

WAYZATA PLANNING COMMISSION

Meeting Agenda

Wayzata City Hall Community Room, 600 Rice Street

Monday, February 28, 2022

6:30 PM

HYBRID MEETING INFORMATION

[Click here to join Zoom Mtg](#)

[Meeting ID: 893 4423 1387](#) [Passcode: 977165](#)

Members of the public may attend this City Council meeting in person, provided they follow all City policies and protocols related to the pandemic, including wearing masks.



Members of the public may watch and listen remotely by viewing the meeting on Channel 8, WCTV, and at the City's website at www.wayzata.org/WCTV.

Public comment during the Public Forum and/or Public Hearing portions of the meeting may be provided in person at the meeting, in advance, or by logging into the zoom call and raising your hand during the public hearing. **When your name is called in the meeting, you will be seen and heard in our Council Chambers and the cable channel.** You will be asked to unmute and then you may begin your comment. All public comments must include your full name and address.

The City encourages comments or questions about items on the agenda and, when possible, requests that you submit them in advance by emailing PublicComment@wayzata.org, calling City staff at 952-404-5323, or mailing Wayzata City Hall at 600 Rice St E, Wayzata, MN 55391 (Attn: Public Comment).

1. **Call to Order**
2. **Roll Call**
3. **Approval of Agenda**
4. **Consent Agenda**
 - a. Approval of Meeting Minutes and Workshop Minutes of February 7, 2022
 - b. Approval of Planning Commission Report and Recommendation of Denial for Planned Unit Development Concept Plan for Wayzata Beach Club at 200 Lake Street East
5. **Public Hearing Items**
 - a. Consider Variance for Driveway Setback at 445 Bovey Road
 - b. Consider Zoning Ordinance Text Amendments for Residential and Commercial Zoning Districts
6. **Other Items**
 - a. Review of Development Activities
 - b. Planning Commission Meeting Schedule
7. **Adjournment**

Upcoming Meetings:

City Council - March 1, 2022 (Special Meeting)

Planning Commission - March 7, 2022

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



City of Wayzata Planning Commission Agenda Report

MEETING DATE: February 28, 2022	AGENDA ITEM: 4.a
TITLE: Approval of Meeting Minutes and Workshop Minutes of February 7, 2022	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

See attached Meeting Minutes and Workshop Minutes of February 7, 2022.

ACTION REQUESTED:

Staff recommends approval of the attached regular meeting minutes and workshop meeting minutes of February 7, 2022.

ATTACHMENTS:

1. PC.02.07.2022 Draft for PC Review
2. PC.02.07.2022 - Workshop Minutes Draft

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
FEBRUARY 7, 2022**

AGENDA ITEM 1. Call to Order

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

Chair Parkhill read the following prepared statement:

In-person public meetings at the City of Wayzata have now resumed. Members of the public may attend this meeting in person, provided they follow all City policies and protocols related to the pandemic, including wearing masks. Members of the public may also watch and listen remotely by logging into Zoom and entering meeting ID 87334054480 and passcode 514913 or by viewing the meeting on Channel 8, WCTV, and at the City's website at 222.wayzata.org/WCTV. Public comment during the Public Forum and/or Public Hearing portions of the meeting may be provided in person at the meeting, in advance, or by using the Zoom chat feature. All comments must include your full name and address, and will be taken and/or read at the appropriate time during the meeting. The City encourages comments or questions about items on the agenda and, when possible, requests that you submit them in advance by emailing PublicComment@wayzata.org. 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).

AGENDA ITEM 2. Roll Call

Chair Parkhill asked Director Goellner to take roll call.

Present at roll call were Commissioners: Douglas, Parkhill, Sorensen, Schwalbe, and Severson. Community Development Director Emily Goellner, Planning Consultant Eric Zweber, Assistant Planner Valeria Quarles, and City Attorney David Schelzel were also present.

Absent at roll call were Commissioners: Stockton and Merriam (excused with prior notice)

AGENDA ITEM 3. Approval of Agenda

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

Commissioner Severson made a motion, seconded by Commissioner Douglas, to approve the February 7, 2022 agenda as presented. The motion carried unanimously.

AGENDA ITEM 4. Consent Agenda

a.) Approval of the Meeting Minutes and Workshop Minutes of December 6, 2021

**b.) Approval of Planning Commission Report and Recommendation of Approval for
Planned Unit Development and Comprehensive Plan Amendment at 15419/15429
Wayzata Boulevard and 1405 Holdridge Terrace**

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

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

Commissioner Sorensen made a motion, seconded by Commissioner Severson, to approve the Consent Agenda as presented. Motion carried unanimously.

AGENDA ITEM 5. Public Hearing Items

**a) Development Application for a Planned Unit Development (PUD) for the Wayzata
Beach Club Mixed-Use Development at 200 Lake Street East**

Community Development Director Goellner gave an overview of the proposed PUD Concept Plan for Wayzata Beach Club at 200 Lake Street East. She reviewed the Zoning Map, the Comprehensive Plan Land Use Map and the property's guided use as Central Business District. She reviewed the site history including its past zoning, usage, existing conditions, and what surrounds this property. She gave a brief overview of the previous recent applications that have been submitted to the City for this property. She explained that with this application, the applicant is proposing to demolish the existing TCF building on the property and construct two 3-story mixed use buildings that would include 32 residential units and 42,000 square feet of commercial space. She highlighted the key points for the proposed site plan and noted that greater detail is available within the staff report.

Planning Consultant Zweber reviewed details of the proposed PUD Concept Plan related to density, the central plaza, the east and west parks, open space between the buildings, and proposed impervious surface. He gave an overview of the additional approvals that would be required if this concept plan is approved, including a PUD General Development Plan, Zoning Amendment to new PUD District, Design Standards, and Shoreland Impact Plan/CUP for impervious surfaces greater than 75%. He explained that one of the Design Standards that the developer has worked to accommodate is the massing breaks to the façade. He noted that there has been one deviation from the Design Standards identified in the review so far relating to the step back on the third floor, and noted that the developer has indicated that they will revise the design to remove the need for the deviation within the General Development Plan, if the Concept Plan is approved. He reviewed the proposed building height for the buildings and explained that they would both meet the standards for PUD zoning. He stated that 66% of the east building parking and 17% of the west building parking is proposed to be below the ground water level elevation. He noted that there is information included in the packet related to the flood proofing that is being proposed. He reviewed the proposed parking and the required parking for peak demand and explained that 60% of the parking is proposed to be mechanized.

1 Community Development Director Goellner explained that a neighborhood meeting was held on
2 January 5, 2022 and letters were sent, by the applicant to neighbors within 750 feet of this property
3 on January 14, 2022. Director Goellner noted that the City has received 17 comment letters that
4 have been included in the packet, and that ten additional letters were submitted after the packet
5 was put together. She stated that those additional letters have been sent to the Commission, and
6 noted that the additional letters will also be published in the future. She gave a brief overview of
7 the concerns raised in the public comments, and noted that they run over 100 pages. She
8 summarized and reminded the Planning Commission of the standards for their review of this
9 application. She noted that a PUD is a legislative action, and the Planning Commission acts as an
10 advisor to the legislative body, which is the City Council. She stated that the Commission has
11 wide discretion on whether to recommend approval or denial as long as it has a rational basis in
12 fact and the relevant standards on which to make the recommendation. She reviewed the primary
13 questions for the Planning Commission to consider when reviewing the PUD concept plan.
14

15 At the conclusion of staff's presentation, Chair Parkhill asked if the Commission had any questions
16 for Staff.
17

18 Commissioner Schwalbe asked about the mechanized parking system.
19

20 Community Development Director Goellner stated that she believes this is the first mechanized
21 parking system within the City.
22

23 Commissioner Schwalbe stated that she would also like to know about the success rate, and what
24 is done when a mechanized system breaks down and the car is in the garage.
25

26 Community Development Director Goellner stated that will be a question for the applicant.
27

28 Commissioner Schwalbe asked about the walking path and the bike path shown in the plans, and
29 noted that they seem to be very close to the front of the building. She asked if staff saw that as a
30 safety concern.
31

32 Community Development Director Goellner showed a graphic that depicted the trail and asked
33 Planning Consultant Zweber to discuss details of the trail.
34

35 Planning Consultant Zweber stated that the proposed plans have been provided to the Three Rivers
36 Park District who operate the trail and they have provided two comments. He stated that their
37 positive comment was that today there are four curb cuts within the existing development, which
38 will go down to two with this proposal. He explained that the less curb cuts, the less potential
39 interactions between motorized vehicles and pedestrians or bicycles. He stated that their negative
40 comment was regarding Building B and explained that right now, there is a separated trail and
41 sidewalk. He noted that with this proposal that will become a combined trail/sidewalk, and their
42 response was to note that there is a three foot sidewalk and landscape easement along the north
43 side of the property. Three Rivers Park District does not have an easement on this property for
44 additional trail or sidewalk, so they have identified that the area of Building B is a detriment to the
45 regional trail; but do see the benefit of reducing the number of curb cuts.
46

1 Community Development Director Goellner asked about the width of the combined trail.

2
3 Planning Consultant Zweber asked for a minute to find that information.

4
5 Commissioner Severson stated that her understanding is that the current building takes up 15% of
6 the property, and this proposal would use 84% of the property.

7
8 Planning Consultant Zweber stated that she is referring to lot coverage, which would go from 15%
9 with the existing building to a proposed 45.8%. He noted that the 83% she referenced referred to
10 impervious surface coverage. He stated that the existing site has a large parking lot, so the
11 impervious surface coverage proposed is probably fairly close to the existing amount.

12
13 Commissioner Severson asked about the 75% standard that was mentioned by staff.

14
15 Planning Consultant Zweber stated that the 75% is impervious surface which includes buildings
16 and any other hardscape such as sidewalks. He stated that this is in the Shoreland District of Lake
17 Minnetonka which has a standard that says 25% is allowed, and between 25% and 75% can be
18 approved administratively through the City Engineer by showing an acceptable stormwater
19 management infrastructure. He stated that if it goes over 75%, it requires a CUP, which includes
20 a public hearing process and meeting standards to show what is being done to mitigate that
21 additional amount. He stated that they are showing almost 84% impervious surface with their
22 proposal which would mean that it would require the CUP, but noted that the CUP is not being
23 discussed today because this is just the Concept Plan phase.

24
25 Commissioner Douglas stated that there were several pages of questions that were asked of the
26 developer in memorandums, and asked if Planning Consultant Zweber was satisfied with the
27 answers that were received or if there were any outstanding issues that the Planning Commission
28 should be aware of in their discussion.

29
30 Planning Consultant Zweber stated that there are a number of things that the developer changed to
31 address those items, and explained that staff's largest area of concern, as outlined in the staff report,
32 is the proposed parking.

33
34 Commissioner Douglas stated that she had read the study the developer presented about
35 mechanized parking, but that the examples were all related to very large ramps, for 2,000 to 4,000
36 cars. She asked if staff had asked the developer if there were any reports about small towns having
37 this kind of mechanized parking.

38
39 Planning Consultant Zweber stated that he did not ask about the size of the community that the
40 mechanized parking was in, and gave an overview of things that were discussed related to the
41 function of the mechanized parking.

42
43 Commissioner Douglas asked if there was any further research conducted on where the semi-trucks
44 are pulling in, other than what the Commission has already received.

1 Planning Consultant Zweber stated that there has not been additional research, but noted that the
2 applicant has modified things from the original proposal to what is now in front of the Commission.
3 He stated that the City Code requires a 50 foot long loading area, and they have now provided an
4 area behind the 50 foot stall that will provide the loading and unloading for the west building.

5
6 Commissioner Douglas stated that UPS and Amazon drivers like to be 'in and out' and asked if
7 staff had discussions about these types of deliveries and where they would park or how quickly
8 they can get in and out with their proposed plans. She asked if they had also considered things
9 like the security of the packages once they are delivered.

10
11 Planning Consultant Zweber stated that he did not get into questions regarding security of
12 packages. He stated that the additional area behind the 50 foot stall would be the area that could
13 potentially be used for Amazon drivers and noted that the valet area could be used during the
14 daytime on the south side. He stated that they have shown where vehicles such as Amazon could
15 park, but reiterated that they did not get into the detail of talking about the security of packages.

16
17 Commissioner Douglas stated that she was thinking of a situation where a resident had to have an
18 electrician come and spend four hours at the home. She asked where the electrician would be
19 expected to park and noted that she thinks a lot of those types of details need to be worked out.

20
21 Chair Parkhill stated that this question could also include moving trucks and where they would be
22 parked.

23
24 Community Development Director Goellner suggested this question be referred to the developer
25 to address with further detail.

26
27 Commissioner Schwalbe stated that right now there is a fair amount of available commercial space
28 on the east end of Lake Street, and this application appears to show that there would be a large
29 amount of commercial space added on the west end. She asked if staff had any projections on
30 what the requirement or demand for more commercial space will be in the future. She stated that
31 so many people shop on-line that brick and mortar facilities seem to be the least desirable way for
32 people to shop.

33
34 Community Development Director Goellner stated that they do have evidence of a high vacancy
35 rate at the Promenade of Wayzata on the west end of Lake Street. She stated that she was not part
36 of those initial discussions, but her general understanding is that retail on the ground floor was
37 desired by the community at that time. She stated that she believes it has hit a 40% vacancy rate
38 and at times, has been even higher than 40%. She stated that there are definitely trends towards
39 less retail and other options for commerce, but they have no direct guidance on whether retail is
40 appropriate here. She stated that it would be helpful if the applicant could help explain their plan
41 for the commercial spaces in order to help the City understand how it is viable in the market today
42 and long term so they can understand how the proposed uses would fit well in the downtown
43 Central Business District.

44
45 Commissioner Schwalbe stated that she does not feel people can pretend that there is not a railroad
46 that goes within 25-50 feet of the backside of the building.

1
2 Community Development Director Goellner stated that she can elaborate a bit on the railroad
3 safety issue. She explained that there is a BNSF railroad track that runs along the southern portion
4 of the property, and runs through the entirety of the community. She acknowledged that there is
5 active railway that needs to be kept in mind for this proposal. She stated that this project would
6 be on its own private property, and not within the railroad's right-of-way or their clearance area,
7 so it would be generally allowed by local zoning, but the City does have some authority to evaluate
8 safety concerns, including the proximity of the development to a railroad corridor. She stated that
9 the standards applied to this site would also be applied to similarly situated property along the
10 railroad corridor in the City. She noted that risks cannot be presumed anecdotally simply because
11 of the proposed project's proximity to the railroad. She stated that if there are concerns, they
12 would need to dig deeper on the nature and the degree of the risk, which would most likely require
13 a safety study of some kind. She stated that the Commission should think about the safety concerns
14 on this site as they would apply to all similar parcels along the railroad corridor.

15
16 Commissioner Sorensen asked if his understanding was correct that semi-trucks would need to
17 pull up on Lake Street and then back into their stalls.

18
19 Planning Consultant Zweber confirmed that was correct. He noted that he found the information
20 on the question regarding the sidewalk that was asked earlier in the meeting. He explained that
21 the sidewalk when it is separated from the trail is about 5 feet wide and the trail, as proposed, in
22 the center, has about 12 feet of bituminous and then about a 2 foot concrete curb on both sides, so
23 it would be about 15-16 feet for the trail.

24
25 There being no further questions for staff, Chair Parkhill asked the applicant to address the
26 Commission.

27
28 Applicant representative Curt Fretham, Lake West Development, gave a brief overview of the
29 project and explained their desire for it to be socially connected, walkable, pedestrian friendly,
30 sustainable, and bring vitality to the area. He noted that he understands that over 1,000 people
31 have been advocating for saving the existing TCF building. He explained that they worked
32 diligently on multiple applications in 2020 to incorporate and save the building, but in order to
33 meet the Comprehensive Plan goals for minimum density requirements, they moved away from
34 trying to save the building. He introduced others with the Applicant: David Nims of Hobbs +
35 Black Architects, Vern Swing, S² Traffic Solutions, Ryan Herm, Urban Ecosystems, and Nick
36 Mannel, Loucks and Associates. He noted that Matt Gamble with All City Elevator was also
37 present and could answer questions about the mechanical parking system.

38
39 David Nims, Hobbs+ Black, 100 State Street, Ann Arbor, MI, stated that this is a unique site and
40 noted that it rises in height by 12 feet as it moves from east to west, which is what allows for some
41 of their innovation with relation to parking. He gave a brief overview of the open space, park
42 areas, and the massing breaks. He reviewed the building design details and the materials being
43 proposed. He reviewed the public access at the entries, valet areas, loading and servicing that will
44 be internal to the project.

1 Vern Swing, S² Traffic Solutions, 4290 Norwood Lane N, Plymouth, MN, reviewed the questions
2 that had been raised at the previous meetings that required traffic engineering assessment. He
3 stated that to address those questions they prepared a traffic impact study for conditions without
4 the project and with the project. He stated that the results of the analysis indicated that the project
5 would add approximately one inbound and one outbound every minute during the peak hour to the
6 transportation system. He stated that the results verified that the study intersections will operate
7 at the same level of service with or without the development. He stated that the addition of the
8 development traffic has basically no impact on the overall traffic operations in the area. He noted
9 that they also evaluated the flow of on-site traffic to verify that the interaction of cars, pedestrians,
10 and delivery vehicles can be done safely without impact to traffic off site. He gave an explanation
11 of where delivery vehicles will be able to park and noted that overflow of these types of vehicles,
12 will be able to utilize the valet area. He stated that there is a porter room which is a locked room
13 which is where the Amazon type packages would be held until the resident comes to retrieve them.
14 He stated that the delivery parking spaces are outside off of the two lanes of traffic and will not
15 affect or block the onsite traffic. He stated that there are crosswalks at the site access points and
16 noted that overall on-site traffic will flow well and will not impact off-site traffic. He stated that
17 they also evaluated the parking demand associated with the proposed use and found the residential
18 demand for space occurs at night and the demand for office space will occur during the daytime
19 which allows for the spaces to be shared. He stated that the highest demand will occur at 1:00
20 p.m. on weekdays and will require approximately 133 spaces and the proposed 229 spaces will
21 satisfy that demand. He stated that he would like to address some of the misconceptions that
22 appear to be out there regarding Lake Street. He stated that regarding roadway capacity, Lake
23 Street is a two lane urban street with turn lanes at critical intersections and according to MnDot,
24 this type of roadway has capacity for 17,000 trips/day and not 11,000. He stated that another point
25 to clarify is that the existing average daily traffic on Lake Street does include the TCF headquarters
26 traffic. He reiterated that the proposed development will have essentially no impact on the traffic
27 operations in the area and the on-site circulation of delivery vehicles or garbage trucks will not
28 affect traffic off-site.

29
30 Ryan Herm, Urban Ecosystems, 2500 University Avenue W, St. Paul, explained that from a
31 landscaping standpoint, the existing site is a wasteland filled with dead and diseased trees, acres
32 of blacktop and an overgrown dilapidated park. He explained that untreated stormwater runs
33 directly into the lake from this site. He stated that implementing an environmentally designed
34 development on this site that makes sustainable green and open space is their priority. He stated
35 that their design has committed to green and open space and over 47% of the site is dedicated to
36 parks, plazas, gardens, and outdoor spaces that will be available to patrons and the public and
37 creates view sheds to the lake. He gave an overview of the green, open, plaza spaces and the
38 proposed amphitheater space.

39
40 Nick Mannel, Loucks, 7200 Hemlock Lane, Maple Grove, gave a brief overview of the proposed
41 stormwater management system and highlighted the benefits that they believe will be achieved
42 through this project. He explained that their proposed filtration will improve the quality of water
43 that leaves the site and enters the lake.

44
45 Mr. Fretham, explained that he feels that they have thoughtfully addressed the concerns that have
46 been raised at the previous meetings. He stated that they had been asked to reduce the mass,

1 provide more open space, and increase the density to meet the requirements. He stated that it has
2 been difficult but they believe that they have addressed all the concerns that had been raised. He
3 stated that they had been asked to reconsider their plans to remove the existing building which
4 they did, and noted that they can elaborate on that issue if the Commission would like. He stated
5 that they provided public parking, even though they were not asked to do that. He reviewed the
6 expected additional tax revenues that their proposal will bring to the City. He noted that the
7 neighbors had also asked them to do things which they have addressed. He noted that they have
8 been asked to do a lot of things, and they have accepted those requests and explained that all they
9 would like to do is use their property in a reasonable manner. He asked the Commission to approve
10 their concept plan without further delay.

11
12 At the conclusion of the applicant's presentation, Chair Parkhill opened it up to questions for the
13 applicant from the Commission.

14
15 Commissioner Douglas stated that she likes that there will be less access to Lake Street as a safety
16 feature. She asked about the traffic on Lake Street because the reports stated 2018, and she
17 questioned the report's accuracy because a lot has happened since 2018.

18
19 Mr. Swing explained that the turning movement traffic counts within the report were conducted in
20 August of 2021, but noted that the average daily traffic numbers were from 2018. He stated that
21 they took those numbers and grew them at the growth rate included in the Comprehensive Plan to
22 reflect what is likely the traffic in 2021. He noted that the 2018 report included traffic from the
23 TCF headquarters because it was not vacant at that time and could be subtracted out. He stated
24 that the daily traffic, without this development, in 2024 was projected to be around 6,500 average
25 daily trips which includes the traffic from TCF. He explained that the daily traffic number is more
26 of a planning number and the actual operations are based on weekday turning movement numbers.

27
28 Commissioner Douglas confirmed that his study took into account Ventana, the Hughes building,
29 and potential new building where Burnett was located.

30
31 Mr. Swing stated that this was correct.

32
33 Commissioner Douglas stated that there is also the new Panoway development, and noted that she
34 lives in the area and the traffic over the last two summers has been terrific.

35
36 Mr. Swing stated that it is challenging and noted that there was also construction last summer for
37 part of the time. He noted that he comes to the City quite frequently because he and his wife like
38 to come to the restaurants in the City.

39
40 Commissioner Douglas explained that she has a lot of concerns about what is going on at the
41 intersection of Edgewood Court with Lake Street East.

42
43 Commissioner Schwalbe noted that she had questions about what the main level of these buildings
44 will be used for, and asked if the developer had a vision for what types of businesses will occupy
45 these spaces or if they had been approached by any interested parties.

1 Mr. Fretham stated that they have been approached by a number of businesses, and explained that
2 he has a list of restaurants who want to be in this location. He stated that there are several shared
3 office space groups that have expressed interest that he thinks would be a nice match because it
4 would bring what the City is looking for in multi-generational use. He stated that there is also a
5 plastic surgeon group that has expressed interest, as well as a number of financial institutions that
6 are planning to vacate downtown Minneapolis. He stated that he has not entered into agreements
7 with any parties because he wanted to wait until they were further down the road in this process.
8 He stated that they have also had a tremendous amount of interest from people wanting to make
9 reservations for the residential condominium units. He stated that it has been exciting to see the
10 amount of interest expressed in this project without them even marketing it.

11
12 Commissioner Schwalbe noted that one of the things the City is looking for is more diversity in
13 housing for young families, and noted that the price point for these units is about \$800,000 for a
14 one-bedroom unit of about 800 square feet. She asked how Mr. Fretham feels this addresses the
15 City goal for diversity and bringing in younger families.

16
17 Mr. Fretham stated that his daughters are 13 and 10 years old and they are excited to live there.
18 He stated that there is at least one other party that has signed a reservation for one of the units that
19 also has school-aged children. He stated that it will probably be primarily an older group, but
20 expects that there will also be some families in the building.

21
22 Commissioner Schwalbe asked if Mr. Fretham had any concerns about the railroad because it goes
23 fast and makes noise.

24
25 Mr. Fretham stated that he believes if you live in the City, the reality is that the railroad is here and
26 it has to be embraced. He stated that there will be people that will not want to occupy the space
27 because of the railroad, but there are only 32 units and only 40,000 square feet of commercial
28 space. He stated that it will not be right for everybody, but there is not much of it. He stated that
29 from a marketing standpoint it does not concern him at all.

30
31 Commissioner Schwalbe asked about the ability of the public to access the area within the massing
32 breaks of the project.

33
34 Mr. Fretham stated that he did not think they would be policing the massing breaks. He stated that
35 he expects some of them will have restaurants or coffee shops, and people will be encouraged to
36 come there. He stated that some of the spaces will likely be office space which may feel a bit more
37 private and less inviting. He stated that the massing breaks are not really purely park space and
38 feels the individual businesses will be managing the use of the massing breaks.

39
40 Commissioner Sorensen stated the east building had 66% of the parking that is below the water
41 elevation, and asked for more detail on the passive system that would be used and how that would
42 be dealt with.

43
44 Mr. Fretham explained that they hired a hydrologist and engineer from Kimley Horn who spent a
45 lot of time on this issue. He stated that he does not have a lot of the details nor was the Kimley
46 Horn representative at tonight's meeting, but noted that they will need to satisfy the City that they

1 are putting together a system that will address this issue. He explained that the buildings that went
2 up across the street all had similar issues and were also encroaching on the water tables. He stated
3 that the alternative was to ask for a height variance, but they did not want to do that because they
4 like their design approach.

5
6 Mr. Nims noted that Kimley Horn is a local and regional expert that is located in Minneapolis. He
7 explained that in their initial study, they determined that the weight of the building will be enough
8 to resist the buoyancy forces and knows that they are also planning a redundancy in the
9 waterproofing system so a rubberized hot fluid will be applied against the walls themselves,
10 reinforcing with fabric matts, and on top of that will be multiple layers of drainage tiles. He stated
11 that in their calculations, they took the 100 year high point of the lake and added two feet to it as
12 an extreme situation for the lake levels. He noted that they have not taken it much further because
13 this is the Concept Plan phase.

14
15 Commissioner Severson asked about the occupancy, and for the average number of people that
16 will be in the building once it is filled for both the commercial and residential units.

17
18 Mr. Fretham stated that he does not know the answer to that question. He noted that the peak
19 estimate for parking is 133 stalls, so if everyone drove a car, that would be 133 people. He stated
20 that he doesn't know the specific answer to her question, but can perhaps look it up and send an e-
21 mail with the answer.

22
23 Commissioner Severson stated that she thinks that number would be helpful for the City to know
24 what type of scale this will be; for example, information like the size of the companies, number of
25 employees, and the number of people that would typically be living in each of the units.

26
27 Mr. Fretham reiterated that he did not know the answer to this question.

28
29 Commissioner Severson noted that quite a few of the Commissioners have questions related to the
30 mechanical parking and asked for more details on that element for those that have not had
31 experience using this type of system. She asked for information on how it works, how it is
32 troubleshooted, and what happens if a car gets stuck.

33
34 Matt Gamble, All City Elevator, explained that they have installed three of these systems locally.
35 He explained that they are entered and exited similar to the outside parking lot with 90 degree
36 parking. He stated that it would be entered using a fob or an app similar to what can be found with
37 a garage door opener. He stated that once you exit the system, the gate shuts and the car is inside
38 and does not move unless there is a demand for another open spot, which is when it will shuffle
39 the cars side to side or up and down to provide and open spot.

40
41 Chair Parkhill asked about the speed of the system.

42
43 Mr. Gamble explained that the cycle time for a three level system is less than 90 seconds

44
45 Commissioner Severson asked if people had to have a space already allocated or would the public
46 be able to utilize them too, for example if they came to town in order to go to one of the restaurants.

1
2 Mr. Gamble stated that he believes the intent is for valet parking to utilize some of the spaces. He
3 shared a video that demonstrated how this type of system worked, and noted that 34 vehicles can
4 park in the space of twelve surface stalls. He stated that they have not seen a lot of failure rates on
5 these systems. He noted that they had just installed one in St. Paul with 102 stalls, and they have
6 not received a single call on it other than a call where an individual's app on their phone was not
7 working.

8
9 Commissioner Severson asked if there would valet staff available 24/7.

10
11 Steve Eggert, Lake West Development, reviewed the diagram that depicted where people will
12 park, including the residential, office, and areas for public/restaurant/guest/retail overflow parking.
13 He explained that during the nighttime hours, the systems can be shut down so there is only first
14 level parking available. He stated that many people have safety concerns, but it is important to
15 note that the cars do not shuffle around like Carvana.

16
17 Chair Parkhill asked when the valet staff would be on-site.

18
19 Mr. Eggert stated that they have been discussing this detail and do not have a specific answer, but
20 most likely, the plan would be for the valet service to be available from 3:00 p.m. to the restaurant
21 closing time.

22
23 Commissioner Severson asked if the residential parking would also be done by valet or use
24 mechanical system themselves.

25
26 Mr. Gamble explained that typically the residents are trained on how to properly enter the space.
27 He noted that it provides a secure parking space for them because they are behind a gate. He
28 explained that typically there is a dedicated fob and they are the only one who can get into that
29 space and will always pull into the same door. He stated that their response time is much the same
30 as they would respond to an elevator call which is one hour response time at night and 30 minutes
31 during the daytime.

32
33 Commissioner Severson asked how many parking spaces are dedicated for visitors and the public
34 that do not have a fob space.

35
36 Mr. Eggert stated that there are 62 parking stalls dedicated for this purpose throughout the full
37 parking garage.

38
39 Mr. Gamble explained that the state of Minnesota recognizes this equipment as elevator
40 equipment, and it will be inspected by two agencies which are very thorough. He stated that this
41 is a European design and use is extremely common on the east and west coasts of the United States
42 along with Florida.

43
44 Commissioner Douglas stated that one of the issues at the Promenade is that people don't realize
45 there is parking available. She asked what kinds of provisions will be made in order to let people
46 know that there is public parking in the building.

1
2 Mr. Eggert stated that they have been discussing a system similar to the Mall of America where
3 there is parking calculations and a digital sign that displays the amount of parking available. He
4 stated that there are also systems that use a lighting system to allow you to know if there are spaces,
5 such as green if there is an available spot and red, if not. He noted that they are discussing their
6 options internally but have not yet made a determination on which method they would use. He
7 stated that they will have public parking signs but are not sure about the style.

8
9 Commissioner Douglas shared the example of mechanical parking at Manchester's Department
10 Store in Wisconsin in the 1950s. She stated that it was fun for her, as a child, to go shopping with
11 her mother and watch the cars go up and down, so mechanical parking is not a new concept.

12
13 Mr. Gamble agreed and noted that it was actually first presented at the World's Fair in the 1920s.

14
15 Chair Parkhill asked for a reminder of the breakdown between condominiums versus rental units
16 in the project.

17
18 Mr. Fretham stated that they currently have 32 residential condominiums proposed. He stated that
19 the intent is not for rentals at this time and believes there is enough interest that this will not change.

20
21 Commissioner Severson asked how many parking spots would be allotted to each unit.

22
23 Mr. Fretham stated that each unit will have two stalls. He noted that when he listed off tenants
24 that had expressed interest in the project, he neglected to share with the Commission that a grocery
25 store has expressed interest in the west building.

26
27 There being no additional questions from the Commission for the applicant, Chair Parkhill opened
28 the public hearing on the application at 8:33 pm. He read aloud a statement regarding the public
29 hearing process and shared other opportunities the public will have to give their input, either in
30 person or in writing.

31
32 Kendra Lindahl, Landform Professional Services, 105 S. 5th Avenue, Minneapolis, explained that
33 she is here representing Brian and Sherry Heeb who live across the street from this site. She
34 highlighted a few points from the letter she'd written that had been included in the packet that she
35 feels are important and that have not been addressed. She stated that she thinks the issue of railroad
36 safety is significant and is surprised that a railroad study has not been completed. She stated that
37 she feels this warrants that analysis and evaluation. She stated that in 1989, the City's Council at
38 the time required the developer of the TCF site to provide an easement for a pedestrian tunnel.
39 She stated that it was deeded in 1989 and modified in 1997. She stated that the City has the right
40 to abandon the easement but would not like to see that considered without evaluation. She stated
41 that she has not heard an analysis of what the benefit to the City is for having a PUD, and feels
42 that the value for the City really needs to be looked at and at what cost. She would encourage the
43 City to take into account the public health, safety, and welfare issue, and make it a condition that
44 a safety study be completed before this moves forward.

1 Brad Hoyt, 326 Ferndale Road W, explained that he owns the Ventana building. He highlighted
2 some of the points he had included in his letter and explained that he and his family travel down
3 Lake Street numerous times each day in vehicles, bikes, or by foot. He stated that they enjoy the
4 access to air, light, sun, and wind. He stated that the existing TCF building is a charming building
5 and is minimally obtrusive and won many awards for the architecture. He stated that he had
6 recently spent a night in a European hotel that was over 400 years old, and the TCF building is
7 only 35 years old. He stated that access to light and air has always been something taken seriously
8 by the City and quoted from the archives from the Chamber of Commerce. He stated that he feels
9 the investment to create the Panoway environment would be tossed out the window with this
10 development. He stated that he does not understand what is in this for the residents or the City
11 because it does not comply with the PUD ordinance, the Comprehensive Plan guidance, or the
12 Design Standards. He stated that if the decision is made because the City wants a larger tax base,
13 he would argue that the City does not need a larger tax base. He stated that if this moves forward,
14 he would argue that there would be a decrease to the values of the Ventana, Wayzata Blu, Meyer
15 Place and the Hughes office building and thinks that would offset any potential gain from this
16 project. He stated that he has been a builder for about 60 years and there are many things that
17 concern him regarding the 'bathtub' or foundation system. He stated that they all had water tables
18 and chose not to build beneath them, and shared an example of a building he owned that had this
19 kind of system and ended up with eleven feet of water following a power failure. He stated that
20 he would not want to own that type of building nor do people want to insure them. He stated that
21 the building, in its present state, is completely viable and noted that in a post-Covid world, the
22 1980s office lay out is back in vogue. He stated that he feels with a minimal investment in the
23 building, it could once again be occupied. He stated that he also has serious concerns regarding
24 the railroad, and noted that they had to pile their foundations as deep as 150 feet because the soils
25 are all peat. He stated that he is concerned about the compressibility and stability of the soils. He
26 stated that the load from the track and the trains, which roughly transmits at a 45 degree angle, will
27 land right in the middle of the back wall of the building. He stated that he has furnished the City
28 with a letter from Fredrickson and Byron stating that the easement is there and has been recorded,
29 and he would be troubled if the City vacated it. He reiterated that he feels this property should
30 remain in its current state.

31
32 Pat Hughes, explained that he owned the property at 235 Lake Street East. He stated that he has a
33 huge economic interest in the west end of the City, and noted that he just completed a 50,000
34 square foot class A office building on property that he has owned since 2003. He stated that he is
35 also here because of the history he has in the City, and explained that he came as a young
36 entrepreneur in 2001. He stated that since that time they have built three companies in Wayzata,
37 had countless employees, and supported businesses within the community. He stated that he and
38 his wife do not vote here, but consider themselves Wayzata residents. He stated that they are all
39 here to discuss, for the third time, an application to redevelop this property, and noted that he thinks
40 the Commission got it right the first two times. He stated that what he learned when he looked
41 into PUDs is that there is a lot of legal precedents, and gave the example of a legal argument Brad
42 Hoyt had with the City in 2016. He stated that on April 18, 2016, the Minnesota Court of Appeals
43 ruled in favor of the City with an interesting verdict which he feels gives the City the clear ability
44 to turn down this PUD application. He read aloud a quote from the verdict that "The City may
45 approve a PUD, although it should not be required." He stated that the Commission should feel
46 good about their ability to turn this PUD down. He noted that he is very familiar with the petition

1 that is floating around and explained that what is unique about Wayzata is how much people care
2 about the community. He stated that in less than seven days, 1,100 people, 400 of which are
3 residents of the City, have come together to stand behind a request to deny this application. He
4 stated that he feels the solution is incredibly clear that the City should deny the application, for the
5 third time, and refocus the efforts of the developer to maximize the existing building. He stated
6 that these actions would protect the charm of the City, enhance the current business owners and
7 the community, and preserve the enjoyment of the lake for everyone.

8
9 Lindsey Bashioum, 461 Peavey Lane, explained that she served on the Planning Commission the
10 last two times this proposed project came in front of the Commission. She stated that the project
11 was also denied by the Council following the Planning Commission recommendation. She stated
12 that when the application was reviewed, there was a huge surge of residents that were absolutely
13 against it. She stated that she believes the past denials were the correct thing to do. She stated that
14 in listening to tonight's presentation, the concerns of residents were very much the same as those
15 from the neighborhood meeting that had been included in the packet, such as the amount of
16 commercial space, proximity to railroad tracks, easements for pedestrian access, parking and
17 traffic impact. She stated that the parking study was conducted in August which is generally the
18 quietest time in the City. She stated that she did not think the traffic issue can be minimized
19 because it is a real issue and many people agree. She stated that this proposal is inconsistent with
20 the 2040 Comprehensive Plan and there is actually no public benefit provided that is not already
21 there. She stated that the photo in the presentation that showed the plaza area was a bit
22 disingenuous because it is only for people who work or live there and not the public. She stated
23 that this proposal will result in the loss of character, charm, and whatever small-town feel the City
24 has left. She stated that the TCF building is an iconic building and as noted by Mr. Hoyt, is viable
25 for use, with a minimal investment. She stated that a large concern, because she lives in Peavey
26 Lane, and walks Lake Street daily, is that this project will create the canyon effect that gives a
27 closed in feeling along the entire corridor and will provide significant shadows that will blanket
28 Lake Street from Ferndale Road to Barry Avenue. She stated that with the mechanical parking,
29 she feels it is obvious that they are trying to fit a square peg into a round hole to meet the parking
30 requirements and feels it is asking for problems with the stalls located under the groundwater
31 elevation. She stated that those requirements are really because of the density of the project and
32 if that was reduced, they would not need to go this route. She stated that she believes the
33 Commission got it right the first two times and this application should be denied for the third time.

34
35 Doug Cooley, 214 Barry Avenue, stated that he has concerns regarding parking related to the
36 groundwater issue. He stated that Loucks and Kimley Horn have done a great job coming up with
37 an engineering solution, but if there is not redundancy included, such as duplex pumping systems
38 and an emergency power system, the water level may be breached. He stated that he is also
39 concerned about the mechanical parking system and even if it is a great system, it will have a
40 breakdown and will require maintenance. He stated that in both cases, the cars will have to go
41 somewhere, which he believes will be on the streets of the City which will impact the residents in
42 the City. He stated that with regard to the sidewalk narrowing on the east end, the Panoway has
43 been a great thing for bikers and walkers. He stated that it is used constantly and is dangerous in
44 its current form and if those are combined into one without the separation, he feels it is an accident
45 waiting to happen and someone will be injured.

1 Pete Wyterra, 143 Edgewood Court, stated that he has lived in this location for about 15 years, in
2 Minnesota for about 40 years and before that he served on the City Council in a large city just
3 outside of Boston, MA. He stated that they would have killed someone to keep the TCF building.
4 He stated that this is the best looking commercial building in Hennepin County, and he doesn't
5 understand why the City would want to dispose of it. He stated that it will cost money to renovate
6 the inside, but thinks the people that are interested in developing should go back to the bankers
7 and ask them to cut their price so it can be developed for residential use. He stated that it would
8 be a shame to lose that building and feels the City should do everything they possibly can to keep
9 it.

10
11 Joe Vanloy, 136 Birch Lane West, stated that he would agree that the TCF building is an iconic
12 building, but would like to touch on the four cores that are in proposed. He stated that the first
13 massing break between A1 and A2 is 25 feet which generally coincides with the ordinance
14 standard, but the ordinance also talks about ensuring that the mid-block connectors provide view
15 of Lake Minnetonka if the property is between Lake Street and Lake Minnetonka. He stated that
16 he went to the site and noted that Edgewood Court is 40 feet curb to curb, which means the view
17 in this massing break will roughly be the equivalent of one side of the road. He stated that it will
18 look like a tunnel because it is three stories tall and 75 feet deep. He stated that the next massing
19 break is not at grade and is above grade, which is depicted on the renderings with a ramp and on
20 the far side, a wall. He stated that if you are walking or driving by, nothing will be seen other than
21 a blip of light between the two buildings. He stated that the next massing break gets worse because
22 there are twelve steps from where there is walking or driving up to the entrance of the building is
23 located. He stated that he understands the rules related to massing breaks, but wants to make sure
24 there is thought into what that actually looks like for this length of space.

25
26 Darren Rosha, Rosha Legal Group, 2160 West Wayzata Boulevard, Long Lake, stated that he has
27 been asked to appear on behalf of Bruce Lee, owner of the Wayzata Bay Car Wash, because he
28 was not able to attend tonight's meeting in person. He stated that Mr. Lee, as well as all the
29 businesses in the area would benefit from development of this area. He stated that he would prefer
30 to have the fuel tanks addressed on the property that appear to have been addressed in the proposal.
31 He stated that relating to the rail line concerns that have been raised, there is a challenge of cogency
32 when you consider that there is a Panoway and other facilities that are already along that railroad.
33 He stated that those concerns were not raised, nor has the problem manifested itself, it is
34 challenging to understand how it impacts this property differently. He stated that Mr. Lee views
35 this development as providing quality housing and commercial space along the corridor, without
36 increasing the demand and congestion of parking in the area. He stated that the buildings of this
37 proposal appear to be 20 feet lower than the current building in this location, and there is a
38 challenging reality that every facility that is built will impact the views of the buildings further
39 from the lake. He stated that some of the buildings referenced tonight have had that same kind of
40 impact on other properties. He stated that if this property is developed in any way, it will have
41 some impact, and this appears to be a way that is seeking to find access to views and competent
42 development. He stated that as a business owner, the desire to have occupied commercial space,
43 high occupancy, and vibrant, successful businesses is undeniably linked to having additional traffic
44 on the street. He stated that he feels some increase in car traffic will be essential to be successful.
45 He stated that business owners in the area will reap a benefit from having an active development

1 on this end of the street. He noted that in listening to much of the discussion, it appears to be pretty
2 subjective, and he is asking the Commission to support the development.

3
4 Community Development Director Goellner noted that since there were no other individuals in the
5 room who would like to speak, she suggested that the Chair allow the people present on Zoom
6 who would like to speak have that opportunity.

7
8 Barry Petit, 420 Peavey Lane, stated that he is representing Brian and Sherry Heeb, and would like
9 to piggy-back on what was stated by Ms. Lindahl. He stated that he was unable to share his screen,
10 but asked the Commission to look at the information that was included in the packet with his
11 presentation. He stated that the overarching point is that there are two kinds of issues to consider
12 with the application; an emotional one, as well as a few genuine legal concerns. He stated that he
13 thinks the Commission will need to sift between those concerns, and explained that he understands
14 the emotion surrounding the building. He stated that it is up to the City to preserve and enhance
15 the intrinsic value of the community and the value of Lake Minnetonka. He stated that in
16 discussing the Comprehensive Plan and the issue of charm, he noted that thousands of dollars and
17 a lot of time was spent defining the idea that Wayzata was going to be charming. He stated that if
18 the Commission approves this design, it will define 'charming' within the City forever. He noted
19 related to the traffic numbers, Mr. Swing has stated one thing and the Comprehensive Plan states
20 another, and they cannot both be right regarding the number of trips per day. He stated that as the
21 street is narrowed and the capacity changes, that should impact traffic. He stated that it is hard to
22 swallow the statement, 'The 2040 traffic volume on Lake Street is expected to increase slightly
23 over existing.' He stated that there are nine projects that were not accounted for in the traffic
24 study back in 2018. He explained that if the City is building things based on bad data, then there
25 is a huge problem, and noted that he does not feel the 2018 report can be accurate. He stated that
26 the developer mentioned that there were businesses that wanted to come to the City from
27 Minneapolis which the 2018 report doesn't account for, nor does it talk about the Panoway, and
28 noted that he feels there is a possibility of doubling the traffic in town. He stated that if the City
29 is going to be making decisions, they must be made on the basis of good data and reiterated that
30 they feel the current traffic study being used is not accurate. He stated that he would like to know
31 what consequences there will be if what they are saying will work actually does not work. He
32 asked who would be liable in that situation and take care of the problem. He stated that if this
33 doesn't work based on the information presented by Mr. Swing, he would like to make sure that
34 Mr. Swing is culpable for any mistakes. He stated that the discussion around the lake walk began
35 back in the 1980s, and people said if there was going to be a lake walk there should probably be a
36 tunnel. He stated that it went dormant for a long time, but the idea has come back again. He noted
37 that if the Design Standards are being misinterpreted by people and are not what is desired, they
38 should go back and take another look at them because somehow they are not being interpreted
39 correctly. He stated that part of the Design Standards is that they are trying to create a retail street
40 level, but he does not see that on the design at all. He stated that there is no indication that the
41 lower level has anything to do with retail or commercial. He stated that he also does not feel the
42 design has anything to do with Nantucket architecture either. He stated that in the packet there are
43 photos of the past train wreck with the railroad. He explained that he was the first on the scene,
44 and that there was a railroad tie that went through an office, fortunately, that person was out of the
45 office at that moment. He stated that there are genuine concerns about the shadow effect and this

1 creating a tunnel. He stated that there has been discussion about making a positive street, with a
2 positive environment for biking and walking, and this would put the entire sidewalk in a shadow.

3
4 There being no additional public comments on the application, Chair Parkhill closed the public
5 hearing at 9:13 pm.

6
7 Chair Parkhill asked for the Commission to share their questions and feedback on the application.

8
9 Commissioner Douglas stated that she would like to clarify a comment made by Ms. Lindahl about
10 the railroad accident. She stated that was not on this site and was at the Edina Realty building west
11 of Ferndale Road on a side track. She asked City Attorney Schelzel about the recent statements
12 regarding the railroad easement.

13
14 City Attorney Schelzel confirmed that Commissioner Douglas was asking about the pedestrian
15 access easement that has been mentioned. He stated that based on his office's review of the
16 property records and history of the current PUD, they have concluded that there is no present
17 easement over the property. He stated that there was an agreement in 1989, as part of the larger
18 PUD development agreement, for the property owner to convey an easement in the future, which
19 is also reflected in a certification of completion for the last PUD project that was issued in 1997,
20 but such easement was never granted or recorded. He stated that although there has been some
21 different interpretations, he thinks everyone agrees that there is language in the original PUD
22 development agreement that required the property owner to convey an easement to the City, but it
23 was not, and has not been, conveyed.

24
25 Commissioner Douglas asked if there was any interest on behalf of the City to convey the easement
26 at this time.

27
28 City Attorney Schelzel stated that this is more what the Commission needs to consider but in
29 discussions with staff, he does not think there is any present City plan where the City would need
30 to acquire the easement. He explained that an easement over this property would also necessitate
31 an easement from the railroad to build under the tracks, which again is not part of any current City
32 plan.

33
34 Community Development Director Goellner noted that if the Commission would like to discuss
35 the option of a pedestrian tunnel that provides access from Lake Street under the railroad over to
36 the lake, it is something that could be discussed. She noted that there are not any City policies or
37 plans in place that direct clearly that this pedestrian tunnel needs to happen with this exact
38 development. She stated that she has seen some other framework plans related to Lake Effect that
39 talked about underground tunnels, but that also talked about going over sites to offer pedestrian
40 access over the railroad. She stated that she has seen a number of different ideas, and feels it makes
41 sense that the community has contemplated various ideas to enhance pedestrian safety. She stated
42 that it would be up to the Commission to discuss further if it is of interest to them.

43
44 Commissioner Douglas stated that she just wanted to clarify the easement issue.

1 Commissioner Schwalbe noted that she was not a Commissioner at the time this project first came
2 before the Commission. She stated that the first plan included keeping the TCF building, and
3 tonight she heard that the reason why the second plan did not keep the building was because of the
4 City's minimum density requirement. She stated that she gets the impression that the developer
5 believes that he was required to change his plans because of the minimum density requirement,
6 and asked if that was really what the City intended to convey. She stated that almost everyone she
7 is hearing from about this project likes the idea of keeping the TCF building. She stated that she
8 thinks the proposed design is beautiful and would like to see one or two of them, but is not sure
9 that she likes the idea of five of them going one after the other and creating a 'tunnel'. She stated
10 that it may be too late to put the toothpaste back in the tube, but would like to find a way to keep
11 the TCF building.

12
13 Chair Parkhill asked for clarification of the minimum density requirement that the applicant has
14 referred to.

15
16 Community Development Director Goellner explained that that the minimum density requirement
17 for this property is 20 units/acre, and explained that the existing office building is generally
18 consistent with that and had 120-130 employees on site. She explained that the idea behind the
19 long-term policy guidance is to provide human activity that supports downtown commerce. She
20 stated that the challenge before the Commission is that they need to review the exact request before
21 them at this time, and the public hearing is also for this exact request. She stated that she
22 understands that the Commission has a desire to provide more guidance to the applicant and offer
23 alternative ideas, but that is not the role of the Commission. She reiterated that the role of the
24 Commission is to respond to the exact application that is before them.

25
26 Chair Parkhill asked if the developer had met the density requirement in the current application.

27
28 Community Development Director Goellner confirmed that they had met the minimum density
29 requirement, but noted that there are many different ways to meet the density requirement.

30
31 Commissioner Schwalbe stated that she does feel the architecture of the proposed buildings is
32 pretty and could fit into the City very easily, but reiterated that she does not want to see five of the
33 buildings in a row because that makes them not see as charming. She stated that she is concerned
34 about the traffic and the pathway and the bike trail coming together. She stated that with reference
35 to the railroad, they should be aware that there will be space underneath that is not filled with dirt
36 anymore. She stated that she likes the park on the ends of the project, but she can see, with the
37 elevation of the building, there really would not be much of a view of the lake.

38
39 Commissioner Sorensen stated that he feels it is generally a good sign when there is this much
40 passion on a topic. He stated that it is clear that the applicant has a significant investment in this
41 project, and has worked hard on it. He stated that there are many good aspects of this proposed
42 project, and the applicant has listened to the input from the City. He stated that technically, they
43 have come a long way in meeting the requirements that have been put forth. He explained that
44 one thing that makes this application unique is that it is for an extremely long, narrow site which
45 poses unique challenges in meeting some of the zoning and Design Standards which require some
46 unique solutions. He stated that he feels this is an ambitious concept in an attempt to deal with the

1 density issue and align with the Comprehensive Plan. He stated that there have been a lot of
2 concerns raised and questions asked, but noted that this is a 'concept' that has been put in front of
3 the Commission and feels that there will be time later to deal with some of the issues that have
4 been raised. He stated that one of the concerns that fall in the realm of concept is the mixture of
5 uses on the site. He stated that it is hard to ignore that on the other end of Lake Street that is just
6 about six blocks away that there is a major development with 40% vacancy of the retail space. He
7 stated that he wants to be careful that they are not creating a detrimental effect of replacing current
8 open spaces with this project. He stated that traffic has gotten a lot of input and while a
9 professional traffic study has been done, it is hard to ignore the individuals who spend a lot of time
10 downtown and some of the practical congestions that exists. He stated that serving the retail area,
11 allowing for two parking spaces per condominium, and visitor parking is a legitimate issue that
12 conceptually may be a challenge. He stated that he appreciated the overview of the proposed
13 parking system and feels it has worked well elsewhere and could be a very effective system. He
14 stated that human behavior will end up dictating its effectiveness because if it is confusing or
15 difficult for people, they will just try to find someplace else to park. He stated that putting it below
16 the water table is a concern that should be taken seriously. He stated that some of the other issues
17 are probably not as concerning during the concept phase, but thinks the view corridors do not quite
18 work. He stated that there is also the sidewalk issue and how the privately controlled public spaces
19 will be used. He stated that he feels these issues need to be considered carefully and will require
20 further study so there is not a negative detrimental effect on the City. He read aloud some of the
21 criteria the Commission is to consider when looking at this application. He stated that perhaps the
22 most significant is whether the plan is consistent with the 2040 Comprehensive Plan, which at its
23 guiding principal deals with the issue of 'charm'. He stated that he agrees with many of the
24 comments about the repetitive nature of every building being the same height and creating an
25 unwelcoming tunnel effect and feels the question should be asked if that would really enhance the
26 charm of the City. He stated that this is a very ambitious project that is trying to do a lot on this
27 long, narrow site and thinks they may be trying a bit too hard. He stated that if there is this amount
28 of public reaction from the community, including the number of people who signed the petition in
29 a short period of time, that is something that the Commission needs to understand, evaluate, and
30 be concerned about.

31
32 Commissioner Severson stated that this is also her first time seeing this project since she is a newer
33 member of the Commission. She commended the applicant for addressing some of the concerns
34 that were raised during the prior proposals. She stated that this is a very ambitious project and she
35 can tell that they have taken a lot of time and put in a lot of effort to make it fit, but feels there are
36 still a lot of concerns. She explained that for her, it is related to the parking and many of her
37 neighbors have voiced concerns about parking on the streets. She stated that she is also concerned
38 about losing sidewalk space. She stated that there may also be railroad safety issues that have been
39 mentioned by other Commissioners. She stated that there have also been many comments
40 regarding the lack of charm with the large buildings and she feels that there is some truth to that
41 concern and does feel that it will create quite a tunnel effect. She stated that most notably for her
42 is feeling like this is inherently space that is for the public, which is what a PUD amendment is.
43 She noted that someone on the development team stated that they would not be 'policing' the
44 public spaces, that struck her as not feel very welcoming. She stated that if the intent is for the
45 City to benefit from those spaces she would question whether it would be fully accessible and
46 whether her daughter, who is in a wheelchair, will be able to get up the eleven steps. She stated

1 that is a very ambitious project, but she does not think that it fits all of the City's needs at this
2 point.

3
4 Commissioner Douglas stated she has said many times over the last 20 years, this is the third most
5 significant project in the City. She stated that the public response to this application has been
6 tremendous. She stated that after the Promenade was completed on the east side of town, people
7 starting coming out of the woodwork saying what they wanted for their community because the
8 Promenade was not what they envisioned. She explained that in considering this application, she
9 had to resort to an old trick her father taught her 60 years ago about making a decision and listed
10 the positives on the left and the negatives on the right. She stated that there are some good things
11 that the developer has done, and they have listened to the input that the Commission had given in
12 the past. She stated that she does think it would be good to fill in the west end of Lake Street. She
13 stated that although there are some positives, this proposal does not depict the 'charm' of a lakeside
14 community according to the 2040 Comprehensive Plan which is their guiding document. She
15 stated that she still thinks there will be a huge increase in traffic and has a hard time with the traffic
16 study that has been presented. She explained that she lived in Edgewood Court and last summer,
17 three of her friends coming out to turn left on Lake Street, because there was so much traffic, ended
18 up on the bicycle trail and she has heard this from other people as well. She stated that in the
19 summer, she now turns right and goes up to Wayzata Boulevard and noted that she had lost her
20 lake views. She noted that she can go to the left during the winter months because she can get out
21 of her neighborhood. She stated that she is concerned with things like the new buildings in that
22 block and the desire to pull down the Burnett building for a new project, the narrow streets and
23 Panoway not yet being complete. She explained that the town is only just a mile and a half long,
24 and she is worried about precedent for future development and redevelopment of the 700 block of
25 Lake Street. She feels the current zoning on the south side is two stories or 30 feet and this could
26 set a precedent. She listed other negative aspects and things that concern her such as loss of lake
27 views, tunneling, shadow effect, delivery and service vehicle access. She stated that it feels a bit
28 like the lady in a shoe store trying to squeeze a size 9 foot into a size 7 shoe and this just does not
29 work in this community.

30
31 Chair Parkhill stated that he is also a developer and expressed his appreciation to the applicant
32 because he has been in his shoes before. He stated that he feels the applicant has worked very hard
33 and spent a lot of money on this proposal. He stated that putting this into PUD standards, in his
34 mind, the most creative use of land does not mean maximum build. He read aloud other PUD
35 standards to be considered, and stated that he is not sure that the plans are in harmony with the
36 surrounding areas. He stated that the need for putting in a mechanical parking system tells him
37 that perhaps this is too big of a building. He stated that he feels the third floor has a significant
38 influence on the size of the proposal, and questions whether this project needs to be this large or if
39 all the buildings need to be three stories. He stated that he thinks this design is too big to be
40 charming and does not fit the City.

41
42 There being no further discussion, Chair Parkhill asked for a motion on the application.

43
44 Commissioner Sorensen made a motion, seconded by Commissioner Severson, to direct staff to
45 prepare a draft Planning Commission Report and Recommendation with appropriate findings
46 reflecting a recommendation of denial of the application for a Planned Unit Development (PUD)

1 Concept Plan for the Wayzata Beach Club mixed-use development at 200 Lake Street East for
2 review and adoption at the next Planning Commission meeting.

3
4 All in favor, motion carried unanimously.

5
6 **AGENDA ITEM 6. Other Items:**

7
8 **a) Review of Development Activities**

9
10 Community Development Director Goellner stated that there are a lot of potential new applications
11 in the pre-application phase, including one for the Blake School property that is a proposal to
12 convert the school property into a residential development of single family homes.

13
14 Commissioner Sorensen asked who the applicant would be for the Blake School project.

15
16 Community Development Director Goellner stated that the potential applicant is Steve Bohl of
17 Bohland Homes.

18
19 **b) Planning Commission Meeting Schedule**

20
21 Community Development Director Goellner noted that the next meeting is scheduled to be held
22 on the 4th Monday of the month, February 28, 2022, due to the President's Day holiday.

23
24 **c) Election of Officers of Planning Commission for 2022 Calendar Year**

25
26 Community Development Director Goellner explained that Planning Commission officers are to
27 be elected annually at the first meeting of the year. She explained that Chair Parkhill and Vice-
28 Chair Stockton have expressed interest in continuing in their offices for 2022.

29
30 Commissioner Douglas made a motion, seconded by Commissioner Schwalbe, to reappoint
31 Commissioner Parkhill as Chair and Commissioner Stockton as Vice-Chair for the 2022 calendar
32 year.

33
34 Motion carried unanimously.

35
36 **AGENDA ITEM 7. Adjournment.**

37
38 There being no further business on the agenda, Chair Parkhill asked for a motion to adjourn.

39
40 Commissioner Douglas made a motion, seconded by Commissioner Severson, to adjourn the
41 Planning Commission meeting.

42
43 Motion carried unanimously.

44
45 The Planning Commission meeting was adjourned at 9:56 p.m.

1 Respectfully submitted,
2 Kayla Atkins Rokosz
3 *TimeSaver Off Site Secretarial, Inc.*
4

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**WAYZATA PLANNING COMMISSION
WORKSHOP MEETING MINUTES
February 7, 2022**

5:00 p.m. Introduction

Chair Parkhill called the meeting to order at 5:00 p.m. Present: Parkhill (Chair), Douglas, Schwalbe, Severson, Sorenson. Absent: Merriam, Stockton. Staff: Community Development Director Emily Goellner, Assistant Planner Valerie Quarles, City Attorney David Schelzel, Planner Consultant Eric Zweber.

Assistant Planner Quarles presented on proposed residential and commercial zoning district changes. The presentation included a review of the schedule, the distinction between the Zoning Map and the Future Land Use Map, accessory dwelling units, height changes in C-2 and C-3, townhome support in R-4 and R-4A, and R-5 allowances.

Commissioners asked for more context around the limited zoning changes around C-2 and C-3 and how they fit with the future of Wayzata Boulevard. Staff responded that these changes are meant to be a placeholder for potential development before the Wayzata Boulevard Corridor Study is complete. Additional explanation was also given for the relationship between the Zoning Map and the Future Land Use Map, as well as the history of accessory dwelling units in Wayzata.

Commissioners asked for more background around accessory dwelling units (ADUs). Staff answered that ADUs inquiries come in 1-2 times per month and that while arrangements similar to ADUs currently exist in the least dense residential districts, that there was not a formal rental license program for that type of property. Assistant Planner Quarles also clarified that ADUs are meant to be accessory to the main structure and that was where a lot of the proposed code language was coming from. Commissioner Douglas asked that rental licensing requirements be noted within the ADU code.

The discussion around R-5 allowances centered on whether allowances should be granted administratively or through a Conditional Use Permit. Staff presented the CUP as an option, but chair Parkhill stated that if the point of allowances is to simplify the process and allow PUDs, there is little reason to put applicants through the public process to get them anyway. Assistant Planner Quarles said that she would pose that question at the public hearing. Commissioners also asked about the policy plans cited within the proposed code language. Assistant Planner Quarles stated that they were a more flexible way to keep current, relevant parameters in place for allowances without having to go through the code amendment process. Staff also clarified that the only allowance involving parking is a density bonus for underground parking, and that parking reductions are not a reward for any of the proposed allowances. Commissioners asked about projected population growth in Wayzata and staff answered that population growth had recently exceeded expectations by being at 4,400 people today. However, they also noted that the seasonal population changes in Wayzata made this number difficult to nail down. Lastly, staff mentioned that despite few properties being purely zoned R-5, upper-story housing regulations referencing R-5 and rezoning opportunities in the future would make these regulations more impactful than initially perceived.

During the R-4 and R-4A portion of the presentation, staff also added a note about the difference between suburban-style townhomes (north of Hollybrook Road) and urban-style townhomes in the Wayzata core currently achieved through PUDs.

1
2 Commissioners asked why now was the time to implement these changes to the code. City Attorney
3 Schelzel emphasized that staff's time is in high demand and that there wasn't a strong reason to delay the
4 changes further. Staff added that inquiries and development proposals will continue to come in no matter
5 where the City is in planning or studies.

6
7 Staff and commissioners briefly discussed whether ADUs alone should be delayed one Planning
8 Commission meeting in order to provide for more community engagement.

9
10 There being no further discussion, Chair Parkhill asked for a motion to adjourn. The motion passed on
11 voice vote, and Chair Parkhill declared the meeting closed at 6:10 p.m.

DRAFT



City of Wayzata Planning Commission Agenda Report

MEETING DATE: February 28, 2022	AGENDA ITEM: 4.b
TITLE: Approval of Planning Commission Report and Recommendation of Denial for Planned Unit Development Concept Plan for Wayzata Beach Club at 200 Lake Street East	
PREPARED BY: Eric Zweber, Planning Consultant	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: The 120-day deadline is April 2, 2022	

BACKGROUND:

The applicant, Lake West Development, LLC, has submitted a Development Application for the property owned by Huntington National Bank (successor of TCF National Bank) at 200 Lake Street East. The applicant is proposing to remove the existing vacant office building to construct a 32-unit mixed-use development in two new, three-story buildings:

1. Building A (East Building): 19 unit condominium building with first level office, commercial, and restaurant space and an underground parking lot. Building A appears to be four separate structures (Cores A-1, A-2, A-3 and A-4) above ground, but is proposed with one common underground parking structure.
2. Building B (West Building): 13 unit condominium building with first level retail grocery space and an underground parking lot.

Pocket parks are proposed on the east (East Park) and west (West Park) ends of the property. In addition, a central plaza is proposed between the East and West Buildings with the East Building utilizing three 25-foot wide breaks between each of the Cores as a means to break up the building mass and provide articulation.

A public hearing was conducted at the Planning Commission meeting on February 7, 2022. The Planning Commission recommended unanimously (5-0) that staff prepare a Report and Recommendation of denial for review at the next Planning Commission meeting.

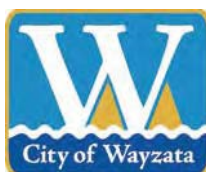
If the draft Report and Recommendation is approved by the Planning Commission, the application would be scheduled for review by the City Council in March or April 2022.

ACTION REQUESTED:

Staff recommends approval of the Planning Commission Report and Recommendation.

ATTACHMENTS:

1. Wayzata Beach Club Report and Recommendation of Denial



WAYZATA PLANNING COMMISSION

February 28, 2022

REPORT AND RECOMMENDATION OF DENIAL OF PUD CONCEPT PLAN AT 200 LAKE ST E

DRAFT

SUMMARY OF RECOMMENDATION

1. Denial of Planned Unit Development (PUD) Concept Plan
-

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Project. Lake West Development, LLC (the “Applicant”) has submitted a development application (the “Application”) for the property at 200 Lake Street East (the “Property”) requesting approval of a PUD concept plan for a project to remove the existing TCF office building and adjacent surface parking lots on the Property and construct two new three-story buildings, with a total of 32 residential units and about 42,000 square feet of office/restaurant space, and associated underground parking (the “Project” or the “Proposed PUD”). The Project would require several stages of City review and approvals, and the Application requests represent the first stage.
- 1.2 Application Requests. As part of the Application, the Applicant is requesting approval of the following:
 - A. PUD Concept Plan: A PUD concept plan (the “PUD Concept Plan”) as detailed in the Application materials to remove the existing office building and surface parking lots on the Property and construct a 32-unit mixed-use development with two new, three-story buildings: (i) a 19 unit condominium building to the east with first level commercial and restaurant space and an underground parking lot; and (ii) a 13 unit condominium building to the west with an associated underground parking lot. Pocket parks would be included on the east and west ends of the Property, and a central plaza would be located between the buildings.

- 1.3 Property. The Property is located on the south side of Lake Street East between Ferndale Road South and Barry Avenue South. The street address, property identification number and owner of the Property are:

200 Lake Street East	06-117-22-32-0029	TCF National Bank
----------------------	-------------------	-------------------

- 1.4 Land Use. The Property is zoned PUD Planned Unit Development District and guided Central Business District under the 2040 Wayzata Comprehensive Plan. The Property also falls within the S/Shoreland Overlay District and the Lake Street Design District.
- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Sun Sailor* on January 20, 2022. A copy of the notice was mailed to all property owners located with 750 feet of the Property on January 14, 2022. The public hearing on the Application was held at the February 7, 2022 Planning Commission meeting.

Section 2. STANDARDS

2.1 Planned Unit Developments (PUDs).

- A. 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.
- B. General Standards. Section 933.02.A of the Zoning Ordinance sets forth the general standards for a PUD and review of a PUD application. These include:
1. Health Safety and Welfare; Council Discretion. 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 933.02.A.10.
10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 933.02.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.

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.

- C. Residential PUD Standards. Section 933.03 sets forth lot area, minimum frontage, municipal water and sewer availability, roadway and parking standards for PUDs which have a residential components. 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.

- D. PUD Procedure.

1. Concept Plan Approval Non-Binding. Concept Plan approval is the first step in a multi-stage process of City review and approval of a PUD. Concept Plan approval in no way binds the City to subsequent approval of a General Plan of Development or other approvals that may be required. Section 933.05.B.
2. Application Contents. An application for approval of a Concept Plan of development for a PUD project must contain the information and materials listed in Section 933.05.C.

Section 3. FINDINGS

Based on the Application materials, additional materials submitted by the Applicant, staff reports, 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. The PUD proposed under the PUD Concept Plan ("Proposed PUD") does not fully meet the purpose and intent of the PUD Ordinance.
 - A. The Proposed PUD does not reflect higher standards of site and building design in that the design, style and massing of the proposed buildings do not successfully integrate into the Lake Street location and the challenges of the long, narrow property.

- B. The Proposed PUD does not meet all of the standards, goals and objectives of the comprehensive plan, including small town character and charm, which are key themes of the 2040 Comprehensive Plan Guiding Principles. The PUD Concept Plan calls for two new three-story mixed-use buildings within five separate, approximately 35-foot tall towers creating significant mass on the Property, and that would create a repeated, “canyon effect” along the corridor of Lake Street through the western part of downtown, and negatively impact intended view spaces.
- C. The Proposed PUD does not clearly create a more desirable and creative environment than would be possible under the existing zoning. Existing PUD zoning centers on a single well-designed building and lower impact office use, with open space to either side of the building, which is more desirable and creative than the Proposed PUD. The Proposed PUD’s mixture of 32 residential units and about 42,000 square feet of office, restaurant, clinic, grocery store and other commercial uses are not more desirable for the area, in that they may not be viable on the site and in the existing market. The PUD also does not provide significant public benefits or public spaces, in that a significant amount of the proposed open areas of the Proposed PUD will have limited public access, and the walking and bike trails at the west end of the property will be significantly narrowed.
- D. The Proposed PUD does not create a more desirable and creative environment than might be possible through the strict application of zoning and subdivision regulations of the City. The proposed Building B will remove an existing sidewalk and create a single, combined regional trail and local sidewalk, which is less desirable. Additionally, the Proposed PUD would use extensive mechanized parking structures for over 60% of the parking provided. Further, more than 53% of the parking would be located more than five feet below the groundwater level, creating a less desirable and an uncreative environment than would result from a strict interpretation of the zoning regulations.
- E. The Proposed PUD does not meet all of the PUD general standards listed in Section 933.2.A of the Zoning Ordinance, including:
1. Health Safety and Welfare. Aspects of the Proposed PUD would be detrimental to the health, safety and welfare of residents of the community and the surrounding area, and do not conform with the overall intent and purpose of the PUD Ordinance as noted in this Report.
 2. Comprehensive Plan Consistency. The Proposed PUD is not entirely consistent with the City’s Comprehensive Plan as noted in this Report.

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 PUD Concept Plan.

Adopted by the Wayzata Planning Commission this 28th day of February 2022.

Attachment A: Legal Description of Property

DRAFT

Attachment A

Legal Description of Property

Lot 1, Block 1, Pinehurst First Addition, according to the plat of survey thereof, Hennepin County, Minnesota.

PID No. 06-117-22-32-0029

DRAFT



City of Wayzata Planning Commission Agenda Report

MEETING DATE: February 28, 2022	AGENDA ITEM: 5.a
TITLE: Consider Variance for Driveway Setback at 445 Bovey Road	
PREPARED BY: Eric Zweber, Planning Consultant	
REVIEWED BY: Valerie Quarles, Assistant Planner	
60 DAY DEADLINE: April 22, 2022 (extended to 120 days)	

BACKGROUND:

The applicant, 688 Bryant LLC, has submitted a development application requesting approval of a variance from the driveway setback requirement of 10 feet from the side yard within the R-1A District to allow for the construction of a driveway located at 445 Bovey Road.

ACTION REQUESTED:

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

ATTACHMENTS:

1. 445 Bovey Road Staff Report
2. 445 Bovey Road Civil Plans
3. Memo from Civil Design Professionals
4. 445 Bovey Road Site Plans
5. 445 Bovey Rd Tree Protection Plan
6. Sexter - 445 Bovey Public Comment



**Staff Report
Wayzata Planning Commission
February 28, 2022**

Project Name: 445 Bovey Road
Requests: Driveway Variance – Side Yard
Applicant: 688 Bryant LLC – Joshua Peterson
Addresses of Request: 445 Bovey Road
Prepared by: Eric Zweber, Consulting Planner
Emily Goellner, Community Development Director
“120 Day” Deadline: April 22, 2022

Development Application Introduction

The applicant, 688 Bryant LLC, has submitted a development application requesting a 10-foot variance from the side yard setback to construct a driveway to serve a future single-family house on the property at 445 Bovey Road.

Property Information

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

Address	PID	Owner
445 Bovey Road	01-117-23-31-0002	688 Bryant LLC

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

	445 Bovey Road
Current Zoning:	R-1A Low Density Single Family Estate
Overlay Zoning Districts:	Shoreland Overlay
Comprehensive Plan Designation:	Estate Single Family

Project Location

The property is located on the north end of Bovey Road situated in between Peavey Lane and Ferndale Woods Road.

Map 1: Project Location



Source: Hennepin County

Application Requests

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

- A. Driveway Variance § 920.05.E.8: The applicant is proposing to construct a driveway that would encroach into the 10-foot south side yard driveway setback requirement.

Public Hearing Notice

Notice of the public hearing on the Application was published in the *Sun Sailor* on February 17, 2022. The public hearing notice was also mailed to all property owners located within 500 feet of the subject property on February 16, 2022.

Neighborhood Notification

In accordance with the City's Neighborhood Notification Policy, the applicant mailed a letter to all property owners within 500 feet of the property on February 17, 2022.

Existing Conditions

The existing undeveloped lot is 80,212 sf or roughly 1.84-acres in size and lies within the Ferndale Woods, Highcroft Subdivision. There are several environmental considerations on the site. The southern half is heavily wooded and contains steep slopes. The northern half contains a large wetland. There is a gravel fire lane easement that goes through the west end of the property from north to south connecting Peavey Lane and Ferndale Woods Road for emergency access into the Ferndale Woods neighborhood. The lots to the north, south, and west of the property are also heavily wooded and contain single-family estate homes. There is public right-of-way abutting the east property line. The intention of the right-of-way would be to connect Bovey Road with Peavey Lane to the north but due to the topography, a road was never constructed. There is currently no access to the lot. In order to get access to the lot, a driveway would need to tie into the existing cul-de-sac at the north end of Bovey Road. The topography in this area is very steep. The entrance is at an elevation of 964 feet and slopes down into the lot with a grade change of 22 feet ending around 942 feet.

There are existing sewer and water services on the site. A sewer force main runs along the fire lane easement and extends eastward parallel to the southern property line up to Bovey Road. Water service is also accessed from the fire lane easement.

The site is zoned R-1A which allows for the construction of single-family homes. The Comprehensive Plan designation is Estate Single Family which is consistent with the proposed use and surrounding properties.

Proposed Changes

The end goal for this property would be to build a house on the lot. As mentioned above, a driveway is proposed to be constructed from the cul-de-sac (Bovey Road) into the southeast corner of the lot. The proposed driveway bends westward to a proposed building pad. Significant retaining walls are proposed along each side of the driveway to contain the steep slopes. There is a sanitary sewer force main that runs parallel to the south property line that is proposed to be replaced. A new easement for the force main would be required.

Proposed utility plans show 370 feet of the sanitary force main being replaced and tying into an existing force main at the end of Bovey Road. A water line would be built from the proposed house pad and tied into the existing water service along the fire lane easement.

Drainage and utility easements will need to be evaluated by the City Engineer for any modifications.

Previous Requests

In December of 2018, a request was made to construct a public street to access the subject property. If approved, the request would have converted the gravel fire lane easement into a public street. This would have allowed the property owner to construct a driveway from the new public street. The request to replace the fire lane as a public street was denied because there was no benefit to the city. The owner could have asked for an easement from the property to the north to access Peavey Lane or to the southwest to access Ferndale Woods Road. There was discussion during the City Council meeting that Bovey Road might be a more appropriate location.

Analysis of Application

City staff has reviewed the pertinent information and City Code requirements for the proposed project, and provides the following analysis and information:

Zoning

The property is zoned R-1A and is located within the Shoreland Overlay District. The following table outlines the standards compared with the proposal:

Regulation	R-1A District – Shoreland Overlay	Proposed
Lot Area	80,000 sf	80,212 sf
Lot Width	200 ft	216 ft
Lot Depth	200 ft	254 ft
Setbacks (proposed building)	Front: 45 ft Rear: 50 ft Side: 20 ft	Front (east): 224 ft Rear (west): 57 ft Side (north): 132 ft Side (south): 25 ft
Setbacks (driveway)	Front: 10 ft Rear: 10 ft Side: 10 ft	Front (east): N/A Rear (west): 121 ft Side (north): 173 ft South (side): 0 ft (variance)

Variance

The applicant is requesting a 10-foot variance to construct a driveway within the side yard setback. The driveway would tie into the cul-de-sac of Bovey Road and enter the southeast corner of the lot. The entrance to the site from Bovey Road has steep slopes and increased environmental disturbance could occur if the driveway was configured to loop further around the southeast corner of the lot, through the front yard. The applicant

believes configuring the driveway to go through the side yard and into the lot would cause the least environmental impact and less retaining walls to address the steep slopes.

The application does not include building plans for a proposed single-family home. Typically, staff reviews both plans for the home and the driveway concurrently. Considering the amount of environmental concern at the site, staff would like the driveway to be constructed before any building activity occurs. If there was no driveway yet, the amount of construction activity to and from the site could have significant environmental impacts. Having a hard surface driveway in place avoids potential degradation to the site when construction trucks come to and from the site. At this time, there is not any indication that a proposed home would require any variances. A building permit would be required and administrative zoning review would take place when the building permit application is processed.

Non-Conforming Lot of Record

This lot and the surrounding subdivision were platted nearly 40 years ago. The property is a non-conforming lot of record because it was legally platted predating the current Subdivision Ordinance. City Code § 915.02.B.6.a allows for the construction of new single-family home on vacant, legal non-conforming lots.

Steep Slopes

Steep slopes are defined in City Code as slopes higher than 12% measured over horizontal distances of 50 feet or more. Construction of the driveway falls within the steep slope definition. Engineering staff has evaluated the retaining wall plans in order to address the steep slopes. Staff found the proposed walls satisfactory to control the grade change and allow for stormwater management. Though the site lies within the Shoreland Overlay District and contains steep slopes, it does not qualify as a Shoreland or Bluff Impact Zone (slopes greater than 18%) where construction of a driveway would not be allowed.

Wetland Buffer Averaging

Minnehaha Creek Watershed District requires wetland buffer averaging where constraints to the land make it difficult to adhere to wetland setbacks. The site plan proposes 2,740 square feet of buffer to be reduced due to the proposed building pad and driveway. There will be an increase in the buffer of 2,751 square feet at the southeast portion of the site. This results in a net increase of 11 square feet of buffer space.

Tree Preservation Plan

There are a total of 53 trees inventoried on the property. Of those, 41 trees (630 diameter inches) are considered significant, 3 trees (109 diameter inches) are heritage, and 9 trees (123.5 diameter inches) are within the class size of a significant tree but are in poor condition. A total of 14 significant trees and 2 heritage trees are recommended for removal due to construction activities. This totals 225.5 diameter inches of significant trees and 70 diameter inches of heritage trees to be removed.

City Code allows up to 25% of total diameter inches of significant trees can be removed. 225.5 diameter inches are proposed for removal. 68 caliper inches of significant trees would need to be replaced.

City Code requires that a ratio of 2 caliper inches of heritage trees need to be replaced for every diameter inch. Since 70 diameter inches of heritage trees are proposed for removal, a total of 140 caliper inches of heritage trees would need to be planted.

A total of 208 caliper inches of significant and heritage trees will need to be replaced. The Tree Preservation Plan noted due to the property being heavily wooded and a large portion being a wetland, it would be difficult to achieve the total tree replacement required.

Due to environmental constraints, a fee-in-lieu of tree replacement could be an option. Per the City's fee schedule, the fee-in-lieu of tree replacement is \$160 per caliper inch required. A total of \$33,280 would be required for fee-in-lieu of tree replacement before a driveway permit is issued. The tree preservation plan replacement calculations do not account for the proposed building pad. Any additional tree removal for home construction needs to be 100% tree replacement.

Standards of Planning Commission Review of Application Requests

The application request is a quasi-judicial review and decision, meaning that the Planning Commission acts similar to a judge in a courtroom and applies the relevant rules of the Zoning Ordinance to this particular property and proposed development.

The Planning Commission should recommend approval of the variance request by the applicant if the Commission determines that they meet all criteria for granting a variance in City Code § 905.01.C.

Primary Questions to Consider

- Is there a practical difficulty with this variance request?
- Is the property owner's proposed use of the property reasonable?
- Is the plight of the landowner due to circumstances unique to the property, and not created by the landowner?
- Does the variance, if granted, alter the essential character of the locality?

Action Steps

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

Attachments

Application
Title Sheets
Certificate of Survey

Demolition Plan
Site and Dimension Plan
Grading and Utility Plan
Retaining Wall Plans and Profiles
SWPPP Narrative
Plan Details
Specifications
Site Plan
Variance Narrative
Tree Preservation Plan

Applicable Code Provisions for Review

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

Variance Criteria (905)

Variances may be granted by the City Council in accordance with Chapter 905 of this Ordinance.

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.

688 BRYANT LLC

445 BOVEY ROAD RESIDENTIAL LOT

PID: 0111723310002

CITY OF WAYZATA, HENNEPIN COUNTY, MN

DECEMBER, 2021

PRELIMINARY PLANS

SHEET INDEX:

CERTIFICATE OF SURVEY	V1
DEMOLITION PLAN	C1
SITE AND DIMENSION PLAN	C2
GRADING & UTILITY PLAN	C3
SOUTH WALL - PLAN & PROFILE	C4
NORTH WALL - PLAN & PROFILE	C5
SWPPP NARRATIVE	C6
DETAILS	C7

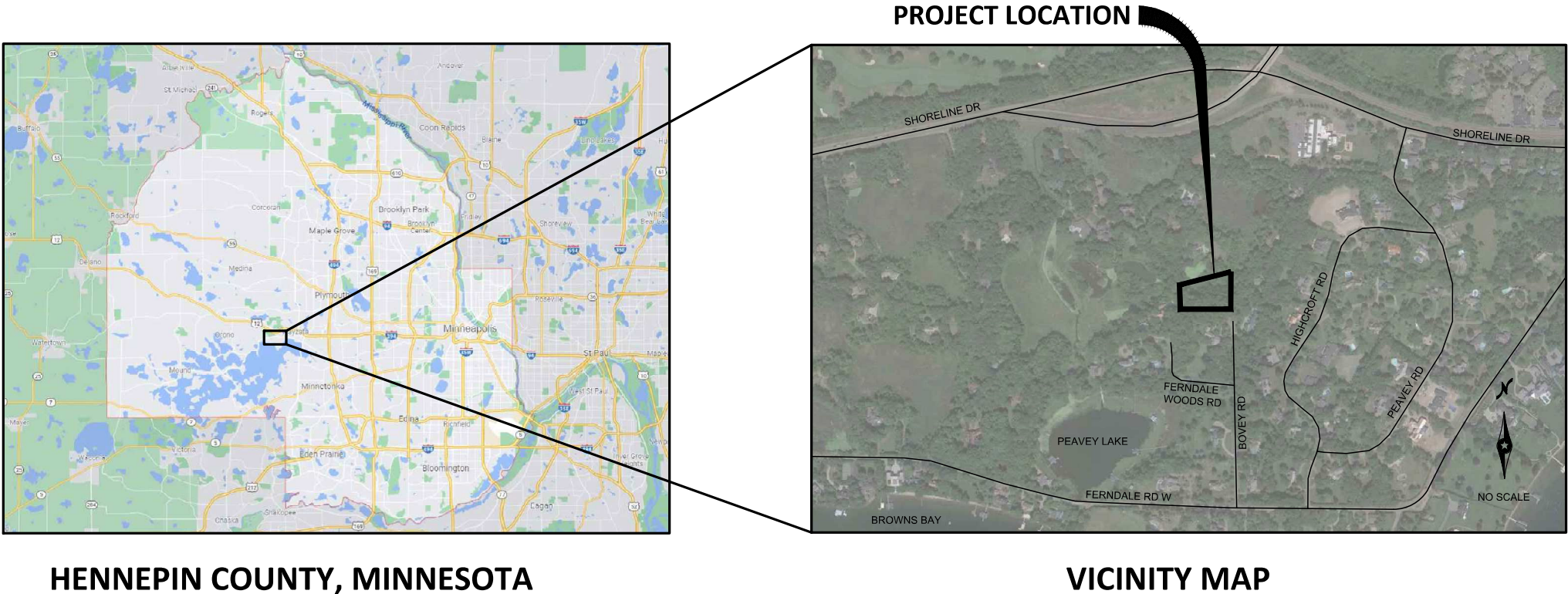
CIVIL & SURVEY PLANS PREPARED BY:



Bogart, Pederson
& Associates, Inc.

CIVIL ENGINEERING
LAND SURVEYING
ENVIRONMENTAL SERVICES

Traditional Values · Creative Solutions



REV NO.	DATE	DESCRIPTION
-	12/21/2021	DRAWINGS ISSUED TO CITY

PRIVATE UTILITIES SHOWN ARE QUALITY LEVEL D.
QUALITY LEVEL D PROVIDES THE MOST BASIC LEVEL OF INFORMATION. IT INVOLVES
COLLECTING DATA FROM EXISTING UTILITY RECORDS. RECORDS MAY INCLUDE AS-BUILT
DRAWINGS, DISTRIBUTION AND SERVICES MAPS, EXISTING GEOGRAPHIC INFORMATION
SYSTEM DATABASES, CONSTRUCTION PLANS, ETC.

DATE:	12/21/2021	REV/ NO.	DATE	DESCRIPTION
DESIGN BY:	CJD	1	12/21/2021	DRAWINGS ISSUED TO CITY
DRAWN BY:	CJD			
CHECKED BY:	CJD			
DWG FILE:	DEMOLITION			
FILE NO.:	21-0614.00			



**BOGART, PEDERSON
& ASSOCIATES, INC.**

LAND SURVIVING
CIVIL ENGINEERING
ENVIRONMENTAL SERVICES

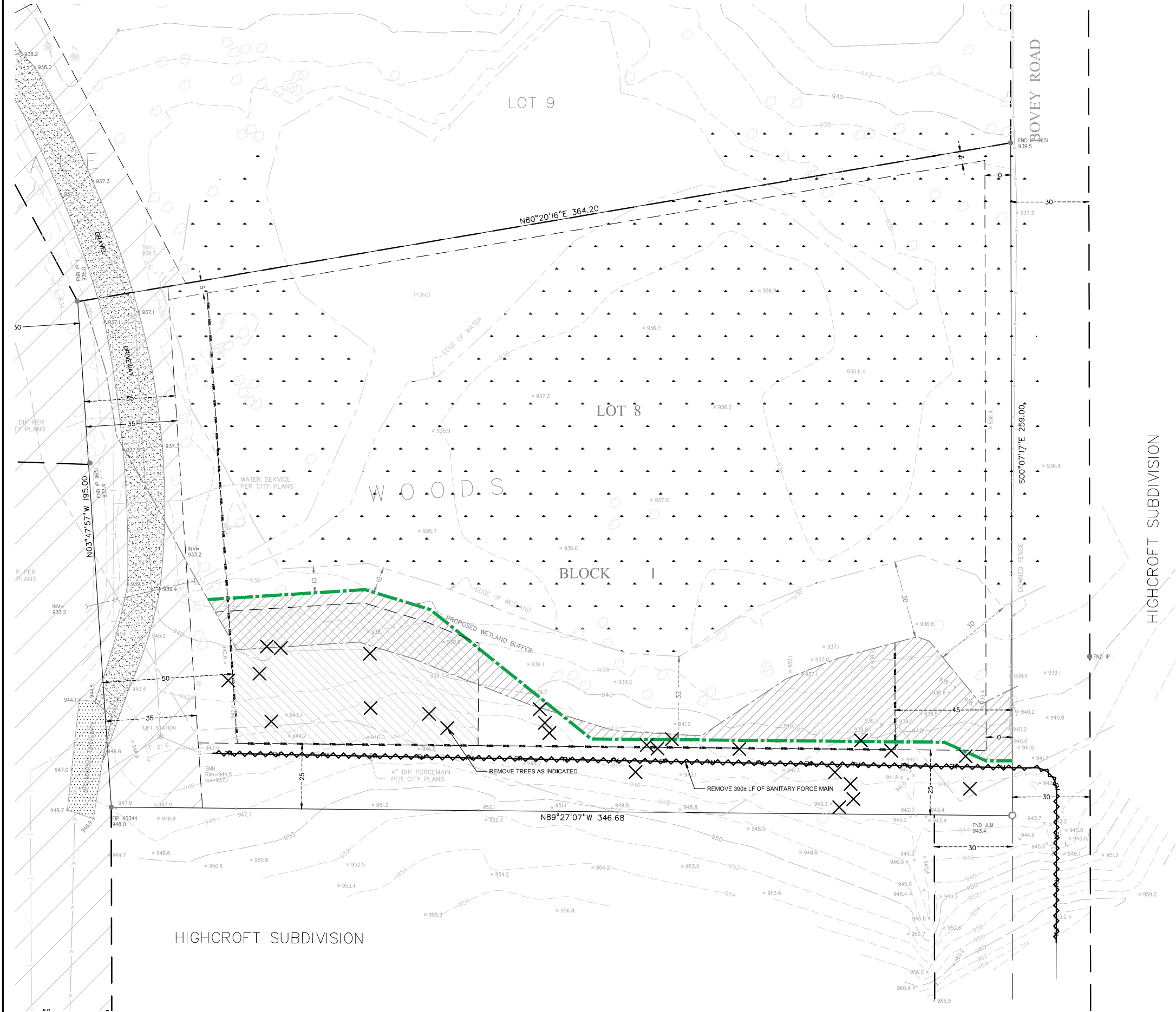
130716 FIRST STREET, BECKER, MN 55308-3322
TEL: 763-263-8822 FAX: 763-262-4844

688 BRYANT LLC
445 BOVEY ROAD RESIDENTIAL LOT
PID: 0111723310002
CITY OF WAYZATA, HENNEPIN COUNTY, MN
CERTIFICATE OF SURVEY

SHEET NO.

V1

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LEGEND:

X REMOVE FEATURE (AS INDICATED)

O SALVAGE (AS INDICATED)

REMOVE FEATURE (AS INDICATED)



DEMOLITION GENERAL NOTES:

- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PERFORM OR COORDINATE ALL UTILITY CONNECTIONS AND RELOCATIONS FROM EXISTING UTILITY LOCATIONS TO THE PROPOSED BUILDING, AS WELL AS TO ALL ON-SITE AMENITIES, THESE CONNECTIONS INCLUDE BUT ARE NOT LIMITED TO WATER, SANITARY SEWER, UNDERGROUND GAS, ETC.
- THE CONNECTIONS SHALL BE PERFORMED IN ACCORDANCE WITH STATE AND LOCAL STANDARD SPECIFICATIONS FOR CONSTRUCTION. UTILITY CONNECTIONS (UNDERGROUND GAS, WATERMAIN, AND STORM SEWER) MAY REQUIRE A PERMIT FROM THE CITY.
- THE CONTRACTOR SHALL VERIFY THE ELEVATIONS AT PROPOSED CONNECTIONS TO EXISTING UTILITIES PRIOR TO ANY DEMOLITION.
- CONTRACTOR SHALL COORDINATE WITH THE CITY OF WYZETA FOR ALL UTILITY DISCONNECTIONS, SERVICE TERMINATIONS AND REMOVALS, CONTRACTOR SHALL COORDINATE UTILITY DISCONNECTIONS AND RELOCATIONS WITH THE UTILITY PROVIDERS PRIOR TO THE START OF CONSTRUCTION. ALL SERVICE CONNECTIONS/DISCONNECTIONS SHALL BE PERFORMED IN ACCORDANCE WITH STATE AND LOCAL STANDARD SPECIFICATIONS FOR CONSTRUCTION. CONTRACTOR SHALL OBTAIN ALL NECESSARY STATE AND LOCAL PERMITS NECESSARY FOR UTILITY CONSTRUCTION AND WORK WITHIN ADJACENT RIGHT-OF-WAYS.
- IF DEWATERING IS REQUIRED FOR THIS PROJECT, THE PUMP DISCHARGE SHALL BE TREATED PRIOR TO BEING DISCHARGED OFF-SITE OR INTO A SURFACE WATER, THE DISCHARGE SHALL BE VISUALLY CHECKED TO ENSURE THAT IT IS VISIBLY CLEAN WATER.
- CONTRACTOR SHALL PROTECT UTILITIES, STRUCTURES AND TREES (NOTED AND NOT NOTED) TO REMAIN AND SHALL BE RESPONSIBLE TO REPAIR DAMAGES TO ANY FEATURES TO REMAIN.

REV NO.	DATE	DESCRIPTION
1	12/21/2021	DRAWINGS ISSUED TO CITY

DATE:	12/21/2021
DESIGN BY:	CJD
DRAWN BY:	CJD
CHECKED BY:	CJD
DWG FILE:	DEMOLITION
FILE NO.:	21-0614-00

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

Signed: Christopher J. Dahn Lic. No. 58628

Date: 12/21/2021

BOGART, PEDERSON & ASSOCIATES, INC.

LAND SURVEYING
ENGINEERING
ENVIRONMENTAL SERVICES

13076 FIRST STREET, BECKER, MN 55305-9322
TEL: 763-262-8822 FAX: 763-262-8844

688 BRYANT LLC

445 BOVEY ROAD RESIDENTIAL LOT

PID: 0111723310002

CITY OF WAYZATA, HENNEPIN COUNTY, MN

DEMOLITION PLAN

SHEET NO.

C1

CALL 48 HOURS BEFORE DIGGING:
GOPHER STATE ONE CALL
TWIN CITY AREA 651-454-0002
MINNESOTA TOLL FREE 1-800-252-1166

12/21/2021 2:54 PM n:\projects\comm\021-0511-00 Lowey road lot\021-0511-00.dwg



LEGEND:

- PROPOSED CONCRETE PAVEMENT
- PROPOSED TURF ESTABLISHMENT
- PROPOSED RETAINING WALL
- WETLAND BUFFER TO BE INCREASED/REDUCED

SITE PLAN NOTES:

- CONTRACTOR SHALL FIELD VERIFY HORIZONTAL AND VERTICAL LOCATION OF EXISTING UTILITIES PRIOR TO START OF CONSTRUCTION.
- CONTRACTOR SHALL INSTALL EROSION CONTROL MEASURES PRIOR TO THE START OF CONSTRUCTION.
- CONSTRUCTION SHALL BE IN ACCORDANCE WITH APPLICABLE CITY, COUNTY AND STATE REGULATIONS.
- SITE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PLANS APPROVED BY THE CITY.
- WETLAND BUFFER
 - REDUCED: 2,190 SQ. FT.
 - INCREASED: 3,290 SQ. FT.

DATE: 12/21/2021		DESCRIPTION
DESIGN BY: CJD	12/21/2021	DRAWINGS ISSUED TO CITY
DRAWN BY: CJD		
CHECKED BY: CJD		
DWG FILE: SITE BASE		
FILE NO.: 21-0614.00		

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

Signed: *Christopher J. Dahn* Lic. No. 58628
Date: 12/21/2021

BOGART, PEDERSON & ASSOCIATES, INC.
LAND SURVEYING
ENVIRONMENTAL SERVICES
13076 FIRST STREET BECKER, MN 55305-9322
TEL: 763-262-8822 FAX: 763-262-8844

688 BRYANT LLC
445 BOVEY ROAD RESIDENTIAL LOT
PID: 0111723310002
CITY OF WAYZATA, HENNEPIN COUNTY, MN
SITE & DIMENSION PLAN

SHEET NO. **C2**

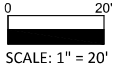
CALL 48 HOURS BEFORE DIGGING:
GOPHER STATE ONE CALL
TWIN CITY AREA 651-454-0002
MINNESOTA TOLL FREE 1-800-252-1166

PIPE SIZING:

1. Q=CIA
C=0.35 I=5.53 IN/HR A=1.05 AC
Q REQUIREMENT=2.03 CFS
2. 18" RCP PIPE @ 5.87%
Q CAPACITY=27.6 CFS

LEGEND:

- TEMPORARY ROCK CONSTRUCTION ENTRANCE
EROSION CONTROL BLANKET (PER DETAIL)
SF GRADING LIMITS AND PROPOSED TEMPORARY SILT FENCE
FIBER-LOG ROLLS
PROPOSED RIP RAP
NEW TOP OF WALL ELEVATION
NEW BOTTOM OF WALL ELEVATION
NEW TOP OF PAVEMENT ELEVATION
NEW FINISHED GRADE ELEVATION
EXISTING ELEVATION
PROPOSED CONTOUR
PROPOSED SLOPE
PROPOSED STORM SEWER
PROPOSED WATER LINE
PROPOSED SANITARY SEWER
PROPOSED WATER SERVICE
PROPOSED SANITARY SERVICE
PROPOSED SANITARY MANHOLE
PROPOSED FLARED END SECTON



GRADING GENERAL NOTES:

1. THE CONTRACTOR SHALL NOTE ANY DISCREPANCIES BETWEEN EXISTING CONDITIONS IN THE FIELD REPRESENTED WITHIN THE PLANS AS SHOWN AND ALERT THE ENGINEER BEFORE BIDDING THE PROJECT AND BEGINNING CONSTRUCTION.
2. CONTRACTOR SHALL LOCATE AND VERIFY ALL UTILITIES WHICH MAY AFFECT THIS WORK AND NOTIFY THE OWNER OF ANY CHANGES. CONTACT LOCAL UTILITY COMPANIES FOR EXACT LOCATIONS PRIOR TO BIDDING THE PROJECT AND COMMENCING WORK.
3. CONTRACTOR SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT SILT AND DEBRIS RUN-OFF DURING GRADING OPERATIONS (I.E. SILT FENCE, STRAW BALES, ETC.).
4. CONTRACTOR SHALL VERIFY CRITICAL ELEVATIONS TO ENSURE CONFORMANCE WITH GRADING PLAN, PARTICULARLY WITH EXISTING STRUCTURES AND/OR PAVEMENTS TO REMAIN. MEET EXISTING GRADES ALONG STREETS, PROPERTY LINES, AND DRIVEWAY ENTRANCES. RESTORE ALL PAVEMENTS THAT REMAIN TO THEIR ORIGINAL IF NOT BETTER CONDITION. NOTIFY OWNER OF ANY CONFLICTS PRIOR TO BIDDING THE PROJECT.
5. TURF ESTABLISHMENT AREAS SHALL RECEIVE MINIMUM OF 4" DEPTH AS MEASURED IN PLACE OF TOPSOIL. TOPSOIL WILL BE FURNISHED AND INSTALLED BY THE CONTRACTOR. ALL GRADED SLOPES GREATER THAN OR EQUAL TO 5:1 SHALL BE HYDROSEED, EROSION CONTROL BLANKETED, OR MULCHED TO HELP STABILIZE THE SLOPES BY GENERAL CONTRACTOR.

UTILITY GENERAL NOTES:

1. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL UTILITY RELOCATIONS.
2. CONTRACTOR SHALL LOCATE AND VERIFY ALL UTILITIES WHICH MAY AFFECT THIS WORK AND NOTIFY OWNER OF ANY CHANGES. CONTACT LOCAL UTILITY COMPANIES FOR EXACT LOCATIONS PRIOR TO BIDDING THE PROJECT AND COMMENCING WORK.
3. CONTRACTOR SHALL VERIFY CRITICAL ELEVATIONS TO ENSURE CONFORMANCE WITH GRADING PLAN AND EXISTING UTILITIES, PARTICULARLY WITH EXISTING STRUCTURES AND/OR PAVEMENTS TO REMAIN.
4. THE CONTRACTOR SHALL NOTE ANY DISCREPANCIES BETWEEN EXISTING CONDITIONS AS EXISTING IN THE FIELD AND AS REPRESENTED WITHIN THE PLANS AS SHOWN AND ALERT THE ENGINEER BEFORE BIDDING THE PROJECT AND BEGINNING CONSTRUCTION.
5. WATER LINE TO MINIMUM 8.0 FEET DEPTH.
6. VERIFY INVERT ELEVATIONS OF EXISTING SANITARY LINE AT POINT OF CONNECTION WITH NEW SANITARY LINE PRIOR TO INSTALLING ANY NEW UTILITIES.
7. ALL CROSSING ELEVATIONS OF NEW UTILITIES & SIZES OF THE EXISTING UTILITIES ARE BASED ON ASSUMED ELEVATIONS AND SIZES PROVIDED BY THE SURVEY.
8. ALL SANITARY SERVICE PIPE AND FITTINGS WILL BE SCHEDULE 40.
9. ALL RCP STORM SEWER SHALL BE CLASS V PIPE UNLESS OTHERWISE NOTED.
10. THE APPLICANT SHALL BE RESPONSIBLE FOR REPLACING ANY CONCRETE PAVEMENT WHICH IS DAMAGED OR REMOVED AS A RESULT OF THE PROPOSED WATER, SANITARY, STORM SEWER SERVICE INSTALLATION.
11. FOR WATER SERVICE LINES #12 AWG SOLID COPPER CLAD STEEL (CCS) WIRE WITH 30 MIL HIGH DENSITY POLYETHYLENE (HDPE) INSULATING JACKET, COLOR BLUE.
12. CORPORATION STOP SHALL BE FORD MODEL # FB1001-6-1DR7-NL OR A.Y. MCDONALD MODEL # 74701B-33.
13. TAPPING SADDLE SHALL BE FORD MODEL # FS323 OR A.Y. MCDONALD # 372.
14. CURB STOP SHALL BE FORD MODEL # B66-666M-1DR7-NL.
15. CURB BOX SHALL BE FORD MODEL # EM2-80-56 OR A.Y. MCDONALD # 5614.
16. IF DEWATERING IS REQUIRED FOR THIS PROJECT, THE PUMP DISCHARGE SHALL BE TREATED PRIOR TO BEING DISCHARGED OFF-SITE OR INTO A SURFACE WATER. THE DISCHARGE SHALL BE VISUALLY CHECKED TO ENSURE THAT IT IS VISIBLY CLEAN WATER. NO DEWATERING IS EXPECTED FOR THIS SITE DUE TO SANDY SOIL CONDITIONS.

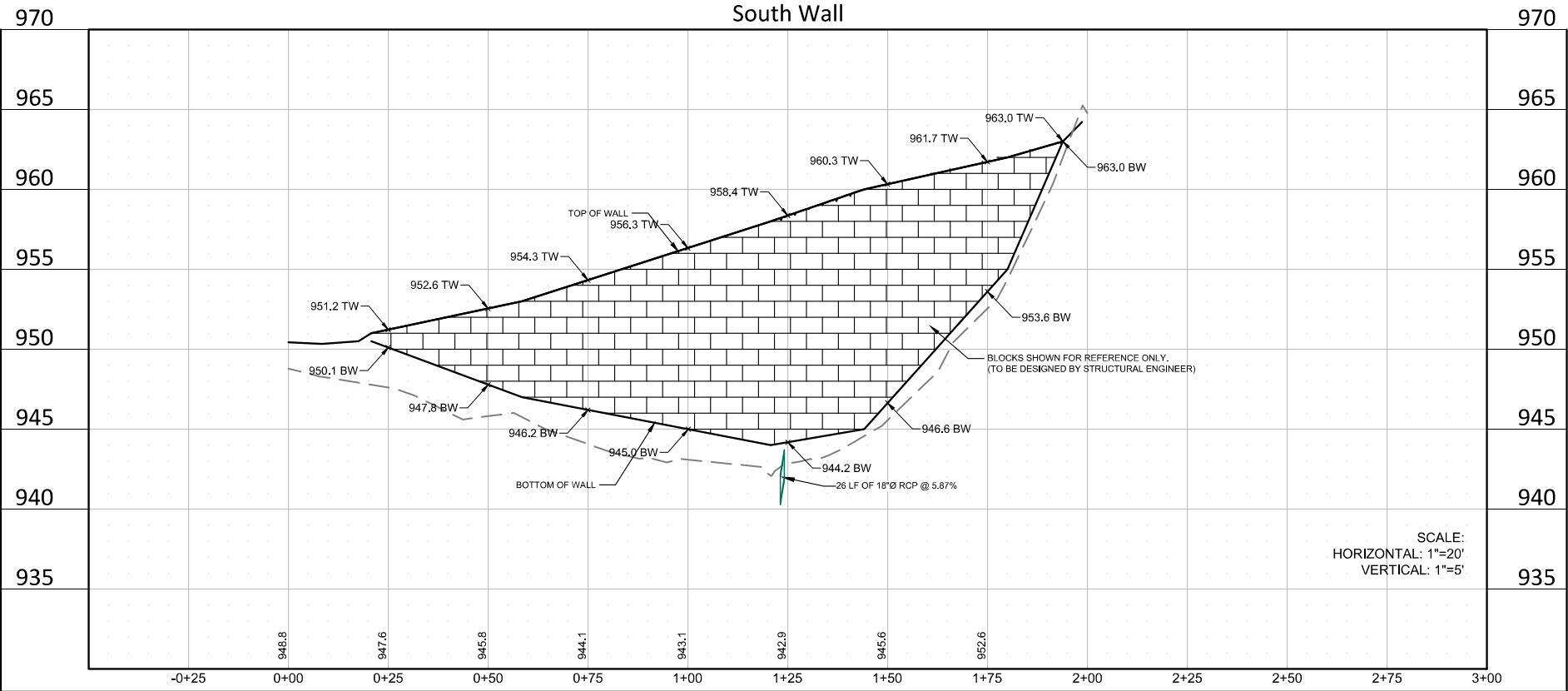
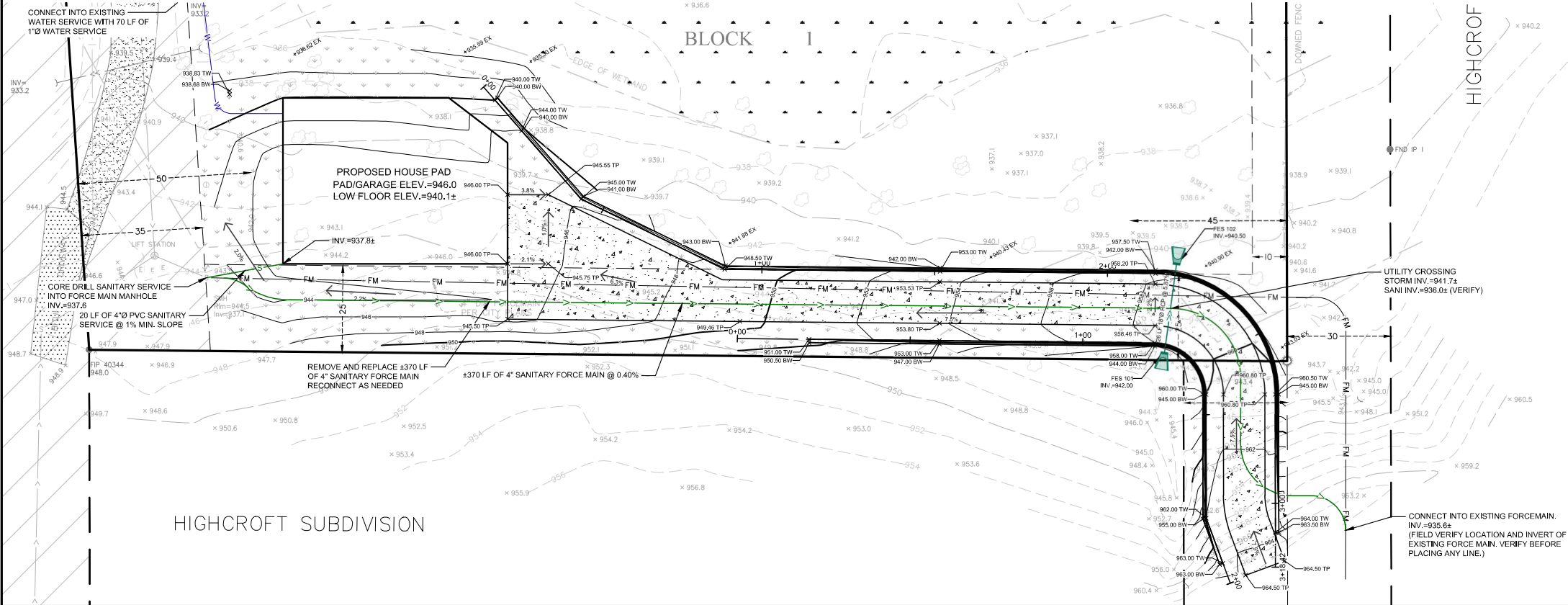
DESCRIPTION	
1	DRAWINGS ISSUED TO CITY
DATE:	12/21/2021
DESIGN BY:	CJD
DRAWN BY:	CJD
CHECKED BY:	CJD
DWG FILE:	GRADING
FILE NO.:	21-0614-00
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.	
Signed:	Christopher J. Dahn
Date:	12/21/2021
Lic. No.	58628
BOGART, PEDERSON & ASSOCIATES, INC. LAND SURVEYING ENVIRONMENTAL SERVICES 13076 FIRST STREET, BECKER, MN 55005-0922 TEL: 763-262-8822 FAX: 763-262-8844	
688 BRYANT LLC 445 BOVEY ROAD RESIDENTIAL LOT PID: 0111723310002 CITY OF WAYZATA, HENNEPIN COUNTY, MN GRADING & UTILITY PLAN	
SHEET NO.	
C3	

LEGEND:

- PROPOSED RIP RAP
- PROPOSED CONTOUR
- PROPOSED STORM SEWER
- PROPOSED WATER LINE
- PROPOSED SANITARY SEWER
- PROPOSED WATER SERVICE
- PROPOSED SANITARY SERVICE
- PROPOSED FLARED END SECTON
- PROPOSED SANITARY MANHOLE

GRADING NOTES:

1. RETAINING WALLS SHALL BE DESIGNED BY A LICENSED STRUCTURAL ENGINEER PRIOR TO CONSTRUCTION.



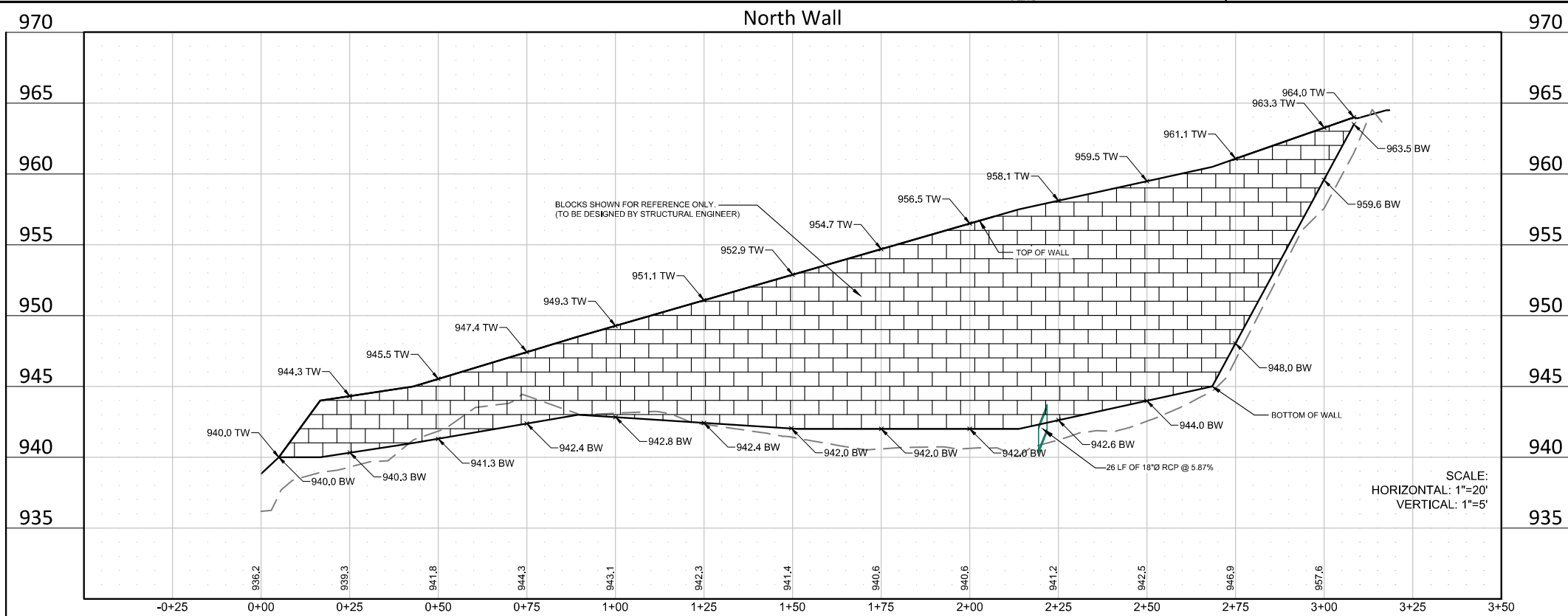
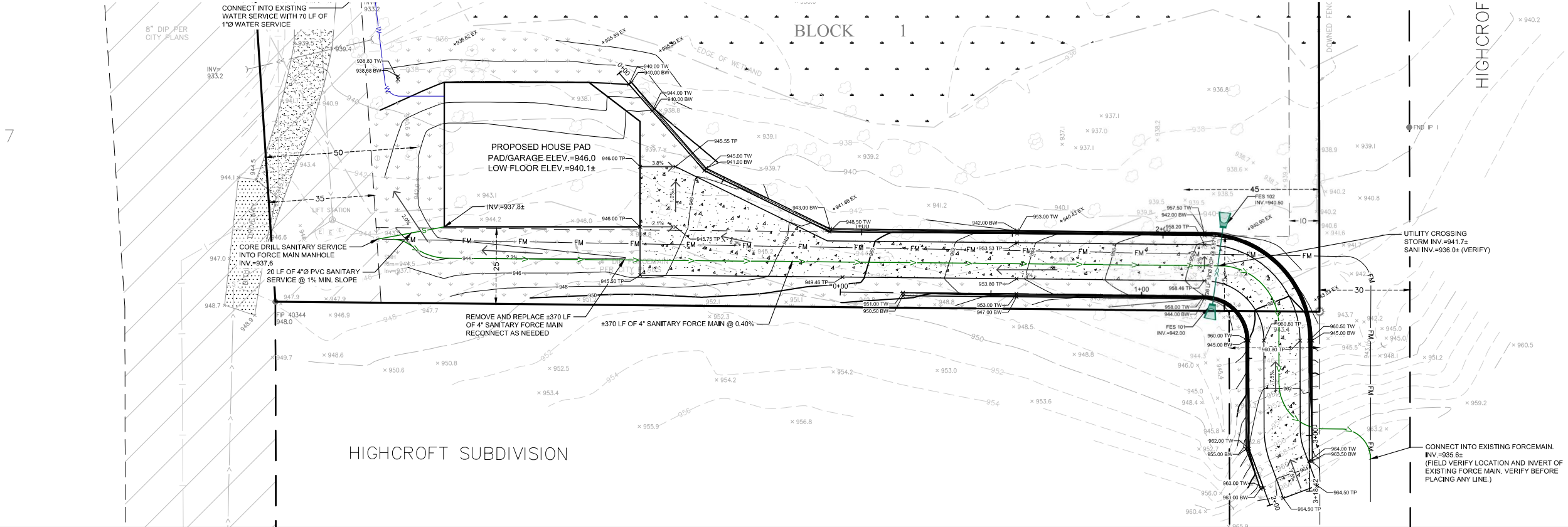
DATE: 12/21/2021 DESIGN BY: CJD DRAWN BY: CJD CHECKED BY: CJD DWG FILE: GRADING FILE NO.: 21-0614.00	DESCRIPTION	DATE	REV NO.
	DRAWINGS ISSUED TO CITY	12/21/2021	1
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.			
Signed: Christopher J. Dahn		Lic. No. 58628	
Date: 12/21/2021			
BOGART, PEDERSON & ASSOCIATES, INC. LAND SURVEYING ENVIRONMENTAL SERVICES 13076 FIRST STREET, BECKER, MN 55305-9322 TEL: 763-262-8822 FAX: 763-262-8844			
688 BRYANT LLC 445 BOVEY ROAD RESIDENTIAL LOT PID: 0111723310002 CITY OF WAYZATA, HENNEPIN COUNTY, MN		SOUTH WALL - PLAN & PROFILE	
SHEET NO.		C4	

LEGEND:

- PROPOSED RIP RAP
- PROPOSED CONTOUR
- PROPOSED STORM SEWER
- PROPOSED WATER LINE
- PROPOSED SANITARY SEWER
- PROPOSED WATER SERVICE
- PROPOSED SANITARY SERVICE
- PROPOSED FLARED END SECTON
- PROPOSED SANITARY MANHOLE

GRADING NOTES:

1. RETAINING WALLS SHALL BE DESIGNED BY A LICENSED STRUCTURAL ENGINEER PRIOR TO CONSTRUCTION.



DATE:	12/21/2021	DESIGN BY:	CJD	DRAWN BY:	CJD	CHECKED BY:	CJD	DWG FILE:	GRADING	FILE NO.:	21-0614-00	
REV NO.	1	DATE	12/21/2021	DESCRIPTION	DRAWINGS ISSUED TO CITY							
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.												
Signed: Christopher J. Dahn											Lic. No.	58628
Date: 12/21/2021												
BOGART, PEDERSON & ASSOCIATES, INC. LAND SURVEYING ENGINEERING ENVIRONMENTAL SERVICES 13076 FIRST STREET, BECKER, MN 55305-9322 TEL: 763-262-8822 FAX: 763-262-8844												
888 BRYANT LLC 445 BOVEY ROAD RESIDENTIAL LOT PID: 0111723310002 CITY OF WAYZATA, HENNEPIN COUNTY, MN												
NORTH WALL - PLAN & PROFILE												
SHEET NO. C5												

STORM WATER POLLUTION PREVENTION PLAN NARRATIVE:

GENERAL INFORMATION

THIS STORMWATER POLLUTION PREVENTION PLAN IS PREPARED IN ACCORDANCE TO THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT NO. MN R1000001 FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY.
PROJECT NAME: BOVEY ROAD RESIDENTIAL LOT
LOCATION: 445 BOVEY ROAD, WAYZATA, MN 55391
HENNEPIN COUNTY
LAT/LONG: 44.967485, -93.533228

DESCRIPTION OF CONSTRUCTION ACTIVITY:

DEVELOPMENT CONSISTS OF PAVING, GRADING, UTILITY INSTALLATION, AND TURF ESTABLISHMENT.

PROJECT CONTACTS

JOSH PETERSON AND THE CONTRACTOR ARE RESPONSIBLE FOR IMPLEMENTATION OF THE SWPPP AND THE INSTALLATION, INSPECTION, AND MAINTENANCE OF THE EROSION PREVENTION AND SEDIMENT CONTROL BMP'S BEFORE AND DURING CONSTRUCTION.

SWPPP PREPARATION:

SWPPP PREPARER: CHRISTOPHER DAHN
-BOGART, PEDERSON & ASSOCIATES
ENGINEER AND SWPPP DESIGNER (EXP 2022)
ADDRESS: 13076 FIRST STREET
BECKER, MN 55308-9322
TELEPHONE: 763-262-8822
EMAIL: CDAHN@BOGART-PEDERSON.COM
OWNER:
OWNER CONTACT: JOSH PETERSON
ADDRESS: 901 W. MAIN ST., SUITE 102
ANOKA, MN, 55072
TELEPHONE: (763) 290-6266
EMAIL: PETERSON.JOSH@GMAIL.COM

CONTRACTOR (TO BE FILLED OUT BY THE CONTRACTOR):

BUSINESS NAME _____
OWNER NAME _____
MAILING ADDRESS _____
CITY _____
TELEPHONE _____
EMAIL _____
CONTACT NAME _____
MAILING ADDRESS _____
CITY _____
TELEPHONE _____
EMAIL _____

ESTIMATED DATES OF CONSTRUCTION:

START DATE: ____/____/____ (TO BE FILLED IN BY CONTRACTOR)
COMPLETION DATE: ____/____/____ (TO BE FILLED IN BY CONTRACTOR)

DESCRIPTION OF EROSION CONTROL ACTIVITY:

EROSION CONTROL CONSISTS OF SILT FENCE PERIMETER CONTROL, TURF ESTABLISHMENT THROUGH SEEDING AND EROSION CONTROL BLANKET, AND ROCK CONSTRUCTION ENTRANCE PLACEMENT.

CUMULATIVE IMPERVIOUS SURFACES:

AREA OF DISTURBANCE: 0.40 ACRES
PRE-CONSTRUCTION IMPERVIOUS AREA: 0.00 ACRES
POST CONSTRUCTION IMPERVIOUS AREA: 0.17 ACRES
NEW IMPERVIOUS AREA: 0.17 ACRES

RECEIVING WATERS:

STORM WATER FROM THIS SITE WILL BE DISCHARGED TO THE WETLAND TO THE NORTH OF THE SITE.

PLANS AND SPECIFICATIONS

THE PLAN SHEETS OF THIS PLAN SET INDICATE THE FOLLOWING ITEMS:
• THE PROJECT LOCATION AND CONSTRUCTION LIMITS.
• LOCATIONS OF IMPERVIOUS SURFACES.
• LOCATIONS OF AREAS NOT TO BE DISTURBED (E.G., BUFFER ZONES, WETLANDS, ETC.).
• STEEP SLOPE LOCATIONS.
• LOCATIONS OF ALL TEMPORARY AND PERMANENT EROSION AND SEDIMENT CONTROL BMP'S TO BE INSTALLED ON THE PROJECT.
• THE DETAIL SHEETS INDICATE EROSION AND SEDIMENT CONTROL BMP'S TO BE INSTALLED ON THE PROJECT.
• IF DEWATERING IS REQUIRED FOR THIS PROJECT, THE PUMP DISCHARGE SHALL BE TREATED PRIOR TO BEING DISCHARGED OFF-SITE OR INTO A SURFACE WATER, THE DISCHARGE SHALL BE VISUALLY CHECKED TO ENSURE THAT IT IS VISIBLY CLEAN WATER.

TEMPORARY SEDIMENT CONTROL PRACTICES

DOWN GRADIENT SILT FENCE AND SEDIMENT LOG INSTALLATIONS ARE TO BE IN PLACE PRIOR TO THE COMMENCEMENT OF ANY EARTHWORK OPERATIONS.

TOPSOIL IS TO BE WINDROWED ALONG THE CONSTRUCTION LIMITS AND PLACED AS SLOPE DRESSING IMMEDIATELY FOLLOWING COMPLETION OF THE GRADING OPERATIONS, AS THE GRADING OPERATIONS PROCEED.

TOPSOIL PLACEMENT ALONG THE EMBANKMENT SLOPES THOUGH THE WETLANDS AREA IS TO BE SPREAD BY A LOW IMPACT CRAWLER TRACTOR OPERATING UP AND DOWN THE SLOPES SO AS TO PROVIDE TRACK PRINTS PARALLEL WITH THE CONTOURS.

INSTALLATION OF MN/DOT CATEGORY 3 EROSION CONTROL BLANKET ALONG THE EMBANKMENT SLOPES ADJACENT THE WETLANDS AREA.

ALL TEMPORARY SOILS STOCKPILES WILL REQUIRE AN EFFECTIVE MEANS OF SEDIMENT CONTROL SUCH AS AN EROSION CONTROL BLANKET COVERING OR SILT FENCE INSTALLATION ALONG THE TOE OF SLOPE.

ALL COMPLETED SWALES SLOPES AND BOTTOMS NOT DRAINING TOWARDS WETLAND AREAS ARE TO BE STABILIZED WITHIN 7 DAYS.

TEMPORARY STABILIZATION WILL BE REQUIRED IN AREAS WHERE GRADING OPERATIONS ARE SUSPENDED OR CEASED FOR A PERIOD OF 7 DAYS OR GREATER.

A ROCK CONSTRUCTION ENTRANCE FOR SEDIMENT CONTROL IS TO BE PROVIDED AT THE PROJECT ENTRANCE ON BOVEY ROAD.

STREET SWEEPING OF THE PAVED SURFACES WILL BE REQUIRED AS DIRECTED BY THE ENGINEER.

TIMING OF EROSION CONTROL:

SILT FENCE AND SEDIMENT LOGS WILL BE INSTALLED PRIOR TO CONSTRUCTION.

RIPRAP AND FILTER BLANKET WILL BE PLACED AT THE OUTLETS WITHIN 24 HOURS OF THE OUTLET PLACEMENT.

THE CONTRACTOR MUST STABILIZE ALL EXPOSED SOIL AREAS IMMEDIATELY FOLLOWING CONSTRUCTION WHEREVER CONSTRUCTION WILL NOT OCCUR FOR A PERIOD GREATER THAN OR EQUAL TO 7 DAYS.

STABILIZATION WORK MUST BE COMPLETE WITHIN 7 CALENDAR DAYS AFTER THE CONSTRUCTION WORK IN THAT AREA HAS TEMPORARILY OR PERMANENTLY CEASED.

AREAS THAT ARE WITHIN 200 FT OF A PUBLIC WATER MUST BE STABILIZED WITHIN 24 HOURS OF COMPLETING CONSTRUCTION DURING PERIODS OF "WORK IN WATER RESTRICTIONS" FOR TIME PERIODS DECLARED BY THE DNR.

THE CONTRACTOR IS RESPONSIBLE TO MAINTAIN THE DISTURBED AREA UNTIL VEGETATION IS ESTABLISHED.

ONCE VEGETATION IS ESTABLISHED AND CONSTRUCTION IS COMPLETE, THE SILT FENCE AND ANY OTHER TEMPORARY EROSION CONTROL THAT IS NOT BIODEGRADABLE SHALL BE REMOVED.

STREET SWEEPING TO BE PROVIDED AS DIRECTED BY THE ENGINEER OR OWNER. THE CITY REQUIRES STREET SWEEPING TO OCCUR WITHIN 8 HOURS OF NOTICE FROM THE CITY.

APPLYING MULCH, HYDROMULCH, TACKIFIER, POLYACRYLAMIDE OR SIMILAR EROSION PREVENTION PRACTICES IS NOT ACCEPTABLE STABILIZATION IN ANY PART OF A TEMPORARY OR PERMANENT DRAINAGE DITCH OR SWALE, BLANKETS OR OTHER APPROVED, BY THE ENGINEER, METHOD SHALL BE USED.

INSPECTION AND MAINTENANCE ACTIVITIES

THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING AND SCHEDULING THE WORK OF ALL OPERATIONS, INCLUDING SUBCONTRACTORS AND UTILITY COMPANIES, SUCH THAT EROSION AND SEDIMENT CONTROL MEASURES ARE FULLY EXECUTED FOR EACH OPERATION AND IN A TIMELY MANNER OVER THE DURATION OF THE PROJECT. OPERATORS HAVE DAILY ACCESS TO THE PROJECT SITE. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE SWPPP IMPLEMENTATION UNTIL THE ENTIRE SITE HAS UNDERGONE FINAL STABILIZATION AND N.O.T HAS BEEN SUBMITTED TO THE MPCA.

THE CONTRACTOR IS TO PROVIDE A TRAINED INDIVIDUAL RESPONSIBLE FOR THE IMPLEMENTATION, INSPECTION AND MAINTENANCE OF THE EROSION AND SEDIMENT CONTROL BMP'S ON THE PROJECT. THAT INDIVIDUAL IS TO BE IDENTIFIED AT THE PRE-CONSTRUCTION CONFERENCE AND LISTED IN THE MINUTES THEREOF.

THE APPOINTED INDIVIDUAL IS TO PERFORM A ROUTINE INSPECTION OF THE ENTIRE SITE AT LEAST ONCE EVERY SEVEN DAYS DURING CONSTRUCTION OPERATIONS AND WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 0.5 INCHES IN 24 HOURS.

A INSPECTION FORM WILL BE PROVIDED BY THE CONTRACTOR. ANY DEFICIENCIES IN THE EROSION AND SEDIMENT CONTROL BMP'S ARE TO BE NOTED ON THE INSPECTION FORM AND CORRECTED BY THE END OF THE NEXT BUSINESS DAY.

PERIMETER CONTROL DEVICES ARE TO BE REPAIRED OR REPLACED WHEN THEY ARE NO LONGER EFFECTIVE OR WHEN THE SEDIMENT REACHES ONE-HALF THE HEIGHT OF THE DEVICE.

TRAINING DOCUMENTATION:

SWPPP IMPLEMENTATION, REVISING, AMENDING, AND INSPECTING (TO BE FILLED IN BY THE CONTRACTOR)

NAME OF INDIVIDUAL OVERSEEING & INSPECTING _____
DATE OF TRAINING _____
NAME OF INSTRUCTOR _____
ENTITY PROVIDING TRAINING _____
CONTENT OF TRAINING _____
TOTAL HOURS OF TRAINING _____

BMP INSTALLATION, MAINTENANCE, AND REPAIR (TO BE FILLED IN BY THE CONTRACTOR)

NAME OF INDIVIDUAL OVERSEEING & INSPECTING _____
DATE OF TRAINING _____
NAME OF INSTRUCTOR _____
ENTITY PROVIDING TRAINING _____
CONTENT OF TRAINING _____
TOTAL HOURS OF TRAINING _____

POLLUTION PREVENTION

FERTILIZERS ARE TO BE APPLIED ONLY IN THE AMOUNTS AS SPECIFIED AND WORKED INTO THE SOIL TO MINIMIZE EXPOSURE TO STORMWATER RUNOFF.

ONSITE REFUELING OPERATIONS ARE TO BE CONDUCTED WITH CARE. ANY INADVERTENT SPILLAGE OF FUEL OR CHEMICALS IS TO BE IMMEDIATELY CLEANED UP, REMOVED FROM THE SITE AND DISPOSED OF IN ACCORDANCE TO STATE AND LOCAL REGULATIONS. MAJOR SPILLS ARE TO BE REPORTED TO THE MPCA 24 HOUR NOTIFICATION NETWORK AT 800 422 0798. ALL VEHICLES ON-SITE ARE TO BE MONITORED FOR LEAKS AND SUBJECT TO ROUTINE PREVENTIVE MAINTENANCE EFFORTS TO REDUCE THE LIKELIHOOD OF LEAKAGE AND OR SPILLS.

PORTABLE SANITARY WASTE FACILITIES ARE TO BE PROVIDED ONSITE AND EMPTIED ON A BI-WEEKLY BASIS.

CONCRETE BATCH TRUCKS WILL NOT BE ALLOWED TO DISCHARGE DRUM AND CHUTE WASHOUT DIRECTLY ON THE GROUND. A PORTABLE WASHOUT RECEPTACLE IS TO BE PROVIDED BY THE CONTRACTOR AT THE LOCATION AS PROVIDED BY THE OWNER.

FINAL STABILIZATION

FINAL STABILIZATION OCCURS WHEN 70 PERCENT OF THE PERVIOUS AREA IS COVERED WITH UNIFORM, PERMANENT VEGETATION.

ALL TEMPORARY EROSION AND SEDIMENT CONTROL FEATURES ARE TO BE REMOVED AND THE NPDES NOTICE OF TERMINATION IS TO BE PREPARED AND SUBMITTED TO THE MPCA.

LOCATION OF SWPPP REQUIREMENTS IN PROJECT PLAN

DESCRIPTION	TITLE	LOCATION
EROSION CONTROL DETAILS	CONSTRUCTION DETAILS	C7
EROSION CONTROL LOCATIONS	EROSION CONTROL LOCATIONS	C3

24 HOUR MPCA EMERGENCY NOTIFICATION:
TELEPHONE NUMBERS: 651-649-5451
800-422-0798

ESTIMATED QUANTITIES:

THE FOLLOWING QUANTITIES IS AN ESTIMATED PRELIMINARY AMOUNT REQUIRED FOR SEDIMENT CONTROL BMP'S AT THE START OF THE PROJECT. THIS ESTIMATE IS PROVIDED AS REQUIRED BY THE MINNESOTA POLLUTION CONTROL AGENCY GENERAL STORMWATER PERMIT FOR CONSTRUCTION ACTIVITY. ANY ADDITIONAL AND/OR REPLACEMENT BMP'S QUANTITIES WILL BE FURNISHED AND INSTALLED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.

ESTIMATED PRELIMINARY QUANTITIES AT START OF PROJECT:	UNIT	ESTIMATED INITIAL QUANTITY
TEMPORARY CONSTRUCTION ENTRANCE	EA	1
TEMPORARY SEDIMENT FILTER	EA	0
TEMPORARY CONCRETE WASHOUT	EA	1
TEMPORARY PUMP SEDIMENT CONTROL DEVICE	EA	1
TEMPORARY SEDIMENT LOGS	LF	0
TEMPORARY SILT FENCE	LF	1,305

TEMPORARY EROSION AND SEDIMENT CONTROL SPECIFICATIONS

PART 1 GENERAL

1.01 SECTION INCLUDES

- A. PREVENTION OF SEDIMENTATION OF WATERWAYS, OPEN DRAINAGE WAYS, AND STORM AND SANITARY SEWERS DUE TO CONSTRUCTION ACTIVITIES.
- 1.02 REFERENCE STANDARDS
A. GENERAL PERMIT AUTHORIZATION TO DISCHARGE STORM WATER ASSOCIATED WITH CONSTRUCTION ACTIVITY UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM. MINNESOTA PERMIT NO. MN R100001.
- 1.03 PERFORMANCE REQUIREMENTS
A. COMPLY WITH ALL REQUIREMENTS OF THE MINNESOTA POLLUTION CONTROL AGENCY FOR EROSION AND SEDIMENT CONTROL.
B. DO NOT BEGIN CLEARING, GRADING, OR OTHER WORK INVOLVING DISTURBANCE OF GROUND SURFACE COVER UNTIL APPLICABLE PERMITS HAVE BEEN OBTAINED; FURNISH ALL DOCUMENTATION REQUIRED TO OBTAIN APPLICABLE PERMITS.
1. OBTAIN AND PAY FOR PERMITS REQUIRED BY AUTHORITY HAVING JURISDICTION.
C. TIMING: PUT PREVENTIVE MEASURES IN PLACE PRIOR TO DISTURBANCE OF SURFACE COVER AND BEFORE PRECIPITATION OCCURS.
D. EROSION OFF SITE: PREVENT EROSION OF SOIL AND DEPOSITION OF SEDIMENT ON OTHER PROPERTIES CAUSED BY WATER LEAVING THE PROJECT SITE DUE TO CONSTRUCTION ACTIVITIES FOR THIS PROJECT.
1. PREVENT TRACKING OF MUD ONTO PUBLIC ROADS OUTSIDE SITE.
2. PREVENT MUD AND SEDIMENT FROM FLOWING ONTO PAVEMENTS.
E. SEDIMENTATION OF WATERWAYS OFF SITE: PREVENT SEDIMENTATION OF WATERWAYS OFF THE PROJECT SITE, INCLUDING RIVERS, STREAMS, LAKES, PONDS, OPEN DRAINAGE WAYS, STORM SEWERS, AND SANITARY SEWERS.
1. IF SEDIMENTATION OCCURS, INSTALL OR CORRECT PREVENTIVE MEASURES IMMEDIATELY AT NO COST TO OWNER. REMOVE DEPOSITED SEDIMENTS, COMPLY WITH REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.
F. MAINTENANCE: MAINTAIN TEMPORARY PREVENTIVE MEASURES UNTIL PERMANENT MEASURES HAVE BEEN ESTABLISHED.

PART 2 PRODUCTS

2.01 MATERIALS

- A. TEMPORARY SILT FENCE: WOVEN POLYPROPYLENE GEOTEXTILE RESISTANT TO COMMON SOIL CHEMICALS, MILDEW, AND INSECTS; NON-BIODEGRADABLE; IN LONGEST LENGTHS POSSIBLE; FABRIC INCLUDING SEAMS WITH THE FOLLOWING MINIMUM AVERAGE ROLL LENGTHS:
1. AVERAGE OPENING SIZE: 20 U.S. STD. SIEVE, MAXIMUM, WHEN TESTED IN ACCORDANCE WITH ASTM D4751.
2. PERMITTIVITY: 0.85 SEC-1, MINIMUM, WHEN TESTED IN ACCORDANCE WITH ASTM D4491.
3. ULTRAVIOLET RESISTANCE: RETAINING AT LEAST 70 PERCENT OF TENSILE STRENGTH, WHEN TESTED IN ACCORDANCE WITH ASTM D4355/D4355M AFTER 500 HOURS EXPOSURE.
4. TENSILE STRENGTH: 100 LB-F, MINIMUM, IN CROSS-MACHINE DIRECTION; 124 LB-F, MINIMUM, IN MACHINE DIRECTION; WHEN TESTED IN ACCORDANCE WITH ASTM D4632.
5. ELONGATION: 15 TO 30 PERCENT, WHEN TESTED IN ACCORDANCE WITH ASTM D4632.
6. TEAR STRENGTH: 55 LB-F, MINIMUM, WHEN TESTED IN ACCORDANCE WITH ASTM D4533.
7. COLOR: MANUFACTURER'S STANDARD, WITH EMBEDMENT AND FASTENER LINES PREPRINTED.
8. SILT FENCE POSTS: ONE OF THE FOLLOWING, MINIMUM 5 FEET LONG:
a. STEEL U-OR T-SECTION, WITH MINIMUM MASS OF 1.33 LB PER LINEAR FOOT.
b. SOFTWOOD, 4 BY 4 INCHES IN CROSS SECTION.
c. HARDWOOD, 2 BY 2 INCHES IN CROSS SECTION.
B. TEMPORARY SEDIMENT LOGS: FILTER LOGS SHALL CONSIST OF TYPE WOOD FIBER BIOROLLS AND THE REQUIREMENTS OF MNDOT SPEC. 3897.
1. SHALL BE ONE OF THE FOLLOWING.
a. SHALL BE SILT/SOXX PERIMETER CONTROL BY FILTREXX, INC., OR EQUAL.
C. TEMPORARY SEDIMENT FILTER.
1. SHALL BE ONE OF THE FOLLOWING.
a. DROP-IN SEDIMENT FILTER UNIT THAT INSERTS INTO THE INLET.
1) SHALL BE FLEXISTORM PURE, PERMANENT INLET FILTER BY ADS, INC., OR EQUAL.
(a) PROVIDE CURB OPENING PROTECTION FOR EXISTING INLETS WITH CURB OPENINGS.
D. TEMPORARY ROCK CONSTRUCTION ENTRANCE.
1. ROCK SHALL BE CLEAN 1 TO 2 INCH WASHED ROCK.
E. TEMPORARY SLOPE EROSION PROTECTION.
1. SHALL BE ONE OF THE FOLLOWING.
a. EROSION CONTROL BLANKET.
1) SHALL CONSIST OF A UNIFORM WEB OF INTERLOCKING STRAW OR WOOD FIBERS SANDWICHED BETWEEN AN ATTACHED TOP AND BOTTOM LAYER OF NET BACKING.
2) THE NETTING SHALL BE BIODEGRADABLE CONTAINING SUFFICIENT UV STABILIZATION FOR BREAKDOWN TO OCCUR WITHIN A NORMAL GROWING SEASON.
3) STAPLES USED TO ANCHOR THE BLANKETS SHALL BE U-SHAPED, 11 GAUGE OR HEAVIER STEEL WIRE HAVING A SPAN WIDTH OF 1 INCH AND A LENGTH OF 8 INCHES OR MORE FROM TOP TO BOTTOM AFTER BENDING.
4) THE EROSION CONTROL BLANKETS ACCEPTABLE FOR USE ON THIS PROJECT INCLUDE:
(a) GEO-SYNTHETICS, INC. - LANDLOK 52.
(b) NORTH AMERICAN GREEN - S150.
(c) OR EQUAL.
b. BONDED FIBER MATRIX.
1) THE FIBERS SHALL BE COMPOSED OF 100% WOOD OR WOOD BY-PRODUCTS. A MINIMUM OF 25% OF THE FIBERS SHALL AVERAGE 10.16 MM (0.4 INCHES) IN LENGTH AND 50% OR MORE SHALL BE RETAINED ON A CLARK FIBER CLASSIFIER 24 MESH SCREEN. FIBERS SHALL BE COLORED WITH A WATER SOLUBLE, NON-TOXIC DYE, TO AD IN UNIFORM APPLICATION OVER THE SITE.
2) THE BINDER SHALL BE A HYDRO COLLOID BASED (GUM GUM) WITH ADDED SLOW-RELEASE AND AGRICULTURAL BASED FERTILIZERS. THE BINDER SHALL NOT DISSOLVE OR DISPERSE UPON RETWETTING.
3) THE BFM SLURRY SHALL DRY TO FORM A CRUST APPROXIMATELY 3-6 MM (1/8 TO 1/4 INCHES) THICK ADHERING TO THE SOIL SURFACE.
4) THE MOISTURE CONTENT OF THE MATRIX SHALL BE 12% +/- 3% BY WEIGHT.
5) THE MATRIX SHALL CONSIST OF MATERIALS THAT ARE 100% BIODEGRADABLE AND 100% BENEFICIAL TO PLANT LIFE.
6) THE MATRIX SHALL PROVIDE 100% CONTINUOUS COVERAGE AND SHALL HAVE NO HOLES GREATER THAN 1MM IN SIZE.
7) THE HYDRATED MIXTURE DENSITY SHALL BE APPROXIMATED BY A SLUMP TEST PRIOR TO APPLICATION.
8) THE BFM MULCH: WATER RATIO SHALL BE AS MANUFACTURER RECOMMENDATIONS. THE MINIMUM 3FM MULCH TO WATER RATIO IS 50LBS BFM MULCH AND 100 GALLONS WATER. THE WATER RATE WILL VARY BETWEEN 100 GALLONS AND 125 GALLONS PER 50LBS, DEPENDING ON WHICH OF THE PRODUCTS IS USED.
9) THE BONDED FIBER MATRIX MULCH PRODUCTS ACCEPTABLE FOR USE ON THIS PROJECT INCLUDE:
(a) ECOLOGIS - MANUFACTURED BY CANFOR.
(b) SOIL GUARD - MANUFACTURED BY MAT, INC.
(c) CONVED 3000 - MANUFACTURED BY CONWED FIBERS, INC.
F. TEMPORARY PUMPED SEDIMENT CONTROL DEVICE.
1. NON-WOVEN GEOTEXTILE FABRIC SEWN INTO A BAG USING A DOUBLE NEEDLE MACHINE AND HIGH STRENGTH THREAD.
a. SEAMS SHALL HAVE AN AVERAGE WIDTH STRENGTH OF 60LB/INCH AS PER ASTM D4883 AND MEET OR EXCEED THE FOLLOWING.
1) GRAB TENSILE OF 205 LBS AS PER ASTM D 4632.
2) PUNCTURE OF 110 LBS AS PER ASTM D 4633.
3) FLOW RATE OF 95 GAL/MIN/SF AS PER ASTM D 4491.
4) PERMITTIVITY OF 1.5 SEC-1 AS PER ASTM D 4491.
5) MULLEN BURST STRENGTH OF 350 PSI AS PER ASTM D 3786.
6) AOS% OF 80% US SIEVE AS PER ASTM D 4751.
2. SPOUT LARGE ENOUGH TO ACCOMMODATE A 4 INCH DISCHARGE HOSE WITH STRAP TO TIE UNIT CLOSED.
3. SHALL BE ONE OF THE FOLLOWING.
a. DIRTBAG.
1) ACF ENVIRONMENTAL, INC., 2831 CARDWELL ROAD, RICHMOND, VIRGINIA 23234, 800-448-3636.
b. DANDY DEWATERING BAG.
1) DANDY PRODUCTS, INC., P.O. BOX 1980, WESTERVILLE, OHIO 43086, 800-591-2284.
c. OR EQUAL.

PART 3 EXECUTION

3.01 PREPARATION

- A. SCHEDULE WORK SO THAT SOIL SURFACES ARE LEFT EXPOSED FOR THE MINIMUM AMOUNT OF TIME.
- B. THE CONSTRUCTION SITE OPERATOR SHALL FOLLOW ALL REQUIREMENTS OF THE MINNESOTA STORMWATER PERMIT NO. MN R100001.
- C. THE CONTRACTOR SHALL COMPLETE AND SIGN THE NOTICE OF INTENT, OBTAIN THE OWNER'S SIGNATURE, AND SUBMIT TO THE MPCA.
1. PROVIDE A SIGNED COPY TO THE OWNER.

3.03 INSTALLATION

- A. TEMPORARY ROCK CONSTRUCTION ENTRANCE.
1. THE ROCK AREA SHALL BE A MINIMUM OF 6 INCHES DEEP. EXTEND THE FULL WIDTH OF THE EGRESS AREA AND SHALL BE AT LEAST 50 FT LONG, HOWEVER, LONGER ENTRANCES MAY BE REQUIRED TO ADEQUATELY CLEAN THE TIRES.
2. GEOTEXTILE FABRIC MAY BE USED TO PREVENT MIGRATION OF MUD FROM THE UNDERLYING SOIL INTO THE ROCK.
B. TEMPORARY SILT FENCES:
1. STORE AND HANDLE FABRIC IN ACCORDANCE WITH ASTM D4873.
2. USE NOMINAL 30 INCH HIGH BARRIERS, MINIMUM 60 INCH LONG POSTS SPACED AT 6 FEET MAXIMUM SPACING.
3. EMBED BOTTOM OF FABRIC IN A TRENCH ON THE UPSLOPE SIDE OF FENCE, WITH 6 INCHES OF FABRIC LAID FLAT ON BOTTOM OF TRENCH FACING UPSLOPE; BACKFILL TRENCH AND COMPACT.
4. MINIMUM POST EMBEDMENT.
a. STEEL POST = 24 INCHES, MINIMUM.
b. WOOD POST = 18 INCHES, MINIMUM.
5. DO NOT SPLICE FABRIC WIDTH; MINIMIZE SPLICES IN FABRIC LENGTH; SPLICE AT POST ONLY, OVERLAPPING AT LEAST 18 INCHES, WITH EXTRA POST.
6. FASTEN FABRIC TO WOOD POSTS USING ONE OF THE FOLLOWING:
a. FOUR NAILS PER POST WITH 3/4 INCH DIAMETER FLAT OR BUTTON HEAD, 1 INCH LONG, AND 14 GAGE, 0.083 INCH SHANK DIAMETER.
b. FIVE STAPLES PER POST WITH AT LEAST 17 GAGE, 0.0453 INCH WIRE, 3/4 INCH CROWN WIDTH AND 1/2 INCH LONG LEGS.
7. FASTEN FABRIC TO STEEL POSTS USING WIRE, NYLON CORD, OR INTEGRAL POCKETS.
C. TEMPORARY SEDIMENT LOGS:
1. PERIMETER CONTROL SHOULD BE INSTALLED PARALLEL TO THE BASE OF THE SLOPE OR OTHER DISTURBED AREA.
2. STAKES SHOULD BE INSTALLED THROUGH THE MIDDLE OF THE PERIMETER CONTROL ON 10 FT CENTERS, USING 2 IN BY 2 IN BY 3 FT WOODEN STAKES. IN THE EVENT STAKING IS NOT POSSIBLE, I.E., WHEN PERIMETER CONTROL IS USED ON PAVEMENT, HEAVY CONCRETE BLOCKS SHALL BE USED BEHIND THE PERIMETER CONTROL TO HELP STABILIZE DURING RAIN EVENTS.
D. TEMPORARY SEDIMENT FILTERS.
1. DROP-IN SEDIMENT TRAP.
a. PLACE AS RECOMMENDED BY THE MANUFACTURER.
E. TEMPORARY PUMPED SEDIMENT CONTROL DEVICE.
1. INSTALL AS PER MANUFACTURER'S RECOMMENDATIONS.
F. TEMPORARY SLOPE EROSION PROTECTION.
1. PLACE AT ANY AND ALL FINISH SLOPES THAT ARE STEEPER THAN 10H:1V.
2. SEED AND FERTILIZE PER SPECIFICATION 32 9219 PRIOR TO INSTALLING TEMPORARY SLOPE EROSION PROTECTION.
3. BONDED FIBER MATRIX.
a. INSTALL THE BFM AS PER THE MANUFACTURER'S INSTRUCTIONS WITH THE FOLLOWING MINIMUM GUIDELINES.
1) THE BFM SHALL BE APPLIED WITH HYDRAULIC SPRAY EQUIPMENT BY A MANUFACTURER'S CERTIFIED APPLICATOR.
2) APPLICATION SHALL BE DONE AT LEAST 24 HOURS IN ADVANCE OF PROJECTED RAINFALL TO ALLOW THE BFM MULCH ADEQUATE TIME TO DRY.
3) THE BFM MULCH SHALL BE APPLIED IN TWO STAGES (ONE-HALF RATE) WITH AMPLE TIME TO DEWATER THE FIRST APPLICATION.
4) THE BFM MULCH SHALL BE APPLIED FROM AT LEAST TWO ALTERNATE DIRECTIONS, PREFERABLY 90 DEGREES APART, IF POSSIBLE, TO ENSURE ALL SOIL FACES ARE COVERED.
5) THE INSTALLATION RATE OF THE BFM MULCH SHALL BE 3500 LBS PER ACRE, MINIMUM AND 100% COVERAGE.
4. EROSION CONTROL BLANKET.
a. INSTALL AS PER MANUFACTURER'S RECOMMENDATIONS.
3.04 MAINTENANCE
A. INSPECT PREVENTIVE MEASURES WEEKLY, WITHIN 24 HOURS AFTER THE END OF ANY STORM THAT PRODUCES 0.5 INCHES OR MORE RAINFALL AT THE PROJECT SITE, AND DAILY DURING PROLONGED RAINFALL.
B. REPAIR DEFICIENCIES IMMEDIATELY.
C. TEMPORARY SILT FENCES:
1. PROMPTLY REPLACE FABRIC THAT DETERIORATES UNLESS NEED FOR FENCE HAS PASSED.
2. REMOVE SILT DEPOSITS THAT EXCEED ONE-THIRD OF THE HEIGHT OF THE FENCE.
3. REPAIR FENCES THAT ARE UNDERCUT BY RUNOFF OR OTHERWISE DAMAGED, WHETHER BY RUNOFF OR OTHER CAUSES.
D. TEMPORARY CONSTRUCTION EXIT.
1. PERIODIC ADDITION OF ROCK OR REMOVAL AND REPLACEMENT OF PAD SHALL BE PROVIDED AS VOIDS BECOME FILLED WITH SOIL.
E. TEMPORARY PUMPED SEDIMENT CONTROL DEVICE.
1. REPLACE THE UNIT WHEN 1/2 FULL OF SEDIMENT OR WHEN SEDIMENT HAS REDUCED THE FLOW RATE OF THE PUMP DISCHARGE TO AN IMPRACTICAL RATE.
F. PLACE SEDIMENT IN APPROPRIATE LOCATIONS ON SITE; DO NOT REMOVE FROM SITE.
3.05 CLEAN UP
A. REMOVE TEMPORARY MEASURE AFTER PERMANENT VEGETATION HAS BEEN ESTABLISHED.
B. WHERE REMOVAL OF TEMPORARY MEASURES WOULD LEAVE EXPOSED SOIL, SHAPE SURFACE TO AN ACCEPTABLE GRADE AND FINISH TO MATCH ADJACENT GROUND SURFACES.
END OF SECTION

REV NO.	DATE	DESCRIPTION
1	12/21/2021	DRAWINGS ISSUED TO CITY

DATE:	12/21/2021
DESIGN BY:	CJD
DRAWN BY:	CJD
CHECKED BY:	CJD
DWG FILE:	SWPPP
FILE NO.:	21-0614-00

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

Signed:  Christopher J. Dahn
Lic. No. 58628
Date: 12/21/2021

BOGART, PEDERSON & ASSOCIATES, INC.

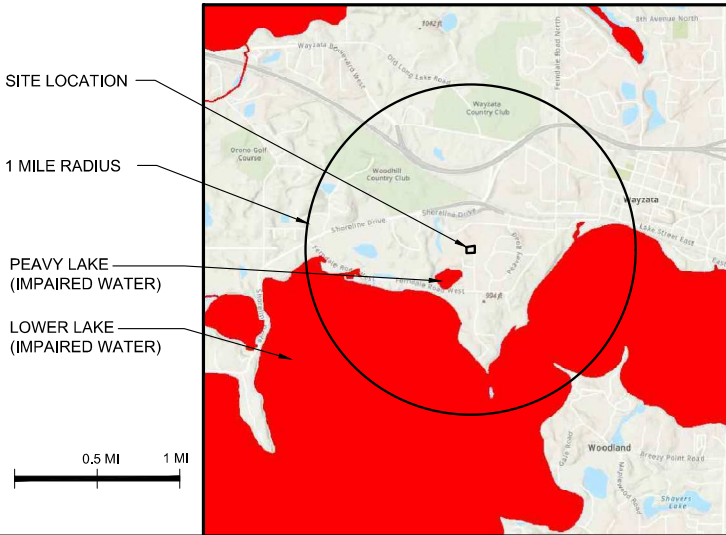


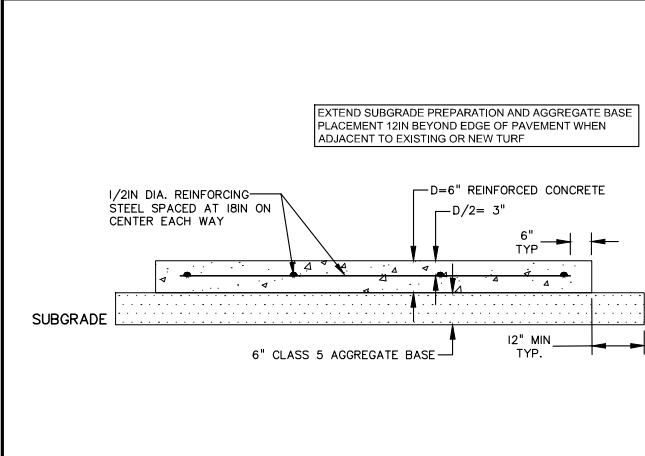
688 BRYANT LLC
445 BOVEY ROAD RESIDENTIAL LOT
PID: 0111723310002
CITY OF WAYZATA, HENNEPIN COUNTY, MN
SWPPP NARRATIVE

SHEET NO.

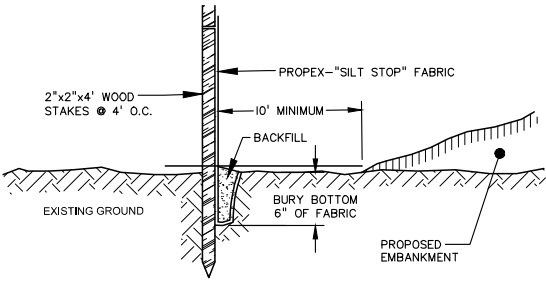
C6

IMPAIRED WATERS MAP

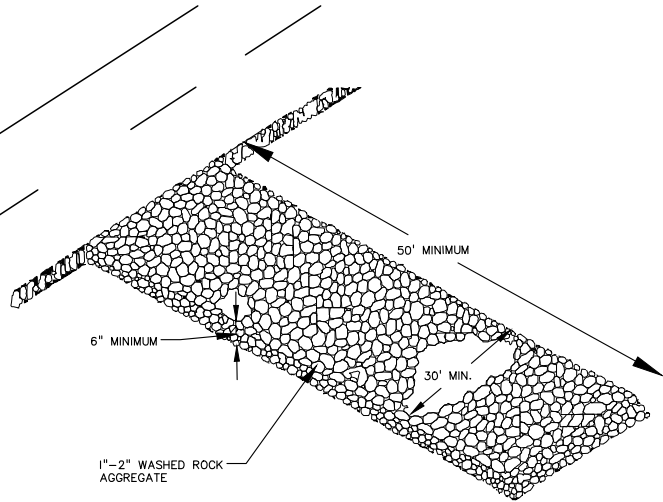




CONCRETE PAVEMENT SECTION
N.T.S.



TEMPORARY SILT FENCE
N.T.S.



ROCK CONSTRUCTION ENTRANCE
N.T.S.

REV NO.	DATE	DESCRIPTION
1	12/21/2021	DRAWINGS ISSUED TO CITY
		DESIGN BY: CJD
		DRAWN BY: CJD
		CHECKED BY: CJD
		DWG FILE: DETAILS
		FILE NO.: 21-0614.00

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

Signed:  Christopher J. Dahn
Date: 12/21/2021 Lic. No. 58628



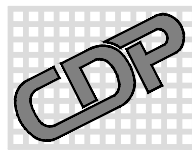
BOGART, PEDERSON & ASSOCIATES, INC.
LAND SURVEYING
ENGINEERING
ENVIRONMENTAL SERVICES
13076 FIRST STREET, BECKER, MN 55305-9322
TEL: 763-262-8822 FAX: 763-262-8844

688 BRYANT LLC
445 BOVEY ROAD RESIDENTIAL LOT
PID: 0111723310002
CITY OF WAYZATA, HENNEPIN COUNTY, MN

DETAILS

SHEET NO.

C7



CIVIL DESIGN PROFESSIONALS

INNOVATIVE ENGINEERING SOLUTIONS

December 23, 2021

Joshua Peterson
688 Bryant LLC

RE: Bovey Road Retaining Walls (21-1008)
Wayzata, Minnesota

Design Assumptions:

ReCon Series 50: 24", 39", and 60" Deep Units
Wall Batter: 3.6°
Design Method: NCMA
Seismic: N/A
Live Load: 250 PSF (Driveway)
Dead Load: 0 PSF
Toe Slope: Varies (See Grading Plan)
Back Slope: Varies (See Grading Plan)

NCMA Safety Factors

Sliding	1.5
Overtuning - Reinforced	2.0
Overtuning - Gravity	1.5
Bearing	2.0

Assumed Soil Parameters:

	ϕ	c	γ	
Reinforced Backfill	34°	0 PSF	120 PCF	Select Granular
Retained Backfill 1	34°	0 PSF	120 PCF	Select Granular
Retained Backfill 2	30°	0 PSF	120 PCF	Silty Sand
Foundation Soil	30°	0 PSF	120 PCF	Silty Sand

Notes:

Soils information obtained from the Contract Drilling Services prepared by Element Materials Technology St. Paul Inc. dated 08/29/18. There were no soil borings at the specific wall locations. Soil borings shall be drilled to comply with NCMA standards. The geotechnical information shall be provided prior to construction. Onsite material is predominately Silty Sand, and an internal friction angle of 30° was assumed for the onsite material. The soil borings at the proposed building location shows a fill with organic material. The fill and organic material is not suitable for the proposed wall foundation and shall be removed down to the native silty sand. The subcut shall be filled with a structural fill ($\phi = 30^\circ$ Min) and compacted to provide an adequate bearing foundation. The proposed walls shall be backfilled with a Select Granular material within the reinforced zone and up at a 1H:1V beginning 12" behind the back of the bottom block for gravity sections. The above minimum soil strength parameters shall be verified prior to construction.

A global stability analysis has not been performed because of a lack of geotechnical information at the proposed wall locations. The project geotechnical engineer shall confirm global stability based on the proposed wall design and the actual parameters of the onsite soils.

Wall layouts and elevations obtained from plans prepared by Bogart, Pederson & Associates, Inc. dated 12/09/12. Wall angles and bends have been changed to radiuses to accommodate the functionality of the ReCon retaining wall system which has a minimum radius of 15'.

The contractor shall confirm prior to construction if there are any HWL elevations even if not shown on the plans. If there is a HWL, crushed stone shall be installed up to an elevation of 1-foot above the 100-year HWL. Notify CDP if a HWL is determined.

The free-standing units have been designed to meet an IBC 6,000 lb loading. The integrated traffic barrier requires No. 5 rebar placed every 2-feet on center, set in concrete infill. The guardrail blocks will either need to be precast with 6-inch diameter holes or the contractor will have to drill holes onsite for the rebar. If holes are drilled onsite, smaller holes may be used with epoxy. Holes will need to be drilled onsite at the wall radiuses since the precast holes will not align along the radiuses.

During wall construction, excavation shall remain within the construction limits shown on the plans. All available means and methods used to keep excavation within the construction limits shall be incidental. The contractor shall coordinate relocation of all existing conduits and services with the utility provider.

The following services are not included in the final design and shall be provided under a separate proposal:

- Project meetings including preconstruction meeting (\$150/hour and travel expenses + 10%).
- Site inspections.
- Comprehensive global stability analysis.
- Structural calculations (i.e. fences, barriers, etc.).
- Geotechnical Soil Testing.
- Fence/railing designs.
- As built drawings.
- Wall construction conformance letter

In order for CDP to provide a construction conformance letter, we require the following items:

- Foundation Inspection/Testing
- Soil Property Testing (Sieve, Shear, Moisture, etc.)
- Soil Compaction Testing
- Inspection Logs
- Construction Photographs, including: Excavation, Leveling Pad, Drainpipe and Outlets, Block Placement and Steps, Filter Fabric and/or Geogrid Reinforcement (if applicable), Finished Geometry (Back Slope, Toe Slope, Batter, etc.)

We appreciate the opportunity of providing services to you. If you have any questions or comments regarding this project, please feel free to contact us.

Sincerely,



Jonathan J. Van Zee

The project quantities are as follows:

- The unit area and volume quantities are neat quantities. Contractor shall confirm the quantities and add in any additional necessary factors (i.e., waste, compaction, etc.).
- Drainage aggregate includes 12" zone behind blocks, core fill, and/or voids between blocks.
- The geogrid quantity includes a 5% waste factor.
- Approximate No.5 Rebar Quantity: 1422 LF (Concrete Infill has not been included, by others)

	Wall 1	Wall 2	TOTAL:
Wall Length (FT)	296.00	194.00	490.00
Block Area (SF)	4771.00	2782.42	7553.42
5XT (SY)	2596	1414	4010
Grid Length (FT)	11 - 15	11 - 14	N/A
Reinf. Backfill (CY) Phi 34°	965	521	1486
Ret. Backfill 2 (CY) Phi 30°	751	411	1162
Ret. Backfill 1 (CY) Phi 34°	198	87	285
Leveling Pad (CY)	22	15	37
Drainage Aggregate (CY)	179	101	280

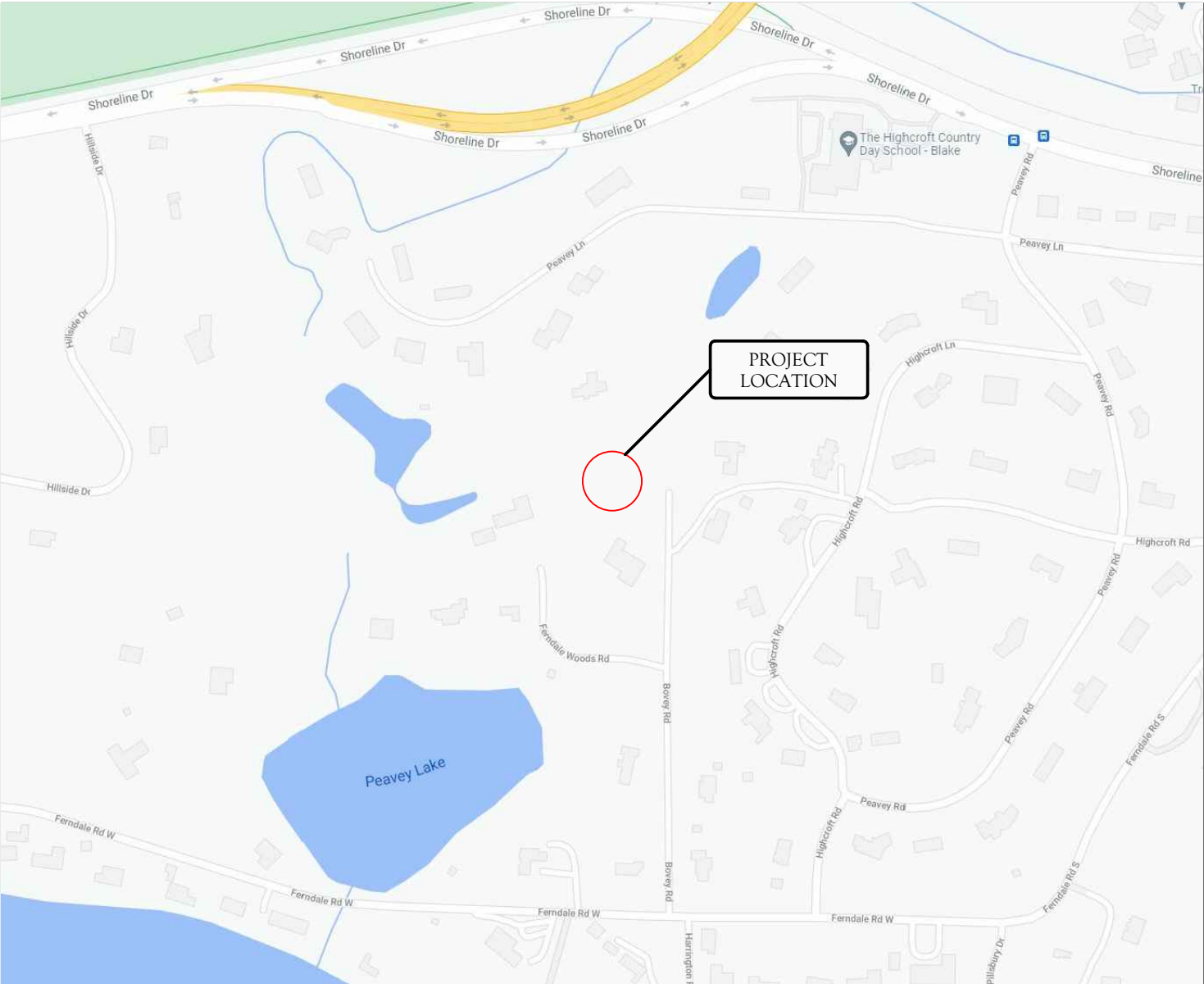
Unit	SF/Unit	Wall 1	Wall 2	Total Units	Total SF
CAP	2.17	66	43	109	236.17
HEC	1.08	16	11	27	29.25
FB	5.33	175	113	288	1536.00
FE	8.00	16	11	27	216.00
FEH	2.67	2	2	4	10.67
24M	5.33	407	239	646	3445.33
24H	2.67	2	4	6	16.00
24B	5.33	34	17	51	272.00
39M	5.33	103	40	143	762.67
39H	2.67	3	1	4	10.67
39B	5.33	17	11	28	149.33
60M	5.33	87	51	138	736.00
60H	2.67	2	2	4	10.67
60B	5.33	13	10	23	122.67
TOTAL:		Wall 1	Wall 2	TOTAL SF	7553.42

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BOVEY ROAD RETAINING WALLS WAYZATA, MINNESOTA

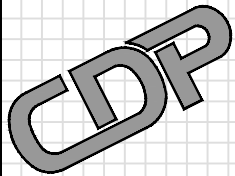
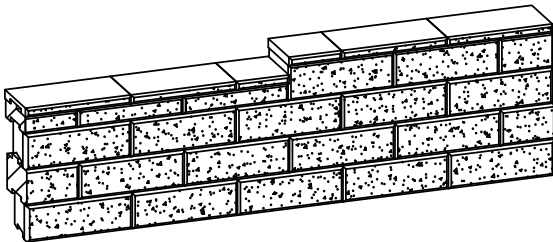
PROJECT INFORMATION:

1. SITE CIVIL ENGINEER:
BOGART, PEDERSON & ASSOCIATES, INC.
2. CONTRACT DRILLING SERVICES:
PREPARED BY ELEMENT MATERIALS TECHNOLOGY ST. PAUL INC. LAST DATED 08/29/18.
THE OWNER OR OWNER'S REPRESENTATIVE HAS NOT PROVIDED SPECIFIC SOIL PARAMETERS FOR THE PROPOSED EARTH STRUCTURE(S), AND TESTING OF THE PROPOSED SOILS HAS NOT BEEN PERFORMED PRIOR TO THE DESIGN. IN PREPARATION OF THE DESIGN, ASSUMED SOIL PARAMETERS WERE USED, THEREFORE, CONSTRUCTION VERIFICATION OF THE ASSUMED SOIL CONDITIONS IS IMPERATIVE PRIOR TO AND DURING CONSTRUCTION. FAILURE TO VALIDATE THE ASSUMED SOIL PARAMETERS CAN RESULT IN STRUCTURE FAILURE AND SHALL RENDER THESE PLANS VOID. (SEE SPECIFICATION 1.07 ON SHEET 2.00).
3. GEOTECHNICAL ENGINEER (CONSTRUCTION):
CONTRACT DRILLING SERVICES
4. UNIT TYPE:
RECON SERIES 50
5. REINFORCEMENT:
MIRAFI 5XT



PROJECT VICINITY MAP
NOT TO SCALE

SHEET INDEX	
SHEET	DESCRIPTION
1.00	TITLE SHEET
2.00	SPECIFICATIONS: GENERAL INFORMATION
2.01	SPECIFICATIONS: MATERIALS
2.02	SPECIFICATIONS: EXECUTION
2.03	SPECIFICATIONS: QUALITY ASSURANCE
3.00	SITE PLAN
4.00	WALL 1 ELEVATION
4.01	WALL 1 ELEVATION
4.02	WALL 1 ELEVATION
4.03	WALL 1 ELEVATION
4.04	WALL 2 ELEVATION
5.00	SECTION A - A
5.01	SECTION B - B
6.00	DETAILS
6.01	DETAILS
6.02	DETAILS



CIVIL DESIGN
PROFESSIONALS
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SITE SOLUTION PROFESSIONALS, INC. D.B.A. CIVIL DESIGN PROFESSIONALS

No.	Date	Revision	By
1			
2			
3			
4			
5			
6			

Designed By:
JVZ
Scale:
N.T.S.
Date:
DEC. 23, 2021

Project:
BOVEY ROAD RETAINING WALLS
WAYZATA, MINNESOTA
Title:
TITLE SHEET

Registration No:
25493
Project No:
21-1008
Sheet No:
1.00

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

MICHAEL R. JOHNSON, P.E. Date: 12/23/2021

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SECTION 1: GENERAL INFORMATION

1.01 SCOPE OF WORK:

- A. THE SCOPE OF WORK FOR THE PROJECT INCLUDES FURNISHING AND INSTALLING A PREFABRICATED MODULAR BLOCK RETAINING WALL SYSTEM IN ACCORDANCE WITH CIVIL DESIGN PROFESSIONALS' (CDP) DESIGN PLANS AND SPECIFICATIONS. WORK INCLUDES PREPARING THE FOUNDATION SOIL, FURNISHING AND INSTALLING THE LEVELING PAD, CONCRETE RETAINING WALL BLOCKS, DRAINAGE AGGREGATE, AND BACKFILL IN CONFORMANCE WITH THE LINES, GRADES, AND DIMENSIONS SHOW.
- B. MULTIPLE CONTRACTORS (FENCE, WALL, GRADING, ETC.) MAY BE INVOLVED IN THE COMPLETION OF THE OVERALL PROJECT. CDP'S DESIGN PLANS DO NOT DEFINE SCOPE OF WORK FOR INDIVIDUAL ENTITIES. SEE CONTRACT DOCUMENTS FOR SPECIFIC DETAILS ON THE SCOPE OF WORK THAT WILL BE PROVIDED BY ALL PARTIES.

1.02 GENERAL NOTES:

- A. THE OWNER IS RESPONSIBLE FOR OBTAINING A GEOTECHNICAL INVESTIGATION WITH BORINGS DRILLED ALONG THE RETAINING WALL PER NCMA AND/OR AASHTO RECOMMENDATIONS:
- A.1. NCMA: BORINGS SHOULD BE SPACED AT MAXIMUM 100-FOOT INTERVALS ALONG THE PROPOSED WALL ALIGNMENT AND AT 150-FOOT INTERVALS ALONG THE BACK OF THE REINFORCED ZONE.
- B. CDP ASSUMES NO LIABILITY FOR OWNER'S FAILURE TO COMPLY WITH MINIMUM BORING RECOMMENDATIONS AT RETAINING WALL LOCATIONS.
- C. OWNER SHALL ENSURE THAT RETAINING WALL CONSTRUCTION PLANS ARE DISTRIBUTED TO GENERAL CONTRACTOR, RETAINING WALL CONTRACTOR, SITE CIVIL ENGINEER, GEOTECHNICAL ENGINEERS, INSPECTORS, AND ANY OTHER PERTINENT PARTIES.
- D. THE SITE CIVIL ENGINEER SHALL REVIEW THE RETAINING WALL CONSTRUCTION PLAN ELEVATIONS, GRADES, AND DRAINAGE PATTERNS FOR COMPLIANCE WITH THE SITE CIVIL DESIGN PLANS.

1.03 CONSTRUCTION NOTES:

- A. THE CONTRACTOR SHALL CALL 811 TO HAVE UTILITIES LOCATED AND ANY OTHER APPLICABLE ENTITY BEFORE BEGINNING WORK. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY ALL LOCATIONS AND DEPTHS OF EXISTING UTILITIES PRIOR TO COMMENCING CONSTRUCTION AND AVOID IMPACTING THEM.
- B. THE CONTRACTOR SHALL COORDINATE RELOCATION OF ALL EXISTING CONDUITS AND SERVICES WITH THE UTILITY PROVIDER. IF CONFLICTS EXIST, THE SITE CIVIL ENGINEER SHALL BE CONTACTED IMMEDIATELY.
- C. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL FEDERAL, STATE, AND LOCAL REQUIREMENTS FOR EXECUTION OF WORK, INCLUDING LOCAL BUILDING INSPECTION AND CURRENT OSHA STANDARDS.
- D. THE WORK SHALL BE PERFORMED IN A GENERAL SEQUENCE DEVELOPED BY THE CONTRACTOR IN ACCORDANCE WITH THE REQUIREMENTS OF THE CONTRACT. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE MEANS AND METHODS OF CONSTRUCTION AND FOR THE SEQUENCES AND PROCEDURES TO BE USED.
- E. EXCAVATION SUPPORT, IF REQUIRED, IS THE RESPONSIBILITY OF THE CONTRACTOR, INCLUDING THE STABILITY OF THE EXCAVATION AND ITS INFLUENCE ON ADJACENT PROPERTIES AND STRUCTURES.
- F. IF THE CONTRACTOR FINDS A CONFLICT, ERROR, OR DISCREPANCY WITHIN OR BETWEEN THE CONTRACT DOCUMENTS AND DESIGN PLANS, THE CONTRACTOR SHALL IMMEDIATELY REPORT THE ISSUE TO THE RESPECTIVE ENGINEER IN WRITING. THE CONTRACTOR SHALL OBTAIN A WRITTEN INTERPRETATION OR CLARIFICATION FROM THE ENGINEER PRIOR TO PROCEEDING WITH CONSTRUCTION. WORK DONE BEFORE THE ENGINEER RENDERS A DECISION IS AT THE SOLE RISK OF THE CONTRACTOR.
- G. UTILITIES SHALL BE PLACED DURING THE CONSTRUCTION OF THE RETAINING WALL. GEOGRIDS SHALL NOT BE CUT TO INSTALL FUTURE UTILITIES.

1.04 TECHNICAL REFERENCES

- A. NATIONAL CONCRETE MASONRY ASSOCIATION (NCMA) DESIGN MANUAL FOR SEGMENTAL RETAINING WALLS - 3RD EDITION (5TH PRINTING - 2012).
- B. MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES - ASCE/SEI 7-10
- C. INTERNATIONAL BUILDING CODE, 2015 EDITION.
- D. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) TECHNICAL MANUAL.
- E. UNIFIED SOIL CLASSIFICATION SYSTEM (USCS).

1.05 TESTING REFERENCES

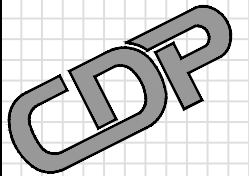
- A. AMERICAN SOCIETY OF TESTING MATERIALS (ASTM) INTERNATIONAL.
- B. AMERICAN CONCRETE INSTITUTE (ACI).
- C. NATIONAL CONCRETE MASONRY ASSOCIATION (NCMA)

1.06 DESIGN INFORMATION

- A. DESIGN METHOD: NCMA
- B. RETAINING WALL INFORMATION:
- UNIT TYPE: RECON SERIES 50
- REINFORCEMENT: MIRAFI 5XT
- PERCENT COVERAGE OF GEOGRID 100%
- C. LOADING CONDITIONS:
- LIVE LOAD SURCHARGE 250 PSF (DRIVEWAY)
- DEAD LOAD SURCHARGE (BUILDING) 0 PSF
- HYDROSTATIC LOADING NONE
- D. WALL GEOMETRY:
- TOE SLOPE: VARIES (SEE GRADING PLAN)
- BACK SLOPE: VARIES (SEE GRADING PLAN)
- BATTER: 3.6°
- E. INTERNAL STABILITY: (MINIMUM FOS)
- GEOGRID STRENGTH 1.5
- GEOGRID PULLOUT 1.5
- GEOGRID CONNECTION 1.5
- BLOCK TO BLOCK SLIDING 1.5
- F. EXTERNAL STABILITY:
- BASE SLIDING 1.5
- BEARING 2.0
- OVERTURNING (GRAVITY) 1.5
- OVERTURNING (REINFORCED) 2.0
- GLOBAL STABILITY
- NO GLOBAL STABILITY ANALYSIS HAS BEEN PERFORMED DO TO NO SOILS INFORMATION AT THE ACTUAL WALL LOCATIONS. THE PROJECT GEOTECHNICAL ENGINEER SHALL CONFIRM GLOBAL STABILITY BASED ON THE PROPOSED WALL DESIGN AND THE ACTUAL PARAMETERS OF THE ONSITE SOILS.
- G. SEISMIC:
- SEISMIC CONDITIONS N/A
- PEAK GROUND ACCELERATION (A) N/A

1.07 ASSUMED SOIL PARAMETERS

	ϕ	c	γ	SOIL TYPE
REINFORCED BACKFILL	34°	0 PSF	120 PCF	SELECT GRANULAR
RETAINED BACKFILL (ZONE 1)	34°	0 PSF	120 PCF	SELECT GRANULAR
RETAINED BACKFILL (ZONE 2)	30°	0 PSF	120 PCF	SILTY SAND
FOUNDATION SOIL	30°	0 PSF	120 PCF	SILTY SAND
LEVELING PAD	40°	0 PSF	120 PCF	AGGREGATE



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No.	Date	Revision	By
1			
2			
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4			
5			
6			

Designed By:
JVZ

Scale:
N.T.S.

Date:
DEC. 23, 2021

Project:
BOVEY ROAD RETAINING WALLS
WAYZATA, MINNESOTA

Title:
SPECIFICATIONS:
GENERAL INFORMATION

Registration No:
25493

Project No:
21-1008

Sheet No:
2.00

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

MICHAEL R. JOHNSON, P.E.

Date: 12/23/2021

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SECTION 2: MATERIALS:

2.01 DEFINITIONS

- A. ADHESIVE: HIGH STRENGTH CONSTRUCTION ADHESIVE FOR BONDING CONCRETE TO CONCRETE INSTALLED PER THE MANUFACTURER'S RECOMMENDATIONS.
- B. COLLECTION DRAIN SYSTEM: A SYSTEM FOR COLLECTING AND REMOVING WATER FROM BEHIND THE RETAINING WALL.
- C. DENSE GRADED AGGREGATE: LOW PERMEABLE MATERIAL USED TO HELP FACILITATE DRAINAGE THROUGH THE FACE OF THE RETAINING WALL.
- D. DRAINAGE AGGREGATE: CLEAN CRUSHED ANGULAR STONE LOCATED WITHIN AND DIRECTLY BEHIND THE RETAINING WALL UNITS TO THE DEPTH SPECIFIED ON THE CROSS SECTION, INCLUDING UNIT CORE FILL (IF APPLICABLE).
- E. EXPANSION MATERIAL: 0.5-INCH FELT EXPANSION BOARD OR POLYSTYRENE FOAM BOARD.
- F. FOUNDATION SOIL: SOIL IMMEDIATELY BENEATH THE RETAINING WALL LEVELING PAD AND REINFORCED SOIL (IF APPLICABLE).
- G. GEOGRID: A GEOSYNTHETIC MATERIAL MANUFACTURED OF HIGH TENSILE MATERIALS SPECIFICALLY FOR THE PURPOSE OF REINFORCING AND CREATING A STRUCTURAL SOIL MASS.
- H. GEOTEXTILE FABRIC: A GEOSYNTHETIC MATERIAL MANUFACTURED FOR THE PURPOSE OF SOIL SEPARATION AND DRAINAGE.
- I. LEVELING PAD: AN UNREINFORCED CONCRETE OR COMPACTED SOIL PAD WHICH SERVES AS A FLAT SURFACE FOR PLACING THE INITIAL COURSE OF UNITS.
- J. LOW PERMEABLE SOIL CAP: LOW PERMEABLE SOIL, CONTAINING A MINIMUM OF 40% PASSING THE NO. 200 SIEVE AND A LIQUID LIMIT (LL) AND PLASTICITY INDEX (PI) OF LESS THAN 30 AND 15 RESPECTIVELY, PLACED OVER THE REINFORCED AND/OR RETAINED BACKFILL,
- K. REINFORCED BACKFILL: SOIL EXTENDING FROM THE BACK OF THE DRAINAGE AGGREGATE TO THE ENDS OF THE EMBEDDED GEOGRID.
- L. RETAINED BACKFILL 1: SOIL DIRECTLY BEHIND THE RETAINING WALL UNITS IN A GRAVITY WALL. THE RETAINED ZONE 1 IS DEFINED AS A LINE THAT EXTENDS UPWARD AT A 1H:1V FROM 1-FOOT BEHIND THE BOTTOM BACK CORNER OF THE BASE UNIT TO THE TOP OF WALL ELEVATION.
- M. RETAINED BACKFILL 2: SOIL DIRECTLY BEHIND THE RETAINING WALL REINFORCED BACKFILL. THE RETAINED BACKFILL 2 ZONE IS DEFINED AS A LINE THAT EXTENDS UPWARD AT A 1H:1V FROM THE BACK BASE OF THE REINFORCED ZONE TO THE TOP OF WALL ELEVATION.
- N. RETAINING WALL UNIT (PMBW): A WETCAST CONCRETE PREFABRICATED MODULAR BLOCK WALL FACING UNIT.

2.02 RECON RETAINING WALL UNITS

- A. RETAINING WALL SHALL BE COMPRISED OF RECON UNITS MANUFACTURED BY A LICENSED PRODUCER.
- B. RECON WALL UNITS SHALL HAVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 4,000 PSI. STANDARD WEIGHT CONCRETE SHALL HAVE A 6% ± 1.5% AIR ENTRAINMENT BY VOLUME. WEIGHT OF CONCRETE SHALL BE 145 PCF. UNITS SHALL BE PRODUCED WITH FIRST PURPOSE FRESH CONCRETE (RECYCLED CONCRETE CANNOT BE USED TO PRODUCE UNITS).
- C. BLOCKS SHALL BE CONSISTENT AND FREE OF STAINS, DEFECTS, CRACKS, AND/OR CHIPS.
- D. TEXTURE AND COLOR ON THE FACE OF THE BLOCK SHALL BE SPECIFIED BY THE OWNER PER MANUFACTURER'S RECOMMENDATION.

2.03 GEOTEXTILE FABRIC

- A. GEOTEXTILE FABRIC, IF REQUIRED, SHALL BE MIRAFI 180N OR APPROVED EQUAL (80Z MINIMUM) AND SHALL MEET THE PROPERTIES SPECIFIED BY THE MANUFACTURER.
- B. ALL GEOTEXTILE SEAMS SHALL BE OVERLAPPED BY A MINIMUM OF 12-INCHES.

2.04 GEOGRID

- A. GEOGRID SHALL BE THE TYPE AND STRENGTH SPECIFIED IN THE CONSTRUCTION DRAWINGS AND SHALL MEET THE PROPERTIES SPECIFIED BY THE MANUFACTURER. ANY SUBSTITUTION REQUIRES WRITTEN APPROVAL BY CDP PRIOR TO WALL CONSTRUCTION.
- B. GEOGRID SHALL BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS.

2.05 LEVELING PAD

- A. SOIL LEVELING PAD SHALL CONSIST OF COMPACTED SAND, GRAVEL, CRUSHED STONE, OR ANY COMBINATION THEREOF (USE SOIL TYPE GP, GW, SP, OR SW PER USCS).
- B. CONCRETE LEVELING PAD SHALL BE UNREINFORCED AND HAVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 2,500 PSI. CONCRETE MUST CURE A MINIMUM OF 12-HOURS PRIOR TO PLACING ANY **RECON** UNITS.

2.06 COLLECTION DRAIN SYSTEM

- A. SUBSURFACE DRAINAGE SYSTEM CONSTRUCTED OF 4-INCH PERFORATED HDPE OR PVC PIPE PER ASTM D3034 AND/OR ASTM F2648. IF THE PIPE IS NOT PLACED WITHIN CLEAN CRUSHED STONE IT SHALL BE WRAPPED IN A GEOTEXTILE FABRIC.
- B. USE NON-PERFORATED PIPE TO OUTLET THROUGH FACE OF WALL, BENEATH WALL, AND WHEN CONNECTING TO DRAINAGE STRUCTURES.
- C. PIPE FITTINGS SHALL BE PER MANUFACTURER'S RECOMMENDATION.

2.07 DRAINAGE AGGREGATE

- A. DRAINAGE AGGREGATE SHALL BE DURABLE CLEAN CRUSHED STONE HAVING AT LEAST TWO FRACTURED FACES AND COMPLY WITH THE FOLLOWING GRADATION:
- | SIEVE SIZE | % PASSING |
|---------------------|-----------|
| 1-INCH | 100 |
| $\frac{3}{4}$ -INCH | 75 - 10 |
| NO. 4 | 0 - 10 |
| NO. 50 | 0 - 5 |
- B. ROUNDED AGGREGATE (E.G. RIVER ROCK AND PEA GRAVEL) IS NOT ACCEPTABLE DRAINAGE AGGREGATE MATERIAL.

2.08 FOUNDATION SOIL

- A. THE FOUNDATION SOIL IS ASSUMED TO BE SILTY SAND EXHIBITING A MINIMUM EFFECTIVE INTERNAL FRICTION ANGLE OF 30° AND A COHESION OF 0 PSF.
- B. THE FOUNDATION SOIL SHALL BE FREE OF DEBRIS, HIGH PLASTIC CLAY, FROST, ICE, ORGANIC MATTER (<1%), AND OTHER DELETERIOUS MATERIALS.

2.09 REINFORCED BACKFILL

- A. THE REINFORCED BACKFILL SHALL BE SELECT GRANULAR EXHIBITING A MINIMUM EFFECTIVE INTERNAL FRICTION ANGLE OF 34° AND COMPLY WITH THE FOLLOWING GRADATION:
- | SIEVE SIZE | % PASSING |
|------------|-----------|
| 2-INCH | 100 |
| 3/4-INCH | 100 - 75 |
| NO. 4 | 20 - 100 |
| NO. 40 | 0 - 50 |
| NO. 200 | 0 - 15 |
- PLASTICITY INDEX (PI)<6
4.5 < PH < 9
- B. REINFORCED BACKFILL SHALL BE FREE OF DEBRIS, HIGH PLASTIC CLAY, ICE, ORGANIC MATTER (<1%), AND OTHER DELETERIOUS MATERIALS.
- C. CONTRACTOR MAY USE A HIGHER QUALITY MATERIAL IN LIEU OF SELECT GRANULAR WITH APPROVAL.
- D. REINFORCED BACKFILL MAY BE SITE EXCAVATED WHEN THE ABOVE REQUIREMENTS ARE MET.
- E. REINFORCED BACKFILL SHALL NOT BE RECYCLED CONCRETE OR ASPHALT.

2.10 RETAINED BACKFILL 1

- A. THE RETAINED BACKFILL SHALL BE SILTY SAND EXHIBITING A MINIMUM EFFECTIVE INTERNAL FRICTION ANGLE OF 30°, A COHESION OF 0 PSF, AND COMPLY WITH THE FOLLOWING GRADATION:
- | SIEVE SIZE | % PASSING |
|------------|-----------|
| 2-INCH | 100 |
| 3/4-INCH | 100 - 75 |
| NO. 4 | 20 - 100 |
| NO. 40 | 0 - 50 |
| NO. 200 | 0 - 15 |
- PLASTICITY INDEX (PI)<6
4.5 < PH < 9
- B. RETAINED BACKFILL SHALL BE FREE OF DEBRIS, HIGH PLASTIC CLAY, ICE, ORGANIC MATTER (<1%), AND OTHER DELETERIOUS MATERIALS.
- C. CONTRACTOR MAY USE A HIGHER QUALITY MATERIAL IN LIEU OF SILTY SAND WITH APPROVAL.
- D. RETAINED BACKFILL MAY BE SITE EXCAVATED WHEN THE ABOVE REQUIREMENTS ARE MET.

2.11 RETAINED BACKFILL 2

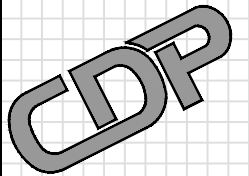
- A. THE RETAINED BACKFILL SHALL BE SILTY SAND EXHIBITING A MINIMUM EFFECTIVE INTERNAL FRICTION ANGLE OF 30°, A COHESION OF 0 PSF, AND COMPLY WITH THE FOLLOWING GRADATION:
- | SIEVE SIZE | % PASSING |
|------------|-----------|
| 2-INCH | 100 |
| 3/4-INCH | 100 - 75 |
| NO. 4 | 20 - 100 |
| NO. 40 | 0 - 60 |
| NO. 200 | 0 - 35 |
- PLASTICITY INDEX (PI)<10
4.5 < PH < 9
- B. RETAINED BACKFILL SHALL BE FREE OF DEBRIS, HIGH PLASTIC CLAY, ICE, ORGANIC MATTER (<1%), AND OTHER DELETERIOUS MATERIALS.
- C. CONTRACTOR MAY USE A HIGHER QUALITY MATERIAL IN LIEU OF SILTY SAND WITH APPROVAL.
- D. RETAINED BACKFILL MAY BE SITE EXCAVATED WHEN THE ABOVE REQUIREMENTS ARE MET.

2.12 BACK SLOPE FILL MATERIAL (WHEN PRESENT)

- A. BACK SLOPE FILL MATERIAL SHALL BE APPROVED STRUCTURAL FILL PER THE GEOTECHNICAL ENGINEER AND SHALL EXHIBIT THE MINIMUM EFFECTIVE STRESS PARAMETERS REQUIRED TO PERMANENTLY MAINTAIN SLOPE STABILITY.
- B. BACK SLOPE FILL MATERIAL SHALL BE FREE OF DEBRIS, HIGH PLASTIC CLAY, ICE, ORGANIC MATTER (<1%), AND OTHER DELETERIOUS MATERIALS.

2.13 DENSE GRADED AGGREGATE

- A. THE DENSE GRADED AGGREGATE SHALL EXHIBIT A MINIMUM EFFECTIVE INTERNAL FRICTION ANGLE OF 40° AND COMPLY WITH THE FOLLOWING GRADATION:
- | SIEVE SIZE | % PASSING |
|---------------------|-----------|
| 1-INCH | 100 |
| $\frac{3}{4}$ -INCH | 95 - 100 |
| NO.4 | 35 - 70 |
| NO. 40 | 10- 35 |
| NO. 200 | 5 - 15 |
- PLASTICITY INDEX (PI) < 10
LIQUID LIMIT (LL) < 20



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Designed By:
JVZ
Scale:
N.T.S.
Date:
DEC. 23, 2021

Project:
BOVEY ROAD RETAINING WALLS
WAYZATA, MINNESOTA
Title:
SPECIFICATIONS:
MATERIALS

Registration No:
25493
Project No:
21-1008
Sheet No:
2.01

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

MICHAEL R. JOHNSON, P.E.

Date: 12/23/2021

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SECTION 3: EXECUTION

3.01 CONSTRUCTION STAKING

- A. STAKING SHALL BE PERFORMED BY A LICENSED SURVEYOR.
- B. WALL STATIONING SHOWN IS RELATIVE TO EACH WALL AND NOT TO ANY OTHER STATIONING SHOWN ON THE CONTRACT PLANS (UNLESS OTHERWISE NOTED). STATION 0.00 IS ON THE LEFT END OF WALL AS VIEWED FROM THE FRONT OF THE WALL (UNLESS OTHERWISE NOTED ON WALL ELEVATION).

3.02 EXCAVATION

- A. CONTRACTOR SHALL EXCAVATE TO THE LINES AND GRADES SHOWN ON THE CONSTRUCTION DRAWINGS. CONTRACTOR SHALL BE CAREFUL NOT TO DISTURB EMBANKMENT AND FOUNDATION MATERIALS BEYOND LINES SHOWN. EXCAVATION FOR CONSTRUCTION OF THE RETAINING WALL SHALL CONFORM TO OSHA REQUIREMENTS FOR SAFE EXCAVATION.

3.03 SOIL COMPACTION

- A. COARSE GRAINED SOILS: ALL COARSE GRAINED SOIL SHALL BE PLACED IN MAXIMUM 9-INCH LOOSE LIFTS AND COMPACTED TO A MINIMUM OF 95% OF ITS STANDARD PROCTOR DENSITY AS DETERMINED BY ASTM D698. THE MOISTURE CONTENT OF THE BACKFILL MATERIAL, PRIOR TO AND DURING CONSTRUCTION, SHALL BE UNIFORMLY DISTRIBUTED THROUGHOUT EACH LAYER AND SHALL BE WITHIN A RANGE OF 2% BELOW TO 2% ABOVE OPTIMUM MOISTURE CONTENT.
- B. FINE GRAINED SOILS: ALL FINE GRAINED SOIL SHALL BE PLACED IN MAXIMUM 8-INCH LOOSE LIFTS AND COMPACTED TO A MINIMUM OF 95% OF ITS STANDARD PROCTOR DENSITY AS DETERMINED BY ASTM D698. THE MOISTURE CONTENT OF THE BACKFILL MATERIAL, PRIOR TO AND DURING CONSTRUCTION, SHALL BE UNIFORMLY DISTRIBUTED THROUGHOUT EACH LAYER AND SHALL BE WITHIN A RANGE OF 2% BELOW TO OPTIMUM MOISTURE CONTENT.
- C. CRUSHED STONE: CRUSHED STONE SHALL BE PLACED IN MAXIMUM 12-INCH LOOSE LIFTS AND COMPACTED WITH A MINIMUM OF THREE (3) PASSES OF A VIBRATORY COMPACTOR (OR OTHER SUITABLE EQUIPMENT) CAPABLE OF EXERTING A MINIMUM OF 3,000 LBS OF CENTRIFUGAL FORCE AND TO THE SATISFACTION OF THE GEOTECHNICAL ENGINEER.
- D. ONLY LIGHTWEIGHT HAND-OPERATED COMPACTION EQUIPMENT SHALL BE USED WITHIN 3-FEET OF THE BACK OF WALL.

3.04 FOUNDATION SOIL PREPARATION

- A. FOUNDATION SOIL SHALL BE EXCAVATED FOR PLACEMENT OF THE LEVELING PAD AND BACKFILL MATERIAL AS SHOWN ON THE CONSTRUCTION DRAWINGS OR AS DIRECTED BY THE GEOTECHNICAL ENGINEER (WHICHEVER IS MORE STRINGENT).
- B. FOUNDATION SHALL BE EXAMINED BY THE GEOTECHNICAL ENGINEER TO CONFIRM THAT THE ACTUAL FOUNDATION CONDITIONS MEET OR EXCEED THE DESIGN ASSUMPTIONS AND MINIMUM BEARING CAPACITY REQUIREMENTS (BEARING CAPACITY SHALL BE GREATER THAN THE FACTOR OF SAFETY FOR BEARING MULTIPLIED BY THE APPLIED LOAD LISTED ALONG THE WALL PROFILE). AT A MINIMUM, FOUNDATION SOIL SHALL BE PROOF-ROLLED BEFORE CONSTRUCTION PROCEEDS. SUBGRADE MATERIAL NOT MEETING THE REQUIRED STRENGTH SHALL BE REMOVED AND REPLACED WITH SUITABLE STRUCTURAL FILL PER THE GEOTECHNICAL ENGINEER.
- C. OVER-EXCAVATED AREAS SHALL BE BACKFILLED WITH APPROVED STRUCTURAL FILL AND COMPACTED AS PER SPECIFICATION 3.03.

3.05 BASE LEVELING PAD

- A. LEVELING PAD MATERIALS SHALL BE PLACED UPON AN APPROVED FOUNDATION AS SHOWN ON THE CONSTRUCTION DRAWINGS TO A MINIMUM THICKNESS OF 6-INCHES AND COMPACTED AS PER SPECIFICATION 3.03 (SOIL LEVELING PAD).
- B. LEVELING PAD SHALL BE PREPARED TO ENSURE COMPLETE CONTACT WITH THE BASE RETAINING WALL UNITS.

3.06 MODULAR WALL UNIT INSTALLATION

- A. THE FIRST COURSE OF RECON UNITS SHALL BE CAREFULLY PLACED ON TOP OF AND IN FULL CONTACT WITH THE LEVELING PAD. THE BASE UNITS SHALL BE CLOSELY ABUTTED TOGETHER AT THE LOCATIONS AND ELEVATIONS SHOWN ON THE APPROVED CONSTRUCTION DRAWINGS. THE HORIZONTAL GAP BETWEEN UNITS SHALL NOT EXCEED 1/4-INCH. EACH UNIT SHALL BE CHECKED FOR PROPER ELEVATION, ALIGNMENT, AND THAT IT IS LEVEL.

- B. UNITS ARE PLACED SIDE BY SIDE FOR FULL LENGTH OF WALL ALIGNMENT. ALIGNMENT MAY BE ACHIEVED WITH THE AID OF A STRING LINE OR OFFSET FROM A BASE LINE.
- C. DRAINAGE AGGREGATE SHALL BE PLACED BETWEEN THE UNITS, WITHIN THE UNITS (UNIT CORE FILL, IF APPLICABLE), AND IMMEDIATELY BEHIND THE UNITS TO THE DRAINAGE ZONE DEPTH SPECIFIED ON THE CROSS SECTION. THE DRAINAGE AGGREGATE SHALL BE PLACED AND COMPACTED PER SPECIFICATION 3.03.
- D. PRIOR TO PROCEEDING TO THE NEXT COURSE, SWEEP EXCESS MATERIAL FROM TOP OF UNITS.
- E. UNITS MAY BE SHIMMED WITH GEOGRID REINFORCEMENT, ASPHALT ROOFING SHINGLES, OR ROLLED ROOFING TO MAINTAIN FACE BATTER AND UNIFORM BLOCK ELEVATIONS. SHIMMING MATERIAL SHALL MAINTAIN A MAXIMUM NOMINAL THICKNESS OF 1/8-INCH AND SHALL ONLY OCCUR AT COURSES OF BLOCK WHERE PRIMARY LAYERS OF REINFORCEMENT ARE NOT PRESENT. CONTRACTOR SHALL TAKE PRECAUTIONS TO CONTINUOUSLY SUPPORT A SHIMMED UNIT TO PREVENT POINT LOADING THAT MAY INDUCE UNIT CRACKING. THE WALL CONTRACTOR MAY ALSO GRIND UNITS AS NECESSARY TO MAINTAIN FACE BATTER AND UNIFORM BLOCK ELEVATIONS.
- F. SEE MANUFACTURER'S INFORMATION FOR ADDITIONAL INSTALLATION REQUIREMENTS.

3.07 COLLECTION DRAIN PLACEMENT

- A. INSTALL COLLECTION DRAIN SYSTEM PER THE APPROVED CONSTRUCTION SHOP DRAWINGS.
- B. THE COLLECTION DRAIN SYSTEM SHALL DRAIN SURFACE WATER INFILTRATION AND GROUNDWATER AWAY FROM THE REINFORCED AND RETAINED BACKFILL ZONES. THE COLLECTION DRAIN SYSTEM SHALL OUTLET INDEPENDENT OF THE STORM DRAIN SYSTEMS AT LOCATIONS THAT MOVE THE WATER AWAY FROM THE WALL WHEREVER POSSIBLE.
- C. THE DRAIN PIPE SHALL BE PLACED TO MAINTAIN GRAVITY FLOW (1% MINIMUM).
- D. DO NOT CONNECT ANY OTHER DRAINS INTO THE COLLECTION DRAIN SYSTEM.
- E. DO NOT OUTLET UPPER TIERED WALL COLLECTION DRAIN SYSTEM ONTO LOWER TIERED WALL.
- F. TIERED WALL DRAINS SHALL REMAIN INDEPENDENT OF EACH OTHER.

3.08 GEOGRID INSTALLATION

- A. GEOGRID SHALL BE ORIENTED WITH THE HIGHEST STRENGTH AXIS PERPENDICULAR TO THE WALL ALIGNMENT. CORRECT ORIENTATION (ROLL DIRECTION) SHALL BE VERIFIED BY CONTRACTOR PRIOR TO WALL INSTALLATION.
- B. GEOGRID SHALL BE PLACED AT THE ELEVATIONS AND TO THE EXTENTS SHOWN ON THE CONSTRUCTION DRAWINGS OR AS DIRECTED BY THE ENGINEER. GEOGRID SHALL BE PLACED IN A MANNER TO ENSURE 100% COVERAGE PARALLEL TO THE WALL FACE.
- C. THE GEOGRID SHALL BE LAID HORIZONTALLY ON COMPACTED BACKFILL. THE GEOGRID SHALL BE PULLED TAUT (50LBS/FT) TO ELIMINATE LOOSE FOLDS AND PRETENSION THE REINFORCEMENT. STAKE OR SECURE THE BACK EDGE OF THE GEOGRID PRIOR TO BACKFILLING AND COMPACTION.
- D. GEOGRID LAYERS SHALL BE ONE CONTINUOUS PIECE FOR THEIR ENTIRE EMBEDMENT LENGTH. OVERLAP SPLICING OF THE GEOGRID IN THE DESIGN STRENGTH DIRECTION (PERPENDICULAR TO THE WALL FACE) SHALL NOT BE PERMITTED.
- E. TRACKED OR RUBBER TIRE EQUIPMENT SHALL NOT BE OPERATED DIRECTLY ON THE GEOGRID REINFORCEMENT. A MINIMUM FILL THICKNESS OF 6-INCHES IS REQUIRED PRIOR TO OPERATION OF EQUIPMENT OVER THE GEOGRID REINFORCEMENT. TURNING OF EQUIPMENT SHOULD BE KEPT TO A MINIMUM TO PREVENT DISPLACING THE FILL AND DAMAGING OR MOVING THE GEOGRID REINFORCEMENT.
- F. NO CHANGES TO GEOGRID WITHOUT WRITTEN APPROVAL OF CDP. INCLUDING, BUT NOT LIMITED TO, LAYOUT, LENGTH, TYPE, OR ELEVATION SHALL BE PERMITTED.
- G. SEE MANUFACTURER'S INFORMATION FOR ADDITIONAL REQUIREMENTS REGARDING THE GEOGRID INSTALLATION.

3.09 REINFORCED BACKFILL PLACEMENT

- A. REINFORCED BACKFILL MATERIAL SHALL BE PLACED, SPREAD, AND COMPACTED IN SUCH A MANNER THAT MINIMIZES THE DEVELOPMENT OF SLACK IN THE GEOGRID.
- B. REINFORCED BACKFILL SHALL BE PLACED AND COMPACTED AS PER SPECIFICATION 3.03 OR PER THE GEOTECHNICAL ENGINEERS RECOMMENDATION (WHICHEVER IS MORE STRINGENT).

3.10 RETAINED BACKFILL PLACEMENT

- A. RETAINED BACKFILL MATERIAL SHALL BE PLACED AND COMPACTED AS PER SPECIFICATION 3.03 OR PER THE GEOTECHNICAL ENGINEERS RECOMMENDATION (WHICHEVER IS MORE STRINGENT).

3.11 BACK SLOPE PLACEMENT

- A. ALL BACKFILL PLACED ABOVE THE REINFORCED AND RETAINED BACKFILL SHALL BE PLACED AND COMPACTED AS PER SPECIFICATION 3.03 OR PER THE GEOTECHNICAL ENGINEERS RECOMMENDATION (WHICHEVER IS MORE STRINGENT).

3.12 CAPSTONE AND FREESTANDING UNIT INSTALLATION

- A. PRIOR TO PLACING CAPSTONES AND FREESTANDING UNITS, CLEAN BLOCK AND APPLY ADHESIVE PER THE MANUFACTURER'S RECOMMENDATIONS.
- B. TRIM SIDES OF INTERIOR CAPSTONES TO ENSURE PROPER FIT OF WALL CAPSTONE. DO NOT LEAVE CUT SURFACES EXPOSED TO VIEW IN THE FINISHED WALL.
- C. ADHESIVE SHALL BE DESIGNED TO WITHSTAND MOISTURE AND TEMPERATURE EXTREMES, REMAIN FLEXIBLE, AND SPECIFICALLY FORMULATED FOR BONDING MASONRY TO MASONRY.

3.13 SITE DRAINAGE

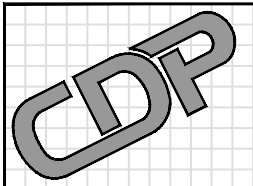
- A. POOR PERFORMANCE AND/OR FAILURE OF RETAINING WALLS DURING AND AFTER CONSTRUCTION CAN OCCUR IF UNANTICIPATED STORM WATER IMPACTS THE WALL. THEREFORE IT IS CRITICAL THAT ANY POTENTIAL DRAINAGE ISSUES THAT BECOME APPARENT DURING OR AFTER CONSTRUCTION BE ADDRESSED IMMEDIATELY TO AVOID RETAINING WALL PERFORMANCE ISSUES.
- B. CONTRACTOR SHALL PROTECT RETAINING WALLS AGAINST SURFACE WATER RUNOFF FROM ADJACENT AREAS AT ALL TIMES THROUGH THE USE OF BERMS, DIVERSION DITCHES, TEMPORARY DRAINS, OR ANY OTHER MEANS NECESSARY.
- C. AT THE END OF EACH DAYS OPERATION, THE CONTRACTOR SHALL SLOPE THE LAST LIFT AWAY FROM THE WALL FACING TO DIRECT RUNOFF AWAY FROM THE WALL.
- D. AT COMPLETION OF WALL CONSTRUCTION, BACKFILL SHALL BE PLACED LEVEL WITH FINAL TOP OF WALL ELEVATION. IF FINAL GRADING, PAVING, LANDSCAPING, OR STORM DRAINAGE INSTALLATIONS ADJACENT TO THE WALL ARE NOT PLACED IMMEDIATELY AFTER THE WALL CONSTRUCTION IS COMPLETED, TEMPORARY GRADING AND DRAINAGE SHALL BE PROVIDED TO ENSURE WATER RUNOFF IS NOT DIRECTED TOWARDS THE WALL NOR ALLOWED TO COLLECT OR POND BEHIND THE WALL UNTIL FINAL CONSTRUCTION ADJACENT TO THE WALL IS COMPLETED.
- E. ALL SLOPES ABOVE OR BELOW THE RETAINING WALL SHALL BE IMMEDIATELY VEGETATED AND PROTECTED FROM EROSION. SLOPES ABOVE THE RETAINING WALL STEEPER THAN AN 8H:1V SHALL HAVE A SILT FENCE INSTALLED AND MAINTAINED UNTIL ADEQUATE VEGETATION CAN BE ESTABLISHED.
- F. THE RETAINING WALLS ARE NOT DESIGNED TO RESIST CONCENTRATED FLOWS: INCLUDING, BUT NOT LIMITED TO, DOWNSPOUTS, SUMP PUMPS, AND SWALES. ALL CONCENTRATED FLOWS SHALL BE COLLECTED IN A SUB-DRAIN SYSTEM, DIRECTED AWAY FROM AND/OR AROUND THE ENDS OF RETAINING WALLS. ANY CHANGE IN SURFACE WATER DIRECTION OR CONNECTION INTO SITE STORM SEWER SYSTEM SHALL BE SUBMITTED TO THE SITE CIVIL ENGINEER FOR REVIEW AND APPROVAL.

3.14 AS-BUILT CONSTRUCTION TOLERANCES:

- A. HORIZONTAL ALIGNMENT: ±0.75-INCHES OVER ANY 10-FOOT DISTANCE; 3-INCHES MAXIMUM.
- B. WALL BATTER: WITHIN 1° OF DESIGN BATTER.
- C. CORNERS, BENDS, CURVES: ±2-FEET FROM THEORETICAL POSITION.
- D. MAXIMUM DIFFERENTIAL SETTLEMENT: L/200 (0.5% OF REFERENCED LENGTH).
- E. TOTAL SETTLEMENT: 2-INCHES MAXIMUM.

3.15 CONSTRUCTION ADJACENT TO WALL:

- A. THE OWNER OR OWNER'S REPRESENTATIVE IS RESPONSIBLE FOR ENSURING THAT CONSTRUCTION ADJACENT TO THE WALL DURING AND POST CONSTRUCTION DOES NOT DISTURB THE WALL OR PLACE TEMPORARY OR PERMANENT LOADS ON THE WALL THAT EXCEED THE DESIGN LOADS, INCLUDING BUT NOT LIMITED TO WATER PRESSURE, TEMPORARY GRADES, EQUIPMENT LOADING, AND FUTURE STRUCTURES.



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6			

Designed By: JVZ
Scale: N.T.S.
Date: DEC. 23, 2021

Project:	BOVEY ROAD RETAINING WALLS WAYZATA, MINNESOTA
Title:	SPECIFICATIONS: EXECUTION

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

MICHAEL R. JOHNSON, P.E.

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SECTION 4: QUALITY ASSURANCE

4.01 OWNER/GENERAL CONTRACTOR:

- A. THE OWNER OR GENERAL CONTRACTOR IS RESPONSIBLE FOR OBTAINING AND CONTRACTING FOR PROFESSIONAL GEOTECHNICAL ENGINEERING AND RETAINING WALL CONSTRUCTION INSPECTION SERVICES PER SPECIFICATION 4.02 AND 4.03 RESPECTIVELY.
- B. THE OWNER SHALL BE RESPONSIBLE FOR LONG TERM MAINTENANCE (SEE SPECIFICATION 4.05)

4.02 PROFESSIONAL GEOTECHNICAL ENGINEER:

- A. THE GEOTECHNICAL ENGINEER SHALL OBSERVE SITE SOIL CONDITIONS FOR COMPLIANCE WITH RETAINING WALL DESIGN PLANS PRIOR TO WALL CONSTRUCTION. IF THE GEOTECHNICAL ENGINEER DETERMINES THE ONSITE SOIL WILL NOT EXHIBIT THE EFFECTIVE STRESS PARAMETERS ASSUMED IN THE DESIGN PLANS, THE WALL CONSTRUCTION SHALL NOT COMMENCE UNTIL AN APPROPRIATE SOLUTION IS DETERMINED.
- B. THE GEOTECHNICAL ENGINEER SHALL INSPECT AND EVALUATE THE FOUNDATION SOILS AT THE RETAINING WALL LOCATIONS, PRIOR TO CONSTRUCTION, TO ENSURE THEY WILL SAFELY SUPPORT THE MAXIMUM APPLIED LOADS PROVIDED ON THE WALL PROFILES WITHOUT FAILURE OR EXCESSIVE DIFFERENTIAL SETTLEMENT PER SPECIFICATION 3.14D. ANY UNSUITABLE SOIL OR IMPROPERLY COMPACTED EMBANKMENT MATERIAL SHALL BE REMOVED AND REPLACED AS DIRECTED BY THE GEOTECHNICAL ENGINEER TO ACHIEVE ADEQUATE BEARING CAPACITY AND ACCEPTABLE SETTLEMENT LIMITS.
- C. THE GEOTECHNICAL ENGINEER SHALL INSPECT WALL EXCAVATION AND RETAINED SOILS FOR GROUNDWATER AND SEEPAGE. IF EITHER CONDITION IS OBSERVED, THE GEOTECHNICAL ENGINEER SHALL IMMEDIATELY HALT THE RETAINING WALL CONSTRUCTION AND NOTIFY CDP.
- D. WALL BACKFILL MATERIAL SHALL BE APPROVED BY THE GEOTECHNICAL ENGINEER FOR COMPLIANCE WITH THE MINIMUM STRENGTH ASSUMPTIONS AND GRADATION LIMITS PER SECTION 2 OF THESE SPECIFICATIONS.
- E. WALL BACKFILL SOIL SHALL BE TESTED BY THE GEOTECHNICAL ENGINEER FOR MOISTURE, DENSITY, AND COMPACTION EVERY 2-FEET VERTICALLY, 100-FEET TO 200-FEET C/C, OR PER THE PROJECT SPECIFICATIONS, IF MORE STRINGENT, TO ENSURE COMPLIANCE WITH THE MINIMUM COMPACTION REQUIREMENTS IN SPECIFICATION 3.03.

4.03 RETAINING WALL CONSTRUCTION INSPECTOR:

- A. THE RETAINING WALL CONSTRUCTION SHALL BE INSPECTED BY A LICENSED PROFESSIONAL ENGINEER OR QUALIFIED TECHNICIAN (IF NOT THE GEOTECHNICAL ENGINEER). THE INSPECTOR SHALL HAVE ADEQUATE KNOWLEDGE OF THE PROJECT AND BE FAMILIAR WITH THE MEANS AND METHODS OF RETAINING WALL CONSTRUCTION. IF THE RETAINING WALL INSPECTOR IS NOT EMPLOYED BY THE GEOTECHNICAL ENGINEER, THE GEOTECHNICAL ENGINEER SHALL BE CONSULTED IN THOSE MATTERS PERTAINING TO SOIL CONDITIONS AND WALL PERFORMANCE.
- B. THE INSPECTOR IS RESPONSIBLE FOR READING AND UNDERSTANDING THE RETAINING WALL DESIGN AND CONSTRUCTION PLANS AND SPECIFICATIONS. THE INSPECTOR SHALL BE IN POSSESSION OF A COMPLETE SET OF THESE DOCUMENTS WHEN PERFORMING ON-SITE INSPECTIONS.
- C. THE INSPECTOR SHALL INSPECT THE RETAINING WALL UNITS, GEOGRID (TYPE, PLACEMENT, ORIENTATION, AND DEPTH), WALL ELEVATIONS, GRADES, BACK SLOPE, AND TOE SLOPE CONDITIONS FOR CONFORMANCE WITH THE APPROVED SHOP DRAWINGS.
- D. THE INSPECTOR SHALL IMMEDIATELY NOTIFY THE WALL CONTRACTOR OF ANY DEFICIENCIES DISCOVERED IN THE RETAINING WALL INSTALLATION AND PROVIDE THE CONTRACTOR A REASONABLE OPPORTUNITY TO CORRECT THE DEFICIENCY.
- E. THE INSPECTOR SHALL NOTIFY THE GENERAL CONTRACTOR, OWNER, AND CDP OF ANY CONSTRUCTION DEFICIENCIES THAT HAVE NOT BEEN CORRECTED IN A TIMELY MANNER.
- F. THE INSPECTOR SHALL DOCUMENT AND MAINTAIN RECORDS OF ALL INSPECTION RESULTS.

4.04 RETAINING WALL CONTRACTOR:

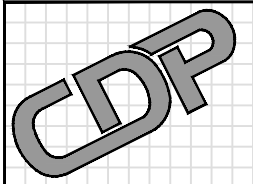
- A. PRIOR TO PLACING THE BLOCKS, THE CONTRACTOR SHALL INSPECT THE RETAINING WALL UNITS TO ENSURE THEY DO NOT CONTAIN ANY VISIBLE DEFECTS PER SPECIFICATION 2.02C.
- B. THE CONTRACTOR SHALL ESTABLISH AND MAINTAIN QUALITY CONTROL FOR THE CONSTRUCTION OF THE RETAINING WALL TO ENSURE COMPLIANCE WITH THE CONTRACT REQUIREMENTS. THIS INCLUDES, BUT IS NOT LIMITED TO, TAKING PHOTOGRAPHS THROUGHOUT THE WALL CONSTRUCTION AND MAINTAINING ALL QUALITY CONTROL RECORDS.

4.05 MAINTENANCE:

- A. THE RETAINING WALL(S) SHOULD BE INSPECTED EVERY SIX MONTHS FOR MOVEMENT, SOIL TENSION CRACKS, EROSION ADJACENT TO THE RETAINING WALL STRUCTURES, AND FOR SURFICIAL SLOPE STABILITY WHEN A SLOPE EXISTS ABOVE OR BELOW THE RETAINING WALL(S).
- B. SURFICIAL SLOPE INSTABILITY TYPICALLY IMPACTS THE UPPER 3 TO 5 FEET OF THE SUBSURFACE PROFILE. REGULAR MAINTENANCE SHOULD BE ANTICIPATED TO IDENTIFY AND ADDRESS POTENTIAL SOIL CREEP OR EROSION. THIS INCLUDES REPLACING OR REPLANTING TREES AND GRASSES, AS NECESSARY, AND GRADING THE SLOPE TO REDUCE SOIL CREEP AND EROSION. IF FUTURE SURFICIAL SLOPE EROSION OCCURS, CDP RECOMMENDS THE SLOPE FACE BE RESTORED AS SOON AS PRACTICAL. CDP ALSO RECOMMENDS IRRIGATED LANDSCAPING BE SETBACK A MINIMUM OF 20-FEET FROM THE CREST OF THE SLOPES.
- C. FILL SLOPES SHOULD BE RE-VEGETATED AS SOON AS POSSIBLE AFTER GRADING AND PROTECTED FROM EROSION UNTIL VEGETATION IS ESTABLISHED. SLOPE PLANTING SHOULD CONSIST OF GROUND COVER, SHRUBS, AND TREES POSSESSING DEEP, DENSE ROOT STRUCTURES THAT REQUIRE MINIMUM IRRIGATION.

4.06 CONFORMANCE LETTER:

- A. IF A CONFORMANCE LETTER IS REQUIRED, IT MAY BE PROVIDED UNDER A SEPARATE PROPOSAL.
- B. IN ORDER TO PROVIDE A CONSTRUCTION CONFORMANCE LETTER, THE FOLLOWING ITEMS WILL BE REQUIRED:
 - B.1. FOUNDATION INSPECTION/TESTING
 - B.2. SOIL PROPERTY TESTING (SIEVE, SHEAR, MOISTURE, ETC.)
 - B.3. SOIL COMPACTION TESTING
 - B.4. INSPECTION LOGS
 - B.5. CONSTRUCTION PHOTOGRAPHS, INCLUDING: EXCAVATION, LEVELING PAD, DRAINPIPE AND OUTLETS, BLOCK PLACEMENT AND STEPS, FILTER FABRIC AND/OR GEOGRID REINFORCEMENT (IF APPLICABLE), FINISHED GEOMETRY (BACK SLOPE, TOE SLOPE, BATTER, ETC.)



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Designed By: JVZ
Scale: N.T.S.
Date: DEC. 23, 2021

Project: BOVEY ROAD RETAINING WALLS WAYZATA, MINNESOTA	Title: SPECIFICATIONS: QUALITY ASSURANCE
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Registration No: 25493
Project No: 21-1008
Sheet No: 2.03

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MICHAEL R. JOHNSON, P.E.

Date: 12/23/2021

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- ## LEGEND:
- | | |
|------------------|---|
| WALL LOCATION |  |
| UTILITY CROSSING |  |
| PROPERTY LINE |  |
| GEOGRID LIMITS |  |



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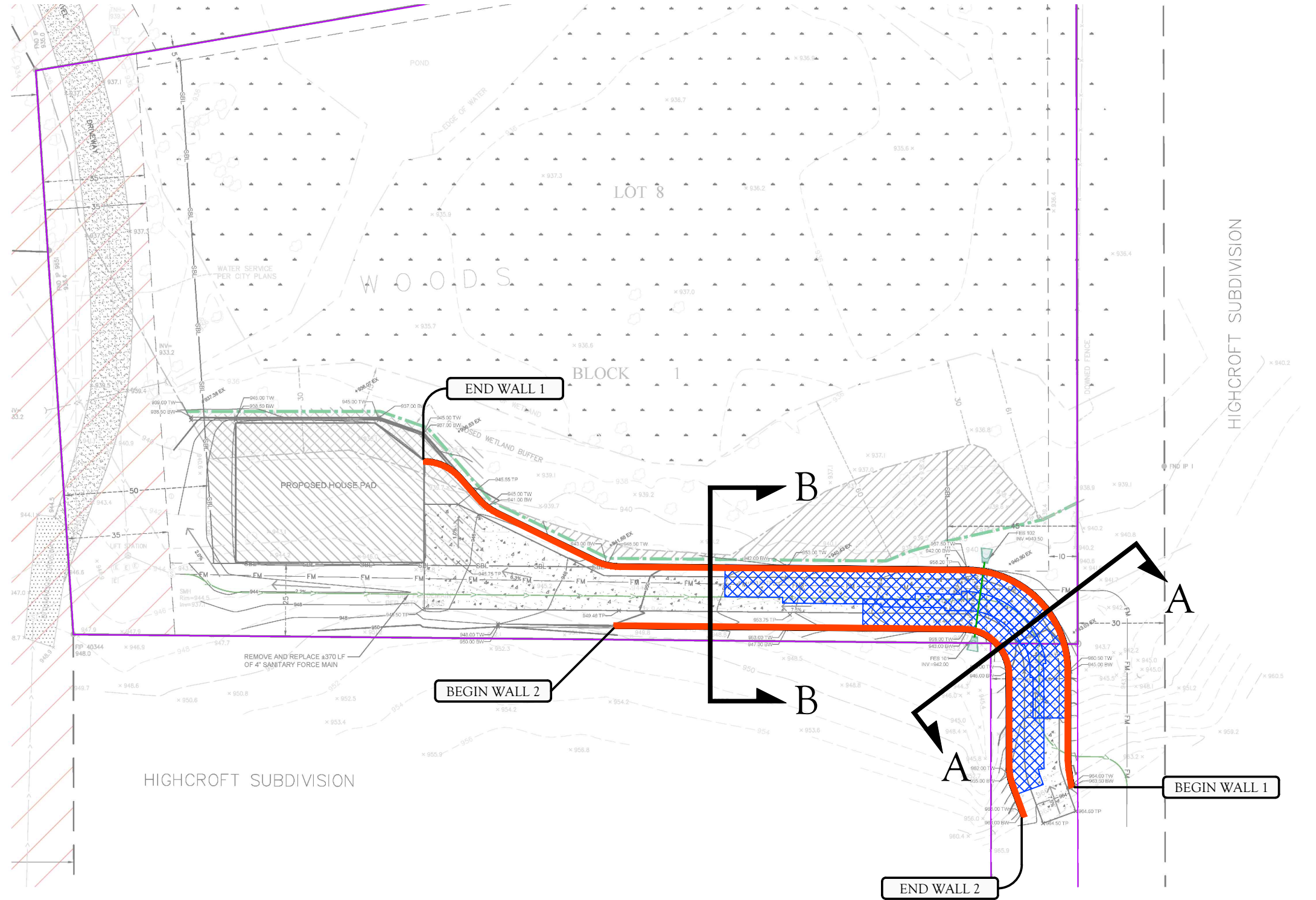
Project:	BOVEY ROAD RETAINING WALLS WAYZATA, MINNESOTA
Title:	SITE PLAN

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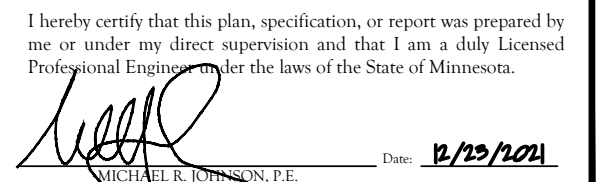
MICHAEL R. JOHNSON, P.E.

Date: 12/23/2024



1. SEE DETAIL SHEET 6.02 FOR BARRIER.
2. SEE SHEET 5.00 FOR SECTION A - A.

CONTRACTOR SHALL CONFIRM ALL QUANTITIES

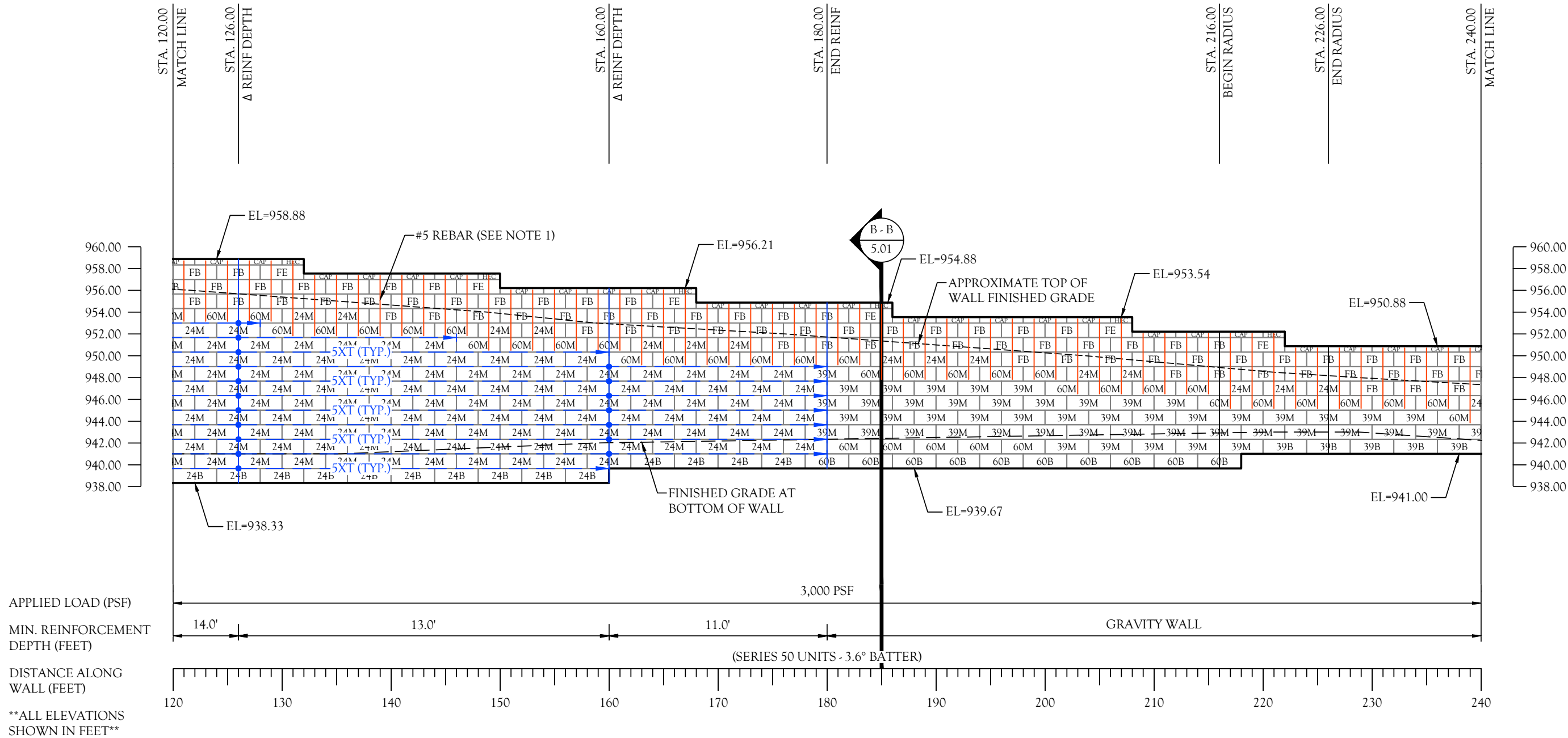


GENERAL NOTES:

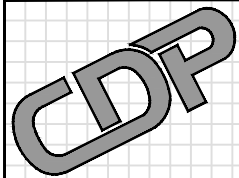
1. SEE DETAIL SHEET 6.02 FOR BARRIER.
2. SEE SHEET 5.01 FOR SECTION B - B

RECON BLOCK KEY (WALL 1)					
CAP	CAPSTONE	66	39M	39" DEEP MIDDLE BLOCK	103
HEC	HALF END CAPSTONE	16	39H	39" DEEP HALF MIDDLE	3
FB	FENCE BLOCK	175	39B	39" DEEP BOTTOM BLOCK	17
FE	FENCE END BLOCK	16	60M	60" DEEP MIDDLE BLOCK	87
FEH	HALF FENCE END BLOCK	2	60H	60" DEEP HALF MIDDLE	2
24M	24" DEEP MIDDLE BLOCK	407	60B	60" DEEP BOTTOM BLOCK	13
24H	24" DEEP HALF MIDDLE	2	MIRAFI 5XT		2,596 SY
24B	24" DEEP BOTTOM BLOCK	34	WWW.RECONWALLS.COM		

CONTRACTOR SHALL CONFIRM ALL QUANTITIES



RECON WALL 1 - FRONT FACE ELEVATION



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Designed By:
JVZ

Scale:
1" = 10'

Date:
DEC. 23, 2021

Project: BOVEY ROAD RETAINING WALLS
WAYZATA, MINNESOTA

Title: WALL 1 ELEVATION

Registration No:
25493

Project No:
21-1008

Sheet No:
4.01

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Professional Engineer under the

 MICHAEL R. JOHNSON

Date: 12/23/2021

1. SEE DETAIL SHEET 6.02 FOR BARRIER.
- *2. SEE DETAIL 7 ON SHEET 6.00 FOR ABUTMENT DETAIL.

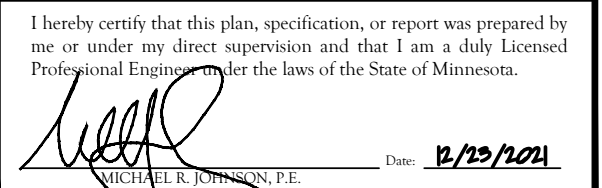
CONTRACTOR SHALL CONFIRM ALL QUANTITIES



Page 66 of 181

1. SEE DETAIL SHEET 6.02 FOR BARRIER.
2. SEE SHEET 5.01 FOR SECTION B - B.

CONTRACTOR SHALL CONFIRM ALL QUANTITIES



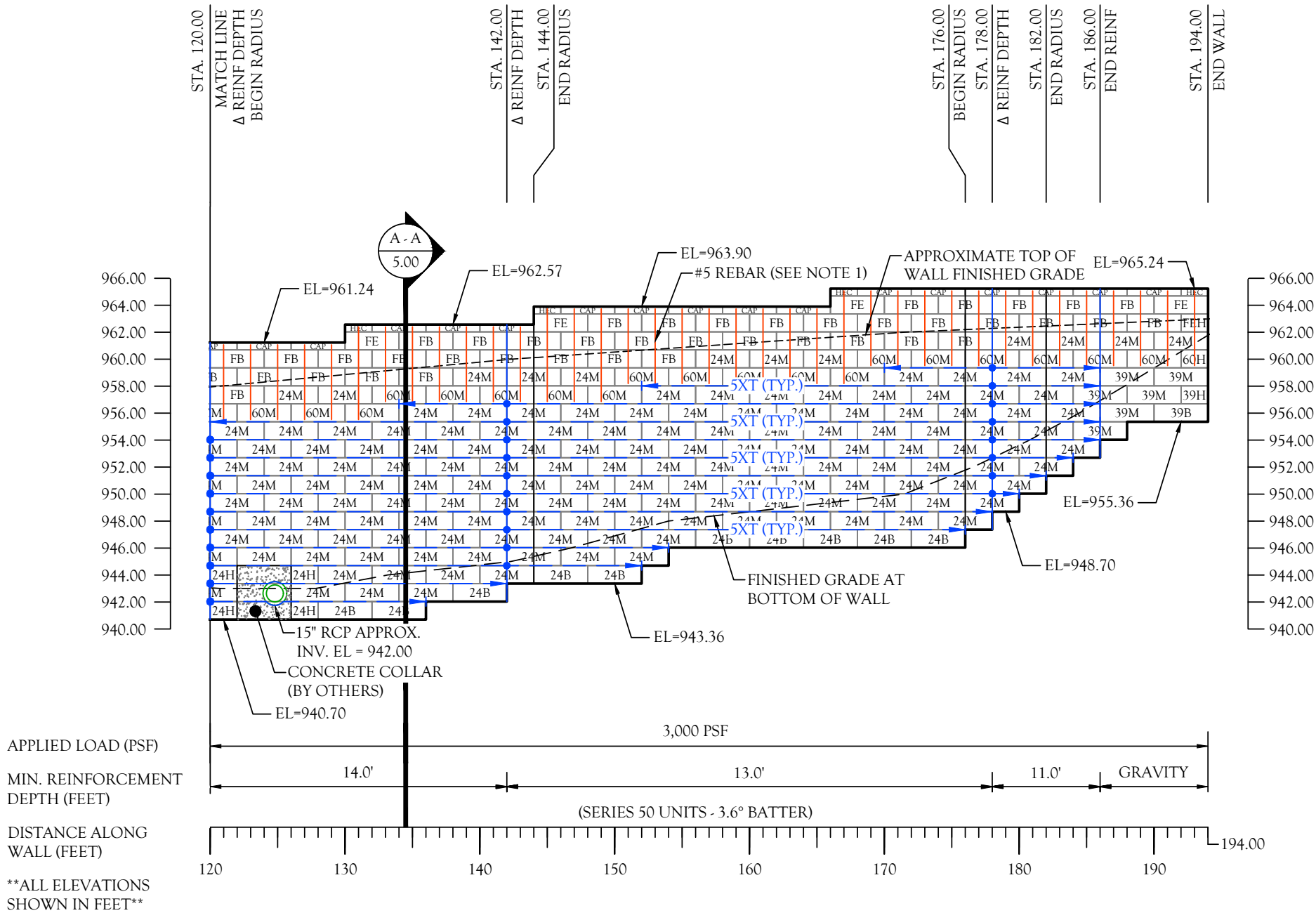
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GENERAL NOTES:

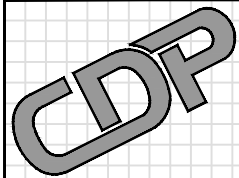
1. SEE DETAIL SHEET 6.02 FOR BARRIER.
2. SEE SHEET 5.00 FOR SECTION A - A.

RECON BLOCK KEY (WALL 2)					
CAP	CAPSTONE	43	39M	39" DEEP MIDDLE BLOCK	40
HEC	HALF END CAPSTONE	11	39H	39" DEEP HALF MIDDLE	1
FB	FENCE BLOCK	113	39B	39" DEEP BOTTOM BLOCK	11
FE	FENCE END BLOCK	11	60M	60" DEEP MIDDLE BLOCK	51
FEH	HALF FENCE END BLOCK	2	60H	60" DEEP HALF MIDDLE	2
24M	24" DEEP MIDDLE BLOCK	239	60B	60" DEEP BOTTOM BLOCK	10
24H	24" DEEP HALF MIDDLE	4	MIRAFI 5XT		1,414 SY
24B	24" DEEP BOTTOM BLOCK	17	WWW.RECONWALLS.COM		

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RECON WALL 2 - FRONT FACE ELEVATION



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Designed By:
JVZ
Scale:
1" = 10'
Date:
DEC. 23, 2021

Project:
BOVEY ROAD RETAINING WALLS
WAYZATA, MINNESOTA
Title:
WALL 2 ELEVATION

Registration No:
25493
Project No:
21-1008
Sheet No:
4.04

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MICHAEL R. JOHNSON, P.E. Date: 12/23/2021

- | | |
|-----|--------------------|
| CAP | - 24" TOP BLOCK |
| FE | - 24" FENCE END |
| FB | - 24" FENCE BLOCK |
| 24M | - 24" MIDDLE BLOCK |
| 24B | - 24" BASE BLOCK |
| 60M | - 60" MIDDLE BLOCK |



No.	Date	Revision	By
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Project:	BOVEY ROAD RETAINING WALLS WAYZATA, MINNESOTA
Title:	SECTION A - A

Registration No:	25493
Project No:	21-1008
Sheet No:	5.00

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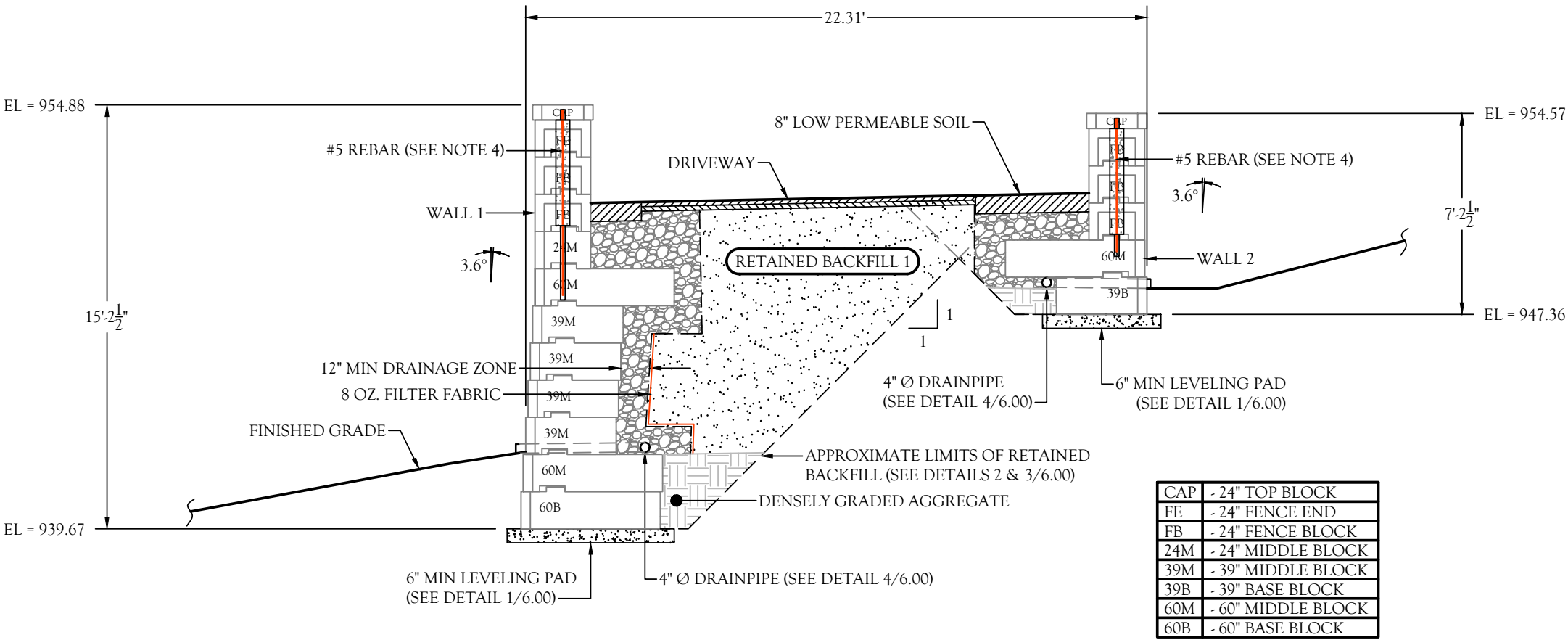
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Date: 12/23/2024

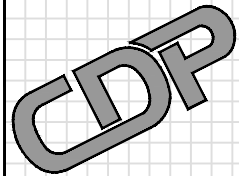
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GENERAL NOTES:

1. THE SECTION SHOWN IS A REPRESENTATIVE WALL SECTION. THE WALL HEIGHTS, ELEVATIONS, TOE SLOPES, AND BACK SLOPES VARY ACCORDING TO THE ELEVATION PLAN AND SITE PLAN RESPECTIVELY. SECTIONS AND DETAILS APPLY TO SAME AND SIMILAR CONDITIONS UNLESS SPECIFICALLY NOTED OTHERWISE.
2. THE WALLS SHALL BE BACKFILLED WITH SELECT GRANULAR IN THE REINFORCED ZONE AND UP AT A 1H:1V BEGINNING 12" BEHIND THE BACK OF THE BOTTOM UNIT FOR GRAVITY SECTIONS.
3. DUE TO THE VEHICLE BARRIER THE FOUNDATION SOILS SHALL BE A NON FROST SUSCEPTIBLE MATERIAL DOWN TO THE PREDOMINATE FROST DEPTH FOR THE AREA.
4. THE FREE-STANDING UNITS HAVE BEEN DESIGNED TO MEET AN IBC 6,000 LB LOAD. THE GUARDRAIL FENCE BLOCKS SHALL BE PRECAST WITH 6-INCH DIAMETER HOLES. THE CONTRACTOR SHALL HAMMER DRILL REBAR HOLES FOR THE CAPSTONES, 24-INCH DEEP MIDDLE BLOCK, AND 60-INCH DEEP MIDDLE BLOCK. THE INTEGRATED TRAFFIC BARRIER REQUIRES #5 REBAR PLACED EVERY 2-FEET ON CENTER, SET IN CONCRETE INFILL FOR THE PRECAST 6-INCH DIAMETER HOLES AND EPOXY FOR THE HAMMER DRILLED HOLES. SEE DETAILS ON SHEET 6.02.



TYPICAL WALL SECTION B - B
(WALL 1 SECTION SHOWN AT STA 185')
(WALL 2 SECTION SHOWN AT STA 34')



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BOVEY ROAD RETAINING WALLS
WAYZATA, MINNESOTA

Title:
SECTION B - B

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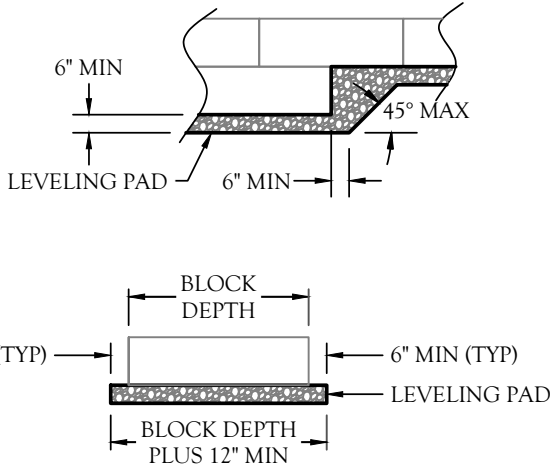
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NOTES:

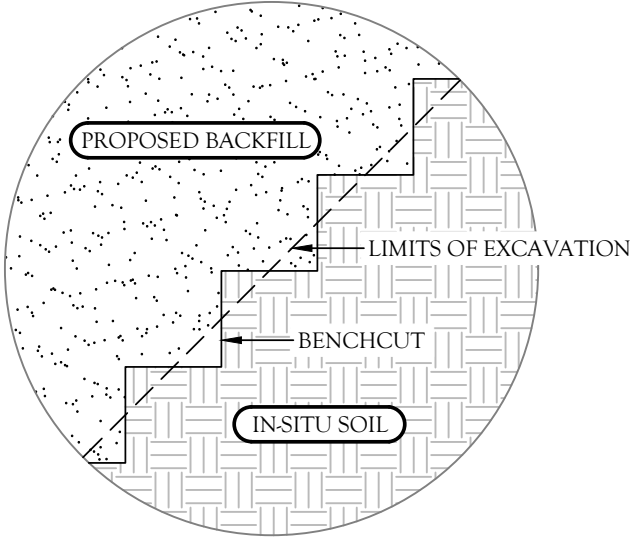
1. THE LEVELING PAD SHALL BE PER SPECIFICATION 2.05.
2. THE BASE FOUNDATION SHALL BE APPROVED BY THE GEOTECHNICAL ENGINEER PRIOR TO PLACEMENT OF THE LEVELING PAD.
3. IF THE LEVELING PAD IS AT AN ELEVATION LOWER THAN THE 100-YEAR HIGH WATER LEVEL IN FRONT OF THE WALL, THE LEVELING PAD, UNLESS CONCRETE, SHALL BE WRAPPED WITH AN 8OZ. MINIMUM FILTER FABRIC.



1
6.00
LEVELING PAD
SCALE: N.T.S.

NOTES:

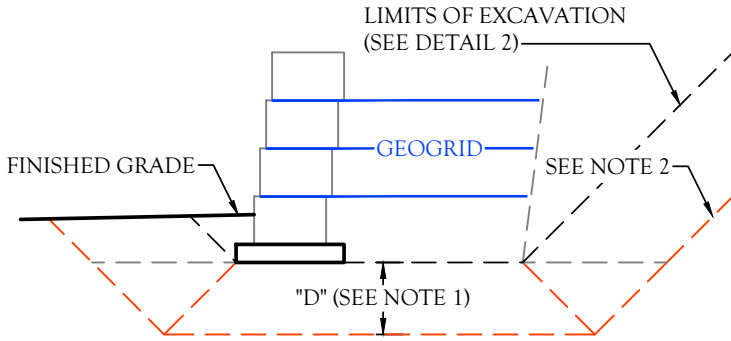
1. DURING WALL EXCAVATION, BENCHCUT LIMITS OF EXCAVATION, WHEN ONSITE SOILS ALLOW, TO INCREASE BOND BETWEEN THE IN-SITU SOILS AND NEW BACKFILL.
2. BENCHCUT USING MINIMUM 24-INCH HORIZONTAL BENCHES (TYPICAL).



2
6.00
TYPICAL BENCHCUT DETAIL
SCALE: N.T.S.

NOTES:

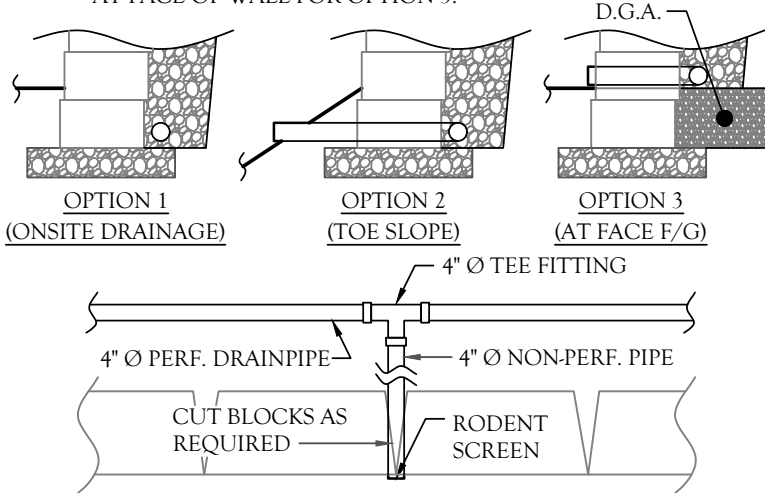
1. UPON EXCAVATION, WHERE UNSUITABLE SOILS ARE FOUND, SUBCUT TO DEPTH "D" AS REQUIRED BY THE ONSITE GEOTECHNICAL ENGINEER AND REPLACE WITH SUITABLE COMPACTED STRUCTURAL FILL TO ACHIEVE THE REQUIRED BEARING CAPACITY.
2. APPROXIMATE LIMITS OF EXCAVATION VARIES WHERE SUBCUT IS REQUIRED. ACTUAL LIMITS AND SIDE SLOPES SHALL BE DETERMINED BY OSHA REGULATIONS OR THE ONSITE GEOTECHNICAL ENGINEER.



3
6.00
TYPICAL REINF. WALL SUBCUT DETAIL
SCALE: N.T.S.

NOTES:

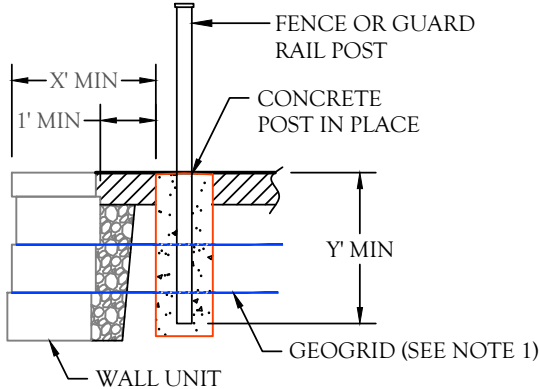
1. 4" DIAMETER CORRUGATED PERFORATED PLASTIC DRAINPIPE WRAPPED WITH A GEOTEXTILE FABRIC.
2. OUTLET INTO ONSITE DRAINAGE SYSTEM (OPTION 1).
3. OUTLET AT 40' O.C. MAXIMUM AND LOW POINTS ALONG WALL. PROVIDE RODENT SCREEN AND NON-PERFORATED PLASTIC PIPE FOR OUTLET THROUGH THE WALL (OPTIONS 2 AND 3).
4. A DENSE GRADED AGGREGATE SHALL FOLLOW THE F/G AT FACE OF WALL FOR OPTION 3.



4
6.00
TYPICAL 4" DRAINPIPE OUTLET
SCALE: N.T.S.

NOTES:

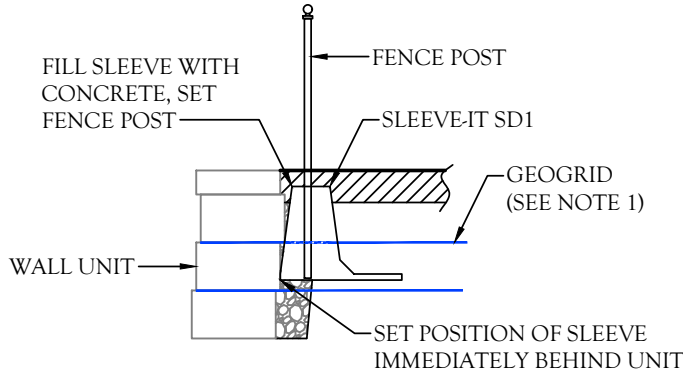
1. PLACE SONOTUBES AT POST LOCATIONS DURING WALL CONSTRUCTION, AND HAND CUT GEOGRID AROUND SONOTUBE (IF APPLICABLE).
2. X=3.0' MIN. AND Y=3.0' MIN FOR STANDARD FENCING; X=3.0' MIN. AND Y=5.0' MIN FOR GUARDRAILS. EDGE OF SONOTUBE SHALL NOT BE CLOSER THAN 1-FOOT FROM THE BACK OF THE CLOSEST BLOCK.
3. SEE NCMA FOR ADDITIONAL REQUIREMENTS.
4. FENCE AND RAIL DESIGNED BY OTHERS.



5
6.00
TYP. FENCE & GUARDRAIL INSTALL
SCALE: N.T.S.

NOTES:

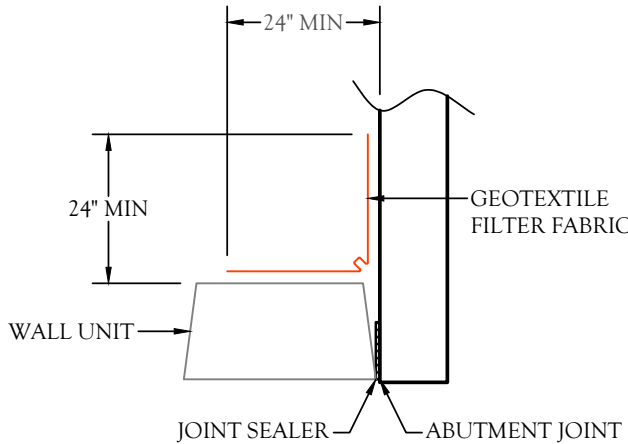
1. PLACE SLEEVE-IT SD1 AT POST LOCATIONS DURING WALL CONSTRUCTION, AND HAND CUT GEOGRID AROUND SLEEVE-IT (IF APPLICABLE).
2. FENCING SYSTEMS APPROVED FOR USE WITH THE SLEEVE-IT SD1 ARE LIMITED TO THE FOLLOWING HEIGHTS: CHAIN LINK UP TO 8 FT, PRIVACY UP TO 6 FT (WOODEN, PVC, METAL). MAXIMUM POST SIZE 4" x 4".
3. SEE STRATA SYSTEMS INC. SLEEVE-IT FENCE POST INSTALLATION DETAILS FOR ADDITIONAL CONSTRUCTION REQUIREMENTS.
4. FENCE DESIGNED BY OTHERS.



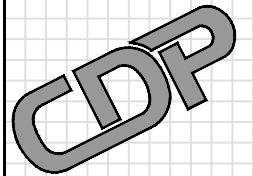
6
6.00
OPTIONAL FENCE INSTALLATION
SCALE: N.T.S.

NOTES:

1. A GEOTEXTILE FABRIC SHALL BE PLACED WHERE THE RETAINING WALLS ABUT TO EXISTING FOUNDATIONS AS SHOWN ON THE RETAINING WALL SITE PLAN. OVERLAP ALL ABUTMENT JOINTS 24" WITH A MINIMUM 48" WIDE FABRIC.



7
6.00
ABUTMENT WRAP
SCALE: N.T.S.



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WAYZATA, MINNESOTA

Title:
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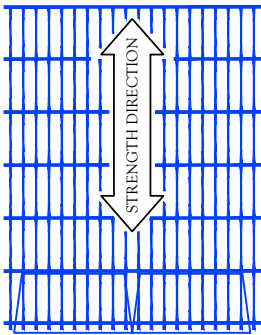
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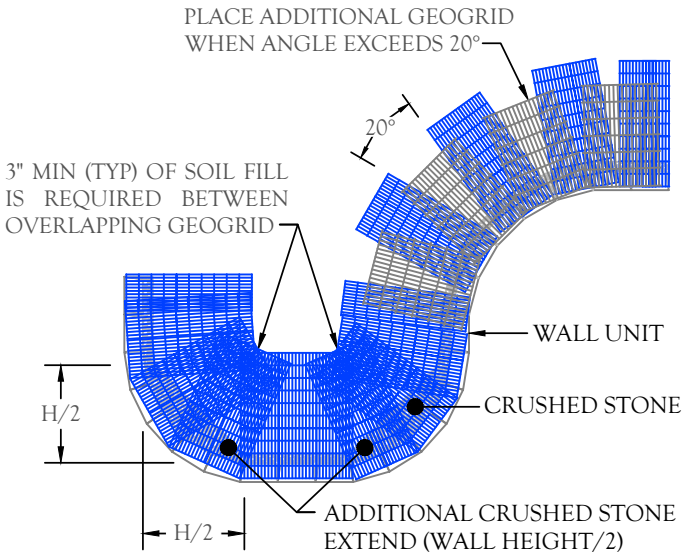
1. COMPACTED BACKFILL SHALL BE LEVEL WITH THE TOP OF THE WALL PRIOR TO GEOGRID PLACEMENT.
2. TYPICALLY GEOGRID IS PLACED WITHIN 1" OF THE FRONT FACE OF WALL UNIT. (GEOGRID CONNECTION DEVICES SHALL BE INSTALLED AS DIRECTED BY THE BLOCK MANUFACTURER.)
3. GEOGRID SHALL LAY FLAT ON THE WALL UNIT AND COMPACTED BACKFILL SOILS BEHIND WALL UNIT.
4. PLACE THE NEXT COURSE OF WALL UNITS. PULL GEOGRID TAUT TO REMOVE SLACK AND WRINKLES.
5. STAKE AS REQUIRED TO KEEP GEOGRID TAUT DURING BACKFILL PLACEMENT.



1
6.01 GEOGRID ORIENTATION
SCALE: N.T.S.

NOTES:

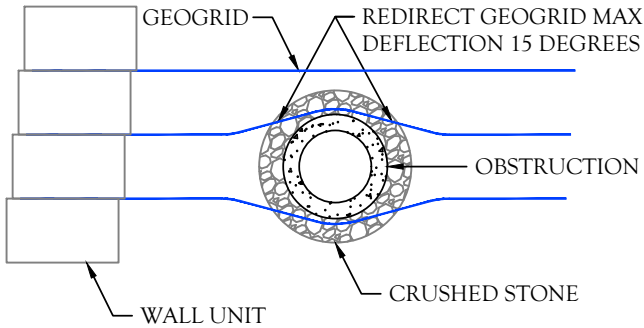
1. INSTALL GEOGRID IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATION AND CONSTRUCTION DRAWINGS.
2. "H" IS WALL HEIGHT.



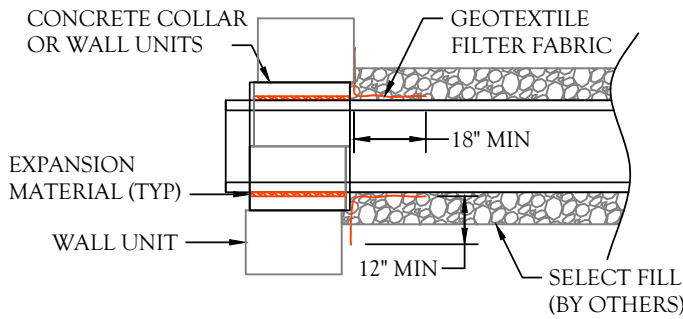
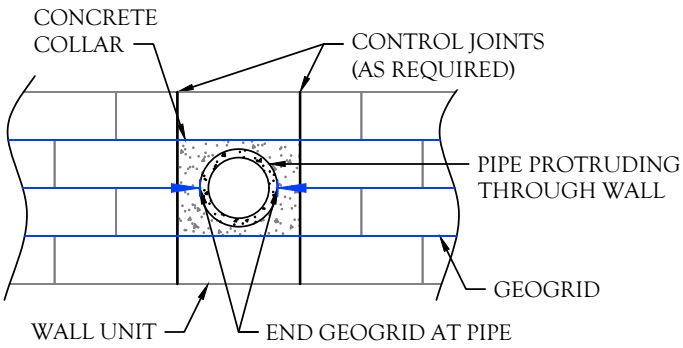
2
6.01 GEOGRID INSTALLATION ON CURVES
SCALE: N.T.S.

NOTES:

1. INSTALL GEOGRID IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATION AND CONSTRUCTION DRAWINGS.
2. PROVIDE 6" MINIMUM OF CRUSHED STONE AROUND UTILITY PIPE.
3. MAINTAIN 3" MINIMUM CLEARANCE BETWEEN GEOGRID AND UTILITY.



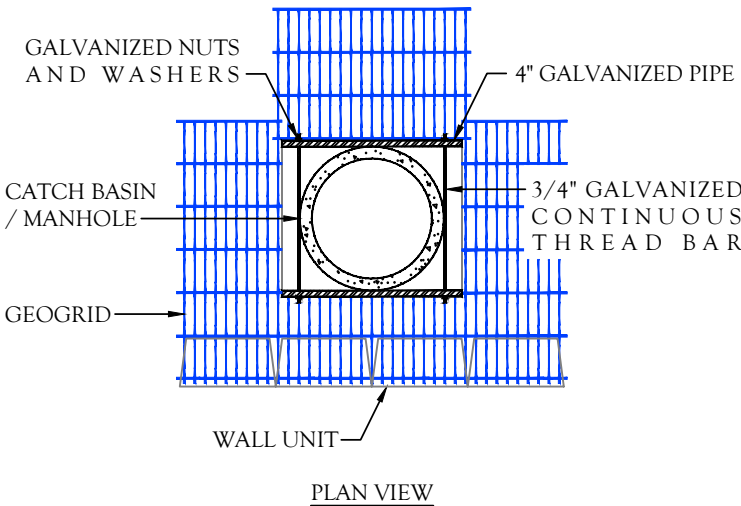
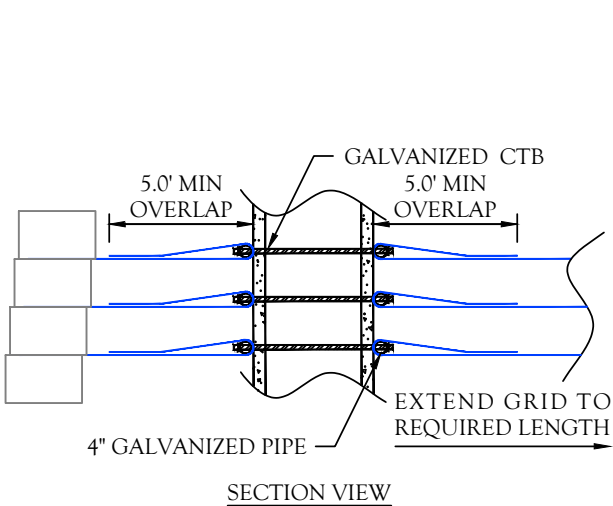
3
6.01 TYPICAL UTILITY PARALLEL TO WALL
SCALE: N.T.S.



4
6.01 TYPICAL PIPE PENETRATION DETAIL
SCALE: N.T.S.

NOTES:

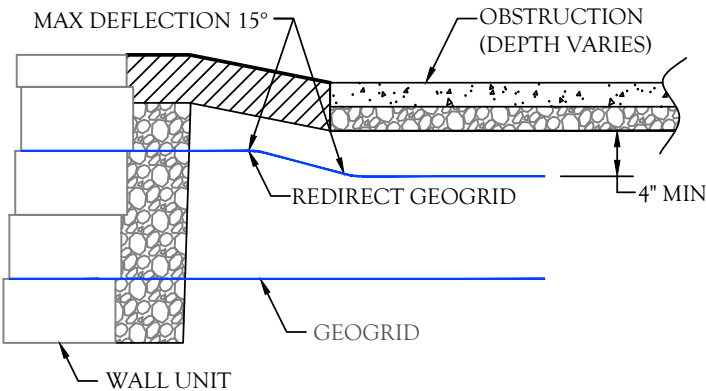
1. REINFORCE WALL AT CATCH BASINS AS SHOWN. ALL STEEL PARTS SHALL BE HOT-DIP GALVANIZED.



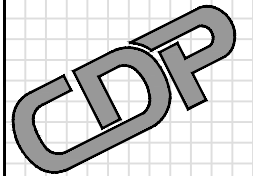
5
6.01 TYPICAL VERTICAL OBSTRUCTION
SCALE: N.T.S.

NOTES:

1. CONTRACTOR SHALL COORDINATE THE PLACEMENT OF GEOGRID TO AVOID CONFLICT WITH OBSTRUCTION (PAVEMENT). GEOGRID SHALL BE SEPARATED FROM OBSTRUCTION BY A MINIMUM OF 4" (AS SHOWN).



6
6.01 TYPICAL GEOGRID DEFLECTION
SCALE: N.T.S.



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Date: 12/23/2021

RECON GUARDRAIL VEHICLE BARRIER CONSTRUCTION NOTES:

1.

IN GENERAL, THE VEHICLE BARRIER WILL BE CONSTRUCTED ON TOP OF A RETAINING WALL BUILT WITH THE RECON BLOCK. THE RETAINING WALL MUST BE CONSTRUCTED PURSUANT TO RETAINING WALL SPECIFICATIONS, AS MODIFIED TO INCORPORATE THE VEHICLE BARRIER.
- *2.

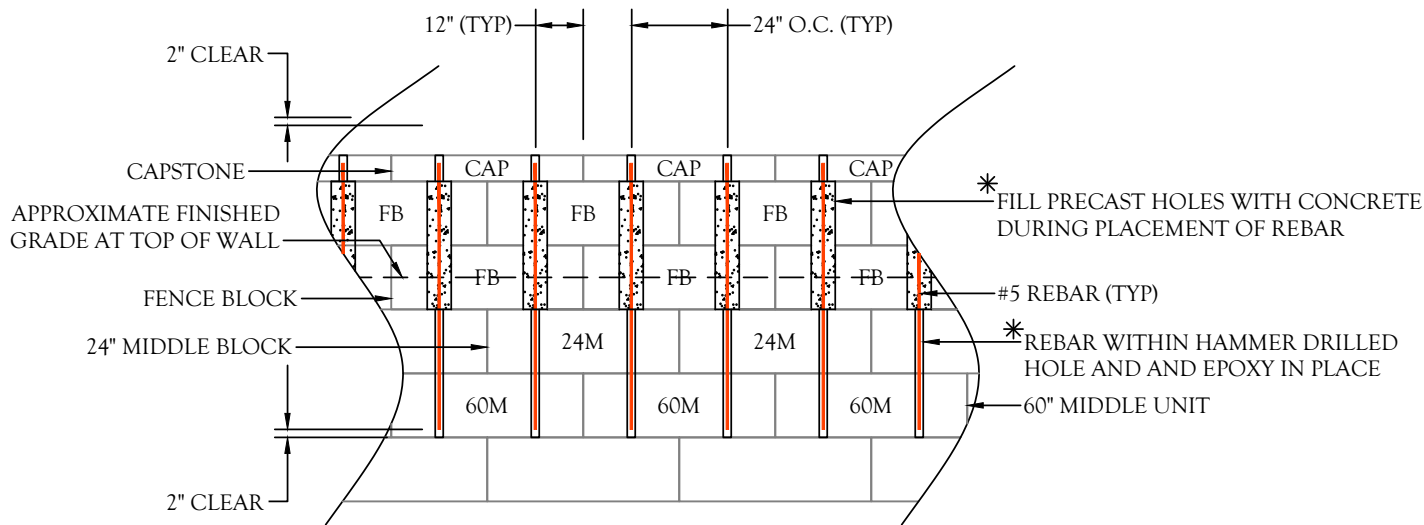
THE VEHICLE BARRIER FENCE BLOCKS SHALL BE PRECAST WITH 6" DIAMETER HOLES TO ALLOW FOR VERTICAL REINFORCING (#5 REBAR) TO CONNECT BLOCKS TO THE COURSE OF 60" DEEP BLOCKS BELOW TOP OF WALL FINISHED GRADE. THE CONTRACTOR WILL NEED TO HAMMER DRILL THROUGH THE CAPSTONE, 24" DEEP MIDDLE UNITS, AND 60" DEEP MIDDLE UNITS AS SHOWN BELOW. CONCRETE (4,000 PSI MIN) SHALL BE USED IN THE 6" DIAMETER PRECAST HOLES AND EPOXY SHALL BE USED IN HAMMER DRILLED HOLES TO SET THE #5 REBAR IN PLACE. HOLE LOCATIONS SHALL BE DETERMINED BY MANUFACTURER AND RECON WALL SYSTEM (TYPICALLY 24" O.C.).
3.

FENCE BLOCKS OR 24" DEEP MIDDLE BLOCKS (AS SHOWN ON THE WALL PROFILE) SHALL BE PLACED ABOVE A COURSE OF 60" DEEP BLOCKS ON THE TOP PORTION OF THE WALL. TAKE CARE TO MAKE SURE THAT THE PRECAST HOLES ALIGN THROUGH ALL COURSES OF FENCE BLOCK/24" DEEP MIDDLE BLOCK AND THE COURSE OF 60" DEEP BLOCKS.
4.

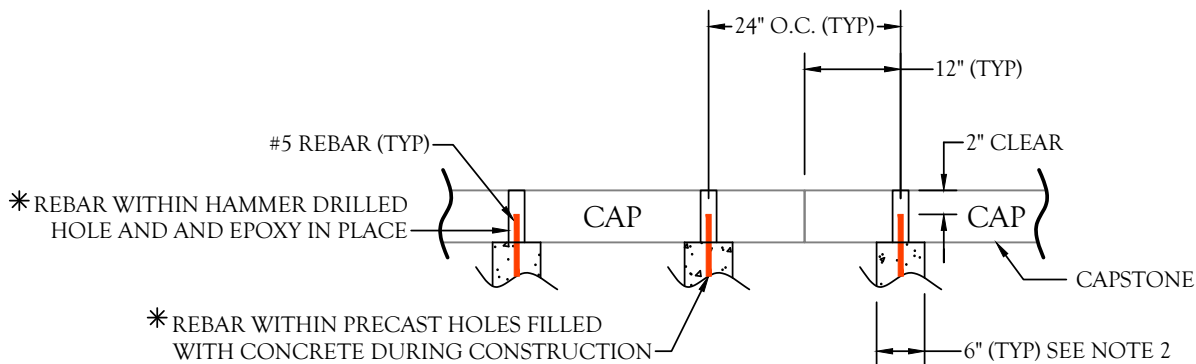
24M UNITS HAVE BEEN PLACED WHERE THE BACK OF BLOCK IS FULLY BURIED BY THE TOP OF WALL FINISHED GRADE.
5.

SEE MANUFACTURER'S INFORMATION FOR ADDITIONAL DETAILED INFORMATION AND REQUIREMENTS ON THE RECON WALL SYSTEM VEHICLE BARRIER. THE MANUFACTURER INFORMATION SHALL ACCOMPANY THE CONSTRUCTION PLANS.
6.

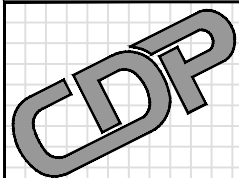
IF PRECAST HOLES BECOME MISALIGNED (DUE TO RADIUS, WALL BATTER, ETC.) HAMMER DRILL NEW HOLES AND EPOXY REBAR IN HOLES. HOLE DIAMETER AND EPOXY TYPE SHALL BE BASED ON EPOXY MANUFACTURERS RECOMMENDATION FOR #5 REBAR.



1
6.02 TYPICAL VEHICLE BARRIER ELEVATION DETAIL
SCALE: N.T.S.



2
6.02 ENLARGED VEHICLE BARRIER ELEVATION DETAIL
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WAYZATA, MINNESOTA
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MICHAEL R. JOHNSON, P.E.

Date: 12/23/2021

Arborist Report & Tree Protection Plan

February 2022



**Prepared
For:**

688 Bryant Ilc
901 W Main St
Anoka, MN 55303

Prepared By: Davey Resource Group Inc.

1196 7th St E
St. Paul, MN 55106
Contact: Ryan Gustafson
Direct: (763) 360-3335
ryan.gustafson@davey.com
Corporate Office: 800.966.2021



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Table of Contents

Summary	3
Introduction	4
Background	4
Limits of the Assignment	4
Methods	4
Observations	5
Analysis & Recommendations	5
Conclusion	7
Appendix A: Tree Inventory Data	8
Appendix B: Tree Protection Fencing Maps	10

Summary

On February 8th, 2022 an International Society of Arboriculture (ISA) Board Certified Master Arborist (MN-4145-BM) completed an assessment of the trees and inventory data at 445 Bovey Rd, Wayzata, MN. The assessment was contracted by 688 Bryant llc. The arborist performed a visual assessment of the property and collected data about the significant and heritage trees on the site. The results were used to determine the critical root zone of the trees (CRZ), as well as recommended tree protection measures required during construction in order to limit construction impacts on these trees that will remain. The quantity of trees being removed was also analyzed to determine the amount of replacement trees needed to be planted once the project is complete. At the time of the assessment, no grading or any construction activity had been conducted.

Tree information is summarized as follows:

Observations

- According to the City of Wayzata Ordinance Code Chapter 936.02 a “Significant Tree” means a Healthy Deciduous Hardwood Tree that is six inches or greater in DBH, a Healthy Softwood Deciduous Tree that is 12 inches or greater in DBH, or a Healthy Coniferous Tree that is 12 feet or greater in height or 12 inches or greater in DBH. A “Heritage Tree” means a Healthy Softwood Deciduous Tree that is 30 inches or greater in DBH, a Healthy Hardwood Deciduous Tree that is 25 inches or greater in DBH, or a Healthy Coniferous Tree that is 25 inches or greater in DBH.
- A total of 53 trees were inventoried on the property. 41 of the inventoried trees were Significant trees, 3 are Heritage trees, and 9 are within the size class of a Significant tree but are in poor condition and therefore are not considered Significant trees. All of the trees inventoried on the property had a cumulative total of 862.5 diameter inches (630 Significant, 109 Heritage, and 123.5 poor condition trees).
- A total of 14 Significant and 2 Heritage trees are recommended for removal due to construction activities. The Significant trees recommended for removal have a cumulative total of 225.5 diameter inches and Heritage trees 70 diameter inches.

Recommendations

- Install fencing and signage prior to any construction activities to prevent soil compaction and tree damage.
- If damage during construction occurs to any trees they should be inspected by an arborist for further recommendations.
- 21 of the trees inventoried are ash trees. Currently Wayzata city ordinances consider ash to be a significant tree species. With the presence of Emerald Ash Borer (EAB) in Wayzata the remaining ash trees on the property will die unless they are provided treatment for EAB.

This report focuses on tree protection recommendations for tree preservation and removal, and provides the CRZs of these trees for planning purposes. DRG has provided general site preservation and/or removal recommendations based on the provided construction plans. This report also helps to determine the quantity of trees needing to be replanted as replacement trees.

Introduction

Background

The property at 445 Bovey Rd is a 1.8 acre vacant lot with plans to develop the property. Davey Resource Group, Inc. (DRG) was contracted to provide a tree preservation report for the property. This report details the amount of Significant and Heritage trees on the property, tree protection and retention measures, the amount of significant and heritage trees being removed, and the amount of replacement trees needed.

The arborist visually assessed the trees on the site, and checked the provided tree inventory data for accuracy. Following data assessment, the provided plans were used to develop a tree preservation plan.

Limits of the Assignment

Many factors can limit specific and accurate data when performing evaluations of trees. The determinations and recommendations presented here are based on current data and conditions that existed at the time of the evaluation and cannot be a predictor of the ultimate outcomes for the trees. A visual inspection was used to develop the findings, conclusions, and recommendations found in this report. No physical inspection of the upper canopy, sounding, and resistograph or other technologies were used in the evaluation of the trees.

At the time of the site visit, the deciduous trees had no foliage to evaluate.

Methods

This site was visited on February 8th, 2022 by an ISA Board Certified Master Arborist (Ryan Gustafson MN-4145 BM). A visual inspection of the trees, overall site, and provided design plans was used to develop the recommendations found in this report. Since the property is an undeveloped woodland a metal numbered tag was placed on each inventoried tree to easily locate the trees on site with a map.



Observations

Site Observations

The project site is located at 445 Bovey Rd, Wayzata, MN. The adjacent properties are developed wooded residential lots. The adjacent roads have very little traffic with a fire access road bordering the west side of the property. The lot has steep slopes in the SE corner of the property, the southern third of the property is wooded with a gradual slope to the north, and the northern two thirds of the property is a wetland.

At the time of the assessment, no significant ground disturbance or any construction activity had occurred.

Tree Observations

Of the 53 trees that were inventoried 41 of them are considered to be Significant trees, 3 are Heritage Trees, and 9 are within the size range of Significant trees but are in poor condition. The data recorded about the trees by DRG include species, size, and condition. Of the 53 inventoried trees on the property 22 of them are planned for removal due to impacts of construction or their poor condition.

Almost half of the trees on the property are ash (*Fraxinus spp.*), which are susceptible to the Emerald Ash borer (EAB). EAB is present in Wayzata, but at the time of inspection EAB did not appear to be present in any of the trees.

Analysis & Recommendations

There are two considerations when evaluating tree root disturbance during construction; the removal of absorption roots and anchoring roots. Removal (or compaction in the area) of the feeder roots can cause immediate water stress and a significant decline in tree health. The ability of a tree to survive root loss is dependent on its tolerance of drought, tree health, and the ability to form new roots quickly. Removal of larger anchoring roots can lead to structural instability or failure.

Tree protection fencing should be installed to protect the CRZ's of these trees prior to any construction activities.

Root Zone Calculations

The CRZ is considered the ideal preservation area of a tree. It is equal to 1 foot of radius for every inch of trunk diameter measured at 4.5 feet from grade. For example; a tree with a DBH of 10 inches has a calculated CRZ radius of 10 feet from the trunk center (diameter of 30 feet). The CRZ represents the typical rooting area required for tree health and survival. Construction activities should be limited near or in the CRZ of any tree to be retained. This includes but is not limited to the storage of materials, parking of vehicles, contaminating soil by washing out equipment, (concrete, paint, etc.), or changing soil grade.

Pre-Construction

- Establish a tree protection zone. At a minimum trees that will remain on site should be protected with fencing to protect the CRZ.
- No intrusion whatsoever should occur to the CRZ of any tree to be retained.
- Applying a 4 inch layer of mulch to the CRZ of trees in the work area, particularly if the entire CRZ cannot be fenced due to construction, is a best practice that should be considered.

During Construction

Once development begins, several measures are necessary to help ensure optimal outcomes for all trees selected for preservation:

- **Retain a Certified Arborist** on site to monitor activities and assess impacts to trees. The arborist can make as-needed recommendations to improve tree preservation activities throughout the development process. This is particularly important in order to make a timely response when a preserved tree is accidentally damaged or otherwise impacted during development.
- **Discuss tree protection** regularly at required staff meetings. Reiterate the importance of respecting the Tree Protection Zone as critical to the safety of staff working on site and the success of tree preservation efforts.
- No material shall be stored, nor concrete basins washed, or any chemical materials or paint stored within the CRZ of trees, and no construction chemicals or paint should be released into landscaped areas, as these can be toxic to trees and contaminate soil.
- Strictly **enforce** the Tree Protection Zones as “No-Go” zones. No activity, human or machinery, should breach the established TPZ unless under the supervision of a Certified Arborist.

Post-Construction

- A Certified Arborist should inspect the trees on construction completion, and promptly if any changes in tree health, condition or structural stability develop. If trees begin to decline, they should be monitored monthly or more frequently and additional treatments to improve the health of the trees should be recommended.
- Annual monitoring should be anticipated and scheduled for several years, as the effects of construction may take anywhere from 3 to 7 years to become visibly apparent.

Replacement Plantings

The Wayzata City Ordinance allows for 25% of the total diameter inches of Significant trees to be removed without the need for replacement trees. Any amount of Significant trees removed above the 25% allowance will be required to replant at a ratio of one caliper inch per one diameter inch removed. Any Heritage tree that is removed must be replaced at two caliper inches per diameter inch removed.

There were 41 Significant trees inventoried with a total of 630 diameter inches. According to the city ordinance 157.5 diameter inches can be removed from the site without needing to be replaced. There are 14 Significant trees recommended for removal with a total of 225.5 diameter inches. A total of 68 caliper inches will need to be replaced for the Significant trees being removed.

There are 2 Heritage trees recommended for removal with a total of 70 diameter inches. With a ratio of 2 caliper inches needed to replace every diameter inch of Heritage trees being removed, a total of 140 caliper inches will need to be planted to replace the two Heritage trees recommended for removal.

In total, 208 caliper inches of replacement trees are needed to replace the Significant and Heritage trees being removed. With the current land type of the property being wooded and a significant portion of the property being a wetland, it could be difficult to plant enough trees on the property to achieve the 208 caliper inches needed. Wayzata city ordinance (936.08 F) does allow for Fee-in-lieu of Tree Replacement at the city's discretion.

Conclusion

This report, along with the tree inventory, is the first step in preserving the health, function, and value of the trees on the site during and after development. Trees and green spaces provide benefits and add value to the property. Tree preservation starts with a basic understanding of the health and structure of the trees on the site. With proper care and protection, these trees can continue to thrive. Tree protection guidelines and strategies should be shared with contractors and employers prior to any disturbance at the site.

Evaluating the suitability of a tree for preservation is a qualitative process based on the interaction of many factors. A tree inventory and arborist report provides a snapshot in time of each individual tree assessed across many of the most important observable factors relative to preservation. Healthy, vigorous trees better tolerate impacts from construction and more readily adapt to the new site conditions that exist after completion of development. Additionally, tolerance to impact from construction activities varies across species and sites. The percentage impact to the critical root zone also greatly influences the suitability of a particular tree for preservation.

Successful tree preservation requires a team effort to find the right balance and select the appropriate trees. Using the findings of this report as a guiding foundation, planners are equipped to design, prepare, and implement a tree preservation plan tailored to achieving the optimal outcome.



Ryan Gustafson
ISA Board Certified Master Arborist (MN-4145BM)
Davey Resource Group, Inc.

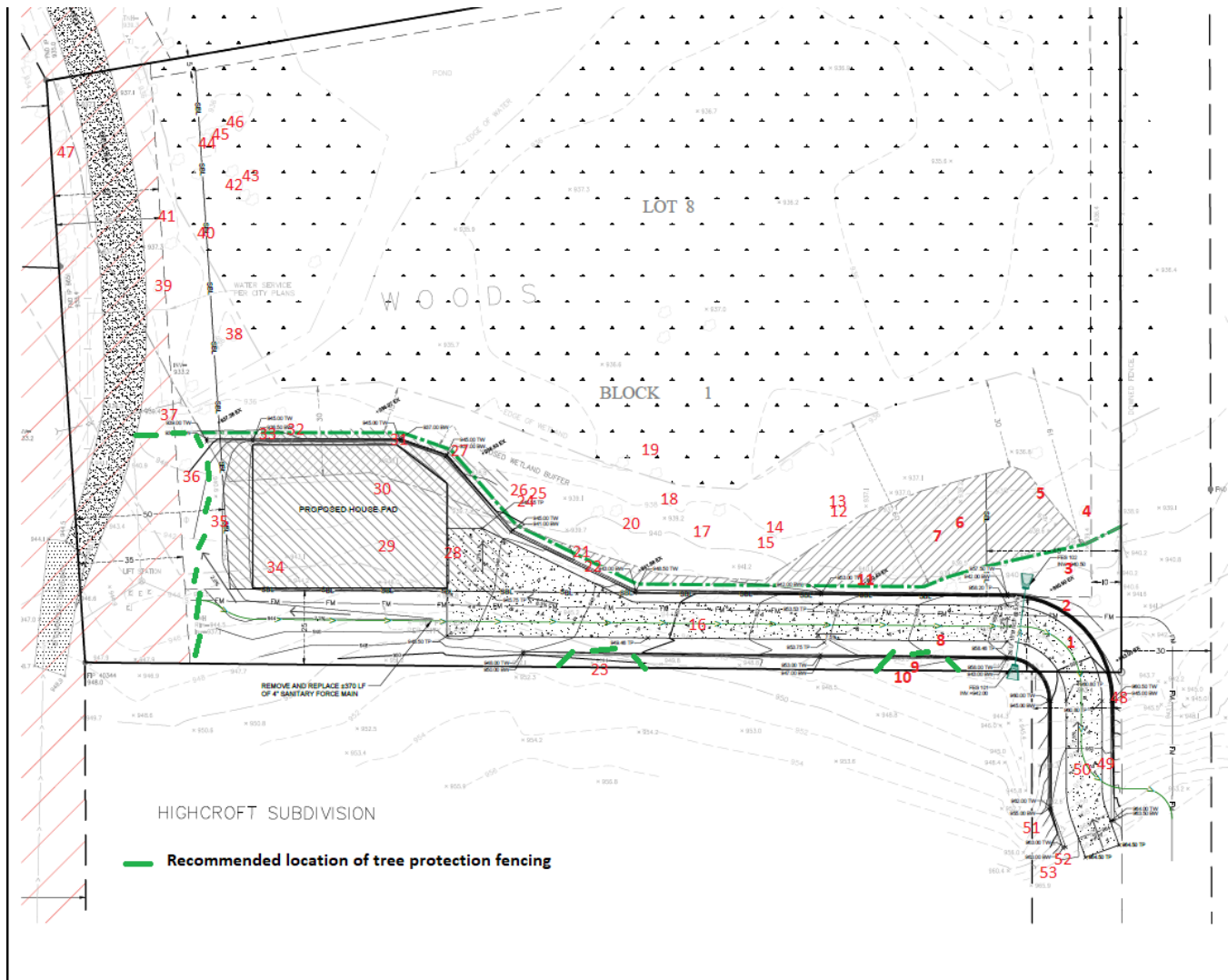
Appendix A: Tree Inventory

Tree #	Common	Species	DBH	Condition	Stems	Significant	Heritage	Save/Remove
1	green ash	<i>Fraxinus pennsylvanica</i>	9.5	poor	2	No	No	Remove
2	cottonwood	<i>Populus deltoides</i>	38	good	1		Yes	Remove
3	green ash	<i>Fraxinus pennsylvanica</i>	13	fair	1	Yes		Remove
4	boxelder	<i>Acer negundo</i>	19	fair	1	Yes		Save
5	boxelder	<i>Acer negundo</i>	17	fair	1	Yes		Save
6	basswood	<i>Tilia americana</i>	16	fair	3	Yes		Save
7	green ash	<i>Fraxinus pennsylvanica</i>	16.5	fair	1	Yes		Save
8	boxelder	<i>Acer negundo</i>	12	fair	1	Yes		Remove
9	green ash	<i>Fraxinus pennsylvanica</i>	17	fair	1	Yes		Save
10	green ash	<i>Fraxinus pennsylvanica</i>	9	fair	1	Yes		Save
11	boxelder	<i>Acer negundo</i>	12.5	fair	1	Yes		Save
12	green ash	<i>Fraxinus pennsylvanica</i>	13	fair	1	Yes		Save
13	green ash	<i>Fraxinus pennsylvanica</i>	13	fair	1	Yes		Save
14	hackberry	<i>Celtis occidentalis</i>	8	poor	1	No	No	Remove
15	sugar maple	<i>Acer saccharum</i>	19.5	fair	1	Yes		Save
16	cottonwood	<i>Populus deltoides</i>	28	good	1	Yes		Save
17	green ash	<i>Fraxinus pennsylvanica</i>	16.5	fair	1	Yes		Save
18	sugar maple	<i>Acer saccharum</i>	9.5	fair	1	Yes		Save
19	green ash	<i>Fraxinus pennsylvanica</i>	17	poor	1	No	No	Remove
20	green ash	<i>Fraxinus pennsylvanica</i>	7.5	fair	1	Yes		Save
21	sugar maple	<i>Acer saccharum</i>	12.5	fair	1	Yes		Remove
22	cottonwood	<i>Populus deltoides</i>	28	good	1	Yes		Remove
23	green ash	<i>Fraxinus pennsylvanica</i>	12	fair	1	Yes		Save
24	basswood	<i>Tilia americana</i>	23	fair	1	Yes		Save
25	basswood	<i>Tilia americana</i>	14	poor	1	No	No	Save
26	basswood	<i>Tilia americana</i>	15	poor	1	No	No	Save
27	basswood	<i>Tilia americana</i>	24	fair	1	Yes		Save
28	red oak	<i>Quercus rubra</i>	32	fair	1		Yes	Remove
29	bitternut hickory	<i>Carya cordiformis</i>	20	fair	1	Yes		Remove
30	boxelder	<i>Acer negundo</i>	17.5	poor	1	No	No	Remove

31	black ash	<i>Fraxinus nigra</i>	15	poor	1	No	No	Remove
32	boxelder	<i>Acer negundo</i>	15	fair	1	Yes		Remove
33	boxelder	<i>Acer negundo</i>	13	fair	1	Yes		Remove
34	boxelder	<i>Acer negundo</i>	19.5	fair	1	Yes		Remove
35	boxelder	<i>Acer negundo</i>	17	fair	1	Yes		Remove
36	green ash	<i>Fraxinus pennsylvanica</i>	13	fair	1	Yes		Save
37	boxelder	<i>Acer negundo</i>	12	fair	1	Yes		Save
38	boxelder	<i>Acer negundo</i>	12	fair	1	Yes		Save
39	cottonwood	<i>Populus deltoides</i>	39	fair	1		Yes	Save
40	black ash	<i>Fraxinus nigra</i>	10	fair	1	Yes		Save
41	boxelder	<i>Acer negundo</i>	14	fair	1	Yes		Save
42	black ash	<i>Fraxinus nigra</i>	11.5	poor	1	No	No	Save
43	green ash	<i>Fraxinus pennsylvanica</i>	9	fair	1	Yes		Save
44	green ash	<i>Fraxinus pennsylvanica</i>	19	fair	1	Yes		Save
45	green ash	<i>Fraxinus pennsylvanica</i>	11	fair	1	Yes		Save
46	green ash	<i>Fraxinus pennsylvanica</i>	14	fair	1	Yes		Save
47	green ash	<i>Fraxinus pennsylvanica</i>	17.5	fair	2	Yes		Save
48	green ash	<i>Fraxinus pennsylvanica</i>	18	fair	1	Yes		Remove
49	boxelder	<i>Acer negundo</i>	19	fair	1	Yes		Remove
50	boxelder	<i>Acer negundo</i>	20.5	fair	1	Yes		Remove
51	boxelder	<i>Acer negundo</i>	16	poor	1	No	No	Remove
52	sugar maple	<i>Acer saccharum</i>	7	good	1	Yes		Remove
53	hackberry	<i>Celtis occidentalis</i>	11	good	1	Yes		Remove

Appendix B: Tree Protection Fencing

The following images show the approximate location for recommended tree protection fencing. The fencing is marked in green.



RECEIVED

FEB 22 2022

CITY OF WAYZATA

Dear Wayzata Planning Commission

I am expressing my concern for the proposed variance on 445 Bovey Road as presented by 688 Bryant LLC.

I reside at 410 Peavey Lane which is 202 feet away from the proposed development. We share the same wetland. Water including melt, rain, and runoff from a large area flows thru 445 Bovey Road on the way to Peavey Pond, then to Lake Minnetonka.

My property sits fairly low and would be first impacted by water with any disruption of soil or the wetland buffer on 445 Bovey Road. I am requesting no variance be granted and assurance of no fill before, during, or after construction on the wetland or buffer portion of the 445 Bovey Road.

This will avoid future problems with all concerned of which there are now none.

Respectfully submitted to the City of Wayzata and 688 Bryant LLC

By John Sexter

410 Peavey Lane

February 22, 2022

A handwritten signature in black ink, appearing to read 'John Sexter', is written over the typed name and address.



City of Wayzata Planning Commission Agenda Report

MEETING DATE: February 28, 2022	AGENDA ITEM: 5.b
TITLE: Consider Zoning Ordinance Text Amendments for Residential and Commercial Zoning Districts	
PREPARED BY: Eric Zweber, Planning Consultant, Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

In 2019, the City's Strategic Plan was updated to prioritize updates to the Zoning Ordinance. In 2020, the City launched a multi-year Zoning Study with an appointed Zoning Study Task Force. Design Standards were updated in 2021 and Tree Preservation Ordinance updates are underway. Simultaneously, City staff have been working with WSB & Associates on updates to all Residential and Commercial Zoning Districts.

The Planning Commission is being asked to consider text amendments. They are being proposed in order to simplify the zoning code and make it easier to use for the public and applicants; to streamline staff administration of the code; and to bring the results of code-compliant development in line with the objectives of the Comprehensive Plan. Changes include. Before the Planning Commission public hearing process began, these changes were discussed by the Zoning Study Task Force for over a year, then advanced to two prior workshops with the Commission. Community engagement on these changes was conducted through the Comprehensive Plan process, through the Task Force, through various digital methods of community outreach and will be conducted at an Accessory Dwelling Unit informational meeting on March 1. The public hearing is intended to continue from this meeting through the next Planning Commission meeting on March 7 in order to account for the ADU informational meeting, and to give enough time for all changes to be considered together.

Section 903.01 of the Wayzata Zoning Ordinance states that the regulations, restrictions and boundaries set forth in the Ordinance may from time to time be amended, supplemented, changed or repealed; provided, however, that no such action may be taken until after a public hearing is conducted.

Staff recommends that after the public hearing is opened on February 28, it be continued to the March 7 meeting. This will allow for additional presentation and discussion. All Ordinance Amendments must then be reviewed and approved by the City Council before they are effective.

ACTION REQUESTED:

Begin the public discussion on these changes and continue the public hearing to the March 7 Planning Commission meeting to accommodate additional presentation and discussion.

ATTACHMENTS:

1. Staff Report - Zoning Amendments - Residential and Commercial Districts
2. Proposed Zoning Amendments - Residential and Commercial Districts
3. Accessory Dwelling Unit (ADU) Infographic

Memorandum

To: Wayzata Planning Commission

From: Eric Zweber, WSB Consulting Planner

Reviewed: Valerie Quarles, Assistant Planner

Date: February 22, 2022

Re: Commercial and Residential Zoning Ordinance Amendments
WSB Project No. 018603-000

Background

Changes to the residential and commercial zoning districts were discussed by the 12-member Zoning Study Task Force for over a year. In total there were eleven meetings held by the Task Force to discuss potential modifications to the Zoning Ordinances. Goals for the changes were to:

1. Align the Ordinance with the recently adopted Comprehensive Plan
2. Simplify the ordinance for general use
3. Streamline regulations
4. Promote consistency in performance standards

The Task Force has provided guidance on all areas of the Zoning Ordinance dealing with the commercial and residential sections and are reflected in the attached ordinance. These changes have been reviewed and adapted by staff in accordance with the concerns of the Task Force.

A high-level overview by the Planning Commission of all the proposed changes occurred in late 2021 and early 2022, generally focusing on the changes made to ordinance regulations that impact city policies. Staff has addressed modifications requested by the Task Force and Planning Commission, finalized the redlines of existing code sections, and created Chapter 937, which is a combined table of permitted, conditional, accessory, and interim uses within the residential and commercial districts. Chapter 937 also includes all the standards for the permitted and conditional uses, housing the performance regulations in one location instead of by district.

The following highlights the main areas of code modification, addressing structural and policy modifications to the ordinance.

Residential Zoning Changes:

Accessory Dwelling Units

Accessory dwelling units (ADUs) are proposed within Wayzata to increase and diversify flexible housing options. The presence of an ADU will also increase density in the permitted residential areas which will be consistent with the 2040 Comprehensive Plan. ADUs are proposed in the R-1 through R-3 & R-5 residential districts, and the Institutional district meeting the goals listed in the 2040 Comp Plan. Additionally, they fulfill two of the eight guiding principles in the Comp Plan – Multi-Generational and City Nodes with Greater Housing Diversity.

Accessory dwelling units have also been known as: carriage houses, mother-in-law apartments, basement apartments, backyard cottages, granny flats, and other terms. Consistent with the goal for ease of use, the code does not reference all of these terms and instead permits an ADU with

standards. The most common existing ADU type in Wayzata is detached guest houses in the R-1 and R-1A zoning districts, but ADUs of different configurations can exist in nearly all residential districts. An infographic has been created so residents can navigate the various ADU requirements and options to assess whether their site can accommodate its creation.

R-4 District Modifications

The 2040 Comprehensive Plan identifies the Medium Density Residential land use as the appropriate land use designation for twin homes and townhouses. Changes have been made to the R-4 district to recognize its use for attached housing projects such as twin home, townhomes, and smaller sized apartments buildings; single family housing has been deleted from this section. Modifications to lot sizing and inclusion of multi-family apartments and elderly multi-family projects will allow for densities within the Comprehensive Plan Medium Density residential range of 6 to 12 units per acre.

R-5 District Modifications

The R-5 district is intended to allow the city's highest dwelling unit densities. The land use designations within R-5 call for densities as high as 40 units/acre, and changes have been made to the district to increase the overall project densities as compared to the current ordinance standards. The multiple family dwelling unit lot area requirement has been decreased, lot coverage and impervious surface limits increased, and two new "allowances" added to permit an increase in project units with conditions, which in turn increase project density. The new allowances, consistent with the goals of the Comprehensive Plan, are in consideration of energy efficiency or introduction of affordable housing units, along with the current allowance for underground parking. Another change in the R-5 district is to remove lower density residential development opportunities such as single-family and two-family uses. These modifications will permit R-5 developments to more closely align with the adopted Comprehensive Plan high density standards.

Upper-Story Housing in C-2 and C-3

There are eight commercial zoning districts within Wayzata, with development intensity increasing from C-1 to C-4B. Presently, upper level residential is permitted in all C-4 commercial districts. Modifications to the C-2 and C-3 districts includes upper residential uses as a permitted use, to create mixed use opportunities. Upper story residential uses continue to be permitted uses in all of the C-4 zoning districts.

Commercial District Modifications:

C-2 and C-3 Modifications:

There have been development standard modifications to the C-2 and C-3 districts to aid in implementing Comprehensive Plan goals and objectives. To support the shopping center purpose of the C-2 zoning district, 2040 Comprehensive Plan objectives, and Design Guideline survey results, the height standard for C-2 has been reduced to a two-story building while increasing the height standard for the C-3 zoning district to three-stories. Additionally, to implement the 2040 Comprehensive Plan objectives to protect water and natural resources, the lot coverage limitation for the C-2 is established at 50% and the impervious surface is limited to 75% for both zoning districts. Finally, the revised C-3 zoning district allows a three-story building with 50% lot coverage, the floor area ratio (FAR) is increased to 1.5, and the lot area per unit for both zoning districts is limited to 1,500 square feet per dwelling unit to limit the residential density to no more than 30 units/acre.

C-4, C-4A, C-4B Modifications

Staff is recommending one change to the C-4A zoning district performance standards, two changes to the C-4 district standards, and two changes to the C-4B district standards. The common change to all three zoning districts is adding a lot area per unit limitation of 1,500 square feet per dwelling unit to limit the residential density to no more than 30 units/acre. The common change between the C-4 and C-4B zoning districts is to address the existing non-conforming lots within the two zoning districts by modifying the minimum lot size to 8,000 square feet for the C-4 zoning district and 6,000 square feet for the C-4B zoning district.

Land Use Table and Ordinance Structure

Specific land uses for each of the commercial and residential districts have been aggregated and combined into one table. The Table lists all zoning categories and identifies which land uses are permitted, conditional, accessory, or interim. The uses have been grouped into broader land use categories such as Food and Beverage Establishment instead of identifying every type of differing sit down, café, deli, fast casual, or fast-food restaurant. This change should provide the community with greater flexibility as new types of businesses are developed over time. The new chapter, Chapter 937, also includes all the standards for specified permitted uses as well as the conditions necessary for approval of conditional use permits in either residential or commercial uses. This modification allows access to all land uses within the community and specific standards of approval, making the ordinance easier to use for the public and administrator.

Conclusion

Changes to the residential and commercial zoning districts were discussed by the Task Force for over a year. These changes have been reviewed and adapted by staff in accordance with the concerns of the Task Force. A high-level overview of all the proposed changes, including code cleanup items, was given at the Planning Commission's December 6 workshop. The existing document includes the modifications requested by the Task Force and reflect the goals and objectives of the adopted comprehensive plan.

Attachments:

1. Draft Zoning Ordinance
2. ADU Infographic

CHAPTER 937 – USE PERFORMANCE STANDARDS

937.01 – Purpose

The standards set forth in this Charter are intended to specify the types of uses may be allowed within each zoning district so long as the uses meet the standards specified in this Chapter and elsewhere in the Zoning Ordinance.

937.02 – Use Table

The following table specifies what Permitted Uses (P), Conditional Uses (C), Interim Uses (I), Permitted Accessory Uses (A/P), Conditional Accessory Uses (A/C) and Interim Accessory Uses (A/I) are allowed in each zoning district.

Residential and Institutional Districts Uses

-	<u>R-1A</u>	<u>R-1</u>	<u>R-2A</u>	<u>R-2</u>	<u>R-3A</u>	<u>R-3</u>	<u>R-4A</u>	<u>R-4</u>	<u>R-5</u>	<u>INS</u>
<u>Accessory Structure or Use, Residential</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	-
<u>Cemeteries and Memorial Gardens</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	-	-	<u>C</u>
<u>Child Day Care Facility, General</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-
<u>Child Day Care Facility, 12 or Fewer Children</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
<u>Institutions of Higher Education</u>	-	-	-	-	-	-	-	-	-	<u>C</u>
<u>Community Center</u>	-	-	-	-	-	-	-	-	-	<u>C</u>
<u>Dwellings, Accessory Units</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	-	-	<u>A/P</u>	<u>C</u>
<u>Dwellings, Housing for the Elderly</u>	-	-	-	-	-	-	-	<u>C</u>	<u>C</u>	<u>C</u>
<u>Dwellings, Multiple Family</u>	-	-	-	-	-	-	-	<u>C</u>	<u>P</u>	-
<u>Dwellings, Single Family Detached</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-
<u>Dwellings, Single Family or Two Family Detached</u>	-	-	-	-	-	-	-	-	-	<u>C</u>
<u>Dwellings, Townhomes</u>	-	-	-	-	-	-	<u>P</u>	<u>P</u>	-	-
<u>Dwellings, Two Family Detached</u>	-	-	-	-	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	-	-
<u>Educational Facilities</u>	-	-	-	-	-	-	-	-	-	<u>P</u>

	<u>R-1A</u>	<u>R-1</u>	<u>R-2A</u>	<u>R-2</u>	<u>R-3A</u>	<u>R-3</u>	<u>R-4A</u>	<u>R-4</u>	<u>R-5</u>	<u>INS</u>
<u>Essential Services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Greenhouse, Residential</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	-	-	-	-
<u>Halfway Houses</u>	-	-	-	-	-	-	-	-	<u>C</u>	<u>C</u>
<u>Hospitals, Residential Care Facilities, and Elderly Care Facilities</u>	-	-	-	-	-	-	-	-	-	<u>C</u>
<u>Horses, Keeping of</u>	<u>A/C</u>	<u>A/C</u>	-	-	-	-	-	-	-	-
<u>Parking Garages/Lots</u>	-	-	-	-	-	-	-	-	-	<u>C</u>
<u>Parking and Loading Areas and Structures</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>
<u>Personal Services</u>	-	-	-	-	-	-	-	-	-	-
<u>Post offices</u>	-	-	-	-	-	-	-	-	-	<u>P</u>
<u>Publicly owned Civic or Cultural Buildings</u>	-	-	-	-	-	-	-	-	-	<u>P</u>
<u>Public Services and Utilities</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Recreation, Outdoor Commercial</u>	<u>C</u>	<u>C</u>	-	-	-	-	-	-	-	-
<u>Recreation, Outdoor Residential, Accessory</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	-
<u>Recreation, Outdoor Residential, Principal</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	-	-	-
<u>Recreation, Outdoor Public</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>A/P</u>
<u>Religious Institutions</u>	-	-	-	-	-	-	-	-	-	<u>P</u>
<u>Residential Care Facility, Six or Fewer Residents</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-
<u>Residential Care Facility, 16 or Fewer Residents</u>	-	-	-	-	-	-	-	-	<u>P</u>	-

Commercial Districts Uses

-	<u>C-1A</u>	<u>C-1</u>	<u>C-1B</u>	<u>C-2</u>	<u>C-3</u>	<u>C-4A</u>	<u>C-4</u>	<u>C-4B</u>
<u>Adult Day Care</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-
<u>Amusement, Indoor</u>	-	-	-	<u>C</u>	<u>C</u>	-	-	-

	<u>C-1A</u>	<u>C-1</u>	<u>C-1B</u>	<u>C-2</u>	<u>C-3</u>	<u>C-4A</u>	<u>C-4</u>	<u>C-4B</u>
<u>Animal Clinic</u>	-	-	-	<u>C</u>	-	-	-	-
<u>Animal Clinics, Hospitals or Kennels</u>	-	-	-	-	<u>C</u>	-	-	-
<u>Car Wash, Accessory</u>	-	-	-	<u>A/C</u>	<u>A/C</u>	-	-	-
<u>Car Wash, Principal</u>	-	-	-	-	<u>C</u>	<u>I</u>	-	-
<u>Clubs or Lodges, Existing</u>	<u>C</u>	-	-	-	-	<u>C</u>	<u>C</u>	<u>C</u>
<u>Child Day Care Facility, General</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Child Day Care Facility, 12 or Fewer Children</u>	<u>P</u>	-	<u>P</u>	-	-	-	-	-
<u>Dry Cleaning or Laundry</u>	-	<u>C</u>	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Drive-Thru Sales and Service</u>	-	-	-	<u>C</u>	<u>C</u>	-	-	-
<u>Dwellings, Multiple Family</u>	-	-	-	-	-	<u>C</u>	<u>C</u>	<u>C</u>
<u>Dwellings, Multiple Family, Upper Story</u>	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Dwellings, Single Family Detached</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-	-
<u>Dwellings, Two Family Detached</u>	<u>C</u>	<u>C</u>	<u>C</u>	-	-	-	-	-
<u>Educational Facilities</u>	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Food and Beverage Establishment</u>	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Health Clinics</u>	<u>C</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Liquor Store</u>	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Lodging</u>	-	-	-	-	<u>C</u>	-	-	-
<u>Manufacturing</u>	-	-	-	-	<u>C</u>	-	-	-
<u>Micro-production facilities</u>	-	-	-	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Mixed-Use Buildings</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-	<u>A/P</u>
<u>Monument Sales, excluding Processing</u>	-	-	-	-	<u>P</u>	-	-	-
<u>Mortuaries or Funeral Homes</u>	-	<u>P</u>	-	-	<u>P</u>	-	-	-
<u>Motor Vehicle Rental and Sales</u>	-	-	-	-	<u>C</u>	-	-	-

	<u>C-1A</u>	<u>C-1</u>	<u>C-1B</u>	<u>C-2</u>	<u>C-3</u>	<u>C-4A</u>	<u>C-4</u>	<u>C-4B</u>
<u>Motor Vehicle Service</u>	-	-	-	<u>C</u>	<u>C</u>	-	-	-
<u>Parking Garages/Lots</u>	<u>C</u>	<u>C</u>	-	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>A/I</u>
<u>Parking and Loading Areas and Structures</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>
<u>Personal Services</u>	<u>P</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Post offices</u>	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Professional Services (inc. Finance and Office Uses)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Public Services and Utilities</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Recreation, Indoor</u>	-	-	-	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Recreation, Outdoor Commercial</u>	-	-	-	-	<u>C</u>	-	-	-
<u>Recreation, Outdoor Public</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Religious Institutions</u>	-	-	-	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Repair of Home, Garden or Personal Appliances</u>	-	-	-	<u>C</u>	<u>C</u>	-	-	-
<u>Retail Sales, Limited</u>	<u>P</u>	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Retail Sales, General</u>	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Sailing School</u>	-	-	-	-	<u>C</u>	-	-	-
<u>Sales; Garden, Greenhouses or Nursery</u>	-	-	-	-	<u>C</u>	-	-	-
<u>Sales, Service, or Rental; Outdoors</u>	-	-	-	<u>A/C</u>	<u>A/C</u>	<u>A/C</u>	<u>A/C</u>	<u>A/C</u>
<u>Sales, Service, or Rental; Accessory</u>	-	-	-	-	-	<u>A/C</u>	<u>A/C</u>	<u>A/C</u>
<u>Sidewalk Café, Outdoors</u>	-	-	-	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>
<u>Storage, Indoor</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>	<u>A/P</u>
<u>Storage, Outdoor</u>	-	-	-	<u>A/C</u>	<u>A/C</u>	<u>A/C</u>	<u>A/C</u>	<u>A/C</u>
<u>Theaters, excluding Drive-Ins</u>	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

937.03 – Permitted Use with Restrictions

- A. Dwellings, accessory units (ADU), defined as a subordinate habitable dwelling unit that provides the basic requirements of shelter, heating, cooking and sanitation, provided that:

1. An ADU 's total floor area shall be no more than 33% of the primary residence's gross habitual space. The minimum ADU size is 300 square feet.
2. Within the R-2A, R-2, R-3A, and R-3 districts, the maximum ADU size is no more than 960 square feet.
3. An ADU shall be designed and maintained as to be consistent with the architectural design, style, appearance and character of the primary residence. If an ADU extends beyond the current footprint or existing height of the main building, such an addition must be consistent with the existing facade, roof pitch, siding and windows.
4. One off-street parking spaces shall be required for the ADU, in addition to the two off-street parking spaces required for the primary residence.
5. The principal structure or ADU must be owner-occupied.
6. No more than one ADU shall be permitted on a lot or parcel.

B. Food and beverage establishments

1. Garden Strip. At any common boundary shared with a residential district, a strip of not less than five feet shall be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.
2. Hours. The hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.
3. Landscaping. Landscaping and screening in accordance with Chapter 918 of this Ordinance.
4. Licensing. The use obtains all local, state and federal food and beverage handling licenses and/or permits.
5. Lighting Standard Base Landscaping. Each light standard base island and all islands in the parking lot landscaped or covered. The light source is hooded to prevent glare onto adjoining property and the public right-of-way.
6. Litter Control. The operation shall be responsible for litter control within 500 feet of the property line and is to occur on a daily basis.
7. Loading Berth. Adequate space shall be provided on the site for a loading berth to accommodate the parking and maneuvering of semi-tractor trailers.
8. Outdoor Storage. There shall be no outdoor storage and/or display.
9. Refuse Storage. All refuse shall be stored in containers as specified by City Code. Said containers are to be screened and enclosed by a fence or similar structure.
10. Vehicle Access. Vehicular access points shall be limited and shall create a minimum of conflict with through traffic movements.
11. The room or rooms containing the preparation and baking process for bakeries shall not have a gross floor area in excel of 2,400 square feet.
12. For pick up and delivery establishments, no seating is provided and no facilities exist for customer dining on the premises.

937.04 – Conditional Residential Land Uses. All conditional uses are subject to the provisions of this Ordinance and require a conditional use permit based upon procedures set forth and regulated by Chapter 904 of this Ordinance.

A. Dwelling, Multiple-family

1. The development does not front or border Lake Street.
2. The development does not conflict with existing or potential future commercial uses and activities.
3. The density standards imposed as part of the R-5 Zoning District are complied with.
4. Adequate open space and recreational space is provided on site for the benefit of the occupants.

B. Dwellings, Single-family detached or Two-family.

1. The development shall be in compliance with the provisions of the R-3 Zoning District.

C. Dwellings, Two-family

- D. Halfway houses
- E. Dwelling, Housing for the elderly
 - 1. The development is in conformance to standards established in Section 959.06 of this Ordinance.
- F. Recreation, outdoor residential, principal
 - 1. Such use is accessory to one existing permitted principal use on an abutting lot or lot only separated by a public right-of-way. Said properties are tied together by a deed restriction recorded with the City and Hennepin County.
 - 2. The properties upon which the private recreational facilities are to be located and upon which the permitted principal use is located, are under the same ownership. Said properties are tied together by a deed restriction recorded with the City and Hennepin County.
 - 3. The uses and activities are operated only for the enjoyment and convenience of the residents of the principal use to which the property is tied and their occasional guests.
- G. Sailing School
- H. Swimming pools as an outdoor residential recreation accessory use
 - 1. The use is fenced in accordance with Chapter 918 of this Ordinance.
 - 2. The use is not located within the front yard.
 - 3. The use shall meet setbacks for accessory structures.
- I. Tennis and pickleball courts as an outdoor residential recreation accessory use
 - 1. The use is not located within the front yard.
 - 2. The courts shall be fenced in accordance with Chapter 918 of this Ordinance.
 - 3. The courts shall meet the setback requirements for an accessory structure.
 - 4. Any lighting used shall not allow the light to spread to adjoining properties.
 - 5. A grading and drainage plan must be submitted and approved by the City Engineer.
- J. Recreation, outdoor public, cemeteries, and memorial gardens
 - 1. The site is landscaped.
 - 2. The use is available to the "public."
 - 3. The land area of the property containing such use or activity meets the minimum established for the district.
 - 4. The use meets the minimum setback requirements for accessory structures.
 - 5. The site accesses on a collector or arterial street.
- K. Public services and utilities
 - 1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.
- L. Horses, keeping of
 - 1. The minimum lot size for accommodating one horse shall be three acres, and the minimum lot size for two horses shall be five acres. No more than two horses may be accommodated on any one property within the City.
 - 2. All stables shall be located a minimum distance of 300 feet from any adjacent residential structure, excluding the structure of the applicant, and all corral areas shall be located a minimum distance of 200 feet from any adjacent residential structure, excluding the residence of the applicant.
 - 3. All accommodations for horses shall occur within the rear yard of a residential lot.
 - 4. Where an application for the boarding of a horse shall occur adjacent to a vacant lot, the City Council shall take into account a proper location of a future residence in considering the application.

937.04 – Conditional Commercial Land Uses. All conditional uses are subject to the provisions of this Ordinance and require a conditional use permit based upon procedures set forth and regulated by Chapter 904 of this Ordinance.

A. Child day care facility, general

1. Compliance with Chapter 924.02.

B. Animal Clinics,

1. The size of the clinic may not exceed 4,000 square feet.
2. The clinic may not provide animal boarding services, kenneling or overnight stays for patients.
3. The hours of operation must coincide with those of the businesses in the area or complex in which the clinic is located
4. The clinic may not provide services or treatment of exotic animal (such as reptiles, amphibians, birds, and most mammals)
5. The clinic may not share a common demising wall or be located directly adjacent to a restaurant.
6. The clinic may not be located on the same property or in the same shopping area where another clinic exists.
7. The clinic must comply with all other applicable state, local and federal regulation, including those that pertain to animal clinics and to nuisance, health, sanitation, and safety conditions.

C. Animal Clinics, Hospitals or Kennels

1. Any building in which animals are kept, whether roofed sheltered or enclosed structure, shall be located a distance of 100 feet or more from any lot line.
2. The animals shall, at a minimum, be kept in an enclosed pen or corral of sufficient height and strength to retain such animals. Said pen or corral may not be located closer than 100 feet from a lot line.
3. The clinic must comply with all other applicable state, local and federal regulation, including those that pertain to animal clinics and to nuisance, health, sanitation and safety conditions.

D. Drive-Thru Sales and Service.

1. Drive-thru, sales and services

- a. Access. The driveway access shall not be on a residential street. The curb cut setbacks and parking shall be in conformance with Chapter 920, the Parking Ordinance.
- b. Compatibility. The service windows and driveway shall be screened from view if adjacent to a residentially used property.
- c. Green Strip. At any common boundary shared with a residential district, a strip of not less than five feet shall be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.
- d. Hours. Hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.
- e. Noise. The stacking lane, order board intercom, and service window shall be designed and located in such a manner as to minimize automobile and communication noises, emissions, and headlight glare upon adjacent premises, particularly residential premises, and to maximize maneuverability of vehicles on the site. Levels of noise, light, and air quality shall be measured at property lines and shall satisfy established state regulations.
- f. Stacking. Not less than 180 feet of segregated automobile stacking lane must be provided for the service window.

- g. Traffic Control. The stacking lane and its access must be designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.
 - h. Use of Street. No part of the public street or boulevard may be used for stacking of automobiles.
- E. Dry cleaning or laundry
 - 1. The outside storage of materials and equipment is prohibited.
 - 2. Operations with the primary function of in-store retail and general public customer contact are permitted.
- F. Lodging
 - 1. The parking and loading spaces shall not be located within the front yard of a lot and must meet all applicable provisions of the parking and loading ordinance.
- G. Professional services
 - 1. The services which are provided are for the local area rather than the region.
 - 2. The traffic generated will not raise traffic volumes beyond the capacity of the surrounding streets.
- H. Micro-production facilities
 - 1. Licensing. The owner of the micro-production facility qualifies for and receives all federal, state and city licenses necessary for the operation of the micro-production facility, including a brewer license and a malt liquor wholesale license (if wholesale of malt liquor is an intended activity); winery license; and/or a distiller's license from the State of Minnesota, according Minn. Stats. § 340A.
 - 2. Taproom/Tasting Room License. An accessory taproom or tasting room for the on-sale of beer, wine, or spirits produced on-site shall require a taproom/tasting room license from the City of Wayzata, according to City Code Section 524.02.
 - 3. Off-sale. On-site sale of beer in the form of growlers shall require a Brewery License for Off-Sale of Malt Liquor, according to City Code Section 524.02. On-site sale of wine or spirits, other than samples as governed under Minnesota State Statutes, shall be prohibited.
 - 4. Production of Beer. Total production of malt liquor shall not exceed 5,000 barrels annually. Micro-production Facilities with a taproom license shall not exceed 3,500 barrels annually, and only 500 barrels may be sold off-sale as growlers. Any micro-production facility operating as a brewery shall annually submit production reports to the City with the request to renew a brewery taproom or off-sale malt liquor license.
 - 5. Production of Wine. Total production of wine shall not exceed 50,000 gallons annually. Any micro-production facility operating as a winery shall annually submit production reports to the City with the request to renew a tasting room or winery license.
 - 6. Production of Spirits. Total production of spirits shall not exceed 40,000 proof gallons annually. Any micro-production facility operating as a distillery shall annually submit production reports to the City with the request to renew a tasting room or distillery license.
 - 7. Off-street Loading. The micro-production facility shall provide adequate space for off-street loading and unloading of all trucks greater than 22 feet in length. In the absence of off-street loading, the City may impose limits on deliveries or shipments using the public rights of ways, including regulating the number of trucks per day and the hours that deliveries are permitted.
 - 8. Outdoor Storage. No outdoor storage is permitted on the site, with the exception that waste handling (refuse and/or recycling) may occur in an enclosure that is fully screened from adjoining streets and residentially zoned properties.
 - 9. Odors. No odors from the micro-production facility shall be perceptible beyond the property line. The micro-production facility operator shall take appropriate measures to

reduce or mitigate any odors generated from the operation and be in compliance with any applicable Minnesota Pollution Control Standards.

10. Waste. Waste products shall be disposed of in a timely manner and in such a way to reduce odors.
11. Exterior Lighting. All exterior lighting shall be designed in such a way as to have no direction source of light visible from adjacent property, and shall comply with the requirements of Section 916.06 of the Wayzata Zoning Ordinance.
12. Hours of Operation. Micro-production facility operation hours shall be limited to the hours specified in Minn. Stats. Ch. 340A for off-sale intoxicating liquor unless further limited the City Council as part of a Conditional Use Permit.

I. Health clinics

J. Sales, garden, greenhouses or nursery

1. There are no growing fields on the site.
2. Outdoor sales/display area shall be limited to 30 percent of the gross lot area and be in conformance with the performance standards of Section 937.09 of this Ordinance.

K. Repair of home, garden or personal appliances

1. The use is conducted completely indoors.

L. Sales, service or rental; outdoors

1. Outside services, sales and equipment rental connected with the principal use is limited to 30 percent of the gross floor area of the principal use. Uses specified as requiring a separate conditional use permit shall be exempted from this provision.
1. Outside sales areas are landscaped and fenced or screened from view of neighboring residential uses or an abutting residential zoning district.
2. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences.
3. Sales, service or rental areas are asphalt or concrete surfaced.
4. The use does not take up parking space or loading areas as required for conformity to this Ordinance.
5. Additional parking, pursuant to Chapter 920 of this Ordinance is provided for said space.

937.05 – Conditional Automobile Orientated Uses

A. Motor vehicle rental and sales

1. The use is adequately screened from view of neighboring residential uses or an abutting Residential zoning district.
2. Adequate measures are taken to control pollution and emissions exhaust.
3. Hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic noise and glare upon any existing neighboring residential uses.
4. Vehicle Access. Vehicular access points shall be limited and shall create a minimum of conflict with through traffic movements.
5. Lighting. Each light standard base island and all islands in the parking lot shall be landscaped or covered. The light source is hooded to prevent glare onto adjoining property and the public right-of-way.
6. Green Strip. At any common boundary shared with a residential district, a strip of not less than five feet shall be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.
7. Surfacing. The entire area other than that portion occupied by buildings or structures or plantings shall be surfaced with a material which will control dust and drainage and which is subject to the approval of the City.
8. Refuse Storage. All refuse shall be stored in containers as specified by the City Code. Said containers are to be fully screened and enclosed by a fence or similar structure.

B. Parking garages/lots

C. Car washes, principal

1. Magazine or stacking space is constructed to accommodate that number of vehicles which can be washed during a maximum 30-minute period and shall be subject to the approval of the City Engineer.
2. At the boundaries of a residential district, a strip of not less than five feet shall be landscaped and screened in compliance with Chapter 918 of this Ordinance.
3. Each light standard island and all islands in the parking lot shall be landscaped or covered.
4. Parking or car magazine storage space shall be screened from view of abutting residential districts in compliance with Chapter 918 of this Ordinance.
5. All lighting shall be hooded and so directed that the light source is not visible from the public right-of-way or from an abutting residence and shall be in compliance with Section 916.06 of this Ordinance.
6. All signing and information or visual communication devices shall be in compliance with the applicable provisions of Chapter 927 of this Ordinance.
7. Provisions are made to control and reduce noise.

D. Convenience or Grocery Store with Gasoline. .

1. Permitted Uses. The retail sales involve uses or activities which are allowed in a C-1, C-2 or C-3 District.
2. Take-Out Food. Convenience/deli food is of the take-out type only and that no provision for seating or consumption on the premises is provided. Furthermore, that the enclosed are devoted to such activity, use and merchandise shall not exceed 15 percent of the gross floor area.
3. Sanitation. That any sale of food items is subject to the approval of the City Health Inspector who shall provide specific written sanitary requirements for each proposed sale location based upon applicable State and County regulations.
4. Litter Control. The operation shall be responsible for litter control within 500 feet of the property line and is to occur on a daily basis.
5. Area. That the approximate area and location devoted to non-automatic merchandise sales shall be specified in general terms in the application and in the conditional use permit. Exterior sales shall be subject to a separate conditional use permit.
6. Hours of Operation. The hours of operation shall be limited to 6.00 a.m. to 12.00 p.m., unless extended by the City Council.
7. Motor Fuel Facilities. Additionally, adequate space shall be provided to access gas pumps and allow maneuverability around the pumps. Underground fuel storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations do not conflict with circulation, access and other activities on the site. Fuel pumps shall be installed on pump islands.
8. Canopy. A protective canopy located over pump island may be an accessory structure on the property and may be located 20 feet or more from the front lot line, provided adequate visibility both on and off-site is maintained.
9. Compatibility. All sides of the principal and accessory structures are to have essentially the same or a coordinated, harmonious finish treatment.
10. Area. A minimum lot area of 20,000 square feet and minimum lot frontage of 125 feet. The City Council may exempt previously developed or previously platted property from this requirement, provided that the site is capable of adequately and safety handling all activities and required facilities.
11. Curb Separation. A continuous and permanent concrete curb not less than six inches above grade shall separate the public sidewalk from motor vehicle areas, pursuant to the provisions of Chapter 920.
12. Landscaping. At the boundaries of the lot, a strip of not less than five feet shall be landscaped and screened in compliance with Chapter 918 of this Ordinance, pursuant to the provisions of Chapter 920.
13. Light Standards Base Landscaped. Each light standard base shall be landscaped.

14. Pedestrian Traffic. An internal site pedestrian circulation system shall be defined and appropriate provisions made to protect such areas from encroachments by parked cars or moving vehicles.
15. Outside Storage and Sales. No outside storage except as allowed in compliance with Section 937.09. An enclosed screened area is to be provided for rubbish and dumpsters.
16. Vehicle repair and service is prohibited on the site.

E. Motor vehicle service

1. No building or structure, permanent or temporary, driveway surfaces, parking areas, advertising devices or other similar site improvements, except driveways traversing a public road boulevard, shall be located within 110 feet of any part of a residential district which is separated from the automobile service station by a public right-of-way or within 50 feet of a residential district if they are not separated by a public right-of-way.
2. Sites for such facilities are freestanding and not part of a principal shopping center structure and shall have not less than 125 feet of frontage on the side or sides of the site to or from which access or egress at two or more locations is possible and not less than 120 feet of frontage if there is only one point of access. The total site area shall be not less than 20,000 square feet for each service bay, to a maximum of 60,000 total square feet.
3. Pump islands shall be set back not less than 30 feet from any property line and not less than 50 feet from any residential district boundary.
4. Hydraulic hoists or pits and all lubrication, greasing, washing, repair or diagnostic equipment shall be used totally within an enclosed building.
5. Facilities on a site from contiguous to any neighboring residential uses or an abutting residential zoning district shall not be operated between the hours of 11:00 p.m. and 6:00 a.m. unless otherwise allowed by formal action of the City Council.
6. Facilities may offer minor auto repairs, but they shall not offer major auto repairs, the sale or storage of junked cars, or automobile wrecking.
7. Safety. Regardless of whether the dispensing, sale or offering for sale of motor fuels and/or oil is incidental to the conduct of the use or business, the standards and requirements imposed by this Ordinance for motor fuel stations shall apply. These standards and requirements are, however, in addition to other requirements which are imposed for other uses of the property.
8. Pump Islands. Wherever fuel pumps are to be installed, pump islands shall be installed.
9. Green Strip. At the boundaries of a residential district, a strip of not less than five feet shall be landscaped and screened in compliance with Chapter 918.
10. Lighting Standard Base Landscaped. Each light standard base shall be landscaped.
11. Stacking, parking or car magazine storage space shall be screened from view of a butting residential districts in compliance with Chapter 918.
12. Vehicle Circulation. Vehicular access points shall create a minimum of conflict with through traffic movement. Provisions shall be made for transport delivery of fuel which will not conflict with pump island service.
13. Outside Storage. No outside storage except as allowed in compliance with Section 937.09 of this Ordinance.
14. (C-2) Litter Control. The operation shall be responsible for litter control within 500 feet of the property line and is to occur on a daily basis.
15. Sales Limitations. Sale of products other than those specifically necessary for motor vehicle repair shall be subject to a conditional use permit and be in compliance with Section 937.09 of this Ordinance.

937.05 – Conditional Institutional Land Uses. All conditional uses are subject to the provisions of this Ordinance and require a conditional use permit based upon procedures set forth and regulated by Chapter 904 of this Ordinance.

A. Colleges, seminaries and other institutions of higher education.

1. Provisions are made to buffer and screen from view of neighboring residential uses or an abutting residential zoning district.

2. The site is served by an arterial or collector street of sufficient capacity to accommodate traffic which will be generated.
- B. Community centers.
1. Provisions are made to buffer and screen from view of neighboring residential uses or an abutting residential zoning district.
 2. Adequate off-street parking and access is provided and that such parking is adequately screened and landscaped from adjoining and abutting residential uses or residential zoning districts.
- C. Hospitals, residential care facilities, extended care facilities; rest homes and other elderly care facilities
1. Interior side yards are screened.
 2. Only the rear yard shall be used for play or recreational areas. Said area shall be fenced and controlled and screened in compliance with Chapter 918 of this Ordinance.
 3. The site shall be served by an arterial or collector street of sufficient capacity to accommodate traffic which will be generated.
 4. All signing and informational or visual communication devices shall be in compliance with Chapter 927 of this Ordinance.

937.06 – Conditional Recreational Land Uses. All conditional uses are subject to the provisions of this Ordinance and require a conditional use permit based upon procedures set forth and regulated by Chapter 904 of this Ordinance.

- A. Clubs or Lodges, Existing.
1. The parking and loading spaces shall not be located within the front yard of a lot and must meet all applicable provisions of the parking and loading ordinance.
- B. Amusement indoor
1. If located within a shopping center, the use has its own exclusive exterior access.
 2. The use is located and developed so as not to create an incompatible operation problem with adjoining and neighboring commercial and/or residential uses.
 3. The hours of operation shall be subject to City Council control and change as a means to maintain compatibility of uses and activities.
- C. Recreation, indoor
1. The use shall not serve alcoholic beverages.
 2. If located within a shopping center, the use has its own exclusive exterior access.
 3. The use is located and developed so as not to create an incompatible operation problem with adjoining and neighboring commercial and/or residential uses.
- D. Recreation, Outdoor.
1. Recreation, outdoor commercial
 - a. The entire perimeter of the site is fenced in accordance with Chapter 918 of this Ordinance.
 - b. The hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic noise and glare upon any existing neighboring residential uses or abutting and residential zoning district.
 - c. The principal use, function or activity is open, outdoor in character.
 - d. Not more than five percent of the land area of site shall be covered by buildings or structures.
 - e. Lighting. All lighting shall be hooded and so directed to prevent glare onto adjacent properties and/or roads.
 - f. The site is well maintained, landscaped and screened in accordance with Chapter 918 of this Ordinance. When abutting a residential use or a residential zoning district, the property is screened and landscaped for the protection of the abutting use.

- g. The land area of the property containing such use or activity meets the minimum established for the district.

937.08 – Conditional Manufacturing. All conditional uses are subject to the provisions of this Ordinance and require a conditional use permit based upon procedures set forth and regulated by Chapter 904 of this Ordinance.

A. Manufacturing

- 1. The proposed use complies with the performance standards outlined in Chapters 916, 917, 918, 919, 920 and all other applicable provisions of this Ordinance.

937.09 – Accessory Uses

A. Sales, service or rental, accessory

- 1. Such use is allowed as a permitted use in a C-1 or C-2 District.
- 2. Such use does not constitute more than 30 percent of the lot area and not more than 50 percent of the gross floor area of the principal use.
- 3. All signing and informational or visual communication devices shall be in compliance with Chapter 927 this Ordinance.

B. Sidewalk cafe, outdoors

- 1. A permit pursuant to City Code Ch. 315 is required.

C. Storage, indoor

- 1. Indoor storage of merchandise in either principal or accessory building, solely intended to be retailed by a related and established principal use.

D. Storage, outdoor

- 1. The storage area is landscaped, fenced, and screened from view of neighboring uses and abutting a residential use or a residential use district.
- 2. Storage is landscaped and screened from view from the public right-of-way.
- 3. Storage area is blacktopped or concrete surfaced.
- 4. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences.
- 5. The storage area does not take up parking space or loading space as required for conformity to this Ordinance.

937.10 – Interim Uses

A. Existing car wash and dispensing operations, provided that:

- 1. All proposed alterations and/or modifications to the building and site are subject to the issuance of a conditional use permit as set forth in Chapter 904 of the Zoning Ordinance.

CHAPTER 951 R-1A LOW DENSITY SINGLE FAMILY ESTATE DISTRICT

951.01 Purpose.

The R-1A District is intended to provide a low density residential district for existing large and estate-type properties. These properties are unique in that they are unusually large in size and frequently include accessory structures, such as ~~guest houses and employees' quarters~~accessory dwelling units. This district also allows recreational uses.

951.02 Permitted Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in the "R-1A" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Single family detached dwellings.~~
- ~~B. Essential services.~~
- ~~C. Day care facilities serving 12 or fewer persons.~~
- ~~D. Residential care facilities serving six or fewer persons.~~

951.03 Interim Uses.

~~Subject to applicable provisions of this Ordinance, the following are interim uses in the R-1A District and are governed by Chapter 934 of this Ordinance:~~

- ~~A. None. No interim uses are allowed in the R-1A District.~~

951.04 Accessory Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted accessory uses in the "R-1A" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Tool houses, sheds and other such structures for the storage of domestic supplies and equipment.~~
- ~~B. Private garages and off-street parking.~~
- ~~C. Greenhouses, provided they do not exceed 200 square feet in area.~~
- ~~D. Swimming pools.~~
- ~~E. Tennis courts.~~
- ~~F. Living quarters within the principal structure of persons employed on the premises.~~
- ~~G. Except as otherwise limited, private recreational facilities, only accessory to an existing principal permitted use on the same lot and which are operated for the enjoyment and convenience of the residents of the principal use and their occasional guests.~~
- ~~H. Accessory uses customarily incidental to the uses permitted in Sections 951.02 and 951.05 of this Ordinance.~~

951.05 Conditional Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ conditional uses in an "R-1A" District are listed in the Table shown in Section 937.02 of this Ordinance.: ~~(Requires a~~ conditional uses require a conditional use permit based upon approved under the procedures and standards set forth in and regulated by Chapter 904 of this Ordinance.)

- ~~A. One guest, carriage, or caretaker's house as an accessory use, provided that:~~
 - ~~1. The structure will not be used for rental purposes.~~
 - ~~2. The structure, design, building materials and color are compatible with the principal structure and surrounding land uses.~~
 - ~~3. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~B. Off-site private recreational facilities, provided that:~~
 - ~~1. Such use is accessory to one existing permitted principal use on an abutting lot or lot only separated by a public right of way. Said properties are tied together by a deed restriction recorded with the City and Hennepin County.~~

- ~~2. The properties upon which the private recreational facilities are to be located and upon which the permitted principal use is located, are under the same ownership. Said properties are tied together by a deed restriction recorded with the City and Hennepin County.~~
- ~~3. The uses and activities are operated only for the enjoyment and convenience of the residents of the principal use to which the property is tied and their occasional guests.~~
- ~~4. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~G. Public parks, playgrounds, cemeteries and memorial gardens, provided that:~~

- ~~1. The site is landscaped.~~
- ~~2. The use is available to the "public."~~
- ~~3. The land area of the property containing such use or activity meets the minimum established for the district.~~
- ~~4. The use meets the minimum setback requirements for accessory structures.~~
- ~~5. The site accesses on a collector or arterial street.~~
- ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~D. Accommodations for horses as an accessory use, in accordance with the following provisions:~~

- ~~1. The minimum lot size for accommodating one horse shall be three acres, and the minimum lot size for two horses shall be five acres. No more than two horses may be accommodated on any one property within the City.~~
- ~~2. All stables shall be located a minimum distance of 300 feet from any adjacent residential structure, excluding the structure of the applicant, and all corral areas shall be located a minimum distance of 200 feet from any adjacent residential structure, excluding the residence of the applicant.~~
- ~~3. All accommodations for horses shall occur within the rear yard of a residential lot.~~
- ~~4. Where an application for the boarding of a horse shall occur adjacent to a vacant lot, the City Council shall take into account a proper location of a future residence in considering the application.~~
- ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~E. Commercial outdoor recreational areas including golf courses and country clubs, swimming pools and similar facilities, provided that:~~

- ~~1. The principal use, function or activity is open, outdoor in character.~~
- ~~2. Not more than five percent of the land area of the site shall be covered by buildings or structures.~~
- ~~3. When abutting a residential use or a residential use district, the property is screened and landscaped for the protection of the abutting use.~~
- ~~4. The land area of the property containing such use or activity meets the minimum established for the district.~~
- ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~F. Governmental and public related utility buildings and structures necessary for the health, safety and general welfare of the City, provided that:~~

- ~~1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.~~
- ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~3. Planned unit development as regulated by Chapter 933 of this Ordinance.~~

951.06 Lot Area and Setback ~~Requirements~~Standards.

The following minimum requirements ~~shall~~must be ~~observed~~met for all lots in ~~the~~an "R-1A" District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

A. Minimum Lot Area Requirements:

1. Lot Area: 80,000 square feet.
2. Lot Width: 200 feet.

3. Lot Depth: 200 feet.

B. Minimum Setbacks:

1. Principal Structure:

- a) Front Yard: 45 feet.
- b) Side Yard: 20 feet.
- c) Rear Yard: 50 feet.

2. Accessory Structure(s):

- a) Front Yard: 50 feet.
- b) Side Yard: ~~Ten~~ 10 feet.
- c) Rear Yard: ~~Ten~~ 10 feet.

C. Structures Adjacent to a Shoreline Used Exclusively for the Storage of Watercraft:

- 1. Side Yard: ~~Ten~~ 10 feet.
- 2. Rear Yard: None required.

951.07 Lot Coverage, Impervious Surface and Height Standards.

The following ~~requirements shall be observed~~ limits apply in ~~an~~ the "R-1A" District:

A. Lot coverage ~~shall~~ may not exceed ten percent of lot area. Impervious surfaces on a lot ~~shall~~ may not exceed 20 percent of ~~the~~ lot area.

B. ~~All~~ Single family residences ~~shall~~ may be limited ~~not exceed~~ to a maximum height of three stories ~~and or~~ 40 feet, ~~whichever is lesser~~.

C. ~~All accessory~~ Accessory buildings ~~shall be limited to~~ may not exceed a ~~maximum~~ height of two stories ~~or~~ 25 feet, ~~whichever is lesser~~.

CHAPTER 952 R-1 LOW DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT

952.01 Purpose.

The purpose of the R-1 Low Density Single Family District is to provide for exclusive low density single family detached residential dwelling units and directly related, complementary uses. These properties are large in size and commonly have accessory structures, such as ~~guest houses and employees' quarters~~ accessory dwelling units. This district also allows limited recreational uses.

952.02 Permitted Use.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in an "R-1" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Single family detached dwellings.~~
- ~~B. Essential services.~~
- ~~C. Day care facilities serving 12 or fewer persons.~~
- ~~D. Residential care facilities serving six or fewer persons.~~

952.03 Interim Use.

~~No interim uses are allowed in the R-1 District. Subject to applicable provisions of this Ordinance, the following are interim uses in the R-1 District and are governed by Chapter 934 of this Ordinance:~~

- ~~A. None.~~

952.04 Accessory Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted accessory uses in the "R-1" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Tool houses, sheds and other such structures for the storage of domestic supplies and equipment.~~
- ~~B. Private garages and off-street parking.~~
- ~~C. Greenhouses, provided they do not exceed 200 square feet in area.~~
- ~~D. Swimming pools.~~
- ~~E. Living quarters within the principal structure of persons employed on the premises.~~
- ~~F. Except as otherwise limited, private recreational facilities, only accessory to an existing principal permitted use on the same lot and which are operated for the enjoyment and convenience of the residents of the principal use and their occasional guests.~~
- ~~G. Accessory uses customarily incidental to the uses permitted in Sections 952.02 and 952.05 of this Ordinance.~~

952.05 Conditional Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ conditional uses in an "R-1" District are listed in the Table shown in Section 937.02 of this Ordinance.: ~~(Requires a~~ All ~~conditional use~~ s require a conditional use permit based upon procedures and standards set forth in ~~and regulated by~~ Chapter 904 of this Ordinance.)

- ~~A. One guest, carriage, or caretaker's house as an accessory use, provided that:~~
 - ~~1. The structure will not be used for rental purposes.~~
 - ~~2. The structure, design, building materials and color are compatible with the principal structure and surrounding land uses.~~
 - ~~3. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~B. Off-site private recreational facilities, provided that:~~
 - ~~1. Such use is accessory to one existing permitted principal use on an abutting lot or lot only separated by a public right of way. Said properties are tied together by a deed restriction recorded with the City and Hennepin County.~~

- ~~2. The properties upon which the private recreational facilities are to be located and upon which the permitted principal use is located, are under the same ownership. Said properties are tied together by a deed restriction recorded with the City and Hennepin County.~~
- ~~3. The uses and activities are operated only for the enjoyment and convenience of the residents of the principal use to which the property is tied and their occasional guests.~~
- ~~4. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~C. Public parks, playgrounds, cemeteries and memorial gardens, provided that:~~

- ~~1. The site is landscaped.~~
- ~~2. The use is available to the "public."~~
- ~~3. The land area of the property containing such use or activity meets the minimum established for the district.~~
- ~~4. The use meets the minimum setback requirements for accessory structures.~~
- ~~5. The site accesses on a collector or arterial street.~~
- ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~D. Accommodations for horses as an accessory use, in accordance with the following provisions:~~

- ~~1. The minimum lot size for accommodating one horse shall be three acres, and the minimum lot size for two horses shall be five acres. No more than two horses may be accommodated on any one property within the City.~~
- ~~2. All stables shall be located a minimum distance of 300 feet from any adjacent residential structure, excluding the structure of the applicant, and all corral areas shall be located a minimum distance of 200 feet from any adjacent residential structure, excluding the residence of the applicant.~~
- ~~3. All accommodations for horses shall occur within the rear yard of a residential lot.~~
- ~~4. Where an application for the boarding of a horse shall occur adjacent to a vacant lot, the City Council shall take into account a proper location of a future residence in considering the application.~~
- ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~E. Commercial outdoor recreational areas including golf courses and country clubs, swimming pools and similar facilities, provided that:~~

- ~~1. The principal use, function or activity is open, outdoor in character.~~
- ~~2. Not more than five percent of the land area of the site shall be covered by buildings or structures.~~
- ~~3. When abutting a residential use or a residential use district, the property is screened and landscaped for the protection of the abutting use.~~
- ~~4. The land area of the property containing such use or activity meets the minimum established for the district.~~
- ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~F. Governmental and public related utility buildings and structures necessary for the health, safety and general welfare of the City, provided that:~~

- ~~1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.~~
- ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~G. Planned unit development as regulated by Chapter 933 of this Ordinance.~~

952.06 Lot Area and Setback ~~Requirements~~Standards.

The following minimum requirements ~~shall~~must be met for all lot~~observed~~ in an the "R-1" District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

A. Minimum Lot Area Requirements:

1. Lot Area: 40,000 square feet.
2. Lot Width: 150 feet.

3. Lot Depth: 150 feet.

B. Minimum Setbacks:

1. Principal Structure:

- a) Front Yard: 45 feet.
- b) Side Yard: 20 feet.
- c) Rear Yard: 50 feet.

2. Accessory Structure(s):

- a) Front Yard: 50 feet.
- b) Side Yard: ~~Ten~~ 10 feet.
- c) Rear Yard: ~~Ten~~ 10 feet.

C. Structures Adjacent to a Shoreline Used Exclusively for the Storage of Watercraft:

- 1. Side Yard: ~~Ten~~ 10 feet.
- 2. Rear Yard: None required.

952.07 Lot Coverage, Impervious Surfaces and Height.

The following lot coverage, impervious surface and height ~~requirements shall be observed~~ limits apply in an "R-1" District:

- A. Lot coverage ~~shall~~ may not exceed 15 percent of lot area. Impervious surfaces on a lot ~~shall~~ may not exceed 25 percent of ~~the~~ lot area.
- B. ~~All~~ Single family residences ~~shall be limited to~~ may not exceed a ~~maximum~~ height of three stories ~~and or~~ 40 feet, ~~whichever is lesser~~.
- C. ~~All~~ accessory buildings ~~shall be limited to~~ may not exceed a ~~maximum~~ height of two stories ~~and or~~ 25 feet, ~~whichever is lesser~~.

CHAPTER 953 R-2A SINGLE FAMILY RESIDENTIAL DISTRICT

953.01 Purpose.

The purpose of the R-2A Single Family Residential District is to provide for low to medium density single family detached dwelling units, accessory dwelling units, and directly related, complementary uses.

953.02 Permitted Use.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in the "R-2A" District are listed in the Table shown in Section 937.02 of this Ordinance.

- ~~A. Single family detached dwellings.~~
- ~~B. Essential services.~~
- ~~C. Day care facilities serving 12 or fewer persons.~~
- ~~D. Residential care facilities serving six or fewer persons.~~

953.03 Interim Use.

~~No interim uses are allowed in the R-2A District. Subject to applicable provisions of this Ordinance, the following are interim uses in the R-2A District and are governed by Chapter 934 of this Ordinance:~~

- ~~A. None.~~

953.04 Accessory Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted accessory uses in the "R-2A" District are listed in the Table shown in Section 937.02 of this Ordinance.

- ~~A. Tool houses, sheds and other such structures for the storage of domestic supplies and equipment.~~
- ~~B. Private garages and off-street parking.~~
- ~~C. Greenhouses, provided they do not exceed 200 square feet in area.~~
- ~~D. Swimming pools.~~
- ~~E. Except as otherwise limited, private recreational facilities, only accessory to an existing principal permitted use on the same lot and which are operated for the enjoyment and convenience of the residents of the principal use and their occasional guests.~~
- ~~F. Accessory uses customarily incidental to the uses permitted in Sections 953.02 and 953.05 of this Ordinance.~~

953.05 Conditional Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ conditional uses in an "R-2A" District are listed in the Table shown in Section 937.02 of this Ordinance. ~~(Requires a All conditional use s require a conditional use permit based upon procedures and standards set forth in and regulated by Chapter 904 of this Ordinance.)~~

- ~~A. Off-site private recreational facilities, provided that:~~

- ~~1. Such use is accessory to one existing permitted principal use on an abutting lot or lot only separated by a public right of way. Said properties are tied together by a deed restriction recorded with the City and Hennepin County.~~
- ~~2. The properties upon which the private recreational facilities are to be located and upon which the permitted principal use is located, are under the same ownership. Said properties are tied together by a deed restriction recorded with the City and Hennepin County.~~
- ~~3. The uses and activities are operated only for the enjoyment and convenience of the residents of the principal use to which the property is tied and their occasional guests.~~
- ~~4. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

- ~~B. Public parks, playgrounds, cemeteries and memorial gardens, provided that:~~

- ~~1. The site is landscaped.~~

- ~~2. The use is available to the "public."~~
- ~~3. The land area of the property containing such use or activity meets the minimum established for the district.~~
- ~~4. The use meets the minimum setback requirements for accessory structures.~~
- ~~5. The site accesses on a collector or arterial street.~~
- ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~C. Governmental and public-related utility buildings and structures necessary for the health, safety and general welfare of the City, provided that:~~

- ~~1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.~~
- ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~D. Planned unit development as regulated by Chapter 933 of this Ordinance.~~

~~E. Tennis courts as an accessory use, provided that:~~

- ~~1. The use is not located within the front yard.~~
- ~~2. The courts shall be fenced in accordance with Chapter 918 of this Ordinance.~~
- ~~3. The courts shall meet the setback requirements for an accessory structure.~~
- ~~4. Any lighting used shall not allow the light to spread to adjoining properties.~~
- ~~5. A grading and drainage plan must be submitted and approved by the City Engineer.~~
- ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~F. Living quarters of persons employed on the premises, provided that:~~

- ~~1. Occupancy is limited to the principal structure.~~
- ~~2. Such accommodations are provided for no more than one family.~~
- ~~3. Two extra off-street parking spaces are provided on the lot.~~
- ~~4. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~G. Sailing School, provided the provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

953.06 Lot Area and Setback ~~Requirements~~Standards.

The following minimum requirements ~~shall~~must be ~~met for all lot~~observed in ~~an~~the "R-2A" District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

A. Minimum Lot Area Requirements:

1. Lot Area: 25,000 square feet.
2. Lot Width: 100 feet.
3. Lot Depth: 100 feet.

B. Minimum Setbacks:

1. Principal Structure:

- a) Front Yard: 30 feet.
- b) Side Yard: 15 feet.
- c) Rear Yard: 20 feet.

2. Accessory Structure(s):

- a) Front Yard: 35 feet.
- b) Side Yard: 15 feet.
- c) Rear Yard: ~~Five~~5 feet.

953.07 Lot Coverage, Lot Coverage and Height.

The following requirements ~~shall be observed~~limits apply in ~~an~~the "R-2A" District:

A. Lot coverage ~~shall~~may not exceed 20 percent of lot area. Impervious surfaces on a lot ~~shall~~may not exceed 30 percent of ~~the~~ lot area.

- B. ~~All~~ Single family residences shall be limited to may not exceed a maximum height of three stories ~~and or~~ 40 feet, ~~whichever is lesser~~.
- C. ~~All~~ accessory buildings, except for accessory dwelling units, shall be limited to may not exceed a maximum height of 20 feet.
- D. Detached accessory dwelling units may not exceed two stories or 25 feet.

CHAPTER 954 R-2 MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT

954.01 Purpose.

The purpose of the R-2 Medium Density Single Family Residential District is to provide for medium density single family detached dwelling units, accessory dwelling units, and directly related, complementary uses.

954.02 Permitted Use.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in the "R-2" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Single family detached dwellings.~~
- ~~B. Essential services.~~
- ~~C. Day care facilities serving 12 or fewer persons.~~
- ~~D. Residential care facilities serving six or fewer persons.~~

954.03 Interim Use.

~~No interim uses are allowed in the R-2 District. Subject to applicable provisions of this Ordinance, the following are interim uses in the R-2 District and are governed by Chapter 934 of this Ordinance:~~

- ~~A. None.~~

954.04 Accessory Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted accessory uses in the "R-2" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Tool houses, sheds and other such structures for the storage of domestic supplies and equipment.~~
- ~~B. Private garages and off-street parking.~~
- ~~C. Greenhouses, provided they do not exceed 200 square feet in area.~~
- ~~D. Swimming pools.~~
- ~~E. Except as otherwise limited, private recreational facilities, only accessory to an existing principal permitted use on the same lot and which are operated for the enjoyment and convenience of the residents of the principal use and their occasional guests.~~
- ~~F. Accessory uses customarily incidental to the uses permitted in Sections 954.02 and 954.05 of this Ordinance.~~

954.05 Conditional Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ conditional uses in an "R-2" District are listed in the Table shown in Section 937.02 of this Ordinance.: ~~(Requires a~~ All conditional use ~~s require a conditional use~~ permit based upon procedures and standards set forth in ~~and regulated by~~ Chapter 904 of this Ordinance.)

- ~~A. Off-site private recreational facilities, provided that:~~

- ~~1. Such use is accessory to one existing permitted principal use on an abutting lot or lot only separated by a public right-of-way. Said properties are tied together by a deed restriction recorded with the City and Hennepin County.~~
- ~~2. The properties upon which the private recreational facilities are to be located and upon which the permitted principal use is located, are under the same ownership. Said properties are tied together by a deed restriction recorded with the City and Hennepin County.~~
- ~~3. The uses and activities are operated only for the enjoyment and convenience of the residents of the principal use to which the property is tied and their occasional guests.~~
- ~~4. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

- ~~B. Public parks, playgrounds, cemeteries and memorial gardens, provided that:~~

- ~~1. The site is landscaped.~~
- ~~2. The use is available to the "public."~~

- ~~3. The land area of the property containing such use or activity meets the minimum established for the district.~~
- ~~4. The use meets the minimum setback requirements for accessory structures.~~
- ~~5. The site accesses on a minor arterial.~~
- ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~C. Governmental and public related utility buildings and structures necessary for the health, safety and general welfare of the City, provided that:~~

- ~~1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.~~
- ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~D. Planned unit development as regulated by Section 801.33 of this Ordinance.~~

~~E. Tennis courts as an accessory use, provided that:~~

- ~~1. The use is not located within the front yard.~~
- ~~2. The courts shall be fenced in accordance with Chapter 918 of this Ordinance.~~
- ~~3. The courts shall meet the setback requirements for an accessory structure.~~
- ~~4. Any lighting used shall not allow the light to spread to adjoining properties.~~
- ~~5. A grading and drainage plan must be submitted to and subject to approval of the City Engineer.~~
- ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~F. Living quarters of persons employed on the premises, provided that:~~

- ~~1. Occupancy is limited to the principal structure.~~
- ~~2. Such accommodations are provided for no more than one family.~~
- ~~3. Two extra off-street parking spaces are provided on the lot.~~
- ~~4. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

954.06 Lot Area and Setback ~~Requirements~~Standards.

The following minimum requirements ~~shall~~must be ~~met for all lot~~observed in ~~the~~an "R-2" District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

A. Minimum Lot Area Requirements:

1. Lot Area: 15,000 square feet.
2. Lot Width: 100 feet.
3. Lot Depth: 100 feet.

B. Minimum Setbacks:

1. Principal Structure:

- a) Front Yard: 25 feet.
- b) Side Yard: ~~Ten~~10 feet.
- c) Rear Yard: 20 feet.

2. Accessory Structure(s):

- a) Front Yard: 30 feet.
- b) Side Yard: ~~Five~~5 feet.
- c) Rear Yard: ~~Five~~5 feet.

954.07 Lot Coverage, Impervious Surfaces and Height.

The following ~~requirements shall be observed~~limits apply in ~~an~~the "R-2" District:

A. Lot coverage ~~shall~~may not exceed 20 percent of lot area. Impervious surfaces on a lot ~~shall~~may not exceed 30 percent of ~~the~~ lot area.

B. ~~All~~Single family residences ~~shall be limited to~~may not exceed a ~~maximum~~ height of 2½ stories ~~and or~~ 30 feet, ~~whichever is lesser~~.

- C. All ~~accessory buildings, except for accessory dwelling units, shall be limited to~~ may not exceed a ~~maximum~~ height of 20 feet.
- D. All detached accessory dwelling units may not exceed two stories or 25 feet.

CHAPTER 955 R-3A SINGLE AND TWO FAMILY RESIDENTIAL DISTRICT

955.01 Purpose.

The purpose of the R-3A Single and Two Family Residential District is to provide for high density single family dwelling units in the community's oldest neighborhoods and to introduce on a restricted basis, two family dwelling units, accessory dwelling units, and directly related, complementary uses.

955.02 Permitted Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in the "R-3A" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Single family detached dwellings.~~
- ~~B. Essential services.~~
- ~~C. Day care facilities serving 12 or fewer persons.~~
- ~~D. Residential care facilities serving six or fewer persons.~~
- ~~E. Public parks and playgrounds.~~

955.03 Interim Use.

~~No interim uses are allowed in the R-3A District. Subject to applicable provisions of this Ordinance, the following are interim uses in the R-3A District and are governed by Chapter 934 of this Ordinance:~~

- ~~A. None.~~

955.04 Accessory Uses.

Subject to applicable provisions of this Ordinance, the ~~following are permitted accessory uses in the~~ "R-3A" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Tool houses, sheds and other such structures for the storage of domestic supplies and equipment.~~
- ~~B. Private garages and off-street parking.~~
- ~~C. Greenhouses, provided they do not exceed 200 square feet in area.~~
- ~~D. Swimming pools.~~
- ~~E. Except as otherwise limited, private recreational facilities, only accessory to an existing principal permitted use on the same lot and which are operated for the enjoyment and convenience of the residents of the principal use and their occasional guests.~~
- ~~F. Accessory uses customarily incidental to the uses permitted in Sections 955.02 and 955.05 of this Ordinance.~~

955.05 Conditional Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ conditional uses in an "R-3A" District are listed in the Table shown in Section 937.02 of this Ordinance.: ~~(Requires a~~ All conditional uses require a conditional use permit based upon procedures and standards set forth ~~and regulated by~~ Chapter 904 of this Ordinance.)

~~A. Governmental and public related utility buildings and structures necessary for the health, safety and general welfare of the City, provided that:~~

- ~~1. When abutting a residential use in a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.~~
- ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~B. Planned unit development as regulated by Section 801.33 of this Ordinance.~~

~~C. Tennis courts as an accessory use, provided that:~~

- ~~1. The use is not located within the front yard.~~
- ~~2. The courts shall be fenced in accordance with Chapter 918 of this Ordinance.~~
- ~~3. The courts shall meet the setback requirements for an accessory structure.~~

- ~~4. Any lighting used shall not allow the light to spread to adjoining properties.~~
- ~~5. A grading and drainage plan must be submitted and approved by the City Engineer.~~
- ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~D. Two family detached dwellings, provided that:~~

- ~~1. They are located and designed so as to be compatible with the surrounding neighborhood.~~
- ~~2. The provisions of Section 904.02.F of this Ordinance are considered satisfactorily met.~~

955.06 Lot Area and Setback ~~Requirements~~Standards.

The following minimum requirements ~~shall must~~ be met for all lotsebserved in ~~an the~~ "R-3A" District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

A. Minimum Lot Area Requirements:

1. Single Family:
 - a) Minimum Lot Area: 9,000 square feet.
 - b) Minimum Lot Width: 60 feet.
 - c) Minimum Lot Depth: 100 feet.
2. Two Family:
 - a) Minimum Lot Area: 18,000 square feet.
 - b) Minimum Lot Area Per Unit: 9,000 square feet.
 - c) Minimum Lot Width: 100 feet.
 - d) Minimum Lot Depth: 100 feet.

B. Minimum Setbacks:

1. Principal Structure:
 - a) Front Yard: 20 feet.
 - b) Side Yard: ~~Ten-10~~ Five-5 feet.
 - c) Rear Yard: 20 feet.
 - d) Corner Lots: Lots fronting two principal streets shall be considered corner lots, and shall have a minimum of a 20 foot setback for both the front yard and side yard which abut a principal street. For corner lots that have less than 60 feet in width, the rear yard setback may be reduced to ~~ten-10~~ five-5 feet, and the inside side yard (non-principal street fronting) may be reduced to five-5 feet.
2. Accessory Structure(s):
 - a) Front Yard: 20 feet.
 - b) Side Yard: Five-5 feet.
 - c) Rear Yard: Five-5 feet.

955.07 Lot Coverage, Impervious Surfaces and Height.

The following lot coverage, impervious surfaces and height ~~requirements shall be observed~~limits apply in an "R-3A" District:

- A. Lot coverage ~~shall may~~ not exceed 30 percent of lot area. Impervious surfaces on a lot ~~shall may~~ not exceed 35 percent of ~~the~~ lot area.
- B. All residences ~~shall be limited to may not exceed~~ a ~~maximum~~ height of two stories ~~and or~~ 32 feet in vertical distance above the Grade Plane, as measured to the peak of the roof, ~~whichever is lesser~~.
- C. ~~All residential~~ accessory buildings, except for accessory dwelling units, ~~shall be limited to may not exceed~~ a ~~maximum~~ height of 20 feet.
- D. Detached accessory dwelling units may not exceed two stories or 25 feet.

CHAPTER 956 R-3 SINGLE AND TWO FAMILY RESIDENTIAL DISTRICT

956.01 Purpose.

The purpose of the R-3 Single Family and Two Family Residential District is to provide for high density single family dwelling units and to introduce on a restricted basis, two family dwelling units, accessory dwelling units, and directly related, complementary uses.

956.02 Permitted Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in the "R-3" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Single family detached dwellings.~~
- ~~B. Essential services.~~
- ~~C. Day care facilities serving 12 or fewer persons.~~
- ~~D. Residential care facilities serving six or fewer persons.~~
- ~~E. Public parks and playgrounds.~~

956.03 Interim Use.

~~No interim uses are allowed in the R-3 District. Subject to applicable provisions of this Ordinance, the following are interim uses in the R-3 District and are governed by Chapter 934 of this Ordinance:~~

- ~~A. None.~~

956.04 Accessory Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted accessory uses in the "R-3" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Tool houses, sheds and other such structures for the storage of domestic supplies and equipment.~~
- ~~B. Private garages and off-street parking.~~
- ~~C. Greenhouses, provided they do not exceed 200 square feet in area.~~
- ~~D. Except as otherwise limited, private recreational facilities, only accessory to an existing principal permitted use on the same lot and which are operated for the enjoyment and convenience of the residents of the principal use and their occasional guests.~~
- ~~E. Accessory uses customarily incidental to the uses permitted in Sections 956.02 and 956.05 of this Ordinance.~~

956.05 Conditional Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ conditional uses in an "R-3" District are listed in the Table shown in Section 937.02 of this Ordinance.: ~~(Requires a~~ All conditional use ~~s require a conditional use~~ permit based upon procedures and standards set forth ~~and regulated by~~ Chapter 904 of this Ordinance.)

~~A. Governmental and public related utility buildings and structures necessary for the health, safety and general welfare of the City, provided that:~~

- ~~1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.~~
- ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~B. Planned unit development as regulated by Chapter 933 of this Ordinance.~~

~~C. Tennis courts as an accessory use, provided that:~~

- ~~1. The use is not located within the front yard.~~
- ~~2. The courts shall be fenced in accordance with Chapter 918 of this Ordinance.~~
- ~~3. The courts shall meet the setback requirements for an accessory structure.~~
- ~~4. Any lighting used shall not allow the light to spread to adjoining properties.~~
- ~~5. A grading and drainage plan must be submitted and approved by the City Engineer.~~
- ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~D. Two family detached dwellings, provided that:~~

- ~~1. They are located and designed so as to be compatible with the surrounding neighborhood.~~
- ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

956.06 Lot Area and Setback ~~Requirements~~Standards.

The following minimum requirements ~~shall must~~ be ~~met for all lotsebserved~~ in ~~an the~~ "R-3" District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

A. Minimum Lot Area Requirements:

1. Single Family:
 - a) Minimum Lot Area: 9,000 square feet.
 - b) Minimum Lot Width: 60 feet.
 - c) Minimum Lot Depth: 100 feet.
2. Two Family:
 - a) Minimum Lot Area: 18,000 square feet.
 - b) Minimum Lot Area Per Unit: 9,000 square feet.
 - c) Minimum Lot Width: 100 feet.
 - d) Minimum Lot Depth: 100 feet.

B. Minimum Setbacks:

1. Single Family, Two Family:
 - a) Front Yard: 20 feet.
 - b) Side Yard: ~~Ten~~10 feet.
 - c) Rear Yard: 20 feet.
2. Accessory Structure(s):
 - a) Front Yard: 20 feet.
 - b) Side Yard: ~~Five~~5 feet.
 - c) Rear Yard: ~~Five~~5 feet.

956.07 Lot Coverage, Impervious Surfaces and Height.

The following lot coverage, impervious surfaces and height requirements ~~shall be observed~~limits apply in ~~the an~~ "R-3" District:

- A. Lot coverage ~~shall may~~ not exceed 30 percent of lot area. Impervious surfaces on a lot ~~shall may~~ not exceed 35 percent of ~~the~~ lot area.
- B. ~~All R~~residences ~~shall be limited to may not exceed~~ a ~~maximum~~ height of 2½ stories ~~and or~~ 30 feet, ~~whichever is lesser~~.
- C. ~~All residential~~ accessory buildings, except for accessory dwelling units, shall be limited to may not exceed a ~~maximum~~ height of 20 feet.
- D. Detached accessory dwelling units may not exceed two stories or 25 feet.

CHAPTER 957 R-4A LOW TO MEDIUM DENSITY MULTIPLE RESIDENTIAL DISTRICT

957.01 Purpose.

The R-4A District is intended to provide a district which will allow low to medium density ~~single family~~, two family dwellings, townhouses and cluster housing in those areas where such development properly relates to other land uses and major streets, or where said use may act as a transition between land uses.

957.02 Permitted Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in the "R-4A" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Single family detached dwellings.~~
- ~~B. Essential services.~~
- ~~C. Day care facilities serving 12 or fewer persons.~~
- ~~D. Residential care facilities serving six or fewer persons.~~
- ~~E. Public parks and playgrounds.~~
- ~~F. Townhouses.~~
- ~~G. Two family dwellings.~~

957.03 Interim Use.

~~No interim uses are allowed in the R-4A District. Subject to applicable provisions of this Ordinance, the following are interim uses in the R-4A District and are governed by Chapter 934 of this Ordinance:~~

- ~~A. None.~~

957.04 Accessory Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted accessory uses in an "R-4A" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Tool houses, sheds and other such structures for the storage of domestic supplies and equipment.~~
- ~~B. Private garages and off-street parking.~~
- ~~C. Except as otherwise limited, private recreational facilities, only accessory to an existing principal permitted use on the same lot and which are operated for the enjoyment and convenience of the residents of the principal use and their occasional guests.~~
- ~~D. Accessory uses customarily incidental to the uses permitted in Sections 957.02 and 957.05 of this Ordinance.~~
- ~~E. Off-street loading areas.~~

957.05 Conditional Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ conditional uses in an "R-4A" District are listed in the Table shown in Section 937.02 of this Ordinance.: ~~(Requires a All conditional use s require a conditional use based upon procedures and standards set forth in and regulated by Chapter 904 of this Ordinance.)~~

- ~~A. Swimming pools as an accessory use, provided that:~~

- ~~1. The use is fenced in accordance with Chapter 918 of this Ordinance.~~
- ~~2. The use is not located within the front yard.~~
- ~~3. The use shall meet setbacks for accessory structures.~~
- ~~4. All City permits are obtained for the use.~~
- ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

- ~~B. Tennis courts as an accessory use, provided that:~~

- ~~1. The use is not located within the front yard.~~
- ~~2. The courts shall be fenced in accordance with Chapter 918 of this Ordinance.~~

- ~~3. The courts shall meet the setback requirements for an accessory structure.~~
- ~~4. Any lighting used shall not allow the light to spread to adjoining properties.~~
- ~~5. A grading and drainage plan must be submitted and approved by the City Engineer.~~
- ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~C. Governmental and public related utility buildings and structures necessary for the health safety and general welfare of the City, provided that:~~

- ~~1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.~~
- ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~D. Planned unit development as regulated by Chapter 933 of this Ordinance.~~

957.06 Lot Area and Setback ~~Requirements~~Standards.

The following minimum requirements ~~shall must~~ be met for all lot~~observed in an the~~ "R-4A" District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

A. Minimum Lot Area Requirements:

1. Single Family:

- ~~a) Minimum Lot Area: 12,000 square feet.~~
- ~~b) Minimum Lot Width: 80 feet.~~
- ~~c) Minimum Lot Depth: 100 feet.~~

12. Two Family:

- a) Minimum Total Lot Area: 1824,000 square feet.
- b) Minimum Lot Area Per Dwelling Unit: 429,000 square feet.
- ~~c) Minimum Lot Width: 100 feet.~~

23. Townhouses:

- a) Minimum Total Lot Area: 3021,000 square feet.
- b) Minimum Lot Area Per Dwelling Unit: 407,000 square feet.
- ~~c) Minimum Lot Width: 120 feet.~~

B. Minimum Setbacks:

1. Single Family, Two Family Principal Structure(s):

- a) Front Yard: 30 feet.
- b) Side Yard: ~~Ten~~ 10 feet.
- c) Rear Yard: 20 feet.

2. Townhouses:

- ~~a) Front Yard Setback: 35 feet.~~
- ~~b) Side Yard Setback: 20 feet.~~
- ~~c) Rear Yard Setback: 40 feet.~~

23. Accessory Structure(s):

- a) Front Yard Setback: 40 feet.
- b) Side Yard Setback: ~~Ten~~ 10 feet.
- c) Rear Yard Setback: ~~Ten~~ 10 feet.

C. Should a structure containing four or more units be built upon property which abuts property zoned and used for a less intensive use, yard and setback requirements where the properties are contiguous shall conform to those which would be required in the zoning district which calls for the greater setbacks.

957.07 Lot Coverage, Impervious Surfaces and Height.

The following lot coverage, impervious surfaces and height ~~requirements shall be observed in limits apply an-in the~~ "R-4A" District:

A. Lot coverage ~~and impervious surface shall may~~ not exceed 35 percent of lot area. Impervious surfaces may not exceed 35 percent of lot area.

B. ~~All-B~~buildings ~~shall be limited to may not exceed~~ a ~~maximum~~ height of 2½ stories ~~and-or~~ 305 feet, ~~whichever is lesser.~~

CHAPTER 958 R-4 MEDIUM DENSITY MULTIPLE RESIDENTIAL DISTRICT

958.01 Purpose.

The R-4 District is intended to provide a district which will allow medium density ~~one or~~ two family dwellings, townhouses and ~~cluster multiple dwelling~~ housing in those areas where such development properly relates to other land uses and thoroughfares, or where said use may act as a transition between land uses.

958.02 Permitted Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in the "R-4" District ~~are listed in the Table shown in Section 937.02 of this Ordinance.:~~

- ~~A. Single family detached dwellings.~~
- ~~B. Essential services.~~
- ~~C. Day care facilities serving 12 or fewer persons.~~
- ~~D. Residential care facilities serving six or fewer persons.~~
- ~~E. Public parks and playgrounds.~~
- ~~F. Townhouses.~~
- ~~G. Two family dwellings.~~

958.03 Interim Use.

~~No interim uses are allowed in the R-4 District. Subject to applicable provisions of this Ordinance, the following are interim uses in the R-4 District and are governed by Chapter 934 of this Ordinance:~~

- ~~A. None.~~

958.04 Accessory Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted accessory uses in an "R-4" District ~~are listed in the Table shown in Section 937.02 of this Ordinance.:~~

- ~~A. Tool houses, sheds and other such structures for the storage of domestic supplies and equipment.~~
- ~~B. Private garages and off-street parking.~~
- ~~C. Except as otherwise limited, private recreational facilities, only accessory to an existing principal permitted use on the same lot and which are operated for the enjoyment and convenience of the residents of the principal use and their occasional guests.~~
- ~~D. Accessory uses customarily incidental to the uses permitted in Sections 801.58.2 and 801.58.5 of this Ordinance.~~
- ~~E. Off-street loading areas.~~

958.05 Conditional Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ conditional uses in an "R-4" District ~~are listed in the Table shown in Section 937.02 of this Ordinance.:~~ ~~(Requires a~~ conditional use ~~s require a conditional use~~ based upon procedures set forth in ~~and regulated by~~ Chapter 904 of this Ordinance.)

- ~~A. Swimming pools as an accessory use, provided that:~~

- ~~1. The use is fenced in accordance with Chapter 918 of this Ordinance.~~
- ~~2. The use is not located within the front yard.~~
- ~~3. The use shall meet setbacks for accessory structures.~~
- ~~4. All City permits are obtained for the use.~~
- ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

- ~~B. Tennis courts as an accessory use, provided that:~~

- ~~1. The use is not located within the front yard.~~
- ~~2. The courts shall be fenced in accordance with Chapter 918 of this Ordinance.~~
- ~~3. The courts shall meet the setback requirements for an accessory structure.~~

- ~~4. Any lighting used shall not allow the light to spread to adjoining properties.~~
- ~~5. A grading and drainage plan must be submitted and approved by the City Engineer.~~
- ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~C. Governmental and public related utility buildings and structures necessary for the health safety and general welfare of the City, provided that:~~

- ~~1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Section 801.18 of this Ordinance.~~
- ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~D. Planned unit development as regulated by Chapter 933 of this Ordinance.~~

958.06 Lot Area and Setback ~~Requirements~~Standards.

The following minimum requirements ~~shall~~must be ~~met for all lot~~observed in ~~an the~~ R-4 District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

A. Minimum Lot Area Requirements:

1. Single Family:

- ~~a) Minimum Lot Area: 9,000 square feet.~~
- ~~b) Minimum Lot Width: 60 feet.~~
- ~~c) Minimum Lot Depth: 100 feet.~~

12. Two Family:

- ~~a) Minimum Total Lot Area: 148,000 square feet.~~
- ~~b) Minimum Lot Area Per Dwelling Unit: 79,000 square feet.~~
- ~~c) Minimum Lot Width: 100 feet.~~

23. Townhouses:

- ~~a) Minimum Total Lot Area: 1527,000 square feet.~~
- ~~b) Minimum Lot Area Per Dwelling Unit: 59,000 square feet.~~
- ~~c) Minimum Lot Width: 100 feet.~~

3. Multiple Family Dwellings:

- ~~a) Minimum Total Lot Area: 30,000 square feet.~~
- ~~b) Minimum Lot Area per Dwelling Unit: 3,750 square feet.~~

4. Multiple Family Dwelling-Elderly Housing:

- ~~a) Minimum Total Lot Area: 30,000 square feet.~~
- ~~b) Minimum Lot Area per Dwelling Unit: 3,750 square feet.~~

B. Minimum Setbacks:

1. ~~Single Family, Two Family~~Principal Structure(s):

- ~~a) Front Yard: 20 feet.~~
- ~~b) Side Yard: Ten-10 feet.~~
- ~~c) Rear Yard: 2010 feet.~~

2. Townhouses:

- ~~a) Front Yard Setback: 35 feet.~~
- ~~b) Side Yard Setback: 20 feet.~~
- ~~c) Rear Yard Setback: 40 feet.~~

23. Accessory Structure(s):

- ~~a) Front Yard Setback: 240 feet.~~
- ~~b) Side Yard Setback: Ten-5 feet.~~
- ~~c) Rear Yard Setback: Ten-5 feet~~

- C. Should a structure containing four or more units be built upon property which abuts property zoned and used for a less intensive use, yard and setback requirements where the properties are contiguous shall conform to those which would be required in the zoning district which calls for the greater setbacks.

958.07 Lot Coverage, Impervious Surfaces and Height.

The following lot coverage, impervious surfaces and height ~~requirements shall be observed in~~
~~an~~ limits apply in the "R-4" District:

- A. Lot coverage ~~and impervious surface shall may~~ not exceed 35 percent of lot area. Impervious surfaces shall not exceed 45 percent of the lot area.
- B. ~~All buildings-Buildings shall be limited to may not exceed~~ a ~~maximum~~ height of 32½ stories ~~and of~~
35 feet, ~~whichever is lesser.~~

CHAPTER 959 R-5 ~~AVERAGE~~HIGH DENSITY MULTIPLE RESIDENTIAL DISTRICT

959.01 Purpose.

The R-5 District is intended to provide a general multiple residence district of average-high density in those areas where such development property relates to other land uses and thorough fares, or where said use may act as a transition between land uses.

959.02 Permitted Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in the "R-5" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Single family detached dwellings.~~
- ~~B. Essential services.~~
- ~~C. Day care facilities serving 12 or fewer persons.~~
- ~~D. Residential care facilities serving six or fewer persons in single family detached dwellings.~~
- ~~E. Public parks and playgrounds.~~
- ~~F. Townhouses.~~
- ~~G. Two family dwellings.~~
- ~~H. Multiple family dwellings.~~
- ~~I. Manor homes.~~
- ~~J. Quadraminiums.~~
- ~~K. Residential care facilities in multiple family structures having 16 or fewer persons.~~

959.03 Interim Use.

~~No interim uses are allowed in the R-5 District. Subject to applicable provisions of this Ordinance, the following are interim uses in the R-5 District and are governed by Chapter 934 of this Ordinance:~~

- ~~A. None.~~

959.04 Accessory Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted accessory uses in an "R-5" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Tool houses, sheds and other such structures for the storage of domestic supplies and equipment.~~
- ~~B. Private garages and off-street parking.~~
- ~~C. Living quarters of persons employed on the premises.~~
- ~~D. Except as otherwise limited, private recreational facilities, only accessory to an existing principal permitted use on the same lot and which are operated for the enjoyment and convenience of the residents of the principal use and their occasional guests.~~
- ~~E. Accessory uses customarily incidental to the uses permitted in Sections 959.02 and 959.05 of this Ordinance.~~
- ~~F. Off-street loading areas.~~

959.05 Conditional Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ conditional uses in an "R-5" District are listed in the Table shown in Section 937.02 of this Ordinance.: ~~(Requires a~~ s require a conditional use ~~permit based upon procedures set forth in an regulated by~~ Chapter 904 of this Ordinance.)

- ~~A. Swimming pools as an accessory use, provided that:~~

- ~~1. The use is fenced in accordance with Chapter 918 of this Ordinance.~~
- ~~2. The use is not located within the front yard.~~
- ~~3. The use shall meet setbacks for accessory structures.~~
- ~~4. All City permits are obtained for the use.~~
- ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~B. Halfway houses, as defined in Chapter 902 of this Ordinance, provided that:~~

- ~~1. The use is licensed by the State.~~
- ~~2. Provisions are made to ensure compatibility with surrounding uses.~~
- ~~3. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~C. Housing for the elderly, as defined by Section 902.02 of this Ordinance, in accordance with the following special provisions:~~

- ~~1. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~D. Governmental and public-related utility buildings and structures necessary for the health safety and general welfare of the City, provided that:~~

- ~~1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.~~
- ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~3. Planned unit development as regulated by Chapter 933 of this Ordinance.~~

959.06 Lot Area and Setback ~~Requirements~~Standards.

The following minimum requirements ~~shall~~must be ~~met for all lot~~observed in ~~an~~the "R-5" District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

A. Minimum Lot Area Requirements:

~~1. Single Family:~~

- ~~a) Minimum Lot Area: 9,000 square feet.~~
- ~~b) Minimum Lot Width: 60 feet.~~
- ~~c) Minimum Lot Depth: 100 feet.~~

~~2. Two Family:~~

- ~~a) Minimum Lot Area Per Dwelling Unit: 5,300 square feet.~~
- ~~b) Minimum Total Lot Area: 10,600 square feet.~~

~~3. Townhouses, Quadraminiums, Manor Homes:~~

- ~~a) Minimum Lot Area Per Dwelling Unit: 5,300 square feet.~~
- ~~b) Minimum Total Lot Area: 10,600 square feet.~~

14. Multiple Family Dwellings:

- a) Minimum Lot Area Per Dwelling Unit: 2,~~500~~175 square feet.
- b) Minimum Total Lot Area: 20,000 square feet.

25. Multiple Family Dwelling-Elderly Housing:

- a) Minimum Lot Area Per Dwelling Unit: 1,000 square feet per unit.
- b) Minimum Total Lot Area: 20,000 square feet.

B. Minimum Setbacks:

1. ~~Single Family, Two Family~~Principal Structure(s):

- a) Front Yard: 20 feet.
- b) Side Yard: ~~Ten~~10 feet.
- c) Rear Yard: ~~20~~10 feet.

2. Accessory Structure(s):

- a) Front Yard: 20 feet.
- b) Side Yard: ~~Five~~5 feet.
- c) Rear Yard: ~~Five~~5 feet.

959.07 Schedule of Allowances.

Except for elderly housing, the lot areas per multiple family dwelling unit prescribed above shall be further subject to the following schedule of allowances, which shall be added to or subtracted from the minimum lot area per dwelling unit as prescribed, thereby relating density requirements to the location, use and access provided the property.

- A. For each parking space provided under the living area of a building or underground subtract 300 square feet.
- B. ~~If an adjacent site is zoned R-1A, R-1, R-2A, R-2, R-3A or R-3 Residential use, add 300 square feet per unit for that portion of any building within 200 feet of said district. If the project includes a renewable energy component or meets a sufficient energy certification as defined by the City's Sustainability Policy that produces 100% of the energy usage per unit, subtract 300 square feet per unit.~~
- C. ~~If an adjacent site is zoned for commercial use, subtract 300 square feet per unit for that portion of any building within 200 feet of said district. If the project includes affordable housing units as defined by the City's Affordable Housing Policy, subtract 300 square feet per unit.~~
- D. ~~For each unit containing bedrooms in excess of two, add 300 square feet.~~
- E. The maximum allowance which may be subtracted under Section 959.07.A and ~~B~~C shall be ~~675~~500 square feet per unit.

959.08 Lot Coverage, Impervious Surfaces and Height ~~and Bulk~~.

The following lot coverage, imperious surfaces and height ~~and bulk requirements shall be observed~~ limits apply in the "R-5" District:

- A. Lot coverage ~~shall~~ may not exceed ~~43~~0 percent of lot area. Impervious surfaces on a lot ~~shall~~ may not exceed ~~35~~0 percent of the lot area.
- B. ~~The maximum floor area ration (F.A.R.) shall be 0.7.~~
- ~~B~~C. All ~~B~~ buildings ~~shall be limited to~~ may not exceed a ~~maximum~~ height of three stories ~~and or~~ 35 feet, ~~whichever is lesser.~~

CHAPTER 970 INS INSTITUTIONAL DISTRICT

970.01 - Purpose.

The INS District is intended to provide a district for facilities devoted to serving the public. It is unique in that the primary objective of uses within this district is the provision of services, frequently on a non-profit basis, rather than the sale of goods or services. It is intended that uses within such a district will be compatible with adjoining development, and they normally will be located on an arterial street or thoroughfare.

970.02 - Permitted Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in the INS District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Pre-school, elementary, junior or senior high schools having a regular course of study accredited by the State of Minnesota.~~
- ~~B. Religious institutions, such as churches, chapels, temples and synagogues.~~
- ~~C. Publicly owned civic or cultural buildings, such as libraries, City offices, auditoriums, public administration buildings, public parking structures as a principal and sole use, and historical developments.~~

970.03 - Interim Use.

~~No interim uses are allowed in the INS District. Subject to applicable provisions of this Ordinance, the following are interim uses in the INS District and are governed by Chapter 934 of this Ordinance:~~
~~None.~~

970.04 - Accessory Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted accessory uses in the INS District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Accessory uses customarily incidental to the uses permitted in Sections 970.02 and 970.05 of this Ordinance.~~
- ~~B. Parks, playgrounds or athletic fields.~~
- ~~C. Off-street parking and loading areas.~~

970.05 - Conditional Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ conditional uses in an INS District are listed in the Table shown in Section 937.02 of this Ordinance.: ~~(Requires a All conditional use s require a conditional use permit based upon procedures set forth in and regulated by Chapter 904 of this Ordinance.)~~

- ~~A. Automobile parking lots as a principal use, provided that:~~
 - ~~1. The use and design is in conformance with Chapter 920 of this Ordinance.~~
 - ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~B. Cemeteries or memorial gardens, provided that:~~
 - ~~1. The site is landscaped.~~
 - ~~2. The use is available to the "public."~~

- ~~3. The land area of the property containing such use or activity meets the minimum established for the district.~~
 - ~~4. The use meets the minimum setback requirements for accessory structures.~~
 - ~~5. The site accesses on a collector or arterial street.~~
 - ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~C. Colleges, seminaries and other institutions of higher education, provided that:~~
- ~~1. Adequate parking is provided in conformance with Chapter 920 of this Ordinance.~~
 - ~~2. Provisions are made to buffer and screen any surrounding residential uses.~~
 - ~~3. The site is served by an arterial or collector street of sufficient capacity to accommodate traffic which will be generated.~~
 - ~~4. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~D. Community centers, provided that:~~
- ~~1. Adequate screening from abutting and adjoining residential uses and landscaping is provided.~~
 - ~~2. Adequate off-street parking and access is provided and that such parking is adequately screened and landscaped from adjoining and abutting residential uses.~~
 - ~~3. Adequate off-street loading and service entrances are provided and regulated where applicable by Chapter 920 of this Ordinance.~~
 - ~~4. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~E. Hospitals and residential care facilities including extended care facilities for mentally retarded, rest homes and care for the aged, ill and infirmed, provided that:~~
- ~~1. Interior side yards are screened.~~
 - ~~2. Only the rear yard shall be used for play or recreational areas. Said area shall be fenced and controlled and screened in compliance with Chapter 918 of this Ordinance.~~
 - ~~3. The site shall be served by an arterial or collector street of sufficient capacity to accommodate traffic which will be generated.~~
 - ~~4. All signing and informational or visual communication devices shall be in compliance with Chapter 927 of this Ordinance.~~
 - ~~5. All state laws and statutes governing such use are strictly adhered to and all required operating permits are secured.~~

- ~~6. Adequate off-street parking is provided in compliance with Chapter 920 of this Ordinance.~~
 - ~~7. Off-street loading space in compliance with Chapter 920 of this Ordinance is provided.~~
 - ~~8. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- F. ~~Housing for the elderly, provided that:~~
- ~~1. The development is in conformance to standards established in Section 959.06 of this Ordinance.~~
 - ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- G. ~~Halfway houses, provided that:~~
- ~~1. The use is licensed by the State.~~
 - ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- H. ~~Living quarters which are provided as an accessory use to a principal use in Section 970.02 or to a conditional use in this Section, provided that:~~
- ~~1. The use shall not be used as rental property.~~
 - ~~2. A maximum of one such dwelling shall be allowed.~~
 - ~~3. There shall be a demonstrated and documented need for such a facility.~~
 - ~~4. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- I. ~~Governmental and public related utility buildings and structures necessary for the health safety and general welfare of the City, provided that:~~
- ~~1. Equipment and vehicles are completely enclosed in a permanent structure or if stored outside, are screened and landscaped from neighboring uses as provided in Chapter 918 of this Ordinance.~~
 - ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- J. ~~Public recreational facilities, provided that:~~
- ~~1. The site is landscaped.~~
 - ~~2. The use is available to the "public."~~
 - ~~3. The land area of the property containing such use or activity meets the minimum established for the district.~~
 - ~~4. The use meets the minimum setback requirements for accessory structures.~~

~~5. The site accesses on a minor arterial.~~

~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~K. Single family or two family residential dwellings, provided that:~~

~~1. The development shall be in compliance with the provisions of the R-3 Zoning District.~~

~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~L. The lot area requirement for permitted uses may be reduced, provided that:~~

~~1. The use existed prior to July 1, 1990.~~

~~2. Compatibility with surrounding existing and potential uses is maintained.~~

~~3. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~M. Other uses of the same general character as those listed in Sections 970.02, 970.04 and 970.05 of this Ordinance.~~

~~N. Planned unit development as regulated by Chapter 933 of this Ordinance.~~

970.06 - Lot Area and Setback ~~Requirements~~Standards.

The following minimum requirements ~~shall~~must be met for all lot observed in ~~an~~the "INS" District subject to additional requirements, exceptions, modifications set forth in this Ordinance:

A. Lot Area:

1. Minimum Site Area Requirements:

a) Religious Institutions: ~~Three~~3 acres.

b) Elementary Schools: 15 acres.

c) Junior High Schools: 30 acres.

d) Senior High Schools: 50 acres.

e) Hospitals: ~~Ten~~10 acres.

f) Community Centers: ~~Three~~3 acres.

g) Public Parking Structure: ~~One~~1 acre.

2. All school area requirements prescribed above may be reduced if and when the site is combined with or included within a neighborhood park.

B. Minimum Setbacks:

1. Schools:

a) Front Yard: 50 feet.

- b) Side Yard: 100 feet.
 - c) Rear Yard: 100 feet.
- 2. Hospitals:
 - a) Front Yard: 50 feet.
 - b) Side Yard: 100 feet.
 - c) Rear Yard: 100 feet.
- 3. Public Works Facilities:
 - a) Front Yard: 50 feet.
 - b) Side Yard: 100 feet.
 - c) Rear Yard: 100 feet.
- 4. Public Parking Structures: There shall be no minimum front yard, side yard or rear yard setback requirements, except that there shall be a minimum required setback when such boundary is adjacent to a residential district. In which case, the minimum required setback shall be the same as the setback for the adjacent residential district. In addition, the minimum requirements of Section 970.06.B.6 do not apply to a public parking structure.
- 5. All Other Institutional Uses:
 - a) Front Yard: 50 feet.
 - b) Side Yard: 50 feet.
 - c) Rear Yard: 50 feet.
- 6. In addition to these minimum requirements, setbacks of buildings located within the Institutional District shall be at least equal to the height of such buildings.

970.07 - Lot Coverage and Height ~~Requirements~~.

The following lot coverage and height ~~requirements shall be observed~~limits apply in the "INS" District:

- A. The total lot coverage of all buildings ~~shall~~may not exceed 30 percent, except that rest homes and housing for the elderly ~~shall~~may not exceed a lot coverage of 40 percent, and public parking structures ~~shall~~may not exceed a lot coverage of 60 percent.
- B. ~~All~~P principal structures and their accessory buildings ~~shall be limited to~~may not exceed a ~~maximum~~ height of three stories ~~and or~~ 40 feet.

CHAPTER 974 C-1A NEIGHBORHOOD OFFICE AND LIMITED COMMERCIAL DISTRICT

974.01 Purpose.

The C-1A District is intended to provide a district which is related to and may reasonably adjoin residential districts for the location and development of limited office, service, and retail uses. The uses allowed in this district are those in which there is limited contact with the public and provide for mixed commercial and residential use.

974.02 Permitted Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in the C-1A District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Art galleries or studios.~~
- ~~B. Barber, beauty shops, and day spas.~~
- ~~C. Commercial/professional offices.~~
- ~~D. Day care facilities serving 12 or fewer persons.~~
- ~~E. Florist shops.~~
- ~~F. Interior decorating studios.~~
- ~~G. Mixed use buildings with a combination of residential and allowable retail, office and service use.~~
- ~~H. Municipal parks and playgrounds.~~
- ~~I. Photographic studios.~~
- ~~J. Residential use as a principal use subject to the density standards of the R-3 District.~~

~~All new residential buildings with a footprint of 3,000 square feet or more are encouraged to be developed with more than one use.~~

974.03 Interim Use.

~~No interim uses are allowed in the C-1A District. Subject to applicable provisions of this Ordinance, the following are interim uses in the C-1A District and are governed by Chapter 934 of this Ordinance:~~

- ~~A. None.~~

974.04 Accessory Uses.

Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in a C-1A District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Accessory uses and structures customarily incidental to the uses permitted in Section 974.02 and 974.05 of this Ordinance.~~
- ~~B. Off-Street Parking and Loading Areas and Structures. Parking of trucks used in the conduct of a permitted principal use, other than delivery trucks parked for not more than two consecutive hours, shall be limited to vehicles of not more than 12,000 pounds gross vehicle weight.~~
- ~~C. Enclosed storage of merchandise in either principal or accessory building, solely intended to be retailed by a related and established principal use.~~

974.05 Conditional Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ conditional uses in a C-1A District are listed in the Table shown in Section 937.02 of this Ordinance.: ~~(Requires a~~ All conditional uses require a conditional use permit based upon procedures and standards set forth in ~~and regulated by~~ Chapter 904 of this Ordinance.)

- ~~A. Automobile parking lots of four or more spaces as a principal use or other than those accessory to the principal use, provided that:~~

- ~~1. The provisions of Chapter 920 of this Ordinance are considered and satisfactorily met.~~
- ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

- ~~B. Governmental and public-related utility buildings and structures necessary for the health, safety, and general welfare of the City, provided that:~~

- ~~1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.~~
- ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~C. Existing clubs or lodges, provided that:~~

- ~~1. All State regulations are complied with including obtaining all required permits and/or licenses.~~
- ~~2. Parking and loading areas are in conformance with the parking and loading ordinances outlined in Chapter 920 of this Ordinance.~~
- ~~3. The parking and loading spaces shall not be located within the front yard of a lot and must meet all applicable provisions of the parking and loading ordinance.~~
- ~~4. The site shall be landscaped and screened in compliance with Chapter 918 of this Ordinance.~~
- ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~D. Planned unit development as regulated by Chapter 933 of this Ordinance.~~

~~E. Medical or Dental Clinics.~~

974.06 Yard and Setback ~~Requirements~~Standards.

The following minimum setback requirements ~~shall must~~ be met for all lot~~observed~~ in ~~a the~~ C-1A District, subject to additional requirements, exceptions, and modifications set forth in this Ordinance:

- A. Front Yard: 20 feet.
- B. Side Yard: ~~Ten~~10 feet.
- C. Side Yard: Directly abutting an R District. 20 feet.
- D. Rear Yard: 20 feet.

974.07 Lot Coverage, Floor Area Ratio, Height and Lot Area~~Bulk~~.

The following lot coverage, floor area ratio, height and lot area ~~and bulk shall be observed~~limits apply in ~~the a~~ C-1A District:

- A. Lot ~~c~~Coverage. ~~The maximum lot coverage of all buildings shall be~~ may not exceed 30 percent ~~of lot area~~.
- B. Floor Area ~~Ratio~~. ~~The maximum floor area ratio (F.A.R.) shall be~~ may not exceed 2.0.
- C. ~~Height~~. ~~All B~~buildings ~~shall be limited to~~ may not exceed a maximum height of 2.5 stories ~~and or~~ 30 feet, ~~whichever is lesser~~.
- D. ~~Lot Area~~. The minimum ~~total~~ lot area ~~shall must~~ be 9,000 square feet.

CHAPTER 975 C-1 OFFICE AND LIMITED COMMERCIAL DISTRICT

975.01 Purpose.

The C-1 District is intended to provide a district which is related to and may reasonably adjoin high density or other residential districts for the location and development of administrative office buildings and related office uses which are subject to more restrictive controls. The office uses allowed in this district are those in which there is limited contact with the public and no manufacture, exterior display or selling of merchandise to the general public.

975.02 Permitted Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in the "C-1" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Barber and beauty shops.~~
- ~~B. Commercial offices.~~
- ~~C. Interior decorating studios.~~
- ~~D. Medical offices or clinics.~~
- ~~E. Mortuaries or funeral homes.~~
- ~~F. Music or dance studios.~~
- ~~G. Photographic or art studios.~~
- ~~H. Municipal parks and playgrounds.~~
- ~~I. Residential use as a principal use subject to the density standards of the R-3 District.~~
- ~~J. Mixed use buildings with upper story residential and ground floor office/service commercial use.~~
- ~~K. All new residential buildings with a footprint of 3,000 square feet or more shall be developed with more than one use.~~

975.03 Interim Use.

No interim uses are allowed in the C-1 District. ~~Subject to applicable provisions of this Ordinance, the following are interim uses in the C-1 District and are governed by Chapter 934 of this Ordinance:~~

- ~~A. None.~~

975.04 Accessory Uses.

Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in thea "C-1" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Accessory uses and structures customarily incident to the uses permitted in Sections 975.02 and 975.05 of this Ordinance.~~
- ~~B. Off-Street Parking and Loading Areas and Structures. Parking of trucks used in the conduct of a permitted principal use, other than delivery trucks parked for not more than two consecutive hours, shall be limited to vehicles of not more than 12,000 pounds gross vehicle weight.~~
- ~~C. Enclosed storage of merchandise in either principal or accessory building, solely intended to be retailed by a related and established principal use.~~

975.05 Conditional Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ conditional uses in thea "C-1" District are listed in the Table shown in Section 937.02 of this Ordinance. (Requires a conditional use permit based upon procedures set forth in and regulated by Chapter 904 of this Ordinance.)

~~A. Automobile parking lots of four or more spaces as a principal use or other than those accessory to the principal use, provided that:~~

- ~~1. The provisions of Chapter 920 of this Ordinance are considered and satisfactorily met.~~
- ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~B. Banks or savings and loan institutions, not including drive-in facilities, provided that:~~

- ~~1. The services which are provided are for the local area rather than the region.~~
- ~~2. The traffic generated will not raise traffic volumes beyond the capacity of the surrounding streets.~~
- ~~3. The architectural appearance and scale of the building shall reflect the building character of the area and shall not be so dissimilar as to cause impairment of property values or constitute a blighting influence within the neighborhood.~~
- ~~4. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily~~

~~met.~~

~~C. Dry cleaning or laundry establishments as a principal use, provided that:~~

- ~~1. The development meets all applicable performance standards of the C-1 Zoning District, including, but not limited to, all setbacks, screening and landscaping and parking requirements.~~
- ~~2. The emission of odor or noise by any use shall be in compliance with and regulated by applicable state of Minnesota pollution control standards, as amended.~~
- ~~3. The outside storage of materials and equipment is prohibited.~~
- ~~4. The location of exterior steam vents shall be such as to minimize the impacts on surrounding structures and uses. A plan demonstrating such shall be submitted to City staff for review.~~
- ~~5. The development is to be architecturally compatible with and sensitive to nearby structures.~~

~~6. The development does not conflict or result in incompatible land use arrangements as related to abutting land uses.~~

~~7. Operations with the primary function of in-store retail and general public customer contact are permitted. Operations which are primarily to serve other businesses on a wholesale level are prohibited.~~

~~8. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily~~

~~met.~~

~~D. Governmental and public related utility buildings and structures necessary for the health, safety and general welfare of the City, provided that:~~

~~1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.~~

~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily~~

~~met.~~

~~E. Planned unit development as regulated by Chapter 933 of this Ordinance.~~

975.06 Yard and Setback ~~Requirements~~Standards.

The following minimum requirements ~~shall~~must be observed in a "C-1" District subject to additional requirements, exceptions, and modifications set forth in this Ordinance setbacks. Front yard, side yard and rear yard setbacks all ~~shall~~must be a minimum distance of 10~~ten~~ feet.

975.07 Lot Coverage, Floor Area Ratio, Height and ~~Bulk~~Lot Area.

The following lot coverage, floor area ratio, height and lot area ~~bulk shall be observed~~limits apply in ~~the~~a "C-1" District:

- A. ~~Lot Coverage~~—The ~~maximum~~ lot coverage of all buildings ~~shall be~~may not exceed 50 percent.
- B. ~~Floor Area Ratio~~—The ~~maximum~~ floor area ratio (F.A.R.) ~~shall be~~may not exceed 2.0.
- C. ~~Height~~—All ~~B~~buildings ~~shall be limited to~~ may not exceed a ~~maximum~~ height of three stories ~~and or~~ 35 feet, ~~whichever is lesser~~.
- D. ~~Lot Area~~—The minimum ~~total~~ lot area ~~shall~~must be 9,000 square feet.

CHAPTER 975.5 C-1B MIXED USE RESIDENTIAL DISTRICT

975.5.01 Purpose.

The C-1B District is intended to provide a district which is related to and may reasonably adjoin residential districts for the location and development of mixed use buildings with residential use as the predominant use, in addition to limited office, service, and retail uses.

975.5.02 Permitted Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in the C-1B District are listed in the Table shown in Section 937.02 of this Ordinance.

~~A. Mixed use buildings with no less than 60 percent of the building square footage (SF) comprising residential use, and the balance comprising of one or more of the following (or similar) type retail, office, or service use:~~

- ~~1. Art galleries or studios.~~
- ~~2. Commercial/professional offices.~~
- ~~3. Day care facilities serving 12 or fewer persons.~~
- ~~4. Florist shops.~~
- ~~5. Interior decorating studios.~~
- ~~6. Photographic studios.~~
- ~~7. Hobby Stores.~~
- ~~8. Variety, gift, boutique, or soft goods stores.~~
- ~~9. Wearing apparel stores.~~

~~B. Municipal parks and playgrounds.~~

~~C. Residential use as a principal use subject to the density standards of the R-3A District.~~

975.5.03 Interim Use.

~~No interim uses are allowed in the C-1B District. Subject to applicable provisions of this Ordinance, the following are interim uses in the C-1B District and are governed by Section 801.34 of this Ordinance.~~

~~A. None.~~

975.5.04 Accessory Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted accessory uses in a C-1B District are listed in the Table shown in Section 937.02 of this Ordinance.

~~A. Accessory uses and structures customarily incidental to the uses permitted in Section 801.81.2 and 801.81.5 of this Ordinance.~~

~~B. Off-Street Parking and Loading Areas and Structures. Parking of trucks used in the conduct of a permitted principal use, other than delivery trucks parked for not more than two consecutive hours, shall be limited to vehicles of not more than 12,000 pounds gross vehicle weight.~~

~~C. Enclosed storage of merchandise in either principal or accessory building, solely intended to be retailed by a related and established principal use.~~

975.5.05 Conditional Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ conditional uses in a C-1B District listed within Section 937.02. ~~(Requires a~~ conditional use s require a conditional use permit based upon procedures and standards set forth in ~~and regulated by~~ Section 9801.04 of this Ordinance.)

~~A. Governmental and public related utility buildings and structures necessary for the health, safety, and general welfare of the City, provided that:~~

- ~~1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Section 801.18 of this Ordinance.~~
- ~~2. The provisions of Section 801.04.2.F. of this Ordinance are considered and satisfactorily met.~~

~~B. Planned unit development as regulated by Section 801.33 of this Ordinance.~~

975.5.06 Yard and Setback ~~Requirements~~Standards.

The following minimum setback requirements ~~shall must~~ be met for all lots observed in ~~a the~~ C-1B District, subject to additional requirements, exceptions, and modifications set forth in this Ordinance.

A. Principal Structures.

1. Front Yard: ~~Ten~~10 feet.
2. Side Yard: ~~Ten~~10 feet.
3. Rear Yard: 20 feet.

B. Accessory Structure(s).

1. Front Yard: 20 feet.
2. Side Yard: ~~Five~~5 feet.
3. Rear Yard: ~~Five~~5 feet.

975.5.07 Lot Coverage, Floor Area Ratio, Height and Lot Area, ~~Bulk, and Other Regulations.~~

The following lot coverage, floor area ratio, height and lot area ~~bulk shall be observed~~limits apply in ~~the a~~ C-1B District.

A. Lot ~~c~~Coverage. ~~The maximum lot coverage of all buildings shall may not exceed be~~ 30 percent of lot area.

~~B. Impervious Surface. The maximum impervious surface coverage on a lot shall be 35 percent.~~

~~B.C. Floor aArea rRatio. The maximum floor area ratio (F.A.R.) shall be may not exceed~~ 2.0.

~~C.D. Height. All Bbuildings shall be limited to may not exceed~~ a ~~maximum~~ height of two and one-half stories ~~or and~~ 30 feet in vertical distance above the Grade Plane to the highest point of a flat, mansard, shed, round or arch type roof, or 32 feet in vertical distance above the Grade Plane, as measured to the highest peak of a pitched, hipped, or gambrel roof.

~~D.E. Lot Area. The minimum total lot area shall must be~~ 7,000 square feet.

~~F. All accessory buildings shall be limited to a maximum height of 20 feet.~~

CHAPTER 976 C-2 SHOPPING CENTER BUSINESS DISTRICT

976.01 Purpose.

The C-2 District is intended to provide a district which may be applied to land in single ownership or unified control for the purpose of developing a planned shopping center with a unified and organized arrangement of buildings and service facilities at locations which are suitable for such use. All of the following principal uses, except for required off-street parking facilities, shall be conducted wholly within an enclosed building.

976.02 Permitted Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in a "C-2" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Adult Use—Principal and Accessory.~~
- ~~B. Antique shops.~~
- ~~C. Appliance sales or service stores.~~
- ~~D. Art galleries or studios.~~
- ~~E. Art supply, school supply, book or stationery stores.~~
- ~~F. Automotive accessory stores.~~
- ~~G. Bakeries, provided the room or rooms containing the preparation and baking process shall not have a gross floor area in excess of 2,400 square feet.~~
- ~~H. Banks, savings, lending or other financial institutions, excluding drive-in facilities.~~
- ~~I. Barber shops.~~
- ~~J. Beauty parlors.~~
- ~~K. Bicycle stores, including bicycle rental, repair or sales.~~
- ~~L. Blueprinting, photostatting or instant printing establishments under 2,000 square feet in gross floor area.~~
- ~~M. Business machine sales or services stores.~~
- ~~N. Camera and photo stores.~~
- ~~O. Candy or ice cream stores.~~
- ~~P. Carpet and rug stores.~~
- ~~Q. Catering establishments.~~
- ~~R. Clothes pressing or tailoring shops.~~
- ~~S. Department stores.~~
- ~~T. Drug stores.~~
- ~~U. Dry cleaning or laundry establishments.~~
- ~~V. Florist shops.~~
- ~~W. Food, grocery, meat, fish, bakery or delicatessen stores.~~
- ~~X. Furniture stores.~~
- ~~Y. Hardware stores.~~
- ~~Z. Hobby or toy stores.~~
- ~~AA. Interior decorating studios.~~
- ~~BB. Jewelry stores.~~
- ~~CC. Laboratories (medical or dental).~~
- ~~DD. Leather goods or luggage shops.~~
- ~~EE. Libraries.~~
- ~~FF. Locksmith shops.~~
- ~~GG. Medical or dental clinics.~~
- ~~HH. Newsstands.~~
- ~~II. "Off-sale" liquor stores.~~
- ~~JJ. Offices, including both business and professional uses.~~
- ~~KK. "On-sale" liquor stores.~~
- ~~LL. Optical stores.~~
- ~~MM. Orthopedic or medical appliance stores.~~
- ~~NN. Paint or wallpaper stores.~~

~~OO. Pickup and delivery food establishments, provided that no seating is provided and that no facilities exist for customer dining on the premises.~~
~~PP. Pet shops.~~
~~QQ. Phonograph, record or sheet music stores.~~
~~RR. Photography studios.~~
~~SS. Physical fitness, health service establishments, or reducing salons.~~
~~TT. Picture framing or picture stores.~~
~~UU. Pipe or tobacco shops.~~
~~VV. Post offices.~~
~~WW. Plumbing sales.~~
~~XX. Public utility service stores.~~
~~YY. Schools, such as music, dance, business or vocational schools.~~
~~ZZ. Sporting goods stores.~~
~~AAA. Taxidermy shops.~~
~~BBB. Theaters, excluding drive-ins.~~
~~CCC. Variety, gift, notion or soft good stores.~~
~~DDD. Wearing apparel stores.~~
~~EEE. Coffee shops.~~
~~FFF. Municipal parks and playgrounds.~~

976.03 Interim Use.

~~No interim uses are allowed in the C-2 District. Subject to applicable provisions of this Ordinance, the following are interim uses in the C-2 district and are governed by Chapter 934 of this Ordinance:~~

~~A. Auto glass installation, internal to a shopping center complex.~~

976.04 Accessory Uses.

~~Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in a "C-2" District are listed in the Table shown in Section 937.02 of this Ordinance.:~~

~~A. Accessory uses customarily incidental to the uses allowed in Sections 976.02 and 976.05 of this Ordinance.~~

~~B. Off Street Parking and Loading Areas and Structures. Parking of trucks used in the conduct of a permitted principal use, other than delivery trucks parked for not more than two consecutive hours, shall be limited to vehicles of not more than 12,000 pounds gross vehicle weight.~~

~~C. Enclosed storage of merchandise in either principal or accessory building, solely intended to be retailed by a related and established principal use.~~

~~D. Bus or taxi loading and unloading facilities.~~

~~E. Outdoor sidewalk cafes in the public right of way for which a permit has been issued by the City pursuant to City Code Ch. 315.~~

~~(Ord. 782[8-9-2018])~~

976.05 Conditional Uses.

~~Subject to applicable provisions of this Ordinance, the following are conditional uses in a "C-2" District are listed in the Table shown in Section 937.02 of this Ordinance.:~~ ~~(Requires a All conditional use s require a conditional use permit based upon procedures and standards set forth in and regulated by Chapter 904 of this Ordinance.)~~

~~A. Freestanding Automobile Service Station and/or Motor Repair Minor. Motor fuel station, auto repair—minor, tire and battery stores and service, and/or other such limited services, provided that:~~

- ~~1. No building or structure, permanent or temporary, driveway surfaces, parking areas, advertising devices or other similar site improvements, except driveways traversing a public road boulevard, shall be located within 110 feet of any part of a residential district which is separated from the automobile service station by a public right of way or within 50 feet of a residential district if they are not separated by a public right of way.~~

- ~~2. Sites for such facilities are freestanding and not part of a principal shopping center structure and shall have not less than 125 feet of frontage on the side or sides of the site to or from which access or egress at two or more locations is possible and not less than 120 feet of frontage if there is only one point of access. The total site area shall be not less than 20,000 square feet for each service bay, to a maximum of 60,000 total square feet.~~
- ~~3. Pump islands shall be set back not less than 30 feet from any property line and not less than 50 feet from any residential district boundary.~~
- ~~4. Hydraulic hoists or pits and all lubrication, greasing, washing, repair or diagnostic equipment shall be used totally enclosed within a building.~~
- ~~5. Facilities on a site contiguous to any residential district shall not be operated between the hours of 11:00 p.m. and 6:00 a.m. unless otherwise allowed by formal action of the City Council.~~
- ~~6. Facilities may offer minor auto repairs, but they shall not offer major auto repairs, the sale or storage of junked cars, or automobile wrecking.~~
- ~~7. Safety. Regardless of whether the dispensing, sale or offering for sale of motor fuels and/or oil is incidental to the conduct of the use or business, the standards and requirements imposed by this Ordinance for motor fuel stations shall apply. These standards and requirements are, however, in addition to other requirements which are imposed for other uses of the property.~~
- ~~8. Compatibility. The architectural appearance, scale, and functional plan of the building and site shall not be so dissimilar to the existing buildings or areas to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot.~~
- ~~9. Surfacing. The entire site other than that taken up by a building, structure or plantings shall be surfaced with a material to control dust and drainage which is subject to the approval of the City.~~
- ~~10. Drainage. A drainage system subject to the approval of the City shall be installed.~~
- ~~11. Curbing. A concrete curb not less than six inches above grade shall separate the public sidewalk from motor vehicles service areas.~~
- ~~12. Pump Islands. Wherever fuel pumps are to be installed, pump islands shall be installed.~~
- ~~13. Green Strip. At the boundaries of a residential district, a strip of not less than five feet shall be landscaped and screened in compliance with Chapter 918.~~
- ~~14. Lighting Standard Base Landscaped. Each light standard base shall be landscaped.~~
- ~~15. Stacking, parking or car magazine storage space shall be screened from view of a butting residential districts in compliance with Chapter 918.~~
- ~~16. Vehicle Circulation. Vehicular access points shall create a minimum of conflict with through traffic movement. Provisions shall be made for transport delivery of fuel which will not conflict with pump island service.~~
- ~~17. Noise. Provisions are made to control and reduce noise in accordance with the Noise Control Section of this Ordinance.~~
- ~~18. Outside Storage. No outside storage except as allowed in compliance with Section 916.12 of this Ordinance.~~
- ~~19. Litter Control. The operation shall be responsible for litter control within 500 feet of the property line and is to occur on a daily basis.~~
- ~~20. Sales Limitations. Sale of products other than those specifically mentioned in this Section shall be subject to a conditional use permit and be in compliance with Section 976.05.I of this Ordinance.~~
- ~~21. The provisions of Section 904.02.F are considered and satisfactorily met.~~

~~B. Convenience Store with Gasoline. Grocery and/or food operations, with convenience gas (no vehicle service or repair), provided that:~~

- ~~1. Permitted Uses. The retail sales involve uses or activities which are allowed in a C-1, C-2 or C-3 District.~~
- ~~2. Take-Out Food. Convenience/deli food is of the take-out type only and that no provision for seating or consumption on the premises is provided. Furthermore, that the enclosed are devoted to such activity, use and merchandise shall not exceed 15 percent of the gross floor area.~~

3. Sanitation. That any sale of food items is subject to the approval of the City Health Inspector who shall provide specific written sanitary requirements for each proposed sale location based upon applicable State and County regulations.
4. Licenses. That the non-automotive sales shall qualify for and be granted an annual food handling, retail sales license or other license, as circumstances shall require, in addition to the conditional use permit.
5. Litter Control. The operation shall be responsible for litter control within 500 feet of the property line and is to occur on a daily basis.
6. Area. That the approximate area and location devoted to non-automatic merchandise sales shall be specified in general terms in the application and in the conditional use permit. Exterior sales shall be subject to a separate conditional use permit.
7. Hours of Operation. The hours of operation shall be limited to 6:00 a.m. to 12:00 p.m., unless extended by the City Council.
8. Motor Fuel Facilities. Motor fuel facilities are installed in accordance with State and City standards. Additionally, adequate space shall be provided to access gas pumps and allow maneuverability around the pumps. Underground fuel storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations do not conflict with circulation, access and other activities on the site. Fuel pumps shall be installed on pump islands.
9. Canopy. A protective canopy located over pump island may be an accessory structure on the property and may be located 20 feet or more from the front lot line, provided adequate visibility both on and off site is maintained.
10. Compatibility. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot. All sides of the principal and accessory structures are to have essentially the same or a coordinated, harmonious finish treatment.
11. Dust Control and Drainage. The entire site other than that taken up by a building, structure or plantings shall be surfaced with a material to control dust and drainage which is subject to the approval of the City.
12. Area. A minimum lot area of 20,000 square feet and minimum lot frontage of 125 feet. The City Council may exempt previously developed or previously platted property from this requirement, provided that the site is capable of adequately and safely handling all activities and required facilities.
13. Curb Separation. A continuous and permanent concrete curb not less than six inches above grade shall separate the public sidewalk from motor vehicle areas, pursuant to the provisions of Chapter 920.
14. Landscaping. At the boundaries of the lot, a strip of not less than five feet shall be landscaped and screened in compliance with Chapter 918 of this Ordinance, pursuant to the provisions of Chapter 920.
15. Light Standards Base Landscaped. Each light standard base shall be landscaped.
16. Access. Vehicular access points shall create a minimum of conflict with through traffic movement, and shall be subject to the approval of the City.
17. Pedestrian Traffic. An internal site pedestrian circulation system shall be defined and appropriate provisions made to protect such areas from encroachments by parked cars or moving vehicles.
18. Noise. Noise control shall be as required in the Noise Control Section of this Ordinance.
19. Outside Storage and Sales. No outside storage except as allowed in compliance with Section 916.12. An enclosed screened area is to be provided for rubbish and dumpsters.
20. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.

C. Drive-in facilities for banks, or savings and loan associations, provided that:

1. Compatibility. The architectural appearance, scale, construction materials, and functional plan of the building and site shall not be dissimilar to the existing nearby commercial and residential

~~buildings, and shall not cause impairment in property values, or constitute a blighting influence within a reasonable distance of the site.~~

- ~~2. Vehicle Access. Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movements.~~
- ~~3. Surfacing. The entire area other than that portion occupied by buildings or structures or plantings shall be surfaced with a material which will control dust and drainage and which is subject to the approval of the City.~~
- ~~4. Drive-through Windows. Service windows shall be allowed if the following additional criteria are satisfied:~~
 - ~~a) Stacking. Not less than 180 feet of segregated automobile stacking lane(s) must be provided for the service window.~~
 - ~~b) Traffic Control. The stacking lane and its access must be designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.~~
 - ~~c) Use of Street. No part of the public street or boulevard may be used for stacking of automobiles.~~
 - ~~d) Noise. The stacking lane, service intercom, and service window shall be designed and located in such a manner as to minimize automobile and communication noises, emissions, and headlight glare upon adjacent premises, particularly residential premises, and to maximize maneuverability of vehicles on the site. Levels of noise, light, and air quality shall occur and be measured at property lines and shall satisfy established state regulations.~~
 - ~~e) Hours. Hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.~~
 - ~~f) Green Strip. At any common boundary shared with a residential district, a strip of not less than five feet shall be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.~~
 - ~~g) The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~D. Indoor amusement or recreational establishments, such as commercial bowling alleys, billiard halls, game centers, swimming pools, skating rinks, or tennis courts as a principal use, provided that:~~

- ~~1. If located within a shopping center, the use has its own exclusive exterior access.~~
- ~~2. Any and all applicable local, state and federal laws, permits licenses and operational regulations are complied with.~~
- ~~3. The use is located and developed so as not to create an incompatible operation problem with adjoining and neighboring commercial and/or residential uses.~~
- ~~4. The hours of operation shall be subject to City Council control and change as a means to maintain compatibility of uses and activities.~~
- ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~E. Repair stores or "fix-it" shops which provide services for the repair of home, garden, yard or personal appliances, provided that:~~

- ~~1. The use is conducted completely indoors.~~
- ~~2. The site shall accommodate sufficient parking and loading areas in conformance with Chapter 920 of this Ordinance.~~
- ~~3. The provisions of Section 904.02.F are considered and satisfactorily met.~~

~~F. Restaurants, excluding drive-ins or convenience food operations, provided that:~~

- ~~1. The use obtains all local, state and federal food and beverage handling licenses and/or permits.~~
- ~~2. There shall be no excessive noise or odors emitted from the use.~~
- ~~3. There shall be no outdoor storage and/or display.~~
- ~~4. The hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.~~

- ~~5. The use must be landscaped and screened in accordance with Chapter 918 of this Ordinance.~~
- ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~G. Restaurant, convenience food, provided that:~~

- ~~1. Compatibility. The architectural appearance, scale, construction materials, and functional plan of the building and site shall not be dissimilar to the existing nearby commercial buildings, and shall not cause impairment in property values, or constitute a blighting influence within a reasonable distance of the site.~~
- ~~2. Green Strip. At any common boundary shared with a residential district, a strip of not less than five feet shall be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.~~
- ~~3. Lighting Standard Base Landscaping. Each light standard base island and all islands in the parking lot landscaped or covered. The light source is hooded to prevent glare onto adjoining property and the public right-of-way.~~
- ~~4. Curbing. Parking areas and driveways shall be curbed with continuous concrete curbs not less than six inches high above the parking lot or driveway grade.~~
- ~~5. Vehicle Access. Vehicular access points shall be limited and shall create a minimum of conflict with through traffic movements.~~
- ~~6. Drainage. The entire area shall have a drainage system which is subject to the approval of the City Engineer.~~
- ~~7. Surfacing. The entire area other than that portion occupied by buildings or structures or plantings shall be surfaced with a material which will control dust and drainage and which is subject to the approval of the City.~~
- ~~8. Loading Berth. Adequate space shall be provided on the site for a loading berth to accommodate the parking and maneuvering of semi tractor trailers.~~
- ~~9. Refuse Storage. All refuse shall be stored in containers as specified by City Code. Said containers are to be screened and enclosed by a fence or similar structure.~~
- ~~10. Litter Control. The operation shall be responsible for litter control within 500 feet of the property line and is to occur on a daily basis.~~
- ~~11. Drive Through Windows. Service windows shall be allowed if the following additional criteria are satisfied:~~
 - ~~a) Stacking. Not less than 180 feet of segregated automobile stacking lane must be provided for the service window.~~
 - ~~b) Traffic Control. The stacking lane and its access must be designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.~~
 - ~~c) Use of Street. No part of the public street or boulevard may be used for stacking of automobiles.~~
 - ~~d) Noise. The stacking lane, order board intercom, and service window shall be designed and located in such a manner as to minimize automobile and communication noises, emissions, and headlight glare upon adjacent premises, particularly residential premises, and to maximize maneuverability of vehicles on the site. Levels of noise, light, and air quality shall be measured at property lines and shall satisfy established state regulations.~~
 - ~~e) Hours. Hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.~~
- ~~12. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~H. Open and outdoor storage as an accessory use, provided that:~~

- ~~1. The storage area is landscaped, fenced, and screened from view of neighboring uses and abutting "R" Districts.~~
- ~~2. Storage is landscaped and screened from view from the public right-of-way.~~
- ~~3. Storage area is blacktopped or concrete surfaced.~~
- ~~4. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences.~~

- ~~5. The storage area does not take up parking space or loading space as required for conformity to this Ordinance.~~
 - ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~I. Open or outdoor services, sale and rental as a principal or accessory use, provided that:~~
- ~~1. Outside services, sales and equipment rental connected with the principal use is limited to 30 percent of the gross floor area of the principal use. Uses specified as requiring a separate conditional use permit shall be exempted from this provision.~~
 - ~~2. Outside sales areas are landscaped and fenced or screened from view of neighboring residential uses or an abutting "R" District.~~
 - ~~3. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences.~~
 - ~~4. Areas are asphalt or concrete surfaced.~~
 - ~~5. The use does not take up parking space or loading areas as required for conformity to this Ordinance.~~
 - ~~6. Additional parking, pursuant to Chapter 920 of this Ordinance is provided for said space.~~
 - ~~7. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~J. Child care facilities as an accessory use, provided that:~~
- ~~1. The attendance of children is on a temporary sporadic basis as compared to a long term schedule enrollment.~~
 - ~~2. The facility must allow the children to stay for a period longer than three hours. The maximum length of stay per individual child is five hours.~~
 - ~~3. The ages of the children attending range from 16 months to 12 years.~~
 - ~~4. The hours of operation coincide with those of the commercial retail stores in the area or complex.~~
 - ~~5. The employees and facility are licensed by the State Department of Human Services.~~
 - ~~6. Fire codes as applicable are complied with.~~
 - ~~7. Liability insurance coverage for the operation is demonstrated to the satisfaction of the City, and includes the City as an additional named insured.~~
 - ~~8. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~K. Automobile parking lots of four or more spaces as a principal use or other than those accessory to the principal use, provided that:~~
- ~~1. The provisions of Chapter 920, of this Ordinance are considered and satisfactorily met.~~
 - ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~L. Governmental and public related utility buildings and structures necessary for the health, safety and general welfare of the City, provided that:~~
- ~~1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.~~
 - ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~M. Planned unit development as regulated by Chapter 933 of this Ordinance.~~
- ~~N. Micro-production Facility, provided that:~~
- ~~1. Licensing. The owner of the micro-production facility qualifies for and receives all federal, state and city licenses necessary for the operation of the micro-production facility, including a brewer license and a malt liquor wholesale license (if wholesale of malt liquor is an intended activity); winery license; and/or a distiller's license from the State of Minnesota, according Minn. State. § 340A.~~
 - ~~2. Taproom/Tasting Room License. An accessory taproom or tasting room for the on-sale of beer, wine, or spirits produced on-site shall require a taproom/tasting room license from the City of Wayzata, according to City Code Section 524.02.~~
 - ~~3. Off-sale. On-site sale of beer in the form of growlers shall require a Brewery License for Off-Sale of Malt Liquor, according to City Code Section 524.02. On-site sale of wine or spirits, other than samples as governed under Minnesota State Statutes, shall be prohibited.~~

- ~~4. Production of Beer. Total production of malt liquor shall not exceed 5,000 barrels annually. Micro-production Facilities with a taproom license shall not exceed 3,500 barrels annually, and only 500 barrels may be sold off-sale as growlers. Any micro-production facility operating as a brewery shall annually submit production reports to the City with the request to renew a brewery taproom or off-sale malt liquor license.~~
- ~~5. Production of Wine. Total production of wine shall not exceed 50,000 gallons annually. Any micro-production facility operating as a winery shall annually submit production reports to the City with the request to renew a tasting room or winery license.~~
- ~~6. Production of Spirits. Total production of spirits shall not exceed 40,000 proof gallons annually. Any micro-production facility operating as a distillery shall annually submit production reports to the City with the request to renew a tasting room or distillery license.~~
- ~~7. Off-street Loading. The micro-production facility shall provide adequate space for off-street loading and unloading of all trucks greater than 22 feet in length. In the absence of off-street loading, the City may impose limits on deliveries or shipments using the public rights-of-ways, including regulating the number of trucks per day and the hours that deliveries are permitted.~~
- ~~8. Outdoor Storage. No outdoor storage is permitted on the site, with the exception that waste handling (refuse and/or recycling) may occur in an enclosure that is fully screened from adjoining streets and residentially zoned properties.~~
- ~~9. Odors. No odors from the micro-production facility shall be perceptible beyond the property line. The micro-production facility operator shall take appropriate measures to reduce or mitigate any odors generated from the operation and be in compliance with any applicable Minnesota Pollution Control Standards.~~
- ~~10. Waste. Waste products shall be disposed of in a timely manner and in such a way to reduce odors.~~
- ~~11. Exterior Lighting. All exterior lighting shall be designed in such a way as to have no direction source of light visible from adjacent property, and shall comply with the requirements of Section 916.06 of the Wayzata Zoning Ordinance.~~
- ~~12. Parking. Parking supply shall be provided on-site or through off-site arrangement, to avoid street parking on residential streets. Off-site or reduced parking supply shall require separate approval per the requirements of Chapter 920 of the Wayzata Zoning Ordinance, as applicable.~~
- ~~13. Hours of Operation. Micro-production facility operation hours shall be limited to the hours specified in Minn. Stats. Ch. 340A for off-sale intoxicating liquor unless further limited the City Council as part of a Conditional Use Permit.~~
- ~~14. Other Provisions. The provisions of Section 904.02.F of the Wayzata Zoning Ordinance, pertaining to Conditional Use Permit criteria, are considered and satisfactorily met. A micro-production facility shall meet all other applicable performance standards and design requirements in the Wayzata Zoning Ordinance.~~

~~O. Animal Clinics, provided that:~~

- ~~1. The size of the clinic may not exceed 4,000 square feet.~~
- ~~2. The clinic may not provide animal boarding services, kenneling, or overnight stays for patients.~~
- ~~3. The hours of operation must coincide with those of the businesses in the area or complex in which the clinic is located.~~
- ~~4. The clinic may not provide services or treatment of exotic animals (such as reptiles, amphibians, birds, and most mammals).~~
- ~~5. The clinic may not share a common demising wall or be located directly adjacent to a restaurant.~~
- ~~6. The clinic may not be located on the same property or in the same shopping area where another clinic exists.~~
- ~~7. The clinic must comply with all other applicable state, local, and federal regulations, including those that pertain to animal clinics and to nuisance, health, sanitation, and safety conditions.~~
- ~~8. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~(Ord. No. 793 [11-6-2019])~~

976.06 Special Limitations and Conditions.

- A. All business establishments shall be retail or service establishments which deal directly with the customer for whom the goods or services are furnished.
- B. Each business establishment shall be operated as a separate and distinct business entity. Each business establishment shall be physically separate from any other such establishment by solid walls, partitions or windows, although nothing in this paragraph is intended to prevent either common ownership or free pedestrian movement from one establishment to another through either an area commonly owned or leased by all adjoining establishments or through direct doorway connections. All business establishments shall be accessible from the exterior of the building in which they are located by either a direct door to the exterior or by direct access to a "common area" which in turn has adequate access to the exterior of the building without passing through another business establishment.

976.07 ~~Height, Yard and Lot Coverage Requirements~~ Heights, Setbacks, Floor Area Ratio, Lot Area, Lot Coverage, Impervious Surfaces and Landscaping.

The following minimum requirements ~~shall~~ must be ~~met for all lot~~ observed in ~~a the~~ "C-2" District subject to additional requirements, exceptions, and modifications set forth in this Ordinance:

- A. ~~Height. No buildings shall be erected or structurally altered to~~ may not exceed ~~a height of three~~ two stories and or 35-30 feet in height, ~~whichever is lesser.~~
- B. Minimum Setbacks.
 - 1. There ~~shall~~ must be a side yard on each side of any building having a width of not less than 20 feet, except that no building ~~shall~~ must be located within 50 feet of any side lot line abutting a lot in any residential district.
 - 2. There ~~shall~~ must be a rear yard having a depth of not less than 20 feet, except that no buildings ~~shall~~ must be located within 50 feet of any residential district.
 - 3. The minimum building setback from any commercial district boundary ~~shall~~ must be as set forth herein or the average height of the building, whichever is greater.
- C. ~~Floor Area Ratio. The maximum floor area ratio (F.A.R.) shall be~~ may not exceed 1.0.
- D. ~~Lot Area.~~ The minimum ~~total~~ lot area ~~shall~~ must be 20,000 square feet.
- E. Lot coverage may not exceed 50 percent of lot area.
- F. Impervious surfaces may not exceed 75 percent of lot area.
- G. Required Landscaping. A minimum of 20 percent of the total lot area ~~shall~~ must be landscaped. A landscaped buffer strip of at least eight feet wide ~~shall~~ must be provided between parking areas and adjacent streets or sidewalks. The buffer strip shall consist of shade trees at maximum intervals of 30 feet and a decorative fence, masonry wall, or hedge.

976.08. Administrative Procedure.

Requests for shopping centers within the C-2 Zoning District shall be processed in accordance with the requirements and procedures of Chapter 933 (Planned Unit Development) of this Ordinance.

CHAPTER 977 C-3 SERVICE DISTRICT

977.01 Purpose.

The C-3 District is intended to provide an area of service facilities to the motoring public. Because of the unique character of this type of commercial activity and its great dependence upon transient trade and traffic, and because of the greater than normal adverse effects created by the uses within this district, the location of such activities are critical and should be developed either within other commercial spheres adjacent to arterial traffic routes or as well-buffered areas adjacent to major streets. This district also is intended as a business district which may be located adjacent to shopping centers or other retail business districts, thus keeping the basic retail areas compact and convenient, or in separate areas which may be located in close proximity to a major street or highway, in order that highway service types of land uses can be provided.

977.02 Permitted Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in a "C-3" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Adult Use—Principal and Accessory.~~
- ~~B. Antique shops.~~
- ~~C. Appliance sales or service stores.~~
- ~~D. Art galleries or studios.~~
- ~~E. Art supply, school supply, book or stationery stores.~~
- ~~F. Automotive accessory stores.~~
- ~~G. Bakeries, provided the room or rooms containing the preparation and baking process shall not have a gross floor area in excess of 2,400 square feet.~~
- ~~H. Banks, savings, lending or other financial institutions, excluding drive-in facilities.~~
- ~~I. Barber shops.~~
- ~~J. Beauty parlors.~~
- ~~K. Bicycle stores, including bicycle rental, repair or sales.~~
- ~~L. Blueprinting, photostatting or instant printing establishments under 2,000 square feet in gross floor area.~~
- ~~M. Business machine sales or services stores.~~
- ~~N. Camera and photo stores.~~
- ~~O. Candy or ice cream stores.~~
- ~~P. Carpet and rug stores.~~
- ~~Q. Catering establishments.~~
- ~~R. Clothes pressing or tailoring shops.~~
- ~~S. Department stores.~~
- ~~T. Drug stores.~~
- ~~U. Dry cleaning or laundry establishments.~~
- ~~V. Florist shops.~~
- ~~W. Food, grocery, meat, fish, bakery or delicatessen stores.~~
- ~~X. Furniture stores.~~
- ~~Y. Hardware stores.~~
- ~~Z. Hobby or toy stores.~~
- ~~AA. Interior decorating studios.~~
- ~~BB. Jewelry stores.~~
- ~~CC. Laboratories (medical or dental).~~
- ~~DD. Leather goods or luggage shops.~~
- ~~EE. Libraries.~~
- ~~FF. Locksmith shops.~~
- ~~GG. Medical or dental clinics.~~
- ~~HH. Monument sales, excluding processing.~~
- ~~II. Mortuaries or funeral homes.~~
- ~~JJ. Newspaper distribution agencies.~~

~~KK. Newsstands.~~
~~LL. "Off-sale" liquor stores.~~
~~MM. Offices, including both business and professional uses.~~
~~NN. "On-sale" liquor stores.~~
~~OO. Optical stores.~~
~~PP. Orthopedic or medical appliance stores.~~
~~QQ. Paint or wallpaper stores.~~
~~RR. Pickup and delivery food establishments, provided that no seating is provided and that no facilities exist for customer dining on the premises.~~
~~SS. Pet shops.~~
~~TT. Phonograph, record or sheet music stores.~~
~~UU. Photography studios.~~
~~VV. Physical fitness, health service establishments, or reducing salons.~~
~~WW. Picture framing or picture stores.~~
~~XX. Pipe or tobacco shops.~~
~~YY. Post offices.~~
~~ZZ. Plumbing sales~~
~~AAA. Public utility service stores.~~
~~BBB. Recording studios.~~
~~CCC. Rental agencies for the rental of automobiles, trucks or carriage trailers.~~
~~DDD. Repair stores or "fix it" shops which provide services for the repair of home, garden, yard or personal appliances.~~
~~EEE. Schools, such as music, dance, business or vocational schools.~~
~~FFF. Sporting goods stores.~~
~~GGG. Taxidermy shops.~~
~~HHH. Theaters, excluding drive-ins.~~
~~III. Trading stamp redemption centers.~~
~~JJJ. Variety, gift, notion or soft good stores.~~
~~KKK. Wearing apparel stores.~~
~~LLL. Coffee shops.~~
~~MMM. Municipal parks and playgrounds.~~

977.03 Interim Use.

~~No interim uses are allowed in the C-3 District. Subject to applicable provisions of this Ordinance, the following are interim uses in the C-3 District and are governed by Chapter 934 of this Ordinance:~~

~~A. None.~~

977.04 Accessory Uses.

~~Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in a "C-3" District are listed in the Table shown in Section 937.02 of this Ordinance.:~~

~~A. Accessory uses customarily incident to the uses permitted in Sections 977.02 and 977.05 of this Ordinance.~~

~~B. Off-Street Parking and Loading Areas and Structures. Parking of trucks used in the conduct of a permitted principal use, other than delivery trucks parked for not more than two consecutive hours, shall be limited to vehicles of not more than 12,000 pounds gross vehicle weight.~~

~~C. Enclosed storage of merchandise in either principal or accessory building, solely intended to be retailed by a related and established principal use.~~

~~D. Bus or taxi loading and unloading facilities.~~

~~E. Outdoor sidewalk cafes in the public right of way for which a permit has been issued by the City pursuant to City Code Ch. 315.~~

~~(Ord. 782[8-9-2018])~~

977.05 Conditional Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ conditional uses in a "C-3" District ~~are listed in the Table shown in Section 937.02 of this Ordinance. (Requires a All conditional use s require a conditional use permit based upon procedures and standards set forth in and regulated by Chapter 904 of this Ordinance.)~~

~~A. Freestanding Automobile Service Station and Auto Repair—Minor. Motor fuel station, auto repair—minor, tire and battery stores and service, and/or other such limited services, provided that:~~

- ~~1. No building or structure, permanent or temporary, driveway surfaces, parking areas, advertising devices or other similar site improvements, except driveways traversing a public road boulevard, shall be located within 110 feet of any part of a residential district which is separated from the automobile service station by a public right of way or within 50 feet of a residential district if they are not separated by a public road right of way.~~
- ~~2. Sites for such facilities are freestanding and not internal to a principal shopping center structure and shall have not less than 125 feet of frontage on the side or sides of the site to or from which access or egress at two or more locations is possible and not less than 120 feet of frontage if there is only one point of access. The total site area shall be not less than 20,000 square feet for each service bay, to a maximum of 60,000 total square feet.~~
- ~~3. Pump islands shall be set back not less than 30 feet from any property line and not less than 50 feet from any residential district boundary.~~
- ~~4. Hydraulic hoists or pits and all lubrication, greasing, washing, repair or diagnostic equipment shall be used totally enclosed within a building.~~
- ~~5. Facilities on a site contiguous to any residential district shall be not operated between the hours of 11:00 p.m. and 6:00 a.m. unless otherwise allowed by formal action of the City Council.~~
- ~~6. Facilities may offer minor auto repairs, but they shall not offer major auto repairs, the sale or storage of junked cars, or automobile wrecking.~~
- ~~7. Safety. Regardless of whether the dispensing, sale or offering for sale of motor fuels and/or oil is incidental to the conduct of the use or business, the standards and requirements imposed by this Ordinance for motor fuel stations shall apply. These standards and requirements are, however, in addition to other requirements which are imposed for other uses of the property.~~
- ~~8. Compatibility. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or areas to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot.~~
- ~~9. Surfacing. The entire site other than that taken up by a building, structure or plantings shall be surfaced with a material to control dust and drainage which is subject to the approval of the City.~~
- ~~10. Drainage. A drainage system subject to the approval of the City shall be installed.~~
- ~~11. Curbing. A concrete curb not less than six inches above grade shall separate the public sidewalk from motor vehicles service areas.~~
- ~~12. Pump Islands. Wherever fuel pumps are to be installed, pump islands shall be installed.~~
- ~~13. Green Strip. At the boundaries of a residential district, a strip of not less than five feet shall be landscaped and screened in compliance with Chapter 918.~~
- ~~14. Lighting Standard Base Landscaped. Each light standard base shall be landscaped.~~
- ~~15. Stacking. Parking or car magazine storage space shall be screened from view of abutting residential districts in compliance with Chapter 918.~~
- ~~16. Vehicle Circulation. Vehicular access points shall create a minimum of conflict with through traffic movement. Provisions shall be made for transport delivery of fuel which will not conflict with pump island service.~~
- ~~17. Noise. Provisions are made to control and reduce noise in accordance with the Noise Control Section of this Ordinance.~~
- ~~18. Outside Storage. No outside storage except as allowed in compliance with Section 916.12 of this Ordinance.~~

19. ~~— Sales Limitations. Sale of products other than those specifically mentioned in this Section be subject to a conditional use permit and be in compliance with Section 976.05.I of this Ordinance.~~

20. ~~— The provisions of Section 904.02.F are considered and satisfactorily met.~~

B. Convenience Store with Gasoline. Grocery and/or food operations, with convenience gas (no vehicle service or repair), provided that:

1. ~~— Permitted Uses. The retail sales involve uses or activities which are allowed in a C-1, C-2 or C-3 District.~~
2. ~~— Take-Out Food. Convenience/deli food is of the take-out type only and that no provision for seating or consumption on the premises is provided. Furthermore, that the enclosed are devoted to such activity, use and merchandise shall not exceed 15 percent of the gross floor area.~~
3. ~~— Sanitation. That any sale of food items is subject to the approval of the City Health Inspector who shall provide specific written sanitary requirements for each proposed sale location based upon applicable State and County regulations.~~
4. ~~— Licenses. That the non-automotive sales shall qualify for and be granted an annual food handling, retail sales license or other license, as circumstances shall require, in addition to the conditional use permit.~~
5. ~~— Litter Control. The operation shall be responsible for litter control within 300 feet of the premises and is to occur on a daily basis.~~
6. ~~— Area. That the approximate area and location devoted to non-automatic merchandise sales shall be specified in general terms in the application and in the conditional use permit. Exterior sales shall be subject to a separate conditional use permit.~~
7. ~~— Hours of Operation. The hours of operation shall be limited to 6:00 a.m. to 12:00 p.m., unless extended by the City Council.~~
8. ~~— Motor Fuel Facilities. Motor fuel facilities are installed in accordance with State and City standards. Additionally, adequate space shall be provided to access gas pumps and allow maneuverability around the pumps. Underground fuel storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations do not conflict with circulation, access and other activities on the site. Fuel pumps shall be installed on pump islands.~~
9. ~~— Canopy. A protective canopy located over pump island may be an accessory structure on the property and may be located 20 feet or more from the front lot line, provided adequate visibility both on and off site is maintained.~~
10. ~~— Compatibility. The architectural appearance, scale, and functional plan of the building and site shall not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot. All sides of the principal and accessory structures are to have essentially the same or a coordinated, harmonious finish treatment.~~
11. ~~— Dust Control and Drainage. The entire site other than that taken up by a building, structure or plantings shall be surfaced with a material to control dust and drainage which is subject to the approval of the City.~~
12. ~~— Area. A minimum lot area of 20,000 square feet and minimum lot frontage of 125 feet. The City Council may exempt previously developed or previously platted property from this requirement, provided that the site is capable of adequately and safely handling all activities and required facilities.~~
13. ~~— Curb Separation. A continuous and permanent concrete curb not less than six inches above grade shall separate the public sidewalk from motor vehicle areas, pursuant to the provisions of Chapter 920.~~
14. ~~— Landscaping. At the boundaries of the lot, a strip of not less than five feet shall be landscaped and screened in compliance with Chapter 918 of this Ordinance, pursuant to the provisions of Chapter 920.~~
15. ~~— Light Standard Base Landscaped. Each light standard base shall be landscaped.~~
16. ~~— Access. Vehicular access points shall create a minimum of conflict with through traffic movement, and shall be subject to the approval of the City.~~

- ~~17. Pedestrian Traffic. An internal site pedestrian circulation system shall be defined and appropriate provisions made to protect such areas from encroachments by parked cars or moving vehicles.~~
- ~~18. Noise. Noise control shall be as required in the Noise Control Section of this Ordinance.~~
- ~~19. Outside Storage and Sales. No outside storage except as allowed in compliance with Section 916.12. An enclosed screened area is to be provided for outside rubbish and dumpsters.~~
- ~~20. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~C. Drive-in facilities for banks, or savings and loan associations, provided that:~~

- ~~1. Compatibility. The architectural appearance, scale, construction materials, and functional plan of the building and site shall not be dissimilar to the existing nearby commercial and residential buildings, and shall not cause impairment in property values, or constitute a blighting influence within a reasonable distance of the site.~~
- ~~2. Vehicle Access. Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movements.~~
- ~~3. Surfacing. The entire area other than that portion occupied by buildings or structures or plantings shall be surfaced with a material which will control dust and drainage and which is subject to the approval of the City.~~
- ~~4. Drive-through Windows. Service windows shall be allowed if the following additional criteria are satisfied:~~
 - ~~a) Stacking. Not less than 180 feet of segregated automobile stacking lane(s) must be provided for the service window.~~
 - ~~b) Traffic Control. The stacking lane and its access must be designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.~~
 - ~~c) Use of Street. No part of the public street or boulevard may be used for stacking of automobiles.~~
 - ~~d) Noise. The stacking lane, service intercom, and service window shall be designed and located in such a manner as to minimize automobile and communication noises, emissions, and headlight glare upon adjacent premises, particularly residential premises, and to maximize maneuverability of vehicles on the site. Levels of noise, light, and air quality shall occur and be measured at property lines and shall satisfy established state regulations.~~
 - ~~e) Hours. Hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.~~
 - ~~f) Green Strip. At any common boundary shared with a residential district, a strip of not less than five feet shall be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.~~
 - ~~g) The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~D. Indoor amusement or recreational establishments, commercial bowling alleys, billiard halls, game centers, swimming pools, skating rinks or tennis courts as a principal use, provided that:~~

- ~~1. If located within a shopping center, the use has its own exclusive exterior access.~~
- ~~2. Any and all applicable local, state and federal laws, permits licenses and operational regulations are complied with.~~
- ~~3. The use is located and developed so as not to create an incompatible operation problem with adjoining and neighboring commercial and/or residential uses.~~
- ~~4. The hours of operation shall be subject to City Council control and change as a means to maintain compatibility of uses and activities.~~
- ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~E. Repair stores or "fix-it" shops which provide services for the repair of home, garden, yard or personal appliances, provided that:~~

- ~~1. The use is conducted completely indoors.~~
- ~~2. The site shall accommodate sufficient parking and loading areas in conformance with Chapter 920 of this Ordinance.~~
- ~~3. The provisions of Section 904.02.F are considered and satisfactorily met.~~

~~F. Restaurants, excluding drive-ins or convenience food operations, provided that:~~

- ~~1. The use obtains all local, state and federal food and beverage handling licenses and/or permits.~~
- ~~2. There shall be no excessive noise or odors emitted from the use.~~
- ~~3. There shall be no outdoor storage and/or display.~~
- ~~4. The hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.~~
- ~~5. The use must be landscaped and screened in accordance with Chapter 918 of this Ordinance.~~
- ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~G. Restaurant, convenience food, provided that:~~

- ~~1. Compatibility. The architectural appearance, scale, construction materials, and functional plan of the building and site shall not be dissimilar to the existing nearby commercial buildings, and shall not cause impairment in property values, or constitute a blighting influence within a reasonable distance of the site.~~
- ~~2. Green Strip. At any common boundary shared with a residential district, a strip of not less than five feet shall be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.~~
- ~~3. Lighting. Each light standard base island and all islands in the parking lot landscaped or covered. The light source is hooded to prevent glare onto adjoining property and the public right-of-way.~~
- ~~4. Curbing. Parking areas and driveways shall be curbed with continuous concrete curbs not less than six inches high above the parking lot or driveway grade.~~
- ~~5. Vehicle Access. Vehicular access points shall be limited and shall create a minimum of conflict with through traffic movements.~~
- ~~6. Drainage. The entire area shall have a drainage system which is subject to the approval of the City Engineer.~~
- ~~7. Surfacing. The entire area other than that portion occupied by buildings or structures or plantings shall be surfaced with a material which will control dust and drainage and which is subject to the approval of the City.~~
- ~~8. Loading Berth. Adequate space shall be provided on the site for a loading berth to accommodate the parking and maneuvering of semi-tractor trailers.~~
- ~~9. Refuse Storage. All refuse shall be stored in containers as specified by City Code. Said containers are to be screened and enclosed by a fence or similar structure.~~
- ~~10. Litter Control. The operation shall be responsible for litter control within 500 feet of the property line and is to occur on a daily basis.~~
- ~~11. Drive-Through Windows. Service windows shall be allowed if the following additional criteria are satisfied:~~
 - ~~a) Stacking. Not less than 180 feet of segregated automobile stacking lane must be provided for the service window.~~
 - ~~b) Traffic Control. The stacking lane and its access must be designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.~~
 - ~~c) Use of Street. No part of the public street or boulevard may be used for stacking of automobiles.~~
 - ~~d) Noise. The stacking lane, order board intercom, and service window shall be designed and located in such a manner as to minimize automobile and communication noises, emissions, and headlight glare upon adjacent premises, particularly residential premises, and to maximize maneuverability of vehicles on the site. Levels of noise,~~

~~light, and air quality shall be measured at property lines and shall satisfy established state regulations.~~

- ~~e) Hours. Hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.~~

~~12. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~H. Open and outdoor storage as an accessory use, provided that:~~

- ~~1. The storage area is landscaped, fenced, and screened from view of neighboring uses and abutting "R" Districts.~~
- ~~2. Storage is landscaped and screened from view from the public right of way.~~
- ~~3. Storage area is blacktopped or concrete surfaced.~~
- ~~4. All lighting shall be hooded and so directed that the light source shall not be visible from the public right of way or from neighboring residences.~~
- ~~5. The storage area does not take up parking space or loading space as required for conformity to this Ordinance.~~
- ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~I. Open or outdoor services, sale and rental as a principal or accessory use, provided that:~~

- ~~1. Outside services, sales and equipment rental connected with the principal use is limited to 30 percent of the gross floor area of the principal use. Uses specified as requiring a separate conditional use permit shall be exempted from this provision.~~
- ~~2. Outside sales areas are landscaped and fenced or screened from view of neighboring residential uses or an abutting "R" District.~~
- ~~3. All lighting shall be hooded and so directed that the light source shall not be visible from the public right of way or from neighboring residences.~~
- ~~4. Areas are asphalt or concrete surfaced.~~
- ~~5. The use does not take up parking space or loading areas as required for conformity to this Ordinance.~~
- ~~6. Additional parking, pursuant to Chapter 920 of this Ordinance is provided for said space.~~
- ~~7. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~J. Child care facilities as an accessory use, provided that:~~

- ~~1. The attendance of children is on a temporary sporadic basis as compared to a long term schedule enrollment.~~
- ~~2. The facility must allow the children to stay for a period longer than three hours. The maximum length of stay per individual child is five hours.~~
- ~~3. The ages of the children attending range from 16 months to 12 years.~~
- ~~4. The hours of operation coincide with those of the commercial retail stores in the area or complex.~~
- ~~5. The employees and facility are licensed by the State Department of Human Services.~~
- ~~6. Fire codes as applicable are complied with.~~
- ~~7. Liability insurance coverage for the operation is demonstrated to the satisfaction of the City, and includes the City as an additional named insured.~~
- ~~8. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~K. Animal hospitals, animal clinics or kennels, excluding establishments with outside runs, provided that:~~

- ~~1. Any building in which animals are kept, whether roofed sheltered or enclosed structure, shall be located a distance of 100 feet or more from any lot line.~~
- ~~2. The animals shall, at a minimum, be kept in an enclosed pen or corral of sufficient height and strength to retain such animals. Said pen or corral may not be located closer than 100 feet from a lot line.~~
- ~~3. The provisions of Minnesota Pollution Control Agency Regulations SW 53(2) are complied with.~~

- ~~4. All other applicable state and local regulations pertaining to nuisance, health and safety conditions, etc. are complied with.~~
 - ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- L. ~~Automobile agencies, used car lots, automobile washes, boat or marine stores or agencies and major auto repair which as a principal or accessory use, in accordance with the provisions of Section 977.06, provided that:~~
- ~~1. The use is adequately screened from view of neighboring residential uses.~~
 - ~~2. Adequate measures are taken to control noise levels.~~
 - ~~3. Adequate measures are taken to control pollution and emissions exhaust.~~
 - ~~4. Hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic noise and glare upon any existing neighboring residential uses.~~
 - ~~5. Vehicle Access. Vehicular access points shall be limited and shall create a minimum of conflict with through traffic movements.~~
 - ~~6. Lighting. Each light standard base island and all islands in the parking lot landscaped or covered. The light source is hooded to prevent glare onto adjoining property and the public right-of-way.~~
 - ~~7. Compatibility. The architectural appearance, scale, construction materials, and function plan of the building and site shall not be dissimilar to the existing nearby commercial buildings and shall not cause impairment in property values, or constitute a blighting influence within reasonable distance of the site.~~
 - ~~8. Green Strip. At any common boundary shared with a residential district, a strip of not less than five feet shall be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.~~
 - ~~9. Drainage. The entire area shall have a drainage system which is subject to the approval of the City Engineer.~~
 - ~~10. Surfacing. The entire area other than that portion occupied by buildings or structures or plantings shall be surfaced with a material which will control dust and drainage and which is subject to the approval of the City.~~
 - ~~11. Parking and Loading. Adequate parking and loading spaces shall be provided on the site including adequate room to accommodate the parking and maneuvering of cars and/or semi tractor trailers in conformance with Chapter 920 of this Ordinance.~~
 - ~~12. Refuse Storage. All refuse shall be stored in containers as specified by the City Code. Said containers are to be fully screened and enclosed by a fence or similar structure.~~
 - ~~13. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- M. ~~Miniature golf courses, par three golf courses, archery ranges, tennis courts or golf driving ranges, provided that:~~
- ~~1. The entire perimeter of the site is fenced in accordance with Chapter 918 of this Ordinance.~~
 - ~~2. The hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic noise and glare upon any existing neighboring residential uses.~~
 - ~~3. Lighting. All lighting shall be hooded and so directed to prevent glare onto adjacent properties and/or roads.~~
 - ~~4. The site is well maintained, landscaped and screened in accordance with Chapter 918 of this Ordinance.~~
 - ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- N. ~~Motels, hotels, lodges, or boarding houses, provided that:~~
- ~~1. All State regulations are complied with including obtaining all required permits and/or licenses.~~
 - ~~2. Parking and loading areas are in conformance with the parking and loading ordinances outlined in Chapter 920 of this Ordinance.~~
 - ~~3. The parking and loading spaces shall not be located within the front yard of a lot and must meet all applicable provisions of the parking and loading ordinance.~~
 - ~~4. The site shall be landscaped and screened in compliance with Chapter 918 of this Ordinance.~~

5. ~~The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- O. ~~Nursery or garden stores or retail greenhouses, provided that:~~
1. ~~There are no growing fields on the site.~~
 2. ~~Outdoor sales/display area shall be limited to 30 percent of the gross lot area and be in conformance with the performance standards of Section 916.12 of this Ordinance.~~
 3. ~~The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- P. ~~Outdoor sale and display of fruits or vegetables, provided that:~~
1. ~~The provisions of Section 916.12 of this Ordinance are considered and satisfactorily met.~~
 2. ~~The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- Q. ~~Commercial car washes (drive through, mechanical and self-service), provided that:~~
1. ~~The architectural appearance, scale, and functional plan of the building and site shall not be so dissimilar to the existing buildings or areas as to cause impairment in property values or constitute a blighting influence.~~
 2. ~~Magazine or stacking space is constructed to accommodate that number of vehicles which can be washed during a maximum 30-minute period and shall be subject to the approval of the City Engineer.~~
 3. ~~At the boundaries of a residential district, a strip of not less than five feet shall be landscaped and screened in compliance with Chapter 918 of this Ordinance.~~
 4. ~~Each light standard island and all islands in the parking lot shall be landscaped or covered.~~
 5. ~~Parking or car magazine storage space shall be screened from view of abutting residential districts in compliance with Chapter 918 of this Ordinance.~~
 6. ~~The entire area other than occupied by the building or plantings shall be surfaced with material which will control dust and drainage which is subject to the approval of the City Engineer.~~
 7. ~~The entire area shall have a drainage system which is subject to the approval of the City Engineer.~~
 8. ~~All lighting shall be hooded and so directed that the light source is not visible from the public right-of-way or from an abutting residence and shall be in compliance with Section 916.06 of this Ordinance.~~
 9. ~~Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movement and shall be subject to the approval of the City Engineer.~~
 10. ~~All signing and information or visual communication devices shall be in compliance with the applicable provisions of Chapter 927 of this Ordinance.~~
 11. ~~Provisions are made to control and reduce noise.~~
 12. ~~The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- R. ~~Automobile parking lots of four or more spaces as a principal use or other than those accessory to the principal use, provided that:~~
1. ~~The provisions of Chapter 920 of this Ordinance are considered and satisfactorily met.~~
 2. ~~The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- S. ~~Governmental and public-related utility buildings and structures necessary for the health, safety and general welfare of the City, provided that:~~
1. ~~When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.~~
 2. ~~The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- T. ~~Planned unit development as regulated by Chapter 933 of this Ordinance.~~
- U. ~~Micro-production Facility, provided that:~~
1. ~~Licensing. The owner of the micro-production facility qualifies for and receives all federal, state and city licenses necessary for the operation of the micro-production facility, including a brewer license and a malt liquor wholesale license (if wholesale of malt liquor is an~~

- intended activity); winery license; and/or a distiller's license from the State of Minnesota, according to Minn. Stats. § 340A.
2. ~~Taproom/Tasting Room License. An accessory taproom or tasting room for the on-sale of beer, wine, or spirits produced on-site shall require a taproom/tasting room license from the City of Wayzata, according to City Code Section 524.02.~~
 3. ~~Off-sale. On-site sale of beer in the form of growlers shall require a Brewery License for Off-Sale of Malt Liquor, according to City Code Section 524.02. On-site sale of wine or spirits, other than samples as governed under Minnesota State Statutes, shall be prohibited.~~
 4. ~~Production of Beer. Total production of malt liquor shall not exceed 5,000 barrels annually. Micro-production Facilities with a taproom license shall not exceed 3,500 barrels annually, and only 500 barrels may be sold off-sale as growlers. Any micro-production facility operating as a brewery shall annually submit production reports to the City with the request to renew a brewery taproom or off-sale malt liquor license.~~
 5. ~~Production of Wine. Total production of wine shall not exceed 50,000 gallons annually. Any micro-production facility operating as a winery shall annually submit production reports to the City with the request to renew a tasting room or winery license.~~
 6. ~~Production of Spirits. Total production of spirits shall not exceed 40,000 proof gallons annually. Any micro-production facility operating as a distillery shall annually submit production reports to the City with the request to renew a tasting room or distillery license.~~
 7. ~~Off-street Loading. The micro-production facility shall provide adequate space for off-street loading and unloading of all trucks greater than 22 feet in length. In the absence of off-street loading, the City may impose limits on deliveries or shipments using the public rights of ways, including regulating the number of trucks per day and the hours that deliveries are permitted.~~
 8. ~~Outdoor Storage. No outdoor storage is permitted on the site, with the exception that waste handling (refuse and/or recycling) may occur in an enclosure that is fully screened from adjoining streets and residentially zoned properties.~~
 9. ~~Odors. No odors from the micro-production facility shall be perceptible beyond the property line. The micro-production facility operator shall take appropriate measures to reduce or mitigate any odors generated from the operation and be in compliance with any applicable Minnesota Pollution Control Standards.~~
 10. ~~Waste. Waste products shall be disposed of in a timely manner and in such a way to reduce odors.~~
 11. ~~Exterior Lighting. All exterior lighting shall be designed in such a way as to have no direction source of light visible from adjacent property, and shall comply with the requirements of Section 916.06 of the Wayzata Zoning Ordinance.~~
 12. ~~Parking. Parking supply shall be provided on-site or through off-site arrangement, to avoid street parking on residential streets. Off-site or reduced parking supply shall require separate approval per the requirements of Chapter 920 of the Wayzata Zoning Ordinance, as applicable.~~
 13. ~~Hours of Operation. Micro-production facility operation hours shall be limited to the hours specified in Minn. Stats. Ch. 340A for off-sale intoxicating liquor unless further limited the City Council as part of a Conditional Use Permit.~~
 14. ~~Other Provisions. The provisions of Section 904.02.F of the Wayzata Zoning Ordinance, pertaining to Conditional Use Permit criteria, are considered and satisfactorily met. A micro-production facility shall meet all other applicable performance standards and design requirements in the Wayzata Zoning Ordinance.~~

977.06 Height, Setback, Floor Area Ratio, Lot Area, and Lot Coverage, Impervious Surfaces and Landscaping Requirements Standards.

The following minimum requirements ~~shall~~ must be observed met for all lots in the "C-3" District subject to additional requirements, exceptions, and modifications set forth in this Ordinance. The following height, setback, floor area ratio, lot area, lot coverage, impervious surfaces and landscaping, height and bulk shall be observed limits apply in the "C-3" District.

A. ~~Height. No Buildings shall be erected or structurally altered may not exceed to exceed a height of threetwo stories and or 350 feet in height, whichever is lesser.~~

B. Minimum Setbacks.

1. Front. There ~~shall~~must be a front yard having a depth of not less than ten feet.
2. Side. There ~~shall~~must be a side yard on each side of any building having a width of not less than ten feet, except where a greater side yard is required to provide parking and loading, as required by Chapters 914 and 915, and except that no building ~~shall~~must be located within 50 feet of any side lot line abutting a residential district.
3. Rear. There ~~shall~~must be a rear yard having a depth of not less than ten feet, except where a greater rear yard is required to provide parking and loading, as required by Chapters 914 and 915, and except that no building ~~shall msut~~ be located within 50 feet of any rear lot line abutting a residential district.

C. The floor area ratio (F.A.R.) may not exceed 1.5.

D. ~~Lot Area.~~ The minimum ~~total~~ lot area ~~shall~~must be 15,000 square feet.

~~E. Lot Coverage.~~ The ~~maximum~~ lot coverage of ~~all buildings shall may not exceed be~~ 50 percent of lot area.

F. The impervious surfaces may not exceed 75 percent of lot area.

~~E. Floor Area Ratio. The maximum floor area ratio (F.A.R.) shall be 1.0.~~

G.F. Required Landscaping. A minimum of 20 percent of the total lot ~~shall~~must be landscaped and maintained. A landscaped buffer strip of at least eight feet wide ~~shall~~must be provided between parking areas and adjacent streets or sidewalks. The buffer strip ~~shall~~must consist of shade trees at maximum intervals of 30 feet and a decorative fence, masonry wall, or hedge.

CHAPTER 978 C-4 CENTRAL BUSINESS DISTRICT

978.01 Purpose.

The C-4 District is intended to provide a district accommodating those retail, service and office functions which are characteristic to a "downtown" area and to allow the present downtown area to expand, develop and redevelop, with emphasis on specialty shops and office uses. Planned commercial development as provided for in this Ordinance will be encouraged so as to provide a cohesive and unified central business district in general accordance with the Comprehensive Plan.

978.02 Permitted Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in a "C-4" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Adult Use Accessory.~~
- ~~B. Antique shops.~~
- ~~C. Appliance sales or service stores.~~
- ~~D. Art galleries or studios.~~
- ~~E. Art supply, school supply, book or stationery stores.~~
- ~~F. Bakeries, provided the room or rooms containing the preparation and baking process shall not have a gross floor area in excess of 2,400 square feet.~~
- ~~G. Banks, savings, lending or other financial institutions.~~
- ~~H. Barber shops.~~
- ~~I. Beauty parlors.~~
- ~~J. Blueprinting, photostatting or instant printing establishments under 2,000 square feet in gross floor area.~~
- ~~K. Business machine sales or service stores.~~
- ~~L. Camera and photo stores.~~
- ~~M. Candy or ice cream stores.~~
- ~~N. Carpet and rug stores (sample showrooms only).~~
- ~~O. Catering establishments.~~
- ~~P. Clothes pressing or tailoring shops.~~
- ~~Q. Department stores.~~
- ~~R. Drug stores.~~
- ~~S. Dry cleaning receiving and pick up or laundry self-service establishments, excluding commercial laundering and dry cleaning.~~
- ~~T. Florist shops.~~
- ~~U. Food, grocery, meat, fish, bakery or delicatessen stores.~~
- ~~V. Furniture stores.~~
- ~~W. Hardware stores.~~
- ~~X. Hobby stores.~~
- ~~Y. Interior decorating studios.~~
- ~~Z. Jewelry stores.~~
- ~~AA. Laboratories (medical or dental).~~
- ~~BB. Leather goods or luggage shops.~~
- ~~CC. Libraries.~~
- ~~DD. Locksmith shops.~~
- ~~EE. Medical or dental clinics.~~
- ~~FF. Newsstands which are not free-standing.~~
- ~~GG. "Off-sale" liquor stores.~~
- ~~HH. Offices, including both business and professional uses.~~
- ~~II. "On-sale" liquor stores.~~
- ~~JJ. Optical stores.~~
- ~~KK. Paint or wallpaper stores.~~
- ~~LL. Parking or garages, other than those accessory to a principal use, for the parking and storage of private passenger automobiles only.~~

~~MM. Pawn shops.~~
~~NN. Pet shops.~~
~~OO. Phonograph, record or sheet music stores.~~
~~PP. Photography studios.~~
~~QQ. Picture framing or picture stores.~~
~~RR. Pipe tobacco shops.~~
~~SS. Post offices.~~
~~TT. Public utility service stores.~~
~~UU. Restaurants excluding the service of liquor and excluding convenience food establishments.~~
~~VV. Schools, such as music, dance, business or vocational schools.~~
~~WW. Sporting goods stores.~~
~~XX. Taxidermy shops.~~
~~YY. Theaters, excluding drive-ins.~~
~~ZZ. Variety, gift, notion or soft good stores.~~
~~AAA. Wearing apparel stores.~~
~~BBB. Coffee shops.~~
~~CCC. Municipal parks and playgrounds.~~
~~DDD. Upper story dwelling units subject the density standards of the R-5 District.~~

978.03 Interim Use.

~~No interim uses are allowed in the C-4 District. Subject to applicable provisions of this Ordinance, the following are interim uses in the C-4 District and are governed by Chapter 934 of this Ordinance:~~

~~A. None.~~

978.04 Accessory Uses.

~~Subject to applicable provisions of the Ordinance, the following are permitted accessory uses in a "C-4" District are listed in the Table shown in Section 937.02 of this Ordinance.:~~

- ~~A. Accessory uses customarily incident to the uses permitted in Sections 978.02 and 978.05 of this Ordinance.~~
- ~~B. Off Street Parking and Loading Areas and Structures. Parking of trucks used in the conduct of a permitted principal use, other than delivery trucks parked for not more than two consecutive hours, shall be limited to vehicles of not more than 12,000 pounds gross vehicle weight.~~
- ~~C. Telephone booths.~~
- ~~D. Enclosed storage of merchandise in either principal or accessory building, solely intended to be retailed by a related and established principal use.~~
- ~~E. Enclosed storage of merchandise in either principal or accessory building, solely intended to be retailed by a related and established principal use.~~
- ~~F. Bus or taxi loading and unloading facilities.~~
- ~~G. Outdoor sidewalk cafes in the public right of way for which a permit has been issued by the City pursuant to City Code Ch. 315.~~

~~(Ord.782[8-9-2018])~~

978.05 Conditional Uses.

~~Subject to applicable provisions of this Ordinance, the following are conditional uses in a "C-4" District are listed in the Table shown in Section 937.02 of this Ordinance.:~~ ~~(Requires a~~ All conditional use ~~s require a conditional use~~ permit based upon procedures and standards set forth in ~~and regulated by Chapter 904 of this Ordinance.)~~

~~A. Drive-in facilities for banks or savings and loan associations, provided that:~~

- ~~1. The driveway access shall not be on a residential street.~~
- ~~2. The curb cut setbacks and parking shall be in conformance with Chapter 920, the Parking Ordinance.~~
- ~~3. The stacking lane and its access must be designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.~~

- ~~4. The service windows and driveway shall be screened from view if adjacent to a residentially-used property.~~
 - ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~B. Physical, culture or health service establishments or reducing salons, provided that:~~
- ~~1. The use shall not serve alcoholic beverages.~~
 - ~~2. If located within a shopping center, the use has its own exclusive exterior access.~~
 - ~~3. The use is located and developed so as not to create an incompatible operation problem with adjoining and neighboring commercial and/or residential uses.~~
 - ~~4. Any and all applicable local, state and federal laws, permits licenses and operational regulations are complied with.~~
 - ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~C. Accessory, enclosed retail, rental or service activity other than that allowed as a permitted use or conditional use within this Section, provided that:~~
- ~~1. Such use is allowed as a permitted use in a "B-1" or "B-2" District.~~
 - ~~2. Such use does not constitute more than 30 percent of the lot area and not more than 50 percent of the gross floor area of the principal use.~~
 - ~~3. Adequate off-street parking and off-street loading in compliance with the requirements of Chapter 920 of this Ordinance is provided.~~
 - ~~4. All signing and informational or visual communication devices shall be in compliance with Chapter 927 this Ordinance.~~
 - ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~D. Drive-inns or convenience food establishments, provided that the provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~E. Residential use as a principal use, provided that:~~
- ~~1. The development does not front or border Lake Street.~~
 - ~~2. The development does not conflict with existing or potential future commercial uses and activities.~~
 - ~~3. The density standards imposed as part of the R-5 Zoning District are complied with.~~
 - ~~4. Adequate open space and recreational space is provided on site for the benefit of the occupants.~~
 - ~~5. The development does not conflict or result in incompatible land use arrangements as related to abutting residential uses or commercial uses.~~
 - ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~F. Open and outdoor storage as an accessory use, provided that:~~
- ~~1. The storage area is landscaped, fenced, and screened from view of neighboring uses and abutting "R" Districts.~~
 - ~~2. Storage is landscaped and screened from view from the public right-of-way.~~
 - ~~3. Storage area is blacktopped or concrete surfaced.~~
 - ~~4. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences.~~
 - ~~5. The storage area does not take up parking space or loading space as required for conformity to this Ordinance.~~
 - ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~G. Open or outdoor service, sale and rental as a principal or accessory use, provided that:~~
- ~~1. Outside services, sales and equipment rental connected with the principal use is limited to 30 percent of the gross floor area of the principal use.~~
 - ~~2. Outside sales areas are landscaped and fenced or screened from view of neighboring residential uses or an abutting "R" District.~~
 - ~~3. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences.~~

- ~~4. Areas are asphalt or concrete surfaced.~~
 - ~~5. The use does not take up parking space or loading areas as required for conformity to this Ordinance.~~
 - ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~H. Governmental and public related utility buildings and structures necessary for the health, safety and general welfare of the City, provided that:~~
- ~~1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.~~
 - ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~I. Planned unit development as regulated by Chapter 933 of this Ordinance.~~
- ~~J. Existing clubs or lodges, provided that:~~
- ~~1. All State regulations are complied with including obtaining all required permits and/or licenses.~~
 - ~~2. Parking and loading areas are in conformance with the parking and loading ordinances outlined in Chapter 920 of this Ordinance.~~
 - ~~3. The parking and loading spaces shall not be located within the front yard of a lot and must meet all applicable provisions of the parking and loading ordinance.~~
 - ~~4. The site shall be landscaped and screened in compliance with Chapter 918 of this Ordinance.~~
 - ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~K. Micro-production Facility, provided that:~~
- ~~1. Licensing. The owner of the micro-production facility qualifies for and receives all federal, state and city licenses necessary for the operation of the micro-production facility, including a brewer license and a malt liquor wholesale license (if wholesale of malt liquor is an intended activity); winery license; and/or a distiller's license from the State of Minnesota, according to Minn. Stats. § 340A.~~
 - ~~2. Taproom/Tasting Room License. An accessory taproom or tasting room for the on-sale of beer, wine, or spirits produced on-site shall require a taproom/tasting room license from the City of Wayzata, according to City Code Section 524.02.~~
 - ~~3. Off-sale. On-site sale of beer in the form of growlers shall require a Brewery License for Off-Sale of Malt Liquor, according to City Code Section 524.02. On-site sale of wine or spirits, other than samples as governed under Minnesota State Statutes, shall be prohibited.~~
 - ~~4. Production of Beer. Total production of malt liquor shall not exceed 5,000 barrels annually. Micro-production Facilities with a taproom license shall not exceed 3,500 barrels annually, and only 500 barrels may be sold off-sale as growlers. Any micro-production facility operating as a brewery shall annually submit production reports to the City with the request to renew a brewery taproom or off-sale malt liquor license.~~
 - ~~5. Production of Wine. Total production of wine shall not exceed 50,000 gallons annually. Any micro-production facility operating as a winery shall annually submit production reports to the City with the request to renew a tasting room or winery license.~~
 - ~~6. Production of Spirits. Total production of spirits shall not exceed 40,000 proof-gallons annually. Any micro-production facility operating as a distillery shall annually submit production reports to the City with the request to renew a tasting room or distillery license.~~
 - ~~7. Off-street Loading. The micro-production facility shall provide adequate space for off-street loading and unloading of all trucks greater than 22 feet in length. In the absence of off-street loading, the City may impose limits on deliveries or shipments using the public rights of ways, including regulating the number of trucks per day and the hours that deliveries are permitted.~~
 - ~~8. Outdoor Storage. No outdoor storage is permitted on the site, with the exception that waste handling (refuse and/or recycling) may occur in an enclosure that is fully screened from adjoining streets and residentially zoned properties.~~
 - ~~9. Odors. No odors from the micro-production facility shall be perceptible beyond the property line. The micro-production facility operator shall take appropriate measures to reduce or~~

~~mitigate any odors generated from the operation and be in compliance with any applicable Minnesota Pollution Control Standards.~~

- ~~10. Waste. Waste products shall be disposed of in a timely manner and in such a way to reduce odors.~~
- ~~11. Exterior Lighting. All exterior lighting shall be designed in such a way as to have no direction source of light visible from adjacent property, and shall comply with the requirements of Section 916.06 of the Wayzata Zoning Ordinance.~~
- ~~12. Parking. Parking supply shall be provided on-site or through off-site arrangement, to avoid street parking on residential streets. Off-site or reduced parking supply shall require separate approval per the requirements of Chapter 920 of the Wayzata Zoning Ordinance, as applicable.~~
- ~~13. Hours of Operation. Micro-production facility operation hours shall be limited to the hours specified in Minn. Stats. Ch. 340A for off-sale intoxicating liquor unless further limited the City Council as part of a Conditional Use Permit.~~
- ~~14. Other Provisions. The provisions of Section 904.02.F of the Wayzata Zoning Ordinance, pertaining to Conditional Use Permit criteria, are considered and satisfactorily met. A micro-production facility shall meet all other applicable performance standards and design requirements in the Wayzata Zoning Ordinance.~~

~~(Ord.782[8-9-2018])~~

978.06 Special Limitations and Conditions.

- A. All business establishments shall be retail or service establishments which deal directly with the customer for whom the goods or services are furnished.
- B. Each business establishment shall be operated as a separate and distinct business entity. Each business establishment shall be physically separate from any other such establishment by solid walls, partitions or windows, although nothing in this paragraph is intended to prevent either common ownership or free pedestrian movement from one establishment to another through either an area commonly owned or leased by all adjoining establishments or through direct doorway connections. All business establishments shall be accessible from the exterior of the building in which they are located by either a direct door to the exterior or by direct access to a "common area" which in turn has adequate access to the exterior of the building without passing through another business establishment
- C. Retail or Commercial Use. At least 50 percent of the building frontage on the ground floor along Lake Street must be used for retail or service commercial use and should comprise at least 50 percent of the ground floor building footprint.
- D. New Lake Street Buildings. All new buildings along Lake Street with a building footprint of 4,000 square feet or more shall be developed with more than one of the following uses. retail, service, residential, and office. Upper floors may be used for any permitted use including residential.
- E. All buildings shall meet the defined sidewalk line except for small setbacks to provide outdoor seating, plazas or recess entries.
- F. Parking in the front yard is prohibited.

978.07 Height, Setback~~and~~, Lot Coverage and Lot Area Requirements.

The following minimum requirements ~~shall must~~ be observed-met for all lots in ~~thea~~ "C-4" District subject to additional requirements, exceptions, and modifications set forth in this Ordinance. The following height, setbacks, lot coverage, ~~height~~ and bulk-lot area ~~shall be observed-limits apply~~ in thea "C-4" District:

- A. ~~Height. No B-buildings~~ ~~shall be erected or structurally altered to~~ may not exceed the height of three stories ~~and or 35 feet in height, whichever is lesser~~. Three story buildings are subject to the following additional standards.

1. The third story must be set back from the building's front facade a minimum distance of ~~ten-10~~ feet; or

2. A portion of the third story, equal to no more than 25 percent of the building's street frontage may be located in the same plane as the building's front facade if the remainder of the third story is setback a minimum distance of 20 feet.

B. Minimum Setbacks.

1. There ~~shall~~must be no front yard, exterior side yard or rear yard requirements, except that there ~~shall~~must be a required setback from C-4 District boundaries when such boundaries are adjacent to a residential district the same as the setback for the adjacent district.

C. ~~Floor Area Ratio~~. The ~~maximum~~ floor area ratio (F.A.R.) ~~shall be~~may not exceed 2.0.

D. ~~Area~~. The minimum ~~total~~ lot area ~~shall~~must be ~~842~~,000 square feet.

CHAPTER 979 C-4A LIMITED CENTRAL BUSINESS DISTRICT

979.01 Purpose.

The C-4A District is intended to provide a district accommodating those retail, service, office and residential functions which are characteristic to a "downtown" area and to allow the present downtown area to expand, develop and redevelop, with emphasis on specialty shops and office uses with continuous linear low level building designs. Such areas are to be characterized by individual store fronts with public sidewalk access, as contrasted to shopping mall type development. Planned commercial development as provided for in this Ordinance will be encouraged, so as to provide a cohesive and unified central business district in general accordance with the Comprehensive Plan.

979.02 Permitted Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses within the "C-4A" District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Adult Use Accessory.~~
- ~~B. Antique shops.~~
- ~~C. Appliance sales or service stores.~~
- ~~D. Art galleries or studios.~~
- ~~E. Art supply, school supply, book or stationery stores.~~
- ~~F. Bakeries, provided the room or rooms containing the preparation and baking process shall not have a gross floor area in excess of 2,400 square feet.~~
- ~~G. Banks, savings, lending or other financial institutions.~~
- ~~H. Barber shops.~~
- ~~I. Beauty parlors.~~
- ~~J. Blueprinting, photostatting or instant printing establishments under 2,000 square feet in gross floor area.~~
- ~~K. Business machine sales or service stores.~~
- ~~L. Camera and photo stores.~~
- ~~M. Candy or ice cream stores.~~
- ~~N. Carpet and rug stores (sample showrooms only).~~
- ~~O. Catering establishments.~~
- ~~P. Clothes pressing or tailoring shops.~~
- ~~Q. Department stores.~~
- ~~R. Drug stores.~~
- ~~S. Dry cleaning receiving and pick-up or laundry self-service establishments, excluding commercial laundering and dry cleaning.~~
- ~~T. Florist shops.~~
- ~~U. Food, grocery, meat, fish, bakery or delicatessen stores.~~
- ~~V. Furniture stores.~~
- ~~W. Hardware stores.~~
- ~~X. Hobby stores.~~
- ~~Y. Interior decorating studios.~~
- ~~Z. Jewelry stores.~~
- ~~AA. Laboratories (medical or dental).~~
- ~~BB. Leather goods or luggage shops.~~
- ~~CC. Libraries.~~
- ~~DD. Locksmith shops.~~
- ~~EE. Medical or dental clinics.~~
- ~~FF. Newsstands which are not free-standing.~~
- ~~GG. "Off-sale" liquor stores.~~
- ~~HH. Offices, including both business and professional uses.~~
- ~~II. "On-sale" liquor stores.~~
- ~~JJ. Optical stores.~~
- ~~KK. Paint or wallpaper stores.~~

~~LL. Parking or garages, other than those accessory to a principal use, for the parking and storage of private passenger automobiles only.~~
~~MM. Pawn shops.~~
~~NN. Pet shops.~~
~~OO. Phonograph, record or sheet music stores.~~
~~PP. Photography studios.~~
~~QQ. Picture framing or picture stores.~~
~~RR. Pipe tobacco shops.~~
~~SS. Post offices.~~
~~TT. Public utility service stores.~~
~~UU. Restaurants excluding the service of liquor and excluding convenience food establishments.~~
~~VV. Schools, such as music, dance, business or vocational schools.~~
~~WW. Sporting goods stores.~~
~~XX. Taxidermy shops.~~
~~YY. Theaters, excluding drive-ins.~~
~~ZZ. Variety, gift, notion or soft good stores.~~
~~AAA. Wearing apparel stores.~~
~~BBB. Coffee shops.~~
~~CCC. Municipal parks and playgrounds.~~
~~DDD. Upper story dwelling units subject to the density standards of the R-5 District.~~

979.03 Interim Use.

Subject to applicable provisions of this Ordinance, the ~~following are~~ interim uses in the C-4A District listed within Section 937.02 and are governed by Chapter 934 of this Ordinance:

~~A. Existing car wash and dispensing operations, provided that:~~

- ~~1. All proposed alterations and/or modifications to the building and site are subject to the issuance of a conditional use permit as set forth in Chapter 904 of the Zoning Ordinance.~~

979.04 Accessory Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ accessory uses in the C-4A District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Accessory uses customarily incident to the uses permitted in Sections 979.02 and 979.05 of this Ordinance.~~
- ~~B. Off-Street Parking and Loading Areas and Structures. Parking of trucks used in the conduct of a permitted principal use, other than delivery trucks parked for not more than two consecutive hours, shall be limited to vehicles of not more than 12,000 pounds gross vehicle weight.~~
- ~~C. Telephone booths.~~
- ~~D. Enclosed storage of merchandise in either principal or accessory building, solely intended to be retailed by a related and established principal use.~~
- ~~E. Bus or taxi loading and unloading facilities.~~
- ~~F. Outdoor sidewalk cafes in the public right of way for which a permit has been issued by the City pursuant to City Code Ch. 315.~~

~~(Ord.782[8-9-2018])~~

979.05 Conditional Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ conditional uses in a "C-4A" District are listed in the Table shown in Section 937.02 of this Ordinance.:(Requires a All conditional use s require a conditional use permit based upon procedures and standards set forth in and regulated by Chapter 904 of this Ordinance.)

~~A. Drive-in facilities for banks or savings and loan associations, provided that:~~

- ~~1. The driveway access shall not be on a residential street.~~
- ~~2. The curb cut setbacks and parking shall be in conformance with Chapter 920, the Parking Ordinance.~~

- ~~3. The stacking lane and its access must be designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.~~
 - ~~4. The service windows and driveway shall be screened from view if adjacent to a residentially used property.~~
 - ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~B. Physical, culture or health service establishments or reducing salons, provided that:~~
- ~~1. The use shall not serve alcoholic beverages.~~
 - ~~2. If located within a shopping center, the use has its own exclusive exterior access.~~
 - ~~3. The use is located and developed so as not to create an incompatible operation problem with adjoining and neighboring commercial and/or residential uses.~~
 - ~~4. Any and all applicable local, state and federal laws, permits licenses and operational regulations are complied with.~~
 - ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~C. Accessory, enclosed retail, rental or service activity other than that allowed as a permitted use or conditional use within this Section, provided that:~~
- ~~1. Such use is allowed as a permitted use in a "B-1, or "B-2" District.~~
 - ~~2. Such use does not constitute more than 30 percent of the lot area and not more than 50 percent of the gross floor area of the principal use.~~
 - ~~3. Adequate off-street parking and off-street loading in compliance with the requirements of Chapter 920 of this Ordinance is provided.~~
 - ~~4. All signing and informational or visual communication devices shall be in compliance with Chapter 927 of this Ordinance.~~
 - ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~D. Drive-ins and delicatessens with seating facilities, provided that the provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~E. Residential use as a principal use, provided that:~~
- ~~1. The development does not front or border Lake Street.~~
 - ~~2. The development does not conflict with existing or potential future commercial uses and activities.~~
 - ~~3. The density standards imposed as part of the R-5 Zoning District are complied with.~~
 - ~~4. Adequate open space and recreational space is provided on site for the benefit of the occupants.~~
 - ~~5. The development does not conflict or result in incompatible land use arrangements as related to abutting residential uses.~~
 - ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~F. Open and outdoor storage as an accessory use, provided that:~~
- ~~1. The storage area is landscaped, fenced, and screened from view of neighboring uses and abutting "R" Districts.~~
 - ~~2. Storage is landscaped and screened from view from the public right-of-way.~~
 - ~~3. Storage area is blacktopped or concrete surfaced.~~
 - ~~4. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences.~~
 - ~~5. The storage area does not take up parking space or loading space as required for conformity to this Ordinance.~~
 - ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~G. Open or outdoor service, sale and rental as a principal or accessory use, provided that:~~
- ~~1. Outside services, sales and equipment rental connected with the principal use is limited to 30 percent of the gross floor area of the principal use.~~
 - ~~2. Outside sales areas are landscaped and fenced or screened from view of neighboring residential uses or an abutting "R" District.~~

- ~~3. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences.~~
 - ~~4. Areas are asphalt or concrete surfaced.~~
 - ~~5. The use does not take up parking space or loading areas as required for conformity to this Ordinance.~~
 - ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~H. Governmental and public-related utility buildings and structures necessary for the health, safety and general welfare of the City, provided that:~~
- ~~1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.~~
 - ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~I. Planned unit development as regulated by Chapter 933 of this Ordinance.~~
- ~~J. Existing clubs or lodges, provided that:~~
- ~~1. All State regulations are complied with including obtaining all required permits and/or licenses.~~
 - ~~2. Parking and loading areas are in conformance with the parking and loading ordinances outlined in Chapter 920 of this Ordinance.~~
 - ~~3. The parking and loading spaces shall not be located within the front yard of a lot and must meet all applicable provisions of the parking and loading ordinance.~~
 - ~~4. The site shall be landscaped and screened in compliance with Chapter 918 of this Ordinance.~~
 - ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~K. Micro-production Facility, provided that:~~
- ~~1. Licensing. The owner of the micro-production facility qualifies for and receives all federal, state and city licenses necessary for the operation of the micro-production facility, including a brewer license and a malt liquor wholesale license (if wholesale of malt liquor is an intended activity); winery license; and/or a distiller's license from the State of Minnesota, according to Minn. Stats. § 340A.~~
 - ~~2. Taproom/Tasting Room License. An accessory taproom or tasting room for the on-sale of beer, wine, or spirits produced on-site shall require a taproom/tasting room license from the City of Wayzata, according to City Code Section 524.02.~~
 - ~~3. Off-Sale. On-site sale of beer in the form of growlers shall require a Brewery License for Off-Sale of Malt Liquor, according to City Code Section 524.02. On-site sale of wine or spirits, other than samples as governed under Minnesota State Statutes, shall be prohibited.~~
 - ~~4. Production of Beer. Total production of malt liquor shall not exceed 5,000 barrels annually. Micro-production Facilities with a taproom license shall not exceed 3,500 barrels annually, and only 500 barrels may be sold off-sale as growlers. Any micro-production facility operating as a brewery shall annually submit production reports to the City with the request to renew a brewery taproom or off-sale malt liquor license.~~
 - ~~5. Production of Wine. Total production of wine shall not exceed 50,000 gallons annually. Any micro-production facility operating as a winery shall annually submit production reports to the City with the request to renew a tasting room or winery license.~~
 - ~~6. Production of Spirits. Total production of spirits shall not exceed 40,000 proof gallons annually. Any micro-production facility operating as a distillery shall annually submit production reports to the City with the request to renew a tasting room or distillery license.~~
 - ~~7. Off-Street Loading. The micro-production facility shall provide adequate space for off-street loading and unloading of all trucks greater than 22 feet in length. In the absence of off-street loading, the City may impose limits on deliveries or shipments using the public rights of ways, including regulating the number of trucks per day and the hours that deliveries are permitted.~~
 - ~~8. Outdoor Storage. No outdoor storage is permitted on the site, with the exception that waste handling (refuse and/or recycling) may occur in an enclosure that is fully screened from adjoining streets and residentially-zoned properties.~~

- ~~9. Odors. No odors from the micro-production facility shall be perceptible beyond the property line. The micro-production facility operator shall take appropriate measures to reduce or mitigate any odors generated from the operation and be in compliance with any applicable Minnesota Pollution Control Standards.~~
- ~~10. Waste. Waste products shall be disposed of in a timely manner and in such a way to reduce odors.~~
- ~~11. Exterior Lighting. All exterior lighting shall be designed in such a way as to have no direction source of light visible from adjacent property, and shall comply with the requirements of Section 916.06 of the Wayzata Zoning Ordinance.~~
- ~~12. Parking. Parking supply shall be provided on-site or through off-site arrangement, to avoid street parking on residential streets. Off-site or reduced parking supply shall require separate approval per the requirements of Chapter 920 of the Wayzata Zoning Ordinance, as applicable.~~
- ~~13. Hours of Operation. Micro-production facility operation hours shall be limited to the hours specified in Minn. Stats. Ch. 340A for off-sale intoxicating liquor unless further limited the City Council as part of a Conditional Use Permit.~~
- ~~14. Other Provisions. The provisions of Section 904.02.F of the Wayzata Zoning Ordinance, pertaining to Conditional Use Permit criteria, are considered and satisfactorily met. A micro-production facility shall meet all other applicable performance standards and design requirements in the Wayzata Zoning Ordinance.~~

~~(Ord.782[8-9-2018])~~

979.06 Special Limitations and Conditions.

- A. All business establishments shall be retail or service establishments which deal directly with the customer for whom the goods or services are furnished.
- B. Each business establishment shall be operated as a separate and distinct business entity. Each business establishment shall be physically separate from any other such establishment by solid walls, partitions or windows, although nothing in this paragraph is intended to prevent either common ownership or free pedestrian movement from one establishment to another through either an area commonly owned or leased by all adjoining establishments or through direct doorway connections. All business establishments shall be accessible from the exterior of the building in which they are located by either a direct door to the exterior or by direct access to a "common area" which in turn has adequate access to the exterior of the building without passing through another business establishment.
- C. Retail or Commercial Use. At least 50 percent of the building frontage on the ground floor along Lake Street must be used for retail or service commercial use and must comprise at least 50 percent of the ground floor building footprint.
- D. New Lake Street Buildings. All new buildings along Lake Street with a building footprint of 4,000 square feet or more must be developed with more than one of the following uses: retail, service, residential and office. Upper floors may be used for any permitted use including residential.
- E. All buildings shall meet the defined sidewalk line except for small setbacks to provide outdoor Seating, plazas, or recessed entries.
- F. Parking in the front yard is prohibited.

979.07 Height, Setback ~~and~~, Lot Coverage ~~and~~ Lot Area.

The following minimum requirements ~~shall~~ must be ~~observed~~ met for all lots in ~~the~~ "C-4A" District subject to additional requirements, exceptions, and modifications set forth in this Ordinance:

- A. ~~Height. No Bbuildings~~ shall be erected or structurally altered to ~~may not~~ exceed the height of two stories ~~and or~~ 30 feet in height, whichever is lesser.
- B. Minimum Setbacks. There ~~shall~~ must be no front yard, exterior side yard or rear yard requirements, except that there ~~shall~~ must be a required setback within C-4A District boundaries when such boundaries are adjacent to a residential district. In such cases, the setback ~~shall~~ must be the same as the setback for the adjacent district.
- C. ~~Floor Area Ratio.~~ The ~~maximum~~ floor area ratio (F.A.R.) ~~shall be~~ may not exceed 2.0.
- D. ~~Area.~~ The minimum ~~total~~ lot area ~~shall~~ must be 12,000 square feet.

CHAPTER 980 C-4B CENTRAL BUSINESS DISTRICT

980.01 Purpose.

The C-4B District is intended to provide a district accommodating those retail sales, service, office and residential functions which are characteristic to a "downtown" area and to allow the present downtown area to expand, develop and redevelop, with emphasis on specialty shops and retail uses with continuous linear low level building designs, while maintaining this desired character. Such areas are to be characterized by individual storefronts with public sidewalk access, as contrasted to shopping mall type development. The district requires retail use at street grade.

980.02 Permitted Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted uses in a "C-4B" District ~~are listed in the Table shown in Section 937.02 of this Ordinance.:~~

~~A. At street grade, the following specifically identified retail sale and service uses:~~

- ~~1. Adult Use Accessory.~~
- ~~2. Antique shops.~~
- ~~3. Art galleries or studios.~~
- ~~4. Art supply, school supply, book or stationery stores.~~
- ~~5. Bakeries, provided the room or rooms containing the preparation and baking process shall not have a gross floor area in excess of 2,400 square feet.~~
- ~~6. Banks, savings, lending or other financial institutions, (excluding drive-ins).~~
- ~~7. Barber shops.~~
- ~~8. Beauty parlors.~~
- ~~9. Blueprinting, photostatting or instant printing.~~
- ~~10. Business machine sales or service stores.~~
- ~~11. Camera and photo stores.~~
- ~~12. Candy or ice cream stores.~~
- ~~13. Carpet and rug stores (sample showrooms only).~~
- ~~14. Clothes pressing or tailoring shops.~~
- ~~15. Department stores.~~
- ~~16. Drug stores.~~
- ~~17. Dry cleaning receiving and pick up or laundry self-service establishments, excluding commercial laundering and dry cleaning.~~
- ~~18. Florist shops.~~
- ~~19. Food, grocery, meat, fish, bakery or delicatessen stores.~~
- ~~20. Furniture stores.~~
- ~~21. Hardware stores.~~
- ~~22. Hobby stores.~~
- ~~23. Interior decorating studios.~~
- ~~24. Jewelry stores.~~
- ~~25. Leather goods or luggage shops.~~
- ~~26. Libraries.~~
- ~~27. Locksmith shops.~~
- ~~28. Medical or dental clinics.~~
- ~~29. Newsstands which are not free-standing.~~
- ~~30. Optical stores.~~
- ~~31. Paint or wallpaper stores.~~
- ~~32. Pet shops.~~
- ~~33. Phonograph, record or sheet music stores.~~
- ~~34. Photography studios.~~
- ~~35. Picture framing or picture stores.~~
- ~~36. Pipe tobacco shops.~~
- ~~37. Post offices.~~
- ~~38. Public utility service stores.~~

- ~~39. Restaurants including the service of liquor and excluding convenience food establishments.~~
- ~~40. Sporting goods stores.~~
- ~~41. Taxidermy shops.~~
- ~~42. Theaters, excluding drive-ins.~~
- ~~43. Variety, gift, notion or soft goods stores.~~
- ~~44. Wearing apparel stores.~~
- ~~45. Coffee shops.~~
- ~~46. Municipal parks and playgrounds.~~
- ~~47. Municipal "Off-sale" and "On-sale" Liquor Stores.~~

~~B. Other than at street grade.~~

- ~~1. All uses identified in Section 980.02.A above.~~
- ~~2. Laboratories (medical and dental).~~
- ~~3. Offices, including both business and professional uses.~~
- ~~4. Schools such as music, dance, business or vocational schools.~~
- ~~5. Upper story dwelling units subject to the density standards of the R-5 District.~~

980.03 Interim Use.

Subject to applicable provisions of this Ordinance, the ~~following are~~ interim uses in the C-4B District listed within Section 937.02 and are governed by Chapter 934 of this Ordinance:

~~A. Accessory parking lot fronting on Lake Street, provided that:~~

- ~~1. The use is accessory to a principal use or is a principal use under public ownership.~~
- ~~2. The design and construction of the facility is in compliance with applicable provisions of this Ordinance.~~
- ~~3. The use of the site for parking is temporary in nature with the intent of development of the site for commercial purposes.~~

980.04 Accessory Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ permitted accessory uses in the C-4B District are listed in the Table shown in Section 937.02 of this Ordinance.:

- ~~A. Accessory uses customarily incident to the uses permitted in Sections 980.02 and 980.05 of this Ordinance.~~
- ~~B. Off-Street Parking and Loading Areas and Structures. Parking of trucks used in the conduct of a permitted principal use, other than delivery trucks parked for not more than two consecutive hours, shall be limited to vehicles of not more than 12,000 pounds gross vehicle weight. Unless approved as an interim use, such area shall not border or front Lake Street.~~
- ~~C. Enclosed storage of merchandise in either principal or accessory building, solely intended to be retailed by a related and established principal use.~~
- ~~D. Bus or taxi loading and unloading facilities.~~
- ~~E. Outdoor sidewalk cafes in the public right of way for which a permit has been issued by the City pursuant to City Code Ch. 315.~~

~~(Ord.782[8-9-2018])~~

980.05 Conditional Uses.

Subject to applicable provisions of this Ordinance, the ~~following are~~ conditional uses in a "C-4B" District are listed in the Table shown in Section 937.02 of this Ordinance.: ~~(Requires a~~ All ~~conditional use~~ s require a conditional use permit based upon procedures and standards set forth in ~~and regulated by Chapter 904 of this Ordinance.)~~

~~A. Drive-in facilities for banks or savings and loan associations, provided that:~~

- ~~1. The driveway access shall not be on a residential street.~~
- ~~2. The curb cut setbacks and parking shall be in conformance with Chapter 920, the Parking Ordinance.~~

- ~~3. The stacking lane and its access must be designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.~~
 - ~~4. The service windows and driveway shall be screened from view if adjacent to a residentially used property.~~
 - ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~B. Physical, culture or health service establishments or reducing salons, provided that:~~
- ~~1. The use shall not serve alcoholic beverages.~~
 - ~~2. If located within a shopping center, the use has its own exclusive exterior access.~~
 - ~~3. The use is located and developed so as not to create an incompatible operation problem with adjoining and neighboring commercial and/or residential uses.~~
 - ~~4. Any and all applicable local, state and federal laws, permits licenses and operational regulations are complied with.~~
 - ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~C. Accessory, enclosed retail, rental or service activity other than that allowed as a permitted use or conditional use within this Section, provided that:~~
- ~~1. Such use is allowed as a permitted use in a "B-1" or "B-2" District.~~
 - ~~2. Such use does not constitute more than 30 percent of the lot area and not more than 50 percent of the gross floor area of the principal use.~~
 - ~~3. Adequate off-street parking and off-street loading in compliance with the requirements of Chapter 920 of this Ordinance is provided.~~
 - ~~4. All signing and informational or visual communication devices shall be in compliance with Chapter 927 of this Ordinance.~~
 - ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~D. Drove ins and delicatessens with seating facilities, provided that the provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~E. Residential use as a principal use, provided that:~~
- ~~1. The development does not front or border Lake Street.~~
 - ~~2. The development does not conflict with existing or potential future commercial uses and activities.~~
 - ~~3. The density standards imposed as part of the R-5 Zoning District are complied with.~~
 - ~~4. Adequate open space and recreational space is provided on site for the benefit of the occupants.~~
 - ~~5. The development does not conflict or result in incompatible land use arrangements as related to abutting residential uses.~~
 - ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~F. Open and outdoor storage as an accessory use, provided that:~~
- ~~1. The storage area is landscaped, fenced, and screened from view of neighboring uses and abutting "R" Districts.~~
 - ~~2. Storage is landscaped and screened from view from the public right-of-way.~~
 - ~~3. Storage area is blacktopped or concrete surfaced.~~
 - ~~4. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences.~~
 - ~~5. The storage area does not take up parking space or loading space as required for conformity to this Ordinance.~~
 - ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~G. Open or outdoor service, sale and rental as a principal or accessory use, provided that:~~
- ~~1. Outside services, sales and equipment rental connected with the principal use is limited to 30 percent of the gross floor area of the principal use.~~
 - ~~2. Outside sales areas are landscaped and fenced or screened from view of neighboring residential uses or an abutting "R" District.~~

- ~~3. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences.~~
 - ~~4. Areas are asphalt or concrete surfaced.~~
 - ~~5. The use does not take up parking space or loading areas as required for conformity to this Ordinance.~~
 - ~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~H. Governmental and public-related utility buildings and structures necessary for the health, safety and general welfare of the City, provided that:~~
- ~~1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.~~
 - ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~I. Planned unit development as regulated by Chapter 933 of this Ordinance.~~
- ~~J. Existing clubs or lodges provided that:~~
- ~~1. All State regulations are complied with including obtaining all required permits and/or licenses.~~
 - ~~2. Parking and loading areas are in conformance with the parking and loading ordinances outlined in Chapter 920 of this Ordinance.~~
 - ~~3. The parking and loading spaces shall not be located within the front yard of a lot and must meet all applicable provisions of the parking and loading ordinance.~~
 - ~~4. The site shall be landscaped and screened in compliance with Chapter 918 of this Ordinance.~~
 - ~~5. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~
- ~~K. Micro-production Facility, provided that:~~
- ~~1. Licensing. The owner of the micro-production facility qualifies for and receives all federal, state and city licenses necessary for the operation of the micro-production facility, including a brewer license and a malt liquor wholesale license (if wholesale of malt liquor is an intended activity); winery license; and/or a distiller's license from the State of Minnesota, according to Minn. Stats. § 340A.~~
 - ~~2. Taproom/Tasting Room License. An accessory taproom or tasting room for the on-sale of beer, wine, or spirits produced on-site shall require a taproom/tasting room license from the City of Wayzata, according to City Code Section 524.02.~~
 - ~~3. Off-sale. On-site sale of beer in the form of growlers shall require a Brewery License for Off-Sale of Malt Liquor, according to City Code Section 524.02. On-site sale of wine or spirits, other than samples as governed under Minnesota State Statutes, shall be prohibited.~~
 - ~~4. Production of Beer. Total production of malt liquor shall not exceed 5,000 barrels annually. Micro-production Facilities with a taproom license shall not exceed 3,500 barrels annually, and only 500 barrels may be sold off-sale as growlers. Any micro-production facility operating as a brewery shall annually submit production reports to the City with the request to renew a brewery taproom or off-sale malt liquor license.~~
 - ~~5. Production of Wine. Total production of wine shall not exceed 50,000 gallons annually. Any micro-production facility operating as a winery shall annually submit production reports to the City with the request to renew a tasting room or winery license.~~
 - ~~6. Production of Spirits. Total production of spirits shall not exceed 40,000 proof gallons annually. Any micro-production facility operating as a distillery shall annually submit production reports to the City with the request to renew a tasting room or distillery license.~~
 - ~~7. Off-street Loading. The micro-production facility shall provide adequate space for off-street loading and unloading of all trucks greater than 22 feet in length. In the absence of off-street loading, the City may impose limits on deliveries or shipments using the public rights of ways, including regulating the number of trucks per day and the hours that deliveries are permitted.~~
 - ~~8. Outdoor Storage. No outdoor storage is permitted on the site, with the exception that waste handling (refuse and/or recycling) may occur in an enclosure that is fully screened from adjoining streets and residentially-zoned properties.~~

- ~~9. Odors. No odors from the micro-production facility shall be perceptible beyond the property line. The micro-production facility operator shall take appropriate measures to reduce or mitigate any odors generated from the operation and be in compliance with any applicable Minnesota Pollution Control Standards.~~
- ~~10. Waste. Waste products shall be disposed of in a timely manner and in such a way to reduce odors.~~
- ~~11. Exterior Lighting. All exterior lighting shall be designed in such a way as to have no direction source of light visible from adjacent property, and shall comply with the requirements of Section 916.06 of the Wayzata Zoning Ordinance.~~
- ~~12. Parking. Parking supply shall be provided on-site or through off-site arrangement, to avoid street parking on residential streets. Off-site or reduced parking supply shall require separate approval per the requirements of Chapter 920 of the Wayzata Zoning Ordinance, as applicable.~~
- ~~13. Hours of Operation. Micro-production facility operation hours shall be limited to the hours specified in Minn. Stats. Ch. 340A for off-sale intoxicating liquor unless further limited the City Council as part of a Conditional Use Permit.~~
- ~~14. Other Provisions. The provisions of Section 904.02.F of the Wayzata Zoning Ordinance, pertaining to Conditional Use Permit criteria, are considered and satisfactorily met. A micro-production facility shall meet all other applicable performance standards and design requirements in the Wayzata Zoning Ordinance.~~

~~(Ord. 782[8-9-2018])~~

980.06 Existing Uses.

Any established use which legally existed within its respective zoning district prior to the enactment and application of a C-4B classification and which requires a conditional use permit under the C-4B designation, may be continued in like fashion and activity and shall automatically be considered as having received conditional use approval. A change in ownership of such property shall not affect the conditional use permit approval status so long as the business or use continues in a like fashion and activity.

980.07 Special Limitations and Conditions.

- A. All business establishments at street grade shall be retail or service establishments which deal directly with the customer for whom the goods or services are furnished.
- B. All business establishments at street grade shall be complementary to the retail character of the district and enhance pedestrian traffic.
- C. Each business establishment shall be operated as a separate and distinct business entity. Each business establishment shall be physically separate from any other such establishment by solid walls, partitions or windows, although nothing in this paragraph is intended to prevent either common ownership or free pedestrian movement from one establishment to another through either an area commonly owned or through direct doorway connections. All business establishments shall be accessible from the exterior of the building in which they are located either by a direct door to the exterior or by direct access to a "common area" which in turn has adequate access to the exterior of the building without passing through another business establishment.
- D. At least 50 percent of the building frontage on the ground floor along Lake Street must be used for retail or service commercial use and must comprise at least 50 percent of the ground floor building footprint.
- E. New Lake Street Buildings. All new buildings along Lake Street with a building footprint of 4,000 square feet or more must be developed with more than one of the following uses: retail, service, residential, and office. Upper floors may be used for any permitted use including residential.
- F. All buildings shall meet the defined sidewalk line except for small setbacks to provide outdoor seating, plazas, or recessed entries.
- G. Parking is prohibited in the front yard is prohibited.

980.08 Height, ~~Setbacks~~~~Yard and~~, Lot Coverage ~~and Lot Area Requirements~~.

The following minimum requirements ~~shall must~~ be ~~observed met for all lots~~ in ~~a the~~ "C-4B" District subject to additional requirements, exceptions, and modifications set forth in this Ordinance:

A. ~~Height. No B~~~~buildings~~ ~~shall be erected or structurally altered to~~ ~~may not~~ exceed ~~the height of~~ two stories ~~and or~~ 30 feet ~~in height, whichever is lesser~~.

B. ~~Minimum~~ Setbacks. There ~~shall must~~ be no front yard, exterior side yard or rear yard requirements, except that there ~~shall must~~ be a required setback within C-4B District boundaries when such boundaries are adjacent to a residential district. In such cases, the setback ~~shall must~~ be the same as the setback for the adjacent district.

C. ~~Floor Area Ratio~~. The ~~maximum~~ floor area ratio (F.A.R.) ~~shall be~~ ~~may not exceed~~ 2.0.

D. ~~Area~~. The minimum ~~total~~ lot area ~~shall must~~ be ~~126~~,000 square feet.

~~CHAPTER 985 R-D RESEARCH AND DEVELOPMENT DISTRICT~~

~~985.01 Purpose.~~

~~The R-D District is intended to allow restrictive industrial-type growth for certain uses with high standards of performance which do not create appreciable nuisances or hazards. The regulations for this District are intended to encourage development which will be very similar to office uses, which will be compatible with and can reasonably adjoin higher density residential development, and which will promote desirable concentrations of similar such uses.~~

~~985.02 Special Limitations and Conditions.~~

- ~~A. All applications to use or plat property for research and development purposes shall be considered in accordance with the procedures and provisions of Chapter 933, Planned Unit Development.~~
- ~~B. All uses within the R-D District shall be conditional uses and shall be considered in accordance with the procedures and provisions of Chapter 904, Conditional Uses. Such uses shall be limited to administrative, wholesale, testing, light manufacturing and similar or related uses which can be conducted in an unobtrusive manner.~~
- ~~C. All research and development projects shall contain sufficient open space, landscaping and off-street parking areas, and all such projects shall maintain a high standard of appearance, with all external effects to be adequately controlled (e.g., noise and smoke).~~

CHAPTER 986 B-W BUSINESS/WAREHOUSING DISTRICT

986.01—Purpose.

The purpose of the "B-W" Business/Warehousing District is to provide for the establishment of wholesale and retail trade of large volume or bulk commercial items, storage and warehousing. The overall character of the "B-W" District is intended to be transitional in nature, thus industrial uses allowed within this District shall be limited to those which can compatibly exist adjacent to commercial and lower intensity activities.

986.02—Permitted Uses.

Subject to applicable provisions of this Ordinance, the following are permitted uses within the "B-W" District:

- A. Automobile repair—minor.
- B. Commercial printing establishments.
- C. Commercial/professional offices.
- D. Conference centers.
- E. Essential services.
- F. Governmental and public utility buildings and structures.
- G. Indoor commercial recreation.
- H. Laboratories.
- I. Wholesale showrooms.

986.03—Interim Use.

Subject to applicable provisions of this Ordinance, the following are interim uses in the B-W District and are governed by Chapter 934 of this Ordinance.

- A. None.

986.04—Accessory Uses.

Subject to applicable provisions of this Ordinance, the following are permitted accessory uses within the "B-W" District:

- A. Accessory uses customarily incidental to the uses allowed in Sections 986.02 and 986.05 of this Ordinance.
- B. Off-Street Parking and Loading Areas and Structures. Parking of trucks used in the conduct of a permitted principal use, other than delivery trucks parked for not more than two consecutive hours, shall be limited to vehicles of not more than 12,000 pounds gross vehicle weight.
- C. Enclosed storage of merchandise in either principal or accessory building, solely intended to be retailed by a related and established principal use.
- D. Bus or taxi loading and unloading facilities.

986.05—Conditional Uses.

Subject to applicable provisions of this Ordinance, the following are conditional uses in a "B-W" District: (Requires a conditional use permit based upon procedures set forth in and regulated by Chapter 904 of this Ordinance.)

- A. Open and outdoor storage including the parking of commercial vehicles in excess of that allowed as a permitted accessory use as an accessory use, provided that:
 - 1. The storage area is landscaped, fenced, and screened from view of neighboring uses and abutting "R" Districts.
 - 2. Storage is landscaped and screened from view from the public right-of-way.
 - 3. Storage area is blacktopped or concrete surfaced.
 - 4. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences.
 - 5. The storage area does not take up parking space or loading space as required for conformity to this Ordinance.

~~6. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~B. Open or outdoor services, sale and rental as a principal or accessory use, provided that:~~

- ~~1. Outside services, sales and equipment rental connected with the principal use is limited to 30 percent of the gross floor area of the principal use. Uses specified as requiring a separate conditional use permit shall be exempted from this provision.~~
- ~~2. Outside sales areas are landscaped and fenced or screened from view of neighboring residential uses or an abutting "R" District.~~
- ~~3. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences.~~
- ~~4. Areas are asphalt or concrete surfaced.~~
- ~~5. The use does not take up parking space or loading areas as required for conformity to this Ordinance.~~
- ~~6. Additional parking, pursuant to Chapter 920 of this Ordinance is provided for said space.~~
- ~~7. The provisions of Section 904.02.G of this Ordinance are considered and satisfactorily met.~~

~~C. Manufacturing, compounding, assembly, packaging, treatment or storage of products and materials, provided that:~~

- ~~1. The proposed use complies with the performance standards outlined in Chapters 916, 917, 918, 919, 920 and all other applicable provisions of this Ordinance.~~
- ~~2. The provisions of Section 904.02.G of this Ordinance are considered and satisfactorily met.~~
- ~~3. Planned unit development as regulated by Chapter 933 of this Ordinance.~~

~~D. Governmental and public related utility buildings and structures necessary for the health safety and general welfare of the City shall be allow as a conditional use, provided that:~~

- ~~1. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Chapter 918 of this Ordinance.~~
- ~~2. The provisions of Section 904.02.F of this Ordinance are considered and satisfactorily met.~~

~~986.06 Height, Yard and Lot Coverage Requirements.~~

~~The following minimum requirements shall be observed in a "B-W" District subject to additional requirements, exceptions, and modifications set forth in this Ordinance:~~

~~A. Height. No building shall be erected or structurally altered to exceed two stories and 25 feet in height, whichever is lesser.~~

~~B. Setback.~~

- ~~1. Front Yard: 25 feet.~~
- ~~2. Side Yard: There shall be a side yard on each side of any building having a width of not less than 20 feet, except that no building shall be located within 50 feet of any side lot line abutting a lot in any residential district.~~
- ~~3. Rear Yard: There shall be a rear yard having a depth of not less than 20 feet, except that no buildings shall be located within 50 feet of any residential district.~~

~~C. Floor Area Ratio. The maximum floor area ratio (F.A.R.) shall be 1.0.~~

~~D. Lot Area. The minimum total lot area shall be 30,000 square feet.~~



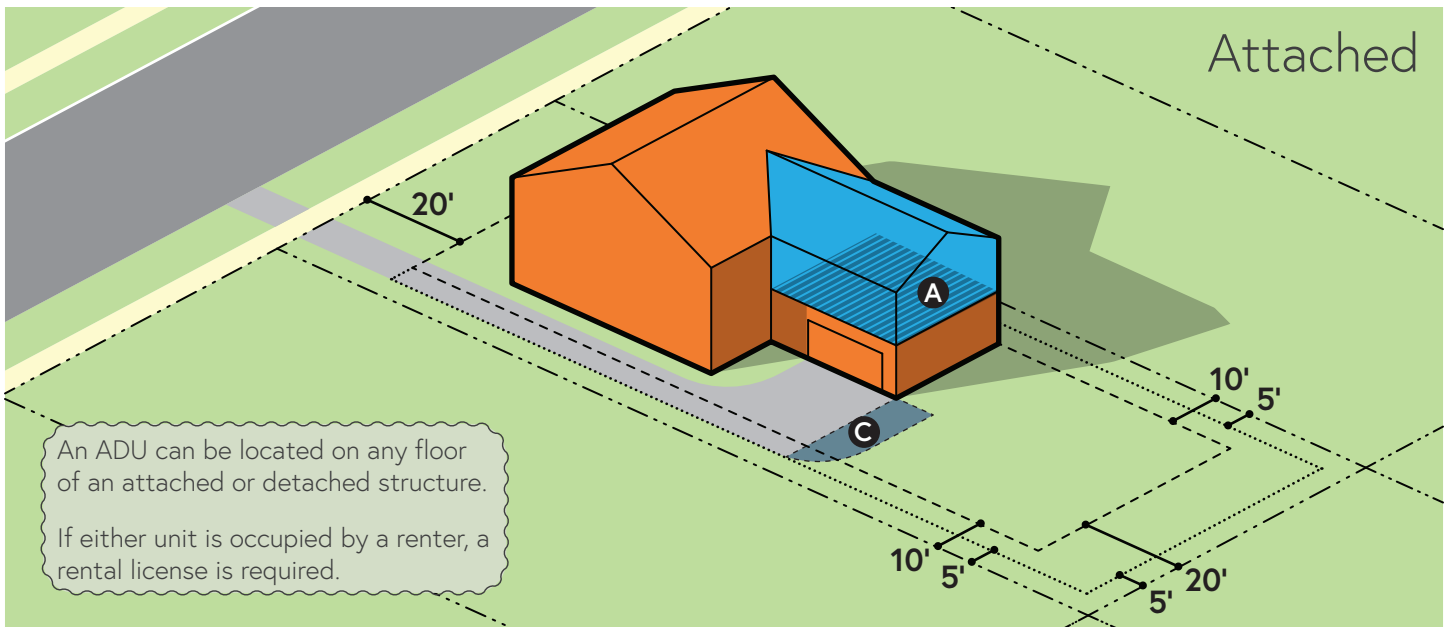
ACCESSORY DWELLING UNIT

Zoning Regulations

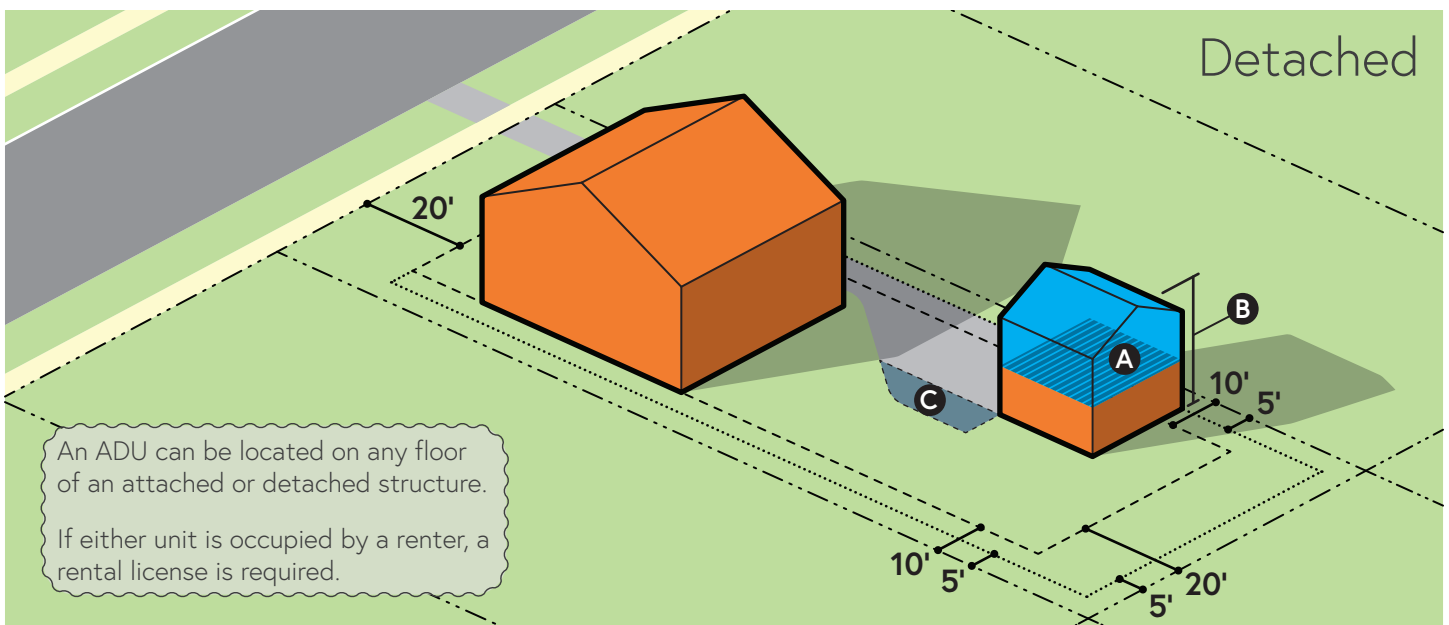
An ADU — also known as a granny flat, mother-in-law suite, or carriage house — is a small unit with its own entrance, kitchen, and bathroom located on the same lot as the primary house.

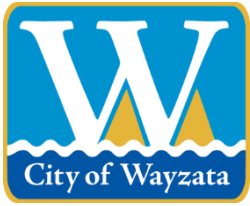
Standards

- ADU limited to 33% of the residence habitable space **A**
- Minimum size of the ADU is 300 square feet; Maximum size no greater than 960 square feet* **A**
- Maximum height for detached ADU is 20' in all zoning districts except for R-1 and R-1A which has a height of 25' or two stories whichever is less **B**
- A parking stall is required for the ADU over and above the 2 parking stalls required for the residence **C**
- Only one ADU per property
- The residence or ADU must be owner-occupied



Orange Principal Structure Blue Accessory Dwelling Unit (ADU)





City of Wayzata Planning Commission Agenda Report

MEETING DATE: February 28, 2022	AGENDA ITEM: 6.a
TITLE: Review of Development Activities	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY:	
60 DAY DEADLINE: N/A	

BACKGROUND:

A verbal update will be provided at the meeting.

ACTION REQUESTED:

N/A

ATTACHMENTS:

None



City of Wayzata Planning Commission Agenda Report

MEETING DATE: February 28, 2022	AGENDA ITEM: 6.b
TITLE: Planning Commission Meeting Schedule	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

The next Planning Commission meeting is scheduled for Monday, March 7. It is one week from today because today's meeting was delayed due to Presidents' Day. The 2022 City Meeting Calendar and the Liaison Schedule are attached.

The City is hosting three community meetings in March. A flyer is attached with details about these topics:

1. Accessory Dwelling Units (ADUs) - Tuesday, March 1
2. Rezoning all City parks to a newly created Parks and Open Space Zoning District – Thursday, March 10
3. Section Foreman House Schematic Design – Tuesday, March 15

ACTION REQUESTED:

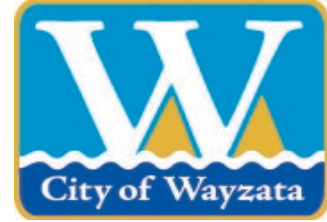
N/A

ATTACHMENTS:

1. 2022 Wayzata City Calendar
2. 2022 Planning Commission Liaison Schedule
3. 3 Important Community Meetings in March

City of Wayzata

2022 Meeting Calendar



- Energy & Environment 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 - Feb 1, 2022

Primary Election - August 9, 2022

General Election - November 8, 2022

January 2022						
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March 2022						
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April 2022						
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May 2022						
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June 2022						
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August 2022						
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September 2022						
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October 2022						
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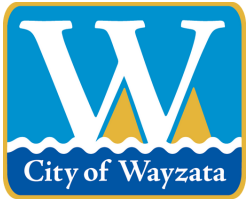
November 2022						
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December 2022						
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Revised
9/29/2021

2022 Planning Commission Assignments at Council Meetings

	<u>Meeting Date</u>	<u>Commission Representative</u>
Tuesday	January 4, 2022	Ken Sorensen
Tuesday	January 18, 2022	Peggy Douglas
Tuesday	February 8, 2022	Laura Merriam
Tuesday	February 22, 2022	Jeffrey Parkhill
Tuesday	March 8, 2022	Bonnie Schwalbe
Tuesday	March 22, 2022	Jennifer Severson
Tuesday	April 5, 2022	Larissa Stockton
Tuesday	April 19, 2022	Ken Sorensen
Tuesday	May 3, 2022	Peggy Douglas
Tuesday	May 17, 2022	Laura Merriam
Tuesday	June 7, 2022	Jeffrey Parkhill
Tuesday	June 21, 2022	Bonnie Schwalbe
Tuesday	July 5, 2022	Jennifer Severson
Tuesday	July 19, 2022	Larissa Stockton
Wednesday	August 3, 2022	Ken Sorensen
Tuesday	August 16, 2022	Peggy Douglas
Tuesday	September 6, 2022	Laura Merriam
Tuesday	September 20, 2022	Jeffrey Parkhill
Tuesday	October 4, 2022	Bonnie Schwalbe
Tuesday	October 18, 2022	Jennifer Severson
Tuesday	November 1, 2022	Larissa Stockton
Tuesday	November 15, 2022	Ken Sorensen
Tuesday	December 6, 2022	Peggy Douglas
Tuesday	December 20, 2022	Laura Merriam



Join Us for 3 Important Community Meetings in March



ADU Community Meeting

Tuesday March 1 | 4:30 - 5:30 p.m. | City Hall

Are you interested in adding a secondary unit to your property? Are you wondering what impact this housing type will have in your neighborhood? Wayzata is considering permitting ADUs (Accessory Dwelling Units) within Wayzata's single-family neighborhoods on smaller lots. Currently, ADUs are allowed on larger lots. To learn more about potential regulations and give your feedback, please join us at this informational meeting. The Planning Commission and City Council will be considering this measure in the coming weeks and months.



Parks Rezoning Community Meeting

Thursday March 10 | 5 - 6 p.m. | City Hall

Currently, all of Wayzata's park properties and city-owned open space are zoned for residential use, commercial use, or Planned Unit Development. To protect and preserve these properties from any future development, Wayzata is proposing to rezone all of the properties to Parks and Open Space. Join us at this meeting to talk more about the proposed rezoning application of properties around Wayzata to a new zoning district, Parks and Open Space.



Section Foreman House Community Meeting

Tuesday March 15 | 4:30 - 6 p.m. | City Hall

The Section Foreman House is proposed to be rehabilitated for reuse as a new vibrant lakefront learning center providing indoor and outdoor classroom and community space as part of the Panoway project and proposed Eco Park. This will be a discussion about the current design plans for the Section Foreman House (behind Stalk & Spade between the railroad tracks and the lake).