

Wayzata Planning Commission

Meeting Agenda

Monday, July 18, 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 June 20, 2016 Planning Commission Minutes
 - 4. Public Hearing Items:**
 - a. Frenchwood Third Addition – 250 and 270 Bushaway Rd
 - Preliminary and Final Plat Subdivision with Variances
 - b. Broadway Place – 326 and 332 Broadway Ave S
 - Rezoning, Concurrent PUD Concept and General Plan of Development, Design Review, Variances, Shoreland Impact Plan/Conditional Use Permit, and Preliminary and Final Plat Subdivision
 - 5. Other Items:**
 - a. Review of Development Activities
 - 6. Adjournment**

NOTES:

¹ 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.

1 Commissioner Gonzalez asked how the materials proposed compared to the materials of the
2 home that is already built in this area.

3
4 Mr. Francine stated these materials are comparable and this had been considered when
5 determining the materials to use.

6
7 Commissioner Gonzalez asked how the height of the proposed home compared to the existing
8 home.

9
10 Mr. Francine stated it would be slightly shorter or the same as the existing home.

11
12 Chair Iverson asked if there were landscaping plans.

13
14 Mr. Francine stated he could forward the landscaping plans to the City, and it would include a
15 fully sodded lot with irrigation.

16
17 Chair Iverson stated this should be included when the application when presented to the City
18 Council.

19
20 Commissioner Gonzalez made a motion, seconded by Commissioner Gruber to recommend
21 approval of the preliminary house plans for 155 Wooddale Avenue, based on the findings that
22 the house meets the standards of City Code Section 805.14.E.8 and 805.14.E.9, and satisfies the
23 condition of Resolution No. 05-2015, with the recommendation that landscape plans and
24 building material samples be included for review by the City Council. The motion carried
25 unanimously.

26
27
28 **AGENDA ITEM 4. Public Hearing Items:**

29
30 **a.) Bayside Residence – 320 and 346 Ferndale Rd S**

31 **i. Preliminary and Final Plat subdivision**

32
33 Mr. Thomson stated the applicant, Peterssen/Keller Architecture, and the property owner, Abbey
34 Road Realty, have submitted a development application to combine the two (2) existing parcels
35 at 320 and 346 Ferndale Road into a single lot of record. The existing houses on both of the lots
36 would be demolished, and one (1) new single-family home would be constructed on the
37 combined lot. He reviewed the application requests, the adjacent land uses, the lot requirements
38 and surrounding lot sizes, sanitary sewer relocation, and the proposed house including the
39 shoreland setback, impervious surface, and building height. He also reviewed the applicable
40 code provisions for the Commission to review. City Engineer Mike Kelly has reviewed the
41 application and is working with the applicant on the details of relocating the sanitary sewer line.

42
43 Commissioner Gonzalez stated several trees on the property had red ribbons. She asked if these
44 would be the trees that would be removed.

45

1 Applicant's representative, Mr. Collin Oglesbay, Dwyer/Oglesbay, 227 Colfax Ave N,
2 Minneapolis, stated a site survey had been prepared. The property owner would like to maintain
3 as many of the existing trees as possible. The trees on the property will be treated prior to
4 construction to ensure healthy trees through the construction and then treated again after
5 construction. He explained that they had worked with the City Forester and marked all the trees
6 that would be removed. These trees are located in the driveway and/or footprint of the proposed
7 home. Those that are marked with "x" are invasive and/or non-native species they are trying to
8 get rid of so they can be replaced with native trees. Trees marked in green are going to be
9 relocated on the property. They are planning to replace 107 trees on the property.

10
11 Commissioner Gonzalez asked if there would be a large amount of fill brought to the site
12 because of the topography.

13
14 Mr. Oglesbay stated they are planning for an average of 1 foot of fill for the entire site. They
15 are working to maintain the existing topography on the site.

16
17 Applicant's representative, Kristine Anderson, Peterssen/Keller Architecture, 2919 James
18 Avenue South, Minneapolis, stated the intent of the low profile of the home design is to create a
19 home that fits into the landscape, and make it feel like a smaller home while still fitting into the
20 neighborhood along the lake side.

21
22 Commissioner Gonzalez asked what type of building materials would be used.

23
24 Ms. Anderson stated for the exterior they are looking at lasting materials such as Vetter
25 limestone, bronze material, blue stone, and steel and bronze windows.

26
27 Mr. Kevin Gardner, Pierce Pini & Associates, 9298 Central Ave. NE, Blaine, stated most of the
28 grading on the property would occur right around the structure and pool. There is a prairie area
29 that will be restored near the lake. There will not be mass grading by the lake front.

30
31 Commissioner Gonzalez stated the Code allows up to 20% impervious surface and the proposed
32 house and other structures will have 19.86% impervious surface. She stated she likes the plan
33 for treating storm water runoff. She recommended they keep watch to ensure they stay within
34 the Code's maximum impervious surface amount of 20% because the plans are very close to the
35 maximum.

36
37 Mr. Gardner stated the detached garage and a portion of the primary structure have green roofs
38 and these will add to the treatment of water runoff.

39
40 Commissioner Flannigan asked how the project and design would fit in architecturally with
41 surrounding properties.

42
43 Ms. Anderson stated there are other contemporary style homes along Ferndale. Her firm is
44 currently working on designing a rustic contemporary home along Ferndale. Having a mix of
45 modern homes, traditional homes, and contemporary homes along the same road enhances the
46 area.

1
2 Chair Iverson opened the public hearing at 7:36 p.m.

3
4 There being no one wishing to address the Planning Commission on the application, Chair
5 Iverson closed the public hearing at 7:37 p.m.

6
7 Commissioner Flannigan asked if the moving of the sanitary sewer line would need to be
8 included as a condition of approval.

9
10 Mr. Thomson stated the rerouting of the sanitary sewer line does not require a formal
11 recommendation from the Planning Commission, but Staff could bring back the final plans as
12 approved by the City Engineer.

13
14 Based on the comments of the Commissioners, City Attorney Schelzel suggested the
15 Commission consider directing staff to come back with a draft report and recommendation for
16 approval, and direct staff would to follow-up with the City Engineer on the sanitary sewer line,
17 and ensure the final legal documentation reflects the necessary easement.

18
19 Commissioner Gonzalez made a motion, seconded by Commissioner Gruber to direct staff to
20 prepare a Planning Commission Report and Recommendation, with appropriate findings,
21 recommending approval of the preliminary and final plat subdivision for 320 and 346 Ferndale
22 Road S, for review and adoption at the next Planning Commission meeting. The motion carried
23 unanimously.

24
25
26 **AGENDA ITEM 5. Old Business Items:**

- 27
28 **a.) Holdridge Homes – 1407 and unaddressed parcel on Holdridge Terrace**
29 **i. Rezoning, Concurrent PUD Concept Plan and General Plan of**
30 **Development, Preliminary Plat**

31
32 Mr. Thomson stated the applicant and property owner, Lake West Development, LLC, had
33 submitted a development application requesting rezoning from R-2/Medium Density Single
34 Family Residential to PUD/Planned Unit Development, Concurrent PUD Concept Plan and
35 General Plan of Development approval, and preliminary plat review to subdivide the properties
36 at 1407 Holdridge Terrace and an unaddressed parcel on Holdridge Terrace for a six (6) lot
37 single family residential development. The Planning Commission reviewed the development
38 application and held a public hearing at its meeting on May 16, 2016. After discussing the
39 application, the Planning Commission directed staff to prepare a draft Planning Commission
40 Report and Recommendation recommending denial of the development application. He
41 reviewed the findings in the draft report that are based on the Commission's comments,
42 application materials and additional materials submitted by the applicant, staff reports, public
43 comment and information presented at the hearing, and the standards of the Wayzata Zoning and
44 Subdivision Ordinance.

45

1 Commissioner Gruber asked the Commission what type of project might be appropriate for
2 development of these properties.

3
4 Chair Iverson suggested that the density and impacts to the wetlands would have to be less, the
5 homes would have to be a smaller scale, and the homes would need to fit the particular lots.

6
7 Commissioner Flannigan stated residents had expressed concerns about noise pollution that
8 would be created by the removal of the trees on the property. He stated a plan that would result
9 in a lower number of trees removed, and reduce the density of the houses may be something that
10 would be more favorable to the neighboring residents and the City.

11
12 Commissioner Gonzalez stated she could not support the project as presented due to the density
13 of the project, and the impact to the wetlands. She explained additional reasons why she would
14 not support the project including the buildable area for four of the lots was too small, the setback
15 requirements for the frontage road were not met, the number of trees being removed was
16 significant, and the amount of fill brought to the site would greatly impact the remaining trees on
17 the property.

18
19 Commissioner Gonzalez made a motion, seconded by Commissioner Murray to adopt the
20 Planning Commission Report and Recommendation as presented, recommending denial of the
21 application for a Concurrent PUD Concept Plan and General Plan of Development for a six lot
22 single-family residential development, denial of Rezoning from R-2/Medium Density Single-
23 Family Residential District to PUD/Planned Unit Development District, and denial of
24 Preliminary Plat subdividing tow existing lots into six lots at 1407 and unaddressed parcel on
25 Holdridge Terrace. The motion carried unanimously.

26
27 **b.) Meyer Place on Ferndale – 105 Lake St E**

28 **i. Rezoning, Concurrent PUD Concept and General Plan of Development,**
29 **Design Review, Variance, and Shoreland Impact Plan/Conditional Use**
30 **Permit**

31
32 Mr. Thomson stated the applicant, Homestead Partners, and the property owner, Meyer
33 Properties had submitted a development application to redevelop the Meyer Brothers Dairy site
34 at 105 Lake Street E. The development application includes demolition of the existing vacant
35 commercial building and construction of a 3-story building with a rooftop penthouse for a roof
36 top terrace. The building includes 23 residential condominium units and 59 enclosed parking
37 spaces. The Planning Commission reviewed the development application and held a public
38 hearing at its meeting on May 2, 2016. After discussing the application, the Planning
39 Commission directed staff to prepare a draft Planning Commission Report and Recommendation,
40 recommending denial of the development application.

41
42 Commissioner Gruber made a motion, seconded by Commissioner Flannigan to adopt the
43 Planning Commission Report and Recommendation as presented, recommending denial of the
44 Concurrent PUD Concept Plan and General Plan of Development, denial of Rezoning from c-
45 4A/Limited Central Business District to PUD/Planned Unit Development District, denial of
46 Design Review, Denial of Height Variance from 35-feet to 35.4-feet, denial of Shoreland Impact

1 Plan/Conditional Use Permit to exceed maximum height of 35-feet in the Shoreland Overlay
 2 District, and denial of the Conditional Use Permit for a penthouse structure that is greater than 5-
 3 feet above the maximum building height for the property located at 105 Lake Street E. The
 4 motion carried unanimously.

5
 6 **c.) Beacon Five – 529 Indian Mound E**

7 **i. Rezoning, PUD Concept Plan, Height Variance, and Shoreland Impact**
 8 **Plan/CUP**
 9

10 Mr. Thomson stated the applicant, Ron Clark Construction, had submitted a development
 11 application to develop the property at 529 Indian Mound E. The project includes the
 12 construction of a 3-story mixed use building consisting of five residential condominiums, 600
 13 square feet of office space, and 11 underground parking spaces. The Planning Commission
 14 reviewed the development application and held a public hearing at its meeting on June 6, 2016.
 15 After discussing the application, the Planning Commission directed staff to prepare a draft
 16 Planning Commission Report and Recommendation, recommending approval of the
 17 development application. He stated the recommended conditions of approval would include that
 18 the Developer would have to come back for approval of the General Plans of Development
 19 within 6-months of City Council approval, including the Landscape Plan and Grading, Drainage
 20 and Erosion Control Plan, and all expenses of the City of Wayzata must be fully reimbursed by
 21 the applicant.

22
 23 Commissioner Flannigan abstained from voting and discussion on this application because of a
 24 conflict of interest.

25
 26 Commissioner Gonzalez stated she would not support this application because the request for a
 27 variance does not meet the Variance requirements, as the plight of the land owner is driven by
 28 economic reasons.

29
 30 Commissioner Murray made a motion, Seconded Gruber by Commissioner to adopt the Planning
 31 Commission Report and Recommendation as presented, recommending approval of the
 32 Rezoning from C-1 to PUD/Planned Unit Development, approval of PUD Concept Plan of
 33 Development, approval of the Height Variance from 35-feet to 38.9-feet, and approval of the
 34 Shoreland Impact Plan/Conditional Use Permit for the building height for 529 Indian Mound E.
 35 including the conditions. The motion carried 3-ayes, 1-abstain (Flannigan), 1 nay (Gonzalez).

36
 37
 38 **AGENDA ITEM 6. Other Items:**

39
 40 **a.) Review of Development Activities**
 41

42 Mr. Thomson stated the July 6 Commission agenda would include the Ferndale Road
 43 subdivision, a new subdivision of Gardner, and a subdivision on Bushaway Road. The Council
 44 will have a workshop on the Lake Effect on July 5, the Mill Street Ramp will be on the City
 45 Council July 5 agenda, along with the recent development applications the Planning Commission
 46 has reviewed and made recommendations on.

1
2 **b.) Other Items**
3

4 Commissioner Gonzalez stated the Chief of Police stated they had secured funding to put a
5 barrier on Highway 12 between Wayzata and Maple Plain. The Art Experience is June 25 and is
6 open to the public.
7

8 Commissioner Gruber summarized the actions at the June 14 City Council workshop and regular
9 meetings. The City Council discussed the Conservancy Partnership Agreement for the Lake
10 Effect, and will continue to work on this. At the regular City Council meeting, the City Council
11 discussed the projects at 426 Ferndale Road and 353 Park Street, and approved the variance
12 requests as recommended by the Planning Commission. The City Council also discussed the
13 potential for speed bumps in the east Wayzata neighborhoods.
14

15 Commissioner Flannigan asked that the Planning Commission minutes be submitted for the
16 Commission's approval in a more timely fashion. He also asked that the Chair address the
17 continued absence of certain Commissioners.
18

19 Chair Iverson stated she has had discussion with the City Mayor regarding this.
20

21 Commissioner Gonzalez asked when the City Council would be reviewing the Tree Ordinance.
22

23 Mr. Thomson stated the City Council had reviewed the Ordinance and recommended changes.
24 Staff has made these changes, and the Ordinance will be on the July 5 City Council agenda.
25

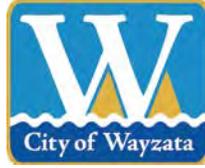
26
27 **AGENDA ITEM 8. Adjournment.**
28

29 Commissioner Gruber made a motion, seconded by Commissioner Flannigan to adjourn the
30 Planning Commission. The motion carried unanimously.
31

32 The Planning Commission meeting was adjourned at 8:15 p.m.
33

34 Respectfully submitted,
35

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



**Planning Report
Wayzata Planning Commission
July 18, 2016**

Project Name: Frenchwood Third Addition
Applicant Zev and Kristi Oman, Robert Bolling
Addresses of Request: 250 and 270 Bushaway Rd
Prepared by: Jeff Thomson, Director of Planning and Building
Planning Commission Review: July 6, 2016
City Council Review: TBD

Development Application

Introduction

The applicant, Zev and Kristi Oman and Robert Bolling, have submitted a development application to subdivide the properties at 250 and 270 Bushaway Rd. The applicant is proposing to subdivide the two existing lots into four single-family residential lots. The two existing homes would remain and two new single-family homes would be constructed. The proposal requires preliminary and final plat review with variances.

Property Information

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

Address	PID	Owner
250 Bushaway Rd	05-117-22-34-0018	Zev and Kristina Oman
270 Bushaway Rd	05-117-22-34-0019	Robert Bolling

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

Current zoning:	R-1/Low Density Single Family Residential District
Comp plan designation:	Bushaway Conservation District
Total site area:	351,027 sq. ft. (8.1 acres)

Project Location

The properties are located on Bushaway Road, across from the Lasalle Street intersection:

Map 1: Project Location



Application Requests

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

- A. Concurrent Preliminary and Final Plat Subdivision: The proposed requires preliminary and final plat review to subdivide the two existing lots into four lots. (City Code Sections 805.14 and 805.15)
- B. Lot width variances: The R-1 zoning district requires a minimum lot width of 150 feet for each lot. Three of the four lots (Lots 1, 3 and 4) would have lot widths that are less than 150 feet, which requires variances for each of the lots.
- C. Variance from the subdivision ordinance to allow use of a private roadway: The subdivision ordinance states that private streets are prohibited and any subdivision that adjoins an existing private street, the private street is required to be dedicated for public use and scheduled for improvement to public street standards at the time of final plat. The applicant is proposing to provide access to the two new lots via the existing private street on the south side of the lot, which requires a variance.

Adjacent Land Uses.

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

Direction	Adjacent Use	Zoning	Comp Plan Land Use
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			Designation
North	Single-family homes	R-1/Low Density Single Family Residential District	Bushaway Conservation District
East	Single-family home	R-1/Low Density Single Family Residential District	Bushaway Conservation District
South	Single-family homes	R-1/Low Density Single Family Residential District	Bushaway Conservation District
West	Single-family homes	R-2A/Single Family Residential District	Low Density Single Family

Public Hearing Notice

The public hearing notice was published in the *Wayzata Sun Sailor* on June 23, 2016. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on June 23, 2016.

Analysis of Application

Existing Site Features

The landscape features include upland deciduous trees, mainly maple, basswood and oak. In addition, there is a small wetland area located in the northwest corner of the property on the proposed Lot 1. The existing home on the 250 Bushaway Road property sits atop a knoll on the northeast corner of the property. Topography is steep, sloping to the west and south from the home site. Proposed Lots 2 and 3 slope to the south.

Access to the property is via a private easement over the neighboring property to which the City is not a party. Bushaway Road is a Hennepin County (101) controlled roadway. Any new access points to the roadway would be controlled by a permit authorized by the County.

Previous Subdivision Approval

In 2015, the property owner of 250 Bushaway Road, Zev and Kristi Oman, submitted a subdivision application that included only the 250 Bushaway Road property. The 2015 application included a three lot subdivision, with variances from the minimum lot size of 2 acres for two of the lots. The City Council denied the subdivision application.

Lot Requirements

The following table outlines the lot requirements outlined in the R-1 zoning district, and Comprehensive Plan:

	Lot area (sq. ft.)	Lot width	Lot depth
R-1 Requirements	40,000 (min.)	150 ft. (min.)	150 ft. (min.)
Comp Plan Requirements	87,120 sq. ft. (2 acres)	NA	NA
Lot 1	87,122 sq. ft.	125 ft.**	200+ ft.

Lot 2	87,120 sq. ft.	219 ft.	200+ ft.
Lot 3	87,120 sq. ft.	105 ft.**	200+ ft.
Lot 4	89,665 sq. ft.	0 ft.**	200+ ft.

**variance required

Comprehensive Plan

The land use designation for the property, Bushaway Conservation District, establishes a minimum lot size of 2.0 acres, which is greater than the minimum lot size in the R-1 zoning district. The Comprehensive Plan includes the following description for the Bushaway Conservation District:

The properties east of Hwy 101 in the Bushaway neighborhood are generally larger lots that contain important natural resources, such as mature tree coverage, wetlands, and steep slopes. Lot sizes should be a two (2) acre minimum. However, the City may on an individual case basis grant a variance to the lot area requirement in order to preserve trees, steep slopes, and/or wetlands. A special overlay district may be appropriate for this area to address the City's desire to preserve important natural resources.

All of the lots in the proposed subdivision would be two acres in size or greater, and would meet the requirements of the Bushaway Conservation District.

Lot Widths

The zoning ordinance for the R-1 zoning district requires a minimum lot width of 150 feet. By definition, the lot width is measured perpendicular to the lot depth, *at the front yard setback requirement*. The three proposed lots that have frontage on Bushaway Rd (Lots 1, 2 and 3) are 150 feet in width at the right of way, but due to the configuration of the side lot lines, two of the lots (Lots 2 and 3) do not meet the minimum lot width requirement at the front yard setback requirement of 45 feet. Lot 4, which contains the existing home at 270 Bushaway Rd, would not have any frontage on Bushaway Rd. Therefore, Lot 4 also requires a variance from the minimum lot width requirement.

Surrounding Lot Sizes

The following summarizes the lot areas of the R-1 lots located within 350 feet of the subject properties:

Address	Lot area
100 Bushaway Rd	587,990 sq. ft.
200 Bushaway Rd	223,993 sq. ft.
218 Bushaway Rd	72,779 sq. ft.
240 Bushaway Rd	101,068 sq. ft.
310 Bushaway Rd	81,978 sq. ft.
314 Bushaway Rd	81,370 sq. ft.
318 Bushaway Rd	84,766 sq. ft.
324 Bushaway Rd	86,405 sq. ft.

Proposed Houses:

The applicant has not submitted plans for the two new homes that would be constructed within the subdivision because the specific house plans have not been designed. The proposed plans include possible house footprints locations, possible driveway layouts, and preliminary grading for the house pads.

Driveway/Street Access

The existing 270 Bushaway Rd property is encumbered by a private driveway which serves both the 250 and 270 Bushaway Rd properties, the vacant property adjacent to the east, and the six lots within the Enchanted Woods development. The proposed plans would not change the driveway accesses for the two existing homes, and the two new homes on Lots 2 and 3 would have driveway access from the existing shared driveway.

Utilities

The applicant is proposing to provide two new sewer and water services to serve the two new homes that would be constructed. The services for the two existing homes would not be modified, but private easements would need to be established as the existing services would cross over the reconfigured lots. The private easements would be the applicant's responsibility.

Tree Preservation

The proposed plans include a tree inventory for Lots 1, 2 and 3, but a tree inventory has not been completed for Lot 4 since the applicant is not proposing any construction on the existing 270 Bushaway Road property. There are 349 total trees included in the inventory, of which 56 are indicated for removal for construction of the new homes. However, the applicant has not developed detailed plans for the two new homes that would be constructed on the lots, so the lots include basis house pads, minimal grading, and undetermined utility service locations. Therefore, the precise impacts on the trees for the proposed subdivision cannot be determined.

Planning Commission Review

The Planning Commission reviewed the development application and held a public hearing at its meeting on July 6, 2016. At the meeting, the Planning Commission asked the applicant to amend the application based on the private street variance, and submit rationale for the requested variances. The Planning Commission also directed staff to prepare a draft Report and Recommendation for review at its next meeting. The applicant has amended the application to request a variance from the private street prohibition, and has submitted a letter detailing the variance request.

Applicable Code Provisions for Review

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.

Action Steps

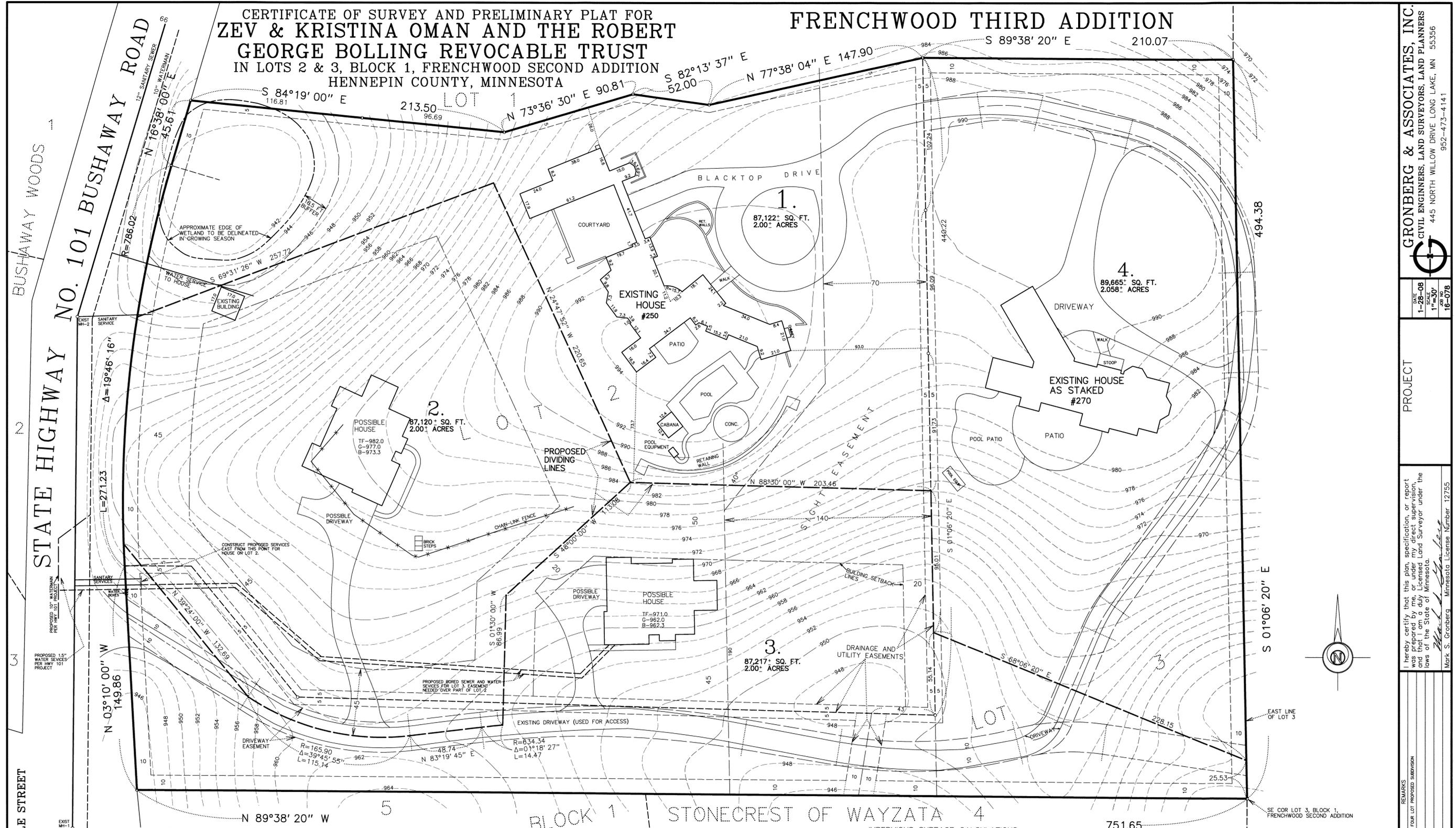
After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should adopt the draft *Planning Commission Report and Recommendation*, which recommends approval of the preliminary and plat with variances at 250 and 270 Bushaway Road.

Attachments

- Attachment A: Proposed Plans
- Attachment B: Applicant's Narrative
- Attachment C: Draft Planning Commission Report and Recommendation

CERTIFICATE OF SURVEY AND PRELIMINARY PLAT FOR
**ZEV & KRISTINA OMAN AND THE ROBERT
 GEORGE BOLLING REVOCABLE TRUST**
 IN LOTS 2 & 3, BLOCK 1, FRENCHWOOD SECOND ADDITION
 HENNEPIN COUNTY, MINNESOTA

FRENCHWOOD THIRD ADDITION



LEGAL DESCRIPTION OF PREMISES:

Lots 2 and 3, Block 1, FRENCHWOOD SECOND ADDITION.

- o : denotes iron marker
- 917---: denotes existing contour line, from county and city maps
- Bearings shown are based upon an assumed datum.

This survey intends to the boundaries of the above described property, the location of an existing house, topography from city maps, and the proposed location of several proposed dividing lines and two possible houses and driveways thereon. It does not purport to show any other improvements or encroachments.

Zoning district = R-1 Low density single family residential
 Owner & Address
 Zev and Kristina Oman 250 Bushaway Road Wayzata, MN 55391
 Lot 3 Robert Geo Bolling Rev. Trust 270 Bushaway Road Wayzata, MN 55391

IMPERVIOUS SURFACE CALCULATIONS:

Lot	Lot area	Existing house	Out buildings	Driveway	Courtyard	Walk	Patio	Pool patio & walks	Circular concrete	Total	Percentage
Lot 1	87,122 sf	6160 sf	467 sf	6007 sf	1895 sf	140 sf	459 sf	1113 sf	452 sf	16,693 sf	19.16%
Lot 2	87,120 sf	3576 sf	3202 sf	6778 sf	1944 sf	2342 sf	113 sf	5629 sf	5629 sf	6.46%	
Lot 3	87,120 sf	5295 sf	228 sf	4527 sf	1944 sf	2342 sf	113 sf	14,449 sf	14,449 sf	16.11%	
Lot 4	89,665 sf	5295 sf	228 sf	4527 sf	1944 sf	2342 sf	113 sf	14,449 sf	14,449 sf	16.11%	

Note: Some hardcover information taken from County maps. Also, Shared driveway not added to any lot total.

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

DATE: 1-28-08
 SHEET NO: 16-078

PROJECT: FRENCHWOOD THIRD ADDITION

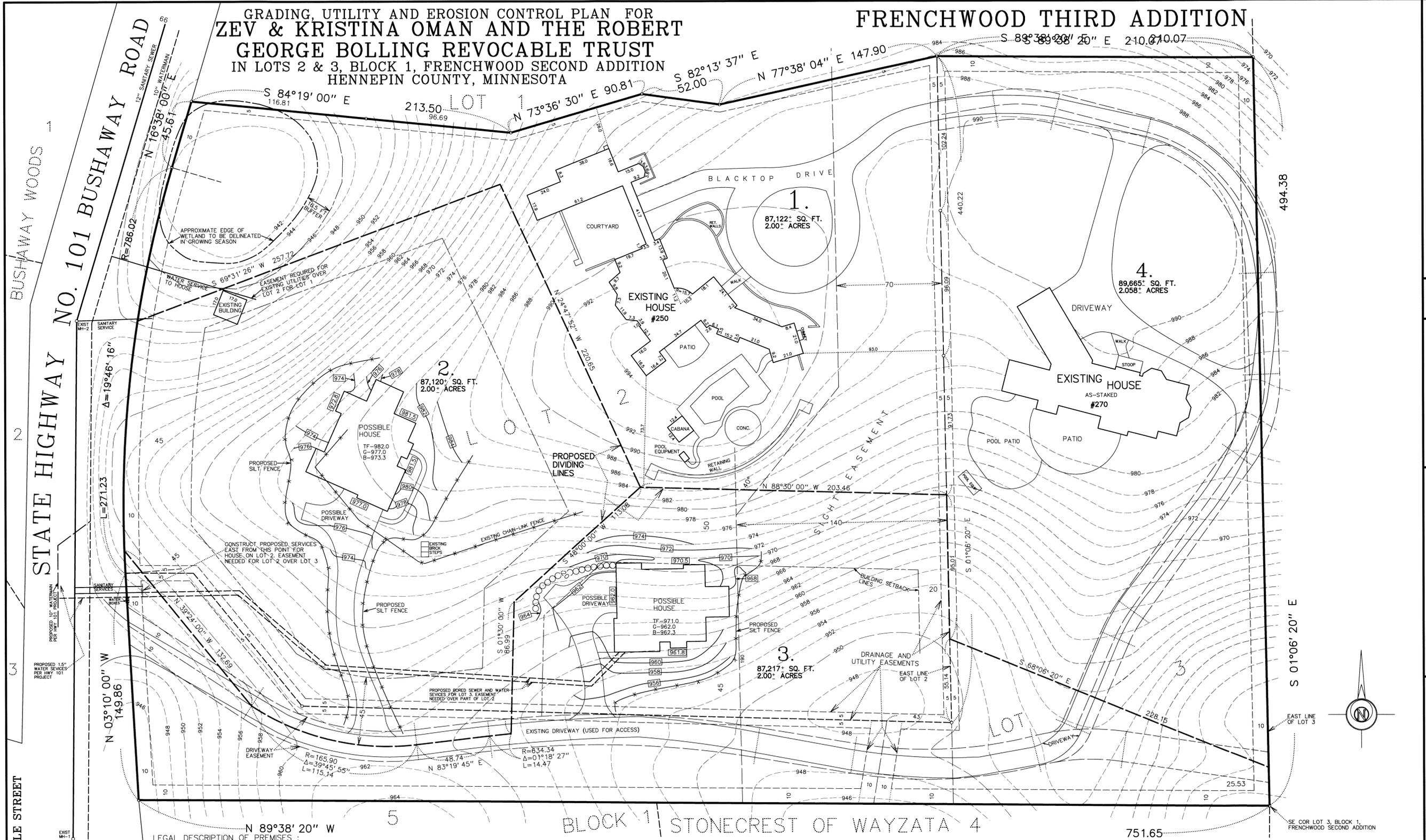
I hereby certify that this plan, specification, or report was prepared by me, or under my direct supervision, and I am a duly licensed Professional Engineer or Land Surveyor under the laws of the State of Minnesota.

Mark S. Gronberg
 Minnesota License Number 12755

REMARKS:
 BEARING PAGES ADDED CHANGED TO A FOUR LOT PROPOSED SUBDIVISION
 FOUR-LOT LAYOUT

GRADING, UTILITY AND EROSION CONTROL PLAN FOR
**ZEV & KRISTINA OMAN AND THE ROBERT
 GEORGE BOLLING REVOCABLE TRUST**
 IN LOTS 2 & 3, BLOCK 1, FRENCHWOOD SECOND ADDITION
 HENNEPIN COUNTY, MINNESOTA

FRENCHWOOD THIRD ADDITION



LEGAL DESCRIPTION OF PREMISES:

Lots 2 and 3, Block 1, FRENCHWOOD SECOND ADDITION.

- o : denotes iron marker
 - 917--- : denotes existing contour line, from county and city maps
 - 930--- : denotes proposed contour line
- Bearings shown are based upon an assumed datum.

This survey intends to the boundaries of the above described property, the location of an existing house, topography from city maps, and the proposed location of several proposed dividing lines, two possible houses, driveways, grades, utilities and erosion control thereon. It does not purport to show any other improvements or encroachments.

Zoning district = R-1 Low density single family residential

Owner & Address
 Lot 2
 Zev and Kristina Oman
 250 Bushaway Road
 Wayzata, MN 55391

Lot 3
 Robert Geo Bolling Rev. Trust
 270 Bushaway Road
 Wayzata, MN 55391

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

1-28-08
 SCALE
 1"=30'
 16-078

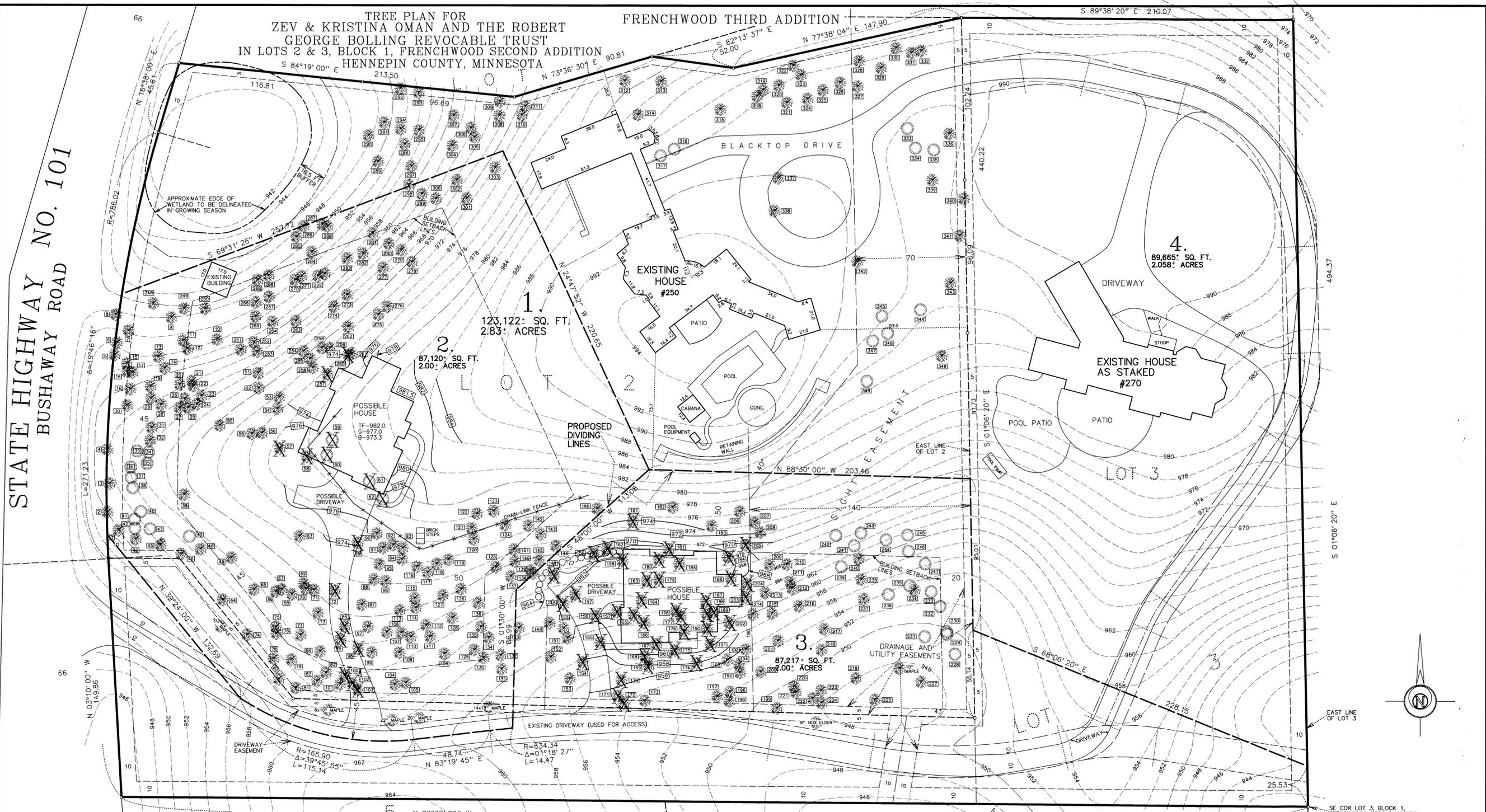
PROJECT

I hereby certify that this plan, specification, or report was prepared by me, under my direct supervision and in accordance with the laws of the State of Minnesota.
 Mark S. Gronberg Minnesota License Number: 12755

DATE	REMARKS
4-8-16	
5-25-16	FOR-LIT LAYOUT

TREE PLAN FOR
ZEV & KRISTINA OMAN AND THE ROBERT
GEORGE BOLLING REVOCABLE TRUST
IN LOTS 2 & 3, BLOCK 1, FRENCHWOOD SECOND ADDITION
HENNEPIN COUNTY, MINNESOTA

FRENCHWOOD THIRD ADDITION



1 8" ELM	21 14" MAPLE	41 10" WHITE CEDAR	61 14" SWEET PINE	81 12" MAPLE	101 14" MAPLE	121 20"x22" MAPLE	141 10" MAPLE	161 12" MAPLE	181 22" MAPLE	201 18" MAPLE	221 18" MAPLE	241 12" SPRUCE	261 16" MAPLE	281 16" MAPLE	301 18" MAPLE	321 10" MAPLE	341 30" OAK
2 20" MAPLE	22 9" MAPLE	42 10" WHITE CEDAR	62 12" SPRUCE	82 10" MAPLE	102 8" MAPLE	122 20" MAPLE	142 16" MAPLE	162 18" MAPLE	182 20" MAPLE	202 16" MAPLE	222 16" MAPLE	242 12" SPRUCE	262 10" MAPLE	282 12" MAPLE	302 18" MAPLE	322 10" ASH	342 34" MAPLE
3 10" OAK	23 7" MAPLE	43 8" RED CEDAR	63 26" WHITE OAK	83 8" MAPLE	103 18" MAPLE	123 14"x14" MAPLE	143 16" MAPLE	163 10" MAPLE	183 24" WHITE OAK	203 12" MAPLE	223 16" MAPLE	243 10" SPRUCE	263 14" MAPLE	283 10" MAPLE	303 20" MAPLE	323 12" MAPLE	343 14" MULBERRY
4 18" OAK	24 14" MAPLE	44 8" BASSWOOD	64 22" BASSWOOD	84 18" BASSWOOD	104 9" MAPLE	124 16" MAPLE	144 10" MAPLE	164 12" MAPLE	184 36" WHITE OAK	204 9" MAPLE	224 16" MAPLE	244 12" SPRUCE	264 18" OAK	284 14" MAPLE	304 10" MAPLE	324 12" MAPLE	344 8" RED PINE
5 10" MAPLE	25 11" MAPLE	45 8" ASH	65 20" MAPLE	85 20" WHITE OAK	105 18" MAPLE	125 34" OAK	145 12" MAPLE	165 10" MAPLE	185 10" WILLOW	205 10" MAPLE	225 34" WILLOW	245 12" SPRUCE	265 10" MAPLE	285 10" ASH	305 14" MAPLE	325 12" MAPLE	345 10" SPRUCE
6 IRONWOOD CLUMP	26 14" MAPLE	46 10" MAPLE	66 14" MAPLE	86 10" MAPLE	106 8" MAPLE	126 12" MAPLE	146 14" MAPLE	166 18" MAPLE	186 8" MAPLE	206 8" MAPLE	226 8" MAPLE	246 14" SPRUCE	266 14" MAPLE	286 10" BOX ELDER	306 18" MAPLE	326 10" MAPLE	346 16" SPRUCE
7 10" MAPLE	27 10" MAPLE	47 8" RED CEDAR	67 24" MAPLE	87 24" WHITE OAK	107 8" MAPLE	127 12" MAPLE	147 10" MAPLE	167 18" MAPLE	187 8" MAPLE	207 12" MAPLE	227 14" ELM	247 14" SPRUCE	267 14" MAPLE	287 10" MAPLE	307 12" MAPLE	327 10" ASH	347 16" SPRUCE
8 10" MAPLE	28 22" BASSWOOD	48 14" MAPLE	68 14" MAPLE	88 20" MAPLE	108 10" MAPLE	128 10" MAPLE	148 14" MAPLE	168 18" MAPLE	188 18" MAPLE	208 12" MAPLE	228 16" SPRUCE	248 22" MAPLE	268 12" MAPLE	288 24" MAPLE	308 10" MAPLE	328 10" ASH	348 26" SILVER MAPLE
9 12" MAPLE	29 10" MAPLE	49 6" IRONWOOD	69 7" MAPLE	89 10" BASSWOOD	109 13" MAPLE	129 10" MAPLE	149 14" MAPLE	169 8" MAPLE	189 8" MAPLE	209 14" SPRUCE	229 14" SPRUCE	249 16" MAPLE	269 14" MAPLE	289 18" MAPLE	309 2-16" LINDENS	329 16" ASH	349 12" SPRUCE
10 12" BASSWOOD	30 16" MAPLE	50 20" BLACK OAK	70 16" MAPLE	90 8" MAPLE	110 14" OAK	130 12" MAPLE	150 14" MAPLE	170 12" MAPLE	190 16" MAPLE	210 16" MAPLE	230 14" SPRUCE	250 16" MAPLE	270 12" MAPLE	290 10" MAPLE	310 8" MAPLE	330 10" MAPLE	350 14" LOCUST
11 9" MAPLE	31 14" BASSWOOD	51 14" MAPLE	71 16" MAPLE	91 18" MAPLE	111 40" OAK	131 10" MAPLE	151 14" MAPLE	171 2-22" OAKS	191 14" MAPLE	211 10" MAPLE	231 16" SPRUCE	251 28" OAK	271 10" MAPLE	291 18" MAPLE	311 8" MAPLE	331 10" ASH	351 30" OAK
12 12" MAPLE	32 2-10" BASSWOODS	52 18" MAPLE	72 8" MAPLE	92 18" MAPLE	112 8" MAPLE	132 10" MAPLE	152 10" MAPLE	172 16" ELM	192 8" MAPLE	212 14" MAPLE	232 18" SPRUCE	252 10" MAPLE	272 8" MAPLE	292 12" MAPLE	312 28" OAK	332 26" BLACK OAK	352 24" CRIMSON MAPLE
13 14" MAPLE	33 14" MAPLE	53 20" MAPLE	73 20" BLACK OAK	93 14" MAPLE	113 22" MAPLE	133 10" OAK	153 10" MAPLE	173 8" MAPLE	193 10" MAPLE	213 16" MAPLE	233 14" SPRUCE	253 10" MAPLE	273 8" MAPLE	293 12" MAPLE	313 10" BOX ELDER	333 18" SPRUCE	353 36" OAK
14 14" MAPLE	34 8" RED CEDAR	54 20" MAPLE	74 8" MAPLE	94 6"-8" MAPLE	114 8" MAPLE	134 22" MAPLE	154 10" MAPLE	174 14" MAPLE	194 14" MAPLE	214 16" MAPLE	234 14" BOX ELDER	254 22" MAPLE	274 12" MAPLE	294 16" MAPLE	314 20" ASH	334 10" SPRUCE	354 36" OAK
15 8" MAPLE	35 9" RED CEDAR	55 13" BASSWOOD	75 24" BLACK OAK	95 24" BLACK OAK	115 22" WHITE OAK	135 12" OAK	155 14" MAPLE	175 14" MAPLE	195 10" MAPLE	215 16" MAPLE	235 14" SPRUCE	255 10" OAK	275 12" MAPLE	295 8" MAPLE	315 16" SPRUCE	335 18" SPRUCE	355 36" OAK
16 14" MAPLE	36 8" MAPLE	56 10" BASSWOOD	76 8" MAPLE	96 6" MAPLE	116 16" MAPLE	136 14" MAPLE	156 14" MAPLE	176 10" MAPLE	196 24" WHITE OAK	216 22" MAPLE	236 14" SPRUCE	256 20"x22"x24" LINDEN	276 26" LINDEN	296 18" MAPLE	316 16" SPRUCE	336 14" LOCUST	356 36" OAK
17 14" MAPLE	37 9" RED CEDAR	57 8" MAPLE	77 16" MAPLE	97 16" MAPLE	117 14" MAPLE	137 14" MAPLE	157 14" MAPLE	177 14" MAPLE	197 8" MAPLE	217 14" BOX ELDER	237 14" BOX ELDER	257 10" OAK	277 12" MAPLE	297 8" MAPLE	317 16" SPRUCE	337 30" OAK	357 36" OAK
18 14" MAPLE	38 9" RED CEDAR	58 14" MAPLE	78 10" MAPLE	98 6" MAPLE	118 10" MAPLE	138 14" MAPLE	158 14" MAPLE	178 10" MAPLE	198 18" MAPLE	218 16" MAPLE	238 22" ELM	258 10" MAPLE	278 12" LINDEN	298 8" MAPLE	318 12" LINDEN	338 36" OAK	358 36" OAK
19 20" BASSWOOD	39 26" MAPLE	59 14" MAPLE	79 10" MAPLE	99 8" MAPLE	119 10" MAPLE	139 10" MAPLE	159 8" MAPLE	179 8" MAPLE	199 8" MAPLE	219 30" WILLOW	239 12" MAPLE	259 12" MAPLE	279 14" ASH	299 14" MAPLE	319 14" ASH	339 36" OAK	359 36" OAK
20 10" MAPLE	40 12" WHITE CEDAR	60 12" WHITE CEDAR	80 14" MAPLE	100 6" MAPLE	120 15" MAPLE	140 8" MAPLE	160 14" MAPLE	180 14" MAPLE	200 27" MAPLE	220 14" MAPLE	240 10" ELM	260 8" MAPLE	280 10" MAPLE	300 10" MAPLE	320 20" ASH	340 24" CRIMSON MAPLE	360 36" OAK

EXISTING LEGAL DESCRIPTION:
Lots 2, Block 1, FRENCHWOOD SECOND ADDITION, and that part of Lot 3, Block 1, FRENCHWOOD SECOND ADDITION lying southerly of the following described line and it's westerly extension; Commencing at the Southeast corner of said Lot 3; thence along the East line of said Lot 3, on an assumed bearing of North 1 degree 06 minutes 20 seconds West a distance of 25.53 feet to the point of beginning of the line being described; thence North 68 degrees 05 minutes 20 seconds West a distance of 228.15 feet to the East line of said Lot 2, and said line there ending.

o denotes iron marker
-917- denotes existing contour line, from city maps
-930- denotes proposed contour line
* denotes existing tree to be removed

Bearings shown are based upon an assumed datum.
Zoning district = R-1 Low density single family residential
Owner & Address = Zev and Kristina Oman
250 Bushaway Road
Wayzata, MN 55391

This survey intends to the boundaries of the above described property, the location of an existing house, trees, topography from city maps, and the proposed location of a proposed dividing line thereon. It does not purport to show any other improvements or encroachments.

Total copper inches = 5119
Total inches proposed to be removed = 665

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

DATE: 1-28-08
PROJECT: PROJECT
FOUR LOT LAYOUT

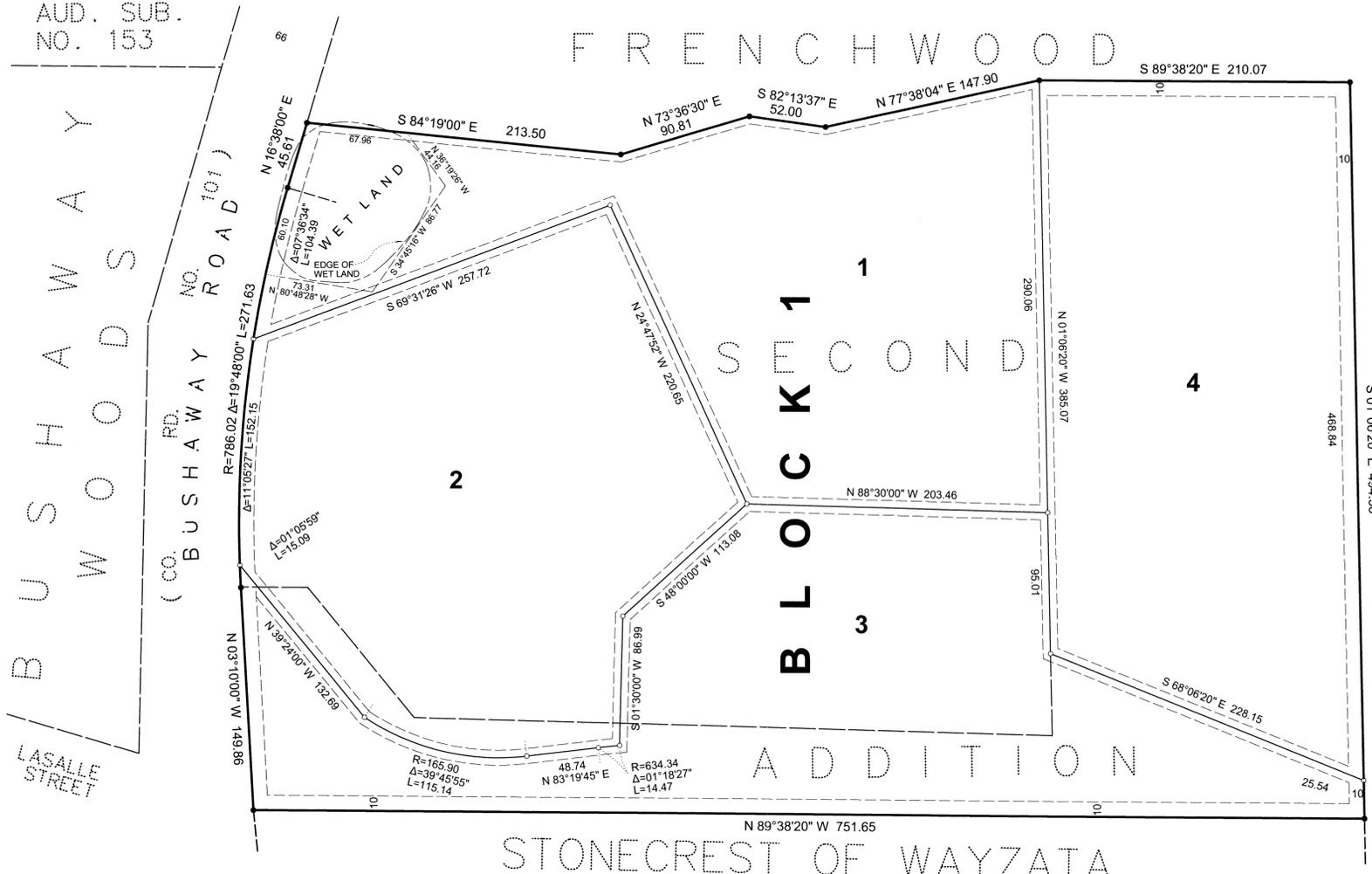
REVISIONS

DATE: 4-8-16
REVISIONS: 5-25-16

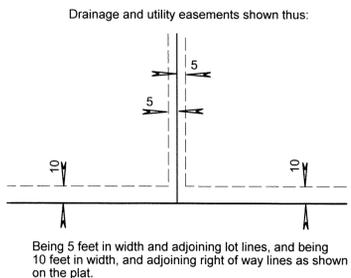
Mark S. Gronberg, Minnesota License Number: 12755

FRENCHWOOD THIRD ADDITION

AUD. SUB.
NO. 153



• DENOTES IRON MARKER FOUND
○ DENOTES IRON MARKER SET, MARKED BY MN. LIC. NO. 12755
FOR PURPOSES OF THIS SURVEY, THE SOUTH LINE OF LOT 2, BLOCK 1, FRENCHWOOD SECOND ADDITION HAS AN ASSUMED BEARING OF N 88°30' W



Know all persons by these presents that Zev Oman and Kristina M. Oman, husband and wife, fee owners of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

Lot 2, Block 1, FRENCHWOOD SECOND ADDITION

And that Robert George Bolling, Trustee of the Robert George Bolling Revocable Trust dated July 7, 2014, fee owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

Lot 3, Block 1, FRENCHWOOD SECOND ADDITION

Have caused the same to be surveyed and platted as FRENCHWOOD THIRD ADDITION, and do hereby dedicate to the public for public use forever the drainage and utility easements as shown on the plat.

In witness whereof said Zev Oman and Kristina M. Oman, husband and wife, have hereunto set their hands this _____ day of _____, 20____, and said Robert George Bolling, Trustee of the Robert George Bolling Revocable Trust dated July 7, 2014, has hereunto set his hand this _____ day of _____, 20____.

ZEV OMAN
ROBERT GEORGE BOLLING REVOCABLE TRUST dated July 7, 2014

KRISTINA M. OMAN
dated July 7, 2014

ROBERT GEORGE BOLLING, TRUSTEE

STATE OF _____
COUNTY OF _____) The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by Zev Oman and Kristina M. Oman, husband and wife.

Notary Public, _____ County, _____
My commission expires _____ Notarys printed name

STATE OF _____
COUNTY OF _____) The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by Robert George Bolling, Trustee of the Robert George Bolling Revocable Trust dated July 7, 2014, on behalf of the Trust.

Notary Public, _____ County, _____
My commission expires _____ Notarys printed name

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

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

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

Notary Public, _____ County, _____
My commission expires _____ Notarys printed name

WAYZATA, MINNESOTA
This plat of FRENCHWOOD THIRD ADDITION was approved and accepted by the City Council of Wayzata, Minnesota, at a regular meeting held this _____ day of _____, 20____. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City, or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes, Section 505.03, Subd. 2.
CITY COUNCIL OF THE CITY OF WAYZATA, MINNESOTA

_____, Mayor

_____, Clerk

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

MARK V. CHAPIN, HENNEPIN COUNTY AUDITOR

By _____, Deputy

SURVEY DIVISION, HENNEPIN COUNTY, MINNESOTA
Pursuant to MINN. STAT. Sec. 383B.565, (1969), this plat has been approved this _____ day of _____, 20____.
CHRIS F. MAVIS, HENNEPIN COUNTY SURVEYOR

By _____

COUNTY RECORDER, HENNEPIN COUNTY, MINNESOTA
I hereby certify that the within plat of FRENCHWOOD THIRD ADDITION was recorded in this office this _____ day of _____, 20____, at _____ o'clock _____, A.M.

MARTIN MCCORMICK, HENNEPIN COUNTY RECORDER

By _____, Deputy

Applicant's Narrative

The Minnesota Supreme Court has held that municipalities have “broad discretionary power” in considering whether to grant or deny variances. *Krummenacher v. City of Minnetonka*, 783 N.W.2d 721, 727 (Minn. 2010), quoting *VanLandschoot v. City of Mendota Heights*, 336 N.W.2d 503, 508 (Minn. 1983). Due to this broad discretionary power, courts are to review municipal variance decisions only to determine whether the municipality “was within its jurisdiction, was not mistaken as to the applicable law, and did not act arbitrarily, oppressively, or unreasonably, and to determine whether the evidence could reasonably support or justify the determination.” *Id.*, quoting *In re Stadsvold*, 754 N.W.2d 323, 332 (Minn. 2008). Granting the applicants their requested variances is well within the lawful discretion of the City in this case.

Minnesota’s municipal zoning statute authorizes a municipality to provide for variances from the requirements of the municipality’s zoning ordinance. Minn. Stat. § 462.357, subd. 6(2) (2015). Pursuant to the authority conferred by this statute, the City’s zoning ordinance provides that a variance may be granted in the following circumstances:

A variance is only permitted when it is in harmony with the general purposes and intent of this ordinance and when the variance is consistent with the comprehensive plan. A variance may be granted when the applicant establishes that there are practical difficulties in complying with this ordinance. Practical difficulties, as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by this ordinance, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, would not alter the essential character of the locality. 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.

City Code, § 801.05.1(C). The above-referenced “practical difficulties” standard for the granting of municipal zoning variances was only very recently enacted by the Minnesota Legislature in its 2011 legislative session, replacing the very strict “undue hardship” standard that previously applied.

Here, the applicants satisfy the criteria for variance approval established by the Minnesota municipal zoning statute and the City’s zoning ordinance for the following reasons:

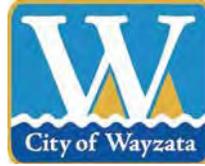
- The requested variances are in harmony with the general purposes of the City’s zoning ordinance and are consistent with the City’s comprehensive plan. Here, the City has designated the subject property for low-density residential use in both its zoning ordinance and comprehensive plan. The use proposed by the applicants is consistent with these designations.
- The access requested is appropriate and fair given that the City

Applicant's Narrative

removed the prior access to the applicant carriage house/garage. That access would have served the proposed lots, but it doesn't exist anymore and can't be reclaimed. Accordingly, the requested access variance is necessary and appropriate.

- The applicant's request takes special consideration for the preservation of trees, and in fact the removal of trees in the developed areas will allow healthier growth of the remainder of the trees that are now being choked out by roots and open up additional sunlight.
- The applicants' proposed use of the subject property is perfectly reasonable. The applicants propose to create four platted lots with characteristics similar to others in the same area.
- The need for the requested variances are unique to the subject property and were not created by the applicants. Here, the locations of the existing single-family homes along with the topography of the land surrounding the subject property is unique and requires the applicants to propose lots with irregular shapes that – with respect to two of the four proposed lots - do not comply with the lot-width requirements of the City's zoning ordinance. These characteristics were not created by the applicants. Moreover, the neighborhood in which the subject land is located has historically been served by the existing private access road which will also provide access to the platted lots proposed by the applicants here. The applicants likewise are not responsible for this.
- The requested variances will not alter the essential character of the locality. Here, the neighborhood surrounding the subject property consists of single-family homes on lots similar to those proposed by the applicants here. Many of these lots are irregularly shaped due to the unique topography of the area. Many of these lots are served by private access roads of the type proposed by the applicant here. Indeed, many lots in the same "locality" are served by the very same existing private access road that the applicants propose to use here.
- Finally, economic considerations alone do not create the need for the requested variances. To the contrary, the need for the variance is created by the characteristics of the site discussed above.

For these reasons, the applicants satisfy all of the criteria for variance approval set forth in the City zoning ordinance. Accordingly, the applicants respectfully request that the Planning Commission recommend approval of the requested variances.



WAYZATA PLANNING COMMISSION

July 18, 2016

REPORT AND RECOMMENDATION OF APPROVAL OF PRELIMINARY AND FINAL PLAT, LOT WIDTH VARIANCES, AND PRIVATE STREET VARIANCE AT 250 AND 270 BUSHAWAY RD

DRAFT

SUMMARY OF RECOMMENDATION

1. **Approval** of Preliminary and Final Plat to subdivide two existing lots into four lots
2. **Approval** of Lot Width Variances
3. **Approval** of Variance for Private Street

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Project. Zev and Kristi Oman and Robert Bolling (collectively, the “Applicant”) have submitted a development application (the “Application”) to subdivide the two existing lots at 250 and 270 Bushaway Road into four single-family residential lots. The two existing homes would remain and two new single-family homes would be constructed (the “Project”).
- 1.2 Application Requests. The Application includes requests for approval of:
 - A. Subdivision for 4 New Lots. The Preliminary and Final Plat submitted with the Application would subdivide the two existing lots at 250 and 270 Bushaway Road into four single-family residential lots. (the “Subdivision” or “Preliminary and Final Plats”).
 - B. Variances for Lot Width. The width of three of the four lots created by the Subdivision would be less than the required width of 150 feet, and thus need a variance. (“Lot Width Variances”).

- C. Variance for Private Street. The proposed lots would be accessed by an existing private street, and thus a variance from the Subdivision Ordinance's prohibition of private streets would be required. ("Private Street Variances").

- 1.3 Property. The addresses, property identification numbers and owners of the parcels comprising the subject property (the "Property") are:

250 Bushaway Rd	05-117-22-34-0018	Zev and Kristina Oman
270 Bushaway Rd	05-117-22-34-0019	Robert Bolling

- 1.4 Land Use Designations. The Property falls within the following land use districts:

Current zoning:	R-1A/Low Density Single Family Estate District
Comp plan designation:	Bushaway Conservation District

- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Sun Sailor* on June 23 and July 7, 2016. A copy of the notice was mailed to all property owners located with 350 feet of the Property on June 23 and July 7, 2016. The required public hearing was held at the July 6 and July 18, 2016 Planning Commission meetings.

Section 2. STANDARDS

2.1 Subdivision / Preliminary and Final Plat

Review and approval of subdivisions of property and preliminary/final plats are governed by the City's Subdivision Ordinance, Ch. 805 of City Code. The City may agree to review the preliminary and final plat simultaneously. Sec. 805.15.A.

In reviewing such requests, 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 found in Section 805.14.E:

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.

2.2 Lot Width Variance. Lots within the R-1 zoning district must be a minimum width of 150 feet. Section 801.52.6.A.2. Section 801.05.1.C of the Zoning Ordinance provides the criteria for reviewing variances from the standards of the Zoning Ordinance, which are:

- 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 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.

2.3 Private Street Variance. The Subdivision Ordinance prohibits private streets except in the case of planned unit developments, and requires that all streets in a new subdivision be dedicated for public use. Section 805.27.K. Section 805.60 of the Subdivision Ordinance provides the standards and criteria for reviewing variances from the standards of the Subdivision Ordinance, which are as follows:

- A. The City Council may approve a variance from the minimum standards of the Subdivision Ordinance (not procedural provisions) when, in its opinion, undue hardship may result from strict compliance. In approving any variance, the

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

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

Section 3. FINDINGS

Based on the Application materials, additional materials submitted by the Applicant, staff reports, public comment and information presented at the public hearings, and the standards of the Wayzata Subdivision and Zoning Ordinances, the Planning Commission of the City of Wayzata makes the following findings of fact:

3.1 Preliminary / Final Plat.

1. The proposed Subdivision is consistent with the Wayzata Comprehensive Plan.
2. The building pads that result from the Subdivision preserve the sensitive areas on the Property, including wetlands, wildlife habitat, trees and vegetation, and scenic points.
3. The building pads that result from the Subdivision have been selected and located with respect to natural topography to minimize filing or grading.
4. Existing stands of significant trees have been retained where possible. The building pads that results from the Subdivision are sensitively

integrated into existing trees.

5. The Subdivision does not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
6. The design of the lots, the building pads, and the site layout responds to and is reflective of the surrounding lots and neighborhood character.
7. The lot sizes resulting from the Subdivision are not dissimilar from adjacent lots or lots found in the surrounding neighborhood.
8. Buildings within the Subdivision are not proposed at this time, and therefore a finding cannot be made as to whether the architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the buildings proposed is similar to the characteristics and quality of existing development in the City and surrounding neighborhood.
9. 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 are not applicable to this Application.
10. The proposed lot layouts and building pads conform with all performance standards contained in the Subdivision Ordinance with the exception of those for which a variance is being requested.
11. The Subdivision will not tend to or actually depreciate the values of neighboring properties in the area in which it is proposed.
12. The Subdivision will be accommodated with existing public services, including those related to transportation and utility systems, and will not overburden the City's service capacity.

3.2 Lot Width Variances.

- A. The Lot Width Variances are in harmony with the general purposes and intent of the Zoning Ordinance.
- B. The Lot Width Variances are consistent with the Comprehensive Plan designations and guidance for the Property.
- C. The Applicant has established that there are practical difficulties in complying with the lot width requirement of the Zoning Ordinance.

1. The proposal for the Property is reasonable but not permitted by the Zoning Ordinance;
 2. The plight of the landowners of the Property is due to circumstances unique to the property, including the topography, natural environment and access to the Property, and not created by the landowners; and
 3. The Lot Width Variance, if granted, will not alter the essential character of the locality and instead help preserve it.
- D. Economic considerations are not the only or a significant reason for the Lot Width Variance.
- E. The Lot Width Variances are not use variances.
- 3.3 Private Street Variance. Undue hardship may result from strict compliance with the Subdivision Ordinance's private street prohibition, particularly the impact on the topography and natural environment of the Property, and the safe ingress and egress for all of the lots within the Subdivision.
1. There are special circumstances and highly unique conditions affecting the property such that the strict application of the provisions of the Subdivision Ordinance would deprive the Applicant of the reasonable use of the Applicant's land, including the use of the Private Street by adjacent properties in the neighborhood.
 2. The granting of the Private Street Variance will not be detrimental to the public health, safety and welfare or injurious to other property in the territory in which property is situated, which also utilize the Private Street, and would allow for safer ingress and egress for all of the lots within the Subdivision.
 3. The Private Street Variance is to correct inequities resulting from the topography of the Property, which is a natural, heavily wooded estate area.
 4. Economic difficulties are not a factor in the requested Private Street Variance.
 5. The hardship driving the need for the Private Street Variance is not a result of an action or actions by the owner, Applicant, developer or any agent thereof.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **APPROVAL** of (i) the Subdivision; (ii) the Lot Width Variances; and (iii) the Private Street Variance, as

requested in the Application, subject to the following condition/s:

- A. Park Dedication fees must be paid as required by the Subdivision Ordinance, in an amount of two thousand five hundred dollars (\$2,500.00) per new lot or ten percent (10%) of the determined land value, whichever is greater, to be paid at the time of recording of the final plat for the Subdivision.
- B. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.
- C. The Applicant or future homeowner must apply for and obtain all necessary building permits from the City, prior to commencement of any construction activity on the Property.
- D. Tree Preservation Plans must be prepared for each lot and submitted to the City for review as required by the Zoning Ordinance.
- E. Grading, Drainage, Utility, and Erosion Plans must be prepared for each lot and submitted to the City for review by the Applicant or a future owner prior to the submission of building permits.
- F. The Applicant must record the Final Plat with the appropriate Hennepin County officials within one hundred twenty (120) days in conformance with Section 805.15.E.7 of the Subdivision Ordinance, and provide a recorded copy to the City.

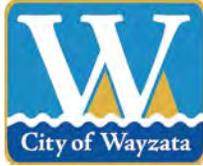
Adopted by the Wayzata Planning Commission this 18th day of July 2016.

Voting In Favor:

Voting Against:

Abstaining:

Absent:



**Planning Report
Wayzata Planning Commission
July 18, 2016**

Project Name: Broadway Place
Applicant Beltz Enterprises, LLC
Addresses of Request: 326 and 332 Broadway Ave S
Prepared by: Jeff Thomson, Director of Planning and Building
Planning Commission Review: July 18, 2016
City Council Review: TBD
“60 Day” Deadline: August 18, 2016

Development Application

Introduction

The applicant, Beltz Enterprises, LLC, and the property owner, MJ Mail Center, LLC, have submitted a development application to redevelop the Gold Mine and Mail Center properties at 326 and 332 Broadway Ave S. The development application includes demolition of the two existing commercial buildings and construction of a three story mixed use building which would consist of retail uses on the ground level and office uses on the upper two levels.

Property Information

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

Address	PID	Owner
326 Broadway Ave S	06-117-22-42-0016	MJ Mail Center, LLC
332 Broadway Ave S	06-117-22-42-0017	MJ Mail Center, LLC

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

Current zoning:	C-4B/Central Business District
Comp plan designation:	Central Business District
Total site area:	7,518 square feet (0.17 acres)

Project Location

The property is located on the southeast corner of the Broadway Ave/Mill Street E intersection.

Map 1: Project Location



Application Requests

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

- A. Rezoning from C-4B to PUD/Planned Unit Development: The property is currently zoned C-4B, and the applicant is requesting a rezoning to PUD.
- B. Concurrent PUD Concept and General Plan of Development Review: A rezoning to PUD requires both concept and general plan of development review. The applicant is requesting concurrent review of both the concept plan and general plan.
- C. Design Review: Construction of a new building requires design review by City Code Section 801.09.1.5.
- D. Variance from the maximum building height requirement: The maximum building height in the PUD zoning district is 35 feet and 3 stories, whichever is less. The proposed building would be 3 stories in height, but would be 38 feet in height, which requires a variance.
- E. Shoreland Impact Plan/Conditional Use Permit for the building height: In addition to the PUD zoning district, the shoreland overlay district also includes

a maximum height requirement of 35 feet. The shoreland ordinance states that building heights of over 35 feet may be allowed through approval of a shoreland impact plan/conditional use permit.

- F. Shoreland Impact Plan/Conditional Use Permit for impervious surface: The shoreland overlay district also establishes a maximum impervious surface of 25% of the lot area, except impervious surface coverage may be allowed to exceed 75% of the lot area with a shoreland impact plan/conditional use permit. The proposed plan would have an impervious surface coverage of approximately 96%.
- G. Preliminary and Final Plat Subdivision to combine the lots: The City's subdivision ordinance defines subdivision as the division of land into two or more lots or combination of two or more lots. The applicant's proposal to combine the two existing lots into one lot requires subdivision review and approval.

Adjacent Land Uses.

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

Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Mill Street municipal parking lot	Institutional	Institutional/Public
East	701 Lake St E mixed use building	PUD/Planned Unit Development	Central Business District
South	COV restaurant mixed use building	C-4B/Central Business District	Central Business District
West	Marquee Place mixed use building	C-4B/Central Business District	Central Business District

Public Hearing Notice

The public hearing notice was published in the *Wayzata Sun Sailor* on July 7, 2016. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on July 8, 2016.

Analysis of Application

Comprehensive Plan

The Comprehensive Plan land use designation for the subject property is Central Business District. The objective of the Central Business District land use category is to promote a diversity of retail, office, service, and residential land uses at a high level of development quality to enhance it as a regional destination. The Comprehensive Plan includes the follow "1st Tier" priorities for the Central Business District:

- Allow a mix of commercial, office, and residential uses that strengthen the CBD as the shopping, employment, and entertainment destination of Wayzata.
- Update development standards continually to assure the highest development quality possible for the Central Business District.
- Complement the CBD and its strong sense of place through land use choices, urban design principles, traffic, parking, and architectural style.
- Investigate strategies to increase retail vitality throughout the CBD. 2.5 Define and evaluate on-street/off-street parking needs consistent with land use, and requirements within the CBD so as to emphasize circulation ease and access control.
- Continue to provide a safe, comfortable, and attractive pedestrian scale environment through the enhancement of the pedestrian circulation system by improving sidewalks, walkways and street furniture; mitigating conflicts with traffic and street intersections, and by providing proper demarcation and sign control.
- Enhance the image and identity of the CBD by emphasizing street trees and landscaping elements.
- Plan for an orderly transition between the CBD development and adjacent residential neighborhoods.
- Accommodate traffic without negatively compromising the integrity of the downtown and its adjacent neighborhoods.
- Consider complementing abutting edges, both residential and retail/commercial.
- Consider public financial support that is fiscally responsible and provides value to the City's infrastructure and community systems.
- Consider ways to assist with redevelopment when properties become a liability to the community.
- Commercial buildings on Lake Street, west of Barry Avenue, should not be required to have a first floor retail use, although it is allowed and encouraged. Transparency requirements under the Lake Street District of the Design Standards remain in effect.
- Identify ecological and water quality impacts on the lake and other water bodies caused by proposed land use developments, for example stormwater runoff, and work to mitigate these impacts.

In addition, the Comprehensive Plan includes the following “2nd Tier” priorities:

- Plan development of parking so that it is not a focal point but rather placed behind buildings with appropriate buffers and landscaping.
- Adjust City’s Zoning Ordinance to address concerns of sun-orientation on southern side of Lake Street by requiring upper story setbacks for all new construction to avoid shading the north side of Lake Street.
- Continue to evaluate ways to encourage a variety of housing options for upper-story housing.
- Consider 3rd story' uses with appropriate considerations for design and scale. Commercial and residential uses are allowed as a third story, but the third story must be set back significantly more from the front facade of the floor below.

Zoning

The Property is currently zoned C-4B/Central Business District. The following table outlines the zoning standards for the C-4B, PUD, and shoreland overlay districts:

	C-4B Zoning	PUD Zoning	Shoreland Overlay District	Proposed PUD
Height	2 stories and 30 feet, whichever is less	3 stories and 35 feet, whichever is less	35 feet	38 feet*
Floor Area Ratio	2.0	No maximum	N/A	2.66 (approx.)
Impervious Surface	No maximum	No maximum	25% 75% with stormwater management 100% with shoreland impact plan/CUP	96%** (approx.)
Setbacks	None	Same as imposed by zoning district	N/A	The proposed building would be set back 0 feet from all property lines.

*Variance required

**Shoreland impact plan/conditional use permit required

In addition to the zoning standards outlined above, the permitted uses in the C-4B zoning district include retail and service establishments in the ground level of the building that deal directly with the customer for whom the goods or services are

furnished, and retail, service, office, laboratories, schools, or residential dwelling units within upper levels of the building. The PUD zoning district states that uses within the building must be consistent with the Comprehensive Plan land use designation. The proposed building would consist of retail uses on the ground level and office uses on the upper two levels, which would comply with the C-4B zoning district and the Central Business District land use designation in the Comprehensive Plan.

The proposed project includes three deviations from the requirements of the C-4B zoning district. First, the C-4B district has a maximum building height requirement of 30 feet or 2 stories, whichever is less. The applicant's request to rezone the property to PUD would allow a 3 story building with a maximum height of 35 feet. In addition to the PUD zoning for the increased building height, the applicant is also requesting a variance to exceed the 35-foot maximum height of the PUD district.

The second deviation from the C-4B district requirements is to the maximum floor area ratio (FAR) of 2.0. However, the PUD district does not include a maximum FAR. The proposed building would have an FAR of approximately 2.66.

The third deviation from the C-4B district is from the minimum lot area requirements. The C-4B district includes a minimum lot area of 12,000 square feet. However, the PUD zoning district does not have a minimum lot size for non-residential projects. The proposed lot combination would result in a lot size of 7,518 square feet, which would not meet the C-4B requirements, but would meet the PUD requirements.

The PUD zoning district is an ordinance that can be used to allow for greater flexibility in development by incorporating design modifications from the strict application of the standard zoning district requirements. The PUD zoning district allows modifications of the strict standards for projects that meet a specific purpose, as outlined in "Applicable Code Provisions" section of this report. In addition, the PUD zoning district establishes general standards for a PUD, which are also outlined below.

Proposed Building

The proposed building would be three stories and would consist of first floor retail and office uses on the upper two floors. The total building size is approximately 20,000 square feet, which would include approximately 7,000 ground floor retail, and 13,000 square feet of office. The ground floor retail space could include single or multiple tenants, and each ground level tenant space would have an individual entrance from Broadway Avenue or Mill Street. The upper level office would be accessed by an entrance from Mill Street on the northeast corner of the building. The back of the building includes a common corridor, elevator, staircases, and common restrooms. Service and deliveries could be provided from both Mill Street and from the alley on the back of the property. Trash and recycling services for the building would be accommodated by the trash area within the existing 701 Lake Street East building.

Design Review

The project is subject to the design standards for the Lake Street design district. A design review critique of the proposal is included as Attachment B. The following summarizes the items that do not meet the design standards, and would require a deviation from the standards:

- Building recession: The design standards require that the third story of the building be recessed from the lower floors for the entire length of the building along a public right of way. The third story of the proposed building is recessed 10 feet from the second story along most of the right of way frontages from Broadway Avenue and Mill Street. The only portion of the third story that is not recessed is the northwest corner of the building. In addition, the second story must be recessed for 25% of the length of the building. The second story along Broadway Avenue is recessed for 40% of the length of the building and the second story along Mill Street is recessed for 30% of the length of the building. However, the second story is recessed only 3 feet from the first floor façade, not the 6 feet required by the design standards.
- Exterior building materials: The exterior materials of the proposed building would consist of brick, cast stone, and metal paneling/detailing. Brick and cast stone are permitted exterior building materials. However, the metal panels would comprise 35% of the non-glass surfaces of the north elevation and 40% of the west elevation, which exceeds the maximum of 10% established by the design standards.
- Sidewalks and streetscape: The design standards require a continuous sidewalk of at least 12 feet in width along all public street frontages. There is 26 feet of boulevard area between the curb line of Broadway Avenue and the west property line. The boulevard area currently contains a landscaped area, benches, and plaza with decorative brick. The applicant is proposing to reconstruct the existing 5-foot wide concrete sidewalk. The sidewalk could be widened to 12 feet, however that would result in removal of the existing landscaping and decorative brick. Along Mill Street, there is 13 feet of boulevard area. The applicant is proposing to construct a 5-foot wide concrete sidewalk with 4-foot landscaped areas on both sides of the sidewalk. In addition, the sidewalk materials should be changed to the exposed aggregate with concrete bands, per the City's downtown sidewalk specifications.

Parking

The City's parking ordinance establishes the minimum number of parking stalls that must be provided in a development. The minimum parking requirements for the 7,000 square feet of retail is 19 stalls, and the minimum parking requirement for the 13,000 square feet of office is 35 stalls. Based on the revised parking ordinance recently adopted by the City Council, the project would require a minimum of 52 parking stalls. The reduced parking requirement is a result of the new shared parking standards that account for daily and hourly changes in the parking demand of mixed use buildings.

The proposed plans do not provide any off-site parking. The City Council has previously discussed the project with the applicant in a workshop format. The discussions by the applicant and City Council have included the potential for an alternative parking plan where the applicant would use a portion of the additional parking stalls that would be constructed in the new Mill Street parking ramp that is currently being designed by the City. Through a potential downtown mobility district, the applicant would then pay the City annually for the number of stalls that are required for the development.

There are a number of details that need to be negotiated between the City and the applicant regarding the potential alternative parking plan. In addition, the alternative parking plan would be contingent on the City constructing a parking ramp on the Mill Street property and the adoption of a downtown mobility district. In a previous workshop with the applicant, the City Council indicated they supported the applicant applying for the development application and going through the standard development review process, with the understanding that if the project were to be approved, the approval would be contingent and conditioned on providing an alternative parking plan. The potential benefit to the City of reviewing the development application prior to the final approval of the Mill Street parking ramp and downtown mobility district is to allow for coordinated construction of the two projects. If the Planning Commission recommends approval of the project, City staff would recommend a condition of approval for the PUD regarding the alternative parking plan.

Stormwater Management

Stormwater management for the site would be provided by a stormwater storage device on the roof of the building which would capture all of the runoff from the flat roof. The storage device would limit the discharge of the stormwater from the roof during the designated storm events. From the roof, the stormwater would be directed to an underground hydrodynamic separator which would be constructed in the public alley behind the building. The hydrodynamic separator would provide treatment of the stormwater prior to being discharged into the City's storm sewer system. The City engineer has reviewed the proposed plans and finds that it is a best management practice to treating the stormwater runoff from the development. An encroachment agreement with the City would be required for the storm sewer improvements within the City's alley easement.

Proposed Subdivision

The applicant is proposing to combine the two existing lots into one platted lot. Both of the existing lots have lot areas that are non-conforming to the current C-4B zoning district. The following table outlines the existing and proposed lots:

	Lot area	Lot width	Lot depth
C-4B Requirements	12,000 sq. ft. (min.)	No minimum	No minimum
PUD Requirement	No minimum	No minimum	No minimum
326 Broadway Ave S	2,467 sq. ft.	25 ft.	100 ft.

(existing lot)			
332 Broadway Ave S (existing lot)	4,934 sq. ft.	50 ft.	100 ft.
Combined Lot (proposed)	7,518 sq. ft.	75 ft.	100 ft.

As outlined in the PUD information of this report, the PUD zoning does not have minimum lot size, width or depth requirements, and the proposed subdivision would meet the lot requirement of the PUD zoning district.

Applicable Code Provisions for Review

Amendments to Zoning Ordinance (Section 801.03.2.F): 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. 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.

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.

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

- A. 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.
- B. 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.
- C. Ownership. Applicant/s must own all of the property to be included in the PUD.
- D. Comprehensive Plan. The PUD project must be consistent with the City's Comprehensive Plan.

- E. Sanitary Sewer Plan. The PUD project must be consistent with the City's Sanitary Sewer Plan.
- F. 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.
- G. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
- H. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
- I. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
- J. 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.
- K. Setbacks. The front, rear and side yard restrictions on the periphery of the PUD shall be the same as imposed in the respective districts.

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.

Design Standards City Code §801.09: The design standards set forth in 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:

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

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.

Shoreland Impact Plan/Conditional Use Permit: Section 801.91.19 states that landowners or developers desiring to develop land or construct any dwelling or any other artificial obstruction on land located within any Shoreland District within the City of Wayzata shall first submit a conditional use permit application as regulated by Section 801.04 of this Ordinance and a plan of development, hereinafter referred to as "Shoreland Impact Plan", which shall set forth proposed provisions for sediment control, water management, maintenance of landscaped features, and any additional matters intended to set forth proposed changes requested by the applicant and affirmatively disclose what, if any, change will be made in the natural condition of the earth, including loss of change of earth ground cover, destruction of trees, grade courses and marshes. The plan shall minimize tree removal, ground cover change, loss of natural vegetation, and grade changes as much as possible, and shall affirmatively provide for the relocation or replanting of as many trees as possible which are proposed to be removed. The purpose of the shoreland impact plan shall be to eliminate and minimize as much as possible potential pollution, erosion and siltation.

Conditional Use Permits: City Code Section 801.04.2.F. states that the Planning Commission and City Council shall consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:

- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
- B. The proposed use's compatibility with present and future 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 values in the area in which it is developed.
- F. Traffic generated by the proposed use is 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.

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:

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

- L. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

Action Steps

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

Attachments

- Attachment A: Proposed Plans
- Attachment B: Design Review Critique

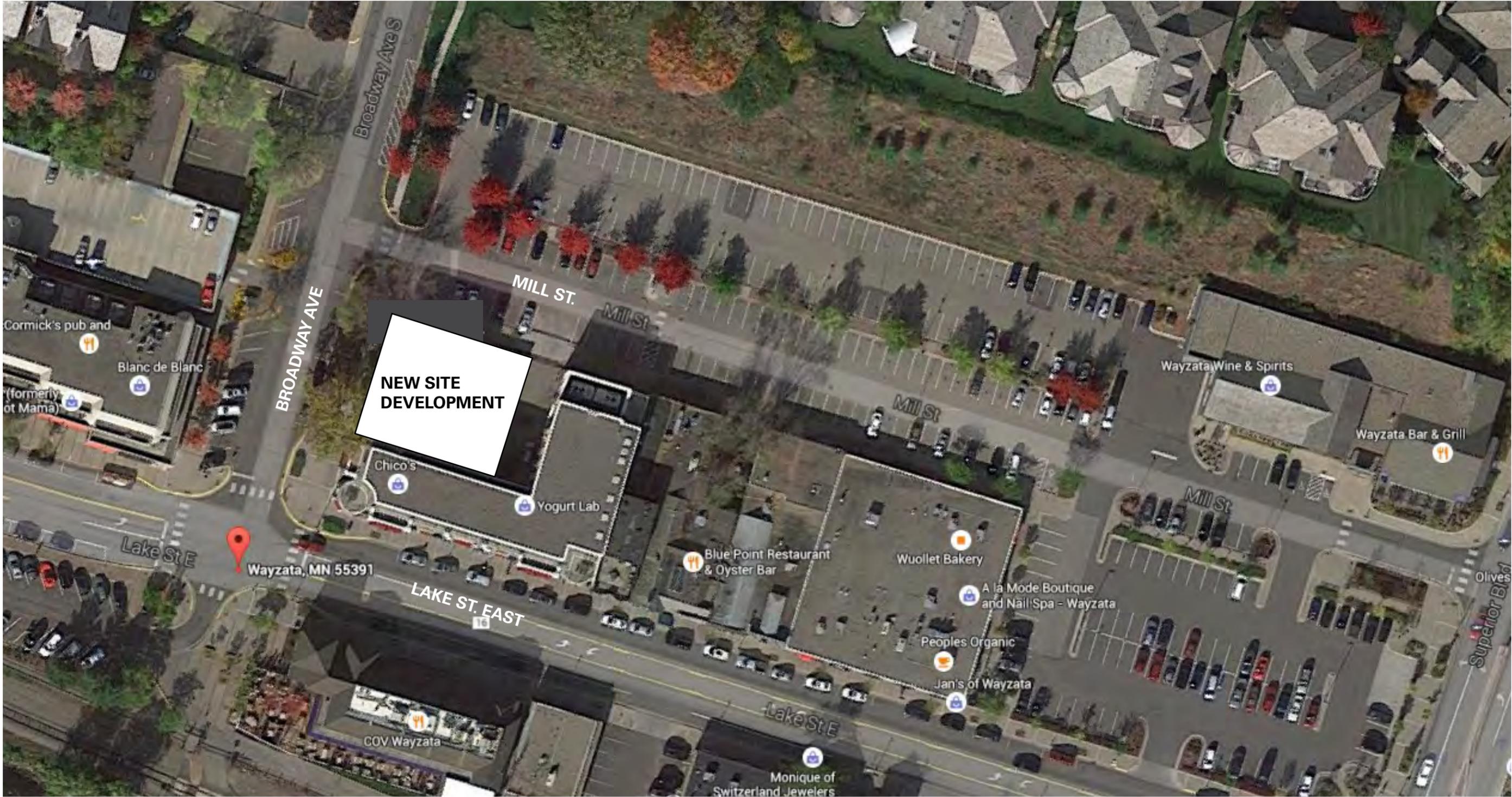


Broadway Place Wayzata Development



JIM BELTZ
June 17, 2016

Aerial View



Exterior Design Rendering



Exterior Evening Design Rendering



Exterior Design Details



BELTZ MILL STREET ADDITION

C.R. DOC. NO. _____

KNOW ALL PERSONS BY THESE PRESENTS: That MJ Mail Center, LLC, a Minnesota limited liability company, fee owner of the following described property situated in the State of Minnesota, County of Hennepin, to wit:

Lots 12, 13, 14, Block 1, Stephens Second Addition to Wayzata

Has caused the same to be surveyed and platted as BELTZ MILL STREET ADDITION.

In witness whereof said Jim Beltz, President of MJ Mail Center, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this ____ day of _____, 2016.

_____, President
Jim Beltz

STATE OF MINNESOTA, COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this ____ day of _____, 2016, by Jim Beltz, President of MJ Mail Center, LLC, a Minnesota limited liability company on behalf of the company.

_____, Notary Public, Hennepin County, Minnesota
_____, Notary Printed Name
_____, My Commission Expires

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

Dated this ____ day of _____, 2016.

_____, David B. Pemberton, Licensed Land Surveyor
Minnesota License No. 40344

STATE OF MINNESOTA, COUNTY OF HENNEPIN

This instrument was acknowledged before me this ____ day of _____, 2016, by David B. Pemberton.

_____, Notary Public, Hennepin County, Minnesota
_____, Notary Printed Name
_____, My Commission Expires

WAYZATA, MINNESOTA

This plat of BELTZ MILL STREET ADDITION was approved and accepted by the City Council of Wayzata, Minnesota at a regular meeting held this ____ day of _____, 2016. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes, Section 505.03, Subdivision 2.

By: _____, Mayor By: _____, City Clerk

RESIDENT AND REAL ESTATE SERVICES
Hennepin County, Minnesota

I hereby certify that taxes payable in _____ and prior years have been paid for land described on this plat. Dated this ____ day of _____, 2016.

_____, Mark V. Chapin, Hennepin County Auditor

By: _____, Deputy

SURVEY DIVISION
Hennepin County, Minnesota

Pursuant to Minnesota Statutes Section 383B.565 (1969), this plat has been approved this ____ day of _____, 2016.

_____, Chris F. Mavis, Hennepin County Surveyor

By: _____

COUNTY RECORDER
Hennepin County, Minnesota

I hereby certify that the within plat of BELTZ MILL STREET ADDITION was recorded in this office this ____ day of _____, 2016, at ____ o'clock ____ M.

_____, Martin McCormick, County Recorder

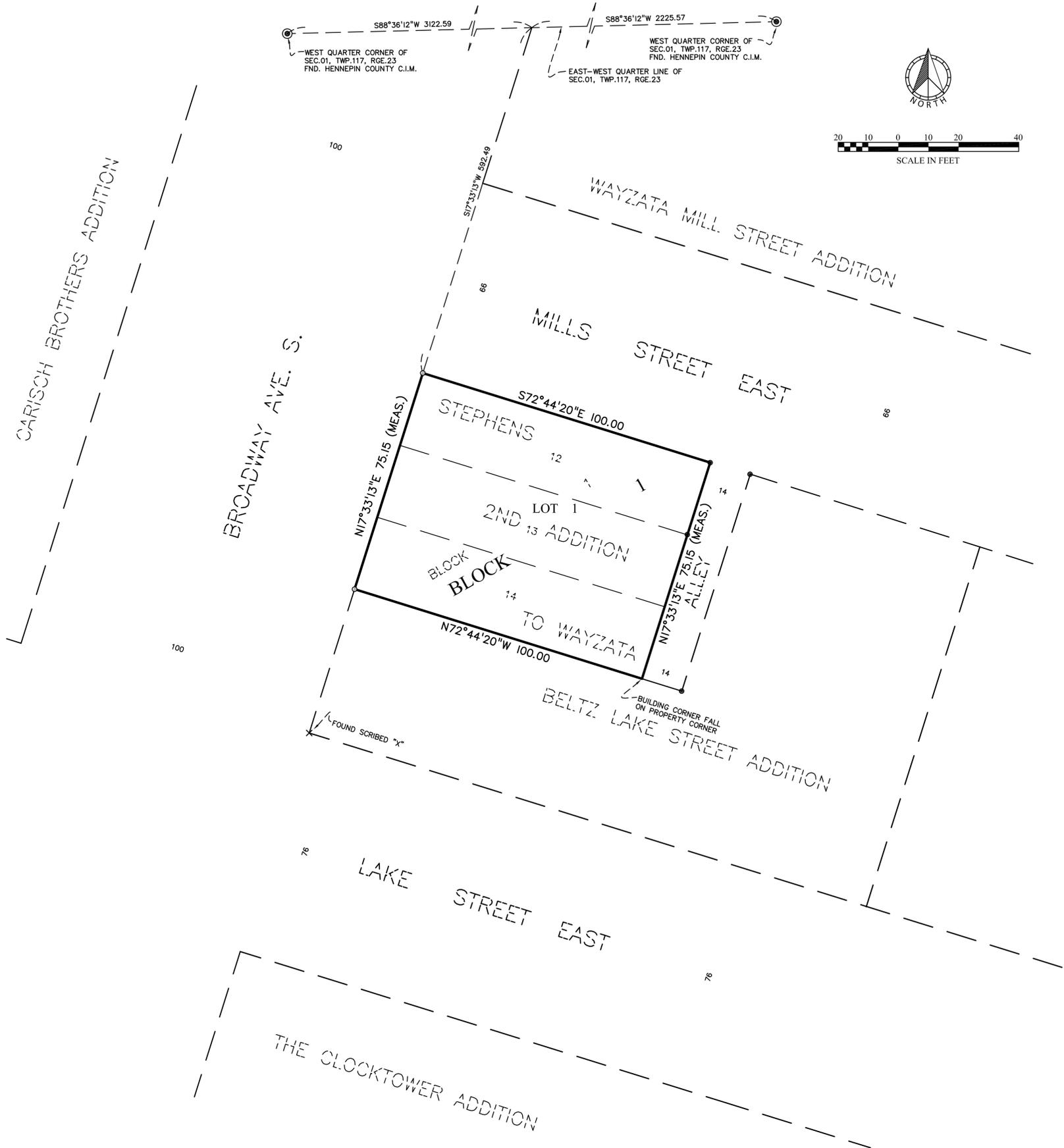
By: _____, Deputy

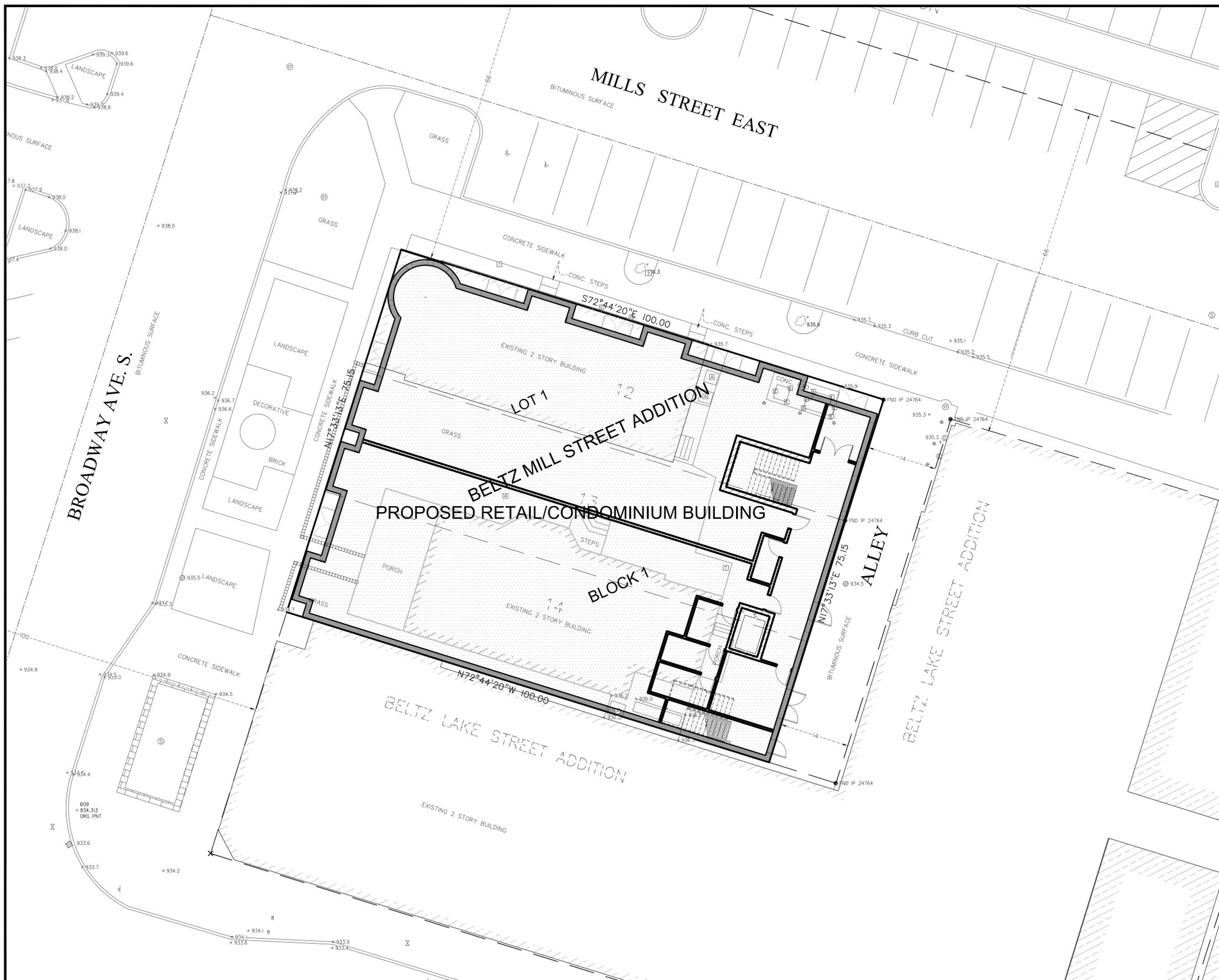
The basis for the bearing system is the East-West Quarter line of Section 1, Township 117, Range 23 which is assumed to bear S88 degrees 36 minutes 12 seconds West

- Denotes a 1/2 inch by 14 inch iron pipe set in the ground and marked by License No. 40344
- Denotes a Found Iron Monument
- ⊙ Denotes a Found Cast-Iron-Monument



SATHRE-BERGQUIST, INC.





SITE ADDRESS
 326/332 Broadway Avenue, Wayzata, MN 55391

DESCRIPTION OF SUBJECT PROPERTY
 Lots 12, 13, 14, Block 1, Stephens Second Addition to Wayzata.

NOTES
 This survey does not purport to show all underground utilities. The source of information from plans and markings will be combined with observed evidence of utilities to develop a view of those underground utilities. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary.

The contractor shall determine the exact location of any and all existing utilities before commencing work. The contractor shall be fully responsible for any and all damages arising out of his failure to exactly locate and protect all existing utility facilities.

Contact GOPHER STATE ONE CALL at 651-454-0002 for precise onsite location of utilities prior to any excavation.

No Title Commitment was provided or relied upon as to matters of record. No easements shown.

The subject property appears to lie within Zone X, (area of areas outside the 1-percent annual chance floodplain, areas of 1% annual chance sheet flow flooding where average depths are less than 1 foot, areas of 1% annual chance stream flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone. Insurance purchase is not required in these zones.) per the National Flood Insurance Program, Flood Insurance Rate Map Community Panel No. 27053C0339E, dated September 2, 2004 as acquired from the Federal Emergency Management Agency Web Site.

Area Information : Total Area = 7,518 Sq. Ft. - 1.17 Acres

Current zoning and setback information:
 Zoning: C-4B (Central Business District)
 Building Setbacks: No setbacks
 Building Height: 2 stories or 30 feet in height.

*Zoning and Setback information provided by the Planning Department of the City of Wayzata

Survey coordinate and bearing basis : Assumed

No modifications to this survey or sketch may be performed by any person other than the surveyor signing this certification or persons under his direct supervision. Its reproduction and redistribution without proper consent is prohibited.

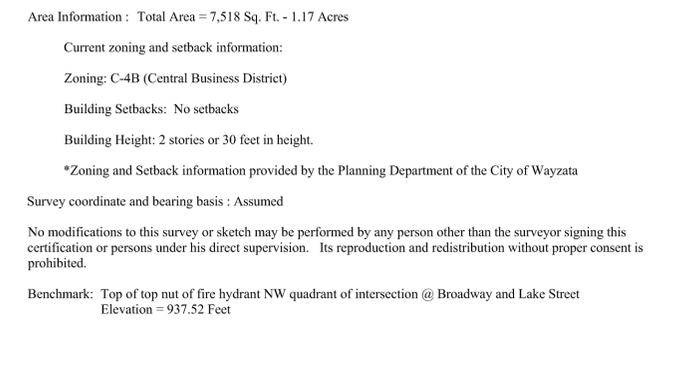
Benchmark: Top of top nut of fire hydrant NW quadrant of intersection @ Broadway and Lake Street
 Elevation = 937.52 Feet

DEVELOPER
 Jim Beltz

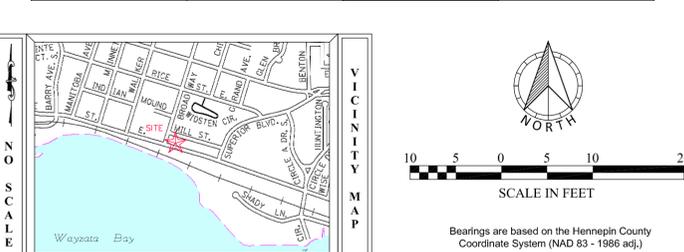
PROJECT MANAGER
 Source Group
 2399 Wayzata Blvd. W
 Suite #100
 Long Lake, MN 55356
 Attn: David Link
 t. 952-476-8100
 e. dlink@sourcegroup.com

LAND SURVEYOR
 Sathre-Bergquist, Inc.
 150 Broadway Ave. S.
 Wayzata, MN 55391
 Attn: David Pemberton
 t. 952-476-6000
 e. pemberton@sathre.com

CIVIL ENGINEER
 Attn:
 t.
 e.



DEVELOPER	PROJECT MANAGER	LAND SURVEYOR	CIVIL ENGINEER
Jim Beltz	Source Group 2399 Wayzata Blvd. W Suite #100 Long Lake, MN 55356 Attn: David Link t. 952-476-8100 e. dlink@sourcegroup.com	Sathre-Bergquist, Inc. 150 Broadway Ave. S. Wayzata, MN 55391 Attn: David Pemberton t. 952-476-6000 e. pemberton@sathre.com	Attn: t. e.



SURVEY LEGEND

● CAST IRON MONUMENT	⊠ A/C UNIT	▭ BITUMINOUS
⊠ CATCH BASIN	⊠ CABLE TV PEDESTAL	— BSL — BSL — BUILDING SETBACK LINE
◁ FLARED END SECTION	⊠ ELECTRIC TRANSFORMER	— CTV — CABLE TV
⊠ GATE VALVE	⊠ ELECTRIC MANHOLE	— CONC — CONCRETE CURB
< GUY WIRE	⊠ ELECTRIC METER	— CONC — CONCRETE
○ HYDRANT	⊠ GAS METER	— Contour Existing
○ SURVEY MONUMENT SET	⊠ GAS VALVE	— Contour Proposed
● SURVEY MONUMENT FOUND	⊠ GUARD RAIL	— DT — DRAIN TILE
⊠ SURVEY CONTROL POINT	⊠ HAND HOLE	— ELC — ELECTRIC UNDERGROUND
⊠ LIGHT POLE	⊠ SOIL BORING	— F — FENCE
⊠ POWER POLE	⊠ TREE CONIFEROUS	— FO — FIBER OPTIC UNDERGROUND
⊠ SANITARY MANHOLE	⊠ TREE DECIDUOUS	— GAS — GAS UNDERGROUND
⊠ SANITARY CLEANOUT	⊠ TELEPHONE MANHOLE	— OHU — OVERHEAD UTILITY
⊠ SIGN	⊠ TELEPHONE PEDESTAL	===== RAILROAD TRACKS
⊠ GROUND ELEVATION	⊠ TRAFFIC SIGNAL	—>—>—> SANITARY SEWER
⊠ STORM DRAIN	⊠ UTILITY MANHOLE	—>—>—> STORM SEWER
⊠ STORM MANHOLE	⊠ UTILITY PEDESTAL	— TEL — TELEPHONE UNDERGROUND
⊠ YARD LIGHT	⊠ WELL	— UTL — UTILITY UNDERGROUND
		— I — WATERMAIN

FIELD CREW	NO.	BY	DATE	REVISION
XXX				
DRAWN				
XXX				
CHECKED				
XXX				
DATE				
XXXXXXXX				

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

Dated this ___ day of _____, 20__.

David B. Pemberton, PLS
 pemberton@sathre.com

Minnesota License No. 40344

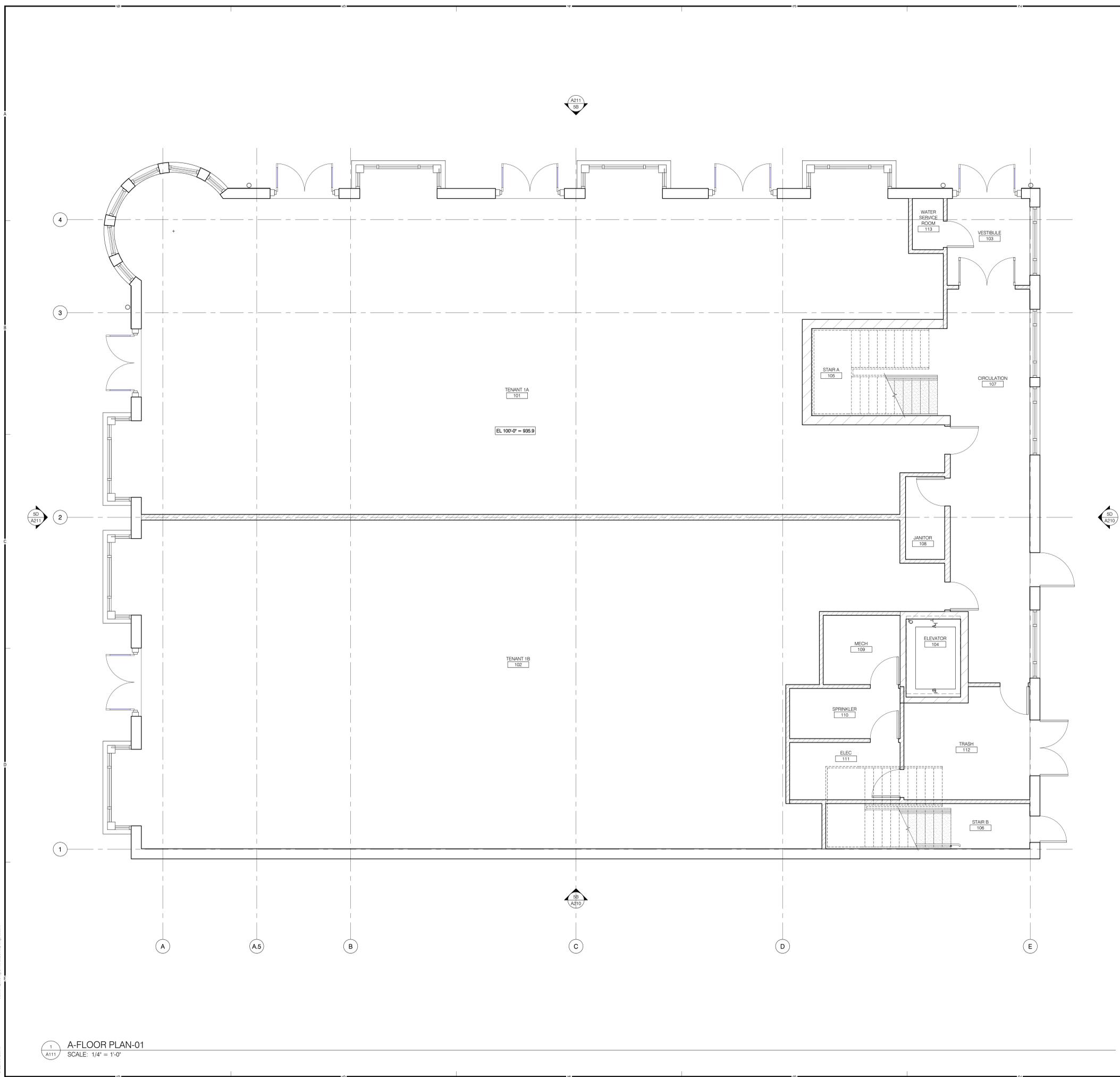
SATHRE-BERGQUIST, INC.
 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000
 WWW.SATHRE.COM

DESIGNERS ENGINEERS SURVEYORS PLANNERS

TWP. 117 - RGE. 23 - SEC. 01
 Project City:
 Hennepin County

PRELIMINARY PLAT
 OF
BELTZ MILL STREET ADDITION
 PREPARED FOR:
Jim Beltz

FILE NO.
 10105-001
 1
 1



FLOOR PLAN NOTES

1. THE GENERAL CONTRACTOR IS RESPONSIBLE TO PROVIDE AND INSTALL ALL BLOCKING AND GROUNDS AS REQUIRED FOR THE INSTALLATION OF WINDOW BLINDS, DRAPERIES, CURTAINS, MILLWORK AND ANY HANGING OBJECTS TO BE INSTALLED.
2. GENERAL CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL OF EXISTING FLOORING DOWN TO THE SLAB IN ALL AREAS WHERE NEW PARTITIONS ARE BEING INSTALLED, UNLESS OTHERWISE NOTED.
3. WHERE METAL AND GLASS PARTITIONS ARE SPECIFIED, G.C. SHALL BE RESPONSIBLE TO PROVIDE FOR ANY LEVELING OF THE SLAB AS MAY BE REQUIRED FOR A PLUMB, LEVEL INSTALLATION.
4. ALL EXISTING CONSTRUCTION TO REMAIN SHALL BE PATCHED AND REPAIRED AS REQUIRED AND PREPARED TO RECEIVE NEW FINISHES PER FINISH PLAN.
5. ALL SURFACES OR FINISHES TO REMAIN, IF DAMAGED DURING DEMOLITION OR ANY STAGE OF THE WORK, SHALL BE REPAIRED BY THE GENERAL CONTRACTOR AT THEIR OWN EXPENSE TO "LIKE NEW" CONDITION. IT SHALL BE THE GENERAL CONTRACTOR'S RESPONSIBILITY TO DOCUMENT ANY PREEXISTING DAMAGE AND NOTIFY THE ARCHITECT OF ANY SUCH DAMAGE PRIOR TO PRICING OR BIDDING.
6. AT ALL LOCATIONS WHERE NEW ELECTRICAL AND VOICEDATA OUTLETS OR ANY OTHER TYPE OF DEVICE IS TO BE INSTALLED AT EITHER CORE WALL, COLUMN AND/OR PERIMETER WALLS, THE CONTRACTOR AND THEIR DRYWALL SUBCONTRACTOR ARE TO INCLUDE FURRING OUT THOSE CORE WALLS AND COLUMNS AS NEEDED USING 2-1/2" METAL STUDS WITH 5/8" GYPSUM BOARD FROM SLAB TO 6" ABOVE FINISHED CEILING IN ORDER TO ACCOMMODATE ANY AND ALL CONDUITS AND BACK BOXES. G.C. TO COORDINATE WITH ALL OTHER TRADES.
7. MOUNTING HEIGHTS: ALL STROBES, PULL BOXES, FIRE EXTINGUISHERS, SIGNAGE, INCLUDING ALL ELEVATOR CALL BUTTONS AND INDICATOR LIGHTS, ETC. TO REMAIN ARE TO BE RAISED OR LOWERED TO SPECIFIED MOUNTING HEIGHTS IN AREAS OF WORK, AS PER CODE.
8. DIMENSIONS ARE FROM FACE OF GYPSUM BOARD TO FACE OF GYPSUM BOARD UNLESS NOTED OTHERWISE. DO NOT SCALE OFF OF PLANS. CONTACT ARCHITECT WITH DIMENSION QUESTIONS.
9. ALIGN NEW PARTITION WITH FACE OF EXISTING PARTITION OR COLUMN, UNLESS NOTED OTHERWISE.
10. CONTRACTOR SHALL VISIT THE SITE AND BECOME FAMILIAR WITH ALL EXISTING CONDITIONS PRIOR TO SUBMISSION OF BID.
11. THE CONTRACTOR SHALL TAKE OUT ALL NECESSARY PERMITS, INSURANCE, LICENSEES AND CERTIFICATES AND PAY ALL FEES CONNECTED THEREWITH.
12. CONTRACTOR TO PROVIDE DUST PROOF, RIGID BARRIERS, AS APPROPRIATE TO DEFINE VARIOUS SEGMENTS, BARRIERS TO MAINTAIN EXISTING SECURITY, MECHANICAL, FIRE-LIFE SAFETY REQUIREMENTS FOR BUILDING OCCUPANTS.
13. THE CONTRACTOR AT ALL TIMES SHALL KEEP PREMISES FREE FROM WASTE MATERIALS AND DEBRIS CAUSED BY THE WORK.
14. ALL DOORS AND HARDWARE SHALL BE IN COMPLIANCE WITH APPLICABLE ACCESSIBILITY CODES AND ORDINANCES. ALL WORK TO BE DONE IN COMPLIANCE WITH THE LATEST LOCAL AND STATE BUILDING CODES AND ORDINANCES.
15. REFER TO ENGINEERING DRAWINGS (OR DESIGN BUILD M.E.P.) FOR MECHANICAL, ELECTRICAL, PLUMBING AND SPRINKLER LAYOUTS.
16. LOCATE FIRE EXTINGUISHERS THROUGHOUT AS REQUIRED BY CODE.
17. ON COMPLETION OF THE PROJECT, CONTRACTOR SHALL WASH CLEAN ALL SURFACES AND LEAVE THE WORK IN A CLEAN CONDITION.
18. SET FLOOR DRAINS AND FLOOR SINKS WITH TOP OF FINISH TILE/POURED FLOOR. SEE PLUMBING DRAWINGS.
19. SLOPE CONCRETE FLOOR 1/50 TOWARDS FLOOR DRAINS AND AWAY FROM ALL WALLS.
20. 24"x24" AREA AT FLOOR DRAINS TO SLOPE AT 1/4" PER FOOT.
21. XXXX

FLOOR KEY NOTES

#	NO.	DESCRIPTION	REV.
1	A110	DESCRIPTION 1	



10 South Eighth Street
Minneapolis, MN 55402

1612_339-2257
1612_349-2930
sheadesign.com

consultant
TBD

TBD

project title
**BROADWAY PLACE
CORNER OF BROADWAY & MILL
WAYZATA, MN**

client
JIM BELTZ

seal

**PUD SUBMITTAL
JUNE 17, 2016**

no.	date	issued for

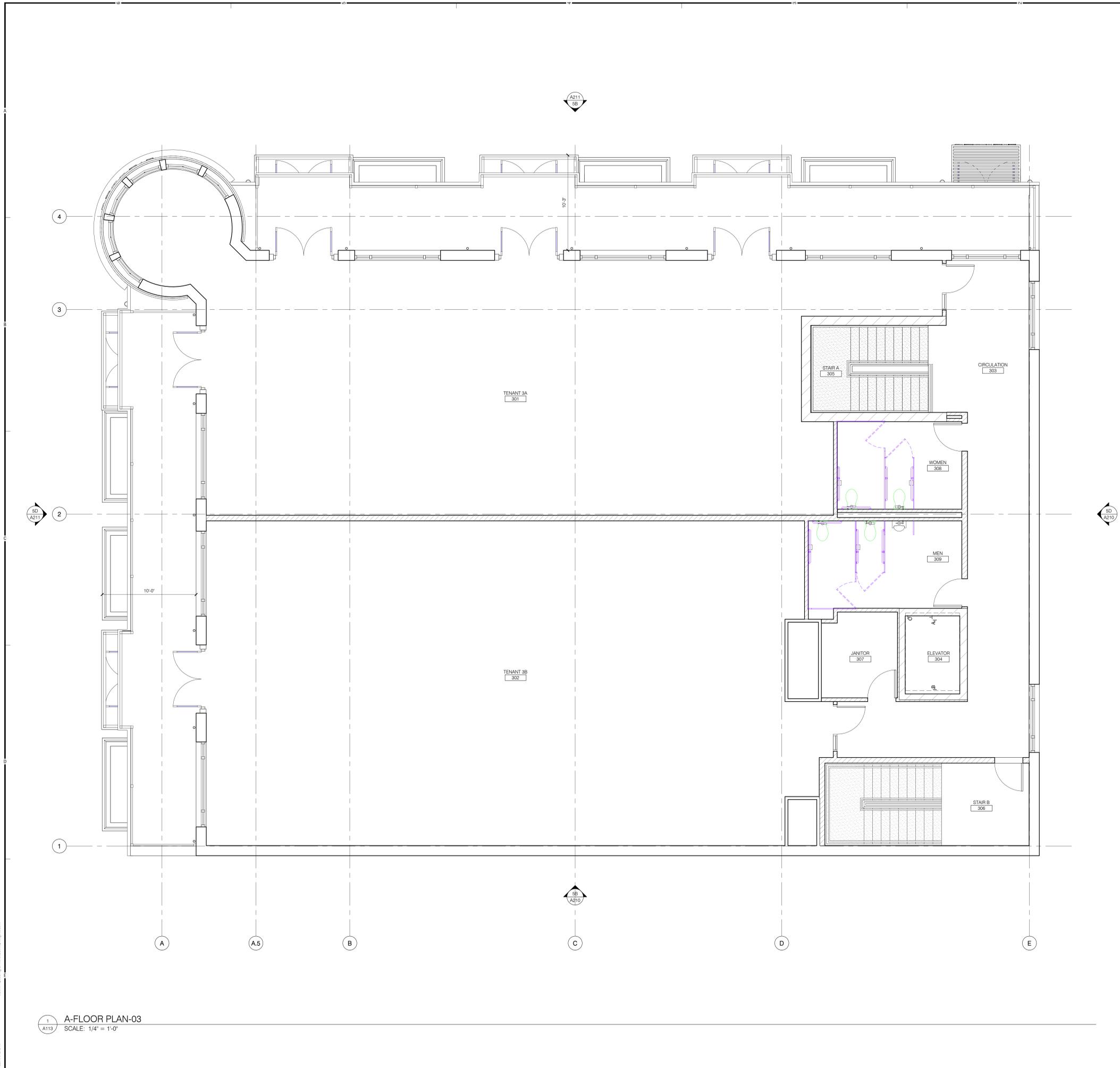
project no.	date
7241.00	2016.06.17
drawn	checked
BMD	DAS

sheet title
FLOOR PLAN - 1ST LEVEL

A111

1 A-FLOOR PLAN-01
SCALE: 1/4" = 1'-0"

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- FLOOR PLAN NOTES**
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 20. 24"x24" AREA AT FLOOR DRAINS TO SLOPE AT 1/4" PER FOOT.
 21. XXXX

FLOOR KEY NOTES

#	NO.	DESCRIPTION	REV.
1	A110	DESCRIPTION 1	



10 South Eighth Street
Minneapolis, MN 55402

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consultant
TBD

TBD

project title
**BROADWAY PLACE
CORNER OF BROADWAY & MILL
WAYZATA, MN**

client
JIM BELTZ

**PUD SUBMITTAL
JUNE 17, 2016**

no.	date	issued for

project no. 7241.00 date 2016.06.17
drawn BMD checked DAS

sheet title
FLOOR PLAN - 3RD LEVEL

A113

A-FLOOR PLAN-03
SCALE: 1/4" = 1'-0"

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1 612 349-2930
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consultant

TBD

TBD

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BROADWAY PLACE
CORNER OF BROADWAY & MILL
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client

JIM BELTZ

soil

PUD SUBMITTAL
JUNE 17, 2016

no. date issued for

PRELIMINARY

project no. 7241.00 date 2016.06.17
drawn BMD checked DAS

sheet title
EXTERIOR ELEVATIONS

A210

EXTERIOR ELEVATION NOTES

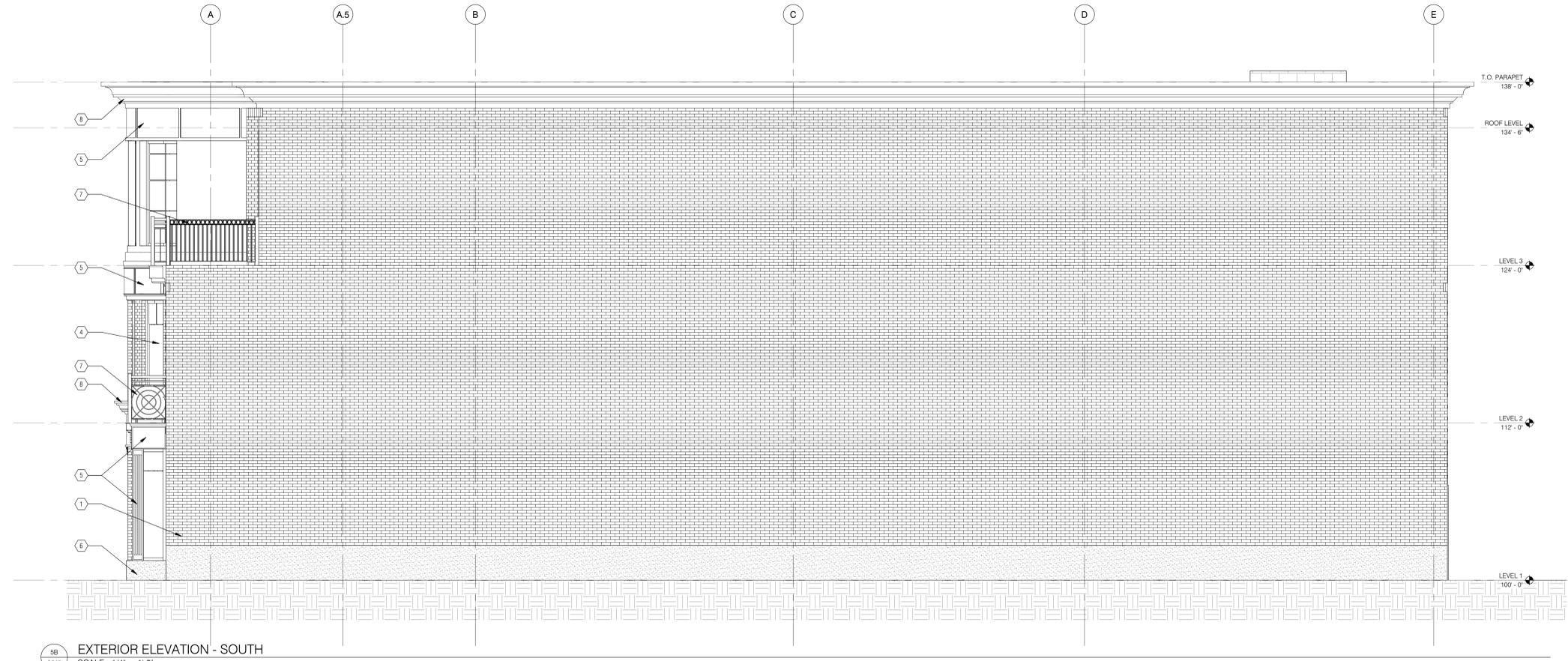
- COORDINATE WITH MECHANICAL, ELECTRICAL, PLUMBING AND SIGNAGE DRAWINGS FOR ALL PENETRATIONS THROUGH THE EXTERIOR ENVELOPE.
- SEE ELECTRICAL DRAWINGS FOR EXTERIOR LIGHTING FIXTURES.
- BUILDING SIGNAGE AND AWNINGS ARE UNDER SEPARATE PERMIT AND NOT PART OF THIS PLAN REVIEW. G.C. TO PROVIDE BLOCK LETTERING FOR ALL SIGNAGE - G.C. TO COORDINATE WITH VENDOR AND DRAWINGS.
- SIGN VENDOR TO PROVIDE VINYL LETTERING.
- ADDRESS SIGN LOCATION MUST BE PROMINENTLY VISIBLE AND LEGIBLE FROM PRIMARY OR MAIN ROAD - MIN. 5' HIGH FROM LOCAL AUTHORITIES.
- MOUNT KNOX BOX 6" ABOVE GRADE. CONFIRM EXACT LOCATION WITH FIRE MARSHALL.
- PROVIDE CONTROL JOINTS AT ALL COLOR AND FINISH MATERIAL TRANSITIONS.
- XXXX

FINISH SCHEDULE - EXTERIOR

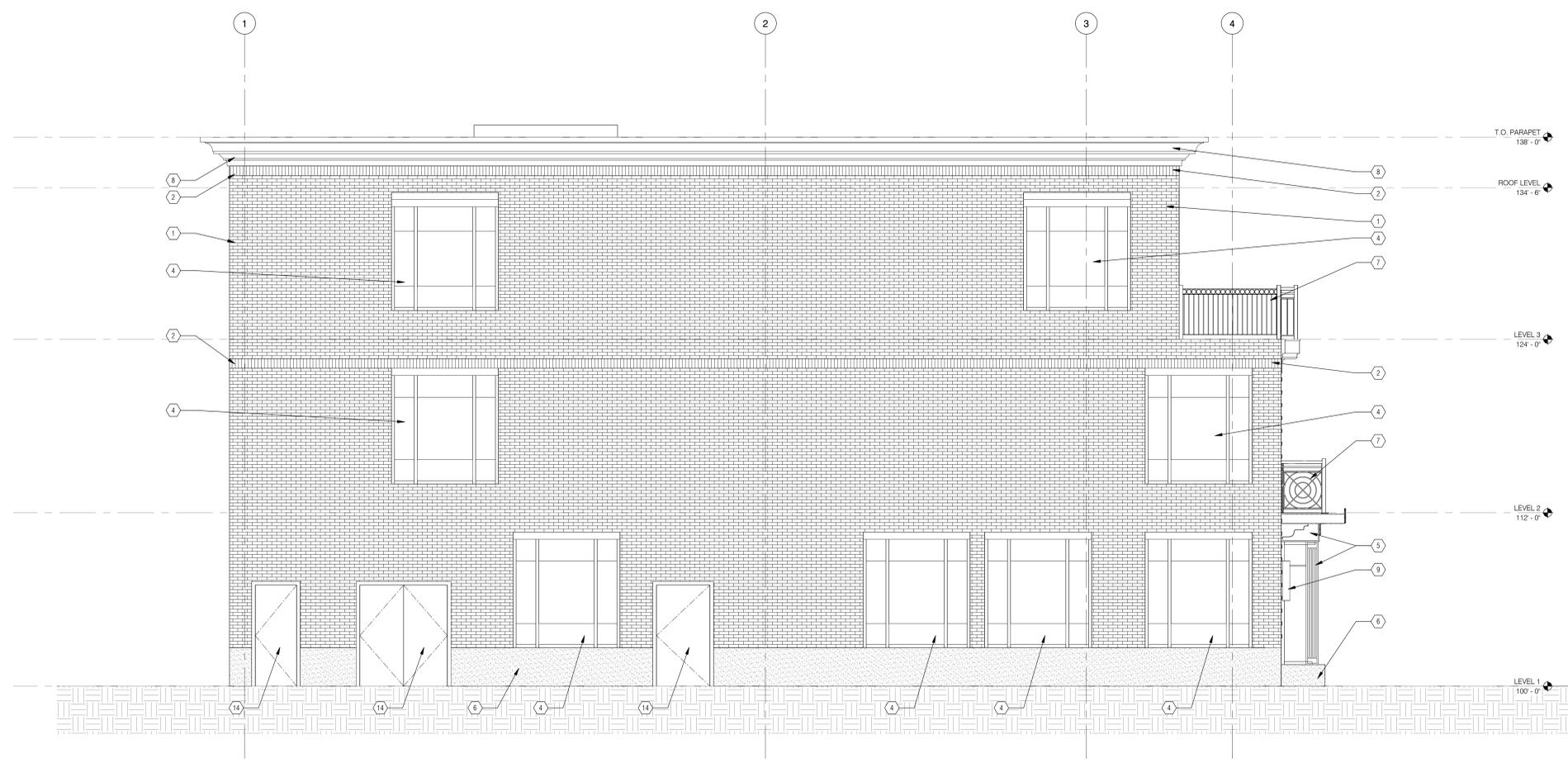
MARK	DESCRIPTION	REMARKS
(EXIST)	EXISTING MATERIAL TO REMAIN	

EXTERIOR KEY NOTES

#	DESCRIPTION	NO.
1	BRICK	
2	BRICK - SOLDIER COURSE	
3	BRICK - PROJECTED HEADER COURSE EVERY 4TH COURSE	
4	STOREFRONT SYSTEM WINDOW AND DOORS	
5	METAL PANELING & DETAILING	
6	CAST STONE BASE AND HEADER	
7	DECORATIVE RAILING	
8	METAL CORNICE	
9	WALL SCONCE - HUBBARDTTON FORD AIRIS LARGE OUTDOOR SCONCE	
10	WALL SCONCE - LIGHTINGSTYLES EXTERIOR GU10 BASE WALL LIGHT (OR SIM)	
11	BUILDING LIGHTING - BK LIGHTING EVEREST SERIES	
12	SIGNAGE LIGHTING - BK LIGHTING TWIN SIGN STAR™ STYLE L & TWIN SIGN STAR™ STYLE C	
13	FUTURE TENANT SIGNAGE LOCATION	
14	SERVICE / EGRESS DOOR	



58
A210
EXTERIOR ELEVATION - SOUTH
SCALE: 1/4" = 1'-0"



59
A210
EXTERIOR ELEVATION - EAST
SCALE: 1/4" = 1'-0"

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1 612 349-2930
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consultant

TBD

TBD

project title

BROADWAY PLACE
CORNER OF BROADWAY & MILL
WAYZATA, MN

client

JIM BELTZ

seal

PUD SUBMITTAL
JUNE 17, 2016

no.	date	issued for

PRELIMINARY

project no. 7241.00	date 2016.06.15
drawn BMD	checked DAS

sheet title
EXTERIOR ELEVATIONS

A211

EXTERIOR ELEVATION NOTES

1. COORDINATE WITH MECHANICAL, ELECTRICAL, PLUMBING AND SIGNAGE DRAWINGS FOR ALL PENETRATIONS THROUGH THE EXTERIOR ENVELOPE.
2. SEE ELECTRICAL DRAWINGS FOR EXTERIOR LIGHTING FIXTURES.
3. BUILDING SIGNAGE AND AWINGS ARE UNDER PERMIT AND NOT PART OF THIS PLAN REVIEW. G.C. TO PROVIDE BLOCK LETTERS AND POWER FOR ALL SIGNAGE - G.C. TO COORDINATE WITH VENDOR AND DRAWINGS.
4. SIGN VENDOR TO PROVIDE VINYL ON GLASS.
5. ADDRESS SIGN LOCATION MUST BE PROMINENTLY VISIBLE AND LEGIBLE FROM PRIMARY OR MAIN ROAD - MIN. 1" HIGH FROM LOCAL AUTHORITIES.
6. MOUNT KNOX BOX 6" ABOVE GRADE. CONFIRM EXACT LOCATION WITH FIRE MARSHALL.
7. PROVIDE CONTROL JOINTS AT ALL COLOR AND FINISH MATERIAL TRANSITIONS.
8. XXXX

FINISH SCHEDULE - EXTERIOR

MARK	DESCRIPTION	REMARKS
(EXIST)	EXISTING MATERIAL TO REMAIN	

EXTERIOR KEY NOTES

#	DESCRIPTION	NO.
1	BRICK	
2	BRICK - SOLDIER COURSE	
3	BRICK - PROJECTED HEADER COURSE EVERY 4TH COURSE	
4	STOREFRONT SYSTEM WINDOW AND DOORS	
5	METAL PANELING & DETAILING	
6	CAST STONE BASE AND HEADER	
7	DECORATIVE RAILING	
8	METAL CORNICE	
9	WALL SCORNICE - HUBBARDTON FORD ARIS LARGE OUTDOOR SCORNICE	
10	WALL SCORNICE - LIGHTINGSTYLES EXTERIOR GU10 BASE WALL LIGHT (OR SIM)	
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13	FUTURE TENANT SIGNAGE LOCATION	
14	SERVICE / EGRESS DOOR	

NORTH ELEVATION MATERIALS

BRICK	1172 SF	30.9%
STOREFRONT/GLASS	1663 SF	43.8%
METAL PANELING / DETAILING	758 SF	20.0%
CAST STONE	202 SF	5.3%

WEST ELEVATION MATERIALS

BRICK	792 SF	27.8%
STOREFRONT/GLASS	1262 SF	44.2%
METAL PANELING / DETAILING	641 SF	22.4%
CAST STONE	159 SF	5.6%



SB
A211
EXTERIOR ELEVATION - NORTH
SCALE: 1/4" = 1'-0"



SD
A211
EXTERIOR ELEVATION - WEST
SCALE: 1/4" = 1'-0"

Broadway Place – 326 and 332 Broadway Ave S
Design Critique (Based on Architectural Plans dated 6/17/2016 and Civil Plans dated 6/16/2016)
July 15, 2016

	Comments	Compliance
Building Uses		
<u>801.09.2.1 – Lake Street District</u> All new buildings east of Barry Avenue on Lake Street shall have retail usage at least eighty percent (80%) of the ground floor facing Lake Street. The remaining twenty percent (20%) of the ground floor frontage may only be used for walkways, public access, or public facilities. Retail activities shall comprise a total of at least fifty percent (50%) of the usage of the total building footprint.	The building is not located on Lake Street.	Not Applicable
Building Recesses		
<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 Broadway Avenue right of way adjacent to the site currently has a landscaped area, benches, and plaza with decorative brick. The proposed plan would retain these improvements.	Yes

	Comments	Compliance
Building Width		
<p><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:</p> <ol style="list-style-type: none"> 1. Window bays 2. Special treatment at entrances 3. Variations in roof lines or parapet detailing 4. Awnings 5. Building setbacks or articulation of the facade 6. Rhythm of elements 	<p>The proposed building includes window bays, articulation of the façade, and a rhythm of elements.</p>	<p>Yes</p>

Upper Story Setbacks		
<p><u>801.09.5.1.A – All Districts – New Buildings</u></p> <p>Building height shall conform to the height of the applicable zoning district. Where three (3) story buildings are permitted, the third (3rd) story must be recessed from all façades fronting public right of ways at least a distance equal to the vertical distance of the 3rd story height from the second (2nd) floor footprint, or an average of ten (10) feet across the facade, but no portion of the 3rd story structure shall be closer than six (6) feet to the 2nd story façade. The 3rd story façade shall be designed with railings, pillars, dimensional windows, building recesses or other similar design techniques to break up the 3rd story façade.</p>	<p>The third story is recessed 10 feet from the second story along most of the right of way frontages from Broadway Avenue and Mill Street. The only portion of the third story that is not recessed is the northwest corner of the building. The recessed portion of the third story would be utilized as a balcony area, and would include railings to break up the third story façade.</p>	<p>No</p>
<p><u>801.09.5.1.B – All Districts – New Buildings</u></p> <p>The façades fronting public right-of-ways of every two and three story building, longer than sixty (60) feet, must have a recessed second story of approximately twenty-five percent (25%) of the façade's length, setting back a minimum of six (6) feet from the face of the first floor façade. The required third floor setback must follow the frontal plane of the second story setback.</p>	<p>The building is 75 feet in length along Broadway Avenue and 100 feet in length along Mill Street. The second story along Broadway Avenue is recessed back for 40% of the length of the building and the second story along Mill Street is recessed back for 30% of the length of the building. However, the second story is recessed only 3 feet from the first floor façade, not the required 6 feet.</p>	<p>No</p>
<p><u>801.09.5.1.C – All Districts – New Buildings</u></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 applicant has requested a height variance from the maximum height of 35 feet in the PUD district to 38 feet. The planning commission should evaluate the impacts of the height variance on sun orientation, solar access, views of Lake Minnetonka, and impacts on neighboring properties.</p>	<p>Evaluate</p>

Roof Design			
<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 proposed building does not include a green roof.</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. The material and color of the roof is not indicated on the plans.</p>	<p>Evaluate</p>	
Screening of Rooftop Equipment			
<p><u>801.09.7.1 – Lake Street and Bluff Districts</u> No mechanical equipment for a building may be located on the roof deck. All such mechanical equipment must be located within the interior of the structure.</p>	<p>The proposed plans do not include any mechanical equipment on the roof of the building.</p>	<p>Yes</p>	

	Comments	Compliance
Facade Transparency		
<p>801.09.8.2 – Lake Street District No less than fifty percent (50%) of the ground level façade of any building fronting Lake Street shall be transparent glass. No less than twenty-five percent (25%) of the ground level side and rear façade facing a public right of way, parking area or open space shall be transparent glass.</p>	<p>The building does not have any frontage on Lake Street. The north and west elevations of the building, which face public right of way, would be comprised of 44% glass along the entire building façade. The glass is equally distributed along all three levels of the building. Therefore, the ground level would be comprised of more than 25% of transparent glass.</p>	<p>Yes</p>
Ground Level Expression		
<p>801.09.9.1 – All Districts 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"> 1. An intermediate cornice line 2. A difference in building materials or detailing 3. An offset in the façade 4. An awning, trellis, or loggia 5. Arcade 6. Special window lintels 7. Brick/stone corbels 	<p>The proposed building includes the following elements to distinguish the ground floor from the upper levels:</p> <ul style="list-style-type: none"> • Special window lintels • Difference in building materials or detailing with the balconies and decorative railings • An offset in the façade at the ground level entrances and window bays 	<p>Yes</p>
Entries		
<p>801.09.10.1 – All Districts 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 plans include a landscaped area adjacent to each of the ground floor entrances. However, the plans do not include planting information for these landscaped areas.</p>	<p>Evaluate</p>

Building Materials and Quality		
<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"> 1. Brick 2. Stone 3. Cast stone 4. Factory finished and certified wood, including, but not limited to: <ol style="list-style-type: none"> a. Wood shingles (cedar shingles six (6) inch maximum exposure) b. Lap-siding (six (6) inch maximum width) 5. Stucco 	<p>The non-glass surfaces of the east and south elevations would be comprised of 90% of brick.</p> <p>The non-glass surfaces of the north elevation would be comprised of 55% brick, 35% metal paneling/detailing, and 10% cast stone.</p> <p>The non-glass surfaces of the west elevation would be comprised of 50% brick, 40% metal paneling/detailing, and 10% cast stone.</p> <p>The metal paneling/detailing materials on the north and west elevations require a deviation from the design standards.</p>	No
<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>	The proposed building includes the same materials, brick, metal paneling/detailing, and cast stone on all sides of the building.	Yes
<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>	The details of the brick construction would be reviewed with the final building plans.	Yes

<p><u>801.09.11.1.D – Façade Detail – All Districts</u></p> <p>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.</p> <p>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.</p>	<p>The details of the brick construction would be reviewed with the final building plans.</p>	<p>Yes</p>
<p><u>801.09.11.1.E – Brick Joints – All Districts</u></p> <p>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.</p> <p>2. All brick walls must be built to avoid efflorescence</p>	<p>The details of the brick construction would be reviewed with the final building plans.</p>	<p>Yes</p>
<p><u>801.09.11.1.F – Stone Joints – All Districts</u></p> <p>Stone joints shall be no larger than one-fourth (1/4) inch.</p>	<p>The details of the stone construction would be reviewed with the final building plans.</p>	<p>Yes</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"> 1. Stone 2. Cast stone 3. Copper (untreated) 4. Rock faced stone 5. Aluminum or painted steel structural shapes 6. Fiber cement board 7. Premium grade wood trim with mitered outside corners. Examples of premium grade wood are cedar, redwood, and fir. 8. EIFS 	<p>The lintels, sills, cornices, and base of the building are comprised of metal panels and cast stone.</p>	<p>Yes</p>
<p><u>801.09.11.1.H - Parapets, Flashing, Coping – All Districts</u></p> <ol style="list-style-type: none"> 1. Only the following materials may be used for parapets, flashing and coping: <ol style="list-style-type: none"> a. copper (untreated) b. brick c. stone d. cast stone e. premium grade wood. 2. Pre-finished, painted .032 aluminum may only be used as a standard parapet coping with a maximum exposed edge of five (5) inches. 	<p>The proposed building includes parapets and coping comprised of brick and a metal paneling cornice.</p>	<p>Yes</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"> a. Fabric awnings of a heavy canvas in dark solid colors or other colors that are approved as part of the design review process b. Highly detailed, ornate metal in dark colors c. Glass awnings <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 proposed building includes balconies on the second and third floors. Each of the balconies includes a doorway from the building, and would be usable. The proposed balconies would be located within the property and would be surrounded by decorative metal railings.</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 proposed glass would not be mirrored, reflective, or darkened.</p>	<p>Yes</p>

<p><u>801.09.11.1.L – Door Systems – 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 all be comprised of glass.</p>	<p>Yes</p>
	<p>Comments</p>	<p>Compliance</p>
<p>Franchise Architecture</p>		
<p><u>801.09.12.1 – All Districts</u> 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. 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
<p>Walkways</p> <p>801.09.13.1 – Lake Street District</p> <p>A. Continuous sidewalks at least twelve (12) feet in width shall be provided along all public street frontages.</p> <p>B. Lighted sidewalks shall extend between rear and side parking areas and building entrances. All sidewalk lighting must project downward.</p> <p>C. Buildings with street frontage exceeding fifty (50) feet shall have at least one (1) bench.</p> <p>D. All sidewalk surfaces must match the exposed aggregate/brick accent sidewalks on Lake Street.</p>	<p>There is 26 feet of boulevard area between the curb line of Broadway Avenue and the west property line. The boulevard area currently contains a landscaped area, benches, and plaza with decorative brick. The applicant is proposing to reconstruct the existing 5-foot wide concrete sidewalk. The sidewalk could be widened to 12 feet, however that would result in removal of the existing landscaping and decorative brick.</p> <p>There is 13 feet of boulevard area between the curb line of the Mill Street parking lot and the north property line. The applicant is proposing to construct a 5-foot wide concrete sidewalk with 4-foot landscaped areas on both sides.</p> <p>The 5-foot sidewalk dimensions require a deviation from the design standards.</p> <p>In addition, the sidewalk materials should be changed to the exposed aggregate with concrete bands, per the City’s downtown sidewalk specifications.</p>	<p>No</p>

	Comments	Compliance
Landscaping		
<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"> 1. Boulevard species trees, with at least three (3) caliper inches. 2. Exposed aggregate sidewalks with brick accents 3. Street lights 4. Benches (if building length is 50 feet or greater), which utilize existing city bench designs. 5. Flowers 	<p>The proposed plans include a landscaped area adjacent to each of the ground floor entrances. However, the plans do not include planting information for these landscaped areas.</p> <p>The boulevard area currently contains a landscaped area, benches, and plaza with decorative brick, and existing boulevard trees.</p>	<p>Evaluate</p>

<p><u>801.09.14.2 – Lake Street District</u></p> <p>A. Established Lake Street landscape treatments shall be followed in accordance with the specifications of the Wayzata Engineering Guidelines set forth in Wayzata City Code. Exposed aggregate with brick accent sidewalks shall be used.</p> <p>B. Approved boulevard trees, planted in sidewalk areas, shall be planted no more than twenty six (26) feet on center from each other.</p>	<p>As previously indicated, the sidewalk materials would need to be modified to exposed aggregate with concrete accents to comply with the City's engineering guidelines.</p>	<p>Evaluate</p>
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	Comments	Compliance
<p>Parking Lot Landscaping</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 project does not include any surface parking lots.</p>	<p>Not Applicable</p>
<p>Surface Parking</p>		
<p><u>801.09.16.1 – All Districts</u> 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. 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. C. Side yard parking shall not extend beyond the front yard setback of the primary building on the property. D. Front yard parking is prohibited. E. There shall be no corner parking.</p>	<p>The proposed project does not include any surface parking lots.</p>	<p>Not Applicable</p>

	Comments	Compliance
<p><u>801.09.16.2 – All Districts – Bicycle Parking</u> 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>The proposed building would require more than 20 parking spaces. The proposed plans do not include any bicycle parking.</p>	<p>Evaluate</p>
<p>Parking Structures</p>		
<p><u>801.09.17.1 – All Districts</u> Parking structures shall meet the following standards, along with all other applicable building code standards:</p> <ul style="list-style-type: none"> A. The ground floor façade abutting any public street or walkway shall be architecturally compatible with surrounding commercial or office buildings. B. The parking structure shall be designed in such a way that sloped floors do not dominate the appearance of the façade. C. Windows or openings shall be similar to those of surrounding buildings. D. Vines and other significant landscaping shall be used to minimize the visual impact of the parking structure. 	<p>This section is not applicable, as there is no parking ramp associated with the project.</p>	<p>Not Applicable</p>

<p><u>801.09.17.2 – Lake Street District</u></p> <p>A. If any part of a parking structure abuts Lake Street, that entire portion of the ground floor façade shall be occupied by at least eighty percent (80%) retail usage, extending to a depth of at least thirty (30) feet.</p> <p>B. The ground floor level of a parking structure shall not come within forty (40) feet of Lake Street.</p> <p>C. The top decks of parking structures visible from adjacent properties shall be designed with trellises and landscaping sufficient to screen at least fifty percent (50%) of the visible area.</p>	<p>This section is not applicable, as there is no parking ramp associated with the project.</p>	<p>Not Applicable</p>
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	Comments	Compliance
Signs		
<p><u>801.09.18.1 – All Districts</u></p> <p>A. Compatibility</p> <ol style="list-style-type: none"> 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. 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. 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. 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. 	<p>The proposed building would include wall signs along the north and west building elevations to identify the individual tenants. The sign band areas are incorporated into the building and site design.</p>	<p>Yes</p>

<p><u>801.09.18.2 – Permitted Signs – Lake Street District</u> A. Only the following types of signs are permitted in the Lake Street District:</p> <ol style="list-style-type: none">1. Awning, canopy or marquee signs2. Wall signs3. Monument or ground signs4. Projecting signs5. Window signs (small accent signs)6. Roof signs if located on pitched-roof buildings, below the peak of the roof	<p>The proposed building would include wall signs.</p>	<p>Yes</p>
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	Comments	Compliance
<p>Parking Lot and Building Lighting</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>The project does not include any parking lot lighting.</p> <p>The building lighting includes exterior mounted wall sconces and would cast light on the building façade, but would be screened by the building’s architectural design to eliminate glare onto adjacent properties.</p> <p>The proposed plans do not include any sidewalk lighting.</p>	<p>Evaluate</p>