

WAYZATA CITY COUNCIL MEETING AGENDA
Wayzata City Hall Community Room, 600 Rice Street
WEDNESDAY, August 6, 2014

WORKSHOP AGENDA:

4:00 PM DINNER AVAILABLE FOR CITY COUNCIL-CONFERENCE ROOM
4:30 PM TELECOMMUNICATIONS COMPOUND FEASIBILITY STUDY UPDATE
5:15 PM 165 & 213 CENTRAL AVE SUBDIVISION - ACCESS DISCUSSION
6:00 PM DISCUSS 1611 HOLLYBROOK RD - MARK AGAR
7:00 PM - CITY COUNCIL MEETING

ITEM	DESCRIPTION	PRESENTER	TT	JA	KW	AM	BA	VOTE	PAGE #
1	Roll Call								
2	Approve Agenda								
3	Public Forum - 15 Minutes (3 min/person)								
a.	Introduction of Don Uram, New Administrative Services Director								
b.	Update on MCES Lift Station Project	MCES							
4	Consent Agenda								2
a.	Approval of Workshop Minutes of July 15, 2014 and Minutes of July 15, 2014								
b.	Approval of Check Register								
c.	Approval of Amendment to Contract for Janitorial Services at City Hall								
d.	Municipal Licenses Which Received Administrative Approval (Informational Only)								
e.	Approval of Release of Claims with TRBK, Inc. DBA Bay View Charter Cruises and Bay View Event Center								
5	Public Hearing								
a.	Consider On-Sale Intoxicating Liquor License and Sunday On-Sale Intoxicating Liquor License for Sushi Fix LLC DBA "Sushi Fix" at 862 Lake St. E.	Nelson							40
6	New Business								
a.	Consider 1st Reading of Ordinance No. 746 Zoning Ord Amendment - Micro-brewery and Taproom	Gadow							41
b.	Consider 1st Reading of Ordinance No. 747 Authorizing the Issuance of Licenses for Off-Sale Brewpubs, Off-Sale Micro-Breweries, and On-Sale Taprooms	Gadow							259
c.	Consider Resolution 23-2014 Boatworks PUD Amendment	Gadow							264
d.	Consider Award of Sealcoat Bid	Dudinsky							275
e.	Consider Design Application 301-324 Bushaway Rd	Gadow							277
f.	Consider Grant Application to MN Association for Volunteer Administration for Enhancing a City Volunteer Program	Nelson							315
7	City Manager's Report and Discussion Items								
a.	Update on Bushaway Road Project								
b.	Update on Beach Concession Stand & Interim Transient Docks								
8	Public Forum (as necessary)								
9	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 - August 19, 2014 & September 2, 2014
 Planning Commission - August 18, 2014 & Wednesday, September 3, 2014

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.

WAYZATA CITY COUNCIL
DRAFT - WORKSHOP MEETING MINUTES
July 15, 2014

The Wayzata City Council assembled at 5 p.m. in the Community Room at Wayzata City Hall for a workshop meeting. Mayor Willcox called the meeting to order at 5:00 p.m. Council Members present: Amdal, Anderson, Mullin, and Tanner. Also present: City Manager Nelson, City Planner Gadow, Utilities Superintendent Eibensteiner, Police Chief Risvold, Fire Chief Klapprich, Building Official Johaneson, City Engineer Kelly, Finance Manager Ovshak, and Steve McDonald with AEM.

Mr. McDonald presented the 2015 preliminary 1st draft budget with an overall 1.92 percent levy increase. There are no levy limits in place for the 2015 budget cycle. Some of the key points included in this budget are: The full year of a new Administrative Services Director position and an Engineering Technician position. The offset of the Administrative Services Director position will be a reduction in the accounting and auditing services line item within the Administration/Finance budget along with allocating a portion of wages and benefits to liquor operations and the motor vehicle department. The Engineering Technician position will be financed through project inspection fees. This position will assist with the succession planning for the Public Service Director position. There is an across the board 2 percent cost of living increase for wages. Health insurance premiums are scheduled to increase 10.57 percent and the minimum wage increase will have a significant impact on the liquor operations. The unallocated expenditure budget will increase due to the insurance premium adjustment from the most recent valuations. Contingency was also increased keeping in mind the comp and class study that is being conducted. With this proposed budget, fund balance will remain above the 40 percent target.

The Council reviewed the entire general fund budget in detail.

The Council directed staff to remove the line item which was to provide an additional \$3,000 for transcription of meeting minutes for boards and commissions.

Sr. Community Services made a request for a \$5,000 contribution in 2015. In an effort to be fair and consistent to all groups which may make a request for funding, the Council determined that a contribution to Sr. Community Services will not be provided in 2015.

Mr. Gadow informed the council that the HPB requested additional funding for the purchase of historic plaques. A final decision regarding this request was not made.

Mr. McDonald provided a reminder that this is the first pass through of the budget. The documents provided should be considered live documents and are updated as things change and until the final budget is finalized.

The workshop meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Becky Malone
Deputy City Clerk

WAYZATA CITY COUNCIL
DRAFT - MEETING MINUTES
July 15, 2014

AGENDA ITEM 1. Call to Order and Roll Call.

Mayor Willcox called the meeting to order at 7 p.m. Council Members present: Amdal, Anderson, Mullin and Tanner. Also present: City Manager Nelson, City Planner Gadow, and Police Chief Risvold.

AGENDA ITEM 2. Approve Agenda.

Mr. Tanner made a motion, seconded by Mr. Amdal, to approve the agenda, as presented. The motion carried 5/0.

AGENDA ITEM 3. Public Forum – 15 Minutes (3 minutes per person).

a. Championship Basketball team and LMCD situation

Dan Baasen, 912 Shady Lane East, and Lake Minnetonka Conservation District (LMCD) representative, presented a request from the Wayzata Historical Society and Wayzata High school classes of 1959 and 1960 to create a historical plaque in Wayzata commemorating winning the State basketball championship in 1959. Mike Babcock made a donation of \$10,000 to the Wayzata Historical Society that would cover the cost if it was approved.

The Council asked questions concerning placement of the plaque and details of the appearance of the plaque. Mr. Baasen stated that the Wayzata Historical Society was looking for the support of the Council and once attained would submit the design and exact placement for approval.

The Council asked about a wake surfing contest that had been given an exemption for the temporary no wake rule. Mr. Baasen explained that an exemption had been voted on and approved by the LMCD but received much negative feedback from the community. He reported the issue resolved itself when the contest withdrew their application.

b. Pilot Trolley Program

Mrs. Anderson shared that the trolley is running again and encouraged everyone to ride it. She shared that the rides are free, but donations are accepted. She thanked the charter contributors.

c. Bushaway Road

Mr. Amdal shared that Wayzata Historical Society and Doyle Productions are filming a documentary on the history of Bushaway Road. Filming began yesterday and should be completed by the end of the year. Wayzata Historical Society is accepting tax-deductible donations for the Bushaway Road construction project that will begin in August.

AGENDA ITEM 4. Consent Agenda.

Mrs. Anderson made a motion, seconded by Mr. Tanner, to approve the consent agenda:

- a. Approval of Workshop Minutes of June 26, 2014, Workshop Minutes of July 1, 2014, and Minutes of July 1, 2014
- b. Approval of Check Register
- c. Approval of Resolution No. 21-2014 Appointing Election Judges for the 2014 Elections
- d. Approval of Municipal Licenses
- e. Municipal Licenses which Received Administrative Approval (Informational Only)
- f. Police Activity Report
- g. Building Activity Report
- h. Approval of Amendment to Licensed Premises for On-Sale Wine License and On-Sale 3.2% Malt Liquor License for Sushi Fix, 862 Lake Street East

- i. Approval of Resolution No. 22-2014 Ratifying Approval for a Pilot Trolley Program
The motion carried 5/0.

AGENDA ITEM 5. New Business.

a. Consider Resolution No. 18-2014 Hennepin County Cooperative Agreement for Community Development Block Grant Program

Mr. Gadow introduced Abby Shafer, Hennepin County Community Works, who described the program details to the Council. Ms. Shafer said that participating does not obligate Wayzata to use the program, but allows Wayzata to use it as a resource, if desired. The program would receive \$17,000 less dollars annually if Wayzata does not participate. It currently funds public service agencies that support members of Wayzata such as Senior Community Services, Community Action Partnership of Suburban Hennepin (CAPSH), Interfaith Outreach and Community Partners (IOCP), Sojourner Project, and HOMELine.

The Council asked questions concerning the amount of money allocated specifically for Wayzata and the capitol and transportation funding. Ms. Shafer answered that Wayzata is a smaller community and is part of the consolidated pool, which last year had approximately \$450,000 that could be applied for. She explained that the capitol and transportation funding could be applied for as long as they were used to support low- to moderate-income sections.

Mrs. Anderson made a motion, seconded by Mr. Amdal, to Adopt Resolution No. 18-2014 Authorizing the Execution of a Joint Cooperation Agreement between the City of Wayzata and Hennepin County for Participation in the Urban Hennepin County Community Development Block Grant Program in Fiscal Year 2015-2017. The motion carried 5/0.

b. Introduction of Micro-Production Facility and Taproom/Tasting Room Ordinance

Mr. Gadow presented a request from Bill Cavanagh and Robert Klick of Wayzata Brew Werks, LLC, who are interested in opening a microbrewery operation in the Boatworks building this year. A number of items would need to be considered, including: 1) An amendment to the City's Zoning Ordinance to establish a review procedure for reviewing the microbrewery request from a zoning perspective; 2) An amendment to the City's liquor ordinances to establish a licensing and permit process for these facilities; and, 3) An amendment to the existing PUD for the Boatworks building to allow a new microbrewery/taproom use that is not contemplated under the existing PUD. The Planning Commission is currently working through the review process and does not currently need any action from the Council.

The Council commended the Planning Commission for its work on this. The Council asked about narrowing down the allowable locations. Mr. Gadow suggested they address the location concerns in the liquor ordinances versus the zoning ordinances. The Council asked how other communities were handling the growler sales and to what degree they blur the mission of the municipality to control all off-sale alcohol. Ms. Nelson stated that she would speak to the other communities and bring that information to the next meeting.

Robert Klick, 294 Grove Avenue, addressed several questions from the Council concerning his plans for the microbrewery in the Boatworks building.

Mr. Gadow indicated that he would continue his work with City Attorney Schelzel and draft two ordinances to bring to the following meeting. One would include all micro-production facilities and one would only include microbreweries.

c. Consider Contract with Ground Works LLC for the Lake Effect Next Steps

Ms. Nelson reported that the City Council held a workshop with staff and Mary deLaittre of Groundworks Consulting on June 26th to discuss formalizing next steps for the Wayzata Lake Effect Project. After the workshop, the Council requested a proposal to enter into a formal agreement with Ms. deLaittre for assistance in establishing project priorities, a stewardship organization, and a fundraising structure for the implementation of the plan.

1 The Council asked Ms. Nelson to explain why the consultant is needed and her
 2 background and experience. Ms. Nelson explained that the project is at a key point in the process
 3 and help is needed figuring out how to structure, prioritize, and move forward. Mr. Gadow
 4 shared that Ms. deLaittre was President of the Minneapolis Park Foundation and a key player in
 5 the River First project for the city of Minneapolis. She was also an adjunct professor at the
 6 University of Minnesota in the architectural department.

7 The Council asked about the necessity of the Supplemental Communication Services and
 8 where Ms. Nelson would recommend the funding come from. Ms. Nelson answered questions
 9 concerning the communications addition and recommended funding from the Lakefront CIP.

10 Mr. Tanner made a motion, seconded by Mr. Mullin, to formalize a contract with Mary
 11 deLaittre of Groundworks Consulting for consulting services based upon the scope of work. The
 12 motion carried 5/0.

13
 14 **d. Consider Contracts for Undergrounding of Utilities on Bushaway Road/CR 101**

15 Ms. Nelson shared an overall update on current conditions of the Bushaway Road project. She
 16 stated the City had chosen to place overhead utilities underground. Xcel Energy and Century
 17 Link have provided estimates for this work. The summary of these costs is \$493,510.00 from
 18 Xcel Energy and \$25,978.97 from Century Link. Xcel requires 80% of the estimated cost and
 19 Century Link requires full payment. The City and County have agreed to equally share the costs,
 20 but the City will pay the full amount up front and then request reimbursement from the County.

21 The Council asked questions concerning Xcel Energy notifying private property owners
 22 that equipment would be placed along Bushaway Road within easements and the increase of costs
 23 due to winter weather conditions. Ms. Nelson responded that she would go back to Xcel with
 24 their questions.

25 Mr. Amdal made a motion, seconded by Mr. Tanner, to proceed with contracts with Xcel
 26 Energy and Century Link for the undergrounding of utilities on Bushaway Road, with concerns
 27 noted. The motion carried 5/0.

28
 29 **AGENDA ITEM 6. City Manager's Report and Discussion Items.**

30 **Night to Unite**

31 Ms. Nelson shared that Night to Unite is set to be held Tuesday, August 5th, which means the
 32 City Council meeting will be moved to Wednesday, August 6th. The event will begin with a
 33 luncheon held at Wayzata Country Club where Police Chief Risvold will be the speaker. In the
 34 evening, everyone will gather at City Hall and head out to all the neighborhood events.

35
 36 **Future Calendar Items**

37 Mr. Gadow shared that the Metropolitan Counsel Community Development committee will be
 38 utilizing a room on Monday from 4 p.m. to 6 p.m.

39
 40 Ms. Nelson shared that there is a workshop on behalf of the watershed district on Wednesday and
 41 the Economic Development Association of Minnesota was hosting their summer event focused on
 42 the Bay Center Redevelopment program on Thursday.

43
 44 **Announcements**

45 Mr. Willcox reminded everyone of the Depot concerts on Wednesday nights at 7 p.m.

46
 47 Ms. Nelson shared that election season has started. Filing for City Council seats would run from
 48 July 29th through August 12th and absentee voting has already begun.

49
 50 **AGENDA ITEM 7. Public Forum Continued (if necessary).**

51 There were no comments.

1
2 **AGENDA ITEM 8. Adjournment.**

3 Mr. Tanner made a motion, seconded by Mr. Amdal to adjourn. There being no further business,
4 Mr. Willcox adjourned the meeting at 9:25 p.m.

5
6 Respectfully submitted,

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9
10 Becky Malone
11 Deputy City Clerk

12
13 Drafted by Sarah Peterson
14 *TimeSaver Off Site Secretarial, Inc.*

DRAFT

***Check Detail Register©**

July 2014

			Check Amt	Invoice	Comment
10100 Anchor Bank					
Paid Chk#	095697	7/7/2014	WAYZATA HISTORICAL SOCIETY		
E 101-49200-496	Contingencies		\$8,000.00		Trolley
Total	WAYZATA HISTORICAL SOCIETY		\$8,000.00		
Paid Chk#	095698	7/14/2014	AEM FINANCIAL SOLUTIONS		
E 101-41500-301	Auditing and Acct g Services		\$11,250.00	331147	FINANCIAL SERVICES
Total	AEM FINANCIAL SOLUTIONS		\$11,250.00		
Paid Chk#	095699	7/14/2014	ALLEGRA PRINT & IMAGING		
E 404-40000-499	Miscellaneous		\$610.97	108138	PARKS BROCHURE
Total	ALLEGRA PRINT & IMAGING		\$610.97		
Paid Chk#	095700	7/14/2014	AMERICAN OFFICE PRODUCTS		
E 101-42100-200	Office Supplies (GENERAL)		\$54.96	136132	PD SUPPLIES
E 101-42100-200	Office Supplies (GENERAL)		\$50.37	136224	PD SUPPLIES
Total	AMERICAN OFFICE PRODUCTS		\$105.33		
Paid Chk#	095701	7/14/2014	ASPEN MILLS		
E 101-42200-217	Uniforms		\$228.00	151011	FD UNIFORM EMBROIDERED
Total	ASPEN MILLS		\$228.00		
Paid Chk#	095702	7/14/2014	AT&T MOBILITY		
E 101-41940-321	Telephone		\$367.75		CELL PHONES
Total	AT&T MOBILITY		\$367.75		
Paid Chk#	095703	7/14/2014	BARTON SAND & GRAVEL CO.		
E 101-43100-210	Operating Supplies (GENERAL)		\$418.61	140630	SAND FOR SAND BAGS
Total	BARTON SAND & GRAVEL CO.		\$418.61		
Paid Chk#	095704	7/14/2014	BIFFS, INC.		
E 101-45200-415	Other Equipment Rentals		\$62.50	W529405	PARKS SERVICE
Total	BIFFS, INC.		\$62.50		
Paid Chk#	095705	7/14/2014	BLUE CROSS AND BLUE SHIELD		
G 101-21706	Health Insurance		\$35,620.00		AUG.2014 HEALTH INS.
Total	BLUE CROSS AND BLUE SHIELD		\$35,620.00		
Paid Chk#	095706	7/14/2014	CENTERPOINT ENERGY		
E 101-41940-383	Fuel, oil and natural gas		\$517.40		SERVICE
E 610-40000-383	Fuel, oil and natural gas		\$155.43		SERVICE
E 640-47000-383	Fuel, oil and natural gas		\$209.95		SERVICE
E 640-48000-383	Fuel, oil and natural gas		\$839.78		SERVICE
E 101-41940-383	Fuel, oil and natural gas		\$8.97		SERVICE
E 101-42200-383	Fuel, oil and natural gas		\$57.23		SERVICE
Total	CENTERPOINT ENERGY		\$1,788.76		
Paid Chk#	095707	7/14/2014	CLAREY S SAFETY EQUIPMENT		
E 101-42200-240	Small Tools and Minor Equip		\$117.84	156250	FD TOOLS
Total	CLAREY S SAFETY EQUIPMENT		\$117.84		
Paid Chk#	095708	7/14/2014	CLASSIC CLEANING COMPANY		
E 101-41940-409	Maint services & Improv		\$1,393.00	20987	MONTHLY CLEANING
E 101-41940-409	Maint services & Improv		\$432.00	20988	MONTHLY CLEANING
Total	CLASSIC CLEANING COMPANY		\$1,825.00		
Paid Chk#	095709	7/14/2014	CRABTREE COMPANIES		
E 101-41500-200	Office Supplies (GENERAL)		\$598.00	125402	SUPPLIES
E 101-41500-404	Repairs/Maint - Machin/Equip		\$1,135.00	125612	COPIER REPAIRS

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July 2014

			Check Amt	Invoice	Comment
Total CRABTREE COMPANIES			\$1,733.00		
Paid Chk# 095710	7/14/2014	DISTEL, DANIEL			
E 101-41550-302	Consultants		\$3,496.00		MONTHLY ASSESSING
Total DISTEL, DANIEL			\$3,496.00		
Paid Chk# 095711	7/14/2014	DIVERSIFIED ELECTRIC INC.			
E 610-49100-405	Maint/Replac - System		\$4,714.50	1321	LIFTSTATION REHAB
E 620-40000-225	Repair & Maint - System		\$854.00	1322	LIFTSTATION REPAIRS
E 233-40000-409	Maint services & Improv		\$2,500.00	1323	DEPOT/LAKEFRONT ELECTRICAL REPAIRS
Total DIVERSIFIED ELECTRIC INC.			\$8,068.50		
Paid Chk# 095712	7/14/2014	ECM PUBLISHERS, INC.			
E 101-41500-350	Printing & Publishing		\$58.52	115370	LEGAL NOTICES
E 101-41500-350	Printing & Publishing		\$53.20	115371	LEGAL NOTICES
Total ECM PUBLISHERS, INC.			\$111.72		
Paid Chk# 095713	7/14/2014	ELECTION SYSTEMS & SOFTWARE			
E 101-41500-200	Office Supplies (GENERAL)		\$24.99	896745	ELECTION SUPPLIES
Total ELECTION SYSTEMS & SOFTWARE			\$24.99		
Paid Chk# 095714	7/14/2014	ELECTRIC PUMP, INC.			
E 620-49100-405	Maint/Replac - System		\$45,386.63	52920	LIFTSTATION #11 REHAB
E 620-40000-405	Maint/Replac - System		\$5,159.69	53032	LIFTSTATION#13 REPAIRS
Total ELECTRIC PUMP, INC.			\$50,546.32		
Paid Chk# 095715	7/14/2014	EMERGENCY AUTOMOTIVE			
E 409-42100-550	Vehicles		\$1,052.15	11905	PD SQUAD SETUP
Total EMERGENCY AUTOMOTIVE			\$1,052.15		
Paid Chk# 095716	7/14/2014	EMERYS TREE SERVICE, INC.			
E 404-40000-309	Contractual Services		\$350.00	19304	TREES TRIMMED
Total EMERYS TREE SERVICE, INC.			\$350.00		
Paid Chk# 095717	7/14/2014	EXCEL DOCUMENT MGMT.			
E 101-43200-210	Operating Supplies (GENERAL)		\$49.25	40026	HEALTH INSPECTOR BUS.CARDS
Total EXCEL DOCUMENT MGMT.			\$49.25		
Paid Chk# 095718	7/14/2014	FASTENAL			
E 101-43100-210	Operating Supplies (GENERAL)		\$18.19	MNPLY70058	SUPPLIES
Total FASTENAL			\$18.19		
Paid Chk# 095719	7/14/2014	FIRSTLAB			
E 101-45200-306	Personnel Expense		\$42.95	00792060	NEW EMPLOYEE TESTING
Total FIRSTLAB			\$42.95		
Paid Chk# 095720	7/14/2014	FLAGSHIP RECREATION LLC			
E 101-45200-210	Operating Supplies (GENERAL)		\$168.00	F3132	SUPPLIES
Total FLAGSHIP RECREATION LLC			\$168.00		
Paid Chk# 095721	7/14/2014	FLEET FARM			
E 101-45200-240	Small Tools and Minor Equip		\$193.07		TOOLS
Total FLEET FARM			\$193.07		
Paid Chk# 095722	7/14/2014	GOPHER STATE ONE CALL			
E 610-40000-313	Permit Fees/Gopher State		\$171.15	110950	UTILITY LOCATES
E 620-40000-313	Permit Fees/Gopher State		\$171.15	110950	UTILITY LOCATES
Total GOPHER STATE ONE CALL			\$342.30		

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July 2014

			Check Amt	Invoice	Comment
Paid Chk# 095723	7/14/2014	GRAINGER, INC.			
E 620-40000-225	Repair & Maint - System		\$36.25	9472618199	PARTS
	Total GRAINGER, INC.		\$36.25		
Paid Chk# 095724	7/14/2014	HAAG COMPANIES INC			
E 101-43100-229	Dirt, Sand and gravel		\$19.62	4-223860	SOD
	Total HAAG COMPANIES INC		\$19.62		
Paid Chk# 095725	7/14/2014	HARVEST HOME			
E 101-41500-306	Personnel Expense		\$74.56	415	EMPLOYEE HOSPITAL FLOWERS
	Total HARVEST HOME		\$74.56		
Paid Chk# 095726	7/14/2014	HD SUPPLY WATERWORKS, LTD			
E 670-40000-409	Maint services & Improv		\$1,164.23	C604229	LUCE LINE STORMWATER PIPE FAILURE
E 670-40000-409	Maint services & Improv		(\$534.80)	C613505	LUCE LINE STORMWATER PIPE FAILURE
	Total HD SUPPLY WATERWORKS, LTD		\$629.43		
Paid Chk# 095727	7/14/2014	HEDBERG MAPS			
E 101-41500-200	Office Supplies (GENERAL)		\$6.16	11376	SUPPLIES
	Total HEDBERG MAPS		\$6.16		
Paid Chk# 095728	7/14/2014	HENDRICKSEN PSG			
E 101-41500-404	Repairs/Maint - Machin/Equip		\$224.70	544350	CHAIR REPAIRS
	Total HENDRICKSEN PSG		\$224.70		
Paid Chk# 095729	7/14/2014	HENN.CNTY.INFO.TECH.DEPT.			
E 101-42200-323	Radio Units		\$962.29	1000046342	RADIO SERVICE
E 101-42100-323	Radio Units		\$786.65	1000046343	RADIO SERVICE
E 620-40000-323	Radio Units		\$100.55	1000047248	RADIO SERVICE
E 610-40000-323	Radio Units		\$100.55	1000047248	RADIO SERVICE
E 101-45200-323	Radio Units		\$130.00	1000047248	RADIO SERVICE
E 101-43100-323	Radio Units		\$130.00	1000047248	RADIO SERVICE
	Total HENN.CNTY.INFO.TECH.DEPT.		\$2,210.04		
Paid Chk# 095730	7/14/2014	HOLIDAY			
E 101-42100-212	Motor Fuels		\$19.28		FUEL
	Total HOLIDAY		\$19.28		
Paid Chk# 095731	7/14/2014	HOME DEPOT			
E 101-45200-216	Chemicals and Chem Products		\$37.32		SUPPLIES & TOOLS
E 101-45200-210	Operating Supplies (GENERAL)		\$67.86		SUPPLIES & TOOLS
E 101-45200-210	Operating Supplies (GENERAL)		\$32.14		SUPPLIES & TOOLS
E 101-45200-210	Operating Supplies (GENERAL)		\$27.18		SUPPLIES & TOOLS
E 101-43100-210	Operating Supplies (GENERAL)		\$58.36		SUPPLIES & TOOLS
E 101-43100-210	Operating Supplies (GENERAL)		\$29.18		SUPPLIES & TOOLS
E 620-40000-210	Operating Supplies (GENERAL)		\$52.23		SUPPLIES & TOOLS
E 620-40000-240	Small Tools and Minor Equip		\$101.75		SUPPLIES & TOOLS
E 610-40000-240	Small Tools and Minor Equip		\$101.75		SUPPLIES & TOOLS
E 101-43100-240	Small Tools and Minor Equip		\$101.75		SUPPLIES & TOOLS
E 101-45200-210	Operating Supplies (GENERAL)		\$34.26		SUPPLIES & TOOLS
	Total HOME DEPOT		\$643.78		
Paid Chk# 095732	7/14/2014	HUNTLEY REPAIR SERVICE			
E 620-40000-404	Repairs/Maint - Machin/Equip		\$35.40	DOT INSPECT YEARTLY DOT INSPECTION	
E 101-43100-404	Repairs/Maint - Machin/Equip		\$141.62	DOT INSPECT YEARTLY DOT INSPECTION	
E 610-40000-404	Repairs/Maint - Machin/Equip		\$35.40	DOT INSPECT YEARTLY DOT INSPECTION	
	Total HUNTLEY REPAIR SERVICE		\$212.42		
Paid Chk# 095733	7/14/2014	ISD#284			

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July 2014

		Check Amt	Invoice	Comment
E 101-41100-493	Volunteer program	\$100.00	CONTRIBUTI	LIFETIME OF LEARNING EVENT
Total ISD#284		\$100.00		
Paid Chk# 095734	7/14/2014	JANSSEN PAINTING		
E 408-40000-520	Buildings and Structures	\$7,880.00		EXTERIOR WINDOWS PAINTED
Total JANSSEN PAINTING		\$7,880.00		
Paid Chk# 095735	7/14/2014	JENKINS, TARA		
E 404-40000-499	Miscellaneous	\$2,180.00	6/24/14	PARKS BROCHURE
Total JENKINS, TARA		\$2,180.00		
Paid Chk# 095736	7/14/2014	JOHN DEERE LANDSCAPES		
E 101-45200-216	Chemicals and Chem Products	\$166.73	68710010	CHEMICALS
Total JOHN DEERE LANDSCAPES		\$166.73		
Paid Chk# 095737	7/14/2014	KOTHRAD SEWER, WATER &		
E 620-40000-405	Maint/Replac - System	\$2,250.00	15753K	LIFTSTATION#13 BYPASS PUMPING
Total KOTHRAD SEWER, WATER &		\$2,250.00		
Paid Chk# 095738	7/14/2014	LOFFLER COMPANIES, INC.		
E 101-41500-311	Data Processing	\$3,151.76	1778334	NETWORK SUPPORT
Total LOFFLER COMPANIES, INC.		\$3,151.76		
Paid Chk# 095739	7/14/2014	LONG LAKE TRU VALUE		
E 610-40000-225	Repair & Maint - System	\$14.45		SUPPLIES
E 101-43100-210	Operating Supplies (GENERAL)	\$13.49		SUPPLIES
E 101-45200-210	Operating Supplies (GENERAL)	\$10.07		SUPPLIES
E 620-40000-210	Operating Supplies (GENERAL)	\$27.88		SUPPLIES
E 101-45200-210	Operating Supplies (GENERAL)	\$7.05		SUPPLIES
E 640-48000-499	Miscellaneous	\$11.78		SUPPLIES
E 620-40000-210	Operating Supplies (GENERAL)	\$10.72		SUPPLIES
Total LONG LAKE TRU VALUE		\$95.44		
Paid Chk# 095740	7/14/2014	LUBE TECH		
E 101-41940-404	Repairs/Maint - Machin/Equip	\$250.00	2332607	PARTS
Total LUBE TECH		\$250.00		
Paid Chk# 095741	7/14/2014	LUBE-TECH ESI		
E 101-43100-216	Chemicals and Chem Products	\$56.92	4202	CHEMICLAS
Total LUBE-TECH ESI		\$56.92		
Paid Chk# 095742	7/14/2014	MALIKOWSKI, JOAN		
E 101-42200-409	Maint services & Improv	\$145.00	JUNE 2014	FD MONTHLY CLEANING
Total MALIKOWSKI, JOAN		\$145.00		
Paid Chk# 095743	7/14/2014	MAMA		
E 101-41500-331	Mileage & Expense Account	\$20.00	REGISTRATIO	LUNCHEON REGISTRATION
Total MAMA		\$20.00		
Paid Chk# 095744	7/14/2014	MANSFIELD OIL COMPANY		
E 101-49200-212	Motor Fuels	\$1,844.40	709610	FUEL
E 101-49200-212	Motor Fuels	\$1,783.87	709614	FUEL
E 101-49200-212	Motor Fuels	\$1,809.61	709617	FUEL
Total MANSFIELD OIL COMPANY		\$5,437.88		
Paid Chk# 095745	7/14/2014	MENARD S		
E 101-41940-210	Operating Supplies (GENERAL)	\$166.39		SUPPLIES
Total MENARD S		\$166.39		

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Paid Chk# 095746	7/14/2014	METRO ELEVATOR, INC.			
E 101-41940-404	Repairs/Maint - Machin/Equip		\$300.00	39229	GENERAL SERVICE
	Total METRO ELEVATOR, INC.		\$300.00		
Paid Chk# 095747	7/14/2014	METRO SALES INC.			
E 101-42100-200	Office Supplies (GENERAL)		\$36.21	INV7864	SUPPLIES
	Total METRO SALES INC.		\$36.21		
Paid Chk# 095748	7/14/2014	METROPOLITAN COUNCIL			
E 620-40000-386	Other Utilities		\$33,718.65	0001036045	SEWER SERVICE
	Total METROPOLITAN COUNCIL		\$33,718.65		
Paid Chk# 095749	7/14/2014	MINNESOTA REAL ESTATE JOURNAL			
E 101-41500-433	Dues, Licensing & Seminars		\$85.00	0113150	SUBSCRIPTION RENEWAL
	Total MINNESOTA REAL ESTATE JOURNAL		\$85.00		
Paid Chk# 095750	7/14/2014	MINNETONKA, CITY OF			
E 101-43100-226	Sign Repair Materials		\$115.45	337	STREET SIGNS
	Total MINNETONKA, CITY OF		\$115.45		
Paid Chk# 095751	7/14/2014	MN CHILD SUPPORT PAYMENT CENTE			
G 101-21710	County WH		\$227.50	0015104841	WITHHOLDING ORDER
	Total MN CHILD SUPPORT PAYMENT CENTE		\$227.50		
Paid Chk# 095752	7/14/2014	MN NATIVE LANDSCAPES			
E 670-40000-409	Maint services & Improv		\$972.50	10606	WETLAND BANK
	Total MN NATIVE LANDSCAPES		\$972.50		
Paid Chk# 095753	7/14/2014	MN UC FUND			
E 101-45200-140	Unemployment Comp (GENERAL		\$65.72	07970965	2ND QTR.2014 UNEMPLOYMENT
E 640-47000-140	Unemployment Comp (GENERAL		\$176.22	07970965	2ND QTR.2014 UNEMPLOYMENT
	Total MN UC FUND		\$241.94		
Paid Chk# 095754	7/14/2014	OFFICE DEPOT			
E 101-41500-200	Office Supplies (GENERAL)		\$86.19	717749161001	SUPPLIES
E 640-48000-200	Office Supplies (GENERAL)		\$169.65	718220254001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$77.56	718826547001	SUPPLIES
E 640-48000-200	Office Supplies (GENERAL)		\$71.26	718871727001	SUPPLIES
	Total OFFICE DEPOT		\$404.66		
Paid Chk# 095755	7/14/2014	PETERSON, TODD			
E 101-42100-499	Miscellaneous		\$99.45	REIMB.	MEALS REIMB.
	Total PETERSON, TODD		\$99.45		
Paid Chk# 095756	7/14/2014	PITNEY BOWES			
E 101-49200-322	Postage		\$322.00	412863	METER RENTAL
E 101-49200-322	Postage		\$385.00	528285	METER MAINT.
	Total PITNEY BOWES		\$707.00		
Paid Chk# 095757	7/14/2014	RISVOLD, MICHAEL			
E 101-42100-212	Motor Fuels		\$5.50	REIMB.	CONF.EXP, PARKING & MEALS
E 101-42100-331	Mileage & Expense Account		\$485.99	REIMB.	CONF.EXP, PARKING & MEALS
E 101-42100-499	Miscellaneous		\$20.00	REIMB.	CONF.EXP, PARKING & MEALS
	Total RISVOLD, MICHAEL		\$511.49		
Paid Chk# 095758	7/14/2014	SCHARBER & SONS			
E 101-45200-222	Repair & Maint - Equip		\$1.44	P17222	PARTS
E 610-40000-225	Repair & Maint - System		\$81.12	P19650	PARTS
E 101-43100-210	Operating Supplies (GENERAL)		\$28.47	P20341	PARTS

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Total SCHARBER & SONS			\$111.03		
Paid Chk# 095759	7/14/2014	SHERWIN-WILLIAMS CO.			
E 610-40000-210	Operating Supplies (GENERAL)		\$57.24	7825-4	PAINT
E 610-40000-210	Operating Supplies (GENERAL)		(\$36.70)	ON ACCT.	PAINT
Total SHERWIN-WILLIAMS CO.			\$20.54		
Paid Chk# 095760	7/14/2014	SPRINT			
E 101-42100-323	Radio Units		\$127.93	134573312-15	SERVICE
Total SPRINT			\$127.93		
Paid Chk# 095761	7/14/2014	STREICHER S			
E 101-42100-210	Operating Supplies (GENERAL)		\$129.25	I1097281	PD SUPPLIES
E 101-42100-210	Operating Supplies (GENERAL)		\$253.92	I1098136	PD SUPPLIES
E 101-42100-210	Operating Supplies (GENERAL)		\$9.99	I1098510	PD SUPPLIES
E 101-42100-210	Operating Supplies (GENERAL)		\$299.90	I1098538	PD SUPPLIES
Total STREICHER S			\$693.06		
Paid Chk# 095762	7/14/2014	SWANSON FLO			
E 620-40000-225	Repair & Maint - System		\$200.46	1129242	PARTS
Total SWANSON FLO			\$200.46		
Paid Chk# 095763	7/14/2014	TELEVANTAGE, INC.			
E 101-41940-321	Telephone		\$65.00	1735	BEACH PAY PHONE
Total TELEVANTAGE, INC.			\$65.00		
Paid Chk# 095764	7/14/2014	TIME SAVER			
E 101-41100-302	Consultants		\$447.60	M20639	MTG.MINUTES
Total TIME SAVER			\$447.60		
Paid Chk# 095765	7/14/2014	TRUCK UTILITIES MFG.CO.			
E 101-45200-221	Equipment Parts		\$59.93	0270761	PARTS
Total TRUCK UTILITIES MFG.CO.			\$59.93		
Paid Chk# 095766	7/14/2014	TWIN CITY GARAGE DOOR CO.			
E 101-41940-401	Repairs/Maint Buildings		\$125.00	418150	DOOR REPAIRS
Total TWIN CITY GARAGE DOOR CO.			\$125.00		
Paid Chk# 095767	7/14/2014	UNIFORMS UNLIMITED			
E 101-42100-217	Uniforms		\$54.95	208699	PD UNIFORM
Total UNIFORMS UNLIMITED			\$54.95		
Paid Chk# 095768	7/14/2014	UPS STORE			
E 101-42100-210	Operating Supplies (GENERAL)		\$110.23		SUPPLIES
E 610-40000-322	Postage		\$34.84		SHIPPING
E 640-48000-210	Operating Supplies (GENERAL)		\$68.66		SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$135.97		SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$106.12		SUPPLIES
Total UPS STORE			\$455.82		
Paid Chk# 095769	7/14/2014	VAN PAPER COMPANY			
E 101-42100-200	Office Supplies (GENERAL)		\$120.00	315892-00	SUPPLIES
E 630-40000-200	Office Supplies (GENERAL)		\$120.00	315892-00	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$201.36	315892-00	SUPPLIES
Total VAN PAPER COMPANY			\$441.36		
Paid Chk# 095770	7/14/2014	VANDERHEIDEN, ROBERT			
E 101-42100-331	Mileage & Expense Account		\$54.85	REIMB.	MILEAGE & MEAL
Total VANDERHEIDEN, ROBERT			\$54.85		

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Paid Chk#	095771	7/14/2014	VANDERHEYDEN, DANIEL		
G 101-20310	Escrow		\$2,000.00	REFUND	ESCROW REFUND
Total VANDERHEYDEN, DANIEL			\$2,000.00		
Paid Chk#	095772	7/14/2014	VERIZON WIRELESS		
E 101-42100-323	Radio Units		\$160.04	9726795954	SERVICE
E 101-42200-323	Radio Units		\$12.03	9727233558	SERVICE
Total VERIZON WIRELESS			\$172.07		
Paid Chk#	095773	7/14/2014	VILLAGE CHEVROLET		
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$38.62	270359	PARTS
Total VILLAGE CHEVROLET			\$38.62		
Paid Chk#	095774	7/14/2014	WARNING LITES		
G 101-20300	Deposits Payable		\$562.60	137405	CHAMBER EVENT
E 101-43100-415	Other Equipment Rentals		\$1,500.00	137931	EASTMAN LANE
E 101-43100-415	Other Equipment Rentals		\$545.00	137932	CONES FOR PAINTING
Total WARNING LITES			\$2,607.60		
Paid Chk#	095775	7/14/2014	WAYZATA ROTARY CLUB		
E 101-41500-331	Mileage & Expense Account		\$326.00	272	DUES & MEALS-NELSON
Total WAYZATA ROTARY CLUB			\$326.00		
Paid Chk#	095776	7/14/2014	WEST SIDE REDI MIX, INC.		
E 620-49100-405	Maint/Replac - System		\$265.00	64257	LIFTSTATION #11 REHAB
Total WEST SIDE REDI MIX, INC.			\$265.00		
Paid Chk#	095777	7/14/2014	WSB & ASSOCIATES		
E 610-49100-302	Consultants		\$150.00	01204-330-14	BUSHAWAY RD WATERMIAN
E 430-40000-302	Consultants		\$8,654.50	01204-370-2	2014 STREETS
Total WSB & ASSOCIATES			\$8,804.50		
Paid Chk#	095778	7/14/2014	XCEL ENERGY		
E 101-42200-381	Electric Utilities		\$317.00		SERVICE
E 640-48000-381	Electric Utilities		\$3,528.28		SERVICE
E 620-40000-381	Electric Utilities		\$932.09		SERVICE
E 640-47000-381	Electric Utilities		\$1,512.12		SERVICE
E 610-40000-381	Electric Utilities		\$5,724.39		SERVICE
E 101-45203-381	Electric Utilities		\$3,704.79		SERVICE
E 101-41940-381	Electric Utilities		\$22.87		SERVICE
E 101-41940-381	Electric Utilities		\$3,603.82		SERVICE
Total XCEL ENERGY			\$19,345.36		
Paid Chk#	095779	7/16/2014	INTERNATIONAL CODE INSTITUTE		
E 101-42400-433	Dues, Licensing & Seminars		\$125.00	3011462	DUES
Total INTERNATIONAL CODE INSTITUTE			\$125.00		
Paid Chk#	095780	7/16/2014	LMCD		
E 233-40000-499	Miscellaneous		\$500.00		VARIANCE DOCK USE APPLICATION
Total LMCD			\$500.00		
Paid Chk#	095781	7/16/2014	LMCD		
E 233-40000-499	Miscellaneous		\$610.00		SPECIAL DENSITY LICENSE APPLICATION
Total LMCD			\$610.00		
Paid Chk#	095782	7/16/2014	LMCD		
E 233-40000-499	Miscellaneous		\$2,101.25		NEW MULTIPLE DOCK/MOORING LICENSE APPLICATION

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Total LMCD		\$2,101.25		
Paid Chk# 095783	7/16/2014	METRO GENERAL SERVICES		
R 101-00000-34190	Charges for Services/Gen Gov	(\$360.00)	REFUND	DEGRADATION FEE FOR 274 RIDGEVIEW DRIVE
G 101-20300	Deposits Payable	\$999.00	REFUND	STREET CUT DEPOSIT FOR 270 RIDGEVIEW DRIVE
G 101-20300	Deposits Payable	\$999.00	REFUND	STREET CUT DEPOSIT FOR 274 RIDGEVIEW DRIVE
R 101-00000-34190	Charges for Services/Gen Gov	(\$280.00)	REFUND	DEGRADATION FEE FOR 270 RIDGEVIEW DRIVE
Total METRO GENERAL SERVICES		\$1,358.00		
Paid Chk# 095784	7/16/2014	RUDY LUTHER		
G 630-20300	Deposits Payable	\$394.75	CVR REFUND	CVR REFUND
Total RUDY LUTHER		\$394.75		
Paid Chk# 095785	7/16/2014	XCEL ENERGY - ATTN: T.CARLSON		
E 430-40000-309	Contractual Services	\$493,510.00	11912119	BUSHAWAY ROAD UTILITIES
Total XCEL ENERGY - ATTN: T.CARLSON		\$493,510.00		
Paid Chk# 095786	7/17/2014	ARCTIC GLACIER INC.		
E 640-47000-254	Soft Drinks/Mix For Resale	\$109.40	377418109	ICE RESALE
E 640-47000-254	Soft Drinks/Mix For Resale	\$93.20	387418503	ICE RESALE
E 640-47000-254	Soft Drinks/Mix For Resale	\$49.70	387418811	ICE RESALE
E 640-47000-254	Soft Drinks/Mix For Resale	\$132.40	388418608	ICE RESALE
Total ARCTIC GLACIER INC.		\$384.70		
Paid Chk# 095787	7/17/2014	BELLBOY BAR SUPPLY CORP.		
E 640-47000-251	Liquor For Resale	\$101.10	43162100	LIQ
E 640-47000-259	Freight	\$10.85	43327000	FREIGHT
E 640-47000-251	Liquor For Resale	\$1,281.35	43327000	LIQ
E 640-47000-252	Wine For Resale	\$96.00	43724500	WINE
E 640-47000-259	Freight	\$1.55	43724500	FREIGHT
E 640-47000-251	Liquor For Resale	\$1,426.67	43724600	LIQ
E 640-47000-259	Freight	\$17.05	43724600	FREIGHT
E 640-47000-251	Liquor For Resale	\$1,037.64	43781700	LIQ
E 640-47000-259	Freight	\$12.30	43781700	FREIGHT
E 640-47000-259	Freight	\$18.86	43839400	FREIGHT
E 640-47000-251	Liquor For Resale	\$1,991.55	43839400	LIQ
E 640-47000-254	Soft Drinks/Mix For Resale	\$83.80	43843200	MISC.
E 640-47000-259	Freight	\$6.20	43843200	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale	\$52.00	90436200	MISC.
E 640-47000-259	Freight	\$4.26	90436200	FREIGHT
Total BELLBOY BAR SUPPLY CORP.		\$6,141.18		
Paid Chk# 095788	7/17/2014	BERNICK'S WINE		
E 640-47000-254	Soft Drinks/Mix For Resale	\$237.83	145763	MISC.BEV.
E 640-47000-253	Beer For Resale	\$245.50	145764	BEER
Total BERNICK'S WINE		\$483.33		
Paid Chk# 095789	7/17/2014	BERRY COFFEE COMPANY		
E 640-48000-254	Soft Drinks/Mix For Resale	\$124.45	1183635	MISC.BEV.
Total BERRY COFFEE COMPANY		\$124.45		
Paid Chk# 095790	7/17/2014	BOURGET IMPORTS		
E 640-47000-252	Wine For Resale	\$792.00	120754	WINE
E 640-47000-259	Freight	\$4.50	120754	FREIGHT
Total BOURGET IMPORTS		\$796.50		
Paid Chk# 095791	7/17/2014	CENTURYLINK		
E 430-40000-309	Contractual Services	\$25,978.97	E649264	BUSHAWAY ROAD UTILITIES

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Total CENTURYLINK			\$25,978.97		
Paid Chk# 095792	7/17/2014	COCA-COLA			
E 640-47000-254	Soft Drinks/Mix For Resale		\$107.84	0168056721	MISC.BEV.
E 640-48000-254	Soft Drinks/Mix For Resale		\$1,470.24	0168057312	MISC.BEV.
Total COCA-COLA			\$1,578.08		
Paid Chk# 095793	7/17/2014	COZZINI BROS., INC.			
E 640-48500-415	Other Equipment Rentals		\$71.34	C1059744	KNIFE EXCHANGE
Total COZZINI BROS., INC.			\$71.34		
Paid Chk# 095794	7/17/2014	CULLIGAN-METRO			
E 640-48500-210	Operating Supplies (GENERAL)		\$156.57	101X26634801	KITCHEN SUPPLIES
Total CULLIGAN-METRO			\$156.57		
Paid Chk# 095795	7/17/2014	DAHLHEIMER DISTRIBUTING CO.			
E 640-47000-253	Beer For Resale		\$770.70	1092686	BEER
E 640-47000-253	Beer For Resale		\$358.00	1092689	BEER
E 640-48000-253	Beer For Resale		\$582.00	1092734	BEER
E 640-47000-253	Beer For Resale		\$270.00	93933	BEER
E 640-48000-253	Beer For Resale		\$604.00	93960	BEER
Total DAHLHEIMER DISTRIBUTING CO.			\$2,584.70		
Paid Chk# 095796	7/17/2014	DAY DISTRIBUTING			
E 640-48000-253	Beer For Resale		\$863.00	758654	BEER
E 640-47000-253	Beer For Resale		\$4,031.75	758655	BEER
E 640-48000-253	Beer For Resale		\$1,039.00	759552	BEER
E 640-48000-253	Beer For Resale		\$330.00	760502	BEER
E 640-48000-253	Beer For Resale		\$162.00	760504	BEER
Total DAY DISTRIBUTING			\$6,425.75		
Paid Chk# 095797	7/17/2014	DIRECTV			
E 640-48000-415	Other Equipment Rentals		\$347.31	23432955775	SERVICE
Total DIRECTV			\$347.31		
Paid Chk# 095798	7/17/2014	ENKI BREWING COMPANY			
E 640-48000-253	Beer For Resale		\$220.00	2719	BEER
Total ENKI BREWING COMPANY			\$220.00		
Paid Chk# 095799	7/17/2014	EXCELSIOR BREWING COMPANY			
E 640-48000-253	Beer For Resale		\$110.00	2843	BEER
E 640-48000-253	Beer For Resale		\$65.00	2893	BEER
Total EXCELSIOR BREWING COMPANY			\$175.00		
Paid Chk# 095800	7/17/2014	EXTREME BEVERAGE, LLC			
E 640-47000-254	Soft Drinks/Mix For Resale		\$67.00	264-275	MISC.BEV.
E 640-47000-254	Soft Drinks/Mix For Resale		\$100.50	W991522	MISC.BEV.
Total EXTREME BEVERAGE, LLC			\$167.50		
Paid Chk# 095801	7/17/2014	G & K SERVICES			
E 640-48000-210	Operating Supplies (GENERAL)		\$36.19	1013383718	UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$94.69	1013383718	UNIFORMS & SUPPLIES
E 640-48500-217	Uniforms		\$28.36	1013383718	UNIFORMS & SUPPLIES
E 640-48500-217	Uniforms		\$30.16	1013395000	UNIFORMS & SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$32.93	1013395000	UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$86.63	1013395000	UNIFORMS & SUPPLIES
Total G & K SERVICES			\$308.96		
Paid Chk# 095802	7/17/2014	GRAPE BEGINNINGS, INC.			

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E 640-47000-252	Wine For Resale	\$876.00	168735	WINE
E 640-47000-259	Freight	\$11.25	168735	FREIGHT
Total GRAPE BEGINNINGS, INC.		\$887.25		
Paid Chk# 095803	7/17/2014	HEGGIES PIZZA		
E 640-48500-255	FOODIngredients For Resale	\$215.80	1426553	FOOD RESALE
Total HEGGIES PIZZA		\$215.80		
Paid Chk# 095804	7/17/2014	HOHENSTEINS INC.		
E 640-47000-253	Beer For Resale	\$447.00	711516	BEER
Total HOHENSTEINS INC.		\$447.00		
Paid Chk# 095805	7/17/2014	JJ TAYLOR DISTRIBUTING OF MN		
E 640-47000-253	Beer For Resale	\$2,146.70	2239854	BEER
E 640-47000-253	Beer For Resale	\$108.50	2239855	BEER
E 640-47000-253	Beer For Resale	\$1,635.50	2239913	BEER
E 640-48000-253	Beer For Resale	\$666.55	2244812	BEER
E 640-48000-253	Beer For Resale	\$178.00	2244813	BEER
E 640-48000-253	Beer For Resale	\$480.00	2244860	BEER
Total JJ TAYLOR DISTRIBUTING OF MN		\$5,215.25		
Paid Chk# 095806	7/17/2014	JOHNSON BROS.-ST.PAUL		
E 640-47000-259	Freight	\$1.37	1882938	FREIGHT
E 640-47000-252	Wine For Resale	\$32.25	1882938	MISC.
E 640-47000-252	Wine For Resale	\$1,792.00	1886617	WINE
E 640-47000-259	Freight	\$23.29	1886617	FREIGHT
E 640-47000-251	Liquor For Resale	\$290.00	1888302	LIQ
E 640-47000-259	Freight	\$4.11	1888302	FREIGHT
E 640-47000-259	Freight	\$27.40	1888303	FREIGHT
E 640-47000-252	Wine For Resale	\$1,730.00	1888303	WINE
E 640-47000-251	Liquor For Resale	\$1,870.86	1890111	LIQ
E 640-47000-259	Freight	\$20.78	1890111	FREIGHT
E 640-47000-252	Wine For Resale	\$512.40	1890112	WINE
E 640-47000-259	Freight	\$14.15	1890112	FREIGHT
E 640-47000-251	Liquor For Resale	\$123.00	1890113	LIQ
E 640-47000-259	Freight	\$5.48	1891699	FREIGHT
E 640-47000-251	Liquor For Resale	\$493.20	1891699	LIQ
E 640-47000-259	Freight	\$4.11	1891700	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale	\$105.35	1891700	MISC.
E 640-47000-252	Wine For Resale	\$2,635.30	1891701	WINE
E 640-47000-259	Freight	\$35.62	1891701	FREIGHT
E 640-47000-259	Freight	\$12.33	1894448	FREIGHT
E 640-47000-252	Wine For Resale	\$618.15	1894448	WINE
E 640-47000-259	Freight	\$64.39	1894449	FREIGHT
E 640-47000-251	Liquor For Resale	\$6,593.28	1894449	LIQ
E 640-47000-252	Wine For Resale	\$4,202.62	1894451	WINE
E 640-47000-252	Wine For Resale	\$1,277.30	1895844	WINE
E 640-47000-259	Freight	\$23.29	1895844	FREIGHT
E 640-47000-251	Liquor For Resale	\$142.62	1895845	LIQ
E 640-47000-259	Freight	\$1.71	1895845	FREIGHT
E 640-47000-251	Liquor For Resale	(\$94.32)	625195	LIQ
Total JOHNSON BROS.-ST.PAUL		\$22,562.04		
Paid Chk# 095807	7/17/2014	KARLSBURGER FOODS, INC.		
E 640-48500-255	FOODIngredients For Resale	\$263.35	5-000060953	FOOD
Total KARLSBURGER FOODS, INC.		\$263.35		
Paid Chk# 095808	7/17/2014	LINNIHAN FOY		

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E 640-48000-340	Advertising	\$3,080.00	1412	BILLBOARD
E 640-47000-340	Advertising	\$3,080.00	1412	BILLBOARD
E 640-47000-340	Advertising	\$750.00	1526	BILLBOARD
E 640-48000-340	Advertising	\$750.00	1526	BILLBOARD
E 640-47000-340	Advertising	\$3,080.00	1540	BILLBOARD
E 640-48000-340	Advertising	\$3,080.00	1540	BILLBOARD
E 640-47000-340	Advertising	\$617.50	1728	LAKESHORE AD
E 640-47000-340	Advertising	\$340.00	1729	LAKESHORE AD
E 640-48000-340	Advertising	\$170.00	1730	BILLBOARD
E 640-47000-340	Advertising	\$170.00	1730	BILLBOARD
E 640-47000-340	Advertising	\$480.00	1731	SAVOUR BLAST
E 640-47000-340	Advertising	\$320.00	1732	SAVOUR BLAST
Total LINNIHAN FOY		\$15,917.50		
Paid Chk# 095809	7/17/2014	LUND S		
E 630-40000-499	Miscellaneous	\$19.82	ACCT.2341	SUPPLIES
E 101-45200-499	Miscellaneous	\$17.94	ACCT.2341	SUPPLIES
E 640-47000-341	General Promotions	\$77.86	ACCT.2341	SUPPLIES
E 640-48500-255	FOODIngredients For Resale	\$87.14	ACCT.2341	FOOD
E 101-41100-331	Mileage & Expense Account	\$47.75	ACCT.2341	MTG.SUPPLIES
Total LUND S		\$250.51		
Paid Chk# 095810	7/17/2014	M.AMUNDSON LLP		
E 640-47000-256	MISC.MDSE.RESALE	\$875.58	177428	CIGARETTES
Total M.AMUNDSON LLP		\$875.58		
Paid Chk# 095811	7/17/2014	MAIN STREET BAKERY		
E 640-48500-255	FOODIngredients For Resale	\$109.70	244831	FOOD
E 640-48500-255	FOODIngredients For Resale	\$49.51	244890	FOOD
E 640-48500-255	FOODIngredients For Resale	\$84.19	244962	FOOD
E 640-48500-255	FOODIngredients For Resale	\$203.25	245041	FOOD
E 640-48500-255	FOODIngredients For Resale	\$76.75	245182	FOOD
E 640-48500-255	FOODIngredients For Resale	\$81.63	245245	FOOD
E 640-48500-255	FOODIngredients For Resale	\$69.81	245284	FOOD
E 640-48500-255	FOODIngredients For Resale	\$130.64	245412	FOOD
E 640-48500-255	FOODIngredients For Resale	\$134.99	245512	FOOD
Total MAIN STREET BAKERY		\$940.47		
Paid Chk# 095812	7/17/2014	MEUWISSEN, LYNN		
E 640-48000-130	Employer Paid Ins	\$100.00	APRIL	HEALTH INS.REIMB. FOR APRIL & MAY 2014
E 640-48000-130	Employer Paid Ins	\$100.00	MAY	HEALTH INS.REIMB. FOR APRIL & MAY 2014
Total MEUWISSEN, LYNN		\$200.00		
Paid Chk# 095813	7/17/2014	MMBA		
E 640-48000-433	Dues, Licensing & Seminars	\$1,612.50		DUES
E 640-47000-433	Dues, Licensing & Seminars	\$1,612.50		DUES
Total MMBA		\$3,225.00		
Paid Chk# 095814	7/17/2014	NETWORK BUSINESS SUPPLIES		
E 640-48500-210	Operating Supplies (GENERAL)	\$859.41	95465	SUPPLIES
Total NETWORK BUSINESS SUPPLIES		\$859.41		
Paid Chk# 095815	7/17/2014	NORTHWESTERN FRUIT COMPANY		
E 640-48500-255	FOODIngredients For Resale	\$723.80	786862	FOOD
E 640-48000-251	Liquor For Resale	\$13.95	786862	LIQ
E 640-48500-255	FOODIngredients For Resale	\$162.50	787022	FOOD
E 640-48500-255	FOODIngredients For Resale	\$134.55	787172	FOOD
E 640-48000-253	Beer For Resale	\$6.60	787172	BEER

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E 640-48000-251	Liquor For Resale		\$60.70	787172	LIQ
E 640-48000-251	Liquor For Resale		\$7.10	787349	LIQ
E 640-48500-255	FOODIngredients For Resale		\$599.05	787349	FOOD
E 640-48000-251	Liquor For Resale		\$60.10	787534	LIQ
E 640-48500-255	FOODIngredients For Resale		\$300.90	787534	FOOD
E 640-48500-255	FOODIngredients For Resale		\$276.45	787730	FOOD
Total NORTHWESTERN FRUIT COMPANY			\$2,345.70		
Paid Chk# 095816	7/17/2014	PARLEY LAKE WINERY			
E 640-47000-252	Wine For Resale		\$606.00	14072	WINE
Total PARLEY LAKE WINERY			\$606.00		
Paid Chk# 095817	7/17/2014	PAUSTIS & SONS			
E 640-47000-252	Wine For Resale		\$800.00	8445924	WINE
E 640-48000-252	Wine For Resale		\$229.50	8455620	WINE
E 640-47000-252	Wine For Resale		\$1,821.38	8455729	WINE
E 640-47000-259	Freight		\$17.50	8455729	FREIGHT
E 640-48000-252	Wine For Resale		\$153.00	8456296	WINE
E 640-47000-252	Wine For Resale		\$2,160.50	8456429	WINE
E 640-47000-259	Freight		\$27.50	8456429	FREIGHT
Total PAUSTIS & SONS			\$5,209.38		
Paid Chk# 095818	7/17/2014	PEPSI -COLA			
E 640-47000-254	Soft Drinks/Mix For Resale		\$280.10	01002168	MISC.BEV.
Total PEPSI -COLA			\$280.10		
Paid Chk# 095819	7/17/2014	PHILLIPS WINES & SPIRITS			
E 640-47000-259	Freight		\$3.82	2629171	FREIGHT
E 640-47000-252	Wine For Resale		\$432.00	2629171	WINE
E 640-48000-251	Liquor For Resale		\$422.18	2630069	LIQ
E 640-47000-252	Wine For Resale		\$597.85	2630189	WINE
E 640-47000-259	Freight		\$12.33	2630189	FREIGHT
E 640-47000-259	Freight		\$7.71	2630190	FREIGHT
E 640-47000-251	Liquor For Resale		\$441.68	2630190	LIQ
E 640-47000-251	Liquor For Resale		\$1,962.95	2632817	LIQ
E 640-47000-259	Freight		\$24.66	2632817	FREIGHT
E 640-47000-252	Wine For Resale		\$2,737.40	2632818	WINE
E 640-47000-259	Freight		\$36.19	2632818	FREIGHT
Total PHILLIPS WINES & SPIRITS			\$6,678.77		
Paid Chk# 095820	7/17/2014	PLUNKETT S PEST CONTROL			
E 640-48000-409	Maint services & Improv		\$118.26	3680375	SERVICE
Total PLUNKETT S PEST CONTROL			\$118.26		
Paid Chk# 095821	7/17/2014	SOUTHERN WINE & SPIRITS OF MN			
E 640-47000-252	Wine For Resale		\$1,660.00	1178038	WINE
E 640-47000-259	Freight		\$21.25	1178038	FREIGHT
E 640-47000-259	Freight		\$12.50	1178039	FREIGHT
E 640-47000-252	Wine For Resale		\$1,784.00	1178039	WINE
E 640-47000-259	Freight		\$6.25	1178040	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$145.00	1178040	MISC.
E 640-47000-259	Freight		\$13.96	1178041	FREIGHT
E 640-47000-251	Liquor For Resale		\$1,805.05	1178041	LIQ
E 640-47000-254	Soft Drinks/Mix For Resale		\$25.30	1178042	MISC.
E 640-47000-252	Wine For Resale		\$108.25	1178043	WINE
E 640-47000-259	Freight		\$25.42	1180455	FREIGHT
E 640-47000-252	Wine For Resale		\$2,600.53	1180455	WINE
E 640-47000-259	Freight		\$15.00	1180456	FREIGHT

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E 640-47000-251	Liquor For Resale	\$1,861.17	1180456	LIQ
Total	SOUTHERN WINE & SPIRITS OF MN	\$10,083.68		
Paid Chk# 095822	7/17/2014	STRATEGIC EQUIPMENT AND		
E 640-48500-210	Operating Supplies (GENERAL)	\$40.65	2232684	SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$149.33	2240806	SUPPLIES
E 640-48000-341	General Promotions	\$62.64	2240806	SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$53.52	2240807	SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$28.80	2244377	SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$244.45	2244379	SUPPLIES
E 640-48000-341	General Promotions	\$62.64	2244379	SUPPLIES
Total	STRATEGIC EQUIPMENT AND	\$642.03		
Paid Chk# 095823	7/17/2014	SUNBURST CHEMICALS, INC.		
E 640-48500-210	Operating Supplies (GENERAL)	\$701.69	0326743	SUPPLIES
Total	SUNBURST CHEMICALS, INC.	\$701.69		
Paid Chk# 095824	7/17/2014	SYSCO MINNESOTA		
E 640-48500-255	FOODIngredients For Resale	\$2,118.00	404070735	FOOD
E 640-47000-254	Soft Drinks/Mix For Resale	\$12.63	406160746	FOOD
E 640-48500-255	FOODIngredients For Resale	(\$24.00)	407010576	FOOD
E 640-48500-255	FOODIngredients For Resale	(\$6.25)	407020023	FOOD
E 640-48500-255	FOODIngredients For Resale	\$134.18	407020035	FOOD
E 640-48000-342	Promotions - Food/Drinks	\$56.05	407020866	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$195.69	407020866	SUPPLIES
E 640-48000-251	Liquor For Resale	\$12.63	407020866	LIQ
E 640-48000-253	Beer For Resale	\$8.68	407020866	BEER
E 640-48000-251	Liquor For Resale	\$48.46	407042484	LIQ
E 640-48000-342	Promotions - Food/Drinks	\$28.17	407042484	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$281.65	407042484	SUPPLIES
E 640-48500-255	FOODIngredients For Resale	\$6,633.34	407042484	FOOD
E 640-47000-254	Soft Drinks/Mix For Resale	\$17.63	407042485	FOOD
E 640-48000-342	Promotions - Food/Drinks	\$56.05	407070735	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$146.12	407070735	SUPPLIES
E 640-48000-251	Liquor For Resale	\$85.10	407070735	LIQ
E 640-48000-254	Soft Drinks/Mix For Resale	\$23.02	407070735	MISC.BEV.
E 640-48000-342	Promotions - Food/Drinks	\$28.17	407091159	PROMO FOOD
E 640-48000-251	Liquor For Resale	\$36.36	407091159	LIQ
E 640-48500-210	Operating Supplies (GENERAL)	\$94.49	407091159	SUPPLIES
E 640-48000-253	Beer For Resale	\$9.49	407091159	BEER
E 640-48500-255	FOODIngredients For Resale	\$5,586.89	407091159	FOOD
E 640-48500-255	FOODIngredients For Resale	\$159.00	407110014	FOOD
E 640-48500-255	FOODIngredients For Resale	\$3,339.14	407111904	FOOD
E 640-48000-342	Promotions - Food/Drinks	\$56.05	407111904	PROMO FOOD
E 640-48000-341	General Promotions	\$44.70	407111904	PROMO SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$64.23	407111904	SUPPLIES
E 640-48000-251	Liquor For Resale	\$11.97	407111904	LIQ
E 101-41940-210	Operating Supplies (GENERAL)	\$277.85	407160954	SUPPLIES
Total	SYSCO MINNESOTA	\$19,535.49		
Paid Chk# 095825	7/17/2014	T.D. ANDERSON INC.		
E 640-48000-409	Maint services & Improv	\$115.00	944379	BEER LINES CLEANED
Total	T.D. ANDERSON INC.	\$115.00		
Paid Chk# 095826	7/17/2014	THORPE DISTRIBUTING CO.		
E 640-47000-253	Beer For Resale	(\$139.00)	00767196	BEER
E 640-48000-253	Beer For Resale	(\$420.00)	825664	BEER
E 640-48000-253	Beer For Resale	\$143.30	832981	BEER

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E 640-48000-253	Beer For Resale		\$920.00	832984	BEER
E 640-48000-253	Beer For Resale		\$104.00	832993	BEER
E 640-47000-253	Beer For Resale		\$35.70	832994	BEER
E 640-47000-253	Beer For Resale		\$2,183.81	832995	BEER
E 640-47000-253	Beer For Resale		\$107.10	834426	BEER
E 640-47000-253	Beer For Resale		\$693.00	834427	BEER
E 640-48000-253	Beer For Resale		\$143.30	834428	BEER
E 640-48000-253	Beer For Resale		\$75.00	834430	BEER
Total THORPE DISTRIBUTING CO.			\$3,846.21		
Paid Chk# 095827	7/17/2014	TKO WINES, INC.			
E 640-47000-252	Wine For Resale		\$456.00	490590	WINE
Total TKO WINES, INC.			\$456.00		
Paid Chk# 095828	7/17/2014	TOLL GAS & WELDING SUPPLY			
E 640-48000-210	Operating Supplies (GENERAL)		\$147.40	10031360	SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$59.00	40010697	SUPPLIES
Total TOLL GAS & WELDING SUPPLY			\$206.40		
Paid Chk# 095829	7/17/2014	VINOCOPIA			
E 640-47000-252	Wine For Resale		\$816.00	0101499	WINE
E 640-47000-251	Liquor For Resale		\$361.16	0101499	LIQ
E 640-47000-259	Freight		\$14.00	0101499	FREIGHT
E 640-47000-251	Liquor For Resale		\$280.00	0102302	LIQ
E 640-47000-259	Freight		\$7.50	0102302	FREIGHT
E 640-47000-252	Wine For Resale		\$264.00	0102303	WINE
E 640-47000-259	Freight		\$5.00	0102303	FREIGHT
Total VINOCOPIA			\$1,747.66		
Paid Chk# 095830	7/17/2014	WINE COMPANY			
E 640-47000-259	Freight		\$11.55	365852	FREIGHT
E 640-47000-252	Wine For Resale		\$944.00	365852	WINE
E 640-47000-259	Freight		\$16.50	366223	FREIGHT
E 640-47000-252	Wine For Resale		\$825.33	366223	WINE
Total WINE COMPANY			\$1,797.38		
Paid Chk# 095831	7/17/2014	WINE MERCHANT			
E 640-47000-259	Freight		\$11.99	508731	FREIGHT
E 640-47000-252	Wine For Resale		\$1,730.15	508731	WINE
E 640-47000-259	Freight		\$2.06	508732	FREIGHT
E 640-47000-259	Freight		\$11.64	509384	FREIGHT
E 640-47000-252	Wine For Resale		\$1,142.48	509384	WINE
E 640-47000-252	Wine For Resale		\$948.24	510488	WINE
E 640-47000-259	Freight		\$10.27	510488	FREIGHT
E 640-47000-252	Wine For Resale		(\$102.58)	65815	WINE
E 640-47000-252	Wine For Resale		(\$136.16)	65895	WINE
Total WINE MERCHANT			\$3,618.09		
Paid Chk# 095832	7/17/2014	WIRTZ BEVERAGE MN BEER			
E 640-47000-253	Beer For Resale		\$43.00	1090249518	BEER
E 640-47000-253	Beer For Resale		\$145.00	1090249519	BEER
E 640-47000-253	Beer For Resale		\$416.00	1090249520	BEER
E 640-48000-253	Beer For Resale		\$374.00	1090249566	BEER
E 640-47000-253	Beer For Resale		\$238.50	1090253249	BEER
E 640-47000-253	Beer For Resale		\$86.00	1090253250	BEER
E 640-48000-253	Beer For Resale		\$694.00	1090253275	BEER
E 640-47000-253	Beer For Resale		\$3,911.45	1090253291	BEER
Total WIRTZ BEVERAGE MN BEER			\$5,907.95		

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Paid Chk#	095833	7/17/2014	WIRTZ BEVERAGE MN WINE & SPIRI		
E 640-47000-252	Wine For Resale		\$72.00	1080198394	WINE
E 640-47000-259	Freight		\$20.78	1080198394	FREIGHT
E 640-47000-251	Liquor For Resale		\$1,922.08	1080198394	LIQ
E 640-47000-259	Freight		\$10.15	1080198395	FREIGHT
E 640-47000-252	Wine For Resale		\$764.00	1080198395	WINE
E 640-47000-251	Liquor For Resale		\$1,714.89	1080201163	LIQ
E 640-47000-254	Soft Drinks/Mix For Resale		\$123.47	1080201163	MISC.
E 640-47000-259	Freight		\$24.89	1080201163	FREIGHT
E 640-48000-251	Liquor For Resale		\$294.43	1080201175	LIQ
E 640-47000-259	Freight		\$24.89	1080201214	FREIGHT
E 640-47000-252	Wine For Resale		\$2,976.16	1080201214	WINE
E 640-47000-251	Liquor For Resale		(\$57.65)	ON ACCT.	LIQ
Total WIRTZ BEVERAGE MN WINE & SPIRI			\$7,890.09		
Paid Chk#	095834	7/17/2014	Z WINES USA LLC		
E 640-47000-252	Wine For Resale		\$504.00	13075	WINE
E 640-47000-259	Freight		\$10.00	13075	FREIGHT
E 640-47000-259	Freight		\$5.00	13090	WINE
E 640-47000-252	Wine For Resale		\$184.00	13090	WINE
Total Z WINES USA LLC			\$703.00		
Paid Chk#	095835	7/30/2014	ABSOLUTE MECHANICAL		
E 640-48000-404	Repairs/Maint - Machin/Equip		\$448.00	4042	MAINT.ON EQUIP.
Total ABSOLUTE MECHANICAL			\$448.00		
Paid Chk#	095836	7/30/2014	ARCTIC GLACIER INC.		
E 640-47000-254	Soft Drinks/Mix For Resale		\$86.00	388419501	ICE RESALE
E 640-47000-254	Soft Drinks/Mix For Resale		\$93.50	436419201	ICE RESALE
E 640-47000-254	Soft Drinks/Mix For Resale		\$70.45	438419904	ICE RESALE
E 640-47000-254	Soft Drinks/Mix For Resale		\$82.55	438420210	ICE RESALE
E 640-47000-254	Soft Drinks/Mix For Resale		\$65.40	439420605	ICE RESALE
Total ARCTIC GLACIER INC.			\$397.90		
Paid Chk#	095837	7/30/2014	BETH, GERALD O		
E 640-48000-341	General Promotions		\$175.00	8/5/14	BAR MUSIC 8/5/14
Total BETH, GERALD O			\$175.00		
Paid Chk#	095838	7/30/2014	BETH, GERALD O		
E 640-48000-341	General Promotions		\$175.00	8/12/14	BAR MUSIC 8/12/14
Total BETH, GERALD O			\$175.00		
Paid Chk#	095839	7/30/2014	BETH, GERALD O		
E 640-48000-341	General Promotions		\$175.00	8/19/14	BAR MUSIC 8/19/14
Total BETH, GERALD O			\$175.00		
Paid Chk#	095840	7/30/2014	BETH, GERALD O		
E 640-48000-341	General Promotions		\$175.00	8/26/14	BAR MUSIC 8/26/14
Total BETH, GERALD O			\$175.00		
Paid Chk#	095841	7/30/2014	BOURGET IMPORTS		
E 640-47000-252	Wine For Resale		\$288.00	120950	WINE
E 640-47000-259	Freight		\$6.00	120950	FREIGHT
Total BOURGET IMPORTS			\$294.00		
Paid Chk#	095842	7/30/2014	CARPE DIEM DESIGNS, INC.		
E 640-47000-256	MISC.MDSE.RESALE		\$375.10	40	MISC.MDSE.RESALE
E 640-47000-259	Freight		\$35.07	40	FREIGHT

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Total CARPE DIEM DESIGNS, INC.			\$410.17		
Paid Chk# 095843	7/30/2014	CINTAS CORPORATION			
E 640-48500-210	Operating Supplies (GENERAL)		\$100.35	5001480180	FIRST AID SUPPLIES
Total CINTAS CORPORATION			\$100.35		
Paid Chk# 095844	7/30/2014	CITY VIEW PLUMBING & HEATING			
E 640-48000-404	Repairs/Maint - Machin/Equip		\$1,508.91	41778	BAR WATER HEATER REPAIRS & MISC.PLB.
Total CITY VIEW PLUMBING & HEATING			\$1,508.91		
Paid Chk# 095845	7/30/2014	COCA-COLA			
E 640-47000-254	Soft Drinks/Mix For Resale		\$155.68	0138166420	MISC.BEV.
Total COCA-COLA			\$155.68		
Paid Chk# 095846	7/30/2014	DIRECTV			
E 640-48000-415	Other Equipment Rentals		\$347.31	23656223705	SERVICE
Total DIRECTV			\$347.31		
Paid Chk# 095847	7/30/2014	GILBERT, MELODY			
E 640-48000-341	General Promotions		\$300.00	8/21/14	BAR MUSIC 8/21/14
Total GILBERT, MELODY			\$300.00		
Paid Chk# 095848	7/30/2014	ISRAEL, DAN			
E 640-48000-341	General Promotions		\$200.00	8/23/14	BAR MUSIC 8/23/14
Total ISRAEL, DAN			\$200.00		
Paid Chk# 095849	7/30/2014	KESSLER, JIM			
E 640-48000-341	General Promotions		\$150.00	8/2/14	BAR MUSIC 8/2/14
Total KESSLER, JIM			\$150.00		
Paid Chk# 095850	7/30/2014	LATE FOR LUNCH			
E 640-48000-341	General Promotions		\$300.00	8/9/14	BAR MUSIC 8/9/14
Total LATE FOR LUNCH			\$300.00		
Paid Chk# 095851	7/30/2014	MARTIN, SHANE			
E 640-48000-341	General Promotions		\$300.00	8/14/14	BAR MUSIC 8/14/14
Total MARTIN, SHANE			\$300.00		
Paid Chk# 095852	7/30/2014	PEPSI-COLA			
E 640-47000-254	Soft Drinks/Mix For Resale		\$247.90	01002273	MISC.BEV.
Total PEPSI-COLA			\$247.90		
Paid Chk# 095853	7/30/2014	REYCRAFT, TOM			
E 640-48000-341	General Promotions		\$200.00	8/16/14	BAR MUSIC 8/16/14
Total REYCRAFT, TOM			\$200.00		
Paid Chk# 095854	7/30/2014	SPENCER JANITORIAL			
E 640-48000-409	Maint services & Improv		\$2,287.81	10259	MONTHLY BAR CLEANING
E 640-47000-409	Maint services & Improv		\$40.00	10259	MONTHLY BAR CLEANING
Total SPENCER JANITORIAL			\$2,327.81		
Paid Chk# 095855	7/30/2014	STARY, MARK			
E 640-48000-341	General Promotions		\$300.00	7/31/14	BAR MUSIC 7/31/14 - REPLACEMENT
Total STARY, MARK			\$300.00		
Paid Chk# 095856	7/30/2014	STARY, MARK			
E 640-48000-341	General Promotions		\$300.00	8/28/14	BAR MUSIC 8/28/14
Total STARY, MARK			\$300.00		
Paid Chk# 095857	7/30/2014	TKO WINES, INC.			

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E 640-47000-252	Wine For Resale	\$678.00	97	WINE
Total TKO WINES, INC.		\$678.00		
Paid Chk# 095858	7/30/2014	TORGERSON, CARL		
E 640-48000-341	General Promotions	\$300.00	8/7/14	BAR MUSIC 8/7/14
Total TORGERSON, CARL		\$300.00		
Paid Chk# 095859	7/30/2014	ULTRA-CHEM, INC.		
E 640-48500-210	Operating Supplies (GENERAL)	\$587.26	1113258	REPLACEMENT FOR LOST CK#95688
Total ULTRA-CHEM, INC.		\$587.26		
Paid Chk# 095860	7/30/2014	VINO ANDES		
E 640-47000-252	Wine For Resale	\$1,358.00	3503	WINE
E 640-47000-259	Freight	\$26.65	3503	FREIGHT
Total VINO ANDES		\$1,384.65		
Paid Chk# 095861	7/30/2014	VINOCOPIA		
E 640-47000-259	Freight	\$7.50	103237	FREIGHT
E 640-47000-251	Liquor For Resale	\$991.00	103237	LIQ
E 640-47000-252	Wine For Resale	\$760.00	103238	WINE
E 640-47000-259	Freight	\$10.50	103238	FREIGHT
Total VINOCOPIA		\$1,769.00		
Paid Chk# 095862	7/30/2014	WIRTZ BEVERAGE MN BEER		
E 640-48000-253	Beer For Resale	\$258.00	1090256861	BEER
E 640-47000-253	Beer For Resale	\$2,001.90	1090256924	BEER
E 640-48000-253	Beer For Resale	\$318.00	1090260398	BEER
E 640-47000-253	Beer For Resale	\$238.50	1090260575	BEER
E 640-47000-253	Beer For Resale	\$115.00	1090260576	BEER
E 640-47000-253	Beer For Resale	\$64.50	1090260577	BEER
E 640-47000-253	Beer For Resale	\$2,855.40	1090260578	BEER
Total WIRTZ BEVERAGE MN BEER		\$5,851.30		
Paid Chk# 095863	7/30/2014	WOODFORD, RICHARD		
E 640-47000-130	Employer Paid Ins	\$300.00	JULY 2014	HEALTH INS.JULY 2014
Total WOODFORD, RICHARD		\$300.00		
Paid Chk# 095864	7/30/2014	ZAHLER, TONY		
E 640-48000-341	General Promotions	\$400.00	8/30/14	BAR MUSIC 8/30/14
Total ZAHLER, TONY		\$400.00		
Paid Chk# 095865	7/29/2014	3D SPECIALTIES		
E 101-43100-226	Sign Repair Materials	\$1,305.43	445950	PED CROSSING PEDESTALS
Total 3D SPECIALTIES		\$1,305.43		
Paid Chk# 095866	7/29/2014	ACME TOOLS		
E 101-43100-240	Small Tools and Minor Equip	\$22.79	2745711	TOOLS
E 101-43100-210	Operating Supplies (GENERAL)	\$58.63	2750329	TOOLS
Total ACME TOOLS		\$81.42		
Paid Chk# 095867	7/29/2014	AFSCME COUNCIL		
G 101-21709	PW Union dues	\$351.36	JULY 2014	PW DUES - JULY 2014
Total AFSCME COUNCIL		\$351.36		
Paid Chk# 095868	7/29/2014	ALLEGRA PRINT & IMAGING		
G 650-20300	Deposits Payable	\$312.50	108421	TRASH STICKERS
Total ALLEGRA PRINT & IMAGING		\$312.50		
Paid Chk# 095869	7/29/2014	AMERICAN OFFICE PRODUCTS		

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E 101-42100-200	Office Supplies (GENERAL)		\$23.27	136344	PD SUPPLIES
Total	AMERICAN OFFICE PRODUCTS		\$23.27		
Paid Chk# 095870	7/29/2014	ANCOM COMMUNICATIONS, INC.			
E 101-42200-323	Radio Units		\$549.00	46568	FD RADIOS
Total	ANCOM COMMUNICATIONS, INC.		\$549.00		
Paid Chk# 095871	7/29/2014	ASPEN MILLS			
E 101-42200-217	Uniforms		\$2,299.10	152000	FD UNIFORMS
Total	ASPEN MILLS		\$2,299.10		
Paid Chk# 095872	7/29/2014	AT&T MOBILITY			
E 101-41940-321	Telephone		\$420.25		CELL PHONES
E 101-41940-321	Telephone		\$301.33		CELL PHONES
Total	AT&T MOBILITY		\$721.58		
Paid Chk# 095873	7/29/2014	AVENET, LLC			
E 101-41500-433	Dues, Licensing & Seminars		\$200.00	35333	WEBSITE-GOV OFFICE ANNUAL SERVICE PACKAGE
Total	AVENET, LLC		\$200.00		
Paid Chk# 095874	7/29/2014	BACHMAN S			
G 101-20300	Deposits Payable		\$1,550.48	527066	PLANTINGS THAT MCES TO REIMB.
Total	BACHMAN S		\$1,550.48		
Paid Chk# 095875	7/29/2014	BANK OF AMERICA			
E 101-42200-499	Miscellaneous		\$87.67		MTG.MEALS
E 101-42200-433	Dues, Licensing & Seminars		\$95.00		FD CONF.REGISTRATION
E 101-42200-210	Operating Supplies (GENERAL)		\$79.36		FD SUPPLIES
E 101-42200-433	Dues, Licensing & Seminars		\$200.00		FD CONF.REGISTRATION
Total	BANK OF AMERICA		\$462.03		
Paid Chk# 095876	7/29/2014	BEST & FLANAGAN			
G 101-20310	Escrow		\$1,000.50	445071	VERIZON ESCROW PROJECT
E 101-41500-304	Legal Fees		\$37.50	445072	FD RELATIONS
E 101-41500-304	Legal Fees		\$150.00	445073	COUNCIL
E 101-41500-304	Legal Fees		\$1,845.00	445074	ORDINANCES
E 101-41500-304	Legal Fees		\$458.80	445075	BURLINGTON NORTHERN
E 430-40000-304	Legal Fees		\$150.00	445076	BUSHAWAY RD
E 101-41500-304	Legal Fees		\$791.10	445077	UNITARIAN CHURCH
G 101-20310	Escrow		\$107.50	445079	AT&T ESCROW PROJECT
E 101-41500-304	Legal Fees		\$37.50	445080	LAKEFRONT CONSULTING CONTRACT
G 101-20310	Escrow		\$444.10	445081	ANCHOR BANK ESCROW PROJECT
G 101-20310	Escrow		\$225.00	445082	700 LAKE ST.ESCROW PROJECT
E 101-41500-304	Legal Fees		\$1,200.00	445083	WEBSITE CONTRACT
E 101-41500-304	Legal Fees		\$712.50	445084	559 HARRINGTON ROAD
E 101-41500-304	Legal Fees		\$382.00	445085	RETAINER
Total	BEST & FLANAGAN		\$7,541.50		
Paid Chk# 095877	7/29/2014	BIFFS, INC.			
E 101-45200-415	Other Equipment Rentals		\$62.50	W533577	PARKS SERVICE
Total	BIFFS, INC.		\$62.50		
Paid Chk# 095878	7/29/2014	BOYER TRUCK PARTS			
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$134.56	860720	PARTS
Total	BOYER TRUCK PARTS		\$134.56		
Paid Chk# 095879	7/29/2014	BRAKKE, GARY R.			
E 101-41500-301	Auditing and Acct g Services		\$4,860.00	7/7/14	FIRE RELIEF AUDIT

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Total BRAKKE, GARY R.			\$4,860.00		
Paid Chk# 095880	7/29/2014	CARQUEST OF WAYZATA			
E 101-43100-210	Operating Supplies (GENERAL)	\$3.98	6973-223308	SUPPLIES	
E 101-43100-210	Operating Supplies (GENERAL)	\$25.96	6973-223403	SUPPLIES	
E 620-40000-241	Safety equip/testings	\$27.26	6973-223594	SUPPLIES	
Total CARQUEST OF WAYZATA		\$57.20			
Paid Chk# 095881	7/29/2014	CLAREY S SAFETY EQUIPMENT			
E 101-42200-240	Small Tools and Minor Equip	\$35.00	156569	FD TOOLS	
Total CLAREY S SAFETY EQUIPMENT		\$35.00			
Paid Chk# 095882	7/29/2014	CLASSIC CLEANING COMPANY			
E 101-41940-409	Maint services & Improv	\$450.00	21007	PW EXTRA CLEANING	
Total CLASSIC CLEANING COMPANY		\$450.00			
Paid Chk# 095883	7/29/2014	COMMERCIAL ASPHALT CO.			
E 430-40000-309	Contractual Services	\$1,684.89	WA950	ASPHALT	
Total COMMERCIAL ASPHALT CO.		\$1,684.89			
Paid Chk# 095884	7/29/2014	CULLIGAN-BOTTLED WATER			
E 101-42100-499	Miscellaneous	\$13.36	1759900	PD SUPPLIES	
Total CULLIGAN-BOTTLED WATER		\$13.36			
Paid Chk# 095885	7/29/2014	DEHMER FIRE PROTECTION			
E 101-41940-210	Operating Supplies (GENERAL)	\$95.25	1960	PW SERVICE	
Total DEHMER FIRE PROTECTION		\$95.25			
Paid Chk# 095886	7/29/2014	DELTA DENTAL OF MINNESOTA			
G 101-21717	Dental Insurance	\$1,584.30	5611185	DENTAL INS.	
Total DELTA DENTAL OF MINNESOTA		\$1,584.30			
Paid Chk# 095887	7/29/2014	DIAMOND VOGEL PAINTS			
E 101-43100-226	Sign Repair Materials	\$712.05	802153326	TRAFFICE MARKING PAINT	
E 101-43100-210	Operating Supplies (GENERAL)	\$93.60	802153611	TRAFFICE MARKING PAINT	
Total DIAMOND VOGEL PAINTS		\$805.65			
Paid Chk# 095888	7/29/2014	DUDINSKY, DAVID			
E 620-40000-433	Dues, Licensing & Seminars	\$196.34		APWA CONF.REGISTRATION	
E 101-43100-433	Dues, Licensing & Seminars	\$196.34		APWA CONF.REGISTRATION	
E 101-45200-433	Dues, Licensing & Seminars	\$196.33		APWA CONF.REGISTRATION	
E 610-40000-433	Dues, Licensing & Seminars	\$196.34		APWA CONF.REGISTRATION	
Total DUDINSKY, DAVID		\$785.35			
Paid Chk# 095889	7/29/2014	ECM PUBLISHERS, INC.			
E 101-41500-350	Printing & Publishing	\$42.56	119374	LEGAL NOTICE	
Total ECM PUBLISHERS, INC.		\$42.56			
Paid Chk# 095890	7/29/2014	EHLERS			
E 316-40000-309	Contractual Services	\$6,525.00	65248	BAY CENTER	
E 401-40000-309	Contractual Services	\$205.00	65261	253-259 LAKE STREET	
Total EHLERS		\$6,730.00			
Paid Chk# 095891	7/29/2014	GRAINGER, INC.			
E 610-40000-242	Well & F.P. Equipment	\$95.56	9480618728	PARTS/SUPPLIES	
E 610-40000-242	Well & F.P. Equipment	\$127.81	9495956501	PARTS/SUPPLIES	
Total GRAINGER, INC.		\$223.37			
Paid Chk# 095892	7/29/2014	GROVE NURSERY			

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E 404-40000-309	Contractual Services	\$935.00	24659500	11 BLVD.TREES REPLACED
Total GROVE NURSERY		\$935.00		
Paid Chk# 095893	7/29/2014	HAWKINS, INC		
E 610-40000-242	Well & F.P. Equipment	\$1,289.73	3615387	PARTS
E 610-40000-216	Chemicals and Chem Products	\$3,594.23	3622266	CHEMICALS
Total HAWKINS, INC		\$4,883.96		
Paid Chk# 095894	7/29/2014	HENN.CNTY.ACCTG.SERVICES		
E 101-42120-308	Prisoner Care	\$75.00	1000046971	PRISONER PROCESSING
E 101-43100-220	Repair/Maint Supply (GENERAL)	\$1,553.22	1000047855	PLOW CUTTING EDGES
Total HENN.CNTY.ACCTG.SERVICES		\$1,628.22		
Paid Chk# 095895	7/29/2014	HENN.CNTY.INFO.TECH.DEPT.		
E 101-42200-323	Radio Units	\$1,084.39	1000047236	RADIO CONNECTION
E 101-42100-323	Radio Units	\$786.65	1000047237	RADIO CONNECTION
Total HENN.CNTY.INFO.TECH.DEPT.		\$1,871.04		
Paid Chk# 095896	7/29/2014	HENNEPIN COUNTY TAX SERVICES		
E 101-41500-433	Dues, Licensing & Seminars	\$259.50	0714-99	ANNUAL SPECIAL ASSESSMENT SERVICE FEE
Total HENNEPIN COUNTY TAX SERVICES		\$259.50		
Paid Chk# 095897	7/29/2014	HENNEPIN COUNTY TREASURER		
G 650-20818	Garbage Sales Tax	\$1,359.86	JUNE 2014	9% REFUSE TAX JUNE 2014
Total HENNEPIN COUNTY TREASURER		\$1,359.86		
Paid Chk# 095898	7/29/2014	HOME DEPOT		
E 101-43100-210	Operating Supplies (GENERAL)	\$251.49		SUPPLIES
E 101-45200-210	Operating Supplies (GENERAL)	\$88.85		SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)	\$152.77		SUPPLIES
E 620-40000-210	Operating Supplies (GENERAL)	\$150.53		SUPPLIES
Total HOME DEPOT		\$643.64		
Paid Chk# 095899	7/29/2014	IMPACT MAILING & FULFILLMENT		
E 610-40000-322	Postage	\$3,000.00	ACCT.18796	POSTAGE ON ACCOUNT
E 620-40000-322	Postage	\$3,000.00	ACCT.18796	POSTAGE ON ACCOUNT
Total IMPACT MAILING & FULFILLMENT		\$6,000.00		
Paid Chk# 095900	7/29/2014	KD & COMPANY		
E 101-43100-229	Dirt, Sand and gravel	\$180.00	5315	CONCRETE DISPOSAL
Total KD & COMPANY		\$180.00		
Paid Chk# 095901	7/29/2014	KILLMER ELECTRIC CO.,INC.		
E 101-45203-406	Street lights and Signal Maint	\$142.60	78376	SIGNAL REPAIRS
Total KILLMER ELECTRIC CO.,INC.		\$142.60		
Paid Chk# 095902	7/29/2014	KIRVIDA FIRE, INC.		
E 101-42200-404	Repairs/Maint - Machin/Equip	\$464.75	4035	FD REPAIRS
Total KIRVIDA FIRE, INC.		\$464.75		
Paid Chk# 095903	7/29/2014	LAMBERT, JEFFREY W.		
E 101-42120-304	Legal Fees	\$3,179.25		LEGAL SERVICES
Total LAMBERT, JEFFREY W.		\$3,179.25		
Paid Chk# 095904	7/29/2014	LAW ENFORCEMENT LABOR SERVICES		
G 101-21707	Police union dues	\$405.00	JULY 2014	PD UNION DUES - JULY 2014
al LAW ENFORCEMENT LABOR SERVICES		\$405.00		
Paid Chk# 095905	7/29/2014	LEXISNEXIS RISK DATA		

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E 101-42100-309	Contractual Services		\$33.00	121455020140	PD SERVICE
	Total LEXISNEXIS RISK DATA		\$33.00		
Paid Chk# 095906	7/29/2014	LHB, INC.			
E 430-40000-302	Consultants		\$1,666.00	130445.00-5	EASTMAN LANE
	Total LHB, INC.		\$1,666.00		
Paid Chk# 095907	7/29/2014	LONG LAKE TRU VALUE			
E 101-42200-210	Operating Supplies (GENERAL)		\$141.58		SUPPLIES
E 620-40000-240	Small Tools and Minor Equip		\$11.79		SUPPLIES
E 620-40000-210	Operating Supplies (GENERAL)		\$23.20		SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)		\$72.27		SUPPLIES
E 101-42100-499	Miscellaneous		\$16.09		SUPPLIES
E 101-45200-210	Operating Supplies (GENERAL)		\$154.96		SUPPLIES
E 101-43100-210	Operating Supplies (GENERAL)		\$23.32		SUPPLIES
	Total LONG LAKE TRU VALUE		\$443.21		
Paid Chk# 095908	7/29/2014	MANSFIELD OIL COMPANY			
E 101-49200-212	Motor Fuels		\$904.80	736039	FUEL
E 101-49200-212	Motor Fuels		\$667.48	736052	FUEL
E 101-49200-212	Motor Fuels		\$1,583.01	779019	FUEL
	Total MANSFIELD OIL COMPANY		\$3,155.29		
Paid Chk# 095909	7/29/2014	MCCARTHY, TIMOTHY			
E 101-42100-217	Uniforms		\$119.99	REIMB.	UNIFORM/BOOTS
	Total MCCARTHY, TIMOTHY		\$119.99		
Paid Chk# 095910	7/29/2014	MEDIACOM			
E 101-41940-321	Telephone		\$309.95	838492151000	SERVICE
	Total MEDIACOM		\$309.95		
Paid Chk# 095911	7/29/2014	MEDIACOM			
E 101-41940-321	Telephone		\$935.70	838497500000	FIBER OPTIC/LAN TO PW
	Total MEDIACOM		\$935.70		
Paid Chk# 095912	7/29/2014	METROPOLITAN COUNCIL			
E 610-40000-309	Contractual Services		\$63.30	0001036082	WTP#3 DISCHARGE FEE
	Total METROPOLITAN COUNCIL		\$63.30		
Paid Chk# 095913	7/29/2014	MICRO CENTER			
E 409-40000-540	Equipment		\$353.95	5081682	IT EQUIPMENT
E 409-40000-540	Equipment		\$209.94	5088933	IT EQUIPMENT
	Total MICRO CENTER		\$563.89		
Paid Chk# 095914	7/29/2014	MILLER, FRED			
E 235-40000-302	Consultants		\$1,525.00	72	WCTV
	Total MILLER, FRED		\$1,525.00		
Paid Chk# 095915	7/29/2014	MINNETONKA, CITY OF			
E 101-43100-226	Sign Repair Materials		\$46.51	378	SIGN
	Total MINNETONKA, CITY OF		\$46.51		
Paid Chk# 095916	7/29/2014	MN BATTERY LLC			
E 620-40000-225	Repair & Maint - System		\$399.00	12053	PARTS
	Total MN BATTERY LLC		\$399.00		
Paid Chk# 095917	7/29/2014	MN CHILD SUPPORT PAYMENT CENTE			
G 101-21710	County WH		\$227.50	0015104841	WITHHOLDING ORDER
	Total MN CHILD SUPPORT PAYMENT CENTE		\$227.50		

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Paid Chk#	095918	7/29/2014	MN HWY SAFETY & RESEARCH CNTR.		
E 101-42100-434	Training and schools		\$396.00	629430-3886	PD TRAINING
otal	MN HWY SAFETY & RESEARCH CNTR.		\$396.00		
Paid Chk#	095919	7/29/2014	MN NCPERS LIFE INSURANCE		
G 101-21715	PERA Term Life		\$48.00	8/2014	LIFE INS.
Total	MN NCPERS LIFE INSURANCE		\$48.00		
Paid Chk#	095920	7/29/2014	MORRIE S MINNETONKA FORD		
E 101-42400-404	Repairs/Maint - Machin/Equip		\$122.78	524792	PARTS/REPAIRS
Total	MORRIE S MINNETONKA FORD		\$122.78		
Paid Chk#	095921	7/29/2014	MOSS & BARNETT		
E 101-41500-304	Legal Fees		\$304.50	609092	MEDIACOM FRANCHISE RENEWAL
Total	MOSS & BARNETT		\$304.50		
Paid Chk#	095922	7/29/2014	NAPA AUTO PARTS-WATERTOWN		
E 101-45200-221	Equipment Parts		\$1.54	416998	PARTS
E 101-42400-404	Repairs/Maint - Machin/Equip		\$72.81	420685	PARTS
E 101-43100-210	Operating Supplies (GENERAL)		\$27.17	421262	PARTS
E 620-40000-210	Operating Supplies (GENERAL)		\$21.75	421277	PARTS
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$103.12	421411	PARTS
Total	NAPA AUTO PARTS-WATERTOWN		\$226.39		
Paid Chk#	095923	7/29/2014	NEWMAN TRAFFIC SIGNS		
E 101-43100-226	Sign Repair Materials		\$203.41	TI-0272001	SIGNS
E 101-43100-226	Sign Repair Materials		\$1,029.00	TI-0275858	SIGNS
Total	NEWMAN TRAFFIC SIGNS		\$1,232.41		
Paid Chk#	095924	7/29/2014	OFFICE DEPOT		
E 610-40000-200	Office Supplies (GENERAL)		\$31.62	718288688001	SUPPLIES
E 620-40000-200	Office Supplies (GENERAL)		\$31.62	718288688001	SUPPLIES
E 101-43100-200	Office Supplies (GENERAL)		\$31.62	718288688001	SUPPLIES
E 101-45200-200	Office Supplies (GENERAL)		\$31.61	718288688001	SUPPLIES
E 620-40000-200	Office Supplies (GENERAL)		\$13.70	718288689001	SUPPLIES
E 610-40000-200	Office Supplies (GENERAL)		\$12.94	718288690001	SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)		\$26.27	718288691001	SUPPLIES
E 640-48000-200	Office Supplies (GENERAL)		(\$45.62)	718986035001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$48.50	719736554001	SUPPLIES
E 640-48000-200	Office Supplies (GENERAL)		\$30.00	719736554001	SUPPLIES
E 409-40000-499	Miscellaneous		\$664.06	720906596001	OFFICE FURNITURE
E 101-43100-200	Office Supplies (GENERAL)		\$24.29	720906597001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$88.47	721105082001	SUPPLIES
Total	OFFICE DEPOT		\$989.08		
Paid Chk#	095925	7/29/2014	POPP TELECOM		
E 101-41940-321	Telephone		\$798.08		SERVICE
E 610-40000-323	Radio Units		\$89.34		SERVICE
E 620-40000-323	Radio Units		\$32.60		SERVICE
Total	POPP TELECOM		\$920.02		
Paid Chk#	095926	7/29/2014	RANDY S SANITATION		
E 650-47500-384	Refuse/Garbage Disposal		\$1,405.74		KARTS
E 640-48000-384	Refuse/Garbage Disposal		\$300.00		BAR
E 650-47800-386	Other Utilities		\$57.90		ORGANICS DISPOSAL
E 650-47800-384	Refuse/Garbage Disposal		\$6,340.00		ORGANICS
E 650-47600-309	Contractual Services		\$3,804.00		RECYCLING
E 101-41940-386	Other Utilities		\$1,150.73		PW/CH

***Check Detail Register©**

July 2014

		Check Amt	Invoice	Comment
E 640-47000-384	Refuse/Garbage Disposal	\$148.55		STORE
E 650-47500-384	Refuse/Garbage Disposal	\$999.60		DRIVE UP
E 650-47500-384	Refuse/Garbage Disposal	\$55.25		STICKERS
E 650-47500-384	Refuse/Garbage Disposal	\$8,430.26		LABOR
E 650-47500-386	Other Utilities	\$4,537.89		DISPOSAL
Total RANDY S SANITATION		\$27,229.92		
Paid Chk# 095927	7/29/2014	SAM S CLUB		
E 101-42200-210	Operating Supplies (GENERAL)	\$27.85		FD SUPPLIES
Total SAM S CLUB		\$27.85		
Paid Chk# 095928	7/29/2014	SCHARBER & SONS		
E 101-45200-221	Equipment Parts	\$4.06	P21102	PARTS
E 101-45200-210	Operating Supplies (GENERAL)	\$12.45	P21279	PARTS
E 101-45200-221	Equipment Parts	\$17.27	P21534	PARTS
E 101-45200-221	Equipment Parts	\$17.19	P21585	PARTS
E 101-45200-221	Equipment Parts	\$96.34	P21865	PARTS
Total SCHARBER & SONS		\$147.31		
Paid Chk# 095929	7/29/2014	SHORT ELLIOTT HENDRICKSON INC.		
G 101-20310	Escrow	\$290.20	284005	VERIZON & AT&T ESCROW PROJECTS
Total SHORT ELLIOTT HENDRICKSON INC.		\$290.20		
Paid Chk# 095930	7/29/2014	SPRINT		
E 101-42200-323	Radio Units	\$355.42	523093316-15	SERVICE
Total SPRINT		\$355.42		
Paid Chk# 095931	7/29/2014	SRF CONSULTING GROUP, INC.		
E 430-40000-302	Consultants	\$109.15	07602.00-22	LAKE/SUPERIOR/CIRCLE A
E 430-40000-302	Consultants	\$537.90	07991.00-14	EASTMAN LANE
E 101-45200-499	Miscellaneous	\$523.80	08469.00-2	WALK BRIDGE INSPECTION
Total SRF CONSULTING GROUP, INC.		\$1,170.85		
Paid Chk# 095932	7/29/2014	STATE OF MINNESOTA		
E 101-42100-323	Radio Units	\$270.00	00000161967	PD CONNECTION
Total STATE OF MINNESOTA		\$270.00		
Paid Chk# 095933	7/29/2014	STREICHER S		
E 101-42100-217	Uniforms	\$90.88	I1087962	PD UNIFORMS
E 101-42100-217	Uniforms	\$78.88	I1101041	PD UNIFORMS
E 101-42100-217	Uniforms	\$19.99	I1101064	PD UNIFORMS
Total STREICHER S		\$189.75		
Paid Chk# 095934	7/29/2014	TIME SAVER		
E 101-41100-302	Consultants	\$417.00	M20669	MTG.MINUTES
Total TIME SAVER		\$417.00		
Paid Chk# 095935	7/29/2014	TRI-CITY		
E 610-40000-309	Contractual Services	\$80.50	6/1-6/30/14	WATER ANALYSIS
Total TRI-CITY		\$80.50		
Paid Chk# 095936	7/29/2014	VALLEY-RICH CO., INC.		
E 670-40000-409	Maint services & Improv	\$3,050.07	20385	STORMSEWER REPAIRS
Total VALLEY-RICH CO., INC.		\$3,050.07		
Paid Chk# 095937	7/29/2014	VAN PAPER COMPANY		
E 101-45200-210	Operating Supplies (GENERAL)	\$216.27	317082-00	SUPPLIES
E 101-45200-210	Operating Supplies (GENERAL)	\$24.03	317082-01	SUPPLIES

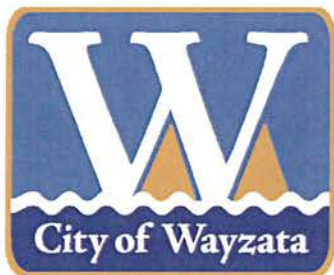
***Check Detail Register©**

July 2014

			Check Amt	Invoice	Comment
Total VAN PAPER COMPANY			\$240.30		
Paid Chk# 095938	7/29/2014	VICTORY CORPS			
E 101-41940-210	Operating Supplies (GENERAL)		\$119.99	636554	FLAGS
Total VICTORY CORPS			\$119.99		
Paid Chk# 095939	7/29/2014	WAYZATA CHAMBER OF COMMERCE			
E 101-41100-493	Volunteer program		\$50.00	JJ HILL 2014	VOLUNTEER PARADE REGISTRATION
Total WAYZATA CHAMBER OF COMMERCE			\$50.00		
Paid Chk# 095940	7/29/2014	WBC HOLDINGS, INC.			
E 610-40000-499	Miscellaneous		\$7.51	11305	VEHICLE MAINT.
E 620-40000-499	Miscellaneous		\$7.51	11343	VEHICLE MAINT.
Total WBC HOLDINGS, INC.			\$15.02		
Paid Chk# 095941	7/29/2014	WESTSIDE WHOLESALE TIRE			
E 101-45200-222	Repair & Maint - Equip		\$15.00	727076	PARTS
Total WESTSIDE WHOLESALE TIRE			\$15.00		
Paid Chk# 095942	7/29/2014	ZERO WASTE USA			
E 404-40000-499	Miscellaneous		\$179.50	56778	DOG WASTE BAGS
Total ZERO WASTE USA			\$179.50		
10100 Anchor Bank			\$1,018,044.39		

Fund Summary

10100 Anchor Bank	
101 GENERAL FUND	\$140,290.61
233 LAKFRONT IMPROVE	\$5,711.25
235 CABLE TV	\$1,525.00
316 BAY CENTER	\$6,525.00
401 PERM IMPROVEMENT	\$205.00
404 PARK AND TRAIL CIP	\$4,255.47
408 GENERAL FUND CIP	\$7,880.00
409 EQUIP REVOLVING	\$2,280.10
430 STREET CIP	\$532,291.41
610 WATER FUND	\$20,144.31
620 SEWER FUND	\$93,217.75
630 MOTOR VEHICLE	\$534.57
640 LIQUOR	\$171,228.92
650 SOLID WASTE	\$27,303.00
670 STORMWATER	\$4,652.00
	\$1,018,044.39



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

Mayor:
Ken Willcox

City Council:
Jack Amdal
Bridget Anderson
Andrew Mullin
Tom Tanner

City Manager:
Heidi Nelson

MEMORANDUM

DATE: July 31, 2014

TO: The Honorable Mayor and Members of the City Council

FROM: Becky Malone, Deputy City Clerk

RE: Approval of amendment to janitorial contract with Classic Cleaning Company

We have been operating under the same contract with Classic Cleaning Company for janitorial services at City Hall since April 2003. Classic Cleaning Company has not increased their monthly janitorial service fee since 2003 and is now requesting a monthly rate increase of \$150 to cover the additional time spent cleaning the Community Room due to increased usage, and for adding the removal and disposal of recycling and organics to their duties.

Staff recommends approval of the agreement

CLASSIC
CLEANING © COMPANY™
— SINCE 1980 —

1231 HIGHWAY 25 NORTH #408 • BUFFALO, MINNESOTA 55313

June 23, 2014

Becky Malone
City Of Wayzata
600 Rice Street
Wayzata, Minnesota 55391

Dear Becky:

This letter is in reference to our discussion about the more frequent use of the Community Room and the corresponding areas (such as the common areas, halls and bathrooms).

As you know, our cleaner, Hai, has been with us in your offices for approximately 10 years. I believe you are all familiar with his work and his integrity. He says it is taking about 30 minutes longer per day to clean, for the past year. This proposed increase is only to pay for his wage and payroll expense for the additional time he is spending to clean each day.

Also, I just wanted to mention that we have been proudly cleaning for City of Wayzata since 1990, and we have not asked for a rate increase during this time, except for when the new city hall was built in 2003.

These are the proposed updates to our service agreement for City of Wayzata for the new service level for the Community Room cleaning and recycling removal:

- ❖ Community Room cleaning for all days.
(As accessible).
- ❖ The addition of removal and disposal of all recycling.
(We have been doing this for while).
- ❖ The current monthly price is \$1195.00.
- ❖ The amount to be added will be \$150.00.
- ❖ The new monthly contract price will be \$1345.00.

Please indicate your agreement and approval by signing and returning a copy of this letter to Classic Cleaning Company, 1231 Highway 25 North #408, Buffalo, Minnesota, 55313.
All of the other terms of the maintenance agreement will remain unchanged and in full effect.

Again, thank you very much. Your continued patronage is appreciated.

Sincerely,


Richard G. Brunskill, Date
Classic Cleaning Company

Becky Malone, Date
City Of Wayzata

Delivering quality building maintenance services for over 30 years.

#1050A

**THE ART
OF
BUILDING MAINTENANCE**



**INSURED
BONDED
PERSONALIZED SERVICE**

F.I.D. No.: 41-1422146

Date: February 28, 2003

**JANITORIAL CONTRACT
FOR
CITY OF WAYZATA**

I. Contractor agrees to perform the following services:

A. Five days per week:

1. Dusting and spot clean all office areas.
 - a. Desks.
 - b. Shelves.
 - c. Ledges.
 - d. Counters.
 - e. Light Switches.
 - f. Doors/Frames.
 - g. File Cabinets.
 - h. Office Equipment.
 - i. Telephones.
2. Clean and sanitize all bathrooms and locker room.
 - a. Toilets.
 - b. Urinals.
 - c. Sinks.
 - d. Mirrors.
 - e. Spot Wash Walls.
 - f. Fill Dispensers.
 - g. Waste Receptacles.
 - h. Partitions.
 - i. Shower Walls.
 - j. Lockers.
3. Empty all waste containers and replace liners.
4. Clean Lunchroom Area.
 - a. Tables.
 - b. Chairs.
 - c. Cabinet Fronts.
 - d. Countertops.
 - e. Vending Machines.
 - f. Spot clean doors/frames/walls/ledges.
 - g. Refrigerator.
 - h. Microwave (inside/outside).
5. Clean and disinfect sinks, counters and drinking fountain.
6. Clean entryway doors and partition glass.
7. Sweep and mop all hard surface floors.
 - a. Bathrooms.
 - b. Lunchroom.
 - c. Hallways.
 - d. Foyer Area.
 - e. All Entrance Areas.
 - f. Stairway.
 - g. License Dept. Area.
 - h. Locker Room.
8. Vacuum all mats and carpeted areas and arrange furniture in neat and orderly fashion.

B. Daily or As Needed:

1. Sweep and mop holding cell area.
2. Clean shower area.
3. Disinfect mattress.

**P.O. Box 46-072
PLYMOUTH, MN 55447
(763) 477-4546**

**THE ART
OF
BUILDING MAINTENANCE**



**INSURED
BONDED
PERSONALIZED SERVICE**

C. Weekly:

1. Clean both sides of glass doors and wipe frames and door hardware.
2. Damp wipe high and low shelves, surfaces and corners.
3. Empty trash receptacles in sally port, pick up litter on floor.
4. Clean walls in elevator.
5. Remove recycling material to central collection area.

D. Monthly:

1. Clean all fabric chairs, dust all plastic and leather furniture.
2. Disinfect Telephones.
3. Wash all restroom walls & partitions with germicidal detergent.
4. Vacuum ceiling vents in office areas and bathrooms.
5. Empty and clean out inside of refrigerator.
6. Spot wash walls & door surfaces in sally port.
7. Sweep and scrub floor in sally port.
8. Clean and disinfect handrails.
9. Remove fingerprints and smudges from fireplace glass.

E. As Needed:

1. Vacuum detailing all areas with crevice tool.

F. Community Room-8 times per month:

1. Vacuum all carpeted areas.
2. Sweep and damp mop hard wood floor.
3. Spot clean walls, door surfaces and door hardware as needed.
4. Dust and spot clean all horizontal surfaces, desk tops, display areas and ledges.
5. Clean glass doors.
6. Empty trash receptacles.
7. Clean sink and counter.

G. Paper products can be supplied by Classic Cleaning Company for an additional fee.

**THE ART
OF
BUILDING MAINTENANCE**



**INSURED
BONDED
PERSONALIZED SERVICE**

- II. Cleaning supplies and equipment will be furnished by Classic Cleaning Company.
- III. Contractor will submit to CITY OF WAYZATA before commencing work and thereafter will keep current evidence of bonding of employees and workmen's compensation and comprehensive general liability insurance with limits of \$2,000,000 and \$1,000,000 per occurrence.
- IV. CITY OF WAYZATA will provide secure storage space for our equipment.
- V. CITY OF WAYZATA shall not, at any time this agreement is in force, or within one (1) year of its termination, contract with or employ upon the premises covered by this agreement, any employee of the Classic Cleaning Company who either worked physically or acted as a salesman for the Classic Cleaning Company without written consent from the President of Classic Cleaning Company.
- VI. If significant changes occur (from expansion, for example) the agreement shall be revised to insure the added area is competently serviced.
- VII. Billing will be done on the 25th day of each month. Payment will be due by the 10th day of the following month. All monthly bills will be for the same amount, regardless of the number of days, or holidays in the month.
- VIII. Classic Cleaning Company reserves the total responsibility for supervision of our employees. To insure complete satisfaction, CITY OF WAYZATA must refer all requests or special instructions directly to the President of Classic Cleaning Company.
- IX. This agreement may be canceled by either party with (30) day's written notice.
- X. If accepted CITY OF WAYZATA will pay for the above services \$1195.00 per month for a five-day workweek.

Richard G. Brunskill, President

Authorized Signature

Starting Date 7-14-03

**P.O. Box 46-072
PLYMOUTH, MN 55447
(763) 477-4546**



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

07/11/2014

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 Thomes Insurance Agency 100 Center Drive P.O. Box 339 Buffalo, MN 55313		CONTACT NAME: Greg Thomes PHONE (A/C, No, Ext): 763-682-1591 FAX (A/C, No): 763-682-1592 E-MAIL ADDRESS: info@thomesinsurance.com	
INSURED 763-477-4546 952-943-6375 CLASSIC CLEANING COMPANY, LLC 2992 Gabler Ave Se Buffalo, MN 55313-5202		INSURER(S) AFFORDING COVERAGE INSURER A: Auto-Owners Insurance Co. NAIC # 32700 INSURER B: CNA Surety INSURER C: Auto-Owners Insurance NAIC # 32700 INSURER D: INSURER E: INSURER F:	

COVERAGES**CERTIFICATE NUMBER:****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 INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
C	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Hired/Non-Ownership GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC	X		08028593	01/01/2014	01/01/2015	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						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB ☒ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$			47-671-882-00	01/01/2014	01/01/2015	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3000000
	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	N/A		081706-08027937	01/01/2014	01/01/2015	☒ WC STATUTORY LIMITS E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
B	Com Bond Policy			58262322	10/24/2013	10/24/2014	10000.

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

Certificate holder listed as additional insured, products coverage excluded for additional insured.

CERTIFICATE HOLDERCity of Wayzata
600 Rice Street East
Wayzata, MN 55391
952-404-5318**CANCELLATION**

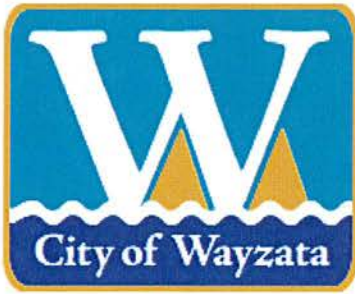
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2010 ACORD CORPORATION. All rights reserved.

8/6/2014
THE FOLLOWING MUNICIPAL LICENSES
WERE APPROVED ADMINISTRATIVELY

Gas Fitters License	
Affordable Comfort Mechanical	Oakdale, MN
Special Event/Itinerant Food - Meridian Manor - 50's Fever - 8/9/14	
Sandys Grill & Italian Ice	Minneapolis, MN
Sizzling Wagon	Minneapolis, MN
Special Event/Itinerant Food - The Gathering - 9/12/14	
St Bartholomew Catholic Faith Community	Wayzata, MN



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

Mayor:
Ken Willcox

City Council:
Jack Amdal
Bridget Anderson
Andrew Mullin
Tom Tanner

City Manager:
Heidi Nelson

MEMORANDUM

DATE: July 31, 2014

TO: The Honorable Mayor and Members of the City Council

FROM: Dave Dudinsky, Director of Public Service

RE: Release of all claims agreement with TRBK, Inc. DBA Bay View Charter Cruises and Bay View Event Center

Back in 2012, a member of the public observed the Queen of Excelsior (boat) colliding into and damaging the City's charter boat dock. The city hired a contractor to repair the charter boat dock and our insurance company has just now worked out the final details of the attached "Release of All Claims" agreement with representatives for the Queen of Excelsior. The City Attorney has reviewed the agreement and release and recommends approval.

Staff recommends approval of the attached "Release of All Claims."

RELEASE OF ALL CLAIMS

IN CONSIDERATION of the payment to the undersigned of \$1,166.67 (One Thousand One Hundred Sixty-Six and 67/100 Dollars) the receipt of which is hereby acknowledged, City of Wayzata does hereby release and forever discharge TRBK, Inc. DBA Bay View Charter Cruises and Bay View Event Center and their officers, employees, principals, shareholders, executors, administrators, agents, successors, insurers and assigns of and from any and all actions, causes of action, claims, demands, damages, costs, expenses and compensation, in Admiralty and maritime or otherwise, on account of, or in any way growing out of, any and all known and unknown damage to the City of Wayzata's dock, resulting from an alleged allision of the vessel "Queen of Excelsior" with said dock on or about the 13th day of June, 2012. It is specifically understood that this release is limited to the City of Wayzata's claims for physical damages to said dock arising from the same incident.

IT IS further understood and agreed that the above payment is made in the compromise of a doubtful and disputed claim and that the payment is not to be construed as an admission of any liability therefore, such liability having been expressly denied.

THIS release contains the ENTIRE AGREEMENT between the parties hereto, and the terms of this release are contractual and not a mere recital. The undersigned has carefully read this release, fully understands it, and signs this as the free and voluntary act of the undersigned.

IT IS FURTHER represented and warranted that the undersigned has the authority to execute this release on behalf of the City of Wayzata.

City of Wayzata,
A Minnesota municipal corporation

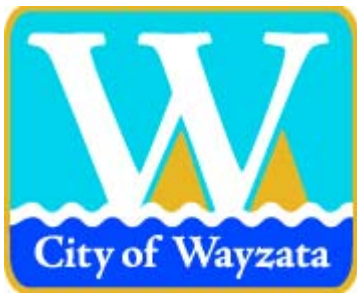
By: _____
Kenneth Willcox, Mayor

By: _____
Heidi Nelson, City Manager

STATE OF MINNESOTA }
COUNTY OF HENNEPIN } ss.

The foregoing instrument was acknowledged before me this ____ day of _____, 2014, by Kenneth Willcox, the Mayor of the City of Wayzata, and Heidi Nelson, the City Manager of City of Wayzata., a Minnesota municipal corporation, on behalf of the municipal corporation.

Becky Malone-Notary Public



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

Mayor:
Ken Willcox

City Council:
Jack Amdal
Bridget Anderson
Andrew Mullin
Tom Tanner

City Manager:
Heidi Nelson

MEMORANDUM

DATE: July 30, 2014

TO: The Honorable Mayor and Members of the City Council

FROM: Becky Malone, Office Manager

RE: Public hearing for an on-sale intoxicating liquor license and Sunday on-sale intoxicating liquor license at Sushi Fix

Sushi Fix LLC DBA "Sushi Fix" has applied for an on-sale intoxicating liquor license and Sunday on-sale intoxicating liquor license for Sushi Fix, a restaurant located at 862 Lake Street East. The licensed premises will include the first floor indoor restaurant.

The applicant currently holds an on-sale wine license which will expire on April 30, 2015 and an on-sale 3.2% malt liquor license which will expire on December 31, 2014. They have applied for an on-sale intoxicating liquor license and Sunday on-sale intoxicating liquor license for the license period of August 7, 2014 through April 30, 2015. The applicant paid a pro-rated license fee of \$7,925.00.

A background investigation as it pertains to liquor licensing was conducted on the owners and was found to be in satisfactory order. The applicant paid a background investigation fee of \$500.00.

The license must be reviewed by Alcohol and Gambling Enforcement following approval by the Wayzata City Council, Police Chief and City Manager.

Staff recommends approval of both licenses.

Owner Enkhbileg "Billy" Tserenbat will be present at the meeting to answer questions.



Planning Report

Wayzata City Council Wednesday, August 6, 2014

File Case No: PR 2014-7

Applicant: Boatworks II LLC & Wayzata Brew Works LLC

Address of Request: 294 Grove Lane

Prepared By: Bryan Gadow, City Planner

Request(s): Amendment to PUD
Site Plan Review
Proposed Zoning Ordinance Amendment
Proposed Amendment to General City Code (Liquor)

Project Summary: The proposed project is for an amendment to an existing Planned Unit Development/Conditional Use Permit Agreement for the Boatworks Building to allow a micro-brewery and taproom facility to operate within the building (the "Project"). As a separate action, the City would also need to amend its existing liquor ordinance to allow for micro-production facilities, like a microbrewery in the community.

Section 1: Introduction

Boatworks II LLC and Wayzata Brew Works LLC (collectively, the "Applicant") have submitted an application (the "Application") for approval of a Amendment to an existing Planned Unit Development (PUD) Conditional Use Permit (CUP) (the "PUD Amendment") to allow the operation of a microbrewery and taproom facility (the "Brewery") at 294 Grove Lane (the "Property").

The Brewery would utilize approximately 5,080 SF of the east wing of the Boatworks building, with 2,810 SF of brewing space, storage and support space, and 2,270 SF of taproom/bar space. In addition, the Brewery would also modify an existing lake side

patio. The Brewery proposal would replace 3,183 SF of general office space within the building.

Along with the Development Application, the following plans and reports are included with this Application as Attachments A and B:

- Project Narrative, Request to Amend Ordinance, and Frequently Asked Questions
- Life Safety Plan
- Site Plan
- Demolition Plan
- Construction Plan
- Elevations
- Interior Perspectives
- Area Allocations
- Additional Parking Plan
- Traffic Study

1.1 Property Background

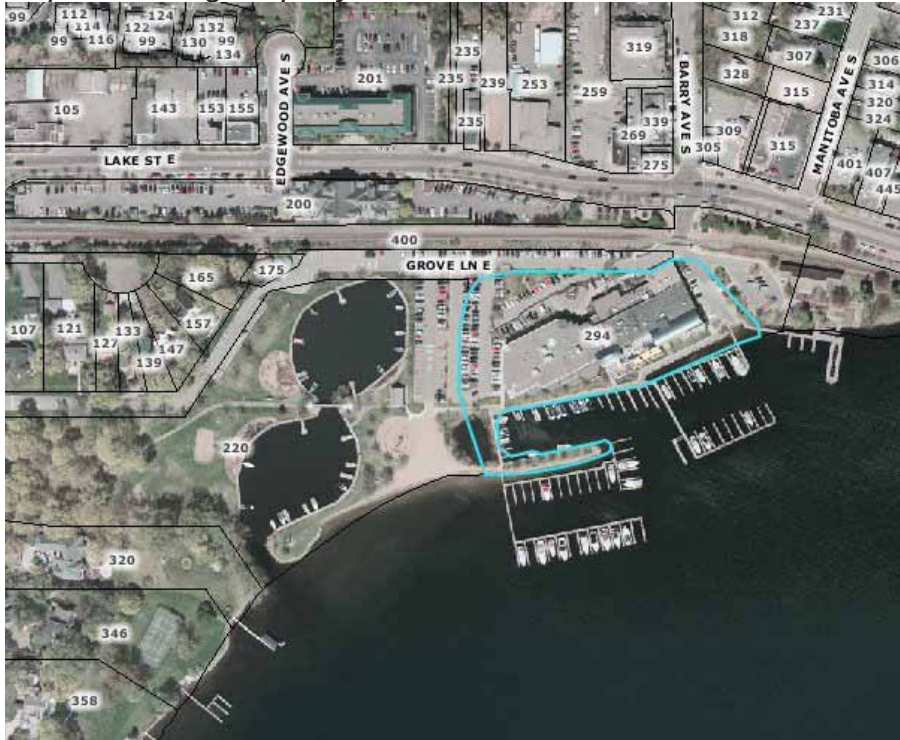
The Property includes an approximately 64,179 SF two story office building with a restaurant space with outdoor and upper level patio areas, and a seventy five (75) boat marina with fifteen (15) additional transient slips. A new restaurant, named 6 Smith, is now currently leasing the restaurant space within the building, which has hosted a few restaurant operations in past years. The site is 3.08 acres or 134,361 SF.

The current Boatworks building sits on the site of the original Moore Johnson Boat Works, which was a boat building operation run by Royal Moore, which burned in the late 1800s and was rebuilt. The Property is adjacent to the City Marina and Beach to the immediate southwest, and had a cross-parking agreement with the City for the parking spaces within the site and adjacent area. In addition, the trailhead for the Three River Park District's Dakota Rail Trail is located in the adjacent area, in the City's Shaver Park.

The Property is zoned C-3 and is subject to a Development Agreement and Planned Unit Development/Conditional Use Permit (the "PUD CUP") which was approved in 1997, amended in 2002, and amended again in 2005. The PUD CUP allowed for continuation of the marina and restaurant uses, as well as approval to renovate the existing building and construct related improvements. The Boat Works Development Company (the Property owner in 1997) and the City also agreed to enter into a private/public partnership and jointly pay for the construction of various parking, landscaping, beach and marina improvements in order to improve the overall function and aesthetics of the beach and marina areas. A Grant of Easement is also recorded against the Property, which

establishes a pedestrian easement along the lakeshore of the Boatworks Property, which connects Shaver Park and the Beach to the Boatworks building.

Map 1: Existing Property Aerial



Map 2: Existing Site Layout



1.2 Application Requests.

As part of the submitted Application, the Applicant is requesting approval of the following items:

- a. Amendment to existing PUD under Section 801.33.9 to allow a micro-brewery and taproom facility at 294 Grove Lane (the “PUD Amendment”)
- b. Site Plan approval under Section 801.22 (the “Site Plan”)
- c. Amendment to the City’s Zoning Ordinance to allow micro-brewery and taproom operations (the “Proposed Zoning Ordinance Amendments”) (addressed as a separate ordinance for review).
- d. Amendment to the City’s General City Code pertaining to liquor licensing requirements and procedures (the “Proposed Liquor Ordinance Amendment”) (addressed as a separate ordinance for review).

1.3 Property Description

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

294 Grove Lane East	06-117-22-32-0023	Boatworks II LLC
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1.4 Relevant Property Information

Zoning:	C-3 Service District with PUD/CUP
Comp Plan:	Central Business District
Shoreland District:	Property is in the Shoreland Overlay District
Total lot size:	134,361 square feet (SF) or 3.08 acres

1.5 Public Noticing Requirements

Zoning Ordinance Section 801.33.5 requires the Planning Commission to hold a public hearing on the Application. The Notice of Public Hearing was published in the Sun Sailor on June 26, 2014. A copy of the Notice of Public Hearing was also mailed to all property owners located within 350 feet of the subject property on June 26, 2014.

1.6 Planning Commission Meeting Summary

A Public Hearing on the Application was held at the Planning Commission’s July 7, 2014 meeting at which one (1) individual spoke in favor of the Project during the hearing. The Planning Commission voted seven (7) in favor and zero (0) opposed to direct staff to prepare *Planning Commission Report and Recommendation* to recommend approval of the Application with conditions and

the Proposed Zoning Ordinance Amendments to the City Council. On July 21, 2014, the Planning Commission reviewed and adopted the draft *Planning Commission Reports and Recommendations* on a vote of seven (7) in favor and zero (0) opposed to recommend approval to the City Council. A copy of the Planning Commission meeting minutes from July 7, 2014 is included as Attachment G. Copies of the Planning Commission's two (2) Reports and Recommendations are included as Attachments H and I. A draft Resolution based upon the Planning Commission's recommendation is included as Attachment M.

Section 2: Summary of Issues

2.1 Surrounding Uses

A summary of land uses for the immediate area:

Direction	Land Use
North	Office
South	Lake Minnetonka
East	City Park
West	City Park and Single Family Residential

2.2 Zoning History for the Property and PUD Amendment.

The Property is zoned C-3 and is subject to a Development Agreement and PUD CUP, which was approved in 1997, amended in 2002, and amended again in 2005. A Grant of Easement is also recorded against the Property, which establishes a pedestrian easement along the lakeshore of the Boatworks Property, which connects Shaver Park and the Beach to the Boatworks building. A copy of the Development Agreements is included as Attachment D.

Any modifications to the existing PUD and site conditions, such as allowing a micro-brewery operation require approval of an amendment to the PUD through the normal PUD process. Since the Application includes proposed additions to the existing structures, the Applicant has included a PUD Amendment request as part of their Application.

2.3 Amendment to City Liquor Ordinance to allow Micro-breweries and Taprooms

A. Background.

In the past several years, the Minnesota legislature has enacted amendments to the liquor licensing statutes to allow for increased demand

in craft beer production in local brewpubs and brewery taprooms. Following these state legislative changes, a number of communities in the metropolitan area have updated their local alcohol ordinances to permit microbreweries and taprooms, including Excelsior, Minnetonka, Hopkins, and St. Louis Park. The formal definitions of a microbrewery and taproom vary between communities, but typically limit breweries to the production of not more than 3,500 barrels of beer per year (31 gallons in a barrel). In addition, many microbreweries also incorporate the sale of portable “growlers” (64-ounce containers that meet specific packaging requirements) to consumers from the brewery facility.

In order for the Applicant to operate a micro-brewery and taproom within the Property, the City would also need to amend its existing liquor ordinances to allow any type of micro-brewery within the community (See Attachment L for draft of Ordinance Amendment). Both the Planning Commission and City Council have discussed the possibility of amending the City liquor ordinance to allow such uses. Furthermore, the idea of a micro-brewery was raised during the public engagement process for the Wayzata Lake Effect project and framework plan for the west end of Lake Street, although not specifically mentioned for the Boatworks building.

B. Zoning Amendment.

There are typically two approaches to land use amendments permitting breweries and brewery taprooms. The first is to address potential land use issues in a series of general provisions, then allow the taproom and/or brewery as a permitted use in the appropriate zoning district(s). With this approach, a potential user would prepare plans, request permits from staff, and provided that the proposal meets the requirements of the zoning district and the established general provisions, the applicant would receive permits to construct the facility.

The second approach would be to establish the use in selected zoning districts as a Conditional Use, along with a series of conditions that the applicant would have to meet as a baseline condition for CUP approval. The specific conditions would be similar to those in the permitted use general provisions, but the CUP process includes a required public hearing and the opportunity for formal Planning Commission and City Council review.

Staff recommends the CUP option (2nd option) as the path for addressing zoning of potential microbrewery or other micro-production facilities within Wayzata. The Micro-production facilities could be further limited to only

more retail orientated commercial districts (i.e. C-2, C-3, C4, C-4A, and C-4B) via the CUP process. A draft of ordinance language is included as Attachment J for review.

In the Planning Commission's previous workshop discussions (see Attachments E and F for minutes), the Commission noted that an ordinance change to the City's liquor laws is mainly a matter of City policy for the City Council to consider, rather than a land use or zoning matter. However, the Commission did like a definition of Micro-production Facilities with language similar to the City of Denton, Maryland, which is as follows:

"A facility in which beer, wine, or other alcoholic beverages are brewed, fermented, or distilled for distribution and consumption, and which possesses the appropriate license from the State of Maryland. Tasting rooms for the consumption of on-site produced beer, wine, or distilled products are permitted on the premises".

The definition could be modified to reflect the need for appropriate licenses from the State of Minnesota, and additional language could be added to address specific concerns about noise, lighting, the sale of off-site growlers and other site considerations.

At a July 15, 2014 meeting, the City Council discussed a draft of the Planning Commission's draft Micro-production Facilities ordinance amendments. Some City Council members expressed concern about amending the Zoning Ordinance to include micro-winery and micro-distillery uses before the City has been requested to do so, and before a singular micro-brewery is up and in operation to evaluate its potential benefits and impacts. The Council asked staff to prepare two (2) versions of the draft Zoning Ordinance Amendments for review: one version including the Micro-production Facilities (Attachment J); and a second version allowing only micro-breweries and associated taprooms (Attachment K). A draft amendment to the City's liquor ordinance is also included (Attachment L) to establish an annual licensing process for the micro-brewery operation.

The City Council would ultimately need to amend the City's liquor and zoning ordinances in a parallel with approving the PUD Amendment request, in order for Wayzata Brew Works, LLC to open up the micro-brewery and taproom operation within the Boatworks building.

In addition, the Applicant is proposing to utilize outdoor patio space on the Boatworks property for forty eight (48) outdoor seats. The Applicant would install a barrier system with a rope aesthetic to cordon the outdoor patio area from the adjacent public walkway. In addition, to meet State Liquor Control regulations, users could only access the patio area from the interior of the taproom facility.

2.4 Operations.

The Applicant proposes to renovate a portion of the interior space of the east wing of the Boatworks building. The proposal includes 2,810 SF of brewing space, storage, and support space, and 2,270 SF of taproom/bar space.

A. *Trash.*

To address trash for the operation, the Applicant would install a new interior building trash room that would have all building waste from the office tenants, restaurant, and micro-brewery stored in smaller portable trash bins and taken out to the north side of the building at trash pick-up times.

B. *Hours of Operation.*

The Applicant proposes to adjust their hours of operation seasonally, with shorter hours in off-season winter months, and longer hours during the summer season. Hours of operation would need to be approved by the City as part of the liquor license application.

For summer, the Applicant proposes to open the taproom from approximately 1:00pm to 10:00pm Monday-Thursday; 12:00pm to 11:00pm on Friday and Saturday; and 1:00pm to 8:00pm on Sunday.

Winter months would likely be more limited from approximately 4:00pm to 10:00pm Wednesday and Thursday; 4:00pm to 11:00pm on Friday; 12:00pm to 11:00pm on Saturday; and 12:00pm to 8:00pm on Sunday.

C. *Special Events.*

The Applicant also desires to run special events during off-peak days and evenings. These events may include community events like J.J. Hills Day, senior groups, Chamber of Commerce gatherings, charity fundraisers, art shows, birthday events, anniversary parties, and corporate gatherings.

Other communities that allow micro-breweries and taprooms have allowed special events by incorporating it into the CUP for the operation. Some

cities require the brewery operation to secure a special event permit from the City that outlines the details on the event (hours, seating, traffic controls, etc) and sets a limit on the number of special events per year.

D. *Brewing Operations.*

The Applicant has indicated that brewing activity will likely occur less than 2-3 days per week. Their initial 12-month production is estimated at around 1,000 barrels (at 20 barrels per time), for roughly fifty (50) brewing days. As part of the brewing production, the Applicant would like to ability to sell “Growlers” (specially designed and packed 64 ounce beer containers that are for off-premise consumption). State law would limit the amount of beer produced for growler sales to 500 barrels per year (included within total barrel limit per year).

2.5 Parking.

The Property, as it is currently configured, has two hundred and two (202) parking spaces, and has a cross-parking easement with the City for use of fifty seven (57) parking spaces for a total of 259. In addition, as part of the original 1997 Development Agreement, the Property has a parking easement over approximately seventy four (74) parking spaces for valet parking at 259 Lake Street (called the “Shaver and McCarthy Parcel”, which is on the north side of Lake Street).

Other communities that allow micro-production facilities and taprooms/tasting rooms have included parking requirements for those uses. For example, the City of Minnetonka requires one (1) parking space for each 1,000 SF of floor area and one (1) parking space for each fifty (50) SF of floor area for the taproom/tasting room. Using Minnetonka's parking standards as an example; the proposed Wayzata Brew Works operation would have the following parking considerations:

Use	Requirement	Square Footage	Parking Requirement
Micro-Brewery	1 per 1,000 SF	2,529 SF net	3 spaces
Taproom	1 per 50 SF	2,043 SF net	41 spaces
			44 spaces

As the taproom use would generate more parking demand than the previous office use (forty four (44) spaces for the brewery versus thirteen (13) for office use), the Applicant is proposing to implement a coordinate valet parking service with the new 6 Smith restaurant. In addition to the seventy four (74) available parking spaces at 259 Lake Street, the Applicant has also reached an arrangement with the adjacent TCF Bank property to utilize one hundred thirty eight (138) spaces in the west and east lot at 200 Lake Street East (which is on the south side of Lake Street). The Applicant has prepared a parking study of the area with the proposed uses, which is included as Attachment A.

The Applicant is also working with the City to install some additional surface parking spaces on the both the Boatworks property and the City owned parking area that were shown as “proof of parking” spaces in the original 1997 approvals.

Given the high usage of the parking areas for users of the Dakota Trail facility, the City is also working with the Three Rivers Park District to identify partnership opportunities to address parking concerns with the amount of trail usage parking.

Finally, a previous owner of the Property had proposed a one level parking deck for the parking area in 2008, but it was denied by the City due to concerns about security and impacting the views and aesthetics of the beach, marina area, and adjacent single family residential properties. No parking structure is contemplated nor proposed as part of this current PUD/CUP Amendment Application.

2.6 Design.

The Project is utilizing an existing commercial building and making only a few minor modifications to the existing exterior to allow for the microbrewery operation. The proposed changes are under the threshold which would trigger a formal design review under Section 801.09; however the Planning Commission and City Council may provide feedback and comments on the minor exterior modifications.

The proposed modifications are as follows:

- A. Close the current east corridor exit door and add a new east entry into the Brew Works taproom.
- B. Convert the small masonry trash area under the existing stairs to the upper deck area into a bike rack area.
- C. Modify the patio seating area on the lake side of the taproom space including landscape screening the west side of the patio and providing a post and rope barrier around the patio area to require patrons to enter from the inside.
- D. Add a small screened area on the north side of the building that will screen the small waste containers during trash pick-up days, and slightly reconfigure the south curb of the roadway to allow for a pull-off area for the garbage truck to pull into so as not to block traffic.

2.7 Comprehensive Plan.

The commercial portion of the Property is currently guided for Central Business District land use in the 2030 Comprehensive Plan. The Central Business District (CBD) is defined as follows: “The Central Business District provides a wide range of uses such as retail and service commercial, office, residential, and public uses along and in relative proximity to Lake Street”. The following are applicable Central Business District Policies from the Comprehensive Plan:

- Allow a mix of commercial, office, and residential uses that strengthen the CBD as the shopping, employment, and entertainment destination of Wayzata.
- 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.
- Accommodate traffic without negatively compromising the integrity of the downtown and its adjacent neighborhoods.

Section 3. Applicable Code Provisions for Review

- 3.1 Amendment of a PUD Permit. Section 801.33.9.A requires that any deviation or modification from the terms or conditions of an approved PUD permit or any alteration in a project for which a PUD permit has been approved shall require an amendment of the original permit. An application for amendment of the original PUD permit specifying the proposed variance or alteration shall be submitted to the City, together with a fee established by City Council resolution and such information as is required by the City or as the applicant deems necessary to fully explain his application. Should the applicant request an amendment of a PUD permit to erect an additional building or buildings, the applicant fee therefore shall be established by City Council resolution. In either case, the applicant also shall pay, as an additional fee, any consulting expenses which are incurred by the City in review of the application. The same application and hearing procedure for an amendment of a PUD permit shall be followed as was followed with respect to the applicant's Concept Plan, as outlined in Section 801.33.5.
- 3.2 Action by the Planning Commission and City Council. Section 801.33.9.B requires the same review procedure by the Planning Commission and City Council shall be followed for an amendment of a PUD permit as was followed with respect to the applicant's Concept Plan, outlined in Section 801.33.5 and 801.33.6. The affirmative majority vote (3 of 5) of the City Council shall be required for approval of an amendment of a PUD permit.
- 3.3 Planned Unit Development – General Standards – 801.33.2
- A. General Standards. Section 801.33.2.A of the Zoning Ordinance sets forth the general standards for review of any PUD application. The applicable standards for review of this Application are:
1. Health Safety and Welfare. The Council shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area.
 2. Intent and Purpose of PUDs. The Council shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the Zoning Ordinance.
 3. Ownership. An application for a PUD District or conditional use permit approval must be filed by the land owner or jointly by all land owners of the property included in a project.

4. Comprehensive Plan. The proposed PUD must be consistent with the City's Comprehensive Plan.
5. Sanitary Sewer Plan. The proposed PUD must be consistent with the City's Sanitary Sewer Plan and not create a discharge which is in excess of the City's assigned regional limitations.
6. Utilities. All utilities associated with proposed PUD must be installed underground.
7. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 801.33.2.A.10.
8. Roadways. All roadways associated with the proposed PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
9. Landscaping. All landscaping associated with the proposed 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.
10. 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.
11. 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.

Section 4: Department Comments

Utility Superintendent

- Flow analysis for sewer discharge must be completed to verify that sewer lift station #5, located on Grove Lane, is designed to handle additional sewage flows from brewery, as well as restaurant. *Note: the Applicant is in the process of completing a flow analysis for the lift station, which is included as part of Attachment A.*
- Each pump of which there are two (2) in #5 sewer lift station on Grove Lane are designed to deliver a maximum of 130 gallons per minute (gpm) @ 20' total dynamic head (TDH). The design is such that if one pump fails, the second pump is able to handle flow while the other pump is pulled for maintenance, replacement etc. to prevent sewerage backup into buildings. The projected flows exceed the existing pumps maximum rated capacity. Your [the Project] projected flows have been sent over to an Engineering firm for review to determine what size pumps, mechanical plumbing and Electric panel upgrades would be needed to handle additional sewerage flow. When I receive that information, I will contact a sewer lift station supplier to get cost estimates to upgrade equipment in sewer lift station. I will send cost estimates to you when I receive.

Section 5: Action Steps

After considering the items outlined in this Report, the City Council should pursue one of the following options as an action step:

1. Adopt the First Reading either Version 1 (Attachment J) or Version 2 (Attachment K) of Ordinance 746; adopt the First Reading of Ordinance 747 (Attachment K); and adopt the draft approval Resolution No. 23-2014 included as Attachment M of this Report.
2. If the Council wishes to significantly modify the Resolution for approval and/or Ordinances, the Council should direct staff to prepare a revised Resolution and/or Ordinances for review and adoption at the next Council meeting.
3. If the Council wishes to pursue a denial motion, the Council should direct staff to prepare a revised Resolution reflecting the denial motion for review and adoption at the next Council meeting.

Attachments:

Attachment A: Project Narrative Submittals:

- Wayzata Brew Works PUD Amendment Narrative
- Wayzata Brew Works Request for Ordinance Amendment
- Wayzata Brew Works Frequently Asked Questions
- Wayzata Brew Works Science of Craft Beer
- Parking Study
- Flow Analysis Letter

Attachment B: Project Plan Set

Attachment C: Additional Parking Map

Attachment D: Boatworks Building Development Agreements

Attachment E: Planning Commission Workshop Meeting Minutes, April 21, 2014

Attachment F: Planning Commission Workshop Meeting Minutes, May 19, 2014

Attachment G: Planning Commission Meeting Minutes, July 7, 2014

Attachment H: Planning Commission Report and Recommendation – Zoning Ordinance

Attachment I: Planning Commission Report and Recommendation – PUD Amendment

Attachment J: Draft Ordinance 746 (Version 1) – Micro-Production Facilities

Attachment K: Draft Ordinance 746 (Version 2) – Micro-breweries and Taprooms

Attachment L: Draft Ordinance 747 – Liquor Ordinance Amendments

Attachment M: Draft Resolution 23-2014 – Boatworks PUD Amendment

Attachment A

Project Narrative for Minnetonka Boatworks Second Amendment of the Development Agreement and Planned Unit Development/Conditional Use Permit 6/4/14

Overview of Request:

Boatworks II LLC, owner of the Minnetonka Boatworks project, and Wayzata Brew Works, LLC are requesting an amendment to the Conditional Use Permit to allow a micro-brewery and taproom in approximately 5,080 SF of the east wing of the Boatworks Building. The proposal includes a redesign of the interior space of the east wing to include 2,810 SF of brewing space, storage and support space and 2,270 SF of taproom/bar space, and the modification of the outside patio on the lake side of the space (see attached plans and interior perspectives). While the footprint of the building remains the same, we will be converting the existing garage/trash room area and a portion of the east exit hall way space to beer manufacturing space. We would be constructing a new interior building trash room that would have all building waste from the office tenants, restaurant and micro-brewery stored in smaller portable trash bins and taken out the north side of the building at trash pick-up times. The new micro-brewery/taproom would replace 3,183 SF of general office space.

Status of State law changes regarding micro-breweries and taprooms and coordination with related City ordinance changes to allow micro-breweries and taprooms:

The recently enacted Minnesota Pint Law (also called the Surly Bill) allows packaging breweries to apply for an on-premise taproom license from their local municipality. In other words, a local production brewery is now allowed to sell a pint of their own beer onsite in their own brewery. Previously, Minnesota brewers had to be either a packaging brewery --whose production was sold strictly for off-premise consumption-- or a brewpub --whose production was sold entirely on-premises.

While this change may seem small, the implications are huge. The primary reason is because even a small brewery is incredibly expensive to open, and the upstart brewery has to sell a substantial amount of beer just to break even. The ability to sell pints on premise lowers that barrier, helping the brewer get more sales at a higher margin in those crucial early years. Cities such as Portland, Denver, and San Diego have become popular for "beer tourism" thanks to their flourishing brewery/brewpub scene. The growth of such an industry could bring new jobs and new tax revenue to our community.

Small brewer license or Growler Law

Small brewers may also receive a license from their municipality for limited amounts of off-sale malt liquor that has been produced and packaged by the brewer. The amount of malt liquor sold at off-sale may not exceed 500 barrels annually. Off-sale is limited to the legal hours for off-sale at exclusive liquor stores in the jurisdiction in which the brewer is located, and the malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores. The malt liquor shall be packed in 64-ounce containers commonly known as "growlers". The containers bear a twist-type closure, cork, stopper, or plug. The containers are identified as malt liquor, contain the name of the malt liquor, and bear the name and address of the brewer selling the malt liquor.

Attachment A

While State statutes now allow cities to approve micro-breweries and taprooms, the City of Wayzata will need to amend their ordinances to authorize that specific use within the city. We have been working with city staff, who will be drafting the ordinance amendments to allow micro-brewery/taprooms in the city and establish appropriate conditions for that use. It is anticipated that the micro-brewery/taproom ordinance changes will be processed concurrently with our application. If for some reason the micro-brewery/taproom ordinance is not able to be adopted concurrently with our application, we would appreciate action on our request with a condition that it is not effective until the micro-brewery ordinance is effective.

Proposed exterior changes:

The only exterior changes to the building/site are as follows:

- a. Close the current east corridor exit door and add a new east entry into the Brew Works taproom.
- b. Convert the small masonry trash area under the stairs to the upper deck to a bike rack area.
- c. Modify the patio seating area on the lake side of the taproom space including screening the west side of the patio and providing a post and rope barrier around the patio area to require patrons to enter the patio from the inside.
- d. Add a small screened area on the north side of the building that will screen the small waste containers during trash pick-up days, and slightly reconfigure the south curb of the roadway to allow for a pull-off area for the garbage truck to pull into so they do not block traffic.
- e. In a separate process, Boatworks II, LLC and the city staff are working on implementing additional 19 to 20 new parking spaces that were part of the existing PUD proof of parking.

Hours of Operation and compatibility with other building uses:

We believe the unique off peak hours we are open and the compatibility with the new 6 Smith restaurant, plus the joint implementation of a coordinated valet service with the 6 Smith restaurant, will alleviate most of the parking demand during the peak-summer warm-weather days. The actual brewing activity is essentially a manufacturing activity for quality crafted beer products and has very limited employee parking requirements. See below information on hours of operation.

Parking:

The activity of the taproom will generate more parking demand than the previous office use (57 spaces for taproom vs 13 spaces for office = 44 more spaces), but the taproom will only be open after 4:30 PM and closing at 11:00 PM on weekdays when most of the office employees are leaving, and open after 12:00 PM on weekends and closing at midnight when the offices are closed.

We anticipate that there will be a significant amount of overlap between the customers for 6 Smith and Wayzata Brew Works, with customers opting to enjoy a craft beer while they are waiting for their table at 6 Smith. As mentioned above we will be implementing a joint coordinated valet parking service with 6 Smith that will utilize the off premise parking spaces at 259 Lake St. East (approximately 78 spaces on the north side of Lake Street) per the

Attachment A

original development approval, plus a new arrangement with TCF Bank to utilize 48 spaces in their east lot at 200 Lake St. East (south side of Lake Street).

As mentioned above in Boatworks II, LLC is working with city staff to implement a number of the original approved “proof of parking” spaces that will add 19 to 20 new parking spaces to the on-site parking available for all users of the site.

Special Events:

In most other communities that have modified their ordinances to accommodate micro-breweries they have included a provision to allow a set number of “special events” to focus attention on locally crafted beer being provided. These special events may be part of regularly scheduled community wide events such as James J. Hill days, or independent events such as an “Oktoberfest”. We would ask that this provision be incorporated into the proposed ordinance enabling micro-breweries/taprooms, and incorporated into the CUP for the site if that is appropriate. In addition to setting a limit on the number of special events (typically six-to-twelve per year), they usually entail obtaining a special permit that outlines the details of the event (date and hours, any special temporary features such as tents, seating areas, music systems, traffic control devices, designated parking areas or shuttle services from a remote location). City staff would then have the opportunity to review the details and establish any additional condition that may be warranted.

CUP Criteria:

Consistency with Wayzata Comprehensive Plan

We believe that the construction of the micro-brewery and taproom in the building would be consistent with the Comprehensive Plan’s stated desire to provide more mixed-use developments, will be consistent with the Lake Effect effort to attract more people to the west end of Lake Street, and will enhance the downtown Wayzata experience.

Compatibility with existing and future uses in the area

We have received very positive feedback from users of the Boatworks building including 6 Smith and from local business and residents how have become aware of our interest in putting a micro-brewery/taproom in the Boatworks building. We believe the addition of a micro-brewery/taproom will enhance the experience of local residents and visitors to Wayzata.

Conformity with performance standards contained in the Wayzata Zoning Ordinance including parking, noise, glare, odor, dust, etc.

We believe the changes that are being proposed are in conformance with the City’s performance standards. The actual brewing activity is very small-scale and self-contained. We are attaching a basic description of the brewing process, entitled “Science of Craft Beer” that provides a fairly clear understanding of the brewing process, and we can provide specific examples of micro-breweries that are currently in operation in other parts of the city.

We expect that the micro-brewery/taproom will be very popular with local residents and visitors to Wayzata, which means that properly managing the parking associated with that

Attachment A

popularity will be a major factor in our success. We, along with the building owner and 6 Smith Restaurant, will take that responsibility very seriously.

Effect upon adjacent uses in the area

As discussed above, we believe that adding the experience of visiting a micro-brewery/taproom in Wayzata will have a positive effect on adjacent uses in the area and create an enhancement of the experience of living and visiting Wayzata.

Effect upon property values in the area

The fact that our use complements other local business and the experience of living, working and visiting Wayzata will have a positive effect on property values in the area.

Existing and anticipated traffic concerns

Our late afternoon/evening hours of operation should be very compatible with normal traffic patterns in Wayzata. The only potential concern that we will need to deal with is the train traffic that can make it difficult to enter and exit the site, especially with the inability to exit the site via Grove Lane East to the west (which is currently a one-way route). While this may create a little frustration with patrons of the Wayzata Brew Works (and 6 Smith), it is also part of the experience on being in downtown Wayzata.

Impact on governmental facilities and services, including roads, sanitary sewer, water, police and fire, and the City's service capability

We believe the conversion of existing office space and reconfiguration of the layout of the east wing would have no impact on City services or facilities, or the City's capability to provide those services in the future. We do need to confirm that the sanitary sewer discharge from the brewing operation estimated at a maximum of 516 gal. per day is within the existing capacity of the Metro lift station that serves the area.

Wayzata Brew Works, LLC

5108 W. 74th St., Suite 463
Edina, MN 55439-4063

March 20, 2014

Heidi Nelson, City Manager
City of Wayzata
600 East Rice St.
Wayzata, MN 55391

Re: Request to adopt city ordinance allowing micro-brewery/taprooms in Wayzata

Dear Heidi,

We are very interested in building a micro-brewery/taproom in the City of Wayzata. We have experience building one already, and for market research purposes, we have visited several vibrant micro-breweries in town, notably Steel Toe in St. Louis Park, as well as Dangerous Man, 612Brew, and Fulton Brewery in Minneapolis.

Based on our research and experience, we believe Wayzata provides an excellent location for a similar operation. We also acknowledge the City's interest in this concept expressed in the StarTribune last year. We are working on a specific location for the micro-brewery/taproom, but need to first have your City ordinances amended to permit the micro-brewery/taproom concept.

If you are open to amending your ordinance to allow a micro-brewery/taproom, we welcome the opportunity to work with you in developing the appropriate language. Several nearby communities are allowing similar ventures based on newly adopted state statutes that permit micro-brewery/taprooms. I have attached examples of similar ordinances adopted by Excelsior and Minnetonka for your review.

Please let me know what else we need to do to start the process of amending the ordinance. It would be our hope to get in operation yet this summer, so moving the process forward in a timely manner is important.

Sincerely,

Wayzata Brew Works, LLC

Robert Klick

Cc Ken Wilcox, Mayor



Wayzata Brew Works, LLC

Frequently Asked Questions (FAQ's)

1) Why Should Wayzata Support a Micro Brewery in its community?

A small, craft micro-brewery is a unique draw for many communities. Small-batch, fresh, creative flavors attract adventurous local patrons and visitors. Clustered together, small breweries complement rather than compete with existing restaurants and beer establishments (like the Muni). Many Minnesota waterfront cities welcome micro breweries because of their unique artisan attributes and draws. These cities include Minneapolis, St. Paul, Stillwater, Duluth, Minnetonka and Excelsior.

2) Isn't a Micro-Brewery really just code-word for a "bar"?

Not at all. Our products are produced by-hand in limited quantities on-site using fresh, local ingredients. Volume produced is minimal (less than 1,000 barrels per year). We feature four standard craft brews at all times and invite visitors to sample small 4-ounce pours of each. We also produce limited-run, seasonal and special flavor batches too.

3) What about the small and noise from a brewery?

The aroma from a small brewery is similar to fresh bread or fresh Malt-O-Meal production. Our manufacturing is limited to just 3 days per week and the aromatic part of the process takes less than 45 minutes each batch. Because we are one of the smallest taprooms in the state, our noise and crowd factor is diminimus. Plus, we don't plan to be open 7 days per week (in fact, we're currently prohibited by State Law), and expect to close much earlier than the other Wayzata area restaurants nearby including 6 Smith, the Muni, Giannis, and Cru.

4) How will you handle food?

By State Law, micro-breweries are prohibited from selling food. We do want to offer our patrons food options however and are working closely with 6 Smith in our building to provide a limited array of unique appetizers. We envision working with the Muni and other Wayzata food providers to offer an interesting array of choices.

5) What about parking? Isn't parking at the Boat Works a nightmare?

Not really. Our hours of operation complement those of the daytime businesses in the Boat Works so ample parking is available (currently over 200 spots on site). Plus, we have access to several hundred more parking spots (owned by our landlord) within 50 meters of our front door. Our small taproom generally requires only 30 – 50 parking spots at any given time.



Wayzata Brew Works, LLC

6) Wayzata is a municipal-owned liquor city. Won't your business conflict with that?

According to our consultant, attorney Jeff O'Brien who is actively working with over 20 micro breweries in Minnesota, "muni cities want breweries with taprooms, and growler sales go hand in hand with that. Buffalo already allows it, Elk River is very interested in attracting a brewery too. In my experience, muni cities are no different from others when it comes to welcoming breweries" and accommodating limited off-sale choices.

The City of Anoka is also a muni city. Anoka's city attorney told his council that he believed on-site sales of growlers by microbreweries would be allowed as isolated sales of just one product type. The council went on to approve the new rules in 2012.

7) What is a "Growler"? Won't this compete with Muni beer sales?

Growlers are an internationally recognized small bottle (64 ounces) containing 4 beers. They are strictly bound to labeling and sealing requirements but permit micro breweries to provide patrons a small sample to take with off-sale. Minnesota State Law (the Surly Bill) allows micro breweries to sell Growlers if they adhere to these standards. Our taproom is tiny and our off-sale Growler sales are expected to be small. Plus Growlers and ½ barrel kegs will be available to the Muni to sell on-site too. We believe Growler sales will help build loyalty, and in-turn, build demand for bottle sales from the Muni too (we are prohibited from selling anything but Growlers on-site by State Law).

9) Wayzata seems crowded already with liquor establishments. Why do we need yet another?

Our small taproom is unique and so is our product. Our theme is the proud manufacturing history of the Minnetonka Boat Works on the shores of Lake Minnetonka. We intend to partner with the Wayzata Historical Society (and others) to showcase the interesting and proud manufacturing history of Wayzata. Our on-site brewing, unique flavors, authentic historic location, and gorgeous lakefront vantage-point clearly distinguish us as destination location, just as Wayzata strives to do the same.

10) What styles of beer and price points do you anticipate?

We want to offer what customers want to taste. We will always have four stand-bys: a light lager, a heavier ale or porter, an IPA or EPA, and possibly a Stout. We also intend to experiment with lots of other styles and flavors as we develop a uniquely Wayzata flavor. Price points are typically \$5 - \$6 for a pint; a set of four 4-ounce samplers is likely \$8 - \$10; and Growlers (if approved) will likely sell for \$12 - \$15. We offer a fresh, premium product priced accordingly. We don't anticipate that we'll appeal to a rowdy, youngish crowd simply seeking cheap beer.



Wayzata Brew Works, LLC

11) Who in Wayzata believes liquor sales are good for the community?

Well, Mayor Willcox for one: “Muni revenue has been typically earmarked for the repair and maintenance of Wayzata’s roads and lights,” says Mayor Ken Willcox. We say, ‘Buy a burger. Fill a pothole...The funds transferred to the city from the Muni are typically the equivalent of what the city’s share would be on the property taxes of roughly 300 homes valued at \$350,000,” says Willcox. [source: Lake Minnetonka Magazine, July, 2011]

Community members do too: “Over the last year, community members have suggested the city revitalize its lakefront with everything from a band shell to beach yoga, a microbrewery, more docks and even food barges like popular food trucks” [source: StarTribune, Sept. 3, 2013]

12) Why the Boat Works building? What about other locations like the Meyer Bros. Dairy?

The landmark Boat Works building is a true Minnesota icon. Boats, buses, landing craft, and commercial vessels were manufactured in this site for nearly 100 years. The building has suffered in recent years with a bankruptcy, series of failed restaurants, and loss of identity. With the upcoming addition of a craft restaurant – 6 Smith – now is an ideal time to pair the restaurant with a craft micro brewery.

The Meyers building has a unique history too but is in bad disrepair. Plus, it is only a stones-throw from high-end residential condos, whose owners are likely not thrilled by any commercial development, much less a manufacturing facility.

Our small footprint faces the lake, so noise, crowds and congestion will be mitigated to a large degree.

13) How will the Brew Works benefit the Muni?

We strongly believe the presence of a micro-brewery complements the Muni. In our unique destination location, we offer small-batch, hand-crafted fresh products.

The Muni serves a broad variety of meals and alcoholic beverages. Many studies underline the benefit of clustering complementary businesses for maximum effect. Examples include Detroit's auto industry concentration, computer chip production in California's Silicon Valley, London's financial sector, the Napa Valley's wine production, and Hollywood's movie production industry.

Clustered with Cru, 6 Smith, Gianni’s, the Blue Point and the Muni, we anticipate that adding a unique small-batch micro brewery will complement Wayzata’s development efforts.



Wayzata Brew Works, LLC

Notable industry quotes:

- “The [craft brewing] industry is creating jobs and meeting Alaska's demands for local craft beers or microbrews, which are typically independently owned. Small-scale breweries focus on the taste and brewing techniques of the beer. It's just like if we are baking bread here; we have to have bakers," said Alaska Department of Labor and Workforce Development economist Neal Fried. "Instead of just shipping it up here, we are creating jobs. (Importing) generates less employment and less economic activity. (Local production) generates more activity. It creates an advantage and people are proud of locally-produced stuff.”
- “Small and independent American craft brewers contributed \$33.9 billion to the U.S. economy in 2012. The figure is derived from the total impact of beer brewed by craft brewers as it moves through the three-tier system (breweries, wholesalers and retailers), as well as all non-beer products like food and merchandise that brewpub restaurants and brewery taprooms sell. The industry also provided more than 360,000 jobs, with 108,440 jobs directly at breweries and brewpubs, including serving staff at brewpubs. [source: Brewer’s Association]
- “With a strong presence across the 50 states and the District of Columbia, craft breweries are a vibrant and flourishing economic force at the local, state and national level. As consumers continue to demand a wide range of high quality, full-flavored beers, small and independent craft brewers are meeting this growing demand with innovative offerings, creating high levels of economic value in the process. [source: Bart Watson, Staff Economist, Brewers Association]

Minnesota Growler Law

- “The malt liquor shall be packed in 64-ounce containers commonly known as "growlers" or in 750 milliliter bottles. The containers or bottles shall bear a twist-type closure, cork, stopper, or plug. At the time of the sale, a paper or plastic adhesive band, strip, or sleeve shall be applied to the container or bottle and extended over the top of the twist-type closure, cork, stopper, or plug forming a seal that must be broken upon opening of the container or bottle. The adhesive band, strip, or sleeve shall bear the name and address of the brewer. The containers or bottles shall be identified as malt liquor, contain the name of the malt liquor, bear the name and address of the brewer selling the malt liquor, and shall be considered intoxicating liquor unless the alcoholic content is labeled as otherwise in accordance with the provisions of Minnesota Rules, part 7515.1100. Minn. Stat. § 340A.301”

Attachment A



Wayzata Brew Works, LLC

- “Questions about possible conflicts with its municipal liquor operations surfaced when the Anoka City Council discussed amending its zoning code to allow small-batch breweries, taprooms and brewpubs. Private liquor stores are not allowed in cities that have municipal stores.
- City planners in Arden Hills used regulations in Excelsior and St. Louis Park, home of Steel Toe Brewing Co., to craft its ordinance for microbreweries and taprooms. Arden Hills Mayor David Grant said the new rules position the city to respond to proposals yet to come.
- “We’re not one to go out and try to encourage [a microbrewery],” Grant said. “But they seem to be out there and popular, and the taproom is an important business aspect for them as a distribution channel.” [source: StarTribune, Dec. 7, 2013]

**Comparison of City Liquor Store Operations - 2012
Ranked by Gross Sales**

Ranking	Name of City	Type of Store	Foot- notes	Population	Sales	Cost of Sales	Gross Profit		Operating Expenses	Income/(Loss)	Nonoperating		Net Profit/(Loss)	
							Amount	Percent of Sales			Revenues	Expenses	Amount	Percent of Sales
1	Lakeville	Off-Sale Only	----	57,048	\$15,220,064	\$11,380,341	\$3,839,723	25.2%	\$2,215,822	\$1,623,901	\$30,162	\$177,629	\$1,476,434	9.7%
2	Edina	Off-Sale Only	----	48,829	13,230,941	9,615,928	3,615,013	27.3%	2,124,476	1,490,537	----	340	1,490,197	11.3%
3	Eden Prairie	Off-Sale Only	----	62,004	12,371,628	9,014,543	3,357,085	27.1%	2,232,081	1,125,004	12,349	----	1,137,353	9.2%
4	Richfield	Off-Sale Only	----	35,979	11,807,489	8,802,442	3,005,047	25.5%	1,951,557	1,053,490	30,158	----	1,083,648	9.2%
5	Apple Valley	Off-Sale Only	----	49,895	9,231,890	6,703,467	2,528,423	27.4%	1,557,994	970,429	49,053	120,960	898,522	9.7%
6	Columbia Heights	Off-Sale Only	----	19,676	8,804,233	6,654,657	2,149,576	24.4%	1,465,683	683,893	1,000	229,954	454,939	5.2%
7	Saint Anthony	Off-Sale Only	----	8,417	7,139,381	5,403,321	1,736,060	24.3%	1,210,179	525,881	8,867	5,475	529,273	7.4%
8	Elk River	Off-Sale Only	----	23,147	6,525,234	4,638,550	1,886,684	28.9%	970,330	916,354	14,485	83,225	847,614	13.0%
9	Brooklyn Center	Off-Sale Only	----	30,569	5,963,908	4,316,716	1,647,192	27.6%	1,271,162	376,030	14,580	----	390,610	6.5%
10	Fergus Falls	Off-Sale Only	----	13,228	5,519,338	3,952,932	1,566,406	28.4%	877,907	688,499	33,271	42,256	679,514	12.3%
11	Hutchinson	Off-Sale Only	----	14,034	5,325,001	4,106,146	1,218,855	22.9%	670,824	548,031	7,242	39,723	515,550	9.7%
12	Wayzata	On- & Off-Sale	----	3,781	5,150,007	2,649,859	2,500,148	48.5%	2,006,861	493,287	15,176	147,722	360,741	7.0%
13	Bemidji	Off-Sale Only	----	13,560	5,132,559	3,716,554	1,416,005	27.6%	741,217	674,788	14,518	----	689,306	13.4%
14	Detroit Lakes	Off-Sale Only	----	8,763	4,909,641	3,749,632	1,160,009	23.6%	427,547	732,462	----	70,250	662,212	13.5%
15	Monticello	Off-Sale Only	----	12,901	4,854,798	3,640,053	1,214,745	25.0%	662,002	552,743	----	9,333	543,410	11.2%
16	Fridley	Off-Sale Only	----	27,591	4,705,523	3,497,168	1,208,355	25.7%	857,741	350,614	960	----	351,574	7.5%
17	Cambridge	Off-Sale Only	----	8,236	4,684,393	3,571,131	1,113,262	23.8%	687,595	425,667	10,148	379	435,436	9.3%
18	Savage	Off-Sale Only	----	27,552	4,560,288	3,353,290	1,206,998	26.5%	913,596	293,402	----	59,356	234,046	5.1%
19	Thief River Falls	Off-Sale Only	----	8,636	4,482,994	3,430,447	1,052,547	23.5%	599,416	453,131	8,893	----	462,024	10.3%
20	Alexandria	Off-Sale Only	----	13,008	4,402,535	3,428,169	974,366	22.1%	732,089	242,277	1,076	12,473	230,880	5.2%

**Table 6
Comparison of City Liquor Store Operations - 2011
Ranked by Gross Sales**

Ranking	Name of City	Type of Store	Foot- notes	Population	Sales	Cost of Sales	Gross Profit		Operating Expenses	Income/(Loss)	Nonoperating		Net Profit/(Loss)		Transfers To/(From) Other Funds
							Amount	Percent of Sales			Revenues	Expenses	Amount	Percent of Sales	
1	Lakeville	Off-Sale Only	----	56,534	\$14,373,261	\$10,826,384	\$3,546,877	24.7%	\$2,196,758	\$1,350,119	\$56,924	\$181,335	\$1,225,708	8.5%	\$1,134,131
2	Edina	Off-Sale Only	----	48,262	13,172,484	9,648,160	3,524,324	26.8%	2,078,946	1,445,378	----	----	1,445,378	11.0%	1,255,100
3	Eden Prairie	Off-Sale Only	----	61,151	11,676,390	8,656,149	3,020,241	25.9%	2,118,675	901,566	51,817	6,812	946,571	8.1%	1,000,000
4	Richfield	Off-Sale Only	----	35,376	11,198,404	8,358,937	2,839,467	25.4%	1,932,217	907,250	18,387	----	925,637	8.3%	693,870
5	Apple Valley	Off-Sale Only	----	49,801	9,005,660	6,448,087	2,557,573	28.4%	1,601,269	956,304	89,325	128,323	917,306	10.2%	525,000
6	Columbia Heights	Off-Sale Only	----	19,619	8,494,962	6,413,886	2,081,076	24.5%	1,459,656	621,420	1,500	237,147	385,773	4.5%	98,955
7	Saint Anthony	Off-Sale Only	----	8,333	6,995,923	5,341,718	1,654,205	23.6%	1,162,894	491,311	3,661	32,659	462,313	6.6%	417,200
8	Elk River	Off-Sale Only	----	23,101	6,145,692	4,385,452	1,760,240	28.6%	947,692	812,548	45,444	33,827	824,165	13.4%	3,115,592
9	Brooklyn Center	Off-Sale Only	----	30,204	5,789,346	4,175,906	1,613,440	27.9%	1,214,496	398,944	19,431	----	418,375	7.2%	147,488
10	Fergus Falls	Off-Sale Only	----	13,103	5,244,209	3,821,399	1,422,810	27.1%	852,925	569,885	56,738	46,340	580,283	11.1%	340,811
11	Detroit Lakes	Off-Sale Only	----	8,716	5,202,486	3,934,467	1,268,019	24.4%	359,660	908,359	48,798	69,600	887,557	17.1%	747,876
12	Hutchinson	Off-Sale Only	----	14,148	5,099,629	3,946,363	1,153,266	22.6%	651,933	501,333	4,503	43,308	462,528	9.1%	451,030
13	Bemidji	Off-Sale Only	----	13,528	4,990,978	3,643,412	1,347,566	27.0%	719,913	627,653	4,645	16,871	615,427	12.3%	547,395
14	Fridley	Off-Sale Only	----	27,515	4,893,436	3,681,988	1,211,448	24.8%	886,294	325,154	761	----	325,915	6.7%	350,000
15	Savage	Off-Sale Only	----	27,147	4,657,014	3,463,507	1,193,507	25.6%	943,648	249,859	----	65,681	184,178	4.0%	----
16	Monticello	Off-Sale Only	----	12,840	4,653,476	3,502,213	1,151,263	24.7%	658,999	492,264	202,961	----	695,225	14.9%	250,000
17	Alexandria	Off-Sale Only	----	12,920	4,609,760	3,613,420	996,340	21.6%	745,137	251,203	1,786	15,190	237,799	5.2%	200,000
18	Wayzata	Off-Sale Only	----	3,720	4,391,203	2,294,347	2,096,856	47.8%	1,837,321	259,535	35,236	92,629	202,142	4.6%	20,000
19	Cambridge	Off-Sale Only	----	8,194	4,355,132	3,338,052	1,017,080	23.4%	658,571	358,509	10,216	5,654	363,071	8.3%	----
20	Thief River Falls	Off-Sale Only	----	8,587	4,216,698	3,229,473	987,225	23.4%	589,665	397,560	13,759	----	411,319	9.8%	362,835
21	Farminston	Off-Sale Only	----	21,360	4,100,344	3,151,820	1,048,524	24.0%	638,007	100,508	----	1,705	107,803	2.6%	on nm



WAYZATA BREW WORKS, LLC

The Science of Craft Beer, in Nine Easy Steps

Tuesday, September 21, 2010, by Christian DeBenedetti

They say great wine is made in the vineyard, but how about beer? The process is both surprisingly complex and beautifully simple.

Working with the basic ingredients of **malted barley**, fragrant **hop flowers**, **yeast**, and **water**, brewers conjure an amazing array of flavors in over 130 recognizable styles. The process of brewing craft beer varies but the basic steps to make a craft beer are outlined below.



Barley Malt

1. The vast majority of beers are made with a base of **malted barley**, which is grain that has been dampened, allowed to sprout, carefully dried and sometimes roasted (imparting color and texture to beers). The barley is produced in Minnesota, it is prepackaged in 50 pound bags, and delivered to the brewery on a pallet. Additionally, grains such as rye, wheat, and rice may also be used in conjunction with malted barley to make up the base malt. The malting process creates enzymes, which will later convert the starches already present in barley into sugars during the mashing process.



The Grain Mill

First the brewer **mills the grain** to crack the kernels' husks so the starches inside will be more accessible to enzymes during the mashing process. A standard batch requires 1000 -1400 pounds of grain, which is roughly 24 bags.



The Mash Tun

2. Next the grain is transferred into the **mash tun** with around 300 gallons of water at a temperature of 153 degrees. Every brewery uses a different mashing technique, adjusting the temperatures and mash times, but generally this is about a 1-hour process. The liquid must have time to rest, during which time the enzymes created during the malting process will convert the starches present into simple sugars, which will later be fermented.

The resulting mixture is called **wort**, and it's deliciously sweet and healthful. Some brewers make a point to drink a glass on their morning shift. Brewers also monitor their water very carefully: hardness and softness of water affect the brewing process and resulting flavors. Our water is treated through a reverse osmosis (RO) system. It is carefully reclaimed and reused for cleaning.



Hops

3. Next is the **kettle/whirlpool** stage. After a one-hour transfer of the wort into this tank, the brewer adds a first addition of bittering hops and brings the mixture to a boil for around an hour. Hops are a resinous plant and they give beer its bitterness and aromas, thanks to something called lupulin, which resides in pollen-like glands inside the base of the flowers.



The Kettle/Whirlpool

There are dozens of hop varieties, and brewers choose among them depending on their flavor and aroma profiles. At the end of this stage the brewer uses a **whirlpool** function to siphon out the used hops.



Stainless Steel Tanks for Fermentation

4. When the beer has cooled, the wort is transferred to stainless steel tanks for **fermentation**. Brewers' yeast is added for this stage, which immediately begin to feast on the sugar-rich brew, creating the **by products of alcohol and CO₂**. The beer stays here for seven to ten days, then the temperature is dropped to 32F for a period of seven days to two months, reaching anywhere from 3-7% alcohol by volume.



The Filter

5. Next the beers are pumped through a filter made of **diatomaceous earth** (DE for short), a highly porous, silica-rich powder made from **millions of fossilized diatoms, a sort of ancient algae**. The filter removes spent yeast cells, grain matter, and other impurities. Later the DE refuse and spent grains from the mash tun are mixed and sent to a local farmer as cattle feed.



The Brite Beer Tank

6. Here in the **brite beer tank** the beer rests for one day to a week in 20 barrel (BBL) tanks. This is about 620 gallons.



½ Barrel Kegs; each holds 15.5 gallons

7. Now clear, fully fermented, carbonated, and rested, the beer is packaged in kegs and transferred to four 10 barrel serving tanks in the taproom to serve customers. This reduces excess packaging and keeps the beers as fresh as possible.



Wayzata Boat Works

8. The brewery will be built in The Boat Works building, **a former wooden boat manufacturing plant in Wayzata**. This historic, lakefront location will bring small craft manufacturing and delicious beer to downtown Wayzata.



The Tap Room

Sample the Beer

9. Small 4 oz samples and 16 oz pints will be sold on-site for tasting. In accordance with Minnesota's new Surly Law, 64 oz Growlers will be sealed and sold for off-site consumption.

TRAFFIC IMPACT STUDY
Minnetonka Boatworks

Wayzata, Minnesota
July 2, 2014



Prepared For:
BOATWORKS II LLC
294 Grove Lane East
Wayzata, MN 55391

Prepared By:



Westwood

TRAFFIC IMPACT STUDY

MINNETONKA BOATWORKS

294 Grove Lane East
Wayzata, Minnesota

July 2, 2014

Prepared For:

BOATWORKS II, LLC
294 Grove Lane East
Wayzata, MN 55391

Prepared By:



Westwood Professional Services
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www.westwoodps.com

Westwood Project No. 0004064.00

TRAFFIC IMPACT STUDY

MINNETONKA BOATWORKS

294 Grove Lane East
Wayzata, Minnesota



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

A handwritten signature in black ink, appearing to read "Stephen J. Manhart".

By: _____
Stephen J Manhart, P.E.
License No. PE-22428

Date: _____ July 2, 2014

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I. INTRODUCTION

The Minnetonka Boatworks project, located at 294 Grove Lane East in Wayzata, MN, encompasses a 63,306 sq. ft. building south of the intersection of Lake Street East and Grove Lane East/Barry Avenue South in Wayzata, MN. The site, which currently houses office uses, will be revised to include a 6,900 sq. ft. restaurant, a 5,100 sq. ft. micro-brewery and taproom and the balance remaining office use. The site is shown in Figure 1.

Figure 1 – Vicinity Map



Source: Google Maps, 2014.

This traffic study will:

- analyze existing traffic and parking conditions,
- analyze projected year-round and seasonal traffic & parking demands,
- determine functionality of valet parking, impacts of train traffic,
- identify traffic impacts at intersection of Grove Lane East/Lake Street, and
- provide recommendations for traffic & parking mitigation.

II. EXISTING CONDITIONS

A. Existing Land Uses

Currently, the Boatworks building is partially occupied. There are some office uses leasing space in the building, but there is also vacant space available. Therefore, to assess the impacts of the future uses, one must first assess the trip generation of the existing uses in order to find the ultimate potential traffic.

Table 1 shows the current usage of the Boatworks building.

TABLE 1 – EXISTING USES, BOATWORKS BUILDING

Current Use	Usable Area Square Footage
Office	45,545 sq. ft.
Vacant*	15,137 sq. ft.
Storage	2,624 sq. ft.
Total	63,306 sq. ft.

Source: Project Developers, Inc.

*It is noted Six Smith Restaurant has opened since the traffic counts were taken and the study began, occupying 6,911 square feet. The remaining vacant space includes 3,146 square feet for office space and 5,080 square feet for the proposed Microbrew. Extensive staff training and construction traffic was observed as the restaurant prepared to open.

B. Vehicular Traffic

For the analysis of the Minnetonka Boatworks site, Westwood Professional Services deployed traffic counters at the intersection of Lake Street East and Grove Lane East/Barry Avenue South. Figure 2 illustrates the A.M. and P.M. Peak Hour turning movements at the intersection.

C. Rail Traffic

A railroad track lies between the intersection of Lake Street East & Grove Lane East/Barry Avenue South and the Minnetonka Boatworks building. According to the Minnesota Freight Railroad Map (May 2013), these tracks are primarily operated by BNSF, and carry approximately 17 trains per day.

This rail crossing is controlled by gates and flashers. Also, the advance rail crossing signs indicate that there are no trail horns sounded between 10 PM and 7 AM.

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It should be noted that no train traffic was witnessed at the crossing during the AM Peak, the Noon Peak or the PM Peak Hours.

Figure 2 – Existing Traffic Counts

AM PEAK HOUR



PM PEAK HOUR



Source: Westwood Professional Services, June 2014.

D. Pedestrian/Bicycle Traffic

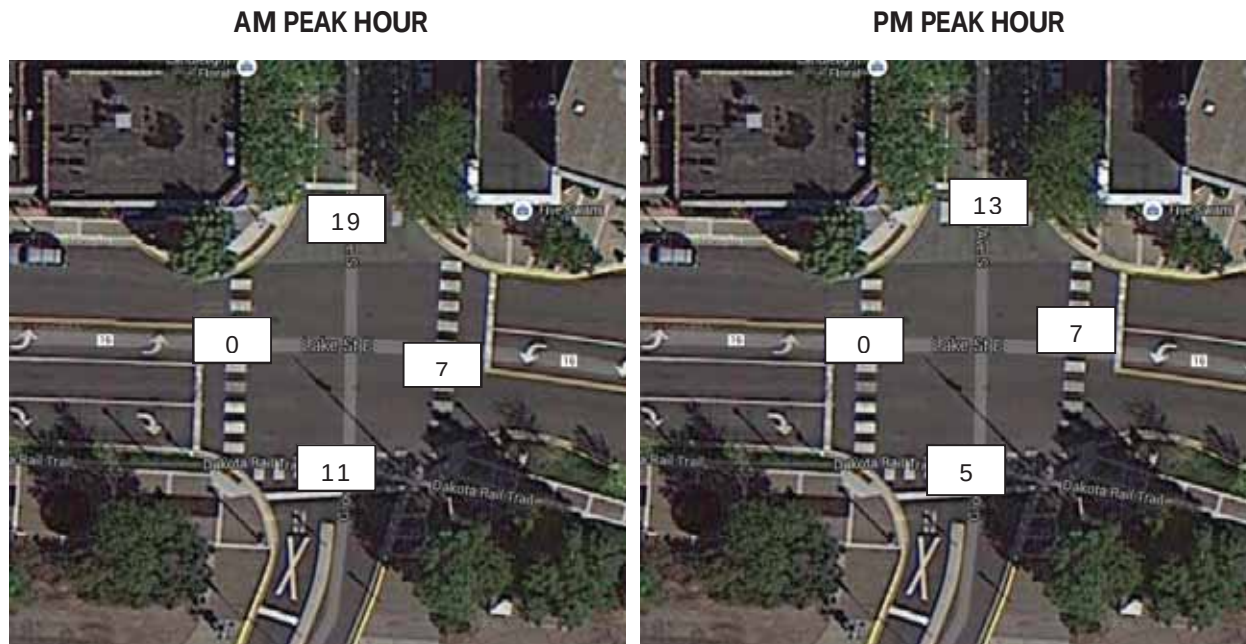
Figure 3 shows the pedestrian/bicycle activity recorded at the intersection of Lake Street East and Grove Lane East/Barry Avenue South during the A.M. and P.M. Peak Hours.

The Dakota Rail Regional Trail extends along the south leg of the intersection of Lake Street East & Grove Lane East/Barry Avenue South and north of the railroad track. This segment is part of a 13-mile paved trail in Hennepin County that follows the path of the former Dakota Rail corridor through Saint Bonifacius, Minnetrista, Mound, Spring Lake Park, Minnetonka Beach, Orono and Wayzata. In Carver County, an additional 12.5 miles of paved trail extends west of Saint Bonifacius to Mayer. According to an article regarding the trail printed in the Minneapolis Star Tribune (05/17/2011), "The portion of the trail that runs 13.5 miles from Wayzata to St. Bonifacius is already the most popular trail in Hennepin County, with an estimated 363,900 users during 2010."

To the southwest of the Minnetonka Boatworks building lies Wayzata Beach. This is a popular public swimming beach for Wayzata residents. The beach is open to the public from Mid-June to mid-August, and is patrolled by a lifeguard from noon till 6PM seven days a week. In addition to swimming, the

beach offers shady picnic areas, playground equipment, canoe racks, volleyball court, boat slips and playing fields.

Figure 3 – Existing Pedestrian/Bicycle Traffic Counts



Source: Westwood Professional Services, June 2014.

E. Boating Traffic

There is a City Marina located west of the Boatworks building. The marina is designed to dock approximately 100 small boats. There is also a boat dock area directly to the south of the Boatworks building that serves larger boats, plus there is a smaller dock to the south of the Depot building that can serve a handful of boats. Although the number of trips is unknown at this time, there has been interest expressed by some at the thought of boating to work.¹

F. Existing Parking

There are 259 existing parking stalls located on the Minnetonka Boatworks and City property.

- Of this total, 57 stalls are designated as City property of which 21 are reserved for residents or those who purchase a City parking sticker (\$30-35 fee) for Monday through Friday use.

¹ "Wayzata's Boatworks is for sale", article in [Minneapolis/Saint Paul Business Journal](#), July 13, 2013.

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- The remaining 202 stalls are designated for the weekday use for the Boatworks building.
- There are 74 available off-site parking spaces for Boatworks employees and staff and valet parking at 259 Lake Street East.
- Additional valet parking on TCF property at 200 Lake Street East after 4:30 PM, which includes 48 spaces in the east lot and 90 spaces in the west lot. This brings the total of on-site and offsite including valet parking to 471 spaces.
- There exist 82 on-street parking stalls that lie within one-eighth of a mile (660') from the Boatworks building.

This brings the total number of existing parking stalls available to Minnetonka Boatworks and other uses within an eighth-mile area to 553 stalls.

G. Existing Trip Generation

For comparison purposes, trip generation for the occupied office space and other existing uses in this area were calculated using the findings from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition. They are shown in Table 2.

TABLE 2 – EXISTING TRIP GENERATION

Group No.	Type	Land Use	ITE Code	Size	Weekday		AM peak		PM Peak	
					Enter	Exit	Enter	Exit	Enter	Exit
1	Office	General Office Building	710	46 k.s.f.	251	251	62	8	12	56
1	Recreational	Beach Park	415	1 acres	10	10	0	1	0	0
1	Recreational	Marina	420	100 berths	148	148	3	5	11	8
2	Office	General Office Building	710	2 k.s.f.	12	12	3	0	1	3
-	-	-	-	-	-	-	-	-	-	-
					421	421	68	14	24	67
					842		82		91	

Source: ITE Trip Generation Manual, Ninth Edition, 2012.

The trips generated by the existing site are slightly higher than the trip generation values projected by the ITE manual. Currently the AM inbound traffic is 78 trips/hour, while the AM outbound traffic is 32 trips/hour. Thus, 110 trips/hour are recorded at the intersection, versus 82 trips/hour projected by ITE. In the PM Peak Hour, the current traffic is 53 trips/hour, while the PM outbound traffic is 90 trips/hour. Similarly, 143 trips/hour are recorded versus 91 trips/hour projected by ITE.

H. Existing Traffic Operation

Analysis was conducted of the existing traffic operation at the intersection of Lake Street East and Grove Lane East/Barry Avenue South. This analysis comprised modeling the operation of the intersection using the industry-standard Synchro/SimTraffic software (Version 8), and the capacity analysis found in the 2010 Edition of the Highway Capacity Manual (HCM). The software model was calibrated to replicate existing conditions as accurately as possible before being used to assess future conditions.

The operating conditions of transportation facilities, such as traffic signals, stop-controlled intersections and roundabouts, are evaluated based on the relationship of the theoretical capacity of a facility to the

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actual traffic volumes on that facility. Various factors affect capacity, including travel speed, roadway geometry, grade, number and width of travel lanes, and intersection control. The current standards for evaluating capacity and operating conditions are contained in the 2010 HCM. The procedures describe operating conditions in terms of a Level of Service (LOS). Facilities are given letter designations from A, representing the best operating conditions, to F, representing the worst. Generally in the Twin Cities, Level of Service D represents the threshold for acceptable overall intersection operating conditions during a peak hour.

At intersections, the letter grades are assigned based on the average delay per vehicle experienced during the peak hour on a particular approach or movement. The grade for the intersection as a whole is based on a weighted average of each movement. Grades are different at unsignalized and signalized intersections, due to the fact that drivers anticipate longer delays at signalized intersections. Table 3, below, details the ranges for each letter grade for both types of intersection, which is in seconds of average delay per vehicle.

Table 3—LEVEL OF SERVICE VS AVERAGE DELAY - SIGNALIZED AND UNSIGNALIZED INTERSECTIONS

Unsignalized Intersections		Signalized Intersections	
Level of Service	Average Delay per Vehicle (Seconds)	Level of Service	Average Delay per Vehicle (Seconds)
A	≤10	A	0 – 10
B	>10 and ≤15	B	>10 and ≤20
C	>15 and ≤25	C	>20 and ≤35
D	>25 and ≤35	D	>35 and ≤55
E	>35 and ≤50	E	>55 and ≤80
F	>50	F	>80

Source: [2010 Highway Capacity Manual](#), published by the Transportation Research Board.

The acceptable level of service threshold for a particular movement at an intersection depends on both the priority assigned to that movement and its traffic volume. In general, the higher the priority and the higher the traffic volume, the more stringent the acceptable threshold will be. For example, the acceptable threshold for a high-priority/high-volume rural movement might be C, while LOS F on a low-priority/low-volume urban movement might be appropriate.

For side street stop-controlled intersections, a key measure of operational effectiveness is the side street LOS. Long delays and poor LOS can sometimes result on the side street, even if the overall intersection is functioning well, making it a valuable design criterion. Again, depending on priority and traffic volume, acceptable side-street LOS can range from D to F. Side streets can operate at LOS F without the intersection warranting all-way stop control or a traffic signal.

A final fundamental component of operational analyses is a study of vehicular queuing, or the lineup of vehicles waiting to pass through an intersection. An intersection can operate with an acceptable level of service, but if queues from the intersection extend back to block entrances to turn lanes or accesses to adjacent land uses, unsafe operating conditions could result. The 95th percentile queue, or the length

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of queue with a 5% chance of occurring during the peak hour, is typically considered the standard for design purposes.

Table 4 lists the levels of service recorded for the intersection of Lake Street East and Grove Lane East/Barry Avenue South during a typical weekday. The analysis shows that the intersection and each movement functions at LOS-A with minimal delay and queuing.

TABLE 4 – Existing Peak Hour Capacity Analysis – Lake Street E. & Grove Lane East/Barry Ave S.¹

Intersection	A.M. Peak			P.M. Peak		
	LOS	Total Delay	Critical Movement	LOS	Total Delay	Critical Movement
Lake Street E. & Grove Lane East/Barry Ave S	A	7.2 sec	NB Lt = 9.9 sec (LOS-A)	A	7.9 sec	WB Thru = 9.2 sec (LOS-A)
	Site Max queue = NB (47')			Site Max queue = NB (72')		

¹Based on traffic counts conducted by Westwood Professional Services

III. PROPOSED CONDITIONS

A. Proposed Land Uses

It is proposed that the Minnetonka Boatworks building will include several existing uses along with new uses. Table 5 illustrates the existing and proposed uses for the site.

TABLE 5 – PROPOSED USES, BOATWORKS BUILDING

Projected Use	Usable Area Square Footage
Office	45,545 sq. ft.
Quality Sit-Down Restaurant	6,911 sq. ft.
Microbrewery	2,810 sq. ft.
Taproom	2,270 sq. ft.
Vacant (Office Space)	3,146 sq. ft.
Storage	2,624 sq. ft.
Total	63,306 sq. ft.

Source: Project Developers, Inc.

B. Proposed Trip Generation

For comparison purposes, trip generation for the occupied office space and additional projected uses in this area were calculated using the findings from the ITE Trip Generation Manual, 9th Edition. They are shown in Table 6. The additional uses will nearly double the P.M. Peak trip generation of the site.

TABLE 6 – PROJECTED TRIP GENERATION

Trip Generation - Projected										
Group No.	Type	Land Use	ITE Code	Size	Weekday		AM peak		PM Peak	
					Enter	Exit	Enter	Exit	Enter	Exit
1	Office	General Office Building	710	46 k.s.f.	251	251	62	8	12	56
2	Recreational	Beach Park	415	1 acres	10	10	0	1	0	0
2	Recreational	Marina	420	100 berths	148	148	3	5	11	8
2	Office	General Office Building	710	2 k.s.f.	12	12	3	0	1	3
1	Retail	Quality Restaurant	931	7 k.s.f.	311	311	3	3	35	17
1	Retail	Drinking Place	925	2 k.s.f.	n.a.	n.a.	0	0	17	9
1	Retail	Microbrewery		3 k.s.f.	n.a.	n.a.	0	0	11	2
-	-	-		-						
					732	732	71	17	87	95
					1,464		88		182	

Source: ITE Trip Generation Manual, Ninth Edition, 2012.

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The trips shown in highlighted area represent the additional traffic generated by the new uses. Trips calculated for the new quality restaurant were derived from the ITE Trip Generation Manual. This will result in a 6-trip increase during the A.M. Peak trips (i.e., 3 additional inbound trips and 3 additional outbound trips), and a 91-trip increase in the P.M. Peak trips (i.e., 63 additional inbound trips and 28 additional outbound trips).

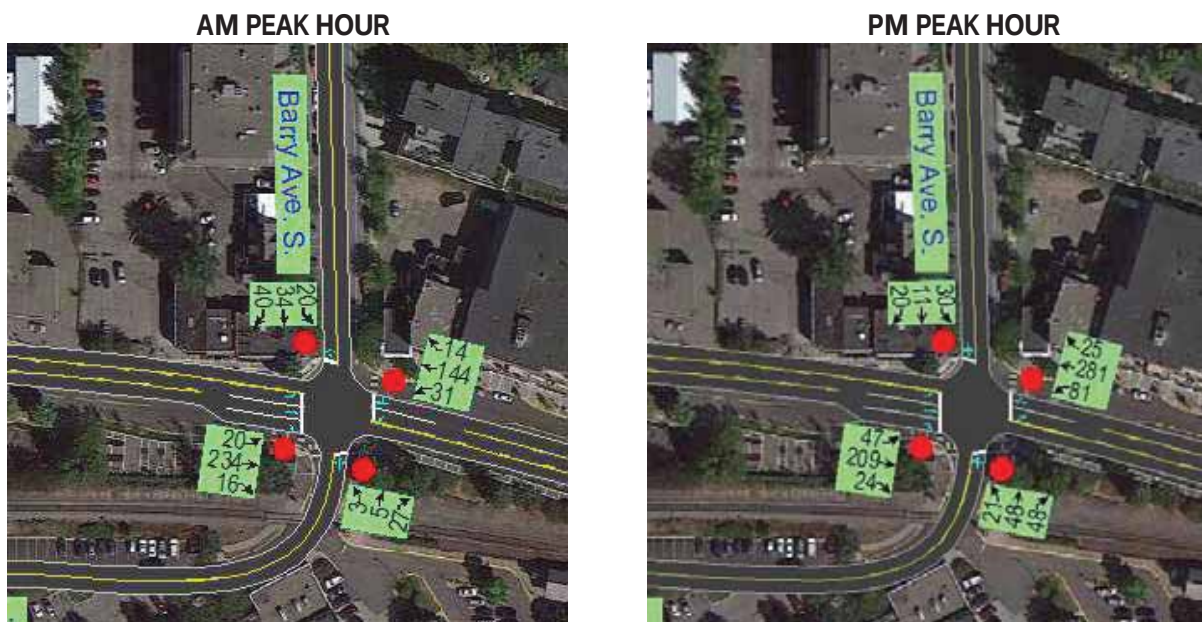
Trip generation data for the microbrewery and taproom uses were quite scarce. Westwood was able to utilize a study from the late 1990's that provided trip generation for microbreweries.² Because the microbrewery trips are primarily generated by the workers, the trips are few in number.

Westwood was not able to find a direct trip generation rate for a taproom affiliated with a Microbrewery. The land use seems to be too new. As a result, Westwood utilized the existing land use code for "Drinking Place" found in the ITE Trip Generation Manual. This is a more appropriate application for taproom than other types of establishments because this does not specialize in serving food.

C. Projected Traffic Operation

By applying the directional distribution of the existing uses onto the new uses, the additional traffic volumes can be determined proportionally. Figure 4 illustrates the projected existing plus new turning movements for the site.

Figure 4 – Projected Traffic Counts



Source: Westwood Professional Services, June 2014.

² Doyle, Julie M., "Trip Generation for Entertainment Land Uses", Street Smarts, Duluth, GA, 1999.

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Table 7 lists the levels of service projected for the intersection of Lake Street East and Grove Lane East/Barry Avenue South during a typical weekday. This analysis would assume that all of the traffic generated by the site, beach, depot and new uses would enter and exit from the intersection of Lake Street East and Grove Lane East/Barry Avenue S. The analysis shows that the intersection and each movement functions at LOS-A with minimal delay and queuing.

TABLE 7 – Projected Peak Hour Capacity Analysis – Lake Street E. & Grove Lane East/Barry Ave S.¹

Intersection	A.M. Peak			P.M. Peak		
	LOS	Total Delay	Critical Movement	LOS	Total Delay	Critical Movement
Lake Street E. & Grove Lane East/Barry Ave S	A	6.9 sec	WB Thru = 7.9 sec (LOS-A)	A	8.0 sec	WB Thru = 9.8 sec (LOS-A)
	Site Max queue = NB (73')			Site Max queue = NB (72')		

¹Based on traffic counts conducted by Westwood Professional Services

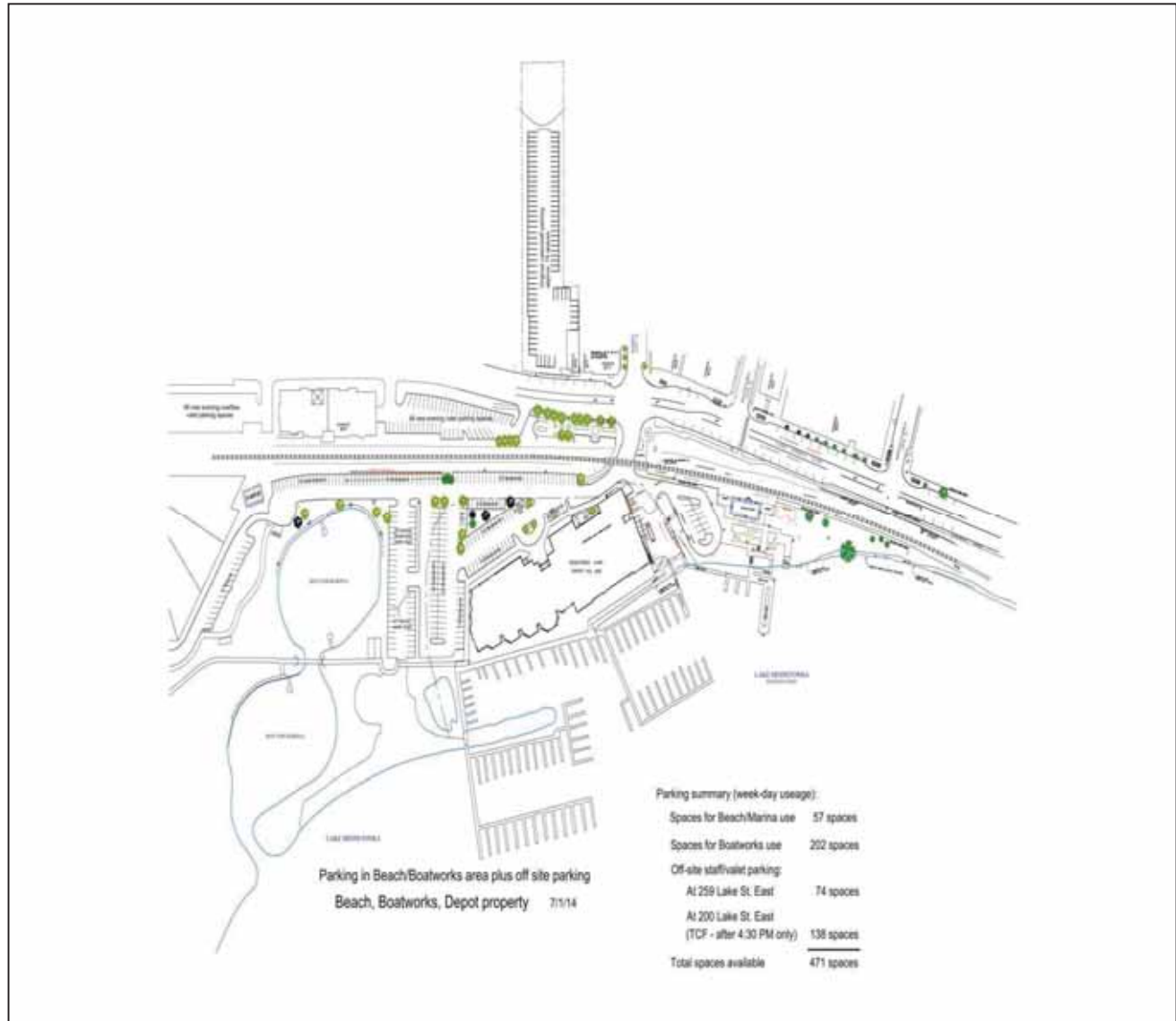
This analysis indicates that all existing and projected uses could enter and exit the site via the site intersection and not impact the Level of Service. The operation is currently LOS-A and will remain such with the new uses functioning.

D. Projected Parking

Figure 5 shows the existing and projected parking associated with the Minnetonka Boatworks building.

As stated earlier, there are 259 existing parking stalls located in the parking lot adjacent to the Minnetonka Boatworks building. There are 74 staff and valet spaces at the 274 Lake Street East lot. The Boatworks has a letter of understanding with TCF to utilize 138 parking spaces for valet purpose after 4:30 PM. Further, there exist 82 on-street parking stalls that lie within one-eighth of a mile (660') from the Boatworks building. This brings the total number of existing parking stalls available to Minnetonka Boatworks and other uses within an eighth-mile area to 553 stalls.

The City is also evaluating the addition of six new stalls near the northwest corner of the marina, and reconfiguring the existing cul-de-sac to add more stalls.

FIGURE 5 – EXISTING AND PROPOSED PARKING – MINNETONKA BOATWORKS¹

¹Source: Project Developers, Inc., 2014.

The City of Wayzata has established off-street parking and loading requirements in its Zoning Ordinance. Table 8 lists the land uses for the Minnetonka Boatworks Building and the number of parking and off-street loading spaces that are required.

There are, however, land uses that are not listed in the Wayzata Zoning Ordinance regarding off-street parking requirements. “Microbrewery” and “Taproom” uses are relatively new land uses and many communities have yet to include them in their off-street parking requirements. To estimate the needs for the new Microbrewery we utilized the information provided by the Lucid Brewing Company to The City of Minnetonka, Minnesota for their new facility. Table 8 incorporates these uses, and provides example requirements for these new uses being proposed in the Minnetonka Boatworks building.

TABLE 8 – OFF-STREET PARKING REQUIREMENTS¹

Projected Use	Usable Area Square Footage	Required Rate of Parking Spaces	No. of Parking Spaces Required	Required Rate of Loading Spaces	No. of Loading Spaces Required
Office	45,545 sq. ft.	One (1) space for each 250 sq. ft. of floor area	182	One (1) space for buildings 10k ≥ 100k sq. ft.	1
Quality Sit-Down Restaurant	6,911 sq. ft.	One (1) space for each 40 sq. ft. of floor area	173	One (1) space for buildings up to 10k sq. ft.	1
Microbrewery	2,810 sq. ft.	One (1) space per 900 sq. ft. GFA	3	N/A	
Taproom	2,270 sq. ft.	One (1) space per Table; One(1) space per 3 seats of general seats ²	40	N/A	
Vacant (office)	3,146 sq. ft.	One (1) space for each 250 sq. ft. of floor area	13	One (1) space for buildings 10k ≥ 100k sq. ft.	0
Storage	2,624 sq. ft.	n.a.	0	n.a.	0
Total	63,306 sq. ft.		411		2

¹Rates from Wayzata Zoning Ordinance, last amended 09/15/2009.

²Rates from Lucid Brewing Company submittal to City of Minnetonka.

There are 553 stalls available and the stated demand is 411. Therefore, there exists sufficient parking capacity for the proposed uses. That being said, the stated demand can be reduced by taking into account shared parking, multi-modal and valet parking factors.

E. Shared Parking

Per ITE and the Urban Land Institute (ULI), it is reasonable to assume that not all uses will be operating at the same time as all other uses. For example office uses have their peak parking demand during the workday, while restaurants and entertainment uses have their peak parking demand after hours. Therefore, the concept of shared parking comes into play. Shared parking is a type of parking management, which means parking spaces are shared by more than one land use, allowing parking facilities to be used more efficiently.

Utilizing the methodology described by the Urban Land Institute (ULI), allowances for reductions in required parking if the applicant has two or more uses within the development can be made. Table 9

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illustrates the shared parking percentages that are allowed per ULI and adopted by the City of Minneapolis for certain land uses.

TABLE 9 – SHARED PARKING CALCULATIONS¹

General Land Use Classification	Weekdays			Weekends		
	2:00 a.m. – 7:00 a.m.	7:00 a.m. – 6:00 p.m.	6:00 p.m. – 2:00 a.m.	2:00 a.m. – 7:00 a.m.	7:00 a.m. – 6:00 p.m.	6:00 p.m. – 2:00 a.m.
Office	5%	100%	5%	0%	10%	0%
Retail sales and services	0%	90%	80%	0%	100%	60%
Restaurant (not 24 hour)	10%	70%	100%	20%	70%	100%
Residential	100%	60%	100%	100%	75%	90%
Theater	0%	40%	90%	0%	80%	100%
Hotel						
Guest rooms	100%	55%	100%	100%	55%	100%
Restaurant/lounge	40%	60%	100%	50%	45%	100%
Conference rooms	0%	100%	100%	0%	100%	100%
Religious institution	0%	25%	50%	0%	100%	50%
Reception or meeting hall	0%	70%	90%	0%	70%	100%
Museum	0%	100%	80%	0%	100%	80%
School, grades K—12	0%	100%	25%	0%	30%	10%

¹From Table 541-4 of the City of Minneapolis' Reducing Off-Street Parking Requirements Application

If one were to apply these shared parking percentages to the Minnetonka Boatworks Building, one would concentrate on the weekday demand as the office uses would overlap with the restaurant use for some time. Possible parking reductions are shown in Table 10.

TABLE 10 – TIME-OF-DAY PARKING REDUCTIONS

Projected Use	Required Parking, by Code	WEEKDAY PARKING					
		2:00 a.m. – 7:00 a.m.	Adjusted Demand	7:00 a.m. – 6:00 p.m.	Adjusted Demand	6:00 p.m. – 2:00 a.m.	Adjusted Demand
Office	182	5%	9	100%	182	5%	9
Restaurant	173	10%	17	70%	121	100%	173
Microbrewery*	3	0%	0	90%	3	40%	1
Taproom*	40	0%	0	40%	16	75%	30
Vacant (office)	13	5%	1	100%	13	5%	1
TOTAL	411		27		335		214

*Percentages based on assumed utilization

In addition, many cities provide incentives of reductions in vehicle parking if the applicant is adjacent to transit, provides bicycle parking or provides valet parking within stipulations.

F. Valet Parking

Phase II: Community Design Workshops conducted as part of the “Lake Effect Wayzata” project suggested the use of valet parking in areas of downtown Wayzata as an alternative to structured parking.

Because valet parking affords the operator to pack in the vehicles tightly, more vehicles can be parked in relatively small spaces. Therefore, valet parking can be a worthy alternative to additional off-street parking lots or structures.

For this development, three valet areas have been established:

- ORIGINAL VALET/STAFF PARKING: 74
- NEW EVENING VALET PARKING SPACES (TCF site): 48 spaces East Lot, 90 spaces West Lot; 138 spaces Total

Thus, assuming that 57 weekday stalls are designated for Marina and beach use, the Boatworks building has 202 parking stalls for its use. Assuming that the peak demand will be between 7:00 a.m. and 6:00 p.m., the shared parking requirement will be an adjusted number of 335 stalls.

- The difference between the required 335 and the existing and proposed 202 stalls in the lot is 133 stalls.
- Some residents and office workers who purchase parking permits will utilize the permit parking stalls, thus reducing the demand.
- The restaurant parking requirement adjusted for shared parking is 121 stalls during the period of 7:00 a.m. to 6:00 p.m. Valet parking is being provided for 74 stalls all day, plus an additional 138 valet stalls for evening use.
- Further, there exist 82 on-street parking stalls that lie within one-eighth of a mile (660') from the Boatworks building. While not to be included in the off-street parking requirements, it is logical to assume that some restaurant and taproom patrons will be parking elsewhere within the downtown area and walking to and from the Boatworks building.

Therefore, with the application of the adjustment factors, the available plus added parking supply will exceed the projected parking demand.

IV. SEASONAL IMPACTS

It is likely that the Minnetonka Boatworks building will see the heaviest traffic and parking demand in the spring, summer and fall.

- Boat slips in the small marina are available by lottery system and permit from the City during ice-out conditions on the lake.
- Dakota Rail Trail usage is higher during fair weather months. The trail is heavily used, but is limited to bikers, in-line skaters and hikers. No snowmobiling is allowed on the trail. Cross country skiing, however, is allowed.
- The docks for larger boats lie to the south and east of the Boatworks building directly adjacent to the Depot. Steamboat Minnehaha provides a variety of cruises, primarily on weekends and holidays between Memorial Day and Labor Day with special Fall Color Cruises from Labor Day through mid-October. Special Wayzata Concert Cruises take place on Wednesday nights throughout the summer. (NOTE: Directions for the Wayzata dock states that parking is available on the street, and does not specify any parking availability in the Boatworks lot.)
- The BNSF Railway, which operates the tracks at the crossing on Grove Lane East as part of their “Wayzata Subdivision” (route between downtown Minneapolis and Willmar), states that their peak season for intermodal shipments is defined as September 1 through December 15. This coincides with the Thanksgiving and Christmas shopping season. See Figure 6 below.

Figure 6 – BNSF Wayzata Subdivision Tracks¹



¹Source: Minnesota Comprehensive Statewide Freight & Passenger Rail Plan, MnDOT & Cambridge Systematics, Inc., July 31, 2009.

V. SUMMARY AND CONCLUSIONS

Westwood Professional Services has reviewed the traffic and parking issues associated with the Minnetonka Boatworks building at 294 Grove Lane East in Wayzata, MN. Approximately 72% of the building is occupied by leased office space. Approximately 24% of the building lies vacant.

The building lies along the northwest shore of Wayzata Bay in downtown Wayzata. The building is adjacent to the Wayzata Beach, the rental boat slips, boat docks and the Wayzata Historical Society's museum. It sits just to the south of the heavily-used Dakota Rail Trail and the BNSF railroad tracks.

The intersection at Lake Street East & Grove Lane East/Barry Avenue North currently operates at LOS-A under an all-way stop condition. Railroad crossing signals and gates control the train crossings, which currently occur up to 17 times a day, although none were witnessed during peak traffic hours.

The proposed redevelopment of the Minnetonka Boatworks building will include the existing office uses plus in-fill of a quality restaurant and a microbrewery with taproom. This will result in a 6-trip increase during the A.M. Peak trips (i.e., 3 additional inbound trips and 3 additional outbound trips), and a 91-trip increase in the P.M. Peak trips (i.e., 63 additional inbound trips and 28 additional outbound trips).

Assuming the addition of these new trips onto the existing street network, traffic operation has been found to remain the LOS-A for the A.M. and P.M. Peak Hours at the intersection of Lake Street East & Grove Lane East/Barry Avenue South. Maximum queue lengths also appear to be minimal.

The existing parking lot adjacent to the Minnetonka Boatworks building is utilized by numerous parties – the employees of the Boatworks building, beachgoers at the Wayzata Beach, renters of the boat slips to the west of the lot, and Three River Trail users. In addition, to the north and east of the building lies the Depot, which houses offices of the local Chamber of Commerce and Wayzata Historical Society Museum. There is a small parking lot between the Boatworks and the Depot building.

There are 259 existing parking stalls located in the parking lot adjacent to the Minnetonka Boatworks building.

- Of this total, 57 stalls are designated as City property of which 21 are reserved for residents or those who purchase a City parking sticker (\$30-35 fee) for Monday through Friday use.
- The remaining 202 stalls are designated for the Boatworks building

In addition, there exist 82 on-street parking stalls that lie within one-eighth of a mile (660') from the Boatworks building.

According to the Wayzata Zoning Ordinance, the office and restaurant uses will require 411 off-street parking stalls. One can consider the impacts of shared parking. Not all uses will be generating 100% demand at all times of the day. Using the percentages of shared parking derived by ULI one can claim that the peak parking demand for the Minnesota Boatworks building will be between 7 a.m. and 6 p.m., and at a parking demand of 335 spaces.

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Thus, assuming that 57 stalls are designated for permit parking only (beach and boat slip users), the Boatworks building has 202 parking stalls for its use. Assuming that the peak demand will be between 7:00 a.m. and 6:00 p.m., the shared parking requirement will be an adjusted number of 335 stalls.

- The difference between the required 335 and the existing and proposed 202 stalls in the lot is 133 stalls.
- Some residents and office workers who purchase permits will utilize the permit parking stalls, thus reducing the demand. (Assume 25 stalls utilized.)
- The restaurant parking requirement adjusted for shared parking is 121 stalls during the period of 7:00 a.m. to 6:00 p.m. Valet parking is being provided for 74 stalls all day, plus an additional 138 valet stalls for evening use.
- Further, there exist 82 on-street parking stalls that lie within one-eighth of a mile (660') from the Boatworks building. While not to be included in the off-street parking requirements, it is logical to assume that some restaurant and taproom patrons will be parking elsewhere within the downtown area and walking to and from the Boatworks building.

Further, study is underway to evaluate the incorporation of parking to the west of the Marina by creating an access route to the existing spaces from the east. This would be beneficial to the 3 Rivers biking community and would make this more accessible to beach and Marina users. This connectivity option should be considered.

The City is considering the adoption of a trolley system along the waterfront. This would decrease the amount of vehicular traffic on the waterfront and would be a big benefit to the residents and businesses in the area.

In conclusion, the additional uses proposed for the Minnetonka Boatworks building will not degrade the traffic operation of the intersection of Lake Street East & Grove Lane East/Barry Avenue South. Further, the addition of the restaurant and microbrewery/taproom will increase parking demand for the site. Nevertheless, by considering shared parking by time-of-day and seasonally, as well as considering the use of bike stalls and valet parking for the restaurant parking demand (as has been done in other municipalities), parking demand will be satisfied. With the application of these adjustment factors, the available plus added parking supply will meet the projected parking demand.

APPENDIX

Synchro/SimTraffic Output for the following periods:

1. Existing AM Peak LOS
2. Existing PM Peak LOS
3. Proposed AM Peak LOS
4. Proposed PM Peak LOS

Attachment A

AM Peak
Existing

Minnetonka Boatworks - Wayzata, MN

6/23/2014

4: Grove Ln. E./Barry Ave. S. & Lake St. E. Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Denied Del/Veh (s)	3.3	0.5	2.9	3.1	0.3	0.1	0.1	0.1	0.1	0.2	0.1	0.1
Total Del/Veh (s)	7.0	8.7	4.8	5.2	7.4	3.1	9.9	7.1	3.0	6.8	7.5	3.3

4: Grove Ln. E./Barry Ave. S. & Lake St. E. Performance by movement

Movement	All
Denied Del/Veh (s)	0.6
Total Del/Veh (s)	7.2

Total Network Performance

Denied Del/Veh (s)	0.6
Total Del/Veh (s)	9.2

Attachment AAM Peak
Existing

Minnetonka Boatworks - Wayzata, MN

6/23/2014

Intersection: 4: Grove Ln. E./Barry Ave. S. & Lake St. E.

Movement	EB	EB	EB	WB	WB	NB	SB
Directions Served	L	T	R	L	TR	LTR	LTR
Maximum Queue (ft)	89	99	90	46	65	47	63
Average Queue (ft)	17	50	10	14	31	18	36
95th Queue (ft)	49	81	40	38	52	41	54
Link Distance (ft)	1182				1153	831	335
Upstream Blk Time (%)							
Queuing Penalty (veh)							
Storage Bay Dist (ft)	65		65	55			
Storage Blk Time (%)	0	2	0	0	1		
Queuing Penalty (veh)	0	1	0	0	0		

Network Summary

Network wide Queuing Penalty: 1

Attachment A

PM Peak
Existing

Minnetonka Boatworks - Wayzata, MN

6/23/2014

4: Grove Ln. E./Barry Ave. S. & Lake St. E. Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Denied Del/Veh (s)	3.2	0.5	3.3	2.8	0.5	0.7	0.2	0.1	0.1	0.1	0.1	0.1
Total Del/Veh (s)	6.0	8.8	3.2	6.3	9.2	6.6	4.8	7.5	4.4	5.6	8.1	3.4

4: Grove Ln. E./Barry Ave. S. & Lake St. E. Performance by movement

Movement	All
Denied Del/Veh (s)	0.7
Total Del/Veh (s)	7.9

Total Network Performance

Denied Del/Veh (s)	0.7
Total Del/Veh (s)	9.9

Attachment A

PM Peak
Existing

Minnetonka Boatworks - Wayzata, MN

6/23/2014

Intersection: 4: Grove Ln. E./Barry Ave. S. & Lake St. E.

Movement	EB	EB	EB	WB	WB	NB	SB
Directions Served	L	T	R	L	TR	LTR	LTR
Maximum Queue (ft)	74	128	23	46	132	72	76
Average Queue (ft)	22	51	7	20	56	29	30
95th Queue (ft)	50	92	25	42	93	49	49
Link Distance (ft)	1182				1153	831	335
Upstream Blk Time (%)							
Queuing Penalty (veh)							
Storage Bay Dist (ft)	65		65	55			
Storage Blk Time (%)	0	3		0	6		
Queuing Penalty (veh)	0	1		0	2		

Network Summary

Network wide Queuing Penalty: 4

Attachment A

AM Peak
Projected

Minnetonka Boatworks - Wayzata, MN

6/24/2014

4: Grove Ln. E./Barry Ave. S. & Lake St. E. Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Denied Del/Veh (s)	3.2	0.3	3.0	3.3	0.3	0.3	0.1	0.1	0.1	0.1	0.2	0.2
Total Del/Veh (s)	5.2	7.8	4.7	5.7	7.9	4.2	3.4	6.8	3.4	5.2	7.4	3.6

4: Grove Ln. E./Barry Ave. S. & Lake St. E. Performance by movement

Movement	All
Denied Del/Veh (s)	0.6
Total Del/Veh (s)	6.9

Total Network Performance

Denied Del/Veh (s)	0.6
Total Del/Veh (s)	8.9

Attachment A

AM Peak
Projected

Minnetonka Boatworks - Wayzata, MN

6/24/2014

Intersection: 4: Grove Ln. E./Barry Ave. S. & Lake St. E.

Movement	EB	EB	EB	WB	WB	NB	SB
Directions Served	L	T	R	L	TR	LTR	LTR
Maximum Queue (ft)	28	73	23	51	107	73	64
Average Queue (ft)	14	48	10	20	41	18	34
95th Queue (ft)	37	73	28	43	74	44	58
Link Distance (ft)	1182			1153		831	335
Upstream Blk Time (%)							
Queuing Penalty (veh)							
Storage Bay Dist (ft)	65		65	55			
Storage Blk Time (%)		1		0	2		
Queuing Penalty (veh)		0		0	1		

Network Summary

Network wide Queuing Penalty: 1

Attachment A

PM Peak
PROJECTED

Minnetonka Boatworks - Wayzata, MN

6/24/2014

4: Grove Ln. E./Barry Ave. S. & Lake St. E. Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Denied Del/Veh (s)	3.1	0.5	3.2	2.8	0.6	0.8	0.2	0.1	0.2	0.1	0.1	0.1
Total Del/Veh (s)	6.4	9.0	3.5	6.8	9.8	7.4	5.9	7.7	3.9	6.1	7.2	3.1

4: Grove Ln. E./Barry Ave. S. & Lake St. E. Performance by movement

Movement	All
Denied Del/Veh (s)	1.0
Total Del/Veh (s)	8.0

Total Network Performance

Denied Del/Veh (s)	1.0
Total Del/Veh (s)	9.8

Attachment A

PM Peak
PROJECTED

Minnetonka Boatworks - Wayzata, MN

6/24/2014

Intersection: 4: Grove Ln. E./Barry Ave. S. & Lake St. E.

Movement	EB	EB	EB	WB	WB	NB	SB
Directions Served	L	T	R	L	TR	LTR	LTR
Maximum Queue (ft)	74	113	85	79	132	72	48
Average Queue (ft)	26	50	16	35	62	31	25
95th Queue (ft)	46	87	45	62	106	49	43
Link Distance (ft)	1182				1153	831	335
Upstream Blk Time (%)							
Queuing Penalty (veh)							
Storage Bay Dist (ft)	65		65	55			
Storage Blk Time (%)	0	2	0	1	7		
Queuing Penalty (veh)	0	1	0	2	6		

Network Summary

Network wide Queuing Penalty: 10



Attachment A

Date: July 23rd, 2014

To: **Terry Schneider**
Project Developers, Inc
15333 Boulder Creek Dr.
Minnetonka, MN 55345

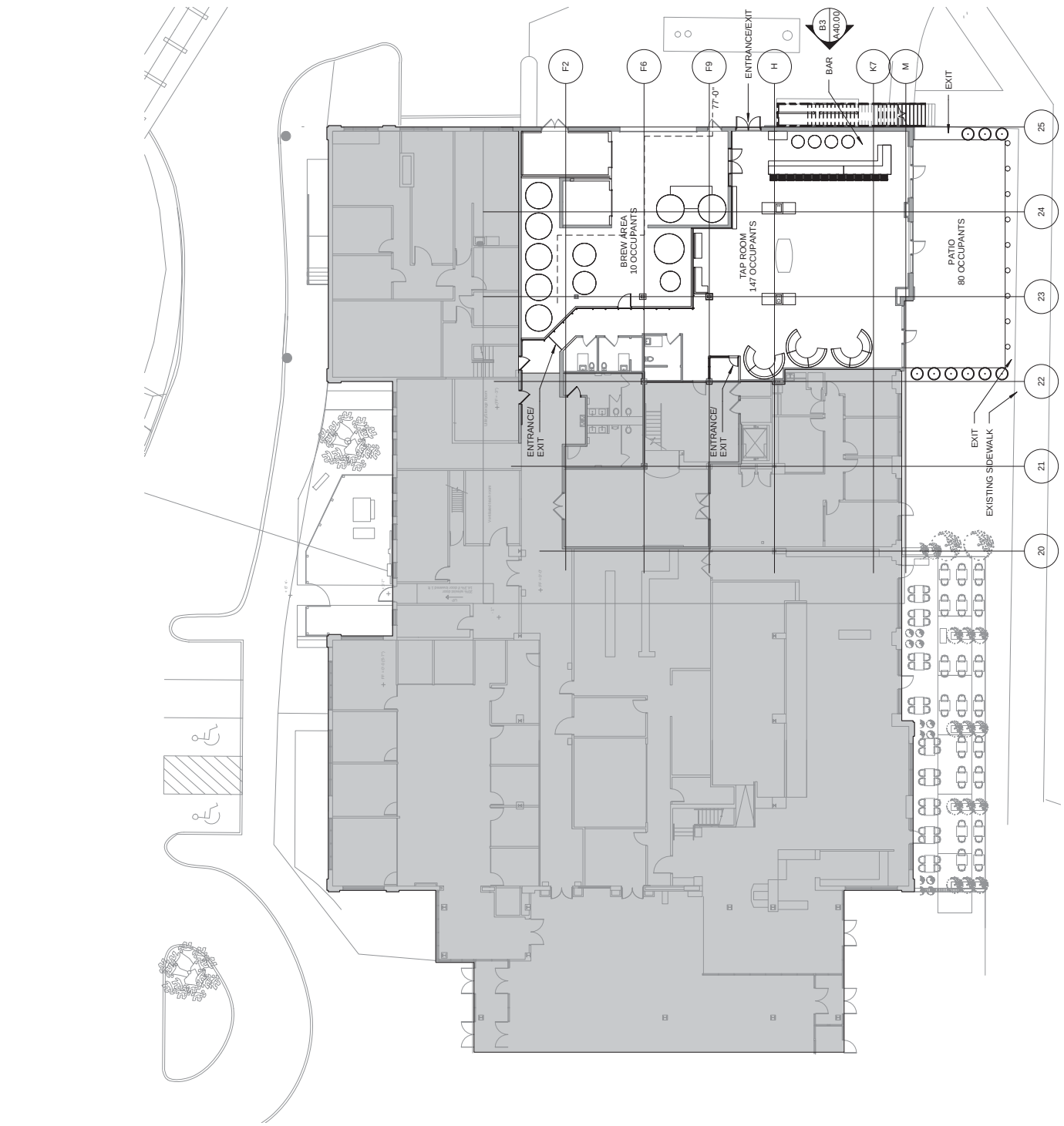
Re: Peak Water Usage GPM of Boatworks Building

Terry,

You have requested that Legend Mechanical come up with a peak gallon per minute amount of waste water from the Boatworks building. With the spreadsheet provided by you dated 7/22/14 providing information of plumbing fixtures in each tenant space and my calculations which include the remainder of the public restrooms and the Sixsmith Restaurant. I come up with a current peak drainage load of 127 gpm in the building. Based off the drawings I have received from the Wayzata Brew Works CEO Robert Klick, I come up with an additional 32 gpm if this space was added to the current load of the building.

Sincerely,

Dustin Rasmussen
Legend Mechanical



**WAYZATA
BREW
WORKS**
284 Grove Lane E, Ste 150
Wayzata, MN 55391

**NOT FOR
CONSTRUCTION**

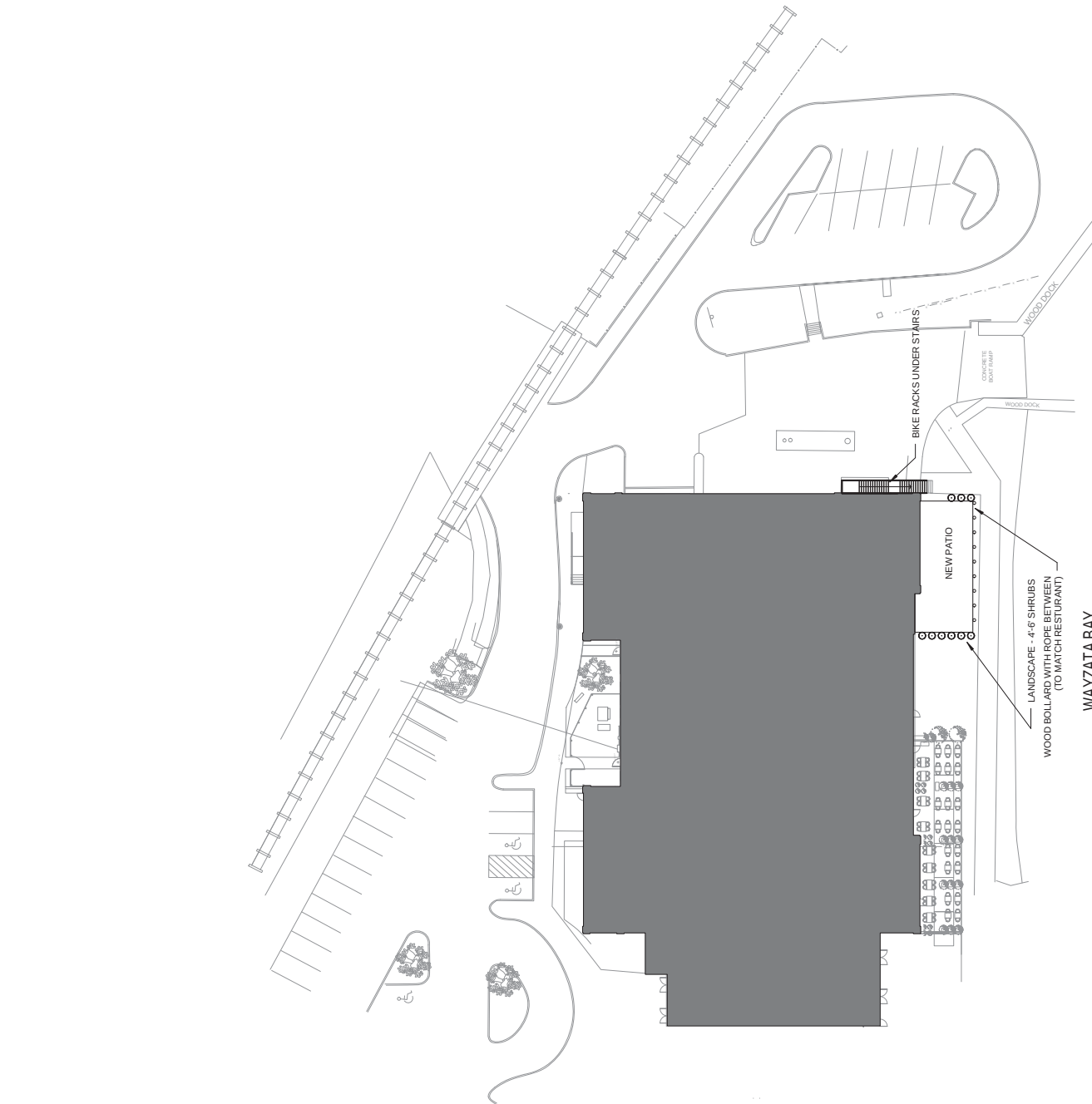
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NO.	ISSUE	DATE

Sheet Information

Date	14.010.0424
Job Number	14.010.0424
Drawn	Author
Checked	Checker
Approved	Approver
Title	

LIFE SAFETY PLAN

Sheet
A10.00



**WAYZATA
BREW
WORKS**
284 Grove Lane E, Ste 150
Wayzata, MN 55391

**NOT FOR
CONSTRUCTION**

1.	CITY DESIGN REVIEW	06/02/14
NO.	ISSUE	DATE

Sheet Information

Date	
Job Number	14.010.0424
Drawn	Author
Checked	Checker
Approved	Approver

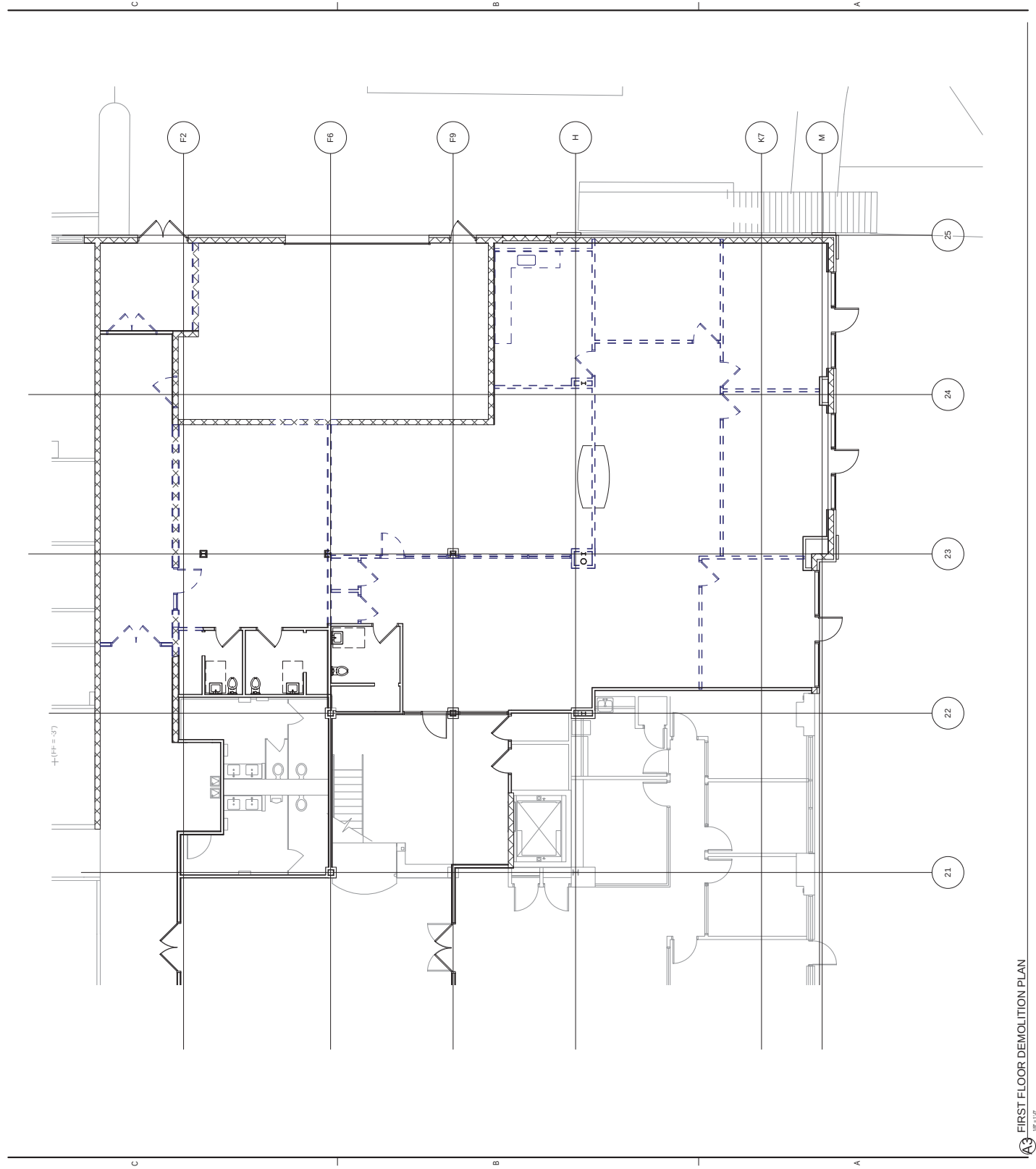
Title

SITE PLAN

Sheet

A20.00

Attachment B



3004 39th Ave South
Minneapolis, MN 55406
1612.532.4147

WAYZATA BREW WORKS

284 Grove Lane E, Ste 150
Wayzata, MN 55391

NOT FOR
CONSTRUCTION

1.	CITY DESIGN REVIEW	06/02/14
NO.	ISSUE	DATE

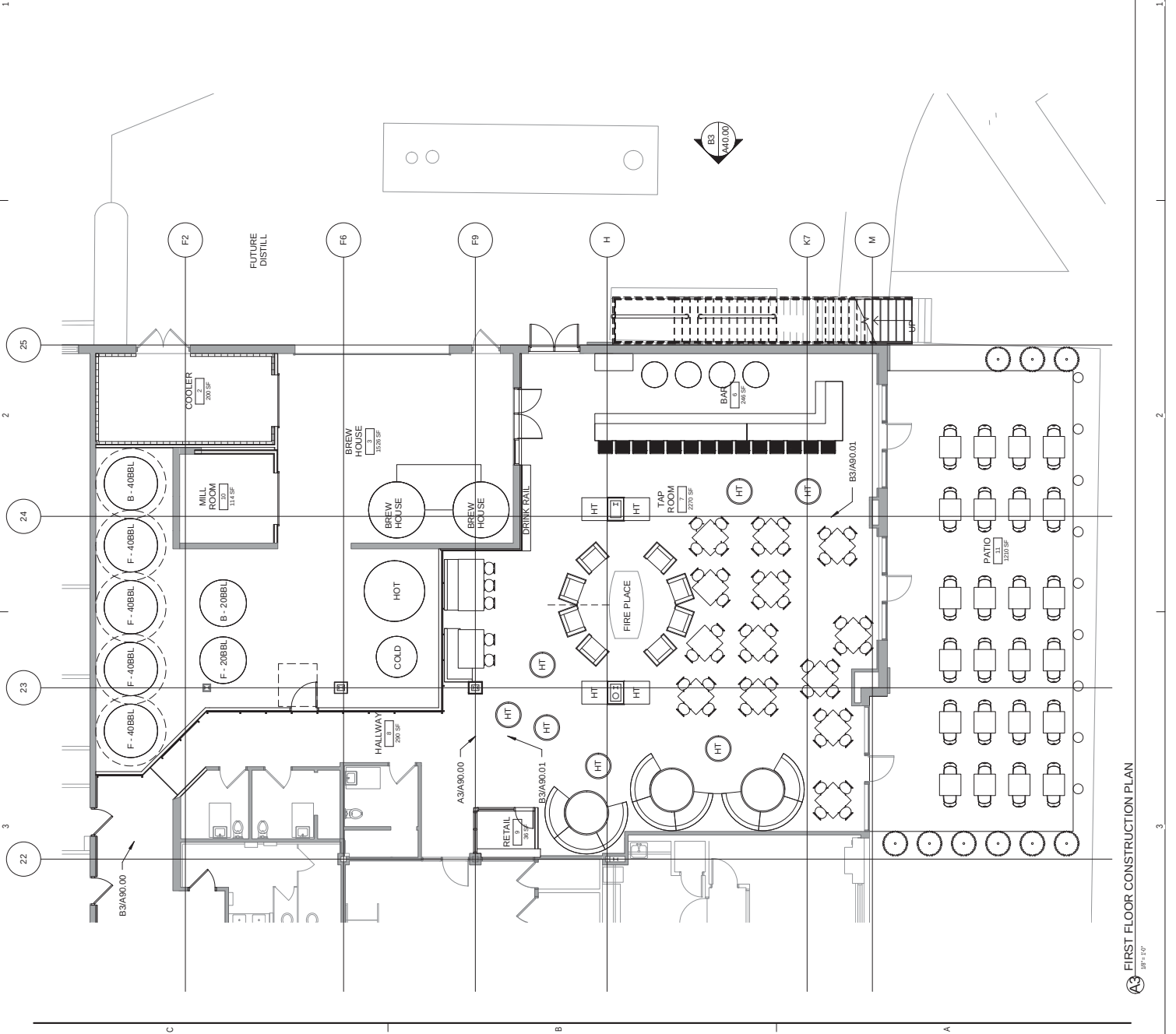
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Date	14.010.0424
Job Number	Author
Drawn	Checker
Checked	Approver
Approved	Title

FIRST FLOOR DEMOLITION PLAN

Sheet
AD30.00

Attachment B



3004 38th Ave South
Minneapolis, MN 55406
1612.532.4147

**WAYZATA
BREW
WORKS**
284 Grove Lane E, Ste 150
Wayzata, MN 55391

**NOT FOR
CONSTRUCTION**

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1.	CITY DESIGN REVIEW	060214	ISSUE	DATE

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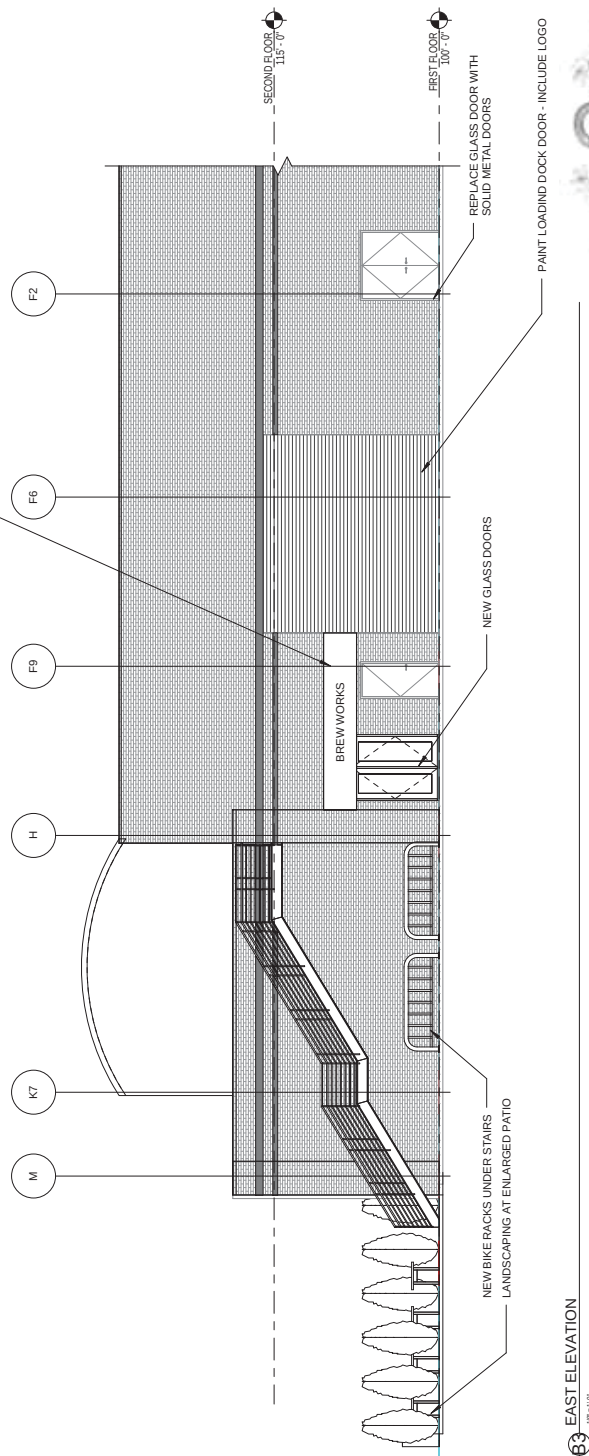
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14.010.0424	14.010.0424	Author	Author	Checker	Checker	Approver	Approver	Title

**FIRST FLOOR
CONSTRUCTION
PLAN**

Sheet
A30.00



NEW AWNING - SIMPLE FORM - MATERIALS WOOD, METAL OR FABRIC



63 EAST ELEVATION
1/8" = 1'-0"



1.	CITY DESIGN REVIEW	06/02/14
NO.	ISSUE	DATE

Sheet Information

Date	14.010.0424
Job Number	Author
Drawn	Checker
Checked	Approver
Approved	Title

ELEVATIONS

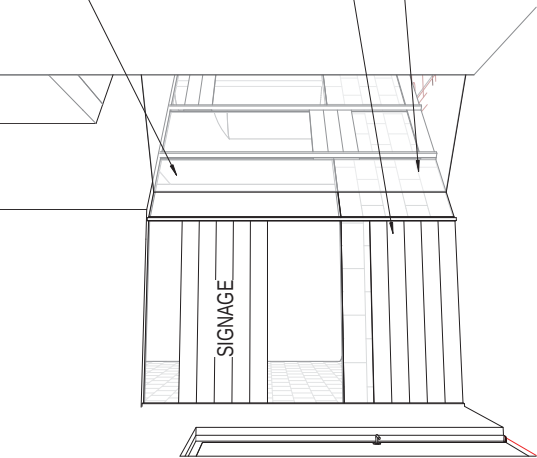
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WAYZATA
BREW
WORKS
284 Grove Lane E, Ste 150
Wayzata, MN 55391

NOT FOR
CONSTRUCTION

Attachment B



① PERSPECTIVE 1



REUSED GLASS, CLEAR



WEATHERED WOOD
"DOCK WALL"

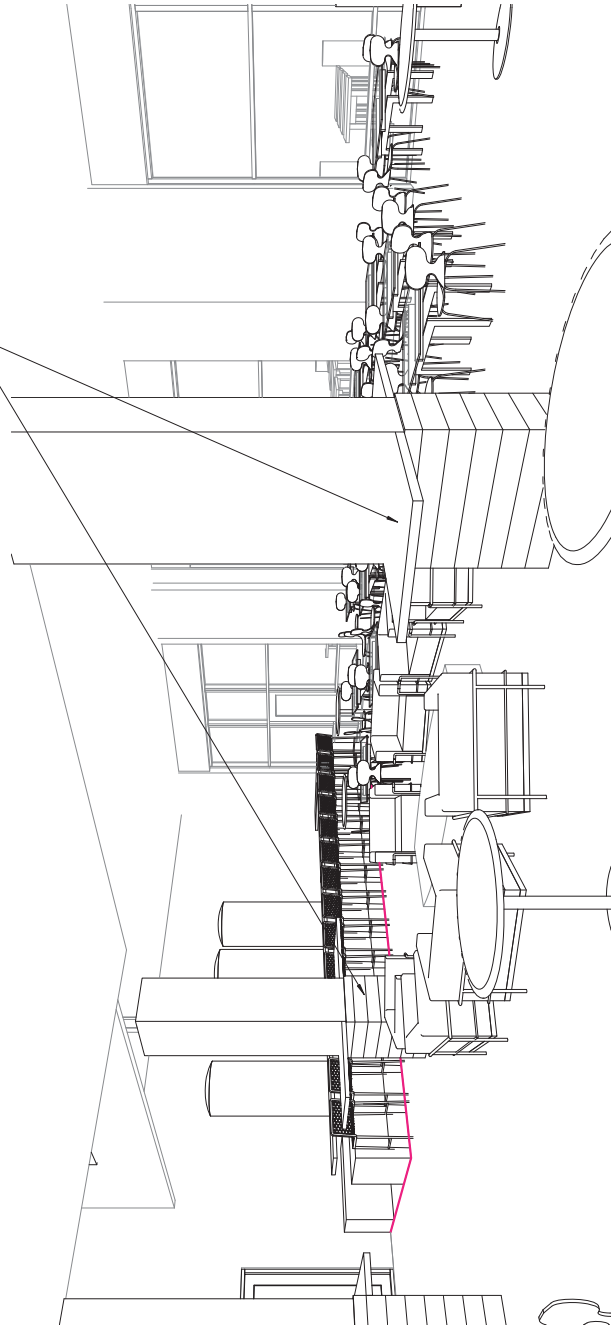
REUSED GLASS, WITH
FILM AT BASE



SIGNAGE/LOGO



WOOD DRINK TOP AND BASE



② PERSPECTIVE 2



**WAYZATA
BREW
WORKS**
284 Grove Lane E, Ste 150
Wayzata, MN 55391

**NOT FOR
CONSTRUCTION**

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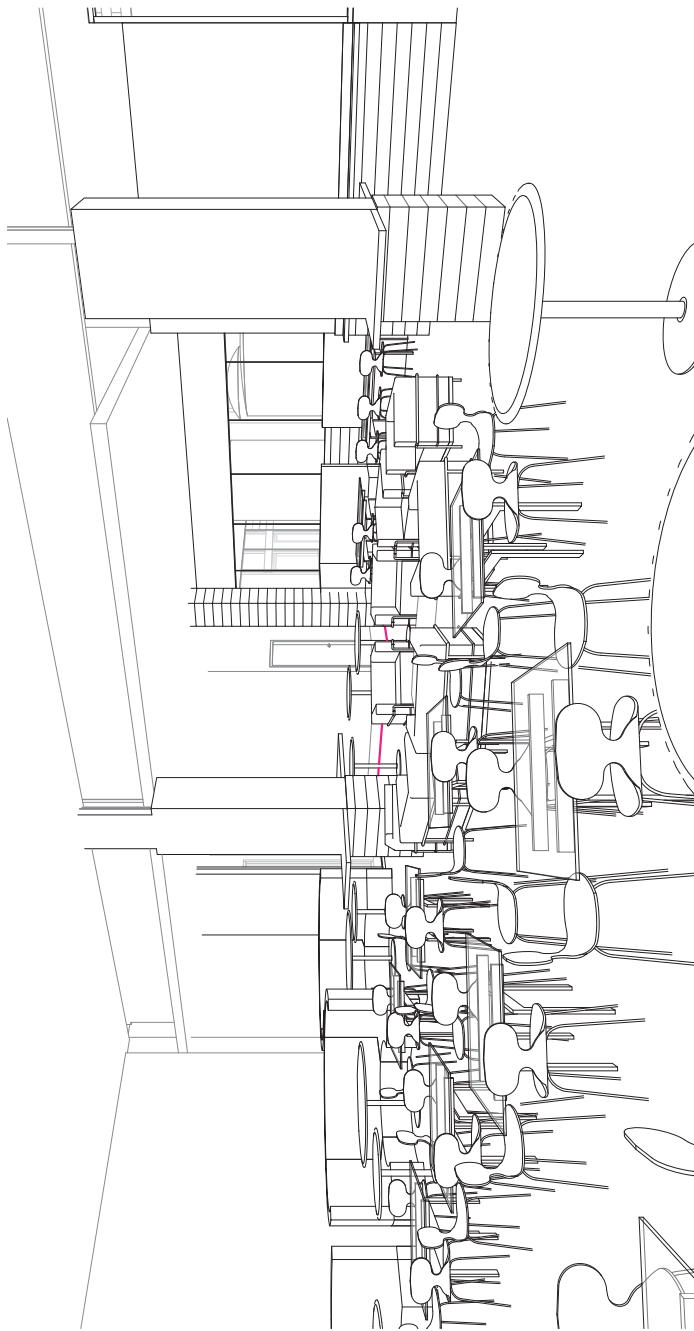
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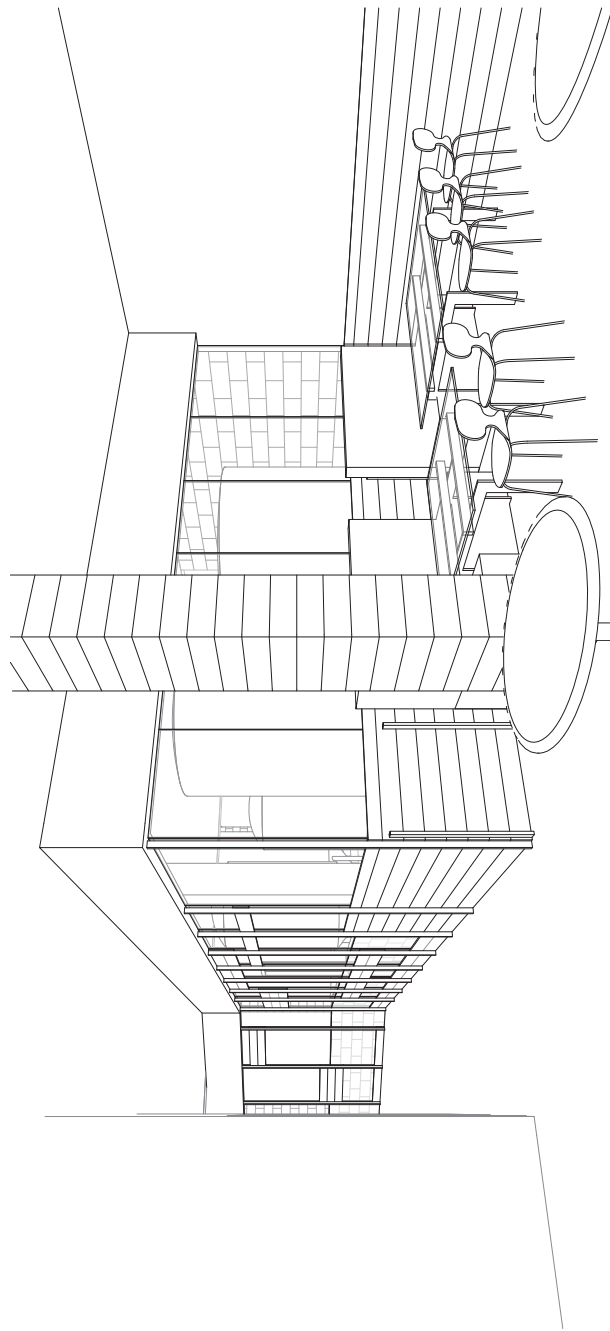
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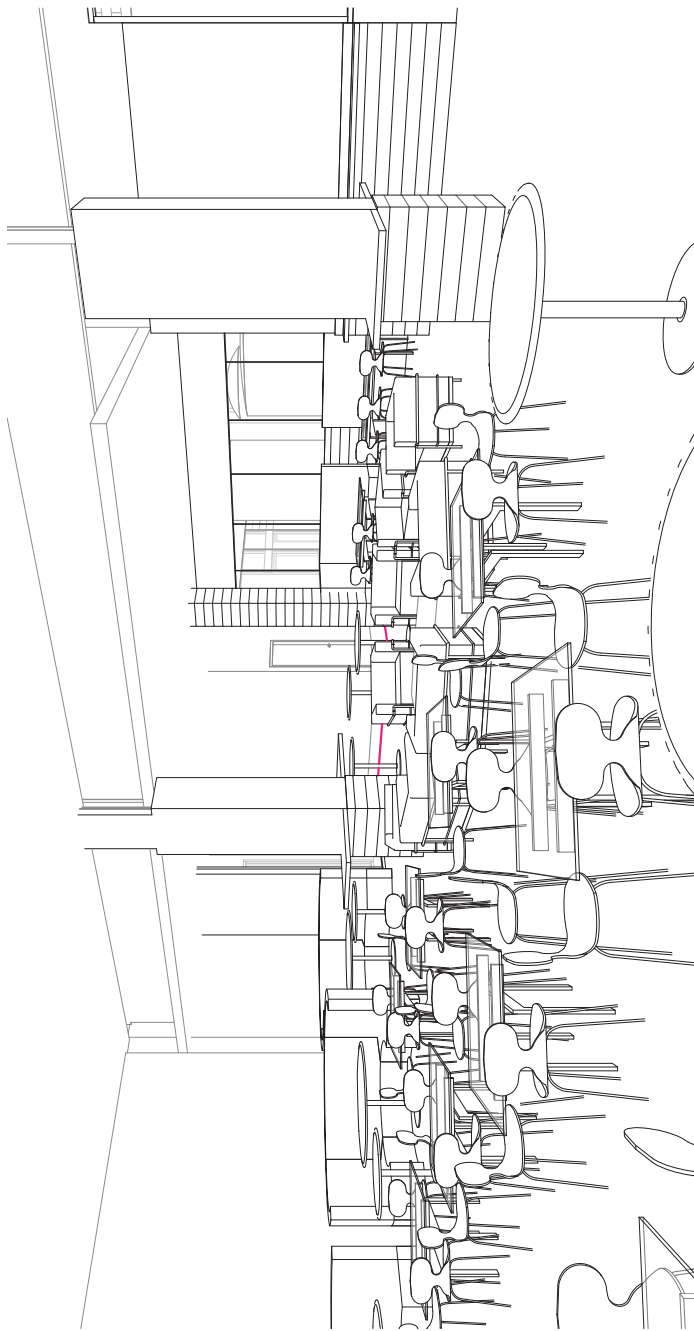
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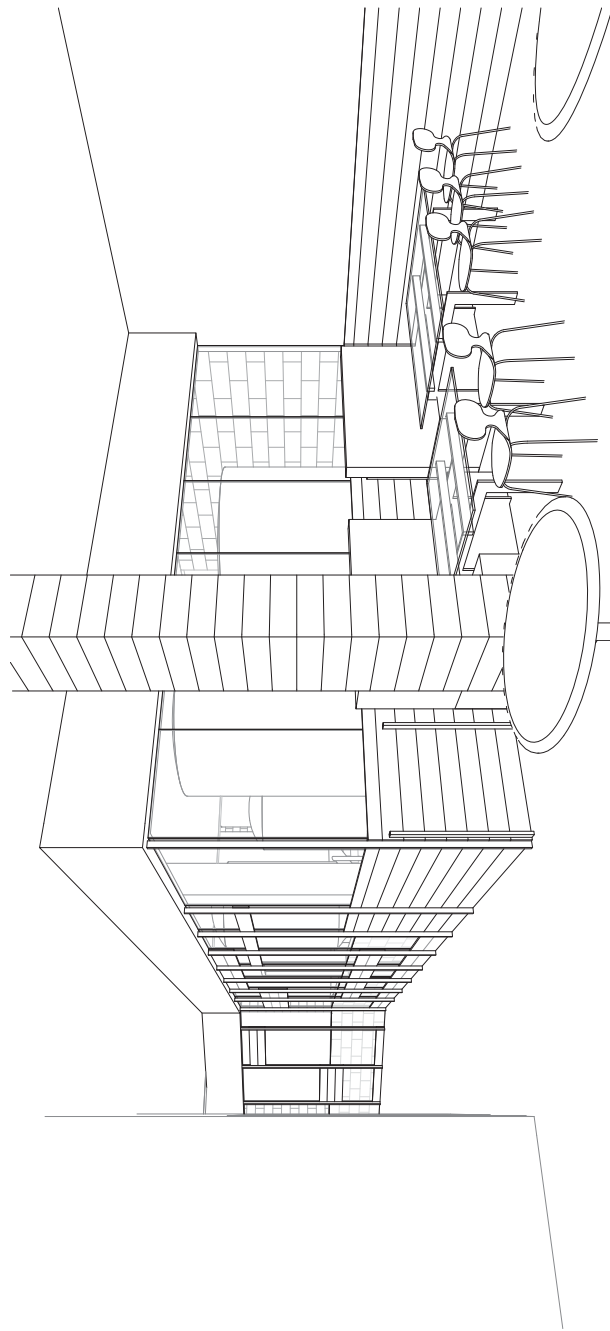
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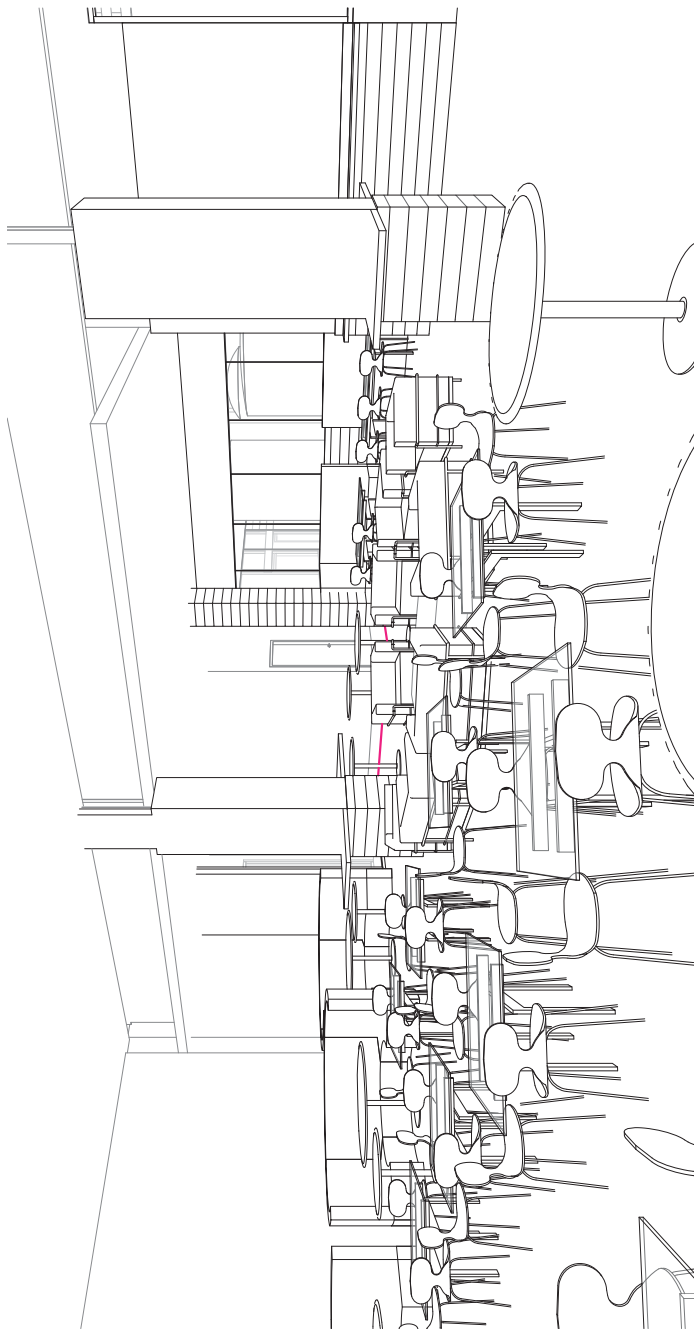
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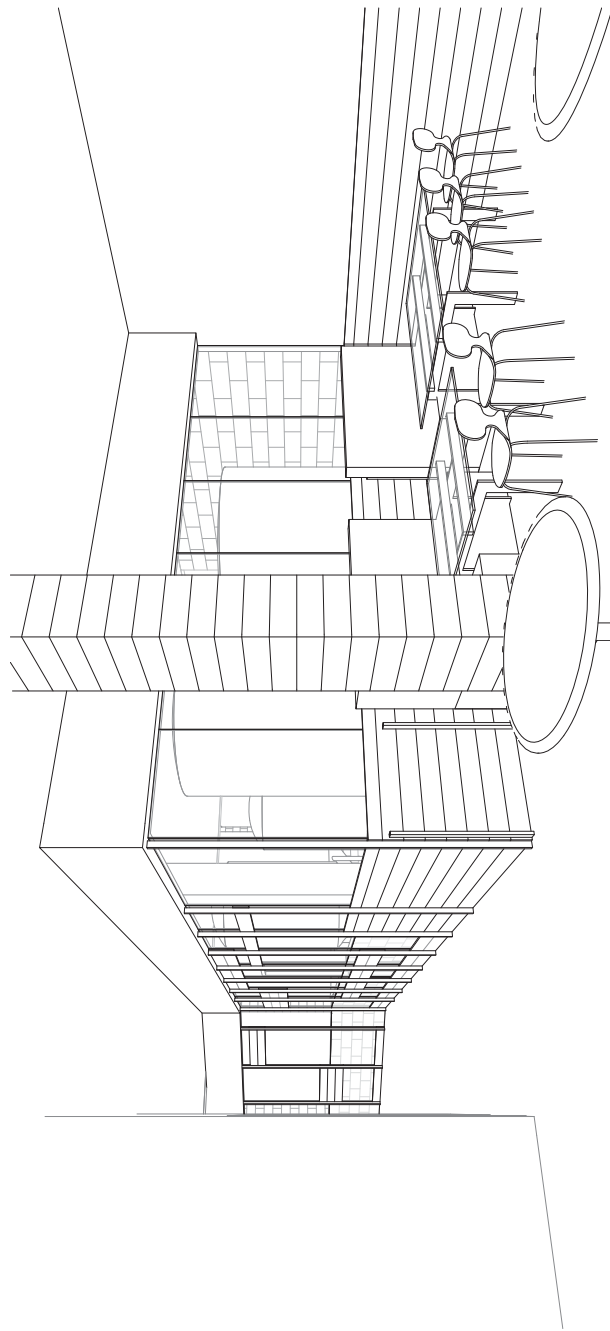
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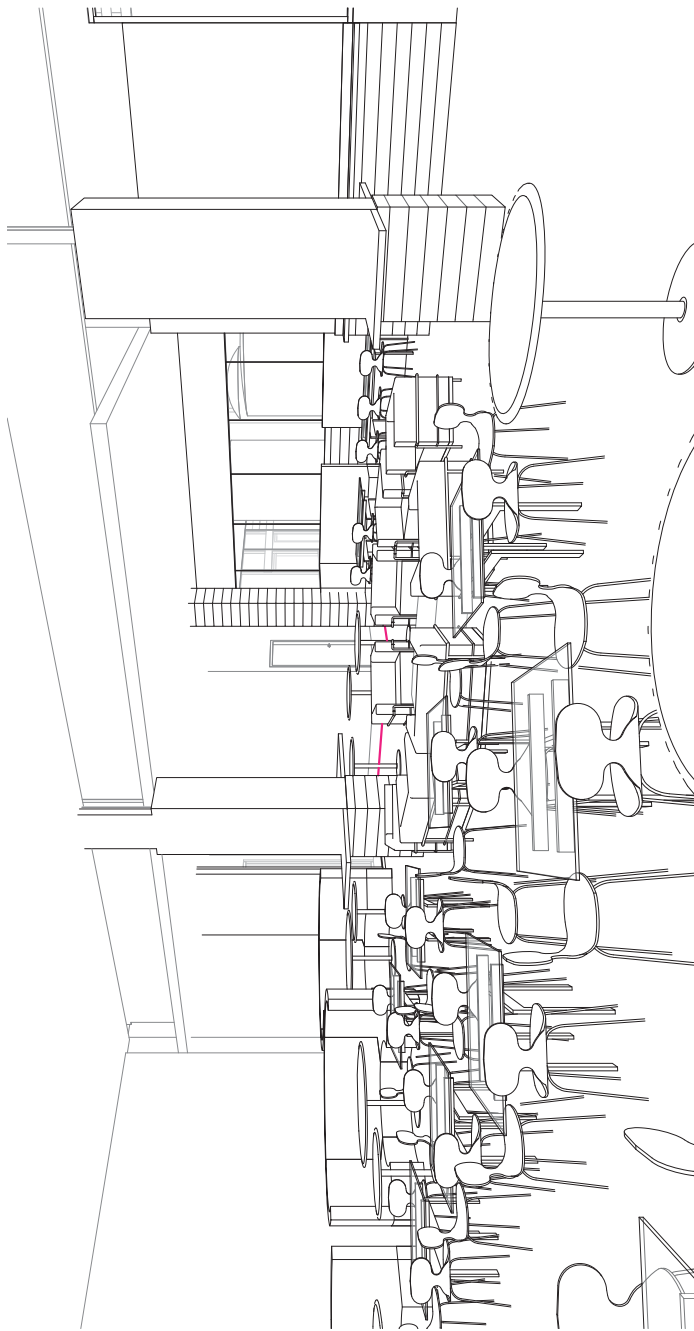
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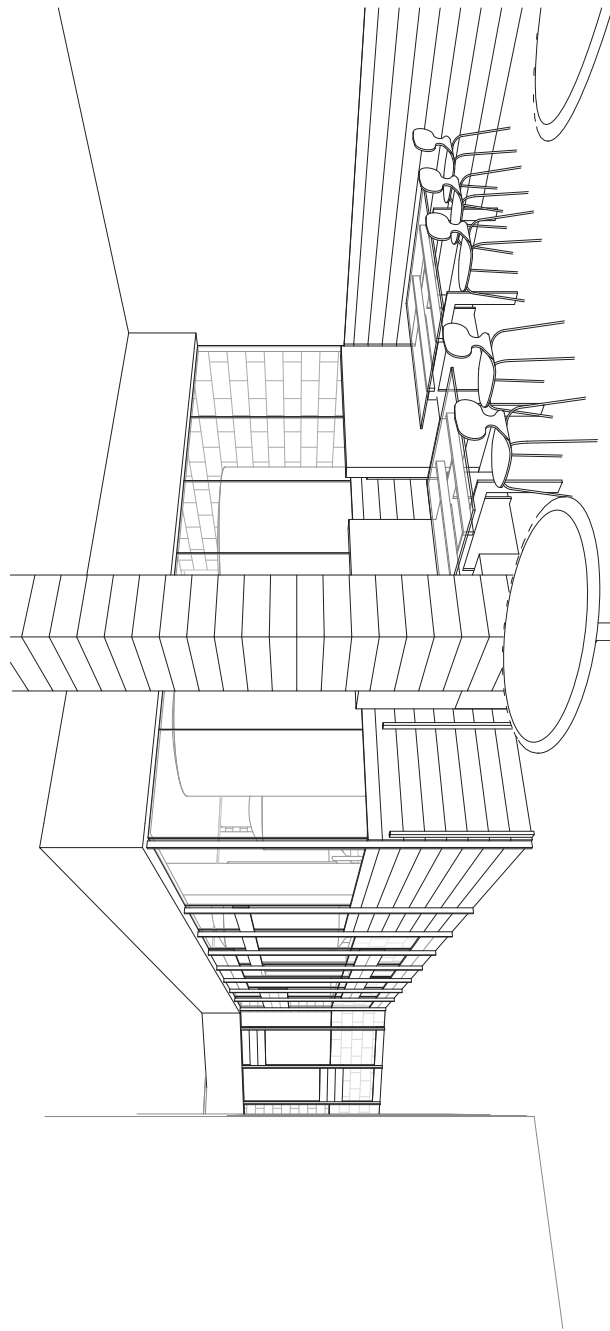
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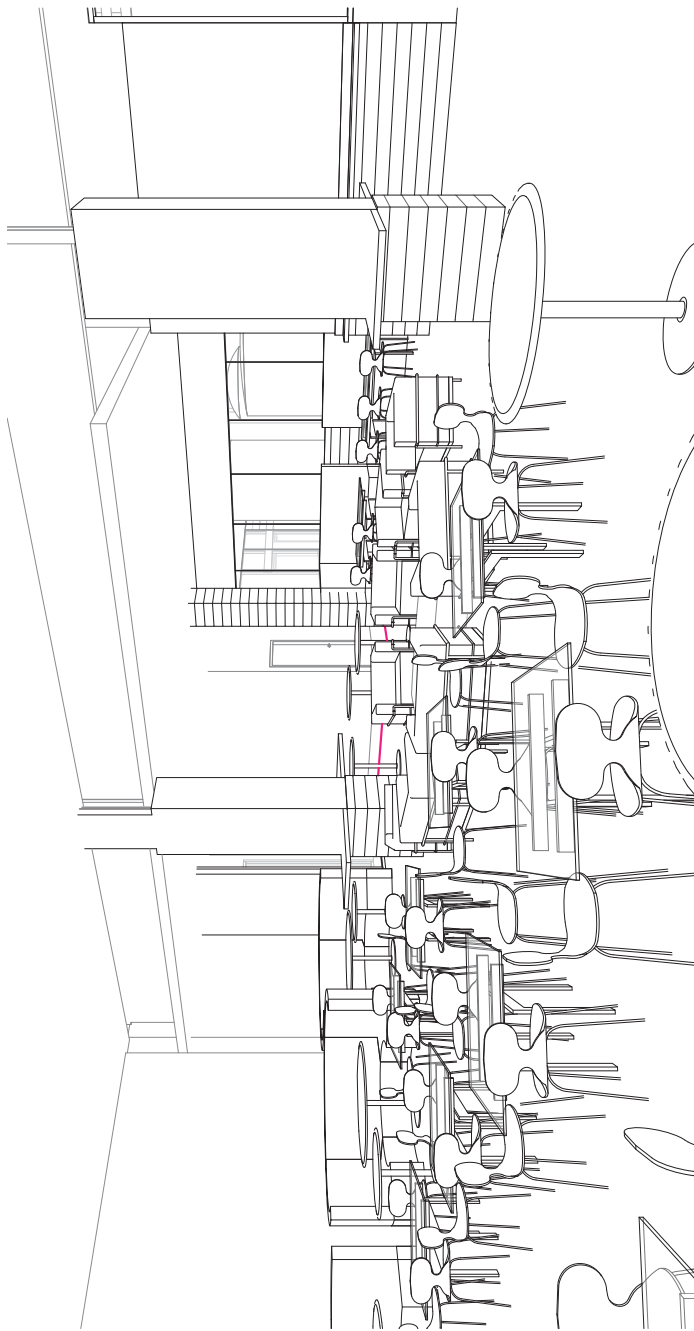
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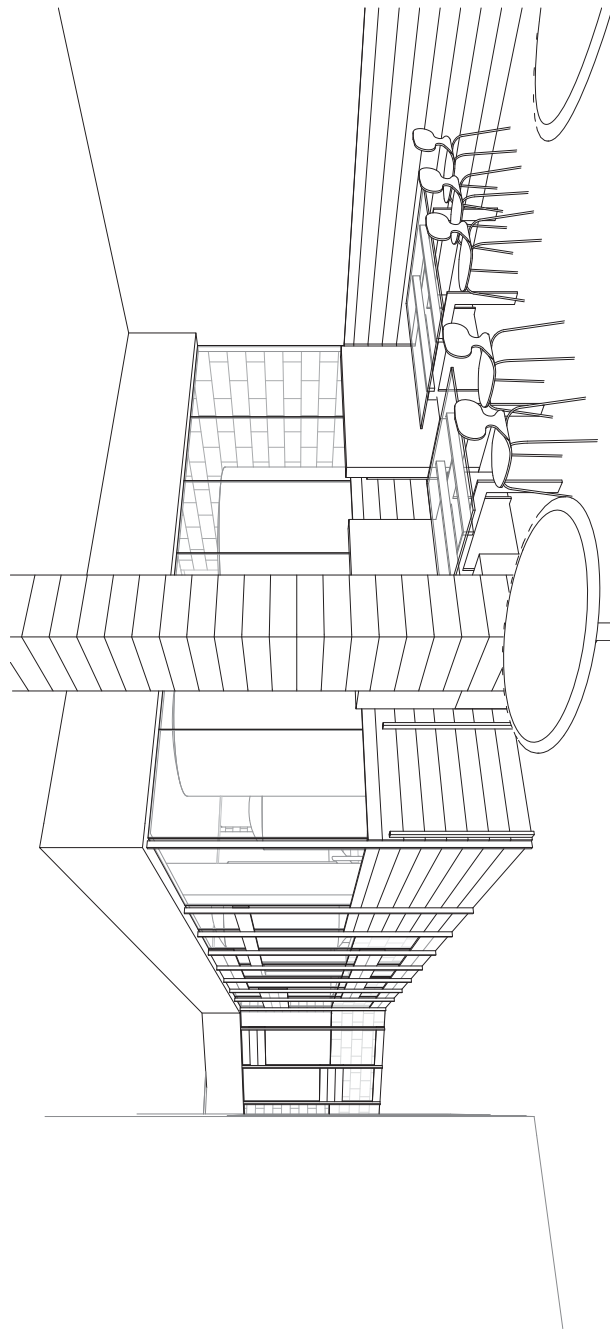
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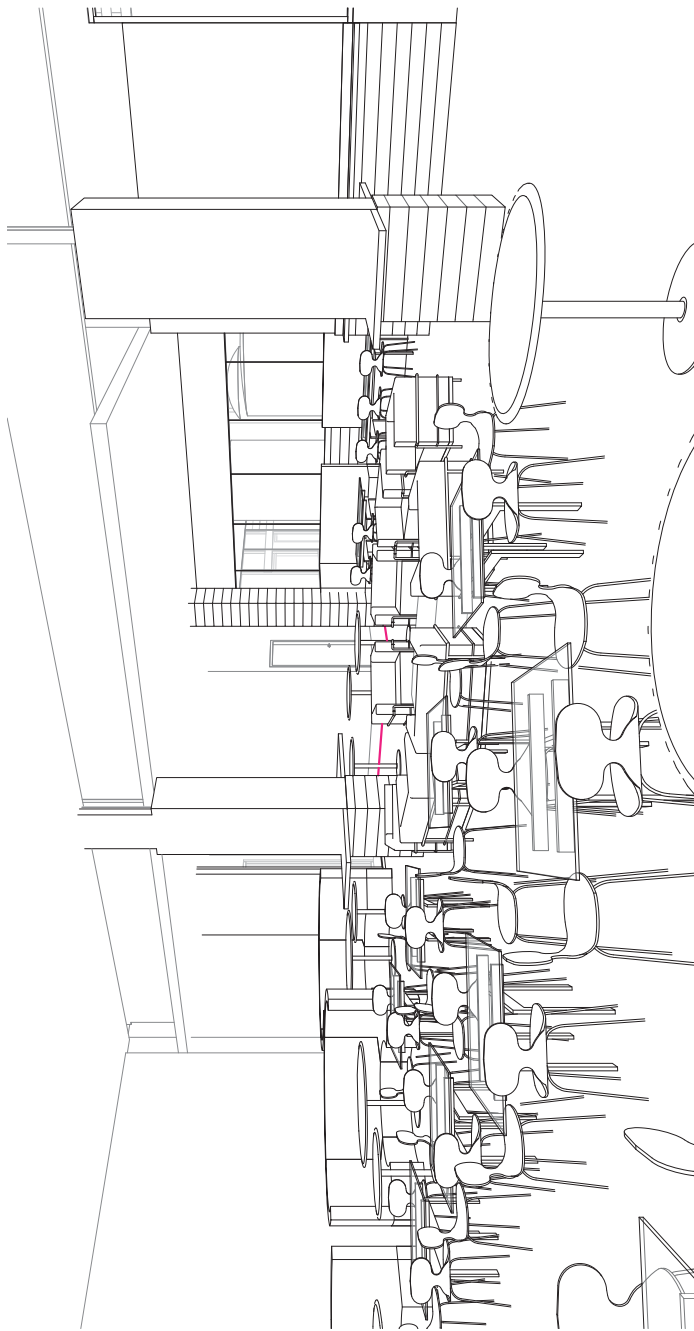
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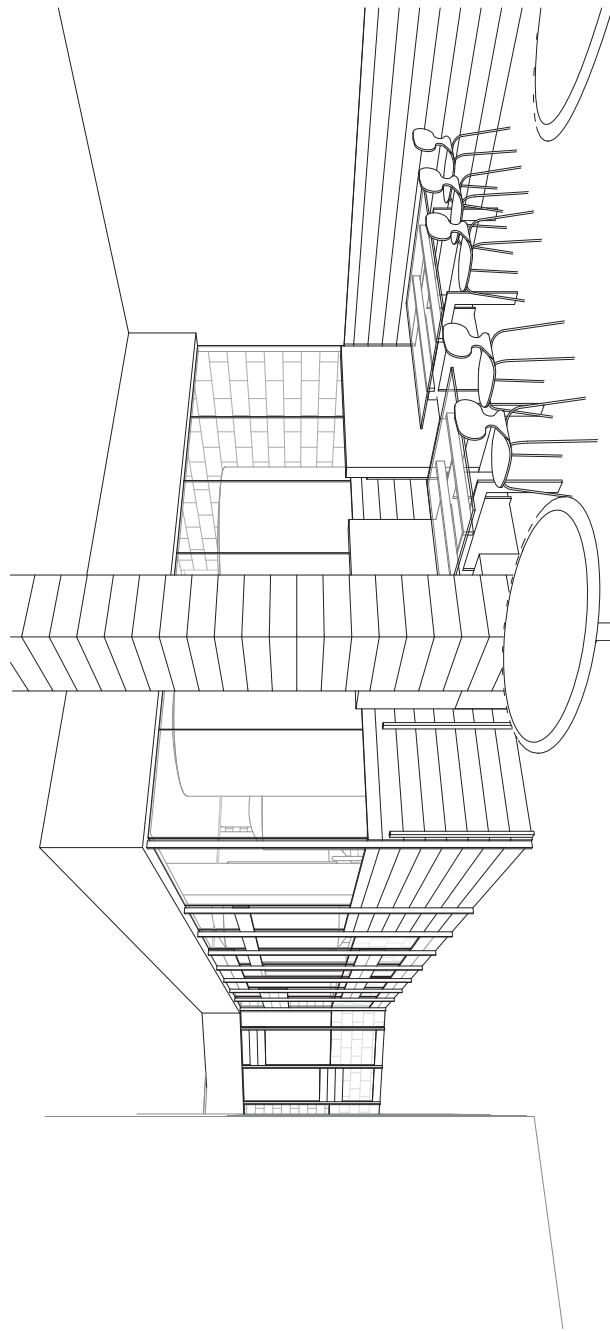
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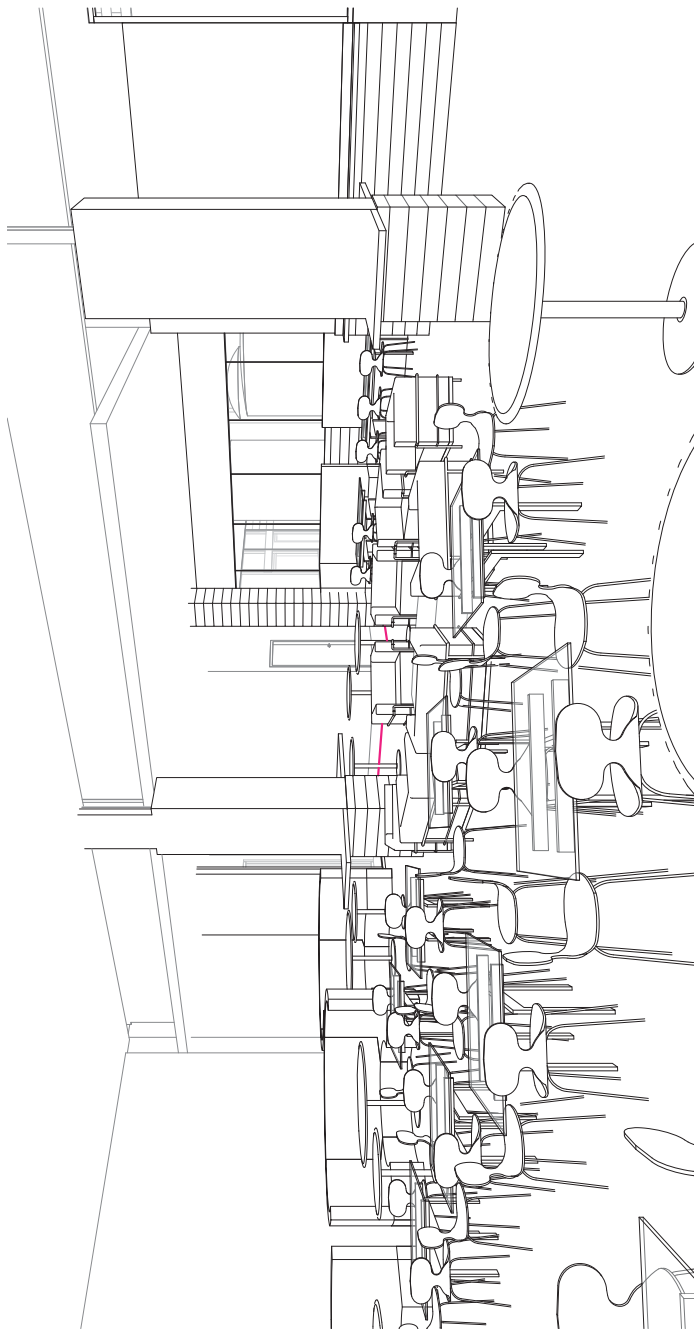
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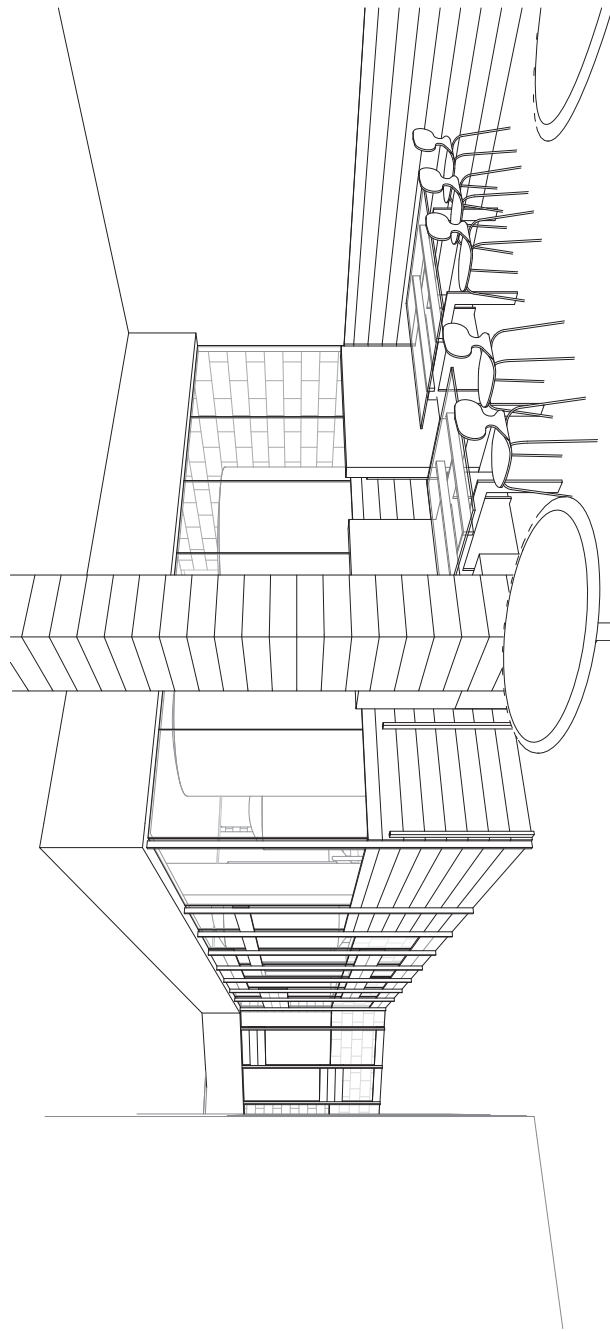
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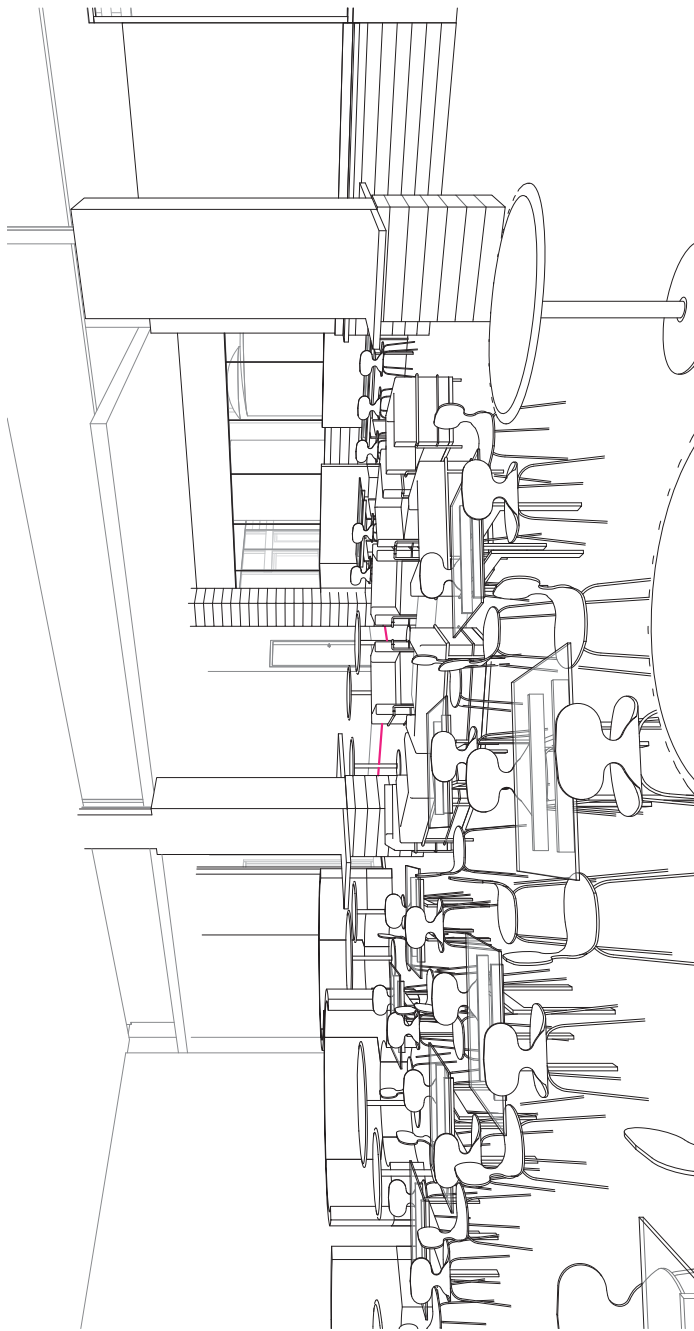
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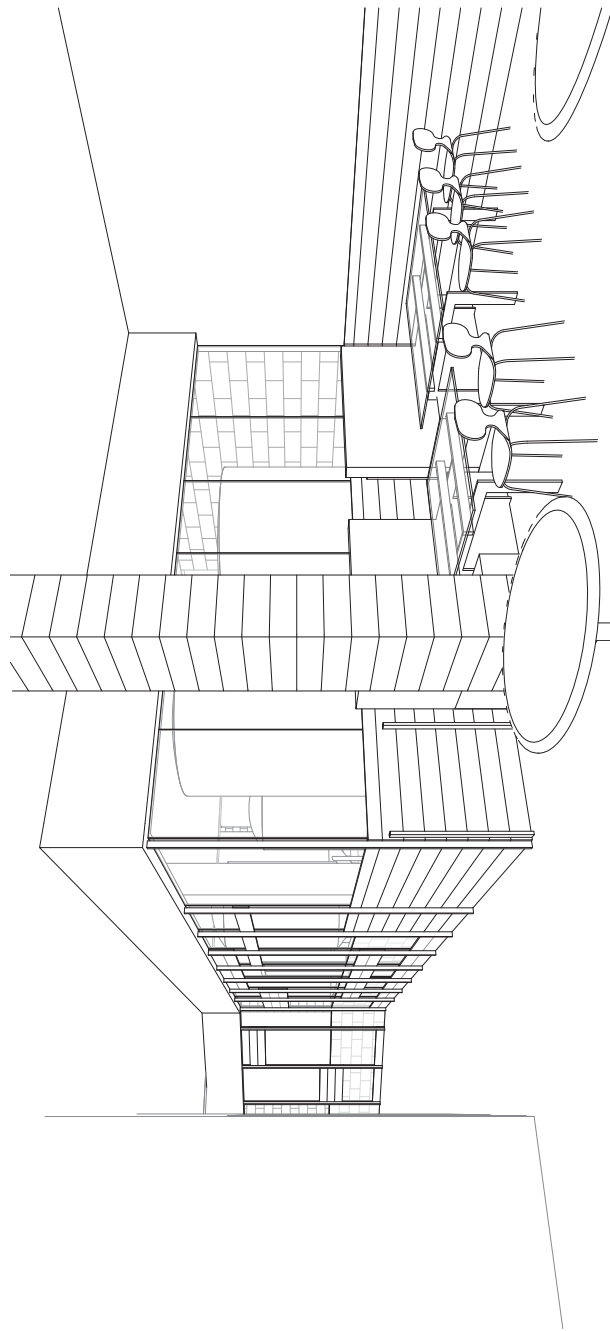
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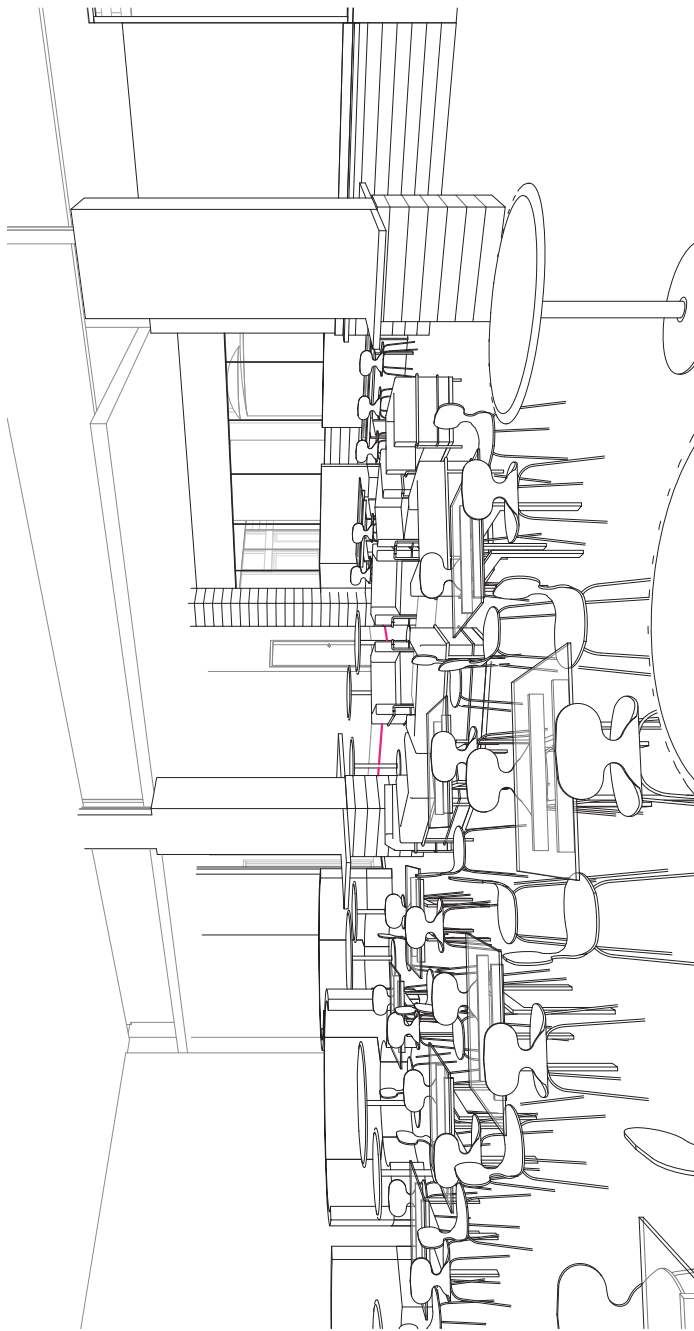
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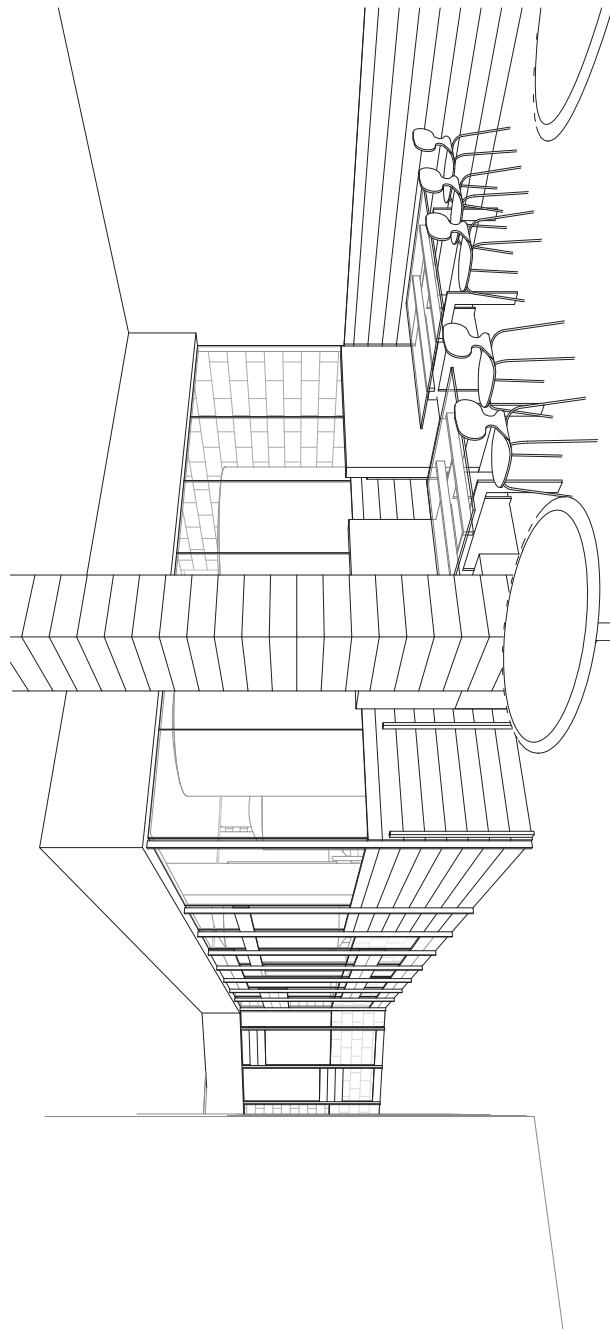
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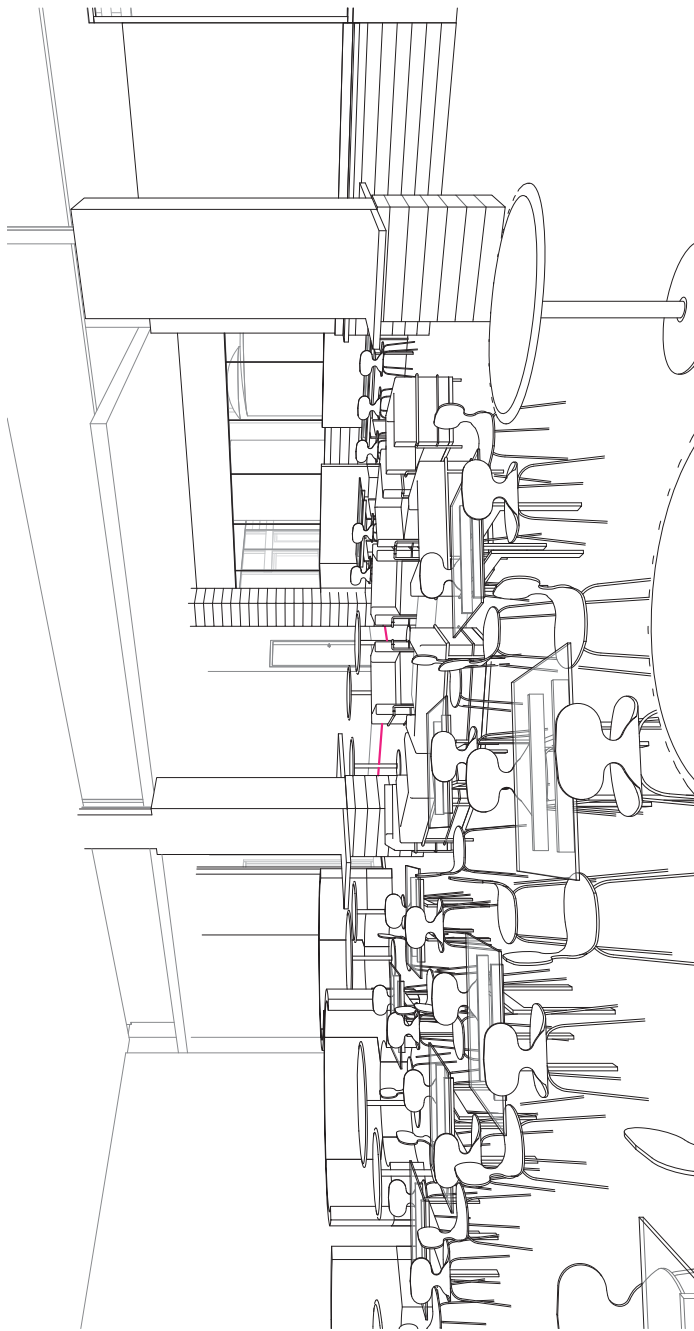
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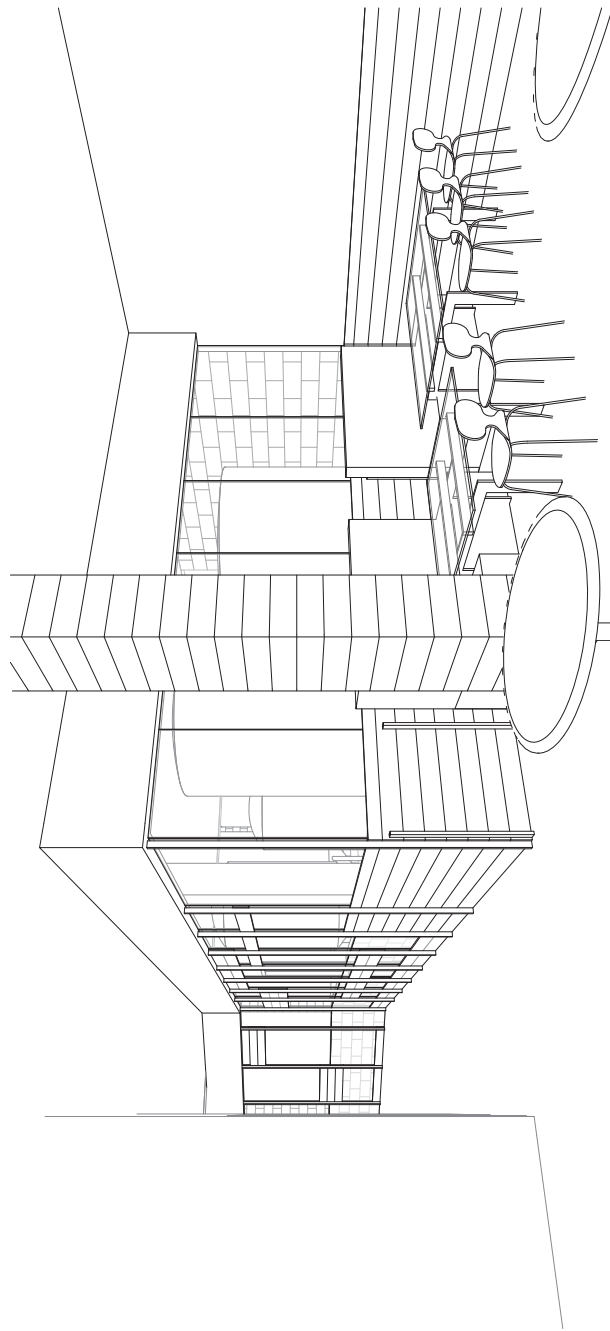
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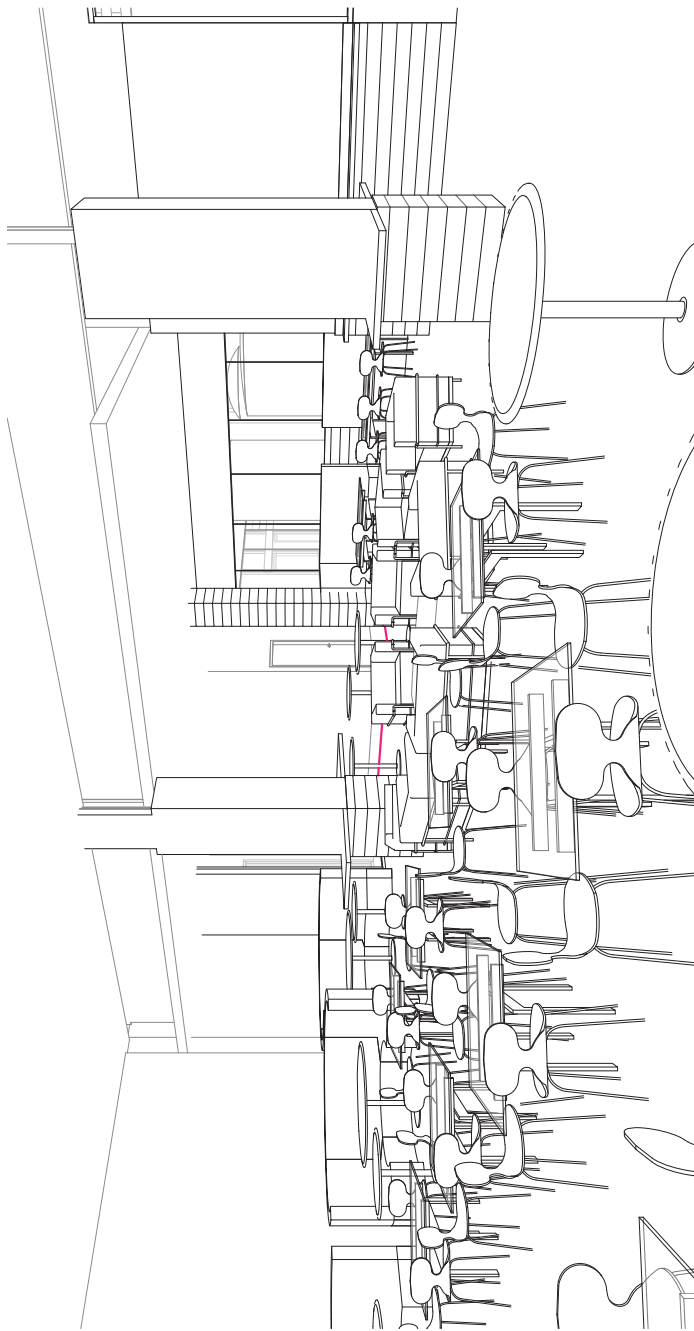
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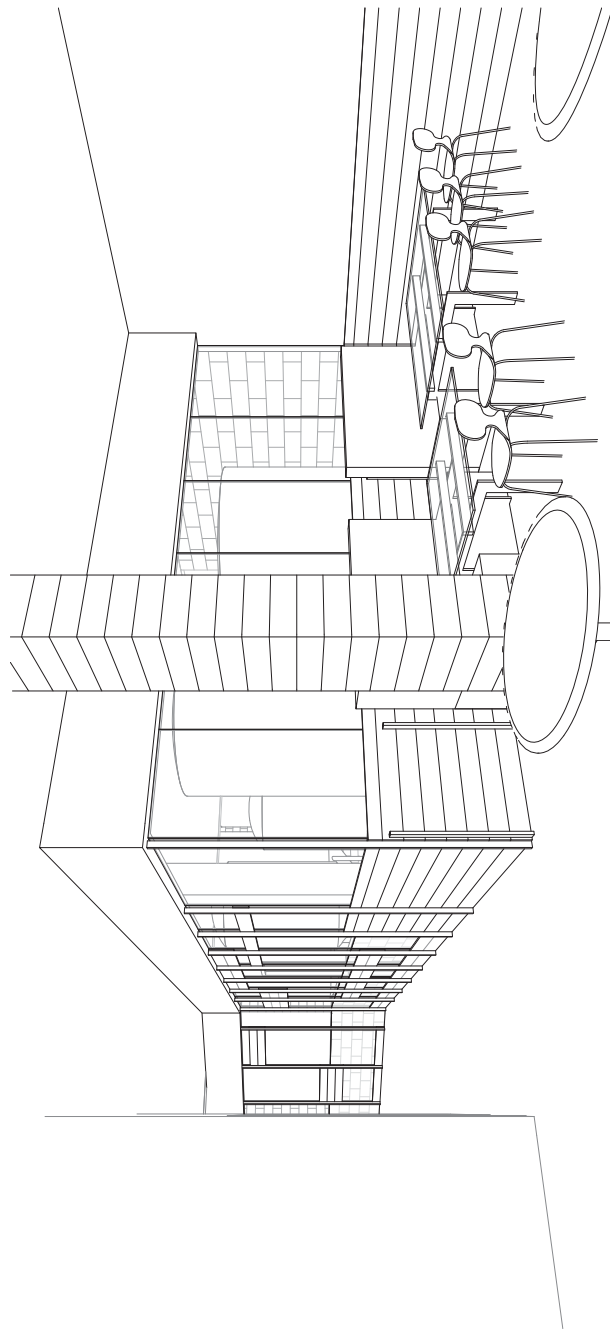
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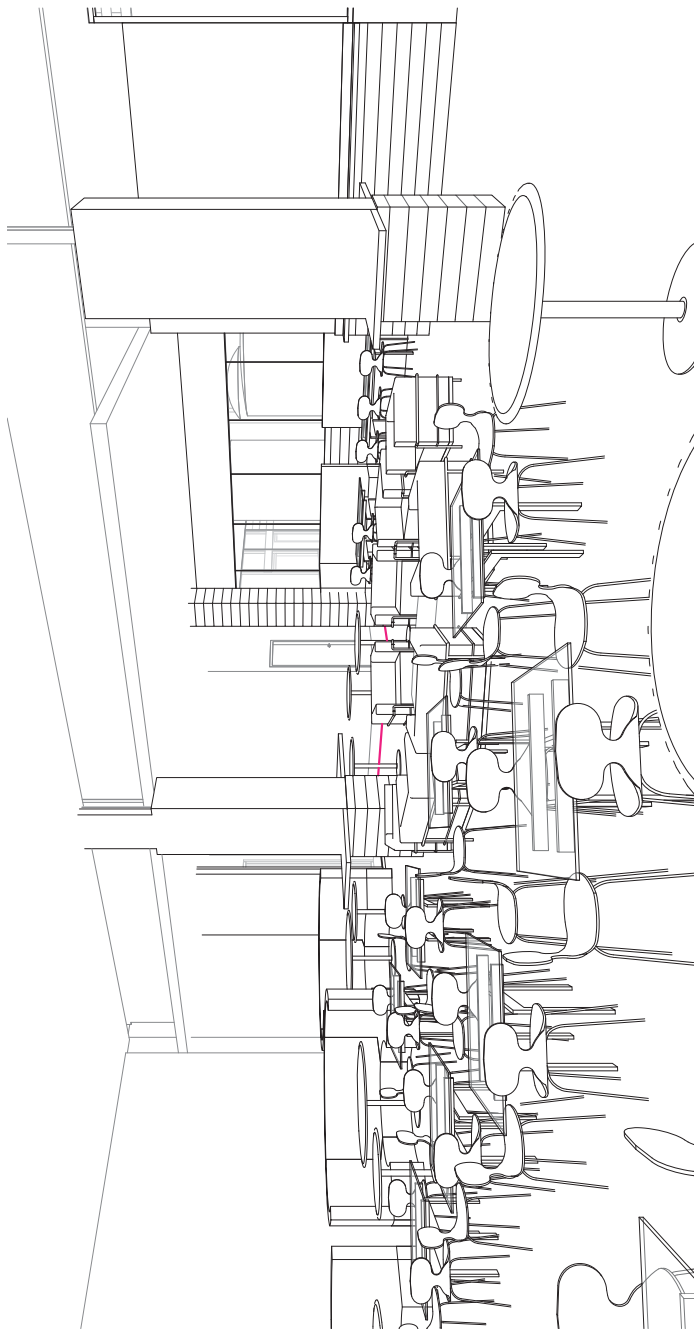
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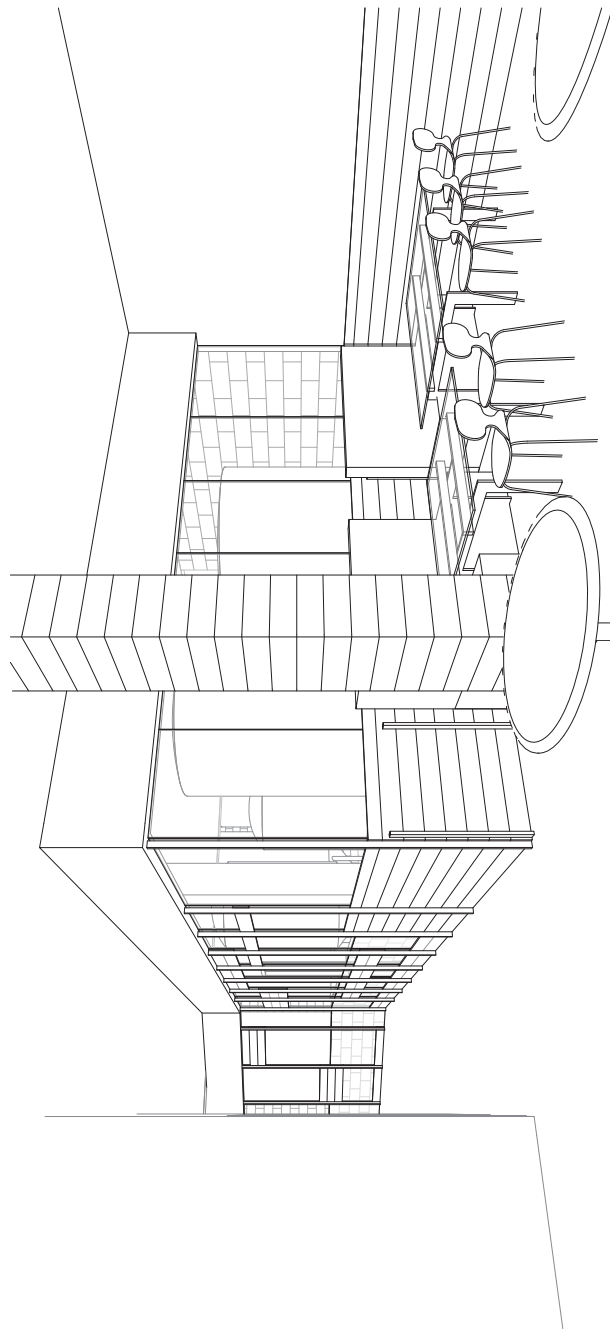
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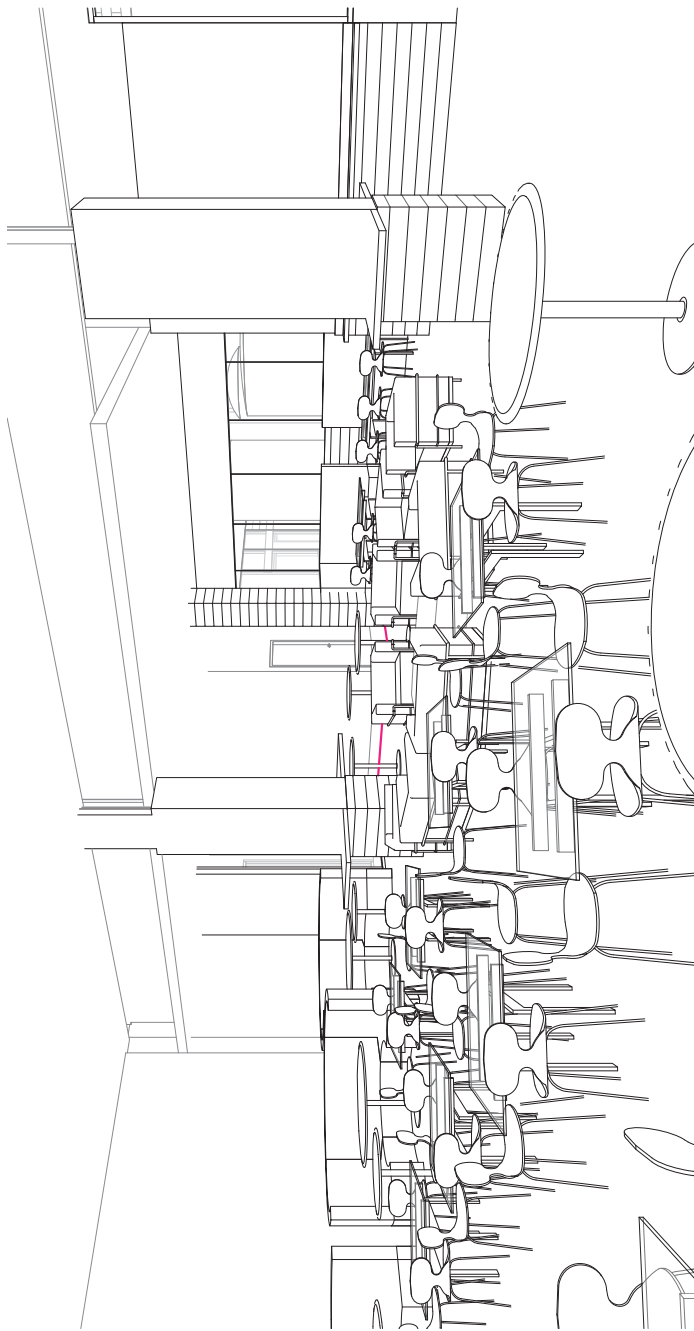
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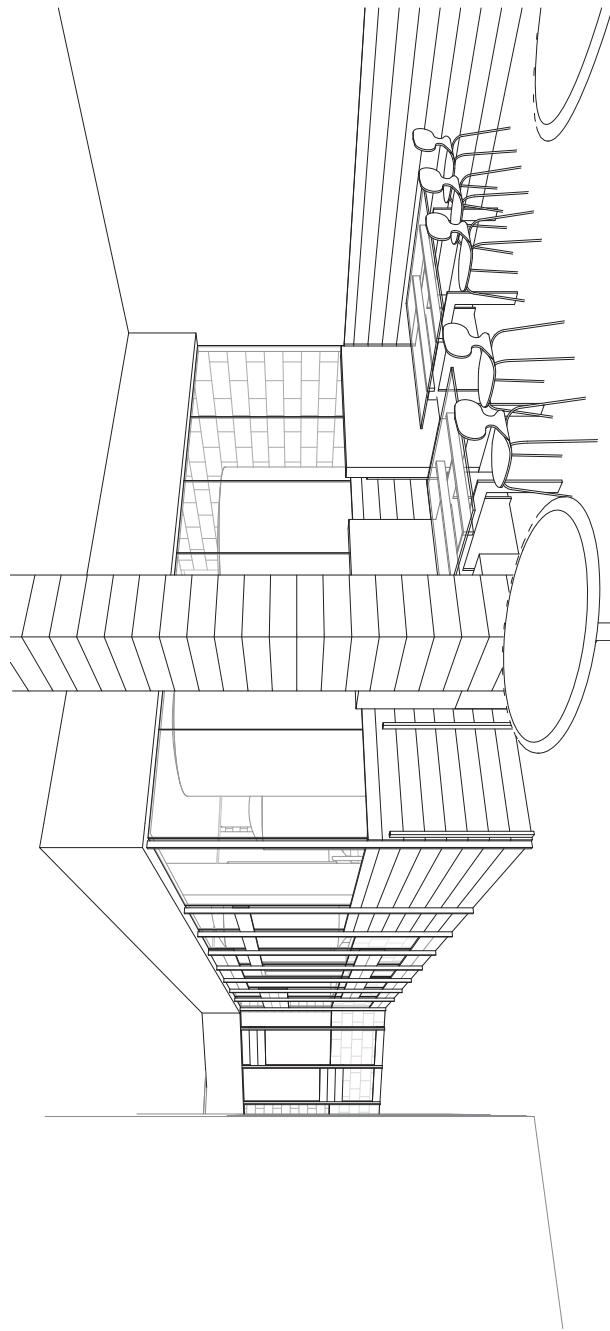
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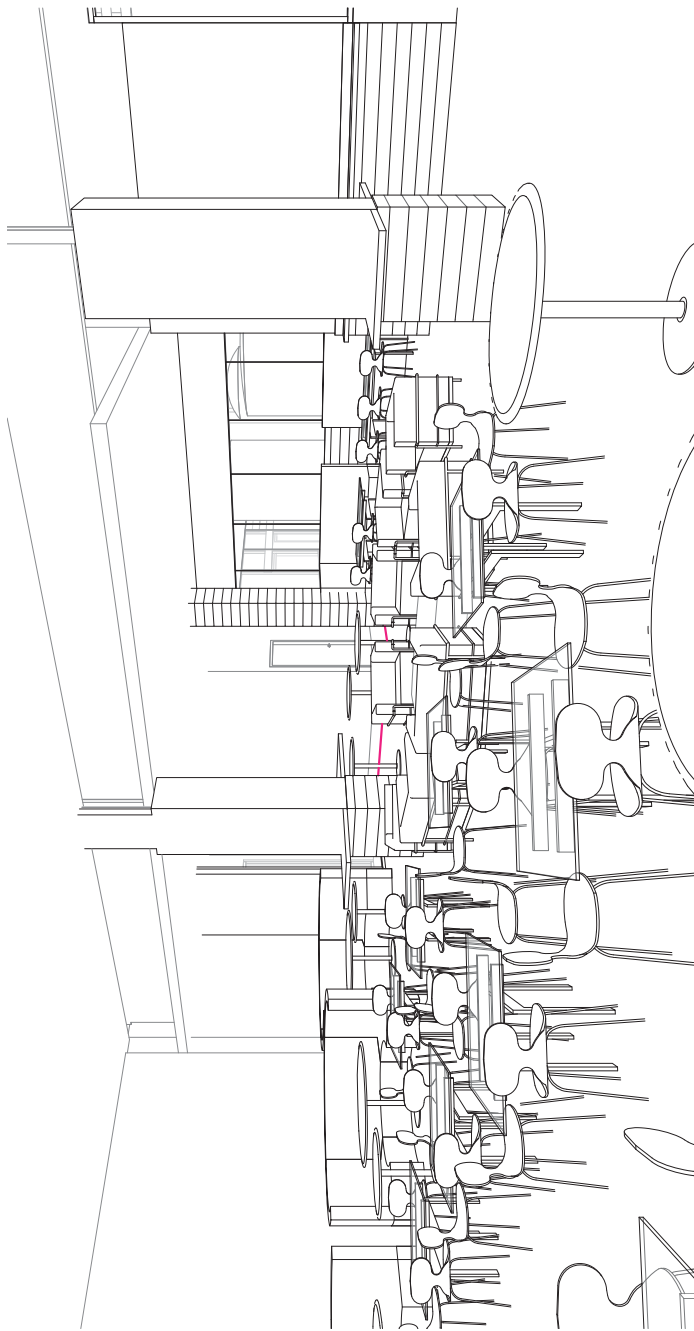
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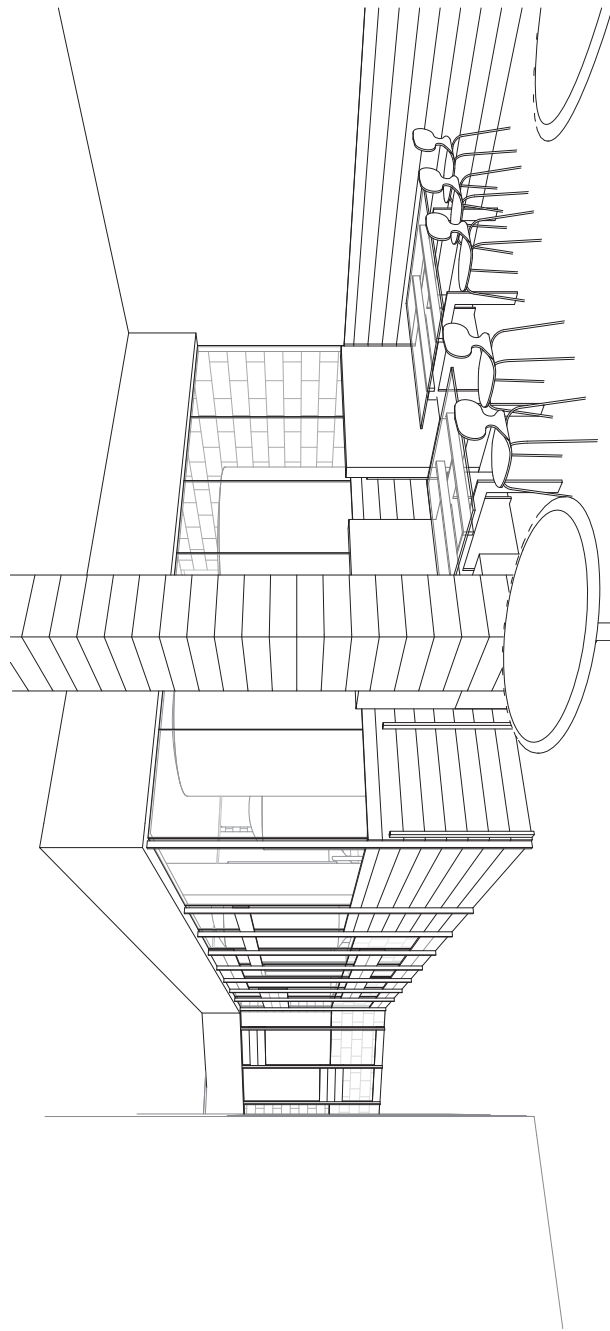
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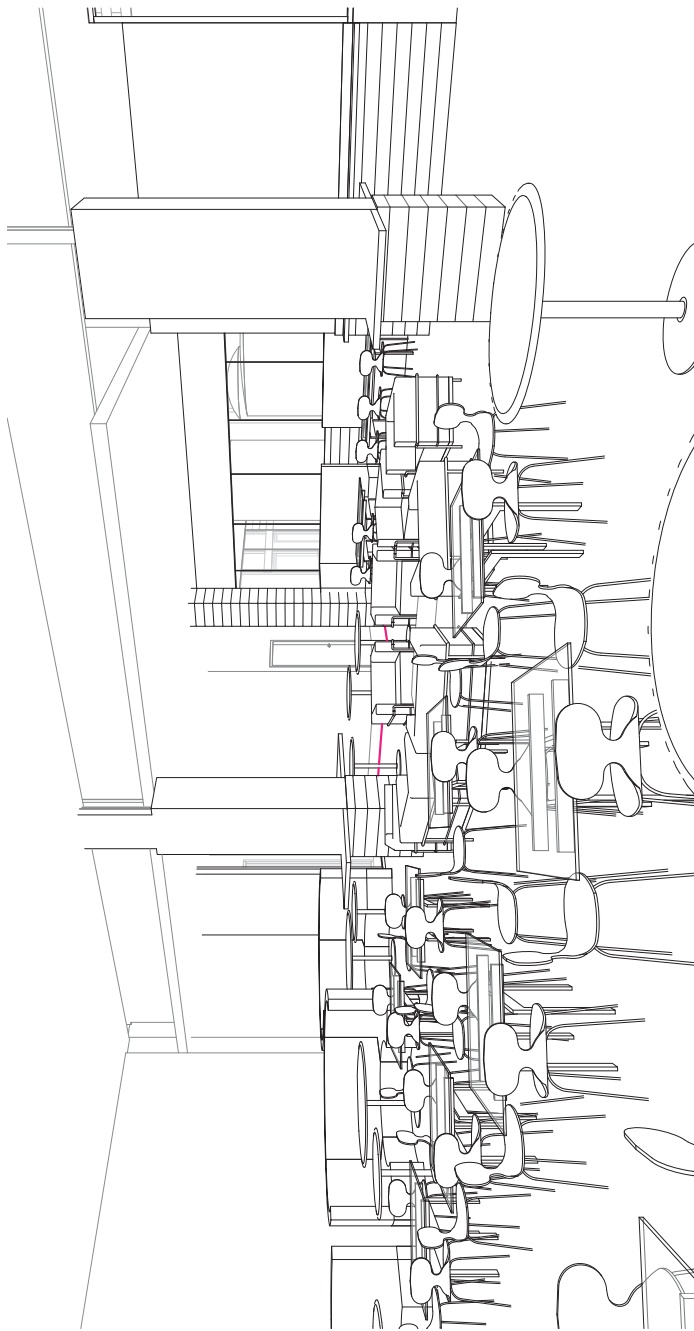
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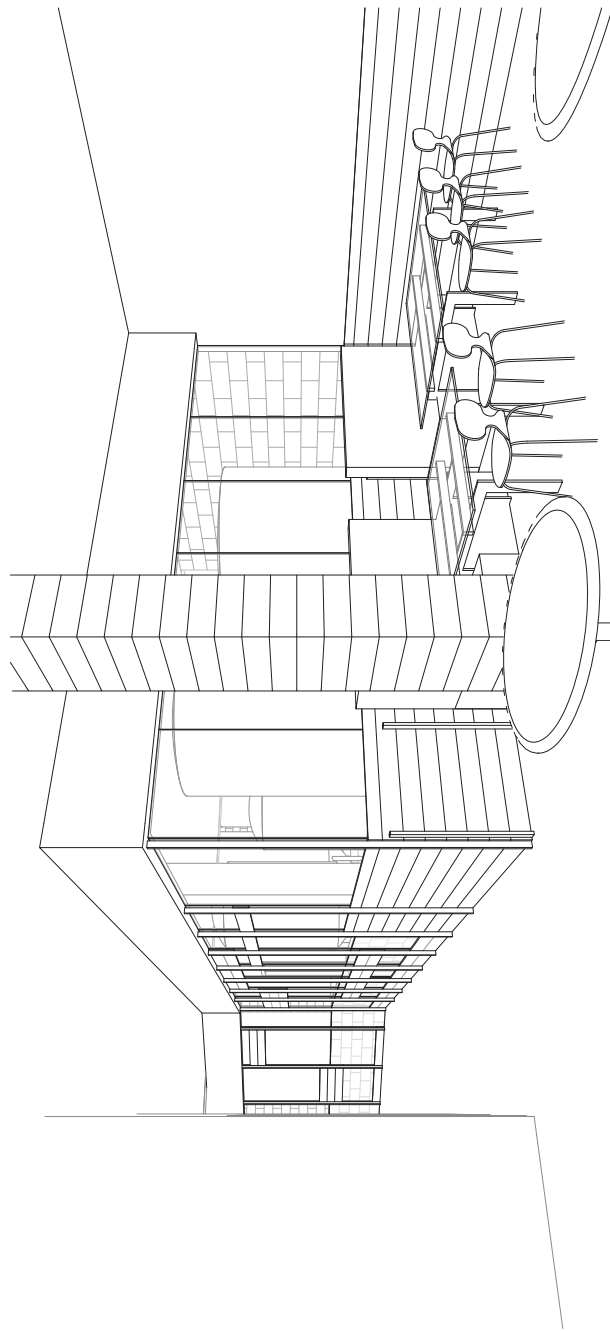
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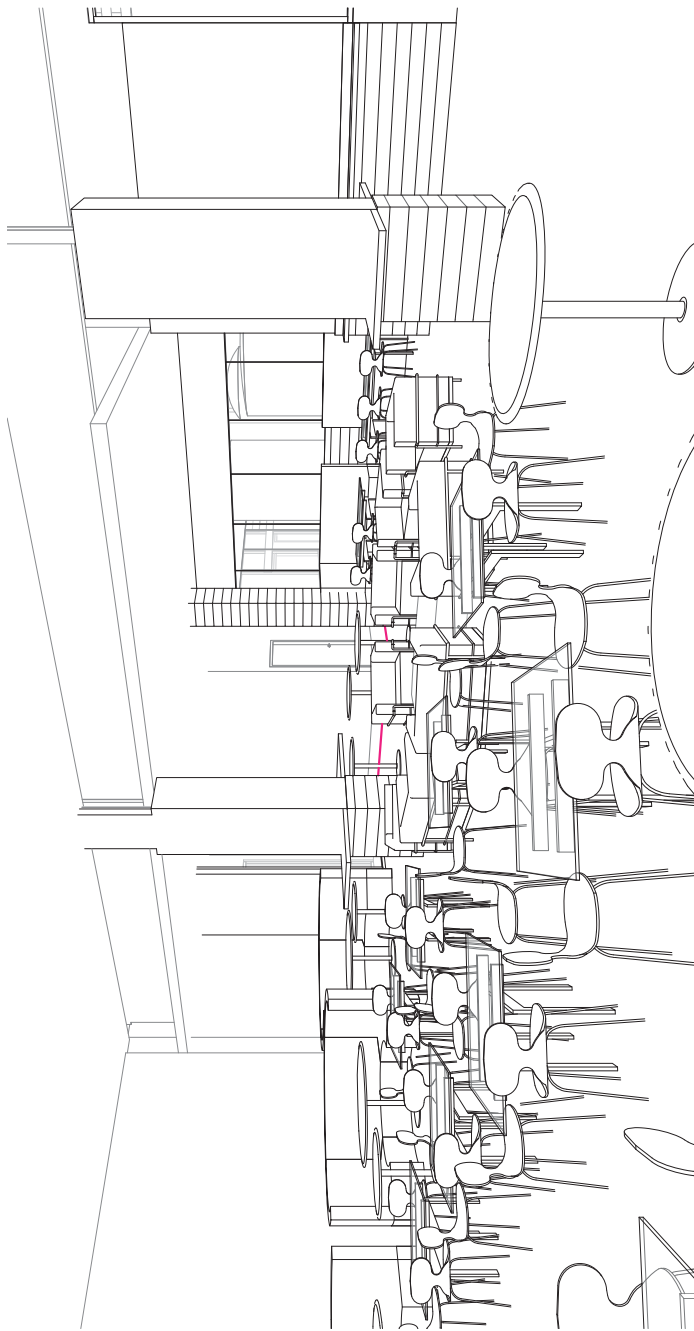
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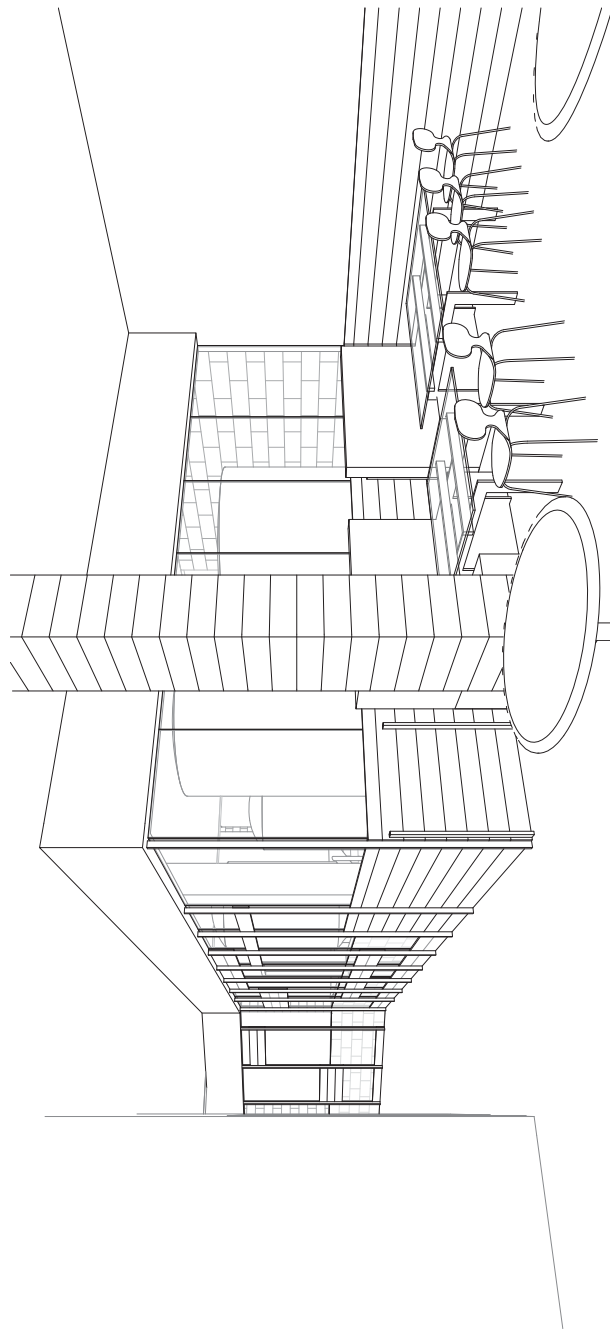
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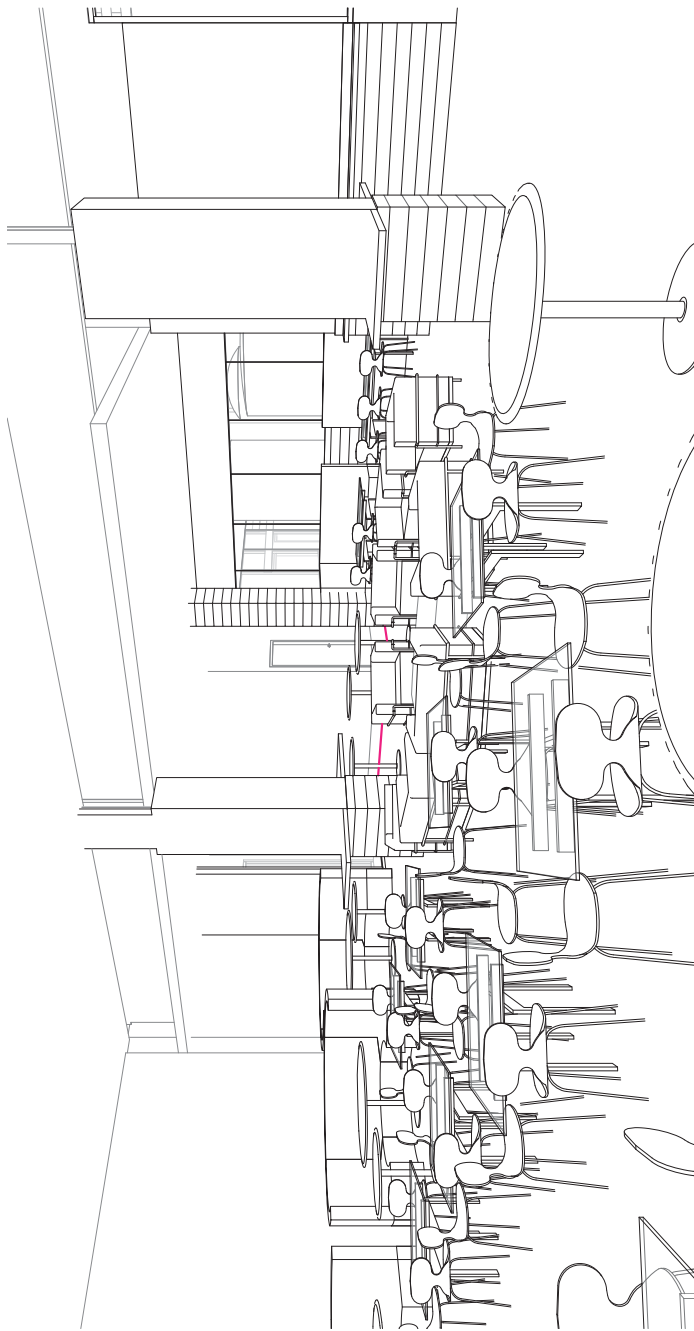
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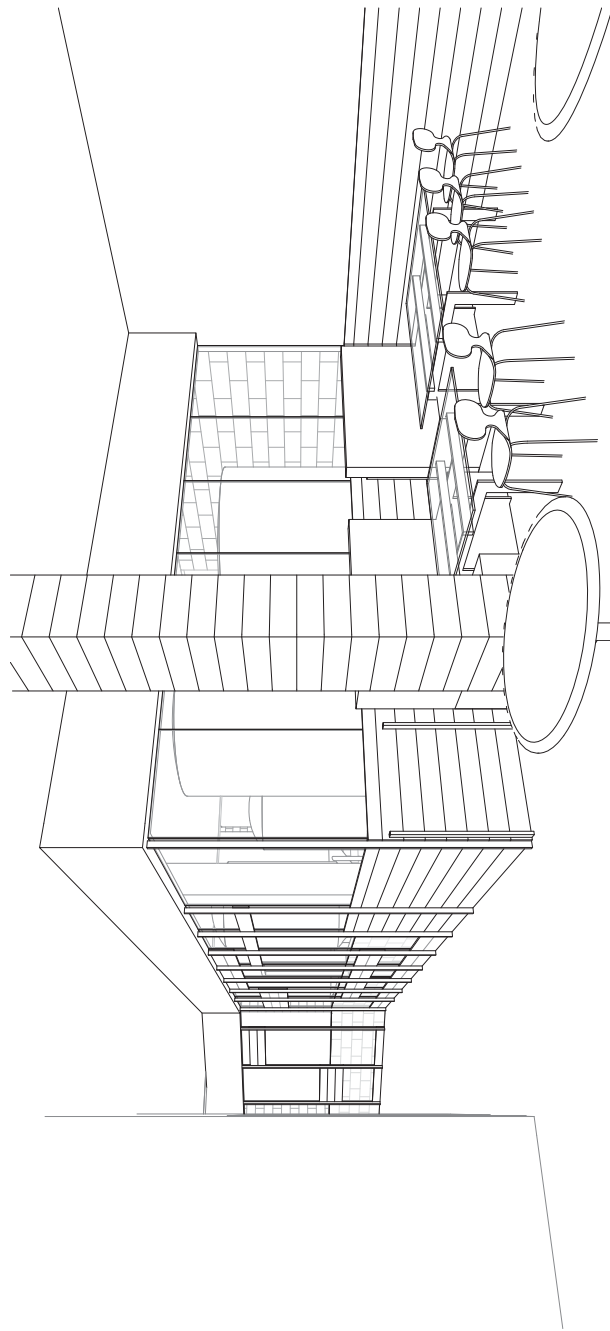
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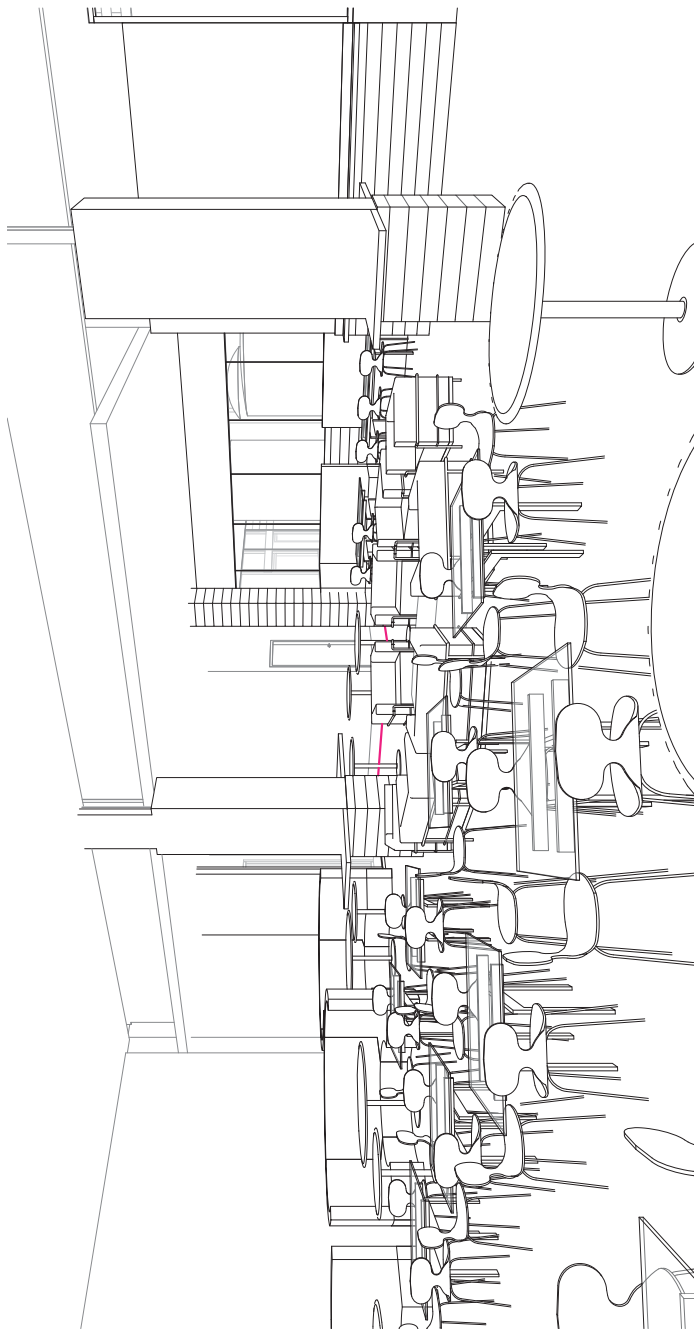
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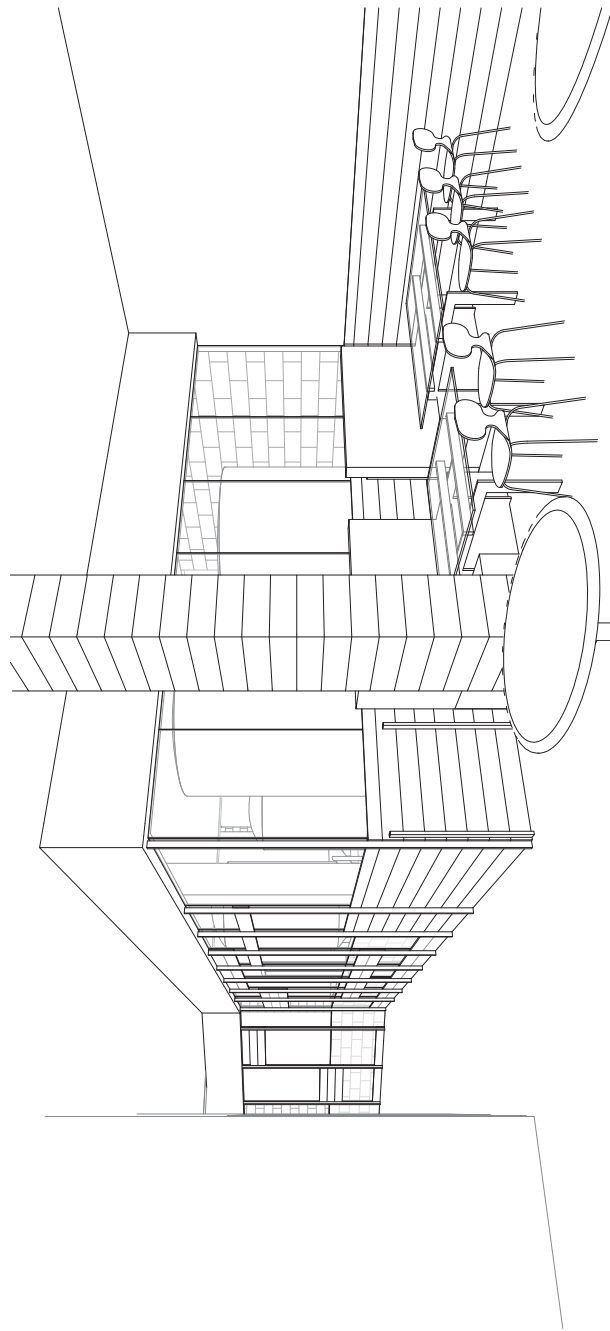
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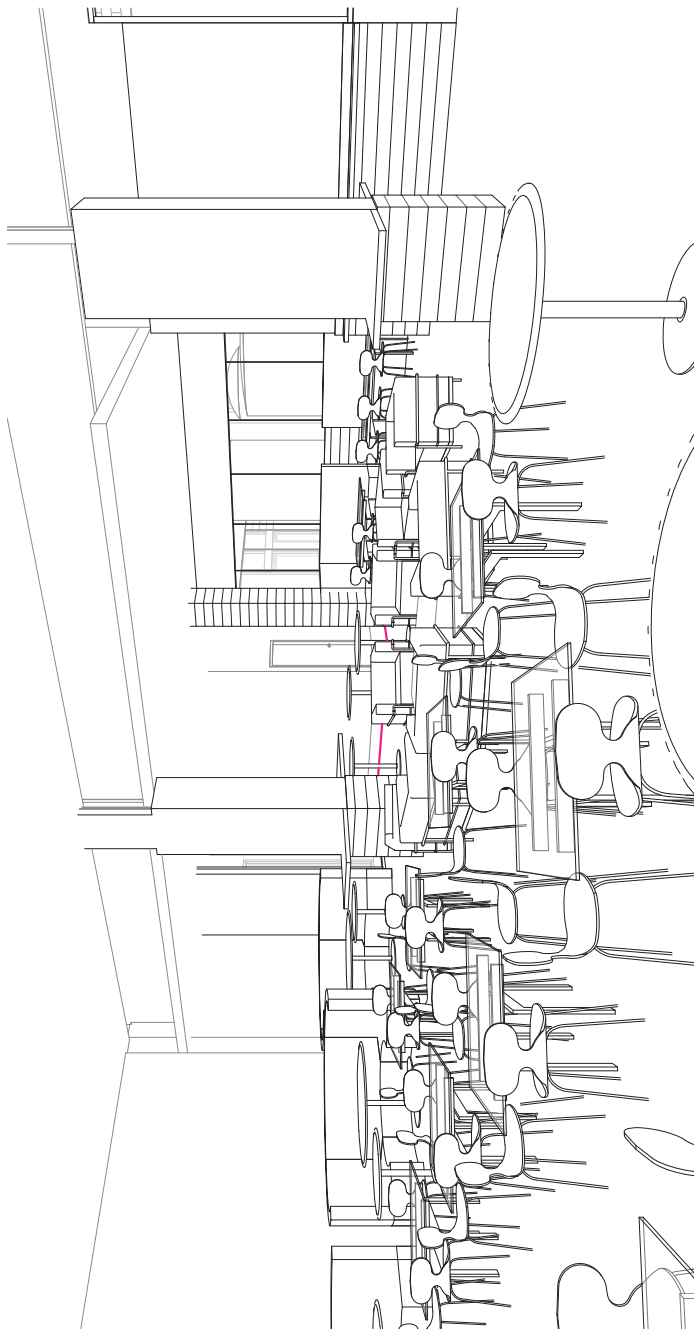
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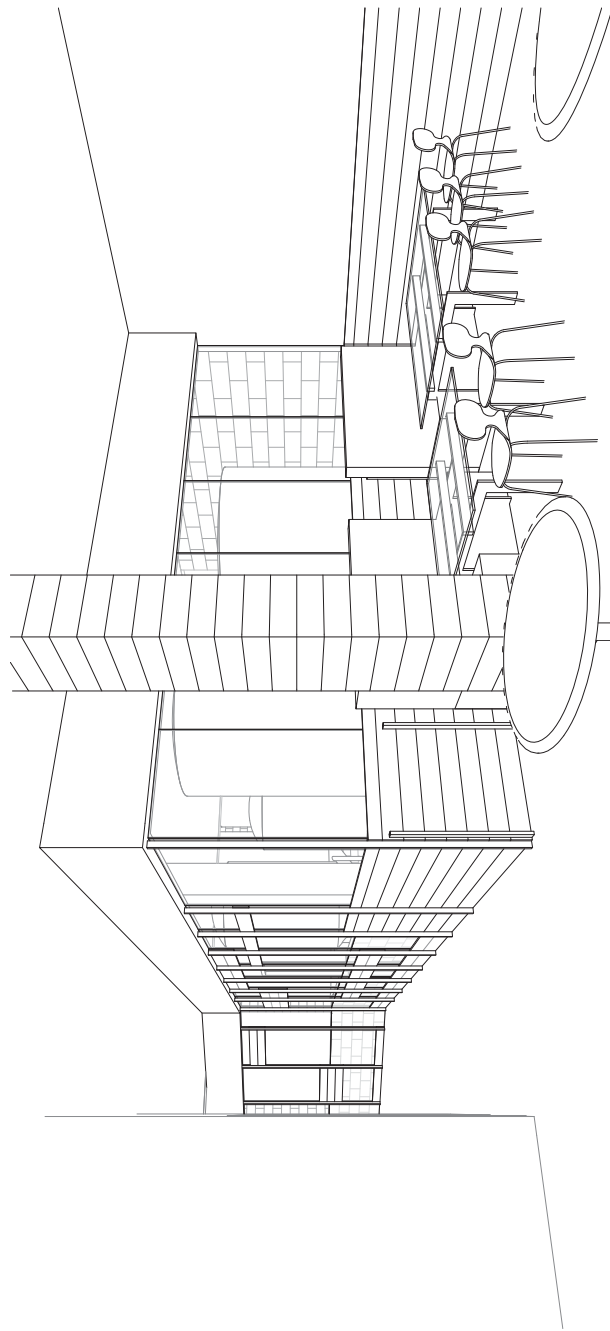
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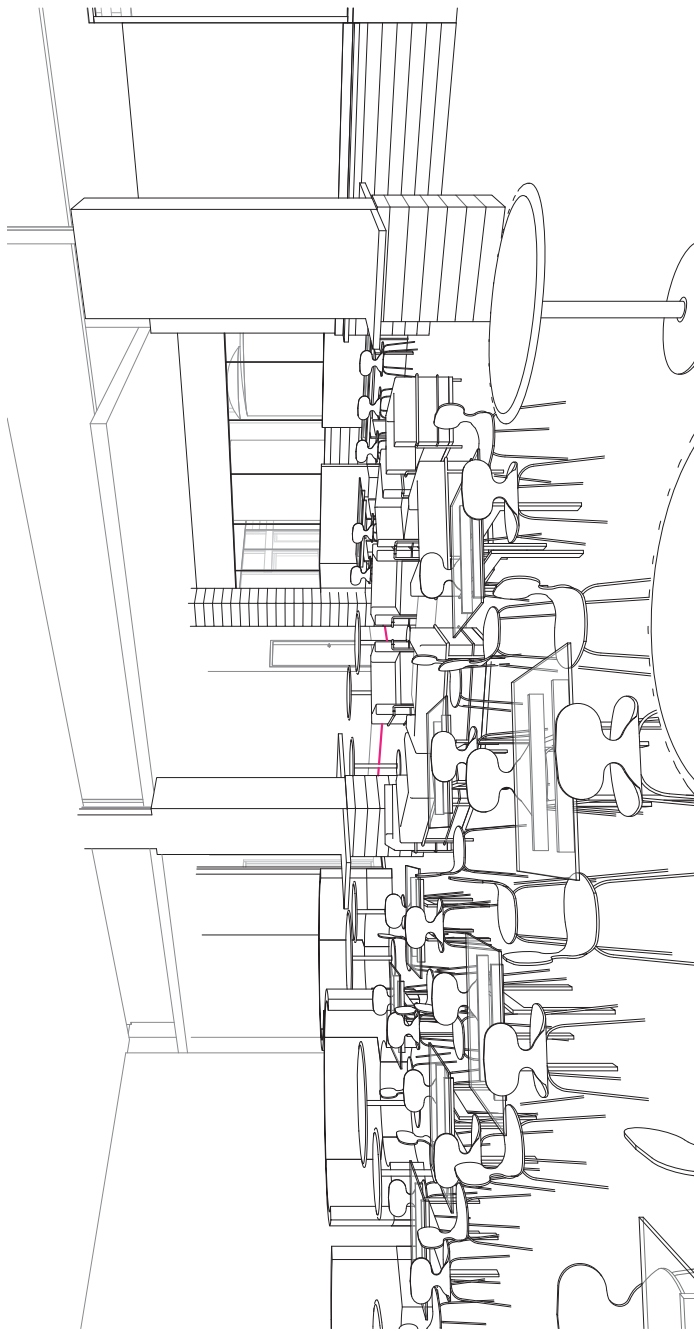
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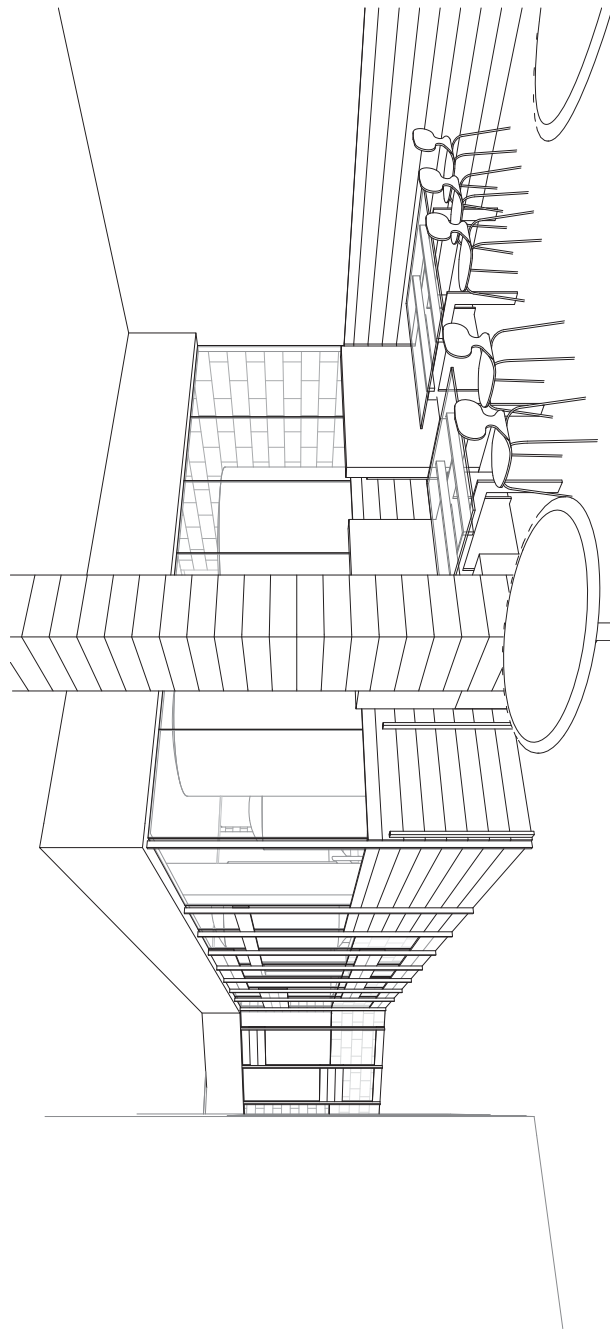
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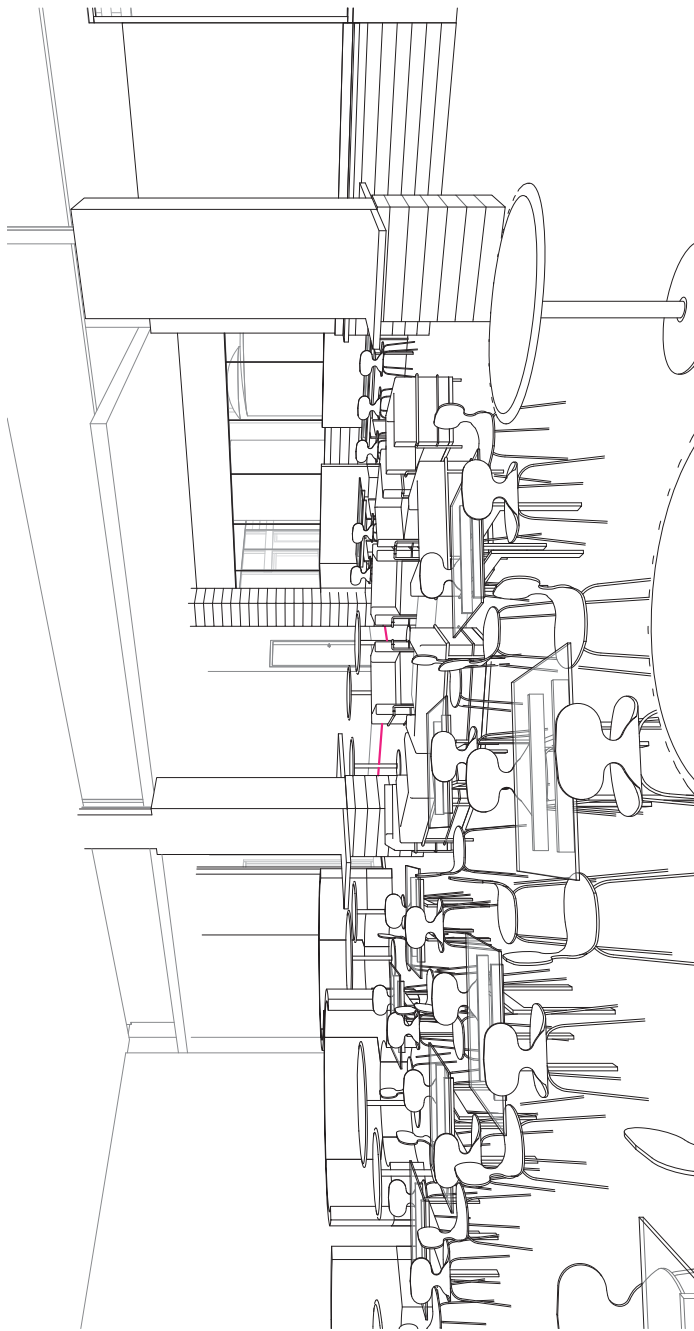
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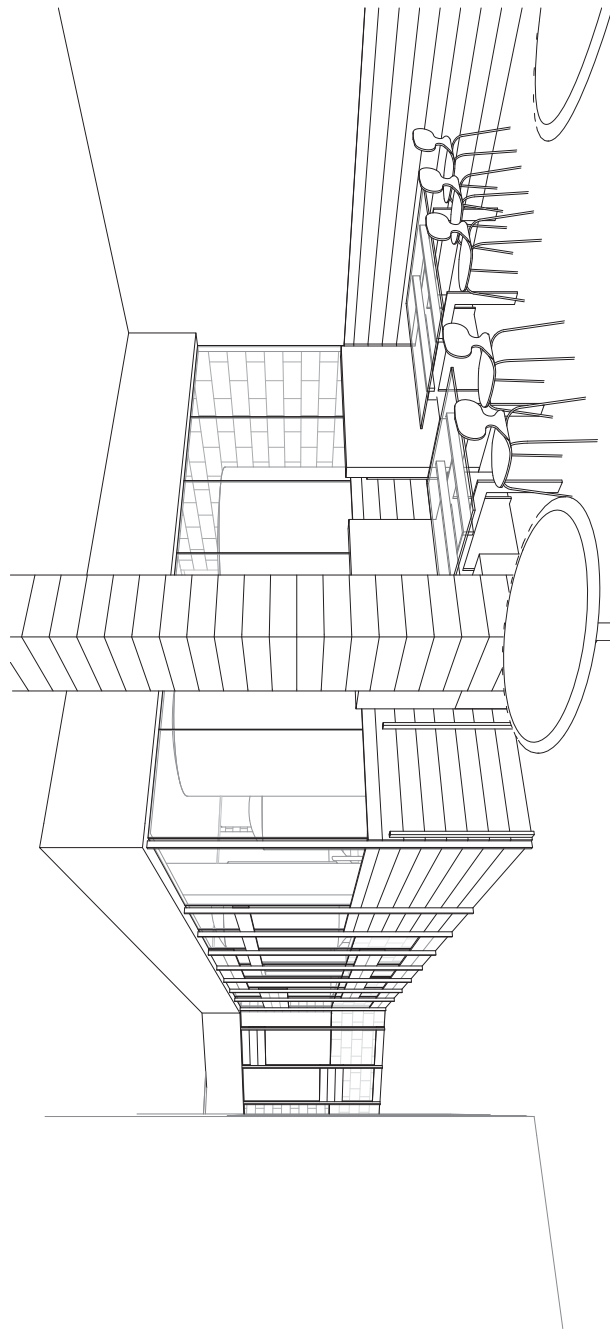
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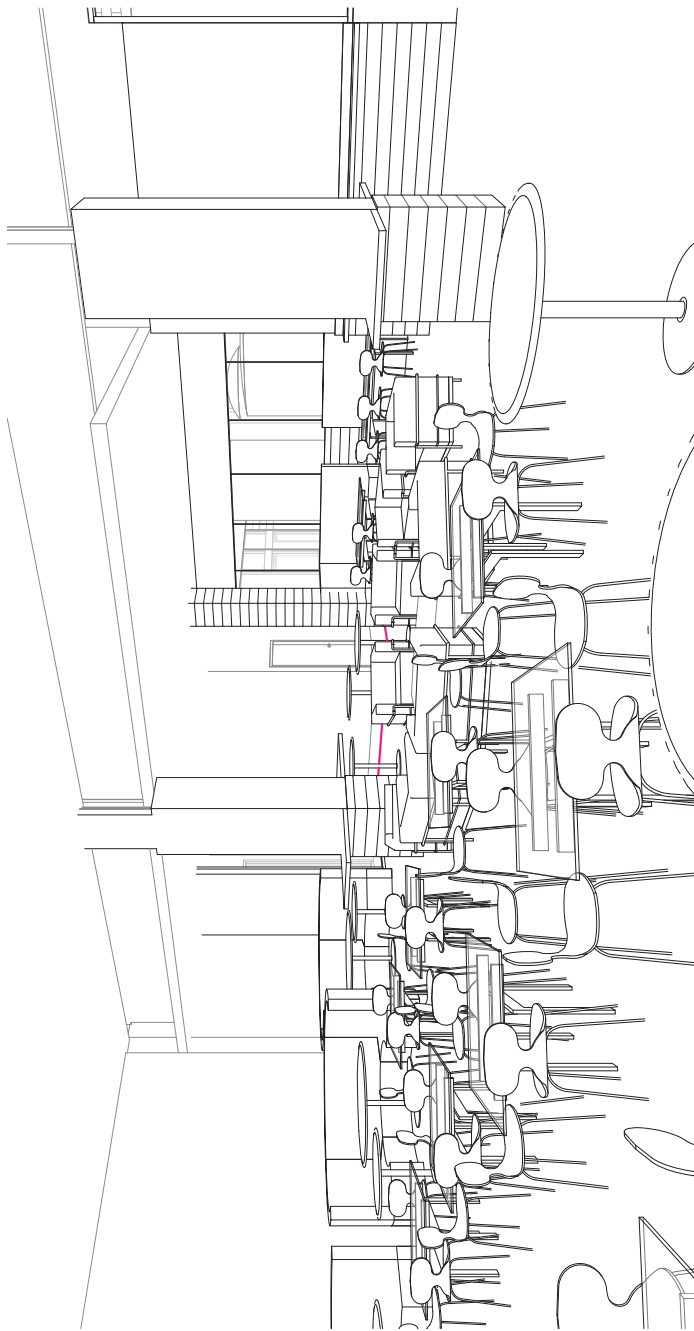
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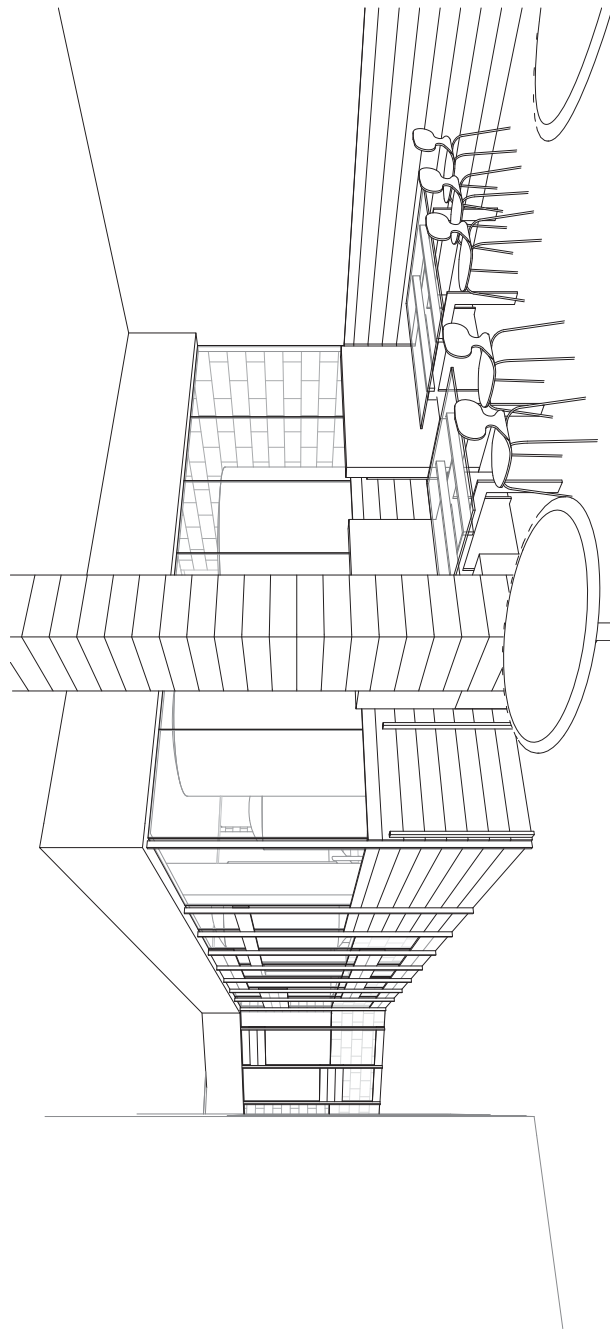
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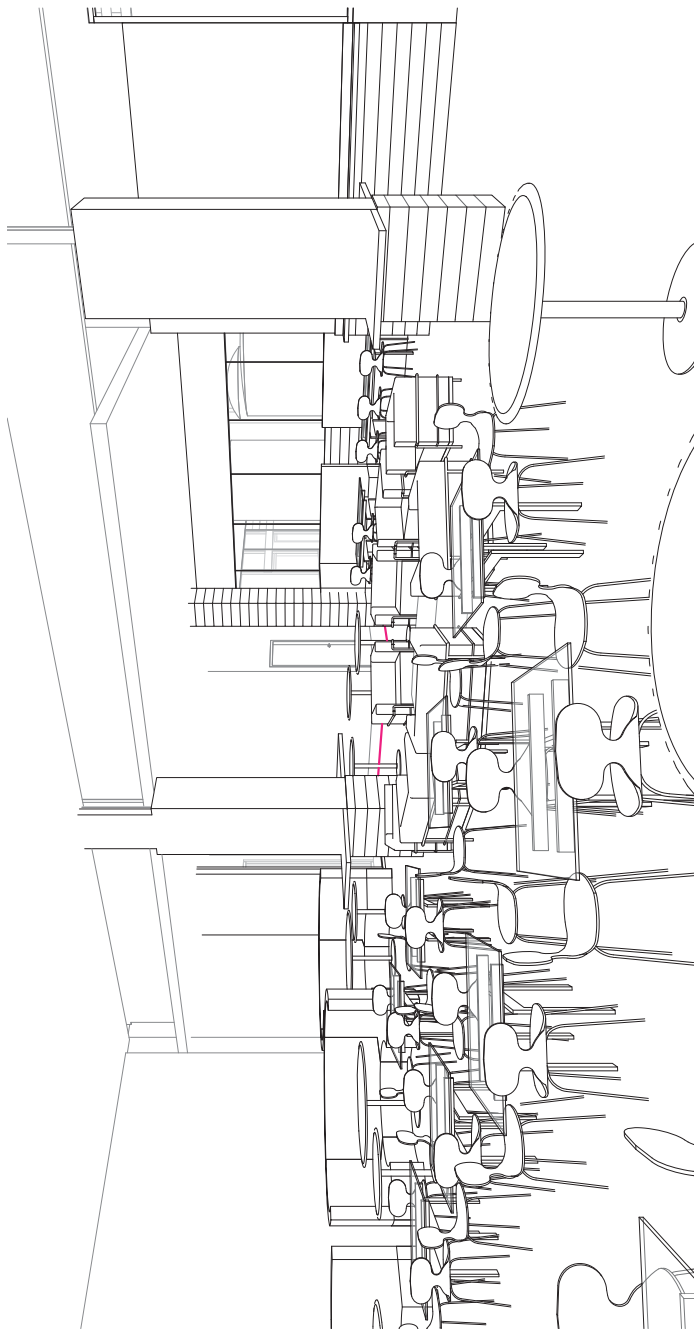
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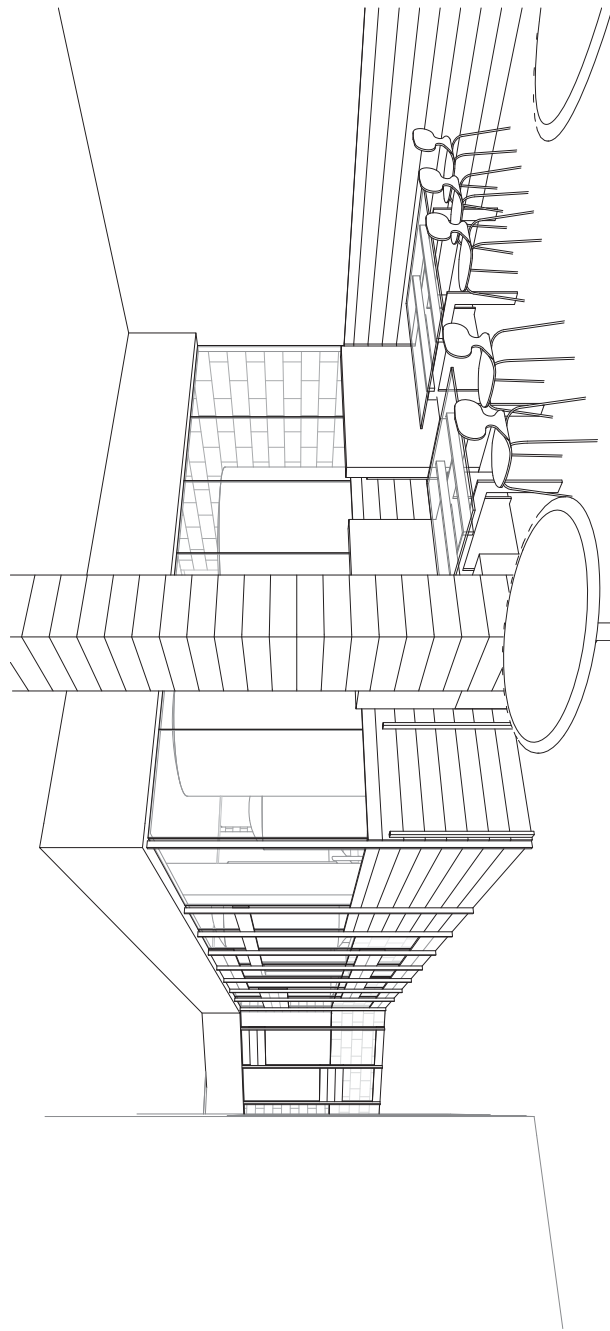
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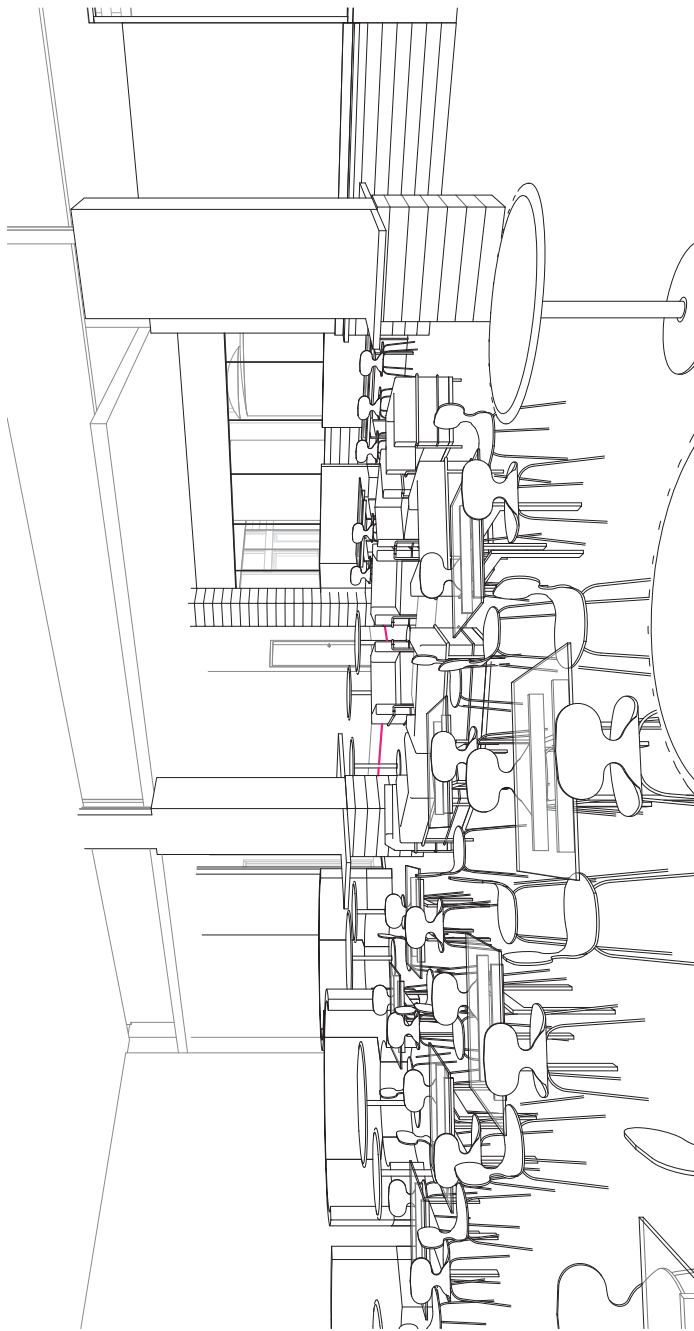
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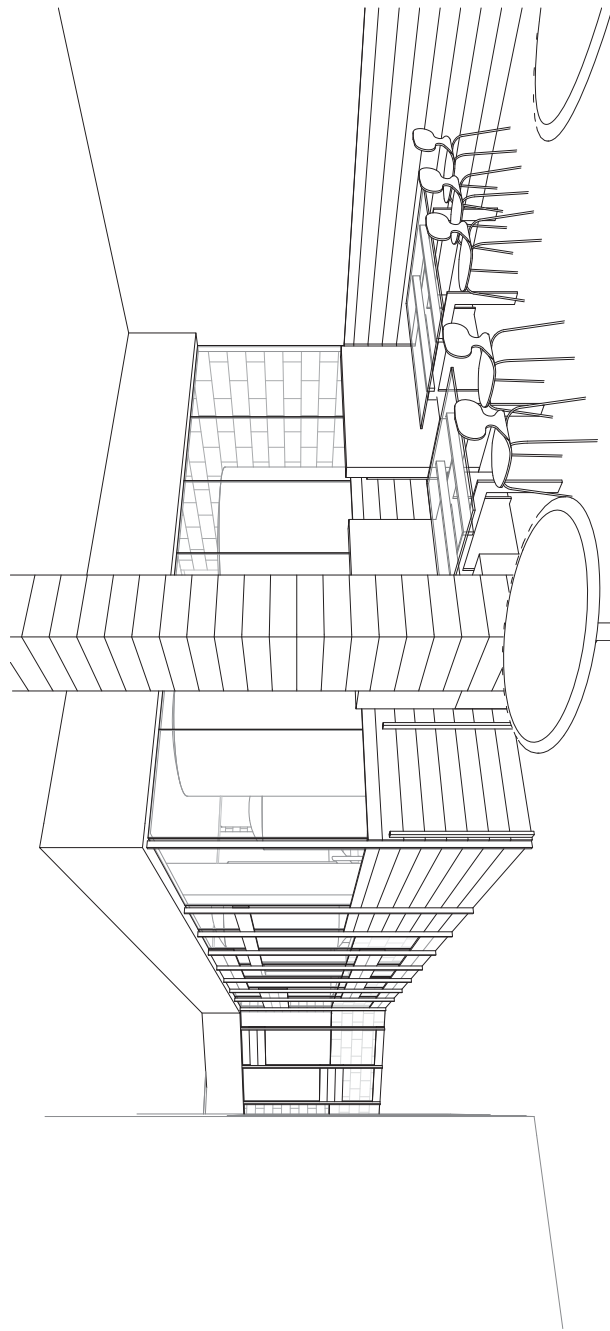
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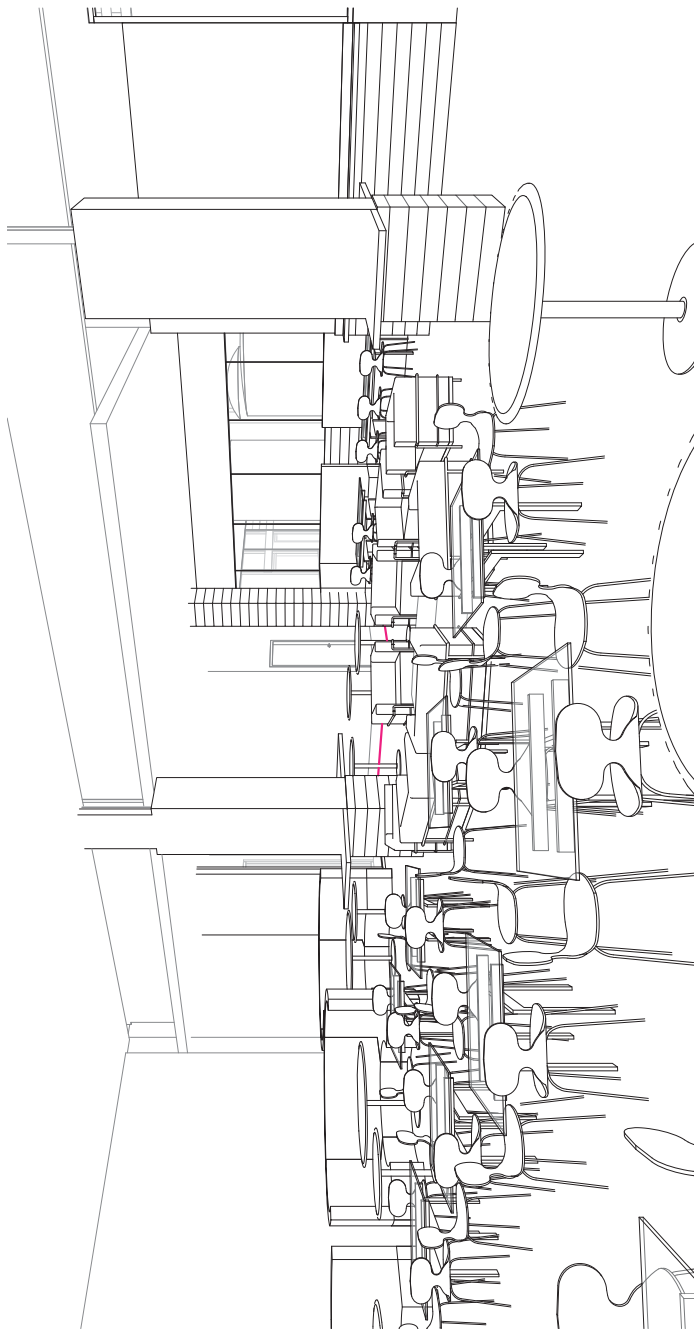
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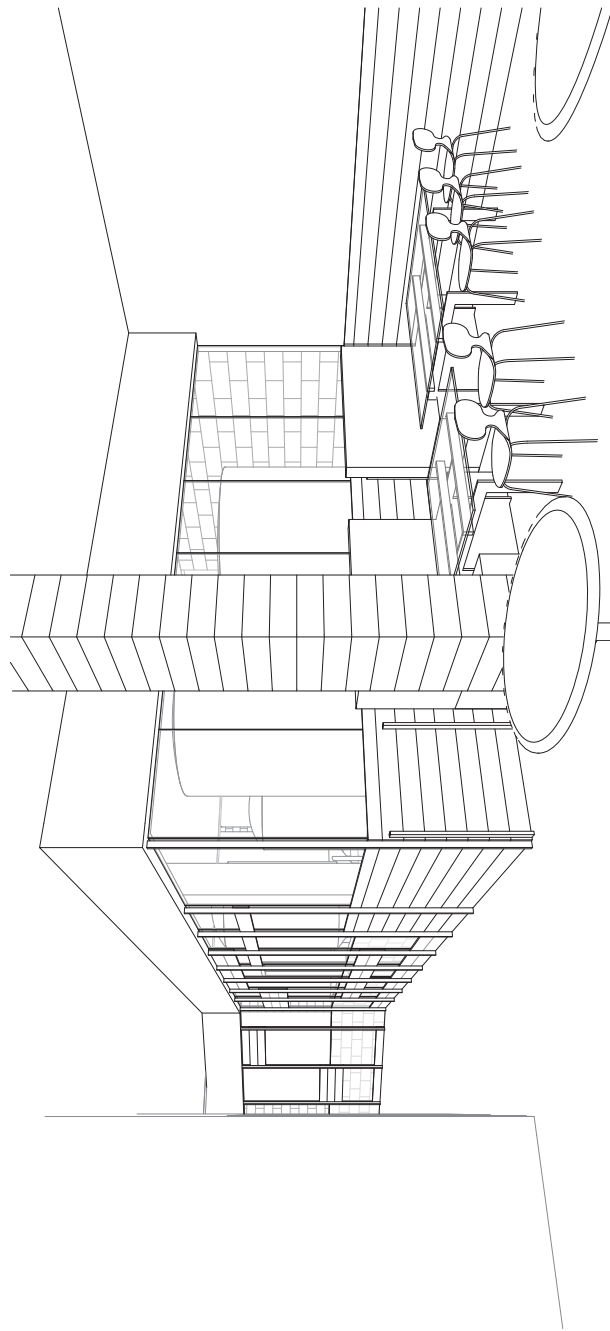
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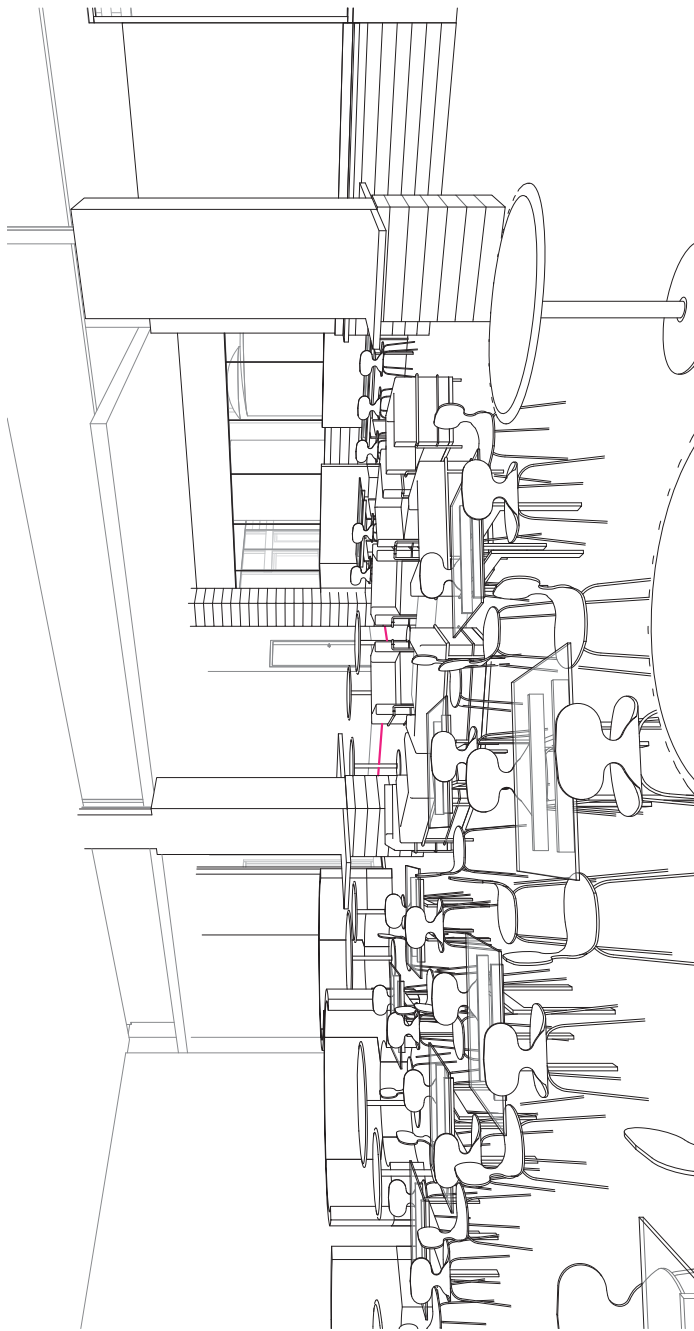
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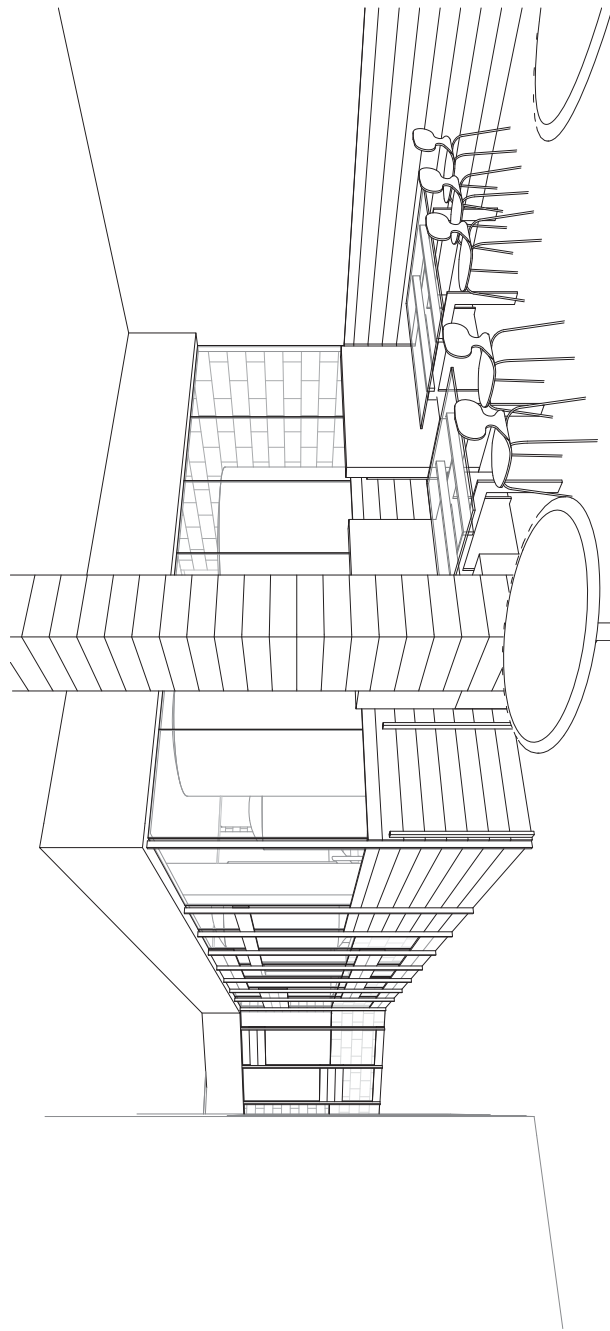
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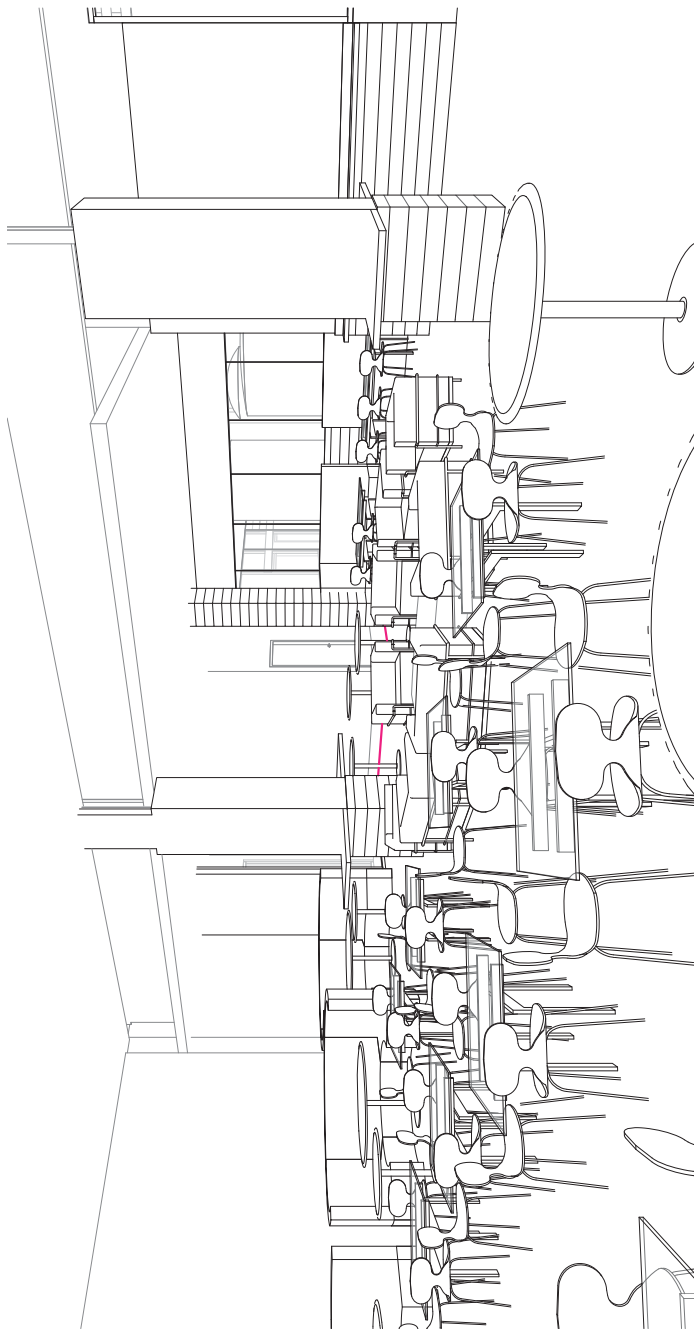
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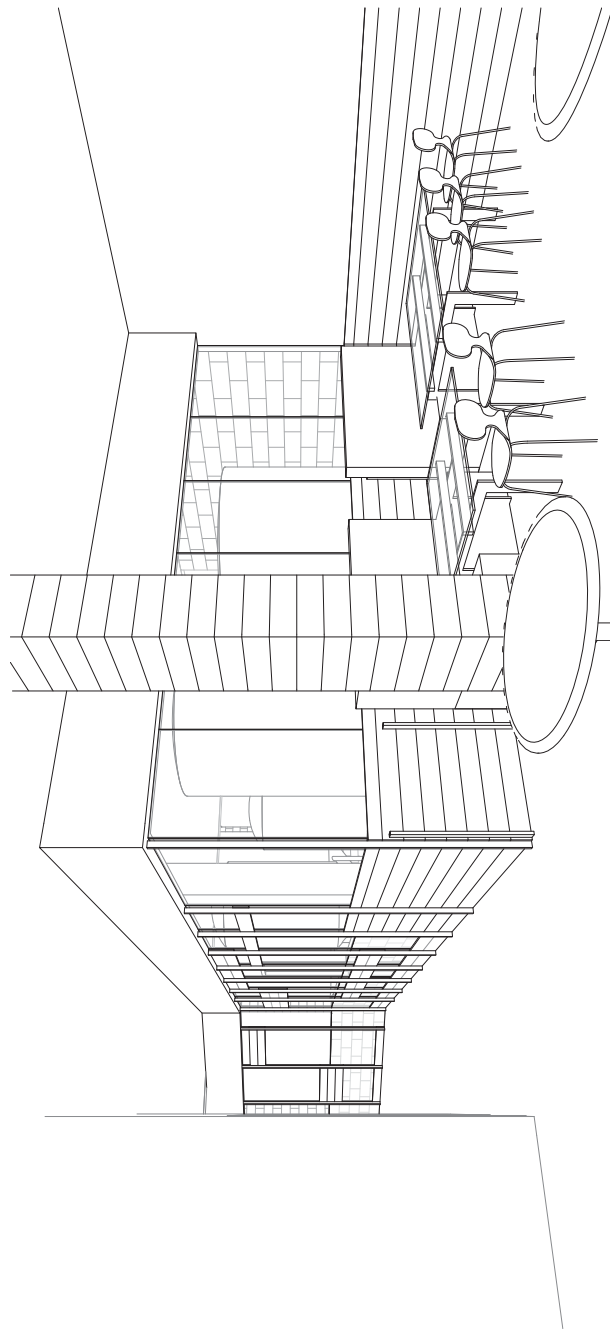
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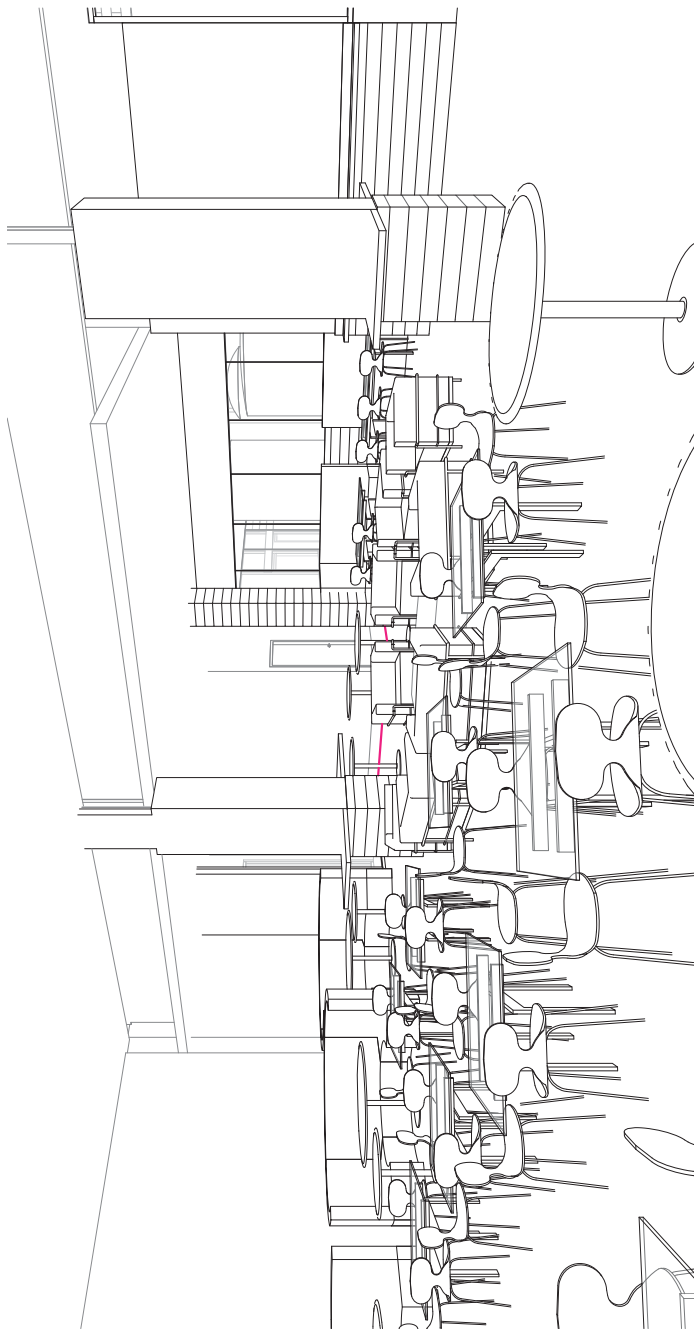
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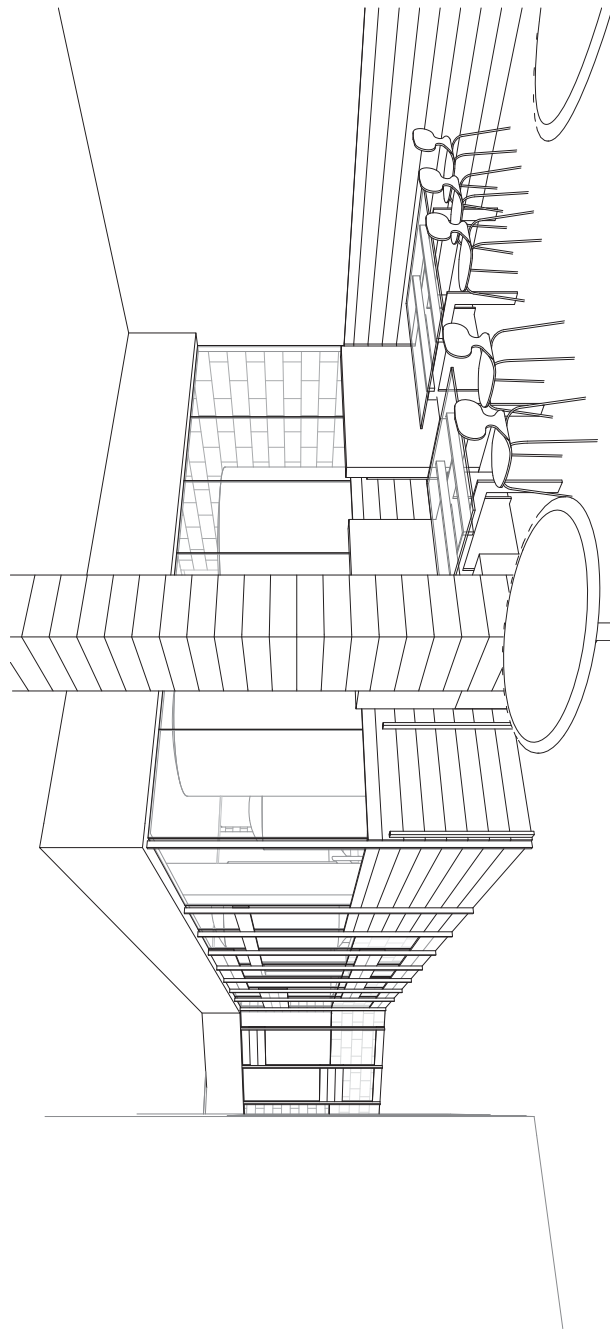
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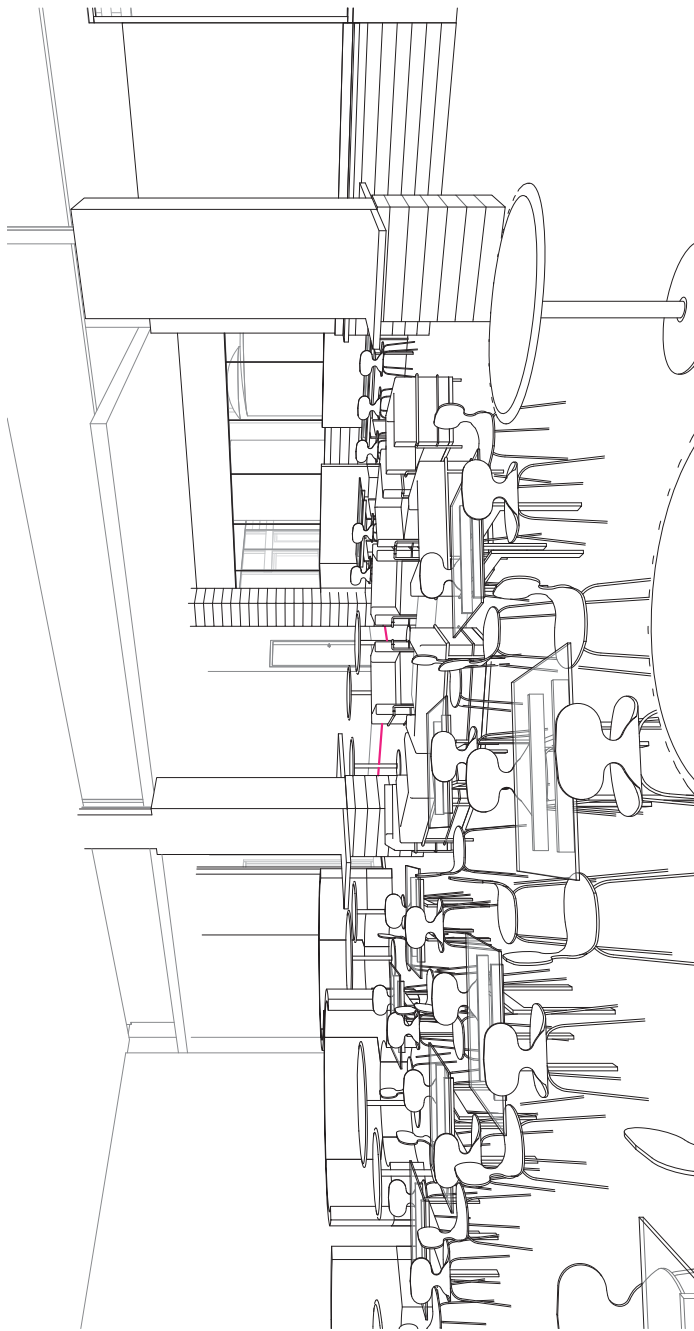
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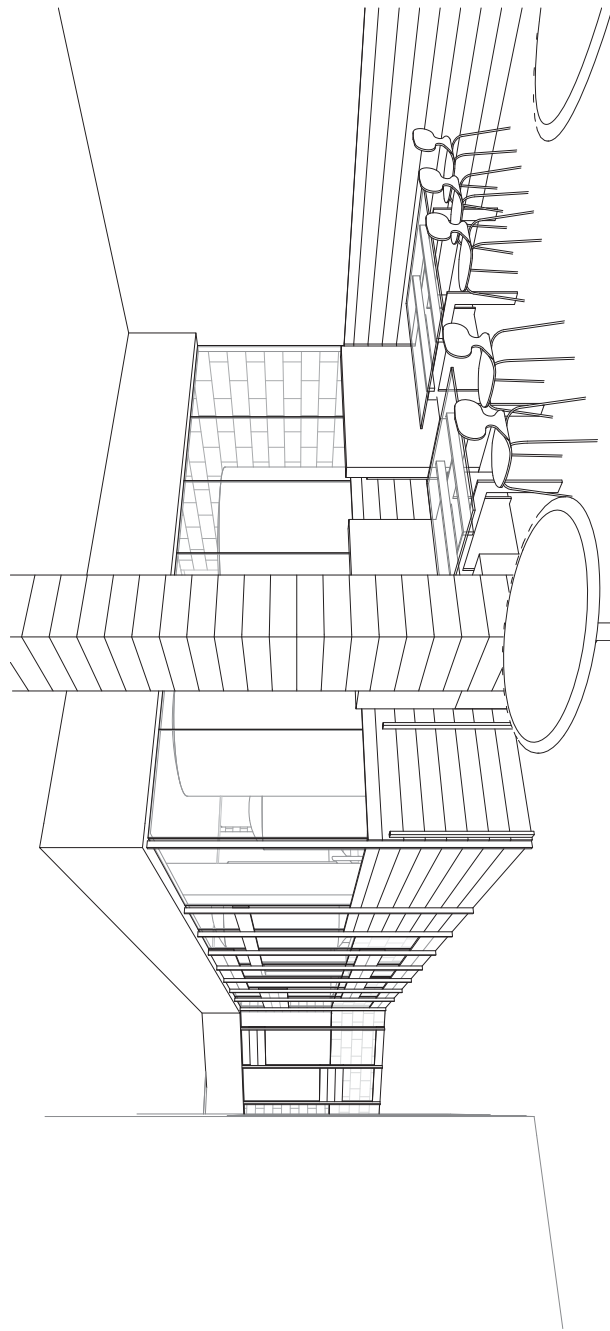
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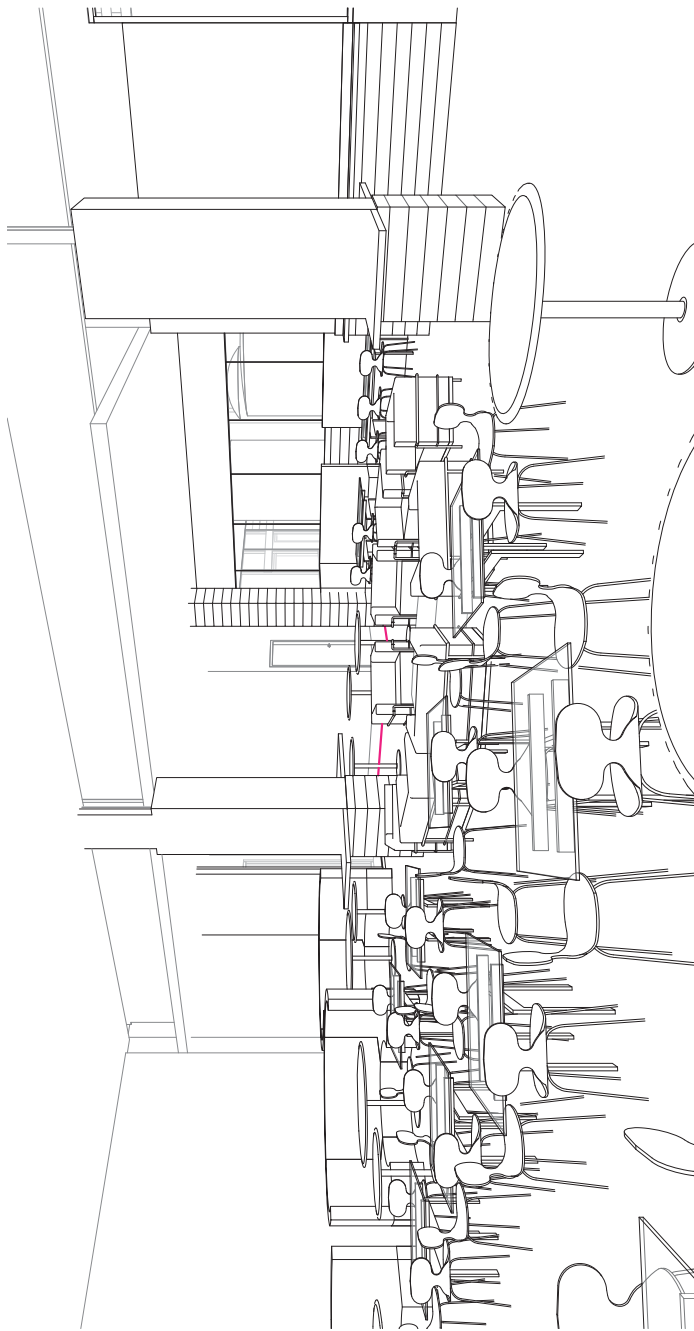
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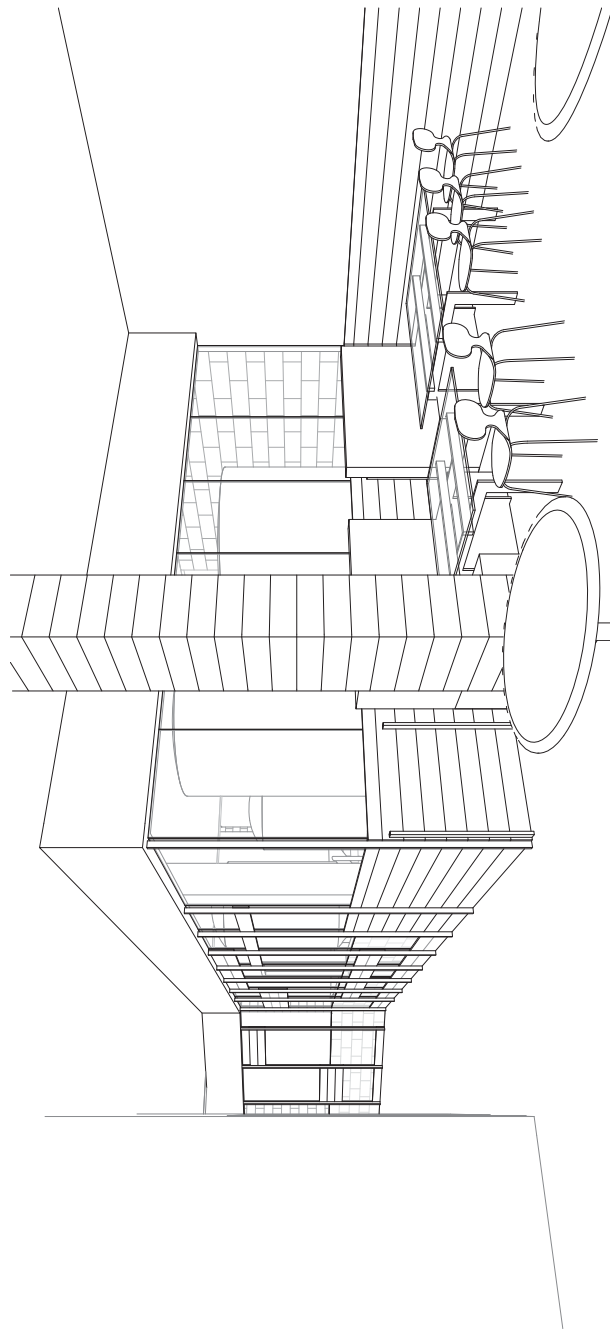
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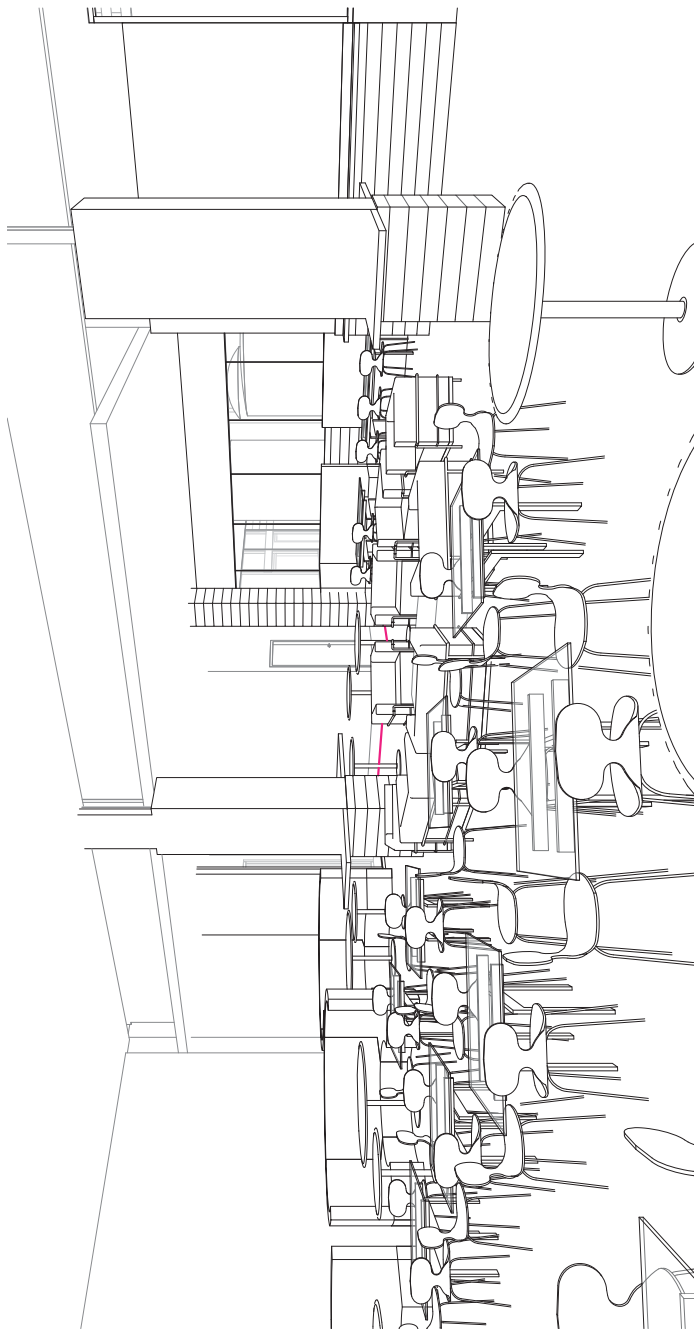
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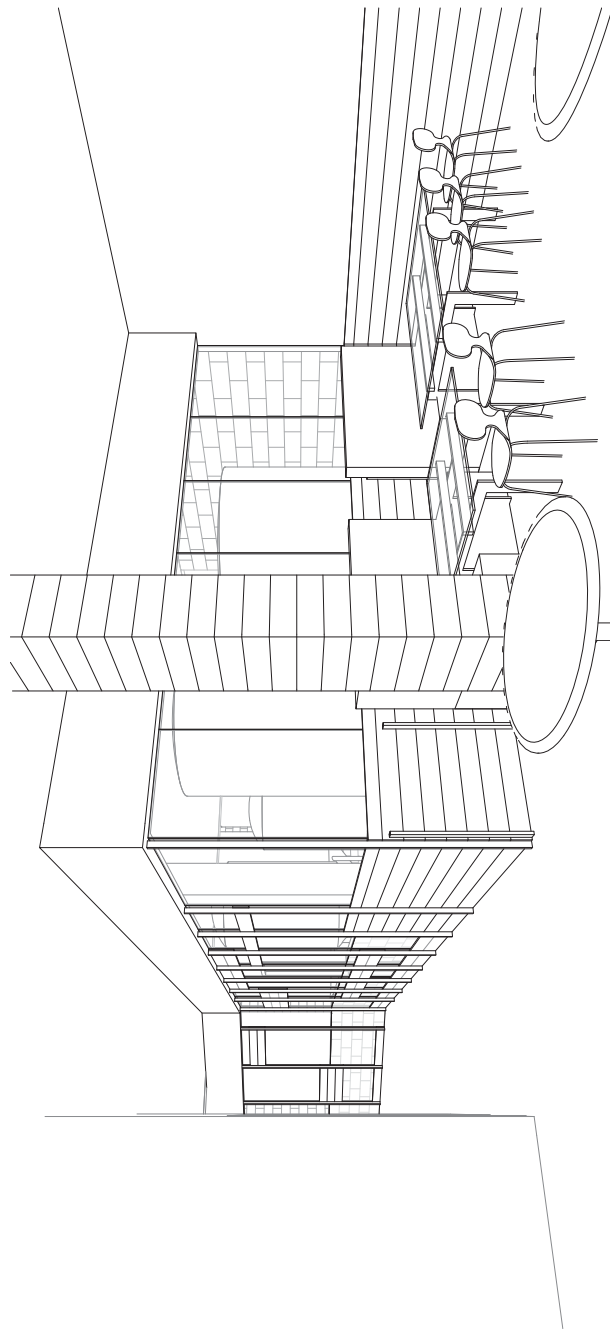
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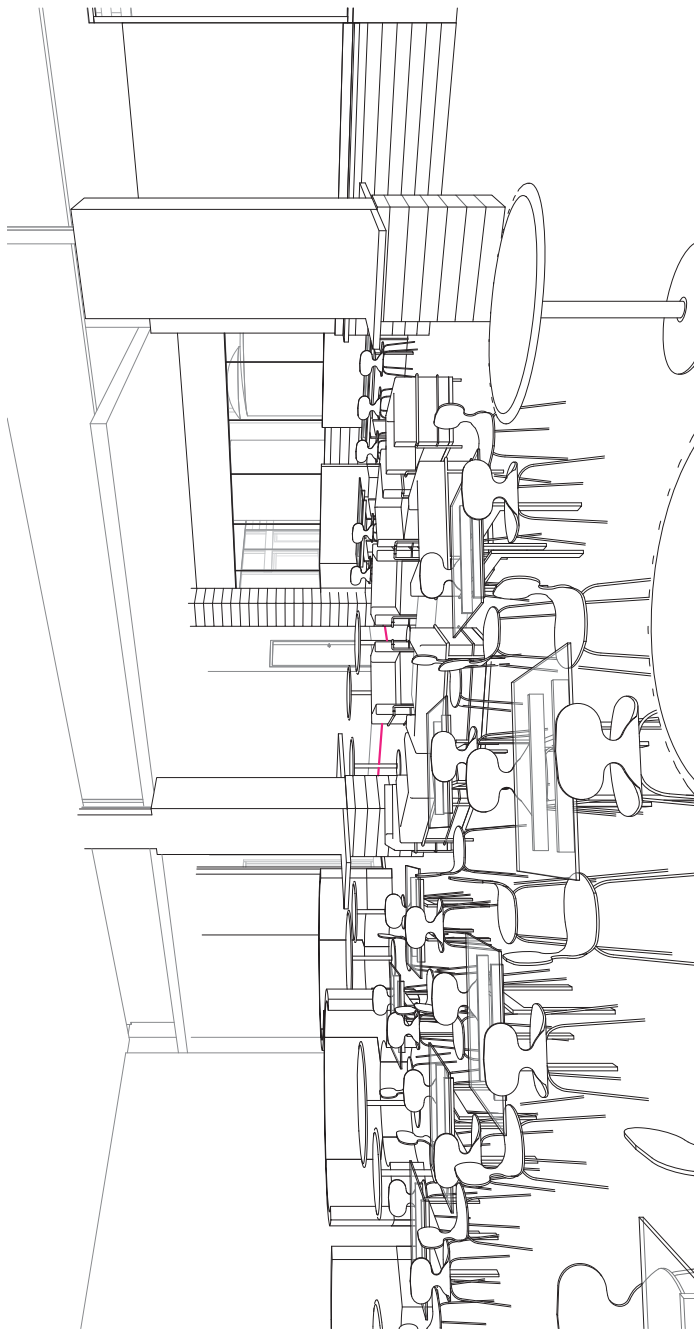
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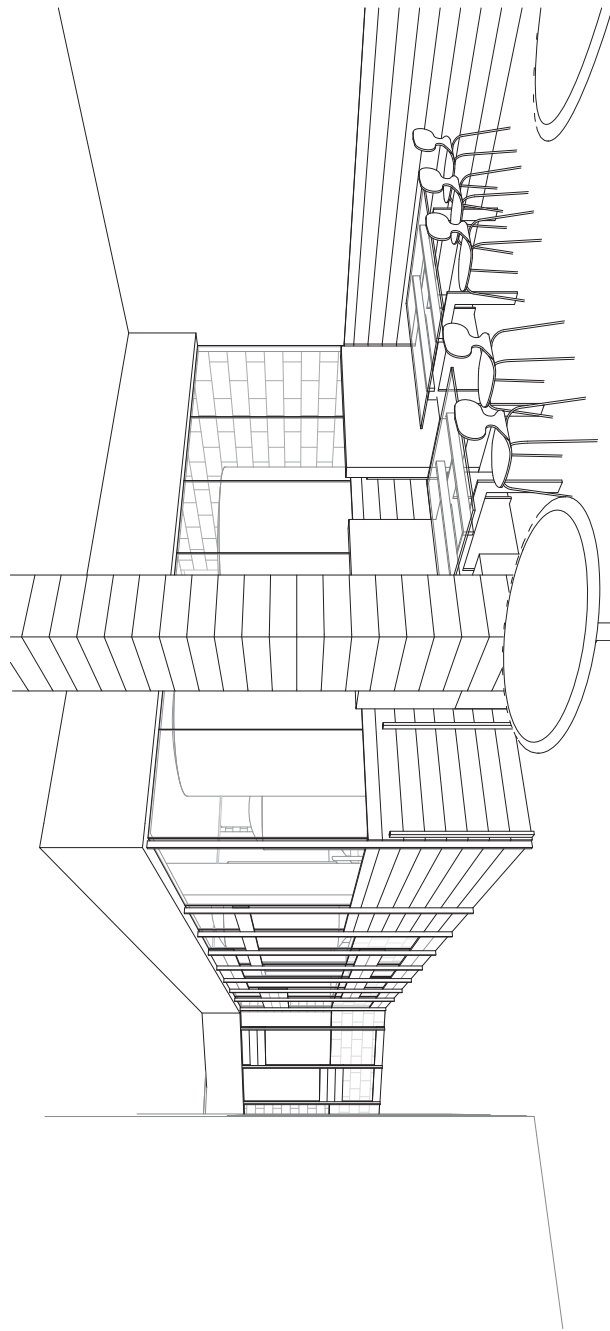
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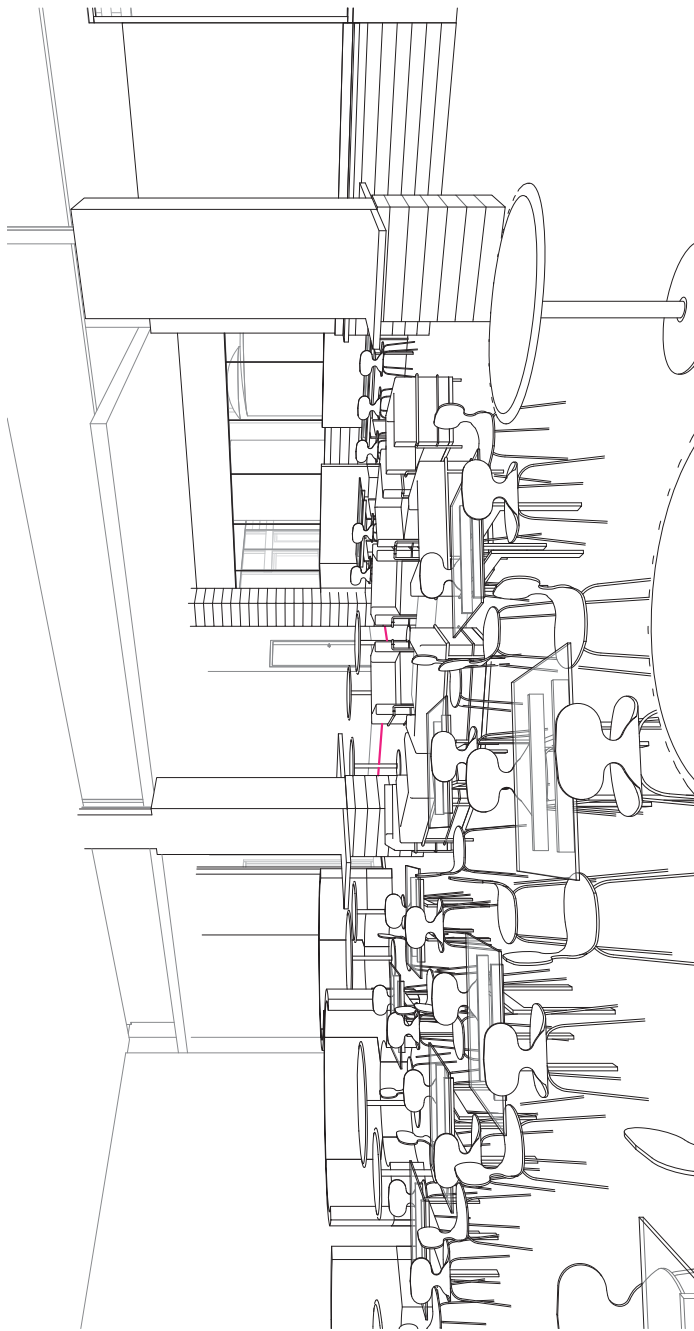
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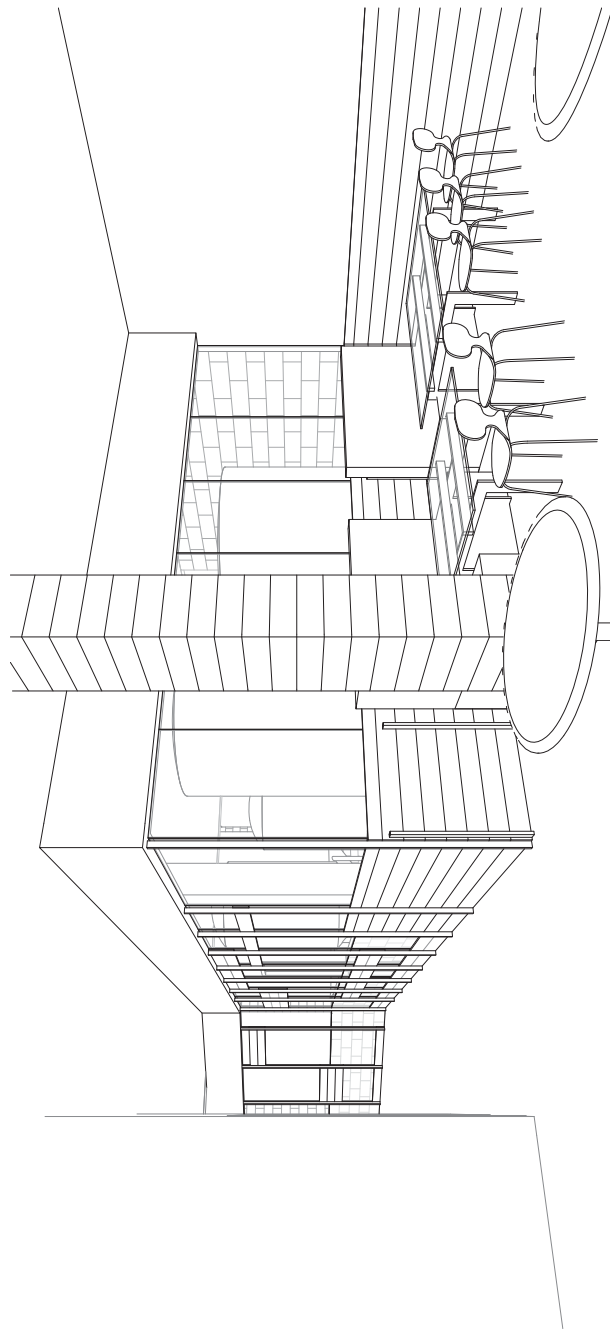
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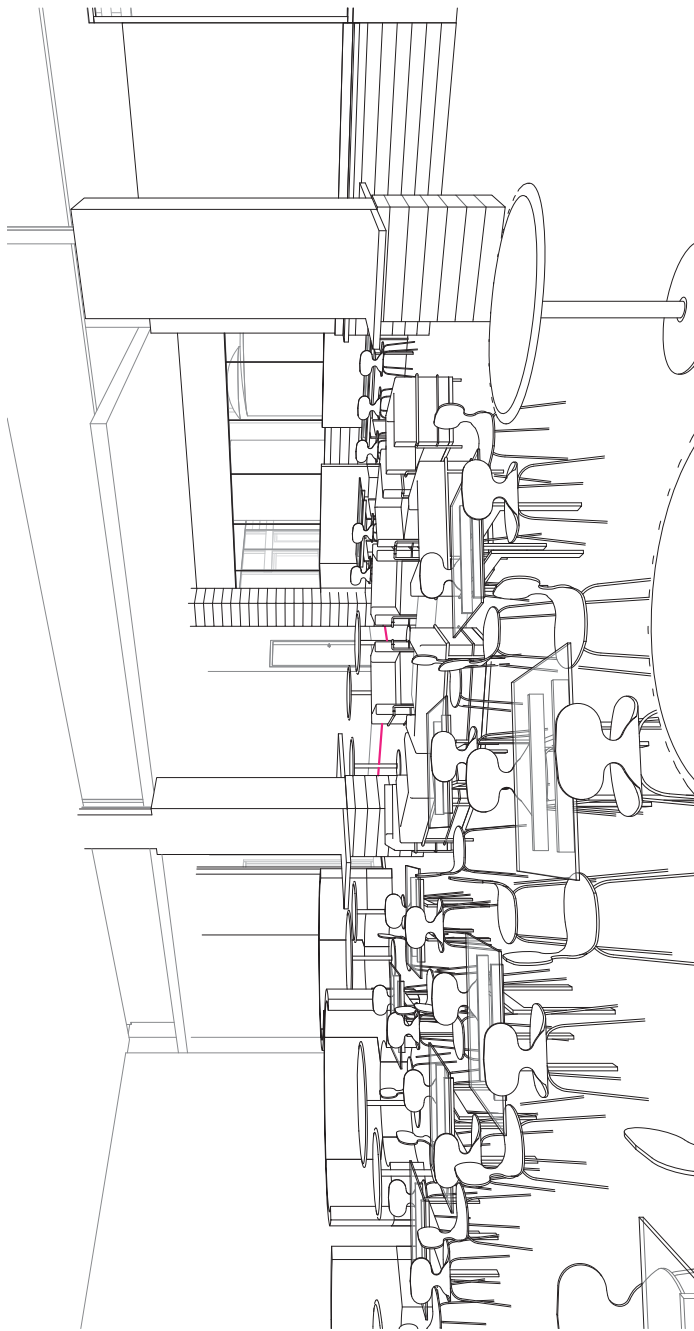
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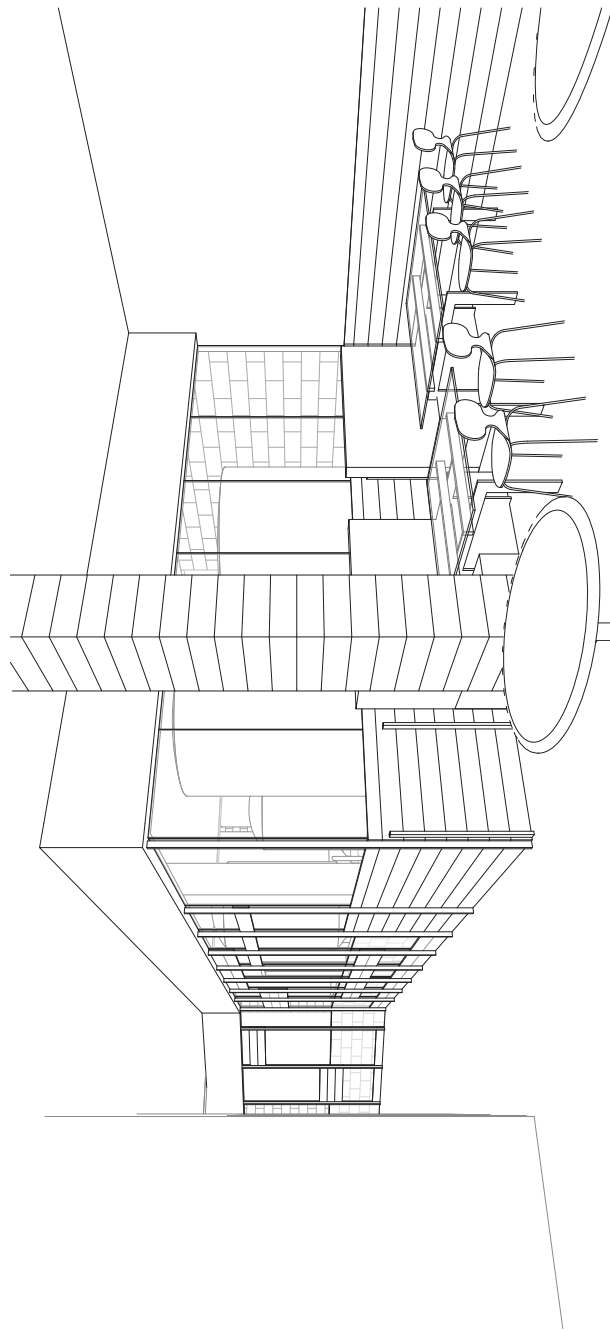
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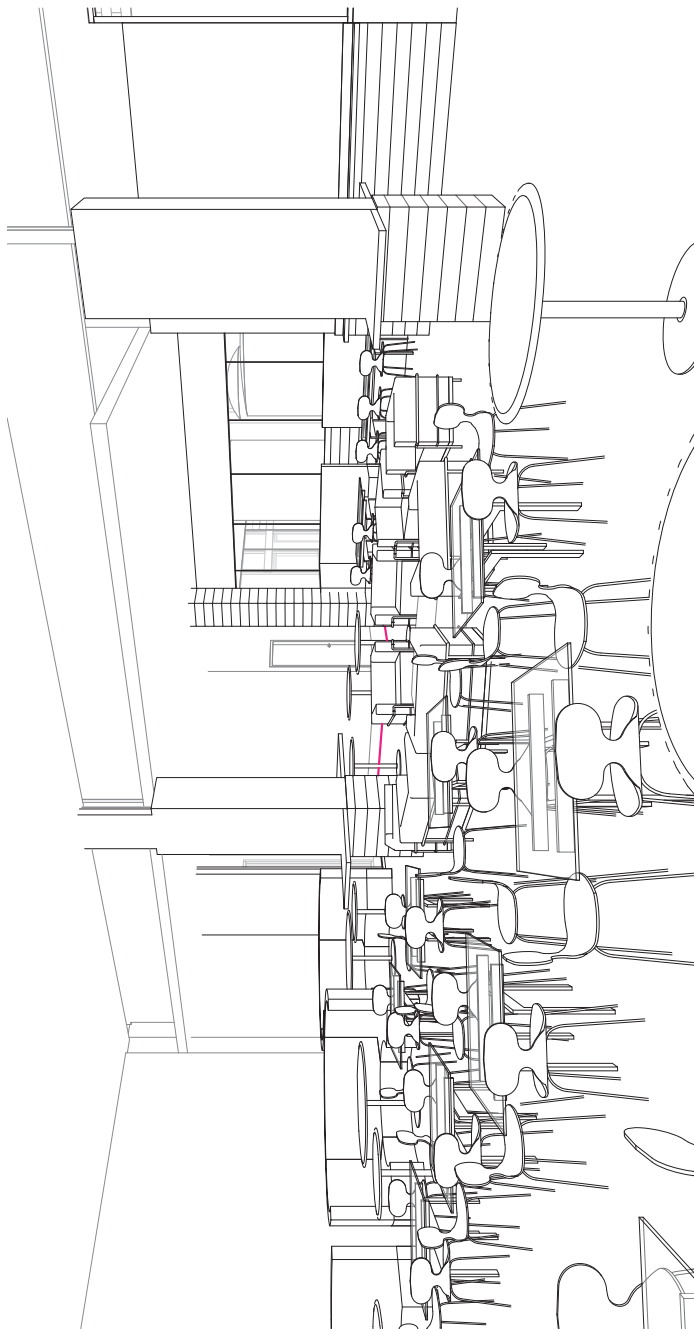
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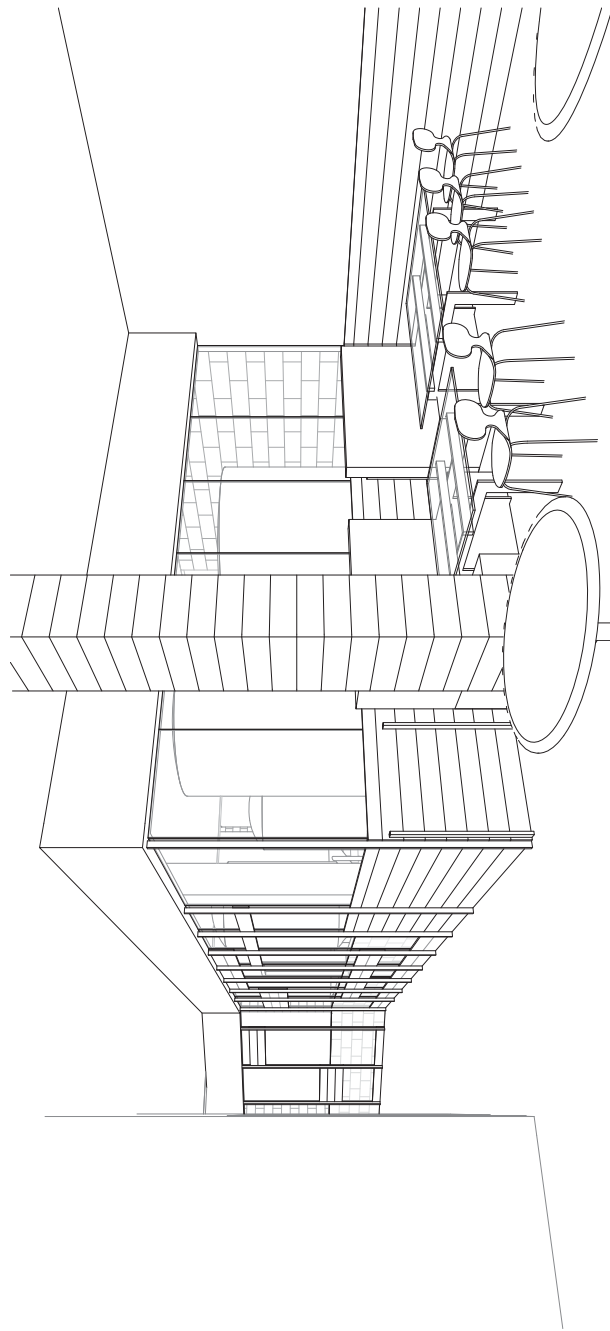
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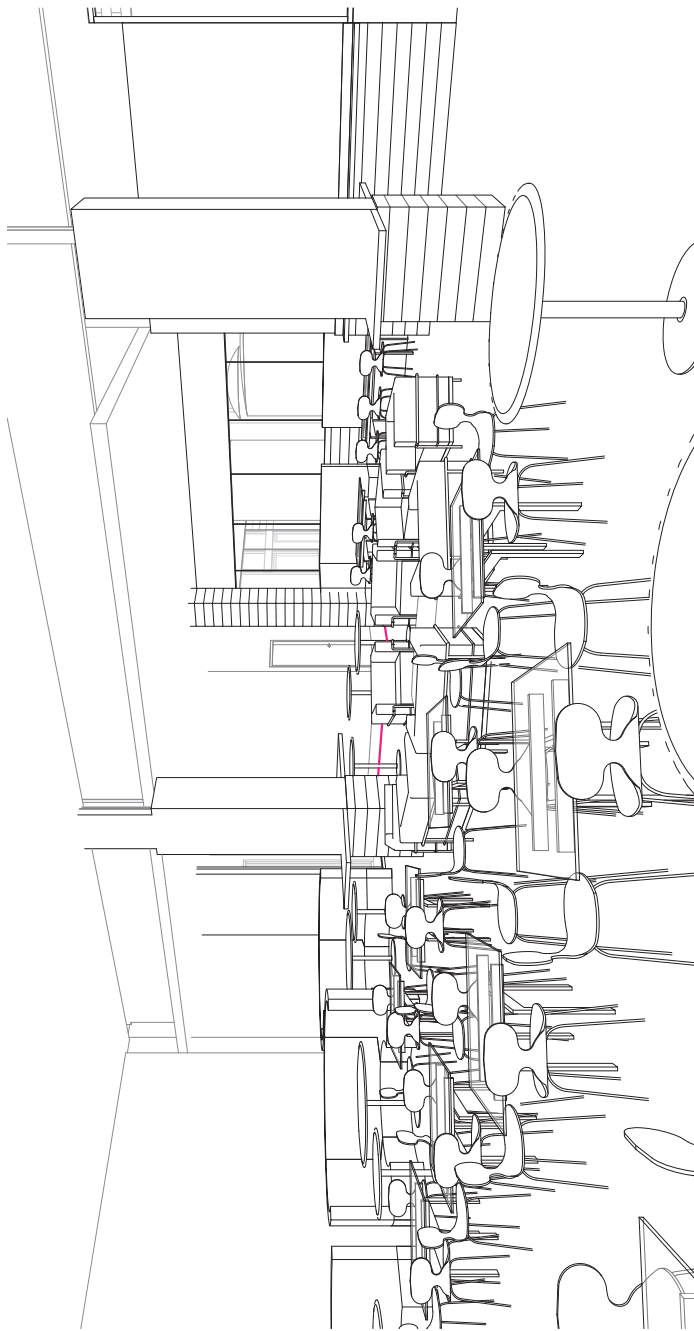
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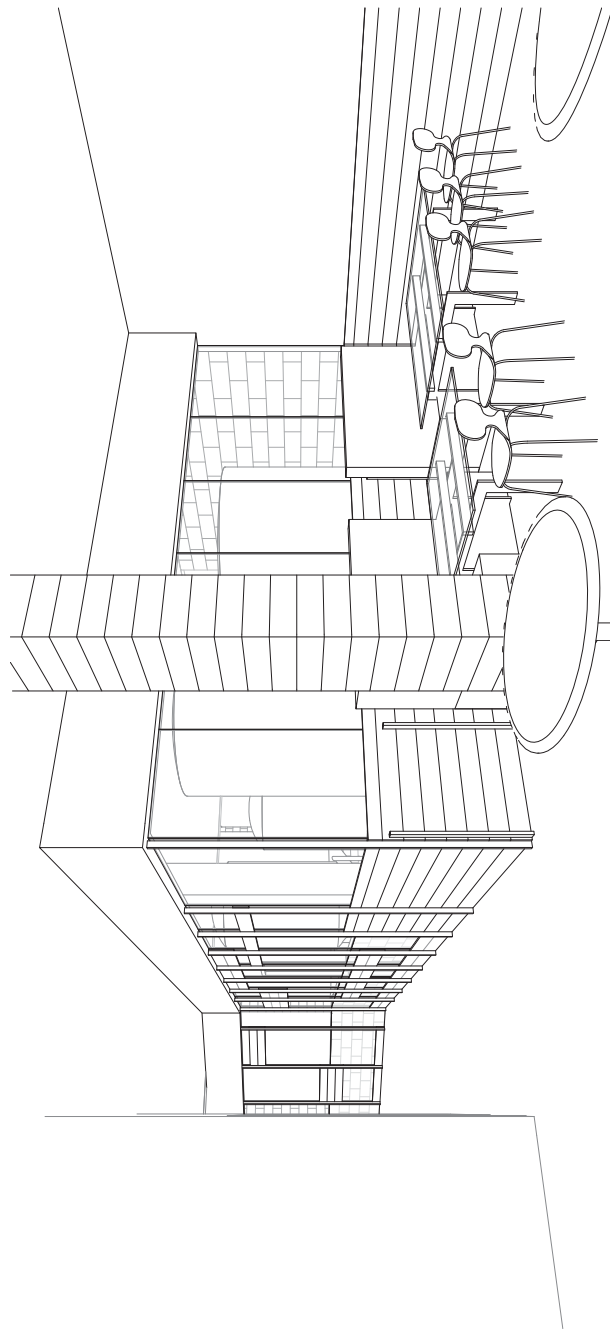
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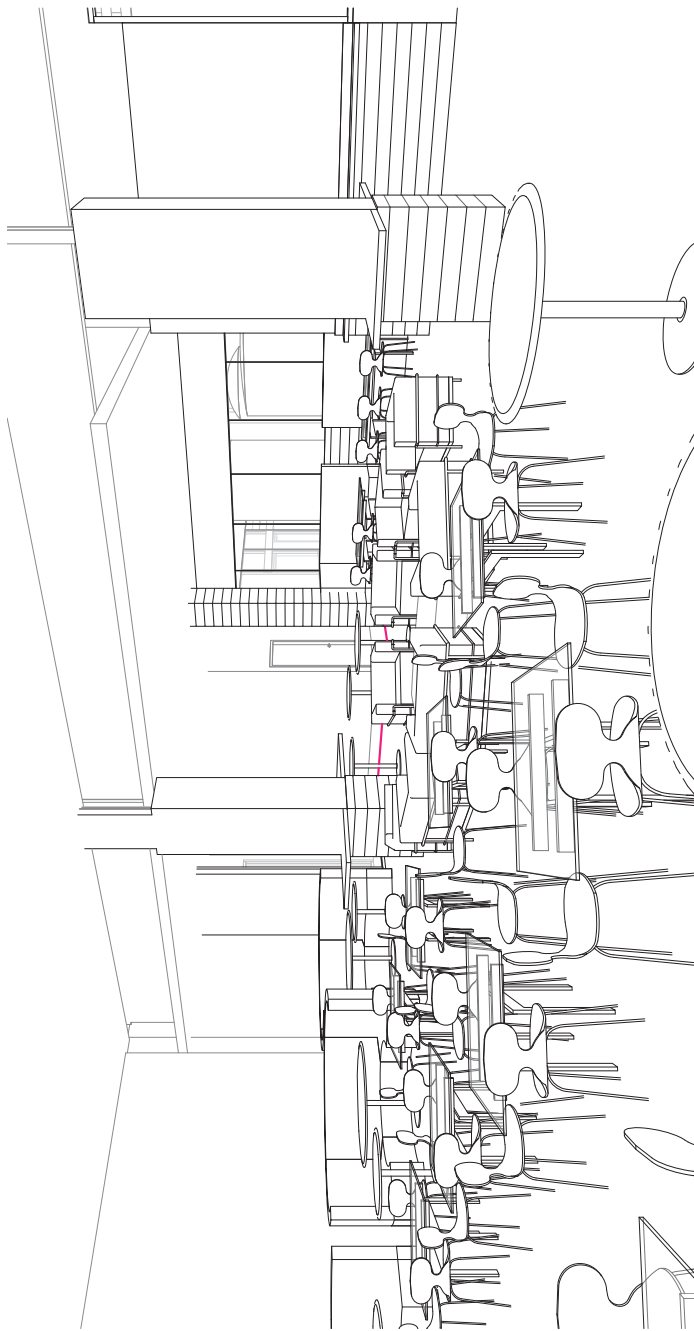
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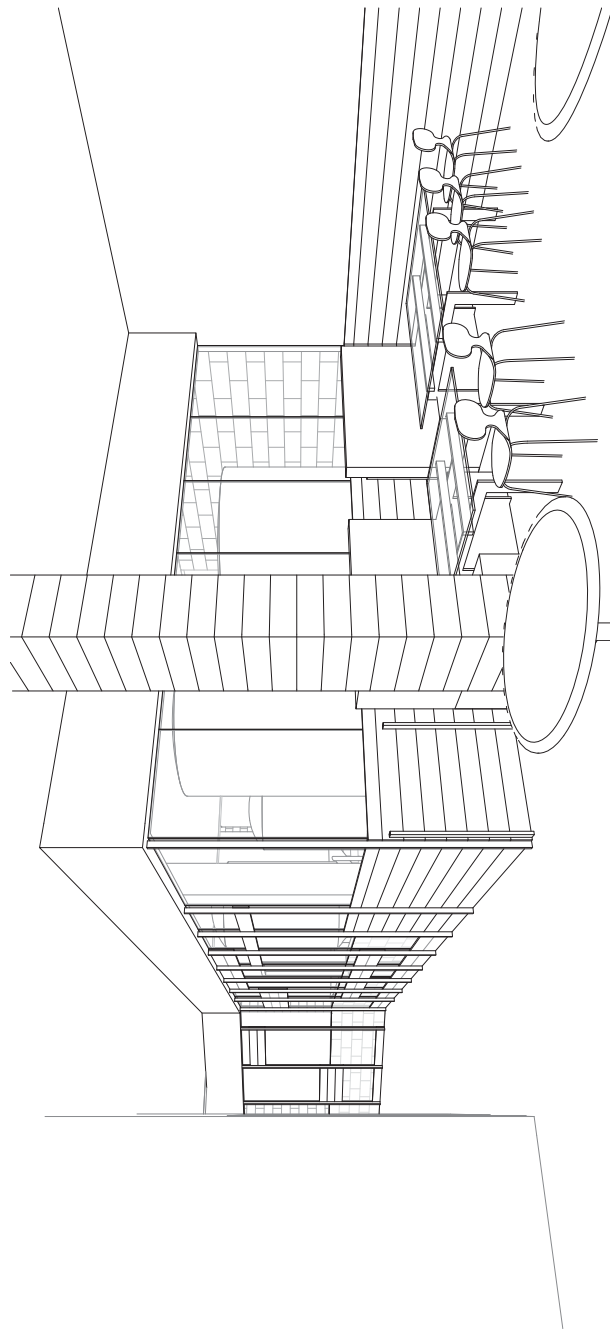
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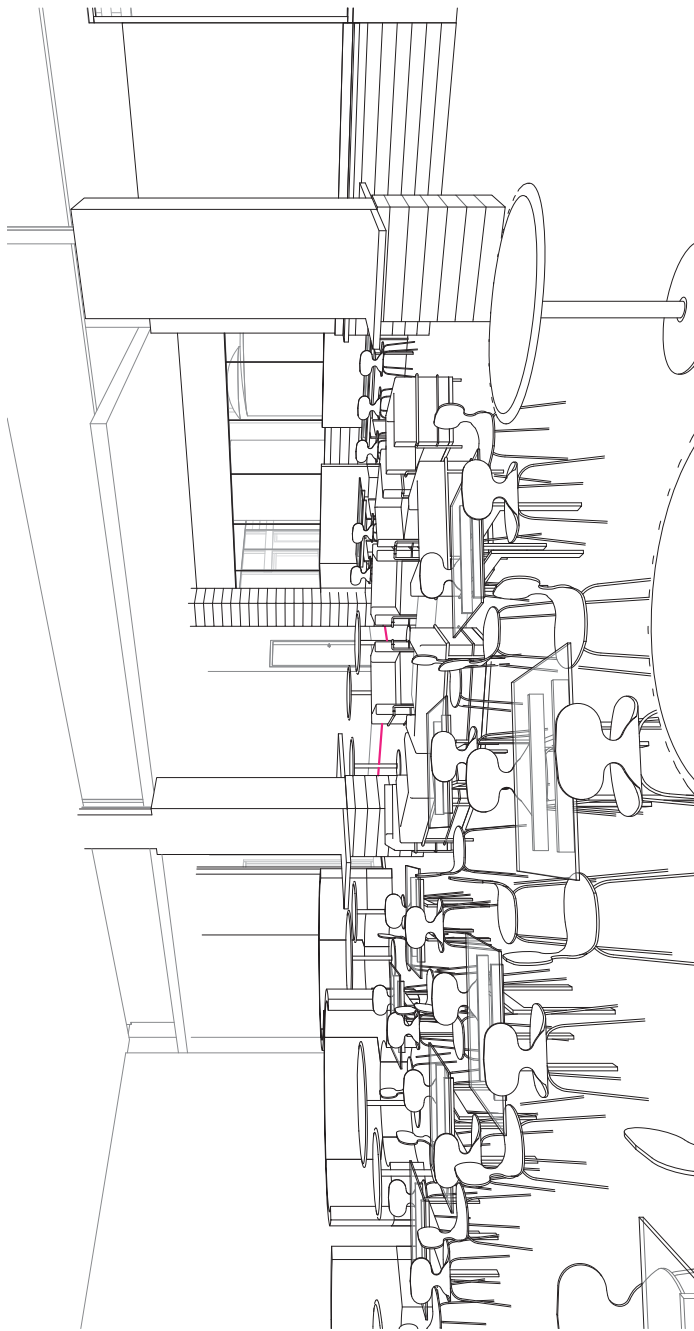
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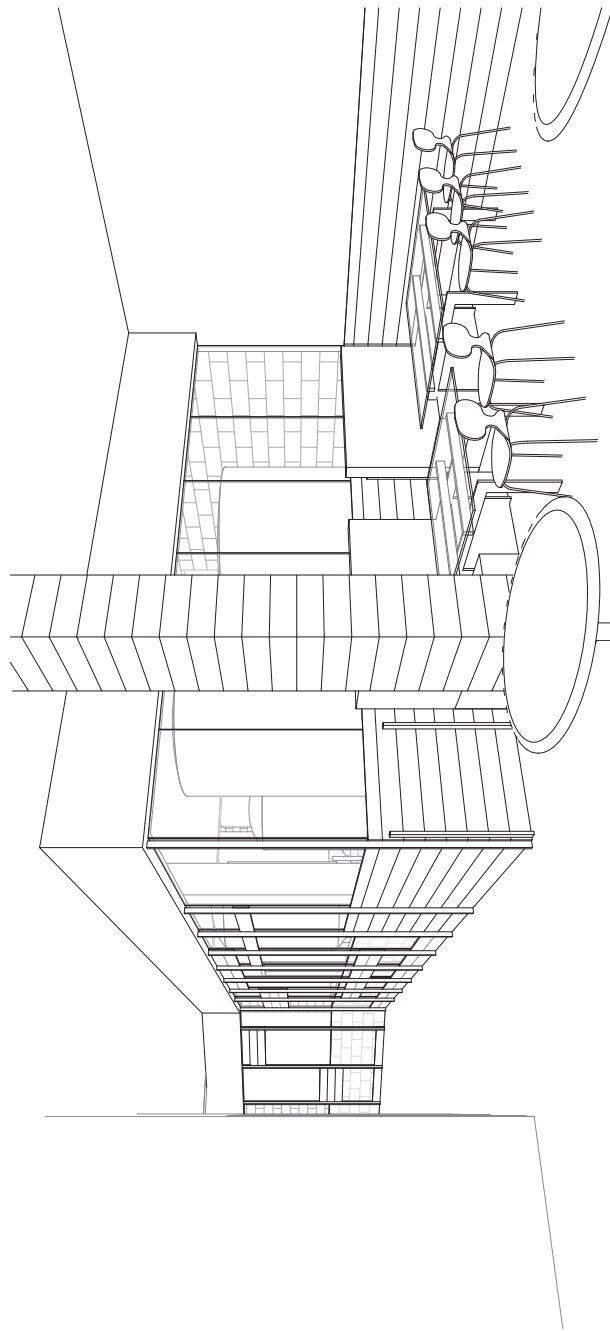
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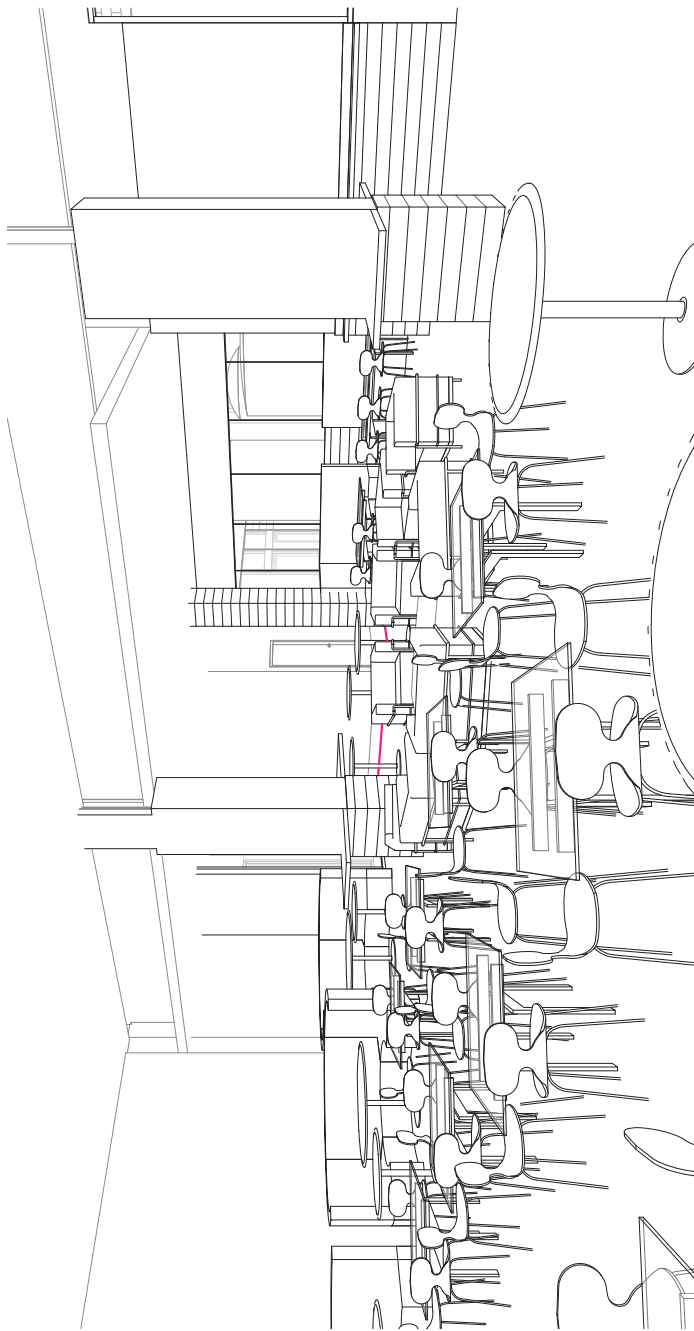
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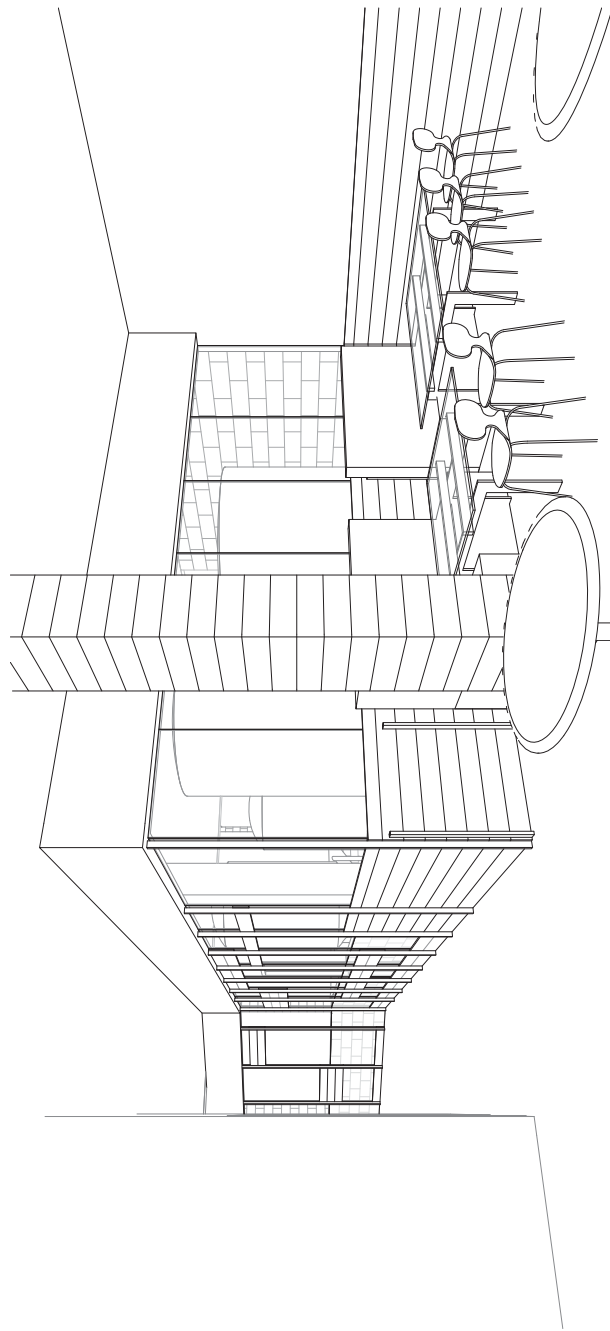
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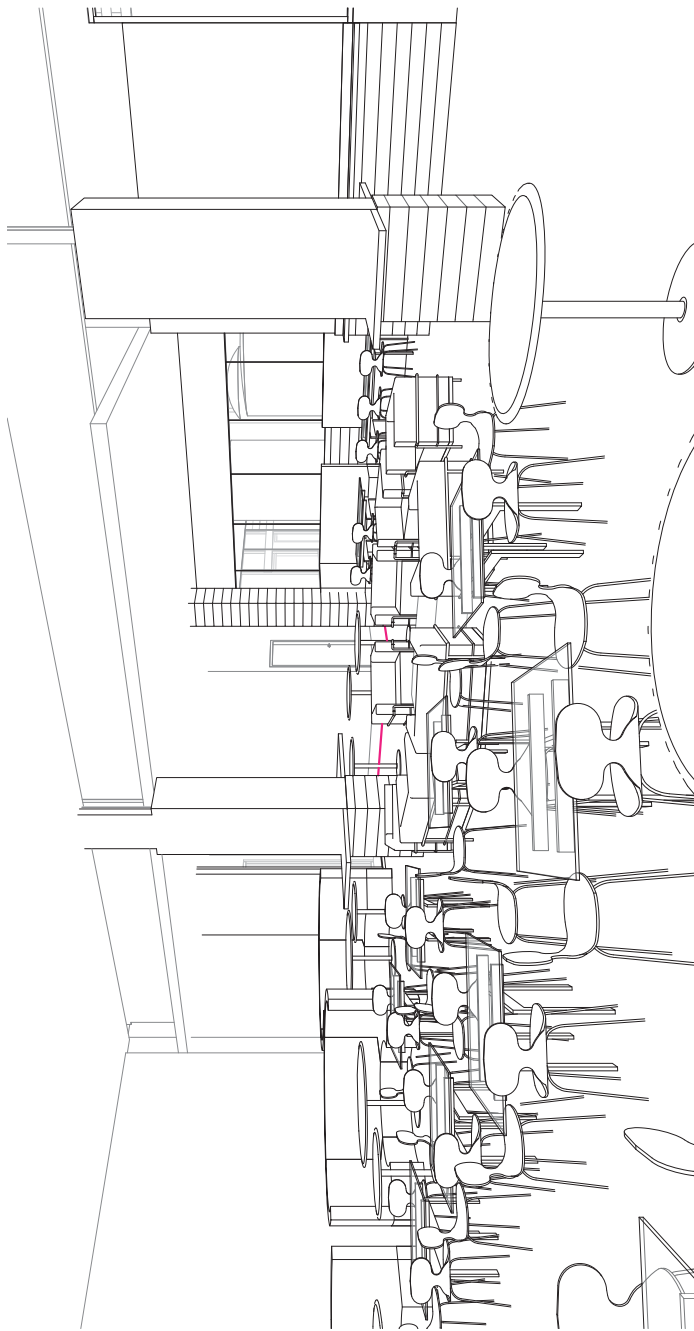
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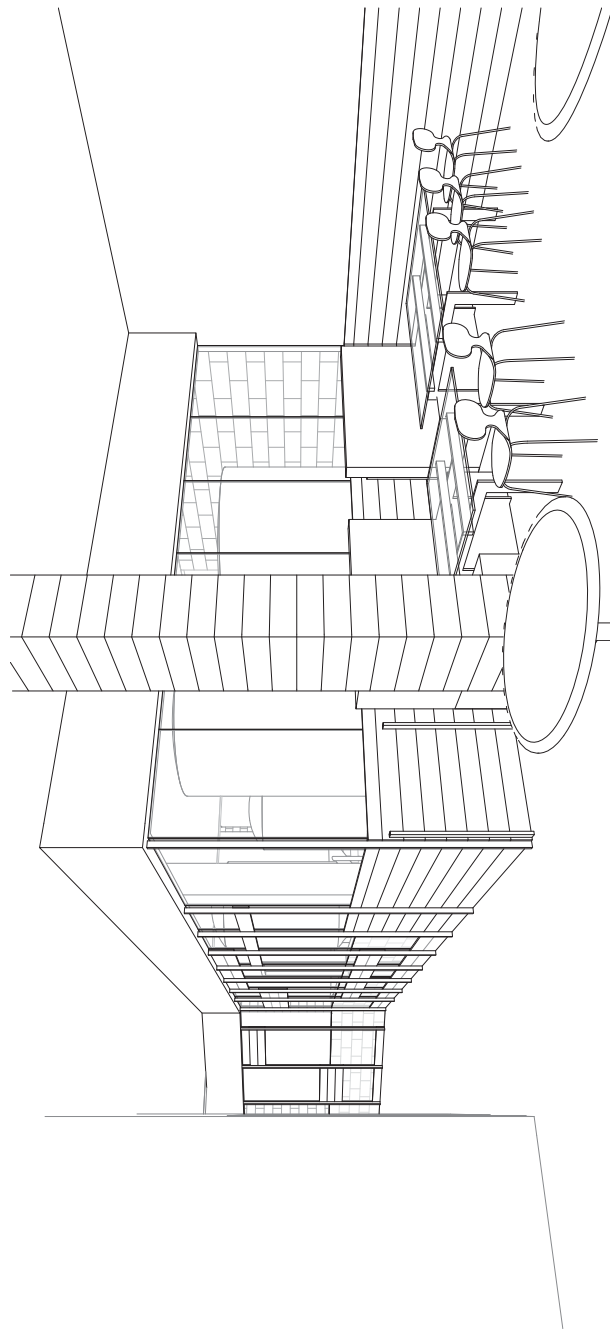
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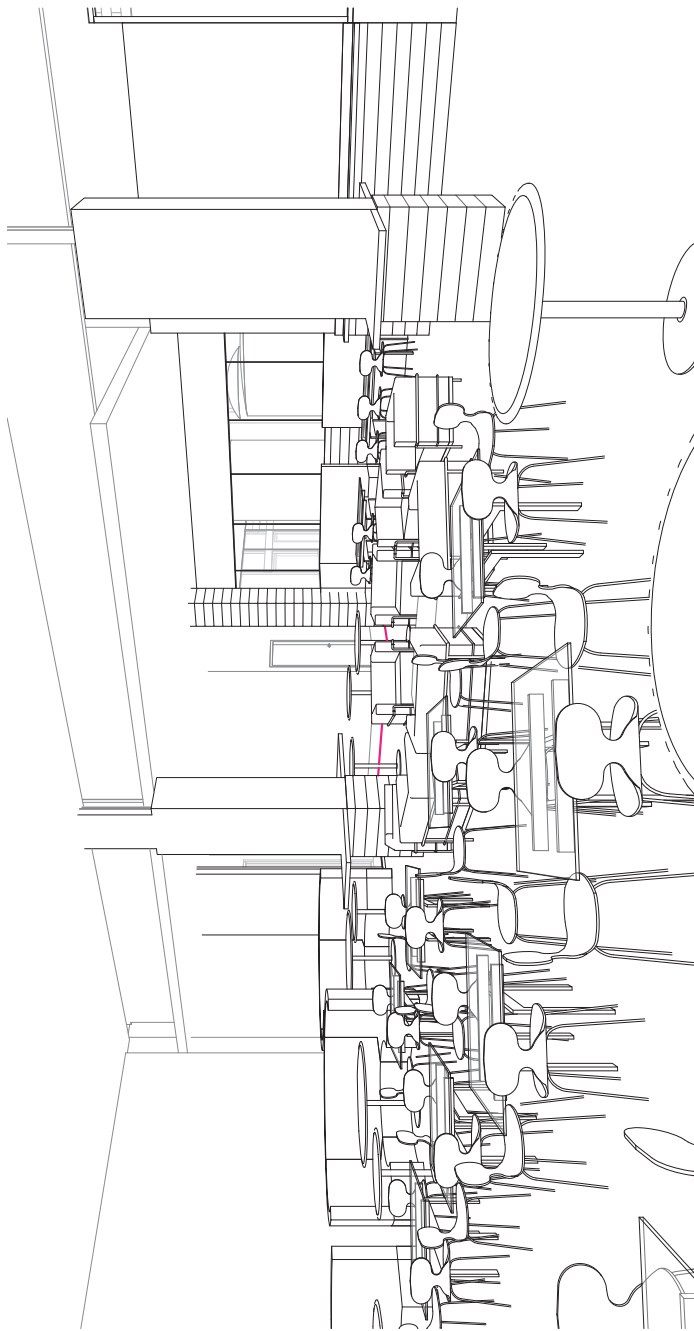
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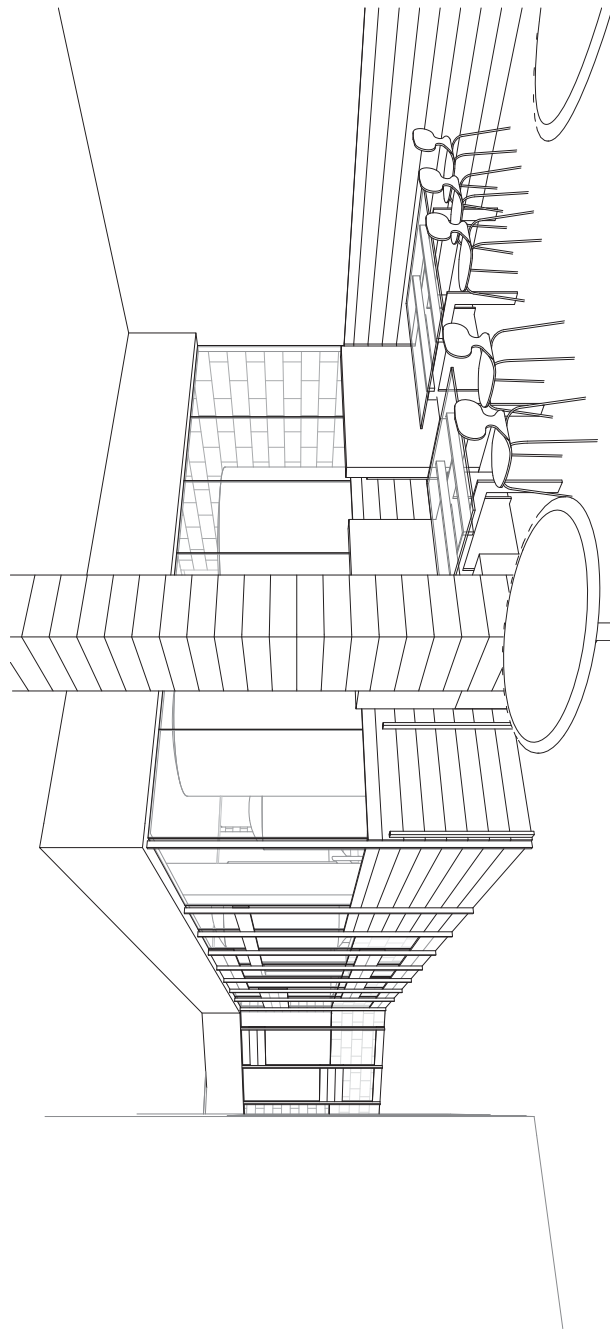
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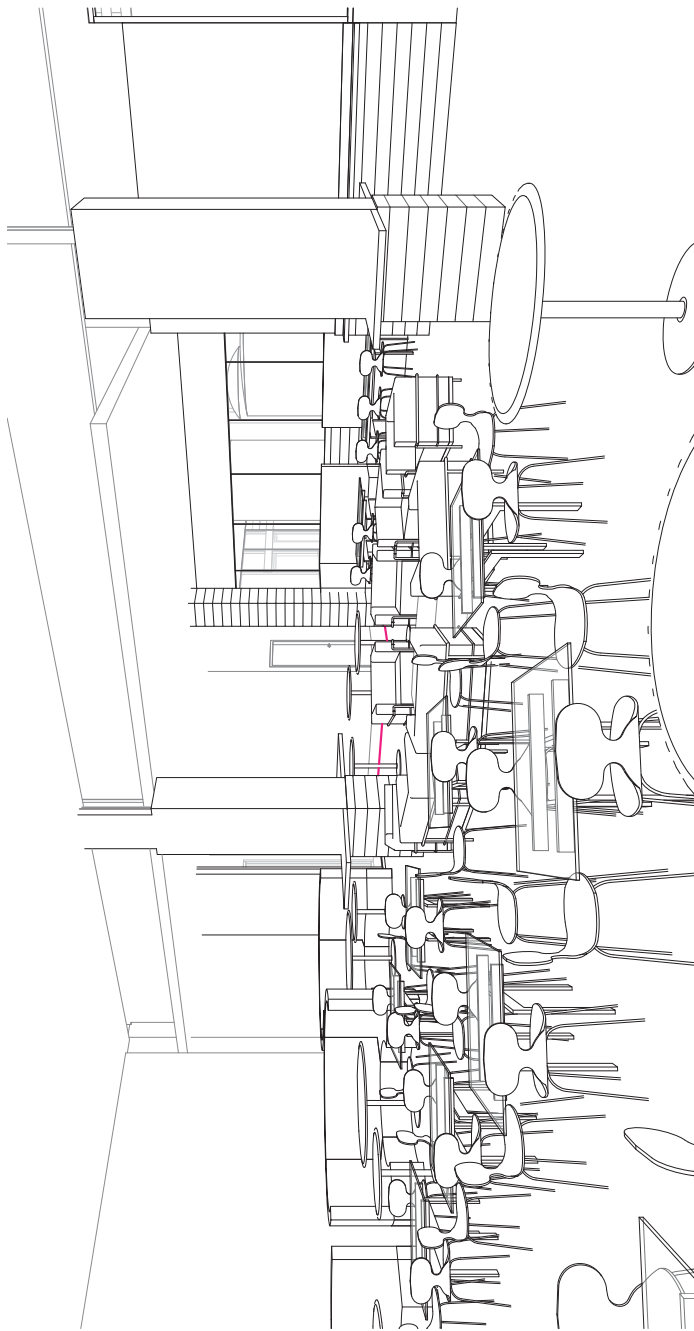
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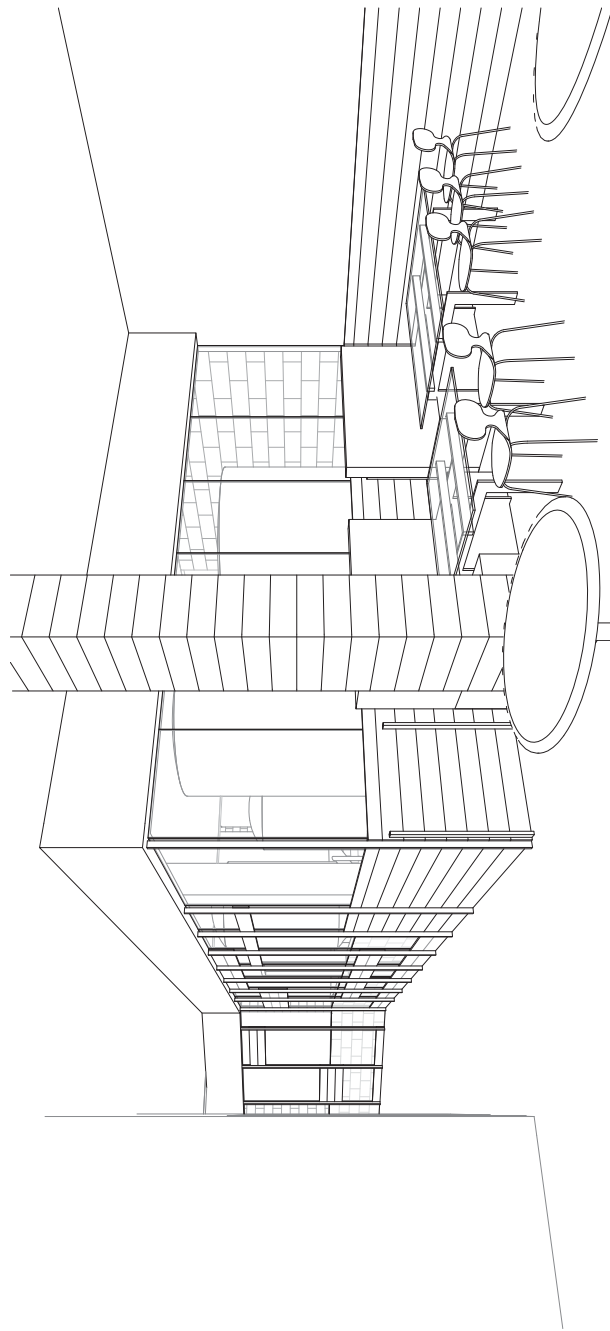
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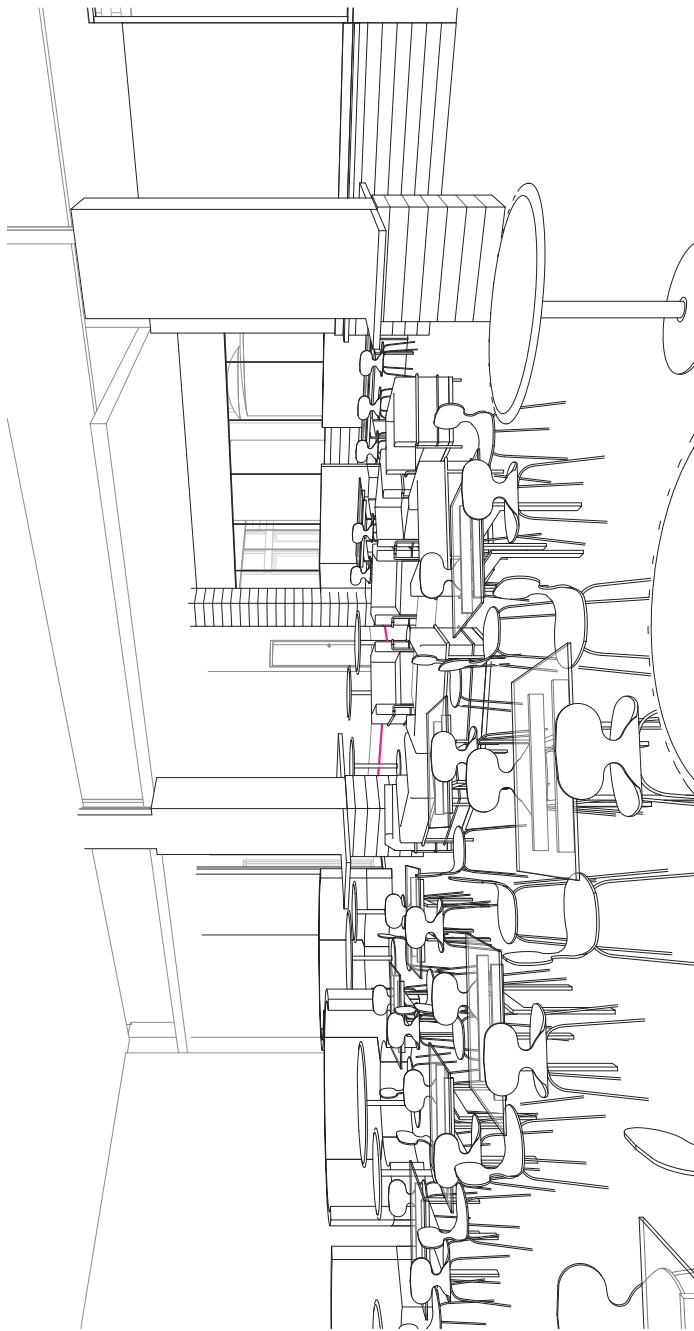
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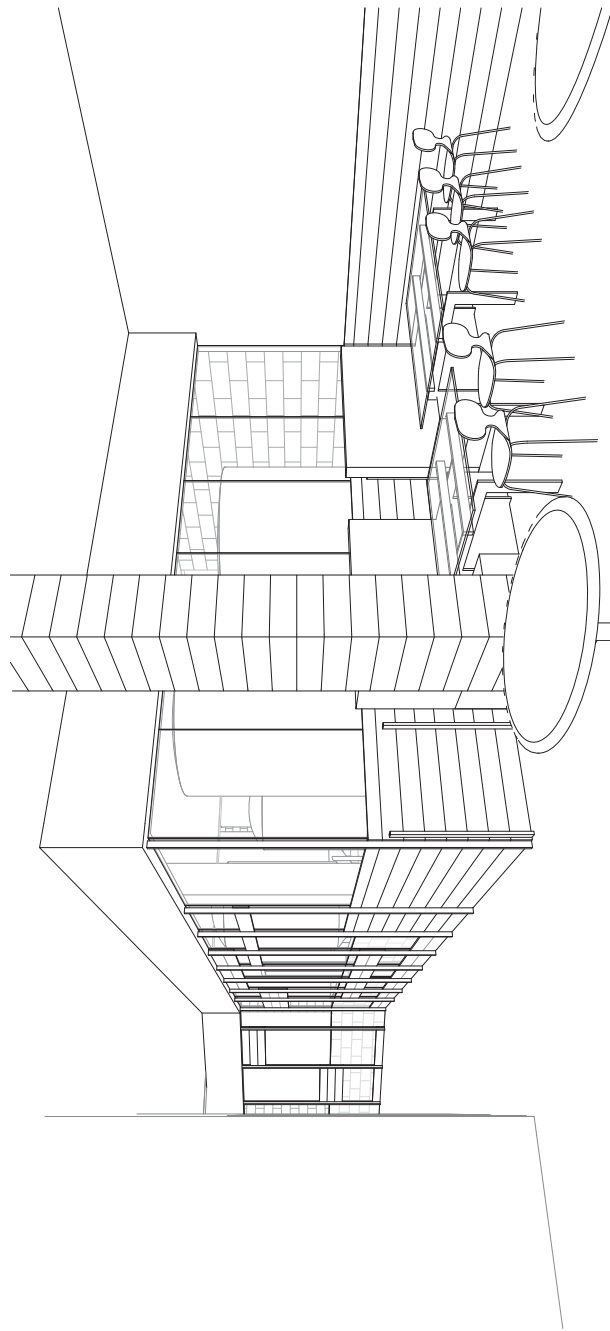
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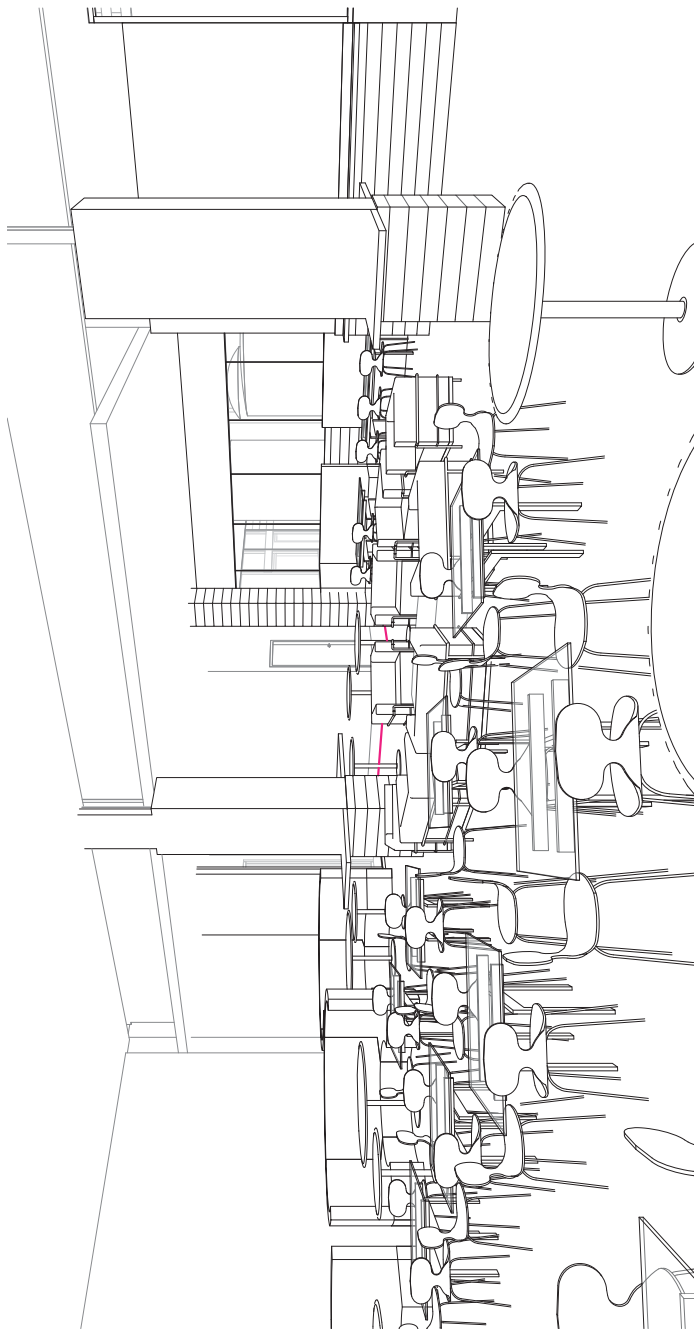
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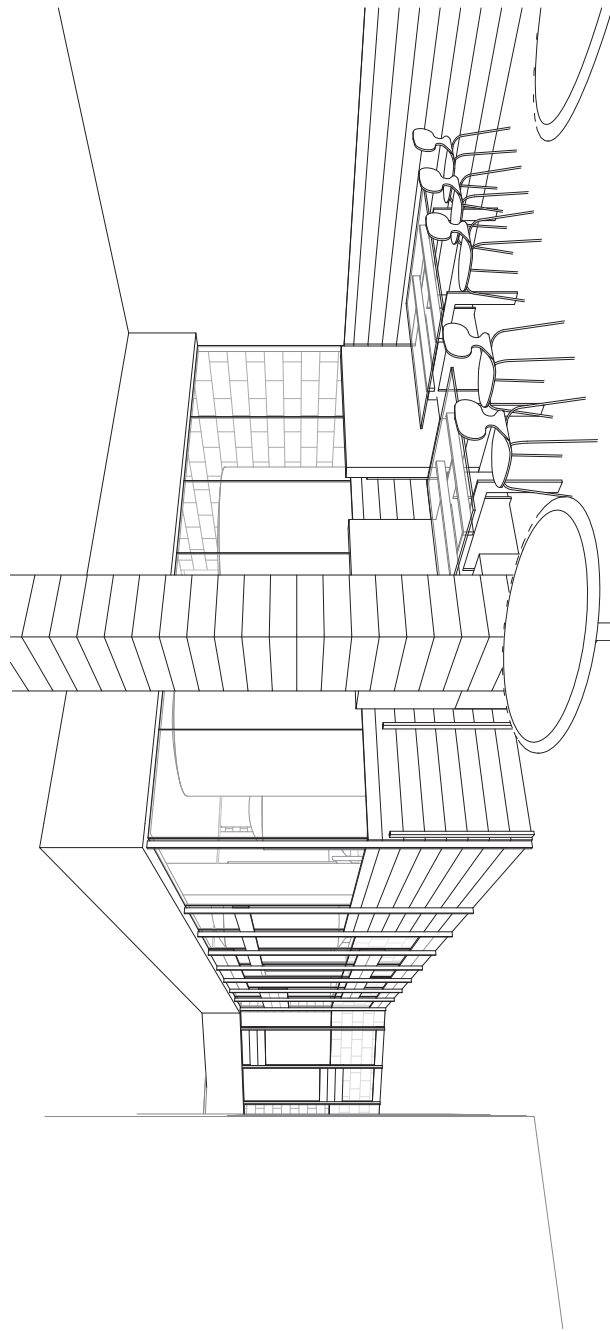
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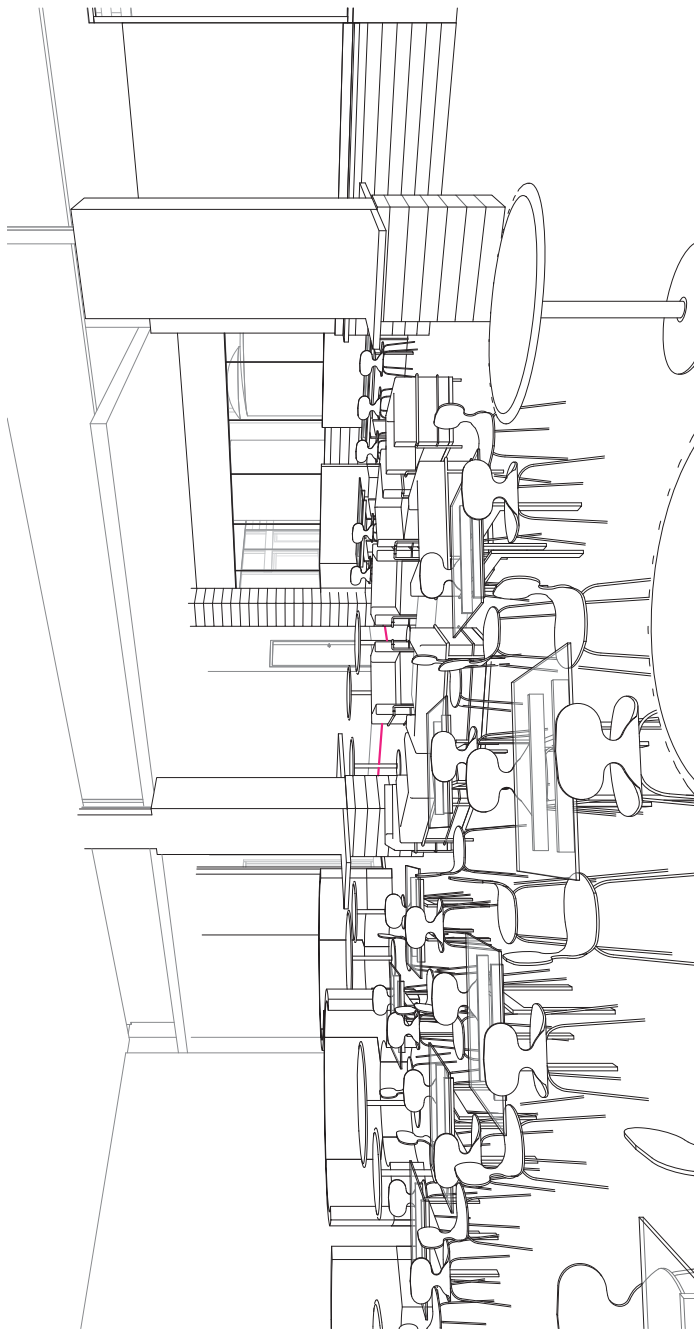
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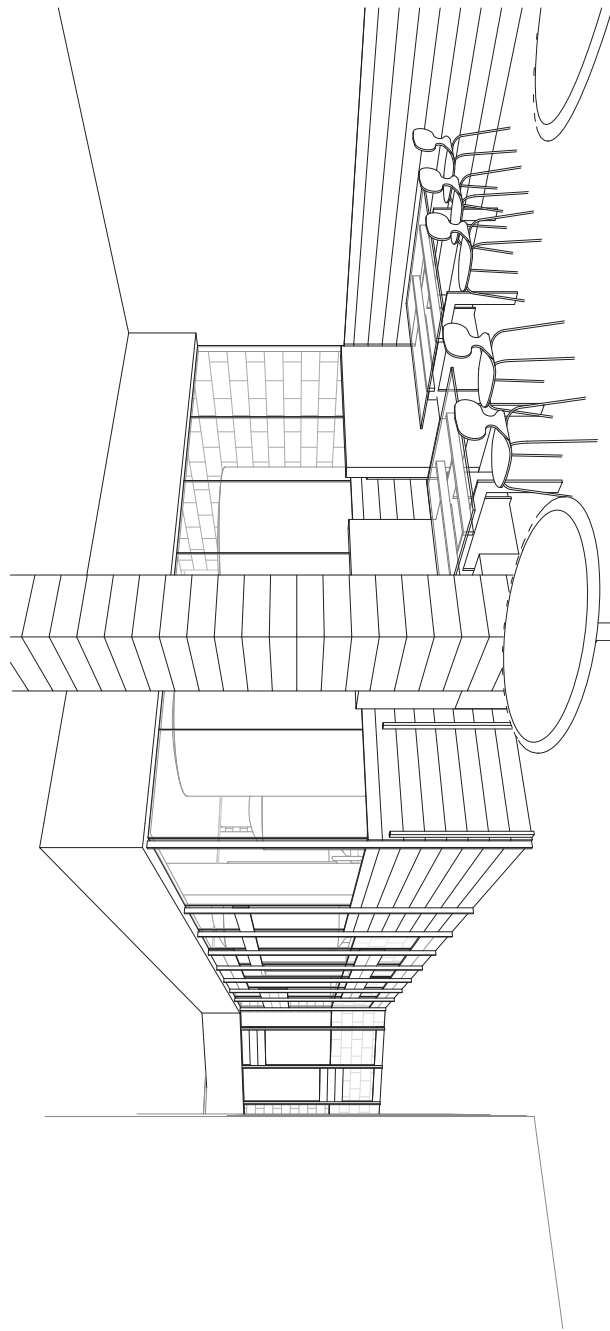
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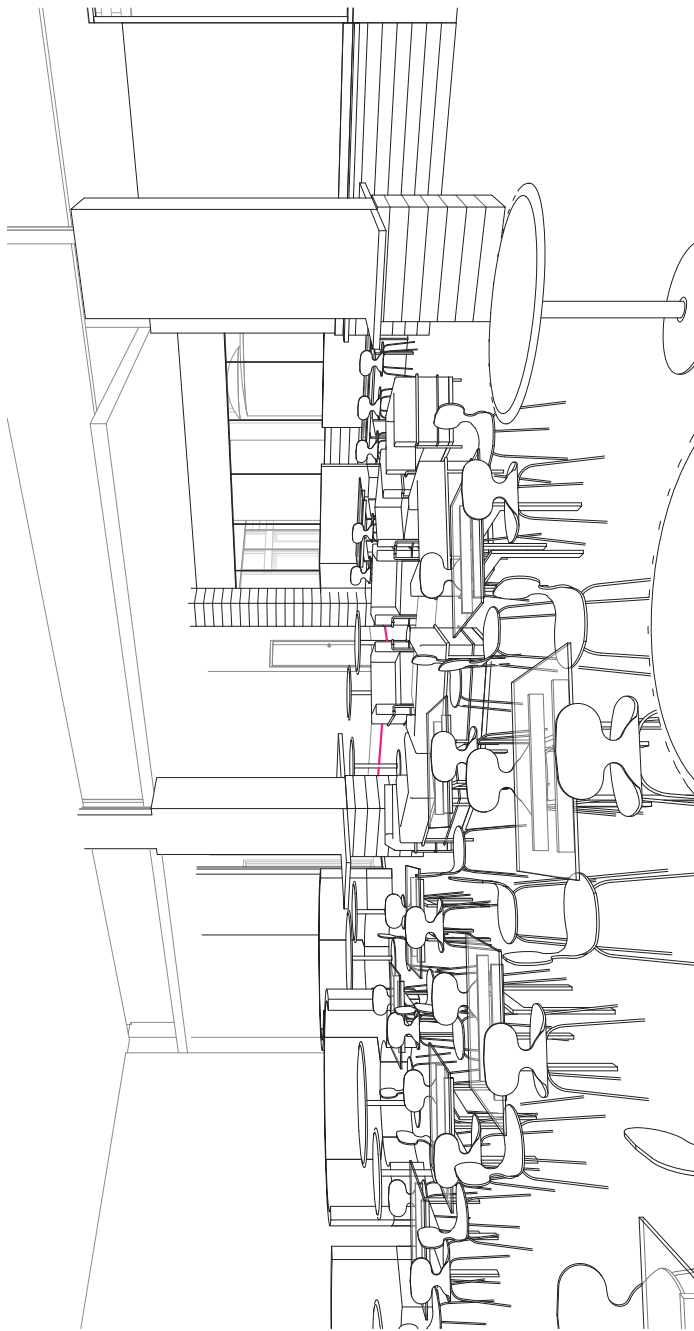
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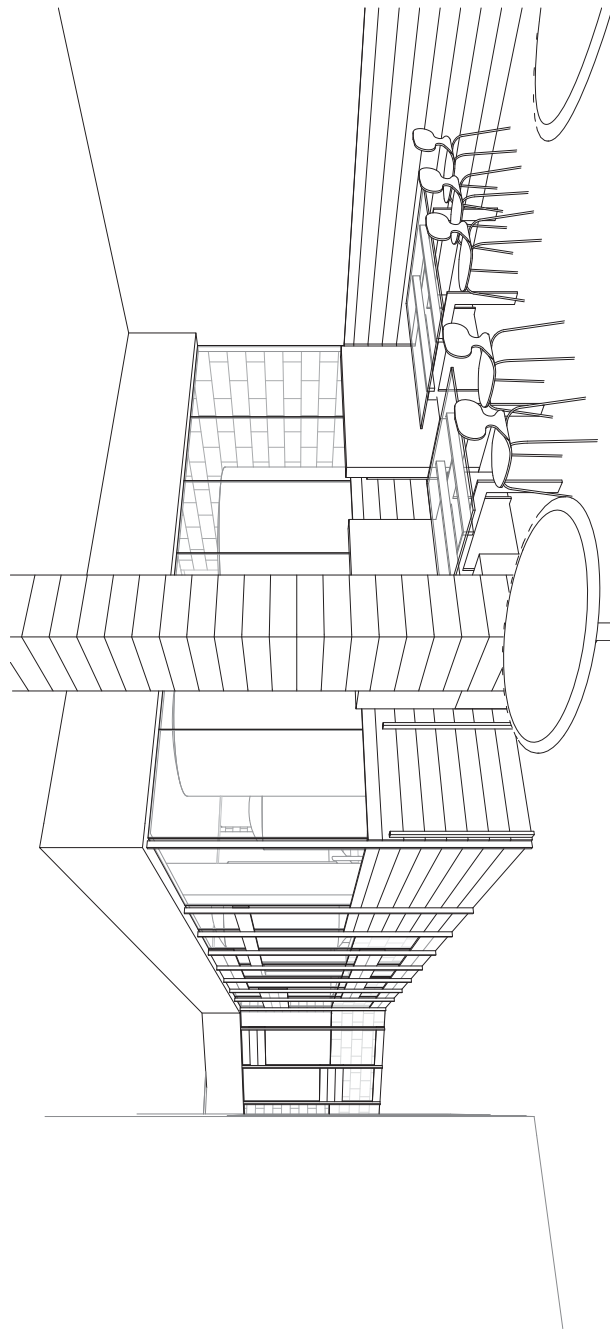
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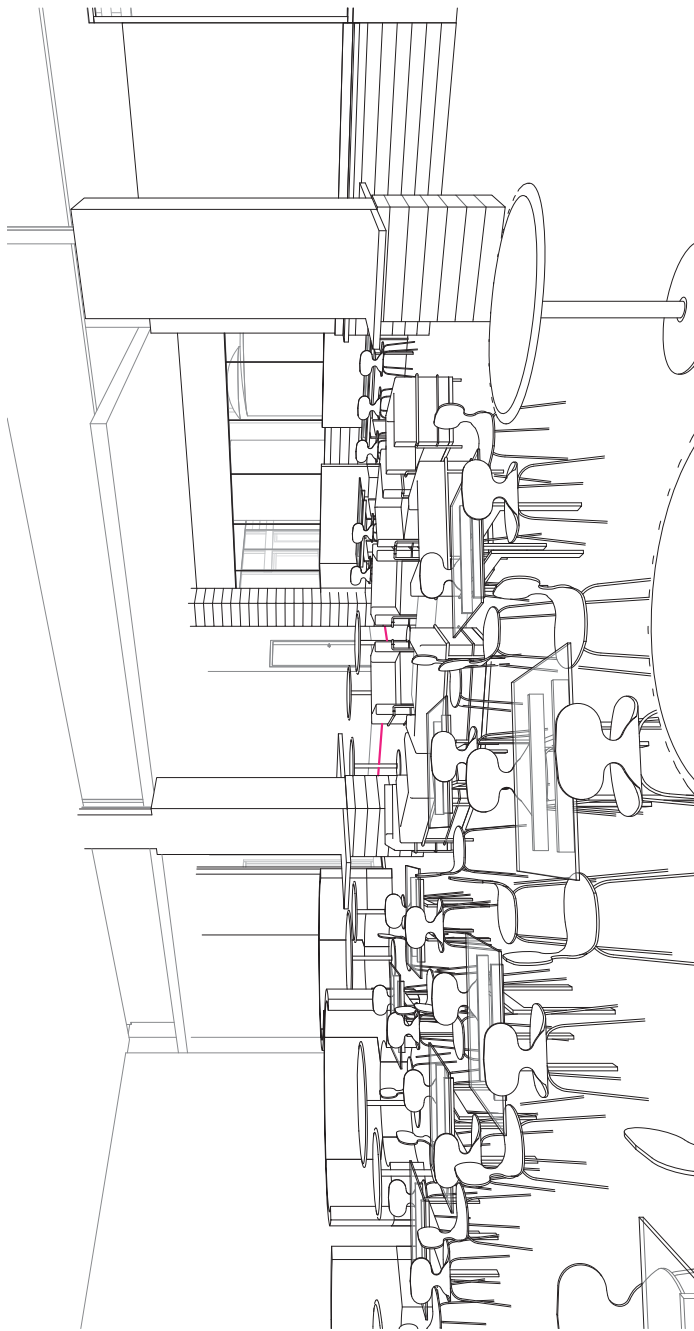
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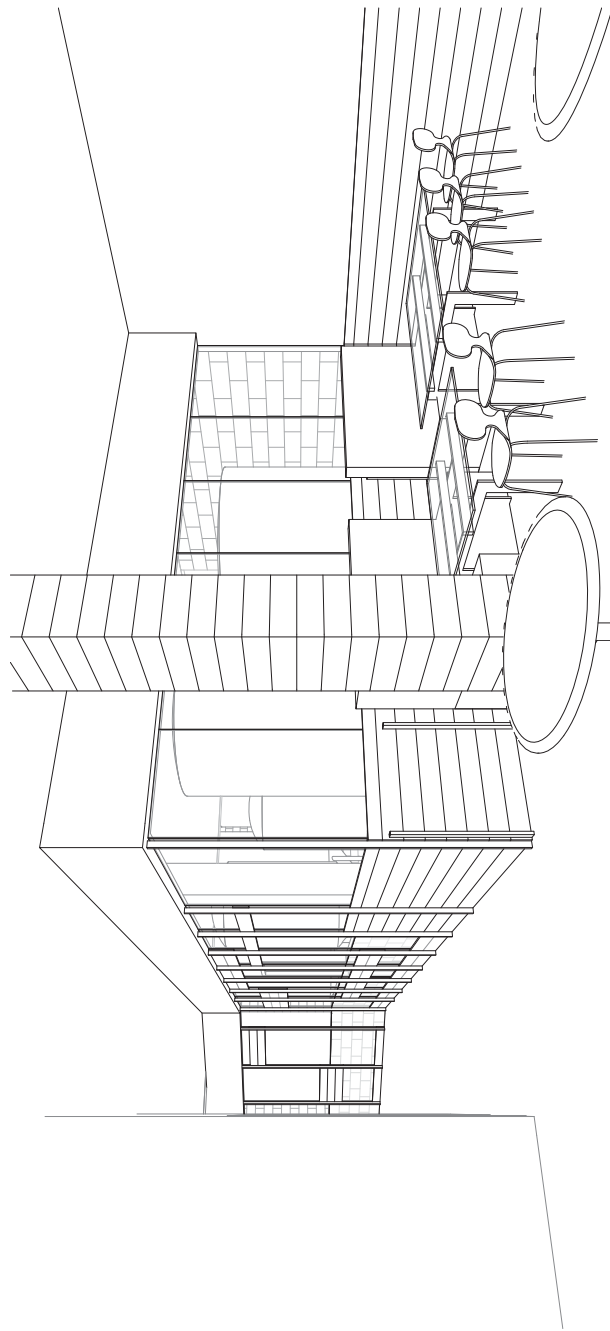
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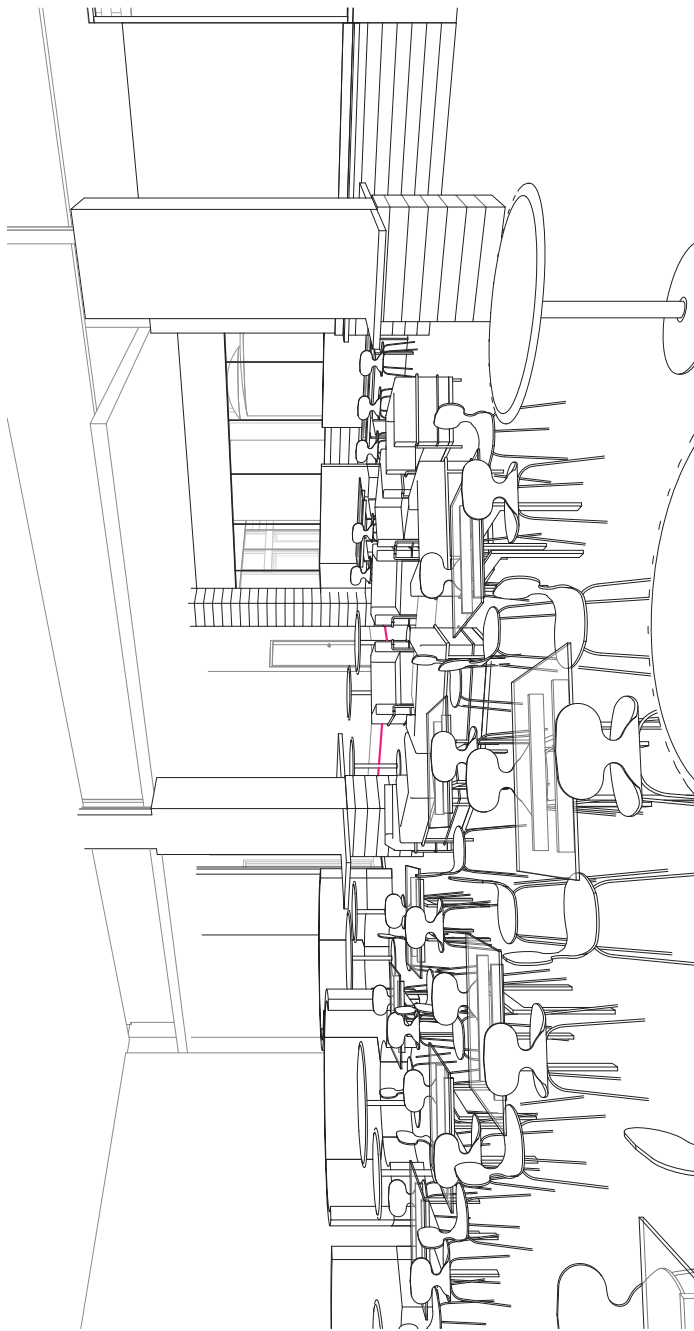
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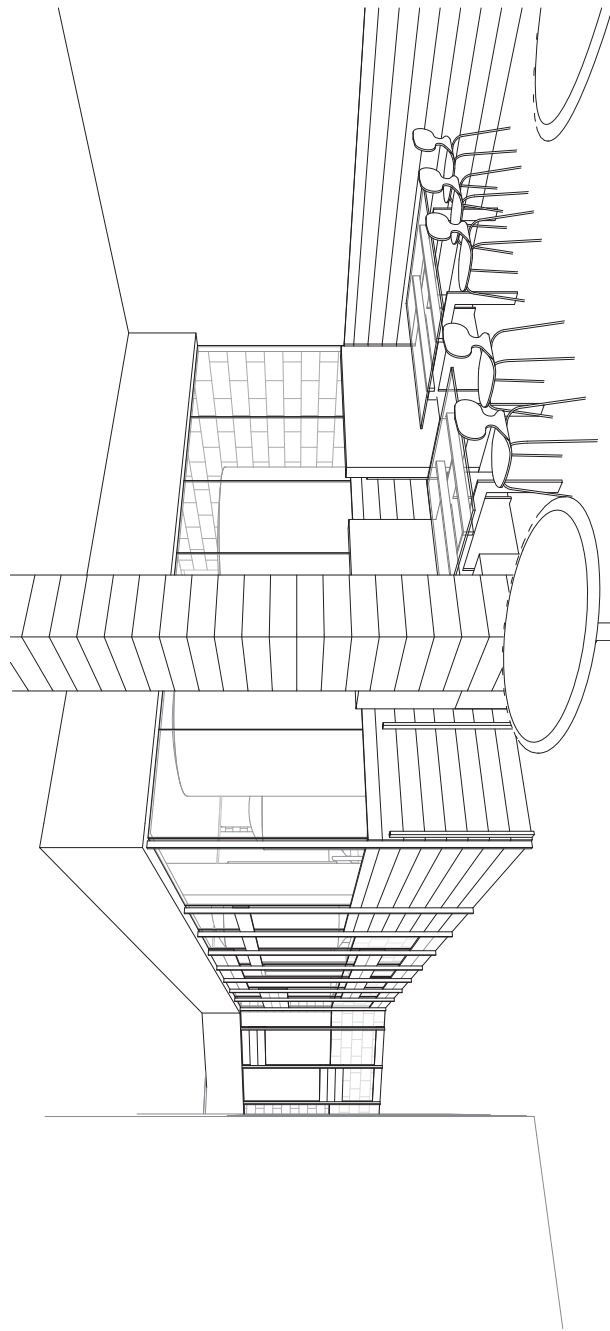
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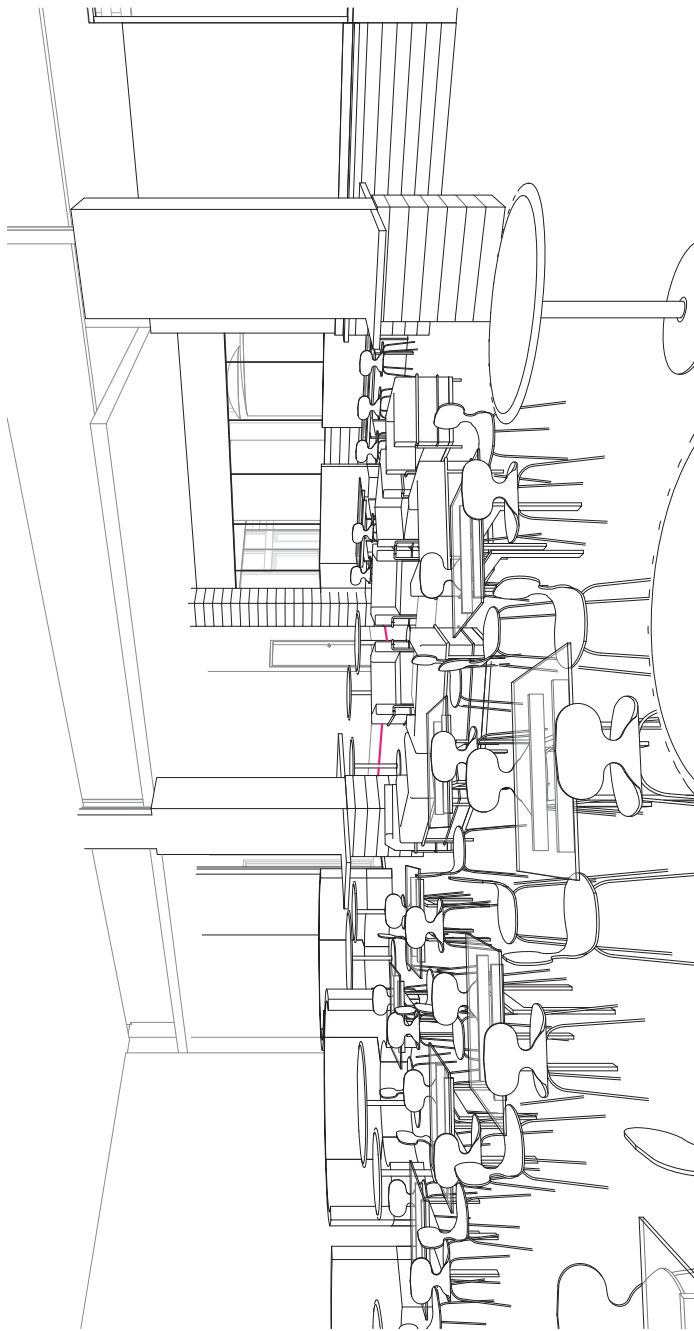
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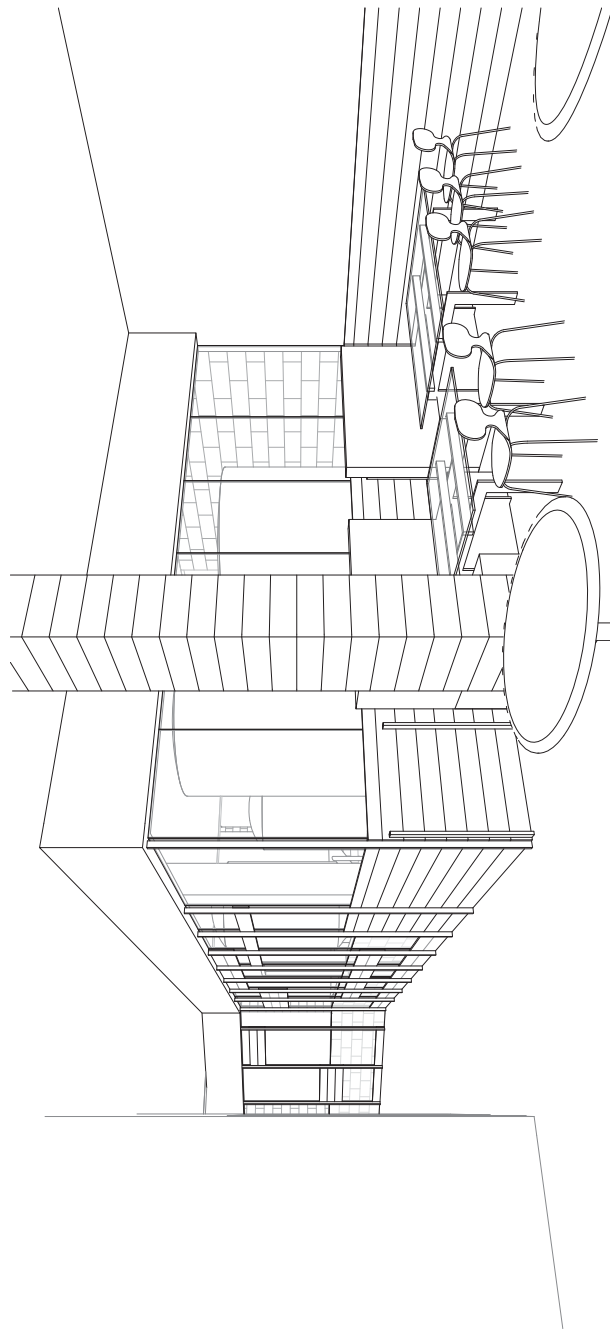
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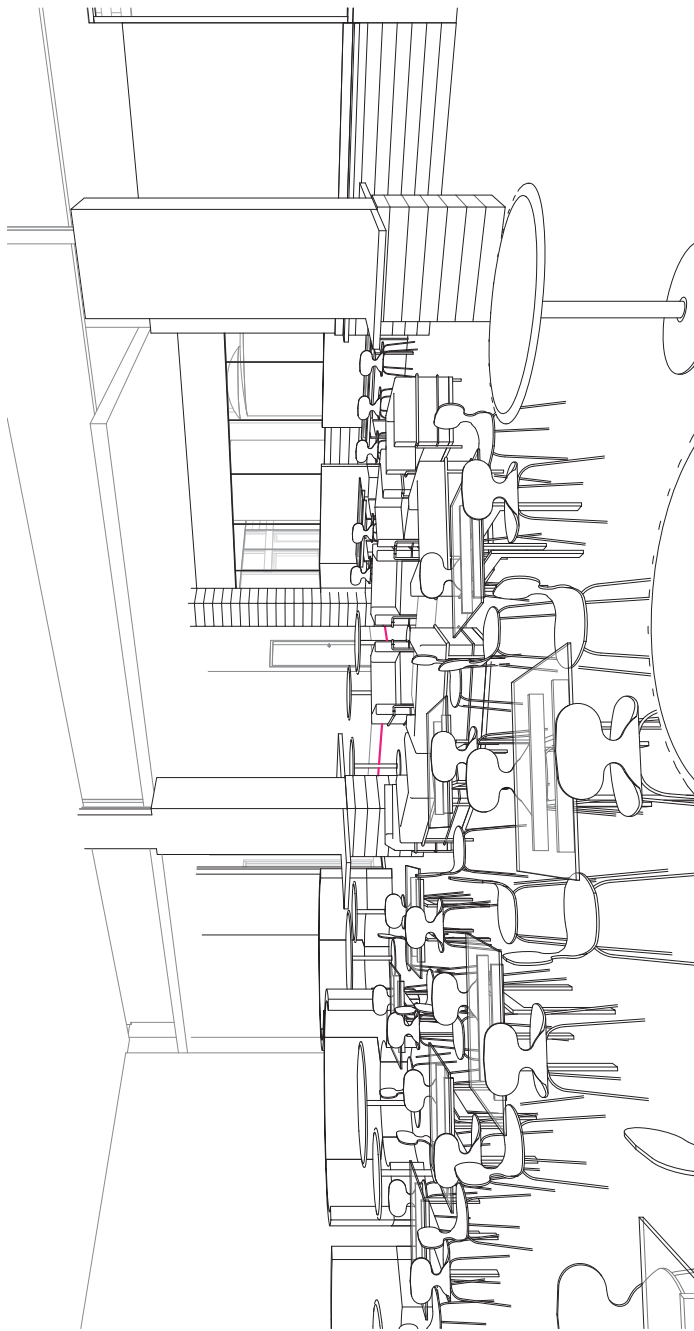
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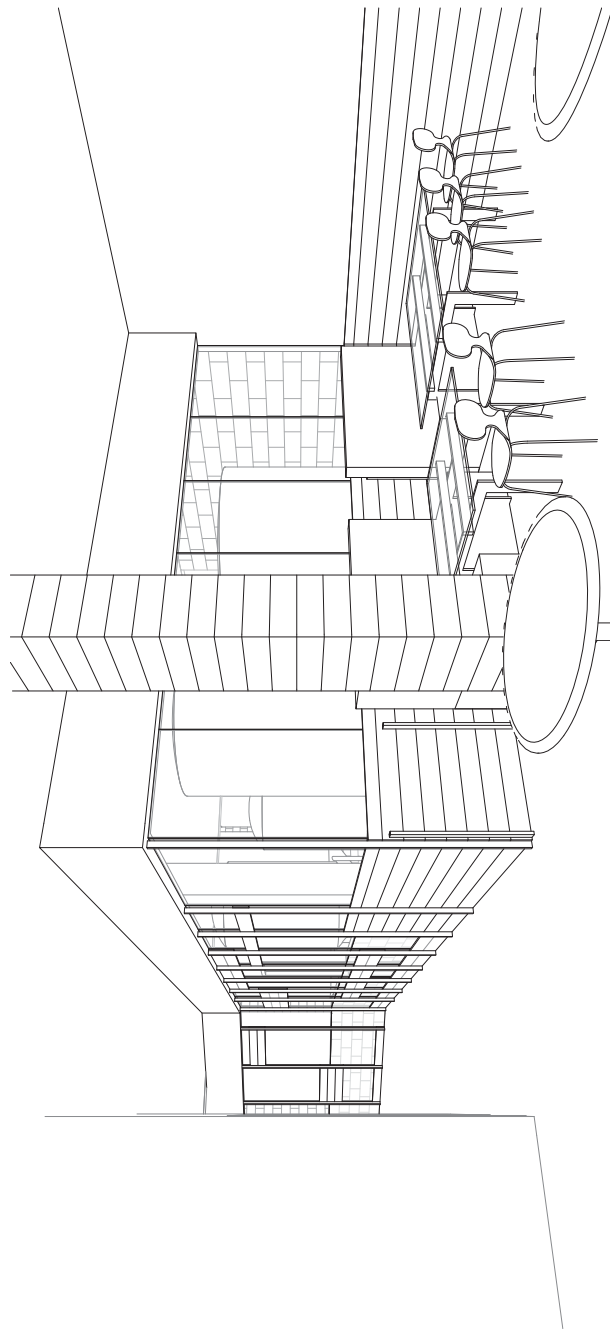
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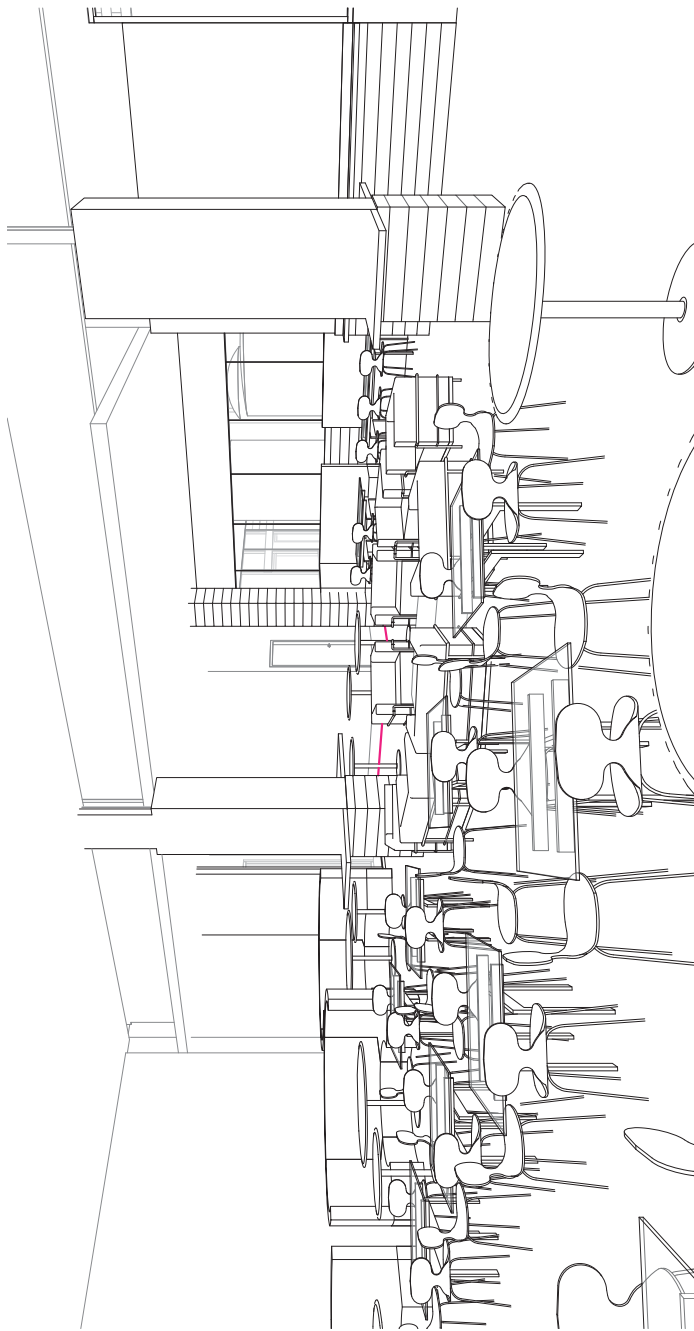
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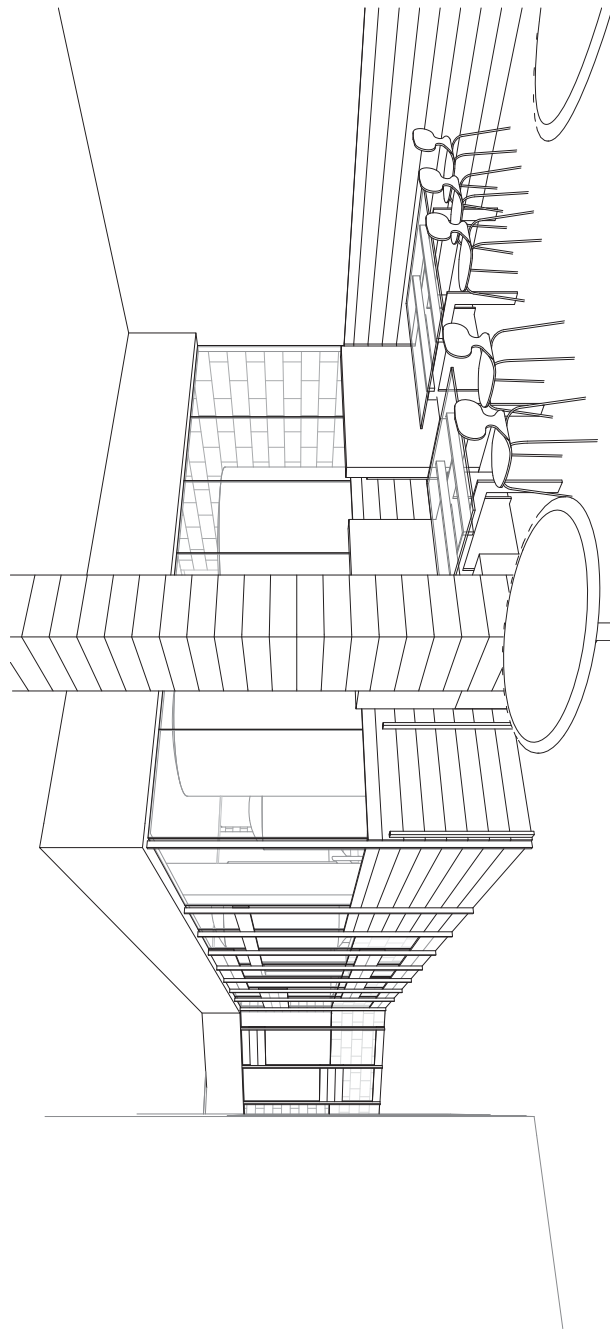
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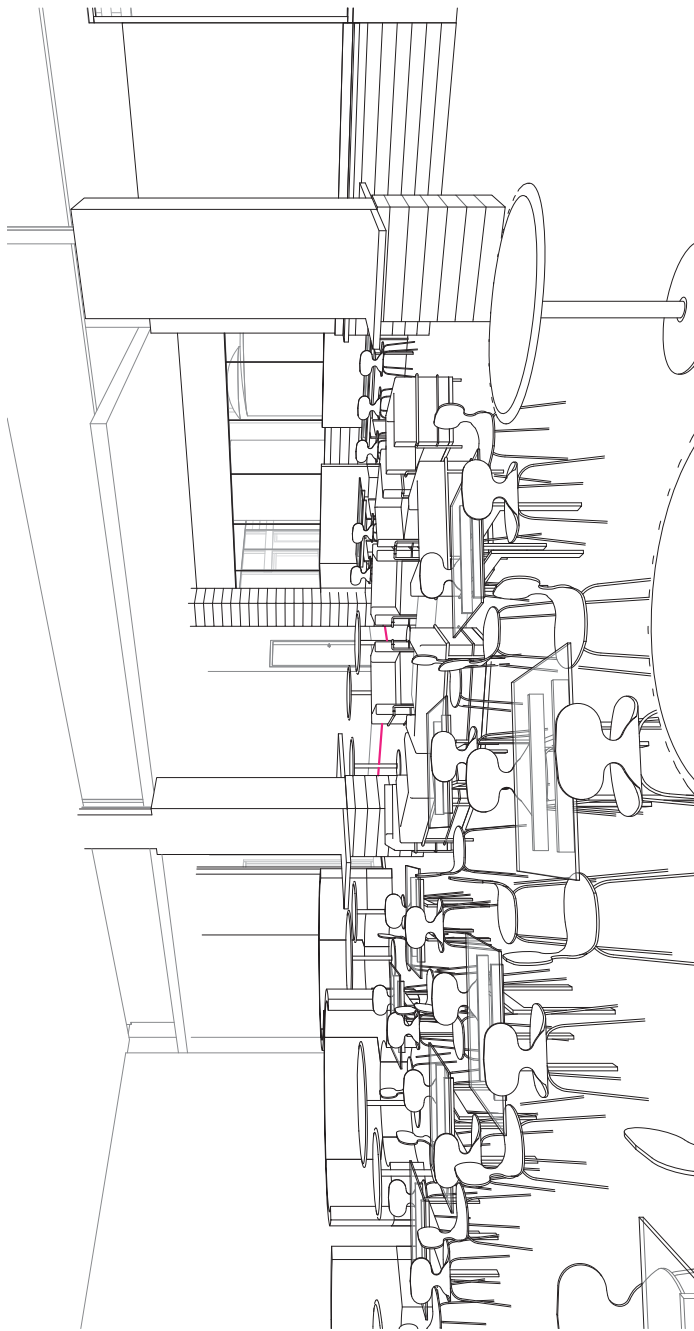
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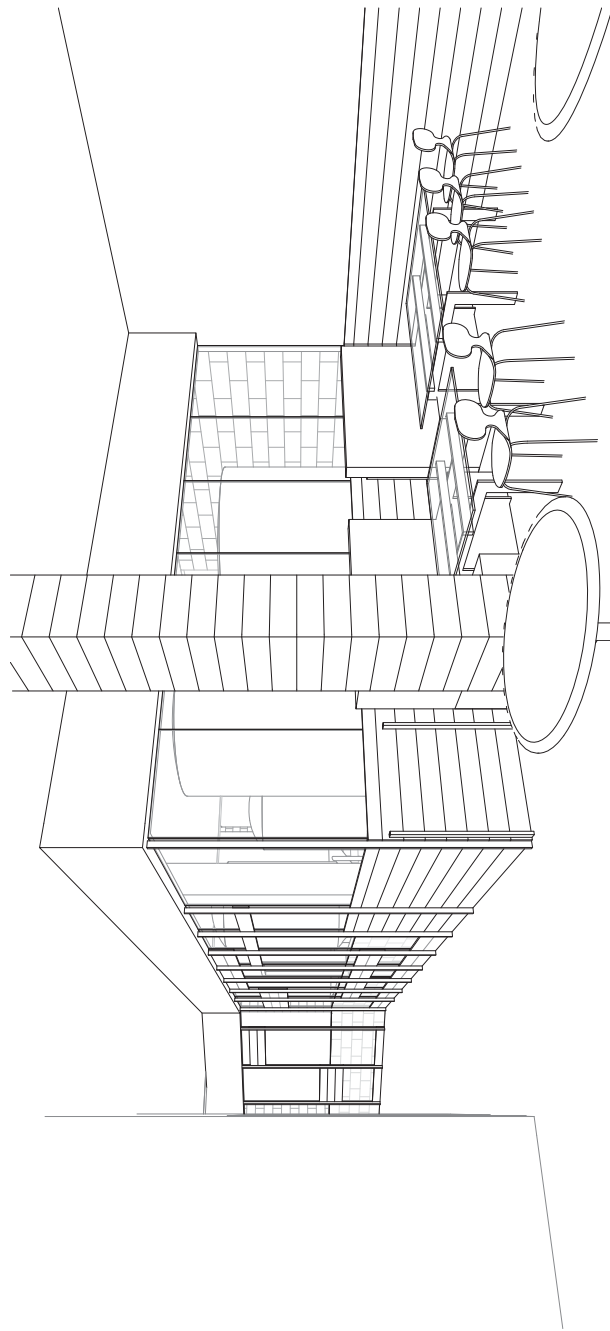
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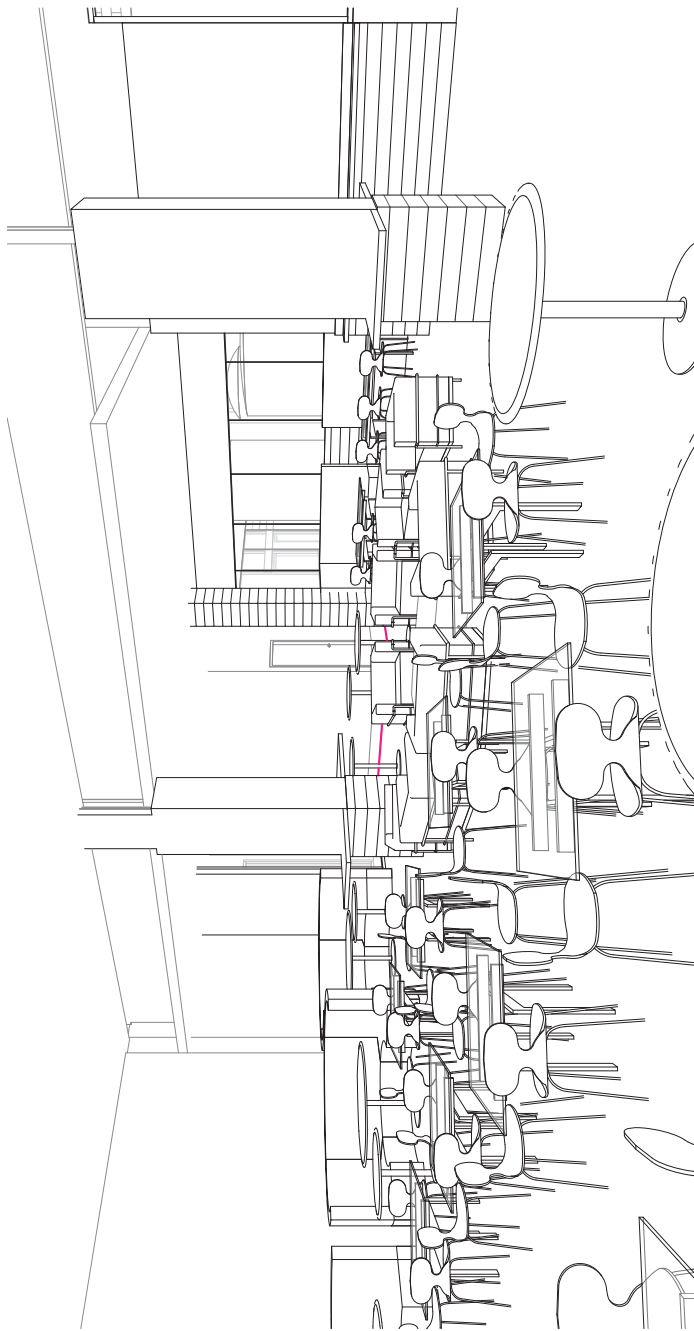
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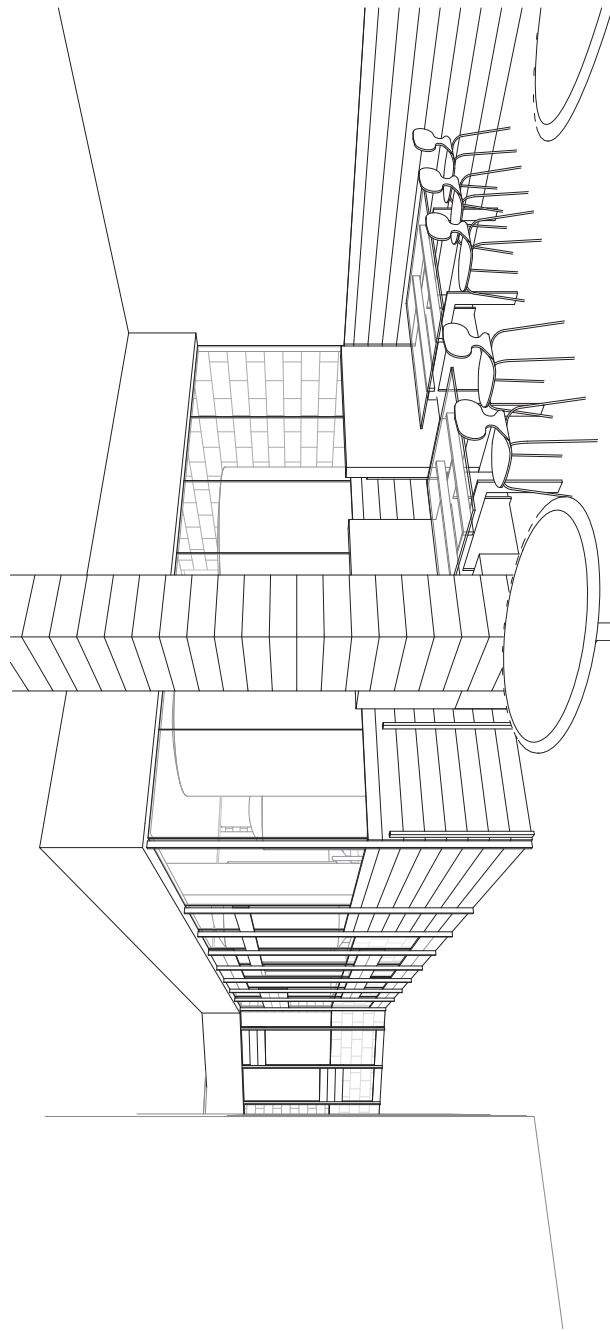
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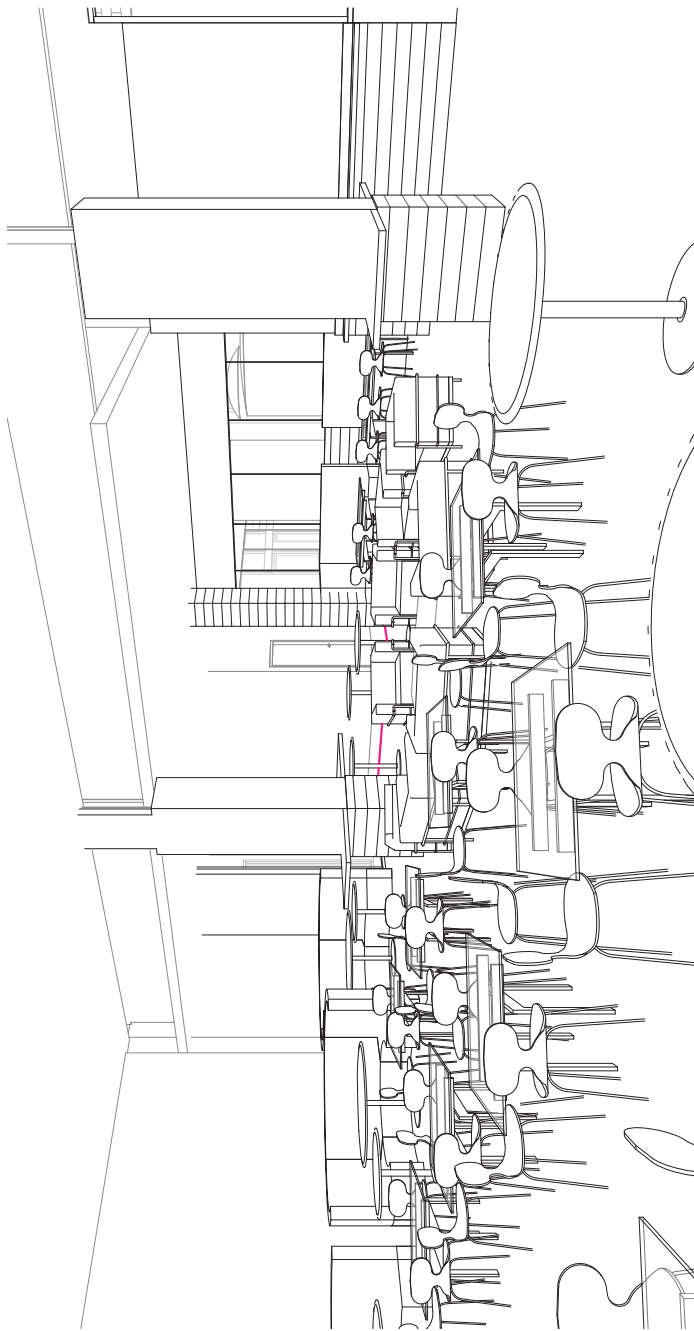
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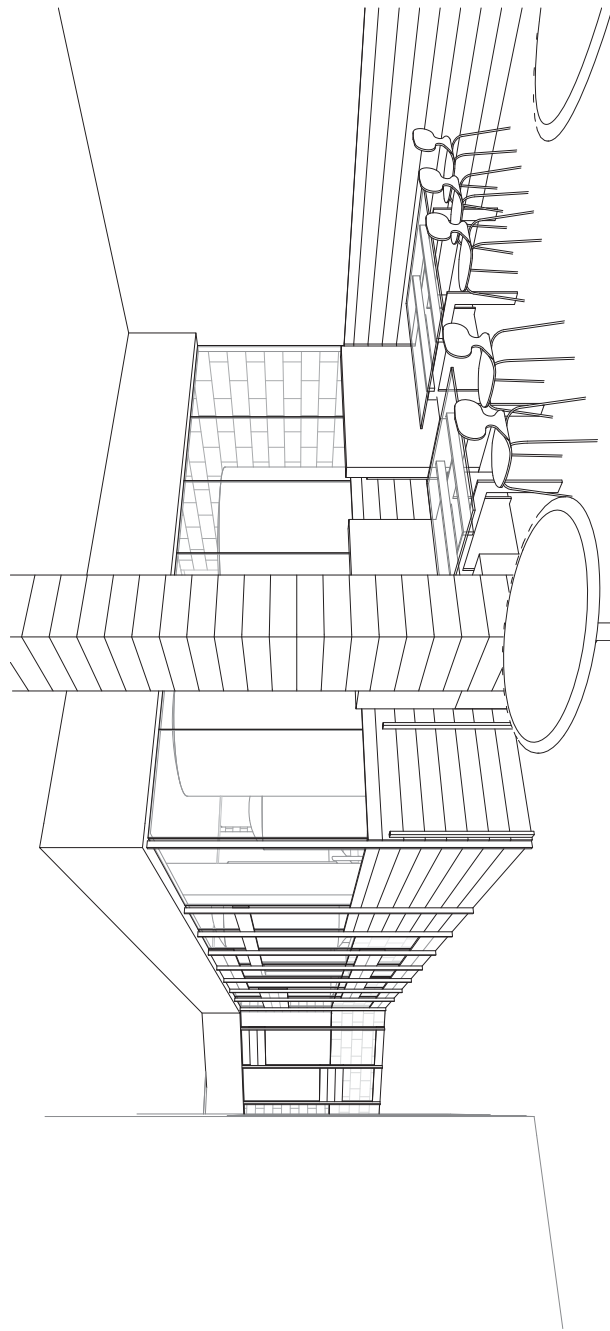
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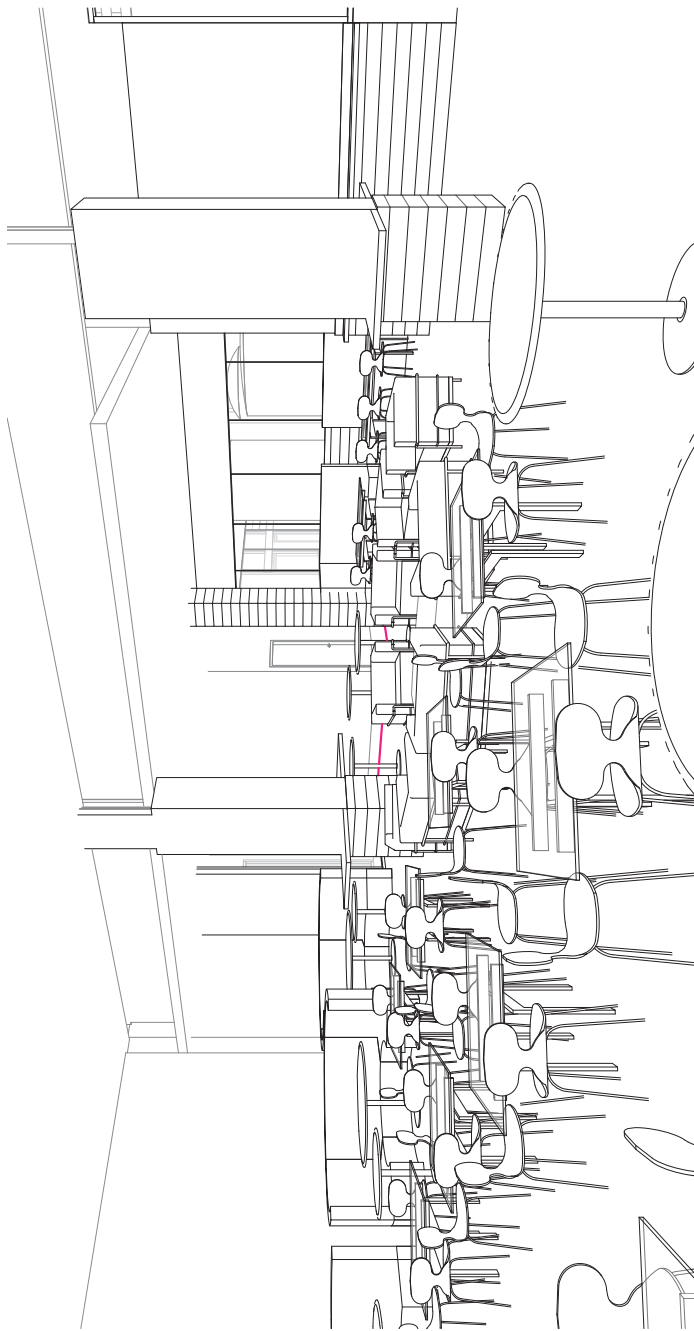
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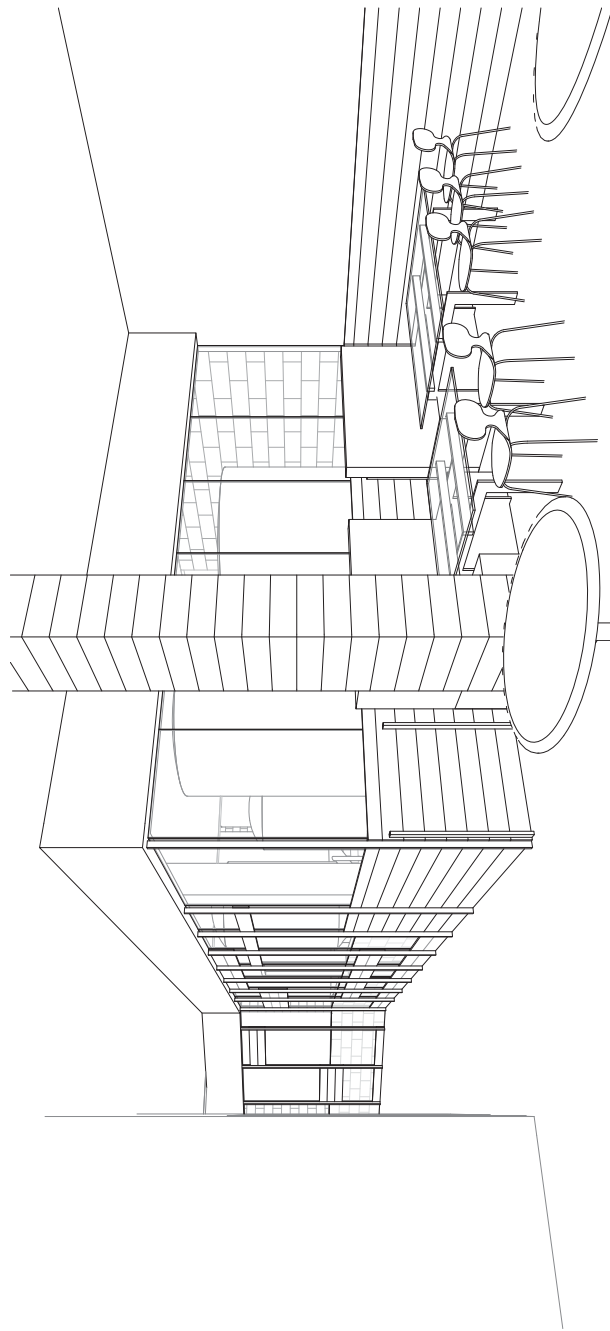
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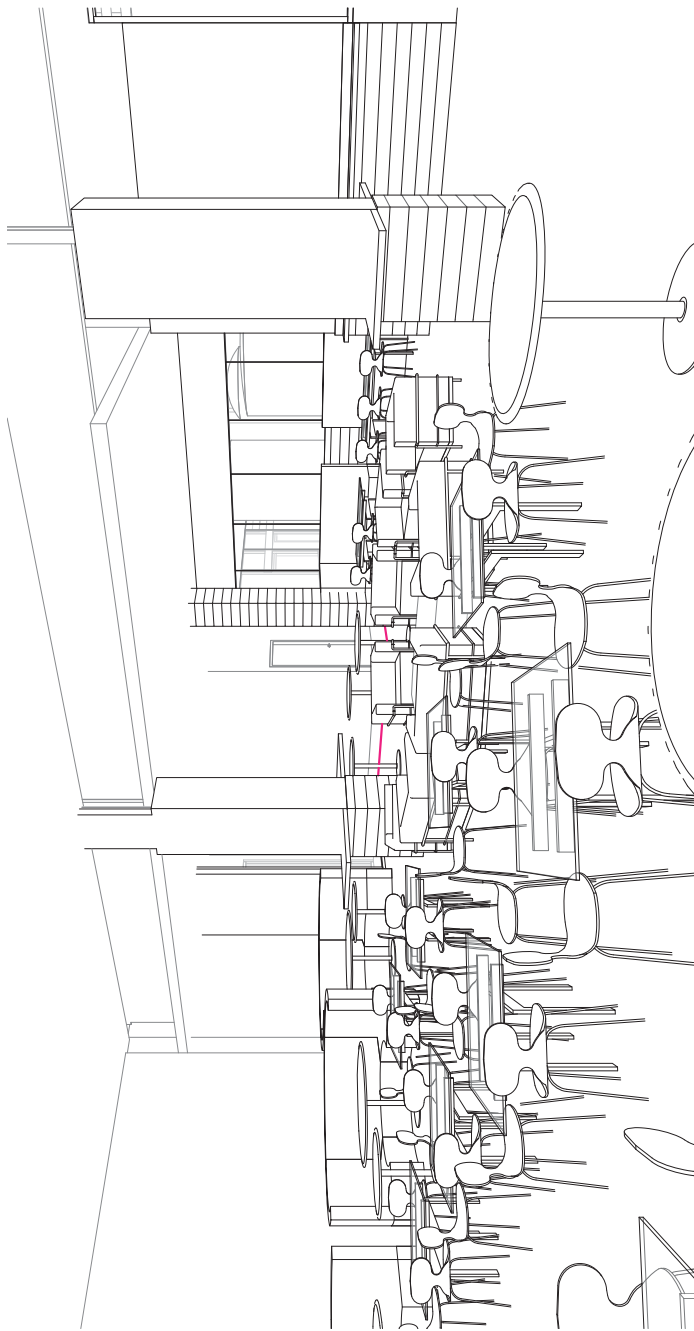
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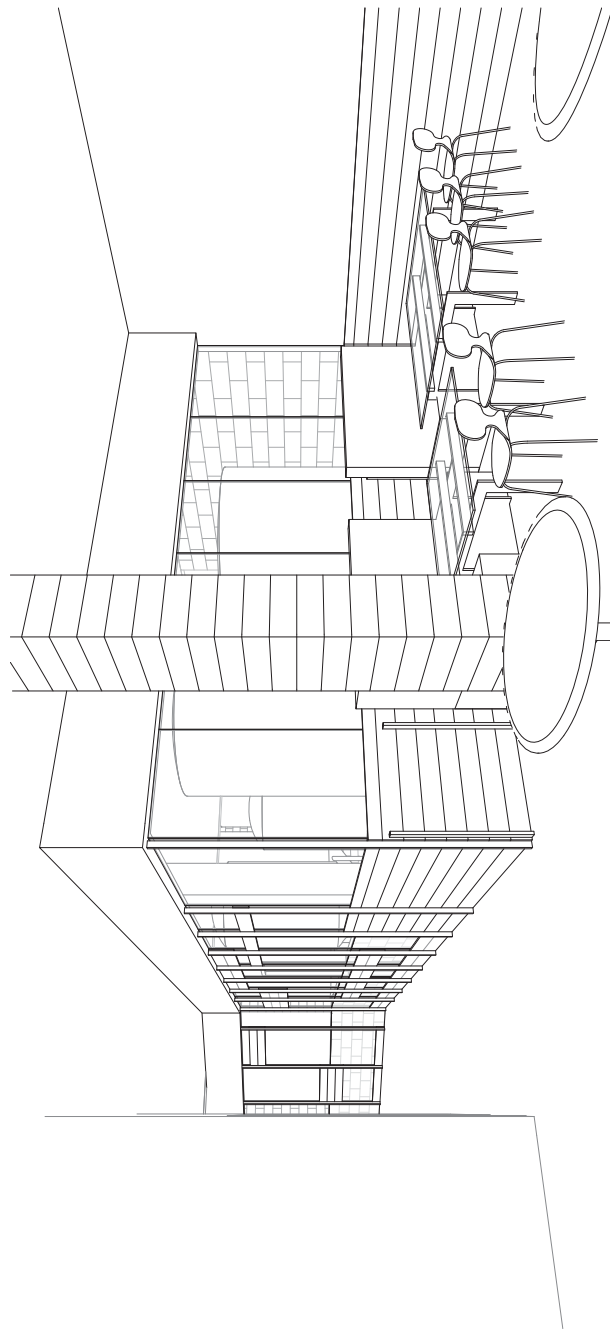
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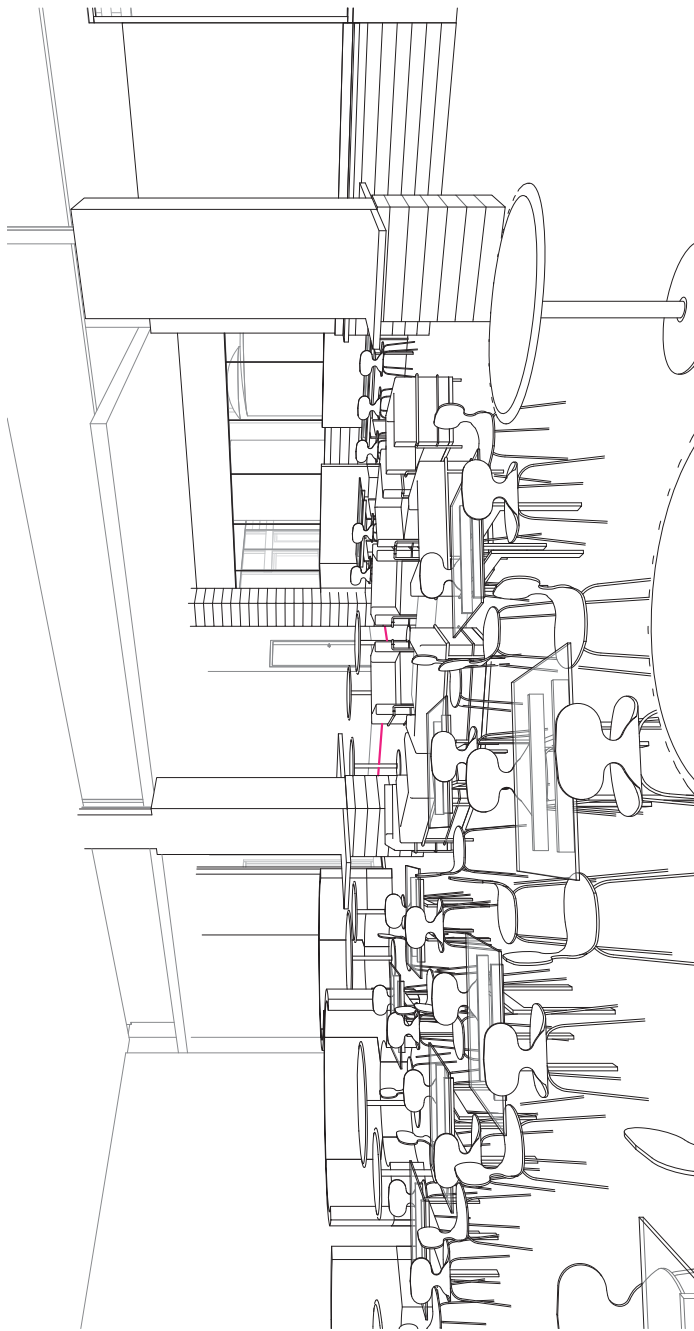
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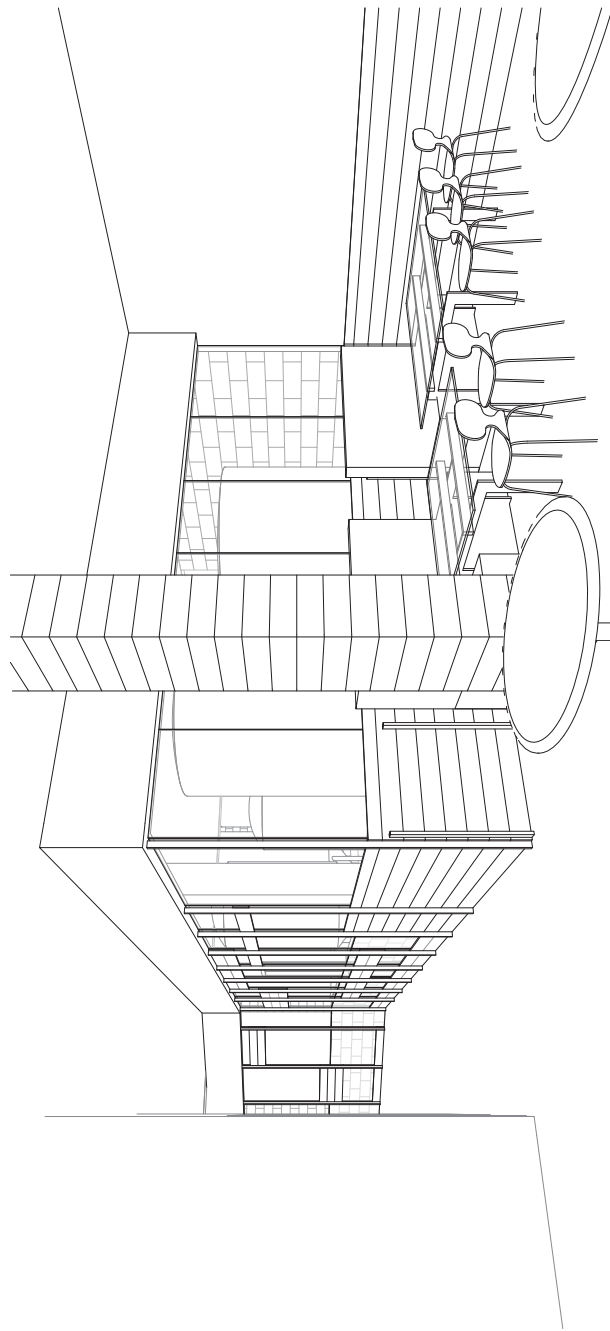
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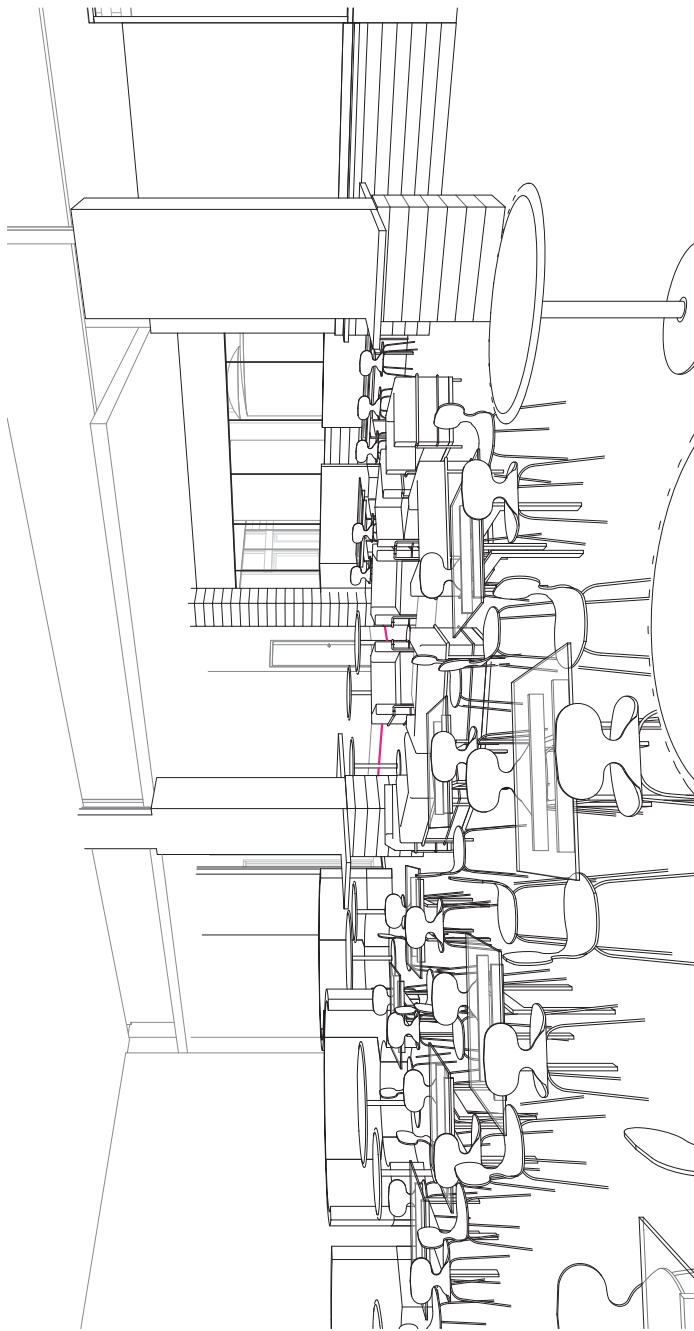
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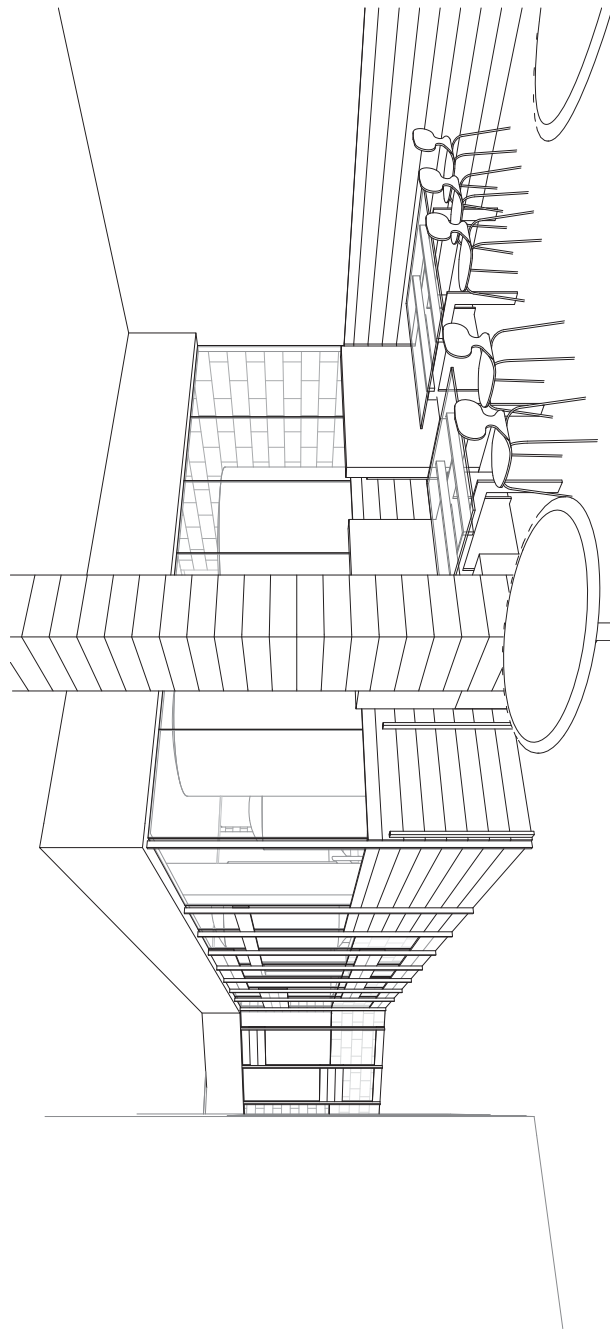
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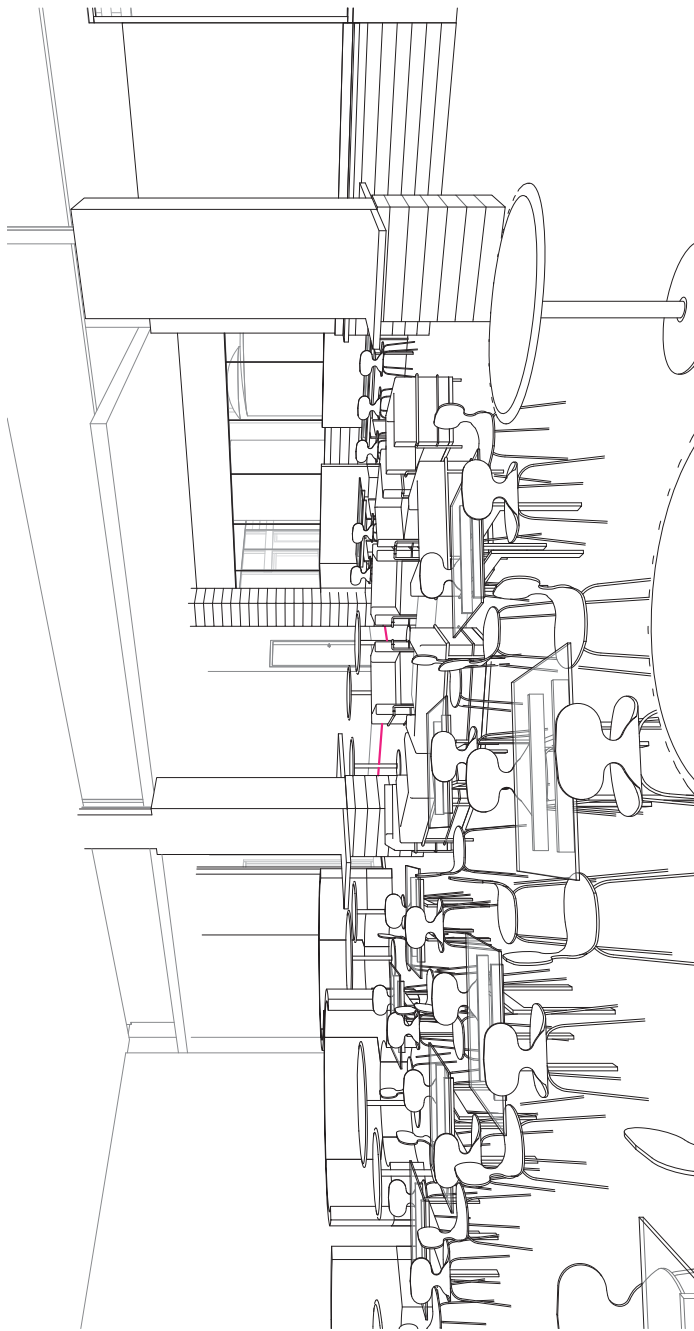
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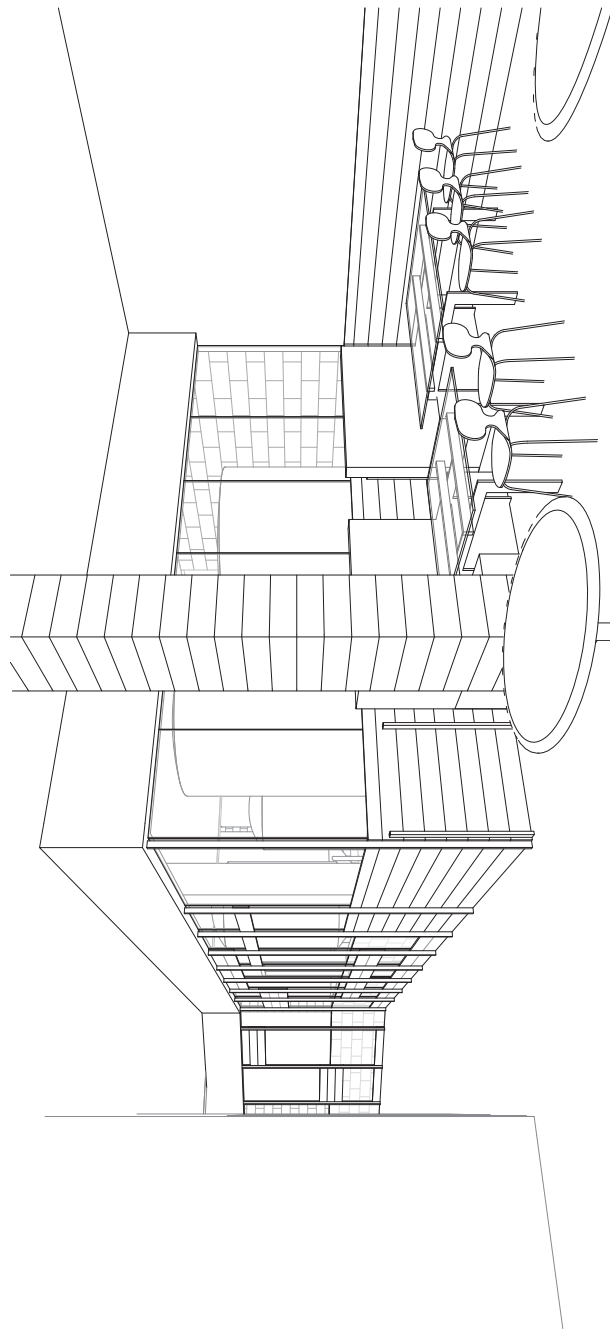
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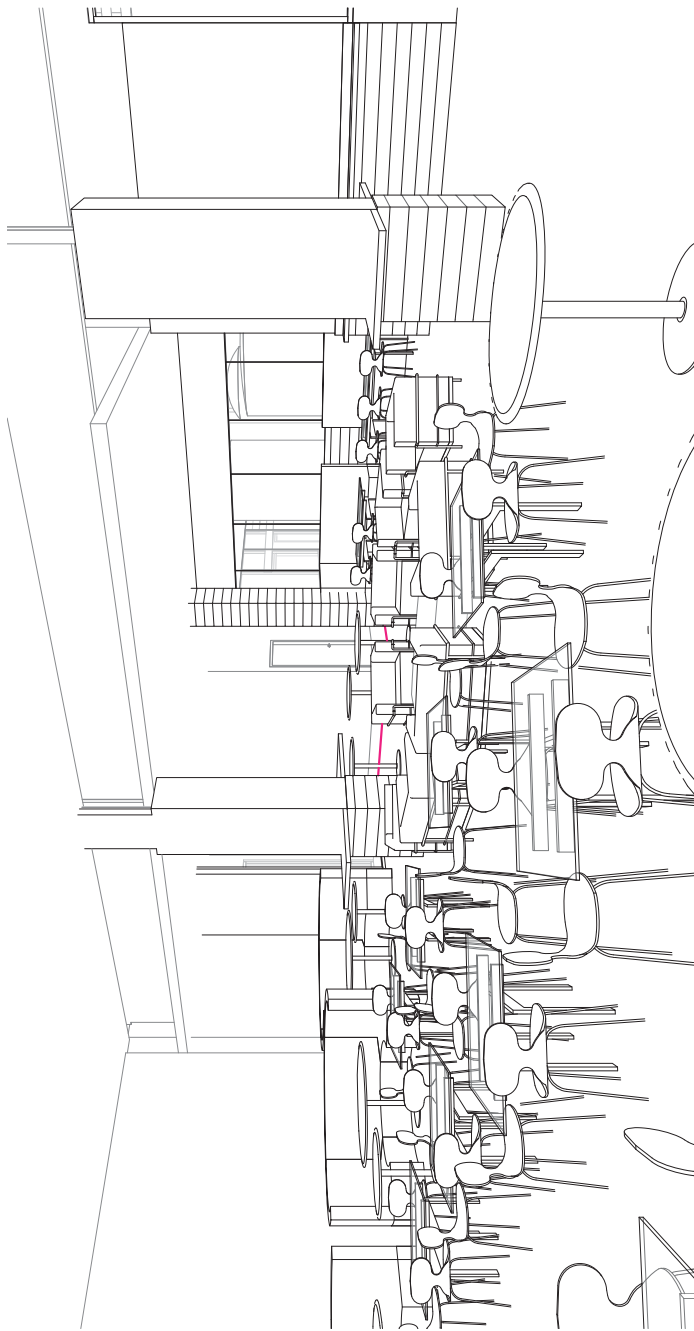
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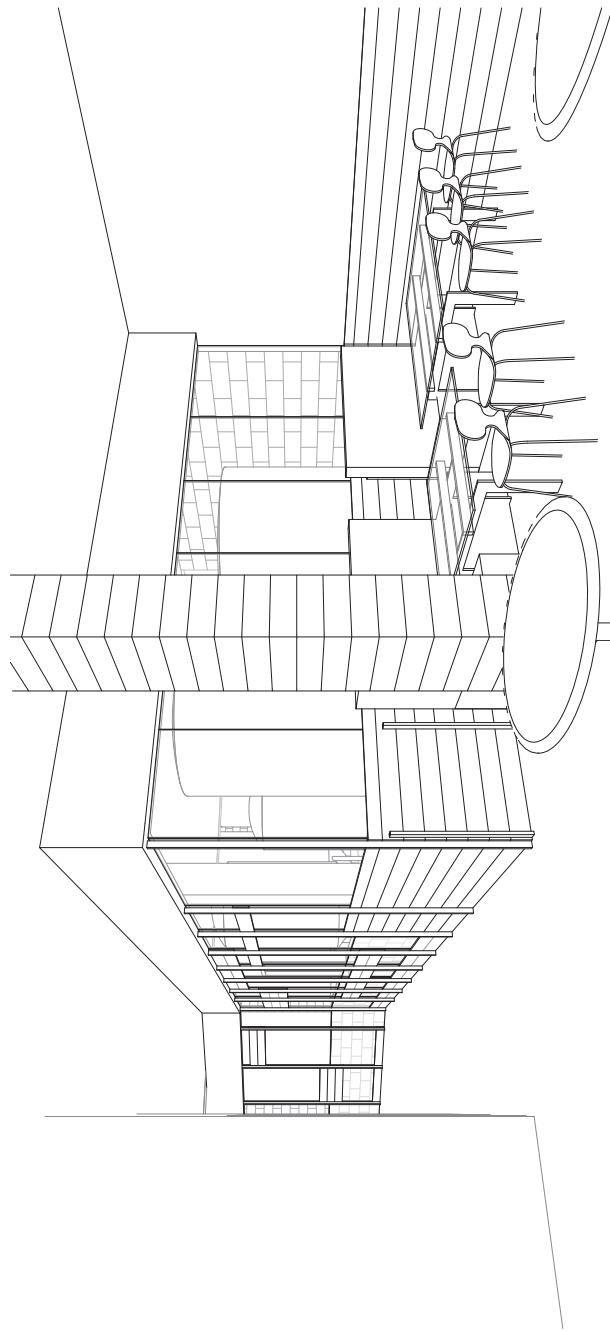
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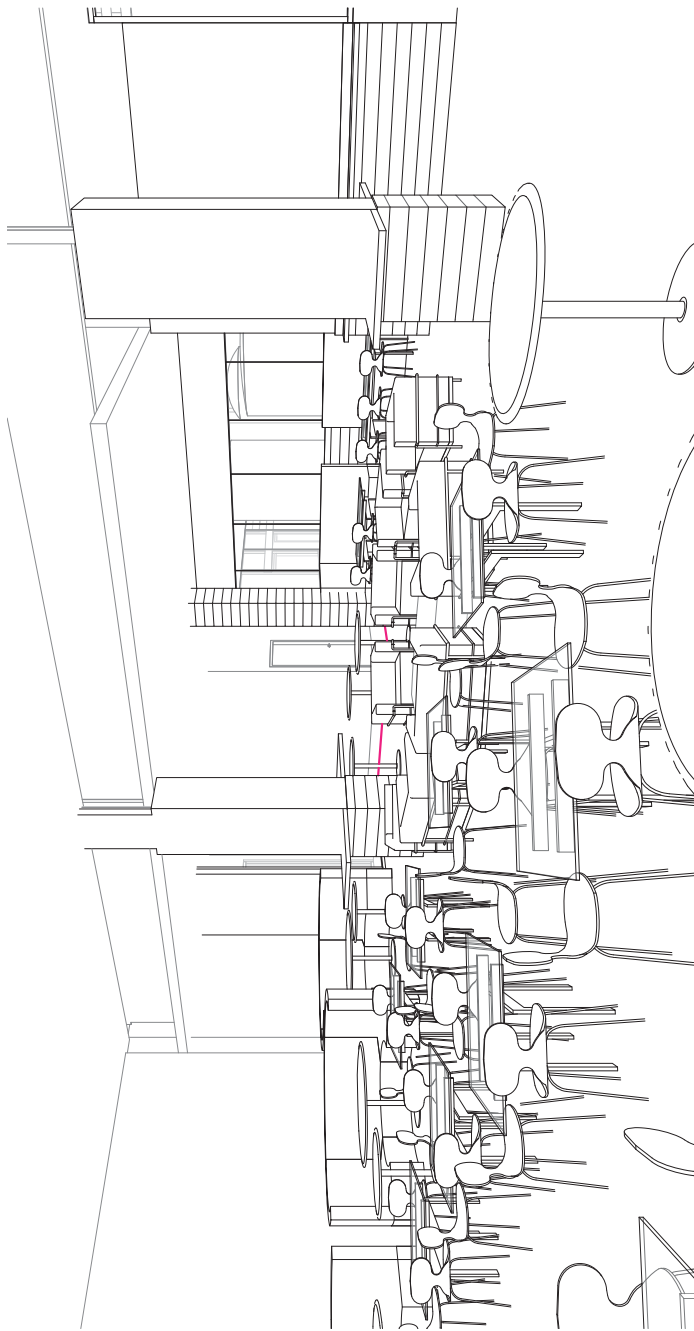
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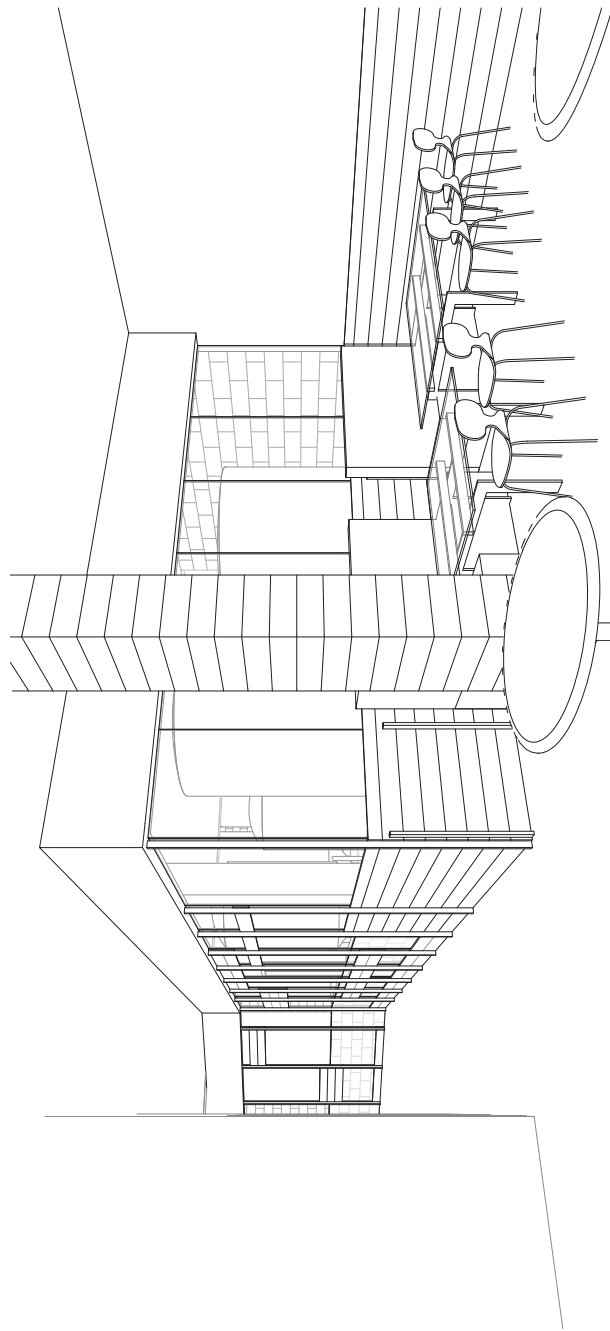
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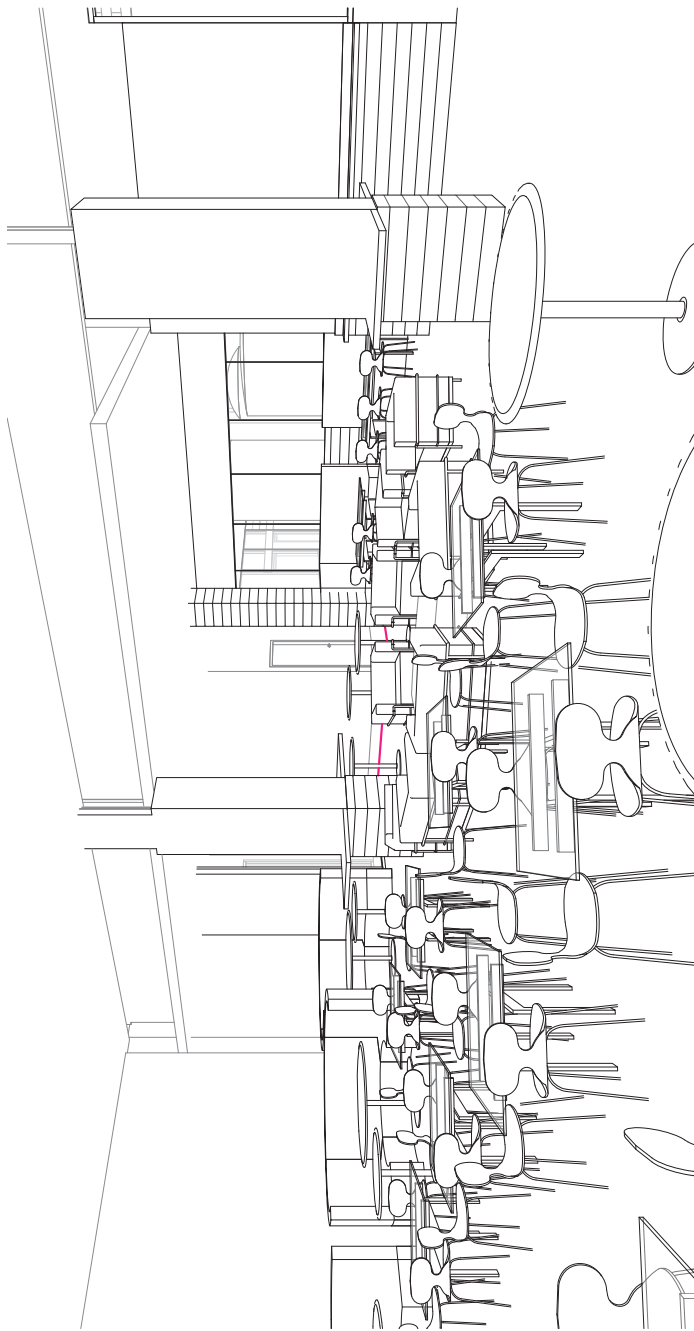
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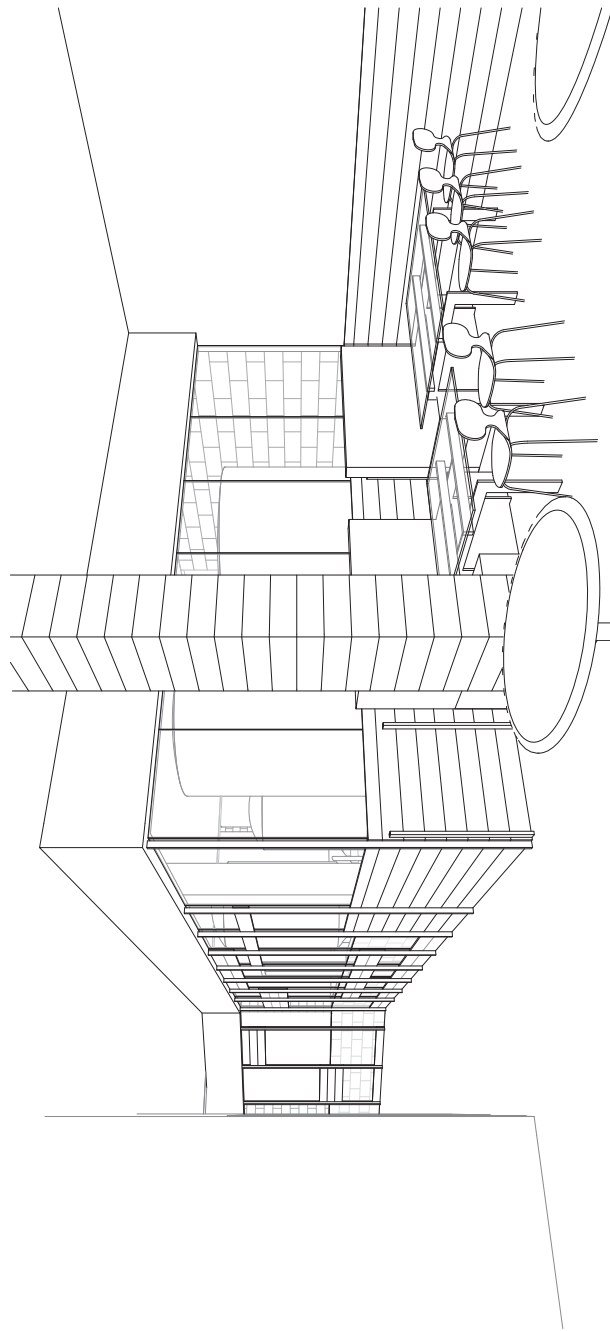
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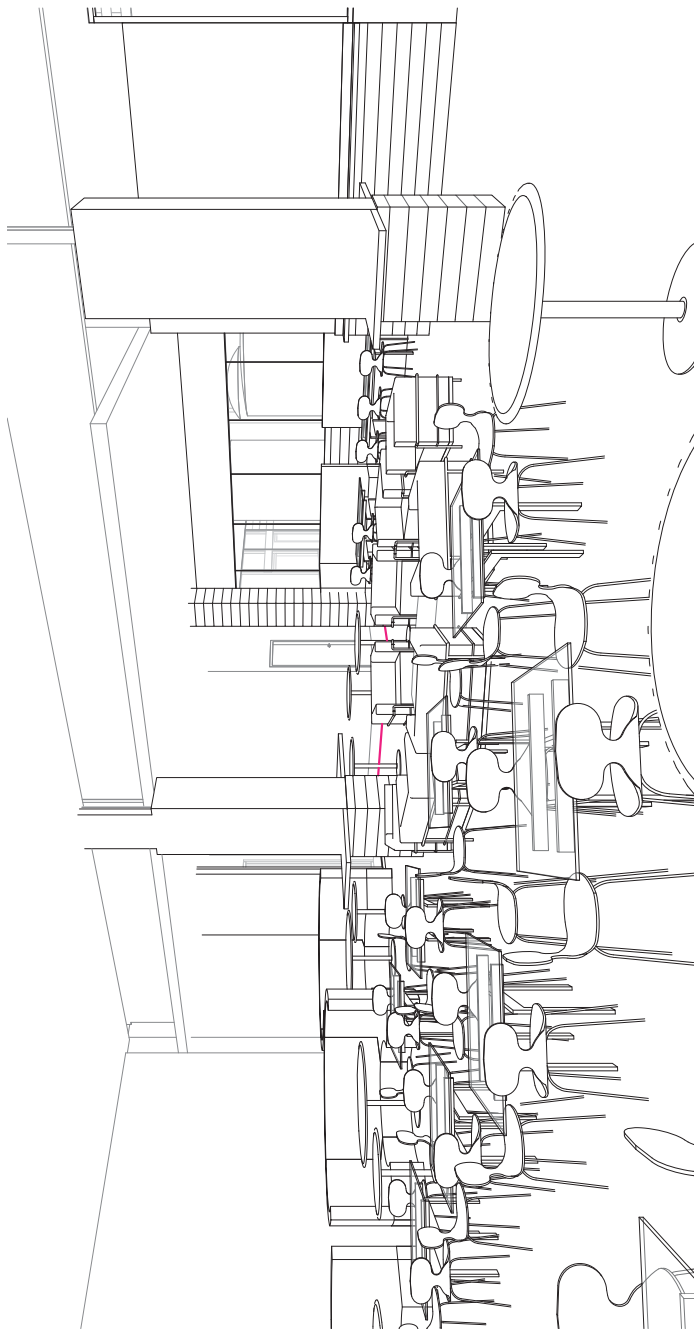
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PERSPECTIVE 3



PERSPECTIVE 4



NOT FOR
CONSTRUCTION

NO	ISSUE	DATE
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Sheet Information

Date	
Job Number	14.010.0424
Drawn	Author
Checked	Checker
Approved	Approver
	Title

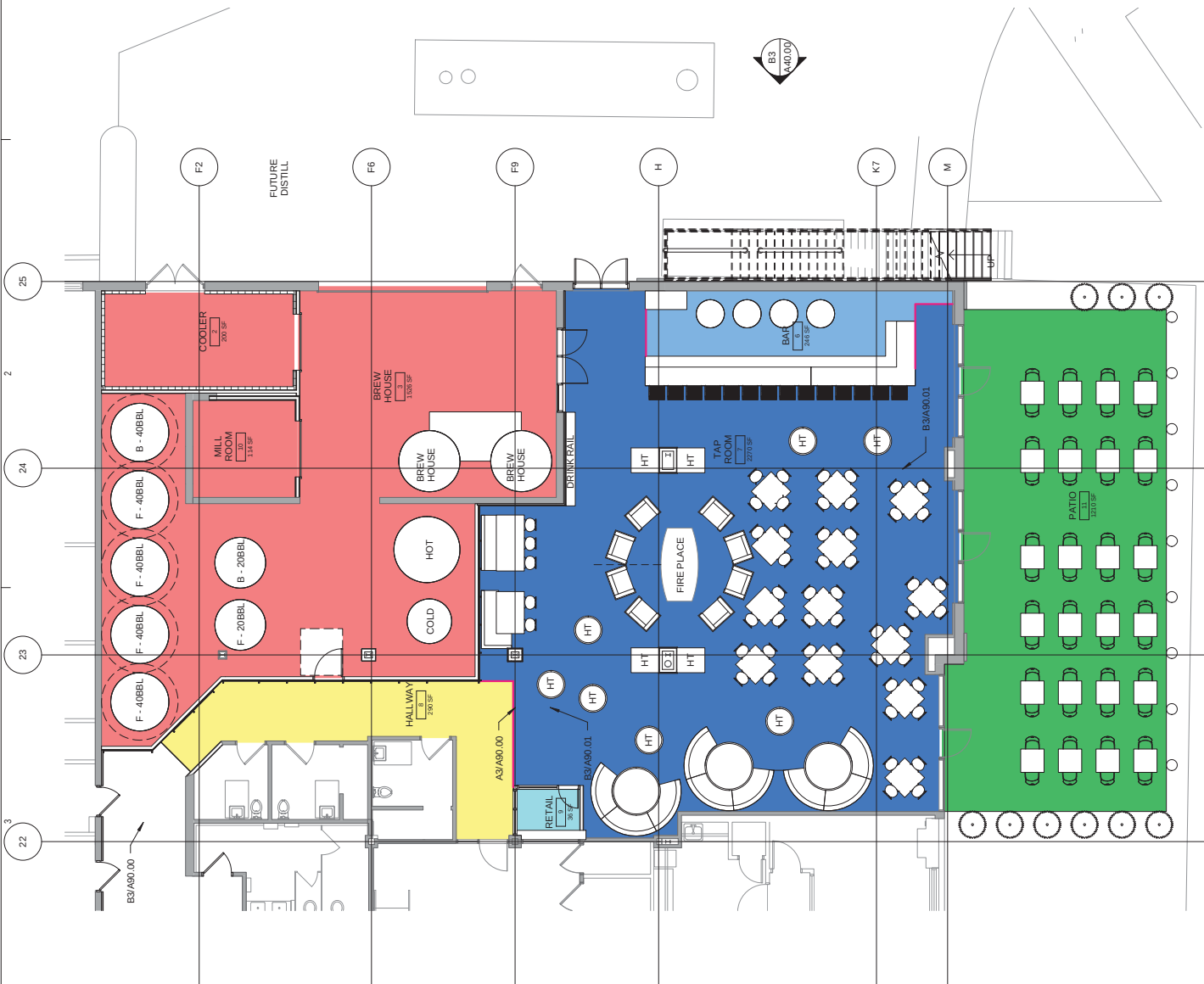
AREA
ALLOCATIONS

Sheet
A00.01

AREA ALLOCATIONS

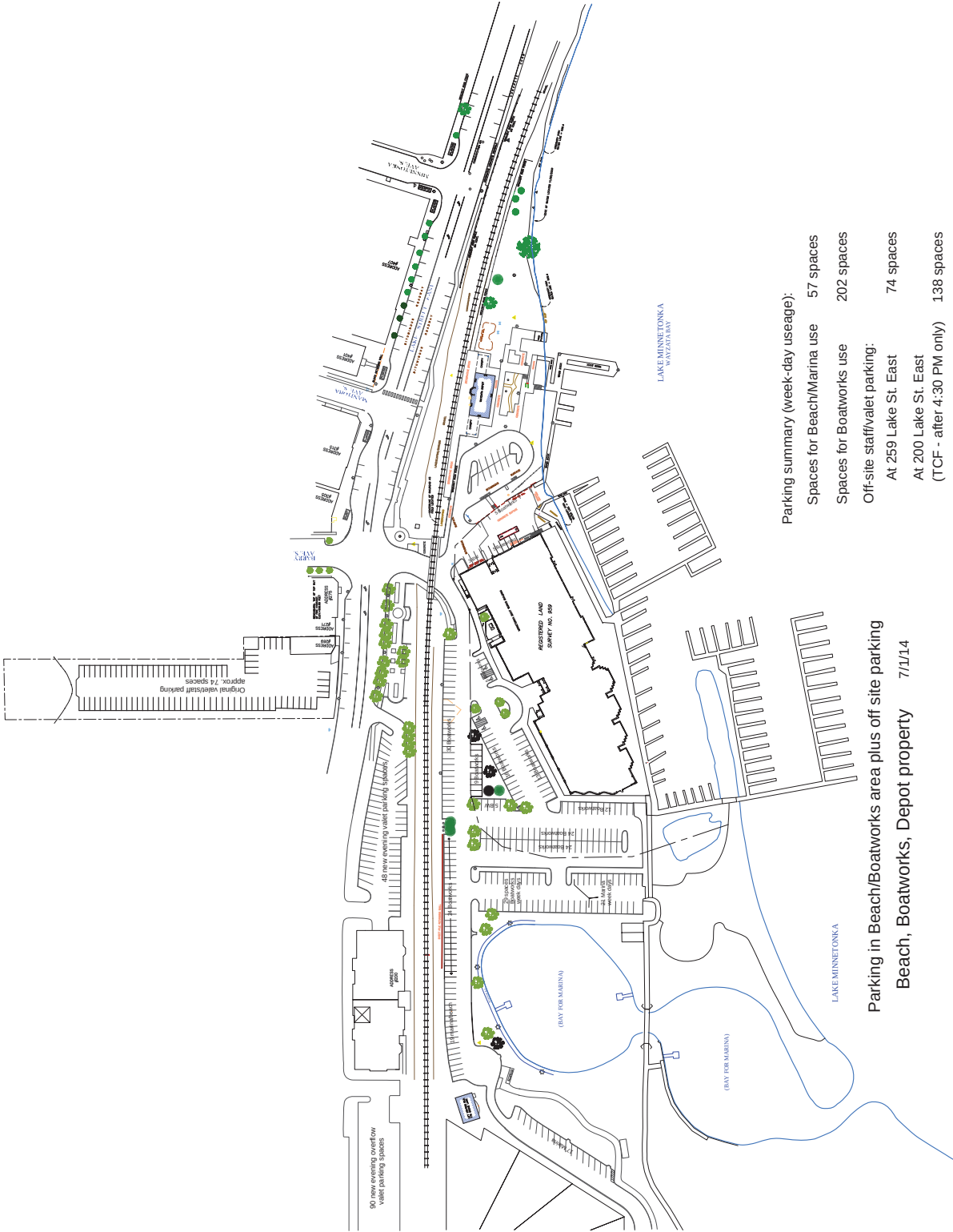
- BAR
- BREW HOUSE
- COOLER
- FERMENTATION ROOM
- HALLWAY
- MILL ROOM
- PATIO
- RETAIL
- TAP ROOM

Attachment B



1. FIRST FLOOR AREA PLAN
1/8" = 1'-0"

Attachment C



Parking summary (week-day usage):

Spaces for Beach/Marina use	57 spaces
Spaces for Boatworks use	202 spaces
Off-site staff/valet parking:	
At 259 Lake St. East	74 spaces
At 200 Lake St. East	
(TCF - after 4:30 PM only)	138 spaces
Total spaces available	471 spaces

Parking in Beach/Boatworks area plus off site parking

Beach, Boatworks, Depot property 7/1/14

DEVELOPMENT AGREEMENT

DEVELOPMENT AGREEMENT made this 26th day of March, 1997 by and between the City of Wayzata, a municipal corporation under the laws of the State of Minnesota (hereinafter "City"), and Boatworks Development Company, Inc., a corporation under the laws of the State of Minnesota (hereinafter "Boatworks Development Company").

WITNESSETH:

WHEREAS, Boatworks Development Company has applied for and received City approval of a development project, including a PUD/CUP to amend its existing Conditional Use Permit for Marina and Restaurant Uses in C-3 Zoning District, and has applied for Variances from Shoreland and Parking Ordinances, has agreed to cross parking and pedestrian access easements between the City and Boatworks Development Company and the City has agreed to the issuance of Building Permit to renovate the existing building and construct the related site improvements all as more fully described on the Plans set forth in Section 1(B) (the "Project"); and

WHEREAS, the Planned Unit Development/Conditional Use Permit issued by the City for the Project is attached hereto as Exhibit A (the "Permit"); and

WHEREAS, Boatworks Development Company as the owner of the real property on which the Project is to be built, which property is described on the attached Exhibit A-1 (the "Property"), will be directly involved in renovation of the existing building and other specific improvements (the "Improvements") and requires the execution of this Agreement before going forward with the project; and

WHEREAS, the Property in question is adjacent to both residential and commercial zones, and

WHEREAS, The City has determined that the proposed Marina and Restaurant uses, unless limited in terms of hours, size and as more fully set forth herein, would adversely affect the health, safety, and general welfare of residents of the surrounding area and of the community as a whole, and is therefore unwilling to grant the requested approvals and variances without strict conditions and limitations; and

WHEREAS, Boatworks Development Company understands that said Conditions and limitations regarding hours, size and as set forth in this Agreement are conditions precedent to its obtaining the requested approvals and variances, and therefore Boatworks Development Company specifically requests the conditions and limitations set forth herein to protect the health, safety and welfare of the residents of the surrounding area and the community as a whole; and

WHEREAS, for the general protection of the City's interests, the City requires the execution of this Agreement regarding the construction of the Improvements associated with the

Project as a prerequisite to its approval of Boatworks Development Company's requests set forth above; and

WHEREAS, Boatworks Development Company requires the execution of this Agreement confirming to it the conditions and limitations under which the Project can be operated before it expends the substantial sums of money which it will expend in making the Improvements and operating this Project; and

WHEREAS, The parties therefore mutually desire that their respective obligations be expressed in writing.

NOW, THEREFORE, in consideration of the mutual covenants, obligations, guarantees and undertakings contained herein, and other consideration, the parties agree as follows:

1. Regarding various approvals, the City has:
 - A. Granted approvals as outlined in the attached Exhibit A.
 - B. Agreed to grant Boatworks Development Company the necessary and appropriate permits to renovate the building and construct the related improvements to the Property, upon proper application and payment of required fees for same. The Improvements shall be constructed in accordance with the following plans ("Plans"):

Plan A:	Site and Utility Plan
Plan B:	Grading Plan
Plan C:	Landscape Plan
Plan D:	Erosion Control Plan
Plan E:	Improvements

Reduced copies of the Plans are attached to this Contract with large scale copies of the Plans, which are or will be on file with the City, and are incorporated into this Agreement by reference. The Plans, as specified below, may be amended or prepared, subject to City approval, after entering the Agreement, but shall be filed with and must be approved by the City before issuance of building permits. If the Plans vary from the written terms of this Agreement, the written terms shall control.

- C. Notwithstanding contrary terms herein, all Project Improvements must comply with all City ordinances and such other design and construction standards as are ordinarily employed by the City staff in issuing appropriate permits. Such ordinances and standards shall control to the extent that the Plans are ambiguous or depict improvements inconsistent with such ordinances and standards.

2. With respect to the requested approvals, Boatworks Development Company agrees that it shall be obligated to the City to construct the Improvements as follows:

- A. Improvements shall be constructed in accordance with the Plans and as specified in the Permit.
- B. The height of the building and any other improvements constructed on the Property shall not exceed thirty (30) feet.
- C. Landscaping and drainage of the Property shall be planted and/or installed in accordance with the Plans. The Plans set forth the minimum landscaping Standards for the Property and may be exceeded by Boatworks Development Company, but they may be revised only with prior written approval of the City staff.
- D. Exterior lighting for all Improvements and for the Project site shall be downward directed as represented on the Plans and as required by City ordinances.
- E. All improvements including landscaping and drainage, shall be completed by October 15, 1997, weather permitting.
- F. Boatworks Development Company consents to the City's including the Project in a tax increment finance district. Tax increments from such a district will be used to fund public development by the City.

3. Regarding the Permit, and the variances from the parking ordinance, the City has:

- A. Granted Boatworks Development Company the Permit to use the Property as a Marina and Restaurant based on the conditions set forth in the Permit.
- B. Granted Boatworks Development Company a variance from the ordinance parking requirements as set forth in the Permit.
- C. The Permit is issued specifically for the Project as described in the Plans and Permit and for no other project. Any material change, in the sole opinion of the City, in the use of structure of the Property from that described in the Plans and Permit shall obligate Boatworks Development Company or its successor in title to apply for and obtain an amendment to the conditional use permit. No assurance of such amendments is intended or implied at this time by the City.
- D. The restaurant described in the Plans may serve wine, beer, and liquor according to City licenses when and if applied for and issued by the City.

Any bar area shall be limited to 18 seats. It is anticipated that the selected restaurant operator will be applying for a liquor license.

- E. The Permit shall be subject to amendment or cancellation by the City if Boatworks Development Company fails to comply with any conditions set forth in the Permit or if the Improvements are not completed as provided in the Plans.
- F. Boatworks Development Company may request, and the City shall be obligated to provide, a resolution certifying that the Permit is valid and is in full force and effect (an "Estoppel Certificate" or "Certificate of Compliance"), provided Boatworks Development Company continues to be in full compliance with the provisions of the Permit and this Development Agreement, and provided that the Improvements have been completed as provided herein.

4. A bond, satisfactory in form and content to City and issued by a company reasonably satisfactory to the City, or escrow or irrevocable letter of credit (from a bank and in a form reasonably satisfactory to the City) in lieu of bond, in the principal amount equal to 125% of the estimated costs of the landscape and drainage Improvements for the Project shall be deposited with City at the time of issuance of the building permit by Boatworks Development Company to insure the full, complete and faithful construction of those improvements described in the Plans. Said bond, or other security, shall be in force until all Improvements have been completed and the terms of this Agreement complied with to the reasonable satisfaction of the City. The City may draw down the payment and performance bond, or other security, with five (5) business days notice, for any violation of the terms of this Agreement, or to reimburse itself for costs incurred in performing obligations Boatworks Development Company has defaulted on, or to pay outstanding, past due costs Boatworks Development Company has incurred under this Agreement.

5. It is agreed that Boatworks Development Company shall construct, or contract to have constructed, all Improvements. The City and Boatworks Development Company agree to assign the costs for the following items as outlined below:

City cost responsibilities:

- a. Installation of new walkways around the upper/lower marina;
- b. Install new lighting around park marina;
- c. Any repair or upgrading of marina sea wall;
- d. Removal and/or replacement of the volleyball courts;

- e. Any repair or adjustment of the height of the bridge over the marina;

Boatworks Development Company cost responsibilities:

- a. Repavement of Grove Lane and parking area including curbing;
- b. Repair irrigation system damaged by grading and parking lot construction;
- c. Construct a new beach house based on design to be approved by, City staff, and related utility services;
- d. Removal and/or relocation of landscaping;
- e. Construction of sidewalks and boardwalks;
- f. Construction of the storm water detention pond;
- g. Construction of parking lot lighting in parking area landscape median and to the east of the median.

Boatworks Development Company shall initially pay for the cost of all Improvements, except items c, d and e of city's cost responsibilities set forth above, and will submit an invoice (or other proof of cost) of Improvements to be paid for by the City; however, the City shall approve Improvements to be paid for by City prior to construction. The City shall make such reimbursement within 60 days of receipt of said invoice or proof of payment.

6. Boatworks Development Company agrees to assume maintenance responsibility and snow removal for the parking lot area and that portion of Grove Lane all as indicated on attached Exhibit B. The City will assume responsibility for maintenance and snow removal of the portion of Grove Lane north and west of the marina. Snow piles shall not be allowed to occupy parking spaces, in order to ensure that the required number of spaces are available at all times during the year.

7. Boatworks Development Company agrees and covenants to hold the City harmless of and from any and all manner of claims or liability which may be asserted against it by any person on account of any loss, damage or other matter sustained during, arising out of, or as a result of any aspect of the Project, including but limited to its planning, implementation, construction, maintenance and operation.

8. It is specifically agreed that all the Project and Improvements to the Property shall be constructed, maintained and operated in compliance with all laws, ordinances, regulations and specifications of City, Hennepin County, the State of Minnesota, and the United States of

America, which compliance shall be determined by the City Manager, City Building Inspector, City Engineer and/or City Attorney, as applicable.

9. Failure of Boatworks Development Company to adhere to and abide by the obligations herein in a material way shall be a default. In the event such a default City shall have such following specific remedies as are applicable under the circumstances:

- A. City may exercise all of its rights and remedies previously described herein, and may exercise its rights of amendment or cancellation of the Permit as described in the Permit; and/or
- B. City, its officers, employees or authorized agents may enter upon said Property and correct the default or such part or parts thereof as shall be correctable all at the expense, of Boatworks Development Company, which shall be reimbursed to the City immediately upon request, including reasonable attorneys' fee; and/or
- C. City may restrain by injunction or other appropriate legal process a threatened default or may seek similar redress to compel correction of any existing default by the defaulting party, with Boatworks Development Company reimbursing the City for all enforcement costs, including reasonable attorneys' fees; and/or
- D. City may seek any other judicial relief as may be available and appropriate.

10. Boatworks Development Company hereby grants the City, its agents, employees, officers and contractors a license to enter the Property to perform all necessary work and/or inspections required under this Agreement.

11. Except as otherwise specified herein, Boatworks Development Company shall pay all costs incurred by it or the City in conjunction with the Project, including but not limited to Minnehaha Creek Watershed District charges, legal, planning, engineering and inspection expenses incurred in connection with approval and acceptance of the Project, the preparation of this Agreement and all costs and expenses incurred by the City in monitoring and inspecting the progress of the Project.

12. Boatworks Development Company represents to the City that to the best of its knowledge that the Project is not of "metropolitan significance" and that an environmental impact statement is not required. If the City or another governmental entity or agency determines that such a review is needed, however, Boatworks Development Company shall prepare it in compliance with legal requirements so issued from said agency. Boatworks Development Company shall reimburse the City for all expenses, including staff time and attorney's fees, that the City necessarily incurs in assistance in the preparation of the review.

13. Only Boatworks Development Company shall have recourse against the City under this Contract.

14. Boatworks Development Company may not assign this Agreement without written consent of the City Council. This Agreement shall run with the land and may be recorded against the title to the Property. After Boatworks Development Company has completed the work required of it under this Agreement, at Boatworks Development Company's request, the City will execute and deliver to Boatworks Development Company a Certificate of Completion in recordable form evidencing performance by Boatworks Development Company of its obligations hereunder, subject to any representation or warranties which may be in effect subsequent to the date of completion. Any obligations imposed by this Agreement not certified as having been satisfied in such Certificate of Completion, and all warranties and representations of Boatworks Development Company shall remain the ongoing obligation of Boatworks Development Company and its successors and assigns.

15. Required notices to Boatworks Development Company shall be in writing, and shall be either hand delivered to Boatworks Development Company, its employees or agents, or mailed to Boatworks Development Company by certified or registered mail at the following address:

Boatworks Development Company
445 East Lake Street
Wayzata, Minnesota 55391

Notices to the City shall be in writing and shall be either hand delivered to the City Manager, or mailed to the City by registered mail in care of the City Manager at the following address:

City Manager
Wayzata City Hall
600 East Rice Street
Wayzata, Minnesota 55391

16. Boatworks Development Company shall pay a sanitary sewer and water connection charge based on the Metropolitan Council Environmental Services (MCES) SAC Units as determined by the MCES. Boatworks Development Company shall be responsible for any increase in the fees due at the time of paying the fees to the City and the MCES, and the fees may change to reflect the City and MCES rates in effect at the time the building permit is issued and the fee paid. The fees are calculated as follows, based upon existing rates:

To City:	
Water	\$1,500.00 Per Sewer Availability Charge Unit
Sanitary	
Sewer	\$350.00 Per Sewer Availability Charge Unit

To MCES:

SAC Charge \$950.00 Per Sewer Availability Charge Unit

The number of sewer availability charge units in the Project shall be determined pursuant to regulations and procedures of the MCES.

17. Erosion control measures provided by Plan D shall be immediately implemented, inspected and approved by the City. The City may impose reasonable additional erosion control requirements if they would be beneficial. All areas disturbed by the excavation and backfilling operations, with the exception of those areas to be covered by an impervious surface or built upon, shall be reseeded (weather permitting) immediately after the completion of the work in that area. Except as otherwise provided in the erosion control plan, seed shall be rye grass or other fast growing seed suitable to the existing soil to provide a temporary ground cover as rapidly as possible. All seeded areas shall be mulched and disc anchored as necessary for seed retention. The parties recognize that time is of the essence in controlling erosion. If the development does not comply with the erosion control plan and schedule or supplementary instructions received from the City, the City may cause its agents to enter the Property and take appropriate erosion control actions, at Boatworks Development Company's expense. Except in emergency situations, the City shall notify Boatworks Development Company in advance of taking any such action and shall provide Boatworks Development Company a reasonable opportunity to cure its default, not to exceed thirty (30) days. If Boatworks Development Company does not reimburse the City for any cost the City incurred for such work within thirty (30) days, the City may draw down the bond to pay any costs. No development will be allowed and no building or occupancy permits will be issued unless the development is in full compliance with the erosion control requirements.

18. Prior to issuance of any certificate of occupancy, Boatworks Development Company shall remove from the Property any excess soil, earth or debris resulting from construction work by Boatworks Development Company as directed by the City.

19. Boatworks Development Company agrees that prior to or during site redevelopment work, it shall completely remove all hazardous waste, and contaminated soil and ground water from the Property, if any, to the extent required by the Minnesota Pollution Control Agency.

20. Boatworks Development Company warrants all work required to be performed by it pursuant to this Agreement against poor material and faulty workmanship for a period of two (2) years after substantial completion is certified by Boatworks Development Company. Any repairs or replacements shall be warranted for twelve (12) months from the time of construction or installation. All trees, grass, sod or ornamentals shall be warranted to be alive, of good quality, and disease free for twenty-four (24) months after planting. Boatworks Development Company further warrants that no changes in the structure or form of the improvements to the Property shown on the Plans shall be made unless this Agreement is amended by both parties.

21. Failure of City to adhere to and abide by its obligations herein in a material way shall be a default. In such case Boatworks Development Company may enforce the terms and conditions of this Agreement by any relief or proceeding, either in law or equity, available to it, or, at its election, not proceed with the Project or the improvements.

22. Each party has carefully reviewed the terms and Conditions of this Agreement and each agrees that such terms and conditions are reasonable. It is the present intention of the City Council not to alter or amend the land use rights provided to Boatworks Development Company herein, other than through the remedy provisions of this Agreement, and the City Council further acknowledges and agrees that it will not treat these negotiated land use rights in an arbitrary or capricious fashion.

23. In the event any one or more terms of this Agreement shall be held to be void or unenforceable by any court of competent jurisdiction for any reason such clauses or paragraphs shall be deemed to be null and void so long as the effect thereof is not substantially to alter the terms of this Agreement and the respective rights of the parties to the consideration herein provided, and all other provisions of this Agreement shall remain valid and in full force and effect.

24. Any waiver by one party of a breach of this Agreement by the other party shall not be deemed to be a waiver of any subsequent breach nor any estoppel to enforce its rights for subsequent breach.

25. This Agreement shall be recorded in the appropriate Hennepin County land records by Applicant at Applicant's expense. A recorded copy shall be provided to the City.

26. This Agreement shall be governed by and construed according to the laws of the State of Minnesota; and it shall be binding upon and inure to the benefit of the administrators, executors, heirs, assigns and successors of the respective parties hereto.

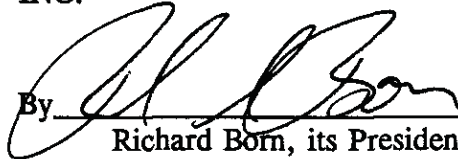
27. This Agreement may be executed simultaneously in two or more counterparts, each of which will be deemed an original and all of which shall constitute one and the same Agreement.

28. This Agreement contains the entire agreement between the parties and supersedes any prior oral or written agreements or representations.

[NEXT PAGE IS SIGNATURE PAGE]

IN WITNESS WHEREOF, the parties hereto have caused the foregoing Development Agreement to be executed the day and year first above written.

BOATWORKS DEVELOPMENT COMPANY,
INC.

By 
Richard Born, its President

CITY OF WAYZATA, a Minnesota municipal
corporation

By 
~~Barry Petit, Mayor Protem~~
Bob Ambrose

By 
Allan Orsen, City Manager

STATE OF MINNESOTA }
COUNTY OF Hennepin } ss.

The foregoing instrument was acknowledged before me this 26 day of March, 1997, by ~~Barry Petit~~ and Allan Orsen, respectively the ~~Mayor~~ and City Manager, of City of Wayzata, a Minnesota municipal corporation, on behalf of the corporation.

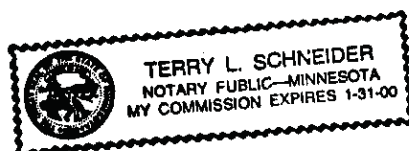
Bob Ambrose, Mayor Protem


Notary Public



STATE OF MINNESOTA }
COUNTY OF Hennepin } ss.

The foregoing instrument was acknowledged before me this 22nd day of January, 1997, by Richard Born the President of Boatworks Development Company, a Minnesota corporation, on behalf of the corporation.




Notary Public

This instrument drafted by:
Paul E. Kaminski
BEST & FLANAGAN
Professional Limited Liability Partnership
4000 First Bank Place
601 Second Avenue South
Minneapolis, MN 55402-4331

EXHIBIT/PLAN LIST

Exhibit A	-	PUD/CUP Permit
Exhibit A-1	-	Legal Description of Property
Plan A	-	Site and Utility Plan
Plan B	-	Grading Plan
Plan C	-	Landscape Plan
Plan D	-	Erosion Control Plan
Plan E	-	Improvements
Exhibit B	-	Maintenance/Snow Removal Area

Exhibit A

**CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA**

PLANNED UNIT DEVELOPMENT/CONDITIONAL USE PERMIT

1. Permit. Subject to the terms and conditions set forth herein, the City of Wayzata ("City") hereby grants the following to Boatworks Development Company, Inc., a Minnesota corporation ("Applicant") for:

- a. Planned Unit Development/Conditional Use Permit (PUD/CUP) for the Minnetonka Boatworks and City marina and beach area including Concept Plan and General Plan of Development approval.
- b. CUP for Marina and Restaurant uses.
- c. Shoreland Impact Plan/Conditional Use Permit for impervious surface coverage.
- d. Shoreland Impact Plan/Conditional Use Permit/Variance for the beach bathhouse and deck setbacks.
- e. Floodplain Conditional Use Permit for filing/removal within the floodplain.
- f. CUP to allow reduced number of required parking spaces, off-site parking spaces on Shaver/McCarthy site and for joint facilities use.
- g. Deviations as allowed by the PUD/CUP process from the parking lot design standards, including setback of 10 feet from property lines, parking ingress and egress on Grove Lane right-of-way, and eighteen foot parking stalls on interior parking lot.

2. Property. The permit is for the following described property ("Property") located in the City of Wayzata, Hennepin County, Minnesota:

See "Exhibit A-1" attached, except that the restaurant itself shall only be located on Parcel 1 ("Boat Works Site"), located at 294 East Grove Lane, Wayzata, Minnesota as outlined on attached Exhibit A-1.

3. Conditions. The permit is issued subject to the following conditions:

- A. The project ("Project") shall be constructed and operated according to Exhibit B-1 attached hereto and in accordance with the Development

Agreement of even date herewith between Applicant and the City ("Development Agreement"). The restaurant located on the Boat Works Site shall be a full service restaurant with a total square footage not to exceed 6,300 SF. Such restaurant may open no earlier than 5:00 a.m., but may not serve beer, wine or liquor before 9:00 a.m. Such restaurant shall close no later than:

Except holidays, Monday	11:00 p.m.
Except holidays, Tuesday	11:00 p.m.
Except holidays, Wednesday	11:00 p.m.
Except holidays, Thursday	11:00 p.m.
Friday	1:00 a.m.
Saturday	1:00 a.m.
Sunday	Midnight
On holidays	Midnight

Notwithstanding the restaurant closing hours stated above, restaurant users arriving by boat shall only be allowed to dock at the dock up until one hour before restaurant closing time. Thereafter no additional boats shall be allowed to dock. Boats which have docked in accordance with this limitation may remain until the restaurant closing hour.

- B. The restaurant may serve wine, beer or liquor according to City licenses when and if applied for and issued by the City in accordance with applicable City and State regulations. Any bar area shall be limited to 18 seats. It is anticipated that the selected restaurant operator will be applying for a liquor license.
- C. The City and Applicant agree to enter into a permanent joint cross easement for joint use of parking and pedestrian access over all parking areas, sidewalks and trails on the Property and City Park properties as shown in Exhibit C-1 except those spaces shown on Exhibit D-1 shall be dedicated for beach/marina use only. In addition, City and Applicant shall enter into a pedestrian easement along the lake shore from the beach area to the Depot property. In consideration of the City granting said easement, Applicant agrees to construct a new bath house as shown in Exhibit E-1, construct a new storm water detention pond, regrade and repave the parking and road areas, repair the lawn sprinkler system, and replace or relocate landscaping all as shown on Exhibit B-1. Said easements shall be recorded against and run with the land and be drafted by the City Attorney. The parties agree that if Applicant defaults under the Development Agreement for the Project or the terms of this Permit, and fails to cure said default within an applicable cure period, then Applicant's rights under the easements shall terminate, although the City's

easement rights over Applicant's property shall remain. The easements are attached as Exhibits F-1 and G-1.

- D. The two portions of the Property described respectively, on attached Exhibit A-1, as the "Boat Works Site" and the "Shaver & McCarthy Site" shall be considered for the purposes of this PUD/CUP Permit, as integrated property such that there may be no change in ownership or use of either site without the adoption of a new conditional use permit, or such other necessary City requirements or necessary approval from the City Council. The two sites are integrated in that the Shaver & McCarthy Site provides overflow and employee parking for the restaurant use on the Boat Works Site. The Shaver & McCarthy Site shall not be considered as part of a future redevelopment area unless said redevelopment includes a parking ramp that allocates at least 72 parking spaces for use by the Boat Works site. Applicant agrees to participate in any redevelopment efforts relating to the properties north of Lake Street and west of Barry Avenue. Applicant also acknowledges that if the redevelopment plans include a public parking ramp, Applicant's cost participation will take into consideration the inclusion of the required 72 parking spaces needed for the Project and/or parking required for the expanded restaurant option. Applicant agrees that the Property shall not be put to a more intensive use (including expansion of the restaurant) without addressing the parking shortage to the satisfaction of the City.
- E. Should the City find that a parking problem exists subsequent to the completion of the Project, the City has the right to require the Applicant to install at Applicant's expense all or a portion of the "proof of parking" stalls as shown on Exhibit H-1. Applicant understands that the westerly portion of Grove Lane is now a one-way street, and that it is the City's intention to maintain the one-way arrangement up to the point of the proposed new cul-de-sac as shown in Exhibit B-1. Applicant agrees to reconstruct Grove Lane as shown on Exhibit B-1, in compliance with construction standards provided by the City, at Applicant's sole expense.
- F. Permanent dockage shall continue to be subject to and licensed under Lake Minnetonka Conservation District standards and procedures, and the standards and procedures of other government units with jurisdiction, if any, and none of the obligations or the parties hereto shall be conditional upon such licensing or regulation. Applicant shall at all times remain in compliance with the requirements of the Lake Minnetonka Conservation District and the standards and procedures of other government units with jurisdiction, if any.
- G. No more than 25 "transient" boats shall be parked in slips at the Property at one time. "Transient boat parking" shall be designated within the

"dock use area" which area shall be shown on the final plans. All other permitted boat slips shall be available only for the seasonal use of a single specified user for each such slip. No restaurant transient parking shall be permitted on either side of the most westerly dock located on the Property.

- H. There shall be no boats stored on the Shaver & McCarthy Site, with the exception of the temporary location of boats from the Boat Display/Public Gathering Area of the Boat Works Building during special events held during non-peak times (evenings and week-ends).
- I. Proper permits shall be obtained for movement of all oversized boats on the public roads.
- J. No loud music or other noxious noise shall be allowed to emanate from the Property at any time. Between 10:00 p.m. and 7:00 a.m. Minnesota Pollution Control Agency (MPCA) Noise Pollution Control standards and/or applicable City Ordinances shall limit noise from the restaurant on the Boat Works Site, or other locations on the Property, as measured in accordance with the applicable standard or ordinance. Noise shall be measured by the MPCA at the request of the City, but at no expense to the City. If the MPCA declines to provide such measurements at no cost to the City, the City may employ, at Applicant's cost, an agency or individual to make such measurements, but no more often than three times in any calendar year. In the event any noise measurements evidence a violation of MPCA standards, Applicant shall erect suitable improvements on the perimeter of the Property to avoid future violations, or reduce or eliminate the noise generating activity.
- K. To further control noise emanating from the Property, Applicant shall have one employee with security authority assigned to monitor activity on the Property, including, but not limited to, boat noise, marina activity and parking lot activity.
- L. The most westerly dock shall have no boat parking, transient or otherwise on its westerly side. City shall have the right to attach the Wayzata Beach buoys to the lake end of such westerly dock to keep boats away from the Wayzata Beach.
- M. Applicant shall clean up the Property and properly dispose of litter generated by Applicant's use of the Property, whether such litter is located on the Property, off the Property or on Lake Minnetonka so as to keep the area neat and clean. Applicant shall not permit a nuisance to exist at the site.

- N. Applicant agrees that this PUD/CUP limits the restaurant on the Boat Works Site to a total of 6,300 SF. The reserved space of 3,000 SF (which is not included in the 6,300 SF) can only be converted to restaurant space upon the action of the City Council as an amendment to this PUD/CUP. The City acknowledges that it may, but is not obligated to give consideration to such conversion when and if a parking ramp is constructed on the north side of Lake Street west of Barry Ave. Applicant may leave this space vacant or convert it to office/retail use upon meeting applicable City Code Requirements.
- O. Applicant agrees to limit the seating area where food service is available on the public deck area (south side of the east wing) to no more than one-half of the deck area and limit any food service to after 5:30 p.m. on week days and 10:00 a.m. on week ends.
- P. The PUD/CUP for Marina and Restaurant uses is issued specifically for the Project and for no other project. Any material change, in the sole opinion of the City, in the use or structure of the Property from that described on Exhibit B-1 shall obligate Applicant, or its successor in title, to apply for and obtain an amendment to the Conditional Use Permit.
- Q. The CUP shall be subject to amendment or cancellation by the City if Applicant fails to comply with any conditions set forth herein or fails to complete or maintain the Improvements as provided in Exhibit B-1 or fails to comply with the terms of the Development Agreement for the Project.
- R. It is specifically agreed that the Property and all improvements on the Property shall be constructed, maintained and operated in compliance with all laws, ordinances, regulations and specifications of City, Hennepin County, the State of Minnesota, and the United States of America, which compliance shall be determined by the City Manager, City Building Inspector, City Engineer and/or City Attorney, as applicable.
- S. The City staff shall approve the final plans and specifications for building, drainage, curb and gutters, parking lot and landscape.
- T. The Applicant shall obtain any required approvals of the Minnesota Department of Natural Resources, Minnehaha Creek Watershed District, and other relevant governmental agencies, if any, to the Project.
- U. The Applicant shall perform all of its obligations hereunder.
- V. The Applicant shall redesign and construct the pedestrian connection to the Depot property by moving the access closer to the shoreline (than as proposed to the Council at its October 15, 1996 meeting). Said plans

shall be submitted to City staff for approval. The cost responsibility of Applicant for construction costs associated with the Depot property shall be limited to an amount reasonably necessary to complete said work.

- W. The area between the upper lagoon and the west edge of the parking lot retained as a pedestrian access along the entire length of the parking lot with a connection to the path near the proposed beach boathouse. The path shall be surfaced with a permeable, hard surface material such as aggregate and adequate tree protection shall be provided.
- X. The bike path shall be removed from the landscaped area north of the Boat Works Site building to provide additional width to the sidewalk directly adjacent to the front of said building.
- Y. Applicant shall design the primary pedestrian/bike access adjacent to the Boat Works Site building with appropriate lighting and landscaping as a promenade that emphasizes this as the primary access to the beach. Said plans shall be submitted to City staff for approval.
- Z. The nine parking spaces facing south adjacent to the storm water pond (as shown in the site plan submitted to the City Council at its October 15, 1996 meeting) shall be removed from the site plan. These nine stalls shall be replaced on the site in accordance with attached Exhibit I-1. Plans for said parking changes shall be submitted to City staff for approval.
- AA. Landscaping shall be provided along the Lake Street edge of the Shaver & McCarthy Site. Landscape materials and design shall be consistent with the Lake Street streetscape and subject to the review and approval of the City Forester and City Engineer.
- BB. Valet parking shall be available for the restaurant patrons during all hours of operation. All valet parking shall be done at the Shaver & McCarthy Site.
- CC. Restaurant employees and managers shall be required to park in the Shaver & McCarthy Site lot at all times.
- DD. Fifty-seven parking spaces shall be designated as "beach/marina use only" on weekdays from 8:00 a.m. to 5:00 p.m., and an additional 32 parking space designated as "beach/marina use only" on the weekends, all as shown on attached Exhibit J-1. At least ten of the west parking spaces adjacent to the beach shall be signed as "beach/marina use only" all year, 24 hours per day. The responsibility for policing said stalls shall be that of the Applicant.

- EE. Chemicals, including but not limited to gasoline, oil, grease, paint and solvents, shall be properly stored and disposed of in accord with Minnesota PCA laws, rules and regulations.
- FF. Applicant shall allow public access through the common area of the building located on the Boat Works Site for access to Lake Minnetonka and to the public portion of the second floor deck on the south side of the east wing for general seating and viewing of Lake Minnetonka during normal business hours.
- GG. Both parties acknowledge that at the time of execution of this Agreement the necessary easements from Burlington Northern Railroad have not been obtained. Boatworks Development Company agrees to continue to negotiate in good faith with the railroad to obtain the necessary easements over the approximately eight foot wide strip of land owned by the railroad. If as of September 1, 1997, such negotiations are unsuccessful, the City agrees to allow the construction of Alternative Parking Plan B, as shown in Exhibit C-1, on the condition that item #A of the Planned Unit Development/Conditional Use Permit be modified to change the maximum size of the restaurant to 5,000 SF, and the office square footage of the east wing to no more than 9,700 SF.

4. Default by Applicant. Failure of Applicant to adhere to and abide by the obligations herein shall be a default. In the event of such default City shall have such following specific remedies as are applicable under the circumstances:

- A. City may exercise all of its rights and remedies previously described herein, including amendment or cancellation of this Conditional User Permit; and/or
- B. City, its officers, employees or authorized agents may enter upon said Property and correct the default or such part or parts hereof as shall be correctable all at the expense of Applicant, which shall be reimbursed to the City immediately upon request, including reasonable attorneys' fees; and/or
- C. City may restrain by injunction or other appropriate legal process a threatened default or may seek similar redress to compel correction of any existing default by the defaulting party, with Applicant reimbursing the City for all enforcement costs, including reasonable attorneys' fees.
- D. City may seek any other judicial relief as may be available and appropriate.

5. Default by City. Failure of City to adhere to and abide by its obligations herein shall be a default. In such case Applicant may enforce the terms and conditions of this Conditional Use Permit by any relief or proceeding, either in law or equity, available to it, or, at its election, not proceed with the Project or the Improvements.

6. Reliance. Each party has carefully reviewed the terms and conditions and each agrees that such terms and conditions are reasonable. It is the present intention of the City Council not to alter or amend the land use rights provided to Applicant herein, other than through the remedy provisions of this Agreement, and the City Council further acknowledges and agrees that it will not treat these negotiated land use rights in an arbitrary or capricious fashion.

7. Severability. In the event any one or more terms of this Conditional Use Permit shall be held to be void or unenforceable by any court of competent jurisdiction for any reason such clauses or paragraphs shall be deemed null and void so long as the effect thereof is not substantially to alter the terms of this Agreement and the respective rights of the parties to the consideration herein provided, and all other provisions of this Conditional Use Permit shall remain valid and in full force and effect.

8. Waiver. Any waiver by one party of a breach of this Agreement by the other party shall not be deemed to be a waiver of any subsequent breach nor any estoppel to enforce its rights for subsequent breach.

9. Recordation. This PUD/CUP must be recorded by Applicant, at Applicant's cost with a recorded copy provided to the City. This permit shall run with the land, until terminated, and shall be binding upon subsequent owners of Property.

10. Governing Law. This PUD/CUP shall be governed by and construed according to the laws of the State of Minnesota; and it shall be binding upon and inure to the benefit of the administrators, executors, heirs, assigns and successors of the respective parties hereto.

[NEXT PAGE IS SIGNATURE PAGE]

Date this 26th day of March, 1997.

CITY OF WAYZATA

By Bob Ambrose
Bob Ambrose, Mayor Protem

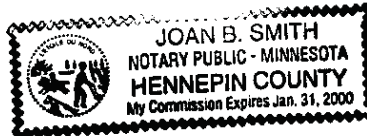
By Allan Orsen
Allan Orsen, City Manager

STATE OF MINNESOTA }
COUNTY OF Hennepin } ss.

The foregoing instrument was acknowledged before me this 26th day of March, 1997 by ~~Barry Petit, Mayor~~, and by Allan Orsen, City Manager of the City of Wayzata, a Minnesota municipal corporation, on behalf of the corporation.

Bob Ambrose, Mayor Protem

Joan B. Smith
Notary Public



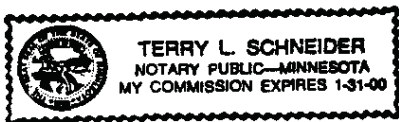
Date this 22nd day of January, 1997.

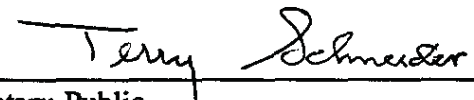
BOATWORKS DEVELOPMENT COMPANY,
INC.

By 
Richard Born, its President

STATE OF MINNESOTA }
COUNTY OF Hennepin } ss.

The foregoing instrument was acknowledged before me this 22nd day of January, 1997, by Richard Born the President of Boatworks Development Company, a Minnesota corporation, on behalf of the corporation.




Notary Public

This instrument drafted by:

Paul E. Kaminski
BEST & FLANAGAN
Professional Limited Liability Partnership
4000 First Bank Place
601 Second Avenue South
Minneapolis, MN 55402-4331

CERTIFICATION

STATE OF MINNESOTA }
COUNTY OF _____ } ss.

I hereby certify that the foregoing PUD/CUP is a true and correct copy of the permit presented to and adopted by the City Council of the City of Wayzata at a duly authorized meeting thereof held on the 25th day of March, 1997, as shown by the minutes of said meeting in my possession.



City Clerk

EXHIBIT A-1

LEGAL DESCRIPTION OF PROPERTY

File No.: 10992

File Name: Minnetonka Boatworks

LEGAL DESCRIPTION

Parcel 1

Tract C, Registered Land Survey No. 959, according to the plat thereof on file and of record in the office of the Registrar of Titles, in and for Hennepin County, Minnesota.

Torrens Property

Torrens Certificate No. 836148

All that part of Lot 26, Auditor's Subdivision No. 184, described as follows:

Beginning at the most Southerly corner of Tract D, Registered Land Survey No. 959, files of the Registrar of Titles, Hennepin County, Minnesota; thence South along the East line of said Lot 26 to the Southeast corner thereof; thence West along the South line thereof 17 feet; thence Northeasterly to the point of beginning.

Abstract Property

All that part of Grove Street vacated lying Easterly of a line drawn from the Southeast corner of Tract A, Registered Land Survey No. 959, files of Registrar of Titles, Hennepin County, Minnesota, to the most Northerly corner of Tract B, said Registered Land Survey No. 959, and there ending, according to the recorded plat thereof.

Abstract Property

Parcel 2

All that part of the tract of land hereinafter described lying East of the Northerly extended East line of lot 17, Auditor's Subdivision 184, and West of the Northerly extended West line of Lot 11, Auditor's Subdivision 184, said tract of land begin described as follows, to wit;

Commencing at the Northeast corner of Lot 11, Auditor's Subdivision 184, Hennepin County, Minnesota; thence West along the North line of Lot 11 and an extension thereof a distance of 315.85 feet; thence South a distance of 142.6 feet to the Northeast corner of Lot 18; thence West along the North line of Lot 18 a distance of 50 feet to the Northwest corner of said Lot 18; thence

South along the West line of Lot 18 a distance of 2.6 feet; thence West parallel with the South line of Lot 19 a distance of 7 feet; thence North parallel with the West line of Lot 10 to the point of intersection with the Easterly extended South line of Lot 4, Auditor's Subdivision 184; thence East along the Easterly extension of said South line of Lot 4, Auditor's Subdivision 184 to the point of intersection of said South line of Lot 4, as so extended, with the Westerly line of the Watertown Road; thence Southerly and Southwesterly along the West line of the Watertown Road to the point of beginning.

Abstract Property

That part of Lot 10, Auditor's Subdivision Number 184, Hennepin County, Minnesota, described as follows, to wit: Beginning at a point on the South line of said Lot 10 which is the Northwest corner of Lot 16 of said subdivision; thence Easterly along said South line a distance of 90 feet to a point which is the Southwest corner of Lot 12 of said subdivision; thence North along the West line of Lots 12 and 11 of said subdivision a distance of 142.6 feet to the Northwest corner of Lot 11; thence West along an extension of the North line of said Lot 11, a distance of 90 feet; thence South to the point of beginning, according to the plat thereof on file or of record in the office of the Register of Deeds in and for said Hennepin County.

Torrens Property

Torrens Certificate No. 836149

Lot 12, Auditor's Subdivision Number 184, Hennepin County, Minnesota, except the North 55 feet thereof.

Abstract Property

Lot 15, except the East 27 feet front and rear thereof, of Auditor's Subdivision Number 184, Hennepin County, Minnesota, also that part of Lake Street, vacated, lying between the front line of said Lot 15 and the center line of said street and between extensions across it of the side lines of said part of Lot 15.

Lot 16 of Auditor's Subdivision Number 184, Hennepin County, Minnesota, also that part of Lake Street, vacated, lying between the front line of said lot and the center line of said street and between extensions across said strip of land of the side lines of said Lot 16, according to the plat thereof on file or of record in the office of the Register of Deeds in and for said Hennepin County.

Torrens Property

Torrens Certificate No. 836149

Page 136 of 321

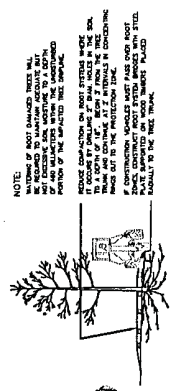
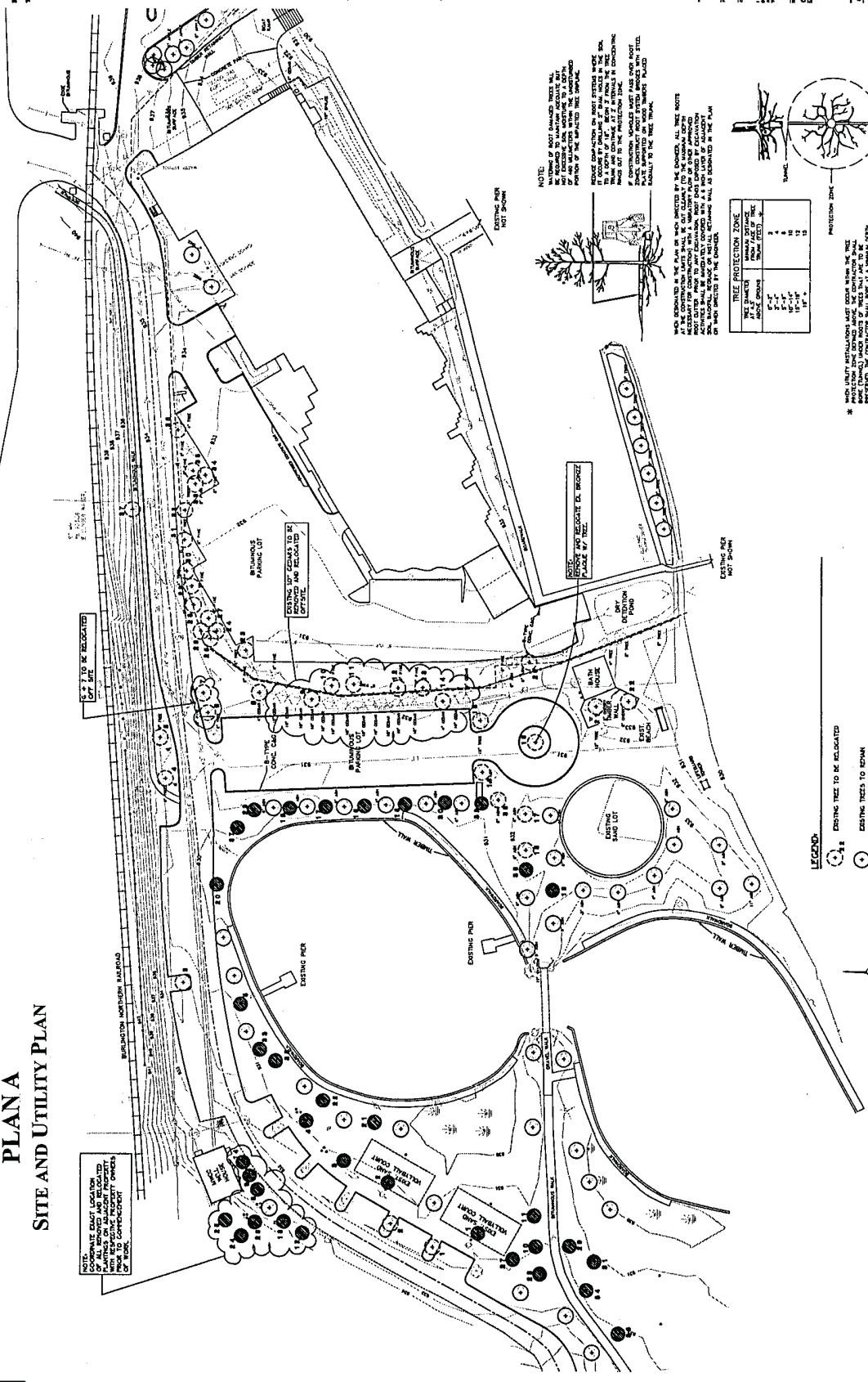
PLAN A
SITE AND UTILITY PLAN

Project Title



Drawing Title
TREE RELOCATION
PLAN

Consultants



NOTE:
WHENEVER A ROOT DAMAGED TREE WILL BE REMOVED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING THE REMOVED PORTION OF THE DAMAGED TREE CANOPY.
TO AVOID DAMAGE TO ROOT SYSTEMS, WHEN EXCAVATING FOR FOUNDATIONS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING THE ROOT SYSTEMS BY PLACING A 2" DIA. PIPE IN THE SOIL TO AVOID DAMAGE TO THE ROOT SYSTEMS.
IF A CONTRACTOR WISHES TO REMOVE A TREE, THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING THE REMOVED PORTION OF THE DAMAGED TREE CANOPY.
THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING THE REMOVED PORTION OF THE DAMAGED TREE CANOPY.

TREE PROTECTION ZONE	
TRUNK DIAMETER	MINIMUM DISTANCE FROM TRUNK TO TRENCH (FEET)
0" - 4"	4
4" - 6"	6
6" - 8"	8
8" - 10"	10
10" - 12"	12
12" - 14"	14
14" - 16"	16
16" - 18"	18
18" - 20"	20

ROOT PROTECTION & TRENCHING DETAILS

LEGEND

- EXISTING TREE TO BE RELOCATED
- EXISTING TREES TO REMAIN
- RELOCATED TREES

NOTES

- VERIFY LOCATION OF ALL UTILITIES EXISTING, PROPOSED AND ALL TO BE REMOVED ON SITE PRIOR TO RELOCATION OF TREES.
- FIELD VERIFY QUANTITIES AND QUALITY OF CRANKS TO BE RELOCATED.
- RELOCATED TREES SHALL BE PLANTED WITHIN CONSTRUCTION LOTS THAT ARE NOT HAZARDOUS TO REMAIN OR BE RELOCATED.
- COORDINATE POSITION OF RELOCATED TREES WITH PROPOSED LANDSCAPE PLAN.
- ALL RELOCATED TREES SHALL BE PLANTED WITHIN 100' OF THE ORIGINAL LOCATION OR REMOVAL OF EXISTING TREES.
- COORDINATE ALL OFFSITE TREE RELOCATIONS WITH CITY FORESTER FOR CITY OF MINNETONKA.

CO



Project Title



bowling balls

EXISTING CONDITIONS AND DEMO PLAN

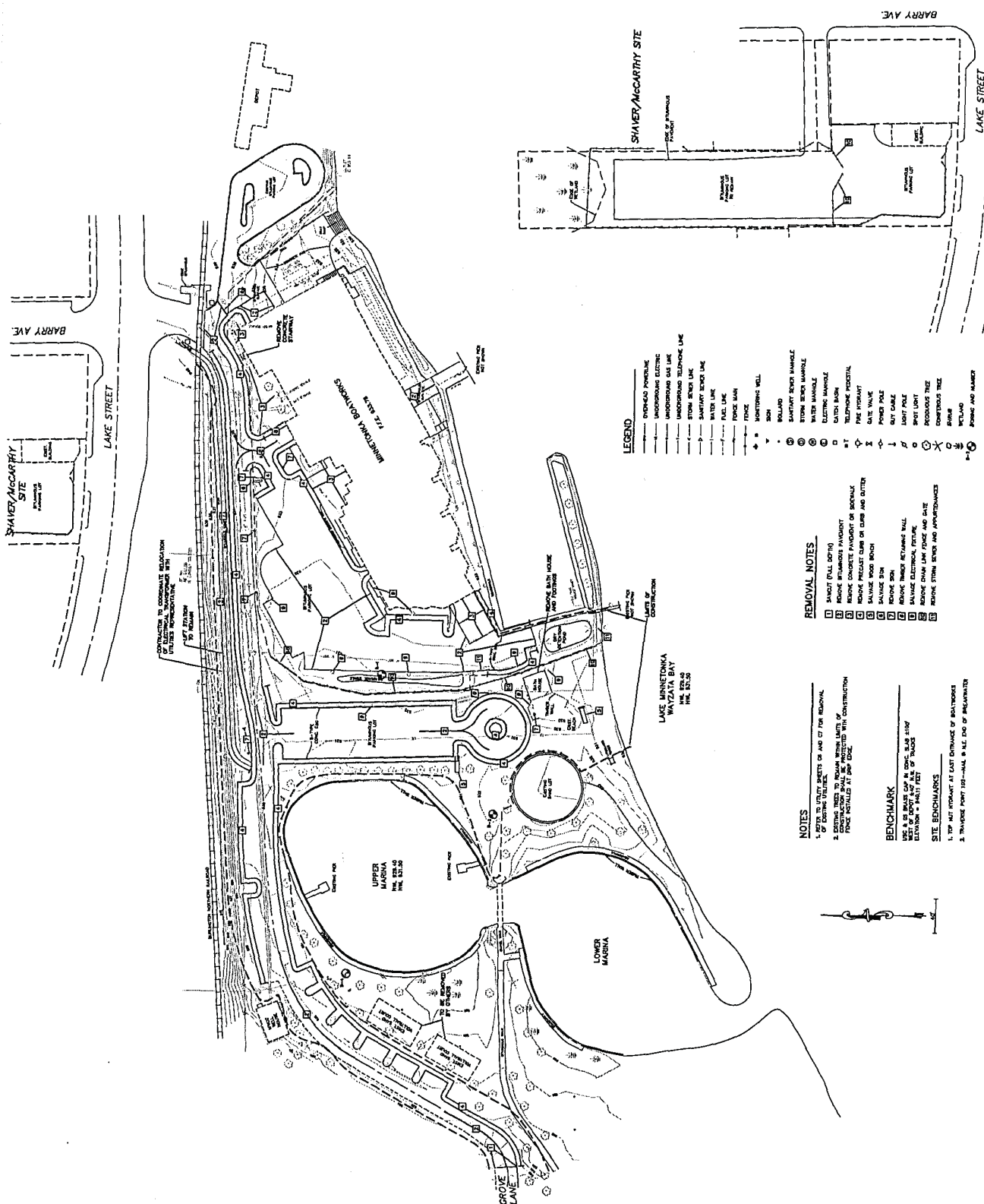
Conclusions

Certification	
2488-AID	
PROJECT NUMBER	
DATE	
BY	C.M.F.
APPROVED BY	APPROVED BY
THESE DATA ARE THE PROPERTY OF THE U.S. GOVERNMENT AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM THE U.S. GOVERNMENT.	
DATE	2488
DATE	OCTOBER 7, 1988

Veriditas	CITY COMMENTS	10/10/14
	CITY COMMENTS	10/26/14

Sheet Number

5



REMOVAL NOTES

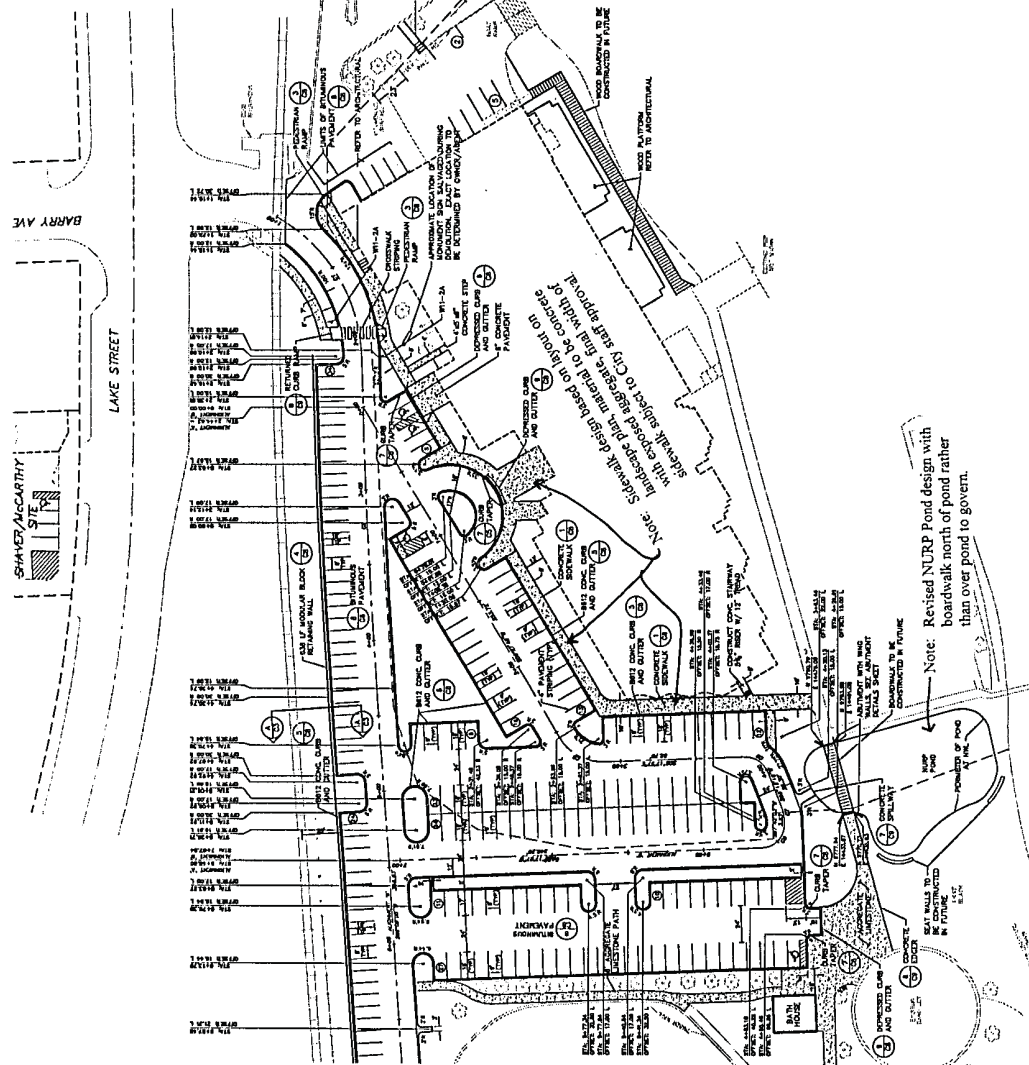
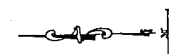
- | | |
|---|--|
| 1 | SALVAGE (FULL DOING) |
| 2 | REMOVE BITUMINOUS PAVEMENT |
| 3 | REMOVE CONCRETE PAVEMENT OR SIDEWALK |
| 4 | REMOVE PRECAST CURB ON CURB AND GUTTER |
| 5 | SALVAGE WOOD BOARDS |
| 6 | SALVAGE SIGN |
| 7 | REMOVE SIGN |
| 8 | REMOVE TRUNKS REMAINING WALL |
| 9 | SALVAGE ELECTRICAL FUTURE |
| 0 | REMOVE CHAIN LINK FENCE AND GATE |
| 1 | REMOVE STORM SEWER AND APPURTENANCES |

NOTES

- NOTES
- REFER TO UTILITY SHEETS C6 AND C7 FOR REMOVAL OF EXISTING UTILITIES.
- EXISTING TREES TO REMAIN WITHIN LIMITS OF CONSTRUCTION SHALL BE PROTECTED WITH CONSTRUCTION FENCE INSTALLED AT DRIP EDGE.

References

- TELEPHONE MARK
 100' & 105' BRASS CAP IN CONC. SLAB ±100'
 EAST OF DEPOT ±40' N.E. OF TRACKS
 ELEVATION = 840.11 FEET
- WHITE BENCHMARKS
 TOP NAT. HYDRANT AT EAST ENTRANCE OF BOATWORKS
 TRANSPOSE POINT 100' ±10' N.E. OF DEPOT



FOR CONTINUATION OF PLAN - SEE SHEET C3

CURVE TABLE					COMPARISON	
CURVE	TYPE	SLABES	DATA	ROADES	LENGTH	(% OF SLABES)
1	□	31-17-10	5671-17	111.00'	11.00'	11431-13
2	□	31-17-10	5671-17	111.00'	11.00'	11431-13
3	□	31-17-10	5671-17	111.00'	11.00'	11431-13
4	□	31-17-10	5671-17	111.00'	11.00'	11431-13
5	□	31-17-10	5671-17	111.00'	11.00'	11431-13
6	□	31-17-10	5671-17	111.00'	11.00'	11431-13
7	□	31-17-10	5671-17	111.00'	11.00'	11431-13
8	□	31-17-10	5671-17	111.00'	11.00'	11431-13
9	□	31-17-10	5671-17	111.00'	11.00'	11431-13
10	□	31-17-10	5671-17	111.00'	11.00'	11431-13
11	□	31-17-10	5671-17	111.00'	11.00'	11431-13
12	□	31-17-10	5671-17	111.00'	11.00'	11431-13
13	□	31-17-10	5671-17	111.00'	11.00'	11431-13
14	□	31-17-10	5671-17	111.00'	11.00'	11431-13
15	□	31-17-10	5671-17	111.00'	11.00'	11431-13
16	□	31-17-10	5671-17	111.00'	11.00'	11431-13
17	□	31-17-10	5671-17	111.00'	11.00'	11431-13
18	□	31-17-10	5671-17	111.00'	11.00'	11431-13
19	□	31-17-10	5671-17	111.00'	11.00'	11431-13
20	□	31-17-10	5671-17	111.00'	11.00'	11431-13
21	□	31-17-10	5671-17	111.00'	11.00'	11431-13
22	□	31-17-10	5671-17	111.00'	11.00'	11431-13
23	□	31-17-10	5671-17	111.00'	11.00'	11431-13
24	□	31-17-10	5671-17	111.00'	11.00'	11431-13
25	□	31-17-10	5671-17	111.00'	11.00'	11431-13
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30	□	31-17-10	5671-17	111.00'	11.00'	11431-13
31	□	31-17-10	5671-17	111.00'	11.00'	11431-13
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42	□	31-17-10	5671-17	111.00'	11.00'	11431-13
43	□	31-17-10	5671-17	111.00'	11.00'	11431-13
44	□	31-17-10	5671-17	111.00'	11.00'	11431-13
45	□	31-17-10	5671-17	111.00'	11.00'	11431-13
46	□	31-17-10	5671-17	111.00'	11.00'	11431-13
47	□	31-17-10	5671-17	111.00'	11.00'	11431-13

NOTES

1. SCHEDULE ONE AS TO EXTENSION DATE OF BUILDING
AND FLOOR AREA OF SAME

2. THE PROPERTY IS TO BE BUILT UNDER VARIOUS
AS OF THE APPROXIMATELY 1972 JACAR TREE BE
AS AN ALTERNATIVE TO CONSIDER THE USE OF A
FOR THE PROPERTY. THE PROPERTY IS TO BE
POSSIBLE APPROVAL BY CITY OF WATKINS.

3. ALL REVENUE TO BE 4% CONCRETE REVENUE FOR
DETAIL 1, STREET USE.

4. ALL PARCELS STOPPING TO BE 4' IN WIDTH.

5. SPOUSE LINE PARALLEL TO BUILDING FOOTPRINT
TO BE 10' IN WIDTH. THE PROPERTY IS TO BE
OF PARCELS TO BE 10' IN WIDTH.

6. ALL WORK TO BE DONE BY MCMURTRY SITE TO BE DONE
IN SPRING OF 1987.

7. CARRY CONCRETE BASES WITH BONE, INC. PUGH

Revised NURP Pond design with boardwalk north of pond rather than over pond to govern.

LAKE MINNETONKA
WAYZATA BAY
MAY 9 28-40
MAY 9 37-50



Project Title



Drawing Title

SITE
PLAN

Conclusions

Certification

PROJECT NUMBER	DATE	C/W	SCHEDULE P
94-08-A10	MAY 27		

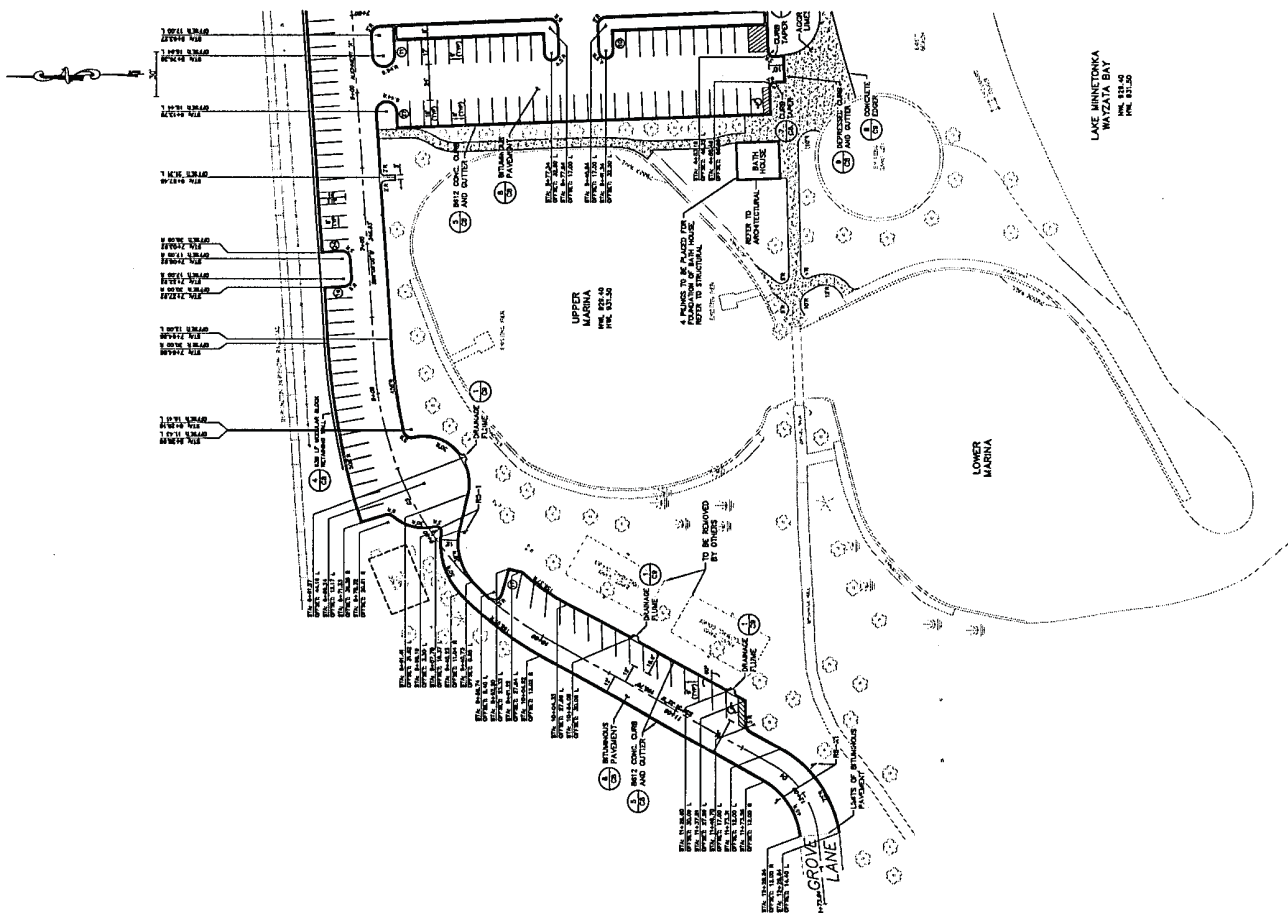
THE SENDER CERTIFY THAT THE DEGREE OF THE PROJECT
WAS AT LEAST AS GOOD AS DIRECT SUPERVISION AND THAT
ALL INFORMATION OBTAINED UNDER THE LENS OF
THE STATE OF ARIZONA.

DATE	PAGE
OCTOBER 7, 1996	2143

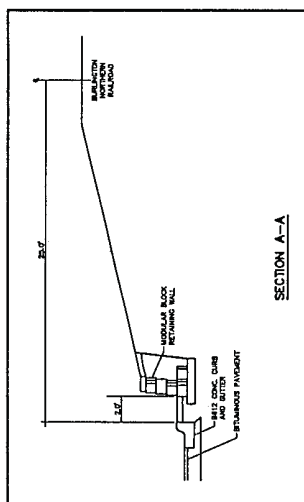
Revisions

PC/IC/IS	CITY COMMENTS	IN/D/CA

Sheet Number



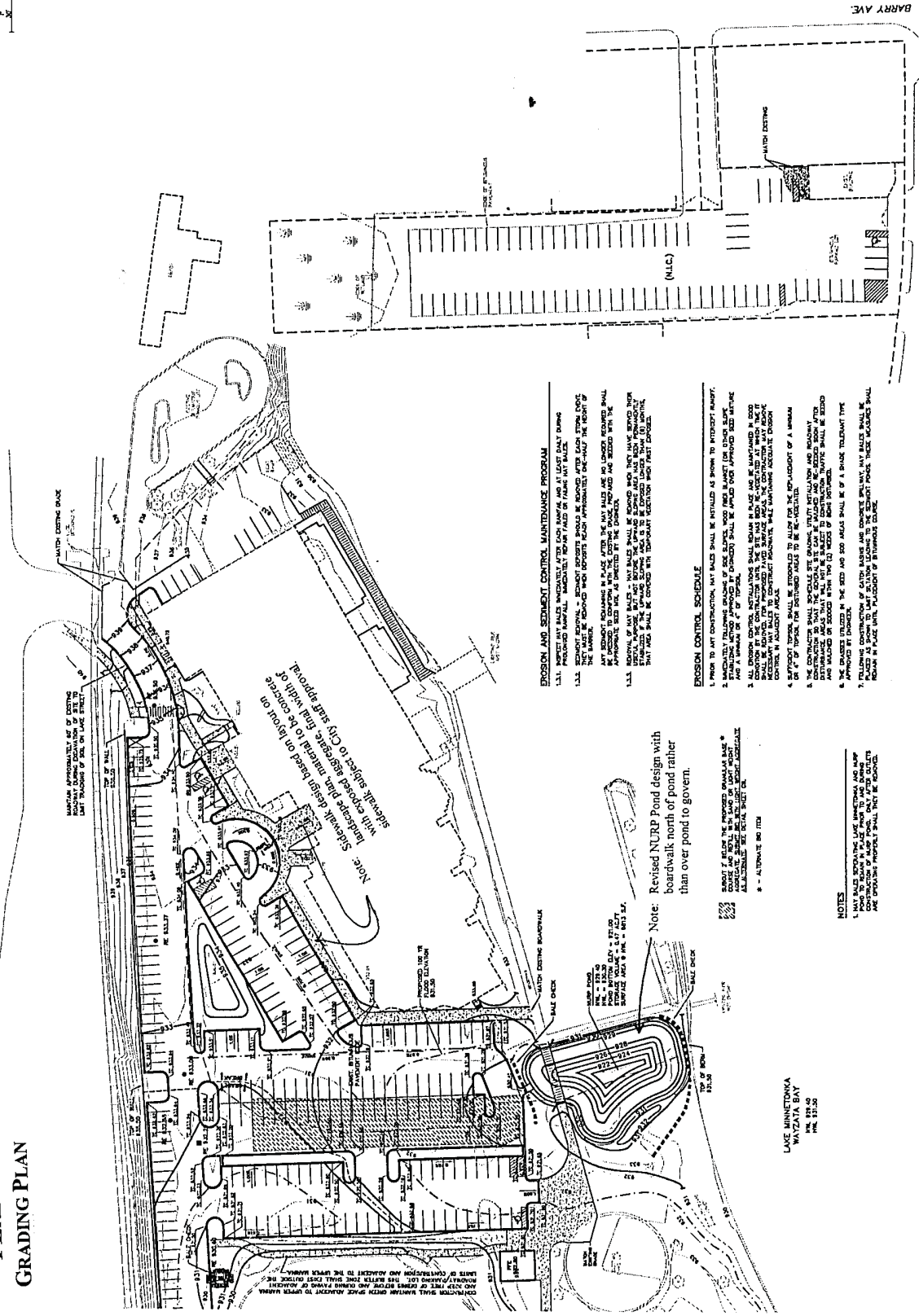
FOR CONTINUATION OF PLAN - SEE SHEET C2



SECTION A-A

[illegible]

PLAN B GRADING PLAN



FOR CONTINUATION OF PLAN - SEE SHEET C6

EROSION AND SEDIMENT CONTROL MAINTENANCE PROGRAM

- 13.1 THE ABOVE INFORMATION IS NOT TO BE RELEASED TO ANY OTHER AGENCY OR INDIVIDUAL WITHOUT THE WRITTEN AUTHORIZATION OF THE FBI. THIS INFORMATION IS TO BE USED FOR THE PURPOSES OF THE ABOVE CASE ONLY.
- 13.2 THE ABOVE INFORMATION IS NOT TO BE RELEASED TO ANY OTHER AGENCY OR INDIVIDUAL WITHOUT THE WRITTEN AUTHORIZATION OF THE FBI. THIS INFORMATION IS TO BE USED FOR THE PURPOSES OF THE ABOVE CASE ONLY.
- 13.3 THE ABOVE INFORMATION IS NOT TO BE RELEASED TO ANY OTHER AGENCY OR INDIVIDUAL WITHOUT THE WRITTEN AUTHORIZATION OF THE FBI. THIS INFORMATION IS TO BE USED FOR THE PURPOSES OF THE ABOVE CASE ONLY.

EXPOSURE CONTROL SOLUTIONS

- [illegible]

NOTES

1. MAY SALES SPENDING LAND INVESTMENT AND MURP
POND TO REMAIN IN PLACE PRIOR TO AND DURING
CONSTRUCTION OF MURP POND. ONLY AFTER OUTLETS
ARE OPERATING PROPERLY SHALL THEY BE REMOVED.

LAXE MINNETONKA
WAYZATA BAY
MNL 929.40
MNL 931.50

Note: Revised NURP Pond design with boardwalk north of pond rather than over pond to govern.

SHOOT 2' BELOW THE PROPOSED GRANULAR BASE *
COURSE AND REFILL WITH SAND OR LIGHT WEIGHT
AGGREGATE. SUBMIT ONE WITH LIGHT WEIGHT AGGREGATE
AS ALTERNATE SET. DETAIL SHEET OR

POINT OF SALE SYSTEMS

Certification I hereby certify that the preceding is a true and correct copy of the original as the same appears in the files of the Department of the Interior. _____ SPECIAL AGENT IN CHARGE		DATE OCTOBER 7, 1946 BY _____	FILED _____ RECEIVED
Remarks CITY COMMENTS CITY COMMENTS _____ _____ _____ _____ _____		DATE OCTOBER 7, 1946 BY _____	FILED _____ RECEIVED

Sheet Number _____

4C

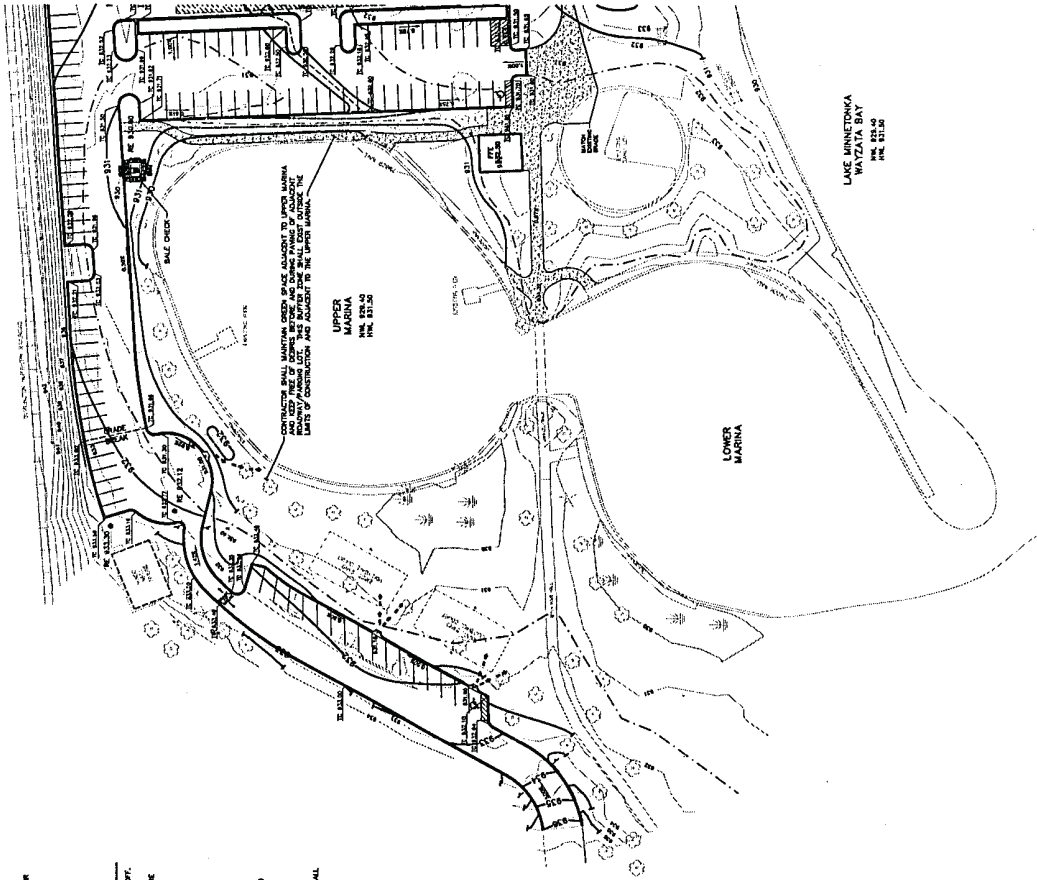


PROJECT NO. 14-00-115
DATE: 11/11/14
DRAWN BY: JMM
CHECKED BY: JMM
I, JAMES M. MURPHY, being duly sworn, depose and say that I am a duly Licensed Professional Engineer in the State of Minnesota, and that I am the author of the above described plans, specifications, and contract documents, and that I am a duly Licensed Professional Engineer in the State of Minnesota.

SIGNATURE: JMM
DATE: 11/11/14
PRINTED NAME: JAMES M. MURPHY
LICENSE NO.: 11111

DATE: 11/11/14
BY: JMM
CITY COMMENTS: 11/11/14
CITY COMMENTS: 11/11/14

FOR CONTINUATION OF PLAN - SEE SHEET C4



EROSION AND SEDIMENT CONTROL MAINTENANCE PROGRAM

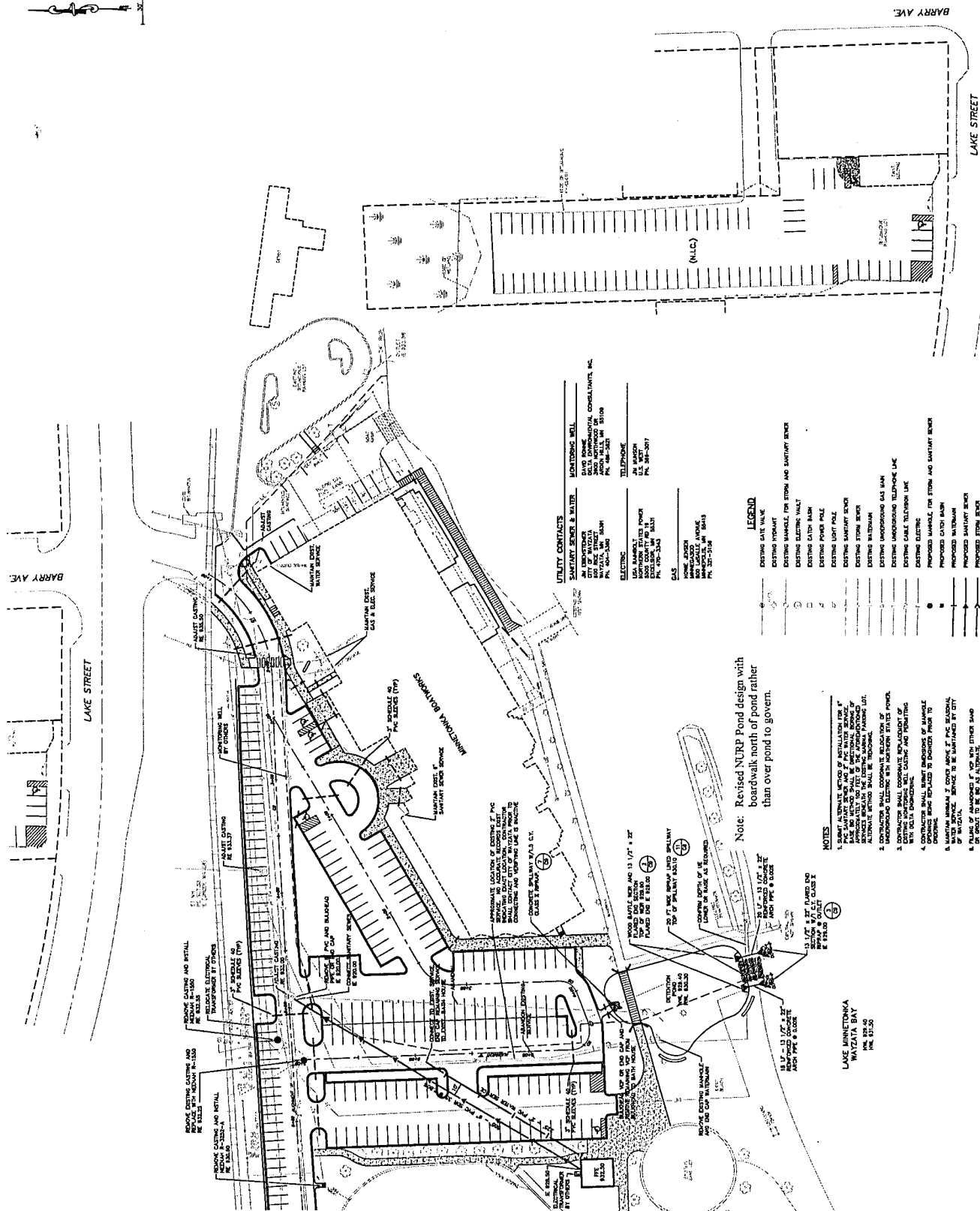
- 1.1.1. INSPECT ANY SLOPE IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PERIODS OF HEAVY RAINFALL. RECORD ALL EROSION AND SEDIMENTATION IN THE FIELD.
- 1.1.2. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY. ANY EROSION CONTROL MEASURES THAT ARE DAMAGED OR DESTROYED SHALL BE REPAIRED OR REPLACED IMMEDIATELY.
- 1.1.3. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY. ANY EROSION CONTROL MEASURES THAT ARE DAMAGED OR DESTROYED SHALL BE REPAIRED OR REPLACED IMMEDIATELY.
- 1.1.4. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY. ANY EROSION CONTROL MEASURES THAT ARE DAMAGED OR DESTROYED SHALL BE REPAIRED OR REPLACED IMMEDIATELY.
- 1.1.5. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY. ANY EROSION CONTROL MEASURES THAT ARE DAMAGED OR DESTROYED SHALL BE REPAIRED OR REPLACED IMMEDIATELY.

EROSION CONTROL SCHEDULE

1. PRIOR TO ANY CONSTRUCTION, EROSION CONTROL MEASURES SHALL BE INSTALLED AS SHOWN TO PREVENT EROSION.
2. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY. ANY EROSION CONTROL MEASURES THAT ARE DAMAGED OR DESTROYED SHALL BE REPAIRED OR REPLACED IMMEDIATELY.
3. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY. ANY EROSION CONTROL MEASURES THAT ARE DAMAGED OR DESTROYED SHALL BE REPAIRED OR REPLACED IMMEDIATELY.
4. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY. ANY EROSION CONTROL MEASURES THAT ARE DAMAGED OR DESTROYED SHALL BE REPAIRED OR REPLACED IMMEDIATELY.
5. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY. ANY EROSION CONTROL MEASURES THAT ARE DAMAGED OR DESTROYED SHALL BE REPAIRED OR REPLACED IMMEDIATELY.
6. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY. ANY EROSION CONTROL MEASURES THAT ARE DAMAGED OR DESTROYED SHALL BE REPAIRED OR REPLACED IMMEDIATELY.
7. FOLLOWING COMPLETION OF CONSTRUCTION, EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY. ANY EROSION CONTROL MEASURES THAT ARE DAMAGED OR DESTROYED SHALL BE REPAIRED OR REPLACED IMMEDIATELY.

NOTES

1. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY. ANY EROSION CONTROL MEASURES THAT ARE DAMAGED OR DESTROYED SHALL BE REPAIRED OR REPLACED IMMEDIATELY.
2. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY. ANY EROSION CONTROL MEASURES THAT ARE DAMAGED OR DESTROYED SHALL BE REPAIRED OR REPLACED IMMEDIATELY.



FOR CONTINUATION OF PLAN - SEE SHEET C7

Revised NURP Pond design with boardwalk north of pond rather than over pond to govern.

NOTES

- [illegible]

LAKE MINNETONKA
WAYZATA BAY
NW. 929.40
1.000 0.25 0.0



NEW BLANCK ARCHITECTS INC.
10000 Highway 100, Suite 100, Waukegan, IL 60087
815.734.0000 Fax 815.734.0001



Project Title



Drawing Title

UTILITY
PLAN

Consulting

FOR CONTINUATION OF PLAN - SEE SHEET C8

LEGEND

- EXISTING DATE VALVE
- EXISTING HYDRANT
- EXISTING MANHOLE, FOR STORM AND SANITARY SEWER
- EXISTING ELECTRIC VAULT
- EXISTING CATCH BASIN
- EXISTING POWER POLE
- EXISTING LIGHT POLE
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING WATERMAIN
- EXISTING UNDERGROUND GAS MAIN
- EXISTING UNDERGROUND TELEPHONE LINE
- EXISTING CABLE TELEVISION LINE
- EXISTING ELECTRIC
- PROPOSED MANHOLE, FOR STORM AND SANITARY SEWER
- PROPOSED CATCH BASIN
- PROPOSED WATERMAIN
- PROPOSED SANITARY SEWER
- PROPOSED STORM SEWER

UTILITY CONTACTS

SANITARY SEWER & WATER
MONITORING WELL
JIM HENNINGER
DAVID DOWNE
500 N. RICE STREET
WILSON, ILL 60181
PH: 815-331-1000
FAX: 815-331-1001

ELECTRIC
LISA HANDEL
NORTHWEST POWER
5000 COUNTY RD 10
WILSON, ILL 60181
PH: 815-331-1000
FAX: 815-331-1001

GAS
HOME DEPOT
MINNETONKA
MINNETONKA, IL 60181
PH: 815-331-1000

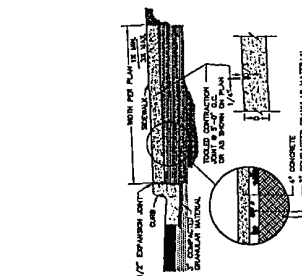
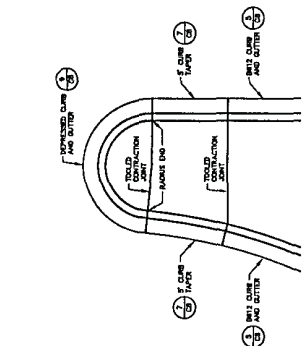
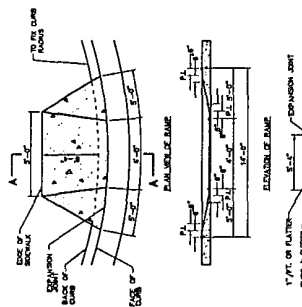
NOTES

1. ALL UTILITIES SHOWN ARE BASED ON THE LATEST AVAILABLE RECORDS. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. ANY CHANGES SHALL BE NOTED ON THE FIELD LOG.
2. CONTRACTOR SHALL COORDINATE ALL UTILITIES WITH THE CITY OF MINNETONKA. ANY CHANGES SHALL BE NOTED ON THE FIELD LOG.
3. ALL UTILITIES SHALL BE PROTECTED DURING CONSTRUCTION. ANY DAMAGE SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
4. ALL UTILITIES SHALL BE REPAIRED TO ORIGINAL OR BETTER CONDITION.
5. ALL UTILITIES SHALL BE PROTECTED DURING CONSTRUCTION. ANY DAMAGE SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
6. ALL UTILITIES SHALL BE REPAIRED TO ORIGINAL OR BETTER CONDITION.
7. ALL UTILITIES SHALL BE PROTECTED DURING CONSTRUCTION. ANY DAMAGE SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
8. ALL UTILITIES SHALL BE REPAIRED TO ORIGINAL OR BETTER CONDITION.
9. ALL UTILITIES SHALL BE PROTECTED DURING CONSTRUCTION. ANY DAMAGE SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
10. ALL UTILITIES SHALL BE REPAIRED TO ORIGINAL OR BETTER CONDITION.

LAKE MINNETONKA
WATATA BAY
PH: 815-331-1000
FAX: 815-331-1001

Sheet Number

C7



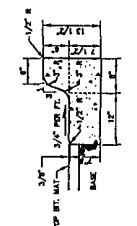
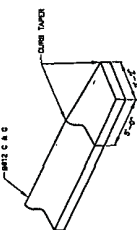
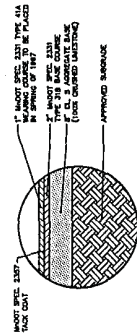
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PEDESTRIAN RAMP
 NOT TO SCALE

PEDESTRIAN RAMP AT NOSE
 NOT TO SCALE

SIDEWALK SECTION
 NOT TO SCALE

Details



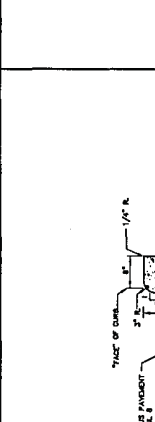
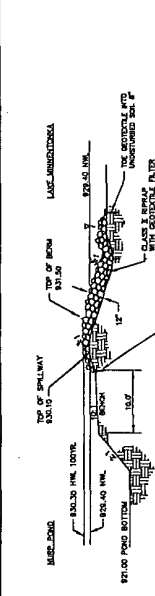
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CURB TAPER
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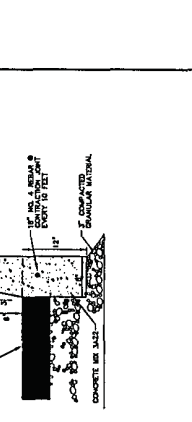
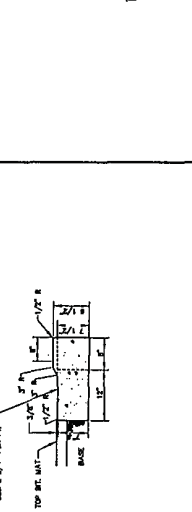
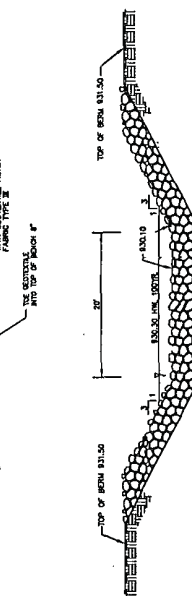
MOUNTABLE CURB
 NOT TO SCALE

B&I CURB AND GUTTER
 NOT TO SCALE

Project Name	10000 Highway 100, Suite 100, Blum, MN
Client	MINNETONKA BOAT WORKS
Design Date	October 1, 2004
Design By	NEW BLUMING ARCHITECTS INC.
Check By	NEW BLUMING ARCHITECTS INC.
Scale	AS SHOWN



Project Name	10000 Highway 100, Suite 100, Blum, MN
Client	MINNETONKA BOAT WORKS
Design Date	October 1, 2004
Design By	NEW BLUMING ARCHITECTS INC.
Check By	NEW BLUMING ARCHITECTS INC.
Scale	AS SHOWN



C8

Sheet Number

DEPRESSED CURB & GUTTER
 NOT TO SCALE

B&I CURB (ALTERNATE)
 NOT TO SCALE



MINNAPARC LANDSCAPE ARCHITECTS INC.
10000 Highway 101, Suite 100
Minnetonka, Minnesota 55345
612/536-8888 Fax 612/536-8888

Project Title



Drawing Title

DETAILS

Comments

Certification

Project Name: 8480-110
Date: 10/28/08
Scale: 1/8" = 1'-0"

1. I hereby certify that the drawings are prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.

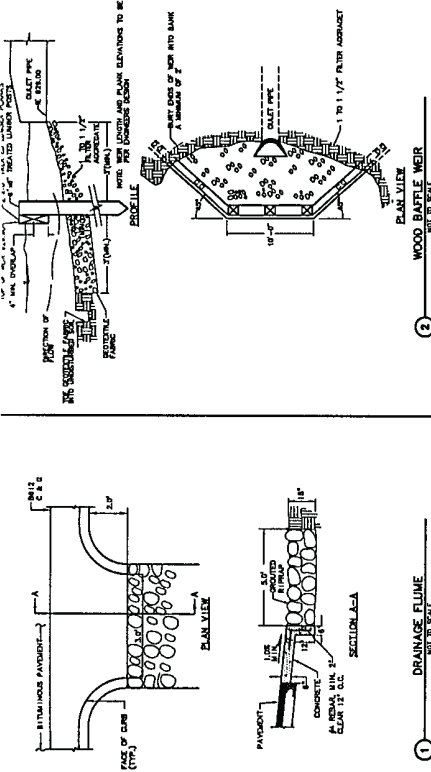
Signature: [Signature]
Date: 10/28/08
Title: P.E.

Comments

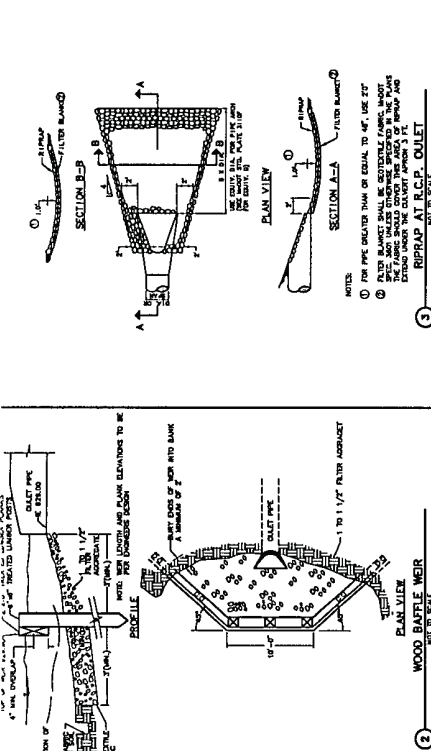
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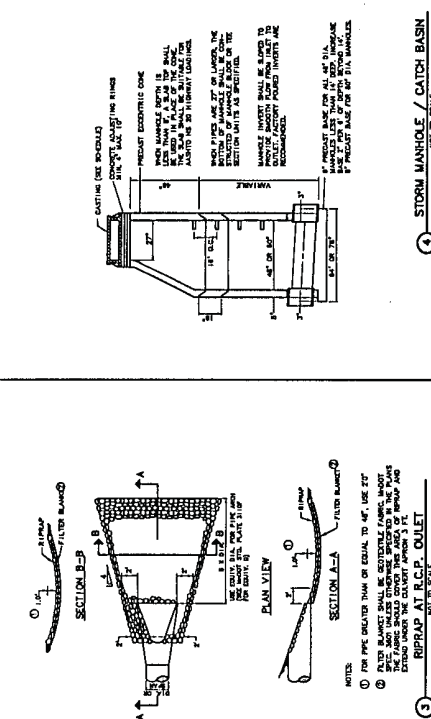
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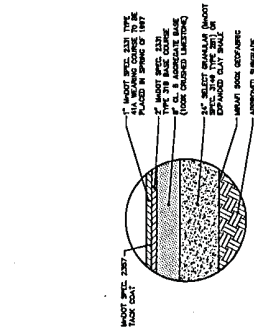
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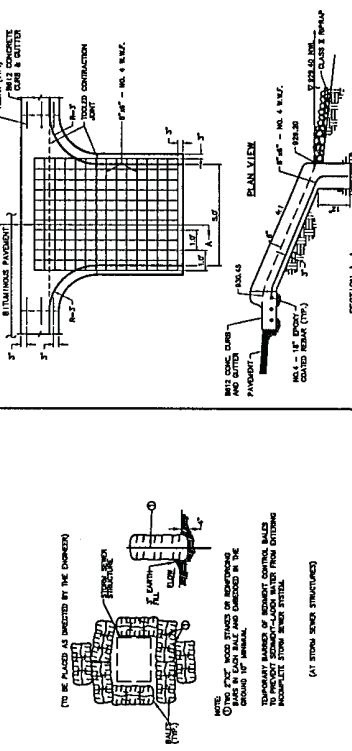
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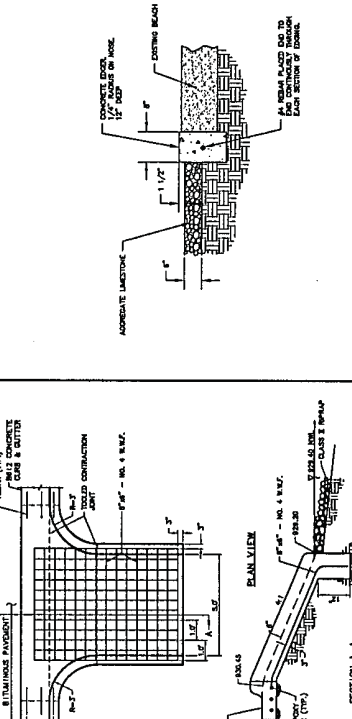
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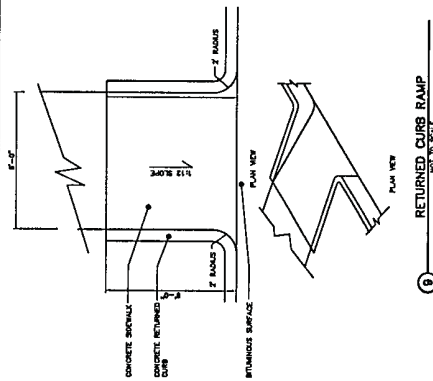
4 SUBROUT SECTION
NOT TO SCALE



5 HAY BALES FOR SEDIMENT CONTROL
NOT TO SCALE



6 STORM MANHOLE / CATCH BASIN
NOT TO SCALE



7 RETURNED CURB RAMP
NOT TO SCALE



8 CONCRETE SPILLWAY
NOT TO SCALE



9 CONCRETE EDGER
NOT TO SCALE



Ordering Table

LANDSCAPE

PLAN

Conclusions

Certification

3438-A 10

11

THE UNIVERSITY OF CHICAGO

1

Nervousness

1

•

1

1

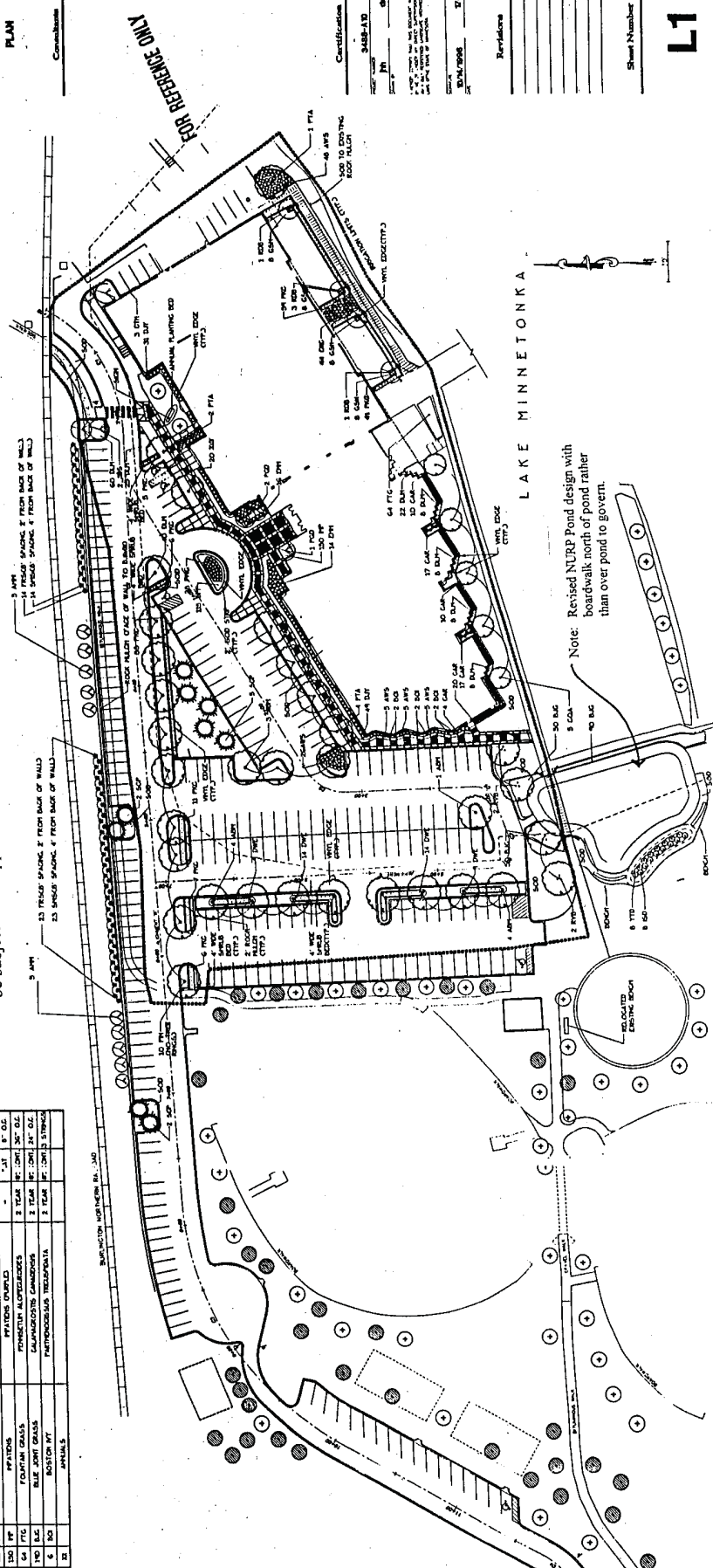
[illegible]

PLAN C
LANDSCAPE PLAN

Note: All plant species to be modified to match comments provided by City Forrester, and be subject to his approval prior to installation.

STATUS	REMARKS
RELOCATED	RELOCATED
TO EDMAN	TO EDMAN

PLANT SCHEDULE									
CULTIVAR NAME			BOTANICAL NAME			SIZE	# OF FRUIT/PLANT		
1	1	1	1	1	1	6 FT.	10		
2	2	2	2	2	2	10 FT.	10		
3	3	3	3	3	3	1 1/2'	10		
4	4	4	4	4	4	6 FT.	10		
5	5	5	5	5	5	1 1/2'	10		
6	6	6	6	6	6	8 FT.	10		
7	7	7	7	7	7	10 FT.	10		
8	8	8	8	8	8	1 1/2'	10		
9	9	9	9	9	9	8 FT.	10		
10	10	10	10	10	10	1 1/2'	10		
11	11	11	11	11	11	8 FT.	10		
12	12	12	12	12	12	1 1/2'	10		
13	13	13	13	13	13	8 FT.	10		
14	14	14	14	14	14	1 1/2'	10		
15	15	15	15	15	15	8 FT.	10		
16	16	16	16	16	16	1 1/2'	10		
17	17	17	17	17	17	8 FT.	10		
18	18	18	18	18	18	1 1/2'	10		
19	19	19	19	19	19	8 FT.	10		
20	20	20	20	20	20	1 1/2'	10		
21	21	21	21	21	21	8 FT.	10		
22	22	22	22	22	22	1 1/2'	10		
23	23	23	23	23	23	8 FT.	10		
24	24	24	24	24	24	1 1/2'	10		
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43	43	43	43	43	43	8 FT.	10		
44	44	44	44	44	44	1 1/2'	10		
45	45	45	45	45	45	8 FT.	10		
46	46	46	46	46	46	1 1/2'	10		
47	47	47	47	47	47	8 FT.	10		
48	48	48	48	48	48	1 1/2'	10		
49	49	49	49	49	49	8 FT.	10		
50	50	50	50	50	50	1 1/2'	10		
51	51	51	51	51	51	8 FT.	10		
52	52	52	52	52	52	1 1/2'	10		
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88	88	88	88	88	88	1 1/2'	10		
89	89	89	89	89	89	8 FT.	10		
90	90	90	90	90	90	1 1/2'	10		
91	91	91	91	91	91	8 FT.	10		
92	92	92	92	92	92	1 1/2'	10		
93	93	93	93	93	93	8 FT.	10		
94	94	94	94	94	94	1 1/2'	10		
95	95	95	95	95	95	8 FT.	10		
96	96	96	96	96	96	1 1/2'	10		
97	97	97	97	97	97	8 FT.	10		
98	98	98	98	98	98	1 1/2'	10		
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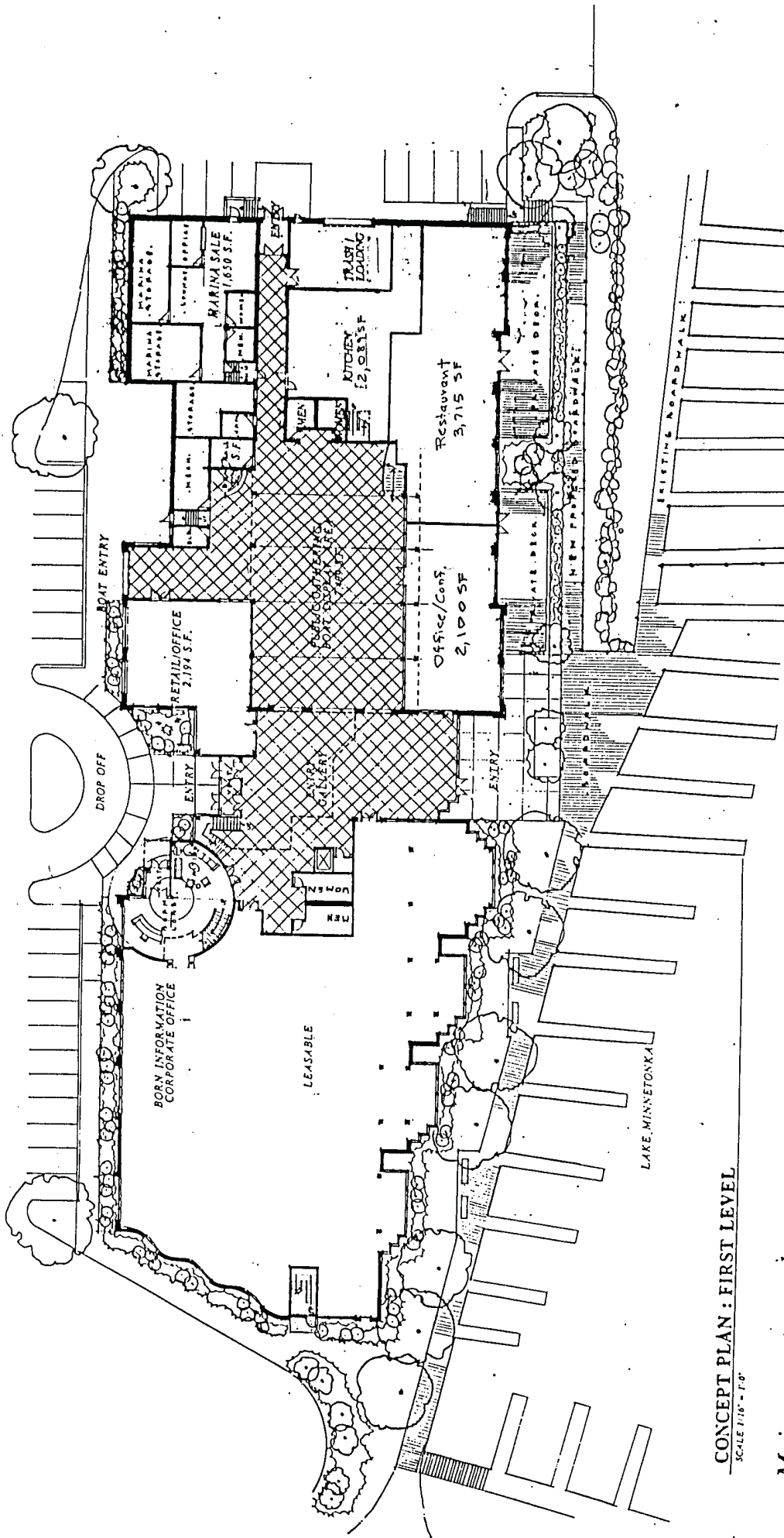
Note: Revised NURP Pond design with boardwalk north of pond rather than over pond to govern.

5

Plan D - Erosion Contron Plan

Refer to Grading Plan (Plan B)

PLANE IMPROVEMENTS



CONCEPT PLAN : FIRST LEVEL
SCALE 1/16" = 1'-0"

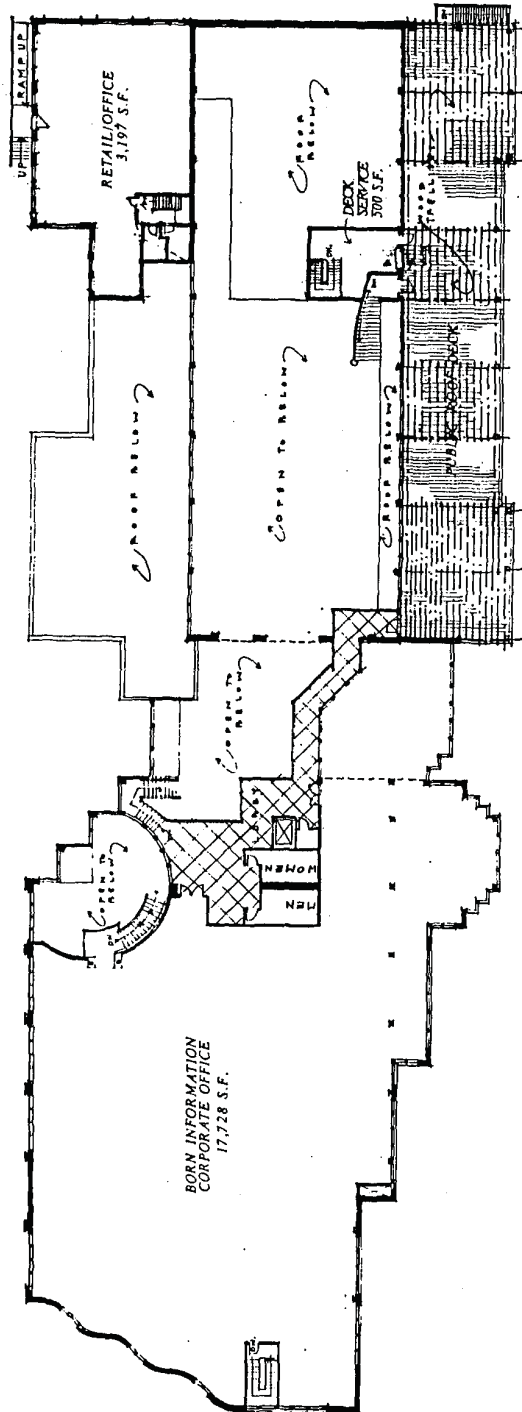
Minnetonka Boatworks Project

— Boatworks Development Company, Inc. —

JULY 31, 1998



RAW ELNESS ARCHITECTS INC.



CONCEPT PLAN : SECOND LEVEL
SCALE 1/8" = 1'-0"

Minnetonka Boatworks Project



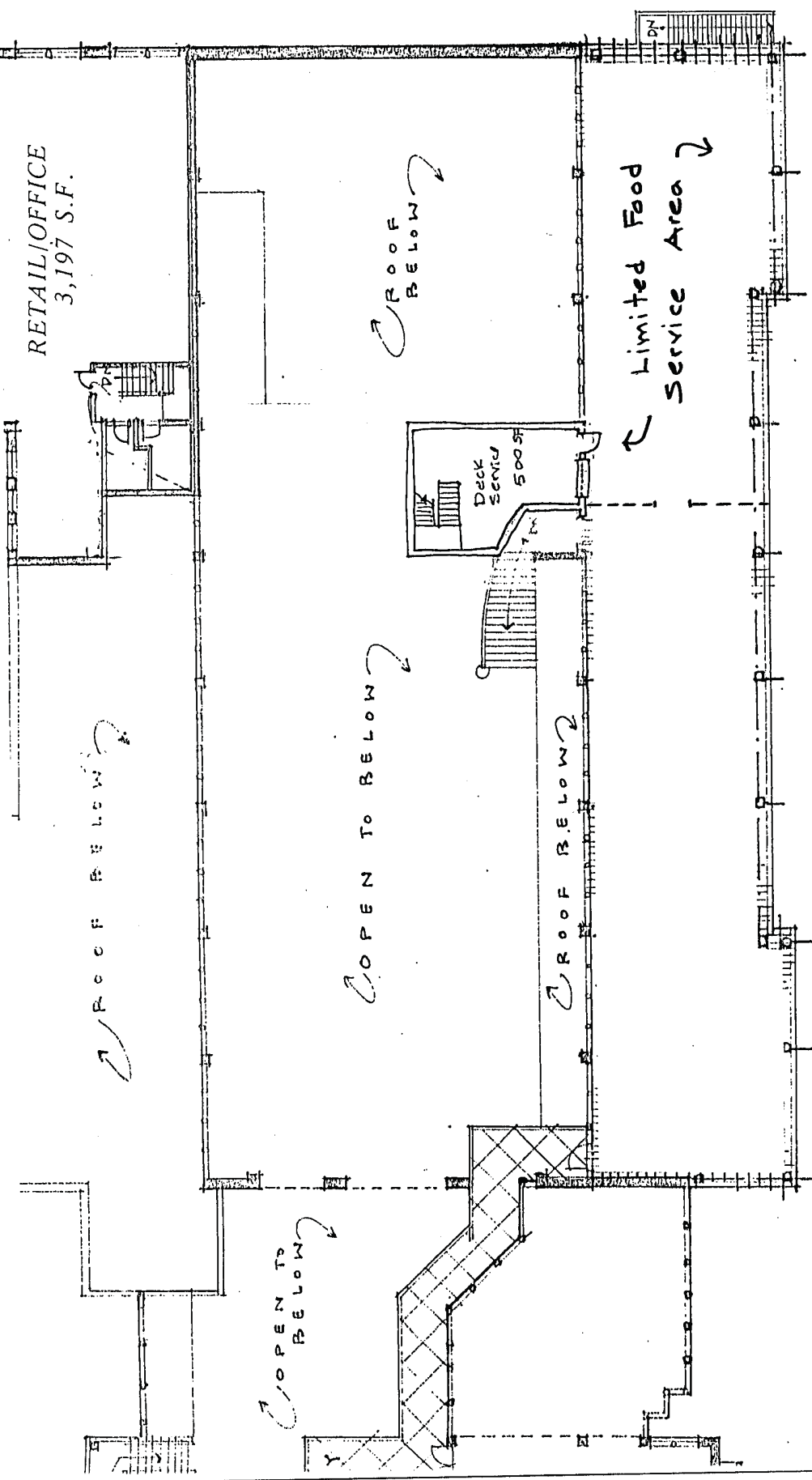
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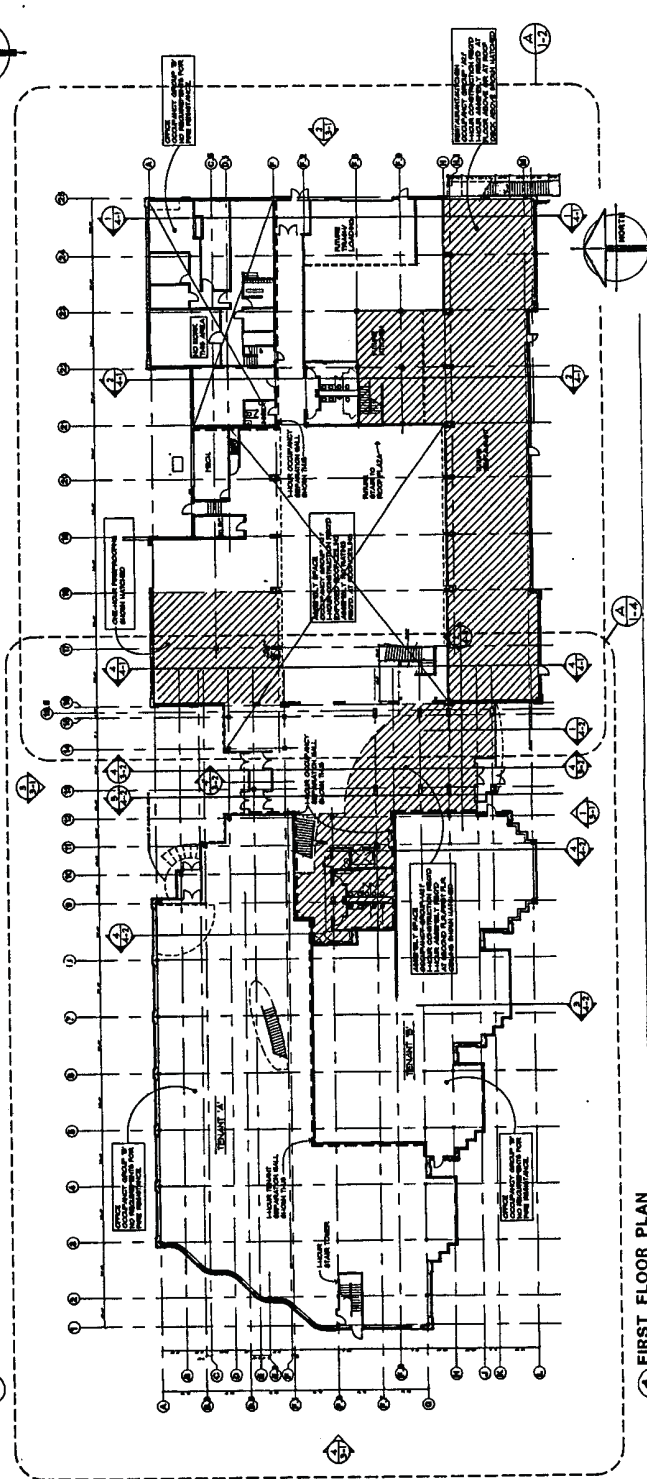
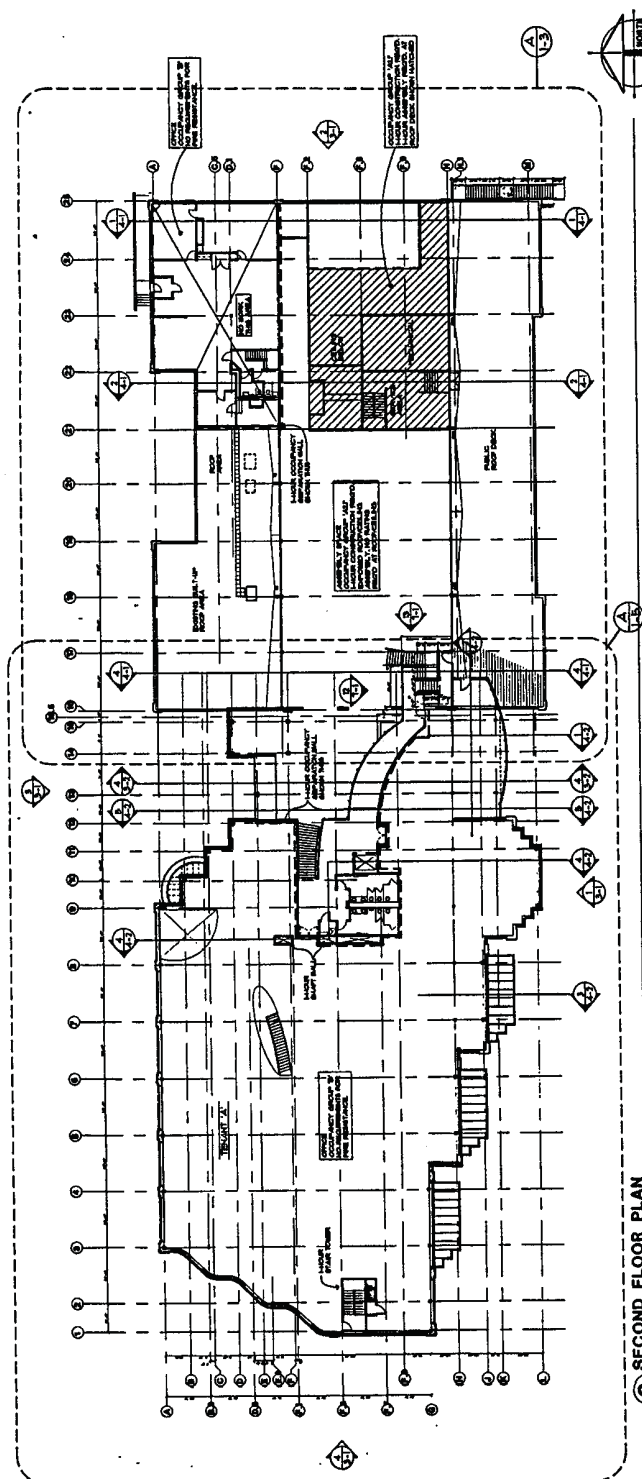


BRW ELLIS ARCHITECTS INC.

— Boatworks Development Company, Inc. —

RETAIL OFFICE
3,197 S.F.







MINNESOTA
DEPARTMENT OF TRANSPORTATION
1000 UNIVERSITY AVENUE, SUITE 100
MINNEAPOLIS, MN 55407
TEL: 612-296-3000 FAX: 612-296-3001
WWW.MNDOT.MN.GOV



1/8" FLOOR PLAN
EAST BUILDING

Construction

Project Title

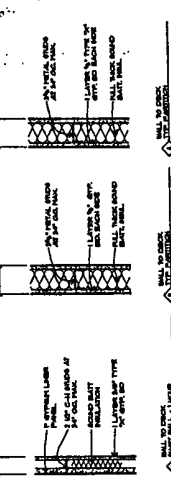
Certification

PROJECT NO.
SHEET NO.
DATE
BY
CHECKED BY
APPROVED BY

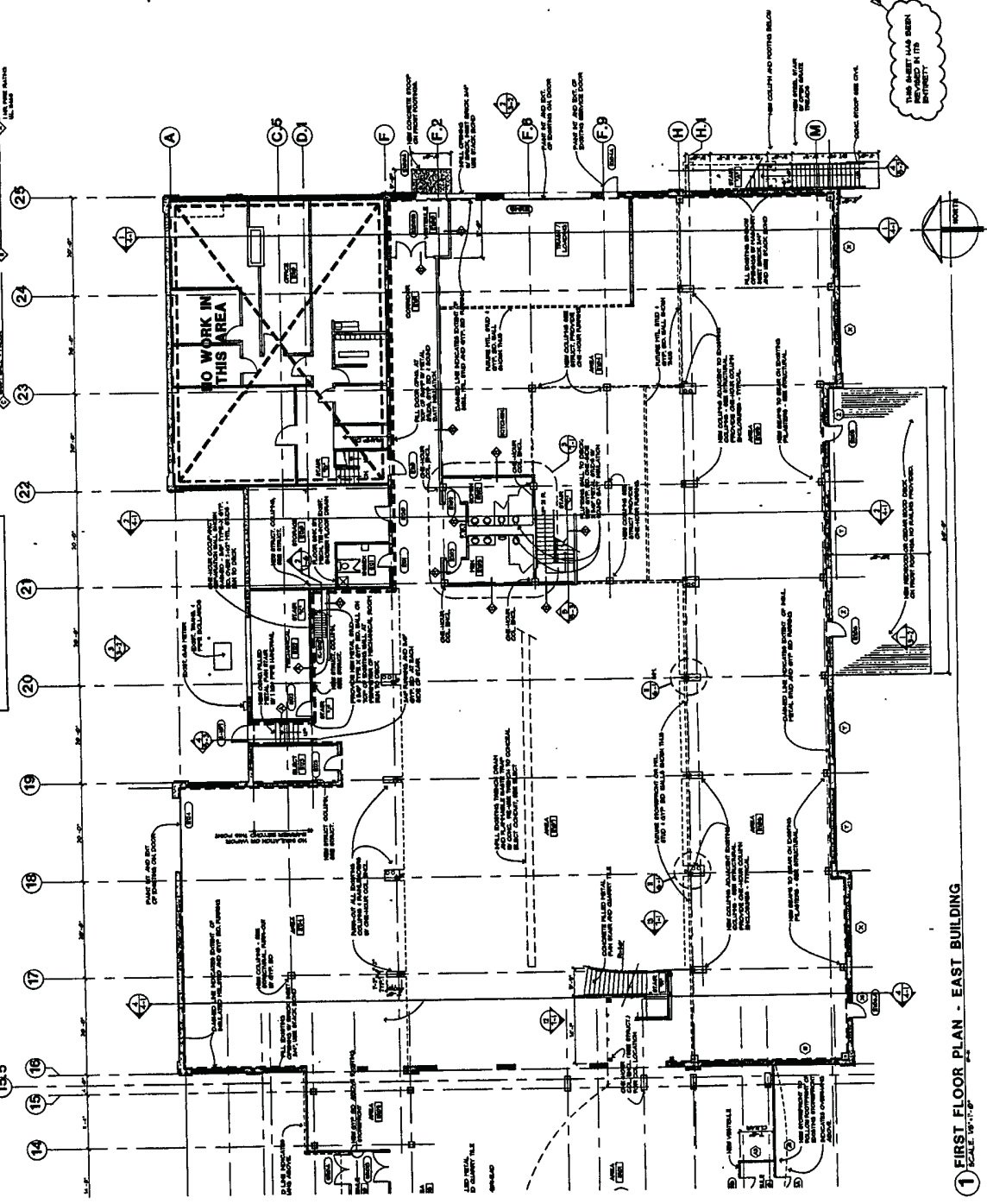
REVISIONS
NO. DESCRIPTION
DATE

Sheet Number

A
1-2



CONSTRUCTION NOTES:
1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION AND THE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR BRIDGE CONSTRUCTION.
2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION AND THE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR BRIDGE CONSTRUCTION.
3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION AND THE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR BRIDGE CONSTRUCTION.



1 FIRST FLOOR PLAN - EAST BUILDING
SCALE: 1/8" = 1'-0"

THIS SHEET HAS BEEN
REVIEWED BY THE
DESIGNER



Project Title



Sheet Title

1/8" FLOOR PLAN
 EAST BUILDING

Consultants

Certification

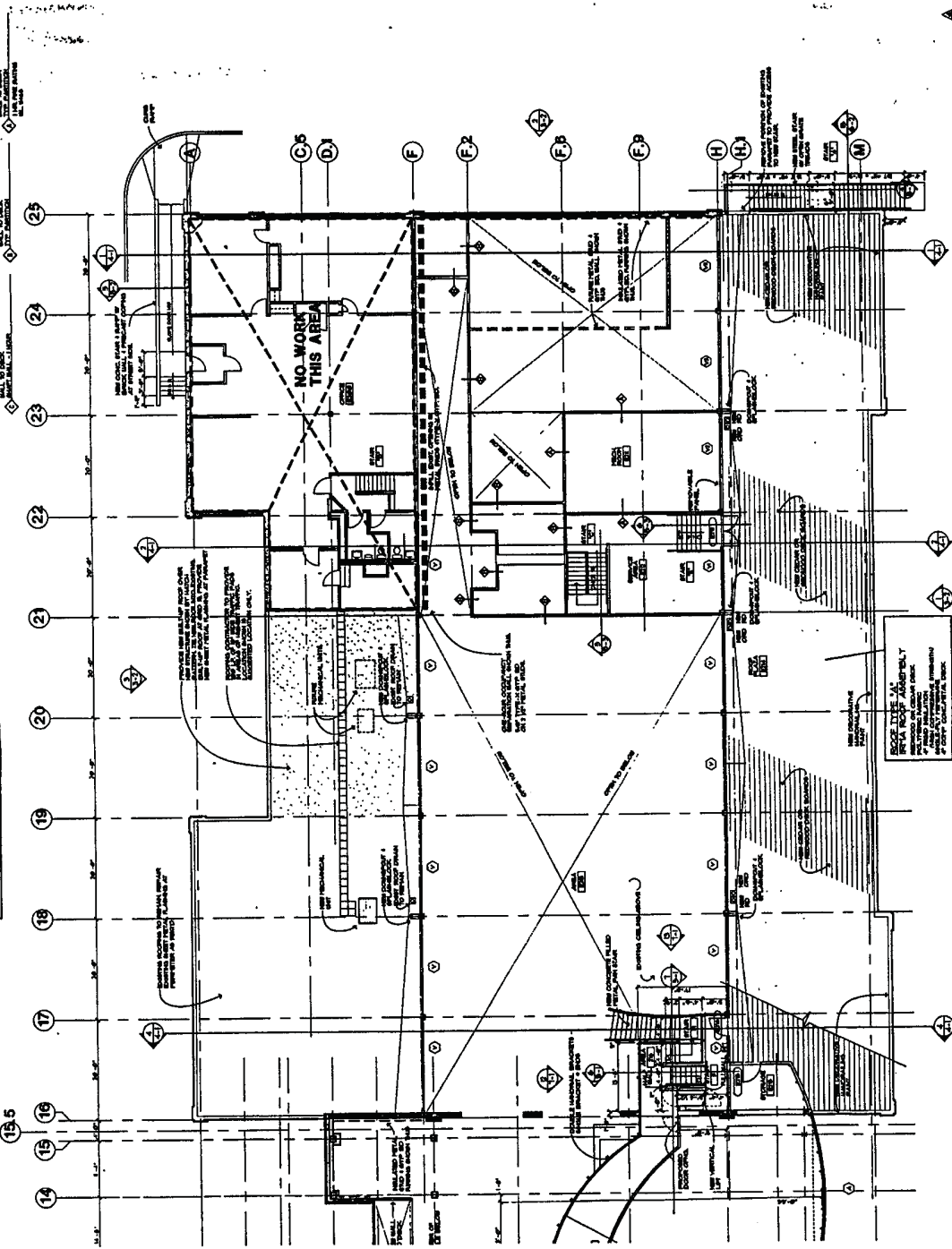
ASAP: 10/1/00
 DATE: 10/1/00
 BY: [Signature]
 FOR: [Signature]
 I, [Signature], being duly sworn, depose and say that the foregoing is a true and correct copy of the original as the same appears in the files of the [Signature] and that the same is a true and correct copy of the original as the same appears in the files of the [Signature].
 SUBSCRIBED AND SWORN to before me on the 10th day of October, 2000.
 Notary Public for the State of Washington
 My Comm. Expires: 10/1/02

Revisions
 A. 10/1/00
 B. 10/1/00
 C. 10/1/00
 D. 10/1/00
 E. 10/1/00
 F. 10/1/00
 G. 10/1/00
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 W. 10/1/00
 X. 10/1/00
 Y. 10/1/00
 Z. 10/1/00

Sheet Number

A
1-3

CONSTRUCTION NOTES
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
 2. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE SUBMITTED FOR APPROVAL TO THE ARCHITECT PRIOR TO INSTALLATION.
 3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.



1 SECOND FLOOR PLAN - EAST BUILDING
 SCALE: 1/8" = 1'-0"

Project Title



Sheet Title

Comments

Certification

I hereby certify that I am the duly Licensed Professional Engineer for the project described herein, and that I am not providing engineering services for this project in any other capacity.

 Date: 10/1/2014

 Signature: [Signature]

Revision

 NO. 1 OF 1

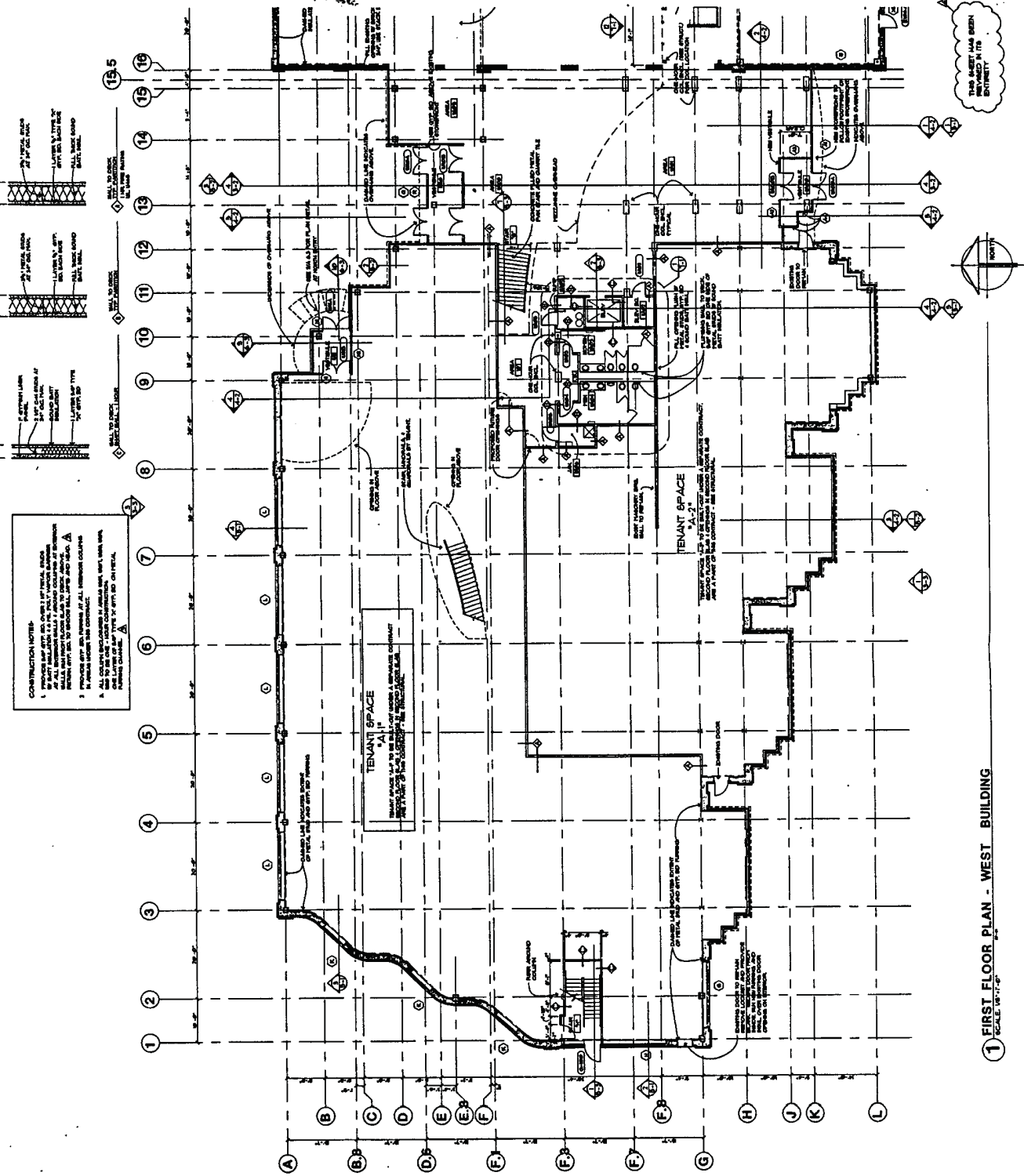
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 BY: [Signature]

Sheet Number

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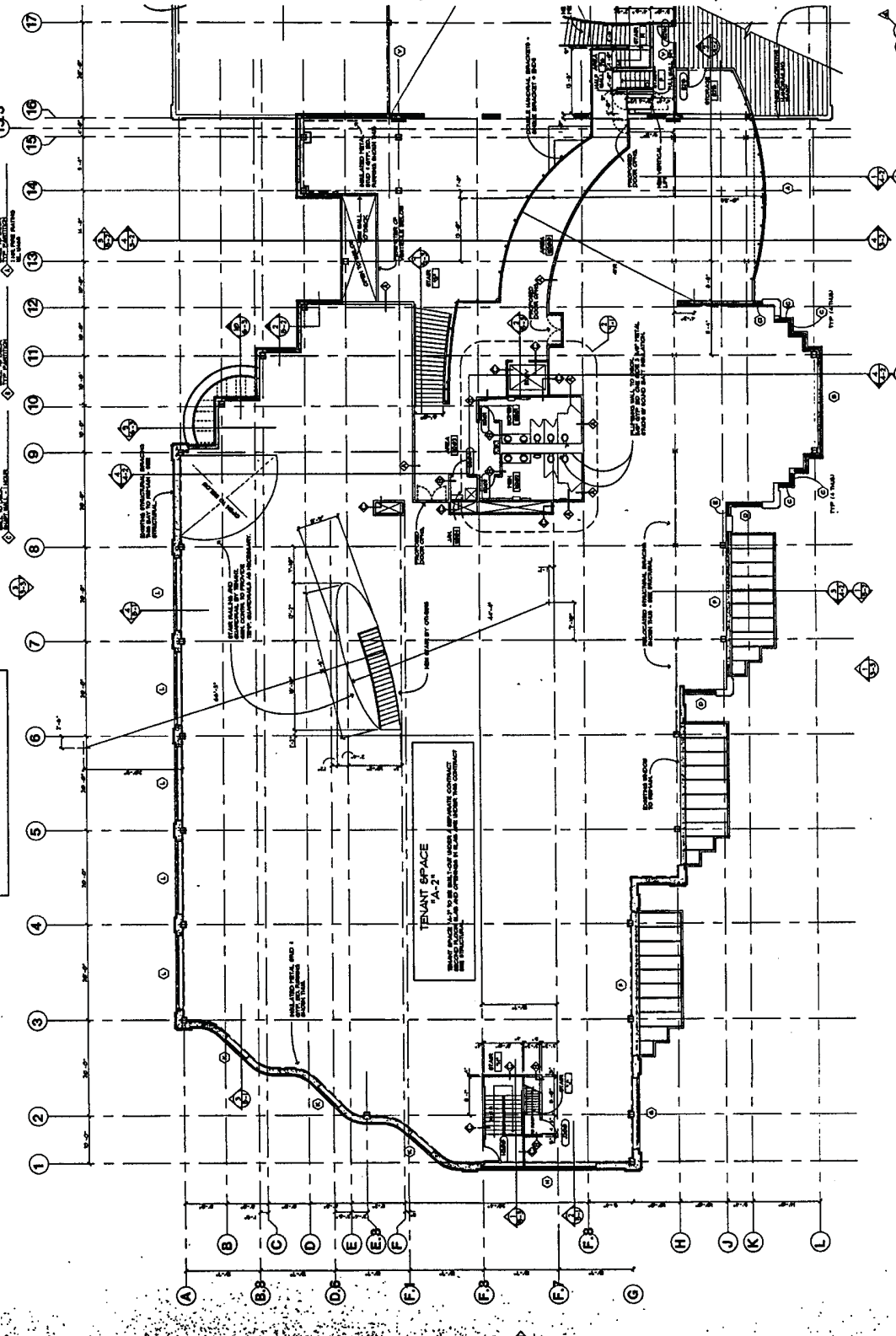
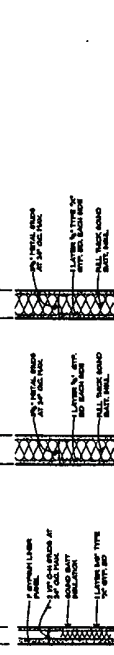
1-4



1

 FIRST FLOOR PLAN - WEST BUILDING

 SCALE: 1/8" = 1'-0"



THIS SHEET HAS BEEN
 REVIEWED BY THE
 ARCHITECT



1 SECOND FLOOR PLAN - WEST BUILDING
 SCALE 1/8"=1'-0"



Project Title



Sheet Title

EXTERIOR ELEVATIONS

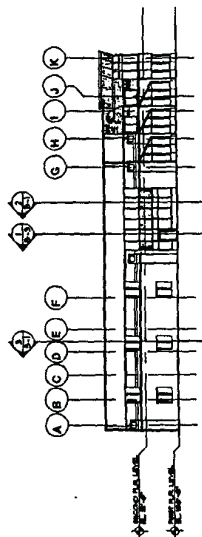
Conclusions

Certification

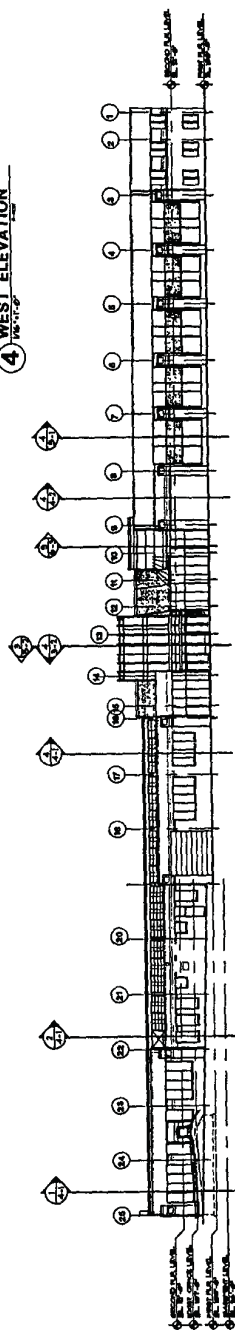
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Revisions		
A	END PACKAGE ?	10/76
A	END PACK ? - ADD. 4	12/81
A	END PACK ? - ADD. 8	3/81

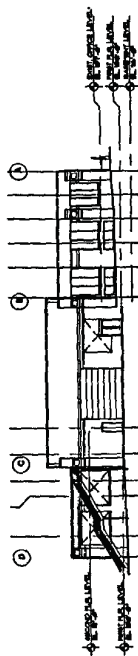
Project Name:

A
3-1

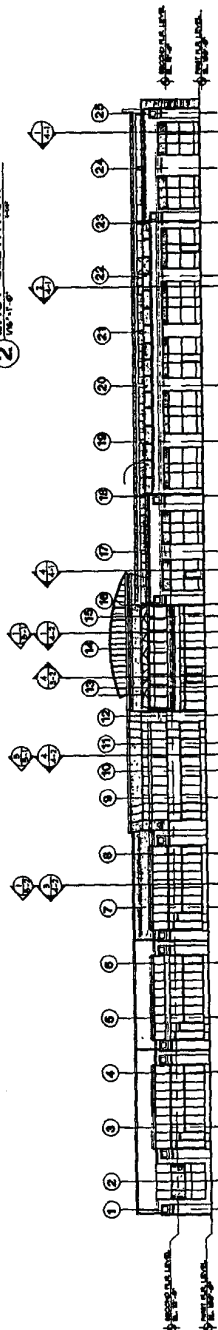
4 WEST ELEVATION



3 NORTH ELEVATION
1/4" = 1' - 0"
1/8" = 1' - 0"

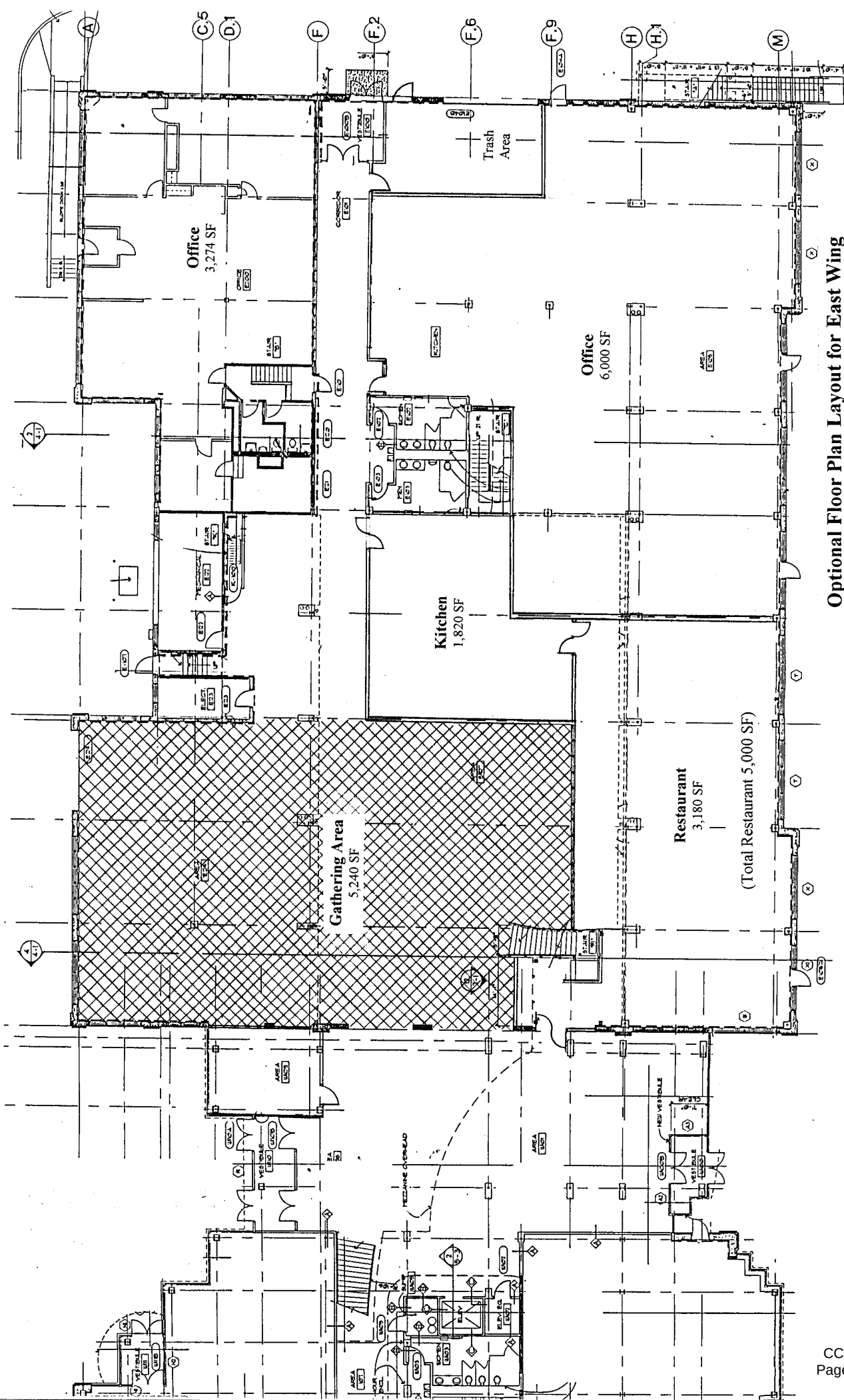


2 EAST ELEVATION



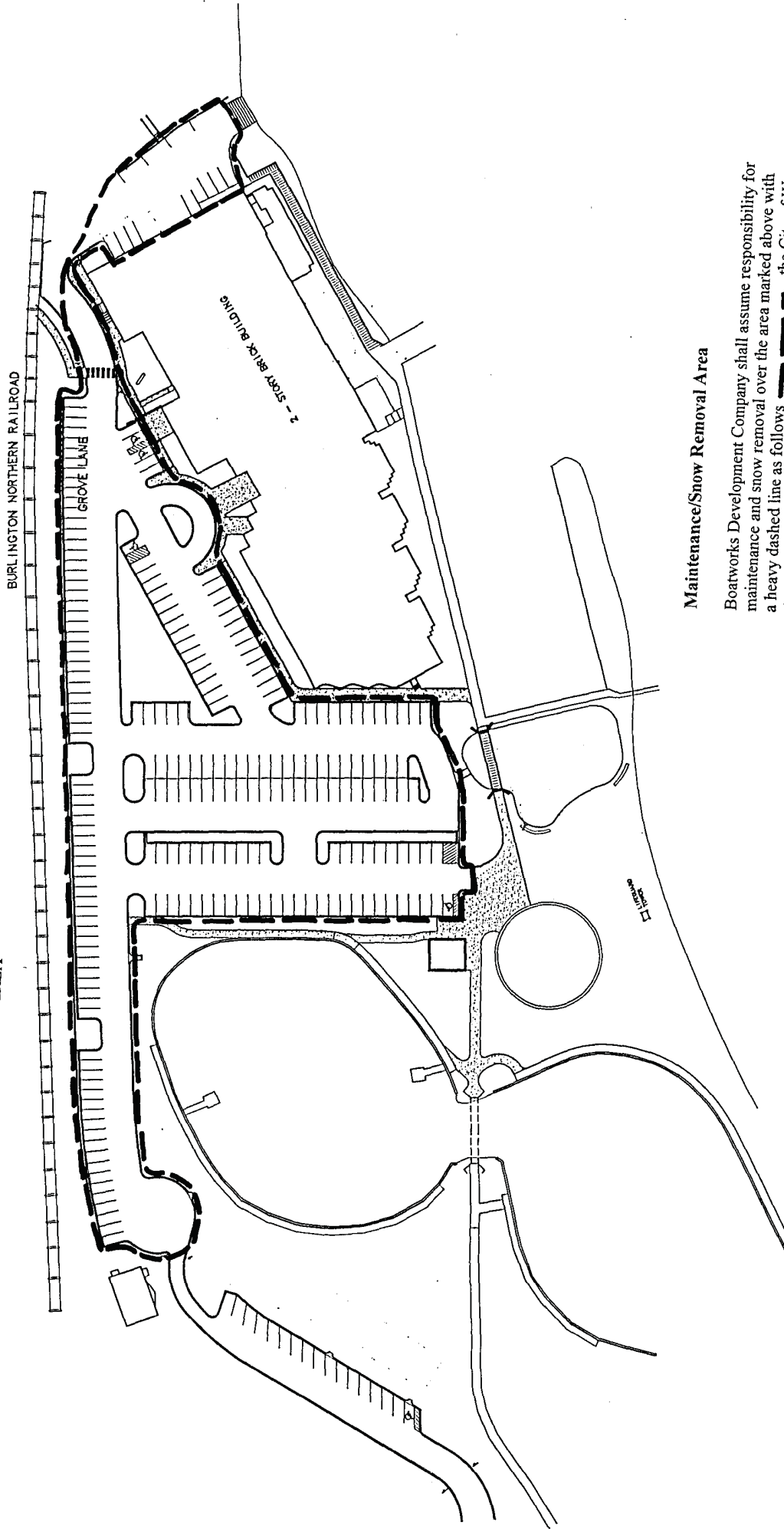
1 SOUTH ELEVATION

NOTE: 1/16" ELEVATIONS FOR REFERENCE ONLY



Optional Floor Plan Layout for East Wing

EXHIBIT B
MAINTENANCE/SNOW REMOVAL AREA



Maintenance/Snow Removal Area

Boatworks Development Company shall assume responsibility for maintenance and snow removal over the area marked above with a heavy dashed line as follows: ———, the City of Wayzata shall assume such responsibilities for East Grove Lane, east of the new turn around.

EXHIBIT LIST

- Exhibit A-1 - Property Legal Description
- Exhibit B-1 - Project Requirements
- Exhibit C-1 - Parking/Pedestrian/Trail Easement Area
- Exhibit D-1 - Parking Area Dedicated for Beach/Marina
- Exhibit E-1 - Bath House Plans
- Exhibit F-1 - Easement for Parking/Pedestrian/Trail
- Exhibit G-1 - Easement for Lake Boardwalk
- Exhibit H-1 - Additional Parking Area
- Exhibit I-1 - Parking Area for Nine Replacement Stalls
- Exhibit J-1 - Parking Plan for Beach/Marina

EXHIBIT A-1

LEGAL DESCRIPTION OF PROPERTY

File No.: 10992

File Name: Minnetonka Boatworks

LEGAL DESCRIPTION

Parcel 1

Tract C, Registered Land Survey No. 959, according to the plat thereof on file and of record in the office of the Registrar of Titles, in and for Hennepin County, Minnesota.

Torrens Property

Torrens Certificate No. 836148

All that part of Lot 26, Auditor's Subdivision No. 184, described as follows:

Beginning at the most Southerly corner of Tract D, Registered Land Survey No. 959, files of the Registrar of Titles, Hennepin County, Minnesota; thence South along the East line of said Lot 26 to the Southeast corner thereof; thence West along the South line thereof 17 feet; thence Northeasterly to the point of beginning.

Abstract Property

All that part of Grove Street vacated lying Easterly of a line drawn from the Southeast corner of Tract A, Registered Land Survey No. 959, files of Registrar of Titles, Hennepin County, Minnesota, to the most Northerly corner of Tract B, said Registered Land Survey No. 959, and there ending, according to the recorded plat thereof.

Abstract Property

Parcel 2

All that part of the tract of land hereinafter described lying East of the Northerly extended East line of lot 17, Auditor's Subdivision 184, and West of the Northerly extended West line of Lot 11, Auditor's Subdivision 184, said tract of land begin described as follows, to wit;

Commencing at the Northeast corner of Lot 11, Auditor's Subdivision 184, Hennepin County, Minnesota; thence West along the North line of Lot 11 and an extension thereof a distance of 315.85 feet; thence South a distance of 142.6 feet to the Northeast corner of Lot 18; thence West along the North line of Lot 18 a distance of 50 feet to the Northwest corner of said Lot 18; thence

Exhibit B-1 Project Requirements

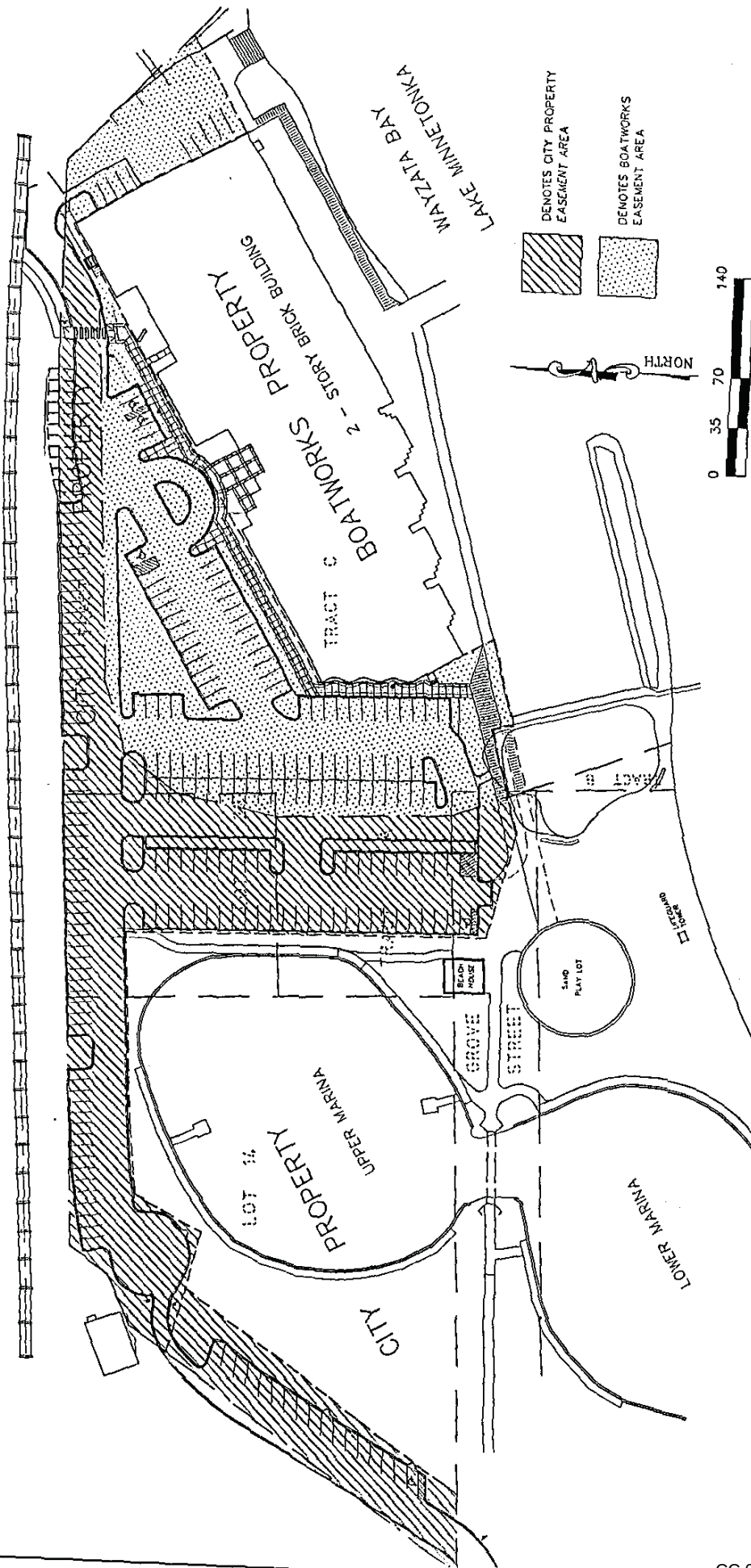
Refer to Exhibits (Plan A through Plan E of the Development Agreement.)

Exhibit B-1 Project Requirements

Refer to Exhibits (Plan A through Plan E of the Development Agreement.)

EXHIBIT C-1
PARKING/PEDESTRIAN/TRAIL EASEMENT AREA
EASEMENT EXHIBIT
 CITY OF WAYZATA, COUNTY OF HENNEPIN, MINNESOTA
 SECTION 5, TOWNSHIP 117, RANGE 22

BURLINGTON NORTHERN RAILROAD

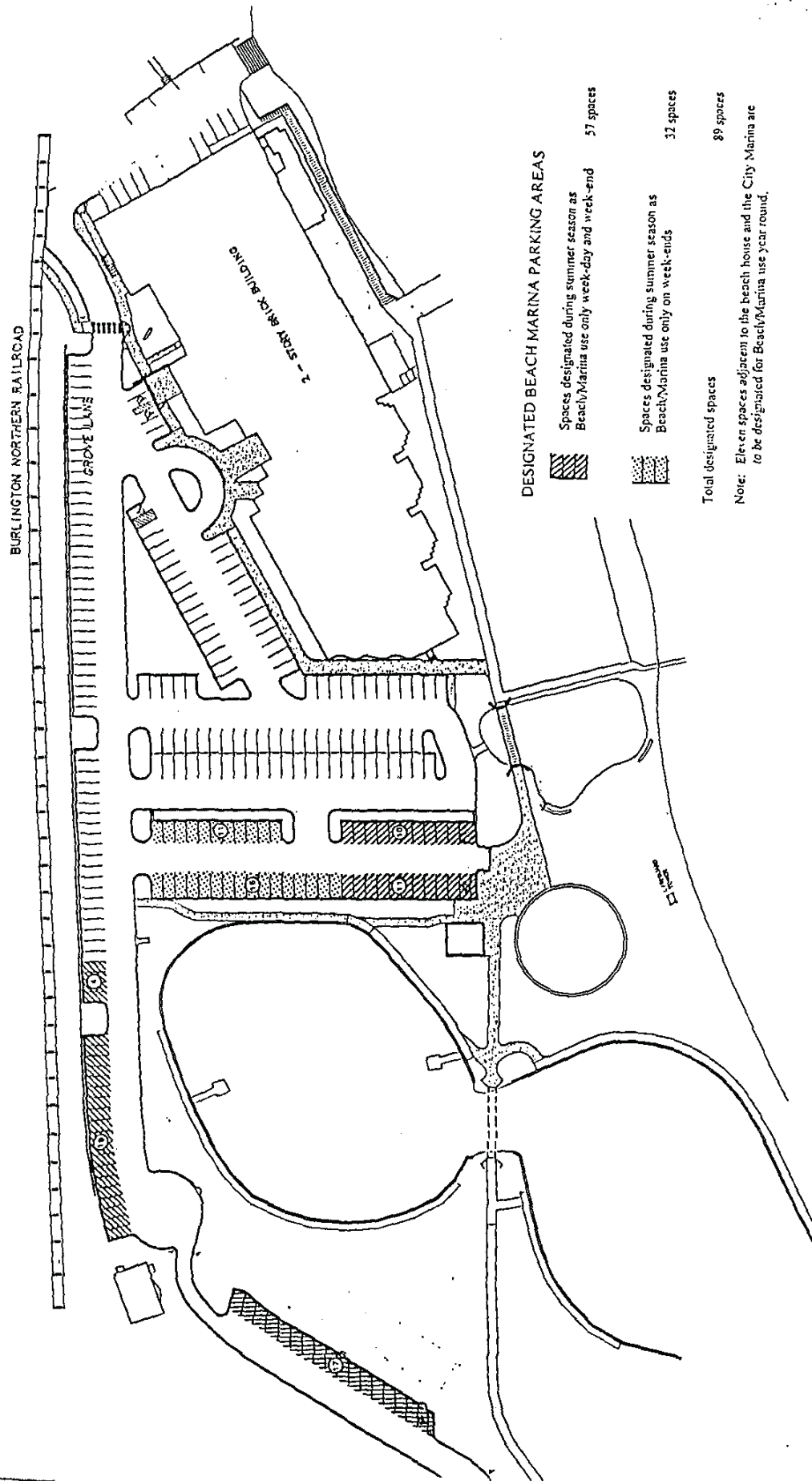


BRW

B R W INC.
 Threshet Sauer, 700 Third Street SE.

0 35 70 140
 SCALE IN FEET
 DATE OF PREPARATION: 3/18/97

EXHIBIT D-1 **PARKING AREA DEDICATED FOR BEACH/MARINA**



DESIGNATED BEACH MARINA PARKING AREAS

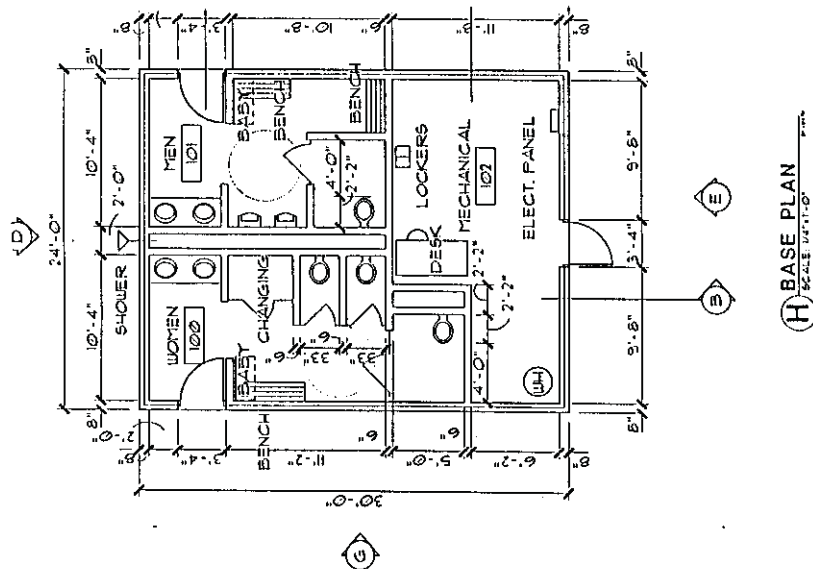
-  Spaces designated during summer season as Beach/Marina use only week-day and week-end 57 spaces
-  Spaces designated during summer season as Beach/Marina use only on week-ends 32 spaces

Total designated spaces

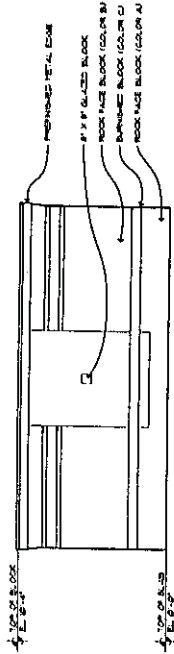
89 spaces

Note: Eleven spaces adjacent to the beach house and the City Marina are to be designated for Beach/Marina use year round.

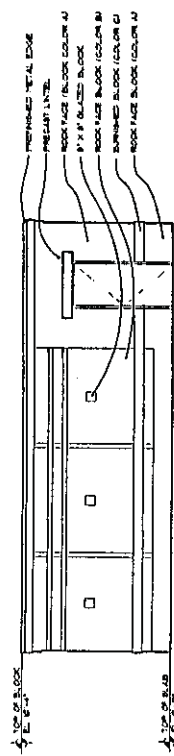
EXHIBIT E-1 BATH HOUSE PLANS



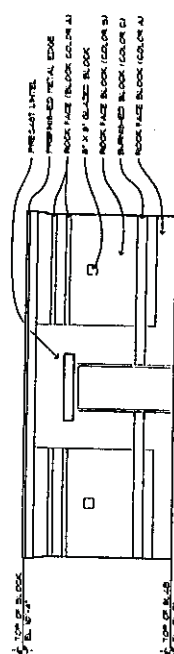
H BASE PLAN
SCALE 1/4"=1'-0"



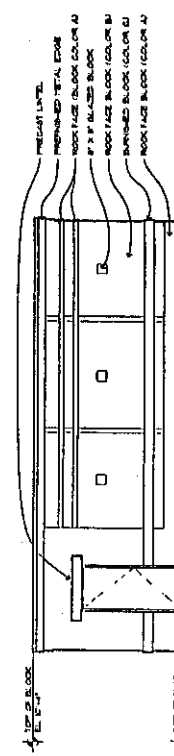
D ELEVATION
SCALE 1/4"=1'-0"



F ELEVATION
SCALE 1/4"=1'-0"



E ELEVATION
SCALE 1/4"=1'-0"



G ELEVATION
SCALE 1/4"=1'-0"

Beach House

Note: The above design is preliminary. The final design of Beach House shall be subject to the approval of the City Manager.

EXHIBIT F-1

RECIPROCAL CROSS EASEMENT AGREEMENT

THIS RECIPROCAL CROSS EASEMENT AGREEMENT is made this 26th day of March, 1997, by between the CITY OF WAYZATA (hereinafter the "City"), a municipal corporation under the laws of the State of Minnesota and BOATWORKS DEVELOPMENT COMPANY, INC., a Minnesota corporation (hereinafter "Boatworks Development Company").

RECITALS:

WHEREAS, the City is the owner of that certain parcel of real property located in Wayzata, Minnesota, which property is legally described on Exhibit "A" attached hereto and made a part hereof ("Parcel 1").

WHEREAS, Boatworks Development Company is the owner of that certain parcel of real property located in Wayzata, Minnesota, which property is legally described on Exhibit "B" attached hereto and made a part hereof ("Parcel 2") (the word "Parcel" when used herein shall mean either Parcel 1 or Parcel 2, depending on the context in which such word is used).

WHEREAS, the City and Boatworks Development Company are parties to a Development Agreement dated March 26, 1997, relating to the development of Parcel 2 ("Development Agreement"), which Development Agreement requires, in part, certain conditions relating to the establishment of permanent joint cross easements for parking and pedestrian access over all parking areas, sidewalks and trails on Parcels 1 and 2 together with additional pedestrian easements along the lake shore of Parcel 2.

WHEREAS, in accordance with the requirements of the Development Agreement, the City and Boatworks Development Company desire to create and acquire certain easements for pedestrian and vehicular ingress and egress and parking, over and across the respective Parcels and to apportion certain rights and obligations for the benefit of the other's Parcel.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. Grant of Easement.

The City hereby grants and conveys to Boatworks Development Company, its successors and assigns, a perpetual and permanent easement for parking, vehicular maneuvering and vehicular and pedestrian ingress and egress, over, under and across all parking areas, sidewalks and trails located on Parcel 1 legally described on Exhibit C, attached hereto and incorporated by this reference (the "City Easement Area"). The easements granted by the City are subject to the conditions, restrictions and limitations specified, depicted and cross hatched on Exhibit C-1 attached hereto and incorporated by this reference. The easement shall perpetually run with and burden the

title to Parcel 1 and inure to the benefit and be binding upon the parties hereto and their respective heirs, successor and assignors, including without limitation, all subsequent owners of Parcel 1 and all persons claiming under them. The parties agree that any default by Boatworks Development Company under the Development Agreement which is not cured within the applicable cure period thereunder shall entitle the City to terminate the easements granted under this paragraph in the City Easement Area upon reasonable prior written notice (said notice to be not less than two weeks prior to the effective date of such termination).

Boatworks Development Company hereby grants and conveys to the City, its successor and assigns, a perpetual and permanent easement for parking, vehicular maneuvering and vehicular and pedestrian ingress and egress, over, under, and across all parking areas, sidewalks and trails located on Parcel 2 as described on Exhibit D attached hereto and incorporated by this reference (the "Boatworks Easement Area"; the City Easement Area and the Boatworks Easement Area are collectively referred to as the "Easement Area"). Boatworks Development Company shall have the right to designate and sign up to ten spaces immediately adjacent to the Minnetonka Boat Works building located on Parcel 2 for "Short term, Customer or Pick-up Delivery Only". The Easement Area is depicted and cross hatched on Exhibit E attached hereto and incorporated by this reference. The easement shall perpetually run with and burden the title to Parcel 2 and inure to the benefit and be binding upon the parties hereto and their respective heirs, successors and assignors, including without limitation, all subsequent owners of Parcel 2 and all persons claiming under them.

2. Maintenance of Easement Area. Boatworks Development Company shall be responsible for and shall pay the maintenance, repair and replacement of the surfacing and for plowing and snow removal from the Easement Area as described on Exhibits C and D attached hereto.

The Easement Area shall always be maintained in good condition and repair consistent with City standards and other commercially reasonable standards, and snow removal over the Easement Area shall be completed by Boatworks Development Company upon accumulation of two or more inches and in a reasonably prompt manner so as to keep such Easement Area in a condition which allows for safe and unobstructed driving and parking, and which shall at all times comply with applicable regulations, ordinances and codes.

The owners of each Parcel will take such actions as are reasonably necessary to ensure that the structure or integrity of the utilities located within the Easement Area will not be damaged in any manner.

3. Interference with Easements. No obstructions which would prevent, restrict or otherwise inhibit the passage of pedestrians or vehicles, or the maneuvering and parking of vehicles on the Easement Area shall be erected, condoned, or permitted to endure by the owner(s) of the Easement Area or any part thereof without prior written consent of the other party.

4. **Limited Dedication to City.** The easements granted by Boatworks Development Company over the Boatworks Easement Area are limited to the terms and conditions of this Agreement and are granted to the City only to the extent required by the Development Agreement.

5. **Amendments.** Subject to the City's right to terminate in Section 1 of this Agreement, this Agreement may not be modified in any respect whatsoever or rescinded, in whole or in part, without the consent of all parties hereto, and then only by written instrument duly executed in recordable form and duly recorded in the office of the Hennepin County Recorder and/or Registrar of Titles, as applicable; provided, however, that the City and Boatworks Development Company agree to promptly execute any necessary instruments to correct the legal description of the Boatworks Easement Area or the City Easement Area if a duly certified survey shows any encroachment by any building improvements over such Easement Area which are not otherwise permitted under the Development Agreement.

6. **Successors and Assigns.** The easements and rights granted and obligations assumed herein (a) are made for the direct, mutual and reciprocal benefit or burden of the real property affected; (b) will constitute covenants running with the land; and (c) will be binding upon and inure to the benefit of the parties respective successors, assigns, transferees, tenants, employees, agents, customers, licensees and invitees.

7. **Indemnification.** Each of the parties shall indemnify and hold the other party harmless of and from any and all loss, cost, liability, damage, injury or expense, including reasonable attorneys' fees, which may arise by reason of any violation of law, ordinance or regulation or by reason of injury to or death of a person(s), damage to the property, or claims of lien for work performed and/or materials or supplies furnished, or arising out of or in connection with the use of the Easement Area on the indemnifying party's Parcel, or arising from or in connection with the willful or negligent acts or omissions of the indemnifying party or its agents, contractors, employees or successors in interest. However, nothing herein shall be deemed to be a waiver of the City's statutory limits on its liability.

8. **Entire Agreement.** This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed and no other representations or promises, written or oral, made by either party to the other which is not contained herein shall be binding or valid.

9. **Attorneys' Fees.** In the event of a controversy, claim or dispute relating to this instrument or the breach thereof, the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorneys' fees and costs.

10. **Notices.** Any notice to be given hereunder by either of the parties hereto to the other may be either hand delivered, delivered by contract carrier, or may be deposited in the United States mail, registered or certified, postage prepaid and return receipt requested, addressed to the party for whom intended as follows:

To the City:

City of Wayzata
600 East Rice Street
Wayzata, MN 55391
Attn: City Manager

To Boatworks:

Boatworks Development Company, Inc.
Suite 120
445 East Lake Street
Wayzata, MN 55391

Either party may change its address at any time by notifying the other in writing, of such change. Service of any notice pursuant hereto shall be deemed complete at the time of delivery.

11. Severability. If any term or provision of this Agreement shall, to any extent, be invalid or unenforceable, the remainder of this Agreement (or the application of such term or provision, to persons or circumstances other than those in respect of which is invalid or unenforceable) except those terms or provisions, which are made subject to or conditioned upon such invalid or unenforceable term or provision, shall not be affected thereby, and each other term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

12. Governing Laws. This Agreement shall be construed and governed in accordance with the laws of Minnesota.

13. Counterparts. This Agreement may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument, and either of the parties hereto may execute this Agreement by signing any such counterpart.

[The rest of this page is intentionally left blank]

IN WITNESS WHEREOF, the parties hereto have caused the foregoing Reciprocal Cross Easement Agreement to be executed the day and year first written above.

CITY OF WAYZATA,
a Minnesota municipal corporation

By: Bob Ambrose
Its: Mayor Pro Tem

BOATWORKS DEVELOPMENT
COMPANY, INC.

By: Richard A. Born
Name: Richard A. Born
Its: President

By: Alan Orsen
Its: City Manager

STATE OF MINNESOTA)
COUNTY OF Hennepin) ss.

The foregoing instrument was acknowledged before me this 26 day of March, 1997, by Bob Ambrose and Alan Orsen, the Mayor Pro Tem and City Manager, respectively, of the CITY OF WAYZATA, a municipal corporation under the laws of the State of Minnesota, on behalf of the corporation.

Joan B. Smith
Notary Public

STATE OF MINNESOTA)
COUNTY OF Hennepin) ss.



The foregoing instrument was acknowledged before me this 20th day of March, 1997, by Richard A. Born, the President of Boatworks Development Company, Inc., a Minnesota corporation, on behalf of the corporation.

Terry L. Schneider
Notary Public

THIS INSTRUMENT WAS DRAFTED BY:
DOHERTY RUMBLE & BUTLER (LKS)
PROFESSIONAL ASSOCIATION
3500 Fifth Street Towers
150 South Fifth Street
Minneapolis, Minnesota 55402
(612) 340-5555

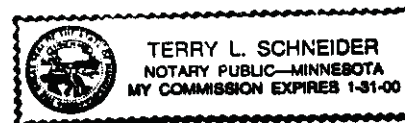


EXHIBIT G-1
EASEMENT FOR LAKE BOARDWALK
GRANT OF EASEMENT

THIS GRANT OF EASEMENT is made and entered into as of the _____ day of March, 1997, by BOATWORKS DEVELOPMENT COMPANY, INC., a Minnesota corporation (hereinafter "Grantor"), to the City of Wayzata, a municipal corporation under the laws of the State of Minnesota (hereinafter "Grantee").

WHEREAS, Grantor is the fee owner of the certain real property located in the City of Wayzata, County of Hennepin and State of Minnesota, legally described on Exhibit A attached hereto and incorporated by this reference (the "Burdened Property").

WHEREAS, Grantor and Grantee are parties to a Development Agreement dated _____, 1997, relating to the development of the Burdened Property ("Development Agreement"), which Development Agreement requires, in part, certain conditions relating to the establishment of a pedestrian easement along the lakeshore of the Burdened Property.

WHEREAS, in accordance with the requirements of the Development Agreement, Grantor desires to convey to Grantee and Grantee desires to obtain from Grantor a perpetual and permanent easement for pedestrian ingress and egress purposes over, under and across a portion of the Burdened Property which is legally described on Exhibit B attached hereto and incorporated by this reference (the "Easement Area") and depicted by the drawing on Exhibit C attached hereto and incorporated by this reference, all as hereinafter set forth.

NOW, THEREFORE, for \$1.00 and in consideration of the above recitals and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Grant of Easement.** Grantor hereby grants and conveys to the City of Wayzata, its successors and assigns, a perpetual and permanent easement (the "Easement") over, under and across the Easement Area for pedestrian ingress and egress purposes, and for the construction, maintenance and repair of certain accompanying improvements more particularly described in the Development Agreement. The Easement shall perpetually run with and burden the title to the Burdened Property and shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, representatives, successors and assigns, including without limitation, all subsequent owners of the Burdened Property and all persons or entities claiming under them.

2. **Use of Easement Area.** The Easement shall be used for pedestrian ingress and egress and for the purposes of constructing, maintaining and repairing thereon a pedestrian boardwalk over the Easement Area. Grantor hereby agrees that it will not perform or allow or cause the construction of any improvements on the Easement Area which could damage or obstruct the improvements constructed thereon or interfere with the access to or use of, or the maintenance and repair of, the boardwalk located within the Easement Area.

3. **Maintenance.** The Easement Area shall be maintained, repaired and reconstructed by the Grantor at all times in good condition and at its sole cost and expense.

4. **Warranty of Title.** Grantor represents and warrants to Grantee that it is the owner of fee simple absolute title to the Burdened Property, and that there are no disclosed mortgages, contracts for deed, leases, rental agreements, occupancy agreements, or any other encumbrances or verbal or written agreement of any nature whatsoever affecting title to the Burdened Property, other than those persons or entities that have consented in writing to this Grant of Easement.

5. **Limited Dedication to City.** The Easement granted by Grantor over the Easement Area is limited to the terms and conditions of this Grant of Easement and is granted to the City only to the extent required by the Development Agreement.

6. **Indemnification.** The Grantee shall indemnify and hold the Grantor harmless of and from any and all loss, cost, liability, damage, injury or expense, including reasonable attorneys' fees, which may arise by reason of any violation of law, ordinance or regulation or by reason of injury to or death of a person(s), damage to the property, or claims of lien for work performed and/or materials or supplies furnished, or arising out of or in connection with the use of the Easement Area or arising from or in connection with the willful or negligent acts or omissions of the Grantee or its agents, contractors, employees or successors in interest. However, nothing herein shall be deemed to be a waiver of Grantee's statutory limits on its liability.

7. **Amendment.** This Grant of Easement shall be amended only by an instrument signed by Grantor and Grantee; provided, however, that Grantor and Grantee agree to promptly execute any necessary instruments to correct the legal description of the Easement Area if a duly certified survey shows any encroachment by any building improvements over such Easement Area which are not otherwise permitted under the Development Agreement.

8. **Governing Law.** This Grant of Easement is made and executed under, and in all respects is to be given and construed by, the laws of the State of Minnesota.

9. **Entire Agreement.** This Grant of Easement constitutes the entire agreement between the parties. There are no verbal agreements that change this Grant of Easement and no waiver of its terms will be effective unless in writing and executed by the parties.

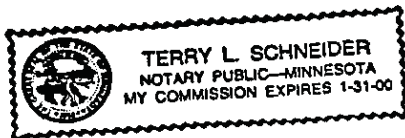
IN WITNESS WHEREOF, Grantor has executed this Grant of Easement the day and year first above written.

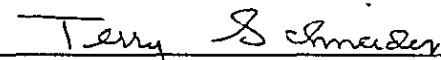
BOATWORKS DEVELOPMENT
COMPANY, INC.

By: 
Its: President

STATE OF MINNESOTA)
) ss.
COUNTY OF Hennepin)

The foregoing instrument was acknowledged before me this 20th day of March, 1996, by Richard A. Born, the Pres. of BOATWORKS DEVELOPMENT COMPANY, INC., a Minnesota corporation, on behalf of the corporation.




Notary Public

THIS INSTRUMENT WAS DRAFTED BY:
Doherty, Rumble & Butler, P.A. (LKS)
3500 Fifth Street Towers
150 South Fifth Street
Minneapolis, Minnesota 55402-4235
Telephone: (612) 340-5555

EXHIBIT A

LEGAL DESCRIPTION OF BURDENED PROPERTY

TRACT C, REGISTERED LAND SURVEY NO. 959, files of the Registrar of Titles, Hennepin County, Minnesota;

and

All that part of Lot 26, Auditor's Subdivision No. 184, according to the recorded plat thereof, Hennepin County, Minnesota, described as follows:

Beginning at the most Southerly corner of Tract D, Registered Land Survey No. 959, files of the Registrar of Titles, Hennepin County, Minnesota; thence south along the East line of said Lot 26 to the Southeast corner thereof; thence West along the South line thereof 17 feet; thence Northeasterly to the point of beginning.

and

All that part of Grove Street vacated lying Easterly of a line drawn from the Southeast corner of Tract A, Registered Land Survey No. 959, files of Registrar of Titles; Hennepin County, Minnesota, to the most Northerly corner of Tract B, said Registered Land Survey No. 959, and there ending, according to the recorded plat thereof.

EXHIBIT B

LEGAL DESCRIPTION OF EASEMENT AREA

All that part of TRACT C, REGISTERED LAND SURVEY NO. 959, files of the Registrar of Titles, Hennepin County, Minnesota described as follows:

Commencing at a point in the westerly line of said TRACT C, said point also being the most northerly corner of TRACT B, said REGISTERED LAND SURVEY NO. 959; thence on an assumed bearing of North 03 degrees 28 minutes 00 seconds West along the westerly line of said TRACT C for 15.81 feet; thence North 75 degrees 44 minutes 51 seconds East for 103.34 feet to the actual point of beginning; thence continue North 75 degrees 44 minutes 51 seconds East for 192.73 feet; thence North 59 degrees 02 minutes 39 seconds East for 217.98 feet; thence North 30 degrees 35 minutes 57 seconds West for 21.99 feet; thence North 59 degrees 01 minutes 44 seconds East for 77.80 feet to the easterly line of said TRACT C, thence South 47 degrees 10 minutes 00 seconds East along said easterly line for 45.45 feet to an angle point in said easterly line; thence South 05 degrees 00 minutes 00 seconds East along said easterly line for 5 feet, more or less, to the shoreline of Lake Minnetonka; thence southwesterly along said shoreline to an intersection with a line bearing South 30 degrees 36 minutes 36 seconds East for 14 feet, more or less, to the point of beginning.

EXHIBIT C

EASEMENT EXHIBIT

CITY OF WAYZATA, COUNTY OF HENNEPIN, MINNESOTA
SECTION 6, TOWNSHIP 117, RANGE 22

J696A00 J696-LX20W

BURLINGTON NORTHERN RAILROAD

TRACT D

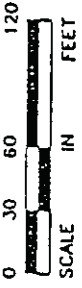
TRACT C

2 - STORY BRICK BUILDING

WAYZATA BAY
LAKE MINNETONKA

DENOTES EASEMENT ARE.

DATE OF PREPARATION: 3/3/9.



B.A. W.M.C.
Drexler Square, 700 Third Street So.
Minneapolis, MN 55415, Phone 612/375-0100, Fax 612/375-0111

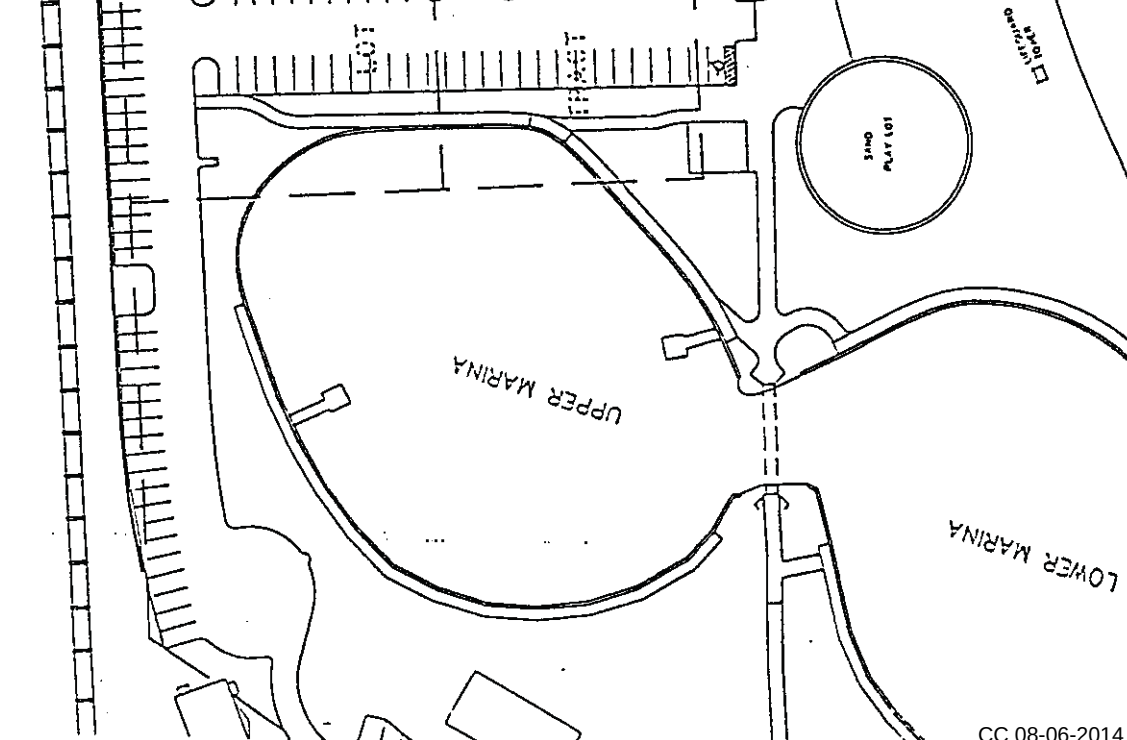
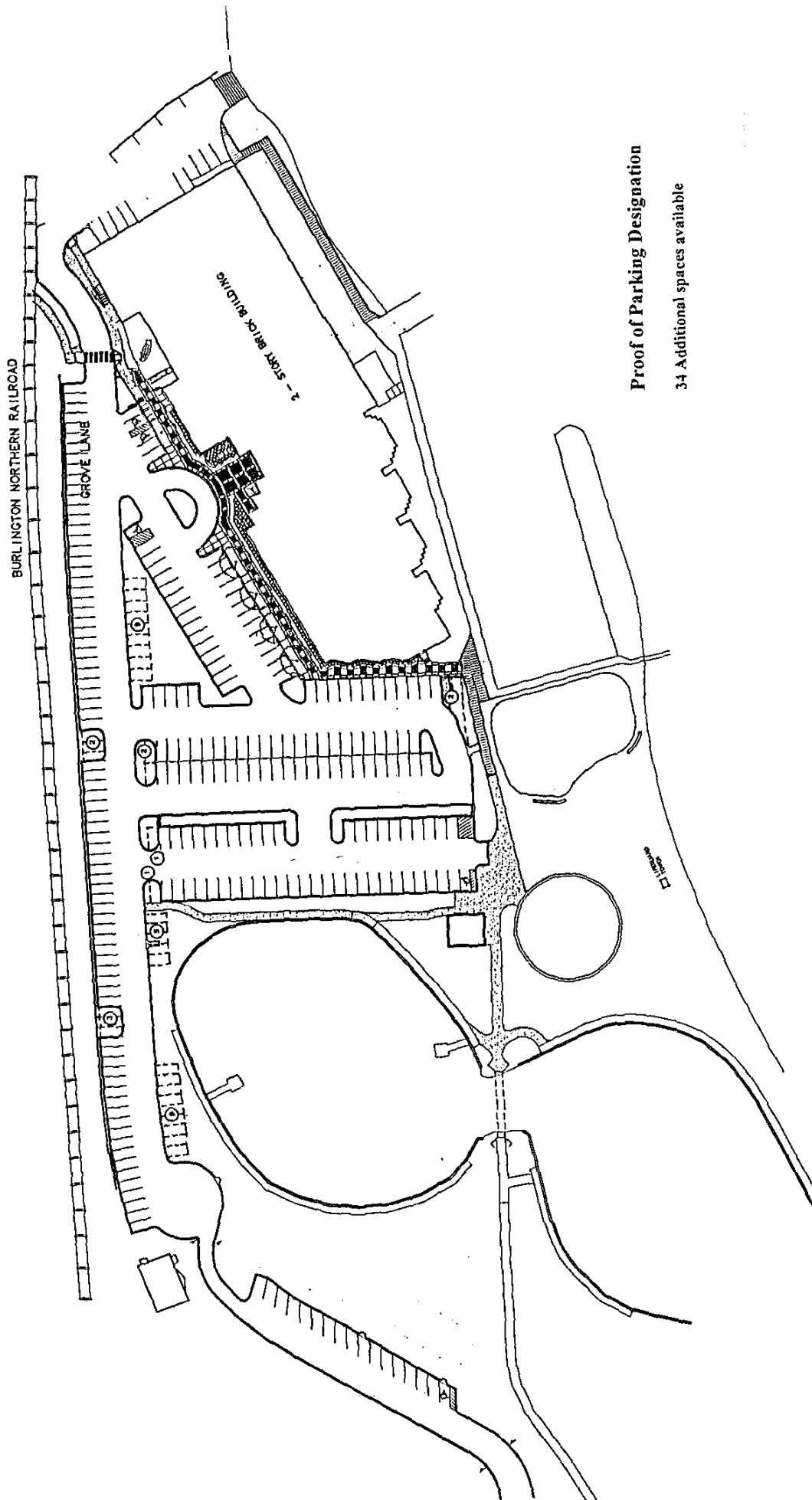


EXHIBIT H-1
ADDITIONAL PARKING AREA



Proof of Parking Designation
 34 Additional spaces available

EXHIBIT I-1
PARKING AREA FOR NINE REPLACEMENT STALLS

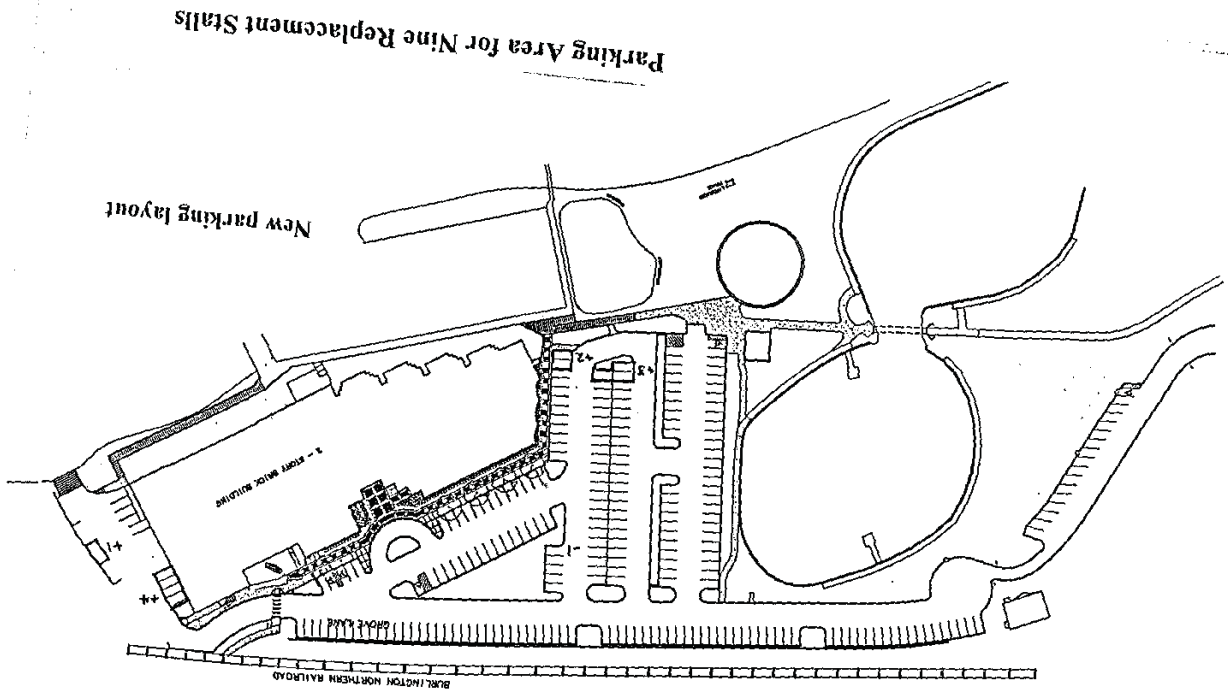
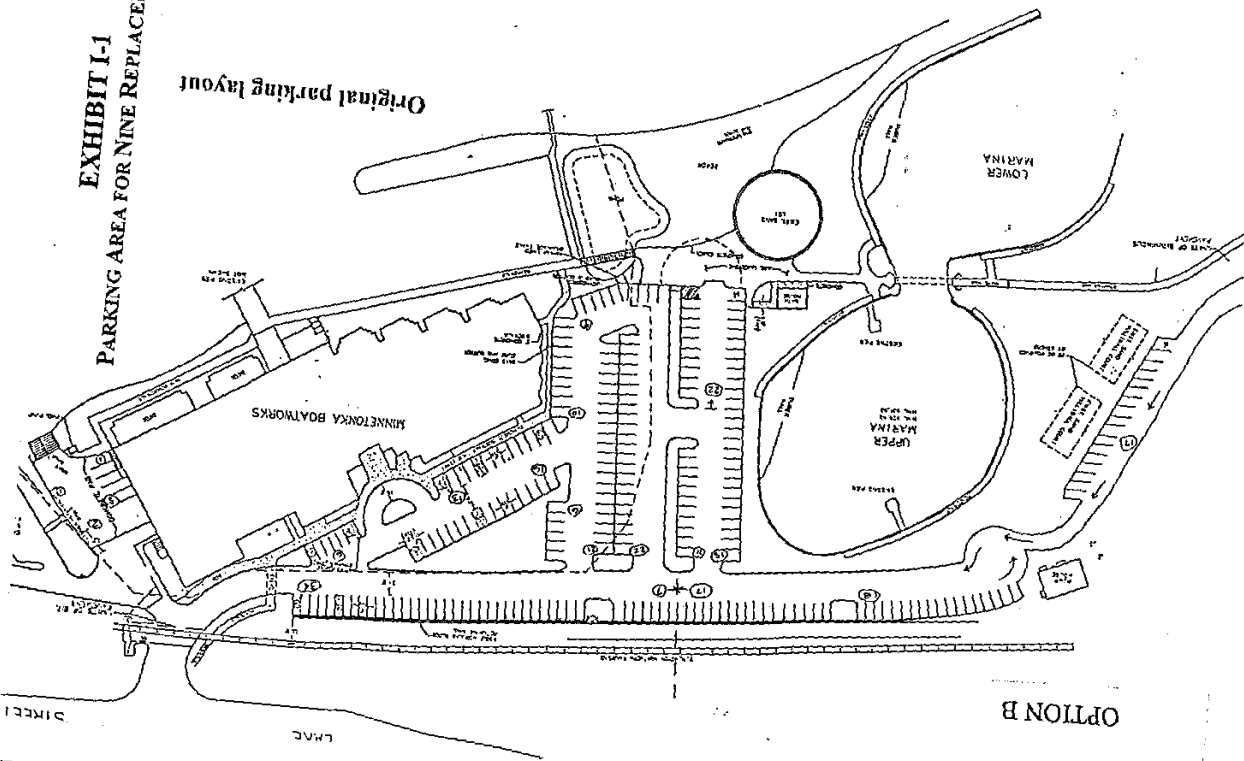
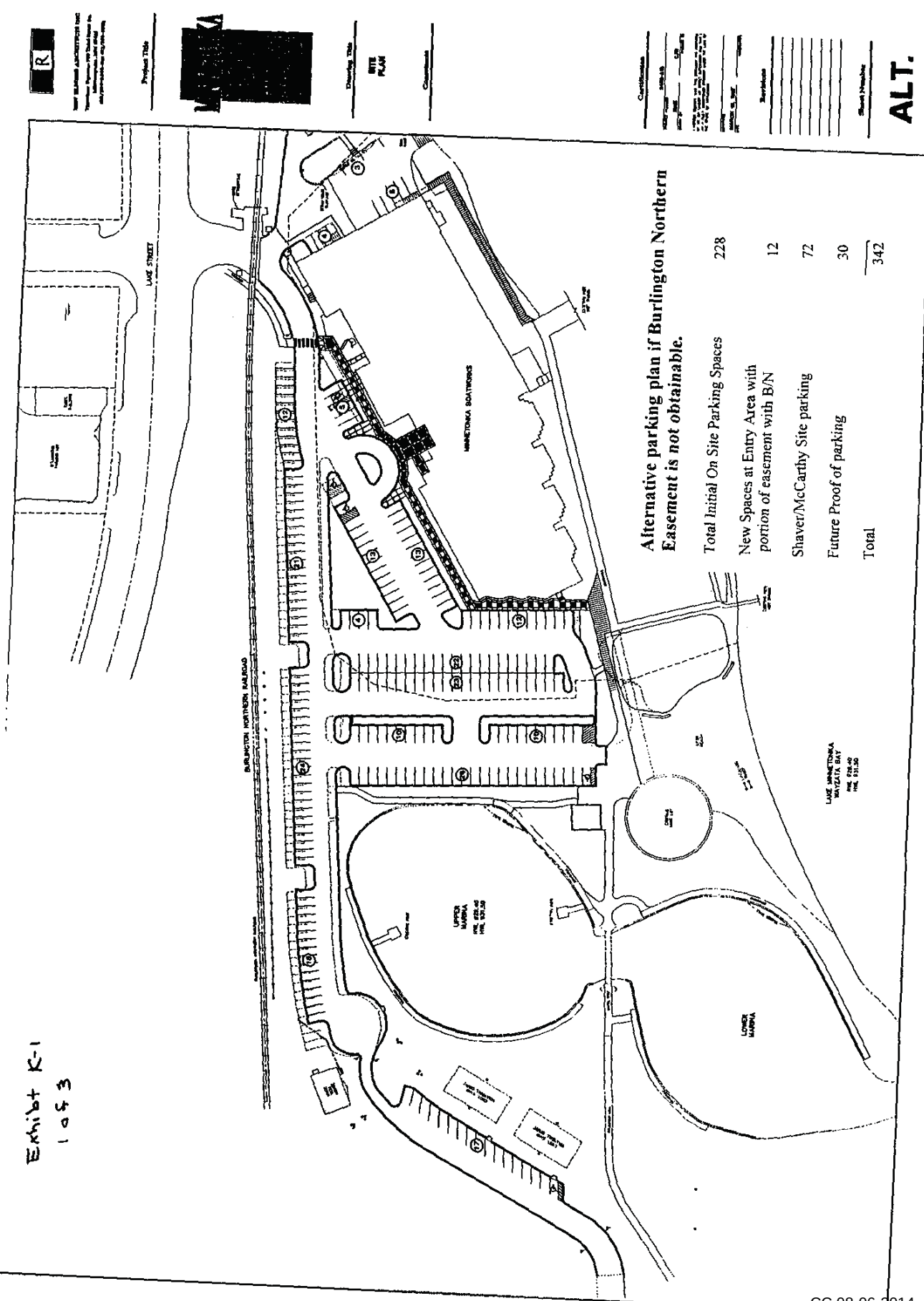


Exhibit J-1 Parking Plan for Beach/Marina

Refer to Exhibit D-1

Exhibit K-1
1053



R

NOT BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER. ANY REUSE OR MODIFICATION OF THIS DRAWING WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER IS PROHIBITED.

Project Title



Drawing Title

DATE
PLAN

Client

Client/Owner	
Project Name	1053-10
Project No.	1053-10
Project Location	1053-10
Project Description	1053-10
Project Status	1053-10
Project Date	1053-10
Project Engineer	1053-10
Project Designer	1053-10
Project Checker	1053-10
Project Approver	1053-10

ALT.

1-800-368-7229 Fax: 1-800-368-7230
 10000 14th Street, Suite 100
 Denver, CO 80202

Project Title

Dewatering Tanks

E3

Contents

Contributions

244

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2. Background

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ALT.

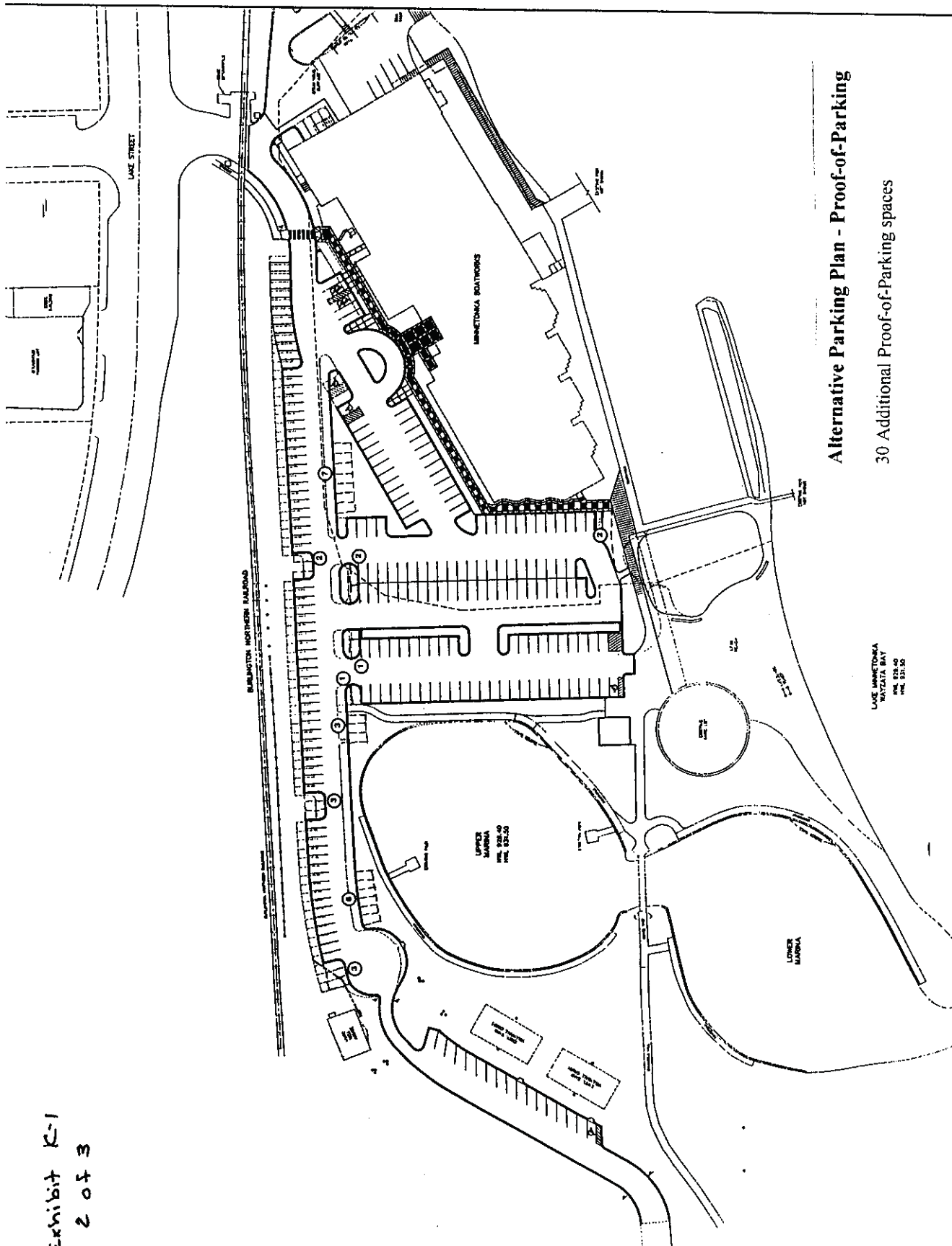
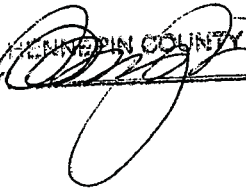


Exhibit K-1
2043

15A
TRANSFER ENTERED
HENNEPIN COUNTY TAXPAYER SERVICES

JAN 15 2003

HENNEPIN COUNTY MINN.
BY  DEPUTY

3666747
1065594
3666747
day
JAN 17 2003 12m
REGISTRAR OF TITLES
DEPUTY

OFFICE OF THE REGISTRAR
OF TITLES
HENNEPIN COUNTY MINNESOTA
CERTIFIED TRUE COPY
20
SCANNED

**FIRST AMENDMENT TO DEVELOPMENT AGREEMENT AND PLANNED UNIT
DEVELOPMENT/CONDITIONAL USE PERMIT**

This Amendment Agreement ("Agreement") is made as of the 24th day of April, 2002, by and among Boatworks Development Company, LLC, a Minnesota limited liability company ("Boatworks") and the City of Wayzata, a municipal corporation under the laws of Minnesota ("Wayzata").

RECITALS

A. WHEREAS, Boatworks Development Company, Inc., a Minnesota corporation and Wayzata entered into a Development Agreement (the "Development Agreement") dated March 26, 1997 and recorded April 15, 1997 as Document No. 6721202 in the office of the Hennepin County Recorder and recorded April 11, 1997 as Document No. (2801690) in the office of the Hennepin County Registrar of Titles, in connection with the real property located in the City of Wayzata, County of Hennepin, State of Minnesota, legally described on attached Exhibit A-1 (the "Property"); and.

B. WHEREAS, the Development Agreement was assigned from Boatworks Development Company, Inc. to Boatworks pursuant to an Assignment of Development Agreement dated May 17, 2001 ("Assignment of Agreement"); and

C. WHEREAS, Boatworks Development Company, Inc., a Minnesota corporation and Wayzata entered into a Planned Unit Development/Conditional Use Permit ("PUD/CUP Permit") dated January 22, 1997 which said PUD/CUP Permit was attached to the recorded Development Agreement described above; and

D. WHEREAS, the PUD/CUP Permit was assigned by Boatworks Development Company, Inc. to Boatworks pursuant to the Assignment of Agreement; and

Title Recording Services, Inc. 342425
1043 Grand Avenue #259
St. Paul, MN 55105 Boatworks
HENNEPIN AT UNITED JUNIOR



AGR

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B. WHEREAS, the Development Agreement was assigned from Boatworks Development Company, Inc. to Boatworks pursuant to an Assignment of Development Agreement dated May 17, 2001 ("Assignment of Agreement"); and

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D. WHEREAS, the PUD/CUP Permit was assigned by Boatworks Development Company, Inc. to Boatworks pursuant to the Assignment of Agreement; and

E. WHEREAS, Boatworks desires to amend the terms of the Development Agreement and PUD/CUP Permit as outlined herein and Wayzata has agreed to such amendment;

NOW, THEREFORE, in consideration of One Dollar and other good and valuable consideration, the sufficiency and receipt of which is acknowledged to by the parties, and in consideration of the Recitals and of their mutual promises set forth below, the parties hereto agree as follows:

COVENANTS

1. Boatworks' Reaffirmation of Obligation. Boatworks reaffirms its obligations set forth under the Development Agreement and the PUD/CUP Permit as amended herein.

2. Amendment to Development Agreement and PUD/CUP Permit. The terms of the Development Agreement and the PUD/CUP Permit are amended to the extent required to allow the following changes in terms:

- a. Amendment to Restaurant. Boatworks shall be allowed to construct a restaurant containing approximately 5,862 square feet to be located on the south side of the east wing of the building located on the Property ("Building") as more fully set forth in attached Exhibit A. In addition, Boatworks shall be allowed to provide restaurant seating outdoors on the south side of the Building both on the main level deck as well as the western half of the upper level deck, both as shown on attached Exhibit B.
- b. Lobby/Circulation/Seating Area. Boatworks shall be allowed to reduce the size of the lobby/circulation/seating area of the Building in order to allow construction of the restaurant as set forth in subsection (a) above. The new lobby/circulation/seating area is set forth on attached Exhibit C.
- c. Office Area/Main Floor. Boatworks shall be allowed to convert approximately 3,966 square feet on the main floor of the Building into office space. The additional office area is shown on attached Exhibit D.
- d. Retail Space/Bar Area. Boatworks shall be allowed to construct a retail space consisting of approximately 258 square feet adjacent to the circulation/seating area on the main floor of the Building as shown on attached Exhibit E. As required under the Development Agreement and/or PUD/CUP Permit, the bar area shall be limited to 18 seats.
- e. Office Area/Upper Deck. On the eastern half of the upper deck level of the Building, Boatworks shall be allowed to provide executive office suites consisting of approximately 1,720 square feet. This new office area on the upper deck is outlined on attached Exhibit F.

- f. Parking. If, in the reasonable discretion of the City Council, the proposed parking/valet arrangement is not meeting the parking demands of the Building and/or Property or is creating a safety and circulation problem to and from the beach property from Lake Street for extended periods of time, the City Council may, in its reasonable discretion, require that Boatworks resolve the problem in a manner selected by the Boatworks, and approved by the Council, whether by construction of a ramp, reduction of office or restaurant square footage in use, or other manner, by a specific date to be set by the City Council. Such date shall give the Boatworks reasonable time to implement the proposed solution. The City Council may also specify what steps will be taken by Wayzata to resolve the problem should such problem not be sufficiently resolved on the part of Boatworks by the deadline imposed by the City Council. (For example only, the City Council may require reduction of a portion of the square footage of a particular use in the Building if the parking problem is not resolved as required by the City Council within the then specified time frame.) This requirement is specific to this Property and its associated PUD/CUP alone, due to the unique nature of this development, and does not affect any other developments within Wayzata nor set precedence for this type of agreement. A review of the parking by Wayzata staff and Boatworks shall occur throughout the summer of 2002 to demonstrate if parking requirements are being met and if the valet parking arrangement is successful. If deemed necessary by the Wayzata city staff or the City Council, parking needs of the Property shall be reviewed by the Wayzata city staff every six months for two years from the date of this Agreement and the City Council may require Boatworks to resolve any City Council-identified parking problem in the same manner as outlined above in this Section.
- g. Redevelopment of 259 Lake Street. The Development Agreement and/or PUD/CUP state that the 259 Lake Street lot cannot be redeveloped unless the redevelopment includes a parking ramp that allocates at least 72 parking spaces for use by the Boatworks site. The new proposal, outlined in this Amendment, increases the parking spaces needed by the Boatworks Site by 13 spaces. Therefore, the sum of 72 plus 13, or 85 parking spaces on the 259 East Lake Street site will be required to be allocated for use by the Boatworks Site if the 259 East Lake Street parcel gets redeveloped.
- h. Beach Parking. The parking spaces originally designated as municipal beach parking spaces in the Development Agreement and/or CUP/PUD Permit shall remain, with 57 dedicated parking spaces for weekday and weekend beach use, and 32 dedicated spaces for weekend beach use, for a total of 89 designated spaces, in the locations agreed upon in the Development Agreement and/or CUP/PUD Permit.

- i. Signage. Boatworks shall cooperate with the Wayzata city staff and City Council on a review of directional signage for the Lake Street area and reasonably cooperate with the findings of such.
- j. Landscaping. On the Lake Street Property Boatworks shall be required to continue to provide for and maintain a landscaping strip of at least eight feet wide between all parking areas and the sidewalks and/or street areas. The strip shall consist of shade trees at a maximum interval of 30 feet with a decorative fence, masonry wall or hedge. Solid walls shall be no less than three feet and no more than four feet in height. Proper lines of sight shall be maintained at all intersections.
- k. Transient Boat Storage. A minimum of 10 temporary boat spaces shall be provided for public use and shall be appropriately designated. Boatworks shall be responsible for all permits required by the Lake Minnetonka Conservation District, if necessary. No new dock shall be located west of the current docks. If the location of these 10 temporary boat spaces changes over time, the location of the spaces shall be administratively approved by City Staff.
- l. Bicycle Parking. Boatworks shall provide for at least four bicycle parking spaces to be provided in a convenient, visible and preferable sheltered location. Bicycle racks shall conform to all Wayzata standards. The bicycle parking location shall be approved by City Staff and installed no later than July 1, 2002.
- m. Roof Style. The roof style of the new office area on the upper deck of the Building shall be in conformity to that set forth on attached Exhibit G.
- n. Employee Parking/Valet Parking. Valet parking shall continue to be available for all restaurant patrons during all operational hours of the restaurant. All valet parking shall be done at the 259 Lake Street lot. All restaurant employees and staff shall also park at the 259 Lake Street lot.
- o. Public Access. The Lobby area and restrooms on the main level shall remain open to the public during regular business hours.

3. Conflict with Development Agreement and PUD/CUP Permit. To the extent that there is conflict between the terms of this Agreement and the Development Agreement and the PUD/CUP Permit, the terms of this Agreement shall control. However, the terms of the Development Agreement and the PUD/CUP Permit shall remain unchanged except as specifically amended by the terms of this Agreement.

4. No Impairment of Lien. The Property shall remain subject to the lien of the Development Agreement and the PUD/CUP Permit and nothing herein shall affect the lien of the Development Agreement and the PUD/Cup Permit or the priority thereof or affect the liability of

any party liable under or on account of the Development Agreement and/or the PUD/CUP Permit, except as expressly provided herein.

5. No Impairment of Right to Future Consent. Nothing contained herein shall in any manner affect Wayzata's discretionary right to refuse to permit any future transfer or amendment of the terms of the Development Agreement and/or the PUD/CUP Permit.

6. No Waiver of Default. This Agreement shall not operate to waive any existing default or defaults under the Development Agreement nor the PUD/CUP Permit and Wayzata shall have any and all remedies against Boatworks for any such default that are available to Wayzata under the Development Agreement and/or PUD/CUP Permit.

7. Default. Any default or breach of any covenant hereunder shall constitute a default under the Development Agreement and the PUD/CUP Permit.

8. Governing Law. This Agreement and all provisions hereunder shall be governed by and construed in accordance with the laws of the State of Minnesota.

9. Amendment. This Agreement, the Development Agreement and the PUD/CUP Permit may be amended only by written agreement signed by all of the parties.

10. Benefit Recording. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their successors and assigns, and shall be recorded against the title records for the Property.

11. Headings. The paragraph headings of this Agreement are for reference only and shall not be deemed to alter or affect the meaning of the terms hereof.

12. Execution and Counterparts. This Agreement may be executed in any number of counterparts and such counterparts shall be deemed to be originals, and all such counterparts, taken together, shall constitute but one and the same instrument.

13. Proof of Assignments. Boatworks agrees to cooperate with Wayzata in executing and recording with the appropriate Hennepin County land recording office all documents necessary to evidence the Development Agreement, the PUD/CUP Permit and the assignments of the same to Boatworks.

THE NEXT PAGE IS THE SIGNATURE PAGE

IN WITNESS WHEREOF, the parties hereto have set their hands as of the day and year first above written.

BOATWORKS DEVELOPMENT
COMPANY, LLC

By: [Signature]
Its: Chief Manager

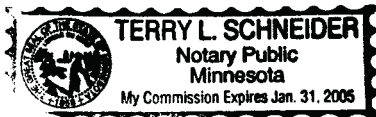
THE CITY OF WAYZATA

By: [Signature]
Its: MAYOR

By: [Signature]
Its: City Manager

STATE OF Minnesota)
) ss.
COUNTY OF Hennepin)

The foregoing instrument was acknowledged before me this 8th day of October, 2002, by M.G. Kaminski, the Chief Manager of Boatworks Development Company, LLC, a Minnesota limited liability company, on behalf of the company.



Terry Schneider
Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this 20 day of November, 2002, by Barry Petit and Ally Orr, respectively the Mayor and City Manager of The City of Wayzata, a Minnesota municipal corporation, on behalf of the City.



Joan B. Smith
Notary Public

This instrument was drafted by:

Paul E. Kaminski
Best & Flanagan, LLP
225 South Sixth Street
Suite 4000
Minneapolis, MN 55402-4331

187036 v4

LEGAL DESCRIPTION OF PROPERTY

File No.: 10992

File Name: Minnetonka Boatworks

LEGAL DESCRIPTION

Parcel 1

Tract C, Registered Land Survey No. 959, according to the plat thereof on file and of record in the office of the Registrar of Titles, in and for Hennepin County, Minnesota.

Torrens Property

Torrens Certificate No. 836148

All that part of Lot 26, Auditor's Subdivision No. 184, described as follows:

Beginning at the most Southerly corner of Tract D, Registered Land Survey No. 959, files of the Registrar of Titles, Hennepin County, Minnesota; thence South along the East line of said Lot 26 to the Southeast corner thereof; thence West along the South line thereof 17 feet; thence Northeasterly to the point of beginning.

Abstract Property

All that part of Grove Street vacated lying Easterly of a line drawn from the Southeast corner of Tract A, Registered Land Survey No. 959, files of Registrar of Titles, Hennepin County, Minnesota, to the most Northerly corner of Tract B, said Registered Land Survey No. 959, and there ending, according to the recorded plat thereof.

Abstract Property

Parcel 2

All that part of the tract of land hereinafter described lying East of the Northerly extended East line of lot 17, Auditor's Subdivision 184, and West of the Northerly extended West line of Lot 11, Auditor's Subdivision 184, said tract of land begin described as follows, to wit;

Commencing at the Northeast corner of Lot 11, Auditor's Subdivision 184, Hennepin County, Minnesota; thence West along the North line of Lot 11 and an extension thereof a distance of 315.85 feet; thence South a distance of 142.6 feet to the Northeast corner of Lot 18; thence West along the North line of Lot 18 a distance of 50 feet to the Northwest corner of said Lot 18; thence

South along the West line of Lot 18 a distance of 2.6 feet; thence West parallel with the South line of Lot 19 a distance of 7 feet; thence North parallel with the West line of Lot 10 to the point of intersection with the Easterly extended South line of Lot 4, Auditor's Subdivision 184; thence East along the Easterly extension of said South line of Lot 4, Auditor's Subdivision 184 to the point of intersection of said South line of Lot 4, as so extended, with the Westerly line of the Watertown Road; thence Southerly and Southwesterly along the West line of the Watertown Road to the point of beginning.

Abstract Property

That part of Lot 10, Auditor's Subdivision Number 184, Hennepin County, Minnesota, described as follows, to wit: Beginning at a point on the South line of said Lot 10 which is the Northwest corner of Lot 16 of said subdivision; thence Easterly along said South line a distance of 90 feet to a point which is the Southwest corner of Lot 12 of said subdivision; thence North along the West line of Lots 12 and 11 of said subdivision a distance of 142.6 feet to the Northwest corner of Lot 11; thence West along an extension of the North line of said Lot 11, a distance of 90 feet; thence South to the point of beginning, according to the plat thereof on file or of record in the office of the Register of Deeds in and for said Hennepin County.

Torrens Property

Torrens Certificate No. 836149

Lot 12, Auditor's Subdivision Number 184, Hennepin County, Minnesota, except the North 55 feet thereof.

Abstract Property

Lot 15, except the East 27 feet front and rear thereof, of Auditor's Subdivision Number 184, Hennepin County, Minnesota, also that part of Lake Street, vacated, lying between the front line of said Lot 15 and the center line of said street and between extensions across it of the side lines of said part of Lot 15.

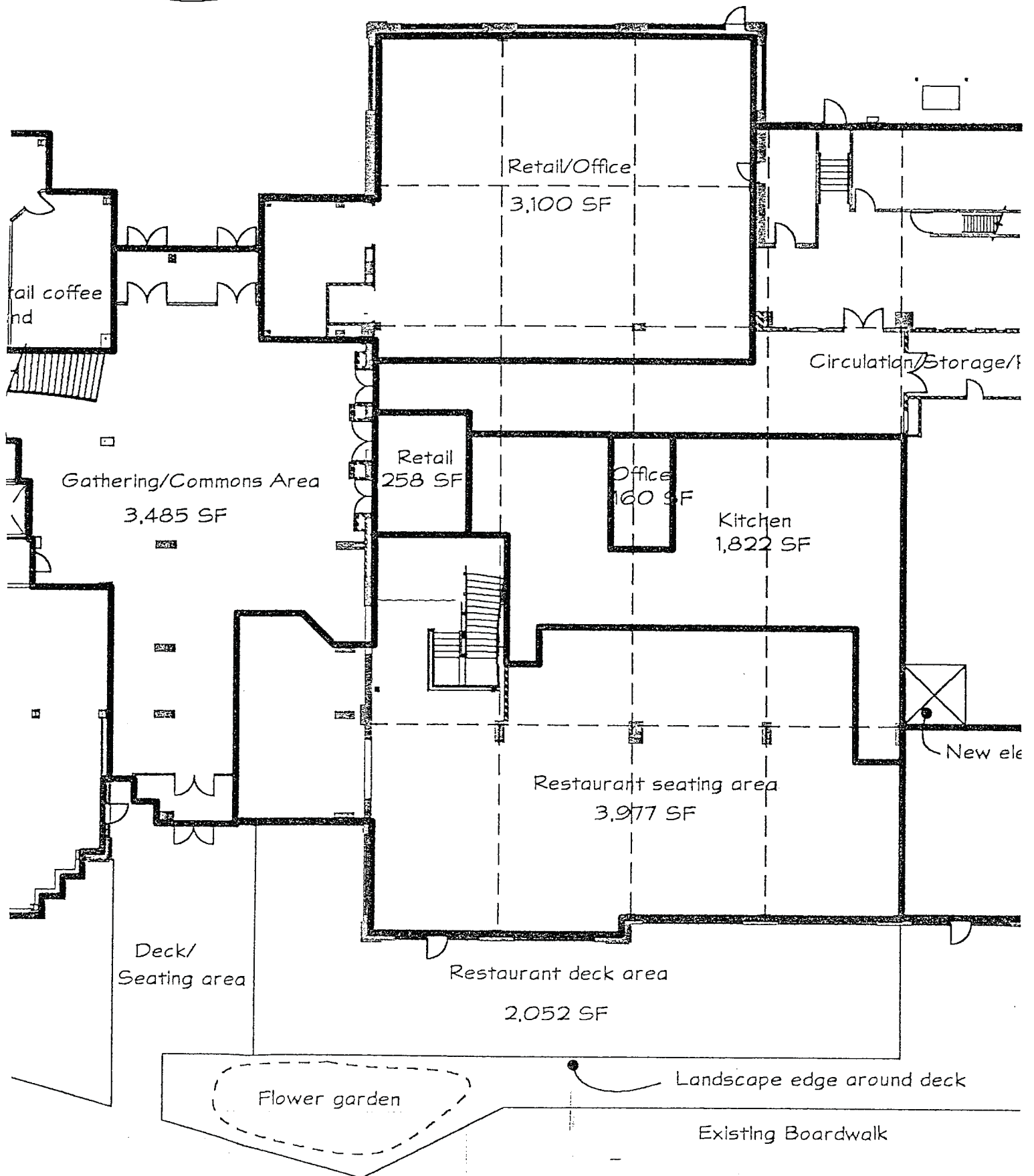
Lot 16 of Auditor's Subdivision Number 184, Hennepin County, Minnesota, also that part of Lake Street, vacated, lying between the front line of said lot and the center line of said street and between extensions across said strip of land of the side lines of said Lot 16, according to the plat thereof on file or of record in the office of the Register of Deeds in and for said Hennepin County.

Torrens Property

Torrens Certificate No. 836149

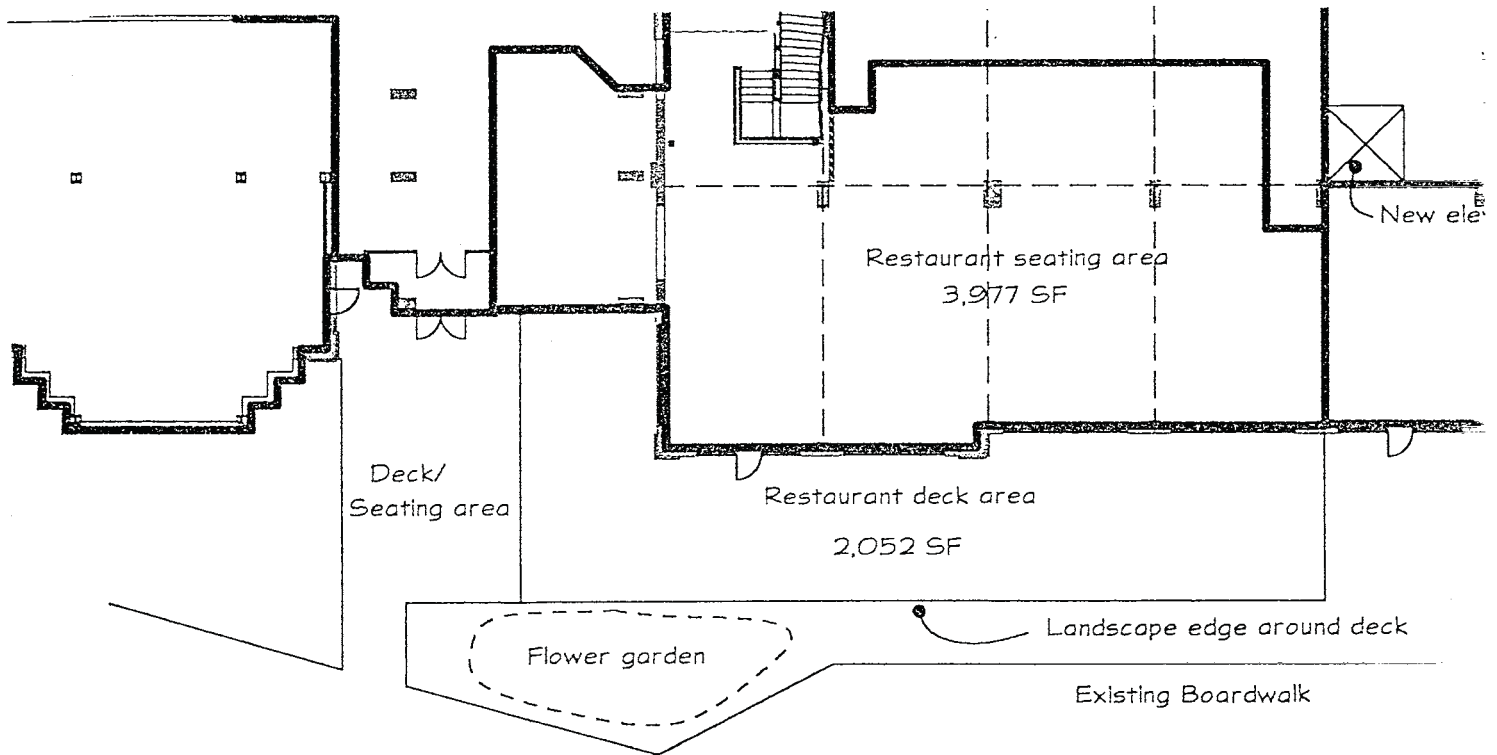
Valet drop off area

Exhibit A

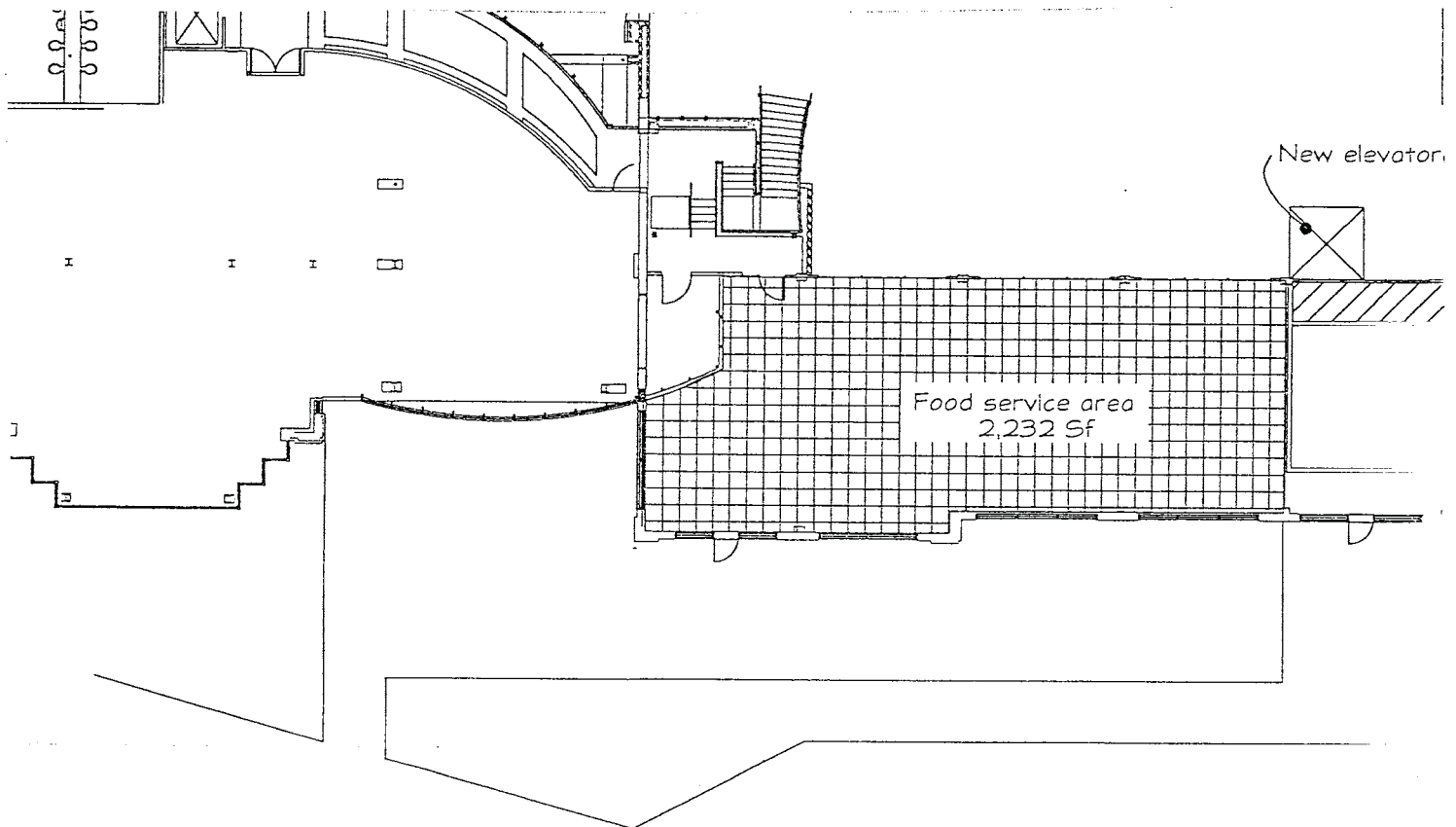


Restaurant layout

Exhibit B

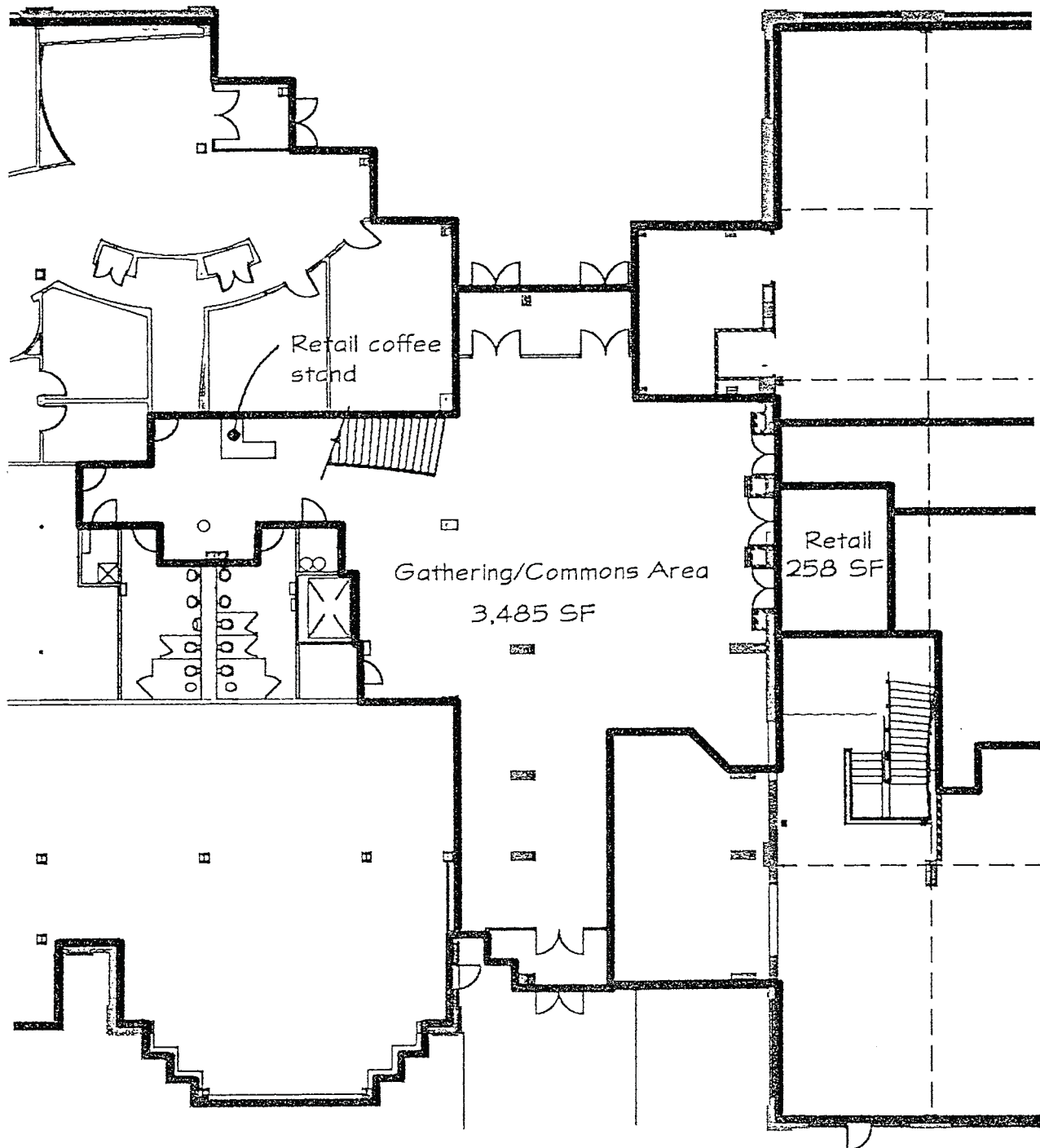


Outdoor ground level deck



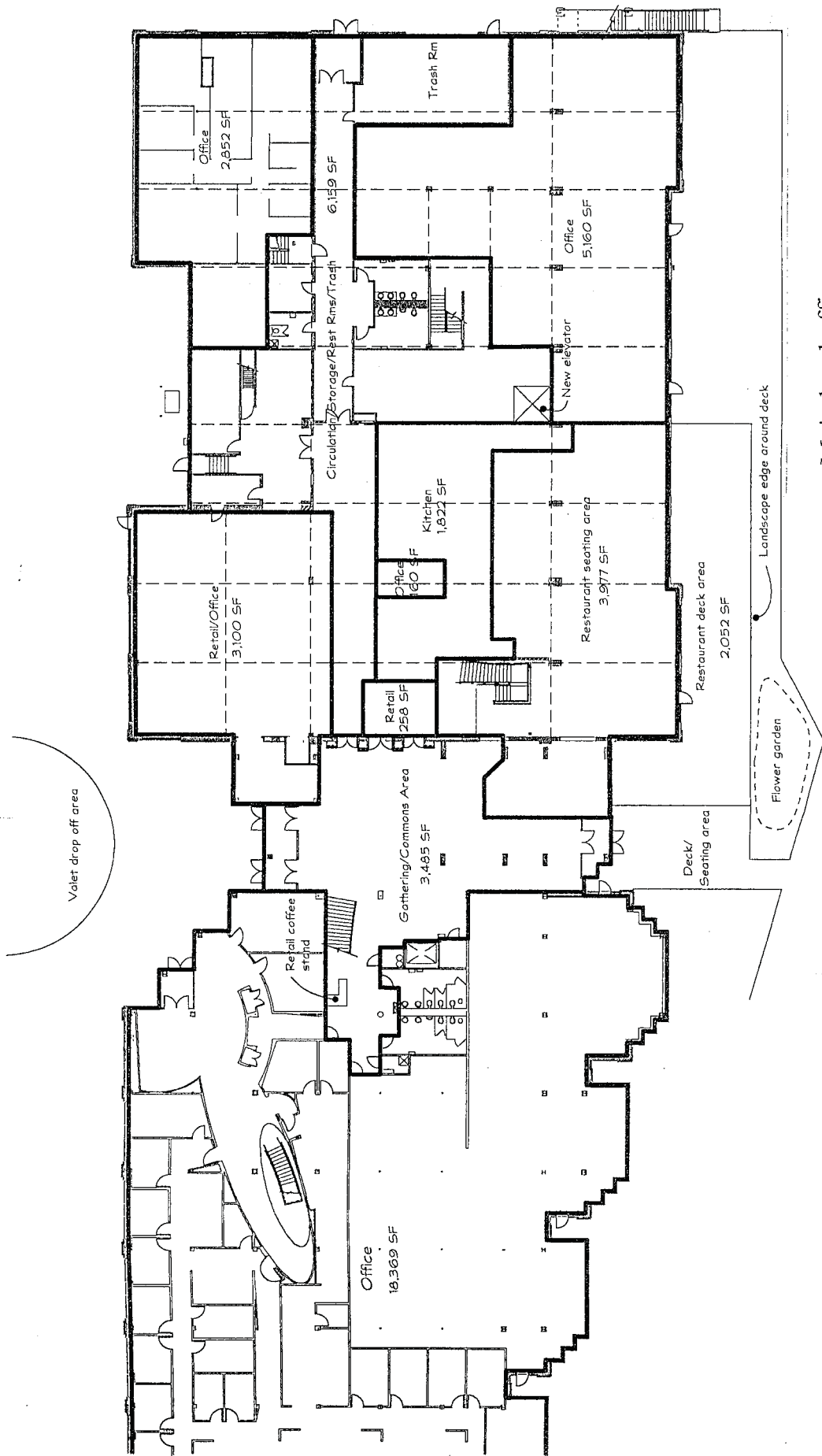
Upper level deck

Exhibit C



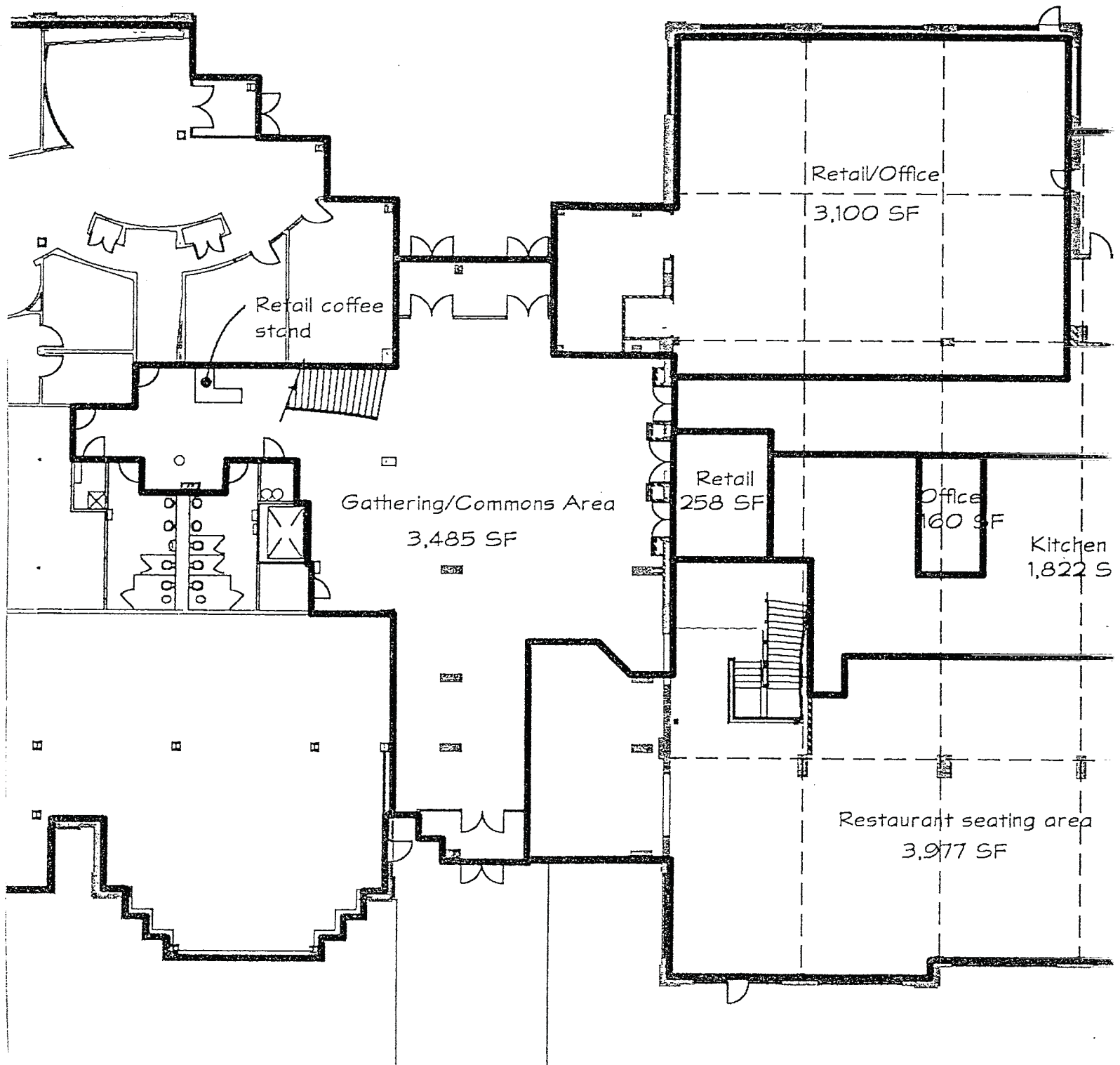
Lobby area

Exhibit D

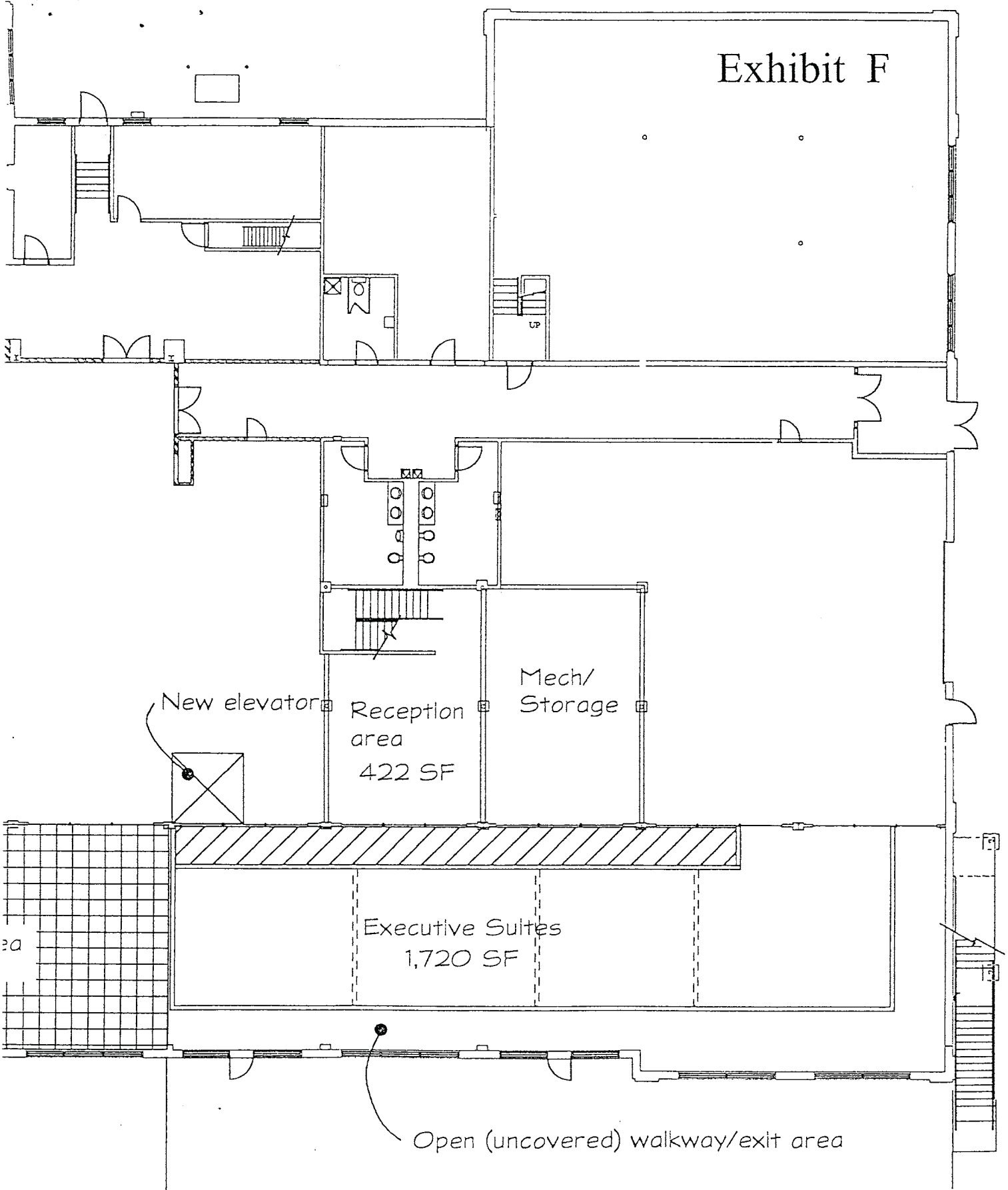


Main level office space

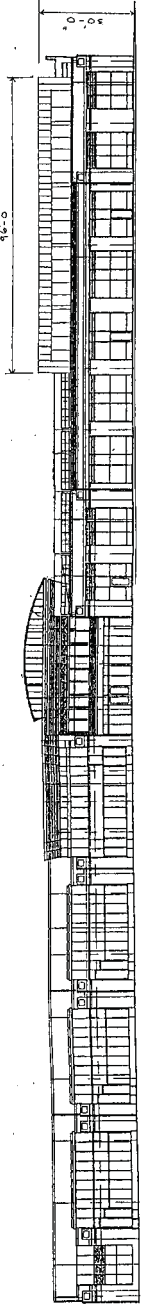
Exhibit E



Main level retail space

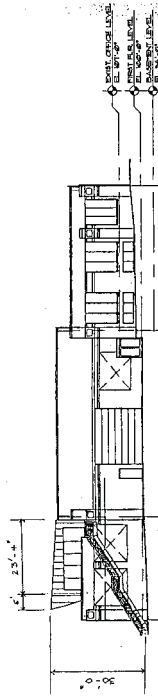


Upper level deck office space

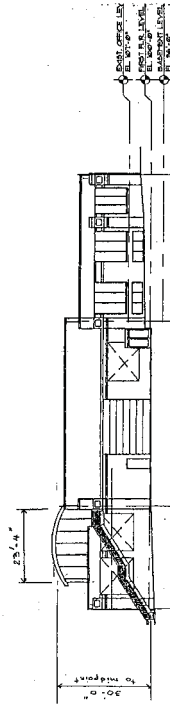


① SOUTH ELEVATION Alternate A
116'-11.0"

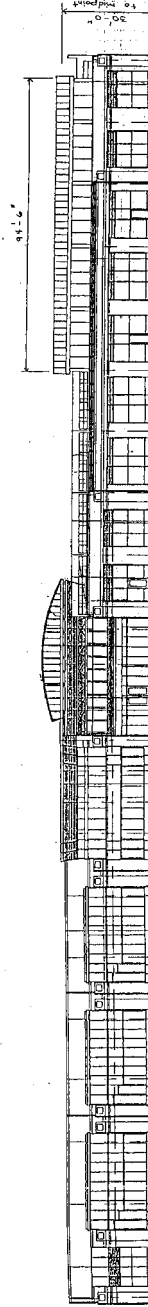
Minnetonka Boatworks

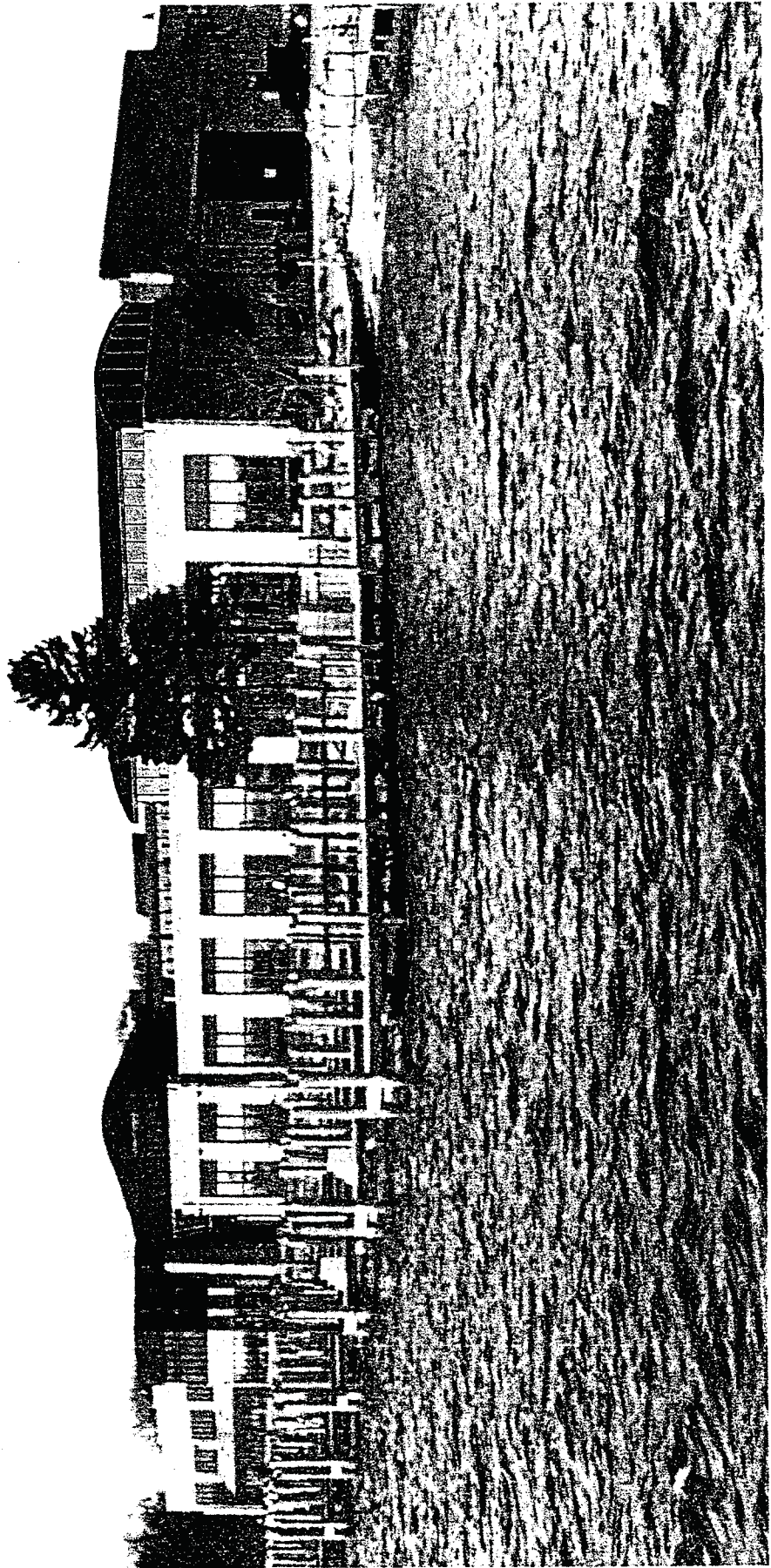


② EAST ELEVATION Alternate A
116'-11.0"



② EAST ELEVATION Alternate B
116'-17.0"





Digital image of proposed south elevation



Duplicate
Filing
Certificate

Doc No 8526122 02/11/2005 10:39 AM
Certified filed and or recorded on above date:

Office of the County Recorder
Hennepin County, Minnesota
Michael H. Cunniff, County Recorder

Deputy 11 TransID 93581

Fees
\$15.00 DOC
\$4.50 SUR
\$1.00 COPY
\$20.50 Total

TRANSFER ENTERED
HENNEPIN COUNTY TAXPAYER SERVICES

FEB 11 2005

HENNEPIN COUNTY MINN.
[Signature] DEPUTY

SECOND AMENDMENT TO DEVELOPMENT AGREEMENT AND PLANNED UNIT DEVELOPMENT AGREEMENT/CONDITIONAL USE PERMIT

This Second Amendment to Development Agreement and Planned Unit Development Agreement/Conditional Use Permit (the "**Amendment**") dated FEBRUARY 7, 2005 is made among Boatworks Development Company, LLC, a Minnesota limited liability company ("**Prior Boatworks**"), Bay Holdings, LLC, a Minnesota limited liability company ("**Current Boatworks**"), and the City of Wayzata, a municipal corporation under the laws of the State of Minnesota ("**Wayzata**").

Recitals:

A. Boatworks Development Company, Inc. ("**Original Boatworks**") and Wayzata entered into the Development Agreement dated March 26, 1997 (the "**Original Development Agreement**"), which was recorded in the Office of the County Recorder, Hennepin County, Minnesota on April 15, 1997 as document number 6721202, and recorded in the Office of the Registrar of Titles, Hennepin County, Minnesota on April 11, 1997 as document number 2801690. The Original Development Agreement relates to the real property in the City of Wayzata, Hennepin County, Minnesota that is commonly known as the "Wayzata Boat Works" (as legally described in the Original Development Agreement, the "**Property**").

B. Pursuant to the Original Development Agreement, Original Boatworks and Wayzata entered into the Planned Unit Development/Conditional Use Permit dated March 26, 1997 (the "**Original PUD/CUP Permit**"), which was attached to the Original Development Agreement as Exhibit A.

C. On May 17, 2001 Original Boatworks transferred the Property to Prior Boatworks. In connection with that transfer, Original Boatworks assigned its rights and obligations under the Original Development Agreement and the Original PUD/CUP Permit to Prior Boatworks pursuant to the Assignment of Development Agreement dated May 17, 2001.

D. Prior Boatworks and Wayzata amended the Original Development Agreement and the Original PUD/CUP Permit pursuant to the First Amendment to Development Agreement and Planned Unit Development Agreement/Conditional Use Permit dated April 24, 2002 (the "**First**").

Amendment”), which was recorded in the Office of the County Recorder, Hennepin County, Minnesota on January 22, 2003 as document number 7925215, and recorded in the Office of the Registrar of Titles, Hennepin County, Minnesota on January 15, 2003 as document number 3666747. The Original Development Agreement and the Original PUD/CUP Permit, as amended by the First Amendment, are, respectively, the “**Original Amended Development Agreement**”, and the “**Original Amended PUD/CUP Permit**”.

D. On July 9, 2004 Prior Boatworks transferred the portion of the Property identified in Section 3.D. of the Original PUD/CUP Permit as the “Boat Works Site”, which is also legally described under the heading “Parcel 1” in the Exhibit A-1 attached to the Original PUD/CUP Permit, to Current Boatworks. Prior Boatworks retained title to the remaining portion of the Property, which is identified in Section 3.D of the Original PUD/CUP Permit as the “Shaver & McCarthy Site”, and is legally described under the heading “Parcel 2” in the Exhibit A-1 attached to the Original PUD/CUP Permit. In connection with the transfer of the Boat Works Site, Prior Boatworks transferred all of its rights and obligations under the Original Amended Development Agreement and the Original Amended PUD/CUP Permit to Current Boatworks, and Current Boatworks assumed those rights and obligations, pursuant to the Assignment and Assumption of Development Agreement and PUD/CUP Permit dated July 9, 2004 (the “**2004 Assignment**”), which was recorded in the Office of the County Recorder, Hennepin County, Minnesota on July 8, 2004 as document number 8393877, and recorded in the Office of the Registrar of Titles, Hennepin County, Minnesota on July 12, 2004 as document number 3988838.

E. Also in connection with the transfer of the Boat Works Site, Prior Boatworks and Current Boatworks entered into the Parking Easement Agreement dated July 9, 2004 (the “**Parking Easement Agreement**”), which was recorded in the Office of the County Recorder, Hennepin County, Minnesota on July 8, 2004 as document number 8393878, and recorded in the Office of the Registrar of Titles, Hennepin County, Minnesota on July 12, 2004 as document number 388839. The Parking Easement Agreement creates a parking easement over the Shaver & McCarthy Site for the benefit of the Boat Works Site consistent with the terms of the Original Amended Development Agreement and the Original Amended PUD/CUP Permit.

F. Wayzata, Current Boatworks, and Prior Boatworks desire to amend the Original Amended Development Agreement and the Original Amended PUD/CUP Permit as provided in this Amendment.

NOW THEREFORE, the parties agree as follows:

1. Interpretation. This Amendment amends the Original Amended Development Agreement and the Original Amended PUD/CUP Permit. The Original Amended Development Agreement and the Original Amended PUD/CUP Permit, as amended by this Amendment (respectively, the “**Development Agreement**” and the “**PUD/CUP Permit**”), remain in full force and effect.

2. Reaffirmation of Obligations. Current Boatworks hereby reaffirms its obligations under the Development Agreement and the PUD/CUP Permit. Prior Boatworks

hereby reaffirms its obligations under the provisions of the Original PUD/CUP Permit that relate to the Shaver & McCarthy Site.

3. Consent to Transfer. For all purposes related to the Development Agreement and the PUD/CUP Permit, Wayzata hereby consents to (i) the transfer of the Boat Works Site from Prior Boatworks to Current Boatworks, (ii) the 2004 Assignment, and (iii) the Parking Easement Agreement. Except for the obligations and liabilities of Prior Boatworks under Sections 3.D, 3.E, 3.AA, 3.BB, 3.CC of the Original PUD/CUP Permit that relate to the Shaver & McCarthy Site, Wayzata agrees that Prior Boatworks has no obligations or liabilities arising under or in connection with the Development Agreement or PUD/CUP Permit with respect to any time period on or after the transfer of the Boat Works Site to Current Boatworks on July 9, 2004. Wayzata hereby releases the Shaver & McCarthy Site from the Development Agreement, including its terms and lien, effective July 9, 2004, provided that the Shaver & McCarthy Site shall continue to be encumbered by the terms of Sections 3.D, 3.E, 3.AA, 3.BB, 3.CC of the Original PUD/CUP Permit that relate to the Shaver & McCarthy Site.

4. Amendment Regarding Consent to Future Transfers. Effective on the date of this Amendment, Wayzata and Current Boatworks hereby amend the Development Agreement by deleting the first sentence of Section 14 of the Original Development Agreement, and Wayzata agrees that the City Council's consent shall not be required for any future transfer of all or any part of either the Boat Works Site or the Shaver & McCarthy Site, or the assignment of the Development Agreement or the PUD/CUP Permit to any future owner of all or any part of the Boat Works Site or the Shaver & McCarthy site.

5. Notice Address. For the purposes of the Development Agreement and the PUD/CUP Permit, the notice addresses of both Prior Boatworks and Current Boatworks are hereby changed to:

c/o Wayzata Bay Management, LLC
294 Grove Lane
Wayzata, MN 55391

6. Further Amendments. The Development Agreement may be amended only by a written agreement executed and delivered by both Wayzata and Current Boatworks, or their applicable respective successors and assigns. The PUD/CUP Permit may be amended only by a written agreement executed and delivered by Wayzata, Current Boatworks, and Prior Boatworks, or their applicable respective successors and assigns, except that any amendment to the PUD/CUP Permit that does not adversely affect Prior Boatworks' obligations or liabilities with respect to the Shaver & McCarthy Site need not be executed or delivered by Prior Boatworks or its applicable successors or assigns.

Signature Page Follows

The City of Wayzata, Boat Works Development Company, LLC, and Bay Holdings, LLC hereby execute and deliver this Second Amendment to Development Agreement and Planned Unit Development Agreement/Conditional Use Permit as of the date stated in the first paragraph above.

The City of Wayzata

By: _____

Name: Andrew Humphrey

Title: Mayor

By: _____

Name: Allan Orsen

Title: City Manager

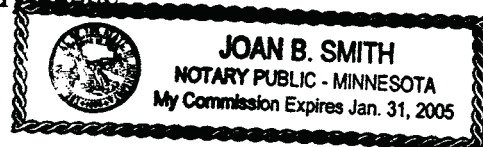
STATE OF MINNESOTA)

) ss

COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me on January 18, 2005 by Andrew Humphrey and Allan Orsen, the Mayor and City Manager, respectively, of The City of Wayzata, a Minnesota municipal corporation, on behalf of the City.

Notary Public



Boat Works Development Company, LLC

By: [Signature]
M.G. Kaminski, its Chief Manager

Bay Holdings, LLC

By: Grove Holdings, Inc., a Minnesota corporation, its Managing Member

By: [Signature]
M.G. Kaminski, its President

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me on February 7, 2005, ~~2004~~ by M.G. Kaminski, the Chief Manager of Boat Works Development Company, LLC, a Minnesota limited liability company, on behalf of Boat Works Development Company, LLC.

[Signature]
Notary Public

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

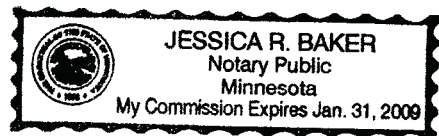


The foregoing instrument was acknowledged before me on February 7, 2005, ~~2004~~ by M.G. Kaminski, the President of Grove Holdings, Inc., a Minnesota corporation, the Managing Member of Bay Holdings, LLC, a Minnesota limited liability company, on behalf of Bay Holdings, LLC.

[Signature]
Notary Public

THIS DOCUMENT DRAFTED BY:

Fabyanske, Westra & Hart, P.A.
Suite 1900
800 LaSalle Avenue
Minneapolis, Minnesota 55402



1 Surface Variance; and Residential Design for Lot 2 at 141 and 155 Central Avenue N – NLD
2 Wayzata LLC. Subject to the following corrections: the title, the two typos: compiled changed
3 to complied and difficult changed to difficulty, and required to requested, and the change in 4.1.b
4 adding the location of the storm water management system. The motion carried unanimously.
5

6 City Planner Gadow stated this would go to the City Council for approval at their May 6
7 meeting.
8

9 Chair Gonzalez clarified the agenda stated this would be a public hearing but the Planning
10 Commission had held a public hearing at the April 7 meeting on this topic.
11

12 City Planner Gadow explained this item was a carryover from the previous meeting so it would
13 still be in this section. Additional clarification can be done for future occurrences.
14

15 **AGENDA ITEM 3. Workshop Items**

16 **a. Introduction of Microbrewery/Taproom Ordinance Concept**

17
18
19 City Planner Gadow stated there has been interest in the community of a group of business
20 owners would like to operate and open a taproom and production facility in the City of Wayzata.
21 They are tentatively looking at space in the Boat Works building. Before this can happen the
22 City needs to decide if they want to change the existing liquor laws to allow for a number of
23 brewery production type facilities. If this continues to move forward it would be brought to the
24 Planning Commission as a Zoning Ordinance amendment or change to the City Code to change
25 the liquor ordinances to create space for a microbrewery or taproom and if the applicant moves
26 forward with the space at the Boat Works building an amendment to the existing PUD would
27 need to be requested by the applicant. He provided a couple of example ordinances from
28 Excelsior, Minnetonka, and Hopkins for the Planning Commission to review and consider. The
29 all operate under the theme in that they delineate the type of microbrewery operation that may or
30 may not be permitted in a particular city. They run the gambit from a brewpub to a strict
31 production facility. He explained a brewpub is a microbrewery with a restaurant attached to it
32 and a taproom is a facility where they brew a certain amount of product on site that is sold per
33 glass or growler. He stated once the ordinance is in the process of being drafted then the
34 Planning Commission could get into determining what may or may not be appropriate.
35

36 Commissioner Pearson clarified this would be a two-step process that would include an
37 amendment to the ordinance and an amendment to the PUD. He asked if the ordinance would
38 come before the Planning Commission for comment.
39

40 City Planner Gadow stated if the City's liquor laws are duly changed this would be part of the
41 general City Code and would not necessarily come back to the Planning Commission but Staff
42 would want to make sure the Commission is aware of how this change would affect the City's
43 Zoning. In addition to changing their general City Code, other cities have added additional
44 language to their zoning ordinances and these would be brought back to the Planning
45 Commission.
46

1 Commissioner Tyacke expressed concerns about the public safety aspect with the parking, the
2 beach, and the railroad crossing. He stated these things need to be reviewed in the context of the
3 PUD amendment.

4
5 City Planner Gadow stated this would be good feedback to provide to the applicant so they have
6 an opportunity to address these concerns and questions.

7
8 Chair Gonzalez pointed out some of the parking questions were addressed in the Q&A.

9
10 City Planner Gadow stated one of the things the applicants are looking at is a valet parking
11 option for the site so that they could park cars in a space rented from a third party. Once a
12 formal application is made then Staff will spend time looking at exactly what the parking
13 situation would be.

14
15 Commissioner Tyacke stated the public safety with the railroad crossing would be getting
16 emergency vehicles to the site and the trains can be long. The area is almost inaccessible during
17 certain times and this is troublesome to him. He also stated the City has a muni and he is
18 troubled by the fact that the City relies on this muni as a source of income for the City and this
19 would bring in a competing business.

20
21 City Planner Gadow clarified Commissioner Tyacke was concerned that this would be allowing
22 another business to compete against the muni in terms of alcohol sales.

23
24 Commissioner Tyacke stated the City does not allow private liquor stores and this would be
25 allowing a private business to make and sell alcohol in the City. This is conceptually
26 inconsistent.

27
28 City Planner Gadow stated if this application were to go forward Staff would be looking at how
29 these potential changes would interact with the City's existing ordinances and municipal
30 operations. He stated the amount of beer purchased at a taproom would be similar to what would
31 be purchased at a restaurant.

32
33 Commissioner Iverson stated this is an opportunity for the City to look at some additions to the
34 lakefronts. She stated she understood the concerns brought up and the City has a lot of work to
35 do to determine what this would mean for the City. She stated she would like to get some
36 feedback from Excelsior and other cities regarding their successes and failures with this type of
37 business in order to better understand it.

38
39 City Planner Gadow clarified the Planning Commission is not being asked to make any decisions
40 regarding this at this meeting. He was introducing the idea and topic to the Planning
41 Commission so they would be aware and to determine where additional work would be needed.

42
43 Commissioner Iverson stated there is potential to draw new people into the City because people
44 do like to tour the different breweries in the Twin Cities.

1 Chair Gonzalez stated it is wonderful that the City gets funding from the muni operation but this
2 is a free market country and the City needs to be willing to accept some competition.

3
4 Commissioner Pearson agreed with Chair Gonzalez. He stated the Q&A states the aroma from a
5 brewery is similar to a fresh bread or malt-o-meal production. He stated malt-o-meal production
6 smells terrible so he suggested removing this reference.

7
8 City Planner Gadow stated the same comment came up at the City Council workshop. He stated
9 scrubbers could be installed to mitigate some of the smell and odor. He stated Staff would talk
10 with other communities regarding the smell and what they have done to mitigate it.

11
12 Chair Gonzalez asked if there would be safeguards in place to prevent any type of explosions.

13
14 City Planner Gadow stated a brewery needs to get City and State licenses and the equipment
15 needs to meet the established standards and there are redundancies within the system to deal with
16 the types of things that could potentially cause an explosion.

17
18 Commissioner Vanderheyden stated he had come up with nine (9) different descriptions for
19 firms like this. He stated he tried to segment these based on the attributes each. He stated it
20 would be helpful to have a matrix to show these attributes. He stated he would like to act on
21 behalf of the City and take a more strategic view for the City. He asked if there could be a zone
22 within the City where this would not be a conditional use or planned unit development to have a
23 microbrewery. They would not be selling the product from there just brewing it.

24
25 City Planner Gadow stated the City does not have any industrial parks so it would have to be a
26 permitted use in an appropriate commercial district. You would be making a distinction between
27 a production facilities vs. a wholesale facility vs a taproom.

28
29 Commissioner Vanderheyden asked if this particular application were approved if the next
30 person who wanted to open a taproom in Wayzata has to go through the same exception process.

31
32 City Planner Gadow stated it would be an option to set up the types the City felt would be
33 appropriate to be permitted uses. This would trigger a building permit only. Most communities
34 have established these as conditional uses or require a planned unit development. It is up to the
35 City to determine how they would like to have this set up.

36
37 Chair Gonzalez stated it could be a permitted use in a certain zone but as a conditional use in
38 other zones. She stated the City has an adult uses ordinance and it is restrictive on where these
39 businesses can operate. This could be used as a model to limit where a microbrewery could go.

40
41 City Planner Gadow explained those type of ordinances are set up to limit a particular use so that
42 it is not close to a school or church.

43
44 Chair Gonzalez stated the Commission could consider having this type of facility a certain
45 distance from a residential area.

1 Commissioner Vanderheyden asked if the City limits liquor licensing from the stand point of, if
2 a new restaurant opens they would need to apply for a liquor license. He asked if the City had a
3 cap on the number of these types of licenses they could issue.

4
5 City Planner Gadow stated not at this time. He stated there is a cap on the number of bars but
6 not on the number of liquor licenses that could be issued for restaurants.

7
8 Commissioner Vanderheyden asked what the definition difference was between a bar and a
9 restaurant. City Planner Gadow stated it is a set percentage of revenue must be from food to be
10 classified as a restaurant.

11
12 Commissioner Vanderheyden asked if there would be any limits around taprooms or
13 microbreweries. City Planner Gadow stated this was a question that came up with the City
14 Council. There are several options for this including limiting the number that could be located in
15 town or they can only be in certain zoning districts. This is something that can be looked at
16 more closely when the ordinance is drafted.

17
18 Commissioner Vanderheyden stated there is sensitivity around the topic of food in the State
19 laws. He asked why there is a concern about food in relation to breweries.

20
21 City Planner Gadow stated it is driven from State Statute to differentiate between a brewpub
22 facility and a taproom facility. The brewpub has the restaurant as part of the facility and a
23 taproom is a production facility only and they have a third party that provides food. He stated
24 the applicant would have a close proximity to the new restaurant in the Boat Works building but
25 they are also open to working out a deal with other food vendors in town. He explained there are
26 other locations that are close to restaurants that allow patrons to bring food into the
27 establishment. This is a direction this applicant is moving toward because they do not want to
28 limit choices.

29
30 Chair Gonzalez stated is worries her when alcohol is served with no food.

31
32 Commissioner Vanderheyden stated he had gone to a public house and they required patrons to
33 have food. You could not drink in the establishment without food.

34
35 Commissioner Iverson stated a matrix would be helpful. The City wants to make sure the right
36 limitations are established while still being open for growth for the community

37
38 Chair Gonzalez suggested the starting point for the ordinances should be the State Statutes.

39
40 City Planner Gadow stated this would be where they would start. He stated Staff would get
41 started on a matrix and pose the questions regarding safety to the potential applicant and parallel
42 to that start thinking strategically about how the various options could work in the City so if a
43 formal application comes forward they would be prepared.

44
45 Chair Gonzalez suggested the ordinance say they shall comply with the established design
46 standards.

City Planner Gadow stated nothing would change as far as design with these changes.

Chair Gonzalez stated the City also has an ordinance that deals with parking and this should be applied to this potential application and/or business type.

City Planner Gadow stated this is one area that could use additional clarity because the ordinance does not have a definition of a microbrewery and the parking implications of a microbrewery. He stated Staff would look at other codes to use those as a starting point for the parking. He stated he did not know when this would be brought back to the Planning Commission for additional workshop discussion.

Chair Gonzalez asked the Planning Commission if this would be a good idea for Wayzata.

Commissioner Pearson stated it is a good idea and it brings a different market and people to the community.

Commissioner Tyacke stated he had heard that an establishment like this might be located at the Meyer Brothers site but that was not feasible. He asked if this would be a different applicant than the one for 6 Smith Restaurant.

City Planner Gadow stated it is a different applicant and entity. It may establish an informal relationship with 6 Smith but they are separate.

AGENDA ITEM 4. Other Items.

a. Review of Development Activities

City Planner Gadow stated the next Planning Commission meeting is scheduled for May 5. At 6:00 p.m. there would be a joint workshop with the City Council and the regular meeting at 7:00 p.m. At this time the application that is on the schedule are a couple of variances and a CUP for the redevelopment of a substandard lot at 520 Ferndale Road West.

b. Other Items

Commissioner Pearson stated he had watched the last City Council meeting. The Council discussed concepts for the East Lake Street/Eastman Lane corridor landscaping. The five concepts were brought down to one and there seemed to be some general approval with where it was going. The Council reviewed a telecom compound proposal and decided to move ahead with another consultant study of improvements to the existing site on a 4-1 vote.

City Planner Gadow stated this was to look at options to improve the existing facility that doesn't preclude the City from deciding in the future to relocate things to a different site in town or if they wanted to just make the changes to the existing facility.

Commissioner Pearson stated one Council member was prepared to move forward with repairs to the existing site. He stated the Council also had discussions on the outdoor dining development agreement, Cru. There were some changes made to the development agreement that were

**WAYZATA PLANNING COMMISSION
MEETING MINUTES - DRAFT
MAY 19, 2014**

AGENDA ITEM 1. Call to Order, Roll Call and Approval of Minutes.

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

Present at roll call were Commissioners: Vanderheyden, Pearson, Tyacke, Ramy, Gnos and Iverson. Absent and excused was: Chair Gonzalez. City Planner Gadow and was also present.

City Planner Gadow stated the minutes to be reviewed are for May 5, Joint City Council and Planning Commission meeting.

Vice Chair Iverson suggested line 31 lists the 2014 priorities for the Planning Commission and she would like these items to be included in the agendas.

Commissioner Pearson made a motion, Seconded by Commissioner Ramy, to approve the May 5, 2014 Joint City Council and Planning Commission minutes as presented. The motion carried unanimously.

Vice Chair Iverson asked if there were any corrections to the May 5, 2014 regular Planning Commission meeting.

Commissioner Tyacke stated on page 2, line 26 suggested changing the wording to "by whom they were approved by," on page 3, line 44 change "zone" to "zoning," on page 8, line 14 change "legal recommendation" to "legal question," on page 8, line 40 change "they" to there are" and on page 9, line 21 should be "Rice Street."

Commissioner Vanderheyden asked the tape be checked for page 6, line 24.

Commissioner Vanderheyden made a motion, Seconded by Commissioner Gnos, to approve the May 5, 2014 regular Planning Commission minutes as amended above. The motion carried unanimously.

AGENDA ITEM 2. Workshop Items:

a. Microbrewery/Taproom/Micro-Production Ordinance Discussion

City Planner Gadow stated the Planning Commission had discussed microbreweries and taprooms and the possibility of making modifications to the existing ordinances at the workshop in April. He stated the Commission would also need to discuss ordinance changes to determine how other facilities in this general category, such as microwinery and microdistillery, would be affected. Staff had been asked to put together a matrix to compare the different types of businesses models that could be included in this general category including brewpubs, micro-production, microdistillery, those facilities that can sell off-sale and those that can sell growlers

1 (a specially designed and sealed sixty four (64) ounce container for beer for off-site
2 consumption). He asked if there were other items the Commission would like included in the
3 matrix. He explained the matrix would be used in drafting the ordinance the Planning
4 Commission would review.

5
6 Commissioner Ramy asked if there was a State Law or State Statute that prohibits a community
7 that operates a municipal liquor store from allowing any other off-sale establishments.

8
9 City Planner Gadow explained the statute prohibits the community from having another off-sale
10 bottleshop. It would not prohibit the city from having a brewery in the community that offers
11 off-sale growler sales. The microbrewery would only be able to offer the beer that is produced at
12 that facility. There was not as much information available on the microwinery or microdistillery
13 because they are still new. They can provide samples but they cannot sell the product for on-
14 site. He did not see anything for off-sale for these types of establishments.

15
16 Commissioner Tyacke stated according to the American Brewers Association 1,000 barrels of
17 beer is equal to 330,000 12-ounce beers or 13,750 cases of beer.

18
19 Mr. Cavanaugh, Wayzata Brew Works, LLC, stated a barrel is 31 gallons. He explained a keg
20 that you purchase at the Muni is equal to a half barrel.

21
22 City Planner Gadow explained a brewpub, which is a brew facility with a restaurant associated
23 with it, could sell their products from their facility only as a growler. They would not be able to
24 have their product sold in bottle shops.

25
26 Vice Chair Iverson asked what would happen if they wanted to establish a relationship with the
27 Muni.

28
29 City Planner Gadow stated they would not be able to sell their products through the Muni if it
30 was a brewpub but a microbrewery could sell kegs to the Muni who could serve them.

31
32 Mr. Cavanaugh clarified they are requesting consideration of a microbrewery not a brewpub.

33
34 Vice Chair Iverson asked what the "shelf life" would be for a growler.

35
36 City Planner Gadow stated once opened they are good for about two (2) days and if it is not
37 opened, it would be about a week.

38
39 Commissioner Pearson stated the Planning Commission would not be involved in the liquor
40 portion of the ordinance but it would be in the development or zoning portion of the ordinance.
41 There is no point in discussing the policy merits of things that are strictly liquor ordinance that
42 are not within the purview of the Planning Commission.

43
44 City Planner Gadow stated the Planning Commission would be involved in those areas that
45 would cross reference the zoning with the ordinances. The change is ultimately in the purview

1 of the City Council but the Planning Commission should provide some input because this
2 impacts the land uses and zoning ordinances.

3
4 Commissioner Tyacke asked if the Planning Commission would be able to set the number of
5 barrels that could be produced.

6
7 City Planner Gadow explained State Statute sets this limit but the City could be more restrictive.

8
9 Commissioner Ramy asked if they would be required to report production levels.

10
11 City Planner Gadow stated he was not sure how the reporting mechanism worked. If this were to
12 be a Planned Unit Development (PUD) the City could require these figures be provided to the
13 City on an annual basis.

14
15 Commissioner Pearson asked what the specific procedure would be for ordinances.

16
17 City Planner Gadow explained this would be treated the same as a development application. The
18 Planning Commission and Staff would work on recommended language that would be voted on
19 by the Planning Commission. The Planning Commission would hold a public hearing and this
20 would be sent to the City Council. The City Council would make the final decision and they
21 could modify the language.

22
23 Vice Chair Iverson asked about the specific property.

24
25 City Planner Gadow explained where the property is located and that it is zoned C3 but they
26 have a planned conditional use permit that would go with the property. Setting aside the changes
27 to the ordinance that would allow a microbrewery a PUD amendment would be needed and this
28 would go through the Planning Commission. When the application is brought forward formally,
29 Staff will provide the original PUD for the Planning Commission to review.

30
31 Mr. Robert Click, Wayzata Brew Works LLC, explained how he got involved in microbrewery
32 and how they found the location for the proposed taproom/production business. He explained
33 they are looking at producing about 1,000 barrels the first year with the highest production being
34 2,500 barrels per year. He explained the concept was to be a "boutique brewery." He provided a
35 video for the Commission to view that showed the concept for the proposed taproom including
36 an outline of some materials used and the layout. He explained the capacity would be
37 approximately 133 people.

38
39 Commissioner Tyacke asked if the boat docks were leased out.

40
41 Mr. Click stated these boat docks are privately owned.

42
43 Vice Chair Iverson asked what would happen if the taproom was successful.

44
45 Mr. Click explained they have established the maximum they have available and what they could
46 do. They would not be able to do more than that.

1
2 Mr. Cavanaugh explained that they would keep a taproom in this location but may look at
3 expanding manufacturing into a less costly warehouse district.

4
5 Mr. Click explained the process of making beer, the products involved and the disposal of the
6 byproducts.

7
8 Mr. Cavanaugh explained in order for a microbrewery to be successful they needed to be
9 creative and the location would provide this for Wayzata Brew Works.

10
11 Commissioner Ramy asked what the total square footage would be.

12
13 Mr. Cavanaugh stated it would be approximately 4,000 square-feet. He explained all deliveries
14 would be off street.

15
16 Mr. Click stated a typical delivery would be four boxes of grains every week and brewing would
17 be 2-days per week.

18
19 Commissioner Gnos asked if the approximate seating of 133 was inside only.

20
21 Mr. Click stated the seating of 133 people would be inside and they are hoping for 15-20 seats
22 outside.

23
24 Commissioner Pearson asked what the success rate would be for this type of business.

25
26 Mr. Click stated currently they are doubling and tripling in size. This is proposed to be a
27 destination brewery.

28
29 Mr. Cavanaugh stated they do not view this as a fad but rather a long-term partnership.

30
31 Mr. Click explained they would encourage people to bring food into their establishment and
32 would have menus available for local places. He stated the restaurant that is located here has
33 provided a special menu for their customers. They would not be in competition.

34
35 Vice Chair Iverson asked if these would be considered different demographics for the restaurant
36 and the taproom.

37
38 Mr. Click stated they could be considered the same in several aspects but also very different.

39
40 Vice Chair Iverson asked if the Wayzata Brew Works had a master brewer.

41
42 Mr. Click stated they did have a master brewer.

43
44 Commissioner Tyacke asked if they had applied for their State Brewer License.

1 Mr. Click stated they had applied at the Federal level and the State level. They are halfway
2 through the 100-day Federal process.

3
4 Commissioner Tyacke asked if this included wholesale.

5
6 Mr. Cavanaugh stated this would depend on the restaurants and anywhere else they can. They
7 are hoping to establish this as a destination and have a large volume of traffic.

8
9 Mr. Click explained any wholesales would be for kegs only.

10
11 Commissioner Pearson asked if they would need a license to sell kegs at the Muni.

12
13 Mr. Click stated he was not sure at this time.

14
15 Commissioner Gnos asked if they would be able to sell direct or if they needed to go through a
16 wholesaler.

17
18 Mr. Click stated they could sell growlers direct.

19
20 Vice Chair Iverson asked if the Wayzata Brew Club had planned for boat traffic in their plans.

21
22 Mr. Click stated because these are private docks this was not the focus of the plan. They do not
23 have any boat traffic specifically but they expect people would find them. He stated long-term
24 vision would be that people would be able to come and park their boat and enjoy the taproom.

25
26 Commissioner Tyacke stated the hours of operation were from 5:00 p.m. to evening. He asked if
27 this was accurate.

28
29 Mr. Click stated the hours were expected to be typical microbrewery hours from about 4:00 p.m.
30 to about 12:00 p.m. with slight variations depending on the day of the week and the season.

31
32 Commissioner Tyacke expressed concerns about parking in this area.

33
34 Mr. Click stated the hours they would be operating counter the hours of the office building so
35 those parking spaces would be available. Randy Stanley, of 6 Smith Restaurant (a tenant in the
36 Boatworks building), will have a dedicated valet for them and there are plans for the building to
37 lease additional parking space from TCF.

38
39 Commissioner Ramy asked what the client demographics were for the proposed microbrewery.

40
41 Mr. Click explained microbreweries have a wide demographic from young to older. They are
42 also planning to have several bike racks available and water dishes for pets in order to draw
43 these groups as well.

44
45 Vice Chair Iverson asked City Planner Gadow what the Planning Commission should discuss in
46 order to help Wayzata Brew Works prepare for a formal application.

1
2 City Planner Gadow stated tonight's meeting was an informational meeting for the Planning
3 Commission. He stated if there are things that have not been discussed that the Planning
4 Commission would like to see more detail on now would be the time to ask for that information
5 to be included in the formal application. He suggested asking for a specific plan addressing the
6 parking concerns. The formal application will include the design information including where
7 the bike racks will be located and what the outdoor patio space would look like.

8
9 Commissioner Tyacke asked how the impact of the railroad traffic would be assessed.

10
11 Mr. Click stated there are lights at this crossing and there has not been any issues in this location.
12 There is no arm by Sunset and this would be helpful.

13
14 Vice Chair Iverson suggested signage in the building.

15
16 Commissioner Gnos asked what the time line would be for this project.

17
18 Mr. Cavanaugh stated he started in November 2013. There are many steps and processes to get
19 through. They are expecting equipment in June and they are waiting for local and Federal
20 approvals. Construction will only be about a month.

21
22 Commissioner Vanderheyden stated he struggles with the concept of having food in direct
23 proximity, which in essence gives a competitive advantage to a liquor only establishment. He
24 asked how this establishment could be reconciled with the current ordinances.

25
26 Commissioner Pearson stated there are no rationalities when looking at state and municipal
27 liquor laws.

28
29 Mr. Cavanaugh suggested the ordinances were trying to encourage brew making, manufacturing,
30 bottling, and shipping it off site. A lot of breweries started out this way, not thinking of a
31 taproom as a business opportunity. Breweries have figured out that they can make money by
32 selling their products on site. He stated Wayzata is a municipal town and growler sales will be
33 different. It has been done in other municipal cities.

34
35 Commissioner Vanderheyden stated he liked the definition for microbrewery/ microdistillery/
36 microwinery provided in the handout on page 3-14, the third bullet "a facility in which beer,
37 wine, or other alcoholic beverages are brewed, fermented, or distilled for distribution and
38 consumption, and which possesses the appropriate license from the State."

39
40 Mr. Click explained they would like to do other types of distilling and soda making in the future.

41
42 Vice Chair Iverson suggested the formal application address outdoor storage, screening
43 requirements and waste disposal.

44
45 Mr. Cavanaugh stated they would be keeping everything inside the building. The used grains
46 would be given to local farmers.

Commissioner Tyacke asked if the barley would be malted on site.

Mr. Cavanaugh stated they would be purchasing pre-malted barley.

City Planner Gadow stated the next steps would be to work with the applicants on a formal application. He will be sure to let the Planning Commission know when there are pieces of the ordinance that affect them so they have an opportunity to provide input.

AGENDA ITEM 3. Other Items.

a. Review of Development Activities

City Planner Gadow stated the next Planning Commission meeting is scheduled for June 2. There are two (2) applications scheduled for this meeting, one is the PUD amendment for Wayzata Community Church for a phased redevelopment of their property as it relates to parking and a small expansion; and the other is variance application for an addition for an existing home at 312 Hampton Street. The second meeting in June will include a Shoreland CUP for a new single-family residential structure on Rice Street; and a five (5) lot subdivision of two (2) residential properties north of Anchor Bank.

Commissioner Tyacke asked if the developer for the five (5) lot subdivision was the same developer who was recently in for a three lot subdivision.

City Planner Gadow stated this is a separate land owner.

b. Other Items

Commissioner Vanderheyden reported on the activities from the last City Council meeting.

City Planner Gadow stated he had discussed the question raised by Commissioner Tyacke regarding the property at 532/520 Ferndale with the City Attorney. There is an exception clause in this statute that if a property meets the exception clause they do not have to combine the property.

AGENDA ITEM 5. Adjournment.

There being no further business, Commissioner Vanderheyden made a motion, seconded by Commissioner Pearson, to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Tina Borg

TimeSaver Off Site Secretarial, Inc.

Chair Gonzalez stated she would be more willing to recommend approval if there were justification for the variance for a private road due to the hardship the surrounding neighborhoods would have due to a public road.

Commissioner Iverson asked where guests would park if this were a private roadway.

City Planner Gadow stated unless this were a public road it would be signed no parking and the City would work with the Applicant to resolve potential parking problems.

Commissioner Pearson made a motion, Seconded by Commissioner Tyacke to continue the discussions to the next available meeting and to direct Staff and the Applicant to review and address the questions and concerns brought up by the Planning Commission and additional information for the Planning Commission to develop findings of fact as outlined during the meeting. The motion carried 6-0.

Chair Gonzalez recessed the meeting at 8:53 p.m.

Chair Gonzalez reconvened the meeting at 9:00 p.m.

b. 294 Grove Lane – Wayzata Brew Works LLC and Boatworks II LLC

i. Amendment to PUD/CUP to allow microbrewery and taproom facility

ii. Review draft ordinance regarding Micro-Production Facilities and Taprooms/Tasting Rooms

City Planner Gadow stated Boatworks II LLC and Wayzata Brew Works LLC have submitted an application for approval of an amendment to an existing Planned Unit Development (PUD)/Conditional Use Permit (CUP) to allow the operation of a microbrewery and taproom facility at 294 Grove Lane. As part of the submitted application, the Applicant is requesting approval of the an Amendment to existing PUD to implement a proposed expansion of the Property under Section 801.33.9, a Site Plan Review under Section 801.22, and a Review and Approval of an Ordinance to allow Micro-production Facilities and Taprooms/Tasting Rooms. If the City allows Micro-Production facilities then an amendment to the City's General Ordinance, as it relates to liquor laws, to establish a licensing procedure and process for these types of applications would need to be reviewed. He reviewed the building layout and proposed project. He explained the Applicant has reconfigured the layout to allow for trash receptacles to be housed inside the building. He reviewed the parking study and plans for parking for the site. He clarified the hours of operation would be approved separate. He reviewed the potential changes to the Ordinance that the Planning Commission could consider. He stated the Planning Commission will need to consider if the operation of a micro-production facility would be a permitted or conditional use for the various zoning districts in the City. He stated he would recommend a conditional use in certain districts in the City.

It was the Consensus of the Planning Commission to designate micro-production facilities as a conditional use.

1 Commissioner Iverson asked what the long-term use was for the dirt lot used for valet parking at
2 the facility.

3
4 City Planner Gadow stated at this time he did not know. If it were redeveloped then a set number
5 of parking spaces would need to be set aside as part of the agreement with the City.

6
7 Commissioner Tyacke asked how Bay Holdings LLC was related to Boatworks II LLC.

8
9 City Planner Gadow stated when Boatworks LLC purchased the property all of the Development
10 Agreement requirements and conditions transferred to the new owner of the property.

11
12 Commissioner Tyacke asked if the off street parking, as outlined in Section 801.20.5 of the
13 Parking Ordinance, was being met.

14
15 City Planner Gadow stated the Boatworks site had access to 202 parking spaces within near
16 proximity of the building and this meets the requirements. Staff is satisfied they meet the
17 parking requirements.

18
19 Chair Gonzalez asked if this could be considered manufacturing and she asked if this would be
20 included in the City's definition of commercial in the City's Comprehensive Plan.

21
22 City Planner Gadow stated the City does not have a definition for industrial in the
23 Comprehensive Plan.

24
25 Chair Gonzalez asked if the City has reviewed the water usage for this facility.

26
27 City Planner Gadow stated the Applicant would speak to this. They were asked for a flow
28 analysis for the Lift Station located in this area to ensure that it has the capacity to handle these
29 new facilities. The Utilities Superintendent will review this information when it is available.

30
31 Commissioner Vanderheyden expressed concerns about the patio being so close to the sidewalk
32 and he clarified that all building garbage would be contained inside the building.

33
34 Mr. Cavanaugh, Brew Works LLC, 294 Grove Lane, Wayzata, stated it was his understanding
35 that there would be an interior location for garbage from their location and the restaurant that
36 will also be added. The patio is no closer to the boardwalk than the one located at 6 Smith. The
37 difference is theirs would be at a higher elevation. Their patio is higher than the boardwalk.

38
39 Commissioner Pearson asked for an explanation of the mitigation that will be done to reduce the
40 odors.

41
42 Mr. Robert Klick, Brew Works LLC, 294 Grove Lane, Wayzata, stated the brewing hours would
43 be early morning and the chimney will be on top of the roof and the odor would not be any more
44 than the surrounding restaurants. They would be brewing for 2-3 days a week for about 1 hour
45 per batch and they would do 2 batches a day.

1 Commissioner Tyacke asked if the “growlers” were recyclable.

2
3 Mr. Klick stated these were 64 oz glass jugs that were recyclable. They would collect a deposit
4 of them and they could be brought back in to be refilled or exchanged. They are etched glass
5 and say Wayzata.

6
7 Mr. Cavanaugh stated it takes about 3-gallons of water to make 1-gallon of beer. A lot of the
8 water is used for cleaning and they do plan on recycling as much of the water as possible.

9
10 City Planner Gadow stated the City does have the capacity to handle the increased usage for
11 production but they are waiting to get additional information for the flow analysis for the Lift
12 Station.

13
14 Commissioner Iverson stated that particular Lift Station is noisy. She asked if the increase flow
15 would cause this station to run longer.

16
17 City Planner Gadow stated he would check into this.

18
19 Chair Gonzalez stated on page 2 of the draft ordinance it states a winery is a facility operated by
20 the owner of the farm. She asked if this was from State Statute.

21
22 City Planner Gadow explained this is how it has been defined in other municipal statutes and
23 ordinances and the State Statute.

24
25 Commissioner Vanderheyden suggested removing the language requiring owning a farm to
26 operate a winery.

27
28 City Attorney Schelzel suggested directing Staff to remove this language if permissible
29 according to State Statute.

30
31 Commissioner Iverson stated the language for #8 regarding garbage was a little loose.

32
33 City Planner Gadow stated this was common language in other ordinances in the City. This can
34 be set as a discussion point for the City Council.

35
36 It was the consensus of the Commission to leave the existing language for item #8 regarding
37 screening garbage.

38
39 Commissioner Tyacke clarified the required City and State licenses would be required for them
40 to operate but Federal license should be added.

41
42 Commissioner Vanderheyden stated requiring “no odor beyond the property line” was a high
43 standard.

44
45 City Planner Gadow stated if there is alternative language he would be open to this.

1 City Attorney Schelzel stated the City should consider what they want to enforce. If there were
2 significant complaints this language would give the City the ability to enforce if there real issues.

3
4 Commissioner Pearson stated the defined terms should be either capitalized or not throughout
5 the ordinance and the State does not capitalize.

6
7 Chair Gonzalez asked if there were any plans to serve food.

8
9 Mr. Cavanaugh stated food can be brought in and they will have a partnership with other
10 restaurants but they would not be making any food at this facility.

11
12 Chair Gonzalez opened the public hearing at 9:55 p.m.

13
14 Mr. Jason Markkula, 16603 Holdridge Road, Wayzata, stated he owns a brewery in Hendricks
15 and he supports opening one in Wayzata.

16
17 Chair Gonzalez closed the public hearing at 9:56 p.m.

18
19 Commissioner Vanderheyden made a motion, Seconded by Commissioner Pearson to direct staff
20 to prepare a report and Planning Commission recommendation with appropriate findings to
21 reflect comments received recommending approval for review and adoption at the next Planning
22 Commission meeting of draft ordinance #746 regarding Micro-Production Facilities and
23 Taprooms/Tasting Rooms. The motion carried unanimously.

24
25 Commissioner Tyacke asked if the amendment to the PUD/CUP would be binding to both the
26 Applicant and the property owner.

27
28 City Planner Gadow stated it would be binding to the property owner and as it applies to the
29 applicant but it would be recorded against the property.

30
31 Commissioner Iverson suggested the Applicant verify the outdoor seating is in alignment with
32 the other patio seating.

33
34 Commissioner Tyacke asked if there would be signage for the facility.

35
36 City Planner Gadow showed the sign over the door and any other signage would be handled
37 through the City's signs ordinance.

38
39 Chair Gonzalez suggested adding a condition that the Utility Superintendent reviews the flow
40 analysis provided by the Applicant prior to permits being issued.

41
42 Commissioner Vanderheyden made a motion, Seconded by Commissioner Pearson to direct staff
43 to prepare a report and Planning Commission recommendation with appropriate findings to
44 reflect comments received recommending approval for review and adoption at the next Planning
45 Commission meeting for the amendment to the PUD/CUP to allow microbrewery and taproom at
46 294 Gove Lane and the site plan. The motion carried unanimously.



WAYZATA PLANNING COMMISSION

July 21, 2014

**REPORT AND RECOMMENDATION ON AN ORDINANCE AMENDING THE
WAYZATA ZONING ORDINANCE TO ALLOW MICRO-PRODUCTION FACILITIES
AND TAPROOMS/TASTING ROOMS AS CONDITIONAL USES**

RECOMMENDATION

APPROVE

REPORT

Section 1. BACKGROUND

- 1.1 General. On March 20, 2014, the City of Wayzata received a written request as part of a development application from Wayzata Brew Works, LLC (the "Applicant") to amend the City's Ordinances to allow micro-breweries and associated taprooms within the City. In response to the Applicant's request and the information gathered at a City Council workshop on April 15, 2014, and Planning Commission workshops on April 24 and May 19, 2014 on the matter, staff prepared a draft ordinance amendment attached to this Report as Attachment A (the "Proposed Amendment") to allow micro-breweries and other similar micro-production facilities and taprooms/tasting rooms through a Conditional Use Permit (CUP) process in business and commercial districts of the City only, subject to applicable federal, state, and city laws.

The Proposed Amendment application is in conjunction with the Applicant's application for a Planned Unit Development (PUD) Amendment to utilize the Boatworks Building at 294 Grove Lane as the site of a proposed new brewery and taproom. In addition to the Proposed Amendment, the City will also review a proposed amendment to the City's Liquor Ordinance (Chapters 502-504) to

establish a licensing process for regulating micro-production facilities and taprooms within the City.

- 1.2 City Council Workshop. The City Council held a workshop with the Applicant to receive information about the proposed micro-brewery operation on April 15, 2014.
- 1.3 Planning Commission Workshop. The Planning Commission begin their review of a potential amendment to the Zoning Ordinance on April 24, 2014 and met with the Applicant in a workshop on May 19, 2014 to receive information about the proposed micro-brewery operation.
- 1.3 Public Hearing. The Planning Commission held a public hearing on the Proposed Amendment on July 7, 2014. The Notice of Public Hearing was published in the *Sun Sailor* on June 26, 2014.

Section 2. LEGAL AUTHORITY AND STANDARDS

- 2.1 City Council has the discretion and authority under state law and City Code to amend the City's Zoning Ordinance. Minn. Stat. Section 462.357; Wayzata City Code Section 801.03. A zoning ordinance amendment may be initiated by the governing body, the planning agency or by a property owner. Minn. Stat. Section 462.357, Subd. 4; City Code Section 801.03.
- 2.2 Under the City's Zoning Ordinance, the City Council acts on any proposed amendment upon receiving the report and recommendation of the Planning Commission. Section 801.03.2. In considering a proposed amendment to the Zoning Ordinance, the Planning Commission shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:
 1. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
 2. The proposed use's conformity with present and future land 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 value in the area in which it is proposed.

6. Traffic generation by the proposed use 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.

Wayzata City Code Section 801.03.2.F.

Section 3. Findings

- 3.1 Based on the Application materials, reports of City Staff, and comments and information presented at the workshops and Public Hearing on the Application, the Planning Commission of the City of Wayzata makes the following findings with respect to the Application:
 1. The Applicant provided the required written request and application materials to initiate the Zoning Amendment process under Section 801.03.
 2. The Proposed Amendment would not allow a use that would contravene any specific policies and provisions of the official City Comprehensive Plan, and would support community values and implement ideas reflected in the City's Lake Effect Framework Plan.
 3. The Proposed Amendment would only allow a use that would conform to present and future land uses in the City's business and commercial districts. All requests for Micro-production Facilities and Taprooms/Tasting Rooms would be reviewed and regulated through a Conditional Use Permit process.
 4. The Proposed Amendment would not allow a use that would fail to conform with the performance standards contained in the Zoning Ordinance (parking, loading, noise, etc.).
 5. The Proposed Amendment would not allow a use that would have a negative impact on the areas in which it is proposed. The proposed use is a conditional use for the City's business and commercial districts only, and all requests for the use would be regulated through a Conditional Use Permit process to address site specific concerns.
 6. The Proposed Amendment will not have an impact upon property values in the City. The proposed use is a conditional use for the City's business and commercial districts only, and all requests for the use would be

regulated through a Conditional Use Permit process to address site specific concerns.

7. The Proposed Amendment will not allow any use that would have a negative impact traffic generation in the City. The Proposed Amendment includes specific parking requirements for the proposed conditional uses.
8. The Proposed Amendment will not allow a use that would negatively impact existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity. All requests for Micro-production Facilities and Taprooms/Tasting Rooms would be regulated through a Conditional Use Permit process to address site specific concerns.

Section 4. Recommendation

- 4.1 Proposed Amendment. Based on the Findings of this Report, the Planning Commission recommends that the Proposed Amendment, as set forth in Attachment A, be **APPROVED**.

Adopted by the Wayzata Planning Commission this _____ day of July, 2014.

Chair, Planning Commission

Attachment H

Attachment A

Proposed Amendment (Draft Ordinance 746)

**CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA**

DRAFT ORDINANCE NO. 746

**AN ORDINANCE AMENDING WAYZATA'S ZONING ORDINANCE TO ALLOW
MICRO-PRODUCTION FACILITIES AND TAPROOMS/TASTING ROOMS AS
CONDITINAL USES**

THE CITY OF WAYZATA ORDAINS:

1.1 In accordance with the Report and Recommendation of the Wayzata Planning Commission dated July 21, 2014, the City Council of the City of Wayzata, hereby amends Chapter 801 of the City Code as follows:

A. Section 801.02.2 (Definitions), is amended to include the following new definitions:

Micro-production Facility: A facility in which beer, wine, or other alcoholic beverages are brewed, fermented, or distilled for distribution and consumption. Micro-production facilities include breweries, wineries and distilleries.

Taproom (Brewery): An area for the on-sale consumption of malt liquor produced by the brewer for consumption on the premises of a brewery. A taproom may also include sale for off-premises consumption of malt liquor produced at the brewery location or adjacent taproom and owned by the brewery for off-premises consumption, packaged subject to Minnesota Statute 240A.301, subdivision 7(b), or its successor.

Tasting Room (Winery/Distillery): An area for the on-sale consumption of distilled spirits or wine produced on the premises of one winery or one distillery and in common ownership to the producer of the wine or distilled spirits.

Growler: A specially designed sixty four (64) ounce beer container for exclusive off-sale of micro-production facility beer. A growler shall have the following packaging requirements:

- i. Growlers shall bear a twist-type closure, cork, stopper or plug.
- ii. At the time of sale, paper or plastic adhesive band, strip, or sleeve shall be applied to the container and extended over the top of the closure, forming a seal.
- iii. The growler and/or band, strip or sleeve shall bear the name and address of the brewer, and the container shall be identified

Attachment H

as malt liquor, contain the name of the malt liquor, and shall be considered intoxicating liquor unless labeled otherwise.

Malt Liquor: Any beverage made from malt by fermentation and containing not less than one-half of one percent alcohol by volume.

Distillery: A facility that produces Ethyl Alcohol, hydrated oxide of ethyl, spirits of wine, rum, brandy, gin, or other distilled spirits, including all dilutions and mixtures thereof, for non-industrial use. A distillery may include a tasting room.

Winery: A facility operated by the owner of a Minnesota farm and producing table, sparkling, or fortified wines from grapes, grape juice, other fruit bases, or honey with a majority of the ingredients grown or produced in Minnesota. A winery may include a tasting room.

Brewery: A facility that produces for sale beer, ale, malt liquor, or other beverages made from malt by fermentation and containing not less than one-half of one percent alcohol by volume. A brewery may include a taproom.

- B. Section 801.20.15. (Off-Street Parking and Loading), is amended to include the following off-street parking and loading requirements:

GG. Micro-production Facility: One (1) space for each 1,000 sq. ft. of floor area.

HH. Taproom/Tasting Room: One (1) space for each fifty (50) sq. ft. of floor area.

- C. Section 801.76.5. (C-2 Shopping Center Business District); Section 801.77.5. (C-3 Service Commercial District); Section 801.78.5. (C-4 Central Business District); Section 801.79.5. (C-4A Limited Central Business District); and Section 801.80.5. (C-4B Central Business District) are amended to include the following conditional use:

Micro-production facility, provided that:

1. Licensing. The owner of the micro-production facility qualifies for and receives all federal, state and city licenses necessary for the operation of the micro-production facility, including a brewer license and a malt liquor wholesale license (if wholesale of malt liquor is an intended activity); winery license; and/or a distiller's license from the State of Minnesota, according to Minnesota Statutes Section 340A.

Attachment H

2. Taproom/Tasting Room License. An accessory taproom or tasting room for the on-sale of beer, wine, or spirits produced on-site shall require a taproom/tasting room license from the City of Wayzata, according to City Code Section 524.02.
3. Off-sale. On-site sale of beer in the form of growlers shall require a Brewery License for Off-Sale of Malt Liquor, according to City Code Section 524.02. On-site sale of wine or spirits, other than samples as governed under Minnesota State Statutes, shall be prohibited.
4. Production of Beer. Total production of malt liquor shall not exceed 5,000 barrels annually. Micro-production Facilities with a taproom license shall not exceed 3,500 barrels annually, and only 500 barrels may be sold off-sale as growlers. Any micro-production facility operating as a brewery shall annually submit production reports to the City with the request to renew a brewery taproom or off-sale malt liquor license.
5. Production of Wine. Total production of wine shall not exceed 50,000 gallons annually. Any micro-production facility operating as a winery shall annually submit production reports to the City with the request to renew a tasting room or winery license.
6. Production of Spirits. Total production of spirits shall not exceed 40,000 proof gallons annually. Any micro-production facility operating as a distillery shall annually submit production reports to the City with the request to renew a tasting room or distillery license.
7. Off-street Loading. The micro-production facility shall provide adequate space for off-street loading and unloading of all trucks greater than twenty two (22) feet in length. In the absence of off-street loading, the City may impose limits on deliveries or shipments using the public rights of ways, including regulating the number of trucks per day and the hours that deliveries are permitted.
8. Outdoor Storage. No outdoor storage is permitted on the site, with the exception that waste handling (refuse and/or recycling) may occur in an enclosure that is fully screened from adjoining streets and residentially zoned properties.
9. Odors. No odors from the micro-production facility shall be perceptible beyond the property line. The micro-production facility operator shall take appropriate measures to reduce or

Attachment H

mitigate any odors generated from the operation and be in compliance with any applicable Minnesota Pollution Control Standards.

10. Waste. Waste products shall be disposed of in a timely manner and in such a way to reduce odors.
11. Exterior Lighting. All exterior lighting shall be designed in such a way as to have no direction source of light visible from adjacent property, and shall comply with the requirements of Section 801.16.6 of the Wayzata Zoning Ordinance.
12. Parking. Parking supply shall be provided on-site or through off-site arrangement, to avoid street parking on residential streets. Off-site or reduced parking supply shall require separate approval per the requirements of Section 801.20 of the Wayzata Zoning Ordinance, as applicable.
13. Hours of Operation. Micro-production facility operation hours shall be limited to the hours specified in Minnesota Statutes Chapter 340A for off-sale intoxicating liquor unless further limited the City Council as part of a Conditional Use Permit.
14. Other Provisions. The provisions of Section 801.04.2.F of the Wayzata Zoning Ordinance, pertaining to Conditional Use Permit criteria, are considered and satisfactorily met. A micro-production facility shall meet all other applicable performance standards and design requirements in the Wayzata Zoning Ordinance.

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

Adopted this _____ day of _____, 2014.

Mayor Ken Willcox

ATTEST:

Attachment H

City Manager Heidi Nelson

First Reading:
Second Reading:
Publication:



WAYZATA PLANNING COMMISSION

July 21, 2014

REPORT AND RECOMMENDATION OF APPROVAL WITH CONDITIONS FOR
PUD AMENDMENT AND SITE PLAN FOR 294 GROVE LANE

SUMMARY OF RECOMMENDATIONS

1. Approve Amendment to PUD *with conditions*
 2. Approve Site Plan *with conditions*
-

REPORT

Section 1. BACKGROUND

- 1.1 Project. Boatworks II LLC and Wayzata Brew Works LLC (collectively, the “Applicant”) have submitted an application (the “Application”) for approval of a Amendment to an existing Planned Unit Development (PUD) Conditional Use Permit (CUP) (the “PUD Amendment”) at 294 Grove Lane (the “Property”) to allow the operation of a microbrewery and taproom facility (the “Brewery” or the “Project”) as depicted on Attachment A attached hereto.

The Brewery would utilize approximately 5,080 SF of the east wing of the Boatworks building, with 2,810 SF of brewing space, storage and support space, and 2,270 SF of taproom/bar space. In addition, the Brewery would also modify an existing lake side patio. The Brewery proposal would replace 3,183 SF of general office space within the building.

The Application also include a concurrent request for certain amendments to the City’s Zoning Ordinance and General City Code to allow the micro-brewery and taproom operations (the “Proposed Zoning Ordinance Amendments”) which are covered in a separate Report and Recommendation.

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

- A. Amendment to existing PUD under Section 801.33.9 to allow a micro-brewery and taproom facility at 294 Grove Lane (the “PUD Amendment”)
- B. Site Plan approval under Section 801.22 (the “Site Plan”)
- 1.3 Legal Description. The address, property identification number and owner of the property included in the Application (the “Property”) are:

294 Grove Lane East	06-117-22-32-0023	Boatworks II LLC
---------------------	-------------------	------------------

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

	Boatworks Building Parcel
Zoning:	C-3 Service District with Planned Unit Development (PUD)/Conditional Use Permit
Comp Plan:	Central Business District
Total lot size:	134,361 square feet (SF) or 3.08 acres

- 1.5 Notice. Notice of a public hearing on the Application at the July 7, 2014 Planning Commission Meeting was published in the *Sun Sailor* on June 26, 2014. A copy of the notice was mailed to all property owners located within 350 feet of the Property on June 26, 2014.

Section 2. STANDARDS

2.1 PUD Amendment.

- A. Process. Section 801.33.9 of the Zoning Ordinance provides that the same review procedure is followed by the Planning Commission and City Council for an amendment of a PUD permit as is followed for a new PUD. The affirmative majority vote (3 of 5) of the City Council is required for approval of an amendment of a PUD.
- B. General Standards. Section 801.33.2.A of the Zoning Ordinance sets forth the general standards for review of any PUD application. These are:
1. Health Safety and Welfare; Intent and Purpose of PUDs. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on the application.

The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of Section 33 of the PUD Ordinance, it may approve the PUD, although it shall not be required to do so.

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

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

2.2 Site Plan.

Site and construction plans must be submitted to and approved by the Building Official prior to the issuance of any building permit. Except in the case of individual single family uses and minor projects, additions or alterations as determined by the Zoning Administrator and all building and site plans as specified by Section 801.09 of this Ordinance shall be subject to review by the Planning Commission and approval by the City Council. All site and construction plans officially submitted to the City shall be treated as a formal agreement between the building contractor and the City. Once approved, no changes, modifications or alterations shall be made to any plan detail, standard or specifications without prior submission of a plan modification request to the Building Official for his review and approval. City Code Section 801.22.2-4.

Section 3. FINDINGS

The Wayzata Planning Commission has reviewed the Application and makes the following findings:

3.1 PUD Amendment.

- A. Health Safety and Welfare; Intent and Purpose of PUDs. The PUD Amendment (resulting in the "Amended PUD") conforms with the overall intent and purpose of a PUD as outlined in Section 33 of the Zoning Ordinance. One (1) individual spoke in favor of the Project at the Public Hearing. The Planning Commission was generally supportive of the Project, given that it is an innovative use that would add commercial activity to the west end of Lake Street. The main concerns of the Planning Commission with the Amended PUD centered on traffic impacts and public utility systems being appropriately sized to handle the Project. The conditions recommended for approval are intended to address these concerns.
- B. General Standards. The Amended PUD, as presented, satisfies all of the fourteen (14) general standards listed in Section 801.233.2.A and in Section 2.1 of this Report.
 1. Application Complete. The Application contains all of the information and materials required by or requested pursuant to Section 801.33.5.C.
 2. Ownership. All of the property to be included in the Amended PUD is owned by Applicant.
 3. Comprehensive Plan. The proposed Amended PUD conforms with the applicable guidance of, and is consistent with the goals of the Comprehensive Plan.

4. Common Space. The Amended PUD would provide sufficient common private or public open space and facilities.
5. Landscaping. Landscaping in the Amended PUD would be according to a detailed plan approved by the City Council.
6. Health, Safety, and Welfare. Provided the recommended conditions of approval are met, the Amended PUD would not have a negative effect on the welfare of residents of the community and the surrounding area.

3.2 Site Plan Review. The current Site Plan conforms with the applicable requirements of the Wayzata Zoning Ordinance. As a condition of approval, prior to the issuance of any building permits for the Property, the final Site Plan should be reviewed and approved by Staff to ensure conformance with the approved PUD Plan.

Section 4. RECOMMENDATION

Based on the Findings of this Report, the Planning Commission recommends the following, subject to the conditions noted below:

- 4.1 PUD Amendment. The request for approval of the PUD Amendment, as set forth in the Application, be **APPROVED**, subject to the following conditions:
 - A. The Applicant agree to an amendment to the existing development agreement, as amended, for the Property and PUD, ("Development Agreement Amendment") binding it and all future owners of the Property, addressing matters related to the Project, in form and content acceptable to City Staff and the City Attorney, as directed by the City Council, setting forth the approvals granted herein and all applicable conditions.
 - B. The Applicant provide a flow analysis report for the existing Lift Station adjacent to the Property for appropriate City Staff to review and approve. The Applicant shall provide for any infrastructure improvements determined by City Staff to be necessary to ensure that the stormwater sewer system has the capacity to support the Project.
 - C. The Applicant submit written verification to City Staff that the patio area is designed to be and is subsequently installed in alignment with the adjacent patio area at 6 Smith restaurant, and landscaped in a similar fashion.
 - D. The Applicant records the Development Agreement Amendment with the appropriate officials at Hennepin County and provide the City with a recorded copy thereof.

- E. The Applicant constructs the Project in accordance with the submitted plan set, as described in Attachment A.
 - F. All expenses of the City of Wayzata related to the review of the Application and Project, including consultant, expert, legal, and planning fees incurred, be fully reimbursed by the Applicant.
 - G. The Proposed Zoning Ordinance Amendments are approved by the City Council.
- 4.2 Site Plan. The request for approval of the Site Plan, as set forth in the Application, be **APPROVED** subject to the condition that prior to the issuance of any building permits for the Property, the final Site Plan must be reviewed and approved by City Staff to ensure conformance with the approved PUD Plan.

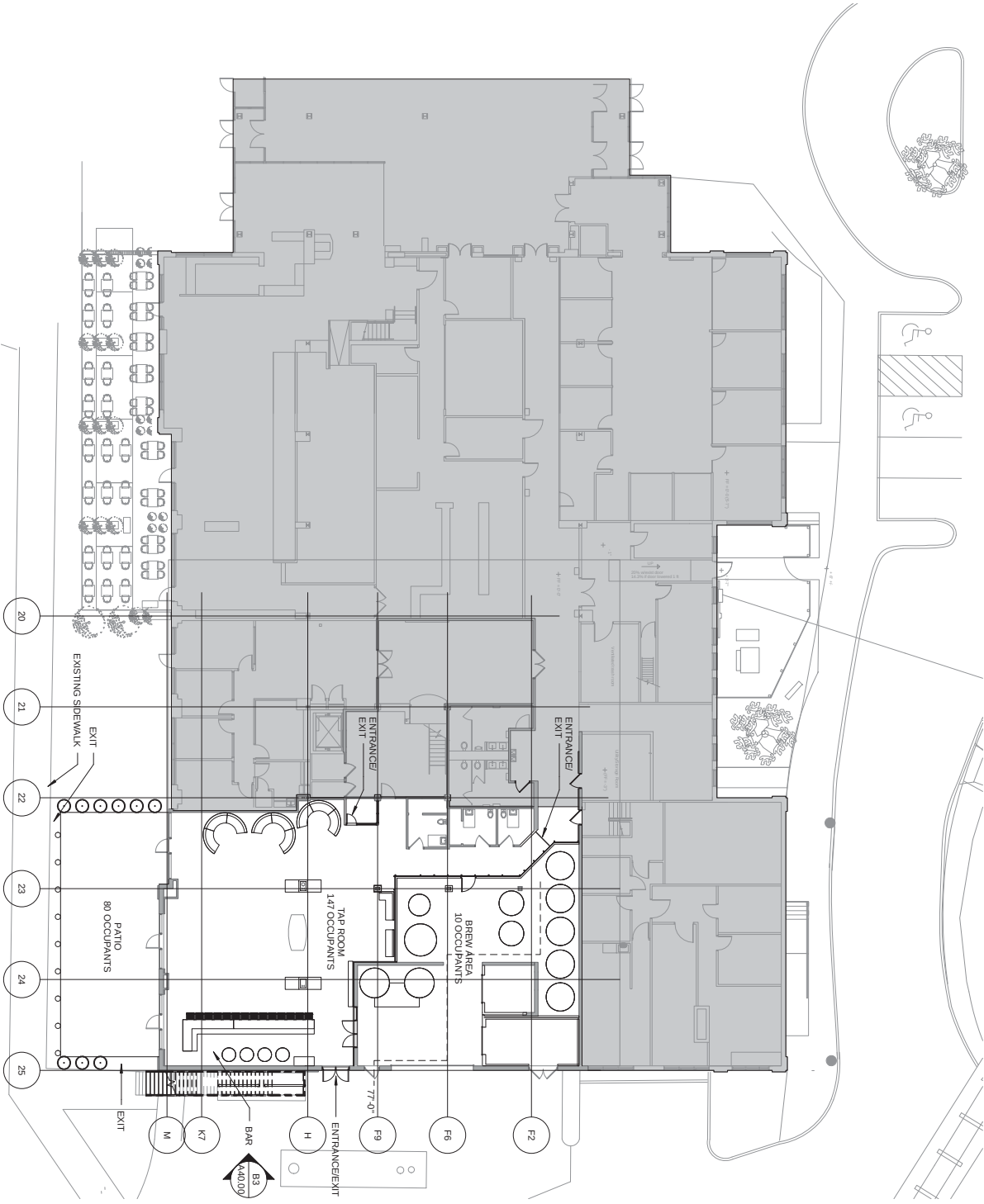
Adopted by the Wayzata Planning Commission this ____ day of July, 2014.

Chair, Planning Commission

Attachment A

Applicant Plan Sets

LIFE SAFETY PLAN



**NOT FOR
CONSTRUCTION**

1	CITY DESIGN REVIEW	DATE
NO	ISSUE	DATE

Sheet Information

Date	14.010.0424
Job Number	14.010.0424
Drawn	Author
Checked	Checker
Approved	Approver
Title	

LIFE SAFETY PLAN

Sheet

A10.00

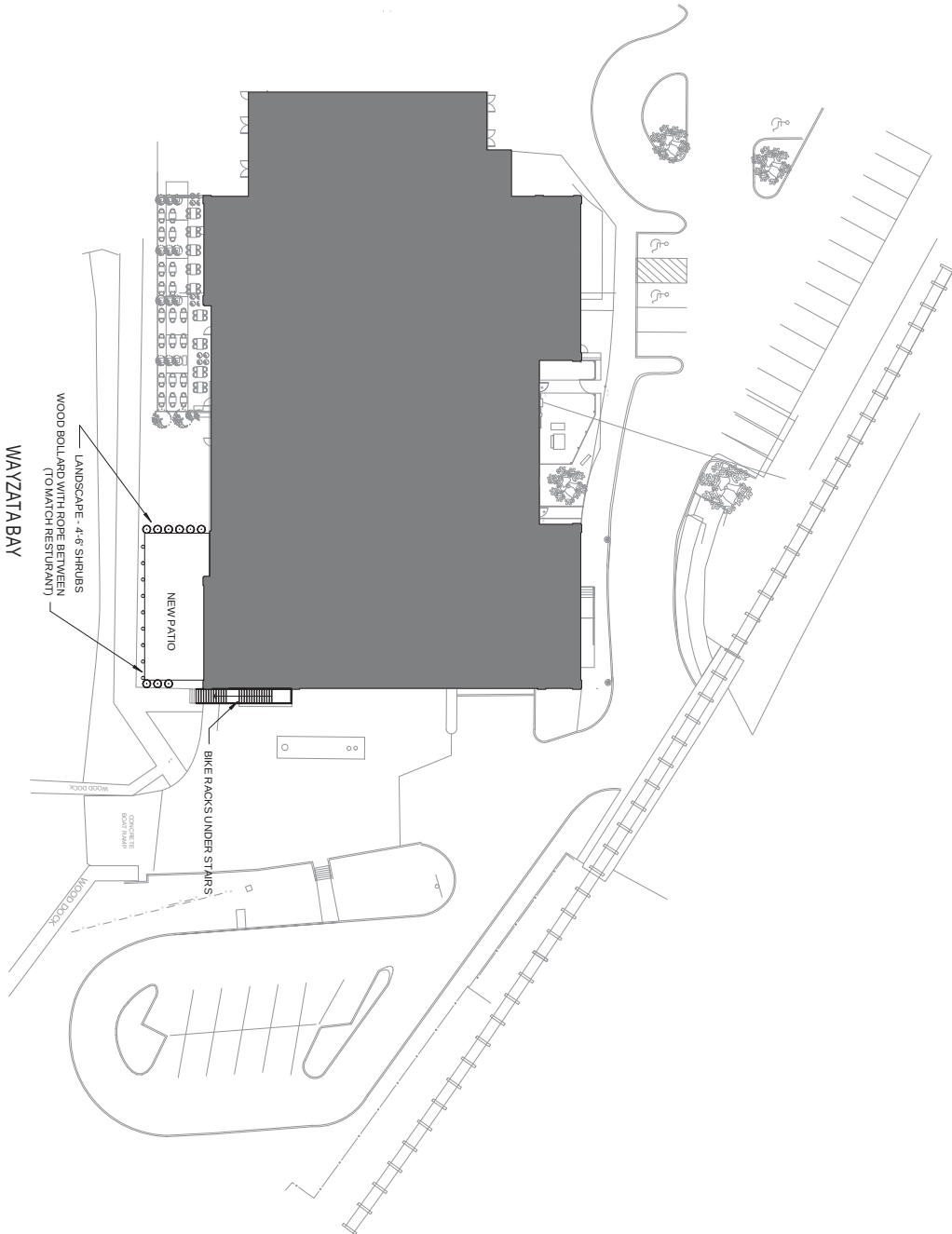


3201 32nd Ave South
Minneapolis, MN 55406
Tel: 612.532.4177

**WAYZATA
BREW
WORKS**

284 Grove Lane E., Ste 150
Wayzata, MN 55391

A3 SITE PLAN
1" = 30'-0"



NOT FOR
CONSTRUCTION

1.	CITY DESIGN REVIEW	DATE
NO	ISSUE	DATE

Sheet Information

Date	
Job Number	14.010.0424
Drawn	Author
Checked	Checker
Approved	Approver
Title	

SITE PLAN

Sheet

A20.00

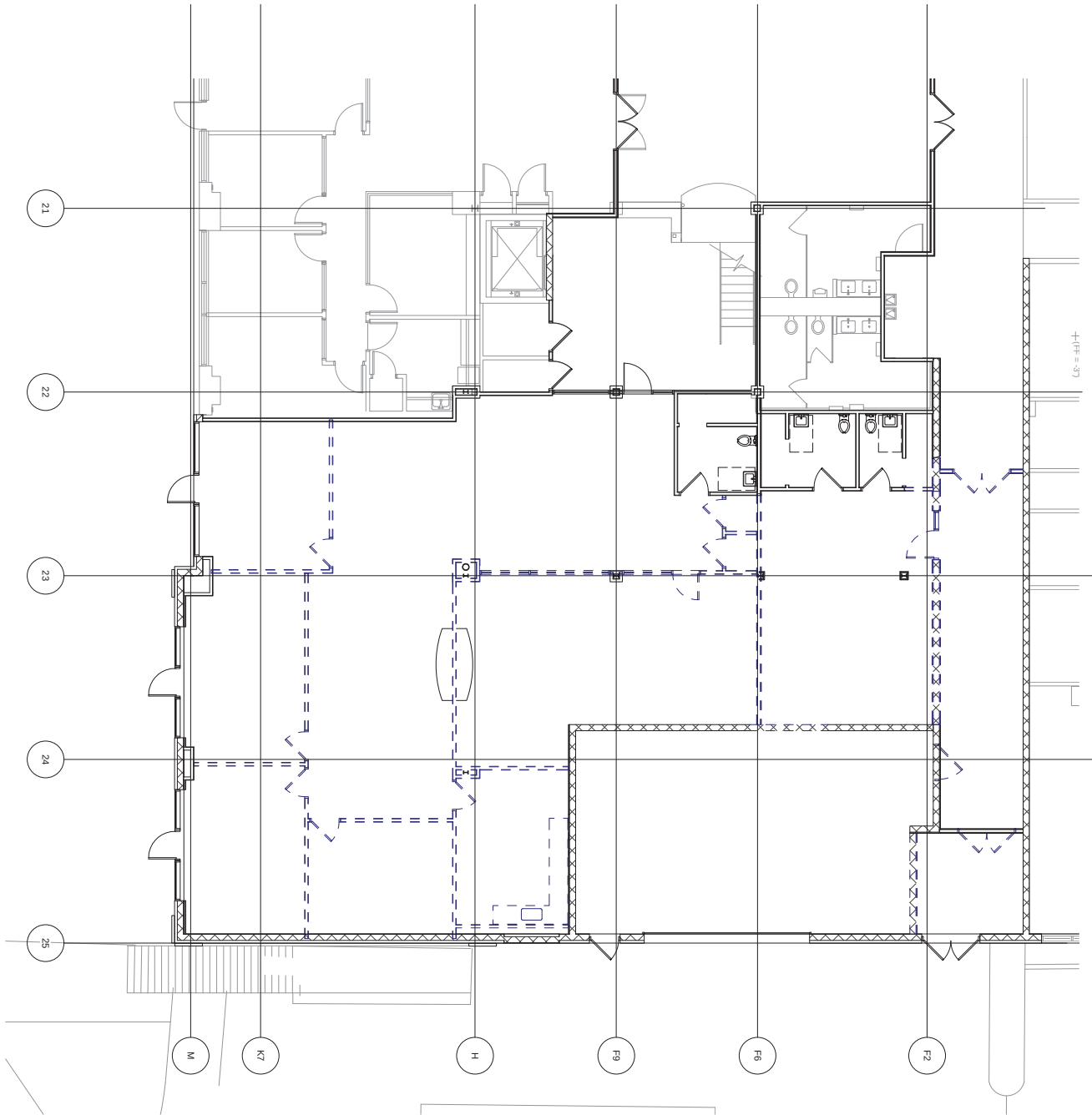


2301 32nd Ave South
Minneapolis, MN 55406
Tel: 612.532.4177

WAYZATA
BREW
WORKS

284 Grove Lane E., Ste. 150
Wayzata, MN 55391

FIRST FLOOR DEMOLITION PLAN
1/8" = 1'-0"



NOT FOR
CONSTRUCTION

CITY DESIGN REVIEW	
NO.	DATE
1.	06/02/14

Sheet Information

Date	14.010.0424
Job Number	14.010.0424
Drawn	Author
Checked	Checker
Approved	Approver

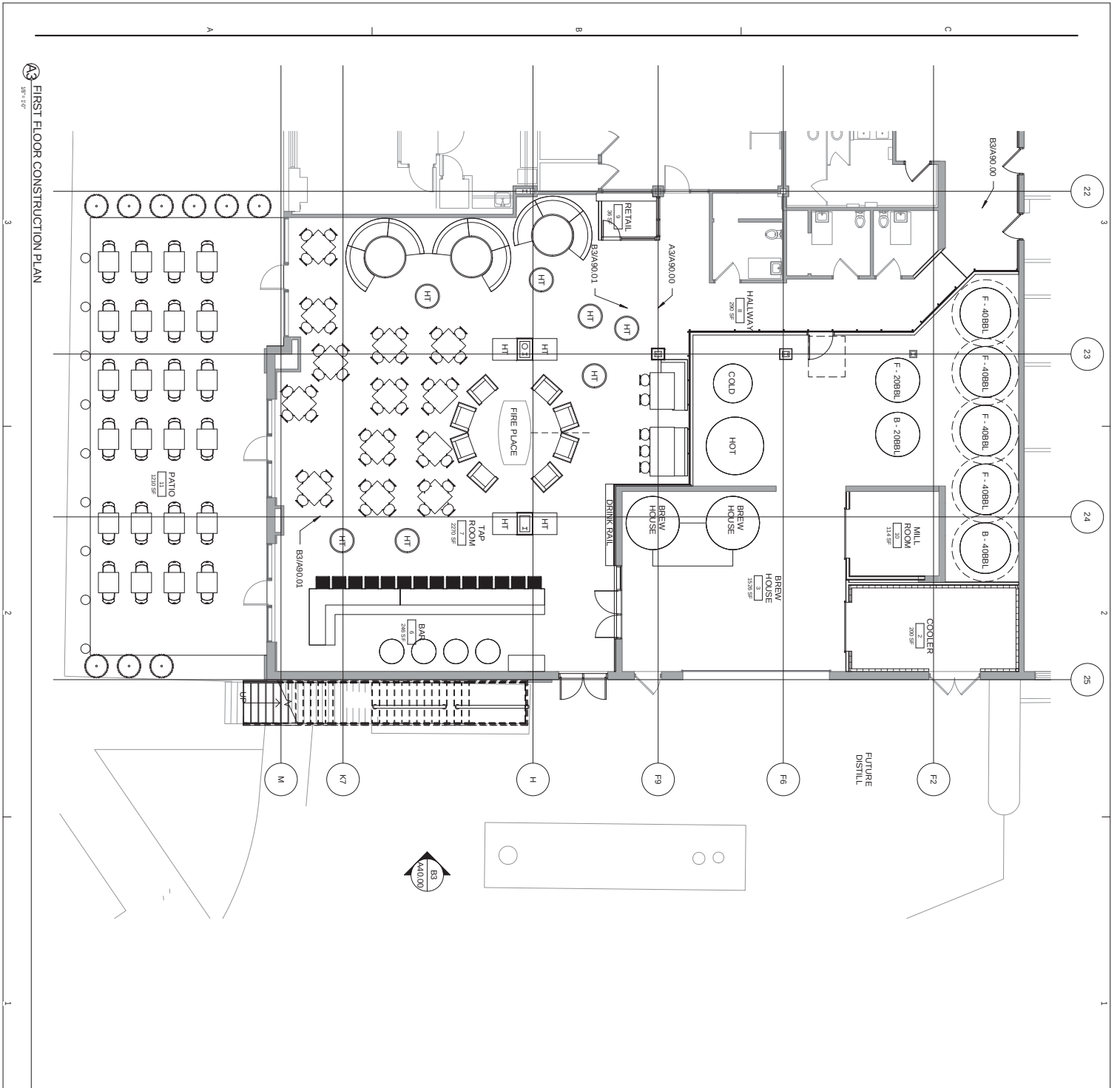
FIRST FLOOR
DEMOLITION
PLAN

Sheet
AD30.00



2901 328th Ave South
Minneapolis, MN 55406
Tel: 612.552.4147

WAYZATA
BREW
WORKS
284 Grove Lane E, Ste 150
Wayzata, MN 55391



Ⓐ FIRST FLOOR CONSTRUCTION PLAN
14.010.0424

3 2 1

22 23 24 25

NOT FOR CONSTRUCTION

CITY DESIGN REVIEW		DATE
NO	ISSUE	06/02/14

Sheet Information

Date	Job Number
14.010.0424	14.010.0424

Drawn: _____
 Checked: _____
 Approved: _____

FIRST FLOOR CONSTRUCTION PLAN

WAYZATA BREW WORKS

284 Grove Lane E, Ste 150
Wayzata, MN 55391

h₂ design

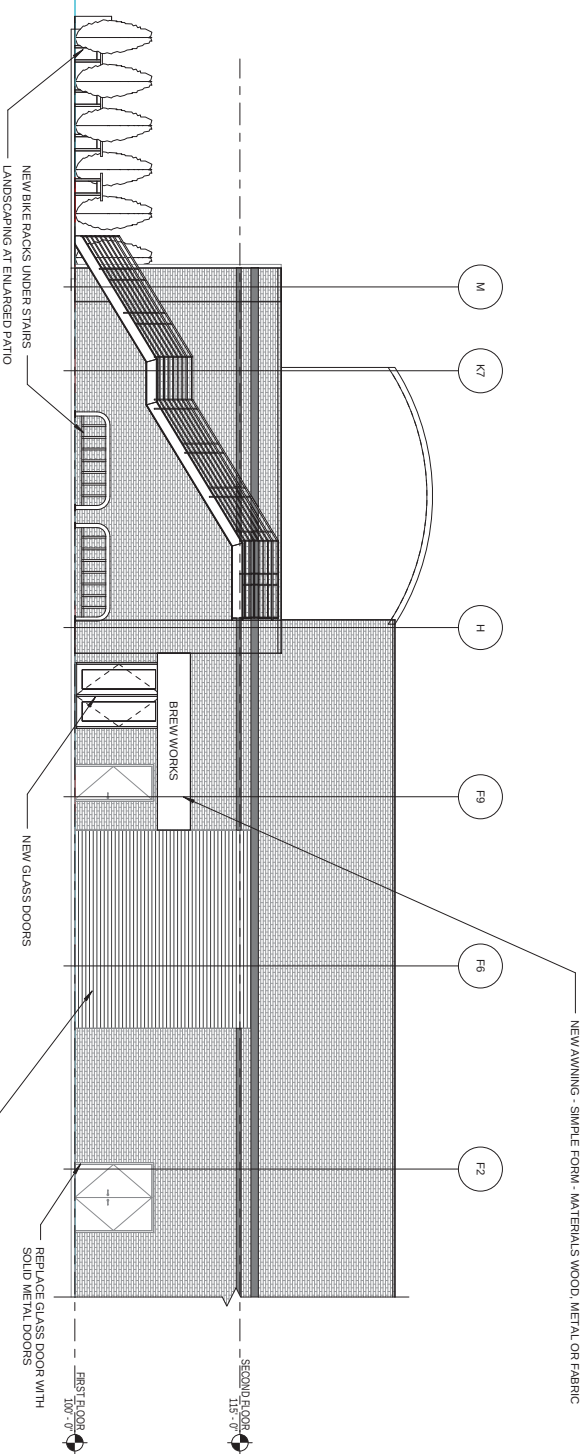
2801 39th Ave South
Minneapolis, MN 55406
1.612.532.4147

CC 08-06-2014
Page 244 of 321

A30.00

Sheet

63 EAST ELEVATION
1/8" = 1'-0"



WAYZATA
BREW
WORKS

284 Grove Lane E., Ste 150
Wayzata, MN 55391

NOT FOR
CONSTRUCTION

1	CITY DESIGN REVIEW	DATE
NO	ISSUE	DATE

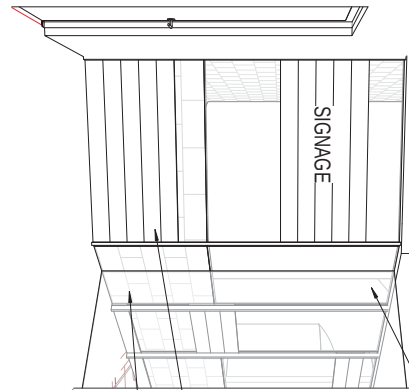
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Job Number	14.10.10.0424
Drawn	Author
Checked	Checker
Approved	Approver
Title	

ELEVATIONS

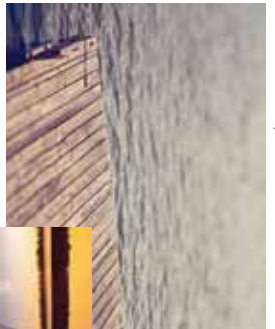
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① PERSPECTIVE 1

REUSED GLASS, CLEAR

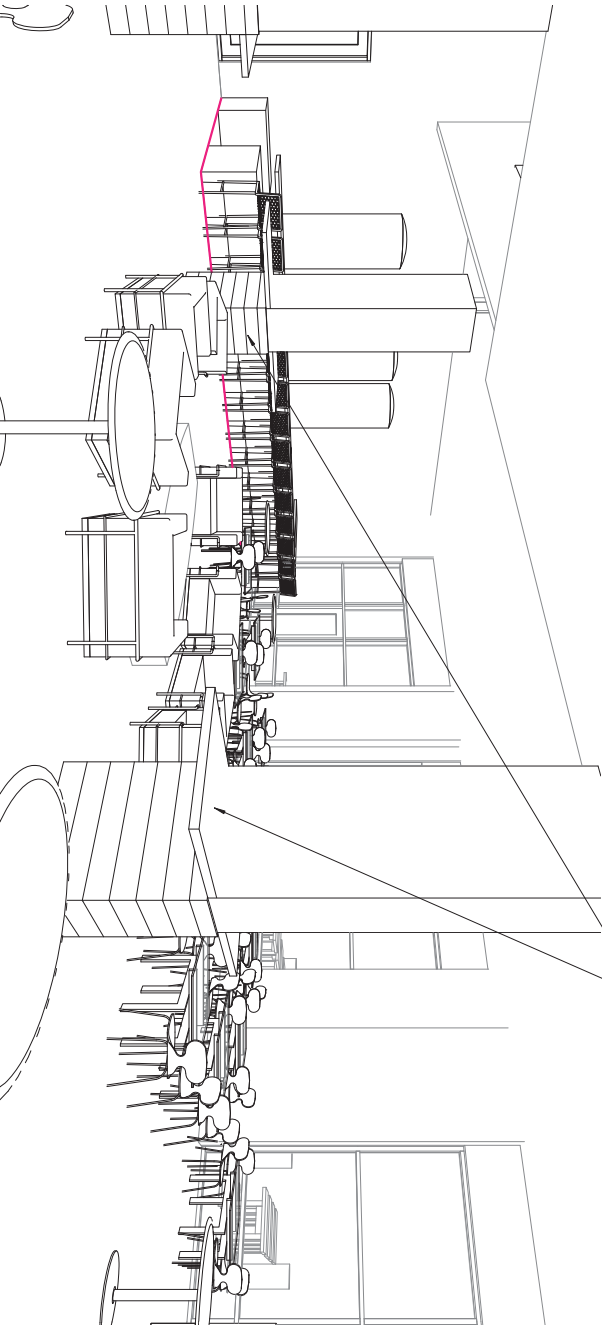


WEATHERED WOOD
"DOCK WALL"

REUSED GLASS, WITH
FILM AT BASE



WOOD DRINK TOP AND BASE



② PERSPECTIVE 2

SIGNAGE/LOGO



**WAYZATA
BREW
WORKS**

284 Grove Lane E., Ste 150
Wayzata, MN 55391

**NOT FOR
CONSTRUCTION**

1.	CITY DESIGN REVIEW	DATE
NO	ISSUE	06/02/14

Sheet Information

Date	14.010.0424
Job Number	14.010.0424
Drawn	Author
Checked	Checker
Approved	Approver

**INTERIOR
PERSPECTIVES**

Sheet

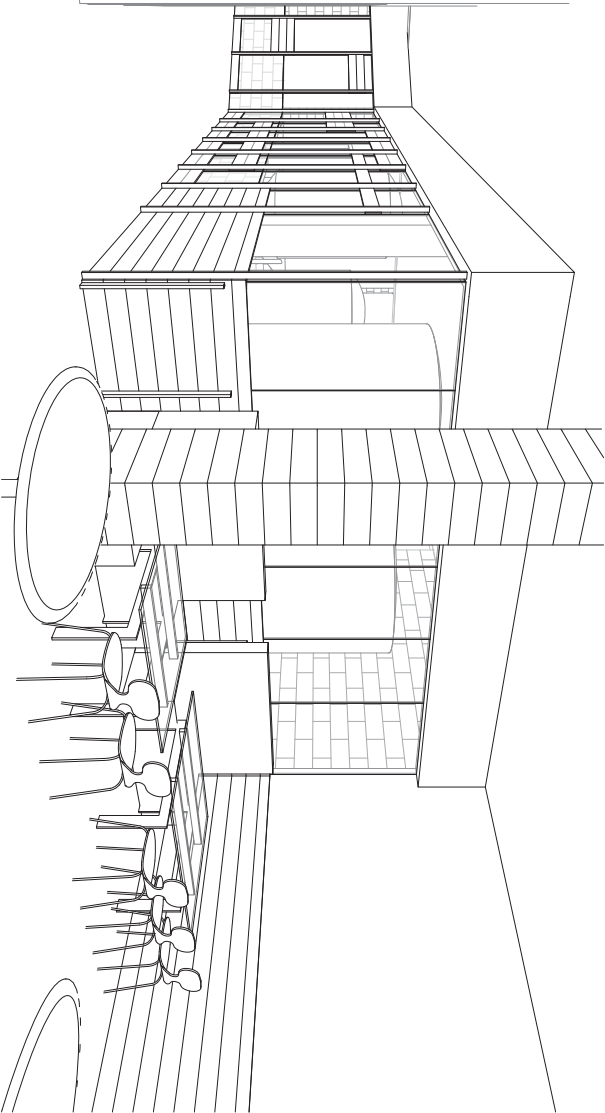
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PERSPECTIVE 4

3

2

1

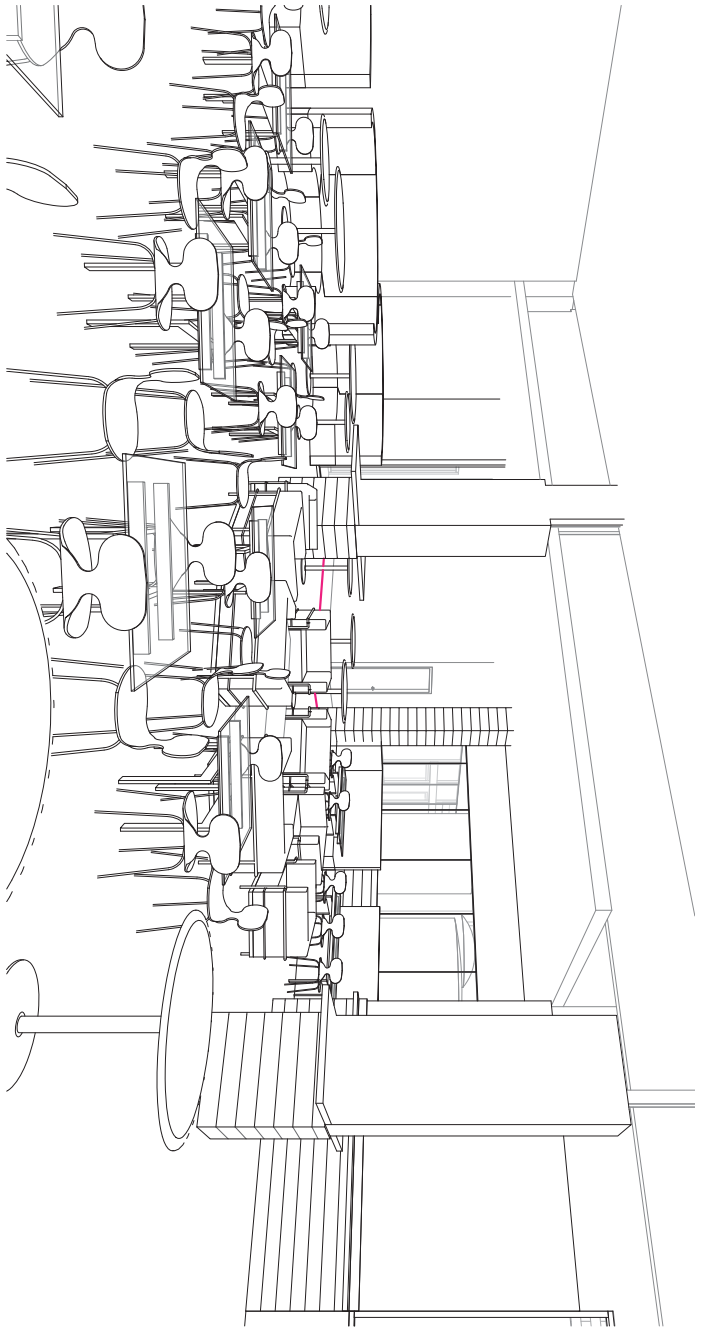


PERSPECTIVE 3

3

2

1



NOT FOR
CONSTRUCTION

1	CITY DESIGN REVIEW	06/02/14
NO	ISSUE	DATE

Sheet Information

Date	
Job Number	14.010.0424
Drawn	Author
Checked	Checker
Approved	Approver

Title

INTERIOR
PERSPECTIVES

Sheet

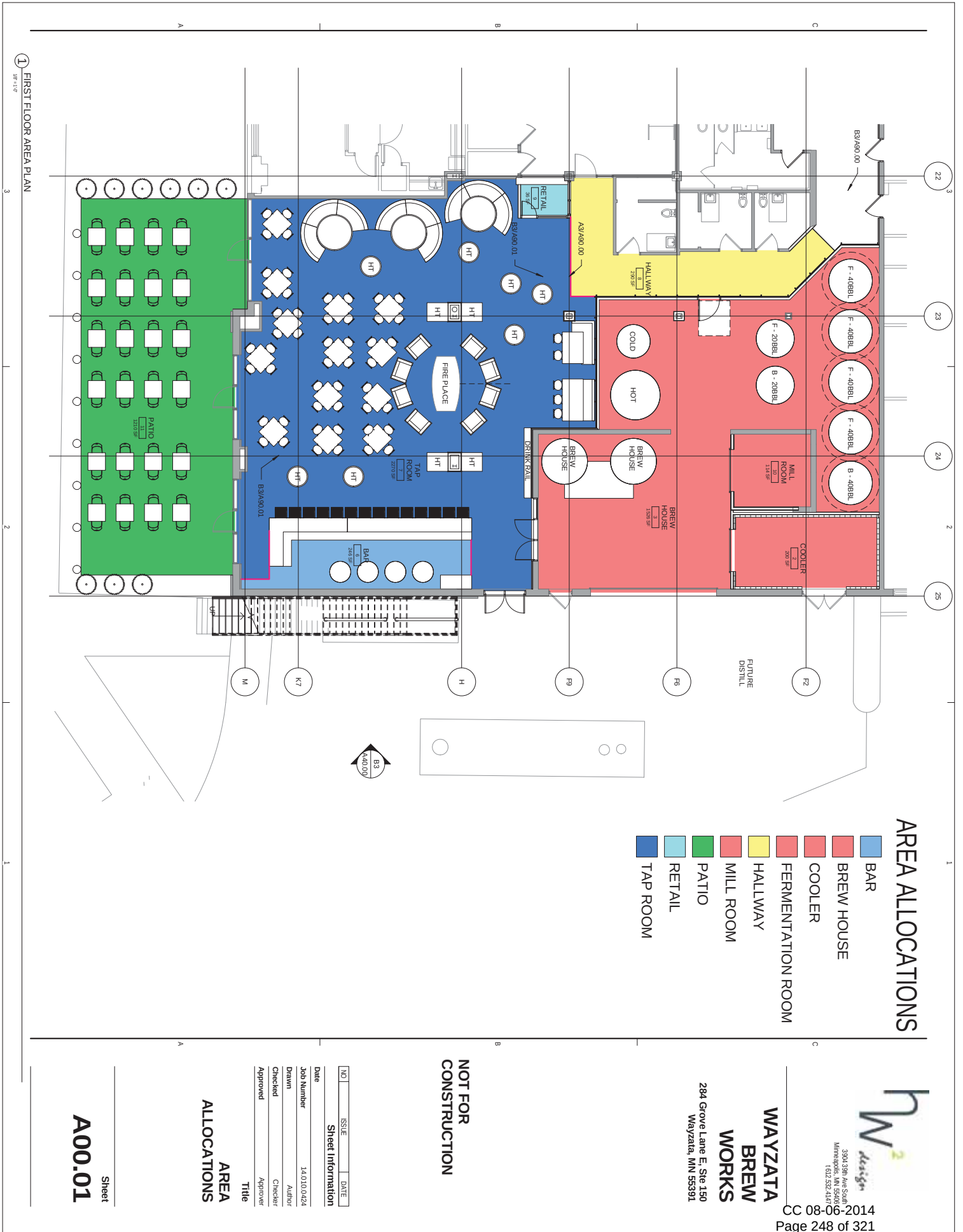
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3901 39th Ave South
Minneapolis, MN 55406
T 612.532.4147

WAYZATA
BREW
WORKS

284 Grove Lane E., Ste 150
Wayzata, MN 55391



**CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA**

DRAFT ORDINANCE NO. 746

**AN ORDINANCE AMENDING WAYZATA'S ZONING ORDINANCE TO ALLOW
MICRO-PRODUCTION FACILITIES AND TAPROOMS/TASTING ROOMS AS
CONDITIONAL USES**

THE CITY OF WAYZATA ORDAINS:

- 1.1 In accordance with the Report and Recommendation of the Wayzata Planning Commission dated July 21, 2014, the City Council of the City of Wayzata, hereby amends Chapter 801 of the City Code as follows:

- A. Section 801.02.2 (Definitions), is amended to include the following new definitions:

Micro-production Facility: A facility in which beer, wine, or other alcoholic beverages are brewed, fermented, or distilled for distribution and consumption. Micro-production facilities include breweries, brewpubs, wineries, and distilleries.

Taproom (Brewery): An area for the on-sale consumption of malt liquor produced by the brewer for consumption on the premises of a brewery. A taproom may also include sale for off-premises consumption of malt liquor produced at the brewery location or adjacent taproom and owned by the brewery for off-premises consumption, packaged subject to Minnesota Statute 240A.301, subdivision 7(b), or its successor.

Tasting Room (Winery/Distillery): An area for the on-sale consumption of distilled spirits or wine produced on the premises of one winery or one distillery and in common ownership to the producer of the wine or distilled spirits.

Growler: A specially designed sixty four (64) ounce beer container for exclusive off-sale of micro-production facility beer. A growler shall have the following packaging requirements:

- i. Growlers shall bear a twist-type closure, cork, stopper or plug.
- ii. At the time of sale, paper or plastic adhesive band, strip, or sleeve shall be applied to the container and extended over the top of the closure, forming a seal.

- iii. The growler and/or band, strip or sleeve shall bear the name and address of the brewer, and the container shall be identified as malt liquor, contain the name of the malt liquor, and shall be considered intoxicating liquor unless labeled otherwise.

Malt Liquor: Any beverage made from malt by fermentation and containing not less than one-half of one percent alcohol by volume.

Distillery: A facility that produces Ethyl Alcohol, hydrated oxide of ethyl, spirits of wine, rum, brandy, gin, or other distilled spirits, including all dilutions and mixtures thereof, for non-industrial use. A distillery may include a tasting room.

Winery: A facility operated by the owner of a Minnesota farm and producing table, sparkling, or fortified wines from grapes, grape juice, other fruit bases, or honey with a majority of the ingredients grown or produced in Minnesota. A winery may include a tasting room.

Brewery: A facility that produces for sale beer, ale, malt liquor, or other beverages made from malt by fermentation and containing not less than one-half of one percent alcohol by volume. A brewery may include a taproom.

Brewpub: A Brewery that operates a restaurant on the same premises as the Brewery, whose malt liquor production per calendar year may be limited by Minnesota State Statute.

- B. Section 801.20.15. (Off-Street Parking and Loading), is amended to include the following off-street parking and loading requirements:

- GG. Micro-production Facility: One (1) space for each 1,000 sq. ft. of floor area.

- HH. Taproom/Tasting Room: One (1) space for each fifty (50) sq. ft. of floor area.

- II. Brewpub: One (1) space for each 1,000 sq. ft. of Micro-brewery production floor area; one (1) space for each forty (40) sq. ft. of floor area of dining and bar area; and one (1) space for each eighty (80) sq. ft. of kitchen area.

- C. Section 801.76.5. (C-2 Shopping Center Business District); Section 801.77.5. (C-3 Service Commercial District); Section 801.78.5. (C-4 Central Business District); Section 801.79.5. (C-4A Limited Central Business District); and Section 801.80.5. (C-4B Central Business District) are amended to include the following conditional use:

Micro-production facility, provided that:

1. Licensing. The owner of the micro-production facility qualifies for and receives all federal, state and city licenses necessary for the operation of the micro-production facility, including a brewer license and a malt liquor wholesale license (if wholesale of malt liquor is an intended activity); winery license; and/or a distiller's license from the State of Minnesota, according to Minnesota Statutes Section 340A.
2. Taproom/Tasting Room License. An accessory taproom or tasting room for the on-sale of beer, wine, or spirits produced on-site shall require a taproom/tasting room license from the City of Wayzata, according to City Code Section 524.02.
3. Off-sale. On-site sale of beer in the form of growlers shall require a Brewery License for Off-Sale of Malt Liquor, according to City Code Section 524.02. On-site sale of wine or spirits, other than samples as governed under Minnesota State Statutes, shall be prohibited.
4. Production of Beer. Total production of malt liquor shall not exceed 5,000 barrels annually. Micro-production Facilities with a taproom license shall not exceed 3,500 barrels annually, and only 500 barrels may be sold off-sale as growlers. Any micro-production facility operating as a brewery shall annually submit production reports to the City with the request to renew a brewery taproom or off-sale malt liquor license.
5. Production of Wine. Total production of wine shall not exceed 50,000 gallons annually. Any micro-production facility operating as a winery shall annually submit production reports to the City with the request to renew a tasting room or winery license.
6. Production of Spirits. Total production of spirits shall not exceed 40,000 proof gallons annually. Any micro-production facility operating as a distillery shall annually submit production reports to the City with the request to renew a tasting room or distillery license.
7. Off-street Loading. The micro-production facility shall provide adequate space for off-street loading and unloading of all trucks greater than twenty two (22) feet in length. In the absence of off-street loading, the City may impose limits on deliveries or shipments using the public rights of ways, including regulating the number of trucks per day and the hours that deliveries are permitted.

8. Outdoor Storage. No outdoor storage is permitted on the site, with the exception that waste handling (refuse and/or recycling) may occur in an enclosure that is fully screened from adjoining streets and residentially zoned properties.
9. Odors. No odors from the micro-production facility shall be perceptible beyond the property line. The micro-production facility operator shall take appropriate measures to reduce or mitigate any odors generated from the operation and be in compliance with any applicable Minnesota Pollution Control Standards.
10. Waste. Waste products shall be disposed of in a timely manner and in such a way to reduce odors.
11. Exterior Lighting. All exterior lighting shall be designed in such a way as to have no direction source of light visible from adjacent property, and shall comply with the requirements of Section 801.16.6 of the Wayzata Zoning Ordinance.
12. Parking. Parking supply shall be provided on-site or through off-site arrangement, to avoid street parking on residential streets. Off-site or reduced parking supply shall require separate approval per the requirements of Section 801.20 of the Wayzata Zoning Ordinance, as applicable.
13. Hours of Operation. Micro-production facility operation hours shall be limited to the hours specified in Minnesota Statutes Chapter 340A for off-sale intoxicating liquor unless further limited the City Council as part of a Conditional Use Permit.
14. Other Provisions. The provisions of Section 801.04.2.F of the Wayzata Zoning Ordinance, pertaining to Conditional Use Permit criteria, are considered and satisfactorily met. A micro-production facility shall meet all other applicable performance standards and design requirements in the Wayzata Zoning Ordinance.

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

Adopted this ____ day of _____, 2014.

Mayor Ken Willcox

ATTEST:

City Manager Heidi Nelson

First Reading:
Second Reading:
Publication:

DRAFT

CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA

DRAFT ORDINANCE NO. 746

AN ORDINANCE AMENDING WAYZATA'S ZONING ORDINANCE TO ALLOW
~~MICRO-PRODUCTION FACILITIES~~MICRO-BREWERIES AND
TAPROOMS/~~TASTING~~ ROOMS AS CONDITIONAL USES

THE CITY OF WAYZATA ORDAINS:

- 1.1 In accordance with the Report and Recommendation of the Wayzata Planning Commission dated July 21, 2014, the City Council of the City of Wayzata, hereby amends Chapter 801 of the City Code as follows:

- A. Section 801.02.2 (Definitions), is amended to include the following new definitions:

~~Micro-production Facility: A facility in which beer, wine, or other alcoholic beverages are brewed, fermented, or distilled for distribution and consumption. Micro-production facilities include breweries, wineries and distilleries.~~

Micro-brewery: A facility that produces for sale, distribution, and consumption beer, ale, malt liquor, or other beverages made from malt by fermentation and containing not less than one-half of one percent alcohol by volume, and which possesses the appropriate Federal, State of Minnesota, and Municipal licenses. Taprooms for the consumption of on-site produced beer may be permitted on the premises.

Brewpub: A Micro-brewery that operates a restaurant on the same premises as the Micro-brewery, whose malt liquor production per calendar year may be limited by Minnesota State Statute.

Taproom (Brewery): An area for the on-sale consumption of malt liquor produced by the brewer for consumption on the premises of a brewery. A taproom may also include sale for off-premises consumption of malt liquor produced at the brewery location or adjacent taproom and owned by the brewery for off-premises consumption, packaged subject to Minnesota Statute 240A.301, subdivision 7(b), or its successor.

~~Tasting Room (Winery/Distillery): An area for the on-sale consumption of distilled spirits or wine produced on the premises of one winery or one distillery and in common ownership to the producer of the wine or distilled spirits.~~

Growler: A specially designed sixty four (64) ounce beer container for exclusive off-sale of micro-production facility beer. A growler shall have the following packaging requirements:

- i. Growlers shall bear a twist-type closure, cork, stopper or plug.
- ii. At the time of sale, paper or plastic adhesive band, strip, or sleeve shall be applied to the container and extended over the top of the closure, forming a seal.
- iii. The growler and/or band, strip or sleeve shall bear the name and address of the brewer, and the container shall be identified as malt liquor, contain the name of the malt liquor, and shall be considered intoxicating liquor unless labeled otherwise.

Malt Liquor: Any beverage made from malt by fermentation and containing not less than one-half of one percent alcohol by volume.

Brewer: A person who manufactures malt liquor for sale.

~~Distillery: A facility that produces Ethyl Alcohol, hydrated oxide of ethyl, spirits of wine, rum, brandy, gin, or other distilled spirits, including all dilutions and mixtures thereof, for non-industrial use. A distillery may include a tasting room.~~

~~Winery: A facility operated by the owner of a Minnesota farm and producing table, sparkling, or fortified wines from grapes, grape juice, other fruit bases, or honey with a majority of the ingredients grown or produced in Minnesota. A winery may include a tasting room.~~

~~Brewery: A facility that produces for sale beer, ale, malt liquor, or other beverages made from malt by fermentation and containing not less than one half of one percent alcohol by volume. A brewery may include a taproom.~~

- B. Section 801.20.15. (Off-Street Parking and Loading), is amended to include the following off-street parking and loading requirements:

GG. ~~Micro-production Facility~~Micro-brewery: One (1) space for each 1,000 sq. ft. of floor area.

HH. Taproom/~~Tasting Room~~: One (1) space for each fifty (50) sq. ft. of floor area.

II. Brewpub: One (1) space for each 1,000 sq. ft. of Micro-brewery production floor area; one (1) space for each forty (40) sq. ft. of floor area of dining and bar area; and one (1) space for each eighty (80) sq. ft. of kitchen area.

- C. Section 801.76.5. (C-2 Shopping Center Business District); Section 801.77.5. (C-3 Service Commercial District); Section 801.78.5. (C-4 Central Business District); Section 801.79.5. (C-4A Limited Central Business District); and Section 801.80.5. (C-4B Central Business District) are amended to include the following conditional use:

~~Micro-production facility~~Micro-brewery, provided that:

1. Licensing. The owner of the ~~micro-production facility~~Micro-brewery qualifies for and receives all federal, state and city licenses necessary for the operation of the ~~micro-production facility~~Micro-brewery, including a brewer license and a malt liquor wholesale license (if wholesale of malt liquor is an intended activity); ~~winery license; and/or a distiller's license from the State of Minnesota~~, according to Minnesota Statutes Section 340A.
2. Micro-brewery Taproom/Tasting Room Liquor License. An accessory taproom ~~or tasting room~~ for the on-sale of beer, ~~wine, or spirits~~ produced on-site shall require a taproom/~~tasting room~~ license from the City of Wayzata, according to City Code Section ~~_____~~.524.02.
3. ~~Off-sale~~. On-site sale of beer in the form of growlers shall require a ~~Brewery License for Off-Sale of Malt Liquor~~Micro-brewery Off-sale Malt Liquor License, according to City Code Section ~~_____~~.524.02. ~~On-site sale of wine or spirits, other than samples as governed under Minnesota State Statutes, shall be prohibited.~~
- 4.3. Production of Beer. Total production of malt liquor shall not exceed 5,000 barrels annually. ~~Micro-production Facilities~~Micro-breweries with a taproom license shall not exceed 3,500 barrels annually, and only 500 barrels may be sold off-sale as growlers. ~~Any micro-production facility~~Micro-breweries operating as a brewery shall annually submit production reports to the City with the request to renew a ~~brewery taproom~~Micro-brewery Taproom Liquor License or ~~off-sale malt liquor license~~Micro-brewery Off-sale Malt Liquor License.
5. ~~Production of Wine~~. Total production of wine shall not exceed 50,000 gallons annually. ~~Any micro-production facility operating as a winery shall annually submit production reports to the City with the request to renew a tasting room or winery license.~~

~~6. Production of Spirits. Total production of spirits shall not exceed 40,000 proof gallons annually. Any micro-production facility operating as a distillery shall annually submit production reports to the City with the request to renew a tasting room or distillery license.~~

~~7.4. Off-street Loading. The micro-production facility~~Micro-brewery shall provide adequate space for off-street loading and unloading of all trucks greater than twenty two (22) feet in length. In the absence of off-street loading, the City may impose limits on deliveries or shipments using the public rights of ways, including regulating the number of trucks per day and the hours that deliveries are permitted.

~~8.5. Outdoor Storage. No outdoor storage is permitted on the site, with the exception that waste handling (refuse and/or recycling) may occur in an enclosure that is fully screened from adjoining streets and residentially zoned properties.~~

~~9.6. Odors. No odors from the micro-production facility~~Micro-brewery shall be perceptible beyond the property line. The ~~micro-production facility~~Micro-brewery operator shall take appropriate measures to reduce or mitigate any odors generated from the operation and be in compliance with any applicable Minnesota Pollution Control Standards.

~~10.7. Waste. Waste products shall be disposed of in a timely manner and in such a way to reduce odors.~~

~~11.8. Exterior Lighting. All exterior lighting shall be designed in such a way as to have no direction source of light visible from adjacent property, and shall comply with the requirements of Section 801.16.6 of the Wayzata Zoning Ordinance.~~

~~12.9. Parking. Parking supply shall be provided on-site or through off-site arrangement, to avoid street parking on residential streets. Off-site or reduced parking supply shall require separate approval per the requirements of Section 801.20 of the Wayzata Zoning Ordinance, as applicable.~~

~~13.10. Hours of Operation. Micro-production facility~~Micro-brewery operation hours shall be limited to the hours specified in Minnesota Statutes Chapter 340A for off-sale intoxicating liquor unless further limited the City Council as part of a Conditional Use Permit.

~~14.11.~~ Other Provisions. The provisions of Section 801.04.2.F of the Wayzata Zoning Ordinance, pertaining to Conditional Use Permit criteria, are considered and satisfactorily met. A ~~micro-production facility~~ Micro-brewery shall meet all other applicable performance standards and design requirements in the Wayzata Zoning Ordinance.

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

Adopted this ____ day of _____, 2014.

Mayor Ken Willcox

ATTEST:

City Manager Heidi Nelson

First Reading:
Second Reading:
Publication:

**CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA**

DRAFT ORDINANCE NO. 747

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF LICENSES FOR OFF-SALE
BREW PUBS, OFF-SALE MICRO-BREWERIES, AND ON-SALE TAPROOMS**

THE CITY OF WAYZATA ORDAINS:

Section 1. Amendment. The City Council of the City of Wayzata, hereby adopts the following new ordinance to be codified as Chapter 524 of the City Code:

CHAPTER 524

**OFF-SALE BREW PUBS, OFF-SALE MICRO-BREWERIES AND
ON-SALE TAPROOMS**

524.01. Definitions. In addition to the definitions contained in Minn. Stat. § 340A.101 as it may be amended from time to time, the following terms are defined for purposes of this Chapter:

1. Micro-brewery: A facility that produces for sale, distribution, and consumption beer, ale, malt liquor, or other beverages made from malt by fermentation and containing not less than one-half of one percent alcohol by volume, and which possesses the appropriate Federal, State of Minnesota, and Municipal licenses. Taprooms for the consumption of on-site produced beer may be permitted on the premises.
2. Taproom: An area for the on-sale consumption of malt liquor produced by the brewer for consumption on the premises of a brewery. A taproom may also include sale for off-premises consumption of malt liquor produced at the brewery location or adjacent taproom and owned by the brewery for off-premises consumption, packaged subject to Minnesota Statute 340A.301, subdivision 7(b), or its successor.
3. Growler: A specially designed sixty four (64) ounce beer container for exclusive off-sale of Micro-production Facility beer. A growler shall have the following packaging requirements:

Attachment L

- a. Growlers shall bear a twist-type closure, cork, stopper or plug.
 - b. At the time of sale, paper or plastic adhesive band, strip, or sleeve shall be applied to the container and extended over the top of the closure, forming a seal.
 - c. The growler and/or band, strip or sleeve shall bear the name and address of the brewer, and the container shall be identified as malt liquor, contain the name of the malt liquor, and shall be considered intoxicating liquor unless labeled otherwise.
4. Malt liquor: Any beverage made from malt by fermentation and containing not less than one-half of one percent alcohol by volume.
 5. Brewer: A person who manufactures malt liquor for sale.

524.02. License Required. No Micro-brewery or Taproom shall directly or indirectly make, sell or keep for sale within the City any beer, ale, malt liquor, or other beverages made from malt by fermentation and containing not less than one-half of one percent alcohol by volume for on-sale or off sale purposes without first having been issued an appropriate license to do so as provided in this Chapter. Each such license shall be issued for a period of one year and shall expire on April 30th of each year.

524.03. License Types.

1. Micro-brewery Taproom Liquor License (“Taproom License”). A Micro-brewery Taproom Liquor License may be issued only to the holder of a brewer’s license issued by the state under Minnesota Statute 340A.301. The license authorizes the on-sale of malt liquor produced by the brewer for consumption on the premises of one brewery location owned or rented by the brewer, subject to the requirements of this section, Section 502 of the Wayzata City Code, and Minnesota Statute 304A.301, subd. 6. Total production of malt liquor shall not exceed 3,500 barrels annually. All provisions of this section and Section 502 of the Wayzata City Code that apply to an on-sale intoxicating liquor license apply to a Micro-brewery On-sale Malt Liquor License unless the provision is explicitly inconsistent with Minnesota Statute 340A.301, subd. 6b.
2. Micro-brewery Off-sale Malt Liquor License (“Growler Sales”). A Micro-brewery Off-sale Malt Liquor License may be issued only to a brewer who holds a brewer license issued by the Minnesota Commissioner of Public Safety pursuant to Minnesota Statute 340A.301, subd. 6, clause (c), (i), or (j). The license authorizes the brewer to sell, at off-sale, malt liquor that has been produced and packaged by the brewer at its licensed

Attachment L

premises in sixty four (64) ounce containers commonly know as “Growlers”. The total production of malt liquor for off-sale shall not exceed 500 barrels annually, and the total production of on-sale and off-sale by the Micro-brewery Off-sale Malt Liquor License cannot exceed 3,500 barrels per year. The license is subject to the requirements of this section, Section 502 of the Wayzata City Code, and Minnesota Statute 340A.301, subd. 6d.

3. Brewpub Malt Liquor License (“Brewpub”). A Brewpub Malt Liquor License may be issued only to a brewer who holds a brewer license issued by the Minnesota Commissioner of Public Safety pursuant to Minnesota Statute 340A.301 and a City-issued on-sale intoxicating liquor license for a restaurant operation. All provisions of this section and Section 502 of the Wayzata City Code that apply to an on-sale intoxicating liquor license apply to a Micro-brewery On-sale Malt Liquor License unless the provision is explicitly inconsistent with Minnesota Statute 340A.301.

524.04. Number of Licenses. The following number of licenses may be issued by the City, although there is no obligation on the City to issue any prescribed minimum amount:

	Number of Licenses
Micro-brewery Off-sale Malt Liquor License	One (1)
Micro-brewery Taproom Liquor License	One (1)
Brewpub Malt Liquor License	One (1)

524.05. License Fees. The annual license fees for licenses issued under this Chapter shall be in an amount to be determined from time to time by Resolution of the City Council. At the time of each original application or renewal for any of the licenses issued under this Chapter the total annual license fee therefore shall be paid in full by the applicant. Upon rejection or withdrawal of an application the license fee(s) submitted therefor (but not the fees for applicant’s background investigation) shall be refunded in full to the applicant, except when rejection or withdrawal is based upon a willful misstatement of fact by the applicant. No part of any fee for an issued license shall be refunded, except as authorized by State Statute.

524.06. Application Procedure. The application and licensing procedures established in Chapter 502 of the Wayzata City Code apply to brewers apply for the license categories established in this Chapter.

Attachment L

- 524.07. **License Restrictions.** Each license issued under this Chapter shall be subject to the provisions of Section 10 of Chapter 502 (Intoxicating Liquors), to all laws, ordinances and restrictions applicable thereto, which shall act as continuous restrictions upon any such license.
- 524.08. **Insurance.** Every applicant and license holder under this Chapter must comply with the insurance requirements of Section 13 of Chapter 502 (Intoxicating Liquors).
- 524.09. **Suspension or Revocation.** The City Council may suspend or revoke any license issued hereunder in accordance with the provisions of Section 501.09 of this Code.
- 524.10. **Duration and Renewal of License.** All licenses issued under this Chapter shall expire on April 30th of each year. If an application is made during a license year, such a license may be issued for the remainder of the license year for a prorated fee, with any unexpired fraction of a month being counted as one month. Application for renewal of an existing license shall be made at least forty-five (45) days prior to expiration of the license, and it shall be made in such a form as provided by the City Manager, which shall contain some or all of the information listed in Section 502.07 that the City Manager deems relevant to evaluating the renewal request. The licensee also shall submit the appropriate license fee(s) and an investigation fee as established by resolution, which shall be for investigation and verification of all information contained in the application form. The decision whether or not to renew a license rests within the discretion of the City Council. No licensee has a right to have the license renewed.
- 524.11. **Adoption of State Law by Reference.** The provisions of Minn. Stat. Ch. 340A as they may be amended from time to time, with reference to the definition of terms, conditions of operation, restrictions on consumption, provisions relating to sales, hours of sale, and all other matters pertaining to the manufacture, retail sale, distribution, and consumption of alcoholic beverages are hereby adopted by reference and are made a part of this Chapter as if set out in full. Whenever there is an inconsistency between the provisions of Minn. Stat. Ch. 340A and the provisions of this chapter, the more restrictive governs unless state expressly controls.

Section 2. This Ordinance shall become effective upon its passage and publication.

Adopted this _____ day of _____, 2014.

Mayor Ken Willcox

ATTEST:

City Manager Heidi Nelson

First Reading:
Second Reading:
Publication:

DRAFT

DRAFT RESOLUTION NO. 23-2014

**RESOLUTION APPROVING PUD AMENDMENT AND SITE PLAN FOR
294 GROVE LANE**

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

Section 1. BACKGROUND

- 1.1 Project. Boatworks II LLC and Wayzata Brew Works LLC (collectively, the “Applicant”) have submitted an application (the “Application”) for approval of a Amendment to an existing Planned Unit Development (PUD) Conditional Use Permit (CUP) (the “PUD Amendment”) at 294 Grove Lane (the “Property”) to allow the operation of a microbrewery and taproom facility (collectively, the “Brewery” or the “Project”) as depicted on Attachment A attached hereto.

The Brewery would utilize approximately 5,080 SF of the east wing of the Boatworks building, with 2,810 SF of brewing space, storage and support space, and 2,270 SF of taproom/bar space. In addition, the Brewery would also modify an existing lake side patio. The Brewery proposal would replace 3,183 SF of general office space within the building.

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

- A. Amendment to existing PUD under Section 801.33.9 to allow a micro-brewery and taproom facility at 294 Grove Lane (the “PUD Amendment”)
- B. Site Plan approval under Section 801.22 (the “Site Plan”)
- C. Amendment to the City’s Zoning Ordinance to allow micro-brewery and taproom operations (the “Proposed Zoning Ordinance Amendments”) (addressed as a separate ordinance for review).
- D. Amendment to the City’s General City Code pertaining to liquor licensing requirements and procedures (the “Proposed Liquor Ordinance Amendment”) (addressed as a separate ordinance for review).

- 1.3 Legal Description. The address, property identification number and owners of the property included in the Application (collectively, the “Property”) are:

294 Grove Lane East	06-117-22-32-0023	Boatworks II LLC
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- 1.4 Land Use. The land use designations for the Property are:

	Boatworks Building Parcel
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Zoning:	C-3 Service District with Planned Unit Development (PUD)/Conditional Use Permit
Comp Plan:	Central Business District
Total lot size:	134,361 square feet (SF) or 3.08 acres

- 1.5 PUD Agreement. The Property is encumbered by a PUD Development Agreement that was entered into in 1997 between a previous owner of the Property and the City (Attachment B), which requires an amendment to allow the proposed expansion Project. The 1997 PUD Development Agreement was subsequently amended in 2002 and 2005.
- 1.6 Notice. Notice of a public hearing on the Application at the July 7, 2014 Planning Commission Meeting was published in the *Sun Sailor* on June 26, 2014. A copy of the notice was mailed to all property owners located within 350 feet of the Property on June 26, 2014.
- 1.7 Planning Commission Action. A Public Hearing on the Application was held at the Planning Commission's July 7, 2014 meeting at which one (1) individual spoke in favor of the Project during the hearing and the Planning Commission directed staff to prepare a Planning Commission Report and Recommendation recommending approval of the Application for consideration at the next Planning Commission meeting. On July 21, 2014, the Planning Commission reviewed and adopted a Planning Commission Report and Recommendation recommending approval of the Proposed Zoning Ordinance Amendments, the PUD Amendment and the Site Plan on a vote of seven (7) in favor and zero (0) opposed.

Section 2. STANDARDS

2.1 PUD Amendment.

- A. Application Procedures. Any deviation or modification from the terms or conditions of an approved PUD permit or any alteration in a project for which a PUD permit has been approved shall require an amendment of the original permit. An application for amendment of the original PUD permit specifying the proposed variance or alteration shall be submitted to the City, together with a fee established by City Council resolution and such information as is required by the City or as the applicant deems necessary to fully explain his application. The same application and hearing procedure for an amendment of a PUD permit shall be followed as was followed with respect to the applicant's Concept Plan, as outlined in Section 801.33.5.
- B. Action by the Planning Commission and City Council. The same review procedure by the Planning Commission and City Council shall be followed

for an amendment of a PUD permit as was followed with respect to the applicant's Concept Plan, outlined in Section 801.33.5 and 801.33.6 of the Zoning Ordinance. The affirmative majority vote (3 of 5) of the City Council shall be required for approval of an amendment of a PUD permit.

- C. Council Discretion. If the Council determines that the proposed PUD 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 Zoning Ordinance, it may approve the PUD, although it shall not be required to do so. Section 801.33.2.A.
- D. Intent and Purpose of PUDs. The PUD process, outlined in Section 801.33 of the Zoning Ordinance, allows deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., for the purpose of encouraging:
1. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
 2. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
 3. More convenience in location and design of development and service facilities.
 4. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
 5. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
 6. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
 7. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
 8. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.

- E. General Standards. Section 801.33.2.A of the Zoning Ordinance sets forth the general standards for review of any PUD application. These are:
1. Health Safety and Welfare; Intent and Purpose of PUDs. 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.
 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.

- F. PUD Agreement. A 1997 PUD Development Agreement (subsequently amended in 2002 and 2005) encumbers the Property. The City Council would need to approve an amendment to this PUD Agreement in order for the Project to be constructed.

2.2 Site Plan.

Site and construction plans must be submitted to and approved by the Building Official prior to the issuance of any building permit. Except in the case of individual single family uses and minor projects, additions or alterations as determined by the Zoning Administrator and all building and site plans as specified by Section 801.09 of this Ordinance shall be subject to review by the Planning Commission and approval by the City Council. All site and construction plans officially submitted to the City shall be treated as a formal agreement between the building contractor and the City. Once approved, no changes, modifications or alterations shall be made to any plan detail, standard or specifications without prior submission of a plan modification request to the Building Official for his review and approval. City Code Section 801.22.2-4.

Section 3. FINDINGS

The City Council of the City of Wayzata hereby confirms and memorializes that the PUD Amendment and Site Plan depicted in the Application and subsequent submittals by the Applicant, if approved with the conditions set forth in this approval resolution, would meet the applicable requirements of Wayzata's Zoning Ordinance, based upon the following findings of fact made on the record (as well as all Application materials, staff reports, public comment presented at the hearing, and the Recommendation of the Planning Commission):

3.1 PUD Amendment.

- A. Health, Safety and Welfare; Intent and Purpose of PUDs. The PUD Amendment (resulting in the "Amended PUD") conforms with the overall intent and purpose of a PUD as outlined in Section 33 of the Zoning Ordinance. One (1) individual spoke in favor of the Project at the Public Hearing. The Planning Commission was generally supportive of the Project, given that it is an innovative use that would add commercial activity to the west end of Lake Street. The main concerns of the Planning Commission with the Amended PUD centered on traffic impacts and public utility systems being appropriately sized to handle the Project. The conditions recommended for approval are intended to address these concerns.

- B. General Standards. The Amended PUD, as presented, satisfies all of the fourteen (14) general standards listed in Section 801.33.2.A and in Section 2.1 of this Resolution. The following standards are met:
1. Application Complete. The Application contains all of the information and materials required by or requested pursuant to Section 801.33.5.C.
 2. Ownership. All of the property to be included in the Amended PUD is owned by Applicant.
 3. Comprehensive Plan. The proposed Amended PUD conforms with the applicable guidance of, and is consistent with the goals of the Comprehensive Plan.
 4. Common Space. The Amended PUD would provide sufficient common private or public open space and facilities.
 5. Landscaping. Landscaping in the Amended PUD would be according to a detailed plan approved by the City Council.
 6. Health, Safety, and Welfare. Provided the recommended conditions of approval are met, the Amended PUD would not have a negative effect on the welfare of residents of the community and the surrounding area.
- 3.2 Site Plan. The current Site Plan conforms with the applicable requirements of the Wayzata Zoning Ordinance.

Section 4. CITY COUNCIL ACTION

Based on the Findings of this Resolution, the City Council takes the following action:

- 4.1 PUD Amendment. The request for approval of the PUD Amendment, as set forth in the Application, is **APPROVED**, subject to the following conditions (failure to comply with any one of the conditions of approval shall result in the revocation of the approval conditioned thereby):
- A. The Applicant agree to an amendment to the existing development agreement, as amended, for the Property and PUD, ("Development Agreement Amendment") binding it and all future owners of the Property, addressing matters related to the Project, in form and content acceptable to City Staff and the City Attorney, as directed by the City Council, setting forth the approvals granted herein and all applicable conditions.

- B. The Applicant provide a flow analysis report for the existing Lift Station adjacent to the Property for appropriate City Staff to review and approve. The Applicant shall provide and maintain at its sole expense any infrastructure improvements that City Staff determines are necessary to ensure that the stormwater sewer system for the Property has the capacity to support the Project.
 - C. The Applicant submit written verification to City Staff that the patio area is designed to be and is subsequently installed in alignment with the adjacent patio area at 6 Smith restaurant, and landscaped in a similar fashion.
 - D. The Applicant records the Development Agreement Amendment with the appropriate officials at Hennepin County and provides the City with a recorded copy thereof.
 - E. The Applicant constructs the Project in accordance with the submitted plan set, as described in Attachment A.
 - F. All expenses of the City of Wayzata related to the review of the Application and Project, including consultant, expert, legal, and planning fees incurred, be fully reimbursed by the Applicant.
 - G. The Proposed Zoning Ordinance Amendments and Proposed Liquor Ordinance Amendment are approved by the City Council and become part of the City Code according to law, and that the Applicant shall abide by all conditions and requirements established by those Amendments.
- 4.2 Site Plan. The request for approval of the Site Plan, as set forth in the Application, is hereby **APPROVED** subject to the following conditions (failure to comply with any one of the conditions of approval shall result in the revocation of the approval conditioned thereby):
- A. The PUD Amendment being approved and effective.
 - B. That prior to the issuance of any building permits for the Property, the approved Site Plan must be reviewed by City Staff to ensure conformance with the approved PUD Plan.

Adopted by the Wayzata City Council this _____ day of August, 2014.

Mayor Ken Willcox

ATTEST:

City Manager Heidi Nelson

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 _____, 2014.

Becky Malone, Deputy City Clerk
SEAL

Attachment A
Applicant Submittals

Attachment B
Development Agreement

CITY OF WAYZATA



PUBLIC WORKS

MEMORANDUM

To: City Council and City Manager
From: Dave Dudinsky, Director of Public Service
Date: 7/31/2014
Re: **2014 BITUMINOUS SEAL COAT BIDS**

Please find below a summary of the bids accepted by Public Works on Thursday, July 31, 2014 for the Seal Coating of certain Streets in Wayzata.

PEARSON BROS. INC.	\$ 142,130.59
ALLIED BLACKTOP CO.	\$ 155,822.55

<i>Project Estimate</i>	<i>\$ 144,983</i>
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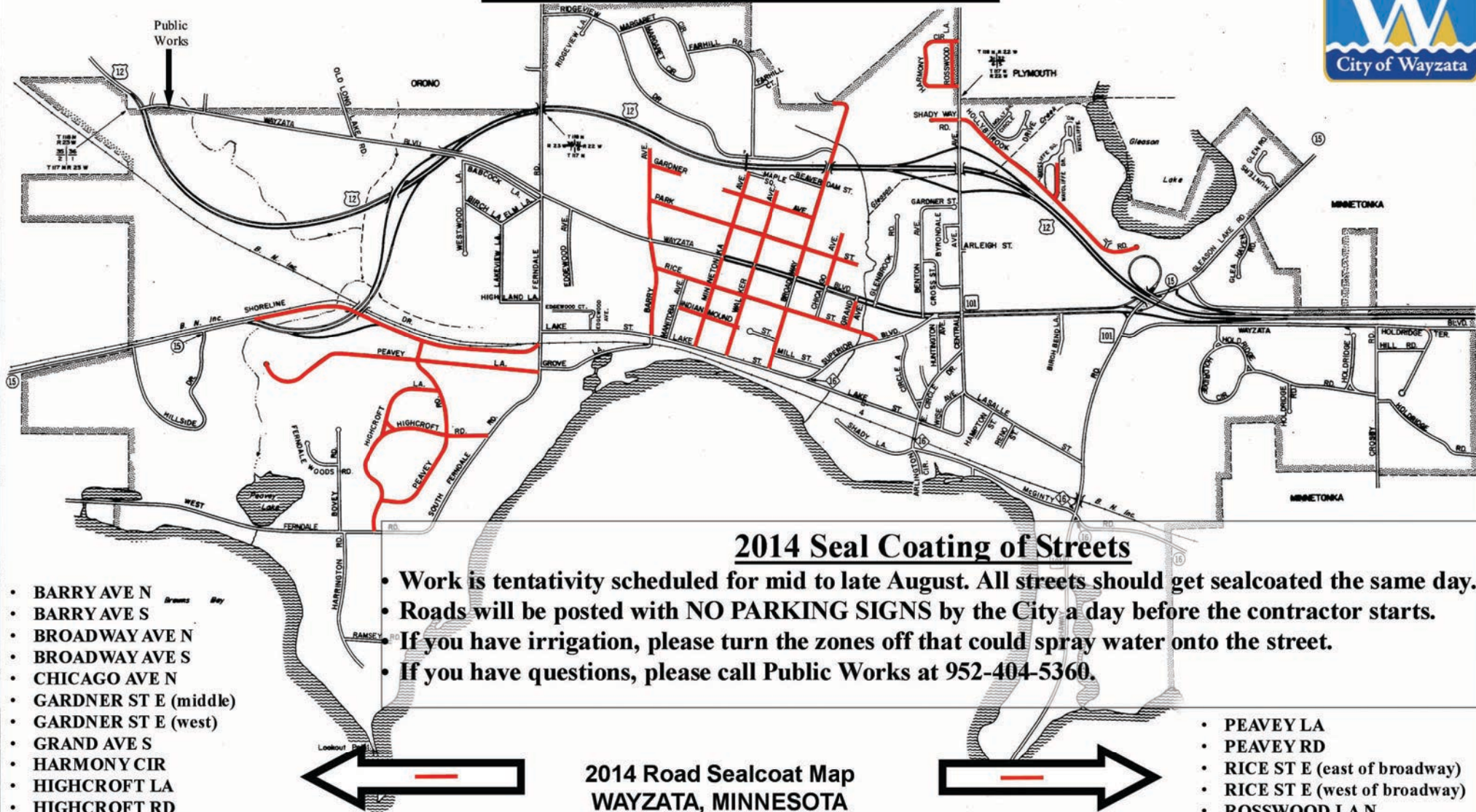
Staff Recommends Award to the Low Bidder:
PEARSON BROS. INC. in the amount of \$ 142,130.59

STREETS TO BE SEAL COATED

• BARRY AVE N	• MINNETONKA AVE N
• BARRY AVE S	• MINNETONKA AVE S
• BROADWAY AVE N	• PARK ST E
• BROADWAY AVE S	• PEAVEY LA
• CHICAGO AVE N	• PEAVEY RD
• GARDNER ST E	• RICE ST E
• (middle)	• (east of roadway)
• GARDNER ST E	• RICE ST E
• (west)	• (west of roadway)
• GRAND AVE S	• ROSSWOOD LA N
• HARMONY CIR	• SHADWAY RD
• HIGHCROFT LA	• SHORELINE DR (co. rd 15)
• HIGHCROFT RD	• WALKER AVE N
• HOLLYBROOK RD	• WALKER AVE S
• INDIAN MOUND	• WAYCLIFFE DR
• (west of walker)	

The Contractor has till August 29th to complete the work. The specifications state that all work by the contractor shall be completed within 5 working days once work commences.

2014 ROAD SEALCOAT MAP



2014 Seal Coating of Streets

- BARRY AVE N
- BARRY AVE S
- BROADWAY AVE N
- BROADWAY AVE S
- CHICAGO AVE N
- GARDNER ST E (middle)
- GARDNER ST E (west)
- GRAND AVE S
- HARMONY CIR
- HIGHCROFT LA
- HIGHCROFT RD
- HOLLYBROOK RD
- INDIAN MOUND (west of walker)
- MINNETONKA AVE N
- MINNETONKA AVE S
- PARK ST E
- Work is tentatively scheduled for mid to late August. All streets should get sealcoated the same day.
- Roads will be posted with NO PARKING SIGNS by the City a day before the contractor starts.
- If you have irrigation, please turn the zones off that could spray water onto the street.
- If you have questions, please call Public Works at 952-404-5360.

2014 Road Sealcoat Map
WAYZATA, MINNESOTA

Approximate Area of Bituminous Street Seal Coat:
121,579 SY

- PEAVEY LA
- PEAVEY RD
- RICE ST E (east of roadway)
- RICE ST E (west of roadway)
- ROSSWOOD LA N
- SHADYWAY RD
- SHORELINE DR (co. rd 15)
- WALKER AVE N
- WALKER AVE S
- WAYZATA AVE



**Planning Report
August 4, 2014**

Project Name: 310 & 324 Bushaway Road Residential House Design Approval
File Number: PR 2014-9
Applicant/Owner: BCLW Investments
Address of Request: 310 & 324 Bushaway Road
Property ID #s: 05-117-22-34-0027 & 05-117-22-34-0023
Prepared by: Bryan Gadow, City Planner
Planning Commission Review: August 4, 2014
City Council Review: August 6, 2014

PROJECT SUMMARY

Section 1. Development Application

- 1.1. General. On March 6, 2012, the City Council voted 5-0 to approve a five (5) lot subdivision at 310 and 324 Bushaway Road via Resolution 11-2012. The Planning Commission also unanimously recommended approval of the subdivision. One of the conditions of approval was that:

The Applicant and/or future homeowner shall submit plans for review and approval by the Planning Commission and the City Council depicting architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the buildings proposed to demonstrate similarity to the characteristics and quality of the existing homes in the neighborhood as required under Section 805.14.e.8 and 805.14.e.9. The Applicant shall include this requirement to their covenant documents in order to convey this requirement to future owners of the Property.

Charles Cudd Co. (the "Applicant") is working on behalf of the owner (BCLW Investments) to construct the last two homes that are part of the five lot development on Lots 1 and 5. The Applicant has submitted the proposed building plans (Attachments A and B) for review for the structures on Lots 1 and 5 (310 and 324 Bushaway). The designs for Lots 2, 3, and 4 were previously reviewed and approved in 2013. Lots 1 and 5 would be the fourth and fifth houses of the approved five lots to start construction.

Similar to the other StoneCrest buildouts that have previously been reviewed, the Applicant is requesting that the Planning Commission review the plans at their meeting on August 4th and the City Council review the plans at their August 6th meeting.

1.2 Project Location.

The proposed homes on Lots 1 and 5 would be built on property located east of Bushaway Road, and north of McGinty Road and the railroad tracks.

Map 1: Project Location.



SECTION 2. ANALYSIS OF CURRENT DEVELOPMENT PROPOSAL

2.1 Lot Size and Building Analysis.

Lot 1 is 86,404 SF, which is larger than the 40,000 SF minimum in the R-1 District. Another condition of approval of the subdivision was that the project would be built to the R-1A District standards, including 10% lot coverage and 20% impervious surface coverage limits. The 86,404 SF lot exceeds the lot minimum for the R-1A District.

Building Item	Proposed Square Footage
House, Garage	3,547 SF
Deck	288 SF
Driveway and Sidewalk	2,077SF
Total	5,912 SF
Percentage of Lot Area	Percentage
5,912 SF/ 86,404 SF	6.8%

The proposed building footprint at 4.4% and total impervious surface at 6.8% would be well under the 10% lot coverage and 20% maximum impervious surface requirements for the R-1A District. The proposed building height of 30.8 ft would be under the 40 ft limit.

Lot 5 is 82,027 SF, which is larger than the 40,000 SF minimum in the R-1 District. Another condition of approval of the subdivision was that the project would be built to the

R-1A District standards, including 10% lot coverage and 20% impervious surface coverage limits. The 82,027 SF lot exceeds the lot minimum for the R-1A District.

Building Item	Proposed Square Footage
House, Garage	3,576 SF
Deck	356 SF
Driveway and Sidewalk	5,951 SF
Total	9,884 SF
Percentage of Lot Area	Percentage
9,884 SF/ 82,027 SF	12.1%

The proposed building footprint at 4.8% and total impervious surface at 12.1% would be well under the 10% lot coverage and 20% maximum impervious surface requirements for the R-1A District. The proposed building height of 39.2 ft would be under the 40 ft limit.

Section 3. Applicable Code Provisions for Review

3.1 Subdivision Ordinance – Building Design Related

Section 805.14(e) provides criteria for the Planning Commission and City Council to evaluate the proposed building design, as required by the condition of approval of Resolution 11-2012. The following is the applicable factor for this section for consideration. Included is Staff's evaluation of each of the factors:

- A. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.

The Applicant has provided building elevations for review and comment by the Commission and City Council. The Applicant will also provide building material samples for review at the meeting. The proposed structures meet the requirements of the R-1A District in terms of coverage and other performance standards. The Commission and Council should comment on the character of the building design within the context of the neighborhood.

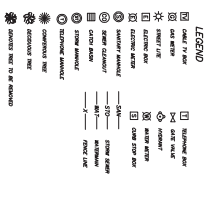
Section 5. Action Steps.

After considering the items outlined in this Report, the Planning Commission and City Council should review, provide comments on, and approve the proposed Lots 1 and 5 building plans.

Attachments:

- Attachment A: 310 Bushaway Architectural Plan Set
- Attachment B: 324 Bushaway Architectural Plan Set

- Attachment C: Stonecrest Plat



Certificate of Survey

*NOTE:
 BUILDING DIMENSIONS DO NOT REFLECT BRICK FACING
 CLIMB & GUTTER AND UTILITIES ARE EXISTING
 *SHOULDER TO VERIFY SANITARY SEWER SERVICE ELEVATION AND
 CONFIRM IT WILL WORK WITH THE BASEMENT ELEVATION PRIOR
 TO CONSTRUCTION*

Exclusions provided by client

Garage Floor = (971.00)(at overhead door)
Top of Foundation Wall = (971.80)
Lowest Floor = (965.10)

Lot Area
House
Deck
Driveway
Impervious Area = 5,912 sq. ft. = 6.8% of

Lot Area	= 86,404.14 sq. ft.
House	= 3,547 sq. ft.
Deck	= 288 sq. ft.
Driveway	= 2,077 sq. ft.
Impervious Area = 5,912 sq. ft.	= 6.8% of total Lot area

I hereby certify that this survey 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.



08/27/14

Craig W. Morris, R.L.S.

License No. 230221

Date

Date _____
Craig W. Morse, P.L.S.
License No. 23021

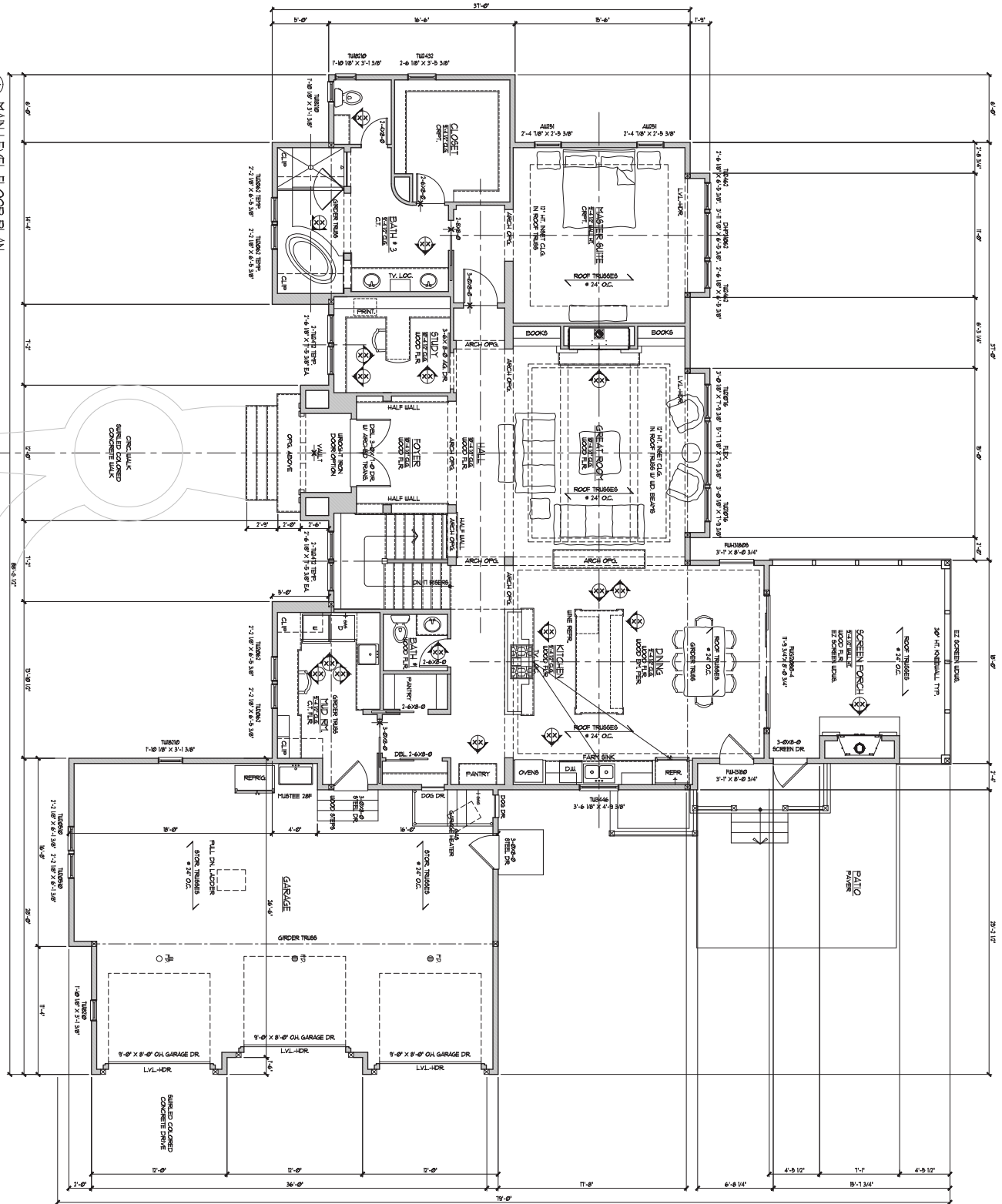
Scale: 1" = 20 feet



Attachment A: Lot 1

MAN LEVEL FLOOR PLAN

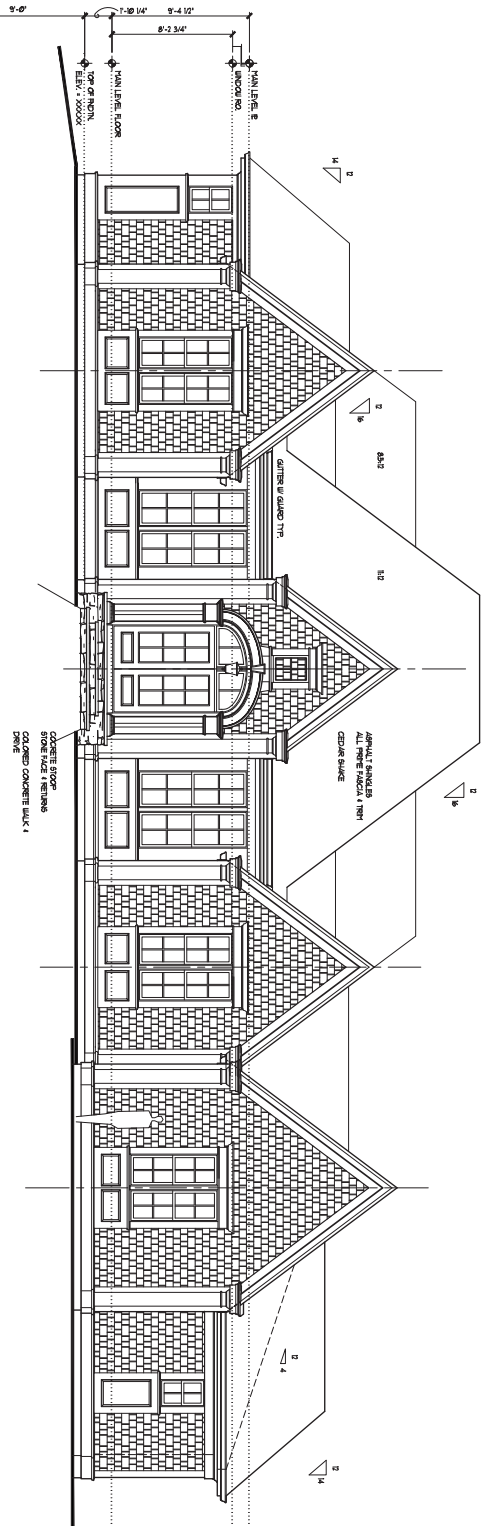
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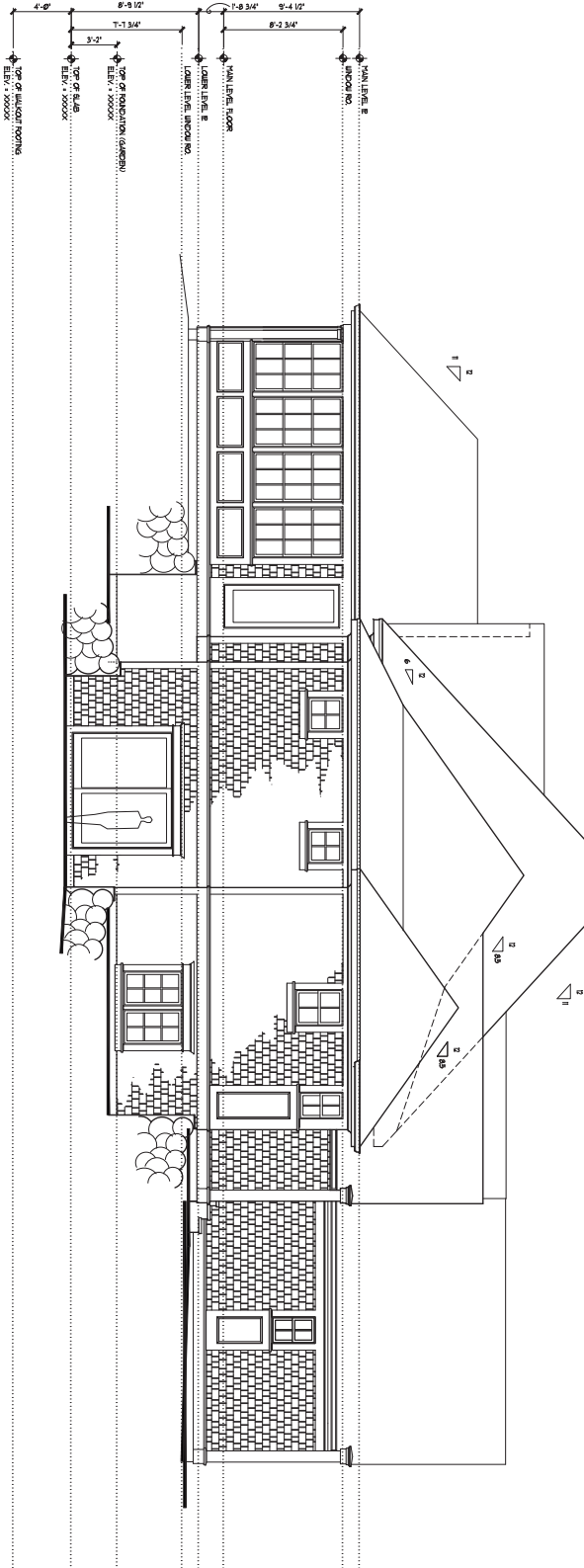
Attachment A Lot 1

PLAN INTENDED FOR BIDDING USE ONLY

A-3 SHEET NO.	DATE DRAWN: 08-06-2014 CUSTOMER: NICHOLS, PAT & SHERRI RELEASE: 08-06-2014 DRAWN BY: CHAS COLE	REVISIONS / ISSUE DATES <table border="1"> <thead> <tr> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>08-06-2014</td> <td>Initial Plan</td> </tr> </tbody> </table>	DATE	DESCRIPTION	08-06-2014	Initial Plan	RESIDENCE FOR: NICHOLS, PAT & SHERRI ADDRESS: 524 BUSHAWAY RD. MAYZATA, MN LOT NO: 1 BLOCK NO: 1 JOB NO: PROJECT: Stonecrest	10050 72nd Ave. N. • Plymouth, MN 55441 • 612-333-8020 phone charlescoledesign.com • chas@charlescoledesign.com
	DATE	DESCRIPTION						
08-06-2014	Initial Plan							
CHARLES COLE DESIGN, LLC 10050 72nd Ave. N. • Plymouth, MN 55441 • 612-333-8020 phone charlescoledesign.com • chas@charlescoledesign.com	CC 08-06-2014 Page 284 of 321							

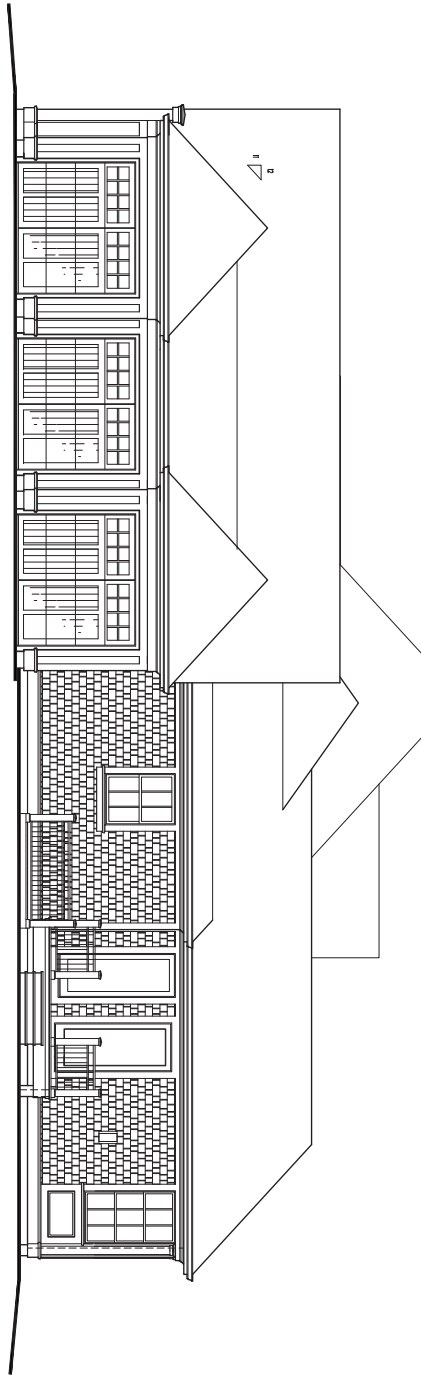
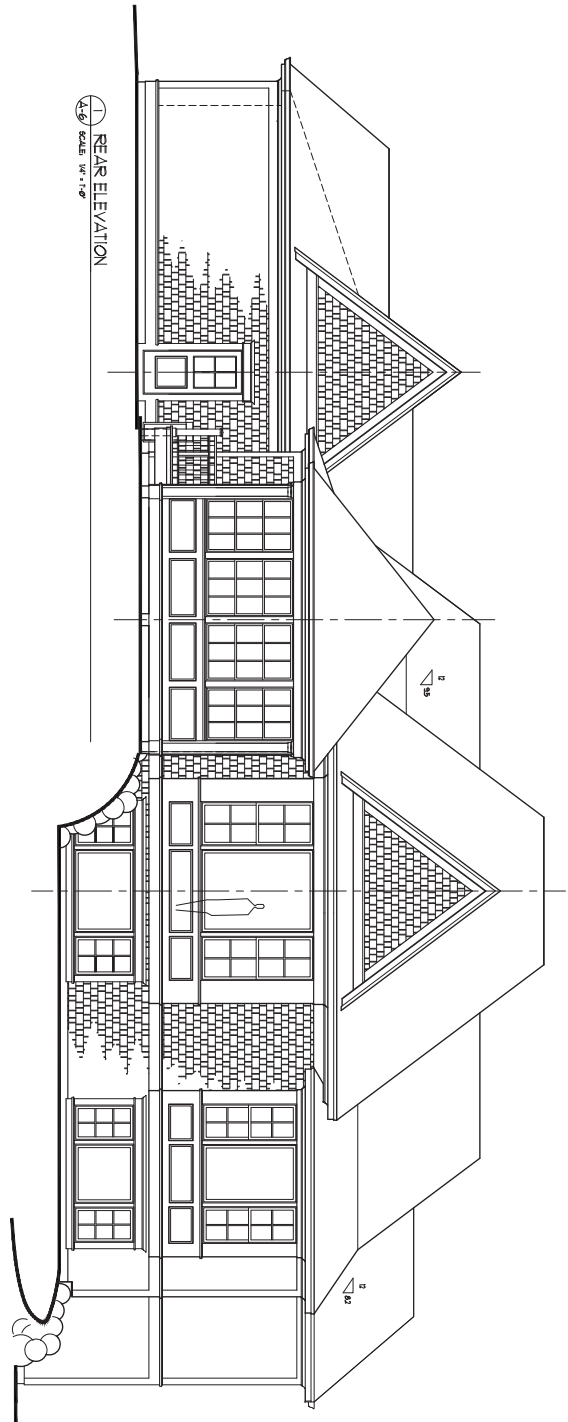


FRONT ELEVATION
SCALE 1/4" = 1'-0"

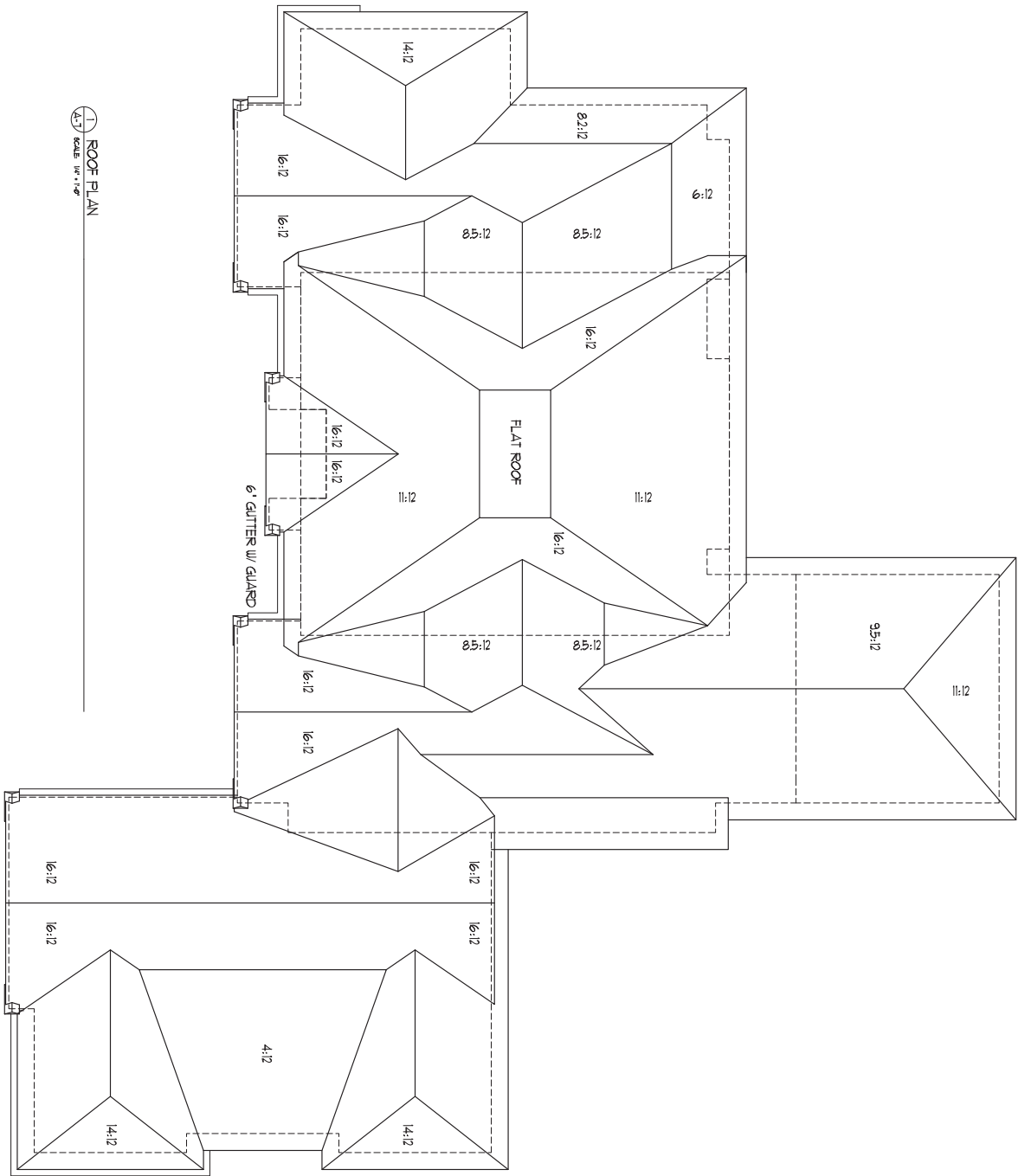


LEFT SIDE ELEVATION
SCALE 1/4" = 1'-0"

PLAN INTENDED FOR BIDDING USE ONLY

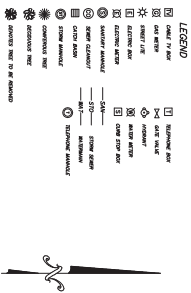


PLAN INTENDED FOR BIDDING USE ONLY



1 ROOF PLAN
SCALE 1/4" = 1'-0"

PLAN INTENDED FOR BIDDING USE ONLY



Let Area
House = 1,500 sq. ft.
Driveway = 5,016 sq. ft.
Screened
Impermeable Area = 9,884 sq. ft. = 12.1% of total lot area

NOTE:
BUILDING DIMENSIONS DO NOT REFLECT BRICK FINISH.
*CLUB & OUTER WALL UTILITIES ARE EXISTING.

BUILDING REFLECTS CAD FILE PROVIDED BY CLIENT.
SURVEYOR HAS NOT REVIEWED PLAIN SET AT TIME OF SURVEY.
WARRANTY TO VERIFY SURVEYOR'S SINKER SERVICE ELEVATION AND
TO VERIFY SURVEYOR'S SINKER SERVICE ELEVATION PROVIDED
TO CONSTRUCTION WITH THE EXISTING ELEVATION PROVIDED
TO CONSTRUCTION.

I hereby certify that this survey 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.



08/27/14

Craig W. Morris, R.L.S.

License No. 230221

Date

Certificate of Survey













THE TRAVIS & NISHA JACOBS RESIDENCE

310 BUSHAWAY ROAD, WAYZATA, MN

DRAWING INDEX

ARCHITECTURAL

T-1 Titleblock Page

- A-1 Foundation Plan
- A-2 Lower Level Finish Plan
- A-3 Main Floor Plan
- A-4 Bonus Room Floor Plan
- A-5 Exterior (Front) Elevation
- A-6 Exterior (Side) Elevation
- A-7 Exterior (Back) Elevation
- A-8 Building Sections
- A-9 Building Sections
- A-10 Building Sections

- I-1 Lower Level Interior Elevations
- I-2 Main Level Interior Elevations
- I-3 Main Level Interior Elevations

- E-1 Lower Level / Bonus Room Electrical Plans
- E-2 Main Level Electrical Plan

- S-1 Main Floor Framing Plan
- S-2 Upper Floor Framing Plan
- W-1 Wood Floor Layout Plan





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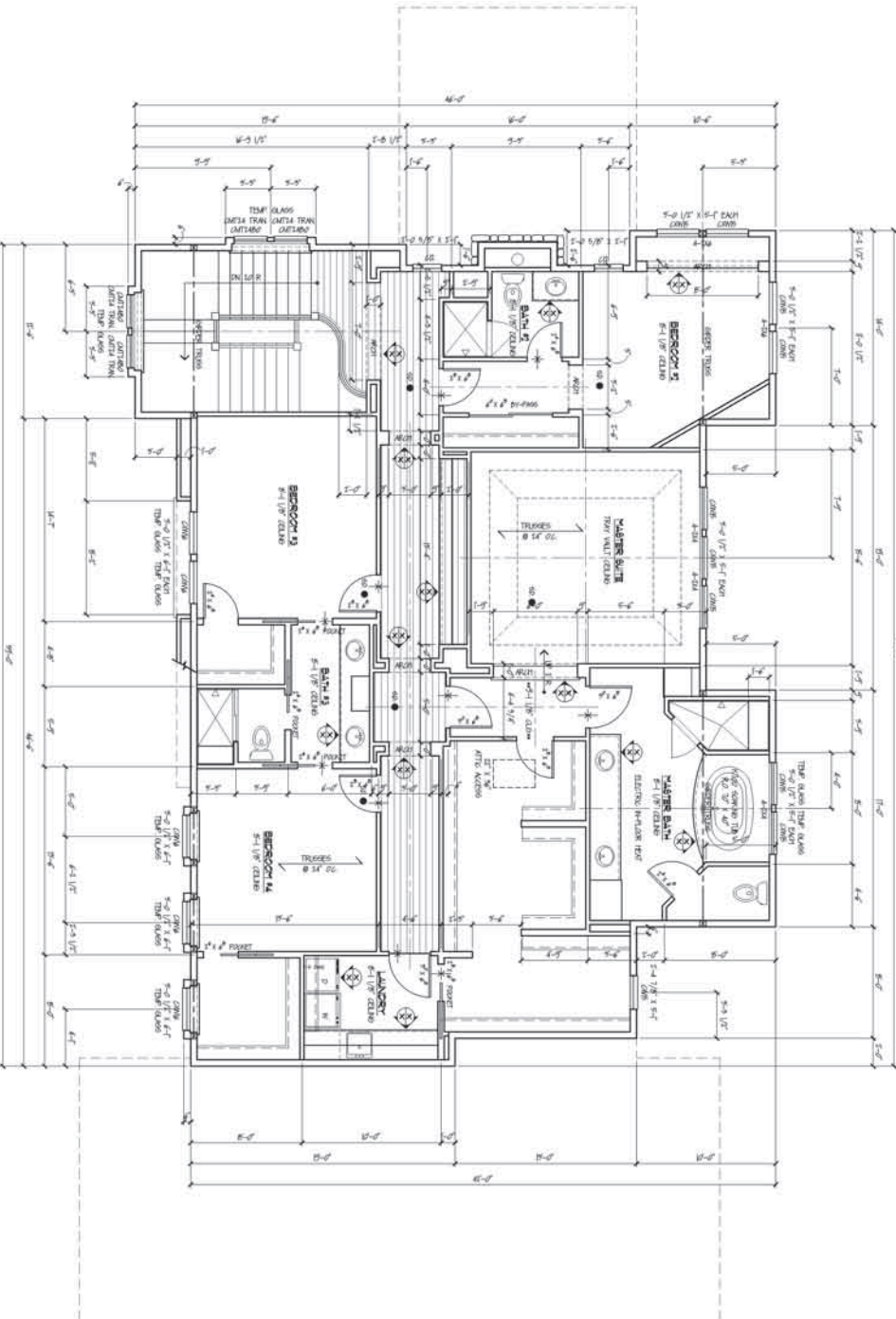
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RESIDENCE FOR: Travis & Nieha JACOBS
ADDRESS: 310 Bushway Road
Wayzata, MN
LOT No.: 5 BLOCK No.: 1
PROJECT: Bismarck of Wayzata
JOB No.: 6822

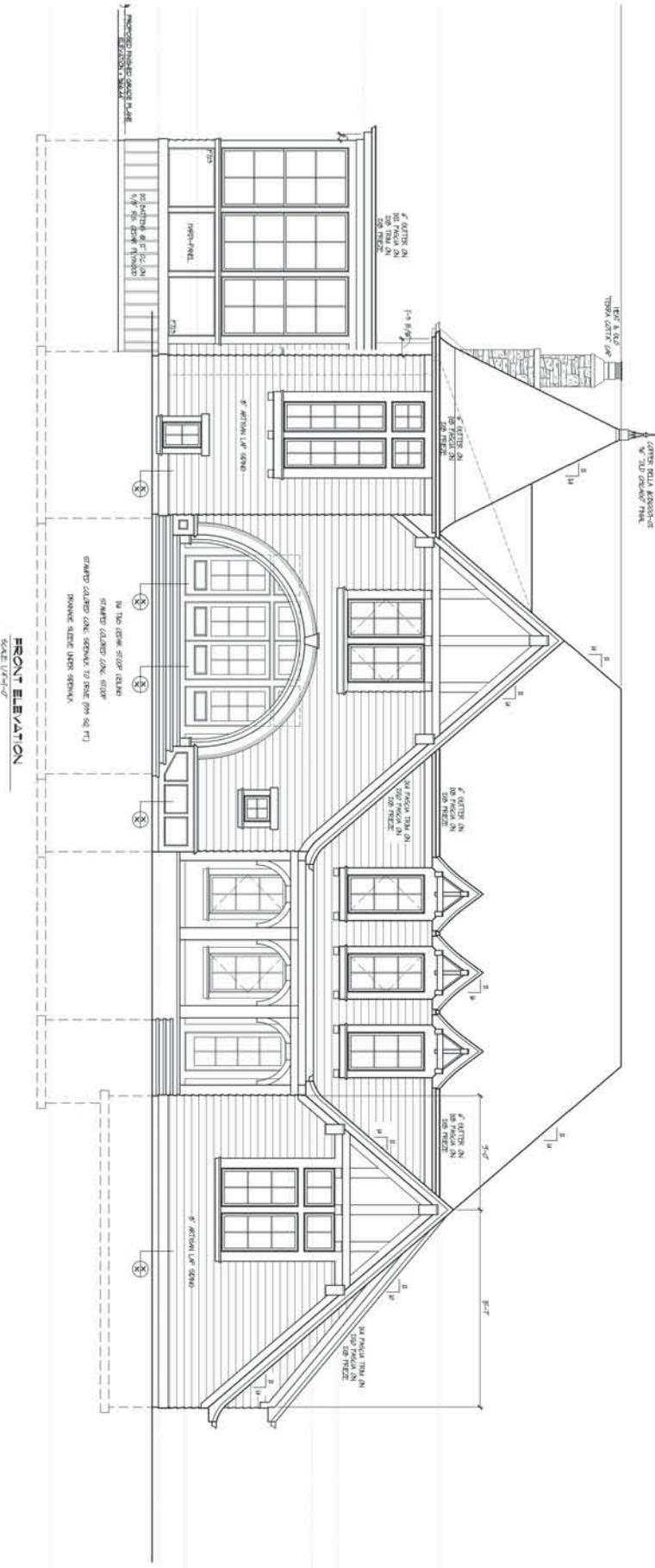
I HEREBY CERTIFY THAT THE PLAN SPECIFICATION ON REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A FULLY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF ARIZONA.

DATE: _____ DATE: _____

FIRM, INC.

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NOTES:
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3. ANY REUSE OR MODIFICATION OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT IS PROHIBITED.

A-5

SHEET NO.

DATE DRAWN: 08-06-2014

CUSTOMER: JACOB & JACOB

RELEASE: 08-06-2014

DRAWN BY: JLB

REVISIONS / ISSUE DATES

DATE	DESCRIPTION	DATE	DESCRIPTION
08-06-2014	08-06-2014		

RESIDENCE FOR: Travis & Niels JACOB

ADDRESS: 3100 Highway Road, Wayzata, MN

LOT NO: 5 BLOCK NO: 1

PROJECT: Stonecroft of Wayzata

JOB NO: 0802

1. General Notes

2. Foundation Notes

3. Structural Notes

4. Mechanical Notes

5. Electrical Notes

6. Plumbing Notes

7. HVAC Notes

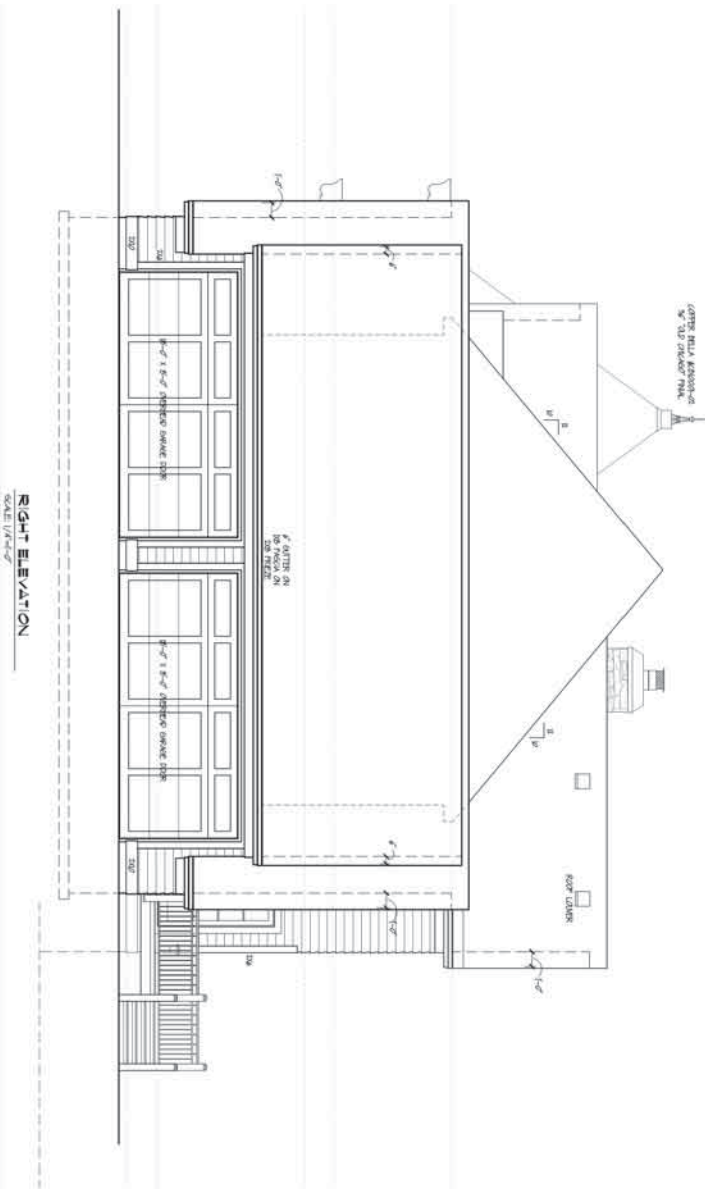
8. Other Notes

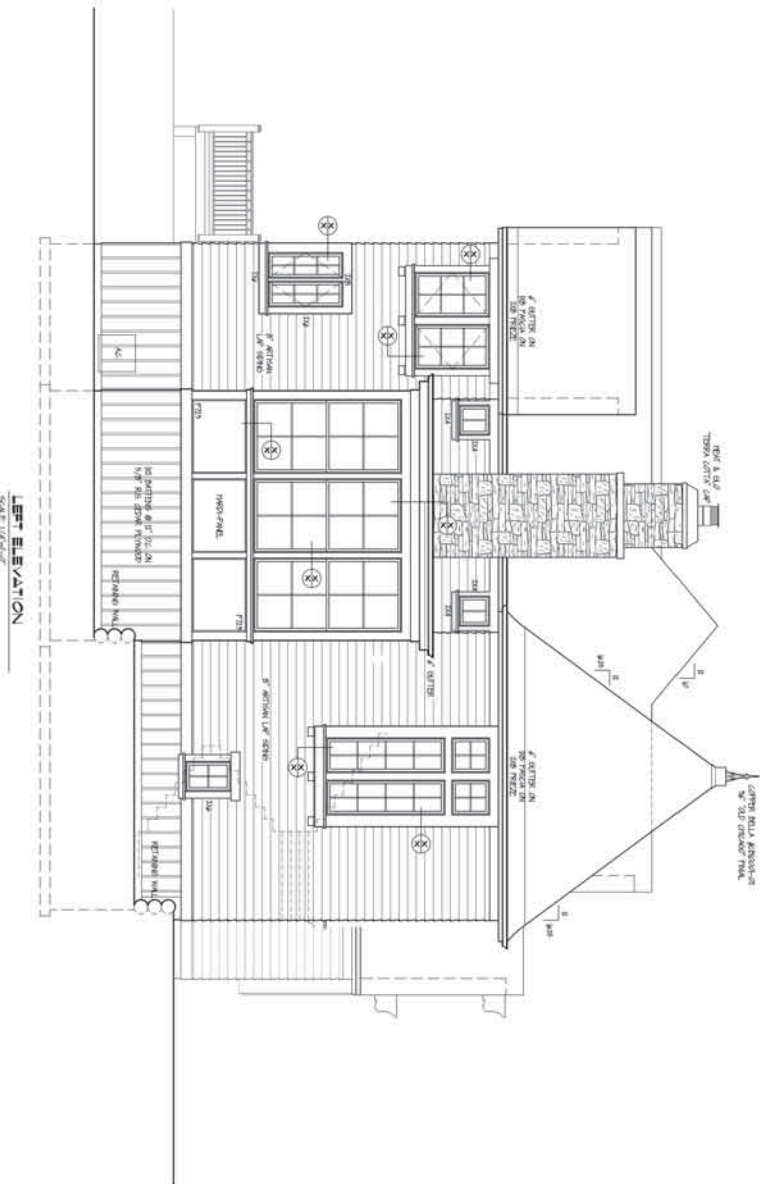
CHARLES GOULD DESIGN, LLC

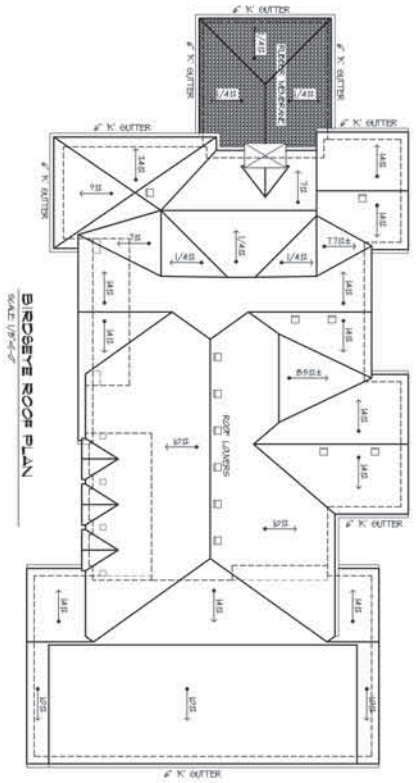
10000 3rd Ave. N. • Plymouth, MN 55447 • 612.333.8020 phone

charlesgould.com • charlesgould@charlesgould.com

CC 08-06-2014
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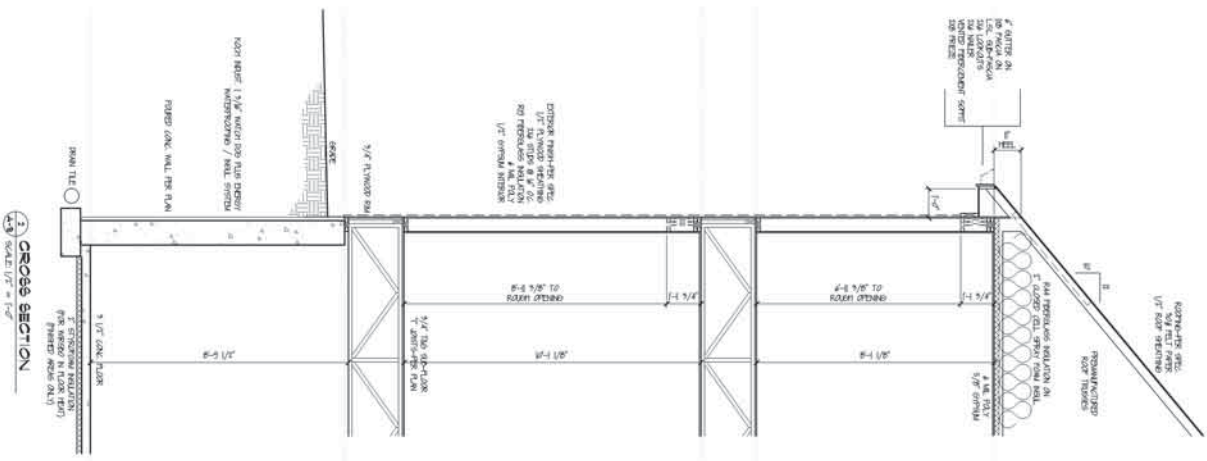


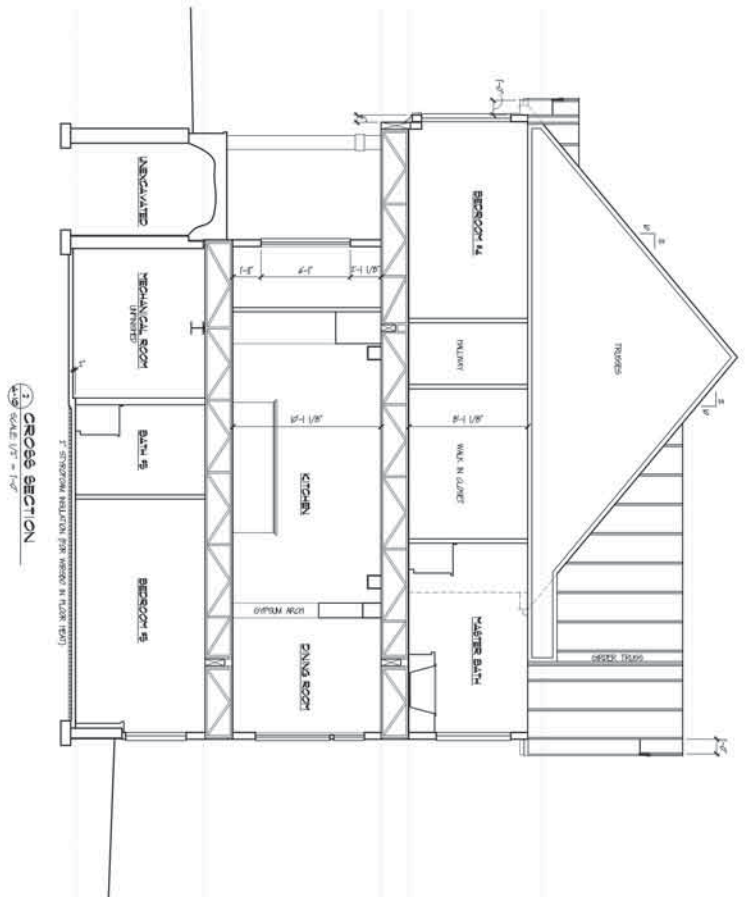


BACK ELEVATION
SCALE 1/8"=1'-0"



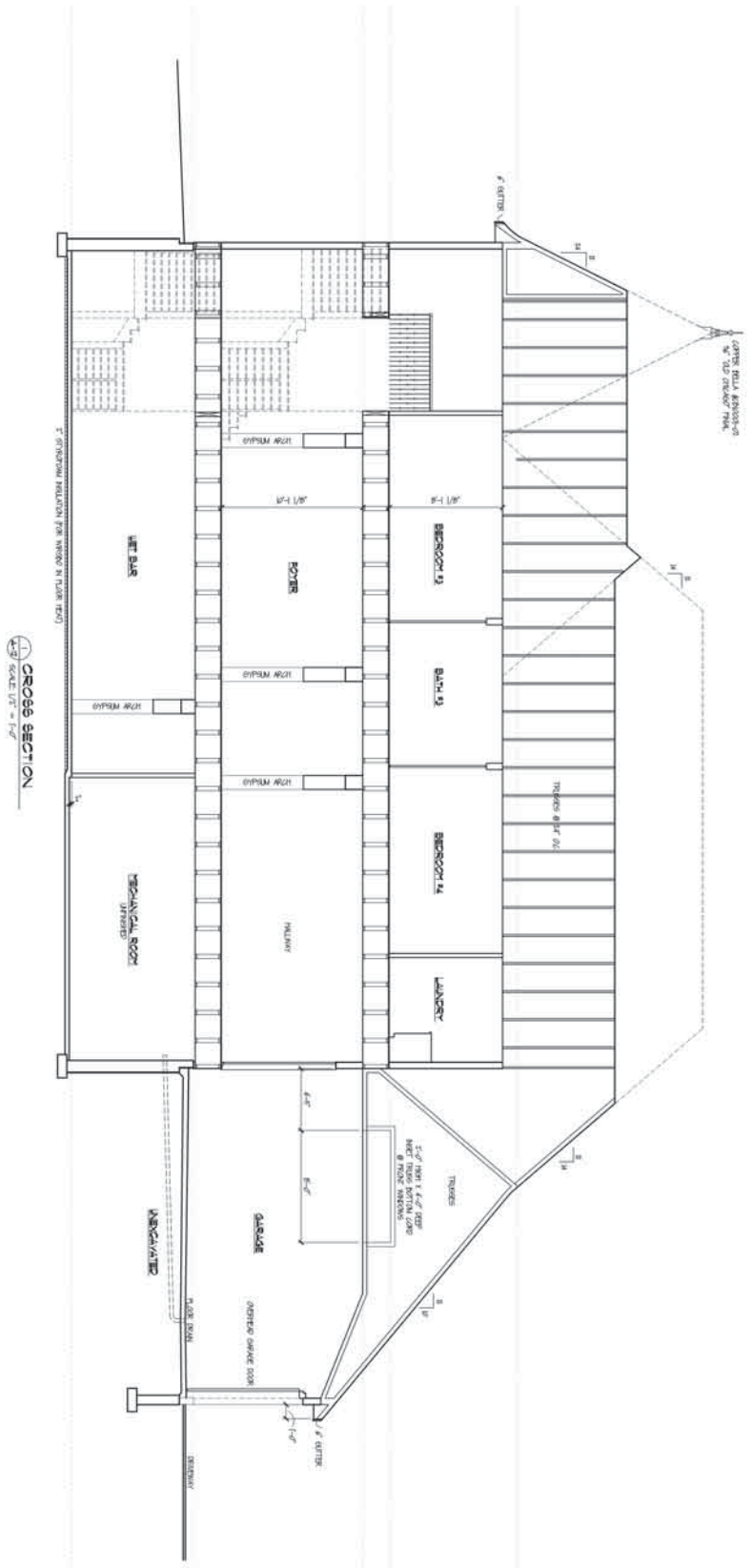
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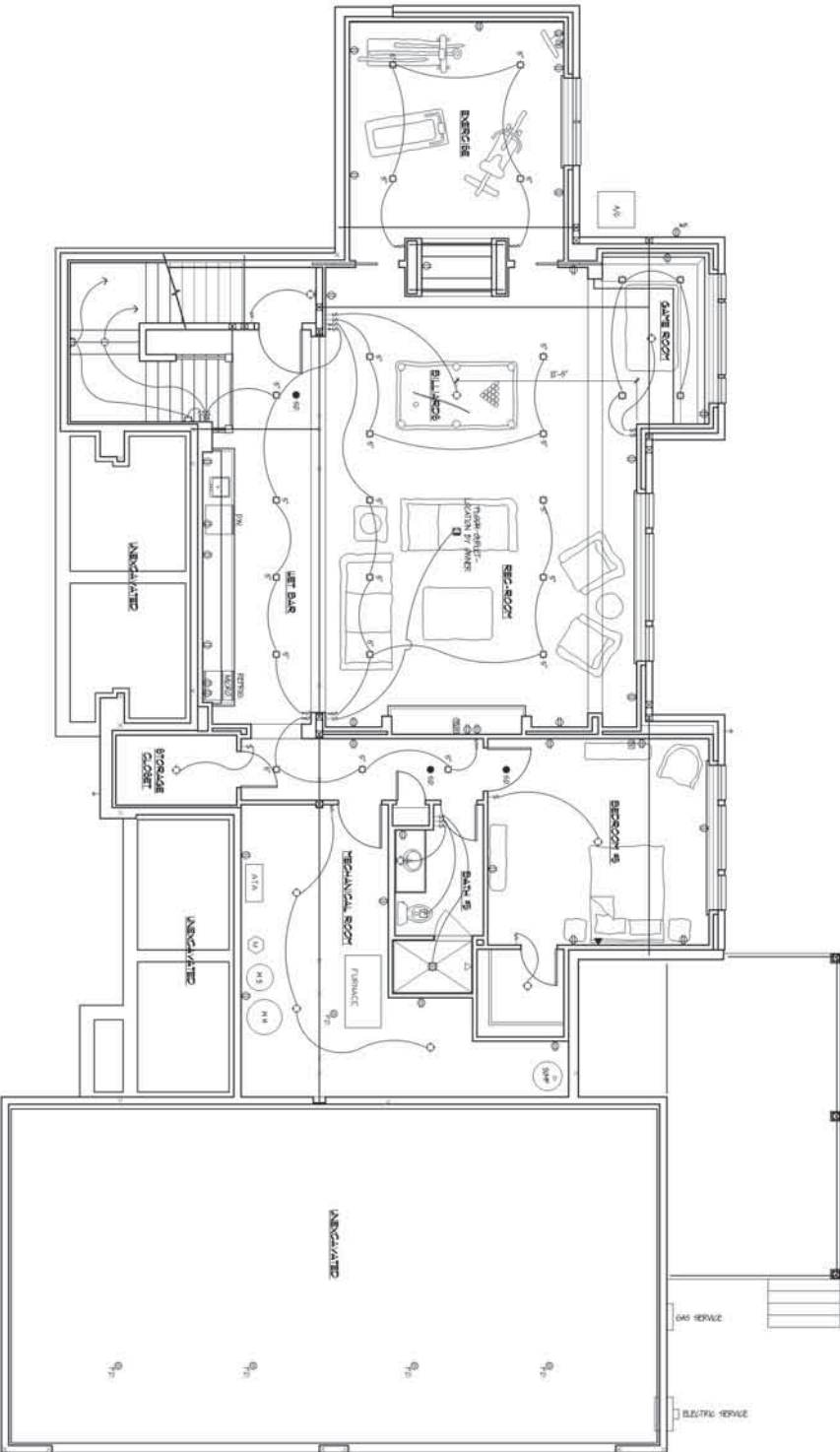


Attachment B: Lot 5 Plans



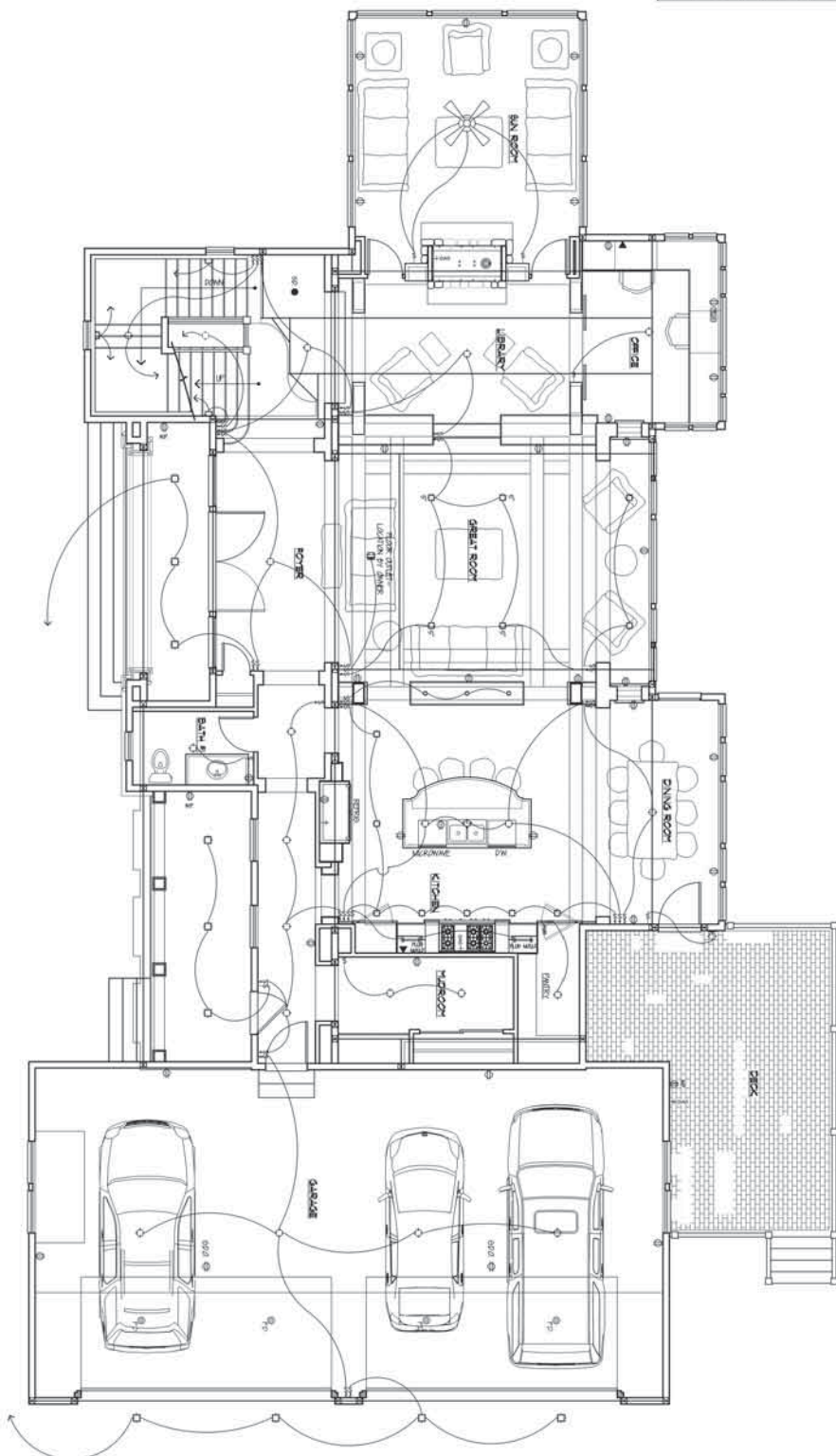
NOTES:

- PATH #1 TO HAVE VANE OVERRIDE SWITCH (IN LIEU OF EXHAUST FAN)



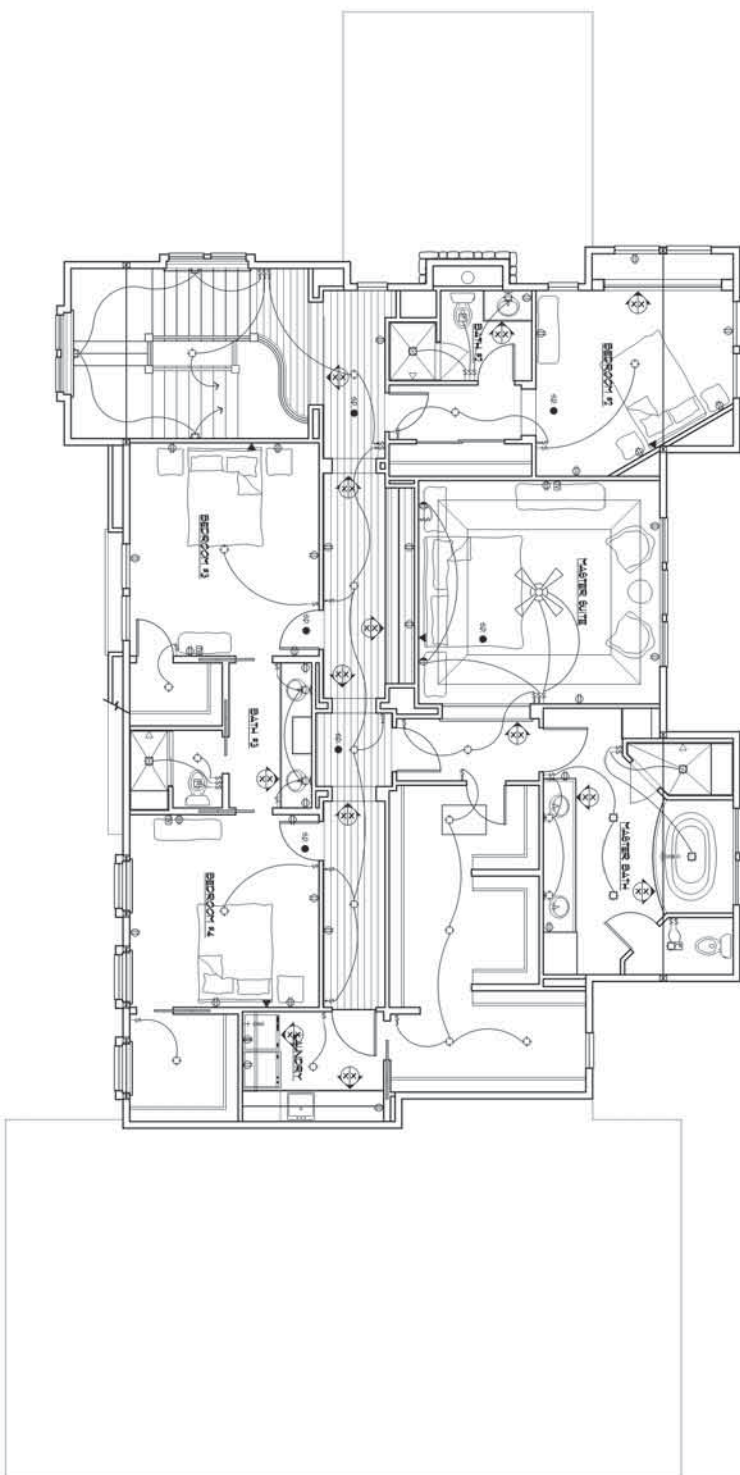
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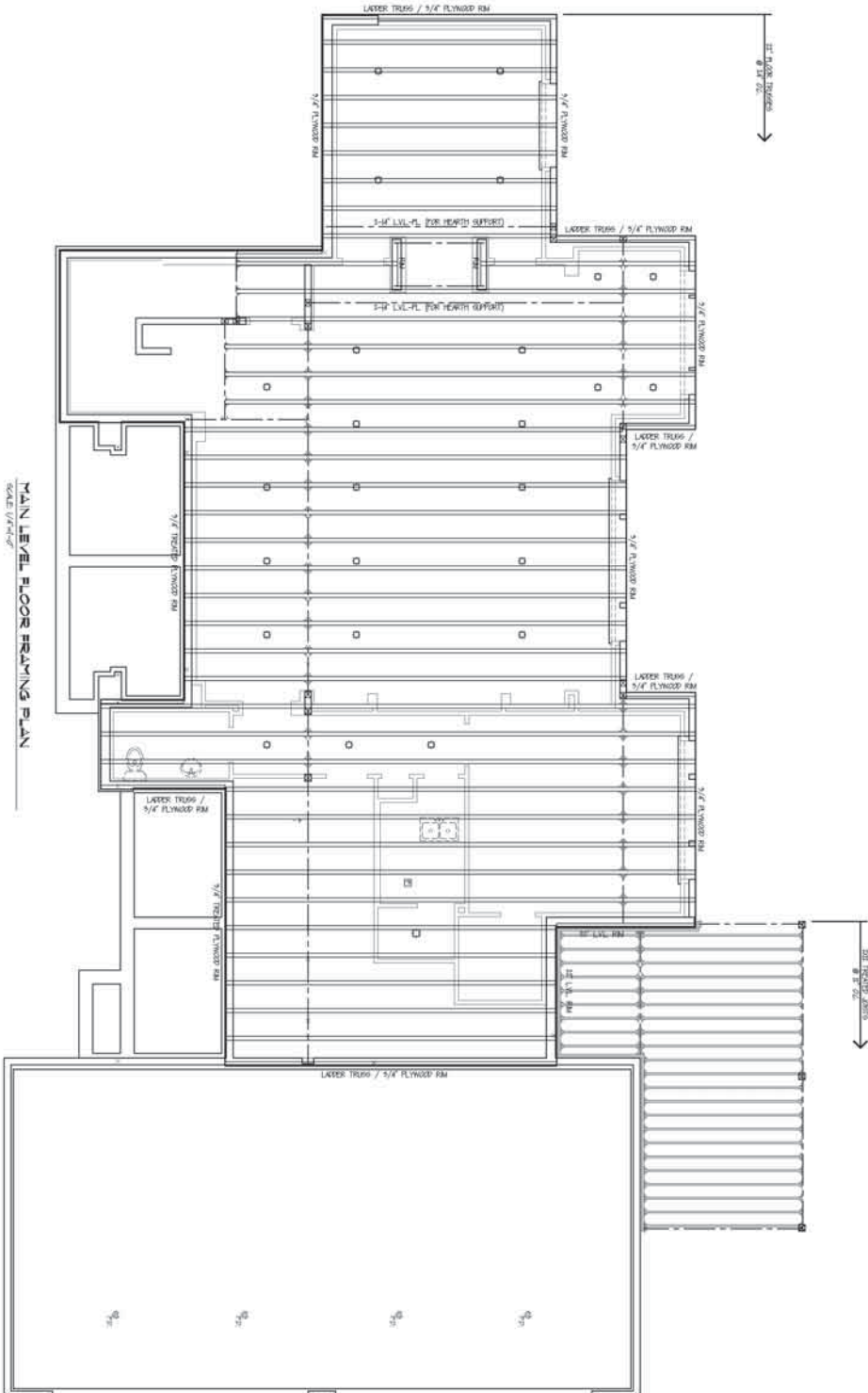
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2	☐	WRITED ALIUT
3	☐	UNREPROVED ALIUT
4	☐	PLAIN ALIUT
5	☐	WRITED PLAIN ALIUT
6	☐	ISU ALIUT
7	☐	9999999999999999 (WRITED IN TWO LOCATIONS)
8	☐	4 WRITED ALIUT (WRITED IN THREE LOCATIONS)
9	☒	DATA PLN
10	☐	DATA LIFT PROBE
11	☐	PLN ALIUT LIFT PROBE (PLN2)
12	☐	RECEIVED LIFT PROBE
13	☐	RECEIVED PLAIN-ALIUT LIFT PROBE
14	☐	WRITED RECEIVED LIFT PROBE
15	☐	RECEIVED PLAIN LIFT PROBE
16	☐	RECEIVED PLAIN LIFT ALIUT PROBE
17	☐	WRITED PLN
18	☐	WRITED-PLN LIFT / PLAIN-ALIUT LIFT PROBE
19	☐	PLAIN LIFT
20	☐	PLAIN LIFT PROBE
21	☐	WRITED-PLAIN LIFT
22	☐	WRITED-PLAIN LIFT PROBE
23	☐	WRITED-PLAIN LIFT ALIUT
24	☐	WRITED-PLAIN LIFT ALIUT PROBE

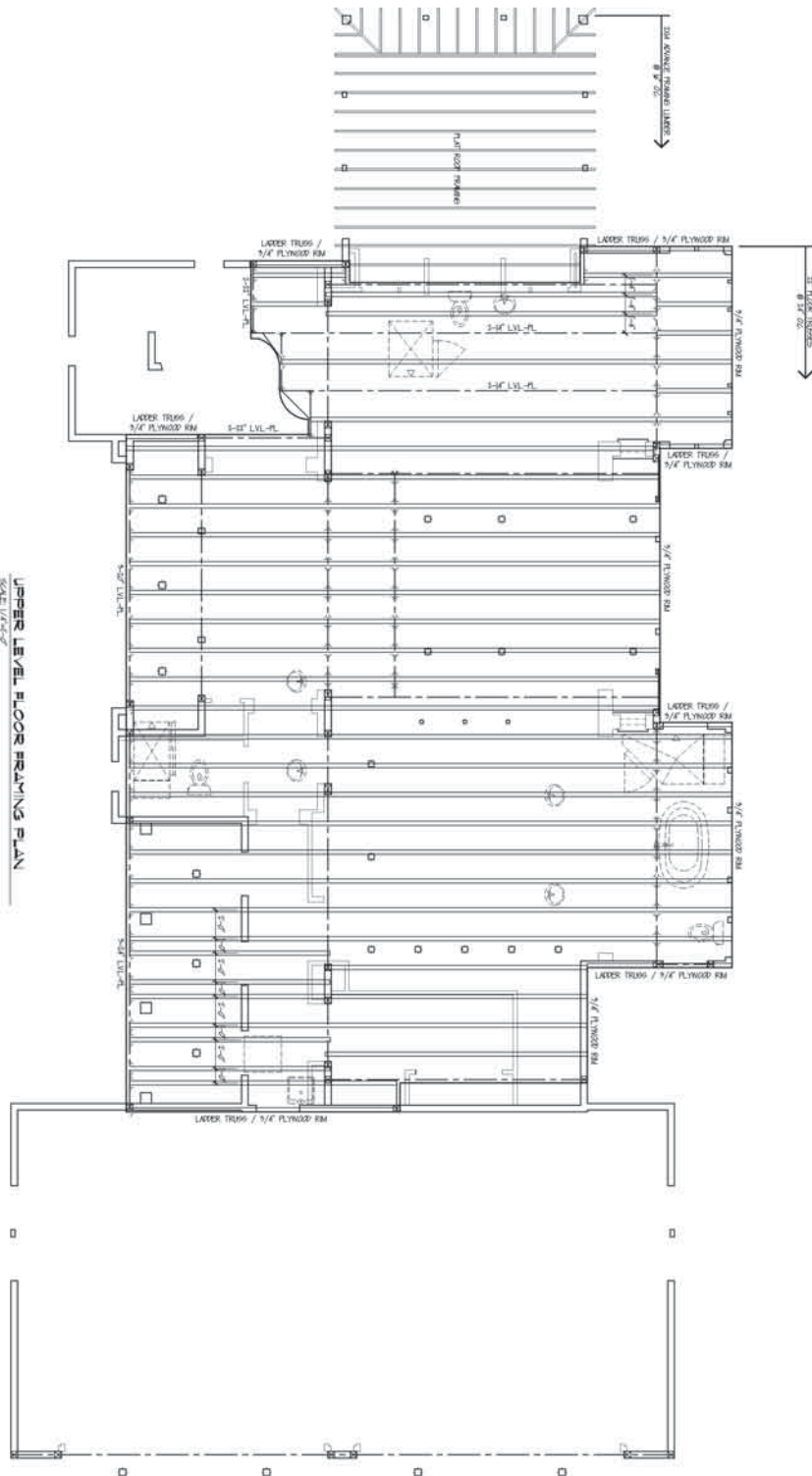


LOCATIONS OF ALL ELECTRICAL FITTINGS, SWITCHES AND OUTLETS SHOWN ON THIS PLAN ARE APPROXIMATE. EXACT LOCATIONS DETERMINED BY JUD. SUPERVISOR AND ELEC. CONTRACTOR AND IS DEPENDENT UPON LOCATIONS OF THE STRUCTURAL FRAMEWORK MEMBERS AND THE ELECTRICAL CODE.

- LOCATIONS OF ALL ELECTRICAL FITTINGS, SWITCHES AND OUTLETS SHOWN ON THIS PLAN ARE APPROXIMATE. EXACT LOCATIONS DETERMINED BY JOB SUPERVISOR AND ELEC. CONTRACTOR AND IS DEPENDENT UPON LOCATIONS OF THE STRUCTURAL FRAMEWORK MEMBERS AND THE ELECTRICAL CODE.
- PATH #1 TO HAVE WIRE OVERSIDE SWITCH (IN LEAD OF CRUISE PAN).

[illegible]



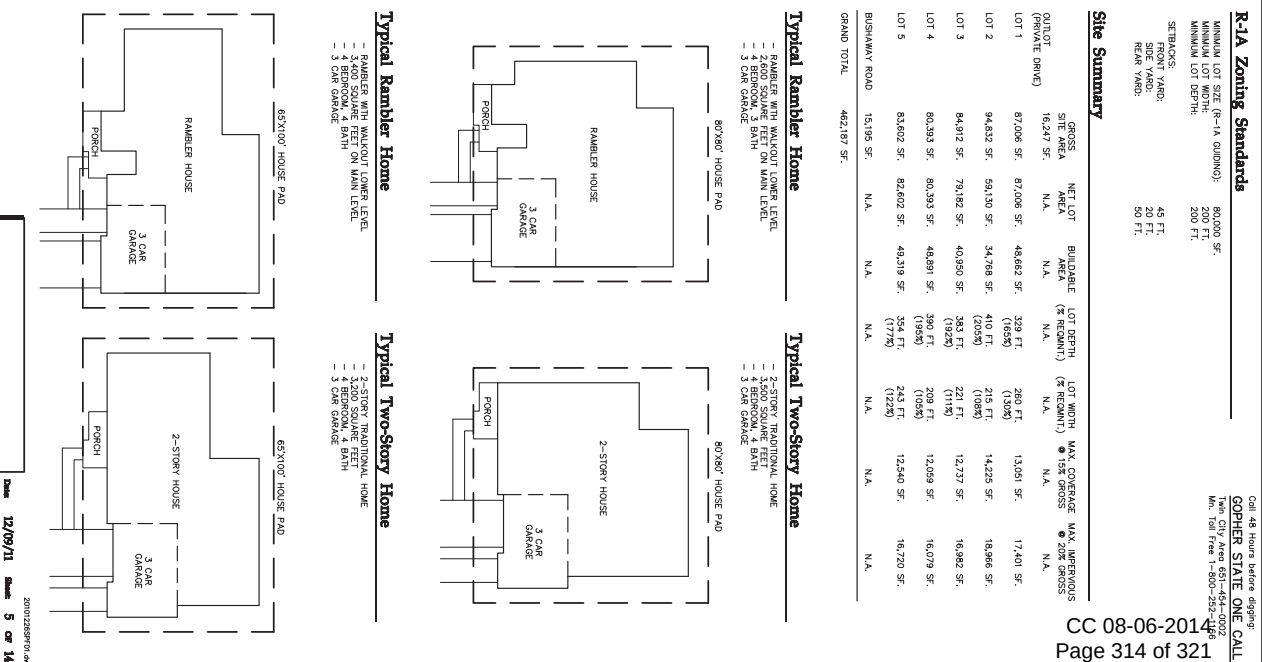


15000 23rd Ave. N. • Plymouth, MN 55447 • 612-331-8000 phone
charlescubf.com • jancynort/filmarts.com

RESIDENCE FOR: Travis & Nisha JACOBS
ADDRESS: 310 Bushway Road
Wayzata, MN
LOT No.: 5 BLOCK No.: 1
PROJECT: Stonecrest of Wayzata
JOB No.: 5522

DATE DRAWN: XXX-XXX-XXX
CUSTOMER: XXX-XXX-XXX
PLAN REVIEW
RELEASE: XXX-XXX-XXX
DRAWN BY: BPL

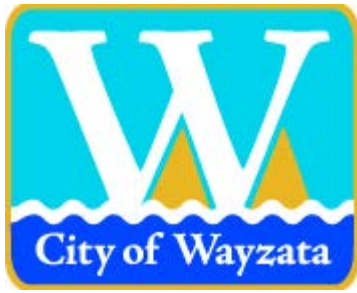
A-3
SHEET NO.



Prepared for

Stonecrest
310 & 324 Bushway Rd.
Wayzata, Minnesota

Site Plan-Subdivision Plan



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

Mayor:
Ken Willcox
City Council:
Jack Amdal
Bridget Anderson
Andrew Mullin
Tom Tanner
City Manager:
Heidi Nelson

MEMORANDUM

TO: Heidi Nelson, City Manager

FROM: Kristin Classey, Communications Specialist

DATE: July 31, 2014

RE: Minnesota Association for Volunteer Administration (MAVA) Grant Application

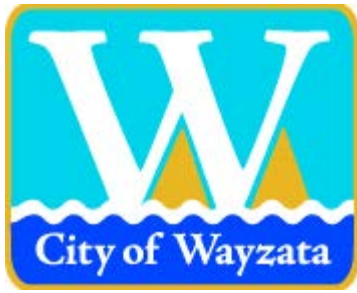
Request to apply for MAVA Grant

The Minnesota Association for Volunteer Administration (MAVA) is requesting proposals from Minnesota cities for small grants for starting or enhancing a city volunteer program. Four cities would be selected to receive a \$2,000 grant. Staff from the selected cities will share challenges, opportunities and successes between September 2014 and August 2015. Deadline for proposals is August 8, 2014 at 5 p.m.

Application criteria for selection

1. The proposal is submitted by an incorporated city in Minnesota
2. *Proposal submission has support from appropriate City leadership to participate in the grant (City Manager, City Clerk, Mayor, Council, etc. depending on your city).
3. Alignment of the proposal with the RFP goal of building the city's capacity for volunteer engagement through starting or enhancing a volunteer program. (Not appropriate for a one-time project).
4. The proposal focuses volunteer efforts on priority city goals.
5. The potential of the proposal to provide resources and lessons learned that would be useful for other Minnesota cities.
6. The potential for success of your proposal.
7. Clear work plan that fits with RFP, is well thought-out and realistic.
8. Agreement to participate in trainings, sharing sessions with other pilot sites and to share documents and lessons learned with other cities.

*A letter of support from City Council will be needed for submission of application. Attached is the application for grant for further details.



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

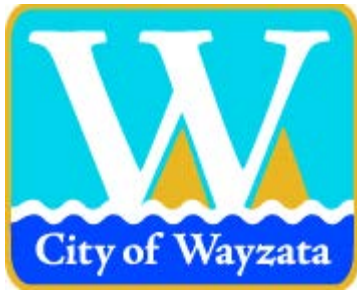
Mayor:
Ken Willcox
City Council:
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Tom Tanner
City Manager:
Heidi Nelson

Projects to be included in the proposal

After reviewing the RFP with the Volunteer Coordinator, we would like to submit a proposal to use the grant for two projects: a volunteer recruitment video and an Emerald Ash Borer Tree Identifier Volunteer Ambassador program.

The recruitment video would help with the recruitment of volunteers by telling the story of the important and impactful work volunteers do in the City of Wayzata. The video could be shared on our website, social media, email, and schedule to run as a PSA on WCTV. The video would help sustain our volunteer program even after the grant period.

The Emerald Ash Borer Tree (EAB) Identifier Volunteer Ambassadors would assist neighbors in identifying ash trees and provide outreach, education and resources to residents with trees susceptible to the EAB. We would consult with the contract city arborist and provide training to the volunteers. The volunteers would be given t-shirts and hats to identify them as an EAB Tree Identifying Volunteer Ambassador and be assigned to a neighborhood for inventory and education services. Furthermore, this initiative will help us with the process to have volunteers become ambassadors for other invasive species initiatives.



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

Mayor:
Ken Willcox
City Council:
Jack Amdal
Bridget Anderson
Andrew Mullin
Tom Tanner
City Manager:
Heidi Nelson

July 15, 2014

MAVA
1800 White Bear Ave. North
Maplewood, MN 55019

To Whom It May Concern:

On behalf of the Wayzata City Council, I am writing in support of the City of Wayzata's application to the Minnesota Association for Volunteer Administration grant program. This grant will help support our continued efforts to strengthen our community building efforts and citizen involvement, and continue to expand on our plan for city volunteer engagement.

Sincerely,

Kenneth Willcox
Mayor



Request for Proposals from Minnesota Cities Small Grants for Starting or Enhancing a City Volunteer Program

The Minnesota Association for Volunteer Administration (MAVA) is excited to invite four cities in Minnesota to work with us on an initiative focused on documenting the process for starting or enhancing a city volunteer program

Staff from selected cities will make up a cohort group to share challenges, opportunities and successes between September 2014 and August 2015. This initiative is part of a Community Innovation grant from the Bush Foundation.

Benefits of Participating

- Receive a \$2,000 grant.
- Gain peer support for building or enhancing a city volunteer program.
- Have opportunity for up to two staff to attend the MAVA *The Volunteer Impact Leadership Training Series* and other full or part day workshops MAVA offers during the grant period at no cost.
- Receive up to four hours of MAVA consulting time for your volunteer program.
- Contribute to developing best practice for engagement of volunteers by cities.
- Gain visibility for your city for innovations in engagement of volunteers by cities.

Timeline

- RFP released: June 12, 2014
- Letter of intent to apply: July 21 (Send to office@mavanetwork.org. Please indicate city, contact person and the intent to apply. This is for the purpose of determining number of reviewers needed).
- **Proposal due: August 8, 2014 at 5 pm**
- Notification of awards: August 27, 2014
- Grants starts: September 1, 2014
- Grants wrap up: August 30, 2015

Initiative Description

The Minnesota Association for Volunteer Administration (MAVA) was awarded a Bush Foundation Community Innovation Grant to convene conversations with partners, cities, volunteer managers, volunteers, and citizens interested in building new strategies to engage a diverse citizenry in solving community problems. MAVA will capture and share what's learned, develop a curriculum, educate and train cities throughout the state to grow citizen involvement in problem solving and service.

According to the League of Minnesota Cities' 2013 report on "Cities Using Volunteers," about 50% of cities reported using volunteers in one or more service areas and the extent to which cities are "...considering using volunteers for the first time, or significantly expanding their use of volunteers, seems to be increasing." The MAVA initiative is responding to this interest in many of Minnesota's cities to be more successful in engaging volunteers. The aim of the initiative is to build capacity of cities in Minnesota to effectively engage volunteers. More information on MAVA's initiative on city volunteer engagement is at: <http://www.mavanetwork.org/cities>.

The goal of offering these grants is to provide an incentive to move forward in building your city's volunteer program, and to document lessons learned in volunteer engagement from participating cities to share with other cities. Learnings from the cities in the grant cohort will be shared with staff and elected officials in other cities through MAVA workshops and resource materials. The aim of offering the \$2,000 grants to four cities is to provide encouragement to try some new tactics in volunteer engagement, and to share what results. It is not intended as full funding to start or augment a volunteer program. This initiative is designed to build overall long term city capacity for volunteer engagement on priority city goals. It cannot be used to fund a one time project.

Examples of activities that might be take place through this initiative:

- Starting a new volunteer program or formalizing the existing involvement of volunteers. Expanding volunteer engagement to new department(s) in the city.
- Enhancing the use of best practices for volunteer engagement in the city's volunteer program.
- Training for city staff in working with volunteers.
- Developing an orientation for volunteers.
- Adding an enhancement or new idea to an existing volunteer program.

Staff from selected cities will work independently with the opportunity to share experiences and support staff from fellow cohort cities. Participating organizations will meet via phone to present ideas, share progress and use each other as resources. You will be asked to document the process you used to develop your volunteer program, i.e., what worked and what did not work. We are looking for insight into what it takes to build a successful city volunteer program. You will be asked to share at least four working documents from your volunteer program initiative that staff and elected officials from other cities might find useful.

The cities accepted will be expected to:

- Submit a brief work plan for city volunteer engagement by November 1, 2014. (An update on the work plan submitted in the proposal).
- Participate in 3-4 phone meetings with other pilot sites to share progress and learn from each other.
- Submit a brief report on the initial lessons learned by March 31, 2015.
- Submit at least three documents used in the volunteer program with permission for MAVA to share those with other cities by August 1, 2015 (or earlier).
- Submit a brief grant end report by September 30, 2015. This report would include progress on the work plan, number of volunteers involved and departments utilizing volunteer during the grant period and the results of short two/three question survey given to 3-5 volunteers and/or city staff on results of the effort.
- Do a brief pre and post assessment of volunteer engagement.
- Respond to a follow up phone call two years after grant-end on volunteer program progress.

Application Process

Submit by **August 8, 2014**:

- a. A brief, two to three page proposal addressing the questions listed on Page 4 of this document.
- b. Letter of support from appropriate City leadership to participate in the grant.

The preferred form of submission is to combine the two documents into one pdf that is e-mailed to office@mavanetwork.org. We will also accept individual documents via e-mail or proposals mailed to: MAVA, 1800 White Bear Ave. North, Maplewood, MN 55019.

We may request additional documents and/or may conduct phone interviews with finalists.

When working on your application:

- See sample work plan examples at:
<http://www.mavanetwork.org/Resources/Documents/Sample%20Work%20Plans%20for%20Starting%20or%20Enhancing%20a%20City%20Volunteer%20Program.doc>.
- Please feel welcome to draw upon these resources on volunteer management:
 - o [Best Practices in Leadership of Volunteers](#)
 - o [14 Steps to Developing a Top Notch Volunteer Program](#)
 - o [12 Best Practices for Engaging Boomers and New Generations of Volunteers](#)

Address questions to Mary Quirk, MAVA Executive Director at mquirk@mavanetwork.org.

More information is at: <http://www.mavanetwork.org/cities>.

Criteria for selection

1. The proposal is submitted by an incorporated city in Minnesota
2. Proposal submission has support from appropriate City leadership to participate in the grant (City Manager, City Clerk, Mayor, Council, etc. depending on your city).
3. Alignment of the proposal with the RFP goal of building the city's capacity for volunteer engagement through starting or enhancing a volunteer program. (Not appropriate for a one time project).
4. The proposal focuses volunteer efforts on priority city goals.
5. The potential of the proposal to provide resources and lessons learned that would be useful for other Minnesota cities.
6. The potential for success of your proposal.
7. Clear work plan that fits with RFP, is well thought-out and realistic.
8. Agreement to participate in trainings, sharing sessions with other pilot sites and to share documents and lessons learned with other cities.

Note: MAVA's goal is to maximize what can be learned from the cohort group and share information with other cities. We will seek a balance between sizes of cities and geographic distribution in Minnesota.

About the Minnesota Association for Volunteer Administration

The Minnesota Association for Volunteer Administration (MAVA) was founded as a 501(c)3 in 2001. MAVA is an alliance of individuals and networks dedicated to providing support and resources to those who lead volunteers. MAVA (www.mavanetwork.org) unites administrators of structured volunteer programs and informal volunteer initiatives, as well as those who have an interest in promoting volunteerism across the state. MAVA members represent all sectors of society including faith communities, health care, social service, education, government, grassroots organizations and more.

Proposal - Please briefly address the following questions in two to three pages

Date:

City:

Address:

Contact person for proposal:

E-mail address:

Phone:

Name and job title of person who would be leader of grant:

Population of city:

Does your city currently involve volunteers?

If yes, briefly describe how volunteers are involved:

- a. Number of active volunteers in 2013:
- b. Roles volunteers are involved in:
- c. Departments and office of the city that regularly engage volunteers:
- d. Briefly, what successes and challenges has the city had in engaging volunteers?
- e. Do you have dedicated staff time for the volunteer program?

Please describe why you are interested in being part of this project and why it would be beneficial to the city to participate.

Indicate your work plan for the proposal in the format of:

- **Goal(s)** - One or more goals you aim to accomplish in the next year to enhance or start a volunteer program
- **Activities** - Specific activities to accomplish the goal
- **Outcomes** - Measureable outcomes you will accomplish

What is your long term aim for building a volunteer program and how does that relate to city goals? What priority city goals will the volunteer efforts be focused on?

What tangible document do you expect to be able to offer to MAVA to assist other cities?

Please indicate specific documents you will develop to share, or have to share such as volunteer policies, a volunteer handbook, a volunteer position description, etc.

What are your plans to sustain the city's volunteer engagement after the grant period?

What is your budget for the \$2000 grant? *Please indicate the line item expenditures for the grant. The funding can be used for staff time or whatever you see as most needed for your plans for volunteer engagement.*

Do you agree to:

Participate in 3-4 sharing phone calls (1 to 1.5 hrs. in length): ☐yes ☐no

Share at least four documents: ☐yes ☐no

Do pre and post assessment of volunteer engagement: ☐yes ☐no

Is letter of support from appropriate City leadership attached? ☐yes ☐no

Name of person filling out the proposal: