

Wayzata Planning Commission

Meeting Agenda

Wednesday, September 7, 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 August 1, 2016 Planning Commission Minutes
 - 4. Old Business Items:**
 - a. None
 - 5. Public Hearing Items:**
 - a. Frenchwood 3rd Addition – 250, 270 Bushaway Rd
PUD Concept and General Plans, PUD Rezoning, Subdivision
 - b. Beacon Five – 529 Indian Mound E
PUD General Plan, Design Review
 - c. Temporary Family Health Care Housing Opt-Out Ordinance
 - d. Institutional Zoning District Amendment
 - 6. Other Items:**
 - a. Review of Development Activities
 - b. Next Meeting is September 19, 2016
 - 7. 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 current Gold Mine and Mail Center properties at 326 and 332 Broadway Avenue S. The
2 development application includes plans for the demolition of the two (2) existing buildings and
3 construction of a three story mixed use building, which would consist of retail uses on the
4 ground level and office uses on the upper two levels. The Planning Commission reviewed the
5 development application and held a public hearing at its July 18, 2016 regular meeting. After
6 discussing the application, the Commission asked the applicant to provide additional information
7 regarding the roof top mechanical equipment, sidewalk widths on Broadway and Mill Street, and
8 height comparison to the 701 Lake Street building. The Commission also asked the applicant to
9 respond to the design critique, outline the reasons for the deviations from the design standards,
10 and provide written justification for the height variance. After discussing the application at the
11 July 18, 2016 meeting, the Planning Commission directed staff to prepare a Planning
12 Commission Report and Recommendation recommending approval of the development
13 application. Since that meeting, the applicant has submitted revised plans for the project that
14 include increased sidewalk widths along both Broadway and Mill Street. Mr. Thomson reviewed
15 the current design standard deviations requested including the building recessions, the exterior
16 building materials, the sidewalk widths, and the rooftop mechanical equipment. He outlined the
17 conditions of approval in the draft Report and Recommendation prepared by staff.

18
19 Commissioner Young asked if the previous sidewalk plan of the current proposal included green
20 space along Mill Street in lieu of the 13-foot sidewalk.

21
22 Mr. Thomson stated the previous plan reviewed by the Commission at its last meeting included a
23 4-foot buffer then a 5-foot sidewalk and an additional landscape buffer between the sidewalk and
24 the building.

25
26 Commissioner Gruber stated the sidewalk along Broadway was proposed to be narrower to
27 preserve the existing bench, landscaping, and decorative brick. She asked what the current
28 condition was of these features, and if the applicant planned to make any improvements to these
29 features.

30
31 Applicant's Representative, Mr. David Link, 2399 Wayzata Blvd West, stated the features
32 Commissioner Gruber is referring to are located in the City right-of-way, and the applicant does
33 not have the right to make improvements to these features. The applicant would be willing to
34 work with the City and discuss what could be done to improve this area. He clarified the
35 sidewalk is narrower along Broadway in order to preserve a large tree.

36
37 Chair Iverson stated there were open issues with the parking at this time. She asked if the
38 applicant does work out an agreement with City whether they would be leasing parking from the
39 City for the project.

40
41 Mr. Thomson explained through the Mill Street parking structure, the City would be providing
42 additional parking to what currently exists on Mill Street. The plan is to have a mechanism in
43 place to allow property owners to contribute an annual fee to the City for the number of parking
44 stalls that would be needed for their development but are not able to be provided onsite.

45

1 Chair Iverson asked if the adjacent building located at 701 Lake Street had been granted a height
2 variance.

3
4 Commissioner Gruber stated the height requirement did not pertain to the 701 building because
5 the building had been constructed prior to the enactment of the current height requirement.

6
7 Chair Iverson asked if the sidewalks would be heated.

8
9 Mr. Link stated they would not be including heated sidewalks as part of the project. The heated
10 sidewalks at Presbyterian Homes were installed because the facility does not have anywhere to
11 put snow, and thus this was made part of the overall storm water management system for that
12 project.

13
14 Chair Iverson asked if the project would include a bike rack.

15
16 Mr. Link stated there is bike parking in the alley and also an opportunity for a bike rack on the
17 corner. They would work with the City on where this could be located.

18
19 Chair Iverson asked if any part of the existing buildings would be preserved and included in the
20 new project.

21
22 Commissioner Gruber suggested the Applicant contact the Historical Society so they could take
23 pictures of the buildings before they are removed.

24
25 Mr. Link stated the Beltz Family could help to facilitate that project.

26
27 Chair Iverson stated she would not support a variance for a 25% increase in the building height
28 limit.

29
30 Commissioner Young stated he does not believe the Commission has accomplished what they
31 wanted by asking for wider sidewalks along Mill Street. He preferred the landscape buffers in
32 the previous proposal versus sidewalks up to the building.

33
34 Mr. Thomson stated the final sidewalk design would be worked out with the City and this was
35 outlined in the draft recommendation.

36
37 Chair Iverson asked why the Storm Water Management Plan was not included in the proposal.

38
39 Mr. Thomson explained Condition D for approval refers to the actual maintenance agreement for
40 maintenance of the stormwater management facilities, and this does not get recorded until final
41 design.

42
43 Chair Iverson stated the Planning Commission has received Stormwater Management Plans to
44 review with feedback from the City Engineer for other applications.

45

1 Mr. Link stated the original submission included the Stormwater Management Plan, and Mr.
2 Kelley did sign off on it and documented that it was a best in practice management plan.

3
4 Commissioner Young made a motion, Seconded by Commissioner Gruber to approve the draft
5 Planning Commission Report and Recommendation, as presented, recommending approval of
6 the Rezoning, Concurrent PUD concept and General Plan of Development, Design Review,
7 Variances, Shoreland Impact Plan/Conditional Use Permit, and Preliminary and Final Plat
8 Subdivision for Broadway Place located at 326 and 332 Broadway Avenue S with the
9 conditioned outlined in the report. The motion carried 4-ayes, 1-abstain (Iverson).

10
11 Chair Iverson explained she abstained because she was not at the last meeting, and she did not
12 feel she had enough information to make a final decision.

13
14
15 **AGENDA ITEM 5. Public Hearing Items:**

16
17 a.) None.

18
19
20 **AGENDA ITEM 6. Other Items:**

21
22 a.) **Review Newly Adopted Tree Ordinance**

23
24 Director of Planning and Building Thomson introduced the recently adopted updates to the
25 existing Tree Ordinance, Chapter 710 – Maintenance and Removal of Trees and the newly
26 adopted Chapter 801 Section 801.36 – Zoning Ordinance, approved by the City Council.
27 Chapter 801 Section 36 is a new Section in the Zoning Ordinance, and is focused on
28 development. Chapter 710 is existing City Code that is separate from the Zoning Ordinance, and
29 includes provisions on tree pathogen control program, nuisance abatement, transporting diseased
30 wood, and licensing requirements. He stated Chapter 801 would apply to subdivisions, public
31 infrastructure projects, construction of single-family homes on vacant lots, grading permits,
32 design review and expansions to existing single-family homes. He clarified the lower threshold
33 for significant tree removal for existing single-family homes takes into consideration the number
34 of significant trees that may have been removed during initial construction. The replacement
35 calculations are based on the number of inches for the trees on the site, not the number of trees
36 on the site. The new Ordinance does include language that would allow the City Council to
37 waive the replacement of trees for public infrastructure projects if the replacement would create
38 undue financial burden on the project and the public benefits of the public infrastructure project
39 outweigh the benefits of the tree replacement. He reviewed the tree replacement ratios, the size
40 requirements, and the fee-in-lieu of replacement project.

41
42 Commissioner Gruber asked if the Ordinance would apply to redevelopment or development
43 projects.

44
45 Mr. Thomson stated development and redevelopment projects require a design review, and the
46 Tree Ordinance applies to the design review of the project. The two projects that the Planning

1 Commission would see that involve the Tree Ordinance are for subdivisions and design reviews.
2 All subdivisions and design reviews going forward will require a Tree Preservation Plan to be
3 submitted with the application, and reviewed by the Planning Commission and City Council.
4 The Planning Commission will review this during the review of the development application.

5
6 Chair Iverson asked if a homeowner could remove all the trees on their property.
7

8 Mr. Thomson clarified the only way a home owner could remove any trees on their property is if
9 they are not doing any development, grading or construction. The City Council removed the
10 language from the draft Ordinance that required a homeowner to apply for a permit to remove
11 trees on their property.
12

13 Commissioner Murray stated the previous Code limited tree removal on residential property to
14 32 caliper inches per year per acre. He clarified this limit had been removed from the new
15 Ordinance.
16

17 Mr. Thomson stated this was correct and had been removed by the Council after considerable
18 discussion.
19

20 Chair Iverson suggested asking the City Council to reconsider removing this language.
21

22 Mr. Thomson stated as the City begins to administer the Ordinance, they are likely to find things
23 that should be looked at further, such as tree removal within a time period from purchase to
24 development.
25

26 City Attorney Schelzel stated that as issues present themselves when administering the new
27 Ordinance, changes or amendments to the Ordinance can be made as these items are identified.
28 He stated the City Council had discussions on the implications of having the Ordinance apply to
29 all homeowners and that they may not be aware of it, and would not think to apply for a permit.
30 He asked the Commission what they would consider to be an appropriate time period for the City
31 to consider previous tree removal in cases when trees have been removed on a property prior to
32 the application for a building permit or development application.
33

34 Commissioner Gruber stated the Ordinance is not covering a number of scenarios that would
35 result in a large loss of trees.
36

37 Commissioner Murray stated the new Ordinance also creates an opportunity for someone to clear
38 cut anything before applying for a permit or development application. The old Ordinance had
39 some protections by limiting the number of trees a homeowner could remove to 32 caliper
40 inches per year per acre.
41

42 Mr. Thomson stated there is a concern but there an ability to build in a “look back” period for
43 tree removal with a development application. He stated the Ordinance will apply if there is any
44 type of construction or grading on the property. The intent of removing the language on tree
45 removal permits is for the homeowner who wants to remove an existing tree(s) outside of

1 construction or property improvement. In such cases, they will not be required to apply for a
2 permit.

3
4 Chair Iverson stated the City should act quickly to put language in place that would trigger the
5 Tree Ordinance for all property owners, to limit the ability in all circumstances to remove large
6 amounts of trees without City review.

7
8 City Attorney Schelzel stated the direction from the City Council during the review and adoption
9 of the Ordinance was that the Tree Ordinance should not apply to homeowners who are not
10 doing any construction or grading of their property. He recommended that if the Planning
11 Commission wanted the City Council to reconsider this, and add back the original or similar
12 language, then a motion should be made to that effect.

13
14 Commissioner Young stated he would like to see a requirement that if a homeowner removes “x
15 percent” of the trees on their property they would need a permit. This allows the City to be
16 aware of the removal.

17
18 Chair Iverson asked if there was a process for a homeowner who wanted to remove more than
19 25% of their trees to request approval from the City.

20
21 City Attorney Schelzel stated requiring a tree removal permit was distinct from requiring a tree
22 preservation plan. Under the new Tree Preservation Ordinance, when the applicant reaches the
23 thresholds, they are required to submit a tree preservation plan for how the applicant is going to
24 deal with all the trees on the property, and replace trees that are being removed or pay money in
25 lieu of the trees. He asked if the Commission was proposing that the City should require a
26 homeowner get a permit to remove any trees on their property, or just make the Tree
27 Preservation Ordinance applicable to all homeowners.

28
29 Commissioner Young suggested a threshold be set and once that was met, then a homeowner
30 would need obtain a permit and submit a Tree Preservation Plan.

31
32 City Attorney Schelzel stated this would essentially be placing the same requirements for a
33 developer on homeowners, and the Council discussion had been around making the Ordinance
34 applicable just to those making changes to a property, such as developers. He stated to preserve
35 that distinction, he would recommend a look back provision.

36
37 Chair Iverson stated she would like to see the Ordinance go back to the City Council for
38 discussions on how to apply the ordinance to homeowners, either through a threshold or a look
39 back clause.

40
41 Commissioner Young made a motion, Seconded by Commissioner Murray to ask the City
42 Council to revisit the permit requirements for removal of trees for homeowners in the absence of
43 development, and consider alternatives for triggering such requirement, including setting
44 thresholds (e.g., removal of more than 25% of the trees on a property requires a permit),
45 establishing a “look back” clause, or applying the Ordinance to everyone, not just developers.
46 The motion carried unanimously.

1
2 Commissioner Murray asked if invasive species were included as nuisances.

3
4 Mr. Thomson stated buckthorn is not considered a tree.

5
6 Chair Iverson asked if there was a timeframe for the replacement of trees.

7
8 Mr. Thomson stated this is included in Section 9 Financial Guarantee.

9
10 Chair Iverson asked if there was someone on Staff that would verify tree protection steps have
11 been taken with projects.

12
13 Mr. Thomson stated the City was working on the administration of the Ordinance at this time.

14
15 Commissioner Gruber asked if the City had a Forester as defined in Chapter 710, and why
16 Chapter 710 and Chapter 801 were separated.

17
18 The language in Chapter 710 pertaining to the City Forester qualifications was changed by
19 Council to allow the flexibility for the City Manager in hiring a forester based on available
20 resources.

21
22 **b.) Review Development Activities**

23
24 Mr. Thomson stated the next City Council meeting is scheduled to include the subdivision
25 application on Bushaway Road, Frenchwood project, and the next steps for implementation of
26 the Lake Effect project. The August 15 Planning Commission meeting will be cancelled. The
27 next Planning Commission meeting is scheduled for September 7.

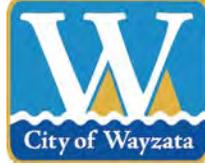
28
29
30 **AGENDA ITEM 6. Adjournment.**

31
32 Commissioner Young made a motion, seconded by Commissioner Gruber to adjourn the
33 Planning Commission. The motion carried unanimously.

34
35 The Planning Commission meeting was adjourned at 8:25 p.m.

36
37 Respectfully submitted,

38
39 Tina Borg
40 *TimeSaver Off Site Secretarial, Inc.*



**Planning Report
Wayzata Planning Commission
September 7, 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
City Council Review:	TBD
“60 Day” Deadline:	October 30, 2016

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 rezoning to PUD, PUD concept and general plan review, and preliminary and final plat review.

Background Information

The Planning Commission and City Council previously reviewed a development application for the subject properties. That development application included the same four lot subdivision, with lot width variances and a variance from the subdivision ordinance to allow use of a private roadway for access to the lots.

The Planning Commission adopted a Report and Recommendation of approval of the previous development application, based on the findings that the variances were reasonable because of the site and tree preservation that would result from the proposed lot and driveway configurations. The City Council reviewed the development application on August 3, 2016 and voted three to two to approve the project. However, the subdivision variance requires a four/fifths vote for approval. Therefore, the previous development application was not approved by the Council.

Based on the Council's discussion, the applicant has applied for the same subdivision application, but as a Planned Unit Development, rather than an R-1 subdivision. The PUD request does not require variances for the lot widths and private roadway.

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. Rezoning from R-1/Low Density Single Family Residential District to PUD/Planned Unit Development: The property is currently zoned R-1, and the applicant is requesting a rezoning to PUD.
- B. PUD Concept and General Plan of Development: A rezoning to PUD requires both concept and general plan of development review.
- C. 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)

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	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 for the rezoning, PUD and subdivision application was published in the *Wayzata Sun Sailor* on August 25, 2016. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on August 25, 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 Standards	40,000 (min.)	150 ft. (min.)	150 ft. (min.)
PUD Standards	None	None	None
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.

**PUD requested for flexibility from R-1 standards

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.

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. The subdivision ordinance states that private streets and reserve strips are prohibited, except in the case of planned unit developments.

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.

Applicable Code Provisions for Review

PUD Purpose (Section 801.33.1)

This Section is established to provide comprehensive procedures and standards designed to all 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 this 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)

1. In its review of any application under this Section, the City Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations of the Design Review Board and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of this Section. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the

surrounding area and that the project does conform with the overall intent and purpose of this Section, it may approve a PUD permit, although it shall not be required to do so.

2. **Ownership.** An application for a PUD District or conditional use permit approval must be filed by the land owner or jointly by all land owners of the property included in a project. The application and all submissions must be directed to the development of the property as a unified whole. In the case of multiple ownership, the approved Final Plan shall be binding on all owners.
3. **Comprehensive Plan Consistency.** The proposed PUD shall be consistent with the City Comprehensive Plan.
4. **Sanitary Sewer Plan Consistency.** The proposed PUD shall be consistent with the City Comprehensive Sewer Plan and shall not create a discharge which is in excess of the City's assigned regional limitations.
5. **Common Open Space.** Common private or public open space and facilities at least sufficient to meet the minimum requirements established in the Comprehensive Plan and such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the residents of the PUD shall be provided within the area of the PUD development.
6. **Operating and Maintenance Requirements for PUD Common Open Space Facilities.** Whenever common private or public open space or service facilities are provided within the PUD, the PUD plan shall contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD may be placed under the ownership of one or more of the following, as approved by the City Council: (a) dedicated to public, where a community-wide use is anticipated and the City Council agrees to accept the dedication; (b) landlord control, where only use by tenants is anticipated; or (c) Property Owners Association, provided all of the conditions of 801.33.2.A.6.c are met
7. **Staging of Public and Common Open Space.** When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.

8. Density.
 - a. The maximum allowable density in a PUD District shall be determined by standards negotiated and agreed upon between the applicant and the City. In all cases, the negotiated standards shall be consistent with the development policies as contained in the Wayzata Comprehensive Plan. Whenever any PUD is to be developed in stages, no such stage shall, when averaged with all previously completed stages, have a residential density that exceeds one hundred twenty-five (125) percent of the proposed residential density of the entire PUD.
 - b. There shall be no density variation from the standards applied in an applicable zoning district for PUD conditional use permits.
9. Utilities. In any PUD, all utilities, including telephone, electricity, gas and telecable shall be installed underground.
10. Utility Connections.
 - a. Water Connections. Where more than one property is served from the same service line, individual unit shut off valves shall be provided as required by the City Engineer.
 - b. Sewer Connections. Where more than one (1) unit is served by a sanitary sewer lateral which exceeds three hundred (300) feet in length, provision must be made for a manhole to allow adequate cleaning and maintenance of the lateral. All maintenance and cleaning shall be the responsibility of the property owners association or owner.
11. Roadways. All streets shall conform to the design standards contained in the Wayzata Subdivision Regulations unless otherwise approved by the City Council.
12. Landscaping. In any PUD, landscaping shall be provided according to a plan approved by the City Council, which shall include a detailed planting list with sizes and species indicated as part of the Final Plan. In assessing the landscaping plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
13. Setbacks.
 - a. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall be the same as

imposed in the underlying districts, if a PUD condition use permit, or the previous zoning district, if a PUD District.

- b. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street pattern.
- c. No building within the project shall be nearer to another building than one-half (1/2) the sum of the building heights of the two (2) buildings.
- d. In PUD Districts that were zoned commercial prior to PUD and exceed 13 acres, the allowable setbacks shall be as negotiated and agreed upon between the applicant and the City.

14. Height.

- a. The maximum building height within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser.
- b. There shall be no deviation from the height standards applied within the applicable zoning districts for PUD conditional use permits.
- c. In PUD Districts that were zoned commercial prior to PUD and exceed 13 acres, the maximum allowable height shall be as negotiated and agreed upon between the applicant and the City.

PUD Residential Area Standards (Section 801.33.3)

Purpose. The purpose of this Section is to establish standards for single family, multiple family, institutional and other residential PUD District and conditional use permit projects, in addition to those standards contained elsewhere in this Ordinance for all PUD projects. All residential PUD projects shall be developed in accordance with the following residential area standards:

- 1. Minimum Lot Area. There shall be no minimum lot or area size required for a tract of land for which a PUD District project is proposed. There shall be no minimum lot or area size imposed for a PUD conditional project except for standards applicable within the zoning district in which it is utilized.
- 2. Minimum Frontage. There shall be no minimum frontage on a public street required for a tract of land for which a PUD project is proposed.
- 3. The tract of land for which a PUD project is proposed shall have municipal water and sewer available to it.

4. It is the City's policy to discourage private roadways within a residential PUD project. Regardless if roads are private or dedicated to the public, they shall be designed to right-of-way widths and constructed to standards imposed by the Wayzata Subdivision Regulations.
5. For single family residential PUD District projects, the normal standards of either the R-1A, R-1, R-2, or R-3 zoning districts shall apply to each project, excepting usage standards, as determined by the City Council and as provided above in Section 801.33.2, Subd. 3.
6. For multiple family residential PUD District projects, the normal standards of either the R-4 or R-5 Zoning Districts shall apply to each project, excepting usage standards, as determined by the City Council and as provided above in Section 801.33.2, Subd. 1.
7. In addition to the above standards, the City Council may impose such other standards for a residential PUD project as are reasonable and as the Council deems are necessary to protect and promote the general health, safety and welfare of the community and the surrounding area.

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

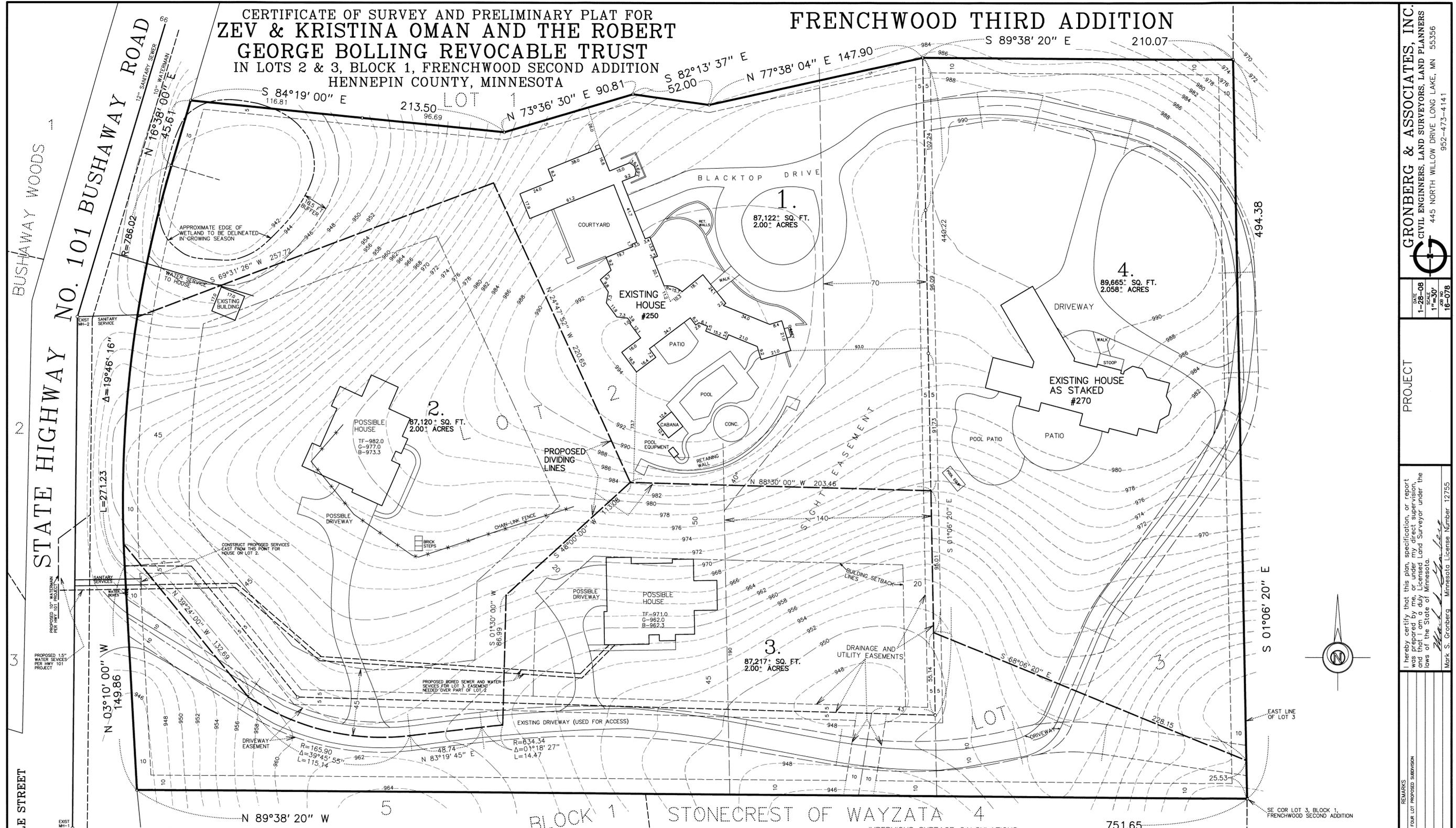
After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should consider the draft *Planning Commission Report and Recommendation*, which recommends approval of the Planned Unit Development, PUD Rezoning, and Preliminary and Final plat at 250 and 270 Bushaway Road.

Attachments

- Attachment A: Proposed Plans
- Attachment B: Draft Planning Commission Report and Recommendation
- Attachment C: July 18, 2016 Planning Commission Report and Recommendation (Previous Development Application)

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

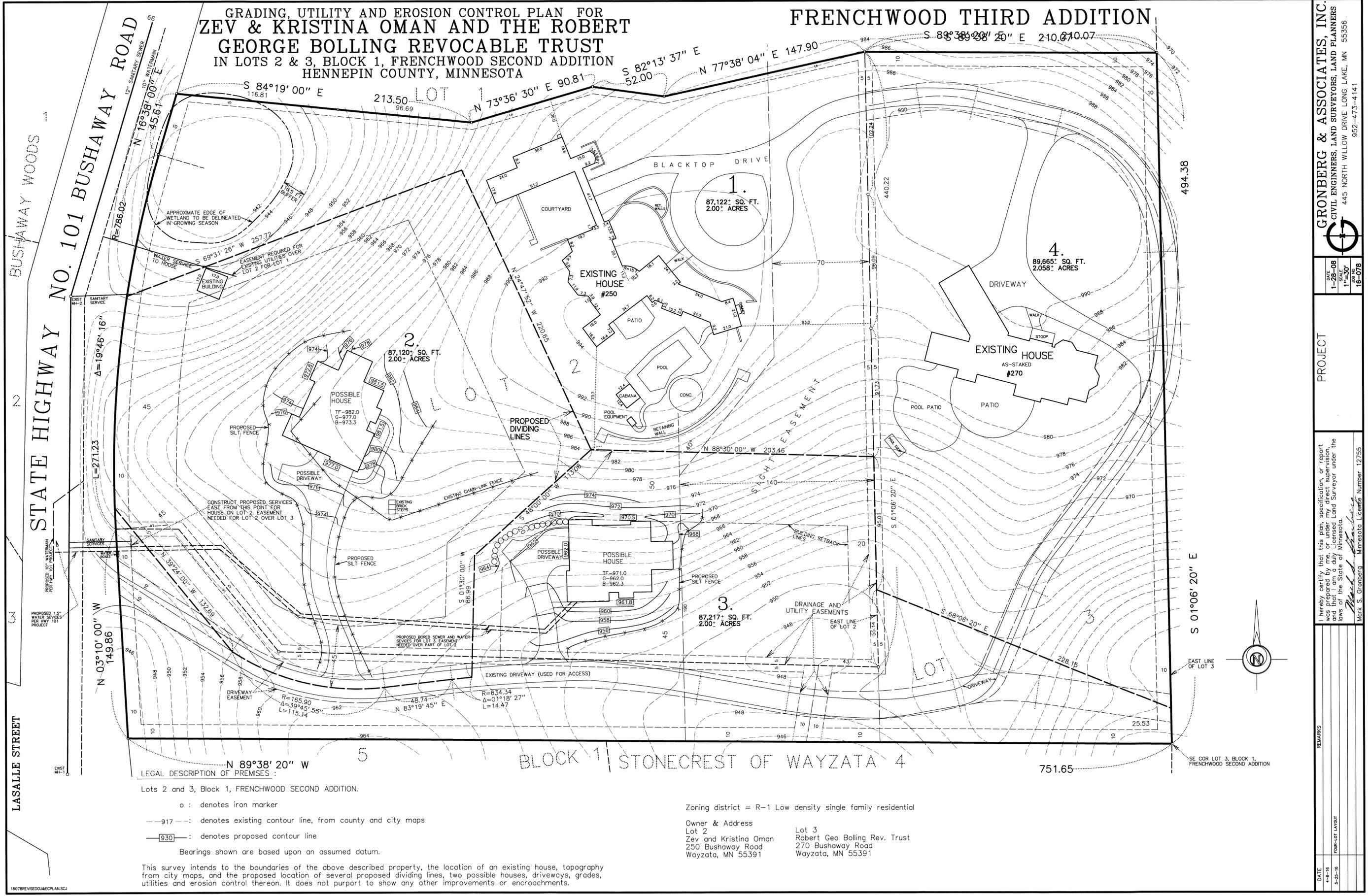
PROJECT: FRENCHWOOD THIRD ADDITION

I hereby certify that this plan, specification, or report was prepared by me, or under my direct supervision, and I am a duly licensed and active 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'
 18-078

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

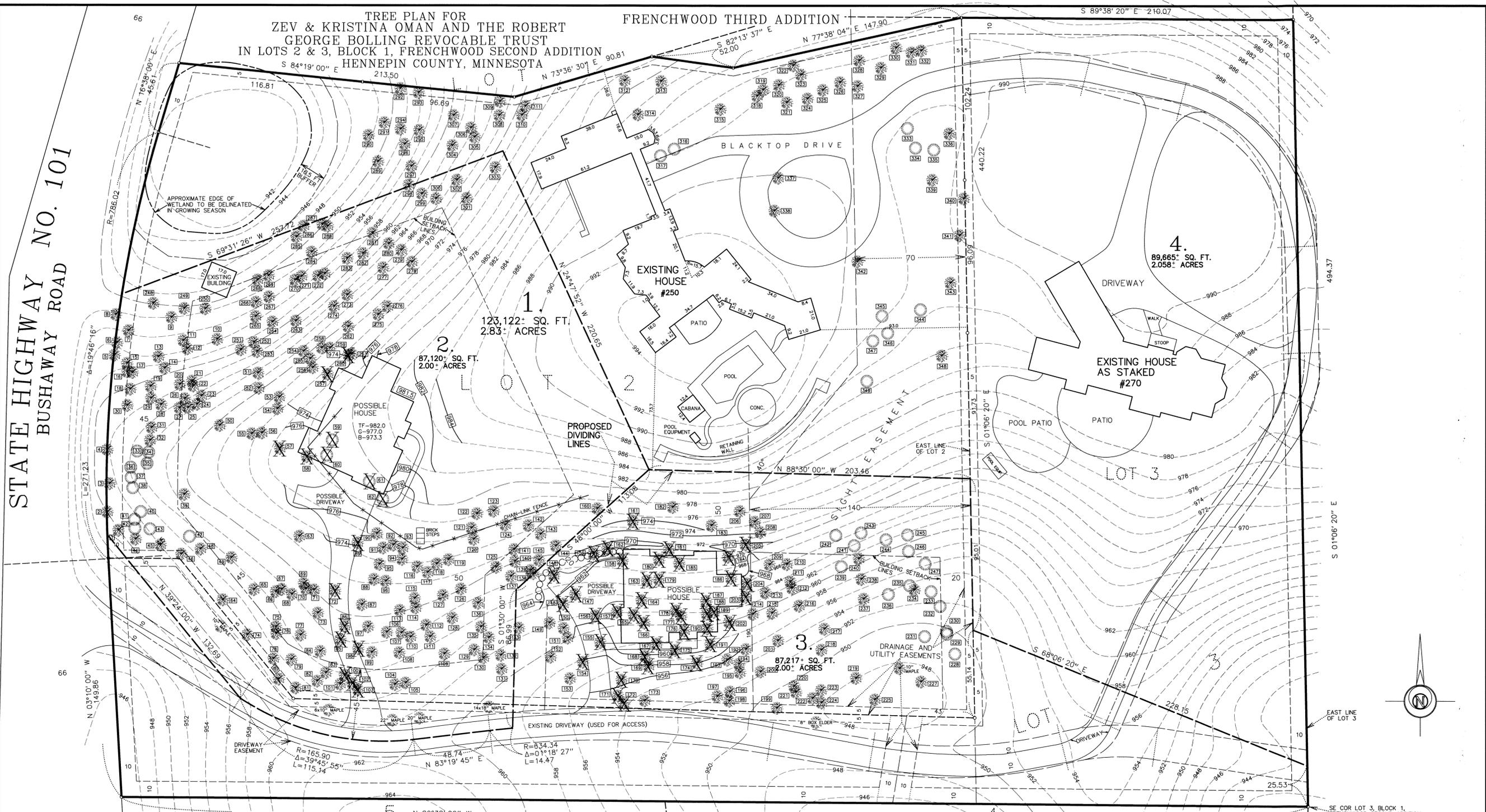
REMARKS

DATE
 4-8-16
 5-28-16
 FOR-LIT LANDUT

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

STATE HIGHWAY NO. 101
BUSHAWAY ROAD



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 12" 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"X22" WHITE OAK	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 8" MAPLE	187 8"X14" MAPLE	207 14" ELM	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 10" 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" MAPLE	51 14" MAPLE	71 16" MAPLE	91 18" MAPLE	111 40" OAK	131 10" MAPLE	151 14" MAPLE	171 2-14" ELMS	191 14" MAPLE	211 10" MAPLE	231 14" 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 14" MAPLE	73 20" BLACK OAK	93 18" MAPLE	113 22" MAPLE	133 13" OAK	153 10" MAPLE	173 8" MAPLE	193 10" MAPLE	213 14" 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 6-16" MAPLE	114 8" MAPLE	134 22" OAK	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 6" MAPLE	77 16" MAPLE	97 16" MAPLE	117 14" MAPLE	137 14" MAPLE	157 14" MAPLE	177 14" MAPLE	197 8" MAPLE	217 14" MAPLE	237 14" BOX ELDER	257 10" OAK	277 12" MAPLE	297 8" MAPLE	317 16" SPRUCE	337 30" OAK	357 36" OAK
18 10" BASSWOOD	38 14" MAPLE	58 14" MAPLE	78 9" MAPLE	98 6" MAPLE	118 10" MAPLE	138 10" MAPLE	158 10" MAPLE	178 10" MAPLE	198 18" MAPLE	218 18" MAPLE	238 22" ELM	258 10" MAPLE	278 10" MAPLE	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 18" MAPLE	219 30" WILLOW	239 12" MAPLE	259 12" MAPLE	279 14" MAPLE	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

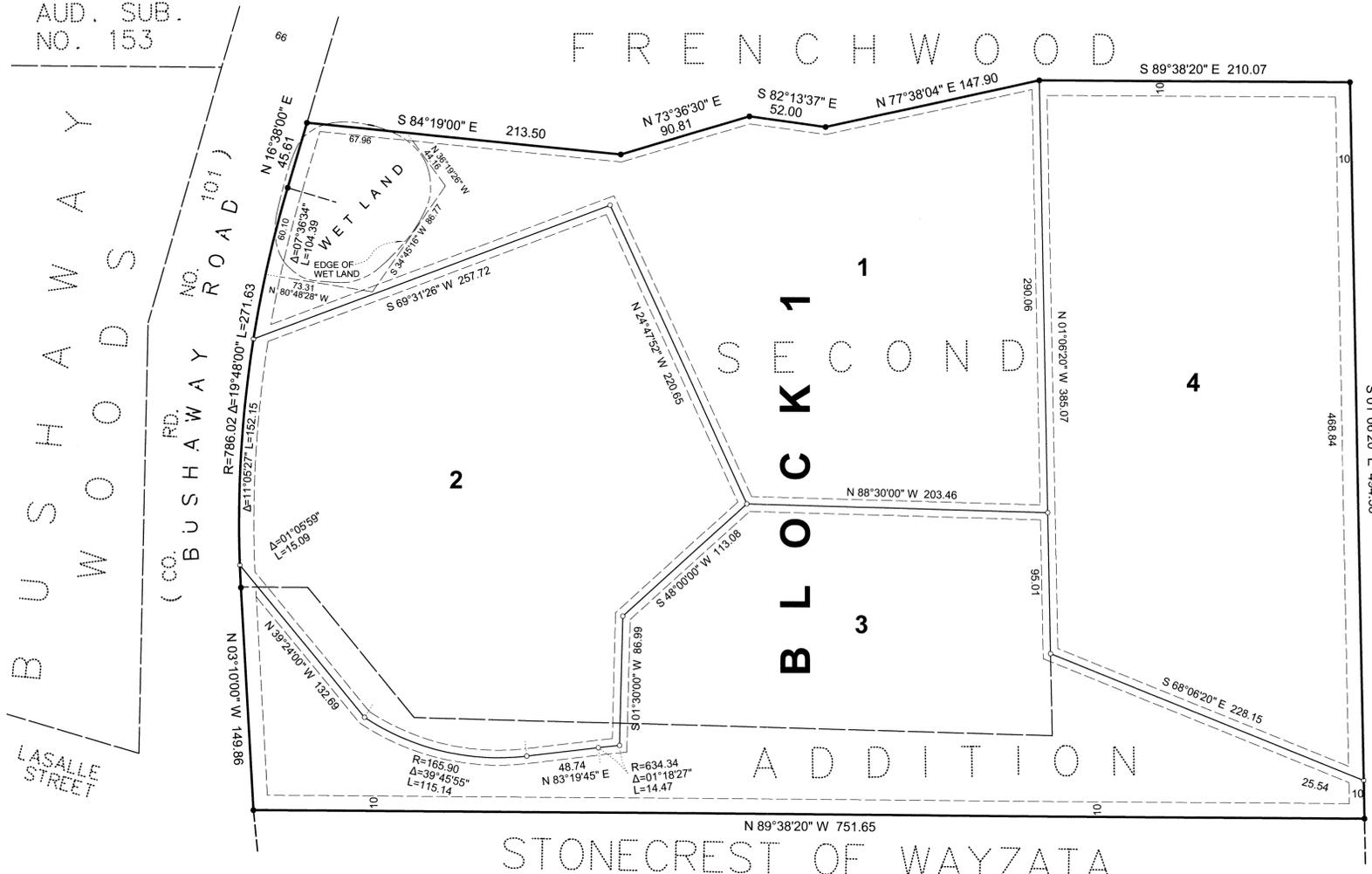
REVISIONS

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

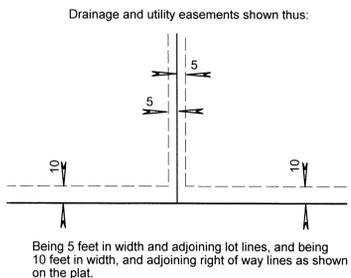
Mark S. Gronberg, Minnesota License Number: 12755

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



GRONBERG & ASSOCIATES, INC.

ENGINEERS, LAND SURVEYORS, PLANNERS

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

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



WAYZATA PLANNING COMMISSION

SEPTEMBER 7, 2016

REPORT AND RECOMMENDATION OF APPROVAL OF PLANNED UNIT DEVELOPMENT, PUD REZONING, AND PRELIMINARY AND FINAL PLAT AT 250 AND 270 BUSHAWAY RD

DRAFT

SUMMARY OF RECOMMENDATION

1. **Approval** of Concurrent PUD Concept Plan and General Plan of Development for a four lot single-family residential development
2. **Approval** of Rezoning from R-1/Low Density Single Family Residential District to PUD/Planned Unit Development
3. **Approval** of Preliminary and Final Plat to subdivide two existing lots into four lots

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. **Concurrent PUD Concept and General Plan of Development** for a four lot single-family residential development (the “PUD Concept and General Plans”).
 - B. **Rezoning.** The Applicant is requesting a rezoning of the Property from R-1/Low Density Single Family Residential District to PUD/Planned Unit Development (the “Rezoning”).

- C. 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").

- 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 August 25, 2016. A copy of the notice was mailed to all property owners located with 350 feet of the Property on August 25, 2016. The required public hearing was held at the August 25, 2016 Planning Commission meeting.

Section 2. STANDARDS

2.1 Planned Unit Developments (PUDs).

- A. Intent and Purpose of PUDs. The PUD process, outlined in Section 801.33 of the Zoning Ordinance, allows deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., for the purpose of encouraging:
1. 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.
 2. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
 3. More convenience in location and design of development and service facilities.

4. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
 5. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
 6. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
 7. 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.)
 8. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.
- B. General Standards. Section 801.33.2.A of the Zoning Ordinance sets forth the general standards for review of any PUD application. These are:
1. Health Safety and Welfare; Intent and Purpose of PUDs; Discretion of Council. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of this Section, it may approve a PUD permit, although it shall not be required to do so.
 2. Ownership. Applicant/s must own all of the property to be included in the PUD.
 3. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.
 4. Sanitary Sewer Plan Consistency. The PUD project must be consistent with the City's Sanitary Sewer Plan.
 5. Common Open Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet

the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.

6. Operating and Maintenance Requirements. Whenever common private or public open space or service facilities are provided within a PUD, the PUD plan must contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD must be placed under the ownership of one of the following, as approved by the City Council: (i) dedicated to the public, where a community-wide use is anticipated, (ii) Landlord control, where only tenant use is anticipated, or (iii) Property Owners Association, provided the conditions of 801.33.2.A.6.c are met.
7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density. The maximum allowable density in a PUD District shall be determined by standards negotiated and agreed upon between the applicant and the City. In all cases, the negotiated standards shall be consistent with the development policies as contained in the Wayzata Comprehensive Plan.
9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 801.33.2.A.10.
11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
12. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.

13. Setbacks. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall be the same as imposed in the underlying districts, if a PUD conditional use permit, or the previous zoning district, if a PUD District. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street pattern. No building within the PUD project shall be nearer to another building than one-half (1/2) the sum of the building heights of the two (2) buildings. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the allowable setbacks shall be as negotiated and agreed upon between the applicant and the City.
 14. Height. The maximum building height to be considered within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser. There shall be no deviation from the height standards applied within the applicable zoning districts for PUD conditional use permits. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the maximum allowable height and number of floors shall be as negotiated and agreed upon between the applicant and the City.
- C. Residential Area PUD Standards. Section 801.33.3 sets forth area standards for PUDs which have a residential component. For multiple family residential PUD District projects, the normal standards of either the R-4 or R-5 Zoning Districts shall apply to each project, excepting usage standards, as determined by the City Council and as provided above in Section 801.33.2. In addition to the other standards for PUDs, City Council may impose such other standards for a PUD project as are reasonable and as the Council deems are necessary to protect and promote the general health, safety and welfare of the community and the surrounding area.

2.2 Zoning Ordinance Amendments (Text and Map) / Rezoning.

City Council has the discretion and authority under state law and City Code to amend the City's Zoning Ordinance and Official Zoning Map. Minn. Stat. Sec. 462.357; Wayzata City Code Sec. 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. Sec. 462.357, Subd. 4. The existing provisions of the Zoning Ordinance are presumed to be constitutional and otherwise valid. The City has broad discretion in whether to grant or deny a request to rezone. An applicant is only legally entitled to a change in the Zoning Ordinance if they can demonstrate that the existing zoning is unsupported by any rational basis related to the public health, safety and welfare. Under the City's Zoning Ordinance, the City Council acts on any proposed amendment upon receiving the report and recommendation of the Planning Commission. Section 801.03.2. In considering a proposed amendment to the Zoning Ordinance, the Planning Commission 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 in the Zoning Ordinance (i.e., parking, loading, noise, etc.).
- D. The proposed use's effect on the area in which it is proposed.
- E. The proposed use's impact upon property value in the area in which it is proposed.
- F. Traffic generation by the proposed use in relation to capabilities of streets serving the property.
- G. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

2.1 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.

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 Planned Unit Development

- A. Intent and Purpose of PUDs: The Application meets the purpose and intent of the PUD zoning district. The PUD Concept and General Plans would preserve and enhance desirable site characteristics, including significant and heritage trees and the natural topography of the Property.
 - B. PUD General Standards. The Application meets all of the PUD general standards listed in Section 801.33.2.A and in Section 2.1.B of this Report and Recommendation.
 - C. Residential Area PUD Standards. The Application meets of the Residential Area PUD Standards listed in Section 801.33.3 of City Code and in Section 2.1.C of this Report and Recommendation.
- 3.2 Amendments to Zoning Ordinance: The rezoning would not have an adverse effect on surrounding properties or the community, and meets the standards for a zoning ordinance amendment:
- A. The Application is consistent with the Comprehensive Plan land use designation of the property, and meets the policies of the Comp Plan.
 - B. The Application is consistent with current and future land uses in the area.
 - C. The Application would meet the performance standards outlined in the Zoning Ordinance.
 - D. The Application would not adversely impacts surrounding properties.
 - E. The Application would not impact property values in the area.
 - F. The existing transportation facilities can meet the traffic demand of the Application.
 - G. The Applicant would not exceed service capacity of public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.
- 3.3 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.
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.

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 PUD Concept and General Plans; (ii) the Rezoning; and (iii) the Preliminary and Final

Plats, 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 ____ day of _____, 2016.

Voting In Favor:

Voting Against:

Abstaining:

Absent:



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

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.

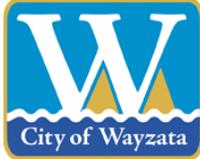
Adopted by the Wayzata Planning Commission this 18th day of July 2016.

Voting In Favor: Flannigan, Gnos, Gonzalez, Gruber

Voting Against:

Abstaining: Young

Absent: Iverson, Murray



Planning Report
Wednesday, September 7, 2016
Wayzata Planning Commission Meeting

Applicant:	R.E.C., Inc (d.b.a. Ron Clark Construction)
Address of request:	529 Indian Mound Street East
PID number:	06-117-22-24-0067
Prepared By:	Eric Zweber, Planning Consultant
Project Summary:	Development Application requests a Planned Unit Development (PUD) rezoning to construct a new three-story condo and office building.

Section 1. Development Application

- 1.1. General. Beacon Five, LLC and R.E.C. Inc. (collectively, the “Applicant”) at 529 Indian Mound Street East (the “Property”) desire to construct a three-story building housing condominium units and 600 square feet of office space on the first floor. The Applicant proposes a Planned Unit Development (PUD) zoning designation given a building design that proposes only partial use of the ground floor for office/retail.

The proposed building will have a 5,445 square foot footprint on a 10,897 square foot lot. There is a storm pond proposed for the rear yard of the parcel. The proposed uses of the three-story building are ground floor office space (600 square feet) and five (5) residential condo units (approximately 2,000 square feet each).

1.2 Application Requests.

- A. PUD General Plan of Development: A rezoning to PUD requires both concept and general plan of development review. The City Council approved the PUD concept plan earlier this year. The applicant is now requesting review of the general plan of development.
- B. Design Review: Construction of a new building requires design review by City Code Section 801.09.1.5.

1.2 Relevant Property Information.

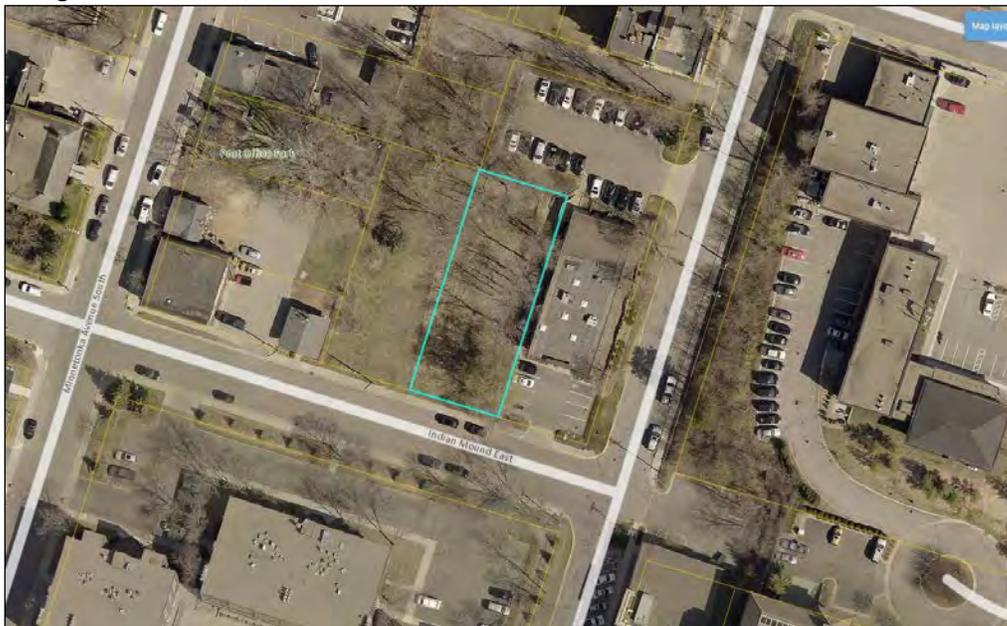
Zoning:	C-1 Office and Limited Commercial District
Comp Plan:	Mixed Use Commercial
Tenant space:	600 square feet of office space (ground floor) 10,000 square feet in 5 residential units

1.3 Legal Description.

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

529 Indian Mound St E	06-117-22-24-0067	R.E.C. Inc
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Image 1.1: Context Aerial



1.4 Public Notice Requirements.

Zoning Ordinance Section 801.05 requires the Planning Commission to hold a public hearing on the Application. The Notice of Public Hearing was published in the Sun Sailor on August 25, 2016. A copy of the Notice of Public Hearing was also mailed to all property owners located within 350 feet of the subject property on August 24, 2016.

1.5 Project Description.

The proposed Project is the construction of a three-story building housing five condominium units and 600 square feet of office space on the first floor.

Section 2: Summary of Issues

2.1 Surrounding Uses

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

Adjacent property uses are:

Adjacent Property	Zoning	Uses
North	C-1: Office and Limited Commercial District	Office Building Surface Parking Lot
South	C-4 Central Business District	Condominiums
East	C-1: Office and Limited Commercial District	Office Building
West	C-1: Office and Limited Commercial District	Condominiums

A two-story realty office building is located directly east of this site; a surface parking lot is located directly north of the site. To the northeast of the site beyond the surface lot is a townhome building. To the west of the site is a mixed use retail and residential condominium building that is currently under construction. The site fronts Indian Mound Street E; to the south are the Wayzata Place condominiums.

2.2 Zoning Analysis.

A comparison of the C-1 Standards and the proposed Project is as follows:

	C-1 Zoning	PUD Zoning	Shoreland Overlay District	Proposed PUD
Permitted Uses	Mixed use with upper story residential and ground floor office or service commercial	Shall be consistent with the Comp Plan	N/A	Mixed use building with office and residential
Density	N/A	Shall be consistent with the Comp Plan	N/A	20 units/acre
Height	3 stories and 35 feet, whichever is less	3 stories and 35 feet, whichever is less	35 feet	38 ft.

Floor Area Ratio	2.0	No maximum	N/A	1.4 approx
Impervious Surface	No maximum	No maximum	25% 75% with stormwater management 100% with shoreland impact plan/CUP	67%
Lot Coverage	50%	No maximum	N/A	50%
Setbacks	10 ft. all property lines	Same as imposed by zoning district	N/A	Front: 22 ft. Sides: 10 ft.** Rear: 25 ft

**The proposed building includes cantilevered building areas along the side properties lines. The zoning ordinance allows cantilevered building areas to extend up to 2.5 feet into the required setback.

2.4 Building Height.

The City Council's approval of the PUD Concept Plans included a variance from the height requirement from 35 feet to 38.9 feet. The Council's approval of the height variance included a condition that the applicant make a reasonable effort to reduce the height of the building. The revised building would have a height of 38 feet, which is less than the building height previously approved.

2.5 Parking Calculations.

Parking for the Property is provided through the construction an underground parking lot under the building. No surface parking stalls are proposed. The Applicant would provide 10 parking spaces in the underground parking area.

Parking Calculations:

Use	Code Requirement	Number Required
Multiple Family Dwellings	Two (2) fee free spaces for each living unit, of which one (1) is to be enclosed.	10 stalls
Office other than Medical or Dental	Three (3) spaces for each 1,000 sq. ft. of floor area. Apply 10% mixed-use reduction. <i>1 space per 333 sq feet; 600 sq ft office - 10% = 540 sq feet; 2 parking stalls required.</i>	2 stalls
Gross Parking Required		12 stalls
Parking Requirement (Shared Parking Reduction)		10 stalls
Project Parking Provided		10 stalls

2.7 Site Access and Internal Circulation.

The site will be accessed from Indian Mound Street E, where a single entrance/exit from the roadway leads to underground parking stalls. Both the residential and commercial uses are served by the single entrance/exit and underground parking stalls. No other access is proposed. A pedestrian sidewalk adjoining with the northwest neighboring property is proposed to be removed.

2.8 Landscaping.

Currently there are 13 Significant Trees and 1 Heritage Tree on the site. There are a total of 192 inches of Significant and Heritage trees on the site. By the formula outlined in the tree preservation ordinance, the applicants may remove 41 inches of trees without replacement. The remaining 120 inches of trees must be replaced in accordance with the standards in §801.36, Section 8(B). Incorporating a 1:1 replacement ratio for Significant Trees and a 2:1 ratio for Heritage Trees, 182 inches of trees must be replaced on the site.

The Landscape Plan provided by the Applicant, 100 percent of the Significant and Heritage Trees on the site are proposed to be removed. The plans call for replacing 6 trees (18 caliper inches) on the site. Thus, there is a deficit of 164" replacement inches not provided in the landscape plan. The Applicant's proposed design **does not** comply with the Tree Preservation ordinance. Wayzata's Planning Commission should provide guidance on whether Landscape Plan revisions are required or whether the Applicants can provide a fee-in-lieu of tree replacement.

2.10 Design.

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

Section 3. Applicable Code Provisions for Review

3.1 Requirements, Conditions and Standards for approving PUD permits §801.33.2; and §801.33.4 Non-Residential Project Standards

The City states that the purpose of a PUD is 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 PUD District." The General Standards for approval of a PUD permit relate to:

- Comprehensive Plan Consistency
- Sewer Plan Consistency

- Minimum Common Open Space requirements & maintenance
- Density, Setbacks & Height
- Utilities & Roadways
- Landscaping

3.2 Design Standards City Code §801.09.

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

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

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

The relevant design criteria for the “Bluff Design District” are as reflected in the Design Critique attached to this Report as Attachment C.

The Design Review found design elements of the proposal that are not compliant with design standards.

Design Standard	Deviation	Applicant comments	Staff direction
801.09.3.1.B: Street level landscaped courtyards, outdoor seating areas and gathering areas shall be incorporated into building and site plan design	The project does not propose outdoor seating or gathering areas at street level.	Applicant states that narrowness of the lot is a limitation.	Limited lot width is not a sufficient reason to exclude outdoor seating. Planning Commission should consider whether a deviation is warranted.
801.09.5.1.A: Where three (3) story buildings are permitted, the third (3 rd) story must be recessed from all façades fronting public right of ways at least a distance equal to the vertical distance of the 3 rd story height from the second (2 nd) floor footprint, or an average of ten (10) feet across the	The 3 rd floor design on the public façade meets neither the 10-ft average requirement nor the 6-ft minimum setback requirement.	Applicant states that the general stepping back of the building intends to meet the intent of the design standard.	The proposed design does not comply with the standard. Staff and the Planning Commission should consider whether a deviation is warranted.

<p>façade, but no portion of the 3rd story structure shall be closer than six (6) feet to the 2nd story façade.</p>			
<p>801.09.6.2.B – All Districts – Roof Materials. 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 membrane is tan in color.</p>	<p>Applicant states that tan color is preferred to prolong the life and warranty of the roof membrane.</p>	<p>Insufficient information provided to justify the use of a tan material. Planning Commission should consider whether a deviation is warranted.</p>
<p><u>801.09.11.1.A – Primary Opaque Surfaces – All Districts</u> Other than the accent materials listed in 801.09.11.G, ninety percent (90%) of the non-glass surfaces of each elevation of the exterior building façade shall be composed of one or more of the following materials [listed].</p>	<p>The Design treats fiber cement board as an allowed primary façade material (it is listed as an accent material). Facades range from 19%-32% fiber cement, exceeding the limit on accent materials. On the South façade, precast stone (also an accent material) is 15% of the non-glass façade materials.</p>	<p>Applicant acknowledges that fiber cement board exceeds 10% on all facades but contends it is an appropriate material.</p> <p>Applicant made no comment about the precast stone exceeding 10% on the South façade.</p>	<p>Staff recommends granting this deviation and that the façade materials be approved as proposed. The proposed fiber cement board will not detract from producing a high quality building design. Precast stone is similarly appropriate for the style of the building design, and should be allowed in an amount exceeding 10% on the south façade. Planning Commission should consider whether these deviations are warranted.</p>

The Design Review also found that the proposed “Beacon Five” sign is compliant with the City’s sign ordinance. No sign has been proposed at this time for the office use on the ground floor of the building. Any signage proposed for the office building will be reviewed administratively by City staff at the time of sign permit submission.

Section 5: Action Steps

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

1. Direct staff to prepare a *Planning Commission Report and Recommendation*, with appropriate findings, reflecting a recommendation

on the Application for review and adoption at the next Planning Commission meeting.

Attachments:

- Attachment A: Project Narrative
- Attachment B: Project Plan Set
- Attachment C: Design Review Critique



7500 West 78th Street
Edina, MN
55439

(952) 947-3000
fax (952) 947-3030

Wednesday, July 27, 2016

Jeff Thomson
City of Wayzata
600 Rice Street East
Wayzata, MN 55391

RE: Beacon Five

Subject: Application Submittal for PUD General Plan of Development

Dear Jeff,

Attached is our application for the proposed Beacon Five Condo/Office Building. Tim Whitten from Whitten Associates is the project Architect and designer and will be handling the application and City Meeting Process.

The site is 10,897.43 square feet located at 529 Indian Mound Street East and owned by Ron Clark Construction.

The existing zoning is C-1A, NEIGHBORHOOD OFFICE AND LIMITED COMMERCIAL DISTRICT.

This application requests a rezoning to Planned Unit Development: General Plan of Development.

A previous “Concept Application” was submitted and approved by the Planning Commission (6/20/16) and City Council (7/5/16).

This “General Application” is in response to the City Council approval of the Draft Resolution 22-2016 PUD, Rezoning, Height Variance and Shoreland Impact Plan/Conditional Use Permit for 529 Indian Mound East.

In compliance with the City procedures for “General Plan of Development submitted for a PUD” we have included the below listed information for your review and approval:

- 1) General Information
 - a. Landowner:
 - i. R.E.C. Inc./dba Ron Clark Construction
 - ii. 7500 West 78th Street Edina, MN 55439
 - b. Applicant Name
 - i. Beacon Five LLC
 - ii. 7500 West 78th Street Edina, MN 55439



- c. Land Planner/Project Architect:
 - i. Whitten Associates, Inc.
 - ii. 4159 Heatherton Place Minnetonka, MN 55435
 - d. Engineer & Surveyor:
 - i. Alliant Engineering, Inc.
 - ii. 233 Park Avenue South Minneapolis, MN 55415
 - e. Evidence of property ownership
 - i. See attached copy of Title Insurance for Property (Previously submitted with Concept Application)
- 2) Present Status
- a. Address & Legal Description of Property:
 - i. 529 Indian Mound Street East
 - b. Existing Zoning Classification:
 - i. The existing zoning is C-1A, NEIGHBORHOOD OFFICE AND LIMITED COMMERCIAL DISTRICT. This application requests a rezoning to Planned Unit Development General Plan of Development.
 - c. Map of Adjacent Properties:
 - i. See attached documents from Whitten Associates (Previously submitted with Concept Application)
- 3) A written statement generally describing the proposed PUD
- a. See introduction of this letter.
- 4) Site Conditions
- a. See attached Survey from Alliant Engineering
 - b. Soil Conditions
 - i. See attached soils information from Braun Engineering (Previously submitted with Concept Application)
- 5) Schematic Drawings
- a. See attached documents from Whitten Associates
 - b. Updated plans from Whitten Associate's include our best efforts to reduce the overall building height.
 - i. Previous overall building height above average grade with "Concept" Application = 39'-0" including parapets.
 - ii. Current General Application overall building height above average grade = 37.43' including typical parapets. (Two accent parapets = 37.93')
 1. By working through the details we have been able to reduce the typical overall building height by 1.57' since the Concept Application approval.
- 6) A Statement of the total estimated number of dwelling units or Square Footage
- a. Site Area is identified on Survey from Alliant Engineering
 - b. Building Areas & SF are identified on Whitten Associates Plans

7) Schedule for Development

- a. 04/15/16 City Application Submittal (PUD –Concept)
- b. 06/06/16 Planning Commission Meeting #1 (Concept PUD)
- c. 06/20/16 Planning Commission Mtg #2 (Concept PUD)
- d. 07/05/16 City Council Meeting (Concept PUD)
- e. 07/28/16 City Application Submittal (PUD –General)
- f. 09/07/16/16 Planning Commission Meeting #1 (General- PUD)
 - i. Public Hearing
- g. 09/19/16 Planning Commission Mtg #2 (General- PUD)
- h. 10/04/16 City Council Meeting (General-PUD)
- i. 10/10/16 Final City Approvals & Construction Documents
- j. 11/01/16 Building Permit Issuance
- k. 09/01/17 Estimated Building Completion and Occupancy

8) Public or Common Space

- a. No Public Space is included on our project.
- b. Common space in the building includes corridors, stairs, underground parking garage, storage and an exercise/activity area (TBD).

9) Project Restrictive Covenants

- a. The five living units will be part of a homeowners association which will be developed as part of our project documents and recorded prior to first occupancy.

10) Schematic Utility Plans

- a. See attached Site Plan from Alliant Engineering

11) Additional information required by for General Plan of Development Application:

- a. Updated Architectural Plans and Elevations dated 7/28/16.
- b. Civil plans dated 7-27-16 including: Existing Conditions, Site Plan, Grading & Erosion Control, Utility Plan and Construction Details.
- c. Landscape Plan dated 7/27/16
- d. Stormwater Management Plan dated 7/27/16.

Thank you for your consideration and please let me know if you see anything else that is needed to accompany this application.

Sincerely,

Michael Roebuck
Ron Clark Construction

Timothy Whitten
Whitten Associates



BEACON FIVE, WAYZATA, MN

A-1	Cover Sheet
A-2	Site Plan
A-3	Lower Level Floor Plan
A-4	First Level Floor Plan
A-5	Second Level Floor Plan
A-6	Third Level Floor Plan
A-7	Roof Level
A-8	South Elevation
A-9	North Elevation
A-10	East Elevation
A-11	West Elevation
A-20	3D VIEW
A-21	3D VIEW
A-22	3D VIEW
A-23	3D VIEW
A-24	Section
A-25	Details

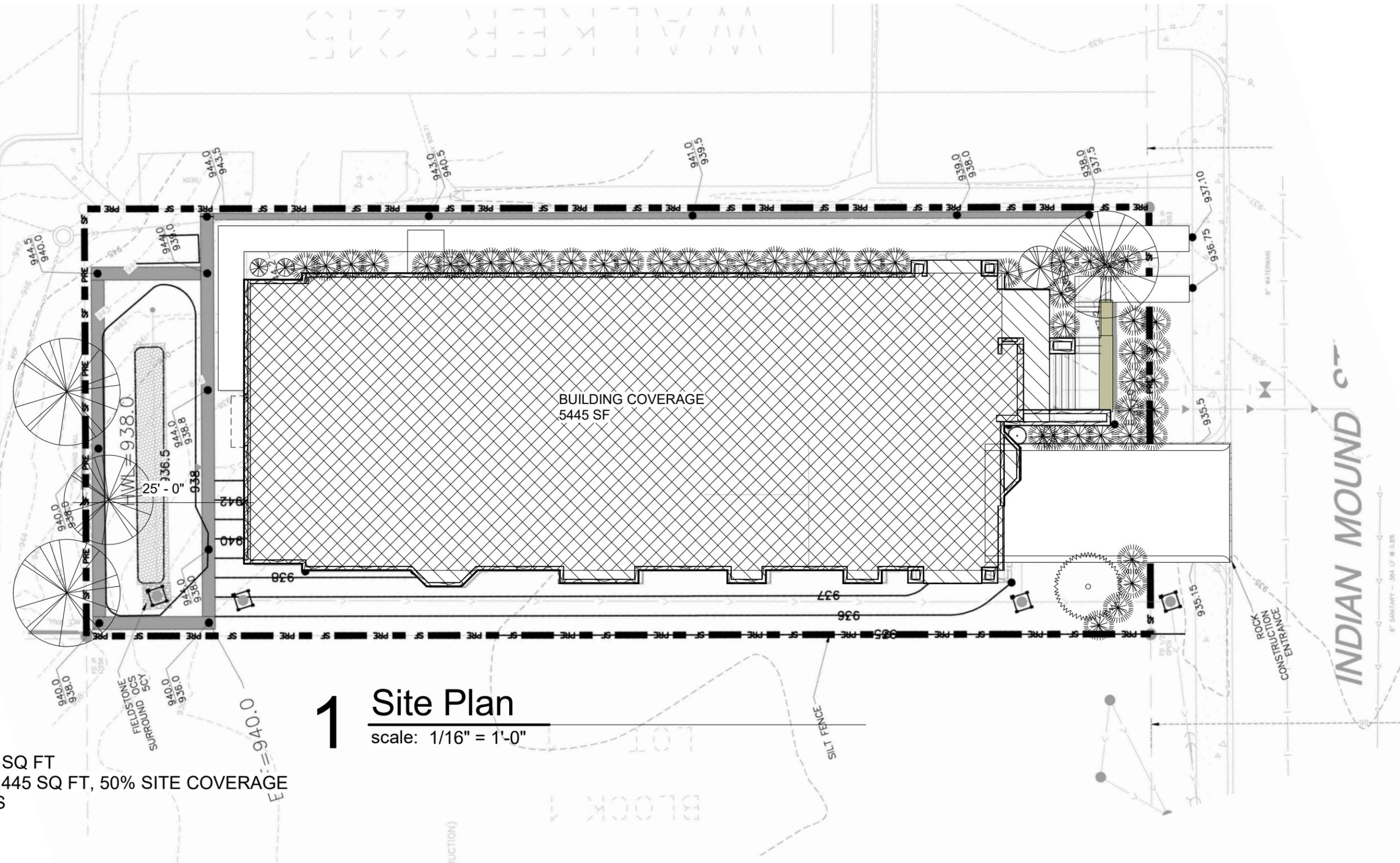


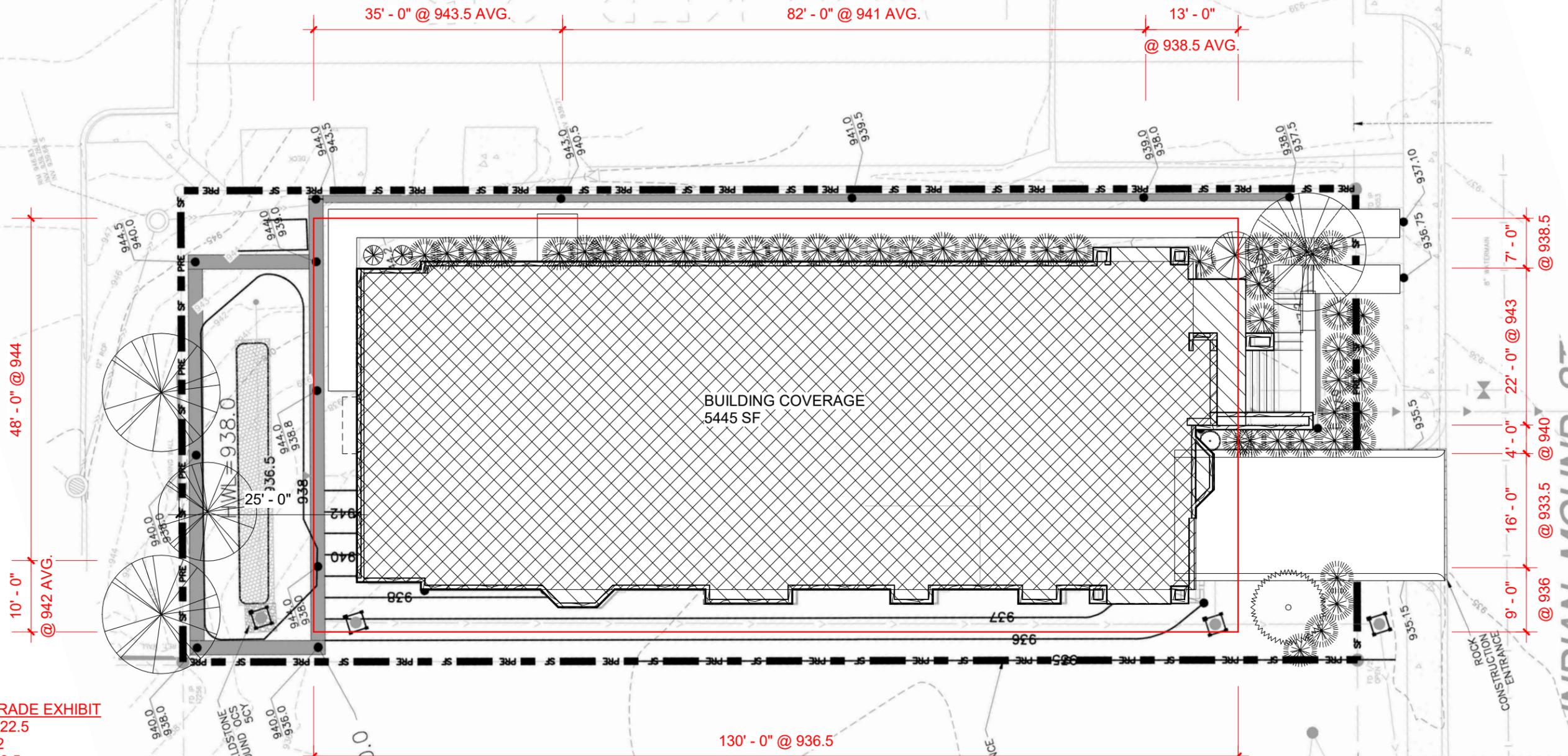
28 JUL 2016

SITE AREA: 10,897 SQ FT
BUILDING AREA: 5,445 SQ FT, 50% SITE COVERAGE
5 DWELLING UNITS
600 SQ FT OFFICE

1 Site Plan

scale: 1/16" = 1'-0"





AVERAGE GRADE EXHIBIT

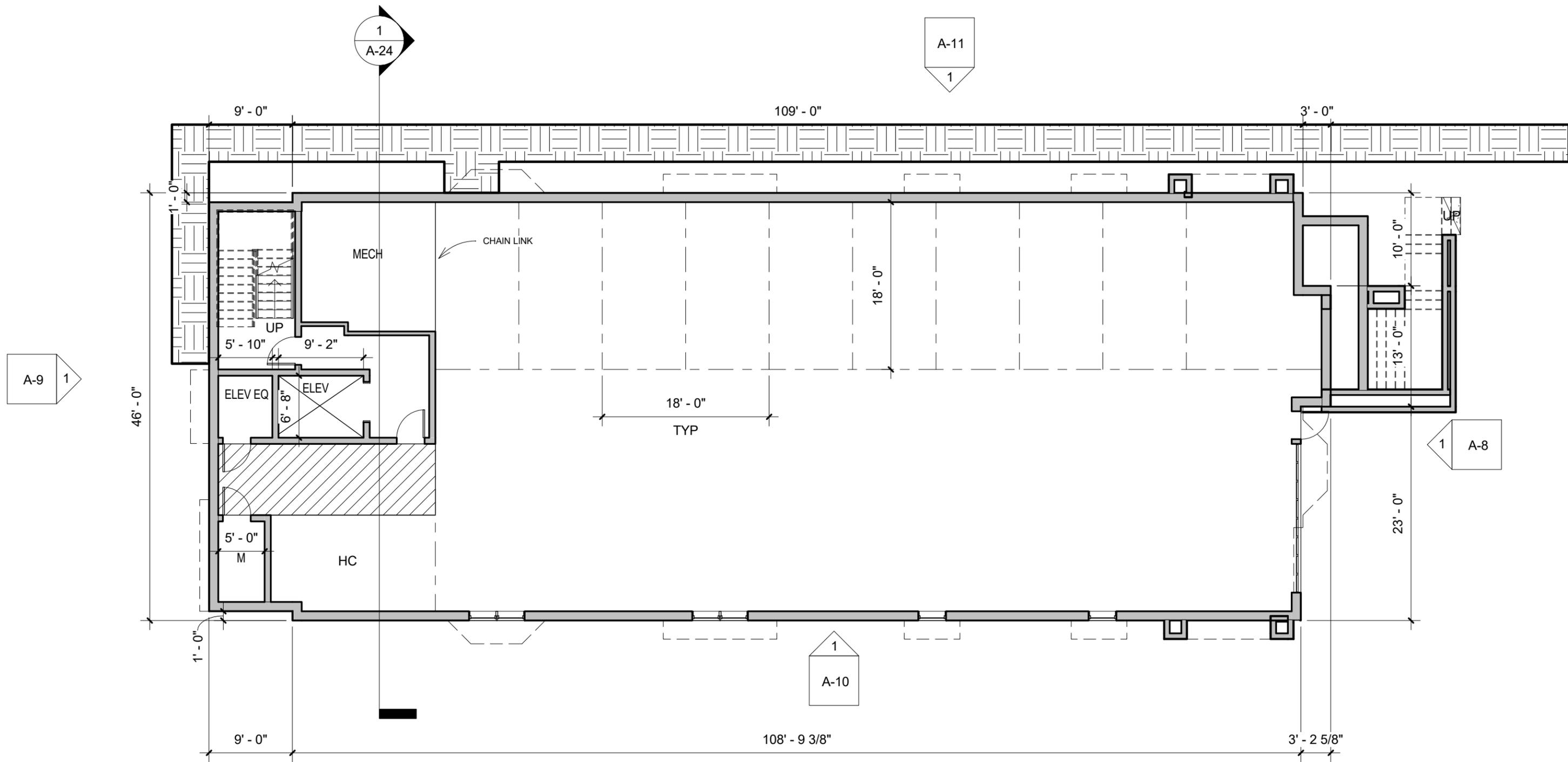
- 35'X43.5 = 1522.5
- 82'X41 = 3362
- 13'X38.5 = 500.5
- 7'X38.5 = 269.5
- 22'X43 = 946
- 4'X40 = 160
- 16'X33.5 = 536
- 9'X36 = 324
- 130'X36.5 = 4745
- 48'X44 = 2112
- 10'X42 = 420
- 376 14897.5
- AVERAGE GRADE: 939.62**

1

AVERAGE GRADE EXHIBIT

scale: 1/16" = 1'-0"

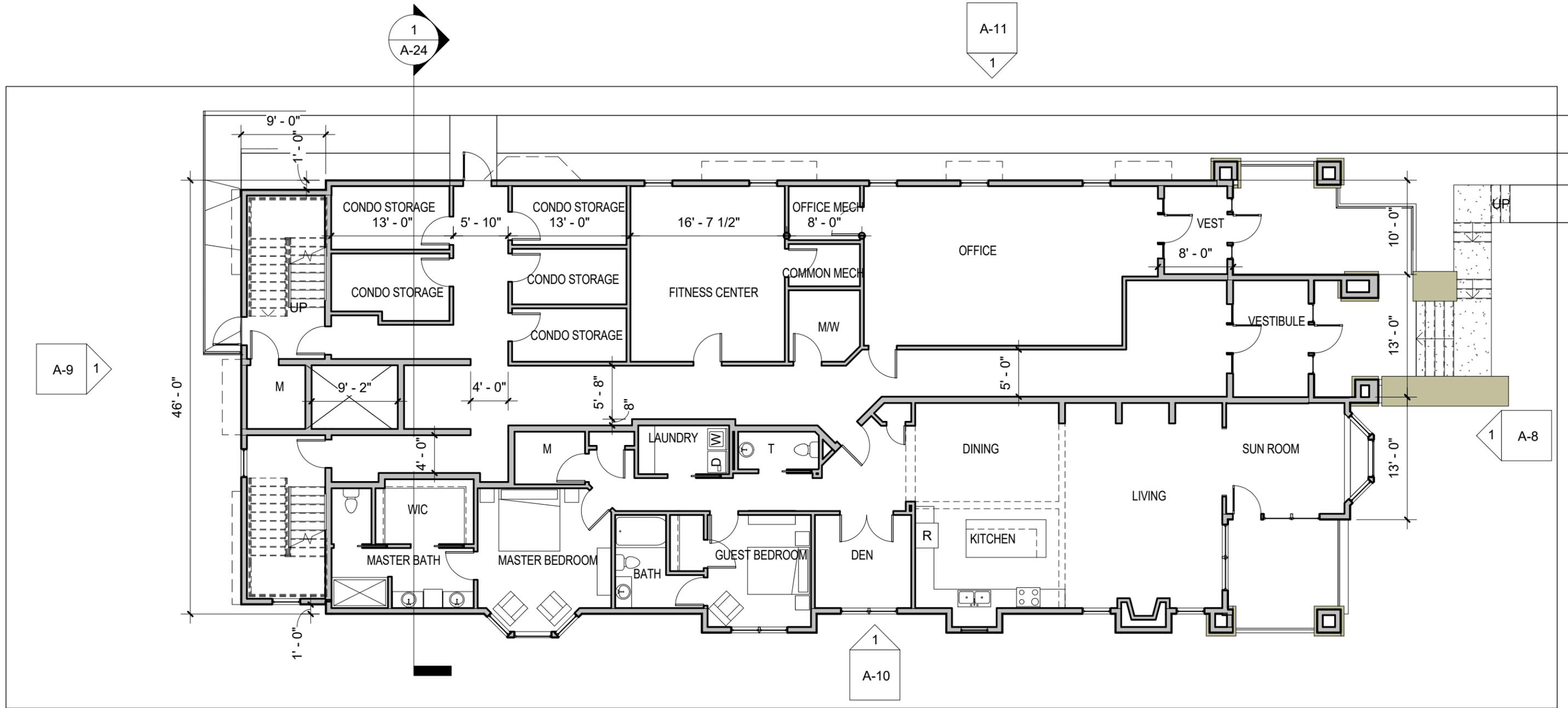
1 AUG 2016



1 LOWER LEVEL FLOOR PLAN

scale: 3/32" = 1'-0"

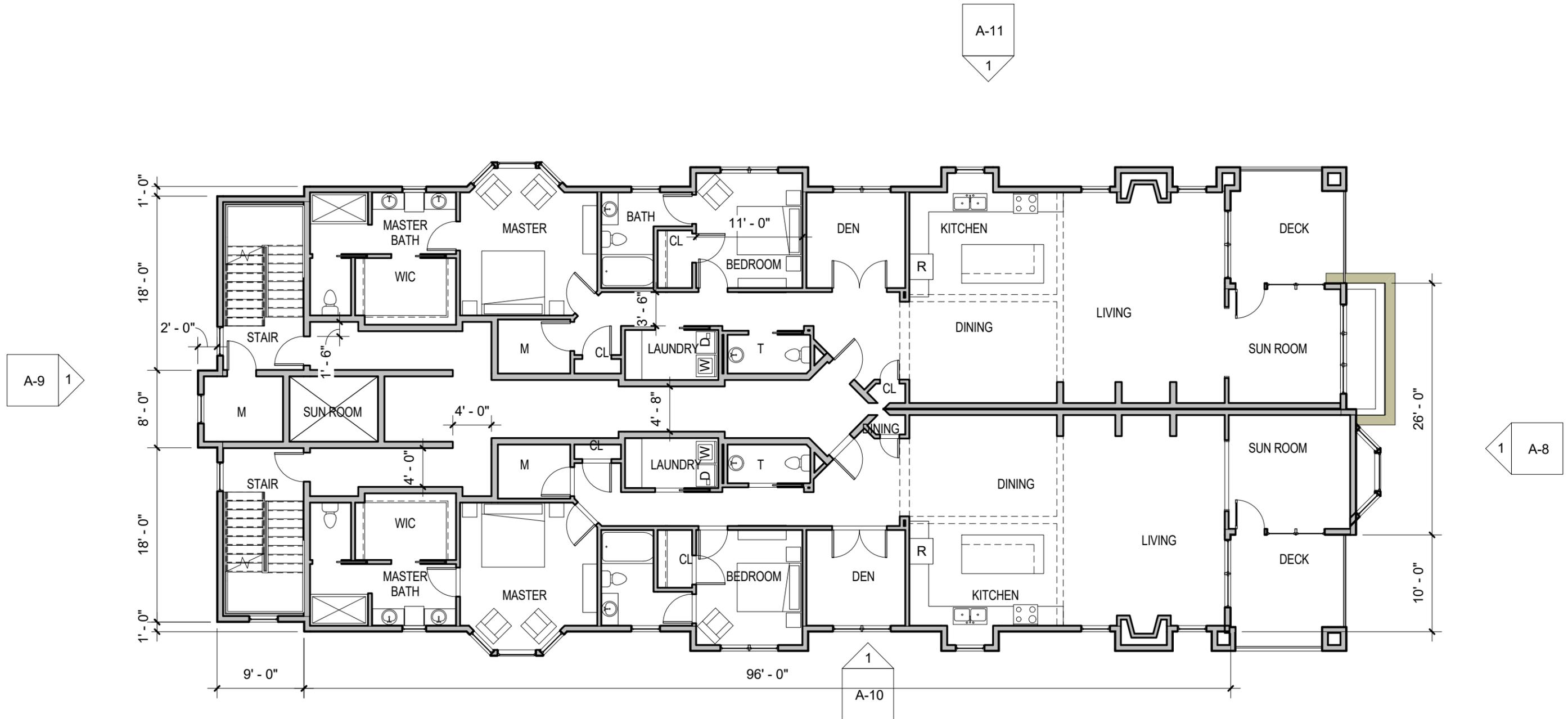
28 JUL 2016



1 FIRST LEVEL FLOOR PLAN

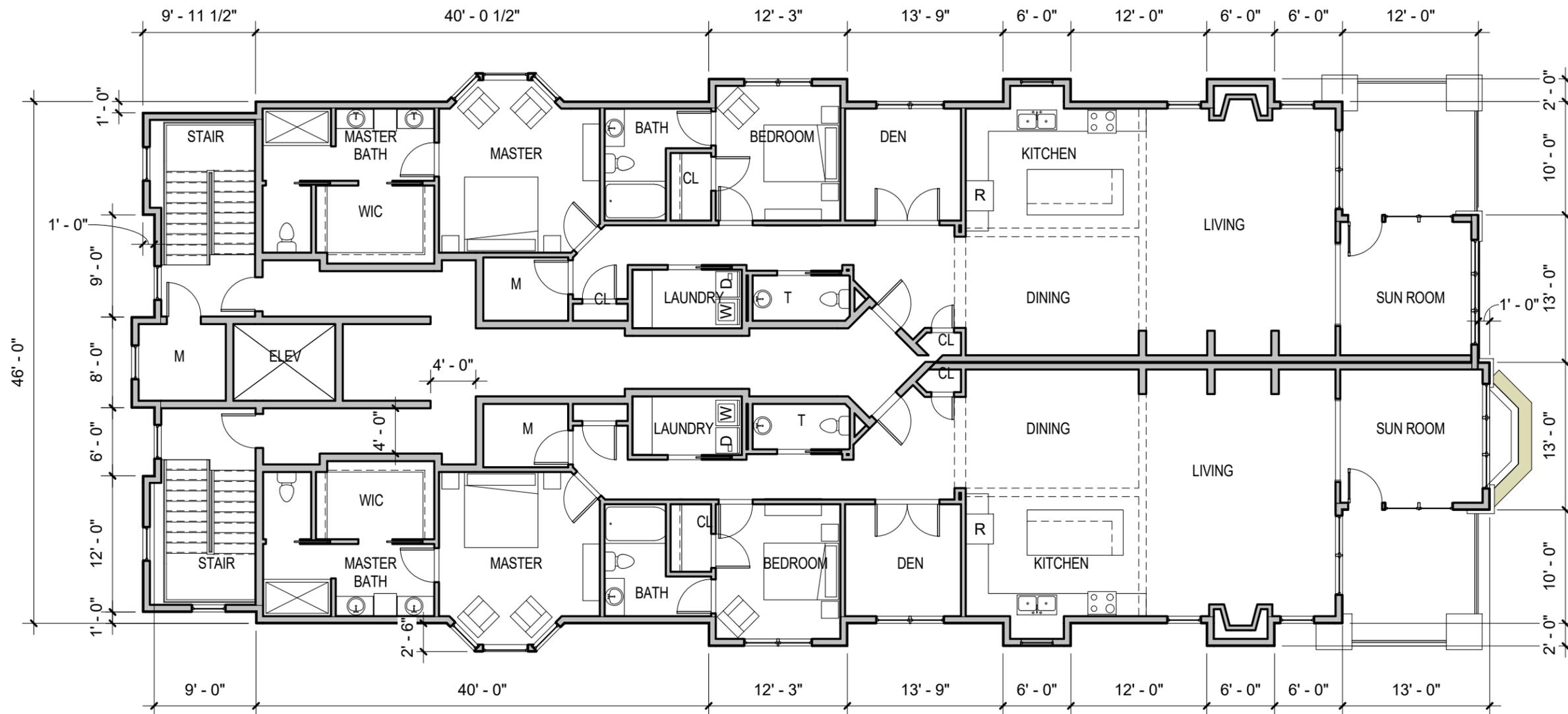
scale: 3/32" = 1'-0"

28 JUL 2016



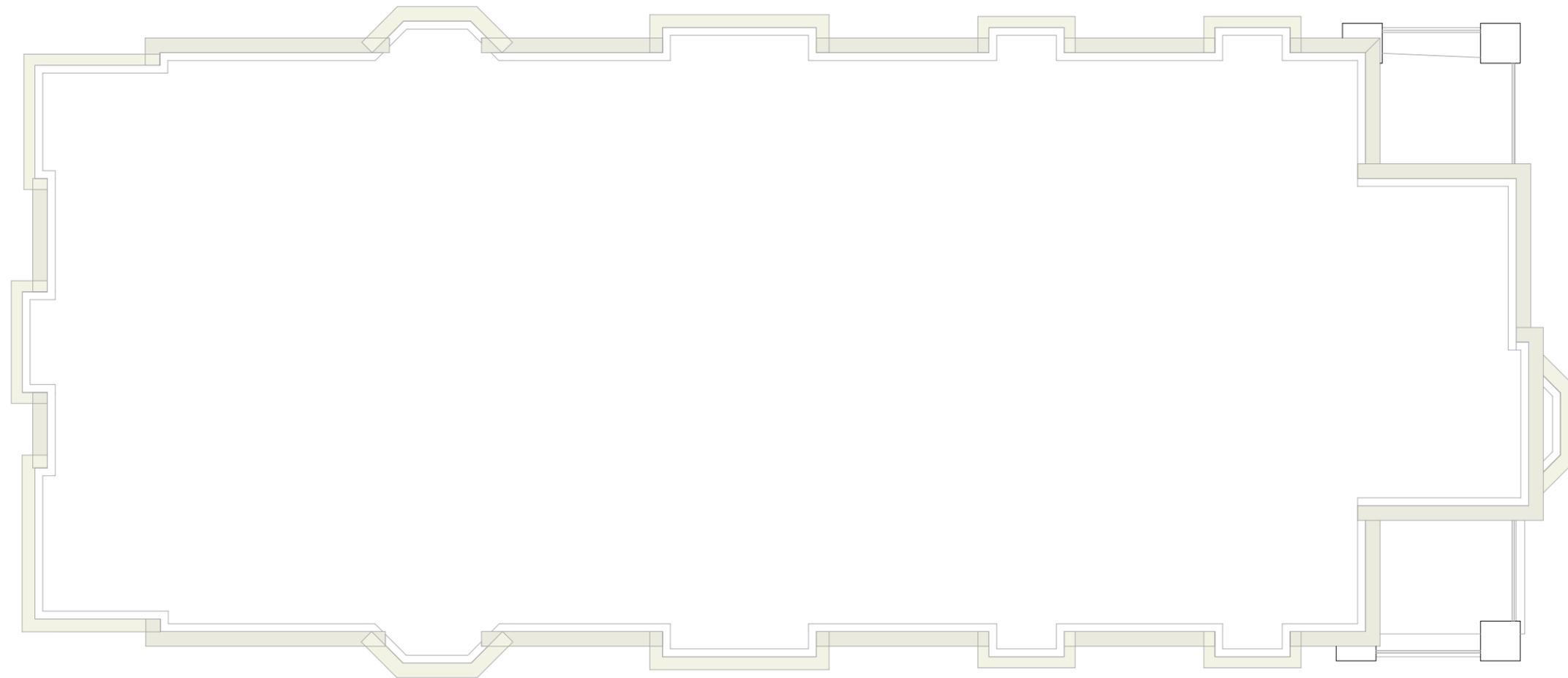
1 SECOND LEVEL FLOOR PLAN
 scale: 3/32" = 1'-0"

28 JUL 2016



1 **THIRD LEVEL FLOOR PLAN**
 scale: 3/32" = 1'-0"

28 JUL 2016



1 **ROOF LEVEL**
scale: 3/32" = 1'-0"

28 JUL 2016

MATERIAL CALCULATIONS

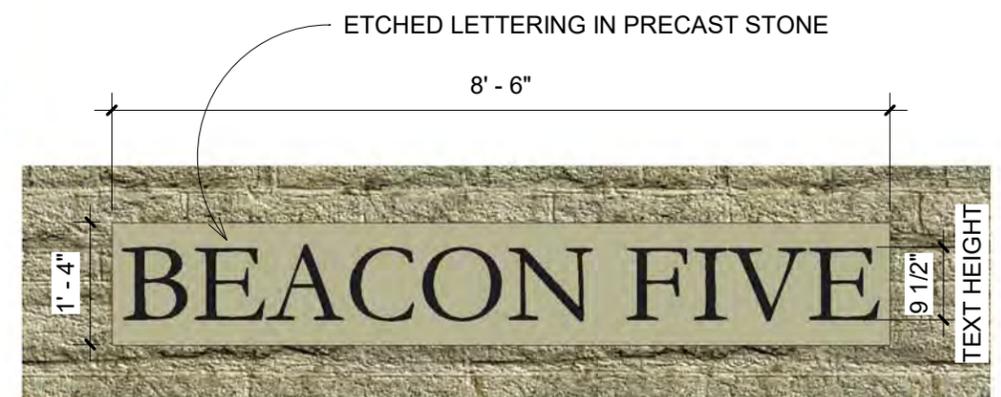
STUCCO	9%
STONE	19%
PRECAST	15%
BRICK	37%
CEMENT BOARD	19%

MAIN LEVEL
WINDOWS/DOORS 43%

MAIN LEVEL & GARAGE LEVEL
WINDOWS/DOORS 32%



1 SOUTH ELEVATION
scale: 1/8" = 1'-0"



2 SIGNAGE DETAIL
scale: 1/2" = 1'-0"

25 AUG 2016

<u>MATERIAL CALCULATIONS</u>	
STUCCO	10%
PRECAST	8%
BRICK	49%
CEMENT BOARD	32%



1 NORTH ELEVATION
 scale: 1/8" = 1'-0"

25 AUG 2016

MATERIAL CALCULATIONS

STUCCO	14%
STONE	16%
PRECAST	8%
BRICK	33%
CEMENT BOARD	28%

TYP. PARAPET
37' - 6"

ROOF LEVEL
35' - 5"

THIRD LEVEL
FLOOR PLAN
24' - 10 3/4"

SECOND LEVEL
FLOOR PLAN
14' - 3 3/8"

FIRST LEVEL
FLOOR PLAN
3' - 8"

GARAGE LEVEL
FLOOR PLAN
-6' - 4"

2' - 1"
10' - 6 1/4"
10' - 7 3/8"
10' - 7 3/8"
10' - 0"



1 WEST ELEVATION
scale: 1/8" = 1'-0"

25 AUG 2016

MATERIAL CALCULATIONS

STUCCO	16%
STONE	6%
PRECAST	8%
BRICK	46%
CEMENT BOARD	24%





1 3D VIEW 1
scale: _____

28 JUL 2016

WHITTEN ASSOCIATES, INC.

BEACON FIVE, WAYZATA, MN

RON CLARK CONSTRUCTION



1 3D VIEW 2
scale:

28 JUL 2016



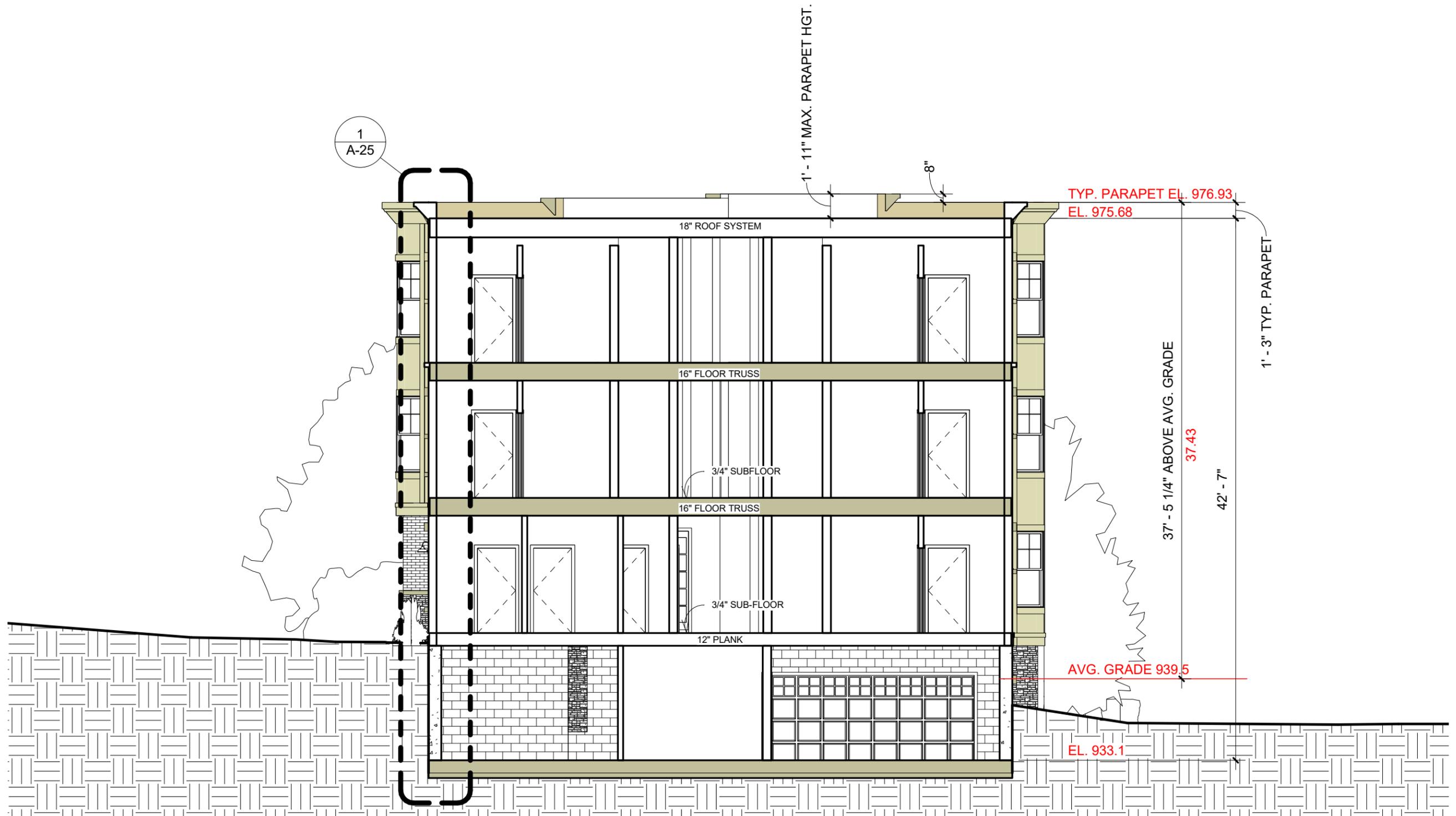
1 3D View 3
scale:

28 JUL 2016



1 3D View 4
scale:

28 JUL 2016



1 Section 1
 scale: 1/8" = 1'-0"

28 JUL 2016

BEACON FIVE
EXTERIOR MATERIAL PERCENTAGE CALCULATIONS

SOUTH

glass	stone	precast	brick	cement bd	stucco	total
684.11	281.09	225.95	541.85	285.15	134.75	1468.79
	19%	15%	37%	19%	9%	100%

first level including garage level

glass	total	
263.74	819.37	32%

first level

glass	total	
229.49	534.27	43%

EAST

glass	stone	precast	brick	cement bd	stucco	total
650.4	219.27	297.24	1738.23	905.62	584.4	3744.76
	6%	8%	46%	24%	16%	100%

NORTH

glass	roofing	precast	brick	cement bd	stucco	total
282.82	6.66	113.35	702.26	459.78	147.33	1429.38
	0%	8%	49%	32%	10%	100%

WEST

glass	stone	precast	brick	cement bd	stucco	total
917.57	655.35	327.75	1330.8	1149.03	581.89	4044.82
	16%	8%	33%	28%	14%	100%



Seaside Collection

Seaside 1 Light Outdoor Wall Lantern in Black

9022BK (Black (Painted))

Product Description:

With an aura that is as pure as a sea breeze, the Seaside Collection offers the homeowner a unique line of outdoor fixtures guaranteed to bring a new identity to your home's landscape. For this 1-light Seaside Wall Lantern, aluminum with stainless steel is combined with Kichler's Black finish, resulting in a high quality fit that will look fantastic for years to come. The fixture houses a 100-watt (max) bulb that provides outstanding outdoor illumination for your landscape. It is 12" high, is U.L. listed for wet location, and is Dark Skies compliant.

Available Finishes

Black (Painted)
Brushed Nickel
Olde Brick
Olde Bronze
White

Project
Type
Ordering #
Comments

Technical Information

Lamp Included:	Not Included
Lead Wire Length:	6"
Extension:	9
Safety Rated:	Wet
HCWO:	6
Base Backplate:	4.75 X .75
Dual Mount:	No
Dark Sky:	Yes
Patent:	D383239
Light Source:	Incandescent
Socket Base:	Medium
Number of Bulbs:	1
Lamp Type:	A
Max Watt:	100W
Width:	8"
Height:	12"
Overall Height:	"
Collection:	Seaside Collection
Finish:	Black (Painted)

VICINITY MAP



LEGAL DESCRIPTION

Lot 6, Block 5, Wayzata Revised, Hennepin County, Minnesota.

NOTES

- This survey was prepared from legal descriptions supplied and our in house records and may not depict all easements, appurtenances or encumbrances affecting the property. The spot elevations, contours, existing features and utility as-built information are based on an boundary/topo survey dated 10/28/14, prepared by EVS, Inc. Alliant Engineering performed a boundary and partial topo verification of trees and features 11/06/15.
- We did not investigate or call Gopher One Call to locate underground utilities. Contact Gopher State One Call (<http://www.gopherstateonecall.org/>) or call (651) 454-0002 to verify critical utilities prior to construction or design.
- The orientation of this bearing system is based on the Hennepin County Coordinate System NAD83. Coordinates are Hennepin County ground feet, based on the Minnesota Coordinate System, Southern Zone, NAD83, 1986 (non HARN values). Coordinate values dated January, 2005 and Vertical Datum is NAVD88
- All distances are in feet.
- The area of the above described property is 10,897 square feet or 0.250 acres.

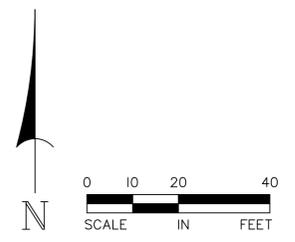
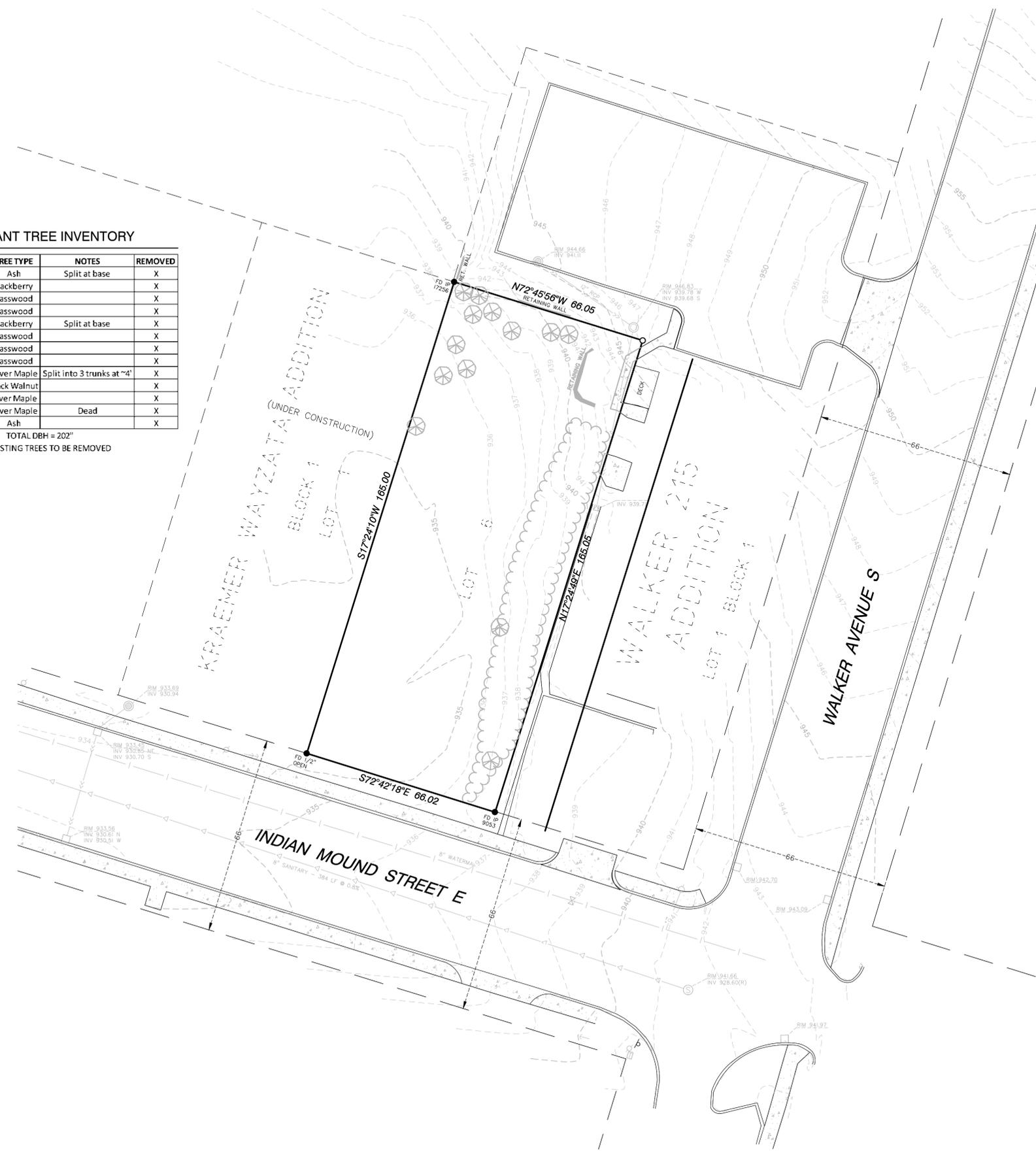
LEGEND

- SET CAP IRON MONUMENT 18425
- FOUND IRON MONUMENT
- HYDRANT
- WATER VALVE
- SANITARY MANHOLE
- CATCH BASIN
- ELECTRIC BOX
- LIGHT
- STORM MANHOLE
- POWER POLE
- WATER SERVICE
- SIGNIFICANT TREE
- GAS
- SANITARY SEWER
- STORM SEWER
- WATERMAIN
- UNDERGROUND ELECTRIC
- UNDERGROUND TELEPHONE
- OVERHEAD ELECTRIC
- FENCE
- CONCRETE

SIGNIFICANT TREE INVENTORY

DBH	TOTAL DBH	TREE TYPE	NOTES	REMOVED
12,12	24	Ash	Split at base	X
8	8	Hackberry		X
18	18	Basswood		X
7	7	Basswood		X
8,9	17	Hackberry	Split at base	X
9	9	Basswood		X
14	14	Basswood		X
13	13	Basswood		X
24	24	Silver Maple	Split into 3 trunks at ~4'	X
9	9	Black Walnut		X
31	31	silver Maple		X
10	10	Silver Maple	Dead	X
18	18	Ash		X

TOTAL DBH = 202"
*ALL EXISTING TREES TO BE REMOVED



ALLIANT
ENGINEERING

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

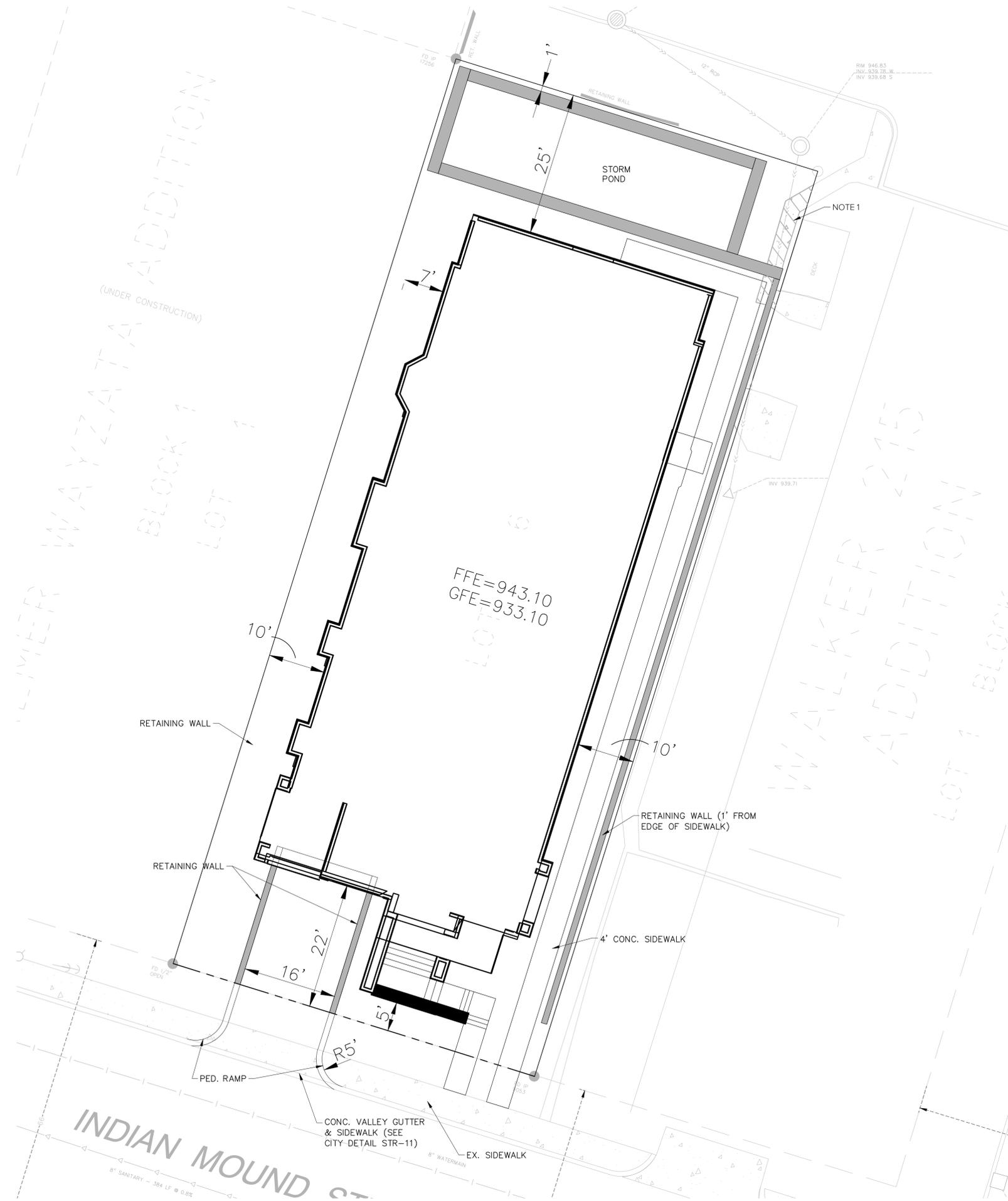
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

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

EXISTING CONDITIONS
BEACON FIVE
529 INDIAN MOUND EAST
WAYZATA, MN

DRAWN BY	DE, GB
CHECKED BY	DBO
DATE ISSUED	4/4/16
SCALE	1"=20'
JOB NO.	150125
BOOK	1

Drawing name: X:\2015\150125\plan sheets\Site Submittal\150125site.dwg Jul 27, 2016 - 3:10pm



LEGEND:

- DEVELOPMENT BOUNDARY LINE
- - - RIGHT-OF-WAY
- LOT LINE
- - - EASEMENT LINE
- - - SETBACK LINE

SITE PLAN DATA:

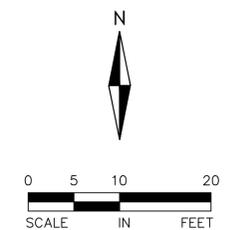
GROSS AREA = 10,897 SF
 AREA OF BUILDING = 5,445 SF
 % OF COVERAGE = 50 %

IMPERVIOUS AREA CALCULATION:

IMPERVIOUS AREA = 7,279 SF
 % IMPERVIOUS = 66.8 %

NOTES:

1. REMOVE EXISTING SIDEWALK ON PROPERTY. COORDINATE REMOVAL WITH ADJACENT PROPERTY OWNER.



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

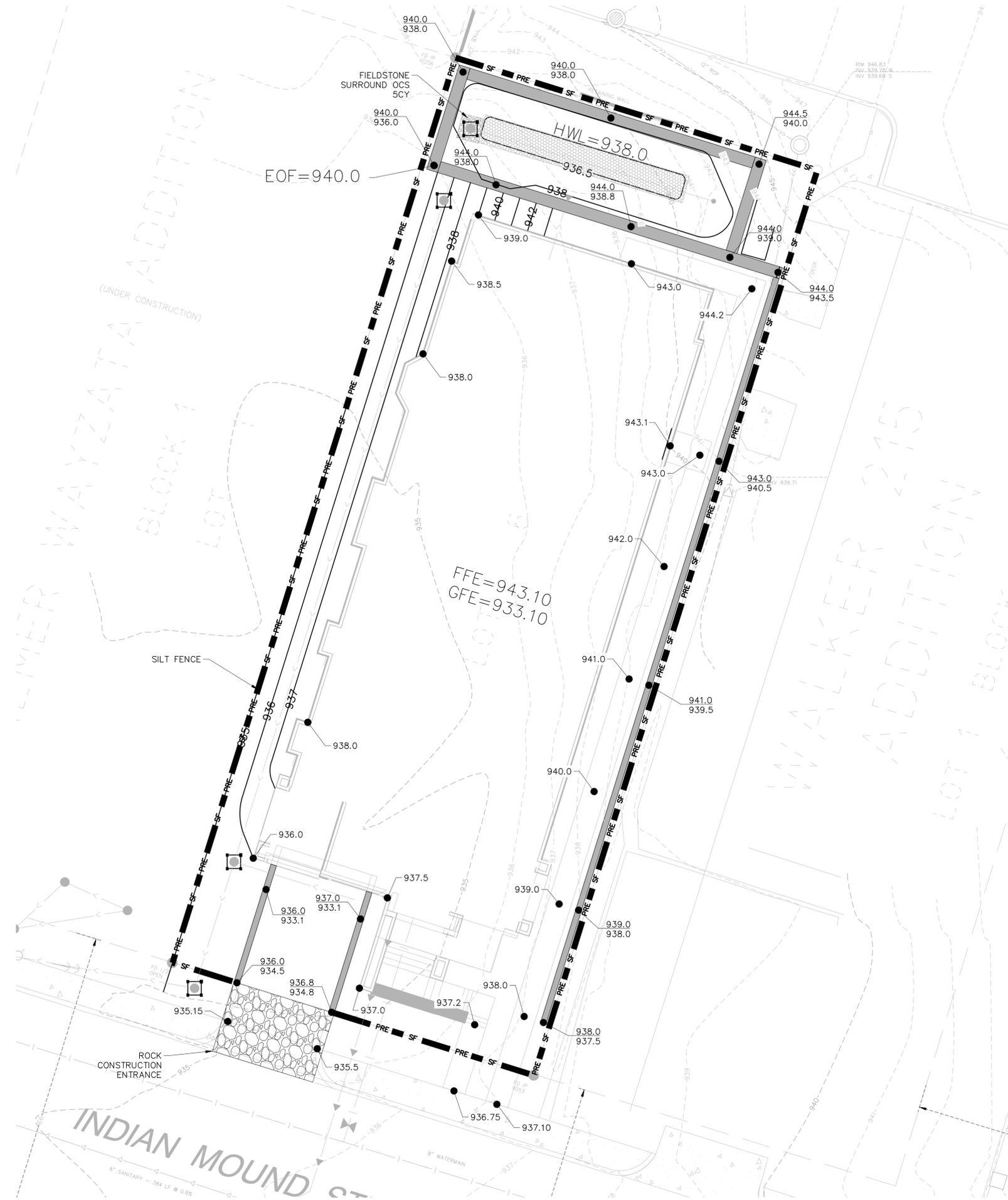
DAVID NASH, PE
 Date 7/21/16 License No. 21836

QUALITY ASSURANCE/CONTROL

DATE	ISSUE
7/21/16	CITY SUBMITTAL
7/27/16	GRADING REVISION

PROJECT TEAM DATA
 DESIGNED: DN
 DRAWN: NS
 PROJECT NO: 150125

Drawing name: X:\2015\150125\plan sheets\Site Submittal\150125grad.dwg Jul 27, 2016 - 3:11pm



GRADING LEGEND:

- 789 --- EXISTING CONTOUR
- 789 — PROPOSED CONTOUR
- PROPOSED RETAINING WALL
- PROPERTY LINE
- RIGHT-OF-WAY
- LOT LINE
- EASEMENT LINE
- SETBACK LINE
- PRE — SF — PRE SILT FENCE
- ROCK CONSTRUCTION ENTRANCE
- INLET PROTECTION
- x 62.44 x 62.44 PROPOSED SPOT ELEVATION
- 1.0% → DIRECTION OF DRAINAGE
- EMERGENCY OVERTFLOW ROUTING
- PROPOSED CATCH BASINS
- PROPOSED STORM SEWER
- TW 70.0 TOP OF WALL ELEVATION
- BW 66.0 BOTTOM OF WALL ELEVATION

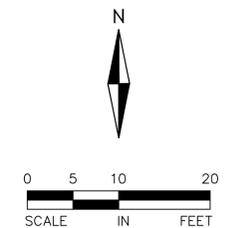
GRADING NOTES:

1. PROPOSED CONTOURS ARE TO FINISHED SURFACE ELEVATION. SPOT ELEVATIONS ALONG PROPOSED CURB DENOTE FLOWLINE GRADE.
2. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT. THE CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR ANY DAMAGES TO THE ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION PHASES OF THIS PROJECT.
3. THE CONTRACTOR SHALL COMPLETE THE SITE GRADING CONSTRUCTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE OWNERS SOILS ENGINEER. ALL SOIL TESTING SHALL BE COMPLETED BY THE OWNERS SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOIL TESTS AND INSPECTIONS WITH THE SOILS ENGINEER.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPROPRIATE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARDS.
5. TEMPORARY SEED & MULCH TO BE PLACED WITHIN 72 HOURS AFTER ROUGH GRADING COMPLETION.
6. ALL EXPOSED SOIL AREAS MUST BE STABILIZED AS SOON AS POSSIBLE TO LIMIT SOIL EROSION, BUT IN NO CASE LATER THAN SEVEN (7) DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED.
7. THE CONTRACTOR MUST CALL GOPHER STATE ONE CALL AT 651-454-0002 BEFORE DIGGING TO VERIFY LOCATION OF EXISTING UTILITIES. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WORK WITH THE UTILITY COMPANIES AND RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH PROPOSED IMPROVEMENTS.
8. ENSURE APPROVAL FOR REMOVAL OF EXISTING SIDEWALK ON EAST PROPERTIES.

SWPPP BMP QUANTITIES:

SILT FENCE =	444 LF
ROCK CONSTRUCTION ENTRANCE =	1 EA
INLET PROTECTION =	4 EA

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

DAVID NASH, PE
Date 7/21/16 License No. 21836

QUALITY ASSURANCE/CONTROL

BY	DATE
DATE	ISSUE
7/21/16	CITY SUBMITTAL
7/27/16	GRADING REVISION

PROJECT TEAM DATA

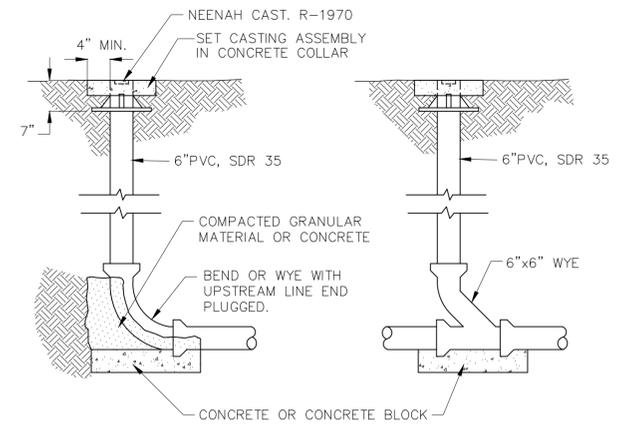
DESIGNED:	DN
DRAWN:	NS
PROJECT NO:	150125

LEGEND:

- ⊗ EXISTING GATE VALVE
- ⊙ EXISTING HYDRANT
- EXISTING WATERMAIN
- ▭ EXISTING CATCH BASIN
- ⊙ EXISTING STORM MANHOLE
- ⊙ EXISTING STORM SEWER
- ⊙ EXISTING SANITARY MANHOLE
- EXISTING SANITARY SEWER
- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER
- PROPOSED SANITARY FORCEMAIN
- PROPOSED WATERMAIN
- ▭ PROPOSED CATCH BASIN
- ⊙ PROPOSED SANITARY MANHOLE
- ⊙ PROPOSED GATE VALVE
- ⊙ PROPOSED HYDRANT

UTILITY NOTES:

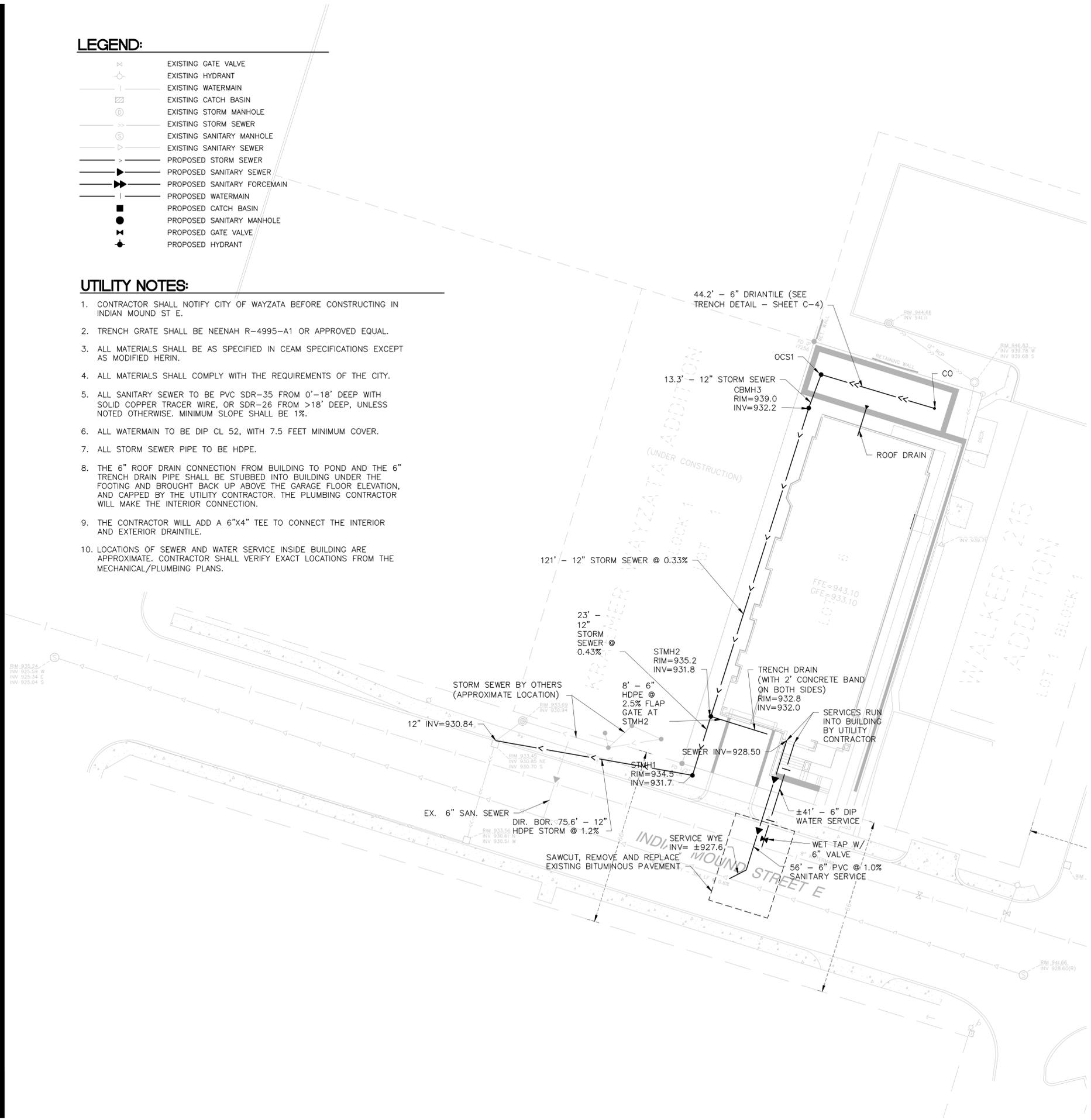
- CONTRACTOR SHALL NOTIFY CITY OF WAYZATA BEFORE CONSTRUCTING IN INDIAN MOUND ST E.
- TRENCH GRATE SHALL BE NEENAH R-4995-A1 OR APPROVED EQUAL.
- ALL MATERIALS SHALL BE AS SPECIFIED IN CEAM SPECIFICATIONS EXCEPT AS MODIFIED HERIN.
- ALL MATERIALS SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY.
- ALL SANITARY SEWER TO BE PVC SDR-35 FROM 0'-18' DEEP WITH SOLID COPPER TRACER WIRE, OR SDR-26 FROM >18' DEEP, UNLESS NOTED OTHERWISE. MINIMUM SLOPE SHALL BE 1%.
- ALL WATERMAIN TO BE DIP CL 52, WITH 7.5 FEET MINIMUM COVER.
- ALL STORM SEWER PIPE TO BE HDPE.
- THE 6" ROOF DRAIN CONNECTION FROM BUILDING TO POND AND THE 6" TRENCH DRAIN PIPE SHALL BE STUBBED INTO BUILDING UNDER THE FOOTING AND BROUGHT BACK UP ABOVE THE GARAGE FLOOR ELEVATION, AND CAPPED BY THE UTILITY CONTRACTOR. THE PLUMBING CONTRACTOR WILL MAKE THE INTERIOR CONNECTION.
- THE CONTRACTOR WILL ADD A 6"x4" TEE TO CONNECT THE INTERIOR AND EXTERIOR DRAINTILE.
- LOCATIONS OF SEWER AND WATER SERVICE INSIDE BUILDING ARE APPROXIMATE. CONTRACTOR SHALL VERIFY EXACT LOCATIONS FROM THE MECHANICAL/PLUMBING PLANS.



END OF LINE CLEANOUT

IN LINE CLEANOUT

NOTE:
CLEANOUT TOP SHALL BE ENCLOSED IN CASTING AND/OR FABRICATED COVER ASSEMBLY.



BEACON FIVE
 529 INDIAN MOUND EAST
 WAYZATA, MINNESOTA
RON CLARK CONSTRUCTION
UTILITY PLAN

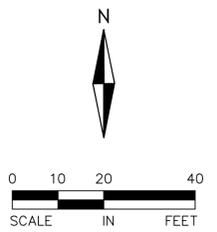
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed PROFESSIONAL ENGINEER under the laws of the State of MINNESOTA.

DAVID NASH, PE
 Date: 7/21/16 License No. 21836

QUALITY ASSURANCE/CONTROL	
BY	DATE
DATE	ISSUE
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7/27/16	GRADING REVISION

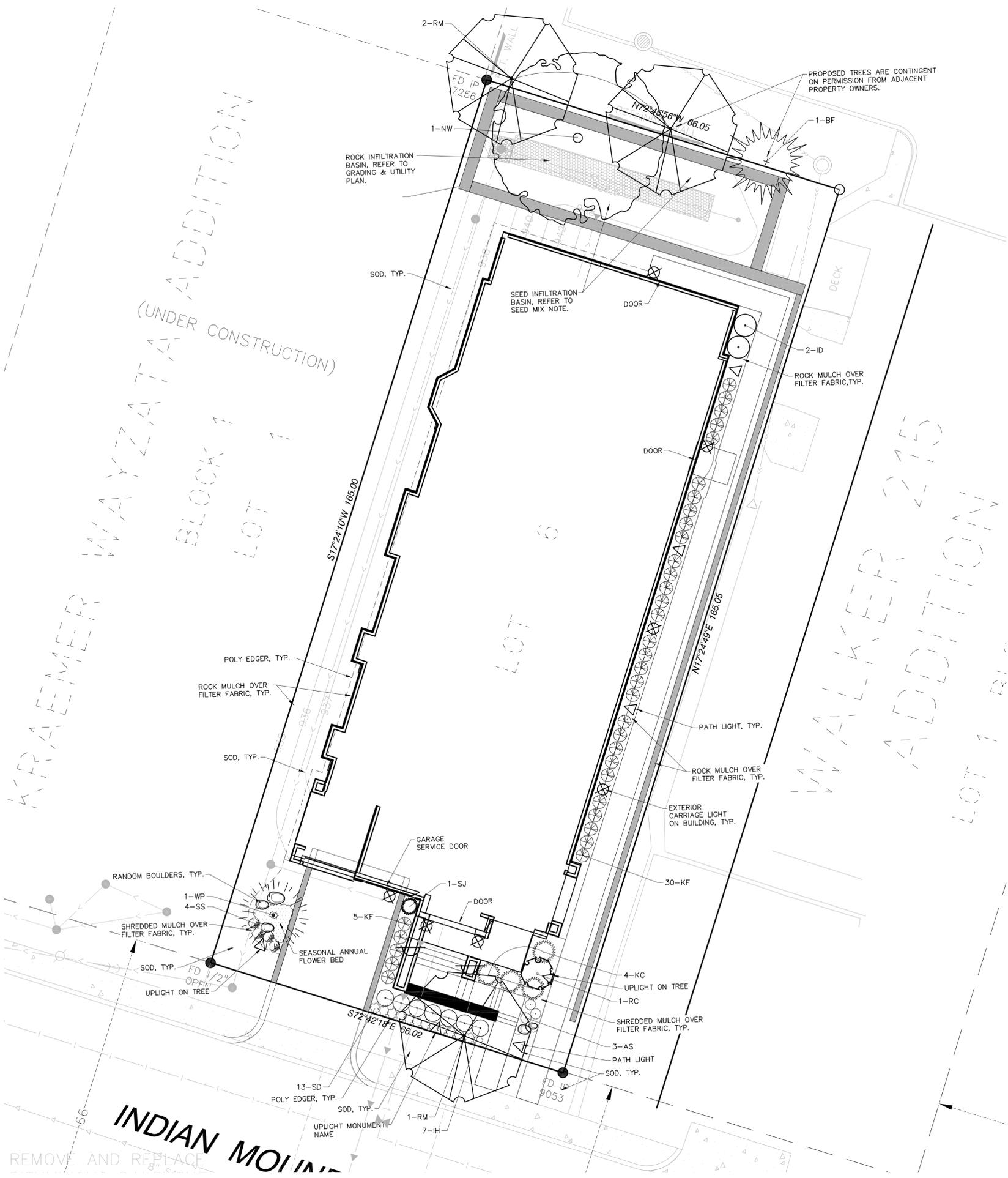
PROJECT TEAM DATA	
DESIGNED:	DN
DRAWN:	NS
PROJECT NO:	150125

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Drawing name: X:\2015\150125\plan sheets\Site Submittal\150125\util.dwg Jul 27, 2016 - 3:12pm

Drawing name: X:\2015\150125\plan sheets\Site Submittal\150125ind.dwg Aug 25, 2016 - 1:42pm



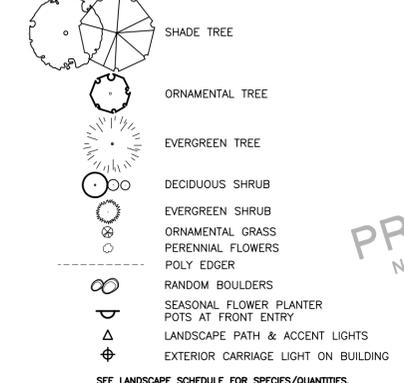
LANDSCAPE SCHEDULE					
QTY.	KEY	COMMON NAME/BOTANICAL NAME	SIZE/ROOT TYPE	REMARKS	MATURE HT. X SPREAD
OVERSTORY TREES					
3	RM	RED MAPLE <i>Acer rubrum</i> 'Northwood'	3" CAL. B&B	STRAIGHT TRUNK NO V-CROTCH	50' HT. X 40' W.
1	NW	PRAIRIE CASCADE WILLOW <i>Salix</i> 'Prairie Cascade'	3" CAL. B&B	STRAIGHT TRUNK NO V-CROTCH	40' HT. X 20' W.
CONIFERS					
1	WP	WHITE COLUMNAR PINE <i>Pinus strobus</i> 'Fastigiata'	6' HT. B&B	FULL FORM	40' HT. X 15' W.
1	BF	DOUGLAS FIR <i>Pseudotsuga menziesii</i>	6' HT. B&B	FULL FORM	40' HT. X 15' W.
ORNAMENTAL					
1	RC	RED BARRON FLOWERING CRAB <i>Malus</i> 'Red Barron'	6' HT. B&B	STRAIGHT TRUNK	12' HT. X 5' W.
SHRUBS					
2	ID	IVORY HALO DOGWOOD <i>Cornus alba</i> 'Bailhala'	5 GAL POT	5 CANES AT HT. SPEC	5' HT. X 5' W.
3	AS	ALPINE SPIRAEA <i>Spiraea japonica</i> 'Alpina'	3 GAL POT	5 CANES AT HT. SPEC	15" HT. X 2' W.
7	IH	INCREDIBALL HYDRANGEA <i>Hydrangea arborescens</i> 'Abetwo'	3 GAL POT	5 CANES AT HT. SPEC	4' HT. X 4' W.
EVERGREEN SHRUBS					
1	SJ	SPARTAN JUNIPER <i>Juniperus chinensis</i> 'Spartan'	7 GAL POT	5 CANES AT HT. SPEC	15' HT. X 3' W.
4	KC	KINGS GOLD CHAMAECYPARIS <i>Chamaecyparis pisifera</i> 'Kings Gold'	5 GAL POT	5 CANES AT HT. SPEC	4' HT. X 4' W.
PERENNIALS & GRASSES					
35	KF	KARL FOERSTER GRASS <i>Calamagrostis Karl Foerster</i>	1 GAL POT		48" HT. X 30" W.
4	SS	AUTUMN JOY STONECROP <i>Sedum spectabile</i> 'Autumn Joy'	1 GAL POT		18" HT. X 18" W.
13	SD	STELLA SUPREME DAYLILY <i>Hemerocallis</i> 'Stella Supreme'	1 GAL POT		18" HT. X 18" W.

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

LANDSCAPE NOTES:

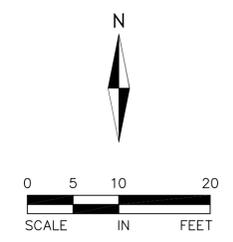
- CONTRACTOR IS RESPONSIBLE FOR CALLING GOPHER STATE ONE CALL AT 651-454-0002 FOR LOCATING ALL UNDERGROUND UTILITIES AND AVOID DAMAGE TO UTILITIES DURING THE COURSE OF THE WORK.
- STAKE OR MARK ALL PLANT MATERIAL LOCATIONS PRIOR TO INSTALLATION. HAVE OWNERS REPRESENTATIVE APPROVE ALL STAKING PRIOR TO INSTALLATION.
- ALL SHRUB AREAS UNLESS SPECIFIED AS OTHER, TO BE BED MULCHED WITH 3-4" DEPTH OF RIVER ROCK GRAVEL OR SHREDDED WOOD MULCH OVER FILTER FABRIC, UNLESS SPECIFIED AS OTHER. POLY-EDGER TO BE VALLEY VIEW BLACK DIAMOND OR APPROVED EQUAL.
- INSTALL 4-6" DEPTH SHREDDED HARDWOOD MULCH AROUND ROOT SAUCER OF ALL TREES ISOLATED FROM PLANT BEDS.
- COMPLETELY GUARANTEE ALL WORK FOR A PERIOD OF ONE YEAR BEGINNING. MAKE ALL REPLACEMENTS PROMPTLY (AS PER DIRECTION OF OWNER).
- ALL MATERIAL SHALL COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSERYMEN.
- ALL TREE TRUNKS SHALL BE WRAPPED WITH BROWN CREPE TREE WRAP DURING WARRANTY PERIOD. APPLY WRAP IN NOVEMBER AND REMOVE IN APRIL.
- MAINTAIN ALL PLANT MATERIALS, INCLUDING WATERING, DURING WARRANTY PERIOD.
- COORDINATE INSTALLATION WITH GENERAL CONTRACTOR.
- STAKING AND GUYING OF TREES OPTIONAL: MAINTAIN PLUMBNESS OF TREES FOR DURATION OF WARRANTY PERIOD.
- SWEEP AND WASH ALL PAVED SURFACES AND REMOVE ALL DEBRIS RESULTING FROM LANDSCAPE OPERATIONS.
- GENERAL CONTRACTOR SHALL FOLLOW THE COUNTY/STATE SOIL & EROSION CONTROL SPECIFICATIONS FOR DISTURBED AREA STABILIZATION.
- CONTRACTOR SHALL PROVIDE DESIGN AND INSTALLATION OF AN WATER EFFICIENT IRRIGATION PLAN. DESIGN SYSTEM INCLUDING CONTROLS, ELECTRICAL AND WATER SERVICE CONNECTIONS WITH 100% COVERAGE FOR SOD AND SHRUB AREAS PER GOVERNING AGENCY AND LOCAL DESIGN REQUIREMENTS. SHRUBS WILL BE IRRIGATED BY A SEPARATE ZONE FROM SOD/GRASS. DESIGN TO INCLUDE DRIP IRRIGATION IN SHRUB AREAS ADJACENT TO BUILDING. EXCESS WATER SHALL NOT COME IN CONTACT WITH BUILDING AND SIDEWALKS. THE IRRIGATION SYSTEM SHALL HAVE A RAIN/FREEZE SENSOR SHUTOFF. USE RAINBIRD OR APPROVED EQUAL. COORDINATE INSTALLATION WITH G.C. AND WORK OF OTHER SECTIONS.

LANDSCAPE LEGEND:



SEE LANDSCAPE SCHEDULE FOR SPECIES/QUANTITIES.

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PRELIMINARY
NOT FOR CONSTRUCTION



BEACON FIVE
529 INDIAN MOUND EAST
WAYZATA, MINNESOTA
RON CLARK CONSTRUCTION
LANDSCAPE PLAN

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

MALEAH MILLER, RLA
Date: 7/21/16 License No. 19507

QUALITY ASSURANCE/CONTROL	
BY	DATE
DATE	ISSUE
7/21/16	CITY SUBMITTAL
7/27/16	GRADING REVISION
8/25/16	LANDSCAPE REVISION

PROJECT TEAM DATA
DESIGNED: MM
DRAWN: MM
PROJECT NO: 150125

Northwood Red Maple

Acer rubrum 'Northwood'



Acer rubrum 'Northwood' in fall

Height: 50 feet
Spread: 40 feet
Sunlight: ☉
Hardiness Zone: 3

Other Names: Swamp Maple, Scarlet Maple

Description:

A very hardy selection of the popular red maple from northern Minnesota, this shapely shade tree features brilliant red fall color and showy red flowers along the branches in early spring; intolerant of alkaline soils

Ornamental Features:

Northwood Red Maple has green foliage which emerges red in spring. The lobed leaves turn an outstanding red in the fall. It features showy red flowers along the branches in early spring before the leaves. It produces red samaras in late spring. The furrowed silver bark and brick red branches add an interesting dimension to the landscape.

Landscape Attributes:

Northwood Red Maple is a deciduous tree with a shapely oval form. Its average texture blends into the landscape, but can be balanced by one or two finer or coarser trees or shrubs for an effective composition.

This is a relatively low maintenance tree, and should only be pruned in summer after the leaves have fully developed, as it may 'bleed' sap if pruned in late winter or early spring. It has no significant negative characteristics.

Northwood Red Maple is recommended for the following landscape applications;

- Shade / Accent

Plant Characteristics:

Northwood Red Maple will grow to be about 50 feet tall at maturity, with a spread of 40 feet. It has a high canopy with a typical clearance of 7 feet from the ground, and should not be planted underneath power lines. It grows at a medium rate, and under ideal conditions can be expected to live for 80 years or more.

This tree should only be grown in full sunlight. It is quite adaptable, preferring to grow in average to wet conditions, and will even tolerate some standing water. It is not particular as to soil type, but has a definite preference for acidic soils, and is subject to chlorosis (yellowing) of the leaves in alkaline soils. It is somewhat tolerant of urban pollution. This is a selection of a native North American species.

Prairie Cascade Weeping Willow

Salix 'Prairie Cascade'

Add To My Plant List



Salix 'Prairie Cascade'

Height: 35 feet

Spread: 35 feet

Sunlight: 

Hardiness Zone: 3

Other Names: Weeping Willow

Description:

A beautiful and hardy specimen tree featuring arching golden branches that weep with age, particularly showy in winter; needs plenty of open space to grow; tends to shed branchlets, root system can be aggressive, do not plant too close to homes

Ornamental Features:

Prairie Cascade Weeping Willow has forest green foliage throughout the season. The glossy narrow leaves turn yellow in fall. Neither the flowers nor the fruit are ornamentally significant. The furrowed brown bark and yellow branches are extremely showy and add significant winter interest.

Landscape Attributes:

Prairie Cascade Weeping Willow is a dense deciduous tree with a rounded form and gracefully weeping branches. Its relatively fine texture sets it apart from other landscape plants with less refined foliage.

This is a high maintenance tree that will require regular care and upkeep, and is best pruned in late winter once the threat of extreme cold has passed. Gardeners should be aware of the following characteristic(s) that may warrant special consideration;

- Messy / Invasive

Prairie Cascade Weeping Willow is recommended for the following landscape applications;

- Accent / Shade

Plant Characteristics:

Prairie Cascade Weeping Willow will grow to be about 35 feet tall at maturity, with a spread of 35 feet. It has a low canopy with a typical clearance of 1 feet from the ground, and should not be planted underneath power lines. It grows at a fast rate, and under ideal conditions can be expected to live for 40 years or more.

This tree should only be grown in full sunlight. It is quite adaptable, preferring to grow in average to wet conditions, and will even tolerate some standing water. It is not particular as to soil type or pH. It is highly tolerant of urban pollution and will even thrive in inner city environments.

This particular variety is an interspecific hybrid.

Columnar White Pine

Pinus strobus 'Fastigiata'



Pinus strobus 'Fastigiata'

Height: 40 feet

Spread: 15 feet

Sunlight: ☉

Hardiness Zone: 3

Other Names: Eastern White Pine

Description:

A highly attractive narrowly columnar tree with silky smooth long needles which give a fuzzy appearance from a distance; can windburn in exposed locations, best grown in some shelter, but needs full sun; one of the best pine trees for smaller landscapes

Ornamental Features:

Columnar White Pine has green foliage. The needles remain green through the winter. Neither the flowers nor the fruit are ornamentally significant. The furrowed gray bark adds an interesting dimension to the landscape.

Landscape Attributes:

Columnar White Pine is an evergreen tree with a strong central leader and a narrowly upright and columnar growth habit. Its relatively fine texture sets it apart from other landscape plants with less refined foliage.

This tree will require occasional maintenance and upkeep. When pruning is necessary, it is recommended to only trim back the new growth of the current season, other than to remove any dieback. Gardeners should be aware of the following characteristic(s) that may warrant special consideration;

- Insects / Disease

Columnar White Pine is recommended for the following landscape applications;

- Accent / Shade / Vertical Accent

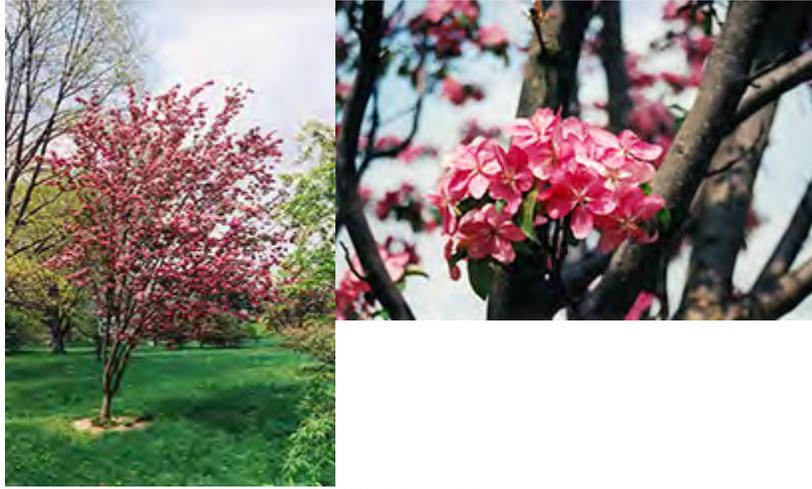
Plant Characteristics:

Columnar White Pine will grow to be about 40 feet tall at maturity, with a spread of 15 feet. It has a low canopy with a typical clearance of 3 feet from the ground, and is suitable for planting under power lines. It grows at a fast rate, and under ideal conditions can be expected to live to a ripe old age of 100 years or more; think of this as a heritage tree for future generations!

This tree should only be grown in full sunlight. It is very adaptable to both dry and moist growing conditions, but will not tolerate any standing water. It is not particular as to soil type, but has a definite preference for acidic soils, and is subject to chlorosis (yellowing) of the leaves in alkaline soils. It is quite intolerant of urban pollution, therefore inner city or urban streetside plantings are best avoided, and will benefit from being planted in a relatively sheltered location. This is a selection of a native North American species.

Red Baron Flowering Crab

Malus 'Red Baron'



Malus 'Red Baron' flowers

Height: 15 feet

Spread: 6 feet

Sunlight: ☉

Hardiness Zone: 4

Other Names: Red Barron, Roseybloom

Description:

A beautiful accent tree covered in abundant deep red flowers in spring followed by persistent deep red fruit in fall, distinctive narrowly upright form ideal for smaller landscapes; needs well-drained soil and full sun

Ornamental Features:

Red Baron Flowering Crab is draped in stunning clusters of fragrant red flowers along the branches in mid spring, which emerge from distinctive dark red flower buds before the leaves. It has dark green foliage which emerges coppery-bronze in spring. The pointy leaves turn an outstanding orange in the fall. The fruits are showy dark red pomes carried in abundance from early to late fall. The rough brown bark is not particularly outstanding.

Landscape Attributes:

Red Baron Flowering Crab is a deciduous tree with a narrowly upright and columnar growth habit. Its average texture blends into the landscape, but can be balanced by one or two finer or coarser trees or shrubs for an effective composition.

This is a high maintenance tree that will require regular care and upkeep, and is best pruned in late winter once the threat of extreme cold has passed. It is a good choice for attracting birds to your yard. Gardeners should be aware of the following characteristic(s) that may warrant special consideration;

- Disease

Red Baron Flowering Crab is recommended for the following landscape applications;

- Accent / Vertical Accent

Plant Characteristics:

Red Baron Flowering Crab will grow to be about 15 feet tall at maturity, with a spread of 6 feet. It has a low canopy with a typical clearance of 2 feet from the ground, and is suitable for planting under power lines. It grows at a medium rate, and under ideal conditions can be expected to live for 50 years or more.

This tree should only be grown in full sunlight. It prefers to grow in average to moist conditions, and shouldn't be allowed to dry out. It is not particular as to soil type or pH. It is highly tolerant of urban pollution and will even thrive in inner city environments.

This particular variety is an interspecific hybrid.

Ivory Halo Dogwood

Cornus alba 'Ivory Halo'



Cornus alba 'Ivory Halo'

Height: 6 feet

Spread: 5 feet

Sunlight: ☉ ☐

Hardiness Zone: 3

Other Names: *Cornus alba 'Bailhalo'* (PP8722)

Description:

A compact and very hardy shrub, well suited for color contrast in many garden applications; features very showy white-variegated foliage and brilliant red stems which show up well against the winter snow

Ornamental Features:

Ivory Halo Dogwood has attractive white-variegated green foliage throughout the season. The pointy leaves are ornamentally significant but do not develop any appreciable fall color. It has clusters of creamy white flowers at the ends of the branches in late spring. It produces white berries in mid summer. The red branches are extremely showy and add significant winter interest.

Landscape Attributes:

Ivory Halo Dogwood is a multi-stemmed deciduous shrub with a more or less rounded form. Its average texture blends into the landscape, but can be balanced by one or two finer or coarser trees or shrubs for an effective composition.

This is a relatively low maintenance shrub, and can be pruned at anytime. It has no significant negative characteristics.

Ivory Halo Dogwood is recommended for the following landscape applications;

- Accent / Mass Planting / Hedges/Screening / General Garden Use

Plant Characteristics:

Ivory Halo Dogwood will grow to be about 6 feet tall at maturity, with a spread of 5 feet. It tends to fill out right to the ground and therefore doesn't necessarily require facer plants in front, and is suitable for planting under power lines. It grows at a fast rate, and under ideal conditions can be expected to live for approximately 20 years.

This shrub does best in full sun to partial shade. It is an amazingly adaptable plant, tolerating both dry conditions and even some standing water. It is not particular as to soil type or pH. It is highly tolerant of urban pollution and will even thrive in inner city environments.

This is a selected variety of a species not originally from North America.

Spirea Alpine

Spiraea japonica 'var. *alpina*'



Spiraea japonica var. Alpina flowers

Height: 12 inches

Spread: 30 inches

Sunlight: ☉

Hardiness Zone: 4

Other Names: Spirea Daphne

Description:

A versatile garden detail shrub with showy flat-topped clusters of pink flowers in early summer and tiny fine-textured foliage; forms a dense, compact mound, beautiful used in masses or as a groundcover; needs full sun and well-drained soil

Ornamental Features:

Spirea Alpine is bathed in stunning clusters of pink flowers at the ends of the branches from late spring to early summer. It has bluish-green foliage throughout the season. The tiny serrated pointy leaves turn an outstanding coppery-bronze in the fall. The fruit is not ornamentally significant.

Landscape Attributes:

Spirea Alpine is a multi-stemmed deciduous shrub with a more or less rounded form. It lends an extremely fine and delicate texture to the landscape composition which should be used to full effect.

This shrub will require occasional maintenance and upkeep, and is best pruned in late winter once the threat of extreme cold has passed. It is a good choice for attracting butterflies to your yard, but is not particularly attractive to deer who tend to leave it alone in favor of tastier treats. It has no significant negative characteristics.

Spirea Alpine is recommended for the following landscape applications;

- Mass Planting / Rock/Alpine Gardens / Border Edging / General Garden Use / Groundcover

Plant Characteristics:

Spirea Alpine will grow to be about 12 inches tall at maturity, with a spread of 30 inches. It tends to fill out right to the ground and therefore doesn't necessarily require facer plants in front. It grows at a fast rate, and under ideal conditions can be expected to live for approximately 20 years.

This shrub should only be grown in full sunlight. It prefers to grow in average to moist conditions, and shouldn't be allowed to dry out. It is not particular as to soil type or pH. It is highly tolerant of urban pollution and will even thrive in inner city environments.

This is a selected variety of a species not originally from North America.

Incrediball Hydrangea

Hydrangea arborescens 'Abetwo'



Hydrangea arborescens 'Incrediball' flower

Height: 5 feet

Spread: 5 feet

Sunlight: ☉ ☾

Hardiness Zone: 3

Description:

An exciting new introduction to the world of hydrangeas, this shrub produces huge, basketball size flowers; best if treated like a perennial and pruned to a few inches from the ground in spring because it blooms on new growth

Ornamental Features:

Incrediball Hydrangea features bold balls of white flowers at the ends of the branches from mid to late summer. The flowers are excellent for cutting. It has dark green foliage throughout the season. The heart-shaped leaves do not develop any appreciable fall color. The fruit is not ornamentally significant. The smooth green bark is not particularly outstanding.

Landscape Attributes:

Incrediball Hydrangea is a multi-stemmed deciduous shrub with a more or less rounded form. Its strikingly bold and coarse texture can be very effective in a balanced landscape composition.

This shrub will require occasional maintenance and upkeep, and is best pruned in late winter once the threat of extreme cold has passed. It has no significant negative characteristics.

Incrediball Hydrangea is recommended for the following landscape applications;

- General Garden Use / Mass Planting / Naturalizing And Woodland Gardens

Plant Characteristics:

Incrediball Hydrangea will grow to be about 5 feet tall at maturity, with a spread of 5 feet. It tends to be a little leggy, with a typical clearance of 1 feet from the ground, and is suitable for planting under power lines. It grows at a fast rate, and under ideal conditions can be expected to live for approximately 20 years.

This shrub does best in full sun to partial shade. It prefers to grow in average to moist conditions, and shouldn't be allowed to dry out. It is not particular as to soil type or pH. It is highly tolerant of urban pollution and will even thrive in inner city environments. Consider applying a thick mulch around the root zone in winter to protect it in exposed locations or colder zones.

This is a selection of a native North American species.

Spartan Juniper

Juniperus chinensis 'Spartan'



Juniperus chinensis 'Spartan'

Height: 15 feet

Spread: 7 feet

Sunlight: ☉

Hardiness Zone: 4

Description:

A tall evergreen shrub with a narrow pyramidal habit of growth; sharp needle-like deep green foliage and interesting blue berries, great for articulation in the home landscape, makes a wonderful tall screen or hedge planted in rows; best in full sun

Ornamental Features:

Spartan Juniper has emerald green foliage. The scale-like leaves remain emerald green through the winter. The flowers are not ornamentally significant. It produces powder blue berries from late spring right through to late winter. The rough gray bark is not particularly outstanding.

Landscape Attributes:

Spartan Juniper is a multi-stemmed evergreen tree with a narrowly upright and columnar growth habit. It lends an extremely fine and delicate texture to the landscape composition which can make it a great accent feature on this basis alone.

This is a high maintenance tree that will require regular care and upkeep, and is best pruned in late winter once the threat of extreme cold has passed. Deer don't particularly care for this plant and will usually leave it alone in favor of tastier treats. It has no significant negative characteristics.

Spartan Juniper is recommended for the following landscape applications;

- Accent / Vertical Accent / Hedges/Screening / General Garden Use

Plant Characteristics:

Spartan Juniper will grow to be about 15 feet tall at maturity, with a spread of 7 feet. It tends to fill out right to the ground and therefore doesn't necessarily require facer plants in front, and is suitable for planting under power lines. It grows at a slow rate, and under ideal conditions can be expected to live for approximately 30 years.

This tree should only be grown in full sunlight. It is very adaptable to both dry and moist growing conditions, but will not tolerate any standing water. It is not particular as to soil type or pH. It is highly tolerant of urban pollution and will even thrive in inner city environments.

This is a selected variety of a species not originally from North America.

King's Gold Chamaecyparis

Chamaecyparis pisifera 'King's Gold'



Height: 5

feet

Spread: 5 feet

Sunlight: ☉ ☌

Hardiness Zone: 3

Other Names: Japanese Falsecypress, Sawara Falsecypress

Description:

One of the most golden accent shrubs available, this forms a wide-spreading mound with delicate sprays of golden foliage that hold their color throughout the summer, even remaining yellow into the winter; a fine choice for constant color in the garden

Ornamental Features:

King's Gold Chamaecyparis has attractive gold foliage. The threadlike leaves are ornamentally significant and turn yellow in fall. Neither the flowers nor the fruit are ornamentally significant. The bark is not particularly outstanding.

Landscape Attributes:

King's Gold Chamaecyparis is a multi-stemmed evergreen shrub with a mounded form. It lends an extremely fine and delicate texture to the landscape composition which can make it a great accent feature on this basis alone.

This is a high maintenance shrub that will require regular care and upkeep. When pruning is necessary, it is recommended to only trim back the new growth of the current season, other than to remove any dieback. It has no significant negative characteristics.

King's Gold Chamaecyparis is recommended for the following landscape applications:

- Accent / Vertical Accent / Hedges/Screening / Rock/Alpine Gardens / General Garden Use / Container Planting

Plant Characteristics:

King's Gold Chamaecyparis will grow to be about 5 feet tall at maturity, with a spread of 5 feet. It tends to fill out right to the ground and therefore doesn't necessarily require facer plants in front, and is suitable for planting under power lines. It grows at a slow rate, and under ideal conditions can be expected to live for 50 years or more.

This shrub does best in full sun to partial shade. It prefers to grow in average to moist conditions, and shouldn't be allowed to dry out. It is not particular as to soil type, but has a definite preference for acidic soils. It is highly tolerant of urban pollution and will even thrive in inner city environments. Consider applying a thick mulch around the root zone in winter to protect it in exposed locations or colder zones.

This is a selected variety of a species not originally from North America.

Karl Foerster Feather Reed Grass

Calamagrostis x acutiflora 'Karl Foerster'



Calamagrostis x acutiflora 'Karl Foerster'

Height: 5 feet
Spread: 32 inches
Sunlight: ☉ 🌑
Hardiness Zone: 3

Other Names: Feather Reed Grass

Ornamental Features:

Karl Foerster Feather Reed Grass's grassy leaves are green in color. The foliage often turns tan in fall. It features bold plumes of rose flowers rising above the foliage in mid summer. The tan seed heads are carried on showy plumes displayed in abundance from late summer right through to late winter. The gold stems can be quite attractive.

Landscape Attributes:

Karl Foerster Feather Reed Grass is an herbaceous ornamental grass with a rigidly upright and towering form. It brings an extremely fine and delicate texture to the garden composition and should be used to full effect.

This ornamental grass will require occasional maintenance and upkeep, and is best cut back to the ground in late winter before active growth resumes. It has no significant negative characteristics.

Karl Foerster Feather Reed Grass is recommended for the following landscape applications:

- Vertical Accent Mass Planting / General Garden Use / Groundcover
- Naturalizing And Woodland Gardens / Container Planting

Plant Characteristics:

Karl Foerster Feather Reed Grass will grow to be about 4 feet tall at maturity, with a spread of 32 inches. It tends to be leggy, with a typical clearance of 1 feet from the ground, and should be underplanted with lower-growing perennials. It grows at a medium rate, and under ideal conditions can be expected to live for approximately 10 years.

This ornamental grass does best in full sun to partial shade. It is very adaptable to both dry and moist locations, and should do just fine under typical garden conditions. It is not particular as to soil type or pH. It is highly tolerant of urban pollution and will even thrive in inner city environments. This plant can be propagated by division.

This particular variety is an interspecific hybrid.

Autumn Joy Sedum

Sedum 'Autumn Joy'



Sedum 'Autumn Joy' in bloom

Height: 24 inches
Spread: 24 inches
Sunlight: ☉ ☌
Hardiness Zone: 3

Other Names: Autumn Stonecrop, Showy Stonecrop

Description:

A highly desirable and popular groundcover, forming a dense mound completely covered in broccoli-like salmon-pink flowers which fade to red in early fall, succulent dusty-green foliage is prominent the rest of the season; needs a dry and sunny location

Ornamental Features:

Autumn Joy Sedum features beautiful clusters of pink flowers at the ends of the stems from late summer to late fall, which emerge from distinctive coral-pink flower buds, and which are most effective when planted in groupings. The flowers are excellent for cutting. It's large succulent round leaves remain grayish green in color throughout the season. The fruit is not ornamentally significant.

Landscape Attributes:

Autumn Joy Sedum is a dense herbaceous perennial with an upright spreading habit of growth. Its relatively coarse texture can be used to stand it apart from other garden plants with finer foliage.

This is a high maintenance perennial that will require regular care and upkeep, and is best cleaned up in early spring before it resumes active growth for the season. It is a good choice for attracting bees and butterflies to your yard, but is not particularly attractive to deer who tend to leave it alone in favor of tastier treats. It has no significant negative characteristics.

Autumn Joy Sedum is recommended for the following landscape applications;

- Mass Planting / Border Edging / General Garden Use / Groundcover / Container Planting

Plant Characteristics:

Autumn Joy Sedum will grow to be about 20 inches tall at maturity, with a spread of 24 inches. It grows at a fast rate, and under ideal conditions can be expected to live for approximately 15 years.

This perennial does best in full sun to partial shade. It is very adaptable to both dry and moist growing conditions, but will not tolerate any standing water. It is not particular as to soil pH, but grows best in poor soils, and is able to handle environmental salt. It is highly tolerant of urban pollution and will even thrive in inner city environments. This plant can be propagated by division.

This particular variety is an interspecific hybrid.

Stella Supreme Daylily

Hemerocallis 'Stella Supreme'



Height: 18 inches
Spread: 18 inches
Sunlight: ☉ ☿
Hardiness Zone: 2

Description:

Reblooming pale-yellow trumpet with yellow halo and green throat; sturdy, strong, easy to care for, great grassy texture and form; good for the beginner gardener and the pro

Ornamental Features:

Stella Supreme Daylily features bold lightly-scented buttery yellow trumpet-shaped flowers with yellow throats at the ends of the stems in early summer. The flowers are excellent for cutting. It's grassy leaves remain green in color throughout the season. The fruit is not ornamentally significant.

Landscape Attributes:

Stella Supreme Daylily is an herbaceous perennial with a shapely form and gracefully arching foliage. Its relatively fine texture sets it apart from other garden plants with less refined foliage.

This perennial will require occasional maintenance and upkeep, and is best cleaned up in early spring before it resumes active growth for the season. It is a good choice for attracting butterflies to your yard. It has no significant negative characteristics.

Stella Supreme Daylily is recommended for the following landscape applications;

- Mass Planting / General Garden Use / Groundcover

Plant Characteristics:

Stella Supreme Daylily will grow to be about 18 inches tall at maturity, with a spread of 18 inches. Its foliage tends to remain dense right to the ground, not requiring facer plants in front. It grows at a medium rate, and under ideal conditions can be expected to live for approximately 10 years.

This perennial does best in full sun to partial shade. It is very adaptable to both dry and moist locations, and should do just fine under typical garden conditions. It is not particular as to soil type or pH. It is highly tolerant of urban pollution and will even thrive in inner city environments. This plant can be propagated by division.

This particular variety is an interspecific hybrid.

529 Indian Mound E. – Beacon V
Design Critique
August 9, 2016 – REVISED August 26 per Applicant comments

	Comments	Compliance
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 bayed windows to create shadow lines and break up the façade.	Yes.
<u>801.09.3.1.B</u> Street level landscaped courtyards, outdoor seating areas and gathering areas shall be incorporated into building and site plan design.	The Project proposes landscaping around the exterior of the development. The project does not propose outdoor seating or gathering areas at street level.	No; Applicant states narrowness of the lot is a limitation. Deviation requested.
Building Width		
<u>801.09.4.1 All Districts – New Buildings</u> In order to reduce the scale of longer façades and to eliminate the long horizontal expressions of buildings, divisions or breaks in materials shall be included and at least three of the following design strategies shall be incorporated into the design: <ol style="list-style-type: none"> 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 	The Project incorporates the following items: <ol style="list-style-type: none"> 1. Window bays 2. Articulations of the façade, between window bay and brick elements 3. Special treatment at the south entrance with the cornice, curved lintel and textured stone material 	Yes

Upper Story Setbacks		
<p>801.09.5.1.A – All Districts – New Buildings</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 proposed project is a 3-story building, and the south façade fronts a public right of way. The 3rd floor design on the public façade meets neither the 10-ft average requirement nor the 6-ft minimum setback requirement.</p> <p>The 3rd floor façade design is designed with railings and recesses that break up the façade.</p>	<p>No; the 3rd floor façade requires at least a 6-ft minimum setback, or approval of a deviation will be required. Applicant states the overall stepping back of the building intended to meet intent of Design Standard. Deviation requested.</p>
<p>801.09.5.1.B – All Districts – New Buildings</p> <p>The façades fronting public right-of-ways of every two and three story building, longer than sixty (60) feet, must have a recessed second story of approximately twenty-five percent (25%) of the façade’s length, setting back a minimum of six (6) feet from the face of the first floor façade. The required third floor setback must follow the frontal plane of the second story setback.</p>	<p>This section is not applicable as the Project has only a 46-foot façade fronting a public right of way.</p>	<p>Not Applicable.</p>
<p>801.09.5.1.C – All Districts – New Buildings</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 proposed building 3-story building height is 38.1 ft to the top of the highest cornice point on the roof. The building meets height and setback requirements and is unlikely to obstruct solar access for any significant portion of daylight hours.</p>	<p>Yes.</p>
Roof Design		
<p>801.09.6.1 – All Districts</p> <p>“Green” roofs, roof garden terraces, arbors and other similar structures are encouraged on roofs of building.</p>	<p>The project does not include a green roof structure.</p>	<p>Not Applicable.</p>

<p><u>801.09.6.2.A – All Districts – Roof Materials</u> The roof material for all sloped roofs in all districts shall be slate, untreated copper, pre-finished metal, cedar shake or asphalt shingle in dark colors.</p> <p><u>801.09.6.2.B – All Districts – Roof Materials</u> The roof material for all flat roofs in all districts shall be treated synthetic membrane or other similar material in dark colors.</p>	<p>The proposed roof material for the flat roof will be a membrane material; it is proposed to be tan in color.</p> <p>There are no sloped roof portions proposed.</p>	<p>No; roof membrane color is proposed to be tan. It should be dark in color. Applicant states a tan color is preferred to prolong life and warranty of the roof membrane. Deviation requested.</p>
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<p>Screening of Rooftop Equipment</p>		
<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>There is no rooftop mechanical equipment shown in the proposed design.</p>	<p>Yes.</p>

	Comments	Compliance
Facade Transparency		
<p><u>801.09.8.4 – Bluff District</u> No less than thirty-five percent (35%) of ground level public façades for buildings containing commercial or office uses shall be transparent glass.</p> <p>Applications for design approval must include façade diagrams that contain calculations of glass and solid surfaces. Calculations of façade areas for multiple story building shall be measured from grade to the floor above.</p>	<p>The ground floor of the public (south) façade of the proposed building is 42% glass surface.</p>	<p>Yes.</p>
Ground Level Expression		
<u>801.09.9.1 – All Districts</u>		
<p>In multi-story buildings, the ground floor shall be distinguished from the floors above by the use of at least three of the following elements:</p> <ol style="list-style-type: none"> 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 multistory building contains the following elements related to distinguishing the ground floor:</p> <ol style="list-style-type: none"> 1. An intermediate cornice line at the front entrance. 2. A difference in the stone texture and material 3. Offsets in the façade at the entrance (south elevation) and the lack of window bays on the east elevation corresponding with the office and common space area. 	<p>Yes.</p>

Entries		
<p><u>801.09.10.1 – All Districts</u> 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>Applicant states that seasonal plantings will be added to two planters at the front entry steps as well as a planting bed along the sidewalk. The front façade of the proposed building is also landscaped with overstory trees, evergreen trees, ornamental plantings and shrubs, as well as some perennial grasses.</p> <p>The main entry faces the primary street, with a stairway connecting the entrance to the sidewalk grade.</p>	<p>Yes.</p>

<p>801.09.11.1.A – Primary Opaque Surfaces – All Districts 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 building is primarily of brick, stone, and glass with the following percentages as measured by Design Reviewer:</p> <p>North Elevation: Glass: 14.7% Brick: 41.3% (58.4% of non-glass) Stucco: 9.3% (11.0% of non-glass) Fiber Cement: 27.4% (32.3% of non-glass) <i>Total primary opaque percent: 96.8%</i> <i>Without fiber cement: 69.4%</i></p> <p>West Elevation: Glass: 21.2% Brick: 29.0% (36.9% of non-glass) Stucco: 3.8% (4.9% of non-glass) Stone: 14.6% (18.5% of non-glass) Fiber Cement: 25.6% (32.5% of non-glass) <i>Total primary opaque percent: 92.8%</i> <i>Without fiber cement: 67.2%</i></p> <p>South Elevation: Glass: 30.5% Brick: 24.9% (35.8% of non-glass) Stucco: 6.0% (8.6% of non-glass) Stone: 12.3% (17.8% of non-glass) Fiber Cement: 14.0% (20.1% of non-glass) <i>Total primary opaque percent: 82.3%</i> <i>Without fiber cement: 62.2%</i></p> <p>East Elevation: Glass: 14.2% Brick: 39.7% (46.3% of non-glass) Stucco: 12.5% (14.6% of non-glass) Stone: 5.4% (6.3% of non-glass) Fiber Cement: 21.3% (24.8% of non-glass) <i>Total primary opaque percent: 92%</i> <i>Without Fiber Cement: 70.7%</i></p>	<p>No;</p> <ol style="list-style-type: none"> 1) Fiber cement is not listed as an allowable primary façade material. 2) The south elevation contains less than 90% of its façade in primary design elements/materials <p>Applicant acknowledges that fiber cement amounts exceed the 10% accent material limitation but contends it is the appropriate material. Deviation will be required.</p> <p>Staff recommends granting this deviation and that the façade materials be approved as proposed. Fiber cement board is sufficient to be used as a primary material and, even in the amounts proposed, will produce a high quality building design. Precast stone is similarly appropriate for the building design in an amount exceeding 10% on the south façade.</p>
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<p>801.09.11.1.A – Primary Opaque Surfaces – All Districts 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 building is primarily of brick, stone, and glass with the following percentages as measured by Applicant:</p> <p>North: Glass: 283 SF Precast: 113 SF (8%) – Accent Brick: 702 SF (49%) Fiber Cement: 460 SF (32%) – Accent Stucco: 147 (10%)</p> <p>West: Glass: 918 SF Precast: 328 SF (8%) – Accent Stone: 655 SF (16%) Brick: 1331 SF (33%) Fiber Cement: 1149 SF (28%) – Accent Stucco: 581 SF (14%)</p> <p>South: Glass: 684 SF Precast: 226 SF (15%) – Accent Stone: 281 SF (19%) Brick: 542 SF (37%) Fiber Cement: 285 SF (19%) – Accent Stucco: 135 SF (9%)</p> <p>East: Glass: 65 SF Precast: 297 SF (8%) – Accent Stone: 219 SF (6%) Brick: 1738 SF (46%) Fiber Cement: 905 SF (24%) – Accent Stucco: 584 SF (16%)</p>	<p>No;</p> <ol style="list-style-type: none"> 1) Fiber cement is not listed as an allowable primary façade material. 2) The south elevation contains less than 90% of its façade in primary design elements/materials <p>Applicant acknowledges that fiber cement amounts exceed the 10% accent material limitation but contends it is the appropriate material. Deviation will be required.</p> <p>Staff recommends granting this deviation and that the façade materials be approved as proposed. Fiber cement board is sufficient to be used as a primary material and, even in the amounts proposed, will produce a high quality building design. Precast stone is similarly appropriate for the building design in an amount exceeding 10% on the south façade.</p>
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<p><u>801.09.11.1.B – Façade Coverage – All Districts</u> The primary opaque surface materials of all free standing buildings must be the same on all facades of the building.</p>	<p>Brick, stone, and fiber cement are included on all four sides of both the new building. Stone used at the entrance is the exception.</p>	<p>Yes.</p>
<p><u>801.09.11.1.C – Type of Brick – All Districts</u> On all facades of a free-standing building where brick is used, full course modular, Roman, Norman or other standard size brick must be used.</p>	<p>Applicant states that bricks will either be full course modular, Roman, or Norman size brick.</p>	<p>Yes.</p>
<p><u>801.09.11.1.D – Façade Detail – All Districts</u> 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. 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>This is a condition of approval.</p>	<p>Yes.</p>
<p><u>801.09.11.1.E – Brick Joints – All Districts</u> 1. The mortar for brick must be dark grey or in the color range of the brick. All joints must be concave or ‘v’ joint. No mortar may be used beyond the face of the brick. 2. All brick walls must be built to avoid efflorescence</p>	<p>The mortar for the brick be charcoal grey no larger than ¼” with a concave joint and will be confirmed with the building permit.</p>	<p>Yes.</p>
<p><u>801.09.11.1.F – Stone Joints – All Districts</u> Stone joints shall be no larger than one-fourth (1/4) inch.</p>	<p>This is a condition of approval.</p>	<p>Yes.</p>

<p>801.09.11.1.G – Accent Materials – All Districts 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>Accent materials on each façade:</p> <p>South accent: Fiber cement: 285 SF (19%) Precast: 226 SF (15%)</p> <p>East accent: Fiber cement: 906 SF (24%) Precast: 297 SF (8%)</p> <p>North accent: Fiber cement: 460 SF (32%) Precast: 113 SF (8%)</p> <p>West accent: Fiber cement: 1149 SF (28%) Precast: 328 SF (8%)</p>	<p>No; Fiber Cement materials exceed 10% on all facades, and precast stone exceeds 10% on the South façade. Deviation requested (recommended - see primary materials).</p>
<p>801.09.11.1.H - Parapets, Flashing, Coping – All Districts</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>Painted aluminum with a maximum exposed edge of no more than five inches will be used as parapet material.</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 includes no 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>All proposed balconies appear usable and remain within the property line. Metal railings are dark in color.</p>	<p>Yes.</p>
<p><u>801.09.11.1.K – Glass – All Districts</u> Glass shall not be mirrored, reflective or darkened. Slight green, bronze and grey tints are acceptable. Spandrel glass shall not be counted as transparent glass for the purposes of calculations under the transparency requirements of Section 801.09.8 of the Standards, but may be used for detailing purposes. Environmentally appropriate glass, such as Low-emissivity glass, shall be used in all projects</p>	<p>The glass shall meet the standards of the ordinance and will not be mirrored, darkened, or reflective.</p> <p>Environmental appropriateness will be evaluated with the building permit.</p>	<p>Yes.</p>

<p>801.09.11.1.L – Doors – All Districts Unless there are building security concerns, main entry doors shall be primarily glass. If, for security reasons, a main entry door is not possible or practical, a main entry door must be well detailed. Appropriately designed wood doors may be utilized for retail and office buildings.</p>	<p>The proposed entry doors will be glass.</p>	<p>Yes.</p>
	Comments	Compliance
Franchise Architecture		
801.09.12.1		
<p>A. Typical or standardized franchise architecture (including building design that is the trade dress of, or identified with a particular chain, franchise or business and is repetitive in nature) is prohibited.</p> <p>B. Large, bold or bright signage, trade dress or logos must be altered and scaled down to meet the purpose of these standards as articulated herein, and must not be repeated on the facades of the principal structure more than once. All new, altered and/or proposed signage for buildings must be submitted for review under Section 801. 09.18 by the Planning Commission at the time of Design Standards Review application</p>	<p>Not Applicable to this proposed building.</p>	<p>N/A</p>

Walkways		
<p>801.09.13.2 – Bluff District</p> <p>A. Continuous sidewalks at least five (5) feet in width shall be provided along all public street frontages. The sidewalk street grid shall be maintained and extended wherever possible.</p> <p>B. Where the sidewalk street grid is interrupted by steep slopes or other topographic variations, walkways or stairways shall be built to maintain pedestrian continuity.</p>	<p>Sidewalks exist on Indian Mound Street fronting the Project.</p> <p>The proposed project will add a 4-foot concrete sidewalk along the east elevation of the building and wrapping around to the north elevation.</p>	<p>Yes.</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>Applicant states that seasonal plantings will be added to two planters at the front entry steps as well as a planting bed along the sidewalk. Applicant proposes adding vertical plantings (not vines) in front of the uninterrupted façade areas larger than 100 SF on the east and west elevations.</p> <p>The Applicant has proposed a mixture of trees and shrub around south and east portion of the building perimeter. Additional landscaping is proposed in conjunction with the stormwater pond on the north side of the building.</p> <p>A landscape plan is included with the Applicant submittal materials.</p> <p>Applicant states that street lights will be installed per City standards.</p>	<p>Yes.</p> <p>The City Council should comment on the plantings and landscaping proposed for the Project.</p>

<p>801.09.14.3 – Bluff and Wayzata Blvd Districts Trees with a minimum of three (3) caliper inches shall be planted no more than twenty-six (26) feet apart within a landscaped boulevard.</p>		<p>The City Council should comment on the plantings proposed for the Project.</p>
	Comments	Compliance
<p>Parking Lot Landscaping</p>		
<p>801.09.15.1 – All Districts 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>N/A – all proposed parking is under the building. No surface parking is proposed.</p>	<p>Not Applicable</p>
<p>Surface Parking</p>		

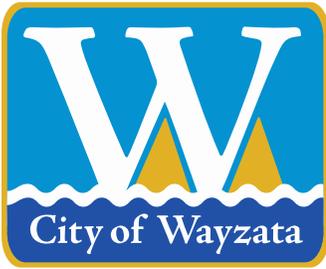
<p>801.09.16.1 – All Districts</p> <p>A. Off-street parking shall be located to the rear of buildings. When parking must be located in a side yard adjacent to the street, a landscaped buffer shall be provided in accordance with the Design Standards. The street frontage occupied by parking shall not exceed sixty (60) feet per property.</p> <p>B. Side-by-side parking lots creating a parking area frontage longer than sixty (60) feet are prohibited, except where a heavily landscaped buffer of at least twenty (20) feet wide completely separates both lots.</p> <p>C. Side yard parking shall not extend beyond the front yard setback of the primary building on the property.</p> <p>D. Front yard parking is prohibited.</p> <p>E. There shall be no corner parking.</p>	<p>N/A – all proposed parking is under the building. No surface parking is proposed.</p>	<p>Not Applicable.</p>
	<p>Comments</p>	<p>Compliance</p>

<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>Not Applicable to this development (only 12 stalls required, 2 for commercial uses).</p>	<p>N/A</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>There is no separate parking structure</p>	<p>Not Applicable.</p>
	<p>Comments</p>	<p>Compliance</p>

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 development proposal indicates the building will have one “Beacon Five” sign located along the front (south) façade. The sign is etched black lettering in precast stone that matches the stone coloration of the south façade in which it is set. The sign contains no illumination.</p> <p>South Elevation:</p> <ul style="list-style-type: none"> - “Beacon Five” - 11.33 square feet <p>No signage proposed for the office entrance at this time.</p>	<p>The City Council should review and comment on the signage plan is compatible with the buildings as part of the Application review.</p> <p>Any signage proposed for the office building should be reviewed administratively by City staff as sign permits are submitted.</p>

<p>B. Sign Location 1. Wall signs on a storefront-type building shall be placed between the first and second floors of a building.</p> <p>2. Wall or roof signs on buildings that are not storefront type buildings shall be placed where they do not obscure architectural features.</p>	<p>The sign does not obscure architectural features.</p>	<p>Yes</p>
<p>C. Sign Material 1. The material of which signs are constructed shall be consistent and compatible with the original construction materials and architectural style of the building façade on which the signs are affixed.</p> <p>2. Material, such as wood and metal, shall be used, as appropriate, for the sign location.</p> <p>3. Neon signs may only be used for windows.</p>	<p>The sign is etched black lettering in precast stone that matches the stone coloration of the south façade in which it is set.</p>	<p>Yes</p>
<p><u>801.09.18.2 – Bluff District Permitted Signs</u> C. Bluff District. Only the following types of signs are permitted in the Bluff District:</p> <p>1. Wall, awning or projecting signs (for storefront buildings at the street line)</p> <p>2. Free-standing, ground or monument signs (for buildings with front yards)</p> <p>3. Roof signs if located on pitched-roof buildings, below the peak of the roof</p>	<p>Sign is a wall sign</p>	<p>Yes</p>

	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>All lighting fixtures attached to the building are designed to be downcast lit.</p> <p>Light fixture cut sheets show a fixture design that is downcast and shows hooded screening. The manufacturer states the lighting is Dark Skies compliant.</p> <p>Photometric plan not required.</p>	<p>Yes.</p>



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

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

City Manager:
Jeffrey Dahl

Date: September 1, 2016
To: Planning Commission
From: Jeff Thomson, Director of Planning and Building
Subject: Temporary Family Health Care Housing Opt-Out Ordinance

Introduction

The 2016 Legislature established a new special land use permit for “temporary family health care dwellings” that applies to all cities and counties unless action is taken to opt out. This law reflects recent developments in short-term housing alternatives for mentally or physically impaired persons. Beginning on September 1, 2016, cities and counties must issue temporary dwelling permits for temporary family health care dwellings that meet the requirements outlined in the Statute. The Statute includes specific application procedures, as well as the placement, structural, inspection, notice, duration, and fee requirements. A temporary family health care dwelling means a mobile residential dwelling providing an environment facilitating a caregiver’s provision of care for a mentally or physically impaired person. Among other requirements, the temporary family health care dwelling must be no more than 300 gross square feet, must be located on the property where the caregiver or relative resides, and must comply with all setback requirements. The initial temporary dwelling permit that meets the Statute requirements would be valid for six months, and the applicant may renew the permit once for an additional six months.

Cities may opt out of this new law by passing an Ordinance. By opting out of the Statute, the City may either enact its own unique regulations for temporary family health care dwellings, or the city would enforce its existing zoning ordinances to regulate the placement of these housing units.

Existing Zoning Ordinance

Temporary family health care dwellings, as defined in the new law, are not permitted by the City’s existing zoning ordinance. The family health care dwellings would be defined as a dwelling unit by the existing zoning ordinance. The Statute states that temporary family health care dwellings may not exceed 300 square feet, which would not meet the City’s minimum floor area requirements for dwelling units (Section 801.19.6) or the minimum dimensions for a dwelling unit in Section 801.19.11. In addition, Section 801.16.2.A states that, “no garage, tent, accessory building, travel trailer or motor home shall at any time be used as living quarters, temporarily or permanently.”

In order to enforce the existing zoning regulations, the City would need to opt-out of the new law. The City Attorney has prepared the attached draft Ordinance which would opt-out of the requirements of Minnesota Statutes Section 462.3593 which permits and regulates temporary family health care dwellings.

Action Steps

The Planning Commission should hold a public hearing on the draft Ordinance, and review and consider the draft Ordinance and draft Planning Commission Report and Recommendation.

CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA

ORDINANCE NO. _____

**AN ORDINANCE OPTING-OUT OF THE REQUIREMENTS OF
MINNESOTA STATUTES, SECTION 462.3593**

WHEREAS, on May 12, 2016, Governor Dayton signed into law the creation and regulation of temporary family health care dwellings, codified at Minn. Stat. § 462.3593, which permit and regulate temporary family health care dwellings;

WHEREAS, subdivision 9 of Minn. Stat. §462.3593 allows cities to “opt out” of those regulations;

NOW THEREFORE CITY OF WAYZATA ORDAINS:

Section 17 of Chapter 801 of the Wayzata City Code (the Zoning Ordinance) is amended to include the following new subsection:

801.17.9: OPT-OUT OF MINNESOTA STATUTES, SECTION 462.3593:

Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of Wayzata opts-out of the requirements of Minn. Stat. §462.3593, which defines and regulates Temporary Family Health Care Dwellings.

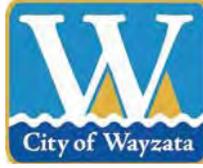
This Ordinance shall be effective upon passage and publication.

Ken Willcox
Mayor

ATTEST:

Jeffrey Dahl
City Manager

First Reading:
Second Reading:
Publication:



WAYZATA PLANNING COMMISSION

September 7, 2016

REPORT AND RECOMMENDATION OF APPROVAL OF AN ORDINANCE OPTING- OUT OF THE REQUIREMENTS OF MINNESOTA STATUTES, SECTION 462.3593

DRAFT

SUMMARY OF RECOMMENDATION

1. **Approval** of Ordinance Opting-Out of the Requirements of Minnesota Statutes, Section 462.3593
-

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 General. On May 12, 2016, Governor Dayton signed into law the creation and regulation of temporary family health care dwellings, codified at Minn. Stat. §462.3593, which permit and regulate temporary family health care dwellings. Subdivision 9 of Minn. Stat. §462.3593 allows cities to “opt out” of those regulations. The City of Wayzata has reviewed the Zoning Ordinance and determined that temporary family health care dwellings, as defined in Minn. Stat. §462.3593, are not permitted by the City’s existing Zoning Ordinance. The City has finds that it wants to “opt out” of Minn. Stat. §462.3593, as outlined in the Ordinance on Exhibit A (the “Opt-Out Ordinance”).
- 1.2 Notice and Public Hearing. Notice of a public hearing on the Proposed Amendments was published in the *Sun Sailor* on August 25, 2016. The required public hearing was held at the September 7, 2016 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 Zoning Ordinance Amendments. City Council has the discretion and authority under state law and City Code to amend the City's Zoning Ordinance and Zoning Map. 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.
- 2.2 Standards for Rezoning. In considering a proposed amendment to the Zoning Ordinance, the Planning Commission 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.

Section 3. FINDINGS

- 3.1 Based on the report and information submitted by City Staff, public comment and information presented at the public hearing, and the standards of the Wayzata Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:
- A. The Opt-Out Ordinance is consistent with the specific policies and provisions of the official City Comprehensive Plan.
 - B. The Opt-Out Ordinance will conform with present and future land uses, and is consistent with the current Zoning Ordinance for temporary family health care dwellings.

- C. The Opt-Out Ordinance will not affect other performance standards contained in the Zoning Ordinance, and the Opt-Out Ordinance would be consistent with the current Zoning Ordinance standards for temporary family health care dwellings.
- D. The Opt-Out Ordinance would not adversely impact the City.
- E. The Opt-Out Ordinance will not have a significant impact upon property value in the City.
- F. There would be no additional traffic generated by the uses associated with the Opt-Out Ordinance.
- G. The Opt-Out Ordinance would not have a negative impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **APPROVAL** of the Opt-Out Ordinance.

Adopted by the Wayzata Planning Commission this 7th day of September 2016.

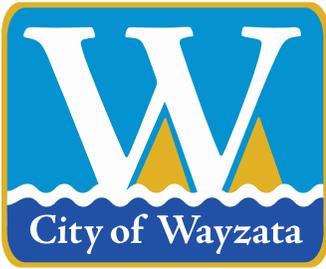
Voting In Favor:

Voting Against:

Abstaining:

EXHIBIT A

Opt-Out Ordinance



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

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

City Manager:
Jeffrey Dahl

Date: September 1, 2016
To: Planning Commission
From: Jeff Thomson, Director of Planning and Building
Subject: Institutional Zoning District Amendment

Introduction

Over the past several years, the City has been working on the development and design of a public parking ramp along Mill Street in downtown Wayzata. Most recently, the City has hired an architect and engineer to design the parking ramp. City staff and the City's consultants have been working with the City Council and a Steering Committee that consists of two council members, a representative from the HRA, and two community members. During the development of the ramp project, the City Council directed City staff to initiate the zoning ordinance amendments that are needed for construction of the parking ramp. Based on a review of the project and the existing zoning ordinance, City staff determined that the most appropriate alternative was to initiate an amendment to the Institutional zoning district to specifically include public parking ramps as a permitted use in the Institutional district.

Proposed Ordinance Amendment

City staff has drafted a zoning ordinance amendment which would include public parking structures as a permitted use in the Institutional zoning district. Publicly owned civic or cultural buildings are an existing permitted use in the zoning district. The amendment would include public parking structures as a principal and sole use as a specific type of publicly owned civic or cultural building. Public parking structures would be subject to the following zoning standards:

- **Minimum Lot Area:** The minimum lot area would be one acre.
- **Setbacks:** There would be no required setback from front, side, or rear property lines except for property lines adjacent to a residential district. The setback from a property line abutting a residential district would be the same setback as the adjacent residential district. The proposed setback requirements are based on the current structure setback requirements in the C-4, C-4A, and C-4B zoning districts within the Central Business District.
- **Height:** The maximum height would be three stories and 40 feet. This is the same height requirement that applies to all structures in the Institutional zoning district.

- Lot Coverage: The maximum lot coverage would be 60% of the lot area.

Primary Issues

How would the draft ordinance amendment affect other properties in the City?

The draft ordinance includes public parking structures as a permitted use only if (1) it is publicly owned, and (2) it is the principal and sole use of the property. A parking structure associated with another Institutional use, such as school or religious institution, would have to meet the existing zoning standards in the Institutional zoning district for that specific use. The proposed lot area, setbacks, and lot coverage, would only apply to the public parking structures as outlined above. City staff has reviewed the other properties in the City that are zoned Institutional, and all of them currently contain an existing use and building. There are no vacant Institutional properties in the City.

What are the proposed setbacks and lot coverage requirements for public parking structures based on?

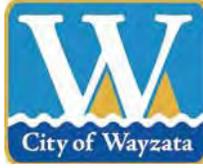
The setbacks and lot coverage requirements are based on the existing zoning requirements of the other properties in the Central Business District. The proposed setback requirements are the exact same as a property that is zoned C-4, C-4A or C-4B, which are the existing zoning districts along Lake Street.

Would there be public review of a proposed public parking structure?

Yes. The draft ordinance amendment would allow public parking structures as a permitted use in the Institutional zoning district. Public parking structures would be subject to the design standards in the zoning ordinance. Therefore, any public parking structure project (including the City's Mill Street parking ramp project) would require design review, which would include a public hearing, review and recommendation by the Planning Commission, and final decision by the City Council.

Action Steps

The Planning Commission should hold a public hearing on the draft ordinance, and review and consider the draft ordinance and draft Planning Commission Report and Recommendation.



WAYZATA PLANNING COMMISSION

September 7, 2016

REPORT AND RECOMMENDATION OF APPROVAL OF AMENDMENTS TO SECTION 70 (INS INSTITUTIONAL DISTRICT) OF THE ZONING ORDINANCE FOR PUBLIC PARKING STRUCTURES

DRAFT

SUMMARY OF RECOMMENDATION

1. **Approval** of Zoning Ordinance Amendments for Public Parking Structures

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 General. The City Council of Wayzata has recently directed City Staff to prepare plans and specifications, request bids for the construction of a new public parking facility at Mill Street (the "Parking Structure"), and to initiate any necessary amendments to the City's land use regulations that are needed for the Parking Structure. Staff has determined that the only amendments necessary for the Parking Structure would be to certain provisions of the current zoning district for the property on which the Parking Structure would be situated (the "Property"). These proposed amendments to Section 70 (INS Institutional District) are reflected in the attached Exhibit A (the "Proposed Amendments").
- 1.4 Notice and Public Hearing. Notice of a public hearing on the Proposed Amendments was published in the *Sun Sailor* on August 25, 2016. The required public hearing was held at the September 7, 2016 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 Zoning Ordinance Amendments. City Council has the discretion and authority under state law and City Code to amend the City's Zoning Ordinance and Zoning Map. 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.
- 2.2 Standards for Rezoning. In considering a proposed amendment to the Zoning Ordinance, the Planning Commission 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.

Section 3. FINDINGS

- 3.1 Based on the report and information submitted by City Staff, public comment and information presented at the public hearing, and the standards of the Wayzata Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:
- A. The Proposed Amendments are consistent with the specific policies and provisions of the official City Comprehensive Plan. In addition, the Proposed Amendments are consistent with the Institutional/Public land use designation that corresponds to the Institutional zoning district.
 - B. Uses associated with the Proposed Amendments will conform with

present and future land uses in the area which require more public parking.

- C. Uses associated with the Proposed Amendments will not affect other performance standards contained in the Zoning Ordinance.
- D. The uses allowed by the Proposed Amendments, public parking structures, are similar and consistent with the other uses allowed in the Institutional zoning district, and uses associated with the Proposed Amendments will not have a negative effect on the areas in which they are proposed but will assist with the identified need for additional public parking in the City.
- E. Uses associated with the Proposed Amendments will not have a significant impact upon property value in the surrounding areas.
- F. Traffic generated by the uses associated with the Proposed Amendments will be met with the capabilities of streets serving the Property.
- G. Uses associated with the Proposed Amendments will not have a negative impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **APPROVAL** of the Zoning Ordinance Amendments.

Adopted by the Wayzata Planning Commission this 7th day of September 2016.

Voting In Favor:

Voting Against:

Abstaining:

EXHIBIT A

Proposed Amendments

SECTION 70

INS INSTITUTIONAL DISTRICT

Section 801.70:

801.70.1:	Purpose
801.70.2:	Permitted Uses
801.70.3:	Interim Uses
801.70.4:	Accessory Uses
801.70.5:	Conditional Uses
801.70.6:	Lot Area and Setback Requirements
801.70.7:	Lot Coverage and Height Requirements

801.70.1: PURPOSE:

The INS District is intended to provide a district for facilities devoted to serving the public. It is unique in that the primary objective of uses within this district is the provision of services, frequently on a non-profit basis, rather than the sale of goods or services. It is intended that uses within such a district will be compatible with adjoining development, and they normally will be located on an arterial street or thoroughfare.

801.70.2: PERMITTED USES:

Subject to applicable provisions of this Ordinance, the following are permitted uses in the INS District:

- A. Pre-school, elementary, junior or senior high schools having a regular course of study accredited by the State of Minnesota.
- B. Religious institutions, such as churches, chapels, temples and synagogues.
- C. Publicly owned civic or cultural buildings, such as libraries, City offices, auditoriums, public administration buildings, public parking structures as a principal and sole use, -and historical developments.

801.70.3: INTERIM USE:

Subject to applicable provisions of this Ordinance, the following are interim uses in the INS District and are governed by Section 801.34 of this Ordinance:

- A. None.

801.70.4: ACCESSORY USES:

Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the INS District:

- A. Accessory uses customarily incidental to the uses permitted in Sections 801.70.2 and 801.70.5 of this Ordinance.
- B. Parks, playgrounds or athletic fields.
- C. Off-street parking and loading areas.

801.70.5: CONDITIONAL USES:

Subject to applicable provisions of this Ordinance, the following are conditional uses in an INS District. (Requires a conditional use permit based upon procedures set forth in and regulated by Section 801.04 of this Ordinance.)

- A. Automobile parking lots as a principal use provided that:
 - 1. The use and design is in conformance with Section 801.20 of this Ordinance.
 - 2. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.

- B. Cemeteries or memorial gardens provided that:
 - 1. The site is landscaped.
 - 2. The use is available to the "public".
 - 3. The land area of the property containing such use or activity meets the minimum established for the district.
 - 4. The use meets the minimum setback requirements for accessory structures.
 - 5. The site accesses on a collector or arterial street.
 - 6. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.

- C. Colleges, seminaries and other institutions of higher education provided that:
 - 1. Adequate parking is provided in conformance with Section 801.20 of this Ordinance.
 - 2. Provisions are made to buffer and screen any surrounding residential uses.
 - 3. The site is served by an arterial or collector street of sufficient capacity to accommodate traffic which will be generated.
 - 4. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.

- D. Community centers provided that:
 - 1. Adequate screening from abutting and adjoining residential uses and landscaping is provided.
 - 2. Adequate off-street parking and access is provided and that such parking is adequately screened and landscaped from adjoining and abutting residential uses.
 - 3. Adequate off-street loading and service entrances are provided and regulated where applicable by Section 801.20 of this Ordinance.
 - 4. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.

- E. Hospitals and residential care facilities including extended care facilities for mentally retarded, rest homes and care for the aged, ill and infirmed provided that:
 - 1. Interior side yards are screened.

2. Only the rear yard shall be used for play or recreational areas. Said area shall be fenced and controlled and screened in compliance with Section 801.18 of this Ordinance.
 3. The site shall be served by an arterial or collector street of sufficient capacity to accommodate traffic which will be generated.
 4. All signing and informational or visual communication devices shall be in compliance with Section 801.27 of this Ordinance.
 5. All state laws and statutes governing such use are strictly adhered to and all required operating permits are secured.
 6. Adequate off-street parking is provided in compliance with Section 801.20 of this Ordinance.
 7. Off-street loading space in compliance with Section 801.20 of this Ordinance is provided.
 8. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.
- F. Housing for the elderly provided that:
1. The development is in conformance to standards established in Section 801.59.6 of this Ordinance.
 2. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.
- G. Halfway houses provided that:
1. The use is licensed by the State.
 2. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.
- H. Living quarters which are provided as an accessory use to a principal use in Section 801.70.2 or to a conditional use in this Section provided that:
1. The use shall not be used as rental property.
 2. A maximum of one (1) such dwelling shall be allowed.
 3. There shall be a demonstrated and documented need for such a facility.
 4. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.
- I. Governmental and public related utility buildings and structures necessary for the health safety and general welfare of the City, provided that:
1. Equipment and vehicles are completely enclosed in a permanent structure or if stored outside, are screened and landscaped from neighboring uses as provided in Section 801.18 of this Ordinance.
 2. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.
- J. Public recreational facilities provided that:
1. The site is landscaped.

2. The use is available to the "public".
 3. The land area of the property containing such use or activity meets the minimum established for the district.
 4. The use meets the minimum setback requirements for accessory structures.
 5. The site accesses on a minor arterial.
 6. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.
- K. Single family or two family residential dwellings provided that:
1. The development shall be in compliance with the provisions of the R-3 Zoning District.
 2. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.
- L. The lot area requirement for permitted uses may be reduced, provided that:
1. The use existed prior to 1 July 1990.
 2. Compatibility with surrounding existing and potential uses is maintained.
 3. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.
- M. Other uses of the same general character as those listed in Sections 801.70.2, 801.70.4 and 801.70.5 of this Ordinance.
- N. Planned unit development as regulated by Section 801.33 of this Ordinance.

801.70.6: LOT AREA AND SETBACK REQUIREMENTS:

The following minimum requirements shall be observed in an "INS" District subject to additional requirements, exceptions, modifications set forth in this Ordinance.

- A. Lot Area:
1. Minimum Site Area:
 - a. Religious Institutions: Three (3) acres.
 - b. Elementary Schools: Fifteen (15) acres.
 - c. Junior High Schools: Thirty (30) acres.
 - d. Senior High Schools: Fifty (50) acres.
 - e. Hospitals: Ten (10) acres.
 - f. Community Centers: Three (3) acres.
 - g. Public Parking Structure: One (1) acre.
 2. All school area requirements prescribed above may be reduced if and when the site is combined with or included within a neighborhood park.

B. Setbacks:

1. Schools:

- a. Front Yard: Fifty (50) feet.
- b. Side Yard: One hundred (100) feet.
- c. Rear Yard: One hundred (100) feet.

2. Hospitals:

- a. Front Yard: Fifty (50) feet.
- b. Side Yard: One hundred (100) feet.
- c. Rear Yard: One hundred (100) feet.

3. Public Works Facilities:

- a. Front Yard: Fifty (50) feet.
- b. Side Yard: One hundred (100) feet.
- c. Rear Yard: One hundred (100) feet.

4. Public Parking Structures: There shall be no minimum front yard, side yard or rear yard setback requirements, except that there shall be a minimum required setback when such boundary is adjacent to a residential district. In which case, the minimum required setback shall be the same as the setback for the adjacent residential district. In addition, the minimum requirements of Section 801.70.6.B.6 do not apply to a public parking structure.

5. All Other Institutional Uses:

- a. Front Yard: Fifty (50) feet.
- b. Side Yard: Fifty (50) feet.
- c. Rear Yard: Fifty (50) feet.

56. In addition to these minimum requirements, setbacks of buildings located within the Institutional District shall be at least equal to the height of such buildings.

801.70.7: LOT COVERAGE AND HEIGHT REQUIREMENTS:

The following lot coverage and height requirements shall be observed in the "INS" District:

- A. The total lot coverage of all buildings shall not exceed thirty (30) percent, except that rest homes and housing for the elderly shall not exceed a lot coverage of forty (40) percent, and public parking structures shall not exceed a lot coverage of sixty (60) percent.-
- B. All principal structures and their accessory buildings shall be limited to a maximum height of three (3) stories and forty (40) feet.