



# Wayzata Planning Commission

## Meeting Agenda

Monday, October 5, 2015

Community Room,  
600 Rice Street East,  
Wayzata, Minnesota

- 7:00 p.m.**
- 1. Call to Order and Roll Call, and Approval of Minutes**
    - a. Approval of the August 17 Planning Commission and City Council Workshop Minutes
    - b. Approval of the August 17 Planning Commission Regular Meeting Minutes
    - c. Approval of the September 8 Planning Commission Workshop Minutes
  - 2. Regular Agenda Public Hearing Items:**
    - a. 1120 Wayzata Blvd E – The Davis Group
      - i. Design Review
    - b. 240 Manitoba Ave S – David Frey
      - i. Rear Yard and Lot Coverage Variance for a Second Garage Stall
    - c. Telecommunications Ordinance – City of Wayzata
      - i. Repeal existing City Code § 801.31 and replace it with draft Telecommunications Ordinance
  - 3. Other Items:**
    - a. Review of Development Activities
    - b. Other items

**9:00 p.m.**

**4. Adjournment**

NOTES:

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

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

**JOINT WAYZATA PLANNING COMMISSION AND CITY COUNCIL  
WORKSHOP MEETING MINUTES  
AUGUST 17, 2015**

**AGENDA ITEM 1. Call to Order.**

Mayor Willcox called the joint workshop meeting to order at 5:30 p.m.

Present at roll call were Commissioners: Gonzalez, Gnos, Ramy, Gruber, and Iverson. Absent and excused were: Commissioners Vanderheyden and Young. Mayor Willcox, Councilmember McCarthy, Councilmember Tyacke, Director of Planning and Building Gadow and Management, City Attorney David Schelzel, Director of Public Service Dave Dudinsky, City Manager Heidi Nelson and Management and Planning Intern Jason Peters were also present.

**AGENDA ITEM 2. Joint Planning Commission and City Council Workshop Items:**

**a. Update on Telecommunications Ordinance and Discussion of Feedback from Telecommunications Vendors**

Mr. Gadow stated as part of the Telecommunications Study, the City Council and Planning Commission are updating the City's Telecommunications Ordinance in order to better regulate the location of new cellular towers and other equipment. At the July 21, 2015 meeting, the City Council asked Staff to provide a copy of the working draft of the Telecom Ordinance to each of the four (4) Telecom vendors for their review and comment. Staff and the City Attorney will review any feedback received on the draft ordinance, make any necessary or advisable modifications, and schedule the ordinance for a formal public hearing in September. He clarified Staff has been struggling with if there is a designated preferred site for the telecommunication towers and equipment, how does the City deal with a vendor wanting to place additional equipment outside of this location in terms of zoning and location. He reviewed the proposed process for locating new equipment in the identified locations and the process for locating equipment in other areas of the City. He reviewed the draft Conditional Use Permit process for equipment outside of the designated locations. He clarified Telecom towers and equipment would be allowed with only a permit or license in the designated areas only, but a CUP would be required for other locations in the City.

Councilmember Tyacke stated there have been requests for micro-sites in Wayzata. He asked how the Zoning Ordinances addressed this.

Mr. Gadow stated the City favors micro-sites and there may be an opportunity to use this technology on existing City utility poles. There is some language in the draft ordinance that addresses micro-sites and City utility poles and these would be handled through a license or permit process.

1 Mayor Willcox asked what was unique about the draft Ordinance being presented and other  
2 Telecommunication Ordinances for other cities.

3  
4 Mr. Gadow stated other cities did not restrict having this equipment located adjacent to  
5 residential or City Park areas and Wayzata does not have an industrial park area.

6  
7 Councilmember Tyacke asked if the City would involve the telecommunication vendors in the  
8 design of the equipment for the macrosite.

9  
10 Mr. Gadow stated they would discuss the design with the vendors to ensure it is compatible and  
11 would work for their needs but they City has not determined if this would be something the  
12 vendors would get final approval on.

13  
14 Councilmember McCarthy stated the draft ordinance states vendors should provide a report  
15 every 3-years on non-proprietary stealth technology. She stated every 3-years would be too long  
16 because this technology is changing quickly and everything is always being redesigned and  
17 refocused.

18  
19 Mr. Gadow stated Verizon had provided information that there was a recent Federal Law change  
20 on what cities can ask for in terms of additional information from an applicant. The City would  
21 look into what its ability would be for requesting this type of information.

22  
23 Councilmember McCarthy stated they had recently done a service level study and found that not  
24 all residents are receiving the same level of service. She asked if they could require a specific  
25 level of service from vendors or require an audit from vendors so the City knows what the level  
26 of service is.

27  
28 Mr. Gadow stated Staff could look into this for the draft and also if the contract language of the  
29 City's lease with vendors for the macrosite allows the City to request this information.

30  
31 Ms. Valerie Bergman, AT&T, reviewed the key recommendations and changes they would  
32 recommend based on other cities ordinances. Section 6.409 had been put together by a work  
33 group of constituents, members of the National League of Cities, and other Government  
34 organizations. She stated many of the revisions proposed by Verizon are in line with what  
35 AT&T would recommend. She clarified for cellular service to work well the macrosite would  
36 need to be as high as possible to ensure they are able to provide coverage. She explained the  
37 difference between coverage and capacity and in order to accommodate the capacity there may  
38 be a need for additional antenna. At this time, AT&T does not have plans for micro-cells at this  
39 time. Micro-cells cannot replace a macro-cell location. Micro-cells are designed to work for a  
40 defined area where there is high capacity. In order to be effective telecommunication towers do  
41 need to be located where people are located. She also stated both homes and businesses are  
42 relying on wireless coverage. She stated when putting in towers they consider height and  
43 location, in terms if where their customers are.

44  
45 Mr. Jason Hall, AT&T, clarified their recommendations were from their Engineering  
46 Department, External Affairs, and Legal Department. The draft contains a priority ranking for

1 where towers can go and they would like to see this removed. Their network does not always  
2 work solely on public property. There may be other land uses that would work better in order to  
3 achieve coverage and capacity. They would recommend a market priority versus a location  
4 priority. From a practical stand, requiring ground mounted equipment, equipment placed  
5 underground, and only one shelter built for each tower does not work well. Each provider has  
6 their own proprietary equipment and they would not like to have this equipment accessible by  
7 other providers.

8  
9 Commissioner Gonzalez asked what the optimum height of a macrosite tower would be to  
10 provide service in Wayzata.

11  
12 Mr. Hall stated in a suburban community there is typically a height restriction of 195-feet. The  
13 FAA requires a light on the tower if it is over 200-feet. The draft ordinance specifies 150-feet  
14 for maximum height and they would request a maximum height of 190-feet.

15  
16 Commissioner Iverson asked if AT&T currently had towers located at schools and if there have  
17 been vandalism problems.

18  
19 Mr. Hall stated AT&T does have towers located at schools. He clarified he is not in operations  
20 and cannot speak directly to vandalism but he is not aware of any major problems.

21  
22 Commissioner Gruber pointed out AT&T had several strike-outs in the draft ordinance. She  
23 asked if they were working with the League of Minnesota Cities on a universal  
24 Telecommunications Ordinance.

25  
26 Ms. Bergman clarified in response to the new FCC regulations, the work group had prepared a  
27 check list and model ordinance. This work group looked how to make this ordinance work at the  
28 federal, state, and local levels. AT&T had two (2) attorneys look at the draft ordinance proposed  
29 by Wayzata and they provided their input. The attorneys are also willing to work with the City  
30 and City Attorney on this ordinance.

31  
32 Mr. McMannin, Project Manager for T-Mobile, echoed the concerns of AT&T regarding ground  
33 mounted and underground equipment. He stated balloon testing was an outdated means of  
34 visualizing the height of equipment. He would request this be removed. He stated the things  
35 that drive where they place macro-cells are topography and customer usage, not who owns the  
36 land. He would like to see the Ordinance written flexible enough so that it does not have to be  
37 rewritten every couple of years. He recommended providing more flexibility on where towers  
38 and cells could be located.

39  
40 Ms. LeBlanc, Senior Development Manager for T-Mobile, stated where cell towers and  
41 equipment are located will determine where the best service areas are. Currently they have  
42 equipment that is centrally located but once they are moved to the northwest corner of the City  
43 there would be less coverage in the eastern portion of the City. Using small cells would not  
44 address this problem because small cells are used to address capacity not to provide additional  
45 coverage.

1 Commissioner Iverson asked how technology was expected to improve over the next 5-years.  
2 She asked how much companies are putting toward researching new equipment and looking for  
3 ways to lessen the impact to residents and neighborhoods.

4  
5 Ms. LeBlanc stated she would like to see smaller equipment. The lower the frequency the higher  
6 the tower needs to be and more users means more capacity, which means more equipment. They  
7 are seeing growth in data transmitting. She explained the smaller the antenna, the less coverage  
8 it provides so more antennas are needed.

9  
10 Mr. Simmon, Senior RF Engineer for T-Mobile, explained they are working on new frequencies  
11 and bandwidths but these would require higher antenna to be effective. He explained there  
12 would be fewer carriers on a stealth antenna due to its size than a standard antenna.

13  
14 Councilmember Tyacke asked if there would be a need for additional towers since they would be  
15 moving the macrosite location from the water tower to the school.

16  
17 Mr. Simmon stated the maximum height allowed in the Ordinance has changed from 190-feet to  
18 150-feet with this change. They would request this be increased to 190-feet to accommodate  
19 future demand.

20  
21 Ms. LeBlanc stated they would also request the provisions regarding underground equipment be  
22 removed from the Ordinance due to safety concerns and potential equipment problems.

23  
24 Councilmember McCarthy asked if having the equipment stored underground was just not  
25 practical in Minnesota or if it was something that was not preferred by the vendors.

26  
27 Mr. Simmons stated underground storage and equipment was not prevalent in Minnesota due to  
28 safety concerns.

29  
30 Mr. Ron Gunderson, Sprint, stated that one macro-cell at the school would be a reasonable  
31 location. He said they may be able to locate something in Minnetonka that would assist in  
32 coverage in the eastern portion of Wayzata with this macro-cell relocation. In order to establish  
33 a standard of coverage the City may be looking at more antennas than they would want in order  
34 to achieve this goal. He asked if the tower went to the Middle School would the City acquire  
35 property and the vendors work with the City only or would vendors have to work with the City  
36 and the School District.

37  
38 Mr. Dudinsky stated the City is working with the School District to finalize an agreement. The  
39 intention is that the City would purchase or lease the property and vendors would work with the  
40 City.

41  
42 Mr. Gunderson stated there are minor issues in Section B for new telecommunications facilities.  
43 In Section 2A, he would recommended changing "approved telecommunications equipment" to  
44 "previously approved telecommunications equipment".

1 Commissioner Iverson asked what safety precautions would be taken at the Middle School  
2 location to ensure the kids are safe. The City has expressed concerns about having these  
3 facilities in parks but the schools are used more by kids.

4  
5 Mr. Gunderson, stated there is an antenna at Central Middle School and they have not had any  
6 issues at that location. They also have towers or antenna located at schools in other communities  
7 and they have not had any problems with these.

8  
9 Mr. Dudinsky stated safety would be reviewed as part of the feasibility study but they are  
10 looking at locating this near the highway closer to the edge of the school property.

11  
12 Councilmember McCarthy asked if the City was still considering a site near the lift station in the  
13 east side of Wayzata for these vendors to utilize if they needed to provide additional coverage in  
14 that area.

15  
16 Mr. Dudinsky stated the developer has shown some interest in this opportunity. If the Middle  
17 School site does not move forward there may be other possibilities.

18  
19 Commissioner Gruber stated she liked the idea of locating a site in Minnetonka along the border  
20 to meet the needs of both communities.

21  
22 Mr. Gunderson stated if the businesses are not interested in working with the vendor then they  
23 are not able to put a site there.

24  
25 Ms. Amy Dresch, Jacobs Engineering, stated Verizon had previously submitted their comments  
26 to the draft ordinance and she would like to comment in regards to site acquisition. The macro-  
27 sites include sites such as the water tower and the proposed site at the school. Micro-sites are  
28 usually located on utility poles and are shorter. These are meant to address capacity needs not to  
29 provide coverage where there was no coverage. You must have a macro-site to support a micro-  
30 site. Verizon's coverage in Wayzata has suffered since they lost their equipment at the Anchor  
31 Bank site due to redevelopment. She expressed concerns about the ability to place a tower on a  
32 parcel adjacent to a residentially zoned parcel. This significantly limits what is available for  
33 vendors to use in Wayzata.

34  
35 Mr. Gadow clarified the way the ordinance is currently drafted is encompasses wireless  
36 telecommunications facilities, which is defined to include both antennas and mono-poles. If the  
37 concern is the City is limiting the ability to place antennas then these could be separated out to  
38 outline where antennas and associated ground equipment would be allowed.

39  
40 Councilmember McCarthy asked if the City would be able to make a distinction between  
41 antennas and macro-sites.

42  
43 Ms. Dresch clarified a macro-site could be on a tower or rooftop and is the main site with all the  
44 standard equipment and typically small cells or micro-sites do not have ground equipment and  
45 these are meant to fill in capacity or a service gap.

1 Mr. Gadow stated the distinction that would need to be made in the ordinance would be to break  
2 out towers versus antennas. It could be specified that towers could not be located adjacent to  
3 residential property or parks and allow antennas in commercial areas but not in single-family  
4 residential areas. There would have to be some flexibility for ground equipment because in some  
5 cases not all of the equipment can be located on the interior of the building. He stated the next  
6 steps would be to review the feedback and work with the City Attorney on what changes would  
7 be in the best interest of the City. A revised draft ordinance would be prepared and reviewed by  
8 the Planning Commission. There will be another opportunity for public comment at a formal  
9 public hearing that would be held prior to adoption by the City Council.

10  
11 Mayor Willcox stated the City is aware of the urgency to resolve the Telecommunications  
12 Ordinance and have something in place so that vendors can begin to look at options for  
13 additional macro-cells and antennas.

14  
15 The joint meeting of the City Council and Planning Commission ended at 6:58 p.m.

16  
17 Respectfully submitted,

18  
19 Tina Borg  
20 *TimeSaver Off Site Secretarial, Inc.*

**WAYZATA PLANNING COMMISSION MEETING MINUTES  
AUGUST 17, 2015**

**AGENDA ITEM 3. Regular Planning Commission Business:**

Present at roll call were Commissioners: Gonzalez, Gnos, Ramy, Gruber, and Iverson. Absent and excused were: Commissioners Vanderheyden and Young. Director of Planning and Building Gadow, City Attorney Schelzel, and Management/Planning Intern Peters were also present.

**a. Approval of July 20<sup>th</sup> and August 3<sup>rd</sup> Meeting Minutes**

Commissioner Gonzalez stated in the July 20, 2015 minutes, page 5, line 10-11 should be corrected to read “for people to showcase the homes they have renovated and share their experience with renovating their homes and providers with the community.”

Commissioner Gonzalez stated in the August 3, 2015 minutes, on page 3, line 20, change “cars of” to “cars off”.

Commissioner Gruber made a motion, Seconded by Commissioner Gonzalez, to approve the July 20, 2015 and August 3, 2015 meeting minutes as amended. The motion carried unanimously.

**b. Review and Adoption of Planning Commission Report and Recommendation on 133 Ridgeview Drive East Variance Application**

Commissioner Gnos recused himself from discussion, review and voting for the variance request at his property at 133 Ridgeview Drive East.

Mr. Gadow stated the Applicant has submitted a development application requesting approval to construct a 4-foot by 25-foot long, 100 square-foot, expansion to an existing attached garage at 133 Ridgeview Drive E. The Planning Commission at its August 3 meeting had reviewed this Application and Staff had been directed to prepare a Staff Report and Recommendation for Approval of the Setback Variance request.

Commissioner Gonzalez stated on page 4, Section 4.1.A, insert the word “follow” prior to “all laws”.

Commissioner Gonzalez made a motion, Seconded by Commissioner Ramy, to adopt the Staff Report and Recommendation for Approval of the Setback Variance Request at 133 Ridgeview Drive East. The motion carried 3-ayes (Iverson, Gonzalez and Ramy), 1-Nay (Gruber).

**c. Review of Development Activities**

1 Mr. Gadow stated the City had received an application for design review of a new 2-story  
2 medical office building on Wayzata Boulevard. The City is waiting for additional information to  
3 complete the application.

4  
5 Mr. Gadow stated he would be leaving the City of Wayzata at the end of August to take a  
6 position at another city as city administrator, and until a new Director of Building and Planning  
7 is hired, Eric Zweber from WSB Consulting would be working on the City's development  
8 applications.

9  
10 The Planning Commission and Attorney Schelzel expressed their gratitude to Mr. Gadow for his  
11 professionalism, knowledge and expertise, and service to the City of Wayzata.

12  
13 **d. Other Items**

14  
15 Commissioner Gnos stated the last City Council meeting was discussion on the Downtown  
16 Parking Study.

17  
18 Commissioner Gruber stated she had missed the last Heritage Preservation Board meeting.

19  
20 Vice Chair Iverson stated she would attend the October 6<sup>th</sup> meeting. She stated the Wise home  
21 had been moved successfully.

22  
23  
24 **AGENDA ITEM 4. Adjournment.**

25  
26 There being no further business, Commissioner Gonzalez made a motion, seconded by  
27 Commissioner Ramy, to adjourn the meeting. The motion passed unanimously.

28  
29 The meeting was adjourned at 7:25 p.m.

30  
31 Respectfully submitted,

32  
33 Tina Borg  
34 *TimeSaver Off Site Secretarial, Inc.*

**WAYZATA PLANNING COMMISSION  
WORKSHOP MEETING MINUTES  
SEPTEMBER 8, 2015**

**AGENDA ITEM 1. Call to Order and Roll Call.**

Vice Chair Iverson called the meeting to order at 7:18 p.m.

Present at roll call were Commissioners: Iverson, Gnos, and Gruber. Absent and excused were: Commissioners Vanderheyden, Gonzalez, and Young. Commissioner Ramy joined the meeting at 7:50 p.m. Interim City Planner Eric Zweber (AICP), Management/Planning Intern Jason Peters, City Manager Heidi Nelson and City Attorney David Schelzel were also present.

Vice Chair Iverson stated there were no minutes of previous meetings to review.

**AGENDA ITEM 2. Planning Commission Workshop Items:**

**a. Tree Preservation Ordinance Discussion**

Mr. Zweber stated one of Wayzata's 2015 goals is to prepare and adopt a Tree Preservation Ordinance that protects trees during construction and development, and also in connection with a homeowner's or business owner's use of their property. Mr. Zweber stated that he had worked on the City of Rosemount's tree ordinance and it addresses many of the issues brought up by the Wayzata Planning Commission during their discussions. He reviewed the provisions of the Rosemount Tree Ordinance and how they could be applied to the City of Wayzata, including how trees could be categorized, who would be responsible for approving tree preservation and remediation plans, and setting a removal threshold.

Vice Chair Iverson asked if a homeowner could remove all of the trees on their property without replacing them under the Rosemount Ordinance.

Mr. Zweber stated under the Rosemount Ordinance, a homeowner could remove all of the trees on their property without replacing them as long as these trees were not removed for a construction project. The language could be changed for Wayzata's Ordinance to include any tree removal by homeowners.

Vice Chair Iverson asked if Rosemount had experience with homeowners and developers who could not meet the 25% or 10% thresholds due to the size or configuration of the lot, and what they had done to resolve these situations.

Mr. Zweber stated if the 25% or 10% threshold could not be met, then the replacement requirements would go into effect. In his experience people buy property with trees because they find value in trees.

1 Vice Chair Iverson asked how Rosemount had addressed the removal of trees that had not been  
2 approved with a development.

3  
4 Mr. Zweber stated if there were additional trees removed beyond what had been approved, then  
5 those were added to the replacement calculations and requirements, and this was enforced. Once  
6 the Ordinance was in effect, enforcement was easy.

7  
8 Vice Chair Iverson asked if the tree survey included information on the health of the trees.

9  
10 Mr. Zweber stated the Rosemount Ordinance does not require replacement of diseased trees.

11  
12 Vice Chair Iverson asked how the City could protect trees from being impacted by grading when  
13 the approved plans show they were not going to be impacted.

14  
15 Mr. Zweber stated there is language in the Rosemount Ordinance that specifies the measures that  
16 must be taken to prevent this type of damage and a provision that the City could require a  
17 retaining wall to protect these trees. If a tree dies due to grading, then it is treated the same as if  
18 the developer had removed it and it is added to the replacement calculations.

19  
20 Vice Chair Iverson asked if the City should require a warranty period, such as one to two years,  
21 to ensure the replacement trees survive.

22  
23 Mr. Zweber stated most nurseries warranty trees for one year so a one year requirement should  
24 not present a problem for developers.

25  
26 Commissioner Gnos stated if the warranty requirement were longer than 1-year, developers  
27 might take more time in ensuring replacement trees are planted properly.

28  
29 Vice Chair Iverson requested City Attorney Schelzel look into what options the City had in  
30 regards to warranty requirements.

31  
32 Commissioner Gruber asked what cities Mr. Zweber had researched when working on the  
33 Rosemount ordinance.

34  
35 Mr. Zweber stated they had researched several cities including Woodbury, Edina and  
36 Minnetonka. They had adapted significant portions of the Woodbury and Edina ordinances. At  
37 the time Rosemount had done their ordinance, Minnetonka was just implementing theirs and they  
38 were having problems. He stated he would look into the Minnetonka ordinance and provide  
39 feedback for the Commission on how this ordinance has progressed.

40  
41 Vice Chair Iverson asked if Rosemount had a running inventory of all the trees in the city. She  
42 stated she would like to see the City of Wayzata have a running inventory of all the trees in the  
43 City so the Commission had this information when looking at developments.

44  
45 Mr. Zweber stated they had a running total of trees located on City properties and where  
46 possible, the location of ash trees. He suggested reevaluating tree categories after the ordinance

1 has been put into effect. This way the City can see what the impacts are and if they should make  
2 changes to the categories or size restrictions. He asked if the Commission agreed with the  
3 definition of a heritage tree in the Rosemount Ordinance.

4  
5 Vice Chair Iverson stated she would like to see all trees 27 caliper inches or larger be classified  
6 as a heritage tree, not just hardwoods.

7  
8 Commissioner Gruber asked if Chapter 710 was the closest language the City of Wayzata had to  
9 a Tree Preservation Ordinance.

10  
11 Mr. Zweber stated Chapter 710 was the closest language the City had currently to a Tree  
12 Preservation Ordinance but working with the City Attorney they could look at replacing and  
13 updating parts of Chapter 710, and incorporating additional tree preservation language.

14  
15 Commissioner Gruber stated there are several more tree preservation ordinances in surrounding  
16 communities, and she would like to see more research done. She asked if the City would be able  
17 to put together a proposed ordinance for Wayzata within a year.

18  
19 Mr. Zweber stated the timeline would be dependant on input, comments and direction from the  
20 Planning Commission and the City Council.

21  
22 Merrily Babcock, 337 Reno Street, Wayzata, stated the Rosemount Ordinance is clear,  
23 organized, and workable. She suggested looking at the Edina, Minnetonka, and Plymouth  
24 Ordinances and adopting a version to fit Wayzata's needs. She would also agree with a 2-year  
25 warranty requirement. The City should also consider trees that can be planted other than ash  
26 trees and the value of cottonwood trees located near water sources.

27  
28 Vice Chair Iverson stated she would like to see some restrictions and fines on homeowners that  
29 remove all of the trees on their property.

30  
31 Mr. Zweber stated the City could add softwoods to the heritage tree definition and this would not  
32 result in a large number of species being added to the list.

33  
34 Commissioner Gruber stated oak trees grow slow. She asked how to determine when an oak tree  
35 is of significant age. The City values oak trees because they are slow growing.

36  
37 Mr. Zweber stated this is something that Wayzata would have to determine. Wayzata may want  
38 to look at 4-inches being the minimum size for a significant hardwood tree instead of 6-inches.

39  
40 Vice Chair Iverson asked if other cities used a value system for trees and placed a higher value  
41 on certain species of trees.

42  
43 Mr. Zweber stated he was not aware of any cities using this type of system.

44  
45 Vice Chair Iverson requested the growth rate for specific trees be included in the discussion  
46 materials when a draft Tree Preservation Ordinance is brought back to the Planning Commission

1 for consideration. She would like to see this ordinance as a priority and have it implemented  
2 prior to development starting in the spring.

3  
4 Mr. Zweber summarized the Commissions comments as: looking at a warranty over 1-year,  
5 looking at tree ordinances for Edina, Plymouth, and Minnetonka, looking at tree categories in the  
6 Oakdale ordinance, adding cottonwoods to the list of heritage trees, looking at applying the  
7 preservation ordinance to all homeowners regardless of construction projects, and preparing a  
8 chart on the growth rate for certain trees.

9  
10 Commissioner Gnos asked if there was a time limit on when replacement trees had to be planted.

11  
12 Mr. Zweber stated this would be addressed with the development agreements because this would  
13 depend on the type of projects and for homeowners, this can be tied to the certificate of  
14 occupancy or get an escrow depending on the time of year.

15  
16 Vice Chair Iverson asked if the City required a landscaping escrow for developments.

17  
18 City Attorney Schelzel stated the City does collect and escrow funds in connection with new  
19 developments, and the landscaping may be part of this.

20  
21 Ms. Nelson stated this has been discussed at the Staff level.

22  
23 Mr. Zweber stated the Rosemount Ordinance does contain language for payment in lieu of  
24 replacement trees and this money is used for the escrow.

25  
26  
27 **AGENDA ITEM 3. Other Items:**

28  
29 **a. Review of Development Activities**

30  
31 Mr. Zweber stated two projects that would be coming forward in the future were a proposed  
32 medical building at 1120 Wayzata Boulevard E and a variance request at 240 Manitoba.

33  
34 Ms. Nelson stated the Mill Street ramp would be coming back in a couple of months.

35  
36 **b. Other Items**

37  
38 Commissioner Gruber provided an overview of the last City Council meeting including the  
39 approval of the variance for Mr. Gnos's property, the telecommunication tower and equipment  
40 moratorium was not extended.

41  
42 Ms. Nelson stated the Council would like to have the Telecommunications Ordinance in effect as  
43 soon as possible and made the decision to allow the moratorium to lapse in part so that coverage  
44 issues in the City can be addressed. Staff is planning on having the Telecommunications  
45 Ordinance back to the Planning Commission on October 5.

1  
2 **AGENDA ITEM 4. Adjournment.**  
3

4 There being no further business, Commissioner Gruber made a motion, seconded by  
5 Commissioner Gnos, to adjourn the meeting. The motion passed unanimously.  
6

7 The meeting was adjourned at 8:25 p.m.  
8

9 Respectfully submitted,  
10

11 Tina Borg

12 *TimeSaver Off Site Secretarial, Inc.*



Planning Report  
Monday, October 5, 2015  
Wayzata Planning Commission Meeting

**Applicant:** The Davis Group  
**Address of request:** 1120 Wayzata Blvd East  
**PID number:** 05-117-22-32-0076  
**Prepared By:** Eric Zweber, Interim City Planner  
**Project Summary:** Development Application requests Design Review to construct a new two-story 16,000 square foot building.

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**Section 1. Development Application**

- 1.1. General. The Davis Group (the “Applicant”) is proposing to construct a 16,000 square foot, two story medical specialty building at 1120 Wayzata Blvd East (the “Property”). The site is currently occupied by a two story medical office building located roughly in the middle of the site with parking provided between the building and Wayzata Blvd. The Davis Group building will be located along the Wayzata Blvd frontage with a joint access with the property to the east running along the east side of the site. This access will provide connection to the 63 parking stall constructed to the south and east of the building. There are two entries to the building proposed, one in the northeast corner of the building leading to the Wayzata Blvd sidewalk and one in the southeast corner of the building leading to parking area.

The site is adjacent to Heritage Park and an apartment building to the west, a multiple tenant retail building (Jimmy John’s) to the east and Colonial Square shopping is located to the north across Wayzata Blvd. This property and the property to the east (Jimmy John’s) are both owned by the same company, Alshouse Company LLC. The two properties are proposed to share features such as the access drive, the trash enclosure and parking. If this project is approved, an easement will be required to ensure that these shared features are available in the future if one of the properties were to be sold.

A narrative describing the Project is included as Attachment A. Existing Conditions and Proposed Site plans of the proposed expansion are included as Attachment B.

## 1.2 Relevant Property Information.

|               |                                         |
|---------------|-----------------------------------------|
| Zoning:       | C-3 Service District                    |
| Comp Plan:    | Mixed Use Commercial                    |
| Tenant Space: | 16,000 sq ft medical and/dental offices |

## 1.3 Legal Description.

A copy of the legal description for the subject properties are on file and available for viewing at City Hall. The following property description includes the subject Property in the Application:

|                        |                   |                      |
|------------------------|-------------------|----------------------|
| 1120 Wayzata Blvd East | 05-117-22-32-0076 | Alshouse Company LLC |
|------------------------|-------------------|----------------------|

*Image 1.1: Context Aerial*



## 1.4 Public Notice Requirements.

Zoning Ordinance Section 801.05 requires the Planning Commission to hold a public hearing on the Application. The Notice of Public Hearing was published in the Lakeshore Weekly on September 22, 2015. A copy of the Notice of Public Hearing was also mailed to all property owners located within 350 feet of the subject property on September 21, 2015.

## 1.5 Project Description.

The proposed Project is demolishing an existing two-story office building to construct a new two-story 16,000 sq feet medical office building.

## Section 2: Summary of Issues

### 2.1 Surrounding Uses

A summary of land uses and their respective zoning classifications for the immediate area:

Adjacent property uses are:

| Adjacent Property | Zoning                                                                   | Uses                       |
|-------------------|--------------------------------------------------------------------------|----------------------------|
| North             | C-2: Shopping Center District                                            | Commercial Shopping Center |
| South             | R-2A: Single Family Residential District                                 | City Park                  |
| East              | C-3: Service District                                                    | Multiple Tenant Commercial |
| West              | C-3: Service District and R-5: Average High Density Residential District | City Park and Apartments   |

Heritage Park is located directly west of this site; an apartment building is located to the southwest of the site; the Wayzata nature center is located to the south; a multiple tenant retail building (including Jimmy John's) is located to the east and the Colonial Square Center is located to the north across Wayzata Blvd.

The Planning Commission should pay particular attention to the proximity of the proposed building from Heritage Park. The building is proposed to be located at the Code minimum of ten (10) feet from Heritage Park and no special measures (such as increased setbacks, pedestrian features or private recreational features) are proposed to buffer between Heritage Park and the proposed building.

### 2.2 Project Hardcover Calculations and Lot Areas

The Property has the following proposed hardcover as part of the Project:

| Item               | Proposed  | Percentage |
|--------------------|-----------|------------|
| Impervious Surface | 31,100 SF | 75%        |
| Landscaped Space   | 9,240 SF  | 22%        |

City Code § 801.77.6 F. requires that at least 20% percent of a C-3 zoned site be landscaped and maintained.

## 2.3 Zoning Analysis.

A comparison of the C-3 Standards and the proposed Project is as follows:

| <b>C-3 District</b>                         | <b>Code Standard</b> | <b>Proposed</b> |
|---------------------------------------------|----------------------|-----------------|
| Minimum Lot Area                            | 15,000 sq ft         | 41,425 sq ft    |
| Minimum Lot Width                           | N/A                  | 177 ft          |
| Minimum Lot Depth                           | N/A                  | 300 ft          |
| Front Yard Setback (min.)                   | 10 ft                | 10 ft           |
| Side Yard Setback<br>(Northwest C-3 Zoning) | 10 ft                | 10 ft           |
| Side Yard Setback<br>(Southwest R-5 Zoning) | 50 ft                | <b>~25 ft</b>   |
| Rear Yard Setback (R2-A<br>Zoning)          | 50 ft                | ~240 ft         |
| Lot Coverage                                | 50%                  | 19%             |
| Floor to Area Ratio                         | 1.0                  | 0.38            |

The proposed building location violates the building side yard setback to a residential property (§ 801.77.6 B. 2.) requirement of 50 feet. The proposed building is about 25 feet from the Boardwalk Partners' apartment building (R-5 zoning) property line to the southwest.

## 2.4 Building Height.

The C-3: Service District allows a building height of thirty (30) feet or two (2) stories, whichever is lesser. Additionally, City Code § 801.19.2 B. allow parapets to exceed the building height by no more than five (5) feet. The majority of the building is proposed to be twenty eight (28) feet, with the center Wayzata Blvd façade and the southeast corner of the building over the entrance extending up to thirty (30) feet. The rooftop parapet in the middle of the building screening the rooftop mechanicals extends up to a height of thirty five (35) feet. The proposed building elevations comply with the C-3 building height standards.

## 2.5 Stormwater Management.

The site is currently 57% impervious surface and is proposed to be expanded to 75% impervious surface (0.17 acre increase). The only stormwater retention proposed to handle this increase is the construction of two perforated sump catch basins within the parking lot. The remaining runoff heads to the south and eventually into the wetland within the Wayzata nature preserve.

## 2.6 Parking Calculations.

Parking for the Property is provided through expanding the existing parking lot to the south and the east. This expansion is accomplished by removing existing trees and the construction of a new retaining wall. The Applicant would provide 63 parking spaces (four of which are handicapped stalls), but only 59 of these stalls are located on their site. The four (4) additional stalls are created on the property to the east by removing the southern portion of north/south access aisle to install the four new stalls. Based on the calculations below, it is unclear if the Applicant meets the required number of parking spaces under Section 801.20.

### *Parking Calculations:*

| <b>Use</b>                          | <b>Code Requirement</b>                                   | <b>Number Required</b>                               |
|-------------------------------------|-----------------------------------------------------------|------------------------------------------------------|
| Medical and Dental Office           | Six (6) stalls per doctor.                                | <i>Number of doctors was not provided</i>            |
| Office other than Medical or Dental | One stall per 250 sq ft<br>(16,000 sq ft/250) = 64 stalls | 64 stalls                                            |
| <b>Project Parking Required</b>     |                                                           | <b>64 stalls (Maximum of 11 doctors or dentists)</b> |
| <b>Project Parking Provided</b>     |                                                           | <b>63 stalls</b>                                     |

The Planning Commission should consider whether the parking is adequate for a 16,000 square foot medical specialty office building, particularly since four (4) of the stalls are constructed on the property to the east across an ingress/egress easement. The 59 stalls constructed on this site would allow for the construction of a 14,750 square foot general office building or allow for 10 doctors or dentists to occupy this building.

## 2.7 Site Access and Internal Circulation.

Access to the site is being maintained in its current location on Wayzata Blvd. This location is a joint access to this site and the multiple tenant commercial site to the east. This joint access is guaranteed through an access easement over entry drive. No other access to the site is proposed. There is a current ingress/egress easement to the access across Heritage Park to the west. The City Engineer has requested that this easement be vacated as a part of this approval.

The internal circulation is the joint access onto Wayzata Blvd leading to the rear parking lot. Within the rear parking lot, circulation is directed through the construction of concrete islands at the end of the parking lanes. The circulation flow on this site, but the proposed site, but the proposal eliminates the access aisle to the back portion of the site to the east with the construction of additional stall across the ingress/egress easement. The Planning Commission should determine if the construction of these additional stalls would diminish the circulation on the site to the east.

## 2.8 Landscaping.

Currently, there are 51 trees on the site. The Applicant is proposing to remove 34 trees (67% removal) for the development: five (5) for the construction of the building; three (3) for the construction of the sidewalks and pedestrian facilities and 26 for the construction of the parking lot. In caliper inches of trees, there are currently 816 inches of trees onsite and the applicant is proposing to remove 585 inches of trees (72% removal).

The Applicant would preserve the remaining 17 trees and plant an additional nine (9) new trees (16.5 caliper inches) on the site for a proposed total of 26 trees on the site. Thus, there would be a net reduction of 25 trees and 568 caliper inches for the entire site. The Applicant was included a tree removal and landscaping plan in Attachment B. No significant efforts are made to screen the building and site from Heritage Park and the apartments to the west.

## 2.10 Design.

The Project is subject to the Wayzata Blvd District of the Design Standards. A Design Review of the proposal is included as Attachment D. Additional design sketches and material descriptions are included in Attachment B.

## 2.11 Trash Enclosure.

The current trash enclosure on the site is being demolished and a new trash enclosure is being proposed to be constructed behind the Jimmy John's on the property to the east. The property to the east is currently owned by the same LLC as the proposed development. Constructing the trash enclosure on the property to the east may be acceptable if an easement is recorded on the eastern property to ensure that the trash services will always be provided if either property were to sell.

The trash enclosure is designed to be constructed of the utility brick of the proposed building. As described in Attachment D, the enclosure is required to be constructed of the materials of the principal building. The Planning Commission should consider if the utility brick should be incorporated into the trash enclosure,

## **Section 3. Applicable Code Provisions for Review**

### 3.1 Design Standards City Code §801.09.

The City States that the purpose of the Design Standards are:

The design standards set forth in this Section 9 of the Wayzata City Zoning Ordinance are referred to collectively as the "Design Standards" or the "Standards". The purpose of the Design Standards is to shape the City's physical form and to promote the quality, character and compatibility of new development in the City. The Standards function to:

1. To guide the expansion and renovation of existing structures and the construction of new buildings and parking, within the commercial districts of the City;
2. To assist the City in reviewing development proposals;
3. To improve the City's public spaces including its streets, sidewalks, walkways, streetscape, and landscape treatments.

The relevant design criteria for the "Wayzata Blvd Design District" are as reflected in the Design Critique attached to this Report as Attachment D.

The building and site design complies with many of the site standards, but there are a few areas where the design is deficient. These deficiencies include:

- §801.09.05.1 B. requires that 25% of the second floor façade along Wayzata Blvd be recessed at least six (6) feet. It appears that 25% of the façade is recessed, but only five (5) feet instead of the required six (6) feet.
- §801.09.10.1 states that "main entries" shall face the primary street at sidewalk grade. There is an entry onto Wayzata Blvd at the northeast corner of the building and an entry at the southeast corner near the parking stalls. The overall building design treats both entries similarly, but the Wayzata Blvd entry has a single three (3) foot wide door and the parking lot entry has a set of double 4.5 foot wide doors. The Planning Commission should consider if the Wayzata entry is a "main" entry.
- §801.09.11.1 B. states that the surface materials of all free standing buildings must be the same on all facades of the building. The medical specialty building is primarily a combination of utility brick and accent brick, while the trash enclosure is only utility brick. The Planning Commission should consider if the trash enclosure should contain both utility and accent brick as the main building does.
- The building design includes awnings constructed of metal composite panels at the corners of the building. §801.09.11.1 I. states that awnings may be constructed only of heavy canvas in dark solid colors; highly detailed, ornate metal in dark colors; or glass. The applicant is not requesting that the awnings to be counted as one of the three breaks required in §801.09.4.1. The Planning Commission should consider if awnings would be allowed on a building if they do not meet the material requirements.
- §801.09.14.1 D. and §801.09.14.3 requires that three (3) caliper inch trees be planted and the applicant is proposing 1.5 inch japanese tree lilacs.

## Section 4: Department Comments

### City Engineer

- Will need Hennepin County permit to work in Wayzata Blvd (Page C3.0).
- Contact City Public Works for salvaging on street light impacted by Project (Page C0.0).
- The catch basin in NW corner to be abandoned (Page C0.0).
- Contractor must provide traffic control plan to City Engineer and Hennepin County for review and approval prior to construction work.
- Would need to vacate ingress/egress access easement over adjacent City Park to the west.
- How will perforated pipe system affect proposed retaining wall?
- Concern about the amount of retaining wall and grading on SW slope.
- Existing water service is four inch (4"); existing sewer service is four inch (4") Schedule 40.
- Existing utility services must be physically disconnected by contractor prior to issuance of demolition permit. City will require that the existing water service be capped at the tee, in front of the adjacent property. Pipe may be abandoned in-place, provided it is capped on each end. This water service abandonment should coincide with the new service installation (night work) to minimize water shut down.
- Erosion control measures must be in place prior to demolition.
- For the installation of the six inch (6") water connection in Wayzata Blvd, the contractor will need a permit from Hennepin County to complete work, and also may need a City approval for work at night, as the City would need to shut off water from Birch Bend, West to intersection of Wayzata Blvd and CR 101. A six inch (6") T would need to be cut into existing six inch (6") water main to complete six inch (6") water service installation. It should be noted that there is a ten inch (10") concrete section in Wayzata Blvd with approximately four inch (4") to six inch (6") of asphalt on top of concrete section that the County would require to be saw cut, removed, work completed, and concrete reinstalled with dowels into existing concrete panels along with asphalt replacement.
- City and Minnehaha Creek Watershed District (MCWD) require minimum of six inches (6") of topsoil. See planting note #1 on Page L1.0.

### City Parks

- Coordinate protection of irrigation system on NW side of property.
- Follow City Tree Ordinance
- Need to provide a Tree Survey

### Fire Marshal

- Must meet requirements of Minnesota State Fire Code.

## Section 5: Action Steps

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

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

### Attachments:

- Attachment A: Project Narrative
- Attachment B: Project Plan Set
  - o Attachment B-1: Color Elevation
  - o Attachment B-2: Cover Sheet (T001)
  - o Attachment B-3: Existing Conditions Survey
  - o Attachment B-4: Removals Plan (C0.0)
  - o Attachment B-5: Site Plan (C1.0)
  - o Attachment B-6: Grading, Erosion and Sediment Containment Plan (C2.0)
  - o Attachment B-7: Utility Plan (C3.0)
  - o Attachment B-8: Landscape Plan (L1.0)
  - o Attachment B-9: Tree Inventory, Preservation & Removal Plan (L2.0)
  - o Attachment B-10: Preliminary Floor Plans (PZ-1)
  - o Attachment B-11: Preliminary Exterior Elevations (PZ-2)
  - o Attachment B-12: Photometric Plan
- Attachment C: Electrical Fixture Specifications
  - o Attachment C-1; Exterior Wall Sconce
  - o Attachment C-2: Site Fixture Twin
- Attachment D: Design Review Critique

Description of Request:

The proposed redevelopment site includes construction of a new two story 16,000 square foot Medical/Dental specialist building on a .95 acre site. The proposed building is located at the north end of the site to enhance the urban streetscape along Wayzata Boulevard. The parking is located behind the building in order to shield the parking lot from Wayzata Boulevard. The primary building entrance is at the S.E. corner of building to provide an easy access point from the parking lot for the staff and patients. A covered canopy element runs along the entire east side of the building to create an entrance statement and promote pedestrian access from the sidewalk along Wayzata Boulevard. The exterior design incorporates a variety of building materials including brick, stone, glass and architectural metal. The building form includes varying parapet heights and architectural detailing that enhance the pedestrian experience along Wayzata Boulevard.

**RECEIVED**

AUG 03 2015

CITY OF WAYZATA

**FILE COPY**



# WAYZATA SPECIALTY CENTER

Project Information

WAYZATA SPECIALTY CENTER

1120 E. WAYZATA BLVD.

1120 EAST WAYZATA BLVD.  
WAYZATA



1120 EAST WAYZATA BLVD, WAYZATA



1 BUILDING RENDERING  
T001 NTS

## GENERAL NOTES

- DO NOT SCALE DRAWINGS!
- REPORT ANY DISCREPANCIES TO DESIGNER/BUILDER/OWNER.
- ALL WORK TO CONFORM TO STATE & LOCAL CODES.
- ALL WORK TO BE PERFORMED TO INDUSTRY STANDARDS.
- NO SUBSTITUTIONS WITHOUT ARCHITECT'S/DESIGNER'S APPROVAL.
- ALL EXPOSED SURFACES TO BE PREPARED TO RECEIVE NEW FINISHES.
- SUB-CONTRACTORS ARE RESPONSIBLE TO REVIEW ALL CONSTRUCTION DRAWINGS, ELEVATIONS, & DETAILS.
- PATCH TO MATCH ADJACENT SURFACES WHERE DEMOLITION OCCURS.
- PROVIDE & INSTALL FIRE RETARDANT BLOCKING IN WALLS AS REQUIRED AT ALL AREAS WITH BUILT-IN COUNTERS, SHELVING, CABINETS, ETC.
- BEFORE STARTING ANY WORK EACH CONTRACTOR SHALL EXAMINE WORK PERFORMED BY OTHERS TO WHICH HIS WORK ADJOINS OR IS APPLIED. REPORT TO THE DESIGNER ANY CONDITIONS THAT WILL PREVENT SATISFACTORY COMPLETION OF WORK.
- THE CONTRACTOR SHALL GIVE TO THE PROPER AUTHORITIES ALL NOTICES AS REQUIRED BY LAW & OBTAIN ALL OFFICIAL BUILDING PERMITS.
- UPON COMPLETION OF WORK, THE TENANT SPACE PREMISES, & ADJOINING AREAS SHALL BE MADE NEAT, CLEAN, WHOLE, TIGHT & FIT FOR IMMEDIATE OCCUPANCY. EACH INDIVIDUAL CONTRACTOR IS RESPONSIBLE TO CLEAN UP & MAKE AREAS NEAT THAT WERE AFFECTED BY THEIR WORK.
- ANY PENETRATIONS THROUGH NEW OR EXISTING (1) HOUR FIRE RATED WALLS ARE TO BE SEALED WITH FIRESTOP CAULK AS REQUIRED BY CODE TO MAINTAIN (1) HOUR FIRE RATED SEPARATION. ALL SUB-CONTRACTORS RESPONSIBLE.
- ALL MECHANICAL, ELECTRICAL, & SPRINKLER SYSTEM WORK TO BE PERFORMED ON A DESIGN-BUILD FORMAT. MECHANICAL, ELECTRICAL & SPRINKLER CONTRACTORS TO PROVIDE ALL DRAWINGS, SPECIFICATIONS, & CALCULATIONS AS REQUIRED BY STATE & LOCAL CODES.
- CONTRACTOR TO PROVIDE & INSTALL FIRE EXTINGUISHERS AS REQUIRED BY FIRE MARSHALL. ALL OFFICE EXTINGUISHERS TO BE RECESSED. ALL WAREHOUSE EXTINGUISHERS TO BE WALL MOUNTED.
- PHONE BOARD TO BE FIRE RETARDANT, INTERIOR SOUND GRADE (2) - B-D INT APA - UTILITY PANEL WITH ONE SOLID SIDE FOR A SMOOTH PAINTED SURFACE.
- ALL PARTITIONS IN EXCESS OF 30' LENGTHS SHALL HAVE FULL HEIGHT CONTROL JOINTS INSTALLED WITH 30' MAXIMUM SPACINGS.
- ALL RATED DOORS ARE TO BE LABELED AS A SMOKE & DRAFT CONTROL DOOR MEETING THE REQUIRED UL1784 DOOR TESTED USING NFPA 252.
- ALL RATED SIDELIGHTS REQ'D TO MEET NFPA 257 TESTING.

## CONTACT LIST

| OWNER REPRESENTATIVE                                                                                                         |                                                       |
|------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| DAVIS SERVICES REAL ESTATE GROUP<br>222 SOUTH 9TH STREET<br>SUITE 3255<br>MINNEAPOLIS, MN 55402<br>MARK DAVIS                | EMAIL: DAVIS3233@AOL.COM<br>PHONE: 612.341.2242       |
| ARCHITECT                                                                                                                    |                                                       |
| BDH + YOUNG INTERIORS   ARCHITECTURE<br>7001 FRANCE AVENUE SOUTH<br>SUITE 200<br>EDINA, MN 55435<br>PATRICK J. GIORDANA, AIA | EMAIL: PGIORDANA@BDHYOUNG.COM<br>PHONE: 952.345.8306  |
| GENERAL CONTRACTOR                                                                                                           |                                                       |
| TIMCO CONSTRUCTION<br>14700 28TH AVENUE<br>SUITE 40<br>PLYMOUTH, MN 55447<br>TIM MCKEE                                       | EMAIL: TIMCKEE@TIMCO-CONST.COM<br>PHONE: 763.694.0250 |
| CIVIL ENGINEER                                                                                                               |                                                       |
| ALLIANT ENGINEERING<br>233 PARK AVENUE SOUTH<br>SUITE 300<br>MINNEAPOLIS, MN 55415<br>MARK RAUSCH, P.E.                      | EMAIL: MRAUSCH@ALLIANT-INC.COM<br>PHONE: 612-767-9339 |
| STRUCTURAL ENGINEER                                                                                                          |                                                       |
| KRECH, O'BRIEN, MUELLER & ASSOCIATES<br>6115 CAHILL AVENUE<br>RIVER GROVE HEIGHTS, MN 55076<br>MATT J. VAN HOOFF             | EMAIL: MIVANHOOFF@KOMAINC.COM<br>PHONE: 651.789.4129  |
| LANDSCAPE ARCHITECT                                                                                                          |                                                       |
| ALLIANT ENGINEERING<br>233 PARK AVENUE SOUTH<br>SUITE 300<br>MINNEAPOLIS, MN 55415<br>MARK RAUSCH, P.E.                      | EMAIL: MRAUSCH@ALLIANT-INC.COM<br>PHONE: 612-767-9339 |

## SHEET INDEX

| Sheet Number | Sheet Name |
|--------------|------------|
|--------------|------------|

## TITLE

|      |                                                                                              |
|------|----------------------------------------------------------------------------------------------|
| T001 | TITLE SHEET, BUILDING REDERING, SITE LOCATION MAP, CONTACT LIST, SHEET INDEX, & GENERAL NOTE |
|------|----------------------------------------------------------------------------------------------|

## LANDSCAPE

|      |                                            |
|------|--------------------------------------------|
| L1.0 | LANDSCAPE PLAN, PLANTING DETAILS AND NOTES |
| L2.0 | TREE INVENTORY, PRESERVATION, & REMOVAL    |

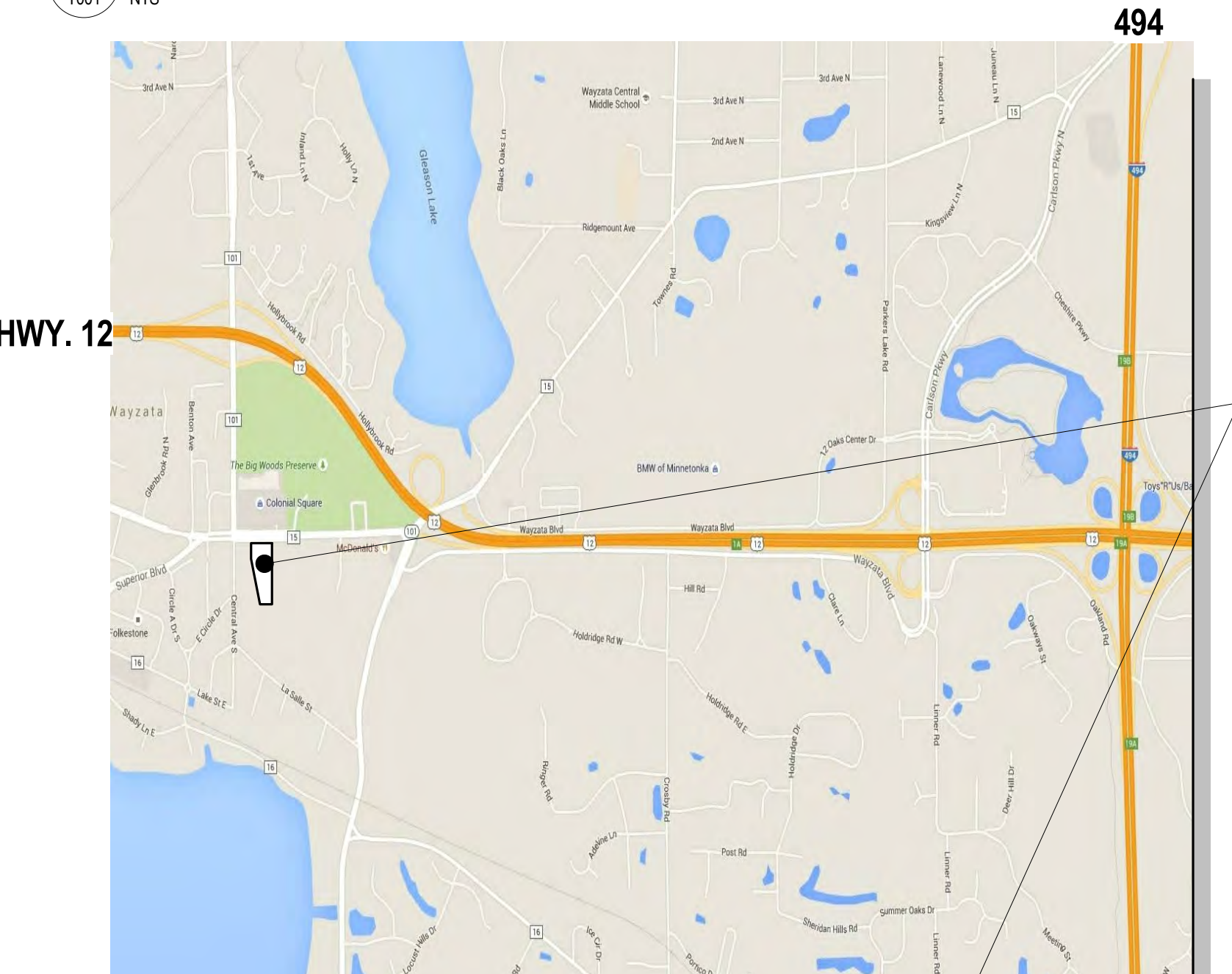
## CIVIL

|      |                                                |
|------|------------------------------------------------|
| ---  | EXISTING SITE SURVEY                           |
| C0.0 | REMOVALS PLAN                                  |
| C1.0 | SITE PLAN                                      |
| C2.0 | GRADING, EROSION AND SEDIMENT CONTROL PLAN     |
| C2.1 | EROSION AND SEDIMENT CONTROL NOTES AND DETAILS |
| C3.0 | UTILITY PLAN                                   |

## ARCHITECTURAL

|      |                                 |
|------|---------------------------------|
| PZ-1 | PRELIMINARY FLOOR PLANS         |
| PZ-2 | PRELIMINARY EXTERIOR ELEVATIONS |
| PZ-3 | SITE LIGHTING PLAN              |

## PROJECT SITE



2 SITE LOCATION MAP  
T001 NTS

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A Y LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA

PATRICK J. GIORDANA

Printed Name

Signature

09.15.2015 21609

Date Lic #

## Issue Record

| No. | Date      | Description       |
|-----|-----------|-------------------|
|     | 9.15.2015 | PLANNING & ZONING |
|     |           |                   |
|     |           |                   |
|     |           |                   |
|     |           |                   |
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## Sheet Title

TITLE SHEET, BUILDING REDERING, SITE LOCATION MAP, CONTACT LIST, SHEET INDEX, & GENERAL NOTE

## Sheet Information

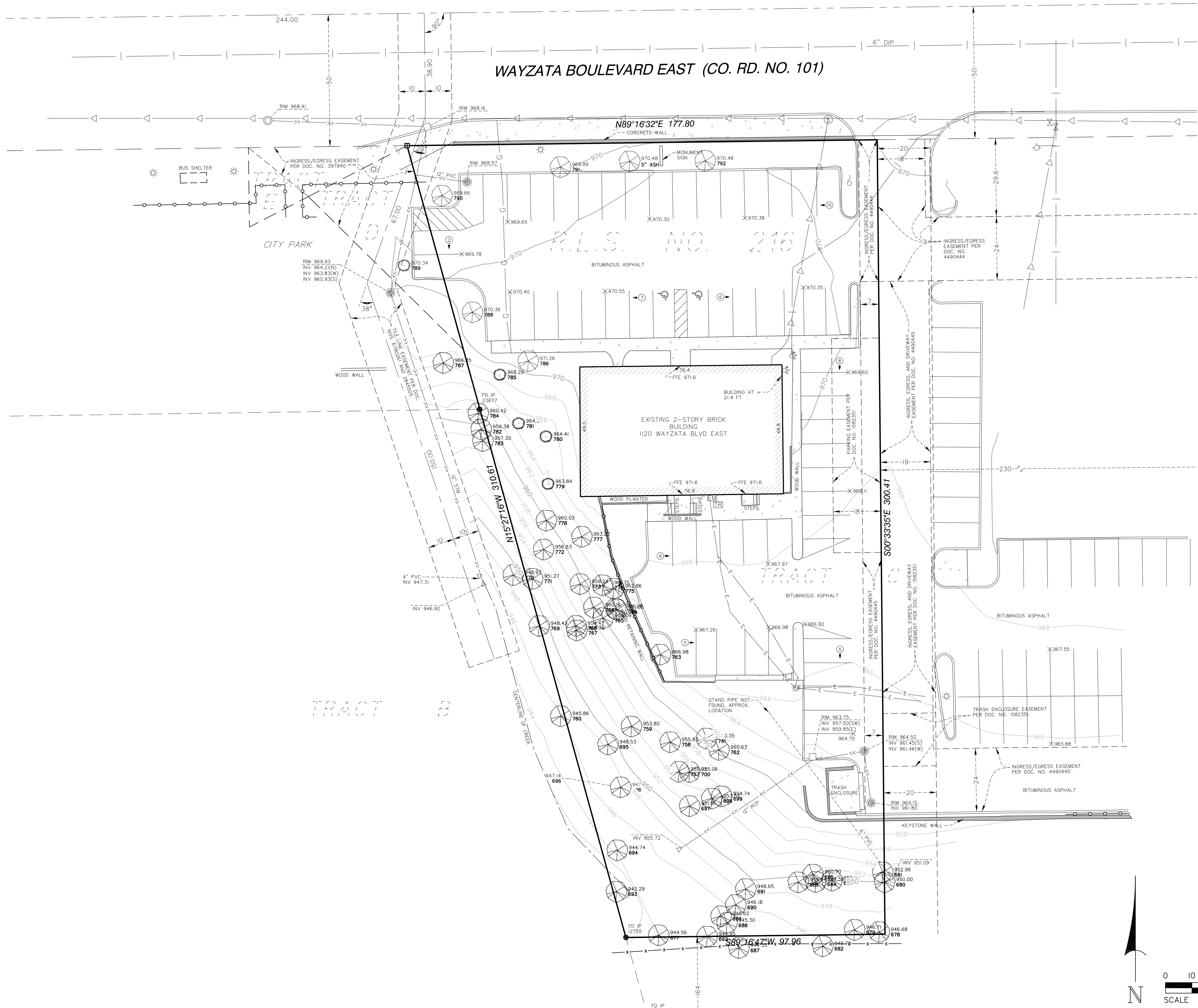
Job Code A-DAVISWAYZATAMB

Drawn By KF Reviewed By MWO

Date

09.16.2015

T001



LEGAL DESCRIPTION

Tract C, Registered Land Survey No. 216, County of Hennepin, except the East 230.00 feet thereof, and except the South 164 feet thereof.

NOTES

- This survey was prepared from legal descriptions supplied and our in house records and may not depict all easements, appurtenances or encumbrances affecting the property.
- The orientation of this bearing system is based on Hennepin County Coordinate System NAD 83.
- All distances are in feet.
- The area of the above described property is 41,420 sq. ft. or 0.95 acres.
- The locations of underground utilities are depicted based on information from Gopher State One Call system for a "Boundary Survey locate." The information was provided by a combination of available maps, proposed plans or city records and field locations which may not be exact. Verify all utilities critical to construction or design.
- Benchmark: Top Nut of Hydrant located on the south side of Wayzata Boulevard approximately 60 east of above described property has an elevation of 974.05 feet NGVD 29.

LEGEND

- |                     |                      |
|---------------------|----------------------|
| FOUND CHISELED 'X'  | GAS                  |
| FOUND IRON MONUMENT | SANITARY SEWER       |
| HYDRANT             | STORM SEWER          |
| WATER VALVE         | WATERMAIN            |
| SANITARY MANHOLE    | UNDERGROUND ELECTRIC |
| CATCH BASIN         | FENCE                |
| ELECTRIC METER      | FENCE                |
| LIGHT               | CONCRETE             |
| STORM MANHOLE       |                      |
| TRANSFORMER         |                      |
| FLAG POLE           |                      |
| WATER HOOK-UP       |                      |
| DECIDUOUS TREE      |                      |
| CONIFEROUS TREE     |                      |



233 Park Ave S, Ste 300  
Minneapolis, MN 55415  
612.758.3080 MAIN  
612.758.3099 FAX  
www.alliant-inc.com

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

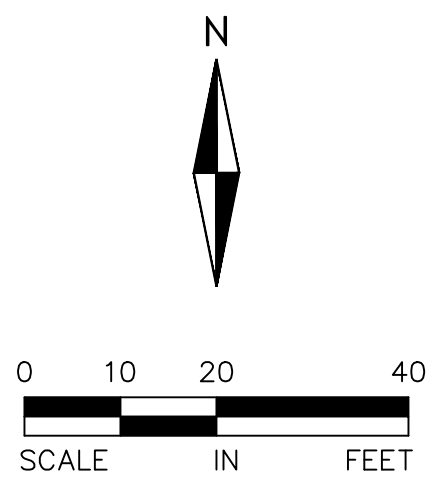
DENNIS B. OLMSTEAD  
Print Name  
**FOR REVIEW**  
Signature  
Date License Number

EXISTING CONDITIONS SURVEY:

WAYZATA MEDICAL BUILDING

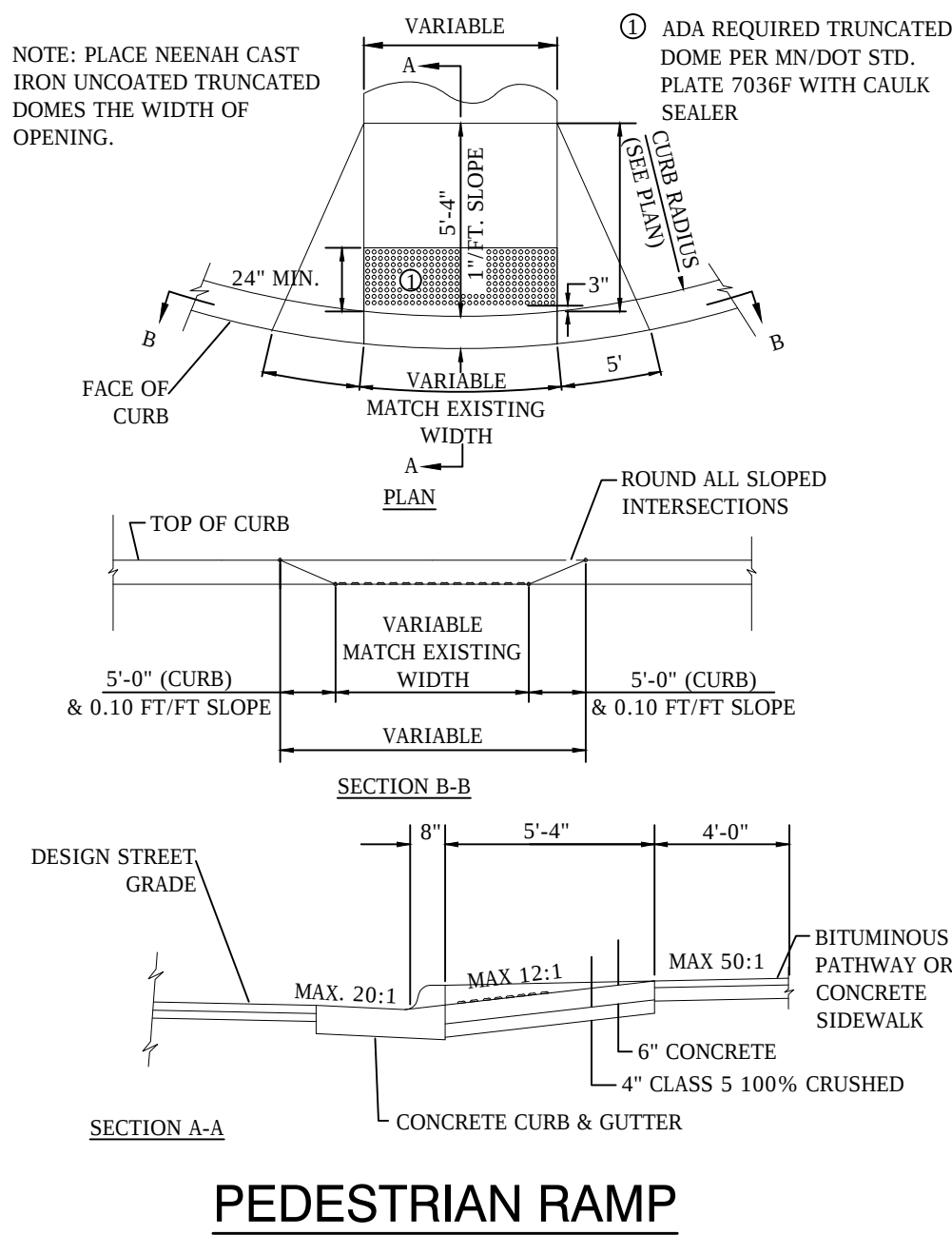
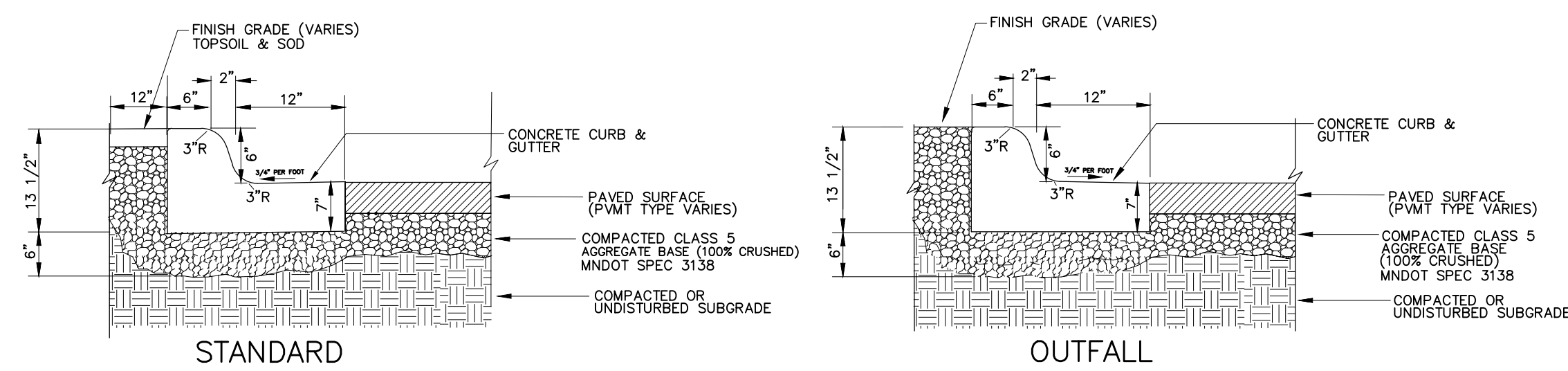
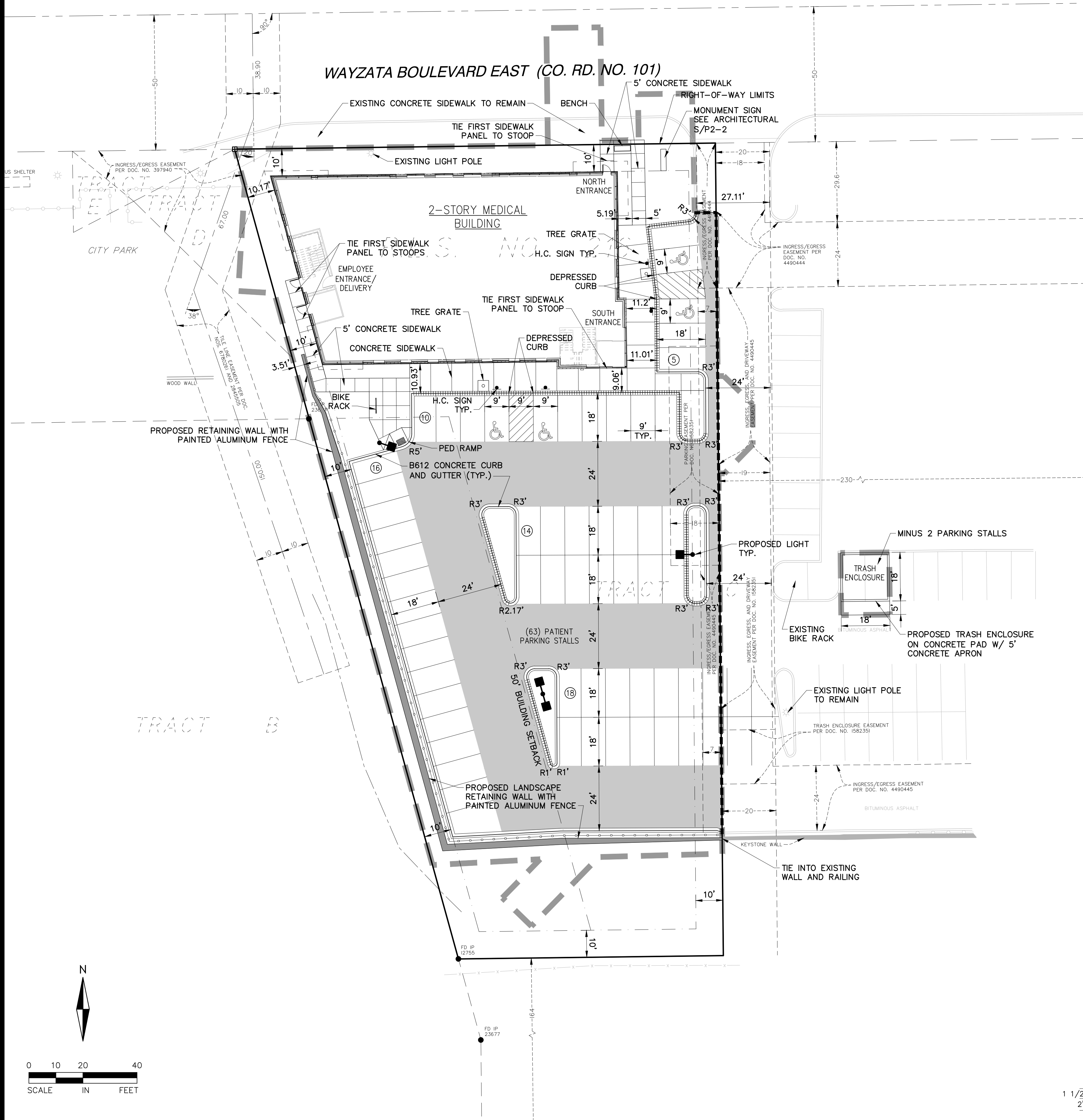
1120 WAYZATA BLVD E.  
WAYZATA, MN

|             |             |
|-------------|-------------|
| DRAWN BY    | DL, DPE, GB |
| CHECKED BY  | DBO         |
| DATE ISSUED | 09/11/15    |
| SCALE       | 1"=20'      |
| JOB NO.     | 150035      |
| BOOK        | -           |

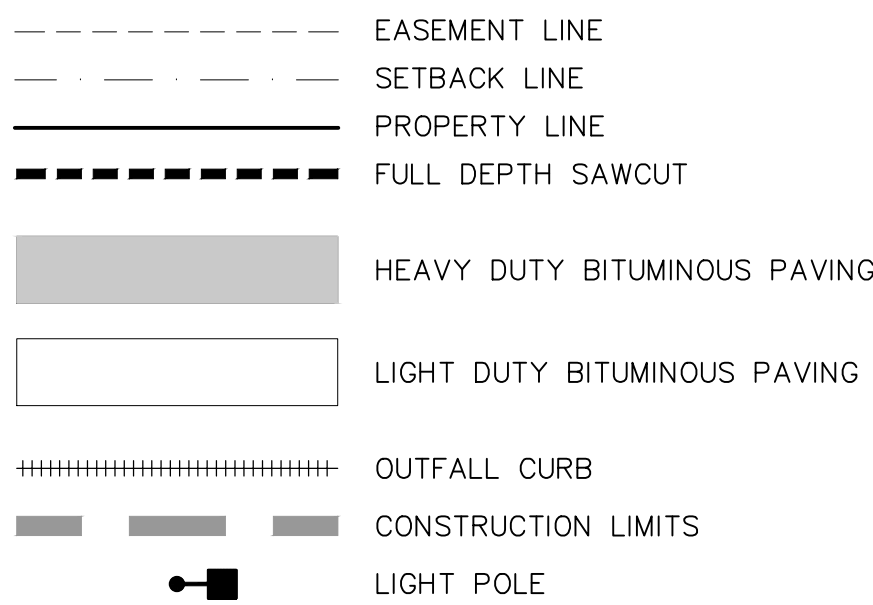


FOR REVIEW ONLY  
**PRELIMINARY**  
NOT FOR CONSTRUCTION

Drawing name: X:\2015\150035\civil\site plan review\150035site.dwg Sep 14, 2015 6:07pm



#### LEGEND:



#### REMOVAL NOTES:

1. NOTIFY GOPHER STATE ONE CALL 48 HOURS PRIOR TO START OF CONSTRUCTION.
2. PRIOR TO STARTING CONSTRUCTION, ALL PERIMETER EROSION CONTROL DEVICES MUST BE INSTALLED IN ACCORDANCE WITH GRADING & EROSION CONTROL PLAN, AND THE CITY OF WAYZATA.
3. REMOVAL CONTRACTOR SHALL BE RESPONSIBLE FOR PROPERLY LOCATING AND PROTECTING ALL UTILITY LINES PRIOR TO DIGGING AND DEMOLITION. OWNER AND ENGINEER SHALL NOT BE HELD RESPONSIBLE FOR PUBLIC OR PRIVATE UTILITY LOCATIONS.
4. DEMOLITION CONTRACTOR IS RESPONSIBLE FOR DISPOSAL OF ALL REMOVED MATERIALS.
5. REMOVAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE DEMOLITION AND REMOVAL OF ALL EXISTING STRUCTURES AND OBJECTS THAT INTERFERE WITH THE PROPOSED CONSTRUCTION AS SHOWN IN THIS DRAWING PACKAGE.
6. ALL WORK WITHIN THE PUBLIC R.O.W. SHALL COMPLY WITH THE CITY OF WAYZATA ENGINEERING DESIGN STANDARDS.
7. CONTRACTOR SHALL PROVIDE TRAFFIC CONTROL DURING DEMOLITION OF EXISTING CURB CUT ACCESS ON PUBLIC R.O.W..
8. CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL AND DISPOSAL OF THE EXISTING BITUMINOUS PER PLAN. BITUMINOUS SHALL BE SAWCUT OR JACK HAMMERED FOR STRAIGHT EDGES. TACK SHALL BE USED ON BITUMINOUS EDGE PRIOR TO PATCHING. MATCH EXISTING GRADES.
9. CONTRACTOR SHALL COORDINATE PRIVATE/PUBLIC UTILITIES RELOCATES, AS NECESSARY SUCH AS TRAFFIC SIGNAL HANDHOLES, WIRING, ETC.

#### SITE DATA

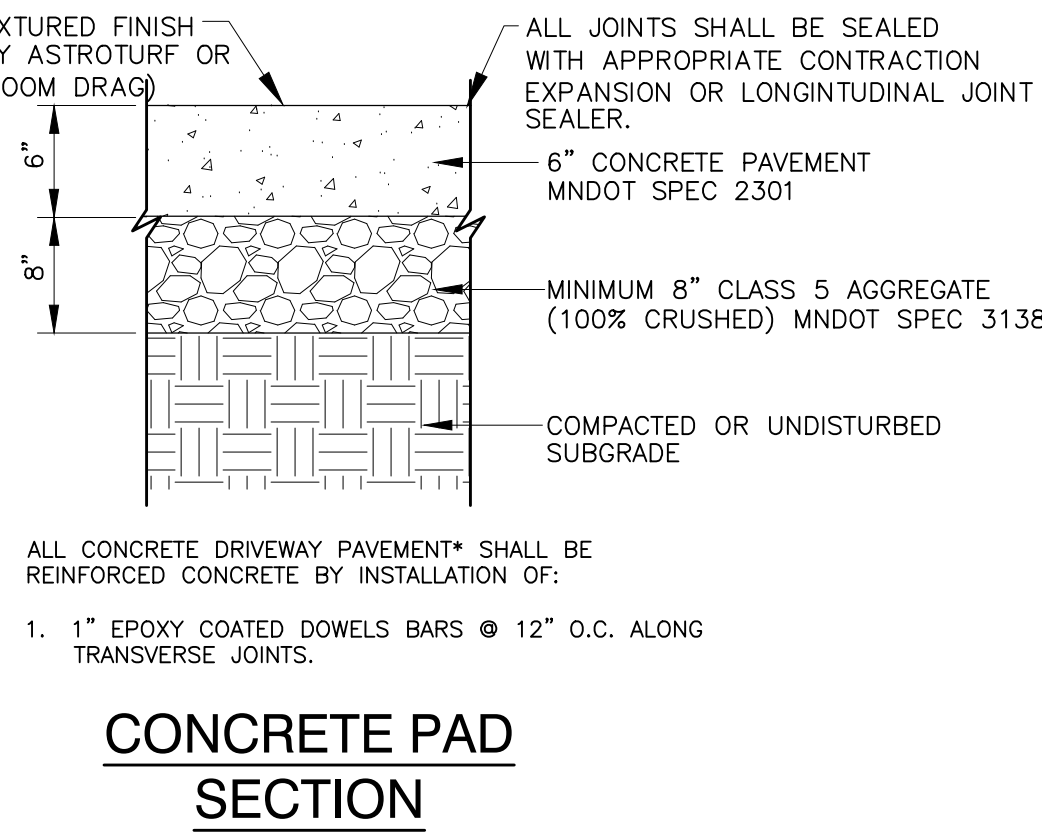
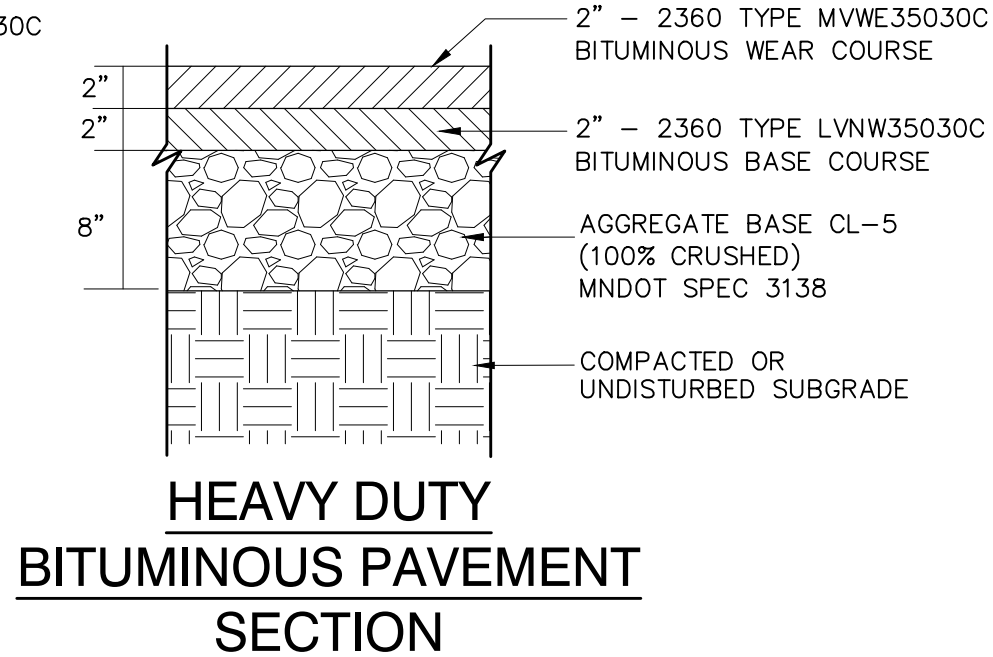
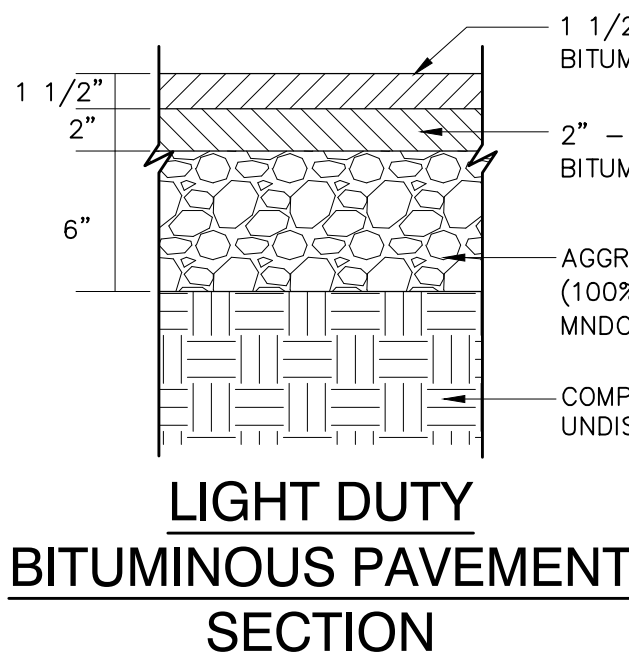
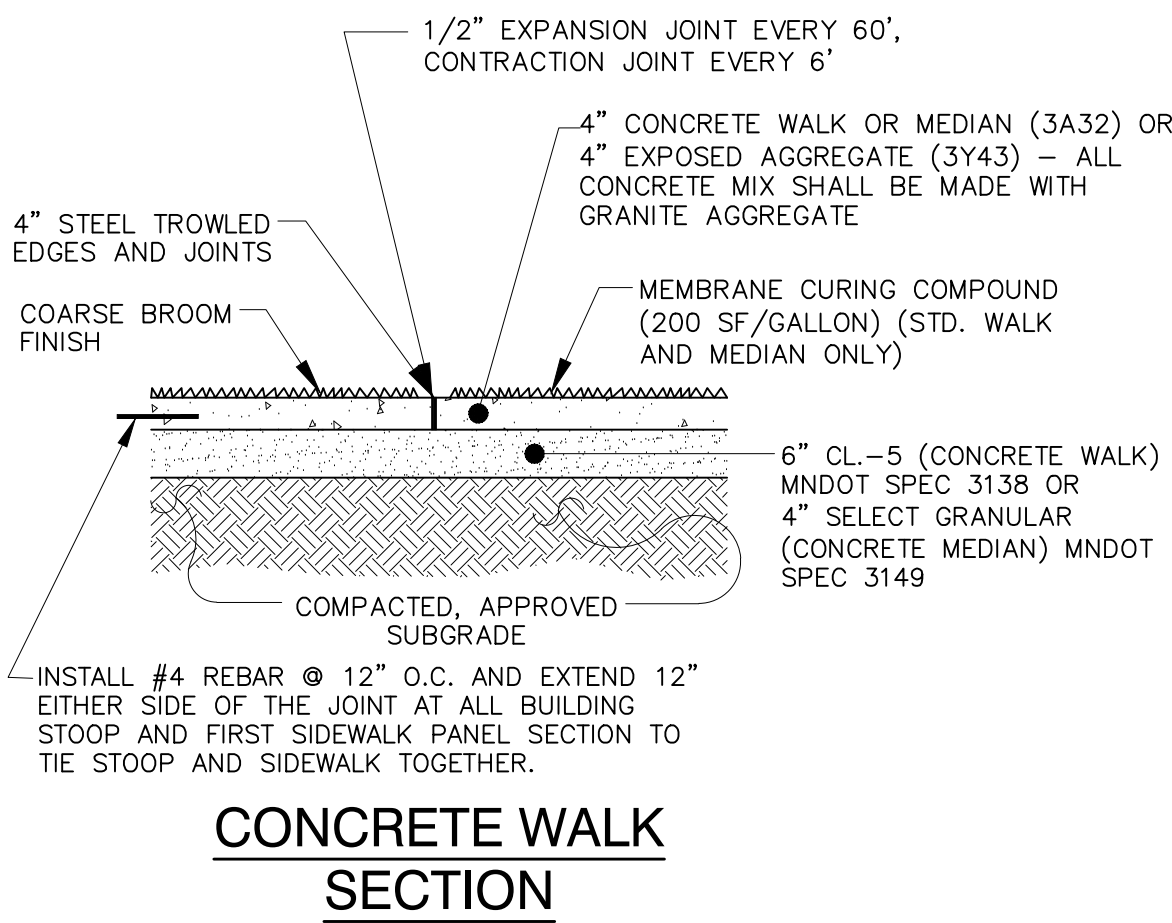
LOT SUMMARY:  
LOT AREA 0.952 AC

BUILDING SUMMARY:  
SEE ARCHITECTURAL DRAWINGS

PARKING SUMMARY:  
PROVIDED: 63 STALLS  
(4.2 PER 1,000 (63)/15)

IMPERVIOUS SURFACE:  
EXISTING IMPERVIOUS = 0.545 AC  
PROPOSED IMPERVIOUS = 0.715 AC (75%)

CONSTRUCTION LIMITS/DISTURBED AREA = 0.912 AC



#### GENERAL NOTES:

1. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE REQUIREMENTS AND STANDARDS OF THE LOCAL GOVERNING AUTHORITY.
3. ALL DIMENSIONS, GRADES, EXISTING AND PROPOSED INFORMATION SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR WORK HAVING TO BE REDONE DUE TO INFORMATION SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
4. CONTRACTOR SHALL PROTECT ADJOINING PROPERTIES & STRUCTURES FROM HAZARDS ASSOCIATED WITH HIS CONSTRUCTION ACTIVITIES & SHALL BE RESPONSIBLE FOR ALL DAMAGES TO PROPERTIES & STRUCTURES THAT OCCUR AS A RESULT OF THESE ACTIVITIES.
5. CONTRACTOR SHALL NOT IMPEDE EXISTING TRAFFIC CIRCULATION TO ADJACENT PROPERTIES.
6. CONTRACTOR SHALL PERFORM SWEEPING ON PRIVATE PARKING AREAS AND PUBLIC STREETS AT LEAST ONCE A WEEK, IF NEEDED.
7. CONTRACTOR SHALL BE HELD FULLY RESPONSIBLE TO PREVENT AND ELIMINATE ANY DUST NUISANCE OCCASIONED BY AND DURING CONSTRUCTION, UNTIL THE PROJECT HAS BEEN COMPLETED.
8. CONTRACTOR SHALL PROVIDE TEMPORARY STREET SIGNS, LIGHTING, AND ADDRESSES DURING CONSTRUCTION PERIOD.
9. ALL CONSTRUCTION AND POST CONSTRUCTION PARKING SHALL BE ON-SITE, NO ON-STREET PARKING/LOADING/UNLOADING ALLOWED.
10. ALL PUBLIC TRAILS OR WALKS SHALL NOT BE OBSTRUCTED DURING CONSTRUCTION UNLESS APPROVED BY CITY ENGINEER.
11. STORAGE OF MATERIALS OR EQUIPMENT SHALL NOT BE ALLOWED ON PUBLIC STREETS OR WITHIN PUBLIC RIGHT OF WAY.
12. CONTRACTOR TO PROVIDE TEMPORARY TRAFFIC CONTROL IN COMPLIANCE WITH MNDOT "TEMPORARY TRAFFIC CONTROL ZONE LAYOUT-FIELD MANUAL, LATEST EDITION, FOR ANY CONSTRUCTION IN PUBLIC ROW.
13. A FIELD INSPECTION OF ALL CURB, SIDEWALK AND PAVEMENT SUBGRADE, STRING LINES AND FORM WORK BY GENERAL CONTRACTOR OR OTHER APPROVED REPRESENTATIVE IS REQUIRED PRIOR TO ANY PAVEMENT INSTALLATION.

#### SITE PLAN NOTES:

1. ALL DIMENSIONS ARE TO FACE OF BUILDING AND/OR FACE OF CURB.
2. REFER TO ARCHITECTURAL DRAWINGS FOR CONCRETE STOOPS ADJACENT TO PROPOSED BUILDING.
3. CONTINUOUS CONCRETE CURB & GUTTER WHICH CHANGES TYPE SHALL HAVE A FIVE FOOT TRANSITION.
4. ALL CONCRETE CURB AND GUTTER ADJACENT TO CONCRETE WALK BE SEPARATED BY A 1/2 INCH EXPANSION JOINT.
5. STRIPING SHALL BE 4 INCH WHITE UNLESS NOTED OTHERWISE.
6. CONTRACTOR SHALL FIELD VERIFY THE LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES, SUCH AS EXISTING GUTTER GRADES AT THE PROPOSED DRIVEWAY, PRIOR TO THE START OF SITE GRADING. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES OF VARIATIONS FROM THE PLANS.
7. REFER TO PHOTOMETRIC PLAN FOR LIGHTING LOCATIONS, FOOTCANDLE CALCULATIONS AND SPECIFICATIONS.
8. ALL RETAINING WALLS TO BE MODULAR BLOCK WALLS, ANY WALLS IN EXCESS OF 4 FEET IN HEIGHT REQUIRE DESIGN BY STRUCTURAL ENGINEER. CITY SHALL REVIEW AND APPROVE DESIGN PRIOR TO CONSTRUCTION. INSTALL RAILING OR FENCE AS REQUIRED. REFER TO GEOTECHNICAL REPORT FOR BACKFILL REQUIREMENTS.
9. INSTALL CURB AND GUTTER JOINTS AS FOLLOWS:
  1. ALIGN JOINTS ACROSS ABUTTING SIDEWALKS, CURBS, AND PAVEMENTS PAYING PARTICULAR ATTENTION TO SPACING OF EXPANSION JOINTS AND SPECIAL SCORING PATTERNS INDICATED ON PLANS.
  2. DIVIDE PANELS INTO NOMINALLY EQUAL AREAS WITH CONTRACTION JOINTS UNLESS INDICATED OTHERWISE.
  3. SAWN JOINTS ARE PERMITTED ONLY AS INDICATED ON THE PLANS OR TO INCREASE THE DEPTH OF TOOLED CONTRACTION JOINTS FOR THE CONTRACTOR'S CONVENIENCE.
- A. EXPANSION JOINTS
  1. INSTALL TRANSVERSE JOINTS AT THE FOLLOWING NOMINAL INTERVALS
    - a. SIDEWALKS AND MAINTENANCE STRIPS: 40 FEET
    - b. CURBS: 60 FEET, 5 FEET EACH SIDE OF CURB DRAIN INLETS, END OF CURVED SECTIONS
  2. INSTALL LATERAL JOINTS AGAINST ABUTTING SURFACES WHERE CONCRETE IS CONFINED BETWEEN OR PENETRATED WITH RIGID STRUCTURES OR FURNISHINGS SUCH AS BUILDINGS AND STOOPS, PLANTERS, POLE SUPPORTS OR BASES, UTILITIES AND SLEEVES, THICKER PAVEMENT SECTIONS, ETC.
- B. CONTRACTION JOINTS
  1. INSTALL JOINTS AT THE FOLLOWING NOMINAL INTERVALS.
    - a. SIDEWALKS AND MAINTENANCE STRIPS: 5 FEET
    - b. CURBS AND APRONS: 10 FEET, 6 FEET ON CURVED SECTIONS
  2. TOOL OR SAW JOINTS TO 1/3 THE NOMINAL THICKNESS OF THE PAVEMENT SECTION OR CURB.
10. ALL CONCRETE EQUIPMENT PADS SHALL HAVE A SUBBASE INCLUDING 4 FEET OF FREE DRAINING GRANULAR MATERIAL MEETING MNDOT SPEC 3149.
11. REFER TO SOIL ENGINEER'S REPORT FOR ALL SOIL CORRECTIONS, PAVEMENT AND SUBBASE REQUIREMENTS AND DIRECTION, AND COMPACTIONS REQUIREMENTS.
12. FOR CONSTRUCTION OF NEW PAVED AREAS, ORGANIC SOILS SHALL BE STRIPPED TO A MINIMUM OF 3 FT BELOW PROPOSED PAVEMENT SUBGRADE. SUBGRADE SHALL BE COMPACTED TO A MIN OF 100% STANDARD PROCTOR WITHIN 3 FT OF PROPOSED SUBGRADE AND 95% STANDARD PROCTOR IF BELOW 3 FT.
13. PAVEMENT SUBGRADE SHALL BE PROOF ROLLED AND APPROVED BY THE INDEPENDENT GEOTECHNICAL ENGINEER PRIOR TO INSTALLING FINAL PAVEMENT SECTION.
14. ANY AFFECTED OR REMOVED PUBLIC R.O.W. PAVEMENT AND CURBING SHALL BE REPLACED WITH THE EQUIVALENT PAVEMENT SECTION.



**ALLIANT**  
ENGINEERING

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WAYZATA MEDICAL/DENTAL BUILDING

1120 EAST WAYZATA BLVD.

WAYZATA, MN 55391

SITE PLAN REVIEW

SITE PLAN

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed PROFESSIONAL ENGINEER under the laws of the State of MINNESOTA

MARK RAUSCH, PE

Date License No.

QUALITY ASSURANCE/CONTROL

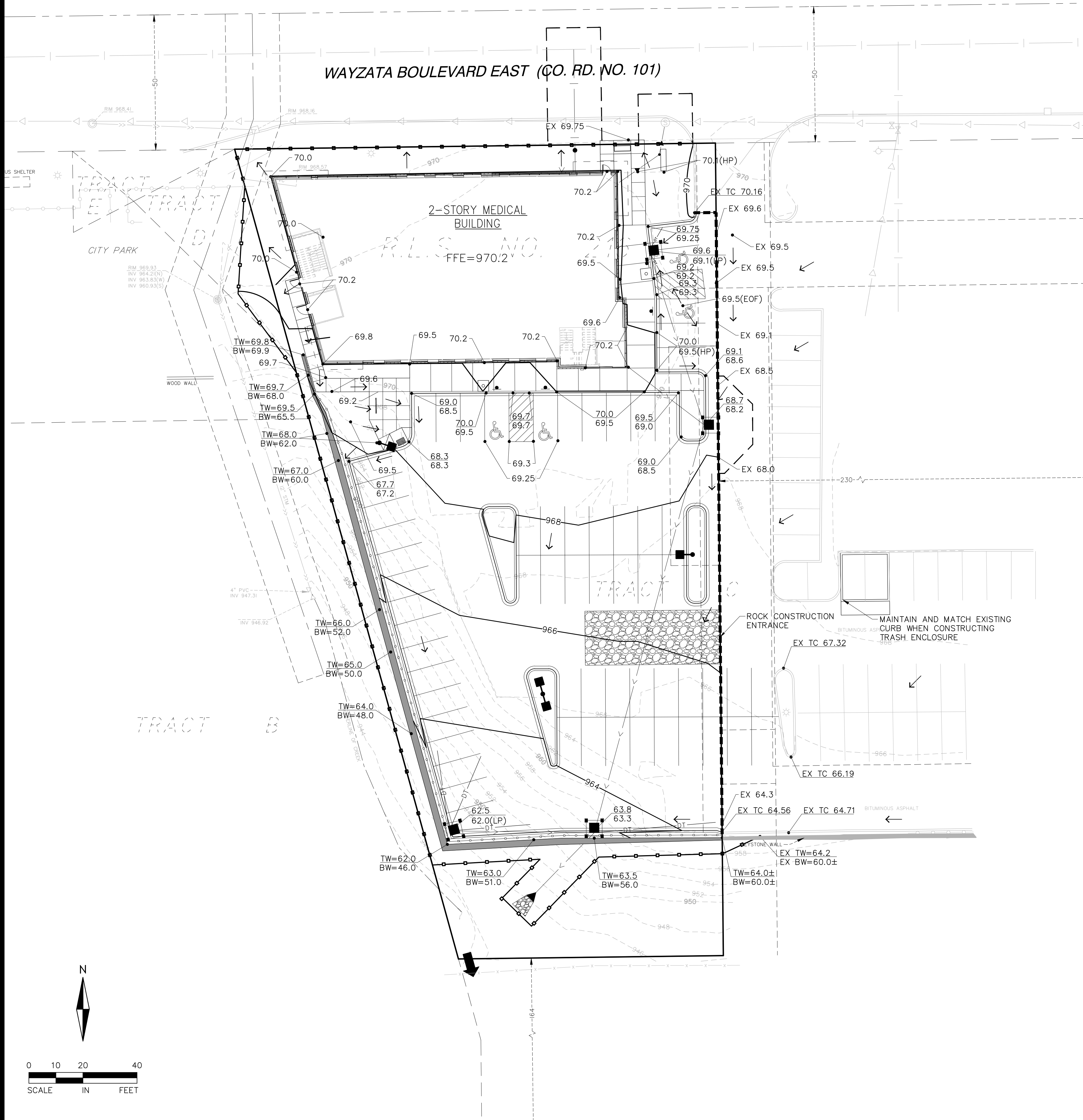
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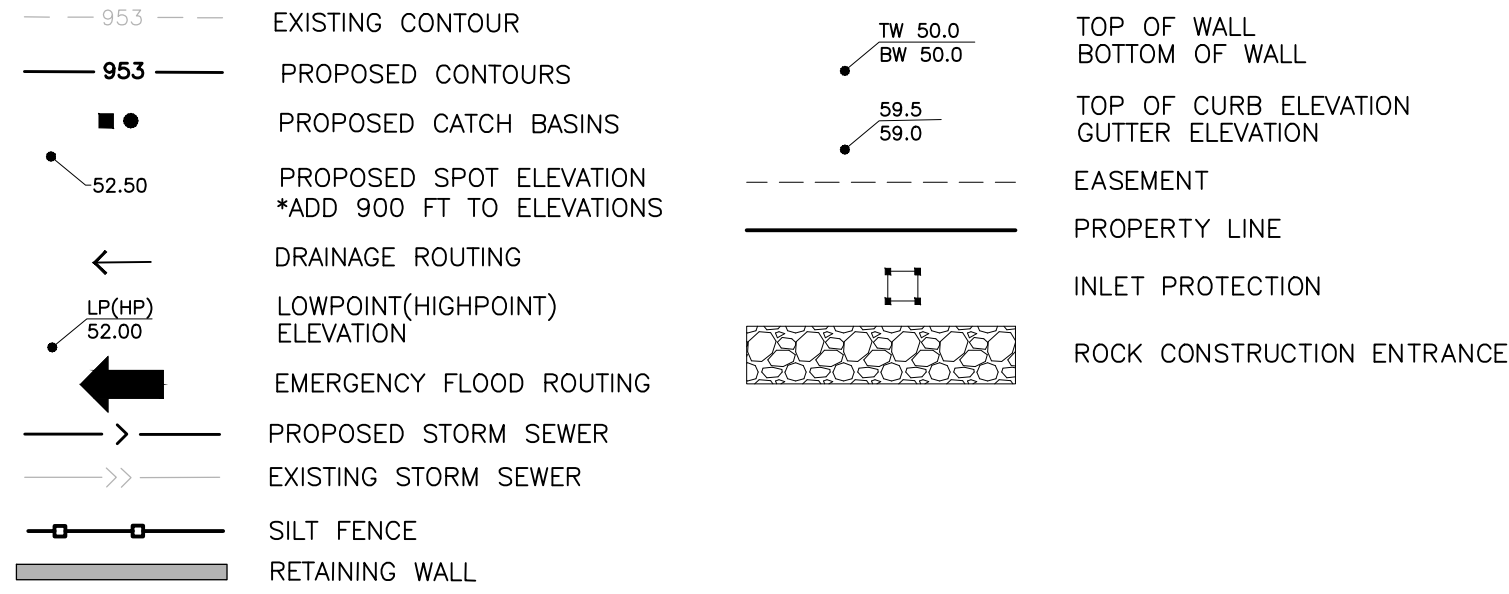
7-31-15 SITE PLAN REVIEW

9-15-15 SITE PLAN REVIEW

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**GRADING LEGEND:**



**EARTHWORK:**

**ESTIMATED EARTHWORK QUANTITIES**

| Cut       | Fill        | Net                |
|-----------|-------------|--------------------|
| 349.62 CY | 1,950.46 CY | 1,600.84 CY <Fill> |

**NOTES:**

- CALCULATION REPRESENTS SURFACE TO SURFACE ESTIMATE AND DOES ACCOUNT FOR PAVEMENT SECTION AND BUILDING SECTION.
- CALCULATION IS FOR ESTIMATING NET ELEVATION CHANGE ON THE SITE.
- NET ELEVATION CHANGE = 1,601 CY OR 43,227 CF OF FILL, WHICH EQUATES TO AN AVERAGE 1.04' FILL ON SITE.

**SWPPP BMP QUANTITIES:**

|                    |           |
|--------------------|-----------|
| SILT FENCE =       | 624 LF    |
| EROSION BLANKET =  | AS NEEDED |
| INLET PROTECTION = | 4 EA      |

**GRADING NOTES:**

- ALL FINISHED GRADES SHALL SLOPE AWAY FROM PROPOSED BUILDINGS AT MINIMUM GRADE OF 2.0%.
- THE CONTRACTOR SHALL KEEP THE ADJACENT ROADWAYS FREE OF DEBRIS AND PREVENT THE OFF-SITE TRACKING OF SOIL IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY AND MNDOT.
- NOTIFY GOPHER STATE ONE CALL, AT (800)252-1166, 48 HOURS PRIOR TO START OF CONSTRUCTION TO VERIFY LOCATION OF ALL PRIVATE UTILITIES.
- ALL IMPROVEMENTS TO CONFORM WITH CITY, AND COUNTY OR STATE CONSTRUCTION STANDARDS SPECIFICATION, LATEST EDITION.
- CONTRACTOR TO KEEP A COPY OF THE EROSION CONTROL PLAN ON SITE AT ALL TIMES.
- REFER TO SOIL ENGINEER'S GEOTECHNICAL REPORT AND PROJECT MANUAL FOR SOIL CORRECTION REQUIREMENTS, SOIL TESTING REQUIREMENTS AND PAVEMENT AND SUBBASE RECOMMENDATIONS.
- STRIP TOPSOIL PRIOR TO ANY CONSTRUCTION. REUSE STOCKPILE ON SITE.
- PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
- IMMEDIATELY FOLLOWING GRADING OF (3:1 OR GREATER) SIDE SLOPES AND DRAINAGE SWALES, WOOD FIBER BLANKET OR OTHER APPROVED SOIL STABILIZING METHOD (APPROVED BY ENGINEER) SHALL BE APPLIED OVER APPROVED SEED MIXTURE AND A MINIMUM OF 4" TOPSOIL.
- THE GENERAL CONTRACTOR MUST DISCUSS DEWATERING PLANS WITH ALL SUBCONTRACTORS TO VERIFY REQUIREMENTS. IF DEWATERING IS REQUIRED DURING CONSTRUCTION CONTRACTOR SHOULD CONSULT WITH EROSION CONTROL INSPECTOR AND ENGINEER TO DETERMINE APPROPRIATE METHOD.
- HAUL ROUTES AND DISPOSAL AREAS SHOULD BE DISCUSSED WITH CITY OF WAYZATA PRIOR TO IMPORTING OR EXPORTING MATERIAL OFFSITE.
- FOR CONSTRUCTION OF NEW PAVED AREAS, ORGANIC SOILS SHALL BE STRIPPED TO A MINIMUM OF 3 FT BELOW PROPOSED PAVEMENT SUBGRADE. SUBGRADE SHALL BE COMPACTED TO A MIN OF 100% STANDARD PROCTOR WITHIN 3 FT OF PROPOSED SUBGRADE AND 95% STANDARD PROCTOR IF BELOW 3 FT.
- SEE SITE PLAN FOR PAVEMENT SECTIONS. PAVEMENT SUBGRADE SHALL BE PROOF ROLLED AND APPROVED BY THE INDEPENDENT GEOTECHNICAL ENGINEER PRIOR TO INSTALLING FINAL PAVEMENT SECTION.

**RETAINING WALL NOTES:**

RETAINING WALL MASS GRADING PREPARATION

- ALL RETAINING WALLS SHALL BE ROUGH GRADED AT A 2:1 SLOPE WITH BASE OF PREP. SLOPE AT PROPOSED WALL FACE.
- PROPOSED RETAINING WALL AREAS BETWEEN BUILDING PADS ARE TO BE ROUGH GRADED AT A 2:1 SLOPE WITH BASE OF SLOPE COINCIDING WITH COMMON LOT LINE.
- THE RETAINING WALL SLOPE AREAS ARE TO BE MAINTAINED UNTIL RETAINING WALL CONSTRUCTION OCCURS. ANY EROSION SHALL BE REMEDIED AND RESTORED.
- BUILDING PERMITS ARE REQUIRED FOR ALL RETAINING WALLS GREATER THAN 4 FEET IN HEIGHT AND THOSE WALLS SHALL BE DESIGNED BY A STRUCTURAL ENGINEER WITH DESIGN REVIEWED AND APPROVED BY THE CITY PRIOR TO INSTALLATION.
- INSTALL SAFETY RAILING AS REQUIRED ATOP WALLS.

**EROSION AND SEDIMENT CONTROL NOTES:**

SEE SHEET C2.1 FOR EROSION AND SEDIMENT CONTROL DETAILS AND NOTES.

**EROSION CONTROL RESPONSIBLE PARTIES:**

**DEVELOPER:**  
THE DAVIS GROUP  
222 SOUTH 9TH STREET, SUITE 3255  
MINNEAPOLIS, MN 55442

**CONTRACTOR:**  
TBD

**SWPPP INSPECTION:**  
N/A



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WAYZATA MEDICAL/DENTAL BUILDING

1120 EAST WAYZATA BLVD.

WAYZATA, MN 55391

SITE PLAN REVIEW

GRADING, EROSION AND SEDIMENT CONTROL PLAN

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

MARK RAUSCH, PE

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

DATE ISSUE

7-31-15 SITE PLAN REVIEW

9-15-15 SITE PLAN REVIEW

PROJECT TEAM DATA

DESIGNED: MPR

DRAWN: ELL

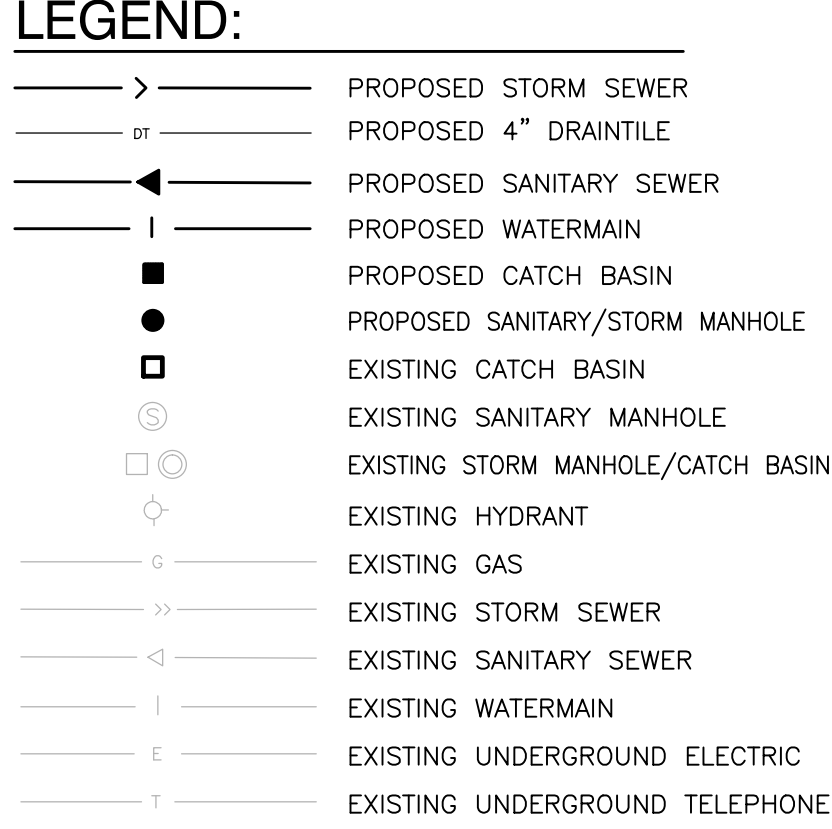
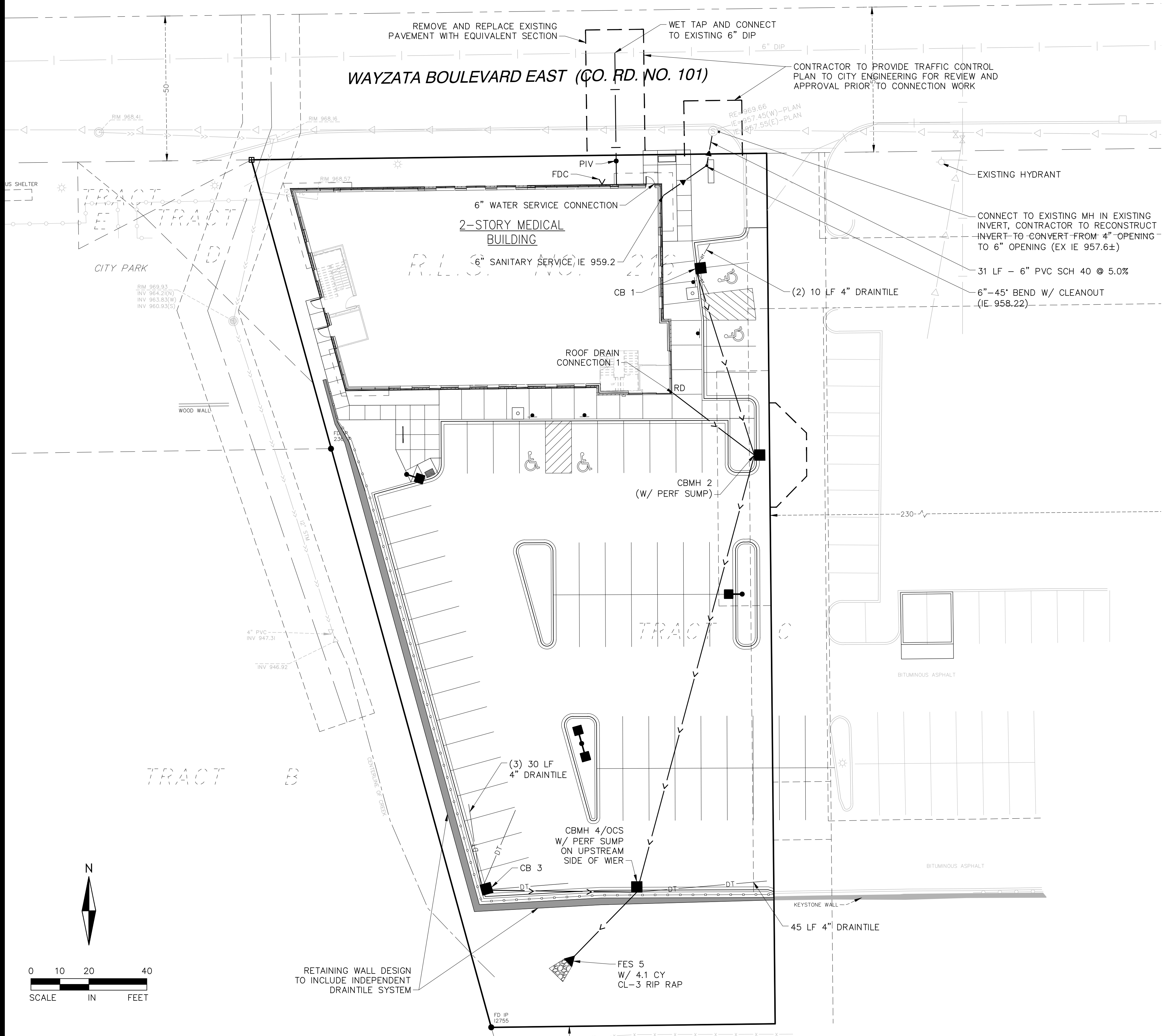
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FOR REVIEW ONLY  
PRELIMINARY  
NOT FOR CONSTRUCTION

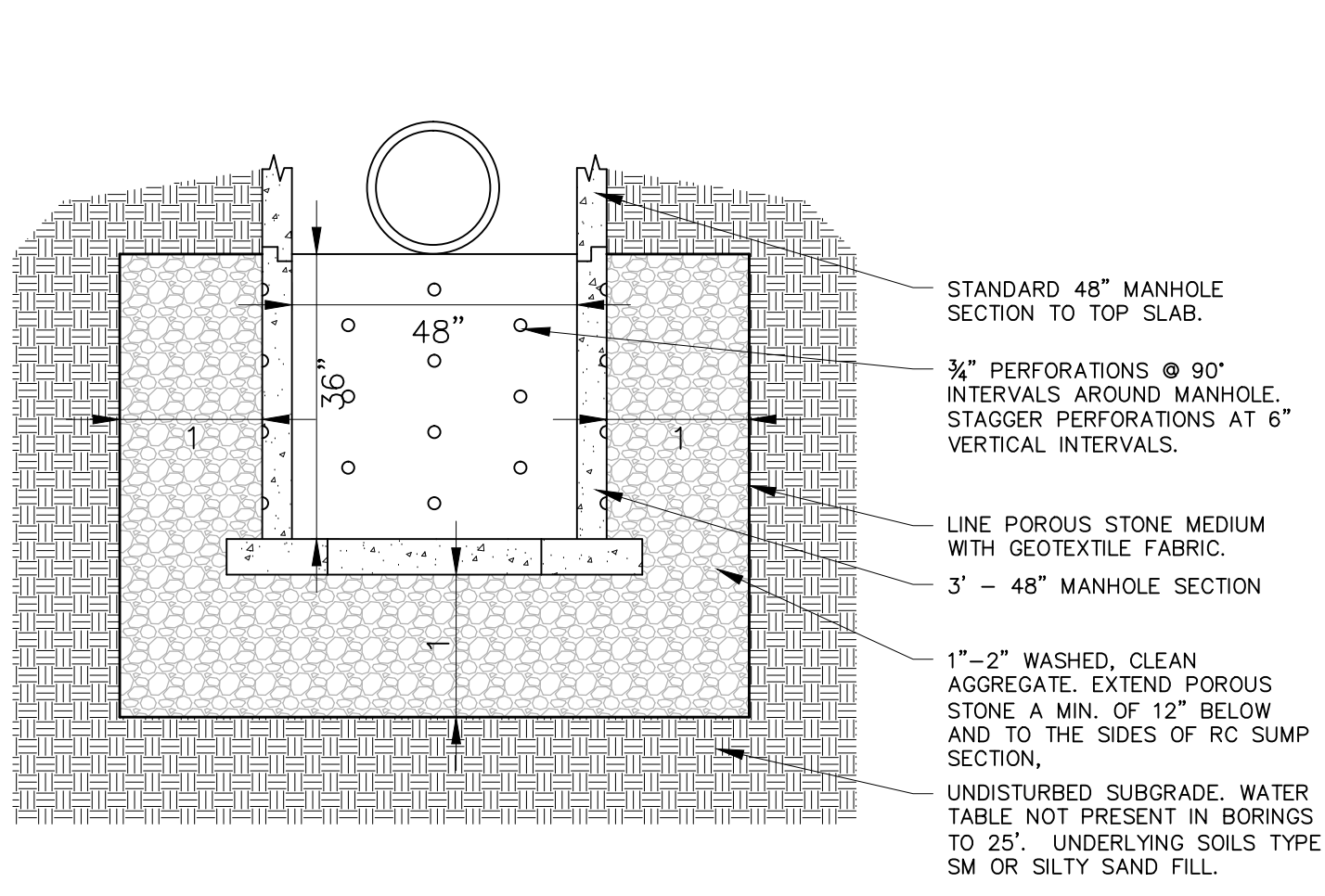
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SHEET 3 of 7

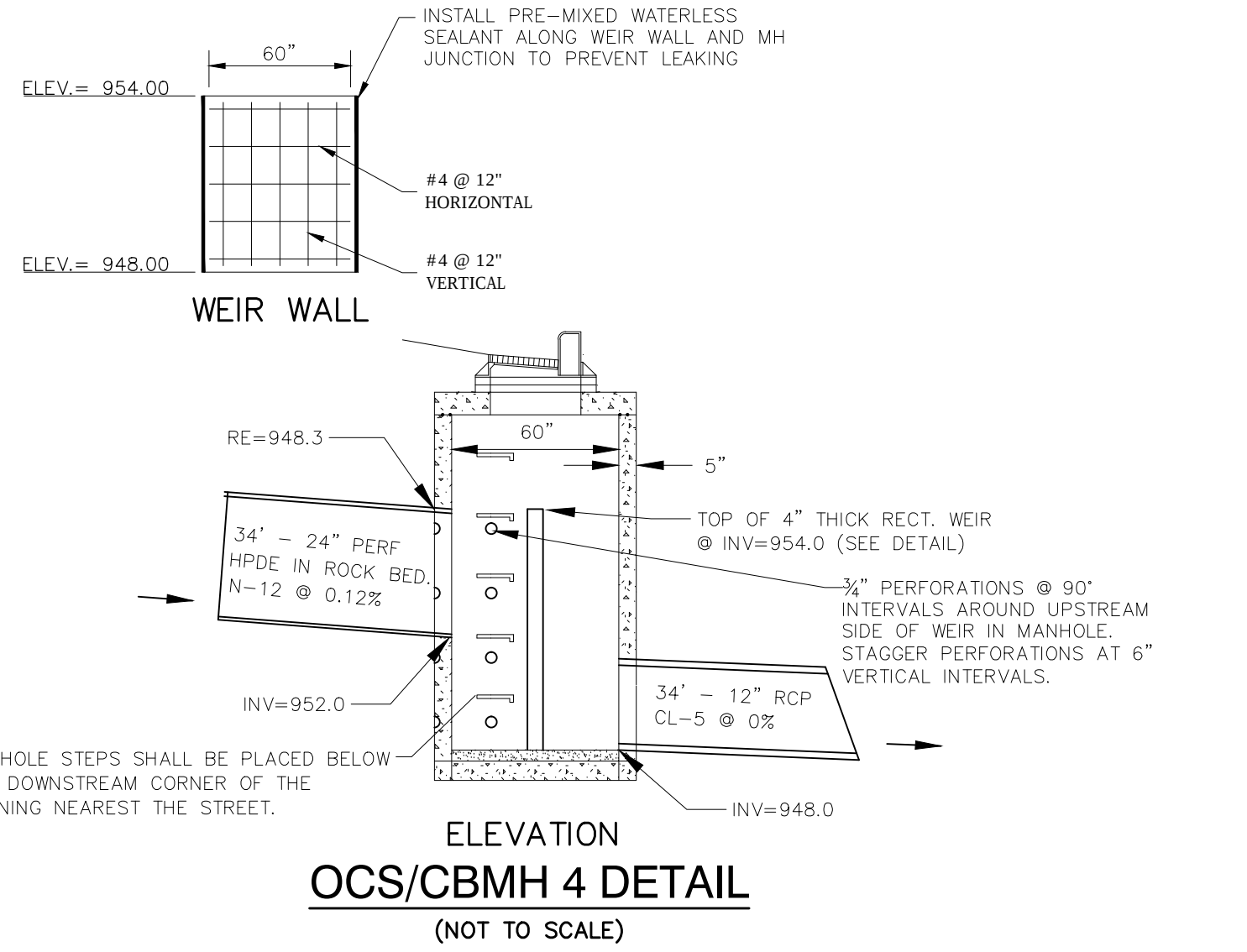
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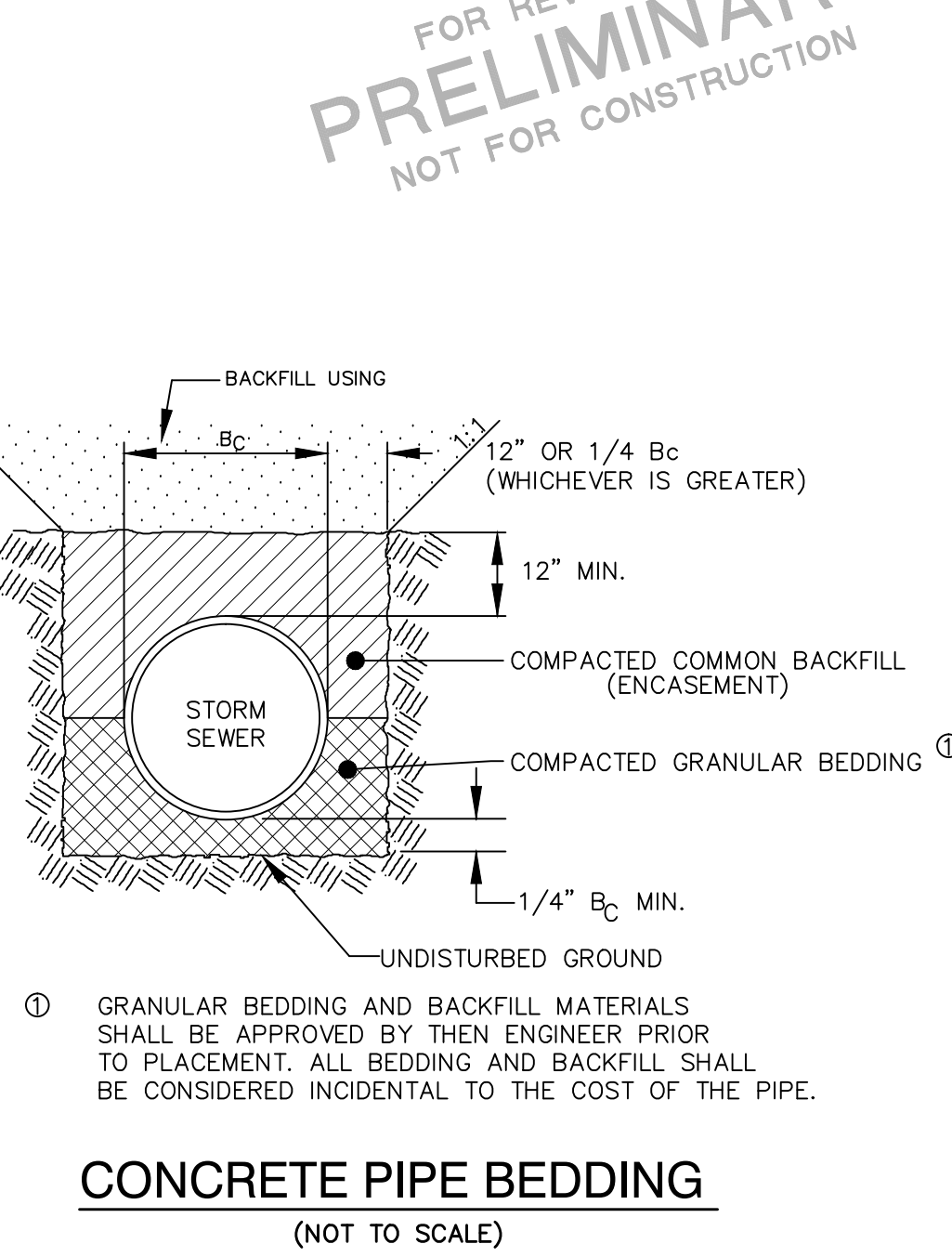
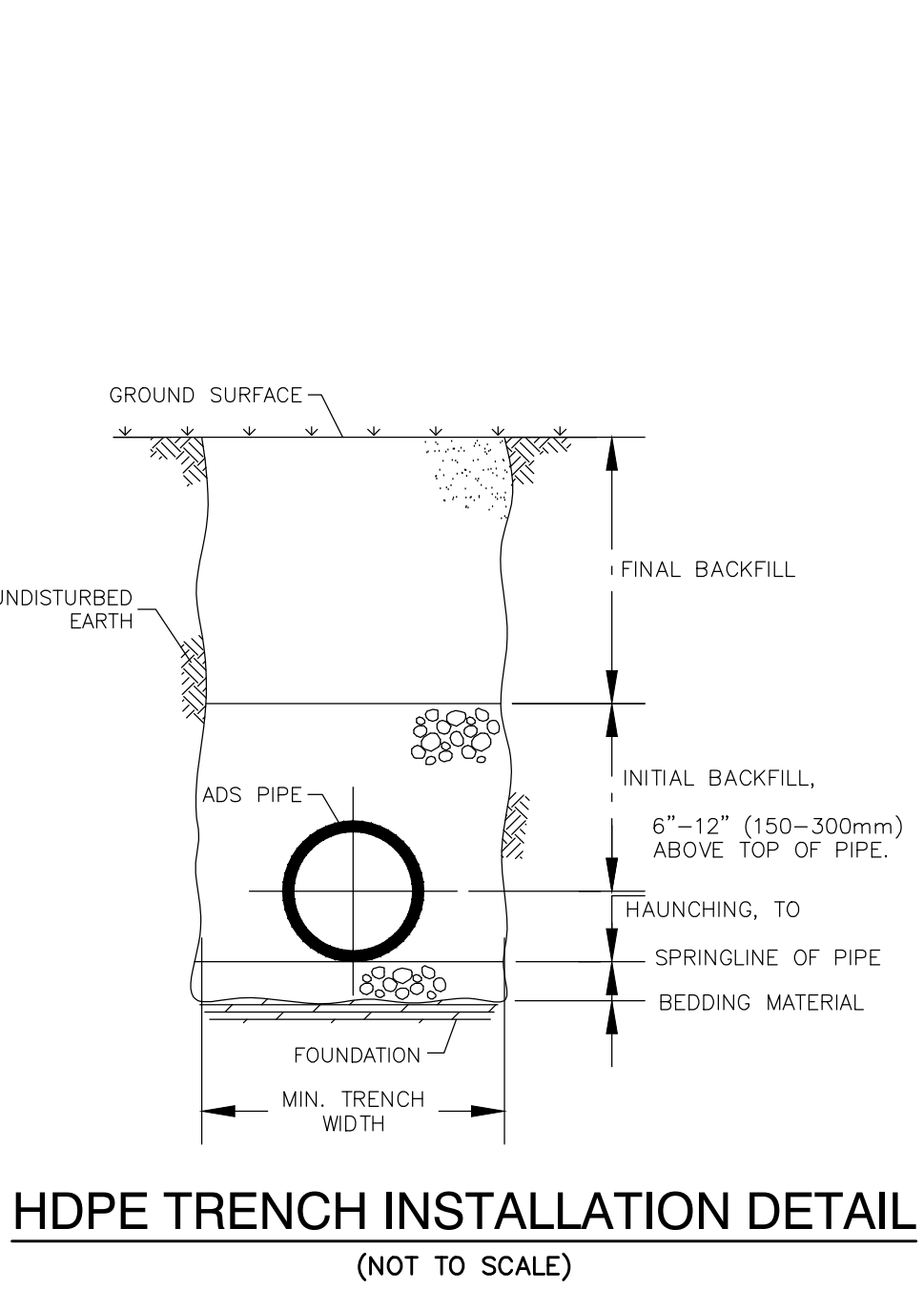
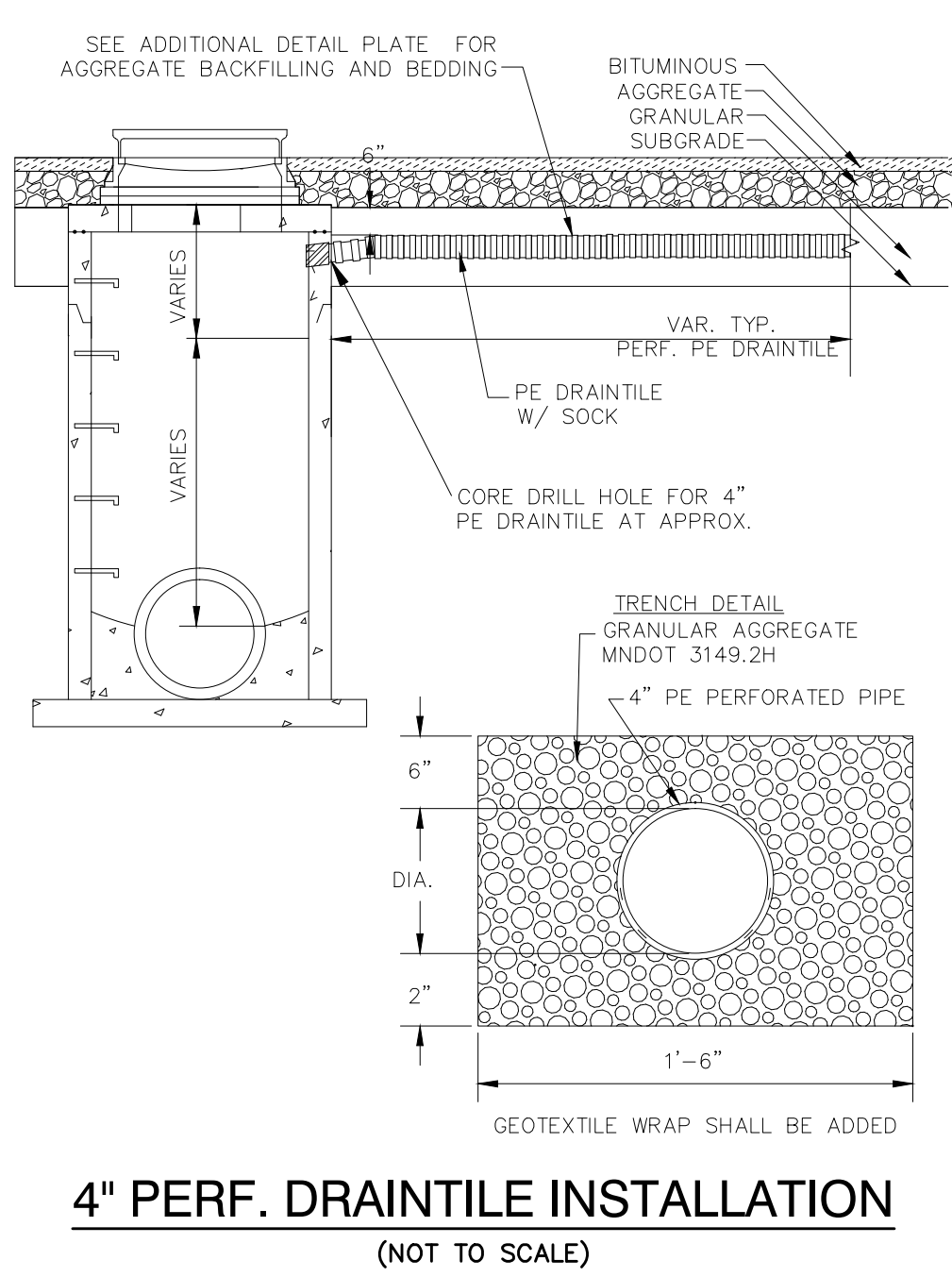
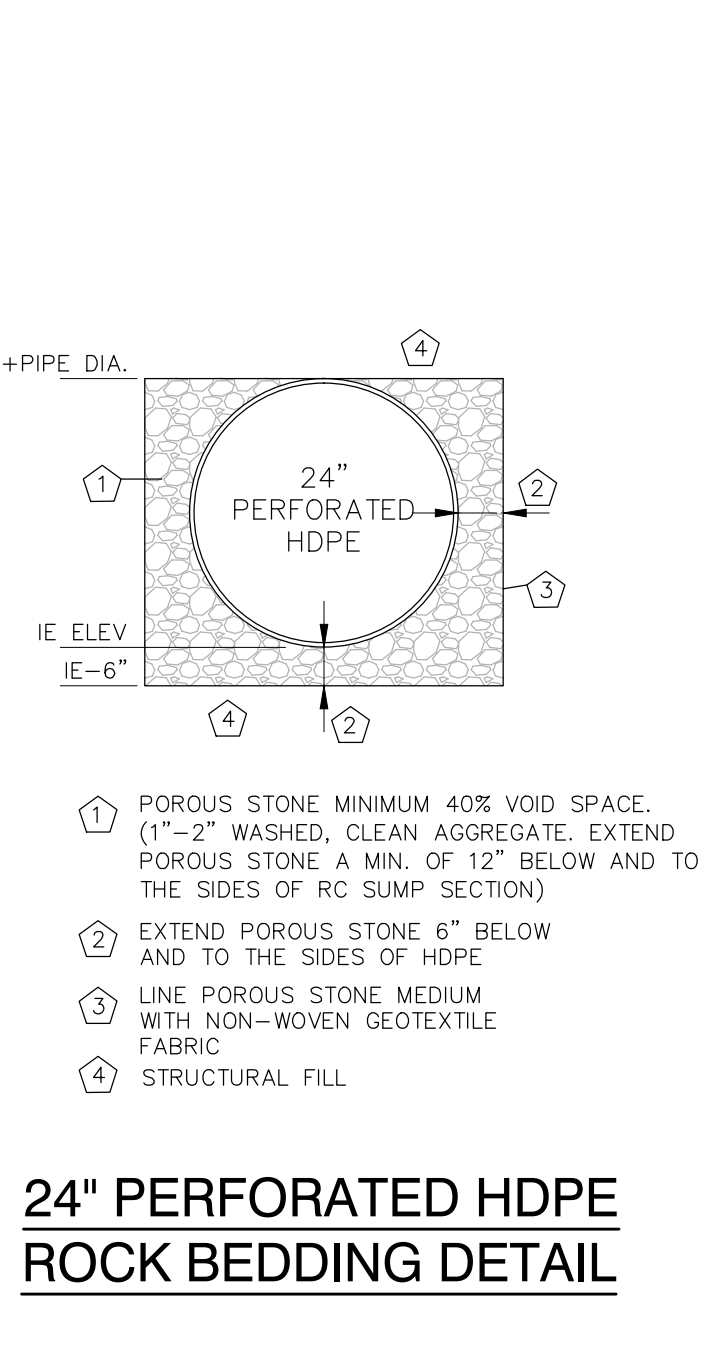
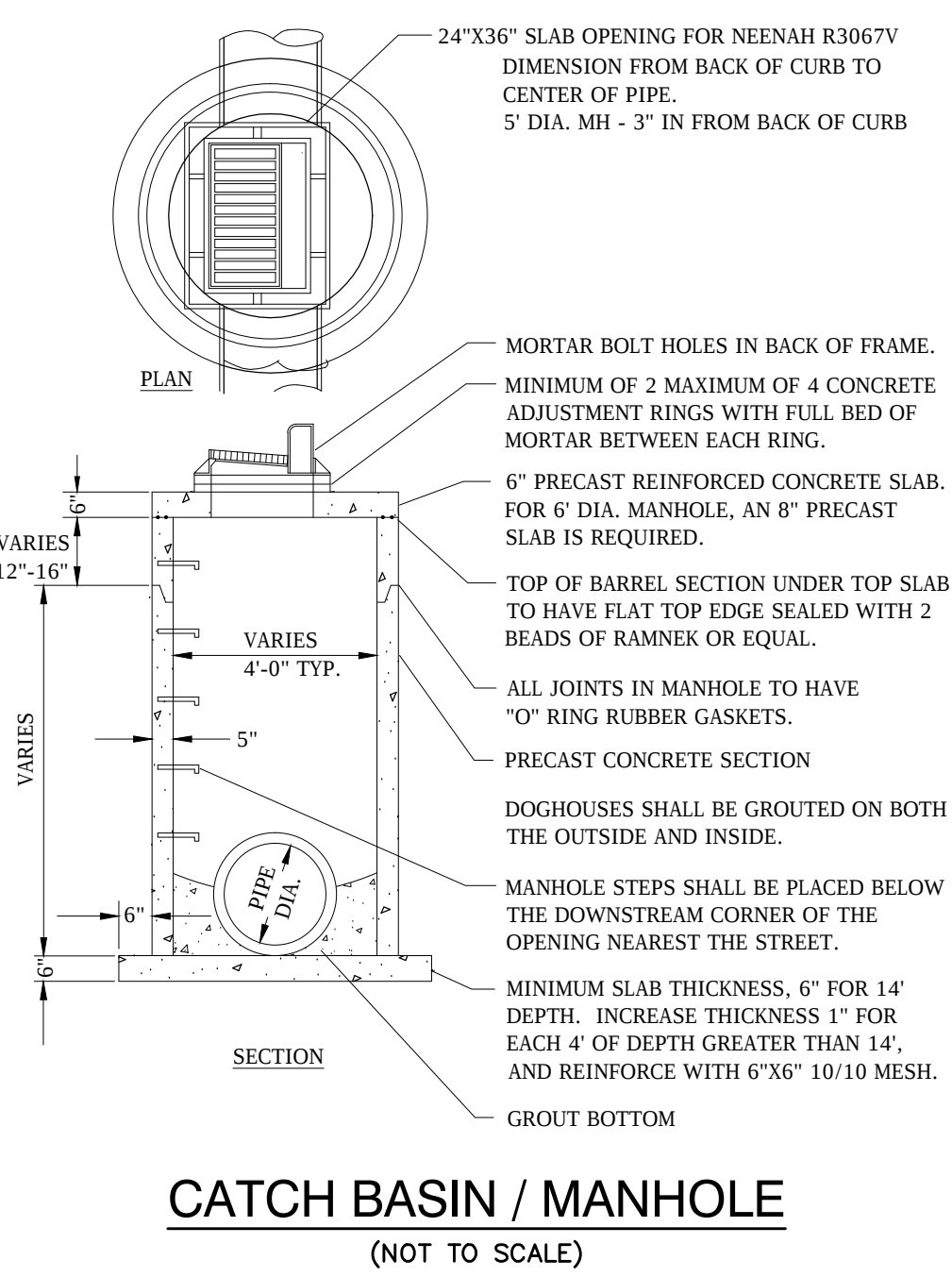
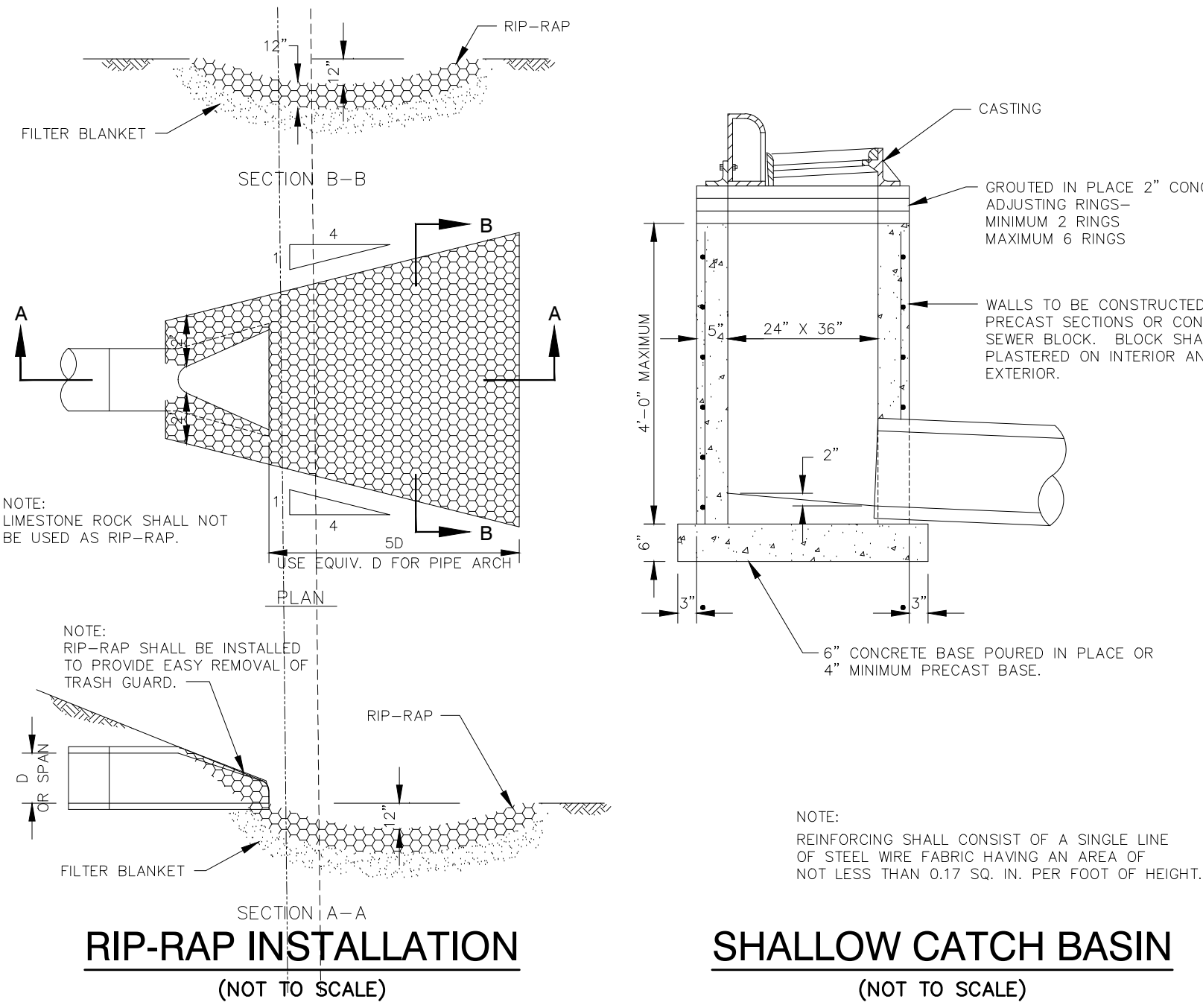
- GENERAL NOTES:**
- CONTRACTOR IS RESPONSIBLE FOR ALL PERMITS PRIOR TO THE START OF CONSTRUCTION.
  - ALL CONSTRUCTION AND POST CONSTRUCTION PARKING SHALL BE ON-SITE, NO ON-STREET PARKING/LOADING/UNLOADING ALLOWED.
  - ALL PUBLIC SIDEWALKS/TRAILS SHALL NOT BE OBSTRUCTED.
  - STORAGE OF MATERIALS OR EQUIPMENT SHALL NOT BE ALLOWED ON PUBLIC STREETS OR WITHIN PUBLIC RIGHT OF WAY.
  - REFER TO EROSION CONTROL PLAN. ALL EROSION CONTROL MEASURES MUST BE IN PLACE PRIOR TO UTILITY CONSTRUCTION.
  - ALL PROJECT RELATED UTILITIES WILL BE PRIVATELY OWNED.
  - NOTIFY GOPHER STATE ONE CALL 48 HOURS IN ADVANCE OF ANY CONSTRUCTION TO VERIFY LOCATION OF ALL PRIVATE UTILITIES.
  - PROVIDE TEMPORARY TRAFFIC CONTROL IN COMPLIANCE WITH MNDOT "TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS-FIELD MANUAL" LATEST REVISION, FOR ANY CONSTRUCTION WITHIN PUBLIC R.O.W.
- UTILITY NOTES:**
- EXISTING UTILITIES, SERVICE LOCATIONS AND ELEVATIONS SHALL BE VERIFIED BY CONTRACTOR IN FIELD PRIOR TO CONSTRUCTION. ANY DISCREPANCIES TO PLANS SHALL BE IMMEDIATELY DISCUSSED WITH OWNER AND ENGINEER PRIOR TO COMMENCING ON PROPOSED WORK.
  - MAINTAIN A MIN 18" VERTICAL SEPARATION AT ALL PIPE CROSSINGS.
  - PROVIDE POLYSTYRENE (4" THICK) INSULATION FOR ALL WATERMAIN AND STORM SEWER CROSSINGS WHERE VERTICAL OR HORIZONTAL SEPARATION IS LESS THAN 36".
  - CONTRACTOR TO PROVIDE COORDINATION FOR TELEPHONE, GAS, AND ELECTRIC SERVICE CONNECTION WITH THE RESPECTIVE SERVICE COMPANY.
  - WATERMAIN SHALL BE INSTALLED WITH MINIMUM 7.5' OF COVER.
  - ALL SANITARY MANHOLES SHALL BE MADE WITH WATER TIGHT MATERIALS TO PREVENT INFILTRATION.
  - WATERMAIN SHALL BE C-900 PVC AND CONTRACTOR SHALL USE 8 GA. TRACING WIRE LAID DIRECTLY UNDER ALL PIPE AND FITTINGS. TRACING WIRE SHALL BE CONNECT TO ALL VALVES AND HYDRANTS.
  - IF DEWATERING IS REQUIRED DURING CONSTRUCTION CONTRACTOR SHOULD CONSULT WITH EROSION CONTROL INSPECTOR AND ENGINEER TO DETERMINE APPROPRIATE METHOD.
  - ALL UTILITY INSTALLATIONS SHALL COMPLY WITH THE CITY OF WAYZATA STANDARD DETAILS AND ENGINEERING GUIDELINES.
  - ALL UTILITY INSTALLATION BACKFILL SHALL BE PLACED AND COMPACTED IN ACCORDANCE WITH SOIL TESTING AGENCY REQUIREMENTS AND/OR SPECIFICATIONS. SOILS REPORT RECOMMENDATIONS INCLUDE PLACING BACKFILL AND FILL IN LIFTS NOT EXCEEDING 8 INCHES IN THICKNESS. THE COMPACTED DENSITY OF THE FILL SHALL BE THE FOLLOWING PERCENTAGES OF STANDARD PROCTOR:
    - BELOW FOUNDATIONS = 100%
    - BELOW FLOOR SLABS = 98%
    - WITHIN 3 FEET OF PAVEMENT = 100%
    - BELOW 3 FEET OF PAVEMENT = 98%
    - BELOW LANDSCAPE SURFACES = 95%FILL SHOULD BE WITHIN 2 PERCENTAGE POINTS OF ITS OPTIMUM MOISTURE CONTENT, HOWEVER, CLAYEY FILL SHOULD BE PLACED WITHIN 3 PERCENTAGE POINTS ABOVE AND 1 PERCENT BELOW ITS OPTIMUM MOISTURE CONTENT.
  - CONTRACTOR TO INSTALL SAFL BAFFLE ON CBMH #4.



**36" DEEP PERFORATED SUMP CATCH BASIN 2**  
(NOT TO SCALE)



| DESIGN STORM FREQUENCY = 10 YEARS |        |           |            |       |       |           |      |       |        |      |      |      |                     |       |           |            |      |         |             |             |           |         |             |        |           |       |      |          |       |       |        |            |       |      |
|-----------------------------------|--------|-----------|------------|-------|-------|-----------|------|-------|--------|------|------|------|---------------------|-------|-----------|------------|------|---------|-------------|-------------|-----------|---------|-------------|--------|-----------|-------|------|----------|-------|-------|--------|------------|-------|------|
| MH/CB                             |        | AREA [SF] |            |       |       | AREA [AC] |      | IMP   | RUNOFF |      | A°C  |      | TIME OF CONC. [MIN] |       | INTENSITY | Q [CFS]    |      | P. DIA. | P. SLOPE    | P. Mat      | MANNING'S | P. CAP. | P. VELOCITY | PIPE   | CAP. OVER | FROM  | TO   | RIM      | Cover | STR.  | CAST   | Jump Depth | BUILD | Pipe |
| FROM                              | TO     | TOTAL     | IMPERVIOUS | INCR. | CUM.  | %         | C    | INCR. | CUM.   | PIPE | CUM. | i    | INCR.               | CUM.  | D [IN]    | S [FT./FT] | n    | Q [CFS] | MAX [FT./S] | LENGTH [FT] | Q [CFS]   | INVERT  | INVERT      | ELEV   | [FT]      | TYPE  | TYPE | [FT]     | [FT]  | Type  |        |            |       |      |
| RD 1                              | CBMH 2 | 8517      | 8517       | 0.196 | 0.196 | 100%      | 0.90 | 0.176 | 0.176  | 8.00 | 8.00 | 6.11 | 1.075               | 1.075 | 8         | 0.0500     | PVC  | 0.010   | 3.51        | 10.06       | 35.1      | 2.4378  | 963.00      | 961.24 | 970.20    | 7.20  | 48   | R-3067-V | 0.00  | 7.20  | SDR-35 |            |       |      |
| CB 1                              | CBMH 2 | 2031      | 1543       | 0.047 | 0.047 | 76%       | 0.73 | 0.034 | 0.034  | 8.00 | 8.00 | 6.11 | 0.208               | 0.208 | 12        | 0.0200     | HDPE | 0.011   | 5.95        | 7.58        | 67.5      | 5.7462  | 965.40      | 964.05 | 969.10    | 3.70  | 48   | R-3067-V | 3.00  | 6.70  | N-12   |            |       |      |
| CBMH 2                            | CBMH 4 | 7085      | 7173       | 0.183 | 0.379 | 90%       | 0.83 | 0.152 | 0.328  | 0.15 | 8.15 | 6.07 | 0.922               | 1.990 | 24        | 0.0013     | HDPE | 0.011   | 9.64        | 3.07        | 156.2     | 7.6495  | 951.70      | 951.50 | 968.20    | 16.50 | 48   | R-3067-V | 3.00  | 19.50 | N-12   |            |       |      |
| CB 3                              | CBMH 4 | 16041     | 15406      | 0.368 | 0.368 | 96%       | 0.87 | 0.321 | 0.321  | 8.00 | 8.00 | 6.11 | 1.962               | 1.962 | 12        | 0.0200     | HDPE | 0.011   | 5.95        | 7.58        | 53.6      | 3.9925  | 958.30      | 957.23 | 962.00    | 3.70  | 48   | R-3067-V | 3.00  | 6.70  | N-12   |            |       |      |
| CBMH 4                            | FES 5  | 25961     | 25069      | 0.596 | 0.964 | 97%       | 0.88 | 0.522 | 0.843  | 0.85 | 9.00 | 5.86 | 3.058               | 4.940 | 12        | 0.0035     | RCP  | 0.012   | 2.28        | 2.91        | 33.9      | -2.6567 | 948.00      | 947.88 | 963.30    | 15.30 | 60   | R-3067-V | 0.00  | 15.30 | CL-5   |            |       |      |



**WAYZATA MEDICAL/DENTAL BUILDING**  
1120 EAST WAYZATA BLVD.  
WAYZATA, MN 55391

**SITE PLAN REVIEW**

**UTILITY PLAN**

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

MARK RAUSCH, PE

Date License No.

**QUALITY ASSURANCE/CONTROL**

BY DATE

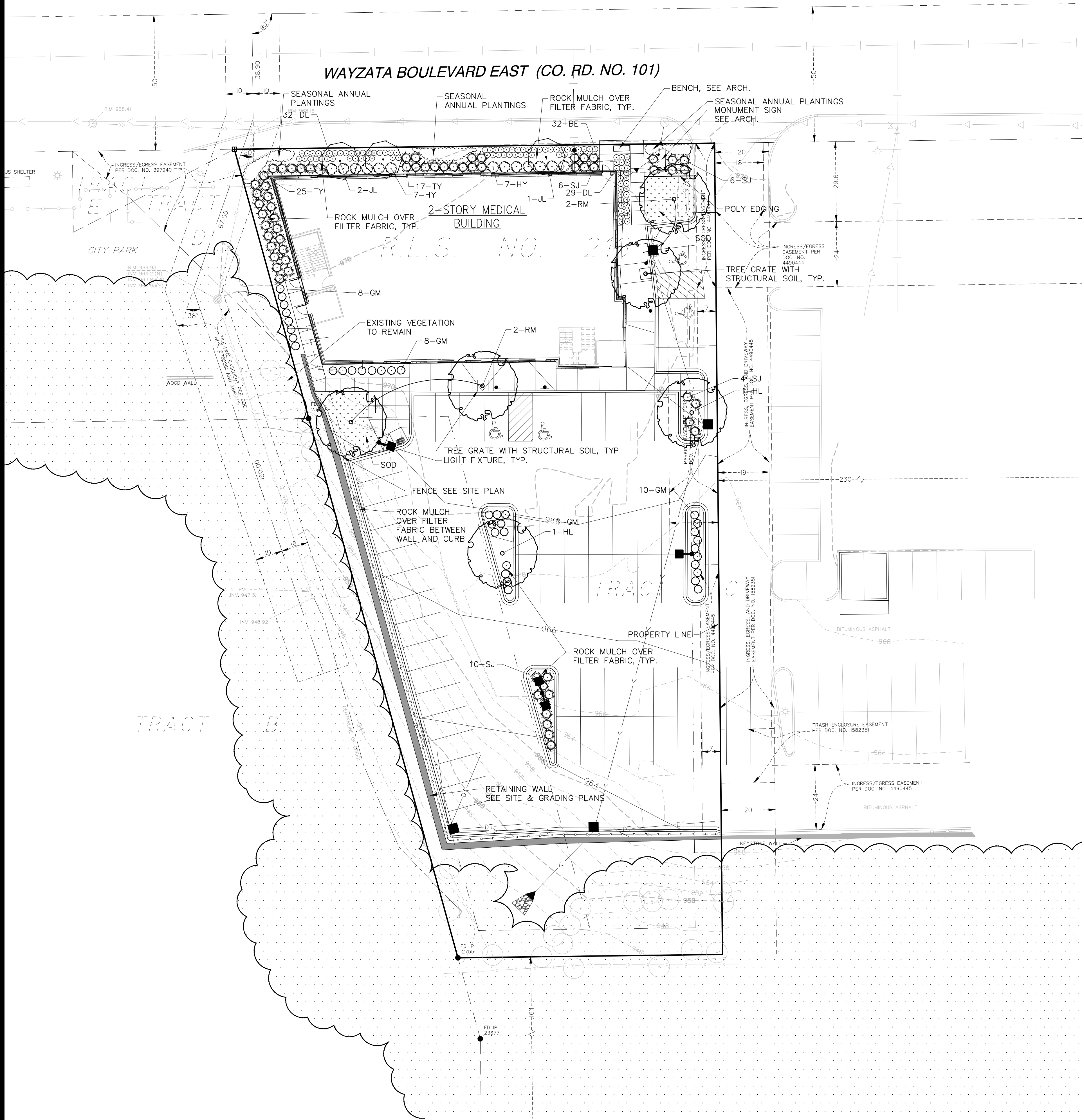
**DATE ISSUE**  
7-31-15 SITE PLAN REVIEW  
9-15-15 SITE PLAN REVIEW

**PROJECT TEAM DATA**  
DESIGNED: WPR  
DRAWN: ELL  
PROJECT NO: 215-0035

**C3.0**

SHEET 5 of 7

Drawing name: X:\2015\150035\plan\_sheets\site plan review\150035land.dwg Sep 14, 2015 6:08pm



| LANDSCAPE SCHEDULE |     |                                                                                        |                |                               |
|--------------------|-----|----------------------------------------------------------------------------------------|----------------|-------------------------------|
| QTY.               | KEY | COMMON NAME/ BOTANICAL NAME                                                            | SIZE           | REMARKS                       |
| 2                  | HL  | OVERSTORY TREES<br>SKYLINE HONEYLOCUST<br>Gleditsia triacanthos var. inermis 'Skyline' | 2" CAL. B&B    | STRAIGHT TRUNK<br>NO V-CROTCH |
| 4                  | RM  | RED MAPLE<br>Acer x freemanii 'Ballston'                                               | 2" CAL. B&B    | STRAIGHT TRUNK<br>NO V-CROTCH |
| 3                  | JL  | ORNAMENTAL TREES<br>JAPANESE TREE LILAC<br>Syringa reticulata 'Ivory Silk'             | 15" CAL. B&B   | STRAIGHT TRUNK<br>NO V-CROTCH |
| 37                 | GM  | SHRUBS<br>GOLDMOUND SPIREA<br>Spirea x 'Goldmound'                                     | 24" HT. CONT.  | MIN. 5 CANES<br>AT HT. SPEC.  |
| 14                 | HY  | LITTLE LIME HYDRANGEA<br>Hydrangea paniculata 'Limelight'                              | 24" HT. CONT.  | MIN. 5 CANES<br>AT HT. SPEC.  |
| 26                 | SJ  | SCANDIA JUNIPER<br>Juniperus sabinia 'Scandia'                                         | 18" DIA. CONT. | MIN. 5 CANES<br>AT DIA. SPEC. |
| 42                 | TY  | TAUNTON YEW<br>Taxus x media 'Taunton'                                                 | 24" DIA. CONT. | MIN. 5 CANES<br>AT DIA. SPEC. |
| 32                 | BE  | PERENNIALS<br>BLACK EYED SUSAN<br>Rudbeckia 'Little Gold Star'                         | 1 GAL. CONT.   |                               |
| 61                 | DL  | PARDON ME DAYLILY<br>Hemerocallis 'Pardon Me'                                          | 1 GAL. CONT.   |                               |

NOTES: QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN EVENT OF DISCREPANCY.

### PLANTING NOTES:

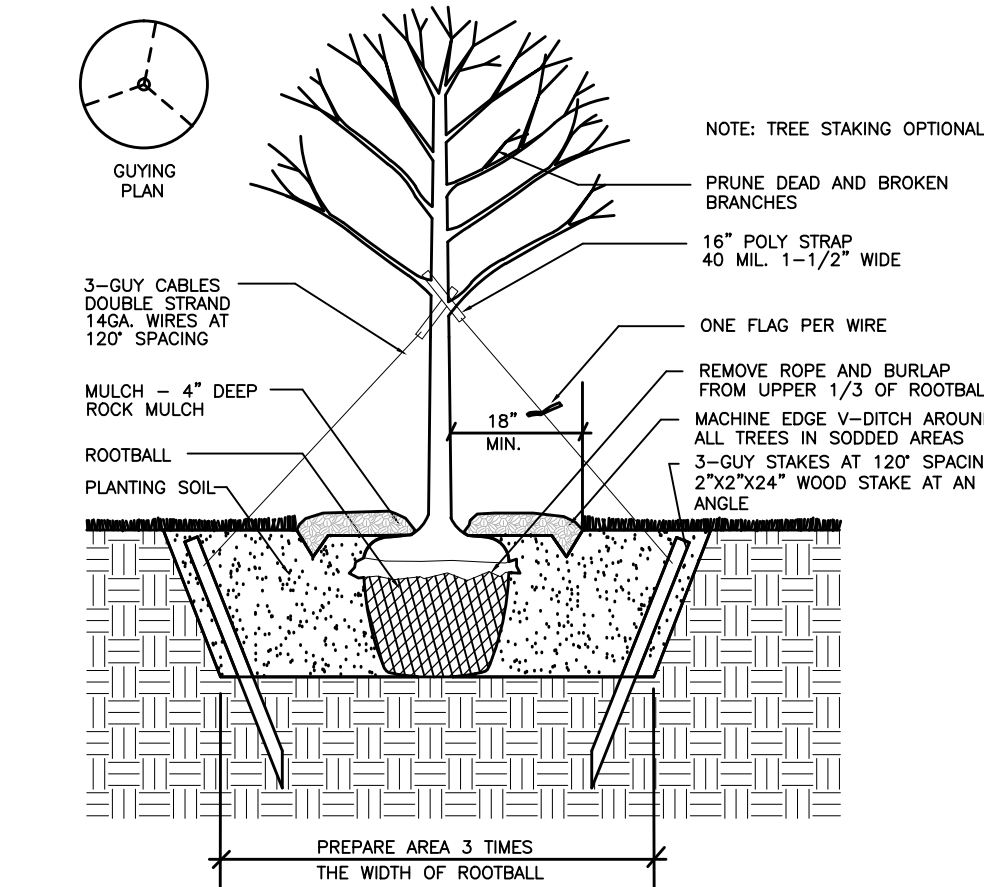
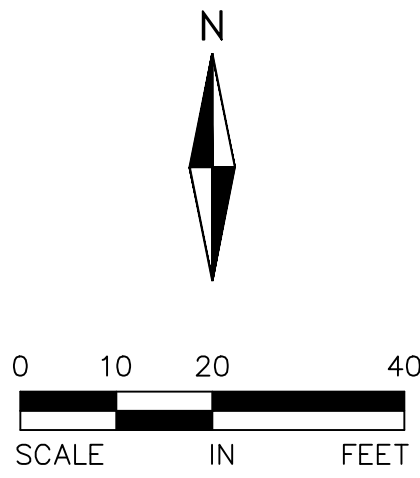
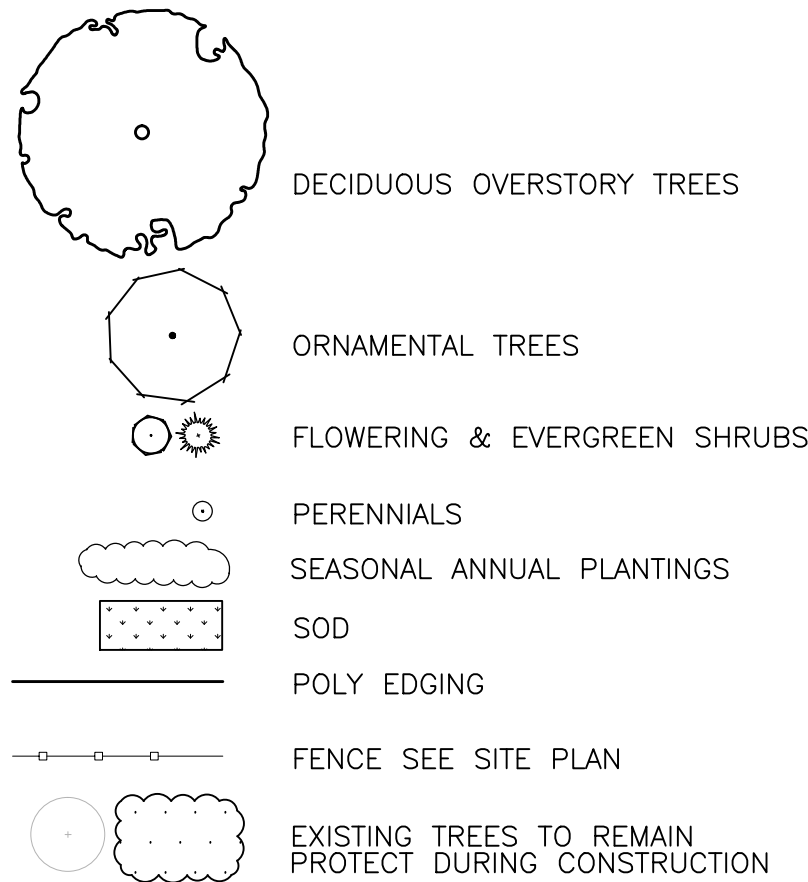
1. INSTALL 4" MIN. TOP SOIL TO ALL SOD AND SHRUB AREAS. FINE GRADE ALL SOD AREAS. INSTALL 12" TOP SOIL TO ALL PERENNIAL AND ANNUAL AREAS.
2. STAKE OR MARK ALL PLANT MATERIAL LOCATIONS PRIOR TO INSTALLATION. HAVE OWNERS REPRESENTATIVE APPROVE ALL STAKING PRIOR TO INSTALLATION.
3. ALL SHRUB AREAS UNLESS SPECIFIED AS OTHER, TO BE BED MULCHED WITH 4" DEPTH OF LANDSCAPE ROCK OVER FILTER FABRIC. POLY-EDGER TO BE VALLEY VIEW BLACK DIAMOND OR APPROVED EQUAL.
4. INSTALL 4-6" DEPTH SHREDDED HARDWOOD MULCH AROUND ROOT SAUCER OF ALL TREES ISOLATED FROM PLANT BEDS.
5. PLANT SOIL SHALL BE 1:1:1 CONSISTING OF 33% SELECT LOAMY TOPSOIL, 33% PEAT MOSS, 33% PIT RUN SAND.
6. COMPLETELY GUARANTEE ALL WORK FOR A PERIOD OF TWO YEARS BEGINNING AT THE DATE OF ACCEPTANCE. MAKE ALL REPLACEMENTS PROMPTLY (AS PER DIRECTION OF OWNER).
7. ALL MATERIAL SHALL COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSERYMEN.
8. ALL TREE TRUNKS SHALL BE WRAPPED WITH BROWN CREPE TREE WRAP. APPLY WRAP IN NOVEMBER AND REMOVE IN APRIL.
9. CALL GOPHER STATE ONE CALL AT 651-454-0002 FOR LOCATING ALL UNDERGROUND UTILITIES AND TO AVOID DAMAGE TO UTILITIES DURING THE COURSE OF THE WORK.
10. MAINTAIN ALL PLANT MATERIALS, INCLUDING WATERING, UNTIL THE TIME OF ACCEPTANCE.
11. COORDINATE LANDSCAPE INSTALLATION WITH GENERAL CONTRACTOR.
12. STAKING AND GUYING OF TREES OPTIONAL: MAINTAIN PLUMBNESS OF TREES FOR DURATION OF WARRANTY PERIOD.
13. SWEEP AND WASH ALL PAVED SURFACES AND REMOVE ALL DEBRIS RESULTING FROM LANDSCAPE OPERATIONS DAILY.
14. SUPPLY DESIGN AND INSTALLATION FOR NEW IRRIGATION SYSTEM WITH COVERAGE OF SOD AND PLANTING AREAS. USE RAINBIRD OR APPROVED EQUAL. COORDINATE INSTALLATION WITH G.C. SOD AND SHRUB AREAS TO BE ON SEPARATE ZONES. PROVIDE RAIN SENSOR. COORDINATE PROTECTION OF EXISTING IRRIGATION SYSTEM ON ADJACENT PROPERTY TO THE NORTHWEST.
15. PROTECT EXISTING TREES TO REMAIN DURING CONSTRUCTION, SEE TREE PRESERVATION PLAN.

### LANDSCAPE REQUIREMENTS

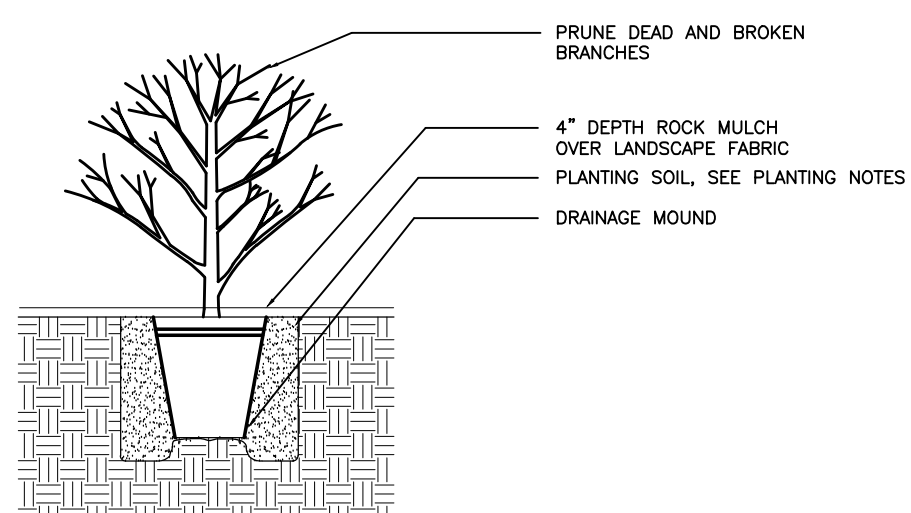
REQUIRED: 20% OF TOTAL LOT SHALL BE LANDSCAPED AND MAINTAINED.  
.2\*41,425 SF = 8,285 SF REQUIRED

PROVIDED: 9,240 SF PROVIDED LANDSCAPE AREA

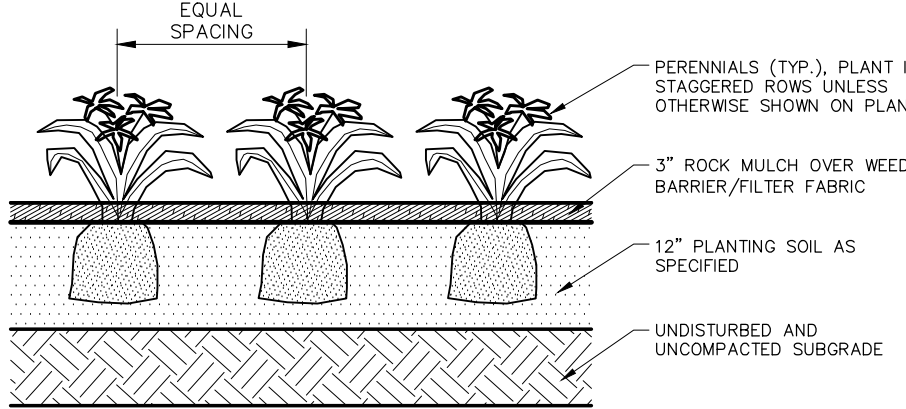
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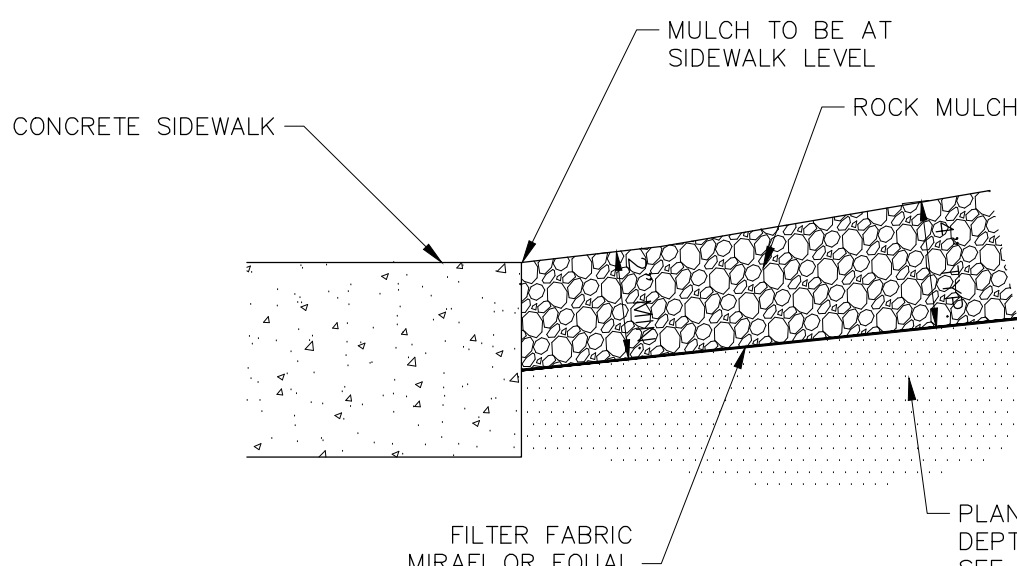
1 TREE PLANTING DETAIL  
NOT TO SCALE



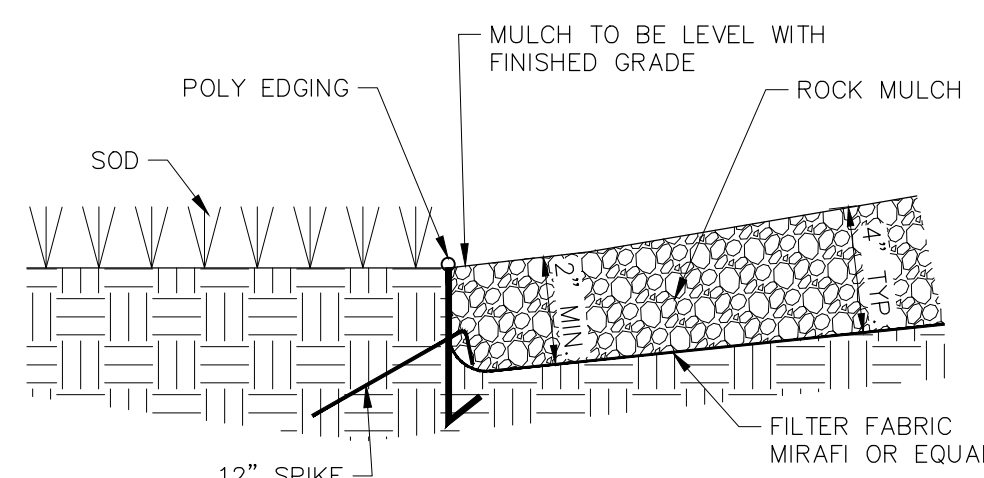
2 SHRUB PLANTING DETAIL  
NOT TO SCALE



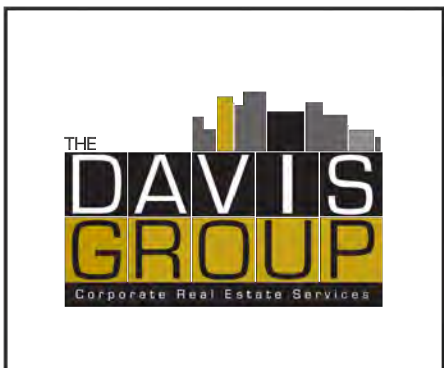
3 PERENNIAL PLANTING DETAIL  
NOT TO SCALE



4 ROCK MULCH AT SIDEWALK DETAIL  
NOT TO SCALE



5 ROCK MULCH AT SOD DETAIL  
NOT TO SCALE



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WAYZATA MEDICAL/DENTAL BUILDING

1120 EAST WAYZATA BLVD.

WAYZATA, MN 55391

SITE PLAN REVIEW

LANDSCAPE PLAN

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

MARK KRONBECK, PLA, ASLA

Date License No.

QUALITY ASSURANCE/CONTROL

BY DATE

DATE ISSUE

7-31-15 SITE PLAN REVIEW

9-15-15 SITE PLAN REVIEW

PROJECT TEAM DATA

DESIGNED: MK

DRAWN: EMK

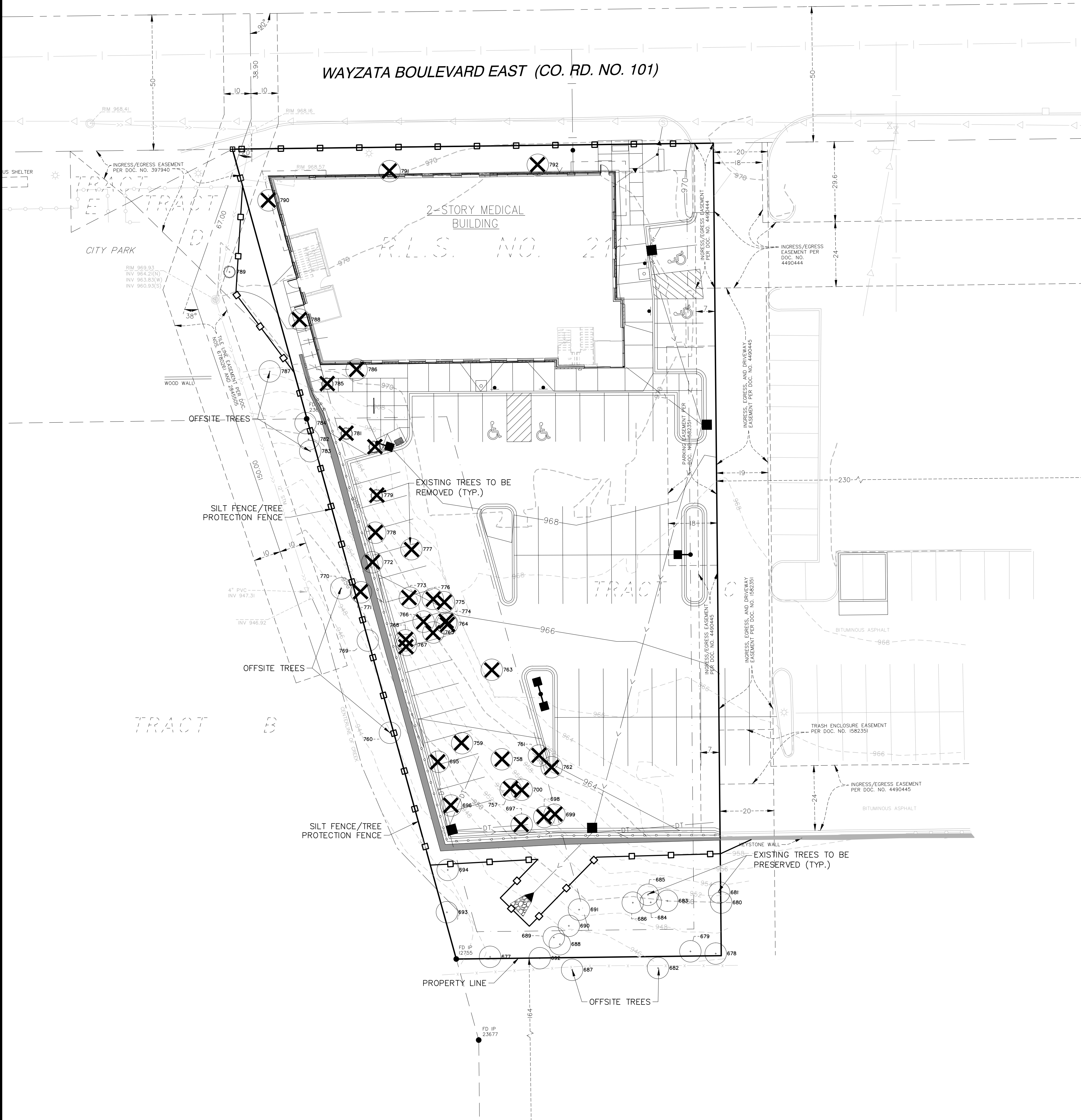
PROJECT NO: 215-0035

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SHEET 6 of 7

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LEGEND

- EXISTING TREE TO BE PRESERVED
- EXISTING TREE TO BE REMOVED
- SILT FENCE/TREE PROTECTION LIMITS

TREE INVENTORY

| TAG ID                                              | DIAMETER INCHES | TOTAL DIAMETER INCHES | TREE SPECIES | NOTES   | REMOVE | REMOVE INCHES |
|-----------------------------------------------------|-----------------|-----------------------|--------------|---------|--------|---------------|
| 677                                                 | 7               | 7                     | ELM          |         |        |               |
| 678                                                 | 26              | 26                    | COTTON WOOD  |         |        |               |
| 679                                                 | 20              | 20                    | COTTON WOOD  |         |        |               |
| 680                                                 | 7               | 7                     | BOXELDER     |         |        |               |
| 681                                                 | 7               | 7                     | BOXELDER     |         |        |               |
| 682                                                 | 19              | 19                    | COTTON WOOD  | OFFSITE |        |               |
| 683                                                 | 8               | 8                     | BOXELDER     |         |        |               |
| 684                                                 | 7               | 7                     | BOXELDER     |         |        |               |
| 685                                                 | 11              | 11                    | BOXELDER     |         |        |               |
| 686                                                 | 14              | 14                    | BOXELDER     |         |        |               |
| 687                                                 | 11              | 11                    | BOXELDER     | OFFSITE |        |               |
| 688                                                 | 21              | 21                    | COTTON WOOD  |         |        |               |
| 689                                                 | 13              | 13                    | COTTON WOOD  |         |        |               |
| 690                                                 | 10              | 10                    | ELM          |         |        |               |
| 691                                                 | 30              | 30                    | COTTON WOOD  |         |        |               |
| 692                                                 | 12              | 12                    | ELM          |         |        |               |
| 693                                                 | 14              | 14                    | ELM          |         |        |               |
| 694                                                 | 16              | 16                    | ELM          |         |        |               |
| 695                                                 | 30              | 30                    | COTTON WOOD  |         | X      | 30            |
| 696                                                 | 8               | 8                     | ELM          |         | X      | 8             |
| 697                                                 | 28              | 28                    | COTTON WOOD  |         | X      | 28            |
| 698                                                 | 10              | 10                    | BOXELDER     |         | X      | 10            |
| 699                                                 | 20              | 20                    | BOXELDER     |         | X      | 20            |
| 700                                                 | 8-8             | 14                    | BOXELDER     |         | X      | 14            |
| 757                                                 | 108             | 108                   | BOXELDER     |         | X      | 108           |
| 758                                                 | 8               | 8                     | BOXELDER     |         | X      | 8             |
| 759                                                 | 24-26           | 50                    | COTTON WOOD  |         | X      | 50            |
| 760                                                 | 19              | 19                    | BOXELDER     | OFFSITE |        |               |
| 761                                                 | 14              | 14                    | BOXELDER     |         | X      | 14            |
| 762                                                 | 11              | 11                    | BOXELDER     |         | X      | 11            |
| 763                                                 | 12              | 12                    | MAPLE        |         | X      | 12            |
| 764                                                 | 7               | 7                     | BOXELDER     |         | X      | 7             |
| 765                                                 | 14              | 14                    | COTTON WOOD  |         | X      | 14            |
| 766                                                 | 21-19           | 40                    | COTTON WOOD  |         | X      | 40            |
| 767                                                 | 16              | 16                    | COTTON WOOD  |         | X      | 16            |
| 768                                                 | 10              | 10                    | ELM          |         | X      | 10            |
| 769                                                 | 8               | 8                     | BOXELDER     |         |        |               |
| 770                                                 | 14              | 14                    | ELM          | OFFSITE |        |               |
| 771                                                 | 16              | 16                    | ELM          |         | X      | 16            |
| 772                                                 | 19              | 19                    | ELM          |         | X      | 19            |
| 773                                                 | 14              | 14                    | COTTON WOOD  |         | X      | 14            |
| 774                                                 | 7               | 7                     | BOXELDER     |         | X      | 7             |
| 775                                                 | 18              | 18                    | COTTON WOOD  |         | X      | 18            |
| 776                                                 | 7               | 7                     | COTTON WOOD  |         | X      | 7             |
| 777                                                 | 14              | 14                    | ELM          |         | X      | 14            |
| 778                                                 | 6               | 6                     | BOXELDER     |         | X      | 6             |
| 779                                                 | 7               | 7                     | PINE         |         | X      | 7             |
| 780                                                 | 6               | 6                     | PINE         |         | X      | 6             |
| 781                                                 | 7               | 7                     | PINE         |         | X      | 7             |
| 782                                                 | 19              | 19                    | ELM          | OFFSITE |        |               |
| 783                                                 | 13              | 13                    | ELM          | OFFSITE |        |               |
| 784                                                 | 7               | 7                     | BOXELDER     | OFFSITE |        |               |
| 785                                                 | 11              | 11                    | SPRUCE       |         | X      | 11            |
| 786                                                 | 10              | 10                    | CHERRY       |         | X      | 10            |
| 787                                                 | 15-16           | 31                    | BOXELDER     | OFFSITE |        |               |
| 788                                                 | 16              | 9                     | ASH          |         | X      | 9             |
| 789                                                 | 7               | 7                     | PINE         | OFFSITE |        |               |
| 790                                                 | 15              | 15                    | ASH          |         | X      | 15            |
| 791                                                 | 11              | 11                    | ASH          |         | X      | 11            |
| 792                                                 | 8               | 8                     | ASH          |         | X      | 8             |
| Total Significant Trees (onsite) =                  |                 |                       |              |         |        | 51            |
| Total Diameter Inches (onsite) =                    |                 |                       |              |         |        | 816           |
| Total Diameter Inches to be Removed =               |                 |                       |              |         |        | 995           |
| Percentage of Total Diameter Inches to be Removed = |                 |                       |              |         |        | 72%           |
| Total Significant Trees to be Removed =             |                 |                       |              |         |        | 34            |
| Percentage of Significant Trees to be Removed =     |                 |                       |              |         |        | 67%           |
| Number of Offsite Trees Tagged =                    |                 |                       |              |         |        | 9             |
| No offsite trees will be removed                    |                 |                       |              |         |        |               |

■ DENOTES TREES TO BE REMOVED

TREE PRESERVATION NOTES:

- BEFORE ANY CONSTRUCTION OR GRADING OF DEVELOPMENT PROJECT IS TO OCCUR, A TREE PROTECTION FENCE (AT LEAST 4 FEET IN HEIGHT AND STAKED WITH POSTS NO LESS THAN EVERY 5 FEET) SHALL BE INSTALLED AROUND THE DRIP LINE OF WOODED AREAS. THE DRIP LINES OF EXISTING TREES TO BE PRESERVED OR AT THE PERIMETER OF THE CRITICAL ROOT ZONE (WHICHEVER IS GREATER). SIGNS SHALL BE PLACED ALONG THIS FENCE LINE IDENTIFYING THE AREA AS A TREE PROTECTION AREA AND PROHIBITING GRADING BEYOND THE FENCE LINE. THIS FENCE MUST REMAIN IN PLACE UNTIL ALL GRADING AND CONSTRUCTION ACTIVITY IS TERMINATED.
- NO EQUIPMENT, CONSTRUCTION MATERIALS OR SOIL MAY BE STORED WITHIN THE DRIP LINES OF ANY SIGNIFICANT TREES TO BE PRESERVED.
- NO ENCROACHMENT, LAND DISTURBANCE, GRADE CHANGE, TRENCHING, FILLING, COMPACTION OF CHANGE IN SOIL CHEMISTRY SHALL OCCUR WITHIN FENCED AREAS PROTECTING SIGNIFICANT TREES.
- CONTRACTOR TO PREVENT THE CHANGE IN SOIL CHEMISTRY DUE TO CONCRETE WASHOUT AND LEAKAGE OR SPILLAGE OF TOXIC MATERIALS, SUCH AS FUELS OR PAINTS.
- DRAINAGE PATTERNS ON THE SITE SHALL NOT CHANGE CONSIDERABLY CAUSING DRASTIC ENVIRONMENTAL CHANGES IN THE SOIL MOISTURE CONTENT WHERE TREES ARE INTENDED TO BE PRESERVED.
- DEAD, DISEASED OR DYING SIGNIFICANT TREES WERE NOT INCLUDED AS PART OF THE EXISTING TREE INVENTORY.
- NO SIGNIFICANT TREES SHALL BE REMOVED UNTIL THIS TREE PRESERVATION PLAN IS APPROVED BY THE CITY OF WAYZATA.
- A SIGNIFICANT TREE, PER CITY CODE, IS A HEALTHY TREE WHICH IS 6 INCHES IN DIAMETER (DBH) FOR DECIDUOUS TREES OR GREATER THAN 8 FEET IN HEIGHT FOR CONIFEROUS TREES.
- A CITY TREE REMOVAL PERMIT IS REQUIRED FOR ANY REMOVAL TOTALING OVER 32 INCHES IN DIAMETER.
- SEE LANDSCAPE PLAN FOR LOCATION OF PROPOSED REPLACEMENT TREES.



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**WAYZATA MEDICAL/DENTAL BUILDING**  
1120 EAST WAYZATA BLVD.  
WAYZATA, MN 55391  
**SITE PLAN REVIEW**  
**TREE INVENTORY, PRESERVATION & REMOVAL PLAN**

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

MARK KRONBECK, P.L.A., ASLA

Date License No.

QUALITY ASSURANCE/CONTROL

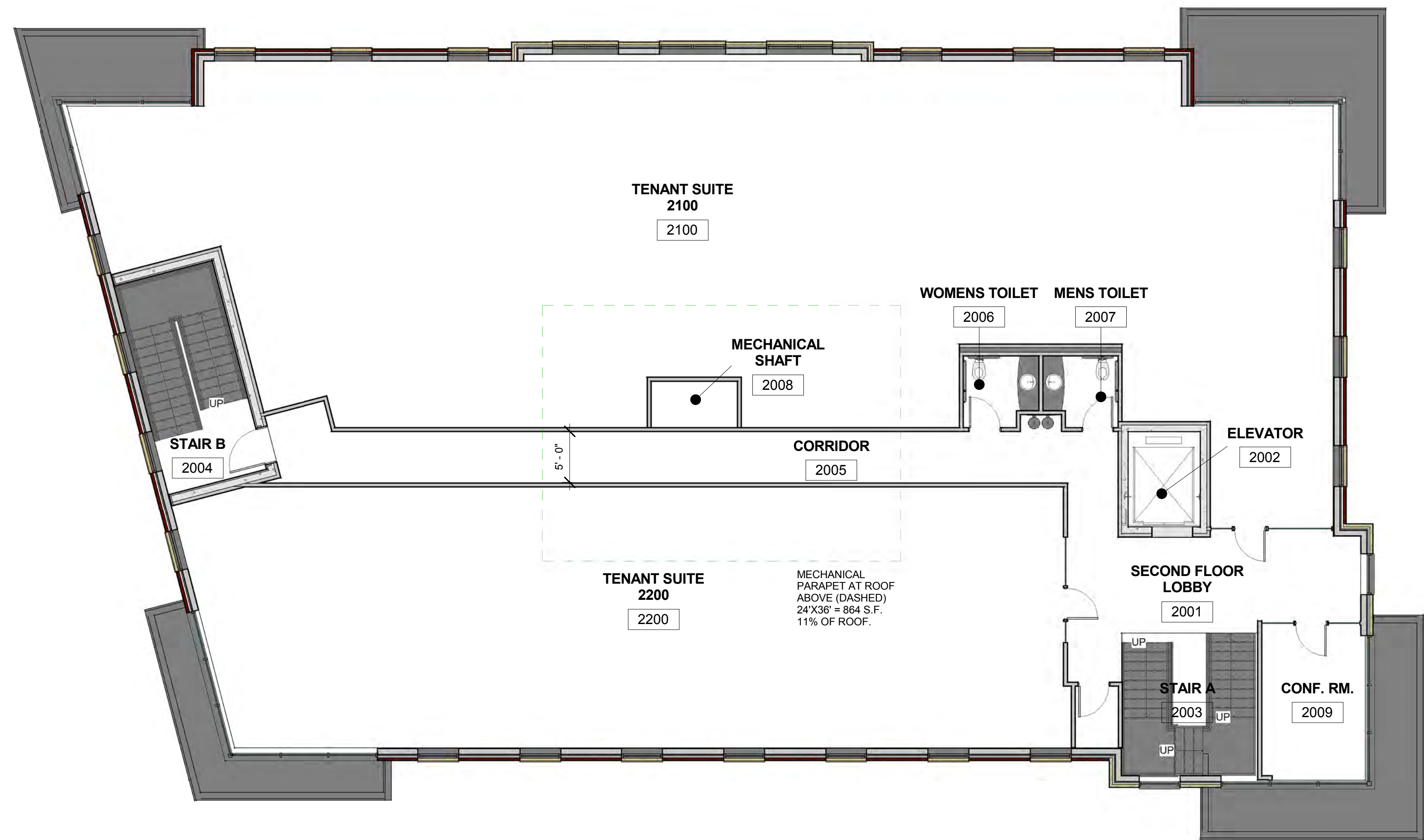
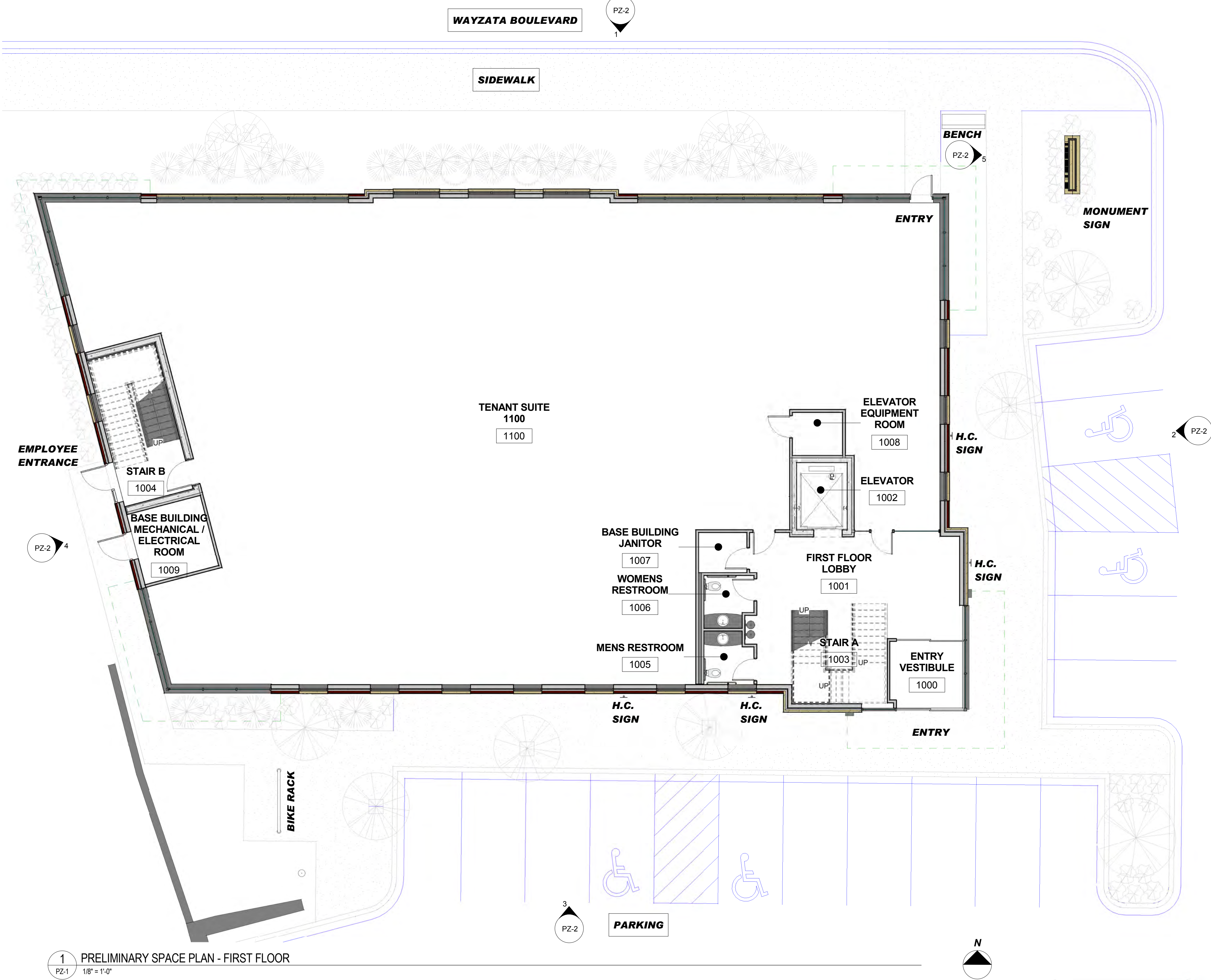
BY DATE  
DATE ISSUE  
8-24-15 CLIENT REVIEW  
9-15-15 SITE PLAN REVIEW

PROJECT TEAM DATA  
DESIGNED: EHK  
DRAWN: EHK  
PROJECT NO: 215-0035

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**PRELIMINARY**  
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**L-2.0**

SHEET 7 of 7



**Project Information**  
WAYZATA SPECIALTY CENTER  
  
1120 E. WAYZATA BLVD.  
  
1120 EAST WAYZATA BLVD.  
WAYZATA  
  
.



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A Y LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA

PATRICK J. GIORDANA  
Printed Name  
Signature  
09.15.2015 21609  
Date Lic #

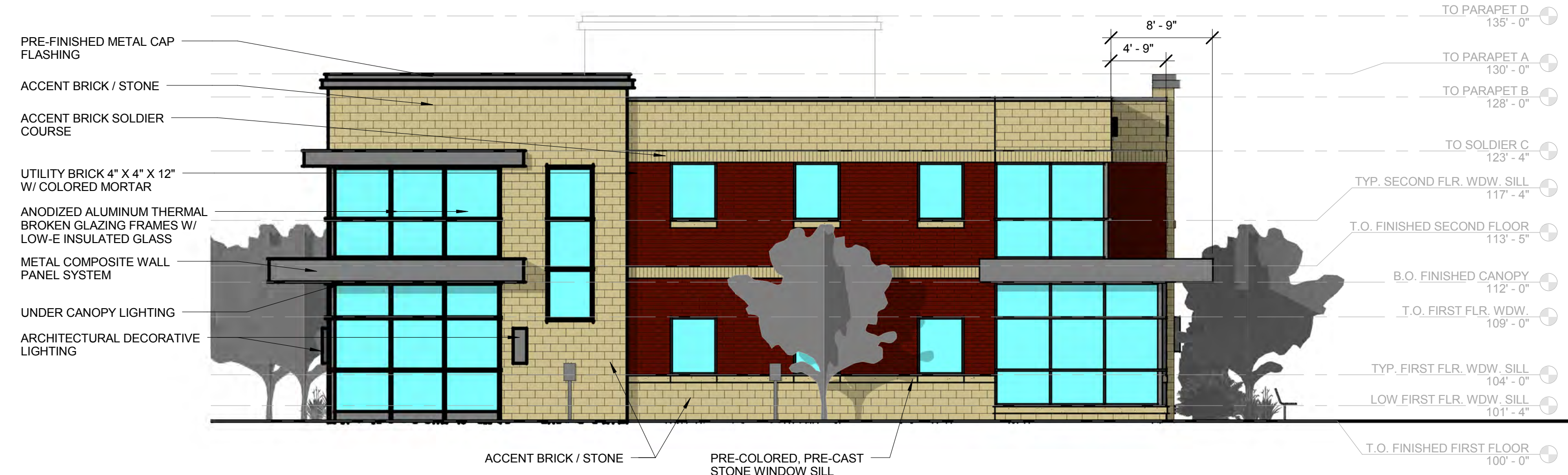
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Sheet Title  
PRELIMINARY FLOOR PLANS

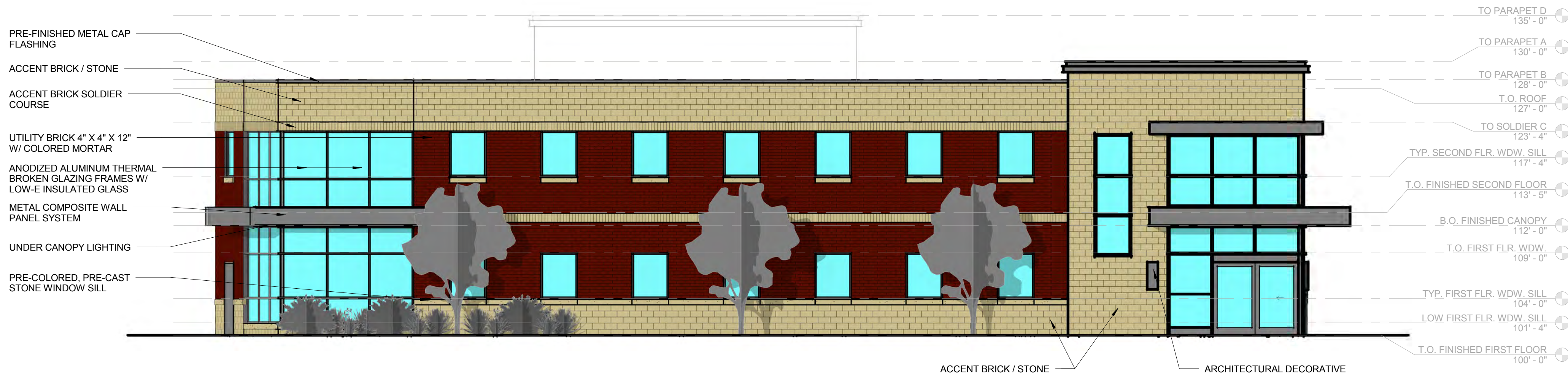
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Job Code A-DAVISWAYZATAMB  
Drawn By KF Reviewed By MWO  
Date 09.16.2015  
**PZ-1**  
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Page 35 of 121



1 EXTERIOR ELEVATION NORTH (WAYZATA BOULEVARD)  
PZ-2 1/8" = 1'-0"



2 EXTERIOR ELEVATION EAST  
PZ-2 1/8" = 1'-0"



3 EXTERIOR ELEVATION SOUTH  
PZ-2 1/8" = 1'-0"



4 EXTERIOR ELEVATION WEST  
PZ-2 1/8" = 1'-0"

| NORTH FACADE FINISH MATERIALS:                                         |                |             |
|------------------------------------------------------------------------|----------------|-------------|
| TOTAL S.F. OF NORTH FACADE:                                            |                | 3,656 S.F.  |
| CLASS-1 FINISHES:                                                      | S.F. OF FINISH | % OF FACADE |
| UTILITY BRICK (4"x4"x12"):<br>(666 S.F. / 3,656 S.F.)                  | 666 S.F.       | 18%         |
| ACCENT BRICK / STONE (8"x4"x24") :<br>(1,244 S.F. / 3,656 S.F.)        | 1,244 S.F.     | 34%         |
| COMPOSITE METAL PANELS:<br>(157 S.F. / 3,656 S.F.)                     | 157 S.F.       | 5%          |
| GLASS:<br>(1,286 S.F. / 3,656 S.F.)                                    | 1,286 S.F.     | 35%         |
| PRE-CAST CONCRETE SILLS/<br>SOLDIER COURSE:<br>(303 S.F. / 3,656 S.F.) | 303 S.F.       | 8%          |

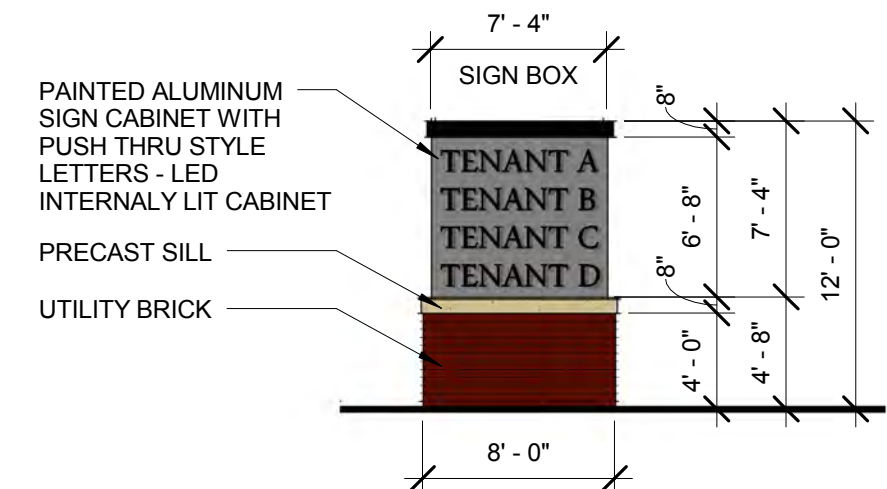
| EAST FACADE FINISH MATERIALS:                                          |                |             |
|------------------------------------------------------------------------|----------------|-------------|
| TOTAL S.F. OF EAST FACADE:                                             |                | 2,130 S.F.  |
| CLASS-1 FINISHES:                                                      | S.F. OF FINISH | % OF FACADE |
| UTILITY BRICK (4"x4"x12"):<br>(496 S.F. / 2,130 S.F.)                  | 496 S.F.       | 23%         |
| ACCENT BRICK / STONE (8"x4"x24") :<br>(648 S.F. / 2,130 S.F.)          | 648 S.F.       | 31%         |
| COMPOSITE METAL PANELS:<br>(173 S.F. / 2,130 S.F.)                     | 173 S.F.       | 8%          |
| GLASS:<br>(712 S.F. / 2,130 S.F.)                                      | 712 S.F.       | 33%         |
| PRE-CAST CONCRETE SILLS/<br>SOLDIER COURSE:<br>(101 S.F. / 2,130 S.F.) | 101 S.F.       | 5%          |

| SOUTH FACADE FINISH MATERIALS:                                         |                |             |
|------------------------------------------------------------------------|----------------|-------------|
| TOTAL S.F. OF SOUTH FACADE:                                            |                | 3,252 S.F.  |
| CLASS-1 FINISHES:                                                      | S.F. OF FINISH | % OF FACADE |
| UTILITY BRICK (4" x 4" x 12"):<br>(1,030 S.F. / 3,252 S.F.)            | 1,030 S.F.     | 32%         |
| ACCENT BRICK / STONE (8"x4"x24") :<br>(949 S.F. / 3,252 S.F.)          | 949 S.F.       | 29%         |
| COMPOSITE METAL PANELS:<br>(167 S.F. / 3,252 S.F.)                     | 167 S.F.       | 5%          |
| GLASS:<br>(914 S.F. / 3,252 S.F.)                                      | 914 S.F.       | 28%         |
| PRE-CAST CONCRETE SILLS/<br>SOLDIER COURSE:<br>(192 S.F. / 3,252 S.F.) | 192 S.F.       | 6%          |

| WEST FACADE FINISH MATERIALS:                                          |                |             |
|------------------------------------------------------------------------|----------------|-------------|
| TOTAL S.F. OF WEST FACADE:                                             |                | 2,011 S.F.  |
| CLASS-1 FINISHES:                                                      | S.F. OF FINISH | % OF FACADE |
| UTILITY BRICK (4" x 4" x 12"):<br>(589 S.F. / 2,011 S.F.)              | 589 S.F.       | 29%         |
| ACCENT BRICK / STONE (8"x4"x24") :<br>(428 S.F. / 2,011 S.F.)          | 428 S.F.       | 21%         |
| COMPOSITE METAL PANELS:<br>(115 S.F. / 2,011 S.F.)                     | 115 S.F.       | 6%          |
| GLASS:<br>(681 S.F. / 2,011 S.F.)                                      | 681 S.F.       | 34%         |
| PRE-CAST CONCRETE SILLS/<br>SOLDIER COURSE:<br>(198 S.F. / 2,011 S.F.) | 198 S.F.       | 10%         |

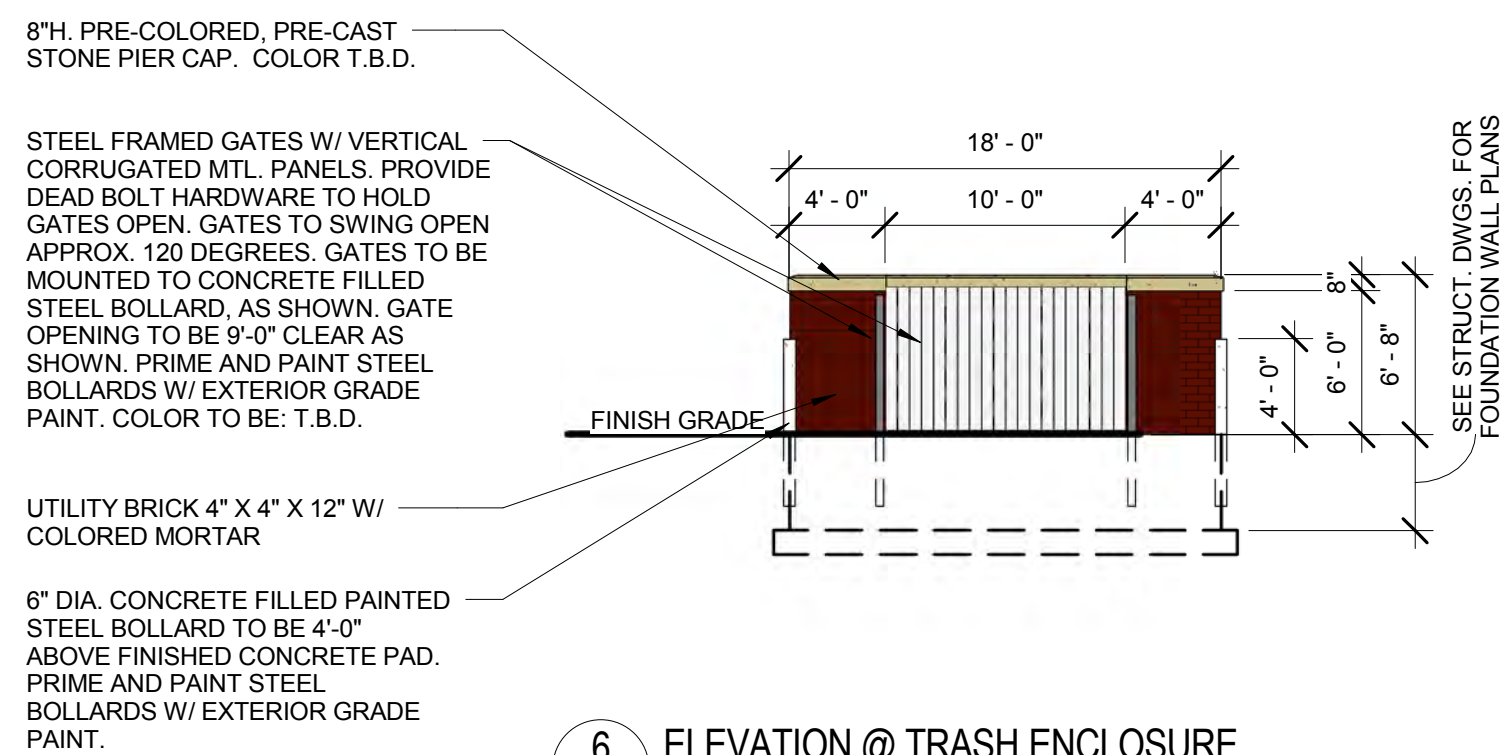
#### WAYZATA BOULEVARD:

- (801.09.4.1) BUILDING WIDTH DESIGN STRATEGIES
  - SPECIAL TREATMENT AT ENTRANCE
  - VARIATIONS IN ROOF LINES AND PARAPET DETAILING
  - BUILDING SETBACKS AND ARTICULATION OF THE FACADE
  - RHYTHM OF ELEMENTS (SYMMETRY)
- (801.09.5.1) UPPER STORY SETBACKS
  - 15' CORNER ELEMENTS RECESSED 4'-9" PLUS 4' ROOF OVERHANG = 8'-9".
  - 30'/120' = 25% OF FACADE LENGTH
- (801.09.6.2) ROOF MATERIALS
  - FLAT ROOF: ROOFING TO BE BALLASTED RUBBER MEMBRANE ROOF
- (801.09.7) SCREENING OF ROOFTOP EQUIPMENT
- (801.09.7.2)
  - MECHANICAL EQUIPMENT PARAPET IS 24"X36" = 864 S.F. = 11.5% OF ROOF AREA. (SEE ROOF PLAN). HEIGHT IS 35" (MAX. HEIGHT OF 30'+5' PARAPET ALLOWANCE).
- (801.09.8.4) FACADE TRANSPARENCY
  - FACADE TRANSPARENCY (GROUND LEVEL) (786 S.F. GLASS / 1,530 S.F. TOTAL SURFACE) 51%
- (801.09.9.1) GROUND LEVEL EXPRESSION
  - THE GROUND LEVEL IS DISTINGUISHED FROM SECOND LEVEL.
  - SOLDIER COURSE ACCENT BRICK CORNICE LINE @ 12'-0" A.F.F.
  - DIFFERENCE IN BUILDING MATERIALS
  - OFFSET IN FACADE AT STEP-BACK CORNERS
  - BRICK CORBELS / SOLDIER COURSES
- (801.09.10.1) ENTRIES
  - PRIMARY ENTRANCE ALONG WAYZATA BLVD. WITH LANDSCAPING (SEE LANDSCAPE PLAN)
- (801.09.11) BUILDING MATERIALS AND QUALITY
  - PRIMARY OPAQUE SURFACES
  - GLASS
  - BRICK - MODULAR
  - STONE
  - CAST STONE
- SIGNS
  - WALL SIGNS
  - NORTH ELEVATION: 100 S.F.
  - MONUMENT SIGN - 50 S.F.



5 ELEVATION @ MONUMENT SIGN  
PZ-2 1/8" = 1'-0"

| TOTAL SIGNAGE:                                                          |          |
|-------------------------------------------------------------------------|----------|
| MONUMENT SIGNAGE ALLOWED PER CITY OF WAYZATA WALL SIGNS W/ MAX. 60 S.F. |          |
| NORTH FACADE:                                                           |          |
| TENANT #1:                                                              | 50 S.F.  |
| TENANT #2:                                                              | 50 S.F.  |
| MONUMENT SIGN:                                                          | 50 S.F.  |
| TOTAL:                                                                  | 150 S.F. |



6 ELEVATION @ TRASH ENCLOSURE  
PZ-2 1/8" = 1'-0"



7001 France Avenue South, Suite 200, Edina, Minnesota 55435  
952-933-9020 Fax 952-933-9299  
www.bdhyoung.com

#### Project Information

WAYZATA SPECIALTY CENTER

1120 E. WAYZATA BLVD.

1120 EAST WAYZATA BLVD.  
WAYZATA



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A Y LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA

PATRICK J. GIORDANA  
Printed Name

Signature  
Date 09.15.2015 Lic # 21609

#### Issue Record

| No. | Date      | Description       |
|-----|-----------|-------------------|
|     | 9.15.2015 | PLANNING & ZONING |
|     |           |                   |
|     |           |                   |
|     |           |                   |
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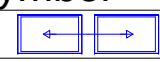
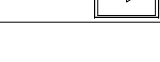
Sheet Title  
PRELIMINARY EXTERIOR ELEVATIONS

#### Sheet Information

Job Code A-DAVISWAYZATAMB  
Drawn By KF Reviewed By MWO

Date  
09.16.2015

PZ-2

| Luminaire Schedule                                                                |     |       |             |                   |       |                                                          |            |
|-----------------------------------------------------------------------------------|-----|-------|-------------|-------------------|-------|----------------------------------------------------------|------------|
| Symbol                                                                            | Qty | Label | Arrangement | Total Lamp Lumens | LLF   | Description                                              | Lum. Watts |
|  | 1   | AA2   | BACK-BACK   | N.A.              | 0.900 | GLEON-AE-04-LED-E1-5WQ, 2@180, MOUNT AT 25FT             | 213        |
|  | 2   | BB    | SINGLE      | N.A.              | 0.900 | GLEON-AE-04-LED-E1-T4FT MOUNT AT 25FT                    | 213        |
|  | 2   | XX2   | BACK-BACK   | 20500             | 0.720 | EXIST TWIN 250W MH MOUNTED ON 24FT POLE WITH 30IN BASE   | 250        |
|  | 1   | XX1   | SINGLE      | 20500             | 0.720 | EXIST SINGLE 250W MH MOUNTED ON 24FT POLE WITH 30IN BASE | 250        |

| Calculation Summary |             |       |      |     |     |         |         |
|---------------------|-------------|-------|------|-----|-----|---------|---------|
| Label               | CalcType    | Units | Avg  | Max | Min | Avg/Min | Max/Min |
| SITE GROUND         | Illuminance | Fc    | 1.41 | 5.9 | 0.0 | N.A.    | N.A.    |
| PAARKING LOT        | Illuminance | Fc    | 2.70 | 5.7 | 0.3 | 9.00    | 19.00   |

| Luminaire Location Summary |       |       |       |      |         |      |
|----------------------------|-------|-------|-------|------|---------|------|
| LumNo                      | Label | X     | Y     | Z    | Orient  | Tilt |
| 24                         | AA2   | 343.6 | 168.9 | 25   | 90      | 0    |
| 25                         | BB    | 286.5 | 265.4 | 25   | 293.942 | 0    |
| 27                         | XX2   | 428.1 | 166.8 | 26.5 | 0       | 0    |
| 28                         | XX2   | 528.3 | 168.8 | 26.5 | 0       | 0    |
| 29                         | XX1   | 466.1 | 360.6 | 26.5 | 270     | 0    |
| 31                         | BB    | 393   | 222.3 | 25   | 90      | 0    |

GENERAL NOTES:

A. PULSE PRODUCTS DOES NOT ASSUME RESPONSIBILITY FOR THE INTERPRETATION OF THIS CALCULATION OR COMPLAINT TO THE LOCAL, STATE, OR FEDERAL LIGHTNG CODES OR ORDINANCES.

B. LIGHTING LAYOUT IS NOT INTENDED FOR CONSTRUCTION DOCUMENTS BUT ONLY TO ILLUSTRATE THE PERFORMANCE OF THE PRODUCT.

C. ALL READINGS/CALCULATIONS SHOWN ARE SHOWN ON OBJECTS/SURFACES.



Plan View  
Scale: 1 inch= 30 Ft.



| #         | Date | Comments |
|-----------|------|----------|
|           |      |          |
|           |      |          |
|           |      |          |
| Revisions |      |          |

|                   |
|-------------------|
| Drawn By: SANDY   |
| Checked By: TRENT |
| Date: 7/29/2015   |
| Scale: AS NOTED   |

WAYZATA MEDICAL

## DESCRIPTION

674 Luminous Wall Sconce features horizontal trim bars with a vertical fin detail and is ADA compliant. Design options, such as perforated metal, colored acrylic, and different trim bar configurations are available.

# ARCHITECTURAL WALL SCONCE

|             |                                   |      |           |
|-------------|-----------------------------------|------|-----------|
| Catalog #   | 674-31-WP-L3/835-277 <sup>+</sup> | Type |           |
| Project     | Wayzata MOB                       | CC   |           |
| Comments    | Exterior wall sconce              | Date | 9-10-2015 |
| Prepared by | Trent Shore - Pulse               |      |           |

## SPECIFICATION FEATURES

**Material**

Painted solid aluminum with a matte white acrylic diffuser with a regressed aluminum perf shield. Wet location lamp and ballast housing with 1/8" clear acrylic diffuser.

**Finish**

Premium TGIC polyester powder coat paint, 2.5 mil nominal thickness for superior protection against fade and wear.  
Standard: Aluminum Paint (ALP).  
Premium: Black Paint (BK), Bronze Metallic Paint (BM), Dark Platinum Paint (DP), Gold Metallic Paint (GM), Graphite Metallic Paint (GRM), Grey Paint (GY), White Paint or Custom Color (CC).

**Optics**

Refer to [www.shaperlighting.com](http://www.shaperlighting.com) for complete photometrics.

**Ballast**

Integral electronic HPF multi-volt 120/277V (347V Canada), thermally protected with end-of-life circuitry to accommodate the specified lamp wattage.

**Lamp/Socket**

31": Two (2) 14W T5 linear miniature bi-pin fluorescent lamps.  
43": Two (2) 21W T5 linear miniature bi-pin fluorescent lamps.  
55": Two (2) 28W T5 linear miniature bi-pin fluorescent lamps.  
Fluorescent socket injection molded plastic. Lamps furnished by others.

**LED**

31" L3:2000 nominal lumens at max 19W  
43" L4:3000 nominal lumens at max 28W  
55" L5:4000 nominal lumens at max 37W

Long-life LED system coupled with electrical driver to deliver optimal performance. Electronic drivers are available for 120-277 applications. A 0-10V dimming control is available (Standard) on all models.

**Installation**

Supplied with a mounting back for a standard 4" J-box or stucco ring.

**Options**

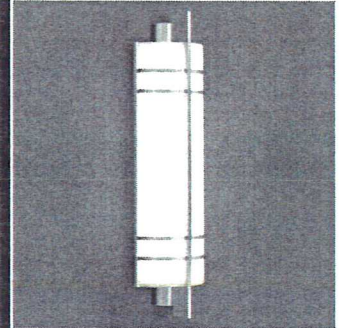
Modified Length - Contact factory, Alternative Trim Bars or Perf Accent Design - Contact factory, Green Glass Acrylic (GGA).

**Labels**

U.L. and C.U.L. listed for wet location. ADA compliant.

**Modifications**

Shaper's skilled craftspeople with their depth of experience offer the designer the flexibility to modify standard exterior wall luminaires for project specific solutions. Contact the factory regarding scale options, unique finishes, mounting, additional materials/colors, or decorative detailing.

**674-WP SERIES**

Exterior Wall Luminaire  
Luminous Sconce



Shaper Lighting certifies that its products satisfy the requirements of Section 1805 of the American Recovery and Reinvestment Act (also known as the ARRA Buy American provision).



AMERICAN  
DISABILITIES  
ACT (ADA)

Shaper offers a large selection of ADA interior and exterior wall luminaires. ADA requires all fixtures below 68" to have a maximum projection of 4".

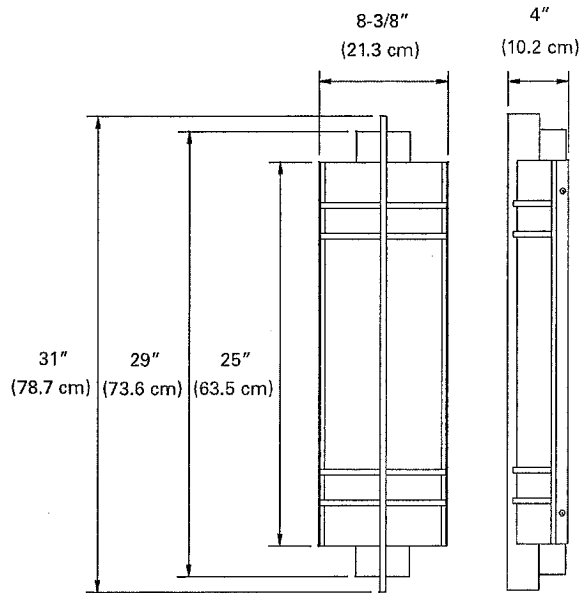
## ORDERING INFORMATION

Sample Number: 674-55-WP-T5/2/28-277V-ALP

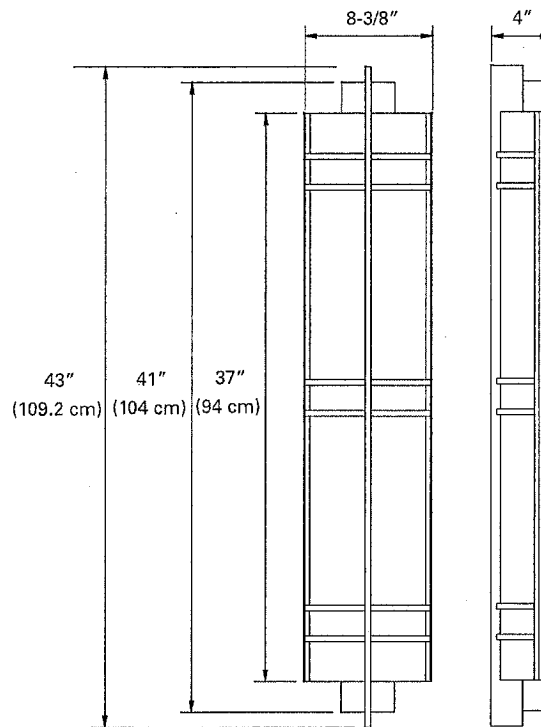
|                          |      |                  |                      |                   |                                                                                                                                                                                                                                                | Advise                    |  |
|--------------------------|------|------------------|----------------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|--|
| Series                   | Size | MountingType     | Lamp                 | Voltage           | Finish <sup>4</sup>                                                                                                                                                                                                                            | Options                   |  |
| 674 Luminous Wall Sconce | 31"  | WP Exterior Wall | T5/2/14 <sup>1</sup> | 120V              | <u>Standard</u><br>ALP = Aluminum Paint<br><u>Premium</u><br>BK = Black<br>BM = Bronze Metallic Paint<br>CC = Custom Color<br>DP = Dark Platinum Paint<br>GM = Gold Metallic Paint<br>GRM = Graphite Metallic Paint<br>GY = Grey<br>WH = White | GGA = Green Glass Acrylic |  |
|                          | 43"  |                  | T5/2/21 <sup>2</sup> | 277V              |                                                                                                                                                                                                                                                |                           |  |
|                          | 55"  |                  | T5/2/28 <sup>3</sup> | 347V <sup>5</sup> |                                                                                                                                                                                                                                                |                           |  |
|                          |      |                  | LED                  |                   |                                                                                                                                                                                                                                                |                           |  |
|                          |      |                  | L3/827 <sup>1</sup>  |                   |                                                                                                                                                                                                                                                |                           |  |
|                          |      |                  | L4/827 <sup>2</sup>  |                   |                                                                                                                                                                                                                                                |                           |  |
|                          |      |                  | L5/827 <sup>3</sup>  |                   |                                                                                                                                                                                                                                                |                           |  |
|                          |      |                  | L3/830 <sup>1</sup>  |                   |                                                                                                                                                                                                                                                |                           |  |
|                          |      |                  | L4/830 <sup>2</sup>  |                   |                                                                                                                                                                                                                                                |                           |  |
|                          |      |                  | L5/830 <sup>3</sup>  |                   |                                                                                                                                                                                                                                                |                           |  |
|                          |      |                  | L3/835 <sup>1</sup>  |                   |                                                                                                                                                                                                                                                |                           |  |
|                          |      |                  | L4/835 <sup>2</sup>  |                   |                                                                                                                                                                                                                                                |                           |  |
|                          |      |                  | L5/835 <sup>3</sup>  |                   |                                                                                                                                                                                                                                                |                           |  |
|                          |      |                  | L3/840 <sup>1</sup>  |                   |                                                                                                                                                                                                                                                |                           |  |
|                          |      |                  | L4/840 <sup>2</sup>  |                   |                                                                                                                                                                                                                                                |                           |  |
|                          |      |                  | L5/840 <sup>3</sup>  |                   |                                                                                                                                                                                                                                                |                           |  |

<sup>1</sup> Available in 31".<sup>2</sup> Available in 43".<sup>3</sup> Available in 55".<sup>4</sup> Premium TGIC polyester powder coat paint, 2.5 mil nominal thickness for superior protection against fade and wear.<sup>5</sup> For T5 lamping only

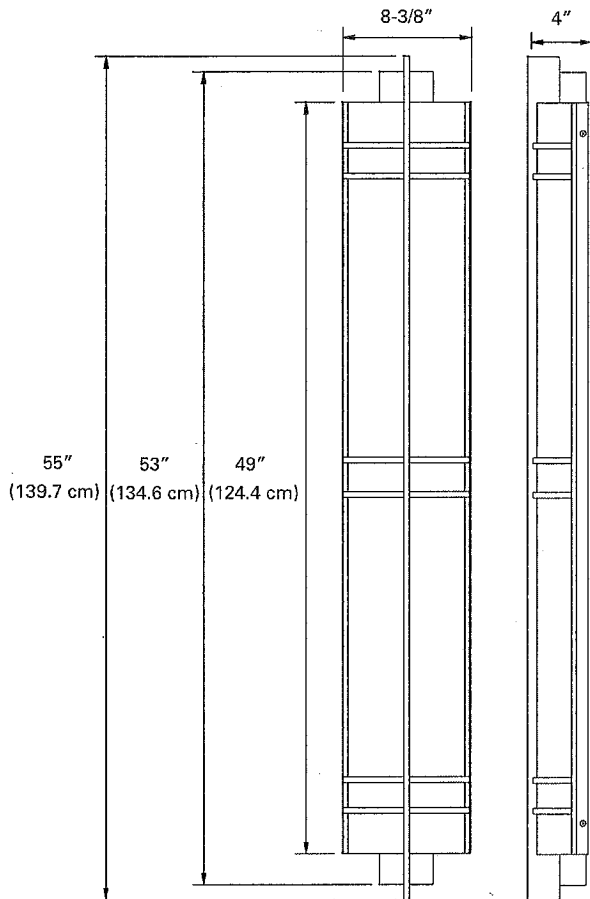
## MOUNTING TYPE



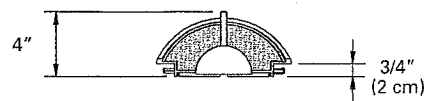
674-31-WP STANDARD



674-43-WP STANDARD



674-55-WP STANDARD



## DESCRIPTION

The Galleon™ LED luminaire delivers exceptional performance in a highly scalable, low-profile design. Patented, high-efficiency AccuLED Optics™ system provides uniform and energy conscious illumination to walkways, parking lots, roadways, building areas and security lighting applications. IP66 rated.

|             |                              |           |
|-------------|------------------------------|-----------|
| Catalog #   | GLEON-AE-04-LED-E1-5WQ-Color | Type      |
| Project     | Wayzata MOB                  | AA2       |
| Comments    | Site fixture - twin          | Date      |
| Prepared by | Trent Shore - Pulse          | 9-10-2015 |

## SPECIFICATION FEATURES

### Construction

Extruded aluminum driver enclosure thermally isolated from Light Squares for optimal thermal performance. Heavy-wall, die-cast aluminum end caps enclose housing and die-cast aluminum heat sinks. A unique, patent pending interlocking housing and heat sink provides scalability with superior structural rigidity. 3G vibration tested. Optional tool-less hardware available for ease of entry into electrical chamber. Housing is IP66 rated.

### Optics

Choice of 16 patented, high-efficiency AccuLED Optics. The optics are precisely designed to shape the distribution maximizing efficiency and application spacing. AccuLED Optics create consistent distributions with the scalability to meet customized application requirements. Offered standard in 4000K (+/- 275K) CCT and minimum 70 CRI. Optional 6000K CCT and 3000K CCT. For the ultimate level of spill light control, an optional house side shield accessory can be field or factory installed. The

house side shield is designed to seamlessly integrate with the SL2, SL3, SL4 or AFL optics.

### Electrical

LED drivers are mounted to removable tray assembly for ease of maintenance. 120-277V 50/60Hz, 347V 60Hz or 480V 60Hz operation. 480V is compatible for use with 480V Wye systems only. Standard with 0-10V dimming. Shipped standard with Eaton proprietary circuit module designed to withstand 10kV of transient line surge. The Galleon LED luminaire is suitable for operation in -40°C to 40°C ambient environments. For applications with ambient temperatures exceeding 40°C, specify the HA (High Ambient) option. Light Squares are IP66 rated. Greater than 90% lumen maintenance expected at 60,000 hours. Available in standard 1A drive current and optional 530mA and 700mA drive currents.

### Mounting

Extruded aluminum arm includes internal bolt guides allowing for easy positioning of fixture during

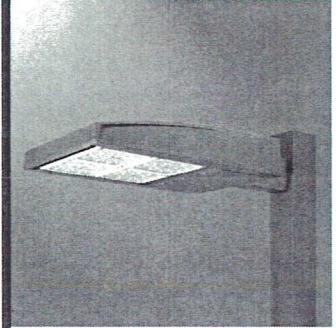
assembly. Designed for pole or wall mounting. When mounting two or more luminaires at 90° or 120° apart, the EA extended arm may be required. Refer to the arm mounting requirement table on page 3. Round pole top adapter included. For wall mounting, specify wall mount bracket option. 3G vibration rated.

### Finish

Housing finished in super durable TGIC polyester powder coat paint, 2.5 mil nominal thickness for superior protection against fade and wear. Heat sink is powder coated black. Standard colors include black, bronze, grey, white, dark platinum and graphite metallic. RAL and custom color matches available. Consult the McGraw-Edison Architectural Colors brochure for the complete selection.

### Warranty

Five-year warranty.



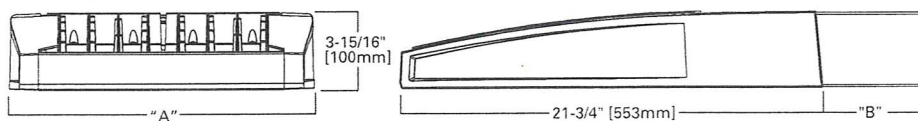
## GLEON GALLEON LED

1-10 Light Squares  
Solid State LED

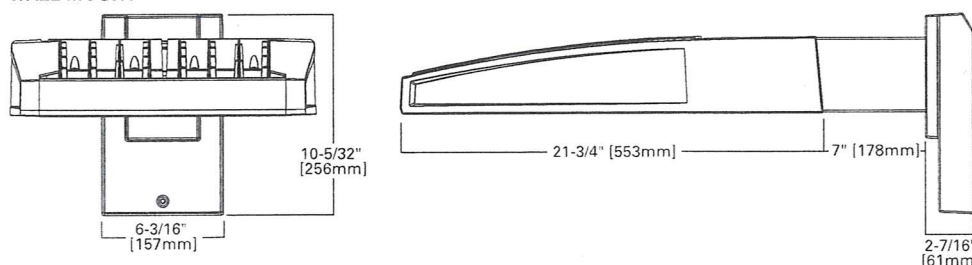
AREA/SITE LUMINAIRE

## DIMENSIONS

### POLE MOUNT



### WALL MOUNT



## DIMENSION DATA

| Number of Light Squares | "A" Width       | "B" Standard Arm Length | "B" Optional Arm Length <sup>1</sup> | Weight with Arm (lbs.) | EPA with Arm <sup>2</sup> (Sq. Ft.) |
|-------------------------|-----------------|-------------------------|--------------------------------------|------------------------|-------------------------------------|
| 1-4                     | 15-1/2" (394mm) | 7" (178mm)              | 10" (254mm)                          | 33 (15.0 kgs.)         | 0.96                                |
| 5-6                     | 21-5/8" (549mm) | 7" (178mm)              | 10" (254mm)                          | 44 (20.0 kgs.)         | 1.00                                |
| 7-8                     | 27-5/8" (702mm) | 7" (178mm)              | 13" (330mm)                          | 54 (24.5 kgs.)         | 1.07                                |
| 9-10                    | 33-3/4" (857mm) | 7" (178mm)              | 16" (406mm)                          | 63 (28.6 kgs.)         | 1.12                                |

NOTES: 1 Extended arm option may be required when mounting two or more fixtures per pole at 90° or 120°. Refer to arm mounting requirement table. 2 EPA calculated with optional arm length.

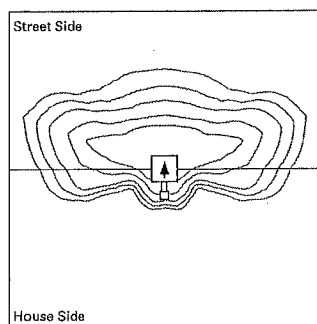


**CERTIFICATION DATA**  
UL/cUL Wet Location Listed  
ISO 9001  
LM79 / LM80 Compliant  
3G Vibration Rated  
IP66 Rated  
DesignLights Consortium® Qualified\*

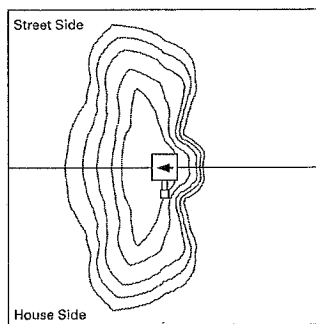
**ENERGY DATA**  
Electronic LED Driver  
>0.9 Power Factor  
<20% Total Harmonic Distortion  
120V-277V 50/60Hz  
347V & 480V 60Hz  
-40°C Min. Temperature  
40°C Max. Temperature  
50°C Max. Temperature (HA Option)



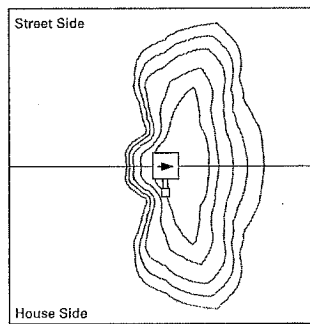
## OPTIC ORIENTATION



Standard

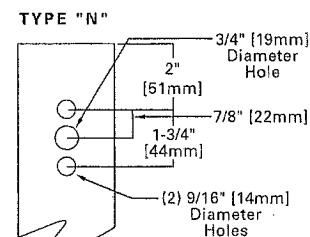


Optics Rotated Left @ 90° [L90]



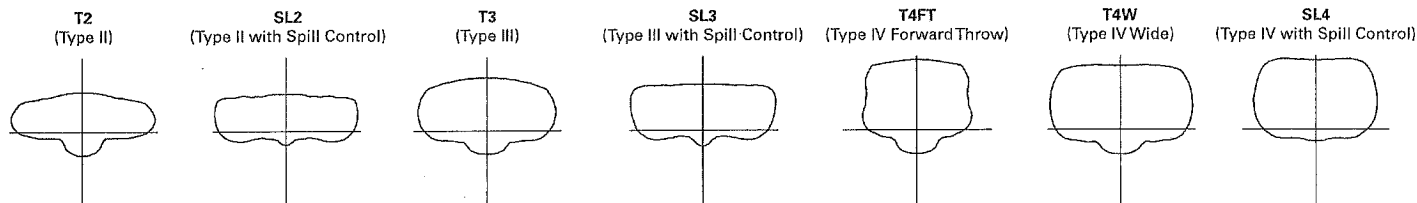
Optics Rotated Right @ 90° [R90]

## DRILLING PATTERN

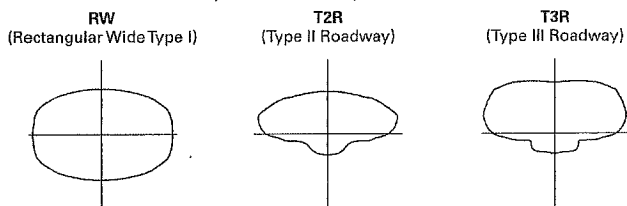


## OPTICAL DISTRIBUTIONS

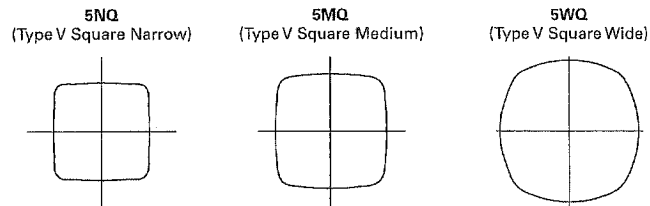
## Asymmetric Area Distributions



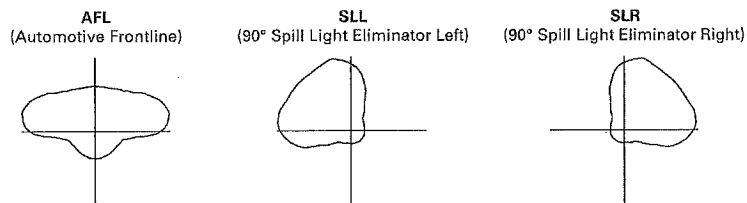
## Asymmetric Roadway Distributions



## Symmetric Distributions

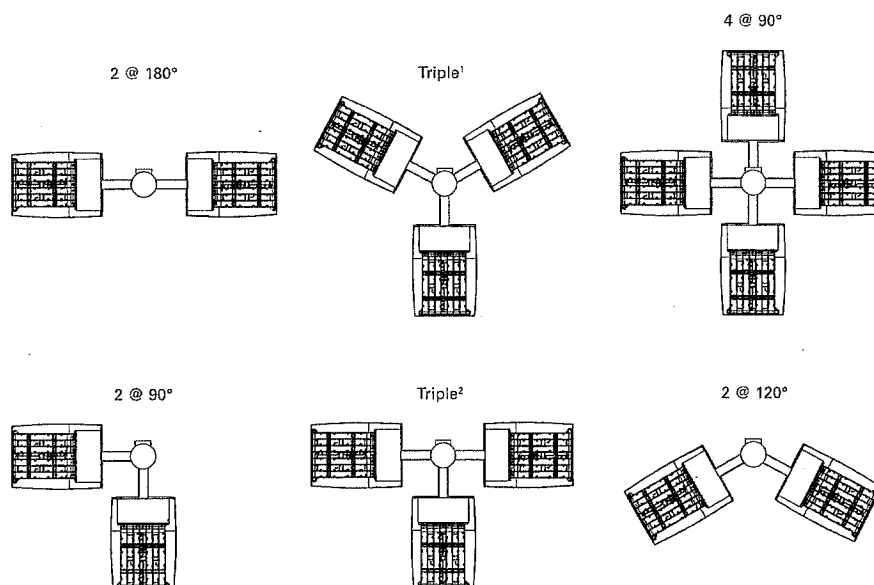


## Specialized Distributions



## ARM MOUNTING REQUIREMENTS

| Configuration | 90° Apart                   | 120° Apart                  |
|---------------|-----------------------------|-----------------------------|
| GLEON-AE-01   | 7" Arm (Standard)           | 7" Arm (Standard)           |
| GLEON-AE-02   | 7" Arm (Standard)           | 7" Arm (Standard)           |
| GLEON-AE-03   | 7" Arm (Standard)           | 7" Arm (Standard)           |
| GLEON-AE-04   | 7" Arm (Standard)           | 7" Arm (Standard)           |
| GLEON-AE-05   | 10" Extended Arm (Required) | 7" Arm (Standard)           |
| GLEON-AE-06   | 10" Extended Arm (Required) | 7" Arm (Standard)           |
| GLEON-AE-07   | 13" Extended Arm (Required) | 13" Extended Arm (Required) |
| GLEON-AE-08   | 13" Extended Arm (Required) | 13" Extended Arm (Required) |
| GLEON-AE-09   | 16" Extended Arm (Required) | 16" Extended Arm (Required) |
| GLEON-AE-10   | 16" Extended Arm (Required) | 16" Extended Arm (Required) |



NOTES: 1 Round poles are 3 @ 120° Square poles are 3 @ 90° 2 Round poles are 3 @ 90°.

## NOMINAL POWER AND LUMENS (1A)

| Number of Light Squares  |            | 1        | 2        | 3        | 4        | 5        | 6        | 7        | 8        | 9        | 10       |
|--------------------------|------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Drive Current            |            | 1A       | 1A       | 1A       | 1A       | 1A       | 1A       | 1A       | 1A       | 1A       | 1A       |
| Nominal Power (Watts)    |            | 56       | 107      | 157      | 213      | 264      | 315      | 370      | 421      | 475      | 528      |
| Input Current @ 120V (A) |            | 0.47     | 0.90     | 1.31     | 1.79     | 2.21     | 2.64     | 3.09     | 3.51     | 3.96     | 4.41     |
| Input Current @ 208V (A) |            | 0.28     | 0.51     | 0.74     | 1.02     | 1.25     | 1.48     | 1.76     | 1.99     | 2.22     | 2.50     |
| Input Current @ 240V (A) |            | 0.25     | 0.45     | 0.65     | 0.90     | 1.10     | 1.30     | 1.55     | 1.75     | 1.95     | 2.20     |
| Input Current @ 277V (A) |            | 0.23     | 0.41     | 0.59     | 0.82     | 1.00     | 1.18     | 1.41     | 1.59     | 1.77     | 2.00     |
| Optics                   |            |          |          |          |          |          |          |          |          |          |          |
| T2                       | Lumens     | 5,272    | 10,303   | 15,373   | 20,313   | 25,168   | 30,118   | 35,618   | 40,357   | 45,018   | 49,842   |
|                          | BUG Rating | B1-U0-G1 | B2-U0-G2 | B2-U0-G2 | B3-U0-G3 | B3-U0-G4 | B3-U0-G4 | B3-U0-G4 | B3-U0-G5 | B4-U0-G5 | B4-U0-G5 |
| T2R                      | Lumens     | 5,597    | 10,938   | 16,321   | 21,565   | 26,719   | 31,974   | 37,813   | 42,844   | 47,792   | 52,914   |
|                          | BUG Rating | B1-U0-G1 | B2-U0-G2 | B2-U0-G2 | B3-U0-G3 | B3-U0-G3 | B3-U0-G4 | B3-U0-G4 | B3-U0-G4 | B4-U0-G4 | B4-U0-G5 |
| T3                       | Lumens     | 5,374    | 10,501   | 15,669   | 20,704   | 25,652   | 30,697   | 36,303   | 41,134   | 45,884   | 50,802   |
|                          | BUG Rating | B1-U0-G2 | B2-U0-G2 | B2-U0-G3 | B3-U0-G3 | B3-U0-G4 | B3-U0-G4 | B3-U0-G5 | B3-U0-G5 | B4-U0-G5 | B4-U0-G5 |
| T3R                      | Lumens     | 5,493    | 10,735   | 16,017   | 21,164   | 26,222   | 31,379   | 37,110   | 42,048   | 46,904   | 51,930   |
|                          | BUG Rating | B1-U0-G2 | B1-U0-G2 | B2-U0-G3 | B2-U0-G4 | B3-U0-G4 | B3-U0-G4 | B3-U0-G5 | B3-U0-G5 | B3-U0-G5 | B3-U0-G5 |
| T4FT                     | Lumens     | 5,405    | 10,562   | 15,760   | 20,824   | 25,801   | 30,875   | 36,514   | 41,372   | 46,150   | 51,096   |
|                          | BUG Rating | B1-U0-G2 | B2-U0-G2 | B2-U0-G3 | B3-U0-G4 | B3-U0-G4 | B3-U0-G5 | B3-U0-G5 | B3-U0-G5 | B3-U0-G5 | B3-U0-G5 |
| T4W                      | Lumens     | 5,335    | 10,426   | 15,556   | 20,555   | 25,468   | 30,476   | 36,042   | 40,838   | 45,554   | 50,436   |
|                          | BUG Rating | B1-U0-G2 | B2-U0-G2 | B2-U0-G3 | B3-U0-G4 | B3-U0-G4 | B3-U0-G5 | B3-U0-G5 | B4-U0-G5 | B4-U0-G5 | B4-U0-G5 |
| SL2                      | Lumens     | 5,263    | 10,285   | 15,347   | 20,278   | 25,124   | 30,066   | 35,556   | 40,288   | 44,940   | 49,756   |
|                          | BUG Rating | B1-U0-G2 | B2-U0-G2 | B2-U0-G3 | B3-U0-G3 | B3-U0-G4 | B3-U0-G4 | B3-U0-G5 | B3-U0-G5 | B4-U0-G5 | B4-U0-G5 |
| SL3                      | Lumens     | 5,373    | 10,500   | 15,667   | 20,701   | 25,649   | 30,693   | 36,298   | 41,128   | 45,878   | 50,794   |
|                          | BUG Rating | B1-U0-G2 | B2-U0-G3 | B2-U0-G3 | B3-U0-G4 | B3-U0-G4 | B3-U0-G4 | B3-U0-G5 | B3-U0-G5 | B3-U0-G5 | B3-U0-G5 |
| SL4                      | Lumens     | 5,105    | 9,976    | 14,886   | 19,669   | 24,370   | 29,163   | 34,488   | 39,078   | 43,591   | 48,262   |
|                          | BUG Rating | B1-U0-G2 | B1-U0-G3 | B1-U0-G3 | B2-U0-G4 | B2-U0-G4 | B2-U0-G5 | B3-U0-G5 | B3-U0-G5 | B3-U0-G5 | B3-U0-G5 |
| 5NQ                      | Lumens     | 5,542    | 10,830   | 16,160   | 21,352   | 26,455   | 31,658   | 37,439   | 42,421   | 47,320   | 52,392   |
|                          | BUG Rating | B2-U0-G1 | B3-U0-G1 | B3-U0-G2 | B4-U0-G2 | B4-U0-G2 | B5-U0-G2 | B5-U0-G3 | B5-U0-G3 | B5-U0-G3 | B5-U0-G4 |
| 5MQ                      | Lumens     | 5,644    | 11,029   | 16,457   | 21,745   | 26,942   | 32,241   | 38,128   | 43,202   | 48,191   | 53,356   |
|                          | BUG Rating | B3-U0-G1 | B4-U0-G2 | B4-U0-G2 | B5-U0-G3 | B5-U0-G3 | B5-U0-G4 | B5-U0-G4 | B5-U0-G4 | B5-U0-G4 | B5-U0-G5 |
| 5WQ                      | Lumens     | 5,659    | 11,059   | 16,501   | 21,803   | 27,014   | 32,327   | 38,230   | 43,317   | 48,320   | 53,498   |
|                          | BUG Rating | B3-U0-G1 | B4-U0-G2 | B4-U0-G2 | B5-U0-G3 | B5-U0-G4 | B5-U0-G4 | B5-U0-G4 | B5-U0-G5 | B5-U0-G5 | B5-U0-G5 |
| SLL/SLR                  | Lumens     | 4,722    | 9,227    | 13,767   | 18,191   | 22,539   | 26,971   | 31,897   | 36,141   | 40,315   | 44,635   |
|                          | BUG Rating | B1-U0-G2 | B1-U0-G3 | B2-U0-G3 | B2-U0-G3 | B3-U0-G4 | B3-U0-G4 | B3-U0-G5 | B3-U0-G5 | B3-U0-G5 | B3-U0-G5 |
| RW                       | Lumens     | 5,492    | 10,732   | 16,014   | 21,159   | 26,216   | 31,372   | 37,101   | 42,038   | 46,893   | 51,918   |
|                          | BUG Rating | B2-U0-G1 | B3-U0-G1 | B4-U0-G2 | B4-U0-G2 | B4-U0-G2 | B5-U0-G3 | B5-U0-G3 | B5-U0-G3 | B5-U0-G4 | B5-U0-G4 |
| AFL                      | Lumens     | 5,512    | 10,771   | 16,072   | 21,236   | 26,311   | 31,486   | 37,236   | 42,191   | 47,063   | 52,107   |
|                          | BUG Rating | B1-U0-G1 | B1-U0-G1 | B2-U0-G2 | B2-U0-G2 | B3-U0-G3 | B3-U0-G3 | B3-U0-G3 | B3-U0-G3 | B3-U0-G3 | B3-U0-G4 |

\* Nominal data for 4000K CCT.

## LUMEN MULTIPLIER

| Ambient Temperature | Lumen Multiplier |
|---------------------|------------------|
| 0°C                 | 1.02             |
| 10°C                | 1.01             |
| 25°C                | 1.00             |
| 40°C                | 0.99             |
| 50°C                | 0.97             |

## LUMEN MAINTENANCE

| Ambient Temperature | TM-21 Lumen Maintenance (60,000 Hours) | Theoretical L70 (Hours) |
|---------------------|----------------------------------------|-------------------------|
| 25°C                | > 94%                                  | > 350,000               |
| 40°C                | > 93%                                  | > 250,000               |
| 50°C*               | > 90%                                  | > 170,000               |

\* 50°C lumen maintenance data applies to 530mA and 700mA drive currents.

**1120 Wayzata Blvd E. – David Group Medical Specialty Center**  
**Design Critique (Revised Based on 09/15/2015 Submittals)**  
**October 5, 2015**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Comments                                                                                                                                                                                                                                                                                                                                                                    | Compliance |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>Building Recesses</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                             |            |
| <u>801.09.3.1.A – All Districts</u><br>Building facades shall be articulated through the use of pilasters and/or recesses that create visible shadow lines and dimensions especially on the street level                                                                                                                                                                                                                                                                                                                                                                                              | The proposed buildings utilize recesses and changes in materials to break up the façade.                                                                                                                                                                                                                                                                                    | Yes.       |
| <u>801.09.3.1.B</u><br>Street level landscaped courtyards, outdoor seating areas and gathering areas shall be incorporated into building and site plan design.                                                                                                                                                                                                                                                                                                                                                                                                                                        | The Project proposes landscaping around the exterior of the development and in driveway islands. In addition, the Project includes a bench along the sidewalk leading to the Wayzata Blvd entrance.                                                                                                                                                                         | Yes.       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                             |            |
| <b>Building Width</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                             |            |
| <u>801.09.4.1 All Districts – New Buildings</u><br>In order to reduce the scale of longer façades and to eliminate the long horizontal expressions of buildings, divisions or breaks in materials shall be included and at least three of the following design strategies shall be incorporated into the design: <ol style="list-style-type: none"> <li>1. Window bays</li> <li>2. Special treatment at entrances</li> <li>3. Variations in roof lines or parapet detailing</li> <li>4. Awnings</li> <li>5. Building setbacks or articulation of the facade</li> <li>6. Rhythm of elements</li> </ol> | The Project incorporates the following items: <ol style="list-style-type: none"> <li>1. Rhythm of elements.</li> <li>2. Articulations of the façade, between stone and brick elements</li> <li>3. Special treatment at the north entrances with the parapet element.</li> </ol> The Project includes awnings, but the do not comply with the materials allowed for awnings. | Yes        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                             |            |

| <b>Upper Story Setbacks</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| <p><b>801.09.5.1.A – All Districts – New Buildings</b></p> <p>Building height shall conform to the height of the applicable zoning district. Where three (3) story buildings are permitted, the third (3<sup>rd</sup>) story must be recessed from all façades fronting public right of ways at least a distance equal to the vertical distance of the 3<sup>rd</sup> story height from the second (2<sup>nd</sup>) floor footprint, or an average of ten (10) feet across the facade, but no portion of the 3<sup>rd</sup> story structure shall be closer than six (6) feet to the 2<sup>nd</sup> story façade. The 3<sup>rd</sup> story façade shall be designed with railings, pillars, dimensional windows, building recesses or other similar design techniques to break up the 3<sup>rd</sup> story façade.</p> | <p>This section is not applicable as the David Group building are one story structures.</p>                                                                                                                                                                                                                                                                                                                                                              | <p>Not Applicable.</p> |
| <p><b>801.09.5.1.B – All Districts – New Buildings</b></p> <p>The façades fronting public right-of-ways of every two and three story building, longer than sixty (60) feet, must have a recessed second story of approximately twenty-five percent (25%) of the façade's length, setting back a minimum of six (6) feet from the face of the first floor façade. The required third floor setback must follow the frontal plane of the second story setback.</p>                                                                                                                                                                                                                                                                                                                                                       | <p>The building does have recesses for 25% of the second story, but those recesses are only five (5) feet depth instead of the require six (6) feet.</p>                                                                                                                                                                                                                                                                                                 | <p>No</p>              |
| <p><b>801.09.5.1.C – All Districts – New Buildings</b></p> <p>Wintertime sun orientation, solar access, and views of Lake Minnetonka are significant issues within the Design Districts. Building height should not negatively and significantly impact neighboring properties.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>The building height of the building is 26 ft to the top of the flat roof and has a series of parapets that extend up to 35 feet in height. The setback from Heritage Park is only 10 feet and the setback from the apartment property is 25 feet, half of the required 50 foot setback. Due to the minor setback distances to adjacent properties, the Planning Commission should determine if there is a negative impact due to building height.</p> | <p>Evaluate.</p>       |

|                                                                                                                                                                                                                                                                                                                                                                                                                         |  |                                                                                                                                          |  |                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------|
| <b>Roof Design</b>                                                                                                                                                                                                                                                                                                                                                                                                      |  |                                                                                                                                          |  |                 |
| <u>801.09.6.1 – All Districts</u><br>“Green” roofs, roof garden terraces, arbors and other similar structures are encouraged on roofs of building.                                                                                                                                                                                                                                                                      |  | The project does not include a green roof structure.                                                                                     |  | Not Applicable. |
| <u>801.09.6.2.A – All Districts – Roof Materials</u><br>The roof material for all sloped roofs in all districts shall be slate, untreated copper, pre-finished metal, cedar shake or asphalt shingle in dark colors.<br><br><u>801.09.6.2.B – All Districts – Roof Materials</u><br>The roof material for all flat roofs in all districts shall be treated synthetic membrane or other similar material in dark colors. |  | The proposed roof material for the flat roof will be a ballasted rubber membrane material.<br><br>The color of the roof is not provided. |  | Yes.            |
| <b>Screening of Rooftop Equipment</b>                                                                                                                                                                                                                                                                                                                                                                                   |  |                                                                                                                                          |  |                 |
| <u>801.09.7.2 – Wayzata Blvd District</u><br>All mechanical equipment shall be completely screened behind a parapet wall, so as not to be visible from adjacent properties and pedestrian view vantage points from adjacent sidewalks. No enclosure shall be larger than 25% of the roof area.                                                                                                                          |  | The mechanical equipment will be located on the roof deck and screened behind the parapet wall.                                          |  | Yes.            |

|                                                                                                                                                                                                                                                                                                                                                                                                                         | Comments                                                                                                                                                              | Compliance |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>Facade Transparency</b>                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                       |            |
| <u>801.09.8.4 – Wayzata Blvd District</u><br>No less than fifty percent (50%) of ground level façades for buildings containing commercial or office uses fronting Wayzata Blvd shall be transparent glass.                                                                                                                                                                                                              | The building has windows occupying 50% of the Wayzata Blvd ground floor and 35% of the total Wayzata Blvd façade.                                                     | Yes.       |
|                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                       |            |
| <b>Ground Level Expression</b>                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                       |            |
| <u>801.09.9.1 – All Districts</u><br>In multi-story buildings, the ground floor shall be distinguished from the floors above by the use of at least three of the following elements:<br><br>1. An intermediate cornice line<br>2. A difference in building materials or detailing<br>3. An offset in the façade<br>4. An awning, trellis, or loggia<br>5. Arcade<br>6. Special window lintels<br>7. Brick/stone corbels | The Project includes the following items:<br><br>1. Intermediate cornice line.<br>2. A difference in building materials and detailing.<br>3. An offset in the façade. | Yes.       |
|                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                       |            |
| <b>Entries</b>                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                       |            |
| <u>801.09.10.1 – All Districts</u><br>The front facade of all buildings shall be landscaped with window boxes or planters with seasonally appropriate plantings. The main entries shall face the primary street at sidewalk grade.                                                                                                                                                                                      | The building will have a landscape islands at the front façade of the building.<br><br>There are no seasonal landscaping boxes at the entries.                        | Evaluate.  |
|                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                       |            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| <p><u>801.09.11.1.A – Primary Opaque Surfaces – All Districts</u><br/> Other than the accent materials listed in 801.09.11.G, ninety percent (90%) of the non-glass surfaces of each elevation of the exterior building façade shall be composed of one or more of the following materials:</p> <ol style="list-style-type: none"> <li>1. Brick</li> <li>2. Stone</li> <li>3. Cast stone</li> <li>4. Factory finished and certified wood, including, but not limited to: <ol style="list-style-type: none"> <li>a. Wood shingles (cedar shingles six (6) inch maximum exposure)</li> <li>b. Lap-siding (six (6) inch maximum width)</li> </ol> </li> <li>5. Stucco</li> <li>6. Brick</li> <li>7. Stone</li> <li>8. Cast stone</li> <li>9. Factory finished and certified wood, including, but not limited to: <ol style="list-style-type: none"> <li>a. Wood shingles (cedar shingles six (6) inch maximum exposure)</li> <li>b. Lap-siding (six (6) inch maximum width)</li> </ol> </li> <li>10. Stucco</li> </ol> | <p>The building is primarily of brick, stone, metal, and glass with the following percentages:</p> <p>North Elevation:<br/> Glass: 35%<br/> Utility Brick: 34%<br/> Metal: 5%<br/> Accent Brick/Stone: 34%<br/> Cast Sills/Soldier Course: 8%</p> <p>East Elevation:<br/> Glass: 33%<br/> Utility Brick: 23%<br/> Metal: 8%<br/> Accent Brick/Stone: 31%<br/> Cast Sills/Soldier Course: 5%</p> <p>South Elevation:<br/> Glass: 28%<br/> Utility Brick: 32%<br/> Metal: 5%<br/> Accent Brick/Stone: 29%<br/> Cast Sills/Soldier Course: 6%</p> <p>West Elevation:<br/> Glass: 34%<br/> Utility Brick: 29%<br/> Metal: 6%<br/> Accent Brick/Stone: 21%<br/> Cast Sills/Soldier Course: 10%</p> | <p>Yes.</p>      |
| <p><u>801.09.11.1.B – Façade Coverage – All Districts</u><br/> The primary opaque surface materials of all free standing buildings must be the same on all facades of the building.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>Brick, stone, and metal are included on all four sides of medical building, but only utility brick is used on the trash enclosure.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>Evaluate.</p> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                         |      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|------|
| <u>801.09.11.1.C – Type of Brick – All Districts</u><br>On all facades of a free-standing building where brick is used, full course modular, Roman, Norman or other standard size brick must be used.                                                                                                                                                                                                                                                                                            | The brick will be full course brick of a standard size. | Yes. |
| <u>801.09.11.1.D – Façade Detail – All Districts</u><br>1. Brick and/or stone façades shall be well detailed and dimensionally designed in order to avoid fractional cuts and odd pieces. All outside brick corners must be full bricks (custom if necessary), with no mitering, forming continuous vertical joints.<br><br>2. The narrow face of an exposed stone butt joint, at corners, must be a minimum dimension of two (2) inches. Mitered and quirked stone corners are also acceptable. | This is a condition of approval.                        | Yes. |
| <u>801.09.11.1.E – Brick Joints – All Districts</u><br>1. The mortar for brick must be dark grey or in the color range of the brick. All joints must be concave or 'v' joint. No mortar may be used beyond the face of the brick.<br><br>2. All brick walls must be built to avoid efflorescence                                                                                                                                                                                                 | This is a condition of approval.                        | Yes. |
| <u>801.09.11.1.F – Stone Joints – All Districts</u><br>Stone joints shall be no larger than one-fourth (1/4) inch.                                                                                                                                                                                                                                                                                                                                                                               | This is a condition of approval.                        | Yes. |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                           |             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-------------|
| <p><u>801.09.11.1.G – Accent Materials – All Districts</u><br/> Only the following materials may be used for lintels, sills, cornices, bases, and decorative accent trims, and must be no more than 10 percent (10%) of the non-glass surfaces of each elevation of the exterior building façade:</p> <ol style="list-style-type: none"> <li>1. Stone</li> <li>2. Cast stone</li> <li>3. Copper (untreated)</li> <li>4. Rock faced stone</li> <li>5. Aluminum or painted steel structural shapes</li> <li>6. Fiber cement board</li> <li>7. Premium grade wood trim with mitered outside corners. Examples of premium grade wood are cedar, redwood, and fir.</li> <li>8. EIFS</li> </ol> | <p>Metal is utilized for less than 10% of the façade on the building.</p> | <p>Yes.</p> |
| <p><u>801.09.11.1.H - Parapets, Flashing, Coping – All Districts</u></p> <ol style="list-style-type: none"> <li>1. Only the following materials may be used for parapets, flashing and coping: <ol style="list-style-type: none"> <li>a. copper (untreated)</li> <li>b. brick</li> <li>c. stone</li> <li>d. cast stone</li> <li>e. premium grade wood.</li> </ol> </li> <li>2. Pre-finished, painted .032 aluminum may only be used as a standard parapet coping with a maximum exposed edge of five (5) inches.</li> </ol>                                                                                                                                                               | <p>This is a condition of approval.</p>                                   | <p>Yes.</p> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                       |                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| <p><u>801.09.11.1.I – Awnings – All Districts</u><br/> 1. Only the following types of awnings may be used:</p> <ul style="list-style-type: none"> <li>a. Fabric awnings of a heavy canvas in dark solid colors or other colors that are approved as part of the design review process</li> <li>b. Highly detailed, ornate metal in dark colors</li> <li>c. Glass awnings</li> </ul> <p>2. Backlit awnings are prohibited.</p> <p>3. Awnings with text or graphic material may be permitted but require approval via the sign permit process of the Zoning Ordinance.</p> | <p>Metal composite wall panel, which is not an allowed material, but the applicant is not requesting the awnings to be counted as one of the three breaks required in 801.09.4.1.</p> | <p>Evaluate.</p>       |
| <p><u>801.09.11.1.J – Balconies – All Districts</u><br/> Balconies shall be accessible and useable by persons. Fake or unusable balconies are prohibited. All balconies shall remain within the property line. Metal railings with members painted dark, or glass panels are permitted.</p>                                                                                                                                                                                                                                                                              | <p>This section is not applicable, as there are no balconies proposed.</p>                                                                                                            | <p>Not Applicable.</p> |
| <p><u>801.09.11.1.K – Glass – All Districts</u><br/> Glass shall not be mirrored, reflective or darkened. Slight green, bronze and grey tints are acceptable. Spandrel glass shall not be counted as transparent glass for the purposes of calculations under the transparency requirements of Section 801.09.8 of the Standards, but may be used for detailing purposes. Environmentally appropriate glass, such as Low-emissivity glass, shall be used in all projects</p>                                                                                             | <p>The glass shall meet the standards of the ordinance.</p>                                                                                                                           | <p>Yes.</p>            |
| <p><u>801.09.11.1.L – Doors – All Districts</u><br/> Unless there are building security concerns, main entry doors shall be primarily glass. If, for security reasons, a main entry door is not possible or practical, a main entry door must be well detailed. Appropriately designed wood doors may be utilized for retail and office buildings.</p>                                                                                                                                                                                                                   | <p>The proposed entry doors will be glass.</p>                                                                                                                                        | <p>Yes.</p>            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Comments                                                                                                                               | Compliance      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| <b>Franchise Architecture</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                        |                 |
| 801.09.12.1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                        |                 |
| <p>A. Typical or standardized franchise architecture (including building design that is the trade dress of, or identified with a particular chain, franchise or business and is repetitive in nature) is prohibited.</p> <p>B. Large, bold or bright signage, trade dress or logos must be altered and scaled down to meet the purpose of these standards as articulated herein, and must not be repeated on the facades of the principal structure more than once. All new, altered and/or proposed signage for buildings must be submitted for review under Section 801.09.18 by the Planning Commission at the time of Design Standards Review application</p> | The building will not be a franchise.                                                                                                  | Not Applicable. |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                        |                 |
| <b>Walkways</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                        |                 |
| <p>801.09.13.2 – Bluff District</p> <p>A. Continuous sidewalks at least five (5) feet in width shall be provided along all public street frontages. The sidewalk street grid shall be maintained and extended wherever possible.</p> <p>B. Where the sidewalk street grid is interrupted by steep slopes or other topographic variations, walkways or stairways shall be built to maintain pedestrian continuity.</p>                                                                                                                                                                                                                                             | Sidewalks exist on Wayzata Blvd adjacent to the Project. The Applicant is proposing to install sidewalks to connect with Wayzata Blvd. | Yes.            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                        |                 |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Comments                                                                                                                                                                                                                                                                                                                 | Compliance |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>Landscaping</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                          |            |
| <u>801.09.14.1 – All Districts</u><br>A. Seasonal landscaping shall be used in all Design Districts, including use of window boxes, hanging flowers baskets, vines and/or other similar seasonal landscaping. If feasible, garden areas and ornamental trees shall be used at the street level.<br><br>B. Window boxes, hanging baskets and planters with seasonally appropriate plantings shall be used around entries to buildings.<br><br>C. Vines shall be used to cover walls with more than one hundred (100) square feet of uninterrupted surface area.<br><br>D. Streetscaping shall include all of the following:<br>1. Boulevard species trees, with at least three (3) caliper inches.<br>2. Exposed aggregate sidewalks with brick accents<br>3. Street lights<br>4. Benches (if building length is 50 feet or greater), which utilize existing city bench designs.<br>5. Flowers | <p>The Applicant has proposed a mixture of trees and shrub around the perimeter of both of the new buildings. A landscape plan is included with the Applicant submittal materials.</p> <p>No window boxes or hanging baskets are proposed.</p> <p>The Applicant has proposed a bench near the Wayzata Blvd entrance.</p> | Evaluate.  |
| <u>801.09.14.3 – Bluff and Wayzata Blvd Districts</u><br>Trees with a minimum of three (3) caliper inches shall be planted no more than twenty-six (26) feet apart within a landscaped boulevard.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | The Applicant is proposing to install 1.5 inch japanese tree lilacs.                                                                                                                                                                                                                                                     | Evaluate.  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                          |            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                          |            |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                          |            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Comments                                                                                                                | Compliance |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|------------|
| <b>Parking Lot Landscaping</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                         |            |
| <p><u>801.09.15.1 – All Districts</u><br/> A landscaped buffer strip at least five (5) feet wide shall be provided between all parking areas and the sidewalk or street. The buffer strip shall consist of shade trees appropriately spaced for the particular Design District, and a decorative metal fence, masonry wall or hedge. A solid wall or dense hedge shall be no less than three (3) feet and no more than four (4) feet in height.</p>                                                                                                                                                                                                                                                                                                                                                           | The project proposes an approximately 12 ft landscaped buffer of shrubbery between Wayzata Blvd and the parking lot.    | Yes.       |
| <b>Surface Parking</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                         |            |
| <p><u>801.09.16.1 – All Districts</u><br/> A. Off-street parking shall be located to the rear of buildings. When parking must be located in a side yard adjacent to the street, a landscaped buffer shall be provided in accordance with the Design Standards. The street frontage occupied by parking shall not exceed sixty (60) feet per property.<br/><br/> B. Side-by-side parking lots creating a parking area frontage longer than sixty (60) feet are prohibited, except where a heavily landscaped buffer of at least twenty (20) feet wide completely separates both lots.<br/><br/> C. Side yard parking shall not extend beyond the front yard setback of the primary building on the property.<br/><br/> D. Front yard parking is prohibited.<br/><br/> E. There shall be no corner parking.</p> | The proposed parking area is in the interior (rear) and side of the site, away from the public facades on Wayzata Blvd. | Yes.       |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  | <b>Comments</b>                                                                             | <b>Compliance</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------|-------------------|
| <b>801.09.16.2 – All Districts – Bicycle Parking</b><br>Commercial developments requiring more than twenty (20) parking spaces shall provide at least four (4) bicycle parking spaces in a convenient, visible, preferably sheltered location.                                                                                                                                                                                                                                                                                                                                                                                                                |  | The Applicant proposes a bicycle rack to the south of the building adjacent to the parking. | Yes.              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |                                                                                             |                   |
| <b>Parking Structures</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |                                                                                             |                   |
| <b>801.09.17.1 – All Districts</b><br>Parking structures shall meet the following standards, along with all other applicable building code standards:<br><br>A. The ground floor façade abutting any public street or walkway shall be architecturally compatible with surrounding commercial or office buildings.<br><br>B. The parking structure shall be designed in such a way that sloped floors do not dominate the appearance of the façade.<br><br>C. Windows or openings shall be similar to those of surrounding buildings.<br><br>D. Vines and other significant landscaping shall be used to minimize the visual impact of the parking structure. |  | This section is not applicable, as there is no parking ramp associated with the request.    | Not Applicable.   |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Comments                                                                                                                                                                                                                                                     | Compliance |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>Signs</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                              |            |
| <u>801.09.18.1 – All Districts</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                              |            |
| <p>A. Compatibility</p> <ol style="list-style-type: none"> <li>1. Signs shall be architecturally compatible with the style, composition, materials, colors and details of the building, and with other signs on nearby buildings. Signs shall be an integral part of the building and site design.</li> <li>2. A sign plan shall be developed for buildings which house more than one (1) business. Signs need not match, but shall be compatible with one another. Franchise or national chains must comply with these Sign Standards to create signs compatible with their context.</li> <li>3. When illuminated signs are proposed, only the text and/or logo portion of the sign may be illuminated. Illuminated signs must be compatible with the location. Illumination of the sign to highlight architectural details is permitted. Fixtures shall be small, shielded, and directed towards the sign rather than toward the street, so as to minimize glare for pedestrians and adjacent properties.</li> <li>4. Sign plans must be submitted for review as part of an Applicant for Design Approval. Proposed signs must also conform to the requirements of Section 801.27 of the Wayzata Zoning Ordinance.</li> </ol> | <p>The building proposes the following signage:</p> <p>North Elevation:</p> <ul style="list-style-type: none"> <li>- Two tenant signs of 50 SF each</li> </ul> <p>Monument Sign:</p> <ul style="list-style-type: none"> <li>- Cabinet sign: 50 SF</li> </ul> | Yes.       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                              |            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Comments                                                                        | Compliance |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|------------|
| <b>Parking Lot and Building Lighting</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                 |            |
| <u>801.09.19.1 – All Districts</u><br>A. Parking lot lighting shall be designed in such a way as to be in scale with its surroundings, and reduce glare.<br>B. Cutoff fixtures shall be located below the mature height of trees located in parking lot islands so as to minimize ambient glow and light pollution.<br>C. Pedestrian-scale lighting, not exceeding thirteen (13) feet in height, shall be located on walkways and adjacent to store entrances. All sidewalk lighting must be projected downwards. City light standard shall be followed for all public streets.<br>D. Light posts shall be of a dark color.<br>E. Lighting fixtures shall be compatible with the architecture of the building.<br>F. Lights attached to buildings shall be screened by the building's architectural features to eliminate glare to adjacent properties. All façade lighting must be projected downwards.<br>G. All lighting fixtures shall comply with City Code Section 801.16.6 as it relates to glare. | All lighting fixtures attached to the building are designed to be downcast lit. | Yes.       |



Planning Report  
October 5, 2015  
Wayzata Planning Commission Meeting

|                            |                                                                                                                                                                                                                                      |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>File Case No:</b>       | PR 2015-14                                                                                                                                                                                                                           |
| <b>Owner:</b>              | David Frey                                                                                                                                                                                                                           |
| <b>Address of request:</b> | 240 Manitoba Ave S                                                                                                                                                                                                                   |
| <b>PID number:</b>         | 06-117-22-24-0029                                                                                                                                                                                                                    |
| <b>Prepared By:</b>        | Eric Zweber, Interim City Planner                                                                                                                                                                                                    |
| <b>Project Summary:</b>    | The Application is for a Variance from the Twenty (20) Foot Rear Yard Setback requirement and the 30% Lot Coverage requirement for a residential structure in the C-1 Office and Limited Commercial District. (City Code § 801.19.5) |

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## Section 1: Background.

David Frey (the “Owner” or “Applicant”) has submitted a development application (the “Application”) requesting approval to construct an approximately ten (10) feet wide by twenty four (24) feet long, two hundred twenty eight square foot (228 SF) second garage stall onto an existing attached garage (the “Project”) at 240 Manitoba Ave S (the “Property”). The Application requests approval to encroach into the twenty (20) foot rear yard setback to a distance of 10.2 feet to allow for the location of the second garage stall in place of an existing driveway (the “Project”). Additionally, a lot coverage variance would be required to allow the lot coverage to exceed the 30% lot coverage requirement by 1.4%. The proposed site plan and building plans for the garage expansion are included as Attachment A to this Report.

The zoning request included in the Application is:

- A Variance from the Twenty (20) foot Rear Yard Setback for a residential structure within the C-1 District (Sections 801.19.5 and 801.56.6 B. 1. c.) to a distance of 10.2 feet (the “Setback Variance”).
- A Variance from the 30% Lot Coverage for a residential structure in a C-1 District (Sections 801.19.5 and 801.56.7 A.) to increase the lot coverage to 31.4% (the “Lot Coverage Request”).

1.1 Approval Requests.

The Project includes two (2) approval requests associated with the Application:

A. *Variance for Rear Yard Setback*

The existing single stall, tuck-under garage is located on the southeast side of the house. The Applicant proposes to construct a second garage 9.58 feet wide by 24.13 feet deep, 230 SF garage addition on the southeast side of the garage to a distance of 10.2 ft from the rear property line. The request required approval of a Rear Yard Setback Variance from the twenty (20) feet side yard setback requirement for a residential structure within the C-1 Office and Limited Commercial District.

B. *Variance for Lot Coverage*

The existing lot coverage on the lot is 26.7% (1,308 SF building on a 4,891 SF lot), which under the 30% lot coverage allowed. The construction of the second garage stall addition would add 228 SF and raise the lot coverage to 31.4% (1,536 SF of building on a 4,891 SF lot), requiring a variance to 30% lot coverage standard.

1.2 Applicant's Narrative.

The Applicant provided the following narrative describing their request:

I am requesting a Conditional Use Permit (since changed to a Variance) to reduce the side-yard setback requirements in order to add a second garage stall to my house. The house currently has a 1 stall garage and my wife and I would both like to be able to park our cars in a garage.

The lot is zoned C-1, which allows for 10 foot setbacks around the property, but because a single-family residence is on the property, the R3 zoning applies. With the R3 zoning and a corner lot, the setback on the east side of the property where we would like to add a garage is 20 feet. The building is currently set back 19.7 feet from the lot line so decreasing the setback to 10 feet would put the east of 240 Manitoba Avenue in line with the east side of 230 Manitoba Avenue, just to the north and allow us to add 9.7 feet onto the existing garage and add another garage stall.

The garage addition is currently a paved, outdoor parking area so adding the garage would (not) impact the hardcover area currently on the lot.

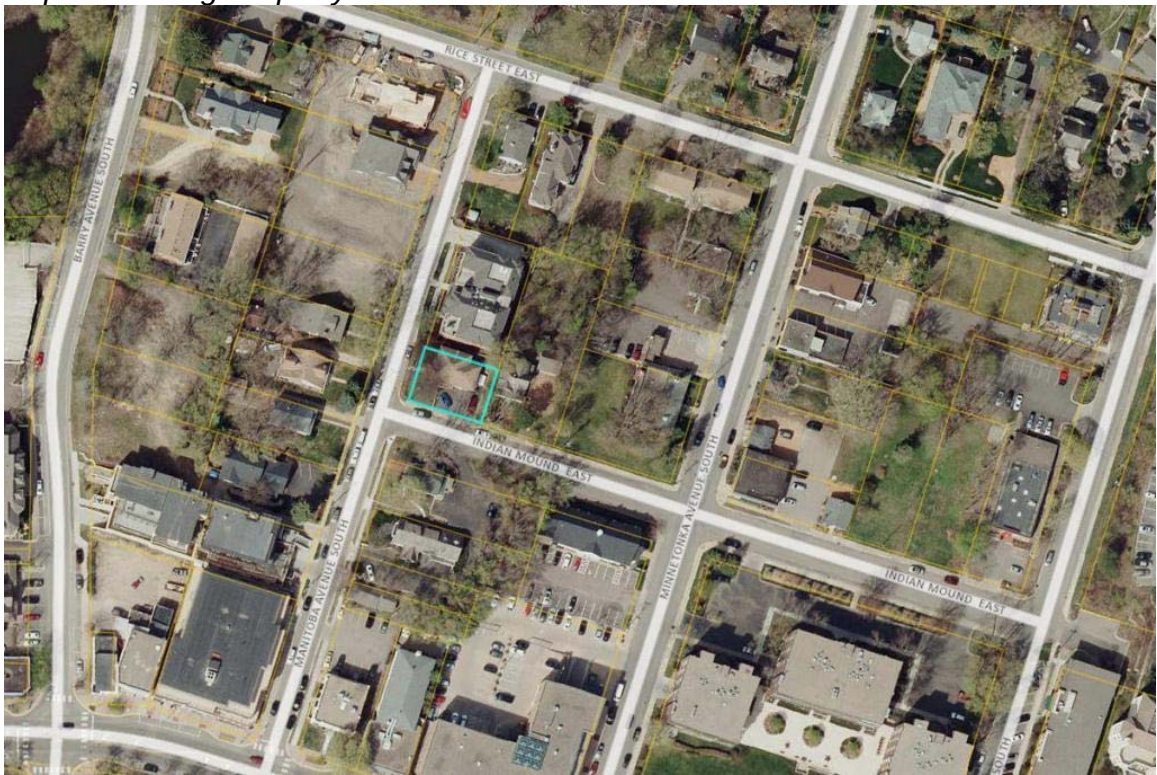
*Staff Note: The Conditional Use Permit Application was submitted on August 31. Staff provided Mr. Frey an Incomplete Letter on September 9 stating that this request is not a Conditional Use and that this request would need to be reviewed under a Variance Application. On September 9, the applicant re-submitted his request with a Variance Application.*

1.3 Relevant Property Information.

|                 |                                            |
|-----------------|--------------------------------------------|
| Zoning:         | C-1 Office and Limited Commercial District |
| Comp Plan:      | Mixed Use Residential                      |
| Total lot size: | 4,891 square feet (SF) or 0.11 acres       |

§801.19.5: Residential Standards in Non-Residential Districts:  
Existing single family or two family residential uses within R-4, R-5, INS, C-1, C-2, C-3 and C-4 Districts also shall conform with R-3 District standards.

*Map 1: Existing Property Aerial*



1.4 Legal Description.

A copy of the legal description for the subject properties are on file and available for viewing at City Hall. The following properties are included in the project area of the Application:

|                    |                   |            |
|--------------------|-------------------|------------|
| 240 Manitoba Ave S | 06-117-22-24-0029 | David Frey |
|--------------------|-------------------|------------|

## 1.5 Public Noticing Requirements.

Zoning Ordinance Section 801.05 requires the Planning Commission to hold a public hearing on the Application. The Notice of Public Hearing was published in the Lakeshore Weekly on September 22, 2015. A copy of the Notice of Public Hearing was also mailed to all property owners located within 350 feet of the subject property on September 21, 2015.

## Section 2. Summary of Issues.

### 2.1 Zoning Analysis.

Adjacent property uses are:

| <b>Adjacent Property</b> | <b>Zoning</b> | <b>Uses</b>              |
|--------------------------|---------------|--------------------------|
| Northeast                | C-1           | Mixed Use                |
| Southeast                | C-1           | Mixed Use                |
| Southwest                | C-4           | Commercial               |
| Northwest                | R-3A          | Single Family Residences |

A comparison of the R-3 Standards and the proposed Project is as follows:

| <b>R-3 District</b>           | <b>Code Standard</b>   | <b>Proposed</b>                                         |
|-------------------------------|------------------------|---------------------------------------------------------|
| Minimum Lot Area              | 9,000 square feet (SF) | 4,891 SF                                                |
| Minimum Lot Width             | 60 ft                  | 60 ft                                                   |
| Minimum Lot Depth             | 100 ft                 | 81.5 ft                                                 |
| Front Yard Setback (min.)     | 20 ft                  | 17.2 ft                                                 |
| Side Yard Setback (Southwest) | 20 ft                  | 22.4 ft                                                 |
| Side Yard Setback (Northeast) | 10 ft                  | 4.9 ft                                                  |
| Rear Yard Setback (min.)      | 20 ft                  | 19.68 ft (existing)<br>10.2 ft (proposed)               |
| Lot Coverage                  | 30%                    | 26.7% (1,308 SF) existing<br>31.4 % (1,536 SF) proposed |
| Impervious Surface            | 35%                    | 53.1% (3,847 SF) existing<br>53.1% (3,947 SF) proposed  |

### Section 3. Applicable Review Criteria:

3.1 Zoning Ordinance Variance Standards. Section 801.05.1.C provides the criteria for reviewing variances from the Zoning Ordinance. The Variance requested in the Application is a Setback Variance. The variance review criteria are as follows (with Staff's comments included in *italics*):

- A. Variances shall only be permitted when they are:  
(i) in harmony with the general purposes and intent of this Ordinance; and  
(ii) consistent with the Comprehensive Plan.

*The Property is guided for Low Density Single Family residential use. The Application proposes to construct an expansion to an existing attached garage on the Property, encroach 9.6 ft into the required twenty (20) foot side yard setback and increase the lot coverage 1.4% beyond the 30% requirement. The Planning Commission and City Council should make a finding of fact on whether or not the variance requests are in harmony with the general purpose and intent of the ordinance and consistent with the Comprehensive Plan.*

- B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.

*The Planning Commission and City Council should make a finding of fact on whether or not the Applicant has established that there are practical difficulties in complying with the Ordinance.*

- C. "Practical difficulties," as used in connection with the granting of a variance, means that:  
(i) the property owner's proposal for the property is reasonable but not permitted by this Ordinance;  
(ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and  
(iii) the variance, if granted, will not alter the essential character of the locality.

*The Property is currently guided for single family use, and the Applicant desires to continue that use and construct an expansion to an existing attached garage on the Property. The Planning Commission and City Council should make a finding of fact on whether or not the Project meets the practical difficulties and reasonableness standard.*

- D. 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.

*The Planning Commission and City Council should make a finding of fact on whether or not economic considerations are the sole reason for the practical difficulties.*

- E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with this Ordinance.

*Not applicable in this case, as the Applicant is not proposing earth sheltered construction.*

- F. 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.

*The proposed addition to the existing garage of the existing single family detached house is a permitted use in the C-1 District provided that the development of the site meets the R-3 district standards.*

- G. 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.

*The Planning Commission and City Council should determine if there are any applicable conditions that apply, if the Project is recommended for approval.*

- H. 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.

*The Applicant has provided a narrative, included in Section 1.2 of this Report, to describe their reasons for requesting the Variance.*

#### **Section 4. Action Steps.**

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

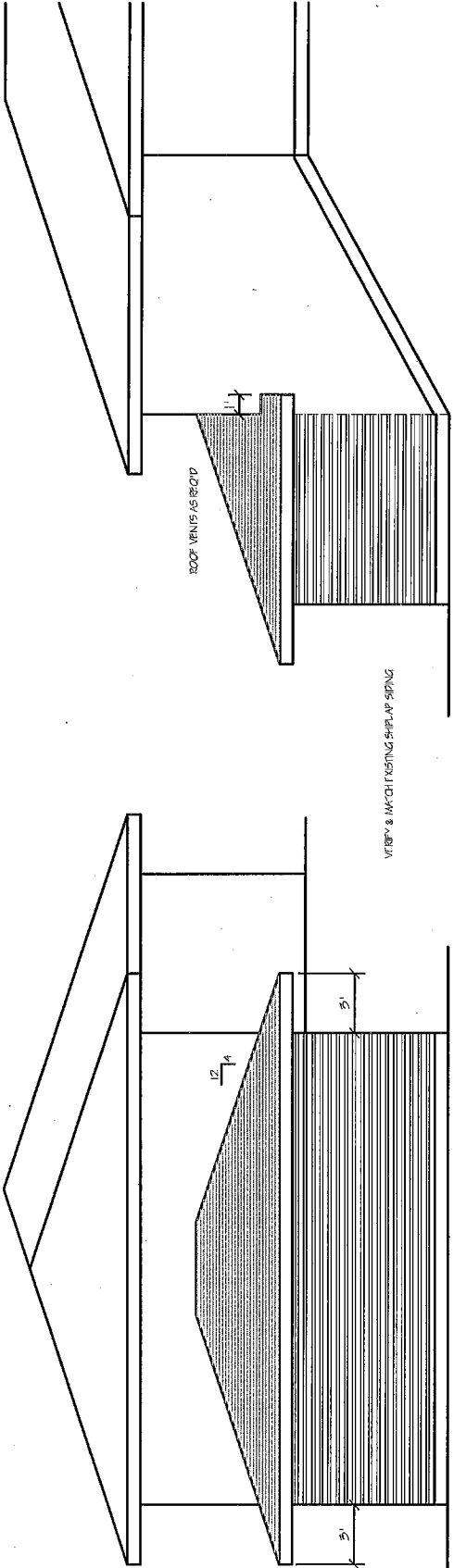
1. Direct staff to prepare a *Planning Commission Report and Recommendation*, with appropriate findings, reflecting a recommendation on the Application for review and adoption at the next Planning Commission meeting.

**Attachments:**

Attachment A: Submitted Plan Set:

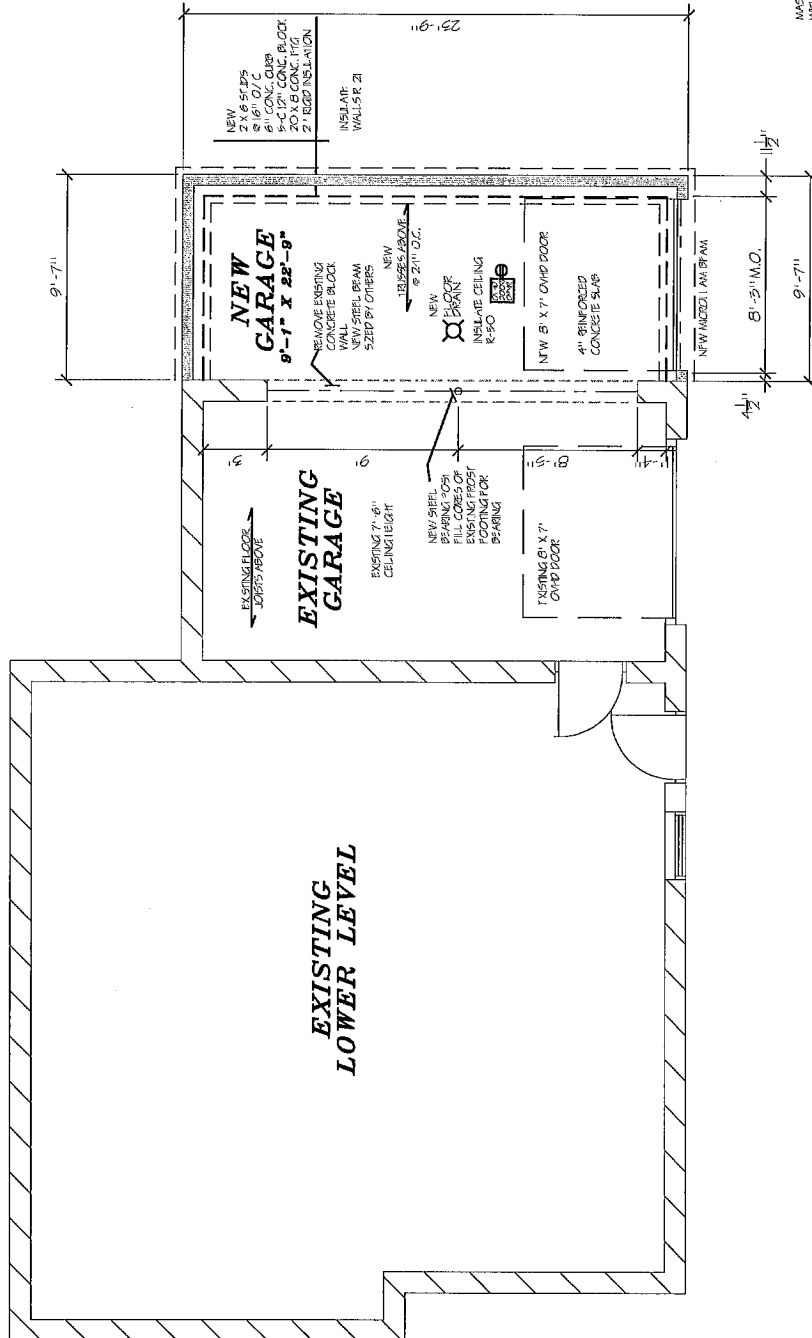
- Existing Conditions Site Plan
- Proposed Site Plan
- Garage Remodel Plans

|                                                                                                                                 |  |                                                                                                                                           |  |
|---------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>DAVID FREY</b><br>440 MONTANA AVE<br>MINNETONKA, MN 55345<br>TEL: 952-895-7400<br>FAX: 952-895-7401<br>EMAIL: dave@dfrey.com |  | <b>PROJECT INFORMATION</b><br>PROJECT NUMBER: 08016<br>SHEET: 1 OF 3<br>DATE: 8-20-16<br>DRAWN BY: [Signature]<br>CHECKED BY: [Signature] |  |
| <b>PATRICK HANITY &amp; ASSOC. INC.</b><br>P.O. BOX 784<br>EXCELSTON, MN 55331<br>952-443-0191                                  |  | <b>KCP HOME DESIGN, INC.</b><br>7516 77TH STREET<br>CHASKA, MN 55318<br>952-474-4152<br>EMAIL: kcpdesign@kcpdesign.com                    |  |



**PROJECT** **NEW CONSTRUCTION**  
**---** **REMOVED CONSTRUCTION**  
**---** **EXISTING CONSTRUCTION**

## FOUNDATION KEY



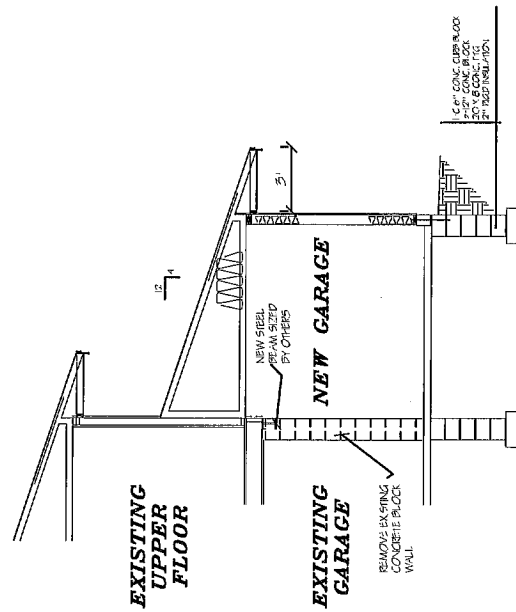
3'-4 1/2" NEW PLATE HEIGHT

**GARAGE ADDITION**

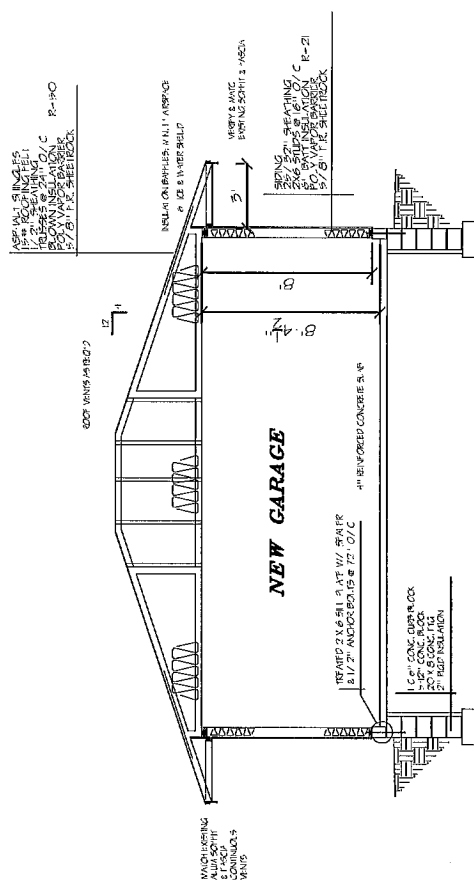
**PLAN**

SCALE: 1/4"=1'  
#2 NEW SQ. #T.

REVISED: 6-20-15  
SHEET 2 OF 3  
PLAN NO. C1547



**BUILDING SECTION**  
SCALE: 1/4"=1'-0"  
**B 3**

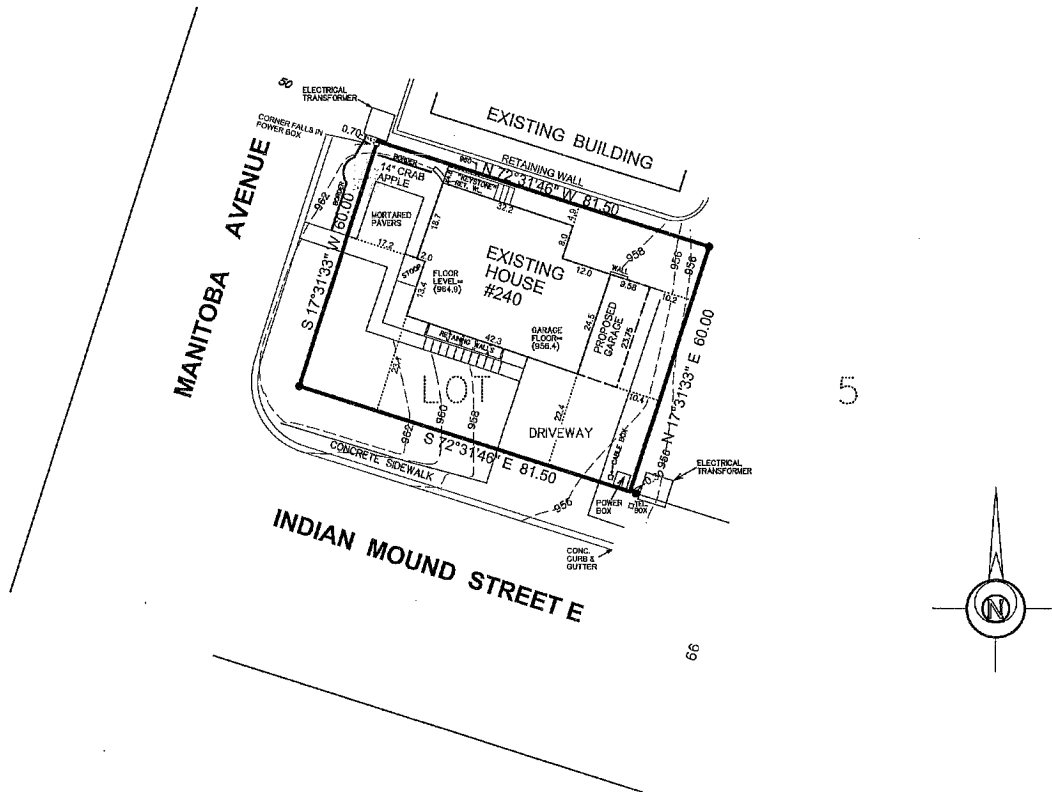


**BUILDING SECTION**  
SCALE: 1/4"=1'-0"  
**A 3**

FIELD MEASUREMENTS PREVAIL

REVISIONS  
NO. DESCRIPTION  
DATE

CERTIFICATE OF SURVEY FOR  
**DAVID FREY**  
 IN LOT 5, BLOCK 4, STEPHENS REARRANGEMENT  
 OF BLOCKS 3 AND 4, TOWNSITE OF WAYZATA  
 HENNEPIN COUNTY, MINNESOTA



**LEGAL DESCRIPTION OF PREMISES:**

This Southwesterly 60 feet of the Northwesternly 81.5 feet of Lot 5, Block 4, "Stephen's Rearrangement of Blocks 3 and 4, Townsite of Wayzata."

● : denotes iron marker found

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

—917—: denotes existing contour line, mean sea level datum

Bearings shown are based upon an assumed datum.

This survey shows the boundaries and topography of the above described property, the location of an existing house and driveway, all other visible "hardcover", and the proposed location of a proposed garage thereon. It does not purport to show any other improvements or encroachments.

**EXISTING HARDCOVER CALCULATIONS :**

Lot area = 4891 sf

HOUSE = 1308 sf

STOOP = 32 sf

DRIVEWAY = 876 sf

WALK & STEPS = 379 sf

Total hardcover = 2595 Sq. ft.

$2595 / 4891 \times 100 = 53.06\%$

**PROPOSED HARDCOVER :**

Proposed garage = +228 sf

Removed driveway = -228 sf

No change in hardcover.

| DATE | DESCRIPTION |
|------|-------------|
|      |             |
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**GRONBERG AND ASSOCIATES, INC.**  
 CONSULTING ENGINEERS, LAND SURVEYORS, & SITE PLANNERS  
 445 NORTH WILLOW DRIVE  
 LONG LAKE, MN. 55356  
 952-473-4141

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

Mark S. Gronberg  
 Minnesota Licensed Number 12755

SCALE  
 1"=20'  
 DATE  
 7-22-15  
 JOB NO.  
 15-260



Planning Report  
October 5, 2015  
Wayzata Planning Commission Meeting

|                            |                                                                                                                            |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------|
| <b>File Case No:</b>       | PR 2015-15                                                                                                                 |
| <b>Applicant:</b>          | City of Wayzata                                                                                                            |
| <b>Address of request:</b> | N/A                                                                                                                        |
| <b>PID number:</b>         | N/A                                                                                                                        |
| <b>Prepared By:</b>        | Eric Zweber, Interim City Planner                                                                                          |
| <b>Project Summary:</b>    | Repeal and replace the City of Wayzata relating to Telecommunications Antennas, Towers and Equipment. (City Code § 801.31) |

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### **Section 1: Background.**

As part of the Telecommunications Study, the City Council and Planning Commission are updating the City's Telecommunications Ordinance in order to better regulate the location of new cellular towers and other equipment. This is in part because our current Communication Devices Ordinance (Section 31 of the Zoning Ordinance) does not contain much guidance on the subject.

At the March 3, 2015 council meeting, the City Council adopted a six month moratorium on new wireless communications facilities and towers pending study and consideration of changes to the city's regulations and official controls. At the September 1, 2015 council meeting, the City Council allowed the moratorium to expire.

On August 17, the City Council and Planning Commission conducted a joint workshop to review the draft Telecommunications Ordinance which included testimony from the four major telecommunications providers. Based on that testimony, as well as the comment from Mayor Willcox regarding the ability to install antennas on existing buildings, a number of changes have been made to the August 11 draft Ordinance. To aid in reviewing the proposed changes, Attachment A is a clean copy of the draft Ordinance and Attachment B is a redline copy of the draft Ordinance showing all the changes proposed.

The City Attorney has made the following rational for the changes to the draft Ordinance:

*Section 1 (D): I added the “where possible” language as there may be instances where an Antenna can be located in a location which is acceptable, albeit without the ability to co-locate another antenna.*

*Section 2 (O): Verizon asked that the “Tower” definition be amended to reference towers taller than 30 feet (rather than the current proposed 15 feet).*

*Section 3: In order to avoid confusion, I added language referencing the fact that the applicant might need to get a CUP in addition to the Telecommunication Facilities Permit.*

*Section 4 (A): This is the legally most complicated provision in the ordinance. AT&T and Verizon feel the previous draft of this language violated recent adopted Rules under the Federal Act. Those rules essentially require a city to approve a request for modification to an “eligible facility” for a tower or base station that does not substantially change the physical dimension of such tower or base station. There has not been case law on this language. The carriers view this language broadly to prohibit the City from trying to unilaterally terminate licensing for existing facilities and thus feel this entire section must be removed. I believe we can argue that the language deals with a situation where an owner/operator requests to modify equipment....not, as with this section, where the language is about requiring facilities to conform to existing zoning once the lease for that facility is terminated. In an attempt to address concerns raised by the carriers, I have added language at the end which essentially states the City won't deny a Permit based solely on a change in the physical dimensions of a facility if that change is not “significant.” I will be interested to see the response from the carriers and I'm open to further refining this language.*

*Section 4 (B) (ii) (b): Since this Section deals with “New Telecommunications Facilities” I felt the language requiring a report on new stealth technology was inappropriate. Instead I tie that information to a request for a new facility. Let me know if this would be objectionable to the Commission/Council.*

*Section 4 (B) (iv): This language is added at the request of Eric. Eric, I have tightened up the language you sent me.*

*Section 4 (C) (i) (b): Note, the draft reviewed by the carriers showed an antenna of 20 feet rather than the current 15 feet. Not sure why this was changed.*

*Section 4 (C) (i) (e): This language is duplicated in Section 5 which deals with the general standards for Telecommunication Facilities. As such, I reference Section 5 in order to avoid a conflict between the two Sections.*

*Section 5: As discussed in Section 4 (A) above, I again put in some modification language to make sure we don't run afoul of 47 CFR 1.40001 (c).*

*Section 5 (G) and (H): There was universal objection by the carriers to the requirement of putting facilities underground. The City's consultant agreed that this was not done in Minnesota. I have modified the language to subject it to a commercially reasonable standard." The carriers may still object, but I think this is a good compromise position.*

*Section 5 (H): I have put a question mark after the language requiring one Equipment Shelter per tower. The carriers are stating that it is unreasonable to have carriers share a building....while another says any such building would be so large as negatively impact the visuals. I believe this issue should be revisited.*

*Section 6 (L): Verizon was worried they might accidentally miss providing the written statement. I added language for default notice and cure period. Let me know if you think this would be objectionable to the council/commission.*

*Section 5 (P): In order to make sure this Ordinance is not in conflict with the FCC I have inserted a reference to the FCC standards.*

The Interim City Planner has reviewed a number of metropolitan Cities' regulations for antennas mounted on existing buildings. The summary of those regulations are listed in Attachment C.

Each city had different standards for antennas on existing buildings. Most regulated height, while some regulated color, some regulated which zones they can be located and some regulated the associated ground equipment. Staff used the best parts of all the ordinances to develop the proposed Wayzata regulations. These proposed regulations are located in subsection 801.31.4 B. iv. within Attachment A and Attachment B. The summary of the proposed regulations are listed below.

- Stealth technology is used when possible.
- Only allowed on an existing building that is zoned C-1, C-3 or PUD and is located within 300 feet of Wayzata Blvd.
- The antenna can only be attached to the façade of the building or the rooftop parapet wall.
- The antenna may not extend more than 15 feet above the rooftop parapet wall.
- The equipment is encouraged within the existing building or within the rooftop parapet wall.
- If the equipment must be in a separate structure, that structure shall be to the rear or side of the existing building and constructed of the materials and color of the principal building.

## Public Notice

A Notice of Public Hearing regarding the repeal of Chapter 801 Section 31 “COMMUNICATION RECEPTION/TRANSMISSION DEVICES” and replacement of Chapter 801 Section 31 “COMMERCIAL TELECOMMUNICATIONS FACILITIES AND RESIDENTIAL ACCESSORY COMMUNICATION DEVICES” was published in the Lakeshore Weekly on September 22, 2015.

## Section 2. Summary of Issues.

### 2.1 Zoning Analysis.

|                                       | Location                                                     | Height Limit                                                            |
|---------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------|
| <b>Towers</b>                         | Wayzata Public Works Facility or Wayzata West Middle School. | 150 Feet.                                                               |
| <b>Antennas on Existing Buildings</b> | C -1, C-3 and PUD zoning within 300 feet of Wayzata Blvd.    | 15 Feet above the rooftop parapet wall.                                 |
| <b>Micro-sites</b>                    | Existing public utility structure within a Right-of-Way.     | 15 Feet above the existing utility structure.                           |
| <b>Residential Accessory Antennas</b> | Any residential District.                                    | Ground Mounted: 15 Feet<br>Roof Mounted: 6.5 Feet beyond the roof peak. |

Attachment D shows the location that the tower and antennas on existing building would be allowed.

### Verizon Comment

Staff has received a phone call from a Verizon representative requesting that churches be added to the list of allowed buildings that antennas can be installed upon. He stated that Verizon has often used stealth technology to install antennas within or upon church spires. Staff has not included this request in the proposed ordinance because of the limitations that the Zoning Ordinance has for church spires. City Code § 801.19.2 B. allows spires to be 40 feet in height or 5 feet higher than the building, whichever is less, except by conditional use. The existing spires at many of the churches in Wayzata appear to greater than 5 feet higher than the building, possibly resulting those spires being non-conforming. Non-conforming structures cannot be expanded.

If a wireless company wants to incorporate antenna within or upon an existing church spire, they could request a PUD, which is an allowed zoning district for antennas. The Wayzata Community Church on Ferndale Road and Wayzata Blvd is already zoned PUD.

### **Section 3. Action Steps.**

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

1. Recommend that the City Council approval of Attachment A: the draft Telecommunications Ordinance.

### **Attachments:**

Attachment A: Draft Telecommunications Ordinance

Attachment B: Redline Telecommunications Ordinance

Attachment C: Other Cities' Antenna on Building Regulations

Attachment D: Tower and Antenna Location Map

**CITY OF WAYZATA  
HENNEPIN COUNTY, MINNESOTA**

**DRAFT ORDINANCE NO. 756  
COMMERCIAL TELECOMMUNICATIONS FACILITIES AND RESIDENTIAL  
ACCESSORY COMMUNICATION DEVICES**

**AN ORDINANCE AMENDING WAYZATA'S ZONING ORDINANCE  
TO CONFORM WITH MINNESOTA STATUTE SECTION 462.357, SUBD. 2(b)**

**THE CITY OF WAYZATA ORDAINS:**

1.1 In accordance with the Recommendation of the Wayzata Planning Commission dated \_\_\_\_\_, 2015, the City Council of the City of Wayzata, hereby repeals Chapter 801 Section 31 "COMMUNICATION RECEPTION/TRANSMISSION DEVICES" and replaces it with Chapter 801 Section 31 "COMMERCIAL TELECOMMUNICATIONS FACILITIES AND RESIDENTIAL ACCESSORY COMMUNICATION DEVICES" as follows:

**SECTION 31  
COMMERCIAL TELECOMMUNICATIONS FACILITIES AND RESIDENTIAL  
ACCESSORY COMMUNICATIONS DEVICES**

**Section 801.31:**

- |            |                                                                |
|------------|----------------------------------------------------------------|
| 801.31.1:  | Purpose and Intent                                             |
| 801.31.2:  | Definitions                                                    |
| 801.31.3:  | Permit Required for Telecommunication Facilities               |
| 801.31.4:  | Building and Design Standards for Telecommunication Facilities |
| 801.31.5:  | General Standards for Telecommunication Facilities             |
| 801.31.6:  | Applications for Telecommunication Facilities Permit           |
| 801.31.7:  | Review of Permit Applications                                  |
| 801.31.8:  | Appeals                                                        |
| 801.31.9:  | Revocation of Permit                                           |
| 801.31.10: | No Recourse Against the City                                   |
| 801.31.11: | Indemnification                                                |
| 801.31.12: | Severability                                                   |
| 801.31.13: | Residential Accessory Uses                                     |

**1. Purpose and Intent.**

The purpose of this section is to establish objective and balanced regulations for the siting, screening and operation of wireless telecommunication facilities and equipment in order to accommodate Wireless Communication systems within the City while minimizing any adverse impacts on the City's natural resources, aesthetics, public

spaces, surrounding neighborhood property values, and the general health, safety and public welfare, all as allowed under applicable Federal law. This section recognizes that these wireless communication systems provide a valuable service to the public but that they are not a public utility. The specific purposes of this section are to:

- A. Specify allowed locations of commercial Telecommunication Facilities and Towers in the City;
- B. Protect residential, recreational and park areas from encroachment by commercial operations, including, but not limited to, Telecommunication Facilities and Towers;
- C. Minimize adverse visual impacts of Telecommunication Facilities and Towers through careful design, optimum siting, appropriate landscaping, innovative camouflaging techniques and stealth poles;
- D. Require, where possible, the co-location of Telecommunications Towers and Antennas support structures on Towers or existing structures as a primary option rather than construction of multiple single-use Towers;
- E. Require utilization of technological designs that either eliminate or reduce the need for erection of new Tower structures to support Telecommunications Facilities;
- F. Minimize potential damage to property caused by Telecommunication Facilities and Towers by ensuring such structures are soundly and carefully designed, constructed, modified, maintained, and removed when no longer used or are determined to be structurally unsound;
- G. Ensure that Telecommunication Facilities and Towers are compatible with surrounding land uses;
- H. Provide development standards for Wireless Telecommunication Facilities that are consistent with the requirements of the Federal Telecommunications Act of 1996, as amended, or other applicable Federal, State and local laws, statutes, ordinances and regulations.

## **2. Definitions.**

For the purposes of this section, the terms below have the meaning given to them, unless the context clearly indicates a different meaning:

- A. **“Accessory Equipment”** means the wires, cables, generators, air conditioning units, and other equipment or facilities that are used in conjunction with Telecommunication Facilities and Telecommunication Equipment

- B. **"Applicant"** means any person or entity who files an application for any permit or is party to any lease agreement required by this Ordinance for the construction, replacement, installation, or alteration of wireless communication facility or any component thereof.
- C. **"Antenna"** means any exterior transmitting or receiving device mounted on a Tower, Monopole, building, or other structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communications signals. "Antenna" does not include a lightning rod.
- D. **"Antenna Support Structure"** means any new or existing Tower, building, water tower, or electric transmission tower carrying over 200 kilo volts of electricity that can be used for the location of Antennas without increasing the height or mass of the existing structure.
- E. **"Engineer"** means a radio, electrical, structural, or mechanical engineer licensed by the State of Minnesota.
- F. **"Equipment Shelter"** means an enclosed structure at the base of or near a Telecommunication Facility, Tower, or Antenna within which are housed, among other things, batteries, generators, air conditioning units, wireless communications or electrical equipment, or other Accessory Equipment, which may be connected to the Telecommunications Facility, Tower or Antenna by cable.
- G. **"Co-location"** means the sharing of structures by two or more wireless service providers on a single support structure or otherwise sharing a common location.
- H. **"Monopole"** means a slender self-supporting Tower used to support Antennas and Accessory Equipment.
- I. **"Permit Holder"** a person or entity who holds a permit issued pursuant to this Ordinance for a Telecommunications Facility.
- J. **"Public Utility Structure"** means a structure which is owned by a governmental agency or utility company and which is used to support illumination devices or lines and other equipment carrying electricity or communications.
- K. **"Residential Accessory Communication Devices"** means any satellite dishes, television Antennas, radio Antennas, amateur (ham) radio Antennas, and similar communication transmission/reception devices and

associated Accessory Equipment that are a permitted accessory use within a residential district.

- L. **“Stealth Design”** means state-of-the-art design techniques used to blend the object into the surrounding environment and to minimize the visual impact as much as reasonably possible. Examples of stealth design techniques include architecturally screening roof-mounted Antennas and Accessory Equipment; integrating Telecommunications Facilities into architectural elements; nestling Telecommunications Facilities into the surrounding landscape so that the topography or vegetation reduces their view; using the location that would result in the least amount of visibility to the public, minimizing the size and appearance of the Telecommunications Facilities; and designing Towers to appear other than as Towers, such as light poles, power poles, flag poles, and trees.
- M. **“Telecommunications Equipment”** means Antennas, Accessory Equipment, or Towers.
- N. **“Telecommunications Facilities”** means any facility or location maintained by a commercial enterprise where Telecommunications Equipment is located.

The following shall not be considered Telecommunication Facilities:

- i. Licensed amateur (ham) radio Antennas, regulated under subsection 801.31.13 below.
- ii. Television Antennas and satellite dish Antennas for reception within individual homes or businesses, regulated under subsection 801.31.13 below.
- iii. Temporary Telecommunication Facilities placed in service during an emergency declared by a government agency or for special events requiring wireless service capacity or coverage that is not available from existing Telecommunication Facilities.

O. **“Tower”** means any of the following: a ground or roof mounted pole; spire; free standing, self-supporting lattice or monopole structure; or combination thereof taller than fifteen (15) feet, including but not limited to supporting lines, cables, wires, braces, and masts, intended primarily for the purpose of mounting an Antenna, meteorological device, or similar apparatus above grade (except amateur radio Antennas).

P. **“Wireless Communications”** means any personal wireless services as defined in the Federal Communications Act of 1996, including FCC licensed commercial wireless Telecommunications services including, but not limited to, cellular, personal communication services (PCS),

specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), global system of mobile communication (GSM), paging and similar services that currently exist or may be developed.

### **3. Permit Required for Telecommunication Facilities.**

In addition to any Conditional Use Permit that may be required below, prior to the construction or operation of a Telecommunications Facility, the owner and operator of the Telecommunications Facility must obtain a permit for the proposed Telecommunications Facility according to the provisions of this Ordinance, termed a "Telecommunication Facilities Permit".

### **4. Buiding and Design Standards and Allowed Locations for Telecommunications Facilities.** All Telecommunications Facilities shall be constructed and maintained in accordance with the following standards:

#### **A. Existing Telecommunication Facilities.**

Existing Telecommunications Facilities located on or attached to existing structures, prior to the adoption of this Ordinance, are regulated by the provisions of the zoning district for each such parcel containing said structure. Once the leases for existing Telecommunication Facilities expire or are otherwise terminated, the owner of the Telecommunication Facilities shall apply for a Telecommunication Facilities Permit under this Ordinance and those existing Telecommunications Facilities shall be required to conform to all requirements of this Ordinance for new Telecommunication Facilities. The City may, among other remedies, require relocation of equipment, at the Telecommunication Facilities expense, to permitted areas under this Ordinance. Notwithstanding the above, nothing in this Section 4 shall be read to allow the City to prohibit a Telecommunication Facilities Permit based solely upon a request by the owner/operator for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station and is otherwise an "eligible facilities request" under 47 U.S.C. Section 1455 (a) and 47 C.F.R. Section 1.40001 (c), as the same may be amended.

#### **B. New Telecommunications Facilities.**

- i. New Telecommunications Towers shall be located only on the following parcels owned and/or controlled by the City of Wayzata, unless applicant obtains a Conditional Use Permit as further described below (in addition to the Telecommunication Facilities Permit required under subsection 3 above), with the exact location on such parcels determined at the sole discretion of the Wayzata City Council:

| <u>Property Name</u>                  | <u>Property Identification Number</u> |
|---------------------------------------|---------------------------------------|
| City of Wayzata Public Works Facility | 01-117-23-22-0004                     |
| Wayzata West Middle School            | 06-117-22-22-0008                     |

ii. Antennas shall be located on a new or replacement Tower at the locations permitted for Telecommunications Facilities only if the Applicant complies with the following requirements, in additions to the other requirements of this Ordinance:

- a) The Applicant shall provide documentation and/or an analysis prepared by a radio or electrical engineer demonstrating that the proposed location of the Antennas is necessary to meet the coverage and capacity needs of its system. The Applicant shall provide a network map describing all of the Applicant's Telecommunications Facilities which provide any coverage within the City's limits. The analysis shall also show the Antennas would not cause interference with other existing or approved Telecommunications Equipment. The Applicant shall also pay the reasonable expenses of a radio or electrical engineer retained by the City, at the City's option, to review this analysis;
- b) The new or replacement Telecommunications Facilities shall use as many Stealth Design techniques as reasonably possible and include non-proprietary information on stealth design technology. Economic considerations or hardships shall not be the sole justification for failing to provide Stealth Design techniques.
- c) The new or replacement Tower and Antenna, including attachments other than lightning rods, shall not exceed 150 feet in height, measured from grade. The City Council may, but shall not be required to, increase this height up to 190 feet if the Council finds the increase in height would not have a significant visual impact, would not have a negative property value impact on surrounding properties because of proximity, topography or screening by trees or buildings or would accommodate two or more users. The City Council may waive this height limitation for a Tower and/or Antenna if used wholly or partially for essential public services, such as public safety.

iii. A new Antenna may be attached to an existing public utility structure within a right of way if:

- a) The Antenna does not extend more than fifteen (15) feet above the top of the existing utility structure.
- b) The Antenna is no larger than three (3) cubic feet and has no individual surface larger than four (4) feet.

- c) The Antenna extends outward from the utility structure no more than three (3) feet.
- d) There is no ground mounted equipment so long as the existing public utility structure is available for the mounting of such equipment.
- e) There is no interference with public safety communications or with the original use of the public utility structure.
- f) The Applicant agrees that the Antenna must be removed and relocated, at Applicant's expense, if the road authority requires the removal and relocation of the public utility structure.

iv. New Antenna may be attached to an existing building if:

- a) the Applicant provides an analysis prepared by a radio or electrical engineer demonstrating the proposed location is necessary to meet the coverage and capacity needs of Applicant's. The analysis shall show a network map describing all of the Applicant's Telecommunications Facilities providing coverage within the City's limits and confirm the proposed Antennas would not cause interference with other existing or approved Telecommunications Equipment. The Applicant shall also pay the reasonable expenses of an expert retained by the City, at the City's option, to review this analysis;
- b) the new Antenna and the associated Accessory Equipment use as many Stealth Design techniques as reasonably possible. Economic considerations or hardships shall not be the sole justification for failing to provide Stealth Design techniques;
- c) the building upon which the Antenna is to be located is located on a parcel of land zoned C – 1 Office and Limited Commercial District, C-3 Service District or PUD Planned Unit Development;
- d) the building upon which the Antenna is to be located is within 300 feet of the Wayzata Blvd E right-of-way;
- e) the Antenna is attached to the façade of the building or to the rooftop parapet screening wall. A façade mounted Antenna shall not extend above the cornice line and a rooftop parapet mounted Antenna shall not extend more than fifteen (15) feet above the parapet wall. Façade and parapet wall mounted Antenna shall as closely as possible match the color of the underlying building

material.

- f) Accessory Equipment shall be housed within an existing structure or within rooftop parapet screening walls whenever possible. If a new equipment building is necessary, it shall be situated to the rear or side of the principal use and shall be screened from view by landscaping where appropriate. If a new equipment building is necessary, the building shall be constructed of materials and color scheme compatible with the principal building.

#### **C. Conditional Use Permits.**

i. Telecommunication Facilities may not be located on any sites other than those that are designated in Section 801.31.4.B unless the Applicant first obtains a Conditional Use Permit for the location. Such a Conditional Use Permit may be approved provided all of the following are met:

- a) The requirements of Section 801.04 have been considered and satisfactorily met.
- b) Antennas attached to an existing building do not extend more than fifteen (15) feet above the highest point of the building.
- c) The Applicant provides documentation and/or an analysis prepared by a radio or electrical engineer demonstrating that the proposed location of the Telecommunication Facility is necessary to meet the coverage and capacity needs of its system. The documentation and/or analysis must also show the Telecommunication Facilities would not cause interference with other existing or approved Telecommunications Equipment. The Applicant shall also provide a network map describing all of the Applicant's Telecommunications Facilities which provide any coverage within the City's limits. The Applicant must also pay the reasonable expenses of a radio or electrical engineer retained by the City, at the City's option, to review this analysis.
- d) The new or replacement Telecommunications Facilities must use as many Stealth Design techniques as reasonably possible. Economic considerations alone are not justification for failing to provide Stealth Design techniques.

e) New or replacement Tower and/or Antennas must comply with the provisions of Section 801.31.5 below.

- ii. The City shall have the following priority ranking of land uses (as defined in the City of Wayzata Comprehensive Plan) suitable for

potential new or replacement Telecommunication Facilities when considering a Conditional Use Permit application, with (a) being the highest priority and (d) being the lowest priority:

- a) City Owned Property that is adjacent to highway rights of way and not adjacent to or adjoining residential property.
- b) Institutional/Public Property that is not adjacent to or adjoining residential property.
- c) Semi-Public/Private Property that is not adjacent to or adjoining residential property.
- d) Mixed Use Commercial or Service Commercial properties that are not adjacent to or adjoining residential property.

If the proposed site is not the highest priority listed above, then a detailed explanation shall be provided as to why a site of a higher priority was not selected. The explanations shall include the reason or reasons why such a Conditional Use Permit should be granted for the proposed site and a description of the hardship that would be incurred by the Applicant if the permit were not granted for the proposed site.

- iii. CUPs for new or replacement Telecommunication Facilities shall be prohibited in the following land use categories, as defined in the City of Wayzata Comprehensive Plan:
  - a) Parcels guided and utilized for residential purposes, including single family and multiple family.
  - b) Parcels guided and utilized for Park or Public Open Spaces
  - c) Parcels guided and utilized for Central Business District, Mixed Use Residential, or Downtown Mixed Use District.

## **5. General Standards for Telecommunication Facilities.**

All Telecommunications Facilities must comply with the following standards (although nothing in this Section 5 shall be read to allow the City to prohibit a Telecommunication Facilities Permit based solely upon a request by the owner/operator for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station and is otherwise an “eligible facilities request” under 47 U.S.C. Section 1455 (a) and 47 C.F.R. Section 1.40001 (c), as the same may be amended.) :

- A. **Vertical projection on Antenna support structures.** Antennas mounted on an existing Antenna support structure shall not extend more than 15 feet above the height of the structure to which they are attached. Wall or façade-mounted Antennas shall not extend above the cornice line and shall be constructed of a material or color that matches the exterior of the building.

- B. **Horizontal projection.** Antennas shall not project out from the side of the existing Antenna support structure, Tower or wall or facade by more than three feet.
- C. **Fall Zone Analysis.** The Applicant must submit a fall zone analysis report completed by a qualified and licensed engineer who shows the Telecommunications Facilities do not pose a threat to general health, safety and welfare of the City.
- D. **Setbacks.** A new Tower shall meet the building setback that is established for the district where it is to be located and the following additional standards:
- i. The Tower shall be setback from all residential property lines at least one (1) foot for each foot in height, but shall have a minimum setback of at least one hundred (100) feet. The Tower setbacks may be increased by the City Council dependent on the results of the engineered fall zone analysis report submitted by the Applicant as part of the permit application.
  - ii. Towers and Telecommunications Facilities shall not encroach upon any easements unless written permission is obtained from the underlying property owner burdened by the easement and the beneficiary of the easement.
  - iii. The required setbacks may be reduced or the location in relation to a public street modified, at the sole discretion of the City Council, when the Telecommunications Facility is integrated into an existing or proposed structure such as a building, light or utility pole.
- E. **Height.** The height of an Antenna and/or Tower shall be the minimum necessary to meet the Applicant's coverage and capacity needs, as verified by an electrical engineer or other appropriate professional. Any new or replacement Tower and Antenna, including attachments other than lightning rods, shall not exceed 150 feet in height, measured from grade. The City Council may, but shall not be required to, increase this height up to 190 feet if the Council finds: (i) the increase in height would not have a significant visual impact, (ii) would not have a negative property value impact on surrounding properties because of proximity, topography or screening by trees or buildings or (iii) would accommodate two or more users.
- F. **Exterior surfaces.** Towers and Antennas shall be painted a non-contrasting color consistent with the surrounding area such as: blue, gray, green, brown, or silver, or have a galvanized finish to reduce visual

impact. Metal Towers shall be constructed of, or treated with, corrosion-resistant material.

- G. **Underground Equipment Storage.** If commercially reasonable, Accessory Equipment and/or equipment storage facilities shall be designed to be placed and be built underground adjacent to the Telecommunications Facility. If such underground placement is not commercially reasonable, then such Accessory Equipment and/or equipment storage facility shall be allowed to be placed above-ground, subject to the restrictions of this Ordinance, including, but not limited to screening of existing equipment.
- H. **Ground-mounted equipment.** If deemed commercially unreasonable for the Accessory Equipment and/or equipment storage facilities to be located underground, the ground-mounted Accessory Equipment and/or equipment storage facilities shall be architecturally designed to blend in with the surrounding environment, including the principal structure and/or shall be screened from view by suitable vegetation, except where a design of non-vegetative screening better reflects and compliments the character of the surrounding neighborhood. No more than one Equipment Shelter or accessory building is permitted for each Tower (???). Equipment Shelters or accessory buildings shall be designed to accommodate additional space needed for the co-location of additional Antennas at the site. Design of the building or equipment cabinet, screening and landscaping are subject to a site plan review by City Staff, Planning Commission, and City Council, and any applicable Design Standards criteria under Section 801.09 of the Wayzata Zoning Ordinance. The Applicant shall be responsible for maintaining the structure in a high-quality condition. If the Applicant abandons or vacates the structure, it shall be forfeited to the City or torn down by the Applicant at their expense, at the discretion of the City Council.
- I. **Construction.** Telecommunications Facilities shall be in compliance with all buildings and electrical code requirements. All applicable federal, state and local agency licenses and/or permits shall be obtained. A Tower shall be designed and certified by a licensed structural engineer to be structurally sound and in conformance with the building code. Structural design, mounting and installation of the Telecommunications Facilities shall be in compliance with the manufacturer's specifications. If, upon inspection, the City concludes that a Tower or other portion of a Telecommunications Facility fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the Telecommunication Facility or Tower, the owner shall have thirty (30) days to bring such Tower or Telecommunication Facility into compliance with such standards. Failure to bring such Tower or Telecommunication Facility into compliance with

such thirty-day period shall constitute grounds for the removal of the Tower or Telecommunication Facility at the owner's expense.

- J. **Interference with Public Safety Telecommunications.** No Tower or Telecommunications Facility shall interfere with public safety Telecommunications. All Towers and Telecommunication Facilities shall comply with FCC regulations and licensing requirements.
- K. **Security Fencing and Screening.** Telecommunication Facilities and Towers shall be enclosed by security fencing not less than the height of the equipment located therein and shall also be equipped with an appropriate anti-climbing device. Fencing within one hundred (100) feet of a residential or parking property shall be constructed of a well-designed fence of wood or other environmentally sound material, and be compatible with the surrounding character of the area. The Telecommunication Facilities and Towers shall also include a landscape screen, at least six (6) in height, around the perimeter of equipment area, as approved by the City Council.
- L. **Other Protections.** The City may require shields to protect from ice falling from Towers, anti-climbing devices to prevent unauthorized persons from climbing Towers, or other appurtenances necessary to protect life and property.
- M. **Noise.** If the proposed Telecommunications Facility includes equipment that causes significant sound levels, sound buffers may be required including but not limited to, baffling, barriers, enclosures, walls and plantings. The Applicant shall submit an acoustical analysis (measured to the property line) and report prepared by a licensed and/or accredited sound engineer certifying that the noise to be generated from the proposed Telecommunication Facility shall not impact adjacent properties. Said report shall include, without limitation, a written description of all noise generated by the Facility, including retractable monopole motors, Antenna rotators, power generation, heating or air conditioning, and related equipment, and shall include the estimated times, frequency, duration and decibel levels of the noise. All equipment shall conform to Minnesota Pollution Control Agency decibel standards.
- N. **Sensitive Habitats.** No Telecommunication Facility shall be located in environmentally sensitive habitats, including but not limited to wetlands, shorelines, established animal habitats, conservation districts, and significant tree groups, unless mitigation measures can be adopted which would reduce potential impacts to levels of non-significance.

- O. **Radio Frequency Emissions.** Telecommunications Facilities shall comply with Federal Communication Commission standards for radio frequency emissions and interference.
- P. **Interference.** No Telecommunication Facility shall be permitted that causes interference with commercial or private use and enjoyment of other legally operating telecommunications devices including, but not limited to, radios, televisions, personal computers, telephones, personal communications devices, garage door openers, security systems, and other electronic equipment and devices in violation of any Federal Communication Commission standards relating to radio frequency interference. Unless otherwise prohibited by Federal Communication Commission standards, an Applicant shall furnish a state registered engineer's certification that no such interference shall occur, or identify what interference may occur and how the Applicant shall mitigate any potential interference that may occur.
- Q. **Risk of Danger.** Telecommunications Facilities and Towers shall not pose a risk of explosion, fire, or other danger due to its proximity to volatile, flammable, explosive or hazardous materials. Telecommunication Facilities, Towers, Antennas, and Accessory Equipment shall be subject to state and federal regulations pertaining to non-ionizing radiation and other health hazards related to such Facilities. If new, more restrictive standards are adopted, the Facilities shall be made to comply or continued operations may be restricted by the City Council. The cost of verification of compliance shall be borne by the Applicant.
- R. **Maintenance.** All Telecommunication Facilities and Towers shall at all times (i) be kept and maintained in good condition, order and repair so that the same shall not menace or endanger the life or property of any person, and (ii) allow sufficient access for service vehicles and personnel. Maintenance of equipment shall be scheduled for between 7:00am-6:00pm, Monday through Friday, unless in case of emergency or otherwise agreed to by the City. Service vehicles for equipment maintenance shall be parked on city streets, whenever possible. In the case of maintenance of Telecommunication Facilities on the City Water Tower, service vehicles shall park on the service entrance of the City Water Treatment Plant, whenever possible.
- S. **Co-location opportunity.** The Applicant, the Tower owner, the landowner, and their successors and assigns shall allow the shared use of the Tower if an additional user agrees in writing to meet reasonable terms and conditions for shared use, shall submit a dispute over the potential terms and conditions to binding arbitration, and shall sign the Conditional Use Permit agreeing to these requirements. The City Council may waive these co-location requirements if necessary to implement stealth design.

- i. All Telecommunications Facility providers shall cooperate with each other in co-locating Telecommunication Facilities and shall exercise good faith in co-locating with other licensed carriers and in the sharing of sites, including the sharing of technical information necessary to evaluate the feasibility of collocation. In the event a dispute arises as to a co-location issue, the City may require a third-party technical study to evaluate the feasibility of co-locating at the expense of each wireless telecommunications providers involved in the third-party study;
  - ii. All proposed new Towers shall be designed to accommodate both the Applicant's Antennas and Antennas for as many other licensed carriers as can be technically located thereon, but not less than one additional;
  - iii. All new Towers and Facilities owned by a telecommunications provider shall be made available for use by the owner or initial user thereof, together with as many other licensed carriers as can be technically located thereon, but not less than one additional;
  - iv. All proposed new Towers shall be designed to allow for future rearrangement of Antennas or Tower modifications, and to accept Antennas mounted at varying heights unless the City otherwise agrees in order to accommodate Stealth Design techniques;
- T. **Successors and Assigns.** Any Permit or lease for a Telecommunications Facility shall run with the Property, and shall be binding upon and inure to the benefit of the parties, their respective successors, personal representatives, and assigns.
- U. **External messages.** No advertising message or identification signs, other than warning or equipment information signs as legally required, shall be affixed to the Telecommunications Facilities.
- V. **Lighting.** Telecommunications Facilities or Towers shall not be artificially illuminated unless required by law or by a governmental agency to protect the public's health and safety or unless necessary to facilitate service to ground-mounted equipment. Any lighting or artificial illumination utilized shall be shielded and not cast glare onto adjacent properties. All lighting shall be measured to the property line.
- W. **On-site employees.** There shall be no employees on the site at a Telecommunications Facility on a permanent basis. Occasional or temporary repair and service activities are allowed.

- X. **Advances in Technology.** All Applicants/Permit Holders shall use and apply any readily available advances in technology that lessen the negative aesthetic effects of Telecommunication Facilities and Towers to the residential communities within the City. The City may review existing structures and compare the visual impact with available technologies in the industry for the purpose of removal, relocation or alteration of these structures in keeping with the general intent of this Ordinance. Such removal, relocation or alteration may be required by the City pursuant to its zoning power and authority.
- Y. **Removal.** After thirty (30) days' notice from the City to the Permit Holder all Telecommunications Facilities, Antennas, or Towers shall be required to be removed at the Permit Holder's expense, if such improvement is found to be in violation of any portion of this Ordinance by the City and such violation is not cured within such thirty day time period. Obsolete or unused Telecommunications Facilities and all related equipment shall be removed within six (6) months after cessation of their use at the site, unless an exemption is granted by the City Council. Telecommunications Facilities and related equipment that have become hazardous shall be removed or made not hazardous within 30 days after written notice to the current Permit Holder and to any separate landowner, unless an exemption is granted by the City Council. Notice may be made to the address listed in the application, unless another one has subsequently been provided, and to the taxpayer of the property listed in the Hennepin County tax records. Telecommunications Facilities and all related equipment that are not removed within this time are declared to be public nuisances and may be removed by the City. The City may assess its costs of removal against the Property.
- Z. **No Recourse Against the City.** Every permit shall provide that, without limiting such immunities as the City or other persons may have under applicable law, an Applicant/Permit Holder shall have no monetary recourse whatsoever against the City or its elected officials, boards, commissions, agents, employees or volunteers for any loss, costs, expense or damage arising out of any provision or requirement of this Ordinance or because of the enforcement or lack of enforcement of this Ordinance or the City's exercise of its authority pursuant to this Ordinance, a permit, a lease, or other applicable law, unless the same shall be caused by criminal acts or by willful gross negligence. Nothing herein shall be construed as a waiver of sovereign immunity.

## **6. Applications for Telecommunications Facilities Permit.**

Permit Application. In addition to an Applicant's name, address, certificate of survey, grading and landscaping plans, and other such similar information, an application for a permit under this Section shall include the following:

- A. A scaled site plan clearly indicating the location, type and height of the proposed Telecommunication Facility, Tower, or Antenna, on-site land uses and zoning, adjacent land uses and zoning, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed equipment and any structures, topography, parking and any other information deemed by the City Staff to be necessary to assess compliance with this Section.
- B. A visual simulation of the proposed Telecommunication Facility Tower or Antenna. Visual simulation shall consist of either a physical mock-up of the Telecommunication Facility Tower or Antenna, balloon simulation, computer simulation, photo simulation, or other similar simulation. In instances where the proposed Telecommunications Facility Tower or Antenna is located near a residential area, photo simulations shall be submitted of the proposed Telecommunication Facility Tower or Antenna from the nearest residential neighbors unless the owners of such residential property refuse to allow the required photo to be taken.
- C. A report from a qualified and licensed professional engineer which:
- i. Demonstrates that the Telecommunication Facility, Tower, Antenna and/or Accessory Equipment comply with the structural and electrical standards of this Section.
  - ii. Describes the Tower height, if utilized.
  - iii. Documents the height above grade for all potential mounting positions for co-locating Antennas and the minimum separation distance between Antennas.
  - iv. Describes the Tower's capacity, if utilized, including the number and type of Antennas it can accommodate.
  - v. A network map describing all of the Applicant's Telecommunications Facilities which provide any coverage within the City's limits.
  - vi. Documents what steps the Applicant shall take to avoid interference with established public safety Telecommunications.
  - vii. Includes an engineer's stamp and registration number.
- D. A written statement acknowledging that failure to comply with this Section and the conditions of permit approval shall result in the revocation of the permit and removal of the Telecommunications Facility, Antenna, and/or Tower;
- E. Documentation that the Applicant has applied for and/or obtained any licenses and/or approvals that are required by federal and state agencies.

- F. A written statement indicating that the expenses incurred by the City to review and process the application, and to enforce the provisions of the permit shall be reimbursed by the Applicant.
- G. A written statement which requires the Applicant to utilize the procedures established by the Federal Communications Commission to resolve any complaints received relating to interference allegedly caused by the Telecommunications Facility, Antenna, and/or Tower.
- H. A written statement indicating that the Applicant shall cooperate in good faith and fair dealing in co-locating Telecommunications Facilities, Antenna and/or Towers.
- I. A written statement indicating that the Telecommunications Facility, Antenna, and/or Tower shall be maintained in good and safe condition and its original appearance and concealment, disguise or camouflage elements incorporated into the design at the time of approval shall be preserved. Such maintenance shall include, but not be limited to, painting, repair of equipment, and maintenance of landscaping.
- J. A written statement authorizing the City to conduct periodic inspections to determine that the Telecommunications Equipment complies with the provisions of this Section, any conditions of approval and all safety and building codes and permits issued. This statement shall give the City the right to conduct such inspections at any time upon a reasonable notice of five (5) business days to the Applicant, and that all expenses related to such inspections shall be borne by the Applicant.
- K. A written statement indicating that the Applicant understands that Telecommunications Facilities, Antennas, and/or Towers which have not been used for six (6) months shall be deemed abandoned, and shall be removed pursuant to this Section.
- L. A written statement requiring the Applicant or current Permit Holder to notify the City that the Telecommunications Facility, Antenna, and/or Tower continue to be in operation. The notice of continuing operation shall be sent to the City Manager annually by certified mail within the last two (2) weeks of the month of December. The City shall provide written notice of failure to provide the required statement with a requirement that such statement be provided within 14 days from the date of such notice.

## **7. Review of Permit Applications.**

The City shall process all applications for Telecommunication Facilities Permits in a timely manner and in accordance with established procedures and City Code.

## **8. Appeals.**

At any time within thirty (30) days after a written order, requirement, determination or final decision has been made by the Zoning Administrator or other official interpreting or applying this Section, except for actions taken in connection with prosecutions for violations thereof, the Applicant or any other person affected by such action may appeal the decision in accordance with the provisions of the Zoning Ordinance.

## **9. Revocation of Permit.**

A material breach of any terms and conditions of a permit issued for a Telecommunication Facility under this Section and the Zoning Ordinance may result in the revocation of the permit by the City. Penalties for a violation of a permit or this Section may include fines and removal of the Telecommunication Facility, Tower, or Antenna at the Applicant's/Permit Holder's expense.

## **10. No Recourse Against the City.**

Every application for and issued permit shall provide a written acknowledgement, agreement and release from the Applicant and Permit Holder that, without limiting such immunities as the City or other persons may have under applicable law, an Applicant and Permit Holder shall have no monetary recourse whatsoever against the City or its elected officials, boards, commissions, agents, employees or volunteers for any loss, costs, expense or damage arising out of any provision or requirement of this Ordinance or because of the enforcement or lack of enforcement of this Ordinance or the City's exercise of or failure to exercise its authority pursuant to this Ordinance, a permit, a lease, or other applicable law, unless the same shall be caused by criminal acts or by gross negligence. Nothing herein shall be construed as a waiver of sovereign immunity.

## **11. Indemnification.**

Each permit issued pursuant to this Section shall have as a condition of the permit, a requirement that the Applicant indemnify and hold harmless the City and its officers, agents, and employees from actions or claims of any description brought on account of any injury or damages sustained by any person or property resulting from the issuance of the permit and conduct of the activities authorized under said permit.

## **12. Severability.**

If any section, subsection, sentence, clause or phrase of this Section is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Section. The City Council hereby declares that it would have passed this Section and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared invalid.

### 13. Residential Accessory Uses.

Residential Accessory Communication Devices are a permitted accessory use within residential districts provided they meet the following conditions:

- A. **Use.** They are for use by residents upon whose property the Residential Accessory Communication Devices are located.
- B. **Height.** A ground mounted Residential Accessory Communication Device height shall not exceed fifteen (15) feet unless approved as a Conditional Use Permit by the City Council.
- C. **Yards.** The Residential Accessory Communication Device shall not be located within the required front yard setback, a required side yard or any side yard abutting a street. Communication devices shall be located five (5) feet or more from rear lot lines and shall not be located within a utility easement.
- D. **Roofs.** The Residential Accessory Communication Device may be placed on the roof of any authorized structure on the premises. The height of the Residential Accessory Communication Device shall not exceed six and one-half (6-1/2) feet above the peak of the roof, unless approved by a Conditional Use Permit by the City Council.
- E. **Neighboring Property Impact.** In cases where no building permit is required, the Residential Accessory Communication Device shall be so located that in the event it falls, it shall not fall on adjoining property.
- F. **Building Permits.** A building permit shall be required for the installation of any Residential Accessory Communication Device which requires a Conditional Use Permit, or for any device which has a structural surface exposure of greater than nine (9) square feet. Building permit applications shall be accompanied by a site plan and structural components data for the Residential Accessory Communication Device, including details of anchoring. The Building Official shall approve the plans before installation.
- G. **Color/Content.** Residential Accessory Communication Devices shall be of a neutral color and shall not be painted with scenes or contain letters or messages.
- H. **Lightning Protection.** Each Residential Accessory Communication Device shall be grounded to protect against natural lightning strikes in conformance with the National Electrical Code as adopted by the City of Wayzata.

- I. **Electrical Code.** Residential Accessory Communication Device electrical equipment and connections shall be designed and installed in conformance with the National Electrical Code as adopted by the City of Wayzata.
- J. **Effective Date.** The provisions of this Section shall be applicable to all communication reception/transmission devices erected after \_\_\_\_\_, 2015. All such structures existing prior to this date shall be addressed as legal non-conforming uses.
- K. **Conditional Use Permit.** Residential Accessory Communication Devices not qualifying as a permitted accessory use may be considered and approved through conditional use standards established by Section 801.04 of this Ordinance.

1.2 This Ordinance shall become effective upon its passage and publication.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor Ken Willcox

**ATTEST:**

\_\_\_\_\_  
City Manager Heidi Nelson

First Reading:  
Second Reading:  
Publication:

SECTION 31  
COMMERCIAL TELECOMMUNICATIONS FACILITIES AND RESIDENTIAL  
ACCESSORY COMMUNICATIONS DEVICES

Section 801.31:

|                                        |                                                                                  |
|----------------------------------------|----------------------------------------------------------------------------------|
| 801.31.1:                              | Purpose and Intent                                                               |
| 801.31.2:                              | Definitions                                                                      |
| 801.31.3:                              | <del>Exemptions</del> 801.31.4: Permit Required for Telecommunication Facilities |
| <del>801.31.5:</del>                   | <del>Minimum Requirements for Telecommunication Facilities</del>                 |
| <del>801.31.6</del>                    |                                                                                  |
| <u>801.31.4:</u>                       | Building and Design Standards for Telecommunication Facilities                   |
| <del>801.31.7</del> <u>801.31.5:</u>   | General Standards for Telecommunication Facilities                               |
| <del>801.31.8</del> <u>801.31.6:</u>   | Applications for Telecommunication Facilities Permit                             |
| <del>801.31.9</del> <u>801.31.7:</u>   | Review of Permit Applications                                                    |
| <del>801.31.10</del> <u>801.31.8:</u>  | Appeals                                                                          |
| <del>801.31.11</del> <u>801.31.9:</u>  | Revocation of Permit                                                             |
| <del>801.31.12</del> <u>801.31.10:</u> | No Recourse Against the City                                                     |
| <del>801.31.13</del> <u>801.31.11:</u> | Indemnification                                                                  |
| <del>801.31.14</del> <u>801.31.12:</u> | Severability                                                                     |
| <del>801.31.15</del> <u>801.31.13:</u> | Residential Accessory Uses                                                       |

**1. Purpose and Intent.**

The purpose of this section is to establish objective and balanced regulations for the siting, screening and operation of wireless telecommunication facilities and equipment in order to accommodate Wireless Communication systems within the City while minimizing any adverse impacts on the City's natural resources, aesthetics, public spaces, surrounding neighborhood property values, and the general health, safety and public welfare, all as allowed under applicable Federal law. This section recognizes that these wireless communication systems provide a valuable service to the public but that they are not a public utility. The specific purposes of this section are to:

- A. Specify allowed locations of commercial Telecommunication Facilities and Towers in the City;
- B. Protect residential, recreational and park areas from encroachment by commercial operations, including, but not limited to, Telecommunication Facilities and Towers;
- C. Minimize adverse visual impacts of Telecommunication Facilities and Towers through careful design, optimum siting, appropriate landscaping, ~~and~~ innovative camouflaging techniques and stealth poles;

- 1 D. Require, where possible, the co-location of Telecommunications Towers and  
2 ~~Antenna~~Antennas support structures on Towers or existing structures as a primary option  
3 rather than construction of multiple single-use Towers;  
4
- 5 E. Require utilization of technological designs that either eliminate or reduce the need for  
6 erection of new Tower structures to support Telecommunications Facilities;  
7
- 8 F. Minimize potential damage to property caused by Telecommunication Facilities and  
9 Towers by ensuring such structures are soundly and carefully designed, constructed,  
10 modified, maintained, and removed when no longer used or are determined to be  
11 structurally unsound;  
12
- 13 G. Ensure that Telecommunication Facilities and Towers are compatible with surrounding  
14 land uses;  
15
- 16 H. Provide development standards for Wireless Telecommunication Facilities that are  
17 consistent with the requirements of the Federal Telecommunications Act of 1996, as  
18 amended, or other applicable ~~laws~~Federal, State and local laws, statutes, ordinances and  
19 regulations.  
20

## 21 2. Definitions.

22  
23 For the purposes of this section, the terms below have the meaning given to them, unless the  
24 context clearly indicates a different meaning:  
25

- 26 A. “**Accessory Equipment**” means the wires, cables, generators, air conditioning units, and  
27 other equipment or facilities that are used ~~with Antennas~~in conjunction with  
28 Telecommunication Facilities and Telecommunication Equipment  
29
- 30 B. “**Applicant**” means any person or entity who files an application for any permit or is  
31 party to any lease agreement required by this Ordinance for the construction,  
32 replacement, installation, or alteration of wireless communication facility or any  
33 component thereof.  
34
- 35 C. “**Antenna**” means any exterior transmitting or receiving device mounted on a Tower,  
36 Monopole, building, or other structure and used in communications that radiate or  
37 capture electromagnetic waves, digital signals, analog signals, radio frequencies  
38 (excluding radar signals), wireless telecommunications signals or other communications  
39 signals. “Antenna” does not include a lightning rod.  
40
- 41 D. “**Antenna Support Structure**” means any new or existing Tower, building, water  
42 tower, or electric transmission tower carrying over 200 kilo volts of electricity that can  
43 be used for the location of Antennas without increasing the height or mass of the existing  
44 structure.  
45

- 1 E. **“Engineer”** means a radio, electrical, structural, or mechanical engineer licensed by the  
2 ~~state~~State of Minnesota.  
3
- 4 F. **“Equipment Shelter”** means an enclosed structure at the base of or near a  
5 Telecommunication Facility, Tower, or Antenna within which are housed, among other  
6 things, batteries, generators, air conditioning units, wireless communications or electrical  
7 equipment, or other Accessory Equipment, which may be connected to the  
8 Telecommunications Facility, Tower or Antenna by cable.  
9
- 10 G. **“Co-location”** means the sharing of structures by two or more wireless service providers  
11 on a single support structure or otherwise sharing a common location.  
12
- 13 H. **“Monopole”** means a slender self-supporting Tower used to support Antennas and  
14 Accessory Equipment.  
15
- 16 I. **“Permit Holder”** a person or entity who holds a permit issued pursuant to this  
17 Ordinance for a Telecommunications Facility.  
18
- 19 J. **“Public Utility Structure”** means a structure which is owned by a governmental agency  
20 or utility company and which is used to support illumination devices or lines and other  
21 equipment carrying electricity or communications.  
22
- 23 K. **“Residential Accessory Communication Devices”** means any satellite dishes,  
24 television Antennas, radio Antennas, amateur (ham) radio Antennas, and similar  
25 communication transmission/reception devices and associated Accessory Equipment that  
26 are a permitted accessory use within a residential district.  
27
- 28 L. **“Stealth Design”** means state-of-the-art design techniques used to blend the object into  
29 the surrounding environment and to minimize the visual impact as much as reasonably  
30 possible. Examples of stealth design techniques include architecturally screening roof-  
31 mounted Antennas and Accessory Equipment; integrating Telecommunications Facilities  
32 into architectural elements; nestling Telecommunications Facilities into the surrounding  
33 landscape so that the topography or vegetation reduces their view; using the location that  
34 would result in the least amount of visibility to the public, minimizing the size and  
35 appearance of the Telecommunications Facilities; and designing Towers to appear other  
36 than as Towers, such as light poles, power poles, flag poles, and trees.  
37
- 38 M. **“Telecommunications Equipment”** means Antennas, Accessory Equipment, or  
39 Towers.  
40
- 41 N. **“Telecommunications Facilities”** means any facility or location maintained by a  
42 commercial enterprise where Telecommunications Equipment is located.  
43

44 The following shall not be considered Telecommunication Facilities, ~~and shall be~~  
45 ~~regulated under subsection 801.31.15 below:~~  
46

- i. Licensed amateur (ham) radio Antennas, regulated under subsection 801.31.13 below.
- ii. Television Antennas and satellite dish Antennas for reception within individual homes or businesses, regulated under subsection 801.31.13 below.
- iii. Temporary Telecommunication Facilities placed in service during an emergency declared by a government agency or for special events requiring wireless service capacity or coverage that is not available from existing Telecommunication Facilities.

O. **“Tower”** means any of the following: a ground or roof mounted pole; spire; free standing, self-supporting lattice or monopole structure; or combination thereof taller than fifteen (15) feet, including but not limited to supporting lines, cables, wires, braces, and masts, intended primarily for the purpose of mounting an Antenna, meteorological device, or similar apparatus above grade (except amateur radio Antennas).

P. **“Wireless Communications”** means any personal wireless services as defined in the Federal Communications Act of 1996, including FCC licensed commercial wireless Telecommunications services ~~such as~~ including, but not limited to, cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), global system of mobile communication (GSM), paging and similar services that currently exist or may be developed.

### 3. **Permit Required for Telecommunication Facilities.**

~~Prior~~ In addition to any Conditional Use Permit that may be required below, prior to the construction or operation of a Telecommunications Facility, the owner and operator of the Telecommunications Facility must obtain a permit for the proposed Telecommunications Facility according to the provisions of this Ordinance, termed a “Telecommunication Facilities Permit”.

### 4. **~~Building~~ Building and Design Standards and Allowed Locations for Telecommunications Facilities.** All Telecommunications Facilities shall be constructed and maintained in accordance with the following standards:

#### A. **Existing Telecommunication Facilities.**

Existing Telecommunications Facilities located on or attached to existing structures, prior to the adoption of this Ordinance, are regulated by the provisions of the zoning district for each such parcel containing said structure. Once the leases for existing Telecommunication Facilities expire or are otherwise terminated, the owner of the Telecommunication Facilities shall apply for a ~~permit~~ Telecommunication Facilities Permit under this Ordinance and those existing Telecommunications Facilities shall be required to conform to all requirements of this Ordinance for new Telecommunication Facilities. The City may, among other remedies, require relocation of equipment, at the

Telecommunication Facilities expense, to permitted areas under this Ordinance. Notwithstanding the above, nothing in this Section 4 shall be read to allow the City to prohibit a Telecommunication Facilities Permit based solely upon a request by the owner/operator for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station and is otherwise an “eligible facilities request” under 47 U.S.C. Section 1455 (a) and 47 C.F.R. Section 1.40001 (c), as the same may be amended.

**B. ~~B.~~ New Telecommunications Facilities.**

- i. New Telecommunications Towers shall be located only on the following parcels owned and/or controlled by the City of Wayzata ~~without a conditional use permit, unless applicant obtains a Conditional Use Permit as further described below (in addition to the Telecommunication Facilities Permit required under subsection 3 above),~~ with the exact location on such parcels determined at the sole discretion of the Wayzata City Council:

| <u>Property Name</u>                  | <u>Property Identification Number</u> |
|---------------------------------------|---------------------------------------|
| City of Wayzata Public Works Facility | 01-117-23-22-0004                     |
| Wayzata West Middle School            | 06-117-22-22-0008                     |

- ii. Antennas shall be located on a new or replacement Tower at the locations permitted for Telecommunications Facilities only if the Applicant complies with the following requirements, in additions to the other requirements of this Ordinance:

- a) The Applicant shall provide documentation and/or an analysis prepared by a radio or electrical engineer demonstrating that the proposed location of the Antennas is necessary to meet the coverage and capacity needs of its system. The Applicant shall provide a network map describing all of the Applicant’s Telecommunications Facilities which provide any coverage within the City’s limits. The analysis shall also show the Antennas would not cause interference with other existing or approved Telecommunications Equipment. The Applicant shall also pay the reasonable expenses of a radio or electrical engineer retained by the City, at the City’s option, to review this analysis;

- b) The new or replacement Telecommunications Facilities shall use as many Stealth Design techniques as reasonably possible and include non-proprietary information on stealth design technology. Economic considerations or hardships shall not be the sole justification for failing to provide Stealth Design techniques. ~~The Applicant shall provide a report every three (3) years showing non-proprietary information on stealth design technology.~~

1 c) The new or replacement Tower and Antenna, including attachments other  
2 than lightning rods, shall not exceed 150 feet in height, measured from  
3 grade. The City Council may, but shall not be required to, increase this  
4 height up to 190 feet if the Council finds the increase in height would not  
5 have a significant visual impact, would not have a negative property value  
6 impact on surrounding properties because of proximity, topography or  
7 screening by trees or buildings or would accommodate two or more users.  
8 The City Council may waive this height limitation for a Tower and/or  
9 Antenna if used wholly or partially for essential public services, such as  
10 public safety.

11  
12 iii. A new Antenna may be attached to an existing public utility structure  
13 within a right of way if:

14  
15 a) The Antenna does not extend more than fifteen (15) feet above the top of  
16 the existing utility structure.

17  
18 b) The Antenna is no larger than three (3) cubic feet and has no individual  
19 surface larger than four (4) feet.

20  
21 c) The Antenna extends outward from the utility structure no more than three  
22 (3) feet.

23  
24 d) There is no ground mounted equipment so long as the existing public  
25 utility structure is available for the mounting of such equipment.

26  
27 e) There is no interference with public safety communications or with the  
28 original use of the public utility structure.

29  
30 f) The Applicant agrees that the Antenna must be removed and relocated, at  
31 Applicant's expense, ~~when~~if the road authority requires the removal and  
32 relocation of the public utility structure.

33  
34 iv. New Antenna may be attached to an existing building if:

35  
36 a) the Applicant provides an analysis prepared by a radio or electrical  
37 engineer demonstrating the proposed location is necessary to meet the  
38 coverage and capacity needs of Applicant's. The analysis shall show a  
39 network map describing all of the Applicant's Telecommunications  
40 Facilities providing coverage within the City's limits and confirm the  
41 proposed Antennas would not cause interference with other existing or  
42 approved Telecommunications Equipment. The Applicant shall also pay  
43 the reasonable expenses of an expert retained by the City, at the City's  
44 option, to review this analysis;

- b) the new Antenna and the associated Accessory Equipment use as many Stealth Design techniques as reasonably possible. Economic considerations or hardships shall not be the sole justification for failing to provide Stealth Design techniques;
- c) the building upon which the Antenna is to be located is located on a parcel of land zoned C – 1 Office and Limited Commercial District, C-3 Service District or PUD Planned Unit Development;
- d) the building upon which the Antenna is to be located is within 300 feet of the Wayzata Blvd E right-of-way;
- e) the Antenna is attached to the façade of the building or to the rooftop parapet screening wall. A façade mounted Antenna shall not extend above the cornice line and a rooftop parapet mounted Antenna shall not extend more than fifteen (15) feet above the parapet wall. Façade and parapet wall mounted Antenna shall as closely as possible match the color of the underlying building material.
- f) Accessory Equipment shall be housed within an existing structure or within rooftop parapet screening walls whenever possible. If a new equipment building is necessary, it shall be situated to the rear or side of the principal use and shall be screened from view by landscaping where appropriate. If a new equipment building is necessary, the building shall be constructed of materials and color scheme compatible with the principal building.

C. **Conditional Use Permits.**

- i. Telecommunication Facilities may not be located on any sites other than those that are designated in Section ~~801.31.6~~801.31.4.B unless the Applicant first obtains a ~~conditional-use permit~~Conditional Use Permit for the location. Such a ~~conditional-use permit~~Conditional Use Permit may be approved provided all of the following are met:
- a) The requirements of Section 801.04 have been considered and satisfactorily ~~meet~~met.
- b) Antennas attached to an existing building do not extend more than fifteen (15) feet above the highest point of the building.

1 c) The Applicant provides documentation and/or an analysis prepared by a  
2 radio or electrical engineer demonstrating that the proposed location of the  
3 Telecommunication Facility is necessary to meet the coverage and  
4 capacity needs of its system. The ~~Applicant shall~~documentation and/or  
5 analysis must also show the Telecommunication Facilities would not  
6 cause interference with other existing or approved Telecommunications  
7 Equipment. The Applicant shall also provide a network map describing  
8 all of the Applicant's Telecommunications Facilities which provide any  
9 coverage within the City's limits. ~~The analysis must also show the~~  
10 ~~Telecommunication Facilities would not cause interference with other~~  
11 ~~existing or approved Telecommunications Equipment.~~ The Applicant  
12 must also pay the reasonable expenses of a radio or electrical engineer  
13 retained by the City, at the City's option, to review this analysis.

14  
15 d) The new or replacement Telecommunications Facilities must use as many  
16 Stealth Design techniques as reasonably possible. Economic  
17 considerations alone are not justification for failing to provide Stealth  
18 Design techniques.

19  
20 ~~g) — New or replacement Tower and Antennas, including attachments other~~  
21 ~~than lightning rods, shall not exceed 100 feet in height, measured from grade.~~  
22 ~~The City Council may, but shall not be required to, increase this height to up to~~  
23 ~~190 feet if the Council finds that the increase in height would not have a~~  
24 ~~significant negative visual or property value impact on surrounding properties~~  
25 ~~because of proximity, topography or screening by trees or buildings or because~~  
26 ~~the proposed Tower and/or Antenna would accommodate two or more users. The~~  
27 ~~City Council may waive this height limitation for a Tower and/or Antenna is used~~  
28 ~~wholly or partially for essential public services, such as public safety.e) New or~~  
29 ~~replacement Tower and/or Antennas must comply with the provisions of Section~~  
30 ~~801.31.5 below.~~

31  
32 ii. The City shall have the following priority ranking of land uses (as defined in  
33 the City of Wayzata Comprehensive Plan) suitable for potential new or  
34 replacement Telecommunication Facilities when considering a ~~conditional-use~~  
35 ~~permit~~Conditional Use Permit application, with (a) being the highest priority  
36 and (d) being the lowest priority:

- 37 a) City Owned Property that is adjacent to highway rights of way and  
38 not adjacent to or adjoining residential property.  
39 b) Institutional/Public Property that is not adjacent to or adjoining  
40 residential property.  
41 c) Semi-Public/Private Property that is not adjacent to or adjoining  
42 residential property.  
43 d) Mixed Use Commercial or Service Commercial properties that are  
44 not adjacent to or adjoining residential property.  
45

If the proposed site is not the highest priority listed above, then a detailed explanation shall be provided as to why a site of a higher priority was not selected. The explanations shall include the reason or reasons why such a Conditional Use Permit should be granted for the proposed site and a description of the hardship that would be incurred by the Applicant if the permit were not granted for the proposed site.

iii. CUPs for new or replacement Telecommunication Facilities shall be prohibited in the following land use categories, as defined in the City of Wayzata Comprehensive Plan:

- a) Parcels guided and utilized for residential purposes, including single family and multiple family.
- b) Parcels guided and utilized for Park or Public Open Spaces
- c) Parcels guided and utilized for Central Business District, Mixed Use Residential, or Downtown Mixed Use District.

## 5. General Standards for Telecommunication Facilities.

All Telecommunications Facilities must comply with the following standards: (although nothing in this Section 5 shall be read to allow the City to prohibit a Telecommunication Facilities Permit based solely upon a request by the owner/operator for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station and is otherwise an “eligible facilities request” under 47 U.S.C. Section 1455 (a) and 47 C.F.R. Section 1.40001 (c), as the same may be amended.) :

- A. **Vertical projection on Antenna support structures.** Antennas mounted on an existing Antenna support structure shall not extend more than 15 feet above the height of the structure to which they are attached. Wall or façade-mounted Antennas shall not extend above the cornice line and shall be constructed of a material or color that matches the exterior of the building.
- B. **Horizontal projection.** Antennas shall not project out from the side of the existing Antenna support structure, Tower or wall or facade by more than three feet.
- C. **Fall Zone Analysis.** The Applicant must submit a fall zone analysis report completed by a qualified and licensed engineer ~~which~~who shows the Telecommunications Facilities do not pose a threat to general health, safety and welfare of the City.
- D. **Setbacks.** A new Tower shall meet the building setback that is established for the district where it is to be located and the following additional standards:
  - i. The Tower shall be setback from all residential property lines at least one (1) foot for each foot in height, but shall have a minimum setback of at

1 least one hundred (100) feet. The Tower setbacks may be increased by the  
2 City Council dependent on the results of the engineered fall zone analysis  
3 report submitted by the Applicant as part of the permit application.  
4

5 ii. Towers and Telecommunications Facilities shall not encroach upon any  
6 easements unless written permission is obtained from the underlying  
7 property owner burdened by the easement and the beneficiary of the  
8 easement.  
9

10 iii. The required setbacks may be reduced or the location in relation to a  
11 public street modified, at the sole discretion of the City Council, when the  
12 Telecommunications Facility is integrated into an existing or proposed  
13 structure such as a building, light or utility pole.  
14

15 E. **Height.** The height of an Antenna and/or Tower shall be the minimum necessary  
16 to meet the Applicant's coverage and capacity needs, as verified by an electrical  
17 engineer or other appropriate professional. ~~The~~Any new or replacement Tower  
18 and Antenna, including attachments other than lightning rods, shall not exceed  
19 150 feet in height, measured from grade. The City Council may, but shall not be  
20 required to, increase this height up to 190 feet if the Council finds: (i) the increase  
21 in height would not have a significant visual impact, (ii) would not have a  
22 negative property value impact on surrounding properties because of proximity,  
23 topography or screening by trees or buildings or (iii) would accommodate two or  
24 more users.  
25

26 F. **Exterior surfaces.** Towers and Antennas shall be painted a non-contrasting color  
27 consistent with the surrounding area such as: blue, gray, green, brown, or silver,  
28 or have a galvanized finish to reduce visual impact. Metal Towers shall be  
29 constructed of, or treated with, corrosion-resistant material.  
30

31 G. **Underground Equipment Storage.** If commercially reasonable, Accessory  
32 Equipment and/or equipment storage facilities shall be ~~required to be designed to~~  
33 be placed and be built underground adjacent to the Telecommunications Facility;  
34 ~~unless deemed infeasible by the City Council. — Only in situations where~~  
35 ~~underground storage is deemed unfeasible;~~ If such underground placement is  
36 not commercially reasonable, then such Accessory Equipment and/or equipment  
37 storage facility shall be allowed to be placed above-ground ~~or ground-mounted~~  
38 ~~equipment be permitted~~, subject to the restrictions of this Ordinance, including,  
39 but not limited to screening of existing equipment.  
40

41 H. **Ground-mounted equipment.** If deemed ~~unfeasible by the City Council to be~~  
42 ~~built~~ commercially unreasonable for the Accessory Equipment and/or equipment  
43 storage facilities to be located underground, the ground-mounted Accessory  
44 Equipment ~~or buildings~~ and/or equipment storage facilities shall be architecturally  
45 designed to blend in with the surrounding environment, including the principal  
46 structure; and/or shall be screened from view by suitable vegetation, except where

a design of non-vegetative screening better reflects and compliments the character of the surrounding neighborhood. No more than one Equipment Shelter or accessory building is permitted for each Tower. Equipment Shelters or accessory buildings shall be designed to accommodate additional space needed for the co-location of additional Antennas at the site. Design of the building or equipment cabinet, screening and landscaping are subject to a site plan review by City Staff, Planning Commission, and City Council, and any applicable Design Standards criteria under Section 801.09 of the Wayzata Zoning Ordinance. The Applicant shall be responsible for maintaining the structure in a high-quality condition. If the Applicant abandons or vacates the structure, it shall be forfeited to the City or torn down by the Applicant at their expense, at the discretion of the City Council.

- I. **Construction.** Telecommunications [Facilities](#) shall be in compliance with all buildings and electrical code requirements. All applicable federal, state and local agency licenses and/or permits shall be obtained. A Tower shall be designed and certified by a licensed structural engineer to be structurally sound and in conformance with the building code. Structural design, mounting and installation of the Telecommunications Facilities shall be in compliance with the manufacturer's specifications. If, upon inspection, the City concludes that a Tower or other portion of a Telecommunications Facility fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the Telecommunication Facility or Tower, the owner shall have thirty (30) days to bring such Tower or [Telecommunication](#) Facility into compliance with such standards. Failure to bring such Tower or [Telecommunication](#) Facility into compliance with such thirty-day period shall constitute grounds for the removal of the Tower or [Telecommunication](#) Facility at the owner's expense.
- J. **Interference with Public Safety Telecommunications.** No Tower or [Telecommunications](#) Facility shall interfere with public safety Telecommunications. All Towers and [Telecommunication](#) Facilities shall comply with FCC regulations and licensing requirements.
- K. **Security Fencing and Screening.** Telecommunication Facilities and Towers shall be enclosed by security fencing not less than the height of the equipment [located therein](#) and shall also be equipped with an appropriate anti-climbing device. Fencing within one hundred (100) feet of a residential or parking property shall be constructed of a well-designed fence of wood or other environmentally sound material, and be compatible with the surrounding character of the area. The [Telecommunication](#) Facilities and Towers shall also include a landscape screen, at least six (6) in height, around the perimeter of equipment area, as approved by the City Council.
- L. **Other Protections.** The City may require shields to protect from ice falling from Towers, anti-climbing devices to prevent unauthorized persons from climbing Towers, or other appurtenances necessary to protect life and property.

- 1  
2 M. **Noise.** If the proposed Telecommunications Facility includes equipment that  
3 causes significant sound levels, sound buffers may be required including but not  
4 limited to, baffling, barriers, enclosures, walls and plantings. The Applicant shall  
5 submit an acoustical analysis (measured to the property line) and report prepared  
6 by a licensed and/or accredited sound engineer certifying that the noise to be  
7 generated from the proposed Telecommunication Facility shall not impact  
8 adjacent properties. Said report shall include, without limitation, a written  
9 description of all noise generated by the Facility, including retractable monopole  
10 motors, Antenna rotators, power generation, heating or air conditioning, and  
11 related equipment, and shall include the estimated times, frequency, duration and  
12 decibel levels of the noise. All equipment shall conform to Minnesota Pollution  
13 Control Agency decibel standards.  
14
- 15 N. **Sensitive Habitats.** No Telecommunication Facility shall be located in  
16 environmentally sensitive habitats, including but not limited to wetlands,  
17 shorelines, established animal habitats, conservation districts, and significant tree  
18 groups, unless mitigation measures can be adopted which would reduce potential  
19 impacts to levels of non-significance.  
20
- 21 O. **Radio Frequency Emissions.** Telecommunications Facilities shall comply with  
22 Federal Communication Commission standards for radio frequency emissions and  
23 interference.  
24
- 25 P. **Interference.** No Telecommunication Facility shall be permitted that causes  
26 interference with commercial or private use and enjoyment of other legally  
27 operating ~~Telecommunications~~[telecommunications](#) devices including, but not  
28 limited to, radios, televisions, personal computers, telephones, personal  
29 communications devices, garage door openers, security systems, and other  
30 electronic equipment and devices. ~~An in violation of any Federal Communication~~  
31 ~~Commission standards relating to radio frequency interference. Unless otherwise~~  
32 ~~prohibited by Federal Communication Commission standards, an~~ Applicant shall  
33 furnish a state registered engineer's certification that no such interference shall  
34 occur, or identify what interference may occur and how the Applicant shall  
35 mitigate any potential interference that may occur.  
36
- 37 Q. **Risk of Danger.** Telecommunications Facilities and Towers shall not pose a risk  
38 of explosion, fire, or other danger due to its proximity to volatile, flammable,  
39 explosive or hazardous materials. Telecommunication Facilities, Towers,  
40 Antennas, and Accessory Equipment shall be subject to state and federal  
41 regulations pertaining to non-ionizing radiation and other health hazards related to  
42 such Facilities. If new, more restrictive standards are adopted, the Facilities shall  
43 be made to comply or continued operations may be restricted by the City Council.  
44 The cost of verification of compliance shall be borne by the Applicant.  
45

- 1           R.     **Maintenance.** All Telecommunication Facilities and Towers shall at all times (i)  
2           be kept and maintained in good condition, order and repair so that the same shall  
3           not menace or endanger the life or property of any person, and (ii) allow sufficient  
4           access for service vehicles and personnel. Maintenance of equipment shall be  
5           scheduled for between 7:00am-6:00pm, Monday through Friday, unless in case of  
6           emergency or otherwise agreed to by the City. Service vehicles for equipment  
7           maintenance shall be parked on city streets, whenever possible. In the case of  
8           maintenance of Telecommunication Facilities on the City Water Tower, service  
9           vehicles shall park on the service entrance of the City Water Treatment Plant,  
10          whenever possible.
- 11
- 12          S.     **Co-location opportunity.** The Applicant, the Tower owner, the landowner,  
13          and their successors and assigns shall allow the shared use of the Tower if an  
14          additional user agrees in writing to meet reasonable terms and conditions for  
15          shared use, shall submit a dispute over the potential terms and conditions to  
16          binding arbitration, and shall sign the ~~conditional use permit~~ Conditional Use  
17          Permit agreeing to these requirements. The City Council may waive these co-  
18          location requirements if necessary to implement stealth design.
- 19
- 20                i. All Telecommunications Facility providers shall cooperate with each other  
21                in co-locating Telecommunication Facilities and shall exercise good faith  
22                in co-locating with other licensed carriers and in the sharing of sites,  
23                including the sharing of technical information necessary to evaluate the  
24                feasibility of collocation. In the event a dispute arises as to a co-location  
25                issue, the City may require a third-party technical study to evaluate the  
26                feasibility of co-locating at the expense of ~~either or both~~ each wireless  
27                telecommunications providers involved in the third-party study;
- 28
- 29                ii. All proposed new Towers shall be designed to accommodate both the  
30                Applicant's Antennas and Antennas for as many other licensed carriers as  
31                can be technically located thereon, but not less than one additional;
- 32
- 33                iii. All new Towers and Facilities owned by a telecommunications provider  
34                shall be made available for use by the owner or initial user thereof,  
35                together with as many other licensed carriers as can be technically located  
36                thereon, but not less than one additional;
- 37
- 38                iv. All proposed new Towers shall be designed to allow for future  
39                rearrangement of Antennas or Tower modifications, and to accept  
40                Antennas mounted at varying heights unless the City otherwise agrees in  
41                order to accommodate Stealth Design techniques;
- 42
- 43          T.     **Successors and Assigns.** Any Permit or lease for a Telecommunications  
44          Facility shall run with the Property, and shall be binding upon and inure to the  
45          benefit of the parties, their respective successors, personal representatives, and  
46          assigns.

- 1  
2 U. **External messages.** No advertising message or identification signs, other than  
3 warning or equipment information signs as legally required, shall be affixed to the  
4 Telecommunications Facilities.  
5
- 6 V. **Lighting.** Telecommunications Facilities or Towers shall not be artificially  
7 illuminated unless required by law or by a governmental agency to protect the  
8 public's health and safety or unless necessary to facilitate service to ground-  
9 mounted equipment. Any lighting or artificial illumination utilized shall be  
10 shielded and not cast glare onto adjacent properties. All lighting shall be  
11 measured to the property line.  
12
- 13 W. **On-site employees.** There shall be no employees on the site at a  
14 Telecommunications Facility on a permanent basis. Occasional or temporary  
15 repair and service activities are allowed.  
16
- 17 X. **Advances in Technology.** All Applicants/Permit Holders shall use and apply  
18 any readily available advances in technology that lessen the negative aesthetic  
19 effects of Telecommunication Facilities and Towers to the residential  
20 communities within the City. The City may review existing structures and  
21 compare the visual impact with available technologies in the industry for the  
22 purpose of removal, relocation or alteration of these structures in keeping with the  
23 general intent of this Ordinance. Such removal, relocation or alteration may be  
24 required by the City pursuant to its zoning power and authority.  
25
- 26 Y. **Removal.** After thirty (30) days' notice from the City to the Permit Holder all  
27 Telecommunications Facilities, Antennas, or Towers shall be required to be  
28 removed at the Permit Holder's expense, if such improvement is found to be in  
29 violation of any portion of this Ordinance by the City and such violation is not  
30 cured within such thirty day time period. Obsolete or unused  
31 Telecommunications Facilities and all related equipment shall be removed within  
32 six (6) months after cessation of their use at the site, unless an exemption is  
33 granted by the City Council. Telecommunications Facilities and related  
34 equipment that have become hazardous shall be removed or made not hazardous  
35 within 30 days after written notice to the current Permit Holder and to any  
36 separate landowner, unless an exemption is granted by the City Council. Notice  
37 may be made to the address listed in the application, unless another one has  
38 subsequently been provided, and to the taxpayer of the property listed in the  
39 Hennepin County tax records. Telecommunications Facilities and all related  
40 equipment that are not removed within this time are declared to be public  
41 nuisances and may be removed by the City. The City may assess its costs of  
42 removal against the Property.  
43
- 44 Z. **No Recourse Against the City.** Every permit shall provide that, without limiting  
45 such immunities as the City or other persons may have under applicable law, an  
46 Applicant/Permit Holder shall have no monetary recourse whatsoever against the

City or its elected officials, boards, commissions, agents, employees or volunteers for any loss, costs, expense or damage arising out of any provision or requirement of this Ordinance or because of the enforcement or lack of enforcement of this Ordinance or the City's exercise of its authority pursuant to this Ordinance, a permit, a lease, or other applicable law, unless the same shall be caused by criminal acts or by willful gross negligence. Nothing herein shall be construed as a waiver of sovereign immunity.

## **6. Applications for Telecommunications Facilities Permit.**

Permit Application. In addition to an Applicant's name, address, certificate of survey, grading and landscaping plans, and other such similar information, an application for a permit under this Section shall include the following:

- A. A scaled site plan clearly indicating the location, type and height of the proposed Telecommunication Facility, Tower, or Antenna, on-site land uses and zoning, adjacent land uses and zoning, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed equipment and any structures, topography, parking and any other information deemed by the City Staff to be necessary to assess compliance with this Section.
- B. A visual simulation of the proposed Telecommunication Facility Tower or Antenna. Visual simulation shall consist of either a physical mock-up of the Telecommunication Facility Tower or Antenna, balloon simulation, computer simulation, photo simulation, or other similar simulation. In instances where the proposed Telecommunications Facility Tower or Antenna is located near a residential area, ~~photos~~photo simulations shall be submitted of the proposed Telecommunication Facility Tower or Antenna from the nearest residential neighbors unless the owners of such residential property refuse to allow the required photo to be taken.
- C. A report from a qualified and licensed professional engineer which:
  - i. Demonstrates that the Telecommunication Facility, Tower, Antenna and/or Accessory Equipment comply with the structural and electrical standards of this Section.
  - ii. Describes the Tower height, if utilized.
  - iii. Documents the height above grade for all potential mounting positions for co-locating Antennas and the minimum separation distance between Antennas.
  - iv. Describes the Tower's capacity, if utilized, including the number and type of Antennas it can accommodate.
  - v. A network map describing all of the Applicant's Telecommunications Facilities which provide any coverage within the City's limits.
  - vi. Documents what steps the Applicant shall take to avoid interference with established public safety Telecommunications.
  - vii. Includes an engineer's stamp and registration number.

- 1  
2 D. A written statement acknowledging that failure to comply with this Section and  
3 the conditions of permit approval shall result in the revocation of the permit and  
4 removal of the Telecommunications Facility, Antenna, and/or Tower;  
5  
6 E. Documentation that the Applicant has applied for and/or obtained any licenses  
7 and/or approvals that are required by federal and state agencies.  
8  
9 F. A written statement indicating that the expenses incurred by the City to review  
10 and process the application, and to enforce the provisions of the permit shall be  
11 reimbursed by the Applicant.  
12  
13 G. A written statement which requires the Applicant to utilize the procedures  
14 established by the Federal Communications Commission to resolve any  
15 complaints received relating to interference allegedly caused by the  
16 Telecommunications Facility, Antenna, and/or Tower.  
17  
18 H. A written statement indicating that the Applicant shall cooperate in good faith and  
19 fair dealing in co-locating Telecommunications Facilities, Antenna and/or  
20 Towers.  
21  
22 I. A written statement indicating that the Telecommunications Facility, Antenna,  
23 and/or Tower shall be maintained in good and safe condition and its original  
24 appearance and concealment, disguise or camouflage elements incorporated into  
25 the design at the time of approval shall be preserved. Such maintenance shall  
26 include, but not be limited to, painting, repair of equipment, and maintenance of  
27 landscaping.  
28  
29 J. A written statement authorizing the City to conduct periodic inspections to  
30 determine that the Telecommunications Equipment complies with the provisions  
31 of this Section, any conditions of approval and all safety and building codes and  
32 permits issued. This statement shall give the City the right to conduct such  
33 inspections at any time upon a reasonable notice of five (5) business days to the  
34 Applicant, and that all expenses related to such inspections shall be borne by the  
35 Applicant.  
36  
37 K. A written statement indicating that the Applicant understands that  
38 Telecommunications Facilities, Antennas, and/or Towers which have not been  
39 used for six (6) months shall be deemed abandoned, and shall be removed  
40 pursuant to this Section.  
41  
42 L. A written statement requiring the Applicant or current Permit Holder to notify the  
43 City that the Telecommunications Facility, Antenna, and/or Tower continue to be  
44 in operation. The notice of continuing operation shall be sent to the City Manager  
45 annually by certified mail within the last two (2) weeks of the month of  
46 December. [The City shall provide written notice of failure to provide the required](#)

statement with a requirement that such statement be provided within 14 days from the date of such notice.

**7. Review of Permit Applications.**

The City shall process all applications for Telecommunication Facilities Permits in a timely manner and in accordance with established procedures and City Code.

**8. Appeals.**

At any time within thirty (30) days after a written order, requirement, determination or final decision has been made by the Zoning Administrator or other official interpreting or applying this Section, except for actions taken in connection with prosecutions for violations thereof, the Applicant or any other person affected by such action may appeal the decision in accordance with the provisions of the Zoning Ordinance.

**9. Revocation of Permit.**

A material breach of any terms and conditions of a permit issued for a Telecommunication Facility under this Section and the Zoning Ordinance may result in the revocation of the permit by the City. Penalties for a violation of a permit or this Section may include fines and removal of the Telecommunication Facility, Tower, or Antenna at the Applicant's/Permit Holder's expense.

**10. No Recourse Against the City.**

Every application for and issued permit shall provide a written acknowledgement, agreement and release from the Applicant and Permit Holder that, without limiting such immunities as the City or other persons may have under applicable law, an Applicant and Permit Holder shall have no monetary recourse whatsoever against the City or its elected officials, boards, commissions, agents, employees or volunteers for any loss, costs, expense or damage arising out of any provision or requirement of this Ordinance or because of the enforcement or lack of enforcement of this Ordinance or the City's exercise of or failure to exercise its authority pursuant to this Ordinance, a permit, a lease, or other applicable law, unless the same shall be caused by criminal acts or by ~~shallful~~ gross negligence. Nothing herein shall be construed as a waiver of sovereign immunity.

**11. Indemnification.**

Each permit issued pursuant to this Section shall have as a condition of the permit, a requirement that the Applicant indemnify and hold harmless the City and its officers, agents, and employees from actions or claims of any description brought on account of any injury or damages sustained by any person or property resulting from the issuance of the permit and conduct of the activities authorized under said permit.

12. **Severability.**

If any section, subsection, sentence, clause or phrase of this Section is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Section. The City Council hereby declares that it would have passed this Section and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared invalid.

13. **Residential Accessory Uses.**

Residential Accessory Communication Devices are a permitted accessory use within residential districts provided they meet the following conditions:

- A. **Use.** They are for use by residents upon whose property the Residential Accessory Communication Devices are located.
- B. **Height.** A ground mounted Residential Accessory Communication Device height shall not exceed fifteen (15) feet unless approved as a ~~conditional-use permit~~Conditional Use Permit by the City Council.
- C. **Yards.** The Residential Accessory Communication Device shall not be located within the required front yard setback, a required side yard or any side yard abutting a street. Communication devices shall be located five (5) feet or more from rear lot lines and shall not be located within a utility easement.
- D. **Roofs.** The Residential Accessory Communication Device may be placed on the roof of any authorized structure on the premises. The height of the Residential Accessory Communication Device shall not exceed six and one-half (6-1/2) feet above the peak of the roof, unless approved by a ~~conditional-use permit~~Conditional Use Permit by the City Council.
- E. **Neighboring Property Impact.** In cases where no building permit is required, the Residential Accessory Communication Device shall be so located that in the event it falls, it shall not fall on adjoining property.
- F. **Building Permits.** A building permit shall be required for the installation of any Residential Accessory Communication Device which requires a ~~conditional-use permit~~Conditional Use Permit, or for any device which has a structural surface exposure of greater than nine (9) square feet. Building permit applications shall be accompanied by a site plan and structural components data for the Residential Accessory Communication Device, including details of anchoring. The Building Official shall approve the plans before installation.
- G. **Color/Content.** Residential Accessory Communication Devices shall be of a neutral color and shall not be painted with scenes or contain letters or messages.

- 1  
2 H. **Lightning Protection.** Each Residential Accessory Communication Device shall  
3 be grounded to protect against natural lightning strikes in conformance with the  
4 National Electrical Code as adopted by the City of Wayzata.  
5  
6 I. **Electrical Code.** Residential Accessory Communication Device electrical  
7 equipment and connections shall be designed and installed in conformance with  
8 the National Electrical Code as adopted by the City of Wayzata.  
9  
10 J. **Effective Date.** The provisions of this Section shall be applicable to all  
11 communication reception/transmission devices erected after \_\_\_\_\_, 2015.  
12 All such structures existing prior to this date shall be addressed as legal non-  
13 conforming uses.  
14  
15 K. **Conditional Use Permit.** Residential Accessory Communication Devices not  
16 qualifying as a permitted accessory use may be considered and approved through  
17 conditional use standards established by Section 801.04 of this Ordinance.  
18

19 [000043-204032/2211839\\_2](#)  
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## **Attachment C: Other Cities Telecommunication Antenna Regulations**

### ***St. Louis Park***

Sec. 36-368. Communication towers and antennas.

(h) Building-Mounted Antennas.

- (1) Antennas attached to a building shall be no higher than 30 feet above the highest point of the building.
- (2) All building-mounted equipment shall be consistent with the architectural features of the building and be painted to match the color of the building exterior, roof or sky, whichever is most effective, as determined by the Zoning Administrator.

### ***Rosemount***

#### **11-9-6: COMMERCIAL USE ANTENNA TOWERS AND COMMERCIAL ANTENNAS:**

F. Antennas Mounted On Roofs, Walls And Existing Towers: The placement of wireless communication antennas on roofs, walls, and existing towers may be permitted on public, institutional, commercial or industrial buildings or facilities, with a building permit approved by the appropriate city staff. In addition to the submittal requirements required elsewhere in this code, an application for a building permit for antennas to be mounted on an existing structure shall be accompanied by the following information:

1. A site plan showing the location of the proposed antennas on the structure and documenting that the request meets the requirements of this code.
2. A building plan showing the construction of the antennas, the proposed method of attaching them to the existing structure, and documenting that the request meets the requirements of this code.
3. A report prepared by a qualified and licensed professional engineer indicating the existing structure or tower's ability to support the antennas.
4. An intermodulation study to ensure there will be no interference with existing tenants or public safety telecommunication providers.

### ***Eagan***

#### **Sec. 11.70. - Performance Standards.**

*Subd. 26. Antennae, satellite dishes, wind energy conversion systems and towers.*

B. *Building mounted antennae and satellite dishes.* Building mounted antennae and satellite dishes shall be permitted in all zoning districts of the city, subject to the following requirements:

1. The height of any building mounted antenna or satellite dish, including its support structure, shall not exceed 50 percent of the total building height or 15 feet above the highest point of the roof, whichever is less;

2. Accessory equipment associated with a building mounted antenna or satellite dish shall be located within the building or within a roof or ground enclosure which is constructed of materials and color scheme compatible with the principal building;
3. Building mounted satellite dishes located within any agricultural district (A), estate district (E), residential district (R-1, R-1S, R-2, R-3, and R-4), public facilities (PF) district, or planned development district, within the area designated solely for residential uses under a planned development agreement (PD) shall not be larger than one meter (39 inches) in diameter; and
4. Building mounted satellite dishes and antennae located within any agricultural district (A); estate district (E); residential district (R-1, R-1S, R-2, R-3, and R-4); public facilities district (PF); or planned development district within the area designated solely for residential uses under a planned development agreement (PD) shall not be used for commercial purposes.

## ***Minnetonka***

### **5. General Standards.**

The following standards apply to all telecommunications facilities.

- a) Vertical projection on antenna support structures. Antennas mounted on an antenna support structure must not extend more than 15 feet above the height of the structure to which they are attached. Wall or facade-mounted antennas may not extend above the cornice line and must be constructed of a material or color that matches the exterior of the building.
- b) Horizontal projection. Antennas must not project out from the side of the antenna support structure or tower, unless it is physically impossible to locate the antennas within the structure or tower, in which case they must not project out by more than three feet by more than three feet.

## ***Plymouth***

### **SECTION 21175 – ANTENNAS**

#### **21175.07. PERSONAL WIRELESS SERVICE ANTENNAS:**

##### **Subd. 1. Residential District and Public/Institutional District Standards.**

- (a) Antennas Located Upon An Existing Structure Or Existing Tower: Personal wireless service antennas located upon an existing structure or existing tower shall require the processing of an administrative permit and shall comply with the following standards:
  - (1) The applicant shall demonstrate by providing a coverage or capacity analysis prepared by a professional engineer that location of the antennas as proposed is necessary to meet the frequency reuse and spacing needs of the personal wireless service system and to provide adequate wireless coverage and capacity to areas which cannot be adequately served by locating the antennas in a less restrictive zoning district.
  - (2) Transmitting, receiving and switching equipment shall be housed within an existing structure whenever possible. If a new equipment building is necessary for transmitting, receiving and

switching equipment, it shall be situated in the rear or side yard of the principal use and shall be screened from view by landscaping where appropriate.

- (3) An administrative permit is issued in compliance with the provisions of Section 21025 of this Chapter.
- (4) The maximum height for antennas to be placed upon an existing structure (includes buildings and light standards) shall be regulated by Section 21115.02, Subd. 1 of this Chapter.
- (5) Antennas mounted upon an existing high voltage transmission tower shall not extend more than 20 feet above such high voltage transmission tower.
- (6) There is no maximum height limitation for antennas to be co-located upon an existing wireless communication tower, provided the height of such existing tower is not increased.

#### Subd. 2. Commercial or Business District Standards:

- (a) Antennas Located Upon An Existing Structure Or Existing Tower: Personal wireless service antennas located upon an existing structure or co-located on an existing tower shall require the processing of an administrative permit.
  - (1) Transmitting, receiving and switching equipment shall be housed within an existing structure whenever possible. If a new equipment building is necessary for transmitting, receiving and switching equipment, it shall be situated in the rear or side yard of the principal use and shall be screened from view by landscaping where appropriate.
  - (2) An administrative permit is issued in compliance with the provisions of Section 21025 of this Chapter and the following standards.
    - a. Antennas mounted on public structures shall not extend more than fifteen (15) feet above the height of the structure to which they are attached.
    - b. Building-mounted antennas shall not extend more than ten (10) feet above the roof, and shall be set back at least five (5) feet from the roof edge.
    - c. Wall or facade mounted antennas may not extend more than five (5) feet above the cornice line and must be constructed of a material or color which matches the exterior of the building.
    - d. Antennas mounted upon an existing high voltage transmission tower shall not extend more than 20 feet above such high voltage transmission tower.
    - e. There is no maximum height limitation for antennas to be colocated upon an existing wireless communication tower, provided the height of such existing tower is not increased.

## SECTION 21115 - GENERAL YARD, LOT AREA AND BUILDING REGULATIONS

### 21115.02. HEIGHT:

Subd. 1. The building height limits established in each zoning district shall not apply to the following list of items, except that no such structural element may exceed 50 feet in total height or exceed

the maximum allowable height of the building by more than 10 feet, whichever is greater, except by conditional use permit.

- (a) Antennas installed on an existing structure.

## ***Eden Prairie***

### SECTION 11.06. TOWERS AND ANTENNAS.

Subd. 6. Exceptions. The provisions of Subds. 4 and 5 shall not apply to the following:

1. Water towers and poles supporting emergency warning devices to which are attached antennas.
2. Place of Worship sanctuaries, steeples and bell towers to which are attached antennas.
3. In accordance with the preemption ruling PRB1 of the Federal Communications Commission, towers for amateur radio communication that comply with other provisions of City Code Chapter 11 relating to towers.

## ***Edina***

### Chapter 34 – TELECOMMUNICATIONS

#### ARTICLE II. - ANTENNAS AND TOWERS

##### Sec. 34-48. - General requirements

All antennas, dish antennas and towers, for which a permit is required, shall comply with the following requirements:

- (10) *Antennas attached to buildings.* Antennas which are attached to any facade of a building or structure shall as closely as possible match the color of the underlying building material.

## ***Bloomington***

### **SEC. 19.63. places of assembly.**

- (a) **Standards** - Freestanding place of assembly uses and sites must comply with the following standards.

- (10) Bell towers, steeples, spires and similar structures must meet the following standards:

- (A) Height. The height of bell towers, steeples, spires and similar structures must not exceed 65 feet.

- (B) Location. Bell towers, steeples, spires and similar structures must be located at least 25 feet from a side or rear property line and at least 50 feet from a front property line or property line abutting a public street.

- (C) Antenna Mounting. When antennas are mounted on bell towers, steeples, spires or similar structures, the following standards apply:

- (i) **Design.** The structure must be designed to visually appear as a bell tower, steeple, spire or similar structure and not be identifiable as an antenna tower. To ensure that a bell tower, steeple, spire or similar structure that supports antennas is fully camouflaged and appears to be a planned architectural element rather than an antenna tower, the design of the bell tower, steeple, spire or similar structure must replicate the unique design features of the place of assembly principal building structure, must be constructed of materials and use colors that complement and effectively integrate it with the principal structure and must not be a replication of a similar structure that supports antennas at another site within the city. The number of bell towers, steeples, spires or similar structures on an individual site must be compatible with the design of the principal structure. If more than one bell tower, steeple, spire or similar structure is present on a site, each must be architecturally coordinated with the other and they must appear as planned design elements.
- (ii) **Antenna Visibility.** The antennas, cables and associated mounting devices must be screened or otherwise concealed from view.
- (iii) **Equipment.** The associated ground equipment must meet the setback requirements of the structure and must be fully screened by a wall or fence that is architecturally compatible with the principal structure.

#### **SEC. 19.63.05. TOWERS.**

- (l) **Antennas Mounted on Roofs, Walls, and Existing Towers.** The placement of wireless telecommunication antennas on roofs, walls, and existing towers may be approved by the Planning Manager, provided the antennas meet the requirements of this Code, after submittal of 1) a final site and building plan as specified by Section 21.501.01 of this Code, and 2) a report prepared by a qualified and licensed professional engineer indicating the existing structure or tower's suitability to accept the antenna, and the proposed method of affixing the antenna to the structure. Complete details of all fixtures and couplings, and the precise point of attachment shall be indicated. Antennas shall be mounted on the facade of the building or penthouse structure unless the Planning Manager or designee determines that another antenna mounting location decreases the visual impact of the antennas. All roof mounted equipment shall be screened from view in accordance with Section 19.52.01 of this Code.

#### **SEC. 19.52.01. SCREENING OF ROOF-MOUNTED EQUIPMENT.**

- (a) Roof-mounted mechanical equipment installed on buildings constructed within the City shall be screened from view. This requirement shall be deemed satisfied when all parts of the roof-mounted equipment are not visible from ground level observation or at any point on the property, adjacent property, or from adjacent streets.
- (b) Screening required by this Section shall comply with the following:
  - (1) The screening shall be permanently attached to the building and shall be capable of withstanding all load requirements as outlined in the State of Minnesota Building Code.
  - (2) The screening shall be constructed with materials that are architecturally compatible with the building. The use of wood, in whole or in part, as a screening material shall not be

considered as being architecturally compatible unless the building is constructed with a wood exterior.

(3) A parapet wall of sufficient height and as an integral part of the building shall be considered as approved screening.

(4) Reserved.

(5) All roof-top screening shall be kept in repair or in a proper state of preservation.

(6) Existing screening which requires major alteration or replacement shall meet the requirements of this Section.

## ***Woodbury***

### **DIVISION 4. - ANTENNAS AND TOWERS**

#### **Sec. 24-314. - Purpose and intent.**

(h) When selecting freestanding sites, the following requirements shall be followed:

(1) Locations for wireless communication antennas as permitted uses.

Water towers.

Co-location on existing telecommunication monopoles or towers.

Roofs of buildings over three stories.

Sides of buildings over two stories.

Existing power or phone pole corridors.

Public streets and rights-of-way where attached to, or part of a public utility structure.

#### **Sec. 24-319. - Construction requirements and area, setback and height restrictions.**

(c) Antennas and towers shall not be erected in any zoning district in violation of the following restrictions:

(12) Wireless telephone antennas, where the antennas are located on an existing structure, provided that the antennas shall not extend more than 20 feet above the structure to which they are attached, whichever is less, shall be permitted used in all zoning districts in the city. Transmitting, receiving, and switching equipment shall be housed within an existing structure whenever possible. If a new equipment building is necessary for transmitting, receiving and switching equipment, it shall be situated five feet from the side or rear yard property line and shall be landscaped where appropriate.

## ***Burnsville***

### **Chapter 20 B-1 OFFICE BUSINESS DISTRICT**

### **10-20-3: PERMITTED ACCESSORY USES:**

Within any B-1 office business district, the following uses shall be permitted accessory uses:

Antennas mounted on an existing structure, not exceeding fifteen feet (15') above the highest point of the structure, as regulated by chapter 29 of this title.

### **10-20-4: CONDITIONAL USES:**

Within any B-1 office business district, no structure or land shall be used for the following uses except by conditional use permit:

Antennas mounted on an existing structure, exceeding fifteen feet (15') above the highest point of the structure, as regulated by chapter 29 of this title.

## **Chapter 29 TOWERS AND ANTENNAS**

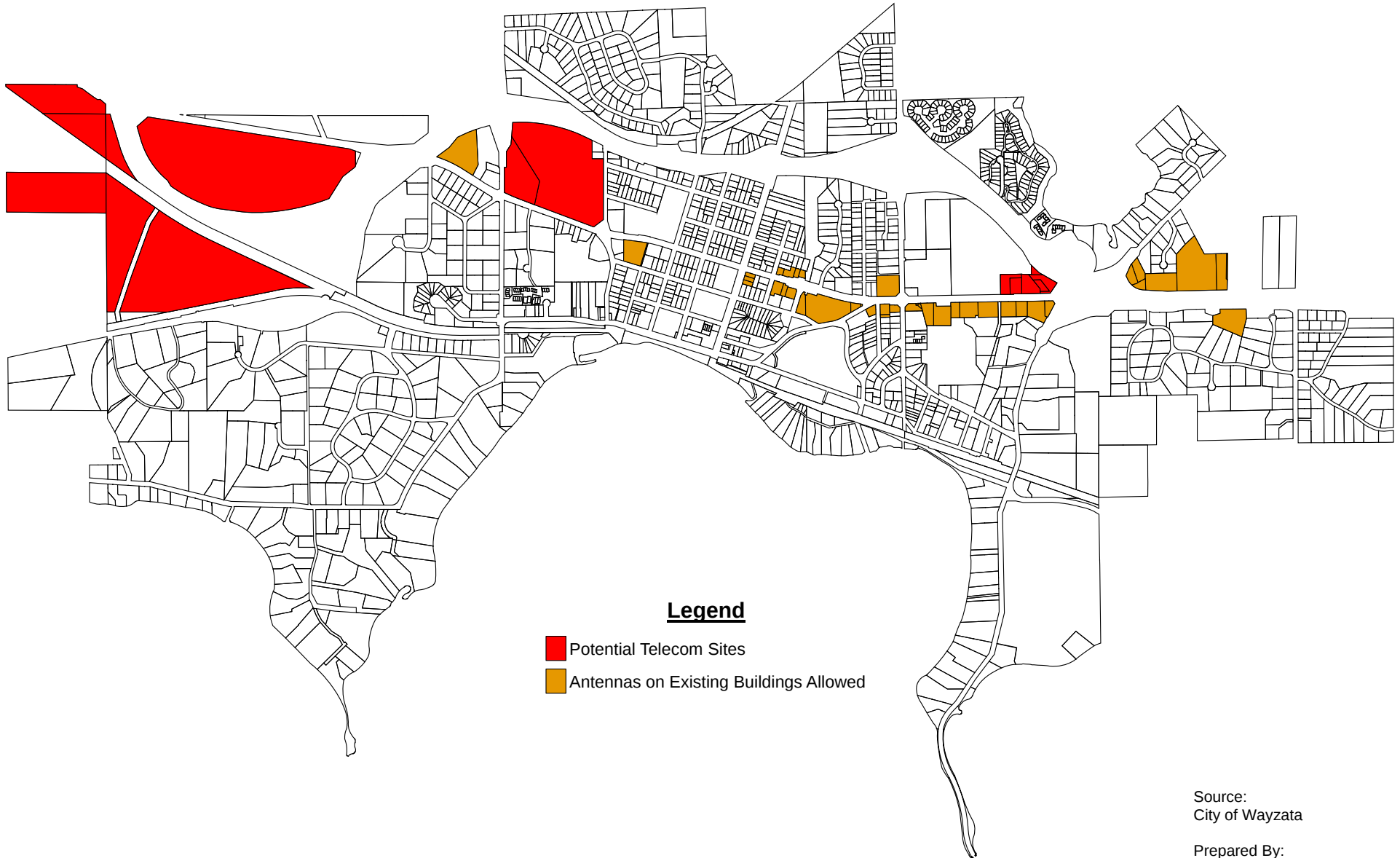
### **10-29-9: DESIGN STANDARDS:**

Proposed or modified towers and antennas shall meet the following requirements:

- (A) Towers and antennas (including antenna cables) shall be designed to blend into the surrounding environment to the maximum extent possible as determined by the city through the use of building materials, colors, texture, screening, landscaping, and other camouflaging architectural treatment, except in instances where the color is dictated by federal or state authorities such as the federal aviation administration;

### **10-29-12: ANTENNA COLLOCATION REQUIREMENTS:**

- (A) Requirements: In all zoning districts except the HOC district, the placement of personal wireless service antennas on roofs, walls, and existing towers may be approved by the city, with a building permit.
  - 1. In addition to the submittal requirements required elsewhere in this code, an application for a building permit for antennas to be mounted on an existing structure shall be accompanied by the following information:
    - a. A site plan showing the location of the proposed antennas on the structure and documenting that the request meets the requirements of this code.
    - b. A building plan showing the construction of the antennas and the proposed method of attaching them to the existing structure, and documenting that the request meets the requirements of this code.
    - c. Certification by a qualified and licensed professional engineer indicating the existing structure's or tower's ability to support the antennas.
  - 2. Antenna collocation requirements for HOC zoning districts are regulated by sections [10-22B-2](#) and [10-22B-4](#) of this title. (Ord. 1316, 4-8-2014)



Source:  
City of Wayzata

Prepared By:  
City of Wayzata Planning Department  
10/05/2015  
DRAFT



# Telecom Site Land Use Review

