectly followed the grade. The Pillar Homes design has the garage floor of 534 Rice approximately 1 foot below the Association common driveway and 530 Rice approximately 1 foot above the common driveway. This presents 2 potentially problematic driveways going into the garages. The garage floor in 534 Rice being below the driveway will be susceptible to being flooded in a downpour and the driveway into 530 may become difficult to get up to the garage in icy weather. In addition, plowing of both driveways will be almost impossible and an additional expense burden on the Association. This is a very bad design on the part of Pillar Homes' "experienced architects". As a resident member of the Association, this is completely unacceptable. I would encourage all members of both the Planning Commission and Council to visit the site and stand on the common driveway looking at all 4 garage entrances. Look at the existing building designed by Landschute and see a perfect gradual slope into the garages. Then look at the driveways into the garages in the Pillar building and you can only ask why Pillar Homes would create such a dysfunctional situation. The Landschute design was the correct design. Why did City Staff approve this revised plan?

7. Why did City Staff approve a fourth finished level to Pillar Homes' buildings? These have now been removed, but Nick told me the 4th levels were insignificant changes which is why City Staff could administratively approve them. I completely disagree with Nick's definition of insignificant. Furthermore, the ordinance calls for Any changes require City Council approval.
8. The front staircase on the Pillar Homes Plan shows a blank whiteout on 534-530 building. It appears that is going to be one concrete landing for both units without separate limestone staircases with iron railings and pillars with a garden between the staircases like the existing building. Why would City Staff issue a building permit without even knowing what the front staircases look like or any of the landscaping?
9. In KC's neighborhood meeting flyer, it states: "Pillar Homes will be constructing the final two buildings in the likeness of the first building (townhomes 1 + 2). The 2020 version is designed with the same exterior products that will match in quality and color and use of full brick, buff limestone detail and black accents will continue to complete this quaint development." The buildings are not supposed to be built in the "likeness", but exactly per the PUD plan. On the existing building, 540-544 Rice, the trim around all the windows and the front staircase are limestone with all windows inset approximately 6 inches. On the Pillar Homes plan, the trim is shown as cast stone, which is a concrete product, yet on his neighborhood meeting flyer it is represented as limestone. Which is it?
10. Why did the City Staff approve a huge 2nd floor deck/deck roof that is 3 times the size of the approved PUD plan? Why did they approve screen porches on building #3? This will not only block sunlight from our decks in the existing building, but it will look massive and generally out of place.
11. When I got this project approved, I was required to show all 3 buildings together with all elevations, east, west, south, and north. Why was KC not required to produce

renderings showing his 2 proposed buildings next to the existing Landschute building?

12. Did anyone on City Staff suggest KC do an unauthorized survey on my property? According to Sathre-Bergquist, KC told them I had authorized the survey KC ordered out. Not true.

Jon Monson/Landschute is considered to be one of the best architects and builders in the Twin Cities. Jon has designed and built hundreds of beautiful homes on Lake Minnetonka and around the lake. I know a lot of people, including probably many of you have admired his work like I do. He has a wonderful ability to develop timeless designs. Both Jon Monson and I do not appreciate KC Chermak insulting our design and claiming it needed to be changed because of design flaws and mistakes and building code changes. This is a misrepresentation to disguise KC wanting to build bigger/higher buildings for bigger Pillar Homes profits.

The list is long of modifications, alterations, and misrepresentations. Ronda and I, as members of the Association do Not approve of any of the modifications and ask that the City Planning Commission and Council require KC to take the building down, start over and build the last 2 buildings in **Exact** accordance with the approved PUD plans. I will fight with the neighbors to get back the benefits I gave them to gain their support for this project that KC is proposing to take away, all in the name of more profit.

Thank you for your time in reviewing this matter.

John Adams

Adams, John F

From: Jon Monson <jm@landschute.com>
Sent: Tuesday, April 27, 2021 4:43 PM
To: Adams, John F
Cc: Jon Monson
Subject: Rice Street Brownstones
Attachments: doc20210427132247.pdf

John...I understand an allegation has been made that the Rice Street Brownstone plans which I prepared for PUD approval and submitted for a building permit on 10/27/2005, should now be considered "conceptual and deficient" in nature so as to create the narrative that the previously approved project plans are justifiably amendable by Pillar Homes.

Please be aware that those plans submitted to the City of Wayzata were a complete set of Construction Documents for all three buildings, including a Site Plan for the complete site. That was confirmed by Don Johaneson, Wayzata Building Official, on 11/09/2005, in his Plan Review Report, as attached below. The report covers "Site Location: 520-544 Rice St.", which is for all three buildings subject to the PUD approval. If the submitted plans were "conceptual and deficient" as alleged, it is highly unlikely that Mr. Johaneson would have accepted them for review, much less subsequently inform me on 11/30/2005, that the Building Permit for the complete site was ready to be picked up. The Permit was issued and the first building footing inspection occurred on 1/19/2006. Subsequent storm sewer construction was overseen by the City Engineer to comply with all City standards and the approved plan.

It is incomprehensible that there could be a suggestion now that deviations should be permitted by the City based on unsubstantiated claims of plan deficiencies. It is even more incomprehensible that the deviations in question were originally authorized at an administrative level as being (apparently) non-material in nature. The City of Wayzata's ordinance was clear and appropriate when it required the original PUD zoning district be controlled by complete, competent compliance with its PUD Ordinance. It would be a dereliction of municipal duty to disregard the property rights of the members of the HOA and the surrounding property owners to permit unwarranted deviations when those negatively affected parties are relying on its local government to enforce a PUD ordinance which was enacted to protect the properties in and surrounding the PUD district.

Lastly, as the Architect of Record and Assignor of the Copyright License for the approved plans, I do not consent to a subsequent Assignee's self-serving choice to modify my Copyrighted Plans which will only result in damages to the members of the HOA and the surrounding property owners, not to mention, significantly downgrade (destroy actually), the vision of the original Client and the neighborhood and City's support of such vision.

I realize I may pay a high price with some in Wayzata for articulating my professional judgement but I feel so strongly about the potential miscarriage of the PUD ordinance that I am willing to risk the consequences.

Jon Monson, AIA
The Landschute Group
952.401.7667 - direct | 952.237.0572 - cell
952.470.7416 - main | 952.401.7609 - fax

To Whom It May Concern -

This is a note which inadequately addresses a collection of historical events and current thoughts regarding the Brownstone Project on Rice St.

John Adams has very capably itemized many of the most egregious issues involved in the neighborhood's complaints re the Brownstones project - and sent it to you as a petition that I have signed. John has done a service to our neighborhood in recognizing and documenting what he knows to be fact.

I have lived at 507 Rice St for almost 30 years -

Fifteen years ago those of us who lived on this block of Rice St. went through a lot to accommodate John Adam's vision of his Brownstone Project. He, and we, spent hours and hours and hours hashing through issues that would make the project most acceptable to the neighborhood. John Adams, to his credit, spurred on by then council member Sue Bangert, went to great lengths to find solutions to our complaints and concerns.

In the end, John had his project, we had been heard, concessions had been made, and we all metaphorically shook hands and went about our way, assured that the process had been fair and constructive.

When John ultimately sold the two undeveloped lots, I was relieved to learn that whoever developed that property would be required to follow the same high standards that John and his architect/builder had set - on all fronts and to the letter. Our neighborhood concerns and wishes would continue to be respected without a threat to what we worked so hard to achieve.

Late winter - 2021- I heard a troubling comment made by a neighbor that there was some speculation that changes were being made to the Brownstone Project, and yet there was no information on the website. I made a call to Nick K at City Hall to ask him what was going on. He assured me that there were no changes planned for the project, that the requirement was to follow John's plan exactly in design and materials, and that any changes that had been made were on the interior of the residences. He told me that the City was keeping a close watch on the project - that there was someone from the City there every week - and that if things were not going as they should be - those issues would be addressed and corrected. Good! All is well, I thought. (I also mentioned the absence of information on the City website - which he said was due to a copyright issue. He stated that his department was going to correct the website situation, but he conceded they weren't getting to it very quickly.)

So here we are. There doesn't seem to be an adequate way to convey the damage that's been done here... taking into account the 'hard evidence' (substantiated by facts), and the softer issue of trust, and ramifications thereof. As information continues to come out, there have been more and more issues that have surfaced. This does not seem to be one honest mistake, as has been suggested, but more about an ongoing process of attempting to hoodwink the public. This developing story has created a huge breach of trust - both in the admin at the city - and in Pillar Homes and in KC Chermak who seems to be fabricating a bold alternative version of this story in order to take himself off the hook.

In 2015 I advocated for 3 things: that the project height be as low as possible, that the buildings would be set back as far as possible from Rice Street, and that the little house on the corner be spared in order to preserve the 'flavor' and historic significance of this neighborhood.

In 2021 it seems my requirements are the same.

The set-back (or should I say the set-forward) of the Pillar buildings in progress are way 'out of line'. The set-forwards will crowd/narrow Rice Street, and are not compatible with the set-backs already established on our block. This is old ground that has been covered in the past - and has been decided.

The new set-forwards now planned for the mechanics on each roof will undoubtedly be visible from the street- and our porch - and will be all the uglier and noisier for us in their new positions. This has also been covered in the past and has been decided.

And...I strongly object to all the exterior changes and substitutions on the buildings - which will create a mish-mash of styles and materials next to John's building - and will also result in John's building looking out of place.

I also want to acknowledge the insult I think we all feel in the neighborhood. The insult from the City of Wayzata and from KC Chermak, of seemingly trying to pull the wool over our eyes. The pattern of continued lies and cover-ups can only be seen, I think, as attempts to avoid our objections to a 'con' in progress.

Thank you -
Kathleen Nash
507 Rice St.

Marlene Straszewski
527 Rice Street East
Wayzata, MN. 55391
(763)242-3520
Marstraszewski@gmail.com

April 27, 2021

Wayzata Planning Commission
600 Rice Street East
Wayzata, MN. 55391

Re: Public Comments for the Record regarding the May 3, 2021 Public Hearing on 520, 524, 530, 534 Rice Street East PUD Amendment

Dear City of Wayzata Planning Commissioners,

Thank you for the opportunity to provide comments regarding the proposed Planned Unit Development (PUD) Amendment for the Rice Street Brownstones (520, 524, 530, 534 Rice Street East, Wayzata).

I respectfully request the Planning Commission to recommend to the City Council a strict enforcement of the existing PUD as approved in 2006 with no changes and that the City require any deviations from that PUD to be promptly corrected, including the set back and height of the buildings.

In addition to the facts supporting this position submitted by Anthony Straszewski on April 25, 2021, I am concerned that any changes approved by the City Council will set a dangerous precedent for years to come. Not only does the current structure violate the approved PUD, it appears that the changes were made and pushed through approval in a manner outside of the required process. The approach taken to get the apparent changes approved subjugated the authority of the Planning Commission and the City Council. Approving changes at this stage sends a clear message: if you want to go outside the code and/or a PUD, just move forward and ask for forgiveness later.

Most concerning as a resident directly impacted by these changes is the lack of transparency and the length of time that passed following Tony's and my initial requests for information and concerns with the progress. Furthermore, the application of the rules should be consistent with all developers. Developers shouldn't be allowed to cherry-pick pieces of the code along with pieces of a PUD in order to maximize their profits.

I'd like to close with a quote from Winston Churchill, which feels particularly relevant in this situation: "I no longer listen to what people say, I just watch what they do. Behavior never lies." I expect you'll receive a lot of information related to the development currently underway. Please be aware that Tony, myself, and other neighbors have been given information that implies compliance, when in reality what's been built so far does not comply.

Respectfully yours,

Marlene Straszewski

My name is Peter Slocum and I am the property owner at 214 Minnetonka Ave. S. in Wayzata. My property is adjacent to the west side of the Brownstone PUD.

I have three comments on proposed changes to the PUD and the lack of supervisory control of this site by the city.

- Water Runoff

I have a major concern about storm water runoff from this site. Our property is downhill from the southwest corner and driveway of building three. We are 4-5 feet lower in elevation. Before construction began, our retaining wall would be wet from heavy rains as water would flow straight downhill. These large roofs and hardcover are going to increase runoff. We are just about to build an expensive new garage in this corner which will now be at risk of inundation. Per the survey submitted, water coming off the west side of building 3 will have to travel uphill before reaching storm drains in the guest parking lot. It won't work.

The driveway of building 3 is right above the existing storm sewer line. Why can't a drain and curb be added on this corner to handle the larger water flows?

- Setbacks

The original PUD had setbacks between 6 and 10 feet. The new plan modifies the driveway to create almost no setback in certain spots. It also adds a covered deck with a setback less than 2 feet. These setbacks are not reasonable considering townhouses in other parts of Wayzata require setbacks between 20 and 40 feet. The setbacks on my side of the line are 10 feet. We received a variance to move no closer than 5 feet.

- Unapproved Retaining Wall

Last fall while no one was looking, the builder added new fill and a 4 foot retaining wall to the southwest corner of the site. This retaining wall is not shown on the original or revised PUD plan. The base of the retaining wall encroaches on the 214/216 property. The wall material also encapsulates a significant tree. Instead of going around it, they are going through it by cutting away structural stone. I'm not an engineer, but the integrity of the wall, which holds back a large volume of newly added fill, is probably compromised as is the tree. Generally, trees and walls do not mix.

Good morning.

I'm writing regarding the brownstone construction project at 530 and 534 Rice Street, Wayzata. I have a great deal of respect for Jon Munson and Landschute. They set the standards for quality, aesthetic and thoughtful design and construction as exemplified in the original design of the brownstone project.

To make any changes in that original design without proper consideration, input from the neighbors, and approvals at the city planning and administrative level does not reflect the values of Wayzata and is thoughtless, disrespectful and not acceptable.

Please apply the same criteria to this project as you would for any one of your neighbors.

Thank you,
Robert Kinghorn
507 Rice Street East

To Whom It May Concern:

I have been a resident of Wayzata for 6 years. We built at 123 Broadway in 2015. We interviewed KC Chermack of Pillar Homes during our vetting process. He shared with us that he builds the most homes in all of Wayzata and can easily get any approvals we may need. We ultimately did not go with KC based on a nagging gut feeling that he wasn't being honest with us on building costs.

We chose another wonderful builder, Traditions by Donnay, with whom we would build again. When we were going through the building process, we were required to gain approvals for the hardcover variance via the Planning Commission. Our neighbors all weighed in and most were not in favor of granting us a variance for an extra 5% hard cover. As a concession, we were able to put in pavers on our driveway, a significant expense. We were held to the letter of the law to make sure we abided by the city's rules and regulations.

I share this background information with you as I understand the approval process when it comes to the City of Wayzata.

My parents live at 517 Rice Street. They've owned the lot for 15 years with their home being built about 10 years ago. They, too, were held to the letter regarding a hard cover requirement and used pavers to "get credit" so they could stay within the city guidelines.

The fact that KC arrogantly flaunts that he's built more homes in Wayzata and can get things approved in Wayzata is absolutely wrong. The fact that KC has gone ahead and "received approvals" from City Managers and others, not using the proper avenues, is wrong. It appears that KC seems to think he has the upper hand on the city. As a Wayzata taxpayer, this is absolutely unacceptable. There have been many builders, and their customers, who have done everything right and within the city regulations. KC needs to be held to the same standard that the rest of us have abided by.

My parents are in their golden years and should not have to deal with someone scheming. KC is doing what he wants and asking for forgiveness later. This is horrible.

Wayzata is better than this. My ask is that you make this right.

Regards,
Tasha Winkels

April 28, 2021

Subject: Wayzata Rice Street Brownstones

To Whom It May Concern:

I live at 523 Rice Street, directly across the street from (north of) the third and fourth potential structures KC Chermak (Pillar Homes) proposes to build. The impact to my property of this development is direct and profound, both in terms of my current enjoyment and the value of my property, which is essentially the entirety of my net worth.

I am nearly 83 years old and I have lived here for around 30 years. I acquired my 120-year-old home in 1991 and totally remodeled the interior and all mechanicals.

This is my only significant asset; thus any lost market value would be personally devastating.

In 1991, the only structure across the street from me on John Adams' three lots was a rental home which was roughly the size of the 100-year-old "Wise house," which was moved to its site a few years ago beneath (south and west of) what are now Pillar Homes' lots.

Although I cooperated with and agreed to John Adams' initial plans in 2006, I believed I could dispute the next two structures, especially after 13 years with no activity on those lots, and particularly if there were any changes to what I agreed to in the 2006 PUD. Since the building of the original Brownstones that were approved in the original PUD, there has been dirt added considerably to the base of the lots by three or four feet: dirt fill was added which raised the base. I do not understand why Wayzata allowed this. How did the height become 33 feet from the curb? The current height of the new structure being proposed by Pillar Homes is the same as the height of the existing brownstones, despite the fact that the new ones are being built on the downward slope of a hill. How can this be? Again, how and why would the City of Wayzata approve such a deviation from the existing PUD as well as its City codes?

Before any of this was a dispute, my two daughters and I met with KC Chermak last fall (2020) to discuss adding on to or replacing my existing house to allow my daughter and son-in-law to build a multi-generational home on my lot. We were left with the impression that KC has a very close relationship with the City of Wayzata and its planning group that might benefit us (and, obviously, him). We chose not to work with him, but we certainly noted those ties to the city.

At the time my daughters and I met with him, he mentioned that he was seeking a curb cut to allow parking in front of his townhomes on the south side of Rice Street. Is this still being requested by Pillar? If so, I am strongly against it, as I was when John Adams was developing the property.

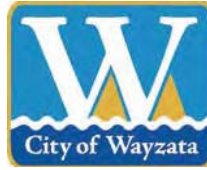
In summary, I am in support of all the curative measures proposed by John Adams in his April 26 letter to Wayzata. Pillar Homes cannot be permitted to circumvent the 2006 PUD or the City of Wayzata's prescribed processes and required approvals. I believe any deviation would result in direct financial and lifestyle damage to me.

I would also like to speak about this matter at the upcoming Planning Commission meeting scheduled for Monday, May 3rd, 2021.

Very truly yours,

Thomas M. Robbins

523 Rice Street East



WAYZATA PLANNING COMMISSION

May 3, 2021

REPORT AND RECOMMENDATION OF APPROVAL OF PUD AMENDMENT AND VARIANCE AT 520, 524, 530, 534 RICE STREET E

DRAFT

SUMMARY OF RECOMMENDATION

Approval* of PUD Amendment

Approval* of Variance from PUD District standards for Amended PUD Plan

* with certain conditions listed at the end of this Report

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Application. The property owner and applicant, Pillar Homes Partner Inc., (the “Applicant”) has submitted an application for completion of the development of the Rice Street Townhomes project on 520, 524, 530, and 534 Rice Street East (legally described on Attachment B, the “Property”). The Property is part of a Planned Unit Development (PUD) that was originally approved in 2006 (the “Existing PUD”), and in which one of three planned townhome buildings has been constructed. The Applicant proposes to construct the remaining two buildings in a manner similar to those originally approved, with the modifications reflected in the plans submitted with the Application (the “Project”).
- 1.2 PUD Amendment and Variance Requested. The Application includes the requests for approval of (i) a PUD Amendment to amend the plans approved for the Existing PUD to incorporate the plans shown on Attachment A (the “Amended PUD Plan” or “PUD Amendment”); and (ii) a variance from the PUD District standards to the extent the Amended PUD Plan differs from those standards (the “PUD Variance”).
- 1.3 Property. The addresses, property identification numbers, and owner of the Property in the PUD is identified on Attachment B.

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

Zoning:	PUD / Planned Unit Development
Comp Plan:	High Density Residential

1.5 Notice, Neighborhood Meeting, and Public Hearing. Notice of the public hearing on the Application was published in the *Sun Sailor* on April 23, 2021 and mailed to all property owners located within 500 feet of the Property on April 21, 2021. The Applicant hosted a neighborhood meeting on April 28, 2021 via the audio/video conferencing platform Zoom. The public hearing on the Application was held at the May 3, 2021 Planning Commission meeting.

Section 2. STANDARDS

2.1 PUD Amendment.

- A. Process. Section 933.09 of the Zoning Ordinance provides that the same review procedure is followed by the Planning Commission and City Council for an amendment of a PUD as is followed for a new PUD.
- B. Intent and Purpose of PUDs. Chapter 933 of the Zoning Ordinance provides for the establishment of Planned Unit Developments to allow greater flexibility in the development of neighborhoods and/or non-residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD process, by allowing deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:
1. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
 2. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
 3. More convenience in location and design of development and service facilities.
 4. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.

5. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
 6. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
 7. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
 8. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.
- C. General Standards. Section 933.2.A of the Zoning Ordinance sets forth the general standards for review of any PUD application. These are:
1. Health Safety and Welfare; Intent and Purpose of PUDs. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of Section 33 of the PUD Ordinance, it may approve the PUD, although it shall not be required to do so.
 2. Ownership. Applicant/s must own all of the property to be included in the PUD.
 3. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.
 4. Sanitary Sewer Plan Consistency. The PUD project must be consistent with the City's Sanitary Sewer Plan.
 5. Common Open Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the

Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.

6. Operating and Maintenance Requirements. Whenever common private or public open space or service facilities are provided within a PUD, the PUD plan must contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD must be placed under the ownership of one of the following, as approved by the City Council: (i) dedicated to the public, where a community-wide use is anticipated, (ii) Landlord control, where only tenant use is anticipated, or (iii) Property Owners Association, provided the conditions of 933.2.A.6.c are met.
7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 933.2.A.10.
10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 933.2.A.10.
11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
12. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
13. Setbacks. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall

be the same as imposed in the underlying districts, if a PUD conditional use permit, or the previous zoning district, if a PUD District. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street pattern. No building within the PUD project shall be nearer to another building than one-half (1/2) the sum of the building heights of the two (2) buildings. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the allowable setbacks shall be as negotiated and agreed upon between the applicant and the City.

14. Height. The maximum building height to be considered within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser. There shall be no deviation from the height standards applied within the applicable zoning districts for PUD conditional use permits. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the maximum allowable height and number of floors shall be as negotiated and agreed upon between the applicant and the City.

- D. Residential PUD Standards. Sections 933.03 sets forth lot area, minimum frontage, municipal water and sewer availability, roadway and parking standards for PUDs which have a residential component. In addition to the standards set forth in these sections, City Council may impose such other standards for a PUD project as are reasonable and as the Council deems are necessary to protect and promote the general health, safety and welfare of the community and the surrounding area.

- 2.2 PUD Variance. Under the PUD Chapter of the Zoning Ordinance, multi-family PUD development projects must follow the general standards of the R-4 or R-5 Zoning Districts. Townhomes are an allowed use in both the R-4 and R-5 Districts but some of R-5 and R-4 standards, such as setbacks, are different in the Existing PUD and the Amended PUD Plan. Section 905.01.C provides the criteria for reviewing a variance from the standards of the Zoning Ordinance. These criteria are:

- A. Variances shall only be permitted when they are:
 - (i) in harmony with the general purposes and intent of the Zoning Ordinance; and
 - (ii) consistent with the Comprehensive Plan.
- B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
- C. "Practical difficulties," as used in connection with the granting of a variance, means that:

- (i) the property owner's proposal for the property is reasonable but not permitted by Zoning Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
- D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
- E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with this Ordinance.
- F. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
- G. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
- H. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.

Section 3. FINDINGS OF FACT

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

3.1 PUD Amendment.

- A. Health Safety and Welfare; Intent and Purpose of PUDs. The PUD Amendment (resulting in the "Amended PUD") conforms with the overall intent and purpose of a PUD as outlined in Chapter 933 of the Zoning Ordinance, and the intent and purpose of the Existing PUD.
- B. Intent and Purpose of PUDs. The Amended PUD would continue to encourage the following, as noted in the findings for approval of the Existing PUD:

1. The conservation and more efficient use of land in the PUD through a site specific arrangement of three related townhomes.
 2. The preservation and enhancement of desirable site characteristics.
 3. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
 4. An efficient use of land resulting lower development costs and public investments.
- C. General Standards. The Amended PUD would not materially impact any of the fourteen (14) general standards listed in Section 933.2.A and in Section 2.1 of this Report, which would continue to be met as they are within the Existing PUD. The PUD Amendment will mainly allow for an updated building design that is related to the previous development of the site, and current market conditions and construction processes. The PUD Amendment would not include any other significant changes (other than those reflected in the PUD Amendment) to the previously approved and Existing PUD, including the general style, unit number, size, footprint, and height of the Applicant's buildings.
- 3.2 PUD Variance. The PUD Variance meets all of the standards for granting a variance under the Zoning Ordinance:
- A. The PUD Variance, and its relation to the Existing PUD and the Amended PUD Plan, is in harmony with the general purposes and intent of the Zoning Ordinance and the current PUD Zoning District in terms of proposed multi-family residential uses and townhome building design and construction; and is consistent with the High Density Residential guidance of the Comprehensive Plan.
 - B. The Applicant has established that there are practical difficulties in complying with all of the PUD District Standards, in that:
 1. The Applicant's proposal for the Property is reasonable in that it would complete the two unfinished buildings contemplated by the Existing PUD but would require certain standards not permitted in the R-4 and R-5 Districts;
 2. The plight of the Applicant is due to circumstances unique to the Property and not created by the Applicant, in that Applicant seeks to complete a previously approved PUD according to the uses and buildings contemplated by the Existing PUD; and

3. The PUD Variance, if granted, will not alter the essential character of the locality in that the uses and buildings under the PUD Amendment would be substantially similar to those in the Existing PUD.
- C. Economic considerations alone do not constitute the practical difficulties in this case, but rather the parameters of the Property, previous development in the Existing PUD, requirements of stormwater management, and other code compliance considerations.
- D. The PUD Variance is not a use variance.
- E. The Application submitted by the Applicant set forth reasons that the PUD Variance is justified under the criteria of the Zoning Ordinance in order to make reasonable use of the land and buildings.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **APPROVAL** of the (i) the PUD Amendment, and (ii) the PUD Variance, subject to the following conditions:
 - A. The Applicant must secure all necessary building permits for construction on the lots of the Proposed Subdivision, and follow all laws and regulations applicable to the construction on the Property, including building codes and land use regulations, and City Code and policies applicable to days and times of work, and construction management.
 - B. Stormwater Facilities, Grading, Drainage, and Erosion Plans for the Project the must be approved by the City Engineer prior to the submission of building permits and submitted to the City for review.
 - C. The Applicant must build and complete the Project in conformance, in all material respects, with the Amended PUD Plan.
 - D. The Applicant must enter into a new or amended PUD Development Agreement with the City, with terms and in a form acceptable to the City Attorney, that incorporates the approvals and conditions of this Resolution, amends the lapsed construction deadlines therein to allow for timely completion of the Project, and maintains all other conditions of previous approvals for the Existing PUD that are not superseded by the approvals this Resolution.

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

Adopted by the Wayzata Planning Commission this 3rd day of May 2021.

Attachments:

Attachment A: PUD Amendment

Attachment B: Information and Legal Description of Property

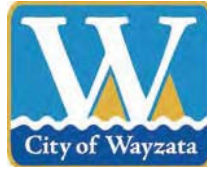
DRAFT

Attachment A:
PUD Amendment / Amended PUD Plan

DRAFT

Attachment B:
Property Information

Addresses	PIDs	Owner
534 Rice Street East	06-117-22-24-0098	Pillar Homes Partner, Inc.
530 Rice Street East	06-117-22-24-0099	
524 Rice Street East	06-117-22-24-0100	
520 Rice Street East	06-117-22-24-0101	



WAYZATA PLANNING COMMISSION

May 3, 2021

REPORT AND RECOMMENDATION OF DENIAL OF PUD AMENDMENT AND VARIANCE AT 520, 524, 530, 534 RICE STREET E

DRAFT

SUMMARY OF RECOMMENDATION

Denial* of PUD Amendment

Denial* of Variance from PUD District standards for Amended PUD Plan

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Application. The property owner and applicant, Pillar Homes Partner Inc., (the “Applicant”) has submitted an application for completion of the development of the Rice Street Townhomes project on 520, 524, 530, and 534 Rice Street East (legally described on Attachment B, the “Property”). The Property is part of a Planned Unit Development (PUD) that was originally approved in 2006 (the “Existing PUD”), and in which one of three planned townhome buildings has been constructed. The Applicant proposes to construct the remaining two buildings in a manner similar to those originally approved, with the modifications reflected in the plans submitted with the Application (the “Project”).
- 1.2 PUD Amendment and Variance Requested. The Application includes the requests for approval of (i) a PUD Amendment to amend the plans approved for the Existing PUD to incorporate the plans shown on Attachment A (the “Amended PUD Plan” or “PUD Amendment”); and (ii) a variance from the PUD District standards to the extent the Amended PUD Plan differs from those standards (the “PUD Variance”).
- 1.3 Property. The addresses, property identification numbers, and owner of the Property in the PUD is identified on Attachment B.
- 1.4 Land Use Designations. The Property is zoned and guided as follows:

Zoning:	PUD / Planned Unit Development
Comp Plan:	High Density Residential

- 1.5 Notice, Neighborhood Meeting, and Public Hearing. Notice of the public hearing on the Application was published in the *Sun Sailor* on April 23, 2021 and mailed to all property owners located within 500 feet of the Property on April 21, 2021. The Applicant hosted a neighborhood meeting on April 28, 2021 via the audio/video conferencing platform Zoom. The public hearing on the Application was held at the May 3, 2021 Planning Commission meeting.

Section 2. STANDARDS

2.1 PUD Amendment.

- A. Process. Section 933.09 of the Zoning Ordinance provides that the same review procedure is followed by the Planning Commission and City Council for an amendment of a PUD as is followed for a new PUD.
- B. Intent and Purpose of PUDs. Chapter 933 of the Zoning Ordinance provides for the establishment of Planned Unit Developments to allow greater flexibility in the development of neighborhoods and/or non-residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD process, by allowing deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:
1. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
 2. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
 3. More convenience in location and design of development and service facilities.
 4. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
 5. A creative use of land and related physical development which allows a phased and orderly development and use pattern.

6. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
 7. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
 8. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.
- C. General Standards. Section 933.2.A of the Zoning Ordinance sets forth the general standards for review of any PUD application. These are:
1. Health Safety and Welfare; Intent and Purpose of PUDs. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of Section 33 of the PUD Ordinance, it may approve the PUD, although it shall not be required to do so.
 2. Ownership. Applicant/s must own all of the property to be included in the PUD.
 3. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.
 4. Sanitary Sewer Plan Consistency. The PUD project must be consistent with the City's Sanitary Sewer Plan.
 5. Common Open Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.

6. Operating and Maintenance Requirements. Whenever common private or public open space or service facilities are provided within a PUD, the PUD plan must contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD must be placed under the ownership of one of the following, as approved by the City Council: (i) dedicated to the public, where a community-wide use is anticipated, (ii) Landlord control, where only tenant use is anticipated, or (iii) Property Owners Association, provided the conditions of 933.2.A.6.c are met.
7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 933.2.A.10.
10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 933.2.A.10.
11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
12. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
13. Setbacks. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall be the same as imposed in the underlying districts, if a PUD conditional use permit, or the previous zoning district, if a PUD District. No building shall be located less than fifteen (15) feet from

the back of the curb line along those roadways which are part of the internal street pattern. No building within the PUD project shall be nearer to another building than one-half (1/2) the sum of the building heights of the two (2) buildings. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the allowable setbacks shall be as negotiated and agreed upon between the applicant and the City.

14. Height. The maximum building height to be considered within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser. There shall be no deviation from the height standards applied within the applicable zoning districts for PUD conditional use permits. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the maximum allowable height and number of floors shall be as negotiated and agreed upon between the applicant and the City.

- D. Residential PUD Standards. Sections 933.03 sets forth lot area, minimum frontage, municipal water and sewer availability, roadway and parking standards for PUDs which have a residential component. In addition to the standards set forth in these sections, City Council may impose such other standards for a PUD project as are reasonable and as the Council deems are necessary to protect and promote the general health, safety and welfare of the community and the surrounding area.

- 2.2 PUD Variance. Under the PUD Chapter of the Zoning Ordinance, multi-family PUD development projects must follow the general standards of the R-4 or R-5 Zoning Districts. Townhomes are an allowed use in both the R-4 and R-5 Districts but some of R-5 and R-4 standards, such as setbacks, are different in the Existing PUD and the Amended PUD Plan. Section 905.01.C provides the criteria for reviewing a variance from the standards of the Zoning Ordinance. These criteria are:

- A. Variances shall only be permitted when they are:
 - (i) in harmony with the general purposes and intent of the Zoning Ordinance; and
 - (ii) consistent with the Comprehensive Plan.
- B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
- C. "Practical difficulties," as used in connection with the granting of a variance, means that:
 - (i) the property owner's proposal for the property is reasonable but not permitted by Zoning Ordinance;

- (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
- D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
- E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with this Ordinance.
- F. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
- G. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
- H. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.

Section 3. FINDINGS OF FACT

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

3.1 PUD Amendment.

- A. Health Safety and Welfare; Intent and Purpose of PUDs. The PUD Amendment (resulting in the "Amended PUD") does not conform with the overall intent and purpose of a PUD as outlined in Chapter 933 of the Zoning Ordinance, and the intent and purpose of the Existing PUD.
- B. Intent and Purpose of PUDs. The Amended PUD would not encourage the following:
 - 1. The conservation and more efficient use of land in the PUD through a site specific arrangement of three related townhomes.

2. The preservation and enhancement of desirable site characteristics such as the size of the front yards and views of Lake Minnetonka.
 3. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
 4. An efficient use of land resulting lower development costs and public investments.
- C. General Standards. The Amended PUD would negatively impact the following general standards listed in Section 933.2.A and in Section 2.1 of this Report, which would not continue to be met.
- 3.2 PUD Variance. The PUD Variance does not meet all of the standards for granting a variance under the Zoning Ordinance:
- A. The PUD Variance, and its relation to the Existing PUD, is not in harmony with the general purposes and intent of the Zoning Ordinance and the current PUD Zoning District as noted elsewhere in this Report.
 - B. The Applicant has not established that there are practical difficulties in complying with all of the PUD District Standards, in that:
 1. The Applicant's proposal for the Property is unreasonable in that it would not complete the two unfinished buildings in accordance with the Existing PUD;
 2. The plight of the Applicant is not due to circumstances unique to the Property and is created by the Applicant, in that Applicant has not followed the previously approved plans associated with the Existing PUD; and
 3. The PUD Variance, if granted, will alter the essential character of the locality in that the changes associated with the proposed buildings under the PUD Amendment would not be substantially similar to those in the Existing PUD.
 - C. The Application submitted by the Applicant does not set forth reasons that the PUD Variance is justified under the criteria of the Zoning Ordinance in order to make reasonable use of the land and buildings.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **DENIAL** of the (i) the

PUD Amendment, and (ii) the PUD Variance.

Adopted by the Wayzata Planning Commission this 3rd day of May 2021.

Attachments:

Attachment A: PUD Amendment

Attachment B: Information and Legal Description of Property

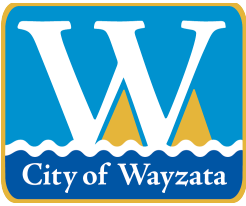
DRAFT

Attachment A:
PUD Amendment / Amended PUD Plan

DRAFT

Attachment B:
Property Information

Addresses	PIDs	Owner
534 Rice Street East	06-117-22-24-0098	Pillar Homes Partner, Inc.
530 Rice Street East	06-117-22-24-0099	
524 Rice Street East	06-117-22-24-0100	
520 Rice Street East	06-117-22-24-0101	



City of Wayzata Planning Commission Agenda Report

MEETING DATE: May 3, 2021	AGENDA ITEM: 7.a
TITLE: Welcome New Planning Commissioner Ken Sorensen	
PREPARED BY: Emily Goellner, Community Development Director	
REVIEWED BY:	
60 DAY DEADLINE: N/A	

BACKGROUND:

On April 20, the City Council appointed Ken Sorensen as Planning Commissioner for the remainder of the term previously served by Gregory Flannigan. The term expires at the end of 2021.

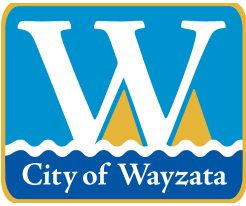
Commissioner Sorensen retired recently from his position as Senior Vice President of Mortenson Construction.

ACTION REQUESTED:

N/A

ATTACHMENTS:

None



City of Wayzata Planning Commission Agenda Report

MEETING DATE: May 3, 2021	AGENDA ITEM: 7.b
TITLE: Review of Development Activities	
PREPARED BY: Nick Kieser, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

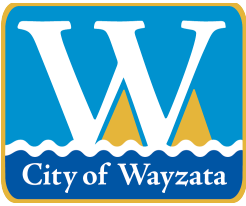
Staff will give a verbal update at the meeting.

ACTION REQUESTED:

N/A

ATTACHMENTS:

None



City of Wayzata Planning Commission Agenda Report

MEETING DATE: May 3, 2021	AGENDA ITEM: 7.c
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:

The next Planning Commission meeting is scheduled for Monday, May 17, 2021. If there are not any agenda items continued from the May 3 meeting, the May 17 meeting will be cancelled due to a lack of agenda items. The next meeting after that is scheduled for June 7, 2021.

Commissioner Parkhill is scheduled for the May 4, 2021 City Council meeting.

Public meetings will continue to be held remotely for the next several months. Staff is working on a plan to incorporate new technology into the Community Room to accommodate a hybrid meeting format in the future.

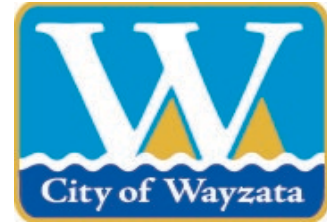
ACTION REQUESTED:

N/A

ATTACHMENTS:

1. 2021 Wayzata Calendar
2. Planning Commission assignments at Council meetings 2021

City of Wayzata 2021 Meeting Calendar



- 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

January 2021						
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Revised 12/16/2020

2021
Planning Commission assignments at Council meetings

<u>Meeting Date</u>		<u>Commission Representative</u>
Tuesday	January 5, 2021	Christine Plantan
Tuesday	January 19, 2021	Jeff Parkhill
Tuesday	February 2, 2021	Peggy Douglas
Tuesday	February 16, 2021	Gregory Flannigan
Tuesday	March 2, 2021	Larissa Stockton
Tuesday	March 16, 2021	Laura Merriam
Tuesday	April 6, 2021	Lindsay Bashioum
Tuesday	April 20, 2021	Christine Plantan
Tuesday	May 4, 2021	Jeff Parkhill
Tuesday	May 18, 2021	Peggy Douglas
Tuesday	June 1, 2021	Ken Sorensen
Tuesday	June 15, 2021	Larissa Stockton
Tuesday	July 6, 2021	Laura Merriam
Tuesday	July 20, 2021	Lindsay Bashioum
Tuesday	August 10, 2021	Christine Plantan
Tuesday	August 24, 2021	Jeff Parkhill
Tuesday	September 7, 2021	Peggy Douglas
Tuesday	September 21, 2021	Ken Sorensen
Tuesday	October 5, 2021	Larissa Stockton
Tuesday	October 19, 2021	Laura Merriam
Wednesday	November 3, 2021	Lindsay Bashioum
Tuesday	November 16, 2021	Christine Plantan
Tuesday	December 7, 2021	Jeff Parkhill
Tuesday	December 21, 2021	Peggy Douglas

Last Updated: February 18, 2021