



Wayzata Planning Commission

Meeting Agenda

Monday, February 23, 2015

Community Room,
600 Rice Street East,
Wayzata, Minnesota

- 7:00 p.m.**
- 2. Call to Order and Roll Call, and Approval of Minutes**
 - 3. Regular Agenda Public Hearing Items:**
 - a. 637 Harmony Circle – Fritz Gullickson (Continued from January 26, 2015)
 - i. Concurrent Preliminary and Final Plat for a Two (2) Lot Subdivision
 - 4. Other Items:**
 - a. Review of Development Activities
 - b. Other items
- 9:00 p.m.**
- 5. Adjournment**

NOTES:

¹ Time(s) are estimated and provided for informational purposes only.

² Members of the Planning Commission and some staff may gather at the Wayzata Bar and Grill immediately after the meeting for a purely social event. All members of the public are welcome.

WAYZATA PLANNING COMMISSION
DRAFT WORKSHOP MEETING MINUTES
February 2, 2015

AGENDA ITEM 1. Call to Order, Roll Call and Approval of Minutes.

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

Present at roll call were Commissioners: Gonzalez, Ramy, Vanderheyden, Iverson, Gruber, Young, and Gnos (arrived at 7:20 p.m.). Director of Planning and Building Gadow and City Attorney David Schelzel were also present.

Chair Vanderheyden stated the minutes to be reviewed are from the January 26, 2015 meeting.

Commissioner Gruber suggested referring to Director of Planning and Building Gadow as Mr. Gadow in the minutes. On page 11, line 35, there is a missing verb that should be inserted.

Chair Vanderheyden stated Commissioner Gonzalez had sent in several corrections. On page 9, line 29, he stated his point had been in other areas of town there would be a different discussion.

Commissioner Gonzalez made a motion, Seconded by Commissioner Gruber, to approve the January 26, 2015 meeting minutes as amended. The motion carried unanimously.

AGENDA ITEM 2. Workshop Agenda Items:

a. Introduction to Downtown Parking Project – LSA Design

Mr. Gadow stated LSA Design would provide the Planning Commission with background information regarding the downtown parking improvements project and the Planning Commission's role in the project.

Ms. Jo Ann Olsen, LSA Design, reviewed the initial parking study and the need to focus on the downtown/Central Business District. LSA Design's scope of work is broken down to six separate projects: Plan of Finance, Parking District; Ordinance and Management Tools, Pilot Projects to Address Current Parking Issues, Options for Renovation of Carisch Ramp, New Mill Street Parking Ramp, and Wayfinding and Real Time Signage. They would need to have City Council approval prior to moving forward with projects 5 and 6 and this would be after the City Council has reviewed the findings for the first four projects.

Commissioner Iverson asked how long it would be for the pilot projects.

Ms. Olsen stated this has not been determined and they are currently working on this. Pilot project ideas include valet parking and remote employee parking but these pilot projects have not been defined yet.

1 Chair Vanderheyden clarified the 30-year agreement with the Carisch Ramp was due on 2017.

2
3 Mr. Gadow stated he would expect this to be extended if the City is able to come to an
4 agreement with Mr. Carisch for renovations and private parking.

5
6 Commissioner Ramy asked if Mill Street would be the only place for consideration for a parking
7 ramp.

8
9 Ms. Olsen stated another option would be under City Hall or adding parking stalls to the Carisch
10 Ramp but nothing further west.

11
12 Commissioner Gonzalez asked if it was feasible to build under City Hall.

13
14 Ms. Olsen stated it would be costly but they have not done any additional analysis to determine
15 if it would be feasible.

16
17 Commissioner Iverson asked there had been any discussion with the Yacht Club.

18
19 Ms. Olsen stated they are just getting started and have not talked to the Yacht Club at this time.
20 The Yacht Club is part of Phase II. She clarified the discussion at this time would be focused on
21 the Parking District, Ordinance and Management. These steps include review of the City's
22 parking regulations, recent parking study, case studies, and initiate public outreach, define
23 Parking District boundaries and principles, and draft revisions to parking regulations, shared
24 parking standards and management tools. This is expected to be a 12-week process and is
25 proposed to be completed by mid-March.

26
27 Commissioner Gruber asked what would be considered shared parking.

28
29 Ms. Olsen explained cities are applying calculations for shared parking usages and is based on
30 the times and actual usages to determine a maximum number of spaces needed. As the uses
31 change this table can be used to make sure the number of stalls is still appropriate.

32
33 Chair Gonzalez stated she would like to have a reasonable formula for the Ordinance to use for
34 calculating parking stall requirements because the formula currently used required too much
35 parking.

36
37 Ms. Olsen defined the boundaries for Parking Districts Phase I and Phase II.

38
39 Commissioner Iverson asked if walkability was changed because of the Presbyterian Homes
40 project.

41
42 Mr. Gadow stated retail studies have shown that people do not typically walk more than 500-feet
43 from their car to their retail destination and the boundaries for Phase I would provide parking a
44 reasonable distance from retail spaces. The deficits in the study are more deficits of proximity
45 than an overall deficit.

46

1 Ms. Olsen explained Phase II would have more walkability concerns so more mobility features
2 would need to be looked at such as a trolley.

3
4 Commissioner Gonzalez asked if diagonal parking along Lake Street had been considered.

5
6 Ms. Olsen stated they have not gotten his detailed. This had been brought up at the Chamber
7 meeting and could be looked at in more detail as the project moves forward. She explained
8 potential alternatives being considered at this time include revised parking standards, adopting
9 shared parking standards, maintaining free parking, encouraging turnover at prime customer
10 spaces, valet parking, regulating employee parking, and promoting car sharing, biking, walking
11 or transit/circulator.

12
13 Commissioner Gonzalez stated it was her understanding that people did not like to go downtown
14 because they have to pay for parking so she does not think that having metered parking would
15 work in Wayzata.

16
17 Ms. Olsen reviewed the schedule for the projects. She stated the timetable was established based
18 on the overall assumption that the end game would be construction of a ramp and they would
19 like to look at this for the coming construction season.

20
21 Commissioner Ramy asked where the overall assumption was coming from because there were
22 many things that should be discussed before the City decides to build another parking ramp.
23 These alternatives should be tested and reviewed for a period of time before the City builds a
24 ramp on one of the oldest, most historic streets in the City.

25
26 Mr. Gadow stated the City would like to have some pilot programs operating for the upcoming
27 summer season.

28
29 Commissioner Gruber agreed that the City should look at all their options prior to building a
30 ramp. There have been a number of ideas brought up that have not been discussed or tested.

31
32 Commissioner Iverson asked if the Wells Fargo location had been discussed because this facility
33 is expected to be vacant in the future.

34
35 Commissioner Iverson asked if additional stories could be added to the Carisch Ramp.

36
37 Ms. Olsen stated structurally another story could be added but this Ramp is not very connected.

38
39 Commissioner Iverson asked if the pilot programs included looking at having the City purchase
40 additional property.

41
42 Ms. Olsen stated the City would want to consider looking at other options to determine how far
43 they need to go and if there is a need to purchase additional property.

44
45 Commissioner Gonzalez asked if LSA had looked at formulas used by other cities to determine
46 parking requirements.

47

1 Ms. Olsen stated they had looked at some and the formula used by Wayzata is typical but as
2 cities are redoing their Ordinances, they are reducing the requirement. She stated she would do
3 more case studies in this area for the City.

4
5 Commissioner Ramy asked how many net gain spaces is they City hoping to get with the
6 construction of a ramp.

7
8 Ms. Olsen stated approximately 200-300 stalls but this would be tight with the height
9 restrictions. She clarified the calculations that would be used at this time include the current
10 conditions and land uses and proposed development.

11
12 Commissioner Young stated one problem with the phases that are defined is that outside of
13 Phase I there are several areas that have season spikes that should be considered as well. The
14 City should not build something that adds capacity for one area that could potentially not address
15 deficits in locations that are part of Phase II. He would like to see the City look at a total
16 solution.

17
18 Mr. Gadow stated the Planning Commission would review the parking again in March and LSA
19 would bring forward additional information.

20
21 Ms. Olsen stated she would prepare a report that looks at Phase I and Phase II parking and
22 determines what the deficits may be and provide some case study information for the
23 Commission to review and what impacts some alternatives may have.

24
25 Chair Vanderheyden asked for additional information regarding valet parking, what other cities
26 have done and what impacts this would have.

27
28 Commissioner Ramy stated moving the employee parking to a central location would open up
29 parking spaces in the needed areas as well.

30
31 Commissioner Gonzalez stated one of the things that had been discussed by the City was
32 removing the lot between the Cove and the Depot to extend the park. She asked if this would be
33 something that LSA Design could look into the effects this would have.

34
35 Commissioner Iverson suggested talking to the owner of the “pink building” to see if they would
36 be interested in providing parking for a fee. She asked if there would be a public hearing before
37 a parking ramp would be built.

38
39 City Attorney Schelzel stated the Planning Commission would hold a public hearing for any
40 Zoning or Ordinance changes and this would be an opportunity for the Commission to provide
41 input.

42
43 **b. Planning Commission Training with the City Attorney**

44
45 Mr. Gadow stated this training is to provide Planning Commissioners with training on what the
46 Commission deals with in terms of Zoning and land use and the legal role.

47

1 City Attorney Schelzel provided an overview of the roles and duties of the Planning
2 Commission, the standards the Commission applies, communication among Planning
3 Commissioners, and review of land uses. He explained the Open Meeting Law and what would
4 be considered a violation of the Open Meeting Law.

5
6 Commissioner Iverson asked what would happen if the Open Meeting Law were violated.

7
8 City Attorney Schelzel stated the City could be sued and there may be a penalty involved. He
9 reviewed the Quasi-Judicial Standard, which is the need for objectivity and fairness as a
10 Commissioner and the importance of the Commission to provide objectivity and fairness when
11 reviewing applications. The City can face serious consequences if the applicant does not receive
12 fair process.

13
14 Commissioner Gonzalez asked what the stance would be on Commissioners meeting with an
15 applicant.

16
17 City Attorney Schelzel stated as long as a Commission is clear going into a meeting that this is to
18 listen to what they have to say only but you cannot advise them. The Planning Commission
19 needs to apply the standards established for applications. It is within the purview of the
20 Commission to ask an applicant to revise portions of their application, particularly if there are
21 items that the Commission does not feel meet the spirit or letter of the Ordinances. It is also
22 reasonable to place conditions on an application that go to meeting the standards and criteria.

23
24 Commissioner Iverson asked what the level of importance would be for guiding documents.

25
26 City Attorney Schelzel stated the Comprehensive Plan and the City Ordinances would be a
27 simplification of what guides the Planning Commission. The Comprehensive Plan is like the
28 constitution of Planning for the City. The Zoning and Sub-Division Ordinances are meant to
29 implement general policies of the Comprehensive Plan. The City of Wayzata has a Charter that
30 they follow.

31
32 Mr. Gadow stated there would not be a lot of work done by the Planning Commission that would
33 pertain to the Charter and if there is then Staff will note this for the Planning Commission.

34
35 City Attorney Schelzel discussed the statutory authority, from the Municipal Planning Act, for
36 the Zoning Ordinance, the Sub=division Ordinance and the Comprehensive Plan. He explained
37 the Planning Commission is an advisory committee and does not make a decision regarding an
38 application but rather makes recommendations for the City Council for action.

39
40 Mr. Gadow explained the Staff Reports are designed to be as objective and impartial as possible.
41 If, after reviewing an application, the Planning Commission feels the Staff Report contains
42 enough information to make a recommendation then this document would be used as a basis for
43 this recommendation. The Planning Commission could also ask Staff to prepare the findings and
44 recommendation to be adopted at the next Planning Commission meeting. Regardless of the
45 Planning Commission's recommendation, the City Council would receive a copy of the minutes
46 for the appropriate meeting to know what was discussed regarding a particular application.

47

1 City Attorney Schelzel reviewed the different land use concepts that the Planning Commission
2 would deal with including zoning amendments and variances. He explained that variances are
3 deviations that are permitted under the Zoning Ordinance and can be granted if the variance
4 standards are met and he reviewed these standards and criteria. He clarified that a variance
5 could not be granted for a land use change.

6
7 Commissioner Gonzalez asked if it was appropriate for the City to request concessions with a
8 PUD request.

9
10 City Attorney Schelzel stated a PUD request would be considered quasi-judicial and an applicant
11 is not entitled to an approval of the request.

12
13 Commissioner Iverson asked how the City would be protected when determining what would be
14 considered a reasonable use with a variance request.

15
16 City Attorney Schelzel suggested tying this to something objective. The Planning Commission
17 needs to make recommendation to the City Council on what is reasonable in Wayzata.

18
19 Mr. Gadow explained that if the City has a large number of similar variance requests then the
20 City may want to look at the code to determine if changes are needed.

21
22 Commissioner Young asked what kind of precedent is set if a “reasonable” variance is granted.

23
24 City Attorney Schelzel stated the City should not worry about setting a precedent and make sure
25 the findings are correct and address the particulars of the application being presented. He
26 continued and explained a Conditional Use Permit (CUP) would be an authorized violation or
27 permitted exception of the Zoning Ordinance. IF the criteria are met then a permit can be issued
28 and this permit would go with the land. A Planned Unit Development (PUD) would be for a
29 mixture of uses that may want to incorporate some kind of innovation in the design and by nature
30 these do not comply with the current zoning and these can be approved as long as they meet the
31 criteria set for a PUD. With a PUD, the developer has flexibility and the City has control. He
32 explained a PUD/CUP would still have the underlying zoning in place. He stated the Design
33 Standards are part of the Zoning Ordinance and are zoning requirements. Most of these can be
34 deviated from is the City approves it and this would not be considered a variance. He clarified
35 sub-divisions and the role of the Planning Commission in approving sub-divisions and the
36 criteria that should be met by an application and these are considered quasi-judicial. If the
37 criteria are met then the City has to approve the application. He explained the role of the
38 Planning Commission in approving the Comprehensive Plan and how to apply this with
39 applications. The Comprehensive Plan guides the Zoning Ordinance.

40
41 Chair Vanderheyden asked what the procedural process would be to recuse yourself from voting
42 on an application.

43
44 Mr. Gadow if a Commissioner would benefit financially from the application being approved or
45 a relation to the applicant then that Commissioner should recuse themselves from voting on that
46 application.

47

1 City Attorney Schelzel stated there is a code of ethics and if there is a conflict of interest then the
2 Commissioner should let the Chair know before discussion on the application starts. The
3 Commissioner should leave the room for discussions on that application and return after a
4 decision has been made.

5
6 **AGENDA ITEM 3. Other Items:**

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

9
10 Mr. Gadow stated the next meeting, February 23, would be a review of the application for 637
11 Harmony Circle. The applicant has put together two story-and-a-half home designs for the site.
12 The sub-division for 151 Westwood Lane had been denied by the City Council and based on the
13 feedback the applicant has submitted a 2 lot sub-division and this will be at a March Planning
14 Commission for consideration. The lot combination for 227 Walker/529 Park Street and the
15 applicant has stated they would like to do a small addition to the rear of the house and this would
16 meet all the setbacks and there would not be any variances.

17
18 Commissioner Iverson asked when the Pillar Home project would come to the Planning
19 Commission.

20
21 Mr. Gadow stated this could be ready by mid-March. Also for mid-March would be the Bay
22 Center Development for the east block design modifications.

23
24 **b. Other Items**

25
26 There was no other business.

27
28 **AGENDA ITEM 4. Adjournment.**

29
30 There being no further business, Commissioner Ramy made a motion, seconded by
31 Commissioner Gnos, to adjourn the meeting. The motion passed unanimously.

32
33 The meeting was adjourned at 9:23 p.m.

34
35 Respectfully submitted,

36
37 Tina Borg
38 *TimeSaver Off Site Secretarial, Inc.*

CITY OF WAYZATA



PLANNING DEPARTMENT

MEMORANDUM

To: Planning Commission
From: Bryan Gadow, City Planner
Date: February 18, 2015
Re: 637 Harmony Circle Subdivision Application – Additional Information

Background

At the January 26th meeting, the Planning Commission began review of and held a public hearing on an application from Mr. Fritz Gullickson (the “Applicant”) for a two (2) lot concurrent preliminary and final plat subdivision (the “Application”) at 637 Harmony Circle (the “Property”). After conclusion of the public hearing, the Commission directed staff to work with the Applicant to provide additional information on two (2) items. Below are responses on the additional information requested by the Commission:

Alternative House Design

As part of the submittals for the subdivision application, the Applicant submitted plans for two (2) 2 story residences on the property. The Commission requested the Applicant consider an alternative house design for the two proposed lots that was smaller in scale to match the character of the existing neighborhood. The Applicant has provided an alternative design for 1 ½ story homes, which are included as Attachment A. The height of the alternative designs are 1 ½ story, with 28 ft (Lot 1) and 30.4 ft (Lot 2), respectively. Staff has also included the original application submittals for reference as Attachment C.

Review of the existing Oak Tree on the Property by the City Forester.

Per the Commission’s request, staff had the City’s tree consultant; Mr. Manuel Jordan of Heritage Shade Tree Consultants conducted a site inspection of the tree on January 29, 2015. Mr. Jordan provided the following report and photos (Attachment B):

The subject tree is located across at 637 Harmony Circle, in Wayzata MN. It is a bur oak measuring 36" in diameter, measured at 4.5' from the ground (DBH). The subject tree has several areas on the canopy where there is a small amount of internal deadwood (dead branches, most of which are under 3" in diameter).

As for its health, it appears to be growing well in its location as evidenced by the growth rate of last years’ branch tips (see attached photo) and the lack of dead large branches with associated dead terminal branch tips.

There is evidence of decay in the major stem at about 8-10' from the ground (facing SSW), as there is a hole in the trunk of about 4" in diameter. Sounding of the trunk did not indicate the presence of large decay pockets within the tree trunk's hot-zone (area between the ground and the first major set or large-architectural limbs). The lack of any results from the sounding test indicate that it is unlikely that a large decay pocket exists in the indicated area. A Tree Risk Assessment (Level 3) could confirm the current visual and sounding observations. As of the date of the inspection, the visual inspection did not result in enough evidence to warrant the Level 3 investigation to determine the extent of the decay in the main trunk.

You have asked that I comment on the tree's health as a whole. It is my opinion that the subject tree is a healthy specimen with a few defects, but otherwise structurally stable and relatively healthy for its age and species.

Attached are a few photos that show the tree in relation to the adjacent structures, the whole in the trunk of the subject tree as well as the growth rate of several branch tips.

Please let me know if you have any questions.

Thank you,

Manuel Jordán
Heritage Shade Tree Consultants
6347 Minnewashta Woods Drive
Excelsior, MN 55331

ISA Certified Arborist # MN 0206 A

Attachments

Attachment A: Alternative House Designs

Attachment B: Photos of Existing Oak tree

Attachment C: Original Application Submittals

Attachment D: Planning Commission Meeting Minutes – January 26, 2015

PLAN NUMBER
21407

DATE
1-30-2015

REVISIONS

RESIDENCE FOR:

BUILT BY:

612-597-4269

EXCELLENCE FROM EVERY ANGLE

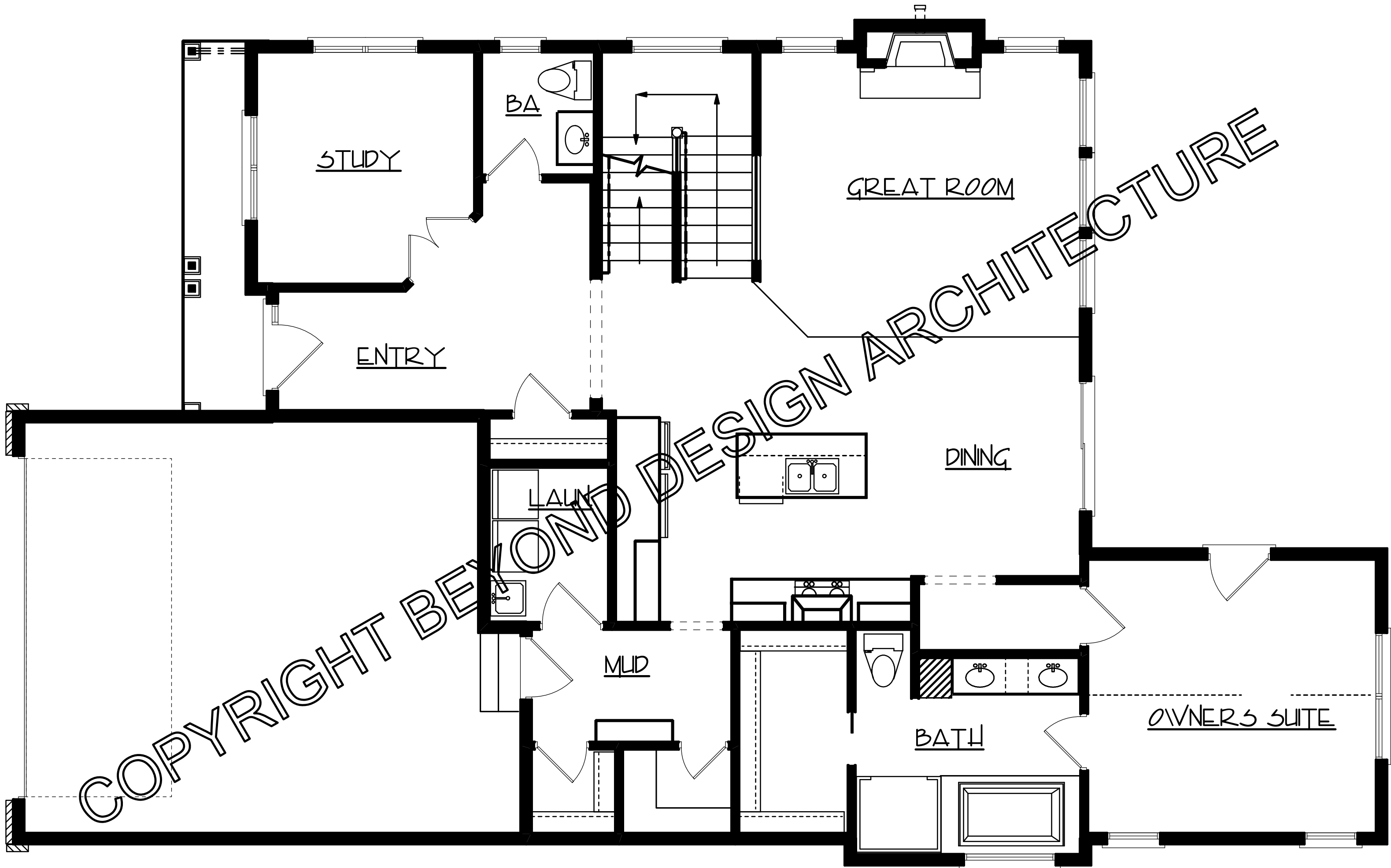
Beyond Design
Architecture



FRONT ELEVATION
© COPYRIGHT BEYOND DESIGN ARCHITECTURE

Lot 1

SHEET OF



MAIN FLOOR PLAN
© COPYRIGHT BEYOND DESIGN ARCHITECTURE

Lot 1

PLAN NUMBER
21407

DATE
1-30-2015

REVISIONS

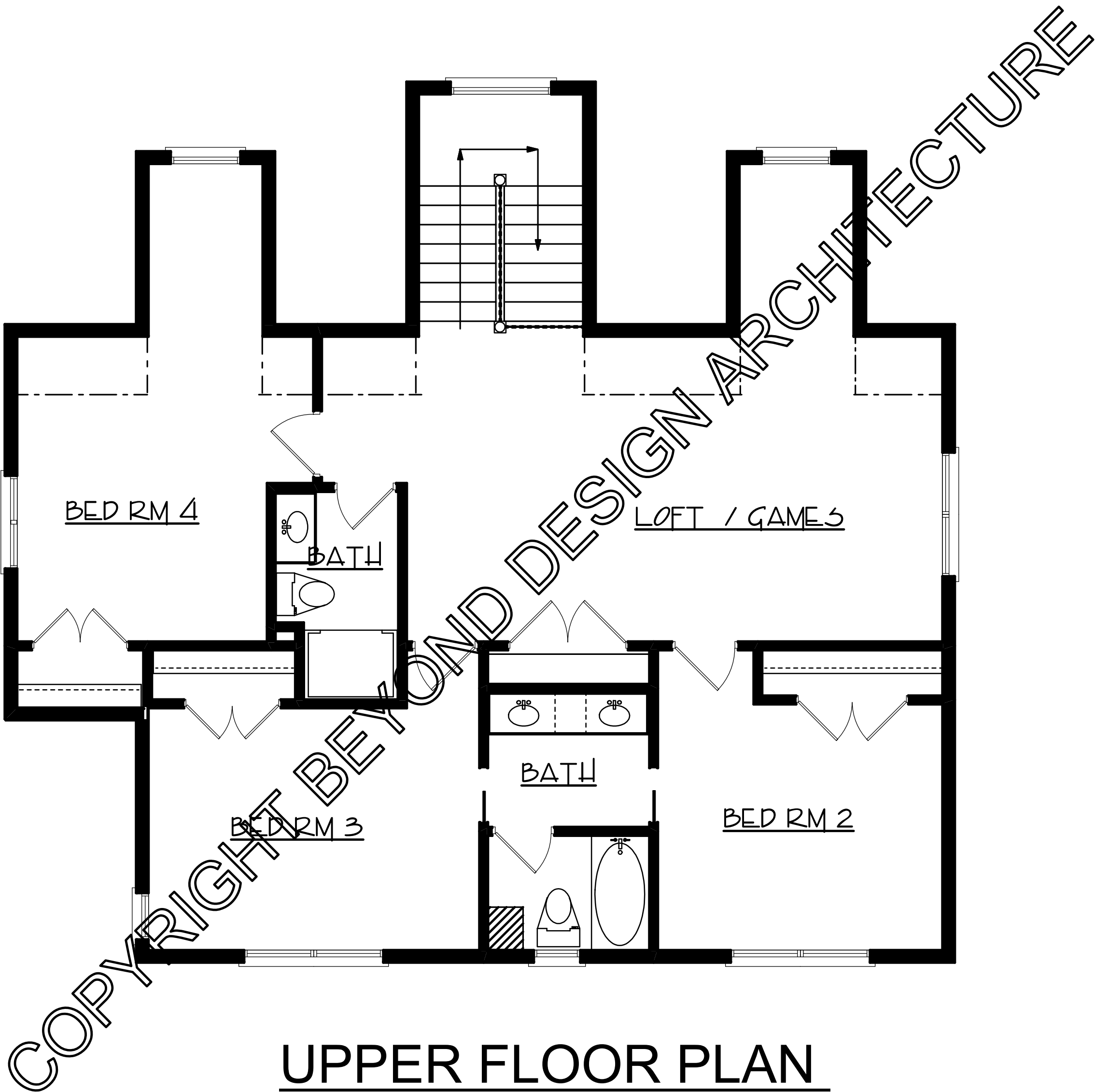
RESIDENCE FOR:

BUILT BY:

612-597-4269

EXCELLENCE FROM EVERY ANGLE

Beyond Design Architecture



UPPER FLOOR PLAN
© COPYRIGHT BEYOND DESIGN ARCHITECTURE

Lot 1

PLAN NUMBER
21407

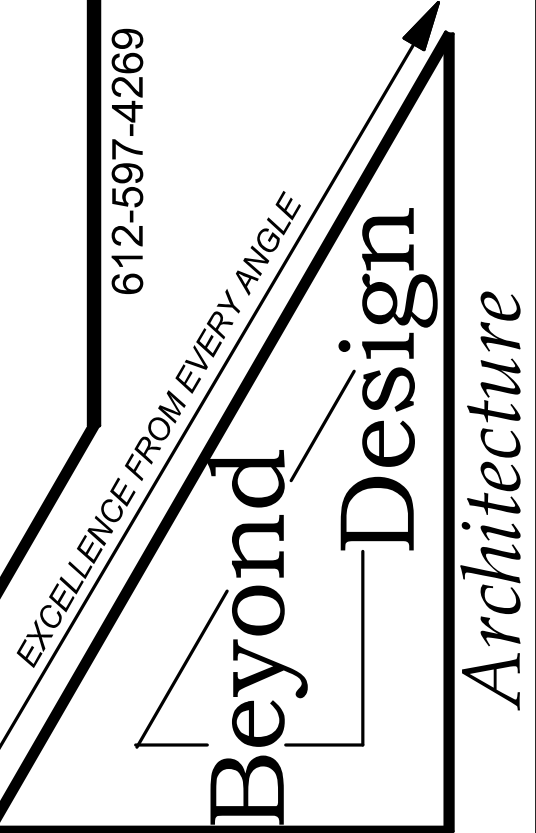
DATE
1-30-2015

REVISIONS

RESIDENCE FOR:

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SHEET **OF**

PLAN NUMBER
21408

DATE
1-30-2015

REVISIONS

RESIDENCE FOR:

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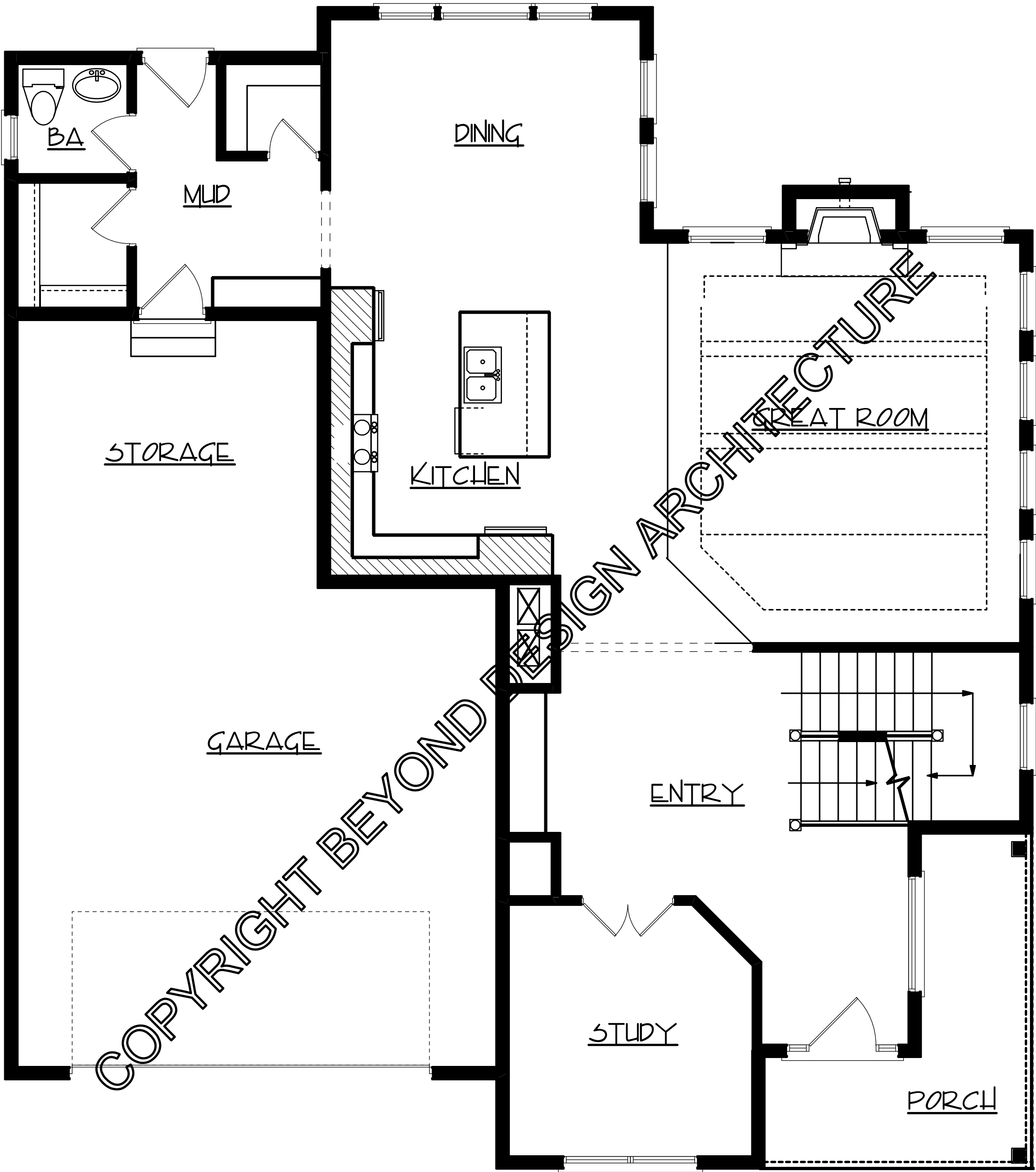
612-597-4269

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Beyond Design Architecture

SHEET OF





MAIN FLOOR PLAN

© COPYRIGHT BEYOND DESIGN ARCHITECTURE

PLAN NUMBER
21408

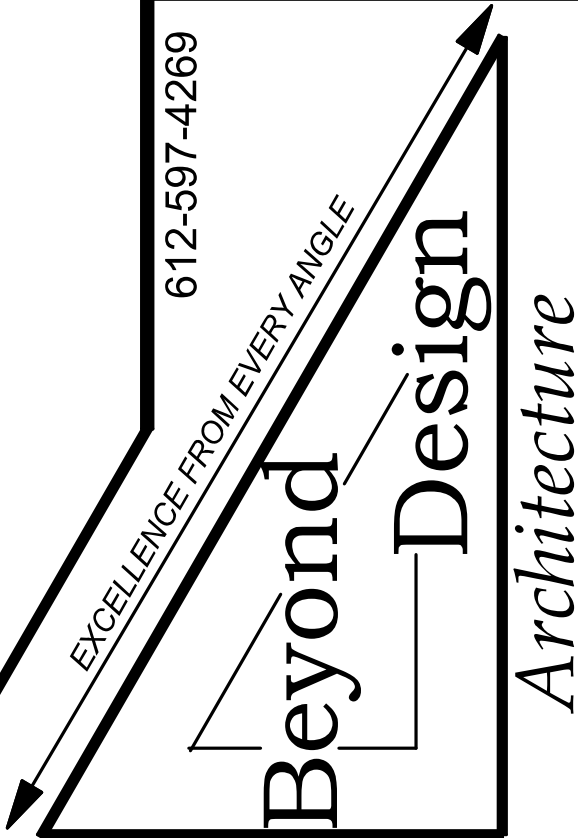
DATE
1-30-2015

REVISIONS

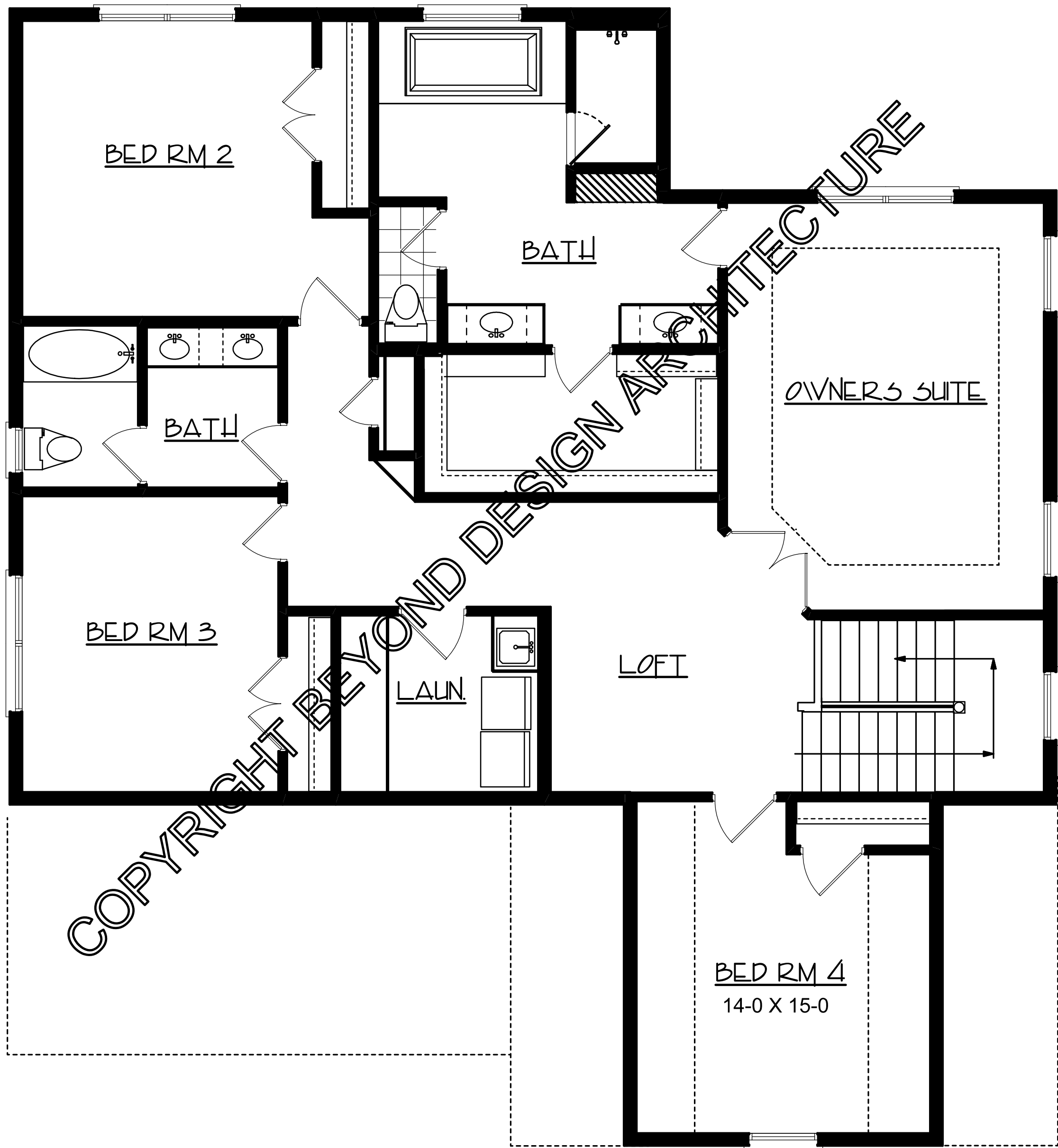
RESIDENCE FOR:

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612-597-4269



SHEET OF



UPPER FLOOR PLAN

© COPYRIGHT BEYOND DESIGN ARCHITECTURE

PLAN NUMBER
21408

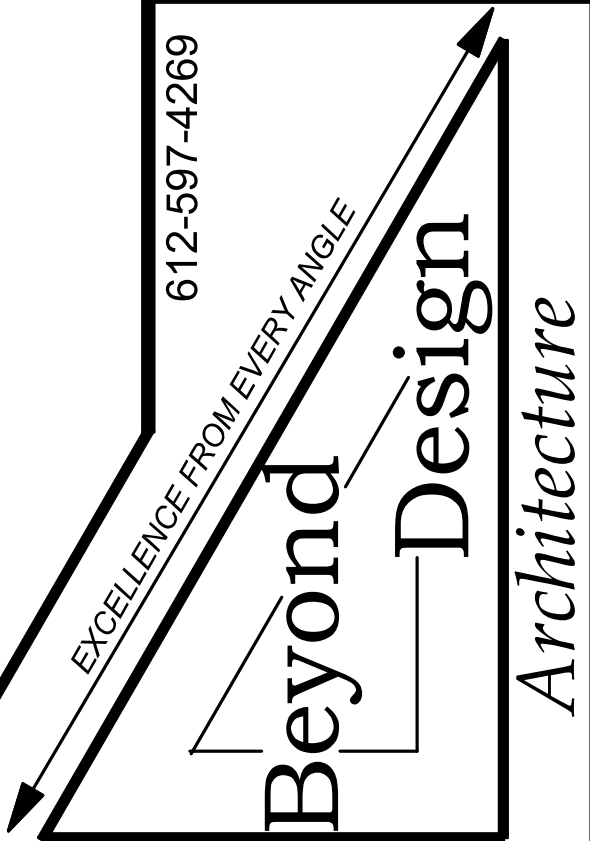
DATE
1-30-2015

REVISIONS

RESIDENCE FOR:

BUILT BY:

612-597-4269



SHEET OF

Attachment A: Alternative House Designs



Lot 2

Attachment B: Photos of Existing Oak Tree



Attachment B: Photos of Existing Oak Tree



Attachment B: Photos of Existing Oak Tree



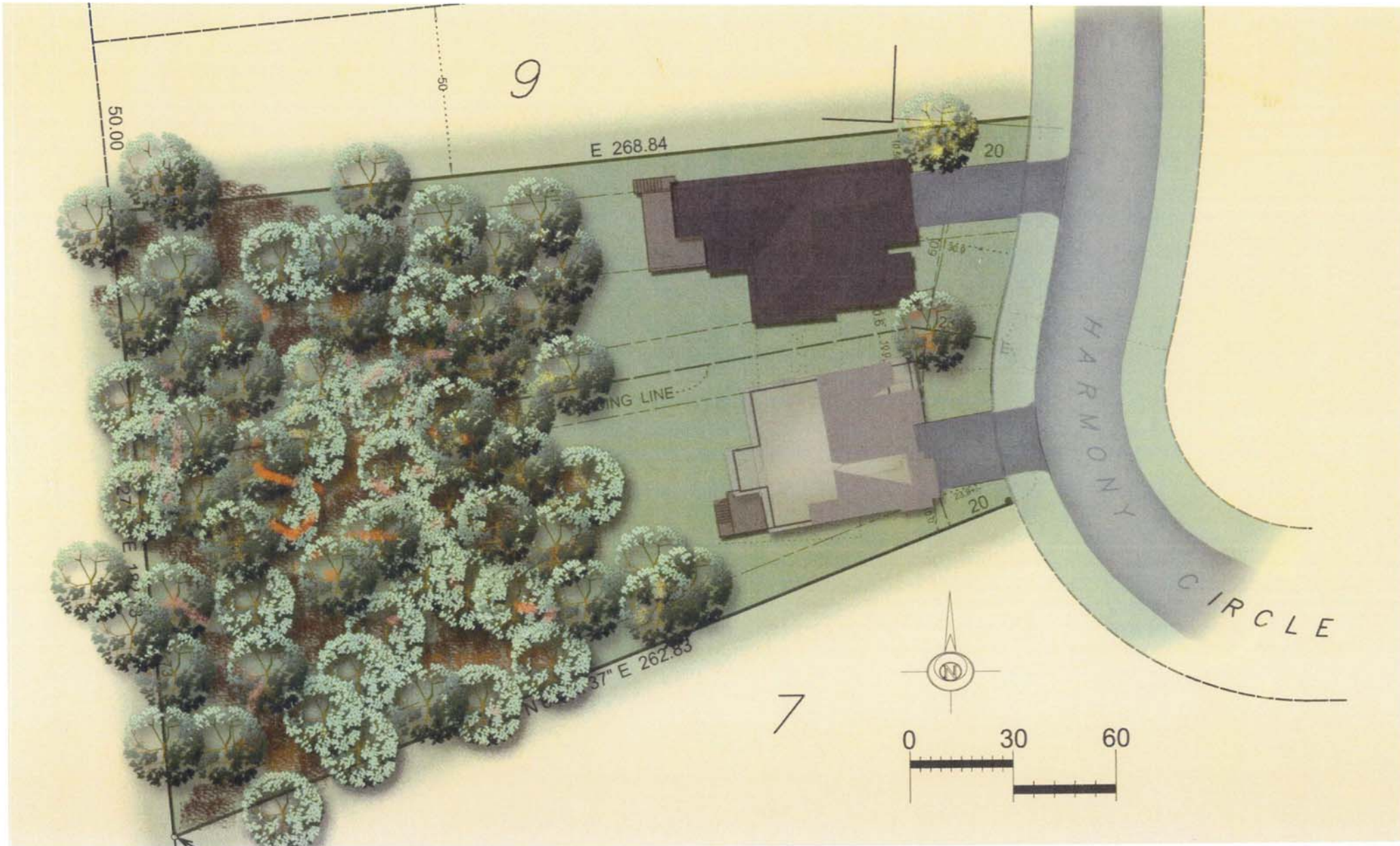
Attachment B: Photos of Existing Oak Tree



Attachment C: Original Application Submittals from January 26, 2015



Attachment C: Original Application Submittals from January 26, 2015

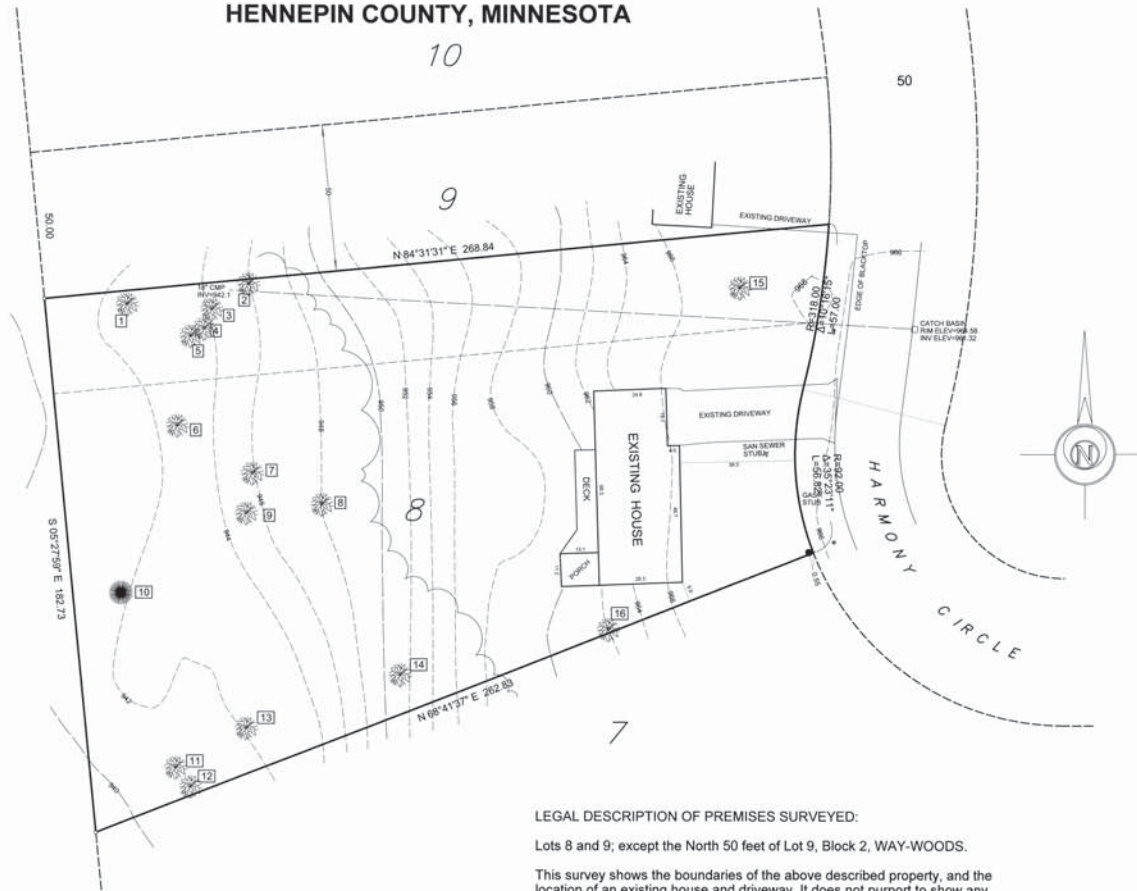
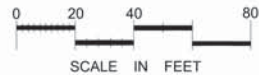


Attachment C: Original Application Submittals from January 26, 2015

BOUNDARY SURVEY AND EXISTING CONDITIONS FOR FRITZ GULLICKSON IN LOTS 8 AND 9, BLOCK 2, WAY-WOODS HENNEPIN COUNTY, MINNESOTA

TREE INVENTORY

1	8X12" ASH
2	8" OAK
3	8" OAK
4	10" OAK
5	14" OAK
6	40" COTTONWOOD
7	40" COTTONWOOD
8	12" OAK
9	12" OAK
10	5" SPRUCE
11	12" MAPLE
12	20X38" COTTONWOOD
13	36" COTTONWOOD
14	48" OAK
15	34" OAK
16	12" LINDEN



LEGAL DESCRIPTION OF PREMISES SURVEYED:

Lots 8 and 9; except the North 50 feet of Lot 9, Block 2, WAY-WOODS.

This survey shows the boundaries of the above described property, and the location of an existing house and driveway. It does not purport to show any other improvements or encroachments.

- : Iron marker found
 - ◊ : Iron marker set
 - - - : Existing contour from Henn. Co. maps
- Bearings shown are based upon an assumed datum

GRONBERG & ASSOCIATES, INC.
 CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
 445 N. WILLOW DRIVE LONG LAKE, MN 55356
 PHONE: 952-473-4141 FAX: 952-473-4435



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 Professional Surveyor in the State of Minnesota.
 Mark L. Gronberg
 DATE: 10/13/14

DATE	BY	REVISIONS
11-20-14		TREES ADDED
		CHECKED

Attachment C: Original Application Submittals from January 26, 2015

Hardcover Calculations

North Parcel

House	1304 SF
Stoop	80 SF
Drive	552 SF
Deck	366 SF
Walk	80 SF

Total = 2982 SF = 17.37%
Lot Area = 17,168 SF

South Parcel

House	1792 SF
Drive	488 SF
Covered Porch	112 SF
Deck	389 SF
Walk	68 SF

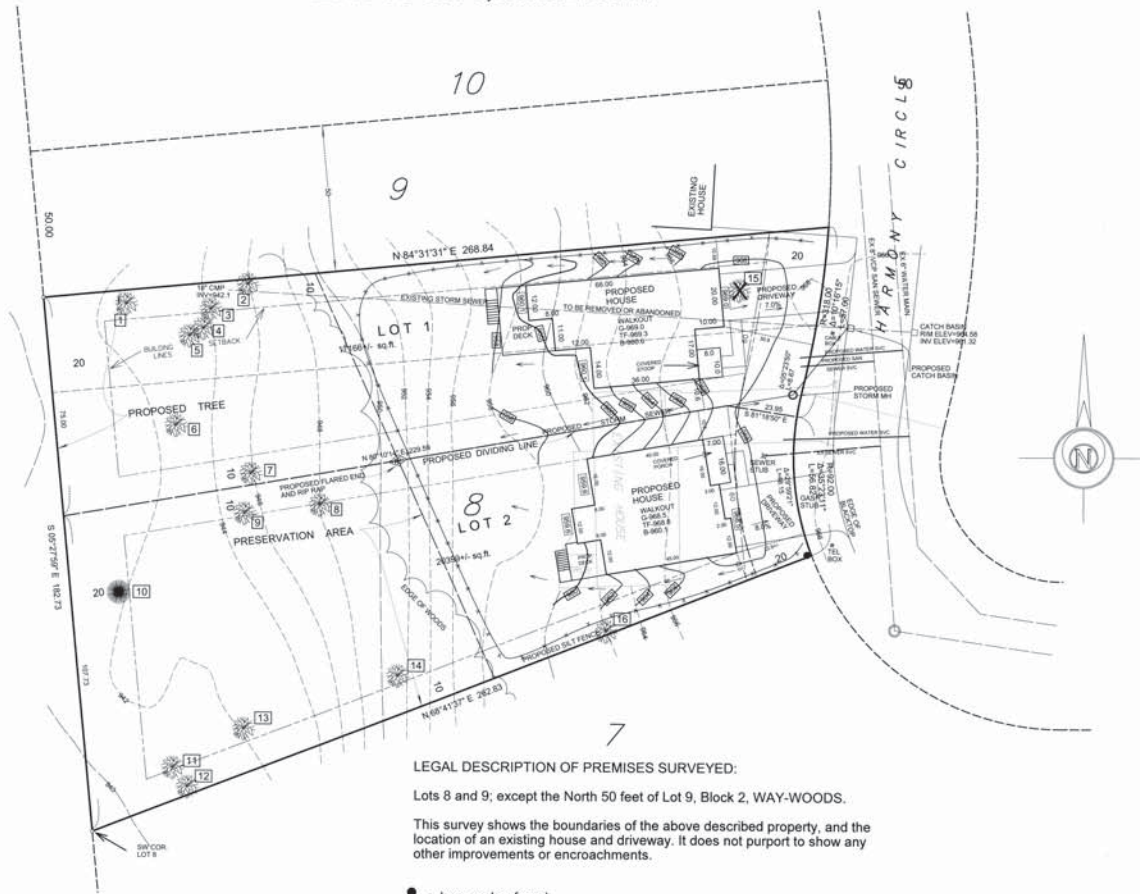
Total = 2649 SF = 12.99%
Lot Area = 20,399 SF

TREE INVENTORY

1	8X12" ASH
2	8" OAK
3	8" OAK
4	10" OAK
5	14" OAK
6	40" COTTONWOOD
7	40" COTTONWOOD
8	12" OAK
9	12" OAK
10	5" SPRUCE
11	12" MAPLE
12	20X38" COTTONWOOD
13	36" COTTONWOOD
14	48" OAK
15	34" OAK
16	12" LINDEN

(TO BE REMOVED) X

PROPOSED GRADING, UTILITIES AND PRELIMINARY PLAT FOR FRITZ GULLICKSON IN LOTS 8 AND 9, BLOCK 2, WAY-WOODS HENNEPIN COUNTY, MINNESOTA

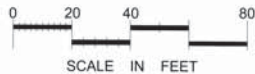


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Lots 8 and 9, except the North 50 feet of Lot 9, Block 2, WAY-WOODS.

This survey shows the boundaries of the above described property, and the location of an existing house and driveway. It does not purport to show any other improvements or encroachments.

- : Iron marker found
 - : Iron marker set
 - 96.1 : Proposed spot elevation
 - 96.1 : Existing contour line
 - 96.1 : Proposed contour line
- Bearings shown are based upon an assumed datum
NOTE: Topo is from Henn. Co. Nat. Res. website



GRONBERG & ASSOCIATES, INC.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
445 N. WILLOW DRIVE, LONG LAKE, MN 55356
PHONE: 952-473-4141 FAX: 952-473-4435



11/25/14	11/25/14
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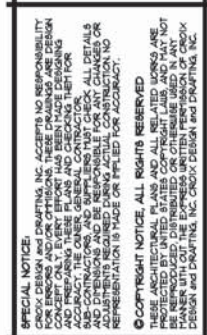
I hereby certify that this survey was made by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
Mark J. Gronberg
DATE: 11/25/14 WITH LICENSE NUMBER 12377

REVISIONS	DATE	BY	REASON
1	11/25/14	FRITZ GULLICKSON	TREES ADDED
2	11/25/14	FRITZ GULLICKSON	PROPOSED GRADING

BAILEY WOODS

ENGINEERS, LAND SURVEYORS, PLANNERS

REVISIONS	BY
XXXX	XX



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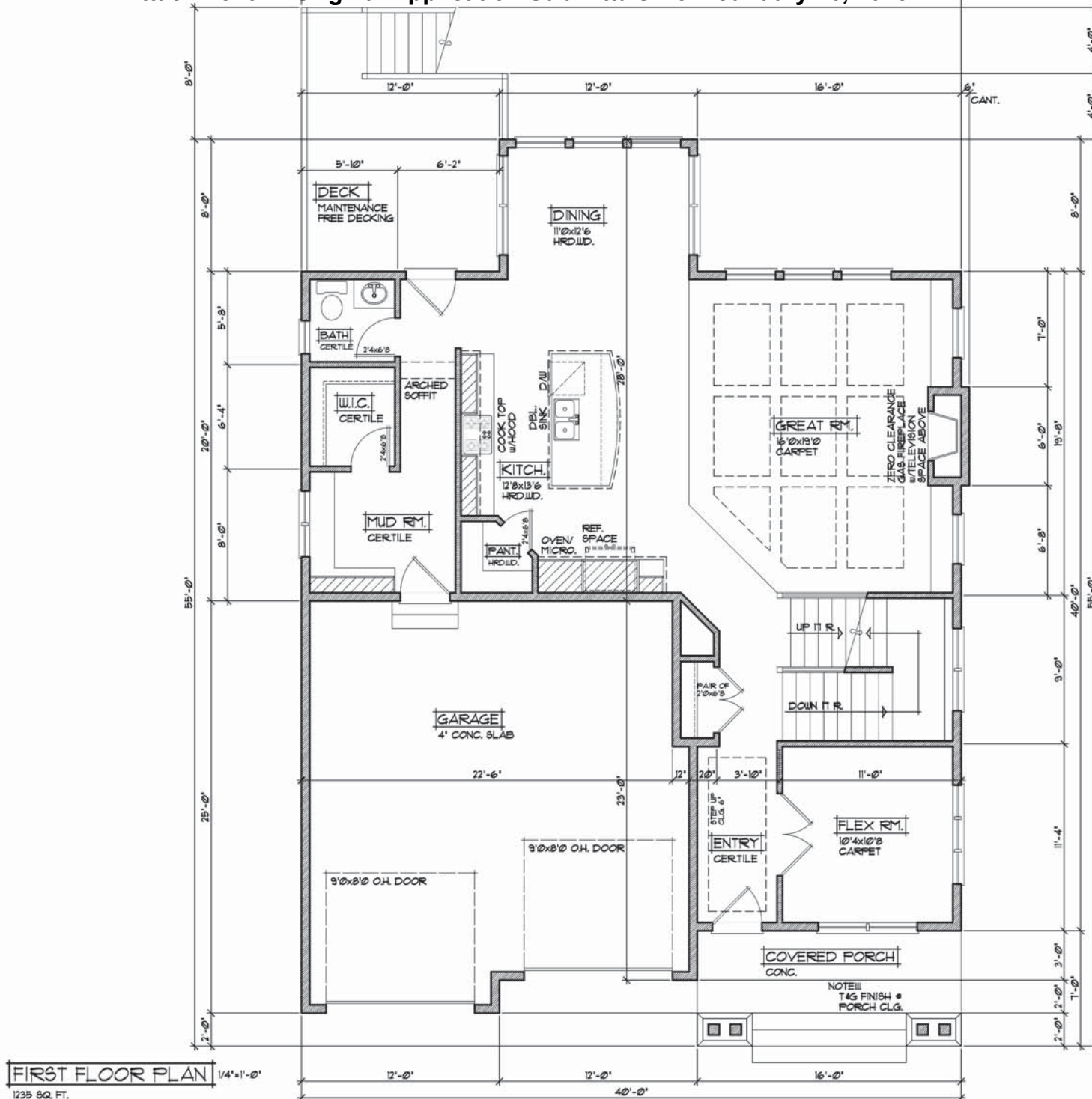
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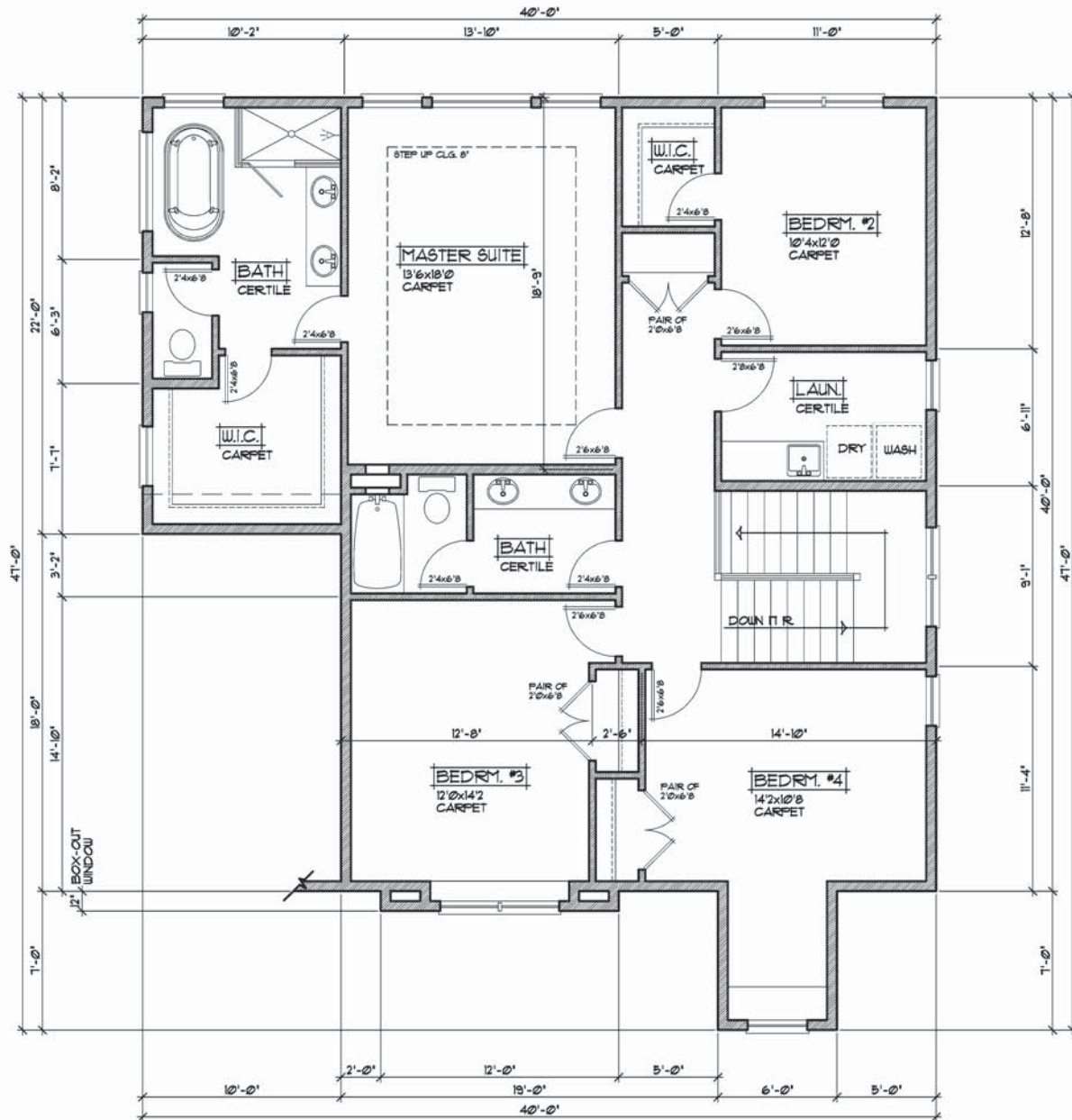
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SECOND FLOOR PLAN 1/4" = 1'-0"
1462 SQ. FT.

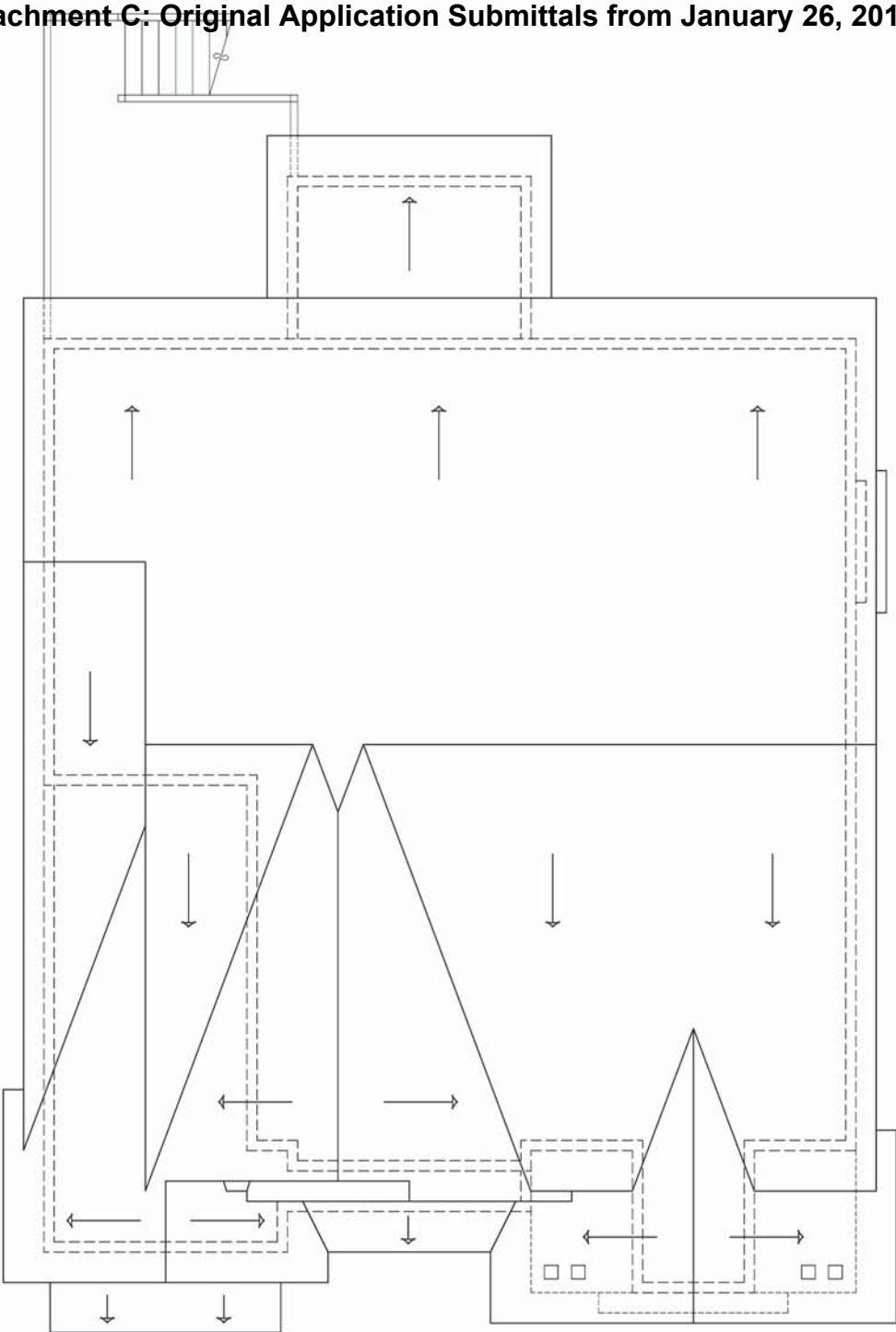
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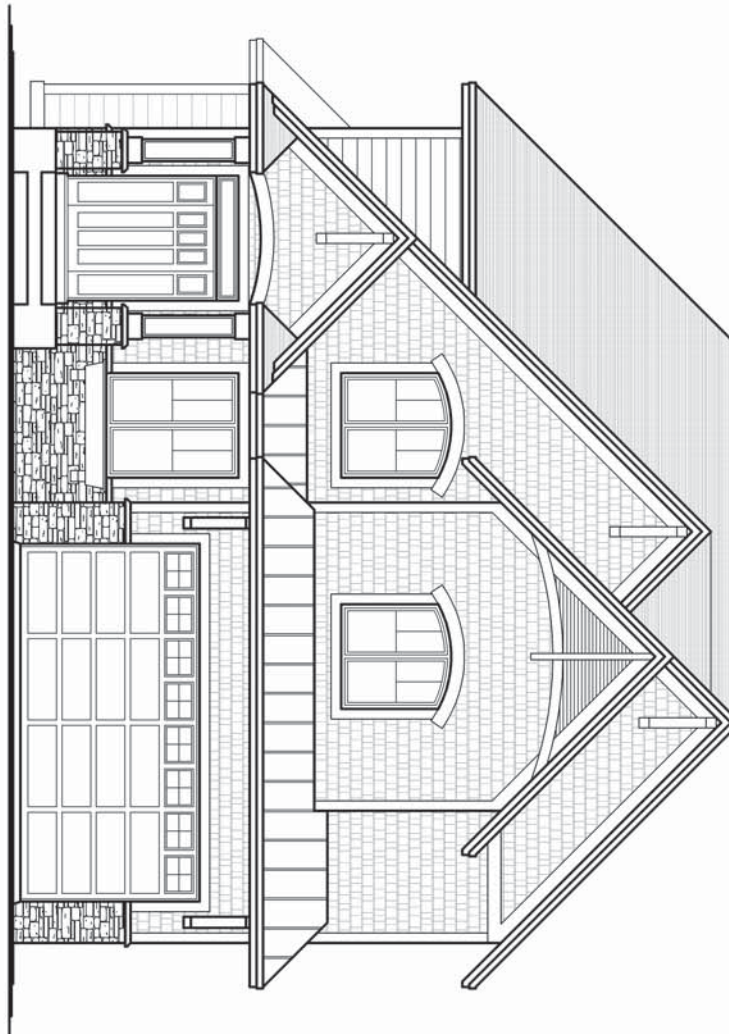


BIRDS EYE ROOF PLAN 1/4"=1'-0"

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FRONT ELEVATION 1/4" = 1'-0"
1347 SQ. FT. FIRST FLOOR
1650 SQ. FT. SECOND FLOOR
2997 SQ. FT. TOTAL 1st & 2nd FLOOR
XXXX SQ. FT. FINISHED BASEMENT
XXXXX SQ. FT. TOTAL FINISHED AREAS

XXX HARMONY CIRCLE
WAYZATA, MN

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SHEET 1 OF 6

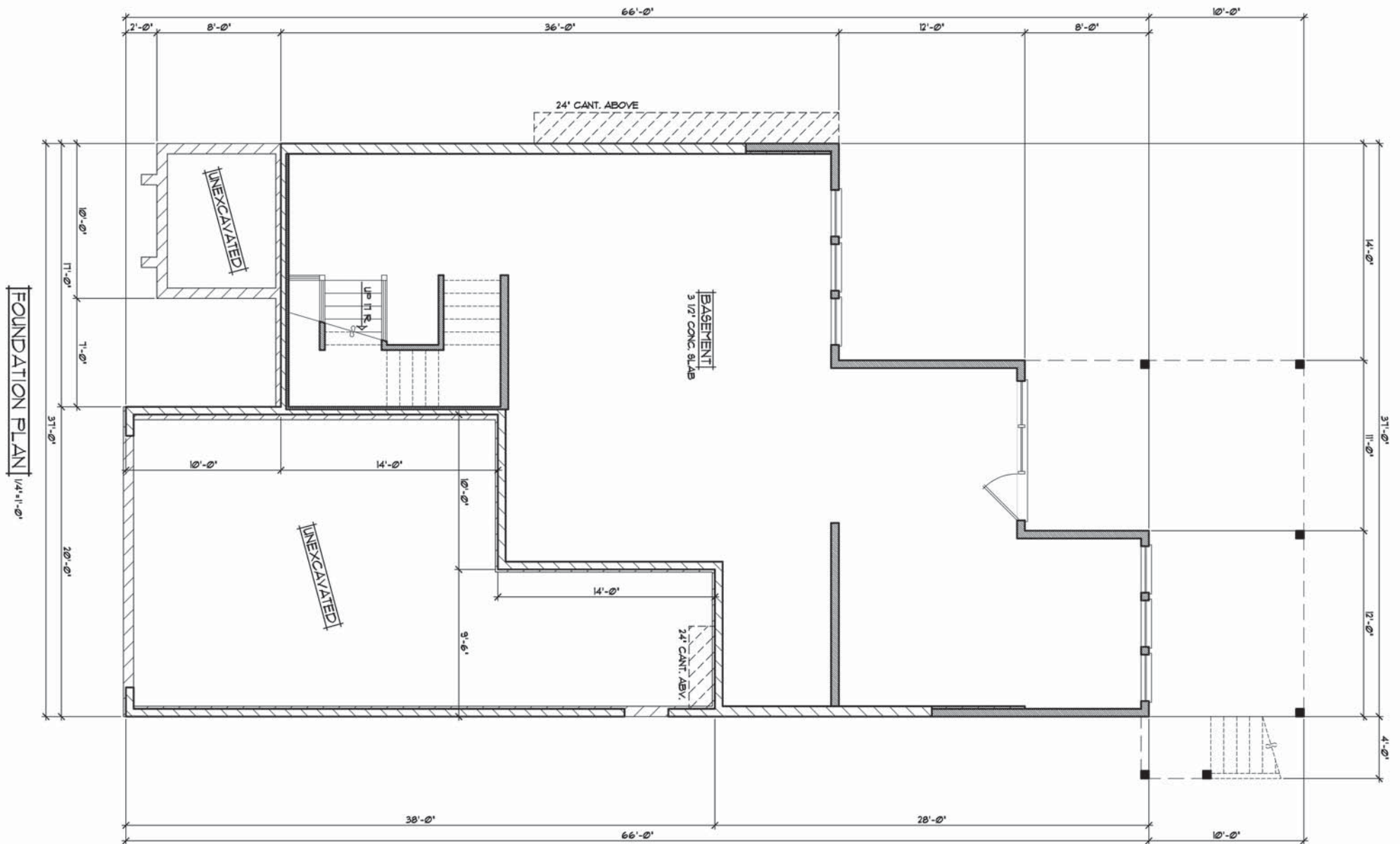
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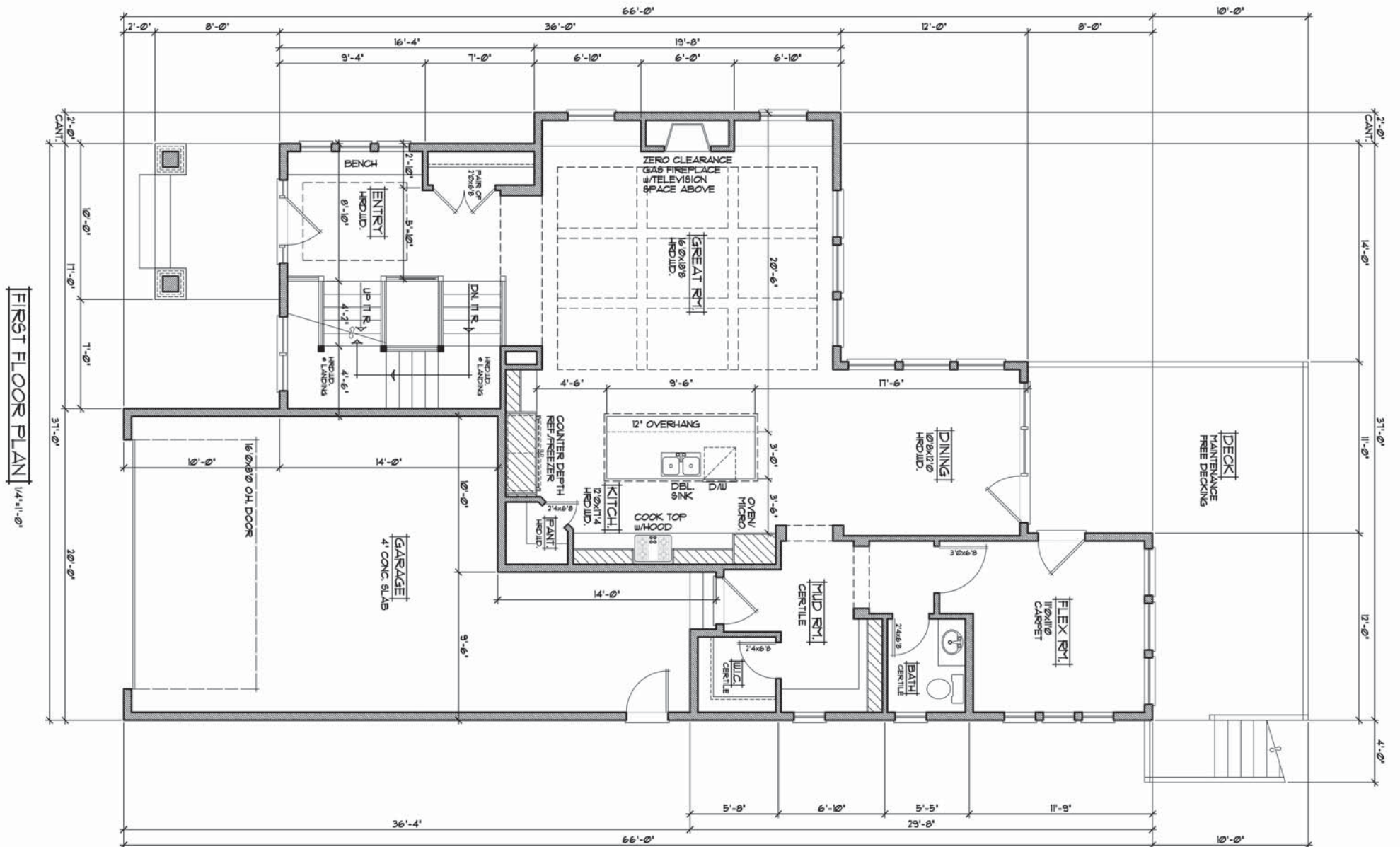
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SCALE: AS NOTED

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Attachment C: Original Application Submittals from January 26, 2015

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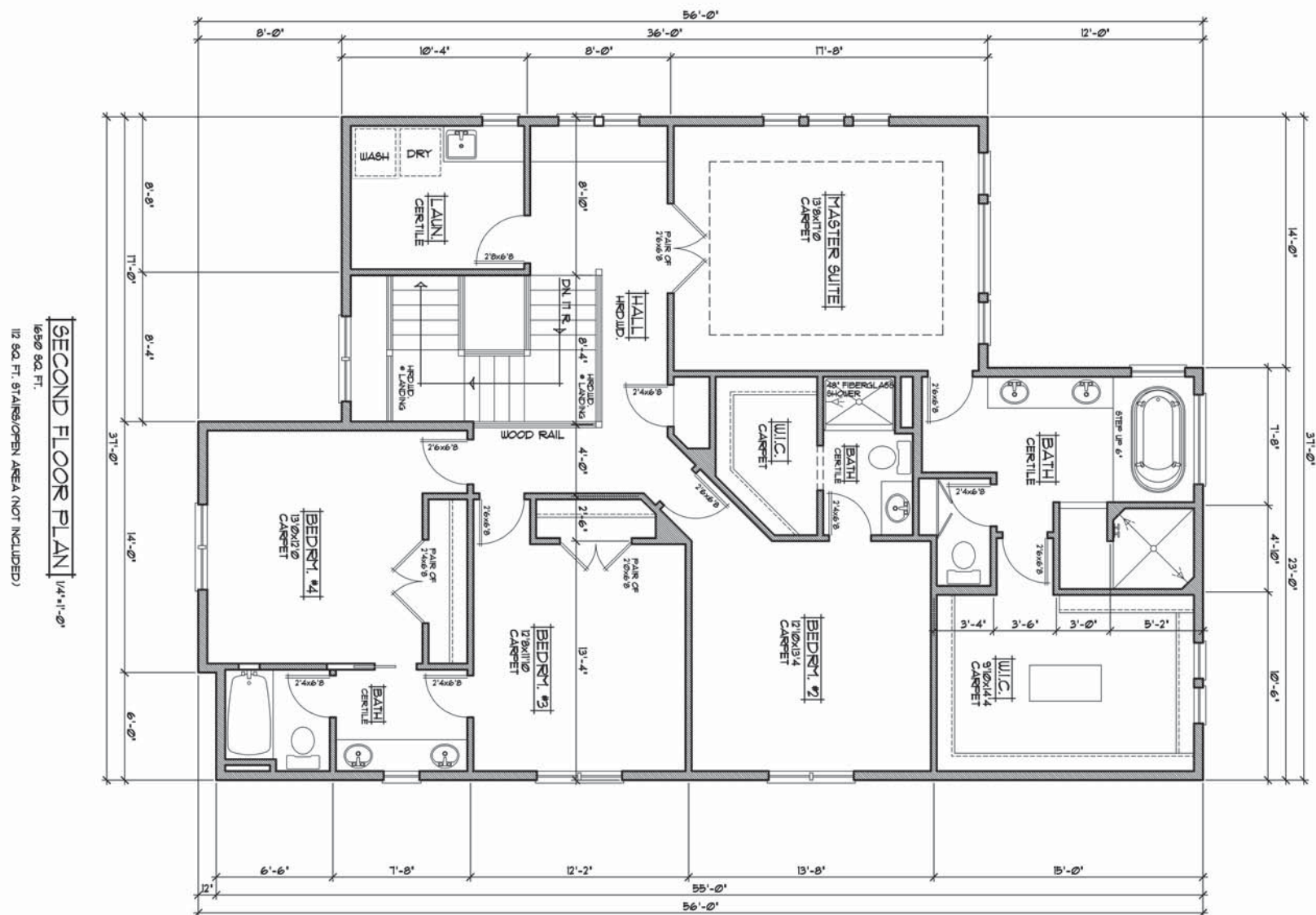
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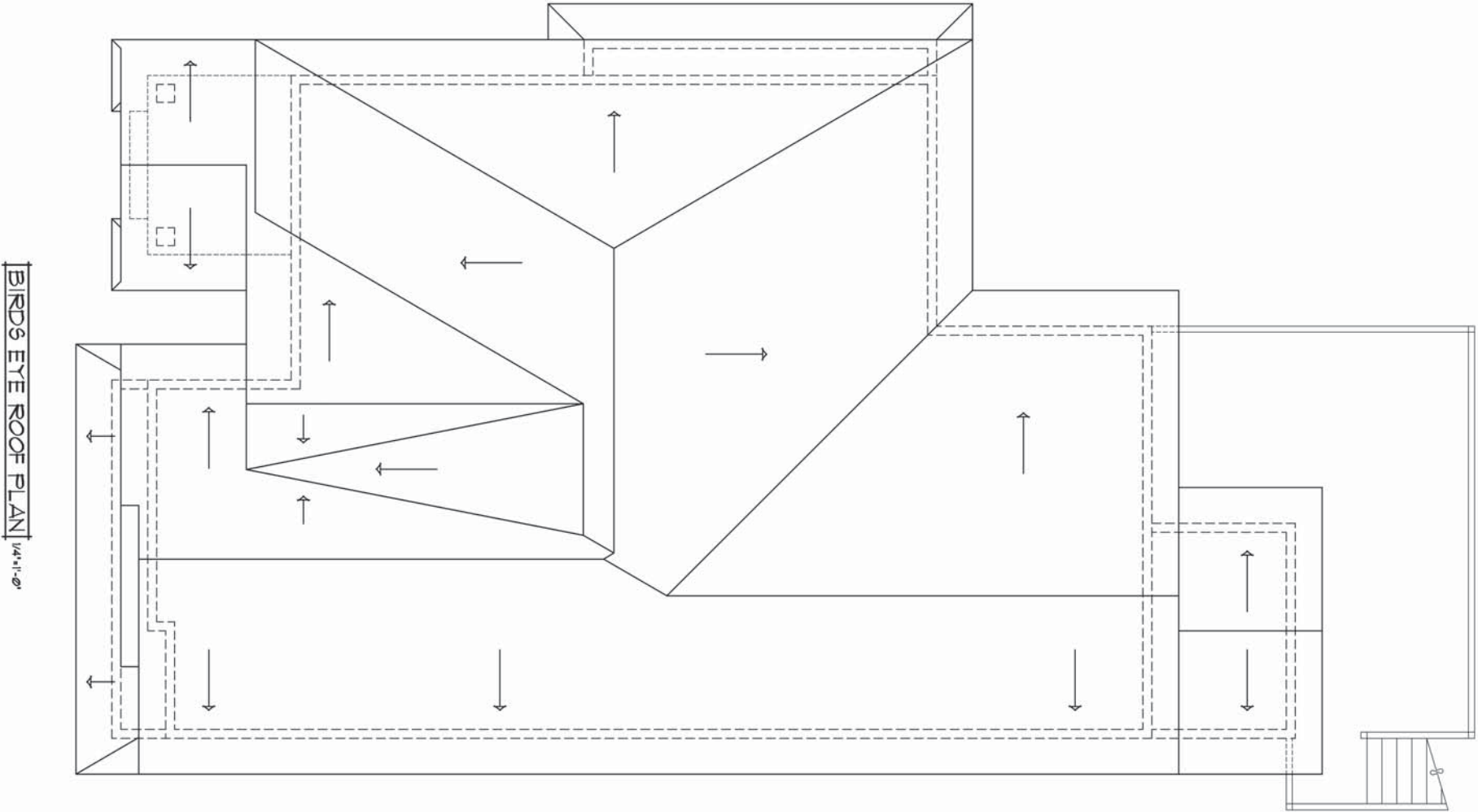
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REVISIONS
NO. XXXX
DATE

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**WAYZATA PLANNING COMMISSION
MEETING MINUTES
January 26, 2015**

AGENDA ITEM 1. Call to Order, Roll Call and Approval of Minutes.

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

Present at roll call were Commissioners: Gonzalez, Ramy, Vanderheyden, Iverson, Gruber, Young, and Gnos. Director of Planning and Building Gadow and City Attorney David Schelzel were also present.

Chair Gonzalez stated the minutes to be reviewed are from the January 5, 2015 meeting.

Commissioner Vanderheyden made a motion, Seconded by Commissioner Gruber, to approve the January 5, 2015 meeting minutes as presented. The motion carried unanimously.

AGENDA ITEM 2. Regular Agenda Public Hearing Items:

a. 637 Harmony Circle – Fritz Gullickson

i. Concurrent Preliminary and Final Plat for a Two (2) Lot Subdivision

Mr. Gadow stated Mr. Fritz Gullickson has submitted a Development Application requesting concurrent preliminary and final plat approval to divide a 37,565 square-foot parcel into two (2) new lots. He reviewed the existing conditions survey, the preliminary plat, grading, utility and tree inventory plans, the final plat, and proposed residential images and plans. He also reviewed the changes the Applicant had made in response to Staff comments and the actions the Commission could take.

Commissioner Iverson asked if the lot width of 60-feet would be from the front or if it was an average.

Mr. Gadow stated this is calculated at the 20-foot front yard setback.

Chair Gonzalez asked if there would be 20-feet between the two (2) homes.

Mr. Gadow stated there would be a 10-foot side yard setback on each home, which would equal the 20-feet between the two (2) homes.

Chair Gonzalez stated the current property line encroaches into the driveway of the neighbor to the north.

Mr. Gadow stated the existing driveway crosses the property line to the north. This would be an item the Applicant and the property owner would have to resolve.

1
2 Commissioner Iverson asked how much fill would be brought in.
3

4 Mr. Fritz Gullickson, 3443 Crystal Place, Orono, stated there would not be fill brought in. The
5 site plan shows how the property will be leveled. The dirt that would be dug up for the
6 basements would be used.
7

8 Commissioner Gruber asked for Mr. Gullickson's background in home building.
9

10 Mr. Gullickson provided an overview of his experience in home building.
11

12 Commissioner Vanderheyden asked if the Applicant had considered a story and a half or ranch.
13

14 Mr. Gullickson stated he had looked at the homes that are currently being built in the City and
15 the 2-stories seem to be a family orientated home in today's market.
16

17 Commissioner Gruber asked what the price point would be for these homes.
18

19 Mr. Gullickson stated they would be priced approximately \$600,000 to \$700,000.
20

21 Chair Gonzalez asked what the height of the homes would be.
22

23 Mr. Gullickson stated they would be under the 35-feet height maximum allowed and he would
24 expect them to be at 32-feet.
25

26 Chair Gonzalez asked if he had talked with the neighbor to the north to address the driveway
27 encroachment and find a resolution.
28

29 Mr. Gullickson stated he has talked to the neighbor and they have not expressed concerns
30 regarding this driveway.
31

32 Chair Gonzalez asked what type of materials would be used.
33

34 Mr. Gullickson provided sample panels for the Planning Commission to review.
35

36 Chair Gonzalez stated the Applicant planned to take down a 34-caliper inch oak tree on the
37 property. She asked if there would be a way to move the garage to the other side in order to
38 preserve the tree.
39

40 Mr. Gullickson stated he had put the driveway on the north side so that the two driveways would
41 be parallel to each other and the existing driveway and there would be more green space between
42 the homes. He did not believe this could be changed.
43

44 Commissioner Iverson suggested Mr. Gullickson do what he can to save the large oak tree.
45

1 Chair Gonzalez asked if the City Engineer had any concerns with the storm sewer system being
2 relocated.

3
4 Mr. Gadow stated the City Engineer did not have concerns and the system would be located in a
5 new easement and removed from an odd location. This would be done at the Applicant's
6 expense.

7
8 Chair Gonzalez asked if the City Forester had any comments on the oak tree and if it would be
9 possible to save this tree.

10
11 Mr. Gadow stated he could talk to the City Forester again regarding this tree.

12
13 Commissioner Iverson stated the proposed new lots do meet the minimum requirement for the
14 district but not the whole lot would be considered buildable. She asked what portion of the lots
15 would be buildable. She has concerns that the scale of the home is too large for the buildable lot
16 size.

17
18 Mr. Gadow stated the code does not take this into consideration but he would have the
19 information available for the City Council when they review the application.

20
21 Chair Gonzalez opened the public hearing at 7:23 p.m.

22
23 Ms. Cheri Morris, 663 Harmony Circle, Wayzata, expressed concerns with having two (2) 2-
24 story homes in this location. She would prefer to have only one home on this property or have
25 ramblers. The request for 2-story homes is an economic consideration for the developer. This is
26 a middle-class neighborhood and families are moving there because it is affordable housing for
27 them.

28
29 Ms. Jeanne Osterby, 636 Harmony Circle, expressed concerns about the development. This is a
30 unique neighborhood. The homes are ramblers and there are a couple of walkout basements.
31 The new driveways would affect her driveway. The Comprehensive Plan tries to maintain the
32 character of the neighborhood and this neighborhood does not have 2-story homes. The property
33 is too small for two (2) homes this size. She would prefer to see one rambler or story and a half
34 home on this property. She read an email from another neighbor, which expressed concerns
35 about the traffic from the additional homes in this neighborhood.

36
37 Ms. Nancy Engel, 645 Harmony Circle, Wayzata, this project greatly impacts her property and
38 family because her home faces this property. She likes having the open property. She stated
39 they understand that change would occur and Mr. Gullickson has been very willing to work with
40 them. They are "ok" with whatever the City's decision is regarding the development. She
41 would like to see the one tree saved if possible. She is concerned that the home closest to them
42 would have all their windows facing their property but Mr. Gullickson is willing to work with
43 these concerns.

44

1 Mr. Gordy Engel, 645 Harmony Circle, Wayzata, stated he would be alright with two (2) homes
2 in this area and it would have a positive impact on the neighborhood to have two (2) families
3 move in.

4
5 Ms. Christine Cameron, 667 Harmony Circle, Wayzata, understands Mr. Gullickson's
6 perspective in providing the amenities the floor plans offer. This is a good neighborhood for
7 middle-class families. Two (2) homes would be a tight fit but having one large home would not
8 fit the neighborhood either. She is concerned about the precedent that this subdivision would
9 establish for future development of this neighborhood.

10
11 There being no additional public comments, Chair Gonzalez closed the public hearing at 7:53
12 p.m.

13
14 Commissioner Gruber suggested Mr. Gullickson consider putting a smaller home on the parcels
15 and try to save the oak tree. Mr. Gullickson is working with the neighborhood but today's
16 market is for larger homes. The plans presented are out of character for this neighborhood and
17 scaling the homes down would fit into this neighborhood better.

18
19 Commissioner Vanderheyden stated there are no variances being requested so it is difficult to
20 deny the application. The Commission does consider the fit in the neighborhood and two (2) 2-
21 story homes does not fit the character of the neighborhood.

22
23 Commissioner Young stated there are no variances and the developer is working with the
24 neighborhood to address concerns but in a neighborhood that does not have 2-story homes they
25 would be very different. This would not be setting a precedent for this neighborhood because
26 there are only a couple of lots that would be large enough for a subdivision to even occur. He
27 does have concern about the 2-story and would suggest the developer look at a home design that
28 would be more in keeping with the character of the neighborhood.

29
30 Commissioner Iverson expressed concerns that the City is pushing out young families by
31 allowing more expensive homes to be built. She is also concerned about setting precedent for
32 other development in this neighborhood and the scale of the homes is too large for the
33 neighborhood. She suggested the developer also look at ways to save the oak tree.

34
35 Commissioner Ramy stated he would rather live next to two (2) smaller homes than one (1) very
36 large home and the homes proposed are modest in size compared to today's standards. There are
37 no variances being requested so he would recommend moving it to the City Council with a
38 suggestion the developer considers modifying the design of the homes to fit the neighborhood
39 more and look at ways to save the oak tree.

40
41 Commissioner Gnos stated there are no variances and the developer showed good faith by
42 meeting with the neighborhood. He has heard more concerns about the homes being 2-story
43 rather than having two (2) homes and he would suggest the developer look at other design
44 options for the homes. He would also like to see the oak tree saved if possible.

45

1 Chair Gonzalez stated it meets the requirements of the R-3 District and the Developer is not
2 requesting any variances but there are two (2) Ordinances the Commission should consider: the
3 R-3 Single Family Zoning Ordinance and the Subdivision Ordinance. Section 3.1.B of the Staff
4 Report, reference Subdivision Ordinance Section 805.14.E.2, which states that trees should be
5 preserved and the Applicant is proposing to remove a tree that would be equal to a small grove.
6 She suggested the Applicant consider angling the driveway to save this tree. She would like to
7 have an opinion from the City Forester regarding this tree. She asked for clarification regarding
8 the grading that would be required for the project.
9

10 Mr. Gadow stated the applicant had revised their plans to closely match the existing grading and
11 there would be removal of fill rather than bringing in fill.
12

13 Chair Gonzalez stated if the property is raised a foot then the height of the building would be
14 even greater.
15

16 Mr. Gadow stated the height is calculated by taking data points around the building and using the
17 average grading.
18

19 Chair Gonzalez stated Section 3.1.E of the staff report references Subdivision Ordinance Section
20 805.14.E.5, which states the creation of the lots shall not adversely impact the scale, pattern, or
21 character of the City, its neighborhoods, or its commercial areas. The buildable area of these lots
22 is not very large. The application did not include a landscaping plan and she is not clear on what
23 steps would be taken to protect the existing wetlands to the north. She stated the runoff from the
24 property should be trapped on the property. Section 3.1.H of the staff report references
25 Subdivision Ordinance Section 805.14.E.8, which states the architectural appearance, scale,
26 mass, construction materials, proportion and scale of roof line and functional plan of the building
27 proposed should be similar to the characteristics and quality of existing development. These
28 homes do not fit the character of the existing neighborhood.
29

30 Commissioner Gruber suggested the developer consider scaling down the homes to better fit the
31 existing character of the neighborhood.
32

33 Commissioner Iverson stated she would like to see a landscape plan.
34

35 Commissioner Young suggested if the tree is not diseased it should be part of the application that
36 the developer attempts to save it.
37

38 Chair Gonzalez asked if the Commission would want to ask the developer to come back to the
39 Commission with revised plans and have the City Forester provide input regarding the tree or if
40 the Commission is ready to make recommendations.
41

42 Commissioner Iverson stated she would like to see it come back to the Commission so they are
43 able to make recommendations to the City Council.
44

45 Commissioner Gruber asked what the Commission's rights were in asking the application to
46 come back.

1
2 Mr. Gadow stated the Commission has the right to ask the Applicant to come back with
3 additional information. He stated he would have to look at the time line for the development
4 review.

5
6 Commissioner Vanderheyden clarified the Commission is to consider the application being
7 presented and can ask the Applicant if they would be interested in revising their application.

8
9 Mr. Gadow stated the application is for two (2) 2-story homes on two (2) lots. The Commission
10 can forward this to the City Council as is, forward to the City Council with conditions for
11 approval, or ask the applicant to provide additional information on the questions brought up by
12 the Commission.

13
14 Mr. Gullickson stated he has added trees to the front and along the sides to replace the large tree
15 being removed. The homes are positioned in order to provide privacy for the neighbors. He
16 would prefer to move forward with the 2-story designs presented in the application.

17
18 Commissioner Vanderheyden stated he would not support the project because it does not fit the
19 character of the neighborhood. The tree is critical but it is only 10% of the total caliper inches
20 for the property. He does not have an issue with the subdivision but would like to see the scale
21 of the homes smaller.

22
23 Commissioner Young stated he would recommend approval.

24
25 Commissioner Gruber stated she would recommend approval with a condition that the developer
26 attempt to save the tree.

27
28 Chair Gonzalez stated she would recommend a condition that measures be taken to protect the
29 wetlands.

30
31 Commissioner Iverson stated she would recommend denial because Section 3.1.B, 3.1.D, 3.1.E,
32 and 3.1.H do not meet the criteria set forth.

33
34 Commissioner Ramy stated he is concerned about the scale but is willing to recommend
35 approval with conditions.

36
37 Commissioner Gnos stated he would recommend approval with the conditions.

38
39 Chair Gonzalez stated this does not fit the neighborhood and does not meet the goals of the
40 Comprehensive Plan of having affordable housing in the city so she would recommend denial.

41
42 Commissioner Iverson stated this is the first time she has seen a builder not be willing to work
43 with the City and she found this disturbing.

44
45 Commissioner Gruber would be in favor of denying the application.
46

Commissioner Young stated the condition of the tree should be known before making any requirements or suggestions on what to do. The total tree coverage is high. This is a lot that is going to be redeveloped and these homes coupled with the developer working with the neighborhood may work better in the long term. Finding a solution to the scale and preserving the tree may create other concerns that could result in variance requests or not work with what the neighborhood has asked for.

Chair Gonzalez stated the Applicant did work with the neighborhood but the width of the existing lot barely supports two (2) new lots. The City wants to have 20-feet between homes and the Engels home is only 2-feet from the property line so these homes would be too close together.

Commissioner Vanderheyden suggested tabling the discussion to allow the builder to consider changing the design and bring back at a future meeting for a vote. This would also allow time for the City Forester to comment on the tree. He clarified the new homes that are proposed would be conforming and the Engel's home is non-conforming.

Commissioner Vanderheyden made a motion, Seconded by Commissioner Gruber to table the discussion and ask the City to research the tree and allow the Developer to consider alternative home designs and bring back to the Commission on February 23, 2015. The motion carried 6-ayes; 1-nay (Gonzalez).

b. 700 Lake St E. – Clock Tower Ventures LLC & CoV Restaurant

- i. Amendment to CUP for twenty four (24) additional dining seats in an enclosed rear building addition**
- ii. Use of City Right-of-Way for storage**

Mr. Gadow stated Clock Tower Venture, LLC and CoV Restaurant desire to expand their existing private dining space by adding a 16-foot by 17-foot glass enclosed dining space at the rear of the building. The request requires an amendment to an existing 1988 Conditional Use Permit (CUP) and development agreement to increase the number of restaurant seats. The Applicant has included a request to the City Council for use of two (2) locations on adjacent City right-of-way for enclosed storage bins. He reviewed the parking requirements and considerations for the City Council.

Mr. Neil Weber explained where the additional storage would be and the design. He stated the updated parking analysis the City had done was recommending 2.71 per 1,000 for restaurant and retail. Since this is not currently the standard he asked if this project be required to follow current standards or the recommended standard.

Mr. Gadow stated this would depend on the timing of the project. At this time the City has not started the process of reviewing the Parking Ordinance and if the Ordinance were updated prior to approval of the application then the new standards would be used.

Mr. Dean Vlahos, 2129 Maplewood Road, Woodland, reviewed the addition to the private dining area and the need to accommodate larger corporate groups.