

WAYZATA PLANNING COMMISSION

Meeting Agenda

Wayzata City Hall Community Room, 600 Rice Street

Monday, June 26, 2023

6:30 PM

HYBRID MEETING INFORMATION

[Click here to join Zoom Meeting](#)

Meeting ID: 816 0284 3182 Passcode: 280362

Members of the public may attend this Planning Commission meeting in person, or 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 of May 15, 2023
5. **Public Hearing Items**
 - a. Consider Application for Impervious Surface Variance at 374 Ferndale Rd W
 - b. Consider Application for Impervious Surface Variance and Parking Area Setback Variance at 138 Huntington Ave S
 - c. Consider Application for Subdivision and Report and Recommendation of Approval at 1030 Lake St E
6. **Other Items**
 - a. Review of Development Activities
 - b. Planning Commission Meeting Schedule
7. **Adjournment**

Upcoming Meetings:
City Council - July 18, 2023
Planning Commission - July 17, 2023

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: June 26, 2023	AGENDA ITEM: 4.a
TITLE: Approval of Meeting Minutes of May 15, 2023	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

N/A

ACTION REQUESTED:

Staff recommends approval of the regular meeting minutes of May 15, 2023.

ATTACHMENTS:

1. Planning Commission Meeting Minutes of May 15, 2023

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
MAY 15, 2023**

AGENDA ITEM 1. Call to Order

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

Chair Stockton read a prepared statement outline multiple options for joining remotely or submitting comments and questions.

AGENDA ITEM 2. Roll Call

Chair Stockton asked Community Development Director Goellner to take roll call.

Present at roll call were Commissioners: Douglas, Merriam, Stockton, Sorensen, Schwalbe, Severson, and Elg. Community Development Director Emily Goellner and City Attorney David Schelzel were also present.

AGENDA ITEM 3. Approval of Agenda

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

Commissioner Severson made a motion, seconded by Commissioner Douglas to approve the May 15, 2023 agenda as presented. The motion carried unanimously.

AGENDA ITEM 4. Consent Agenda

a.) Approval of the May 1, 2023 Planning Commission Meeting Minutes

b.) ~~Approval of Planning Commissioner Report and Recommendation of Denial for Development Application at 200 Lake Street East~~ (pulled for further discussion)

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

Commissioner Merriam asked to pull item b. for further discussion.

Chair Stockton asked for a motion to approve the Consent Agenda as amended.

Commissioner Douglas made a motion, seconded by Commissioner Schwalbe to approve the Consent Agenda as amended. The motion carried unanimously.

b. Approval of Planning Commissioner Report and Recommendation of Denial for Development Application at 200 Lake Street East

1 Community Development Director Goellner stated that before the Commission discusses this item
2 further she would like to suggest a friendly amendment to the title of the report so it more
3 accurately reflects the content of the report. She explained that this is a recommendation of denial
4 for the first two requests for rezoning and CUP for joint parking and a recommendation of approval
5 for the remaining requests.

6
7 Commissioner Merriam asked for clarification on the recommendation for a title change because
8 they are recommending denial and she feels that every piece of this hinges on whether or not the
9 zoning amendment is approved.

10
11 City Attorney Schelzel stated that was true, but explained that staff believed that there were some
12 particular nuances to this report. He stated that staff tried to make it clear that the recommendation
13 of approvals for items 3-6 would be contingent upon the first two items. He explained that their
14 suggestion regarding retitling it was really to more accurately reflect the summary of
15 recommendation from the Commission.

16
17 Commissioner Severson asked if the applicant came back if the Commission would have to
18 reapprove items 3-6.

19
20 City Attorney Schelzel clarified that this is a whole application and would go on with the
21 Commissions report and recommendation to the City Council. He explained that the City Council
22 would make a decision on all of these items, but if the applicant came back with a new application,
23 it would be considered a whole new project and the Commission would take a new look at that
24 information.

25
26 Chair Stockton stated that she thinks this retitling adds some clarity to the ultimate
27 recommendation the Commission is making and underlines what they are saying regarding this
28 specific application.

29
30 City Attorney Schelzel stated that the reason staff thinks this approach makes sense is because it
31 is probably the most helpful to Council to get the Commissions input, findings, and
32 recommendations on each of the 6 requests, even though they are co-dependent.

33
34 Commissioner Douglas stated that if the Council approved the zoning amendments she asked if
35 item 2 would automatically be approved for the joint parking.

36
37 Community Development Director Goellner explained that if the Council decided to move forward
38 for the zoning amendments it would not give any sort of automatic approval because they are
39 separate requests.

40
41 Commissioner Merriam stated that there were some of the findings that she had a difficult time
42 with and referenced page 11 of the report. She noted that there was a statement about advancing
43 the goals of the Comprehensive Plan including walkable and pedestrian friendly and explained
44 that she would disagree with that statement because, from a pedestrian point of view, it is much
45 more appealing to walk by the property as it is now than it would be with six buildings there
46 blocking the views beyond and creating sort of a canyon effect. She stated that while you can walk

1 there, but she would not consider it pedestrian friendly or as pleasant of an experience. She
2 explained that she also wondered about the health, safety, and welfare of having residential units
3 in close proximity to the railroad tracks. She stated that she felt that should have been included in
4 the report. She noted that the other issue she wanted to touch on was the density because the City
5 is asking for 20-30 units/acre and she has a hard time seeing how that would be achieved with a
6 two-story. She noted that the Commission has discussed in the past that they don't really want
7 that kind of density in this area and asked how they can solve that issue.

8
9 Chair Stockton asked if the idea was to reopen discussion or to simply correct these documents.

10
11 Community Development Director Goellner stated that tonight, the goal of the discussion is to
12 ensure that the minutes and the report and recommendation are working together simultaneously
13 and that they accurately captured the findings and recommendations that were made by the
14 Commission. She stated that tonight staff does not want to necessarily get into an evaluation of
15 the discussion from the last meeting, but to ensure that the findings that were made were made by
16 a majority of the Commission. She noted that individual comments or thoughts would be reflected
17 in the minutes, but would not necessarily be part of the majority recommendation.

18
19 Commissioner Merriam explained that she was just wondering if the Commission could add those
20 finding details to the report. She stated that the density question could be discussed at a different
21 time.

22
23 City Attorney Schelzel stated that to address Commissioner Merriam's concerns, he is confident
24 that those points were included in the minutes. He stated that as part of the vote tonight, the
25 Commission can add their own view and details regarding their individual vote.

26
27 Chair Stockton asked for a motion to approve the proposed title amendment to the report and
28 recommendation, as suggested.

29
30 Commissioner Sorensen asked for an explanation of the title change that was being recommended.

31
32 City Attorney Schelzel explained that the recommended change is not a substantive change. He
33 stated that their suggestion is to change the title to, 'Report and Recommendation of Denial of
34 Rezoning and CUPs for Joint Parking, and Approval of First Floor Multiple Family Dwellings,
35 Shoreland PUD/CUP and SIP/CUP, and Project Design at 200 Lake Street East.' He reiterated
36 that the idea is that this is a nuanced report.

37
38 Commissioner Sorensen made a motion, seconded by Commissioner Douglas, to modify the title
39 of the Draft Report and Recommendation, as discussed, recommending denial for the first two
40 requests for rezoning and CUP for joint parking and a recommendation of approval for the
41 remaining requests. The motion carried unanimously.

42
43 Chair Stockton asked for a motion to adopt the Report and Recommendation with the revised title.
44

1 Commissioner Elg made a motion, seconded by Commissioner Severson, to approve the Planning
2 Commission Report and Recommendation of denial for the Rezoning and CUP for Joint Parking,
3 and recommendations for approval for the remaining requests.
4

5 Commissioner Merriam stated that she would like to make a change in the report to include a
6 concern about health, safety and welfare considering the proximity of the residential units to the
7 railroad track and that a series of six buildings would also inhibit the pedestrian experience because
8 it would create a canyon effect.
9

10 Commissioner Elg explained that he would not be in favor of making that amendment. He stated
11 that the Commission is recommending denial so it is unlikely that the builder will be able to move
12 forward with the 6 buildings they had proposed and will likely need to come back with a different
13 plan. He stated that personally, he was in favor of the density. He stated that there are also homes
14 that are close to railroad tracks all around the City and feels that decision is something for the
15 builder and the railroad company to be cognizant of and make sure there are plans in place to make
16 it as safe as possible.
17

18 Chair Stockton stated that she feels the train safety issue was out of the Commission's purview
19 and noted that she felt the minutes did a good job of reflecting some of the points that were brought
20 up by Commissioner Merriam during the meeting.
21

22 Commissioner Elg stated that he thinks that these items are adequate items to be brought up again
23 when a new proposal comes back and explained that, at this point, he doesn't think they should
24 mess with what they have already captured.
25

26 Commissioner Merriam explained that she felt that these items were not included in the findings
27 and were things that the Commission had discussed.
28

29 Commissioner Douglas stated that she also felt that they were well documented within the minutes.
30

31 Commissioner Merriam stated that if the majority of the Commission did not want to add these
32 items into the findings, she is fine with that, as long as it is documented.
33

34 Commissioner Douglas confirmed that the City Council will see the Planning Commission
35 meeting minutes.
36

37 Chair Stockton asked for a roll call vote on the motion.
38

39 Community Development Director Goellner completed a roll call vote on the motion. The motion
40 carried unanimously.
41

42 Community Development Director Goellner stated that the intent will be for the Council to review
43 this item at their June 6, 2023 meeting.
44

45 **AGENDA ITEM 5. Public Hearing Items**
46

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

2
3 **a) Review of Development Activities**

4
5 Community Development Director Goellner stated that because there are no completed
6 applications ready, she would be cancelling the June 5, 2023 meeting.
7

8 **b) Planning Commission Meeting Schedule**

9
10 Community Development Director Goellner stated the June 19, 2023 will have multiple public
11 hearings and will be a busy meeting. She stated that Chair Stockton will be absent for the meeting,
12 so Vice-Chair Sorensen would lead the meeting. She noted that there would also not be a Planning
13 Commission meeting on July 3, 2023.
14

15 **AGENDA ITEM 7. Adjournment.**

16
17 There being no further business on the agenda, Chair Stockton asked for a motion to adjourn.

18
19 Commissioner Elg made a motion, seconded by Commissioner Severson, to adjourn the Planning
20 Commission meeting. The motion carried unanimously.
21

22 The Planning Commission meeting was adjourned at 7:00 p.m.
23

24 Respectfully submitted,
25 Kayla Atkins Rokosz
26 *TimeSaver Off Site Secretarial, Inc.*
27



City of Wayzata Planning Commission Agenda Report

MEETING DATE: June 26, 2023	AGENDA ITEM: 5.a
TITLE: Consider Application for Impervious Surface Variance at 374 Ferndale Rd W	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: September 21, 2023 (extended to 120 days)	

BACKGROUND:

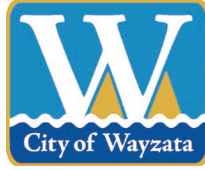
Owners Mike and Julie Speetzen, along with applicant's representative Outdoor Perfection, have applied for an impervious surface variance in order to facilitate improvements to their rear yard patio, including a new pool. The property is undersized within its zoning district and is additionally impacted by a neighbor's driveway that passes over their property.

ACTION REQUESTED:

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 variances requested in the application, for review and adoption at the next Planning Commission meeting.

ATTACHMENTS:

1. 374 Ferndale Rd W - Staff Report
2. 374 Ferndale Rd W - Narrative
3. 374 Ferndale Rd W - Survey and Plans



**Staff Report
Wayzata Planning Commission
June 26, 2023**

Project Name: Speetzen Patio
Approval Request: Impervious Surface Variance
Applicant: Mike and Julie Speetzen
Applicant's Representative: Jeremy Schultz, Outdoor Perfection
Addresses of Request: 374 Ferndale Road West
Prepared by: Valerie Quarles, Assistant Planner
"120 Day" Decision Deadline: September 21, 2023

Development Application Introduction

Owners/applicants Mike and Julie Speetzen, along with applicant's representative Jeremy Schultz of Outdoor Perfection, have submitted a development application requesting an impervious surface variance to support the replacement and expansion of their patio at 374 Ferndale Rd W.

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

Address	PID	Owner
374 Ferndale Rd W	12-117-23-12-0019	MT Speetzen & J L Speetzen

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

Current Zoning:	R-1A Low Density Single Family Estate District
Comprehensive Plan Designation:	Estate Single Family
Overlay Districts:	Shoreland Overlay District
Design District:	N/A

Project Location

The property is located on the south side of Ferndale Road West, between Harrington Road and Pillsbury Drive.

Map 1: Project Location



Source: Hennepin County

Application Requests

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

- A. Variance – Impervious Surface (§951.07.B): The applicant is requesting a variance of 4.9% off the required maximum impervious surface limit of 20% to 24.9%.

Public Hearing Notice

Notice of the public hearing on the Application was published in the *Sun Sailor* on June 15, 2023. The public hearing notice was also mailed to all property owners located within 500 feet of the subject property on June 15, 2023. The Minnesota Department of Natural Resources was notified on June 8, 2023.

Neighborhood Notification

The applicant sent a letter about the Application to property owners located within 500 feet of the subject property on June 15, 2023.

Public Comments

As of June 20, no public comments have been received.

Existing Conditions

The existing developed lot is 39,999 square feet (0.92 acres) in area. The existing home was built in 1977. There are two driveways on the property, of which one is for the use of the property owners and one is for the neighbors' use through an easement. The second driveway was created prior to the construction of the current home. The impervious surface today is 22.4%, which legally exceeds the 20% impervious surface

limitation R-1A by predating the zoning ordinance. The neighbors' driveway adds 4.68% of impervious surface to the subject property. The property is located in the Shoreland Overlay District.

Like multiple properties along this section of Ferndale Road West, the parcel is undersized for the zoning district, which mandates a minimum lot size of 80,000 square feet or nearly two acres.

Zoning District and Land Use Designation

The site is zoned R-1A, Low Density Single Family Estate District. The R-1A District is intended to provide a district for existing large low density residential and estate-type properties. The 2040 Comprehensive Plan land use designation for the site is Estate Single Family.

Proposed Changes

The applicant is proposing to replace and expand their patio in the rear yard, including a pool. Approximately 1,000 square feet of additional impervious surface would be created. This does not include the area of the water in the pool.

Analysis of Application

Variance – Impervious Surface

Impervious surface is defined as “a constructed hard surface that either prevents or retards the entry of water into the soil and causes water to run off the surface in greater quantities and at an increase rate of flow than prior to development. Examples include rooftops, sidewalks, patios, driveways, parking lots, storage areas, concrete, asphalt, or gravel roads (§902.02)”. Impervious surface encompasses the calculation for lot coverage, which is the total area of buildings on the lot. The proposed patio changes would increase the impervious surface from 22.4% to 24.9%. The limitation for the R-1A zoning district is 20%.

	City Code	Current	Proposed
Impervious Surface Limitation	20%	22.4%	24.9%

The applicant is proposing to use a stormwater catch basin and underground storage to provide the required capacity for excess runoff created by the hardcover overage. Both items are located in the rear yard.

While the property is located in the Shoreland Overlay District, the requirement for a separate Shoreland Impact Plan for hardcover overages begins at 25%. Since the proposed hardcover for the project is 24.9%, no additional administrative approvals related to the Shoreland Overlay District are required for this project.

Department Comments

Engineering Department:

- The proposal shows adequate stormwater management for improvements.

- If approved, a Storm Water Facilities Maintenance Agreement and Land Disturbance Permit are required.
- If approved and constructed, an as-built survey will be required upon project completion.

Standards of Planning Commission Review of Application Requests

Primary Questions to Consider:

1. Is the proposal consistent with the Comprehensive Plan?
2. Is each variance reasonable?
3. Is the plight of the landowner due to circumstances unique to the property, and not created by the landowner?
4. Would each variance 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

1. Narrative
2. Existing Conditions Survey
3. Site Plan
4. Site Details

Applicable Code Provisions for Review

Staff has analyzed the facts provided by the applicant in comparison with the criteria for approval. Staff has highlighted in **bold** the criteria that may require additional discussion with the Planning Commission.

2040 Comprehensive Plan – Residential Goals

- **Maintain and enhance the character, diversity, and livability of all residential neighborhoods.**

Variance Standards – City Code Chapter 905

The purpose of this Section is to provide for deviations from the literal provisions of this Ordinance in instances where strict enforcement of the provisions of this Ordinance would cause practical difficulties because of circumstances unique to the individual property under consideration, and to grant such variances only when the variances are in harmony with the general purposes and intent of this Ordinance, and the variances are consistent with the Comprehensive Plan.

Criteria for Granting. Conditions governing considerations of variance requests.

1. Variances shall only be permitted when they are:
 - a) In harmony with the general purposes and intent of this Ordinance; and
 - b) Consistent with the Comprehensive Plan.
2. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
3. "Practical difficulties," as used in connection with the granting of a variance, means that:
 - a) **The property owner's proposal for the property is reasonable but not permitted by this Ordinance;**
 - b) **The plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and**
 - c) **The variance, if granted, will not alter the essential character of the locality.**
4. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
5. Variances shall be granted for earth sheltered construction as defined in Minn. Stats. § 216C.06, Subd. 14, when in harmony with this Ordinance.
6. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
7. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
8. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.



City of Wayzata
Valerie Quarles
600 Rice Street East
Wayzata, MN 55391

Dear City Planning,

We are writing in regards to an upcoming project we have scheduled this year at 374 Ferndale Road West. Mike and Julie Speetzen purchased this home in October of 2022. The home was built in 1977 and their lot was sub divided in R.L.S. 1403. On the northwest corner of their lot sits an existing driveway belonging to the adjacent property which measures approximately 1650 S.F. We found an aerial photograph from 1971 showing the driveway already installed.

Per the latest survey conducted on 9/26/22, the Lot area is 39,999 S.F. The House area is 3,638 S.F., Bituminous area is 4599 S.F. and Pavers area is 724 S.F. for a total hardcover area of 8961 S.F. This puts the current hardcover at 22.40%. Our current planned proposal for the backyard would be 1515 S.F. The existing back patio area is approximately 515 S.F. We would be replacing the existing back patio and adding approximately 1000 S.F. of 'new' hardcover.

Existing hardcover: 8,961 S.F. for 22.40% hardcover.

Proposed : 9,961 S.F. for 24.90% hardcover.

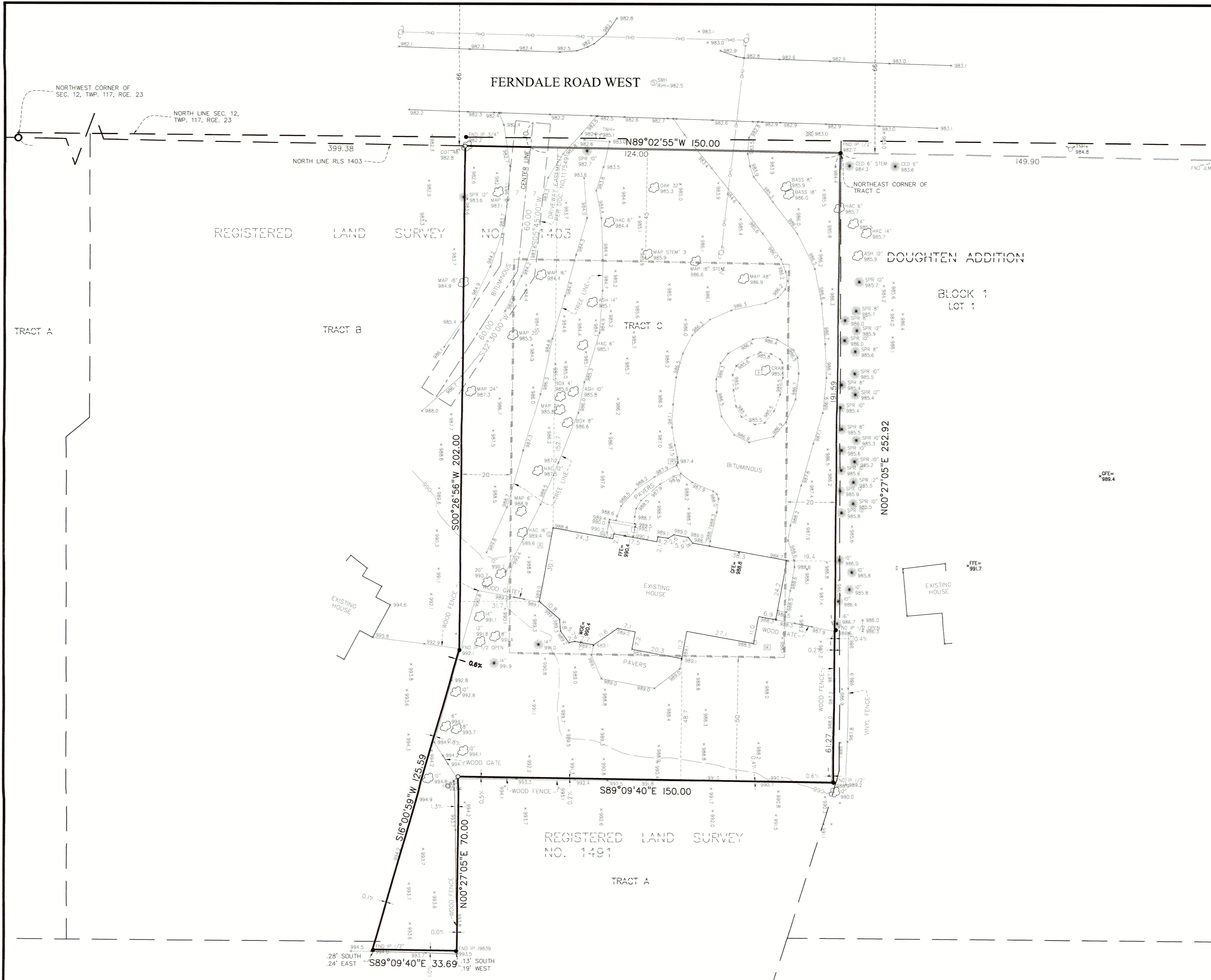
The current neighbors driveway that is included in the survey on this property is 1870 S.F.

If this 1870 total was deducted the total hard surface number would be 8091sf (20.2%)

Sincerely,

Jeremy Schultz - Vice President/Lead Designer

612-282-1531cell
jeremy@outdoorperfection.com

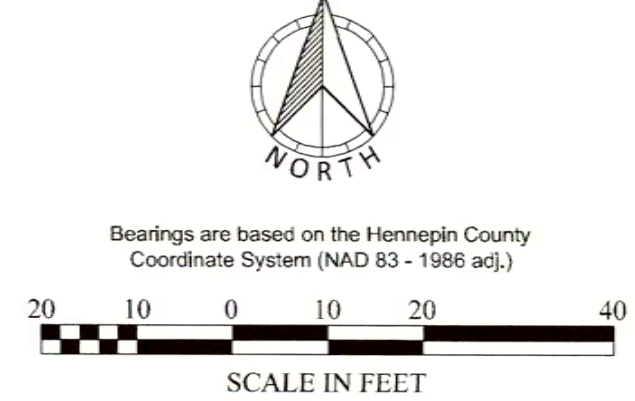
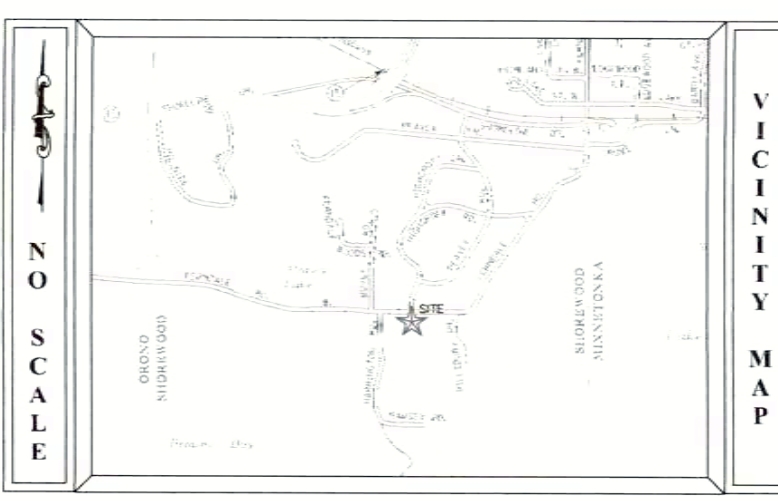
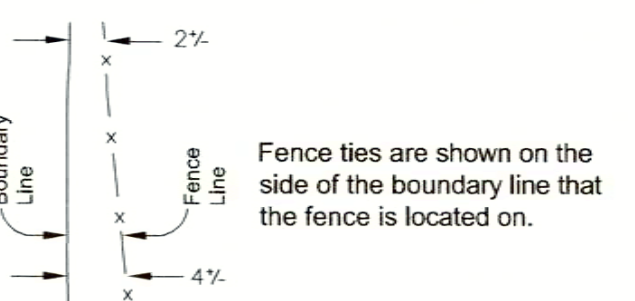


DESCRIPTION OF PROPERTY SURVEYED
Tract C, REGISTERED LAND SURVEY NO. 1403, Hennepin County of Minnesota.

STANDARD NOTES

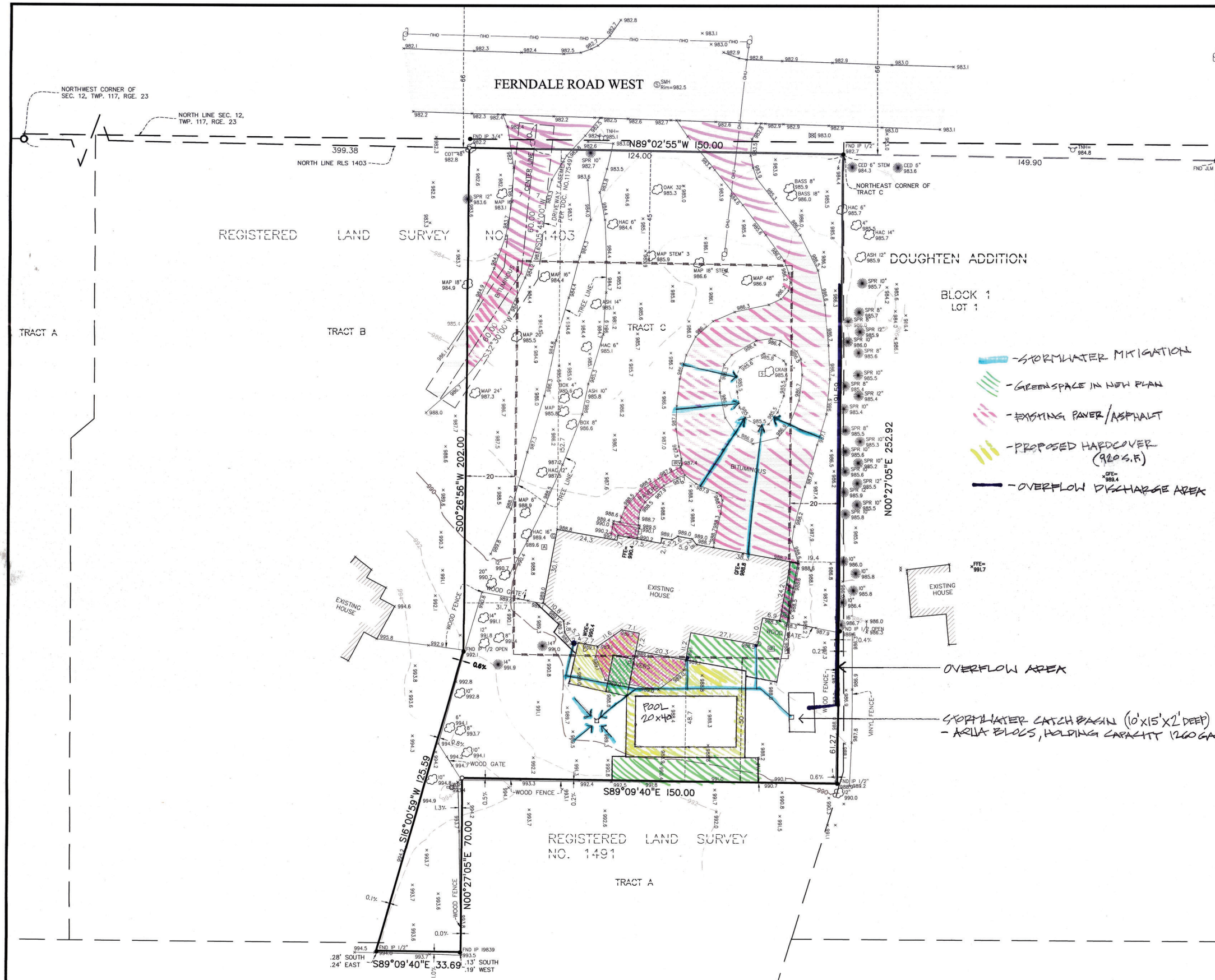
- 1) Site Address: 374 Ferndale Road W, Wayzata, MN 55391
 - 2) A title opinion was not furnished to the surveyor as part of this survey. Only easements per the record plat are shown unless otherwise denoted hereon.
 - 3) Flood Zone Information: X (area determined to be outside of the 0.2% annual chance floodplain) and per Flood Insurance Rate Map, Community Panel No. 27053C0309F, effective date of 11/04/2016.
 - 4) Parcel Area Information: Gross Area: 39,999 s.f. ~ .918 acres
*We do not affirmatively insure the quantity of acreage set forth in the description.
 - 5) Benchmark: Elevations are based on MN/DOT Geodetic Station Name: T 117 which has an elevation of: 940.3 feet (NAVD88).
 - 6) Zoning Information: The current Zoning for the subject property is R-1A (Low Density Single Family Estate District) per the City of Wayzata's zoning map dated June 13, 2022. The setback, height, and floor space area restrictions for said zoning designation are as follows:
Principal Structure Setbacks - Street(s): 45 feet (Ferndale Road W)
Side: 20 feet
Rear: 50 feet
Height: 40 feet
Hardcover: 10 percent of lot coverage and 20 percent of lot area for impervious surfaces.
Accessory Structure Setbacks - Front: 50 feet
Side: 10 feet
Rear: 10 feet
*Please note that the zoning information shown hereon may have been amended through a city process. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site. All setback information and hardcover data for planning and design must be verified by all parties involved in the design and planning process prior to any planning or construction.
- We have not received the current zoning classification and building setback requirements from the insurer.
- 7) Utilities: We have shown the location of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property we are unaware. Please note that we have not played a Gopher State One Call for this survey. There may or may not be underground utilities in the mapped area, therefore extreme caution must be exercised before any excavation takes place on or near this site. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property. Before digging, you are required by law to notify Gopher State One Call at least 48 hours in advance at 651-454-0002.

Existing Hardcover	Existing Lot Coverage
Lot Area = 39,999 S.F.	Lot Area = 39,999 S.F.
House Area = 3,638 S.F.	House Area = 3,638 S.F.
Bituminous Area = 4,599 S.F.	Bituminous Area = 4,599 S.F.
Pavers Area = 724 S.F.	Pavers Area = 724 S.F.
Total Area = 8,961 S.F.	Total Area = 8,961 S.F.
Coverage = 22.40 %	Coverage = 9.10 %



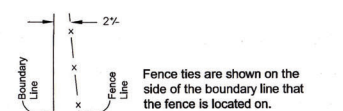
SURVEY LEGEND	
- CAST IRON MONUMENT - IRON PIPE MONUMENT SET - IRON PIPE MONUMENT FOUND - DRILL HOLE FOUND - CHISELED "X" MONUMENT SET - CHISELED "X" MONUMENT FOUND - REBAR MONUMENT FOUND - PK NAIL MONUMENT SET - PK NAIL MONUMENT FOUND - PK NAIL W/ ALUMINUM DISC - SURVEY CONTROL POINT - A/C UNIT - CABLE TV PEDESTAL - ELECTRIC TRANSFORMER - ELECTRIC MANHOLE - ELECTRIC METER - ELECTRIC OUTLET - YARD LIGHT - LIGHT POLE - FIBER OPTIC MANHOLE - FIRE DEPT. HOOK UP - FUEL PUMP - FUEL TANK - PROPANE TANK - GAS METER - GAS VALVE - GAS MANHOLE - GENERATOR - GUARD POST - HAND HOLE - MAIL BOX	- PIEZOMETER - POWER POLE - GUY WIRE - ROOF DRAIN - LIFT STATION - SANITARY MANHOLE - SANITARY CLEANOUT - STORM MANHOLE - STORM DRAIN - CATCH BASIN - FLARED END SECTION - TREE CONIFEROUS - TREE DECIDUOUS - TREE CONIFEROUS REMOVED - TREE DECIDUOUS REMOVED - TELEPHONE MANHOLE - TELEPHONE PEDESTAL - UTILITY MANHOLE - UTILITY PEDESTAL - UTILITY VAULT - WATERMAIN MANHOLE - WATER METER - WATER SPIGOT - WELL - MONITORING WELL - GAS STOP - GATE VALVE - HYDRANT - IRRIGATION VALVE - POST INDICATOR VALVE - SIGN - SOIL BORING
- WOE WALKOUT ELEVATION - FFE FIRST FLOOR ELEVATION - GFE GARAGE FLOOR ELEVATION - TOF TOP OF FOUNDATION ELEV. - LOE LOWEST OPENING ELEV. - CONCRETE - BITUMINOUS - BUILDING SETBACK LINE - CONCRETE CURB - CONTOUR EXISTING - CONTOUR PROPOSED - GUARD RAIL - DRAIN TILE - ELECTRIC UNDERGROUND - FENCE - FIBER OPTIC UNDERGROUND - GAS UNDERGROUND - GAS UNDERGROUND - TREE LINE - SANITARY SEWER - STORM SEWER - TELEPHONE UNDERGROUND - RETAINING WALL - UTILITY UNDERGROUND - WATERMAIN - RAILROAD TRACKS - RAILROAD SIGNAL - RAILROAD SWITCH - SATELLITE DISH - WETLAND BUFFER SIGN	

FIELD CREW DME/MAK DRAWN EMW CHECKED DLS DATE 08/23/22	NO. 1	BY EMW	DATE 10/3/2022	REVISION Driveway Easement	USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.	I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota. Dated this 26th day of September, 2022. <i>Daniel L. Schmidt</i> Daniel L. Schmidt, PLS schmidt@sathre.com Minnesota License No. 26147	END ENGINEERS SURVEYORS DESIGNERS PLANNERS	SATHRE-BERGQUIST, INC. 14000 25TH AVENUE NORTH, SUITE 120 PLYMOUTH MN 55447 (952) 476-6000 WWW.SATHRE.COM	TWP:117-RGE.23-SEC.12 Hennepin County WAYZATA, MINNESOTA	CERTIFICATE OF SURVEY PREPARED FOR: BETH ULRICH	FILE NO. 92180-001 1 1
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- Tract C, REGISTERED LAND SURVEY NO. 1403, Hennepin County of Minnesota.
- STANDARD NOTES**
- Site Address: 374 Ferndale Road W, Wayzata, MN 55391
 - A title opinion was not furnished to the surveyor as part of this survey. Only easements per the recorded plat are shown unless otherwise denoted hereon.
 - Flood Zone Information:** X (area determined to be outside of the 0.2% annual chance floodplain) and per Flood Insurance Rate Map, Community Panel No. 27053C0309F, effective date of 11/04/2016.
 - Parcel Area Information:** Gross Area: 39,999 s.f. - .918 acres
*We do not affirmatively insure the quantity of acreage set forth in the description.
 - Benchmark:** Elevations are based on MN/DOT Geodetic Station Name: T 117 which has an elevation of: 940.3 feet (NAVD88).
 - Zoning Information:** The current Zoning for the subject property is R-1A (Low Density Single Family Estate District) per the City of Wayzata's zoning map dated June 13, 2022. The setback, height, and floor space area restrictions for said zoning designation are as follows:
Principal Structure Setbacks: Street(s): 45 feet (Ferndale Road W)
Side: 20 feet
Rear: 50 feet
Height: 40 feet
Hardcover: 10 percent of lot coverage and 20 percent of lot area for impervious surfaces.
Accessory Structure Setbacks: Front: 50 feet
Side: 10 feet
Rear: 10 feet
- *Please note that the zoning information shown hereon may have been amended through a city process. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site. All setback information and hardcover data for planning and design must be verified by all parties involved in the design and planning process prior to any planning or construction.
- We have not received the current zoning classification and building setback requirements from the insurer.
- 7) Utilities: We have shown the location of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property we are not aware of. Please call for this survey. There may or may not be underground utilities in the mapped area, therefore extreme caution must be exercised before any excavation takes place on or near this site. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property. Before digging, you are required by law to notify Gopher State One Call at least 48 hours in advance at 651-454-0002.

Existing Hardcover	Existing Lot Coverage
Lot Area = 39,999 S.F.	Lot Area = 39,999 S.F.
House Area = 3,638 S.F.	House Area = 3,638 S.F.
Bituminous Area = 4,509 S.F.	Total Area = 3,638 S.F.
Pavers Area = 724 S.F.	Coverage = 9.10 %
Total Area = 8,961 S.F.	



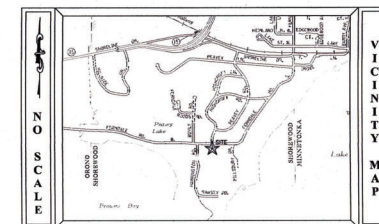
PROPOSED HARDCOVER
- 920 S.F.

NEW TOTAL AREA
- 1264 S.F.

COVERAGE
- 24.70 %

EXISTING NEIGHBORS
DRIVEWAY AREA - 1,800 S.F.

EXISTING HOMEOWNERS
DRIVEWAY AREA - 2,799 S.F.



SURVEY LEGEND	
JUDICIAL LANDMARK FOUND	WALKOUT ELEVATION
● CAST IRON MONUMENT	WFE WALKOUT ELEVATION
○ IRON PIPE MONUMENT SET	GFE FIRST FLOOR ELEVATION
○ IRON PIPE MONUMENT FOUND	GFE GARAGE FLOOR ELEVATION
○ DRILL HOLE FOUND	TOF TOP OF FOUNDATION ELEV.
○ CHISELED "X" MONUMENT SET	LOE LOWEST OPENING ELEV.
○ CHISELED "X" MONUMENT FOUND	CONCRETE
○ REBAR MONUMENT FOUND	BITUMINOUS
○ PK NAIL MONUMENT SET	BUILDING SETBACK LINE
○ PK NAIL MONUMENT FOUND	CABLE TV
○ PK NAIL W/ ALUMINUM DISC	CONCRETE CURB
○ SURVEY CONTROL POINT	CONTOUR EXISTING
○ A/C UNIT	CONTOUR PROPOSED
○ CABLE TV PEDESTAL	GUARD RAIL
○ ELECTRIC TRANSFORMER	DRAIN TILE
○ ELECTRIC MANHOLE	ELC ELECTRIC UNDERGROUND
○ ELECTRIC METER	FENCE
○ ELECTRIC OUTLET	FO FIBER OPTIC UNDERGROUND
○ YARD LIGHT	GAS GAS UNDERGROUND
○ LIGHT POLE	OVERHEAD UTILITY
○ FIBER OPTIC MANHOLE	UTILITY VAULT
○ FIRE DEPT. HOOK UP	WATERMAIN MANHOLE
○ FLAG POLE	WATER METER
○ FUEL PUMP	WATER SPIGOT
○ PROPANE TANK	FUEL TANK
○ GAS METER	MONITORING WELL
○ GAS VALVE	CURB STOP
○ GAS MANHOLE	GATE VALVE
○ GENERATOR	HYDRANT
○ GUARD POST	IRRIGATOR VALVE
○ HAND HOLE	POST INDICATOR VALVE
○ MAIL BOX	SIGN
○ SOIL BORING	SOIL BORING

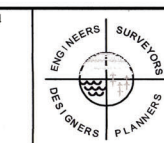
FIELD CREW	NO.	BY	DATE	REVISION
DIVEMAK	1	EMW	10/3/2022	Driveway Easement
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USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.

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

Dated this 26th day of September, 2022.

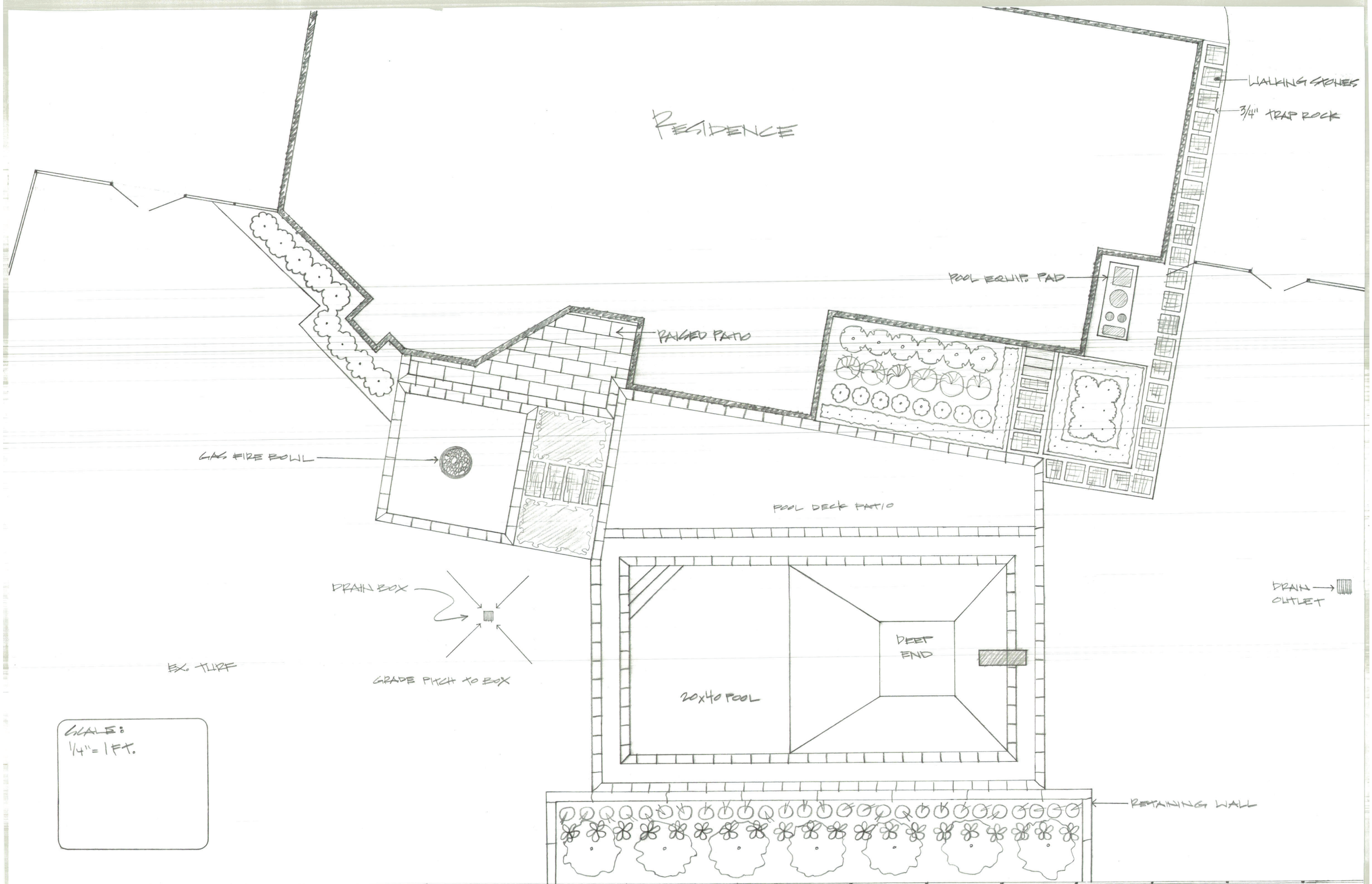
Daniel L. Schmidt
Daniel L. Schmidt, PLS
schmidt@sathre.com
Minnesota License No. 26147



SATHRE-BERGQUIST, INC.
14000 25TH AVENUE NORTH, SUITE 120
PLYMOUTH MN 55447 (952) 476-6000
WWW.SATHRE.COM

TWP:117-RGE.23-SEC.12
Hennepin County
**WAYZATA,
MINNESOTA**

CERTIFICATE OF SURVEY		FILE NO.
PREPARED FOR: BETH ULRICH		92180-001
		1
		1





City of Wayzata Planning Commission Agenda Report

MEETING DATE: June 26, 2023	AGENDA ITEM: 5.b
TITLE: Consider Application for Impervious Surface Variance and Parking Area Setback Variance at 138 Huntington Ave S	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: September 23, 2023	

BACKGROUND:

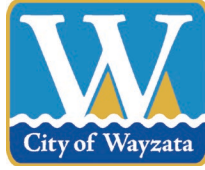
Applicant John Blank, with applicant's representative Chris Bachinski of Black Dog Homes, has submitted an application to improve the current driveway at 138 Huntington Ave S. The current driveway was paved without City approval and contributes to an illegal nonconforming condition. The proposed impervious surface variance and parking area setback variance would allow for both the improvement of the current driveway and the opportunity to bring the property into conformance with the zoning code.

ACTION REQUESTED:

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 variances requested in the application, for review and adoption at the next Planning Commission meeting.

ATTACHMENTS:

1. 138 Huntington Ave S - Staff Report
2. 138 Huntington Ave S - Narrative
3. 138 Huntington Ave S - Survey and Site Plan



**Staff Report
Wayzata Planning Commission
June 26, 2023**

Project Name: Blank Remodel
Approval Request: Variances (2) – Impervious Surface, Parking Area Setback
Applicant: John Blank
Applicant's Representative: Chris Bachinski, Black Dog Homes
Addresses of Request: 138 Huntington Ave S
Prepared by: Valerie Quarles, Assistant Planner
“120 Day” Decision Deadline: September 23, 2023

Development Application Introduction

Owner/applicant John Blank, along with applicant's representative Chris Bachinski of Black Dog Homes, has submitted a development application requesting an impervious surface variance and parking area setback variance to support improvements to the property at 138 Huntington Avenue South.

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

Address	PID	Owner
138 Huntington Ave S	06-117-22-41-0024	MACARTHUR 274 LLC

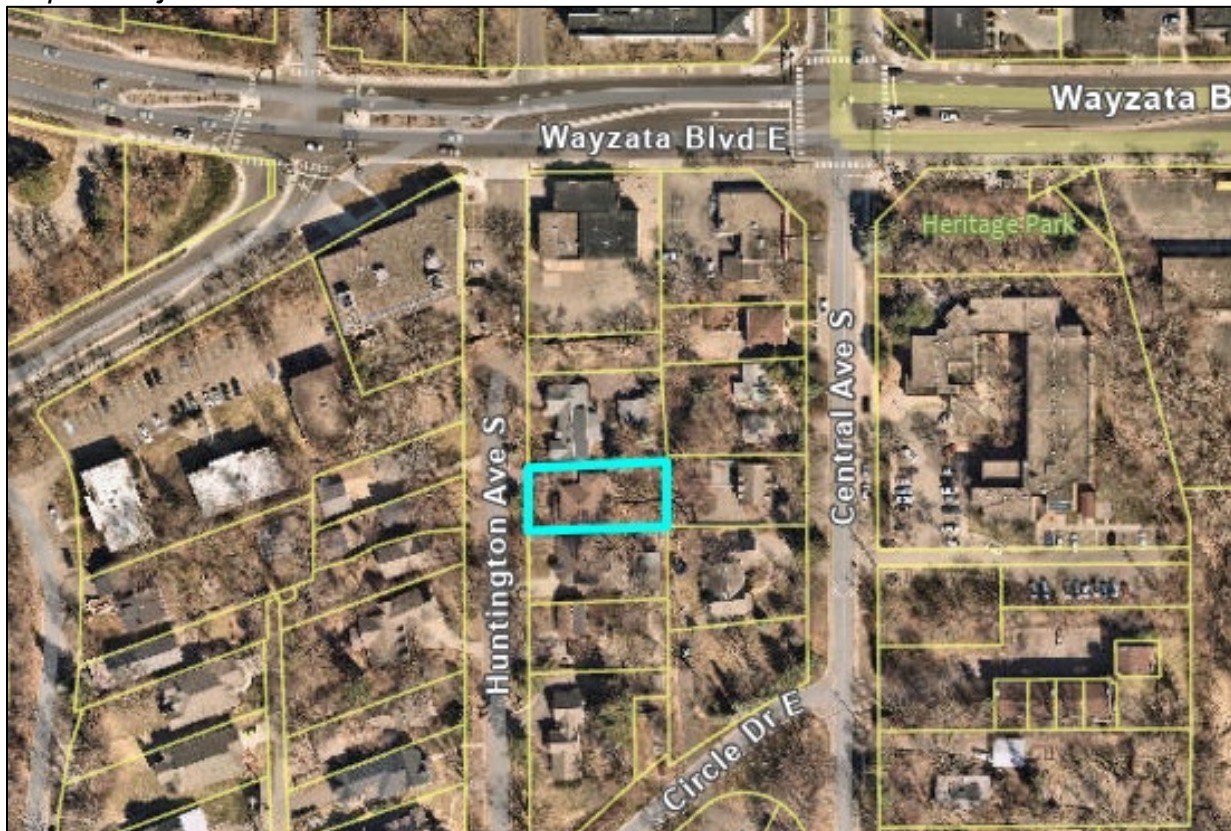
The current zoning and comprehensive plan land use designation for the property are as follows:

Current Zoning:	R-3A Single and Two Family Residential District
Comprehensive Plan Designation:	Central Core Residential
Overlay Districts:	N/A
Design District:	N/A

Project Location

The property is located on the east side of Huntington Ave S, near the cul-de-sac at the north end of the street.

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. Variance – Impervious Surface (§955.07.B): The applicant is requesting a variance of 3.34% off the required maximum impervious surface limit of 35% to 38.34%.
- B. Variance – Parking Area Setback (§920.05.D.1): The applicant is requesting a variance of 9 feet off the required side yard (north) setback from the required 10 feet to 1 foot.

Public Hearing Notice

Notice of the public hearing on the Application was published in the *Sun Sailor* on June 15, 2023. The public hearing notice was also mailed to all property owners located within 500 feet of the subject property on June 15, 2023.

Neighborhood Notification

The applicant sent a letter about the Application to property owners located within 500 feet of the subject property on June 16, 2023.

Public Comments

As of June 20, no public comments have been received.

Existing Conditions

The existing developed lot is 7,790 square feet (0.18 acres) in area. The existing home was built in 1920 and exceeds side yard setbacks on the north and south sides. An attached garage on the north side of the home is accessed via a driveway that currently sits approximately 1 foot off the property line, in line with the attached garage. The driveway appears to have been unpaved for some decades until 2012, when aerial imagery shows that the driveway was paved. Though this action typically does not require a City permit, this paving added impervious surface above the 35% limit in the R-3A zoning district and is considered an illegal nonconformity. Illegal nonconformities are conditions that were in violation of the zoning ordinance when they were created, as opposed to conditions that were created before the zoning ordinance prohibited them.

Zoning District and Land Use Designation

The site is zoned R-3A, Single and Two Family Residential District. The R-3A District is intended to provide a district for high density single family dwelling units in older neighborhoods. The 2040 Comprehensive Plan land use designation for the site is Central Core Residential.

Proposed Changes

The applicant is proposing to replace and expand their current paved driveway with a permeable paver system, to coincide with a porch currently being added to the front of the home. The driveway would expand by 270 square feet and would increase the existing impervious surface on the lot from 37.61% to 38.34%, when the limit in the R-3A zoning district is 35%. The driveway is also within the 10' setback for parking areas in residential areas and would require a variance to come within 1' of the northern property line, which it does today.

Analysis of Application

Variance – Impervious Surface

Impervious surface is defined as “a constructed hard surface that either prevents or retards the entry of water into the soil and causes water to run off the surface in greater quantities and at an increase rate of flow than prior to development. Examples include rooftops, sidewalks, patios, driveways, parking lots, storage areas, and concrete, asphalt, or gravel roads (§902.02)”. Impervious surface includes lot coverage. The proposed expansion of the driveway increases the impervious surface from 37.61% to 38.34%, which is over the 35% limit. If no work were proposed, the variance could still be used to rectify the illegal nonconformity (the impervious surface created by paving the driveway).

	City Code	Current	Proposed
Impervious Surface Limitation	35%	37.61%	38.34%

The applicant proposes to use a pervious paver system across the entire driveway (450 square feet) which would be able to store a volume of 119 cubic feet of water in the event of significant rainfall. This meets the City's standards for impervious surface mitigation.

Variance – Parking Area Setback

City Code §920.05.D.1 requires that parking areas in this zoning district be set back 10 feet from the side yard property line. The current driveway does not meet this requirement and the proposed driveway would also not meet this requirement. The driveway is proposed to continue to align with the existing two car garage and continue to be 1 foot from the side yard property line. Like the impervious surface variance, even if no work were proposed, the setback variance could still be used to rectify the illegal nonconformity (the location of the paved driveway).

	City Code	Current	Proposed
Parking Area Setback	10 feet	1 foot	1 foot

Department Comments

Engineering Department:

- The proposal shows adequate stormwater management for improvements.
- If approved, a formal Storm Water Facilities Maintenance Agreement and Driveway Permit are required.
- If approved and constructed, an as-built survey will be required upon project completion.

Standards of Planning Commission Review of Application Requests

Primary Questions to Consider:

1. Is the proposal consistent with the Comprehensive Plan?
2. Is each variance reasonable?
3. Is the plight of the landowner due to circumstances unique to the property, and not created by the landowner?
4. Would each variance 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

1. Narrative
2. Prior Conditions Survey
3. Site Plan

Applicable Code Provisions for Review

Staff has analyzed the facts provided by the applicant in comparison with the criteria for approval. Staff has highlighted in **bold** the criteria that may require additional discussion with the Planning Commission.

2040 Comprehensive Plan – Residential Goals

- **Maintain and enhance the character, diversity, and livability of all residential neighborhoods.**

Variance Standards – City Code Chapter 905

The purpose of this Section is to provide for deviations from the literal provisions of this Ordinance in instances where strict enforcement of the provisions of this Ordinance would cause practical difficulties because of circumstances unique to the individual property under consideration, and to grant such variances only when the variances are in harmony with the general purposes and intent of this Ordinance, and the variances are consistent with the Comprehensive Plan.

Criteria for Granting. Conditions governing considerations of variance requests.

1. Variances shall only be permitted when they are:
 - a) In harmony with the general purposes and intent of this Ordinance; and
 - b) Consistent with the Comprehensive Plan.
2. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
3. "Practical difficulties," as used in connection with the granting of a variance, means that:
 - a) **The property owner's proposal for the property is reasonable but not permitted by this Ordinance;**
 - b) **The plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and**
 - c) **The variance, if granted, will not alter the essential character of the locality.**
4. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
5. Variances shall be granted for earth sheltered construction as defined in Minn. Stats. § 216C.06, Subd. 14, when in harmony with this Ordinance.
6. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
7. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
8. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.

Project: Blank Residence

Project Address: 138 Huntington Ave

Property ID Number: 06-117-22-41-0024

City of Wayzata Land Use Application

Variance Request Summary

Project Summary

The proposed project is to renovate the current driveway at 138 Huntington Ave S.

To coincide with a front covered porch addition and interior remodel. The homeowners would like to address the current non-conforming hardcover issue as well as the driveway that was illegally paved. During the permitting process for their covered porch, they were informed the driveway was illegally paved in 2012. The current driveway is 20' wide from the street to the house. The existing impervious surface total is 37.61%. The existing driveway was also constructed within 10' of the property line.

The intent of the homeowner is to replace the existing driveway. The current asphalt system will be replaced with an 8" clear rock base and permeable paver. The proposed plan will increase the total hardcover by 270 square feet. The additional hardcover will be replaced with a material that aims to mitigate hardcover issues and creates additional runoff storage.

To do so, the homeowner will require two variances. One to increase the impervious surface percentage on the lot to 38.34%. The other variance will be to address the nonconforming driveway location as it was illegally paved over the setback line.

Variance Requests

Property Zoning District

R-3A Single and Two Family Residential District

Requested Variance 1:

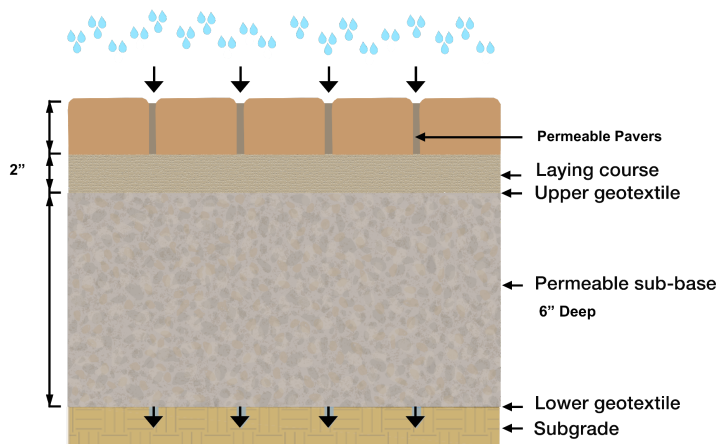
Request for a variance to the required 35% impervious surface area on the lot:

Per Wayzata's Code of Ordinances, 955.07 - Lot Coverage and Height, Sub-Section A
Impervious surfaces on a lot shall not exceed 35 percent of the lot area.

We are requesting a variance to the impervious surface percentage of 38.43%.

The proposed project is in harmony with the general purpose and intent of this ordinance:

The proposed project will address the current non conforming hardcover of 37.61% which was caused by the previous owner. The project will also use materials designed to mitigate runoff by using a permeable paver system as demonstrated below. Essentially we will create a storage basin that is engineered to bring our hardcover calculations down to 23.14%.



The proposed project is a reasonable use of the property:

The proposed driveway renovation will allow reasonable access to the two stall garage, while using materials that are designed to mitigate runoff.

The proposed project is consistent with the Comprehensive Plan:

The proposed project is in accordance with the 2040 Comprehensive Plan to maintain and enhance the character, diversity and livability of all residential neighborhoods.

The variance request is due to circumstances unique to the property, not created by the landowner:

The current homeowners bought the property in June of 2022. In working through the permitting process to add a 120 square foot covered porch, the city made them aware that the driveway was illegally paved around 2012. The current property is non-conforming.

The current lot is also undersized for the R-3A. The minimum lot size is 9,000 square feet(per Section 955.06, subsection A.1). The property area is only 7,796 square feet, which is 13.38% under the minimum lot size required. If the lot were not undersized, the current design would be less than the required 35% hardcover.

Proposed Hardcover

Driveway Length	Width	Square Feet	Total Hard Cover(7,796 SF Lot)	Total Hard Cover (9,000 SF Lot)
22.5 Ft	20'	450	38.34	33.21%

Requested Variance 2:

Request for a variance for the driveway being located outside the building set back:

Per Wayzata's Code of Ordinances, 920.05.D.1- Parking Area Location and Design, Sub-Section D, side yard setbacks must be maintained at least ten feet from the property line.

We are requesting a variance to replace the existing asphalt driveway with a permeable paver system in its current location, +/- 1' from the current property line.

The proposed project is a reasonable use of the property:

The proposed driveway renovation will allow reasonable access to the existing two stall garage, while using materials that are designed to mitigate runoff; The existing garage is located +/- 1' from the property line.

The proposed project is consistent with the Comprehensive Plan:

The proposed project is in accordance with the 2040 Comprehensive Plan to maintain and enhance the character, diversity and livability of all residential neighborhoods. By replacing the current driveway with a permeable paver system, we are able to mitigate runoff which the current driveway does not accomplish. At the same time, it will enhance the livability of the residence by sustaining access to the garage.

The variance request is due to circumstances unique to the property, not created by the landowner:

The current homeowners bought the property in June of 2022. In working through the permitting process to add a 120 square foot covered porch, the city made them aware the driveway was illegally paved around 2012. The current garage and driveway system is a front loading garage located +/- 1' from the North property line. The original driveway was an aggregate and illegally paved to close to the property line.

To maintain access to the front loading garage, the homeowner will need a variance to place the driveway inside the 10' limit of the property line.

DESCRIPTION OF PROPERTY SURVEYED

That part of Block 45, MINNETONKA ARLINGTON HEIGHTS, described as follows: Beginning at the Northwest corner of Lot 18; thence South 60 feet on the East side of Huntington Avenue; thence East 130 feet on a line parallel to the South line of Lot 18; thence North 60 feet; thence West 130 feet, more or less in a line parallel to the South line of Lot 18, to Huntington Avenue, Hennepin County, Minnesota.

STANDARD NOTES

- 1) **Site Address:** 138 Huntington Avenue S, Wayzata, MN, 55391
- 2) **Flood Zone Information:** This property appears to lie in Zone X (area determined to be outside of the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27053C0307F, with an effective date of 11/04/2016.

Parcel Area Information: Gross Area: 7,796 s.f. ~ 0.18 acres

*We do not affirmatively insure the quantity of acreage set forth in the description

- 3) **Benchmark:** Elevations are based on TNH located at the Southwest corner of 152 Huntington Avenue S. Which has an elevation of: 966.15 feet.
- 4) **Zoning Information:** The current Zoning for the subject property is R-3A (Single and Two Family Residential District) per the City of Wayzata's zoning map dated January 22, 2020. The setback, height, and floor space area restrictions for said zoning designation are as follows:

Principal Structure Setbacks - Street(s): 20 feet (Huntington Ave. S.)

Side: 10 feet
Rear: 20 feet
Height: Two stories or 32 feet in vertical distance above the Grade Plane, as measured to the peak of the roof, whichever is lesser.
Building Coverage: 30 percent of lot area
Impervious Surface: 35 percent of lot area

*Please note that the zoning information shown hereon may have been amended through a city process. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site. All setback information and hardcover data for planning and design must be verified by all parties involved in the design and planning process prior to any planning or construction.

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

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

Existing Elevations

Garage Floor Elevation = 957.5
First Floor Elevation = 960.6
Lookout Opening Elevation = 957.7
Basement Floor Elevation = 951.9

Existing Building Coverage

Lot Area = 7,796 S.F.
House Area = 1,893 S.F.
Total Area = 1,893 S.F.
Coverage = 24.28 %

Existing Impervious Surface

Lot Area = 7,796 S.F.
House Area = 1,893 S.F.
Driveway Area = 445 S.F.
Stoop Area = 101 S.F.
Concrete Area = 66 S.F.
Bituminous Area = 156 S.F.
Pavers Area = 103 S.F.
Stone Ret. Wall = 201 S.F.
Deck Area = 227 S.F.
Total Area = 3,192 S.F.
Coverage = 40.94 %

SURVEY LEGEND

● CAST IRON MONUMENT	● PIEZOMETER	WOE WALKOUT ELEVATION
○ IRON PIPE MONUMENT SET	○ POWER POLE	FFE FIRST FLOOR ELEVATION
● IRON PIPE MONUMENT FOUND	○ GUY WIRE	GFE GARAGE FLOOR ELEVATION
● DRILL HOLE FOUND	○ ROOF DRAIN	TOF TOP OF FOUNDATION ELEV.
✕ CHISELED "X" MONUMENT SET	○ LIFT STATION	LOE LOWEST OPENING ELEV.
✕ CHISELED "X" MONUMENT FOUND	○ SANITARY MANHOLE	CONCRETE
★ REBAR MONUMENT FOUND	○ SANITARY CLEANOUT	BITUMINOUS
△ PK NAIL MONUMENT SET	○ STORM MANHOLE	BUILDING SETBACK LINE
▲ PK NAIL MONUMENT FOUND	○ STORM DRAIN	CTV
○ PK NAIL W/ ALUMINUM DISC	○ CATCH BASIN	CONCRETE CURB
△ SURVEY CONTROL POINT	○ FLARED END SECTION	CONTOUR EXISTING
□ A/C UNIT	○ TREE CONIFEROUS	CONTOUR PROPOSED
□ CABLE TV PEDESTAL	○ TREE DECIDUOUS	GUARD RAIL
□ ELECTRIC MANHOLE	○ TREE CONIFEROUS REMOVED	OT DRAIN TILE
□ ELECTRIC TRANSFORMER	○ TREE DECIDUOUS REMOVED	ELC ELECTRIC UNDERGROUND
□ ELECTRIC METER	○ TELEPHONE MANHOLE	— x — x — FENCE
□ ELECTRIC OUTLET	□ TELEPHONE PEDESTAL	— FO — FIBER OPTIC UNDERGROUND
○ YARD LIGHT	○ UTILITY MANHOLE	— GAS — GAS UNDERGROUND
○ LIGHT POLE	□ UTILITY PEDESTAL	— OHW — OVERHEAD UTILITY
○ FIBER OPTIC MANHOLE	□ UTILITY VAULT	— TREE LINE —
○ FIRE DEPT. HOOK UP	○ WATERMAIN MANHOLE	— SANITARY SEWER —
○ FLAG POLE	○ WATER METER	— STORM SEWER —
○ FUEL PUMP	○ WATER SPIGOT	— TEL — TELEPHONE UNDERGROUND
○ FUEL TANK	○ MONITORING WELL	— RETAINING WALL —
○ PROPANE TANK	○ CURB STOP	— UTILITY UNDERGROUND —
○ GAS METER	○ GATE VALVE	— WATERMAIN —
○ GAS MANHOLE	○ HYDRANT	— TRAFFIC SIGNAL —
○ GENERATOR	○ IRRIGATION VALVE	— RAILROAD TRACKS —
○ GUARD POST	○ POST INDICATOR VALVE	— RAILROAD SIGNAL —
○ MAIL BOX	○ SIGN	— RAILROAD SWITCH —
	○ SOIL BORING	○ WETLAND BUFFER SIGN

CERTIFICATE OF SURVEY

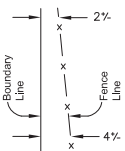
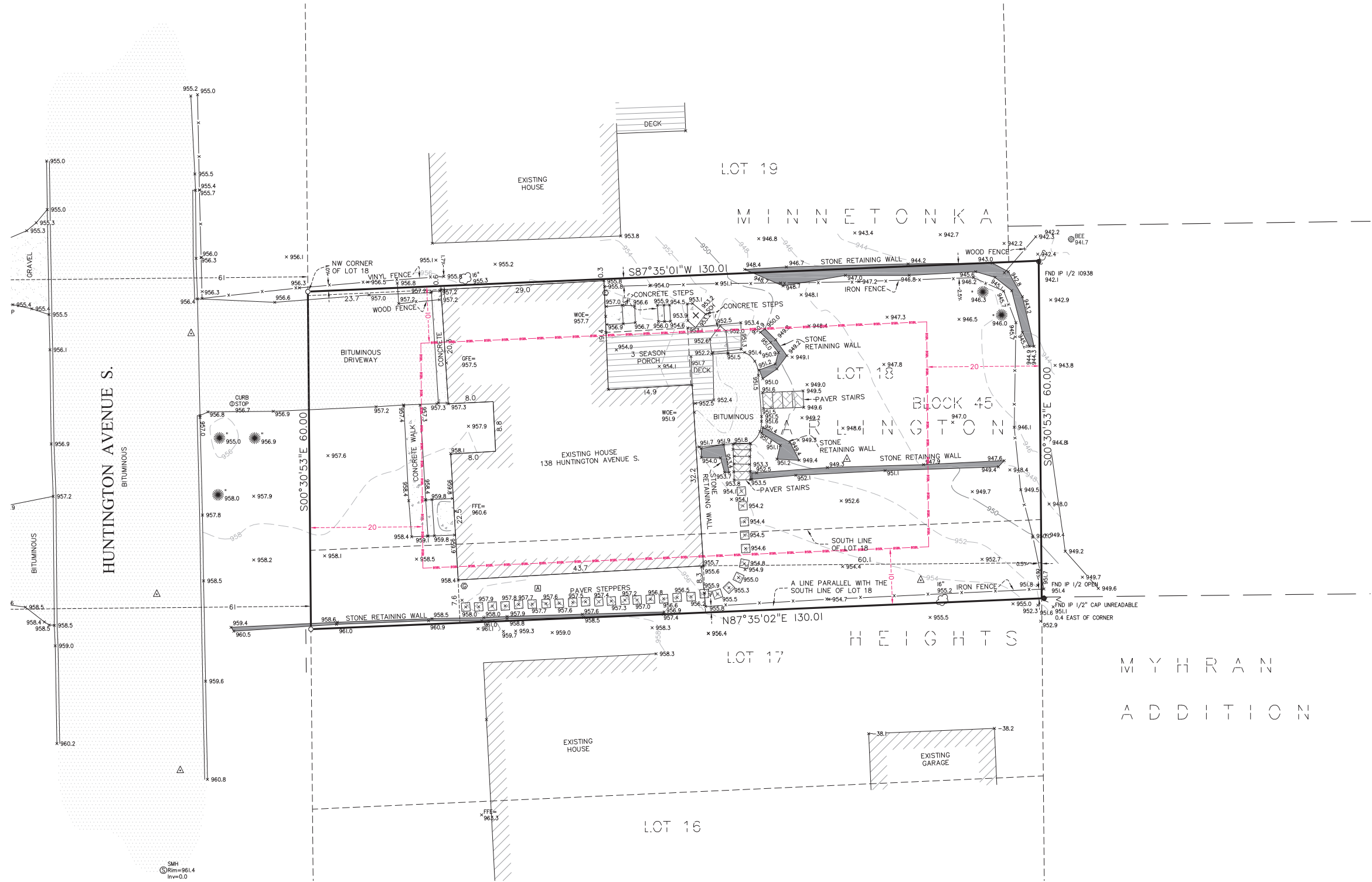
PREPARED FOR:
BLACK DOG HOMES

FILE NO.

10142-011

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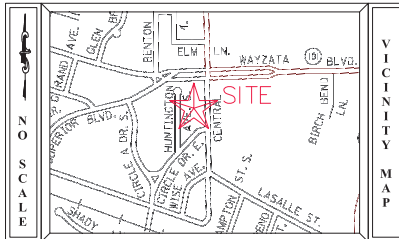


Fence ties are shown on the side of the boundary line that the fence is located on.



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

SCALE IN FEET
10 5 0 5 10 20



FIELD CREW	NO.	BY	DATE	REVISION
DM.EJ				
DRAWN				
JRS				
CHECKED				
DLS				
DATE				
9/8/2022				

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

Dated this 15th day of September, 2022.

Donald L. Schmidt

Daniel L. Schmidt, PLS
schmidt@sathre.com Minnesota License No. 26147



SATHRE-BERGQUIST, INC.

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TWP:117-RGE.22-SEC.6
Hennepin County

WAYZATA,
MINNESOTA

DESCRIPTION OF PROPERTY SURVEYED

That part of Block 45, MINNETONKA ARLINGTON HEIGHTS, described as follows: Beginning at the Northwest corner of Lot 18; thence South 60 feet on the East side of Huntington Avenue; thence East 130 feet on a line parallel to the South line of Lot 18; thence North 60 feet; thence West 130 feet, more or less in a line parallel to the South line of Lot 18, to Huntington Avenue, Hennepin County, Minnesota.

STANDARD NOTES

- 1) **Site Address:** 138 Huntington Avenue S, Wayzata, MN, 55391
- 2) **Flood Zone Information:** This property appears to lie in Zone X (area determined to be outside of the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27053C0307F, with an effective date of 11/04/2016.

Parcel Area Information: Gross Area: 7,796 s.f. ~ 0.18 acres

*We do not affirmatively insure the quantity of acreage set forth in the description

- 3) **Benchmark:** Elevations are based on TNH located at the Southwest corner of 152 Huntington Avenue S. Which has an elevation of: 966.15 feet.
- 4) **Zoning Information:** The current Zoning for the subject property is R-3A (Single and Two Family Residential District) per the City of Wayzata's zoning map dated January 22, 2020. The setback, height, and floor space area restrictions for said zoning designation are as follows:

Principal Structure Setbacks - Street(s): 20 feet (Huntington Ave. S.)
Side: 10 feet
Rear: 20 feet
Height: Two stories or 32 feet in vertical distance above the Grade Plane, as measured to the peak of the roof, whichever is lesser.
Building Coverage: 30 percent of lot area
Impervious Surface: 35 percent of lot area

*Please note that the zoning information shown hereon may have been amended through a city process. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site. All setback information and hardware data for planning and design must be verified by all parties involved in the design and planning process prior to any planning or construction.

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

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

PROJECT: Stormwater Plan

Project #: 10142-011

Location: 138 Huntington Avenue

Prepared for: Black Dog Homes

Prepared by: Sathre-Bergquist, Inc.

Date: 05/17/2023

Stormwater Summary

Single family home is exempt from Minnehaha Creek Watershed district stormwater requirements, the city requires retain 1" volume runoff from lesser of a) proposed impervious expansion; or b) portion of proposed impervious surface expansion that exceeds 25% allowable impervious surface area of the lot. Volume credits given for 75% of calculated volume.

Perious Pavement Underground Storage: BMP is sized to treat runoff volume of 1" of rainfall over 1,104 sf of hard cover, the amount of hard cover over 25%. This is equal to 87 cubic feet, however the city only awards credit for 75% of the treated volume. BMP is made up pervious pavement with 8" of rock course filter aggregate (~40% volume) this rock will draw down within 48 hours. (0.8 ft is max depth for C soils to achieve 48hr drawdown).

Subject: Rate & Volume Control

Proposed Hardcover Area =

Covered Porch Area	120 SF
Proposed Pervious Driveway	450 SF
House Area	1,893 SF
Screen Porch	148 SF
Concrete Driveway	34 SF
Concrete Stairs	44 SF
Bit. Patio Area	189 SF
Pavers Stairs Area	40 SF
Stone Retaining Wall	71 SF

Total Hardcover Area =	2,989 SF
Total Site Area =	7,796.00 SF
Percent Impervious =	38.3%

25% Hardcover	1,949.00
Amount over 25%	1,040.00
Required Impervious Area to be treated	1,040.00

Abstraction Volume Required:

Required Abstraction -	1 inches =	0.083 ft
Hardcover -		1,040 sf
Abstraction Volume Required -		1,040 sf x 0.083 ft =
		87 cf

Based on Websoils Survey soils are typically Hydrologic Group C (typical infiltration rate 0.2in/hr)

Max depth (under drainline) 48 hrs x 0.2 in/hr = 0.8 ft

Elevation	1	Bottom	Area (sf)	Depth	Void(cf)	Storage
	0.33	TOP	450	0.7	40%	0.0
			450	0.7	40%	118.8 CF

The driveway is 450 sf and has 8" of Rock Under Driveway (1.4 void ratio for volume calculation)

Abstraction Required 87 cf
Abstraction Provided 119 cf

TWP:117-RGE:22-SEC:6

Hennepin County

WAYZATA,
MINNESOTA

CERTIFICATE OF SURVEY

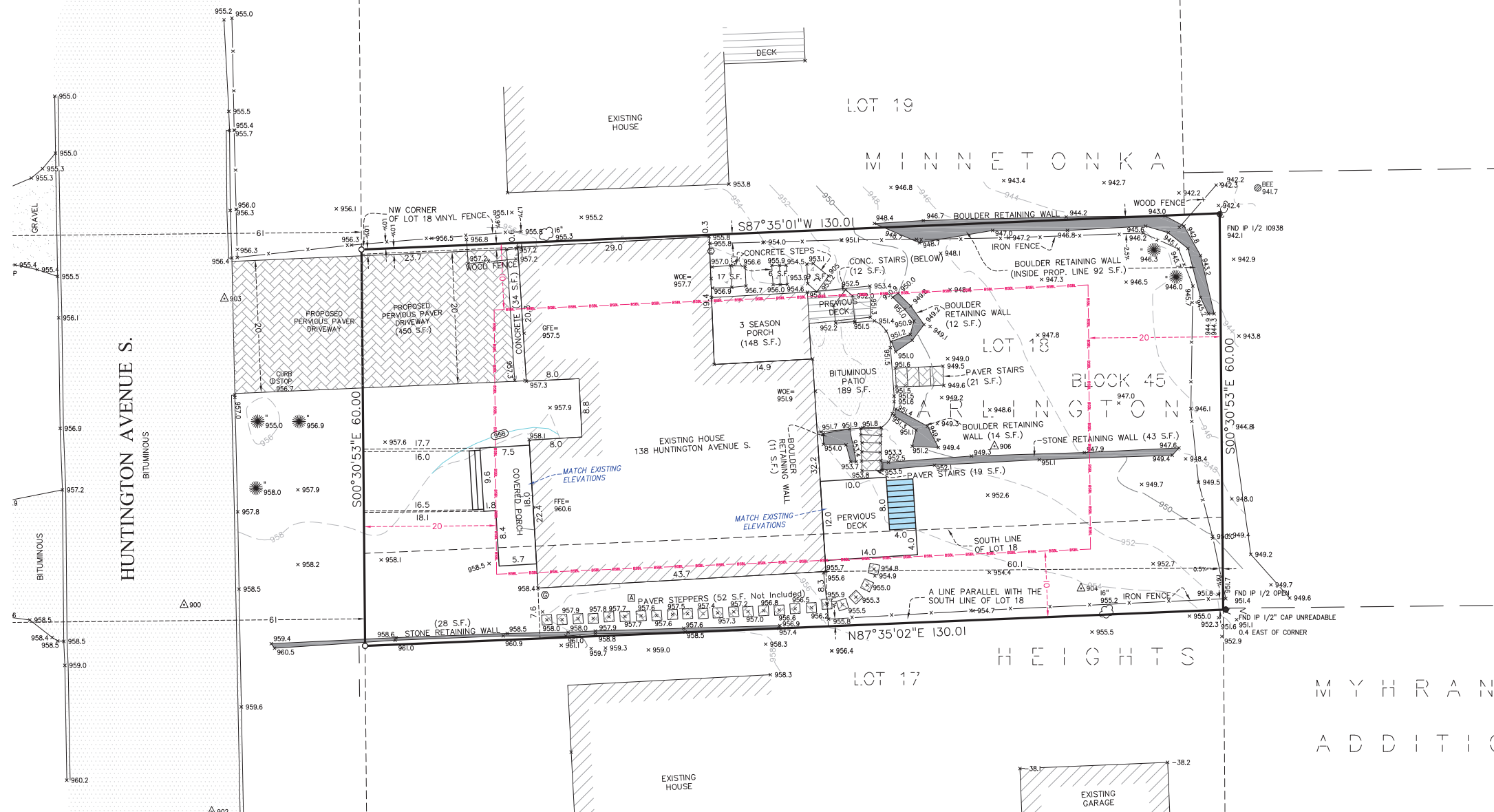
PREPARED FOR:
BLACK DOG HOMES

FILE NO.

10142-011

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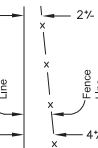
Existing Elevations
Garage Floor Elevation = 957.5
First Floor Elevation = 960.6
Lookout Opening Elevation = 957.7
Basement Floor Elevation = 951.9

Existing Building Coverage
Lot Area = 7,796 S.F.
House Area = 1,893 S.F.
Total Area = 1,893 S.F.
Coverage = 24.28 %

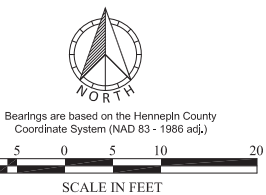
Proposed Building Coverage
Lot Area = 7,796 S.F.
Prop. Covered Porch Area = 120 S.F.
Ex. House Area = 1,893 S.F.
Ex. Screen Porch Area = 148 S.F.
Prop. Covered Porch Area = 120 S.F.
Total Area = 2,161 S.F.
Coverage = 27.72 %

Existing Impervious Surface
Lot Area = 7,796 S.F.
House Area = 1,893 S.F.
Screen Porch Area = 148 S.F.
Driveway Area = 445 S.F.
Stoop Area = 101 S.F.
Concrete Driveway Area = 34 S.F.
Concrete Stairs Area = 44 S.F.
Bituminous Area = 156 S.F.
Pavers Stairs Area = 40 S.F.
Stone Ret. Wall = 71 S.F.
Total Area = 2,932 S.F.
Coverage = 37.6 %

Proposed Impervious Surface
Lot Area = 7,796 S.F.
Prop. Covered Porch Area = 120 S.F.
Ex. House Area = 1,893 S.F.
Ex. Screen Porch Area = 148 S.F.
Ex. Concrete Driveway Area = 34 S.F.
Ex. Concrete Stairs Area = 44 S.F.
Ex. Bituminous Area = 156 S.F.
Ex. Pavers Stairs Area = 40 S.F.
Ex. Stone Ret. Wall = 71 S.F.
Total Area = 2,989 S.F.
Coverage = 38.33 %



Fence ties are shown on the side of the boundary line that the fence is located on.



CAST IRON MONUMENT IRON PIPE MONUMENT SET IRON PIPE MONUMENT FOUND DRILL HOLE FOUND CHISELED "X" MONUMENT SET CHISELED "X" MONUMENT FOUND REBAR MONUMENT FOUND PK NAIL MONUMENT SET PK NAIL MONUMENT FOUND PK NAIL W/ ALUMINUM DISC SURVEY CONTROL POINT A/C UNIT CABLE TV PEDESTAL ELECTRIC TRANSFORMER ELECTRIC MANHOLE ELECTRIC METER ELECTRIC OUTLET YARD LIGHT LIGHT POLE FIBER OPTIC MANHOLE FIRE DEPT. HOOK UP FLAG POLE WATER PUMP FUEL TANK PROPANE TANK GAS METER GAS VALVE GAS MANHOLE GENERATOR GUARD POST HAND HOLE MAIL BOX	PIEZOMETER POWER POLE GUY WIRE ROOF DRAIN LIFT STATION SANITARY MANHOLE SANITARY CLEANOUT STORM MANHOLE STORM DRAIN CATCH BASIN FLARED END SECTION TREE CONIFEROUS TREE DECIDUOUS TREE CONIFEROUS REMOVED TREE DECIDUOUS REMOVED ELECTRIC MANHOLE TELEPHONE MANHOLE TELEPHONE PEDESTAL UTILITY MANHOLE UTILITY PEDESTAL UTILITY VAULT WATERMETER MANHOLE WATER METER WATER SPIGOT WELL MONITORING WELL CURB STOP GATE VALVE HYDRANT IRRIGATION VALVE POST INDICATOR VALVE SIGN SOIL BORING	WOE WALKOUT ELEVATION FFE FIRST FLOOR ELEVATION GFE GARAGE FLOOR ELEVATION TOF TOP OF FOUNDATION ELEV. LOE LOWEST OPENING ELEV. CONCRETE BITUMINOUS BUILDING SETBACK LINE CABLE TV CONCRETE CURB CONTOUR EXISTING CONTOUR PROPOSED GUARD RAIL DRAIN TILE ELECTRIC UNDERGROUND FENCE FIBER OPTIC UNDERGROUND GAS UNDERGROUND OVERHEAD UTILITY TREE LINE SANITARY SEWER STORM SEWER TELEPHONE UNDERGROUND RETAINING WALL UTILITY UNDERGROUND WATERMAIN TRAFFIC SIGNAL RAILROAD TRACKS RAILROAD SIGNAL RAILROAD SWITCH SATELLITE DISH WETLAND BUFFER SIGN
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SURVEY LEGEND

FIELD CREW	NO.	BY	DATE	REVISION
DM.EJ	1	JRS	11/18/2022	REVISED DRIVEWAY & BUILDING COVERAGE
DRAWN	2	ABE	1/24/2023	REVISED DRIVEWAY
JRS	3	DLS	5/5/2023	CITY REVISIONS
CHECKED	4	DLS	5/16/2023	CITY REVISIONS
DLS	5	DLS	5/17/2023	HARDCOVER CALCULATIONS
DATE				
9/8/2022				

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

Dated this 4th day of November, 2022.

Daniel L. Schmidt

Daniel L. Schmidt, PLS
schmidt@sathre.com Minnesota License No. 26147



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TWP:117-RGE:22-SEC:6

Hennepin County

WAYZATA,
MINNESOTA



City of Wayzata Planning Commission Agenda Report

MEETING DATE: June 26, 2023	AGENDA ITEM: 5.c
TITLE: Consider Application for Subdivision and Report and Recommendation of Approval at 1030 Lake St E	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: October 5, 2023 (extended to 120 days)	

BACKGROUND:

Property owner Black Dog Homes has submitted a subdivision application to divide the 1.12-acre parcel at 1030 Lake St E into two single-family properties. The existing single-family home would be demolished. One home has been preliminarily designed and the other would be custom-built for future owners.

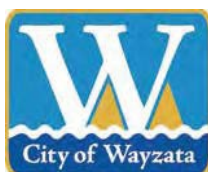
A Report and Recommendation of Approval is included for the Planning Commission's review and approval.

ACTION REQUESTED:

Staff recommends approval of the Planning Commission Report and Recommendation.

ATTACHMENTS:

1. 1030 Lake St E - Report and Recommendation of Approval
2. 1030 Lake St E - Staff Report
3. 1030 Lake St E - Applicant Materials



WAYZATA PLANNING COMMISSION

June 26, 2023

REPORT AND RECOMMENDATION OF APPROVAL OF SUBDIVISION AT 1030 LAKE ST E

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

1.1 Application. Applicant and property owner Black Dog Homes Properties (the “Applicant”) has submitted an application for approval of Preliminary and Final Plats (the “Preliminary and Final Plats”) for a subdivision of the property at 1030 Lake Street East (the “Property”) that would divide the existing 1.12 acre lot into two lots (the “Proposed Subdivision”).

1.2 Property. The street address, property identification number and owner of the Property are:

Address	PID	Owner
1030 Lake Street East	06-117-22-44-0003	Black Dog Homes Properties

1.3 Land Use. The Property is zoned R-3 Single and Two Family Residential and guided Low Density Residential (1 to 3 units per acre) under the 2040 Wayzata Comprehensive Plan.

1.4 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Sun Sailor* and mailed to all property owners located within 500 feet of the Property on June 15, 2023. The public hearing on the Application was held at the June 26, 2023 Planning Commission meeting.

Section 2. STANDARDS

2.1 Subdivision / Preliminary Plat.

- A. Review and approval of lot combinations and subdivisions of property are governed by the City’s Subdivision Ordinance, Part X, Chapters 1001 through 1009 of the City Code. The City may agree to review the preliminary and final

plats simultaneously. Sec. 1003.03.A.

- B. In reviewing requests for approval under the Subdivision Ordinance, the Planning Commission shall consider possible adverse effects of the proposed subdivision or lot combination reflected in the preliminary plat. Its judgment shall be based upon, but not limited to, the following factors found in Section 1003.02.E:
1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
 2. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
 3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filing or grading.
 4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
 5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
 6. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
 7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
 8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
 9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council

review process outline in Section 9 of the Wayzata Zoning Ordinance.

10. The proposed lot layout and building pads shall conform with all performance standards contained herein.
11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

Section 3. FINDINGS

3.1 Proposed Subdivision. 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 Subdivision Ordinance, and Comprehensive Plan, the Planning Commission of the City of Wayzata makes the following findings of fact:

- A. City review of the Preliminary and Final Plats simultaneously is appropriate under City Code Sec. 1003.03.A.
- B. The Proposed Subdivision would not have significant adverse effects based upon the following factors found in Section 1003.02.E:
 1. The Proposed Subdivision is consistent with the Wayzata Comprehensive Plan Low Density Residential guidance and the Plan's goals for maintaining the character of residential neighborhoods.
 2. The building pads resulting from the Proposed Subdivision would preserve the sensitive areas of wetlands and most of the healthy trees currently on the Property.
 3. Building pads that result from the Proposed Subdivision would be selected and located with respect to natural topography to minimize filing or grading.
 4. Existing stands of significant trees currently on the Property would be retained where possible in the Proposed Subdivision, and the building pads that result would be sensitively integrated into existing trees on the Property.
 5. The creation of lots in the Proposed Subdivision would not

adversely impact the scale, pattern or character of the surrounding neighborhood, which is characterized by a variety of lots, many of similar sizes.

6. The design of the lots, the building pads, and the site layout of the Proposed Subdivision responds to and is reflective of the surrounding lots and neighborhood character.
7. The lot sizes that result from the proposed Subdivision would not be dissimilar from lots found in the surrounding neighborhood.
8. The proposed lot layout and building pads that result from the proposed Subdivision would conform with all performance standards contained in the Subdivision Ordinance.
9. The Proposed Subdivision would not tend to or actually depreciate the values of neighboring properties in the area.
10. The Proposed Subdivision would be accommodated with existing public services, primarily related to transportation and utility systems, and would not overburden the City's service capacity.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **APPROVAL** of the Preliminary and Final Plats for the Proposed Subdivision requested in the Application, subject to and conditioned upon the following:

- A. Stormwater Facilities, Grading, Drainage, and Erosion Plans applicable to each lot in the Proposed Subdivision must be reviewed and approved by the City Engineer prior to the submission of applications for building permits for such lots.
- B. The City's standard Stormwater Facilities Maintenance Agreement (SWFMA) must be executed for each lot of the Proposed Subdivision that is over 25% hardcover surface area.
- C. The Applicant must receive approval of the City Forester for a final tree plan for the Property, and pay all fees and provide all escrow due, according to the provisions of City Code Ch. 936 (Tree Preservation).
- D. The Applicant must pay all park dedication fees required by the Ch. 1006 of the Subdivision Ordinance.
- E. The Applicant must record the Final Plat with the appropriate

Hennepin County officials within one hundred twenty (120) days and provide a recorded copy to the City as required under Ch. 1003 of the Subdivision Ordinance.

- F. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred, must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission the 26th day of June 2023.

Attachment A: Legal Description and Preliminary and Final Plats

Attachment A

Legal Description and Preliminary and Final Plats

That part of Block 60, Minnetonka Arlington Heights as Revised and Modified by Decree in Bk. 86, page 585 of Misc., bounded by a line beginning at Southwesterly corner of Said Block 60; thence Northeasterly to Northwesterly corner of said Block; thence Southeasterly along Northerly line of said Block, 337.9 feet; thence Southerly 146.15 feet, more or less to point in the Southerly line of said Block, distant 325.1 feet, Southeasterly from the point of beginning; thence Northwesterly along Southerly line of said Block, 325.1 feet to point of beginning, Hennepin County, Minnesota



**Staff Report
Wayzata Planning Commission
June 26, 2023**

Project Name: Black Dog Homes Addition
Address of Request: 1030 Lake Street East
Approval Request: Subdivision
Applicant: Black Dog Homes
Applicant's Representative: Dan Vanderheyden
Prepared by: Valerie Quarles, Assistant Planner
"120 Day" Decision Deadline: October 5, 2023

Development Application Introduction

Applicant and property owner Black Dog Homes has submitted an application for a subdivision of 1030 Lake St E. The subdivision would divide the existing 1.12 acre lot into two parcels.

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

Address	PID	Owner
1030 Lake Street East	06-117-22-44-0003	Black Dog Homes Properties

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

Current Zoning:	R-3 Single and Two Family Residential
Comprehensive Plan Designation:	Low Density Residential (1 to 3 units per acre)
Overlay Districts:	Shoreland Overlay District
Design District:	N/A

Project Location

The parcel is located on the southeast corner of Lake Street and Eastman Lane and is just north of BNSF railroad property.

Map 1: Project Location



Source: Hennepin County

Application Requests

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

1. Subdivision §1001.02: The applicant is requesting a Subdivision in order to create two parcels from the existing parcel.

Public Hearing Notice

Notice of the public hearing on the Application was published in the *Sun Sailor* on June 15, 2023. The public hearing notice was mailed to all property owners located within 500 feet of the subject property on June 15, 2023. The Department of Natural Resources was notified of the public hearing on June 8, 2023.

Neighborhood Notification

The applicant sent a neighborhood notification letter regarding the proposal to all property owners within 500 feet from the subject property in Wayzata on June 16, 2023. The letter

was also sent to residents of rental properties within the same radius. A neighborhood meeting was not required per the Neighborhood Notification and Meeting Policy.

Public Comment

As of June 20, no public comments have been received.

Existing Conditions

The existing developed lot is 48,727 square feet (1.12 acres) in area. The net developable area of the lot, excluding the wetland to the west and required 20-foot wetland buffer, is approximately 28,110 sq. ft. (0.64 ac). The existing home on this property is a two-story, 1,596 square foot home built in 1903. There is also a detached garage on the east side of the property.

The home meets current setback requirements. The detached garage is a legal nonconformity (by predating the zoning ordinance) and sits 4.2 feet from the eastern property line instead of the required 5 feet. Similarly, the driveway to the garage is also less than the required 10 feet from the property line. The existing impervious surface on the lot is 2,634 sq. ft. or 5.41%, which meets the zoning ordinance requirement. There are 21 healthy trees on site.

Topography

The site slopes approximately 15 feet from east to west, with a 15,551 square foot wetland on the western portion of the site. The City designates this wetland as a "Manage 3" wetland and requires a 20-foot buffer.

Trees

Changes to this property appear to have been anticipated for some time. A previous owner of the lot, in preparation for future development, removed 88 heritage tree inches from the lot in 2021. Because the action appeared to be associated with a future project, the City collected \$56,320 in tree replacement escrow at that time. Today, the remaining trees are located fairly evenly throughout the lot (excluding the wetland) but there is a higher concentration in and near the front yard setback.

Zoning District

The site is zoned R-3A Single and Two Family Residential and the purpose of this district is to provide for high density single family detached dwelling units and directly related, complementary uses. Single family detached dwelling units are permitted uses.

Land Use Designation

The 2040 Comprehensive Plan land use designation for the site is Low Density Residential. This category represents the single-family home developments within and in close proximity to the community core. Densities within the category range from 1 to 3 units per acre. The primary residential structure of this category is single-family units.

Previous Application

Planning Commission and City Council previously reviewed an application to subdivide this property into three lots in 2023. The Planning Commission recommended denial of the application, citing tree loss and neighborhood character as major factors. The City Council concurred with the Planning Commission and denied the application.

Proposed Subdivision

The applicant is proposing to subdivide this property into two new single family lots. Due to the size of the lot today, this subdivision does not qualify for a minor subdivision under City Code §1002.01. Building-related figures for Lot 2 are preliminary and may not reflect what future homeowners build on the site.

	Requirement	Lot 1 (west)	Lot 2 (east)
Lot Size	9,000 square feet	34,071 square feet	14,655 square feet
Lot Width	60 ft	238 ft	100 ft
Lot Depth	100 ft	146 ft	146 ft
Front Setback	20 ft	23 ft	20 ft (example)
Side Setback	10 ft	153 ft (west), 10 feet (east)	16 ft (west, example) and 11 feet (east, example)
Rear Setback	20 ft	56 ft	66 ft (example)
Lot Coverage	20%	8%	18% (example)
Impervious Surface (R-3A / Shoreland District)	30%/25% without mitigation	12.1%	28.9% (example)

Lot 1: This parcel is the westernmost parcel. The proposed lot would be 34,071 square feet and 0.78 acres in size. Both the actual size and developable area of the lot exceed the zoning requirements of the R-3A district.

This is the only parcel in the subdivision that is proposed to have a new home built at this time. Lot 2 is expected to be sold to buyers that will build a custom home. If the proposed design of that home does not require additional Planning Commission and City Council approval, only a building permit application will be reviewed administratively prior to construction. The building pad shown on Lot 2 is preliminary in nature and meant to give evaluators a general idea of what may be built within the restrictions of the R-3A district.

The proposed home footprint on Lot 1 meets the front, rear, and side yard setbacks for principal structures, and is also placed outside of the 20-foot wetland buffer.

Both new homes would utilize city sewer and water services provided within the Lake Street right-of-way.

Lot 2: This parcel is the eastern parcel and would be 14,655 sq. ft. (0.34 ac). The size of the lot exceeds the zoning ordinance requirements. A future home on this lot would need to conform to R-3A zoning district requirements in order to be approved administratively by City staff. The building footprint shown on the plan set is a preliminary example of a potential home and driveway configuration.

Trees

The applicant proposes to remove 10 trees, which is made up of 294 significant tree inches and 165 heritage tree inches, for a total of 240 tree inches. All of the trees to be removed are in areas likely to be impacted by home footprints, driveways, and site grading. These inches are in addition to the inches removed by the previous owner in 2021. In all, approximately 459 non-exempt inches either have been removed in the last 1-2 years or are proposed to be removed as part of this project. This is an overall reduction of tree loss when compared to the previous application for this property, as well as an increase in proposed plantings.

Because only one of the homes is planned to be built imminently, the replacement plan shown as part of this submission is intended to show the maximum of what the applicant can commit to planting at this time, given that Lot 2 will be under the control of future homeowners.

The below table includes tree inches that were previously removed in 2021. Due to rounding and ongoing updates to the tree inventory, totals are approximate.

	Lot 1	Lot 2	Total
Significant tree inches removed	182 in.	112 in.	294 in. (133 in. removed in 2021)
Heritage tree inches removed	84 in.	81 in.	165 in. (161 in. removed in 2021)
Total required replacement inches (combined)	258 in.	224.5 in.	482 in.
Proposed replacement inches	102 in.	96 in.	198 in.
Difference	156 in.	128.5 in.	284.5 in.
Required fee-in-lieu payment (\$160 per inch)	\$24,940	\$20,560	\$75,520

Dead, diseased, or dying trees are not included in the required replacement calculation, along with trees that are under the minimum size to be considered significant or heritage trees. The replacement calculation also excludes the standard 25% removal allowance for significant trees. Heritage trees have no removal allowance. Significant tree inches

are required to be replaced at a 1:1 ratio, and heritage trees are required to be replaced at a 2:1 ratio.

Stormwater

Both parcels generally drain toward the south rear lot line, then to the west into the wetland and existing storm water pond that lies adjacent to proposed Lot 1.

Both parcels are located in the Shoreland Overlay District, which means that impervious surface coverage over 25% on a lot requires additional stormwater mitigation and separate approval from the City Engineer. Though the footprint shown is preliminary, Lot 2 is shown to exceed this figure and would require stormwater mitigation as part of the building permit process.

Engineering Department Comments

- The two parcels in the proposed subdivision are to be served by existing water and gravity sewer mains at Lake Street East. Both systems have adequate capacity to serve the additional residence that is proposed.

Analysis of Application Requests

Subdivision (§1001.02) The City's Subdivision Ordinance regulates blocks, lots, easements, park dedication, sidewalks, streets, and utilities. No new blocks are created with this proposal. The proposed lots and utilities meet all of the standards of the Subdivision Ordinance.

Easements

The applicant will need to provide standard drainage and utility easements adjacent to all new property lines. As part of the application, the applicant has provided a proposed public sidewalk easement over a small portion of City sidewalk that passes over the northwest corner of the property today.

Park Dedication (§1006.15)

As a prerequisite to final plat approval, applicants for a subdivision of land shall dedicate land for parks, playgrounds, public open spaces or trails and/or shall make a cash contribution to the City's Park Fund. When a subdivision is too small for practical dedication of public land, the applicant may be required to pay an equivalent cash fee for all or part of the portion to be dedicated based on the fair market value of the land on the day of the final plat approval. Staff's recommendation is that the wetland area is not suitable for dedication. The fee will be calculated prior to City Council review of the final plat.

Standards of Planning Commission Review of Application Requests

Primary Questions to Consider and Proposed Findings:

1. Does the proposed subdivision fit the vision and policies of the Comprehensive Plan, through use and physical design?
 - a. *The proposed residential use and overall project density are aligned with the parcel's Low Density Residential land use designation.*

2. Does the proposal relate redevelopment to the natural characteristics of the land, enhancing for the benefit of the development and preserving attractive natural amenities like trees, slopes, and other community assets?
 - a. *The proposed preliminary building pads are located outside of the required wetland buffer on the east side of the property.*
3. Does the proposal retain existing stands of significant trees where possible? To that end, are the proposed building pads sensitively integrated into existing trees?
 - a. *The proposed preliminary building pads and driveway locations are integrated into the existing tree canopy where possible.*
4. Does the proposal respect the existing scale, character, and pattern of the city, recognizing existing neighborhoods and commercial areas?
 - a. *The proposed subdivision is in character with nearby parcels, particularly those on the south side of Lake Street in this neighborhood.*

Action Steps

Staff has drafted a *Planning Commission Report and Recommendation*, with proposed findings that reflect a recommendation of approval, for review and adoption after the public hearing and discussion at this meeting.

Attachments

1. Narrative
2. Current Survey
3. Preliminary Plat
4. Final Plat
5. Lot Tabs
6. Sidewalk Easement
7. Site Plan
8. Utility Plan
9. Grading Plan
10. Tree Survey and Calculations

Applicable Code Provisions for Review

Staff has analyzed the facts provided by the applicant in comparison with the criteria for approval. Staff has highlighted in **bold** the criteria that may require additional discussion with the Planning Commission.

Subdivision Purpose (§1001.02.A):

1. To encourage well planned, efficient and attractive subdivisions, by establishing adequate and impartial standards for design and construction.
2. To provide for the health and safety of residents, by requiring properly designed streets and adequate sewer and water service.
3. To place the cost of improvements against those benefiting from their construction
4. To secure the rights of the public with respect to public lands and waters.
5. To set the minimum requirements necessary to protect the public health, safety, comfort, convenience and general welfare.

Subdivision Goals (§1001.02.B):

1. **Preserve and enhance Wayzata's "small town" character (Comprehensive Plan).**
2. **Respect the existing scale, character and pattern of the City, recognizing existing neighborhoods and commercial areas (Wayzata Physical Plan).**
3. Provide a balanced housing supply available for all people no matter their income, age, race or ethnicity (Comprehensive Plan).
4. Support a pedestrian environment at a human, not automotive scale (Wayzata Physical Plan).
5. **Relate development/redevelopment to the natural characteristics of the land to enhance the development through the preservation of attractive natural amenities (i.e., lakes, wetlands, creeks, wooded areas, slopes, etc.) (Comprehensive Plan).**

Subdivision Planning Commission Criteria (§1003.02.E)

1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
2. **Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.**
3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filling or grading.
4. **Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.**
5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
6. **The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.**

7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Chapter 909 of the Wayzata Zoning Ordinance.
10. The proposed lot layout and building pads shall conform with all performance standards contained herein.
11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

1. **INTRODUCTION:** The proposed subdivision is located on the south side of Lake Street just east of the round-about near Hotel Landing and north of Eastman Lane near the Wayzata Sailing School. According to the City Zoning Map it is zoned as a R-3A Single and Two Family Residential District. The parcel proposed for development totals approx. +/- 1.2 acres.

The developer is creating a development of 2 detached single-family homes. Lot 2 will have approximately 100 feet of street front and will be approximately 14,655 square feet in size. The home on Lot 2 will have a top-down footprint of approximately 2,646 SF in size. Lot 1 will have approximately 235 feet of street front and will be approximately 34,701 square feet in size. The home on Lot 1 will have a top-down footprint of approximately 2,885 SF in size. It is anticipated that these custom homes will range from \$3,000,000 to \$5,000,000.

Both lots meet the minimum lot size requirement of 9,000 square feet and are similar in size to lots in the neighborhood. It will be the developer's goal to build new homes on these lots that preserve and enhance the "small town" character Wayzata is known for. These lots will provide future homeowners with beautiful sight lines to Lake Minnetonka, downtown Wayzata, as well as the convenience and walkability to downtown Wayzata.

2. **SITE ANALYSIS:** The easterly most elevation is +/- 944 and westerly most elevation is +/- 932. The existing property has a detached garage at the easterly most portion of the lot and a home that is positioned centrally on the lot. Both structures will be removed from the site. As part of the grading plan, Lot 2 will drain to the back of the lot and will not drain from Lot 2 to Lot 1. Lot 2 will be set up as either a walkout or lookout, depending on the future homeowners' preference. The developer will build a spec home on Lot 1 and has submitted a general sketch of what that will look like and how it will be positioned on Lot 1. There is a wetland on Lot 1 and the position of the proposed spec home will not disturb the wetland or the required 20' buffer.
3. **STREET DESIGN:** The development will reside on the newly curbed/paved Lake Street. There is a curb cut that currently services the existing garage. Since that garage will be removed, the developer will remove the existing curb cut and replace it with a standard curb to conform with the newly installed curb. New curb cuts will be introduced as part of future build plans and submitted for approval as part of the standard permitting process for each build. The curb cut for the proposed spec home on Lot 1 is shown on the survey that has been submitted with the subdivision application and is in conformance with curb cut requirements.
4. **UTILITY SERVICES:** The developer will connect to existing city sewer and water lines to service the 2 newly proposed sites. As part of the process, repairs will be completed to any street disturbances of the newly paved streets.

5. SITE GRADING: Cuts and fill ranges from 25 to 350 cubic yards per lot. Site grading will be done to accommodate water run off toward the back of Lot 2. Any additional site grading modifications to these Lots will conform to grading guidelines as established by the City of Wayzata. Proposed site grading modifications will be identified as part of any future new build permitting submissions for review.
6. STORMWATER: Lot 1 is under 25% and will require no stormwater management plan. A stormwater management plan will be prepared for Lot 2 and will be submitted as part of the permitting process. Lot 2 will likely include a rain garden or underground storage system as part of the solution.
7. WOODLAND AREAS AND PROTECTION: A current survey in accordance with the City of Wayzata requirements has been completed for this site and is included in the submittal. The developer/design engineer has put together a proposed grading plan to minimize tree removal and meet City requirements. Lot 2 tree mitigation specifics will be provided as part of future permitting submissions once the Lot has been purchased and future home design is taken into consideration.
8. TREE SPECIES, DISTRIBUTION AND SIZE, TREE REMOVAL, MITIGATION/REPLACEMENT/PLANTING: Trees are shown on the tree replacement plan for each individual lot. The plan for Lot 1 is to replace approx. 45% of the required replacement of 199," which equates to approx. (15) 6" trees. The plan for Lot 2 is to replace approximately 33% of the required replacement of 322," which equates to approximately (18) 6" trees.

DESCRIPTION OF PROPERTY SURVEYED

That part of Block 60, Minnetonka Arlington Heights as Revised and Modified by Decree in Bk. 86, page 585 of Misc., bounded by a line beginning at Southwestly corner of Said Block 60; thence Northeastly to Northwestly corner of said Block; thence Southeastly along Northerly line of said Block, 337.9 feet; thence Southerly 146.15 feet, more or less to point in the Southerly line of said Block, distant 325.1 feet, Southeastly from the point of beginning; thence Northwestly along Southerly line of said Block, 325.1 feet to point of beginning, Hennepin County, Minnesota

STANDARD NOTES

- 1) **Site Address:** 1030 Lake Street, Wayzata, Minnesota 55391
- 2) A title opinion was not furnished to the surveyor as part of this survey. Only easements per the recorded plat are shown unless otherwise denoted hereon.
- 3) **Flood Zone Information:** X (area determined to be outside of the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27053C0309F, effective date of November 4th, 2016.
- 4) **Parcel Area Information:** Gross Area: 48,727 s.f. ~ 1.119 acres
*We do not affirmatively insure the quantity of acreage set forth in the description
- 5) **Benchmark:** Elevations are based on MN/DOT Geodetic Station Name: ROGER MN053 which has an elevation of: 993.77 feet (NAVD88).
- 6) **Zoning Information:** The current Zoning for the subject property is R-3A (Single and Two Family Residential) per the City of Wayzata's zoning map dated January 22, 2020. The setback, height, and floor space area restrictions for said zoning designation are as follows:

Principal Structure Setbacks -
Front Street: 20 feet (Lake Street)
Coner Street: 20 feet (Arlington Circle)
Side: 10 feet
Rear: 20 feet
Height: 32 feet
Hardcover: 30 percent of lot area

*Please note that the zoning information shown hereon may have been amended through a city process. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site. All setback information and hardcover data for planning and design must be verified by all parties involved in the design and planning process prior to any planning or construction.

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

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

Existing Elevations

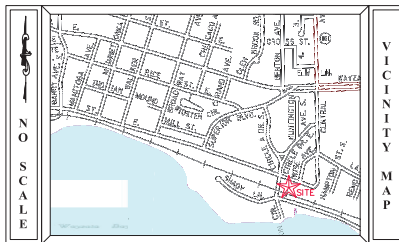
Garage Floor Elevation = 944.5
First Floor Elevation = 944.7

Existing Lot Coverage

Lot Area = 48,727 S.F.
House Area = 1,239 S.F.
Garage Area = 590 S.F.
Total Area = 1,829 S.F.
Coverage = 3.75%

Existing Impervious Surface

Lot Area = 48,727 S.F.
House Area = 1,239 S.F.
Garage Area = 590 S.F.
Bit. Driveway Area = 239 S.F.
Concrete Area = 519 S.F.
Deck Area = 25 S.F.
Retaining Wall Area = 22 S.F.
Total Area = 2,634 S.F.
Coverage = 5.41%



SCALE IN FEET
20 10 0 10 20 40

SURVEY LEGEND

● CAST IRON MONUMENT	⊕ PIEZOMETER	WOE WALKOUT ELEVATION
○ IRON PIPE MONUMENT SET	⊖ POWER POLE	FFE FIRST FLOOR ELEVATION
● DRILL HOLE FOUND	⊖ GUY FLOOR ELEVATION	GFE GARAGE FLOOR ELEVATION
✕ CHISELED "X" MONUMENT SET	⊖ ROOF DRAIN	TOP TOP OF FOUNDATION ELEV.
✕ CHISELED "X" MONUMENT FOUND	⊖ LIFT STATION	LOE LOWEST OPENING ELEV.
✕ REBAR MONUMENT FOUND	⊖ SANITARY MANHOLE	CONCRETE
✕ PK NAIL MONUMENT FOUND	⊖ SANITARY CLEANOUT	BITUMINOUS
▲ PK NAIL MONUMENT FOUND	⊖ STORM MANHOLE	BUILDING SETBACK LINE
⊖ PK NAIL W/ ALUMINUM DISC	⊖ STORM DRAIN	CABLE TV
⊖ SURVEY CONTROL POINT	⊖ CATCH BASIN	CONCRETE CURB
⊖ A/C UNIT	⊖ FLARED END SECTION	CONTOUR EXISTING
⊖ CABLE TV PEDESTAL	⊖ TREE CONIFEROUS	CONTOUR PROPOSED
⊖ ELECTRIC TRANSFORMER	⊖ TREE CONIFEROUS REMOVED	GUARD RAIL
⊖ ELECTRIC MANHOLE	⊖ TREE DECIDUOUS	DT DRAIN TILE
⊖ ELECTRIC METER	⊖ TREE DECIDUOUS REMOVED	ELC ELECTRIC UNDERGROUND
⊖ TELEPHONE PEDESTAL	⊖ TELEPHONE MANHOLE	FENCE
⊖ UTILITY MANHOLE	⊖ TELEPHONE OUTLET	FIBER OPTIC UNDERGROUND
⊖ UTILITY PEDESTAL	⊖ YARD LIGHT	GAS UNDERGROUND
⊖ LIGHT POLE	⊖ FIBER OPTIC MANHOLE	OHU OVERHEAD UTILITY
⊖ FIBER OPTIC MANHOLE	⊖ FIRE DEPT. HOOK UP	TREE LINE
⊖ FLAG POLE	⊖ FUEL TANK	SANITARY SEWER
⊖ FUEL PUMP	⊖ PROPANE TANK	STORM SEWER
⊖ WELL	⊖ GAS METER	TEL TELEPHONE UNDERGROUND
⊖ MONITORING WELL	⊖ GAS MANHOLE	RETAINING WALL
⊖ CURB STOP	⊖ GENERATOR	UTL UTILITY UNDERGROUND
⊖ GATE VALVE	⊖ GUARD POST	I WATERMAIN
⊖ HYDRANT	⊖ HAND HOLE	TRAFFIC SIGNAL
⊖ IRRIGATION VALVE	⊖ MAIL BOX	RAILROAD TRACKS
⊖ POST INDICATOR VALVE		RAILROAD SIGNAL
⊖ SIGN		RAILROAD SWITCH
⊖ SOIL BORING		SATELLITE DISH
		WETLAND BUFFER SIGN

FIELD CREW	NO.	BY	DATE	REVISION
MD	1	CAW	12/17/2022	CORRECT STORM - ADD SANITARY LINE
DRAWN	2	JRS	12/19/2022	LOT COVERAGE & IMPERVIOUS SURFACE
CHECKED		JPR		
DLS				
DATE				
10/31/22				

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

Dated this 2nd day of November, 2022.

Donal L. Schmidt

Daniel L. Schmidt, PLS
schmidt@sathre.com Minnesota License No. 26147



SATHRE-BERGQUIST, INC.

14000 25TH AVENUE NORTH, SUITE 120
PLYMOUTH MN 55447 (952) 476-6000
WWW.SATHRE.COM

TWP.117-RGE.22-SEC.6
Hennepin County

**WAYZATA,
MINNESOTA**

CERTIFICATE OF SURVEY

PREPARED FOR:

BLACK DOG HOMES

FILE NO.
10142-012

1

Page 49 of 64

DESCRIPTION OF PROPERTY SURVEYED

That part of Block 60, Minnetonka Arlington Heights as Revised and Modified by Decree in Bk. 86, page 585 of Misc., bounded by a line beginning at Southwesterly corner of Said Block 60; thence Northeasterly to Northwesterly corner of said Block; thence Southeasterly along Northerly line of said Block, 337.9 feet; thence Southerly 146.15 feet, more or less to point in the Southerly line of said Block, distant 325.1 feet, Southeasterly from the point of beginning; thence Northwesterly along Southerly line of said Block, 325.1 feet to point of beginning, Hennepin County, Minnesota

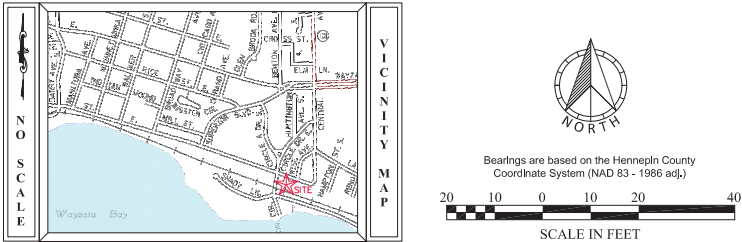
- STANDARD NOTES
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Rear: 20 feet
Height: 32 feet
Hardcover: 30 percent of lot area

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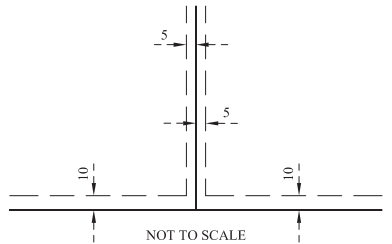
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SURVEY LEGEND		
● CAST IRON MONUMENT ○ IRON PIPE MONUMENT SET ⊗ DRILL HOLE FOUND ✕ CHISELED "X" MONUMENT SET ✕ CHISELED "X" MONUMENT FOUND ⊗ REBAR MONUMENT FOUND ⊗ PK NAIL MONUMENT SET ⊗ PK NAIL MONUMENT FOUND ⊗ PK NAIL W/ ALUMINUM DISC ⊗ SURVEY CONTROL POINT ⊗ A/C UNIT ⊗ CABLE TV PEDESTAL ⊗ TREE DECIDUOUS ⊗ TREE CONIFEROUS ⊗ TREE CONIFEROUS REMOVED ⊗ TREE DECIDUOUS REMOVED ⊗ TELEPHONE MANHOLE ⊗ TELEPHONE PEDESTAL ⊗ UTILITY MANHOLE ⊗ UTILITY PEDESTAL ⊗ UTILITY VAULT ⊗ FIRE DEPT. HOOK UP ⊗ FUEL PUMP ⊗ FUEL TANK ⊗ PROPANE TANK ⊗ GAS METER ⊗ GAS VALVE ⊗ GAS MANHOLE ⊗ GENERATOR ⊗ GUARD POST ⊗ HAND HOLE ⊗ MAIL BOX	⊗ PIEZOMETER ⊗ POWER POLE ⊗ GUY WIRE ⊗ ROOF DRAIN ⊗ LIFT STATION ⊗ SANITARY MANHOLE ⊗ SANITARY CLEANOUT ⊗ STORM MANHOLE ⊗ STORM DRAIN ⊗ CATCH BASIN ⊗ FLARED END SECTION ⊗ TREE CONIFEROUS ⊗ TREE DECIDUOUS ⊗ TREE CONIFEROUS REMOVED ⊗ TREE DECIDUOUS REMOVED ⊗ TELEPHONE MANHOLE ⊗ TELEPHONE PEDESTAL ⊗ UTILITY MANHOLE ⊗ UTILITY PEDESTAL ⊗ UTILITY VAULT ⊗ WATERMAIN MANHOLE ⊗ WATER METER ⊗ WATER SPIGOT ⊗ WELL ⊗ MONITORING WELL ⊗ CURB STOP ⊗ GATE VALVE ⊗ HYDRANT ⊗ IRRIGATION VALVE ⊗ POST INDICATOR VALVE ⊗ SIGN ⊗ SOIL BORING	- WOE WALKOUT ELEVATION - FFE FIRST FLOOR ELEVATION - GFE GARAGE FLOOR ELEVATION - TOF TOP OF FOUNDATION ELEV. - LOE LOWEST OPENING ELEV. - CONCRETE - BUILDING SETBACK LINE - CTV CABLE TV - CONCRETE CURB - CONTOUR EXISTING - CONTOUR PROPOSED - GUARD RAIL - DT DRAIN TILE - ELC ELECTRIC UNDERGROUND - FENCE - FO FIBER OPTIC UNDERGROUND - GAS GAS UNDERGROUND - OHU OVERHEAD UTILITY - TREE LINE - SANITARY SEWER - STORM SEWER - TELEPHONE UNDERGROUND - RETAINING WALL - UTILITY UNDERGROUND - UTL WATERMAIN - TRAFFIC SIGNAL - RAILROAD TRACKS - RAILROAD SIGNAL - RAILROAD SWITCH - SATELLITE DISH - WETLAND BUFFER SIGN

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



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

PREPARED BY	PREPARED FOR
ENGINEER SATHRE-BERGQUIST, INC. 14000 25th Ave N, Suite 120 Plymouth, MN 55447 PHONE: (952) 476-6000 FAX: (952) 476-0104 CONTACT: CHARLES WIEMERSLAGE, P.E. EMAIL: C.WIEMERSLAGE@SATHRE.COM	DEVELOPER BLACK DOG HOMES 1905 Wayzata Blvd E, Suite 100 Wayzata, MN 55391 CONTACT: Nick Vanderheyden PHONE: (612) 584-8088 EMAIL: nicks.vanderheyden@blackdoghomes.com

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

Dated this 10th day of November, 2022.

Donal L. Schmidt

Daniel L. Schmidt, PLS
schmidt@sathre.com
Minnesota License No. 26147



SATHRE-BERGQUIST, INC.

14000 25TH AVENUE NORTH, SUITE 120
PLYMOUTH MN 55447 (952) 476-6000
WWW.SATHRE.COM

TWP.117-RGE.22-SEC.6

Hennepin County

WAYZATA,
MINNESOTA

PRELIMINARY PLAT
BLACK DOG HOMES ADDITION
PREPARED FOR:
BLACK DOG HOMES

FILE NO.
10142-012

1

BLACK DOG HOMES ADDITION

C.R. DOC. NO. _____

KNOW ALL PERSONS BY THESE PRESENTS: That Black Dog Homes Properties, LLC, a Minnesota limited liability company, owner of the following described property:

That part of Block 60, Minnetonka Arlington Heights as Revised and Modified by Decree in Bk. 86, page 585 of Misc., bounded by a line beginning at Southwesterly corner of Said Block 60; thence Northeasterly to Northwesterly corner of said Block; thence Southeasterly along Northerly line of said Block, 337.9 feet; thence Southerly 146.15 feet, more or less to point in the Southerly line of said Block, distant 325.1 feet, Southeasterly from the point of beginning; thence Northwesterly along Southerly line of said Block, 325.1 feet to point of beginning, Hennepin County, Minnesota

Has caused the same to be surveyed and platted as BLACK DOG HOMES ADDITION and does hereby dedicate to the public for public use the easements for drainage and utility purposes as created by this plat.

In witness whereof said Black Dog Homes Properties, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this _____ day of _____, 20__.

Signed: Black Dog Homes Properties, LLC

Daniel J. Vanderheyden, Chief Manager

STATE OF MINNESOTA, COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 20__, by Daniel J. Vanderheyden, Chief Manager of Black Dog Homes Properties, LLC, a Minnesota limited liability company, on behalf of the company.

Notary Public, _____ County, Minnesota (Signature) _____ (Notary Printed Name) My Commission Expires: _____

SURVEYORS CERTIFICATE

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

Dated this _____ day of _____, 20__.

Daniel L. Schmidt, Licensed Land Surveyor
Minnesota License No. 26147

STATE OF MINNESOTA, COUNTY OF HENNEPIN

This instrument was acknowledged before me this _____ day of _____, 20__, by Daniel L. Schmidt.

Notary Public, Hennepin County, Minnesota (Signature) _____ (Notary Printed Name) My Commission Expires: _____

CITY COUNCIL, CITY OF WAYZATA, MINNESOTA

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

City Council, City of Wayzata, Minnesota

By: _____, Mayor By: _____, Clerk

RESIDENT AND REAL ESTATE SERVICES

Hennepin County, Minnesota

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

Daniel Rogan, County Auditor By: _____, Deputy

SURVEY DIVISION

Hennepin County, Minnesota

Pursuant to Minnesota Statutes Section 383B.565 (1969), this plat has been approved this _____ day of _____, 20__.

Chris F. Mavis, County Surveyor By: _____

COUNTY RECORDER

Hennepin County, Minnesota

I hereby certify that the within plat of BLACK DOG HOMES ADDITION was recorded in this office this _____ day of _____, 20__, at _____ o'clock ____M.

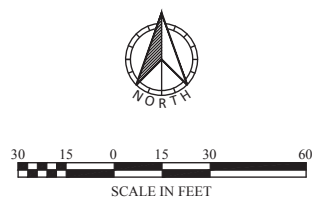
Amber Bougie, County Recorder By: _____, Deputy



SATHRE-BERGQUIST, INC.

BLACK DOG HOMES ADDITION

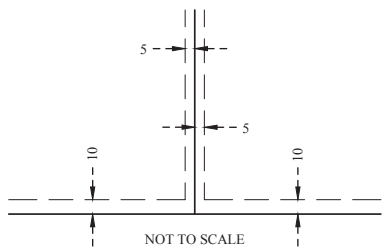
C.R. DOC. NO. _____



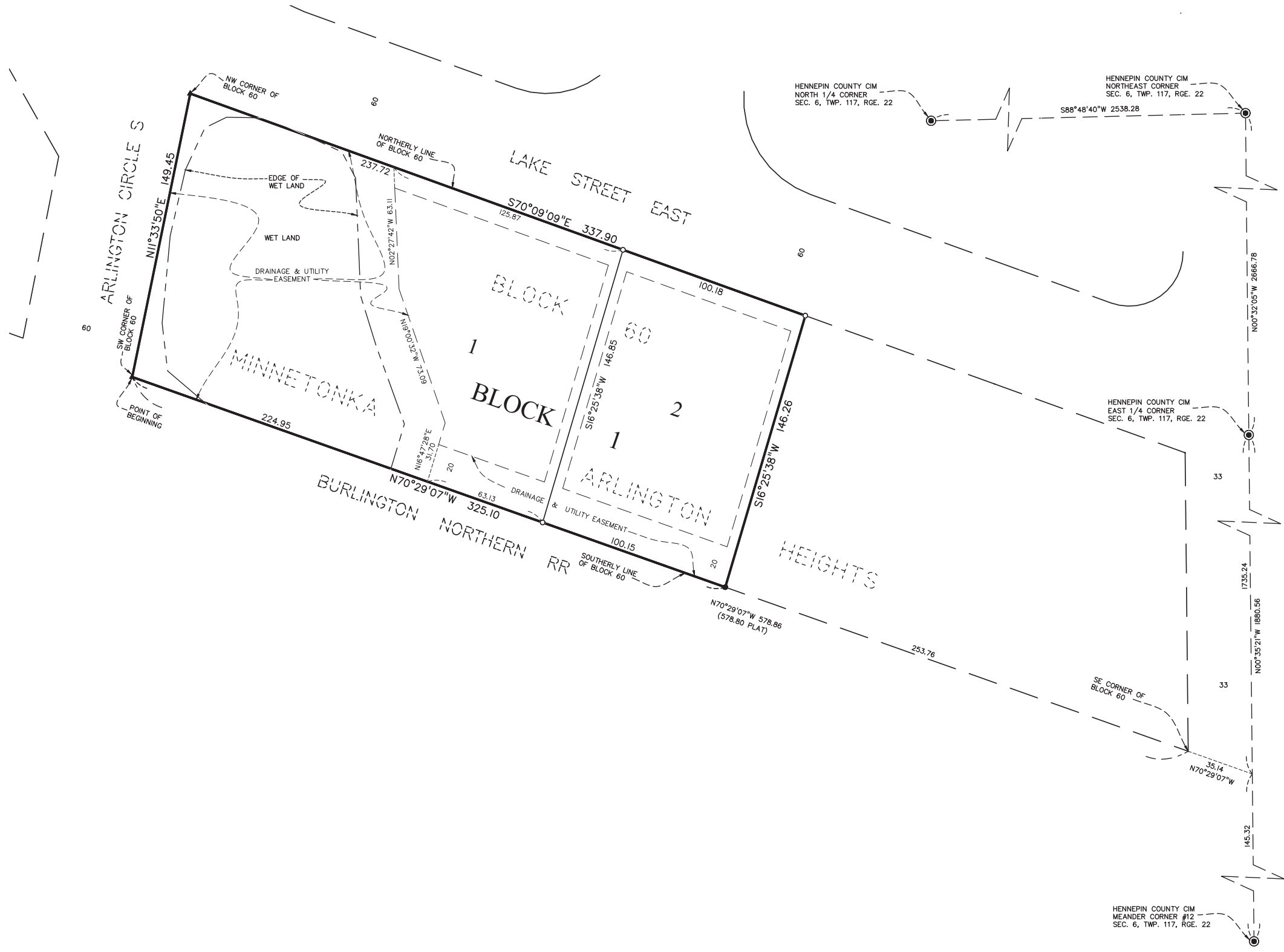
The basis for the bearing system is the southerly line of Block 60, MINNETONKA ARLINGTON HEIGHTS, which is assumed to bear North 70 degrees 29 minutes 07 seconds West

- Denotes a 1/2 inch by 14 inch iron pipe monument set and marked by License No. 26147.
- Denotes a found 1 inch iron pipe monument, unless shown otherwise.
- ▲ Denotes a found PK-Nail
- ⊙ Denotes a Found Cast-Iron-Monument

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



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



SATHRE-BERGQUIST, INC.

BLACK DOG HOMES ADD.

Wayzata, Minnesota

Project # 10142-012

Date May 3, 2023

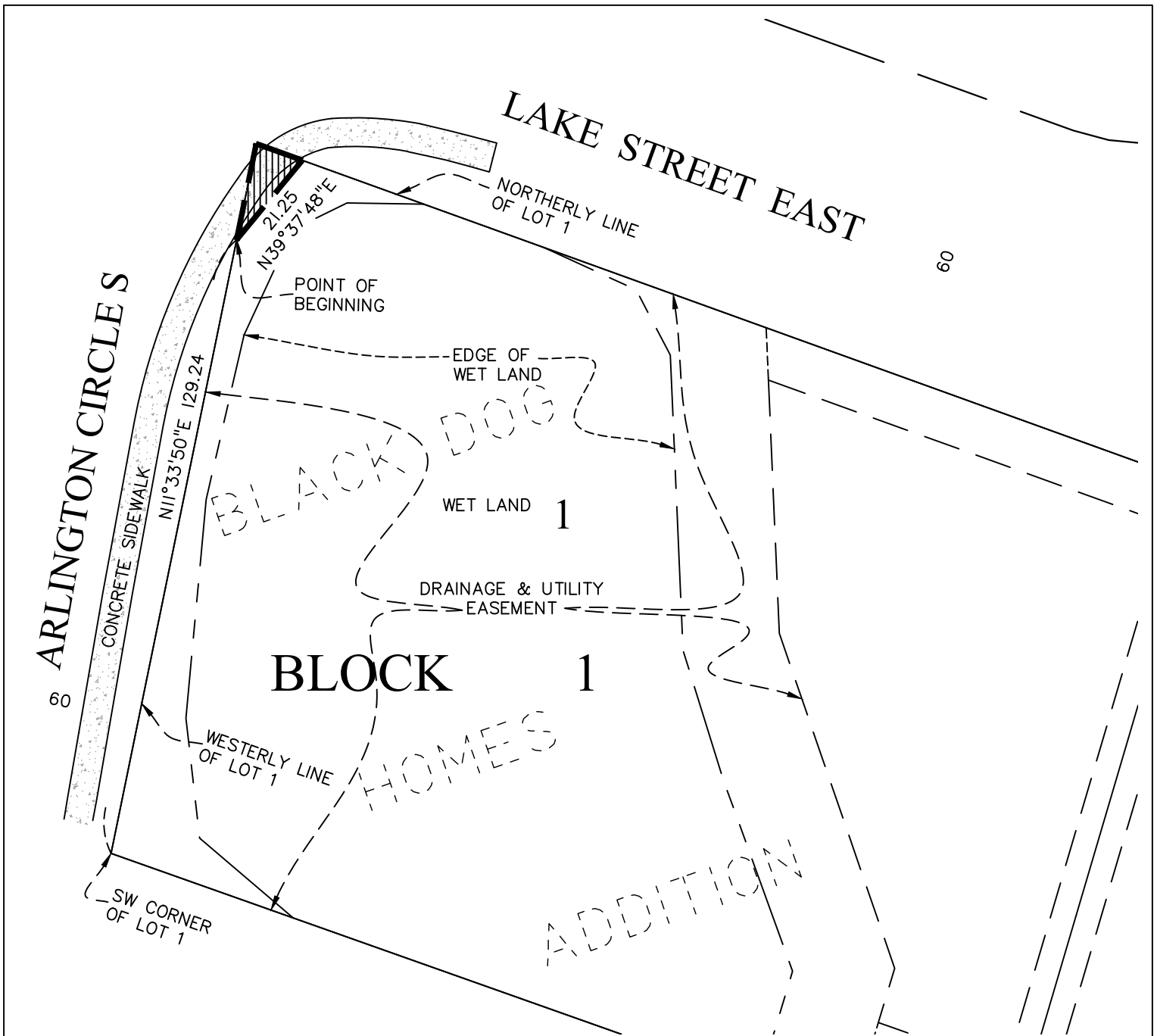
Prepared for: **Black Dog Homes**
1905 Wayzata Blvd E, Suite 100
Wayzata, MN 55391
Contact: Nick Vanderheyden
tel: 612-584-8088

Prepared by: **Sathre-Bergquist, Inc.**
14000 25th Ave. N. #120
Plymouth, MN 55447
Contact: Dan Schmidt
tel: 952-476-6000

BLOCK 1	GROSS AREA				WETLAND AREA		NET AREA				WIDTH @ SETBACK		
Lot 1	34,071	s.f.	0.78	acres	15,551	s.f.	18,520	s.f.	0.43	acres	236	+/-	1.f.
Lot 2	14,655	s.f.	0.34	acres	0	s.f.	14,655	s.f.	0.34	acres	100.2	+/-	1.f.
Total	48,726	s.f.	1.12	acres	15,551	s.f.	33,175	s.f.	0.76	acres			

R/W	GROSS AREA				WETLAND AREA		NET AREA			
	0	s.f.	0.00	acres	0	s.f.	0	s.f.	0.00	acres

TOTAL	GROSS AREA				WETLAND AREA		NET AREA			
	48,726	s.f.	1.12	acres	15,551	s.f.	33,175	s.f.	0.76	acres



Easement Description

A sidewalk easement over, under and across that part of Lot 1, Block 1, BLACK DOG HOMES ADDITION, according to the recorded plat thereof, Hennepin County, Minnesota, lying northwest of a line described as commencing at the southwest corner of said Lot 1; thence on an assumed bearing of North 11 degrees 33 minutes 50 seconds East along the westerly line of said Lot 1 a distance of 129.24 feet to the actual point of beginning; thence North 39 degrees 37 minutes 48 seconds East a distance of 21.25 feet to the northerly line of said Lot 1 and there terminating.

Easement Area: 101 sq ft



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

Dated this 17th day of March, 2023.

SATHRE-BERGQUIST, INC.

Daniel L. Schmidt

Daniel L. Schmidt, PLS
schmidt@sathre.com

Minnesota License No. 26147



SATHRE-BERGQUIST, INC.

14000 25TH AVENUE NORTH, SUITE 120
PLYMOUTH MN 55447 (952) 476-6000
WWW.SATHRE.COM

Easement Exhibit

Prepared For
Black Dog Homes
Properties LLC

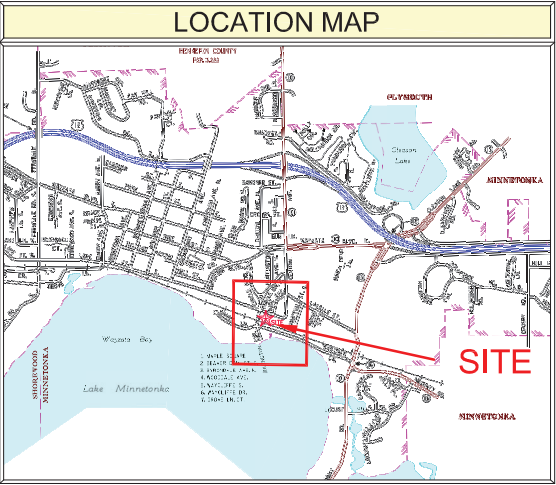
Date: 3/17/2023	Revision Date:
Prepared By: CMT	Check By: DLS
Layout Sheet:	1
Project Number: 10142-012	1

Easement Description

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Easement Area: 101 sq ft

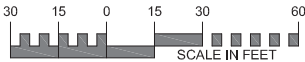
LEGEND		
DESCRIPTION	PROPOSED	EXISTING
BUILDING SETBACK LINE	BSBL	BSBL
GARAGE SETBACK LINE	GSBL	GSBL
PARCEL BOUNDARY LINE		
DRAINAGE AND UTILITY EASEMENTS		
CURB AND GUTTER		
RIGHT-OF-WAY		
SANWM SERVICE		
BACKYARD CATCH BASIN		
CATCH BASIN		
STORM SEWER MANHOLE		
FLARED END SECTION WRIP-RAP		
STORM STUCTURE LABEL	CB H3	CB H3
SANITARY STUCTURE LABEL		
SANITARY SEWER MANHOLE		
WATERMAIN		
HYDRANT		
GATE VALVE		



DEVELOPMENT DATA
65' Lots - (2)
SETBACKS
Frontyard Setback: 20'
Sidyard Setback: 10'/10'
Rearyard Setback: 20'

SHEET INDEX TABLE	
SHEET	Description
SP	Site Plan
1	Certificate of Survey
PP	Preliminary Plat
UP	Preliminary Utility Plan
GP	Preliminary Grading & Erosion Control Plan
TS	Tree Survey

PREPARED BY	PREPARED FOR
ENGINEER SATHRE-BERGQUIST, INC. 14000 25th Ave N, Suite 120 Plymouth, MN 55447 PHONE: (952) 476-6000 FAX: (952) 476-0104 CONTACT : DANIEL L. SCHMIDT, P.E. EMAIL: SCHMIDT@SATHRE.COM	DEVELOPER BLACK DOG HOMES CO. 1905 WAYZATA BLVD WAYZATA, MN 55391 CONTACT: NICK VANDERHEYDEN PHONE: (612) 584-8088 EMAIL: NICK.VANDERHEYDEN@BLACKDOGHOMES.COM



EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.

DRAWING NAME	NO.	BY	DATE	REVISION
10142-012	4	JRS	12/19/2022	
DRAWN	5	DLS	1/3/2023	CITY COMMENTS
CAW	6	CAW	2/2/2023	SAVE TREES
CHECKED	7	DLS	3/15/2023	TREE REVISIONS
DLS	8	DLS	5/5/2023	2 LOT REVISION
DATE	9	DLS	5/23/2023	MINOR REVISIONS
11/03/22	10	CAW	6/07/2023	ADD FUTURE HOUSE

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I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Daniel L. Schmidt
Daniel L. Schmidt
Date: 11/10/2022 Lic. No. 26147



SATHRE-BERGQUIST, INC.
14000 25TH AVENUE NORTH, SUITE 120
PLYMOUTH, MN 55447 (952) 476-6000

CITY PROJECT NO.

WAYZATA,
MINNESOTA

SITE PLAN
BLACK DOG HOMES ADDITION
BLACK DOG HOMES PROPERTIES, LLC

FILE NO.

10142-012

SP

SP

ROCK ENTRANCE BERM

SILT FENCE

POST GRADING SILT FENCE

BIO-ROLL

ROCK DITCH CHECK

CONCRETE WASHOUT

INLET PROTECTION

EROSION BLANKET

ROCK ENTRANCE BERM

SILT FENCE

POST GRADING SILT FENCE

BIO-ROLL

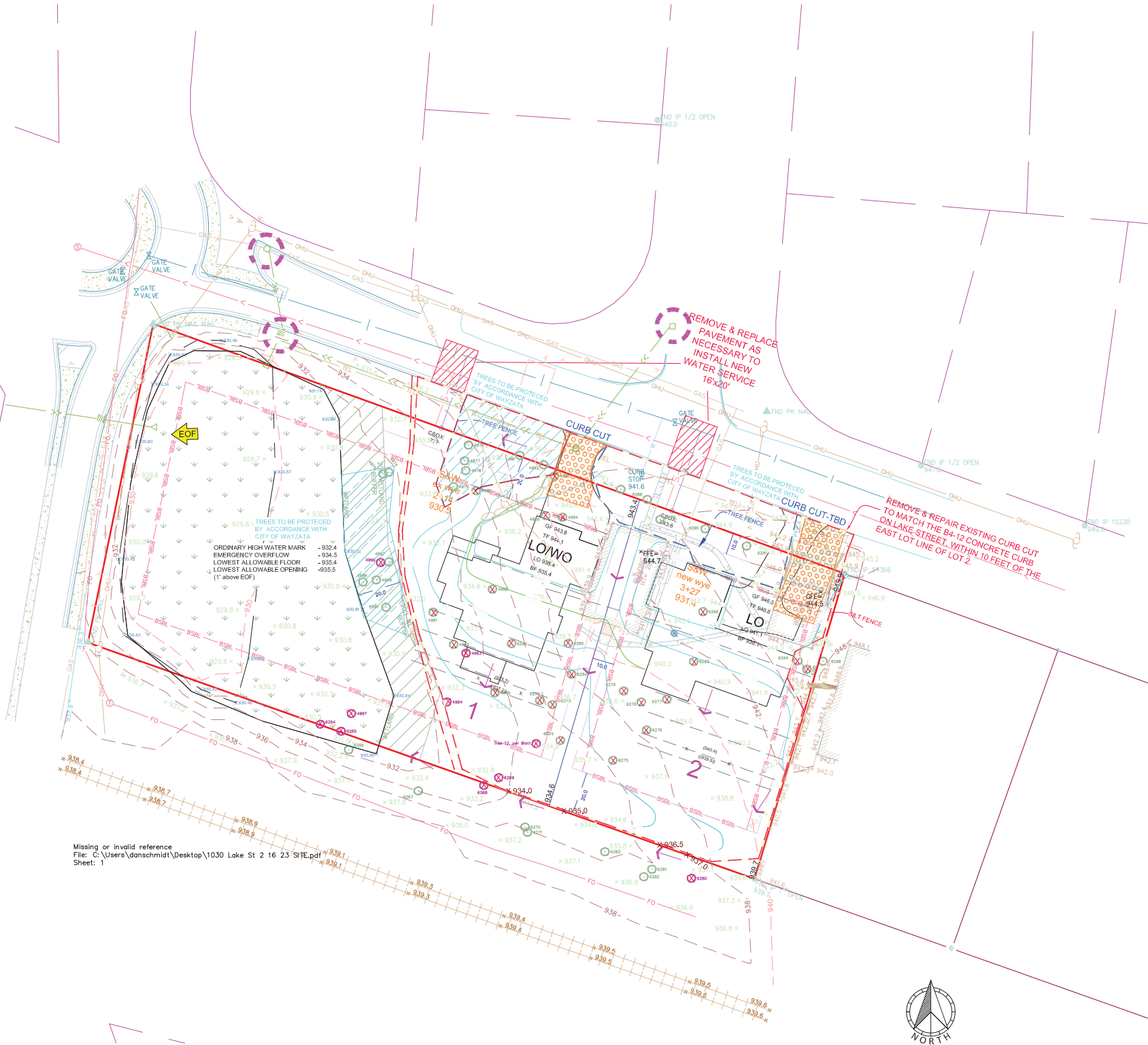
ROCK DITCH CHECK

CONCRETE WASHOUT

INLET PROTECTION

EROSION BLANKET

SYMBOL LEGEND		
DESCRIPTION	PROPOSED	EXISTING
MINOR CONTOUR		
MAJOR CONTOUR		
LOT LINE		
BUILDING SETBACK LINE		
GARAGE SETBACK LINE		
PARCEL BOUNDARY LINE		
DRAINAGE AND UTILITY EASEMENTS		
CURB AND GUTTER		
RIGHT-OF-WAY		
BACKYARD CATCH BASIN		
CATCH BASIN		
STORM SEWER MANHOLE		
FLARED END SECTION WRAP-UP		
SANITARY SEWER MANHOLE		
HYDRANT		
GATE VALVE		
DRAIN FLOW/RUNOFF ARROW		
EMERGENCY OVERFLOW SWALE		
SILT FENCE - (PRE CONSTRUCTION)		
SILT FENCE - (POST CONSTRUCTION)		
SPOT ELEVATION		
TBC SPOT ELEVATION		



- CONSTRUCTION NOTES
1. INSTALL SILT FENCE AS SHOWN ON PLAN, AS REQUIRED BY THE CITY OF WAYZATA OR DIRECTED BY THE ENGINEER.

2. A TEMPORARY SEDIMENTATION BASIN MUST BE EXCAVATED AT THE BEGINNING OF GRADING OPERATIONS TO PROVIDE TEMPORARY STORM WATER DETENTION DURING CONSTRUCTION. THE LOCATION MAY NEED TO BE RELOCATED AS THE PROJECT PROGRESSES.

3. BEGIN GRADING, INSTALL PERFORATED RISER PIPE IN PONDS WHEN POND GRADING IS COMPLETE. TEMPORARY DRAINAGE PIPE SHALL BE USED FOR INTERMEDIATE DRAINAGE DURING THE CONSTRUCTION PERIOD AS NECESSARY AND DIRECTED BY THE ENGINEER. INSTALL SILT FENCE AROUND EXCAVATED PONDS.

4. INSPECT PONDS, SILT FENCE, AND ROCK ENTRANCE BERM AFTER ALL RAINFALL EVENTS AS REQUIRED BY THE NPDES PERMIT.

5. LINE ALL PONDS WITH A MINIMUM 3" ORGANIC SOILS & SEED SLOPES BETWEEN NWL AND 100 YR HWL WITH A WATER TOLERANT MIX.

6. REMOVE PERFORATED RISER PIPE WHEN STORM SEWER AND OUTLET STRUCTURE FOR PONDS ARE INSTALLED.

7. STREET SECTION - FOR AREAS OF REMOVE AND REPLACE AS NEEDED
1.5" WEAR COURSE
2.0" BASE COURSE
8" CLASS 5
12" SELECT GRANULAR BORROW - CHECK WITH CITY TO SEE IF EXISTING SOILS ARE ACCEPTABLE

8. DRIVEWAY SLOPES-
MINIMUM-2.0%
MAXIMUM-10.0%

9. LO, SEWO, WO PADS 3:1 MAX. ALL OTHER SLOPES 4:1 MAX (UNLESS NOTED)

10. LOTS 1 IS A SIDE LOOK OUT AND A WALKOUT TYPE HOME. LOT 2 IS A LOOKOUT.

11. DEVELOPER WILL BE RESPONSIBLE FOR TEMPORARY DUST AND EROSION CONTROL UNTIL TURF IS ESTABLISHED. IF YARDS ARE ADJACENT TO A DITCH SWALE, THEN EROSION CONTROL MUST REMAIN UNTIL ALL ADJACENT PROPERTY HAS TURF ESTABLISHMENT.

12. RESTORATION -0.65 ACRES
A. RESTORE ALL DISTURBED AREAS WITH A MINIMUM OF 6" OF TOPSOIL.
B. SEED POND SLOPES AND DETENTION AREAS WITH MN/DOT 310 OR BWSR P8 SEED MIX AT A RATE OF 100 LBS./ACRE AND FERTILIZE WITH 20-0-10 AT 100 LBS./ACRE.
C. SEED ALL OTHER DISTURBED AREAS WITH MNDOT 250 AND BWSR SEED MIX FOR WETLANDS AT A RATE OF 100 LBS./ACRE AND FERTILIZE WITH 20-0-10 AT 100 LBS./ACRE. (UNLESS OTHERWISE NOTED)
D. ONLY PHOSPHOROUS FREE FERTILIZER IS TO BE USED ON SITE.
E. MULCH WITH TYPE 1 AT A RATE OF 2 TONS/ACRE AND DISC ANCHOR IMMEDIATELY AFTER PLACEMENT. USE WOODFIBER BLANKET ON ALL SLOPES 3:1 (FT) OR GREATER.
F. PLACE APPROVED STORM SEWER INLET PROTECTION IN OR AROUND ALL STORM SEWER INLETS AND MAINTAIN UNTIL STREET CONSTRUCTION IS COMPLETED. REFER TO CITY FOR APPROVED DEVICES.
G. MAINTAIN ALL SILT FENCE UNTIL TURF HAS BEEN ESTABLISHED.
H. RESTORATION WORK WILL BE COMPLETED WITHIN 72 HOURS OF GRADING COMPLETION.

13. MATERIALS THAT ARE PROHIBITED FROM RETAINING WALL CONSTRUCTION INCLUDE SMOOTH FACE CONCRETE, POURED IN PLACE CONCRETE, MASONRY, RAILROAD TIES, OR TIMBER. STAMPED OR PATTERNED CONCRETE IS ALLOWED IN RETAINING WALL CONSTRUCTION.

14. BOULDERS MAY NOT BE USED ON WALLS TALLER THAN 6' IN HEIGHT.

15. SILT FENCE: BEFORE GRADING - 870 LF

16. WOODFIBER BLANKET - 0 SY - AS NEEDED

17. GRADING QUANTITIES
LOT 1
CUT - 55 C.Y.
FILL - 114 C.Y.
LOT 2
CUT - 62 C.Y.
FILL - 235 C.Y.

PROVIDED VIA APPROXIMATELY 2 TRUCKS AT 10 C.Y. EACH - (~ 12 TRUCK TRIPS)

18. TRUCKING HOURS OF OPERATION PER CITY REQUIREMENTS MONDAYS THROUGH SATURDAYS 7:00AM TO 6:00PM.

19. EACH LOT SHALL HAVE INDIVIDUALLY DESIGNED STORM MANAGEMENT

20. ANTICIPATE HARD COVER
1. We do not have final plans at this time and these numbers are approximate. Hardcover between 25-35% will not require a variance, but will require mitigation under 991.11.

	Lot 1	Lot 2
Area	34,071 s.f.	14,655 s.f.
Proposed House	2,884 s.f.	2,646 s.f.
Lot Coverage %	8%	18%
Proposed Driveway	651 s.f.	937 s.f.
Impervious Surface	4,135 s.f.	4,233 s.f.
Impervious Surface %	12.1%	28.9%

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10142-012	4	JRS	12/19/2022	CITY COMMENTS
DRAWN	5	DLS	1/3/2023	CITY COMMENTS
CAW	6	CAW	2/2/2023	SAVE TREES
CHECKED	7	DLS	3/15/2023	TREE REVISIONS
DLS	8	DLS	5/5/2023	2 LOT REVISION
DATE	9	DLS	5/23/2023	MINOR REVISIONS
11/03/22	10	CAW	6/07/2023	ADD FUTURE HOUSE

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Daniel L. Schmidt

Daniel L. Schmidt
Date: 11/10/2022 Lic. No. 26147



SATHRE-BERGQUIST, INC.

14000 25TH AVENUE NORTH, SUITE 120
PLYMOUTH, MN 55447 (952) 476-6000

CITY PROJECT NO.

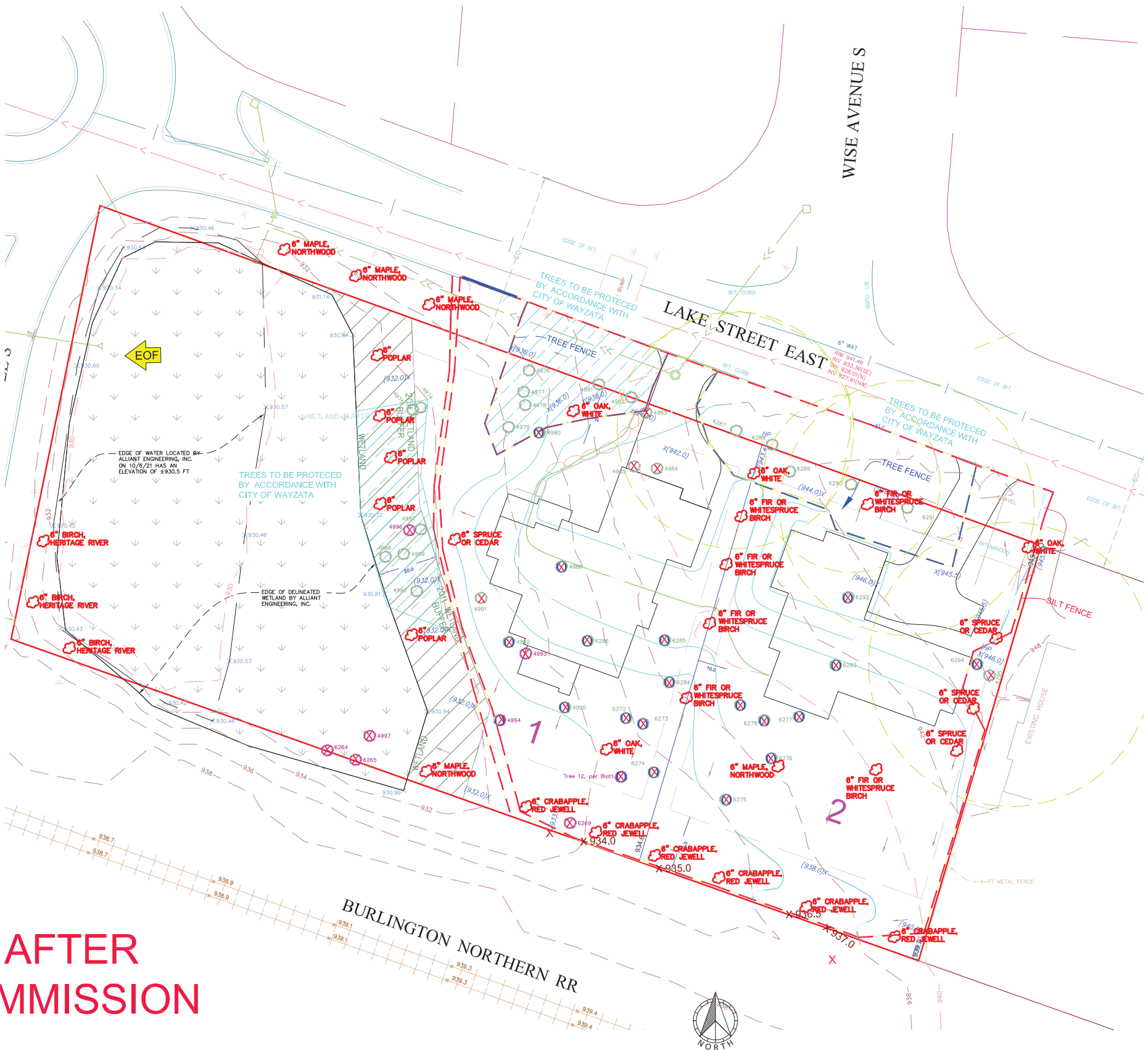
WAYZATA,
MINNESOTA

PRELIMINARY GRADING & EROSION
CONTROL PLAN
BLACK DOG HOMES ADDITION
BLACK DOG HOMES PROPERTIES, LLC

FILE NO.
10142-012

GP
GP

REVISIONS AFTER
PLANNING COMMISSION



Please refer to Brain McCullough's of AB Hardscape INC. landscape design for more details on tree species to be planted.

- Notes:
- Marks already removed trees
 - Trees to be removed

All Ash trees to be removed and are shown in Magenta.

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Daniel L. Schmidt
Daniel L. Schmidt
Date: 11/10/2022 Lic. No. 26147



SATHRE-BERGQUIST, INC.
14000 25TH AVENUE NORTH, SUITE 120
PLYMOUTH, MN 55447 (952) 476-6000

CITY PROJECT NO.

WAYZATA,
MINNESOTA

TREE SURVEY
BLACK DOG HOMES ADDITION
BLACK DOG HOMES PROPERTIES, LLC

FILE NO.
10142-012
TS
TS2

LOT 1

TAG #	DBH	Removed	Removed Heritage Trees	Already Removed	Saved	Offsite	Exempt	Species	Comments/Notes
LOT 1									
4974	9				9			Ohio Buckeye	
4975	11				11			Ohio Buckeye	
4976	21				21			White Oak	
4977	22				22			White Oak	
4978	17				17			White Oak	
4979	18				18			White Oak	
4980	24			X			24	Northern Red Oak	Large limb missing at 20'. Probable heartwood decay
4981	20					20		Sugar Maple	
4982	14					14		Sugar Maple	
4983	10	10						Sugar Maple	
4984	22	22						White Oak	
4985	27		27					Sugar Maple	
4986	25		25	X				Bur Oak	
4987	38.5				38.5			Cottonwood	24x22
4988	23				23			Cottonwood	
4989	14				14			Willow	
4990	13							Black Walnut	
4991	32		32		13			Bur Oak	
4992	6	6		X				Paper Birch	
4993	24						24	Green Ash	Complete structural failure. Mostly dead. Crown leaning in TREE 4994. High risk hazard tree
4994	26			X			26	Green Ash	Extensive crown dieback, flecking on entire tree. Typical late stage EAB infestation.
4995	6	6		X				Crab Apple	
4996	8						8	Green Ash	
4997	12						12	Green Ash	
6264	18						18	Green Ash	12x6 Leaning approx. 45 degrees, Root upheaval.
6265	10						10	Green Ash	
6266	10					10		Black Walnut	
6267	18						18	Black Walnut	Decay present from limb loss
6268	12						12	Green Ash	
6269	14						14	Green Ash	
6272	24	24		X				Bur Oak	
6273	25	25		X				Bur Oak	
6274	27	27		X				White Oak	
6284	15	15		X				Bur Oak	
6285	24	24		X				Bur Oak	
6286	23	23						Bur Oak	
6287	27					27		White Oak	
12	12						12	Ash	Ash 12" DBH / Fair condition.
Caliper Inches	701.5	182	84		186.5	71	178		
Tree Count		10	3		10	4	11		

Heritage Trees (Inches)		84				0
Total Counted Trees (Inches)	368.5			Total Counted Trees (Count)	23	
Total Saved Trees (Inches)	186.5			Total Saved Trees (Count)	10	

Saved Percentage	51%			Saved Percentage	43%	
------------------	-----	--	--	------------------	-----	--

MITIGATION SUMMARY

SIGNIFICANT TREES					
TOTAL:			368.50 inches		
TO BE REMOVED:			182.00 inches		
			49.4% of significant trees to be removed		
			25% removal allowance		
			92.125 inches		
REQUIRED REPLACEMENT:			89.88 inches		
HERITAGE TREES					
TO BE REMOVED:			84 inches		
REQUIRED REPLACEMENT (2:1):			168 inches		
TOTAL MITIGATION					
REQUIRED REPLACEMENT:			257.88 inches		
TO BE PLANTED:			102 inches		
REMAINING:			155.88 inches		
FEE-IN-LIEU REQUIRED:			\$ 24,940.00		
			(\$160 per required inch deficit)		
ESCROW REQUIRED:			\$ 24,940.00		
			(\$160 per required inch planted)		

LOT 2

TAG #	DBH	Removed	Removed Heritage Trees	Already Removed	Saved	Offsite	Exempt	Species	Comments/Notes
LOT 2									
6270	13					13		Red Elm	
6271	16					16		Red Elm	
6275	28			X			28	White Oak	Seams and fungi along main stem indicating decay
6276	25		25	X				Bur Oak	
6277	23	23		X				Bur Oak	
6278	15	15		X				Bur Oak	
6279	20	20		X				Bur Oak	
6280	19						19	Green Ash	
6281	15					15		Red Elm	
6282	16					16		Boxelder	Satellite dish installed on tree
6283	16					16		Black Locust	
6288	13				13			Sugar Maple	
6289	24				24			White Oak	
6290	20				20			White Oak	
6291	29				29			White Oak	
6292	26		26	X				Sugar Maple	
6293	30		30	X				White Oak	
6294	28	28		X				White Oak	
6295	26	26						Bur Oak	
6296	32					32		Bur Oak	
Caliper Inches	263	112	81		86	108	47		
Tree Count		5	3		4	6	2		

Heritage Trees (Inches)			81			
Total Counted Trees (Inches)	196			Total Counted Trees (Count)	9	
Total Saved Trees (Inches)	86			Total Saved Trees (Count)	5	
Saved Percentage	43%			Saved Percentage	56%	

MITIGATION SUMMARY

SIGNIFICANT TREES					
TOTAL:			198.00 inches		
TO BE REMOVED:			112.00 inches		
			56.6% of significant trees to be removed		
			25% removal allowance		
			49.5 inches		
REQUIRED REPLACEMENT:			62.50 inches		
HERITAGE TREES					
TO BE REMOVED:			81 inches		
REQUIRED REPLACEMENT (2:1):			162 inches		
TOTAL MITIGATION					
REQUIRED REPLACEMENT:			224.50 inches		
TO BE PLANTED:			96 inches		
REMAINING:			128.50 inches		
FEE-IN-LIEU REQUIRED:			\$ 20,560.00		
			(\$160 per required inch deficit)		
ESCROW REQUIRED:			\$ 20,560.00		
			(\$160 per required inch planted)		

COMBINED

TAG #	DBH	Removed	Removed Heritage Trees	Already Removed	Saved	Offsite	Exempt	Species	Comments/Notes	Bratt Arborist Tag#	Bratt Arborist Comments - Trees to be removed
LOT 1											
4974	9				9			Ohio Buckeye			
4975	11							Ohio Buckeye			
4976	21				21			White Oak			
4977	22				22			White Oak			
4978	17				17			White Oak			
4979	18				18			White Oak			
4980	24			X			24	Northern Red Oak	Large limb missing at 20'. Probable heartwood decay	1	Red Oak 24" DBH / Structurally defective, no top.
4981	20					20		Sugar Maple			
4982	14					14		Sugar Maple			
4983	10	10						Sugar Maple			
4984	22	22						White Oak			
4985	27		27					Sugar Maple			
4986	25		25	X				Bur Oak		2	White Oak 25" DBH / Good condition.
4987	38.5				38.5			Cottonwood	24x22		
4988	23				23			Cottonwood			
4989	14				14			Willow			
4990	13				13			Black Walnut			
4991	32		32					Bur Oak			
4992	6	6		X				Paper Birch			
4993	24						24	Green Ash	Complete structural failure. Mostly dead. Crown leaning in TREE 4994. High risk hazard tree	3	Ash 30" DBH / No top. Structurally defective
4994	26			X			26	Green Ash	Extensive crown dieback, flecking on entire tree. Typical late stage EAB infestation	4	Ash 24" DBH / Dead top
4995	6	6		X				Crab Apple			
4996	8					8		Green Ash			
4997	12					12		Green Ash			
6264	18						18	Green Ash	13x6 Leaning approx. 45 degrees, Root upheaval.		
6265	10						10	Green Ash			
6266	10					10		Black Walnut	Decay present from limb loss		
6267	18					18		Black Walnut			
6268	12					12		Green Ash			
6269	14					14		Green Ash			
6272	24	24		X				Bur Oak		9	White Oak 24" DBH / Good condition
6273	25	25		X				Bur Oak		10	White Oak 20" DBH / Structurally defective at 16 feet
6274	27	27		X				White Oak		11	White Oak 30" DBH / Good condition
6284	15	15		X				Bur Oak		8	White Oak 16" DBH / Severe lean over structure, in average condition
6285	24	24						Bur Oak		7	White Oak 24" DBH / Good condition
6286	23	23						Bur Oak			
6287	27							White Oak			
12	12						12	Ash	Ash 12" DBH / Fair condition.		
Caliper Inches	701.5	182	84		186.5	71	178				
Tree Count		10	3		10	4	11				
LOT 2											
6270	13					13		Red Elm			
6271	16					16		Red Elm			
6275	28			X			28	White Oak	Seams and fungi along main stem indicating decay	13	White Oak 30" DBH / Dead tree
6276	25		25	X				Bur Oak		16	White Oak 20" DBH / Structurally defective at 16 feet
6277	23	23		X				Bur Oak		17	White Oak 23 8" DBH / Good condition
6278	15	15		X				Bur Oak		15	White Oak 16" DBH / Dead top
6279	20	20		X				Bur Oak		14	White Oak 21" DBH / Half dead, Two Live Chestnut Borer
6280	19						19	Green Ash			
6281	15					15		Red Elm			
6282	16					16		Boxelder	Satellite dish installed on tree		
6283	16					16		Black Locust			
6288	13				13			Sugar Maple			
6289	24				24			White Oak			
6290	20				20			White Oak			
6291	29				29			White Oak			
6292	26		26	X				Sugar Maple		19	Sugar Maple 28 8" DBH / Good health, large infestation in main trunk
6293	30		30	X				White Oak		18	White Oak 30" DBH / Fair condition, shows signs of Two Live Chestnut Borer infestation on West side
6294	28	28		X				White Oak		20	White Oak 29" DBH / Good condition
6295	26	26						Bur Oak			
6296	32					32		Bur Oak			
Caliper Inches	434	112	81		86	95	47				
Caliper Inches	1135.5	294	165		272.5	366	225				
Tree Count	50	10	7	11	35	30	12				

Heritage Trees (Inches)			165			
Total Counted Trees (Inches)	566.5			Total Counted Trees (Count)	36	
Total Removed by project Trees (Inches)	294			Total Removed for Project (Count)	10	
Total Saved Percentage by project	48%			Saved Percentage for the project	72%	
Total Saved Trees (Inches)	272.5			Total Saved Trees (Count)	15	
Saved Percentage	48%			Saved Percentage	42%	

MITIGATION SUMMARY

SIGNIFICANT TREES		186
TOTAL:	566.50 inches	
TO BE REMOVED:	294.00 inches	
	51.9% of significant trees to be removed	
	25% removal allowance	
	141.625 inches	
REQUIRED REPLACEMENT:	152.38 inches	
HERITAGE TREES		
TO BE REMOVED:	165 inches	
REQUIRED REPLACEMENT (2:1):	330 inches	
TOTAL MITIGATION		
REQUIRED REPLACEMENT:	482.38 inches	
TO BE PLANTED:	196 inches	
REMAINING:	286.38 inches	
FEE-IN-LIEU REQUIRED:	\$ 45,500.00	
	(\$160 per required inch deficit)	
ESCROW REQUIRED:	\$ 45,500.00	
	(\$160 per required inch planted)	



City of Wayzata Planning Commission Agenda Report

MEETING DATE: June 26, 2023	AGENDA ITEM: 6.a
TITLE: Review of Development Activities	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
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: June 26, 2023	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 on Monday, July 17, 2023. The 2023 City Meeting Calendar and Liaison Schedule are attached.

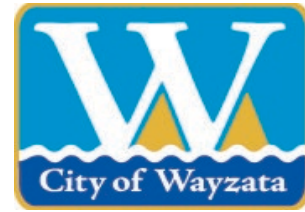
ACTION REQUESTED:

N/A

ATTACHMENTS:

1. 2023 Wayzata City Calendar
2. 2023 Planning Commission Liaison Schedule

City of Wayzata 2023 Meeting Calendar



January 2023						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2023						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March 2023						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April 2023						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May 2023						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June 2023						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July 2023						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August 2023						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September 2023						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

October 2023						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November 2023						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December 2023						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

- 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

Revised
9/21/2022

2023 Planning Commission Assignments at Council Meetings

	<u>Meeting Date</u>	<u>Commission Representative</u>
Tuesday	January 10	Peggy Douglas
Tuesday	January 24	Adam Elg
Tuesday	February 7	Laura Merriam
Tuesday	February 21	Bonnie Schwalbe
Tuesday	March 7	Jennifer Severson
Tuesday	March 21	Ken Sorensen
Tuesday	April 4	Larissa Stockton
Tuesday	April 18	Peggy Douglas
Tuesday	May 2	Adam Elg
Tuesday	May 16	Laura Merriam
Tuesday	June 6	Bonnie Schwalbe
Tuesday	June 20	Jennifer Severson
N/A	No meeting July 4th week	
Tuesday	July 18	Ken Sorensen
Tuesday	August 8	Larissa Stockton
Tuesday	August 22	Peggy Douglas
Tuesday	September 5	Adam Elg
Tuesday	September 19	Laura Merriam
Tuesday	October 13	Bonnie Schwalbe
Tuesday	October 17	Jennifer Severson
Tuesday	November 7	Ken Sorensen
Tuesday	November 21	Larissa Stockton
Tuesday	December 5	Peggy Douglas
Tuesday	December 19	Adam Elg