

WAYZATA CITY COUNCIL MEETING AGENDA
Wayzata City Hall Community Room, 600 Rice Street
Tuesday, September 18, 2018

4:45 p.m. Dinner Available for Wayzata City Council - Conference Room

WORKSHOP TOPICS FOR DISCUSSION:

- 1. Discuss Fire Department Structure and Bylaws (5:15 p.m.)**
- 2. Redevelopment of Boatworks Building (6:00 p.m.)**

7:00 PM - CITY COUNCIL MEETING

ITEM	DESCRIPTION	PRESENTER	DK	ST	KW	JM	AP	VOTE	PAGE #
1	Call to Order								
2	Pledge of Allegiance								
3	Roll Call								
4	Approve Agenda								
5	Public Forum - 15 Minutes (3 min/person)								
a.	Senator David Osmek Presentation	Osmek							
b.	Chamber of Commerce Exceptional Service	Pierson							
c.	Introduction of Firefighter Hunter Bohl	Klapprich							
c.	Introduction of City Clerk Kathy Leervig and Oath of Office	Dahl							
6	New Agenda Items (3 min/councilmember) - 1. Councilmember suggest item to add; 2. Must be seconded by another Councilmember; 3. Determine staff resources, scheduling & timeframe; 4. Discuss & vote to add to future agenda								
a.									
7	Consent Agenda								2
a.	Approval of the City Council Workshop Meeting Minutes of September 4, 2018 and City Council Regular Meeting Minutes of September 4, 2018								
b.	Approval of Check Register								
c.	Approval of Municipal Licenses								
d.	Police Activity Report								
e.	Building Activity Report								
f.	Approval of Resolution 50-2018 Approving a Conditional Use Permit for a Fence at 217 and 223 Byrondale Ave N								
g.	Approval of Resolution 51-2018 Approving a Conditional Use Permit for a Fence at 105 Walker Ave N								
h.	Approval of Professional Services Agreement with Fer-Pal Construction USA, LLC for City Watermain Repairs at Ferndale Road and BNSF Railroad								
8	New Business								
a.	Consider Resolution 52-2018 and Ordinance 784 Approving PUD General Plan and Design Review for Ventana Condos at 253 Lake St E	Thomson							106
b.									
c.									
d.									
e.									
f.									
9	City Manager's Report and Discussion Items								
10	Public Forum (as necessary)								
11	Adjournment								

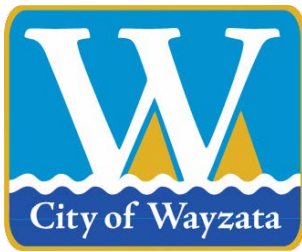
Meeting Rules of Conduct:

Turn in white card for public forum and blue card for agenda item
Give name and address
Indicate if representing a group
Limit remarks to 3 minutes

Upcoming Meetings:

City Council - October 2 & 16, 2018
Planning Commission-October 1, 15 & 29, 2018

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



City of Wayzata City Council Agenda Report

MEETING DATE: September 18, 2018	AGENDA ITEM: 7a
TITLE: Approval of the City Council Workshop Meeting Minutes of September 4, 2018 and City Council Regular Meeting Minutes of September 4, 2018	
PROPOSED MOTION: To Approve the City Council Workshop Meeting Minutes of September 4, 2018, and City Council Regular Meeting Minutes of September 4, 2018	
PREPARED BY: Jeffrey Dahl, City Manager	
REVIEWED BY: N/A	

ACTION REQUESTED:

Staff recommends approval of the attached draft minutes.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

N/A

ATTACHMENTS:

1. Draft City Council Workshop Meeting Minutes of September 4, 2018
2. Draft City Council Meeting Minutes of September 4, 2018

**WAYZATA CITY COUNCIL
WORKSHOP MEETING MINUTES
September 4, 2018**

4:45 PM Enterprise Funds Preliminary Budget

Mayor Willcox called the meeting to order at 4:45 pm in the Community Room at Wayzata City Hall. Council Members present: Koch, McCarthy, Plechash and McCarthy. Also present: City Manager Dahl, Bar and Grill Manager Jeff Pietrini, Liquor Store Manager Kevin Castellano, Motor Vehicle Manager Nick Heider, Public Works Director/City Engineer Mike Kelly, Senior Accountant Kathy Ovshak, and Consultant Finance Director Steve McDonald.

Mr. Dahl introduced that the intent of the work shop was to go over all of the draft budgets for the different enterprise funds for 2019. As long as there is no significant changes, a fee schedule that represents the changes in corresponding fees will be considered for approval at the regular meeting.

Mr. McDonald highlighted the various enterprise funds. Mr. Castellano summarized the 2019 budget for the Liquor Store. Mr. Pietrini summarized the 2019 budget for the Bar and Grill. Mr. Heider summarized the 2019 budget for Motor Vehicle. Mr. Kelly summarized the 2019 budgets for Water, Sewer, Storm Sewer, and Garbage. Mr. Dahl summarized the 2019 budget for Cable.

The Council thanked staff and consultants for their hard work in planning.

The workshop meeting was adjourned at 5:15 pm.

6:00 PM Three Rivers District Master Plan Introduction and Lake Effect Design Update

City Manager Dahl introduced Three Rivers Park District Superintendent Boe and Regional Trail Systems Manager Danny McCullough. They provided an update on their Regional Trail Master Plan Process and how it relates to Wayzata and future partnership opportunities in conjunction with the Lake Effect Project.

Scott Jordan, of Civitas, went through a presentation and provided an update on the design of the entire Lake Effect Project and the feedback received at the recent Community Open House as well as a recent fundraising event sponsored by the Lake Effect Conservancy. He indicated that he was still working on minor design changes which will ultimately be reviewed by the Council along with updated cost estimates later in September or early October.

The City County discussed the new design and feedback heard from the community. Consensus was that additional minor tweaks should be considered.

Respectfully submitted,

Kathy Leervig
City Clerk

WAYZATA CITY COUNCIL
DRAFT - MEETING MINUTES
September 4, 2018

AGENDA ITEM 1. Call to Order.

Mayor Willcox called the meeting to order at 7:00 p.m.

AGENDA ITEM 2. Pledge of Allegiance.

AGENDA ITEM 3. Roll Call.

Council Members present: Koch, McCarthy, and Plechash. Council Member absent: Tyacke. Also present: City Manager Dahl, Public Works Director/City Engineer Kelly, and City Attorney Schelzel.

AGENDA ITEM 4. Approve Agenda.

Mr. Koch made a motion, seconded by Mr. Plechash, to approve the agenda, adding item 7f. Resolution Authorizing City Manager to Execute a Cooperative Landscape Agreement between the City of Wayzata and MnDOT to plant the westbound loop off Highway 12. The motion carried 4/0.

AGENDA ITEM 5. Public Forum.

a. Proclamation Declaring 9/9-9/15 Direct Support Professionals Recognition Week c/o Hammer Residences

Mr. Willcox presented the Proclamation Declaring 9/9-9/15 Direct Support Professionals Recognition week c/o Hammer Residences.

Mr. Bill Luther thanked the City for the Proclamation and the support the City gave to the Hammer Residences.

b. Introduction of Mike Kelly, Public Works Director/City Engineer

City Administrator Dahl introduced Mr. Mike Kelly in his new position as Public Works Director/City Engineer.

Public Works Director/City Engineer Kelly stated he was excited to be in his new position and looked forward to the position.

Mrs. McCarthy congratulated Mr. Kelly and believed he was the right person for the position.

c. Promotion of Pancake Breakfast on September 16

Fire Chief Klapprich invited everyone to the 4th Annual Pancake Breakfast on September 16 at the Fire Station from 8:00 a.m. to 12:00 p.m.

d. James J Hill Days Update

Ms. Becky Pierson, Chamber of Commerce President, presented the James J. Hill Days schedule and summarized the events.

e. Lake Effect Design Update

Mr. Scott Jordan, Civitas, presented an update on the Lake Effect Design including the significant design changes.

Mr. Koch thanked Civitas for listening to the previous comments received and incorporating those comments and suggestions into the design.

Mr. Plechash also thanked Civitas for their attention to detail and for listening to the comments received.

AGENDA ITEM 6. New Agenda Items.

Mr. Plechash requested the City look at the intersection of Walker Avenue and Rice Street in the direction heading west due to safety issues.

Mr. Kelly responded this would need to be looked at closely as it was not specifically a part of the Comprehensive Plan, but staff would look at this concern.

AGENDA ITEM 7. Consent Agenda.

Mrs. McCarthy made a motion, seconded by Mr. Koch, to approve the consent agenda:

- a. Approval of Workshop Minutes of August 9, 2018, the Minutes of July 31, 2018, and the Minutes of August 9, 2018
- b. Approval of Check Register
- c. Approval of Municipal Licenses
- d. Approval of Second Reading of Ordinance No. 783 Adopting City Code of Ordinances
- e. Approval of Preliminary Geotechnical Services for the Lake Effect Project
- f. Resolution No. 20-18 Authorizing City Manager to Execute a Cooperative Landscape Agreement between the City of Wayzata and MnDOT to plant the westbound loop off Trunk Highway 12 to Wayzata Boulevard.

The motion carried 4/0.

AGENDA ITEM 8. New Business.

a. Consider Amendment to Police Services Contract with the City of Long Lake

Mr. Dahl recommended approval of the amended Police Services Contract with the City of Long Lake with a termination date of December 31, 2028. He summarized the cost for the amended contract and indicated staff was comfortable with the proposed cost.

Police Chief Mike Risvold indicated the contract with the City of Long Lake was a good contract and recommended it be approved.

Mr. Willcox noted Long Lake was not the only contract the City had looked at, but he believed Long Lake was the appropriate city to have the contract with.

Mrs. McCarthy inquired about the termination date. Police Chief Risvold responded the termination date clause was the same wording as in the current contract.

Mr. Plechash referenced paragraph 9 and asked why Long Lake received the full credit for the fees. Police Chief Risvold stated this was a standard clause for all service contracts. He noted while Long Lake received the income, they also had to pay all the prosecution costs.

Mr. Dahl read the recommended language change to the payments to be made.

Mr. Plechash made a motion, seconded by Mrs. McCarthy, to approve the Amended Police Services Contract with the City of Long Lake with the recommended language change. The motion carried 4/0.

b. Consider Approval of Plans for Police Memorial at City Hall Campus

Mr. Dahl presented the proposed plan for a Police Memorial at the City Hall Campus.

Mr. Hans Frees and Mr. Eric Kvam presented the proposed design for the project.

Mr. Willcox asked about ongoing maintenance. Mr. Frees responded maintenance would be minimal with some trimming of trees as needed.

Mrs. McCarthy outlined the history of the memorial and noted this memorial evolved over the past two years. She thanked the Police Department, City staff, and the design team for the good work.

Ms. Gayle Wilson, 16365 15th Avenue North, Plymouth, noted they started this process two years ago with a memorial to one Officer who lost his life, but since that time another Officer had lost his life and the Memorial would honor both of those Officers. She thanked the Council for allowing the committee to proceed forward with the Police Memorial.

Mrs. McCarthy made a motion, seconded by Mr. Plechash, to approve Plans for the Wayzata Police Memorial Design at the City Hall Campus, authorize staff to solicit bids, and commence construction. The motion carried 4/0.

c. Consider Approval of Resolution No. 48-2018 Certifying to the County Auditor the Preliminary Property Tax Levy for 2019

Mr. Steve McDonald summarized the budget process review, 2018 Legislative Impacts, 2019 levy compared to 2018, levy comparison 2014-2019, tax rates 2014-2019, and key revenue and expenditure changes in the general Fund. He recommended Council consider approval of the preliminary General Fund budget and tax levy and authorize certification to the County.

Mr. Dahl gave an update on what other cities were doing.

Mr. Koch made a motion, seconded by Mrs. McCarthy, to approve Resolution No. 48-2018 Certifying to the County Auditor the Preliminary Property Tax Levy for 2019. The motion carried 4/0.

d. Consider Approval of Resolution No. 49-2018 for the 2019 Fee Schedule

Mr. Steve McDonald highlighted the 2019 Fee Schedule.

Mr. Dahl stated staff planned on an aggressive communications plan to inform the residents why there was an increase in certain fees.

Mr. Plechash made a motion, seconded by Mrs. McCarthy, to approve Resolution No. 49-2018 2019 Fee Schedule. The motion carried 4/0.

AGENDA ITEM 9. City Manager's Report and Discussion Items.

a. Upcoming Events/Announcements

Mrs. McCarthy asked for an update on complaints the City had received about Central Avenue South. Mr. Dahl responded staff had met with the contractor and informed the residents what to do if they saw violations of the Ordinance. He noted this would be further addressed at the strategic planning meeting. He noted one additional complaint had been received with it being handled by the Police.

b. Council Member Updates/Announcements

None.

AGENDA ITEM 10. Public Forum Continued (if necessary).

There were no comments.

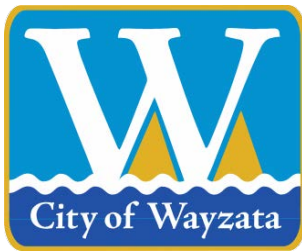
AGENDA ITEM 11. Adjournment.

Mrs. McCarthy made a motion, seconded by Mr. Koch to adjourn. There being no further business, Mr. Willcox adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Kathy Leervig
City Clerk

Drafted by Kathy Altman
TimeSaver Off Site Secretarial, Inc.



City of Wayzata City Council Agenda Report

MEETING DATE: September 18, 2018	AGENDA ITEM: 7b
TITLE: Approval of Check Register	
PROPOSED MOTION: Approve the Payment of Checks for August & September 2018	
PREPARED BY: Kathy Ovshak, Senior Accountant	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

Staff recommends approval of the attached check register for August & September 2018.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

N/A

ATTACHMENTS:

1. Check Detail Register – August & September 2018

***Check Detail Register©**

August 2018 to September 2018

		Check Amt	Invoice	Comment
10100 Anchor Bank				
Paid Chk#	110502	8/30/2018	CASH - OLD NATIONAL	
G 640-10150	ATM		\$9,000.00	ATM FILL
			ATM FILL	ATM FILL 8/30/18
Total CASH - OLD NATIONAL			\$9,000.00	
Paid Chk# 110503 9/4/2018 AMERICAN BOTTLING COMPANY				
E 640-47000-254	Soft Drinks/Mix For Resale		\$263.52	3575505670 MISC.BEV./MIX
Total AMERICAN BOTTLING COMPANY			\$263.52	
Paid Chk# 110504 9/4/2018 ARTISAN BEER COMPANY				
E 640-47000-253	Beer For Resale		\$181.75	3283488 BEER RESALE
E 640-47000-253	Beer For Resale		\$197.00	3285235 BEER RESALE
E 640-47000-253	Beer For Resale		\$256.00	3286775 BEER RESALE
Total ARTISAN BEER COMPANY			\$634.75	
Paid Chk# 110505 9/4/2018 BELLBOY BAR SUPPLY CORP.				
E 640-47000-251	Liquor For Resale		\$390.00	0065547400 LIQ RESALE
E 640-47000-259	Freight		\$9.41	0065547400 FREIGHT
E 640-47000-251	Liquor For Resale		\$998.83	0065626000 LIQ RESALE
E 640-47000-259	Freight		\$11.52	0065626000 FREIGHT
E 640-47000-210	Operating Supplies (GENERAL)		\$35.06	0098086600 SUPPLIES
E 640-47000-254	Soft Drinks/Mix For Resale		\$198.45	0098086600 MISC.MIX
E 640-47000-210	Operating Supplies (GENERAL)		\$207.70	0098128200 SUPPLIES
Total BELLBOY BAR SUPPLY CORP.			\$1,850.97	
Paid Chk# 110506 9/4/2018 BERNICK'S WINE				
E 640-47000-254	Soft Drinks/Mix For Resale		\$138.40	445800 MISC.BEV
E 640-47000-253	Beer For Resale		\$831.30	445801 BEER
E 640-47000-253	Beer For Resale		(\$60.04)	445802 BEER
E 640-47000-254	Soft Drinks/Mix For Resale		\$136.00	447404 MISC.BEV
E 640-47000-253	Beer For Resale		\$436.40	447405 BEER
Total BERNICK'S WINE			\$1,482.06	
Paid Chk# 110507 9/4/2018 BOURGET IMPORTS				
E 640-47000-252	Wine For Resale		\$96.00	153638 WINE
E 640-47000-259	Freight		\$1.50	153638 FREIGHT
Total BOURGET IMPORTS			\$97.50	
Paid Chk# 110508 9/4/2018 BRASS FOUNDRY BREWING CO.				
E 640-47000-253	Beer For Resale		\$92.32	E-1254 BEER
Total BRASS FOUNDRY BREWING CO.			\$92.32	
Paid Chk# 110509 9/4/2018 BREAKTHRU BEVERAGE				
E 640-47000-251	Liquor For Resale		\$5,883.31	1080843877 LIQUOR
E 640-47000-252	Wine For Resale		\$2,254.36	1080843878 WINE
E 640-47000-259	Freight		\$16.66	1080843878 FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$145.16	1080843879 MISC.MIX
E 640-47000-259	Freight		\$8.70	1080843879 FREIGHT
E 640-48000-252	Wine For Resale		\$234.00	1080846717 WINE
E 640-47000-251	Liquor For Resale		\$226.27	1080846717 LIQUOR
E 640-47000-251	Liquor For Resale		\$2,272.95	1080847179 LIQUOR
E 640-47000-252	Wine For Resale		\$72.00	1080847179 WINE
E 640-47000-259	Freight		\$21.98	1080847179 FREIGHT
E 640-47000-252	Wine For Resale		\$1,522.00	1080847180 WINE
E 640-47000-259	Freight		\$15.95	1080847180 FREIGHT
E 640-48000-251	Liquor For Resale		\$432.00	1080850091 LIQUOR
E 640-47000-252	Wine For Resale		\$326.74	1080850091 WINE
E 640-47000-259	Freight		\$51.05	1090843877 FREIGHT

***Check Detail Register©**

August 2018 to September 2018

			Check Amt	Invoice	Comment
Total BREAKTHRU BEVERAGE			\$13,483.13		
Paid Chk# 110510	9/4/2018	BREAKTHRY BEVERAGE BEER			
E 640-48000-253	Beer For Resale	\$596.00	1090896537	BEER	
E 640-47000-253	Beer For Resale	\$3,668.15	1090896550	BEER	
E 640-47000-253	Beer For Resale	\$2,156.70	1090899355	BEER	
E 640-48000-253	Beer For Resale	\$59.80	1090899541	BEER	
E 640-48000-253	Beer For Resale	\$492.00	1090899542	BEER	
E 640-48000-253	Beer For Resale	\$455.00	1090902577	BEER	
E 640-47000-253	Beer For Resale	(\$110.00)	R09233106	BEER	
E 640-47000-253	Beer For Resale	(\$13.25)	R09234758	BEER	
Total BREAKTHRY BEVERAGE BEER		\$7,304.40			
Paid Chk# 110511	9/4/2018	CAPITOL BEVERAGE SALES			
E 640-47000-253	Beer For Resale	\$2,367.10	2144038	BEER	
E 640-48000-253	Beer For Resale	\$982.60	2147352	BEER	
E 640-47000-253	Beer For Resale	\$2,579.05	2147647	BEER	
E 640-48000-253	Beer For Resale	\$377.00	2150649	BEER	
E 640-47000-253	Beer For Resale	\$1,564.05	2150858	BEER	
E 640-48000-253	Beer For Resale	\$1,379.00	2154020	BEER	
Total CAPITOL BEVERAGE SALES		\$9,248.80			
Paid Chk# 110512	9/4/2018	CASH - OLD NATIONAL			
G 640-10150	ATM	\$15,000.00		JJ HILL DAYS CASH & ATM FILL	
G 640-10300	Change Fund	\$15,000.00		JJ HILL DAYS CASH & ATM FILL	
Total CASH - OLD NATIONAL		\$30,000.00			
Paid Chk# 110513	9/4/2018	CIGAR JONES, INC.			
E 640-47000-256	MISC.MDSE.RESALE	\$2,479.51	080718	CIGARS	
Total CIGAR JONES, INC.		\$2,479.51			
Paid Chk# 110514	9/4/2018	CINTAS CORPORATION			
E 640-48500-210	Operating Supplies (GENERAL)	\$69.22	4008629851	KITCHEN SUPPLIES	
E 640-48500-217	Uniforms	\$63.33	4008629851	KITCHEN UNIFORMS	
E 640-48000-210	Operating Supplies (GENERAL)	\$17.28	4008629851	BAR SUPPLIES	
E 640-48500-210	Operating Supplies (GENERAL)	\$69.22	4008876350	KITCHEN SUPPLIES	
E 640-48500-217	Uniforms	\$63.33	4008876350	KITCHEN UNIFORMS	
E 640-48000-210	Operating Supplies (GENERAL)	\$17.28	4008876350	BAR SUPPLIES	
E 640-48500-210	Operating Supplies (GENERAL)	\$70.02	4009181186	KITCHEN SUPPLIES	
E 640-48500-217	Uniforms	\$17.28	4009181186	KITCHEN UNIFORMS	
E 640-48000-210	Operating Supplies (GENERAL)	\$62.53	4009181186	BAR SUPPLIES	
E 640-48500-210	Operating Supplies (GENERAL)	\$95.98	5011357168	KITCHEN SUPPLIES	
Total CINTAS CORPORATION		\$545.47			
Paid Chk# 110515	9/4/2018	COCA-COLA			
E 640-47000-254	Soft Drinks/Mix For Resale	\$578.09	3609206507	MISC MIX	
Total COCA-COLA		\$578.09			
Paid Chk# 110516	9/4/2018	COZZINI BROS., INC.			
E 640-48500-415	Other Equipment Rentals	\$55.91	C5393211	KNIFE EXCHANGE	
E 640-48500-415	Other Equipment Rentals	\$55.91	C5437491	KNIFE EXCHANGE	
Total COZZINI BROS., INC.		\$111.82			
Paid Chk# 110517	9/4/2018	CULLIGAN-METRO			
E 640-48500-210	Operating Supplies (GENERAL)	\$104.66	1259532	SUPPLIES	
Total CULLIGAN-METRO		\$104.66			
Paid Chk# 110518	9/4/2018	DAHLHEIMER DISTRIBUTING CO.			
E 640-47000-253	Beer For Resale	\$1,671.95	1370811	BEER	

***Check Detail Register©**

August 2018 to September 2018

			Check Amt	Invoice	Comment
E 640-48000-253	Beer For Resale		\$273.00	1370812	BEER
E 640-47000-253	Beer For Resale		\$645.70	185590	BEER
E 640-48000-253	Beer For Resale		\$560.00	185591	BEER
E 640-47000-253	Beer For Resale		(\$13.50)	ON ACCT.977	BEER
Total	DAHLHEIMER DISTRIBUTING CO.		\$3,137.15		
Paid Chk#	110519	9/4/2018	ENKI BREWING COMPANY		
E 640-48000-253	Beer For Resale		\$152.25	9509	BEER
Total	ENKI BREWING COMPANY		\$152.25		
Paid Chk#	110520	9/4/2018	GRAPE BEGINNINGS, INC.		
E 640-47000-259	Freight		\$1.50	44080	FREIGHT
E 640-47000-259	Freight		\$1.50	44081	FREIGHT
E 640-47000-251	Liquor For Resale		\$189.00	MN00044080	LIQUOR
E 640-47000-252	Wine For Resale		\$102.00	MN00044081	WINE RESALE
Total	GRAPE BEGINNINGS, INC.		\$294.00		
Paid Chk#	110521	9/4/2018	HI-TECH REFRIGERATION		
E 640-48500-404	Repairs/Maint - Machin/Equip		\$424.12	000-1515	BROILER REPAIRS
E 640-48000-404	Repairs/Maint - Machin/Equip		\$204.50	000-1584	BEER COOLER REPAIRS
E 640-48500-404	Repairs/Maint - Machin/Equip		\$1,907.38	000-1587	OVEN REPAIRS
Total	HI-TECH REFRIGERATION		\$2,536.00		
Paid Chk#	110522	9/4/2018	HOHENSTEINS INC.		
E 640-47000-253	Beer For Resale		\$963.00	983415	BEER RESALE
Total	HOHENSTEINS INC.		\$963.00		
Paid Chk#	110523	9/4/2018	INBOUND BREWCO		
E 640-47000-253	Beer For Resale		\$390.00	103006	BEER
Total	INBOUND BREWCO		\$390.00		
Paid Chk#	110524	9/4/2018	JJ TAYLOR DISTRIBUTING OF MN		
E 640-47000-253	Beer For Resale		(\$201.60)	2763715	BEER
E 640-47000-254	Soft Drinks/Mix For Resale		\$18.49	2832289	MISC.BEV.
E 640-47000-253	Beer For Resale		\$3,226.95	2870402	BEER
E 640-47000-253	Beer For Resale		\$1,937.00	2870431	BEER
E 640-48000-253	Beer For Resale		\$493.80	2877651	BEER
E 640-48000-253	Beer For Resale		\$641.80	2877716	BEER
E 640-48000-253	Beer For Resale		\$683.60	2877788	BEER
E 640-48000-253	Beer For Resale		\$408.10	2887074	BEER
Total	JJ TAYLOR DISTRIBUTING OF MN		\$7,208.14		
Paid Chk#	110525	9/4/2018	JOHNSON BROS.-ST.PAUL		
E 640-47000-251	Liquor For Resale		\$448.00	1079508	LIQUOR
E 640-47000-259	Freight		\$0.42	1079508	FREIGHT
E 640-47000-251	Liquor For Resale		\$325.00	1079509	LIQUOR
E 640-47000-259	Freight		\$3.78	1079509	FREIGHT
E 640-47000-252	Wine For Resale		\$4,193.68	1079510	WINE
E 640-47000-259	Freight		\$40.32	1079510	FREIGHT
E 640-47000-251	Liquor For Resale		\$2,718.24	1080619	LIQUOR
E 640-47000-259	Freight		\$21.12	1080619	FREIGHT
E 640-47000-252	Wine For Resale		\$1,500.25	1080620	WINE
E 640-47000-254	Soft Drinks/Mix For Resale		\$96.00	1080620	MISC.MIX
E 640-47000-259	Freight		\$27.72	1080620	FREIGHT
E 640-47000-251	Liquor For Resale		\$436.77	1084778	LIQUOR
E 640-47000-259	Freight		\$3.99	1084778	FREIGHT
E 640-47000-252	Wine For Resale		\$1,643.75	1084779	WINE
E 640-47000-259	Freight		\$26.46	1084779	FREIGHT

***Check Detail Register©**

August 2018 to September 2018

			Check Amt	Invoice	Comment
E 640-47000-251	Liquor For Resale		\$390.19	1085994	LIQUOR
E 640-47000-259	Freight		\$3.78	1085994	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$38.26	1085995	MISC.MIX
E 640-47000-251	Liquor For Resale		\$2,333.55	1085996	LIQUOR
E 640-47000-259	Freight		\$19.74	1085996	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$17.26	1085997	MISC.MIX
E 640-47000-252	Wine For Resale		\$279.32	1085998	WINE
E 640-47000-259	Freight		\$6.30	1085998	FREIGHT
E 640-47000-252	Wine For Resale		(\$42.66)	695770	WINE
Total JOHNSON BROS.-ST.PAUL			\$14,531.24		
Paid Chk# 110526	9/4/2018	KARLSBURGER FOODS, INC.			
E 640-48500-255	FOODIngredients For Resale		\$209.10	000474313	FOOD
E 640-48500-255	FOODIngredients For Resale		\$211.60	000475527	FOOD
Total KARLSBURGER FOODS, INC.			\$420.70		
Paid Chk# 110527	9/4/2018	M.AMUNDSON LLP			
E 640-47000-256	MISC.MDSE.RESALE		\$1,896.66	264082	CIGARETTES
E 640-47000-256	MISC.MDSE.RESALE		\$942.38	264523	CIGARETTES
Total M.AMUNDSON LLP			\$2,839.04		
Paid Chk# 110528	9/4/2018	MN DEPARTMENT OF HEALTH			
E 610-49100-499	Miscellaneous		\$150.00		PLAN REVIEW WATERMAIN PLAN REVIEW
Total MN DEPARTMENT OF HEALTH			\$150.00		
Paid Chk# 110529	9/4/2018	MODIST BREWING CO. LLC			
E 640-47000-253	Beer For Resale		\$180.00	10817	BEER
E 640-48000-253	Beer For Resale		\$165.00	10860	BEER
E 640-47000-253	Beer For Resale		\$126.00	10862	BEER
Total MODIST BREWING CO. LLC			\$471.00		
Paid Chk# 110530	9/4/2018	MOOD MEDIA			
E 640-47000-433	Dues, Licensing & Seminars		\$57.14	54170570	OVERHEAD MUSIC
E 640-48000-433	Dues, Licensing & Seminars		\$57.15	54170570	OVERHEAD MUSIC
Total MOOD MEDIA			\$114.29		
Paid Chk# 110531	9/4/2018	NEGOCE, LLC			
E 640-47000-252	Wine For Resale		\$525.16	219461	WINE
E 640-47000-259	Freight		\$4.50	219461	FREIGHT
Total NEGOCE, LLC			\$529.66		
Paid Chk# 110532	9/4/2018	NEW FRANCE WINE COMPANY			
E 640-47000-252	Wine For Resale		\$305.00	134427	WINE RESALE
E 640-47000-259	Freight		\$6.00	134427	FREIGHT
Total NEW FRANCE WINE COMPANY			\$311.00		
Paid Chk# 110533	9/4/2018	NORTHWESTERN FRUIT COMPANY			
E 640-48500-255	FOODIngredients For Resale		\$448.30	888645	FOOD
E 640-48500-255	FOODIngredients For Resale		\$463.60	888783	FOOD
E 640-48500-255	FOODIngredients For Resale		\$621.95	889064	FOOD
E 640-48000-251	Liquor For Resale		\$407.55	889187	LIQUOR
E 640-48500-255	FOODIngredients For Resale		\$461.30	889446	FOOD
E 640-48500-255	FOODIngredients For Resale		\$316.20	889666	FOOD
E 640-48500-255	FOODIngredients For Resale		\$363.15	889843	FOOD
Total NORTHWESTERN FRUIT COMPANY			\$3,082.05		
Paid Chk# 110534	9/4/2018	OMNI BREWING COMPANY LLC			
E 640-47000-253	Beer For Resale		\$130.00	E-2942	BEER

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Total	OMNI BREWING COMPANY LLC		\$130.00		
Paid Chk#	110535	9/4/2018	PAUSTIS & SONS		
E 640-47000-252	Wine For Resale		\$1,006.83	20804	WINE RESALE
E 640-47000-259	Freight		\$8.75	20804	FREIGHT
E 640-47000-252	Wine For Resale		\$991.70	21600	WINE RESALE
E 640-47000-259	Freight		\$15.00	21600	FREIGHT
E 640-47000-252	Wine For Resale		\$84.00	21601	WINE RESALE
Total	PAUSTIS & SONS		\$2,106.28		
Paid Chk#	110536	9/4/2018	PHILLIPS WINES & SPIRITS		
E 640-47000-251	Liquor For Resale		\$273.95	2405676	LIQUOR
E 640-47000-259	Freight		\$2.52	2405676	FREIGHT
E 640-47000-252	Wine For Resale		\$112.00	2405677	WINE RESALE
E 640-47000-254	Soft Drinks/Mix For Resale		\$207.00	2405677	MISC.MIX
E 640-47000-259	Freight		\$7.56	2405677	FREIGHT
E 640-47000-252	Wine For Resale		\$221.30	2406480	WINE RESALE
E 640-47000-259	Freight		\$3.78	2406480	FREIGHT
E 640-47000-251	Liquor For Resale		\$811.83	2409396	LIQUOR
E 640-47000-259	Freight		\$7.13	2409396	FREIGHT
E 640-47000-252	Wine For Resale		\$2,435.20	2409397	WINE RESALE
E 640-47000-259	Freight		\$32.76	2409397	FREIGHT
E 640-48000-251	Liquor For Resale		\$882.16	2411906	LIQUOR
Total	PHILLIPS WINES & SPIRITS		\$4,997.19		
Paid Chk#	110537	9/4/2018	SHAMROCK GROUP		
E 640-47000-254	Soft Drinks/Mix For Resale		\$186.03	2271993	ICE
E 640-47000-254	Soft Drinks/Mix For Resale		\$164.75	2273439	ICE
E 640-47000-254	Soft Drinks/Mix For Resale		\$93.54	2276627	ICE
Total	SHAMROCK GROUP		\$444.32		
Paid Chk#	110538	9/4/2018	SMALL LOT MN		
E 640-47000-252	Wine For Resale		\$144.00	23058	WINE
E 640-47000-259	Freight		\$5.00	23058	FREIGHT
Total	SMALL LOT MN		\$149.00		
Paid Chk#	110539	9/4/2018	SOUTHERN GLAZER'S OF MN		
E 640-47000-252	Wine For Resale		(\$53.00)	1713131	WINE
E 640-47000-251	Liquor For Resale		(\$90.95)	1715829	LIQUOR
E 640-47000-252	Wine For Resale		\$192.00	1718483	WINE RESALE
E 640-47000-259	Freight		\$8.00	1718483	FREIGHT
E 640-47000-251	Liquor For Resale		\$4,238.74	1718500	LIQUOR
E 640-47000-259	Freight		\$30.67	1718500	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$324.00	1718501	MIX.MIX
E 640-47000-259	Freight		\$16.64	1718501	FREIGHT
E 640-47000-252	Wine For Resale		\$1,979.66	1718502	WINE
E 640-47000-259	Freight		\$21.76	1718502	FREIGHT
E 640-47000-252	Wine For Resale		\$1,038.00	1718503	WINE RESALE
E 640-47000-259	Freight		\$5.12	1718503	FREIGHT
E 640-47000-251	Liquor For Resale		\$2,331.62	1721100	LIQUOR
E 640-47000-259	Freight		\$20.16	1721100	FREIGHT
E 640-47000-252	Wine For Resale		\$4,607.00	1721101	WINE RESALE
E 640-47000-259	Freight		\$39.68	1721101	FREIGHT
Total	SOUTHERN GLAZER'S OF MN		\$14,709.10		
Paid Chk#	110540	9/4/2018	STEEL TOE BREWING		
E 640-48000-253	Beer For Resale		\$280.00	23169	BEER
Total	STEEL TOE BREWING		\$280.00		

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Paid Chk#	110541	9/4/2018	SUNBURST CHEMICALS, INC.		
	E 640-48500-415	Other Equipment Rentals	\$92.58	0010881	DISHWASHER LEASE
	Total	SUNBURST CHEMICALS, INC.	\$92.58		
Paid Chk#	110542	9/4/2018	T.D. ANDERSON INC.		
	E 640-48000-409	Maint services & Improv	\$105.00	244424	BEER LINE SERVICE
	E 640-48000-409	Maint services & Improv	\$105.00	688212	BEER LINE SERVICE
	Total	T.D. ANDERSON INC.	\$210.00		
Paid Chk#	110543	9/4/2018	TOLL GAS & WELDING SUPPLY		
	E 640-48000-210	Operating Supplies (GENERAL)	\$60.87	10257921	SUPPLIES
	Total	TOLL GAS & WELDING SUPPLY	\$60.87		
Paid Chk#	110544	9/4/2018	TRIMARK		
	E 640-48000-210	Operating Supplies (GENERAL)	\$186.31	99QM6Z	BAR SUPPLIES
	E 640-48500-210	Operating Supplies (GENERAL)	\$399.76	99QMC6	KITCHEN SUPPLIES
	E 640-48500-210	Operating Supplies (GENERAL)	\$63.76	99R1N9	KITCHEN SUPPLIES
	E 640-48000-210	Operating Supplies (GENERAL)	\$84.30	99R1NB	BAR SUPPLIES
	E 640-48500-210	Operating Supplies (GENERAL)	\$253.82	99R1NB	KITCHEN SUPPLIES
	E 640-48500-210	Operating Supplies (GENERAL)	(\$50.95)	99R2Y3	KITCHEN SUPPLIES
	E 640-48500-210	Operating Supplies (GENERAL)	(\$6.39)	99R409	KITCHEN SUPPLIES
	E 640-48500-210	Operating Supplies (GENERAL)	\$3.92	99R5CT	KITCHEN SUPPLIES
	E 640-48500-210	Operating Supplies (GENERAL)	\$283.01	99R5CV	KITCHEN SUPPLIES
	E 640-48000-210	Operating Supplies (GENERAL)	\$56.31	99R5CV	BAR SUPPLIES
	E 640-48500-210	Operating Supplies (GENERAL)	\$16.07	99R5FT	KITCHEN SUPPLIES
	E 640-48500-210	Operating Supplies (GENERAL)	\$3.92	99R8K5	KITCHEN SUPPLIES
	E 640-48000-210	Operating Supplies (GENERAL)	\$244.68	99R8K7	BAR SUPPLIES
	E 640-48500-210	Operating Supplies (GENERAL)	\$361.14	99R8K7	KITCHEN SUPPLIES
	E 640-48000-210	Operating Supplies (GENERAL)	\$228.00	99RCTK	BAR SUPPLIES
	E 640-48500-210	Operating Supplies (GENERAL)	\$418.21	99RCTK	KITCHEN SUPPLIES
	Total	TRIMARK	\$2,545.87		
Paid Chk#	110545	9/4/2018	TRUE BRANDS		
	E 640-47000-254	Soft Drinks/Mix For Resale	\$281.71	373722	MISC MDSE
	E 640-47000-254	Soft Drinks/Mix For Resale	\$91.62	374141	MISC.MDSE
	E 640-47000-254	Soft Drinks/Mix For Resale	\$107.32	375174	MISC MDSE
	E 640-47000-254	Soft Drinks/Mix For Resale	(\$44.95)	69812CM	MISC.MDSE
	Total	TRUE BRANDS	\$435.70		
Paid Chk#	110546	9/4/2018	TRUSTED EMPLOYEES		
	E 640-47000-306	Personnel Expense	\$50.00	08201812035S	BACKGROUND CHECK SERVICE
	E 640-48000-306	Personnel Expense	\$100.00	08201812035S	BACKGROUND CHECK SERVICE
	Total	TRUSTED EMPLOYEES	\$150.00		
Paid Chk#	110547	9/4/2018	US FOODS		
	E 640-48500-255	FOODIngredients For Resale	\$679.79	4369116	FOOD
	E 640-48500-255	FOODIngredients For Resale	\$18.41	4499484	FOOD
	E 640-48500-255	FOODIngredients For Resale	(\$48.87)	4747385	FOOD
	E 640-48500-255	FOODIngredients For Resale	\$5,300.80	4792932	FOOD
	E 640-48500-210	Operating Supplies (GENERAL)	\$89.82	4792932	KITCHEN SUPPLIES
	E 640-48000-210	Operating Supplies (GENERAL)	\$119.80	4792932	BAR SUPPLIES
	E 640-48000-342	Promotions - Food/Drinks	\$43.28	4792932	PROMO FOOD
	E 640-48000-254	Soft Drinks/Mix For Resale	\$305.02	4792932	MISC.BEV.
	E 640-48000-251	Liquor For Resale	\$102.44	4792932	LIQUOR
	E 640-48500-255	FOODIngredients For Resale	\$83.79	4794781	FOOD
	E 640-48500-255	FOODIngredients For Resale	\$4,682.98	4829801	FOOD
	E 640-48500-210	Operating Supplies (GENERAL)	\$244.66	4829801	KITCHEN SUPPLIES
	E 640-48000-210	Operating Supplies (GENERAL)	\$138.97	4829801	BAR SUPPLIES

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E 640-48000-342	Promotions - Food/Drinks	\$96.27	4829801	PROMO FOOD
E 640-48000-254	Soft Drinks/Mix For Resale	\$140.49	4829801	MISC.BEV.
E 640-48000-251	Liquor For Resale	\$67.92	4829801	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$73.57	4842564	FOOD
E 640-48500-255	FOODIngredients For Resale	\$2,879.44	4880521	FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$245.01	4880521	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)	\$72.53	4880521	BAR SUPPLIES
E 640-48000-342	Promotions - Food/Drinks	\$65.33	4880521	PROMO FOOD
E 640-48000-254	Soft Drinks/Mix For Resale	\$320.80	4880521	MISC.BEV.
E 640-48000-251	Liquor For Resale	\$120.39	4880521	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$35.73	4925294	FOOD
E 640-48500-255	FOODIngredients For Resale	\$5,800.95	4925295	FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$284.37	4925295	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)	\$71.00	4925295	BAR SUPPLIES
E 640-48000-342	Promotions - Food/Drinks	\$96.27	4925295	PROMO FOOD
E 640-48000-254	Soft Drinks/Mix For Resale	\$292.05	4925295	MISC.BEV.
E 640-48000-251	Liquor For Resale	\$127.16	4925295	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$308.36	4926981	FOOD
E 640-48500-255	FOODIngredients For Resale	\$4,471.80	4962085	FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$67.80	4962085	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)	\$193.10	4962085	BAR SUPPLIES
E 640-48000-342	Promotions - Food/Drinks	\$96.27	4962085	PROMO FOOD
E 640-48000-254	Soft Drinks/Mix For Resale	\$284.65	4962085	MISC.BEV.
E 640-48000-251	Liquor For Resale	\$175.15	4962085	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$4,032.26	5011097	FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$51.20	5011097	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)	\$59.59	5011097	BAR SUPPLIES
E 640-48000-342	Promotions - Food/Drinks	\$96.27	5011097	PROMO FOOD
E 640-48000-254	Soft Drinks/Mix For Resale	\$229.19	5011097	MISC.BEV.
E 640-48000-251	Liquor For Resale	\$160.89	5011097	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$4,856.14	5057492	FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$179.46	5057492	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)	\$300.18	5057492	BAR SUPPLIES
E 640-48000-254	Soft Drinks/Mix For Resale	\$186.41	5057492	MISC.BEV.
E 640-48000-251	Liquor For Resale	\$147.80	5057492	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$59.77	5059102	FOOD
E 640-48500-255	FOODIngredients For Resale	\$4,043.91	5094739	FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$250.44	5094739	KITCHEN SUPPLIES
E 640-48000-342	Promotions - Food/Drinks	\$96.49	5094739	PROMO FOOD
E 640-48000-254	Soft Drinks/Mix For Resale	\$46.41	5094739	MISC.BEV.
E 640-48000-251	Liquor For Resale	\$87.54	5094739	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$4,559.73	5141613	FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$92.31	5141613	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)	\$7.52	5141613	BAR SUPPLIES
E 640-48000-342	Promotions - Food/Drinks	\$96.49	5141613	PROMO FOOD
E 640-48000-254	Soft Drinks/Mix For Resale	\$327.94	5141613	MISC.BEV.
E 640-48000-251	Liquor For Resale	\$23.94	5141613	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$11.72	5182290	FOOD
Total US FOODS		\$48,150.90		

Paid Chk# 110548 9/4/2018 **VAN PAPER COMPANY**

E 640-48500-210	Operating Supplies (GENERAL)	\$286.45	472180-00	SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$133.47	473793-01	SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)	\$66.51	473795-00	SUPPLIES
Total VAN PAPER COMPANY		\$486.43		

Paid Chk# 110549 9/4/2018 **VINOCOPIA**

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E 640-47000-252	Wine For Resale		\$152.00	0213859	WINE RESALE
E 640-47000-259	Freight		\$2.50	0213859	FREIGHT
Total VINOCOPIA			\$154.50		
Paid Chk# 110550	9/4/2018	WINE COMPANY			
E 640-47000-252	Wine For Resale		\$516.00	80092	WINE RESALE
E 640-47000-259	Freight		\$8.40	80092	FREIGHT
E 640-47000-252	Wine For Resale		\$1,828.00	80768	WINE RESALE
E 640-47000-259	Freight		\$13.20	80768	FREIGHT
Total WINE COMPANY			\$2,365.60		
Paid Chk# 110551	9/4/2018	WINE MERCHANT			
E 640-47000-252	Wine For Resale		\$672.00	7194974	WINE
E 640-47000-252	Wine For Resale		\$1,095.00	7196142	WINE
E 640-47000-259	Freight		\$6.51	7196142	FREIGHT
E 640-48000-252	Wine For Resale		\$342.66	7196531	WINE
E 640-47000-259	Freight		\$0.10	7196600	FREIGHT
E 640-47000-252	Wine For Resale		\$2,136.27	7197161	WINE
E 640-47000-259	Freight		\$15.33	7197161	FREIGHT
E 640-47000-252	Wine For Resale		\$1,728.00	7197385	WINE
E 640-47000-259	Freight		\$6.30	7197385	FREIGHT
E 640-47000-252	Wine For Resale		\$591.00	7197511	WINE
E 640-47000-259	Freight		\$7.32	7197511	FREIGHT
E 640-48000-252	Wine For Resale		\$1,530.50	7198531	WINE
E 640-48000-252	Wine For Resale		\$181.22	7198532	WINE
E 640-48000-252	Wine For Resale		\$984.98	7198533	WINE
Total WINE MERCHANT			\$9,297.19		
Paid Chk# 110552	9/4/2018	WRS IMPORTS LLC			
E 640-47000-252	Wine For Resale		\$138.00	1707	WINE
Total WRS IMPORTS LLC			\$138.00		
Paid Chk# 110553	9/12/2018	AEM FINANCIAL SOLUTIONS			
E 101-41500-301	Auditing and Acct g Services		\$4,817.00	404255	FINANCE DIRECTOR SERVICES
Total AEM FINANCIAL SOLUTIONS			\$4,817.00		
Paid Chk# 110554	9/12/2018	ASPEN MILLS			
E 101-42100-217	Uniforms		\$162.40	222929	PD UNIFORMS
Total ASPEN MILLS			\$162.40		
Paid Chk# 110555	9/12/2018	AT&T MOBILITY			
E 101-41940-321	Telephone		\$347.43	287250190047	CELL PHONE SERVICE
Total AT&T MOBILITY			\$347.43		
Paid Chk# 110556	9/12/2018	AT&T MOBILITY			
E 101-41940-321	Telephone		\$151.68	287250008232	CELL PHONE SERVICE
Total AT&T MOBILITY			\$151.68		
Paid Chk# 110557	9/12/2018	AXON ENTERPRISES, INC			
E 101-42100-217	Uniforms		\$61.00	SI-1550364	PD UNIFORMS
Total AXON ENTERPRISES, INC			\$61.00		
Paid Chk# 110558	9/12/2018	BANK OF AMERICA			
E 101-42200-499	Miscellaneous		\$94.14		FD MISC.
E 101-42200-212	Motor Fuels		\$102.63		FD FUEL
E 101-42200-499	Miscellaneous		\$94.14		FD MISC.
E 101-42200-217	Uniforms		\$359.92		FD UNIFORMS
E 101-42200-210	Operating Supplies (GENERAL)		\$29.81		FD SUPPLIES
E 101-42200-210	Operating Supplies (GENERAL)		\$208.86		FD SUPPLIES

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E 101-42200-499	Miscellaneous		\$31.75		FD MISC.
	Total BANK OF AMERICA		\$921.25		
Paid Chk# 110559	9/12/2018	BERRY COFFEE COMPANY			
E 101-42200-499	Miscellaneous		\$90.32	589565	FD SUPPLIES
	Total BERRY COFFEE COMPANY		\$90.32		
Paid Chk# 110560	9/12/2018	BEST & FLANAGAN			
E 101-41500-304	Legal Fees		\$900.00	492355	PLANNING COMM.MTGS.
E 101-41500-304	Legal Fees		\$585.00	492355	CITY COUNCIL
E 101-41500-304	Legal Fees		\$1,350.00	492355	ORDINANCES
E 101-41500-304	Legal Fees		\$180.00	492355	LIQUOR LICENSES
E 101-41500-304	Legal Fees		\$315.00	492355	CITY CONTRACTS
E 233-40000-304	Legal Fees		\$270.00	492355	LAKE EFFECT
E 101-41500-304	Legal Fees		\$182.40	492355	GENERAL
G 802-20332	MEYER BROS DEV.		\$158.75	492355	MEYER BROS.ESCROW PROJECT
E 101-41500-304	Legal Fees		\$1,305.00	492355	DATA PRACTICE REQUESTS
E 101-41500-304	Legal Fees		\$272.50	492355	350 GARDNER FINAL PLAT
G 802-20342	326 & 332 BROADWAY PLACE		\$1,440.00	492355	BROADWAY PLACE ESCROW PROJECT
E 305-40000-304	Legal Fees		\$1,042.50	492355	WEST LAKE TIF
E 101-41500-304	Legal Fees		\$135.00	492355	PUNCH PIZZA TREE INCIDENT
G 802-20363	649 FERNDAL RD - Hemsley		\$1,130.00	492355	649 FERNDAL ESCROW PROJECT
E 430-40000-304	Legal Fees		\$315.00	492355	WAYZ.BLVD./SUPERIOR
G 802-20365	253 LAKE STREET-HOYT		\$585.00	492355	253 LAKE ESCROW PROJECT
E 101-41500-304	Legal Fees		\$945.00	492355	BOARDWALK APT.
G 802-20383	WAYZ.BAY CAR WASH 143 LAKE ST		\$900.00	492355	143 LAKE ESCROW PROJECT
G 802-20384	224 BROADWAY NORTH-ALBERS		\$585.00	492355	224 BROADWAY ESCROW PROJECT
G 802-20388	623 BUSHAWAY - GREENWAY		\$720.00	492355	623 BUSHAWAY ESCROW PROJECT
G 802-20387	405 BUSHAWAY - TAYLOR		\$720.00	492355	405 BUSHAWAY ESCROW PROJECT
G 802-20344	ENCLAVE AT CROSSDALE		\$810.00	492355	ENCLAVE AT CROSSDALE ESCROW PROJECT
E 101-41500-304	Legal Fees		\$450.00	492355	NORDQUIST SIGNS
E 101-41500-304	Legal Fees		\$405.00	492355	HRA
	Total BEST & FLANAGAN		\$15,701.15		
Paid Chk# 110561	9/12/2018	BETMAR LANGUAGES			
E 640-48000-306	Personnel Expense		\$118.70	48517	TRANSLATION SERVICES
	Total BETMAR LANGUAGES		\$118.70		
Paid Chk# 110562	9/12/2018	BROYLES, PAT			
E 101-41100-493	Volunteer program		\$392.50	VOLUNTEER	REIMB.FOR VOLUNTEER EXPENSES - PENS
	Total BROYLES, PAT		\$392.50		
Paid Chk# 110563	9/12/2018	CAMDEN INDUSTRIAL SUPPLY			
E 101-43100-240	Small Tools and Minor Equip		\$29.76	8881	SUPPLIES
	Total CAMDEN INDUSTRIAL SUPPLY		\$29.76		
Paid Chk# 110564	9/12/2018	CENTERPOINT ENERGY			
E 101-41940-383	Fuel, oil and natural gas		\$643.30		SERVICE
E 610-40000-383	Fuel, oil and natural gas		\$91.13		SERVICE
E 640-47000-383	Fuel, oil and natural gas		\$171.61		SERVICE
E 640-48000-383	Fuel, oil and natural gas		\$686.42		SERVICE
E 101-41940-383	Fuel, oil and natural gas		\$11.56		SERVICE
E 101-42200-383	Fuel, oil and natural gas		\$60.88		SERVICE
	Total CENTERPOINT ENERGY		\$1,664.90		
Paid Chk# 110565	9/12/2018	COMMERCIAL ASPHALT CO.			
E 430-40000-309	Contractual Services		\$59.57	180831	ASPHALT
	Total COMMERCIAL ASPHALT CO.		\$59.57		

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			Check Amt	Invoice	Comment
Paid Chk#	110566	9/12/2018	CRAIG RAPP, LLC		
E 101-41500-433	Dues, Licensing & Seminars		\$1,225.00	8.17.18	LEADERSHIP PROGRAM
	Total CRAIG RAPP, LLC		\$1,225.00		
Paid Chk#	110567	9/12/2018	CULLIGAN-BOTTLED WATER		
E 101-41940-499	Miscellaneous		\$169.48	2269352	SUPPLIES
	Total CULLIGAN-BOTTLED WATER		\$169.48		
Paid Chk#	110568	9/12/2018	DEPUTY REGISTRAR 126		
E 640-47000-499	Miscellaneous		\$316.00		TRANSFER PD CAR TO MUNI DELIVERY
	Total DEPUTY REGISTRAR 126		\$316.00		
Paid Chk#	110569	9/12/2018	DIAMOND VOGEL PAINTS		
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$113.40	802182976	SUPPLIES
	Total DIAMOND VOGEL PAINTS		\$113.40		
Paid Chk#	110570	9/12/2018	DIRECTV		
E 640-48000-415	Other Equipment Rentals		\$321.12	34918286405	SERVICE
	Total DIRECTV		\$321.12		
Paid Chk#	110571	9/12/2018	ECM PUBLISHERS, INC.		
E 101-42100-350	Printing & Publishing		\$110.00	838553	BACK TO SCHOOL
G 802-20363	649 FERNDAL RD - Hemsley		\$142.80	846340	649 FERNDAL
G 802-20342	326 & 332 BROADWAY PLACE		\$119.00	846345	BROADWAY PLACE
E 101-41500-350	Printing & Publishing		\$53.55	848273	LEGAL NOTICES
G 802-20382	310 BENTON & 1023 GARDNER		\$65.45	848274	BENTON HARBOR
	Total ECM PUBLISHERS, INC.		\$490.80		
Paid Chk#	110572	9/12/2018	ELECTRIC PUMP, INC.		
E 620-40000-405	Maint/Replac - System		\$2,075.53	0063554	SEWER LIFT REPAIRS
	Total ELECTRIC PUMP, INC.		\$2,075.53		
Paid Chk#	110573	9/12/2018	EMBEDDED SYSTEMS, INC.		
E 101-45200-409	Maint services & Improv		\$295.00	343760	SIREN REPAIRS
	Total EMBEDDED SYSTEMS, INC.		\$295.00		
Paid Chk#	110574	9/12/2018	ESS BROTHERS & SONS INC.		
E 670-40000-409	Maint services & Improv		\$421.00	YY6536	PARTS
E 610-40000-225	Repair & Maint - System		\$57.00	YY6536	PARTS
	Total ESS BROTHERS & SONS INC.		\$478.00		
Paid Chk#	110575	9/12/2018	FERNANDEZ, NICHOLE		
E 101-42100-499	Miscellaneous		\$125.91	REIMB.	SUPPLIES
	Total FERNANDEZ, NICHOLE		\$125.91		
Paid Chk#	110576	9/12/2018	FINELINE CONCRETE CUTTING &		
E 101-43100-226	Sign Repair Materials		\$285.00	18402	KIOSK INSTALL
	Total FINELINE CONCRETE CUTTING &		\$285.00		
Paid Chk#	110577	9/12/2018	GARDENING BY MEREDITH		
E 640-48000-409	Maint services & Improv		\$315.00	1801	MUNI GARDENING
	Total GARDENING BY MEREDITH		\$315.00		
Paid Chk#	110578	9/12/2018	GOPHER STATE ONE CALL		
E 610-40000-313	Permit Fees/Gopher State		\$133.65	8080808	MONTHLY LOCATES
E 620-40000-313	Permit Fees/Gopher State		\$133.65	8080808	MONTHLY LOCATES
	Total GOPHER STATE ONE CALL		\$267.30		
Paid Chk#	110579	9/12/2018	GRAINGER, INC.		

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			Check Amt	Invoice	Comment
E 101-43100-210	Operating Supplies (GENERAL)		(\$67.11)	9035060988	SUPPLIES
E 640-48000-404	Repairs/Maint - Machin/Equip		\$236.16	9837604843	SUPPLIES
E 640-48000-404	Repairs/Maint - Machin/Equip		(\$78.68)	9838064294	SUPPLIES
E 101-43100-210	Operating Supplies (GENERAL)		\$36.86	9896771525	SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)		\$122.91	9899889597	SUPPLIES
E 620-40000-210	Operating Supplies (GENERAL)		\$122.90	9899889597	SUPPLIES
Total GRAINGER, INC.			\$373.04		
Paid Chk# 110580	9/12/2018	HENN.CNTY.ACCTG.SERVICES			
E 101-42120-308	Prisoner Care		\$555.00	1000115161	PRISONER PROCESSING
Total HENN.CNTY.ACCTG.SERVICES			\$555.00		
Paid Chk# 110581	9/12/2018	HENN.CNTY.INFO.TECH.DEPT.			
E 101-42200-323	Radio Units		\$1,155.30	1000115641	RADIO SERVICE
E 101-42100-323	Radio Units		\$1,404.36	1000115642	RADIO SERVICE
E 101-43100-323	Radio Units		\$200.00	1000115698	RADIO SERVICE
E 101-45200-323	Radio Units		\$200.00	1000115698	RADIO SERVICE
E 610-40000-323	Radio Units		\$93.77	1000115698	RADIO SERVICE
E 620-40000-323	Radio Units		\$93.77	1000115698	RADIO SERVICE
Total HENN.CNTY.INFO.TECH.DEPT.			\$3,147.20		
Paid Chk# 110582	9/12/2018	HENNEPIN COUNTY TREASURER			
G 650-20818	Garbage Sales Tax		\$1,516.84	9% REFUSE T	9% REFUSE TAX - AUG.2018
Total HENNEPIN COUNTY TREASURER			\$1,516.84		
Paid Chk# 110583	9/12/2018	HOLIDAY			
E 101-42100-212	Motor Fuels		\$8.47		PD FUEL
Total HOLIDAY			\$8.47		
Paid Chk# 110584	9/12/2018	HTG ARCHITECTS			
E 101-41940-309	Contractual Services		\$850.00	17600	CITY HALL/MV REDESIGN
Total HTG ARCHITECTS			\$850.00		
Paid Chk# 110585	9/12/2018	J.H. LARSON COMPANY			
E 101-45203-220	Repair/Maint Supply (GENERAL)		(\$23.36)	28740	PARTS
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$321.48	S101820848.0	PARTS
Total J.H. LARSON COMPANY			\$298.12		
Paid Chk# 110586	9/12/2018	KEYS WELL DRILLING CO.			
E 610-40000-242	Well & F.P. Equipment		\$1,390.06	2018048-1	WELL PARTS
Total KEYS WELL DRILLING CO.			\$1,390.06		
Paid Chk# 110587	9/12/2018	LAKE 360 INC.			
E 101-49200-496	Contingencies		\$2,000.00	BUSHAWAY D	BUSHAWAY DOCUMENTARY CONTRIBUTION
Total LAKE 360 INC.			\$2,000.00		
Paid Chk# 110588	9/12/2018	LEAGUE OF MN CITIES INS.TRUST			
E 640-48000-365	Workers Comp Ins		\$303.20	12930	CLAIM #00059826
Total LEAGUE OF MN CITIES INS.TRUST			\$303.20		
Paid Chk# 110589	9/12/2018	LEAGUE OF MN.CITIES			
E 101-41500-433	Dues, Licensing & Seminars		\$5,161.00	275594	DUES
Total LEAGUE OF MN.CITIES			\$5,161.00		
Paid Chk# 110590	9/12/2018	LEXISNEXIS RISK DATA			
E 101-42100-309	Contractual Services		\$33.00	121455020180	PD SERVICE
E 101-42100-309	Contractual Services		\$33.00	121455020180	PD SERVICE
Total LEXISNEXIS RISK DATA			\$66.00		

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Paid Chk#	110591	9/12/2018	LMCD		
	E 233-40000-499	Miscellaneous	\$151.50	DE-ICING LIC	DE-ICING LICENSE 2018-2019
		Total LMCD	\$151.50		
Paid Chk#	110592	9/12/2018	LMCD		
	E 233-40000-437	Payments to Organizations	\$10,542.00	2ND QTR.LEV	2ND QTR.2018 LEVY
		Total LMCD	\$10,542.00		
Paid Chk#	110593	9/12/2018	LOFFLER COMPANIES, INC.		
	E 101-41500-311	Data Processing	\$4,905.00	2900308	NETWORK SUPPORT
		Total LOFFLER COMPANIES, INC.	\$4,905.00		
Paid Chk#	110594	9/12/2018	LONG LAKE TRU VALUE		
	E 101-43100-210	Operating Supplies (GENERAL)	\$27.61		SUPPLIES
	E 101-42100-210	Operating Supplies (GENERAL)	\$39.98		SUPPLIES
	E 640-47000-404	Repairs/Maint - Machin/Equip	\$6.49		SUPPLIES
	E 610-40000-210	Operating Supplies (GENERAL)	\$16.98		SUPPLIES
		Total LONG LAKE TRU VALUE	\$91.06		
Paid Chk#	110595	9/12/2018	MANSFIELD OIL COMPANY		
	E 101-49200-212	Motor Fuels	\$1,521.92	20926841	FUEL
	E 101-49200-212	Motor Fuels	\$1,933.22	20946440	FUEL
		Total MANSFIELD OIL COMPANY	\$3,455.14		
Paid Chk#	110596	9/12/2018	MARCO		
	E 101-41500-404	Repairs/Maint - Machin/Equip	\$148.34	INV5516409	COPIER CONTRACTS
	E 101-41500-404	Repairs/Maint - Machin/Equip	\$2,976.78	INV5520537	COPIER CONTRACTS
	E 630-40000-404	Repairs/Maint - Machin/Equip	\$101.17	INV5520538	COPIER CONTRACTS
		Total MARCO	\$3,226.29		
Paid Chk#	110597	9/12/2018	MCWETHY, JIM		
	E 101-45200-409	Maint services & Improv	\$39.78	REIMBURSEM	PARKS SUPPLIES
		Total MCWETHY, JIM	\$39.78		
Paid Chk#	110598	9/12/2018	METERING & TECHNOLOGY SOLUTION		
	G 610-14100	Inventory of Material/Supply	\$2,475.25	12386	WATER METER
	G 620-14100	Inventory of Material/Supply	\$2,475.25	12386	WATER METER
		Total METERING & TECHNOLOGY SOLUTION	\$4,950.50		
Paid Chk#	110599	9/12/2018	METRO WEST INSPECTION SERVICES		
	E 101-42400-309	Contractual Services	\$5,628.75	1635	INSPECTION SERVICES
		Total METRO WEST INSPECTION SERVICES	\$5,628.75		
Paid Chk#	110600	9/12/2018	METROPOLITAN COUNCIL		
	G 101-20831	MWCC (SAC)	\$49,700.00	AUG.2018 SA	AUGUST 2018 SAC FEES
	R 101-00000-34190	Charges for Services/Gen Gov t	(\$497.00)	AUG.2018 SA	AUGUST 2018 SAC FEES
		Total METROPOLITAN COUNCIL	\$49,203.00		
Paid Chk#	110601	9/12/2018	MINNCOR INDUSTRIES		
	E 630-40000-433	Dues, Licensing & Seminars	\$35.00	SOL-073071	MV TITLE SERVICE
		Total MINNCOR INDUSTRIES	\$35.00		
Paid Chk#	110602	9/12/2018	MN DEPT.OF LABOR & INDUSTRY		
	E 101-41940-409	Maint services & Improv	\$200.00	ALR0087686I	ELEVATOR PERMIT
		Total MN DEPT.OF LABOR & INDUSTRY	\$200.00		
Paid Chk#	110603	9/12/2018	MN FIRE SERVICE CERTIFICATION		
	E 101-42200-434	Training and schools	\$345.00	6050	FIREFIGHTER CERTIFICATION EXAMS

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Total MN FIRE SERVICE CERTIFICATION			\$345.00		
Paid Chk# 110604	9/12/2018	MN MAYORS ASSOCIATION			
E 101-41100-433	Dues, Licensing & Seminars		\$30.00	DUES	DUES 2018-2019
Total MN MAYORS ASSOCIATION			\$30.00		
Paid Chk# 110605	9/12/2018	MORRIE S MINNETONKA FORD			
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$22.86	559241	PARTS & REPAIRS
E 101-42100-404	Repairs/Maint - Machin/Equip		\$13.28	559443	PARTS & REPAIRS
E 640-47000-404	Repairs/Maint - Machin/Equip		\$13.28	559444	PARTS & REPAIRS
Total MORRIE S MINNETONKA FORD			\$49.42		
Paid Chk# 110606	9/12/2018	NAPA AUTO PARTS-WATERTOWN			
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$42.00	503633	PARTS
E 610-40000-224	Repair & Maint - Motor Equip		\$98.23	503705	PARTS
E 620-40000-224	Repair & Maint - Motor Equip		\$98.23	503705	PARTS
E 610-40000-210	Operating Supplies (GENERAL)		\$35.85	503732	PARTS
E 620-40000-210	Operating Supplies (GENERAL)		\$35.85	503732	PARTS
E 640-47000-404	Repairs/Maint - Machin/Equip		\$166.03	503828	PARTS
Total NAPA AUTO PARTS-WATERTOWN			\$476.19		
Paid Chk# 110607	9/12/2018	NEWMAN TRAFFIC SIGNS			
E 101-43100-226	Sign Repair Materials		\$63.04	TRFINV00510	SIGNS
Total NEWMAN TRAFFIC SIGNS			\$63.04		
Paid Chk# 110608	9/12/2018	OFFICE DEPOT			
E 101-41500-200	Office Supplies (GENERAL)		\$114.85	191177385001	SUPPLIES
E 101-43100-200	Office Supplies (GENERAL)		\$13.89	194754712001	SUPPLIES
E 610-40000-200	Office Supplies (GENERAL)		\$38.99	194759158001	SUPPLIES
E 620-40000-200	Office Supplies (GENERAL)		\$38.99	194759158001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$59.16	195436241001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$3.86	195436566001	SUPPLIES
Total OFFICE DEPOT			\$269.74		
Paid Chk# 110609	9/12/2018	SAM S CLUB			
E 101-42200-210	Operating Supplies (GENERAL)		\$210.40		FD SUPPLIES
Total SAM S CLUB			\$210.40		
Paid Chk# 110610	9/12/2018	SATHRE-BERGQUIST, INC.			
E 233-40000-302	Consultants		\$6,625.00	60074	LAKE EFFECT TITLE WORK
Total SATHRE-BERGQUIST, INC.			\$6,625.00		
Paid Chk# 110611	9/12/2018	SCHANKE, SUZIE			
E 101-42200-409	Maint services & Improv		\$145.00	AUG.2018	FD MONTHLY CLEANING
Total SCHANKE, SUZIE			\$145.00		
Paid Chk# 110612	9/12/2018	SITEONE LANDSCAPE SUPPLY			
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$33.40	87776462	SUPPLIES
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$18.81	87792813	SUPPLIES
Total SITEONE LANDSCAPE SUPPLY			\$52.21		
Paid Chk# 110613	9/12/2018	SPRINT			
E 101-42200-323	Radio Units		\$433.19	523093316-20	FD SERVICE
Total SPRINT			\$433.19		
Paid Chk# 110614	9/12/2018	SRF CONSULTING GROUP, INC.			
E 239-40000-302	Consultants		\$4,799.66	11484.00-4	2040 COMP.PLAN
Total SRF CONSULTING GROUP, INC.			\$4,799.66		

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			Check Amt	Invoice	Comment
Paid Chk#	110615	9/12/2018	STAR TRIBUNE		
E 101-41500-433	Dues, Licensing & Seminars		\$84.50	10690344	SUBSCRIPTION RENEWAL
	Total STAR TRIBUNE		\$84.50		
Paid Chk#	110616	9/12/2018	STONEBROOKE		
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$398.02	49790	PARTS
	Total STONEBROOKE		\$398.02		
Paid Chk#	110617	9/12/2018	STREICHER S		
E 101-42100-210	Operating Supplies (GENERAL)		\$6.99	I1328765	PD SUPPLIES
E 101-42100-499	Miscellaneous		\$266.97	I1328803	PD SUPPLIES
	Total STREICHER S		\$273.96		
Paid Chk#	110618	9/12/2018	THE PROMENADE MASTER ASSOC.		
E 233-40000-499	Miscellaneous		\$250.00		COMMUNITY EVENT - LAKE EFFECT
	Total THE PROMENADE MASTER ASSOC.		\$250.00		
Paid Chk#	110619	9/12/2018	TIME SAVER		
E 101-41100-302	Consultants		\$353.00	M24084	MTG.MINUTES
	Total TIME SAVER		\$353.00		
Paid Chk#	110620	9/12/2018	TRI-CITY		
E 610-40000-309	Contractual Services		\$63.00	1800215	WATER ANALYSIS
	Total TRI-CITY		\$63.00		
Paid Chk#	110621	9/12/2018	UPS STORE		
E 101-41100-493	Volunteer program		\$48.74	0318	SUPPLIES
E 101-45200-350	Printing & Publishing		\$30.00	0733	SUPPLIES
E 101-42100-499	Miscellaneous		\$43.99	0788	SUPPLIES
E 101-45200-350	Printing & Publishing		\$135.00	0839	SUPPLIES
E 101-45200-350	Printing & Publishing		\$12.62	5842	SUPPLIES
	Total UPS STORE		\$270.35		
Paid Chk#	110622	9/12/2018	VALLEY-RICH CO., INC.		
E 610-40000-405	Maint/Replac - System		\$11,068.08	25941	2 VALVE REPLACEMENTS - WATERMAIN LEAKS
	Total VALLEY-RICH CO., INC.		\$11,068.08		
Paid Chk#	110623	9/12/2018	VAN PAPER COMPANY		
E 640-48000-210	Operating Supplies (GENERAL)		\$118.94	473532-00	SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$531.36	473793-00	SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$223.41	474593-00	SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$65.99	474593-00	SUPPLIES
	Total VAN PAPER COMPANY		\$939.70		
Paid Chk#	110624	9/12/2018	VIKING TROPIES, INC.		
E 101-42200-210	Operating Supplies (GENERAL)		\$148.50	135752	FD SUPPLIES
	Total VIKING TROPIES, INC.		\$148.50		
Paid Chk#	110625	9/12/2018	VILLAGE CHEVROLET		
E 101-42200-404	Repairs/Maint - Machin/Equip		\$2,388.63	782785	FD REPAIRS
	Total VILLAGE CHEVROLET		\$2,388.63		
Paid Chk#	110626	9/12/2018	WALT S GARAGE		
E 640-47000-404	Repairs/Maint - Machin/Equip		\$50.00	8512	DELIVERY VEHICLE REPAIRS
	Total WALT S GARAGE		\$50.00		
Paid Chk#	110627	9/12/2018	WAYZATA ROTARY CLUB		
E 101-41500-331	Mileage & Expense Account		\$347.50	JEFF DAHL	MTGS & MEALS

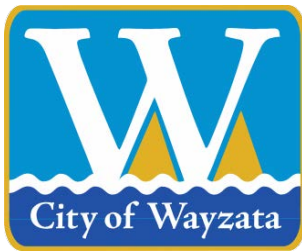
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		Check Amt	Invoice	Comment
Total WAYZATA ROTARY CLUB		\$347.50		
Paid Chk# 110628	9/12/2018	WSB & ASSOCIATES		
E 101-41910-302	Consultants	\$3,066.50	R-011507-000-	PLANNING CONSULTANTS
Total WSB & ASSOCIATES		\$3,066.50		
Paid Chk# 110629	9/12/2018	XCEL ENERGY		
E 101-45203-381	Electric Utilities	\$4,468.47		SERVICE
E 101-41940-381	Electric Utilities	\$6,726.26		SERVICE
E 101-42200-381	Electric Utilities	\$407.17		SERVICE
E 610-40000-381	Electric Utilities	\$7,492.44		SERVICE
E 640-47000-381	Electric Utilities	\$1,689.23		SERVICE
E 640-48000-381	Electric Utilities	\$3,941.53		SERVICE
E 620-40000-381	Electric Utilities	\$1,493.24		SERVICE
E 101-41940-381	Electric Utilities	\$11.07		SERVICE
Total XCEL ENERGY		\$26,229.41		
10100 Anchor Bank		\$389,832.20		

Fund Summary

<u>10100 Anchor Bank</u>	
101 GENERAL FUND	\$116,076.37
233 LAKFRONT IMPROVE	\$17,838.50
239 COMP PLAN - LAND USE	\$4,799.66
305 DOWNTOWN TIF DISTRICT 6	\$1,042.50
430 STREET CIP	\$374.57
610 WATER FUND	\$23,327.34
620 SEWER FUND	\$6,567.41
630 MOTOR VEHICLE	\$136.17
640 LIQUOR	\$210,355.84
650 SOLID WASTE	\$1,516.84
670 STORMWATER	\$421.00
802 ESCROW PROJECTS	\$7,376.00
	\$389,832.20



City of Wayzata City Council Agenda Report

MEETING DATE: September 18, 2018	AGENDA ITEM: 7c
TITLE: Approval of Municipal Licenses	
PROPOSED MOTION: Approval of Municipal Licenses as Attached	
PREPARED BY: Lori Krismer, Administrative Assistant	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

Staff recommends approval of the Municipal Licenses.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

N/A

ATTACHMENTS:

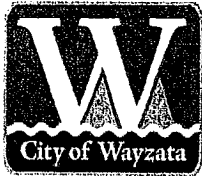
1. List of Municipal Licenses for City Council Approval and Municipal Licenses which Received Administrative Approval (informational only).
2. Attachment for a temporary 3-day liquor license for Oktoberfest September 28-30, 2018 for Wayzata Brew Works

09/18/2018

LIST OF MUNICIPAL LICENSES FOR CITY COUNCIL APPROVAL

Recommended for approval, pending staff review for completeness of application materials

2018 3-Day Temporary On-Sale Liquor License for Oktoberfest at the Wayzata Brew Works on 9/28-9/30/18	
Wayzata Brew Works	294 Grove Lane East, Suite 150, Wayzata, MN



APPLICATION FOR A 1 DAY TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE

#186

NAME OF ORGANIZATION: WAYZATA Brew Works
DATE(S) OF EVENT: Sept 28, 29, 30 2018 START TIME: 5pm, 2pm, 2pm STOP TIME: 11pm, 11pm, 8pm
(28) (29) (30)
NAME OF EVENT: Oktoberfest
DESCRIPTION OF EVENT: Outdoor Concert + Oktoberfest
NAME OF LOCATION WHERE EVENT WILL BE HELD: WAYZATA Brew Works PARKING lot
ADDRESS WHERE EVENT WILL BE HELD: 294 GROVE LN E suite 150
NAME OF PERSON IN CHARGE AT EVENT: Kirk Litynski
TELEPHONE NUMBER OF PERSON IN CHARGE AT EVENT: _____
WHAT DO YOU PLAN TO CONSUME: Beer, wine, liquor
(BEER, WINE, OR INTOXICATING LIQUOR)

DO YOU PLAN TO PROVIDE THE LIQUOR? ☒ NO, GUESTS WILL PROVIDE THEIR OWN LIQUOR
YES

A CERTIFICATE OF LIQUOR LIABILITY INSURANCE COVERAGE MUST BE ATTACHED. COVERAGE FOR THE ACTUAL EVENT LOCATION AND EXACT DATES OF THE EVENT MUST BE SHOWN. IS IT ATTACHED? ☒ YES

LOCATION LICENSE/PERMIT WILL BE USED. IF AN OUTDOOR AREA, DESCRIBE:
PARKING lot to be fenced off per attached overhead photo. Alcohol to be consumed in parking lot area and taproom. ID check at entry and wrist bands provided over 21

PLEASE ATTACH A MAP AND/OR DRAWINGS WHICH ILLUSTRATE YOUR LOCATION AT THE EVENT INCLUDING LOCATION OF TABLES, LOCATION OR BAR, ILLUSTRATION OF CONTROL MEASURES, ETC.
ARE MAP/DRAWINGS ATTACHED? ☒ YES

Notice Regarding Proposed City Ordinances: The City of Wayzata distributes general city information and notices electronically through an electronic notification system. As an applicant for a new business license or for a renewal of an existing business license, you can sign up to receive notices through the city's electronic notification system at the city's website at www.wayzata.org, and click on the Notify Me link. This would include getting notifications of any proposed ordinances at least ten days before the city council of Wayzata conducts a final vote on the proposed ordinance.

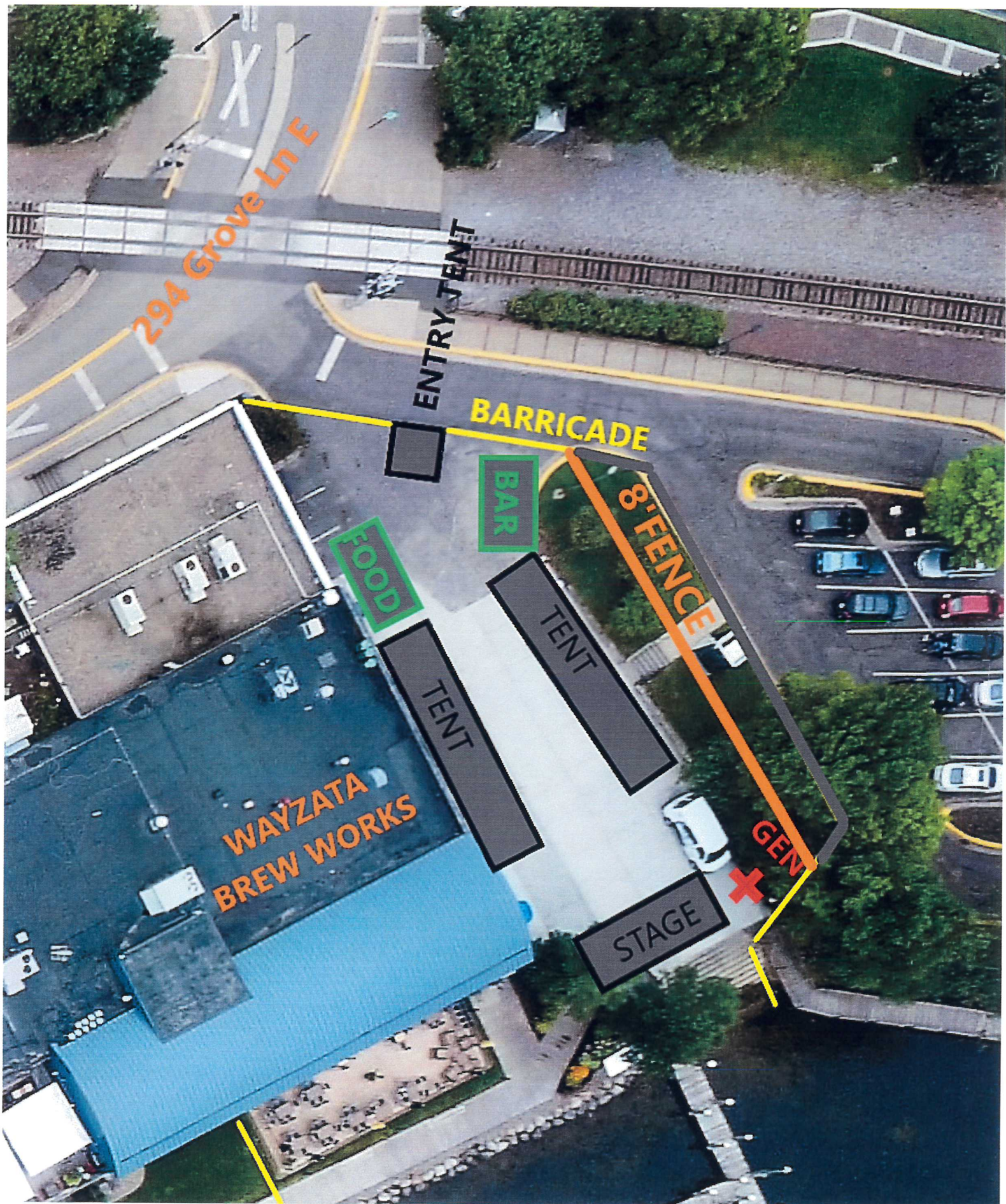
I, the undersigned, agree to indemnify and hold the City of Wayzata harmless from all losses, liabilities, damages, legal liabilities, costs or expenses (including but not limited to reasonable attorneys' fees and other litigation costs and expenses) that may arise in association with the above event.

SIGNATURE OF LICENSEE: [Signature] DATE: 8/8/18
PRINT NAME: Robert Klick

CITY FEE AMOUNT: \$300.00 DATE FEE PAID: 8/14/18 RECEIPT # 40551
POLICE CHIEF SIGNATURE: [Signature] DATE SIGNED: 9/5/18

APPROVED BY WAYZATA CITY COUNCIL ON: _____

CITY CLERK SIGNATURE: _____ DATE SIGNED: _____





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/10/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Christensen Group Insurance 9855 West 78th Street, Ste 100 Eden Prairie MN 55344		CONTACT NAME: Lucas Olson PHONE (A/C, No, Ext): (952) 653-1000 E-MAIL ADDRESS: lolson@christensengroup.com FAX (A/C, No): (952) 653-1100	
INSURED WAYZATA BREW WORKS LLC 294 Grove Lane E. Suite 150 Wayzata MN 55391		INSURER(S) AFFORDING COVERAGE INSURER A: General Casualty Ins Company INSURER B: General Casualty Co. of WI INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 12378 24414	

COVERAGES**CERTIFICATE NUMBER:** 17-18 Liab**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:			CCI1231407	12/12/2017	12/12/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS			CBA1231407	12/1/2017	12/1/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 10,000			CCU1231407	12/12/2017	12/12/2018	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐ N/A					
A	LIQUOR LIABILITY			CCI1231407	12/12/2017	12/12/2018	EACH COMMON CAUSE \$1,000,000 AGGREGATE \$2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Oktoberfest September 28 - 30, 2018.

Liquor Liability coverage is continuous until cancelled. Certificate Holder is included as an Additional Insured under the Commercial General Liability when required by written contract. 30 Days Notice of Cancellation (10 Days for Non-Payment of Premium) Applies to the Certificate Holder.

CERTIFICATE HOLDER**CANCELLATION**

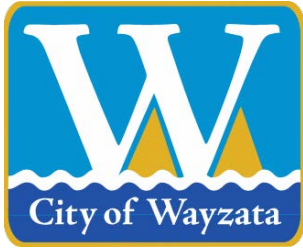
City of Wayzata
600 Rice Street E.
Wayzata, MN 55391

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Cliff Lake/LMO

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City of Wayzata City Council Agenda Report

MEETING DATE: September 18, 2018	AGENDA ITEM: 7d
TITLE: Police Activity Report	
PROPOSED MOTION: N/A	
PREPARED BY: Nichole Fernandez, Administrative Records Specialist	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

The attached August 2018 Police Activity Report is for informational purposes only.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

N/A

ATTACHMENTS:

1. August 2018 Police Activity Report

**WAYZATA POLICE DEPARTMENT
ACTIVITY REPORT – AUGUST, 2018**

Burglary-Residential

Reported: 08-30-2018 1743

Report of a burglary. Loss \$200. This case is under investigation.

Addresses Involved

400 block of Virginia Ave, Long Lake, MN 55356

Theft

Reported: 08-29-2018 1609

38 year old female from Maple Grove cited for shoplifting. Loss \$23

Addresses Involved

1100 block of Wayzata Blvd E, Wayzata, MN 55391

DWI

Reported: 08-29-2018 0203

34 year old female from Minneapolis arrested for driving under the influence of alcohol. Tested .18

Addresses Involved

Hwy 12 & Shoreline Dr, Wayzata, MN 55391

Names Involved

(Arrested) Alexander, Michelle Dione (Age: 34)

Domestic Assault

Reported: 08-27-2018 2146

Report of a domestic assault. Charges pending.

Addresses Involved

2100 block of Watertown Rd, Long Lake, MN 55356

Burglary-Residential

Reported: 08-26-2018 2357

Report of a residential burglary. This case is under investigation.

Addresses Involved

600 block of Wayzata Blvd E, Wayzata, MN 55391

False Information

Reported: 08-26-2018 2357

21 year old male from Minneapolis arrested for providing false information to police.

Addresses Involved

600 block of Wayzata Blvd E, Wayzata, MN 55391

Names Involved

(Arrested) Dobyne-Jones, Shawn Gerard (Age: 21)

Trespass

Reported: 08-26-2018 1549

57 year old male from Excelsior arrested for trespassing. Transported to jail.

Addresses Involved

1100 block of Wayzata Blvd E, Wayzata, MN 55391

Names Involved

(Arrested) Wilson, William Walton (Age: 57)

DWI

Reported: 08-23-2018 1254

59 year old female from Chaska arrested for driving while under the influence of alcohol. Tested .25

Addresses Involved

Hillside Dr W & Shoreline Dr, Wayzata, MN 55391

Names Involved

(Arrested) Hancock, Therese Ann (Age: 59)

Theft **Reported: 08-23-2018 1000**

Report of a theft. Loss \$5100.

Addresses Involved

400 block of Pondridge Circle, Wayzata, MN 55391

Theft **Reported: 08-22-2018 1432**

Report of a theft. Loss \$575.

Addresses Involved

1100 block of Wayzata Blvd E, Wayzata, MN 55391

Theft **Reported: 08-21-2018 2006**

Report of a theft. Loss \$5.

Addresses Involved

2400 block of Industrial Boulevard W, Long Lake, MN 55356

Theft **Reported: 08-21-2018 1121**

Theft of a bicycle. Loss \$750.

Addresses Involved

200 block of Grove Lane E, Wayzata, MN 55391

Theft **Reported: 08-20-2018 1145**

Theft of bicycles. Loss \$4400.

Addresses Involved

600 block of Lake St E, Wayzata, MN 55391

Damage to Property **Reported: 08-19-2018 2014**

Report of damage to property. Unknown loss at this time.

Addresses Involved

1100 block of Wayzata Blvd E, Wayzata, MN 55391

Damage to Property - Criminal **Reported: 08-17-2018 1425**

Report of damage to property. Loss \$2000.

Addresses Involved

1800 block of Symes St, Long Lake, MN 55356

Theft **Reported: 08-16-2018 2351**

Report of a theft. Loss \$17.

Addresses Involved

2400 block of Industrial Blvd W, Long Lake, MN 55356

DWI **Reported: 08-16-2018 2206**

58 year old male from Minnetonka arrested for driving under the influence of alcohol. Tested .10

Addresses Involved

Superior Blvd & Rice St E, Wayzata, MN 55391

Names Involved

(Arrested) Sekus, Perry Frank (Age: 58)

Theft **Reported: 08-16-2018 1648**

Theft of a bicycle. Unknown loss at this time.

Addresses Involved

Lake St E & Walker Ave S, Wayzata, MN 55391

Theft**Reported: 08-15-2018 2233**

Report of a theft. Loss \$450.

Addresses Involved800 block of Park St E, Wayzata, MN 55391

Theft**Reported: 08-14-2018 1538**

Report of a gas drive off. Loss \$51

Addresses Involved1300 block of Wayzata Blvd E, Wayzata, MN 55391

Warrant**Reported: 08-14-2018 1504**

32 year old male arrested on outstanding warrants. Bail paid and released with a court date.

Addresses Involved

200 block of Central Ave S, Wayzata, MN 55391

Names Involved(Arrested) Carlson, Erik John (Age: 32)

Damage to Property - Criminal**Reported: 08-12-2018 1640**

Report of damage to property. Loss \$250.

Addresses Involved700 block of Lake St E, Wayzata, MN 55391

Crime Against Gov**Reported: 08-11-2018 0223**

Report of a male impersonating a police officer. Charges pending.

Addresses Involved2400 block of Industrial Blvd W, Long Lake, MN 55356

DWI**Reported: 08-09-2018 2326**

37 year old male from Buffalo arrested for driving under the influence of alcohol. Tested .09.

Addresses Involved

Hwy 12 & Co Rd 15, Wayzata, MN 55391

Names Involved(Arrested) Nash, Jason Dean (Age: 37)

Theft**Reported: 08-09-2018 1820**

Theft of a bicycle. Loss \$600.

Addresses InvolvedLake St E & Barry Ave S, Wayzata, MN 55391

Damage to Property - Criminal**Reported: 08-08-2018 2146**

Report of damage to property. Loss \$1000.

Addresses Involved300 block of Park St, Wayzata, MN 55391

Forgery**Reported: 08-07-2018 1028**

Report of check forgery. This case is under investigation.

Addresses Involved1900 block of Wayzata Blvd E, Wayzata, MN 55391

Theft **Reported: 08-07-2018 1026**

Report of a theft. Loss \$2800. This case is under investigation.

Addresses Involved

500 block of Tamarack Ave, Long Lake, MN 55356

Damage to Property - Criminal **Reported: 08-06-2018 0953**

Report of damage to property. This case is under investigation.

Addresses Involved

100 block of Broadway Ave S, Wayzata, MN 55391

Traffic Offense **Reported: 08-05-2018 1829**

45 year old male from Minneapolis arrested for Driving After Cancellation Inimical to Public Safety.

Addresses Involved

Hollybrook Rd & Central Ave N, Wayzata, MN 55391

Names Involved

(Arrested) McGowan, Tyrus Lee (Age: 45)

Warrant **Reported: 08-05-2018 0237**

Traffic stop for equipment violation. 18 year old male from Minneapolis arrested on outstanding warrants.

Addresses Involved

Lake St E & Superior Blvd, Wayzata, MN 55391

Names Involved

(Arrested) Hussen, Sharmarke Mahmoud (Age: 18)

Damage to Property - Criminal **Reported: 08-04-2018 1428**

Report of damage to property. This case is under investigation.

Addresses Involved

Broadway Ave S & Wayzata Blvd E, Wayzata, MN 55391

Names Involved

(Arrested) Wilson, William Walton (Age: 57)

Damage to Property - Criminal **Reported: 08-04-2018 1402**

Report of damage to property. This case is under investigation.

Addresses Involved

1100 block of Wayzata Blvd E, Wayzata, MN 55391

Theft from Vehicle **Reported: 08-02-2018 1450**

Report of a theft. Loss \$700.

Addresses Involved

2200 block of Wayzata Blvd W, Long Lake, MN 55356

Stolen Property Possession **Reported: 08-02-2018 0204**

30 year old male from Montrose arrested for Receiving Stolen Property.

Addresses Involved

300 block of Wayzata Blvd E, Wayzata, MN 55391

Names Involved

(Arrested) Rainerson, James Phillip (Age: 30)

Sex Related Violation **Reported: 08-01-2018 1635**

Report of indecent exposure. Charges pending.

Addresses Involved

800 block of Lake St E, Wayzata, MN 55391

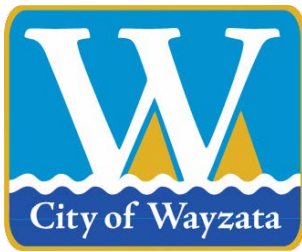
TRAFFIC – AUGUST 2018

CITATIONS	168
WRITTEN WARNINGS	11
VERBAL WARNINGS	166

Description	Aug 2018
MISSING PERSON	1
MISSING ANIMAL	2
MISSING/LOST PROPERTY	4
FOUND ANIMAL	4
FOUND PROPERTY	8
PIMV	1
PDMV	10
H & R PDMV	3
ANIMAL BITE	2
Other Fire/Smoke	1
Vehicle Fire	2
Structure/Object Fire	1
FIRE ALARM	12
HAZ ROAD CONDITION	7
SUICIDE THREAT	1
OTHER MEDICAL	47
Medical Alarm	4
72 Hour Hold/Emergency Admission	2
WELFARE CHECK - ADULT	20
WELFARE CHECK - JUV	2
MENTAL HEALTH ISSUE	1
INFO REC'D	29
VERBAL DOMESTIC	2
CIVIL MATTER	10
TRESPASSING WARNING GIVEN	1
DISTURBANCE/FIGHT/LOUD PARTY/HARASSMENT	23
SUSPICION	20
SCAM/FRAUD ATTEMPT	1
MISC. JUVENILE PROBLEM	5
LEAKY LOAD/DUMPING	2
DRIVING/TRAFFIC COMPLAINT	25

PARKING COMPL	10
HOUSE/BUSINESS CHECKS	9
RECORD CHECKS	23
FIREARM PERMIT	5
HC SHERIFFS PERMIT TO CARRY	3
PARKING PERMIT	4
NOISE VIOLATION	1
ANIMAL VIOLATION	1
ANIMAL COMPLAINT/CHECK	10
DOG LICENSE ISSUED	3
PATROL REQUEST	2
POLICE ESCORT/STAND-BY	2
ADULT PROTECTION ASSIST	2
FINGERPRINTS	1
ASSIST CHILD PROTECTION	1
MOTORIST ASSIST/STALL	24
UTILITY PROBLEM	3
PUBLIC ASSIST	14
LOCKOUT	11
BUSINESS ALARM	22
HOME ALARM	9
911 HANG-UP	14
Park Violation - Verbal Warning	1
ASSIST OTHER DEPT	20
WARRANT/ATTEMPT/ARREST	3
TRAFFIC CONTROL / DIRECT ENFORCEMENT	2
Impound Release	1
CASE FOLLOW UP	3
SPECIAL DETAIL	1
CRIME PREV/OID	2
DOM ASLT-GM-HANDS FIST FEET-CHLD-FAM	1
BURG-UNK DEG-UNOCC RES FRC-D-UNK WEAP-COM THFT	1
BURG-UNK DEG-UNOCC RES NO FRC-D-UN WEAP-THEFT	2
FORGERY-FE-MAKE-ALT-DEST-CHK-OV 2500-BUS	1
FORGERY-FE-UTT-POSS-PLACE-CHK-OV-2500-BUS	1
CNTRFT-GM-UTT POSS-PLC-US CURRNCY SCURTY-BUS	1
DRUGS-SMALL AMOUNT MARIJUANA-POSSESSION	1
DRUGS-SM AMT IN MOT VEH-POSS-MARIJ-UNK	3
DRUGS-DRUG PARAPH-POSSESS-UNK-UNK	4

CON SUB 5-POSSESS-AMPHET-UNK	1
TRAFFIC-GM-OTHER-MV	1
TRAF-AC-GM-3RD DEG DWI-UI ALCOHOL-MV	2
TRAF-ACC-M-4TH DEG DWI-UI ALCOHOL-MV	3
LIQUOR-UNDERAGE CONSUMPTION 18-21	3
JUVENILE-CURFEW	1
DISTURB PEACE-UNK LVL-DISORDERLY CONDUCT	1
PROP DAMAGE-UNK LVL-PRIVATE-UNK INTENT	1
PROP DAM-FE-PRPDMG-PRIV-REDUCE VAL OVER 1000	1
PROP DAMAGE-FE-BUSINESS-UNK INTENT	1
PROP DAM-FE-PRPDMG-BUSI-REDUCE VAL OVER 1000	2
PROP DAM-GM-PRPDMG-PUB-REDUCE VAL 501-1000	1
PROP DAMAGE-MS-PRIVATE-REDUCE VALU 250 LESS	1
TRESPASS-MS-PRIVATE-UNK INTENT	1
STLN PROP-FE-RECEIVE-OTHER PROP-1001-5000 DLRS	1
THEFT-UNK LVL VAL-FRM OTHER-OTH PROP	1
THEFT-OVER 5000DLRS FE-BLDG-OTHER PROPERTY	1
THEFT-1001-5000 DLRS FE-STREET LOT-OTH PROP	1
THEFT-501-1000 DLRS GM-VEHICLE-FIREARMS	1
THEFT-501-1000 DLRS GM-PARKINGLOT-OTH PROP	1
THEFT-501-1000 DLRS GM-OTHR-OTHER PROP	1
THEFT-500 OR LESS MS-BLDG-MONEY	1
THEFT-500 OR LESS MS-BLDG-OTH PROP	2
THEFT-500 OR LESS MS-YARDS-OTH PROP	1
THEFT-500 OR LESS MS-SELF SERVE GAS-GAS ONLY	1
THEFT-500 OR LESS MS-OTHER-SERVICES	1
THEFT-UNK LVL-IDENTITY THEFT-UNK LOSS	1
THEFT-GM-THEFT BY SWINDLE OR TRICK-501-2500	1
THEFT-MS-SHOPLIFTING-250 OR LESS	1
FRAUD-MS-FINAN EXPLOIT VULN ADULT 250 OR LESS	1
THEFT-FE-AUTO-MORE THAN 2500	1
CRIM AGNST ADM JUST-MS-GIVE FLSE NAM POL	2
CRIMES AGNST GOVN-GM-IMPERSONATING AN OFFICER	1



City of Wayzata City Council Agenda Report

MEETING DATE: September 18, 2018	AGENDA ITEM: 7e
TITLE: Building Activity Report	
PROPOSED MOTION: N/A	
PREPARED BY: Jason Wagner, Building Official	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

The attached August 2018 Building Activity Report is for informational purposes only.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

N/A

ATTACHMENTS:

1. August 2018 Building Activity Report

Jan-18	Feb-18	Mar-18	Apr-18	May-18
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BUILDING CONSTRUCTION

NUMBER OF BLDG. PERMITS	13	12	9	11	20
PROJECT VALUE	\$2,276,265.00	\$1,547,265.00	\$534,500.00	\$931,468.00	\$1,627,680.00
BUILDING PERMIT FEE	\$16,570.00	\$12,942.75	\$5,280.00	\$8,581.00	\$13,480.50
PLAN CHECK FEE	\$10,496.35	\$7,807.69	\$2,618.16	\$4,403.11	\$6,808.96

EXTERIOR REPAIR

NUMBER OF PERMITS	44	2	6	2	5
PROJECT VALUE	\$1,998,122.38	\$10,218.00	\$88,422.00	\$9,204.00	\$170,229.00
PERMIT FEE	\$ 28,045.00	\$ 250.75	\$ 1,519.75	\$ 236.00	\$ 2,225.75

MECHANICAL

NUMBER OF PERMITS	15	24	17	14	14
PROJECT VALUE	164,684.84	263,524.00	258,075.00	114,930.00	86,821.00
PERMIT FEE	3,226.72	5,244.34	5,173.60	2,310.60	1,756.42

PLUMBING

NUMBER OF PERMITS	13	19	14	13	10
PROJECT VALUE	\$222,680.00	\$204,904.88	\$183,453.00	\$181,270.71	\$53,728.66
PERMIT FEE	\$4,503.60	\$4,229.90	\$3,708.86	\$3,424.82	\$1,149.08

TOTAL # OF PERMITS	85	57	46	40	49
TOTAL INCOME	\$62,841.67	\$30,475.43	\$18,300.37	\$18,955.53	\$25,420.71

NUMBER OF INSPECTIONS

BUILDING	52	44	34	64	57
EXTERIOR	2	2	1	5	6
HVAC	42	25	48	33	29
PLUMBING	27	25	25	19	23
OTHER					
TOTAL # OF INSPECTIONS	123	96	108	121	115

RENTAL HOUSING INSPECTIONS

INSPECTIONS	7	6	79	34	26
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Jun-18	Jul-18	Aug-18	2018-YTD
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21	16	16	118
\$8,032,155.00	\$2,207,169.00	\$10,742,891.63	\$27,899,393.63
\$44,375.00	\$18,014.00	\$53,278.50	\$172,521.75
\$27,577.06	\$9,669.55	\$33,668.22	\$103,049.10

10	9	14	92
\$136,679.00	\$169,574.00	\$170,771.00	\$2,753,219.38
\$ 2,316.50	\$ 2,757.00	\$ 3,154.00	\$ 40,504.75

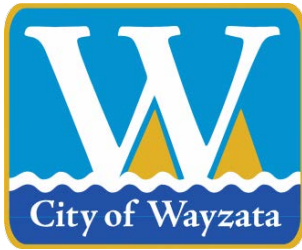
21	19	18	142
124,275.00	219,067.00	97,498.00	\$ 1,328,874.84
2,502.50	4,238.84	2,016.96	\$ 26,469.98

16	9	13	107
\$101,833.00	\$108,022.50	\$212,916.84	\$1,268,809.59
\$2,111.66	\$2,228.46	\$3,796.34	\$25,152.72

68	53	61	459
\$78,882.72	\$36,907.85	\$95,914.02	\$367,698.30

75	65	69	460
7	10	6	39
46	27	39	289
27	20	25	191
155	122	139	857

34	14	24	224
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City of Wayzata City Council Agenda Report

MEETING DATE: September 18, 2018	AGENDA ITEM: 7f
TITLE: Approval of Resolution No. 50-2018 Approving a Conditional Use Permit for a Fence at 217 and 223 Byrondale Ave N	
PROPOSED MOTION: To Adopt Resolution No. 50-2018 Approving a Conditional Use Permit for a Fence at 217 and 223 Byrondale Ave N	
PREPARED BY: Jeff Thomson, Director of Planning and Building	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

City staff recommends that the City Council adopt the resolution approving the development application, as recommended by the Planning Commission.

FINANCIAL OR BUDGET CONSIDERATION:

The development application does not have any impact on the City's 2018 General Fund budget.

BACKGROUND:

Application Overview

The applicant Susan Seeland, on behalf of the property owners, Scott and Sarah Johnson, Douglas and Sarah Carter, and Bruce Gates, has submitted a development application to construct a six-foot tall solid fence in the side yard between the properties at 217 and 223 Byrondale Ave N. The application requests approval of a conditional use permit.

Planning Commission Review

The Planning Commission reviewed the application and held a public hearing at its meeting on July 16, 2018. The original application requested approval of a conditional use permit for (1) a six-foot tall solid wood fence along Wooddale Ave at 205 and 211 Byrondale Ave N; and (2) a six-foot tall solid wood fence along the side property line between 217 and 223 Byrondale Ave N. During its review, the Planning Commission expressed concerns about the distance of the fence from Wooddale Ave, and directed the applicant to address the impacts to the City street, and apply for a variance if the fence did not meet the setback requirement.

After the Planning Commission meeting, the applicant submitted a letter to the City that disagreed with City staff's interpretation that the fence along Wooddale Ave is subject to the front yard fence requirements, and therefore required a conditional use permit. After reviewing the zoning ordinance, City staff has determined that the fence is subject to the rear yard fence requirements and not the front yard fence requirements as originally determined. Although the property line along Wooddale Ave is defined as a front property line since it abuts a public street, Wooddale Ave, the City's fence requirements are based on the orientation of the house, and not the definition of property line. The fence ordinance states that, "manmade fences not exceeding six feet in height and consisting of completely solid matter may be permitted at or behind the rear building line **as**

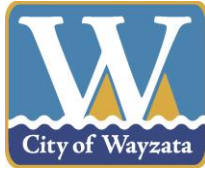
established by the primary structure on the lot.” This interpretation is consistent with 2012 PUD approval when the rear yard fences were originally discussed by the Planning Commission.

Since the homes on the 205 and 211 Byrondale Ave N properties are oriented to Byrondale Ave and Wooddale Ave is the back yard of the homes, the proposed fence is subject to the rear yard fence requirements. The proposed six foot solid fence meets the rear yard fence requirements and does not require a conditional use permit. Since the fence would be located in a City utility easement, the applicant has agreed that the fence must be setback at least 5 feet from Wooddale Ave, which is the recommendation of the City engineer to ensure the fence does not obstruct the use and maintenance of the public street.

At its September 5th meeting, the Planning Commission reviewed the conditional use permit for the six-foot solid fence located in the side yard between 217 and 223 Byrondale Ave N properties since the City’s side yard fence requirements state the fence must be at least 50% open. The Planning Commission voted four in favor and two opposed to adopt a Report and Recommendation for approval of the development application.

ATTACHMENTS:

1. July 16, 2018 staff report
2. Fence Plans
3. Public Comments
4. July 16, 2018 Planning Commission meeting minutes
5. September 5, 2018 Planning Commission draft meeting minutes
6. Draft Resolution No. 50-2018
7. Planning Commission Report and Recommendation



**Staff Report
July 16, 2018**

Project Name: Enclave at Crossdale
Addresses of Request: 205, 211, 223 Byrondale Ave N
Prepared by: Olivia Dorow Hovland, Planning Consultant
Reviewed by: Jeff Thomson, Director of Planning and Building

Development Application

Introduction

The applicant Susan Seeland, on behalf of the property owners, Scott and Sarah Johnson, Douglas and Sarah Carter, and Bruce Gates, has submitted a Conditional Use Permit application for the properties at 205, 11, and 223 Byrondale Ave N. The applicant is proposing to install fencing and a gate along the property lines adjacent to Wooddale Avenue. The proposed fence is six feet high and 100% solid. The applicant is requesting a conditional use permit for a fence in the front yard that is greater than 50% solid matter, and greater than 42 inches in height.

Application Requests

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

- Conditional Use Permit: Fences consisting of greater than 50% solid matter in front of the rear building line up to the front property line and not exceeding a height of 8 feet are allowed by CUP.

Property Information

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

Address	PID	Owner
205 Byrondale Ave N	06-117-22-14-0090	Scott and Sarah Johnson
211 Byrondale Ave N	06-117-22-14-0091	Douglas and Sarah Carter
223 Byrondale Ave N	06-117-22-14-0015	Bruce A Gates Revocable Trust

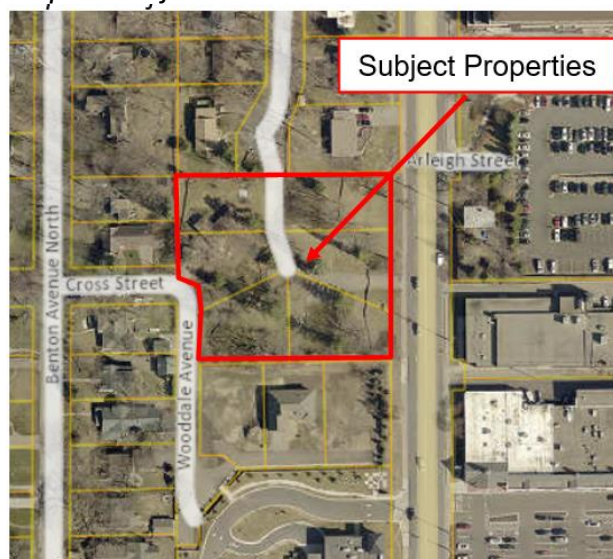
The current zoning and comprehensive plan land use designation for the properties are as follows:

Current zoning:	PUD/Planned Unit Development
Comp Plan designation:	Low Density Single Family
Overlay districts:	NA

Project Location

The properties are on the west side of Byrondale Ave, at Cross St and Wooddale Ave:

Map 1: Project Location



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 Residential	R-3A Single and Two Family Residential District	Low Density Single Family
East	Single-Family Residential	R-3A Single and Two Family Residential District	Low Density Single Family
South	Single-Family Residential	PUD/Planned Unit Development	Low Density Single Family
West	Single-Family Residential	R-3A Single and Two Family Residential District	Low Density Single Family

Public Hearing Notice

The public hearing notice was published in the *Wayzata Sun Sailor* on July 5, 2018. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on July 3, 2018.

Analysis of Application

Proposed Fence

The applicant is requesting a conditional use permit for fence height and opacity for a fence located in the front yard. The proposed plans includes a 60 foot long fence, 6 feet in height, with 100% solid matter. The fence would run along the western property lines along Wooddale Ave. There will also be a four-foot swing gate to provide access to the public trail that runs from Wooddale Ave to Byrondale Ave.

Although the area where the fence is located in what functions as the back yard of the properties, the lots are considered double frontage lots since they have street frontage on Byrondale Ave and Wooddale Ave. Therefore, the front yard fence requirements apply to the fence located along Wooddale Ave.

In the front yard, defined as the area between the house and the street, a fence with a maximum height of 42-inches and a maximum opaqueness of 50 percent is permitted by the zoning ordinance. Fences consisting of greater than 50% solid matter, not exceeding 8 feet are allowed with a conditional use permit.

Applicable Code Provisions for Review

Conditional Use Permit for a Fence: City Code Section 801.18.1.F.2 outlines the following standards for evaluating fence conditional use permits:

- A. The fence placement, height or design does not create a safety hazard with regard to, from or on a public street or roadway.
- B. The fence placement, height or design does not create a safety problem or negatively affect adjoining properties or use.
- C. The provisions of Section 801.04.2.G of this Ordinance are considered and satisfactorily met.

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

- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
- B. The proposed use's compatibility with present and future uses of the area.

- C. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
- D. The proposed use's effect on the area in which it is proposed.
- E. The proposed use's impact upon property values in the area in which it is developed.
- F. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.
- G. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

Action Steps

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

Attachments

Proposed Plans



To: Crossdale Development
901 Twelve Oaks Center Drive #928
Wayzata, MN 55391

05/30/2018

RE: Brae's Court (Wayzata Enclave Project)
Additional Fencing

Furnish & Install Additional 6' High Cedar Cap & Wrap Fence & Gate:

- 160' total of new fence
 - 100' along north perimeter
 - 60' on west side w/ 4' wide swing gate
- 4" x 4" cedar posts set in 36" deep concrete footings @ 8' on center or less
- (3) – 2" x 4" cedar stringers per bay nailed vertically to prevent warp
- (4) – 1" x 4" cedar 'cap & wrap' boards nailed on top and opposite sides of stringers
 - creates uniform look from front and back sides
- 1" x 6" cedar boards nailed in board over board pattern to match existing fence

- (1) - 4' wide swing gate installed at west end of trail

Total Project Price = \$7695.00

Any questions, call.

Thanks,

Mark Wassink

Town & Country Fence

8511 Xylon Ave N

Brooklyn Park, MN 55445

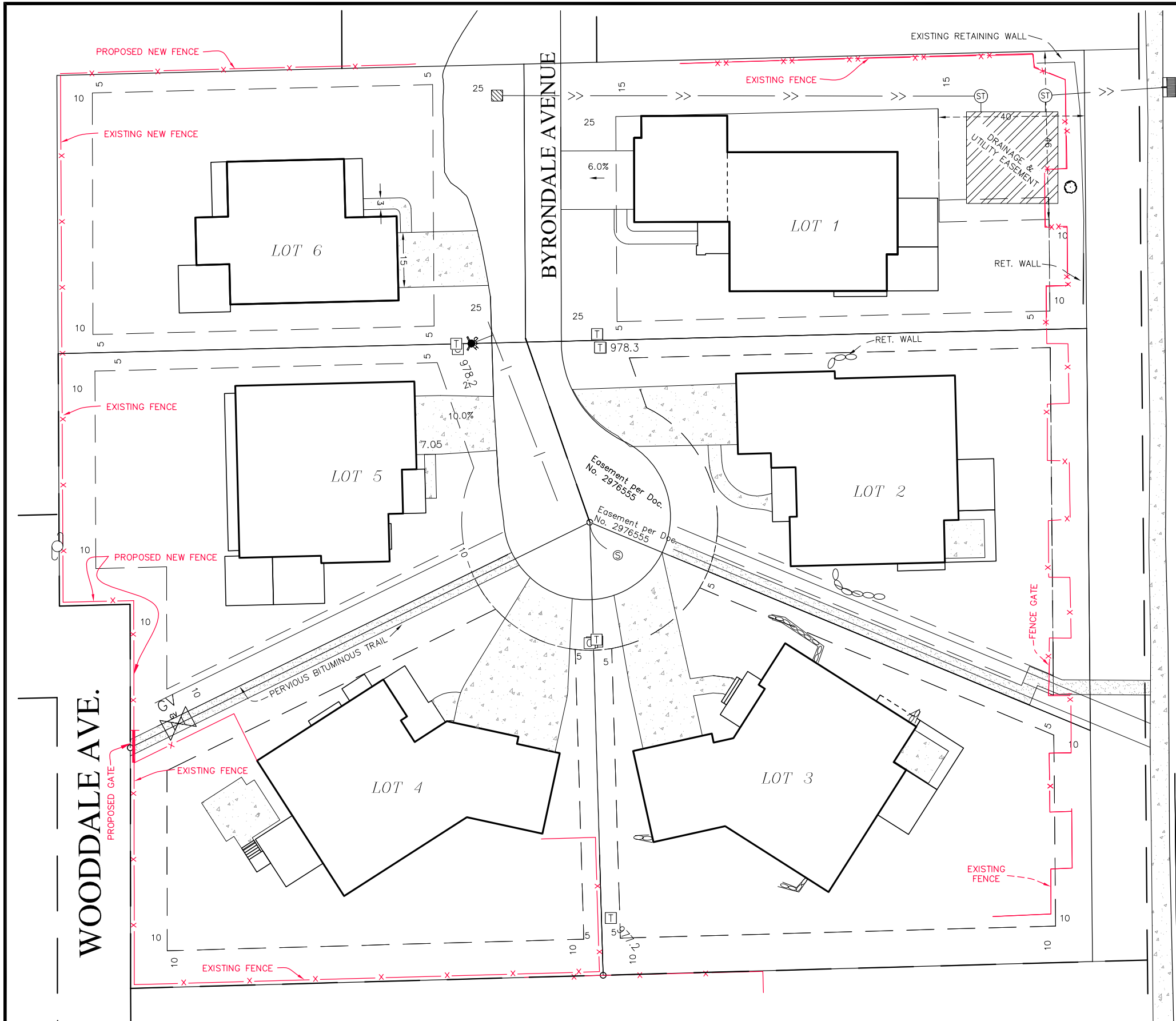
763-425-5050 – office

763-425-9006 – fax

markw@tcfence.com







Property Description: **Lots 1-6, Block 1, ENCLAVE AT CROSSDALE**

- 1. This sketch is a computation of the proposed lot certificates. The building and fence locations have not been field located.

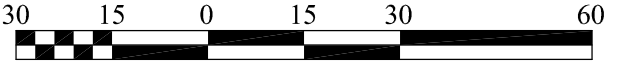


JOB #:7282-007	REVISIONS
FIELD CREW:	N/A
DRAWN BY:	DLS
CHECKED BY:	DLS
DATE:	5/25/2018



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

FENCE EXHIBIT
PREPARED FOR
PRDC



30 15 0 15 30 60
SCALE IN FEET

Page 48 of 189

Jeff Thomson

From: Jeff Thomson
Sent: Monday, July 16, 2018 6:07 PM
To: Jeff Thomson
Subject: FW: Planning Commission Item 5C tonight's agenda - Enclave at Crossdale Fence

From: JoAnn Birkholz <joannbirkholz@gmail.com>
Date: July 16, 2018 at 4:55:45 PM CDT
To: Jeffrey Dahl <jdahl@wayzata.org>, JeffreyBuchanan@wayzata.org, cathyiverson@wayzata.org, gregoryflannigan@wayzata.org, patrickmurray@wayzata.org, peggydouglas@wayzata.org, christineplantan@wayzata.org, steveyoung@wayzata.org
Cc: Mike Kelly <mike@wayzata.org>, Barry Birkholz <barrybirkholz@gmail.com>, JoAnn Birkholz <joannbirkholz@gmail.com>
Subject: Planning Commission Item 5C tonight's agenda - Enclave at Crossdale Fence

Hello

Apologies for the late message. I am unable to attend the meeting tonight and want to share a concern I have about the proposed fence on the corner of Cross St and Wooddale Rd.

Last winter the road got very narrow with all of the snow going around the curve. I'm not sure how close the new fence will be to the street, but I am concerned there will be nowhere for the snow and the road will get even narrower, making it difficult to get around the corner in the winter. The fence that was installed on the other side of the new path is very close to the road. If you look at the fence by the Walgreens parking lot, the set back is much larger.

Does the City have a plan for snow removal that will allow the road to continue to be clear of snow with the ability to connect with Benton? Once you get past the curve, the road widens on either end. It's just at the curve that it is very narrow. I'm wondering why the road around the curve was not widened to match the rest of Wooddale.

Thank you for your consideration.

JoAnn Birkholz
140 Benton Ave
Wayzata

1 After brief discussion among the Commissioners, Chair Buchanan asked for a motion on the
2 Application.

3
4 Commissioner Murray made a motion, seconded by Commissioner Plantan, to approve the Draft
5 Planning Commission Report and Recommendation, as presented, recommending approval of the
6 Preliminary and Final Plat Subdivision at 253 Lake St E, subject to the conditions outlined in the
7 Report. The motion carried unanimously.

8
9 **b.) Taylor Residence – 405 Bushaway Rd**
10 **i. Variance**

11
12 City Planning Consultant Ms. Olivia Dorow Hovland, from WSB & Associates, stated the
13 applicant, Charlie and Co Design, on behalf of the property owner, Carolyn Taylor, has submitted
14 a development application for the property at 405 Bushaway Rd. The applicant is proposing to
15 tear down the existing family home and construct a 2-story, 6,165 sf home and a 247-sf boathouse.
16 As part of the submitted development application, the applicant is requesting approval of a
17 variance for a shoreline setback. The required shoreline setback is 156-feet (the average shoreline
18 setback of the two adjacent properties). The proposed home is located at a 129-foot setback. The
19 existing home is at a 114-foot setback.

20
21 Applicant Representative, Mr. Charlie Simmons, Charlie and Co. Design, stated they had designed
22 the project for the homeowner and would answer any additional questions the Commission would
23 have.

24
25 Chair Buchanan stated the application was well prepared and thorough. He opened the public
26 hearing at 7:20 p.m.

27
28 There being no one wishing to address the Commission on the application, Chair Buchanan closed
29 the public hearing at 7:21 p.m.

30
31 After brief discussion among the Commissioners, Chair Buchanan asked for a motion on the
32 Application.

33
34 Commissioner Murray made a motion, seconded by Commissioner Plantan to direct staff to
35 prepare a draft Planning Commission Report and Recommendation recommending approval of the
36 variance for a shoreland setback at 405 Bushaway Rd. The motion carried unanimously.

37
38 **c.) Enclave at Crossdale Fence – 205, 211, 223 Byrondale Ave N**
39 **i. Conditional Use Permit**

40
41 City Planning Consultant, Ms. Olivia Dorow Hovland, from WSB & Associates, stated the
42 applicant Susan Seeland, on behalf of the property owners, Scott and Sarah Johnson, Douglas and
43 Sarah Carter, and Bruce Gates, has submitted a Fence Conditional Use Permit application for the
44 properties at 205, 211, and 223 Byrondale Ave N. The applicant is proposing to install fencing
45 and a gate along the property lines adjacent to Wooddale Avenue. The proposed fence would be
46 6-feet high and 100% solid. The applicant is requesting a conditional use permit for a fence in the

1 front yard that is greater than 50% solid matter and greater than 42-inches in height. Fences
2 consisting of greater than 50% solid matter in front of the rear building line up to the front of the
3 property and not exceeding a height of 8-feet are allowed by CUP. Although the area where the
4 fence is located functions as the back yard of the properties, the lots are considered double frontage
5 lots since they have street frontage on Byrondale Ave and Wooddale Ave. Therefore, the front
6 yard fence requirements apply to the fence located along Wooddale Ave.

7
8 Commissioner Plantan asked how far the fence would be from the road.

9
10 Ms. Hovland stated it is not clear from the site plan. The setback requirement is 10-feet from the
11 street.

12
13 Commissioner Douglas asked if City public works staff had reviewed the plan for problems that
14 may arise for snow removal.

15
16 Director of Planning and Building Thomson stated staff had discussed the project with Mike Kelly,
17 the Interim Public Works Director. He explained why the City requires a 10-foot setback from the
18 road. The survey presented does not show where the edge of the pavement is so the City is not
19 clear if the fence is setback 10-feet from the road. This is something that could be added as a
20 condition of approval.

21
22 Applicant, Ms. Susan Seeland, 12 Bald Eagle Road, Hilton Head, South Carolina, stated nothing
23 along Wooddale Ave is 10-feet back from the road. The existing fence is 3-feet from the road.
24 When they developed the property, they gave property to the City to accommodate the road. There
25 is not enough room to provide for a 10-foot setback. She stated that this is an alley way and there
26 are neighboring garages right along the roadway. She provided pictures of the existing fence. She
27 explained they are requesting 160-feet of fence and this would continue along the path.

28
29 Chair Buchanan opened the public hearing at 7:34 p.m.

30
31 Resident, Ms. Pat Broyles, 212 Benton Ave, stated the last house that would be constructed as part
32 of the Applicant's development in the neighborhood would be behind her property. She stated the
33 existing fence should not have been put up because it was not part of the development agreement
34 and had not been approved. She stated there is a public trail planned along the fence.

35
36 Ms. Seeland stated the trail is installed, and the fence they are proposing would not block the trail.

37
38 Ms. Broyles stated there is a gate on the trail at Hwy 101, so people have to open the gate to
39 continue on the trail. There should not be a gate on the trail especially at this end of the trail. She
40 does not support the fence. This would make this appear to be a closed gated community.

41
42 Applicant, Mr. Bruce Gates, stated the existing house he purchased has the arborvitae that are in
43 poor condition. He provided pictures of his property and the neighborhood. He would like to
44 continue the existing fence to make the neighborhood look more cohesive.

1 Applicant Representative, Mr. Steve Schwieters, Wooddale Builders, 6117 Blue Circle Dr., Suite
2 101, Minnetonka, stated they had constructed all of the homes in the neighborhood, the idea of
3 fences in the neighborhood had been discussed with the property owners, and they had been
4 unaware that the property owners had to pull fence permits. He stated the fence is important for
5 the neighbors, and they did host a neighborhood meeting to discuss the proposed fence project.
6 Those that attended had been in favor of the fence.

7
8 Ms. Seeland stated the gate had not been included in the original PUD for the development but
9 due to the grading on the property the Council agreed that a gate would be a good safety measure
10 to prevent people from going into traffic. The portion of the path that has the gate would not be
11 used, but the rest of the path would be.

12
13 Applicant, Doug Carter, stated the understanding had been there would be a fence installed on the
14 property. They have a privacy concern, their backyard has become the path, and car lights are a
15 problem.

16
17 Applicant, Mr. Scott Johnson, 205 Byrondale, stated they had built the existing fence because they
18 have a young son and they would like to see a gate and fence added to protect him from going
19 down the path. He stated if they followed the 10-foot setback, they would not be able to use their
20 backyard.

21
22 There being no one further wishing to address the Commission on the application, Chair Buchanan
23 closed the public hearing at 7:53 p.m.

24
25 Chair Buchanan stated the dilemma is that the existing fence is 3-feet from the road. Even though
26 this fence was not approved, any additional fence should be continued along the same path. He
27 explained the Commission should make a decision based on what is best for the City, and the fence
28 may require approval of a setback variance. If the Commission recommends approval of anything
29 less than the 10-foot, then City may want to consider including a hold harmless provision in the
30 approval so if the fence were damaged by the City, the City is not responsible for replacing the
31 fence because it would be located so close to the road. He clarified the applicant would have to
32 provide a separate application for the setback variance. The current application is for the CUP for
33 the height and opacity of the fence. If these items were coupled, there would have to be another
34 public hearing for the variance request.

35
36 Commissioner Douglas stated she would like the fence to be consistent with what is already in
37 place. There is a safety issue, and it would be important to have a hold harmless agreement in
38 place. These particular lots are smaller than other city lots and the street is narrow. She could
39 support the project.

40
41 Commissioner Murray expressed concerns about the snow removal, the height and opacity of the
42 fence, and the setback. He stated moving the existing fence could be an option.

43
44 Chair Buchanan stated they are really looking at the backyard for these homes, even though the
45 front yard requirements apply. Continuity in the neighborhood is important. He would support

1 the fence project but needed further clarification on the details of the proposal and City
2 requirements.

3
4 City Attorney David Schelzel suggested the Planning Commission could recommend approval of
5 the CUP request as submitted, and if the applicant wants less than the required 10-foot setback,
6 the Applicant could amend the application, and a public hearing would be held at the next meeting.
7 Staff could prepare a draft report and recommendation based on the discussions for approval at the
8 next meeting.

9
10 After further discussion among the Commissioners, Chair Buchanan asked for a motion on the
11 Application.

12
13 Commissioner Murray made a motion. Seconded by Commissioner Plantan, to direct staff to work
14 with the applicant to amend the application as needed to include a variance request for the fence
15 setback to align with the existing fence, and prepare a draft Planning Commission Report and
16 Recommendation recommending approval of the CUP request for the fence height, opacity and
17 variance request if needed for the setback for a fence at 205, 211, and 223 Bushaway Ave N, and
18 any new the public hearing for the variance request.

19
20 City Attorney Schelzel suggested an amendment to the motion to include conditions pertaining to
21 liability, maintenance and snow removal.

22
23 The amendment was accepted by Commissioners Murray and Plantan.

24
25 Chair Buchanan called the amended motion to a vote. The motion carried unanimously.

26
27 Mr. Thomson stated the gate would be considered a separate issue because it crosses a public trail,
28 and staff would welcome input from the Commission for the City Council to consider such a
29 request.

30
31 It was the consensus of the Commission to recommend that the trail be open in this location, and
32 not be gated.

33 34 **d.) Greenway Boathouse – 623 Bushaway Rd**

35 **i. Variance**

36
37 City Planning Consultant, Ms. Olivia Dorow Hovland, from WSB & Associates, stated the
38 applicant, Greg Jurvakainen of L. Cramer Builders, on behalf of the property owners, Chad and
39 Jenni Greenway, have submitted a development application for the property at 623 Bushaway Rd.
40 The property owners are proposing to construct a new boathouse, replacing the existing one on the
41 site. The new boathouse would be 250 sf in size and located generally in the same location as the
42 existing one, but moved further back from the shoreline to meet setback requirements. As part of
43 the submitted development application, the applicant is requesting approval of a lot coverage
44 variance. Within the R-1A zoning district, lot coverage shall not exceed 10% of lot area. The
45 proposed new boathouse would exceed the 10% maximum lot coverage requirement. There is an

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
SEPTEMBER 5, 2018**

AGENDA ITEM 1. Call to Order and Roll Call

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

Present at roll call were Commissioners: Plantan, Murray, Buchanan, Iverson, Flannigan and Douglas. Absent and Excused: None. Director of Planning and Building Jeff Thomson, and City Attorney David Schelzel were also present.

AGENDA ITEM 2. Approval of Agenda

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

Commissioner Plantan made a motion, seconded by Commissioner Douglas to approve the September 5, 2018 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Consent Agenda

- a.) Approval of August 20, 2018 Meeting Minutes
- b.) Adoption of Report and Recommendation of Approval of PUD General Plan and Design Review for Ventana Condos at 253 Lake St E
- c.) Adoption of Report and Recommendation of Approval of PUD General Plan. Design Review, Variance, and Shoreland Impact Plan/Conditional Use Permit for Hughes Redevelopment at 253 and 239 Lake St E

Chair Buchanan read the items on the consent agenda and asked if any commissioner wanted to pull any item for further discussion. Hearing no such request, he asked for a motion to approve the consent agendas as presented.

Commissioner Iverson made a motion, seconded by Commissioner Plantan, to approve the Consent Agenda as presented. The motion carried unanimously.

AGENDA ITEM 4. Old Business Items:

- a.) Enclave at Crossdale Fence – 205, 211, 223 Byrondale Ave N
 - a. Conditional Use Permit

Director of Planning and Building Jeff Thomson stated the applicant Susan Seeland, on behalf of the property owners, Scott and Sarah Johnson, Douglas and Sarah Carter, and Bruce Gates, has

submitted a development application to construct a 6-foot tall solid fence in the side yard between the properties at 217 and 223 Byrondale Ave N. The Planning Commission reviewed the application and held a public hearing at its meeting on July 16, 2018. The original application requested approval of a conditional use permit for a 6-foot tall solid wood fence along Wooddale Ave at 205 and 211 Byrondale Ave N and a 6-foot tall solid wood fence along the side property line between 217 and 223 Byrondale N. During its review at the July 16 meeting, the Planning Commission expressed concerns about the distance of the fence from Wooddale Ave and directed the applicant to address the impacts to the city street and apply for a variance if the fence did not meet the setback requirement. After the Planning Commission meeting, the applicant submitted a letter to the City that disagreed with City staff's interpretation that the fence along Wooddale Ave is subject to the front yard fence requirements and therefore required a conditional use permit. After reviewing the zoning ordinance, City staff has determined that the fence is subject to the rear yard setback requirements and not the front yard fence requirements as originally determined. Under this determination, the proposed 6-foot fence meets the rear yard fence requirements and does not require a conditional use permit. Since the fence would be located in a City utility easement, the applicant has agreed that the fence must be setback at least 5-feet from Wooddale Ave, which is the recommendation of the City engineer to ensure the fence does not obstruct the use and maintenance of the public street. The application still requires a conditional use permit for the 6-foot solid fence located in the side yard between 217 and 223 Byrondale Ave N properties since the City's side yard fence requirements state the fence must be at least 50% open.

Commissioner Iverson stated the Planning Commission had previously struggled with allowing the fence along Central Avenue. There had been a number of residents that had come forward to speak against it at that time. The applicant had originally agreed to not put up a fence along the rear or side of the property in the 2011 application. It was then determined that they could have a fence that would stop kids from going from the trail onto Central Avenue. She stated she talked to residents who had been at the original meetings and they are upset. The applicant had agreed to keep this open as a walkway to get to Lunds. She would like to see the gate removed on the trail that goes to Central Avenue. She would not support the application because it is against what the applicant had previously agreed to.

Chair Buchanan stated the application is only for the side yard fence, and the rear yard fence is in compliance with the City's ordinances.

Mr. Thomson stated the gate had been previously discussed at the last meeting, and it is not part of the current CUP request. The City has more discretion on the gate being installed or not because the City has a public trail easement over this area. At the last meeting, the Planning Commission expressed concerns about the gate, and the applicant agreed to not include the gate across the trail as part of its application.

Commissioner Douglas made a motion, seconded by Commissioner Plantan, to approve and adopt the draft Planning Report and Recommendation as presented, recommending approval of the conditional use permit for a 6-foot tall solid wood fence at 217 and 223 Byrondale Ave N with conditions. The motion carried 5 ayes and 2 nays (Iverson and Flannigan)

b.) Vanderheyden Fence – 105 Walker Ave N

DRAFT RESOLUTION NO. 50-2018

**RESOLUTION APPROVING CONDITIONAL USE PERMIT
FOR A FENCE AT 217 AND 223 BYRONDALE AVE N**

WHEREAS, Susan Seeland, and property owners, Crossdale Development, LLC and Bruce A Gates Revocable Trust, (together, the “Applicant”), have submitted a development application for a CUP (the “Application”) to allow installation of a six-foot solid wood fence (the “Fence”) in the side yard of the properties at 217 and 223 Byrondale Ave N (the “Property” and legally described on Attachment A hereto), as depicted in the plans submitted with the Application (the “CUP” or “Conditional Use”); and

WHEREAS, the Wayzata Planning Commission, pursuant to the Zoning Ordinance, has held a public hearing on the Application, made findings of fact on the land use request in the Application, and delivered a Report and Recommendation to the City Council, attached to this Resolution as Attachment B;

NOW THEREFORE, BE IT RESOLVED by the City Council of Wayzata, Minnesota as follows:

A. Based on the Application materials, additional materials submitted by the Applicant, staff reports, public comment and information presented at the public hearing, the standards of the Wayzata Zoning Ordinance, and the Planning Commission Report and Recommendation of Approval of the Application, all of which are incorporated by reference in this Resolution, the City Council of the City of Wayzata hereby finds, confirms and memorializes that the Application meets the applicable requirements of Wayzata’s Zoning Ordinance, as set forth in the Planning Commission Report and Recommendation.

B. Based on the foregoing, the CUP requested in the Application (as defined in the Planning Commission Report and Recommendation) is hereby **APPROVED**, subject to satisfaction and continuing compliance with all of the following:

1. Other Permits and Continuing Conformance with Approved Plans. The Applicant must secure all necessary building, construction and other permits for improvements on the Property, and construct the Fence, according to the plans submitted with the Application and included as an attachment to the Planning Commission Report and Recommendation.
2. Costs. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata City Council this 18th day of September 2018.

Mayor Ken Willcox

ATTEST:

City Manager Jeffrey Dahl

ACTION ON THIS RESOLUTION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

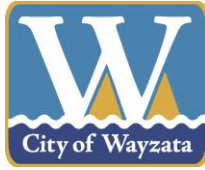
I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on September 18, 2018.

Kathy Leervig, City Clerk
SEAL

Attachment A
Legal Descriptions of Property

Attachment B

Planning Commission Report and Recommendation dated September 5, 2018



WAYZATA PLANNING COMMISSION

September 5, 2018

REPORT AND RECOMMENDATION OF APPROVAL OF CONDITIONAL USE PERMIT FOR A FENCE AT 217 AND 223 BYRONDALE AVE N

SUMMARY OF RECOMMENDATION

Approval* of Conditional Use Permit for Fence

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

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Project. The applicant, Susan Seeland, and property owners, Crossdale Development, LLC and Bruce A Gates Revocable Trust, (together, the “Applicant”) have submitted a development application (the “Application”) for a fence on the properties at 217 and 223 Byrondale Ave N (the “Property”).
- 1.2 Application Request. As part of the Application, as amended by the Applicant, the Applicant is requesting approval of a conditional use permit to allow installation of an six (6) foot solid wood fence in the side yard of the Property (the “Proposed Fence” and “Fence CUP”).
- 1.3 Property. The street address, property identification number and owner of the Property are:

217 Byrondale Ave N	06-117-22-14-0092	Crossdale Development, LLC
223 Byrondale Ave N	06-117-22-14-0015	Bruce A Gates Revocable Trust

- 1.4 Land Use. The Property is zoned PUD/Planned Unit Development and guided Low Density Single Family Residential District in the Wayzata Comprehensive Plan.
- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Wayzata Sun Sailor* on July 5, 2018. A copy of the notice was mailed to all property owners located with 350 feet of the Property on July 5, 2018. The public hearing on the Application was held at the July 16, 2018 Planning Commission meeting.
- 1.6 Planning Commission Review. The Planning Commission reviewed the Application at its meeting on July 16, 2018, and directed staff to prepare a draft Report and Recommendation for approval of the Application.

Section 2. STANDARDS

- 2.1 Standards for Fences. Fences consisting of greater than 50 percent solid matter in front of the rear building line up to the front property line may be permitted with a conditional use permit. (City Code Section 801.18.1.F.1) City Code Section 801.18.1.F.2 outlines the following standards for evaluating fence conditional use permits:
 - A. The fence placement, height or design does not create a safety hazard with regard to, from or on a public street or roadway.
 - B. The fence placement, height or design does not create a safety problem or negatively affect adjoining properties or use.
 - C. The provisions of Section 801.04.2.F of the Zoning Ordinance are considered and satisfactorily met. Section 801.04.2.F of the Zoning Ordinance requires City Council to consider possible adverse effects of the proposed conditional use. Council's judgment shall be based upon (but not limited to) the following factors:
 1. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
 2. The proposed use's compatibility with present and future uses of the area.
 3. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
 4. The propose use's effect on the area in which it is proposed.

5. The proposed use's impact upon property values in the area in which it is developed.
6. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.
7. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

Section 3. FINDINGS

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

3.1 Criteria for Fence CUPs.

- A. The placement, height and design of the Proposed Fence will not create a safety hazard with regard to, from or on a public street or roadway.
- B. The placement, height and design of the Proposed Fence will not create a safety problem or negatively affect adjoining properties and uses.
- C. The provisions of Section 801.04.2.F of the Zoning Ordinance have been considered and are all satisfactorily met. The Proposed Fence (the "Proposed Use") would have not have adverse effects on the surrounding area based upon the following:
 1. The Proposed Use is not inconsistent with any policies or provisions of the official City Comprehensive Plan.
 2. The Proposed Use is not incompatible with present and future uses of the area.
 3. The Proposed Use conforms with all relevant performance standards contained in the Zoning Ordinance.
 4. The Proposed Use will not have a material effect on the area in which it is proposed.
 5. The Proposed Use will not have a material impact upon property values in the area.
 6. The Proposed Use will not generate traffic.

7. The Proposed Use will not have an 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 Fence CUP, subject to the following conditions:

- A. Other Permits and Standards. The Applicant must secure all necessary building, construction and other permits for improvements on the Property, and construct the Proposed Fence according to the plans submitted with the Application, and included as Attachment A.
- B. Costs. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 5th day of September 2018.

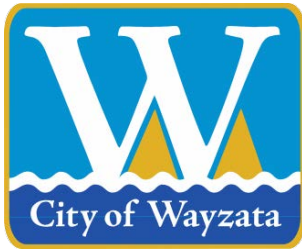
Voting For Approval Recommendation: Buchanan, Douglas, Murray, Plantan

Voting Against Approval Recommendation: Flannigan, Iverson

Abstaining: None

Absent: None

Attachment A
Plans



City of Wayzata City Council Agenda Report

MEETING DATE: September 18, 2018	AGENDA ITEM: 7g
TITLE: Approval of Resolution No. 51-2018 Approving a Conditional Use Permit for a Fence at 105 Walker Ave N	
PROPOSED MOTION: To Adopt Resolution No. 51-2018 Approving a Conditional Use Permit for a Fence at 105 Walker Ave N	
PREPARED BY: Jeff Thomson, Director of Planning and Building	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

City staff recommends that the City Council adopt the resolution approving the development application, as recommended by the Planning Commission.

FINANCIAL OR BUDGET CONSIDERATION:

The development application does not have any impact on the City's 2018 General Fund budget.

BACKGROUND:

Application Overview

The applicant and the property owner, Tom and Debra Vanderheyden, have submitted an application for a Conditional Use Permit (CUP) to construct a 100% opaque, wooden fence measuring six (6) feet in height and located in the side and rear yard of their home located at 105 Walker Ave N. The application requests approval of a CUP from the opacity requirement for fences located in the side yard of a residential property.

Planning Commission Review

The Planning Commission reviewed the application and held a public hearing at its meeting on August 20, 2018. The Planning Commission expressed concerns about the original proposal which asked for a 100% opaque, wooden fence measuring eight (8) feet in height. The Commission requested that the applicant provide more information about the landscaping around the fence, as well as voiced support for a fence that would be no more than six (6) feet in height.

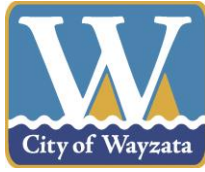
At its September 5th meeting, the Planning Commission reviewed revised plans submitted by the applicant. The height of the fence was reduced to six (6) feet, which is an allowed height for a fence located in the side yard of a residential property. In addition, the applicant submitted an updated landscape plan for the screening of the fence.

The Planning Commission voted six in favor and zero opposed to adopt a Report and Recommendation for approval of the development application, as revised by the applicant.

ATTACHMENTS:

1. August 20, 2018 staff report
2. Revised Plans

3. Public Comments
4. August 20, 2018 Planning Commission meeting minutes
5. September 5, 2018 Planning Commission draft meeting minutes
6. Draft Resolution No. 51-2018
7. Planning Commission Report and Recommendation



**Staff Report
August 20, 2018**

Project Name: Vanderheyden Fence
Address of Request: 105 Walker Ave N
Prepared By: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: September 22, 2018

Development Application

Introduction

The applicants and property owners, Tom and Deb Vanderheyden, are requesting approval of a conditional use permit to allow installation of an eight (8) ft (or “96 inches”) Western Red Cedar fence in the front yard of their property (the “CUP” or the “Application”) at 105 Walker Ave N (the “Property”). The Wayzata Zoning Ordinance allows fences in the front yard of a property, provided that they are not more than forty two (42) inches and no more than fifty percent (50%) solid material. The proposed fence would not meet the fifty percent (50%) solid material requirement and would be fifty-four (54) inches above the forty two (42) inch height requirement in the front yard of the property. Section 801.18.1.F of the Ordinance allows fences that do not meet the height and solid material requirements via a CUP process, provided certain criteria are met.

Application Requests

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

- Conditional Use Permit: Fences consisting of greater than 50% solid matter in front of the rear building line up to the front property line and not exceeding a height of 8 feet are allowed by CUP.

Property Information

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

Address	PID	Owner
105 Walker Ave N	06-117-22-24-0072	Tom and Deb Vanderheyden

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

Zoning:	R-3A Single and Two Family District
Comp Plan designation:	Low Density Single Family Residential District
Overlay districts:	None

Project Location

The property is on the North side of Wayzata Boulevard and to the west of Walker Ave:

Map 1: Project Location



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	Residential	R-3A Single and Two Family Residential District	Low Density Single Family
East	Residential	R-5 Average Density Multiple Residential District	High Density Multiple Family
South	Residential	R-3A Single and Two Family Residential District	Low Density Single Family
West	Residential	R-3A Single and Two Family Residential District	Low Density Single Family

Public Hearing Notice

The public hearing notice was published in the *Wayzata Sun Sailor* on August 9th, 2018. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on August 8, 2018.

Analysis of Application

Proposed Fence

The applicant is requesting a conditional use permit for fence height and opacity for a fence located nine (9) feet from the property line in the side yard. The proposed plans include an eight one (81) foot long fence, eight (8) feet in height, with 100% solid matter. The fence would run along the southern property line along Wayzata Boulevard.

The area where the proposed fence would be located, functions as the side yard of the property as the lot is a corner lot with street frontage on Wayzata Boulevard and Walker Ave. Therefore, the side yard fence requirements apply to the fence located along Wayzata Boulevard.

In the side yard, defined as the area behind the front building line and in front of the rear building line as established by the primary structure on the lot, a fence with a maximum height of forty-two (42) inches may exist of completely solid matter or fences over forty-two (42) inches in height, but not exceeding six (6) feet in height, shall consist of no more than fifty (50) percent solid matter for the entire fence.

Given the landscaped nature of the property, the property owner to the west should not be able to see the fence. The property owner to the south is separated by Wayzata Boulevard which is approximately fifty (50) feet wide with a center median. Staff believes neither property owner would be negatively affected by the proposed fence.

Fences consisting of greater than fifty (50) percent solid matter, not exceeding eight (8) feet are allowed with a conditional use permit.

Applicable Code Provisions for Review

Conditional Use Permit for a Fence: City Code Section 801.18.1.F.2 outlines the following standards for evaluating fence conditional use permits:

- A. The fence placement, height or design does not create a safety hazard with regard to, from or on a public street or roadway.
- B. The fence placement, height or design does not create a safety problem or negatively affect adjoining properties or use.
- C. The provisions of Section 801.04.2.G of this Ordinance are considered and satisfactorily met.

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

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

Action Steps

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

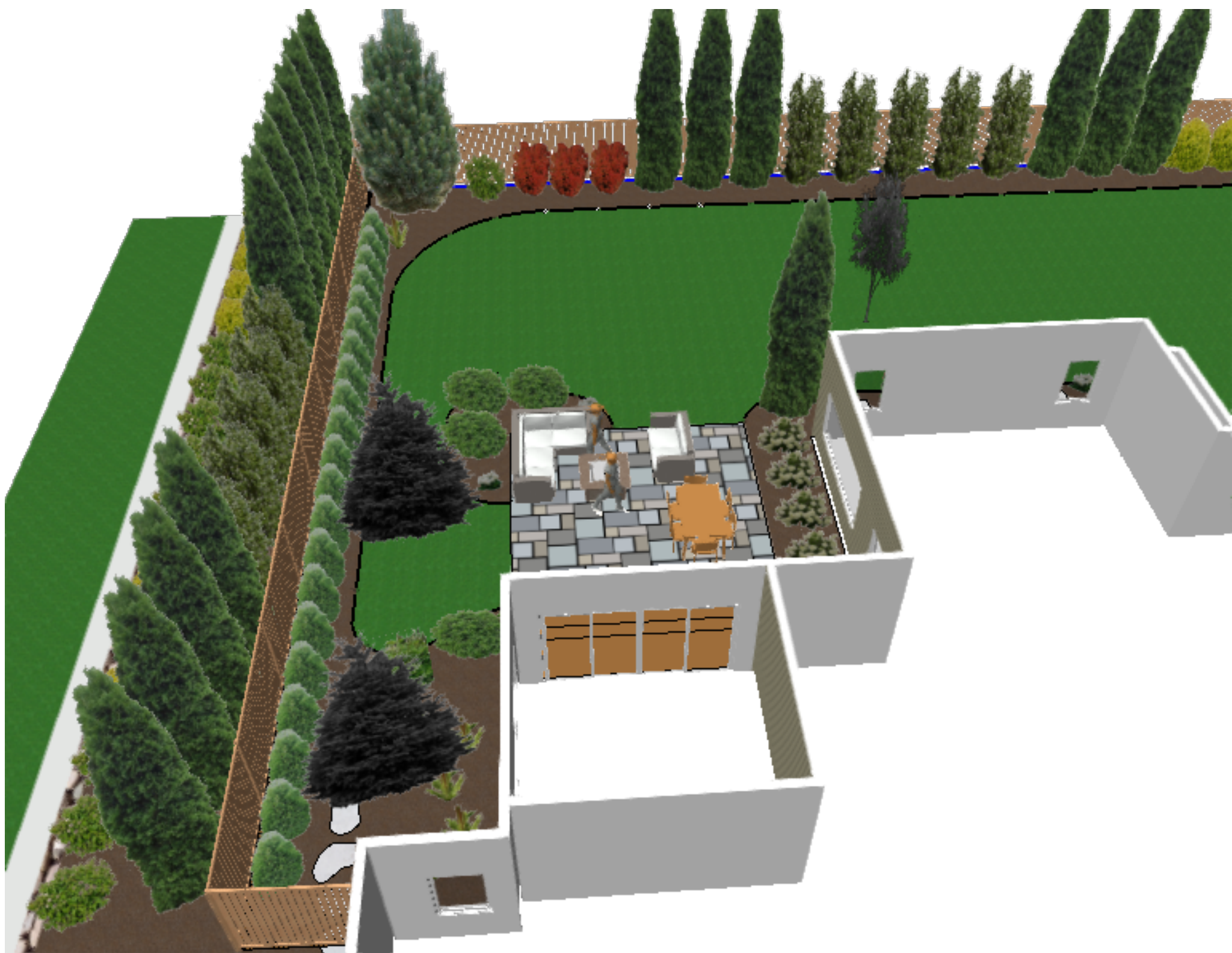
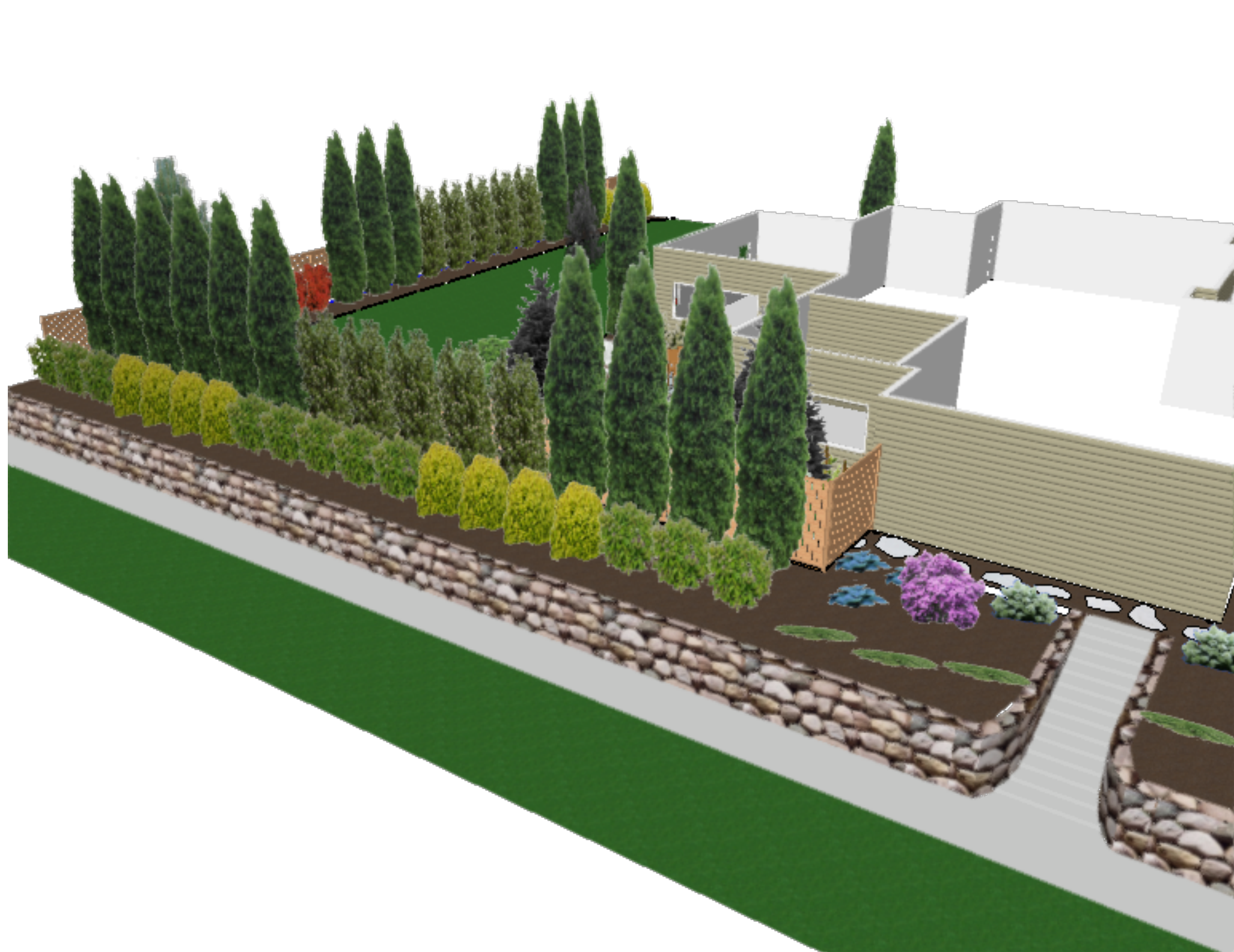
Attachments

Proposed Fence Design
Scaled Landscape Plan





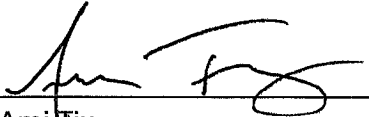
Western Red Cedar - Board & Batten Fencing

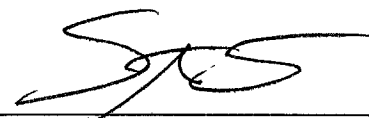


July 22, 2018

To City of Wayzata:

We, Steve and Ami Tix, property owners at 523 Wayzata Blvd E., are in agreement with the designed plan to construct an 8' tall fence along the southern property line at 105 Walker Ave N, as proposed by the property owners, Tom and Debby Vanderheyden.


Ami Tix 7/22/18
Date


Steve Tix 7/22/18
Date

Jeff Thomson

From: Brian Silus <soi.target@gmail.com>
Sent: Saturday, August 18, 2018 11:53 AM
To: Jeff Thomson
Subject: 105 Walker Avenue North

Mr. Thomson,

I received your letter regarding the conditional use permit for 105 Walker Avenue North.

I do have some concerns. However, I am unable to attend the August 20th meeting.

My concerns are as follows with respect to an 8 foot high solid fence:

1. Will it negatively impact neighboring property values?
2. Do we want to set and/or continue a trend for our neighborhoods, where every property has a big fence? Imagine Wayzata if every single property installed a fence that was even only 5 feet high.

Perhaps my concerns are unwarranted, and everything will be fine if the conditional use permit is granted. I have nothing against an owner's privacy or desire to install a giant fence. However, that is both easiest and best achieved in a rural setting.

I anticipate that the Planning Commission will take all comments into consideration and make a decision based upon the best interests of the City of Wayzata.

Kind Regards,

Brian Silus
517 Wayzata Boulevard East
Wayzata, MN 55391

1 Chair Buchanan stated the applicant, Lowell Zitzloff, and the property owners, Swans Corner LLC
2 and Jeffway LLC, had requested to be removed from the August 20, 2018 Planning Commission
3 agenda. The applicant will contact City staff to reschedule the public hearing.

4
5 Commissioner Iverson moved, seconded by Commissioner Flannigan, to move this item off the
6 agenda and table consideration of the development application for 305 and 309 Lake St E until a
7 future meeting. The motion carried unanimously.

8
9 Mr. Thomson noted that a public hearing on the application would be moved to that future date
10 and re-noticed.

11
12 **b.) Vanderheyden Fence – 105 Walker Ave N**
13 **i. Conditional Use Permit**

14
15 Director of Planning and Building Jeff Thomson stated the applicant and property owners, Tom
16 and Deb Vanderheyden, are requesting approval of a conditional use permit to allow installation
17 on an 8-foot solid fence on their property at 105 Walker Ave N. The fence would be located along
18 Wayzata Blvd. Within the side yard, the zoning ordinance allows fences that are a maximum of
19 six feet in height and no more than 50% solid matter. Within the rear yard, the zoning ordinance
20 allows fences that are a maximum of six feet in height and up to 100% solid. The proposed fence
21 would not meet these requirements as it is eight feet in height and 100% solid within the side yard.
22 Fences consisting of greater than 50% solid matter, not exceeding 8-feet, are allowed with a
23 conditional use permit.

24
25 Commissioner Flannigan asked how high the bottom of the fence would be from Wayzata Blvd.

26
27 Mr. Thomson stated he does not have the exact height of the topography changes from Wayzata
28 Blvd to the fence location.

29
30 Applicant, Mr. Tom Vanderheyden, 105 Walker Avenue N, stated the purpose of the fence is 100%
31 for sound protection. Mr. Vanderheyden stated that they are trying to provide a fence that is not
32 visible, and they are landscaping on both sides of the fence with vegetation greater in height than
33 the fence.

34
35 Commissioner Iverson asked why 8-feet and not 6-feet.

36
37 Mr. Vanderheyden explained they were trying to get a 6-foot of fence protection factoring in the
38 topography changes and in order to achieve this, the fence needs to be 8-feet in some places.

39
40 Chair Buchanan opened the public hearing at 7:14 p.m.

41
42 There being no member of the public wishing to address the Commission on this application, Chair
43 Buchanan closed the public hearing at 7:15 p.m.

44
45 Commissioner Plantan stated that she would not support an 8-foot fence and that with the proposed
46 landscaping, a 6-foot fence would suffice.

1
2 Commissioner Douglas stated she would agree with Commissioner Plantan and does not want to
3 start a trend of 8-foot fences in Wayzata.

4
5 Commissioner Murray stated he would agree and does not want to see a fence that would be 10-
6 feet above grade.

7
8 Commissioner Iverson stated she would not support a 100% solid 8-foot fence.

9
10 Commissioner Flannigan stated this is an odd lot that is next to a busy road. He understands the
11 need for the fence, and would like to see a rendering of what the fence would look like with the
12 landscaping from street level. He suggested he would not support the current application, but
13 would consider a 6-foot fence. He said he would like to see renderings of the fence and what it
14 would look like from Wayzata Blvd.

15
16 Chair Buchanan stated he would like to see a rendering of the proposed fence with the landscaping
17 being proposed, which would screen the fence.

18
19 City Attorney David Schelzel stated the Commission can recommend conditions of approval of
20 the CUP, including that the landscaping plan must be implemented as presented in the Application
21 and maintained by the property owners. The CUP would go with the property, and the conditions
22 of its approval would be applicable in the future. If the landscaping was a condition of approval
23 and not maintained, the City could revoke the approval of the fence.

24
25 There being no further questions or discussion among the Commissioners, Chair Buchanan asked
26 for a motion on the Application.

27
28 Commissioner Flannigan made a motion to table the application to allow the applicant to provide
29 additional details on the landscaping and renderings.

30
31 There being no second to the motion, the motion failed.

32
33 Mr. Vanderheyden stated he would like clarity on what the Commission is looking for.

34
35 Commissioner Iverson stated there are not 6-foot fences on Wayzata Blvd, and this could be setting
36 a precedence for 6-foot fences in this area.

37
38 Mr. Thomson stated that a 6-foot fence is allowed under the Zoning Ordinance, and would not
39 require a conditional use permit if it met the 50% openness requirement for the side yard.

40
41 Commissioner Murray made a motion, seconded by Commissioner Iverson, to table the application
42 for a CUP for a fence at 105 Walker Ave N to allow the applicant to consider amending the
43 application based on the Commission's discussions on a 6-foot fence, and to direct staff to prepare
44 a draft Report and Recommendation with appropriate findings recommending approval of an
45 amended application for a 6-foot fence with full opacity and a condition that the landscaping be
46 provided and maintained. The motion carried unanimously.

submitted a development application to construct a 6-foot tall solid fence in the side yard between the properties at 217 and 223 Byrondale Ave N. The Planning Commission reviewed the application and held a public hearing at its meeting on July 16, 2018. The original application requested approval of a conditional use permit for a 6-foot tall solid wood fence along Wooddale Ave at 205 and 211 Byrondale Ave N and a 6-foot tall solid wood fence along the side property line between 217 and 223 Byrondale N. During its review at the July 16 meeting, the Planning Commission expressed concerns about the distance of the fence from Wooddale Ave and directed the applicant to address the impacts to the city street and apply for a variance if the fence did not meet the setback requirement. After the Planning Commission meeting, the applicant submitted a letter to the City that disagreed with City staff's interpretation that the fence along Wooddale Ave is subject to the front yard fence requirements and therefore required a conditional use permit. After reviewing the zoning ordinance, City staff has determined that the fence is subject to the rear yard setback requirements and not the front yard fence requirements as originally determined. Under this determination, the proposed 6-foot fence meets the rear yard fence requirements and does not require a conditional use permit. Since the fence would be located in a City utility easement, the applicant has agreed that the fence must be setback at least 5-feet from Wooddale Ave, which is the recommendation of the City engineer to ensure the fence does not obstruct the use and maintenance of the public street. The application still requires a conditional use permit for the 6-foot solid fence located in the side yard between 217 and 223 Byrondale Ave N properties since the City's side yard fence requirements state the fence must be at least 50% open.

Commissioner Iverson stated the Planning Commission had previously struggled with allowing the fence along Central Avenue. There had been a number of residents that had come forward to speak against it at that time. The applicant had originally agreed to not put up a fence along the rear or side of the property in the 2011 application. It was then determined that they could have a fence that would stop kids from going from the trail onto Central Avenue. She stated she talked to residents who had been at the original meetings and they are upset. The applicant had agreed to keep this open as a walkway to get to Lunds. She would like to see the gate removed on the trail that goes to Central Avenue. She would not support the application because it is against what the applicant had previously agreed to.

Chair Buchanan stated the application is only for the side yard fence, and the rear yard fence is in compliance with the City's ordinances.

Mr. Thomson stated the gate had been previously discussed at the last meeting, and it is not part of the current CUP request. The City has more discretion on the gate being installed or not because the City has a public trail easement over this area. At the last meeting, the Planning Commission expressed concerns about the gate, and the applicant agreed to not include the gate across the trail as part of its application.

Commissioner Douglas made a motion, seconded by Commissioner Plantan, to approve and adopt the draft Planning Report and Recommendation as presented, recommending approval of the conditional use permit for a 6-foot tall solid wood fence at 217 and 223 Byrondale Ave N with conditions. The motion carried 5 ayes and 2 nays (Iverson and Flannigan)

b.) Vanderheyden Fence – 105 Walker Ave N

a. Conditional Use Permit

Director of Planning and Building Jeff Thomson stated the applicant and property owners, Tom and Debra Vanderheyden, have submitted an application for a conditional use permit to construct a 100% opaque, wooden fence measuring 6-feet in height and located in the side and rear yard of their home located at 105 Walker Ave N. The applicant requests approval of a conditional use permit opacity requirement for fences located in the side yard of a residential property. The Planning Commission reviewed the application and held a public hearing at its meeting on August 20. The Planning Commission expressed concerns about original proposal which asked for a 100% opaque, wooden fence measuring 8-feet in height. The Commission requested the applicant provide information about the landscaping around the fence, as well as voiced support for a fence that would be no more that 6-feet in height. Since the August 20 meeting, the applicant submitted a revised plan for the fence and an updated landscape plan for the screening of the fence. In the revised application, the height of the fence has been reduced to 6-feet, which is allowed for a fence located in the side yard of a residential property.

Commissioner Iverson made a motion, seconded by Commissioner Flannigan, to approve and adopt the draft Planning Commission Report and Recommendation as presented, recommending approval of a conditional use permit for a fence at 105 Walker Ave N. with conditions. The motion carried unanimously.

AGENDA ITEM 5. Public Hearing Items:

a.) Benton Harbor – 310 Benton Ave N and 1023 Gardner ST E

i. Preliminary and Final Plat Subdivision

Director of Planning and Building Jeff Thomson stated the applicant and property owner, Invest Capital Group, LLC, have submitted a development application to subdivide the properties at 310 Benton Avenue and 1023 Gardner St E. The applicant is proposing to subdivide the two existing properties into four single-family residential lots. The existing homes would be demolished and four new homes would be constructed. The proposal requires preliminary and final plat review to subdivide the two existing lots. The Planning Commission reviewed the development application and held a public hearing at its meeting on May 21, 2018. At the meeting, the Planning Commission continued the public hearing and directed the applicant to submit all information required by the City's subdivision ordinance. The Planning Commission noted the application did not include a preliminary grading, drainage, and erosion control plan, tree preservation plan, and utility plan. At its June 18th meeting, the Planning Commission reviewed the revised plans submitted by the applicant, which included alteration and fill of floodplain on the property. Alterations to the floodplain are reviewed and approved by the Minnehaha Creek Watershed District. Since the proposed house pads shown on the grading plan would result in alterations to the floodplain, the Planning Commission tabled the application and directed the applicant to obtain approval from MCWD before the City considers the subdivision. The applicant subsequently obtained approval from MCWD for the floodplain alteration. There had been concerns from the neighbors regarding drainage, and this has been reviewed to ensure the drainage patterns would not impact the neighboring properties.

DRAFT RESOLUTION NO. 51-2018

**RESOLUTION APPROVING CONDITIONAL USE PERMIT
FOR A FENCE AT 105 WALKER AVE N**

WHEREAS, property owners Tom and Deb Vanderheyden, (together, the “Applicant”), have submitted a development application for a CUP (the “Application”) to allow installation of a six-foot solid wood fence (the “Fence”) in the side yard of the property at 105 Walker Ave N (the “Property” and legally described on Attachment A hereto), as depicted in the plans submitted with the Application (the “CUP” or “Conditional Use”); and

WHEREAS, the Wayzata Planning Commission, pursuant to the Zoning Ordinance, has held a public hearing on the Application, made findings of fact on the land use request in the Application, and delivered a Report and Recommendation to the City Council, attached to this Resolution as Attachment B;

NOW THEREFORE, BE IT RESOLVED by the City Council of Wayzata, Minnesota as follows:

A. Based on the Application materials, additional materials submitted by the Applicant, staff reports, public comment and information presented at the public hearing, the standards of the Wayzata Zoning Ordinance, and the Planning Commission Report and Recommendation of Approval of the Application, all of which are incorporated by reference in this Resolution, the City Council of the City of Wayzata hereby finds, confirms and memorializes that the Application meets the applicable requirements of Wayzata’s Zoning Ordinance, as set forth in the Planning Commission Report and Recommendation.

B. Based on the foregoing, the CUP requested in the Application (as defined in the Planning Commission Report and Recommendation) is hereby **APPROVED**, subject to satisfaction and continuing compliance with all of the following:

1. Other Permits and Continuing Conformance with Approved Plans. The Applicant must secure all necessary building, construction and other permits for improvements on the Property, and construct the Fence, and install and maintain the landscaping, according to the plans submitted with the Application and included as an attachment to the Planning Commission Report and Recommendation.
2. Costs. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata City Council this 18th day of September 2018.

Mayor Ken Willcox

ATTEST:

City Manager Jeffrey Dahl

ACTION ON THIS RESOLUTION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on September 18, 2018.

Kathy Leervig, City Clerk
SEAL

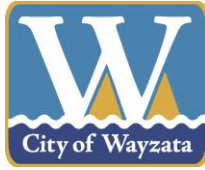
Attachment A
Legal Descriptions of Property

DRAFT

Attachment B

Planning Commission Report and Recommendation dated September 5, 2018

DRAFT



WAYZATA PLANNING COMMISSION

September 5, 2018

REPORT AND RECOMMENDATION OF APPROVAL OF CONDITIONAL USE PERMIT FOR A FENCE AT 105 WALKER AVE N

SUMMARY OF RECOMMENDATION

Approval* of Conditional Use Permit for Fence

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

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Project. The applicants and property owners, Tom and Deb Vanderheyden (together, the “Applicant”) have submitted a development application (the “Application”) for a fence on their property at 105 Walker Ave N (the “Property”).
- 1.2 Application Request. As part of the Application, as amended by the Applicant, the Applicant is requesting approval of a conditional use permit to allow installation of an six (6) foot solid wood fence in the side yard of the Property (the “Proposed Fence” and “Fence CUP”) along the length of the Property that faces Wayzata Blvd.
- 1.3 Property. The street address, property identification number and owner of the Property are:

105 Walker Ave N	06-117-22-24-0072	Tom and Deb Vanderheyden
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- 1.4 Land Use. The Property is zoned R-3A Single and Two Family District and guided Low Density Single Family Residential District in the Wayzata Comprehensive Plan.

- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Wayzata Sun Sailor* on August 9, 2018. A copy of the notice was mailed to all property owners located with 350 feet of the Property on August 8, 2018. The public hearing on the Application was held at the August 20, 2018 Planning Commission meeting.
- 1.6 Planning Commission Review. The Planning Commission reviewed the Application at its meeting on August 20, 2018. The Planning Commission asked the Applicant to reduce the height of the fence and provide clarification of the proposed landscape plan, and directed City staff to prepare a draft Report and Recommendation for approval of the Application.

Section 2. STANDARDS

- 2.1 Standards for Fences. Fences consisting of greater than 50 percent solid matter in front of the rear building line up to the front property line may be permitted with a conditional use permit. (City Code Section 801.18.1.F.1) City Code Section 801.18.1.F.2 outlines the following standards for evaluating fence conditional use permits:
- A. The fence placement, height or design does not create a safety hazard with regard to, from or on a public street or roadway.
 - B. The fence placement, height or design does not create a safety problem or negatively affect adjoining properties or use.
 - C. The provisions of Section 801.04.2.F of the Zoning Ordinance are considered and satisfactorily met. Section 801.04.2.F of the Zoning Ordinance requires City Council to consider possible adverse effects of the proposed conditional use. Council's judgment shall be based upon (but not limited to) the following factors:
 - 1. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
 - 2. The proposed use's compatibility with present and future uses of the area.
 - 3. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
 - 4. The proposed use's effect on the area in which it is proposed.
 - 5. The proposed use's impact upon property values in the area in which it is developed.

6. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.
7. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

Section 3. FINDINGS

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

3.1 Criteria for Fence CUPs.

- A. The placement, height and design of the Proposed Fence will not create a safety hazard with regard to, from or on a public street or roadway.
- B. The placement, height and design of the Proposed Fence will not create a safety problem or negatively affect adjoining properties and uses.
- C. The provisions of Section 801.04.2.F of the Zoning Ordinance have been considered and are all satisfactorily met. The Proposed Fence (the "Proposed Use") would have not have adverse effects on the surrounding area based upon the following:
 1. The Proposed Use is not inconsistent with any policies or provisions of the official City Comprehensive Plan.
 2. The Proposed Use is not incompatible with present and future uses of the area.
 3. The Proposed Use conforms with all relevant performance standards contained in the Zoning Ordinance.
 4. The Proposed Use will not have a material effect on the area in which it is proposed in that it will be screened by significant landscaping.
 5. The Proposed Use will not have a material impact upon property values in the area in that it is a small part of larger improvements and landscaping being done on the Property.
 6. The Proposed Use will not generate traffic.

7. The Proposed Use will not have an 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 Fence CUP, subject to the following conditions:

- A. Other Permits and Standards. The Applicant must secure all necessary building, construction and other permits for improvements on the Property, and construct the Proposed Fence, and install and maintain the landscaping, according to the plans submitted with the Application, and included as Attachment A.
- B. Costs. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 5th day of September 2018.

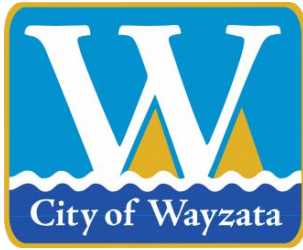
Voting For Approval Recommendation: Buchanan, Douglas, Flannigan, Iverson, Murray, Plantan

Voting Against Approval Recommendation: None

Abstaining: None

Absent: None

Attachment A
Plans



City of Wayzata City Council Agenda Report

MEETING DATE: September 18, 2018	AGENDA ITEM: 7h
TITLE: Approval of Professional Services Agreement with Fer-Pal Construction USA, LLC for City Watermain Repairs at Ferndale Road and BNSF Railroad	
PROPOSED MOTION: To Approve the Professional Services Agreement with Fer-Pal Construction USA, LLC for Watermain Repairs at Ferndale Road and BNSF Railroad	
PREPARED BY: Mike Kelly, Public Works Director/City Engineer	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

To approve the Professional Services Agreement with Fer-Pal Construction USA, LLC (Fer-Pal) for watermain repairs at Ferndale Road, under the BNSF railroad.

FINANCIAL OR BUDGET CONSIDERATION:

The proposed costs for this project, \$70,310, will be funded using the Water Capital Improvement Plan (CIP).

BACKGROUND:

Earlier this year, the Public Works Department discovered a watermain leak on the east side of the Ferndale Road railroad crossing. Staff has been working to determine the best way to repair/replace this broken watermain and minimize impacts to the railroad and roadway.

Staff determined that the installation of a structural liner, within the existing pipe, would be the optimal way to meet the above-mentioned goals, provided the pipe is viable for lining. Staff has obtained the necessary permits from the MN Department of Health for this work. Additionally, staff has obtained permission from BNSF to repair this pipe, in-place, if possible.

The contractor (Fer-Pal) will dig down on the existing watermain, open the pipe, and televise the interior of the pipe. If the pipe appears to be viable for lining, they will immediately proceed with the installation of the structural liner. This work is anticipated to start the week of September 17 and will take approximately two weeks for televising, lining, testing, and restoration.

If the pipe is not viable for lining, the contractor will cap the pipe and restore the area. Staff will then design a new watermain crossing project and submit plans to BNSF for permitting, with construction to occur in 2019.

ATTACHMENTS:

1. Professional Services Agreement
2. Site map and project plan

CITY OF WAYZATA PROFESSIONAL SERVICES AGREEMENT

THIS PROFESSIONAL SERVICES AGREEMENT (the “Agreement”) is made effective September 12, 2018 (“Effective Date”) by and between the City of Wayzata, Minnesota (the “City”) and Fer-Pal Construction USA LLC (Fer-Pal) with offices at 1350 Gasket Drive, Elgin, IL 60123 (“Contractor”) for the professional services and related deliverables described herein, and contains the terms and conditions applicable to all of Contractor’s services and associated deliverables for the City.

In consideration of the mutual promises and covenants contained in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

I. SCOPE OF SERVICES AND DELIVERABLES

Contractor will provide the professional services and deliverables (collectively, the “Services”) that are described in Exhibit A (“Quote”), Exhibit B (“Ferndale Rd & BNSF RR X-ING 2018 Watermain Repair Plan”), and Exhibit C (“Ferndale Rd & BNSF RR X-ING 2018 Watermain Repair Specification”) according to the project scope, services descriptions, deliverables, timeline, and other terms therein, and in accordance with best practices and industry standards.

II. PROJECT REPRESENTATIVES

- A. City’s main point of contact shall be the City Manager.
- B. Contractor’s main point of contact for the Services shall be Frank Garcea.

III. COMPENSATION AND BILLING

As consideration for the provision of the Services and all costs associated therewith, the City agrees to pay the Contractor on a lump sum basis for all work as described in Exhibits A, B, and C. Payment for Services shall not exceed Contractor’s quote of a total of seventy thousand, three hundred and ten dollars (\$70,310), which includes all labor, materials, and expenses, as outlined in the Quote, and as follows:

1. Upon successful mobilization, installation of traffic control devices, and investigation of the watermain pipe to evaluate suitability for structural CIPP lining repair, payment for items 1, 2, and 4 (as described in Exhibit A), totaling thirty-nine thousand, six hundred dollars (\$39,600) shall be made; and

Provided confirmation of suitability for structural CIPP lining repair is achieved:

2. Upon completion of structural CIPP lining repair, payment for item 3 (as described in Exhibit A), totaling thirty thousand seven hundred and ten dollars (\$30,710) shall be made.

Contractor will invoice the City upon completion for the Services provided in accordance with Agreement, and include with such invoices detailed descriptions of the Services provided by the

Contractor to the City. City shall pay Contractor for all undisputed invoices within thirty (30) days of receipt of such invoices.

IV. CHANGE OF SCOPE OF SERVICES

City may request, and Contractor may suggest, changes or additions to the Services. In such event, City and Contractor will work together on the details of such changes (including any adjustments to Contractor's compensation and the specifications, timeline and deliverables described in **Exhibits A, B, and C**), and if agreed upon in writing by both City and Contractor, such changes shall be an amendment to this Agreement.

V. INSURANCE

Contractor, at its expense, shall procure and maintain in force for the duration of this Agreement the following minimum insurance coverages:

A. General Liability. Contractor agrees to maintain commercial general liability insurance in a minimum amount of \$1,000,000 per occurrence; \$2,000,000 annual aggregate. The policy shall cover liability arising from premises, operations, products completed operations, personal injury, advertising injury, and contractually assumed liability. City shall be endorsed as additional insured.

B. Automobile Liability. If Contractor operates a motor vehicle in performing the Services under this Agreement, Contractor shall maintain commercial automobile liability insurance, including owned, hired, and non-owned automobiles, with a minimum liability limit of \$1,000,000 combined single limit.

C. Professional (Errors and Omissions) Liability Insurance. Contractor will maintain professional liability insurance for all claims Contractor may become legally obligated to pay resulting from any actual or alleged negligent act, error, or omission related to Contractor's professional services required under this Agreement. Contractor is required to carry the following minimum limits: \$1,000,000 per occurrence; \$2,000,000 annual aggregate. The retroactive or prior acts date of such coverage shall not be after the Effective Date, and Contractor shall maintain such insurance for a period of at least three (3) years following completion of the Services. If such insurance is discontinued, extended reporting period coverage must be obtained by Contractor to fulfill this requirement.

D. Workers' Compensation. Contractor agrees to provide workers' compensation insurance for all its employees in accordance with the statutory requirements of the State of Minnesota. Contractor shall also carry employers' liability coverage with minimum limits as follows: (i) \$500,000 – Bodily Injury by Disease per employee; (ii) \$500,000 – Bodily Injury by Disease aggregate; and (iii) \$500,000 – Bodily Injury by Accident.

Contractor shall, prior to commencing the Services, deliver to the City a Certificate of Insurance as evidence that the above coverages are in full force and effect. The insurance requirements may be met through any combination of primary and umbrella/excess insurance. Contractor's policies shall be the primary insurance to any other valid and collectible insurance available to City with respect to any claim arising out of Contractor's performance under this Agreement. Contractor's policies and Certificate of Insurance shall contain a provision that coverage afforded under the policies shall not be cancelled without at least thirty (30) days advanced written notice to the City.

VI. INDEPENDENT CONTRACTOR RELATIONSHIP

City and Contractor agree that Contractor is an “independent contractor” and not an employee of City. Contractor shall be solely and entirely responsible for its acts and for the acts of its employees, agents, and subcontractors in connection with the Services. Contractor shall be responsible for the compensation and benefits of Contractor’s employees and for payment of all federal, state and local taxes payable with respect to any amounts paid to Contractor under this Agreement. No payroll or employment taxes of any kind shall be withheld or paid by City with respect to payments to Contractor, including but not limited to, FICA, FUTA, federal and state personal income tax, state disability insurance tax and state unemployment tax. Contractor shall not be entitled to any benefits from City, including, without limitation, insurance benefits, sick and vacation leave, workers’ compensation benefits, unemployment compensation, disability, severance pay, or retirement benefits.

VII. TERMINATION

This Agreement shall continue in effect until terminated by either party upon such party giving the other no less than 30 days prior written notice of termination. Termination of this Agreement for any reason shall not affect any provision of this Agreement that by its nature is intended to survive termination.

VIII. OTHER TERMS

A. Entire Agreement; Amendments. This Agreement and the exhibits referenced herein represent the entire agreement between Contractor and City. Any terms in exhibits which conflict with the main body of this Agreement shall be limited, controlled and superseded by the terms in the main body of this Agreement. This Agreement supersedes any prior or contemporaneous representations or agreements, either written or oral. No amendment or modification of the terms of this Agreement, except as may be expressly authorized herein, may be made and will not be effective unless agreed upon in writing by City and Contractor.

B. Assignability. The rights and obligations of Contractor under this Agreement shall not be assignable or transferable without the prior written approval of the City.

C. Compliance of all Laws; Ability to Perform; Representations. Contractor shall comply with all applicable federal, state, and local laws, rules, regulations, codes, ordinances and orders. Contractor has in effect and will maintain in effect all permits, licenses, and other authorizations necessary for the performance of the Services. Contractor is not aware of any fact or circumstance which would prevent Contractor from performing in accordance with this Agreement. Contractor represents and warrants that Contractor has the requisite training, skills, and experience necessary to provide the Services contemplated by this Agreement, and that the Services will be performed using personnel, equipment, and material qualified and suitable to perform the Services requested. Contractor shall be solely responsible for its negligent acts, errors and omissions while performing Services under this Agreement. Contractor will perform the Services with reasonable care and skill, in a diligent and professional manner and in accordance with accepted professional practices and industry standards.

D. Assurances and Indemnification. Contractor assures the City, and represents and warrants, that the information it has provided in its Statement of Work is accurate and not misleading in any material respect. Contractor shall defend and indemnify City, its employees, officials, and agents, against all claims, demands and actions, and all related costs and expenses (including reasonable attorneys' fees) for injury, death, disability or illness of any person, or damage to property, arising out of the negligent performance of the Services or any breach of any representation or term of this Agreement by Contractor.

E. Payment of Others. Contractor shall pay all of Contractor's employees, agents, and subcontractors furnishing services, labor, equipment, or materials incidental to the performance of Contractor's obligations under this Agreement.

F. Rights in Deliverables. All deliverables associated with the Services, and all data, information, ideas, designs, plans and creative works associated therewith, shall be the exclusive property of City, including all intellectual property rights therein. City and Contractor agree that such are works made for hire for City, and to the extent they do not qualify as such, Contractor hereby assigns all rights therein to City.

G. Contractor's Obligations Upon Termination. Upon the expiration or termination of this Agreement, Contractor shall furnish City with all deliverables and work in progress associated with the Services as of the effective date of termination. City shall have the unfettered right and freedom to use all such deliverables and work in progress as it sees fit, and to hire third parties to complete all outstanding Services as of the effective date of termination.

H. Headings. The headings in this Agreement are intended solely for convenience of reference and shall be given no effect in the construction or interpretation of this Agreement.

I. Notices. All notices or communications relating to this Agreement shall be in writing and shall be deemed given upon hand delivery or deposit in the United States mail, return receipt requested, and addressed as follows:

To the City:
Wayzata City Hall
600 East Rice Street
Wayzata, MN 55391
Attention: City Manager

To Contractor:
Fer-Pal Construction USA LLC
1350 Gasket Drive
Elgin, IL 60120
Attention: Frank Garcea

J. Governing Law; Jurisdiction; Data Practices Act. This Agreement shall be construed in accordance with governed by the laws of the State of Minnesota. The parties agree to submit to the jurisdiction of the courts of the State of Minnesota, and that any litigation regarding this Agreement will be brought in the state or federal courts that lie in Hennepin County, Minnesota. Contractor agrees to abide by the applicable provisions of the Minnesota Government Data Practice Act, Minnesota Statutes, Chapter 13. Contractor understands that all of the data created, collected, received, stored, used, maintained, or disseminated by Contractor in performing those functions that the City would perform is

subject to the requirements of Chapter 13, and Contractor must comply with those requirements as if it were a government entity. This does not create a duty on the part of Contractor to provide the public with access to public data if the public data is available from the City, except as required by the terms of this Agreement.

K. Waiver. The waiver by either party of any breach or failure to comply with any provision of this Agreement by the other party shall not be construed as or constitute a continuing waiver of such provision or a waiver of any other breach of or failure to comply with any other provision of this Agreement.

L. Savings Clause. If any court finds any portion of this Agreement to be contrary to law, invalid, or unenforceable, the remainder of this Agreement will remain in full force and effect.

M. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

CITY:

City of Wayzata, a Minnesota Municipal Corporation

CONTRACTOR:

Fer-Pal Construction USA, LLC

By: _____
Jeffrey Dahl, City Manager

By: _____
Frank Garcea, Treasurer

By: _____
Michael H. Kelly, Jr., City Engineer/D.P.W.

CERTIFICATION

I hereby certify that this specification 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.



Michael H. Kelly, Jr., P. E.

Date: 09/04/18 License No.: 40952

Reviewed By: Jennifer L. Schumann

Date: 09/04/18

CONSTRUCTION REQUIREMENTS

STRUCTURAL CURED-IN-PLACE PIPE (CIPP) LINING FOR TRUNK WATERMAIN

This work shall be done in accordance with the most current version of the "Standard Specifications" as published by the City Engineers Association of Minnesota (CEAM), St. Paul, Minnesota, dated 2013, or as modified herein.

PART 1 GENERAL

1.01 SUMMARY

- A. Section Includes:
 - 1. CIPP liner
- B. Method of Measurement:
 - 1. CIPP Watermain Lining:
 - a. Measure by Lump Sum
- C. Basis of Payment:
 - 1. Payment for the acceptable installation of CIPP watermain lining shall be made on a Lump Sum basis. All associated Work items shall be considered incidental, including:
 - a. Mobilization
 - b. Temporary Traffic Control
 - c. CIPP liner design (thickness calculations)
 - d. Excavation, shoring / bracing, backfill and compaction of the access pits
 - e. Protection of excavations, including concrete jersey barriers, safety fence, etc.
 - f. Dewatering
 - g. Cutting of the watermain to gain access to the pipe to be lined
 - h. Preparation of the host pipe for lining, including cleaning, dewatering, and measuring
 - i. All materials and labor required to furnish and install the CIPP liner, as shown on the plan.
 - j. CCTV inspection of the host pipe and the CIPP liner.
 - k. All materials and labor required to reconnect the lined watermain to the distribution system at each access pit
 - l. All materials and labor required to furnish and install the gate valve and corporation stop, as shown on the plan.
 - m. Sampling and laboratory testing of the CIPP liner
 - n. Pressure testing of the lined watermain
 - o. Disinfection, flushing, and bacteria testing of the lined watermain
- D. Definitions:
 - 1. "Engineer" shall be interpreted to mean the City of Wayzata City Engineer, or the City Engineer's authorized representative.

1.02 REFERENCES

- A. ASTM:
 - 1. D638 - Standard Test Method for Tensile Properties of Plastics
 - 2. D790 - Standard Test Methods for Flexural Properties of Unreinforced and Reinforced Plastics and Electrical Insulating Materials
 - 3. ASTM D903 - Standard Test Method for Peel or Stripping Strength of Adhesive Bonds
 - 4. ASTM D2837 - Standard Test Method for Obtaining Hydrostatic Design Basis for Thermoplastic Pipe Materials or Pressure Design Basis for Thermoplastic Pipe Products
 - 5. ASTM D2992 - Standard Practice for Obtaining Hydrostatic or Pressure Design Basis for "Fiberglass" (Glass-Fiber-Reinforced Thermosetting-Resin) Pipe and Fittings

6. ASTM D5813 - Standard Specification for Cured-In-Place Thermosetting Resin Sewer Piping Systems
 7. F1216 - Standard Practice for Rehabilitation of Existing Pipelines and Conduits by the Inversion and Curing of a Resin-Impregnated Tube
 8. F1743 - Standard Practice for Rehabilitation of Existing Pipelines and Conduits by Pulled-in-Place Installation of Cured-in-Place Thermosetting Resin Pipe (CIPP)
 9. F2019 - Standard Practice for Rehabilitation of Existing Pipelines and Conduits by the Pulled in Place Installation of Glass Reinforced Plastic (GRP) Cured-in-Place Thermosetting Resin Pipe (CIPP)
- B. AWWA:
1. C600 - Installation of Ductile Iron Water Mains and their Appurtenances, Section 5.2: Pressure Testing
 2. C651 - Disinfecting Water Mains
 3. AWWA M28 – Manual for Rehabilitation of Water Mains

1.03 SUBMITTALS

- A. Submit Certificate of Compliance for products listed under Article 1.04.
- B. Manufacturer details of CIPP lining system, including material properties.
- C. Manufacturer recommended installation instructions.
- D. Manufacturer's certification identifying the contractor as a licensed installer.
- E. NSF Standard 61 certificate for the CIPP lining system.
- F. Manufacturer's recommended procedures for future tapping of CIPP liner.
- G. Certification that the CIPP liner is in compliance with AWWA Structural Class IV.
- H. Manufacturer's test data for the CIPP liner.
- I. CIPP liner design and thickness calculations in accordance with ASTM F1216 Appendix X1. CIPP Liner thickness calculation shall be prepared and stamped by a Professional Engineer registered in the state of Minnesota.
- J. Contingency plans for CIPP Installation.
- K. Minnesota Department of Health Submittal and approvals.
- L. Pre-installation CCTV recording
- M. Post-installation CCTV recording.
- N. Resin material quantities for the CIPP lining system installed.
- O. Copy of CIPP curing data log.
- P. Satisfactory written guarantee from the liner manufacturer stating that the proposed cured-in-place pipe product will bond to the existing host pipe according to the project specifications. This written guarantee shall be accompanied by results of any independent studies/tests and/or research and development data developed by the cured-in-place pipe product manufacturer.

1.04 QUALITY ASSURANCE

- A. Provide Certificates of Compliance from the manufacturer certifying that the following products meet the respective requirements listed in Article 1.02:
 1. CIPP Liner:
 - a. Pre-existing CCTV inspection of trunk watermain pipe condition DVD.
 - b. Design parameter certificates.
 - c. Liner materials and specifications.
 - d. Types of resins and cure schedules.

1.05 DELIVERY, STORAGE, AND HANDLING

- A. Inspection:
 1. Inspect all CIPP and products during the unloading process.
 2. Notify Engineer of any cracked, flawed or otherwise defective products.

3. Remove all products found to be defective by the Engineer from the Site.
- B. Handling and Storage: Handling and storage of liner and thermosetting resin products shall be in accordance with manufacturer recommendations.
- C. Acceptance at Site: Liner materials that are defective or damaged prior to installation shall be rejected and replaced at Contractor's expense.

1.06 WARRANTY

- A. All structural CIPP lining installed under this contract shall be warranted free from defects in materials, workmanship, and leaks and shall meet the performance and technical criteria set forth in this specification for a period of one (1) year from the date of the completed lining installation.

PART 2 PRODUCTS

2.01 DESIGN PARAMETERS

- A. The following design parameters shall be used in the design of pipe liners in addition to the manufacturer's standards and ASTM F1216:
 1. AWWA Structural Class – Class IV fully structural
 - a. 50 year internal burst strength, when tested independently from the host pipe
 - b. Survive any dynamic loading or other short term effects associated with sudden failure of the host pipe.
 2. CIPP liner must demonstrate appropriate AWWA pressure class.
 3. The CIPP tube shall be impregnated with an epoxy resin system that is compatible for the installation process being used.
 4. The CIPP tube shall be fabricated to dimensions such that when installed will fit tightly to the internal circumference of the host pipe.
 5. The epoxy coating shall not leach any organic compounds into the potable water system.
 6. The CIPP liner system, when cured, shall be chemically resistant to additives used in drinking water.
 7. The CIPP tube shall have a uniform thickness that when compressed at installation pressures will meet or exceed the minimum required thickness specified in the design.
 8. The wall color of the interior pipe surface of the CIPP liner shall be a light reflective color.
 9. Ovality of Existing Pipe: 2 percent Minimum.
 10. Existing Pipe Condition: Fully deteriorated.
 11. Factor of Safety Against Buckling: 2 minimum.
 12. Live Load: AASHTO HS20-44 Loading under Roadways; AASHTO E-80 Loading under Railroads.
 13. Soil Unit Weight: 125 pcf minimum (if no boring data is available in vicinity).
 14. Creep Reduction Factor: 50 percent maximum.
 15. Internal Pressure: System working pressure.
 16. Depth of cover: 8 feet.
- B. Liner material shall be tested in accordance with ASTM F1216, Section 8 - Inspection Practices. Certificates of tests shall be provided to Engineer.

2.02 MATERIALS

- A. The cured-in-place-pipe liner shall be composed of two concentric, tubular, felt or woven polyester jackets with a polymeric membrane bonded to the interior. The polymeric inner membrane shall be designed to ensure water tightness.

- B. The fully cured-in-place-pipe liner shall conform to the minimum structural standards as follows:
 - 1. Tensile Strength at Yield: 3,000 psi (ASTM D638).
 - 2. Flexural Strength: 4,500 psi (ASTM D790).
 - 3. Flexural Modulus: 250,000 psi (ASTM D790).
- C. Contractor shall furnish, prior to use of the lining materials, satisfactory written guarantee of its compliance with these specifications and the liner manufacturer's standards for all materials (felt or woven polyester jackets, watertight polymeric membrane bonded to the interior, and the thermosetting resin) and techniques being used in the method.
- D. Prior to the start of work, Contractor will be required to submit to the Engineer the types of resins and the resultant cure schedules for each length and size of watermain to be lined. The finished liner shall incorporate thermosetting materials that will withstand the corrosive effects of normal existing chemical additives to the water supply. The resin shall be able to cure in the presence of water, and the initiation temperature for cure shall be less than 180 degrees.
- E. CIPP field samples - to verify physical properties, Contractor shall submit a minimum of 10 test results from previous field installations of the same resin and tube materials as proposed for the actual installation. These test results must verify that the CIPP physical properties specified have been achieved in previous field applications.
- F. No substitutions or changes in materials or installation procedures shall be allowed without prior written approval by Engineer.

2.03 EQUIPMENT

- A. Contractor shall provide suitable temperature and pressure gages in accordance with the manufacturer's standards and specifications. Puller unit/winch cable shall be equipped with manufacturer recommended tension gage and shall be smooth running and variable speed. The cutting device shall be a remote monitored device for use inside the lined pipe.
- B. Contractor shall prepare and inspect all necessary tools and any spare parts that are required for equipment that suffer frequent breakdowns, and shall ensure that said tools and spare parts are available at the site. Contractor shall also prepare and make operable all necessary communication equipment for his field crew.

PART 3 EXECUTION

3.01 PREPARATION

- A. Use of Potable Water From City Fire Hydrants:
 - 1. Prior to beginning work, Contractor shall coordinate use of potable water from City hydrants with the City of Wayzata Public Works Department. The City will provide access to a nearby hydrant and a water meter for use during construction activities.
- B. Public Notification
 - 1. The Contractor will notify the City's Public Works Department a minimum of 48 hours prior to performing any work on a watermain. The Contractor will make every effort to maintain service usage for the City's customers throughout the duration of the project. The Contractor will be responsible for confirming the location of all service connections prior to installation of the CIPP, and will be responsible for verifying each service connection is opened and free of obstructions prior to putting the watermain back into service.

2. The City of Wayzata will notify affected customers prior to construction. In the event that a property service needs to be suspended or limited due to construction activities, City staff will provide a temporary water service, if required.

C. Cleaning and Inspection:

1. Immediately upon opening the host main at the liner insertion points and prior to installation of liner, the ends of the adjacent existing watermain that are not to be lined at the insertion/extraction points shall be covered/plugged by the Contractor so that no debris or animals shall enter into them during reconstruction work.
2. Contractor shall remove all internal debris out of the pipeline that will interfere with the installation. Pipes shall be cleaned by Contractor, as needed, with high-velocity jet cleaners, mechanically powered equipment, cable-attached devices or fluid-propelled devices (e.g., pipe pigs).
3. The cleaning method shall remove all rust, scales, tuberculation, deposits, loose or deteriorated remains of any original coatings and other foreign materials from the inside of the pipe so as to produce a smooth metal surface finish that will allow the new composite liner to adhere and bond to the existing host pipe.
4. Contractor shall lawfully dispose of all materials removed from the pipe during the cleaning operation at an off-site location, and shall pay all associated landfill fees and taxes.
5. City shall assume responsibility for legally required cleanup of any pre-existing soil contamination discovered in the course of this Project. Contractor shall immediately notify the Engineer of any evidence of contamination in excavated materials.
6. Contractor shall be held liable for cleanup of any soil contamination caused by the excavation and/or watermain lining process.
7. Verification of readiness to install liner shall be performed by experienced personnel trained in locating services, breaks, obstacles, etc. This may include pipe mandrels or other devices up to and including closed-circuit television or man entry. The interior of the pipeline shall be carefully inspected to determine the location of any conditions that may prevent proper installation of the impregnated tube. These conditions shall be noted and brought to the attention of the Engineer so that they may be corrected. Copies of CCTV inspection DVD's and related reports shall be made available to the Engineer as soon as possible, at no additional charge, for review and approval prior to commencement of corrective work.
8. A thorough examination of the route of the existing watermain shall be made after cutting of the trunk watermain. This shall include a pipeline location survey with equipment for locating any changes in direction, valves, bends, intrusions, and other fittings that may impede the insertion and/or proper inflation of the cured-in-place-pipe liner.
9. It shall be the City's responsibility to remove any unforeseen obstructions that might prevent the liner installation. The City shall have the right to make corrective repairs using in-house staff or a third-party contractor if it is deemed to be in the City's best interest to do so, or the Engineer may authorize Contractor to make repairs.
10. Any external water leaking back into the existing pipeline shall be removed so as not to interfere with the proper installation and cure of the CIPP liner.
11. Contractor shall field verify the length of watermain sections to be cleaned and lined. Contractor shall flush the host pipe with clean water to remove any loose debris from the interior surface of the pipe, and remove all standing water from the inside surfaces of the cleaned watermain by passing a sufficient number of oversized foam swabs through the main or use a progressive expansion method to remove standing water.
12. Contractor shall perform closed circuit television inspection of existing watermain at the following intervals:
 - a. After cleaning, and prior to watermain lining.
 - b. The finished pipeline after lining and service reinstatement. Contractor shall provide the Engineer with a complete set of electronic CCTV video footage. The picture and definition of the video footage shall be of good quality and shall identify the

watermain section as it is identified in the Drawings, distance and direction of travel, and the date of inspection.

D. Resin Impregnation:

1. Contractor shall designate a location where the CIPP will be vacuum-impregnated prior to installation. Contractor shall allow the Engineer to inspect the materials and procedures used to vacuum-impregnate the tube. If done on-site, the impregnation shall be done in an enclosed vehicle. On-site impregnation in the open is not acceptable.
2. The tube shall be impregnated (wet out) with resin under controlled conditions. The quantity of resin used for tube impregnation shall be sufficient to fill the volume of air voids in the tube with additional allowances for polymerization shrinkage and loss of resin through cracks and irregularities in the original pipe wall.

3.02 INSTALLATION

A. Installation of CIPP:

1. A CIPP is formed by the insertion of a resin-impregnated flexible felt tube into the existing pipe. The liner tube shall consist of two concentric, tubular, felt or woven polyester jackets with a watertight polymeric membrane bonded to the interior, which has been saturated with a thermosetting resin. The liner shall be inserted into the existing watermain either by direct inversion (ASTM F1216) using a head of water, or by pulling the tube into place by winching and then inflating it by inversion of a calibration hose (ASTM F1743). The shaping of the liner may be achieved by pushing a pig through the hose using water pressure. The thermosetting resin shall then be cured only by circulating hot water through the tube to cure the resin into a hard impermeable pipe. Use of hot air or circulating steam shall not be permitted during installation process.
2. The finished product shall be a seamless, structural pipe that is formed and bonded to the existing host pipe.
3. See the Drawings for replacement of specified watermain valves, hydrants, and fittings in conjunction with the CIPP lining installation.
4. If service connections on the trunk watermain pipeline are discovered while performing the post-cleaning CCTV Inspection, verify with the Engineer that the service connections may be permanently sealed, by lining past and not reinstating the service connections.
5. Prior to installation of the liner, Contractor shall submit required documentation pursuant to Sections 1.03 and 1.04 to Engineer for approval.
6. The wet out tube shall be inserted through an approved access point by means of a pull-in place method or a direct inversion process, or a combination of the two. The head used to extend the liner tube through the length of pipe being rehabilitated shall be sufficient to fully extend the tube both circumferentially and longitudinally.
7. Before the installation begins, Contractor shall determine the minimum pressure required to hold the tube tight against the existing pipeline, and the maximum allowable pressure so as not to damage the tube. In order to ensure a proper fit of the CIPP tube to the host pipe, the pressure shall be maintained between the minimum and maximum pressures until the installation has been completed.
8. The use of a lubricant during the installation process may be needed to reduce friction. Any lubricant used shall be a nontoxic, NSF/ANSI 61 certified product.

B. Curing:

1. After inflation or inversion is completed, Contractor shall supply a hot water heat source. The equipment shall be capable of delivering hot water to the far end of the liner to uniformly raise the temperature in the entire liner above the temperature required to initiate and effect curing of the resin system. The temperature shall be determined by the resin/catalyst system employed.
2. The heat source shall be fitted with suitable monitors to gage the temperature and pressure of the incoming and outgoing heat exchanger circulating heating medium. Thermocouples or temperature gages or infra-red gun shall be used at insertion and

- extraction points so as to determine and record the temperature of the liner and time of exotherm.
3. Initial cure will occur during temperature heat-up and is completed when exposed portions of the new pipe appear to be hard and sound and the remote temperature sensor indicates that the temperature is of a magnitude to realize an exotherm or cure in the resin. After initial cure is reached, the temperature shall be held at the post-cure temperature for a period as determined by Contractor. The curing process shall take into account the existing pipe material, the resin system, and ground conditions (temperature, moisture level, and thermal conductivity of soil).
- C. Cool Down: Once the cure is complete, Contractor shall cool the hardened liner to a temperature below 100 degrees F before relieving the internal pressure. Cool down shall be accomplished as recommended by the manufacturer. Care shall be taken in the release of the internal pressure so that a vacuum will not develop that could damage the newly installed liner.
- D. Inspection and Testing:
1. Costs related to testing outlined in this section shall be borne by Contractor, and shall be included in the base unit price per linear foot.
 2. After the liner has been cooled down and before opening the service connections, a preliminary television inspection of the newly installed liner shall be performed to determine that the liner is properly installed.
 3. The finished lining shall be continuous over the entire length and be free from visual defects such as foreign inclusions, lifts, pinholes and delaminations. The lining shall be impervious and free of any leakage from the pipe to the surrounding ground or from the ground to the inside of the lined pipe.
 4. If the CIPP does not fit tightly against the host pipe at the termination points, the space between the pipes should be sealed by filling with a resin mixture compatible with the CIPP (incidental to the installation of the CIPP liner).
 5. Sampling:
 - a. The contractor shall cut samples from the cured CIPP for testing in accordance with ASTM F1216 Section 8.0.
 - b. The samples shall be taken for each inversion length completed by the contractor.
 - c. The samples shall be large enough to provide five specimens for flexural testing, five specimens for tensile testing, and five specimens for delamination testing.
 - d. The samples shall be properly labeled, indicating the date of inversion, date of cure, and project number.
 6. The following tests are required for each fully cured CIPP inversion lengths installed by the contractor:
 - a. Short-Term Flexural (Bending Properties) – ASTM D790
 - b. Tensile Properties – ASTM D638
 - c. Delamination – ASTM D903
 - d. CIPP Wall thickness – ASTM D5813
 7. Contractor shall perform a hydrostatic pressure test on the lined watermain, on all CIPP sections as required by regulatory agencies having jurisdiction, and shall be completed after inspection but before the reinstatement of service connections. Pressure and leakage testing shall adhere to pressure pipe testing requirements described in Section 8.3 of ASTM F1216, and as follows:
 - a. The pressure and leakage test shall be at twice the known working pressure or at the working pressure plus 50 psi, whichever is less.
 - b. The above pressure shall be held for a minimum of 2 hours, with no drop in pressure during the last hour of the 2 hour pressure test.
- Prior to conducting hydrostatic pressure testing, the Contractor shall gain approval from the City to apply the testing requirements listed in this section.

E. Acceptance of Completed Work:

1. After the work is completed, Contractor shall provide the City with CCTV video footage showing:
 - a. The cleaned pipeline before lining
 - b. The finished pipeline after lining and service reinstatement
2. After the work is completed, Contractor shall provide the City with a copy of all test results and certifications as required by regulatory agencies and/or by this specification.
3. Contractor shall be responsible for correction of all defects in materials and workmanship at no cost to the City, including removal and replacement of the entire section of lining, if deemed necessary by the Engineer.
4. After acceptance of completed work, Contractor shall return the piping system to service by closure of all liner insertion pits with appropriate pipe spools, valves, and other relevant pipe fittings.
5. Contractor shall obtain samples and arrange and pay for all testing and reports required by the Minnesota Department of Health prior to placing the pipeline back in service.

F. Disinfection of Watermains

1. The City of Wayzata Public Works Department must be notified at least 48 hours prior to flushing. New watermain valves, including pressure tap valves, connected to an existing watermain, and existing watermain valves shall only be operated by the appropriate City Public Works Department personnel.
2. Disinfect all newly installed watermains, appurtenances and services in accordance with AWWA C651.
 - a. Tablet or Continuous Feed Method:
 - 1) Hold chlorine solution in pipe for a minimum period of 24 hours.
 - a) Initial dosage: 50 ppm minimum.
 - b) Residual dosage after hold period: 10 ppm minimum.
3. Flush system within 24 hours after disinfection is completed.
4. Sampling and Testing:
 - a. After final flushing, obtain 2 sets of samples taken a minimum of 24 hours apart.
 - b. Each sample set shall include:
 - 1) One sample for every 1,200 feet of main.
 - 2) One sample at each dead-end.
 - 3) Ensure that 1 sample is obtained from each branch of main.
 - 4) Minimum sample required: 2.
 - c. Perform coliform tests on each sample.
 - d. Rechlorinate if any sample tests positive for coliform.

END OF SECTION

FER-PAL INFRASTRUCTURE CIPP BUDGET QUOTE

EXHIBIT A
Page 1 of 1
September 12, 2018

Customer:	City of Wayzata, Minnesota
Attention:	Jen Schumann, EIT
Project	Ferndale Road S, 10-inch CIPP Water Main Lining Project

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	EXTENDED TOTAL PRICE
1	Dewatering (Estimated value - Final cost to be determined on completion)	1	LS	\$ 9,000.00	\$ 9,000.00
2	Access Pit Excavation, Re-connect, Backfill, Traffic Control & Pre CCTV	1	LS	\$ 28,600.00	\$ 28,600.00
3	Clean & Line Water Main, 10-inch Valve install, 1.5" Corp Install, Testing & Disinfection	1	LS	\$ 30,710.00	\$ 30,710.00
4	Additional Traffic Control Costs - Jersey Barriers at North Access Pit	1	LS	\$ 2,000.00	\$ 2,000.00
					\$ -

TOTAL \$ 70,310.00

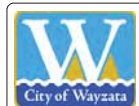
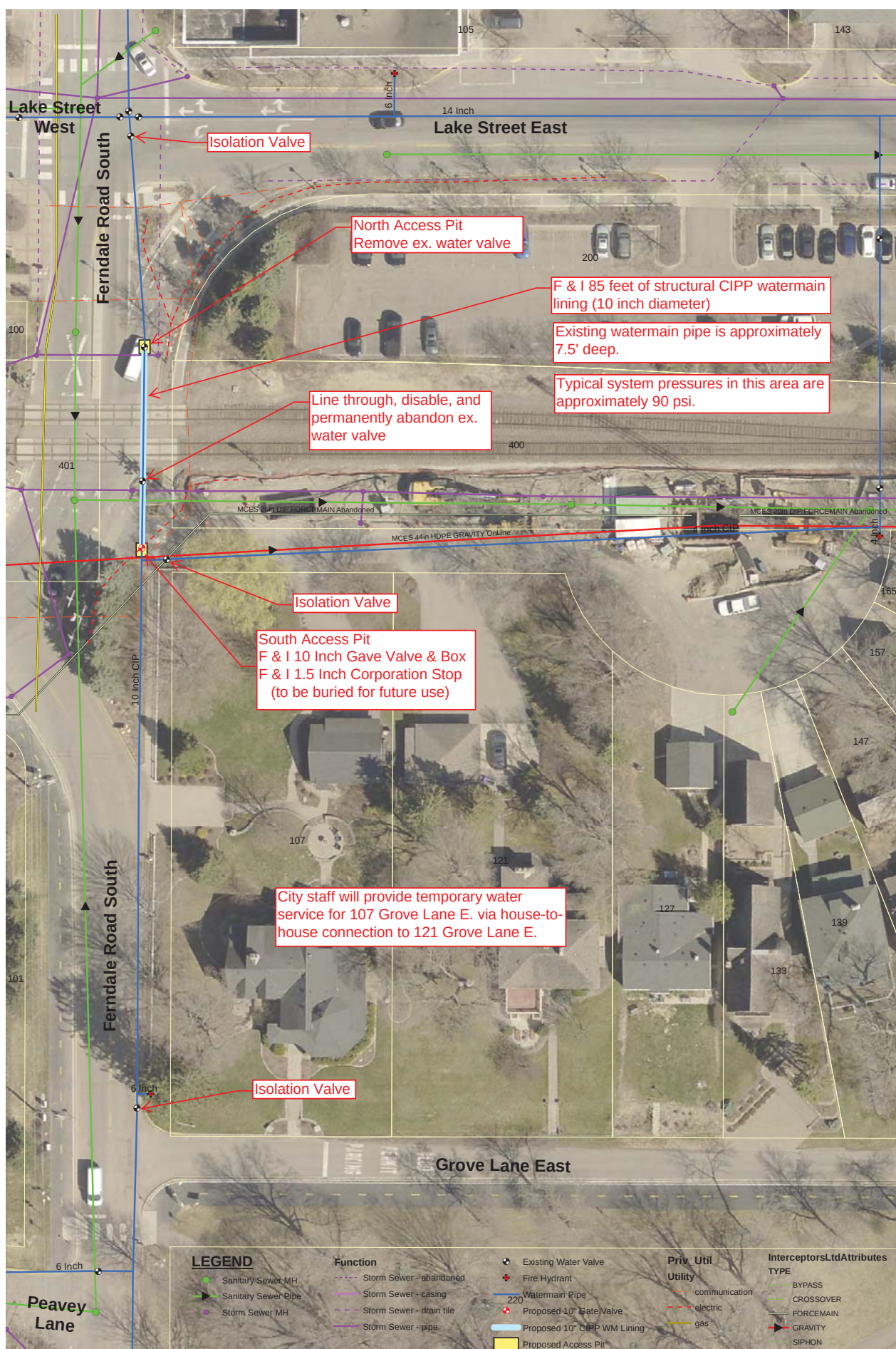
INCLUSIONS AND EXCLUSIONS	INCLUDED	EXCLUDED
Materials and Installation Method	x	
Potable water certification : NSF 61	x	
Lining Reports, DVD Inspection Videos	x	
GPS As Builts		x
Laser Profile of inside the water main to determine the sizing of the water main	x	
Temporary Water By-Pass System to Service Residents or Commercial Industrial Buildings		x
Site permit, parking permit, fire hydrants permit		x
Traffic control or flagpersons, signage and barrels	x	
Jerseys and safety fences, steel plates	x	
Excavation, backfill and all surface restoration of access pits	x	
Shoring, shoring systems, engineered drawings for shoring system	x	
Free use at all times of the closet fire hydrant or other adequate source of water (water tank truck)		x
Cutting of the water main to gain access to water main to be lined	x	
Dewatering	x	
Cleaning residues disposal if required		x
Flushing, disinfection, water sampling and water main commissioning	x	
Pressure Testing of CIPP-Lined pipe per ASTM F1216-16-8.3 Standards	x	
Roads cleaning and landscaping		x
Pipe mechanical work	x	
Tie-ins, connections	x	
Bonds		x

ADDITIONAL NOTES:

A	Quote effective for 30 days
B	Price subject to change based upon defined scope of work
C	Pricing does not include compaction testing
D	Temporary Bypass and ALL restorations to be completed by the City of Wayzata



FER-PAL INFRASTRUCTURE • 1350 GASKET DRIVE. • ELGIN, IL 60120 • (847) 214-0103



FERNDAL RD & BNSF RR X-ING
2018 WATERMAIN REPAIR

PLAN A
CIPP STRUCTURAL CL IV LINING

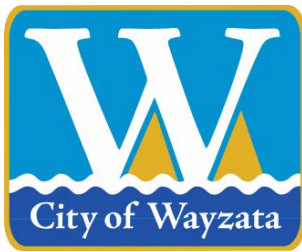
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Designed by: **MICHAEL H. KELLY JR., P.E.**
Checked by: **MHK**
Drawn by: **JLS**
City Project No: **N/A**

DESIGNED: **JLS**
DATE: **9/4/2018**
CHECKED: **MHK**
DRAWN: **JLS**
CITY PROJECT NO: **N/A**

Symbol	Description	Date	Appr.

Sheet No. **105 of 189**



City of Wayzata City Council Agenda Report

MEETING DATE: September 18, 2018	AGENDA ITEM: 8a
TITLE: Consider Resolution No. 52-2018 Approving PUD General Plan and Design Review and Ordinance No. 784 for Ventana Condos at 253 Lake St E	
PROPOSED MOTION: To Adopt Resolution No. 52-2018 and First Reading of Ordinance 784	
PREPARED BY: Jeff Thomson, Director of Planning and Building	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

City staff recommends that the City Council adopt the resolution approving the development application, as recommended by the Planning Commission.

FINANCIAL OR BUDGET CONSIDERATION:

The development application does not have any impact on the City's 2018 General Fund budget.

BACKGROUND:

Application Overview

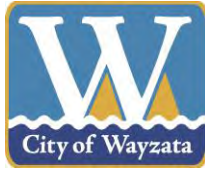
The applicant, Weber Architects & Planners, and the property owner, Ventana, LLC, have submitted a development application to redevelop the property at 253 Lake Street East. The proposal includes demolition of the existing building and construction of a three story building with 16 residential condos with one level of underground parking. The development application requests approval of Planned Unit Development (PUD) general plans and design review.

Planning Commission Review

The Planning Commission reviewed the development application and held a public hearing at its meeting on August 20, 2018. After discussing the application, the Planning Commission voted six (6) in favor and zero (0) to adopt a Report and Recommendation of approval of the development application.

ATTACHMENTS:

1. August 20, 2018 staff report
2. Applicant's narrative
3. Proposed plans
4. Design review critique
5. Approved PUD concept plans
6. August 20, 2018 Planning Commission meeting minutes
7. Draft Resolution No. 52-2018
8. Planning Commission Report and Recommendation
9. Draft Ordinance 784



**Staff Report
August 20, 2018**

Project Name:	Ventana Condos
Applicant	Ventana, LLC
Property Owner	Berry & Co, Inc
Addresses of Request:	253 Lake St E
Prepared by:	Jeff Thomson, Director of Planning and Building
“60 Day” Deadline:	October 20, 2018 (120 day extension)

Development Application

Introduction

The applicant, Weber Architects & Planners, and the property owner, Ventana, LLC have submitted a development application to redevelop the property at 253 Lake Street East. The proposal includes demolition of the existing building and construction of a three story building with 16 residential condos with one level of underground parking. The development application requests approval of PUD general plans and design review.

Background Information

Over the past year, the City has been considering redevelopment plans on Lake Street between Manitoba Ave and Ferndale Rd. The redevelopment plans include potential public parking that could be provided behind the buildings on the northwest corner of Lake Street and Barry Ave. This parking would serve the proposed development, the existing easement with the Boatworks property, and provide additional public parking for the downtown area. As each of the individual development projects has been reviewed by the City, the land behind 235, 239, 253 and 275 Lake Street has been approved with the public parking option.

On December 19, 2017 the City Council approved the rezoning, PUD concept plan, building height variance, and shoreland impact plan/conditional use permit for the redevelopment of 253 Lake St E. The redevelopment project includes demolition of the existing buildings, and construction of a three story building with 16 residential units with one level of underground parking. As part of the approved PUD concept plan, the applicant proposed donating the land behind the building to the City for use as public parking.

On July 31, 2018, the City Council approved the development application to subdivide the property into three separate lots to facilitate the donation of the back of the property to the City for public parking, and retaining the front lot for the proposed development project.

Application Requests

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

- A. PUD General Plan of Development Review: A rezoning to PUD requires both concept and general plan of development review. The City Council approved the PUD concept plan of development in December 2017. The applicant is now requesting approval of the PUD general plan of development. (City Code Section 801.33.6)
- B. Design Review: Construction of a new multi-family residential building requires design review. (City Code Section 801.09.1.5)

Property Information

The property identification number and owner of the property are as follows (prior to platting):

Address	PID	Owner
253 Lake St E	06-117-22-23-0013	Berry and Co, Inc.

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

Current zoning:	Planned Unit Development (formerly C-4A/Limited Central Business District)
Comp Plan designation:	Central Business District
Overlay districts:	S/Shoreland Overlay District W/Wetland Overlay District

Project Location

The property is located on the north side of Lake Street, between Barry Avenue and Edgewood Court:

Map 1: Project Location



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	Wayzata Villa Condominiums and Zitzloff Development site	R-5/Average Density Multiple Residential District	High Density Multiple Family
East	Wayzata Blu Development Site	PUD/Planned Unit Development	Central Business District
South	Lake Street	N/A	N/A
	TCF Bank building	PUD/Planned Unit Development	Central Business District
West	Hughes development site	C-4A/Limited Central Business District	Central Business District

Public Hearing Notice

The public hearing notice was published in the *Lakeshore Weekly News* on August 9, 2018. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on August 8, 2018.

Project Overview

The development application includes demolition of the existing commercial building and out buildings, and construction of a new three-story, residential building. The lower level would include 32 enclosed parking stalls and would be partially located above grade. The three stories include a total of 16 residential condominiums. The entrance to the lower level parking garage would be located on the back of the building, and access would be provided from Lake Street via an easement from the adjacent Hughes development site.

Public Parking

The application includes donation of the land behind the proposed building to the City for parking. This is consistent with the City's approval of the Wayzata Blu project and in consideration of the Hughes development immediately to the west. The City Council previously approved the subdivision application to create the separate lots for public parking and the donation agreement between the applicant and the City.

Planned Unit Development Process

The planned unit development zoning district is unique compared to a standard zoning district in that the development plans that are submitted with an application and approved by the City Council, are the regulating documents for the zoning of the property. Any future changes to the development must be consistent with the approved plans, or the property owner must apply to amend the PUD.

In Wayzata, there is a two phase review of a PUD request. The first phase of PUD review is the concept plans, which provides an overview of the development and a general schematic design of the project, but does not include detailed engineering and architectural design of the buildings and site improvements. The intent of the concept plan is to review the general project characteristics such as consistency with the Comprehensive Plan, consistency with the purpose and intent of the PUD district, and compliance with the general standards outlined in the PUD zoning district. The second phase of a PUD review is the general plan, which is a more detailed review of the site and building design.

The City Council reviewed and approved the PUD concept plan for this development in December 2017. However, the concept plan review does not bind the City from evaluating the PUD general plan on its own merits.

Analysis of Application

City staff has reviewed the pertinent information and City Code requirements for the PUD general plan, and provides the following analysis and information:

Comprehensive Plan

The Comprehensive Plan land use designation for the subject property is Central Business District. The Comprehensive Plan includes the following discussion for the Central Business District:

The Central Business District (CBD) includes the main thoroughfare of Lake Street and is generally referred to as downtown. The CBD continues to evolve into a diverse environment of retail stores, offices, restaurants, and residential land uses. This diversity is seen as healthy in that it attracts a wide variety of people into the downtown area at all times of the day. This diversity along with its proximity to Lake Minnetonka, make the CBD a destination place in the region.

Design Review

The project is subject to the design standards for the Lake Street district. A design review critique of the proposed plans is attached to this report. The proposed project requests one deviation from the design standards:

- Front Door Location: The design standards state that the main entrance to the building must face the primary street at sidewalk grade. The proposed plans have the main entrance at sidewalk level, but on the side of the building and not on Lake Street. The primary reason for the entrance location is (1) the residential uses on the first floor; (2) the width of the building; and (3) the functionality of the first level floor plan.

Zoning

The property is currently zoned PUD, and is located within the shoreland and wetland overlay districts. The following table outlines the zoning standards for the C-4A (previous zoning), PUD, and shoreland overlay districts:

	C-4A Zoning	PUD Zoning	Shoreland Overlay District	Proposed PUD
Height (max.)	2 stories and 30 feet, whichever is less	3 stories and 35 feet, whichever is less	35 feet	3 stories 39.1 feet*
Floor Area Ratio (max.)	2.0	None	None	1.55
Impervious Surface (max.)	None	None	25% 75% with stormwater management 100% with shoreland impact plan/CUP	84% of Lot 1 0% of Lots 2/3
Property Line Setbacks (min.)	None (not adjacent to residential district)	None	None	North: 2 ft. East: 2 ft. South: 12 ft. West 13 ft.

Building Height

Per the zoning ordinance, the building height is measured from the average grade along the building footprint to the top of the parapet/coping of a flat roof. The Council's approval of the PUD concept plan included approval of a building height variance and a conditional use permit/shoreland impact plan for a building height of 40 feet. The proposed building would be three stories with an overall height of 39.1 feet from average grade to the top of the parapet/coping of the building, which is less than the PUD concept plans. The proposed building also includes a basement level for underground parking, which would extend 6 feet above grade level. The zoning ordinance states that a basement level can extend up to 6 feet above grade before it is considered an additional story. Therefore, as defined by the zoning ordinance, the proposed building is 3 stories with a basement level.

Density

The PUD zoning district states that the residential area standards of the R-5 zoning district apply to multiple family residential PUD projects, as determined by the City Council. The R-5 zoning district would require a minimum of 2,000 square feet of lot area per dwelling unit. The proposed PUD would have a lot area per dwelling unit of 3,414 sq. ft. with the proposed 16 dwelling units and include the public parking area on Lots 2 and 3, which are part of the PUD.

Parking

The City's parking ordinance establishes the minimum number of parking stalls that must be provided in a development. For a multiple family development, the parking ordinance requires a minimum of two fee-free spaces for each dwelling unit, of which one must be enclosed. The proposed building consists of 16 dwelling units and 32 enclosed parking spaces within the underground garage. The proposed project provides two stalls per dwelling unit, which meets the requirements of the City's parking ordinance. The project is also proposing to deed Lots 2 and 3 in the rear of the property to the city for a future public parking lot.

Site Access and Circulation

The site previously had a single access drive from Lake Street that was shared with the adjacent property to the east, 259 Lake St E, which is the current construction site for Wayzata Blu. The proposed building would have vehicular access from the Hughes property to the west, 239 Lake St E. As a condition of approval, staff would recommend that the applicant obtain an access easement from the adjacent property owner to allow for the proposed access configuration.

Sidewalks and Pedestrian Connections

The proposed plans includes 12-foot sidewalk along Lake Street that would meet the downtown design guidelines. The plans also include private landscaping between the north edge of the public sidewalk and the building. There would also be a pedestrian walkway on the subject property between Lake Street and the future shared parking lot on the back of the property.

Action Steps

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

Attachments

Applicant's Narrative
Site Tabulation
Building Tabulation
PUD General Plans
Design Critique
Approved PUD Concept Plans

Applicable Code Provisions for Review

Comprehensive Plan

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

- Allow a mix of commercial, office, and residential uses that strengthen the CBD as the shopping, employment, and entertainment destination of Wayzata.
- Update development standards continually to assure the highest development quality possible for the Central Business District.
- Complement the CBD and its strong sense of place through land use choices, urban design principles, traffic, parking, and architectural style.
- Investigate strategies to increase retail vitality throughout the CBD.
- Define and evaluate on-street/off-street parking needs consistent with land use, and requirements within the CBD so as to emphasize circulation ease and access control.
- Continue to provide a safe, comfortable, and attractive pedestrian scale environment through the enhancement of the pedestrian circulation system by improving sidewalks, walkways and street furniture; mitigating conflicts with traffic and street intersections, and by providing proper demarcation and sign control.
- Enhance the image and identity of the CBD by emphasizing street trees and landscaping elements.
- Plan for an orderly transition between the CBD development and adjacent residential neighborhoods.
- Accommodate traffic without negatively compromising the integrity of the downtown and its adjacent neighborhoods.
- Consider complementing abutting edges, both residential and retail/commercial.
- Consider public financial support that is fiscally responsible and provides value to the City's infrastructure and community systems.
- Consider ways to assist with redevelopment when properties become a liability to the community.

- Commercial buildings on Lake Street, west of Barry Avenue, should not be required to have a first floor retail use, although it is allowed and encouraged. Transparency requirements under the Lake Street District of the Design Standards remain in effect.
- Identify ecological and water quality impacts on the lake and other water bodies caused by proposed land use developments, for example stormwater runoff, and work to mitigate these impacts.

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

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

Purpose of PUDs: Section 801.33 of the Zoning Ordinance provides for the establishment of Planned Unit Developments to allow greater flexibility in the development of neighborhoods and/or non-residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD process, by allowing deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:

- A. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
- B. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
- C. More convenience in location and design of development and service facilities.
- D. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.

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

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

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

- J. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
- K. Setbacks. The front, rear and side yard restrictions on the periphery of the PUD shall be the same as imposed in the respective districts.

Design Standards (City Code Section 801.09): The design standards set forth in Section 9 of the Wayzata City Zoning Ordinance are referred to collectively as the “Design Standards” or the “Standards”. The purpose of the Design Standards is to shape the City’s physical form and to promote the quality, character and compatibility of new development in the City. The Standards function to:

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

With the exception of Section 7 of the Design Standards, a deviation from any section of the Design Standards shall require a finding by the City Council (after considering the Planning Commission’s recommendation) that the negative impact of such deviation is outweighed by one or more of the following factors:

- 1. The extent to which the project advances specific policies and provisions of the City’s Comprehensive Plan.
- 2. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards.
- 3. The positive effect of the project on the area in which the project is proposed.
- 4. The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.
- 5. The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.

6. A national, state or local historic designation.
7. The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.

17 July 2018
Narrative

Ventana LLC

253 Lake Street

Wayzata, MN 55391

1 General Description:

This narrative will be short and to the point. The development of this area of Wayzata has been discussed for a long time. The only way that it will be done is by a cooperative effort of the three adjacent property owners and the City of Wayzata working as one. This submittal for building approval carefully follows the Concept Plan as has already been approved.

2 Site Plan:

The site plan has not changed. We have an access agreement in place with Wayzata Blu (adjacent to the east of our site) to give us access to the rear of our building. When the plan to the west of our site is approved and access to the public parking in the rear is built we will have an access to our building from that drive.

The site plan tabulations show the; site areas, building areas, floor area ratio, hard cover calculations, setbacks, and building floor elevations.

3 Building Design:

Parking is provided in the level that is partially below grade due to the high water conditions. We are providing 2 spaces per unit inside the building as required. We do not depend on the public parking area to meet our requirement. When the access to public parking is constructed from Lake Street to the rear of our building we will have access directly off of that drive. This will not change the number of parking stalls or change in any way the shape or size of our parking level.

We have 16 units which range in size from 1,231 sf to 4,031 sf. The first and second floors each have 6 units and the third floor has 4 units.

The building is set back on every level as shown in the sketches. We have set back the first floor from the base. The second and third floors are set back from the first floor as dimensioned on the building plans. The amount of glass directly facing Lake Street at each floor is over 60%. However, when you consider the

glass perpendicular to Lake Street at the front elevation we have in effect almost 80% of the wall facing the street as glass.

The building will have a stone and metal panel exterior with accents of stucco. The calculations of the exterior materials are shown on the Building calculation sheet.

4 Unit Design:

Although the actual unit design is not critical to the approval of this building, we are showing some conceptual plans which illustrate the openness of the plans that we will be building. It is important to us to have units that have a lot of glass which will add to the interior ambiance of our units. We have included some interior image sketches of our units.

5 Storm Water:

We are not required to provide any storm water control for our site since the small site area that we have will drain to the access drive to the west and the site area behind us will be designed and controlled by the City of Wayzata. We are proposing to work with the City of Wayzata and our neighbor to the west to coordinate how the storm water will be handled in the final construction documents for all three parcels.

6 Landscape/Lighting:

The site survey shows the line of the street. We have shown on our building plans a 12 foot sidewalk from the curb line. The sidewalk will be installed to meet the specifications of the City of Wayzata. We are showing two street trees planted in steel grates as is common on Lake Street. The area between the public sidewalk and the building would be planted in a variety of prairie grasses to totally screen the approximately 3 foot space between grade and the bottom of the panels of the first floor deck.

We would see the site lighting to occur along the access to the public parking and the standard street lighting which existing patterns would be continued in from of our building.

Conclusion:

We are presenting a developed building that follows exactly the building concept previously approved. The building meets and exceeds the requirements of the zoning ordinance. The final details of landscaping and lighting will need to be coordinated with our neighbor the west and the City of Wayzata.

Ventana Condo
253 Lake Street

Site Tabulation

Total Site Area	57,954 sf	(100%..From Survey)
(From Survey)		
Lot 1	20,780 sf	(35.9%)
Lot 2	4,033 sf	(6.9%)
Lot 3	28,551 sf	(49.5%)
ROW	4,436 sf	(7.7%)

Building Footprint	17,400 sf
Three floors	40,933 sf

Floor area ratio;

Building w/ Lot 1	1.96 (2.0 allowed)
Building w/ Lot 1 & 2	1.64
Building w/ Lot 1 & 2 & 3	0.76

Hard Cover Calculations;

(Calculations to not take into account public parking since we do not yet know the design as developed by the City of Wayzata)

Building w/ Lot 1	83%
Building w/ Lot 1 & 2	70%
Building w/ Lot 1 & 2 & 3	32%

Building Setbacks;

East	2 feet
South	12' min from street ROW
West	Varies from 13' to 19' to property line Approximately 17' to joint access drive
North	2 feet

Average grade at footprint of building	935.897'
Building height allowed (935.897' + 40')	975.897'

Building Elevations;

First Floor	941'0"
Second Floor	951'8"

Third Floor	962'4"
Parapet	975'0" (Meets height limit)

17 August 2018

Ventana Condo
253 Lake Street

Building Tabulation

Parking level Elevation 932'0"

32 Parking space (2 per unit)
Amenity spaces
Mechanical spaces
Storage spaces
Trash room
Entrance Lobby

Total area 17021 sf

First Floor Elevation 941'0"

Unit 101	3106 sf
Unit 102	1984 sf
Unit 103	2036 sf
Unit 104	2036 sf
Unit 105	1536 sf
Unit 106	2168 sf
Common	1524 sf

Total area 14,390 sf

Second Floor Elevation 951'8"

Unit 201	2622 sf
Unit 202	2004 sf
Unit 203	2014 sf
Unit 204	2014 sf
Unit 205	1539 sf
Unit 206	2467 sf
Common	1231 sf

Total area 13855 sf

Third Floor Elevation 962'4"

Unit 301 4031 sf
Unit 302 2313 sf
Unit 303 3663 sf
Unit 304 1781 sf
Common 900 sf

Total area 12688 sf

Parapet Elevation 975'0"

Lake Street Elevation

Area of façade directly facing Lake Street

	Bldg Area	Glass Area	
First Floor	920 sf	576 sf	62.6%
Second Floor	920 sf	576 sf	62.6%
Third Floor	920 sf	576 sf	62.6%

The area of glass directly facing Lake Street is at each floor is 62.6%. However the effective area of glass is much higher. Looking at our floor plans, we have added glass on the walls perpendicular to Lake Street formed by the set backs of each of the floors. This added glass in effect gives us almost 80% glass facing Lake Street at each floor.

Total Building Material Calculation

	Tot. Area	Glass	Stone	Metal	Stucco	
South	3680 sf	1728 sf (47%)	494 sf (14%)	972 sf (25%)	486 sf (14%)	
West	7560 sf	2160 sf (29%)	3696 sf (49%)	1424 sf (18%)	280 sf (4%)	
North	3680 sf	1512 sf (41%)	1292 sf (36%)	516 sf (14%)	234 sf (6%)	GD 126 sf
East	7560 sf	2718 sf (36%)	1999 sf (27%)	2148 sf (29%)	695 sf (8%)	
	22480 sf	8118 sf (37%)	7481 sf (33%)	5060 sf (23%)	1695 sf (7%)	



VENTANA CONDOS

253 LAKE ST. EAST
WAYZATA, MN



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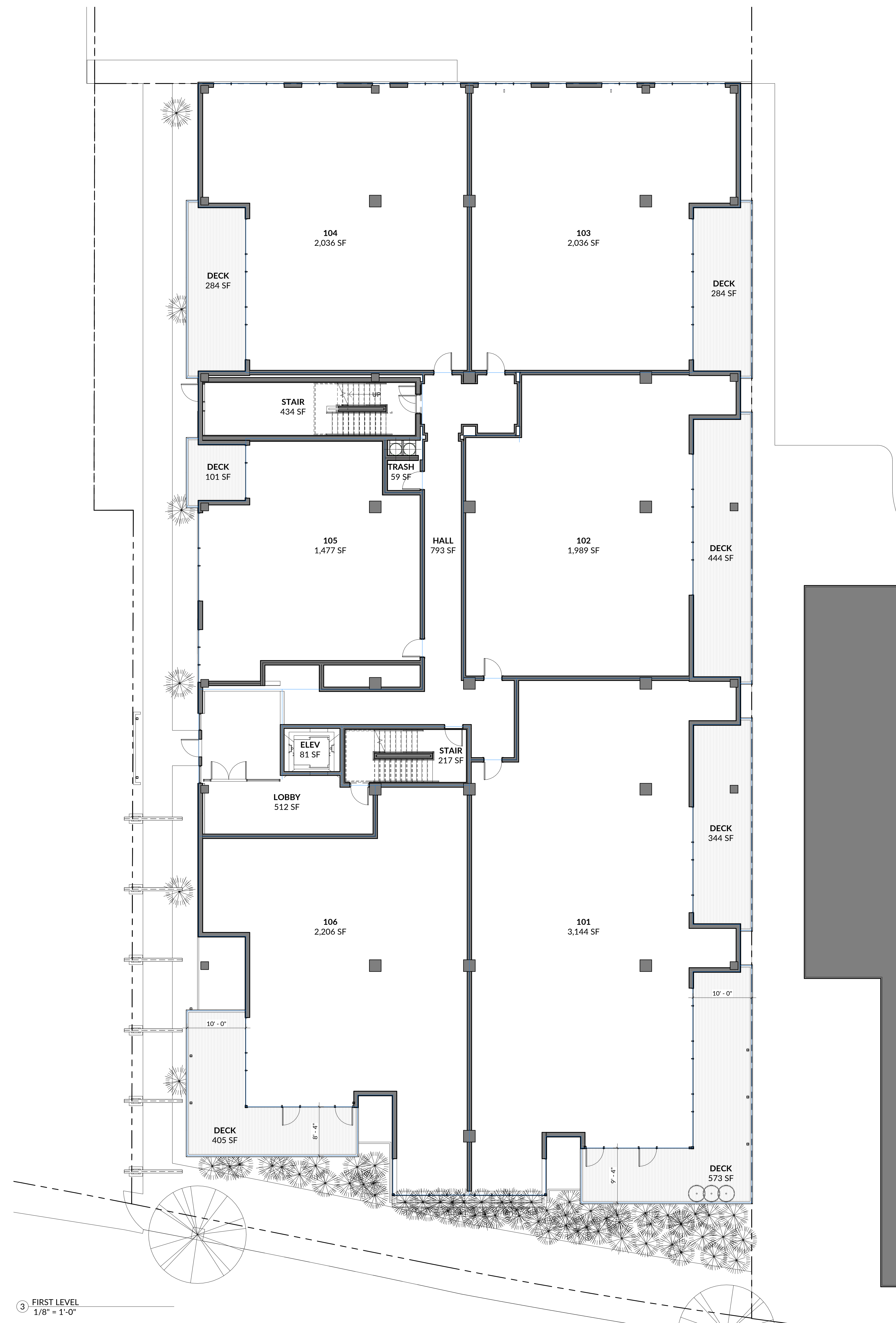
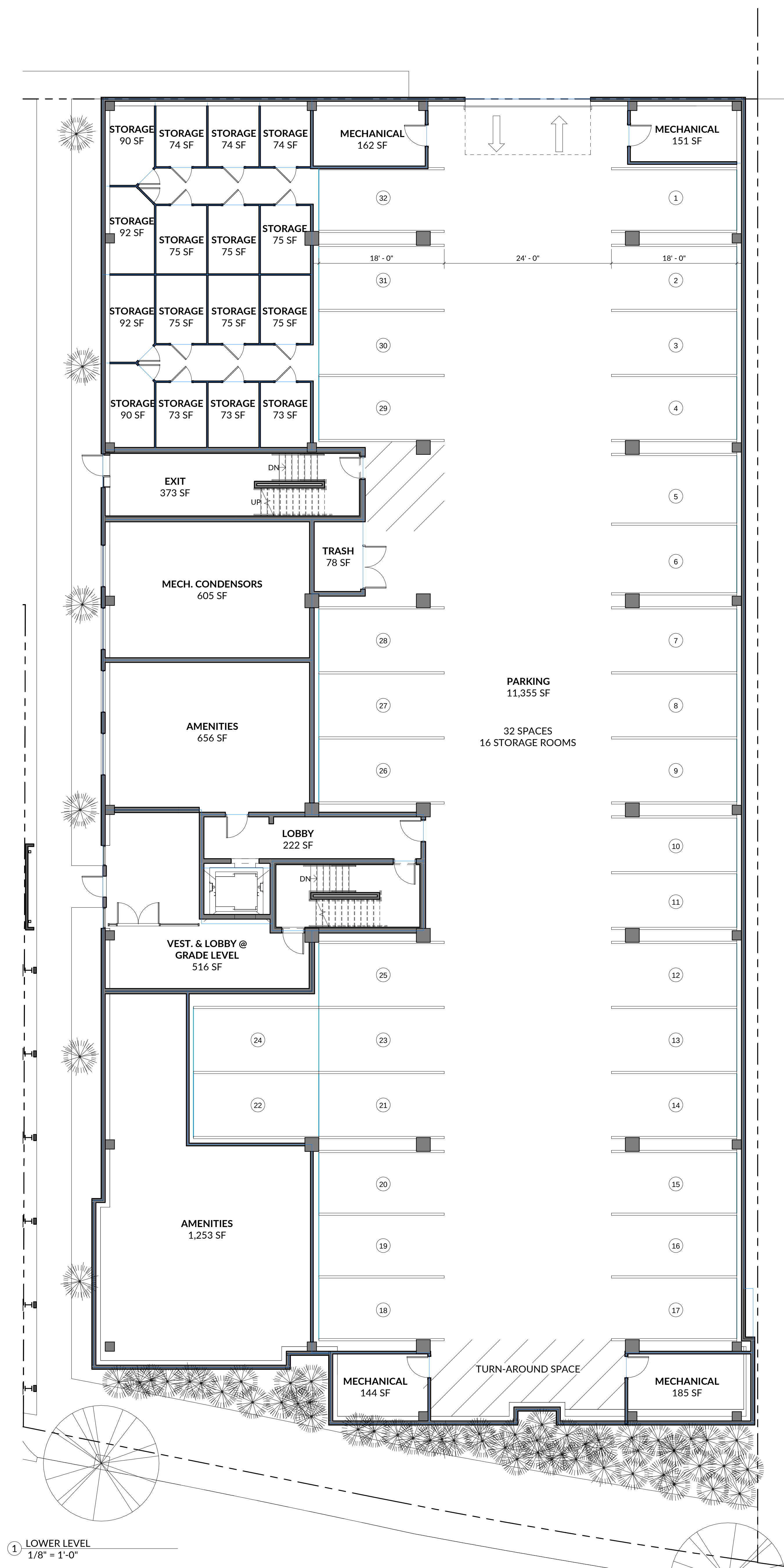


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NOT FOR CONSTRUCTION

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 ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

LICENSE NUMBER: 16 August 2018
DATE:

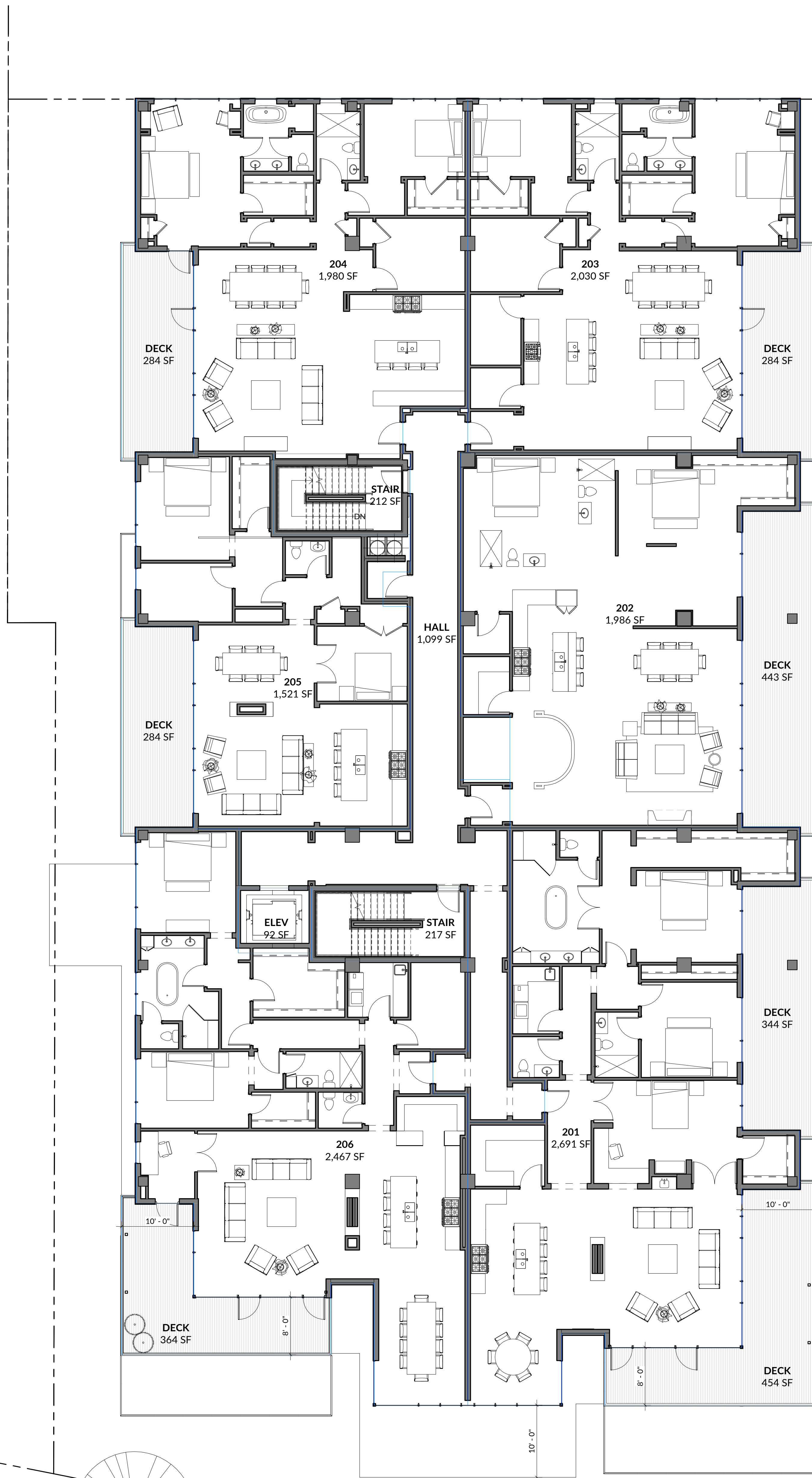
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REVISION DATE

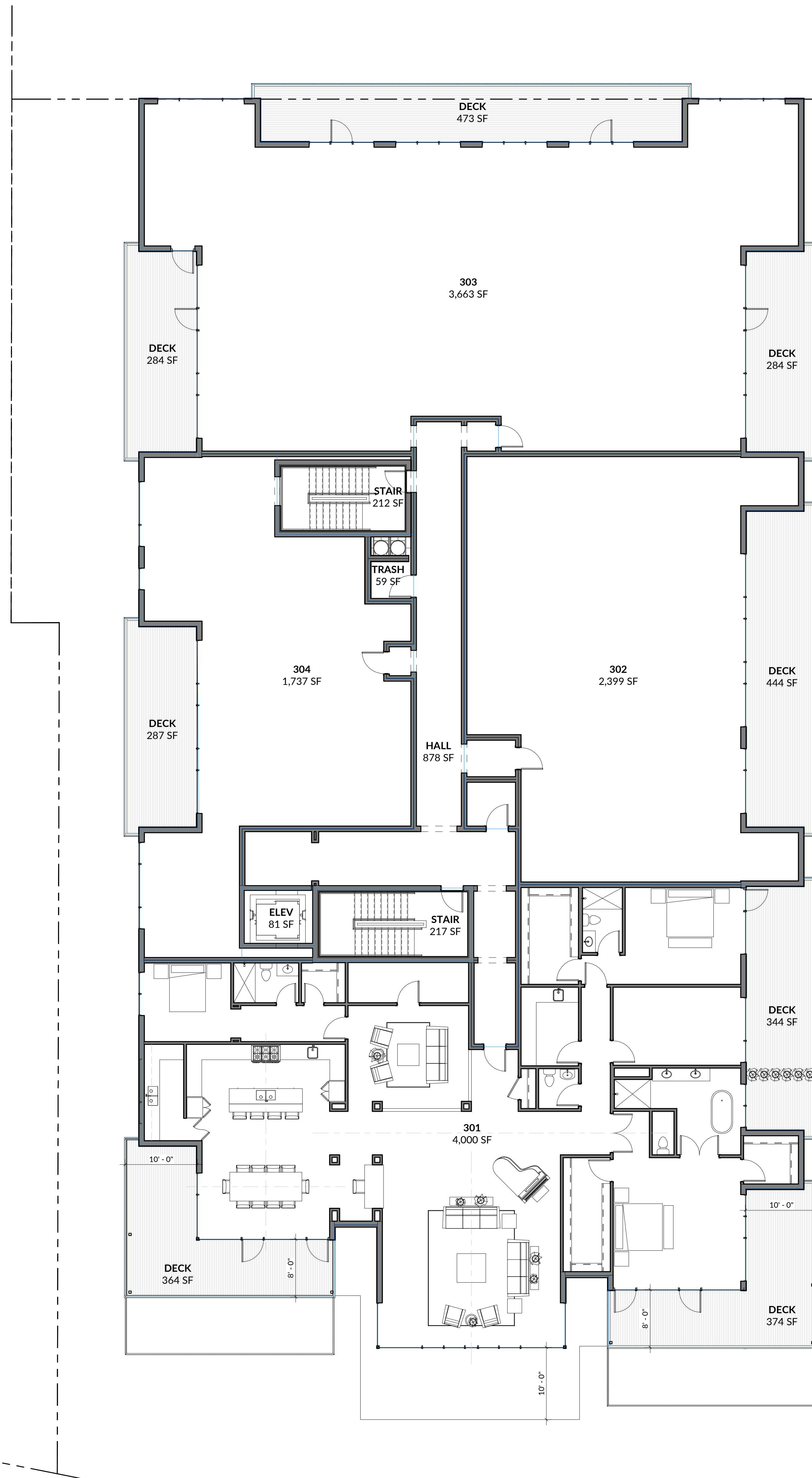


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LOWER & MAIN LEVEL PLAN



3 SECOND LEVEL
1/8" = 1'-0"



1 THIRD LEVEL
1/8" = 1'-0"

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PROJECT NUMBER: NW1001
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SECOND & THIRD LEVEL PLAN



① SOUTH ELEVATION
1/8" = 1'-0"



② EAST ELEVATION
1/8" = 1'-0"



③ NORTH ELEVATION
1/8" = 1'-0"



④ WEST ELEVATION
1/8" = 1'-0"

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ELEVATIONS



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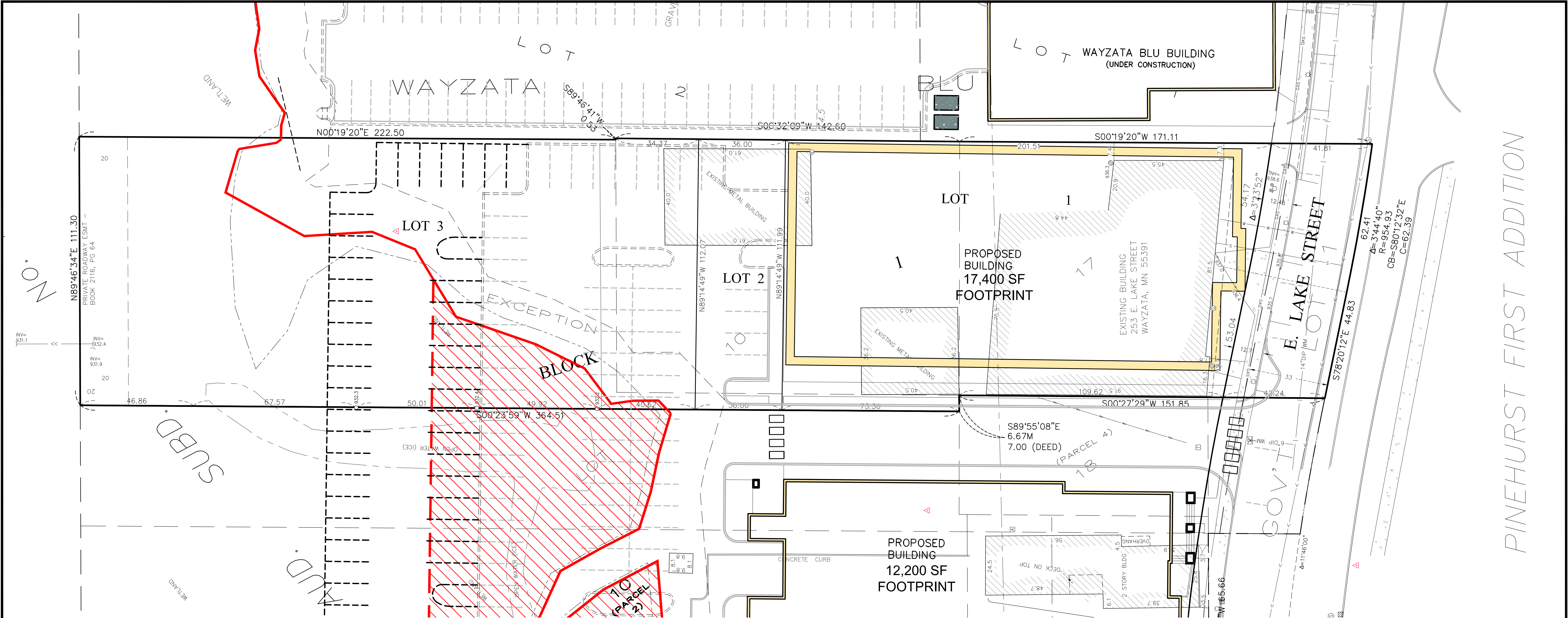


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DESCRIPTION OF PROPERTY SURVEYED

That part of Lot 10, AUDITOR'S SUBDIVISION NO. 184 described as beginning at a point on the westerly extension of the north line of Lot 11, in said subdivision distant 90 feet westerly from the northwest corner of said Lot 11; thence southerly in a straight line to the northeast corner of Lot 17, in said subdivision; thence westerly along the north line of said Lot 17 to the northwest corner of said Lot 17; thence westerly along the north line of Lot 18, in said subdivision, 7 feet; thence northerly parallel with the east line of the plat of LAKE WEST to the easterly extension of the most northerly line of said plat; thence easterly along the last described extension, to the intersection with the northerly extension of the east line of said Lot 17; thence southerly along the northerly extension of the east line of said Lot 17 to the intersection with the westerly extension of the north line of said Lot 11; thence to the point of beginning.

And

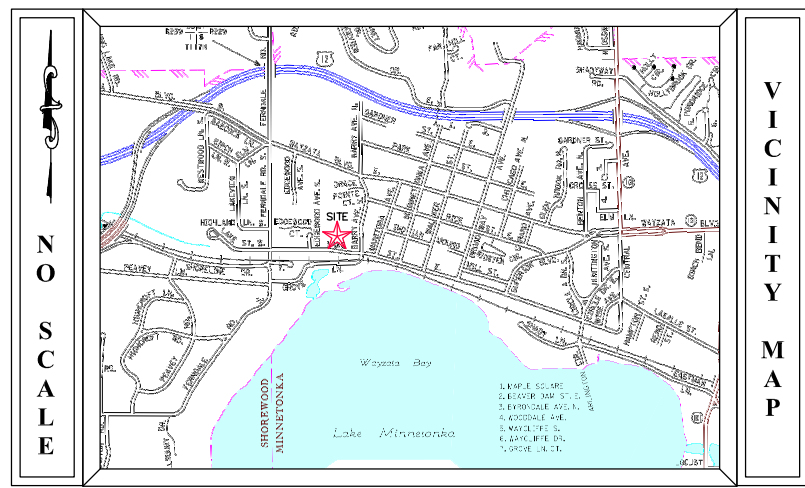
That part of Government Lot 1, Section 6, Township 117, Range 22 lying southerly of the south line of Lot 17, AUDITOR'S SUBDIVISION NO. 184 and westerly of the southerly extension of the east line of said Lot 17, which lies easterly of the southerly extension of the west line of said Lot 17 and northerly of a line described as beginning at a point on the west line of said Government Lot 1 distance 89.9 feet southerly from the northwest corner of said government lot; thence easterly at right angles from said west line of Government Lot 1 a distance of 856.3 feet; thence easterly 196.11 feet along a 6 degree tangential curve to the right having a central angle of 11 degrees 46 minutes; thence southeasterly tangent to said curve 52.2 feet; thence easterly 158.3 feet along a 6 degrees tangential curve to the left having a central angle of 9 degrees 30 minutes and said line there terminating.

Subject to right of the public in Lake Street over the southerly 33 feet of the above described part of Government Lot 1.

Subject to a private easement for roadway purposes over the north 20 feet of the above described Lot 10, as set forth in deed recorded in Book 2116 at page 64.

And

Lot 17, AUDITOR'S SUBDIVISION NO. 184, Hennepin County, Minnesota.



PROPOSED LOT INFORMATION

LOT AREA INFORMATION	
Lot 1:	20,780 sq.ft./0.477 acres
Lot 2:	4,033 sq.ft./0.093 acres
Lot 3:	28,551 sq.ft./0.655 acres
ROW:	4,436 sq.ft./0.102 acres

GENERAL NOTES

- Site Address:** 253 Lake Street East, Wayzata, Minnesota 55391
- Flood Zone Information:** This property appears to be in Zone X (area determined to be outside of the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27053C0307F effective date of November 4th, 2016.
- Parcel Area Information:**

Gross Area:	57,954 s.f.	~ 1.330 acres
R/W Area:	3,547 s.f.	~ 0.081 acres
Wet Area:	14,382 s.f.	~ 0.330 acres
Net Area:	40,025 s.f.	~ 0.919 acres
- Benchmark:** Elevations are based on:
 - Top of top nut of first fire hydrant on the south side of Lake Street East west of site: Elevation = 938.42 feet
 - Top of top nut of first fire hydrant on the northside of Lake Street East east of site: Elevation = 938.37 feet.
- Zoning Information:** The current Zoning for the subject property is C-4A (Limited Central Business District) per the City of Wayzata's zoning map. The setback, height, and floor space area restrictions for said zoning designation were obtained from the City of Wayzata found on their web site on the date of February 15th, 2017 and are as follows:

Setbacks: The following minimum requirements shall be observed in a "C-4A" District subject to additional requirements, exceptions, and modifications set forth in this Ordinance.

Height. No building shall be erected or structurally altered to exceed two (2) stories and thirty (30) feet in height, whichever is lesser.

Setbacks. There shall be no front yard, exterior side yard or rear yard requirements, except that there shall be a required setback within C-4A District boundaries when such boundaries are adjacent to a residential district. In such cases, the setback shall be the same as the setback for the adjacent district.

Floor Area Ratio. The maximum floor area ratio (F.A.R.) shall be 2.0.

Area. The minimum total lot area shall be twelve thousand (12,000) square feet.

Please note that the general restrictions for the subject property may have been amended through a city process. We could be unaware of such amendments if they are not in a recorded document provided to us. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site.

- Utilities:** We have shown the location of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property we are unaware. Please note that we have not placed a Gopher State One Call for this survey. There may or may not be underground utilities in the mapped area, therefore extreme caution must be exercised before any excavation takes place on or near this site. Before digging, you are required by law to notify Gopher State One Call at least 48 hours in advance at 651/454-0002.

- Wetland(s) shown hereon is (are) per field location of stakes as set by others.

ADDITIONAL NOTES:

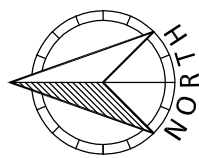
Proposed Building shown hereon are preliminary. Not final construction plans were provided. The proposed structures to the east and west were provided by other and are shown to their best representation.

The common driveway between the buildings was provided by Rehder and Associates and is shown per discussion with developers of both sites. The parking configuration in back (north) is shown per a plan provided by the City of Wayzata. It has been modified to tie into the site plan provided for 235 and 253 Lake Street East developments. The darker dashed proposed parking configuration is a proposed phase two parking expansion. All parking shown hereon is for informational purposes only.

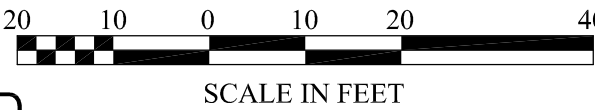
Wetland area shown in RED was provided by others.

SURVEY LEGEND

● CAST IRON MONUMENT	WOE WALKOUT ELEVATION	BITUMINOUS
▣ CATCH BASIN	FFE FIRST FLOOR ELEVATION	— BUILDING SETBACK LINE
△ FLARED END SECTION	GFE GARAGE FLOOR ELEVATION	— CTV CABLE TV
⊠ GATE VALVE	TOF TOP OF FOUNDATION ELEV.	— CONCRETE CURB
< GUY WIRE	LOE LOWEST OPENING ELEV.	— CONCRETE
⊙ HYDRANT	▣ CABLE TV PEDESTAL	— CONTOUR EXISTING
○ SURVEY MONUMENT SET	▣ ELECTRIC TRANSFORMER	— CONTOUR PROPOSED
○ SURVEY MONUMENT FOUND	⊕ ELECTRIC MANHOLE	— GUARD RAIL
✕ FOUND CHISELED "X"	⊕ ELECTRIC METER	— DRAIN TILE
△ SURVEY CONTROL POINT	⊕ GAS METER	— ELC ELECTRIC UNDERGROUND
⊙ LIGHT POLE	⊕ GAS VALVE	— FENCE
⊙ POWER POLE	⊕ HAND HOLE	— FIBER OPTIC UNDERGROUND
⊕ SANITARY MANHOLE	⊕ SOIL BORING	— GAS UNDERGROUND
⊕ SANITARY CLEANOUT	⊕ TREE: CONIFEROUS	— OHU OVERHEAD UTILITY
⊕ SIGN	⊕ TREE: DEODUOUS	— RAILROAD TRACKS
972.5 GROUND ELEVATION	⊕ TELEPHONE MANHOLE	— SANITARY SEWER
⊕ STORM DRAIN	⊕ TELEPHONE PEDESTAL	— STORM SEWER
⊕ STORM MANHOLE	— TRAFFIC SIGNAL	— TEL TELEPHONE UNDERGROUND
⊕ YARD LIGHT	⊕ UTILITY MANHOLE	— UTL UTILITY UNDERGROUND
⊕ A/C UNIT	⊕ UTILITY PEDESTAL	— I WATERMAIN



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



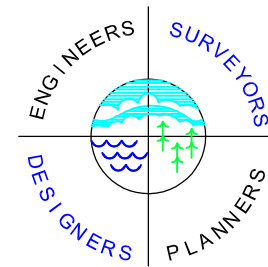
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I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 12th day of June, 2018.

David B. Pemberton, PLS
pemberton@sathre.com
Minnesota License No. 40344



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

TWP:117-RGE.22-SEC.06 Hennepin County
WAYZATA, MINNESOTA

Preliminary Plat

of:
VENTANA LLC.

FILE NO.
94818-001

1
1

DESCRIPTION	PROPOSED	EXISTING
MINOR CONTOUR		
MAJOR CONTOUR		
LOT LINE		
WATERMANN		
BUILDING SETBACK BOUNDARY		
PARCEL BOUNDARY LINE		
DRAINAGE AND UTILITY EASEMENTS		
CURB AND GUTTER		
RIGHT-OF-WAY		
DRAIN/TIE W/ICLEANS/OUTS		
BACKYARD CATCH BASIN		
CATCH BASIN		
STORM SEWER MANHOLE		
FLANED END SECTION W/IRP-RAP		
STORM STRUCTURE LABEL		
SANITARY STRUCTURE LABEL		
SANITARY SEWER MANHOLE		
HYDRANT		
GATE VALVE		
WELL		
DRAIN FLOW/IRUNOFF ARROW		
EMERGENCY OVERFLOW SWALE		
SOIL BORING LOCATION		
FENCE AND FILTER LOG		
TREE PRESERVATION FENCE		
BARRICADE		
SPOT ELEVATION		
TBC SPOT ELEVATION		
UTILITY POLE		
LIGHT POLE		
HANDICAP PARKING SPACE		

ENGINEER
SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY
WAYZATA, MINNESOTA 55391

PHONE: (952) 476-6000
FAX: (952) 476-0104

CONTACT : ROBERT MOLSTAD
EMAIL: MOLSTAD@SATHRE.COM

OWNER:
SENTANA, LLC
907 Wayzata Blvd, Suite 250
WAYZATA, MN 55391
CONTACT: TRACI TOMAS
PHONE: (952) 746 - 4137

x GXXX.X	PROPOSED GUTTER ELEVATION
x XXX.X	PROPOSED TOP BACK OF CURB
x XXX.X	EXISTING TOP BACK OF CURB
x XXX.X	FINISHED BUILDING GRADE

1. All solid waste must be disposed of off-site per the MPCA disposal requirements.
2. All hazardous waste must be properly stored with restricted access to storage areas to prevent vandalism. Storage and disposal of hazardous waste must be in compliance with the MPCA regulations.

1. Bring watermain into proposed building and cap at floor.
2. Verify all service locations and inverts with mechanical engineer before construction.
3. All watermain to have a minimum of 7.5' of cover.
4. All sewer services to extend to a point 5' from propose building.

1. The site must be inspected once every seven (7) days during active construction and within 24 hours after a rainfall event greater than 0.5 inches in a 24 hour period.
2. All inspections and maintenance conducted must be recorded in writing and records retained with the SWPPP.
3. Areas of the site that have undergone final stabilization, may have the inspection of these areas reduced to once per month.
4. All silt fences must be repaired, replaced or supplemented within 24 hours when they are nonfunctional or the sediment reaches [] of the height of the fence.
5. Surface waters and conveyance systems must be inspected for evidence of sediment being deposited. Removal and stabilization must take place within seven (7) days of discovery unless precluded by legal, regulatory, or physical access constraints.
6. Construction site vehicle exit locations must have sediment removed from off-site paved surfaces within 24 hours of discovery.

1. All elevations shown are to finished grade.
2. Contractor is responsible for obtaining a NPDES General Stormwater Permit before construction begins.

1. Contractor is responsible for all notifications and inspections required by NPDES Permit.
2. All erosion control measures shall be installed prior to grading operations and maintained until all areas disturbed have been restored.
3. Sweep paved public streets as necessary where construction sediment has been deposited.
4. Each area disturbed by construction shall be restored per the specifications within 14 days after the construction activity has ceased.
5. Temporary soil stockpiles must have silt fence around them and cant be placed in stormwater conveyance routes.
6. Excess concrete/water from concrete trucks shall be disposed in a concrete basin or in a contained area.
7. Spring/Summer temporary turf establishment: seed shall be MNDOT Mix 21-111 @ 100 lbs/acre and mulch shall be MNDOT type 1.

EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.

Diagram illustrating a cross-section of a road with a width of 40 feet. The road is divided into sections with varying elevations. The left side shows a series of steps down from 20 feet to 0 feet. The right side shows a series of steps up from 0 feet to 40 feet. The road surface is 40 feet wide. The diagram is labeled "SCALE IN FEET".



Design Review Critique

Ventana Condos

August 20, 2018

The Design Review Critique is based on the following plans submitted by the applicant:

1. Narrative dated July 17, 2018
2. Building Tabulations submitted by Weber Architects and Planners dated August 17, 2018
3. Site Tabulations submitted by Weber Architects and Planners dated August 17, 2018
4. Exterior Elevations prepared by Weber Architects and Planners dated August 16, 2018
5. Floor Plans by Weber Architects and Planners dated August 16, 2018
6. Preliminary Construction Plan by Sathre-Bergquist, Inc, dated July 3, 2018

	Comments	Compliance
Building Uses		
<u>801.09.2.1 – Lake Street District</u> All new buildings east of Barry Avenue on Lake Street shall have retail usage at least eighty percent (80%) of the ground floor facing Lake Street. The remaining twenty percent (20%) of the ground floor frontage may only be used for walkways, public access, or public facilities. Retail activities shall comprise a total of at least fifty percent (50%) of the usage of the total building footprint.	The subject property is located west of Barry Ave on Lake St.	N/A
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 includes recesses and undulations in the building façade that creates shadow lines and dimensions.	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 front of the building adjacent to the street and public sidewalk would be landscaped.	Yes

Design Review Critique

Ventana Condos

August 20, 2018

	Comments	Compliance
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: 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 proposed building incorporates awnings, variations in roof line, articulation of facades, and rhythm of form (in the columns and the decks).	Yes
	Comments	Compliance
Upper Story Setbacks		
<u>801.09.5.1.A – All Districts – New Buildings</u> Building height shall conform to the height of the applicable zoning district. 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 facade, but no portion of the 3 rd story structure shall be closer than six (6) feet to the 2 nd story façade. The 3 rd story façade shall be designed with railings, pillars, dimensional windows, building recesses or other similar design techniques to break up the 3 rd story façade.	The building has previously received a variance to the building height to allow for a 40-foot building height, but is still only 3 stories. The third story is recessed from the 2 nd story by 6 feet, which is recessed from the 1 st floor by approximately 8 feet. The 3 rd story façade is designed with railings, pillars, very large windows, and building recesses.	Yes

Design Review Critique

Ventana Condos

August 20, 2018

	Comments	Compliance
<u>801.09.5.1.B – All Districts – New Buildings</u> 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.	The building's 2 nd story is fully recessed from the 1 st story by approximately 8 feet.	Yes
<u>801.09.5.1.C – All Districts – New Buildings</u> 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.	The proposed building will not impede the views of properties to the north. There is significant distance and grade elevation between this proposed building and the next building to the north.	Yes

Design Review Critique

Ventana Condos

August 20, 2018

	Comments	Compliance
Roof Design		
<u>801.09.6.1 – All Districts</u> “Green” roofs, roof garden terraces, arbors and other similar structures are encouraged on roofs of building.	The proposed building does not include any green roofs.	N/A
<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. <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.	The proposed building has a flat roof which would consist of a synthetic membrane in a dark color.	Yes
Screening of Rooftop Equipment		
<u>801.09.7.1 – Lake Street District</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.	The proposed plans do not include mechanical units on the rooftop. The mechanical equipment would be located inside the building, and would not be visible from the public street or adjacent properties.	Yes

Design Review Critique

Ventana Condos

August 20, 2018

	Comments	Compliance
Facade Transparency		
<u>801.09.8.1 – Lake Street District</u> No less than fifty percent (50%) of the ground level façade of any building fronting Lake Street shall be transparent glass. No less than twenty-five percent (25%) of the ground level side and rear façade facing a public right of way, parking area or open space shall be transparent glass.	The first floor of the building has 62.6% glass along the front facing façade of Lake Street, front facing façade. The rear and side façade also exceed 50% of those facades.	Yes
Ground Level Expression		
<u>801.09.9.1 – All Districts</u> 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: 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	The ground floor of the proposed building is distinguished from the 2 nd and 3 rd floor by an architectural cornice, a change in building materials from glass to metal, an offset in the façade, and canopies.	Yes
Entries		
<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.	The front façade has landscaping located in front of the building adjacent to Lake Street. However, the entrance to the building is located at sidewalk level on the side of the building, and not directly on Lake Street.	No. Deviation requested.

Design Review Critique

Ventana Condos

August 20, 2018

	Comments	Compliance
Building Materials and Quality		
<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: 1. Brick 2. Stone 3. Cast stone 4. Factory finished and certified wood, including, but not limited to: a. Wood shingles (cedar shingles six (6) inch maximum exposure) b. Lap-siding (six (6) inch maximum width) 5. Stucco	The vast majority of the façade is glass. The non-glass surfaces of the building are comprised of stone and stucco, which are permitted primary materials. The building also includes metal canopies, coping, and metal panel deck/balcony railings.	Yes
<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.	The proposed building would consist of the same primary materials – glass, stone, and stucco – on all sides of the building.	Yes
<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.	The proposed building does not include any brick.	N/A

Design Review Critique

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<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.		The proposed building does not include any brick.	N/A
<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		The proposed building does not include any brick.	N/A
<u>801.09.11.1.F – Stone Joints – All Districts</u> Stone joints shall be no larger than one-fourth (1/4) inch.		The stone joints would be no larger than 1/4 inch.	Yes

Design Review Critique

Ventana Condos

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<u>801.09.11.1.G – Accent Materials – All Districts</u> Only the following materials may be used for lintels, sills, cornices, bases, and decorative accent trims, and must be no more than 10 percent (10%) of the non-glass surfaces of each elevation of the exterior building façade: 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	The building includes sills, accents, and cornices that do not consist of more than 10 percent of the surfaces and consist of stone, steel, and metal.	Yes
<u>801.09.11.1.H - Parapets, Flashing, Coping – All Districts</u> 1. Only the following materials may be used for parapets, flashing and coping: 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.	The parapets, flashing, and coping are metal.	Yes

Design Review Critique

Ventana Condos

August 20, 2018

<u>801.09.11.1.I – Awnings – All Districts</u> 1. Only the following types of awnings may be used: 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 2. Backlit awnings are prohibited. 3. Awnings with text or graphic material may be permitted but require approval via the sign permit process of the Zoning Ordinance.	The proposed building includes metal canopies but no awnings.	N/A
<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.	The building includes usable decks and balconies with metal railings.	Yes
<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	The exterior glass will not be mirrored, reflective, or darkened.	Yes

Design Review Critique

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<u>801.09.11.1.L – Door Systems – All Districts</u> Unless there are building security concerns, main entry doors shall be primarily glass. If, for security reasons, a main entry door is not possible or practical, a main entry door must be well detailed. Appropriately designed wood doors may be utilized for retail and office buildings.	All entry doors are glass on the front façade.	Yes
	Comments	Compliance
Franchise Architecture		
<u>801.09.12.1 – All Districts</u> A. Typical or standardized franchise architecture (including building design that is the trade dress of, or identified with a particular chain, franchise or business and is repetitive in nature) is prohibited. B. Large, bold or bright signage, trade dress or logos must be altered and scaled down to meet the purpose of these standards as articulated herein, and must not be repeated on the facades of the principal structure more than once. All new, altered and/or proposed signage for buildings must be submitted for review under Section 801. 09.18 by the Planning Commission at the time of Design Standards Review application	There is no franchise architecture proposed.	N/A

Design Review Critique

Ventana Condos

August 20, 2018

	Comments	Compliance
Walkways		
<u>801.09.13.1 – Lake Street District</u> A. Continuous sidewalks at least twelve (12) feet in width shall be provided along all public street frontages. B. Lighted sidewalks shall extend between rear and side parking areas and building entrances. All sidewalk lighting must project downward. C. Buildings with street frontage exceeding fifty (50) feet shall have at least one (1) bench. D. All sidewalk surfaces	The proposed plans include a 12-foot continuous sidewalk along Lake Street with the required streetscaping elements.	Yes

Design Review Critique

Ventana Condos

August 20, 2018

	Comments	Compliance
Landscaping		
<u>801.09.14.1 – All Districts</u>		
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.	The proposed building indicates landscaping along the front façade of the building adjacent to Lake Street.	Yes
B. Window boxes, hanging baskets and planters with seasonally appropriate plantings shall be used around entries to buildings.		
C. Vines shall be used to cover walls with more than one hundred (100) square feet of uninterrupted surface area.		
D. Streetscaping shall include all of the following: 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		

Design Review Critique

Ventana Condos

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<u>801.09.14.2 – Lake Street District</u> A. Established Lake Street landscape treatments shall be followed in accordance with the specifications of the Wayzata Engineering Guidelines set forth in Wayzata City Code. Exposed aggregate with brick accent sidewalks shall be used. B. Approved boulevard trees, planted in sidewalk areas, shall be planted no more than twenty six (26) feet on center from each other.	The proposed plans include a 12-foot continuous sidewalk along Lake Street with the required streetscaping elements.	Yes
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Design Review Critique

Ventana Condos

August 20, 2018

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

Design Review Critique

Ventana Condos

August 20, 2018

	Comments	Compliance
<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.	This proposal is entirely residential.	N/A
Parking Structures		
<u>801.09.17.1 – All Districts</u> Parking structures shall meet the following standards, along with all other applicable building code standards: 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.	There is no parking structure associated with the project.	N/A

Design Review Critique

Ventana Condos

August 20, 2018

	Comments	Compliance
Signs		
<u>801.09.18.1 – All Districts</u>		
A. Compatibility		N/A
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.		
	There are no proposed changes to the signage on the property at this time.	

Design Review Critique

Ventana Condos

August 20, 2018

<u>801.09-18.2 – Permitted Signs – Lake Street District</u> A. Lake Street District. Only the following types of signs are permitted in the Lake Street District: 1. Awning, canopy or marquee signs 2. Wall signs 3. Monument or ground signs 4. Projecting signs 5. Window signs (small accent signs) 6. Roof signs if located on pitched-roof buildings, below the peak of the roof	There are no proposed changes to the signage on the property at this time.	N/A
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	Comments	Compliance
Parking Lot and Building Lighting		
<u>801.09.19.1 – All Districts</u> A. Parking lot lighting shall be designed in such a way as to be in scale with its surroundings, and reduce glare. 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. 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. D. Light posts shall be of a dark color. E. Lighting fixtures shall be compatible with the architecture of the building. 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. G. All lighting fixtures shall comply with City Code Section 801.16.6 as it relates to glare.	The proposed plans do not include any private parking lots improvements.	N/A

EXISTING CONDITIONS

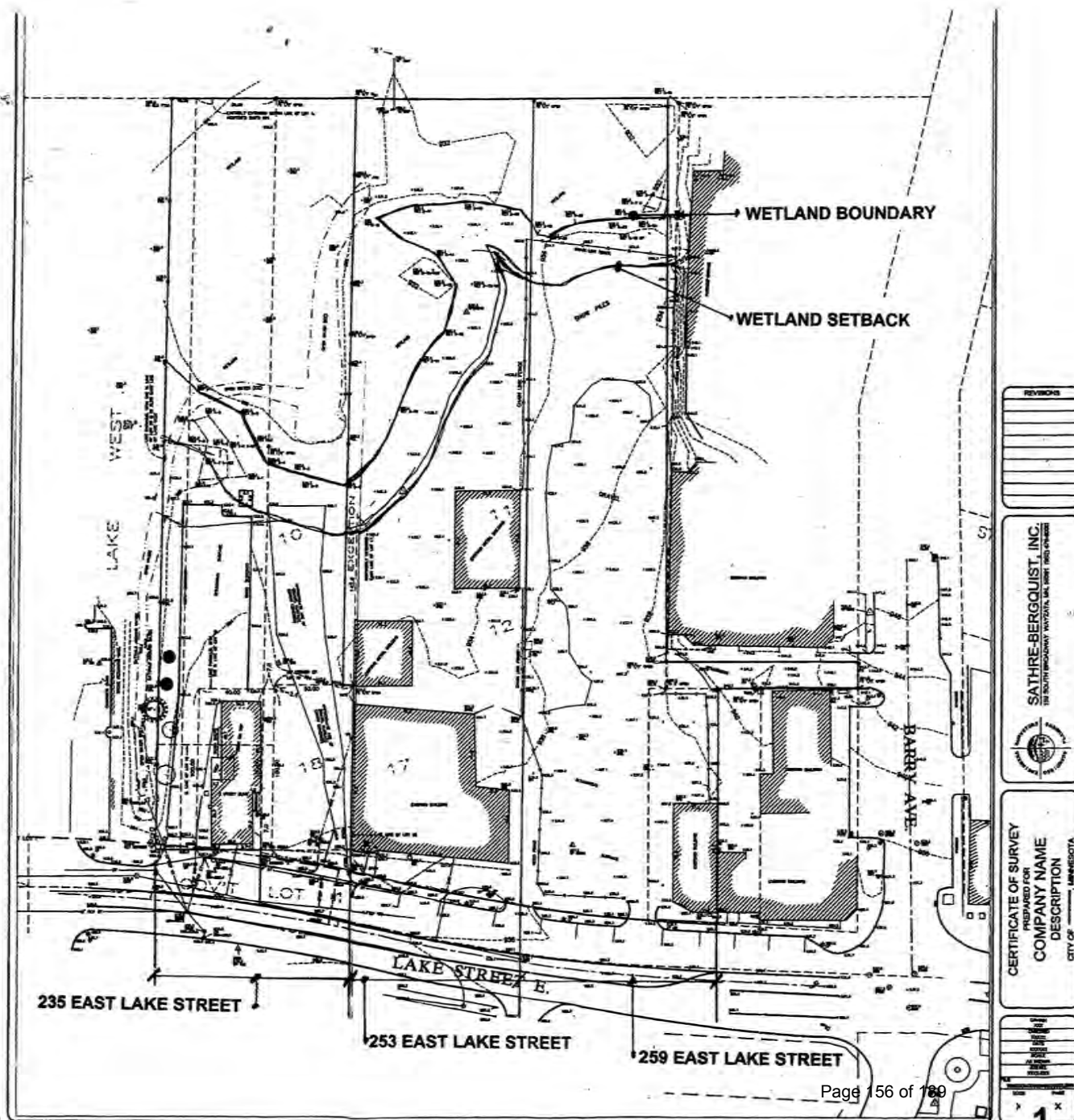
HUGHES PROPERTY
235 EAST LAKE STREET

HOYT PROPERTY
253 EAST LAKE STREET

KAMINSKY PROPERTY
259 EAST LAKE STREET



2280 Watertown Road, Long Lake, MN 55356-9419
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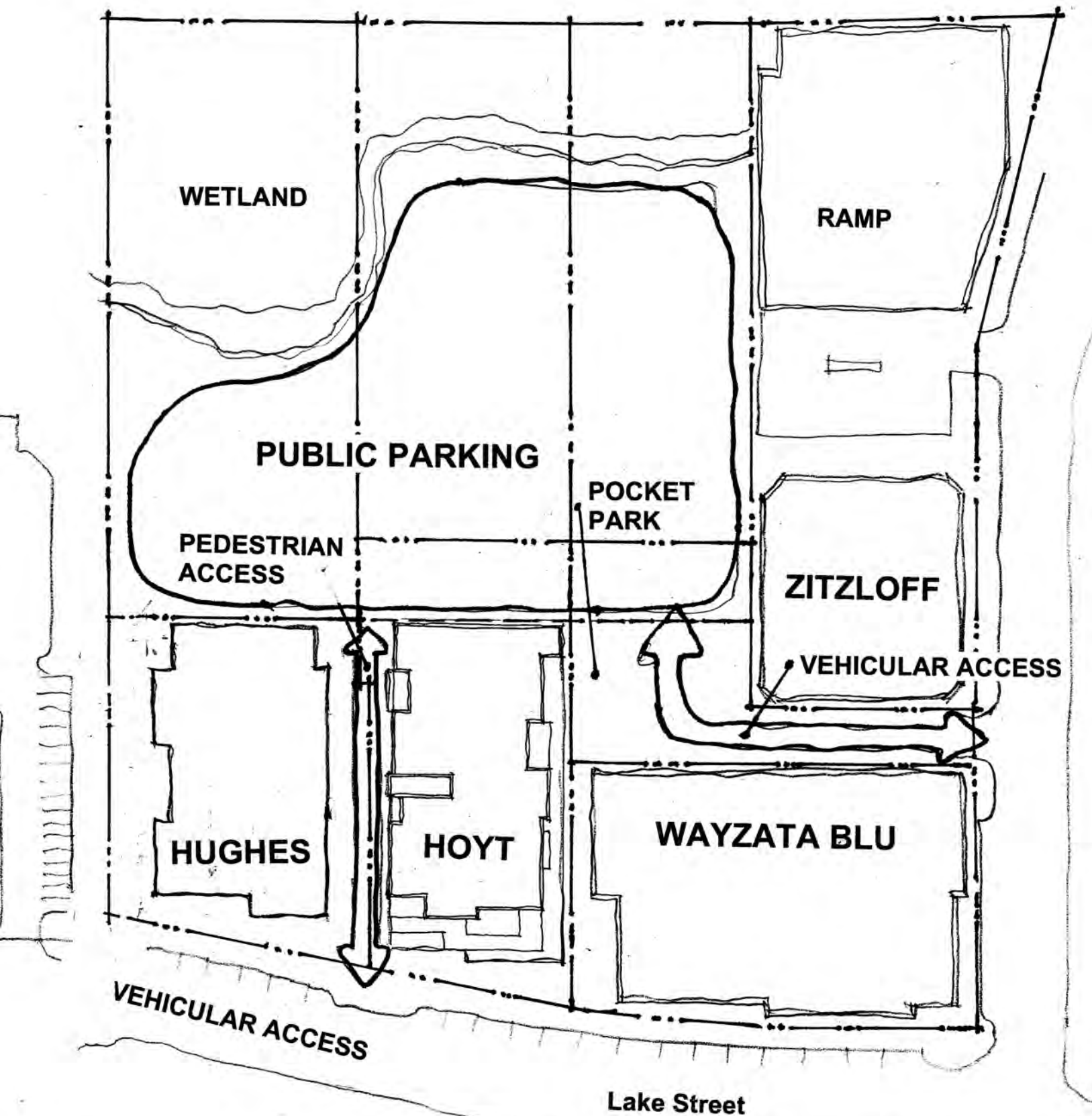


REVISIONS

SATHRE-BERGQUIST, INC.
100 SOUTH BROADWAY, WYOMING, MN 55092-1000

CERTIFICATE OF SURVEY PREPARED FOR COMPANY NAME DESCRIPTION CITY OF MINNESOTA

1



TRITON MANAGEMENT, LLC



WEBER
architects & planners

2280 Waterdown Road, Long Lake, MN 55305-0419
952.476.4424 • Fax 952.476.5903 • info@weberarchitects.com



10 30 60 120

SITE CONCEPT

30 AUGUST 2017

OCT 2017

**PUBLIC
PARKING**

**PEDESTRIAN
CONNECTION**

Setback 42'

**POCKET
PARK**

Setback 0'

HUGHES

Setback 10'

HOYT

WAYZATA BLU

Setback 12'

**SEWER/WATER
CONNECTIONS**

LAKE STREET

TRITON MANAGEMENT, LLC

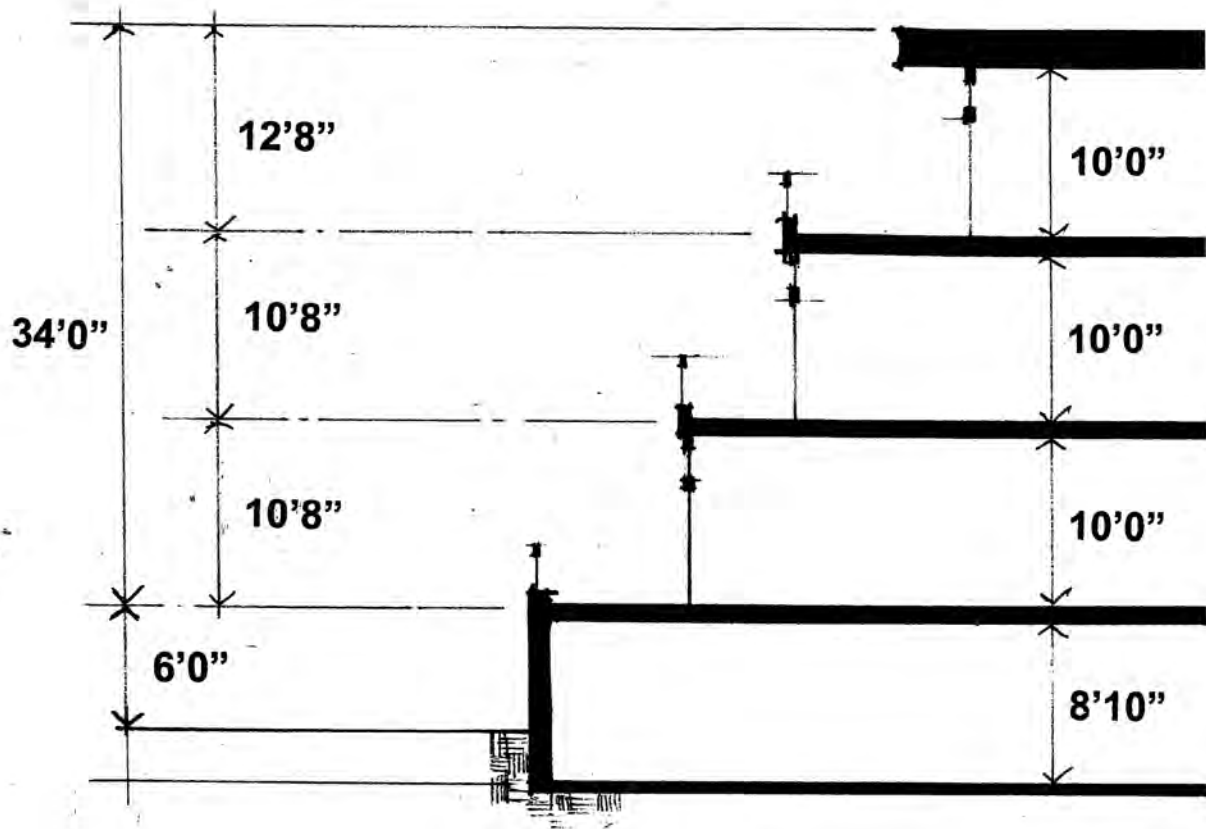


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SITE PLAN



SECTION

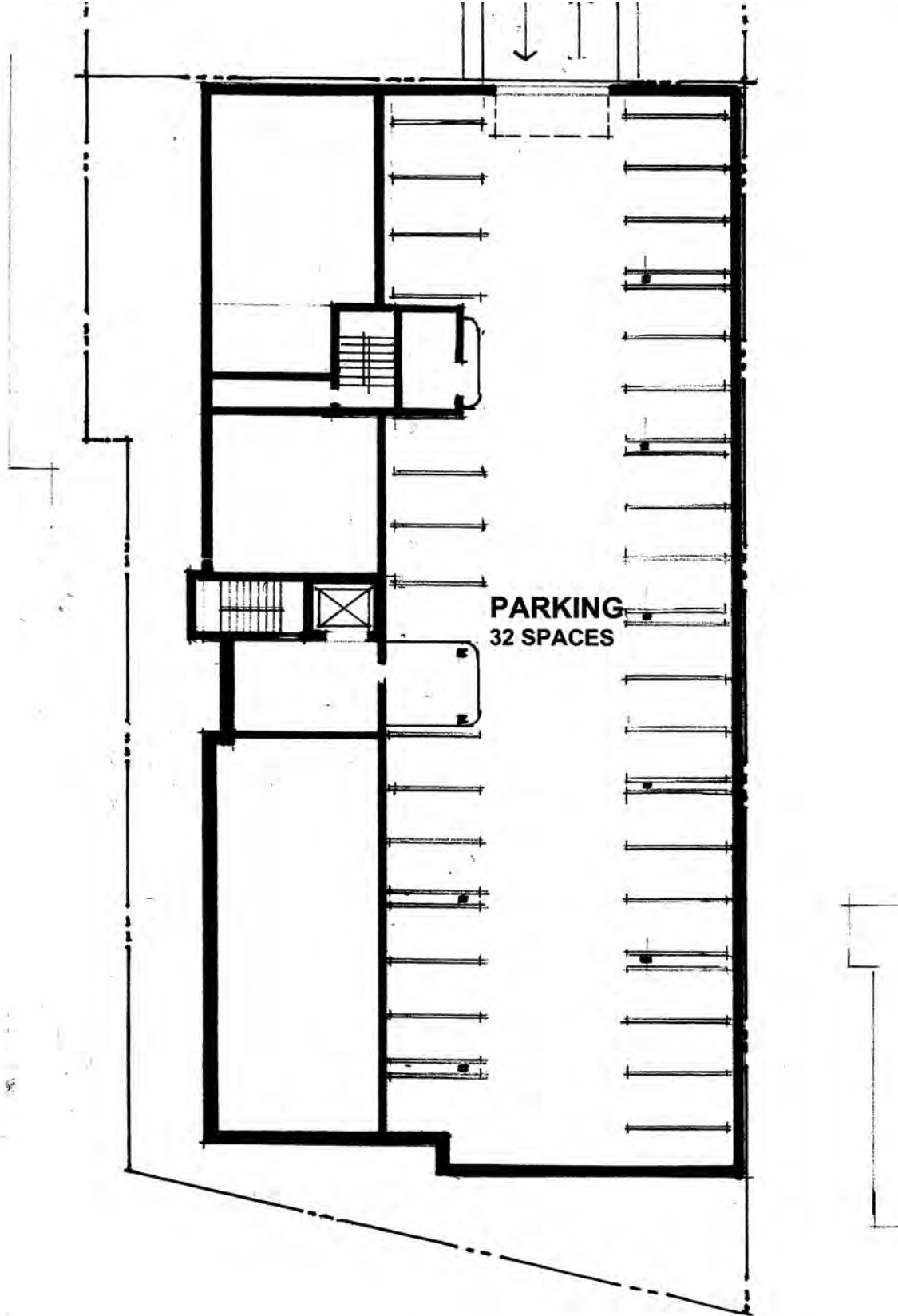
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PARKING LEVEL

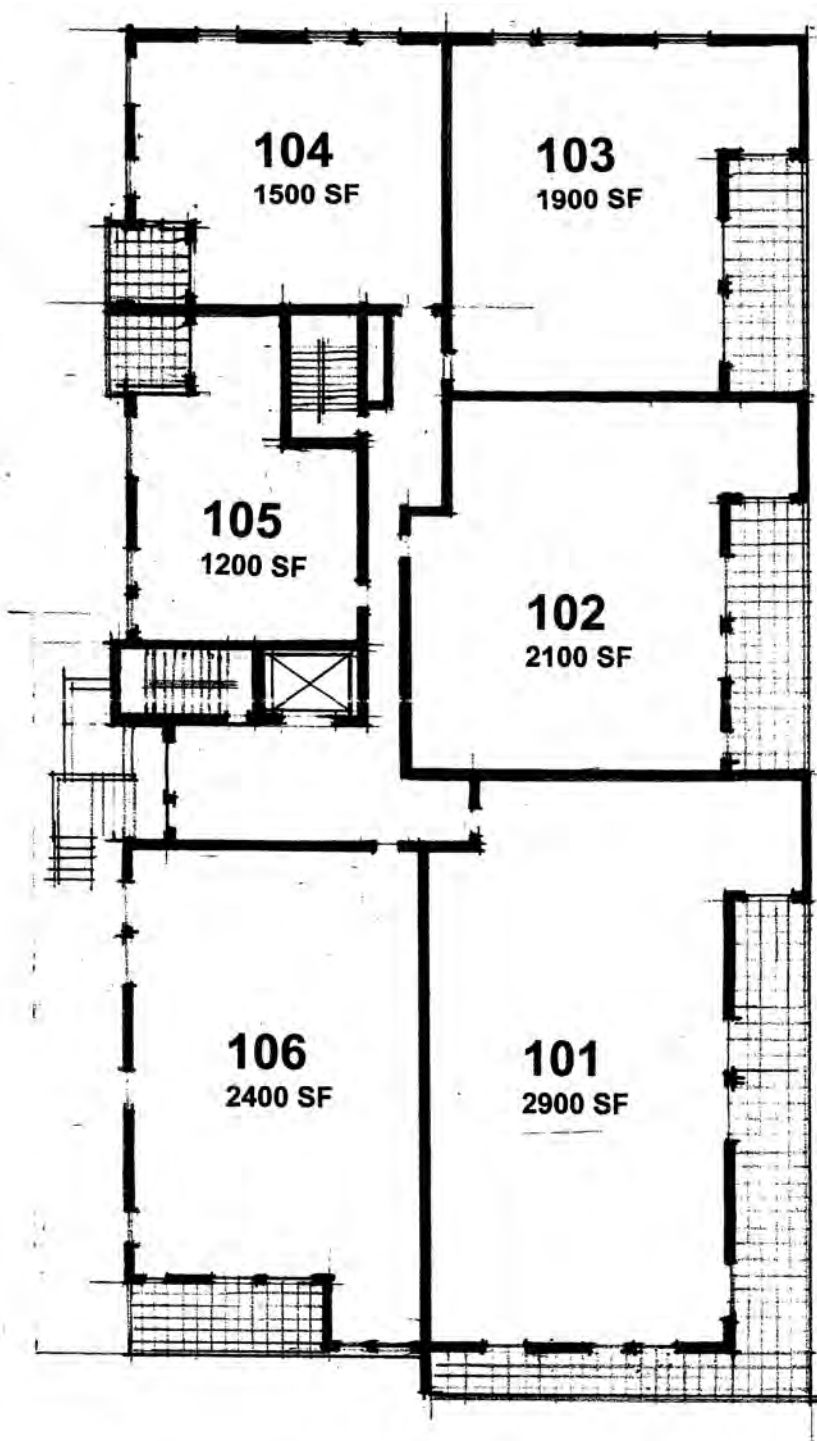
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FIRST FLOOR

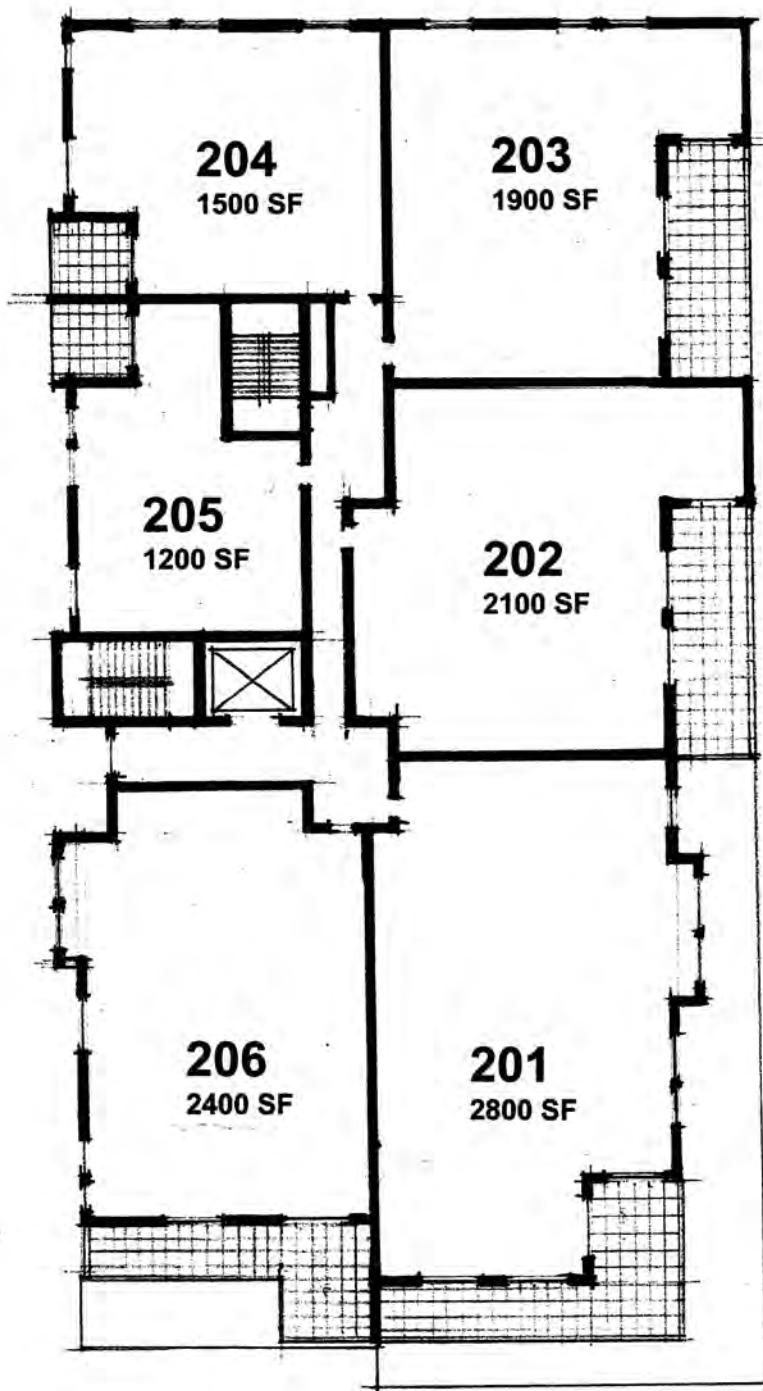
TRITON MANAGEMENT, LLC



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SECOND FLOOR

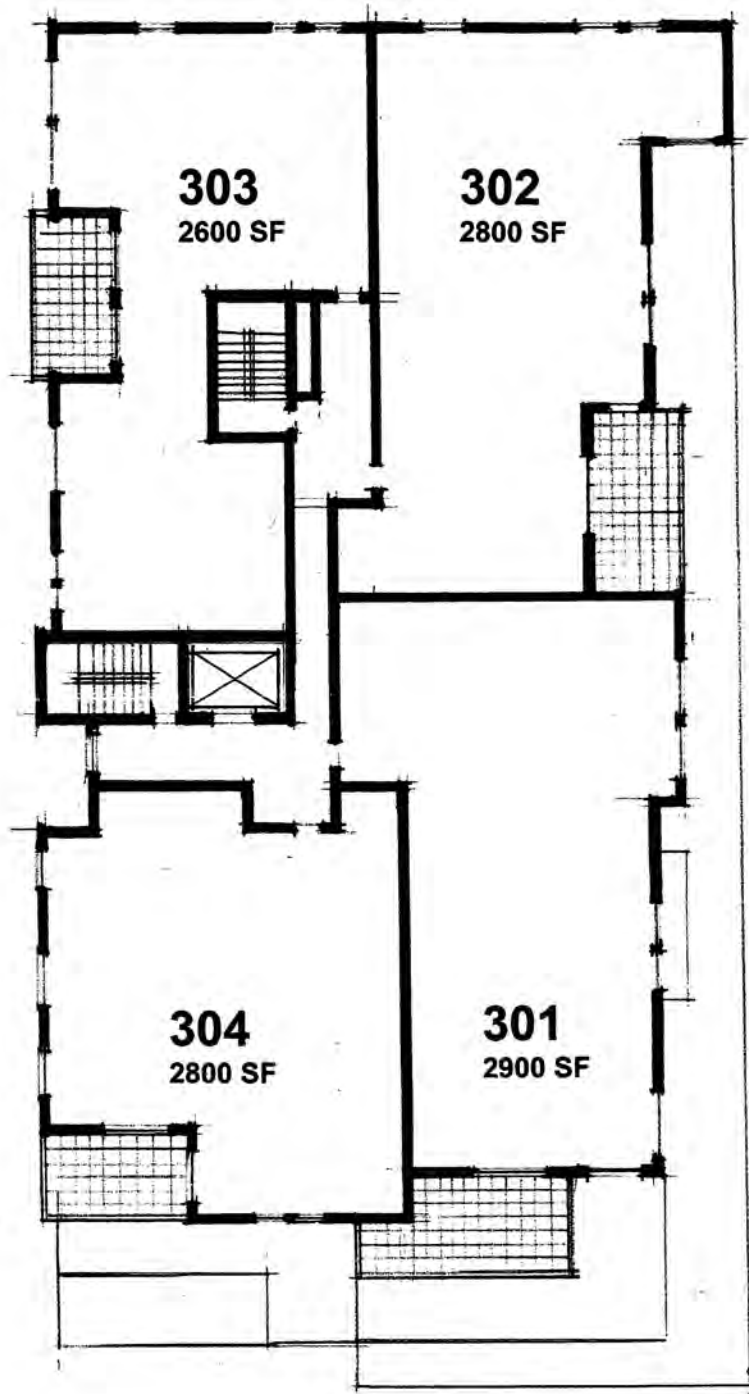
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THIRD FLOOR

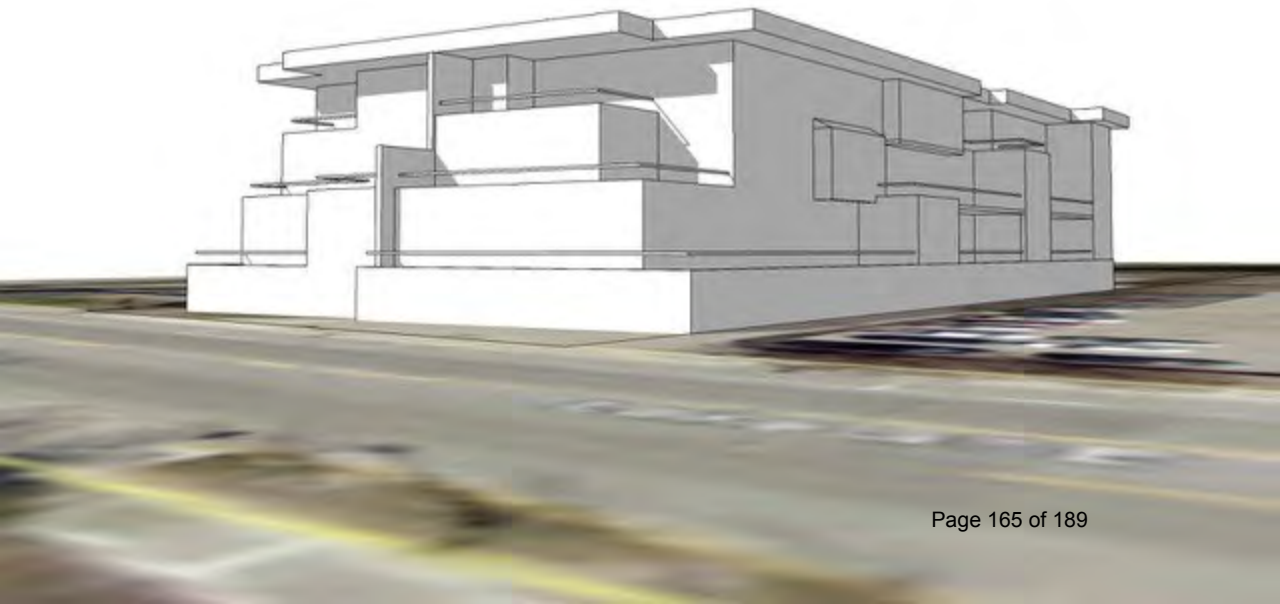
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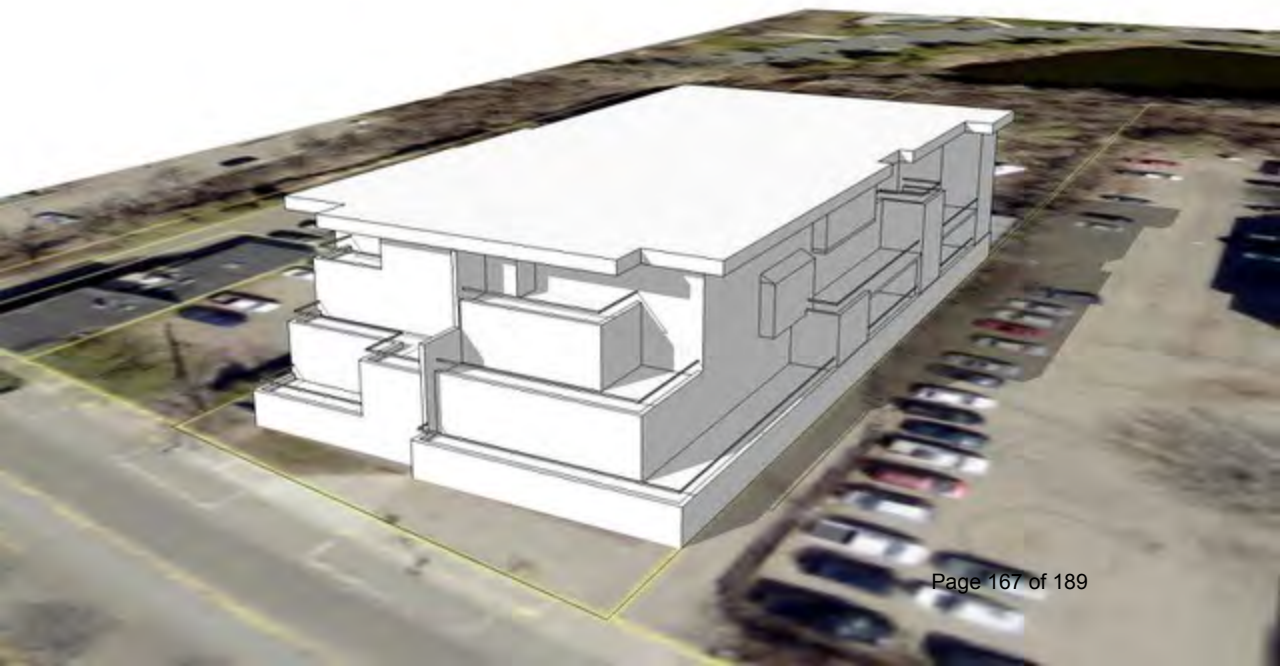
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c.) Ventana Condos – 253 Lake St E
i. PUD, General Plan, Design Review

Director of Planning and Building Jeff Thomson stated the applicant, Weber Architects & Planners, and the property owner, Ventana, LLC, have submitted a development application to redevelop the property at 253 Lake ST E. On December 19, 2017 the City Council approved the rezoning, PUD concept plan, building height variance and shoreland impact plan/conditional use permit for the redevelopment at 253 Lake St E. The proposal includes demolition of the existing building and construction of a 3-story building with 16 residential condos with one level of underground parking. As part of the approved PUD concept plan, the applicant proposed donating the land behind the building to the City for use as public parking. On July 31, 2018, the City Council approved the development application to subdivide the property into three separate lots to facilitate the donation of the back of the property to the City. As part of the current development application, the applicant is requesting approval of a PUD general plan of development, and design review and approval. The proposed project requests one deviation from the design standards for the front door location. The designs standards state that the main entrance to the building must face the primary street at sidewalk grade. The proposed plans have the main entrance at sidewalk level, but on the side of the building and not on Lake Street. The primary reason for the entrance location is 1) the residential uses on the first floor, and 2) the width of the building and 3) the functionality of the first level floor plan. The final height of the building has been reduced from the approved 40-feet to 39.1-feet.

Commissioner Iverson clarified, and Mr. Thomson confirmed, that the air conditioning units would be in the underground parking level.

Commissioner Murray asked if the City would be working with the applicant to coordinate the construction of the public parking lot on the back of the property.

Mr. Thomson stated the City is working with the applicant, along with the neighboring property owner, to coordinate the construction. The terms have not been worked out yet and will be dependent on the applicant's TIF applications. The intention is to have the public parking constructed at the same time the project is constructed.

Commissioner Iverson asked if there had been any environmental studies done on the amount of fill that would be brought to the site for the parking.

Mr. Thomson explained the City has a preliminary layout for the parking lot and the City's engineering consultants have been engaged to start the permitting process to fill the wetland. The City has banked wetland credits through other projects in the City and these credits can be used for public projects that impact wetlands.

Chair Buchanan asked if staff would approve the landscape plan separately.

Mr. Thomson stated the applicant would do some private landscaping, but there would not be a lot of property remaining for landscaping once the building is constructed. The only space available

1 would be between the building and the sidewalk. The applicant has not finalized the landscaping
2 that would occur in this area. Staff would review and approve the landscaping as part of the
3 building permit process.

4
5 Commissioner Douglas asked if there would be landscaping along the path that goes from the
6 street to the parking lot.

7
8 Applicant's representative, Mr. Neal Weber, Weber Architects & Planners, clarified the three lots
9 that were created with Lot 1 for the building, Lot 2 as a piece about 30-feet deep from the back,
10 and Lot 3 as the remainder. As it currently sits, the land donation to the City would be Lot 3. The
11 reason for creating the additional Lot 2 is because the Applicant's had to have an easement
12 agreement with Wayzata Blu for access to the parking garage. Once the other projects in the area
13 are approved they could donate Lot 2 to the City because they would have a different access for
14 the parking garage. The concept plan for this project and the Hughes project have changed because
15 the Hughes project previously had access on the other side of the building. Through discussions
16 it had been determined that it would be best if the access for the properties were located between
17 these two projects. This would allow for both pedestrian and vehicle access on the one side and
18 separation of the buildings. The trellis from Lake Street was designed to emphasis that the entrance
19 to the building is on the side of the building. They would work with the City and Mr. Hughes to
20 determine the best way to landscape and light the sidewalk area and the area in front of the building.
21 He stated the building is stepped back on the front, east and west sides and they are including as
22 much glass as possible for each unit.

23
24 Commissioner Douglas asked if there was a walkway on the east side of the building by Wayzata
25 Blu.

26
27 Mr. Weber stated there is no walkway between the project and Wayzata Blu on the Applicant's
28 property. Wayzata Blu has a walkway on their property from their parking area for their employees
29 and clients.

30
31 Chair Buchanan opened the public hearing at 8:01 p.m.

32
33 There being no member of the public wishing to address the Commission on this application, Chair
34 Buchanan closed the public hearing at 8:02 p.m.

35
36 Commissioner Flannigan stated he would support the requested Design Standards deviation for
37 the entry door on the side of the building.

38
39 Commissioner Iverson suggested including colors in the landscape.

40
41 Mr. Weber stated there was intention to coordinate with the neighboring properties for
42 landscaping.

43
44 There being no further questions or discussion among the Commissioners, Chair Buchanan asked
45 for a motion on the Application.
46

1 Commissioner Murray made a motion, seconded by Commissioner Douglas, to direct staff to
2 prepare a draft Planning Commission Report and Recommendation with appropriate findings to
3 recommend approval of the PUD General Plan and Design with a deviation for the entry door on
4 the side of the building, for Ventana Condos at 253 Lake St E. The motion carried unanimously.
5

6 **d.) Hughes Redevelopment – 235 and 239 Lake St E**

7 **i. PUD General Plan, Design Review, Variance, Shoreland Impact**
8 **Plan/Conditional Use Permit**
9

10 Director of Planning and Building Jeff Thomson stated the applicant, Pat Hughes and Tom Dillon,
11 and the property owner, Melvin's 235 LLC, have submitted a development application to
12 redevelop the properties at 235 and 239 Lake St E. The applicant is proposing to demolish the
13 existing office building and construct a 3-story, 37,879 square foot office building. The
14 development application is the second phase for the PUD rezoning, and requests approval of the
15 PUD general plan, design review, building height variance, and a conditional use permit/shoreland
16 impact plan for the building height. On February 20, 2018 the City Council approved the rezoning
17 of the subject property to PUD/Planned Unit Development along with the PUD concept plan. The
18 current application is similar to the approved concept plan with the following modifications: the
19 access drive has been moved from the west side of the building to the east between 235 and 253
20 Lake St E, the building has been increased in size from 35,181 to 37,879 square feet, and the plans
21 include a lower level parking garage that would include 29 enclosed parking stalls, and would
22 increase the height of the building above the 35-foot height requirement. The off-street parking
23 for the building would be provided by a shared surface parking lot on the back of the property.
24 The project originally requested deviations from the design standards for Lake Street façade
25 transparency for less than 50% of the ground level façade being transparent, the proposed plans
26 meet the material requirements for the south/Lake St and east elevations, but the use and amount
27 of fiber cement board on the west and north sides of the building exceeds 10%. The design
28 standards state that continuous sidewalks at least 12-feet in width must be provided along Lake
29 Street. The proposed plans include a 6-foot sidewalk on Lake Street. In addition, the design
30 standards require streetscaping elements including lighting, benches, and boulevard trees that are
31 not included in the proposed plans. The design standards state that all building façade lighting
32 must be projected downwards. The proposed plans include up/down lighting fixtures on the east,
33 north, and west elevations. He clarified that the applicant had provided additional information
34 regarding the design deviations requested and based on the updated plans they are requesting a
35 design deviation for the exterior building materials. According to the design standards, 90% of
36 non-glass surfaces of each elevation must be brick, stone, cast stone, wood, or stucco. The
37 applicant is proposing fiber cement in excess of 10% on the west and north elevations. The
38 applicant is requesting a variance for the building height. The proposed building would be 3-
39 stories with an overall height of 39.7-feet, as measured from grade to the top of the parapet/coping.
40 The proposed building also includes a basement level for underground parking, which would
41 exceed 6.3-feet above average grade level because of the high water table on the site. The zoning
42 ordinance states that a basement level can extend up to 6-feet above grade before it is considered
43 an additional story. Therefore, as defined by the zoning ordinance, the proposed building is 3-
44 story with a basement level and the maximum height in the PUD district is 35-feet or 3 stories,
45 whichever is less and the Shoreland Overlay district states the minimum building structure height
46 for either lake classification shall follow the individual district requirements of the base zoning

DRAFT RESOLUTION NO. 52-2018

**RESOLUTION APPROVING PUD GENERAL PLAN AND DESIGN
AT 253 LAKE ST E**

WHEREAS, Weber Architects & Planners, and the property owner, Ventana, LLC, (the “Applicant”) have submitted a development application (the “Application”) for the second stage of land use approvals to redevelop the property located at 253 Lake Street East (collectively, the “Property” and legally described on Attachment A hereto), involving demolition of the existing building on the Property and the construction of a new, three story building with 16 residential condos and one level of underground parking, with public parking to the rear of the building (the “Project”); and

WHEREAS, the Wayzata Planning Commission, pursuant to the Zoning Ordinance, has held a public hearing on the Application, made findings of fact on each of the land use requests in the Application, and delivered a Report and Recommendation to the City Council, attached to this Resolution as Attachment B (the “PC Report”);

NOW THEREFORE, BE IT RESOLVED by the City Council of Wayzata, Minnesota as follows:

A. Based on the Application materials, additional materials submitted by the Applicant, staff reports, public comment and information presented at the public hearing, the standards of the Wayzata Zoning Ordinance, and the PC Report, all of which are incorporated by reference in this Resolution, the City Council of the City of Wayzata hereby confirms and memorializes that the Application meets the applicable requirements of Wayzata’s Zoning Ordinance.

B. Based on the foregoing, the following requests in the Application are **HEREBY APPROVED**, subject to the conditions listed in Section C of this Resolution:

1. PUD General Plan of Development (the “PUD” or “PUD General Plan”), which includes a three story building with 16 residential condos and one level of underground parking, consistent with the approved PUD Concept Plan of development for the Project, all as set forth in the renderings, diagrams and plans identified in the PC Report.
2. Design of the Project (the “Design”), including a deviation from the Design Standards that pertains to the location of the front entrance to the building, all as detailed in the Design Critique.

C. The approvals listed in Section B of this Resolution are subject to and

conditioned upon the following:

1. The Applicant must secure all necessary building permits for construction, and follow all laws and regulations applicable to the Project, including building codes and land use regulations.
2. The Applicant must build and complete the Project in conformance in all material respects with the plans depicted in the Application, included as Attachment A to the Planning Report and Recommendation.
3. Before the City issues a building permit for the Project, the final civil engineering plans, including Site Plan, Grading and Drainage Plan, Utility Plan, Stormwater Management Plan, and SWPP must be reviewed and approved by the City Engineer.
4. Before the City issues a building permit for the Project, the final landscape plans must be reviewed and approved by the City Forester.
5. Before the City issues a building permit for the Project, the Applicant must record the newly approved Final Plat of the Property with the appropriate Hennepin County officials and provide a recorded copy to the City.
6. Before the City issues a building permit for the Project, the final lighting plans must be reviewed and approved by City staff. The exterior lighting must be coordinated with adjacent properties and must meet City specifications and requirements.
7. The Applicant must enter into a Development Agreement with the City, with terms and in a form acceptable to the City Attorney, that incorporates the approvals and conditions of this City Council approval resolution, addresses all public improvements associated with the Project, terms for payment of park dedication fees, and in which the Applicant and any future Property owners agree to fully defend and indemnify the City for anything related to the Project and its relation to other properties within the West End TIF District, the Property and property-related rights, and in which any needed easements and/or property rights are granted or transferred to the City to allow for the construction, access and operation of a public parking lot and facility on the back of the Property to provide

for additional public parking in the area, either entirely on the Property or in conjunction with other development or changes on adjacent properties.

8. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata City Council this 18th day of September 2018.

Mayor Ken Willcox

ATTEST:

City Manager Jeffrey Dahl

ACTION ON THIS RESOLUTION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on September 18, 2018.

Kathy Leervig, City Clerk
SEAL

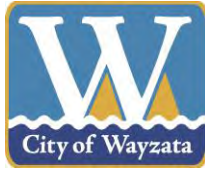
Attachment A
Legal Descriptions of Property

DRAFT

Attachment B

Planning Commission Report and Recommendation dated September 5, 2018

DRAFT



WAYZATA PLANNING COMMISSION

September 5, 2018

REPORT AND RECOMMENDATION OF APPROVAL OF PUD GENERAL PLAN AND DESIGN REVIEW AT 253 LAKE ST E

SUMMARY OF RECOMMENDATION

1. **Approval*** of PUD General Plan of Development
 2. **Approval*** of Design of Project
- * with certain conditions listed at the end of this Report**
-

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Proposed Land Use. The applicant, Weber Architects & Planners, and the property owner, Ventana, LLC (collectively, the "Applicant") have submitted a development application to redevelop the property at 253 Lake Street East (the "Property"). The proposed redevelopment involves the demolition of the existing building and construction of a three story building with 16 residential condos and one level of underground parking (the "Project").
- 1.2 Previous Approvals. On December 19, 2017, the City Council approved the PUD Concept Plan of Development for the Project and the rezoning to PUD/Planned Unit Development, contingent upon approval of the PUD General Plan of Development, as well as a building height variance, and shoreland impact plan/conditional use permit. As part of the approved PUD concept plan, the applicant has agreed to donate land behind the building to the City for use as public parking. On July 31, 2018, the City Council approved the development application to subdivide the Property into three separate lots to facilitate the donation of the back of the property to the City for public parking, and retaining the front lot for the proposed development Project.
- 1.3 Approvals Requested. The Application includes requests for approval of the following:

- A. PUD General Plan of Development (the “PUD” or “PUD General Plan”): The Project would be built according to an approved PUD Plan for the Property, which includes a three story building with 16 residential condos and one level of underground parking, consistent with the approved PUD Concept Plan of development for the Project.
- B. Design (the “Design”): The newly constructed building of the Project is subject to the Design Standards of the Zoning Ordinance. The Applicant is requesting approval of the design elements of the Project as well as a deviation from the Design Standards, further detailed in the Design Critique included at Attachment B, that pertains to the location of the front entrance to the building (the “Deviation”).

- 1.4 Property. The address, property identification numbers and owners of the Property involved in the Project are:

Address	PID	Owner
253 Lake St E	06-117-22-23-0013	Berry and Co, Inc.

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

Zoning:	PUD/ Planned Unit Development*
Comp Plan designation:	Central Business District
Overlay districts:	S/Shoreland Overlay District W/Wetland Overlay District

**The rezoning from C-4A to PUD is effective upon approval of the PUD General Plan of Development.*

- 1.6 Notice and Public Hearing. Notice of the public hearing on the Application was published in the *Lakeshore Weekly News* on August 9, 2018 and mailed to all property owners located within 350 feet of the Property on August 8, 2018. The public hearing on the Application was held at the August 20, 2018 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 General Plan of Development for Planned Unit Developments (PUDs).

- A. Approval Process for General Plan of Development. Approval of a Planned Unit Development is according to a multi-stage review and approval process (Concept Plan, General Plan, Final Plan) set forth in Section 33 of the Zoning Ordinance. Following the approval of a PUD Concept Plan, the Applicant must submit a new application for approval of a PUD General Plan of Development that depicts and outlines the proposed implementations of the approved Concept Plan, and that includes the information and materials outlined in Section 801.33.6. The

same review procedure and criteria is followed for a General Plan of Development as is followed with a Concept Plan. Approval of a PUD Concept Plan in no way binds the City to subsequent approval of a General Plan of Development. Sec. 801.33.5.B.1.

- B. Intent and Purpose of PUDs. Section 801.33 of the Zoning Ordinance provides for the establishment of Planned Unit Developments to allow greater flexibility in the development of neighborhoods and/or non-residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD process, by allowing deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:
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.

- C. General Standards. Section 801.33.2.A of the Zoning Ordinance sets forth the general standards for review of a PUD application. These include:
1. Health Safety and Welfare; Council Discretion. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of Section 33 of the PUD Ordinance, it may approve the PUD, although it shall not be required to do so.
 2. Ownership. Applicant/s must own all of the property to be included in the PUD.
 3. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.
 4. Sanitary Sewer Plan Consistency. The PUD project must be consistent with the City's Sanitary Sewer Plan.
 5. Common Open Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
 6. Operating and Maintenance Requirements. Whenever common private or public open space or service facilities are provided within a PUD, the PUD plan must contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD must be placed under the ownership of one of the following, as approved by the City Council: (i) dedicated to the public, where a community-wide use is anticipated, (ii) Landlord control, where only tenant use is anticipated, or (iii) Property Owners Association, provided the conditions of 801.33.2.A.6.c are met.

7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 801.33.2.A.10.
11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
12. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
13. Setbacks. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall be the same as imposed in the underlying districts, if a PUD conditional use permit, or the previous zoning district, if a PUD District. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street pattern. No building within the PUD project shall be nearer to another building than one-half (1/2) the sum of the building heights of the two (2) buildings. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the allowable setbacks shall be as negotiated and agreed upon between the applicant and the City.
14. Height. The maximum building height to be considered within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser. There shall be no deviation from the height

standards applied within the applicable zoning districts for PUD conditional use permits. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the maximum allowable height and number of floors shall be as negotiated and agreed upon between the applicant and the City.

- D. Residential and Non-Residential PUD Standards. Sections 801.33.3 and 4 set forth lot area, minimum frontage, municipal water and sewer availability, roadway and parking standards for PUDs which have a residential and non-residential components. In addition to the standards set forth in these sections, 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 Design Standards. All new multi-family residential building construction in the City must comply with the Design Standards found in Section 9 of the Zoning Ordinance. The Project falls within the Lake Street Design District, and the relevant design standards applicable to the Project are outlined in the attached "Design Critique" (Attachment A). Deviations from the Design Standards may be permitted under Sec. 801.09.21 (with the exception of Section 7 of the Design Standards) if City Council (after considering the Planning Commission's recommendation) makes a finding that the negative impact of such deviation is outweighed by one or more of the following factors:

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

Section 3. FINDINGS OF FACT

Based on the Application materials, additional materials submitted by the Applicant, staff reports and documents, 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:

- 3.1 PUD General Plan. The PUD General Plan of Development would implement the approved PUD Concept Plan.
- A. The PUD General Plan reflects higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
 - B. The PUD General Plan meets the land use designation for the Property, and is consistent with the goals and objectives of the comprehensive plan.
 - C. The PUD General Plan allows for phased and orderly development with the adjacent properties at 235, 239, and 259 Lake St E by consolidating and coordinating building location, vehicle and pedestrian access, and shared public parking.
 - D. The PUD General Plan creates a more desirable and creative environment than would be possible under the existing C-4A/Limited Central Business District, and accommodates public parking being constructed on the back of the Property in coordination with adjacent properties.
 - E. In addition, the PUD General Plan meets all of the PUD general standards listed in Section 801.33.2.A of the Zoning Ordinance and Section 2.1 of this Report and Recommendation except the maximum building height in the Project, which is permitted under the previously granted height variance and CUP.
 - F. The Application contains the information and materials listed in Section 801.33.5.C of the Zoning Ordinance.
- 3.2 Project Design. The Project meets the applicable provisions of the Design Standards except for the location of the front door. The Design Standards require that the main entrance of a building must face the primary street at sidewalk grade. The proposed Project plans have the main entrance at sidewalk grade, but on the side of the building, and not on the primary street, Lake Street (the "Deviation"). The Commission finds that there would be very little, if any, negative impacts of this Deviation, in that front door location reflects (1) the residential uses on the first floor; (2) the narrow width of the building from the Lake Street side; and (3) the functionality of the first level floor plan. To the extent there are

any negative impacts of the Deviation, those impacts are outweighed by one or more of the following factors:

- A. The extent to which the Project advances specific policies and provisions of the City's Comprehensive Plan, as noted in the record.
- B. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards, as noted in the record.
- C. The positive effect of the Project on the area in which the Project is proposed.

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 (i) PUD General Plan of Development, and (ii) Design of the Project, subject to the following conditions:

- A. The Applicant must secure all necessary building permits for construction, and follow all laws and regulations applicable to the Project, including building codes and land use regulations.
- B. The Applicant must build and complete the Project in conformance in all material respects with the plans depicted in the Application, included as Attachment A.
- C. Before the City issues a building permit for the Project, the final civil engineering plans, including Site Plan, Grading and Drainage Plan, Utility Plan, Stormwater Management Plan, and SWPP must be reviewed and approved by the City Engineer.
- D. Before the City issues a building permit for the Project, the final landscape plans must be reviewed and approved by the City Forester.
- E. Before the City issues a building permit for the Project, the Applicant must record the Final Plat with the appropriate Hennepin County officials and provide a recorded copy to the City.
- F. Before the City issues a building permit for the Project, the final lighting plans must be reviewed and approved by City staff. The exterior lighting must be coordinated with adjacent properties and must meet City specifications and requirements.
- G. The Applicant must enter into a Development Agreement with the City,

with terms and in a form acceptable to the City Attorney, that incorporates the approvals and conditions of the City Council approval resolution, addresses all public improvements associated with the Project, terms for payment of park dedication fees, and in which the Applicant and any future Property owners agree to fully defend and indemnify the City for anything related to the Project and its relation to other properties within the West End TIF District, the Property and property-related rights, and in which any needed easements are granted to the City to allow for the construction, access and operation of a public parking lot and facility on the back of the Property to provide for additional public parking in the area, either entirely on the Property or in conjunction with other development or changes on adjacent properties.

- H. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 5th day of September 2018.

Voting For Approval Recommendation: Buchanan, Douglas, Flannigan, Iverson, Murray, Plantan

Voting Against Approval Recommendation: None

Abstaining: None

Absent: None

Attachment A
Amended PUD Plans

Attachment B
Design Critique

CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA
ORDINANCE NO. 784

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY
TO REZONE PROPERTY AT 253 LAKE ST E TO
PUD PLANNED UNIT DEVELOPMENT DISTRICT**

THE CITY OF WAYZATA ORDAINS:

Section 1. Zoning Map Amendment

- 1.1. Rezoning. Based upon City Council Resolutions 68-2017 and 52-2018 (the “Resolutions”), the Official Zoning Map of the City of Wayzata is hereby amended to change the Zoning District designation of the Property, as defined in the Resolutions, to PUD Planned Unit Development District.

Section 2. Effective Date

- 2.1 This Ordinance will become effective upon passage and publication.

Adopted by the City Council this _____ day of _____ 2018.

Ken Willcox
Mayor

ATTEST:

I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the City Council of the City of Wayzata, Minnesota, at duly authorized meetings held on September 18, 2018 and _____, 2018.

Kathy Leervig City Clerk

SEAL

First Reading: September 18, 2018
Second Reading:
Publication: