

# Wayzata Planning Commission

## Meeting Agenda

Monday, April 4, 2016

Community Room,  
600 Rice Street East,  
Wayzata, Minnesota

- 7:00 p.m.**
- 1. Call to Order & Roll Call**
  - 2. Approval of Agenda**
  - 3. Approval of Minutes**
    - a. Approval of the March 10, 2016 Planning Commission Minutes
    - b. Approval of the March 21, 2016 Planning Commission Minutes
  - 4. Regular Agenda Public Hearing Items:**
    - a. None
  - 5. Regular Agenda Old Business Items:**
    - a. Unitarian Universalist Church of Minnetonka – 2030 Wayzata Blvd E
      - Design review, preliminary plat, PUD amendment, rezoning, comp plan amendment, and variances
- 8:00 p.m.**
- 6. Workshop Agenda Items:**
    - a. Meyer Place on Ferndale – 105 Lake St E
      - Review of concept plans
  - 7. Other Items:**
    - a. Review of Development Activities
    - b. Other items
  - 8. 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.

**DRAFT WAYZATA PLANNING COMMISSION**  
**MEETING MINUTES**  
**MARCH 10, 2016**

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

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

Present at roll call were Commissioners: Gruber, Gonzalez, Iverson, Gnos, and Flannigan. Absent and excused: Commissioners Young and Murray. Director of Planning and Building Jeff Thomson and City Attorney David Schelzel were also present.

**a.) Approval of the February 1, 2016 Planning Commission Minutes**

Commissioner Gruber made a motion, Seconded by Commissioner Gonzalez, to approve the February 1, 2016 meeting minutes as presented. The motion carried unanimously.

**b.) Approval of the February 22, 2016 Planning Commission Minutes**

Commissioner Gruber made a motion, Seconded by Commissioner Gnos, to approve the February 22, 2016 meeting minutes as presented. The motion carried 4-ayes; 1-abstain (Gonzalez).

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

**a.) Amendment to the City of Wayzata Zoning Ordinance related to Off-Street Parking and Loading (City Code Section 801.20)**

Director of Planning and Building Thomson stated on December 15, 2015 the City Council accepted the Downtown Parking Study, and directed Staff to move forward with the parking ordinance amendments and the establishment of the downtown parking and mobility district. The parking ordinance amendment is an implementation component of the Downtown Parking Project and the proposed ordinance amendment is updating the City's Off-Street Parking and Loading Ordinance (City Code Section 801.20). He reviewed the current and proposed parking ratios and shared parking. At the January Planning Commission Workshop, the Commission supported reducing the parking requirements for office, restaurant, and retail, and establishing a shared parking standard for the City. He reviewed the proposed changes in Sections 801.20.3.B and 801.20.3.C, renumbered Sections 801.20.8.D.1, 801.20.8.D.4, 801.20.0.C, and 801.20.14. He stated Section 801.20.7 would be removed from this ordinance and added to the Parking and Mobility District.

Commissioner Gonzalez asked about the language in Section 801.20.4.

1 Mr. Thomson stated he had discussed this with City Attorney Schelzel. There is a separate non-  
2 conforming use section of the Zoning Ordinance that addresses non-conforming parking.  
3 Section 801.20.4 could be removed.

4  
5 Mr. Thomson stated Staff recommends adding Sections 801.20.12.5.a, 801.20.12.5.b, and  
6 801.20.12.c, pertaining to the minimum parking requirement for joint facilities that include  
7 office, restaurant, retail, and/or government uses.

8  
9 Chair Iverson asked how the percentages were calculated for retail 6:00 p.m. to midnight. Chair  
10 Iverson stated these percentages seemed high because most of the businesses close between 5  
11 p.m. and 6 p.m. and they are closed on Sundays.

12  
13 Mr. Thomson stated these figures are from the ULI model based on national case studies. The  
14 Planning Commission can discuss and change these figures.

15  
16 Commissioner Gonzalez stated restaurants are busier during the 6 p.m. to midnight time than  
17 retail. She state that she would recommend lowering the retail percentage for the 6 p.m. to  
18 midnight times.

19  
20 Chair Iverson asked if the consultant could look into these figures and make them more Wayzata  
21 specific.

22  
23 Mr. Thomson stated he had discussed this with SRF and it is difficult to study individual uses.  
24 This is why parking ratios are based on general land uses. Mr. Thomson stated that there is  
25 flexibility with the parking demand ratios and it could be lowered; but he cautioned this would  
26 also apply to the broader community and these percentages could be closer to the actual usage in  
27 other retail areas of the City.

28  
29 Chair Iverson expressed concern about the percentages for the retail 6 p.m. to midnight amounts  
30 and thought these could be lowered to 50% in order to accurately reflect Wayzata data.

31  
32 Mr. Thomson stated Staff would review the data to recommend a number that more closely  
33 reflects the needs of Wayzata. He pointed out that residential was not included in the ordinance  
34 at this time and this may be something the City should look at, especially for the downtown area.  
35 Staff could include these calculations for the Planning Commission to consider.

36  
37 Commissioner Gonzalez stated the City has landscaping requirements in the Design Standard  
38 Ordinance. She asked if Section 820.20.6 aligned with the Design Standard Ordinance or if it  
39 could be removed.

40  
41 City Attorney Schelzel stated Staff would review this to ensure the standards are clear and there  
42 are no contradictions on what these standards are. This section could be removed if necessary.

43  
44 Commissioner Flannigan pointed out the parking requirements for office buildings and retail had  
45 only decreased slightly. He asked if this was reflective of the Commission's workshop  
46 discussions.

1  
2 Commissioner Gonzalez stated the Commission had discussed reducing the requirements for  
3 office, and she would like to see the requirement lowered more.

4  
5 Mr. Thomson stated Staff would look at these numbers and include a recommendation on  
6 lowering the office parking requirements.

7  
8 Commissioner Gonzalez recommended setting the parking requirements for retail and office at 3  
9 stalls per 1,000 square feet of floor area.

10  
11 Chair Iverson asked Staff to look into why the parking requirement for restaurants is twice as  
12 high as Edina's parking requirement.

13  
14 Commissioner Gonzalez stated she would support 15.2 stalls per 1,000 square foot of floor area  
15 for restaurants.

16  
17 Mr. Thomson stated he would change the parking requirements in the proposed language to 3  
18 stalls per 1,000 square feet of floor area for retail and office uses, which could be considered by  
19 the Planning Commission.

20  
21 Chair Iverson opened the public hearing at 7:34 p.m.

22  
23 Ms. Kathleen Kasprick, 722 Widsten Circle, Wayzata, stated at the 30 plus meetings regarding  
24 the parking ramp there had been no mention of the structure being a grade+2 building. She  
25 commented on the number of Commissions and Committees the City had and that the minutes do  
26 not accurately reflect what happens in the City because they are prepared by an off-site paid  
27 person. The City does not know how many parking stalls it needs and there seems to be no clear  
28 answers on the parking structure, who is paying for it, and how many stalls are truly needed.  
29 The Consultants the City hired do not have a vested interest in the City. She stated she is  
30 confused about what the City is doing and the direction it is moving in. She would like to see a  
31 consolidation of the actual decision making in the City.

32  
33 Chair Iverson suggested Ms. Kasprick bring her concerns to the City Council because the role of  
34 the Commission is to make recommendations to the City Council, who makes the decisions.

35  
36 Mr. Thomson stated the City Council would be discussing the Mill Street Ramp on Tuesday,  
37 March 15 at a 5:00 p.m. workshop, and on March 16 at 6:30 there will be an open house at City  
38 Hall to discuss the parking ramp.

39  
40 Chair Iverson closed the public hearing at 7:42 p.m.

41  
42 Chair Iverson clarified the City Council had voted 3/2 on the Mill Street Parking Ramp. She  
43 asked if this had been for approval of a 2-level ramp.

44  
45 Mr. Thomson stated the City Council would not be voting on anything at the open house. This is  
46 for the public to provide comment on the pre-design. In April, the City Council will review all

1 the comments and other information and decide if they would like to proceed forward with a  
2 ramp in this location and if so, what the design would be.

3  
4 Chair Iverson asked if the City had conducted any public hearings regarding the parking ramp.

5  
6 City Attorney Schelzel stated the City has had several open meetings where the City Council has  
7 discussed the parking ramp and the parking study. He explained that with a project of this  
8 complexity, there are several decision points that are tied to different phases of the project and  
9 that with the parking ordinance reviewed this evening, the Commission is making a  
10 recommendation to the City Council on a small piece that is related to the parking ramp but not  
11 necessarily tied to the ramp. The City Council will be moving toward a decision on moving  
12 forward with the parking ramp in April, and the public is encouraged to attend all of the open  
13 meetings and public hearings.

14  
15 Commissioner Gonzalez stated once the City Council has a design then this would come to the  
16 Planning Commission for a design standards review and public hearing.

17  
18 Chair Iverson stated based on discussions, she understands that the Commission is requesting  
19 Staff review the retail use percentages that are included in the chart presented and review of  
20 Section 801.20.6 and determine if this should be removed or if it should be included in design  
21 standards. The Commission is also recommending reducing the parking ratio for retail and  
22 office.

23  
24 Commissioner Flannigan stated Section 801.2.4 would also be removed.

25  
26 City Attorney Schelzel asked if the Commission would like to have multi-family residential  
27 added to the percentages in the shared parking table.

28  
29 Chair Iverson stated there is an upcoming need and this should be included.

30  
31 Commissioner Gonzalez made a motion, Seconded by Commissioner Flannigan to direct Staff to  
32 prepare a draft Report and Recommendation recommending approval of the Amendment to the  
33 City of Wayzata Zoning Ordinance related to Off-Street Parking and Loading, City Code Section  
34 801.20 with the recommended additions and changes discussed at this meeting to be reviewed at  
35 the next Planning Commission meeting. The motion carried unanimously.

36  
37  
38 **AGENDA ITEM 3. Regular Agenda Old Business Items:**

39  
40 None.

41  
42  
43 **AGENDA ITEM 4. Other Items:**

44  
45 **a.) Review of Development Activities**  
46

1 Mr. Thomson stated the City Council would be meeting on March 15 to discuss the Mill Street  
2 Ramp. The next Planning Commission meeting would include a public hearing and review of  
3 the application of Universalist Unitarian Church of Minnetonka for design review, preliminary  
4 plat, PUD amendment, rezoning, Comprehensive Plan Amendment and variance requests. The  
5 Holdridge Homes application is still pending and the Applicant is working on a revised plan.  
6  
7

#### 8 **b.) Other Items**

9

10 Chair Iverson asked if the height of the new homes on Circle drive had been looked at.  
11

12 Mr. Thomson stated the building plans do conform to the height requirement but the height is  
13 based on the finished grade. In order to verify the height does meet the requirements the City  
14 needs the “as built” survey. During construction there are inspections to ensure the building does  
15 meet the approved building plans.  
16

17 Chair Iverson stated the Design Standards require decorative plantings in the front of buildings,  
18 and there are several businesses in the City that only have trashcans.  
19

20 Mr. Thomson stated the City had reached out to Walgreens, and they said they will work to  
21 comply with these standards.  
22

23 Commissioner Gonzalez provided an update from the City Council meeting including a request  
24 to have the Tree Preservation Ordinance brought forward for approval. One City Council  
25 member had expressed concerns with the drainage for the Huntington Avenue and Circle Drive E  
26 project. The applicant had been working with Staff to address these concerns and the project  
27 was approved. Police Chief Risvold made a presentation on traffic safety initiatives for Highway  
28 12.  
29

30 Mr. Thomson stated he would forward an update on the Heritage Preservation Board meeting.  
31

32 Chair Iverson suggested asking the Heritage Preservation Board attend a Planning Commission  
33 meeting and provide periodic updates.  
34  
35

#### 36 **AGENDA ITEM 4. Adjournment.**

37

38 Commissioner Gruber made a motion, seconded by Commissioner Gnos, to adjourn the meeting.  
39 The motion passed unanimously.  
40

41 The meeting was adjourned at 8:00 p.m.  
42

43 Respectfully submitted,  
44

45 Tina Borg  
46 *TimeSaver Off Site Secretarial, Inc.*

1                                   **DRAFT WAYZATA PLANNING COMMISSION**  
2                                   **MEETING MINUTES**  
3                                   **MARCH 21, 2016**

4  
5   **AGENDA ITEM 1. Call to Order and Roll Call**  
6

7   Chair Iverson called the meeting to order at 7:00 p.m.  
8

9   Present at roll call were Commissioners: Gonzalez, Iverson, Gnos, Murray and Flannigan.  
10   Absent and excused: Commissioners Gruber and Young. Director of Planning and Building Jeff  
11   Thomson and City Attorney David Schelzel were also present.  
12

13  
14   **AGENDA ITEM 2. Approval of Agenda**  
15

16   Commissioner Gonzalez made a motion, Seconded by Commissioner Gnos to approve the March  
17   21, 2016 meeting agenda as presented. The motion carried unanimously.  
18

19  
20   **AGENDA ITEM 3. Regular Agenda Public Hearing Items:**  
21

22           **a.) Unitarian Universalist Church of Minnetonka – 2030 Wayzata Blvd. E.**

23                   **i. Design review, preliminary plat, PUD amendment, rezoning,**  
24                   **Comprehensive Plan amendment, and variances**  
25

26   Director of Planning and Building Thomson stated the applicant, Locus Architects, and the  
27   property owner, Unitarian Universalist Church of Minnetonka (UUCM), have submitted a  
28   development application for the property at 2030 Wayzata Blvd. E. The development  
29   application includes construction of a new 11,000 square-foot church building and associated  
30   parking, a request to combine the property with the parcel to the east, and subdivide a portion of  
31   the east parcel into a single-family residential property. He reviewed the 2012 approved  
32   application, the proposed preliminary plat, design review, amendment to the PUD, rezoning  
33   request for Parcel B, the amendment to the Comprehensive Plan land use designation for Parcel  
34   B, and variance requests for R-1 Lot for minimum lot area and minimum lot depth. He reviewed  
35   the proposed building and site plan, wetland delineation, zoning analysis, parking requirements,  
36   stormwater management, tree inventory, and site access and internal circulation. He clarified  
37   that all approvals from 2012 apply to Parcel A only.  
38

39   Commissioner Gonzalez stated that Section 2.2 of the Staff Report Attachment B, the City  
40   Council Ordinance, states that before finalizing the acquisition of any of the former outlots there  
41   should be an environmental review conducted. She asked if this had been done.  
42

43   Mr. Thomson stated the Applicant has stated this has been done and they will provide this report  
44   to the City.  
45

1 Commissioner Gonzalez suggested adding a condition of approval that the Environmental  
2 Review be submitted to the City Council, if the application moves forward. She stated Section  
3 801.09.3.1.b of the Design review discusses sitting areas and gathering areas, and/or landscape  
4 courtyard. It looks like this should be at street level but the applicant is proposing to have this in  
5 the back of the building below street level. She stated it does make sense if it is facing a  
6 freeway. She asked if the Commission would need to recommend or approve a deviation from  
7 this design standard.

8  
9 Mr. Thomson stated the intention of this section is for the applicant to provide outdoor space and  
10 they have met this through the proposal and the City also recognizes that this property is unique  
11 in that there is a sidewalk but not a streetscape area. Mr. Thomson stated that the streetscape  
12 elements would not meet the character of the neighborhood because it is a residential area.

13  
14 It was the consensus of the Commission to accept the location of the outdoor space on the back  
15 side of the proposed building.

16  
17 Commissioner Gonzalez stated the applicant had referenced a light colored roof but the design  
18 standards require a dark color for the roof. She asked if the Commission would need to approve  
19 this deviation. Mr. Thomson stated that if the flat roof includes a light colored membrane, a  
20 deviation from the Design Standards would be required. Mr. Thomson asked that the applicant  
21 clarify what the roof color would be.

22  
23 Commissioner Flannigan asked if the proposed R-1 zoning for Parcel B is the only option the  
24 Commission can consider.

25  
26 Mr. Thomson stated the R-1 is requested because the residential properties around the parcel are  
27 currently zoned R-1. There are other zoning districts in the Zoning Ordinance in which the  
28 property would comply with the requirements but that would raise the issue of “spot zoning”,  
29 given there are no other surrounding properties with those designations, and this is something the  
30 City should avoid.

31  
32 Commissioner Flannigan asked if there would be a lighted sign on Wayzata Boulevard. He  
33 asked if this would comply with the City’s ordinances for signage.

34  
35 Mr. Thomson stated they are allowed to have a freestanding sign, but he would review the  
36 Ordinances to verify that the proposed illumination type used in the lighted sign would be  
37 allowed.

38  
39 Commissioner Gonzalez stated the Lighting Ordinance does not allow backlit signs.

40  
41 Chair Iverson asked Staff to review this.

42  
43 Commissioner Flannigan asked why the percentage of glass was not included in the reports as a  
44 design deviation from 801.09.84, which states no less than 35% of ground level façade shall be  
45 transparent glass.

46

1 Mr. Thomson stated this requirement would apply if the ground level was retail or service use,  
2 but he would check into this and verify it.

3  
4 Mr. Wynne Yelland, 5214 Hampshire Drive, Minneapolis, from Locus Architects, for the  
5 Applicant, stated there had been four (4) plans presented in 2012 that represented different  
6 possibilities based on the outlots that were acquired and Scenario B of those plans most closely  
7 matches the project proposed. He stated the parking lot has been reconfigured due to the  
8 topography and drainage on the property and to save some of the trees. He explained they did  
9 not connect the two (2) parking lots due to erosion concerns, how close it would be to the  
10 wetlands and the number of trees that would need to be removed. He stated they were proposing  
11 to remove 154 caliper inches of Heritage Trees, as defined in the City's proposed new Tree  
12 Preservation Ordinance, not the 94 caliper inches listed in the report. They would provide an  
13 updated report to the City.

14  
15 Commissioner Gonzalez stated that she appreciated the developer making adjustments in the  
16 building and parking lot in order to preserve trees. She asked if the Applicant had a plan for  
17 replacement trees.

18  
19 Mr. Yelland stated there is a landscape plan included, and they would be amending some of the  
20 trees they would be using based on the comments from the City's Forester. He stated there may  
21 not be enough land on this parcel to plant all of the required replacement trees. They have talked  
22 with the City, and it will be at the City's discretion to plant the remaining trees within City  
23 limits.

24  
25 Commissioner Gonzalez stated she appreciated the Applicant's willingness to comply with the  
26 City's proposed Tree Preservation Ordinance even though it has not been adopted yet. She  
27 stated she would like to ensure Mr. Jordan, the City Forester,'s questions and concerns are  
28 addressed by the Applicant. She asked what color the roof of the building would be.

29  
30 Mr. Yelland stated they are proposing a white roof because the Applicant is committed to  
31 sustainable topics. He explained that in most commercial buildings, more energy is used cooling  
32 than heating, and this particular roof would not be visible by residents, so they decided to go  
33 with a white roof.

34  
35 Commissioner Gonzalez stated if the Commission approves of the white roof, they would have  
36 to make that deviation from the Design Standard part of the recommendation.

37  
38 Commissioner Flannigan asked why the Applicant chose to use metal on the exterior of the  
39 building.

40  
41 Mr. Yelland stated during rush hour, the noise level is 80 decibels to 90 decibels and the best  
42 way to reduce this noise was to eliminate glazing, create some dense mass and/or differing levels  
43 of density in the wall cavity. He stated that the Design Standards for exterior materials that  
44 specify stone and brick are primarily materials targeted at cavity wall construction. He explained  
45 that cavity walls would not meet the needs of the church to block the noise. Precast wall panels  
46 were the best thing they could find. He stated they knew this would not meet the Design

1 Standards, so they opted to clad this with the metal siding to comply with the Design Standard  
2 intent.

3  
4 Chair Iverson asked if they had looked at sound proofing insulation behind the brick. She stated  
5 that there are products that should be explored further that would work with brick walls.

6  
7 Mr. Yelland stated they had not been able to find a wall assembly that would meet the  
8 performance of the precast wall. They need this density in order to reflect the sound away from  
9 the building and reduce the noise for services such as funerals.

10  
11 Commissioner Flannigan asked if the Applicant had looked at how the metal exterior would  
12 reflect the noise from the highway to surrounding properties.

13  
14 Mr. Yelland stated there is some residual effect but the amount of “soft” materials on the  
15 property would be enough to reduce this effect, so there would be no additional impact on  
16 surrounding properties.

17  
18 Commissioner Gonzalez asked how much fill would be brought onto the site.

19  
20 Mr. Yelland stated the intention would be to maintain a balance and not have to remove fill or  
21 bring additional fill to the site. They are still working on this and would be able to provide the  
22 exact information to the Commission.

23  
24 Commissioner Gonzalez asked what the accent materials would be used.

25  
26 Mr. Yelland stated there would be wood or fiber cement accents materials.

27  
28 Chair Iverson asked if the Applicant would be providing a detailed plan on what steps they  
29 would be taking to preserve the large trees on the property during construction.

30  
31 Mr. Yelland stated the Applicant’s Civil Engineer would be providing a Tree Preservation Plan  
32 and Oak Wilt Prevention Plan with the construction documents.

33  
34 Commissioner Gonzalez asked if the Applicant had an alternate plan for the parking lot in case  
35 the wetlands delineation changed.

36  
37 Mr. Yelland stated they did have an alternate plan that would result in six (6) less spots than  
38 what they are proposing.

39  
40 Chair Iverson opened the public hearing at 8:00 p.m.

41  
42 Mr. Russell Crowder, 1505 Holdrige Circle, Wayzata, stated this project will have an adverse  
43 effect on the neighborhood and the Commission has an obligation to be looking at minimizing  
44 this effect. He asked if the Applicant had finalized the purchase of Parcel B.

45  
46 City Attorney Schelzel stated the Applicant does own Parcel B.

1  
2 Mr. Crowder asked if the Applicant was able to develop the property with a residential  
3 component, or if this was part of the Settlement Agreement.  
4

5 Chair Iverson stated the Applicant currently can develop this parcel as long as the uses on it are  
6 consistent with the types of uses associated with a church. If this changes and the parcel is  
7 rezoned, then it would become part of the R-1 District and it would have to meet the  
8 requirements of that district.  
9

10 Mr. Crowder asked if the hill was included in Parcel B because the construction of a home would  
11 remove part of this hill and reduce the amount of buffer the neighborhood has from the highway.  
12

13 Chair Iverson stated that if it changed to residential, a condition of that approval could be that the  
14 future owner of Parcel B would have to come to the Planning Commission with their plan and  
15 the Commission could review the impacts to the trees and neighborhood at that time.  
16

17 Mr. Crowder stated the Church would be buffering itself from the highway noise but he  
18 expressed concerns that the neighborhood would experience more noise due to the amount of  
19 trees being removed. The Applicant has not done any studies on the noise impacts. If the noise  
20 increases and the highway is more visible to the neighborhood, then the property values will  
21 decrease. He wants to know that there will not be adverse noise effects to the neighborhood. He  
22 suggested the Applicant build a screen along the south side of the property line to reduce the  
23 noise in the neighborhood. He wants the Planning Commission ensure that a meaningful screen  
24 is put in because it is owed to the neighborhood. He asked if the parking lot lighting would be  
25 on every night. He pointed out a white Church would stand out along the frontage road and the  
26 City has worked to make developments blend in with the neighborhoods.  
27

28 Mr. Kent Howe, 1600 Holdridge Lane, Wayzata, stated he does like the idea of having a home  
29 on Parcel B because this ensures it would not be parking. Parking would be more intrusive on  
30 the neighborhood. He would like to see the City do additional staking to show where the  
31 property lines would be, and he would like to ensure that people cannot get from the parking lot  
32 or the Church to Holdridge Lane.  
33

34 Ms. Rachel Brednoy, 16313 Holdridge Road W., Wayzata, stated she does not think the white  
35 metal siding should be approved because it is an inappropriate siding for the neighborhood. The  
36 Church has windows so they would not be getting the silence they are using as a reason for the  
37 metal siding. The building in the current proposal encroaches into the neighborhood more than  
38 under the previously approved plan. Unless there is a wall between the proposed parking lot and  
39 the neighborhood, there will be lights shining into the neighborhood and this is a health problem.  
40 She stated the Church had sued the City in order to remove the R-1 District zoning from the  
41 property and now they want to have it changed back to R-1. No one will want to purchase this  
42 property, and it will remain a vacant lot. There is a significant amount of trees being removed  
43 and this affects the health of the community. There is no sound barrier between where the  
44 Church will be built and Highway 12. The current proposal is more intrusive into the  
45 neighborhood. She wants the Commission to find out exactly what affects the changes in  
46 topography will cause.

1  
2 Commissioner Flannigan asked Ms. Brednoy is she would prefer to change the zoning of Parcel  
3 B to R-1 for potential residential development or leave it as it is currently for potential parking  
4 lot expansion by the Church.

5  
6 Ms. Brednoy stated she would prefer areas for parking lots that have the fewest amount of trees  
7 to be removed. She does not think anyone would put a house on Parcel B.

8  
9 Mr. Morgan Truscott, 16400 Holdridge Road W, Wayzata, stated he would like the applicant to  
10 ensure the white roof could not be seen by the neighbors because he believes he would see it  
11 from the second story of his home. He also expressed concerns about the metal siding increasing  
12 the amount of noise because there would also be a significant amount of trees removed. He  
13 asked the Applicant provide the Commission with the exact amount of fill that would be brought  
14 to the site. He expressed concerns with the white exterior of the building because this does not  
15 meet the Design Standards for the City. He asked what the elevation for Parcel B would be  
16 because he does not think a parking lot would work in this area.

17  
18 Mr. Mike Travanty, 16218 Holdridge Road W, Wayzata, expressed concerns about the  
19 subdivision of the property that would result in a non-conforming lot for the neighborhood, the  
20 removal of trees and disturbance of the wetlands, the lighting from the parking lot, and the size  
21 of the proposed development compared to the size of the parcel. He presented a letter to the  
22 Commission to consider that outlined his concerns and asked that it be made part of the record.

23  
24 Mr. Truscott asked how the traffic on the frontage road would be handled.

25  
26 Chair Iverson stated part of the request from Hennepin County would be to understand what the  
27 increased traffic volume would be. The Applicant will be asked to provide this information.

28  
29 Mr. Truscott stated he would like to see a stop sign added on this frontage road.

30  
31 Chair Iverson closed the public hearing at 8:27 p.m.

32  
33 Commissioner Gonzalez asked what building materials had been proposed in 2012.

34  
35 Mr. Thomson stated there had not been a building design submitted in 2012, as that was  
36 designated as part of the review for this phase of the project under the Settlement Agreement.  
37 He stated the Applicant is requesting a deviation for 801.09.6.2.B because they are proposing a  
38 white colored roof rather than a dark color.

39  
40 Commissioner Gonzalez asked how visible the roof would be to neighboring homes.

41  
42 Chair Iverson asked if the Applicant could perform a study while the leaves are off the trees.

43  
44 Mr. Thomson stated the Applicant could look at the elevation of the roof compared to the  
45 elevation of the surrounding homes to determine if the roof would be visible.

46

1 Chair Iverson suggested the elevation information for the surrounding homes, compared to the  
2 elevation of the proposed roof, and additional details on the roof design including parapets, be  
3 requested from the Applicant.

4  
5 Mr. Thomson stated the Applicant is requesting a deviation from 801.09.11.1.A because the  
6 primary surfaces of the building are proposed to be a pre-finished metal panel and a concrete  
7 base along the lower level exterior elevation. He stated Staff would also look at the glass  
8 requirement because this may apply.

9  
10 Commissioner Flannigan clarified a reason the Applicant is asking for this deviation is because  
11 of the undue burden of dealing with the noise from Highway 394. He asked if this would be  
12 considered an undue burden, where the Applicant was aware of the highway prior to purchasing  
13 the property.

14  
15 City Attorney Schelzel stated whenever there is a request for deviation from the Design  
16 Standards, the Commission must decide if the negative impacts of that deviation are outweighed  
17 by one or more of the factors listed in Section 9, Part 21.1 of the Design Standards. In this case,  
18 if the undue burden articulated by the Applicant does outweigh any negative impacts of the  
19 exterior materials proposed.

20  
21 Commissioner Flannigan stated the negative impacts presented by the materials for the project  
22 would include visual, nonconforming to the neighborhood, potential noise reflection, and the  
23 color choices.

24  
25 Chair Iverson stated the City has design standards, and the Commission should encourage  
26 Applicants to work with these standards. There will a negative visual impact to the  
27 neighborhood if the proposed materials are used.

28  
29 Commissioner Gonzalez stated the metal siding presented would not be appropriate. If it would  
30 be masked in some way, such as a more appropriate color to keep the building from standing out,  
31 it may be something the Commission could consider. She stated one of the conditions of  
32 approval in 2012 had involved screening with berms, trees, and other plantings to protect the  
33 neighborhood. She stated the City's Code for lighting requires downcast lighting, and  
34 information on how this lighting would be screened from the neighborhoods. She stated the  
35 Applicant would need to submit a lighting plan including information on hours of operation. She  
36 stated the City's Ordinance does not allow backlit signs, and the Applicant is proposing a backlit  
37 sign.

38  
39 Commissioner Flannigan asked Mr. Thomson if the proposed signage on the front of the  
40 building, which includes the name and logo of the church, are within the City's size requirements  
41 for this type of building.

42  
43 Mr. Thomson stated the proposed signage meet the size restrictions in the Sign Ordinance, and  
44 Staff would verify the lighting information. He stated the Applicant had provided a photometric  
45 plan for the Commission to review. The Applicant also provided information on the fixtures

1 they would use. He does not know at this time the hours of operation for the facility or for the  
2 lighting.

3  
4 Chair Iverson asked if there would be any landscape lighting.

5  
6 Mr. Thomson stated there is no exterior lighting shown on the building. Staff would review this  
7 with the Applicant.

8  
9 Commissioner Flannigan expressed concerns that the proposed building did not meet the Design  
10 Standards because the amount of glass at the street level is not a minimum of 35%.

11  
12 Commissioner Gonzalez stated this requirement does not apply to all Districts.

13  
14 Mr. Thomson clarified the glazing requirement only applies in the three (3) Design Districts and  
15 this project is not located in any of these Districts. Accordingly, there is no glazing minimum  
16 requirement for this project.

17  
18 Chair Iverson expressed concerns about headlights reflecting into the neighborhood yards and  
19 homes. She suggested requiring a solid buffer around the parking lot that would protect the  
20 neighborhood from this lighting. She asked if it would be reasonable to the Commission to ask  
21 the Applicant for a sound study.

22  
23 City Attorney Schelzel stated there is no requirement under City Code that the Applicant provide  
24 a sound study, but that this is something that can be discussed with the Applicant.

25  
26 Commissioner Gnos stated there was room for improvement on the number of trees being  
27 removed, the lighting, and the color of the building being proposed.

28  
29 Commissioner Murphy stated the colors and materials used for the building are not conforming,  
30 and he would like to see this addressed by the Applicant.

31  
32 Chair Iverson requested the Applicant provide a Tree Preservation Plan, including how the  
33 remaining trees would be protected during construction. She suggested the Applicant consider  
34 adding additional trees to the property.

35  
36 Mr. Yelland clarified they would be removing 194 caliper inches of heritage trees, or 65 trees  
37 total. They are planting as many replacement trees as they can on the property, but the City  
38 Forester would make the determination on how many can be replanted on the property.

39  
40 Mr. Thomson stated the City's proposed Tree Preservation Ordinance does require the excess  
41 trees to be planted on City property.

42  
43 Commissioner Gonzalez stated the screening of the property from the neighborhoods was an  
44 important condition in 2012 and is still in effect.

45

1 Chair Iverson stated she felt the consensus of the Commission was to request the Applicant to  
2 bring back a design that is more in line with the City's Design Standards for exterior materials  
3 and color.

4  
5 Mr. Thomson clarified for the Design Review and Site Plan Amendment portion of the  
6 Application, the Commission is requesting Staff and the Applicant to review the Phase 1  
7 Environmental Review done on the Property; review the proposed signage for compliance with  
8 the Ordinances; review the trees on the Landscape Plan for salt tolerance; review the grading  
9 balance and how much fill would be removed or brought to the site; clarify the hours of  
10 operation for the exterior lighting; review the parking lot setback requirements; reconsider the  
11 color and material of the roof and siding; review traffic dynamics, including the possible addition  
12 of stop signs or traffic lights; review the Tree Preservation Plan, including how the remaining  
13 trees would be protected; and consider screening from the residential neighborhood, including  
14 headlights.

15  
16 Chair Iverson requested review of the wetlands in 2008 compared to now, and verification of the  
17 delineation for the parking spaces.

18  
19 City Attorney Schelzel clarified the Commission would like staff to prepare a draft Planning  
20 Commission Report recommending denial of the requested deviations in the Design Standards  
21 based on the discussion this evening.

22  
23 Commissioner Gonzalez stated the roof color deviation would be acceptable to her if it is not  
24 visible from the neighboring properties, but the materials and color of the siding does not fit with  
25 the neighborhood or the Design Standards.

26  
27 Chair Iverson stated she would want to know how the white roof would fit with the rest of the  
28 building design prior to approving it, even if it is not visible for the neighboring properties.

29  
30 Mr. Thomson clarified the Commission was moving towards recommending denial on the  
31 requested deviations from the Standards, but approving the rest of the proposed design of the  
32 building under the Design Standards.

33  
34 Mr. Thomson stated prior the Application moving forward there will have to be a land use  
35 designation for the Comprehensive Plan.

36  
37 Commissioner Flannigan asked why the Church did not want to zone Parcel B as institutional  
38 with the rest of the property.

39  
40 Mr. Doug Johnson, representative for UUCM, stated there is a large elevation change between  
41 the top of the street and the proposed parking lot at the bottom of the street. The parcel  
42 subdivision the Church would like to have rezoned to R-1 does not have value to the Church, and  
43 it made more sense to sell it as residential than to keep it as a vacant lot.

44

1 Commissioner Gonzalez clarified the proposed new residential parcel could potentially meet the  
2 width requirement for the R-1 District if the subdivision were reconfigured but it would not be  
3 able to meet the depth requirement.  
4

5 Mr. Thomson stated the Parcel does meet the lot width requirement for the R-1 District but it  
6 does not meet the lot depth or lot area requirements. If the property line were to remain as it is  
7 currently the lot would meet the area requirements but not the depth requirements. There are  
8 other lots in this neighborhood that do not meet the size requirements for the R-1 District.  
9

10 Mr. Johnson stated there were about 14 parcels of the 40 in the neighborhood that would be  
11 considered nonconforming.  
12

13 Chair Iverson stated the Commission can add a condition of approval that the future property  
14 owner must present building plans to the City for approval prior to construction.  
15

16 Commissioner Gonzalez stated after review of the Preliminary Plat criteria, she does not believe  
17 it would be in the best interest of the City to rezone Parcel B to the R-1 District because it would  
18 take extensive grading, tree removal and topography change to build on this property. It is  
19 currently a buffer for the neighborhood from the highway. The proposed lot size does not match  
20 the majority of the neighborhood, and the City should not create nonconforming lots. She would  
21 not recommend approval of the preliminary plat as presented.  
22

23 Commissioner Gnos agreed the City should not create nonconforming parcels.  
24

25 Commissioner Flannigan stated it appeared the majority of the neighborhood would like to see  
26 the lot remain as it is currently.  
27

28 Commissioner Gonzalez stated she would support changing the Comprehensive Plan to  
29 designate both parcels as Institutional and rezone Parcel B to Institutional.  
30

31 Chair Iverson stated she would recommend denial for designating Parcel B as R-1 Residential.  
32

33 Commissioner Gonzalez stated the variances requested do not meet the requirements of the  
34 Variance Ordinance, Section 801.05.1.c.  
35

36 Commission Gonzalez made a motion, Seconded by Commissioner Flannigan to direct Staff to  
37 prepare a draft Report and Recommendation for the Planning Commission's consideration at its  
38 next meeting of:

- 39 • Approval of the design requested except denial for the Design Standards Deviations
- 40 requested for the roof and exterior material and color;
- 41 • Approval of the Subdivision to combine the parcels;
- 42 • Denial of the Subdivision to create a new residential lot,
- 43 • Approval of the PUD Amendment for the Revised Site Plan Subject to the additional
- 44 information requested and conditions discussed
- 45 • Approval of the Comprehensive Plan Amendment to designate the non-designated
- 46 parcel to Institutional

- 1 • Denial of the Comprehensive Plan Amendment to designate the eastern portion of this
- 2 parcel Residential
- 3 • Approval of the Rezoning to PUD for the entire parcel
- 4 • Denial of Rezoning the eastern portion of the parcel to R-1 Residential
- 5 • Denial of the R-1 Lot Variance Standards

6 The motion carried unanimously.

7

8 **b.) Amendment to the City of Wayzata Zoning Ordinance related to Off-Street**

9 **Parking and Loading (City Code Section 801.20)**

10

11 Director of Planning and Building Thomson reviewed the revised draft Ordinance Chapter 801

12 including the changes recommended by the Planning Commission at the March 10, 2016 meeting

13 and additional changes and reorganization recommended by Staff for Sections 801.20.E.12,

14 801.20.3.B, 801.20.7, 801.20.9.D, 801.20.10.C, 801.20.11.A.2, 801.20.11.B, 801.20.13.A and

15 801.20.13.B.

16

17 Commissioner Gonzalez stated the Design Standards do not allow a fence higher than 4-feet.

18 She recommended adding language to the Landscape Section that limits the height for a wall or

19 fence used for screening the front property line of a parking lot to a maximum of 4-feet in height.

20

21 Chair Iverson opened the public hearing at 9:41 p.m.

22

23 Mr. Dan Gustafson, 1040 Circle Drive, Wayzata, stated the language for Section 801.20.4 had

24 been deleted but he would like to ensure that the intent is clear in the City's Nonconforming

25 Ordinance.

26

27 Chair Iverson closed the public hearing at 9:44 p.m.

28

29 Commissioner Gonzalez made a motion, Seconded by Commissioner Murray to Adopt and

30 Approve the Report and Recommendation on an Ordinance Amending Section 20 (Parking) of

31 the Wayzata Zoning Ordinance (Chapter 801) Relating to Off-Street Parking and Loading as

32 presented, with the recommended change for screening landscaping and including Attachment D

33 in the Packet as Attachment A of the Report. The motion carried unanimously.

34

35 **AGENDA ITEM 4. Regular Agenda Old Business Items:**

36

37 **a.) None.**

38

39

40 **AGENDA ITEM 5. Other Items:**

41

42 **a.) Review of Development Activities**

43

44 Director of Planning and Building Thomson stated in April, the City Council would be reviewing

45 the Mill Street Ramp predesign, holding a public forum on The Lake Effect and considering the

1 adoption of the new parking ordinance recommended by the Commission. The Heritage  
2 Preservation Board would be meeting April 12.

3

4 **b.) Other Items**

5

6 City Attorney Schelzel stated the last City Council meeting did not have any new business, just a  
7 consent agenda.

8

9 **AGENDA ITEM 4. Adjournment.**

10

11 Commissioner Murray made a motion, seconded by Commissioner Gnos, to adjourn the meeting.  
12 The motion passed unanimously.

13

14 The meeting was adjourned at 9:51 p.m.

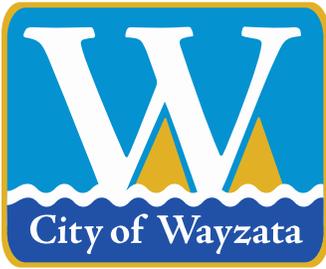
15

16 Respectfully submitted,

17 Tina Borg

18 *TimeSaver Off Site Secretarial, Inc.*

DRAFT



**City of Wayzata**  
600 Rice Street  
Wayzata, MN 55391-1734

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**Mayor:**  
Ken Willcox

**City Council:**  
Bridget Anderson  
Johanna McCarthy  
Andrew Mullin  
Steven Tyacke

**Interim City  
Manager:**  
Doug Reeder

Date: April 1, 2016  
To: Planning Commission  
From: Jeff Thomson, Director of Planning and Building  
Subject: Development Application – UUCM, 2030 Wayzata Blvd E

The Planning Commission reviewed the development application for the Unitarian Universalist Church of Minnetonka at 2030 Wayzata Blvd East on March 21, 2016. At the meeting, the Planning Commission held a public hearing and discussed the development application. The Applicant submitted a letter and revised plans responding to the Planning Commission's comments, which are included as Attachment A and Attachment B. The Planning Commission requested additional information pertaining to the following items:

- Phase 1 Environmental Report: The applicant has submitted a copy of the Environmental Site Assessment (ESA) that was completed in March 2014 for the properties. The ESA found that there were no Recognized Environmental Conditions (REC) identified on the site, and determined that no additional investigations of the site are necessary. A copy of the ESA is provided on Attachment C.
- Grading balance calculations: The applicant has provided cut and fill balancing information for the proposed grading plan. The applicant estimates that there would be 1,250 cubic yards of soil exported from the site, 1,900 cubic yards of sand imported to the site, and 700 cubic yards of rain garden soils imported.
- Exterior lighting hours of operation: The applicant's letter provides additional information related to exterior lighting. The letter states that the congregation plans to limit their lighting usage and work within the code requirements to use exterior lighting for safety and security purposes. The applicant did not provide specific hours of operation for exterior lighting.

The City Code does not provide specific requirements for hours of operation for parking lot lighting. As a PUD application, the City Council has the discretion to include conditions of approval that mitigate impacts on surrounding properties. City staff has included a condition of approval in the draft Planning Commission Report and Recommendation for exterior lighting that would address exterior lighting for parking lots and signage.

- Lighting of exterior signage: The revised plans submitted by the applicant indicate that the monument sign along Wayzata Boulevard East would be externally lit with full cutoff

ground fixtures. The UUCM building sign is designed to be opaque letters on a perforated metal screen that would be lit from behind, commonly known as halo lighting. The City's sign ordinance requires that artificially illuminated signs must be shielded to prevent lights from being directed at oncoming traffic or interfere with or obscure an official traffic sign. In addition, the City's design standards state that only the text and/or logo portion of a sign may be illuminated. City staff finds that the proposed lighting of the exterior signs would meet the requirements of the sign ordinance and design standards.

The sign ordinance requires that all artificially illuminated signs in non-residential districts adjacent to a residential district must be turned off at the close of business or by 10:00 p.m., whichever occurs later. City staff is recommending that this be included as a condition of approval in the draft Planning Commission Report and Recommendation.

- Visibility of the flat roof from surrounding properties: The applicant has provided a cross-section drawing that shows the roof elevation of the church and the elevation of the homes along Holdridge Road West.
- Tree preservation plan: The applicant has updated the tree preservation plan based on the comments by the city's consulting arborists. Based on the revised plan, up to 65 trees would be removed for the proposed project.
- Screening: The previous landscape plan included landscaping along the east and north sides of the parking lots. The applicant has submitted a revised landscape plan which includes Black Hill Spruce trees along the east side of the parking lot, and adds shrubs along the south edge of the east parking lot.
- Parking lot setback requirements: The minimum setback for a parking lot from all property lines is ten feet. The proposed parking lot would be 21 feet from the east property line and 16 feet from the north property line. The proposed parking lot meets the setback requirements.
- Traffic: The applicant has provided a copy of the traffic analysis that was completed by them in July 2008, which is included as Attachment D.

## **Public Comments**

City staff has received two comments submitted by members of the community. The public comments are included as Attachment E.

## **Planning Commission Report and Recommendation**

At the March 21<sup>st</sup> meeting, the Planning Commission directed staff to prepare a Report and Recommendation with the following recommendations:

- Approval of the design requested except denial for the Design Standards Deviations requested for the roof and exterior material and color;
- Approval of the Subdivision to combine the parcels;
- Denial of the Subdivision to create a new residential lot,
- Approval of the PUD Amendment for the Revised Site Plan Subject to the additional information requested and conditions discussed
- Approval of the Comprehensive Plan Amendment to designate the non-designated parcel to Institutional

City staff has included a draft Planning Commission Report and Recommendation, included as Attachment F, for the Planning Commission's consideration. The draft Report and Recommendation includes the following conditions of approval:

- A. The Project must be constructed in compliance with the Architectural Plans dated March 31, 2016 and Civil Engineering Plans dated March 30, 2016, included the Application.
- B. The one-way drive lanes in front of the building must a minimum of 18 feet in width.
- C. All exterior lighting, including parking lot lighting and artificially illuminated signs, must be turned off when the site and building are not in use or by 10:00 p.m., whichever occurs later.
- D. The wetland delineation report completed in 2015 for the Property must be reviewed and confirmed by the City Engineer with applicable regulations prior to issuance of a building permit for construction of the Project. The parking lot and all site improvements must meet the setback requirements from the wetland boundary, as confirmed by the City Engineer.

#### **Attachments**

- Attachment A (page 1): Applicant's Response Letter
- Attachment B (page 5): Revised Plans
- Attachment C (page 30): Phase 1 Environmental Site Assessment
- Attachment D (page 58): Traffic Analysis
- Attachment E (page 73): Public Comments
- Attachment F (page 82): Draft Planning Commission Report and Recommendation
- Attachment G (page 97): Design Critique



**Planning Report  
Wayzata Planning Commission  
April 4, 2016**

**Project Name:** Unitarian Universalist Church of Minnetonka (UUCM)  
**File Number:** PR 2016-03  
**Applicant:** Wynne Yelland, Locus Architects  
**Property Owner:** Unitarian Universalist Church of Minnetonka  
**Addresses of Request:** 2030 Wayzata Blvd E  
**Prepared by:** Jeff Thomson, Director of Planning and Building  
**Planning Commission Review:** March 21, 2016  
**City Council Review:** April 19, 2016 (Tentative)  
**“60 Day” Deadline:** April 29, 2016

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## **Section 1. Development Application**

### Introduction

The applicant, Locus Architects, and the property owner, Unitarian Universalist Church of Minnetonka (UUCM), have submitted a development application for the property at 2030 Wayzata Blvd E. The development application includes construction of a new 11,000 sq. ft. church building and associated parking. The development application also includes a request to combine the property with the parcel to the east, and subdivide a portion of the east parcel into a single-family residential property. The applicant's proposed plans are included in Attachment A.

### Project Location.

The property is located on the south side of Wayzata Blvd E between Holdridge Road West and Crosby Road.

*Map 1: Project Location*



Relevant Property Information

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

*Table 1*

Parcel	Address	PID	Property Owner
A	2030 Wayzata Blvd E	05-117-22-41-0012	Unitarian Universalist Church of Minnetonka
B	No assigned address	No assigned PID	Unitarian Universalist Church of Minnetonka

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

*Table 2*

Parcel	Current zoning	Comp Plan Land Use Designation	Lot Area
A	Planned Unit Development (PUD)	Institutional/Public	127,671 sq. ft.
B	No zoning designation	No land use designation	56,933 sq. ft.

Parcel B does not currently have an assigned zoning district because it was previously owned by MnDOT and was used for state highway right-of-way uses. In 2015, the City acquired the parcel from MnDOT and sold the parcel to UUCM under the terms of the Settlement Agreement. The City Council's 2012 approval of the rezoning to PUD included Parcel A and not Parcel B, since it was unknown at the time whether the City would be able to acquire the property from MnDOT. Similar to the current zoning of Parcel B, the parcel does not currently have an assigned land use designation in the City's Comprehensive Plan.

#### Surrounding Land Uses.

The following table outlines the uses, zoning, and Comprehensive Plan land use designations for adjacent properties:

*Table 3*

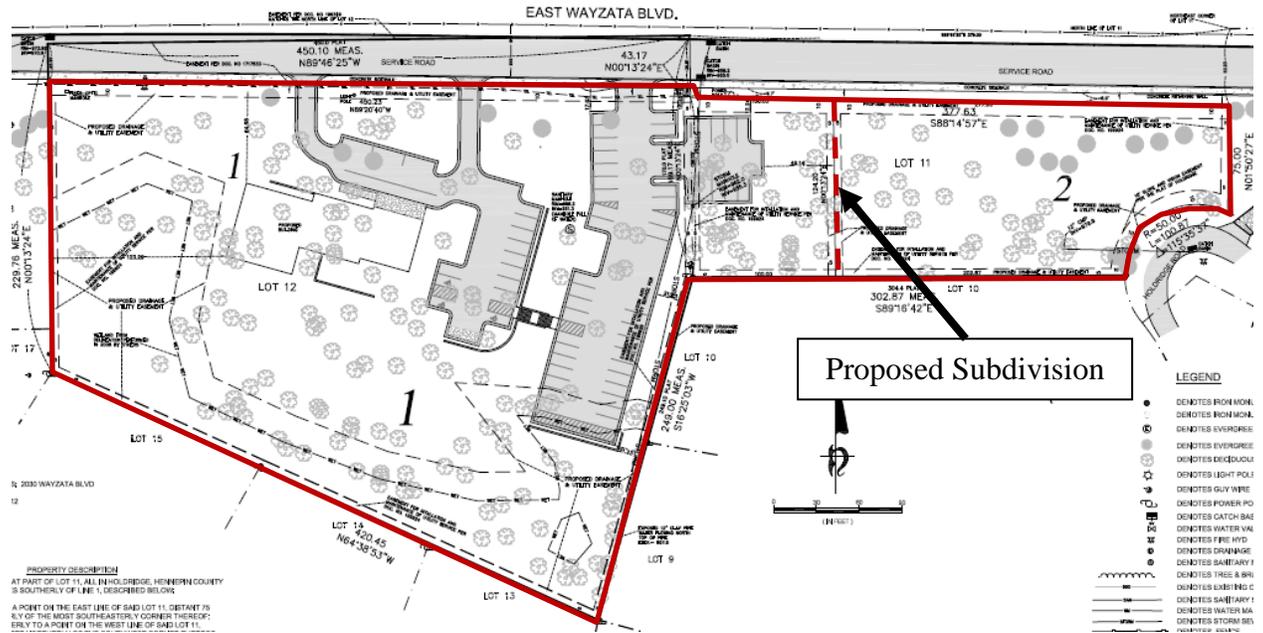
Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Wayzata Blvd E and U. S. Highway 12	N/A	N/A
East	Single-family homes	R-1/Low Density Single Family Residential District	One Acre Single Family
South	Single-family homes	R-1/Low Density Single Family Residential District	One Acre Single Family
West	Single-family homes	R-1/Low Density Single Family Residential District	One Acre Single Family

#### Application Requests.

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

- A. Design Review: Construction of a new building requires Design Review by City Code Section 801.09.1.5.
- B. Preliminary Plat Review: The applicant is proposing to combine Parcel A and Parcel B, and subdivide the easterly portion of Parcel B into a separate lot for use as a single-family home. The subdivision requires preliminary plat review by City Code Sections 805.03 and 805.14.

Map 2: Proposed Subdivision



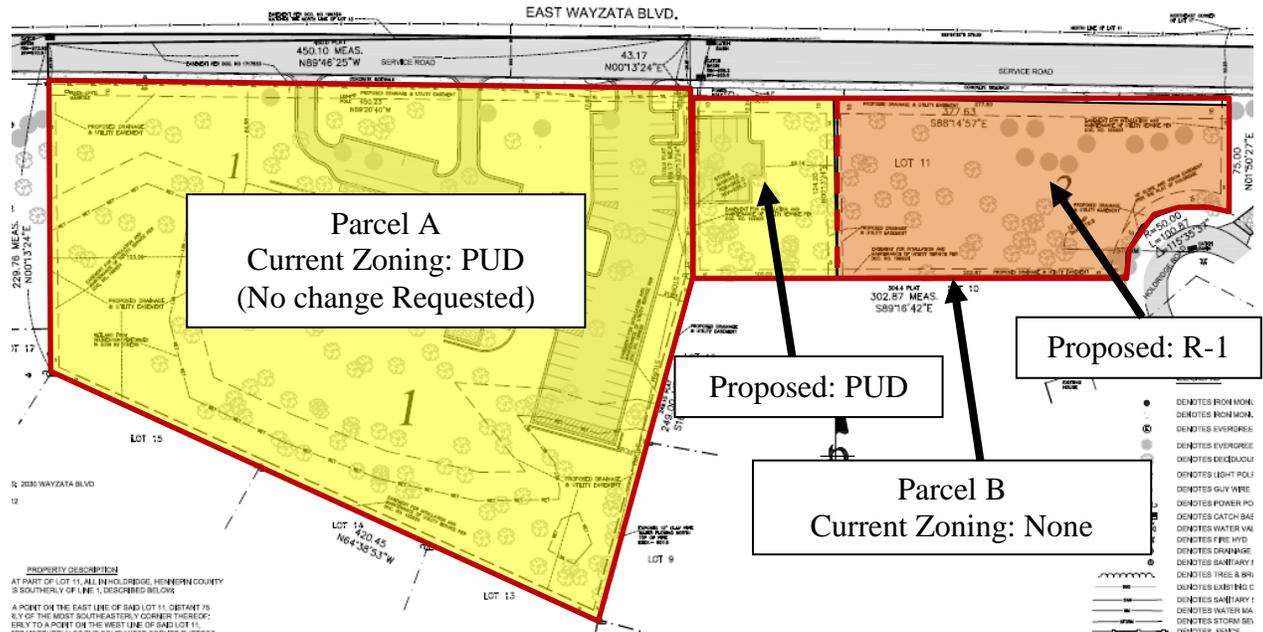
C. Amendment to the PUD: The proposed site plan varies from the site plan that was approved by the City Council as part of the 2012 PUD development application. The revised site plan requires an amendment to the PUD according to City Code Section 801.33.9.

Map 3: Proposed PUD Amendment



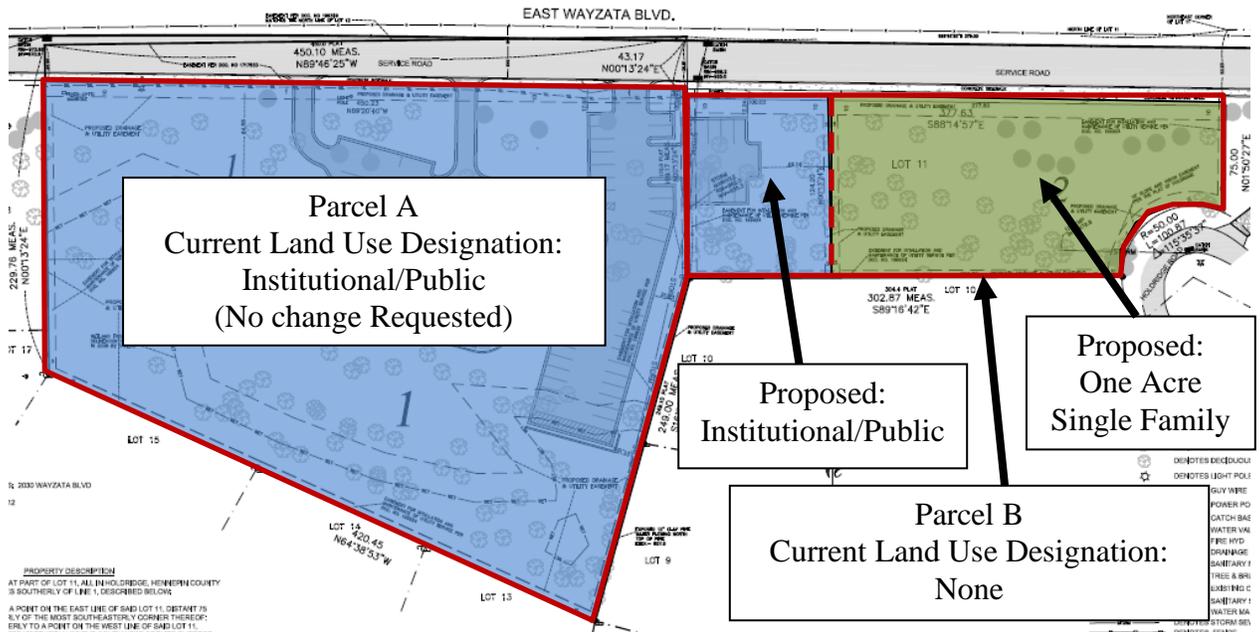
- D. Rezoning of Parcel B: Parcel B does not currently have an assigned zoning district. The applicant is requesting a rezoning of Parcel B to PUD/Planned Unit Development for the westerly portion and R-1/Low Density Single Family Residential District for the easterly portion.

Map 4: Proposed Rezoning



- E. Amendment to the Comprehensive Plan land use designation for Parcel B: Parcel B does not currently have an assigned land use designation in the City's Comprehensive Plan. The applicant is requesting an amendment to the Comprehensive Plan to designate the westerly part of Parcel B to Institutional/Public land use designation, and the easterly part of Parcel B in the One Acre Single Family land use designation.

Map 5: Proposed Comp Plan Amendment



- F. Variances for R-1 Lot: The R-1 zoning district requires a minimum lot area of 40,000 square feet, and a minimum lot depth of 150 feet. The proposed R-1 residential lot would have a lot area of 30,603 square feet and a lot depth of 124 feet. The proposed lot requires variances from the minimum lot area and minimum lot depth requirements.

## Section 2. Background Information

### 2008 Development Application

In 2008, the property owner submitted an application requesting a rezoning of the property from R-1/Low Density Single Family Residential District to INS/Institutional, and an amendment to the Comprehensive Plan land use designation from One Acre Single Family residential to Institutional/Public. The Planning Commission reviewed that application in October 2008 and recommended denial to the City Council on a 5-2 vote. The City Council reviewed the application in December of 2008, voted 3-2 to deny the Application.

### Settlement Agreement.

The Applicant commenced litigation against the City in 2010 for denying the 2008 application. On December 22, 2011, the Applicant and the City Council reached a Settlement Agreement on the lawsuit and a framework for approving the project. The Settlement Agreement outlines a three phase review of the project:

1. Comprehensive Plan Amendment, Rezoning, PUD and Site Plan Review: The first phase was a development application for (1) an amendment to the Comprehensive Plan land use designation from One Acre Single Family to

Institutional/Public, (2) Rezoning from R-1 to PUD/Planned Unit Development, (3) Concept Plan and General Plan Stage PUD, and (4) Site Plan Review.

UUCM submitted this development application in 2012 and the City Council approved the application on January 8, 2013. The City Council ordinance and resolution are provided on Attachment B.

2. Design Review and Subdivision: The second phase is a development application for Design Review approval of the design of the new church, and Subdivision to combine UUCM's property with the MnDOT parcel(s).

The applicant and property owner's current application includes both of these requests for Design Review and Subdivision approval outlined in the Settlement Agreement. The current application also includes a request for comp plan amendment, rezoning, PUD amendment, and lot area variance, as outlined in the Development Application section of this report.

3. Final State PUD: The third phase will be an application for Final Plan Stage PUD, which will be reviewed by City staff prior to the start of construction to ensure that the building permit plans conform to the PUD Concept and General Plan approved by the City Council.

### **Section 3. Analysis of Application**

#### Proposed Building and Site Plan

The applicant is proposing to construct a 11,000 square foot church building and accessory parking lots on the property. The proposed building one would be one story in height with a walkout lower level on the back of the building. The main floor of the church includes the main entry, sanctuary, community room, kitchen, and office space. The lower level includes classrooms, chapel/music room, and additional office space. The site would have two separate parking lots, an upper parking lot adjacent to the building, and a lower parking lot that would have a separate access drive from Wayzata Blvd E.

#### Wetland Delineation

The previous site plan approved by the City Council in 2013 indicated a wetland location that was based on a wetland delineation that was completed in 2008. In 2015, the applicant completed another wetland delineation which indicated that the wetland edge has receded since the 2008 delineation. The revised delineation was completed at the end of the 2015 growing season and city staff was not able to confirm the wetland delineation in time.

The far south side of the easterly parking lot is shown as being located partially in the wetland area as determined in the 2008 wetland delineation. However, it would not be located in the wetland are or within the setback if the 2015 delineation is accurate. This spring, city staff will complete the steps to confirm the 2015 wetland delineation report. If

the wetland boundary is confirmed as reported, the parking lot would meet the City's wetland requirements. If the boundary is not accurate, the applicant would be required to adjust the parking lot layout to remove any wetland impacts and to meet the wetland setback requirement. The applicant has not requested any wetland alteration or wetland variances for the current application.

### Zoning Analysis

A comparison of the PUD district standards and the proposed Project is as follows:

*Table 4: PUD Standards*

<b>PUD District</b>	<b>Code Requirement</b>	<b>Proposed</b>
Minimum Lot Area	N/A	3.21 acres
Front Yard Setback	50 ft. (min.)	76 ft.
Side Yard Setback	50 ft. (min.)	122 ft. / 191 ft.
Rear Yard Setback	50 ft. (min.)	124 ft.
Lot Coverage	N/A	Undetermined
Impervious Surface Coverage	N/A	Undetermined
Floor Area Ratio	N/A	Undetermined
Building Height	35 ft or 3 stories, whichever is less (max.)	30 ft. / 1 story

The applicant is proposing to rezone the easterly part of Parcel B to R-1/Low Density Single Family Residential District. The following tables outlines the lot requirements for the R-1 zoning district.

*Table 5: R-1 Standards*

<b>R-1 District</b>	<b>Code Requirement</b>	<b>Proposed</b>
Lot Area	40,000 sq. ft. (min.)	30,603 sq. ft.**
Lot Width	150 ft. (min.)	277 ft.
Lot Depth	150 ft. (min.)	124 ft.**
Front Yard Setback	45 ft. (min.)	Undetermined
Side Yard Setback	20 ft. (min.)	Undetermined
Rear Yard Setback	50 ft. (min.)	Undetermined
Lot Coverage	15% (max.)	Undetermined
Impervious Surface Coverage	25% (max.)	Undetermined
Building Height	40 ft or 3 stories, whichever is less (max.)	Undetermined

\*\*Variance required

The applicant has not submitted house plans for the R-1 residential lot, as they intend to sell the residential lot for construction of a home by a future owner. If the City Council approves the R-1 residential lot, a condition of approval could be added that the house plans be submitted by the future owner in order to conform that the proposed house meets the zoning and subdivision ordinance requirements.

### Parking Requirements

For auditorium, theater, and religious institutions, the zoning ordinance requires one space for each three permanent seat in the main assembly hall. The proposed sanctuary has a seating capacity of 116 people, so the zoning ordinance requires a minimum of 39 parking stalls. The proposed site plan provides a total of 67 parking stalls, 15 in the upper parking lot and 52 in the lower parking lot. The zoning ordinance also requires additional parking if there are additional facilities provided in conjunction with the building or use. There are no other facilities within the building besides the church. The application meets the parking requirements outlined in the zoning ordinance.

### Site Access and Internal Circulation.

The proposed site plan includes three access drives from Wayzata Blvd E. The two access drives on in front of the building would provide access to the pick-up/drop-off area in front of the building and to the upper parking lot. The pick-up/drop-off area is designed as a road way access drive. The westerly access drive would be an entrance and the center access drive would be an exit. The third access drive would be an entrance and exit to the lower parking lot. The number and size of the access drives meet the zoning ordinance requirements.

### Design Review

The project is subject to the Design Standards for “All Districts” as it is not located in a specific design district. A Design Review Critique of the proposal is included as Attachment D. The applicant is requesting a deviation from the design standards pertaining to exterior building materials. The primary building material for the non-glass surfaces of the proposed building is prefinished metal panel, which is not included as a allowable primary building material. The applicant has requested a deviation from this standard, and has provided a written narrative outlining the reason for the proposed material deviations. The applicant is also requesting a deviation from Design Standards pertaining to the roof color. The Design Standards require that a flat roof shall consist of a dark color. The applicant is proposing a light colored membrane for the flat roof of the building.

The Design Standards include the following factors for considering deviations from Design Standards:

1. The extent to which the project advances specific policies and provisions of the City’s Comprehensive Plan.
2. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards.
3. The positive effect of the project on the area in which the project is proposed.

4. The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.
5. The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.
6. A national, state or local historic designation.
7. The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.

#### Stormwater Management

Stormwater runoff from the building and hardsurface parking lot areas would be directed to three separate infiltration basins on the site. The infiltration basins are located on the front of the property between the parking lots, on the south side of the parking lots, and on the east side of the lot.

#### Tree Inventory

The applicant has completed a tree inventory for the property, and has submitted a tree removal plan for the application. The tree inventory is based on the City's draft tree preservation ordinance. There are a total of 195 trees on the property, of which 20 are considered heritage trees in the draft ordinance. The proposed project would remove a total of 64 trees, 5 heritage trees and 59 significant trees. The proposed plan would remove 33 percent of the number of trees on the site, and also 32 percent of the total caliper inches of trees on the site.

### **Section 4. Applicable Code Provisions for Review**

- 4.1 Design Standards City Code §801.09: 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.
- 4.2 Preliminary Plat Criteria (Section 805.14.E): The Planning Commission shall consider possible adverse effects of the preliminary plat. Its judgment shall be based upon, but not limited to, the following factors:

1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
2. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filing or grading.
4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
6. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
10. The proposed lot layout and building pads shall conform with all performance standards contained herein.
11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.

12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.
- 4.3 Premature Subdivision (Sections 805.16-18): The Subdivision Ordinance requires the City Council to deny any preliminary plat of a proposed subdivision deemed premature for development. Section 805.16. The burden is on the applicant to show that the proposed subdivision is not premature. Section 805.18. Under Section 805.17 of the Subdivision Ordinance, a subdivision may be deemed premature should any of the conditions listed in Section 805.17 exist, including inadequate drainage, inadequate water supply, inadequate roads, inadequate waste disposal systems, and inconsistency with the Comprehensive Plan, in ability to provide public improvements, and MEQB policies.
- 4.4 Amendment of a PUD Permit (Section 801.33.9): Any deviation or modification from the terms or conditions of an approved PUD permit or any alteration in a project for which a PUD permit has been approved shall require an amendment of the original permit. The same application and hearing procedure for an amendment of a PUD permit shall be followed as was followed with respect to the applicant's Concept Plan, as outlined in Section 801.33.5.
- 4.5 Purpose of PUDs. Section 801.33 of the Zoning Ordinance provides for the establishment of Planned Unit Developments to allow greater flexibility in the development of neighborhoods and/or non-residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD process, by allowing deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:
- A. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
  - B. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
  - C. More convenience in location and design of development and service facilities.
  - D. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
  - E. A creative use of land and related physical development which allows a phased and orderly development and use pattern.

- F. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
- G. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
- H. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.

4.6 PUD General Standards. Section 801.33.2.A sets forth the general standards for review of a PUD application. These are:

1. Health Safety and Welfare. In reviewing the PUD application, the Council shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area.
2. Intent and Purpose of PUDs. In reviewing the PUD application, the Council shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the Zoning Ordinance.
3. Ownership. Applicant/s must own all of the property to be included in the PUD.
4. Comprehensive Plan. The PUD project must be consistent with the City's Comprehensive Plan.
5. Sanitary Sewer Plan. The PUD project must be consistent with the City's Sanitary Sewer Plan.
6. Common Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
7. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
8. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
9. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.

10. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
11. Setbacks. The front, rear and side yard restrictions on the periphery of the PUD shall be the same as imposed in the respective districts.
- 4.7 Concurrent PUD Plan – 801.33.5. In cases of single stage PUDs or for projects of limited size and scope, the applicant may, at the discretion of the Zoning Administrator, submit the General Plan of Development for the proposed PUD simultaneously with the submission of a Concept Plan. The applicant shall comply with all provisions of this section applicable to submission of General Plan of Development. The Planning Commission and City Council shall consider such plans simultaneously and shall grant or deny a General Plan of Development in accordance with the provisions of Section 801.33.6 hereof.
- 4.8 Zoning Ordinance Amendment: City Council has the discretion and authority under state law and City Code to amend the City's Zoning Ordinance. Minn. Stat. Section 462.357; Wayzata City Code Section 801.03. A zoning ordinance amendment may be initiated by the governing body, the planning agency or by petition of affected property owners. Minn. Stat. Section 462.357, Subd. 4
- 4.9 Amendments to Zoning Ordinance (Section 801.03.2.F): In considering a proposed amendment to the Zoning Ordinance, the Planning Commission and City Council shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:
- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
  - B. The proposed use's conformity with present and future land uses of the area.
  - C. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
  - D. The proposed use's effect on the area in which it is proposed.
  - E. The proposed use's impact upon property value in the area in which it is proposed.
  - F. Traffic generation by the proposed use in relation to capabilities of streets serving the property.

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

4.10 Comprehensive Plan Amendment. The City's Planning Commission may recommend to the City Council an amendment to the City's comprehensive municipal plan. City Council may also propose amendments to Planning Commission by resolution submitted to the Planning Commission. Before adopting an amendment to the Plan, the Planning Commission must hold at least one public hearing on the proposed amendment. A notice of the time, place and purpose of the hearing must be published once in the official newspaper of the City at least ten days before the day of the hearing. A proposed amendment may not be acted upon by the City Council until it has received the recommendation of the Planning Commission or until 60 days have elapsed from the date an amendment proposed by the City Council has been submitted to the Planning Commission for its recommendation. The City Council may by resolution by a two-thirds vote of all of its members amend the City's comprehensive plan. Minn. Stat. Sec. 462.355, subd. 2 and 3.

4.11 Institutional Facilities – 2030 Comprehensive Plan Policies. The City of Wayzata has a number of schools, churches and other institutional uses in areas throughout the community. These institutions are viewed as a positive aspect of the community that serves the good of its residents. Many of these institutional uses are located in or adjacent to established residential neighborhoods. Institutional facilities create impacts and add activity to an area resulting in parking or increased traffic that is not characteristic of residential neighborhoods. Wayzata needs to plan for facility expansion and potential redevelopment of institutional property to ensure proper preservation of land use compatibility, including:

- Accomplish transitions between differing types of land uses in an orderly fashion to minimize negative impacts on adjoining development.
- Establish sufficient setback requirements for new or expanding institutional development to assure adequate separation of differing land uses.
- Develop all institutional uses according to high levels of design, which are sensitive to the mass and scale of the existing surrounding neighborhood.
- Adequately screen, landscape and buffer institutional facilities to minimize the impact on surrounding uses and enhance the neighborhood and community in which they are located.

4.12 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:

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



March 31, 2016

Madame Chair Iverson & Members of the Wayzata Planning Commission:

Please find our written response to the March 21, 2016 hearing of the Wayzata Planning Commission regarding the Unitarian Universalist Church of Minnetonka's submittal for the design and construction of a church at 2030 East Wayzata Boulevard.

### **Rezoning**

The requested rezoning is mutually beneficial for the church, the Holdridge neighborhood and the city of Wayzata. By splitting the lot, the lower, west portion included in the church property, places more of the parking along Wayzata Boulevard rather than deeper into the south end of the lot and closer to more residences. A residential use for the upper portion provides an added residential buffer between the church and the neighborhood. The city of Wayzata will benefit by having this property on the tax base.

There was some discussion about the impact of construction of a new house on the east outlot. The lot was once used for residential purposes, it has been guided for residential use in the past, and the surrounding neighborhood is residential. If UUCM had not sought to acquire part of the lot for subdivision, we see no other likely use than a) the lot returned to residential use if sold or b) it continued to be land designated as right-of-way. 14 of 42 nearby properties are non-compliant to the 40,000 s.f. requirement. It seems punitive to deny a residential zoning. If it doesn't meet R-1 standards, and the City is disinclined to create a non-compliant lot, R-2 zoning would make the lot compliant.

We don't dispute there will be an impact, but the excavation disturbance required to build a house on that lot would not be different from the disturbance on any other residential lot. The residence would be accessed from Holdridge Lane, not Wayzata Blvd., so the lot would not need to be "dug out", as suggested by some neighbors, to provide access from below. There is a wooded western facing slope that would most likely remain both sloped and wooded. There is an open flat space at the top of the site that would be a natural and obvious building pad.

Directly north of this building pad, there is a 8-10' concrete retaining wall which separates Wayzata Blvd. (below, to the north) from the former outlot. This is providing the majority of the sound reduction from the highway to Holdridge Lane's properties, not the site's trees (see below).

## **Trees & Site**

There were some errors in our submitted documentation regarding trees, which we pointed out during the hearing. The staff report noted we plan to remove 57 trees. Based on the Forester's comments, that number should be 63 for certain, and possibly as high as 65 (based on confirmation of the Forester's assumptions).

One of the neighbors inaccurately stated we intended to cut "hundreds of trees." In addition, a member of the Planning Commission inaccurately noted the documentation stated 194 trees were to be cut down. We want to be clear these assertions are false. The accurate number of trees to be cut down is, at most, 65.

We acknowledge trees can be a component of a noise barrier strategy. However, there are facts regarding trees as noise barriers worth noting. Trees are more effective the closer they are placed to the source of the sound. Trees between Wayzata Blvd. and Hwy. 12 would be more effective than trees on the 2030 Wayzata Blvd. site. Mature trees block sound less effectively than younger ones (due to the relative lack of understory), so the removal of taller trees has little impact on noise transmission, while new evergreens can be planted to better noise-blocking effect. Thick "belts" of trees work best. This would be hard to achieve on site as we have a great deal of shade blocking light to shorter trees, and a wetland not to be disturbed. Trees planted at the midway point between source and receiver are least effective to noise transmission. Thus, any trees planted on the site will have the least possible impact to residential neighbors in terms of noise reduction. Trees close to the source, or secondly, close to the receiver, would be most advantageous (i.e., not on the 2030 Wayzata Blvd. property).

One of the neighbors suggested the adjacent wetland was one of the last untouched natural sites in Wayzata. City Engineer Mike Kelly, the person with the most knowledge of that particular wetland, does not agree. In a meeting earlier this year, he stated that wetland was one of the lower quality wetlands within City limits.

## **Lighting**

As a sustainably minded congregation and good steward of the greater Wayzata community, the congregation plans to limit their lighting usage and work within the code requirements to use exterior lighting for safety and security purposes. UUCM is committed to conserving energy, not consuming more of it.

The monument sign at the road is noted as being "externally lit with full cutoff ground fixtures", not backlit. The UUCM sign at the building is designed to be opaque letters on a perforated metal screen. We proposed the screen to be lit from behind, away from the neighborhood, such that the letters are in shadow - not lit in the sense of a backlit plastic sign.

We have seen no documentation that our proposed LED lighting has been shown to "cause cancer" as one neighbor suggested.

## **White Roof**

As a sustainably minded congregation and good steward of the greater Wayzata community, UUCM feels the white roof is the best option to minimize energy consumption and aligns most clearly with the religious beliefs of the congregation and the comprehensive plan of Wayzata.

If a white roof provided a negative impact to a neighbor, the congregation would select a different roof color. The resident from Lot 14 (on the survey) stated he'd be able to see the roof of the lower portion of the building from his living room. With all due respect to his research, we dispute his findings. The site contours suggest a different outcome (see attached drawing). We acknowledge it is possible the roof might be visible, at a very shallow angle, through 400' of dense woods, from the not-yet-existent second floor of a home at that address. Of the 12 homes surrounding the 2030 Wayzata Blvd. parcel, there is one 1-1/2 story and one partial second story that may, theoretically, be able to see some of the low roof in some daylight conditions, during winter months, though 400' + of wooded area. During these months, the roof will likely be covered a majority of the time with snow, which is white.

## **White Metal Shingles / Building Design**

As a sustainably minded congregation and good steward of the greater Wayzata community, UUCM feels the aesthetic quality, recyclability and durability of the proposed shingle best aligns with their religious beliefs. The proposed shingles are substantially similar to painted wood shingles and are in harmony with the general purposes and intent of the governing ordinance. It's our belief that from a distance of 100' or greater, the aesthetic quality of painted wood shingles and the proposed painted steel shingles is indistinguishable. Painted steel shingles are, however, superior to painted wood shingles in their durability and will positively enhance the aesthetic quality of the neighborhood since they will not chip, peel or degrade over time.

Color is not guided by the Wayzata zoning ordinance, so the discussion of the church's color is not explored here other than to state that all five of the approved materials could be used in white, light, or off white shades.

## **Screening**

Screening trees/shrubs along the east and north sides of the parking lots were included in the previous submittal. We are proposing two additions/changes to the plan. The trees along the east parking lot are being changed from Summer Snow Hemlock to Black Hills Spruce. Shrubs have been added to the south end of the east parking lot.

## **Cut & Fill Balancing**

Our current paving subcontractor estimates there will be 1,250 cubic yards of soil exported, 1,900 cubic yards of sand imported (suitable drainage backfill), 700 cubic yards of rain garden soils imported, and 900 tons of Class-5 base gravel brought in for parking lot base.

In summary, we understand many of the neighbors who spoke against the project have personal reasons to oppose the project. That's understandable and part of the civic process. However, we feel we have been unnecessarily asked to respond to exaggerated and frivolous assertions that don't stand up to facts, don't stand up to the intent of the zoning code and don't fully consider the project and the site's conditions.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Wynne G. Yelland'. The signature is fluid and cursive, with a large loop at the end.

Wynne G. Yelland, AIA, LEED BD+C  
Locus Architecture, Ltd.



1 FROM SOUTHEAST



2 FROM NORTHWEST

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ARCHITECTURE

LOCUS ARCHITECTURE, LTD.  
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CONSULTANTS

03/31/2016

**NOT FOR  
CONSTRUCTION**

01/29/2016	PUD SUBMITTAL
02/29/2016	PUD RESUBMIT
03/31/2016	PC - RESPONSE

MARK	DATE	DESCRIPTION
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SHEET TITLE  
**PERSPECTIVES**

**A-003**

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02/29/2016	PUD RESUBMIT
03/31/2016	PC - RESPONSE

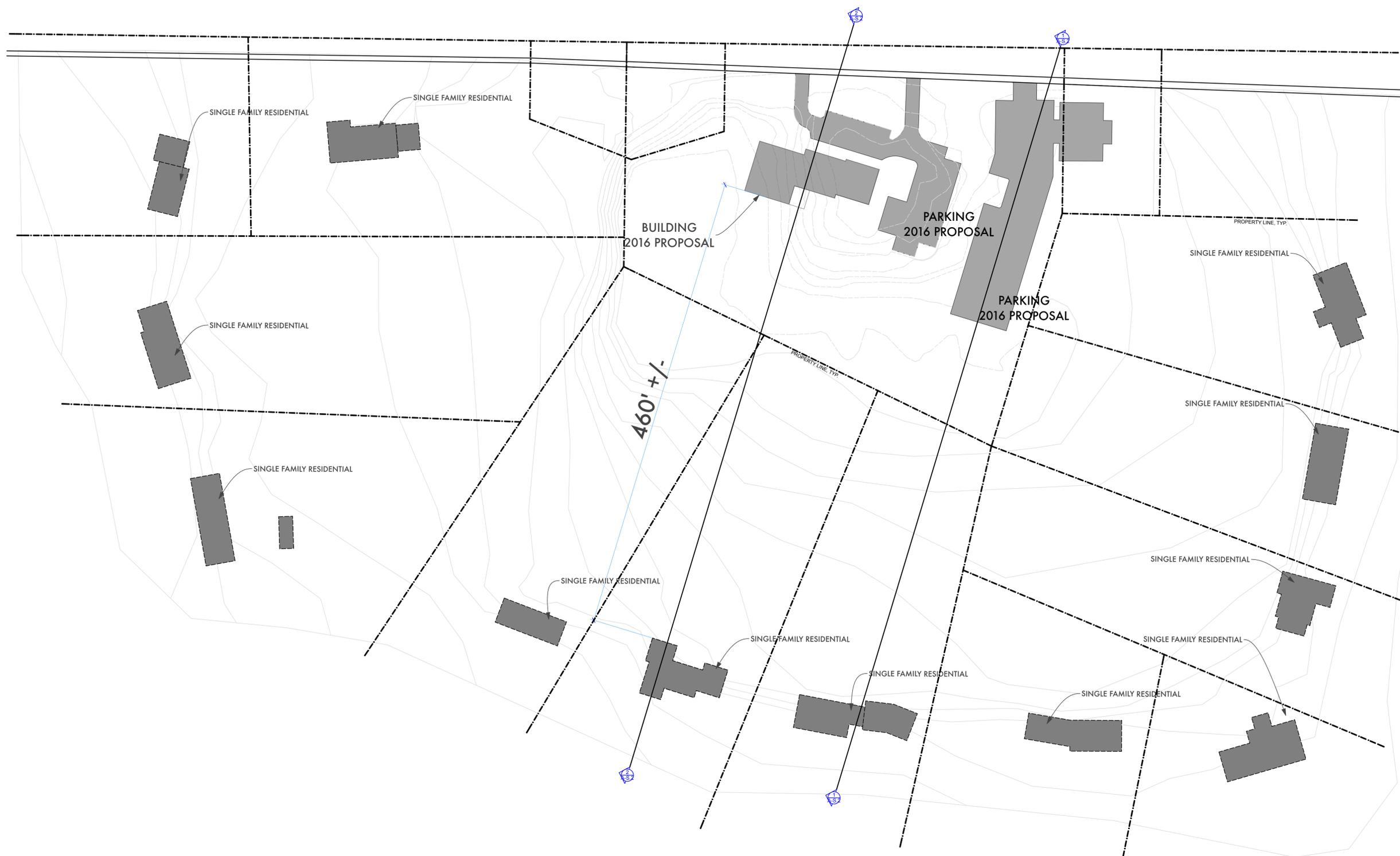
MARK	DATE	DESCRIPTION

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SHEET TITLE

CONTEXT

**A-S.1**



1 CONTEXT  
 SCALE: 1" = 40'



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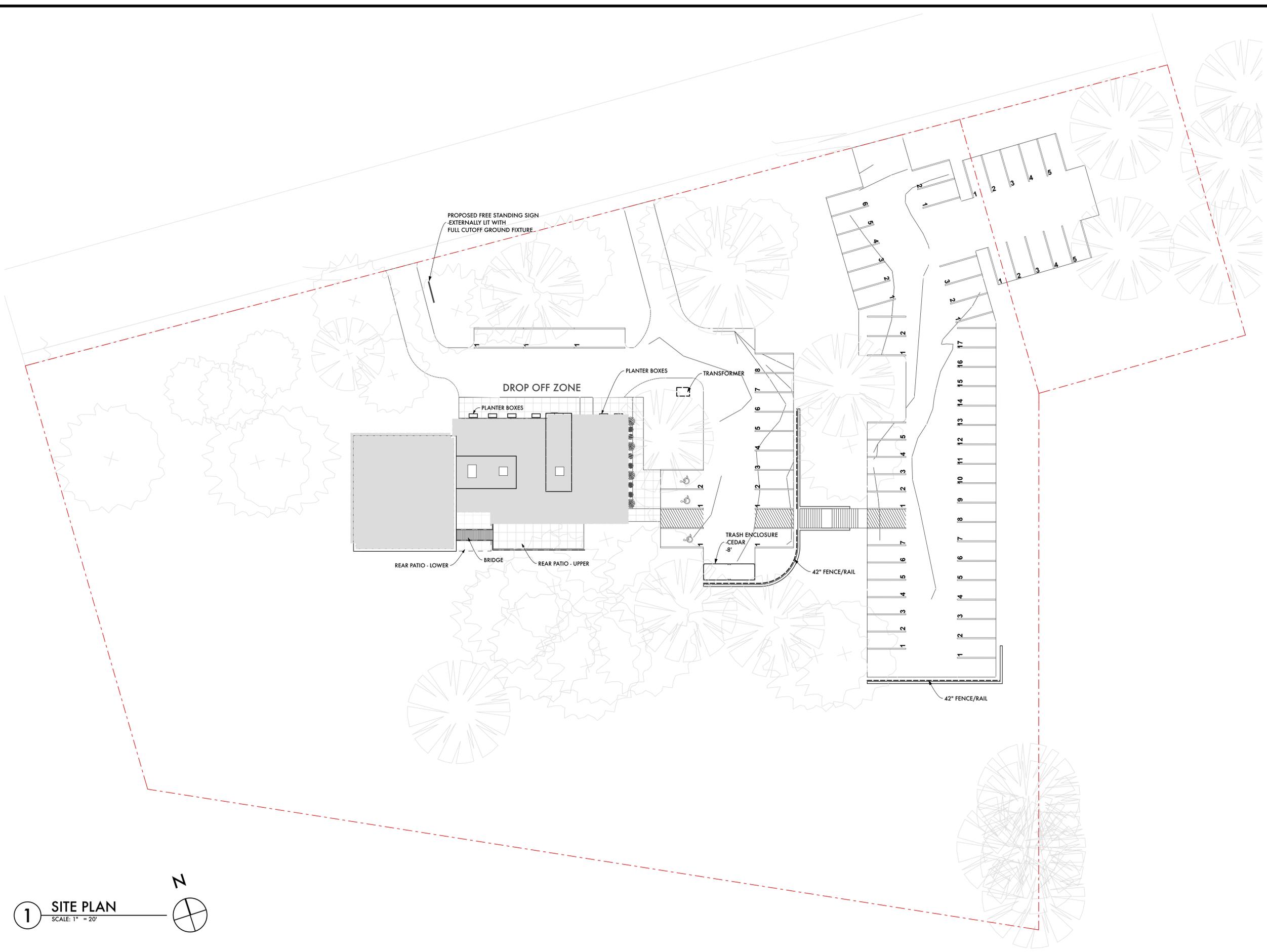
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03/31/2016	PC - RESPONSE

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SHEET TITLE  
**ARCHITECTURAL SITE  
PLAN**

**A-S**



**1 SITE PLAN**  
SCALE: 1" = 20'



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03/31/2016	PC - RESPONSE

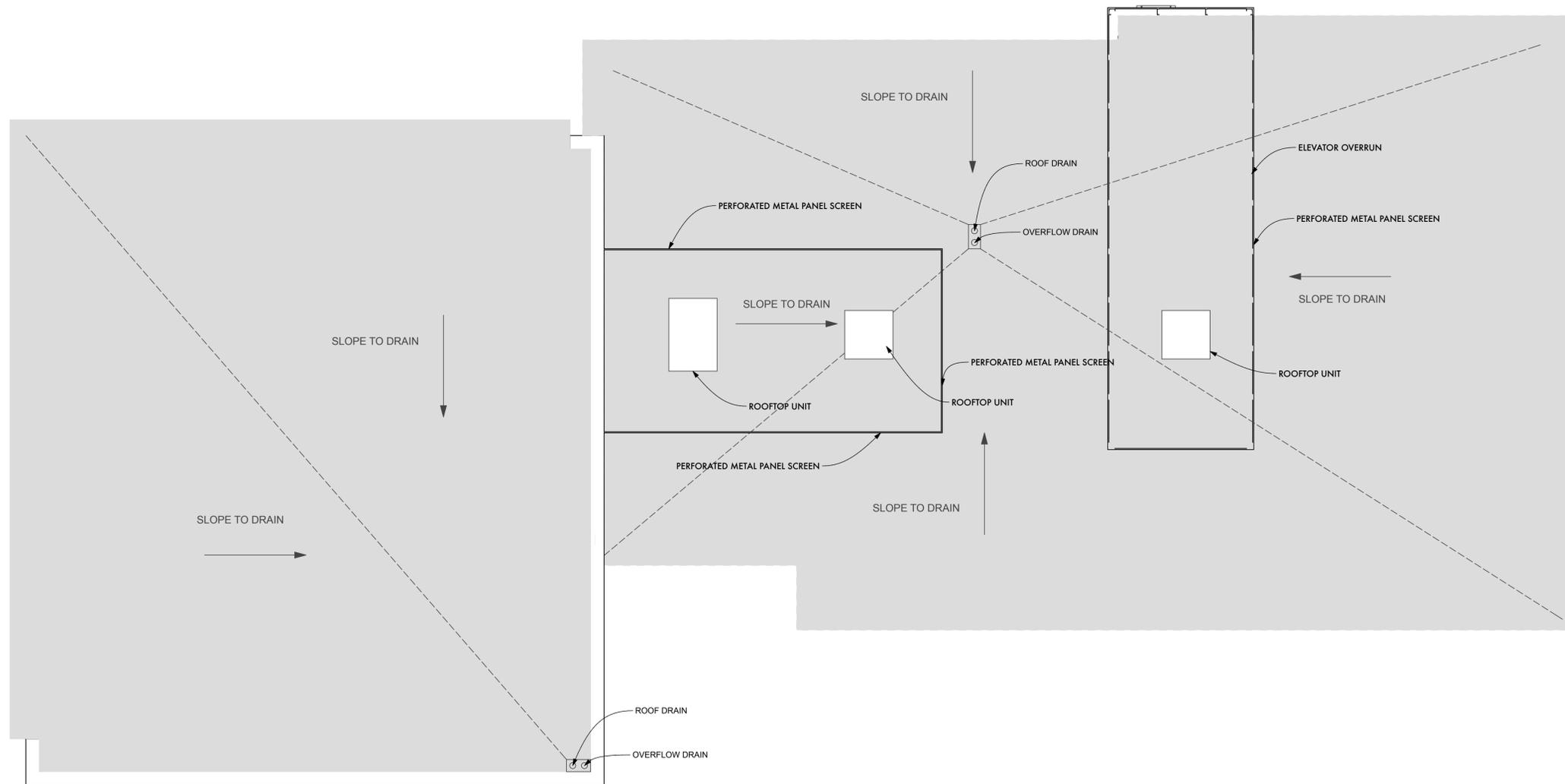
MARK	DATE	DESCRIPTION

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SHEET TITLE

ROOF PLAN

**A-102**



**3 ROOF PLAN**  
SCALE: 3/16" = 1'-0"

PLAN NORTH



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03/31/2016

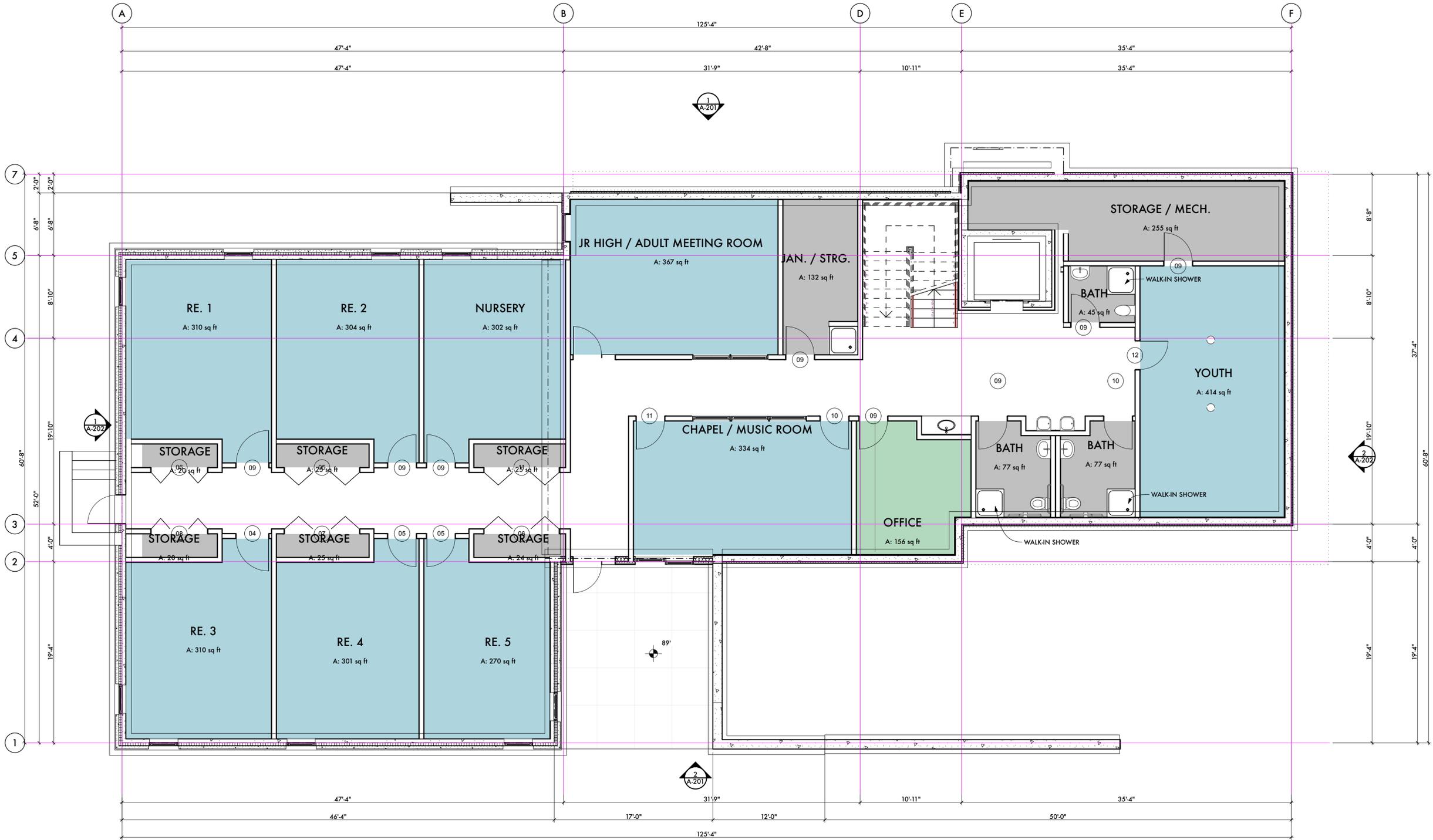
**NOT FOR  
CONSTRUCTION**

01/29/2016	PUD SUBMITTAL
02/29/2016	PUD RESUBMIT
03/31/2016	PC - RESPONSE

MARK	DATE	DESCRIPTION
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SHEET TITLE  
**GARDEN LEVEL PLAN**

**A-103**



**1 GARDEN LEVEL PLAN**  
SCALE: 3/16" = 1'-0"

PLAN NORTH



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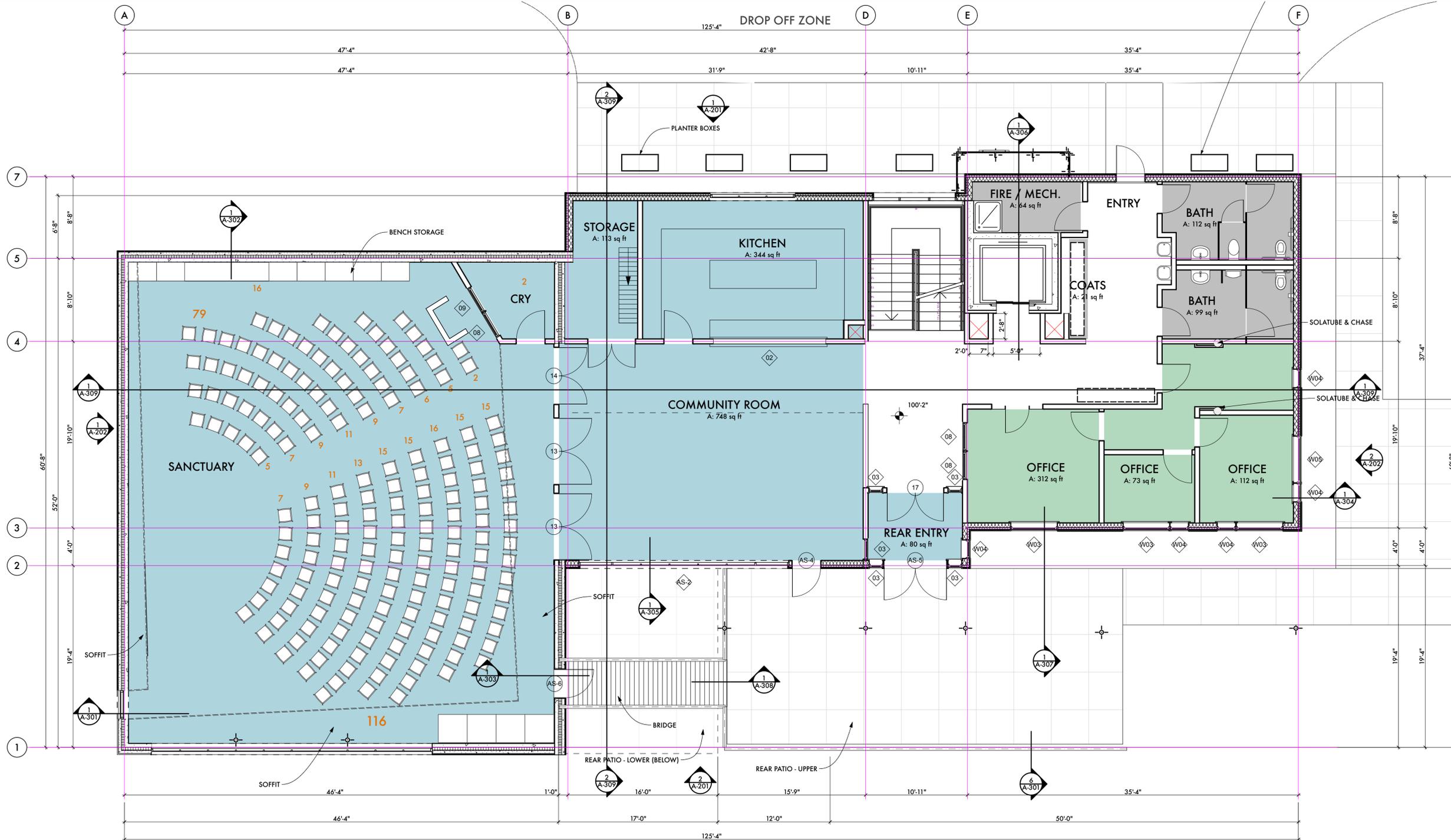
**NOT FOR  
CONSTRUCTION**

01/29/2016	PUD SUBMITTAL
02/29/2016	PUD RESUBMIT
03/31/2016	PC - RESPONSE

MARK	DATE	DESCRIPTION
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SHEET TITLE  
**FIRST FLOOR PLAN**

**A-104**



**1** 1st FLOOR PLAN  
SCALE: 3/16" = 1'-0"

PLAN NORTH



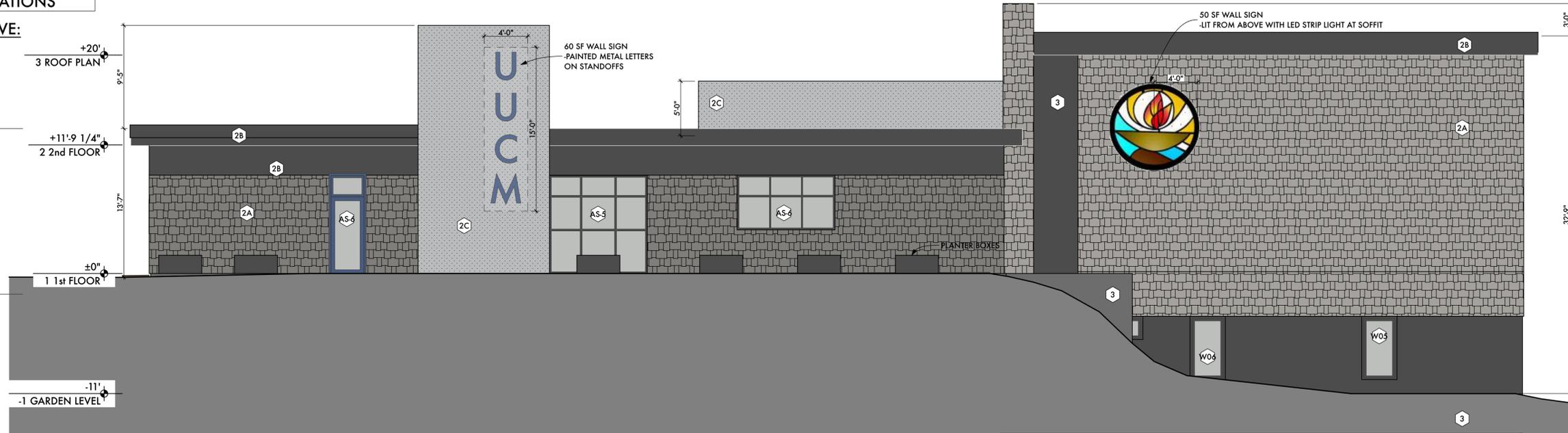
**NORTH ELEVATION:  
GLAZING CALCULATIONS**

**LEVEL 1 AND ABOVE:**

2277 SF = TOTAL  
137 SF = GLASS  
6% = GLASS

**LOWER LEVEL:**

397 SF = TOTAL  
27 SF = GLASS  
7% = GLASS



**1 NORTH ELEVATION**  
SCALE: 3/16" = 1'-0"

**SOUTH ELEVATION:  
GLAZING CALCULATIONS**

**LEVEL 1 AND ABOVE:**

2440 SF = TOTAL  
511 SF = GLASS  
21% = GLASS

**LOWER LEVEL:**

884 SF = TOTAL  
84 SF = GLASS  
10% = GLASS

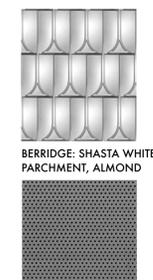


**2 SOUTH ELEVATION**  
SCALE: 3/16" = 1'-0"

**KEY NOTES:**

-  1 CAST IN PLACE CONCRETE
-  2A PREFINISHED METAL PANEL
-  2B PREFINISHED METAL FASCIA/COPING
-  2C PERFORATED METAL SCREEN

-  3 COLORED PRECAST CONCRETE
-  4 CEMENT FIBERBOARD
-  AS-1 ALUMINUM STOREFRONT SYSTEM - CLEAR, LOW EMISSIVITY GLASS
-  W PREFINISHED FIBERGLASS WINDOW - CLEAR, LOW EMISSIVITY GLASS



**ENLARGED MATERIALS:**

 2A PREFINISHED METAL PANEL  
9" x 12" INDIVIDUAL PANEL COVERAGE  
(APPROXIMATELY 12 PANELS SHOWN)

 2C PERFORATED METAL SCREEN

**UNITARIAN  
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MINNETONKA**

CONSULTANTS

03/31/2016

**NOT FOR  
CONSTRUCTION**

01/29/2016	PUD SUBMITTAL
02/29/2016	PUD RESUBMIT
03/31/2016	PC - RESPONSE

MARK	DATE	DESCRIPTION

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SHEET TITLE

**ELEVATIONS**

**A-201**

**WEST ELEVATION:  
GLAZING CALCULATIONS**

**LEVEL 1 AND ABOVE:**

1551 SF = TOTAL

47 SF = GLASS

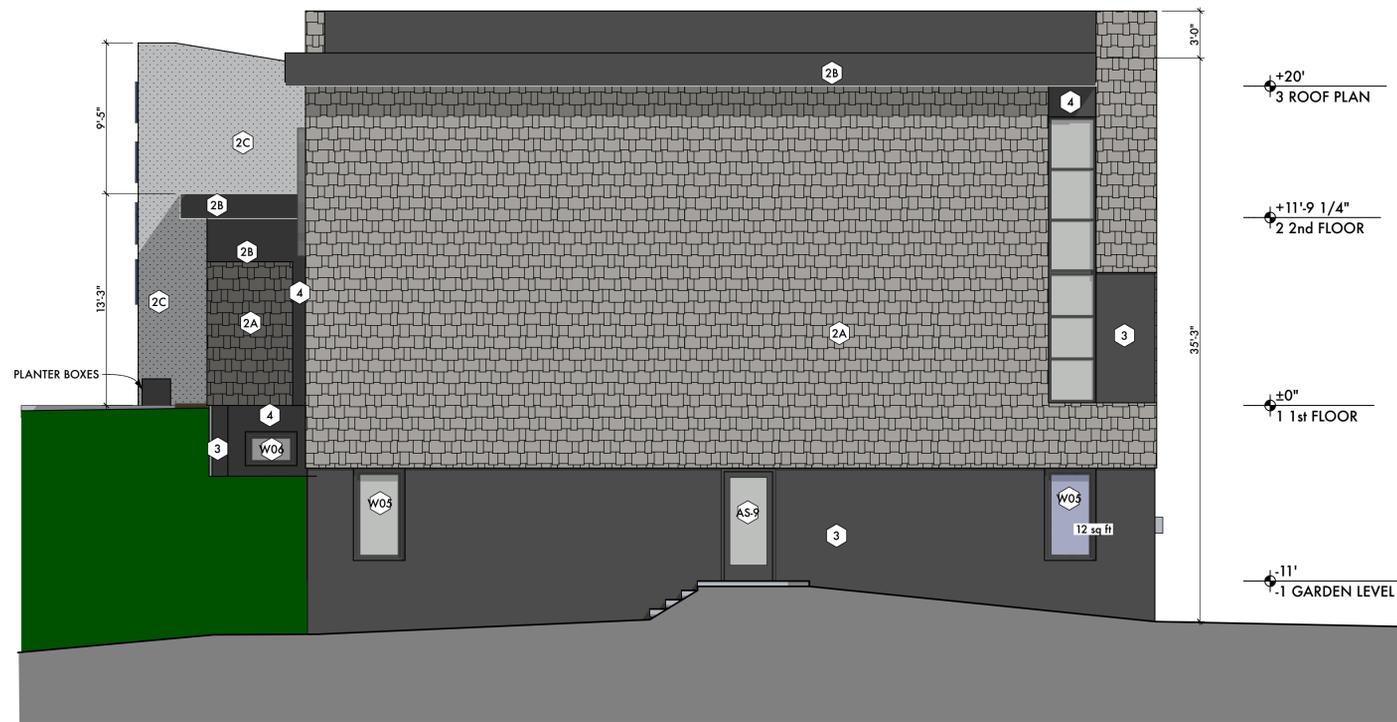
3% = GLASS

**LOWER LEVEL:**

674 SF = TOTAL

28 SF = GLASS

4% = GLASS



**1 WEST ELEVATION**  
SCALE: 3/16" = 1'-0"

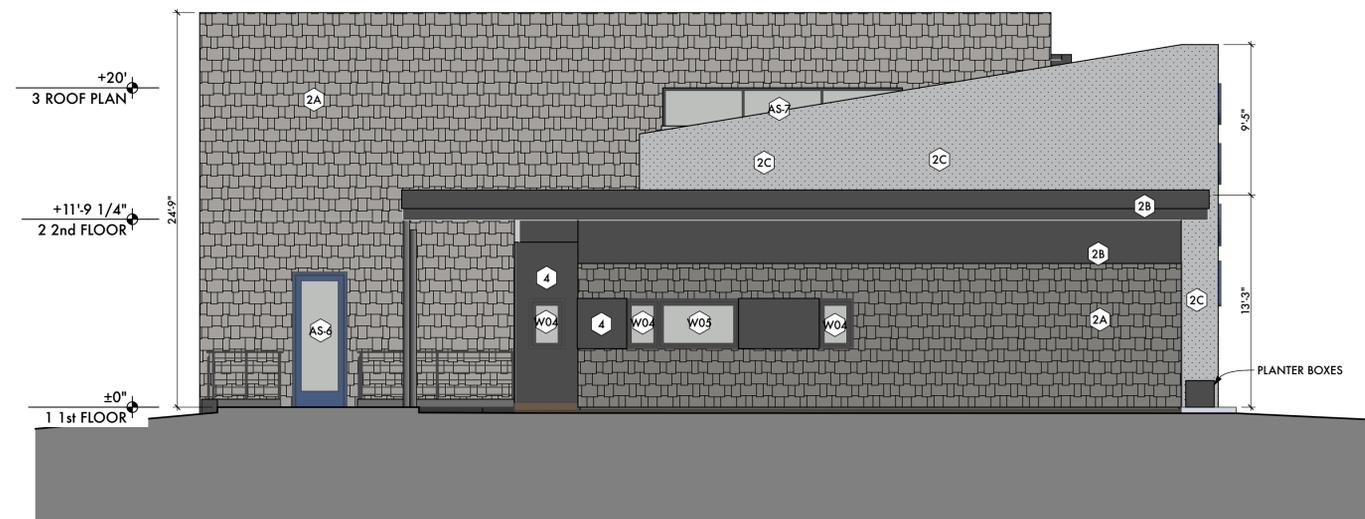
**EAST ELEVATION:  
GLAZING CALCULATIONS**

**LEVEL 1 AND ABOVE:**

1551 SF = TOTAL

77 SF = GLASS

5% = GLASS



**2 EAST ELEVATION**  
SCALE: 3/16" = 1'-0"

- KEY NOTES:**
- 1 CAST IN PLACE CONCRETE
  - 2A PREFINISHED METAL PANEL
  - 2B PREFINISHED METAL FASCIA/COPING
  - 2C PERFORATED METAL SCREEN

- 3 COLORED PRECAST CONCRETE
- 4 CEMENT FIBERBOARD
- AS- ALUMINUM STOREFRONT SYSTEM  
-CLEAR, LOW EMISSIVITY GLASS
- W PREFINISHED FIBERGLASS WINDOW  
-CLEAR, LOW EMISSIVITY GLASS

- ENLARGED MATERIALS:**
- 2A PREFINISHED METAL PANEL  
9" x 12" INDIVIDUAL PANEL COVERAGE  
(APPROXIMATELY 12 PANELS SHOWN)
  - 2C PERFORATED METAL SCREEN
- BERRIDGE: SHASTA WHITE, PARCHMENT, ALMOND  
BERRIDGE: ZINC GREY

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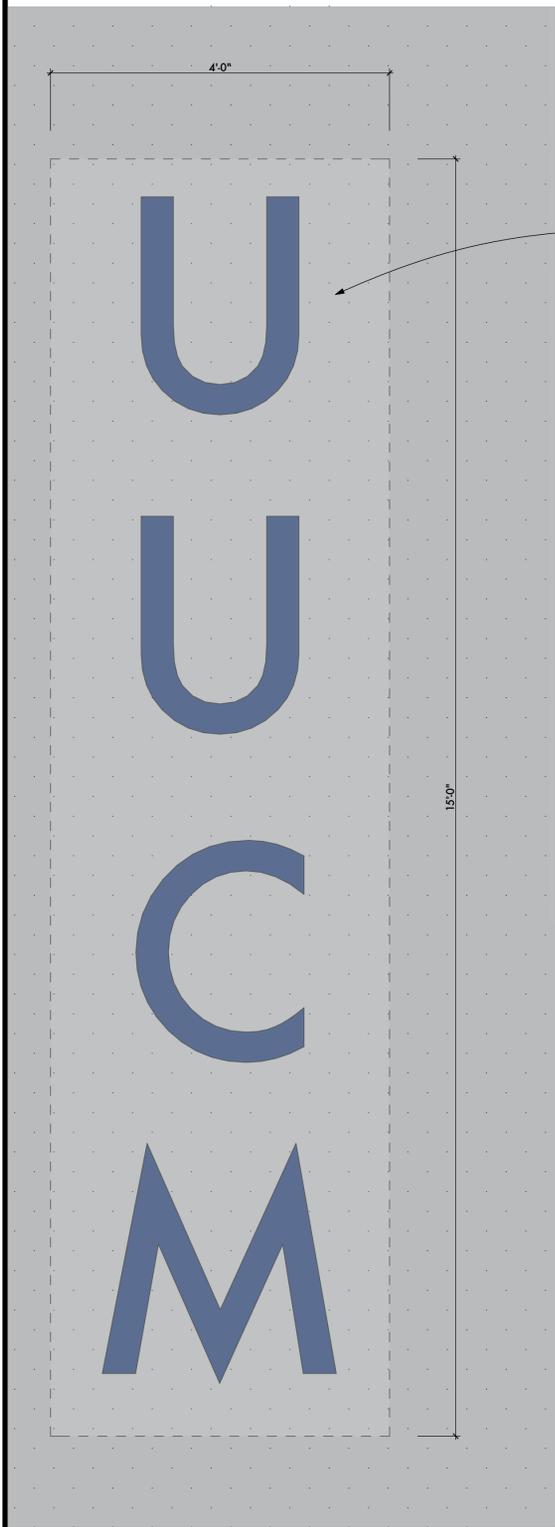
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03/31/2016	PC - RESPONSE

MARK	DATE	DESCRIPTION
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SHEET TITLE

ELEVATIONS

**A-202**



**1** PROPOSED WALL SIGN AT ENTRY  
SCALE: 1" = 1'-0"

60 SF WALL SIGN  
-PAINTED METAL LETTERS  
ON STANDOFFS

EXTERNALLY LIT WITH  
FULL CUTOFF GROUND FIXTURE

ALUMINUM PANEL SIGN  
35 SF

ALUMINUM POSTS  
PAINTED TO MATCH SIGN  
(TYPICAL)

GRADE (SEE CIVIL)



**2** PROPOSED FREE STANDING SIGN AT ROAD  
SCALE: 1" = 1'-0"

50 SF WALL SIGN  
-LIT FROM ABOVE WITH LED STRIP LIGHT AT SOFFIT



**3** PROPOSED WALL SIGN AT SANCTUARY  
SCALE: 1" = 1'-0"

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PROPOSED SIGNAGE

**A-203**

4" DIP SANITARY SEWER  
(PER ASBUILT PLANS)

# EAST WAYZATA BLVD.



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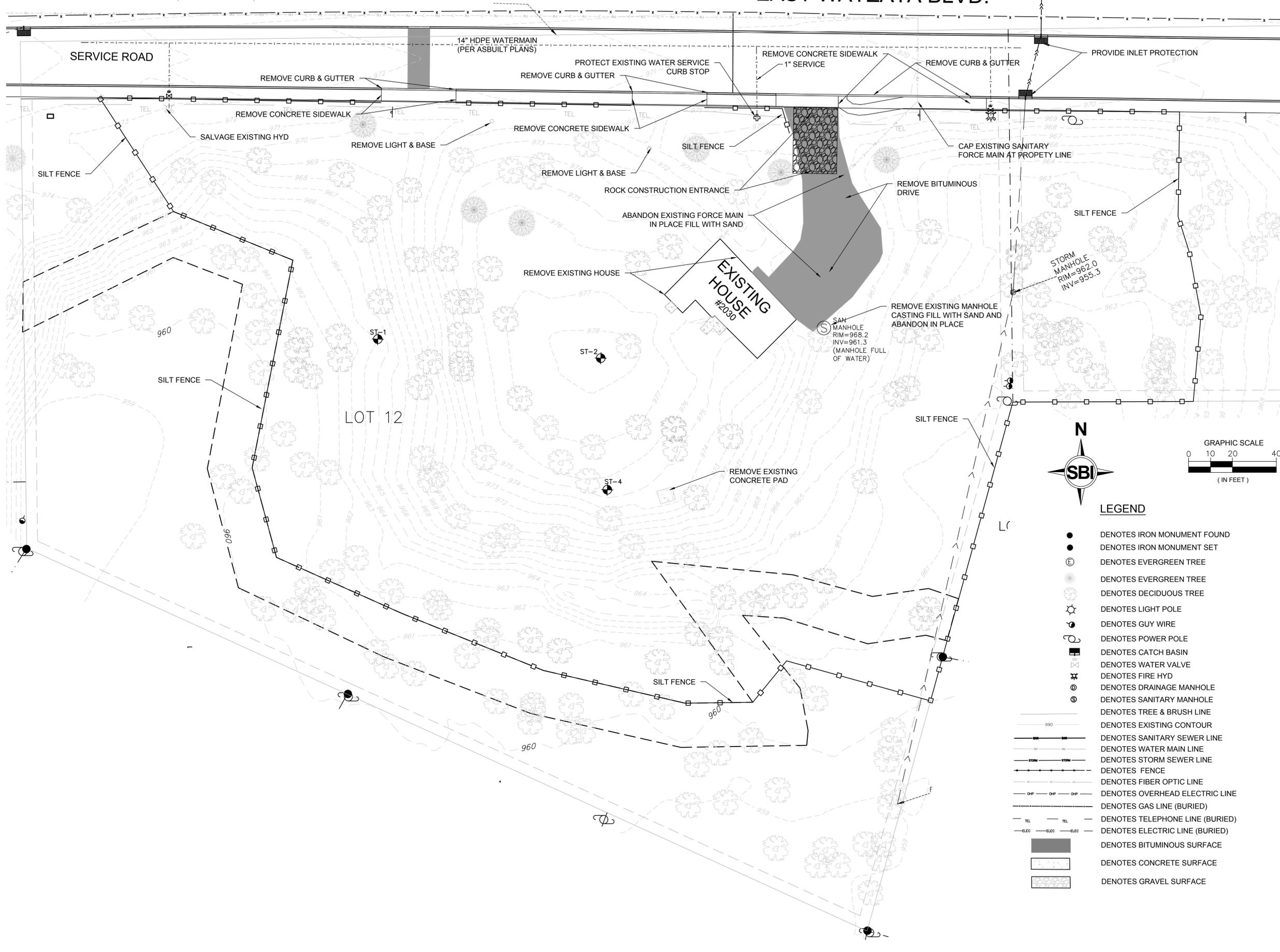
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EXISTING CONDITIONS,  
REMOVALS AND  
EROSION CONTROL

C1

CADD USER: RANAL.FRE.C:\USERS\RANDAL\FRODO\PROJECTS\151101 - UNITARIAN UNIVERSALIST CHURCH OF MINNETONKA (UUCM) - LOCUS ARCHITECTURE FILES\CADD\WORKING FILES\CADD\WORKING PLAN SHEETS\EXHIBIT CONDINGS PLOT SCALE: 1:1 PLOT DATE: 3/30/2016 4:48 PM



- LEGEND**
- DENOTES IRON MONUMENT FOUND
  - DENOTES IRON MONUMENT SET
  - ⊙ DENOTES EVERGREEN TREE
  - ⊙ DENOTES EVERGREEN TREE
  - ⊙ DENOTES DECIDUOUS TREE
  - ⊙ DENOTES LIGHT POLE
  - ⊙ DENOTES GUY WIRE
  - ⊙ DENOTES POWER POLE
  - ⊙ DENOTES CATCH BASIN
  - ⊙ DENOTES WATER VALVE
  - ⊙ DENOTES FIRE HYD
  - ⊙ DENOTES DRAINAGE MANHOLE
  - ⊙ DENOTES SANITARY MANHOLE
  - ⊙ DENOTES TREE & BRUSH LINE
  - DENOTES EXISTING CONTOUR
  - DENOTES SANITARY SEWER LINE
  - DENOTES WATER MAIN LINE
  - DENOTES STORM SEWER LINE
  - DENOTES FENCE
  - DENOTES FIBER OPTIC LINE
  - DENOTES OVERHEAD ELECTRIC LINE
  - DENOTES GAS LINE (BURIED)
  - DENOTES TELEPHONE LINE (BURIED)
  - DENOTES ELECTRIC LINE (BURIED)
  - DENOTES BITUMINOUS SURFACE
  - DENOTES CONCRETE SURFACE
  - DENOTES GRAVEL SURFACE





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TREE INVENTORY  
LIST  
PLAN

C4

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ID	SPECIES	DIAM. (Inches)	CONDITION (0-9)	NOTES	TREE CLASS (per City)	Critical Root Zone
3001	Boxelder	20	4		Significant	30
3002	Boxelder	14	4		Significant	21
3003	Boxelder	12	4		Significant	18
3004	Boxelder	14	4		Significant	21
3005	Boxelder	14	4		Significant	21
3006	Boxelder	14	4		Significant	21
3007	Boxelder	14	4		Significant	21
3008	Boxelder	21	4		Significant	31.5
3009	Boxelder	19	4		Significant	27
3010	Boxelder	13	4		Significant	19.5
3011	Boxelder	23	4		Significant	34.5
3012	Elm, american	17	5		Significant	25.5
3013	Elm, siberian	13	4		Significant	19.5
3014	Ash, green	12	5		Significant	18
3015	Elm, red	30	5		Heritage	45
3016	Hackberry	6	5		Significant	9
3017	Ash, white	7	5		Significant	10.5
3018	Ash, green	8	5		Significant	12
3019	Oak, white	19	4		Significant	28.5
3020	Oak, white	23	5		Significant	34.5
3021	Oak, white	19	5		Significant	28.5
3022	Ironwood	6	5		Significant	9
3023	Oak, white	8	5		Significant	12
3024	Oak, white	9	5		Significant	13.5
3025	Oak, white	17	5		Significant	25.5
3026	Oak, white	14	4		Significant	21
3027	Basswood	30	4		Heritage	45
3028	Boxelder	10	4		N/A	15
3029	Boxelder	15	4		Significant	22.5
3030	Boxelder	24	4		Significant	36
3031	Boxelder	16	4		Significant	24
3032	Boxelder	34	4		Heritage	51
3033	Boxelder	12	4		Significant	18
3034	Boxelder	21	4		Significant	31.5
3035	Boxelder	12	4		Significant	18
3036	Boxelder	17	4		Significant	25.5
3037	Basswood	22	5		Significant	33
3038	Basswood	19	4		Significant	28.5
3039	Oak, white	19	5		Significant	28.5
3040	Elm, american	16	5		Significant	24
3041	Oak, white	22	5		Significant	33
3042	Oak, red	15	5		Significant	22.5
3043	Oak, white	16	5		Significant	24
3044	Boxelder	21	4		Significant	31.5
3045	Boxelder	13	4		Significant	19.5
3046	Boxelder	14	4		Significant	21
3047	Boxelder	20	4		Significant	30
3048	Boxelder	13	4		Significant	19.5
3049	Boxelder	15	4		Significant	22.5
3050	Boxelder	28	4		Significant	42
3051	Boxelder	18	4		Significant	27
3052	Oak, white	23	5		Significant	34.5
3053	Oak, bur	31	6		Heritage	46.5
3054	Oak, white	15	5		Significant	22.5
3055	Basswood	43	4		Heritage	64.5
3056	Boxelder	17	4		Significant	25.5
3057	Boxelder	15	4		Significant	22.5
3058	Boxelder	14	4		Significant	21
3059	Boxelder	15	4		Significant	22.5
3060	Boxelder	12	4		Significant	18
3061	Boxelder	20	4		Significant	30
3062	Boxelder	12	4		Significant	18
3063	Boxelder	12	4		Significant	18
3064	Boxelder	12	4		Significant	18
3065	Boxelder	18	4		Significant	27
3066	Boxelder	12	4		Significant	18
3067	Boxelder	16	4		Significant	24
3068	Boxelder	16	4		Significant	24
3069	Boxelder	15	4		Significant	22.5
3070	Boxelder	14	4		Significant	21
3071	Boxelder	24	4		Significant	36
3072	Spruce, white	7	5	25' tall	Significant	10.5
3073	Boxelder	15	4		Significant	22.5
3074	Boxelder	14	4		Significant	21
3075	Boxelder	30	4		Heritage	45
3076	Boxelder	12	4		Significant	18
3077	Boxelder	16	4		Significant	24
3078	Boxelder	19	4		Significant	28.5
3079	Boxelder	18	4		Significant	27
3080	Cedar, white	12	4	15' tall	Significant	18
3081	Cedar, white	10	4	15' tall	Significant	15
3082	Spruce, white	7	4	25' tall	Significant	10.5
3083	Cedar, white	10	4	15' tall	Significant	15
3084	Cedar, white	10	4	15' tall	Significant	15
3085	Cedar, white	9	4	15' tall	Significant	13.5
3086	Spruce, white	8	4	20' tall	Significant	12
3087	Spruce, white	6	4	20' tall	Significant	9
3088	Spruce, white	13	5	25' tall	Significant	19.5
3089	Ash, green	16	4		Significant	24
3090	Boxelder	18	4		Significant	27
3091	Ash, green	12	4		Significant	18
3092	Ash, green	28	4		Heritage	42
3093	Spruce, white	8	4	20' tall	Significant	12
3094	Basswood	30	4		Heritage	45
3095	Spruce, white	8	6		N/A	12
3096	Oak, white	29	4		Heritage	43.5
3097	Oak, white	17	4		Significant	25.5
3098	Oak, white	19	5		Significant	28.5
3099	Oak, white	17	5		Significant	25.5
3100	Oak, white	17	4		Significant	25.5
3101	Spruce, white	7	4		N/A	10.5
3102	Spruce, white	7	4		N/A	10.5
3103	Boxelder	13	4		Significant	19.5
3104	Boxelder	12	4		Significant	18
3105	Spruce, white	7	4		Significant	10.5
3106	Maple, silver	14	5		Significant	21
3107	Oak, white	24	5		Significant	36
3108	Oak, white	19	4		Significant	28.5
3109	Oak, white	22	4		Significant	33
3110	Oak, white	20	4		Significant	30
3111	Oak, white	27	5		Heritage	40.5
3112	Oak, white	16	4		Significant	24
3113	Oak, white	35	5		Heritage	52.5
3114	Oak, red	23	4		Significant	34.5
3115	Oak, bur	40	5		Heritage	60
3116	Ash, green	16	5		Significant	24
3117	Ash, green	12	4		Significant	18
3118	Ash, green	12	4		Significant	18
3119	Ash, green	21	5		Significant	31.5
3120	Ash, green	10	4		Significant	15
3121	Ash, green	13	4		Significant	19.5
3122	Ash, green	8	4		Significant	12
3123	Basswood	12	5		Significant	18
3124	Basswood	14	5		Significant	21
3125	Basswood	9	5		Significant	13.5
3126	Ash, green	7	4		Significant	10.5
3127	Oak, bur	36	4		Heritage	54
3128	Ash, green	8	4		Significant	12
3129	Ash, green	6	4		Significant	9
3130	Boxelder	12	4		Significant	18
3131	Ash, green	22	5		Significant	33
3132	Ash, green	8	4		Significant	12
3133	Ash, green	13	4		Significant	19.5
3134	Ash, green	17	5		Significant	25.5
3135	Basswood	10	4		Significant	15
3136	Ash, green	9	4		Significant	13.5
3137	Oak, white	22	4		Significant	33
3138	Cottonwood	45	4		Heritage	67.5
3139	Ash, green	14	4		Significant	21
3140	Ash, green	7	4		Significant	10.5
3141	Ash, green	6	4		Significant	9
3142	Ash, green	7	4		Significant	10.5
3143	Oak, bur	28	5		Heritage	42
3144	Ash, green	15	4		Significant	22.5
3145	Ash, green	8	4		Significant	12
3146	Ash, green	7	4		Significant	10.5
3147	Oak, white	21	4		Significant	31.5
3148	Oak, red	26	4		Heritage	39
3149	Ash, green	7	4		Significant	10.5
3150	Oak, white	28	5		Heritage	42
3151	Oak, white	24	4		Significant	36
3152	Elm, american	12	4		Significant	18
3153	Basswood	20	5		Significant	30
3154	Oak, white	19	4		Significant	28.5
3155	Ash, green	12	4		Significant	18
3156	Oak, white	20	4		Significant	30
3157	Ash, green	13	4		Significant	19.5
3158	Oak, white	22	5		Significant	33
3159	Oak, white	27	4		Heritage	40.5
3160	Oak, white	31	4		Heritage	46.5
3161	Oak, red	27	4		Heritage	40.5
3162	Ash, green	13	5		Significant	19.5
3163	Oak, white	27	4		Heritage	40.5
3164	Oak, white	15	4		Significant	22.5
3165	Oak, red	19	4		Significant	28.5
3166	Ash, green	7	5		Significant	10.5
3167	Ash, green	12	4		Significant	18
3168	Ash, green	8	4		Significant	12
3169	Ash, green	6	4		Significant	9
3170	Ash, green	7	4		Significant	10.5
3171	Ash, green	10	5		Significant	15
3172	Oak, white	22	4		Significant	33
3173	Ash, green	6	5		Significant	9
3174	Spruce, white	12	4		Significant	18
3175	Ash, green	19	4		Significant	28.5
3176	Spruce, blue	16	5		Significant	24
3177	Spruce, blue	18	4		Significant	27
3178	Elm, american	13	5		Significant	19.5
3179	Ash, green	8	4		Significant	12
3180	Ash, green	11	4		Significant	16.5
3181	Maple, silver	40	4		Heritage	60
3182	Spruce, blue	9	5		N/A	13.5
3183	Spruce, blue	12	4		Significant	18
3184	Spruce, blue	14	4		Significant	21
3185	Spruce, blue	16	4		Significant	24
3186	Spruce, blue	14	4		Significant	21
3187	Spruce, blue	7	4		N/A	10.5
3188	Spruce, blue	8	4		N/A	12
3189	Spruce, blue	13	4		Significant	19.5
3190	Spruce, blue	12	4		Significant	18
3191	Ash, green	12	5		Significant	18
3192	Ash, green	7	4		Significant	10.5
3193	Basswood	9	4		Significant	13.5
3194	Basswood	7	4		Significant	10.5
3195	Ash, green	7	4		Significant	10.5
3196	Spruce, blue	10	4	12' tall	Significant	15

NOTES:  
1) Condition = health of tree based on a scale from 0-9. Zero being a dead tree and 9 being the perfect tree.  
2) Diameter is measured at chest height and is the diameter of the tree



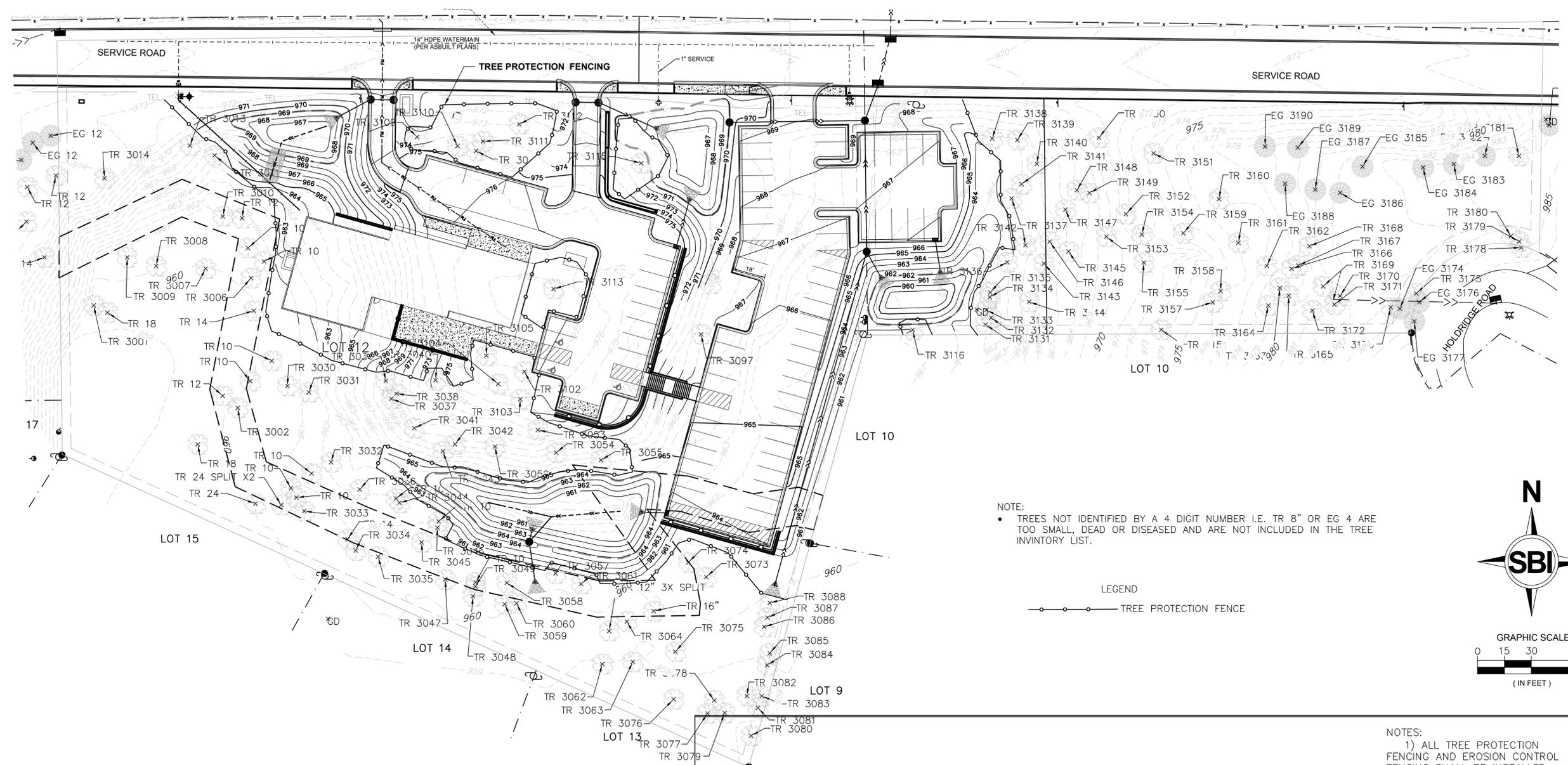
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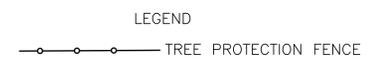
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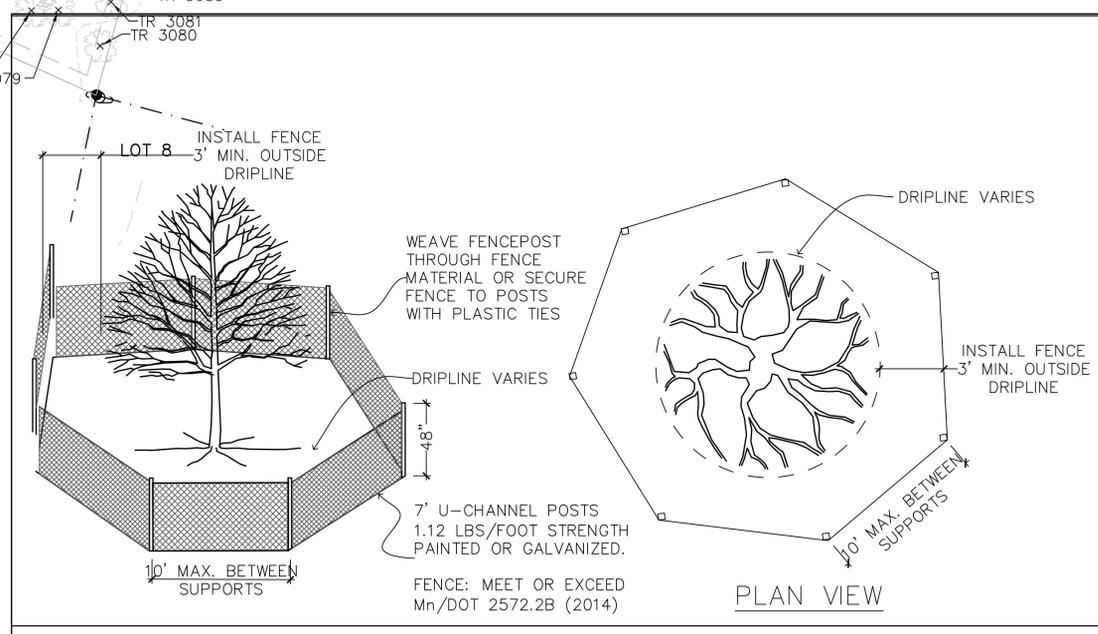


NOTE:  
• TREES NOT IDENTIFIED BY A 4 DIGIT NUMBER I.E. TR 8" OR EG 4 ARE TOO SMALL, DEAD OR DISEASED AND ARE NOT INCLUDED IN THE TREE INVENTORY LIST.



**NOTES ON TREE PRESERVATION & OAK WILT MANAGEMENT**

- 1) ALL TREES IDENTIFIED TO BE PRESERVED SHALL BE FENCED OFF WITH TREE PROTECTION FENCE TO PREVENT ANY DISTURBANCE, COMPACTION OF SOILS AND/OR STORAGE OF MATERIALS IN THESE AREAS.
- 2) CONTRACTOR SHALL HAVE A CERTIFIED ARBORIST OR TREE SPECIALIST ON STAFF OR UNDER CONTRACT TO INSPECT THE EXISTING OAK TREES PRIOR TO AND THROUGHOUT CONSTRUCTION. IF ANY SIGNS OF OAK WILT OCCUR, CONTRACTOR SHALL NOTIFY THE CITY TO CONFIRM THE PROPER PROCESS FOR TREATMENT AND/OR REMOVAL.
- 3) AVOID THE PRUNING, REMOVAL AND/OR DISTURBANCE OF ALL OAK TREES FROM MARCH 15 THROUGH JULY 31.
- 4) IF IMPACTS TO OAK TREES CAN'T BE AVOIDED FROM MARCH 15 THROUGH JULY 31, IMMEDIATELY TREAT ANY IMPACTED TRUNKS, BRANCHES AND/OR STUMPS WITH LATEX PRUNING PAINT.
- 5) CLEAN ALL PRUNING TOOLS WITH 10% SODIUM HYPOCHLORITE BETWEEN SITES AND/OR TREES.



**TREE PROTECTION DETAIL**  
(NOT TO SCALE)

- NOTES:
- 1) ALL TREE PROTECTION FENCING AND EROSION CONTROL FENCING SHALL BE INSTALLED ACCORDING TO THE PLANS PRIOR TO ANY WORK. AS NECESSARY, TREE PROTECTION FENCING MAY BE RELOCATED WITH APPROVAL FROM THE LANDSCAPE ARCHITECT OR ENGINEER. ALL TREE PROTECTION FENCING AND EROSION CONTROL DEVICES SHALL BE MAINTAINED FOR THE DURATION OF THE CONSTRUCTION PERIOD.
  - 2) CONTRACTOR SHALL NOT STORE ANY MATERIALS OR PARK ANY VEHICLES IN TREE PROTECTION ZONES. THE FENCE SHALL PREVENT TRAFFIC MOVEMENT AND THE PLACEMENT OF TEMPORARY FACILITIES, EQUIPMENT, STOCKPILES AND SUPPLIES FROM HARMING VEGETATION WITHIN THE LIMITS OF PROTECTION.
  - 3) THE CONTRACTOR SHALL CLEANLY CUT ALL ROOTS EXPOSED BY GRADING AS DIRECTED BY THE LANDSCAPE ARCHITECT OR ENGINEER.
  - 4) THE CONTRACTOR SHALL USE DESIGNATED CONSTRUCTION ENTRANCES AND STAGING AREAS.

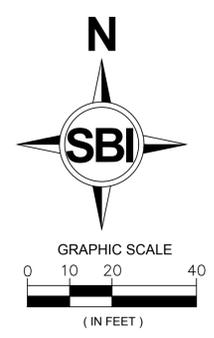
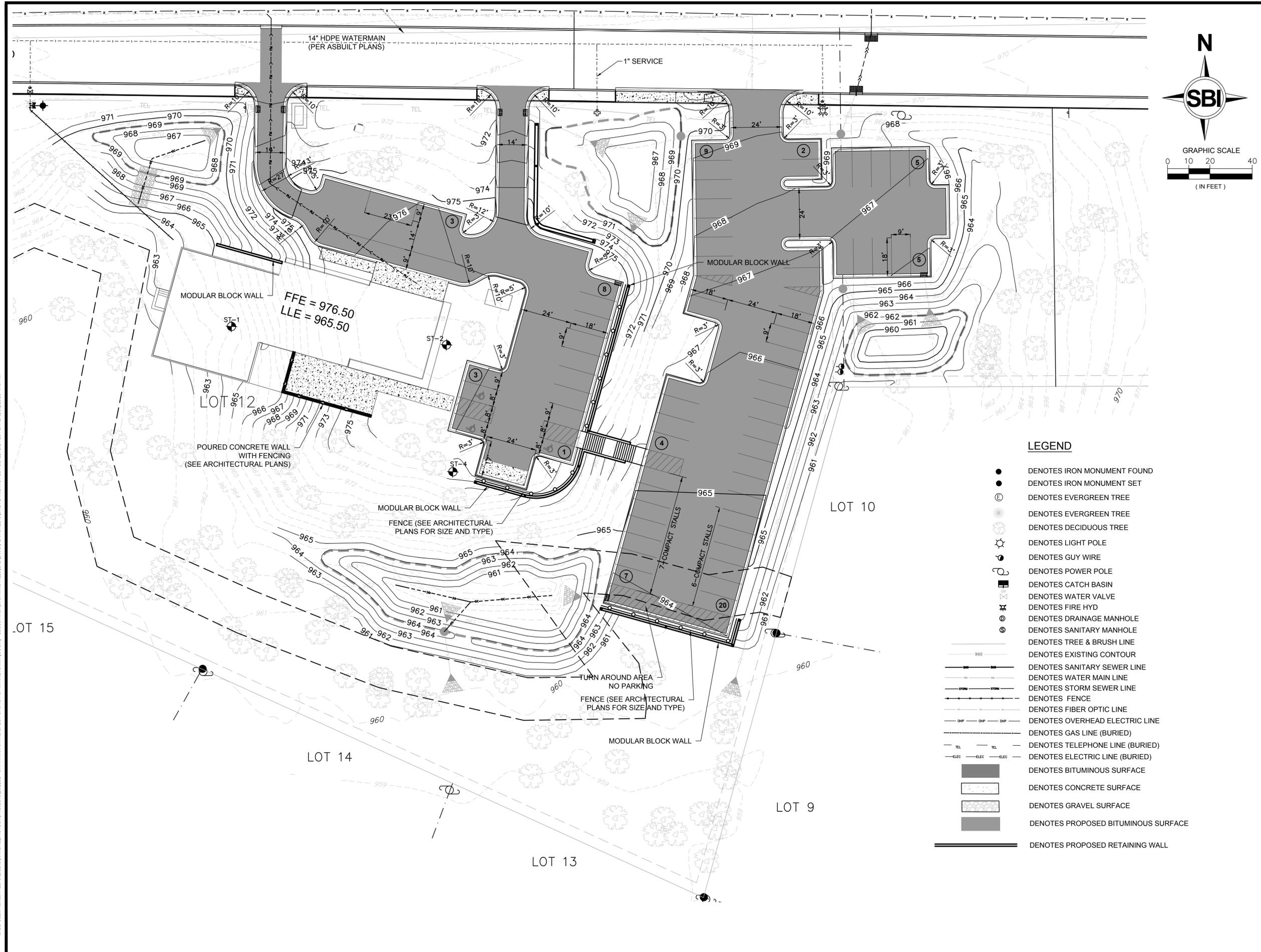
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TREE PRESERVATION PLAN	

C5.1

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- LEGEND**
- DENOTES IRON MONUMENT FOUND
  - DENOTES IRON MONUMENT SET
  - ⊕ DENOTES EVERGREEN TREE
  - ⊕ DENOTES EVERGREEN TREE
  - ⊕ DENOTES DECIDUOUS TREE
  - ⊕ DENOTES LIGHT POLE
  - ⊕ DENOTES GUY WIRE
  - ⊕ DENOTES POWER POLE
  - ⊕ DENOTES CATCH BASIN
  - ⊕ DENOTES WATER VALVE
  - ⊕ DENOTES FIRE HYD
  - ⊕ DENOTES DRAINAGE MANHOLE
  - ⊕ DENOTES SANITARY MANHOLE
  - ⊕ DENOTES TREE & BRUSH LINE
  - ⊕ DENOTES EXISTING CONTOUR
  - DENOTES SANITARY SEWER LINE
  - DENOTES WATER MAIN LINE
  - DENOTES STORM SEWER LINE
  - DENOTES FENCE
  - DENOTES FIBER OPTIC LINE
  - DENOTES OVERHEAD ELECTRIC LINE
  - DENOTES GAS LINE (BURIED)
  - DENOTES TELEPHONE LINE (BURIED)
  - DENOTES ELECTRIC LINE (BURIED)
  - DENOTES BITUMINOUS SURFACE
  - DENOTES CONCRETE SURFACE
  - DENOTES GRAVEL SURFACE
  - DENOTES PROPOSED BITUMINOUS SURFACE
  - DENOTES PROPOSED RETAINING WALL

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SHEET TITLE	
SITE PLAN	

C6

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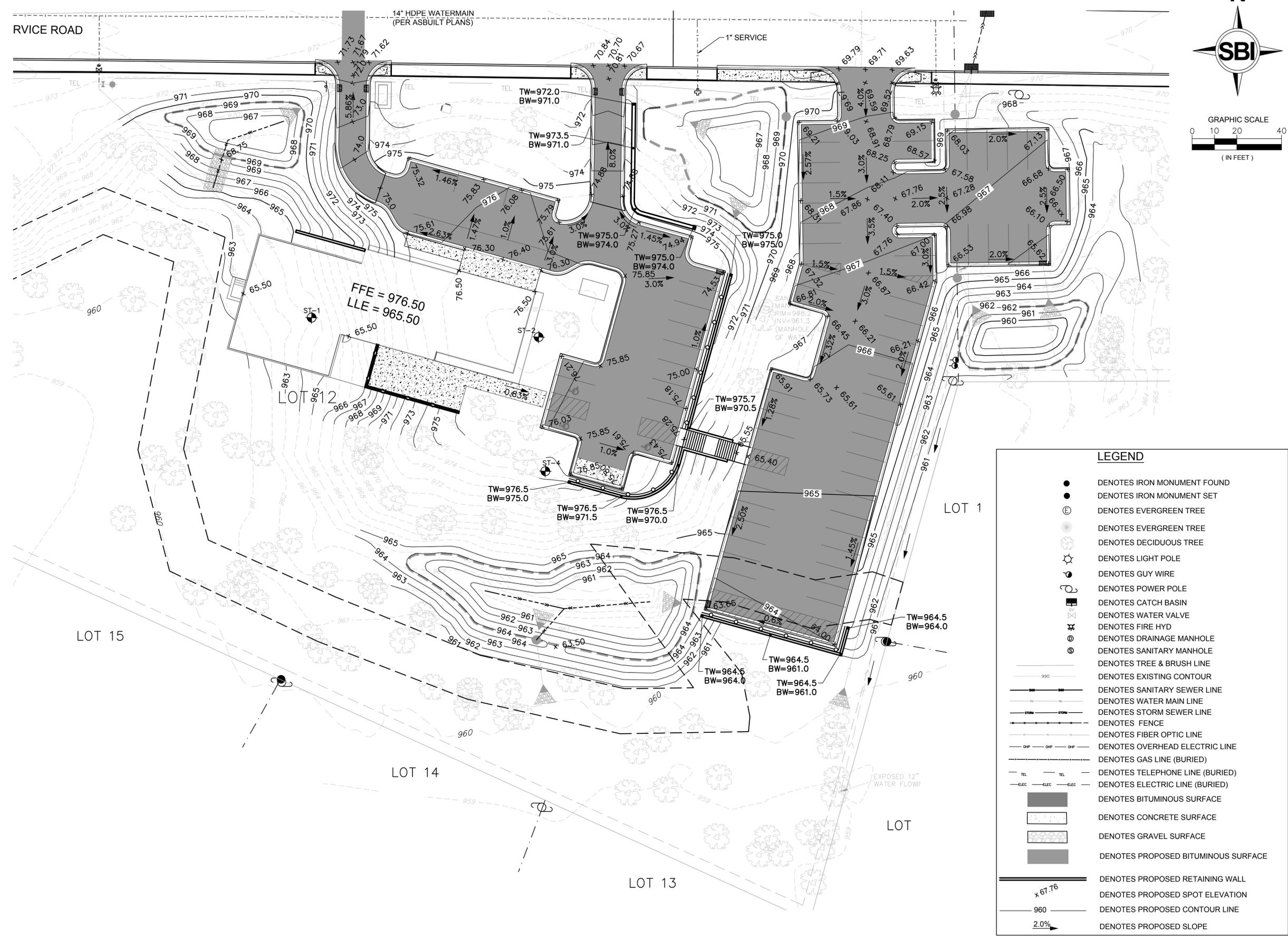
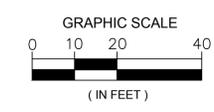
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SHEET TITLE  
GRADING PLAN

C7



**LEGEND**

	DENOTES IRON MONUMENT FOUND
	DENOTES IRON MONUMENT SET
	DENOTES EVERGREEN TREE
	DENOTES EVERGREEN TREE
	DENOTES DECIDUOUS TREE
	DENOTES LIGHT POLE
	DENOTES GUY WIRE
	DENOTES POWER POLE
	DENOTES CATCH BASIN
	DENOTES WATER VALVE
	DENOTES FIRE HYD
	DENOTES DRAINAGE MANHOLE
	DENOTES SANITARY MANHOLE
	DENOTES TREE & BRUSH LINE
	DENOTES EXISTING CONTOUR
	DENOTES SANITARY SEWER LINE
	DENOTES WATER MAIN LINE
	DENOTES STORM SEWER LINE
	DENOTES FENCE
	DENOTES FIBER OPTIC LINE
	DENOTES OVERHEAD ELECTRIC LINE
	DENOTES GAS LINE (BURIED)
	DENOTES TELEPHONE LINE (BURIED)
	DENOTES ELECTRIC LINE (BURIED)
	DENOTES BITUMINOUS SURFACE
	DENOTES CONCRETE SURFACE
	DENOTES GRAVEL SURFACE
	DENOTES PROPOSED BITUMINOUS SURFACE
	DENOTES PROPOSED RETAINING WALL
	DENOTES PROPOSED SPOT ELEVATION
	DENOTES PROPOSED CONTOUR LINE
	DENOTES PROPOSED SLOPE

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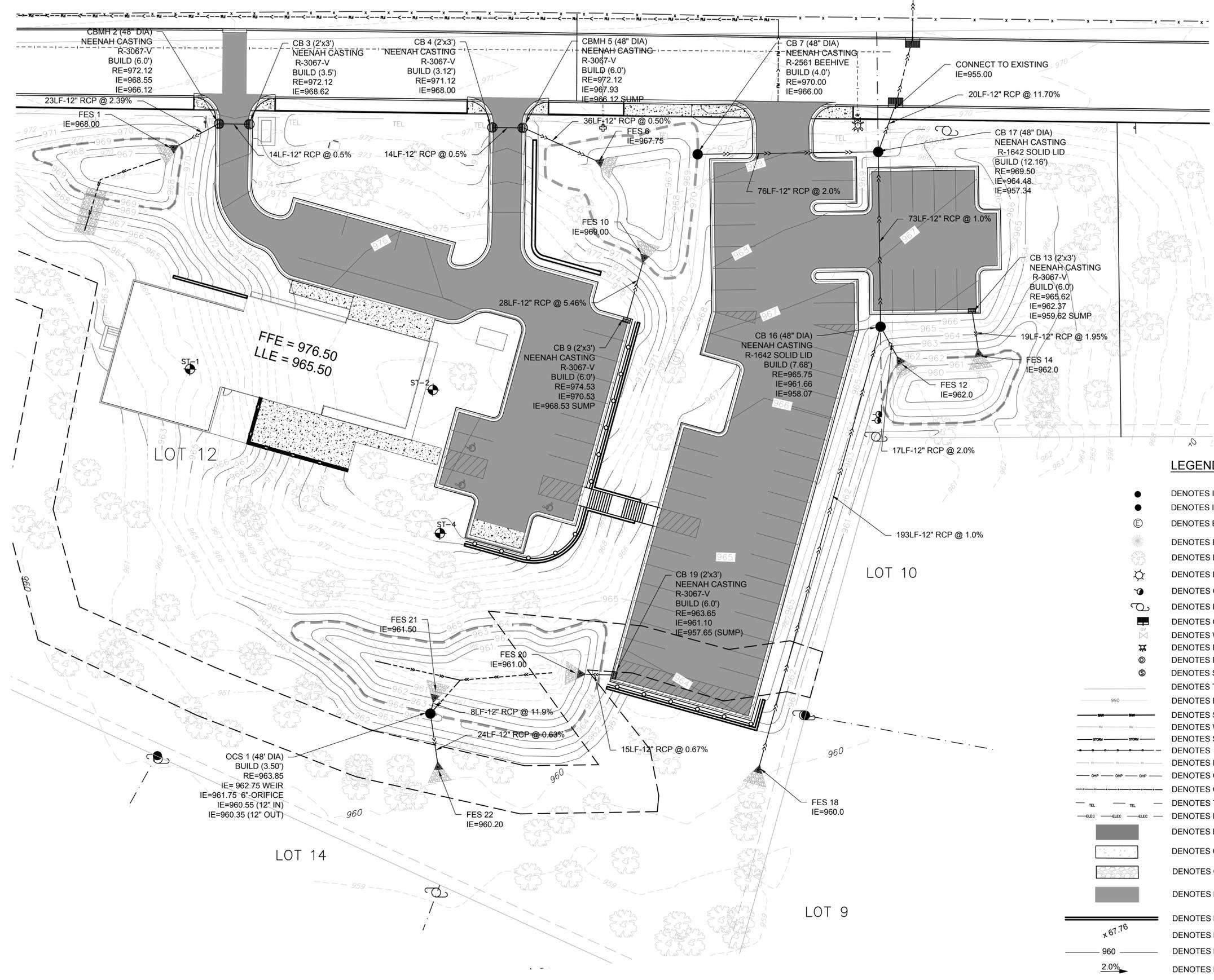
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**LEGEND**

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- ⊙ DENOTES EVERGREEN TREE
- ⊙ DENOTES EVERGREEN TREE
- ⊙ DENOTES DECIDUOUS TREE
- ⊙ DENOTES LIGHT POLE
- ⊙ DENOTES GUY WIRE
- ⊙ DENOTES POWER POLE
- ⊙ DENOTES CATCH BASIN
- ⊙ DENOTES WATER VALVE
- ⊙ DENOTES FIRE HYD
- ⊙ DENOTES DRAINAGE MANHOLE
- ⊙ DENOTES SANITARY MANHOLE
- ⊙ DENOTES TREE & BRUSH LINE
- ⊙ DENOTES EXISTING CONTOUR
- DENOTES SANITARY SEWER LINE
- DENOTES WATER MAIN LINE
- DENOTES STORM SEWER LINE
- DENOTES FENCE
- DENOTES FIBER OPTIC LINE
- DENOTES OVERHEAD ELECTRIC LINE
- DENOTES GAS LINE (BURIED)
- DENOTES TELEPHONE LINE (BURIED)
- DENOTES ELECTRIC LINE (BURIED)
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES PROPOSED BITUMINOUS SURFACE
- DENOTES PROPOSED RETAINING WALL
- DENOTES PROPOSED SPOT ELEVATION
- DENOTES PROPOSED CONTOUR LINE
- DENOTES PROPOSED SLOPE

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SHEET TITLE  
DRAINAGE PLAN

C8

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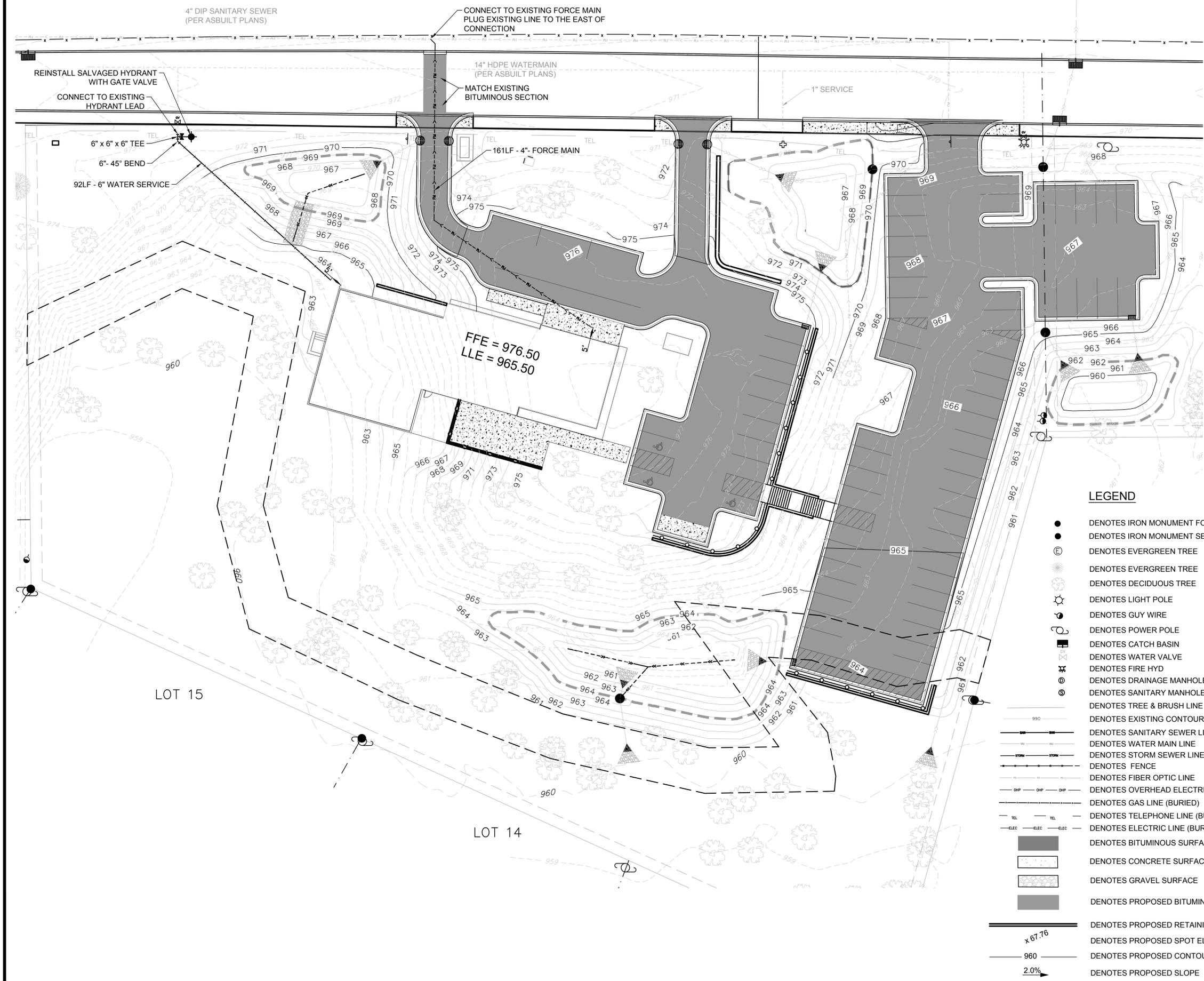
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SHEET TITLE  
UTILITY PLAN

C9



- LEGEND**
- DENOTES IRON MONUMENT FOUND
  - DENOTES IRON MONUMENT SET
  - ⊙ DENOTES EVERGREEN TREE
  - ⊙ DENOTES EVERGREEN TREE
  - ⊙ DENOTES DECIDUOUS TREE
  - ⊙ DENOTES LIGHT POLE
  - ⊙ DENOTES GUY WIRE
  - ⊙ DENOTES POWER POLE
  - ⊙ DENOTES CATCH BASIN
  - ⊙ DENOTES WATER VALVE
  - ⊙ DENOTES FIRE HYD
  - ⊙ DENOTES DRAINAGE MANHOLE
  - ⊙ DENOTES SANITARY MANHOLE
  - ⊙ DENOTES TREE & BRUSH LINE
  - DENOTES EXISTING CONTOUR
  - DENOTES SANITARY SEWER LINE
  - DENOTES WATER MAIN LINE
  - DENOTES STORM SEWER LINE
  - DENOTES FENCE
  - DENOTES FIBER OPTIC LINE
  - DENOTES OVERHEAD ELECTRIC LINE
  - DENOTES GAS LINE (BURIED)
  - TEL --- DENOTES TELEPHONE LINE (BURIED)
  - ELEC --- DENOTES ELECTRIC LINE (BURIED)
  - DENOTES BITUMINOUS SURFACE
  - DENOTES CONCRETE SURFACE
  - DENOTES GRAVEL SURFACE
  - DENOTES PROPOSED BITUMINOUS SURFACE
  - DENOTES PROPOSED RETAINING WALL
  - DENOTES PROPOSED SPOT ELEVATION
  - DENOTES PROPOSED CONTOUR LINE
  - 2.0% DENOTES PROPOSED SLOPE

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SHEET TITLE

DETAIL PLAN

C10

**NOTES:**

- MINIMUM OF 4" ADJUSTMENT AND MAXIMUM OF 12" ADJUSTMENT. USE LARGER ADJUSTMENT RINGS TO MINIMIZE THE NUMBER OF JOINTS. INCLUDE MIN. 1-2" RING IMMEDIATELY UNDER THE CASTING.
- RECESS CATCH BASINS 0.1' BELOW CUTTER GRADE LINE.
- CATCH BASINS ON LONGITUDINAL SLOPES SHALL HAVE A TYPE V GRATE.
- CATCH BASINS AT LOW POINTS SHALL HAVE A TYPE VB GRATE.
- DOGHOUSES SHALL BE GROUTED ON BOTH INSIDE & OUTSIDE.
- IF THE STRUCTURE BASE IS LESS THAN 48" BELOW FINISHED GRADE, PLACE GRANULAR MATERIAL UNDER THE STRUCTURE TO A MINIMUM DEPTH OF 48" BELOW FINISH GRADE.
- USE A 4 FOOT DIAMETER CATCH BASIN MANHOLE WHEN DEPTH EXCEEDS 4.5 FEET. SEE DETAIL STM-3.

**STANDARD DETAILS**  
CATCH BASIN MANHOLE  
WAYZATA, MINNESOTA

**NOTES:**

- MINIMUM OF 4" ADJUSTMENT AND MAXIMUM OF 12" ADJUSTMENT. USE LARGER ADJUSTMENT RINGS TO MINIMIZE THE NUMBER OF JOINTS. INCLUDE MIN. 1-2" RING IMMEDIATELY UNDER THE CASTING.
- RECESS CATCH BASINS 0.1' BELOW CUTTER GRADE LINE.
- CATCH BASINS ON LONGITUDINAL SLOPES SHALL HAVE A TYPE V GRATE.
- CATCH BASINS AT LOW POINTS SHALL HAVE A TYPE VB GRATE.
- DOGHOUSES SHALL BE GROUTED ON BOTH INSIDE & OUTSIDE.
- IF THE STRUCTURE BASE IS LESS THAN 48" BELOW FINISHED GRADE, PLACE GRANULAR MATERIAL UNDER THE STRUCTURE TO A MINIMUM DEPTH OF 48" BELOW FINISH GRADE.
- USE A 4 FOOT DIAMETER CATCH BASIN MANHOLE WHEN DEPTH EXCEEDS 4.5 FEET. SEE DETAIL STM-3.

**STANDARD DETAILS**  
CATCH BASIN  
WAYZATA, MINNESOTA

**NOTES:**

- DIG A 6"X6" TRENCH ALONG THE INTENDED FENCE LINE.
- DRIVE ALL POSTS INTO THE GROUND AT THE DOWNHILL SIDE OF THE TRENCH.
- WIRE FENCING PER HENNEPIN COUNTY CONSERVATION DISTRICT EROSION AND SEDIMENT CONTROL MANUAL. WIRE MESH MUST BE A MINIMUM OF 2" INTO THE GROUND AND NO MORE THAN 36" ABOVE THE ORIGINAL GROUND SURFACE.
- LAY OUT SILT FENCE ON THE UPHILL SIDE ALONG THE FENCE LINE, AND BACK FILL.
- WOOD POSTS MAY BE SPACED UP TO 4 FEET APART IF WIRE MESH IS NOT USED TO SUPPORT THE FABRIC OF HEAVY DUTY SILT FENCE. IF WIRE MESH IS USED TO SUPPORT THE FABRIC STEEL POSTS MAY BE SPACED UP TO 8 FEET APART.
- REMOVE SILT FENCE AFTER TURF IS ESTABLISHED.

**STANDARD DETAILS**  
SILT FENCE  
WAYZATA, MINNESOTA

**APPROVED PRODUCTS FOR INLET PROTECTION:**

**TYPE A: FIELD INLETS OR PRIOR TO CURB OR PAVEMENT**

ROAD DRAIN - TOP SLAB, LLC-799 THEIS DRIVE, SHAKOPEE, MN  
INFRASAFE SEDIMENT CONTROL BARRIER - ROYAL CONCRETE PIPE - STACY, MN  
SILT SACK - ACF ENVIRONMENTAL - RICHMOND, VA

**TYPE B: STREET INLETS WITHOUT CURB**

DANDYBAG - DANDY PRODUCTS - GROVE CITY, OH

**TYPE C: STREET INLETS WITH CURB**

DANDY CURB SACK - DANDY PRODUCTS - GROVE CITY, OH  
ROAD DRAIN CURB AND GUTTER-WIMCO, LLC 799 THEIS DR.-SHAKOPEE, MN  
STANDARD CURB IDP - LANGE INDUSTRIES - EDINA, MN

**STANDARD DETAILS**  
INLET PROTECTION  
WAYZATA, MINNESOTA

**NOTES:**

- FOR MANHOLES 8' DEEP OR GREATER, THE TOP MOST SECTION SHALL BE A 4' CONE SECTION. THE PRECAST SECTION IMMEDIATELY BELOW THE CONE SECTION SHALL BE 1'-4" IN HEIGHT.
- MANHOLES SHALLOWER THAN 8' SHALL HAVE A FLAT TOP WITH AN ECCENTRIC OPENING FOR THE COVER.
- MINIMUM OF 4" ADJUSTMENT AND MAXIMUM OF 12" ADJUSTMENT. USE LARGER ADJUSTMENT RINGS TO MINIMIZE THE NUMBER OF JOINTS. INCLUDE MIN. 1-2" RING IMMEDIATELY UNDER THE CASTING.
- MANHOLE FRAME AND COVER SHALL BE NEENAH R-1642-B, EAST JORDAN IRON WORKS 1049 OR APPROVED EQUAL. MACHINED BEARING SURFACE WITH 2 CONCEALED PICK HOLES.
- THE INVERT SHALL BE FORMED TO THE SPRING LINE OF THE LARGEST PIPE.
- DOGHOUSES SHALL BE GROUTED ON BOTH THE OUTSIDE AND INSIDE.

**STANDARD DETAILS**  
SKIMMER STRUCTURE  
WAYZATA, MINNESOTA

**NOTES:**

- FOR MANHOLES 8' DEEP OR GREATER, THE TOP MOST SECTION SHALL BE A 4' CONE SECTION. THE PRECAST SECTION IMMEDIATELY BELOW THE CONE SECTION SHALL BE 1'-4" IN HEIGHT.
- MANHOLES SHALLOWER THAN 8' SHALL HAVE A FLAT TOP WITH AN ECCENTRIC OPENING FOR THE COVER.
- MINIMUM OF 4" ADJUSTMENT AND MAXIMUM OF 12" ADJUSTMENT. USE LARGER ADJUSTMENT RINGS TO MINIMIZE THE NUMBER OF JOINTS. INCLUDE MIN. 1-2" RING IMMEDIATELY UNDER THE CASTING.
- MANHOLE FRAME AND COVER SHALL BE NEENAH R-1642-B, EAST JORDAN IRON WORKS 1049 OR APPROVED EQUAL. MACHINED BEARING SURFACE WITH 2 CONCEALED PICK HOLES.
- THE INVERT SHALL BE FORMED TO THE SPRING LINE OF THE LARGEST PIPE.
- DOGHOUSES SHALL BE GROUTED ON BOTH THE OUTSIDE AND INSIDE.

**STANDARD DETAILS**  
STORM SEWER MANHOLE  
WAYZATA, MINNESOTA

**NOTES:**

- GATE VALVES ARE REQUIRED WITH ALL HYDRANTS.
- FIRE HYDRANTS SHALL BE PAINTED YELLOW AT THE FACTORY.
- TOP OF FIRE HYDRANT DESIGN ELEVATION SHALL BE 2.5' ABOVE FINISHED BOULEVARD GRADE.
- THRUST BLOCKING MAY ALSO BE REQUIRED IN CUL-DE-SACS.
- ALL BOLTS, T-BOLTS, NUTS AND RODDING INSTALLED BELOW GRADE SHALL BE COR-BLUE COATED.

**STANDARD DETAILS**  
HYDRANT INSTALLATION  
WAYZATA, MINNESOTA

**NOTES:**

- ROCK SIZE SHOULD BE 1" TO 2" IN SIZE SUCH AS MN/DOT CA-1 OR CA-2 COURSE AGGREGATE. (WASHED)
- A GEOTEXTILE FABRIC SHALL BE USED UNDER THE ROCK TO PREVENT MIGRATION OF THE UNDERLYING SOIL INTO THE STONE.
- ROCK CONSTRUCTION ENTRANCE MUST BE MAINTAINED AND SHALL BE CLEANED OR REPLACED UPON NOTICE BY THE CITY, WATERSHED DISTRICT, OR POLLUTION CONTROL AGENCY.

**STANDARD DETAILS**  
ROCK CONSTRUCTION ENTRANCE  
WAYZATA, MINNESOTA

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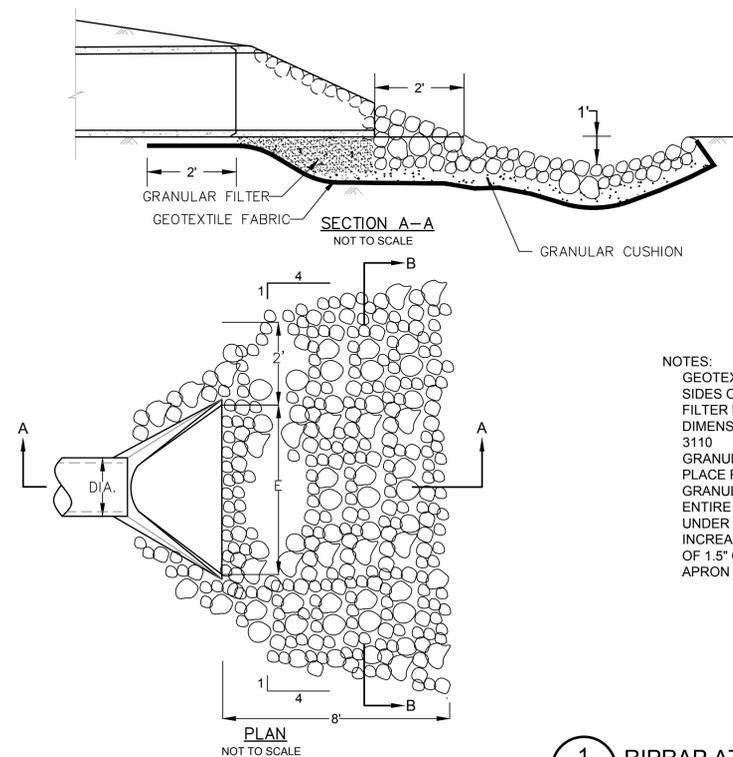
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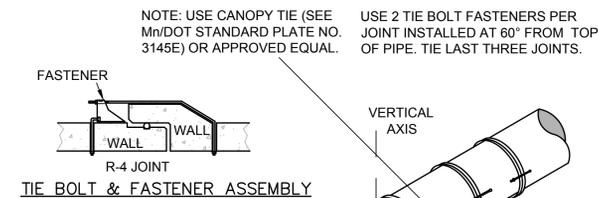
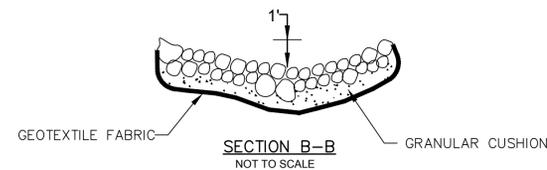
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NOTES:  
GEOTEXTILE FABRIC, SPEC 3733, SHALL COVER THE BOTTOM AND SIDES OF THE AREA EXCAVATED FOR THE RIPRAP. GRANULAR FILTER MATERIALS DIMENSION 'E' IS GIVEN ON Mn/DOT STANDARD PLATES 3100 & 3110  
GRANULAR FILTER, SPEC 3601, MAY BE USED AS A CUSHION LAYER PLACE FILTER PER SPEC. 2511.  
GRANULAR FILTER OR RIPRAP, SPEC 36601, TO EXTEND UNDER ENTIRE OPEN PORTION OF PIPE APRON. DEPTH OF MATERIAL UNDER APRON SHALL MATCH RIPRAP DEPTH. WHEN USING RIPRAP INCREASE RIPRAP QUANTITY ACCORDINGLY AND PLACE A 3" LAYER OF 1.5" CRUSHED ROCK UNDER THE APRON TO AID IN GRADING FOR APRON PLACEMENT.

**1** RIPRAP AT 12" FLARED END SECTION  
CXX (NOT TO SCALE)



RIP-RAP REQUIRED	
SIZE OF PIPE	TONS
12"	4

TIE BOLT REQUIREMENT	
PIPE SIZE	DIAMETER OF BOLT
12"	1/2"

INDIVIDUAL STONES EXCEPT THOSE USED FOR CHINKING SHALL WEIGHT NOT LESS THAN 50 LBS. EACH.

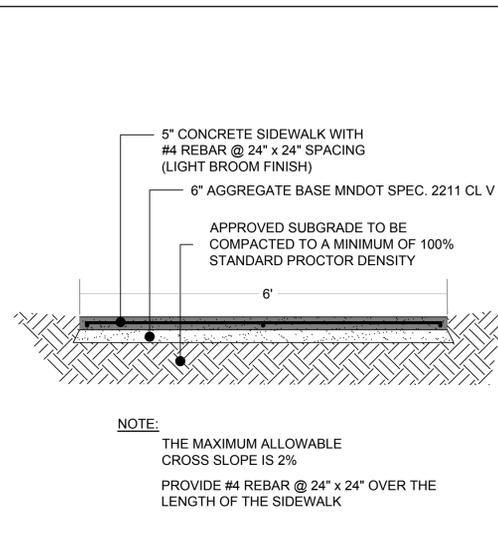
HAND PLACED RIP-RAP ONE FOOT (1') DEEP. SEE LANDSCAPE ARCHITECTURAL PLANS FOR STONE SIZE AND TYPE.

NOTE: TYING AND TRASH GUARD SHALL BE INCLUDED IN WITH THE END SECTION

NOTE: IF NO APRON IS USED, LAST 3 SECTIONS OF PIPE SHALL BE TIED AS PER ABOVE REQUIREMENTS.

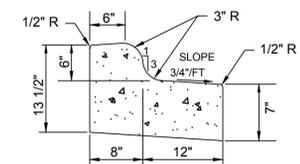
TRASH GUARD - 5/8" DIA. GALVANIZED STEEL RODS WELDED TOGETHER 6" ON CENTER, EACH WAY.

**2** FLARED END DETAIL SECTION  
CXX (NOT TO SCALE)

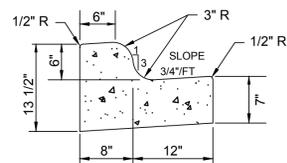


NOTE:  
THE MAXIMUM ALLOWABLE CROSS SLOPE IS 2%  
PROVIDE #4 REBAR @ 24" x 24" OVER THE LENGTH OF THE SIDEWALK

**3** CONCRETE SIDEWALK SECTION  
CXX (NOT TO SCALE)

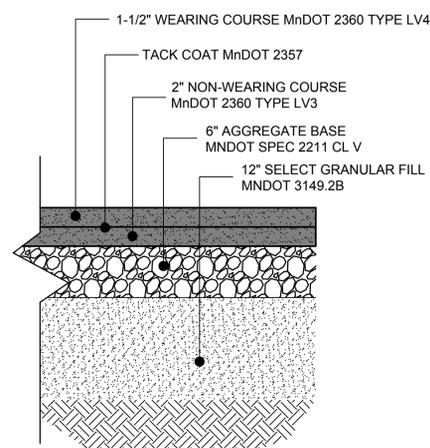


OUTFALL CURB & GUTTER



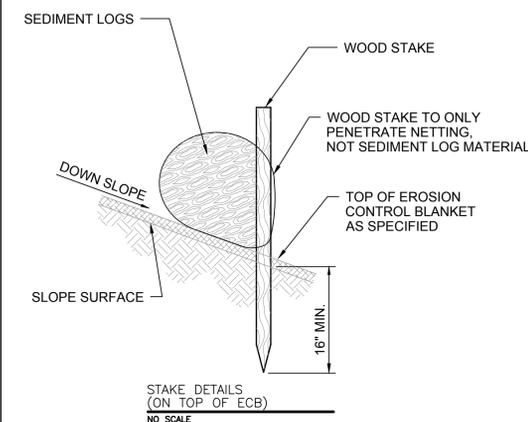
STANDARD CURB & GUTTER

**4** B612 CURB & GUTTER DETAIL  
CXX (NOT TO SCALE)



RECOMPACTION OF THE UPPER 3FT OF THE SUBGRADE TO BE COMPACTED TO A MINIMUM OF 100% STANDARD PROCTOR DENSITY AND TO A MINIMUM OF 95% BELOW.

**5** BITUMINOUS PAVEMENT SECTION - STANDARD DUTY  
CXX (NOT TO SCALE)



**6** SEDIMENT LOG STAKE DETAIL  
CXX (NOT TO SCALE)

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DETAIL PLAN

C11



## 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 and UL/cUL Listed for wet locations.

<b>Catalog #</b>		<b>Type</b>
<b>Project</b>		
<b>Comments</b>		<b>Date</b>
<b>Prepared by</b>		

## 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

Patented, high-efficiency injection-molded AccuLED Optics technology. 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 70 CRI. Optional 6000K CCT and 3000K CCT.

### 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

**STANDARD ARM MOUNT:** Extruded aluminum arm includes internal bolt guides allowing for easy positioning of fixture during assembly. When mounting two or more luminaires at 90° and 120° apart, the EA extended arm may be required. Refer to the arm mounting requirement table.

Round pole adapter included.

For wall mounting, specify wall mount bracket option. 3G vibration rated. **QUICK MOUNT ARM:** Arm is bolted directly to the pole and the fixture slides onto the quick mount arm and is secured via a single fastener, facilitating quick and easy installation. The versatile, patent pending, quick mount arm accommodates multiple drill patterns ranging from 1-1/2" to 4-7/8". Removal of the door on the quick mount arm enables wiring of the fixture without having to access the driver compartment. A knock-out enables round pole mounting.

### 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.

### Warranty

Five-year warranty.

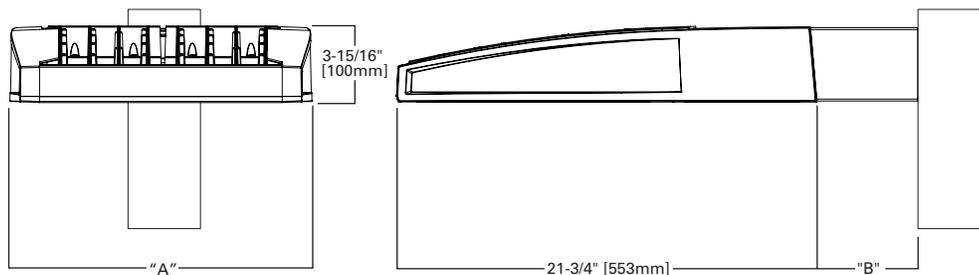


## GLEON GALLEON LED

**1-10 Light Squares**  
**Solid State LED**

**AREA/SITE LUMINAIRE**

## DIMENSIONS

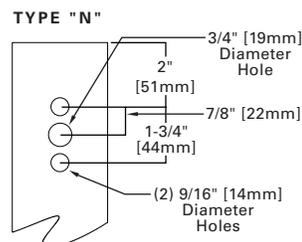


### DIMENSION DATA

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. Optional arm length to be used when mounting two fixtures at 90° on a single pole. 2. EPA calculated with optional arm length.

### DRILLING PATTERN



### 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)

## DESCRIPTION

The Galleon™ LED Flood luminaire combines the low-profile design of the Galleon with the mounting angle flexibility of a pole or wall-mounted floodlight. With a maximum tilt angle of 60° from horizontal, and patented, high-efficiency AccuLED Optics™ technology, it provides uniform and energy conscious illumination for parking lots, container/ rail yards and highway projects. Mounts direct to pole or to a, bullhorn or pole-top tenon. IP66 rated and UL/cUL Listed for wet locations.

<b>Catalog #</b>		<b>Type</b>
<b>Project</b>		
<b>Comments</b>		<b>Date</b>
<b>Prepared by</b>		

## 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 and IP66 rated up to 60° from horizontal. Optional tool-less hardware available for ease of entry into electrical chamber.

### Optics

Patented, high-efficiency injection-molded AccuLED Optics technology. 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 70 CRI.

Optional 6000K CCT, 5000K CCT and 3000K CCT.

### 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 our proprietary circuit module designed to withstand 10kV of transient line surge. The Galleon LED Flood 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. 90% lumen maintenance expected at 60,000 hours. Available in standard 1A drive current and optional 530mA and 700mA drive currents.

### Mounting

Cast aluminum knuckle arm mounts directly to fixture housing, and is available with either commercial pole mount or slipfitter for bullhorn, pipe or tenon mount. Can be tilted up to 60° from horizontal without compromising vibration or IP rating.

### 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.

### Warranty

Five-year warranty.

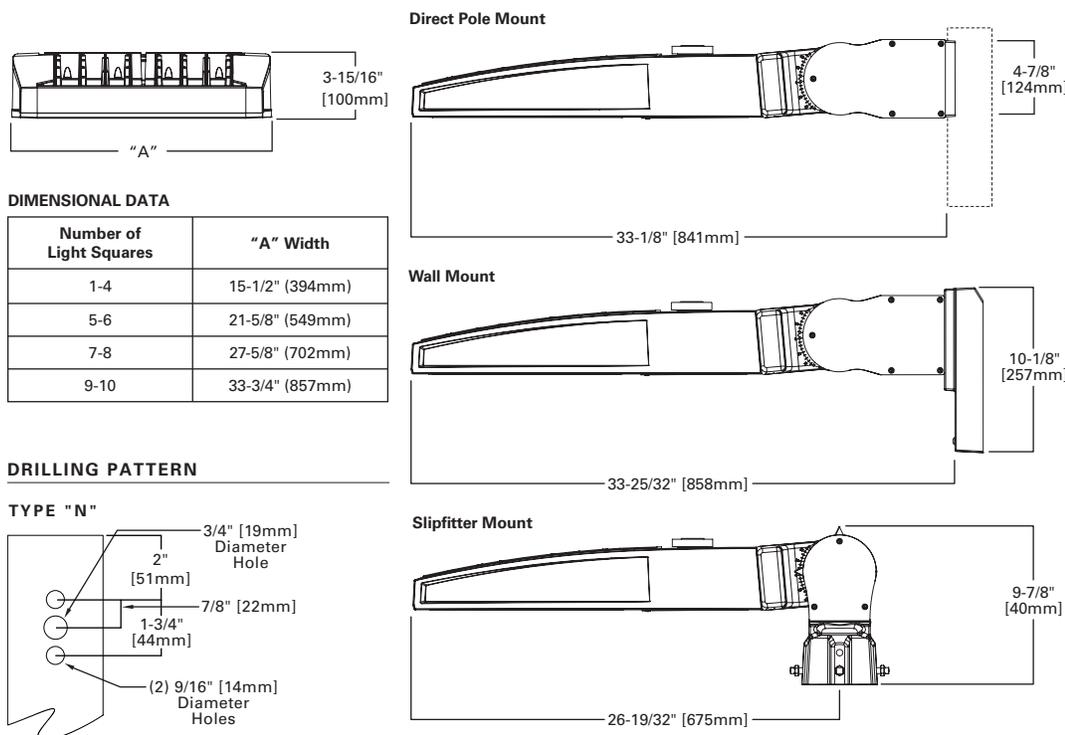


## GLEON GALLEON LED FLOOD

1-10 Light Squares  
Solid State LED

FLOODLIGHT LUMINAIRE

## DIMENSIONS



### DIMENSIONAL DATA

Number of Light Squares	"A" Width
1-4	15-1/2" (394mm)
5-6	21-5/8" (549mm)
7-8	27-5/8" (702mm)
9-10	33-3/4" (857mm)

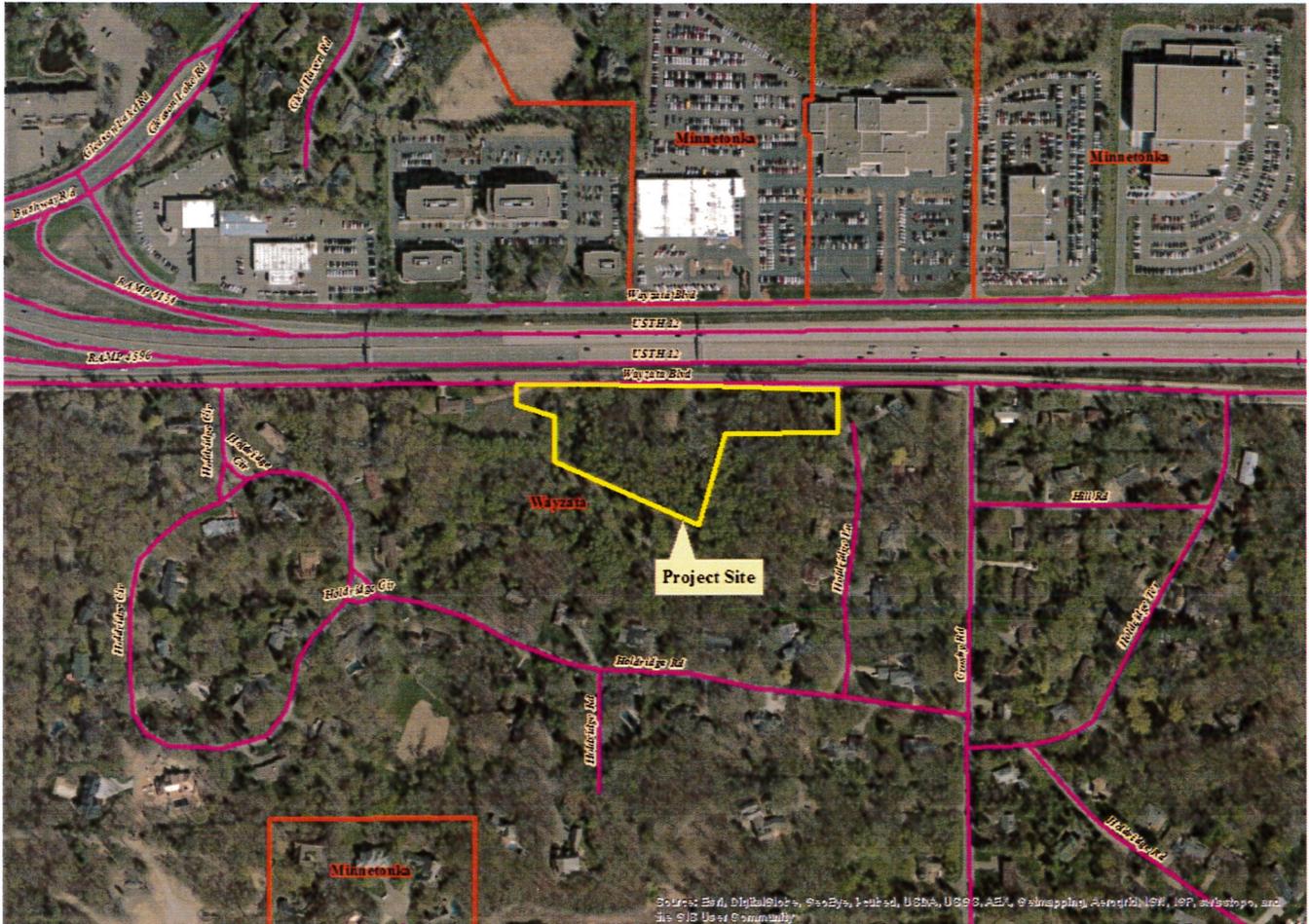
### CERTIFICATION DATA

UL/cUL Wet Location Listed  
 ISO 9001  
 LM79 / LM80 Compliant  
 3G Vibration Rated up to 60° from Horizontal  
 IP66 Rated up to 60° from Horizontal

### 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)

**Phase I Environmental Site Assessment**  
*of*  
**2030 WAYZATA BLVD**  
*Wayzata, Minnesota 55391*



**Prepared for:**  
**Bob Dachelet**

**Prepared by:**  
**MFRA, Inc.**

**March 6, 2014**

***Phase I Environmental Site Assessment***  
***of***  
***Dachelet Property***  
***2030 Wayzata Boulevard and Associated Outlots***  
***Wayzata, Minnesota***

***Prepared for:***  
***Robert Dachelet***

***March 6, 2014***

**Phase I Environmental Site Assessment  
Dachelet Property  
2030 Wayzata Boulevard and Associated Outlots  
Wayzata, Minnesota**

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Phase I Environmental Site Assessment  
Dachelet Property  
2030 Wayzata Boulevard and Associated Outlots  
Wayzata, Minnesota

**REPORT SUMMARY**

A Phase I Environmental Site Assessment (ESA) to determine if Recognized Environmental Conditions (RECs) exist at the property located at 2030 Wayzata Boulevard and the two adjoining outlots, all of which are located within the City of Wayzata, Minnesota (Site) has been completed. The Site encompasses approximately 4.64 acres within the eastern portion of the City of Wayzata. The Site is currently utilized as a single-family residence and consists of a two-story residential structure with a tuck-under garage, a roll-off container, a canvas-covered storage shed and a wooded yard of which the eastern portion is utilized to store landscaping equipment and materials that are used by the landscaping company that operates out of the residence. The house located on the Site was built in 1950 and is currently rented. The tuck-under garage is utilized as a workshop by the landscaping company. The two outlots, which are located to the east and west of the single-family residence, are unimproved wooded areas. Prior to construction of the residential structure, the Site appears to have been an unimproved, wooded parcel of land. The scope of the Phase I ESA services consisted of an on-site inspection, interview with the current landowner, and the review of federal, state, and local governmental records per ASTM Standards (Practice E 1527-05) standards of care.

A Site reconnaissance was completed by MFRA, Inc (MFRA) on January 31, 2014 to examine the Site for the presence of RECs. The interior and exterior portions of the Site were examined during the Site visit. The Site structure is heated with natural gas and has city sanitary sewer services. A private drinking water well is located on the Site and used by the residence at 2030 Wayzata Boulevard. The City of Wayzata recently provided city water to the Site at Wayzata Boulevard, however the Site owner has not connected to the city service at this time. No underground or aboveground storage tanks are located on the Site.

MFRA interviewed the landowner, Robert Dachelet, regarding the history of the Site during the January 31, 2014 site reconnaissance. Mr. Dachelet indicated that he purchased the Site in September 2007 from Bentley Smith. According to Mr. Dachelet, Bentley Smith's father developed the Site in 1950 as part of the Holdridge development. Mr. Dachelet did not have any knowledge of the Site's use prior to the development in 1950. Mr. Dachelet indicated that there are no aboveground or underground storage tanks or the storage of paints, pesticides, batteries or chemicals on the Site.

A review of state and federal databases was completed by Environmental Data Resources, Inc. (EDR). The Site is not listed on any Federal or State databases. Seventeen facilities, located within a one-mile radius of the Site are listed in the Federal and state databases. Some of the listed facilities may be included in multiple databases. All but two of the listed facilities are either closed or are in compliance with Federal and State regulations. The two facilities that are currently active have been investigated by the relevant Federal and/or State regulatory agencies and are in the process of monitoring the contaminant or waiting for final approval of remedial

actions taken by the facility owner. None of the seventeen identified facilities in the vicinity of the Site are considered a REC to the Site.

Based on the site reconnaissance, interviews with individuals knowledgeable of the Site's current and past uses, and the review of state and federal database records, no RECs were identified on the Site or on neighboring properties. No additional investigations of the Site are necessary.

## I. INTRODUCTION

This report presents the results of a Phase I ESA, conducted by MFRA, for the Site (Location Map, Page 3). The Site is located at 2030 Wayzata Boulevard, Wayzata, Minnesota and includes the two adjoining outlots located to the east and west of the Site.

### A. *Purpose of the Study*

Due to federal and state legislation, an individual, corporation, or financial institution who owns or operates on a property that is found to be contaminated may be held liable for all appropriate clean-up costs. The purchaser of the property should conduct an appropriate inquiry into the previous ownership and uses of the property in order to minimize liability.

Our investigation is designed to meet ASTM Standards (Practice E 1527-05) and the All Appropriate Inquiries (AAI) requirements for Phase I ESA for property transfers. The ASTM Standards are intended to satisfy one of the requirements of qualifying for the innocent landowner defense to CERCLA liability.

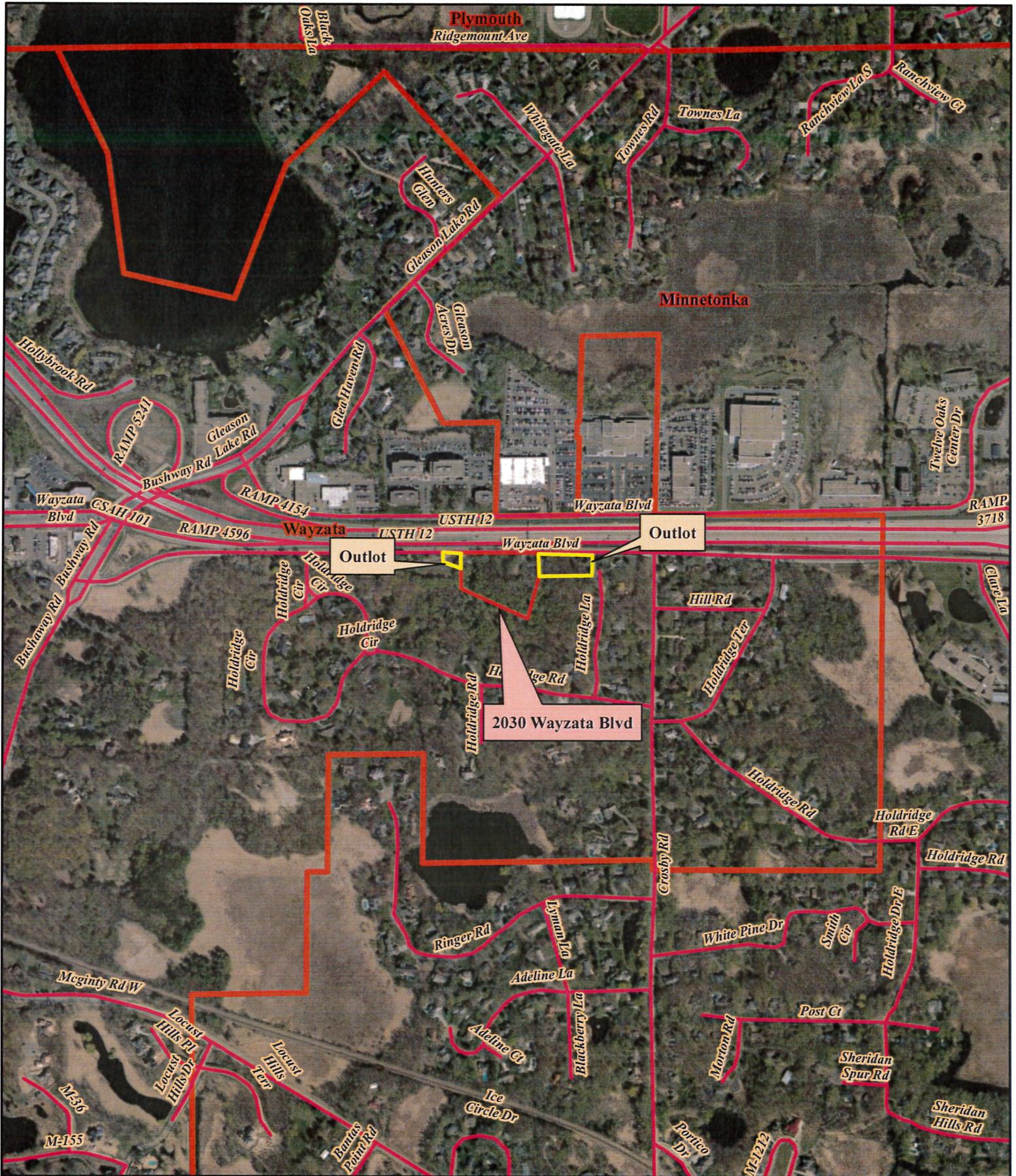
The purpose of this Phase I ESA was to evaluate the subject property for indications of “recognized environmental conditions”. Recognized environmental conditions are defined by ASTM Practice E 1527-05 as: “The presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include *de minimis* conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.”

The scope of the Phase I ESA includes a visual inspection of the property, a standard series of questions used in discussion with individuals familiar with the property, review of available environmental documents, observations of the property maintenance and upkeep, and contact of regulatory agencies. Our field observations are based upon visual observations only. No warranties of statements on data received are made.

**B. *Scope of Work***

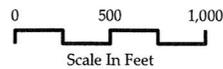
The scope of the Phase I ESA includes the following:

1. Contacting applicable federal, state, county, and local government agencies that maintain environmental records for the project area.
2. Review of federal, state, county, and local environmental records of the property and surrounding area (distance defined in ASTM Standards).
3. Research and review of the chain of ownership of the property.
4. Research and review of historical land use data, including aerial photographs beginning in 1937.
5. Conducting a visual site inspection of the subject property and surrounding area.
6. The preparation of a report of findings.



# Location Map

Dachelet Property  
 2030 Wayzata Blvd  
 Wayzata, Minnesota 55391



MFRA #19924  
 Sources: MetroGIS, NRCS, LMIC

UUCM Attachments  
 Page 37 of 110

This map was created using MFRA's Geographic Information Systems (GIS). It is a compilation of information and data from various sources. This map is not a surveyed map and is intended to be used as a reference. MFRA is not responsible for any inaccuracies contained herein.

## II. HISTORICAL BACKGROUND

### A. *Chain of Ownership*

Land title records of the Site were not reviewed. The current landowner, Robert Dachelet, indicated that he purchased the Site in September 2007 from Bentley Smith. Mr. Dachelet also indicated that Bentley Smith's father developed the Site as a single-family residence in 1950 as part of the Holdridge development. Mr. Dachelet had no knowledge of the Site owners or land uses prior to 1950.

Hennepin County Tax records indicate that the current Site structure was built in 1950.

Aerial photographs indicate that the current Site structure was built between 1947 and 1953, which is consistent with the Hennepin County Tax Records and information provided by Mr. Dachelet.

### B. *City Directories*

Since the 1700s, city directories have been published for cities and towns across the U.S. Originally as a list of residents, the city directory developed into a sophisticated tool for locating individuals and businesses in a particular urban or suburban area. EDR completed a search of the Cole Information Services city directories for the Site address and adjoining properties addresses at approximately five-year intervals for the period between 1999 and 2013. The Site address is not listed in any of the city directories between 1999 and 2013. The following provides a list of the users that occupied the neighboring properties between 1999 and 2013.

#### *Neighboring Properties*

1805 Wayzata Blvd (located north of Highway 12)

1999 – Auto Center Bargain Lot

Lowells Parts

Pronto Auto Parts

Wayzata Auto Center

2003 – Lowells Parts

Pronto Auto Parts

2008 – Car Quest

General Parts, Inc.

Morries Kia, Inc.

2008 – Auto Center Bargain Lot

1907 Wayzata Blvd (located north of Highway 12)

1999 – not listed

2003 – Chamberlain Law Firm, PLLC

Great Lakes Management, Inc.

Prizmsystems, LLC

2008 – 39375 Grand Avenue, LLC

Ameriprise Financial Services, Inc.

Appaloosa Funding Group, LLC

Builders Development & Finance, Inc.

Carlton Financial Corp

Center Insurance Agency, Inc.

Chamberlain Law Firm

Convention Sports & Leisure International

CSL International, Inc.

Custom Intercept Solutions

Great Lakes Management

Hallett Financial Group, Inc.

Machining & Turning, Inc.

Skin Therapease

Skorei, Inc.

Sparboe Agricultural Corp.

2013 – Ameriprise Financial

Center Insurance Agency

Chamberlain Law Firm

Clothes Mentor

Commercial Mortgage Advisors, Inc.

Continental Property Group, Inc.

Group 3 Marketing

Ncell Systems, Inc.

Skin Therapease

Wayzata Law Group

1909 Wayzata Blvd (located north of Highway 12)

1999 – Hammer Residences, Inc.

2003 – not listed

2008 – Hammer Residences

2013 – Hammer Residences, Inc.

16200 Wayzata Blvd (located north of Highway 12)

1999 – Village Chevrolet Geo Company

Wayzata Auto Center  
2003 – Village Chevrolet  
Wayzata Auto Center Parts  
2008 – Village Chevrolet  
Wayzata Auto Center Parts  
2013 – Village Chevrolet  
Wayzata Auto Center Parts  
16100 Wayzata Blvd (located north of Highway 12)  
1999 – Lexus of Wayzata  
Wayzata Auto Center Lexus of Wayzata  
2003 – Lexus  
Lexus of Wayzata  
Occupant Unknown  
Village Automotive Group  
2008 – Village Automotive Group  
Village Luxury Imports, Inc.  
2013 – Lexus of Wayzata  
16000 Wayzata Blvd (located north of Highway 12)  
1999 – Wayzata Mitsubishi  
2003 – Wayzata Mitsubishi  
2008 – Village Imports Company  
2013 – Wayzata Mitsubishi  
15906 Wayzata Blvd (located north of Highway 12)  
1999 – Marc Allen Incorporated  
Wayzata Nissan  
2003 – Auto Works Collision of Wayzata  
Community Acceptance Corp  
Dennis Steele  
Nissan Key, Inc.  
Wayzata Collision Center  
Wayzata Imports  
Wayzata Nissan  
2008 – Auto Works Collision  
Marc Allen, Inc.  
Wayzata Nissan  
2013 – Auto Works Collision of Wayzata  
Community Acceptance Corp.  
Marc Allen  
Wayzata Nissan  
15802 Wayzata Blvd (located north of Highway 12)  
1999 – not listed  
2003 – not listed

2008 – not listed  
2013 – BMW of Minnetonka

Based on the information provided in the City Directories, no REC's are identified within the Site or on neighboring properties. The City Directory Report, provided by EDR is attached as Appendix A.

**C. *Aerial Photographs***

ASTM Standards require review of aerial photographs covering at least every five years since 1940. Often times, this criterion cannot be met and missing periods are noted in this report.

Aerial photographs of the Site were obtained from Historical Information Gatherers, Inc. (HIG). Aerial photographs were available for the following years: 1937, 1940, 1947, 1953, 1957, 1964, 1969, 1979, 1984, 1991, 1997, 2003, 2009 and 2013. The aerial photographs are attached as Appendix B. Aerial photographs were not reasonably ascertainable for every 5-year period; however, coverage of this property was generally available approximately every ten years. For each year of an available photograph, a summary of the changes that occurred on the Site and neighboring properties from photo to photo is provided.

**1937**– The Site appears to be wooded in the 1937 aerial photograph. Highway 12 is present as a two-lane roadway. Based on future aerial photographs, the 1937-depicted roadway appears to be located on the current westbound lanes.

The neighboring properties to the south and west of 2030 Wayzata Boulevard appear to consist mainly of grasses/forbs with a few scattered trees. The neighboring property to the east is wooded. The western portion of the neighboring property to the north is both wooded while the eastern portion of the property is open and vegetated with grasses and/or forbs.

**1940** – No significant changes have occurred on the Site or neighboring properties since 1937.

**1947** – No significant changes have occurred on the Site since 1940.

Holdridge Lane and Holdridge Road are present to the east and south of the Site, respectively.

**1953** – Highway 12 has been expanded from a two-lane roadway to a four-lane highway. The two added lanes are to the south of the previous road alignment,

which encroaches toward the Site. A driveway off of Highway 12 is observed to the west of the residence at 2030 Wayzata Boulevard and a structure is apparent at the current location of the house located at 2030 Wayzata Boulevard.

Single-family residences have been constructed along Holdridge Lane (located to the east) and Holdridge Road (located to the south). The neighboring properties to the north of Highway 12 appear to be utilized as single-family residences and agricultural cropland.

*1957* – No significant changes have occurred on the Site or neighboring properties since 1953.

*1964* – No significant changes have occurred on the Site since 1957.

The neighboring property immediately north of Highway 12 appears to have been graded, however no structures are observed on the property.

*1969* – No significant changes have occurred on the Site since 1964.

The structure that is currently utilized by Village Chevrolet, immediately north of Highway 12, has been constructed since 1964. In addition, the parking lot to the south and east of the structure has been constructed and appears to be occupied by vehicles.

*1979* – No significant changes have occurred on the Site since 1969.

Wayzata Boulevard has been constructed to the west of the Site since 1969. The boulevard ends in a cul-de-sac in the vicinity of the western outlot of the Site and the direct access between the Site and Highway 12 has been removed. The parking lot of Village Chevrolet has been expanded to the north of the structure and previous parking lot. The single-family residences to the north of Highway 12 appear to have been replaced by relatively small commercial structures and associated parking lots.

*1984* – No significant changes have occurred on the Site since 1979.

Trees have been cleared from the neighboring property located to the west of the Site. The tree-cleared area starts at the cul-de-sac that was constructed at the end of Wayzata Boulevard and extends toward the southwest.

*1991* – No significant changes have occurred on the Site since 1984.

Wayzata Boulevard has been constructed as a through street, similar to its current alignment along the south side of Highway 12. A relatively large structure has been built within the previous parking lot area to the east of the Village Chevrolet structure to the north of Highway 12.

**1997** – No significant changes have occurred on the Site or neighboring properties since 1991.

**2003** – No significant changes have occurred on the Site since 1997.

The smaller commercial structures located to the north of Highway 12 and west of Village Chevrolet have been replaced with larger commercial structures and parking lots.

**2009** – No significant changes have occurred on the Site since 2003.

The commercial structure located to the east of the Village Chevrolet structure has been expanded to the east and another structure located to the southeast of this structure has been replaced with a parking lot. The BMW dealership, which is located to the north of Highway 12 and to the northeast of the Site, is currently under construction in 2009.

**2013** – No significant changes have occurred on the Site since 2009.

The neighboring property to the west of the Site is absent of vegetation and appears to be a parking area. Construction of the BMW dealership structure is complete and it appears that the property is occupied.

#### **D. Minnesota Soil and Geological Records**

MFRA utilized the USDA Natural Resources Conservation Service Soil Survey and the Geologic Atlas of Hennepin County, Minnesota for soils and geological information of the Site.

According to the *Soil Survey of Hennepin County, Minnesota*, the Site soils are mapped as Lester, Houghton and Muskego. The Lester soil series is a loam textured soil that exhibits a well-drained drainage classification and a high permeability rate. The Houghton and Muskego soil series are organic soils (mucky material) that formed in wetland conditions. The Houghton and Muskego soils exhibit a very poorly drained drainage classification and a slow permeability rate. These soils are frequently flooded or ponded, with a seasonal water table between 1 foot below grade to 2 feet above grade.

MFRA utilized the Geologic Atlas of Hennepin County, Minnesota for geological information of the Site. Surficial geology of the northern portion of the Site primarily consists of loamy till, which is primarily loamy in texture with a few beds and lenses of stratified sediment. The southern portion of the Site, which includes the organic soils, is primarily peat and organic-rich sediment. Bedrock underlying the Site is identified as the Platteville and Glenwood Formations, which is described as fine-grained limestone containing thin shale partings near the top and base, underlain by green, sandy shale of the Glenwood Formation. The depth to bedrock at the Site ranges between 100 to 150 feet.

Sensitivity of groundwater to surface pollution at the Site is low.

EDR completed a search of the U.S.G.S. National Water Inventory System (NWIS) and the Minnesota Geological Survey County Water Well Index (CWI) databases, which do not identify a well on the Site. The state inventory identifies eighty-one (81) wells within a one-mile radius of the Site and the federal inventory identifies seventy-five (75) wells within a one-mile radius of the Site. The same well may be included in both inventories. No Public Water System (PWS) wells are identified within a one-mile radius of the Site. The EDR report provides well logs of the privately owned wells within a one-mile radius of the Site. Based on the available well log information, the static groundwater elevation in the vicinity of the Site (within a one-half mile radius of the Site) is approximately 912 feet mean sea level.

***E. Local Building or Local Tax Records***

MFRA obtained tax records for the Site from the Hennepin County website. In addition, MFRA utilized historical aerial photographs and discussions with individuals knowledgeable about the property's history to determine the Site's past uses.

According to the Hennepin County website, one structure is located on the Site. The county information indicates that the structure was built in 1950.

According to the Wayzata 2030 Comprehensive Plan Existing Land Use Map, the Site is identified as Estate Single-Family Residential in 2008 and is identified on the 2020 Land Use Map as Estate Single-Family Residential.

***F. Fire Insurance Maps***

EDR searched the Sanborn<sup>®</sup> Library collection of fire insurance maps of the Site. Fire insurance maps covering the Site were not found.

### III. CURRENT USE OF THE SITE

#### A. *Description of the Site*

The Site is approximately 4.64 acres and includes a two-story structure with a tuck-under garage, a roll-off storage container and a canvas-covered storage shed. The eastern portion of the Site is utilized for storing landscaping equipment and materials. The north-central portion of the Site is maintained as a yard with a few scattered trees. The remainder of the Site is unimproved and wooded. The Site is bordered by Wayzata Boulevard to the north.

Neighboring land uses around the Site are as follows:

North:	commercial beyond Highway 12
East:	single-family residential
South:	single-family residential
West:	vacant (MnDOT outlot)

#### B. *Interview of Landowner*

MFRA interviewed the landowner, Robert Dachelet, during the January 31, 2014 site visit. Mr. Dachelet indicated that he purchased the Site in September 2007 from Bentley Smith and that Mr. Smith's father developed the Site as a single-family residence as part of the Holdridge development in 1950. Mr. Dachelet had no knowledge of the Site's use prior to 1950.

Mr. Dachelet indicated that the Site is currently occupied by a renter that also operates a landscaping business at the Site.

Mr. Dachelet indicated that the Site does not contain any aboveground or underground storage tanks. Mr. Dachelet indicated that the Site is served by municipal sanitary sewer and that a private drinking water well is located on the Site. Mr. Dachelet indicated that a recent city water project provided city water services to the Site, but no connections to the Site have been made to date.

#### C. *Visual Inspection of the Site*

##### *Methodology and Limiting Conditions*

Todd Ullom of MFRA performed a visual site inspection on January 31, 2014. The exterior and interior portions of the Site were examined during the site inspection. In addition, adjacent properties were observed from the Site boundary for indications of RECs.

### ***General Site Setting***

The Site is located within the eastern portion of the City of Wayzata, Minnesota. Access to the Site is gained via Wayzata Boulevard, which acts as the northern property boundary. The Site was purchased by Robert Dachelet in September 2007 and is occupied by a renter. The renter also operates a landscaping business from the Site.

The Site exhibits rolling topography and generally slopes toward the south.

The Site consists of a two-story residential structure, a roll-off container, a canvas-covered storage shed, maintained lawn area and wooded areas beyond the residential yard. The residential structure is built of concrete block and exhibits concrete flooring in the lower level. A portion of the lower-level flooring is covered with carpet.

### ***Interior and Exterior Observations***

The interior and exterior portion of the residential structure was inspected for indications of RECs. Photographs of the site were taken on January 31, 2014, and are included in Appendix C.

#### **Chemical or Petroleum Storage Tanks**

No underground or aboveground storage tanks are observed on the Site.

#### **Miscellaneous Containers (Drums, Cans, Dumpsters, and Bags)**

Inside the garage of the residential structure were a number of containers that appeared to contain petroleum products (gasoline, lubricants, acetylene, etc.). These materials appeared to be utilized by the landscaping business that operates from the Site. Furthermore, all of the containers appeared to be 5 gallons or less in size and were of sound condition. No leaks or spills from the containers or in the vicinity of the floor drain were observed during the site visit.

Three trash cans were observed along the north side of the residential structure. No indications of spills or leaks of petroleum products or chemicals were observed in the vicinity of the trash cans.

#### **Spills and Leaks**

The interior and exterior areas of the Site were examined for evidence of spills or leaks. No evidence of leaks or spills were observed within the interior or exterior portions of the Site.

Two floor drains were observed inside the residential structure. One floor drain was observed inside the garage and another floor drain was observed in the laundry and mechanical area of the lower-level of the structure. No evidence of spills or leaks was observed in the vicinity of the observed floor drains.

#### **Transformers**

One pole-mounted transformer was observed within the eastern portion of the Site. No labels were observed on the transformer. Evidence of leakage was not observed on the transformer.

#### **Wells and Septic Systems**

The Site is served by municipal sanitary sewer. According to the landowner, a private drinking water well is located on the Site and serves the residence. Because of the snow cover, the well was not observed during the site visit.

#### **Asbestos Containing Materials**

The Site structure was built in 1950. Therefore the presence of asbestos containing materials within the structure is possible. Because the structure was constructed during a period when asbestos containing materials were used, MFRA recommends that an asbestos survey be completed if demolition or remodeling activities are planned. An asbestos survey is not necessary if the structure is intended to stay intact.

The observations conducted during this assessment are not intended to represent an asbestos survey as defined by the Minnesota Department of Health and other regulatory agencies.

#### **Lead Paint**

The Site structure was built in 1950. Therefore the presence of lead paint within the residential structure is possible. MFRA recommends that a lead paint survey be completed if demolition or remodeling activities are planned. A lead paint survey is not necessary if the structure is intended to stay intact.

**IV. FILE INVESTIGATION RESULTS**

**A. EDR Report Summary**

MFRA contacted EDR for the search of Federal and State regulatory databases pertaining to the Site and surrounding area. The EDR report (Appendix D) is a compilation and summary of facilities listed in the Federal and State databases and located within a one-mile radius of the Site. The identified facilities are depicted on the map on Page 21.

**Federal Databases**

The Site is not identified on any of the Federal databases. However, eight facilities located within a 1/4-mile radius of the Site are identified in the Federal databases listed in Table 1.

**Table 1. Federal databases with a listed facility within 1-mile of the Site**

Database	Site	Distance from Site (miles)				Total
		<1/8	1/8 to 1/4	1/4 to 1/2	1/2 to 1 mile	
RCRA - SQG	N	1	0	NR	NR	1
RCRA - CESQG	N	3	4	NR	NR	7

A detailed summary of the federal database and the identified facilities is provided below.

**RCRA – Small Quantity Generators (SQG)**

The RCRA – SQG database, maintained by the EPA, does not include the Site, but does identify one facility located within 1/4-mile radius of the Site. Small quantity generators are defined as facilities that produce between 100 and 1,000 kg of hazardous waste per month. Table 2 provides a summary of the facility that is identified in the RCRA – SQG database.

**Table 2. RCRA – SQG Facility within 1/4-mile of the Site**

Site Name	Address	Distance	Direction	Violations
Village Chevrolet Co	16200 Wayzata Blvd	0.091 mile	ENE	None

The database file for the identified RCRA-SQG facility does not list any violations. Based on this information, the listed facility is not a REC to the Site.

**RCRA – Conditionally Exempt Small Quantity Generators (CESQG)**

CESQGs are defined as facilities that generate 100 kg or less of hazardous waste per calendar month, and accumulates 1,000 kg or less of hazardous waste at any time. The RCRA-CESQG database, which is maintained by the EPA, does not include the Site. However, seven facilities located within a 1/4-mile radius of the

Site are listed in the database. Table 3 provides a summary of the facilities identified in the RCRA-CESQG database.

**Table 3. RCRA-CESQG Facilities within 1/4-mile of the Site**

Site Name	Address	Distance (mile)	Direction	Violations
Wayzata Auto Center Collision	1755 E Wayzata Blvd	0.050	N	None
Lexus of Wayzata	16100 Wayzata Blvd	0.123	ENE	None
<i>Wayzata Executive Park/Great Lakes Management</i>	<i>1907 E Wayzata Blvd, Suite 110</i>	<i>0.125</i>	<i>NW</i>	<i>None</i>
<i>Key Nissan</i>	<i>1803 Wayzata Blvd</i>	<i>0.192</i>	<i>WNW</i>	<i>None</i>
<i>Lowell's Automotive Specialist</i>	<i>1805 Wayzata Blvd E</i>	<i>0.192</i>	<i>WNW</i>	<i>None</i>
<i>Auto Center &amp; Bargain Lot</i>	<i>1805 Wayzata Blvd E</i>	<i>0.192</i>	<i>WNW</i>	<i>None</i>
Wayzata Nissan LLC Service Dept	15906 Wayzata Blvd	0.223	ENE	None

\*Facilities in italics are located at an equal or higher elevation than the Site.

Review of the database files for the identified RCRA-CESQG facilities indicates that no violations were reported at any of the facilities. Based on this information, MFRA concludes that the identified RCRA-CESQG facilities are not a REC to the Site.

### **State Databases**

The State databases do not list the Site. However, twelve facilities located within a one-mile radius of the Site are identified in the State databases listed in Table 4.

**Table 4. State databases with a listed facility within 1-mile of the Site**

Database	Site	Distance from Site (miles)				Total
		<1/8	1/8 to 1/4	1/4 to 1/2	1/2 to 1 mile	
LUST	N	2	2	4	NR	8
UST	N	2	2	NR	NR	4
AST	N	2	2	NR	NR	4
INST Control	N	0	0	1	NR	1
VIC	N	0	0	2	NR	2

A detailed summary of the State databases and the identified facilities are provided below.

### **Leaking Underground Storage Tanks (LUST)**

The MPCA maintains a list of LUST sites within the State of Minnesota. The data includes piping, tank construction, type of tank, status of the site, contact and owner information. The Site is not included in the LUST database, however eight facilities are identified within a half-mile radius of the Site. Table 5 provides a summary of the identified LUST facilities within a half-mile radius of the Site.

**Table 5. LUST Sites located within 1/2-mile of the Site**

Site Name	Address	Distance	Direction	Status
Former Wayzata Marina	16602 Wayzata Blvd	0.050 mile	N	Closed (12/18/00)
Village Chevrolet Co	16200 Wayzata Blvd	0.091 mile	ENE	Closed (12/28/89)
<i>Zitco Inc/Lowells Auto</i>	<i>1805 Wayzata Blvd E</i>	<i>0.192 mile</i>	<i>WNW</i>	<i>Closed (7/6/94)</i>
Wayzata Nissan Inc	15906 Wayzata Blvd	0.223 mile	ENE	Closed (9/17/98)
<i>Gleason Lake</i>	<i>155 Gleason Lake Rd</i>	<i>0.287 mile</i>	<i>NW</i>	<i>Closed (12/30/87) (7/24/06)</i>
Dahlen Residence	1410 Holdridge Terrace	0.287 mile	E	Active
<i>Wayzata Amoco</i>	<i>1490 E Wayzata Blvd</i>	<i>0.462 mile</i>	<i>W</i>	<i>Closed (11/7/96)</i>
Hillcrest Health Care Center	15409 Wayzata Blvd	0.486 mile	E	Closed (1/10/92)

\*Facilities in italics are located at a higher elevation than the Site.

Review of the database files of the reported LUST facilities indicate that all but one (Dahlen Residence) of the facilities are closed. According to the database report for the Dahlen Residence LUST, a new water main was being installed on November 7, 2012 at the property when an old fuel tank was penetrated by the equipment, which caused a release of Fuel Oil 1 and 2. The released fuel oil was vacuumed and contained by the contractor. The property owner is waiting on additional instructions from the City of Wayzata City Engineer regarding future actions needed. Because the Dahlen Residence is located over 1/4-mile from the Site and at a lower elevation than the Site, the Dahlen Residence LUST is not considered as a REC to the Site. None of the identified LUST facilities are not considered as a REC to the Site.

**Underground Storage Tank (UST)**

The MPCA maintains a database of UST facilities within the State of Minnesota. The Site is not included in the UST database, however four UST facilities are identified within a 1/4-mile radius of the Site. Details of the identified UST facilities are included in Table 6.

**Table 6. UST Facilities located within 1/4-mile of the Site**

Site Name	Address	Distance	Direction	Status
Former Wayzata Marina	16602 Wayzata Blvd	0.050 mile	N	Removed
Village Chevrolet Co	16200 Wayzata Blvd	0.091 mile	ENE	Removed & Active
<i>Zitco Inc/Lowells Auto</i>	<i>1805 Wayzata Blvd E</i>	<i>0.192 mile</i>	<i>WNW</i>	<i>Removed</i>
Wayzata Nissan Inc	15906 Wayzata Blvd	0.223 mile	ENE	Removed

\*Facilities in italics are located at a higher elevation than the Site.

According to the EDR report, the underground storage tanks located at the three of the four identified facilities have been removed. Based on the database file for Village Chevrolet Co, ten underground storage tanks have been removed from the facility and three underground storage tanks remain at the facility. The three remaining tanks are all in compliance with state regulations. Based on the database files for the reported UST facilities, MFRA concludes that the identified UST facilities are not a REC to the Site.

**Aboveground Storage Tanks (AST)**

The MPCA maintains a database of AST sites within the State of Minnesota. The Site is not included in the AST database, however four AST facilities are identified within a 1/4-mile radius of the Site. A summary of the identified AST facilities is provided in Table 7.

**Table 7. AST Facilities Located within 1/4-mile of the Site**

<b>Site Name</b>	<b>Address</b>	<b>Distance</b>	<b>Direction</b>	<b>Compliance</b>
Village Chevrolet Co	16200 Wayzata Blvd	0.091 mile	ENE	Yes (4 tanks)
Lexus of Wayzata	16100 Wayzata Blvd	0.123 mile	ENE	Yes (6 tanks)
Wayzata Mitsubishi	16000 Wayzata Blvd	0.165 mile	ENE	No (3 tanks) Removed from Facility
Wayzata Nissan Inc	15906 Wayzata Blvd	0.223 mile	ENE	Yes (3 tanks)

\*Facilities in italics are located at an equal or higher elevation than the Site.

Review of the database files for the identified AST facilities indicates that three of the four facilities have multiple aboveground storage tanks that are in compliance with state regulations. One facility, Wayzata Mitsubishi, had three tanks that were not in compliance with state regulations and have since removed the tanks from the facility. Based on the database files for the reported AST facilities, MFRA concludes that the identified AST facilities are not a REC to the Site.

**Institutional Control**

The MPCA maintains a database of sites that have an Institutional Control, which includes easements, monitoring programs, etc. The Site is not listed as an Institutional Control facility, however one facility is identified within a 1/2-mile radius of the Site. Table 8 provides a summary of the identified Institutional Control facility located within a 1/2-mile radius of the Site.

**Table 8. Institutional Control Facilities Located within 1/2-mile of the Site**

<b>Site Name</b>	<b>Address</b>	<b>Distance</b>	<b>Direction</b>
car dealership	15802 Wayzata Blvd	0.280 mile	E

\*Facilities in italics are located at an equal or higher elevation than the Site.

Review of the database file for the car dealership located at 15802 Wayzata Boulevard indicates that a passive methane monitoring and mitigation system has been installed underneath the building and parking lot of the facility. The facility is actively monitoring the methane mitigation program established for the property and has the system in place to forcefully remove methane gas should the levels exceed unsafe levels. Based on the fact that the methane monitoring program is currently passive, methane concentrations are below unsafe levels and the facility is located over 1/4-mile from the Site, MFRA concludes that the identified Institutional Control facility is not a REC to the Site.

**Voluntary Investigation and Cleanup Program (VIC)**

The MPCA maintains a database of Voluntary Investigation and Cleanup Program (VIC) enrollees, which includes properties of both known or suspected environmental contamination. The Site is not listed in the VIC database, however two facilities are identified within a 1/2-mile radius of the Site. Table 9 provides a summary of the identified VIC facilities.

**Table 9. VIC Facilities located within 1/2-mile of the Site**

Site Name	Address	Distance	Direction	VIC End Date
car dealership	15802 Wayzata Blvd	0.280 mile	E	NA
Twelve Oaks Center	6001-1001 Twelve Oaks Center	0.500 mile	E	4/3/13

\*Facilities in italics are located at a higher elevation than the Site.

Review of the database files for the identified VIC sites indicate that one (Twelve Oaks Center) of the two facilities have been closed by the MPCA. The database record for the car dealership located at 15802 Wayzata Boulevard indicates that a passive methane monitoring and mitigation system has been installed underneath the building and parking lot of the facility. The facility is actively monitoring the methane mitigation program established for the property. Based on the information provided in the database records for the VIC facilities, MFRA concludes that the identified VIC facilities are not a REC to the Site.

**Orphan Sites**

EDR identified five sites as orphan sites because the available data was not specific enough for EDR to plot on the Overview Map (Page 21). Based on the available orphan site information (facility name and address), MFRA plotted the identified sites and found that none of the orphan sites were located within the ASTM search distance for the given database record. Because the orphan sites are located beyond the required search distances, they are not considered as a REC to the Site.

Based on the review of the government database information (EDR Report), the facilities identified in the various federal and state databases are not identified as a REC to the Site.

Please see Appendix D for the complete EDR report.

**B. *Wayzata Fire Department and City Engineer***

Messages were left with the Fire Chief of the Wayzata Fire Department, Kevin Klapprich, and Wayzata City Engineer, Mike Kelly, regarding known environmental incidences at and/or in the vicinity of the Site. A response from either of the city representatives was not received at the time the report was completed. If either city representative responds with information that would change the findings of this report, the information will immediately be forwarded to the report user.

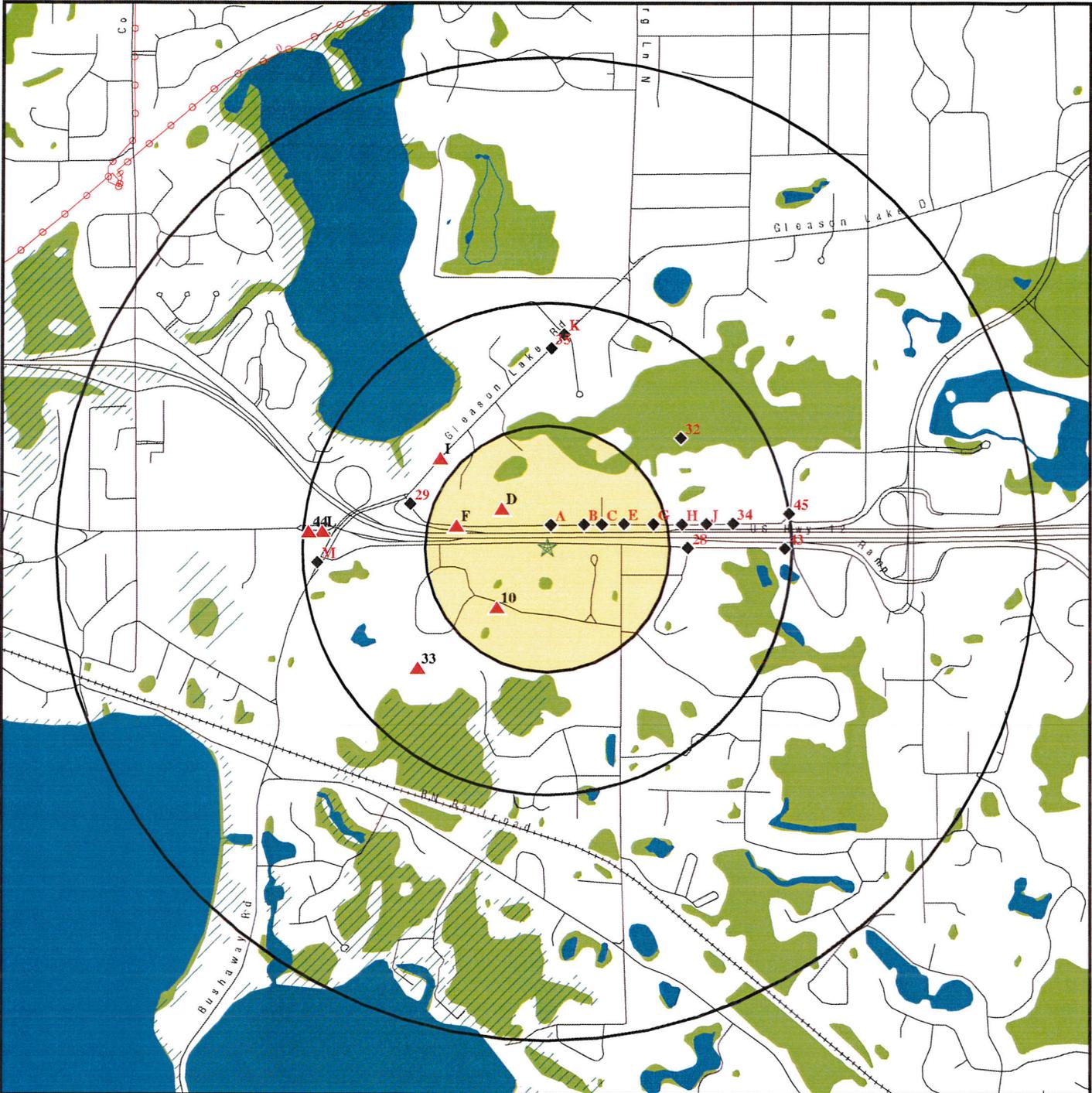
**C. *Minnesota Department of Health – Indoor Air Quality Section***

The EDR report includes indoor air quality information from the Minnesota Department of Health and USGS database files. According to the Minnesota Department of Health database, 1,090 homes within the 55391 Zip Code have been tested for the presence and concentration levels of radon. Of the tested homes, 554 homes or 51% had radon levels in excess of four picocuries/e.

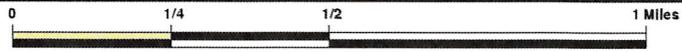
This data indicates that sites within the 55391 Zip Code generally have a potential for elevated radon levels, but no site-specific data is available.

Based upon review of this information, there appears to be a moderate potential environmental threat to the site if appropriate building construction/maintenance is not done to minimize radon hazards.

# OVERVIEW MAP - 3804326.2s



- ★ Target Property
- ▲ Sites at elevations higher than or equal to the target property
- ◆ Sites at elevations lower than the target property
- ▲ Manufactured Gas Plants
- National Priority List Sites
- Dept. Defense Sites
- ▨ Indian Reservations BIA
- ⚡ Power transmission lines
- ⚡ Oil & Gas pipelines from USGS
- ▨ 100-year flood zone
- ▨ 500-year flood zone
- National Wetland Inventory



This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

<p><b>SITE NAME:</b> Dachelet Property  <b>ADDRESS:</b> 2030 Wayzata Blvd          Wayzata MN 55391  <b>LAT/LONG:</b> 44.9706 / 93.4849</p>	<p><b>CLIENT:</b> McCombs Frank Roos Assoc. Inc.  <b>CONTACT:</b> Todd Ullom  <b>INQUIRY #:</b> 3804326.2s  <b>DATE:</b> December 05, 2013 7:07 pm</p> <p style="text-align: right;"><b>UUCM Attachments</b>          Page 55 of 110</p>
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## V. CONCLUSIONS AND RECOMMENDATIONS

Based on the site visit, interviews, historical background information, and Federal and State regulatory file review that were made available to MFRA, we offer the following comments and recommendations concerning the approximately 4.64-acre Site and adjoining outlots located at 2030 Wayzata Boulevard in the City of Wayzata, Hennepin County, Minnesota, as described in this report:

1. The Site is currently owned by Robert Dachelet. Mr. Dachelet purchased the Site from Bentley Smith in September 2007. According to Mr. Dachelet, Mr. Smith's father developed the Site as a single-family residence as part of the Holdridge development in 1950. Based on aerial photos, it appears that the Site was a wooded, unimproved parcel of land prior to 1950.
2. On January 31, 2014 MFRA interviewed the current landowner, Robert Dachelet, regarding the past uses of the Site and knowledge with respect to chemical and petroleum materials used, stored, or disposed on the Site. Mr. Dachelet indicated that chemical and petroleum products have not been stored or used on the Site. Mr. Dachelet indicated that there are no aboveground or underground storage tanks located on the Site. Mr. Dachelet indicated that the Site is served by city sanitary sewer and that city water is provided at the street (Wayzata Boulevard), but is not connected to the residence. The residence utilizes a private drinking water well for water.
3. A site visit was completed by MFRA on January 31, 2014. One two-story residential structure was observed on the Site. The structure is constructed of concrete block around the lower level with wood frame construction around the upper level. A tuck-under garage is located along the east portion of the residential structure. A floor drain was observed in the garage and another in the lower level of the residence. One pole-mounted transformer was located within the eastern portion of the Site. No evidence of spills or leaks was observed in the vicinity of the floor drains or transformer.
4. The Site is not listed in any of the Federal or State databases. Seventeen facilities within a one-mile radius of the Site are identified in the Federal and State databases. All of the Federal and State listed facilities are either closed, in compliance with Federal and State regulations, or located at a distance from the Site that they are not considered a REC to the Site.

Based upon the data reviewed, the field investigation described herein, and information from the current landowner, no RECs are identified on the Site or on neighboring properties. No additional investigations of the Site are necessary.

## II. STANDARDS OF CARE

This Phase I ESA Report was prepared on behalf of Robert Dachelet in accordance with the contract between Robert Dachelet and MFRA. No other party has the right to rely on the contents of this Phase I ESA without the written authorization of MFRA.

This report was prepared in general accordance with ASTM Standard Practices E 1527-05 and 40 CFR 312. No intentional deviations from ASTM Practice E 1527-05 and 40 CFR 312 were made in completion of this Phase I ESA for the site, except the following:

- Aerial maps were not reasonably ascertainable for every 5-year period; however, coverage of the Site was generally available approximately every 10 years.
- A Chain of Title was not available for review. MFRA did not review recorded Chain of Title to document historic use of the Site.
- An Environmental Lien Search was not available for review.

The recommendations contained in this report represent our professional opinions. These opinions are arrived at in accordance with currently accepted Phase I environmental practices used in the State of Minnesota. Other than this, no warranty is implied or intended.

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312.

I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the Site. I have developed and performed the AAI in conformance with the standards and practices set forth in ASTM 1527-05 and 40 CFR 312.

Sincerely,

MFRA



Todd Ullom  
Environmental Scientist

# Memorandum

**To:** Christy Dachelet, Unitarian Universalist Church of Minnetonka

**From:** Mike Spack, P.E.

**Date:** 7/28/2008

**Re:** Unitarian Universalist Church of Minnetonka Traffic Analysis - Wayzata, MN

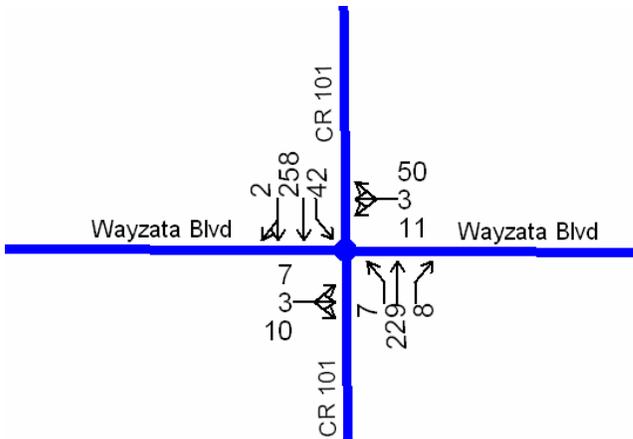
Per the City of Wayzata's request, this memorandum analyzes the traffic impact of the proposed Church on the County Road 101 (Bushaway Road)/Wayzata Boulevard (frontage road) intersection during the Sunday morning peak hour. The proposed Unitarian Universalist Church of Minnetonka site is approximately half a mile east of County Road 101 on the south side of Wayzata Boulevard. The site is currently occupied by one single family home, which will be removed for the Church construction. The Church is proposed to be approximately 16,800 square feet and will have a sanctuary with 240 seats. The Church has choir practices and youth activities during the weekday evenings, however the traffic impact of these events is expected to be negligible. The Church will have a 9:00 a.m. and an 11:00 a.m. service on Sunday morning most of the year, but will likely only have a 9:00 a.m. service during the summer months. The analysis in this memorandum focuses on the 10:00 a.m. to 11:00 a.m. Sunday morning, which captures traffic leaving the 9:00 a.m. service and arriving for the 11:00 a.m. service.

## Existing Conditions



**Fig. 1 – Existing Conditions**

Figure 1 shows the study intersection with its lane configurations and traffic control. The northbound turn lanes have approximately 100 feet of storage and the southbound left turn lane has approximately 70 feet of storage. Manual turning movement counts were conducted at the study intersection per the City Engineer's request. The Sunday morning turning movement volume data from 10:00 a.m. to 11:00 a.m. is shown in Figure 2 and is also contained in a table in 15 minute intervals at the end of this memorandum.



**Fig. 2 – Existing Sunday Volumes  
10:00 – 11:00 a.m.**

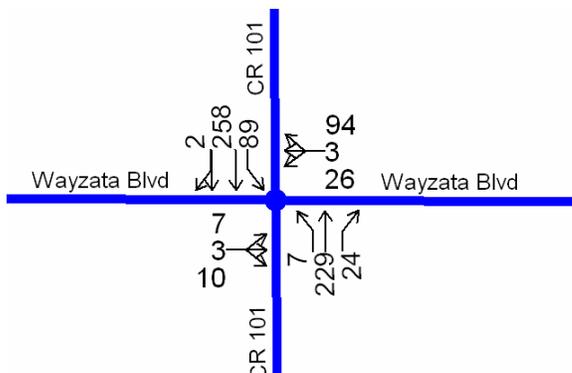
An intersection capacity analysis was conducted for the study intersection per the *Highway Capacity Manual* based on the existing conditions shown in Figure 1 and the turning movement data shown in Figure 2. The overall intersection as well as each intersection approach is assigned a “Level of Service” letter grade for the peak hour of traffic based on the number of lanes at the intersection, traffic volumes, and traffic control. Level of Service A (LOS A) represents light traffic flow (free flow conditions) while Level of Service F (LOS F) represents heavy traffic flow (over capacity conditions). LOS D is considered acceptable for the overall intersection in urban conditions. LOS F is considered acceptable for individual approaches controlled by stop signs as long as there is not significant stacking. The study intersection currently operates acceptably at LOS A in the Sunday 10:00 to 11:00 a.m. hour with each movement operating at LOS B or better. The detailed LOS calculations are shown at the end of this memorandum.

**Proposed Intersection Operation with Church**

A trip generation analysis was performed for the Church based on the methods and rates published in the *ITE Trip Generation Manual, 7<sup>th</sup> Edition*. Based on the 240 seats in the sanctuary, it is calculated there will be 79 vehicles entering the site and 72 vehicles exiting the site during the Sunday morning peak hour. No reductions will be taken for the existing home on the site because it probably does not generate any traffic during the Sunday morning study hour.

Based on the existing roadway network and the area population centers, the anticipated trip distribution pattern is:

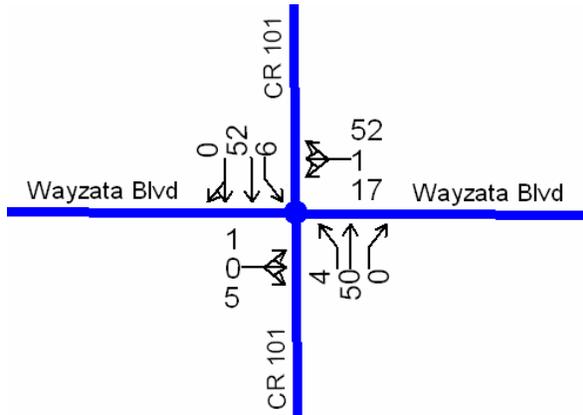
- 60% of traffic will come to/from the Church via County Road 101 north of Wayzata Boulevard.
- 20% of traffic will come to/from the Church via County Road 101 south of Wayzata Boulevard.
- 20% of traffic will come to/from the Church via Wayzata Boulevard east of the site.



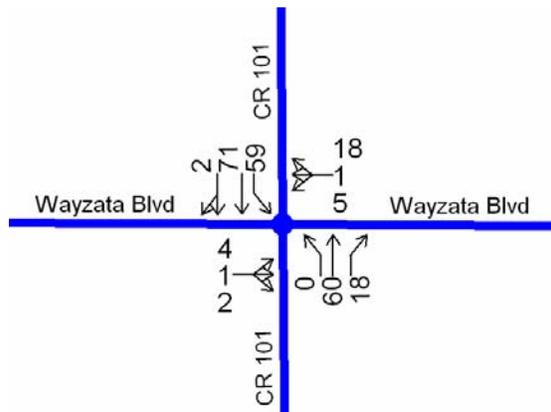
**Fig. 3 – Build Volumes 10:00 – 11:00 a.m.**

The peak hour trips described above were added to the existing peak hour traffic per the above trip distribution pattern. The resultant “Build Scenario” volumes for the Sunday morning 10:00 to 11:00 a.m. hour are shown in Figure 3. An intersection capacity analysis was conducted for the intersection volumes in Figure 3 with the existing

conditions from Figure 1. The study intersection will operate acceptably at LOS A in the 10:00 to 11:00 a.m. hour with each movement operating at LOS C or better with the additional traffic from the Church. The detailed LOS calculations are shown at the end of this memorandum.



**Fig. 4 – Build Volumes  
10:00 – 10:15 a.m.**



**Fig. 5 – Build Volumes  
10:45 – 11:00 a.m.**

To analyze the peaking nature of the Church traffic, the exiting traffic was added to the 10:00 to 10:15 a.m. period and the entering traffic was added to the 10:45 to 11:00 a.m. period. These volumes are shown in Figures 4 and 5. An intersection capacity analysis was conducted for the intersection volumes in Figures 4 and 5 with the existing conditions from Figure 1. The study intersection will operate acceptably at LOS A in both the 10:00 to 10:15 a.m. and 10:45 to 11:00 a.m. period with each movement operating at LOS D or better with the additional traffic from the Church. The detailed LOS calculations are shown at the end of this memorandum.

To determine if there will be excessive vehicle stacking caused by the addition of the church traffic, a more detailed traffic analysis was performed with a SimTraffic™ micro-simulation model for the intersection. The intersection traffic control and turn lanes from Figure 1 were used along with the 15 minute volumes from Figures 4 and 5.

These inputs for the roadway network were transferred from SYNCHRO™ to SimTraffic™.

The simulation software was seeded with a random number seed of 0, a seeding duration of 1 minute, and a recording duration of 15 minutes. Then the simulation software was run and recorded five times with random number seeds of 1, 2, 3, 4, and 5; using a seeding duration of 1 minute and a recording duration of 15 minutes.

For the two peak 15 minute periods, a maximum queue of 50 feet (about two vehicles) is predicted at the intersection. Summaries of the micro-simulations are shown at the end of this memorandum.

### **Conclusions**

The County Road 101 (Bushaway Road)/Wayzata Boulevard will operate acceptably at LOS A with each movement operating at LOS D or better with the additional traffic from the Church. An acceptable, maximum queue of two vehicles is expected during the entering and exiting 15 minute peak periods of the Church traffic. The Church can be built as proposed without adversely affecting the study intersection. No mitigation (adding turn lanes, building a traffic signal, or using police officer control) is necessary for the Church.



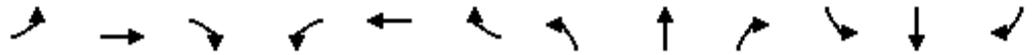
CR 101/Bushaway Rd & Wayzata Blvd  
Minnetonka, MN

File Name : 229811 - CR 101 & Wayzata Blvd  
Site Code : 00229811  
Start Date : 7/27/2008  
Page No : 1

Groups Printed- Unshifted

Start Time	CR 101/Bushaway Rd Southbound					Wayzata Blvd Westbound					CR 101/Bushaway Rd Northbound					Driveway Eastbound					Int. Total
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	
Factor	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		
10:00 AM	6	52	0	1	59	2	1	8	1	12	4	50	0	0	54	1	0	5	1	7	132
10:15 AM	12	71	0	0	83	3	0	13	0	16	2	58	1	0	61	1	2	1	0	4	164
10:30 AM	12	64	0	0	76	1	1	11	1	14	1	61	5	0	67	1	0	2	3	6	163
10:45 AM	12	71	2	2	87	5	1	18	1	25	0	60	2	0	62	4	1	2	3	10	184
Total	42	258	2	3	305	11	3	50	3	67	7	229	8	0	244	7	3	10	7	27	643
Grand Total	42	258	2	3	305	11	3	50	3	67	7	229	8	0	244	7	3	10	7	27	643
Apprch %	13.8	84.6	0.7	1		16.4	4.5	74.6	4.5		2.9	93.9	3.3	0		25.9	11.1	37	25.9		
Total %	6.5	40.1	0.3	0.5	47.4	1.7	0.5	7.8	0.5	10.4	1.1	35.6	1.2	0	37.9	1.1	0.5	1.6	1.1	4.2	

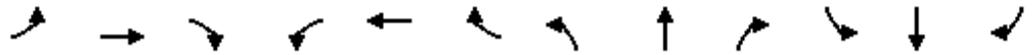
Start Time	CR 101/Bushaway Rd Southbound					Wayzata Blvd Westbound					CR 101/Bushaway Rd Northbound					Driveway Eastbound					Int. Total
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	
Peak Hour Analysis From 10:00 AM to 10:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 10:00 AM																					
10:00 AM	6	52	0	1	59	2	1	8	1	12	4	50	0	0	54	1	0	5	1	7	132
10:15 AM	12	71	0	0	83	3	0	13	0	16	2	58	1	0	61	1	2	1	0	4	164
10:30 AM	12	64	0	0	76	1	1	11	1	14	1	61	5	0	67	1	0	2	3	6	163
10:45 AM	12	71	2	2	87	5	1	18	1	25	0	60	2	0	62	4	1	2	3	10	184
Total Volume	42	258	2	3	305	11	3	50	3	67	7	229	8	0	244	7	3	10	7	27	643
% App. Total	13.8	84.6	0.7	1		16.4	4.5	74.6	4.5		2.9	93.9	3.3	0		25.9	11.1	37	25.9		
PHF	.875	.908	.250	.375	.876	.550	.750	.694	.750	.670	.438	.939	.400	.000	.910	.438	.375	.500	.583	.675	.874



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔		↗	↖	↗	↖	↕	↕
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Volume (veh/h)	7	3	10	11	3	50	7	229	8	42	258	2
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	8	3	11	12	3	54	8	249	9	46	280	2
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	693	646	141	508	638	249	283			258		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	693	646	141	508	638	249	283			258		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	97	99	99	97	99	93	99			96		
cM capacity (veh/h)	295	373	881	426	377	751	1277			1304		

Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	SB 1	SB 2	SB 3
Volume Total	22	70	8	249	9	46	187	96
Volume Left	8	12	8	0	0	46	0	0
Volume Right	11	54	0	0	9	0	0	2
cSH	463	638	1277	1700	1700	1304	1700	1700
Volume to Capacity	0.05	0.11	0.01	0.15	0.01	0.04	0.11	0.06
Queue Length 95th (ft)	4	9	0	0	0	3	0	0
Control Delay (s)	13.2	11.3	7.8	0.0	0.0	7.9	0.0	0.0
Lane LOS	B	B	A			A		
Approach Delay (s)	13.2	11.3	0.2			1.1		
Approach LOS	B	B						

Intersection Summary		
Average Delay		2.2
Intersection Capacity Utilization	29.6%	ICU Level of Service
Analysis Period (min)		15
		A



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔		↗	↖	↗	↖	↕	↕
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Volume (veh/h)	7	3	10	26	3	94	7	229	24	89	258	2
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	8	3	11	28	3	102	8	249	26	97	280	2
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	843	765	141	610	740	249	283			275		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	843	765	141	610	740	249	283			275		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	96	99	99	92	99	86	99			92		
cM capacity (veh/h)	207	305	881	348	315	751	1277			1285		

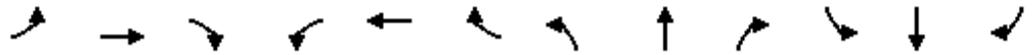
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	SB 1	SB 2	SB 3
Volume Total	22	134	8	249	26	97	187	96
Volume Left	8	28	8	0	0	97	0	0
Volume Right	11	102	0	0	26	0	0	2
cSH	363	587	1277	1700	1700	1285	1700	1700
Volume to Capacity	0.06	0.23	0.01	0.15	0.02	0.08	0.11	0.06
Queue Length 95th (ft)	5	22	0	0	0	6	0	0
Control Delay (s)	15.5	12.9	7.8	0.0	0.0	8.0	0.0	0.0
Lane LOS	C	B	A			A		
Approach Delay (s)	15.5	12.9	0.2			2.0		
Approach LOS	C	B						

**Intersection Summary**

Average Delay		3.6						
Intersection Capacity Utilization		35.4%		ICU Level of Service			A	
Analysis Period (min)		15						

Sunday Build 10:00 - 10:15 am  
 HCM Unsignalized Intersection Capacity Analysis

Unitarian Universalist Church of Minnetonka  
 3: Wayzata Blvd & CR 101



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕		↗	↖	↗	↖	↕	↕
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Volume (veh/h)	1	0	5	17	1	52	4	50	0	6	52	0
Peak Hour Factor	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25
Hourly flow rate (vph)	4	0	20	68	4	208	16	200	0	24	208	0
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	698	488	104	404	488	200	208			200		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	698	488	104	404	488	200	208			200		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	98	100	98	87	99	74	99			98		
cM capacity (veh/h)	236	465	931	508	465	808	1360			1370		

Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	SB 1	SB 2	SB 3
Volume Total	24	280	16	200	0	24	139	69
Volume Left	4	68	16	0	0	24	0	0
Volume Right	20	208	0	0	0	0	0	0
cSH	624	700	1360	1700	1700	1370	1700	1700
Volume to Capacity	0.04	0.40	0.01	0.12	0.00	0.02	0.08	0.04
Queue Length 95th (ft)	3	48	1	0	0	1	0	0
Control Delay (s)	11.0	13.5	7.7	0.0	0.0	7.7	0.0	0.0
Lane LOS	B	B	A			A		
Approach Delay (s)	11.0	13.5	0.6			0.8		
Approach LOS	B	B						

Intersection Summary		
Average Delay		5.8
Intersection Capacity Utilization	18.1%	ICU Level of Service
Analysis Period (min)		15
		A

Sunday Build 10:45 - 11:00 am  
 HCM Unsignalized Intersection Capacity Analysis

Unitarian Universalist Church of Minnetonka  
 3: Wayzata Blvd & CR 101



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕		↗	↖	↗	↖	↕	↕
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Volume (veh/h)	4	1	2	5	1	18	0	60	18	59	71	2
Peak Hour Factor	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25
Hourly flow rate (vph)	16	4	8	20	4	72	0	240	72	236	284	8
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	1074	1072	146	864	1004	240	292			312		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	1074	1072	146	864	1004	240	292			312		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	88	98	99	90	98	91	100			81		
cM capacity (veh/h)	133	178	875	206	195	761	1267			1245		

Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	SB 1	SB 2	SB 3
Volume Total	28	96	0	240	72	236	189	103
Volume Left	16	20	0	0	0	236	0	0
Volume Right	8	72	0	0	72	0	0	8
cSH	184	453	1700	1700	1700	1245	1700	1700
Volume to Capacity	0.15	0.21	0.00	0.14	0.04	0.19	0.11	0.06
Queue Length 95th (ft)	13	20	0	0	0	17	0	0
Control Delay (s)	28.1	15.1	0.0	0.0	0.0	8.6	0.0	0.0
Lane LOS	D	C				A		
Approach Delay (s)	28.1	15.1	0.0			3.8		
Approach LOS	D	C						

Intersection Summary		
Average Delay		4.4
Intersection Capacity Utilization	20.0%	ICU Level of Service
Analysis Period (min)		15
		A

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	9:59	9:59	9:59	9:59	9:59	9:59
End Time	10:15	10:15	10:15	10:15	10:15	10:15
Total Time (min)	16	16	16	16	16	16
Time Recorded (min)	15	15	15	15	15	15
# of Intervals	2	2	2	2	2	2
# of Recorded Intvls	1	1	1	1	1	1
Vehs Entered	40	52	44	45	39	45
Vehs Exited	29	45	39	40	26	36
Starting Vehs	2	7	6	4	0	3
Ending Vehs	13	14	11	9	13	12
Denied Entry Before	0	0	0	0	0	0
Denied Entry After	0	0	0	0	0	0
Travel Distance (mi)	65	96	79	85	62	78
Travel Time (hr)	2.3	3.5	2.8	3.1	2.2	2.8
Total Delay (hr)	0.1	0.1	0.1	0.1	0.1	0.1
Total Stops	13	21	20	21	16	18
Fuel Used (gal)	2.6	4.8	3.6	3.6	2.6	3.4

Interval #0 Information Seeding

Start Time	9:59
End Time	10:00
Total Time (min)	1
Volumes adjusted by Growth Factors.	
No data recorded this interval.	

Interval #1 Information Recording

Start Time	10:00
End Time	10:15
Total Time (min)	15
Volumes adjusted by Growth Factors.	

Run Number	1	2	3	4	5	Avg
Vehs Entered	40	52	44	45	39	45
Vehs Exited	29	45	39	40	26	36
Starting Vehs	2	7	6	4	0	3
Ending Vehs	13	14	11	9	13	12
Denied Entry Before	0	0	0	0	0	0
Denied Entry After	0	0	0	0	0	0
Travel Distance (mi)	65	96	79	85	62	78
Travel Time (hr)	2.3	3.5	2.8	3.1	2.2	2.8
Total Delay (hr)	0.1	0.1	0.1	0.1	0.1	0.1
Total Stops	13	21	20	21	16	18
Fuel Used (gal)	2.6	4.8	3.6	3.6	2.6	3.4

3: Wayzata Blvd & CR 101 Performance by movement

Movement	EBR	WBL	WBT	WBR	NBL	NBT	SBL	SBT	All
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1
Delay / Veh (s)	1.7	9.7		8.7	3.1	2.4	1.4	1.1	4.6
Total Stops	2	4	0	12	0	0	0	0	18
Travel Time (hr)	0.0	0.2	0.0	0.7	0.1	0.4	0.0	0.3	1.6
Avg Speed (mph)	29	26	28	27	27	29	27	29	28
Vehicles Entered	2	5	0	13	1	12	1	11	45
Vehicles Exited	2	4	0	12	1	11	1	11	42
Hourly Exit Rate	8	16	0	48	4	44	4	44	168
Denied Entry Before	0	0	0	0	0	0	0	0	0
Denied Entry After	0	0	0	0	0	0	0	0	0

Total Network Performance

Total Delay (hr)	0.1
Delay / Veh (s)	8.3
Total Stops	18
Travel Time (hr)	2.8
Avg Speed (mph)	28
Vehicles Entered	45
Vehicles Exited	36
Hourly Exit Rate	144
Denied Entry Before	0
Denied Entry After	0

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Intersection: 3: Wayzata Blvd & CR 101

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Movement	EB	WB	NB
Directions Served	LR	LTR	L
Maximum Queue (ft)	29	50	6
Average Queue (ft)	5	27	1
95th Queue (ft)	22	54	10
Link Distance (ft)	3298	7247	
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			100
Storage Blk Time (%)			
Queuing Penalty (veh)			

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Network Summary

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Network wide Queuing Penalty: 0

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Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	10:44	10:44	10:44	10:44	10:44	10:44
End Time	11:00	11:00	11:00	11:00	11:00	11:00
Total Time (min)	16	16	16	16	16	16
Time Recorded (min)	15	15	15	15	15	15
# of Intervals	2	2	2	2	2	2
# of Recorded Intvls	1	1	1	1	1	1
Vehs Entered	52	58	61	56	68	58
Vehs Exited	37	44	52	38	55	46
Starting Vehs	3	3	2	0	2	2
Ending Vehs	18	17	11	18	15	14
Denied Entry Before	0	0	0	0	0	0
Denied Entry After	0	0	0	0	0	0
Travel Distance (mi)	82	92	104	83	114	95
Travel Time (hr)	2.9	3.4	3.6	3.0	4.1	3.4
Total Delay (hr)	0.1	0.2	0.1	0.1	0.2	0.1
Total Stops	7	6	12	10	6	8
Fuel Used (gal)	3.3	3.7	5.1	3.5	4.6	4.1

Interval #0 Information Seeding

Start Time	10:44
End Time	10:45
Total Time (min)	1
Volumes adjusted by Growth Factors.	
No data recorded this interval.	

Interval #1 Information Recording

Start Time	10:45
End Time	11:00
Total Time (min)	15
Volumes adjusted by Growth Factors.	

Run Number	1	2	3	4	5	Avg
Vehs Entered	52	58	61	56	68	58
Vehs Exited	37	44	52	38	55	46
Starting Vehs	3	3	2	0	2	2
Ending Vehs	18	17	11	18	15	14
Denied Entry Before	0	0	0	0	0	0
Denied Entry After	0	0	0	0	0	0
Travel Distance (mi)	82	92	104	83	114	95
Travel Time (hr)	2.9	3.4	3.6	3.0	4.1	3.4
Total Delay (hr)	0.1	0.2	0.1	0.1	0.2	0.1
Total Stops	7	6	12	10	6	8
Fuel Used (gal)	3.3	3.7	5.1	3.5	4.6	4.1

3: Wayzata Blvd & CR 101 Performance by movement

Movement	EBL	EBT	EBR	WBL	WBR	NBT	NBR	SBL	SBT	SBR	All
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1
Delay / Veh (s)	3.1			17.9	3.7	3.2	3.7	4.1	2.1		3.6
Total Stops	1	0	0	1	5	0	0	1	0	0	8
Travel Time (hr)	0.0	0.0	0.0	0.1	0.3	0.6	0.1	0.3	0.3	0.0	1.7
Avg Speed (mph)	30	27	30	26	29	28	29	28	29	30	28
Vehicles Entered	1	0	0	1	6	18	3	12	15	0	56
Vehicles Exited	1	0	0	1	5	16	2	12	14	0	51
Hourly Exit Rate	4	0	0	4	20	64	8	48	56	0	204
Denied Entry Before	0	0	0	0	0	0	0	0	0	0	0
Denied Entry After	0	0	0	0	0	0	0	0	0	0	0

Total Network Performance

Total Delay (hr)	0.1
Delay / Veh (s)	9.3
Total Stops	8
Travel Time (hr)	3.4
Avg Speed (mph)	28
Vehicles Entered	58
Vehicles Exited	46
Hourly Exit Rate	184
Denied Entry Before	0
Denied Entry After	0

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Intersection: 3: Wayzata Blvd & CR 101

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Movement	EB	WB	SB
Directions Served	LTR	LTR	L
Maximum Queue (ft)	29	31	18
Average Queue (ft)	6	12	3
95th Queue (ft)	24	37	17
Link Distance (ft)	3298	7247	
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			70
Storage Blk Time (%)			
Queuing Penalty (veh)			

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Network Summary

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Network wide Queuing Penalty: 0

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March 21, 2016

Wayzata Planning Commission  
600 Rice Street East,  
Wayzata, Minnesota

Dear Planning Commissioners,

As a resident of the Holdridge neighborhood I am concerned that the proposed by the Universalist Unitarian Church of Minnetonka to develop the property located at 2030 Wayzata Blvd E would change the look and character of the neighborhood and will be a health, safety, and welfare concern given the narrow roads and nature of the neighborhood. This proposal requires numerous modifications to the city ordinances and physical modifications to the lot. The following items are in response to the Wayzata Planning Commission Meeting Agenda Monday, March 21, 2016.

1. **Wetland Delineation**. The 2015 boundary determination has not been confirmed as accurate and no DNR review has been performed. The beauty of the wetland and the wildlife it contains is one of the focal points of the Holdridge neighborhood and should be preserved at all costs. (Page 7 of Planning Report, Section 3).
2. **R-1 Zoning**. The proposed home does not meet Code requirements for (a) minimum lot size, or (b) lot depth setbacks. Variances would change look and character of the neighborhood. (Page 8 of Planning Report, Table 5).
3. **Parking Requirements, Site Access and Internal Circulation**. 67 parking stalls will generate too much traffic in a neighborhood with narrow streets. Wrong area for dense traffic. Dangerous, a nuisance. (Page 9).
4. **Design Standard**. Project shouldn't be permitted to deviate from the City's Design Standards. Will change look and character of the neighborhood. (Page 9).
5. **Tree Inventory**. Project proposes the removal of too many trees. Will change the look and character of the neighborhood. Devalue surrounding properties. (Page 10).
6. **Preliminary Plat**. The proposed preliminary plat will have a number of adverse effects on the neighborhood and surrounding properties. Most notably the proposal has the inability to meet many factors of the plat criteria. (Page 11).

- a. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
  - b. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filing or grading.
  - c. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
  - d. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
  - e. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
  - f. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
  - g. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
  - h. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
  - i. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
7. **Premature Subdivision.** The subdivision should be deemed premature under Section 805.17 of the City Code. Nothing addresses the inadequacy of the roads to service this proposed use, and inconsistencies with the Comp. Plan are not addressed.

- 8. **PUD General Standards.** The PUD amendment should be denied. Health, safety, and welfare concerns of the residents and community in the surrounding area have not been adequately addressed. Nor have adequacy of road ways to service the proposed use. (Page 13, Section 4.6).
- 9. **Setback Variance.** No practical difficulties exist to justify granting a variance. Section 4.12, Subp. C items (ii) and (iii) of the Planning Report cannot be answered in the affirmative. The requested variances must be denied. (Page 15, Section 4.12).

In closing we ask that the Wayzata Planning Commission deny the proposed development application and recommend the Universalist Unitarian Church of Minnetonka seek an alternate and more appropriate building site for a development of this scale; one that is more naturally suited and less disruptive to the surrounding neighborhood.

Signed:



Michael Travanty  
16218 Holdridge Rd W  
Wayzata MN 55391

**Jeff Thomson**

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**From:** bdachelet@comcast.net  
**Sent:** Wednesday, March 30, 2016 2:10 PM  
**To:** Jeff Thomson  
**Subject:** re planning comm 4-4  
**Attachments:** zoningforreligion.pdf

Jeff

Attached is the one exhibit I would like entered into the records of the planning commission.

Would you be able to have projected images of individual pages available

Thank you

BobD



INFORMATION MEMO

# Zoning for Religion

*When considering an application for land use involving a religious institution, cities must comply with the federal Religious Land Use and Institutionalized Persons Act (RLUIPA) law. Learn the requirements of this law and read examples of provided by the U. S. Department of Justice of zoning actions and ordinance language that can violate it.*

**RELEVANT LINKS:**

[42 U.S.C. § 2000cc et seq.](#)

*Employment Div.,  
Department of Human  
Resources of Ore. V. Smith,  
42 U.S. 110 S. Ct. 108 L.Ed.  
2<sup>nd</sup> 876 (1990).*

## I. Religious Land Use and Institutionalized Persons Act (RLUIPA)

While it probably isn't every day that your city receives a land use application for a religious use, this is still an area of planning and zoning cities need to pay attention to. The way your city handles applications for religious uses must comply with the federal Religious Land Use and Institutionalized Persons Act (RLUIPA).

RLUIPA protects religious institutions from unduly burdensome or discriminatory land use regulations. This law was passed unanimously by Congress in 2000, after congressional hearings revealed that religious organizations were disproportionately affected by local land use decisions. Minority religions and start-up churches were impacted more than most. Congress also found that religious institutions were treated worse than comparable secular institutions and that zoning authorities were placing excessive burdens on the ability of congregations to exercise their faith.

As a result, Congress enacted RLUIPA in an effort to protect religious freedom, houses of worship, and religious schools. However, 10 years after it was passed, RLUIPA remains something of a mystery to those involved in local land use regulation

## II. Origins of RLUIPA

A 1990 Supreme Court decision was the first step toward RLUIPA. Smith was fired as a drug counselor for ingesting peyote during a Native American ceremony. He was denied unemployment insurance by the state of Oregon because his termination was due to felony use of a controlled substance. The Supreme Court upheld the denial because the state ban on peyote was neutral and generally applicable. The Smith decision led to an outcry from religious groups that the courts were inadequately protecting the religious practice of individuals from the impact of government programs and policies.

This material is provided as general information and is not a substitute for legal advice. Consult your attorney for advice concerning specific situations.

**RELEVANT LINKS:**

[42 U.S.C. § 2000bb et seq.](#)

[Department of Justice  
RLUIPA Policy Statement,  
Sept. 2010.](#)

[42 U.S.C. § 2000cc\(a\).](#)

Congress reacted in 1993 by passing the Religious Freedom Restoration Act (RFRA), which established “strict scrutiny” of any law that substantially burdened a religious individual or institution. A church in Texas challenged a city historic preservation law under RFRA and in 1997 the case went all the way to the Supreme Court. The Court struck down the application of RFRA to state and local government, ruling it was an unconstitutional violation of the limits of federalism. So Congress tried again, and after unsuccessful bills in 1998 and 1999, RLUIPA became law in 2000.

### **III. RLUIPA prohibitions**

There is little guidance for compliance with RLUIPA, causing city officials, planners, and attorneys to puzzle over the language of this law. The following information from the U.S. Department of Justice provides examples of the kinds of zoning actions and ordinance language that might get a city into trouble with RLUIPA.

#### **A. Infringement of religious exercise**

RLUIPA bars zoning restrictions that impose a “substantial burden” on the religious exercise of a person or institution, unless the government can show that it has a “compelling interest” for imposing the restriction. In addition, the restriction imposed must be the least restrictive way for the city to further that interest.

Minor costs or inconveniences imposed on religious institutions are not enough to trigger RLUIPA’s protections. The burden must be “substantial.” Once the institution has shown a substantial burden on its religious exercise, the city must show that the reason for imposing a restriction is “compelling.” Because the religious organizations in the following examples have demonstrated a substantial burden on their religious exercise, and the justifications offered by the cities in these cases are not compelling, the cities would likely be in violation of RLUIPA.

Example: A church has applied for a variance to build a modest addition to its building for Sunday school classes. The church demonstrated that the addition is critical to carrying out its religious mission, that there is adequate space on the lot, and that there would be a negligible impact on traffic and congestion in the area. The city denied the variance.

Example: A Jewish congregation has been meeting in various rented spaces that have proven inadequate for the religious needs of its growing membership. The congregation purchased land and seeks to build a synagogue. The city denied the permit, and the only reason given is “we have enough houses of worship in this city already, and we want more businesses.”

**RELEVANT LINKS:**

[42 U.S. C. § 2000cc\(b\)\(1\).](#)

**B. Comparability to secular institutions**

Under RLUIPA, religious assemblies and institutions must be treated at least as well as non-religious assemblies and institutions. This is known as the “equal terms” provision of RLUIPA. On its face, the ordinance below favors nonreligious places of assembly over religious assemblies, so the following example would be a violation.

Example: A mosque leases space in a storefront, but zoning officials deny an occupancy permit since houses of worship are forbidden in that zone. However, fraternal organizations, meeting halls, and places of assembly are all permitted in the same zone.

[42 U.S.C. § 2000cc\(b\)\(2\).](#)

**C. Discrimination among religions**

RLUIPA bars discrimination “against any assembly or institution on the basis of religion or religious denomination.” If it were proven that the permit was denied because the applicants are Hindu, the example below would constitute a violation.

Example: A Hindu congregation is denied a building permit despite meeting all of the zoning code requirements for height, setback, and parking. The zoning administrator is overheard making a disparaging remark about Hindus.

[42 U.S.C. § 2000cc\(b\)\(3\)\(A\).](#)

**D. Exclusion of religious assemblies**

RLUIPA provides: “No government shall impose or implement a land use regulation that totally excludes religious assemblies from a jurisdiction.” Exclusions like the example below are explicitly forbidden.

Example: A city, seeking to preserve tax revenues, enacts a law that no new churches or other houses of worship will be permitted.

[42 U.S.C. § 2000cc\(b\)\(3\)\(B\).](#)

**E. Unreasonable limits on houses of worship**

Under RLUIPA: “No government shall impose or implement a land use regulation that unreasonably limits religious assemblies, institutions, or structures within a jurisdiction.” The zoning scheme described below, if proven to be an unreasonable limitation on houses of worship, would constitute a violation.

Example: A city has no zones that permit houses of worship. The only way a church may be built is by having an individual parcel rezoned, a process which in that city takes several years and is extremely expensive.

**RELEVANT LINKS:**

## **IV. Impact on zoning**

It is important to recognize that RLUIPA does not shield religious institutions from all land use regulation. A zoning ordinance can be enforced as long as it does not discriminate against or exclude religious uses, does not treat religious uses less favorably than comparable nonreligious uses, and does not impose a substantial burden.

Religious land uses include places of assembly for worship such as churches, synagogues, mosques, and temples. But, RLUIPA can also encompass any number of associated religious activities, such as shelters, schools, soup kitchens, and community centers.

Historically, most zoning ordinances have treated religious institutions like any other building. They usually are subject to setbacks, height limits, and lot size requirements. Often the impacts are limited to traffic and parking concerns that occur at the time of regular worship services. However, some ordinances specify zoning districts in which religious buildings are or are not allowed, and require that performance standards be met as to parking and site plan. Like any zoning regulation, the purpose is generally to mitigate the impact of the land use on its neighbors.

Another traditional way of handling zoning ordinances is to treat churches and other places of worship as uses associated primarily with residential districts. Neighborhood churches were viewed as a classic residential use, often located on corner lots near larger streets. But the model has changed over time with new forms emerging. Large mega-churches draw thousands of worshippers to shopping-center sized facilities. Conversely, smaller storefront churches provide youth drop-in centers and religious outreach efforts. Many zoning ordinances have not yet addressed the variety of forms religious institutions can take.

## **V. Review and plan**

Cities that have not reviewed their zoning ordinances for consistency with RLUIPA might start by taking a look at how religious land uses are currently regulated:

- Does the zoning ordinance call them out as specific land uses?
- If so, does the ordinance impose unique requirements or limit their location to certain districts?
- How are religious land uses defined? If the ordinance uses the term “churches” the city should consider changing to a broader definition, as the term church can be viewed as discriminating among religions.

RELEVANT LINKS:

Some ordinances now employ a broad definition of “places of assembly” that include both religious and non-religious uses. This approach may go a long way toward protecting the city from an equal terms challenge under RLUIPA.

Cities should also consider whether the ordinance requires religious uses to undergo any particular approval process. If the ordinance leaves the city with significant discretion over the approval and conditions that may be attached, a city is more likely to face a substantial burden challenge under RLUIPA.

Some ordinances regulate places of religious assembly as a conditional use. While a conditional use may be appropriate and may survive a challenge if applied fairly and judiciously, cities should be wary of this practice. Concerns a city may wish to address through a zoning approval process do not always pertain to all places of assembly but rather are focused on assemblies of a particular size. Consider classifying assemblies based on scale and impact, and have sliding zoning standards that apply accordingly. A small place of assembly may be permitted outright, yet a larger one would be subject to specified performance standards.

While the meaning and impact of RLUIPA continues to be sorted out, cities should remain aware of the possibility that their zoning practices may be alleged to violate RLUIPA. Review of RLUIPA underscores the importance of careful planning, as well as ordinance drafting and administration, whenever a city receives a land use application for a religious use. Cities should work closely with their planners and attorneys to navigate this complex area of land use law.

## VI. Further assistance

For questions on the Religious Land Use and Institutionalized Persons Act and other land use situations, contact the League’s Loss Control Land Use Attorney. You can learn more about land use issues in the land use section of the League’s website.

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[League of Minnesota Cities](http://League of Minnesota Cities).



**WAYZATA PLANNING COMMISSION**

**APRIL 4, 2016**

**REPORT AND RECOMMENDATION ON APPLICATION FOR APPROVAL OF  
PROJECT DESIGN, PUD AMENDMENT, PRELIMINARY PLAT, ZONING AMENDMENT,  
COMPREHENSIVE PLAN AMENDMENT AND VARIANCES  
FOR 2030 WAYZATA BLVD E**

**DRAFT**

**SUMMARY OF RECOMMENDATIONS**

- Approval\* of Design except for Requested Deviations for Primary Exterior Building Material and Roof Color
- Approval\* of PUD Amendment
- Denial of Preliminary Plat Creating New Substandard Residential Lot
- Denial of Zoning to R-1/Low Density Single Family Residential District
- Denial of Comprehensive Plan Amendment to Guide to One Acre Single Family
- Denial of Variances for Lot Depth and Minimum Lot Size

*\* subject to certain conditions noted in Section 4 of this Report*

**REPORT**

**Section 1. BACKGROUND**

1.1 Summary. Locus Architects and property owner Unitarian Universalist Church of Minnetonka (UUCM) (the “Applicant”) has submitted an application (the “Application”) for the construction of a new 11,000 sq. ft. church building and associated parking at 2030 Wayzata Blvd E and adjacent property (the “Project”). The Application includes a request to combine the 2030 Wayzata Blvd E property (Parcel A) with the parcel to the east (Parcel B), and subdivide a portion of that east parcel into a single-family residential property.

1.2 Land Use Requests. As part of the Application, the Applicant is requesting approval of the following items:

- A. Design: Construction of a new building requires review under and compliance with the Design Standards in City Code Section 801.09. The Applicant is requesting approval of several deviations from the Design Standards that pertain to (i) primary exterior building materials; and (ii) roof color (the “Deviations”).
- B. PUD Amendment: The proposed PUD site plan varies from the plan that was approved by the City Council as part of a 2012 PUD approval, and an amendment is required under City Code Section 801.33.
- C. Preliminary Plat: The Applicant is requesting approval of a preliminary plat that reflects a combination Parcel A and Parcel B, and subdivision of the easterly portion of Parcel B into a separate lot for use as a single-family home.
- D. Zoning of Parcel B: Parcel B does not currently have a zoning designation under the Official Zoning Map of the City. The Applicant is requesting a zoning of the westerly portion of Parcel B to PUD/Planned Unit Development and R-1/Low Density Single Family Residential District for the easterly portion of Parcel B.
- E. Comprehensive Plan Land Use Designation for Parcel B: Parcel B does not currently have a land use designation in the City’s Comprehensive Plan Land Use Map. The Applicant is requesting an amendment to the Comprehensive Plan to designate the westerly part of Parcel B as Institutional/Public, and the easterly part of Parcel B as One Acre Single Family in the Comp Plan’s Land Use Map.
- F. Variances for R-1 Lot: The R-1 zoning district requires a minimum lot area of 40,000 square feet, and a minimum lot depth of 150 feet. The proposed R-1 residential lot would have a lot area of 30,603 square feet and a lot depth of 124 feet. Thus, the proposed lot would require variances from the minimum lot area and minimum lot depth requirements.

1.3 Property Description. The address, property identification numbers and owner of the property involved in the Project ( the “Property”) are:

Parcel	Address	PID	Property Owner
A	2030 Wayzata Blvd E	05-117-22-41-0012	Unitarian Universalist Church of Minnetonka
B	No assigned address	No assigned PID	Unitarian Universalist Church of Minnetonka

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1.4 Land Use. The land use designations for the Property are:

Parcel	Current zoning	Comp Plan Land Use Designation
A	Planned Unit Development (PUD)	Institutional/Public
B	No zoning designation	No land use designation

1.5 Settlement Agreement. Land uses on the Property are subject to a Settlement Agreement between the City and the UUCM that outlines a three phase review process for the Project:

1. Comprehensive Plan Amendment, Rezoning, PUD and Site Plan Review: The first phase, which was completed in 2012, was the review and approval via Ordinance No. 734 and City Council Resolution No. 62-2012 of (1) an amendment to the Comprehensive Plan land use designation for the 2030 Wayzata Blvd E property from One Acre Single Family to Institutional/Public, (2) Rezoning that property from R-1 to PUD/Planned Unit Development, (3) Concept Plan and General Plan Stage PUD approval, and (4) Site Plan Review.
2. Design Review and Subdivision: The second and current phase is for (1) Design Review of the plans for the new church building, and (2) Subdivision/Plat review and approval to combine the 2030 Wayzata Blvd E property with the adjacent parcel(s).
3. Final State PUD: The third and final phase is for Final Plan Stage PUD, which is to be reviewed by City staff prior to the start of construction to ensure that the building permit plans conform to the PUD Concept and General Plan approved by the City Council.

1.6 Notice. Notice of a public hearing on the Application at the March 21, 2016 Planning Commission Meeting was published in the *Wayzata Sun Sailor* on March 10, 2016. A copy of the notice was mailed to all property owners located within 350 feet of the Property on March 10, 2016.

**Section 2. STANDARDS**

2.1 Design Standards (Section 801.09). All new nonresidential building construction in the City must comply with the Design Standards found in Section 9 of the Zoning Ordinance. The relevant design standards applicable to the Project are included in the attached Design Critique (Attachment A). Deviations from the Design Standards may be permitted under Sec. 801.09.21 (with the exception of Section 7 of the Design Standards) if City Council (after considering the Planning

Commission's recommendation) makes a finding that the negative impact of such deviation is outweighed by one or more of the following factors:

1. The extent to which the project advances specific policies and provisions of the City's Comprehensive Plan.
2. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards.
3. The positive effect of the project on the area in which the project is proposed.
4. The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.
5. The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.
6. A national, state or local historic designation.
7. The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.

## 2.2 PUD Amendment (Section 801.33).

- A. Process. Any deviation or modification from the terms or conditions of an approved PUD or any alteration in a project for which a PUD has been approved shall require an amendment of the original PUD. The same application and hearing procedure for an amendment of a PUD shall be followed as was followed with respect to the applicant's Concept Plan.
- B. General Standards. Section 801.33.2.A of the Zoning Ordinance sets forth the general standards for review of a PUD application. These are:
  1. Health Safety and Welfare; Intent and Purpose of PUDs. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does

conform with the overall intent and purpose of Section 33 of the PUD Ordinance, it may approve the PUD, although it shall not be required to do so.

2. Ownership. Applicant/s must own all of the property to be included in the PUD.
3. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.
4. Sanitary Sewer Plan Consistency. The PUD project must be consistent with the City's Sanitary Sewer Plan.
5. Common Open Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
6. Operating and Maintenance Requirements. Whenever common private or public open space or service facilities are provided within a PUD, the PUD plan must contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD must be placed under the ownership of one of the following, as approved by the City Council: (i) dedicated to the public, where a community-wide use is anticipated, (ii) Landlord control, where only tenant use is anticipated, or (iii) Property Owners Association, provided the conditions of 801.33.2.A.6.c are met.
7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.

10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 801.33.2.A.10.
11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
12. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
13. Setbacks. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall be the same as imposed in the underlying districts, if a PUD conditional use permit, or the previous zoning district, if a PUD District. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street pattern. No building within the PUD project shall be nearer to another building than one-half (1/2) the sum of the building heights of the two (2) buildings. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the allowable setbacks shall be as negotiated and agreed upon between the applicant and the City.
14. Height. The maximum building height to be considered within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser. There shall be no deviation from the height standards applied within the applicable zoning districts for PUD conditional use permits. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the maximum allowable height and number of floors shall be as negotiated and agreed upon between the applicant and the City.

2.3 Preliminary Plat (Section 805.14.E). Review and approval of lot combinations and subdivisions of property are governed by the City's Subdivision Ordinance, Ch. 805 of City Code. In reviewing such requests, the Planning Commission shall consider possible adverse effects of the preliminary plat reflecting the lot combination or subdivision. Its judgment shall be based upon, but not limited to, the following factors:

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

2. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filing or grading.
4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
6. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
10. The proposed lot layout and building pads shall conform with all performance standards contained herein.
11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

All proposed subdivisions must conform with the Design Standards of the Subdivision Ordinance, including the lot area and sizes established by the City

Zoning Ordinance. Sec. 805.23-28. The R-1 zoning district requires a minimum lot area of 40,000 square feet, and a minimum lot depth of 150 feet.

2.4 Zoning Ordinance Amendment (Section 801.03.2.F). In considering a proposed amendment to the Zoning Ordinance, the Planning Commission and City Council shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:

- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
- B. The proposed use's conformity with present and future land uses of the area.
- C. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
- D. The proposed use's effect on the area in which it is proposed.
- E. The proposed use's impact upon property value in the area in which it is proposed.
- F. Traffic generation by the proposed use in relation to capabilities of streets serving the property.
- G. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

2.5 Comprehensive Plan Amendment (Minn. Stat. Sec. 462.355, subd. 2 and 3). The City's Planning Commission may recommend to the City Council an amendment to the City's comprehensive plan, or City Council may propose amendments to Planning Commission by resolution submitted to the Planning Commission. Before adopting an amendment to the Plan, the Planning Commission must hold at least one public hearing on the proposed amendment. Except for amendments to permit affordable housing development, a resolution to amend a comprehensive plan must be approved by a two-thirds vote of all of the members.

- A. Institutional Facilities – 2030 Comprehensive Plan Policies. The City of Wayzata has a number of schools, churches and other institutional uses in areas throughout the community. These institutions are viewed as a positive aspect of the community that serves the good of its residents. Many of these institutional uses are located in or adjacent to established residential neighborhoods. Institutional facilities create impacts and add activity to an area resulting in parking or increased traffic that is not characteristic of residential neighborhoods. Wayzata needs to plan for facility expansion and potential redevelopment of institutional property to ensure proper preservation of land use compatibility, including:

- Accomplish transitions between differing types of land uses in an orderly fashion to minimize negative impacts on adjoining development.
- Establish sufficient setback requirements for new or expanding institutional development to assure adequate separation of differing land uses.
- Develop all institutional uses according to high levels of design, which are sensitive to the mass and scale of the existing surrounding neighborhood.
- Adequately screen, landscape and buffer institutional facilities to minimize the impact on surrounding uses and enhance the neighborhood and community in which they are located.

2.6 Zoning Ordinance Variance (Section 801.05.1.C). The criteria for granting a variance from these standards are as follows:

- A. Variances shall only be permitted when they are:
  - (i) in harmony with the general purposes and intent of the Zoning Ordinance; and
  - (ii) 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.
- 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 the Zoning 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.
- 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.
- E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with the Zoning Ordinance.
- F. The City Council shall not permit as a variance any use that is not allowed under the Zoning 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.

- 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.
- 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.

### Section 3. FINDINGS

Based on the Application materials, staff reports, Design Critique, public comment presented at the Planning Commission meetings, the Settlement Agreement and Wayzata's Comp Plan, Subdivision Ordinance and Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact with respect to requests made in the Application:

3.1 Project Design. The Project meets the Design Standards of City Code Section 801.09 with the exception of the Deviations requested in the Application and identified in the Design Critique.

- A. Exterior Building Materials Deviation. With respect to the Deviation for exterior building materials, the Applicant has stated that the negative impact of such deviation is outweighed by the alleviation of an undue burden of materials' cost and being required to use materials that will not adequately reduce the noise in the interior of the building from the nearby highway traffic.

The Commission finds that the negative impact of the proposed exterior appearance of metal siding is not outweighed by any additional and quantified financial costs associated with using the exterior materials required by the Design Standards, or in addressing any noise issues by use of other design solutions.

- B. Roof Color Deviation. With respect to the Deviation to finish the roof in white, rather than a dark color, the Applicant has stated there are positive environmental reasons related to reducing cooling demands on the building's air conditioning systems.

The Commission finds that the negative impact of the proposed white roof is not outweighed by any factor that may appropriately be considered under Sec. 801.09.21 of the Design Standards for a deviation. Implementing environmentally positive design is not a factor listed in this section of the Design Standards. Further, the Commission lacks information in the record

to consider whether the negative visual impact of a white roof visible from nearby properties would be outweighed by any other factors listed in Sec. 801.09.21.

- 3.2 PUD Amendment. The PUD Amendment requested in the Application meets the applicable standards set forth above in this Report. The only changes to the previously approved PUD that are being requested involve changes to the footprint of the building and parking lots, and associated grading and tree removal.
- A. Health Safety and Welfare; Intent and Purpose of PUDs. The PUD Amendment (resulting in the “Amended PUD”) will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and generally conforms with the overall intent and purpose of a PUD as outlined in Section 33 of the Zoning Ordinance and the terms of the Settlement Agreement. The Planning Commission is generally supportive of the change in building and parking lot footprints, as depicted in the Application materials, in that they reduce the footprint of the building and parking lot areas and lessen some of the impact to the trees and natural features of the Property. The Planning Commission has concerns with the impacts of lighting for the signage and parking lot areas, and would encourage well-designed landscaping and grading on the west, east and south side of the Property to minimize the impacts on adjacent properties and the neighborhood.
- B. General Standards. The Amended PUD, as presented, satisfies all of the fourteen (14) general standards listed in Section 801.233.2.A and in Section 2.2 of this Report.
1. Application Complete. The Application contains all of the information and materials required by or requested pursuant to Section 801.33.5.C.
  2. Ownership. All of the property to be included in the Amended PUD is owned by the Applicant.
  3. Comprehensive Plan. The proposed Amended PUD conforms with the applicable guidance of, and is consistent with the goals of the Comprehensive Plan, as amended under the Application.
  4. Common Space. The Amended PUD would provide sufficient common private or public open space and facilities.
  5. Landscaping. If approved, landscaping in the Amended PUD would be according to a detailed plan approved by the City Council.

6. Health, Safety, and Welfare. Provided the recommended conditions of approval are considered and met, the Amended PUD would not have a negative effect on the welfare of residents of the community and the surrounding area.
- 3.3 Preliminary Plat. The Planning Commission finds that the Preliminary Plat does not meet the standards of the Subdivision Ordinance in that it would create a substandard lot that does not meet the standards of the proposed R-1 Residential Zoning District. The R-1 Zoning District requires a minimum lot area of 40,000 square feet, and a minimum lot depth of 150 feet. The R-1 residential lot proposed in the Application and reflected in the Preliminary Plat would have a lot area of 30,603 square feet and a lot depth of 124 feet.
- 3.4 Zoning Ordinance Amendment. The Planning Commission finds that the Zoning Ordinance Amendment (“Proposed Amendment”) requested for the westerly portion of Parcel B to PUD/Planned Unit Development meets the standards of the Zoning Ordinance, but that the requested zoning of R-1/Low Density Single Family Residential District for the easterly portion of Parcel B does not meet such standards.

With respect to the westerly portion of Parcel B:

1. The Proposed Amendment would not allow a use that would contravene any specific policies and provisions of the official City Comprehensive Plan as amended pursuant to the Application.
2. The Proposed Amendment would only allow uses that conform to present land use designations for the PUD.
3. The Proposed Amendment would not allow uses that do not conform with the performance standards contained in the Zoning Ordinance (parking, loading, noise, etc.) for the PUD.
4. The Proposed Amendment would not allow uses that would have a negative impact on the areas in which they are proposed, as such uses are regulated as a PUD.
5. The Proposed Amendment will not negatively impact upon property values in the City.
6. The Proposed Amendment will not allow any use that would have a negative impact traffic generation in the City.
7. The Proposed Amendment will not allow a use that would negatively impact existing public services and facilities.

With respect to the easterly portion of Parcel B:

1. The Proposed Amendment would allow a use that would contravene the policies and provisions of the official City Comprehensive Plan, unless amended pursuant to this Application.
2. The Proposed Amendment would allow uses that do not conform to present land use designations.
3. The Proposed Amendment would allow uses that do not conform with the performance standards contained in the Zoning Ordinance.

3.5 Comprehensive Plan Amendment. The Planning Commission finds that all of Parcel B should be guided to Institutional/Public to be consistent with the Comp Plan designation for adjacent Parcel A and the terms of the Settlement Agreement. The Commission believes this land use designation will also best accomplish the goals of the Comp Plan with respect to Institutional Facilities located adjacent to established residential neighborhoods, and provide an orderly transition between the differing types of land uses that will minimize the impact and enhance the surrounding neighborhood.

3.6 Lot Area and Depth Variances.

- A. The Variances requested in the Application are not consistent with the Comprehensive Plan.
- B. The Applicant has not established that there are practical difficulties in complying with the standards set forth in the Zoning Ordinance.
- C. The Variances would allow a use that is presently not allowed under the Zoning Ordinance.

#### **Section 4. RECOMMENDATION**

Based on the Findings of this Report, the Planning Commission makes the following recommendations:

- 4.1 Design Review. The design of the Project, as depicted in the Application and detailed in the Design Critique, be approved with the exception of the requested Deviations, which should be denied.
- 4.2 PUD Amendment. The PUD Amendment, as depicted in the Application, be approved, subject to the following conditions:

- A. The Project must be constructed in compliance with the Architectural Plans dated March 31, 2016 and Civil Engineering Plans dated March 30, 2016, included the Application.
  - B. The one-way drive lanes in front of the building must a minimum of 18 feet in width.
  - C. All exterior lighting, including parking lot lighting and artificially illuminated signs, must be turned off when the site and building are not in use or by 10:00 p.m., whichever occurs later.
  - D. The wetland delineation report completed in 2015 for the Property must be reviewed and confirmed by the City Engineer with applicable regulations prior to issuance of a building permit for construction of the Project. The parking lot and all site improvements must meet the setback requirements from the wetland boundary, as confirmed by the City Engineer.
- 4.3 Preliminary Plat. The Preliminary Plat depicted in the Application be denied.
- 4.4 Zoning to R-1/Low Density Single Family Residential District. The R-1/Low Density Single Family Residential zoning requested in the Application for the easterly portion of Parcel B be denied.
- 4.5 Comp Plan Amendment to One Acre Single Family Residential. The Comprehensive Plan Amendment to guide the easterly portion of Parcel B to One Acre Single Family Residential be denied.
- 4.6 Variances. The Variances requested in the Application for Lot Depth and Minimum Lot Size for the proposed new lot comprising the easterly portion of Parcel B be denied.

The Planning Commission further recommends that the Applicant address and meet all conditions of approval listed in City Council Resolution No. 62-2012.

Adopted by the Wayzata Planning Commission this \_\_\_\_ day of April, 2016.

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Chair, Planning Commission

Attachment A

(Design Critique)

# Attachment G

**2030 Wayzata Blvd E. – UUCM  
Design Critique (Revised Based on 3/31/2016 Submittals)  
April 1, 2016**

	<b>Comments</b>	<b>Compliance</b>
<b>Building Recesses</b>		
<u>801.09.3.1.A – All Districts</u> 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 building utilizes recesses and changes in materials to break up the façade.	Yes
<u>801.09.3.1.B</u> 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 outdoor patios on the back of the building	Yes
<b>Building Width</b>		
<u>801.09.4.1 All Districts – New Buildings</u> 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 special treatment at the entrances, variations in roof lines, and building setbacks along the front of the building.	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 proposed building is one story in height.</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>This section is not applicable as the proposed building is one story in height.</p>	<p>Not Applicable</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 30 ft to the top of the highest part of the roof. The building is setback more than 70 feet from the street, and more than 100 feet from all surrounding properties. The height would not impact winter sun orientation, solar access or views of Lake Minnetonka.</p>	<p>Yes</p>

<b>Roof Design</b>		
<p><u>801.09.6.1 – All Districts</u>                      “Green” roofs, roof garden terraces, arbors and other similar structures are encouraged on roofs of building.</p>	<p>The project does not include a green roof structure.</p>	<p>Not Applicable</p>
<p><u>801.09.6.2.A – All Districts – Roof Materials</u>                      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.</p> <p><u>801.09.6.2.B – All Districts – Roof Materials</u>                      The roof material for all flat roofs in all districts shall be treated synthetic membrane or other similar material in dark colors.</p>	<p>The proposed building has a flat roof and the applicant is requesting a deviation to allow for a light colored membrane.</p>	<p>No. The applicant is requesting a deviation from this standard.</p>
<b>Screening of Rooftop Equipment</b>		
<p><u>801.09.7.2 – Wayzata Blvd District</u>                      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.</p>	<p>The roof includes a five foot tall perforated metal screen to screen any roof-top mounted equipment.</p>	<p>Yes</p>

	Comments	Compliance
<b>Facade Transparency</b>		
Ground Level Expression		
801.09.9.1 – All Districts		
<p>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:</p> <ol style="list-style-type: none"> <li>1. An intermediate cornice line</li> <li>2. A difference in building materials or detailing</li> <li>3. An offset in the façade</li> <li>4. An awning, trellis, or loggia</li> <li>5. Arcade</li> <li>6. Special window lintels</li> <li>7. Brick/stone corbels</li> </ol>	<p>This section is not applicable as the proposed building is one story in height.</p>	<p>Not Applicable</p>
<b>Entries</b>		
<p>801.09.10.1 – All Districts</p> <p>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.</p>	<p>The proposed building plan includes six planter boxes along the front of the building adjacent to the front entrance.</p>	<p>Yes</p>

<p><u>801.09.11.1.A – Primary Opaque Surfaces – All Districts</u>        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> </ol>	<p>The non-glass surfaces of the building are primarily comprised of pre-finished metal panel. The proposed plans also include a concrete base along the lower level exterior elevation.</p>	<p>No. The applicant is requesting a deviation from this standard.</p>
<p><u>801.09.11.1.B – Façade Coverage – All Districts</u>        The primary opaque surface materials of all free standing buildings must be the same on all facades of the building.</p>	<p>The proposed building elevations utilize the same building materials on all sides of the building.</p>	<p>Yes</p>
<p><u>801.09.11.1.C – Type of Brick – All Districts</u>        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.</p>	<p>The proposed exterior building elevations do not include any brick.</p>	<p>Not Applicable</p>
<p><u>801.09.11.1.D – Façade Detail – All Districts</u></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> </ol>	<p>The proposed exterior building elevations do not include any brick or stone.</p>	<p>Not Applicable</p>

<p><u>801.09.11.1.E – Brick Joints – All Districts</u>          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.           2. All brick walls must be built to avoid efflorescence</p>	<p>The proposed exterior building elevations do not include any brick.</p>	<p>Not Applicable</p>
<p><u>801.09.11.1.F – Stone Joints – All Districts</u>          Stone joints shall be no larger than one-fourth (1/4) inch.</p>	<p>The proposed exterior building elevations do not include any stone.</p>	<p>Not Applicable</p>

<p><u>801.09.11.1.G – Accent Materials – All Districts</u>                  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>The proposed accent materials would be wood and fiber cement.</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>As indicated above, the primary non-glass exterior building material is prefinished metal panels.</p>	<p>No. The applicant is requesting a deviation from this standard.</p>

<p><u>801.09.11.1.I – Awnings – All Districts</u>                  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>The proposed building plans do not include any awnings.</p>	<p>Not Applicable</p>
<p><u>801.09.11.1.J – Balconies – All Districts</u>                  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>The main level balcony on the back of the building would be usable, and would be include a railing.</p>	<p>Yes</p>
<p><u>801.09.11.1.K – Glass – All Districts</u>                  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>                  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 would 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>	<p>The proposed building would not be franchise architecture.</p>	<p>Not Applicable.</p>

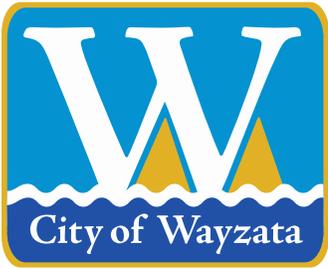
	Comments	Compliance
<b>Landscaping</b>		
<p><u>801.09.14.1 – All Districts</u></p> <p>A. Seasonal landscaping shall be used in all Design Districts, including use of window boxes, hanging flowers baskets, vines and/or other similar seasonal landscaping. If feasible, garden areas and ornamental trees shall be used at the street level.</p> <p>B. Window boxes, hanging baskets and planters with seasonally appropriate plantings shall be used around entries to buildings.</p> <p>C. Vines shall be used to cover walls with more than one hundred (100) square feet of uninterrupted surface area.</p> <p>D. Streetscaping shall include all of the following:</p> <ol style="list-style-type: none"> <li>1. Boulevard species trees, with at least three (3) caliper inches.</li> <li>2. Exposed aggregate sidewalks with brick accents</li> <li>3. Street lights</li> <li>4. Benches (if building length is 50 feet or greater), which utilize existing city bench designs.</li> <li>5. Flowers</li> </ol>	<p>The proposed plans provide a mixture of trees, shrubs and perennials on the site. The plans also include planters along the front of the building for seasonal plantings. A landscape plan is included with the submittal materials.</p> <p>The site currently has a public sidewalk along Wayzata Blvd, and this is not currently a boulevard area.</p>	<p>Yes</p>

	Comments	Compliance
<p><b>Parking Lot Landscaping</b></p>		
<p><u>801.09.15.1 – All Districts</u>                      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>	<p>The proposed landscape plan includes landscaping along the north edge of all parking lot areas to buffer and screen the parking lot from the public sidewalk.</p>	<p>Yes</p>
<p><b>Surface Parking</b></p>		
<p><u>801.09.16.1 – All Districts</u></p> <p>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.</p> <p>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.</p> <p>C. Side yard parking shall not extend beyond the front yard setback of the primary building on the property.</p> <p>D. Front yard parking is prohibited.</p> <p>E. There shall be no corner parking.</p>	<p>The parking lots are located on the side of the property. The drive-aisle along the front of the building would be used for pick-up and drop-off. The side parking lots do extend in beyond the front the building, but this was previously approved within the PUD site plan.</p>	<p>Yes</p>

	<b>Comments</b>	<b>Compliance</b>
<p><b>801.09.16.2 – All Districts – Bicycle Parking</b>                      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.</p>	<p>This section is not applicable to the proposed church.</p>	<p>Not Applicable</p>
<p><b>Parking Structures</b></p>		
<p><b>801.09.17.1 – All Districts</b>                      Parking structures shall meet the following standards, along with all other applicable building code standards:</p> <ul style="list-style-type: none"> <li>A. The ground floor façade abutting any public street or walkway shall be architecturally compatible with surrounding commercial or office buildings.</li> <li>B. The parking structure shall be designed in such a way that sloped floors do not dominate the appearance of the façade.</li> <li>C. Windows or openings shall be similar to those of surrounding buildings.</li> <li>D. Vines and other significant landscaping shall be used to minimize the visual impact of the parking structure.</li> </ul>	<p>This section is not applicable, as there is no parking ramp associated with the request.</p>	<p>Not Applicable</p>

	Comments	Compliance
<b>Signs</b>		
<p><u>801.09.18.1 – All Districts</u></p> <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>Wall Signs: A vertical sign identifying “UUCM” that is 60 square feet in size, and a logo sign that is 64 square feet.</p> <p>Monument Sign: One monument sign along Wayzata Blvd E that is 5 feet in height and contains 35 square feet of copy area.</p>	<p>Yes</p>

	Comments	Compliance
<p><b>Parking Lot and Building Lighting</b></p>		
<p><u>801.09.19.1 – All Districts</u></p> <p>A. Parking lot lighting shall be designed in such a way as to be in scale with its surroundings, and reduce glare.</p> <p>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.</p> <p>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.</p> <p>D. Light posts shall be of a dark color.</p> <p>E. Lighting fixtures shall be compatible with the architecture of the building.</p> <p>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.</p> <p>G. All lighting fixtures shall comply with City Code Section 801.16.6 as it relates to glare.</p>	<p>All parking lot lighting would be comprised of down-cast lighting fixtures. The proposed plans do not include any exterior building lighting.</p>	<p>Yes</p>



**City of Wayzata**  
600 Rice Street  
Wayzata, MN 55391-1734

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**Mayor:**  
Ken Willcox

**City Council:**  
Bridget Anderson  
Johanna McCarthy  
Andrew Mullin  
Steven Tyacke

**Interim City  
Manager:**  
Doug Reeder

Date: April 1, 2016

To: Planning Commission

From: Jeff Thomson, Director of Planning and Building

Subject: Meyer Place on Ferndale – 105 Lake Street East

Homestead Partners is proposing to redevelop the former Meyer Brothers Dairy building at 105 Lake Street East. The proposed building would be four stories in height, and would include 23 residential condominiums with 48 enclosed parking spaces.

Homestead Partners submitted the development application for the project. They have requested a workshop with the Planning Commission to review the proposed building design and receive any preliminary feedback that the Planning Commission has. Homestead Partners will be at the April 4<sup>th</sup> Planning Commission to provide an update to the Planning Commission.

Attached is a copy of the proposed building plans.

## **Meyer Place on Ferndale.**

Planning Commission and City Council:

Homestead Partners and the Meyer Family are cooperative applicants for the proposal of Meyer Place on Ferndale.

The site is approximately one acre located at the NE corner of Lake Street East and Ferndale Road South. The address is 105 Lake Street East, and once operated as Meyer Dairy.

The existing zoning is C-4A, Limited Central Business District, this application requests a rezoning to Planned Unit Development.

A previous proposal was presented to the Planning Commission and City Council that included 27 residential condominiums as a full four story building over structured parking.

After reviewing the comments from the Planning Commission, City Council and surrounding residents, our concept plan has been redesigned.

The revised proposal now includes 23 Condominiums, Office, and Meeting Rooms with 48 enclosed parking spaces as a three story building with a partial fourth level.

This revised concept has several notable differences and additions including:

**Site plan:** The building has shifted to the south away from the north property line. The 'L' shape redesign increases the distance from the existing residential neighbors, and allows for increased greenspace and landscaping. The redesign also improves the horizon view corridor for the existing townhomes to the north.

**Building:** The building foundation steps back along the intersection of Ferndale Road and Lake Street to allow for more pedestrian friendly streetscape. The building mass and façade steps back along the street and the upper levels. Exterior materials include brick, stone, and stucco with metal accents.

This redesign makes for a more visually attractive building, and provides a grand statement at the corner of Ferndale Road and Lake Street.

Green roof elements have been added to several locations on the building.

The roof top deck is now located on the third level roof instead of the fourth level roof.

Planters and lattices have been added for the opportunity to increase plantings at numerous locations on the building.

Trellises are placed in several locations to screen parking, and further our green features to the exterior.

Requests for consideration:

Rezoning: to a Planned Unit Development District.

Variance for building height: a portion of the building for a fourth level above 35'.

Variance for the elevator structure to 40'.

Shoreland Conditional Use Permit: Impervious surface coverage above 25%.

Thank you for your consideration and we look forward to presenting **Meyer Place on Ferndale**.



VIEW FROM LAKE ST. AND FERNDALE

3/24/16

JMS CUSTOM HOMES

MEYER PLACE ON FERNDALE

WHITTEN ASSOCIATES, INC.



VIEW FROM SOUTHEAST CORNER

3/24/16



VIEW FROM NORTHWEST CORNER

3/24/16



VIEW FROM NORTHEAST CORNER

3/24/16



AERIAL VIEW FROM THE SOUTH

3/24/16



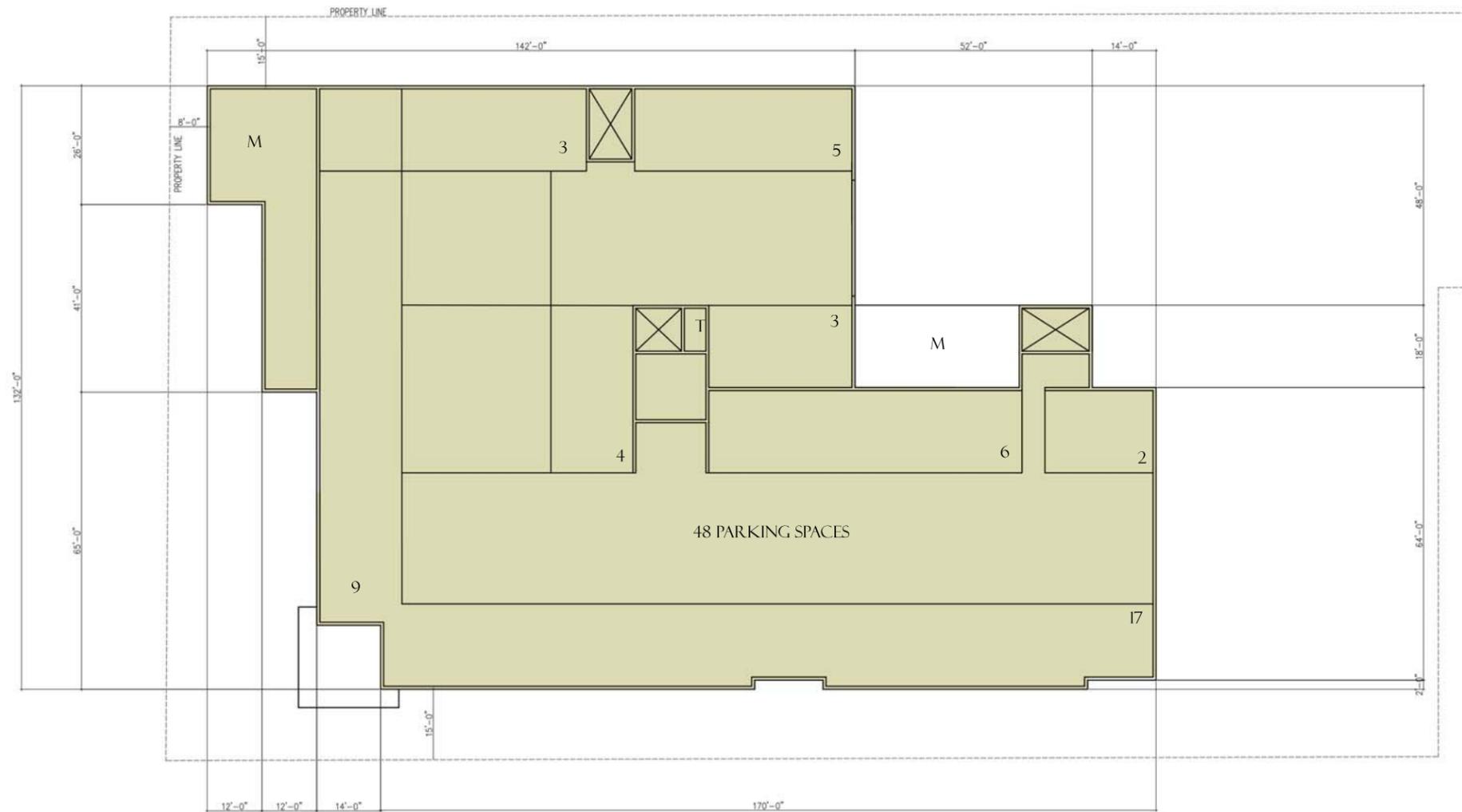
VIEW AT MAIN ENTRANCE

3/24/16



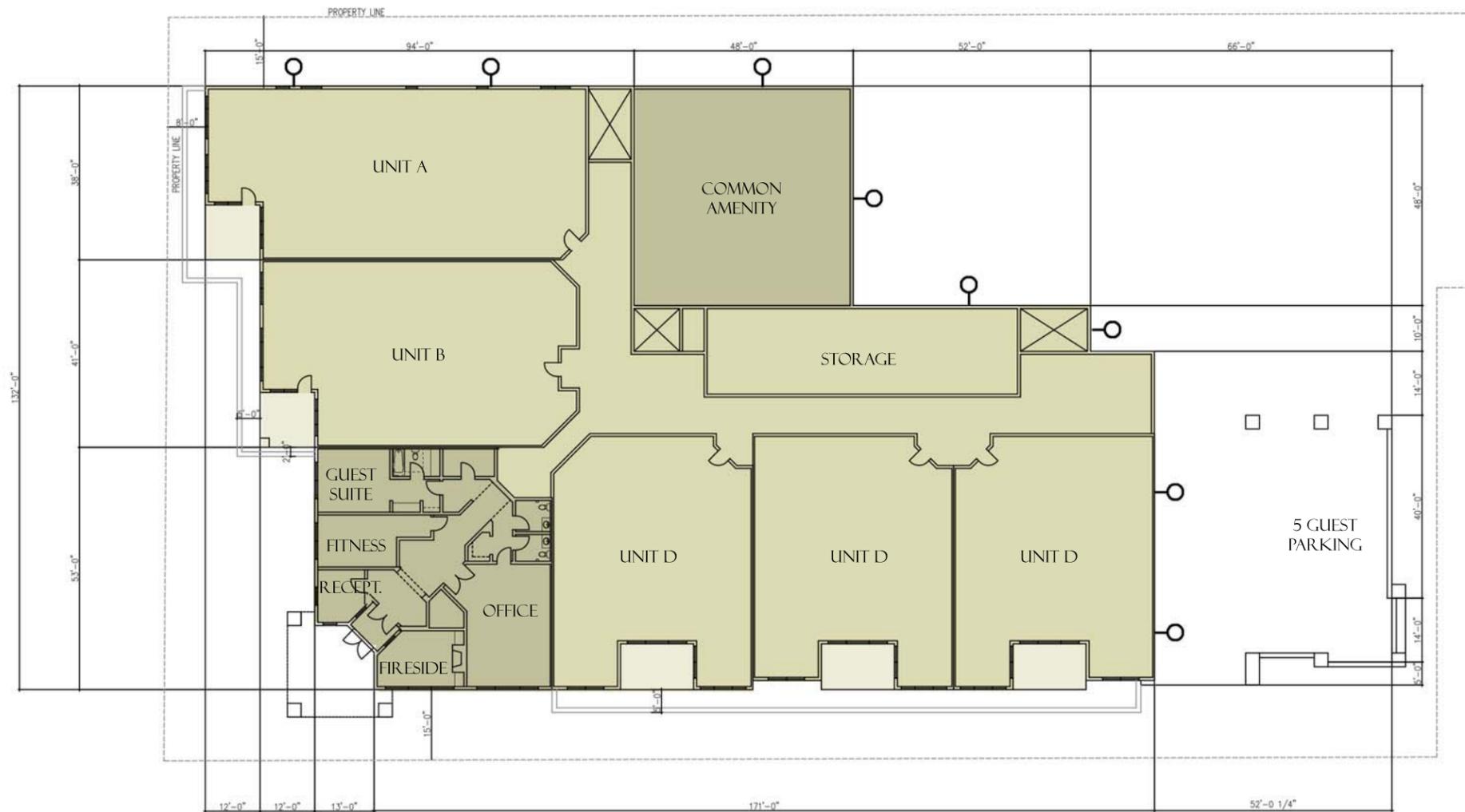
SITE PLAN  
1/64"=1'-0"

3/24/16



PARKING LEVEL FLOOR PLAN  
 1/32"=1'-0"

3/24/16

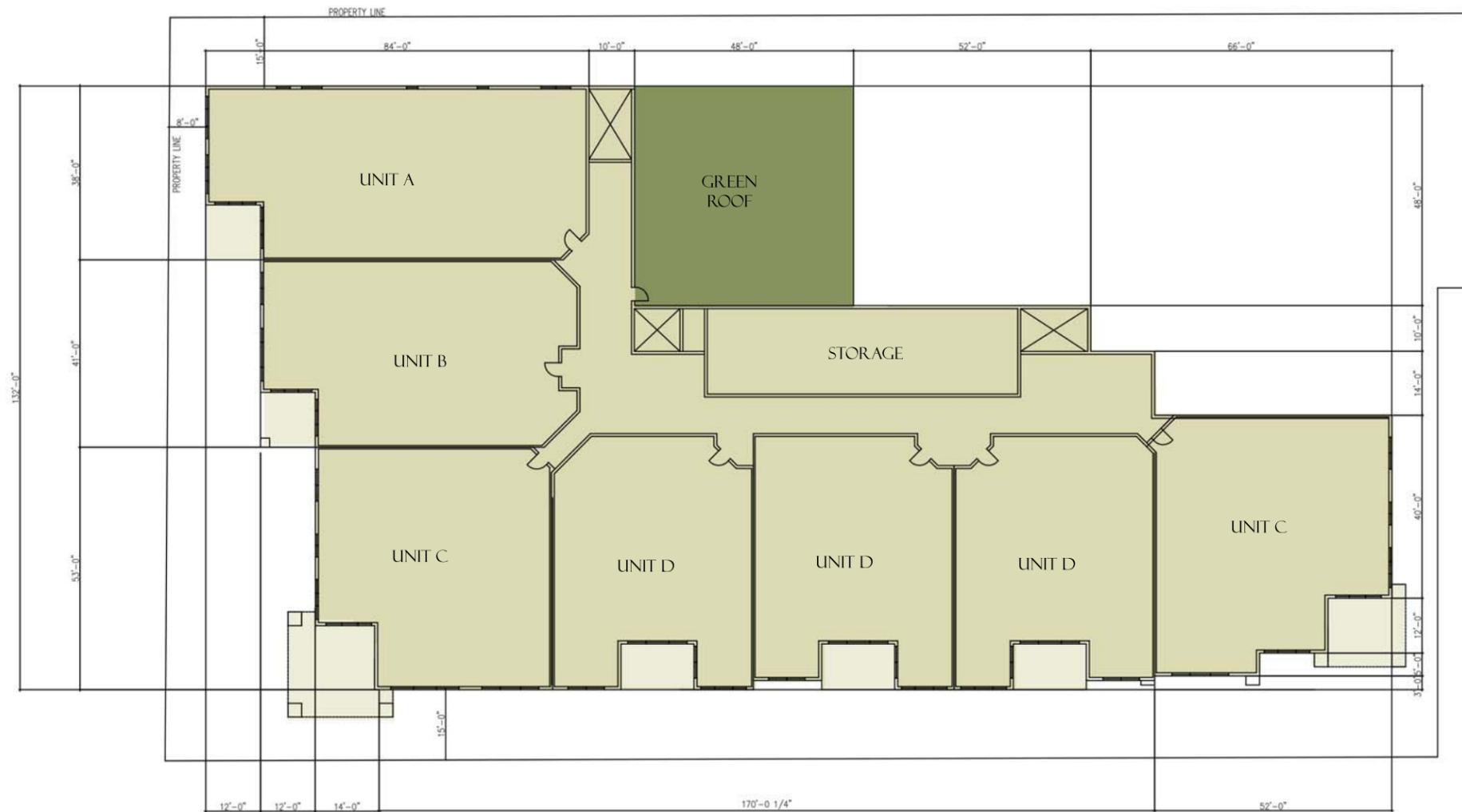


LIGHTING KEY



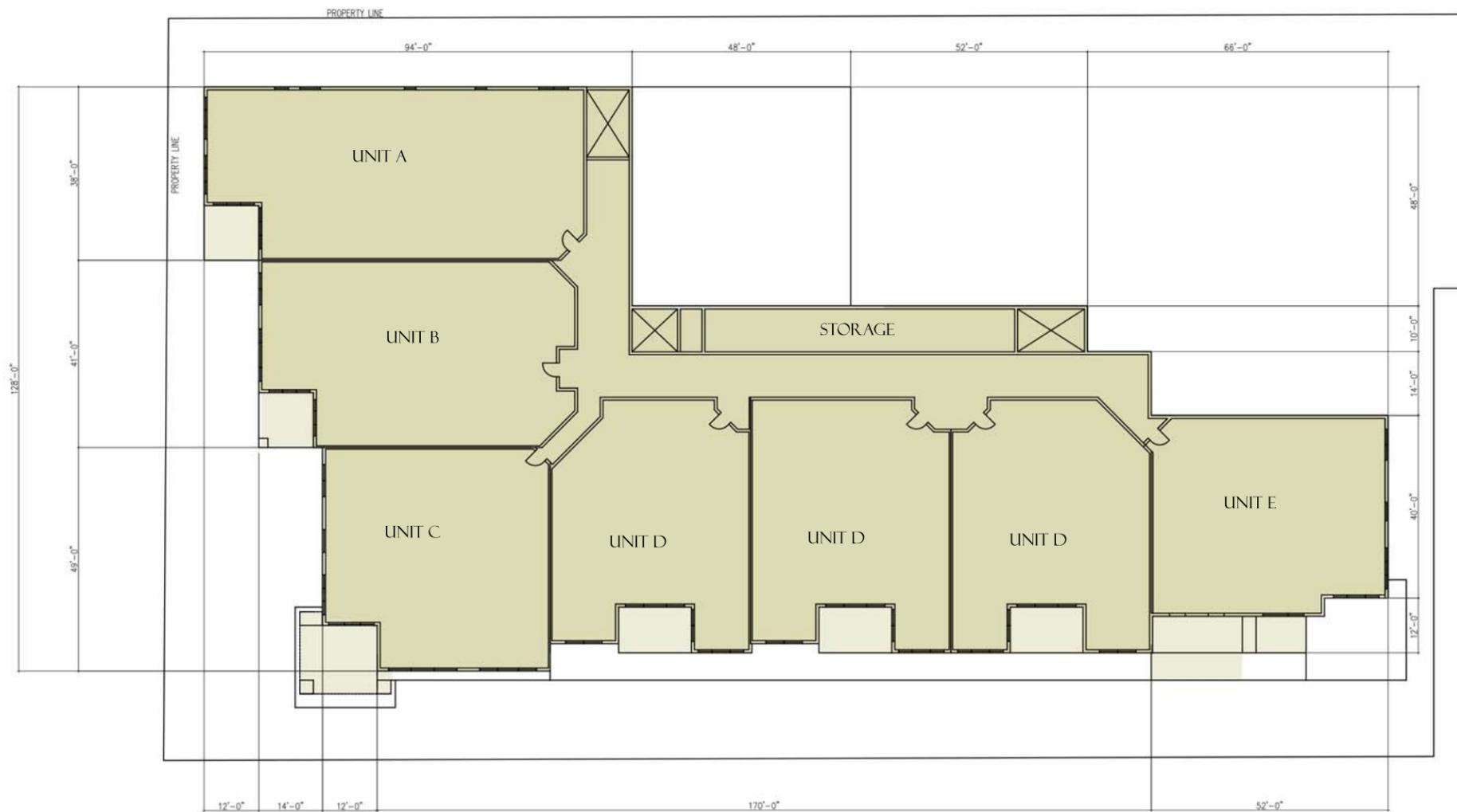
MAIN LEVEL FLOOR PLAN  
1/32"=1'-0"

3/24/16



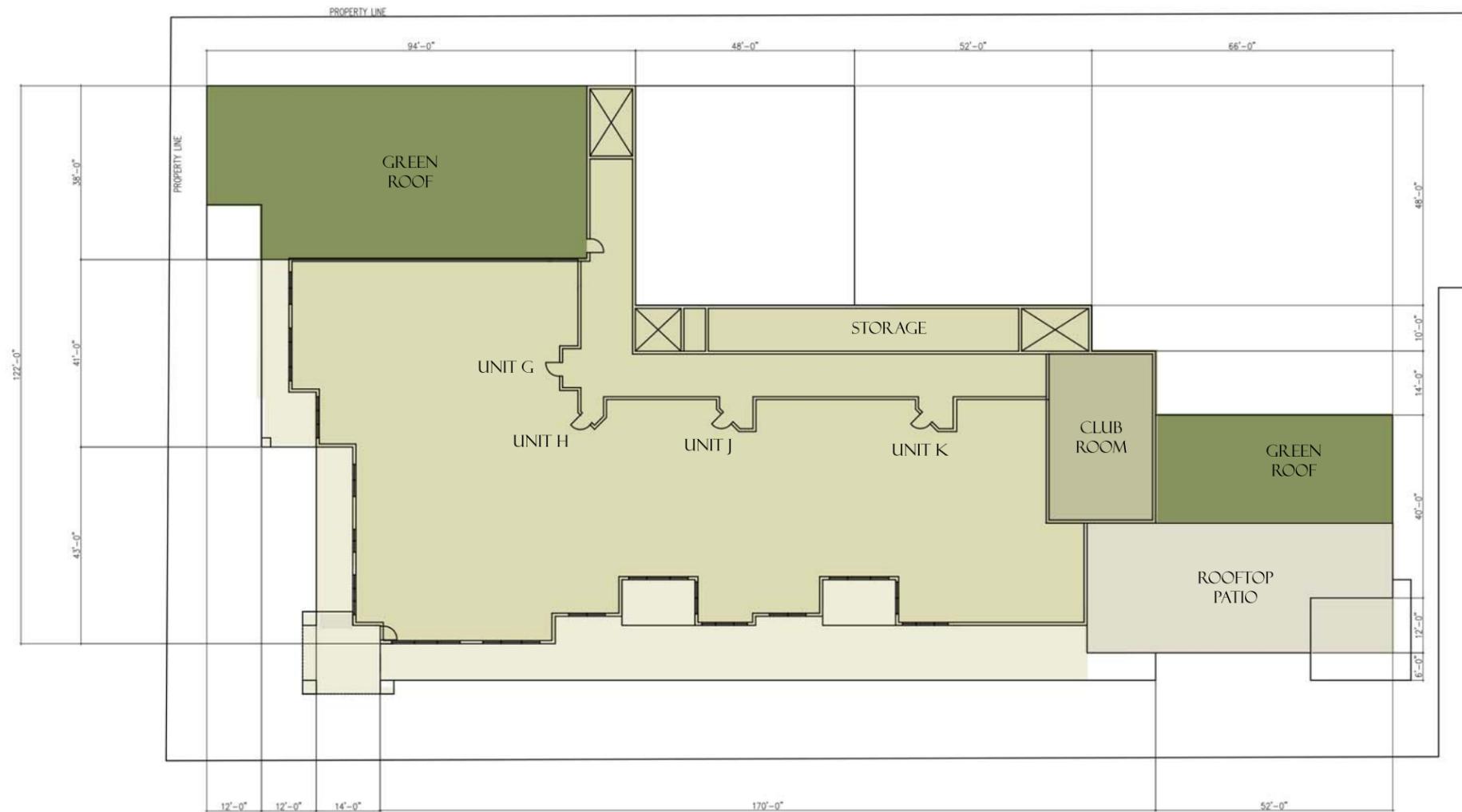
SECOND LEVEL FLOOR PLAN  
 1/32"=1'-0"

3/24/16



THIRD LEVEL FLOOR PLAN  
 1/32"=1'-0"

3/24/16



FOURTH LEVEL FLOOR PLAN  
 1/32"=1'-0"

3/24/16



MAIN LEVEL ELEVATION IS MIN. 50% TRANSPARENT GLASS  
MIN. 90% OF ALL EXTERIOR ELEVATIONS TO BE BRICK, STONE & STUCCO

## SOUTH ELEVATION

3/24/16



MAIN LEVEL ELEVATION IS A MIN. 25% TRANSPARENT GLASS  
MIN. 90% OF ALL EXTERIOR ELEVATIONS TO BE BRICK, STONE & STUCCO

## WEST ELEVATION

3/24/16



MAIN LEVEL ELEVATION IS MIN. 25% TRANSPARENT GLASS  
MIN. 90% OF ALL EXTERIOR ELEVATIONS TO BE BRICK, STONE & STUCCO

3/24/16

ELEV. PENTHOUSE 999.8

4TH LEVEL ROOF 995.2

4TH LEVEL 984.5

3RD LEVEL 973.8

2ND LEVEL 963.2

MAIN LEVEL 952.5

AVG. GRADE 948.4

PARKING LEVEL 942.2



MAIN LEVEL ELEVATION IS MIN. 25% TRANSPARENT GLASS  
MIN. 90% OF ALL EXTERIOR ELEVATIONS TO BE BRICK, STONE & STUCCO

## EAST ELEVATION

3/24/16