

WAYZATA PLANNING COMMISSION

Meeting Agenda

Wayzata City Hall Community Room, 600 Rice Street

Monday, March 11, 2024

6:30 PM

HYBRID MEETING INFORMATION

Click here to join Zoom Meeting

Meeting ID: 883 8128 0483 Passcode: 992111

Members of the public may attend this Planning Commission meeting in person, or watch and listen remotely by viewing the meeting on Channel 8, WCTV, and at the City's website at www.wayzata.org/WCTV.



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

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

1. **Call to Order**
2. **Roll Call**
3. **Approval of Agenda**
4. **Consent Agenda**
 - a. Approval of Meeting Minutes and Workshop Minutes of January 8, 2024
5. **Public Hearing Items**
 - a. Consider Development Application for Front, Rear, and Lakeshore Setback Variances for an Addition at 620 Bushaway Road
 - b. Consider Development Application and Adopt Planning Commission Report and Recommendation of Approval for a Medical Clinic Conditional Use Permit at 1905 Wayzata Boulevard East
6. **Other Items**
 - a. Review of Development Activities
 - b. Planning Commission Meeting Schedule
7. **Adjournment**

Upcoming Meetings:

City Council - March 12, 2024

Planning Commission - March 25, 2024

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



City of Wayzata Planning Commission Agenda Report

MEETING DATE: March 11, 2024	AGENDA ITEM: 4.a
TITLE: Approval of Meeting Minutes and Workshop Minutes of January 8, 2024	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

N/A

ACTION REQUESTED:

Staff recommends approval of the regular meeting minutes and workshop minutes of January 8, 2024.

ATTACHMENTS:

1. Draft Workshop Minutes of January 8, 2024
2. Draft Meeting Minutes of January 8, 2024

**WAYZATA PLANNING COMMISSION
WORKSHOP MEETING MINUTES
JANUARY 8, 2024**

AGENDA ITEM 1. Roll Call

Present were Commissioners: Stockton, Douglas, Elg, Plantan, Schwalbe, Severson, and Sorensen. Community Development Director Emily Goellner, Assistant Planner Valerie Quarles, and City Attorney David Schelzel were also present.

AGENDA ITEM 2. Annual Planning Commission Training

City Attorney Schelzel began a presentation explaining the rules and guidelines for the Planning Commission, beginning with the different roles of Commissioners and of City staff. The group discussed the role of staff recommendations, and noted satisfaction with the current process, as well as with the overall tone and tenure of the Planning Commission meetings.

City Attorney Schelzel explained the different levels of discretion involved with different types of planning applications. The group discussed when it may or may not be appropriate to meet with applicants ahead of public meetings, and considered other ways to seek additional information or answers to questions on an application ahead of a public meeting. The group discussed the role of neighborhood meetings and when to refer inquiries to staff.

City Attorney Schelzel presented the different standards and criteria that the Planning Commission uses for different types of planning applications. The group had an extensive discussion on how to adhere closely to the applicable criteria, while still facilitating strong debate and consideration of an item. The group also discussed the best ways to handle potentially misleading statements from applicants and the public in a public setting.

The meeting concluded with a review of the standard flow of public meetings, Commissioner conduct and policies, and a brief question-and-answer session with staff.

Commissioner Stockton thanked the group for their continued hard work and thoughtful deliberation.

AGENDA ITEM 7. Adjournment.

There being no further business on the agenda, the meeting was adjourned by general consent at 8:00 p.m.

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
JANUARY 8, 2024**

AGENDA ITEM 1. Call to Order

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

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

AGENDA ITEM 2. Roll Call

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

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

AGENDA ITEM 3. Approval of Agenda

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

Commissioner Severson made a motion, seconded by Commissioner Schwalbe, to approve the January 8, 2024 agenda as presented. The motion carried unanimously.

AGENDA ITEM 4. Consent Agenda

- a.) Approval of the November 20, 2023 Planning Commission Meeting Minutes
- b.) Approval of Planning Commission Report and Recommendation of Denial for Fence Variances at 728 Wayzata Blvd E

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

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

Commissioner Douglas made a motion, seconded by Commissioner Elg, to approve the Consent Agenda as presented. The motion carried 6-0-1 (Plantan abstained).

AGENDA ITEM 5. Other Items

- a) Welcome Commissioner Plantan

1 Chair Stockton welcomed recently re-appointed former Planning Commissioner Plantan back to
2 the Commission.

3
4 Commissioner Plantan introduced herself and shared some of her background and experience, and
5 noted that she was happy to be back serving the community in this capacity.

6
7 **b) Election of Officers for 2024**
8

9 Chair Stockton explained that the Chair and Vice-Chair were elected annually at the first meeting
10 of the Commission. Community Development Director Goellner noted that Commissioners could
11 make nominations for such positions in advance, and that there had been a nomination received
12 for Larissa Stockton to serve as Chair, and Ken Sorensen to serve as Vice-Chair. She further
13 explained that the Commission could also take any other nominations of Commissioners for such
14 positions at this time.

15
16 There being no additional nominations, Chair Stockton asked for a motion on the nominations.

17
18 Commissioner Elg made a motion, seconded by Commissioner Schwalbe, to appoint Larissa
19 Stockton to serve as Chair. The motion carried unanimously.

20
21 Commissioner Douglas made a motion, seconded by Commissioner Plantan, to appoint Ken
22 Sorensen to serve as Vice-Chair. The motion carried unanimously.

23
24 **c) Review of Development Activities**
25

26 Community Development Director Goellner noted that the City has received one new development
27 application for property located at 620 Bushaway Road, where they are proposing an addition to
28 their home, but noted that staff did not expect it to be completed and ready for the Commission
29 until closer to March.

30
31 **d) Planning Commission Meeting Schedule**
32

33 Community Development Director Goellner noted that she does not have any items scheduled for
34 the January 22, 2024 or the February 5, 2024 Planning Commission meetings, and would likely be
35 canceling those meetings.

36
37 Commissioner Douglas explained that she had gotten several questions about the previously
38 approved Zitzloff project and its potential start date.

39
40 Community Development Director Goellner stated that she does not yet know about the start date
41 for that project, and explained that the applicant's team is working on the financing and bidding
42 process. She stated that the next step would be the approval of a development agreement by the
43 City Council, which has been drafted and should be on an upcoming meeting. She noted that the
44 Commission liaison schedule for the Council meetings was included in their packet and
45 encouraged Commissioners to come in person, if possible, to the City Council meetings they are
46 assigned to observe.

1
2 **AGENDA ITEM 7. Adjournment.**
3

4 There being no further business on the agenda, Chair Stockton asked for a motion to adjourn.
5

6 Commissioner Sorensen made a motion, seconded by Commissioner Elg, to adjourn the Planning
7 Commission meeting. The motion carried unanimously.
8

9 The Planning Commission meeting was adjourned at 6:42 p.m.
10

11 Respectfully submitted,

12 Kayla Atkins Rokosz

13 *TimeSaver Off Site Secretarial, Inc.*
14

DRAFT



City of Wayzata Planning Commission Agenda Report

MEETING DATE: March 11, 2024	AGENDA ITEM: 5.a
TITLE: Consider Development Application for Front, Rear, and Lakeshore Setback Variances for an Addition at 620 Bushaway Road	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: June 13, 2024 (extended to 120 days)	

BACKGROUND:

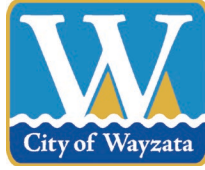
Owners Gary and Karen Kirt have submitted a development application requesting front yard setback, rear yard setback, and lakeshore setback variances to support an addition to the existing home at 620 Bushaway Road. The project would include the removal of an existing detached garage and changes to the driveway. The applicants are also proposing a detached water-oriented accessory structure on the east side of the property. As of March 6, no public comments have been received.

ACTION REQUESTED:

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

ATTACHMENTS:

1. 620 Bushaway Rd - Staff Report
2. 620 Bushaway Rd - Project Narrative
3. 620 Bushaway Rd - Project Plan Set
4. 620 Bushaway Rd - Shoreland Impact Narrative
5. 620 Bushaway Rd - Shoreland Impact Plan



**Staff Report
Wayzata Planning Commission
March 11, 2024**

Project Name: 620 Bushaway Rd Addition
Approval Requests: Variances (3) – Front Yard Setback, Rear Yard Setback, Lakeshore Setback
Applicants/Owners: Gary and Karen Kirt
Addresses of Request: 620 Bushaway Road
Prepared by: Valerie Quarles, Assistant Planner
“120 Day” Decision Deadline: June 13, 2024

Development Application Introduction

Owners Gary and Karen Kirt have submitted a development application requesting front yard setback, rear yard setback, and lakeshore setback variances to support an addition to the existing home at 620 Bushaway Road.

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

Address	PID	Owners
620 Bushaway Rd	08117223300011	GARY KIRT & KAREN KIRT 620 BUSHAWAY RD WAYZATA MN 55391

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

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

Project Location

The property is located on the east side of Bushaway Road, one property north of the bridge across Gray’s Bay.

Map 1: Project Location



Source: Hennepin County

Application Requests

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

- A. Variance – Front Yard Setback (§951.06.B.1.a): The applicant is proposing a variance of 35.7 feet off the required front yard setback of 45 feet, in order to place the new structure 9.3 feet off the front (west) property line.
- B. Variance – Rear Yard Setback (§951.06.B.1.c): The applicant is proposing a variance of 24.6 feet off the required rear yard setback of 50 feet, in order to place the new structure 25.4 feet off the rear (east) property line.
- C. Variance – Lakeshore Setback (§991.09.A): The applicant is proposing a variance of 49.6 feet off the required lakeshore setback of 75 feet, in order to place the new structure 25.4 feet off the lakeshore.

Public Hearing Notice

Notice of the public hearing on the Application was published in the *Sun Sailor* on February 29, 2024 and sent to the Minnesota Department of Natural Resources on February 21, 2024. The public hearing notice was also mailed to all property owners located within 500 feet of the subject property on February 22, 2024.

Neighborhood Notification

The applicant sent a letter about the Application to residents within 500 feet of the subject property on February 26, 2024.

Public Comments

As of March 6, no public comments have been received.

Existing Conditions

The existing developed lot is 41,727 square feet (0.96 acres) in area. The existing home is about 1,596 square feet in size and was built in 1925. The home is notable for having been designed by architect Harry Wild Jones as an accessory building associated with what is now 601 Bushaway Road. However, the home does not have any historic designation that limits an owner's ability to make modifications.

The corner of the home sits 2.4 feet away from the front property line, which is along Bushaway Road, and 29 feet away from the rear property line, which is along Lake Minnetonka. This is a legal nonconformity in the R-1A district, which requires a 45-foot front yard setback and 50-foot rear yard setback, as well as the Shoreland Overlay District, which requires a 75-foot setback from the lakeshore.

A 914 square foot detached garage with an occupiable second story space sits to the northeast of the home. The garage is 17.1 feet away from Bushaway Road and 39.2 feet away from Lake Minnetonka. The garage is in compliance with required setbacks for accessory structures in the R-1A district, but is a legal nonconformity in the Shoreland Overlay District, which limits the size of accessory structures within 75 feet of Lake Minnetonka. It is unclear what year the garage was constructed, but an addition was permitted in 1990 according to City records. The addition includes a small living space.

Drivers enter on the north side of the property and cross a small bridge to get to the garage. A driver can also go around the garage and arrive at a turnaround. The drive surface is constructed out of pavers.

An existing outdoor fireplace, fence, and portion of driveway encroach upon Hennepin County right of way. The encroachment appears to have been created when private property was acquired along the roadway by Hennepin County as part of Bushaway Road's reconstruction in the 2010s. The encroachments have not received a permit from Hennepin County since that time, but would not be affected by this project. The fence received a conditional use permit from the City in 2007 for increased height and opacity when it was fully upon private property.

Zoning District and Land Use Designation

The site is zoned R-1A, Low Density Single Family Estate District. The purpose of the R-1A Low-Density Single-Family Estate District is to provide a district for existing large low density residential and estate-type properties. These properties are distinctive in that they are unusually large in size and frequently include accessory structures, such as accessory dwelling units. This district also allows recreational uses. The 2040 Comprehensive Plan land use designation for this site is Estate Single Family.

Proposed Changes

The applicant is proposing to build an addition to the existing home. The addition would create approximately 2,300 square feet of living space on two floors and include a three-stall garage. The height of the addition would approximately match the current home and sit roughly parallel to the front property line, with a setback varying between 9.3 feet and

10.4 feet from the front property line. The addition would require modifications to one exterior wall of the existing home and a portion of the existing roof. In total, the addition's footprint would be 2,449 square feet, in comparison to the existing home's footprint of 1,092 square feet.

To make space for the addition, the applicant proposes to remove the current detached garage. They also propose to shift the existing driveway curb cut to the south in order to shorten the driveway and create a wider pad in front of the garage, which would also replace the existing turnaround loop. The existing bridge would remain on the property but no longer support the driveway.

A new accessory structure is also proposed on the east side of the lot. The Shoreland Overlay District permits "water-oriented accessory structures" within the lakeshore setback as long as they meet specific requirements. The proposed structure is 10 feet tall and just under the maximum area of 250 square feet. The structure meets the requirements of the Shoreland Overlay District (§991.13.B) and is allowed by right if the existing garage is removed.

As a result of these changes, impervious surface would decrease from 18.57% to 15.22%, primarily due to adjustments in the driveway configuration. Lot coverage would increase from 4.67% to 8.9%. The property would continue to comply with the R-1A limitations of 20% impervious surface and 10% lot coverage.

Trees are proposed to be removed for construction of the addition, new driveway location, and boathouse. Removals include 2 heritage trees (67.5 inches) and 8 significant trees (115 inches). The proposal includes a compliant tree replacement plan that satisfies the replacement ratios and species diversity requirements in Chapter 936 of City Code.

Analysis of Application

Variance – Front Yard Setback (R-1A)

The entire addition sits within the required 45-foot front yard setback. The addition's northwest wall runs parallel to the front property line, with the proposed setback varying between 9.3 feet on the south side to 10.4 feet on the north side. This is an increased setback when compared to the existing home, which sits 2.4 feet away from the front property line at its closest point. The northwest side of the addition also benefits from increased yard space due to the location of the existing fence, which is placed about ten feet into the right of way. The garage, on the north side of the addition, loads from the north side. The entire addition would be partially screened by the existing 6-foot-tall, solid fence, which was approved by City Council under Resolution 09-2007.

	City Code	Current	Proposed
Front Yard Setback	45 feet	2.4 feet	9.3 feet (addition)

Variance – Rear Yard Setback (R-1A)

Most of the addition sits within the required 50-foot rear yard setback. The addition's southeast wall is between 25.4 feet and approximately 30 feet from the rear lot line. For this property, the rear lot line is also the shoreline. This is a decreased setback when compared to the existing home, which sits 29 feet away from the rear lot line at its closest point.

	City Code	Current	Proposed
Rear Yard Setback	50 feet	29 feet	25.4 feet (addition)

Variance – Lakeshore Setback (Shoreland Overlay District)

The entire addition sits within the required 75-foot lakeshore setback, as does the existing home. The applicant has included the required Shoreland Impact Plan in their application to address this. The Engineering department has reviewed the Shoreland Impact Plan, which includes erosion control details to ensure that the lake is not impacted by runoff, and found it compliant.

	City Code	Current	Proposed
Lakeshore Setback	75 feet	29 feet	25.4 feet (addition)

Department Comments

Engineering Department:

- Bushaway Road is in Hennepin County ROW. A permit will be required by Hennepin County for any modifications to driveway access within Hennepin County ROW.

City Forester:

- 620 Bushaway Road occupies the northwestern edge of Southern Dry-Mesic Oak Forest, though many of the property's largest trees are cottonwood and maple. This proposal appears to preserve with confidence most of the ecologically significant canopy, including centuries-old oak and community-appropriate shade tree species. It also includes the removal of a heritage shoreline cottonwood, which currently provides value for soil binding, eagle nesting, and carbon collection. The other removals listed primarily affect basswood and incompatible spruce species.
- The tree replacement proposed is ecologically appropriate for the site, and fully satisfies the on-site planting requirements associated with the proposed removals. The woodland, as a whole, would benefit from the age and species diversification described in the plan.
- If approved, this replacement plan will require a Tree Mitigation Agreement and tree replacement escrow, which will be calculated, collected, and released according to the standards described in the City of Wayzata's Tree Preservation Ordinance (see 936.11).

Standards of Planning Commission Review of Application Requests

Primary Questions to Consider:

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

Action Steps

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

Attachments

1. Plan Set
2. Proposed Survey
3. Narrative
4. Shoreland Impact Plan and Narrative
5. Tree Replacement Plan

Applicable Code Provisions for Review

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

2040 Comprehensive Plan – Residential Goals

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

Variance Standards – City Code Chapter 905

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

Criteria for Granting. Conditions governing considerations of variance requests.

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

Shoreland Setback Variance Standards – City Code Chapter 991.09.D

1. The setback requirements of Section 991.09 shall not apply to piers and docks. Setback requirements for water-oriented accessory structures are regulated in Section 991.13.B of this Ordinance.
2. No principal structure or building addition other than a water oriented accessory structure as specified above shall be located closer to the ordinary high water mark than **the greater of:**
 - a. **Seventy-five feet;**
 - b. A line which is drawn between the two closest riparian principal structures on either side of a proposed building site;
 - c. The average setback of the two closest riparian principal structures on either side of a proposed building site; or
 - d. The average setback line shall be measured parallel to the ordinary high water level. In all circumstances, the setback shall be established by measuring the distance from the ordinary high water level to that part of the said principal structure that is closest to the lake.
3. The required setback distance may be reduced by a variance if the following conditions are met:
 - a. The minimum setback from the ordinary high water mark is at least 75 feet;
 - b. The setback shall not adversely impact views of the shoreline or lake for adjacent neighboring principal structures;
 - c. **The reduction of setback requirements is based upon a specific need or circumstance which is unique to the property in question and which, if approved, will not set a precedent which is contrary to the intent of this Ordinance.** However, any structure built as a result of an issued variance shall be considered in determining the proper setback of future construction on adjacent lots;
 - d. A shoreland impact plan is submitted and approved as required and set forth in Section 991.19 of this Ordinance;
 - e. The conditions of Chapter 905 and Section 991.20 of this Ordinance are considered and satisfactorily met.

Narrative for 620 Bushaway Road

Homeowners/Applicants: Gary and Karen Kirt • Design Firm: Rauscher & Associates • Builder: John Kraemer & Sons

The proposed re-model/addition, located at 620 Bushaway Road, is going to be a locally led, unique, reasonable, & respectful addition to the lakeside neighborhood. The existing property was recently purchased by local residents Gary & Karen Kirt, longtime Wayzata residents at 325 Highcroft Lane, with a great enthusiasm for its legacy & a desire to downsize.

They have enlisted local designer Tom Rauscher & building company John Kraemer & Sons. The team has proposed a remodel/addition to the existing home on Grays Bay. Originally a gardener's cottage designed by renowned architect Harry Wild Jones, the home was remodeled in 2013 & awarded Best Historic Renovation in 2013 by the Mayor of Wayzata. Gary, Karen & the team hold this existing home & site in the highest regard & look to retain its beauty & charm.

The proposed design for the residence has a 3,462 sq. footprint, and with other revisions on the site this results in a hardcover percentage of about 15%, significantly less than the current conditions (18.6%) and well below the ordinance-allowed 20% hardcover building coverage will be 8.9%, which is under the allowable 10%. The maximum height of the new addition is within inches of the existing highest roof height of ~25', well below the 40' maximum height allowed by ordinance. The proposed house will be as nestled in & as unnoticed from the road as the existing home.

The bridge along with much of the landscaping will remain; also, the driveway will be moved closer to the home & significantly reduce hardcover. The proposed design will need variances due to the site's unique circumstances & shape. Strict application of current setback ordinances creates a hardship unique to this site & no functional area within which to build.

The proposed design seeks the approval of 3 setback variances. A front yard setback of 9.3 feet instead of 45 feet (R-1A), the existing home is 2.5' from the property line along the street side of the property & in violation of the current setback requirements. The lakeside of the proposed design would require 2 setbacks: A rear yard setback of 25.4' instead of 50' (R-1A) and 75' (Shoreland Overlay District setback). The existing home's lakeside footprint is also in violation of the current setbacks. The proposed design is reasonable & respectful of the existing conditions and does not encroach more than necessary on the street & lakes sides of the property.

Along with the site, the proposed design takes its inspiration from the existing home. The cozy cottage feel is going to be replicated in a variety of elements. These include rolled roof details, exterior wood timbers, window/door styles, stucco & stone materials to match. The home will have a separation in the form of a vaulted gathering room made to replicate a steel European Conservatory. This brings in a new & exciting contrast to the existing elements while not overpowering the design. The detached garage will be removed from the proposed design; this was not part of the original house & was revamped in the 2013 remodel. Also, the small "lean-to" area of the existing home that will be removed in the remodel was also not a part of the original house but was a later addition.

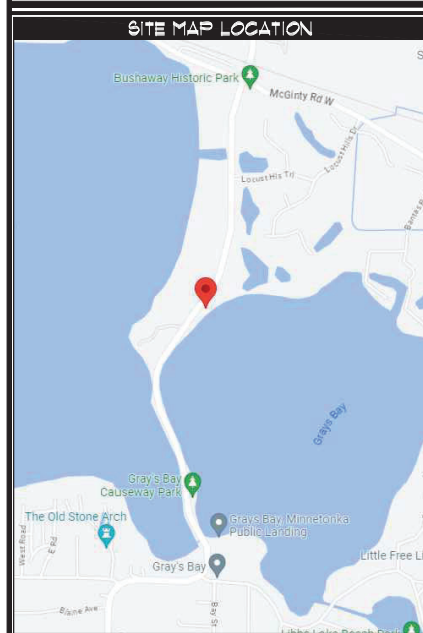
The Kirts have worked hard over the years to preserve historic structures in various Minnesota communities. They purchased the old Loring Theatre on Nicollet Avenue & repurposed, renovated, & repositioned it as The Music Box Theatre. They also purchased for protection & renovation the historic Hewson House designed by Kees & Colbert Architects & John S. Bradstreet in 1905, saving an important

local architectural landmark. In Gary's hometown of Bena, Minnesota, he financed & assisted in the restoration & preservation the "Big Fish" just south of Lake Winnibigoshish along State Highway 2. Several of these projects were award winning & in conjunction with the Preservation Alliance of Minnesota (now known as RETHOS).

Gary & Karen have a true passion for business, philanthropy, service & volunteering. Gary is a Twin Cities' recognized businessman who purchased the 100 year old David C. Bell Investment Company in 1980 that would become Bell Mortgage Company & become one of the largest mortgage banking companies in the Midwest. He owned Bell for over 30 years & has since sold the Company which is now the Bell Bank Mortgage division of Bell Bank. Their passion for philanthropy & volunteering includes the Boys and Girls Clubs of the Twin Cities, Simpson Housing Services, Hennepin Theater Trust, Spare Key, & Baby Space, among others.

Gary & Karen Kirt & their design team have abiding & demonstrable respect & appreciation of the historic value of the existing home. While adding improvements which are consistent with the current cottage & reasonable in relation to the large site, they aim to make the property a valuable addition to the neighborhood & a beautiful home in which to reside for years to come.

PRELIMINARY –NOT FOR CONSTRUCTION



LOT HARDCOVER		
TOTAL LOT S.F.		41,727
ALLOWABLE HARDCOVER (20% TOTAL LOT S.F.)		8,345
TOTAL LOT HARDCOVER		6,350
TOTAL LOT HARDCOVER %		15.22%
* SEE SURVEY FOR S.F. BREAK-DOWN		
MAX. BUILDING HGT. CALC.		
MAXIMUM BUILDING HGT.		40'00"
HIGHEST RIDGE OF EXISTING (TO LOWEST GRADE ADJACENT TO EXISTING HOUSE)		25'58" (958.08')
LOWEST GRADE ADJACENT TO EXISTING HOUSE		932.5
HIGHEST RIDGE OF EXISTING (TO LOWEST GRADE ADJACENT TO EXISTING HOUSE)		26'04" (958.54')
MAX. BUILDING HGT. ELEV.		
PROPOSED BUILDING ELEV.		
PROPOSED T.O. MAIN LEVEL SUB-FLOOR		933.60
BASEMENT FLR. ABY. GRADE		

GENERAL CONSTRUCTION NOTES

1. THESE DRAWINGS ARE THE INSTRUMENT OF SERVICE AND REMAIN THE PROPERTY OF RAUSCHER & ASSOCIATES. THEY ARE NOT TO BE REPRODUCED OR ALTERED IN ANY WAY, NOR DISCLOSED OR ASSIGNED TO ANY THIRD PARTY WITHOUT THE EXPRESSED WRITTEN CONSENT OF RAUSCHER & ASSOCIATES.
2. VERIFY AND COORDINATE ALL CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION. REPORT AND/OR REVEAL ALL QUESTIONS, DISCREPANCIES AND CONDITIONS TO OWNER AND/OR A RAUSCHER & ASSOCIATES REPRESENTATIVE FOR DIRECTION OR APPROVAL PRIOR TO PROCEEDING WITH WORK.
3. MATERIAL SELECTIONS AND CONSTRUCTION PROCEDURES SHALL COMPLY WITH STANDARD OF THE INDUSTRY FOR CUSTOM FABRICATED RESIDENCES.
4. GENERAL CONTRACTOR IS RESPONSIBLE TO VERIFY THAT ALL CONSTRUCTION WORK CONFORMS TO ALL APPLICABLE CODES, COVENANTS, ORDINANCES, MANUFACTURERS SPECIFICATIONS AND BE IN COMPLIANCE WITH THE STATE ENERGY CODE.
5. SEE ALSO BUILDING SECTIONS AND DETAILS NOTED FOR ADDITIONAL INFORMATION.
6. WINDOW MANUFACTURER TO SUBMIT SHOP DRAWINGS FOR ALL CUSTOM ARCHTOP WINDOW UNITS SHOWN (IF APPLICABLE) TO CONTRACTOR AND/OR RAUSCHER & ASSOCIATES PRIOR TO FRAMING ROUGH OPENINGS OF SAME.
7. ALL SOILS, MECHANICAL, ELECTRICAL, FOUNDATION, FLOOR/ROOF TRUSS, GIRDER AND LVL, BEAM DESIGN AND THE ENGINEERING OF SYSTEM SIZES AND ANY LAYOUTS SHALL BE BY THE RESPECTIVE SUB-CONTRACTOR AND/OR SUPPLIER OF THOSE SYSTEMS OR BY OTHER NECESSARY CONSULTANTS AND SHALL BE COORDINATED BY THE GENERAL CONTRACTOR. INFORMATION SHOWN IN REGARD TO THESE CONCERNS IS ONLY SCHEMATIC AND IS INTENDED TO PROVIDE DESIGN INTENT ONLY. ANY MAJOR ALTERATIONS THAT AFFECT THE OVERALL DESIGN SHALL BE REVIEWED BY RAUSCHER & ASSOCIATES FOR APPROVAL PRIOR TO PROCEEDING WITH WORK.
8. ROOF, FLOOR AND GIRDER TRUSS CONFIGURATIONS AND LOCATIONS TO BE VERIFIED WITH TRUSS MANUFACTURER AND COORDINATED BY THE GENERAL CONTRACTOR AS TO PROVIDE PROPER BEARING AS REQUIRED. PLANS INDICATE ASSUMED LOCATIONS ONLY AND ARE TO BE VERIFIED WITH THE RESPECTIVE SUB-CONTRACTOR AND/OR SUPPLIER OF THOSE SYSTEMS.
9. RAUSCHER & ASSOCIATES ASSUME NO RESPONSIBILITY FOR THE STRUCTURAL INFORMATION PROVIDED BY OTHERS AND MUST BE VERIFIED BY THE GENERAL CONTRACTOR PRIOR TO CONSTRUCTION.
10. UNLESS NOTED OTHERWISE, DIMENSIONS ARE FROM FACE OF OR CENTER OF WALL STUDS, CENTERLINE OF BEAM MEMBERS, FACE OF ROUGH CONCRETE SURFACES, I.C.F. FORMS OR MASONRY. EXTERIOR FACE DIMENSIONS ARE TO THE EXTERIOR FACE OF WALL STUDS, NOT TO FACE OF SHEATHING, DO NOT SCALE OFF DRAWINGS. IF DIMENSIONAL INFO IS MISSING OR UNCLEAR CONTACT PROJECT CRAFTSMAN FOR CLARIFICATION.
11. ALL POTENTIAL CONTRACTORS SHALL THOROUGHLY FAMILIARIZE THEMSELVES WITH THE PROJECT AND JOB CONDITIONS PRIOR TO BIDDING TO INSURE THEY UNDERSTAND THE SCOPE OF WORK, ANY CONDITIONS THAT ARE NOT CLEAR OR THAT ARE DIFFERENT THAN REQUIRED BY CODE SHALL BE BROUGHT TO THE ATTENTION OF RAUSCHER & ASSOCIATES PRIOR TO BIDDING THE WORK.
12. NOTIFY RAUSCHER & ASSOCIATES BEFORE ANY CHANGES IN CONSTRUCTION.

ABBREVIATION LEGEND

®	AT	H.	HIGH HEIGHT	S&R	SHELF & ROD
ABV.	ABOVE	H.B.	HOSE BIB	S.C.	SOLID CORE
A/C	AIR CONDITIONER	HDR.	HEADER	S.F.	SQUARE FEET
A.F.F.	ABOVE FINISHED FLOOR	HORIZ.	HORIZONTAL	SH	SHELVES
A.S.F.	ABOVE SUB-FLOOR			SIM	SIMILAR
ALUM.	ALUMINUM	INSUL.	INSULATION	S.S.	STAINLESS STEEL
AL. TH.	ALUMINUM THRESHOLD	INT.	INTERIOR	STL.	STEEL
				STR.	STRUCTURAL
				S.V.A.	SOIL VENT PIPE
BLDG.	BUILDING	L.	LONG / LENGTH		
BLOCK.	BLOCKING	LAV.	LAVATORY	T&B	TOP & BOTTOM
BM.	BEAM	LNTL.	LINTEL	T&G	TONGUE & GROOVE
B.O.	BOTTOM OF	L.O.	LOOK-OUT	THK.	THICK
B.R.G.	BEARING			TMPRD.	TEMPERED
		MAX.	MAXIMUM	T.O.	TOP OF
¢	CENTERLINE	M.C.	MEDICINE CABINET	T.O.R.	TOP OF ROUGH OPENING
CE.	CONTROL JOINT	MIN.	MINIMUM	TYP.	TYPICAL
C.G.	CILING	M.O.	MASONRY OPENING		
C.M.U.	CONCRETE MASONRY UNIT	M.R.	MOISTURE RESISTANT		
C.O.U.	CASED OPENING	M.R.O.	MASONRY ROUGH OPENING	U.N.O.	UNLESS NOTED OTHERWISE
CONC.	CONCRETE	MTL.	METAL	U.R.	UNDER-COUNTER REFRIGERATOR
CONC. CONT.	CONTINUOUS CONCRETE	N.I.C.	NOT IN CONTRACT		
C.T.	CERAMIC TILE	N.T.S.	NOT TO SCALE	VAC.	VACUUM SYSTEM
C.T.O.	CERAMIC TILE OPENING			V.B.	VAPOR BARRIER
		O.C.	ON CENTER	V.S.	VENT THROUGH ROOF
D.	DEEP / DEPTH	O.H.	OVERHEAD		
DN.	DOWN	OPG.	OPENING	W.	WIDE / WIDTH
DR.	DOOR			W.C.	WATER CLOSET
D.S.	DOWNSPUT	PCT.	PERCENT	W.D.	WOOD
DWG.	DRAWING	PLTW.	PLYWOOD	W.H.	WATER HEATER
		PR.	PAIR	W.O.	WALK-OUT
E.F.S.	EXTERIOR INSULATION FINISHING SYSTEM	P.T.	PRESSURE TREATED	WP.	WALLPAPER
ELEV.	ELEVATION	PTD.	PAINTED	W.R.B.	WATER RESISTIVE BARRIER
E.P.S.	EXPANDED POLY-STYRENE FOAM	RAD.	RADIUS	W.W.F.	WELDED WIRE FABRIC
EQ.	EQUAL	R.C.H.	ROUGH CEILING HEIGHT		
EXIST.	EXISTING	RENF.	REINFORCING		
EXT.	EXTERIOR	REQ.	REQUIRED		
		R.M.O.	ROUGH MASONRY OPENING		
F.D.	FLOOR DRAIN	R.O.	ROUGH OPENING		
FIN. FL.	FINISHED FLOOR				
FLR.	FLOOR				
FTG.	FOOTING				
		GA.	GAUGE		
		GALV.	GALVANIZED		
G.O.	GYPSSUM OPENING				
GYP. BD.	GYPSSUM BOARD				

APPROX. SQ. FT.	
MAIN LEVEL	2680
UPPER LEVEL	1203
TOTAL FINISHED SQ. FT.	3883
GARAGE	774

PROJECT TEAM	
<u>RAUSCHER & ASSOCIATES:</u>	
<u>PROJECT DRAFTSMAN:</u>	
WADE SCHMIDT	
612-208-0454	
wade@trauscher.com	
<u>INTERIOR DESIGN ASSISTANT:</u>	
SHERRY MELROE	
612-886-3417	
sherrym@trauscher.com	
<u>GENERAL CONTRACTOR:</u>	
JOHN KRAEMER & SONS, INC	
4906 LINCOLN DRIVE	
EDINA, MN 55436	
612-935-9100 FAX: 612-935-9184	

[illegible]

DATE	Feb. 14, 2024	ISSUED FOR:	1-30-24 2-14-24	VARIANCE REVISIONS VARIANCE REVISIONS
Plans prepared by Wade S.				

KIRT, Gary & Karen - Bushaway Rd.
Residence for:
620 BUSHAWAY ROAD, WAZATA MINNESOTA 55391

620 BUSHAWAY ROAD, WAYZATA MINNESOTA 55391

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PAUSCHER & ASSOCIATES
 1000 BROADWAY, SUITE 1100
 NEW YORK, NY 10018
 TEL: 212-691-1000
 FAX: 212-691-1001
 E-MAIL: info@pau.com



DESCRIPTION OF PROPERTY SURVEYED

Lot 1, Block 2, HAZELBROOK, according to the recorded plat thereof, Hennepin County, Minnesota.

STANDARD NOTES

- 1) Site Address: 620 Bushaway Road, Wayzata, Minnesota 55391
- 2) A title opinion was not furnished to the surveyor as part of this survey. Only easements per the recorded plat are shown.
- 3) Flood Zone Information: X (area determined to be outside of the 0.2% annual chance floodplain) and Zone A (1-percent-annual-chance flood event determined by detailed methods. Base Flood Elevations (BFEs) are shown, and floodplain management standards apply.) per Flood Insurance Rate Map, Community Panel No. 27053C03.
- 4) Parcel Area Information: Gross Area: 41,727 ± s.f. = 41,727 ± acres
*We do not affirmatively insure the quantity of acreage set forth in the description
- 5) Benchmark: Elevations are based on MN/DOT Geodetic Station Name: ROGER MN053 which has an elevation of 932.5 feet.
- 6) Zoning Information: The current Zoning for the subject property is R-1A (Low Density Single Family Estate I) dated January 22, 2020. The setback, height, and floor space area restrictions for said zoning designation are as follows:
Principal Structure Setbacks - Street(s): 45 feet (Bushaway Road)
Side: 20 feet
Lake: 75 feet (From Ordinary High Water Line)
Height: 40 feet
Hardcover: 20 percent of lot area

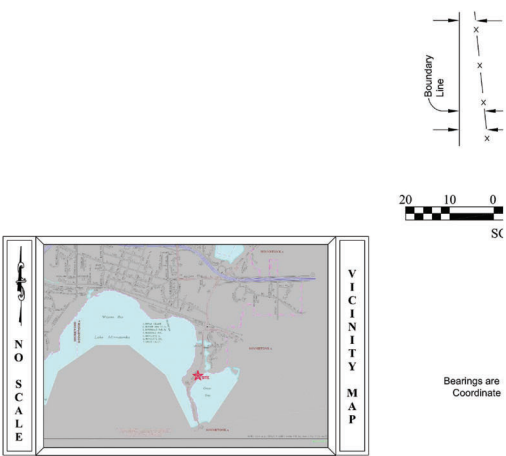
*Please note that the zoning information shown hereon may have been amended through a city process. We have not received the current zoning classification and building setback requirements from the insurer.

7) Utilities: We have shown the location of utilities on the surveyed property by observed evidence only. There may be other utilities located on the property that we have not observed. Please note that we have not placed a Gopher State One Call for this survey. There is no mapped area, therefore extreme caution must be exercised before any excavation takes place on or near this site. Inhabitants are urged to observe all the utilities located on the subject property. Before digging, you are required to call 811 at least 48 hours in advance at 651/454-0002.

8) Features on the site were located to the best of our ability. Due to seasonal conditions at the time of this certificate and therefore not shown hereon.

Hardcover

Lot Area	= 41,727 S.F.
House Area	= 1,013 S.F.
Garage Area	= 934 S.F.
Pavers Area	= 5,423 S.F.
Hot Tub Area	= 68 S.F.
Fire Place Area	= 22 S.F.
Bridge Area	= 71 S.F.
Columns Area	= 20 S.F.
Ret. Walls Area	= 198 S.F.
Total Area	= 7,749 S.F.
Coverage	= 18.6%



SURVEY LEGEND

● CAST IRON MONUMENT	● PIEZOMETER	WOE WALL
● IRON PIPE MONUMENT SET	● POWER POLE	FFE FIRST
● IRON PIPE MONUMENT FOUND	● GUY WIRE	GFE GAR
● DRILL HOLE FOUND	● ROOF DRAIN	TOF TOP
● CHISELED "X" MONUMENT SET	● LIFT STATION	LOE LOWE
● CHISELED "X" MONUMENT FOUND	● SANITARY MANHOLE	
● REBAR MONUMENT FOUND	● SANITARY CLEANOUT	
● PK NAIL MONUMENT SET	● STORM MANHOLE	
● PK NAIL MONUMENT FOUND	● STORM DRAIN	
● PK NAIL W/ ALUMINUM DISC	● CATCH BASIN	
● SURVEY CONTROL POINT	● FLARED END SECTION	
● A/C UNIT	● TREE CONIFEROUS	
● CABLE TV PEDESTAL	● TREE DECIDUOUS	
● ELECTRIC TRANSFORMER	● TREE CONIFEROUS REMOVED	
● ELECTRIC MANHOLE	● TREE DECIDUOUS REMOVED	
● ELECTRIC METER	● TELEPHONE MANHOLE	
● ELECTRIC OUTLET	● TELEPHONE PEDESTAL	
● YARD LIGHT	● UTILITY MANHOLE	
● LIGHT POLE	● UTILITY PEDESTAL	
● FIBER OPTIC MANHOLE	● UTILITY VAULT	
● FIRE DEPT. HOOK UP	● WATERMAIN MANHOLE	
● FLAG POLE	● WATER METER	
● FUEL TANK	● WATER SPIGOT	
● PROPANE TANK	● WELL	
● GAS METER	● MONITORING WELL	
● GAS VALVE	● CURB STOP	
● GAS MANHOLE	● GATE VALVE	
● GENERATOR	● HYDRANT	
● GUARD POST	● IRRIGATION VALVE	
● HAND HOLE	● POST INDICATOR VALVE	
● MAIL BOX	● SIGN	
	● SOIL BORING	

NO.	BY	DATE	REVISION

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

Dated this 24th day of January, 2023.

Daniel L. Schmidt

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



SATHRE-BERGQUIST, INC.

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

TWP:117-RGE:22-SEC:8
Hennepin County

**WAYZATA,
MINNESOTA**

CERTIFICATE OF SURVEY

PREPARED FOR:
JYLAND HOMES

PRELIMINARY — NOT FOR CONSTRUCTION

RAUSCHER & ASSOCIATES
FINE HOME DESIGN AND INTERIORS
275 MARKET STREET - STE 54
MINNEAPOLIS - MN - 55405
612.353.6940 • FAX 612.354.3413

Residence for:
KIRT, Gary & Karen - Bushaway Rd.
620 BUSHAWAY ROAD, WAYZATA MINNESOTA 55391

ISSUED FOR:	1-30-24	VARIANCE REVIEW/ISSUE
AS-BUILT SET	2-14-24	VARIANCE REVIEW/ISSUE
PRELIMINARY PLAN REVIEW	2-14-24	VARIANCE REVIEW/ISSUE
5/16 DIAGRAMS	2-14-24	VARIANCE REVIEW/ISSUE
PRELIMINARY PLAN REVIEW	2-14-24	VARIANCE REVIEW/ISSUE
PRELIMINARY SUBMITTAL	2-14-24	VARIANCE REVIEW/ISSUE
VARIANCE SUBMITTAL	2-14-24	VARIANCE REVIEW/ISSUE

PAGE
SITE 1A

DATE
Feb. 14, 2024
Plans prepared by Wade S.

EXISTING SURVEY
SCALE: 1/16"=1'-0"



- DESCRIPTION OF PROPERTY SURVEYED
- Lot 1, Block 2, HAZELBROOK, according to the recorded plat thereof, Hennepin County, Minnesota.
- STANDARD NOTES
- 1) **Site Address:** 620 Bushaway Road, Wayzata, Minnesota 55391
 - 2) A title opinion was not furnished to the surveyor as part of this survey. Only easements per the recorded plat are shown.
 - 3) **Flood Zone Information:** X (area determined to be outside of the 0.2% annual chance floodplain) and Zone A (1-percent-annual-chance flood event determined by detailed methods. Base Flood Elevations (BFEs) are shown, and floodplain management standards apply.) per Flood Insurance Rate Map, Community Panel No. 27053C03.
 - 4) **Parcel Area Information:** Gross Area: 41,727 ± s.f. = 41,727 ± acres
*We do not affirmatively insure the quantity of acreage set forth in the description
 - 5) **Benchmark:** Elevations are based on MN/DOT Geodetic Station Name: ROGER MN053 which has an elevation of 932.8.
 - 6) **Zoning Information:** The current Zoning for the subject property is R-1A (Low Density Single Family Estate I) dated January 22, 2020. The setback, height, and floor space area restrictions for said zoning designation are as follows:
Principal Structure Setbacks: Street(s): 45 feet (Bushaway Road)
Side: 20 feet
Lake: 75 feet (From Ordinary High Water Line)
Height: 40 feet
Hardcover: 20 percent of lot area

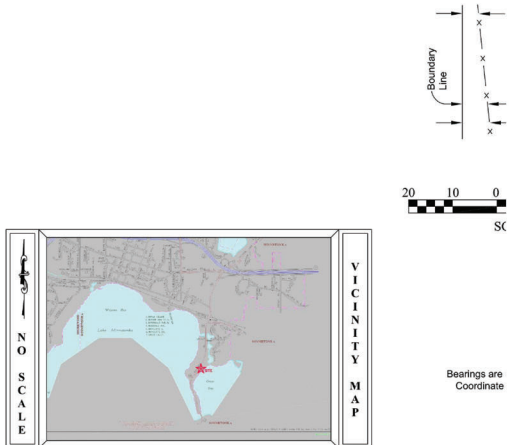
*Please note that the zoning information shown hereon may have been amended through a city process. With the Zoning Administrator for the current restrictions for this site. All setback information and hardcover dimensions are shown for informational purposes only and are not to be used for planning or construction.

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

- 7) **Utilities:** We have shown the location of utilities on the surveyed property by observed evidence only. There may be property we are unaware. Please note that we have not placed a Gopher State One Call for this survey. There is a mapped area, therefore extreme caution must be exercised before any excavation takes place on or near this site. Inhabitants are urged to visibly observe all the utilities located on the subject property. Before digging, you are required to call 811 in advance at 651/454-0002.
- 8) Features on the site were located to the best of our ability. Due to seasonal conditions at the time of this certificate and therefore not shown hereon.

Hardcover

Lot Area	= 41,727 S.F.
House Area	= 1,013 S.F.
Garage Area	= 934 S.F.
Driveway Area	= 2,423 S.F.
Hot Tub Area	= 68 S.F.
Fire Place Area	= 22 S.F.
Bridge Area	= 71 S.F.
Columns Area	= 20 S.F.
Ret. Walls Area	= 198 S.F.
Total Area	= 7,749 S.F.
Coverage	= 18.6%



SURVEY LEGEND

● CAST IRON MONUMENT	● PIEZOMETER	WOE WALL
● IRON PIPE MONUMENT SET	● POWER POLE	FFE FIRST
● IRON PIPE MONUMENT FOUND	● GUY WIRE	GFE GAR
● DRILL HOLE FOUND	● ROOF DRAIN	TOF TOP
● CHISELED "X" MONUMENT SET	● LIFT STATION	LOE LOWE
● CHISELED "X" MONUMENT FOUND	● SANITARY MANHOLE	
● REBAR MONUMENT FOUND	● SANITARY CLEANOUT	
● PK NAIL MONUMENT SET	● STORM MANHOLE	
● PK NAIL MONUMENT FOUND	● STORM DRAIN	
● PK NAIL W/ ALUMINUM DISC	● CATCH BASIN	
● SURVEY CONTROL POINT	● FLARED END SECTION	
● A/C UNIT	● TREE CONIFEROUS	CTV
● CABLE TV PEDESTAL	● TREE DECIDUOUS	DT
● ELECTRIC TRANSFORMER	● TREE CONIFEROUS REMOVED	ELC
● ELECTRIC MANHOLE	● TREE DECIDUOUS REMOVED	
● ELECTRIC METER	● TELEPHONE MANHOLE	
● ELECTRIC OUTLET	● TELEPHONE PEDESTAL	
● YARD LIGHT	● UTILITY MANHOLE	
● LIGHT POLE	● UTILITY PEDESTAL	
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● GAS MANHOLE	● GATE VALVE	
● GENERATOR	● HYDRANT	
● GUARD POST	● IRRIGATION VALVE	
● HAND HOLE	● POST INDICATOR VALVE	
● MAIL BOX	● SIGN	
	● SOIL BORING	

NO.	BY	DATE	REVISION

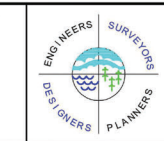
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I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 24th day of January, 2023.

Daniel L. Schmidt

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



SATHRE-BERGQUIST, INC.

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

TWP:117-RGE:22-SEC:8
Hennepin County

**WAYZATA,
MINNESOTA**

CERTIFICATE OF SURVEY

PREPARED FOR:
JYLAND HOMES

PRELIMINARY — NOT FOR CONSTRUCTION

RAUSCHER & ASSOCIATES
FINE HOME DESIGN AND INTERIORS
275 MARKET STREET - STE 54
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612.353.6940 • FAX 612.354.3413

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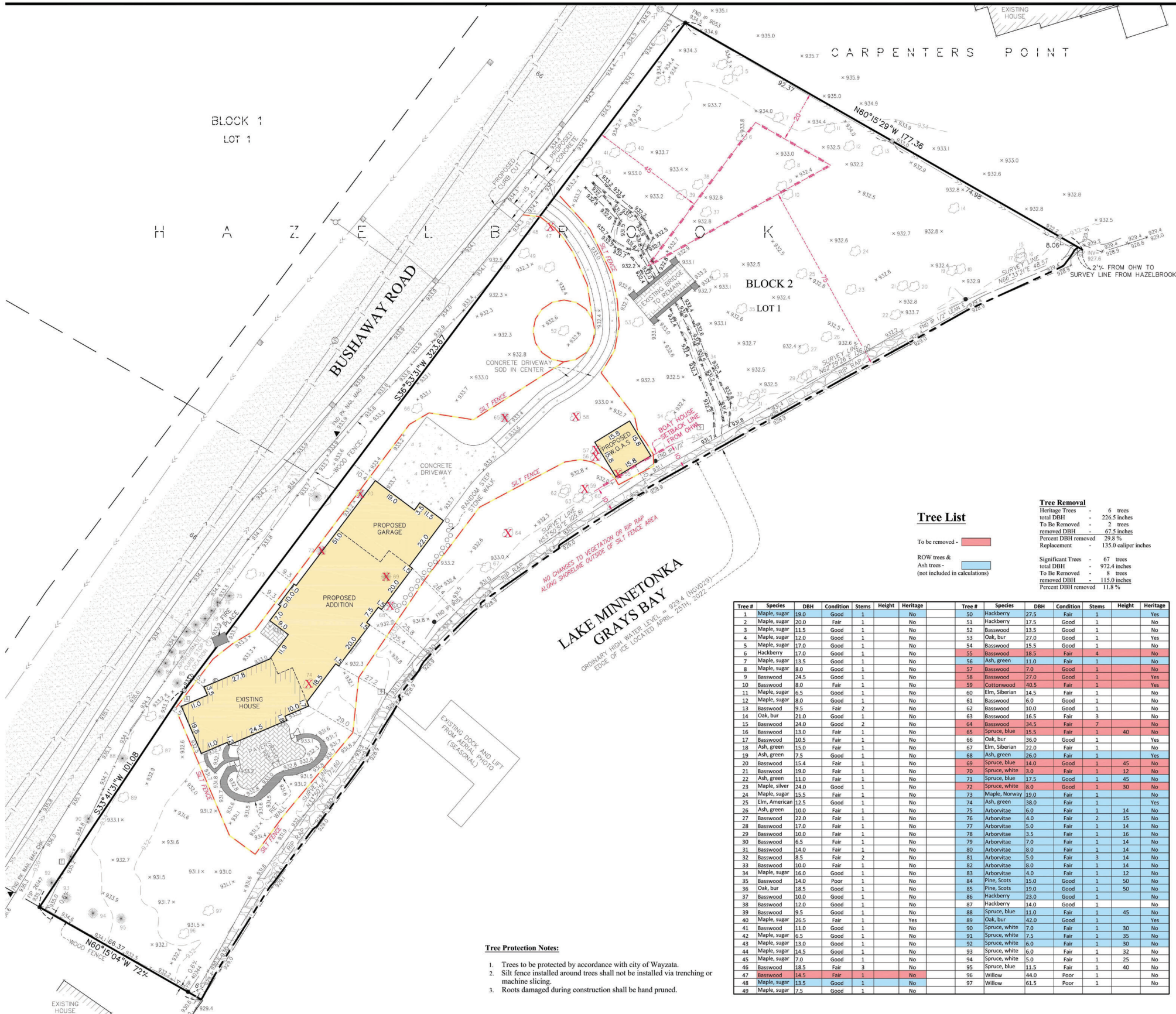
Residence for:
KIRT, Gary & Karen - Bushaway Rd.
620 BUSHAWAY ROAD, WAYZATA MINNESOTA 55391

NO.	BY	DATE	REVISION

ISSUED FOR:
1-30-24 VARIANCE REVIEW/ISSUE
2-14-24 VARIANCE REVIEW/ISSUE
3-14-24 VARIANCE REVIEW/ISSUE
4-14-24 VARIANCE REVIEW/ISSUE

DATE
Feb. 14, 2024
Plans prepared by Wade S.

EXISTING SURVEY - COLOR DIAGRAM
SCALE: 1/16"=1'-0"



DESCRIPTION OF PROPERTY SURVEYED

Lot 1, Block 2, HAZELBROOK, according to the recorded plat thereof, Hennepin County, Minnesota.

STANDARD NOTES

1) Site Address: 620 Bushaway Road, Wayzata, Minnesota 55391

2) A title opinion was not furnished to the surveyor as part of this survey. Only easements per the recorded plat are shown.

3) Flood Zone Information: X (area determined to be outside of the 0.2% annual chance floodplain) and Zone A (1-percent-annual-chance flood event determined by detailed methods. Base Flood Elevations (BFEs) are shown and floodplain management standards apply.) per Flood Insurance Rate Map, Community Panel No. 27053C03

4) Parcel Area Information: Gross Area: 41,727 ± s.f. ~ 0.958 ± acres

5) Benchmark: Elevations are based on MN/DOT Geodetic Station Name: ROGER MN053 which has an elevation of 417.27 ± feet.

6) Zoning Information: The current Zoning for the subject property is R-1A (Low Density Single Family Estate) dated January 22, 2020. The setback, height, and floor space area restrictions for said zoning designation are as follows:

Principal Structure Setbacks - Street(s): 45 feet (Bushaway Road)
Side: 20 feet
Lake: 75 feet (From Ordinary High Water Line)
Height: 40 feet
Building Coverage: 10 percent of lot area
Hardcover: 20 percent of lot area

*Please note that the zoning information shown herein may have been amended through a city process. With the Zoning Administrator for the current restrictions for this site. All setback information and hardcover requirements are shown and planning process prior to any planning or construction.

7) Utilities: We have shown the location of utilities on the surveyed property by observed evidence only. There is no warranty as to the accuracy of the utility locations shown. Please note that we have not placed a Gopher State One Call for this survey. There is no warranty as to the accuracy of the utility locations shown. Please note that we have not placed a Gopher State One Call for this survey. There is no warranty as to the accuracy of the utility locations shown. Please note that we have not placed a Gopher State One Call for this survey.

8) Features on the site were located to the best of our ability. Due to seasonal conditions at the time of this survey and therefore not shown herein.

9) There will be no changes to vegetation outside of the silt fence along shoreline, and no changes to existing riparian habitat.

Existing Hardware

Lot Area	= 41,727 S.F.
House Area	= 3,462 S.F.
Garage Area	= 631 S.F.
Pavers Area	= 5,423 S.F.
Hot Tub Area	= 68 S.F.
Fire Place Area	= 22 S.F.
Other Pavers Area	= 467 S.F.
Bridge Area	= 71 S.F.
Collum Area	= 20 S.F.
Ret. Wall Area	= 198 S.F.
Total Area	= 7,749 S.F.
Coverage	= 18.57%

Proposed Hardware

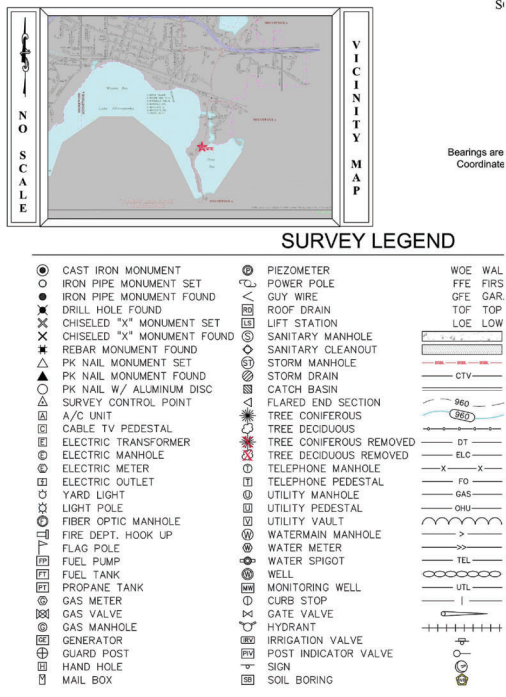
Lot Area	= 41,727 S.F.
House Area	= 3,462 S.F.
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Hot Tub Area	= 68 S.F.
Fire Place Area	= 22 S.F.
Other Pavers Area	= 467 S.F.
Bridge Area	= 71 S.F.
Collum Area	= 20 S.F.
Ret. Wall Area	= 198 S.F.
Total Area	= 7,749 S.F.
Coverage	= 18.57%

Existing Building Coverage

Lot Area	= 41,727 S.F.
House Area	= 3,462 S.F.
Garage Area	= 631 S.F.
Total Area	= 4,724 S.F.
Coverage	= 4.67%

Proposed Building Coverage

Lot Area	= 41,727 S.F.
House Area	= 3,462 S.F.
Garage Area	= 631 S.F.
Total Area	= 4,724 S.F.
Coverage	= 8.90%



NO.	BY	DATE	REVISION
1	JPR	10/26/2023	REF. JOB # 44605-006
2	JPR	11/28/2023	W.O.A.S. AREA, UPDATED HARDCOVER
3	JPR	12/21/2023	TREE REMOVAL ADJUSTED FOR CRZ, VARIANCE SETBACKS
4	JPR	1/3/2024	SURVEY NOTES SHORELINE PRESERVATION
5	JPR	1/3/2024	CURB CUT
6	JPR	1/25/2024	TREE REMOVAL CALCULATIONS, ROW TREES
7	JPR	2/13/2024	REMOVED VARIANCE SETBACKS

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

Dated this 24th day of January, 2023.

Daniel L. Schmidt

Daniel L. Schmidt, PLS
schmidt@sathre.com

Minnesota License No. 26147

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WWW.SATHRE.COM

TWP:117-RG:22-SEC.8
Hennepin County

WAYZATA,
MINNESOTA

CERTIFICATE OF SURVEY

PREPARED FOR:
GARY & KAREN KIRT

PRELIMINARY - NOT FOR CONSTRUCTION

RAUSCHER & ASSOCIATES
FINE HOME DESIGN AND INTERIORS
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MINNEAPOLIS - MN 55405
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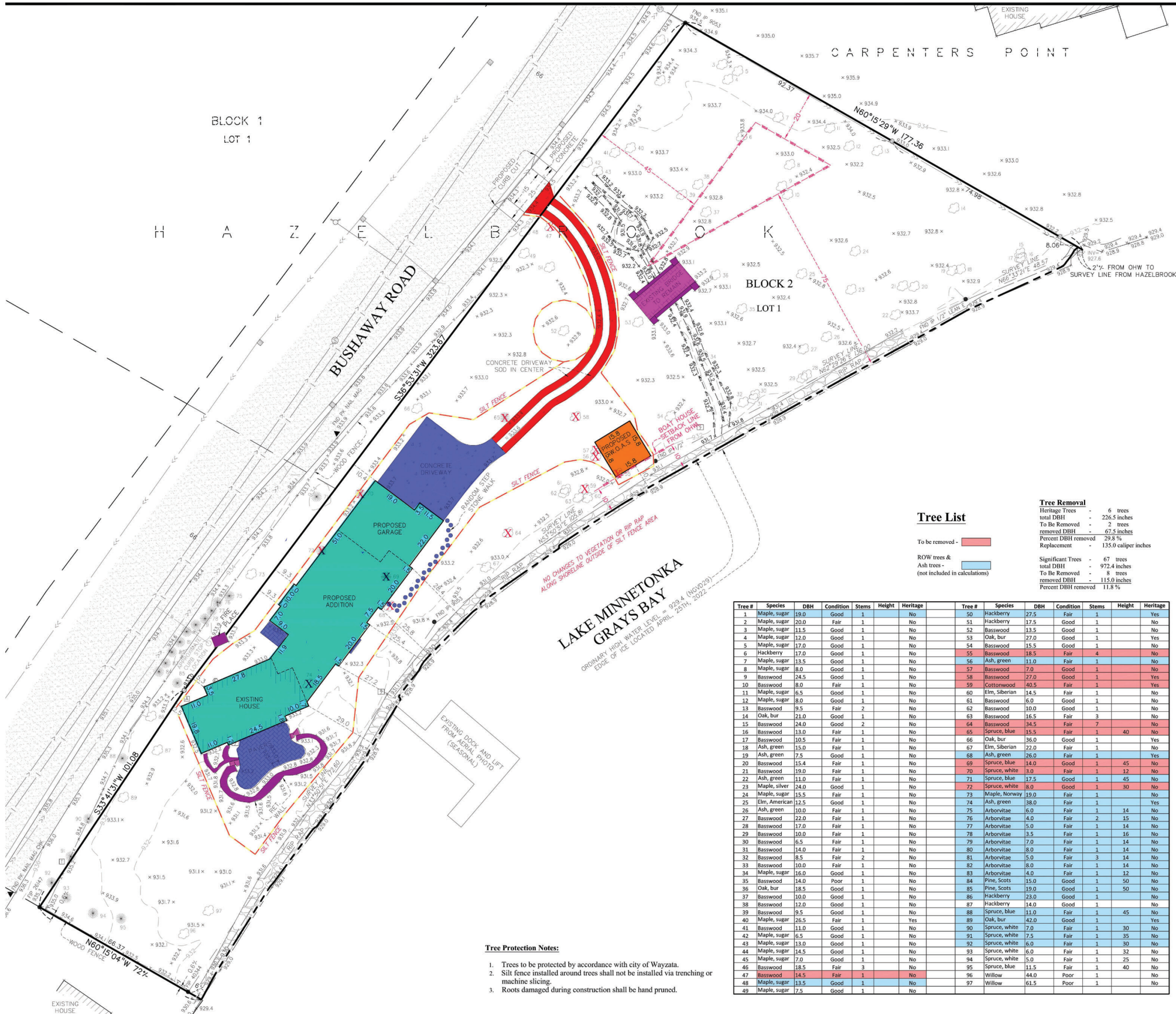
Residence for:
KIRT, Gary & Karen - Bushaway Rd.
620 BUSHAWAY ROAD, WAYZATA MINNESOTA 55391

ISSUED FOR:

AS-BUILT SET	1-30-24	VARIANCE REVIEW/ISSUE
PRELIMINARY PLAN REVIEW	2-14-24	VARIANCE REVIEW/ISSUE
5/16 DIAGRAMS		
11-13-23		
11-13-23		
12-12-23		
1-4-24		

DATE
Feb. 14, 2024
Plans prepared by Wade S.

PAGE
SITE2A



DESCRIPTION OF PROPERTY SURVEYED

Lot 1, Block 2, HAZELBROOK, according to the recorded plat thereof, Hennepin County, Minnesota.

STANDARD NOTES

1) Site Address: 620 Bushaway Road, Wayzata, Minnesota 55391

2) A title opinion was not furnished to the surveyor as part of this survey. Only easements per the recorded plat are shown.

3) Flood Zone Information: X (area determined to be outside of the 0.2% annual chance floodplain) and Zone A (1-percent-annual-chance flood event determined by detailed methods. Base Flood Elevations (BFEs) are shown and floodplain management standards apply.) per Flood Insurance Rate Map, Community Panel No. 27053C03

4) Parcel Area Information: Gross Area: 41,727 ± s.f. ~ 0.958 ± acres

5) Benchmark: Elevations are based on MN/DOT Geodetic Station Name: ROGER MN053 which has an elevation of 429.5 feet.

6) Zoning Information: The current Zoning for the subject property is R-1A (Low Density Single Family Estate) dated January 22, 2020. The setback, height, and floor space area restrictions for said zoning designation are as follows:

Principal Structure Setbacks - Street(s): 45 feet (Bushaway Road)
Side: 20 feet
Lake: 75 feet (From Ordinary High Water Line)
Height: 40 feet
Building Coverage: 10 percent of lot area
Hardcover: 20 percent of lot area

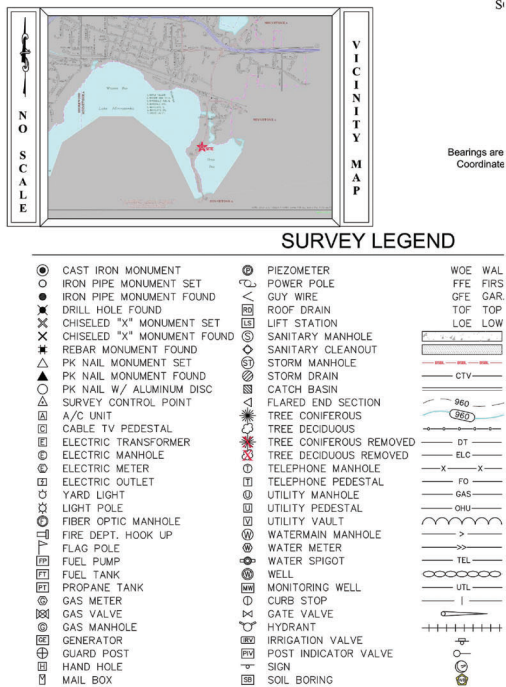
*Please note that the zoning information shown herein may have been amended through a city process. With the Zoning Administrator for the current restrictions for this site. All setback information and hardcover requirements are shown for informational purposes only and do not constitute a warranty or representation of the surveyor.

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

- 7) Utilities: We have shown the location of utilities on the surveyed property by observed evidence only. There is no warranty or representation that the utilities shown are correct. The utility owner should be contacted for more information. The utility owner should be contacted for more information. The utility owner should be contacted for more information.
- 8) Features on the site were located to the best of our ability. Due to seasonal conditions at the time of this survey, and therefore not shown herein.
- 9) There will be no changes to vegetation outside of the silt fence along shoreline, and no changes to existing riparian vegetation.

Existing Hardcover	Proposed Hardcover
Lot Area = 41,727 S.F.	Lot Area = 41,727 S.F.
House Area = 1,013 S.F.	House Area = 1,013 S.F.
Garage Area = 934 S.F.	Garage Area = 934 S.F.
Pavers Area = 5,423 S.F.	Pavers Area = 5,423 S.F.
Hot Tub Area = 68 S.F.	Hot Tub Area = 68 S.F.
Fire Place Area = 22 S.F.	Fire Place Area = 22 S.F.
Bridge Area = 71 S.F.	Bridge Area = 71 S.F.
Columns Area = 20 S.F.	Columns Area = 20 S.F.
Ret. Wall Area = 198 S.F.	Ret. Wall Area = 198 S.F.
Total Area = 7,749 S.F.	Total Area = 7,749 S.F.
Coverage = 18.57%	Coverage = 18.57%

Existing Building Coverage	Proposed Building Coverage
Lot Area = 41,727 S.F.	Lot Area = 41,727 S.F.
House Area = 1,013 S.F.	House Area = 1,013 S.F.
Garage Area = 934 S.F.	Garage Area = 934 S.F.
Total Area = 1,947 S.F.	Total Area = 1,947 S.F.
Coverage = 4.67%	Coverage = 4.67%



BY	DATE	REVISION
JPR	10/26/2023	REF. JOB # 44605-006
JPR	11/28/2023	W.O.A.S. AREA, UPDATED HARDCOVER
JPR	12/21/2023	TREE REMOVAL ADJUSTED FOR CRZ, VARIANCE SETBACKS
JPR	1/3/2024	SURVEY NOTES SHORELINE PRESERVATION
JPR	1/3/2024	CURB CUT
JPR	1/25/2024	TREE REMOVAL CALCULATIONS, ROW TREES
JPR	2/13/2024	REMOVED VARIANCE SETBACKS

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ISSUED FOR:	DATE	REVISION
AS-BUILT SET	1-30-24	VARIANCE REVIEW
PRELIMINARY PLAN REVIEW	10-20-23	VARIANCE REVIEW
SITE DIAGRAMS	11-3-23	VARIANCE REVIEW
PRELIMINARY PLAN REVIEW	11-13-23	VARIANCE REVIEW
PRELIMINARY SUBMITTAL	12-12-23	VARIANCE REVIEW
VARIANCE SUBMITTAL	1-4-24	VARIANCE REVIEW

PAGE
SITE2B

DATE
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ISSUED FOR:	
AS-BUILT SET	1-30-24
PRELIMINARY PLAN REVIEW	2-14-24
SITE DIAGRAMS	
PRELIMINARY PLAN REVIEW	
PRELIMINARY SUBMITTAL	
VARIANCE SUBMITTAL	

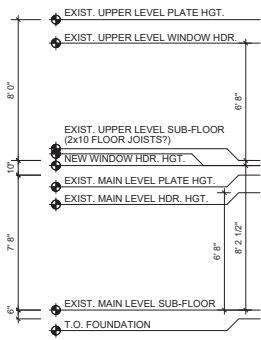
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Feb. 14, 2024

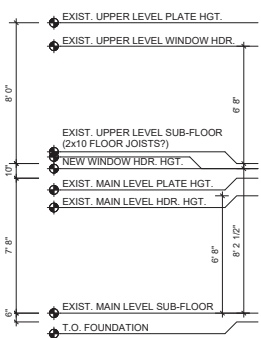
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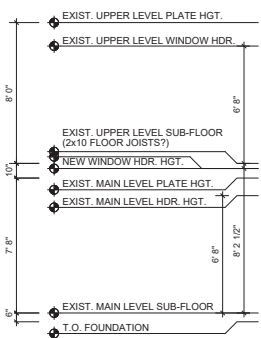
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1
1.1
PROPOSED - STREET SIDE ELEVATION
SCALE: 1/4"=1'-0"



2
1.1
PROPOSED - STREET SIDE ELEVATION
SCALE: 1/4"=1'-0"



3
1.1
PROPOSED - SIDE YARD ELEVATION
SCALE: 1/4"=1'-0"

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Residence for:
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ISSUED FOR:		VARIANCE REVISIONS	
AS-BUILT SET	1-30-24	1-30-24	2-14-24
PRELIMINARY PLAN REVIEW	1-30-24	1-30-24	2-14-24
SITE DIAGRAMS	1-30-24	1-30-24	2-14-24
PRELIMINARY PLAN REVIEW	1-30-24	1-30-24	2-14-24
PRELIMINARY SUBMITTAL	1-30-24	1-30-24	2-14-24
VARIANCE SUBMITTAL	1-30-24	1-30-24	2-14-24

PAGE	1.1
DATE	Feb. 14, 2024
Plans Prepared by Wade S.	

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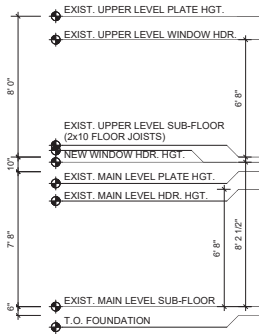
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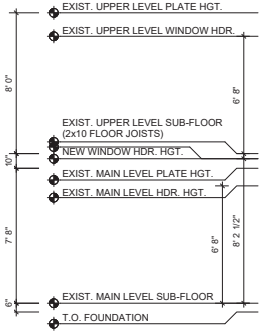
Residence for:
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PRELIMINARY PLAN REVIEW	2-14-24	2-14-24	VARIANCE REVISIONS
PRELIMINARY PLAN REVIEW	2-14-24	2-14-24	VARIANCE REVISIONS
PRELIMINARY SUBMITTAL	2-14-24	2-14-24	VARIANCE REVISIONS
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DATE	Feb. 14, 2024		
Planned by	Wade S.		

PRELIMINARY – NOT FOR CONSTRUCTION

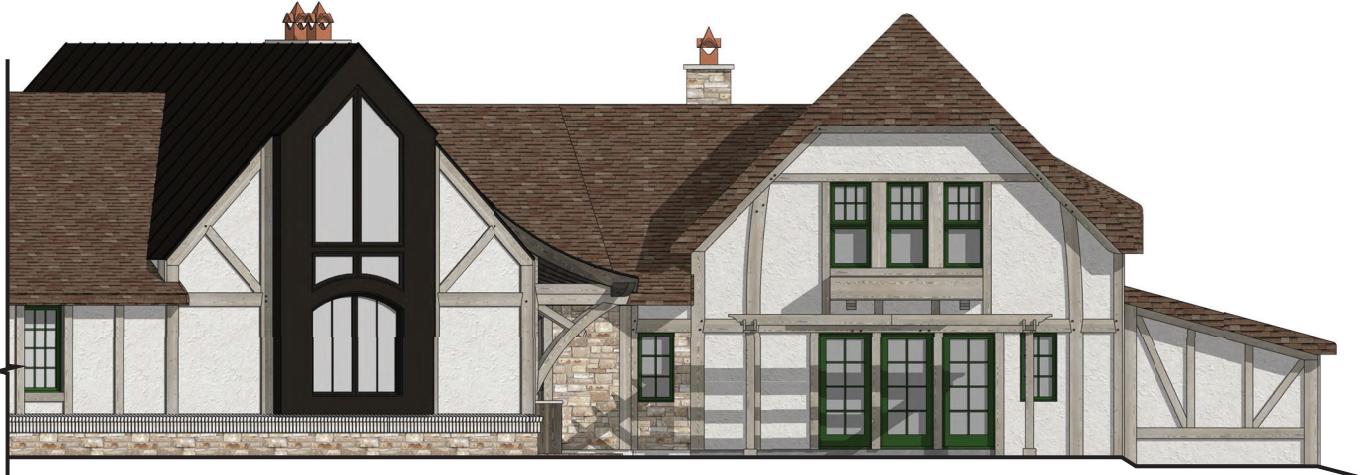
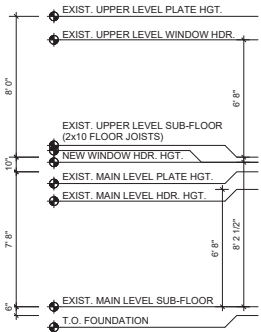


1
1.3
EXISTING HOUSE - STREET SIDE ELEVATION
SCALE: 1/4"=1'-0"



2
1.3
EXISTING HOUSE SHOWN OVER PROPOSED - STREET SIDE ELEVATION
SCALE: 1/4"=1'-0"

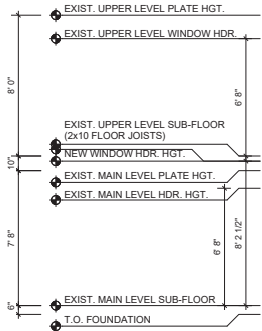
EXISTING OVERLAY SHOWN IN RED OUTLINED HATCH PATTERN



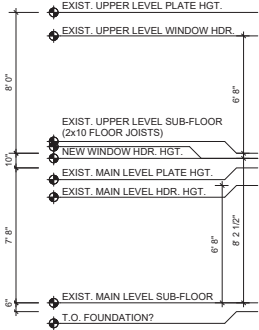
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1.3
PROPOSED NEW CONSTRUCTION - STREET SIDE ELEVATION
SCALE: 1/4"=1'-0"

ISSUED FOR:		VARIANCE REVISIONS	
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PRELIMINARY PLAN REVIEW	2-14-24	2-14-24	2-14-24
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PRELIMINARY PLAN REVIEW			
PRELIMINARY SUBMITTAL			
VARIANCE SUBMITTAL			

PRELIMINARY – NOT FOR CONSTRUCTION

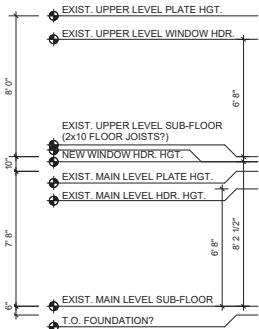


EXISTING HOUSE - SIDE YARD ELEVATION
SCALE: 1/4"=1'-0"



EXISTING HOUSE SHOWN OVER PROPOSED - SIDE YARD ELEVATION
SCALE: 1/4"=1'-0"

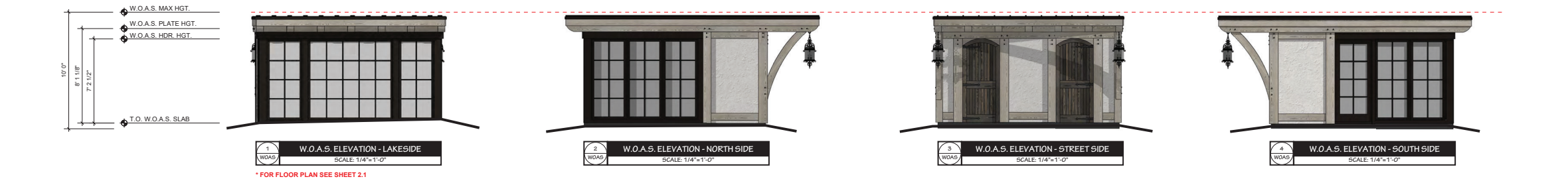
*EXISTING OVERLAY SHOWN IN RED OUTLINED HATCH PATTERN



PROPOSED NEW CONSTRUCTION - STREET SIDE YARD ELEVATION
SCALE: 1/4"=1'-0"

ISSUED FOR:		VARIANCE REVISIONS	
0-21-23	AS-BUILT SET	1-30-24	VARIANCE REVISIONS
10-20-23	PRELIMINARY PLAN REVIEW	2-14-24	VARIANCE REVISIONS
11-3-23	SITE DIAGRAMS		
11-13-23	PRELIMINARY PLAN REVIEW		
12-12-23	PRELIMINARY SUBMITTAL		
1-4-24	VARIANCE SUBMITTAL		

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ISSUED FOR:		VARIANCE REVISIONS	
AS-BUILT SET	1-30-24	VARIANCE REVISIONS	
PRELIMINARY PLAN REVIEW	2-14-24	VARIANCE REVISIONS	
SITE DIAGRAMS		VARIANCE REVISIONS	
PRELIMINARY PLAN REVIEW		VARIANCE REVISIONS	
PRELIMINARY SUBMITTAL		VARIANCE REVISIONS	
VARIANCE SUBMITTAL		VARIANCE REVISIONS	

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ISSUED FOR:		VARIANCE REVISIONS	
AS-BUILT SET	1-30-24	VARIANCE REVISIONS	
PRELIMINARY PLAN REVIEW	2-14-24	VARIANCE REVISIONS	
SITE DIAGRAMS			
PRELIMINARY PLAN REVIEW			
PRELIMINARY SUBMITTAL			
VARIANCE SUBMITTAL			

PAGE

RND1

DATE

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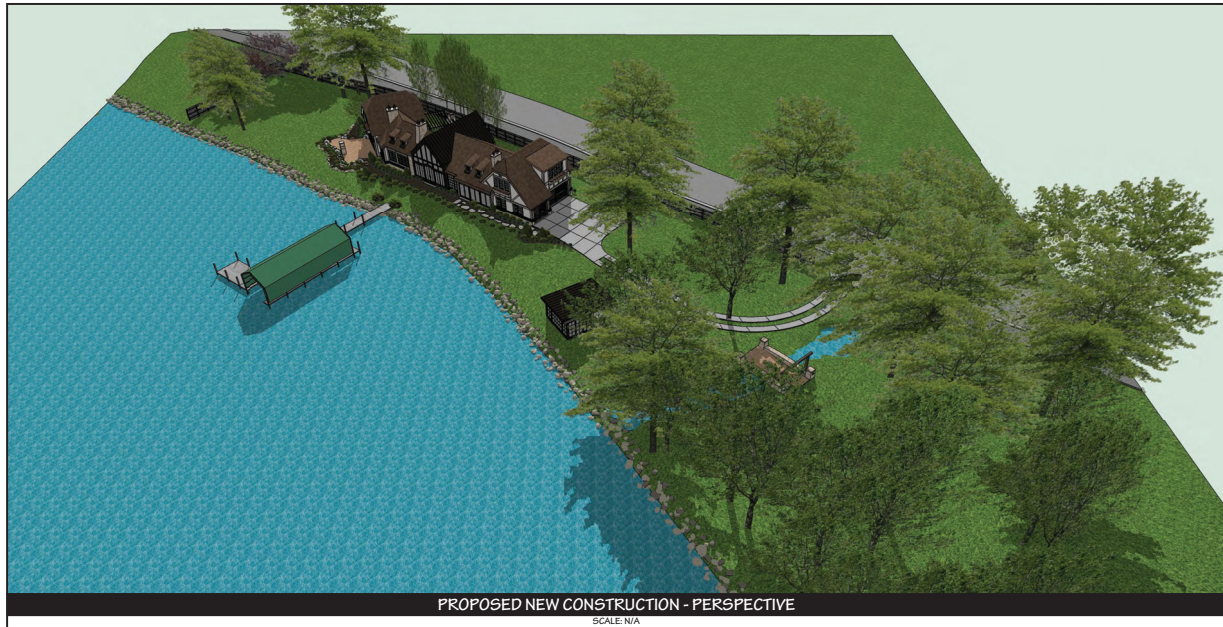
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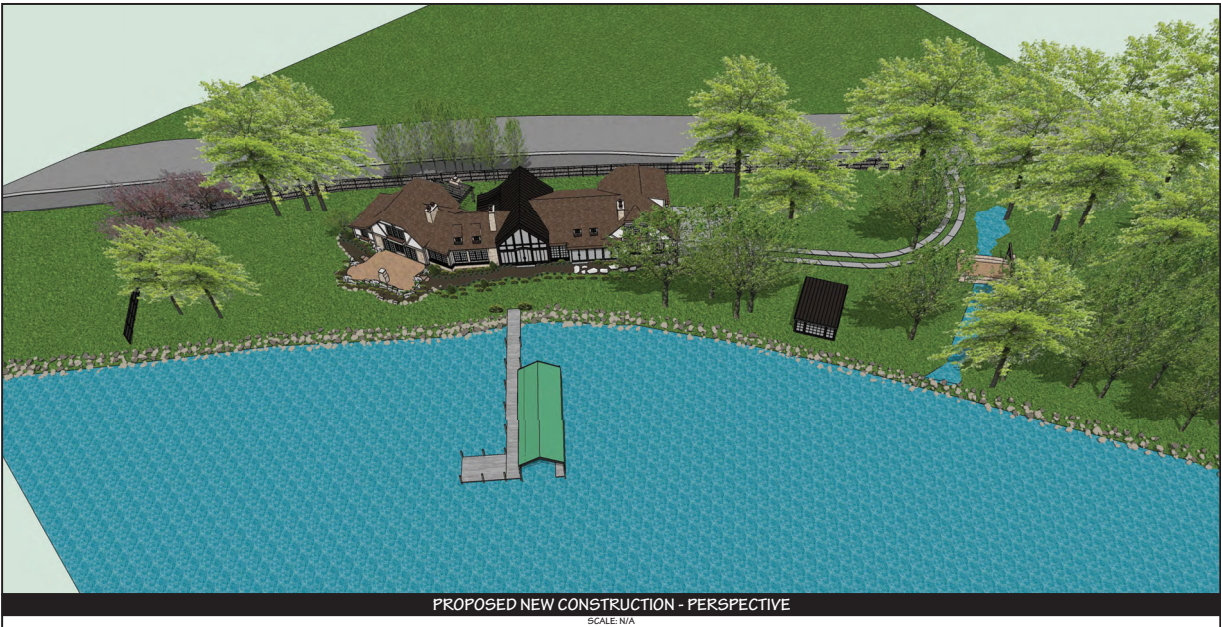
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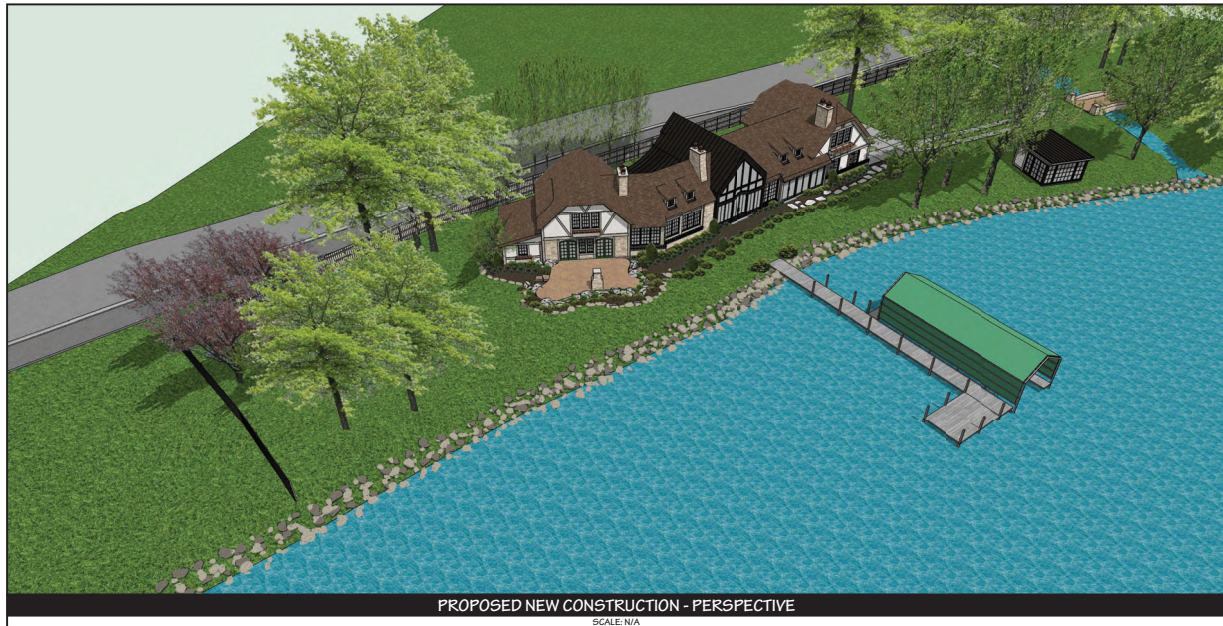
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SCALE: N/A



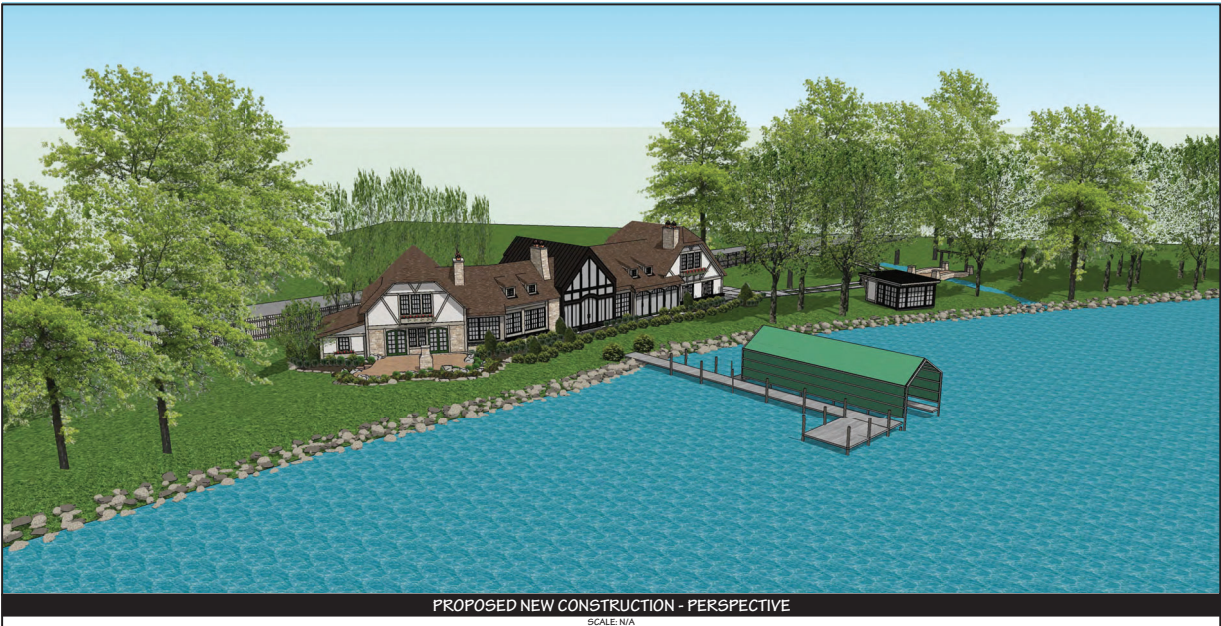
PROPOSED NEW CONSTRUCTION - PERSPECTIVE
SCALE: N/A



PROPOSED NEW CONSTRUCTION - PERSPECTIVE
SCALE: N/A



PROPOSED NEW CONSTRUCTION - PERSPECTIVE
SCALE: N/A



PROPOSED NEW CONSTRUCTION - PERSPECTIVE
SCALE: N/A

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AS-BUILT SET	1-30-24	VARIANCE REVISIONS	2-14-24
PRELIMINARY PLAN REVIEW	10-20-23	PRELIMINARY PLAN REVIEW	11-13-23
SITE DIAGRAMS	11-13-23	PRELIMINARY PLAN REVIEW	12-12-23
PRELIMINARY SUBMITTAL	1-4-24	VARIANCE SUBMITTAL	

PAGE
RND2
DATE
Feb. 14, 2024
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1
RND3

PHOTO / RENDERING COMPOSITE OF PROPOSED ONTO EXISTING SITE
SCALE: N/A

ISSUED FOR:		1-30-24		VARIANCE REVISIONS	
0-21-23	AS-BUILT SET	1-30-24	2-14-24	VARIANCE REVISIONS	
10-20-23	PRELIMINARY PLAN REVIEW				
11-3-23	SITE DIAGRAMS				
11-13-23	PRELIMINARY PLAN REVIEW				
12-12-23	PRELIMINARY SUBMITTAL				
1-4-24	VARIANCE SUBMITTAL				

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RND3
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1
RND4

PHOTO / RENDERING COMPOSITE OF PROPOSED ONTO EXISTING SITE
SCALE: N/A

ISSUED FOR:		ISSUED FOR:	
0-21-23	AS-BUILT SET	1-30-24	VARIANCE REVISIONS
10-20-23	PRELIMINARY PLAN REVIEW	2-14-24	VARIANCE REVISIONS
11-3-23	SITE DIAGRAMS		
11-13-23	PRELIMINARY PLAN REVIEW		
12-12-23	PRELIMINARY SUBMITTAL		
1-4-24	VARIANCE SUBMITTAL		

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RND4

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8-21-23

10-20-23

11-3-23

12-12-23

1-4-24

AS-BUILT SET

PRELIMINARY PLAN REVIEW

SITE DIAGRAMS

PRELIMINARY PLAN REVIEW

PRELIMINARY SUBMITTAL

VARIANCE SUBMITTAL

1-30-24

2-14-24

VARIANCE REVISIONS

VARIANCE REVISIONS

DATE

Feb. 14, 2024

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2.2

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Architectural Firm

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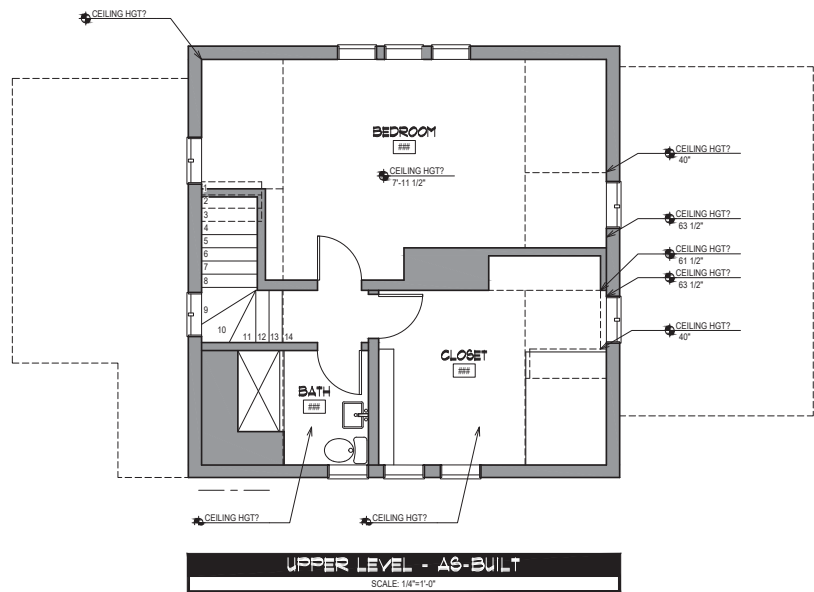
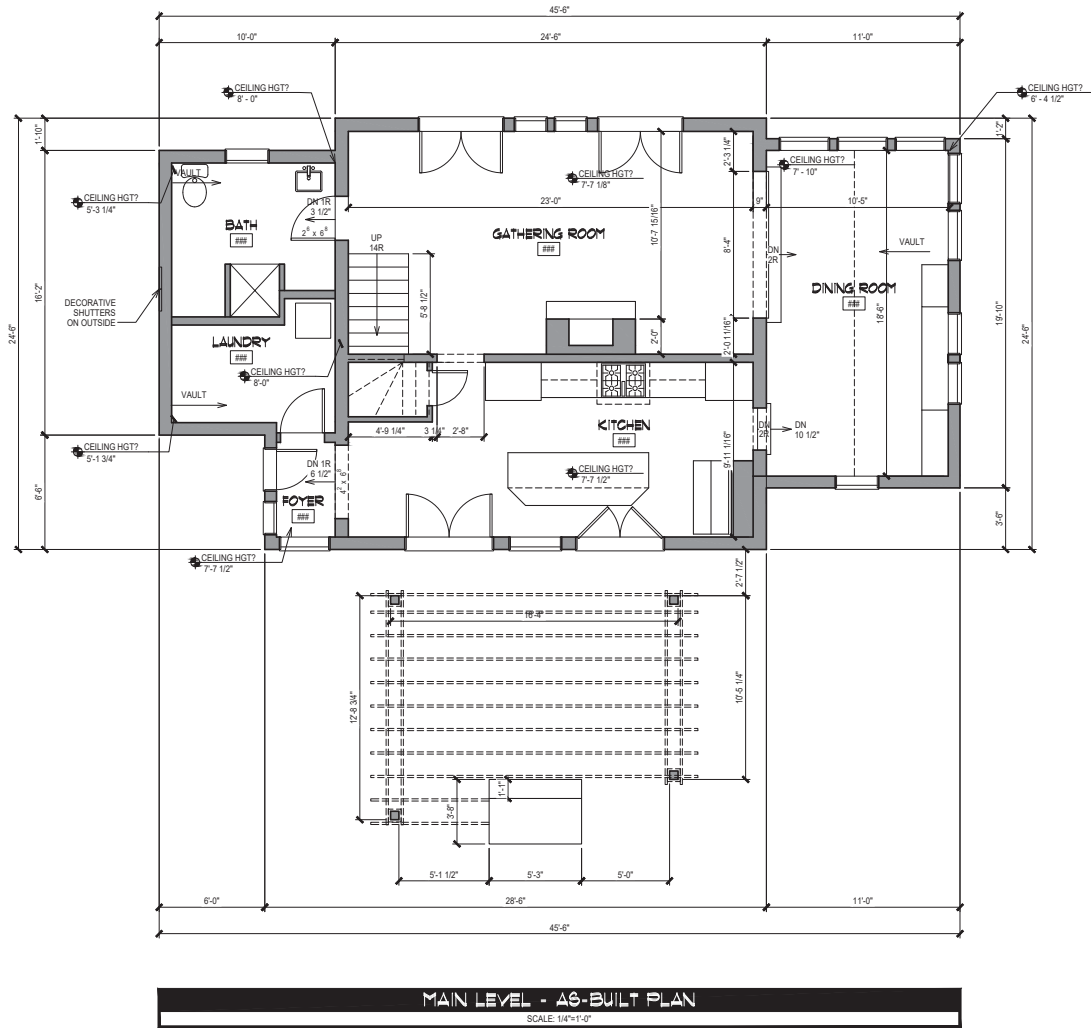
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PRELIMINARY – NOT FOR CONSTRUCTION

Residence for:
KIRT, Gary & Karen - Bushaway Rd.

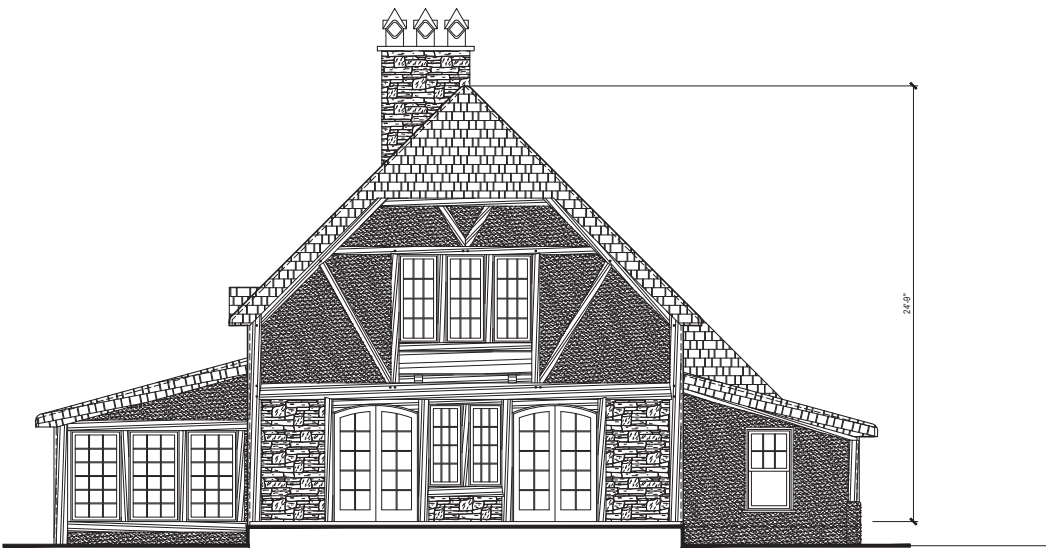
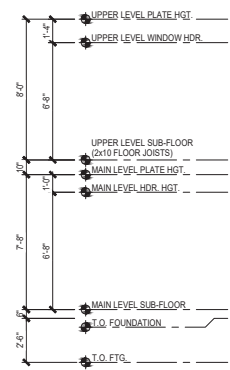
620 BUSHAWAY ROAD, WAYZATA MINNESOTA 55391

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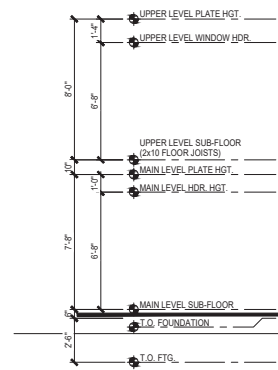


DATE	ISSUED FOR:	VARIANCE REVISIONS
8-21-23	AS-BUILT SET	1-30-24
10-20-23	PRELIMINARY PLAN REVIEW	2-14-24
11-3-23	SITE DIAGRAMS	
11-13-23	PRELIMINARY PLAN REVIEW	
12-12-23	PRELIMINARY SUBMITTAL	
1-4-24	VARIANCE SUBMITTAL	

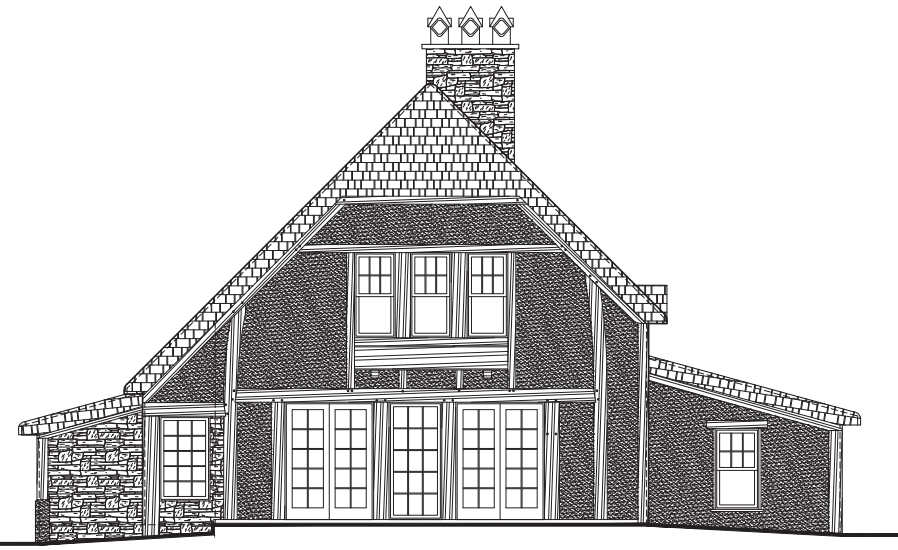
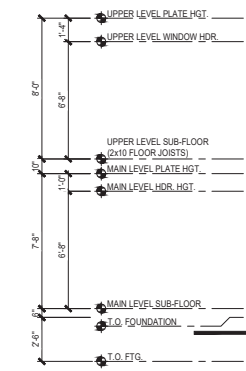
AB1
DATE: Feb. 14, 2024
Plans prepared by Wade S.



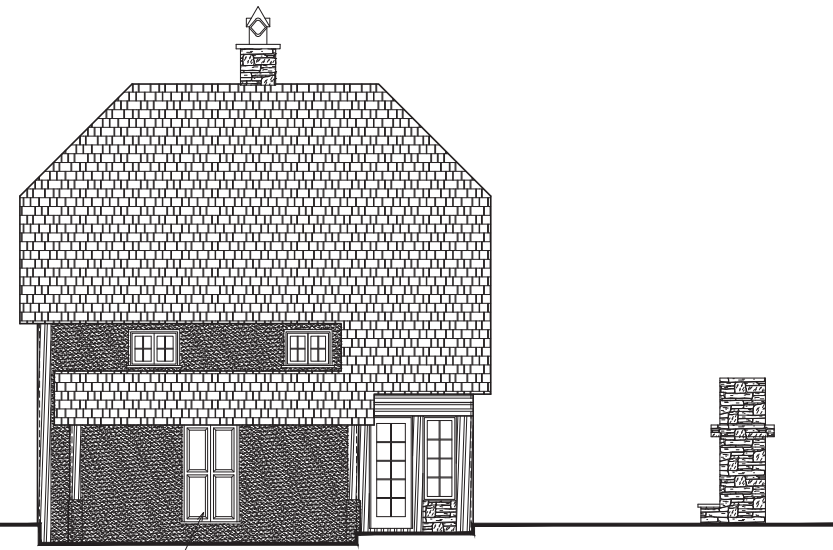
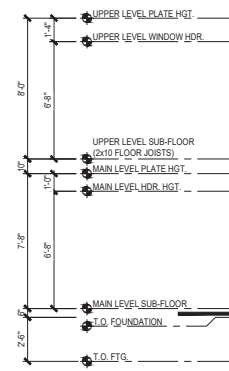
A6-BUILT - ELEVATION - LAKESIDE
SCALE: 1/4"=1'-0"



A6-BUILT - ELEVATION - WEST SIDE
SCALE: 1/4"=1'-0"



A6-BUILT - ELEVATION - STREET SIDE
SCALE: 1/4"=1'-0"



A6-BUILT - ELEVATION - EAST SIDE
SCALE: 1/4"=1'-0"

PRELIMINARY – NOT FOR CONSTRUCTION

Residence for:
KIRT, Gary & Karen - Bushaway Rd.
620 BUSHAWAY ROAD, WAYZATA MINNESOTA 55391

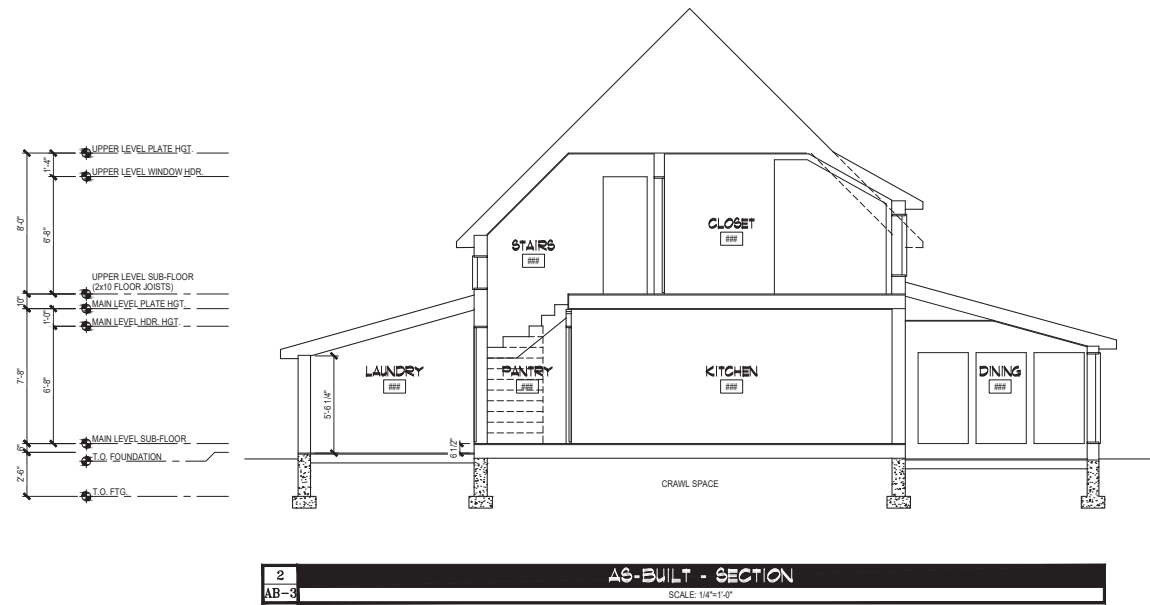
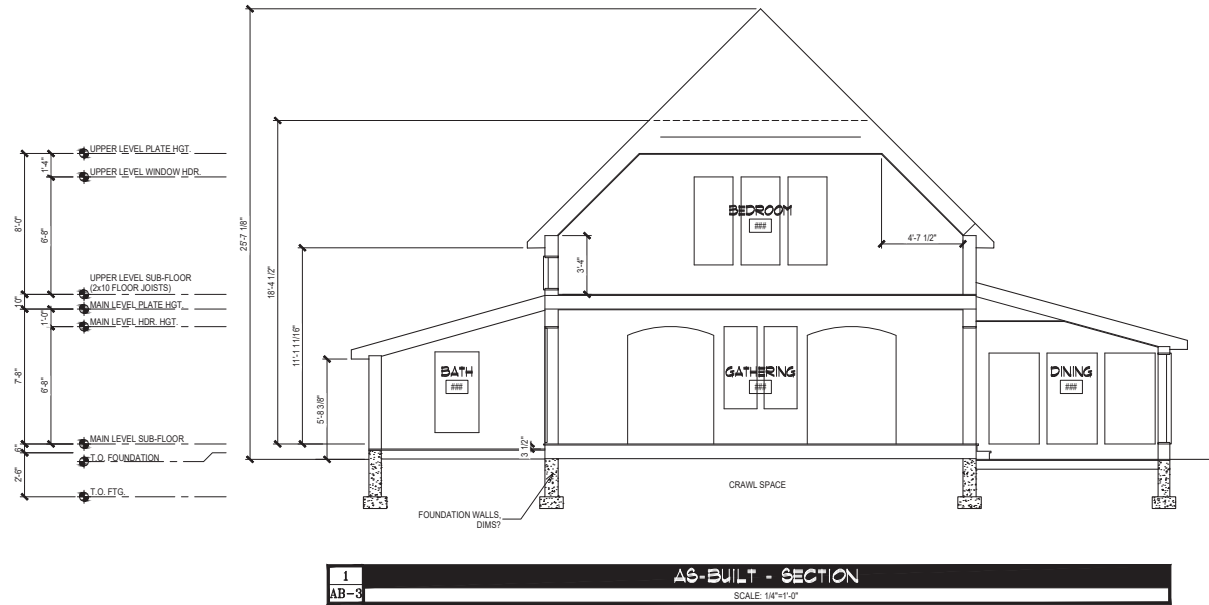
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8-21-23	A6-BUILT SET	1-30-24	VARIANCE REVISIONS
10-20-23	PRELIMINARY PLAN REVIEW	2-14-24	VARIANCE REVISIONS
11-3-23	SITE DIAGRAMS		
11-13-23	PRELIMINARY PLAN REVIEW		
12-12-23	PRELIMINARY SUBMITTAL		
1-4-24	VARIANCE SUBMITTAL		

AB2

DATE: Feb. 14, 2024
Plans prepared by Wade S.



PRELIMINARY – NOT FOR CONSTRUCTION

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ISSUED FOR:		VARIANCE REVISIONS	
8-21-23	AG-BUILT SET	1-30-24	VARIANCE REVISIONS
10-20-23	PRELIMINARY PLAN REVIEW	2-14-24	VARIANCE REVISIONS
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11-13-23	PRELIMINARY PLAN REVIEW		
12-12-23	PRELIMINARY SUBMITTAL		
1-4-24	VARIANCE SUBMITTAL		

AB3

DATE

Feb. 14, 2024

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620 Bushaway Road Shoreline Impact Plan Narrative

The proposed development of 620 Bushaway Road is going to be done with as much respect and regard to the site as possible. The proposed house addition is located away from the water, the closest point being 25.4' off the shoreline. The only impact we plan on having to the site is construction paths near the proposed house addition & W.O.A.S. There will be great care taken to maintain distance from the shoreline during this process.

The tree removal will be minimal, and we plan to keep the entire south area of the property untouched along with the existing bridge and stream. The plan to move the driveway closer to the home will create an opportunity to have equipment, materials, and construction travel through a certain portion of the property, avoiding the south area and avoid the removal of the existing bridge and any disturbance to the stream and any existing earth conditions near that area of the property. The planting/replacement of trees will also be planned to balance any changes made after construction.

The beautiful existing landscaping will be retained as much as possible and new complimentary landscaping will be brought in as well. The changes to the topography and grades will be extremely minimal and will only be made to bring the appropriate grade to the proposed house and attached garage, which are planned to be set at the same elevation as the existing floor. The hardcover is also planned to a minimum to help keep the impact as low as possible on the natural environment.

This project has great respect for the existing home as well as the property and we plan to give just as much respect to the surrounding environment.

Conditions. All conditional use permits for consideration under this Section shall be subject to the following stipulations.

1. The projects shall be analyzed to determine the impact of impervious surfaces, stormwater runoff, floodplain, and water quality implications. Only those projects shall be allowed where the adverse impacts have been mitigated through approved means to the extent possible.

Response: The allowable hard cover is 25%. The existing hardcover is 18.6% and the proposed hardcover 15.2%. We are below both the existing hard cover and the the allowable hardcover.

2. Stormwater treatment measures including, but not limited to, sediment basins (debris basins), desilting basins or silt traps, installation of debris guards, and microsil basins on stormwater inlets, oil skimming devices, etc. shall be required subject to the review of the City Engineer and the Minnehaha Creek Watershed District on projects where applicable.

Response: Since our hardcover is well below the allowable hardcover, we are not proposing any additional stormwater treatments.

3. Projects shall be analyzed in terms of provisions for maintenance and enhancement of landscape features, and change in the natural condition of the soil, trees, grade courses and marshes. The vegetative planting plan shall contain trees, when fully mature, that will exceed the building height. The plan shall also minimize tree removal, ground cover change, loss of natural vegetation, and grade changes as much as possible. It shall further provide for the relocation or replanting of trees which are proposed to be removed.

Response: The project contains minimal tree removal, grading, and vegetation removal.

4. Projects shall be analyzed in terms of the appearance of the structure when viewed from the lake's surface. Building materials, and color shall be analyzed to determine which facade and roof materials minimize the appearance and blend the structure into the shoreland and vegetation.

Response: The proposed structure matches the existing structure and neighboring properties in appearance and architecture.

5. Building heights shall be analyzed to determine the impact on surrounding structures and views from the lake surface or other shores. Structures shall not be allowed to exceed a height beyond that is allowed by the base zoning district or cannot be screened by landscaping or other design measures.

Response: All building heights are below the maximum of 26 feet in height. Because of the adjacent roadway we are not screening any views of neighboring views.

6. Residential densities on a project basis shall not be allowed to exceed the maximum allowed density of the base zoning district for which the project is proposed. For higher density residential development and planned unit developments, the density shall not be allowed to exceed the density standards as specified in the R-5 District of this Ordinance.

Response: Not applicable.

7. Lot coverage on a project basis shall be restricted to the provisions for maximum impervious surface coverage as provided for in this Ordinance.

Response: The allowable hard cover is 25%. The existing hardcover is 18.6% and the proposed hardcover 15.2%. We are below both the existing hard cover and the the proposed hardcover.

8. Overall residential densities in the shoreland area shall not exceed the surplus development capacity for residential density, as calculated for Lake Minnetonka, Gleason and Peavey Lakes, as specified in the Wayzata Comprehensive Plan/Shoreland Management Plan, as may be amended.

Response: The density for Single Family Estate is 0.25 to 0.5 units per acre. We are not proposing a subdivision but we the existing lot is at 0.96 units per acre.

9. Overall lot coverage in the shoreland area shall not exceed the surplus development capacity for impervious surface coverage calculated for Lake Minnetonka, Gleason and Peavey Lakes, as specified in the Wayzata Comprehensive Plan/Shoreland Management Plan, as may be amended.

Response: The proposed building coverage is 8.9%

10. All projects shall be in conformance with the Stormwater Management Plan for the City of Wayzata, May 1988, as may be amended and/or approved by the City Engineer.

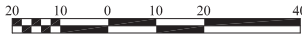
Response: We believe the project conforms to the Wayzata Stormwater Management Plan.

11. All projects shall be in conformance with the Wayzata Comprehensive Plan/Shoreland Management Plan, as may be amended.

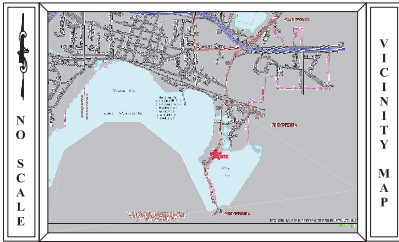
Response: We believe the project conforms to the Wayzata Comprehensive Plan/Shoreland Management Plan.

12. All projects shall be subject to the review of the Minnehaha Creek Watershed District.

Response: We have submitted a pre-application to the Minnehaha Creek Watershed District.



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



SURVEY LEGEND

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

Existing Hardcover

Lot Area	= 41,727 S.F.
House Area	= 1,013 S.F.
Garage Area	= 934 S.F.
Pavers Area	= 5,423 S.F.
Hot Tub Area	= 68 S.F.
Fire Place Area	= 22 S.F.
Bridge Area	= 71 S.F.
Collums Area	= 20 S.F.
Ret. Walls Area	= 198 S.F.
Total Area	= 7,749 S.F.
Coverage	= 18.57%

Existing Building Coverage

Lot Area	= 41,727 S.F.
House Area	= 1,013 S.F.
Garage Area	= 934 S.F.
Total Area	= 1,947 S.F.
Coverage	= 4.67%

Proposed Hardcover

Lot Area	= 41,727 S.F.
House Area	= 3,462 S.F.
Conc. Driveway Area	= 631 S.F.
Conc. Parking Pad Area	= 975 S.F.
Step Stone Walk Area	= 48 S.F.
Other Pavers Area	= 467 S.F.
W.O.A.S. Area	= 2,505 S.F.
Fire Place Area	= 22 S.F.
Bridge & Pavers Area	= 297 S.F.
Existing Ret. Walls Area	= 198 S.F.
Total Area	= 6,350 S.F.
Coverage	= 15.22%

Proposed Building Coverage

Lot Area	= 41,727 S.F.
House Area	= 3,462 S.F.
W.O.A.S. Area	= 250 S.F.
Total Area	= 3,712 S.F.
Coverage	= 8.90%



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Hennepin County

WAYZATA,
MINNESOTA

SHORELINE MANAGEMENT PLAN

PREPARED FOR:
GARY & KAREN KIRT

FILE NO.

460741-001

1



City of Wayzata Planning Commission Agenda Report

MEETING DATE: March 11, 2024	AGENDA ITEM: 5.b
TITLE: Consider Development Application and Adopt Planning Commission Report and Recommendation of Approval for a Medical Clinic Conditional Use Permit at 1905 Wayzata Boulevard East	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: June 13, 2024 (extended to 120 days)	

BACKGROUND:

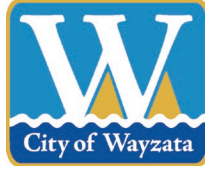
Applicant Ecker Dermatology proposes to occupy an existing suite at 1905 Wayzata Blvd E. The 1997 Planned Unit Development approvals for the property state that medical clinics are a conditional use. The proposed clinic is similar in size and scope to existing medical clinics within the PUD. Due to the minimal potential impact of the proposed use, staff is recommending approval of the application and has included a draft Report and Recommendation of Approval for the Planning Commission to review. As of March 6, no public comments have been received.

ACTION REQUESTED:

After considering the items outlined in this report and the public hearing held at the meeting, staff recommends the Planning Commission approve the attached Planning Commission Report and Recommendation.

ATTACHMENTS:

1. 1905 Wayzata Blvd - Staff Report
2. 1905 Wayzata Blvd - Draft Report and Recommendation of Approval
3. 1905 Wayzata Blvd - Narrative
4. 1905 Wayzata Blvd - Supplemental Information
5. 1905 Wayzata Blvd - Property Survey



**Staff Report
Wayzata Planning Commission
March 11, 2024**

Project Name: Ecker Dermatology Clinic
Approval Request: Conditional Use Permit (CUP) for Medical Clinic
Owner: CWE, Inc.
Applicant: Phil Ecker, Ecker Dermatology
Applicant's Representative: Megan Rogers, Larkin Hoffman
Addresses of Request: 1905 Wayzata Blvd E
Prepared by: Valerie Quarles, Assistant Planner
"120 Day" Decision Deadline: June 13, 2024

Development Application Introduction

Applicant Phil Ecker of Ecker Dermatology Clinic, represented by Megan Rogers of Larkin Hoffman, has submitted a development application requesting a conditional use permit to support Ecker Dermatology's proposed medical clinic in the existing building at 1905 Wayzata Blvd E.

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

Address	PID	Owner
1905 Wayzata Blvd E	05-117-22-13-0034	CWE LLC

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

Current Zoning:	Planned Unit Development
Comprehensive Plan Designation:	Mixed Use Commercial/Residential
Overlay Districts:	Shoreland Overlay District Wetlands Overlay District
Design District:	N/A

Project Location

The property is located on the north side of Wayzata Blvd E, north of Highway 12 and east of the intersection with Gleason Lake Road.

Map 1: Project Location



Source: Hennepin County

Application Request

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

- A. Conditional Use Permit – Medical Clinic (§904.02.F): The applicant is requesting approval of a conditional use permit to support a medical clinic under the terms of Ordinance 591.

Public Hearing Notice

Notice of the public hearing on the application was published in the *Sun Sailor* on February 29, 2024 and sent to the Minnesota Department of Natural Resources on February 21, 2024. The public hearing notice was also mailed to all properties located within 500 feet of the subject property on February 22, 2024.

Neighborhood Notification

The applicant sent a letter about the application to properties within 500 feet of the subject property on February 23, 2024.

Public Comments

As of March 6, no public comments have been received.

Property History

1997 PUD Rezoning Approval

The property is subject to Ordinance 591, which was adopted on March 4, 1997 to rezone the subject property from the Institutional district to a Planned Unit Development district. According to the 1997 staff report for Ordinance 591 and associated meeting minutes, the primary purpose of rezoning the subject property to PUD was to allow for a single property to have multiple interrelated buildings on it. The uses within those buildings were intended to be similar to the City's existing C-3 commercial district. The resulting ordinance created a PUD District with a list of uses that copied the list of allowed and conditional uses within the C-3 District in 1997, with some specific conditions related to the site's location and functions.

2000 PUD Amendment

Resolution 2692 was adopted on October 17, 2000 to amend the 1997 PUD to include the adjacent property at 1909 Wayzata Blvd. This resolution also allowed for the development of the three office buildings at Wayzata Executive Park by increasing the height limit on the 1907 property. The three office buildings on the 1907 property, named 1903, 1905, and 1907 Wayzata Blvd, were built in 2001.

Existing Conditions

The property today has 3 office buildings that are each 3 stories tall, totaling 99,430 square feet of office space. Each building has access to underground and surface parking for a total of 310 spaces across the property. The subject building, 1905 Wayzata Blvd, is the northwest structure on the property. The building is currently 21% vacant, while the complex is 41% vacant. Existing tenants in the building are mostly office uses. A list of tenants in the building, along with their square footages, has been provided by the applicant and is attached.

Two medical clinics exist in the complex today and range in size from 938 square feet to 3,110 square feet. A previous medical tenant existed in the 1907 building between 2003 and 2007.

Proposed Changes

The applicant is proposing to occupy 3,561 square feet of the building for a dermatology clinic. Under Ordinance 591, a medical clinic is considered a conditional use. The applicant states that as evidenced by previous clinic uses at the property, the project will not increase traffic volumes beyond the capacity of the surrounding streets, which is a required condition under Ordinance 591. They note that adding a medical specialty practice to the City's commercial base will fulfill the Comprehensive Plan's goal of a mixture of uses to serve residents. The applicant also affirms that the proposed clinic meets the performance standards of the PUD and will have a positive effect on the area.

Analysis of Application

Conditional Use Permit

The application meets the standard criteria for conditional uses (§904.02.F) by appearing compatible with present and future office uses on the property and having a minimal impact on the area compared to the current condition, as well as meeting the additional condition regarding traffic stipulated in Ordinance 591. The proposal does not affect current compliance with the Shoreland and Wetland Overlay Districts.

Department Comments

Engineering Department:

- The proposed use will not raise traffic volumes beyond the capacity of the surrounding streets.

Standards of Planning Commission Review of Application Requests

Primary Questions to Consider:

1. Is the proposal consistent with the Comprehensive Plan?
2. Is the proposal compatible with present and future uses in the area?
3. Would the proposal have a negative effect on the area?

Staff Recommendation

Staff recommends approval of the proposed medical clinic. The proposal furthers the goals of the Mixed-Use Commercial/Residential land use guidance under the Comprehensive Plan in that it helps promote a diversity of land uses through providing additional medical services. It would also further support the existing commercial core. The proposal is consistent with other medical clinic uses within the PUD and would not have a negative effect on the area.

Action Steps

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

Attachments

1. Narrative
2. Supplemental Materials
3. Property Survey

Applicable Code Provisions for Review

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

2040 Comprehensive Plan – Commercial Goals

- Promote a diversity of retail, office, service and residential land uses at a high level of development quality to enhance Wayzata as a regional destination and provide services for residents.
- **Support the existing commercial core within the community, and encourage business retention and reinvestment.**

Conditional Use Permit Standards – City Code Chapter 904

The purpose of a conditional use permit is to provide the City of Wayzata with a reasonable degree of discretion in determining the suitability of certain designated uses upon the general welfare, public health and safety. In making this determination, whether or not the conditional use is land or buildings, the effect upon traffic into and from the premises, or on any adjoining roads, and all other or further factors as the City shall deem a prerequisite of consideration in determining the effect of the use on the general welfare, public health and safety.

The Planning Commission and City Council shall consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:

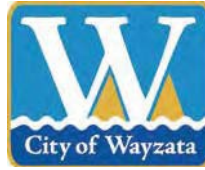
1. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
2. **The proposed use's compatibility with present and future uses of the area.**
3. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
4. **The proposed use's effect on the area in which it is proposed.**
5. The proposed use's impact upon property values in the area in which it is developed.
6. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.
7. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

Medical Clinic Conditional Use Standards – Ordinance 591

Subject to applicable provisions of the Wayzata Zoning Ordinance, the following are conditional uses within the PUD, Planned Unit Development District established by this Ordinance (subject to the conditions provided below for each use, and the criteria specified in Section 801.04.2.F¹ of the Wayzata Zoning Ordinance):

¹ The Zoning Ordinance was later reorganized when the City switched to an online code reference (Municode). This section became Section 904.02.F. A table showing all renumbered sections can be found here: https://library.municode.com/mn/wayzata/codes/code_of_ordinances?nodeId=RESETA

13. Medical or dental clinics.
 - a. The traffic generated will not raise traffic volumes beyond the capacity of the surrounding streets.



WAYZATA PLANNING COMMISSION

March 11, 2024

REPORT AND RECOMMENDATION OF APPROVAL OF CONDITIONAL USE PERMIT FOR A MEDICAL CLINIC AT 1905 WAYZATA BLVD

DRAFT

SUMMARY OF RECOMMENDATION

Approval* of Conditional Use Permit (CUP) for a Medical Clinic

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Application Information and Property. Applicant Ecker Dermatology (the “Applicant”), with the authorization of the Property owner, has submitted a development application requesting approval of a conditional use permit for a proposed medical clinic in the existing building at 1905 Wayzata Blvd E (the “Property”).
- 1.2 Approval Requested. Applicant is requesting approval of a conditional use permit for a medical clinic on the Property as described in the Application (the “Medical Clinic CUP”).
- 1.3 Property. The address, property identification number, and owner of the Property are as follows:

Address	PID	Owner
1905 Wayzata Blvd E	05-117-22-13-0034	CWE LLC

- 1.4 Land Use Designations. The Property is zoned and guided as follows:

Zoning:	Planned Unit Development
---------	--------------------------

Comp Plan:	Mixed Use Commercial/Residential
Overlay Districts:	Shoreland Overlay District Wetlands Overlay District
Design District:	N/A

- 1.5 Notice and Public Hearing. Notice of the public hearing on the Application was published in the *Sun Sailor* on February 29, 2024 and mailed to all property owners located within 500 feet of the Properties on February 23, 2024. The public hearing on the Application was held at the March 11, 2024 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 CUPs in the PUD District. Within the PUD Zoning District that governs uses on the Property, medical uses are allowed if approved as a conditional use and the traffic generated will not raise traffic volumes beyond the capacity of the surrounding streets. Ordinance 591 (1997).
- A. In reviewing requests for a Conditional Use Permit, Section 904.2.F of the Zoning Ordinance requires City Council to consider possible adverse effects of a proposed conditional use. Council's judgment shall be based upon (but not limited to) the following factors:
1. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
 2. The proposed use's compatibility with present and future uses of the area.
 3. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
 4. The proposed use's effect on the area in which it is proposed.
 5. The proposed use's impact upon property values in the area in which it is developed.
 6. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.
 7. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

Section 3. FINDINGS OF FACT

Based on the Application materials, staff reports, public comment presented at the public hearing, and Wayzata's Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

3.1 Medical Use CUP. The provisions of the PUD District related to traffic generation, and of Section 904.2.F of the Zoning Ordinance related to conditional uses, have been considered and are all satisfactorily met.

A. The medical clinic uses associated with the Applicant's proposed clinic (the "Proposed Use") would have not have adverse effects on the surrounding area based upon the following:

1. The Proposed Use is consistent with and furthers policies and provisions of the official City Comprehensive Plan. In particular, it is consistent with the mixed-use guidance for the Property and helps promote a diversity of retail, office, service and residential land uses at a high level of development and provide additional medical services for residents. It would further support the existing commercial core within the community, and encourage business retention and reinvestment.
2. The Proposed Use is compatible with present and future uses of the area, which include similar types of clinics.
3. The Proposed Use conforms with all relevant performance standards contained in the Zoning Ordinance, including parking and traffic flow.
4. The Proposed Use will have a positive effect on the area in which it is proposed as it will decrease the vacancy rate in the building on the Property.
5. The Proposed Use will not have a known negative impact upon property values in the area.
6. The Proposed Use will not generate additional traffic beyond the capacity of the surrounding streets.
7. The Proposed Use will not have a negative impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

Section 4. RECOMMENDATION

4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **APPROVAL** of Medical

Clinic CUP, subject to the following conditions:

- A. The Applicant must secure all necessary building permits for construction, and follow all laws and regulations applicable to medical clinics, including building codes and land use regulations, and City Code and policies applicable to days and times of work, and construction management.
- B. The Applicant must build and operate the medical clinic associated with the Medical Clinic CUP in conformance, in all material respects, with the plans depicted in the Application.
- C. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 11th day of March 2024.

Attachment A: Legal Description and Information on Property

Attachment A
Legal Description and Information on Property

Address	1905 Wayzata Blvd E
PID	05-117-22-13-0034
Legal Description	Lot 1, Block 1, Wayzata Executive Park
Abstract or Torrens?	Torrens
Certificate No.	1329802

January 26, 2024

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

Re: *Application for a Conditional Use Permit on behalf of Ecker Dermatology*

Dear Ms. Quarles:

We represent Dr. Phil Ecker and his proposed medical clinic, Ecker Dermatology. Ecker Dermatology is seeking a conditional use permit (“CUP”) to operate a 3,561 square foot medical clinic providing dermatology services (the “Clinic”) at the Wayzata Executive Park, within Suite 240 of the 1905 Wayzata Boulevard building (the “Property”). Dr. Ecker is a Mayo Clinic trained and board-certified dermatologist, practicing for nearly 20 years. He specializes in medical and surgical dermatology with extensive expertise in treating and evaluating complex rashes including chronic inflammatory skin disorders, identifying and treating skin cancer, evaluating moles and lesions as well as development of acne and rosacea treatment plans.

I. Project Summary

In 1997, the Property was rezoned from Wayzata’s former Institutional District to a Planned Unit Development (PUD) more fully described in Ordinance No. 591 (the “District”). The Property remains subject to the PUD standards outlined in Ordinance No. 591 as further amended. The Property was fully developed in 2001 pursuant to site plan approval and a development agreement recorded against the Property between Wayzata (the “City”) and Hammer Residences, Inc. the former Property owner.

The overall project consists of three office buildings addressed as 1903-1907 East Wayzata Boulevard with a total 114,000 square feet of commercial office space (the “Project”). The Project is served by 310 surface and underground parking stalls. The District lists a broad array of permitted uses including antique shops, bakeries, automotive accessory stores, beauty parlors, furniture stores, mortuaries and funeral homes, recording studios and even pet shops. Medical and dental laboratories are also permitted uses within the District, but medical and dental *clinics* are permitted subject to the approval of a CUP.

For each conditional use described within the District, the Council included use specific performance standards. For the medical clinic use, the Council directed future Councils to examine the traffic volume generated by the proposed use and ensure that the proposed use does not raise traffic volumes beyond the capacity of the surrounding streets. Between the

development of the Project and today, several medical clinics, including another dermatologist operated within the Project, but it appears from a review of City records that a CUP for these uses was never recorded against the Property. There is no evidence that the prior clinical uses- including psychotherapy, chiropractic and dermatology clinics have ever generated traffic beyond the surrounding street capacity. These uses, akin in size and scope to Dr. Ecker's proposed clinic, are complementary to and consistent with the surrounding office tenants.

The Clinic will operate within the existing building footprint. As proposed, the Clinic will include office space and nine patient treatment rooms. No exterior expansions or modifications to the approved site plan are contemplated by this application. Clinical hours will mirror the office uses within the Property. No emissions will be produced by the proposed use and any noise related to Dr. Ecker's operation will be consistent with a traditional office use.

II. The proposed CUP meets the required findings of Section 904.02 F governing conditional uses as well as the specific performance standards outlined within the PUD.

1. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.

The 2040 Plan contemplates a Mixed Use-Commercial/Residential land use for the Property. The intent of this category is to encourage development that responds to the characteristics and locality of the property, while encouraging a mixture of uses to serve residents. Medical uses are contemplated within the City's commercial use category. The Clinic is consistent with the goals of the 2040 Plan in that it brings a supplemental service and practice specialty to the City.

2. The proposed use's compatibility with present and future uses of the area.

The proposed clinical use is consistent with past operations at the Project. The Project has long served a variety of commercial uses, from development firms to financial services offices. The clinical use proposed here will operate during normal business hours- akin to existing tenants in the Project. Patients will not arrive or depart by ambulance, no overnight care or treatment will be provided at the Clinic. The Clinic is compatible with the present and future uses of the area.

3. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.)

The proposed use conforms with the standards approved within the PUD. While the PUD parking standards are distinct from the City's revised zoning ordinance and broadly provides for shared parking across tenant classes, the current City Code requires only six parking stalls per physician. Pursuant to its Lease with Property Owner, the Clinic is entitled to at least 10 stalls, in addition to the flexibility provided by the shared parking model approved by the PUD. The Clinic will not generate noise, require special loading standards, or create significant traffic impacts. The Project is benefited by easy access to

both 394 and 494 with sufficient service on Wayzata Boulevard East. Prior clinical uses at the Project demonstrate that traffic volumes generated by the Clinic will not raise traffic volumes beyond the capacity of the surrounding streets.

4. *The proposed use's effect on the area in which it is proposed.*

The proposed use will have no impact on the surrounding uses. The clinical use proposed is similar to the surrounding office uses. Existing and former medical operators at the Project have not had a demonstrable impact or effect on the surrounding area.

5. *The proposed use's impact upon property values in the area in which it is developed.*

The proposed use will only increase the property value of the Project. Dr. Ecker and the Property Owner are making significant investments in interior improvements and build out of the Clinic. Dr. Ecker lives within the west metro and desires to provide additional specialty care and treatment for the residents of Wayzata and broader region. Allowing medical uses within the Project and as defined by the Zoning Ordinance will diversify the existing uses at the Property and encourage continued investment in a high value commercial asset within the City.

6. *Traffic generated by the proposed use is in relation to capabilities of streets serving the property.*

No additional traffic impacts are anticipated to be generated through the approval of a CUP for the Clinic. As previously described herein, the Project is benefited by easy access to both 394 and 494 with sufficient service on Wayzata Boulevard East. Prior clinical uses at the Project demonstrate that traffic volumes generated by the Clinic will not raise traffic volumes beyond the capacity of the surrounding streets and will have a negligible impact. The traffic impact of the Clinic is similar to and consistent with the private financial services firms that have long operated out of the Project who similarly operate on an in-person client service model.

7. *The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.*

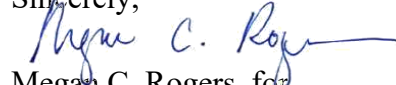
The Clinic will be situated within the existing building footprint and will use the current infrastructure- including access and parking provided on the Property. No additional or improved utilities or services will be required for the Clinic use. The proposed build out of will not have an undue or adverse impact on parks, schools, streets and utilities or the City's service capacity.

Dr. Ecker's proposed use is consistent with the purpose and intent of the PUD and the City Code. Any impacts or concerns the Council or Planning Commission may have regarding the proposed use may be mitigated through appropriate conditions to the CUP. Based on the findings above, we respectfully request the City grant Ecker Dermatology a conditional use permit to operate a

Ms. Valerie Quarles
January 26, 2024
Page 4

medical clinic at the Property. Please do not hesitate to contact me, Dr. Ecker or the Property Owner, with any questions or if any additional information is required.

Sincerely,

A handwritten signature in blue ink, appearing to read "Megan C. Rogers", with a horizontal line extending from the end of the signature.

Megan C. Rogers, for
Larkin Hoffman

Direct Dial: (952) 896-3395

Direct Fax: (952) 842-1847

Email: mrogers@larkinhoffman.com

4892-3621-6736, v. 2

February 8, 2024

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

Re: *Supplemental Information for Conditional Use Permit on behalf of Ecker Dermatology*

Dear Ms. Quarles:

We represent Dr. Phil Ecker and his proposed medical clinic, Ecker Dermatology. You asked for supplemental information related to existing conditions at the Wayzata Executive Park and past operations at the property. The Wayzata Executive Park (the "Project") is comprised of three buildings for a total of 99,430 square feet of commercial space. The buildings are addressed as 1903, 1905, and 1907 Wayzata Blvd. Dr. Ecker's proposed clinic plans operate out of the 1905 building. A list of current tenants of the 1905 building are attached as Exhibit A. Dr. Ecker's proposed clinic is 3,561 square feet and consistent with the square footage utilized by other 1905 building tenants which ranges from 5,542 square feet to 815 square feet.

The Project currently has a vacancy rate of 41%. We are familiar with three medical clinics that operated at the Project over the last twenty years. As we described in our application, it appears from an initial review of City records that a CUP for these uses was never recorded against the Project. To better understand the uses previously occurring on the Project and with limited building or approval records available, we reviewed past press releases and articles for any reference to the Project buildings. In this research, we found that Suite 120 in the 1907 building was previously operated as a dermatology clinic between 2003 and 2007 based on advertisements found in the Minnesota Business magazine shown below.

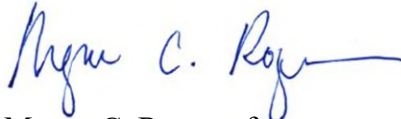


This prior use is similar in size and scope to Dr. Ecker's proposed clinic. We have not found any evidence to suggest that the former clinic use was not complementary to and consistent with the surrounding office tenants.

Attached as Exhibit B, please find Dr. Ecker's proposed clinical floor plan for your review. Dr. Ecker's build out of the existing suite includes 9 treatment rooms, a staff room, lobby and welcome space, and office.

Lastly, Dr. Ecker is excited to share that he was recently named the official dermatologist of the Minnesota Twins. As previously described, Dr. Ecker is committed to bringing exceptional care and service to the west metro and the City of Wayzata. Please do not hesitate to reach out to our office with any questions or requests for further information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Megan C. Rogers", followed by a horizontal flourish.

Megan C. Rogers, for
Larkin Hoffman

Direct Dial: (952) 896-3395
Direct Fax: (952) 842-1847
Email: mrogers@larkinhoffman.com

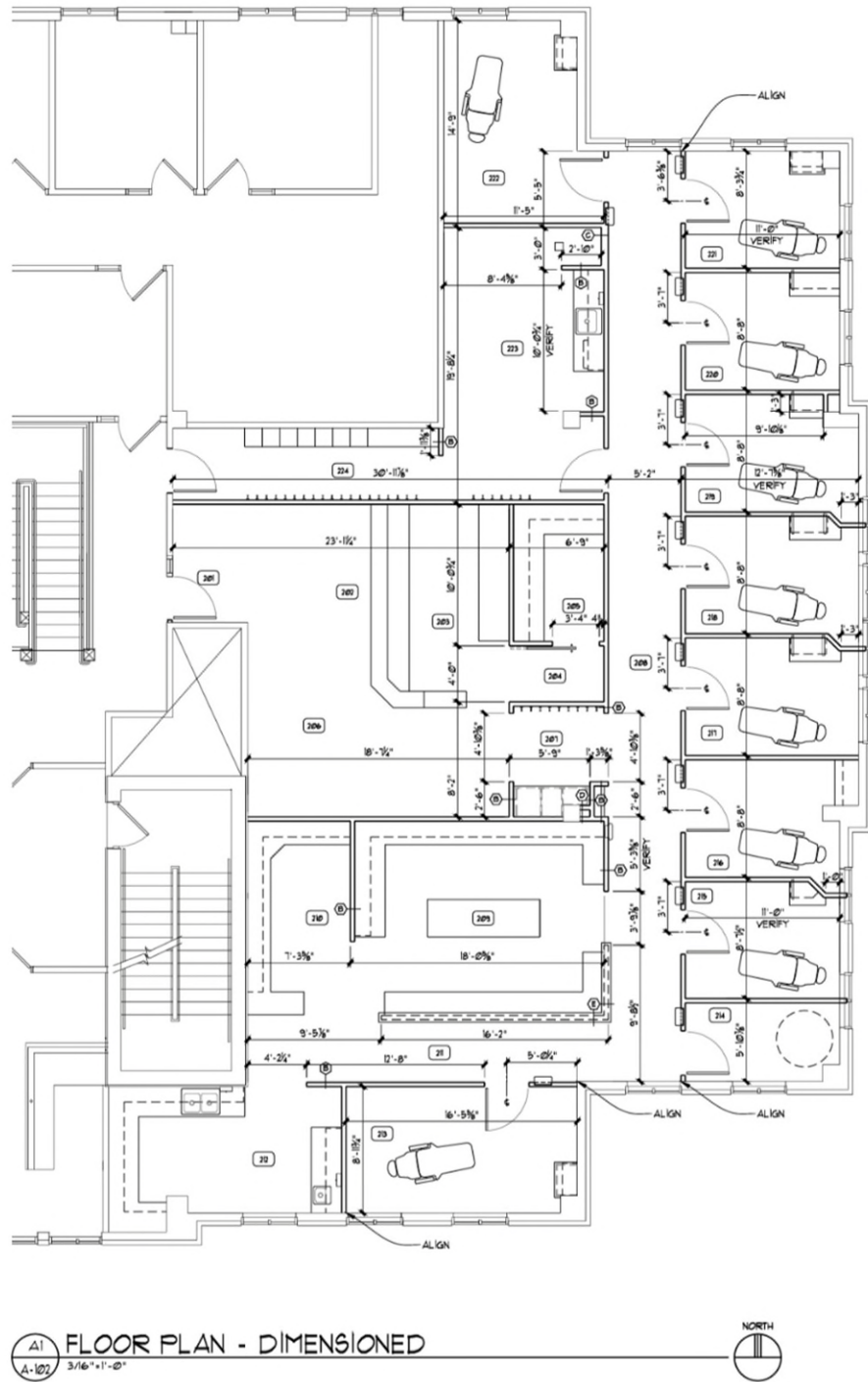
Exhibit A

Rent Roll - Occupancy Summary

As of Date: 02/01/2024

Property: CWE, LLC - 400-02					
Unit	Lease Name	Lease Type	Lease From	Lease To	Area
100, P11	Freedom Ventures Cor	Net	4/1/2022	10/31/2025	3,140
105	Hoffman Weber Constr	Gross	12/1/2023		1,500
110, P12	SPA, LLC	Net	6/1/2017	10/31/2025	2,269
140	River Oaks Capital,	Net	3/1/2013	5/31/2025	1,156
150, P06	Zastro, LLC	Net	7/1/2020	6/30/2025	1,122
155, P21, P22, P23	GPS Capital Manageme	Net	6/1/2011	5/31/2026	1,669
220, P02, P03, P10, P16, P19	Sanford, Pierson, Th	Net	11/1/2010	3/31/2028	4,895
230, P17	Prime Capital Invest	Net	10/1/2013	4/30/2028	2,402
250, P24	M.G. Hein Ltd	Net	9/1/2015	1/31/2027	1,348
280, P05	Bain Companies, Inc.	Net	9/1/2021	11/30/2026	1,040
320, P14, P15, P18	Fiat Wealth Manageme	Net	10/1/2022	9/30/2024	5,542
333, P04, P08, P09	Expleo Technology US	Net	10/1/2011	9/30/2024	2,604
120	VACANT	N/A	2/1/2024	2/1/2024	1,339
240	VACANT	N/A	2/1/2024	2/1/2024	3,561
325	VACANT	N/A	2/1/2024	2/1/2024	1,911
330	VACANT	N/A	2/1/2024	2/1/2024	815
P13	VACANT	N/A	2/1/2024	2/1/2024	
					36,313
Summary					
		Total Units	Total Area		
Occupied		33	28,687.00		
Vacant		5	7,626.00		
Totals		38	36,313.00		

EXHIBIT B



ALTA/NSPS LAND TITLE SURVEY CERTIFICATION

I hereby certify to CWE, LLC, a Minnesota limited liability company; to Independent School District 284, a Minnesota independent school district, or its assigns; and to First American Title Insurance Company that this is a survey of:

Lot 1, Block 1, Wayzata Executive Park, Hennepin County, Minnesota.

(Torrens Property - Certificate of Title No. 1329802)

and Is based upon Information found In Title Commitment Number NCS-1183906-MPLS, dated June 18, 2023 at 7:30 AM, prepared by First American Title Insurance Company National Commercial Services, and that all easements, If any, listed In Schedule B-II on the herein referenced commitment for title insurance, are shown hereon; and that this map or plat and the survey on which It is based were made (I) in accordance with "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys," jointly established and adopted by ALTA and NSPS In 2021, and (II) pursuant to the Accuracy Standards as adopted by ALTA and NSPS and In effect on the date of this certification, the undersigned further certifies that In my professional opinion, as a land surveyor licensed in the State of Minnesota, the Relative Positional Accuracy of this survey does not exceed that which is specified therein and includes Items 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10, 11(a), 11(b), 13, 16, 17, & 18 of Table A thereof. The field work was completed on June 19, 2023.

I further certify that this survey 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.

Date: 7/21/2023

E.G. Rud & Sons, Inc.

Jason E. Rud, Land Surveyor
Minnesota License No. 41578

GENERAL NOTES

- Fee ownership is vested in CWE, LLC, a Minnesota limited liability company.
Parcel ID Number: 05-117-22-13-0034.
- Per Hennepin County Tax Records, the surveyed property's address is 1903, 1905, & 1907 Wayzata Blvd E, Wayzata, MN 55391.
- Bearings shown hereon are based on the Hennepin County Coordinate System.
- Surveyed premises shown on this survey map is In Flood Zone X (Areas determined to be outside the 0.2% annual chance floodplain), according to Flood Insurance Rate Map Number 270188, Panel 0326, Suffix F by the Federal Emergency Management Agency, effective date November 4, 2016.
- Boundary area of the surveyed premises: ±306,848 sq. ft. (±7.04 acres).
- The surveyed premises currently has direct access to Wayzata Boulevard East, a public street. The proposed division line, as shown, would result in the need for an ingress/egress easement to serve 1903 Wayzata Blvd.
- No zoning endorsement letter was provided to the surveyor at the time of the survey, however, a search of the City of Wayzata's website indicates the surveyed property is currently zoned PUD. For additional information regarding zoning and setbacks, contact the City of Wayzata's Planning Department at (952) 404-5312.
- There were 234 marked or striped above-ground parking stalls observed on the surveyed property (228 regular and 6 handicapped) and 76 underground parking stalls.
- Above ground utilities have been field located as shown. Underground utilities shown hereon are those which were field marked by utility companies responding to Gopher State One Call, Ticket No. 231671145, dated 6/26/2023, taken from mapping as provided by the client, or were taken from utility plans provided by the City of Wayzata. All underground locations shown hereon are APPROXIMATE. Prior to any excavations or digging, contact Gopher State One Call for an on-site location (651-454-0002). However, lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, Gopher State One Call locate and other similar utility locate requests from surveyors may be ignored or result in an incomplete response. Where additional or more detailed information is required, the client is advised that excavation may be necessary.
- No party walls were observed one the surveyed property at the time of the survey.
- Subsurface and environmental conditions were not examined or considered during the process of this survey. No statement is made concerning the existence of underground or overhead containers or facilities that may affect the use or development of the surveyed premises.
- The surveyed parcel is proposed to be subdivided into two tracts through us of a 3-dimensional Registered Land Survey. The proposed surface division line is shown hereon.
- Title Commitment Number NCS-1183906-MPLS, dated June 18, 2023 at 7:30 AM, prepared by First American Title Insurance Company National Commercial Services, Schedule B, Part II Survey Related Exceptions:
 - Item #12 - Subject to a snow fence easement in favor of the State of Minnesota as shown by Instrument recorded April 07, 1922, in Book 934 of Deeds, page 454, and as Document No. 1075318 and re-recorded July 25, 1923, in Book 1034 of Deeds, page 14, and as Document No. 1159210, shown as rectal on the Certificate of Title.
[SURVEYOR'S NOTE: Said easement adjoins the southerly boundary of the surveyed property.]
 - Item #13 - Subject to drainage and utility easements as shown on plat of Wayzata Executive Park recorded March 07, 2001, as Document No. 3365717, shown as a rectal on the Certificate of Title.
[SURVEYOR'S NOTE: As shown hereon.]
 - Item #14 - Subject to a highway easement in favor of the State of Minnesota, together with a snow fence easement, as shown by Instrument recorded January 14, 1938, in Book 361 of the Miscellaneous records, page 369, and as Document No. 1918752, shown as a rectal on the Certificate of Title.
[SURVEYOR'S NOTE: As shown hereon.]
- Item #15 - Terms, conditions, covenants, obligations, provisions and restrictions as contained in the City of Wayzata Development Agreement dated March 06, 2001, by and between the City of Wayzata, a Minnesota municipal corporation, and Wayham, LLC, a Minnesota limited liability company, and Hammer Residences, Inc. a Minnesota nonprofit corporation, recorded March 07, 2001, as Document No. 3365718.
- As affected by Certificate of Completion and Release dated September 27, 2005, recorded December 06, 2005, as Document No. 4197485
[SURVEYOR'S NOTE: Not survey related and not shown hereon.]
- Item #16 - Terms, conditions, covenants, obligations, provisions and easements as contained in the Access and Cross Parking Easement Agreement dated March 06, 2001, by and between Wayham, LLC, a Minnesota limited liability company, and Hammer Residences, Inc., a Minnesota nonprofit corporation, recorded March 07, 2001, as Document No. 3365721.
[SURVEYOR'S NOTE: The surveyed property is encumbered by a Driveway Easement and Parking Easement for the benefit of Lot 2, Block 1, WAYZATA EXECUTIVE PARK. The document states that the easement locations are depicted on "Exhibit A" contained therein, however, "Exhibit A" does not indicate or define any easement areas. The locations of the easements encumbering the surveyed property are undefined, unknown, and not shown hereon. The above document grants a perpetual nonexclusive easement for vehicular parking over the surface parking areas designated by striping over Lot 2, Block 1, WAYZATA EXECUTIVE PARK, for the benefit of the surveyed property. All easements contained in the above document are not mathematically confined or depicted. "Exhibit A" is shown hereon.]

Item #17 - Mortgage executed by CWE, LLC, a Minnesota limited liability company to Bank of the West, dated December 18, 2017, recorded December 26, 2017, as Document No. T05501088, securing the original amount of \$12,000,000.00, and any other amounts which may become due and payable under the terms thereof.
[SURVEYOR'S NOTE: Not survey related and not shown hereon.]

Item #18 - Assignment of Rents executed by CWE, LLC, a Minnesota limited liability company, as assignor, to Bank of the West, as assignee, dated December 18, 2017, recorded December 26, 2017, as Document No. T05501089.
[SURVEYOR'S NOTE: Not survey related and not shown hereon.]

Item #19 - The following which appear as memorials and/or rectals on the Certificate of Title:

a. Subordination, Non-Disturbance and Attornment Agreement dated June 20, 2012, recorded August 16, 2012, as Document No. T4984129;

b. Memorandum of Lease dated April 8, 2010, recorded April 22, 2010, as Document No. T4747818.
[SURVEYOR'S NOTE: Said documents are not survey related and not shown hereon.]

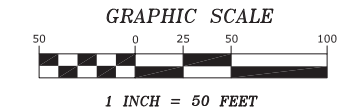
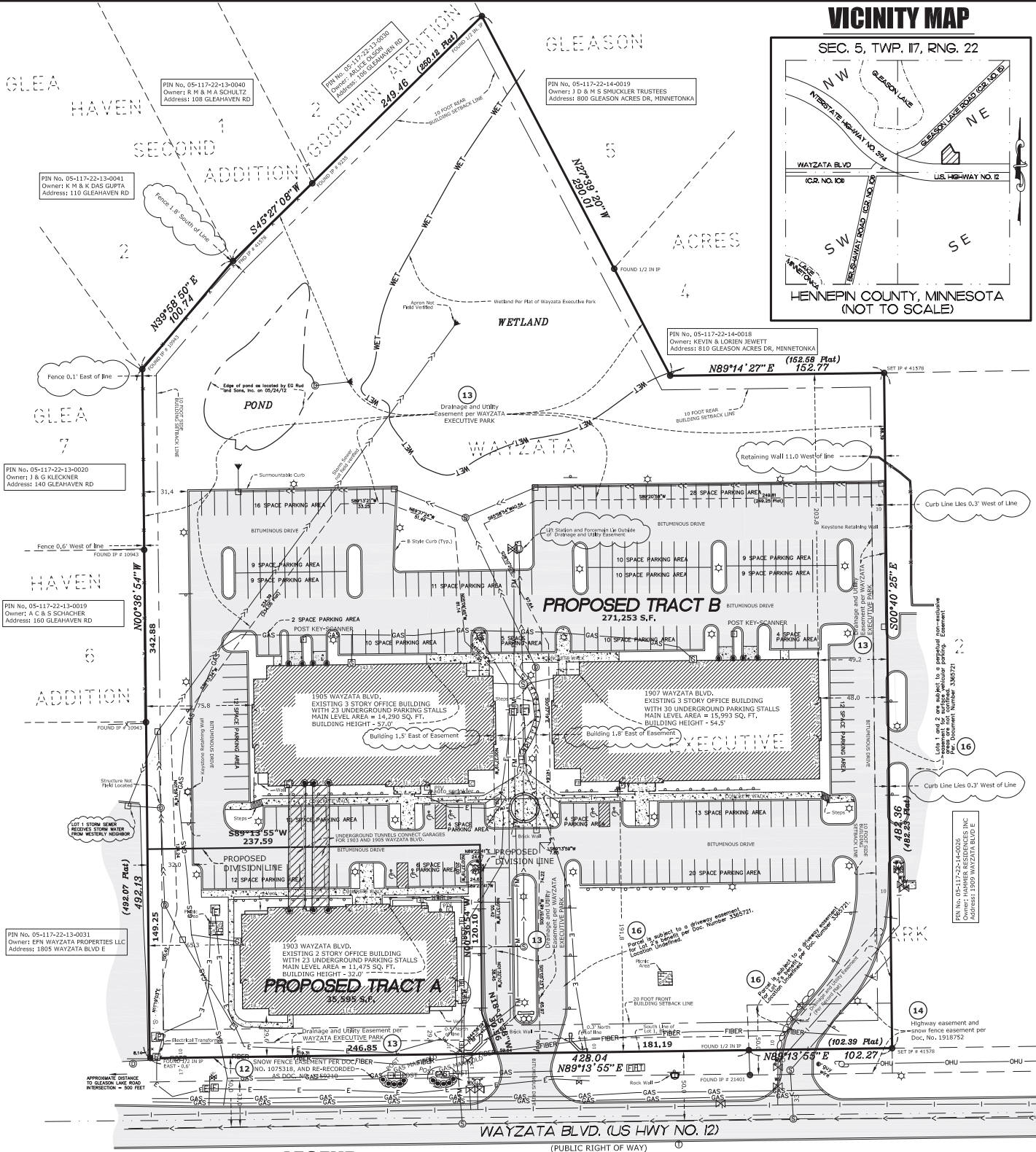
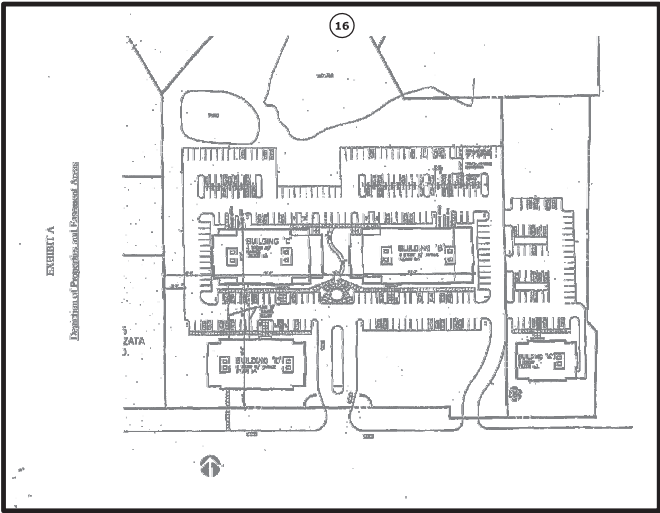


EXHIBIT A - DOC. NO. 3365721



● DENOTES IRON MONUMENT FOUND AS LABELED

○ DENOTES IRON MONUMENT SET, MARKED RLS# 41578

● DENOTES BOLLARD

□ DENOTES CATCH BASIN

⊠ DENOTES CABLE PEDESTAL

○ DENOTES CLEAN OUT

● DENOTES CURB STOP

○ DENOTES ELECTRICAL BOX

⊠ DENOTES FIBER OPTIC BOX

○ DENOTES GAS METER

○ DENOTES GAS VALVE

○ DENOTES GUY WIRE

○ DENOTES HYDRANT

○ DENOTES LIGHT POLE

○ DENOTES MISCELLANEOUS MANHOLE

○ DENOTES POST INDICATOR VALVE

○ DENOTES POWER POLE

○ DENOTES SANITARY SEWER MANHOLE

○ DENOTES SIGN

◀ DENOTES STORM SEWER APRON

○ DENOTES STORM SEWER MANHOLE

⊠ DENOTES TELEPHONE PEDESTAL

⊠ DENOTES UTILITY BOX

⊠ DENOTES WATER VALVE

○ DENOTES FENCE

○ DENOTES EXISTING FORCEMAIN

○ DENOTES EXISTING SANITARY SEWER

○ DENOTES EXISTING STORM SEWER

○ DENOTES EXISTING WATER MAIN

○ DENOTES OVERHEAD UTILITY

○ DENOTES UNDERGROUND ELECTRIC LINE

○ DENOTES UNDERGROUND GAS LINE

○ DENOTES UNDERGROUND CABLE LINE

○ DENOTES UNDERGROUND FIBER OPTIC LINE

○ DENOTES UNDERGROUND TELEPHONE LINE

○ DENOTES BITUMINOUS SURFACE

○ DENOTES CONCRETE SURFACE

○ DENOTES ADJACENT PARCEL OWNER INFORMATION (PER HENNEPIN COUNTY TAX INFORMATION)

○ DENOTES IRON MONUMENT FOUND AS LABELED

○ DENOTES IRON MONUMENT SET, MARKED RLS# 41578

● DENOTES BOLLARD

□ DENOTES CATCH BASIN

⊠ DENOTES CABLE PEDESTAL

○ DENOTES CLEAN OUT

● DENOTES CURB STOP

○ DENOTES ELECTRICAL BOX

⊠ DENOTES FIBER OPTIC BOX

○ DENOTES GAS METER

○ DENOTES GAS VALVE

○ DENOTES GUY WIRE

○ DENOTES HYDRANT

○ DENOTES LIGHT POLE

○ DENOTES MISCELLANEOUS MANHOLE

○ DENOTES POST INDICATOR VALVE

○ DENOTES POWER POLE

○ DENOTES SANITARY SEWER MANHOLE

○ DENOTES SIGN

◀ DENOTES STORM SEWER APRON

○ DENOTES STORM SEWER MANHOLE

⊠ DENOTES TELEPHONE PEDESTAL

⊠ DENOTES UTILITY BOX

⊠ DENOTES WATER VALVE

○ DENOTES FENCE

○ DENOTES EXISTING FORCEMAIN

○ DENOTES EXISTING SANITARY SEWER

○ DENOTES EXISTING STORM SEWER

○ DENOTES EXISTING WATER MAIN

○ DENOTES OVERHEAD UTILITY

○ DENOTES UNDERGROUND ELECTRIC LINE

○ DENOTES UNDERGROUND GAS LINE

○ DENOTES UNDERGROUND CABLE LINE

○ DENOTES UNDERGROUND FIBER OPTIC LINE

○ DENOTES UNDERGROUND TELEPHONE LINE

○ DENOTES BITUMINOUS SURFACE

○ DENOTES CONCRETE SURFACE

○ DENOTES ADJACENT PARCEL OWNER INFORMATION (PER HENNEPIN COUNTY TAX INFORMATION)

DRAWN BY: KCM

CHECK BY: JER

1

2

3

NO.

DATE

DESCRIPTION

BY

JOB NO: 230579PP

DATE: 7/21/23

FIELD CREW: RW/MR

EST. 1977

E.G. RUD & SONS, INC.

Professional Land Surveyors

6776 Lake Drive NE, Suite 110

Lino Lakes, MN 55014

Tel. (651) 361-8200 Fax (651) 361-8701

www.egrud.com



City of Wayzata Planning Commission Agenda Report

MEETING DATE: March 11, 2024	AGENDA ITEM: 6.b
TITLE: Planning Commission Meeting Schedule	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

The 2024 City Calendar and City Council Liaison Schedule are attached. The next Planning Commission meeting is scheduled for March 25. The next City Council meeting is scheduled for March 12.

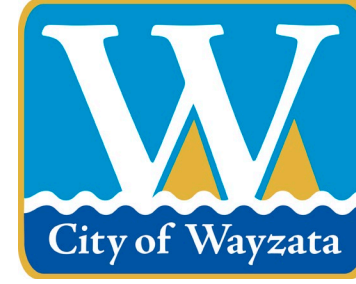
ACTION REQUESTED:

N/A

ATTACHMENTS:

1. 2024 Wayzata City Calendar
2. 2024 City Council Liaison Schedule

City of Wayzata 2024 Meeting Calendar



January 2024						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February 2024						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

March 2024						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April 2024						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May 2024						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June 2024						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July 2024						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August 2024						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September 2024						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October 2024						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November 2024						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December 2024						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

- Energy & Environment 5:00 PM
- Planning Commission - 6:30 PM
- City Council - 7:00 PM
- Charter Commission - 9:00 AM
- Lake Minnetonka Conservation District (LMCD)
- Heritage Preservation Board (HPB) - 11:30 AM
- Housing & Redevelopment Authority (HRA) - 7:30 AM
- Parks & Trails Board - 6:00 PM
- Elections (see below)
- Night to Unite

Meeting dates and times are subject to change. Dates can be confirmed by calling City Hall.

Holiday Observed
City Offices Closed

2024 Election Dates

February 27—Precinct Caucus
March 5—Presidential Nomination Primary
April 30—Special Primary Election (Hennepin Co Commissioner)
May 14, 2024—Special Election (Hennepin Co Commissioner)
August 13—State General Primary Election
November 5—State General Election

Revised
10/24/2023

2024 Planning Commission Assignments at Council Meetings

	<u>Meeting Date</u>	<u>Commission Representative</u>
Tuesday	January 9	Peggy Douglas
Tuesday	January 23	Adam Elg
Tuesday	February 6	Chris Plantan
Tuesday	February 20	Bonnie Schwalbe
Tuesday	March 12	Jen Severson
Tuesday	March 26	Ken Sorensen
Tuesday	April 2	Larissa Stockton
Tuesday	April 16	Peggy Douglas
Tuesday	May 7	Adam Elg
Tuesday	May 21	Chris Plantan
Tuesday	June 4	Bonnie Schwalbe
Tuesday	June 18	Jen Severson
Tuesday	July 9	Ken Sorensen
Tuesday	July 23	Larissa Stockton
Wednesday	August 7	Peggy Douglas
Tuesday	August 20	Adam Elg
Tuesday	September 3	Chris Plantan
Tuesday	September 17	Bonnie Schwalbe
Tuesday	October 8	Jen Severson
Tuesday	October 22	Ken Sorensen
Tuesday	November 12	Larissa Stockton
N/A	No meeting November 26th	
Tuesday	December 3	Peggy Douglas
Tuesday	December 17	Adam Elg