



# Wayzata Planning Commission

## Meeting Agenda

Monday, March 16, 2015

Community Room,  
600 Rice Street East,  
Wayzata, Minnesota

- 6:30 p.m.**
- 1. Call to Order and Roll Call, and Approval of Minutes**
  - 2. Regular Agenda Public Hearing Items:**
    - a. 125 Wayzata Blvd E – Wayzata Community Church
      - i. Design Review for Roof Modification
    - b. 901 Lake Street – East Block of the Promenade of Wayzata
      - i. Planned Unit Development Amendment to allow conversion of proposed office use to condominium.
      - ii. Review of Proposed Design Modifications
    - c. 151 Westwood Lane – White Birch Properties and Development Group
      - i. Concurrent Preliminary and Final Plat for Two (2) Lot Subdivision.
      - ii. Variance for Private Roadway
  - 3. Other Items:**
    - a. Review of Development Activities
    - b. Other items
- 9:00 p.m.**
- 4. Adjournment**

NOTES:

<sup>1</sup> Time(s) are estimated and provided for informational purposes only.

<sup>2</sup> 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  
MEETING MINUTES  
March 2, 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: Ramy, Vanderheyden, Iverson, Gruber, and Gnos (7:43 p.m.). Absent and excused were Commissioner Young and Gonzalez. 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 February 23, 2015 meeting.

Commissioner Ramy made a motion, Seconded by Chair Vanderheyden, to approve the February 23, 2015 meeting minutes as presented. The motion carried 2-ayes, 2- abstain (Young and Gruber).

**AGENDA ITEM 2. Regular Agenda Public Hearing Items:**

- a. **123 Broadway Avenue N – Brian and Tasha Winkels**
  - i. **Variance from 35% Impervious Limit in R-3A District**

Mr. Gadow stated Brain and Tasha Winkels have submitted a development application requesting approval to construct a new 2-story single-family residence at 123 Broadway Avenue North. The Application requests approval to exceed the thirty-five percent (35%) impervious surface limit in the R-3A District to allow for the location of a driveway to a side loading garage. He reviewed the Staff Report and the proposed site plan and building plans for the new residence.

Mr. Brian Winkels, 610 Lanewood Lane, Plymouth, provided background information on the project and why they would like to build within the Community. The Historical Society did take pictures of the original home prior to it being removed. He explained they would be open to the type of material used in the proposed new driveway including pavers.

Commissioner Ramy asked if any plans had been drawn to show how much could be mitigated by using pavers for the driveway.

Mr. Steve Behnke, Traditions by Donnay Homes, 9655 63<sup>rd</sup> Avenue N, Maple Grove, explained the areas that could be mitigated on the property. He explained in order to meet the coverage the garage would need to be located in the front of the home and this would not be the type of home that would fit in Wayzata. He stated the home would be 2-feet shorter and the garage would be smaller than what is in the application.

1 Commissioner Iverson asked if the applicant had looked at house plans that would meet the  
2 hardcover requirements and provide the living space the family is looking for.

3  
4 Mr. Behnke stated the living space for the home is reasonable with 3-bedrooms and 2-  
5 bathrooms. The first floor is the footprint of 1900-square feet and the second floor does not  
6 affect the footprint size.

7  
8 Commissioner Iverson asked if the applicant had plans to finish the attic space above the garage  
9 as living space.

10  
11 Mr. Winkels stated plans were to leave this as unfinished storage space.

12  
13 Commissioner Gruber asked if the Applicant had considered other lots in Wayzata. She stated  
14 the City is looking for willingness of the Applicant to work with the City regarding the variance.  
15 She asked if the Applicant had considered options if the variance were not approved.

16  
17 Mr. Winkels stated they had looked at several lots and homes since 2008. The traditions of  
18 Wayzata offer what the family is looking for and this is why they chose to relocate to the area.  
19 He stated the home had been designed with the understanding that the existing easement to the  
20 north would be nullified and a new driveway constructed. In January the initial plan had been  
21 submitted to the City but the hardcover for that design had been over 51%. Over the course of  
22 the last 6-months they have done as much as possible to reduce the hardcover and still have it  
23 meet the needs of the family.

24  
25 Chair Vanderheyden stated the Planning Commission has received cards and e-mails in regards  
26 to the proposed project. He explained the role of the Planning Commission and he clarified that  
27 the Commission has no binding authority and makes recommendations to the Council. The  
28 Council will make the final decisions regarding the Application.

29  
30 Chair Vanderheyden opened the public hearing at 7:28 p.m.

31  
32 Ms. Joan Malikowski, 138 Broadway Avenue N, Wayzata, stated it appeared the home would be  
33 8 feet closer to the street than the other homes on the block. She asked if the home was suppose  
34 to be in line with the existing homes. This home is proposed to be larger than the home that had  
35 been on the property and if it is closer to the street it would change the feel of the block.

36  
37 Mr. Gadow stated the way the Ordinance is written today there is not a requirement that a new  
38 home has to meet the average setbacks of the neighboring properties only that it meets the  
39 minimum of 20-feet and this is what the applicant is proposing.

40  
41 Ms. Malikowski stated the look of the neighborhood should be considered as part of the variance  
42 request.

43  
44 Mr. Gadow stated the variance request must demonstrate an undue difficulty and the City's  
45 Ordinance determines undue difficulty by considering if the proposed use is reasonable, the

1 plight of the land owner is unique to the property, and the variance if granted does not alter the  
2 character of the locality.

3  
4 Ms. Malikowski asked if the basement would be finished and if the office could be located in the  
5 basement in order to shrink the footprint of the building or set the house back further. There will  
6 be over 4,000-square foot finished and this is large for the size of the lot.

7  
8 Ms. Emmie Hester, 131 Broadway Avenue N, Wayzata, stated there property shares the  
9 driveway easement and they had been willing to get rid of the easement but the hardcover was  
10 too much. Keeping the easement does help the Winkels with the hardcover. The driveway  
11 provides 85-feet of hardcover that is shared 60/40. To keep in scale with the neighborhood the  
12 hardcover should not be exceeded. The size of the home proposed would require a lot over  
13 9,000-square feet and this lot is only 7,000-square feet. The proposed home would be  
14 overwhelming. The City needs to stay with the maximum hardcover requirements in order to  
15 keep with the character of the neighborhood. If the variance is granted then they would be  
16 requesting one as well.

17  
18 Ms. Gail Wilson, 135 Broadway Avenue N, Wayzata, asked if the easement could be removed.  
19 She asked what it would mean if the Winkels removed their portion of the easement and went  
20 with a driveway in the front of the house. She asked if this would be possible.

21  
22 Mr. Gadow stated the easement between two (2) properties could be removed if both property  
23 owners agreed to remove the easement. He clarified in order for the Winkels to remove their  
24 portion of the easement they would need to get approval from the neighbors to the north and  
25 remove the pavement associated with this easement and if this happens then they would be able  
26 to put a driveway wherever on the property where it would meet the code requirements.

27  
28 Ms. Wilson stated the neighborhood is not what it was 30-years and they are getting larger  
29 homes. The proposed home has great curb appeal and would fit nicely into the neighborhood.  
30 There is no problem with what is being proposed and she would support the project. She  
31 recommended the Commission approve the variance request.

32  
33 Ms. Alison Humphrey, 425 Highcroft Road, Wayzata, asked what would be unique about this lot  
34 that would require a variance to be granted.

35  
36 Ms. Babcock, 337 Reno Street, Wayzata, stated this area had been studied 10-years ago by the  
37 Planning Commission because people had been buying smaller lots in the area and building large  
38 homes. The Commission had struggled with what the hardcover percentage should be and set  
39 the maximum in what would be acceptable to the City. She would like to see the rear load  
40 garage maintained because this does keep with the character of the neighborhood but she would  
41 like to see the hardcover percentage lowered to be within the Ordinance requirements. She  
42 suggested using impervious pavers for the walkway and driveway or work to reduce the size of  
43 the home.

44  
45 Commissioner Gnos entered at 7:43 p.m.

46



1 Ms. Mandy Adams, 309 Ramsey Road, Wayzata, stated her concerns for this part of Wayzata is  
2 that the City is chasing out people that live there because they would not be able to afford the  
3 taxes. There are other lots in the City that are as small as this particular lot and she asked if they  
4 would also qualify for a variance to increase the hard surface in order to build larger homes. She  
5 stated this would be setting a precedent for those other lots.

6  
7 Ms. Lee Vaughan, 649 Park Street E, Wayzata, stated Wayzata is sending a message that the old  
8 homes are valuable and she believes the Commission should require the Applicant to meet the  
9 35% hardcover requirement. She provided a letter from Mary Doleman expressing concerns  
10 about the variance.

11  
12 Ms. Wilson asked if the Winkels would be within the hardcover requirement if they use  
13 impervious pavers for their sidewalk and driveway.

14  
15 Mr. Gadow explained this property is outside of the Shoreland Overlay District and the  
16 properties do not have as strict hardcover limits. There is a Zoning Process in place that allows  
17 those properties inside of the Shoreland Overlay District to use pavers to reduce exceed the 25%  
18 maximum in those areas. The Applicant's property is outside of the Shoreland Overlay District  
19 there is not a mechanism for the City to give credit for the use of pavers. The only way this can  
20 occur is if the Council determined the variance were warranted but they are granting the variance  
21 on the condition that impervious pavers and rain gardens were to be installed to mitigate the  
22 extra hardcover.

23  
24 Ms. Babcock stated the problem with the rain gardens and barrels is that these need to be  
25 monitored and these should not weigh in for a variance request.

26  
27 Mr. Behnke stated if the home is pushed back it would add to the amount of hardcover in the  
28 sidewalk and the driveway. As other homes in the neighborhood change there will be similar  
29 designs to move closer to the front in order to minimize the hard cover. He stated the Winkels  
30 are willing to install pavers as a mitigation requirement if this were the recommendation by the  
31 City.

32  
33 Chair Vanderheyden closed the public hearing at 7:55 p.m.

34  
35 Commissioner Ramy stated he would rather reduce hardcover than mitigate for increased  
36 hardcover. This size lot is difficult to work with and get what a family of four (4) wants today.  
37 Other boutique communities are embracing their older homes more than Wayzata. He would  
38 like to try and reduce the hardcover.

39  
40 Commissioner Gruber stated she would not be in favor of granting the variance and it does not  
41 meet the test for practical difficulties. There are options that could be looked into to reduce the  
42 amount of hardcover including potentially flipping the home to remove bituminous on the one  
43 side of the home. She would advise the applicant to look at options. There is nothing unique  
44 about this property that would require the granting of a variance and the size of the home on this  
45 block would not meet the character of the neighborhood.

1 Commissioner Iverson is concerned about the future if the variance is granted. The City had put  
2 a lot of work into determining the proper amount of hardcover coverage and she would not  
3 support increasing the amount of hardcover. She suggested the Applicant look at reducing the  
4 hardcover and still meet the needs of the family.

5  
6 Commissioner Vanderheyden stated this lot is non-conforming based on the size of the lot. The  
7 Applicants are proposing to have a building size smaller than what the City had decided would  
8 fit on a 9,000-square lot. You cannot have a rear-loading garage with only 5% hardcover. This  
9 does present a hardship because the applicant is meeting the hardcover requirements for the  
10 home and keeping in character with the neighborhood by designing a home with a rear-loading  
11 garage but they are not able to do these things with the 5% hardcover allowed for the driveway  
12 unless there are alterations to the home. Would like to see the home set back 2-feet but this  
13 would increase the hardcover. The Commission could recommend a cistern to accommodate  
14 the runoff.

15  
16 Commissioner Iverson stated the bigger question would be one of setting precedent.

17  
18 Chair Vanderheyden stated several years ago the City determined a 30% hardcover for a home  
19 was reasonable for these lots.

20  
21 Commissioner Gnos asked if there was a way to set conditions for this property so that they are  
22 not setting a precedent for future development in this area. He is in favor of finding a way to  
23 make this work. The proposed home is what is attractive to the area.

24  
25 Mr. Winkels stated one of the challenges with the existing property is that the way the existing  
26 easement reads their legal obligation is to provide 4-1/2-feet up to 85-feet regardless of where  
27 and how the home is placed. They had looked at vacating the easement but this was not  
28 possible.

29  
30 Mr. Behnke stated the uniqueness of this property is the shared driveway, the desire for a rear-  
31 load garage without an alley to connect to. Granting a variance does not set a precedent because  
32 this is a unique property. Each proposal is unique and this is how the standard is written.

33  
34 Ms. Hester stated it would not help the hardcover if the easement were to be vacated because  
35 then the hardcover would be over 50%. If this is the direction of the Commission then they  
36 would be willing to vacate the easement.

37  
38 Commissioner Iverson stated every property is unique but when people come into Wayzata and  
39 buy a lot they know what they are getting and you should know what the building requirements  
40 and hardcover requirements and Ordinances are. This is why she wants to stay firm to the 35%.  
41 These calculations were set for a reason and homes should be proportioned to fit the lot.

42  
43 Commissioner Ramy asked if there were things that could be required to reduce the hardcover.

1 Mr. Gadow stated this is not the right District for the City to give credit for mitigation methods  
2 but the Planning Commission and Council could determine if there are reasonable conditions  
3 that could be placed on the variance approval to mitigate the hardcover.

4  
5 Chair Vanderheyden stated the Applicant is asking for a variance for hardcover not building size.  
6 City's look to limit hardcover due to runoff. They are 622-feet over the maximum and the City  
7 has done up to 50% credit for mitigation methods in other Districts in the City.

8  
9 Mr. Gadow stated in order to get up to 50% there would need to be more than one method of  
10 mitigation utilized.

11  
12 Chair Vanderheyden suggested requiring the Applicant to mitigate 1300-square feet of  
13 hardcover.

14  
15 Commissioner Ramy stated a cistern would be easier to maintain than rain gardens.

16  
17 Mr. Gadow stated if there are rain gardens or other mitigation methods used then there would be  
18 a maintenance agreement with the City that is recorded against the property outlining the  
19 property owner's obligations. This would run with the property.

20  
21 Commissioner Iverson asked if the Applicant was willing to look at other options for their  
22 family.

23  
24 Mr. Winkels clarified the footprint of the previous building had been larger than 788 square feet.

25  
26 Commissioner Gnos stated if there were an opportunity to do something with conditions then he  
27 would be willing to make this work.

28  
29 Mr. Winkels stated he would be willing to continue this discussion and given the opportunity to  
30 have this variance approved they would meet any condition the Planning Commission requires.  
31 They are open to mitigation methods as well.

32  
33 Commissioner Gruber moved, seconded by Commissioner Gnos to continue discussions  
34 regarding the Application until additional information is available regarding making the footprint  
35 smaller and potential mitigation methods.

36  
37 The motion was called to a vote. The motion passed unanimously.

### 38 39 40 **AGENDA ITEM 3. Other Items:**

#### 41 42 **1. Notice of Rescheduling – 151 Westwood Lane – Two (2) Lot Subdivision and Private** 43 **Roadway Variance – Rescheduled to March 16, 2015**

44  
45 Mr. Gadow stated that the 151 Westwood Lane two (2) lot subdivision and private roadway  
46 variance request that was noticed to be heard tonight would be rescheduled to March 16, 2015.

1  
2       **a. Review and adoption of Planning Commission Report and Recommendation on**  
3       **Concurrent Preliminary and Final Plat for Two (2) Lot Subdivision at 637**  
4       **Harmony Circle**  
5

6 M. Gadow presented the Report and Recommendation of Approval of concurrent preliminary  
7 and final plat at 637 Harmony Circle.  
8

9 Chair Vanderheyden asked about the park dedication fee.  
10

11 Mr. Gadow clarified the park dedication fee was based on new lots were created by the  
12 subdivision.  
13

14 Commissioner Gruber asked if the recommendation presented had any conditions regarding the  
15 oak tree.  
16

17 Mr. Gadow stated at the last Planning Commission meeting the Commission had opted not to  
18 make a recommendation regarding the oak tree but this would be something for the City Council  
19 to consider.  
20

21 Chair Vanderheyden explained there was a sewer line that would be vacated under the tree it was  
22 unlikely the tree would survive.  
23

24 Mr. Gadow stated the City could choose to leave this section of pipe and the Council could look  
25 this at.  
26

27 Commissioner Gruber stated based on the new information regarding the possibility of saving  
28 the tree the Commission should look at adding a condition.  
29

30 Mr. Gadow stated the Planning Commission could amend the recommendation at this time.  
31

32 Commissioner Gruber stated she would recommend a condition that the oak tree be saved.  
33

34 Commissioner Iverson suggested adding the construction precautions recommended be added to  
35 the conditions  
36

37 Chair Vanderheyden stated if this were the direction the Planning Commission chose to go then  
38 they should follow the directions of the City Forester.  
39

40 Mr. Gadow stated the City Forester would be able to provide this guidance.  
41

42 Commissioner Ramy stated at the last Planning Commission meeting they had discussed the  
43 possibility of saving the tree at length. During that meeting it had been determined if the  
44 driveway were moved it would create additional problems for the property.  
45

1 Commissioner Gruber stated if the home were flipped the Engels windows would be facing the  
2 garage.

3  
4 Chair Vanderheyden stated if the tree remained then the home would be flipped and then the  
5 Engels would have windows facing their property and they would like to avoid this.

6  
7 Mr. Gadow asked if a condition was being recommended that the Applicant must preserve the  
8 bur oak on Lot 1 in accordance with the advice and consultation of the City Forester and the City  
9 Tree Consultant.

10  
11 City Attorney Schelzel suggested changing the language that the Applicant can take the steps to  
12 preserve the tree but they City should not make the approval conditional on the tree surviving  
13 because this may not be possible.

14  
15 Commissioner Ramy stated based on the discussion of the Commission at the last meeting he  
16 would recommend a condition that the Applicant considers the new information.

17  
18 Chair Vanderheyden agreed with requesting the Applicant reconsider options for saving the tree  
19 and let the Council provide conditions regarding this.

20  
21 Commissioner Iverson stated she would like the conditions to reflect the tree be saved.

22  
23 Commissioner Gruber made a motion, Seconded by Commissioner Iverson to add a condition  
24 that the applicant consider the new information available on the abandonment of the sewer line  
25 and take steps to preserve the bur oak tree on the north side of the lot in consultation if the City  
26 Forester and City Tree Consultant. The motion passed 3-2 (Vanderheyden, Ramy)

27  
28 **b. Notice of Rescheduling – 151 Westwood Lane – Two (2) Lot Subdivision and Private**  
29 **Roadway Variance – Rescheduled to March 16, 2015**

30  
31 Moved to Agenda Item 3.1.

32  
33 **c. Review of Development Activities**

34  
35 Director of Planning and Building Gadow stated the next meeting would be discussions on  
36 subdivision on 151 Westwood Lane and possibly the east block of the Wayzata Bay Center  
37 design review and PUD Amendment.

38  
39 **d. Other Items**

40  
41 Commissioner Ramy asked when the Commission would be reviewing the setbacks.

42  
43 Mr. Gadow stated he does not have a date at this time and when there is time this would be  
44 brought forward.

45

1 Commissioner Iverson asked if the Planning Commission would be willing to meet an hour  
2 earlier each meeting for a work shop in order to work on the Tree Ordinance,  
3 Telecommunications Ordinance, and the setbacks.

4  
5 Mr. Gadow stated Staff would also need to find the additional time as well.  
6  
7

8 **AGENDA ITEM 4. Adjournment.**  
9

10 There being no further business, Commissioner Ramy made a motion, seconded by  
11 Commissioner Gruber, to adjourn the meeting. The motion passed unanimously.  
12

13 The meeting was adjourned at 8:53 p.m.  
14

15 Respectfully submitted,  
16

17 Tina Borg  
18 *TimeSaver Off Site Secretarial, Inc.*

# CITY OF WAYZATA



## PLANNING DEPARTMENT

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### MEMORANDUM

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**To:** City Council and Planning Commission  
**From:** Bryan Gadow, Director of Planning and Building  
**Date:** March 11, 2015  
**Re:** Wayzata Community Church Proposed Roof Design Changes

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#### **Background**

Last June, the Wayzata Community Church (the “Applicant”) received approval of a PUD Amendment to allow for a two phase expansion of the facility, via Resolution 16-2014. The project includes an additional 5,281 gross SF, including a 2<sup>nd</sup> story addition on an interior portion of the building. Phase 1, including the 2<sup>nd</sup> story addition is scheduled to commence in 2015.

As part of their preparations to begin work on Phase 1 of the project, the Applicant had some value engineering completed on the project, and determined that there would be cost savings if the roof line of the proposed 2<sup>nd</sup> story addition could be converted from a pitched roof with mechanicals enclosed within the roof pitch to a flat roof with mechanicals that are screened by a mansard roof section on the Wayzata Blvd and Ferndale Rd sides. The mansard roof would be designed to screen the mechanical equipment from any public vantage points along Wayzata Blvd (south) and Ferndale Rd (west), and the existing roof lines on the building would screen the equipment from the north and east facades. The proposed mansard roof would be constructed of the same brick and asphalt shingles that were approved as part of the 2014 design.

As the building and project are part of a PUD, the modification to the roof design would require review and approval by the Planning Commission and City Council.

#### **Design Standards**

The Church is located within the Wayzata Blvd Design District. Section 801.09.7.2 of the Design Standards provides the following requirements for screening of rooftop equipment:

- All mechanical equipment shall be completely screened behind a parapet wall, so as not to be visible from adjacent properties and pedestrian view vantage points from adjacent sidewalks.
- No enclosure shall be larger than 25% of the roof area.

Under this section of the Design Standards, rooftop mechanicals are allowed for properties within the Wayzata Blvd Design District, provided that they are screened from view from

adjacent properties and the public sidewalk. In the case of the Church's proposed rooftop mechanicals, the proposed roof modification would meet the design standards requirements with the addition of the mansard roof sections along the Wayzata Blvd and Ferndale Rd portions of the building. The mansard roof sections would be required to match the height of the mechanical equipment to provide the necessary screening.

The Applicant's architect has submitted a packet of drawings and photos to compare the proposed roof modification to the 2014 plan, and highlight how the mechanicals would be screened from various viewpoints. The Applicant is requesting review and approval of the proposed modification to the 2<sup>nd</sup> story addition roof.

Attachments:

- Submitted Plan Set (11" X 17" sheets)



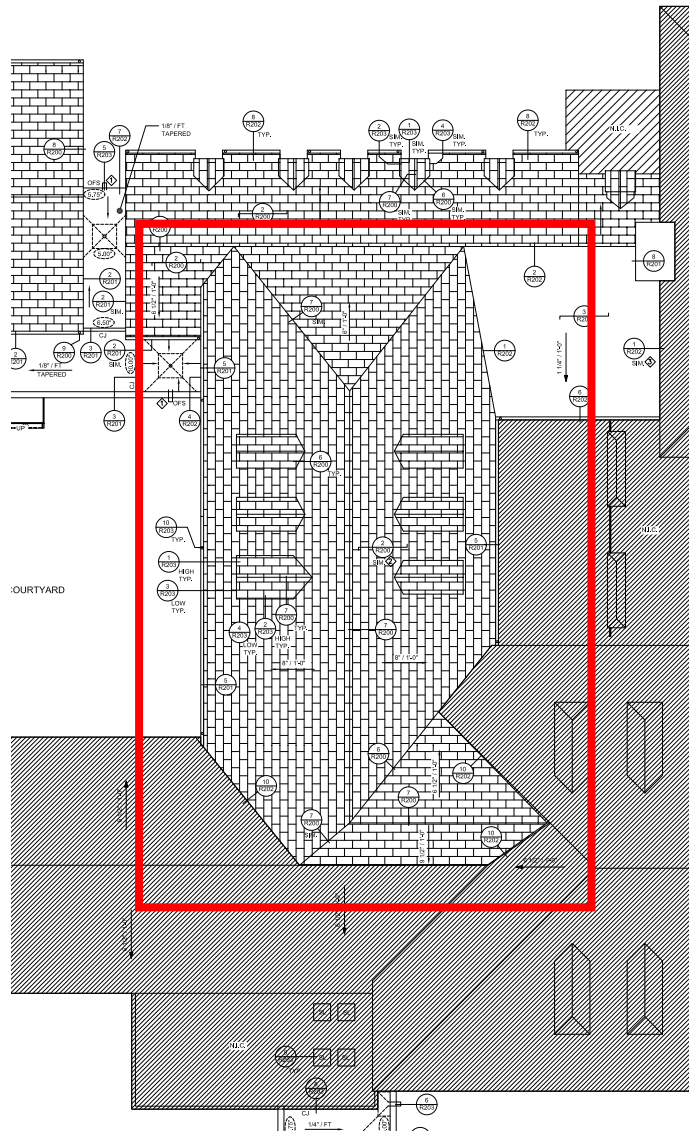


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# WAYZATA COMMUNITY CHURCH

## PROPOSED ROOF MODIFICATIONS

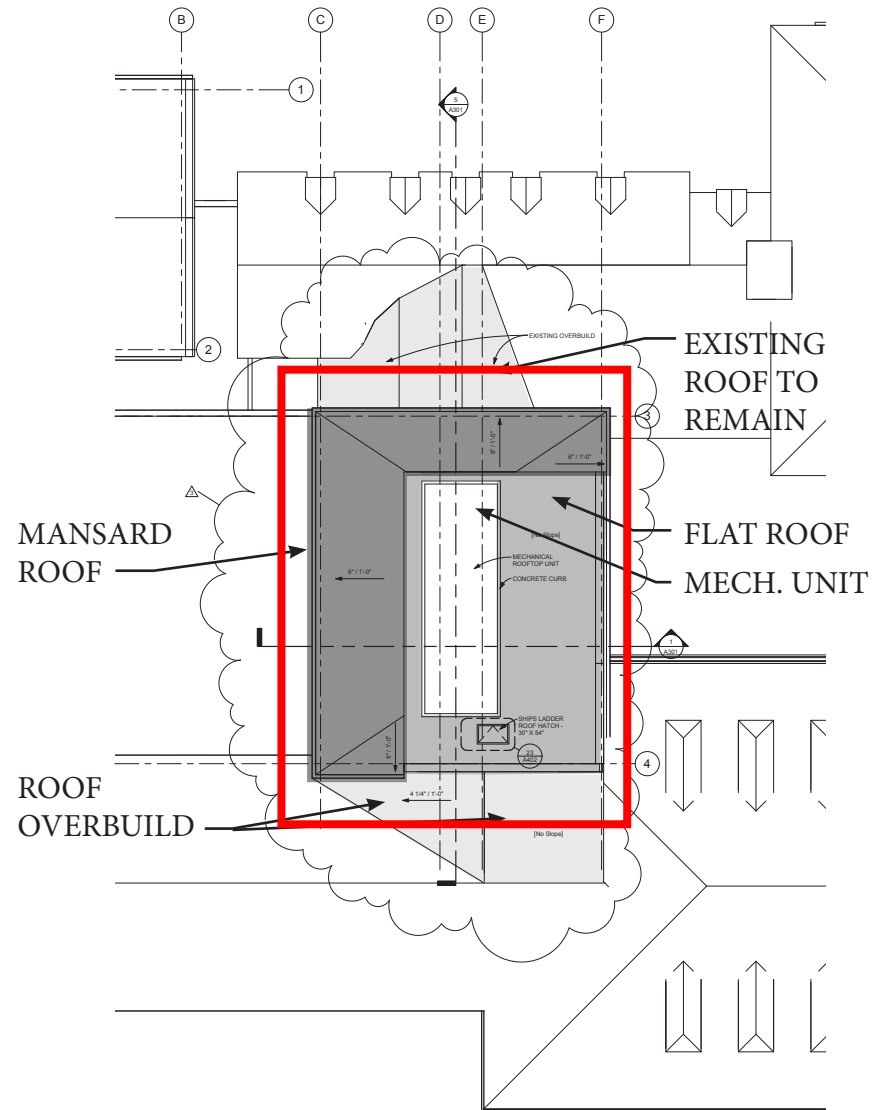
March 3rd, 2015



## ROOF PLAN

CONSTRUCTION DOCUMENTS

2014 Approved Plans



## ROOF PLAN

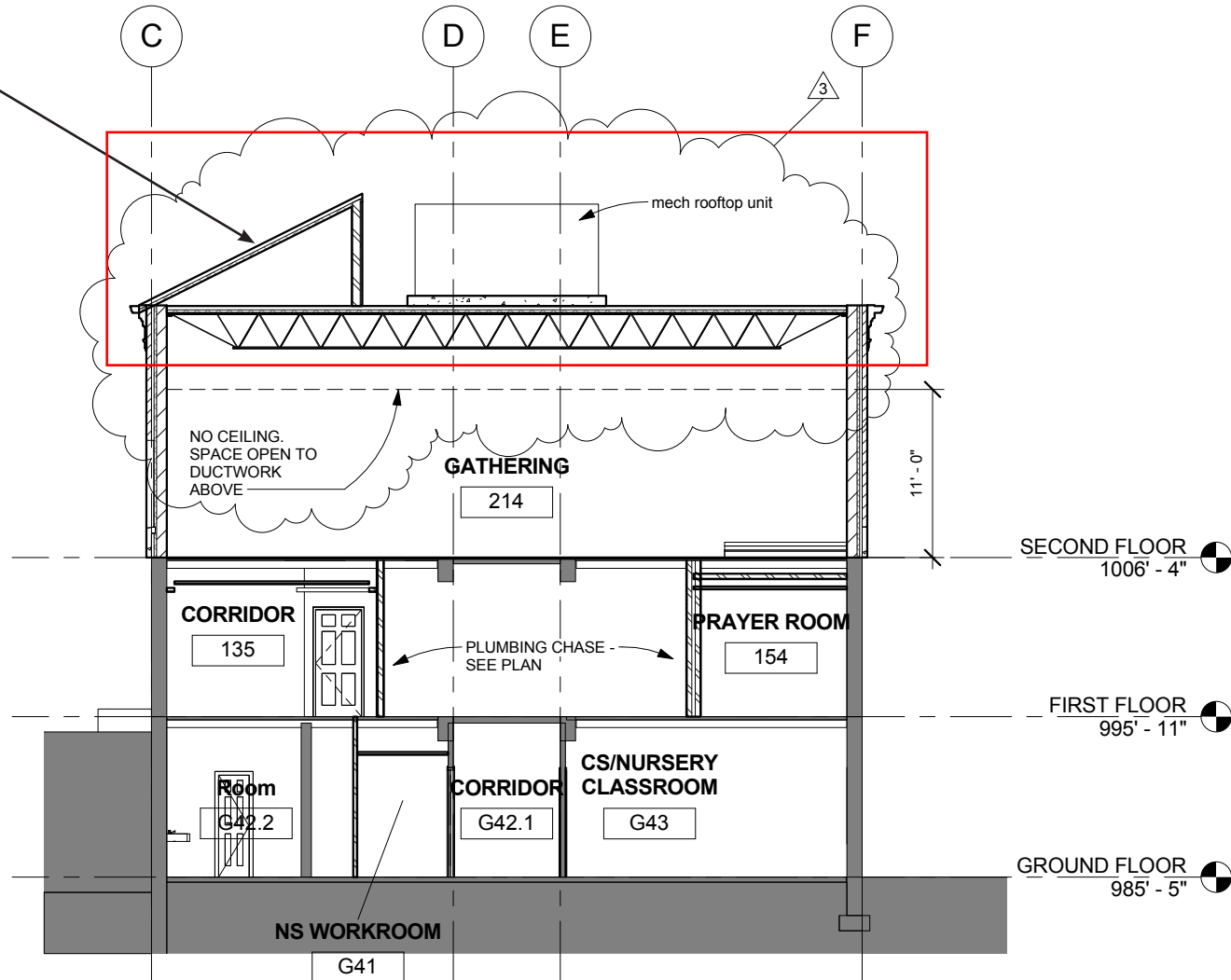
PROPOSED ROOF MODIFICATIONS

# SECTION

## PROPOSED ROOF MODIFICATIONS

### MANSARD ROOF

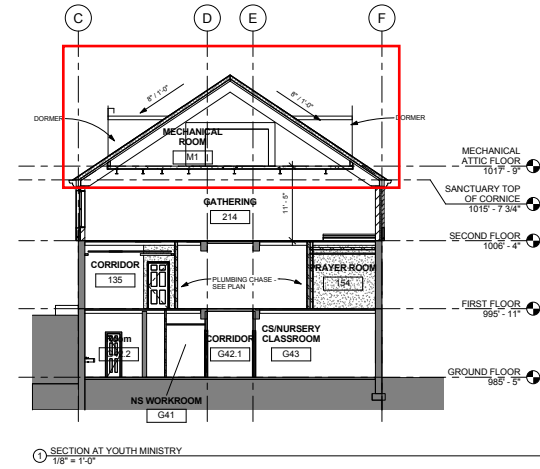
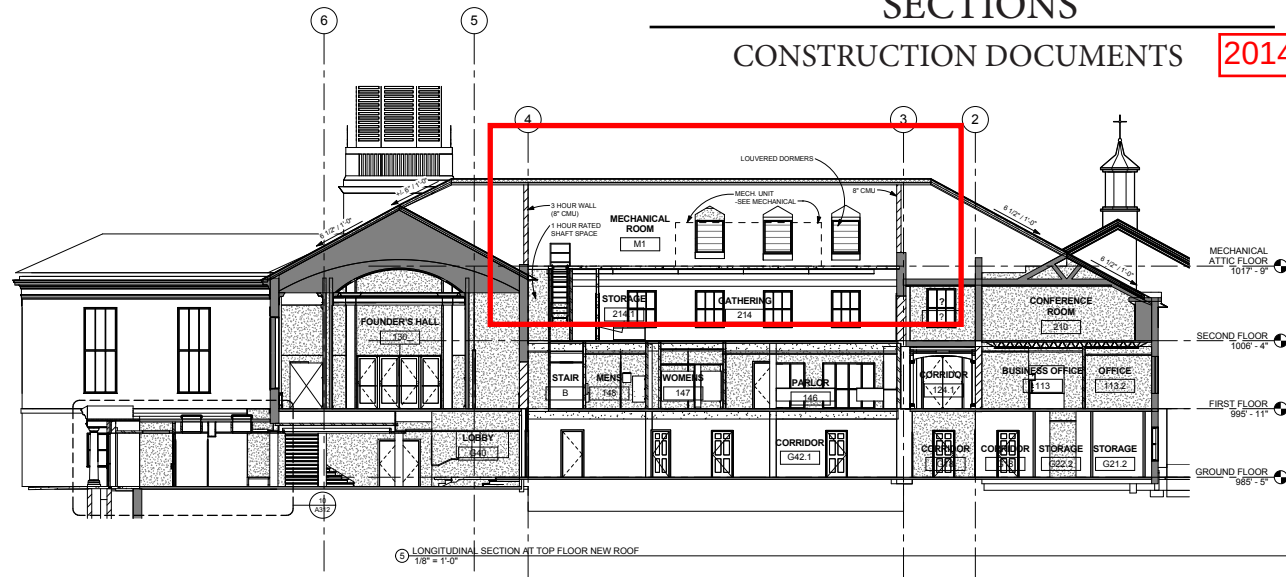
- Proposed mansard roof to wrap two sides of flat roof
- Proposed roof height and slope to provide coverage of selected mechanical unit
- Final mechanical unit dimensions to be determined



# SECTIONS

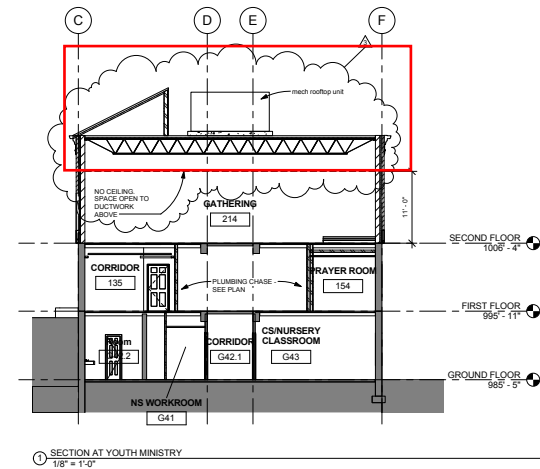
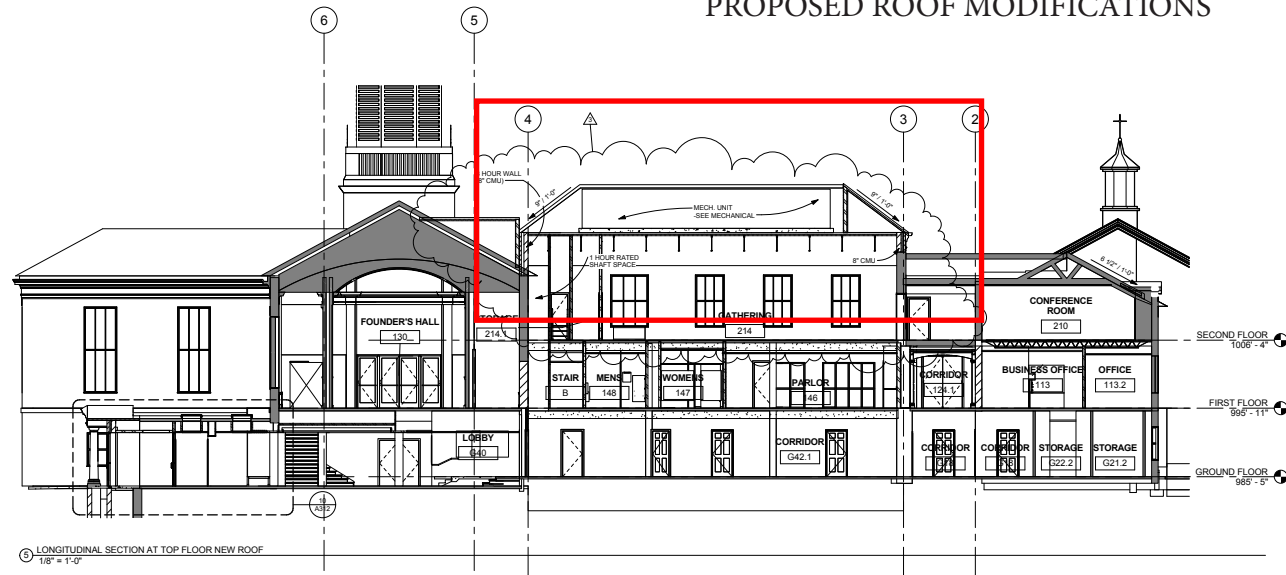
## CONSTRUCTION DOCUMENTS

2014 Approved Plans

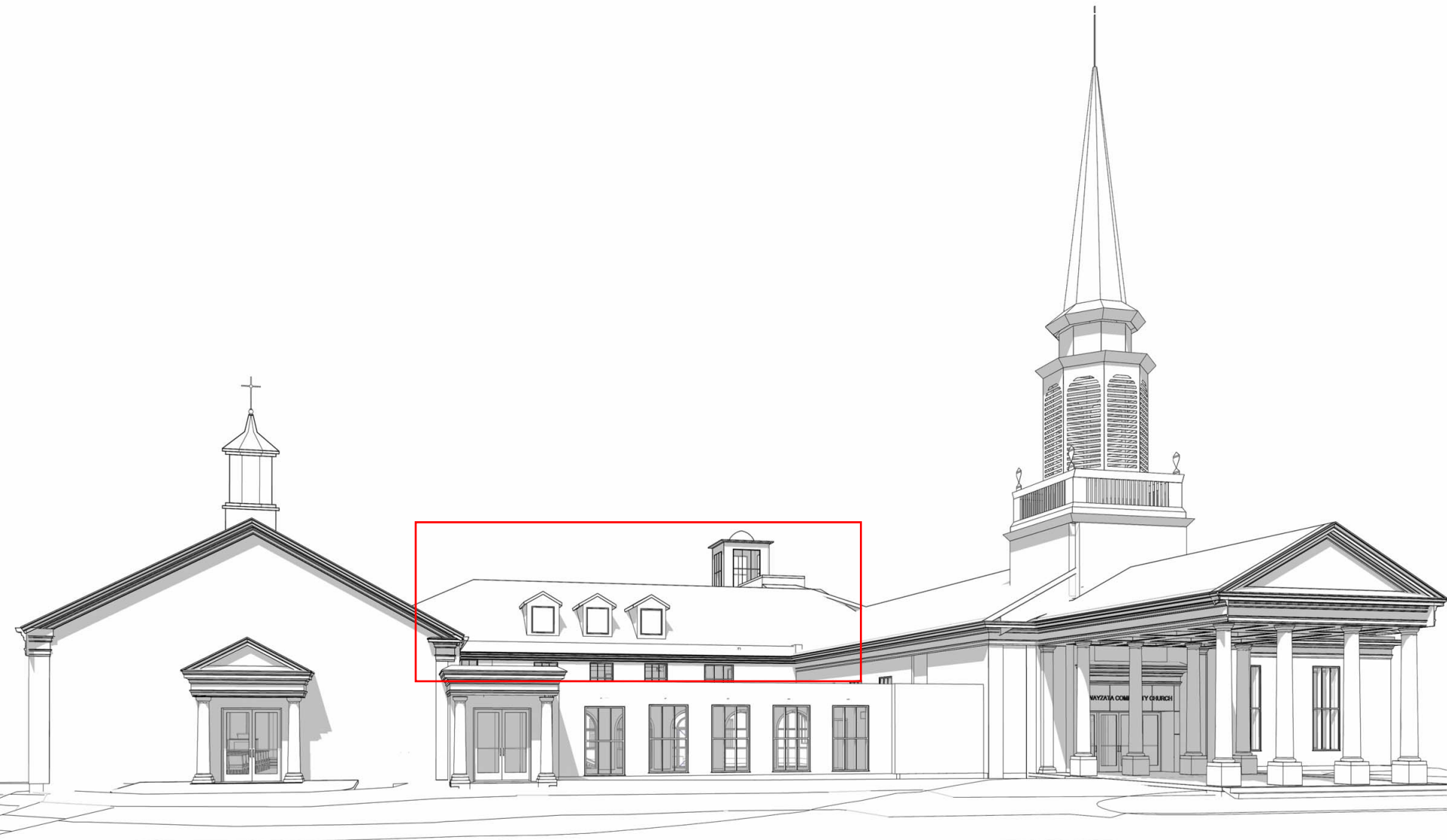


# SECTIONS

## PROPOSED ROOF MODIFICATIONS



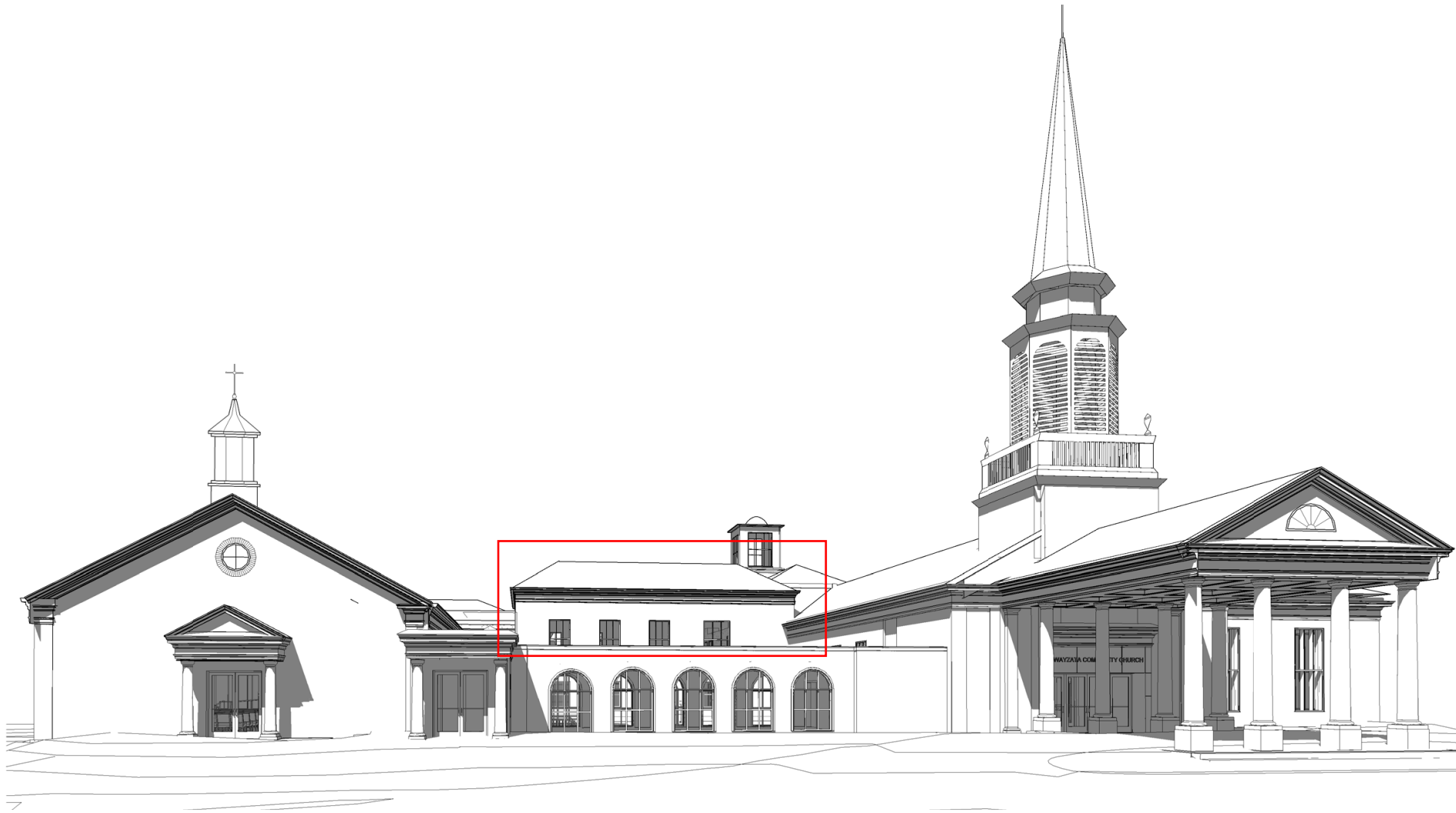




SOUTH VIEW FROM WAYZATA BOULEVARD

CONSTRUCTION DOCUMENTS

2014 Approved Plans



## SOUTH VIEW FROM WAYZATA BOULEVARD

PROPOSED ROOF MODIFICATIONS



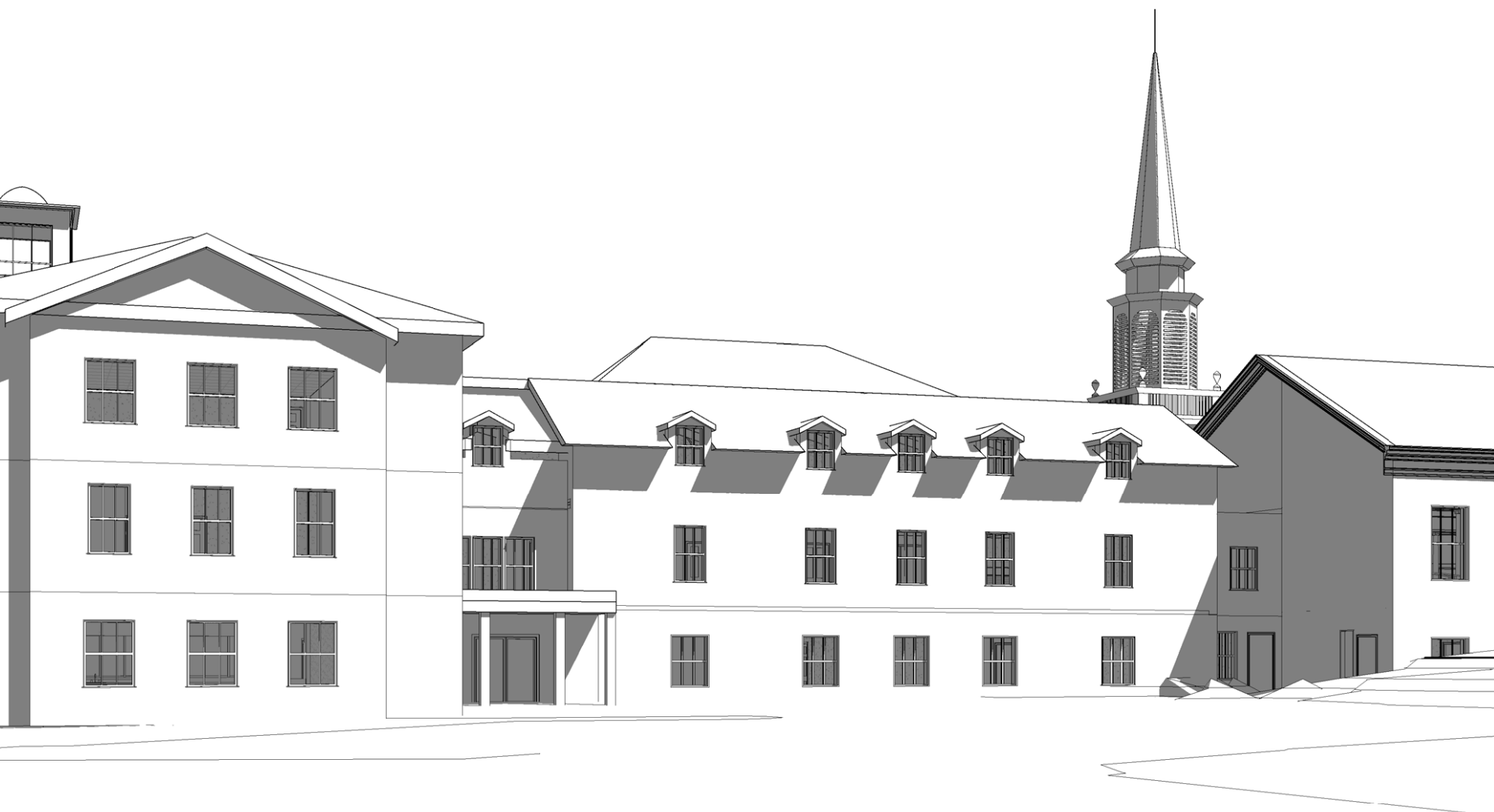
SOUTHEAST VIEW FROM EAST PARKING LOT

PROPOSED ROOF MODIFICATIONS



NORTH VIEW FROM SCHOOL PLAYING FIELDS  
PROPOSED ROOF MODIFICATIONS





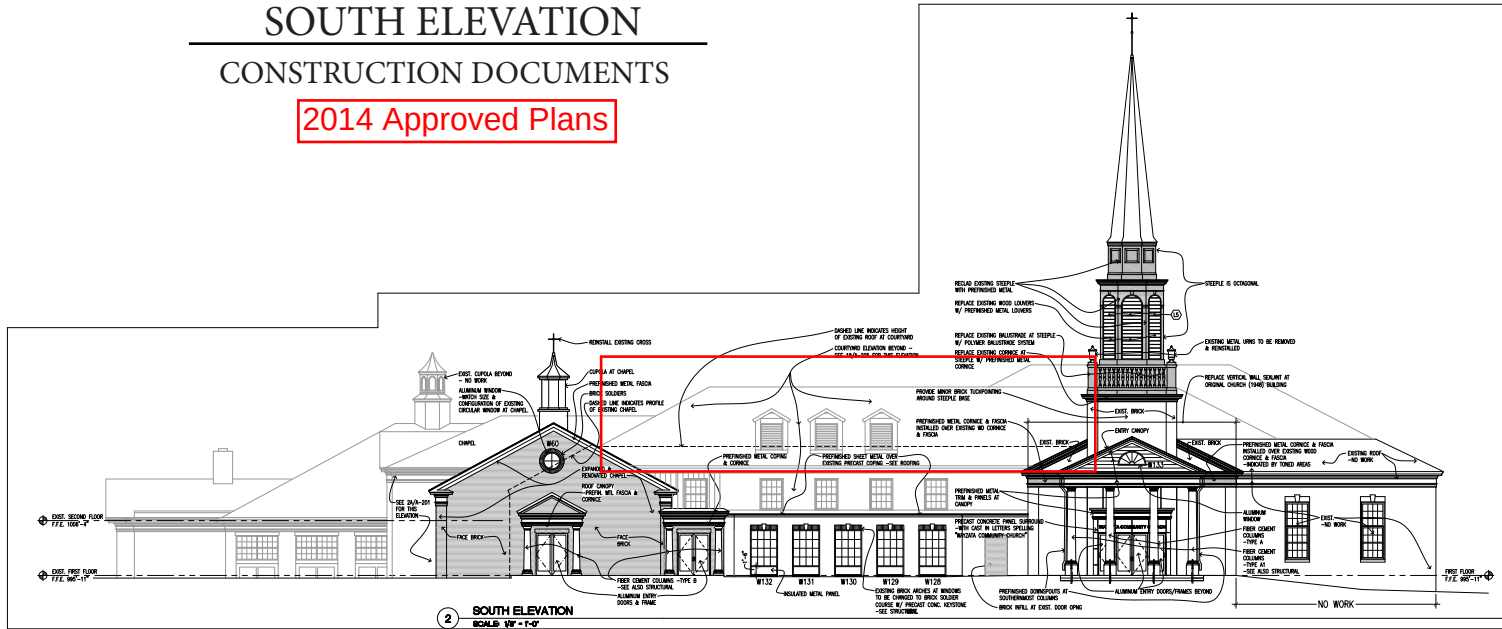
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WEST VIEW FROM FERNDALE ROAD  
PROPOSED ROOF MODIFICATIONS

# SOUTH ELEVATION

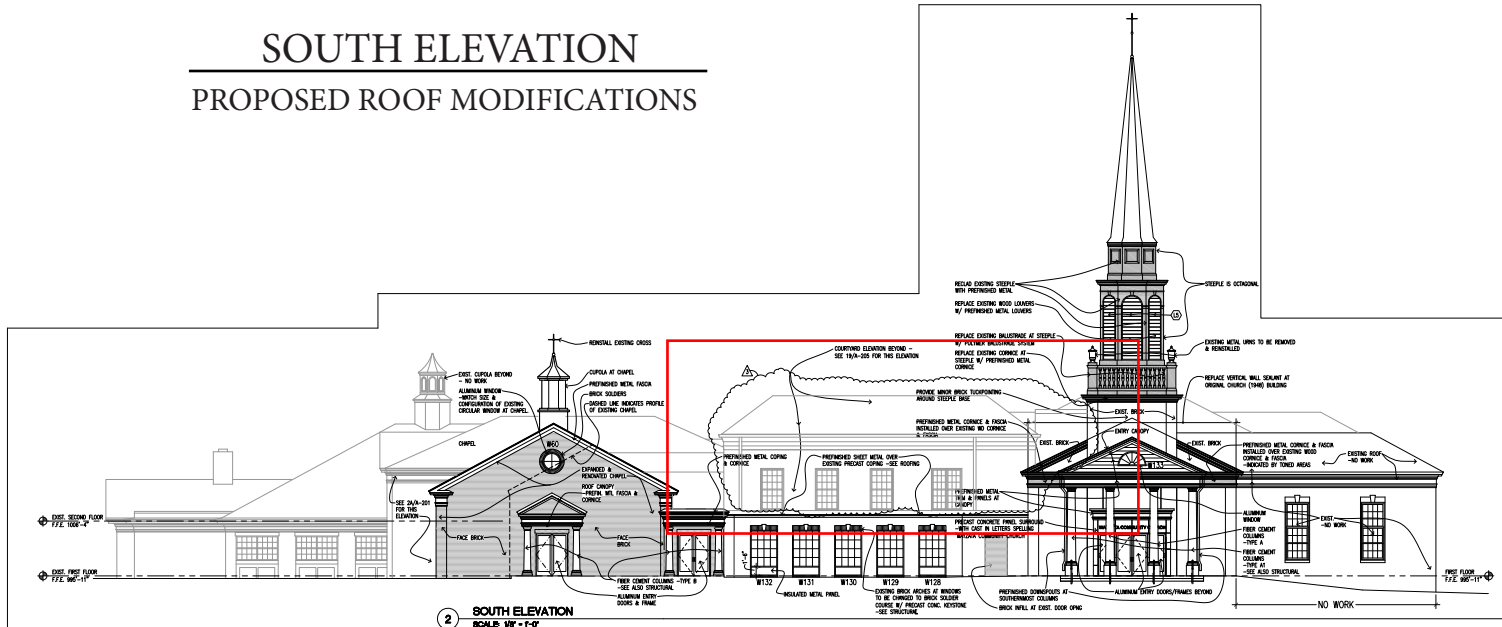
## CONSTRUCTION DOCUMENTS

### 2014 Approved Plans

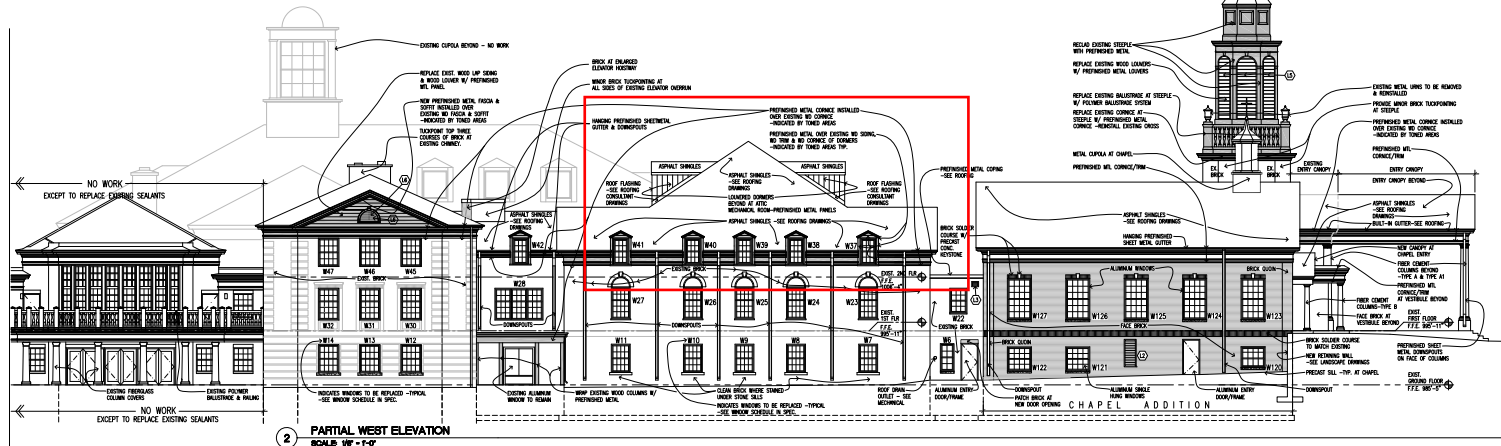


# SOUTH ELEVATION

## PROPOSED ROOF MODIFICATIONS



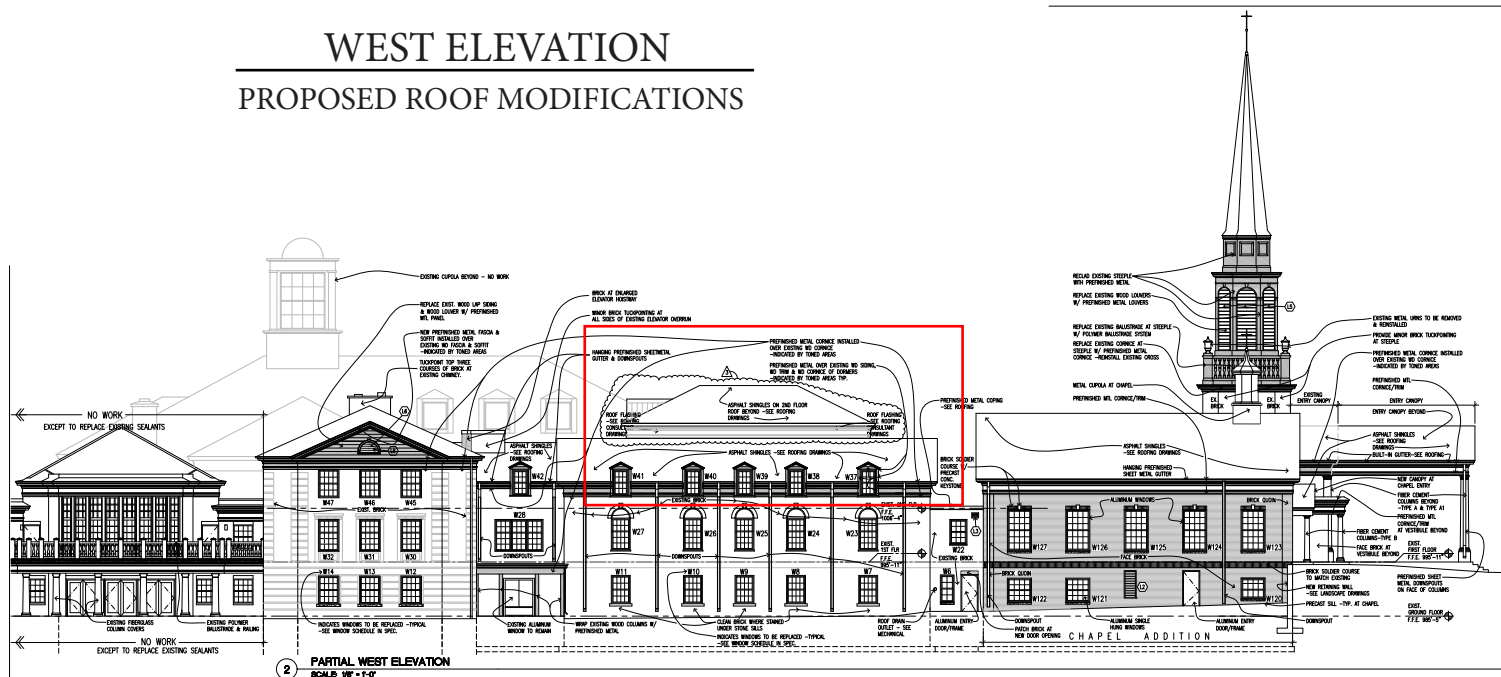
2014 Approved Plans



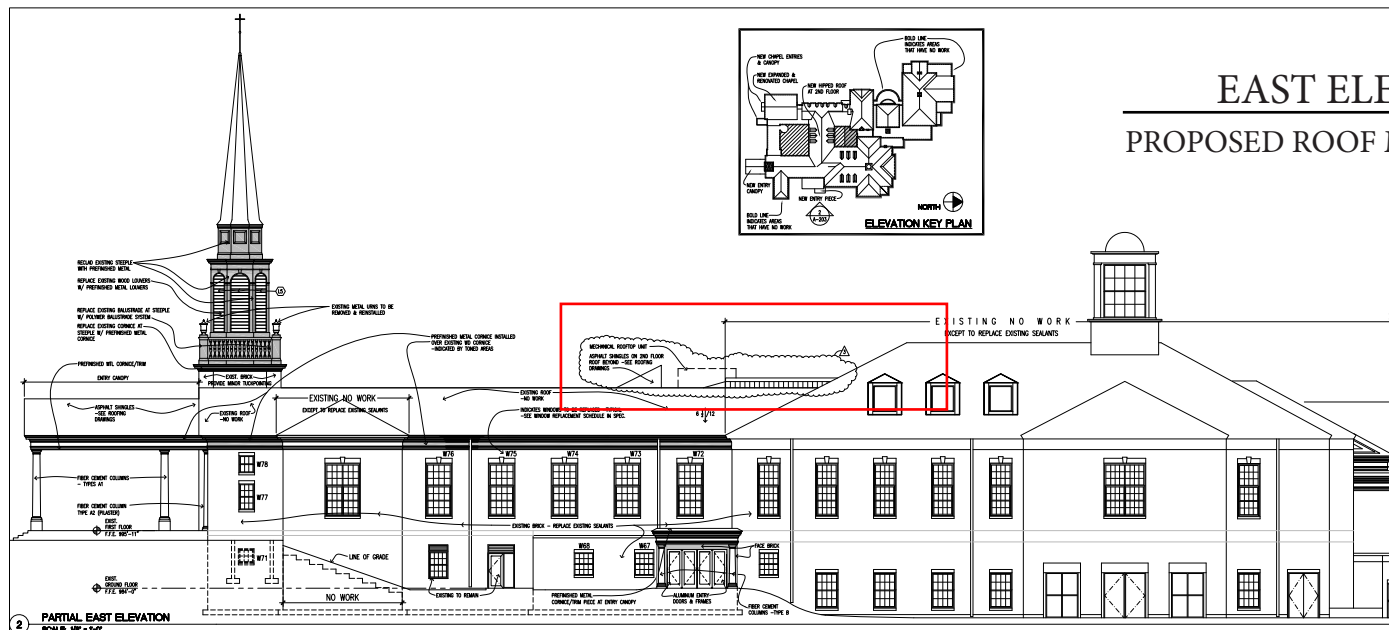
WEST ELEVATION

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PROPOSED ROOF MODIFICATIONS



## 2014 Approved Plans



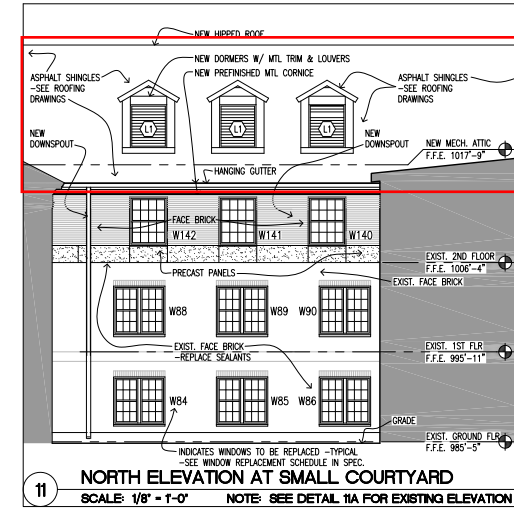
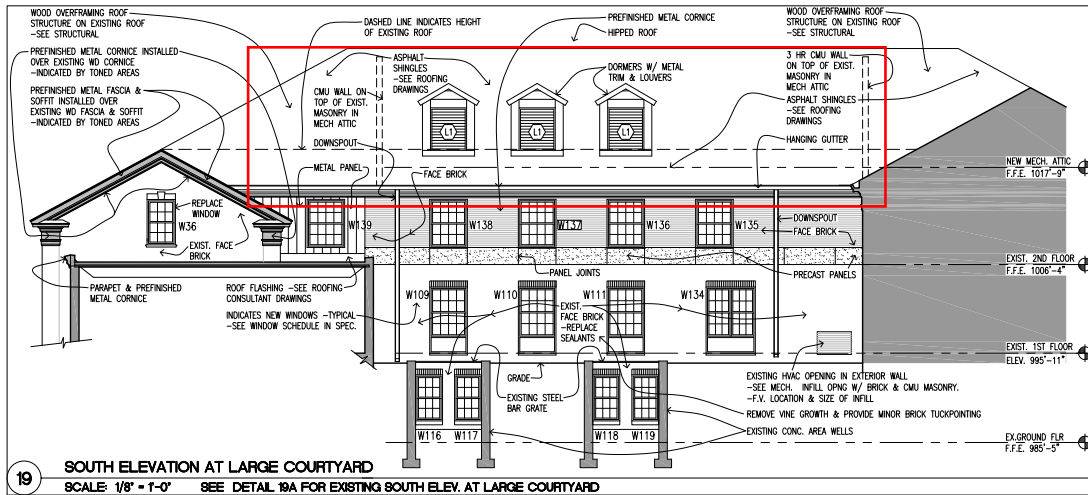
## 2014 Approved Plans



# COURTYARD ELEVATIONS

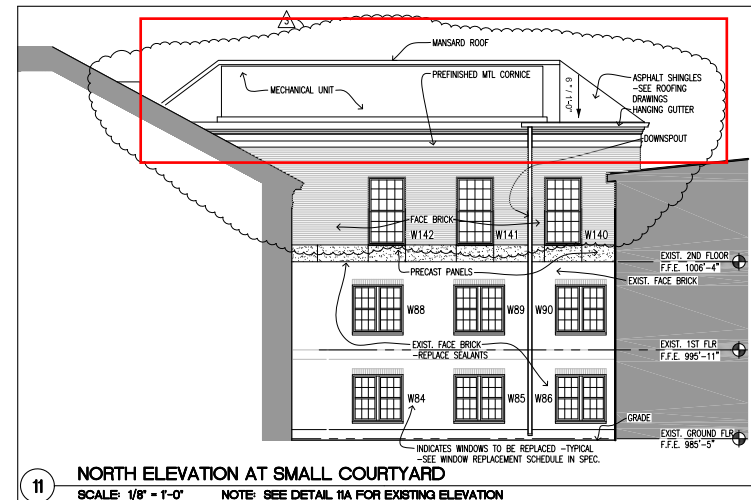
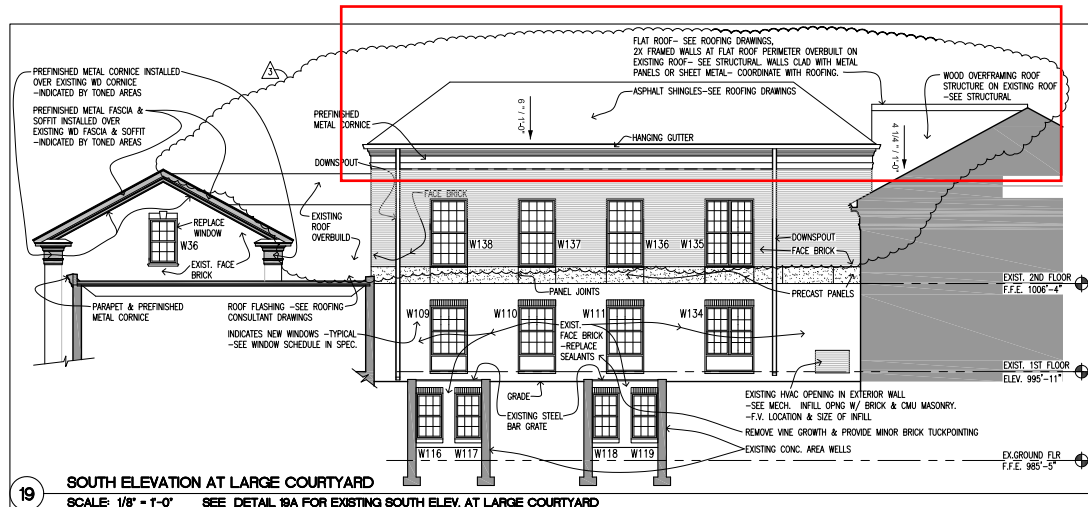
## CONSTRUCTION DOCUMENTS

2014 Approved Plans



# COURTYARD ELEVATIONS

## PROPOSED ROOF MODIFICATIONS



# CITY OF WAYZATA



## PLANNING DEPARTMENT

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### MEMORANDUM

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**To:** City Council and Planning Commission  
**From:** Bryan Gadow, Director of Planning and Building  
**Date:** March 12, 2015  
**Re:** Application for Wayzata Bay Center East Block Modifications

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#### **Background**

BohLand Development LLC (the “Applicant”) has submitted an application for an amendment to the Planned Unit Development (PUD) and modification of the design of the East Block of the Promenade project. The Wayzata Bay Center Project General Plan PUD, and associated building designs, was approved in 2008, via Resolution 25-2008. A condition of the approval resolution was that the Applicant would continue to work on the design of each block to include as a final design for the Final Plan of the PUD, and any material design deviations in the Final Plan from the building designs depicted in the 2008 approval is subject to City Council review and approval. The proposed PUD Amendment is to allow the Applicant to replace the previously proposed 27,000 SF of office space with twenty nine (29) individually owned condominiums. The rest of the building would contain an eighty (80) to ninety (90) room boutique hotel, a restaurant, a spa, and 14,000 SF of commercial retail space.

The Applicant presented a preview of the proposed design modifications for the East Block in joint Planning Commission and City Council workshops on January 20<sup>th</sup>. Since that workshop, the Applicant has been revising the design of the East Block based upon the feedback received.

The Planning Commission is asked to review and make a recommendation on the proposed change in use from office to condominiums and the proposed design modifications for the East Block.

#### **Proposed Design Modifications**

##### *1. 2008 Design Approvals:*

In the original 2008 Bay Center proposal (Attachment C), the East Block had a more contemporary design, with glass facades, due mainly to the incorporation of approximately 27,000 SF of office space within the building. The building was a mixture of three and four stories, with the hotel and ground floor retail on the west façade, and office on the east façade, and a landscaped green roof above the internal parking



structure. With the 2008 approvals, the Applicant was asked to review the possibility of reducing the amount of glass on the east block building.

As part of the overall Wayzata Bay Center project approvals granted in 2008, the East Block design was approved with the following deviations from the Design Standards:

- Section 6.2 – Upper Story Setbacks
- Section 12.2 – Building Materials – Allowance for metal awnings
- Section 15.1 – Benches – for 50 ft intervals
- Section 4.1 – Building Recesses
- Sections 9.1 & 12 – Percentage of transparent glass

2. *2015 Requested Design Modifications:*

The building design has been updated to reflect the proposed substitution of office use with the twenty nine (29) condominium units. The building maintains similar mass and three and four stories from the 2008 approvals, but reconfigures components of building to reflect the proposed change in use.

In addition, the overall façade of the building has been updated to better reflect the boutique hotel and condominium uses and reduces the glassed exterior design that was part of the previous office use.

Building materials have been updated to include wood (lap siding), stone, metal accents, and fabric awnings which are permitted materials under the Design Standards.

The Applicant has also included a narrative (Attachment B) describing the proposed parking layout for the building. The 2008 proposal (with office use) proposed 358 parking spaces for the office, retail, and hotel uses. The Applicant is now proposing 287 parking spaces, due to the switch from office to condominium use and shared parking within the building. The Applicant also indicated the ability to do valet parking to gain approximately 34 additional parking spaces.

**Action Step**

The Planning Commission is asked to review and make a recommendation on the proposed change in use from office to condominiums and the proposed design modifications for the East Block.

Attachments:

- Attachment A: Modified East Block Design Plan Submittals (the “Landings”)
- Attachment B: The Landings Parking Narrative
- Attachment C: 2008 East Block Design Submittals



# the LANDING hotel and residences



Wayzata Planning Commission | March 16th, 2015

Revised - March 3rd, 2015 | March 9th, 2015



## Attachment A: 2015 Requested Design Modifications

As a key component of the Promenade Redevelopment in downtown Wayzata, we are introducing the last remaining parcel, The 'Landing' on the East Block.

This final phase of the Promenade project will include a mixed use of Hotel Restaurant & Spa, Luxury 'For Sale' Condominiums, as well as Retail space. The building will consist of approximately 29 individually owned condominiums, having replaced the previously proposed office spaces on levels 2, 3 and 4. It will also consist of an 80-90 room luxury boutique hotel with its main entrance and lobbies at grade level with rooms located on levels 2-4 overlooking the "Great Lawn." There is an additional approximately 14,000 square feet of commercial retail spaces on the grade level. Although the condominium replaces the office space as previously shown on the concept plan, the condominium use offers many benefits over the original concept. The previous concept plan had already considered additional residential development as an approved use for this block.

Aside from the charming and historic past of the old landmark Lake Minnetonka hotels, The 'Landing' will be seen as a welcomed use and opportunity by the community and the City of Wayzata. With the history of "The Golden Years of Minnetonka", a Lake Minnetonka hotel can only be surpassed by providing a viable well managed hotel for the future. The Landing will become a part of this community for many years but will reflect the past in its design. The advantage of approximately 600 new residents within the Promenade, the many corporate headquarters surrounding this community, the ever growing desire to visit Wayzata 'staycation', coupled with the shortage of an executive stay hotel offerings, the hotel will be an immensely desired amenity and business opportunity.

There is no argument that the market demand for condominium ownership has proven very strong in Wayzata. Replacing office space with condominiums offers a better alternative to the oversupply of office space currently in Wayzata. In addition, our plan requires less parking and allows for an overall more passive use and cohesive impact to the site. Originally, there were 63 units available at Regatta, but many buyers wanted to combine units to larger sizes leaving us with 58 units. The 29 units in the Landing will only add 24 more units over what was originally planned in the Promenade and will be unrestricted full market – for sale condominiums. As of June 2014 Regatta sold out in a little over one year with an average sale price just under \$1,000,000. Completion and Resident move-in for the Regatta will occur between February and July 2015.

With the experience and success in developing the Regatta Condominiums at Promenade, Bohland Development will be the developer for the East Block; Hotel Restaurant & Spa, Condominiums and retail opportunities. Bohland Hotel Group will own the hotel and has aligned with Hay Creek Hotels to manage the hotel operation. The retail portion of the building may be sold back to ownership of Wayzata Bay Redevelopment when the building is complete. Many of the same Regatta team members will continue on with this project ensuring a well-coordinated completion and long term success of this project.

Our goal is to receive approvals to start construction on the building beginning summer

of 2015. This schedule will allow for the completion of the Promenade development as a whole by the end of 2016 or 1st part of 2017, which will not only be advantageous to the hotel, but to the development and the community. We believe that we can meet this schedule with the inclusion of the City of Wayzata approvals, design and plan completion, Hotel Restaurant & Spa, and retail/commercial construction, and condominium buildout.

### The Landing Hotel

The Landing Hotel is the most significant part of the East Block and is envisioned as a luxury boutique hotel catering to the visitors of the Wayzata and surrounding lakefront communities. Ideal for business guests of the many corporate businesses in the western metro of the Twin Cities, supporting the need for temporary guest rooms to other Promenade residents, a place for friends and relatives for the many wedding venues around the lake, and the visitors of Wayzata enjoying the new energy and destination lifestyle it has to offer. The hotel will offer a mid to upper scale platform with standard rooms and executive suites with amenities for community meetings, spa, intimate dining establishment and private dining venues, and a small banquet area.

After completing two extensive market studies by Pinnacle Advisory Group and Hay Creek Hotels, we have confirmed the market and economic viability of the hotel use in Wayzata. The studies highlighted the primary driver for the hotel market in the western suburbs is the corporate business traveler and is currently only served by "older" hotels in marginal locations that don't appeal to the leisure hotel guest. The Landing Hotel will feature architecture, finish levels and amenities significantly superior to any other hotel in the area. The projections focused on competing with the corporate market at comparable rates and will be successful in drawing the business traveling guest. More significantly, without any current leisure hotel offerings, The Landing will derive a large portion of this demand. Data has proven that the leisure guests provide an additional benefit to adjoining commerce in this type of market.

Hay Creek Hotel is a hotel management company that specializes exclusively in Luxury Boutique Hotels. Based in the New England area, they manage hotels that align with the personality and character of the communities they serve. They understand community, flexibility, and most importantly - service. Many of their hotels are in quaint small town lakefront communities like; Kennebunkport, Maine, Exeter & Wolfboro New Hampshire, and other unique places. Hay Creek Hotels experience comes from executives from some of the largest luxury hotel operations in the world, and formed to manage and service boutique luxury hotels. This group is a perfect match for what Wayzata deserves and the long term success of the hotel.

The Hotel, Restaurant and Spa will each have unique "brands" and separate entrances, but will also have common areas once you get inside.

## Attachment A: 2015 Requested Design Modifications

### "L" 901 Culinary

The restaurant will be a full service breakfast – lunch- dinner venue and provide food and beverage service to the hotel and catering services for community events. The restaurant will be two stories with approximately 140 indoor dining seating along with an additional 80 seasonal outdoor seating. The "L" will have an inviting corner entrance and both levels will have an overlook of the "Great Lawn". The theme will be "intimate, comfortable and conversational". You can expect Fine Dining along with an extensive wine list that will fill the two story glass wine cellar.

### The "Wave Spa"

The Spa may be best described as something similar to a resort spa with day spa services. The Wayzata area already boasts numerous salon services and the "Wave Spa" will be providing more luxury spa services including message therapy, skin care, body treatments and relaxation for the hotel guests, condominium owners, and general guests. In addition to regular demand, the spa will offer special seasonal experiences bringing guests to the Landing during the fall and winter. Memberships may also be available for the frequent guests of the Spa. WTS International has been hired by BohLand as a consultant for the Spa. They are the most experienced spa consulting firm and will guide the space planning, financial modeling, and set up for the long-term operation of the Spa under the hotel management.

### The Landing Luxury Condominiums

This portion of the building will be developed and marketed by BohLand Development and will offer many of the benefits of condominium ownership similar to Regatta. The separation of hotel and condominiums guests and residents will be achieved thru private secured access to the floors and secured access to parking. With current and thorough market experience and knowledge, we will create a "sweet spot" of floor plans and spaces that buyers desired in Regatta along with the amenity of having concierge services and other Hotel Restaurant & Spa services available in the same building.

### Retail/Commercial

The retail will have storefront on both the south and west sides of the building and two separate muse access for pedestrian traffic and parking.

### Building Design and Integration

Our goal is to stay within the framework of the previous concept plan approval with some upgraded modifications to the architectural design. We understand the importance and opportunity of the design and its place of prominence as the most southeastern entrance to the downtown commercial area of Wayzata. In addition, it is important to carefully integrate this portion the Promenade development and its sensitivity to the neighbors to the east, as well as the benefits of the future pedestrian connections along Eastman Lane and Bushaway Road. We respect the site lines for the height for the neighbors to the east, and have designed the building that reflects those views previously approved.

The architecture will fit into the existing Promenade but will bend toward a more intimate entrance into the two separate entrances for the Hotel Restaurant & Spa, and separate condominium entrance. The intent is to draw a similarity to the Lake Street character at the Hotel and Restaurant entrances at the southwest pedestrian street level of the Landing building. The east elevation will be softened and provide light protection for the neighbors to the east.

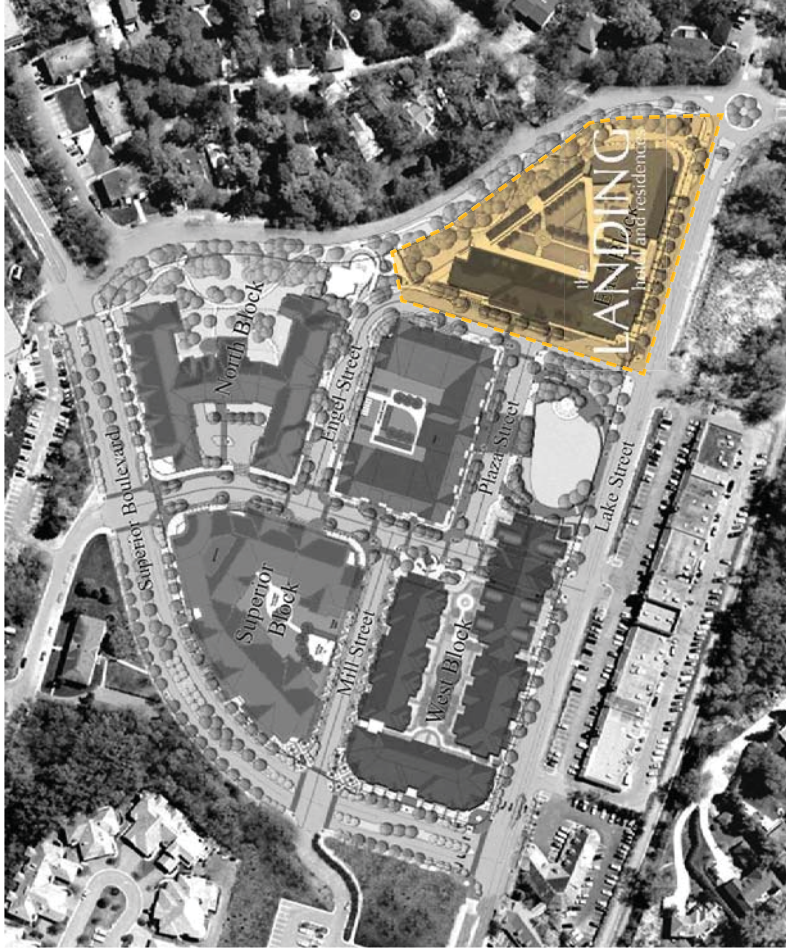
### Owners

The owners of the Landing Hotel Restaurant & Spa are the same individuals that are responsible for the development and success of the Regatta Condominiums. This group has decades of real estate experience. BohLand Development will build and sell the condominiums. BohLand Hotel Group will be the ownership entity of the Hotel Restaurant & Spa. Wayzata Bay Redevelopment may own the retail use.

*The Promenade has become one of the premier developments in the mid-west and the developers of The Landing will ensure that it will be finished well.*

*The community deserves something this special - The Landing Hotel and Residences.*

## Site Plan



## The Promenade

- Within the Approved Plan
- Similar Shape and Size
- About Place and Lifestyle
- For Sale Condominiums
- Boutique Hotel
- Architecturally Distinct
- Vibrant, Active, Connected



# View from Lake Street | Southwest Corner





# View from Lake Street | Southeast Corner



# View from Lake Street | South Face





# View from Engle Street | West Face





# View from Circle A Drive | Looking North



# View from Circle A Drive | Looking South





# View Across Park | Looking East



Attachment A: 2015 Requested Design Modifications



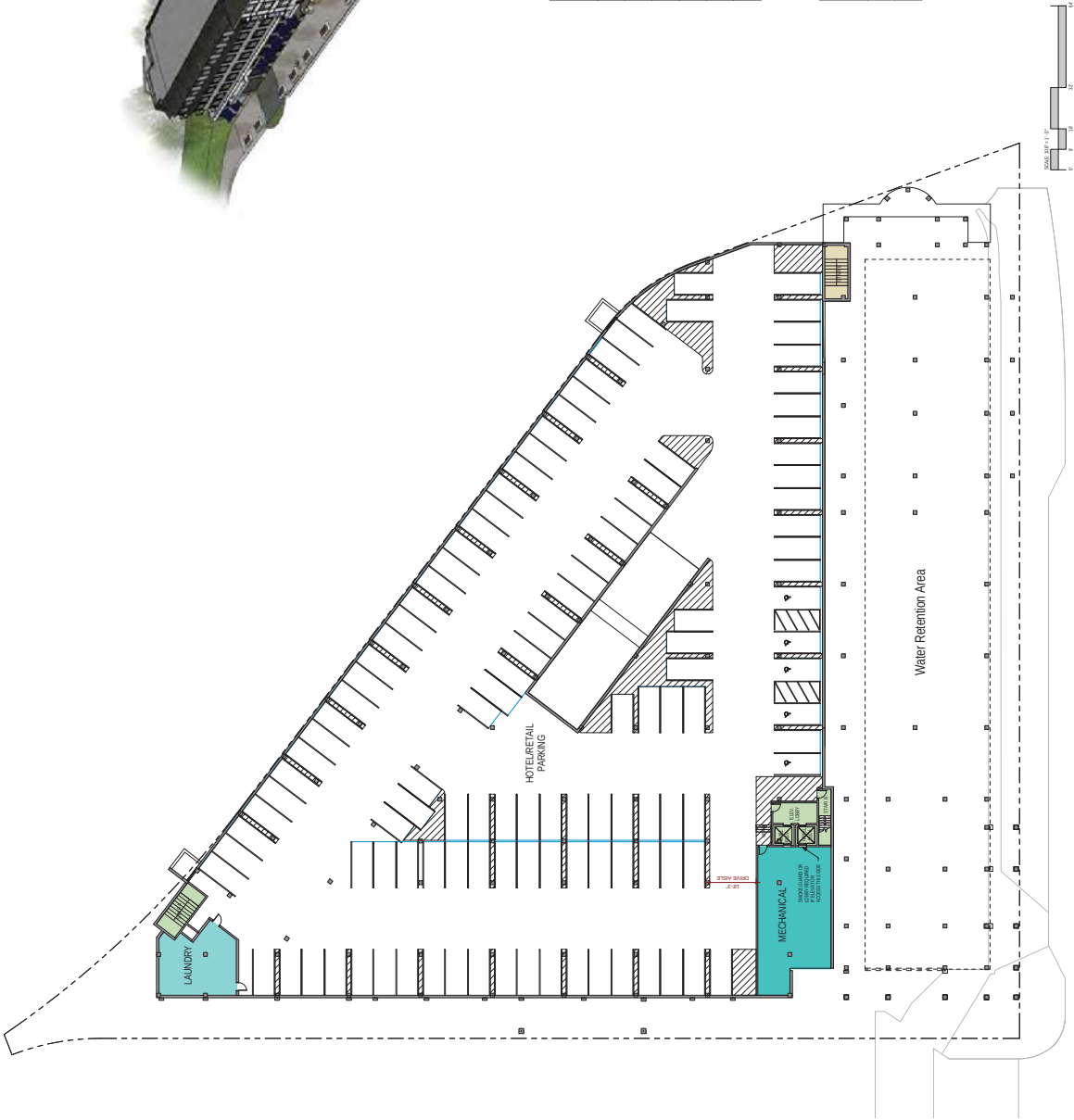


Attachment A: 2015 Requested Design Modifications





Sublevel Plan



| Net Square Footages - Sublevel |           |          |
|--------------------------------|-----------|----------|
| Department                     | Occupancy | Area     |
| CONDO CIRCULATION              | R-2       | 182 SF   |
| HOTEL CIRCULATION              | R-1       | 545 SF   |
| HOTEL SERVICE                  | R-1       | 728 SF   |
| MECH/ELEC/PLBG                 |           | 1481 SF  |
| PARKING                        | S-2       | 45915 SF |
| Grand total                    |           | 48851 SF |

| Parking Schedule - Sublevel |          |
|-----------------------------|----------|
| Type Mark                   | Sublevel |
| PARKING STALLS              | 122      |

Level 1 Plan



| Net Square Footages - Level 1 |           |          |
|-------------------------------|-----------|----------|
| Department                    | Occupancy | Area     |
| CONDO CIRCULATION             | R-2       | 1334 SF  |
| HOTEL CIRCULATION             |           | 2657 SF  |
| MECH/ELEC/PLBG/TRASH          |           | 802 SF   |
| PARKING                       | S-2       | 34182 SF |
| RESTAURANT                    | A-2       | 3658 SF  |
| RETAIL                        | M         | 14120 SF |
| RETAIL CIRCULATION            | M         | 4692 SF  |
| SPA                           | B         | 3918 SF  |
|                               |           | 65363 SF |

| Parking Schedule - Level 1 |         |  |
|----------------------------|---------|--|
| Type Mark                  | Level 1 |  |
| PARKING STALLS             | 81      |  |

Mezzanine Plan



| Net Square Footages - Level Mezz |           |          |
|----------------------------------|-----------|----------|
| Department                       | Occupancy | Area     |
| CONDO CIRCULATION                | R-2       | 4069 SF  |
| HOTEL ASSEMBLY                   | A-3       | 7175 SF  |
| HOTEL CIRCULATION                | R-1       | 2435 SF  |
| HOTEL SERVICE                    | R-1       | 1480 SF  |
| PARKING                          | S-2       | 33056 SF |
| RESTAURANT                       | A-2       | 1906 SF  |
| SPA                              | B         | 58 SF    |
|                                  |           | 49729 SF |

| Parking Schedule - Mezz Level |            |  |
|-------------------------------|------------|--|
| Type Mark                     | Mezz Level |  |
| PARKING STALLS                | 84         |  |

# Level 2 Plan



| Condo Units Totals |          |         |         |         |       |
|--------------------|----------|---------|---------|---------|-------|
| Department         | Area     | Level 2 | Level 3 | Level 4 | Total |
| CONDO              | 65864 SF | 11      | 11      | 7       | 29    |

| Hotel Room Matrix  |      |         |         |         |       |
|--------------------|------|---------|---------|---------|-------|
|                    | Name | Level 2 | Level 3 | Level 4 | Total |
| KING               |      | 11      | 11      | 11      | 33    |
| MINI SUITE         |      | 4       | 4       | 4       | 12    |
| PRESIDENTIAL SUITE |      | 2       | 2       | 2       | 6     |
| QUEEN              |      | 12      | 13      | 13      | 37    |
|                    |      | 29      | 30      | 30      | 89    |



Level 3 Plan



Condo Units Totals

| Department | Area     | Level 2 | Level 3 | Level 4 | Total |
|------------|----------|---------|---------|---------|-------|
| CONDO      | 65864 SF | 11      | 11      | 7       | 29    |

Hotel Room Matrix

| Name               | Level 2 | Level 3 | Level 4 | Total |
|--------------------|---------|---------|---------|-------|
| KING               | 11      | 11      | 11      | 33    |
| MINI SUITE         | 4       | 4       | 4       | 12    |
| PRESIDENTIAL SUITE | 2       | 2       | 2       | 6     |
| QUEEN              | 12      | 13      | 13      | 37    |
|                    | 29      | 30      | 30      | 89    |

Level 4 Plan



| Condo Units Totals |          |         |         |         |
|--------------------|----------|---------|---------|---------|
| Department         | Area     | Level 2 | Level 3 | Level 4 |
| CONDO              | 65864 SF | 11      | 11      | 7       |
| Total              |          |         |         | 29      |

| Hotel Room Matrix  |         |         |         |       |
|--------------------|---------|---------|---------|-------|
| Name               | Level 2 | Level 3 | Level 4 | Total |
| KING               | 11      | 11      | 11      | 33    |
| MINI SUITE         | 4       | 4       | 4       | 12    |
| PRESIDENTIAL SUITE | 2       | 2       | 2       | 6     |
| QUEEN              | 12      | 13      | 13      | 37    |
| Total              |         |         |         | 89    |

Attachment A: 2015 Requested Design Modifications



Project Metrics

| Net Square Footages |           |           |
|---------------------|-----------|-----------|
| Department          | Occupancy | Area      |
| CONDO               | R-2       | 65864 SF  |
| CONDO CIRCULATION   | R-2       | 10371 SF  |
| HOTEL               |           | 35175 SF  |
| HOTEL ASSEMBLY      | A-3       | 7175 SF   |
| HOTEL CIRCULATION   | R-1       | 13831 SF  |
| HOTEL SERVICE       | R-1       | 3262 SF   |
| MECH/ELEC/PLBG/FIRE |           | 5074 SF   |
| PARKING             | S-2       | 114685 SF |
| RESTAURANT          | A-2       | 5564 SF   |
| RETAIL              | M         | 14120 SF  |
| RETAIL CIRCULATION  | M         | 3054 SF   |
| SPA                 | B         | 3976 SF   |
| Grand total         |           | 282151 SF |

| Condo Units Totals |          |         |         |         |       |
|--------------------|----------|---------|---------|---------|-------|
| Department         | Area     | Level 2 | Level 3 | Level 4 | Total |
| CONDO              | 65864 SF | 11      | 11      | 7       | 29    |

| Hotel Room Matrix  |         |         |         |       |
|--------------------|---------|---------|---------|-------|
| Name               | Level 2 | Level 3 | Level 4 | Total |
| KING               | 11      | 11      | 11      | 33    |
| MINI SUITE         | 4       | 4       | 4       | 12    |
| PRESIDENTIAL SUITE | 2       | 2       | 2       | 6     |
| QUEEN              | 12      | 13      | 13      | 37    |
|                    | 29      | 30      | 30      | 89    |

Grand total 282151 SF

| Landing Parking summary       |            |       |            |          |
|-------------------------------|------------|-------|------------|----------|
| Use                           | Unit       | Ratio | Per        | Provided |
| Retail                        | 14,120     | 1.0   | 200 SF     | 82.0     |
| Restaurant                    | 5,564      | 1.0   | 200 SF     | 42.0     |
| Spa                           | 3,976      | 1.0   | 200 SF     | 19.9     |
| Less shared parking reduction | 20% shared |       |            | (4.0)    |
| Hotel                         | 89         | 1.0   | Unit       | 89.0     |
| Condo                         | 29         | 2.0   | Unit       | 58.0     |
| Total Required                |            |       |            | 261.3    |
|                               |            |       | # Provided | 287.0    |
| Lower Level Parking           |            |       | 122        |          |
| Street Level Parking          |            |       | 81         |          |
| Mezzanine Level Parking       |            |       | 84         |          |
| Total provided                |            |       | 287        |          |

Material Per Elevation

| WEST MATERIAL PERCENTAGE     |     |
|------------------------------|-----|
| MATERIAL                     | %   |
| LAP SIDING & TRIM            | 34% |
| GLAZING                      | 30% |
| CORNICE - GLAS FIBER PROFILE | 15% |
| STONE                        | 2%  |
| FABRIC AWNING                | 2%  |
| SHUTTERS                     | 3%  |
| METAL PANEL                  | 4%  |
| ASHPALT SHINGLES             | 10% |

| SOUTH MATERIAL PERCENTAGE    |     |
|------------------------------|-----|
| MATERIAL                     | %   |
| LAP SIDING & TRIM            | 29% |
| GLAZING                      | 43% |
| CORNICE - GLAS FIBER PROFILE | 15% |
| STONE                        | 2%  |
| FABRIC AWNING                | 2%  |
| SHUTTERS                     | 0%  |
| METAL PANEL                  | 4%  |
| ASHPALT SHINGLES             | 5%  |

| EAST MATERIAL PERCENTAGE     |     |
|------------------------------|-----|
| MATERIAL                     | %   |
| LAP SIDING & TRIM            | 48% |
| GLAZING                      | 20% |
| CORNICE - GLAS FIBER PROFILE | 9%  |
| STONE                        | 6%  |
| FABRIC AWNING                | 0%  |
| SHUTTERS                     | 4%  |
| METAL PANEL                  | 1%  |
| ASHPALT SHINGLES             | 12% |

| NORTH MATERIAL PERCENTAGE    |     |
|------------------------------|-----|
| MATERIAL                     | %   |
| LAP SIDING & TRIM            | 56% |
| GLAZING                      | 22% |
| CORNICE - GLAS FIBER PROFILE | 10% |
| STONE                        | 6%  |
| FABRIC AWNING                | 0%  |
| SHUTTERS                     | 1%  |
| METAL PANEL                  | 1%  |
| ASHPALT SHINGLES             | 4%  |

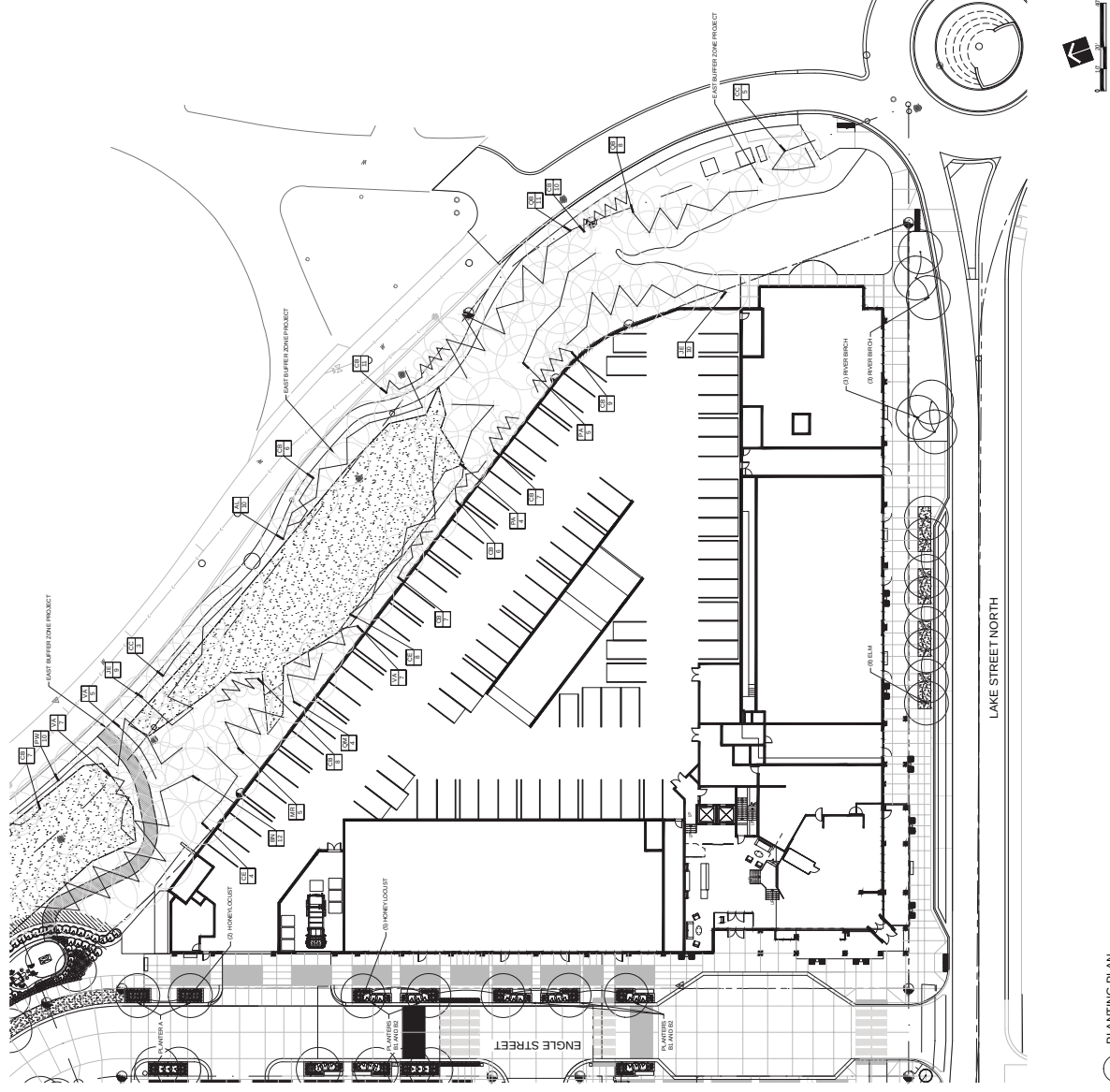


# Site Plan

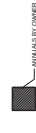
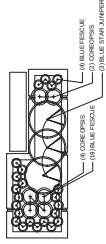


# Planting Plan

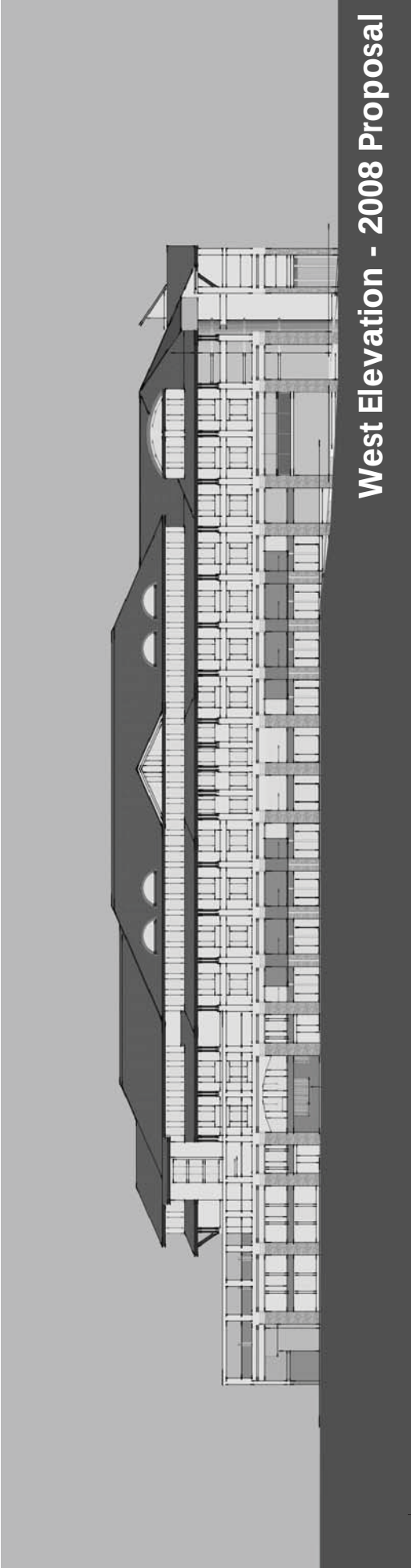
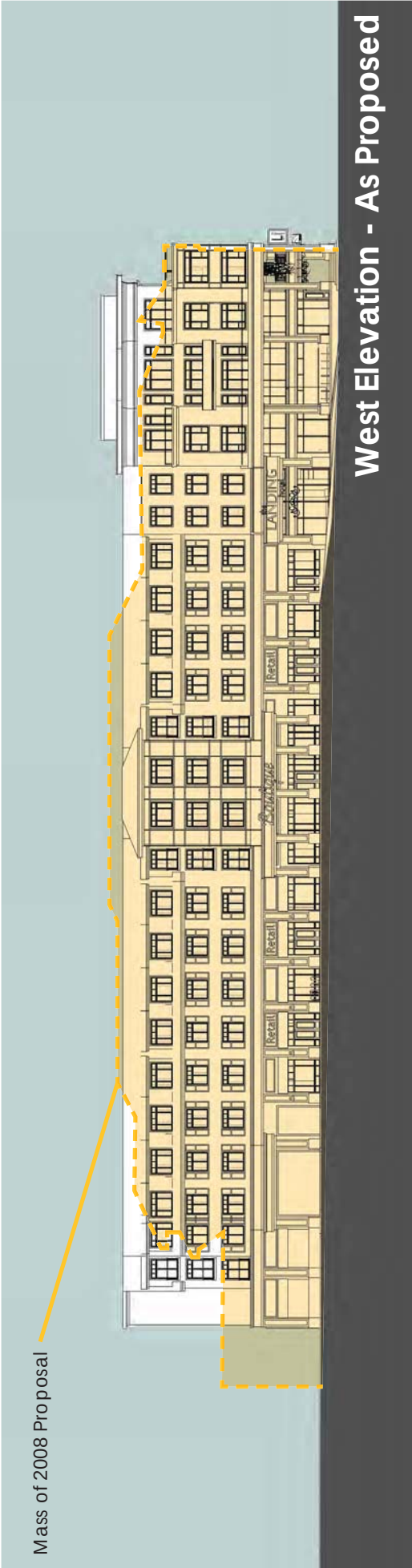
# Planting Plan



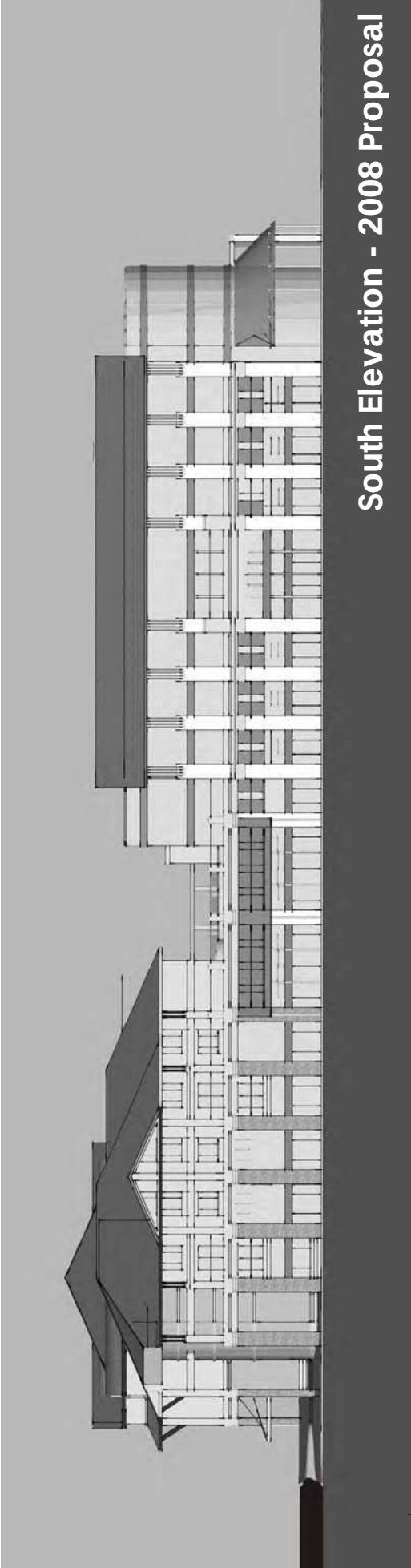
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# Appendix A - Elevation Comparisons with 2008 Plan

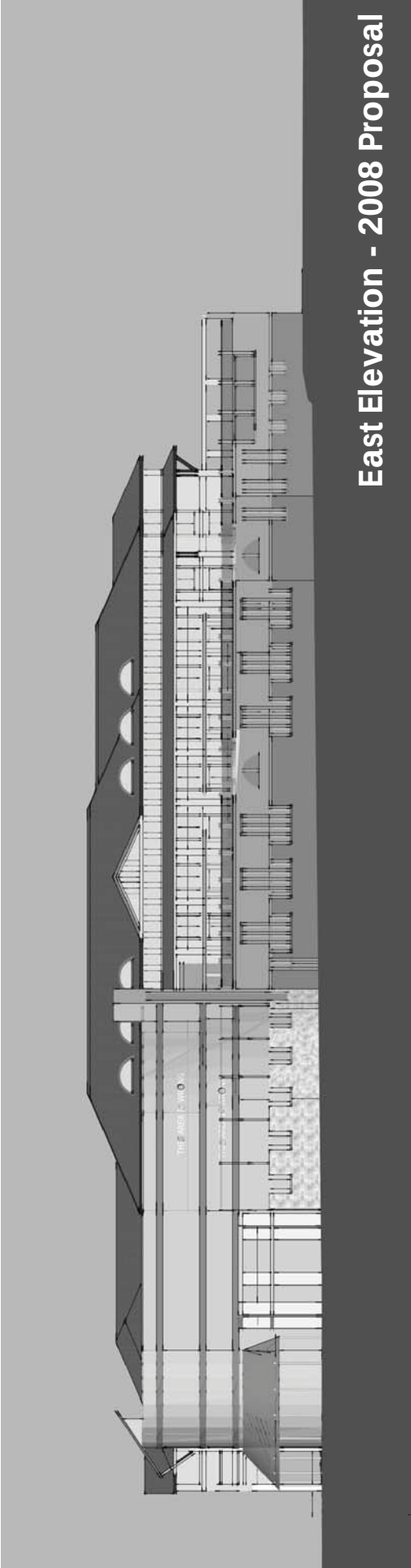


# Appendix A - Elevation Comparisons with 2008 Plan

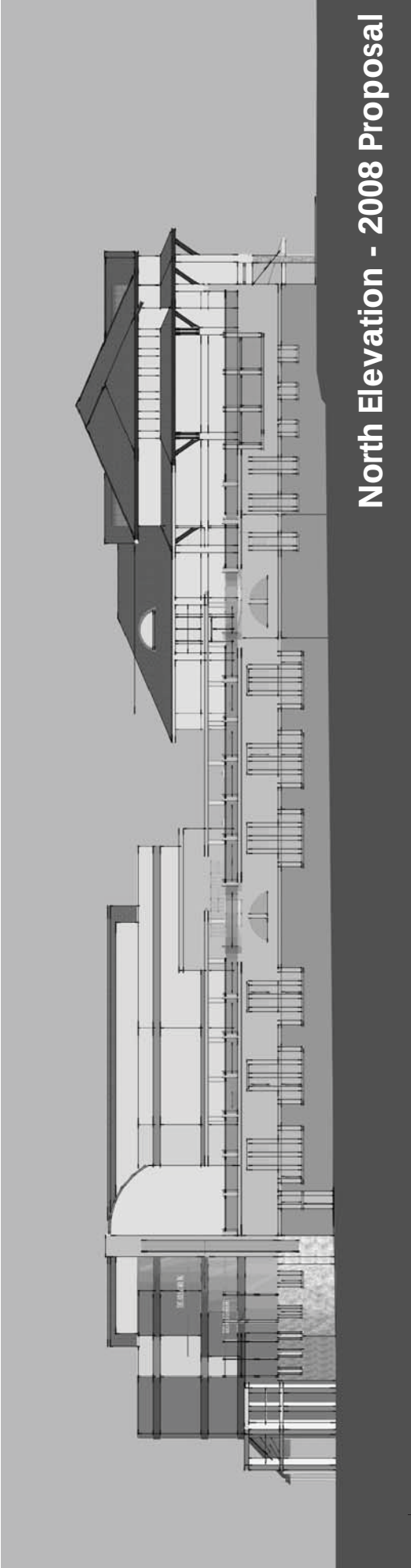




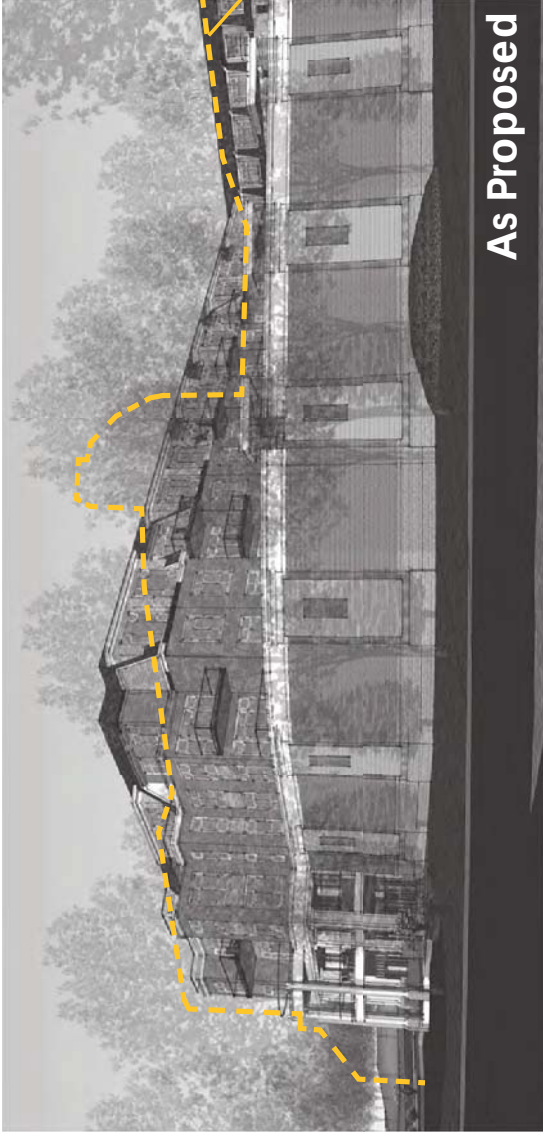
# Appendix A - Elevation Comparisons with 2008 Plan



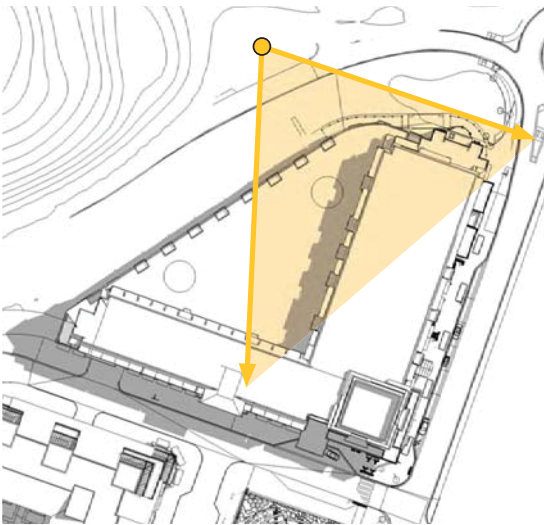
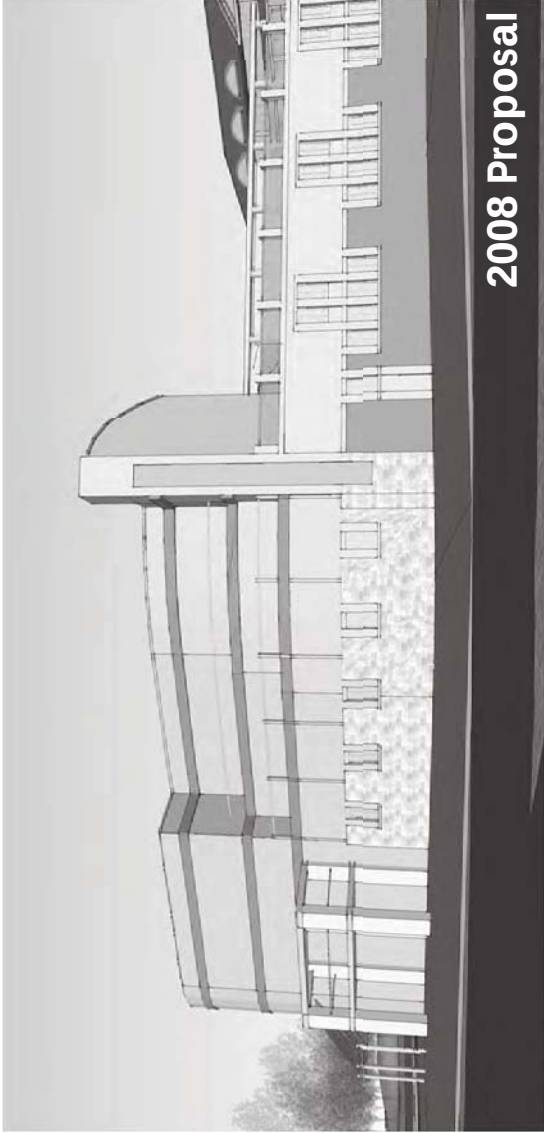
# Appendix A - Elevation Comparisons with 2008 Plan



# Appendix B - Sitaline Study Comparisons with 2008 Plan Comparison A



Mass of 2008 Proposal

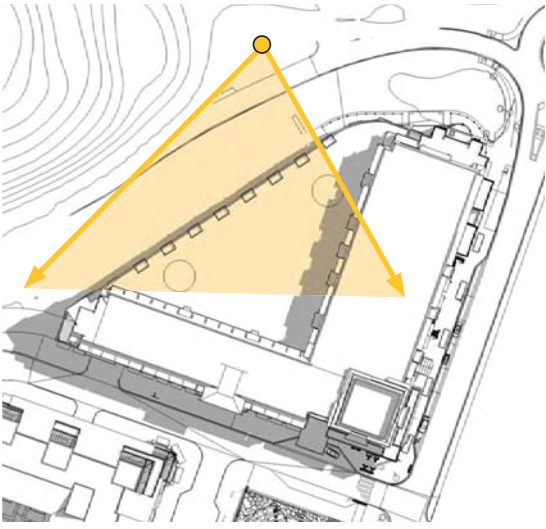
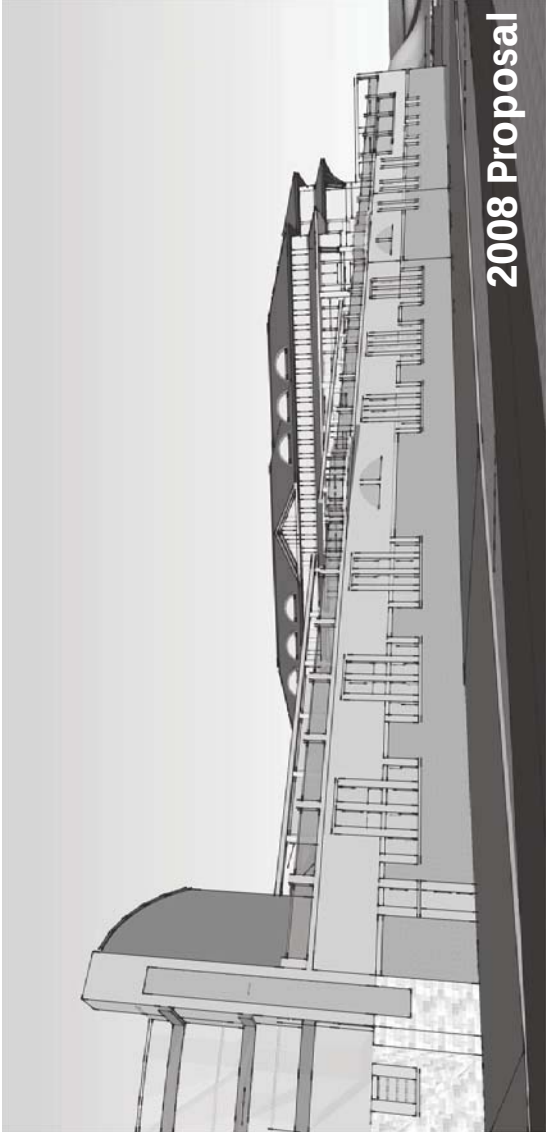




# Appendix B - Siltline Study Comparisons with 2008 Plan Comparison B



Mass of 2008 Proposal

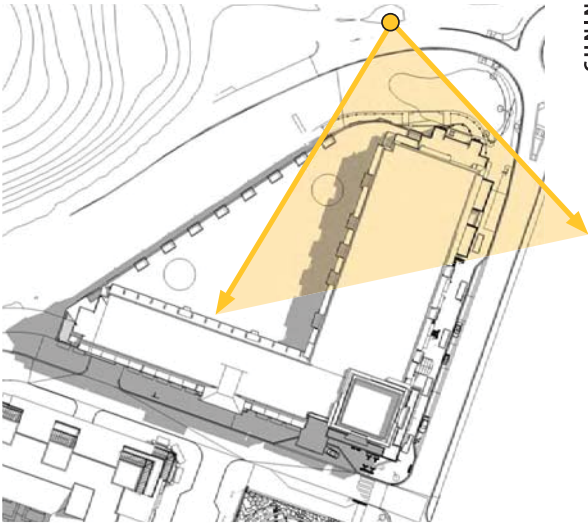
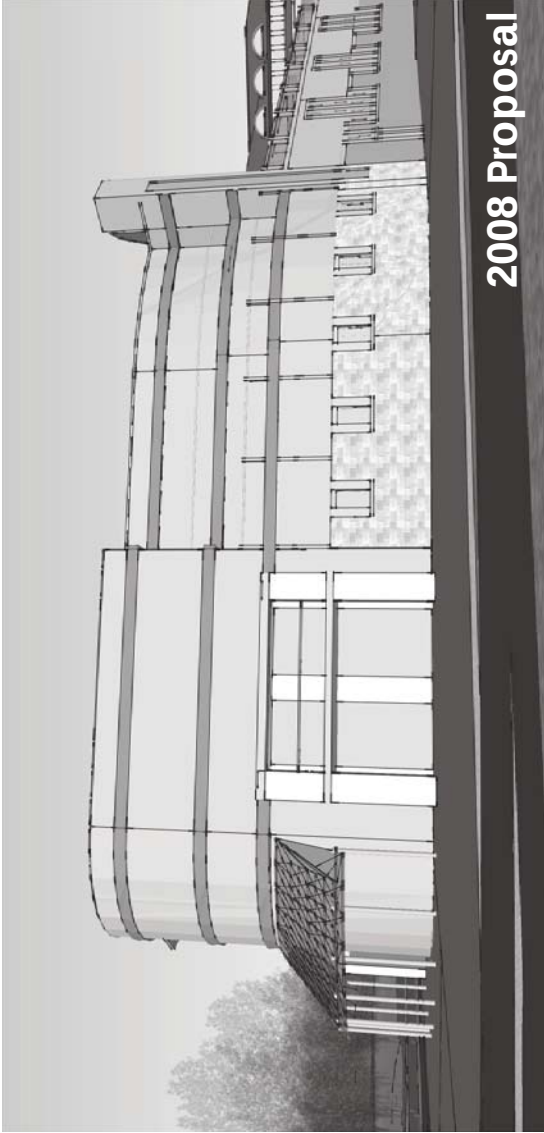


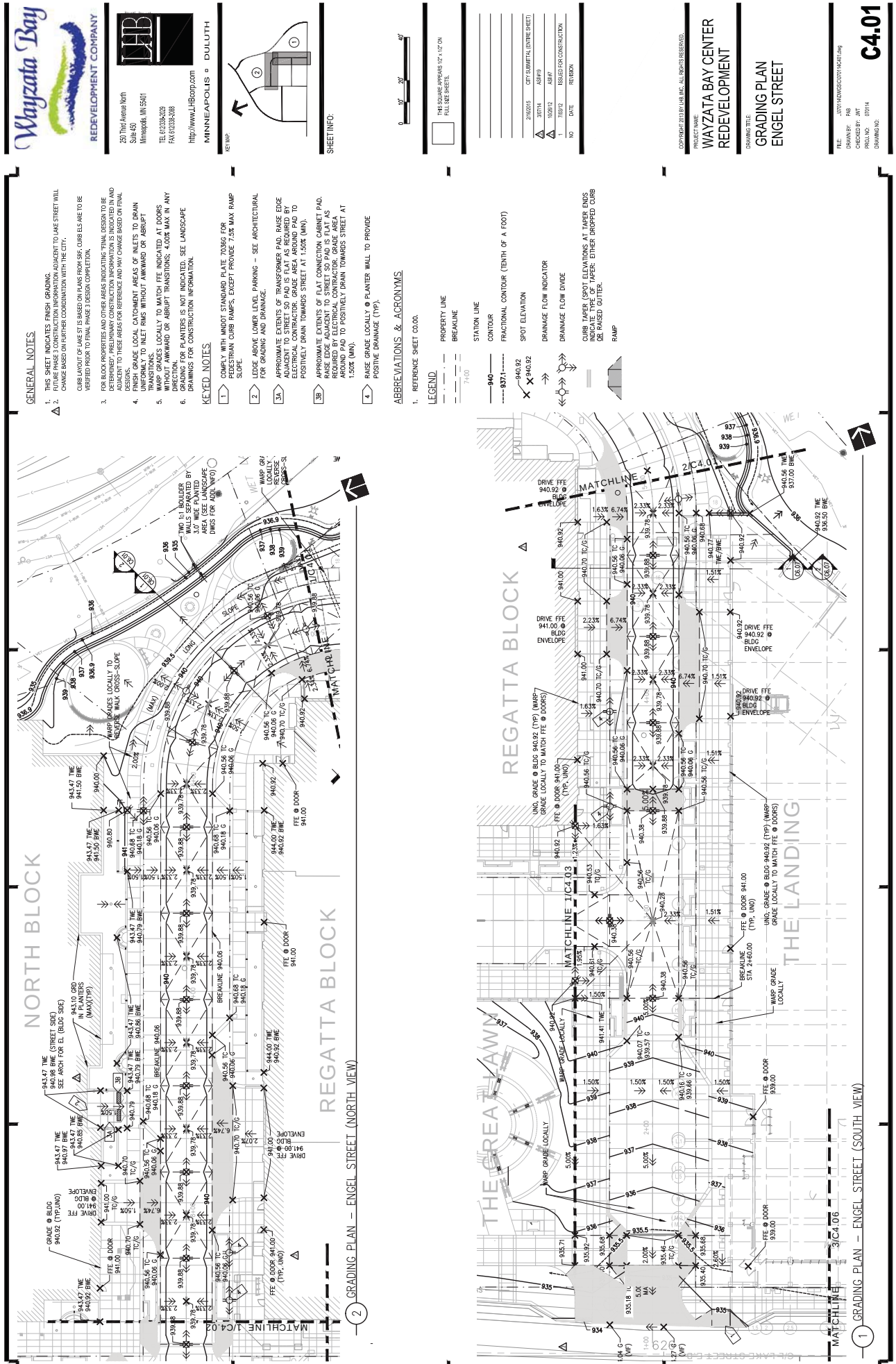


# Appendix B - Sitaline Study Comparisons with 2008 Plan Comparison C



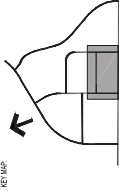
Mass of 2008 Proposal







MINNEAPOLIS • DULUTH



SHEET INFO:



THE SURFACE SPANS 12' 11" ON  
TWO 6" BEAMS.

|        |                             |
|--------|-----------------------------|
| 210515 | CITY LAMBERT (ENTIRE SHEET) |
| 210514 | ASHPD                       |
| 210513 | ASHPD                       |
| 210512 | ASHPD (ENTIRE SHEET)        |
| 210511 | REVISION                    |

PROJECT NAME  
**WAYZATA BAY CENTER  
REDEVELOPMENT**

GRADING PLAN LAKE  
STREET NORTH, AND  
GRADING & UTILITY PLAN  
THE GREAT LAWN

FILE NO. 2015-14000000000000000000  
CHECKED BY: BT  
PROJECT NO. 070114  
DRAWING NO. C4.03

GENERAL NOTES

- THIS SHEET INDICATES FINISH GRADING FOR LAKE STREET NORTH (AKA, PLAZA STREET) AND THE GREAT LAWN, AND STORM SEWER FOR THE GREAT LAWN. SEE C5.05 FOR UTILITY PLAN & PROFILE FOR THE GREAT LAWN.
- GRADING FOR THE GREAT LAWN IS BASED ON PLANS FROM SRF GENERAL VERIFIED BY SURVEY. CURB ELEVATIONS ARE BASED ON SURVEY. SEE LOCAL CATCHMENT AREAS OF INLETS TO DRAIN UNIFORMITY TO INLET RIMS WITHOUT ABRUPT OR ABRUPT TRANSITIONS.
- GRADING FOR PLANTERS IS NOT INDICATED. SEE LANDSCAPE DRAWINGS FOR CONSTRUCTION INFORMATION.

KEYED NOTES

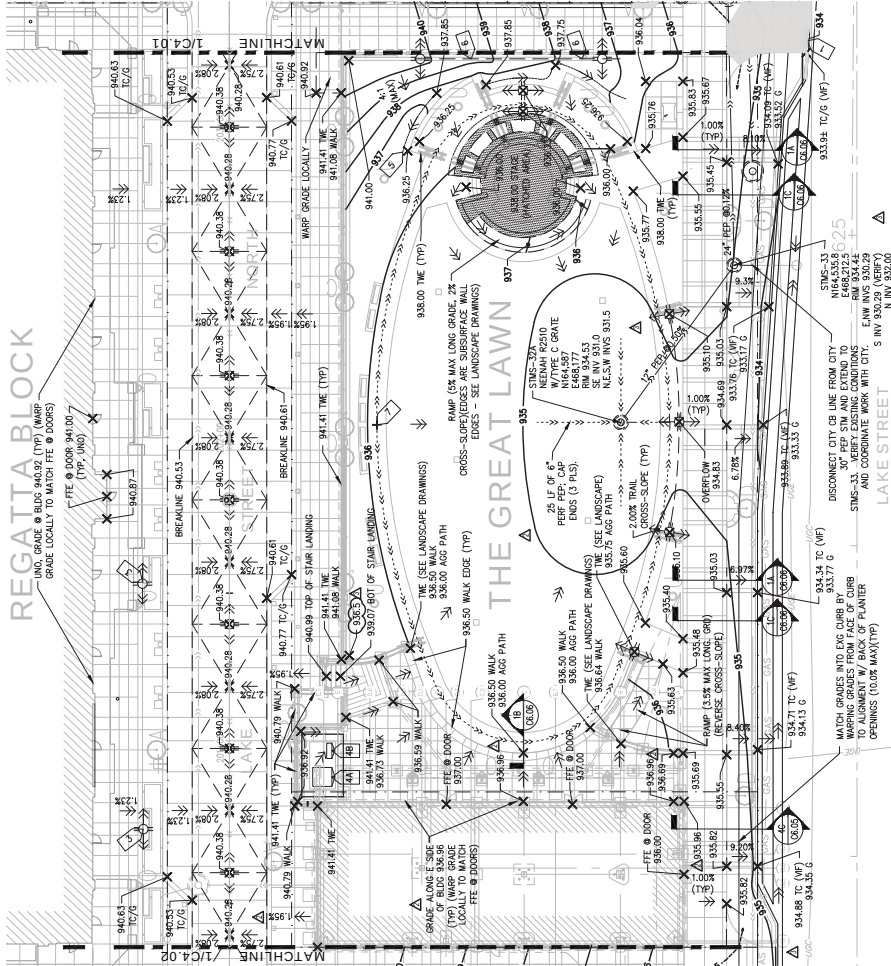
1. THIS SHEET INDICATES FINISH GRADING FOR LAKE STREET NORTH (AKA, PLAZA STREET) AND THE GREAT LAWN, AND STORM SEWER FOR THE GREAT LAWN. SEE C5.05 FOR UTILITY PLAN & PROFILE FOR THE GREAT LAWN.
2. GRADING FOR THE GREAT LAWN IS BASED ON PLANS FROM SRF GENERAL VERIFIED BY SURVEY. CURB ELEVATIONS ARE BASED ON SURVEY. SEE LOCAL CATCHMENT AREAS OF INLETS TO DRAIN UNIFORMITY TO INLET RIMS WITHOUT ABRUPT OR ABRUPT TRANSITIONS.
3. GRADING FOR PLANTERS IS NOT INDICATED. SEE LANDSCAPE DRAWINGS FOR CONSTRUCTION INFORMATION.
4. THIS SHEET INDICATES FINISH GRADING FOR LAKE STREET NORTH (AKA, PLAZA STREET) AND THE GREAT LAWN, AND STORM SEWER FOR THE GREAT LAWN. SEE C5.05 FOR UTILITY PLAN & PROFILE FOR THE GREAT LAWN.
5. GRADING FOR THE GREAT LAWN IS BASED ON PLANS FROM SRF GENERAL VERIFIED BY SURVEY. CURB ELEVATIONS ARE BASED ON SURVEY. SEE LOCAL CATCHMENT AREAS OF INLETS TO DRAIN UNIFORMITY TO INLET RIMS WITHOUT ABRUPT OR ABRUPT TRANSITIONS.
6. GRADING FOR PLANTERS IS NOT INDICATED. SEE LANDSCAPE DRAWINGS FOR CONSTRUCTION INFORMATION.
7. THIS SHEET INDICATES FINISH GRADING FOR LAKE STREET NORTH (AKA, PLAZA STREET) AND THE GREAT LAWN, AND STORM SEWER FOR THE GREAT LAWN. SEE C5.05 FOR UTILITY PLAN & PROFILE FOR THE GREAT LAWN.

ABBREVIATIONS & ACRONYMS

1. REFERENCE SHEET C0.00.

LEGEND

- PROPERTY LINE
- BREAKLINE
- STATION LINE
- CONTOUR
- FRACTIONAL CONTOUR (TENTH OF A FOOT)
- SPOT ELEVATION
- DRAINAGE FLOW INDICATOR
- DRAINAGE FLOW DIVIDE
- CURB TAPER (SPOT ELEVATIONS AT TAPER ENDS INDICATED BY TAPER AFTER EITHER UNRAISED CORB OR RAISED GUTTER.
- RAMP
- STORM SEWER
- UTILITY STRUCTURE

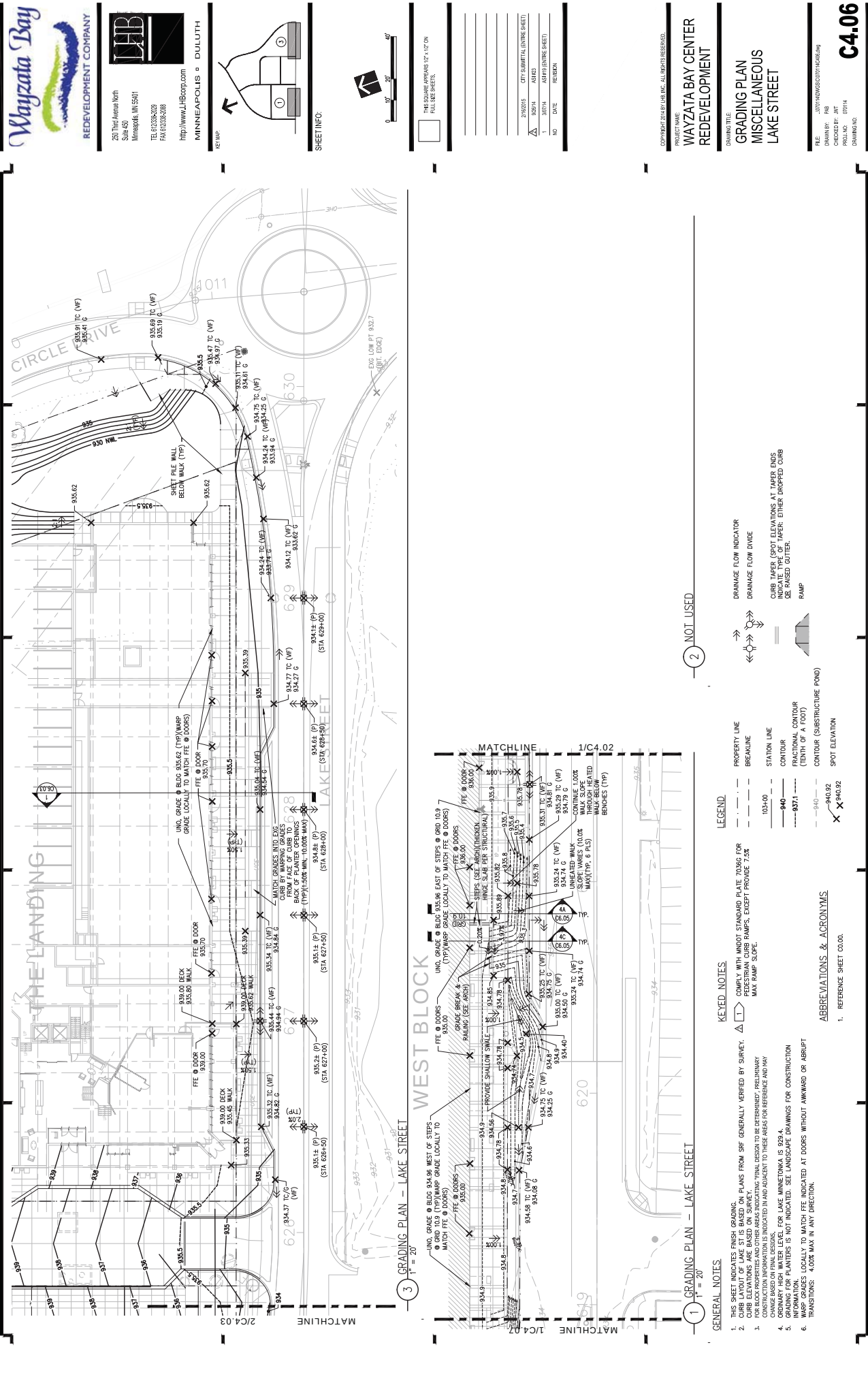








Attachment A: 2015 Requested Design Modifications







**Landings parking narrative** 3/9/15

The following is a summary of the parking analysis for the east block that reflects both the evolution of the shared parking factors that more accurately reflect the parking usage characteristics of a very walkable downtown Wayzata and the proposed uses in the east block including the operational needs of a high quality boutique hotel and quality restaurant, typical retail space and high end condominiums in a portion of the project.

We combined Hay Creek Hospitality's experience in operating similar hotel and restaurant projects in small walkable areas with the latest parking evaluation information provided by Jim Lasher of LSA Design in preparing this parking narrative.

We are attaching three tables that show a comparative analysis of three parking analysis approaches. Table A illustrates the parking required/provided based on the current ordinance with standard shared parking reductions that have been utilized in the recent past, Table B illustrates the general criteria that has been utilized on the first four buildings in the Promenade and Table C illustrates the recommendations being proposed by Jim Lasher.

Hay Creek's experience with the parking space utilization is that the spaces being provided are more than adequate when factoring in the cross utilization with the high degree of walkability of downtown Wayzata and the compact nature of the Promenade. They did, however, feel the need to offer valet service to both the hotel and restaurant guests during peak times and when they may be hosting special events such as wedding receptions or corporate events. We are also attaching an exhibit that illustrates the initial plan for utilizing a portion of the lower level parking area as a "valet only" area. This will increase the parking capacity of that area by 63% or an additional 34 parking spaces. If we find that during summertime peak season we have more than one special event taking place, we have the flexibility to increase the parking capacity further by designating more area as "valet only" and utilizing a shuttle bus from an off-site location for hotel and restaurant employees.



## Attachment B

|                                                                         |        |        |      |            |          |          |
|-------------------------------------------------------------------------|--------|--------|------|------------|----------|----------|
| Landing Parking summary                                                 |        | 3/9/15 |      |            |          |          |
| <b>Table A</b>                                                          |        |        |      |            |          |          |
| (Per PUD & current ordinance with typical shared use reduction factors) |        |        |      |            |          |          |
| Use                                                                     | Unit   | Ratio  | Per  |            | Required | Provided |
| Retail                                                                  | 14,120 | 1.0    | 250  | SF         | 56.5     | 57.0     |
| Restaurant                                                              |        |        |      |            |          |          |
| Dining area                                                             | 2,249  | 1.0    | 40   | SF         | 56.2     |          |
| Kitchen area                                                            | 2,201  | 1.0    | 80   | SF         | 27.5     |          |
| Upper seating                                                           | 1,114  | 1.0    | 40   | SF         | 27.9     |          |
| Less shared parking reduction 35%                                       |        |        |      |            | (39.1)   |          |
|                                                                         |        |        |      |            | 72.5     | 73.0     |
| Spa                                                                     | 3,976  | 1.0    | 250  | SF         | 15.9     |          |
| Less shared parking reduction 35%                                       |        |        |      |            | (5.6)    |          |
|                                                                         |        |        |      |            | 10.3     | 10.0     |
| Hotel                                                                   | 89     | 1.0    | Unit |            | 89.0     | 89.0     |
| Condo                                                                   | 29     | 2.0    | Unit |            | 58.0     | 58.0     |
| Total Required                                                          |        |        |      |            | 286.3    | 287.0    |
|                                                                         |        |        |      | # Provided |          |          |
| Lower Level Parking                                                     |        |        | 122  |            |          |          |
| Street Level Parking                                                    |        |        | 81   |            |          |          |
| Mezzanine Level Parking                                                 |        |        | 84   |            |          |          |
| Total provided                                                          |        |        | 287  |            |          |          |
| Plus additional valet parking                                           |        |        | 34   |            |          |          |
| Total provided inc. valet parking                                       |        |        | 321  |            |          |          |

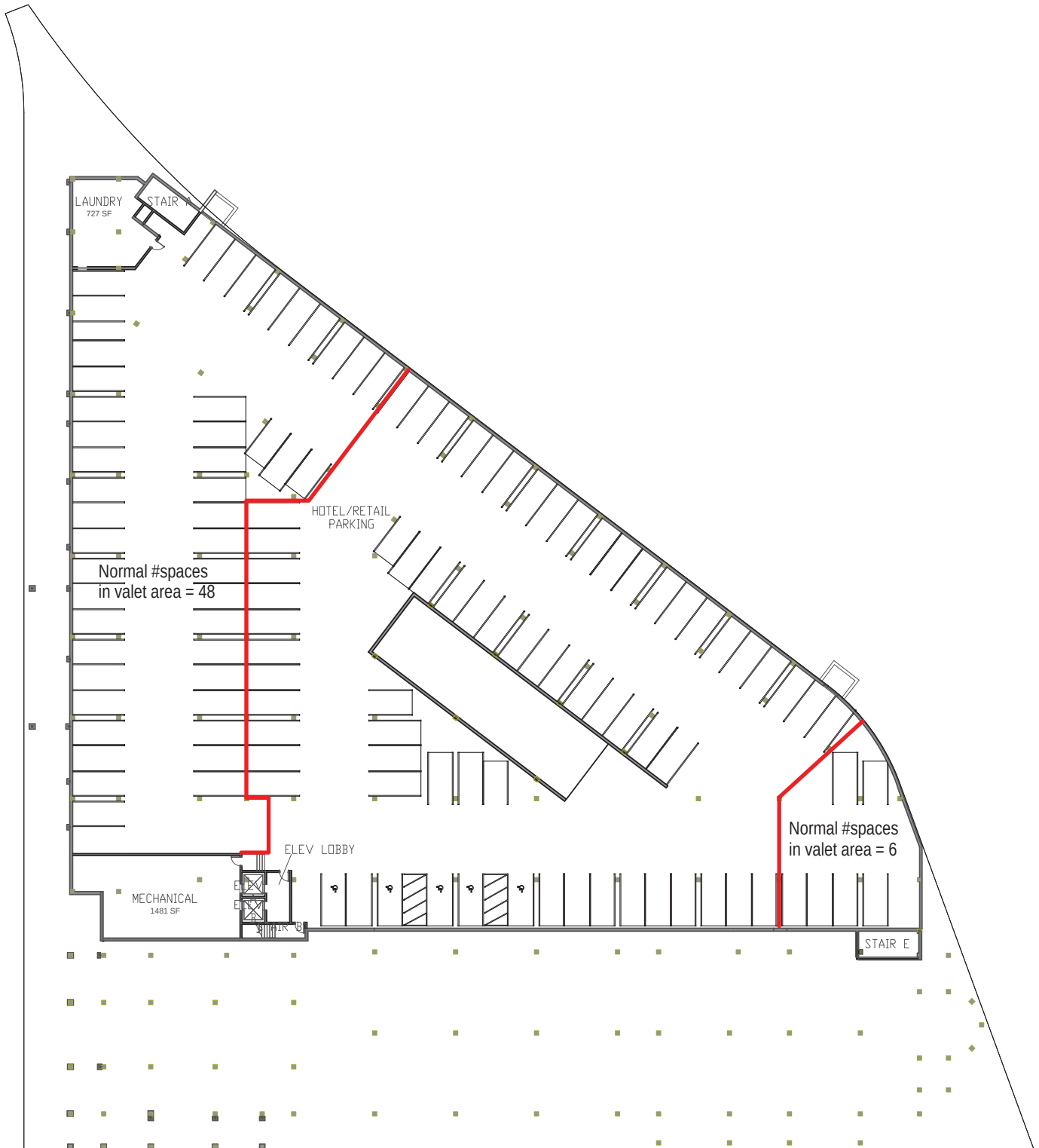
## Attachment B

|                                                                                        |        |        |            |    |          |          |
|----------------------------------------------------------------------------------------|--------|--------|------------|----|----------|----------|
| Landing Parking summary                                                                |        | 3/9/15 |            |    |          |          |
| <b>Table B</b>                                                                         |        |        |            |    |          |          |
| (Utilizing large project blended parking ratio that has been applied to the Promenade) |        |        |            |    |          |          |
| Use                                                                                    | Unit   | Ratio  | Per        |    | Required | Provided |
| Retail/Restaurant                                                                      | 19,684 | 1.0    | 200        | SF | 98.4     | 120.0    |
| "Blended ratio"                                                                        |        |        |            |    |          |          |
| Spa                                                                                    | 3,976  | 1.0    | 200        | SF | 19.9     | 20.0     |
| Hotel                                                                                  | 89     | 1.0    | Unit       |    | 89.0     | 89.0     |
| Condo                                                                                  | 29     | 2.0    | Unit       |    | 58.0     | 58.0     |
| Total Required                                                                         |        |        |            |    | 265.3    | 287.0    |
|                                                                                        |        |        | # Provided |    |          |          |
| Lower Level Parking                                                                    |        |        | 122        |    |          |          |
| Street Level Parking                                                                   |        |        | 81         |    |          |          |
| Mezzanine Level Parking                                                                |        |        | 84         |    |          |          |
| Total provided                                                                         |        |        | 287        |    |          |          |
| Plus additional valet parking                                                          |        |        | 34         |    |          |          |
| Total provided inc. valet parking                                                      |        |        | 321        |    |          |          |

## Attachment B

|                                                                      |        |        |            |      |          |          |
|----------------------------------------------------------------------|--------|--------|------------|------|----------|----------|
| Landing Parking summary                                              |        | 3/9/15 |            |      |          |          |
| <b>Table C</b>                                                       |        |        |            |      |          |          |
| (Parking analysis per Jim Lasher, LSA Design recommendations)        |        |        |            |      |          |          |
| Use                                                                  | Unit   | Ratio  | Per        |      | Required | Provided |
| Retail (3.9/1000)                                                    | 14,120 | 1.0    | 256.4      | SF   | 55.1     | 59.0     |
| Restaurant                                                           |        |        |            |      |          |          |
| Dining area (15.2/1000)                                              | 2,249  | 1.0    | 65.8       | SF   | 34.2     |          |
| Kitchen area (7.6/1000)                                              | 2,201  | 1.0    | 131.6      | SF * | 16.7     |          |
| Upper seating (15.2/1000)                                            | 1,114  | 1.0    | 65.8       | SF   | 16.9     |          |
| Total for restaurant                                                 |        |        |            |      | 67.8     | 72.0     |
| Spa                                                                  | 3,976  | 1.0    | 250        | SF   | 15.9     |          |
| Less shared parking reduction 45%                                    |        |        |            |      | (7.2)    |          |
|                                                                      |        |        |            |      | 8.7      | 9.0      |
| Hotel                                                                | 89     | 1.0    | Unit       |      | 89.0     | 89.0     |
| Condo                                                                | 29     | 2.0    | Unit       |      | 58.0     | 58.0     |
| Total Required                                                       |        |        |            |      | 278.7    | 287.0    |
| * (Kitchen parking ratio adjusted to be proportional to dining area) |        |        |            |      |          |          |
|                                                                      |        |        |            |      |          |          |
|                                                                      |        |        | # Provided |      |          |          |
| Lower Level Parking                                                  |        |        | 122        |      |          |          |
| Street Level Parking                                                 |        |        | 81         |      |          |          |
| Mezzanine Level Parking                                              |        |        | 84         |      |          |          |
| Total provided                                                       |        |        | 287        |      |          |          |
| Plus additional valet parking                                        |        |        | 34         |      |          |          |
| Total provided inc. valet parking                                    |        |        | 321        |      |          |          |

## Attachment B



Landings lower level valet parking  
areas with standard spaces shown

3/8/15



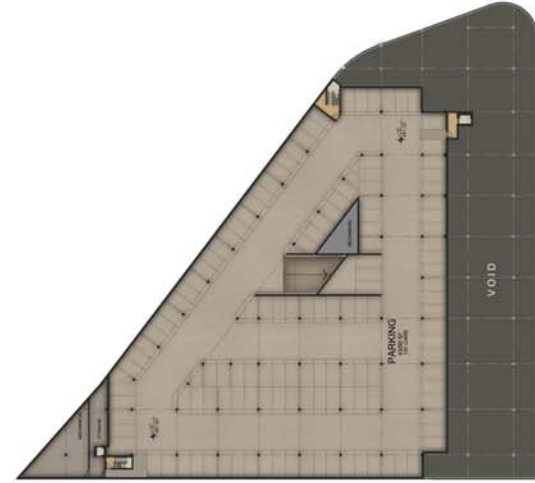
## Attachment B



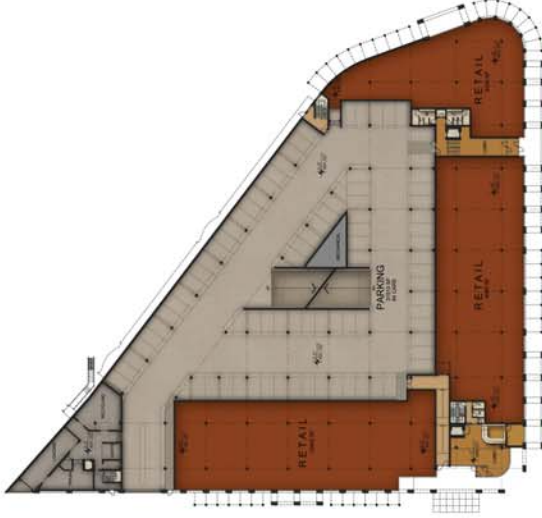
Landings - potential lower level  
valet parking layout (88 spaces  
vs 54 spaces, gain of 34 spaces)

3/8/15

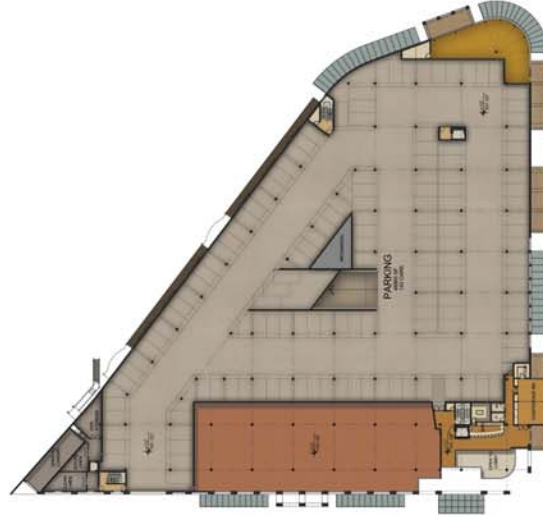
Attachment C: 2008 East Block Design Submittals



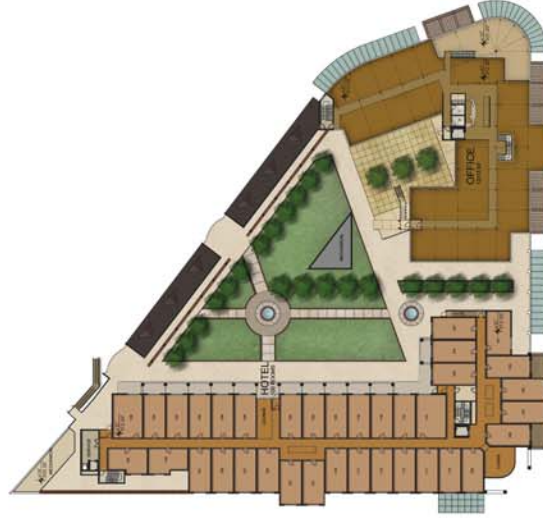
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Parking



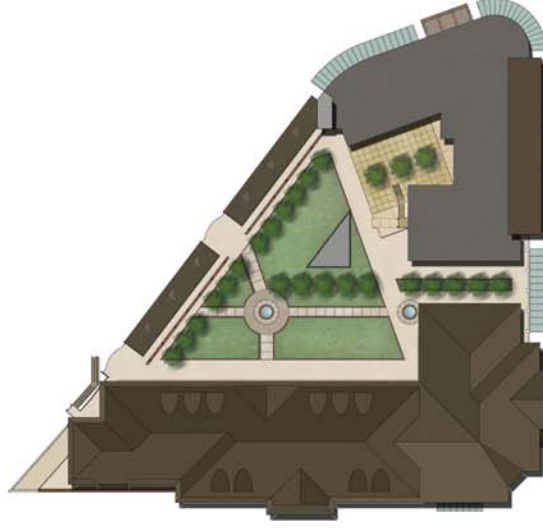
LEVEL 0  
Retail - Parking



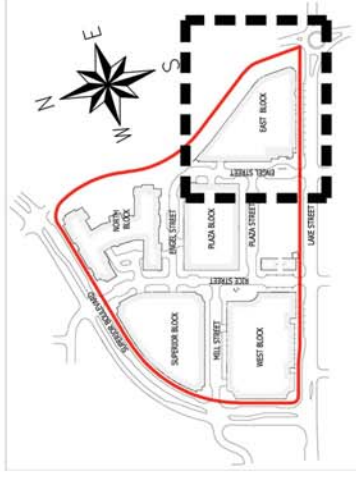
LEVEL +1  
Retail - Parking



LEVEL +2  
Podium - Hotel and Office



ROOF PLAN



CONSULTANTS

DAN IONESCU ARCHITECTS & PLANNERS  
911 BOREL PLACE, SUITE 200  
SAN MARINO, CALIFORNIA 91762

INSITE ARCHITECTS  
1101 WEST RIVER PARKWAY, SUITE 300  
MINNEAPOLIS, MN 55415

LHB, INC.  
250 THIRD AVENUE NORTH, SUITE 450  
MINNEAPOLIS, MINNESOTA 55401

GENERAL PLAN  
SUBMITTAL

**PRELIMINARY**  
NOT FOR CONSTRUCTION  
03-31-2008

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PROJECT NAME

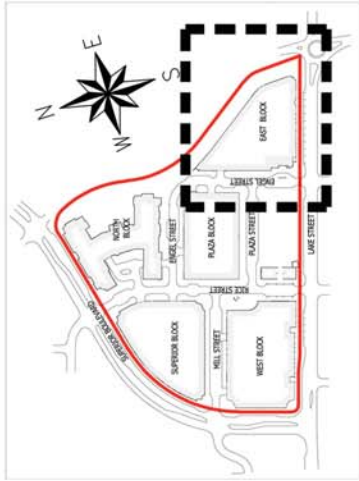
WAYZATA BAY  
CENTER

DRAWING TITLE

FLOOR PLANS  
EAST BLOCK

DRAWN BY  
CHECKED BY  
PROJECT NO.

**E1.00**



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LHB, INC.  
250 THIRD AVENUE NORTH, SUITE 450  
MINNEAPOLIS, MINNESOTA 55401

GENERAL PLAN  
SUBMITTAL

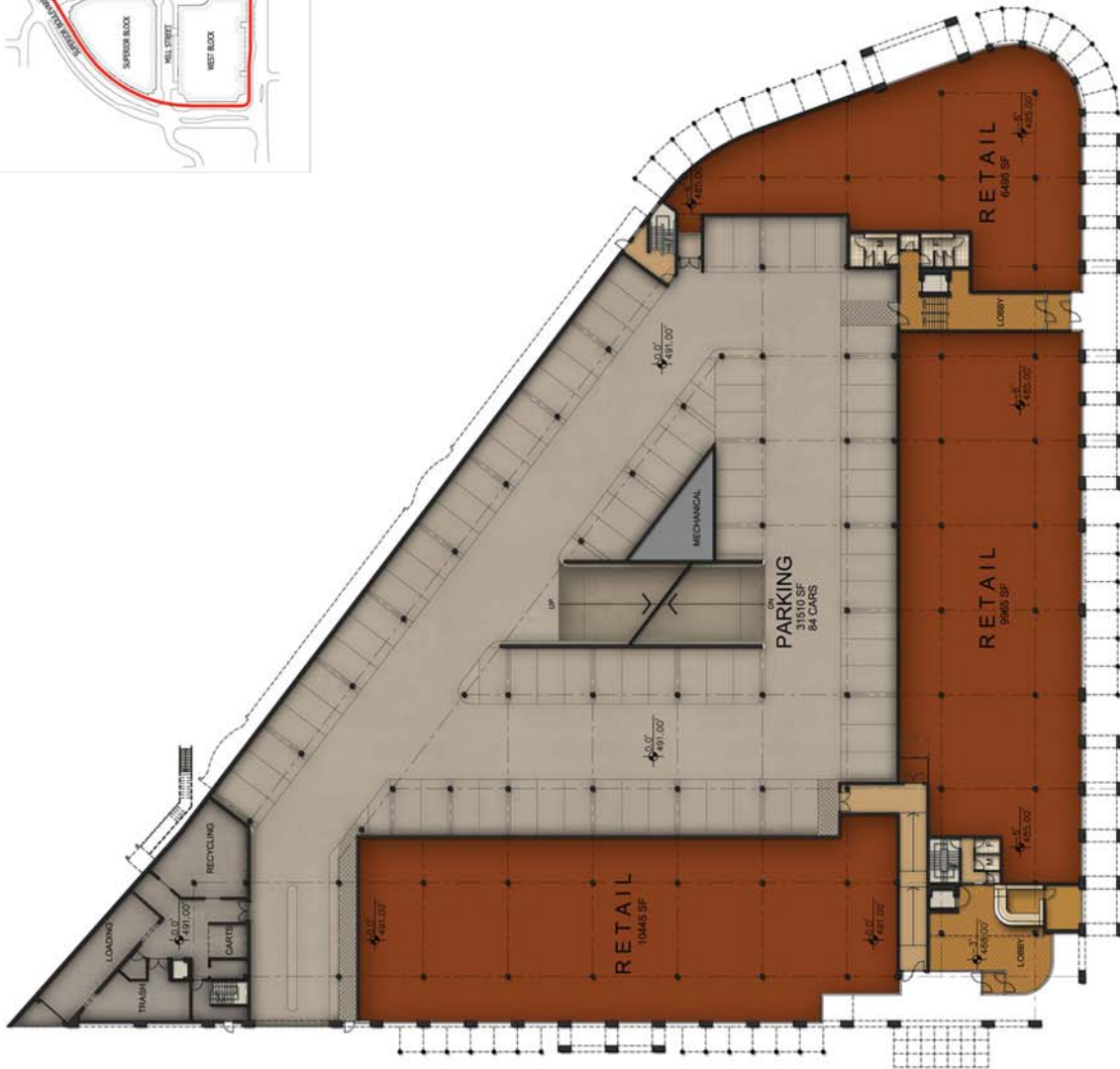
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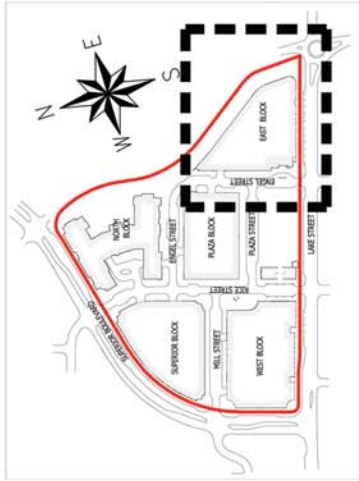
WAYZATA BAY  
CENTER

LEVEL 0 FLOOR PLAN  
Parking and Retail  
EAST BLOCK

**E1.01**







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MINNEAPOLIS, MN 55415

LHB, INC.  
250 THIRD AVENUE NORTH, SUITE 450  
MINNEAPOLIS, MINNESOTA 55401

GENERAL PLAN  
SUBMITTAL

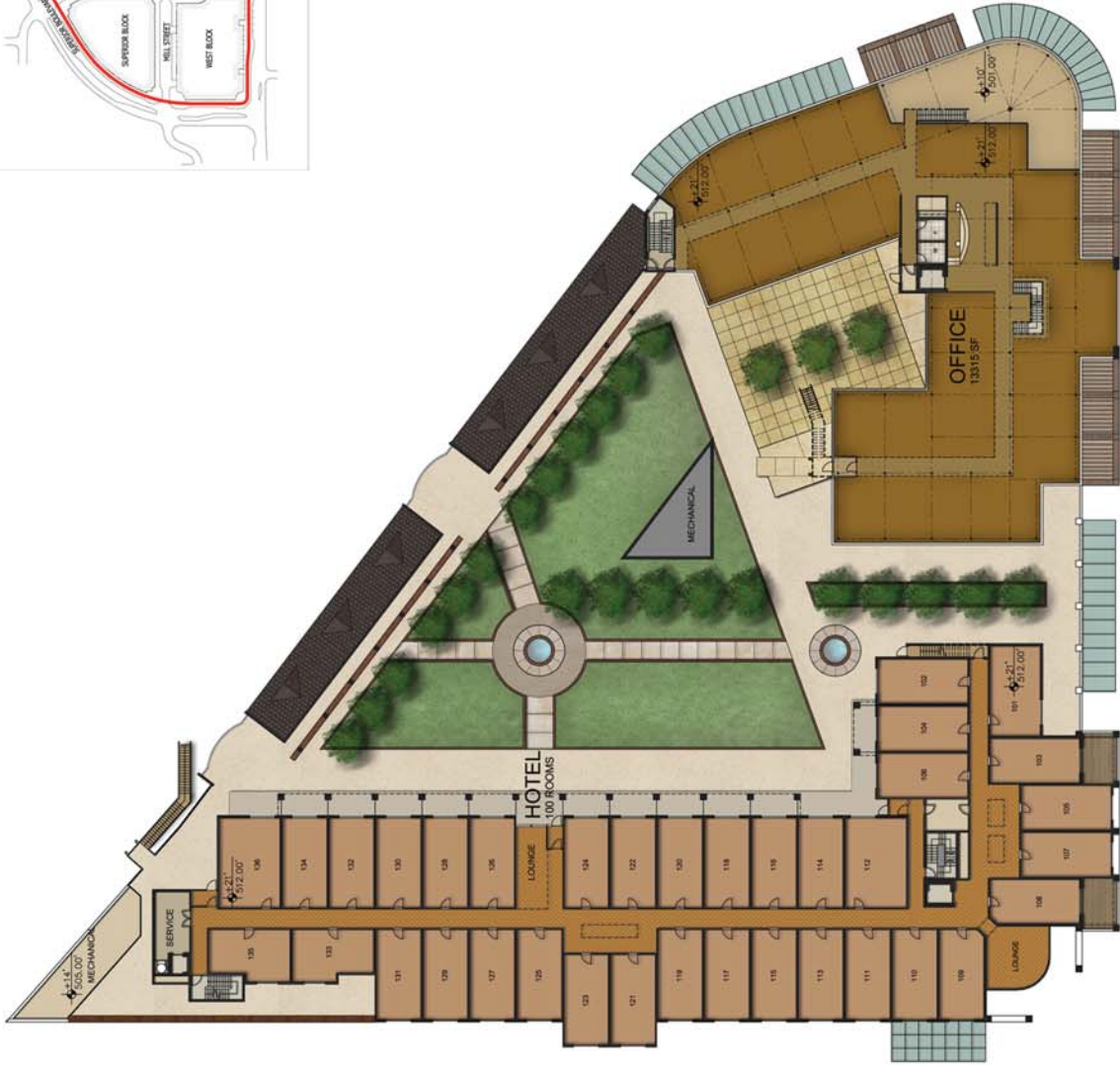
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03-31-2008

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PROJECT NAME

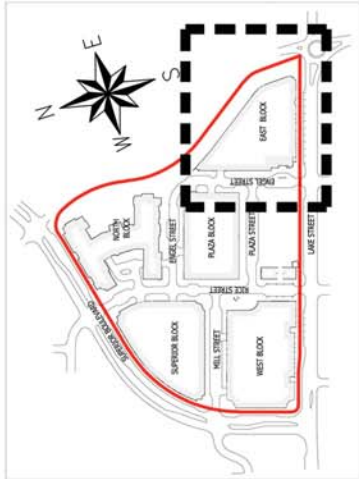
WAYZATA BAY  
CENTER

LEVEL +2 FLOOR PLAN  
Podium -Hotel and Office  
EAST BLOCK

DATE: 03-31-2008  
DRAWN BY: LHB  
CHECKED BY: LHB  
PROJECT NO: E1.02







WEST ELEVATION (Engel Street)



SOUTH ELEVATION (Lake Street)



EAST ELEVATION (Green Belt)



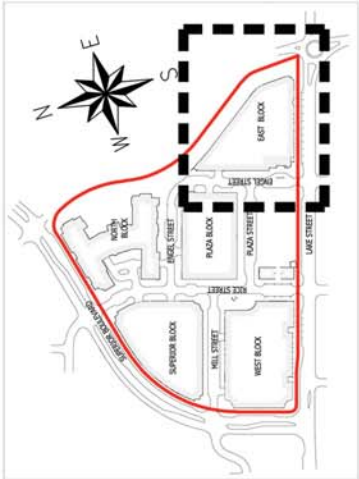
WEST ELEVATION (Engel Street)



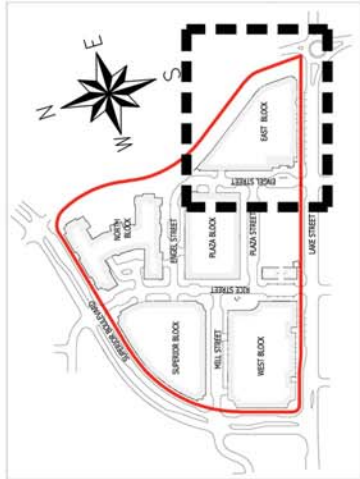
SOUTH ELEVATION (Lake Street)



EAST ELEVATION (Green Belt)







**Wayzata Bay**  
REDEVELOPMENT COMPANY

CONSULTANTS

**DAN JONES ARCHITECTS & PLANNERS**  
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SAN MARINO, CALIFORNIA 94402

**INSITE ARCHITECTS**  
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MINNEAPOLIS, MN 55415

**LHB, INC.**  
250 THIRD AVENUE NORTH, SUITE 450  
MINNEAPOLIS, MINNESOTA 55401

**GENERAL PLAN  
SUBMITTAL**

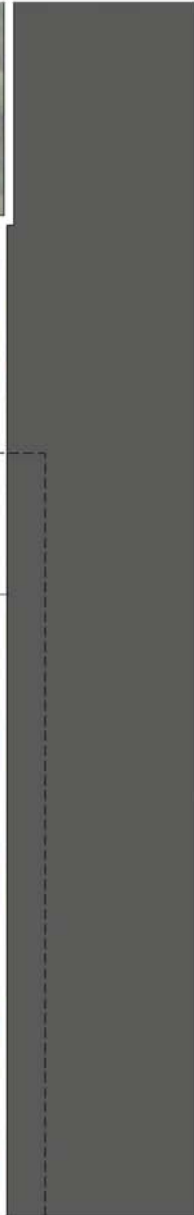
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NOT FOR CONSTRUCTION  
03-31-2008

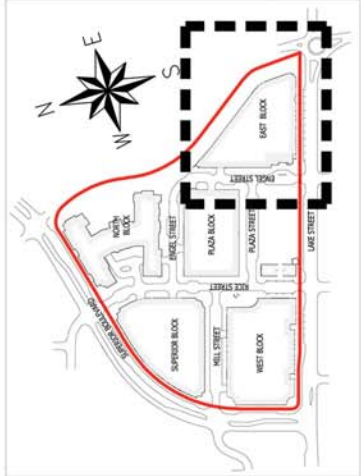
PROJECT NAME

**WAYZATA BAY  
CENTER**

**SOUTH ELEVATION**  
Office Corner Detail  
EAST BLOCK

**E2.02**





**Wayzata Bay**  
REDEVELOPMENT COMPANY

CONSULTANTS

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MINNEAPOLIS, MN 55415

**LHB, INC.**  
250 THIRD AVENUE NORTH, SUITE 450  
MINNEAPOLIS, MINNESOTA 55401

**GENERAL PLAN  
SUBMITTAL**

**PRELIMINARY**  
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03-31-2008

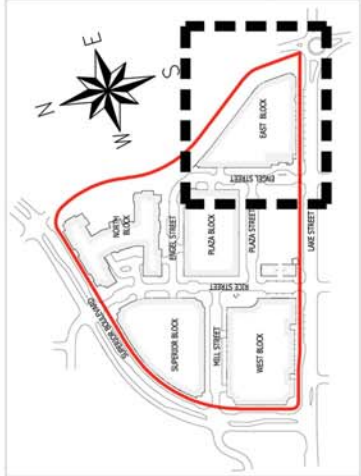
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PROJECT NAME

**WAYZATA BAY  
CENTER**

**SOUTH ELEVATION**  
Hotel Corner Detail  
EAST BLOCK

**E2.03**





**Wayzata Bay**  
REDEVELOPMENT COMPANY

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MINNEAPOLIS, MN 55415

**LHB, INC.**  
250 THIRD AVENUE NORTH, SUITE 450  
MINNEAPOLIS, MINNESOTA 55401

**GENERAL PLAN  
SUBMITTAL**

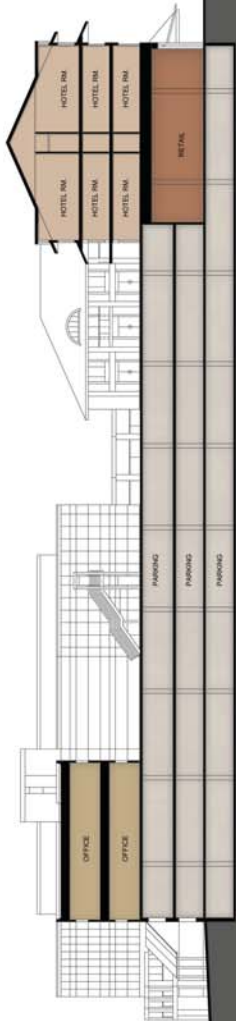
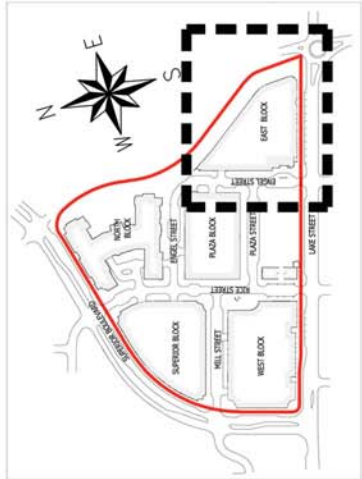
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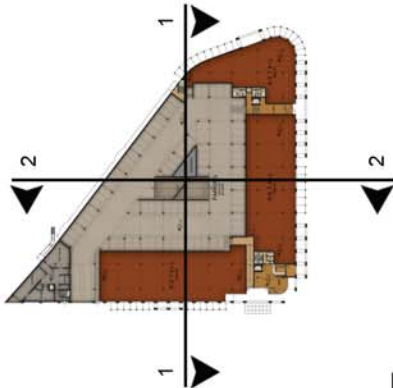
**WAYZATA BAY  
CENTER**

**WEST ELEVATION**  
Hotel Corner Detail  
EAST BLOCK

**E2.04**



SECTION 1



SECTION 2



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911 BOEEL PLACE, SUITE 200  
SAN MARINO, CALIFORNIA 9402

INSITE ARCHITECTS  
1101 WEST RIVER PARKWAY, SUITE 300  
MINNEAPOLIS, MN 55415

LHB, INC.  
250 THIRD AVENUE NORTH, SUITE 450  
MINNEAPOLIS, MINNESOTA 55401

GENERAL PLAN  
SUBMITTAL



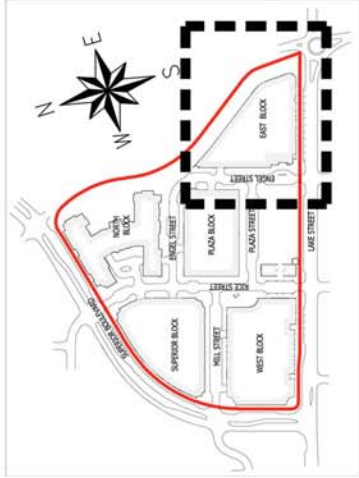
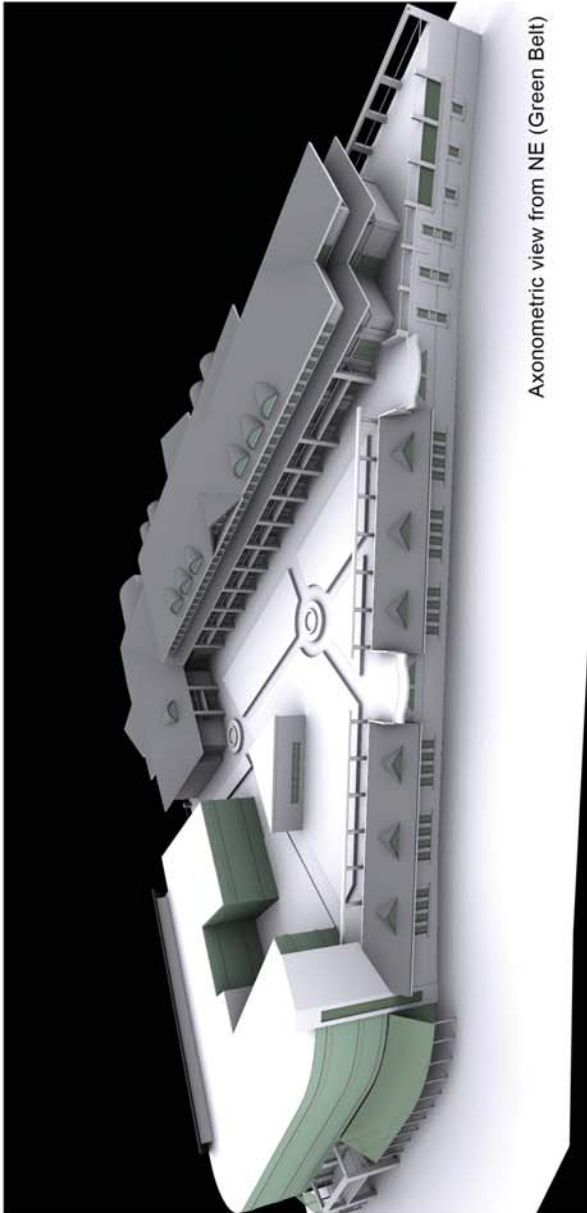
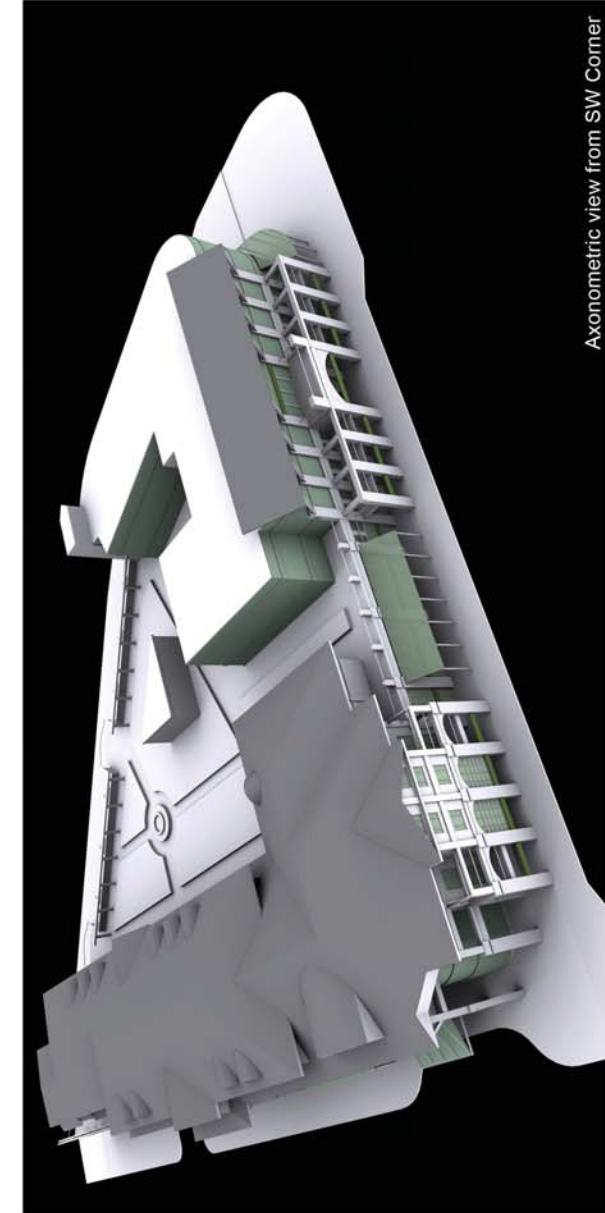
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PROJECT NAME

WAYZATA BAY  
CENTER

DRAWING TITLE

SECTIONS  
EAST BLOCK

DATE: 03-31-2008  
E3.00



**Wayzata Bay**  
REDEVELOPMENT COMPANY

CONSULTANTS

**DAN O'NEAL ARCHITECTS & PLANNERS**  
911 EDEL PACE, SUITE 200  
SAN MARINO, CALIFORNIA 94402

**INSITE ARCHITECTS**  
1101 WEST RIVER PARKWAY, SUITE 300  
MINNEAPOLIS, MN 55415

**LHB, INC.**  
250 THIRD AVENUE NORTH, SUITE 450  
MINNEAPOLIS, MINNESOTA 55401

**GENERAL PLAN  
SUBMITTAL**

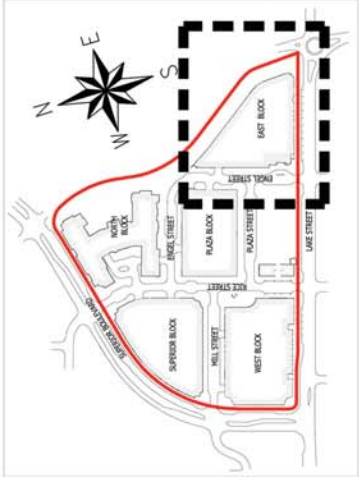
**PRELIMINARY**  
NOT FOR CONSTRUCTION  
03-31-2008

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PROJECT NAME

**WAYZATA BAY  
CENTER**

**THREE DIMENSIONAL  
VIEWS  
EAST BLOCK**

**E4.00**



**Wayzata Bay**  
REDEVELOPMENT COMPANY

CONSULTANTS

**DAN O'NEAL ARCHITECTS & PLANNERS**  
911 BOREL PLACE, SUITE 200  
SAN MARINO, CALIFORNIA 94120

**INSITE ARCHITECTS**  
1101 WEST RIVER PARKWAY, SUITE 300  
MINNEAPOLIS, MN 55415

**LHB, INC.**  
250 THIRD AVENUE NORTH, SUITE 450  
MINNEAPOLIS, MINNESOTA 55401

**GENERAL PLAN  
SUBMITTAL**

**PRELIMINARY**  
NOT FOR CONSTRUCTION  
03-31-2008

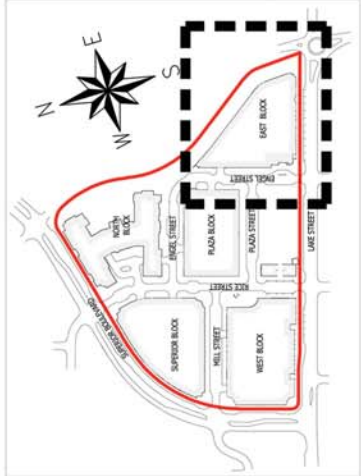
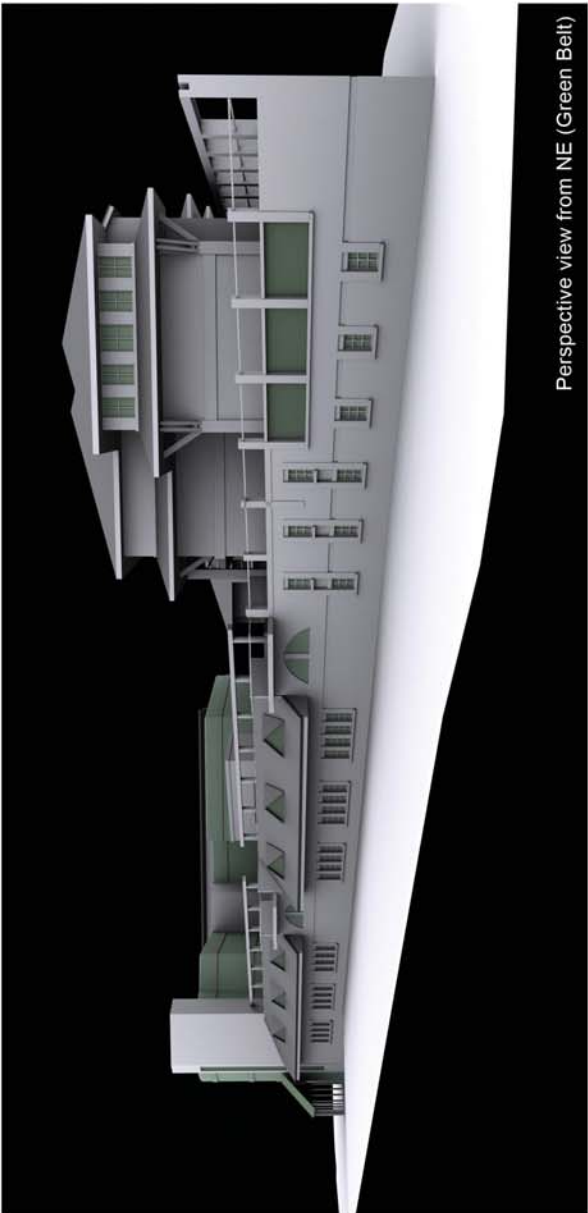
COMPILED 2008 BY LHB, INC. ALL RIGHTS RESERVED  
PROJECT NAME

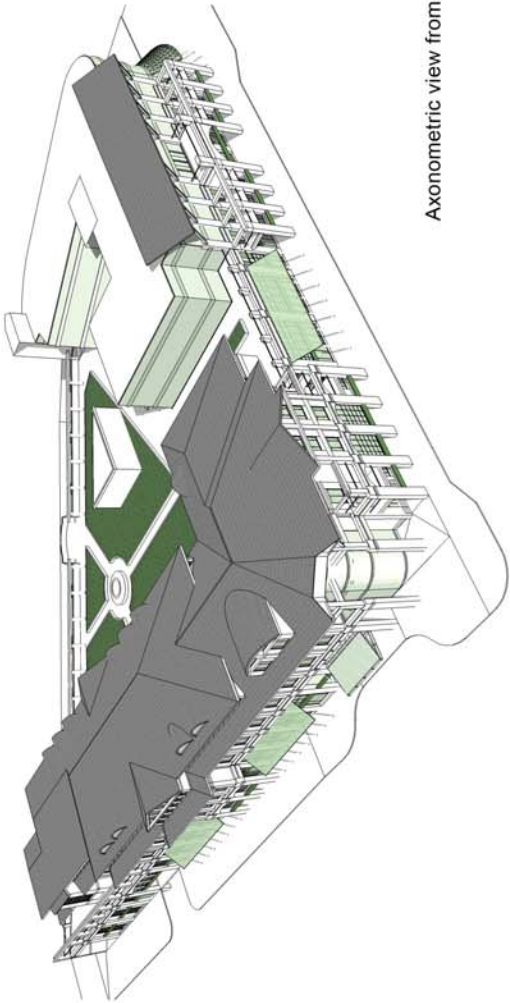
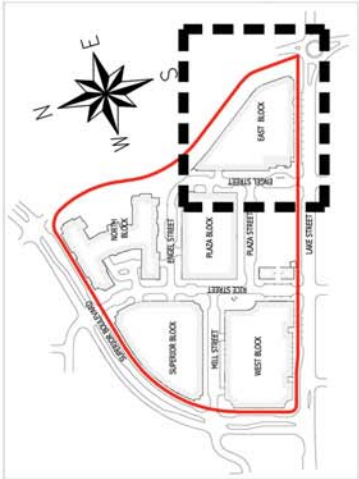
**WAYZATA BAY  
CENTER**

**THREE DIMENSIONAL  
VIEWS  
EAST BLOCK**

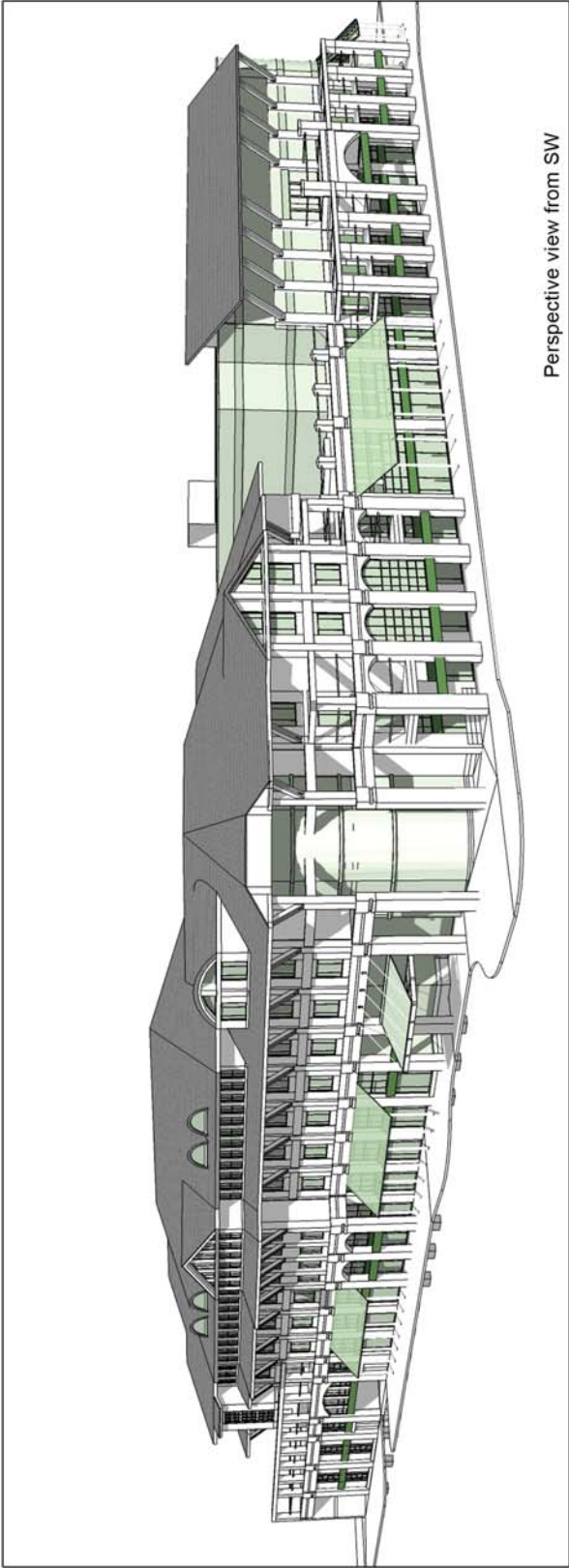
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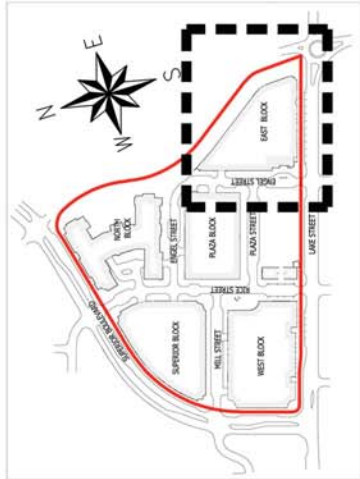




Axonometric view from SW



Perspective view from SW



CONSULTANTS

DAN O'NEAL ARCHITECTS & PLANNERS  
911 BOREL PLACE, SUITE 200  
SAN MARINO, CALIFORNIA 94102

INSITE ARCHITECTS  
1101 WEST RIVER PARKWAY, SUITE 300  
MINNEAPOLIS, MN 55415

LHB, INC.  
250 THIRD AVENUE NORTH, SUITE 450  
MINNEAPOLIS, MINNESOTA 55401

GENERAL PLAN  
SUBMITTAL

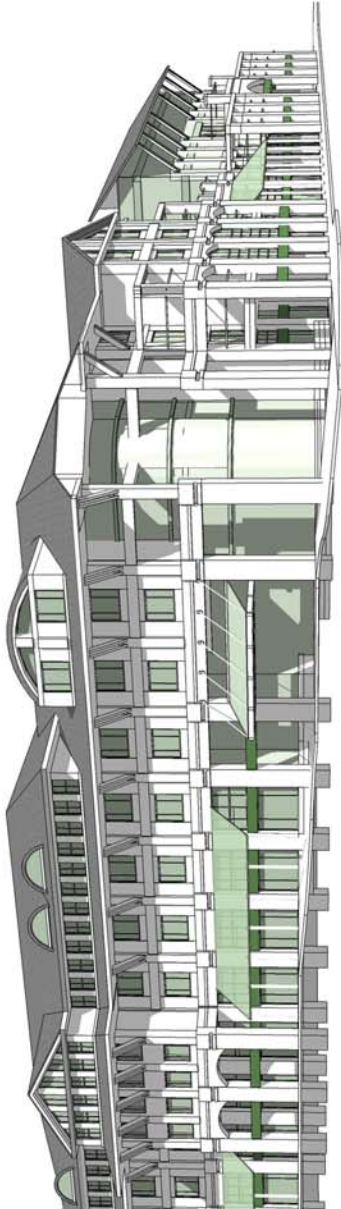
**PRELIMINARY**  
NOT FOR CONSTRUCTION  
03-31-2008

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PROJECT NAME

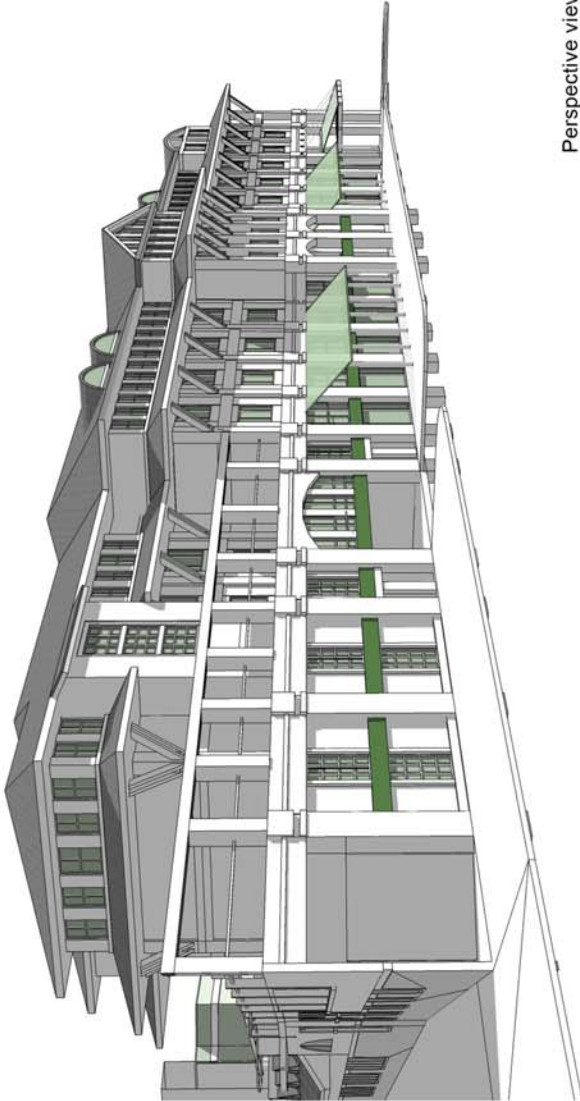
WAYZATA BAY  
CENTER

THREE DIMENSIONAL  
VIEWS  
EAST BLOCK

**E4.04**

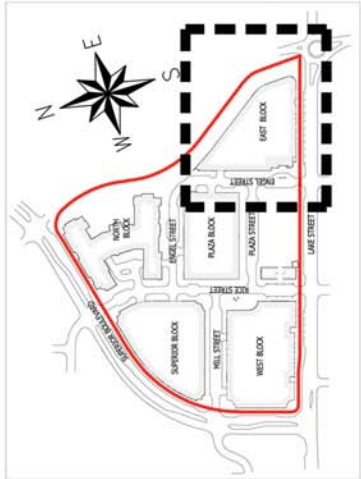


Perspective view from SW



Perspective view from N





CONSULTANTS

DAN O'NEAL ARCHITECTS & PLANNERS  
911 BOREL PLACE, SUITE 200  
SAN MARINO, CALIFORNIA 94102

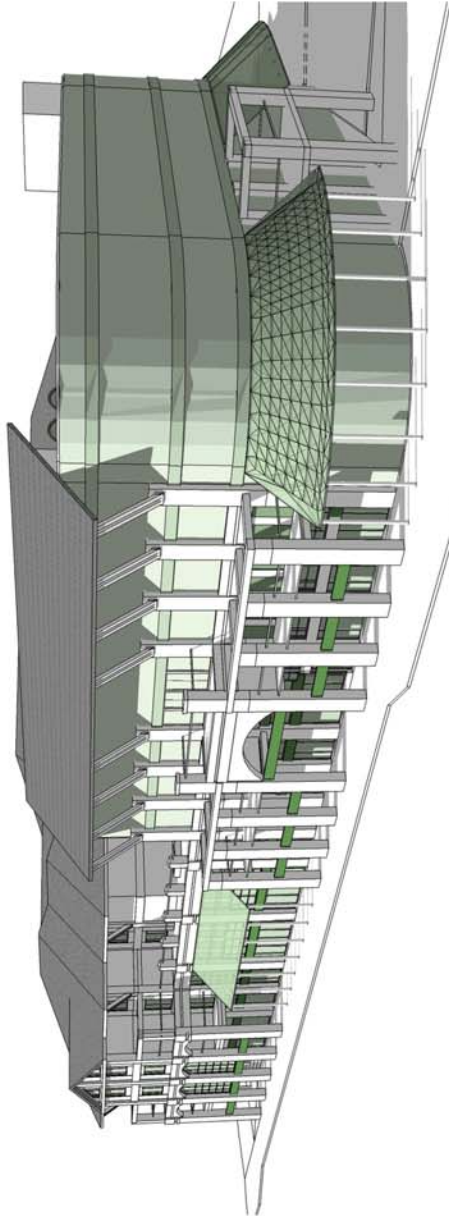
INSITE ARCHITECTS  
1101 WEST RIVER PARKWAY, SUITE 300  
MINNEAPOLIS, MN 55415

LHB, INC.  
250 THIRD AVENUE NORTH, SUITE 450  
MINNEAPOLIS, MINNESOTA 55401

## GENERAL PLAN SUBMITTAL



Perspective view from SE



Perspective view from SE

**PRELIMINARY**  
NOT FOR CONSTRUCTION  
03-31-2008

COPYRIGHT 2008 BY LHB, INC. ALL RIGHTS RESERVED.  
PROJECT NAME

WAYZATA BAY  
CENTER

THREE DIMENSIONAL  
VIEWS  
EAST BLOCK

DATE: 03-31-2008  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
APPROVED BY: [Name]

**E4.05**





**Planning Report  
Wayzata Planning Commission  
March 2, 2015**

**Project Name:** MacMillan Place  
**File Number:** PR 2015-4  
**Applicant/Owner:** White Birch Properties and Development Group  
**Address of Request:** 151 Westwood Lane  
**Property ID #s:** 01-117-23-13-0011  
**Prepared by:** Bryan Gadow, City Planner  
**Planning Commission Review:** March 2, 2015  
**City Council Review:** To Be Determined

**PROJECT SUMMARY**

---

**Section 1. Development Application**

- 1.1. General. White Birch Properties and Development Group (the “Applicant”) has submitted a Development Application (the “Application”) requesting concurrent preliminary and final plat subdivision approval (the “Subdivision” or the “Preliminary/Final Plat”) for a new two (2) lot subdivision (the “Project”) at 151 Westwood Lane (the “Property”). The Project would require the removal of the existing structure on the Property and a subdivision of the parcel. Access to the Project would be thru an existing private driveway that would be widen to twenty (20) ft to meet State Fire Code requirements, which would require approval of variances from the Subdivision Ordinance (the “Variance”). Building plans for the new structures are not available at this time, so any approval recommendation should include a condition requiring the future owners to provide building plans for review by the Planning Commission and City Council prior to building permit submittal.

Along with the Development Application, the following plans are included with this Application as Attachment A:

- Existing Conditions Survey
- Preliminary Plat
- Final Plat
- Grading and Utility Plan
- Significant Tree Inventory Plan





*Table 1: Proposed Lot Sizes*

| <b>Lot</b>     | <b>Lot Size (SF)</b> |
|----------------|----------------------|
| 1              | 90,970               |
| 2              | 129,440              |
| <b>Average</b> | <b>110,205 SF</b>    |

*Table 2: Adjacent Lot Sizes*

| <b>Address</b>    | <b>Lot Size (SF)</b> | <b>Acres</b> |
|-------------------|----------------------|--------------|
| 121 Westwood Lane | 47,660               | 1.09         |
| 125 Westwood Lane | 48,090               | 1.1          |
| 139 Westwood Lane | 130,127              | 2.99         |
| 172 Birch Lane    | 48,296               | 1.11         |
| 159 Westwood Lane | 58,000               | 1.33         |
| 172 Westwood Lane | 40,820               | 0.94         |
| 175 Westwood Lane | 54,394               | 1.25         |
| 178 Westwood Lane | 41,902               | 0.94         |
| 182 Westwood Lane | 92,032               | 2.11         |
| 184 Westwood Lane | 105,971              | 2.43         |
| 186 Westwood Lane | 200,946              | 4.61         |
| 190 Westwood Lane | 163,920              | 3.76         |

2.2 Housing Unit Density.

The Subdivision consists of 2 single-family homes on a 5.06 acre site. This yields a total project density of 1 dwelling unit per 2.53 acres, which meets the density requirements of the One Acre Single Family Residential guidance in the Comprehensive Plan.

2.3 Zoning.

The Property is located in the R-1, Low Density Single Family District. The R-1 District prescribes minimum design criteria for the creation of lots and platting of land. The following minimum standards for the R-1 District apply to this Preliminary/Final Plat:

*Table 4: R-1 Zoning District Requirements*

| <b>R-1 District</b>       | <b>Standard</b>    |
|---------------------------|--------------------|
| Minimum Lot Area          | 40,000 square feet |
| Minimum Lot Width         | 150 feet           |
| Minimum Lot Depth         | 150 feet           |
| Front Yard Setback (min.) | 45 feet            |
| Side Yard Setback (min.)  | 20 feet            |
| Rear Yard Setback (min.)  | 50 feet            |
| Lot Coverage              | 15%                |
| Impervious Surface        | 25%                |

As shown on the submitted Plat, the proposed division would result in two (2) buildable parcels that would meet minimum standards of the R-1 District and therefore would be conforming lots.



*Table 5: Proposed Development Plan*

|                                           | <b>R-1 Requirements</b> | <b>Lot 1</b>     | <b>Lot 2</b>      | <b>Notes</b>                    |
|-------------------------------------------|-------------------------|------------------|-------------------|---------------------------------|
| <b>Lot Area</b>                           | 40,000 SF               | 90,970 SF        | 129,440 SF        | Conforms to Code                |
| <b>Lot Width (Public Street Frontage)</b> | 150 ft                  | 80 ft            | 80 ft             | Requires approval of a Variance |
| <b>Lot Depth</b>                          | 150 ft                  | 779 ft           | 779 ft            | Conforms to Code                |
| <b>Front Yard Setback</b>                 | 45 ft                   | 170 ft           | 165 ft            | Conforms to Code                |
| <b>Side Yard Setback</b>                  | 20 ft                   | 20 ft            | 20 ft             | Conforms to Code                |
| <b>Rear Yard Setback</b>                  | 50 ft                   | 188 ft           | 260 ft            | Conforms to Code                |
| <b>Potential Lot Coverage</b>             | 15%                     | 4.9% (4,500 SF)  | 3.5% (4,500 SF)   | Conforms to Code                |
| <b>Proposed Hardcover</b>                 | 25%                     | 10.5% (9,544 SF) | 12.3% (15,851 SF) | Conforms to Code                |

Building plans are not provided at this time. The owners are subdividing the lots and any future owners would need to provide building plans for review by the Planning Commission and City Council prior to applying for a building permit. The Applicant has provided example building pads to highlight potential locations for future residential structures. All residential structures would need to conform to applicable setback, lot coverage, and hardcover requirements.

#### 2.4 Access to Project.

The Project proposes to utilize the location of the existing private driveway to access the Property. This is in lieu of a twenty six (26) ft public road to minimize tree impacts and maintain the existing curb cut location onto the Property. The roadway would be widened to twenty (20) ft to meet State Fire Code requirements. As noted above, use of the private driveway and the lack of sufficient public street frontage, require approval of variances from the Subdivision Ordinance.

#### 2.5 Tree Inventory.

The Application materials include a tree inventory of the Property, which shows a total of 340 significant trees on the property having a minimum diameter of 6 inches. The property includes a wide variety of species: Maple, Box Elder, Oak, Elm, Cedar, Pine, and Spruce.

The amount of trees proposed to be removed for the Project is:

| <b>Portion of Site</b> | <b>Number of Trees Proposed for Removal</b> |
|------------------------|---------------------------------------------|
| Lot 1                  | 2                                           |
| Lot 2                  | 5                                           |

|              |                                     |
|--------------|-------------------------------------|
| Roadway      | 1                                   |
| <b>Total</b> | <b>8 trees (out of 340) or 2.4%</b> |

The amount of trees to be removed for the proposed subdivision is 8 trees, or 2.4% of the site.

2.6 Past Burial Site on the Property.

Recently, it was brought to staff's attention that there potentially is or was a burial site on the Property. Below is the information provided to staff by a resident:

The MacMillan Burial Site (21HE98) was discovered during construction of an addition to the Duncan MacMillan residence on Westwood Lane, Wayzata in 1964. The site was excavated by amateur archeologists. Human remains representing 33 individuals were recovered from the site. No known individuals were identified. A flint projectile was also excavated.

University of Minnesota graduate students under the direction of the State Archaeologist excavated the burial pit which proved to be Kathio focus and which probably was central burial pit under mound. The name "Kathio" is actually a corruption of "Izatys", a name the Mdewakanton Sioux people gave themselves.

Staff contacted the State Archeologist's Office to gather additional information regarding whether a burial site exists on the Property. The State Archeologist has visited the site to conduct a field evaluation, and provided the attached letter regarding their analysis (Attachment B).

### Section 3. Applicable Code Provisions for Review

3.1 Subdivision Ordinance

Section 805.14(e) provides criteria for the Planning Commission to evaluate when reviewing a Preliminary Plat. In this review, the Planning Commission should determine if the proposed subdivision would have an adverse impact on the site or surrounding area. The following are the factors from this section for consideration. Included is Staff's evaluation of each of the factors.

- A. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.

*The proposed Subdivision conforms with low density development for this residential area. Lot sizes exceed the 40,000 SF minimum of an R-1 area, as the proposed lots are 90,970 SF and 129,440 SF, respectively. The proposed subdivision would meet the one acre density guidance for the One Acre Single Family District.*

- B. 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.

*The Applicant's submittal materials show that approximately eight (8) trees will need to be removed as a result of the Project. The Planning Commission and City*

*Council should comment on the amount of tree loss and preservation proposed as part of the Project.*

- C. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filling or grading.

*The proposed building pads are located away from significant slopes on the Property. A grading plan was submitted as part of the Application and will need final approval by the City Engineer prior to any construction work so that land disruption is minimized.*

- D. 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.

*The Applicant's submittal materials show that approximately eight (8) trees will need to be removed as a result of the Project. The Planning Commission and City Council should comment on the amount of tree loss and preservation proposed as part of the Project.*

- E. 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.

*The proposed lots conform with other lots in the immediate vicinity in terms of lot size.*

- F. 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.

*The example building pads and their locations are similar to other larger lots in the immediate vicinity.*

- G. 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.

*The proposed lot sizes are similar to those in the area. The proposed lot conforms to the R-1 District minimums for lot area.*

- H. 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.

*Cannot comment at this time. The Applicant does not have building elevations available for the proposed three lots at this time. As a condition of any approval motion for this Application, the Planning Commission and City Council should consider requiring that the Applicant and/or future homeowner shall submit plans for review and approval by the Planning Commission and the City Council depicting architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the buildings proposed to*

*demonstrate similarity to the characteristics and quality of the existing homes in the neighborhood as required under Section 805.14.e.8 and 805.14.e.9.*

- I. 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.

*Not applicable, as the City does not have single family residential design standards.*

- J. The proposed lot layout and building pads shall conform with all performance standards contained herein.

*As noted above, due to the existing layout of the lot and the Applicant's proposal to utilize the existing private driveway to access the Property, the Project would need approval of a Variance from the Subdivision Ordinance for public street frontage and use of a private roadway.*

- K. 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.

*The Subdivision would not be dissimilar from other larger lots in the neighborhood.*

- L. 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.

*The Project has access to City sanitary sewer and water services, and would not over-burden these systems. The Public Works Department provided comments on the Application below.*

- 3.2 Concurrent Preliminary/Final Plat. Section 805.15 of the Subdivision Ordinance allows the City to review the preliminary and final plat simultaneously. The final plat shall incorporate all changes, modifications, and revisions required by the City. Otherwise, it shall conform to the approved preliminary plat.

- 3.3 Variance Standards from Subdivision Ordinance. As noted above, the Applicant is requesting the following variances from the Subdivision Ordinance to allow the use and widened of the existing private driveway to serve as access to the Property:

- A. Use of Private Roadways (Section 805.27.k)
- B. Lot Frontage on a Public Street (Section 805.26.E)
- C. Street Width Less Than Twenty Six (26) feet (Section 805.29.a)
- D. Construction of Roadways Without Curbs and Gutters (Section 805.29.I)

Section 805.60 allows the City Council to approve variances from the minimum standards of the Subdivision Ordinance, when, in its opinion, undue hardship may result from strict compliance. In approving any variance, the City Council shall prescribe any conditions



that it deems necessary to or desirable for the public interest. In making its approval, the City Council shall take into account the nature of the proposed use of land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. A variance shall only be approved when the City Council finds:

- (1) That there are special circumstances or highly unique conditions affecting the property such that the strict application of the provisions of this Chapter would deprive the applicant of the reasonable use of his land.
- (2) That the granting of the variance will not be detrimental to the public health, safety and welfare or injurious to other property in the territory in which property is situated.
- (3) That the variance is to correct inequities resulting from an extreme physical hardship such as topography.
- (4) Hardship relating to economic difficulties shall not be considered for the purpose of granting a variance.
- (5) That the hardship is not a result of an action or actions by the owner, applicant, developer or any agent thereof.

3.3 Parkland Dedication Fee. Section 805.37 of the Subdivision Ordinance requires a parkland dedication fee for new single family lots at the time of recording of the Final Plat.

#### **Section 4. Staff Input**

Staff has reviewed the proposal. Comments from each department are as follows.

##### **4.1 Utility Superintendent**

- Our files indicate that there may be a well on the site. The well should be verified and dealt with appropriately.
- The property has an existing water connection that will need to be abandoned at the main. The existing service feeds through a meter adjacent to the driveway. This should be removed and pipes abandoned appropriately.
- Our Utility Department is verifying the location of the existing sewer service. This service should be abandoned at the property line.

##### **4.2 City Planner**

- As the Application does not include architectural plans for each of the new single family residences that would be built on the lots, the Applicant should be aware that the Planning Commission and City Council are likely to place a condition on any approval of the subdivision, such that any future owners of the lots would be required to submit the proposed building plans and landscaping plans for review and approval by the Planning Commission and City Council prior to any building permits being issued for the Property. *[Note: The Applicant is aware of this requirement].*

## **Section 5. Potential Conditions.**

Based on the 2014 review of the previous subdivision application for the Property, if the Planning Commission were to recommend approval of the proposed two (2) lot subdivision included in the Application, staff offers the following conditions for consideration:

1. The Applicant follow the advice of the State Archaeologist outlined in his October 15, 2014 letter to the City Planner, and hire a qualified archaeologist to make a detailed survey of the Property to insure there are no remaining MS 307.08 issues; or, alternatively, a qualified archaeologist be present on the Property during the duration of excavation and any other activity on the Property that may reveal or impact a potential human burial site on the Property. Should such archaeologist determine that a potential human burial site is found, the Applicant shall follow the direction and recommendations of such archaeologist handling such sites and the remains associated therewith.
2. The Applicant and/or future homeowners shall submit final building plans for each residence in the Proposed Subdivision for review and approval by the Planning Commission and City Council that are compatible with the characteristics and quality of the existing homes in the neighborhood as required under Section 805.14.E.8 and 805.14.E.9.
3. The City Engineer's approval must be secured for a grading plan, prior to any construction work on the Property so that land disruption is minimized.
4. All comments of City Staff outlined in the Planning Report on the Application dated March 2, 2015 shall be incorporated into the Proposed Subdivision as specified in such comments and further directed by such staff.
5. Prior to any demolition of the existing residence on the Property, the Applicant shall contact the City's Heritage Preservation Board (HPB), and allow them access into the residence to document the interior and exterior.
6. The Applicant shall secure all necessary building permits for construction, and all laws and regulations applicable to the Project.
7. All expenses of the City of Wayzata, including consultant, expert, legal, Park Dedication Fee, and planning fees incurred be fully reimbursed by the Applicant.
8. The Applicant records the Final Plat document with the appropriate Hennepin County officials within one hundred twenty (120) days in conformance with Section 805.15.E.7, and provide a recorded copy to the City.

## **Section 6. Action Steps.**

After considering the items outlined in this Report, the Planning Commission should pursue one of the following options as an action step:

1. Develop findings of fact basis upon this staff report, with any additions or deletions that the Planning Commission wishes to make, and adopt a

recommendation on the Application after the conclusion of the public hearing at the March 2, 2015 meeting.

2. Direct staff to prepare a *Planning Commission Report and Recommendation*, with appropriate findings, reflecting a recommendation on the Application for review and adoption at the next Planning Commission meeting.

**Attachments:**

- Attachment A: Applicant Submittals:
  - o Existing Conditions Survey
  - o Certificate of Survey and Preliminary Plat
  - o Proposed Grading and Utility Plan
  - o Tree Inventory Plan
- Attachment B: Letter from State Archeologist

EXISTING CONDITIONS  
MACMILLAN PLACE  
CERTIFICATE OF SURVEY AND PRELIMINARY PLAT FOR  
WHITE BIRCH PROPERTIES & DEVELOPMENT GROUP  
OF LOT 1, BLOCK 1, MACMILLAN HIGHLANDS 3RD ADDITION  
HENNEPIN COUNTY, MINNESOTA

U.S. HIGHWAY NO. 12

LOT 1

LOT 2

BLOCK 1

LUKIS ADDITION

BIRCH LANE

WESTWOOD LANE SOUTH

LEGAL DESCRIPTION OF PREMISES :

Lot 1, Block 1, MACMILLAN HIGHLANDS 3RD ADDITION

o : denotes iron marker

⊙ : denotes Judicial Landmark found

(908.3) : denotes exiting spot elevation, mean sea level datum

---917--- : denotes existing contour line, per city maps

Bearings shown are based upon an assumed datum.

This survey intends to show the boundaries of the above described property, the location of three existing buildings, pool and driveway, all to be removed, and existing trees, spot elevations, and topography thereon. It does not purport to show any other improvements or encroachments.

OWNER:  
WHITE BIRCH PROPERTIES AND DEVELOPMENT GROUP

ZONING  
R-1 LOW DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT

LOT AREA = 5.06± ACRES 220,450± Sq. ft.

REVISIONS

DATE

REMARKS

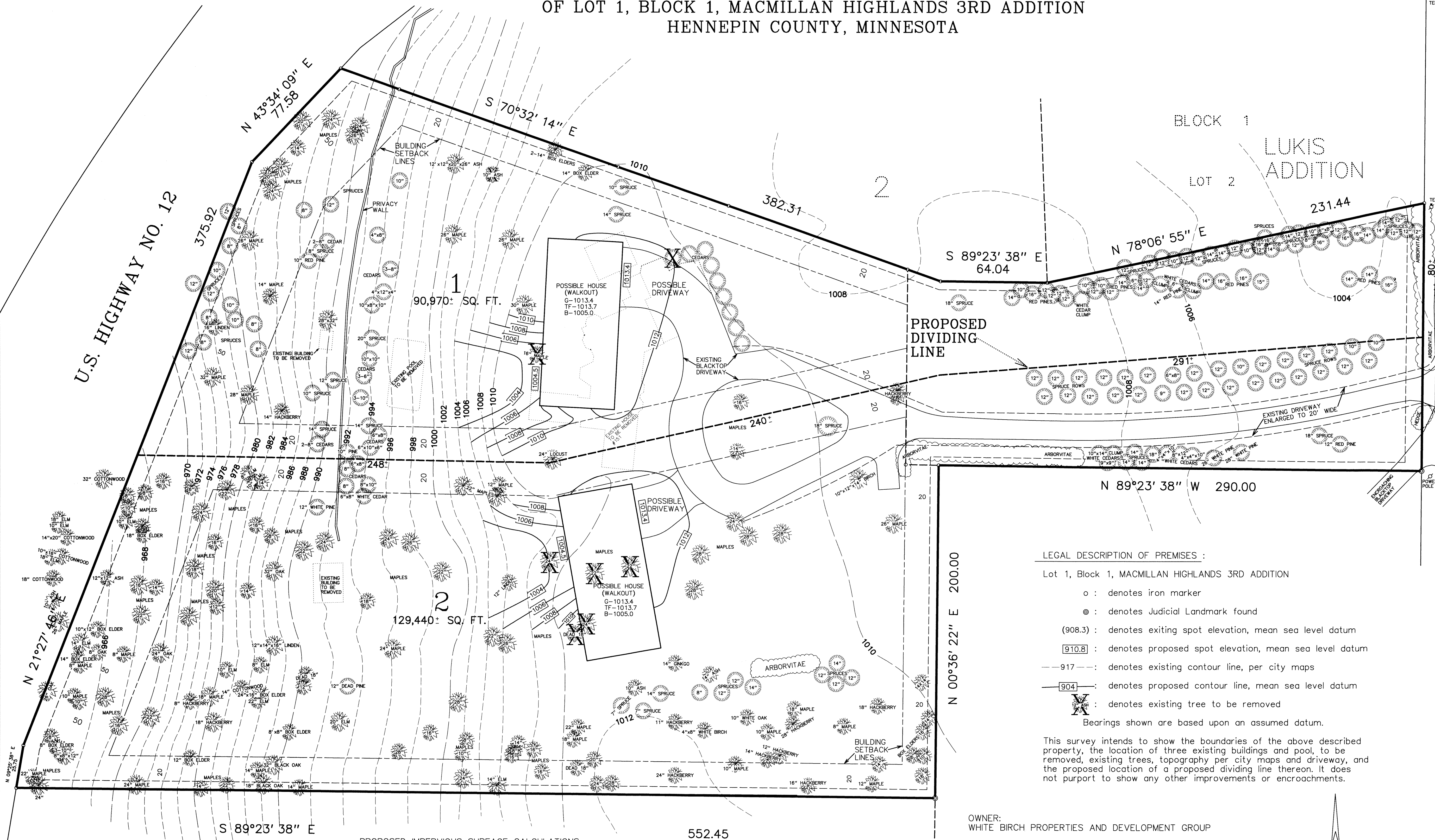
14259EXCOND.SCU

[illegible]

| REVISIONS | REMARKS |
|-----------|---------|
|-----------|---------|



MACMILLAN PLACE  
PROPOSED GRADING AND UTILITY PLAN FOR  
WHITE BIRCH PROPERTIES & DEVELOPMENT GROUP  
OF LOT 1, BLOCK 1, MACMILLAN HIGHLANDS 3RD ADDITION  
HENNEPIN COUNTY, MINNESOTA



|                                          |  |
|------------------------------------------|--|
| PROPOSED IMPERVIOUS SURFACE CALCULATIONS |  |
| Lot 1                                    |  |
| Lot area = 90,970 Sq. ft.                |  |
| Possible house = 4500 sf                 |  |
| Driveway = 5044 sf                       |  |
| Total = 9544 / 90,970 x 100 = 10.49%     |  |
| Lot 2                                    |  |
| Lot area = 129,440 Sq. ft.               |  |
| Possible house = 4500 sf                 |  |
| Driveway = 11,351 sf                     |  |
| Total = 15,851 / 129,440 x 100 = 12.25%  |  |

14259GRADUTL3.S3CJ

BIRCH LANE

WESTWOOD LANE SOUTH

GRONBERG & ASSOCIATES, INC.  
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS  
445 NORTH WILLOW DRIVE LONG LAKE, MN 55356  
952-473-4141

DATE  
10-2-14  
1-28-15  
2-24-15

SCALE  
1"=30'  
1"=259'

PROJECT

I hereby certify that this survey, plan or specification 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.

Mark S. Gronberg Minnesota License Number 12755

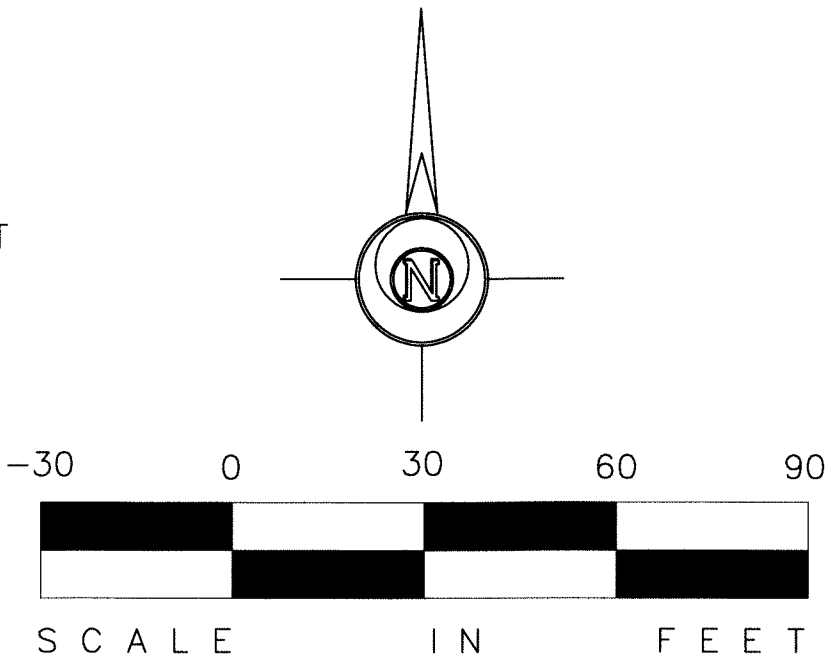
| REVISIONS |                         |
|-----------|-------------------------|
| DATE      | REMARKS                 |
| 10-2-14   | ALTERNATE DRIVEWAY PLAN |
| 1-28-15   | REVISED TO TWO LOTS     |
| 2-24-15   |                         |

LEGAL DESCRIPTION OF PREMISES :

- Lot 1, Block 1, MACMILLAN HIGHLANDS 3RD ADDITION
- o : denotes iron marker
  - ⊙ : denotes Judicial Landmark found
  - (908.3) : denotes exiting spot elevation, mean sea level datum
  - [910.8] : denotes proposed spot elevation, mean sea level datum
  - 917--- : denotes existing contour line, per city maps
  - [904]--- : denotes proposed contour line, mean sea level datum
  - X : denotes existing tree to be removed
- Bearings shown are based upon an assumed datum.

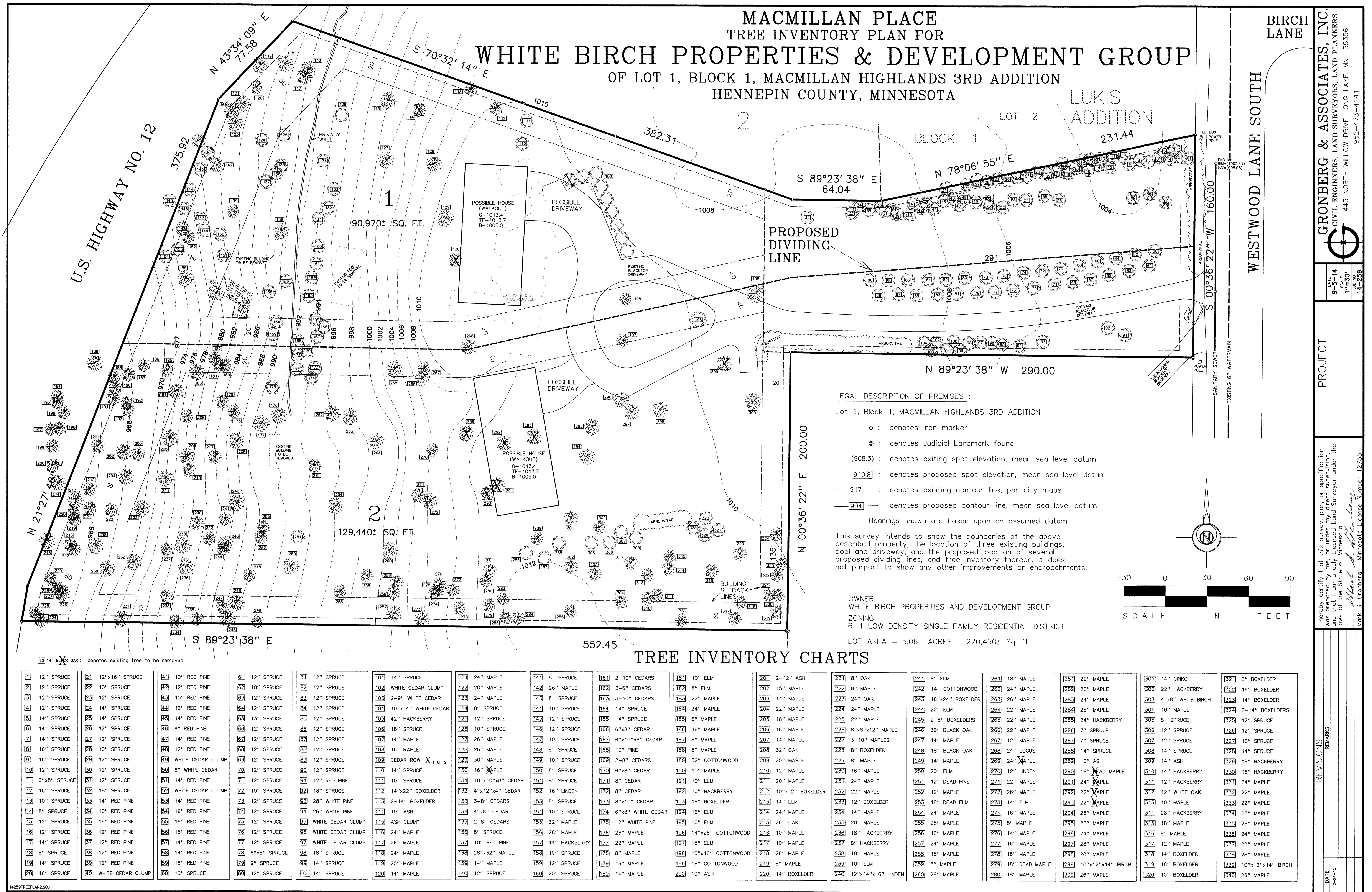
This survey intends to show the boundaries of the above described property, the location of three existing buildings and pool, to be removed, existing trees, topography per city maps and driveway, and the proposed location of a proposed dividing line thereon. It does not purport to show any other improvements or encroachments.

OWNER:  
WHITE BIRCH PROPERTIES AND DEVELOPMENT GROUP  
ZONING  
R-1 LOW DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT  
LOT AREA = 5.06 ± ACRES 220,410 ± Sq. ft.



BENCHMARK :  
MANHOLE  
RM=(1005.23)  
INV=(996.48)

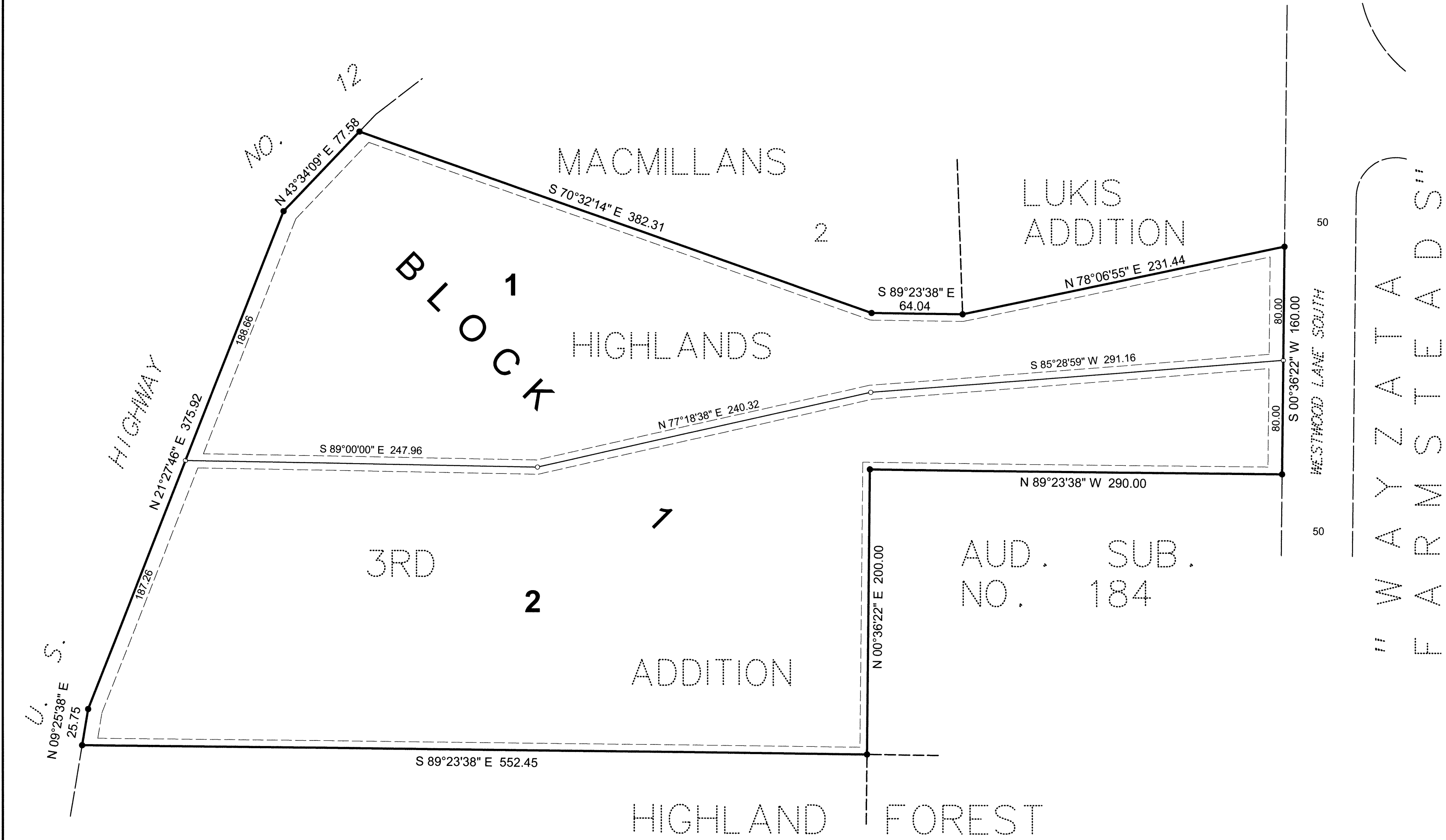






R.T.DOC.NO. \_\_\_\_\_

# MACMILLAN PLACE



Know all persons by these presents that White Birch Properties and Development Group, LLC, a Minnesota limited liability company, fee owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

Lot 1, Block 1, MACMILLANS HIGHLANDS 3<sup>RD</sup> ADDITION

Has caused the same to be surveyed and platted as MACMILLAN PLACE, and does hereby dedicate to the public for public use forever the drainage and utility easements as shown on the plat.

In witness whereof said White Birch Properties and Development Group, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

White Birch Properties and Development Group, LLC, a Minnesota limited liability company

By \_\_\_\_\_, its \_\_\_\_\_  
STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, its \_\_\_\_\_, of White Birch Properties and Development Group, LLC, a Minnesota limited liability company, on behalf of the company.

Notary Public, \_\_\_\_\_ County, \_\_\_\_\_ Notary's printed name  
My commission expires \_\_\_\_\_

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

Mark S. Gronberg Licensed Land Surveyor and Engineer  
Minnesota License Number 12755

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Mark S. Gronberg, Land Surveyor and Engineer.

Notary Public, \_\_\_\_\_ County, \_\_\_\_\_ Notary's printed name  
My commission expires \_\_\_\_\_

ORONO, MINNESOTA  
This plat of MACMILLAN PLACE was approved and accepted by the City Council of Orono, Minnesota, at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City, or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes, Section 505.03, Subd. 2.

CITY COUNCIL OF THE CITY OF ORONO, MINNESOTA

\_\_\_\_\_, Mayor  
\_\_\_\_\_, Clerk

RESIDENT AND REAL ESTATE SERVICES, HENNEPIN COUNTY, MINNESOTA  
I hereby certify that taxes payable in 20\_\_\_\_ and prior years have been paid for land described on this plat. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

MARK V. CHAPIN, HENNEPIN COUNTY AUDITOR  
By \_\_\_\_\_, Deputy

SURVEY DIVISION, HENNEPIN COUNTY, MINNESOTA  
Pursuant to MINN. STAT. Sec. 383B.565, (1969), this plat has been approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

CHRIS F. MAVIS, HENNEPIN COUNTY SURVEYOR  
By \_\_\_\_\_

REGISTRAR OF TITLES, HENNEPIN COUNTY, MINNESOTA  
I hereby certify that the within plat of MACMILLAN PLACE was filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_M.

MARTIN MCCORMICK, REGISTRAR OF TITLES  
By \_\_\_\_\_, Deputy



## Attachment B

October 15, 2014

Bryan Gadow, City Planner  
City of Wayzata  
600 Rice Street East  
Wayzata, MN 55391-1799



Bryan:

This letter is in response to your request for an official determination by the State Archaeologist as to the probability of human burials existing on the MacMillan Property at 151 Westwood Lane in Wayzata per Minnesota Statutes 307.08. As you know, in 1964 construction excavation for an addition to the MacMillan house encountered human remains. The University of Minnesota excavated what appeared to be a shallow pit burial that had been previously disturbed by various construction activities. The pit contained the remains of 17 individuals that were probably buried about 1,000 years ago based on a stone projectile point found with the burials. In 1964, the pit was completely excavated, the bones removed, and the addition to the house completed. The landowner told a newspaper reporter that a mound had once existed at that location and it was flattened for the yard at the time the original house was built. There was no mention by the landowner or the University investigators of any adjacent mounds. The burial pit location was assigned the official state archaeological site number of 21HE98.

During the 1880s, an extensive burial mound survey of the Lake Minnetonka area was done by a surveyor named Theodore Lewis. Lewis recorded hundreds of mounds around the lake, but he did not record any mounds at or near the MacMillan House location. It is likely that Lewis recorded almost all the groups of mounds in the Lake Minnetonka vicinity, but he probably missed scattered lone mounds. Most mounds, especially groups of mounds, tend to be on hills or terraces overlooking the lake. The MacMillan location is about a half-mile from the lake overlooking a small wetland.

I recently visited the property and did not observe any obvious mounds. I have also used LiDAR to topographically examine the area and see no features that appear to be burial mounds. LiDAR and aerial photographs indicate the western and northern portions of the property have been extensively landscaped. It would appear that the MacMillan burial was originally covered with a mound. If there were additional burial pits under this mound, they would most likely have been destroyed by the house construction, the grading for the yard, the 1964 addition, or subsequent improvements.

Based on my analysis, I cannot authenticate the MacMillan property at this time as a burial site under MS 307.08, as the known burial feature was completely removed and no other mounds have been reported or are currently visually evident. I do think it advisable, however, for the landowner or developer to hire a qualified archaeologist to make a detailed survey of the property to insure there are no remaining MS 307.08 issues, although the chances of finding another isolated burial pit are very low using standard archaeological survey methods.



## Attachment B

Because this is a private development on private property, I cannot require an archaeological survey to look for other types of archaeological remains under MS 138.31-.42 (Field Archaeology Act), but I still recommend that a qualified archaeologist examine the property to look for such sites prior to any significant disturbance of the present land surface. If any non-burial archaeological sites are discovered (e.g., prehistoric camp site), it is fully up to the city or the developer to undertake additional archaeological work. You can obtain a list of qualified archaeologists on the Minnesota State Historic Preservation Office website (<http://preservationdirectory.mnhs.org/>).

Whether or not any archaeological survey is done prior to development, it is certainly prudent for the City to require that any areas of significant grading or excavation be monitored by a qualified archaeologist in case any human remains are encountered. If any human remains are uncovered at any time during development, all work at the location must cease and I must be notified.

If you have any additional questions, please do not hesitate to contact me.

Sincerely,



Scott Anfinson  
State Archaeologist

Cc: Jim Jones, Minnesota Indian Affairs Council

Woodland, based largely on burial form, since he found no pottery in his excavations. The 1995 excavations recovered a single pottery sherd from feature 1 and obtained two radiocarbon dates from feature 8. The dates span a range from 770 B.C. to A.D. 5 but overlap at 185 to 190 B.C. (calibrated at 2 standard deviations: 190 B.C.–A.D. 5 and 770–185 B.C.) suggesting a Middle Woodland age. Feature 9 had a point similar to a Durst Stemmed and two radiocarbon dates that span a range from 2915 to 2580 B.C. (calibrated at 2 standard deviations: 2890–2580 B.C. and 2915–2855 B.C. or 2820–2665 B.C.), suggesting a Late Archaic burial.

#### 21HE0093 COX

Four mounds and a possible remnant of a fifth; the OSA database lists four. OSA records show an excavation unit for mound 2 and identify the mound as excavated, but contain no information on the profile.

#### 21HE0094 BIG ISLAND MOUND—GROUP NO. 6

Site files indicate a midden and a single mound; no excavation information found.

#### 21HE0098 McMILLAN

This site is on a gently sloping ridge near Lake Minnetonka. In the early 1960s, Kent Day excavated a subsoil pit with human remains exposed during excavation of house footings (Figure D-92). Day noted that the pit's outline and surface origin were obscured by previous grading and disturbance for fence posts, plantings, and an underground fuel tank. Scherer cites a newspaper article in the U of M files as saying that former landowners had mentioned leveling a mound in their lawn, suggesting that a mound had once covered the feature.

Day interpreted the human remains as those of five adults and two children, but more detailed osteological analysis revealed that at least 17 individuals were present, 13 of them under the age of 18. The remains of the adults were generally complete but might have been disarticulated; the juveniles might have been secondary burials based on their more fragmentary remains. Scherer's report (1998a:14) describes the feature as representing "a single burial event associated with what was possibly the traumatic death of these 17 individuals. The presence of only a single large burial feature, an overwhelming number of subadult individuals, cutmarks attributed to scalping, and the general picture of a skeletal population in otherwise good health are all evidence that supports this hypothesis."

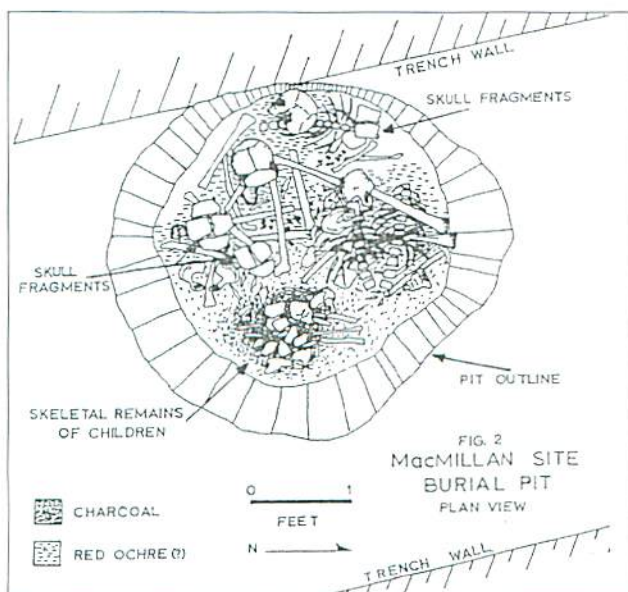


Figure D-92. Burial feature excavated by Kent Day in the early 1960s at the MacMillan site, 21HE0098 (Day 1964; Figure 2).

Scherer also notes that Day had found a vertebra with an embedded projectile point, both of which were lost some years prior to the skeletal inventory.

*Principal sources:* Excavation: Day 1964; Johnson 1965. Osteology: Blue 1997a; Scherer 1998a; Hamline files.

*Archaeological identification/cultural affiliation:* Day tentatively identified the site as an aberrant component of the Kathio phase, based on geographic location ("within the area where Mille Lacs Aspect sites are most common") and the presence of a triangular point, but the NAGPRA database and published NAGPRA inventory (National Park Service 1999) list the remains simply as Woodland, culturally unidentifiable.

#### 21HE0100 LONG LAKE/UNION CEMETERY/TEPEE HILL

Landon and Flaskerd (1945) illustrated materials found at the "Long Lake site" but did not clearly identify the location. In 1966, that site was assigned a number with township and range information but no section number. Eventually the site was linked to the Union Cemetery, although the available records do not indicate how. The artifacts collected in the 1940s apparently came from a cultivated field, but the cemetery has been in use since 1864, so it is unlikely that they were collected at the cemetery.

A different collection of human remains is recorded in the NAGPRA inventory under the Union Cemetery site name, although not identified by site number. A Hamline inventory (Blue 1997a) lists remains from at least two adults, with no information on context or origin. The published NAGPRA inventory (National Park Service 1999) notes, "In 1985, human remains representing three individuals were recovered from Long Lake (Union) Cemetery, Hennepin County, MN. These human remains were recovered by representatives of the Minnesota Indian Affairs Council from two spoil piles where recent graves had been dug. No known individuals were identified. No associated funerary objects were present." The inventory lists the remains as of unknown archaeological association. Thurston (1985a) also reports on these remains.

#### 21HE0103 (UNNAMED)

One mound. OSA/SHPO files note that shovel testing was conducted during development-related surveying of an adjacent parcel; the shovel tests were at least 100 feet from the mound and were negative.

#### 21HE0104 (UNNAMED)

One mound; no excavation information found.

#### 21HE0149 (UNNAMED)

In 1991, a burial was discovered in a Phase I shovel test. In 1992, Leech Lake Heritage Sites Program personnel conducted follow-up fieldwork. G. Goltz conducted coring of the vicinity and reported seeing soil changes "that could not be identified with certainty as mound fill." Goltz did, however, observe a slight rise in this area on the top of the hill. He interpreted the burial as placed "in a shallow subsurface grave and covered with a low, broad mound of earth which encompassed the highest part of the hill." Coring on nearby hills was judged inconclusive as to whether other mounds were present. No information on burial form was found during this project; OSA records indicate that the remains were reburied. The published NAGPRA inventory (National Park Service 1999) lists the remains as of unknown cultural affiliation. The OSA database currently lists this site as a cemetery site with no confirmed earthworks.

*Principal sources:* Discovery and excavation: Goltz 1992; Thompson 1992; Hamline files (H197 case file); OSA correspondence.

#### 21HE0154 BASS POND ACCESS

A reburial progress report (MNARP, May 15, 1995) includes brief information on Hamline case number H292 regarding "the disturbance of human remains in the Bass Pond Access area of the