

WAYZATA CITY COUNCIL MEETING AGENDA
Wayzata City Hall Community Room, 600 Rice Street
Tuesday, May 5, 2015

4:30 PM - Dinner Available for Wayzata City Council - Conference Rm.

WORKSHOP TOPICS FOR DISCUSSION:

- 1. Downtown Parking (5:00 PM)**
- 2. Consider Request for Funds in Support of Trolley (6:00 PM or immediately following)**
- 3. Discuss Rotary's Interest in Public Art @ East Lake St. (6:20 PM or immediately following)**
- 4. Discuss 9/11 Memorial Artifact Request (6:40 PM or immediately following)**

7:00 PM - CITY COUNCIL MEETING

ITEM	DESCRIPTION	PRESENTER	JM	AM	KW	BA	ST	VOTE	PAGE #
1	Roll Call								
2	Approve Agenda								
3	Public Forum - 15 Minutes (3 min/person)								
a.	Presentation of Centennial House Awards	HPB							
b.	Presentation of 2014 Fire Department Annual Report and Update on Second Call Fire Department	K. Klapprich							2
c.	Introduction of Jeff Pietrini, new General Manager at Wayzata Bar & Grill	Uram							
4	Consent Agenda								34
a.	Approval of Workshop Minutes of April 21, 2015 and Minutes of April 21, 2015								
b.	Approval of Check Register								
c.	Approval of Municipal Licenses								
d.	Municipal Licenses Which Received Administrative Approval (Informational Only)								
e.	Approval of 165/213 Central Ave Development Agreement								
f.	Resolution 19-2015 Consenting to Issuance of Health Care Revenue Refunding Bonds to Refinance Health Care Facilities Located in the City								
g.	Approval of Communications Policy								
5	New Business								
a.	Consider Resolution No. 21-2015 637 Harmony Cir Subdivision	Gadow							127
b.	Consider Resolution No. 20-2015 For Subdivision at 313 Central Avenue	Gadow							162
c.	Consider Lease for Beach Concession Operations	Dudinsky							220
d.	Consider Bid Award for 2015 Street Project	Kelly							244
e.	Consider Ad for Bid for Roundabout Landscaping and Pedestrian Trail along Circle A Dr.	Dudinsky							245
f.	Consider Bid Award for Lift Station #5	Dudinsky							254
6	City Manager's Report and Discussion Items								
7	Public Forum (as necessary)								
8	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 - May 19 & June 2, 2015
Planning Commission - May 18 & June 1, 2015

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 FIRE DEPARTMENT

600 RICE STREET
WAYZATA, MN 55391
(952) 404-5337
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fire@wayzata.org

2014 Fire Department Annual Report

***For The
City of Wayzata***

***Kevin J. Klapprich
Fire Chief***



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Wayzata Fire Department

Mission Statement

The Wayzata Fire Department Provides a safe, effective, and swift response to fire suppression and emergency medical situations, coordinates rescue operations in the event of a disaster, and improves emergency preparedness in the community we serve while protecting and preserving life and property with compassion.

Vision Statement

Integrity, trust, honesty, and service . . . these are the principles that guide our decisions. We treat each other with dignity and respect. Our focus is on the safety and well being of our members and those we serve. We are dedicated to improving our skills through training and education setting the standards of excellence. We work as a team to accomplish tasks we cannot achieve individually. We are accountable to each other and those we serve. We value and strive to improve relationships with our neighboring communities. We are recognized for our commitment to those that depend on us and are role models in the community. We are proud to be firefighters.

Value Statement

Since 1912, the members of the Wayzata Fire Department have taken pride in the community we serve. We have shown our commitment to public service by honing our skills and abilities, while treating all with ethical, honest, and professional dignity.



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Dear Mayor Willcox and Councilmember's,

This is always the time of year "when looking back" sets the stage for the future. It is important that "before" I get into the numbers, I recognize the ongoing support of the City Council. Annually, your oversight, wisdom, guidance, and counsel, makes our department better! On behalf of our entire department, thank you!

As I reflect on 2014, here are some numbers and personnel highlights:

- total calls for the year 302
- biggest month of the year: 40 calls (August)
- slowest month of the year: 14 calls (February)
- 40% of ALL calls happened in the summer (June, July, & August)
- busiest day of the week: Monday's (54 total calls)
- slowest day of the week: Sunday's (28 total calls)

PERSONNEL/Years of service notables:

- Bill Meyer 40 years
- Bill Malikowski 23 years (Retired)
- Troy Hoefker 20 years
- Scott Woodworth 15 years

We are grateful for the continued service of our men and women...many for decades!

In the coming year we are committed to serving this city with honor and integrity. As the Chief, it is a privilege to provide leadership, training opportunities, and professional development to the BEST firefighters in the state!

Sincerely, Kevin Klapprich, Fire Chief
CITY OF WAYZATA



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2014 Annual Report

Name	Years of Service	Position
Bill Meyer	40	Fire Marshal
Kevin Klapprich	36	Chief of Department
Justy Anderson	34	Captain
Kurt Klapprich	32	Assistant Chief
Reb Bowman	32	Firefighter
Dan Day	28	Assistant Chief
Rich Holm	28	Firefighter
Bill Malikowski	23 Retired	Firefighter
Troy Hoefker	20	Lieutenant
Joseph Rasmus	16	Firefighter
Scott Woodworth	15	Firefighter
David Anderson	12	Firefighter
John Berns	11	Lieutenant
Brandyn Springsted	11	Lieutenant
Mike Swierzewski	11	Firefighter
Mike Coen	9	Firefighter
Denise Kozojed	8	Firefighter

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Alex Plechash	8	Firefighter
Anders Seeland	7	Firefighter
Corey Day	6	Firefighter
Joseph Carlson	4	Firefighter
David Kuck	4	Firefighter
Mark Schaefer	4	Firefighter
Josh Brunken	2	Firefighter
Mike Wilson	2	Firefighter
Scott Anderson	2	Firefighter
Tom Busyn	2	Firefighter
Jesse Bullis	1	Firefighter
Casey Kirschner	1	Firefighter
Joe Komarek	1	Chaplain



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Past Fire Chief's

1922/1927	Reed Keesling
1928/1929	Warren Lamb
1930	W.T. Berry
1931	Reed Keesling
1932/1933	W.T Berry
1934	Cris Swaggert
1935	Earl Day
1936/1937	Tom Perry
1938/1942	Rodell Swaggert
1943/1944	Tom Perry
1945	Fred Moritz Sr.
1946/1955	W.T. Berry
1956/1976	Cliff Fadden
1977	Larrie Fadden
1978/1984	Bruce Day
1985/2005	Paul Klapprich
2006/	Kevin Klapprich



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2014 Annual Report

Comparison of Fire Calls

1980	162
1981	136
1982	119
1983	112
1984	92
1985	94
1986	108
1987	92
1988	154
1989	153
1990	138
1991	175
1992	163
1993	156
1994	180
1995	206
1996	239
1997	261
1998	299
1999	260
2000	254
2001	250
2002	278
2003	262
2004	232
2005	286
2006	275
2007	330
2008	265
2009	251
2010	272
2011	288
2012	290
2013	279
2014	302



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2014 Annual Report

Incidents Per Month

January	27	8.94%
February	14	4.64%
March	18	5.96%
April	20	6.63%
May	25	8.28%
June	38	12.59%
July	33	10.93%
August	40	13.25%
September	24	7.95%
October	15	4.97%
November	30	9.94%
December	18	5.96%
Total		302



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2014 Annual Report

Incidents Per Day of the Week

Sunday	28	9.28%
Monday	54	17.88%
Tuesday	42	13.91%
Wednesday	53	17.55%
Thursday	38	12.59%
Friday	39	12.92%
Saturday	48	15.90%
Total	302	



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Incidents Per City

Wayzata	235	77.82%
Orono	23	7.62%
Woodland	14	4.64%
Plymouth	20	6.63%
Minnetonka	2	0.67%
Deephaven	1	0.34%
Long Lake	2	0.67%
Excelsior	1	0.34%
Other	1	0.34%
N/A	3	1.00%
Total	302	



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Alarm Time by District

District	12 AM. to 4 AM.	4 AM. to 8 AM.	8 AM. to 12 PM.	12 PM. to 4 PM.	4 PM. to 8 PM.	8 PM. to 12 AM.	Total
NA	1	0	1	0	1	0	3
Deephaven	0	0	0	0	1	0	1
Excelsior	0	1	0	0	0	0	1
Long Lake	0	0	0	1	0	1	2
Minnetonka	1	0	0	1	0	0	2
Orono	3	0	11	7	0	2	23
Other	0	0	0	0	0	1	1
Plymouth	0	1	4	3	9	3	20
Wayzata	17	18	69	57	52	22	235
Woodland	1	2	2	6	3	0	14
Grand Total	23	22	87	75	66	29	302



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Response Times by District

District	Total Alarms	Average Time (Minutes)
NA	3	6
Deephaven	1	11
Excelsior	1	N/A
Long Lake	2	11
Minnetonka	2	7
Orono	23	7
Other	1	19
Plymouth	20	12
Wayzata	235	5
Woodland	14	8
Grand Total	302	10



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Where Our Time Is Spent

Types of Calls	Number of Calls	
Fires		
Fire, Other	3	
Building Fires	15	
Cooking Fires	3	
Outside Trash Fires	1	
Vehicle Fires	5	
Off Road Vehicle Fires	1	
Trash or Rubbish Fire Contained	1	
Dumpster Fire	1	
Total	30	9.94%
Hazardous Conditions		
Hazardous Conditions	2	
Gasoline Spill	2	
Natural Gas Leak	19	
Electrical Wiring Problem	1	
Power Line Down	5	
Arcing/Shorted Electrical	5	
Vehicle Accident Clean Up	1	
Total	35	11.59%

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Where Our Time is Spent Continued

Service Call

Medical Assist	38	
Rescue EMS, Stand By	1	
Service Call, Other	4	
Lockout	1	
Smoke or Odor Removal	6	
Assist Police	15	
Total	65	21.53%

Good Intent

Good Intent, Other	18	
Dispatched & Canceled Enroute	43	
Steam/Gas Mistaken for Smoke	1	
Total	62	20.53%

Alarms

System Malfunction	30	
Sprinkler Activation/Malfunction	5	
Alarm Sounding/No Fire due to Malfunction	1	
Smoke Detector Activation, No Fire	63	
Alarm Sounding/No Fire	1	
Co Detector Activation	10	
Total	110	36.43%

Total Calls 302



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Equipment

Boat 12	2012 14' Zodiac Rescue Boat
Engine 12	2012 Freightliner M2, 1250 G.P.M. Pumper
Tanker 11	1985 International S1900, 1800 Gallons of Water
Utility 11	1989 Ford 350 Quick Response, 150 G.P.M. (Retired)
Engine 14	2014 Ford F550 1000 G.P.M. Pumper
Boat 11	2008 25" Angler
Utility 12	1996 Chevrolet ¾ Ton Pick-Up
Engine 11	1996 Freightliner FL80, 1250 G.P.M. Pumper
Tower 11	1997 American LaFrance LTI 100' Ladder/Tower
Rescue 11	2003 Freightliner M2, Heavy Rescue
Utility 14	2013 Chevrolet Tahoe (Duty Vehicle)



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January 2014 Fire Calls

	Date	Address	Situation Found
1	January 1	Highway 12 & Central Avenue, Wayzata	Assist Police
2	January 1	16310 15 th Avenue North, Plymouth	Dispatched & Canceled
3	January 2	2820 Holly Lane, Plymouth	Building Fire
4	January 3	2820 Holly Lane, Plymouth	Building Fire
5	January 4	949 Wayzata Boulevard East, Wayzata	Smoke Detector Activation
6	January 4	1000 Superior Boulevard East, Wayzata	Sprinkler Activation
7	January 5	1000 Superior Boulevard, Wayzata	Sprinkler Activation
8	January 6	250 Central Avenue North, Wayzata	Gasoline Spill
9	January 7	700 Lake Street East, Wayzata	Sprinkler Activation
10	January 10	110 Grand Avenue South, Wayzata	System Malfunction
11	January 10	630 Indian Mound Street, Wayzata	Alarm Activation
12	January 10	106 Gleahaven Road, Wayzata	Good Intent
13	January 11	163 Wayzata Boulevard West	Medical Assist
14	January 14	149 Barry Avenue North, Wayzata	Smoke Detector Activation
15	January 15	340 Wayzata Boulevard East, Wayzata	Outside Rubbish Fire
16	January 18	549 Harrington Road, Wayzata	System Malfunction
17	January 18	605 Locust Hills Drive, Wayzata	System Malfunction
18	January 18	549 Harrington Road, Wayzata	Dispatched & Canceled
19	January 20	949 Wayzata Boulevard East, Wayzata	Good Intent
20	January 22	216 Gleason Lake Road, Wayzata	Dispatched & Canceled
21	January 24	163 West Wayzata Boulevard, Wayzata	System Malfunction
22	January 25	1450 Wayzata Boulevard East, Wayzata	Good Intent
23	January 25	120 Circle A Drive, Wayzata	Good Intent
24	January 25	1585 Locust Hills Circle, Wayzata	Medical Assist
25	January 26	116 Edgewood Court, Wayzata	Smoke Detector Activation
26	January 26	301 Peavey Lane, Wayzata	Smoke Odor or Removal
27	January 27	520 Indian Mound Street, Wayzata	Medical Assist

Total Calls for January 2014

27 8.94%



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February 2014 Fire Calls

	Date	Address	Situation Found
28	February 1	101 Glenbrook Road, Wayzata	Dispatched & Canceled
29	February 3	755 Lake Street East, Wayzata	Alarm Sounding
30	February 3	328 Waycliffe Road, Wayzata	Assist Police
31	February 3	600 Rice Street East, Wayzata	Medical Assist
32	February 4	621 Wayzata Boulevard East, Wayzata	Medical Assist
33	February 10	180 Ferndale Road South, Wayzata	Dispatched & Canceled
34	February 11	239 Byrondale Road, Wayzata	Gas Leak
35	February 19	605 Locust Hills Drive, Wayzata	Smoke Detector Activation
36	February 19	100 Promenade Avenue, Wayzata	Smoke Detector Activation
37	February 20	18850 Azzure Road, Deephaven	Smoke Odor or Removal
38	February 21	Highway 12 & Central Avenue, Wayzata	Assist Police
39	February 24	200 Wayzata Boulevard West, Orono	Smoke Detector Activation
40	February 26	636 Ferndale Road West, Wayzata	Smoke Detector Activation
41	February 23	75 Ferndale Road North, Orono	Arcing/Shorted Electrical

Total Calls for February 2014

14 4.64%



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March 2014 Fire Calls

	Date	Address	Situation Found
42	March 2	16110 18 th Place, Plymouth	Building Fire
43	March 6	121 Trenton Lane North, Plymouth	Building Fire
44	March 8	1055 Wayzata Boulevard East, Wayzata	System Malfunction
45	March 8	170 Wayzata Boulevard West, Wayzata	Good Intent
46	March 14	2755 Maplewood Circle, East, Woodland	Dispatched & Canceled
47	March 16	353 Ferndale Road South, Wayzata	Dispatched & Canceled
48	March 16	1423 Birch Bend Lane, Wayzata	Co Detector
49	March 17	1221 Wayzata Boulevard East, Wayzata	Smoke Detector Activation
50	March 18	16235 Holdridge Road West, Wayzata	System Malfunction
51	March 20	401 Ridgeview Drive, Wayzata	Smoke Detector Activation
52	March 20	2560 Old Beach Road, Orono	Building Fire
53	March 21	800 Lake Street East, Wayzata	Good Intent
54	March 21	697 Harmony Circle, Wayzata	Good Intent
55	March 23	747 Mill Street East, Wayzata	Steam Mistaken for Smoke
56	March 26	2500 Nathan Lane, Plymouth	Building Fire
57	March 29	743 Lake Street East, Wayzata	Arcing/Shorted Electrical
58	March 30	101 Promenade Avenue, Wayzata	Medical Assist
59	March 31	600 Rice Street East, Wayzata	Good Intent

Total Calls for May 2014

18 5.96%



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April 2014 Fire Calls

	Date	Address	Situation Found
60	April 1	1320 Lasalle Street, Wayzata	Good Intent
61	April 2	3411 Pilgrim Lane North, Plymouth	Building Fire
62	April 3	Highway 12 & CSAH 101, Wayzata	Dispatched & Canceled
63	April 5	392 Ferndale Road South, Wayzata	Dispatched & Canceled
64	April 7	985 Edgewood Hills Road, Orono	Medical
65	April 7	450 Far Hill Road, Wayzata	Fire, Other
66	April 8	2865 Breezy Heights Road, Woodland	Smoke Odor or Removal
67	April 10	493 Bovey Road, Wayzata	Dispatched & Canceled
68	April 11	Byrondale Road & Central Avenue, Wayzata	Vehicle Accident
69	April 13	315 Woodhill Road, Orono	Smoke Detector Activation
70	April 14	1610 Locust Hills Place, Wayzata	Smoke Detector Activation
71	April 17	215 Gleason Lake Road, Wayzata	Dispatched & Canceled
72	April 17	215 Gleason Lake Road, Wayzata	System Malfunction
73	April 18	16345 42 nd Avenue North, Plymouth	Dispatched & Canceled
74	April 18	1151 Wayzata Boulevard East, Wayzata	Gas Leak
75	April 22	17920 Shavers Lane, Woodland	Smoke Detector Activation
76	April 24	1055 Wayzata Boulevard East, Wayzata	System Malfunction
77	April 26	2640 Marshland Road, Woodland	Medical Assist
78	April 28	250 Central Avenue North, Wayzata	Dispatched & Canceled
79	April 29	2955 Maplewood Road, Woodland	Arcing/Shorted Electrical

Total Calls for April 2014

20 6.63%



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May 2014 Fire Calls

	Date	Address	Situation Found
80	May 2	250 Superior Boulevard, Wayzata	Cooking Fire
81	May 2	101 Promenade Avenue, Wayzata	Sprinkler Activation
82	May 4	2740 Gale Road, Woodland	Smoke Detector Activation
83	May 5	110 Ferndale Road South, Wayzata	Dispatched & Canceled
84	May 6	155 Gleason Lake Road, Wayzata	Passenger Vehicle
85	May 7	180 Ferndale Road South, Wayzata	System Malfunction
86	May 8	16815 41 st Avenue North, Plymouth	Dispatched & Canceled
87	May 11	10 Creekside Drive, Orono	Building Fire
88	May 13	735 Ferndale Road North, Orono	Smoke Detector Activation
89	May 17	Highway 12 & Central Avenue, Wayzata	Assist Police
90	May 19	430 Ferndale Road West, Wayzata	System Malfunction
91	May 20	1905 Wayzata Boulevard East, Wayzata	Smoke Detector Activation
92	May 20	Highway 12 & Central Avenue, Wayzata	Medical Assist
93	May 21	1221 Wayzata Boulevard East, Wayzata	Medical Assist
94	May 23	Highway 12 & Central Avenue, Wayzata	Passenger Vehicle
95	May 26	101 Promenade Avenue, Wayzata	Smoke Detector Activation
96	May 26	101 Promenade Avenue, Wayzata	Good Intent
97	May 28	14430 15 th Avenue North, Plymouth	Building Fire
98	May 28	640 Park Street, Wayzata	Co Detector
99	May 28	11525 52 nd Avenue North, Plymouth	Dispatched & Canceled
100	May 29	294 Grove Lane East, Wayzata	Smoke Detector Activation
101	May 30	294 Grove Lane East, Wayzata	Smoke Detector Activation
102	May 30	650 Locust Hills Drive, Wayzata	Gas Leak
103	May 31	575 Locust Hills Drive, Wayzata	Gas Leak
104	May 31	Stand By Plymouth Fire Station III, Plymouth	Building Fire

Total Calls for May 2014

25 8.28%



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June 2014 Fire Calls

	Date	Address	Situation Found
105	June 1	215 Barry Avenue South, Wayzata	Medical Assist
106	June 2	949 Wayzata Boulevard East, Wayzata	Smoke Detector Activation
107	June 2	1161 Eastman Lane, Wayzata	Gas Leak
108	June 2	115 Wayzata Boulevard West, Wayzata	Smoke Detector Activation
109	June 4	17020 24 th Avenue North, Plymouth	Dispatched & Canceled
110	June 6	235 Glenbrook Road, Wayzata	Cooking Fire
111	June 6	22903 Strehler Road, Corcoran	Building Fire
112	June 7	550 Hillside Drive, Wayzata	Smoke Detector Activation
113	June 9	230 Central Avenue North, Wayzata	Smoke Detector Activation
114	June 10	936 Shady Lane East, Wayzata	Power Line Down
115	June 11	143 Lake Street East, Wayzata	Hazardous Materials
116	June 11	402 Lake Street East, Wayzata	Gas Leak
117	June 14	517 Rice Street East, Wayzata	Power Line Down
118	June 14	Lake Minnetonka/Browns Bay, Orono	Rescue/EMS
119	June 14	401 Ridgeview Drive East, Wayzata	System Malfunction
120	June 14	949 Wayzata Boulevard East, Wayzata	Medical Assist
121	June 14	401 Ridgeview Drive East, Wayzata	System Malfunction
122	June 14	Wayzata Beach, Wayzata	Good Intent
123	June 14	1715 Crosby Road, Wayzata	System Malfunction
124	June 15	163 Wayzata Boulevard West, Wayzata	Dispatched & Canceled
125	June 15	520 Indian Mound Street, Wayzata	Medical Assist
126	June 15	101 Promenade Avenue, Wayzata	Medical Assist
127	June 16	110 Grand Avenue South, Wayzata	System Malfunction
128	June 17	153 Huntington Avenue South, Wayzata	Gas Leak
129	June 19	402 Gardner Street, Wayzata	Co Detector
130	June 19	101 Promenade Avenue, Wayzata	Medical Assist
131	June 19	Lake Minnetonka/Browns Bay, Orono	Service Call

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June 2014 Calls Continued

132	June 19	330 Barry Avenue South, Wayzata	Assist Police
133	June 20	5185 Meadville Street, Deephaven	Dispatched & Canceled
134	June 21	111 Grand Avenue South, Wayzata	Medical Assist
135	June 24	101 Promenade Avenue, Wayzata	Medical Assist
136	June 25	301 Peavey Lane, Wayzata	Good Intent
137	June 25	465 Peavey Road, Wayzata	Co Detector
138	June 25	215 Gleason Lake Road, Wayzata	Dispatched & Canceled
139	June 26	601 Bushaway Road South, Wayzata	Smoke Detector Activation
140	June 27	101 Promenade Avenue, Wayzata	Smoke Detector Activation
141	June 27	Lake Minnetonka/Browns Bay, Orono	Assist Police
142	June 30	Barry Avenue South & Lake Street East, Wayzata	Assist Police

Total Calls for June 2014

38 12.59%



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July 2014 Fire Calls

	Date	Address	Situation Found
143	July 1	344 Ferndale Road South, Wayzata	Dispatched & Canceled
144	July 1	17105 2 nd Avenue North, Plymouth	Medical Assist
145	July 2	459 Ferndale Woods Road, Wayzata	System Malfunction
146	July 2	550 Locust Hills Drive, Wayzata	Gas Leak
147	July 3	1221 Wayzata Boulevard East, Wayzata	System Malfunction
148	July 5	301 Peavey Lane, Wayzata	System Malfunction
149	July 5	537 Harrington Road, Wayzata	Smoke Detector Activation
150	July 6	9909 south Shore Drive, Plymouth	Building Fire
151	July 7	150 Central Avenue South, Wayzata	Dispatched & Canceled
152	July 7	163 Wayzata Boulevard West, Wayzata	Smoke Detector Activation
153	July 9	2030 Wayzata Boulevard East, Wayzata	Good Intent
154	July 11	100 Promenade Avenue, Wayzata	Medical Assist
155	July 12	229 Minnetonka Avenue, Wayzata	Good Intent
156	July 12	133 Ridgeview Drive East, Wayzata	Power Line Down
157	July 14	299 Wayzata Boulevard West, Wayzata	Dispatched & Canceled
158	July 14	310 Peavey Road, Wayzata	Smoke Detector Activation
159	July 15	Highwat 12 & Central Avenue, Wayzata	Assist Police
160	July 17	750 Lake Street East, Wayzata	Smoke Detector Activation
161	July 18	299 Wayzata Boulevard West, Wayzata	Assist Police
162	July 21	170 Gleason Lake Road, Wayzata	Co Detector
163	July 22	215 Gleason Lake Road, Wayzata	Smoke Detector Activation
164	July 23	205 Northgate Road, Orono	Smoke Detector Activation
165	July 24	Highway 12 & CSAH 15, Wayzata	Passenger Vehicle
166	July 24	522 Shadyway Road, Wayzata	Smoke Detector Activation
167	July 24	408 Pondridge Circle, Wayzata	Medical Assist

WAYZATA FIRE DEPARTMENT

600 RICE STREET
WAYZATA, MN 55391
(952) 404-5337
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fire@wayzata.org

July Calls Continued

168	July 24	534 Broadway Avenue North, Wayzata	Dispatched & Canceled
169	July 25	Bushaway Road & Wayzata Blvd., Wayzata	Power Line Down
170	July 25	1221 Wayzata Blvd East, Wayzata	Gas Leak
171	July 27	3506 Sunrise Drive West, Orono	Dispatched & Canceled
172	July 27	630 Indian Mound Street, Wayzata	Hazardous Conditions
173	July 29	301 Peavey Lane, Wayzata	System Malfunction
174	July 30	301 Peavey Lane, Wayzata	Gas Leak
175	July 31	1055 Wayzata Boulevard East, Wayzata	Good Intent

Total Calls for July 2014

33 10.93%



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2014 Annual Report

August 2014 Fire Calls

	Date	Address	Situation Found
176	August 2	100 Promenade Avenue, Wayzata	System Malfunction
177	August 2	402 Lake Street East, Wayzata	System Malfunction
178	August 2	358 Highcroft Lane, Wayzata	System Malfunction
179	August 3	Lake Minnetonka/Browns Bay, Orono	Assist Police
180	August 4	18250 Shavers Lane, Woodland	Dispatched & Canceled
181	August 5	430 Ferndale Road West, Wayzata	System Malfunction
182	August 5	570 Orono Orchard Road South, Orono	Building Fire
183	August 6	635 Rosswood Lane, Wayzata	Medical Assist
184	August 6	750 Lake Street East, Wayzata	Smoke Detector Activation
185	August 6	150 Central Avenue South, Wayzata	Medical Assist
186	August 8	240 Central Avenue North, Wayzata	Smoke Removal
187	August 9	2830 Center Street, Woodland	Medical Assist
188	August 9	Ferndale Road & Wayzata Blvd., Wayzata	Medical Assist
189	August 11	2840 Gale Road, Woodland	Arcing/Shorted Electrical
190	August 11	2530 Spirit Knob Road, Woodland	Smoke Detector Activation
191	August 11	119 Chevy Chase Drive, Orono	Medical Assist
192	August 12	750 Lake Street East, Wayzata	Smoke Detector Activation
193	August 12	750 Lake Street East, Wayzata	Smoke Detector Activation
194	August 13	Lake Minnetonka/Wayzata Bay, Wayzata	Assist Police
195	August 13	150 Central Avenue South, Wayzata	Cooking Fire
196	August 13	2230 Comstock Lane, Plymouth	Dispatched & Canceled
197	August 15	750 Lake Street East, Wayzata	System Malfunction
198	August 15	1490 Wayzata Boulevard East, Wayzata	Medical Assist
199	August 18	440 Pondridge Circle, Wayzata	Gas Leak

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August Calls Continued

200	August 18	434 Pondridge Circle, Wayzata	Gas Leak
201	August 18	Highway 12 & CSAH 15, Wayzata	Dispatched & Canceled
202	August 19	200 Woodhill Road, Wayzata	Medical Assist
203	August 20	700 Lake Street East, Wayzata	Smoke Detector Activation
204	August 20	649 Ferndale Road West, Orono	Smoke Detector Activation
205	August 21	60 Myrtlewood Road, Orono	Dispatched & Canceled
206	August 22	1100 Eastman Lane, Wayzata	Co Detector
207	August 23	430 Ferndale Road West, Wayzata	Smoke Detector Activation
208	August 24	524 Park Street East, Wayzata	Passenger Vehicle
209	August 24	115 Wayzata Boulevard West, Wayzata	Smoke Detector Activation
210	August 25	444 Pondridge Circle, Wayzata	Gas Leak
211	August 25	483 Highcroft Road, Wayzata	Smoke Detector Activation
212	August 25	15913 Holdridge Road East, Wayzata	Co Detector
213	August 28	543 Harrington Road, Wayzata	Dispatched & Canceled
214	August 31	320 Manitoba Avenue South, Wayzata	Dispatched & Canceled
215	August 31	1179 Wayzata Boulevard East, Wayzata	System Malfunction

Total Calls for August 2014

40 13.25%



WAYZATA FIRE DEPARTMENT

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2014 Annual Report

September 2014 Fire Calls

Date	Address	Situation Found
216 September 1	100 Promenade Avenue, Wayzata	Medical Assist
217 September 3	645 Wayzata Boulevard East, Wayzata	Smoke Detector Activation
218 September 5	100 Promenade Avenue, Wayzata	Dispatched & Canceled
219 September 9	240 Central Avenue North, Wayzata	Service Call
220 September 10	1633 Balck Oaks Lane North, Plymouth	Dispatched & Canceled
221 September 13	240 Central Avenue North, Wayzata	Assist Police
222 September 13	1221 Wayzata Boulevard East, Wayzata	Smoke Detector Activation
223 September 17	110 Minnetonka Avenue South, Wayzata	Gas Leak
224 September 17	483 Highcroft Road, Wayzata	Smoke Detector Activation
225 September 17	412 Pondridge Circle, Wayzata	Gas Leak
226 September 18	240 Central Avenue North, Wayzata	Service Call
227 September 27	230 Central Avenue North, Wayzata	Assist Police
228 September 21	3650 Plymouth Boulevard, Plymouth	Dispatched & Canceled
229 September 24	430 Ferndale Road West, Wayzata	Smoke Detector Activation
230 September 26	949 Wayzata Boulevard East, Wayzata	Dispatched & Canceled
231 September 26	270 Wayzata Boulevard East, Wayzata	Arcing/Shorted Electrical
232 September 27	244 Broadway Avenue North, Wayzata	Smoke Detector Activation
233 September 27	980 Ferndale Road West, Orono	Assist Police
234 September 28	17737 Maple Hill Road, Woodland	Smoke Detector Activation
235 September 29	Highway 12 & Wayzata Boulevard, Wayzata	Power Line Down
236 September 30	100 Promenade Avenue, Wayzata	Medical Assist
237 September 30	1055 Wayzata Boulevard East, Wayzata	Gas Leak
238 September 30	18000 Shavers Lane, Woodland	Off Road Vehicle
239 September 30	Bushaway Road & Eastman Lane, Wayzata	Gas Leak

Total Calls for September 2014

24 7.95%



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2014 Annual Report

October 2014 Fire Calls

	Date	Address	Situation Found
240	October 1	750 Lake Street East, Wayzata	Smoke Detector Activation
241	October 3	100 Promenade Avenue, Wayzata	Service Call
242	October 6	CSAH 101 & CSAH 15, Wayzata	Dispatched & Canceled
243	October 7	4140 Lawndale Lane North, Plymouth	Building Fire
244	October 9	115 Wayzata Boulevard West, Wayzata	System Malfunction
245	October 9	100 Promenade Avenue, Wayzata	Medical Assist
246	October 14	522 Shadyway Road, Wayzata	Smoke Detector Activation
247	October 15	101 Promenade Avenue, Wayzata	System Malfunction
248	October 15	537 Harrington Road, Wayzata	Fire, Other
249	October 21	522 Shadyway Road, Wayzata	Smoke Detector Activation
250	October 24	100 Lake Street East, Wayzata	Gasoline Spill
251	October 27	900 Lake Street East, Wayzata	Fire, Other
252	October 27	750 Lake Street East, Wayzata	Smoke Odor/Removal
253	October 30	329 Ridgeview Drive East, Wayzata	Medical Assist
254	October 31	486 Highcroft Road, Wayzata	Smoke Detector Activation

Total Calls for October 2014

15 4.97%



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2014 Annual Report

November 2014 Fire Calls

	Date	Address	Situation Found
255	November 3	2900 Minnehaha Curve, Minnetonka	Arcing/Shorted Electrical
256	November 3	315 Woodhill Road, Orono	System Malfunction
257	November 4	16100 Wayzata Boulevard East, Wayzata	Smoke Detector Activation
258	November 4	1000 Superior Boulevard West, Wayzata	Smoke Detector Activation
259	November 4	322 Bushaway Road South, Wayzata	Dumpster Fire
260	November 5	601 Bushaway Road South, Wayzata	Smoke Detector Activation
261	November 6	60 Myrtlewood Road, Orono	Smoke Detector Activation
262	November 6	601 Bushaway Road South, Wayzata	Dispatched & Canceled
263	November 6	1165 Ferndale Road West, Orono	Smoke Detector Activation
264	November 10	1055 Ferndale Road West, Orono	Co Detector
265	November 12	483 Highcroft Road, Wayzata	Smoke Detector Activation
266	November 12	746 Widsten Circle, Wayzata	Medical Assist
267	November 13	Highway 12 & CSAH 15, Wayzata	Passenger Vehicle
268	November 15	522 Shadyway Road, Wayzata	Smoke Odor/Removal
269	November 17	2872 Gale Road, Woodland	Arcing/Shorted Electrical
270	November 17	353 Ferndale Road South, Wayzata	Trash/Rubbish
271	November 17	483 Highcroft Road, Wayzata	Smoke Detector Activation
272	November 18	601 Bushaway Road South, Wayzata	Gas Leak
273	November 19	1415 Birch Bend Lane, Wayzata	Medical Assist
274	November 19	101 Lake Street West, Wayzata	Dispatched & Canceled
275	November 20	645 Wayzata Boulevard East, Wayzata	Smoke Detector Activation
276	November 21	Hillside Drive & Shoreline Drive, Wayzata	Dispatched & Canceled

WAYZATA FIRE DEPARTMENT

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November Calls Continued

277	November 21	2900 Gale Road, Woodland	System Malfunction
278	November 22	155 Peavey Lane, Wayzata	Good Intent
279	November 23	Broadway Avenue & Ridgeview Dr., Wayzata	Good Intent
280	November 25	425 Bushaway Road South, Wayzata	Gas Leak
281	November 26	1221 Wayzata Boulevard East, Wayzata	Medical Assist
282	November 26	453 Waycliffe Road, Wayzata	Co Detector
283	November 27	110 Grand Avenue South, Wayzata	System Malfunction
284	November 30	453 Waycliffe Road, Wayzata	Co Detector

Total Calls for November 2014	30	9.94%
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WAYZATA FIRE DEPARTMENT

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2014 Annual Report

December 2014 Fire Calls

Date	Address	Situation Found
285 December 1	645 Wayzata Boulevard East, Wayzata	Smoke Detector Activation
286 December 4	392 Ferndale Road South, Wayzata	Dispatched & Canceled
287 December 6	450 Woodhill Road, Orono	Medical Assist
288 December 11	149 Barry Avenue North, Wayzata	Medical Assist
289 December 13	100 Promenade Avenue, Wayzata	Medical Assist
290 December 17	1065 Edgewood Hills Road, Orono	Good Intent
291 December 17	Ferndale Road & CSAH 15, Orono	Good Intent
292 December 17	3660 Lancaster Lane, Plymouth	Dispatched & Canceled
293 December 21	645 Wayzata Boulevard East, Wayzata	System Malfunction
294 December 22	100 Promenade Avenue, Wayzata	Medical Assist
295 December 22	483 Highcroft Road, Wayzata	Dispatched & Canceled
296 December 22	750 Lake Street East, Wayzata	Smoke Detector Activation
297 December 26	Highway 12 & Central Avenue, Wayzata	Assist Police
298 December 27	205 Bushaway Road, Wayzata	Smoke Detector Activation
299 December 30	1101 Ferndale Road West, Orono	Smoke Detector Activation
300 December 30	240 Central Avenue North, Wayzata	Smoke Detector Activation
301 December 30	3227 Casco Circle, Orono	Building Fire
302 December 31	700 Lake Street East, Wayzata	Sprinkler Activation

Total Calls for December 2014

18 5.96%

WAYZATA CITY COUNCIL
DRAFT - WORKSHOP MEETING MINUTES
April 21, 2015

5:00 PM COMMUNICATIONS POLICY WITH COMMUNICATIONS BOARD

Mayor Willcox called the workshop meeting to order at 5:00 pm in the Community Room at Wayzata City Hall. Council members present: Anderson, McCarthy, Mullin, and Tyacke. Communications Board Members present: Biser, Diercks, Farrell, and Fox. Also present: City Manager Nelson, and Communications Specialist Classey.

Communications Board Chair Fox presented a Communications Policy drafted by the Communications Board which addresses all City Communications. He stated the intent of the Communications Policy is to assist staff on how to provide information from the City and promote City-sponsored events and activities to citizens. Mr. Fox stated one of the five policies in the mission statement is to promote the City's communications to strengthen the desirability of the City as a destination and premier tourist attraction in the metropolitan area. In addition, he discussed how the home page on the City's website incorporates portals for residents, visitors and businesses. He stated the Board believes the Parks & Trails map is a positive addition to the website. In comparison to other metropolitan cities with tourism driven marketing, Mr. Fox said there are a few content driven deficiencies to the visitor's portion of the City's website. With the completion of the new boutique hotel, the City could adopt a 3% lodging tax which could be used for marketing the city through a Convention and Visitor's Bureau.

The Council reviewed the Communications Policy. Mayor Willcox talked about the status of the Scenic Byway and how several area Chamber of Commerce offices will potentially be assembling as a group to begin work to market the area. Mr. Tyacke pointed out that one goal in the City's Strategic Plan is the marketing component and Convention and Visitors Bureau funds could be used for marketing Wayzata. The Council asked the Communications Board to explore potential tourism partnership opportunities with the Chamber. The Council asked the Communications Board to provide them with some interim recommendations including short term and long term budget options. The Council agreed to consider adoption of the Communications Policy at their next meeting and acknowledged the policy can be amended in the future to reflect the direction in marketing efforts.

5:30 PM DISCUSS YEAR END TRANSFERS

Mayor Willcox called the workshop meeting to order at 5:30 pm in the Community Room at Wayzata City Hall. Council members present: Anderson, McCarthy, Mullin, and Tyacke. Also present: City Manager Nelson, Director of Planning and Building Gadow, Director of Public Service Dudinsky, and Director of Administrative Services Uram.

Mr. Uram stated that at the April 7 Council meeting, staff presented an analysis of available fund balance that could be transferred to other funds in accordance with the City's Fund Balance Policy. The policy established a minimum fund balance of 40% for general fund operations and a process for the allocation of excess revenues at year end. At the April 7 City Council meeting, the Council made the decision to transfer \$312,000 to the Street Improvement fund to eliminate the short term deficit projected in the Street CIP. After making this transfer, a total of \$1,154,140 remains to be allocated. Staff provided a spreadsheet that outlined the amount of transfer and from which fund, the amount of allocation based on the 5 year average of expenditures in the CIP, staff's recommendation, and a blank column for each councilmember to allocate funds based on their priority. Mayor Willcox started the discussion by asking the other councilmembers to provide a dollar amount to allocate to each of the following funds; Lakefront, Parks and Trails, General CIP, and Cell Tower. Each councilmember provided their input and the amounts totaled per fund. In general, the amount allocated by each councilmember per fund was relatively close

so they decided to take the average. Based on that, the Council directed staff to create a resolution approving the following 2014 year end transfers to the following funds:

\$400,000 to Lakefront
\$240,000 to Parks and Trails
\$385,000 to General CIP
\$129,140 to Cell Tower

6:00 PM 637 HARMONY CIRCLE

Mayor Willcox called the workshop meeting to order at 6:00 pm in the Community Room at Wayzata City Hall. Council members present: Anderson, McCarthy, Mullin, and Tyacke. Also present: City Manager Nelson, and Director of Planning and Building Gadow.

Mr. Gadow stated that at the March 17th Council meeting, the Council reviewed a two lot subdivision at 637 Harmony Circle, and directed staff to prepare a draft resolution for approval with a number of conditions pertaining to the architectural design of the single family residences, among other items.

After conclusion of the Council meeting on March 17th, the Applicant contacted staff and indicated that they did not own the rights to the architectural plans included in the Council's motion, and wanted to pursue a different architectural design for the homes. The Applicant reached out to the architecture and building firm of Charles Cudd & Co, who had expressed interest in building two one (1) story style structures on the lots if they were subdivided. The Applicant requested a workshop meeting with the Council to receive feedback on a one story style option for the lots, and granted the City a time extension for review of the subdivision application.

Mr. Rick Denman from Charles Cudd & Co reviewed concept plans for two one (1) story style option homes. In these plans, Charles Cudd & Co has modified the garage location on the proposed house for Lot 1 so that the existing Bur Oak tree would not be impacted by the driveway location.

The Council reviewed the plans with the applicant and agreed to pursue this option further. The Applicant will need to provide an updated preliminary plat reflecting the new design; staff will need to review the updated plans with the Planning Commission for their feedback before bringing the item back to the City Council for their formal review in May.

The Workshop meetings were adjourned at 6:55 pm.

Respectfully submitted,

Becky Malone
Deputy City Clerk

WAYZATA CITY COUNCIL
DRAFT - MEETING MINUTES
April 21, 2015

AGENDA ITEM 1. Call to Order and Roll Call.

Mayor Willcox called the meeting to order at 7 p.m. Council Members present: Anderson, McCarthy, Mullin and Tyacke. Also present: City Manager Nelson, Director of Planning and Building Gadow, Public Works Director Dudinsky, Administrative Services Director Uram, and City Engineer/Assistant Director of Public Works Kelly.

AGENDA ITEM 2. Approve Agenda.

Mr. Tyacke made a motion, seconded by Mrs. Anderson, to approve the agenda, as presented. The motion carried 5/0.

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

a. Volunteer Activities

Lynn McCarthy, Volunteer Coordinator, shared that April was National Volunteer month and talked about upcoming opportunities: April 28, 2015 there would be a Emerald Ash Borer public forum in conjunction with Public Works; May 2, 2015 the Wayzata High School football team would be volunteering to pull buckthorn; May 13, 2015 a Boy Scout troop would be volunteering to pull garlic mustard in the Big Woods; May 16, 2015 was the annual Dig It; and, June 6, 2015 training related to the Emerald Ash Borer. Ms. McCarthy presented Elizabeth Bremer as the newest member of the Volunteer staff who would be coordinating the Emerald Ash Borer efforts.

b. Emerald Ash Borer Announcement

Ms. Bremer shared that the Emerald Ash Borer (EAB) had killed millions of ash trees in the United States and was working its way toward Wayzata. The volunteer staff in conjunction with Public Works were developing a management plan to get ahead of this issue.

Kyle Morris, Public Works Department, presented a brief summary on the EAB that nested specifically in ash trees. Currently, EAB has been found nine miles from Wayzata. This is a concern as Wayzata has 430 ash trees on public property and an estimated 2,000 on private property. As part of the City's EAB management plan, Public Works with the help of trained volunteers would begin an ash tree inventory of the City.

Ms. Bremer noted that the news about EAB was dismal, but the more prepared the City was, the better off it would be to mitigate damages and rebuild the canopy. Ms. Bremer encouraged everyone to attend the public forum on April 25, 2015 and to volunteer.

c. Water Tower/Telecom Site

Lucy Bruntjen, 402 Gardner Street, shared that she was excited and appreciative of the efforts the City had taken thus far in regard to removing the telecom site from the water tower. However, Ms. Bruntjen noted that business as usual continued at the site. She presented pictures of the work being conducted over the last couple of weeks and reiterated why a change of course was so crucial and timely.

Ms. Nelson shared that the drone fly over had been completed and a meeting was scheduled with the tenants to review the data. The tenants had agreed to have their radio frequency engineers at that meeting. The City had also notified its tenants that the leases would not be renewed at the water tower upon current lease expirations.

AGENDA ITEM 4. Consent Agenda.

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

- a. Approval of Workshop Minutes of April 7, 2015 and Minutes of April 7, 2015

- b. Approval of Check Register
 - c. Municipal licenses which received administrative approval (informational only)
 - d. Police Activity Report
 - e. Building Activity Report
- The motion carried 5/0.

Mr. Wilcox reviewed the items discussed by the Council at its workshop held earlier tonight.

AGENDA ITEM 5. New Business.

a. Section Foreman's House Update

Mr. Gadow introduced Ms. Ekman and Mr. Liddy who would present the Historic Structures Report on the Section Foreman's House. It was noted that the City, along with the Wayzata Historical Society, had received a grant in the amount of \$7,000 to complete a Historic Context Study from the Minnesota Arts and Cultural Heritage Fund Legacy Grant. Hess, Roise and Company completed the study and recommended further architectural studies. Miller Dunwiddie Architecture was contracted to complete a Historic Structures Report/Reuse Study. In addition, Wayzata Historical Society received a grant from BNSF Railway Foundation in the amount of \$10,000 to offset this cost.

Melissa Ekman, Miller Dunwiddie Architecture, presented a location map of the property, historical background and context, timeline of modifications, general building description, summary of findings for the exterior and interior conditions, evaluation of significance and historic integrity for potential eligibility for the National Register, benefits and obligation for listing in the National Register, and recommendation for possible reuses of the property.

Sue Sorrentino, Wayzata Historical Society, shared that the Heritage Preservation Board and the Wayzata Historical Society had spent many years thinking about this building. Their desire was to have it on the National Register to protect this property as only one of two in the State.

The Council asked questions relating to possible uses, work involved in restoration, cost estimates, other construction opportunities on the property to accommodate reuse, proximity of where other structures for reuse could be built, and available grants.

Mr. Gadow asked the Council to consider if it wanted staff to continue with the State level National Register of Historic Places nomination and reuse possibilities that the Council wanted to entertain.

The Council was in favor of pursuing the nomination and using a design process to discover all possible uses in line with the Lake Effect Plan.

Chuck Liddy, Miller Dunwiddie Architecture, answered a question of the Council relating to cost for pursuing nomination and other potential funding sources.

Mrs. Anderson made a motion, seconded by Mr. Tyacke, to accept the Historic Structures Report for the Wayzata Section Foreman's House. The motion carried 5/0.

b. Consider Award of Bid for Transient Docks and Swimming Dock at the Beach

Messrs. Dudinsky and Kelly reported on the 2015 Dock Expansion project. The City solicited bids for both the outright purchase of the dock systems as well as a five-year lease term; and, a "U" shaped swim dock or an "H" shaped swim dock. The City received one bid on April 16, 2015. Staff recommended the installation of the "H" shaped swim dock along with the Broadway and Depot dock expansions.

The Council asked questions relating to the number of bids, the type of docks, annual costs for installation and removal, warranty on the materials, number and placement of swimming ladders, winter storage in the outer lagoon, and support of the Parks and Trails Board for the "H" dock. The Council discussed the possibility of a shorter lease term since this was a pilot program

1 and options for an outright purchase of the “H” dock as it had already been determined to be the
2 best configuration.

3 Sue Sorrentino, 525 Queensland Lane, Plymouth, expressed concern over the placement
4 of the Depot dock stating that people picnic in that area in order to look out over the water.

5 Ms. Nelson and the Council discussed the cost impact with a 3-year lease term, suitability
6 of floating docks when providing access for all, and timing of the City’s decision on a permanent
7 solution.

8 Mrs. Anderson made a motion, seconded by Mr. Tyacke, to approve the purchase of the
9 "H" shaped swim dock for \$51,640.00, to direct staff to pursue a 3-year lease for the Broadway
10 and Depot docks, and to approve the 5-year lease agreement for the Broadway and Depot docks
11 only in the case that a 3-year lease agreement could not be negotiated, subject to approval by the
12 Lake Minnetonka Conservation District. The motion carried 5/0.

13 14 **c. Consider Resolution No. 18-2015 Approving 2014 Year End Transfers**

15 Mr. Uram shared that at the April 7, 2015 Council meeting, staff presented an analysis of
16 available fund balance that could be transferred to other funds in accordance with the City’s Fund
17 Balance Policy. The Council made the decision to transfer \$312,000 to the Street Improvement
18 Fund to eliminate the short-term deficit projected in the Street Capital Improvement Plan. The
19 Council decided to delay allocating the rest of the \$1,154,140 balance and discuss it further at the
20 April 21, 2015 Workshop held earlier tonight. The City Council recommended the remaining
21 funds be transferred to the Lakefront Fund in the amount of \$400,000; Parks and Trails Fund in
22 the amount of \$240,000; General CIP Fund in the amount of \$385,000; Cell Tower Fund in the
23 amount of \$129,140; and, Street Fund in the amount of \$312,000 as previously directed on April
24 7, 2015.

25 Mr. Uram explained the overage in the fund balance is attributable to license and permit
26 fees associated with development activity in the City. Revenues have exceeded what has been
27 budgeted and these should be considered a one-time revenue source.

28 Ms. Nelson stated that even though much of the revenue is due to development activity
29 occurring in the City that will eventually taper off, our Motor Vehicle Department generated a
30 transfer of \$196,000 in revenue, and our Liquor Operations generated a transfer of \$275,000 in
31 revenue. Profits generated from those operations are made available to fund capital projects in
32 the City.

33 Mr. Tyacke made a motion, seconded by Mr. Mullin, to Adopt Resolution No. 18-2015,
34 Approving 2014 Year End Transfers as follows: Lakefront Fund in the amount of \$400,000;
35 Parks and Trails Fund in the amount of \$240,000; General CIP Fund in the amount of \$385,000;
36 Street Fund in the amount of \$312,000; and, Cell Tower Fund in the amount of \$129,140. The
37 motion carried 5/0.

38
39 Ms. Nelson noted that the Council had decided to remove the Admin/Planning Intern and Dock
40 Master as possibilities for fund transfers because they represented potential operating expenses
41 and should be funded through the contingency budget. It was noted the City had been awarded a
42 \$3,500 grant from the Minnesota Manager’s Association for the intern program during the
43 upcoming year. Ms. Nelson asked if the Council was comfortable with the Admin/Planning
44 Intern and Dock Master being funded this year from the contingency budget. It was noted that a
45 line item had been included for ongoing costs to provide dock personnel. The Council suggested
46 staff talk with benefitting businesses about paying for a portion of those costs.

47 Mrs. Anderson made a motion, seconded by Mrs. McCarthy, to approve the
48 Admin/Planning Intern and Dock Master with funding from the Contingency Budget. The
49 motion carried 5/0.

d. Update and Recommendations on Transcription of City Council Minutes and Environmental Health Inspections of Food, Lodging, and Public Swimming Pools

Mr. Uram shared that at the January 20, 2015 Council meeting, the Council requested staff to look at other options and what other cities were doing for transcription of meeting minutes. Staff contacted neighboring municipalities and all reported that their minutes were either transcribed by a transcriptionist at the meeting or transcribed from an audio/video recording. In addition to providing services for Wayzata, TimeSaver Off Site Secretarial provides transcription services for an additional 24 municipalities. Mr. Uram noted the Office of the State Auditor's statement regarding meeting minutes that said the minutes need not record the discussion of the members and others, or information relating to the process by which a decision was made. However, there might be situations where the amount of detail varied. Staff recommended continuing to use TimeSaver for transcription services and to continue with the current summary-style meeting minute format.

Following discussion, the Council agreed to continue using TimeSaver and the current summary-style meeting minute format. The Council discussed creating standards for instances when more detail would be desired and decided direction could be provided to the transcriptionist during the actual meeting if there is a circumstance for which more detail should be captured in the minutes.

Mr. Mullin requested that a separate line item be added to the Communications Board to upgrade video delivery services.

Mr. Uram shared that the Council asked staff to evaluate the agreement for Environmental Health Inspections of food, beverage, lodging and public swimming pool facilities in Wayzata. Wayzata and Minnetonka have worked together to address the public health needs of Wayzata through an agreement that was approved by the Minnesota Department of Health (MDH) in August 2007. He explained the City could continue with the current program or transfer authority back to the MDH for Hennepin County to perform the inspections. A transfer back to the MDH would result in the loss of license fee revenue and possible loss in customer service and convenience to our Wayzata businesses. Staff recommended continuing the current program.

The Council asked questions relating to concerns expressed about the current program that had been addressed with Minnetonka. The Council decided to continue working with the City of Minnetonka, as it was fiscally responsible, and asked staff to continue providing feedback to Mr. Weinand, Environmental Health Supervisor with the City of Minnetonka.

e. Update and Recommendations on Charitable Gambling

Mr. Uram shared that staff had reviewed the City's Charitable Gambling Ordinance. City Code Chapter 716 regulated lawful gambling in the City. The ordinance was drafted in 1985 and revisions were made in 1988 that restricted the number of organizations selling pull tabs to one at a single location. The Lion's Club had the license to sell pull tabs at the Muni and it donated 50% of profits to the Wayzata Fire Relief Association. Minnesota Statute Chapter 349 governs lawful gambling in the State and allows municipalities to limit permits, require a 10% contribution to fund a number of things as listed in the Council packet, require that all or a portion of expenditures be spent within the City's trade area, and impose a local gambling tax. Mr. Uram shared what four other cities were doing in regard to these four options and asked the Council if it was interested in changing the ordinance to increase the number of organizations and locations to more than one or require the 10% contribution.

Kent Howe, 1600 Holdridge Lane, shared that he was the President of Wayzata Lion's Club and talked about the good the Lion's Club had been able to do with the pull tab profits. Mr. Howe thought that the cities referenced were not a good comparison because they were vastly larger and requiring the 10% contribution would decrease the amount the Fire Relief Association was receiving.

1
2 Bill Nelson, 603 East Lake Street, Suite No. 210, representing the Wayzata Lion's Club
3 offered to answer questions.

4 The Council asked questions relating to whether or not members could gamble, the
5 difference with charitable gambling, and potential detrimental effects on the Lion's Club if other
6 organizations were issued permits. Mr. Nelson commented on the importance of the Lion's
7 maintaining the ability to give 50% of its profits to the Wayzata Fire Relief Association.

8 Richard Holm, 208 Chicago Avenue North, asked the Council what a comparable sized
9 city requires of its pull tab operations. Staff explained the difficulty in finding a comparable
10 sized city and answered that it only had the information for Plymouth, Golden Valley, Maple
11 Grove, and Eden Prairie, which were all larger.

12 Fire Chief Klapprich reported that the Fire Department used the Lion's pull tab donation
13 to purchase larger items such as updating equipment in its truck.

14 The Council asked questions relating to other organizations that might pursue a permit,
15 marketing options to attract additional pull tab customers, additional types of gaming (raffling,
16 and bingo) that could be considered, financial impact should another location be licensed, and
17 whether or not the Council could designate what charities could be used.

18 Mr. Mullin referenced Minnesota Statute 349.214, Subdivision 1, that described all the
19 types of charitable organizations that are eligible and how the 10% contribution could be used.

20 Mr. Nelson answered a question of the Council relating to the location and signage of the
21 Lion's Club booth.

22 The Council requested additional information and research and agreed to discuss this
23 topic again in the future.
24

25 **f. Update on Strategic Plan**

26 Ms. Nelson updated the Council on the City's 2014-2016 Strategic Plan. She shared the status of
27 strategic initiatives for Financial Strength, Focused Community Engagement, Operational
28 Effectiveness, Organizational Sustainability, Proactive Development and Redevelopment, and
29 Maintain and Enhance Community Amenities. The Council and staff were scheduled to update
30 the Strategic Plan for 2015-2017 on April 30-May 1, 2015.

31 The Council requested staff provide more regular updates so it could better monitor what
32 was getting accomplished.
33

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

35 **a. Update on Public Art**

36 Ms. Nelson shared that the Wayzata Rotary Club had interest in providing the public art
37 component at the East end of Lake Street and had available funds to do so.
38

39 **b. Update on Trolley and Presbyterian Homes**

40 Ms. Nelson discussed with the Council possible timing for an update on the Trolley and
41 consideration of the East Block for Presbyterian Homes. The Council discussed the number of
42 items that can be accommodated on Workshop agendas and asked staff to schedule a separate
43 night to consider Presbyterian Homes. Staff was asked to schedule future Workshop
44 consideration of the Harmony Circle petition and impact on local roads as a result of potential
45 legislation to increase the truck weight limit.
46

47 **c. Update on Parking**

48 Ms. Nelson explained that the City had requested its legislators amend the Widsten TIF District to
49 allow the City to continue utilizing those funds for the next seven years and had received positive
50 feedback.
51

1 **d. Update on Eastman Lane Bike Trail**

2 Mrs. Anderson shared that the Council had received a letter from the Parks and Trails Board in
3 regard to the Eastman Lane Bike Trail. Mr. Kelly updated the Council on the bike trail. Mr.
4 Dudinsky explained that the letter was sent prior to the last meeting where the Parks and Trails
5 Board were able to hear about the full scope of the project. The Council discussed other options
6 that could be considered to accommodate bike traffic on City-owned land, even if it involved a
7 change order. Mr. Kelly stated the cost implications might be high as two retaining walls are
8 under construction to protect environmental resources that will restrict what can happen in those
9 areas.

10
11 **e. Update on MACTA**

12 Mrs. Anderson reported on the offerings of the Minnesota Association of Community
13 Telecommunication Administrators (MACTA) relating to cable and broadband, noting the
14 membership fee was inexpensive. Ms. Nelson described her past experience with MACTA and
15 commented on the benefit of working with the Brian Grogan, the City's cable attorney, on the
16 renewal of the MediaCom franchise agreement. She asked whether the City had resources to
17 dedicate to another organization. Mrs. Anderson stated MACTA does not involve monthly
18 meetings or a huge time commitment but may be a resource the City could use.

19
20 **AGENDA ITEM 7. Public Forum Continued (if necessary).**

21 There were no comments.

22
23 **AGENDA ITEM 8. Adjournment.**

24 Mrs. McCarthy made a motion, seconded by Mr. Mullin to adjourn. There being no further
25 business, Mr. Willcox adjourned the meeting at 10:09 p.m.

26
27 Respectfully submitted,

28
29
30
31 Becky Malone
32 Deputy City Clerk

33
34 Drafted by Sarah Peterson
35 *TimeSaver Off Site Secretarial, Inc.*

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			Check Amt	Invoice	Comment
10100 Anchor Bank					
Paid Chk#	098553	4/29/2015	AT&T MOBILITY		
E 101-41940-321	Telephone		\$319.95	287250190047	CELL PHONE SERVICE
Total AT&T MOBILITY			\$319.95		
Paid Chk#	098554	4/29/2015	AT&T MOBILITY		
E 101-41940-321	Telephone		\$204.25	287250008232	CELL PHONE SERVICE - PW
Total AT&T MOBILITY			\$204.25		
Paid Chk#	098555	4/29/2015	BAR LAZY H-FIVE LLC		
R 408-00000-34112	Public Parking Maint.		\$15.66	REFUND	OVERPAYMENT ON PARKING LOT MAINT.
Total BAR LAZY H-FIVE LLC			\$15.66		
Paid Chk#	098556	4/29/2015	BARTON SAND & GRAVEL CO.		
E 101-45200-229	Dirt, Sand and gravel		\$58.08	203394	SAND
Total BARTON SAND & GRAVEL CO.			\$58.08		
Paid Chk#	098557	4/29/2015	BEST & FLANAGAN		
E 101-41500-304	Legal Fees		\$37.50	451079	DATA PRACTICES
G 101-20310	Escrow		\$498.10	451081	VERIZON ESCROW PROJECT
E 101-41500-304	Legal Fees		\$2,529.40	451082	CITY COUNCIL
E 101-41500-304	Legal Fees		\$1,005.50	451083	ORDINANCES
E 101-41500-304	Legal Fees		\$37.50	451084	LIQUOR LICENSES
G 101-20310	Escrow		\$412.50	451085	BAY CENTER/PRES.HOMES ESCROW
E 101-41500-304	Legal Fees		\$825.00	451086	235/239 LAKE ST.
E 101-41500-304	Legal Fees		\$337.50	451087	BURLINGTON NORTHERN
G 101-20310	Escrow		\$158.40	451090	151 WESTWOOD LANE ESCROW
E 101-41500-304	Legal Fees		\$120.40	451091	EASEMENT TITLE WORK
E 407-40000-304	Legal Fees		\$1,436.50	451093	CELL TOWER
G 101-20310	Escrow		\$112.50	451094	BOATWORKS ESCROW
E 101-41500-304	Legal Fees		\$37.50	451095	700 LAKE ST.
E 101-41500-304	Legal Fees		\$112.50	451096	WEBSITE CONTRACT
G 101-20310	Escrow		\$150.00	451097	165/213 CENTRAL ESCROW
E 101-41500-304	Legal Fees		\$1,217.70	451099	RETAINER
Total BEST & FLANAGAN			\$9,028.50		
Paid Chk#	098558	4/29/2015	BOYER TRUCK PARTS		
E 620-40000-404	Repairs/Maint - Machin/Equip		\$56.91	952877	PARTS
E 620-40000-404	Repairs/Maint - Machin/Equip		\$12.88	953236	PARTS
Total BOYER TRUCK PARTS			\$69.79		
Paid Chk#	098559	4/29/2015	BRAUN INTERTEC		
E 620-49100-302	Consultants		\$3,495.00	B025906	LIFT STATION #5
Total BRAUN INTERTEC			\$3,495.00		
Paid Chk#	098560	4/29/2015	CALTRELL		
E 610-40000-404	Repairs/Maint - Machin/Equip		\$11.18	27752	REPAIRS
E 620-40000-404	Repairs/Maint - Machin/Equip		\$11.17	27752	REPAIRS
Total CALTRELL			\$22.35		
Paid Chk#	098561	4/29/2015	CARQUEST OF WAYZATA		
E 101-42100-404	Repairs/Maint - Machin/Equip		\$27.28	6973-248235	PARTS
E 101-42100-404	Repairs/Maint - Machin/Equip		\$54.56	6973-248240	PARTS
E 101-45200-222	Repair & Maint - Equip		\$30.53	6973-248895	PARTS
E 101-45200-210	Operating Supplies (GENERAL)		\$4.23	6973-248903	PARTS
E 610-40000-404	Repairs/Maint - Machin/Equip		\$6.49	6973-249530	PARTS
E 620-40000-404	Repairs/Maint - Machin/Equip		\$6.49	6973-249530	PARTS
Total CARQUEST OF WAYZATA			\$129.58		

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			Check Amt	Invoice	Comment
Paid Chk# 098562	4/29/2015	CINTAS CORPORATION			
E 101-45200-241	Safety equip/testings		\$43.28	5002957209	FIRST AID SUPPLIES
E 610-40000-241	Safety equip/testings		\$21.64	5002957209	FIRST AID SUPPLIES
E 101-43100-241	Safety equip/testings		\$43.29	5002957209	FIRST AID SUPPLIES
E 620-40000-241	Safety equip/testings		\$21.64	5002957209	FIRST AID SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$62.23	5002957210	FIRST AID SUPPLIES
	Total CINTAS CORPORATION		\$192.08		
Paid Chk# 098563	4/29/2015	CLASSEY, KRISTIN			
G 101-21721	Flex Plan		\$184.40	FLEX	FLEX REIMB.
	Total CLASSEY, KRISTIN		\$184.40		
Paid Chk# 098564	4/29/2015	COMMERCIAL ASPHALT CO.			
E 430-40000-309	Contractual Services		\$346.21	150415	ASPHALT
	Total COMMERCIAL ASPHALT CO.		\$346.21		
Paid Chk# 098565	4/29/2015	COMMUNITY REINVESTMENT FUND			
E 440-40000-309	Contractual Services		\$120.00		2014 & 2015 ACCOUNT MAINT.FEE
	Total COMMUNITY REINVESTMENT FUND		\$120.00		
Paid Chk# 098566	4/29/2015	CONSTRUCTION MIDWEST, INC.			
E 101-43100-210	Operating Supplies (GENERAL)		\$233.60	551032	SAND/SALT COVER
	Total CONSTRUCTION MIDWEST, INC.		\$233.60		
Paid Chk# 098567	4/29/2015	CULLIGAN-BOTTLED WATER			
E 101-42100-309	Contractual Services		\$33.36	1848118	PD SUPPLIES
	Total CULLIGAN-BOTTLED WATER		\$33.36		
Paid Chk# 098568	4/29/2015	CURTIS INGULDSTAD, SCULPTOR			
E 404-40000-302	Consultants		\$400.00	4/24/15	TREE WOOD SAMPLING
	Total CURTIS INGULDSTAD, SCULPTOR		\$400.00		
Paid Chk# 098569	4/29/2015	DAY MAINTENANCE & CONSTRUCTION			
E 101-41940-401	Repairs/Maint Buildings		\$165.00	11102	PW BLDG.REPAIR
	tal DAY MAINTENANCE & CONSTRUCTION		\$165.00		
Paid Chk# 098570	4/29/2015	DELTA DENTAL OF MINNESOTA			
G 101-21717	Dental Insurance		\$1,809.00	5969666	DENTAL INS.
	Total DELTA DENTAL OF MINNESOTA		\$1,809.00		
Paid Chk# 098571	4/29/2015	DIAMOND VOGEL PAINTS			
E 101-43100-226	Sign Repair Materials		\$2,441.25	101502381	TRAFFIC MARKING PAINT
	Total DIAMOND VOGEL PAINTS		\$2,441.25		
Paid Chk# 098572	4/29/2015	EHLERS			
E 401-40000-309	Contractual Services		\$105.00	67332	DOWNTOWN PARKING
E 316-40000-309	Contractual Services		\$7,312.50	67333	BAY CENTER TIF
E 401-40000-309	Contractual Services		\$4,410.00	67334	ECONOMIC DEV.
	Total EHLERS		\$11,827.50		
Paid Chk# 098573	4/29/2015	EMERGENCY AUTOMOTIVE			
E 101-42100-404	Repairs/Maint - Machin/Equip		\$437.16	23508	PD REPAIRS
	Total EMERGENCY AUTOMOTIVE		\$437.16		
Paid Chk# 098574	4/29/2015	EXCEL DOCUMENT MGMT.			
E 101-43300-210	Operating Supplies (GENERAL)		\$46.00	40791	BUS.CARDS P.ACKERLEY
	Total EXCEL DOCUMENT MGMT.		\$46.00		
Paid Chk# 098575	4/29/2015	FINANCE AND COMMERCE			

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			Check Amt	Invoice	Comment
E 430-40000-302	Consultants		\$207.06	742136767	2015 STREETS
Total FINANCE AND COMMERCE			\$207.06		
Paid Chk# 098576	4/29/2015	GRAINGER, INC.			
E 640-48000-404	Repairs/Maint - Machin/Equip		\$85.40	9714217800	PARTS/SUPPLIES
E 640-48000-404	Repairs/Maint - Machin/Equip		\$63.33	9715557477	PARTS/SUPPLIES
E 620-40000-241	Safety equip/testings		\$43.98	9717583869	PARTS/SUPPLIES
E 610-40000-241	Safety equip/testings		\$43.98	9717583869	PARTS/SUPPLIES
E 620-40000-241	Safety equip/testings		\$10.62	9717583877	PARTS/SUPPLIES
E 610-40000-241	Safety equip/testings		\$10.62	9717583877	PARTS/SUPPLIES
Total GRAINGER, INC.			\$257.93		
Paid Chk# 098577	4/29/2015	HENNEPIN COUNTY TAX SERVICES			
E 101-49200-496	Contigencies		\$4,774.14	402 LAKE - 20	2015 PROPERTY TAX 402 LAKE STREET
Total HENNEPIN COUNTY TAX SERVICES			\$4,774.14		
Paid Chk# 098578	4/29/2015	ISRAEL, DAN			
E 640-48000-341	General Promotions		\$200.00	4/25/15	BAR MUSIC 4/25/15 - CK REISSUE
Total ISRAEL, DAN			\$200.00		
Paid Chk# 098579	4/29/2015	JOAN IACONA CONSULTING			
E 640-48000-302	Consultants		\$5,500.00	41615	PROF.MGMT.SEARCH
Total JOAN IACONA CONSULTING			\$5,500.00		
Paid Chk# 098580	4/29/2015	KLEIN UNDERGROUND, LLC			
E 610-40000-405	Maint/Replac - System		\$3,185.00	63054	WATERMAIN BREAK REPAIRS
Total KLEIN UNDERGROUND, LLC			\$3,185.00		
Paid Chk# 098581	4/29/2015	KUSTOM SIGNALS, INC.			
E 409-42100-540	Equipment		\$2,441.00	511825	PD EQUIP.-GOLDEN EAGLE IIX
Total KUSTOM SIGNALS, INC.			\$2,441.00		
Paid Chk# 098582	4/29/2015	LAMBERT, JEFFREY W.			
E 101-42120-304	Legal Fees		\$3,031.00	928.002	LEGAL SERVICES
Total LAMBERT, JEFFREY W.			\$3,031.00		
Paid Chk# 098583	4/29/2015	LAW ENFORCEMENT LABOR SERVICES			
G 101-21707	Police union dues		\$423.00	APRIL 2015	PD UNION DUES - APRIL 2015
al LAW ENFORCEMENT LABOR SERVICES			\$423.00		
Paid Chk# 098584	4/29/2015	LEAGUE OF MN CITIES INS.TRUST			
E 101-49200-365	Workers Comp Ins		\$5,000.00	29743	WORKERS COMP INS.
E 640-48000-365	Workers Comp Ins		\$2,019.00	29743	WORKERS COMP INS.
Total LEAGUE OF MN CITIES INS.TRUST			\$7,019.00		
Paid Chk# 098585	4/29/2015	LHB, INC.			
E 430-40000-302	Consultants		\$1,547.50	130445.00-12	EASTMAN LANE
Total LHB, INC.			\$1,547.50		
Paid Chk# 098586	4/29/2015	LOFFLER COMPANIES, INC.			
E 409-40000-540	Equipment		\$1,236.00	1964696	COMPUTERS
Total LOFFLER COMPANIES, INC.			\$1,236.00		
Paid Chk# 098587	4/29/2015	M.M.K.R. & COMPANY			
E 640-48000-301	Auditing and Acct g Services		\$4,450.00	37140	AUDIT SERVICES
E 610-40000-301	Auditing and Acct g Services		\$2,000.00	37140	AUDIT SERVICES
E 620-40000-301	Auditing and Acct g Services		\$2,000.00	37140	AUDIT SERVICES
E 630-40000-301	Auditing and Acct g Services		\$1,000.00	37140	AUDIT SERVICES
E 640-47000-301	Auditing and Acct g Services		\$4,450.00	37140	AUDIT SERVICES

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			Check Amt	Invoice	Comment
Total M.M.K.R. & COMPANY			\$13,900.00		
Paid Chk# 098588	4/29/2015	MACQUEEN EQUIPMENT, INC.			
E 101-43100-220	Repair/Maint Supply (GENERAL)	\$104.23	2152536	PARTS	
Total MACQUEEN EQUIPMENT, INC.		\$104.23			
Paid Chk# 098589	4/29/2015	MANSFIELD OIL COMPANY			
E 101-49200-212	Motor Fuels	\$523.12	433777	FUEL	
E 101-49200-212	Motor Fuels	\$1,097.24	433786	FUEL	
Total MANSFIELD OIL COMPANY		\$1,620.36			
Paid Chk# 098590	4/29/2015	MCCARTHY, LYNN			
E 101-41100-493	Volunteer program	\$73.70	REIMB.	VOLUNTEER EXP. - EAB	
Total MCCARTHY, LYNN		\$73.70			
Paid Chk# 098591	4/29/2015	MEDIACOM			
E 101-41940-321	Telephone	\$309.95		SERVICE	
Total MEDIACOM		\$309.95			
Paid Chk# 098592	4/29/2015	METROPOLITAN COUNCIL			
E 610-40000-310	Plan Review	\$375.00	1043408	DISCHARGE FEES	
E 610-40000-310	Plan Review	\$375.00	1043409	DISCHARGE FEES	
Total METROPOLITAN COUNCIL		\$750.00			
Paid Chk# 098593	4/29/2015	MILLER, FRED			
E 235-40000-302	Consultants	\$1,525.00	96	WCTV	
Total MILLER, FRED		\$1,525.00			
Paid Chk# 098594	4/29/2015	MN CHILD SUPPORT PAYMENT CENTE			
G 101-21710	County WH	\$235.00	0015104841	WITHHOLDING ORDER	
Total MN CHILD SUPPORT PAYMENT CENTE		\$235.00			
Paid Chk# 098595	4/29/2015	MN NCPERS LIFE INSURANCE			
G 101-21715	PERA Term Life	\$48.00	5/2015	LIFE INS.	
Total MN NCPERS LIFE INSURANCE		\$48.00			
Paid Chk# 098596	4/29/2015	MNAPA			
E 101-41500-499	Miscellaneous	\$25.00	EMPLOYMEN	ADMIN/PLANNING INTERN AD	
Total MNAPA		\$25.00			
Paid Chk# 098597	4/29/2015	MOSS & BARNETT			
E 101-41500-304	Legal Fees	\$1,827.10	624786	MEDIACOM FRANCHISE RENEWAL	
Total MOSS & BARNETT		\$1,827.10			
Paid Chk# 098598	4/29/2015	NAPA AUTO PARTS-WATERTOWN			
E 620-40000-224	Repair & Maint - Motor Equip	\$6.00	436548	PARTS	
E 610-40000-224	Repair & Maint - Motor Equip	\$6.00	436548	PARTS	
E 610-40000-404	Repairs/Maint - Machin/Equip	\$50.43	436618	PARTS	
E 620-40000-404	Repairs/Maint - Machin/Equip	\$50.43	436618	PARTS	
E 101-43100-210	Operating Supplies (GENERAL)	\$20.96	436684	PARTS	
E 610-40000-404	Repairs/Maint - Machin/Equip	\$7.35	436732	PARTS	
E 620-40000-404	Repairs/Maint - Machin/Equip	\$7.35	436732	PARTS	
Total NAPA AUTO PARTS-WATERTOWN		\$148.52			
Paid Chk# 098599	4/29/2015	NEW PIG			
E 610-40000-210	Operating Supplies (GENERAL)	\$64.97	21575829-00	SUPPLIES	
E 620-40000-210	Operating Supplies (GENERAL)	\$64.96	21575829-00	SUPPLIES	
Total NEW PIG		\$129.93			

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			Check Amt	Invoice	Comment
Paid Chk# 098600	4/29/2015	OFFICE DEPOT			
E 101-41500-200	Office Supplies (GENERAL)		\$16.46	765927943001	SUPPLIES
E 640-48000-200	Office Supplies (GENERAL)		\$3.04	765927943001	SUPPLIES
E 640-48000-200	Office Supplies (GENERAL)		\$41.29	765928032001	SUPPLIES
	Total OFFICE DEPOT		\$60.79		
Paid Chk# 098601	4/29/2015	PHILIPS MEDICAL SYSTEMS			
E 101-42100-210	Operating Supplies (GENERAL)		\$223.83	929503226	PD SUPPLIES
	Total PHILIPS MEDICAL SYSTEMS		\$223.83		
Paid Chk# 098602	4/29/2015	PLANT & FLANGED EQUIPMENT CO.			
E 610-40000-242	Well & F.P. Equipment		\$783.96	0064866	PARTS
	Total PLANT & FLANGED EQUIPMENT CO.		\$783.96		
Paid Chk# 098603	4/29/2015	POIRIER, BERNARD			
E 610-40000-331	Mileage & Expense Account		\$55.20	REIMB.	MILEAGE
	Total POIRIER, BERNARD		\$55.20		
Paid Chk# 098604	4/29/2015	POPP TELECOM			
E 620-40000-323	Radio Units		\$32.70		SERVICE
E 101-41940-321	Telephone		\$310.49		SERVICE
E 640-47000-321	Telephone		\$100.00		SERVICE
E 640-48000-321	Telephone		\$100.00		SERVICE
E 610-40000-323	Radio Units		\$89.58		SERVICE
	Total POPP TELECOM		\$632.77		
Paid Chk# 098605	4/29/2015	PRAIRIE RESTORATIONS, INC.			
E 404-40000-309	Contractual Services		\$425.00	0033318	CITY HALL PRAIRIE MAINT.
	Total PRAIRIE RESTORATIONS, INC.		\$425.00		
Paid Chk# 098606	4/29/2015	RANDY S SANITATION			
E 650-47800-386	Other Utilities		\$55.35		ORGANICS DISPOSAL
E 640-47000-384	Refuse/Garbage Disposal		\$150.00		STORE
E 650-47800-384	Refuse/Garbage Disposal		\$6,479.48		ORGANICS
E 650-47600-309	Contractual Services		\$3,880.08		RECYCLING
E 101-41940-386	Other Utilities		\$331.12		CH & PW
E 650-47500-384	Refuse/Garbage Disposal		\$895.38		DRIVE UP
E 650-47500-384	Refuse/Garbage Disposal		\$1,243.01		KARTS
E 650-47500-384	Refuse/Garbage Disposal		\$24.05		STICKERS
E 650-47500-384	Refuse/Garbage Disposal		\$8,360.35		SERVICE
E 650-47500-386	Other Utilities		\$3,405.50		DISPOSAL
E 640-48000-384	Refuse/Garbage Disposal		\$337.94		BAR
	Total RANDY S SANITATION		\$25,162.26		
Paid Chk# 098607	4/29/2015	RETREAT, THE			
E 101-41500-499	Miscellaneous		\$180.00	4/27/15	STRATEGIC PLANNING
	Total RETREAT, THE		\$180.00		
Paid Chk# 098608	4/29/2015	RISVOLD, MICHAEL			
E 101-42100-331	Mileage & Expense Account		\$228.11	REIMB.	CONF.EXP.
	Total RISVOLD, MICHAEL		\$228.11		
Paid Chk# 098609	4/29/2015	SHORT ELLIOTT HENDRICKSON INC.			
G 101-20310	Escrow		\$3,909.68	296556	T-MOBILE ESCROW PROJECT
	Total SHORT ELLIOTT HENDRICKSON INC.		\$3,909.68		
Paid Chk# 098610	4/29/2015	SIGNS NOW			
E 101-45200-210	Operating Supplies (GENERAL)		\$52.80	27900	CANOE RACK SIGNS

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Total SIGNS NOW			\$52.80		
Paid Chk# 098611	4/29/2015	SPRINT			
E 101-42100-323	Radio Units		\$141.58	134573312-16	PD SERVICE
Total SPRINT			\$141.58		
Paid Chk# 098612	4/29/2015	SRF CONSULTING GROUP, INC.			
E 101-43100-303	Engineering Fees		\$294.42	08407.00-3	DESTINATION SIGNING
E 430-40000-302	Consultants		\$870.68	08445.00-8	BENTON/SIGNAL IMP.
E 408-40000-302	Consultants		\$2,059.37	08758.00-1	PEAVEY BRIDGE
E 620-49100-302	Consultants		\$189.29	08766.00-1	SEWER LINING
Total SRF CONSULTING GROUP, INC.			\$3,413.76		
Paid Chk# 098613	4/29/2015	STANTEC CONSULTING SERVICES			
E 620-49100-302	Consultants		\$1,154.23	898137	LIFT STATION #5
E 407-40000-302	Consultants		\$1,154.22	898137	CELL TOWER
E 620-49100-302	Consultants		\$15,731.58	898138	LIFT STATION #5
E 670-40000-302	Consultants		\$456.00	901434	WETLAND CONSULTANT
Total STANTEC CONSULTING SERVICES			\$18,496.03		
Paid Chk# 098614	4/29/2015	STATE OF MINNESOTA			
E 101-42100-323	Radio Units		\$270.00	230675	PD CONNECTION
Total STATE OF MINNESOTA			\$270.00		
Paid Chk# 098615	4/29/2015	SUN NEWSPAPER			
E 101-41500-433	Dues, Licensing & Seminars		\$87.00	2015	SUBSCRIPTION RENEWAL
Total SUN NEWSPAPER			\$87.00		
Paid Chk# 098616	4/29/2015	SURFACE CONVERSIONS			
E 101-41910-492	HPB		\$375.00	CENTANNIAL	CENTANNIAL HOUSE AWARDS - 2015
Total SURFACE CONVERSIONS			\$375.00		
Paid Chk# 098617	4/29/2015	TIME SAVER			
E 101-41100-302	Consultants		\$387.00	M21259	MTG.MINUTES
Total TIME SAVER			\$387.00		
Paid Chk# 098618	4/29/2015	TITAN MACHINERY			
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$144.38	5756690	PARTS
Total TITAN MACHINERY			\$144.38		
Paid Chk# 098619	4/29/2015	TOLL GAS & WELDING SUPPLY			
E 640-48000-210	Operating Supplies (GENERAL)		\$96.18	10074876	SUPPLIES
E 101-43100-210	Operating Supplies (GENERAL)		\$112.89	10075259	SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$124.42	10075374	SUPPLIES
Total TOLL GAS & WELDING SUPPLY			\$333.49		
Paid Chk# 098620	4/29/2015	TWIN CITY GARAGE DOOR CO.			
E 101-41940-401	Repairs/Maint Buildings		\$102.00	436365	PW BLDG.
Total TWIN CITY GARAGE DOOR CO.			\$102.00		
Paid Chk# 098621	4/29/2015	UPS STORE			
E 101-41500-200	Office Supplies (GENERAL)		\$123.72	0035	SUPPLIES
Total UPS STORE			\$123.72		
Paid Chk# 098622	4/29/2015	US HEALTH WORKS MEDICAL GROUP			
E 101-41500-306	Personnel Expense		\$116.00	0043476-MN	NEW EMPLOYMENT TESTING
otal US HEALTH WORKS MEDICAL GROUP			\$116.00		
Paid Chk# 098623	4/29/2015	USA BLUE BOOK			

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E 620-40000-240	Small Tools and Minor Equip		\$27.19	610598	TOOLS
E 620-40000-225	Repair & Maint - System		\$139.88	610598	PARTS
E 610-40000-240	Small Tools and Minor Equip		\$27.19	610598	TOOLS
E 620-40000-241	Safety equip/testings		\$20.34	618086	TOOLS
E 610-40000-241	Safety equip/testings		\$20.35	618086	TOOLS
Total USA BLUE BOOK			\$234.95		
Paid Chk# 098624	4/29/2015	VALLEY-RICH CO., INC.			
E 610-40000-405	Maint/Replac - System		\$7,834.88	21460	WATERMAIN BREAK REPAIRS
Total VALLEY-RICH CO., INC.			\$7,834.88		
Paid Chk# 098625	4/29/2015	VERIZON WIRELESS			
E 101-42100-323	Radio Units		\$200.07	9743838174	PD SERVICE
Total VERIZON WIRELESS			\$200.07		
Paid Chk# 098626	4/29/2015	W.W. GOETSCH ASSOCIATES			
E 620-40000-405	Maint/Replac - System		\$55.00	94242	LIFTSTATION #21
Total W.W. GOETSCH ASSOCIATES			\$55.00		
Paid Chk# 098627	4/29/2015	WARNING LITES			
E 610-40000-405	Maint/Replac - System		\$2,233.60	145171	TRAFFIC CONTROL-WATERMAIN BREAK
Total WARNING LITES			\$2,233.60		
Paid Chk# 098628	4/29/2015	WAYZATA CHAMBER OF COMMERCE			
E 101-41500-331	Mileage & Expense Account		\$25.00	6540	LUNCHEON - D URAM
Total WAYZATA CHAMBER OF COMMERCE			\$25.00		
Paid Chk# 098629	4/29/2015	WRUCK EXCAVATING INC.			
R 101-00000-34190	Charges for Services/Gen Gov		(\$417.08)	REFUND	STREET CUT DEPOSIT REFUND
G 101-20300	Deposits Payable		\$999.00	REFUND	STREET CUT DEPOSIT REFUND
Total WRUCK EXCAVATING INC.			\$581.92		
Paid Chk# 098630	4/29/2015	WUOLLET BAKERY, INC.			
E 101-41100-499	Miscellaneous		\$135.00	17776	BOB NASH CAKE
Total WUOLLET BAKERY, INC.			\$135.00		
Paid Chk# 098631	4/30/2015	BELLBOY BAR SUPPLY CORP.			
E 640-47000-251	Liquor For Resale		\$888.05	47841400	LIQUOR
E 640-47000-259	Freight		\$12.30	47841400	FREIGHT
E 640-47000-259	Freight		\$34.10	47944300	FREIGHT
E 640-47000-251	Liquor For Resale		\$2,955.40	47944300	LIQUOR
E 640-47000-254	Soft Drinks/Mix For Resale		\$41.90	47944300	MISC.
E 640-47000-254	Soft Drinks/Mix For Resale		\$43.15	91894100	MISC.
E 640-47000-259	Freight		\$4.84	91894100	FREIGHT
E 640-47000-210	Operating Supplies (GENERAL)		\$135.20	91894100	SUPPLIES
Total BELLBOY BAR SUPPLY CORP.			\$4,114.94		
Paid Chk# 098632	4/30/2015	BETH, GERALD O			
E 640-48000-341	General Promotions		\$175.00	5/5/15	BAR MUSIC 5/5/15
Total BETH, GERALD O			\$175.00		
Paid Chk# 098633	4/30/2015	BLOOMQUIST, RICK			
E 640-48000-341	General Promotions		\$400.00	5/2/15	BAR MUSIC 5/2/15
Total BLOOMQUIST, RICK			\$400.00		
Paid Chk# 098634	4/30/2015	CITY VIEW PLUMBING & HEATING			
E 640-48500-404	Repairs/Maint - Machin/Equip		\$269.60	42933	GARBAGE DISPOSAL REPAIRS
Total CITY VIEW PLUMBING & HEATING			\$269.60		

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Paid Chk# 098635	4/30/2015	COCA-COLA			
E 640-48000-254	Soft Drinks/Mix For Resale		\$1,571.76	0188057110	MISC.BEV.
	Total COCA-COLA		\$1,571.76		
Paid Chk# 098636	4/30/2015	COZZINI BROS., INC.			
E 640-48500-415	Other Equipment Rentals		\$139.99	C1638965	KNIFE EXCHANGE
	Total COZZINI BROS., INC.		\$139.99		
Paid Chk# 098637	4/30/2015	DAHLHEIMER DISTRIBUTING CO.			
E 640-48000-253	Beer For Resale		\$327.00	108508	BEER
E 640-47000-253	Beer For Resale		\$378.00	1153668	BEER
E 640-48000-253	Beer For Resale		\$582.00	1153669	BEER
	Total DAHLHEIMER DISTRIBUTING CO.		\$1,287.00		
Paid Chk# 098638	4/30/2015	DAY DISTRIBUTING			
E 640-47000-253	Beer For Resale		\$2,185.95	797391	BEER
E 640-47000-253	Beer For Resale		\$604.85	798365	BEER
E 640-48000-253	Beer For Resale		\$1,021.00	799355	BEER
	Total DAY DISTRIBUTING		\$3,811.80		
Paid Chk# 098639	4/30/2015	DIRECTV			
E 640-48000-415	Other Equipment Rentals		\$355.87	25652918265	SERVICE
	Total DIRECTV		\$355.87		
Paid Chk# 098640	4/30/2015	DOMACE VINO			
E 640-47000-252	Wine For Resale		\$114.00	9264	WINE
E 640-47000-259	Freight		\$2.00	9264	FREIGHT
	Total DOMACE VINO		\$116.00		
Paid Chk# 098641	4/30/2015	EXTREME BEVERAGE, LLC			
E 640-47000-254	Soft Drinks/Mix For Resale		\$69.80	261-1438	MISC.BEV.
	Total EXTREME BEVERAGE, LLC		\$69.80		
Paid Chk# 098642	4/30/2015	G & K SERVICES			
E 640-48500-217	Uniforms		\$40.30	1013849387	SUPPLIES & UNIFORMS
E 640-48500-210	Operating Supplies (GENERAL)		\$129.49	1013849387	SUPPLIES & UNIFORMS
E 640-48000-210	Operating Supplies (GENERAL)		\$38.01	1013849387	SUPPLIES & UNIFORMS
E 640-48500-217	Uniforms		\$40.30	1013860793	SUPPLIES & UNIFORMS
E 640-48500-210	Operating Supplies (GENERAL)		\$92.70	1013860793	SUPPLIES & UNIFORMS
E 640-48000-210	Operating Supplies (GENERAL)		\$40.05	1013860793	SUPPLIES & UNIFORMS
	Total G & K SERVICES		\$380.85		
Paid Chk# 098643	4/30/2015	GRAPE BEGINNINGS, INC.			
E 640-47000-259	Freight		\$13.50	180415	FREIGHT
E 640-47000-252	Wine For Resale		\$702.66	180415	WINE
	Total GRAPE BEGINNINGS, INC.		\$716.16		
Paid Chk# 098644	4/30/2015	HOHENSTEINS INC.			
E 640-47000-253	Beer For Resale		\$485.00	757334	BEER
	Total HOHENSTEINS INC.		\$485.00		
Paid Chk# 098645	4/30/2015	JJ TAYLOR DISTRIBUTING OF MN			
E 640-48000-253	Beer For Resale		\$328.00	2343107	BEER
E 640-48000-253	Beer For Resale		\$549.90	2343153	BEER
E 640-47000-253	Beer For Resale		\$844.35	2346740	BEER
E 640-48000-253	Beer For Resale		\$534.35	2353522	BEER
E 640-48000-253	Beer For Resale		\$409.40	2353589	BEER
	Total JJ TAYLOR DISTRIBUTING OF MN		\$2,666.00		

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Paid Chk#	098646	4/30/2015	JOHNSON BROS.-ST.PAUL		
E 640-47000-252	Wine For Resale		\$447.25	5137794	WINE
E 640-47000-259	Freight		\$10.98	5137794	FREIGHT
E 640-47000-259	Freight		\$16.47	5137795	FREIGHT
E 640-47000-251	Liquor For Resale		\$1,898.81	5137795	LIQUOR
E 640-47000-252	Wine For Resale		\$706.35	5137796	WINE
E 640-47000-259	Freight		\$8.54	5137796	FREIGHT
E 640-47000-259	Freight		\$2.44	5139134	FREIGHT
E 640-47000-252	Wine For Resale		\$132.00	5139134	WINE
E 640-47000-259	Freight		\$5.19	5142905	FREIGHT
E 640-47000-251	Liquor For Resale		\$463.82	5142905	LIQUOR
E 640-47000-259	Freight		\$2.44	5142906	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$69.50	5142906	MISC.MIX
E 640-47000-259	Freight		\$2.65	5142907	FREIGHT
E 640-47000-251	Liquor For Resale		\$494.70	5142907	LIQUOR
E 640-47000-252	Wine For Resale		(\$115.03)	521831	WINE
E 640-47000-252	Wine For Resale		(\$7.33)	523341	WINE
E 640-47000-252	Wine For Resale		(\$11.33)	523342	WINE
Total JOHNSON BROS.-ST.PAUL			\$4,127.45		
Paid Chk#	098647	4/30/2015	KARLSBURGER FOODS, INC.		
E 640-48500-255	FOODIngredients For Resale		\$240.05	376940	FOOD
Total KARLSBURGER FOODS, INC.			\$240.05		
Paid Chk#	098648	4/30/2015	KREATZ, DAVID		
E 640-48500-130	Employer Paid Ins		\$275.32	APRIL 2015	HEALTH INS.REIMB.APRIL 2015
Total KREATZ, DAVID			\$275.32		
Paid Chk#	098649	4/30/2015	M.AMUNDSON LLP		
E 640-47000-256	MISC.MDSE.RESALE		\$835.78	194081	CIGARS & CIGS
Total M.AMUNDSON LLP			\$835.78		
Paid Chk#	098650	4/30/2015	MAIN STREET BAKERY		
E 640-48500-255	FOODIngredients For Resale		\$126.06	262644	FOOD
E 640-48500-255	FOODIngredients For Resale		\$105.84	262716	FOOD
E 640-48500-255	FOODIngredients For Resale		\$106.45	262812	FOOD
E 640-48500-255	FOODIngredients For Resale		\$117.05	262893	FOOD
E 640-48500-255	FOODIngredients For Resale		\$188.24	263009	FOOD
E 640-48500-255	FOODIngredients For Resale		\$200.77	263188	FOOD
E 640-48500-255	FOODIngredients For Resale		\$121.86	263272	FOOD
E 640-48500-255	FOODIngredients For Resale		\$94.26	263328	FOOD
E 640-48500-255	FOODIngredients For Resale		\$43.53	263404	FOOD
E 640-48500-255	FOODIngredients For Resale		\$101.95	263473	FOOD
Total MAIN STREET BAKERY			\$1,206.01		
Paid Chk#	098651	4/30/2015	MEUWISSEN, LYNN		
E 640-48000-130	Employer Paid Ins		\$100.00	APRIL 2015	HEALTH INS.REIMB.APRIL 2015
Total MEUWISSEN, LYNN			\$100.00		
Paid Chk#	098652	4/30/2015	MILL POND CLAY WORKS LLC		
E 640-48000-210	Operating Supplies (GENERAL)		\$196.30	234	SILVERWARE CROCKS
E 640-48000-256	MISC.MDSE.RESALE		\$44.00	234	WINE CROCK RESALE
Total MILL POND CLAY WORKS LLC			\$240.30		
Paid Chk#	098653	4/30/2015	NORTHWESTERN FRUIT COMPANY		
E 640-48000-251	Liquor For Resale		\$66.55	809815	LIQUOR
E 640-48500-255	FOODIngredients For Resale		\$163.20	809815	FOOD
E 640-48500-255	FOODIngredients For Resale		(\$76.95)	809997	FOOD

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E 640-48000-251	Liquor For Resale		\$29.00	810067	LIQUOR
E 640-48500-255	FOODIngredients For Resale		\$287.16	810067	FOOD
E 640-48000-251	Liquor For Resale		\$37.55	810317	LIQUOR
E 640-48500-255	FOODIngredients For Resale		\$247.75	810317	FOOD
E 640-48500-255	FOODIngredients For Resale		\$243.15	810522	FOOD
E 640-48000-251	Liquor For Resale		\$29.00	810522	LIQUOR
E 640-48000-253	Beer For Resale		\$4.50	810522	BEER
E 640-48500-255	FOODIngredients For Resale		\$316.05	810724	FOOD
E 640-48500-255	FOODIngredients For Resale		\$417.95	810922	FOOD
E 640-48000-253	Beer For Resale		\$5.40	810922	BEER
Total NORTHWESTERN FRUIT COMPANY			\$1,770.31		
Paid Chk# 098654	4/30/2015	PAUSTIS & SONS			
E 640-48000-252	Wine For Resale		\$372.50	8495039	WINE
E 640-47000-259	Freight		\$18.75	8495041	FREIGHT
E 640-47000-252	Wine For Resale		\$1,215.00	8495041	WINE
E 640-48000-252	Wine For Resale		\$188.75	8496043	WINE
Total PAUSTIS & SONS			\$1,795.00		
Paid Chk# 098655	4/30/2015	PEPSI -COLA			
E 640-47000-254	Soft Drinks/Mix For Resale		\$155.50	45176744	MISC.BEV.
Total PEPSI -COLA			\$155.50		
Paid Chk# 098656	4/30/2015	PHILLIPS WINES & SPIRITS			
E 640-47000-252	Wine For Resale		(\$13.33)	210884	WINE
E 640-47000-259	Freight		\$15.96	2772354	FREIGHT
E 640-47000-252	Wine For Resale		\$1,252.00	2772354	WINE
E 640-47000-259	Freight		\$4.88	2772355	FREIGHT
E 640-47000-251	Liquor For Resale		\$526.63	2772355	LIQUOR
E 640-47000-251	Liquor For Resale		\$891.38	2775795	LIQUOR
E 640-47000-259	Freight		\$9.31	2775795	FREIGHT
Total PHILLIPS WINES & SPIRITS			\$2,686.83		
Paid Chk# 098657	4/30/2015	QUALITY SERVICE, INC.			
E 640-48500-404	Repairs/Maint - Machin/Equip		\$311.55	30764	GRILL REPAIRS
E 640-48500-404	Repairs/Maint - Machin/Equip		\$129.69	30765	GRILL REPAIRS
E 640-48500-404	Repairs/Maint - Machin/Equip		\$426.36	30766	GRILL REPAIRS
Total QUALITY SERVICE, INC.			\$867.60		
Paid Chk# 098658	4/30/2015	SCOTT, JEAN			
E 640-48000-130	Employer Paid Ins		\$200.00	MARCH/APRIL HEALTH INS.REIMB.MARCH & APRIL 2015	
Total SCOTT, JEAN			\$200.00		
Paid Chk# 098659	4/30/2015	SOUTHERN WINE & SPIRITS OF MN			
E 640-47000-259	Freight		\$7.50	1275172	FREIGHT
E 640-47000-252	Wine For Resale		\$1,184.00	1275172	WINE
E 640-47000-259	Freight		\$38.17	1275173	FREIGHT
E 640-47000-251	Liquor For Resale		\$4,248.10	1275173	WINE
E 640-47000-259	Freight		\$1.25	1275174	FREIGHT
E 640-47000-252	Wine For Resale		\$750.00	1275175	WINE
E 640-47000-259	Freight		\$15.00	1275175	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$53.00	1275176	MISC.BEV.
E 640-47000-259	Freight		\$2.50	1275176	FREIGHT
Total SOUTHERN WINE & SPIRITS OF MN			\$6,299.52		
Paid Chk# 098660	4/30/2015	STRATEGIC EQUIPMENT AND			
E 640-48000-210	Operating Supplies (GENERAL)		\$259.05	2396332	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$247.55	2396334	KITCHEN SUPPLIES

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E 640-48000-341	General Promotions		\$32.72	2396334	PROMO SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$144.20	2396334	BAR SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$15.25	2400177	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$231.87	2400177	KITCHEN SUPPLIES
E 640-48000-341	General Promotions		\$32.72	2400177	PROMO SUPPLIES
Total STRATEGIC EQUIPMENT AND			\$963.36		
Paid Chk# 098661	4/30/2015	SUNBURST CHEMICALS, INC.			
E 640-48000-409	Maint services & Improv		\$336.73	0343034	SUPPLIES
Total SUNBURST CHEMICALS, INC.			\$336.73		
Paid Chk# 098662	4/30/2015	SYSCO MINNESOTA			
E 640-48000-253	Beer For Resale		\$9.55	504101482	BEER
E 640-48500-210	Operating Supplies (GENERAL)		\$129.99	504101482	KITCHEN SUPPLIES
E 640-48000-251	Liquor For Resale		\$151.18	504101482	LIQUOR
E 640-48000-342	Promotions - Food/Drinks		\$56.10	504101482	PROMO FOOD
E 640-48500-255	FOODIngredients For Resale		\$5,005.40	504101482	FOOD
E 640-48000-251	Liquor For Resale		(\$28.50)	504112229	LIQUOR
E 640-48500-210	Operating Supplies (GENERAL)		\$170.33	504131002	SUPPLIES
E 640-48000-254	Soft Drinks/Mix For Resale		\$22.85	504131002	MISC.BEV.
E 640-48000-251	Liquor For Resale		\$28.50	504131002	LIQUOR
E 640-48000-253	Beer For Resale		\$9.73	504131002	BEER
E 640-48500-255	FOODIngredients For Resale		\$3,725.27	504131002	FOOD
E 640-48000-342	Promotions - Food/Drinks		\$28.17	504131002	PROMO FOOD
E 640-48500-255	FOODIngredients For Resale		\$3,243.88	504150907	FOOD
E 640-48000-342	Promotions - Food/Drinks		\$27.93	504150907	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$88.92	504150907	SUPPLIES
E 640-48000-342	Promotions - Food/Drinks		\$28.17	504171452	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$63.37	504171452	SUPPLIES
E 640-48500-255	FOODIngredients For Resale		\$2,889.52	504171452	FOOD
E 640-48000-253	Beer For Resale		\$9.73	504171452	BEER
E 640-48000-342	Promotions - Food/Drinks		\$56.10	504200989	PROMO FOOD
E 640-48000-254	Soft Drinks/Mix For Resale		\$28.33	504200989	MISC.BEV.
E 640-48000-251	Liquor For Resale		\$171.97	504200989	LIQUOR
E 640-48500-255	FOODIngredients For Resale		\$3,541.29	504200989	FOOD
E 640-48000-210	Operating Supplies (GENERAL)		\$91.56	504221083	SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$76.25	504221083	SUPPLIES
E 640-48000-251	Liquor For Resale		\$25.33	504221083	LIQUOR
E 640-48500-255	FOODIngredients For Resale		\$4,508.29	504221083	FOOD
Total SYSCO MINNESOTA			\$24,159.21		
Paid Chk# 098663	4/30/2015	T.D. ANDERSON INC.			
E 640-48000-409	Maint services & Improv		\$115.00	508930	BEER LINES CLEANED
Total T.D. ANDERSON INC.			\$115.00		
Paid Chk# 098664	4/30/2015	THORPE DISTRIBUTING CO.			
E 640-47000-253	Beer For Resale		(\$60.00)	0076388	BEER
E 640-47000-253	Beer For Resale		\$1,260.05	888051	BEER
E 640-47000-253	Beer For Resale		\$18.55	888052	BEER
E 640-47000-253	Beer For Resale		\$156.25	888053	BEER
E 640-48000-253	Beer For Resale		\$65.70	889260	BEER
E 640-48000-253	Beer For Resale		\$885.00	889261	BEER
E 640-47000-253	Beer For Resale		\$73.95	889263	BEER
E 640-47000-253	Beer For Resale		\$18.55	889264	BEER
Total THORPE DISTRIBUTING CO.			\$2,418.05		
Paid Chk# 098665	4/30/2015	TRUE			
E 640-47000-256	MISC.MDSE.RESALE		\$93.96	I14465	GLASSWARE RESALE

***Check Detail Register©**

April 2015

			Check Amt	Invoice	Comment
E 640-47000-256	MISC.MDSE.RESALE		\$40.71	I14775	GLASSWARE RESALE
E 640-47000-256	MISC.MDSE.RESALE		\$59.22	I14864	GLASSWARE RESALE
Total TRUE			\$193.89		
Paid Chk# 098666	4/30/2015	ULINE			
E 640-47000-210	Operating Supplies (GENERAL)		\$126.05	66622536	SUPPLIES
E 640-48000-540	Equipment		\$419.60	66686178	EMPLOYEE LOCKERS
Total ULINE			\$545.65		
Paid Chk# 098667	4/30/2015	VILLAGE MEATS			
E 640-48500-255	FOODIngredients For Resale		\$57.46	22370	FOOD
Total VILLAGE MEATS			\$57.46		
Paid Chk# 098668	4/30/2015	VINOCOPIA			
E 640-47000-251	Liquor For Resale		\$386.05	0122098	LIQUOR
E 640-47000-259	Freight		\$5.00	0122098	FREIGHT
Total VINOCOPIA			\$391.05		
Paid Chk# 098669	4/30/2015	WINE COMPANY			
E 640-47000-259	Freight		\$24.75	390321	FREIGHT
E 640-47000-252	Wine For Resale		\$2,080.67	390321	WINE
E 640-47000-252	Wine For Resale		\$824.00	390328	WINE
E 640-47000-259	Freight		\$13.20	390328	FREIGHT
Total WINE COMPANY			\$2,942.62		
Paid Chk# 098670	4/30/2015	WINE MERCHANT			
E 640-48000-252	Wine For Resale		(\$129.22)	702432	WINE
E 640-48000-252	Wine For Resale		\$299.66	7026182	WINE
E 640-47000-259	Freight		\$16.47	7026215	FREIGHT
E 640-47000-252	Wine For Resale		\$1,921.28	7026215	WINE
E 640-48000-252	Wine For Resale		\$129.22	7026405	WINE
E 640-48000-252	Wine For Resale		\$97.22	7027161	WINE
Total WINE MERCHANT			\$2,334.63		
Paid Chk# 098671	4/30/2015	WIRTZ BEVERAGE MN BEER			
E 640-47000-253	Beer For Resale		\$123.00	1090385931	BEER
E 640-47000-253	Beer For Resale		\$69.30	1090389433	BEER
E 640-47000-253	Beer For Resale		\$1,449.15	1090389434	BEER
E 640-48000-253	Beer For Resale		\$198.00	1090392775	BEER
Total WIRTZ BEVERAGE MN BEER			\$1,839.45		
Paid Chk# 098672	4/30/2015	WIRTZ BEVERAGE MN WINE & SPIRI			
E 640-47000-259	Freight		\$2.90	1080311300	FREIGHT
E 640-47000-252	Wine For Resale		\$144.00	1080311300	WINE
E 640-47000-259	Freight		\$27.67	1080311301	FREIGHT
E 640-47000-252	Wine For Resale		\$2,448.00	1080311301	WINE
E 640-47000-251	Liquor For Resale		\$1,296.77	1080311302	LIQUOR
E 640-47000-259	Freight		\$12.20	1080311302	FREIGHT
Total WIRTZ BEVERAGE MN WINE & SPIRI			\$3,931.54		
Paid Chk# 098673	4/30/2015	WOODFORD, RICHARD			
E 640-47000-130	Employer Paid Ins		\$300.00	APRIL 2015	HEALTH INS.REIMB.APRIL 2015
Total WOODFORD, RICHARD			\$300.00		
10100 Anchor Bank			\$226,990.00		

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April 2015

Check Amt Invoice Comment

Fund Summary**10100 Anchor Bank**

101 GENERAL FUND	\$39,568.13
235 CABLE TV	\$1,525.00
316 BAY CENTER	\$7,312.50
401 PERM IMPROVEMENT	\$4,515.00
404 PARK AND TRAIL CIP	\$825.00
407 CELL TOWER	\$2,590.72
408 GENERAL CIP	\$2,075.03
409 EQUIP REVOLVING	\$3,677.00
430 STREET CIP	\$2,971.45
440 HOUSING FUND	\$120.00
610 WATER FUND	\$17,202.42
620 SEWER FUND	\$23,137.64
630 MOTOR VEHICLE	\$1,000.00
640 LIQUOR	\$95,670.91
650 SOLID WASTE	\$24,343.20
670 STORMWATER	\$456.00
	\$226,990.00

2015 MUNICIPAL LICENSES FOR CITY COUNCIL APPROVAL ON 5/5/15

(Recommended for approval, pending staff review for completeness of application materials.)

2015 Tobacco License	
Walgreens #15679	1055 Wayzata Blvd E

5/5/2015
THE FOLLOWING 2015 MUNICIPAL LICENSES
WERE APPROVED ADMINISTRATIVELY

2015 Food Vehicle License	
Lunds & Byerlys Kitchen	250 Superior Blvd.

CITY OF WAYZATA



PLANNING DEPARTMENT

MEMORANDUM

To: City Council
From: Bryan Gadow, Director of Planning and Building
Date: April 29, 2015
Re: Enclave at Crossdale Subdivision – Development Agreement

On December 2, 2014, the City Council approved a subdivision and Planned Unit Development for a six (6) lot single family development at 165 and 213 Central Ave N and 1015 Cross St via Resolution 38-2014 and Ordinance 749

One of the conditions of the approvals is that the Applicant and City enter into a development agreement to be recorded against the properties and codify the City's approvals and conditions of approval. Staff and the City Attorney have worked with the Applicant's attorney to draft the development agreement. This agreement incorporates all of the Council's terms of approval into the document. Once approved, the development agreement will be recorded at Hennepin County.

CITY OF WAYZATA
PUD and Project Development Agreement

THIS PUD AND PROJECT DEVELOPMENT AGREEMENT (“Agreement”) made this ____ day of _____, 2015, by and between the City of Wayzata, a Minnesota municipal corporation (“City”), on the one hand, and Crossdale Development L.L.C., a Minnesota limited liability company (the “Developer”), on the other (the City and the Developer are hereafter each referred to as a “Party” and collectively referred to as the “Parties”), regarding property located at 165 and 213 Central Avenue North and 1015 Cross Street, Wayzata, Minnesota that has been approved by the City of Wayzata for redevelopment pursuant to Resolution No. 38-2014, attached as Exhibit B, (the “City Resolution”) and Ordinance No. 749 (the “Ordinance”), attached as Exhibit C. The City Resolution and the Ordinance are incorporated herein by reference.

In consideration of One Dollar (\$1.00) and other good and valuable consideration, including the foregoing and the terms set forth herein, the parties agree as follows:

1. Terms.

A. The Project. The project to be constructed by the Developer involves tearing down an existing single family residence and auxillary structure on the Property, and constructing 6 lots for single family residences according to the Plans described in Section 3 of this Agreement (the “Project”).

B. The Property. The legal descriptions of the properties that have received the approvals for the Project are attached hereto as Exhibit A, and the street addresses and property identification numbers of the properties (collectively, the “Property”) are:

Address	Property ID number
165 Central Ave N	06-117-22-14-0007
213 Central Ave N	06-117-22-14-0013
1015 Cross Street	06-117-22-14-0014

C. Planned Unit Development (“PUD”) General Plan Approval Conditions and Other Standards; Amendment of Prior Agreement. Subject to the terms and conditions set forth in the City Resolution which is attached hereto as Exhibit B, the City Council of the City of Wayzata has granted Developer approval of a PUD General Plan for the the Project (the “PUD”).

D. Operations. The Property and the PUD shall at all times be used, and be managed and operated, by Developer in accordance with the specific terms and conditions of this Agreement, the City Resolution and Ordinance, including those that relate to public access and through ways, landscaping and screening, snow removal and

management, and parking within the PUD. The Developer shall ensure that all Property is used and managed according to the requirements of this Agreement and all other applicable laws and regulations, including those contained in the PUD and City Resolution.

2. **Developer.** Notwithstanding any language to the contrary herein, “Developer” shall mean Crossdale Development, LLC, a Minnesota limited liability company, until such time as the fee title is transferred to another entity or person, at which time Crossdale Development, LLC shall be released from all obligations hereunder, so long as (i) the City consents to the assignment in writing, in its sole discretion, which consent shall not be unreasonably withheld, conditioned, or delayed; and (ii) the new owner or owners, in writing, assumes the obligations of the Developer hereunder in a document approved, in writing, by the City. Thereafter the new fee owner or owners shall be the “Developer” as to the applicable portion of the Property for the purposes of this Agreement.

3. **Definition and Amendment of Plans.** The City, pursuant to the City Resolution, has approved the concurrent preliminary and final plat for six (6) single family lots, PUD Concept and General Plan for the Property, including the development plans and specifications, and the single family building design concepts, which are attached to the City Resolution as Attachment A and are on file with the City (the “Plans”). The Plans are hereby made part of this Agreement. The Developer shall develop the lots within the PUD in accordance with the Plans and this Agreement. The Developer may seek approval of changes to the Plans from the Wayzata City Council according to the requirements of the Wayzata City Code, though the City Council shall not be required to approve such changes. If the City Council approves such changes, the changes shall become amendments to the Plans. No material changes (i.e. changes that will significantly change the configuration, land use or character of the Project) to the Plans may be implemented until such changes have been approved by the City Council according to the requirements of the Wayzata City Code and this Agreement. To the extent required by one of the Parties, the the other Party shall execute an agreement acknowledging any amendment to this Agreement or the Plans and record the same in the land records office for Hennepin County. The Developer must also obtain any necessary “City Permits”, which shall include but not be limited to the following: 1) building permits, 2) tree permits, 3) grading permits, 4) sign permits, and 5) fence permits prior to commencing any construction activity on the Property. City Permits will be issued only if Developer (i) meets the general requirements for such permits and (ii) is in material compliance with this Agreement.

4. **Water and Sewer Charges.** Before a building permit is issued for the construction of any home on any lot, the applicant of the building permit shall pay to the City any sanitary sewer and water connection charges based on the Metropolitan Council Environmental Services (“MCES”) sewer availability charge (“SAC”) units and rates as determined by the MCES. The City reserves the right to increase the fees prior to the time at which the fees to the City and the MCES are paid, 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 City will credit the Developer for any prior assessments or charges on which water and sanitary sewer have been paid on the Property, including the three homes that were present on the Property prior to the Project approval

5. **Maintenance Costs.** The Developer shall maintain, and be liable for the cost of constructing and maintaining all parking and vehicular traffic ways, and any improvements thereto, in each case as depicted in the Plans, provided that the City shall be responsible for plowing snow and ice on the Trail (defined below) and private street on the Property.

6. **Responsibility for Cost of Improvements.** The Developer shall, at its cost, install, in accordance with the Plans and in accordance with all applicable City ordinances and standards, all the improvements set forth in the Plans to be constructed on the Property and shall be responsible, at its sole cost, for site grading, surveying and staking, as needed, the setting of lot and block monuments, as needed, for all lots. The City shall not install or pay for any of the improvements associated with the Plans.

7. **Easements.** The Developer shall grant the City the following pedestrian, vehicular, snow removal, emergency access and water line easements by a separate recordable instrument mutually acceptable to the Parties: (a) an easement for pedestrian passage and non-vehicular traffic over the sidewalk/trail to be installed on the Property (which is shown on the Preliminary Plat included in the Plans that are incorporated as part of Exhibit B) to provide pedestrian access between Central Avenue North and Wooddale Avenue; (b) an easement for access to the Property by snow plow operators employed or contracted by the City to seasonally plow and clear snow and ice on the pedestrian and vehicular traffic ways within the Property, and store snow and ice resulting from the plowing and clearing of such from the pedestrian and vehicular traffic ways within the Property; (c) an easement for the passage of emergency vehicles and personnel over and upon all roadways on the Property; (d) drainage and utility easement over the roadway and along adjoining property lines as shown on the Preliminary Plat included in the Plans that are incorporated as part of Exhibit B).

8. **Park Dedication.** At the time of filing the Agreement, the Developer shall grant to the City, by a separate recordable instrument mutually acceptable to the Parties, a trail easement, being a ten (10) foot strip of land crossing Lots 2, 3, 4, and 5, Block 1, Enclave at Crossdale for the purposes of a public trail (the "Trail", as depicted on Exhibit B and described in section 7 above) in satisfaction of the City Parkland Dedication requirement under Section 805.37 of the Wayzata City Code. The Developer shall install a small concrete trail within the dedicated Trail area for the purposes of public non-motorized bicycle and pedestrian access and use. After construction of the Trail, Trail surface and landscaping within the easement by the Developer, the City will assume responsibility for future maintenance, repair, and replacement of the Trail and any landscape improvements contained within the easement.

9. **Site Grading and Stormwater Maintenance.**

A. **Grading.** All site grading for the Project must be done in material compliance with the Plans, the site grading plan and the grading permit. Within 60 days after completion of the grading, the Developer shall provide the City with an "as constructed" grading drawing and a certification by a registered land surveyor or engineer that all elements of the grading, including those associated with the storm water maintenance, have been constructed in accordance with the Plans. The "as constructed" drawing shall include field-verified elevations of the location and elevations along all swales and

ditches and lot corners and building pads and all other details customarily found on such drawings. The City may withhold issuance of building permits for any lot in the Project until the approved certified grading plan is on file with the City and all erosion control measures are in place as determined by the City in its reasonable discretion.

B. Storm Water Best Management Practices (BMPs) Improvements and Maintenance.

1. Stormwater Devices. The Developer has proposed that storm water within the Project be handled through an underground storage tank and sump manhole which will be located in the rear yard of Lot 1 (as depicted on Exhibit D). The underground storage tank and associated infrastructure will be owned and maintained by individual property owners and the Homeowners' Association ("HOA"), and will not be transferred to the City.

2. Storm Water Maintenance. The Developer, shall inspect and maintain, at its cost, the installation and maintenance of the under ground storage tank and sump manhole until such time that the HOA assumes its responsibilities, as agreed to in the Stormwater Maintenance Agreement executed by the Developer, which shall be substantially in the form attached hereto as Exhibit D ("Stormwater Maintenance Agreement"). As scheduled and defined in the Stormwater Maintenance Agreement, the Developer shall inspect all storm water devices in a reasonable manner requested in writing by the City Engineer, and provide the City with a written report on the inspection results based on the requirements of the Stormwater Maintenance Agreement. If the Developer fails to so inspect and report, or fails to maintain such storm water devices in accordance with the Stormwater Maintenance Agreement and instruction from the City Engineer, within 30 days receipt of written notice from the City of such default, then the City may, in addition to any other remedies or rights available to the City at law or equity and those specifically given the City under this Agreement or its ordinances, take any one or more of the following actions: perform or hire a third party to perform for the account of the Developer any obligation of the Developer with respect to such storm water device. The Developer shall promptly reimburse the City for any expense incurred by the City. The foregoing agreements constitutes a non-revocable license in favor of the City and/or its agents to enter the Property and to take such actions, and it shall not be necessary for the City to seek a court order for permission to enter the Property, or perform such inspections or maintenance, or act in accordance with this Agreement. When the City does any work, the City may, in addition to its other remedies, assess the actual out of pocket costs, without seeking costs for overhead, administration or processing in whole or in part against the Property and the Property shall be deemed to have benefited from the work in the same amount expended by the City to perform such work.

10. Access During Construction. Prior to construction, the Developer shall secure any necessary temporary construction easements from the owners of properties adjacent to the Property. Access to any existing easements benefitting the City located on the Property shall remain in existence during construction and all other phases of the Project.

11. **Clean Up.** Prior to issuance of any certificate of occupancy (“CO”) by the City for any lot within the Property, the Developer shall remove from the lot, any trash, waste, excess soil, earth or debris resulting from construction work and not necessary for the completion of construction on said lot as contemplated by the Plans and as directed by the City.

12. **Hazardous Waste.** The Developer agrees that prior to or during grading and site redevelopment work, it shall completely remove and/or remediate any hazardous waste, and any contaminated soil or contaminated ground water from the Affected Parcels, if any is discovered, if and to the extent required by the Minnesota Pollution Control Agency and shall furnish the City with documented approval by such Agency of completion prior to the issuance of any certificate of occupancy for any “Affected Parcels,” which are defined as the lot and public rights of way within the Project that contain any hazardous waste, contaminated soil or contaminated ground water.

13. **Warranties, Representations and Other Assurances.** The Developer represents to the City that, with respect to itself (and with respect to third parties, to its actual knowledge,) no material misrepresentations have been or will be made, nor has any materially inaccurate information been knowingly provided to the City by the Developer during the City’s review process.

14. **Security.** The Developer shall furnish the City with an irrevocable letter of credit, cash deposit, or a payment and performance bond, in its discretion, (the “Surety”) in an amount equal to 125 percent of estimated actual construction costs of any public improvements required by the Plans (“Public Improvements”), the aggregate amount currently estimated to be Two Hundred Ninety Thousand Dollars (\$290,000) (the “Bond Amount”), which Surety amount shall not include, without limitation, (i) any City administration, oversight and inspection costs of all utility improvements within a public right of way (which are due at the time of issuance of the building permit), including, without limitation, water, sanitary sewer, storm sewer, and landscaping as set forth in the Plans (“Site Improvements”), or (ii) costs of any building structure, management and any other improvements not located in the City right-of-way or Trail area (“Private Improvements”). The final Bond Amount shall be subject to the reasonable approval by the City Manager, at the time of issuance of the building permit and will be adjusted to reflect the above costs at that time. The issuer of the Surety, if a letter of credit or payment and performance bond, if applicable, shall be subject to the approval of the City Manager. The letter of credit or payment and performance bond, if applicable, shall be in force until all of the Public Improvements under this Agreement have been fully completed, and fully tested, inspected and accepted by the City, and all warranty periods provided for by this Agreement have expired. The letter of credit or payment and performance bond, if applicable, may be for a one year term, provided it is automatically renewable for successive one year periods from the present or any future expiration dates, unless sixty (60) days prior to an expiration date, the bank or bond issuer (as the case may be) notifies the City that it elects not to renew for an additional period. The Surety shall secure compliance of the completion of the Site Improvements. The City may draw on the cash deposit or letter of credit or make a claim on the payment and performance bond, as applicable, with five (5) business days’ written notice to Developer, if the Developer fails to complete the Site Improvements within thirty (30) days after the issuance of the Certificate of

Occupancy for the Project, provided however, that the City shall not draw on such letter of credit or cash deposit or make a claim on the bond, if within such notice period, Developer commences and diligently pursues to completion a cure in a manner satisfactory to the City. With City approval, the Bond Amount may be reduced from time to time as obligations of Developer under this Agreement secured by such Surety are satisfied. The amount of such reduction shall equal the lesser of the cost or value of the obligation satisfied, provided however, that the remaining amount after any such reductions shall be sufficient to fund the remaining Site Improvements.

15. License. The Developer hereby grants the City, its agents, employees, officers and contractors a license to enter the Property to perform all necessary work and/or inspections deemed appropriate by the City, provided that the City shall take no action on the Property to cure Developer's default without first providing the notice and cure rights provided under this Agreement. The license shall expire after all the improvements required by this Agreement have been inspected and accepted by the City. Only in regard to the Site Improvements, if the Developer fails to pay or perform its obligations under this Agreement after notice and expiration of any cure period, then the City may enter the Property and pay or perform such obligations and obtain payment for the expenses thereof from the proceeds of the Surety. Among other expenditures, the City may draw upon the Surety to satisfy any valid claims of contractors or suppliers engaged by the the Developer that have not been duly paid by the Developer, as determined by a court of compentant jurisdiction. After the Surety has been provided to the City Manager in the form described in Section 14 of this agreement, the City hereby grants to the Developer, its agents, employees, officers and contractors the right to enter upon any of the Property that the Developer is deeding or dedicating to the City and upon any public right-of-way for purposes of performing any of the work described in the Plans.

16. Construction Deadlines.

A. The Developer shall begin physical implementation of the PUD within twelve (12) months following adoption of the City Resolution, as amended (the "Commencement Date"), unless Developer obtains an extension for the PUD as provided for in the City Zoning Ordinance, in which case the date specified in the extension approval resolutions for such extensions shall be the Commencement Date.

B. The Developer shall complete construction of all the Public Improvements no later than two (2) years after commencement of site grading.

C. If the Developer fails to reasonably satisfy one or more of the deadlines provided for in this Section, then unless otherwise extended by the City, such failure shall constitute, among other things, an "Event of Default" hereunder.

17. Responsibility for Costs.

A. Except as otherwise specified herein, the Developer shall pay all documented costs incurred by it or the City in conjunction with the approval of the Project and ensuring compliance with the Plans, including but not limited to reasonable legal, planning, engineering and inspection fees and expenses incurred in connection with

approval and acceptance of the PUD, the preparation of this Agreement and other legal documents, and all reasonable costs, expenses, legal, engineering and planning fees incurred by the City in reviewing the application and related documents, and in monitoring and inspecting the progress of the Project.

B. The Developer shall indemnify and hold the City and its officers, employees and agents harmless from claims made by Developer for damages sustained or costs directly incurred resulting from development of the Project, construction and operation, except for such damages or costs resulting from the gross negligence, intentional misconduct or intentional violation of this Agreement or applicable laws and ordinance by the City, or its officers or employees.

C. The City shall indemnify and hold the Developer and its officers, employees and agents harmless from claims for damages sustained or costs directly incurred resulting from the gross negligence, intentional misconduct or intentional violation of this Agreement or applicable laws and ordinance by the City, or its officers or employees.

D. The Developer shall reimburse the City for reasonable costs incurred in the enforcement of Developer's obligations under this Agreement, including engineering, building official, planning and attorney's fees, and for the City's performance of Developer's obligations under this Agreement in the event that the Developer fails to commence or complete such obligations on a timely basis.

E. The Developer shall pay in full all documented bills submitted to it by the City for obligations properly incurred under this Agreement within sixty (60) days after receipt; if the bills are not paid on time, the City may halt all development work and construction on the Property until the bills are paid in full, and may draw on the Surety to discharge such obligations. Bills not paid within sixty (60) days shall accrue interest at the rate of eight percent (8%) per year.

17. Events of Default. The following shall be "Events of Default" under this Agreement:

- i. Failure by the Developer to pay when due and invoiced the amounts required to be paid by Developer under any provision of this Agreement.
- ii. Failure by the Developer to observe and substantially perform any covenant, condition or obligation on its part to be observed or performed under this Agreement.

18. Remedies of Default. Whenever any Event of Default occurs and the Developer fails to cure such default within (i) ten (10) days after receipt of written notice of a monetary default by the City; or (ii) thirty (30) days after receipt of written notice by the City of a non-monetary default, or such longer period as may be reasonably necessary to cure such non-monetary default so long as the Developer has acted promptly and pursued such cure with diligence; or (iii) in the case of an emergency (meaning an imminent threat to human health or the environment) such shorter period of time as may be reasonable under all of the circumstances, then the City

may, in addition to any other remedies or rights available to the City at law or equity and those specifically given the City under this Agreement or its ordinances, take any one or more of the following actions:

- i. Perform or hire a third party to perform for the account of the Developer any obligation of the Developer related to Site Improvements (as defined in Section 14 of this Agreement) The Developer shall promptly reimburse the City for any reasonable expense incurred by the City. This Agreement is a license for the City to act related to the Site Improvements, and it shall not be necessary for the City to seek a Court order for permission to enter the Property or to act in accordance with this Agreement. When the City does any work as allowed herein, the City may, in addition to its other remedies, assess any unreimbursed costs, in whole or in part, against that portion of the Property owned by the Developer and such portion of the Property shall be deemed to have benefited from the work in the reasonable amount expended by the City to perform such work.
- ii. Withhold approval of any permit with respect to that portion of the Property owned by the Developer, including building permits.
- iii. File a claim on Surety benefitting the City to pay for the cure of the default.
- iv. Require the Developer to discontinue work on the Property until such time as the Event of Default has been cured, except any work necessary to cure the Event of Default.

19. Conformance with Laws. The Developer shall comply with the terms of this Agreement and all applicable local, state, and federal laws and regulations applicable to the development of that portion of the Property owned by the Developer.

20. Miscellaneous.

A. The Developer represents to the City that to the best of Developer's knowledge, the Project complies with all county, metropolitan, state and federal laws and regulations, and the Developer has no knowledge of any violations by the Project or Developer of applicable City Subdivision Ordinances, City Zoning Ordinances, or environmental regulations (as the same may have been modified by the City Resolution). If the City determines that the Project does not comply and such non-compliance may have serious consequences to the City, the City may, at its option, refuse to allow construction of the Project until the Developer does comply. Upon the City's demand, the Developer shall cease work until there is compliance.

B. Only the Developer, and any successor or assign thereof who assumes the obligations of the Developer hereunder according to the requirements of this Agreement and in a form acceptable to the City, shall have recourse against the City under this Agreement.

C. If any portion, section, sub-section, sentence, clause, paragraph, or phrase of this Agreement is for any reason held invalid, such decision shall not affect the validity of the remaining portions of this Agreement.

D. The action or inaction of the City shall not constitute a waiver of or amendment to the provisions of this Agreement. To be binding, amendments or waivers shall be in writing, signed by the parties and approved by written resolution of the City Council. No building permit or certificate of occupancy shall be issued which conflicts with the requirements of this Agreement, and any such permit or certificate which does so conflict shall be void. The City's failure to promptly take legal action to enforce this Agreement shall not be a waiver or release.

E. This Agreement, any amendments hereto, and conditions of the City Resolution and Ordinance are binding on all successors and assigns and shall run with the Property. The Developer and its successors and assignees are liable under this Agreement with respect to the obligations of the Developer until the Certificate of Completion described below is issued for the Project. The Developer may not assign this Agreement, without written consent of the City Council, which shall not be unreasonably withheld, prior to issuance of the Certificate of Completion described below provided however that the Developer may conditionally assign its rights and obligations under this Agreement to any lender who is providing financing to fund the cost of work as shown in the Plans. The Developer shall provide the City with a recorded copy of this Agreement, and any amendments thereto, as soon as they are available. No building permits shall be issued until (i) evidence of such recording acceptable to the City has been provided by the Developer, and (ii) Developer has obtained and recorded agreements by all parties holding an interest in the Property prior to recordation of this Agreement, including but not limited to mortgage holders, agreeing to be subject to the terms and conditions of this Agreement.

F. After (i) the Developer has completed all of the work required by this Agreement, (ii) the City has inspected, approved and accepted ownership of all public improvements, and (iii) all warranty periods provided for in this Agreement have expired, then, at the Developer's request, the City will execute and deliver to the Developer a Certificate of Completion in recordable form evidencing performance by Developer of its obligations hereunder, subject to:

- i. Any representation or warranties, which may be in effect subsequent to the date of completion, and
- ii. Any other obligations specifically identified in such Certificate as having not been performed.
- iii. Any ongoing obligations of the Developer, Property owners and the HOA to retain the Public Improvements or Private Improvements in the form described by the Plans referenced herein.

Any obligations imposed by this Agreement not certified as having been satisfied in such Certificate of Completion, and all warranties and representations of the Developer, shall remain the ongoing obligation of the Developer and its successors and assigns. Any subsequent owner of any portion of the Property shall be subject to all the restrictions and obligations contained herein to the extent that such restrictions and obligations have not been satisfied by the Certificate of Completion.

G. The City agrees that it will, from time to time and within ten (10) business days after request by either Developer or a subsequent owner of any portion of the Property, execute and deliver to the requesting party a compliance certificate (addressed to the requesting party and such other parties as the requesting party may designate) certifying to the City's actual knowledge (to the extent the following is true) (i) that this Agreement is unmodified and in full force and effect (or if there have been modifications, the same is in full force and effect as so modified), (ii) that there have been no defaults hereunder (or specifying any claimed defaults), (iii) that the Developer has completed its development and construction obligations hereunder, and (iv) such other matters as may be reasonably related to this Agreement.

H. Each right, power or remedy herein conferred upon either party is cumulative and in addition to every other right, power or remedy, express or implied, now or hereafter arising, available to such party at law or in equity, or under any other agreement, and each and every right, power and remedy herein set forth or otherwise so existing may be exercised from time to time as often and in such order as may be deemed expedient to the party having such right, power and remedy and shall not be a waiver of the right to exercise at any time thereafter any other right, power or remedy.

I. This Agreement for the Project must be recorded in the appropriate Hennepin County land records at the expense of the Developer and a copy of the recorded executed Agreement provided by the Developer to the City.

J. The Developer warrants and represents that it has had the benefit of competent legal and other professional counsel on the Project, the Application process and this Agreement, and is entering freely into this Agreement with full understanding of its obligations, covenants, and other terms.

K. The Developer agrees to take out and maintain or cause to be taken out and maintained until a Certificate of Completion has been issued for the Project, public liability and property damage insurance covering personal injury, including death, and claims for property damage which may arise out of Developer's work or the work of its contractors or subcontractors. Limits for bodily injury and death shall be no less than \$1,000,000 for each occurrence; limits for property damage shall be not less than \$1,000,000 for each occurrence; or a combination single limit policy of \$2,000,000 or more. The City shall be named as an additional insured on the policy. The Developer shall file with the City a certificate evidencing coverage prior to the City signing the Agreement. The certificate shall provide that the City must be given 30 days advance

written notice of the cancellation of the insurance.

21. Effect of Development Approval. Notwithstanding any provision of this Agreement to the contrary, to the full extent permitted by State laws, any further development or construction of new improvements and any additions or alterations to existing improvements not expressly approved under this Agreement will require additional approvals from the City, as required by City ordinances, and in full compliance with any amendments to the City's Comprehensive Plan or Zoning Ordinance requirements enacted after the date of this Agreement.

22. Notices. Required notices to the Developer shall be in writing, and shall be either hand delivered to the Developer, its employees or agents, or mailed to the Developer by certified or registered mail at the following address:

Crossdale Development L.L.C.
Attention: Jennifer Haskamp
6851 Flying Cloud Drive, Suite A
Eden Prairie, MN 55344

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 or certified mail in care of the City Manager at the following address:

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

[Remainder of page intentionally left blank; signatures follow]

DEVELOPER:

Crossdale Development L.L.C.

By: _____
_____, its Manager

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this _____ day of _____ 2015, by _____, the Manager of Crossdale Development L.L.C., a _____ limited liability company, on behalf of said company.

Notary Public

THIS INSTRUMENT DRAFTED BY:

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

LIST OF EXHIBITS

- Exhibit A – Legal Description of Property
- Exhibit B – City Council Resolution No. 38-2014
- Exhibit C – City Ordinance 749
- Exhibit D – Stormwater Maintenance Agreement

Exhibit A
Legal Description of Property

Lots 1, 2, 3, 4, 5, and 6, Block 1 of Enclave At Crossdale, Hennepin County, Minnesota

RESOLUTION NO. 38-2014

**RESOLUTION APPROVING AN APPLICATION FOR CONCURRENT PRELIMINARY
AND FINAL PLAT SUBDIVISION, CONCEPT/GENERAL PLAN PUD AND
REZONING AT 165 AND 213 CENTRAL AVENUE NORTH AND 1015 CROSS
STREET**

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

Section 1. BACKGROUND

- 1.1 Project. Crossdale Development LLC (the "Applicant") has submitted an application for a PUD and six (6) lot subdivision (the "Application") at 165 Central Ave N, 213 Central Ave N, and 1015 Cross St (collectively, the "Property"). The proposed six (6) new single family residences on the Property meet the requirements of the R-3A Zoning District (the "Project"). An earlier version of the Project contemplated a private access to the proposed lots that connected Cross St and Byrondale Ave N. Based on feedback of the Planning Commission and the City Council during workshops on August 6th and September 15th, the Applicant has revised its plans to incorporate private access (with a public access easement) from Byrondale Ave N, terminating in a cul-de-sac within the interior of the Property, without any connection to Cross St, Wooddale Ave or Benton Ave from the proposed development. In addition, the Project includes a six foot (6 ft) publicly accessible, non-motorized trail connecting the neighborhood to a future trail on Central Ave N.
- 1.2 Application Requests. As part of the Application, the Applicant is requesting approval of the following items:
- A. Concurrent Preliminary and Final Plat for Six (6) Lot Subdivision of the Property (the "Proposed Subdivision")
 - B. Concept/General Plan PUD for the Property (the "Proposed PUD")
 - C. Rezoning of the Property from R3-A to PUD District (the "Zoning Amendment")
- 1.3 Property. The property identification numbers and owners of the parcels comprising the Property are:

165 Central Ave N	06-117-22-14-0007	122 nd Street Land Company
213 Central Ave N	06-117-22-14-0013	Property Resources Corporation
1015 Cross Street	06-117-22-14-0014	B E & M M Gongoll

- 1.4 Land Use. The Property is located within the R-3A Single and Two Family Residential District, as defined in Section 801.55 of the Wayzata Zoning Ordinance. The Property is guided for Low Density Single Family Residential in the Wayzata Comprehensive Plan.
- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Sun Sailor* on November 6, 2014. A copy of the notice was mailed to all property owners located with 350 feet of the Property on November 7, 2014. The required public hearing was held at the November 17, 2014 Planning Commission meeting.
- 1.6 Planning Commission Action. Planning Commission Action Summary
A Public Hearing on the Application was held at the Planning Commission's November 17, 2014 meeting at which one (1) individual spoke in favor of the Project. The Planning Commission directed staff to prepare a *Planning Commission Report and Recommendation* recommending approval of the Application on a vote of five (5) in favor and two (2) opposed. The Planning Commission adopted a *Planning Commission Report and Recommendation* recommending approval of the Application on December 1, 2014 on a vote of ___ in favor, ___ opposed.

Section 2. STANDARDS

- 2.1 Preliminary and Final Plat Subdivision. Chapter 805 of the Wayzata City Code, (the "Subdivision Ordinance") sets forth the procedure and substantive review criteria for applications for a subdivision. Before any plat can be recorded or of any validity, it must be referred to the City Planning Commission and approved by the City Council as having fulfilled the requirements of the Subdivision Ordinance. Section 805.15 of the Wayzata Subdivision Ordinance allows the City to review a proposed preliminary and final plat simultaneously.
 - A. Goals. Under Section 805.2.b of the Subdivision Ordinance, subdivisions approved under the Subdivision Ordinance must be guided by the following:
 1. Preserve and enhance Wayzata's "small town" character (Comprehensive Plan).
 2. Respect the existing scale, character and pattern of the City, recognizing existing neighborhoods and commercial areas (Wayzata Physical Plan).
 3. Provide a balanced housing supply available for all people no matter their income, age, race or ethnicity (Comprehensive Plan).

4. Support a pedestrian environment at a human, not automotive scale (Wayzata Physical Plan).
 5. Relate development/redevelopment to the natural characteristics of the land to enhance the development through the preservation of attractive natural amenities (i.e., lakes, wetlands, creeks, wooded areas, slopes, etc.) (Comprehensive Plan).
- B. Criteria for Approval. Under Section 805.14.e of the Subdivision Ordinance, the Planning Commission must consider the possible adverse effects of a preliminary plat and report its findings and recommendation to City Council. Its judgment must be based upon, but not limited to, the following factors:
1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
 2. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
 3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filling or grading.
 4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
 5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
 6. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
 7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
 8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the

characteristics and quality of existing development in the City, a neighborhood or commercial area.

9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
 10. The proposed lot layout and building pads shall conform with all relevant performance standards.
 11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
 12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.
- C. Concurrent Preliminary/Final Plat. Section 805.15 of the Subdivision Ordinance allows the City to review the preliminary and final plat simultaneously.
- D. Parkland Dedication Fee. Section 805.37 of the Subdivision Ordinance requires a parkland dedication contribution for new single family lots at the time of recording of the Final Plat.

2.2 Planned Unit Developments (PUDs).

- A. Intent and Purpose of PUDs. The PUD process, outlined in Section 801.33 of the Zoning Ordinance, allows deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., for the purpose of encouraging:
1. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
 2. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.

3. More convenience in location and design of development and service facilities.
4. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
5. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
6. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
7. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
8. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.

B. General Standards. Section 801.33.2.A of the Zoning Ordinance sets forth the general standards for review of any PUD application. These are:

1. Health Safety and Welfare; Intent and Purpose of PUDs. 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.
- C. Residential Area PUD Standards. Section 801.33.3 sets forth area standards for PUDs which have a residential component. In addition to the standards set forth in these sections, City Council may impose such other standards for a PUD project as are reasonable and as the Council deems are necessary to protect and promote the general health, safety and welfare of the community and the surrounding area.
- D. Simultaneous Concept and General Plans. In cases of single stage PUDs or for projects of limited size and scope, the applicant may, at the discretion of the Zoning Administrator, submit the General Plan of Development for the proposed PUD simultaneously with the submission of a Concept Plan. The Planning Commission and City Council shall consider such plans simultaneously and shall grant or deny a General Plan of Development in accordance with the provisions of the PUD Ordinance.
- 2.3 Zoning Amendments. Under the City's Zoning Ordinance, the City Council acts on any proposed amendment upon receiving the report and recommendation of the Planning Commission. Section 801.03.2. In considering a proposed amendment to the Zoning Ordinance, the Planning Commission shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:

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

Section 3. FINDINGS

The City Council of the City of Wayzata hereby confirms and memorializes that the Concurrent Preliminary and Final Plat, Concept/General Plan PUD, and Rezoning requested in the Application meet the applicable requirements of Wayzata's Zoning and Subdivision Ordinances, 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 Proposed Subdivision.

- A. Goals. The Proposed Subdivision is consistent with the goals of the Subdivision Ordinance, including a recognition of adjacent existing neighborhoods and commercial areas; providing additional housing supply for the mix of available housing in the City; and supporting a pedestrian environment at a human, not automotive scale, with the incorporation of a walkway connecting the Project and adjacent existing neighborhoods and commercial areas.
- B. Criteria for Approval.
 - 1. The Project associated with the Proposed Subdivision is consistent with the Wayzata Comprehensive Plan. The proposed Subdivision conforms with the residential guidance of the Comp Plan for this area.

2. The building pads associated with the Project ("Proposed Building Pads") would not negatively impact any sensitive areas.
3. The Proposed Building Pads have been selected and located with respect to natural topography to minimize filling or grading, though the Commission would recommend certain conditions be attached to approval to minimize the impact of construction and the development on the adjacent neighborhood.
4. Existing significant trees would be retained where possible on the Property. As part of the Project, there would be a net reduction of eleven (11) trees on the entire site but thirty four (34) additional trees would be planted to offset this reduction.
5. The Proposed Subdivision would not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas as it would be consistent with the surrounding area.
6. The design of the lots, the proposed building pads, and the site layout of the Proposed Subdivision responds to and is reflective of the surrounding lots and neighborhood character. The Commission would recommend that a condition be attached to approval to minimize the visual impact and screen the adjacent residential properties from the development occurring on Lot 6, as depicted in the surveys provided with the Application.
7. The lot sizes that result from the Proposed Subdivision would not be dissimilar from adjacent lots or lots found in the surrounding neighborhood. The proposed lots conform with and exceed the R-3A District and Comprehensive Plan minimums for lot area.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the buildings for the new residential lots created by the Proposed Subdivision is not known at this time but the plans provided with the Application appear to be similar to the characteristics and quality of existing development in the City and neighborhood. Further review and approval of the building plans for the residential lots within the Subdivision should be required as a condition of approval to ensure 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.

9. The proposed lot layout and Proposed Building Pads of the Proposed Subdivision would conform will all relevant performance standards. The proposed lot layout for the six residential lots meets the performance requirements of R-3A District.
 10. The Proposed Subdivision is not likely to tend to or actually depreciate the values of neighboring properties in the area in which it is proposed.
 11. The Proposed Subdivision would be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.
- C. Parkland Dedication. The proposed Project includes the dedication of approximately 4,050 SF of land for the purposes of a publicly accessible, non-motorized trail, as depicted on the Applicant's Preliminary Plat. The dedication of this land for a public trail is sufficient to meet the required ten percent (10%) parkland land dedication under Section 805.37.H. of the Subdivision Ordinance.

3.2 Proposed PUD.

- A. Intent and Purpose of PUDs. The Proposed PUD conforms with the overall intent and purpose of a PUD as outlined in Section 33 of the Zoning Ordinance.
- B. General Standards. The Proposed PUD satisfies all of the fourteen general standards listed in Section 801. 33.2.A and in Section 2.2 of this Resolution.
1. Health Safety and Welfare; Intent and Purpose of PUDs. The Proposed PUD would have not have a negative effect on the health, safety and welfare of residents of the community and the surrounding area. The Proposed PUD conforms with the overall intent and purpose of Section 33 of the PUD Ordinance.
 2. Ownership. The Applicant owns, or at the time of final approval will own, all of the property to be included in the Proposed PUD.
 3. Comprehensive Plan Consistency. The Proposed PUD is consistent with the City's Comprehensive Plan as noted elsewhere in this Report.
 4. Sanitary Sewer Plan Consistency. The Proposed PUD is consistent with the City's Sanitary Sewer Plan.

5. Common Open Space. Proposed PUD will provide common public open space through a public walkway that is sufficient enough to meet the minimum requirements established in the Comprehensive Plan. As a condition of approval, provisions shall be in place to assure the continued operation and maintenance of such.
6. Operating and Maintenance Requirements. As a condition of approval, the PUD plan for the Proposed PUD must contain provisions to assure the continued operation and maintenance of open space and service facilities to a predetermined reasonable standard, and the common private or public open space and service facilities within the Proposed 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 Proposed PUD meets the density standards for the current zoning and is consistent with the Comprehensive Plan. The Project density is 3.84 lots per acre, which is within the one (1) to four (4) homes per acre or less guidance for the Low Density Single Family Residential land use category.
9. Utilities. Under the General Plan for the Proposed PUD, all utilities associated with Proposed PUD shall be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
10. Utility Connections. Under the General Plan for the Proposed PUD, all utilities associated with proposed PUD meet the utility connection requirements of Section 801.33.2.A.10.
11. Roadways. The City Council, as part of a PUD, can approve different roadway design standards, which are warranted and appropriate for this Project. The proposed roadway and associated cul-de-sac are designed to be less than City standards to match the existing character of roadways in the adjacent area, including the Byrondale cul-de-sac. The proposed roadway design also reduces

the amount of impervious surface on the site. The Wayzata Fire Department has reviewed the proposed roadway and cul-de-sac design and has determined it meets their needs for emergency vehicle access. Based on the forgoing, the Planning Commission finds that the roadway standards for the Project are reasonable and would promote the health, safety, and welfare in the PUD and surrounding area. Hennepin County Public Works has reviewed the plat that is part of the Application and has provided the City with a letter dated November 12, 2014, that states that the County believes that the proposed plat for the Planned Unit Development adequately addresses the County's original concerns related to access and trail opportunities.

12. Landscaping. All landscaping associated with the Proposed PUD will be according to a detailed plan and take into account the natural features of Property, the architectural characteristics of the proposed residences and the overall scheme of the PUD plan.
 13. Setbacks. The front, rear and side yard restrictions on the periphery of the Proposed PUD meet the applicable setback requirements in the R-3A District.
 14. Height. The building heights within the Proposed PUD meet the applicable height standards in the R-3A District.
- C. Residential Area PUD Standards. The Proposed PUD meets the standards of Section 801.33.3 for PUDs with a residential component, as except as noted above.
- D. Parkland Dedication. The proposed Project includes the dedication of approximately 4,050 SF of land for the purposes of a publicly accessible, non-motorized trail, as depicted on the Applicant's Preliminary Plat. The dedication of this land for a public trail is sufficient to meet the required ten percent (10%) parkland land dedication under Section 805.37.H. of the Subdivision Ordinance.
- 3.3 Zoning Amendment. The Planning Commission has considered the possible adverse effects of the Zoning Amendment and finds as follows:
- A. The Zoning Amendment does not contravene the specific policies and provisions of the official City Comprehensive Plan as they apply to the Property.
 - B. The proposed residential use for the Property is in conformity with present and future land uses of the area.

- C. The proposed residential use of the Property is in conformity with all performance standards contained in the Zoning Ordinance (i.e., parking, loading, noise, etc.).
- D. The proposed residential use's effect on the area in which it is proposed would be generally compatible with the neighborhood and surrounding uses.
- E. The proposed residential use is not likely to have a negative impact upon property value in the area in which it is proposed.
- F. The capabilities of the streets serving the Property should be sufficient for the traffic generated by the proposed residential use.
- G. Existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity should be sufficient for the proposed residential use.

Section 4. CITY COUNCIL ACTION

4.1 Based on the Findings in Section 3 of this Resolution, the requests for approval of the Concurrent Preliminary and Final Plat, Concept/General Plan PUD, and Rezoning as set forth in the Application and attached to this Resolution (Attachment A), is **APPROVED** subject to all of the following conditions (failure to comply with any one of these conditions shall result in the revocation of the approvals):

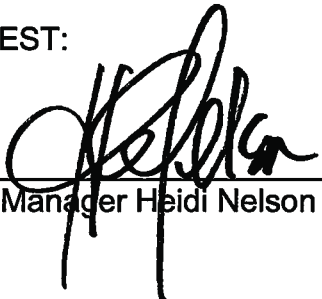
- A. Staff confirms the accuracy of the landscaping plans submitted by the Applicant.
- B. Staff confirms that the proposed fencing within the PUD along Central Avenue complies with City Code.
- C. The Applicant enter into a Development Agreement with the City regarding the ongoing maintenance of the fencing, the public and private walkways, the roadways, the parking and any other shared amenities within the PUD, and record such agreement with Hennepin County.
- D. A snow storage easement be recorded over all of the Property that meets with the approval of the City Engineer for the temporary storage of snow cleared from parking, driving and walking areas within the PUD.
- E. The Applicant shall construct the residences according to the designs presented with the Application materials, or if a different idea is proposed shall obtain City approval that the final building plans for each residential lot within the PUD is compatible with the characteristics and quality of the

existing homes in the neighborhood as required under Section 805.14.E.8 and 805.14.E.9.

- F. The Applicant with take all steps that City Staff deems appropriate to minimize the impact of construction on the adjacent neighborhood.
- G. The Applicant add tree plantings and other landscaping to minimize the visual impact on adjacent residential properties from the development occurring on Lot 5 and Lot 6, as depicted in the surveys provided with the Application.
- H. All comments of City Staff outlined in the Planning Report on the Application dated November 17, 2014 shall be incorporated into the PUD as specified in such comments and further directed by such staff.
- I. The Applicant secure all necessary building permits for construction, and all laws and regulations applicable to the Project.
- J. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred be fully reimbursed by the Applicant.
- K. The Applicant dedicate the required parkland dedication land amount for a publicly accessible trail, as required under Section 805.37.H of the Subdivision Ordinance, at the time that the Final Plat is recorded.
- L. The Applicant records the Final Plat document with the appropriate Hennepin County officials within one hundred twenty (120) days in conformance with Section 805.15.E.7, and provide a recorded copy to the City.

Adopted by the Wayzata City Council this 2nd day of December, 2014.

ATTEST:



City Manager Heidi Nelson



Mayor Ken Willcox

ACTION ON THIS RESOLUTION:

Motion for adoption: Anderson

Seconded by: Amdal

Voted in favor of: Amdal, Anderson, Willcox

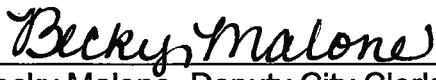
Voted against: Tanner

Abstained: None

Absent: Mullin

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 December 2, 2014.



Becky Malone, Deputy City Clerk
SEAL

Attachment A

Preliminary/Final Plat Documentation

Exhibit B



LOT STANDARDS

R-3A ZONING
MIN LOT AREA 9,000 SF
MIN LOT WIDTH 30'
MIN LOT DEPTH 80'
MIN FRONT YARD SETBACK = 20'
MIN SIDE YARD SETBACK = 10'
MIN REAR YARD SETBACK = 20'
EXISTING ZONING: R-3A
PROPOSED ZONING: R-3A
WETLAND BUFFER 30'
WETLAND SETBACK-N/A APPLICABLE

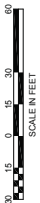
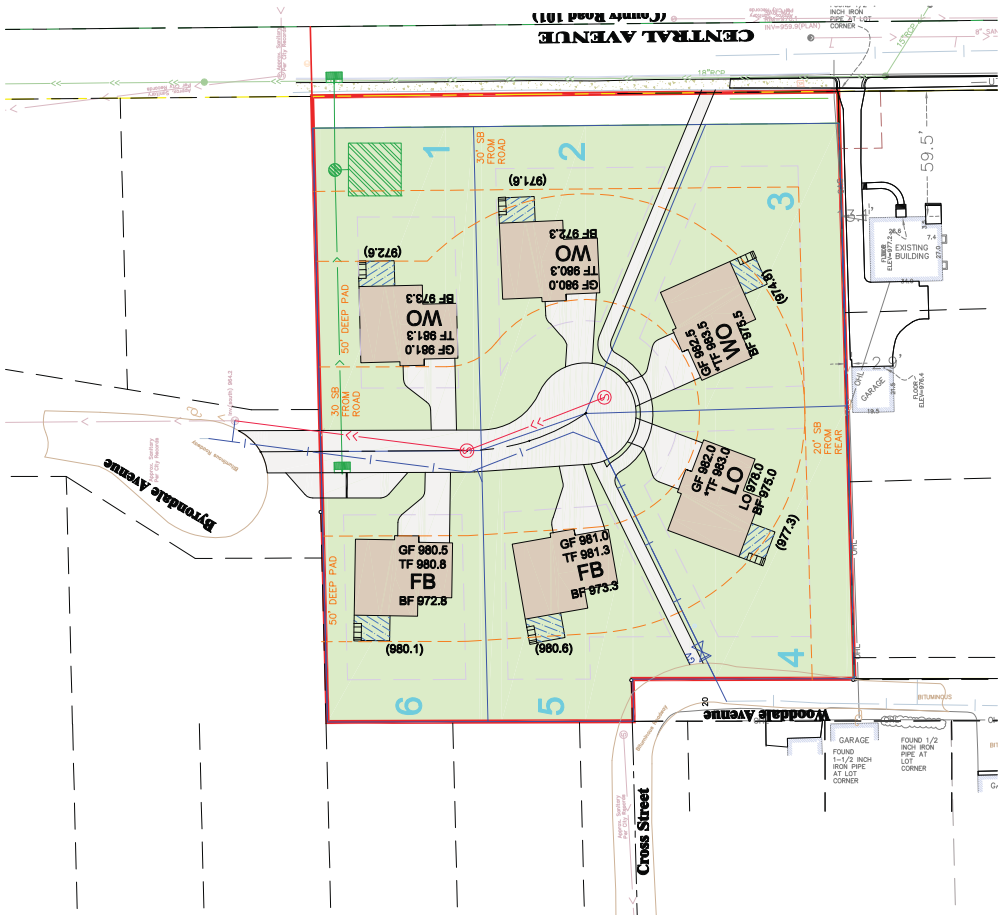
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SHEET	Description
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2	Street Plan
3	Utility Plans
4	Grading Plan
5	Erosion Control Plan
6	Hardcover Calculations
7	Tree Survey
8	Preliminary Plat
9	Final Plat
10	ALTA Boundary Survey
L1	Landscape Plan

CLIENT/DEVELOPER
CROSSDALE DEVELOPMENT, LLC
880 Flying Cloud Dr.
Suite 200
Eagan, MN 55121
Contact: Susan Sealand
T 612-991-1823

SWANSON HASKAMP CONSULTING, LLC
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LAND SURVEYOR/CIVIL ENGINEER
SATHRE-BERGQUIST, INC.
115 S. Broadway
Wauzata, MN 55391
Contact: T. Dan Schmidt
Contact: T. Dan Schmidt
T 952-476-8000
F 952-476-0104



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

REVISIONS

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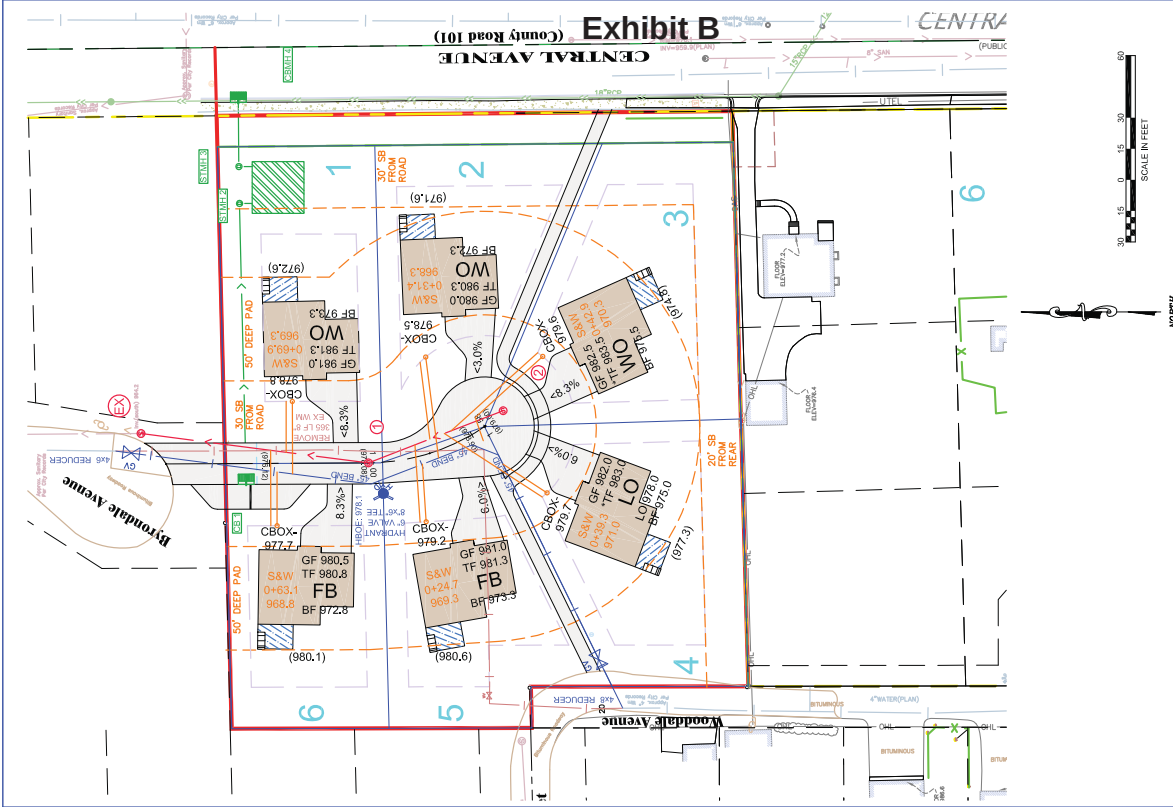
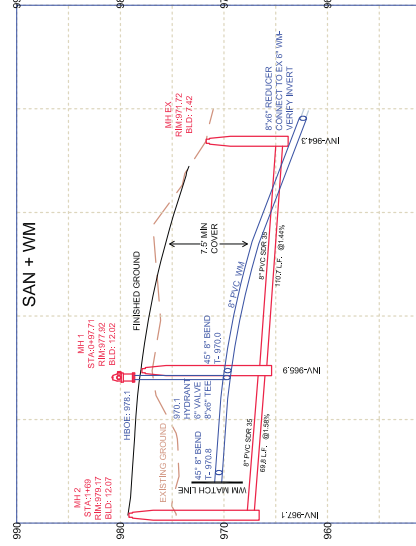
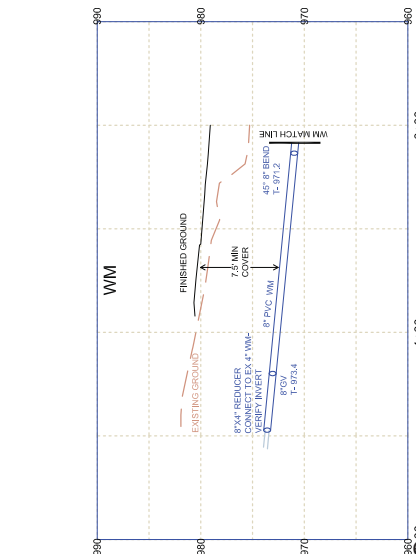
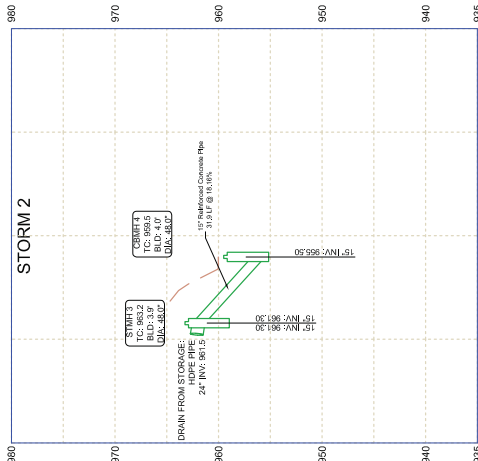
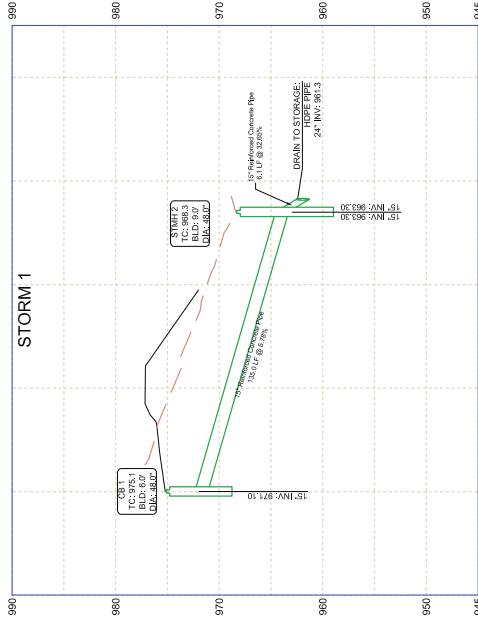
Dan L. Schmidt
Dan L. Schmidt
Date: May 1, 2014
Lic. No. 26147

SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN 55391 (952) 476-8000

TITLE
ENCLAVE AT CROSSDALE
CROSSDALE DEVELOPMENT, LLC

UTILITY NOTES:

- CONNECT TO EXISTING SANITARY ON BYRONDALE AVE USING A CORE DRILL
- EXISTING WATERMAIN IN SITE DOES NOT MEET COVER STANDARDS WITH NEW GRADING; EXISTING LINE MUST BE REMOVED AND REPLACED
- NO CURB IS TO BE INSTALLED
- ROAD IS TO BE CROSS SLOPED TO PROMOTE DRAINAGE TO CBMH 1
- LOT 1 BLOCK 1 HAS A REAR YARD WATER STORAGE CONTAINER TO HOLD ~1,800 FT³ (25' x 25' x 3') OF STORM WATER RUNOFF
- EXISTING WATER SERVICES TO BE ABANDONED AT MAIN. ANY ABANDONED WATERMAIN TO BE FILLED WITH FLOWABLE FILL AND BULKHEAD. PROVIDE CITY A COPY OF WELL SEALING DOCUMENTATION



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David L. Schmitt, P.E.
Date: May 1, 2015 Lib. No. 25147



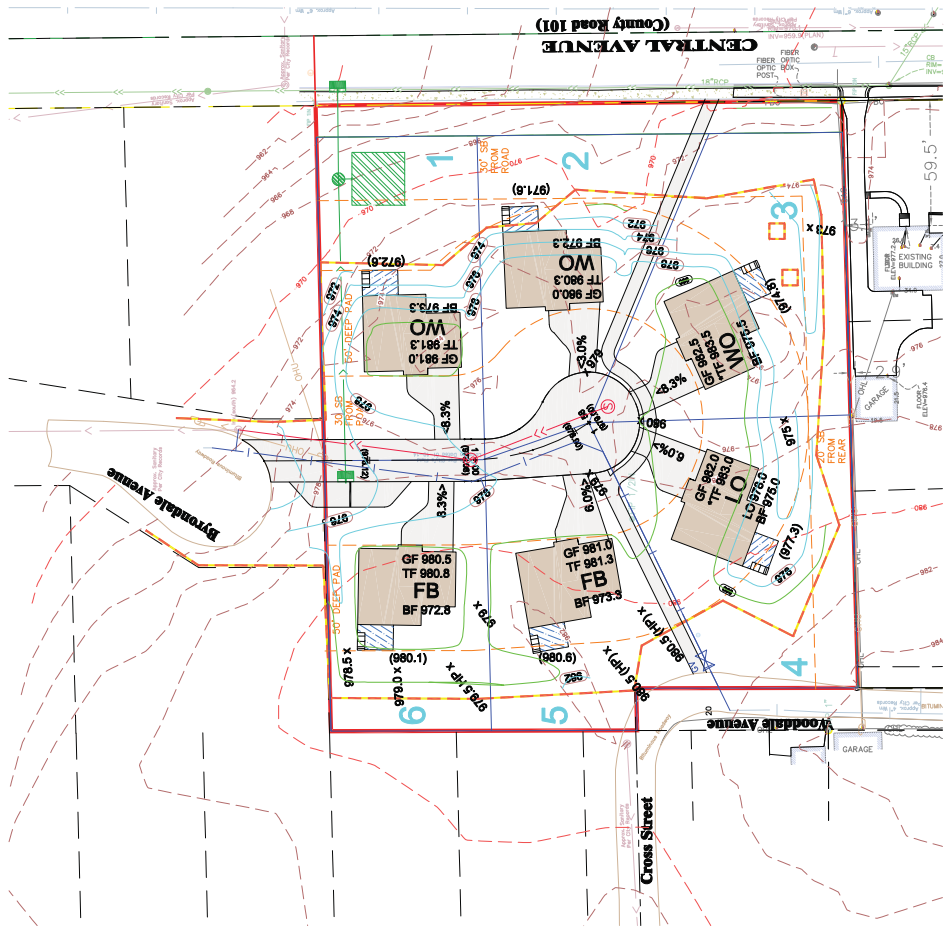
SATHRE-BERGOUST INC.
100 SOUTH BROADWAY WAYZATA, MN 55391 (651) 754-6007

CITY PROJECT NO. —
WAYZATA, MINNESOTA

FINAL UTILITY PLAN
ENCLAVE AT CROSSDALE
CROSSDALE DEVELOPMENT, LLC

FILE NO. 7750.007
3
11

Exhibit B



LEGEND

EXISTING 2' CONTOUR

EXISTING 10' CONTOUR

PROPOSED 2' CONTOUR

PROPOSED 10' CONTOUR

- CONSTRUCTION NOTES
1. INSTALL SILT FENCE AS SHOWN ON PLAN, AS REQUIRED BY THE CITY OF WAYZATA OR DIRECTED BY THE ENGINEER.
 2. A TEMPORARY SEDIMENTATION BASIN MUST BE EXCAVATED AT THE BEGINNING OF GRADING OPERATIONS TO PROVIDE TEMPORARY STORM WATER DETENTION DURING CONSTRUCTION. THE LOCATION MAY NEED TO BE RELOCATED AS THE PROJECT PROGRESSES.
 3. BEGIN GRADING, INSTALL PERFORATED RISER PIPE IN PONDS WHEN POND GRADING IS COMPLETE. TEMPORARY DRAINAGE PIPE SHALL BE USED FOR INTERMEDIATE DRAINAGE DURING THE CONSTRUCTION PERIOD AS NECESSARY AND DIRECTED BY THE ENGINEER. INSTALL SILT FENCE AROUND EXCAVATED PONDS.
 4. INSPECT PONDS, SILT FENCE, AND ROCK ENTRANCE BERM AFTER ALL RAINFALL EVENTS AS REQUIRED BY THE NPDES PERMIT.
 5. LINE ALL PONDS WITH A MINIMUM 3" ORGANIC SOILS & SEED SLOPES BETWEEN NML AND 100 YR HWL WITH A WATER TOLERANT MIX.
 6. REMOVE PERFORATED RISER PIPE WHEN STORM SEWER AND OUTLET STRUCTURE FOR PONDS ARE INSTALLED.
 7. STREET SECTION -
 - 7.1 12" CLASS 5
 - 7.2 12" CLASS 5
 - 7.3 12" CLASS 5
 - 7.4 12" CLASS 5
 8. DRIVEWAY SLOPES:
 - MINIMUM - 2.0%
 - MAXIMUM - 10.0%
 9. POND - 10:1 BENCH (1 FOOT) THEN 3:1 MAX
 10. LO. SEWO. WO. PADS 3:1 MAX. ALL OTHER SLOPES 4:1 MAX (UNLESS NOTED)
 11. CONTRACTOR TO REMOVE SEPTIC SYSTEM AND CAP WELL
 12. DEVELOPER WILL BE RESPONSIBLE FOR TEMPORARY DUST AND EROSION CONTROL UNTIL TURF IS ESTABLISHED. IF YARDS ARE ADJACENT TO A DITCH SWALE, THEN EROSION CONTROL MUST REMAIN UNTIL ALL ADJACENT PROPERTY HAS TURF ESTABLISHMENT.
 13. RESTORATION - 1.0 ACRES
 - A. SEED POND SLOPES AND DETENTION AREAS WITH AN DOT 310 OR BWSR P8 SEED MIX AT A RATE OF 100 LBS/ACRE AND FERTILIZE WITH 20-0-10 AT 100 LBS/ACRE
 - B. SEED POND SLOPES AND DETENTION AREAS WITH AN DOT 310 OR BWSR P8 SEED MIX AT A RATE OF 100 LBS/ACRE AND FERTILIZE WITH 20-0-10 AT 100 LBS/ACRE (UNLESS OTHERWISE NOTED)
 - C. SEED POND SLOPES AND DETENTION AREAS WITH AN DOT 310 OR BWSR P8 SEED MIX AT A RATE OF 100 LBS/ACRE AND FERTILIZE WITH 20-0-10 AT 100 LBS/ACRE (UNLESS OTHERWISE NOTED)
 - D. ONLY FERTILIZER IS TO BE USED ON SITE
 - E. MULCH WITH PINE STRAW AT A RATE OF 2 TONS/ACRE OR DISCHARGE IMMEDIATELY AFTER PLACEMENT. USE WOODFIBER BLANKET ON ALL SLOPES 3:1 (FT) OR GREATER
 - F. PLACE APPROVED STORM SEWER INLET PROTECTION IN OR AROUND ALL STORM SEWER INLETS AND MAINTAIN UNTIL STREET CONSTRUCTION IS COMPLETED. REFER TO CITY DETAILS ST-22 & ST-23 FOR APPROVED DEVICES
 - G. RESTORATION SILT FENCE UNTIL TURF HAS BEEN ESTABLISHED
 - H. RESTORATION WORK WILL BE COMPLETED WITHIN 72 HOURS OF GRADING COMPLETION
 14. MATERIALS THAT ARE PROHIBITED FROM RETAINING WALL CONSTRUCTION INCLUDE SMOOTH FACE CONCRETE, POURED IN PLACE CONCRETE, MASONRY, RAILROAD TIES, OR TIMBER. STAMPED OR PATTERED CONCRETE IS ALLOWED IN RETAINING WALL CONSTRUCTION.
 15. Boulders MAY NOT BE USED ON WALLS TALLER THAN 6' IN HEIGHT.
 16. SILT FENCE: BEFORE GRADING - 1:10 LF
 17. WOODFIBER BLANKET - 0 SY

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11-13-2014	02	01	TRP UPDATE FOR POSSIBLY SAVED

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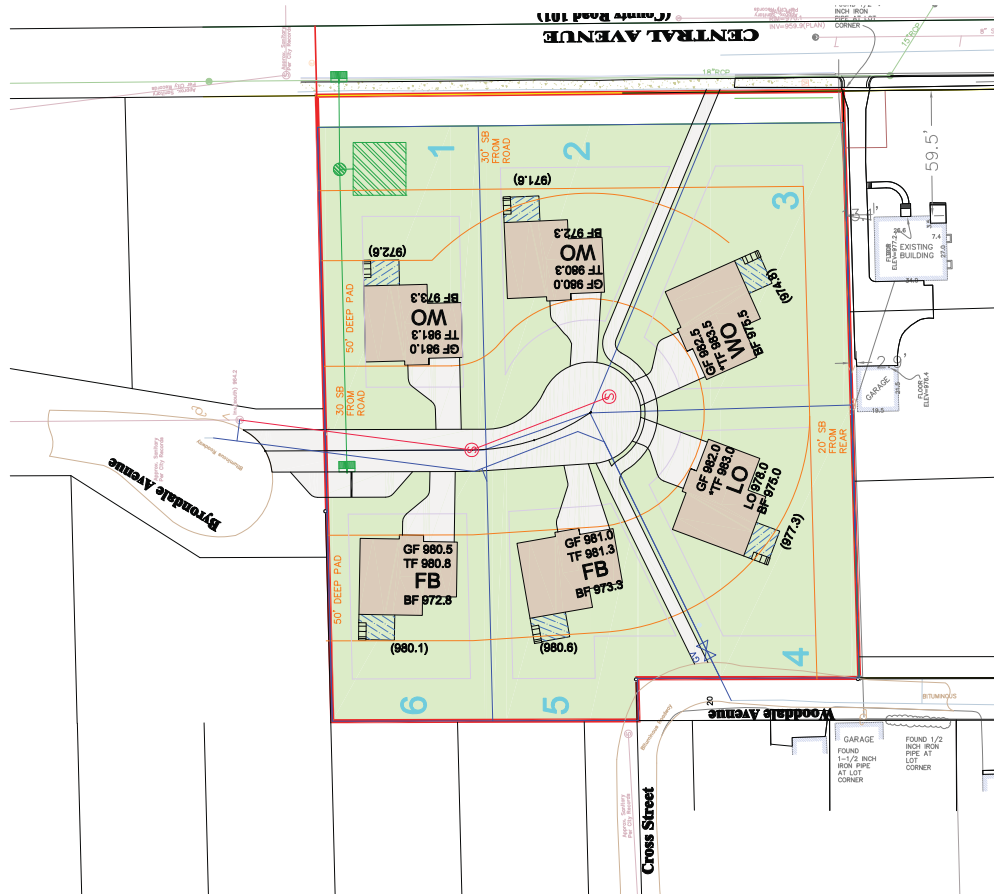
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Donald J. Schmitt
Date: May 1, 2014 Lic. No. 26147

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

CITY PROJECT NO.
WAYZATA, MINNESOTA

ENCLAVE AT CROSSDALE 7292-007



HARDCOVER CALCULATION WORKSHEET			
CLIENT: Sathre-Bergquist, Inc.	JOB # 7292-007	ADDRESS: Wooddale Ave, Wayzata	
DATE: 11/06/2014		Minimum Hard Cover Allowed For Lot 15%	
PROPOSED HARDCOVER IN LOT 1			
Hardcover Item	AREA	COMMENTS	
LOT AREA	= 12,500.00	S.F.	
HOKSE	= 1,000.00	S.F.	
ROADWAY ALAK	= 750.00	S.F.	
ROADWAY ALAK	= 500.00	S.F.	
Total Existing Hardcover			2,000.00
Total Coverage			22.2%
PROPOSED HARDCOVER IN LOT 2			
Hardcover Item	AREA	COMMENTS	
LOT AREA	= 12,500.00	S.F.	
HOKSE	= 1,000.00	S.F.	
ROADWAY ALAK	= 1,410.00	S.F.	
ROADWAY ALAK	= 750.00	S.F.	
Total Existing Hardcover			3,960.00
Total Coverage			33.3%
PROPOSED HARDCOVER IN LOT 3			
Hardcover Item	AREA	COMMENTS	
LOT AREA	= 12,500.00	S.F.	
HOKSE	= 1,000.00	S.F.	
ROADWAY ALAK	= 1,410.00	S.F.	
ROADWAY ALAK	= 500.00	S.F.	
Total Existing Hardcover			2,720.00
Total Coverage			21.6%
PROPOSED HARDCOVER IN LOT 4			
Hardcover Item	AREA	COMMENTS	
LOT AREA	= 12,500.00	S.F.	
HOKSE	= 1,000.00	S.F.	
ROADWAY ALAK	= 1,410.00	S.F.	
ROADWAY ALAK	= 500.00	S.F.	
Total Existing Hardcover			2,720.00
Total Coverage			22.2%
PROPOSED HARDCOVER IN LOT 5			
Hardcover Item	AREA	COMMENTS	
LOT AREA	= 10,000.00	S.F.	
HOKSE	= 1,000.00	S.F.	
ROADWAY ALAK	= 1,410.00	S.F.	
ROADWAY ALAK	= 500.00	S.F.	
Total Existing Hardcover			3,770.00
Total Coverage			34.7%
PROPOSED HARDCOVER IN LOT 6			
Hardcover Item	AREA	COMMENTS	
LOT AREA	= 9,700.00	S.F.	
HOKSE	= 1,000.00	S.F.	
ROADWAY ALAK	= 1,410.00	S.F.	
ROADWAY ALAK	= 500.00	S.F.	
Total Existing Hardcover			3,370.00
Total Coverage			34.6%
PROPOSED HARDCOVER OVERALL SITE			
Hardcover Item	AREA	COMMENTS	
LOT AREA	= 60,200.00	S.F.	
HOKSE	= 9,000.00	S.F.	
ROADWAY ALAK	= 1,410.00	S.F.	
ROADWAY ALAK	= 1,400.00	S.F.	
Total Existing Hardcover			18,100.00
Total Coverage			28.3%

ARE SUBMITTED FOR APPROVATION ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT EXISTING CONDITIONS OF THE SITE AND SHALL BE FULLY RESPONSIBLE FOR THE EXISTING CONDITIONS OF THE SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE EXISTING CONDITIONS OF THE SITE.

REVISIONS
BY: [Signature]
DATE: [Date]
REASON: [Reason]
DESCRIPTION: [Description]

DATE: 11/06/2014
L.S. No. 28147
Name: P.E. [Signature]
Title: [Title]

SATHRE-BERGQUIST, INC.
160 SOUTH BROADWAY WAYZATA, MN 55391 (612) 476-8800

CITY PROJECT NO. ---
WAYZATA, MINNESOTA

HARDCOVER CALCULATIONS
ENCLAVE AT CROSSDALE
CROSSDALE DEVELOPMENT, LLC

FILE NO. 7292-007
6
11

Exhibit B

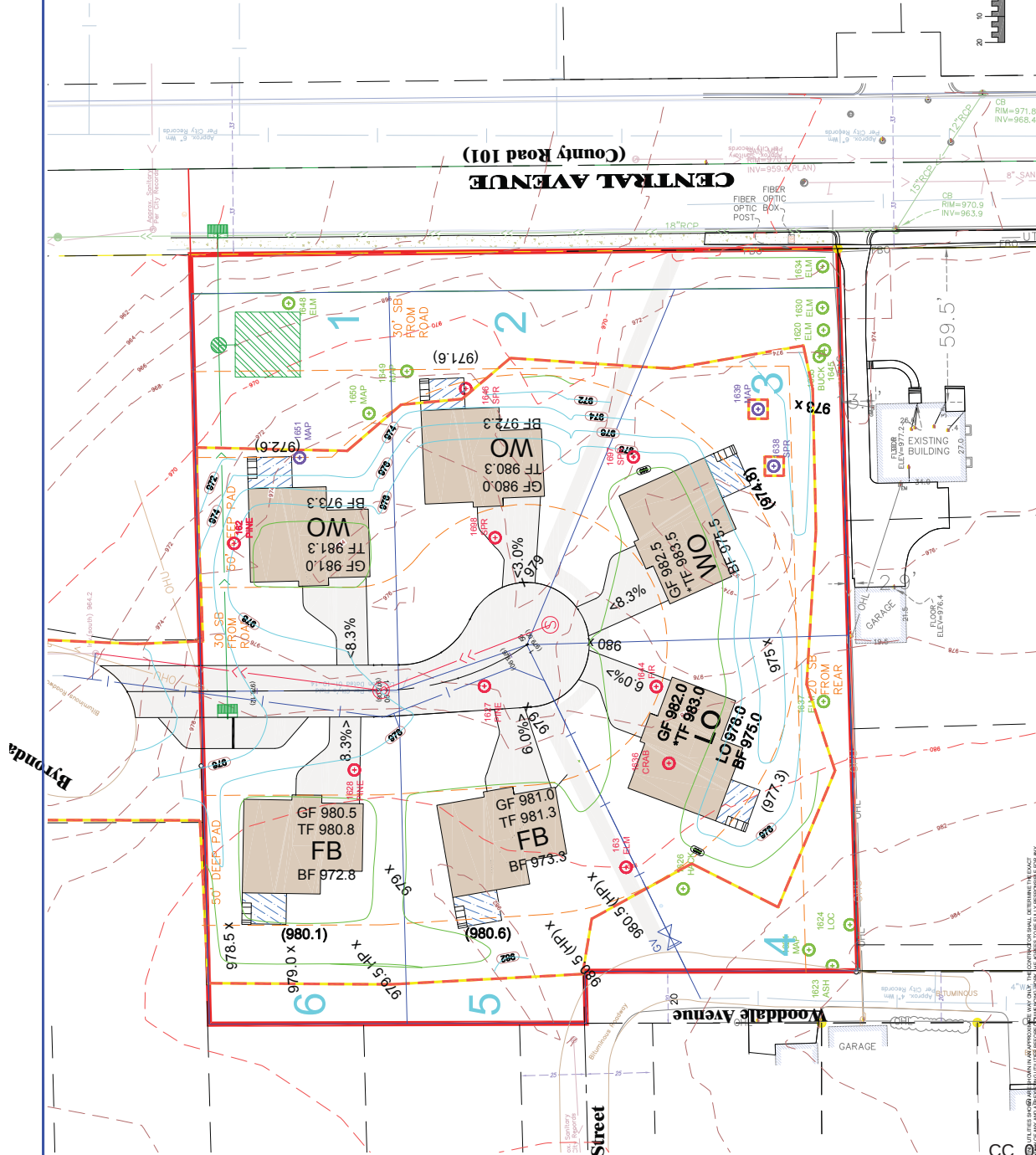
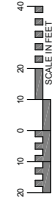
Project: Enclave at Crossdale
Location: Wayzata, Minnesota

Date: NOV 05, 2014
Revised: NOV 13, 2014

Tree #	Tree Species	Caliper Inches	Possible Cal. Inch	Saved Cal. Inch	Removed Cal. Inch
162	Pine, white	6.0			6.0
163	Elm, American	11.0			11.0
1620	Elm, Siberian	14.0		14.0	
1621	Maple, sugar	11.0		11.0	
1623	Ash, green	12.0		12.0	
1624	Locust, black	10.0		10.0	
1626	Hackberry	10.0		10.0	
1627	Pine, Scots	17.5			17.5
1628	Pine, Scots	22.5			22.5
1630	Elm, Siberian	8.0		8.0	
1634	Elm, Siberian	24.0		24.0	
1635	Buckhorn	7.0		7.0	
1636	Pine, Scots	22.5			22.5
1637	Pine, Scots	39.0		39.0	
1638	Spruce, white	19.0		19.0	
1639	Maple, sugar	25.0		25.0	
1644	Douglasfir	22.0			22.0
1645	Hackberry	12.0		12.0	
1646	Spruce, blue	17.5			17.5
1648	Elm, American	29.0		29.0	
1649	Maple, sugar	30.5		30.5	
1650	Maple, sugar	26.0		26.0	
1651	Maple, sugar	25.5		25.5	
1657	Spruce, white	17.5			17.5
1658	Spruce, white	16.0			16.0
1700	Maple, sugar	21.5			21.5
Total Cal. Inches			69.5	232.5	174.0
Total Tree Count			3.0	7.0	6.0
Total Caliper Inches				476.0	
Net Caliper Inches				476	
50% of Net				238	
Removed Caliper Inches				174.0	
Removal Percentage				36.6%	
Max. Removed Caliper Inches				243.5	
Max. Removal Percentage				51.2%	

LEGEND

- TREES TO BE SAVED
- TREES TO BE REMOVED
- TREES POSSIBLY SAVED



FILE NO. 7282-007	7	11
TREE SURVEY ENCLAVE AT CROSSDALE CROSSDALE DEVELOPMENT, LLC		
CITY PROJECT NO.	WAYZATA, MINNESOTA	
SATHRE-BERGQUIST, INC. 150 SOUTH BROADWAY WAYZATA, MN 55391 (952) 476-8000		
I HEREBY CERTIFY THAT THIS IS AN ORIGINAL COPY OF THE SURVEY PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DAILY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.		
Daniel L. Schmitt Date: 09/01/14 Lic. No.: 28147		
USE INCLUDING ANY AND ALL RIGHTS RESERVED OR MAY BE USED BY SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.		
NO. OF SHEETS	DATE	REVISIONS
1	11-05-2014	NEW CONCEPT
2	11-05-2014	REVISED
3	11-05-2014	REVISED
4	11-05-2014	REVISED
5	11-05-2014	REVISED
6	11-05-2014	REVISED
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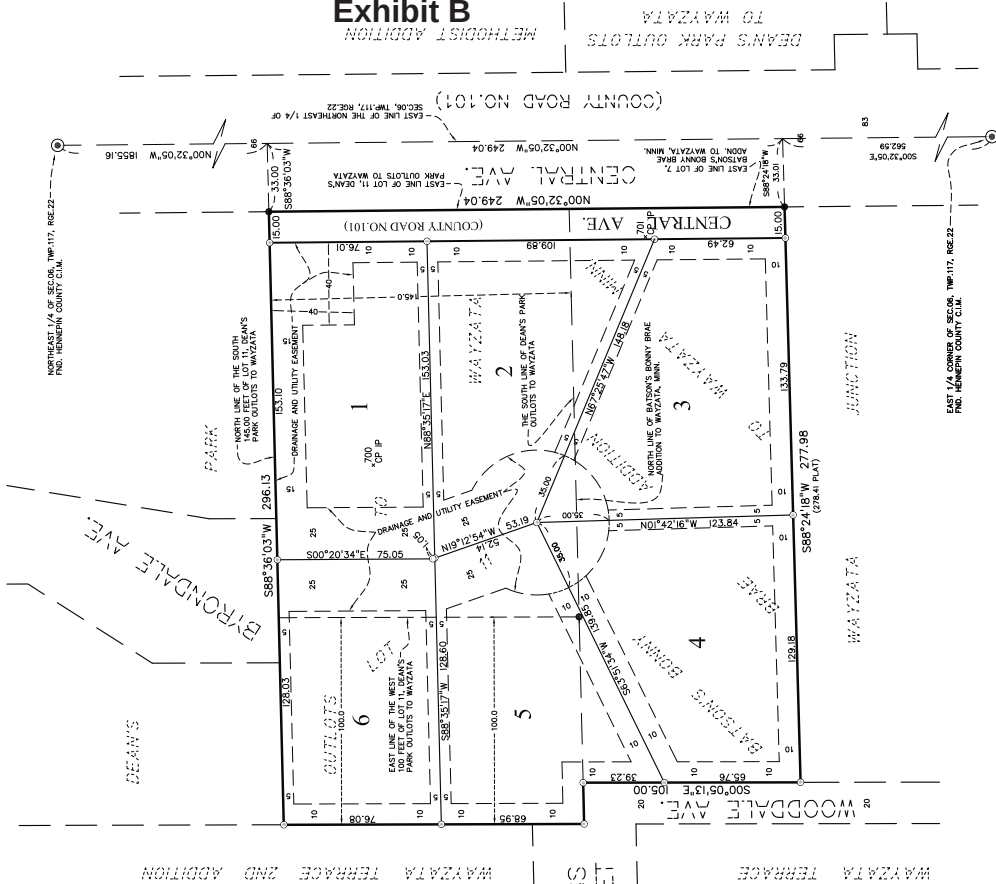
ENCLAVE AT CROSSDALE

C.R. DOC. NO.

- Denotes a 1/2 inch by 1/4 inch iron pipe set in the ground and marked by License No. 20147
 - Denotes a Found Iron Monument
 - Denotes a Found Cast-Iron Monument
- SCALE IN FEET
- 30 15 0 15 30 45

The basis for the bearing system is the east line of the North 1/4 of Section 06, Township 117, Range 22 which is assumed to bear North 60 degrees 12 minutes 05 seconds West.

NORTH



KNOW ALL PERSONS BY THESE PRESENTS: That Property Resources Corporation, a Minnesota corporation, owner of the following described property situated in the State of Minnesota, County of Hennepin, to wit:

The South 1/4 of Lot 11, Dean's Park Outlots to Wayzata, lying East of the West 100 feet thereof.

And

The West 100 feet of the South 1/4 of Lot 11, Dean's Park Outlots to Wayzata.

And that 122nd Street Land Company, a Minnesota corporation, owner of the following described property situated in the State of Minnesota, County of Hennepin, to wit:

Lot 7, Herbert Bonny Brue Addition to Wayzata, Minn.

Have caused the same to be surveyed and platted as ENCLAVE AT CROSSDALE and do hereby dedicate to the public for public use forever the public way and the easement for drainage and utility purposes as shown on this plat.

In witness whereof said Property Resources Corporation, a Minnesota corporation, has caused these presents to be signed by its proper officer this _____ day of _____, 2014.

By: Property Resources Corporation, a Minnesota corporation

_____, President

Susan Seiland

STATE OF MINNESOTA, COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by Susan Seiland, President of Property Resources Corporation, a Minnesota corporation, on behalf of the corporation.

_____, Notary Public, Hennepin County, Minnesota

_____, Notary Printed Name

My Commission Expires: _____

In witness whereof said 122nd Street Land Company, a Minnesota corporation, has caused these presents to be signed by its proper officer this _____ day of _____, 2014.

By: Property Resources Corporation, a Minnesota corporation

_____, President

Susan Seiland

STATE OF MINNESOTA, COUNTY OF HENNEPIN

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by Susan Seiland, President of 122nd Street Land Company, a Minnesota corporation on behalf of the corporation.

_____, Notary Public, Hennepin County, Minnesota

_____, Notary Printed Name

My Commission Expires: _____

Dated this _____ day of _____, 2014.

_____, President

Susan Seiland

STATE OF MINNESOTA, COUNTY OF HENNEPIN

This instrument was acknowledged before me this _____ day of _____, 2014, by Daniel L. Seiland.

_____, Notary Public, Hennepin County, Minnesota

_____, Notary Printed Name

My Commission Expires: _____

WAYZATA, MINNESOTA

This plat of ENCLAVE AT CROSSDALE was approved and accepted by the City Council of Plymouth, Minnesota at a regular meeting held this _____ day of _____, 2014. If applicable, the written comments and recommendations of the City Engineer and the County Highway Engineer have been received by the City or the prescribed 90 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes, Section 590.03, Subpart 2.

By: _____ Mayor

By: _____ City Clerk

RESIDENTIAL AND REAL ESTATE SERVICES

HENNEPIN COUNTY, MINNESOTA

I hereby certify that taxes payable in _____ and prior years have been paid for land described on this plat. Dated this _____ day of _____, 2014.

Mark V. Chaplin, Hennepin County Auditor

By: _____ Deputy

SURVEY DIVISION

HENNEPIN COUNTY, MINNESOTA

Pursuant to Minnesota Statutes Section 383B.565 (1969), this plat has been approved this _____ day of _____, 2014.

_____, Hennepin County Surveyor

By: _____

COUNTY RECORDER

HENNEPIN COUNTY, MINNESOTA

I hereby certify that the within plat of ENCLAVE AT CROSSDALE was recorded in this office this _____ day of _____, 2014.

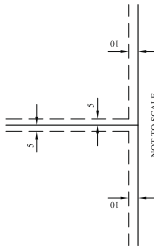
at _____ o'clock _____ M.

Marin McGinnis, County Recorder

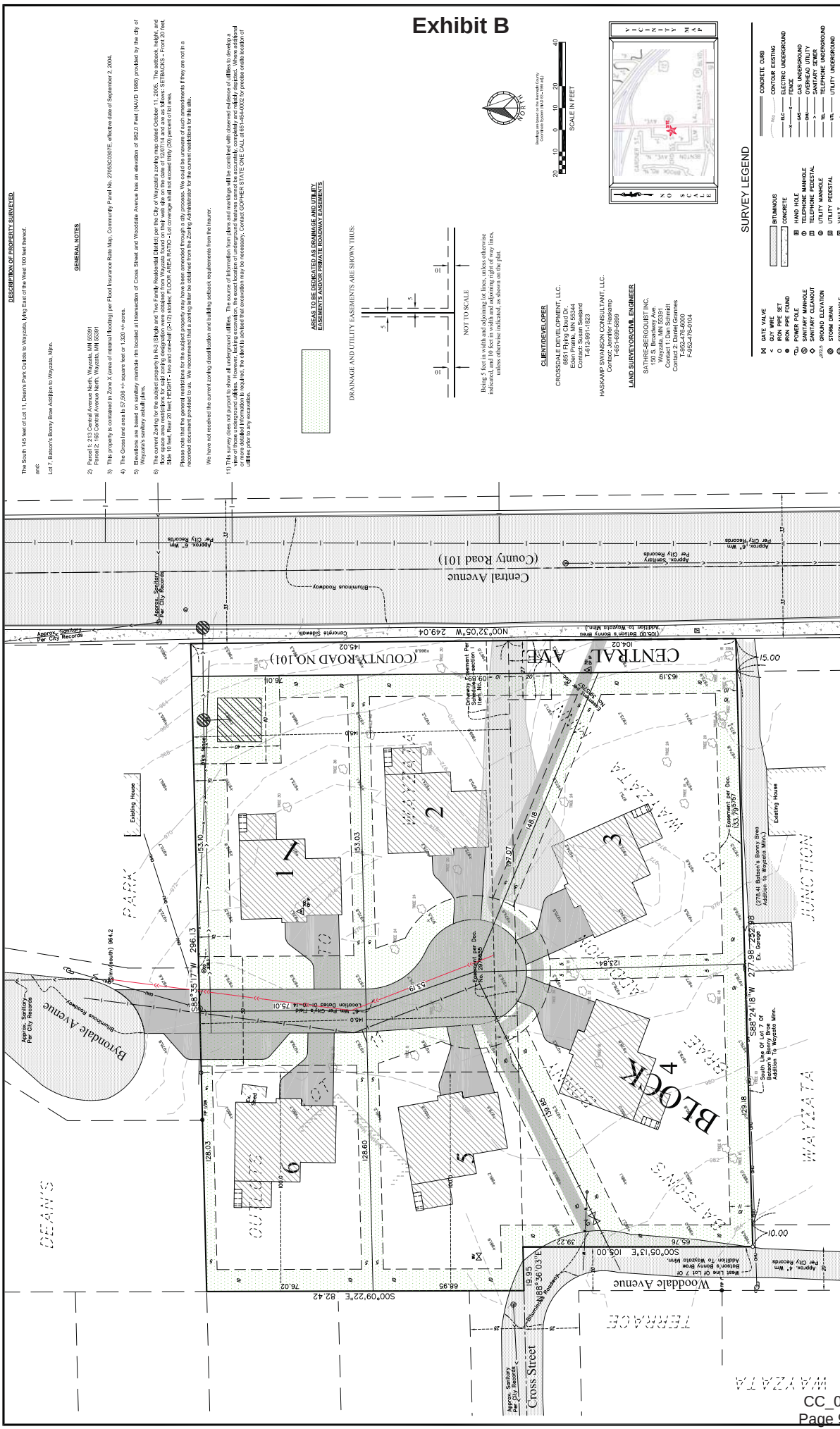
SATHRE-BERGQUIST, INC.



DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THIS:

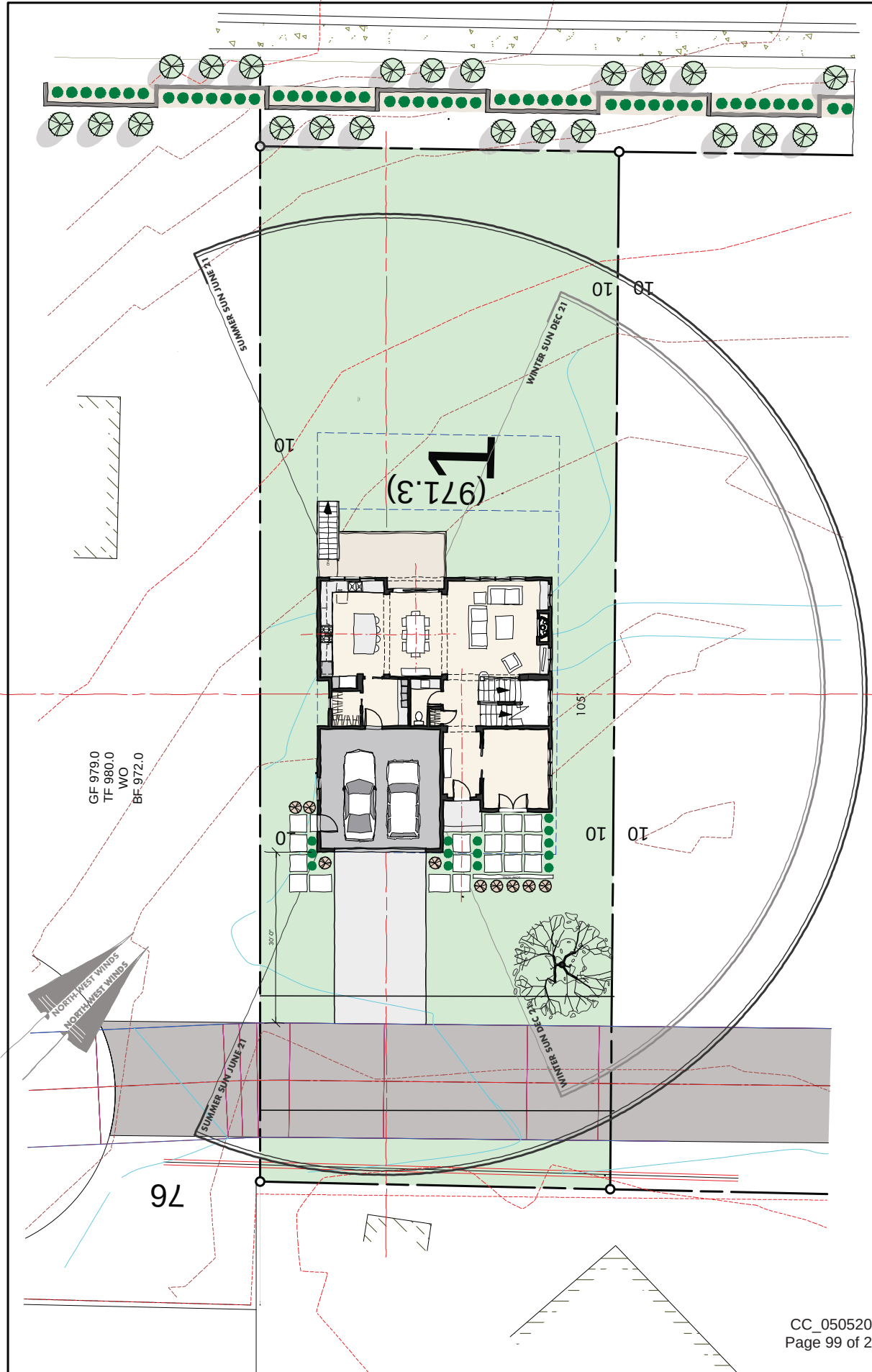


Being 5 feet in width and adjoining lot lines, unless otherwise indicated, and 10 feet in width and adjoining right of way lines, unless otherwise indicated, as shown on the plat.



REVISIONS		DATE		BY		NO.		DESCRIPTION	
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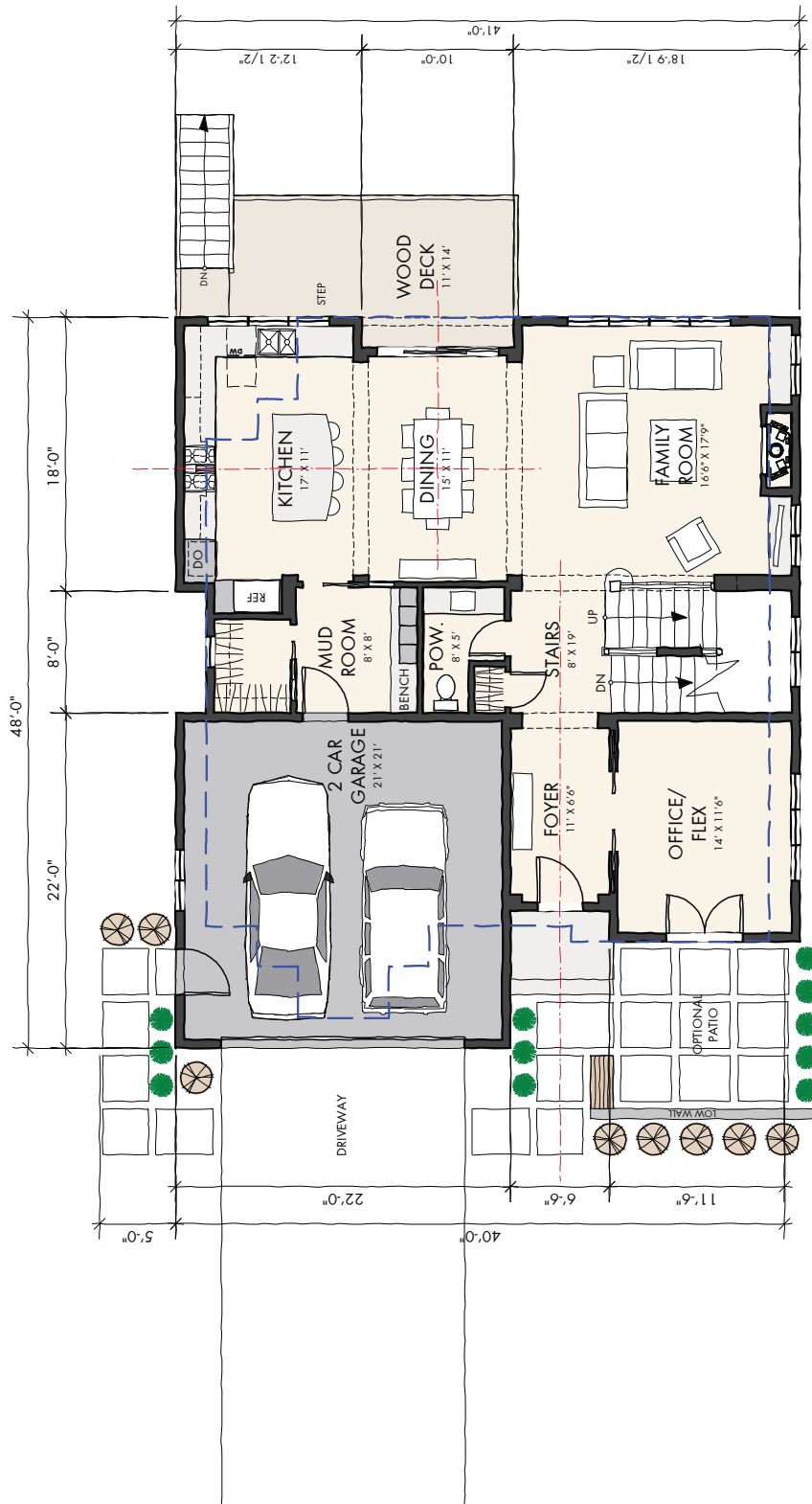
USE INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT THE WRITTEN AUTHORIZATION OF SATHRE-BERGOUST, INC. UNDER THE LAWS OF THE STATE OF MINNESOTA. INDEMNIFY SATHRE-BERGOUST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGOUST, INC. RESERVES THE RIGHT TO HOLD ANY LEGITIMATE FROM ILLEGITIMATE USE.		I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.		Dated this 28th day of April, 2014.		David B. Tomlinson, Professional Land Surveyor Minnesota License No. 43044	
SATHRE-BERGOUST, INC. 193 SOUTH BROADWAY WAYZATA, MN 55391 (612) 475-0000		HENNING COUNTY		WAYZATA, MINNESOTA		PRELIMINARY PLAT OF: ENCLAVE AT CROSSDALE	
TWP. 117.00 N. R. 22.00 E. SEC. 08		FILE NO.		72504007		PP	



LOT
1

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

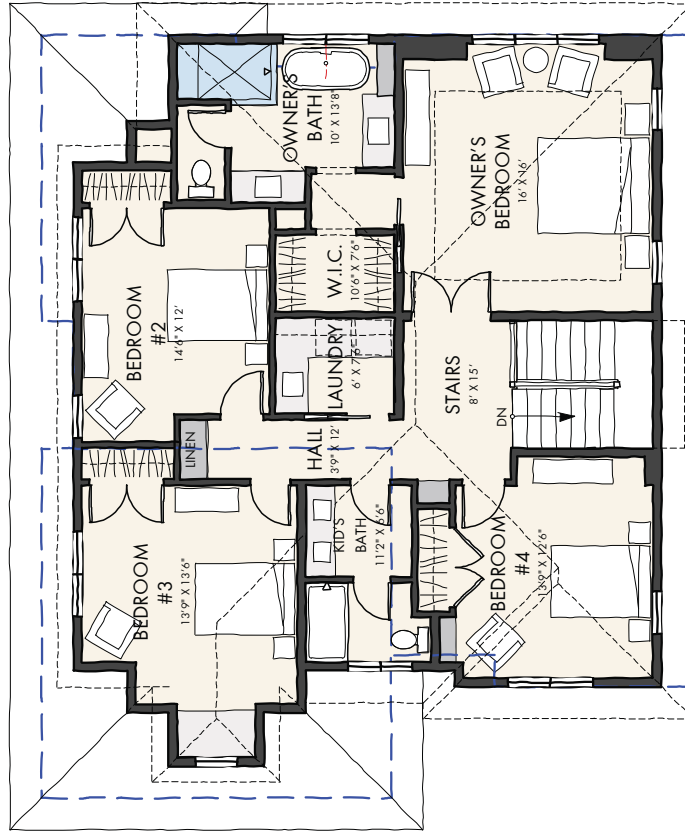
ROUGH SQ.FT. 1425 SQFT
 FINISHED: 1425 SQFT
 GARAGE: 484 SQFT



LOT
1

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

ROUGH SQ.FT.
 FINISHED: 1501 SQ.FT.
 INCLUDES STAIRS



EXTERIOR CONCEPT
 1/8" = 1'-0"

WARM CONTEMPORARY
 FARMHOUSE



EXTERIOR CONCEPT
 1/8" = 1'-0"

WARM CONTEMPORARY
 FLAT ROOF

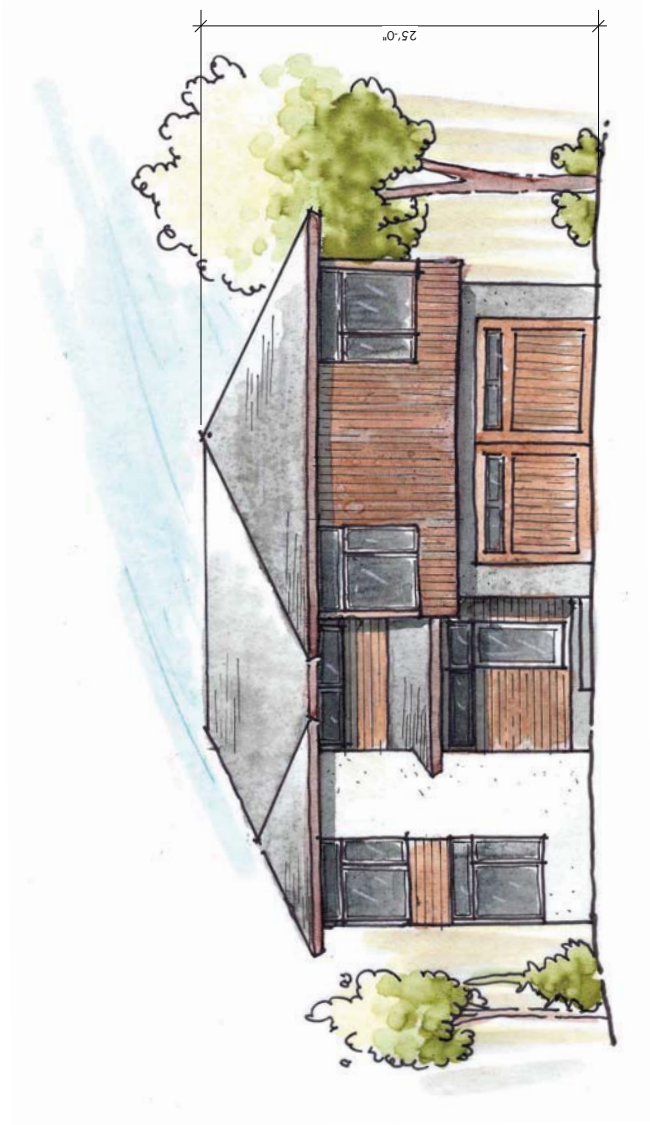


EXTERIOR CONCEPT
1/8" = 1'-0"

TRADITIONAL
COTTAGE



EXTERIOR CONCEPT
1/8" = 1'-0"



MODERN PRAIRIE

**CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA
ORDINANCE NO. 749**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY
TO REZONE 165 AND 213 CENTRAL AVENUE NORTH AND 1015 CROSS STREET
FROM R-3A SINGLE AND TWO FAMILY RESIDENTIAL TO
PUD PLANNED UNIT DEVELOPMENT DISTRICT**

THE CITY OF WAYZATA ORDAINS:

Section 1. BACKGROUND

1.1 Development Application. Crossdale Development LLC (the "Applicant") has submitted an application (the "Application") for a PUD and six (6) lot subdivision (the "Project") at 165 Central Ave N, 213 Central Ave N, and 1015 Cross St (collectively, the "Property") that would include a rezoning of the Property to a new PUD District for the proposed PUD (the "Zoning Amendment").

1.2 Property. The property identification numbers and owners of the parcels comprising the Property are:

165 Central Ave N	06-117-22-14-0007	122 nd Street Land Company
213 Central Ave N	06-117-22-14-0013	Property Resources Corporation
1015 Cross Street	06-117-22-14-0014	B E & M M Gongoll

1.3 Land Use. The Property is located within the R-3A Single and Two Family Residential District, as defined in Section 801.55 of the Wayzata Zoning Ordinance. The Property is guided for Low Density Single Family Residential in the Wayzata Comprehensive Plan.

1.4 Procedural Requirement. Notice of a public hearing on the Application was published in the *Sun Sailor* on November 6, 2014. A copy of the notice was mailed to all property owners located with 350 feet of the Property on November 7, 2014. The required public hearing was held at the November 17, 2014 Planning Commission meeting.

Section 2. STANDARDS

2.1 Rezoning to PUD. City Council has the discretion and authority under state law and City Code to amend the City's Zoning Ordinance and Zoning Map. Minn.

Exhibit C

Stat. Section 462.357; Wayzata City Code Section 801.03. A zoning ordinance amendment may be initiated by the governing body, the planning agency or by petition of affected property owners. Minn. Stat. Section 462.357, Subd. 4.

2.2 Standards for Rezoning. In considering a proposed amendment to the Zoning Ordinance, the Planning Commission shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:

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

Section 3. FINDINGS

3.1 The City Council of the City of Wayzata hereby confirms and memorializes that the Zoning Amendment requested in the Application reflects the overall policy goals of the Comprehensive Plan and City Code Section 801.03.2.F based upon the following findings made on the record, including City Staff reports and presentations, the Planning Commission Report and Recommendation, public and written comment, and the approval Resolution adopted by City Council for the Project, all of which are incorporated herein by reference:

- A. The Zoning Amendment does not contravene the specific policies and provisions of the official City Comprehensive Plan as they apply to the Property.
- B. The proposed residential use for the Property is in conformity with present and future land uses of the area.

Exhibit C

- C. The proposed residential use of the Property is in conformity with all performance standards contained in the Zoning Ordinance (i.e., parking, loading, noise, etc.).
- D. The proposed residential use's effect on the area in which it is proposed would be generally compatible with the neighborhood and surrounding uses.
- E. The proposed residential use is not likely to have a negative impact upon property value in the area in which it is proposed.
- F. The capabilities of the streets serving the Property should be sufficient for the traffic generated by the proposed residential use.
- G. Existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity should be sufficient for the proposed residential use.

Section 4. CITY COUNCIL ACTION

- 4.1 Contingent upon City Council approval of the PUD General Plan and Subdivision requested in the Application, contingent upon the full compliance with all conditions placed on said approvals, and subject to the reversionary clause and condition of Section 4.2 below, the Zoning Amendment is hereby **APPROVED** and the Official Zoning Map of the City of Wayzata shall be amended to change the Zoning District designation of the Property to a new PUD District, as such PUD District is set forth in the PUD General Plan approved by City Council resolution.
- 4.2 If a building permit is not issued for the Property within three (3) years of the effective date of this Ordinance, to the Property shall revert back to the zoning designation in effect immediately prior to the passage of this Ordinance (or the equivalent of such zoning that is in existence on the date of such reversion).
- 4.3 This Ordinance will become effective upon passage and publication.

Exhibit C

Adopted by the City Council this 2nd day of December, 2014.



Ken Willcox
Mayor

ATTEST:



Heidi Nelson
City Manager

First Reading: December 2, 2014
Second Reading: December 16, 2014
Publication: December 25, 2014

000043/311004/2002452_1

**STORM WATER FACILITIES MAINTENANCE AGREEMENT
AND RESTRICTIVE COVENANT**

This Storm Water Facilities Maintenance Agreement and Restrictive Covenant is made this _____ day of May, 2015, by and between the City of Wayzata, a Minnesota municipal corporation (hereinafter the "City"), and Crossdale Development L.L.C., a Minnesota limited liability company of the property located at 165 and 213 Central Avenue North and 1015 Cross Street, Wayzata, Minnesota.

R E C I T A L S

WHEREAS, Developer is the owner of fee title or a substantial beneficial interest in certain real property located in Wayzata, Minnesota, commonly described as 165 and 213 Central Avenue North, (hereinafter the "Property") and legally described in **Exhibit A**, which is attached hereto and incorporated herein by this reference; and

WHEREAS, in connection with the Developer's proposed development of the Property, the City has required and the Developer has agreed to construct a storm water collection and detention system comprised of an underground storage tank and sump manhole located in the northeast corner of Lot 1, Block 1 of Enclave At Crossdale, Hennepin County, Minnesota; and

WHEREAS, such drainage system is described and shown on a construction drawing prepared by the surveyor firm of Sathre-Bergquist, Inc., dated 11/13/2014. (hereinafter the "Drainage System Drawing"), for the Owner's Property, a copy of which is attached hereto as **Exhibit B** and incorporated herein by this reference; and

WHEREAS, as a condition of project approval and/or as a condition of the City's utilization of the Developer's storm drainage system, the parties have entered into this Maintenance Agreement and Restrictive Covenant, in order to ensure that the drainage system will be constructed and maintained in accordance with the approved plans and the City's development standards;

NOW, THEREFORE, in consideration of the mutual agreements contained herein, as well as other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Developer and the City hereby agree as follows:

Exhibit D

TERMS

Section 1. Construction and Maintenance. Developer agrees to construct and maintain a drainage system on its Property, as shown on the Drainage System Drawing, **Exhibit B**. The drainage system shall be maintained and preserved by the Developer, until such time as a homeowner's association (hereafter "Association") is established for the Property, or until such time as the City, its successors or assigns, agree that the system should be altered in some manner or eliminated.

Section 2. No Removal. No part of the drainage system shall be dismantled, revised, altered or removed, except as necessary for maintenance, repair or replacement.

Section 3. Access. The City shall have the right to ingress and egress over those portions of the Property described in **Exhibit A** in order to access the drainage system for inspection and to reasonably monitor the system for performance, operational flows or defects.

Section 4. Reporting. The Developer or Association shall be responsible for inspecting and maintaining the storm water treatment and conveyance system, at minimum, on an annual basis. The Developer or Association shall be responsible for providing a letter to the City Engineer, by September 1st of each year, stating that inspection and maintenance have been completed.

Section 5. Repairs, Failure of Owner to Maintain. If at any time the City Engineer does not receive this inspection and maintenance report and the City determines that maintenance or repair work is required to be performed on the system, the City Engineer or his/her designee shall give notice to the Developer or Association of the noted deficiency. The Engineer shall also set a reasonable time in which the Developer or Association shall perform such work. If the repair or maintenance required by the Engineer is not completed within the time set by the Engineer, the City may perform the required maintenance and/or repair. Written notice will be sent to the Developer or Association, stating the City's intention to perform such repair or maintenance, and such work will not commence until at least 15 days after such notice is mailed, except in situations of emergency. If, within the sole discretion of the Engineer, there exists an imminent or present danger to the system, the City's facilities or the public health and safety, such 15 day period will be waived and maintenance and/or repair work will begin immediately.

Section 6. Cost of Repairs and/or Maintenance. The Developer or Association shall assume all responsibility for the cost of any maintenance and for repairs to the drainage system. Such responsibility shall include reimbursement to the City within 30 days after the City mails an invoice to the Developer or Association for any work performed by the City. Overdue payments will require payment of interest by the Developer or Association at the current legal rate as liquidated damages.

Section 7. Notice to City of Repairs and/or Maintenance. The Developer or Association is hereby required to obtain written approval from the City Engineer prior to filling, piping, cutting or removing vegetation (except in routine landscape maintenance) in open vegetated drainage facilities (such as swales, channels, ditches, ponds, etc.), or performing any alterations or modifications to the drainage system.

Exhibit D

Section 8. Rights Subject to Permits and Approvals. The rights granted herein are subject to permits and approvals granted by the City affecting the Property subject to this Maintenance Agreement and Covenant.

Section 9. Terms Run with the Property. The terms of this Maintenance Agreement and Covenant are intended to be and shall constitute a covenant running with the Property and shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, successors and assigns.

Section 10. Notice. All notices required or permitted hereunder shall be in writing and shall either be delivered in person or sent by certified U.S. Mail, return-receipt requested, and shall be deemed delivered on the sooner of actual receipt of three (3) days after deposit in the mail, postage prepaid, addressed to the City or the Developer at the addresses set forth below:

To the City:

City Engineer
Public Works Facility
City of Wayzata
299 Wayzata Boulevard W
Wayzata, MN 55391

To the Developer:

Crossdale Development L.L.C
Attention: Jennifer Haskamp
6851 Flying Cloud Drive, Suite A
Eden Prairie, MN 55344

Section 11. Severability. Any invalidity, in whole or in part, of any provision of this Maintenance Agreement and Covenant shall not affect the validity of any other provision.

Section 12. Waiver. No term or provision herein shall be deemed waived and no breach excused unless such waiver or consent is in writing and signed by the party claimed to have waived or consented.

Section 13. Integration. This Maintenance Agreement and Covenant constitutes the entire agreement between the parties on this subject matter, and supersedes all prior discussions, negotiations, and all other agreements on the same subject matter, whether oral or written.

Exhibit D

IN WITNESS WHEREOF, the parties have caused this Maintenance Agreement and Covenant to be executed this ____ day of _____, 2015.

OWNER:

Name: _____

Title: _____

Address: _____

STATE OF MINNESOTA)

) ss.

COUNTY OF HENNEPIN)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the _____ of _____, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: _____

Notary Public, State of _____

My Commission Expires _____

Exhibit D

CITY OF WAYZATA
A Minnesota municipal corporation

By: _____
Kenneth Willcox
Its: Mayor

CITY OF WAYZATA
A Minnesota municipal corporation

By: _____
Heidi Nelson
Its: City Manager

STATE OF MINNESOTA)) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by Kenneth Willcox, Mayor of the City of Wayzata, a Minnesota municipal corporation, on behalf of the corporation.

By: _____

Notary Public, State of _____

My Commission Expires _____

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by Heidi Nelson, City Manager of the City of Wayzata, a Minnesota municipal corporation, on behalf of the corporation.

By: _____
 Notary Public, State of _____
 My Commission Expires _____

Exhibit D

EXHIBIT A

[Legal Description or Survey]

Legal Description: Lot 1, Block 1, Enclave at Crossdale, Hennepin County, Minnesota

Exhibit D

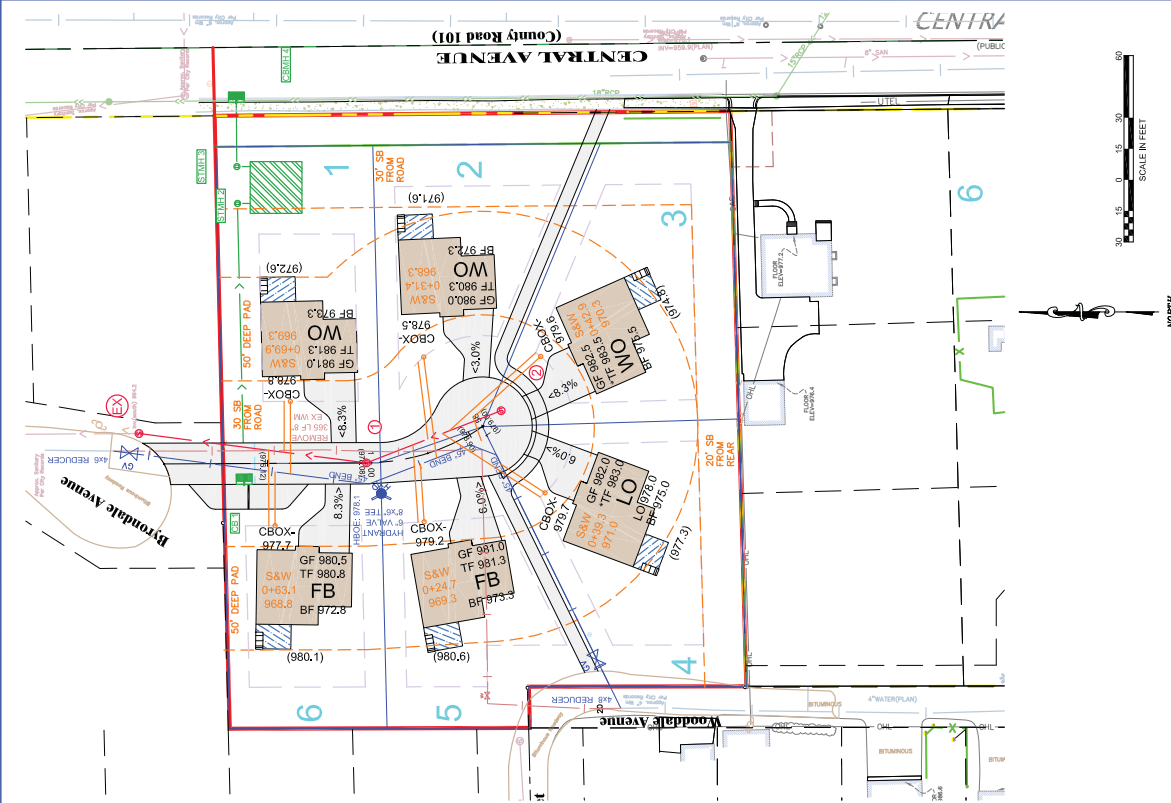
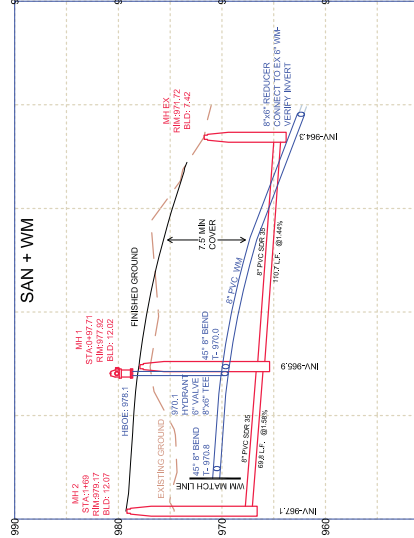
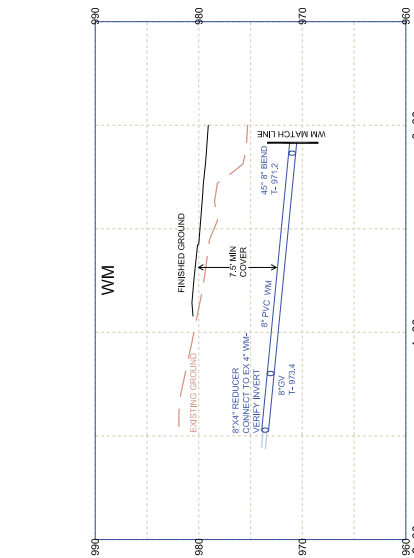
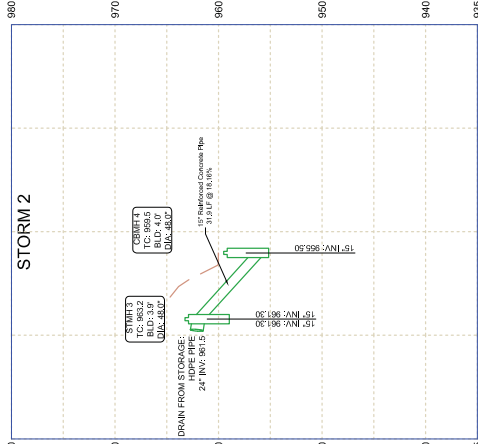
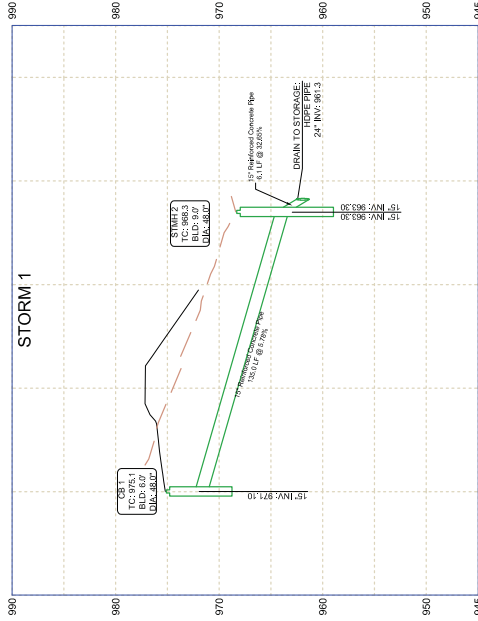
EXHIBIT B

Drainage System Drawing

UTILITY NOTES:

1. CONNECT TO EXISTING SANITARY ON BYRONDALE AVE USING A CORE DRILL
2. EXISTING WATERMAIN IN SITE DOES NOT MEET COVER STANDARDS WITH NEW GRADING; EXISTING LINE MUST BE REMOVED AND REPLACED
3. NO CURB IS TO BE INSTALLED
4. ROAD IS TO BE CROSS SLOPED TO PROMOTE DRAINAGE TO CBMH 1
5. LOT 1 BLOCK 1 HAS A REAR YARD WATER STORAGE CONTAINER TO HOLD ~1,800 FT³ (25' x 25' x 3') OF STORM WATER RUNOFF
6. EXISTING WATER SERVICES TO BE ABANDONED AT MAIN. ANY ABANDONED WATERMAIN TO BE FILLED WITH FLOWABLE FILL AND BULKHEAD. PROVIDE CITY A COPY OF WELL SEALING DOCUMENTATION

Exhibit D



EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION AND DEPTH OF ALL UTILITIES. ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.

NO.	DATE	REVISIONS
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03	11-05-2014	TRIP-UPDATE FOR POSSIBLY SAVED
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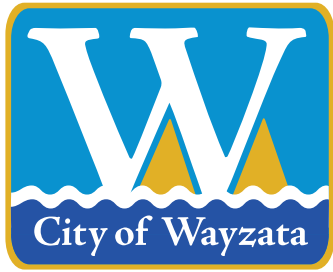
I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.



SATHRE-BERGOUST INC.
100 SOUTH BROADWAY WAYZATA, MN 55391 (651) 754-8800

CITY PROJECT NO. —
WAYZATA, MINNESOTA

FINAL UTILITY PLAN
ENCLAVE AT CROSSDALE
CROSSDALE DEVELOPMENT, LLC
JULY 11, 2014
Page 117 of 264



City of Wayzata

600 Rice Street

Wayzata, MN 55391-1734

Mayor:

Ken Willcox

City Council:

Bridget Anderson

Johanna McCarthy

Andrew Mullin

Steven Tyacke

City Manager:

Heidi Nelson

MEMORANDUM

TO: Mayor and City Council

FROM: Heidi A. Nelson, City Manager
Don Uram, Administrative Services Director

DATE: May 5, 2015

RE: Health Care Facilities Revenue Refunding Bonds – St. Paul HRA

Background

In 2007 and 2009, the Council held public hearings and approved resolutions (26-07 and 31-09) consenting to the issuance of revenue bonds by the City of St. Louis Park for Park Nicollet to finance health care equipment in Wayzata. The opportunity now exists for these outstanding bonds to be refinanced. The current request is for the City to consent to the issuance of refunding bonds by the St. Paul HRA. A public hearing is not required since the new refunding bonds that will be used to repay the Wayzata Equipment will be taxable bonds and that there are no new projects being financed.

Staff Recommendation

Approve Resolution No. 19-2015



Offices in
Minneapolis
Saint Paul
St. Cloud

470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402
(612) 337-9300 telephone
(612) 337-9310 fax
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Affirmative Action, Equal Opportunity Employer

JULIE A. EDDINGTON
Attorney at Law
Direct Dial (612) 337-9213
Email: jeddington@kennedy-graven.com

April 23, 2015

Don Uram
Director of Administrative Services, City of Wayzata
600 Rice Street East
Wayzata, MN 55391

Re: Consent to the issuance of Health Care Facilities Revenue Refunding Bonds (HealthPartners Obligated Group Project), Series 2015 by the Housing and Redevelopment Authority of Saint Paul, Minnesota to refinance, in part, health care equipment located in the City of Wayzata

Dear Don,

Park Nicollet Health Services, Park Nicollet Methodist Hospital, Park Nicollet Clinic, Park Nicollet Health Care Products, and PNMC Holdings (collectively, "Park Nicollet") own and operate health care facilities located throughout the Twin Cities metro area, including the City of Wayzata (the "City"). The City of St. Louis Park ("St. Louis Park") has issued multiple revenue obligations on behalf of Park Nicollet, which financed and refinanced, in part, a CT scanner at the facilities located at 250 North Central Avenue in the City (the "Wayzata Equipment"). There are currently two such revenue obligations outstanding: (i) the Health Care Facilities Revenue Refunding Bonds (Park Nicollet Health Services), Series 2009 (the "Series 2009 Bonds"), issued by St. Louis Park in the original aggregate principal amount of \$188,340,000; and (ii) the Health Care Facilities Revenue Refunding Bonds (Park Nicollet Health Services), Series 2008C (the "Series 2008C Bonds"), issued by St. Louis Park in the original aggregate principal amount of \$221,850,000.

Park Nicollet has now proposed that the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota (the "Authority") issue its revenue obligations, both taxable and tax exempt, in an estimated principal amount not to exceed \$525,000,000 (the "Refunding Bonds") and apply a portion of the proceeds thereof to refund the Series 2009 Bonds and Series 2008C Bonds. Because a portion of the proceeds of the Refunding Bonds will refinance the Wayzata Equipment, the Minnesota Statutes, Section 471.656 requires the City to consent to the issuance of the Refunding Bonds. The Wayzata Equipment is expected to be refinanced specifically with the taxable portion of the Refunding Bonds, so no public hearing will be required under Section 147(f) of the Internal Revenue Code of 1986, as amended.

Enclosed please find a resolution to be considered by the City Council at its meeting on May 5, 2015, which provides the City's consent to the issuance of the Refunding Bonds by the Authority.

Please feel free to contact me if you have questions regarding the foregoing. Thank you very much for your help with this matter.

KENNEDY & GRAVEN, CHARTERED


Julie Eddington

CITY OF WAYZATA, MINNESOTA

RESOLUTION NO. 19-2015

**RESOLUTION CONSENTING TO THE ISSUANCE OF HEALTH
CARE REVENUE REFUNDING BONDS TO REFINANCE
HEALTH CARE FACILITIES LOCATED IN THE CITY**

BE IT RESOLVED by the City Council of the City of Wayzata, Minnesota (the “City”), as follows:

Section 1. Recitals.

1.01. The City is a home rule city duly organized and existing under its Charter and the Constitution and laws of the State of Minnesota.

1.02. Pursuant to Minnesota Statutes, Sections 469.152 through 469.1655, as amended (the “Act”), the City is authorized to carry out the public purposes described in the Act by providing for the issuance of revenue bonds to provide funds to finance or refinance revenue-producing enterprises located within the City, whether or not operated for profit, engaged in providing health care services, including, without limitation, hospitals and related medical facilities or to refund, in whole or in part, bonds previously issued under the authority of the Act.

1.03. Park Nicollet Health Services, Park Nicollet Methodist Hospital, Park Nicollet Clinic, PNMC Holdings, and Park Nicollet Health Care Products, all Minnesota nonprofit corporations (collectively, “Park Nicollet”), have proposed that the City consent to the issuance of revenue bonds, in one or more series, as taxable or tax-exempt obligations in an aggregate principal amount estimated not to exceed \$525,000,000 (the “Refunding Bonds”), by the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota (the “Issuer”), pursuant to the Act. The Refunding Bonds are proposed to refund various bond issues, including but not limited to the (i) Health Care Facilities Revenue Refunding Bonds (Park Nicollet Health Services), Series 2009 (the “Series 2009 Bonds”), issued by the City of St. Louis Park, Minnesota (“St. Louis Park”) in the original aggregate principal amount of \$188,340,000; and (ii) Health Care Facilities Revenue Refunding Bonds (Park Nicollet Health Services), Series 2008C (the “Series 2008C Bonds”), issued by St. Louis Park in the original aggregate principal amount of \$221,850,000.

1.04. A portion of the proceeds of the Series 2009 Bonds and the Series 2008C Bonds were used to refinance the acquisition and installation of a computed tomography (“CT”) scanner at the facilities located at 250 North Central Avenue in the City (the “Wayzata Equipment”).

Section 2. Preliminary Findings. Based on representations made by Park Nicollet to the City to date, the City Council hereby makes the following preliminary findings, determinations, and declarations:

(a) The Issuer will loan a portion of the proceeds of the Refunding Bonds to Park Nicollet to refinance, in part, the Wayzata Equipment. The Issuer will enter into one or more revenue agreements with Park Nicollet requiring loan repayments from Park Nicollet in amounts sufficient to repay the loan when due and requiring Park Nicollet to pay all costs of maintaining and insuring the Wayzata Equipment.

(b) The Refunding Bonds will be special, limited obligations of the Issuer payable solely from the revenues pledged to the payment thereof and will not be a general or moral obligation of the City or be secured by the taxing power or any property or assets of the City.

Section 3. Approval. The City Council hereby approves the issuance of the Refunding Bonds by the Issuer to, among other things, refinance the Wayzata Equipment through the defeasance, redemption, and prepayment of the Series 2009 Bonds and the Series 2008C Bonds, subject to final approval by the Board of Commissioners of the Issuer, following the preparation of bond documents and a determination by the Issuer to issue the Refunding Bonds.

Section 4. Costs. Park Nicollet will pay and upon demand, reimburse the City for payment of, any and all costs incurred by the City in connection with the refinancing of the Wayzata Equipment and the issuance of the Refunding Bonds, whether or not the Refunding Bonds are issued.

Section 5. Effective Date. This resolution shall be in full force and effect from and after its passage.

Adopted by the City Council of the City of Wayzata, Minnesota, on this 5th day of May, 2015.

Mayor Kenneth Willcox

ATTEST:

City Manager Heidi Nelson

CERTIFICATION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

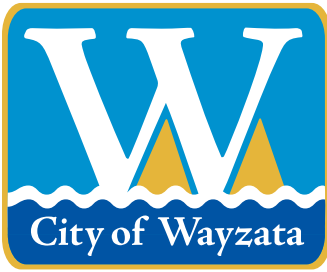
Absent:

Resolution:

I hereby certify that the attached and foregoing is a true and correct copy of Resolution No. 19-2015 adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on May 5, 2015.

Deputy City Clerk Becky Malone

SEAL



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

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

City Manager:
Heidi Nelson

TO: The Honorable Mayor and Members of City Council

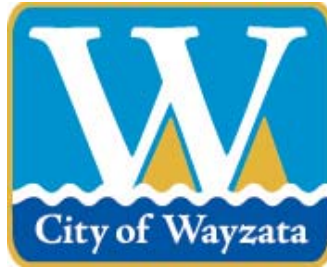
FROM: Kristin Classey, Communications Specialist

DATE: April 22, 2015

RE: Communications Policy

The Communications Advisory Board and staff have drafted a Communications Policy for all city communications. The communications policy will assist staff on how to provide information from the City and promote City-sponsored events and activities to citizens. Currently, the City of Wayzata utilizes WCTV, The Portal, The Patrol, websites (Wayzata.org, lakeeffect.com, wayzatabarandgrill.com, wayzatawineandspirits.com), social media sites such as Facebook and Twitter to communicate messages regarding city business to the public. Upon Council adoption of this policy, City staff will use this policy to assist in disseminating information to residents and those interested in the City of Wayzata. The communications policy amends and replaces the existing social media policy.

Attached is the communications policy Council reviewed and discussed at the April 21, 2015 workshop with the Communications Advisory Board. Discussions will be continuing on the Convention & Visitors Bureau and concept and marketing efforts with the Communications Advisory Board. Staff is recommending that the Council adopt this policy with the understanding that it can be amended in the future to reflect direction in marketing efforts.



COMMUNICATIONS POLICY

I. PURPOSE OF COMMUNICATIONS POLICY

The purpose of this policy is to guide and govern official communications of the City of Wayzata in all forms those communications may take. The City of Wayzata recognizes and values the importance of communications for our community, residents and visitors. This policy applies to all communication channels utilized by the City of Wayzata to disseminate information to various audiences through all forms of media and technology.

The City Manager or the City Manager's designee/s shall be responsible for implementing and enforcing this policy.

II. SCOPE OF CITY OF WAYZATA COMMUNICATIONS

The City of Wayzata should provide a variety of City-sponsored and controlled communication channels with which to provide information from the City and to promote City-sponsored events and activities. Presently, these communication channels include:

- City web sites (wayzata.org, wayzatabarandgrill.com, wayzatawineandspirits.com, and www.wayzatalakeeffect.com)
- City social media pages (facebook.com/cityofwayzata, facebook.com/wayzatabarandgrill, facebook.com/wayzatawineandspirits, facebook.com/WayzataPD and facebook.com/WayzataLakeEffect, and twitter.com/WayzataMNGov, twitter.com/wayzataliquor, twitter.com/wayzatabargrill, and twitter.com/@wlakeeffect; and flickr.com/photos/wayzatalakeeffect)
- City newsletters and updates (The Portal and The Patrol, Friday Update)
- Municipal cable channel 8 (WCTV) with wayzatacommunitytv.org.

The City of Wayzata will design, implement and manage its communication resources as part of its overall communications and marketing strategy.

III. ACCEPTABLE USE OF COMMUNICATIONS

The City of Wayzata communications are intended to support the municipal government functions of the City, provide convenient and efficient access to information about the City of Wayzata and promote City-sponsored events and services. City communications may also include promotions of programs or organizations in which the City has a direct financial involvement, or organizations or businesses with which the City is partnering to advance beneficial community initiatives, programs, services or events.

IV. LOGO

The official logo of the City of Wayzata is for the exclusive use of the City of Wayzata. It should not be modified or altered in any way.

V. EVENT CALENDAR POLICY

The City of Wayzata will maintain an official calendar of the City and make it available on the City website and other appropriate channels. The calendar will only include the following types of events:

1. City government events (e.g. Council, Board and Commission meetings)
2. Events that the City officially sponsors
3. Relevant meetings of any non-City government agency
4. Events open to the general public for which the City approves a special event permit and/or approves the use of public right-of-way or City property

VI. OFFICIAL CITY WEBSITE AND SOCIAL MEDIA ACCOUNTS

a. SCOPE

The City of Wayzata shall maintain an official website for the City which for the purpose of providing the public with accurate and timely information, communicated in a professional manner, and in accordance with the laws regarding public information and data practices. The website should also serve as a public information resource that gives a high level overview of the organizational mission, structure, and operation of the City. The City may also maintain social media accounts and pages, which shall be governed by the same provisions of this policy applicable to the website.

Employees, departments and facilities of the City may not create independent websites or social media accounts and pages related to the City.

The City will determine what information shall and shall not be placed on the website in accordance with this policy.

b. CITY OF WAYZATA WEBSITE MISSION:

- Provide access to information about City of Wayzata services, programs, business units, and activities, City officials and staff, government issues and local government process, and public facilities;
- Encourage community members to participate in City government;
- Offer information in an effective and time-efficient manner;
- Manage the links and material on the website to ensure that the City's information is easily discernible; and
- Promote the community brand of the City of Wayzata to strengthen the desirability of the City as a destination and premier tourist attraction in the metropolitan area.

c. DOMAIN NAME AND PRIMARY ONLINE INFORMATION SOURCE

The City's official website shall be located at www.wayzata.org and shall remain the City's primary online medium for communicating information to the public.

d. CONTENT PARAMENTERS

The City's official website and its associated content should focus on significant City interest areas and be organized in a manner that avoids ambiguities and/or conflicting information across the City's various communication mediums, including City social media pages.

Wherever possible, content posted to the official City of Wayzata website will also be shared on the City's social media pages.

Wherever possible, content posted to City of Wayzata social media pages should contain links directing users back to the City's official website for in-depth information, forms, documents or online services necessary to conduct business with the City of Wayzata.

The City's official website and social media accounts should be consistently branded with the identity guidelines and logo standards for the City in order to communicate a clear association with the City. This should include the inclusion of the official City logo, the official website colors and font style format.

Administration and use of the City website and social media accounts must comply with applicable laws, regulations and policies, as well as best practices. The official City website and social media accounts may not be used by any City employee or representative for private or personal purposes, or for the purpose of expressing private or personal views on personnel, political or policy issues. The official City website and social media accounts shall not be used by the City or any City employee or representative to disclose sensitive and/or confidential information, such as personal or private information about City employees.

Website content and social media page and posts may not contain any of the following content:

- i. Content that is of an editorial or biased nature or that is not produced by an official organization /unit of government;
- ii. Comments in support of or opposition to political campaigns or ballot measures;
- iii. Profane language or content;
- iv. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
- v. Sexual content or links to sexual content;
- vi. Solicitations of commerce;
- vii. Conduct or encouragement of illegal activity;
- viii. Information that may tend to compromise the safety or security of the public or public systems;
- ix. Content that violates a legal ownership interest of any other party;
- x. Any harassing comments;
- xi. Any media content or image that could be deemed suggestive, subjective or offensive in nature as inappropriate to all audiences.

e. REMOVING CONTENT

Any content posted on the City's official website or via social media accounts not in accordance with this policy shall be removed promptly after a screen shot of the page is captured.

f. LINKS POLICY AND NOTICES

The purpose of the City of Wayzata website is to provide information about the City's government, services and attractions. The City's official website may provide links to other external websites only that complement, enhance or add to this information. The City shall include a notice on the website and accompanying such links that the City is not responsible for and does not endorse the information on any linked website unless the City's website states otherwise, and any other notice and disclaimer recommended by the City Attorney.

The City of Wayzata official website should link only to related government organizations and nonprofits that provide services and information that support the functions and services that the City provides. In general, this would be limited to the following:

- Organizations the City supports financially;
- Organizations in which the City participates through joint powers agreements;
- Organizations in which the City has a membership;
- Organizations with which the City is partnering to advance a particular initiative or program;
- Other government entities and quasi-government entities, such as watershed and park districts;
- Public education institutions and their extension services;
- Public utilities that serve the City of Wayzata;
- Social media sites on which the City communications department has established an official City social media page;
- Websites of private contractors hired by the City of Wayzata to provide a City service such as garbage collection; and/or
- Listing of faith community organizations in Wayzata.

g. NOTICES AND DISCLAIMER

The City of Wayzata website and social media sites shall include the notices and disclaimers consistent with best practices and recommended by the City Attorney.

VII. COPYRIGHT

The City will retain copyright and other intellectual property rights in all content it produces for the official City website and social media pages, including all text, graphics and images, unless otherwise noted. Content generated by others who are not employees, or independent contractors developing the content as work made for hire for the City of Wayzata, will be used only if the City has obtained prior, written permission to use the content. The City will use appropriate notices for all City-owned and third party content.



Planning Report
Wayzata Planning Commission
May 4, 2015
Wayzata City Council
May 5, 2015

Project Name:	Bailey Woods
File Number:	PR 2014-16
Applicant/Owner:	Fritz Gullickson
Address of Request:	637 Harmony Circle
Property ID #s:	31-118-22-44-0036
Prepared by:	Bryan Gadow, City Planner
Planning Commission Review:	May 4, 2015
City Council Review:	May 5, 2015
“120 Day” Decision Deadline:	May 23, 2015

PROJECT SUMMARY

Section 1. Development Application

- 1.1. Background. In 2014, Mr. Fritz Gullickson (the “Applicant”) submitted a Development Application (the “Original Application”) requesting concurrent preliminary and final plat subdivision approval (the “Subdivision” or the “Preliminary/Final Plat”) to divide 37,565 SF parcel into two (2) new lots at 637 Harmony Circle (the “Property”). At the time of the Original Application, the Applicant included images and plans for two (2) story residences on the two lots for review by the Planning Commission and City Council.

The Original Application was reviewed by the Planning Commission on January 26, 2015 and February 23, 2015. The Planning Commission found that the submitted house plans were not similar to the architectural appearance, scale, and mass in the surrounding neighborhood, and requested the Applicant submit alternative plans. The Planning Commission recommended approval of the Original Application with multiple conditions.

The City Council began their review of the Application on March 3, 2015, and continued their review to March 17, 2015. On March 17, 2015, the Council directed staff to prepare a draft resolution for approval with a number of conditions pertaining to the architectural design of the single family residences, among other items.

After conclusion of the Council meeting on March 17th, the Applicant contacted staff and indicated that they did not own the rights to the architectural plans included in the Council's motion, and wanted to pursue a different architectural design for the homes. The Applicant reached out to the architecture and building firm of Charles Cudd & Co, who had expressed interest in building two one (1) story style structures on the lots if they were subdivided. The Applicant requested a workshop meeting with the Council to receive feedback on a one story style option for the lots, and granted the City a time extension for review of the subdivision application.

The City Council held a workshop on April 21, 2015 with the Applicant and Mr. Rick Denman from Charles Cudd & Co regarding the revised building concept plans for two one (1) story style structures. Charles Cudd & Co has modified the garage location on the proposed house for Lot 1 so that the existing Bur Oak tree would not be impacted by the driveway location. The Council was generally supportive of the revised building plans, and asked Charles Cudd & Co to submit a revised preliminary plat to reflect the new residential designs and building pads for review by the Planning Commission and City Council.

Charles Cudd & Co has submitted a revised preliminary plat and architectural plans reflecting two one (1) story style homes on the lot (the "Revised Application").

Along with the Development Application, the following plans are included with this Application as Attachment A:

- Existing Conditions Survey
- Revised Preliminary Plat, with Grading, Utility, and Tree Inventory Plan
- Final Plat
- Revised New Residences Images and Plans

1.2 Project Location.

The proposed Subdivision would be built on property located within the Harmony Circle neighborhood. The Harmony Circle neighborhood developed in the early 1950s, with many of the homes reflecting a one story or one and half story aesthetic. The Applicant has met with neighborhood residents to review the Project and review feedback.

Map 1: Project Location.



The property identification numbers and owners for the Property involved in the proposed Application is as follows:

637 Harmony Circle	31-118-22-44-0036	Fritz Jon Gullickson
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1.3 Area Land Uses.

Uses in the general vicinity are entirely single family residential, with the area zoned for R-3 Single and Two Family Residential (9,000 SF minimum lot sizes).

1.4 Public Hearing Notice.

Zoning Ordinance Section 805.14 requires the Planning Commission to hold a public hearing on the Subdivision Application. The Notice of Public Hearing was published in the *Lakeshore Weekly* on January 13, 2015. A copy of the Notice of Public Hearing was also mailed to all property owners located within 350 feet of the subject Property on January 15, 2015.

SECTION 2. ANALYSIS OF CURRENT DEVELOPMENT PROPOSAL

2.1 Lot Arrangement.

The proposed Subdivision would result in two (2) parcels, together totaling 37,565 SF or 0.86 acres. The proposed lot sizes would be range between 49,480 SF and 50,540 SF. All of the lots proposed would 17,166 SF (Lot 1) and 20,399 SF (Lot 2) and exceed the R-3 District lot area minimum requirement of 9,000 SF.

Table 1: Proposed Lot Sizes

Lot	Lot Size (SF)
1	17,166 SF
2	20,399 SF
Average	18,782 SF

Table 2: Adjacent Lot Sizes

Address	Lot Size (SF)	Acres
697 Harmony Circle	10,845	0.25
691 Harmony Circle	10,845	0.25
685 Harmony Circle	10,845	0.25
679 Harmony Circle	11,772	0.27
675 Harmony Circle	14,451	0.33
671 Harmony Circle	18,520	0.43
667 Harmony Circle	19,632	0.45
663 Harmony Circle	25,456	0.58
659 Harmony Circle	31,948	0.73
655 Harmony Circle	21,163	0.49
645 Harmony Circle	35,881	0.82
633 Harmony Circle	34,275	0.79
631 Harmony Circle	16,091	0.37
627 Harmony Circle	10,509	0.24
623 Harmony Circle	10,564	0.24

615 Harmony Circle	10,548	0.24
609 Harmony Circle	10,532	0.24
605 Harmony Circle	10,516	0.24
625 Rosswood Lane	12,958	0.30
635 Rosswood Lane	15,358	0.35
641 Rosswood Lane	13,758	0.32
659 Rosswood Lane	16,475	0.38
665 Rosswood Lane	12,478	0.29
696 Harmony Circle	11,838	0.27
672 Harmony Circle	13,439	0.31
660 Harmony Circle	15,079	0.35
654 Harmony Circle	17,660	0.41
648 Harmony Circle	16,555	0.38
642 Harmony Circle	15,341	0.35
636 Harmony Circle	15,246	0.35
630 Harmony Circle	15,555	0.36

2.2 Housing Unit Density.

The Subdivision consists of 2 single-family homes on a 0.86 acre site. This yields a total project density of 1 dwelling unit per .43 acres, which meets the density requirements of 1 to 4 units per acre within the Low Density Single Family Residential guidance in the Comprehensive Plan.

2.3 Zoning.

The Property is located in the R-3, Single and Two Family Residential District. The R-3 District prescribes minimum design criteria for the creation of lots and platting of land. The following minimum standards for the R-3 District apply to this Preliminary/Final Plat:

Table 4: R-3 Zoning District Requirements

R-3 District	Standard
Minimum Lot Area	9,000 square feet
Minimum Lot Width	60 feet
Minimum Lot Depth	100 feet
Front Yard Setback (min.)	20 feet
Side Yard Setback (min.)	10 feet
Rear Yard Setback (min.)	20 feet
Lot Coverage	30%
Impervious Surface	35%
Building Height	30 ft to the midpoint of the roof, 35 ft to the peak of roof, 2.5 stories

As shown on the submitted Plat, the proposed division would result in two (2) buildable parcels that would meet minimum standards of the R-3 District and therefore would be conforming lots.

Table 5: Proposed Development Plan

	Lot 1	Lot 2
Lot Area	17,166 SF	20,399 SF
Lot Width	60 ft	60 ft
Lot Depth	253 ft	253 ft
Front Yard Setback	40.1 ft	23.7 ft
Side Yard Setback	10 ft & 10.1 ft	10.1 ft & 15.8 ft
Rear Yard Setback	156 ft	168 ft
Proposed Lot Coverage	11.9% (2,039 SF)	10.6% (2,156 SF)
Proposed Hardcover	19.5% (3,352 SF)	15.5% (3,152 SF)
Proposed Height	24 ft, 9 inches	23 ft

Building images and plans for the two residences have been provided by the Applicant for review by the Planning Commission and City Council. If the Subdivision is approved, the building plans would undergo additional review prior to any building permit approval.

2.4 Tree Inventory.

The Application materials include a tree inventory of the Property, which shows a total of sixteen (16) significant trees on the property having a minimum diameter of 6 inches. The property includes a wide variety of species: Maple, Linden, Oak, Cottonwood, and Spruce. The Applicant has revised the plans to preserve the thirty four inch (34") Burr Oak on Lot 1. All trees would be protected with silt fence during construction.

2.7 Grading and Utilities.

The Applicant's site plan shows the addition of fill as part of the construction of the two story walk out homes, with the proposed homes being 1-1.8 ft above existing elevation at the front of the building pads. The proposed grading would be reviewed further prior to any building permit approval to determine if the proposed grading is appropriate for the sites. The Applicant would connect to existing water and sanitary sewer lines on Harmony Circle. In addition, the Applicant would abandon an existing storm sewer line running along the northern portion of the Property, and locate a new storm sewer line between Lots 1 and 2. Grading and Utility information is included on the Applicant's revised Preliminary Plat document included as Attachment A.

Section 3. Applicable Code Provisions for Review

3.1 Subdivision Ordinance

Section 805.14(e) provides criteria for the Planning Commission to evaluate when reviewing a Preliminary Plat. In this review, the Planning Commission should determine if the proposed subdivision would have an adverse impact on the site or surrounding area. The following are the factors from this section for consideration. Included is Staff's evaluation of each of the factors.

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

The proposed Subdivision conforms with low density development for this residential area. Lot sizes exceed the 9,000 SF minimum of an R-3 area. The proposed subdivision would meet the low density single family guidance in the Comprehensive Plan.

- B. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.

The Applicant's submittal materials show that zero (0) trees will need to be removed as a result of the Project.

- C. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filling or grading.

The proposed grading plan submitted with the Application shows a change of 1-1.8 ft from existing grade at the front of the building pads with additional fill for the proposed homes. The grading plan will need final approval by the City Engineer prior to any construction work so that land disruption is minimized.

- D. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.

The Applicant's submittal materials show that zero (0) trees will need to be removed as a result of the Project. The existing tree coverage in the rear of the Property is depicted as being preserved, and protected during construction with silt fence.

- E. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.

The proposed lots conform with other lots in the immediate vicinity in terms of lot size.

- F. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.

The location of the proposed building pads is similar to other larger lots in the immediate vicinity.

- G. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.

The proposed lot sizes are similar to those in the area. The proposed lot exceeds the R-3 District minimums for lot area.

- H. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.

The Applicant has provided images of the proposed two new residences, which are one (1) story in design. The Planning Commission and City Council should review and comment on the proposed residential plans.

- I. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.

Not applicable, as the City does not have single family residential design standards. The proposed building designs would be required to meet the R-3 District standards.

- J. The proposed lot layout and building pads shall conform with all performance standards contained herein.

The proposed lot layouts and building pads meet the performance requirements of R-3 District in terms of lot area and dimensions.

- K. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.

The proposed two lots would not be dissimilar from other larger lots in the neighborhood in terms of lot size.

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

The Project has access to City sanitary sewer and water services, and would not over-burden these systems.

- 3.2 Concurrent Preliminary/Final Plat. Section 805.15 of the Subdivision Ordinance allows the City to review the preliminary and final plat simultaneously. The final plat shall incorporate all changes, modifications, and revisions required by the City. Otherwise, it shall conform to the approved preliminary plat.

- 3.3 Parkland Dedication Fee. Section 805.37 of the Subdivision Ordinance requires a parkland dedication fee for new single family lots at the time of recording of the Final Plat.

Section 4. Staff Input

Staff has reviewed the proposal. Comments from each department are as follows.

4.1 City Engineer

- Existing services (water) shall be abandoned at main if less than one inch (1").
- New water services shall be one inch (1") minimum.
- Existing service sewer shall be televised prior to reconnection.
- Existing storm sewer on north parcel shall be relocated and easement recorded.

Section 5. Conditions of Approval

Based upon the Planning Commission Report and Recommendation and City Council comments during the review of the Original Application and the Council workshop on the Revised Application, the following are proposed conditions of approval for the Revised Application:

- A. The Applicant and/or future homeowners shall construct the residences in the Proposed Subdivision according to the revised residential building plans presented to the Planning Commission on May 4, 2015, included as Attachment A to this Report. The revised residential building plans reflect two one (1) story structures that are similar to the character of the surrounding neighborhood. Any alternative or substantially modified final building plans that differ materially from those depicted in Attachment A to this Report must be reviewed by the Planning Commission and approved by the City Council to ensure that such building plans would result in buildings that are similar to the characteristics and quality of the existing homes in the neighborhood as required under Section 805.14.E.8.
- B. The Applicant and/or future homeowners shall construct the residential buildings with the same high quality materials as presented by the Applicant at the Planning Commission's January 26, 2015 meeting. Any deviations from such building materials must be reviewed by the Planning Commission and approved by the City Council to ensure that the building materials are compatible with the characteristics and quality of the existing homes in the neighborhood as required under Section 805.14.E.8 and 805.14.E.9.
- C. The Applicant and/or future homeowners must work with the City Forester on a landscape plan for Lots 1 and 2, which incorporate native trees and plants, and at least five (5) to six (6) evergreens between Lot 1 and the property at 645 Harmony Circle, and three (3) additional mature trees on the Property.
- D. The Applicant and/or future homeowners must construct the proposed residences (depicted in Attachment A), in such a manner that neither home exceeds twenty eight (28) ft in height as viewed and measured from the adjacent street.
- E. The Applicant and/or future homeowners must take all necessary measures, as directed by the City Engineer, to prevent water runoff into the wetlands in the rear of the Property during construction.
- F. The City Engineer's approval must be secured for a grading plan, prior to any construction work on the Property so that land disruption is minimized.

- G. The Applicant and/or future homeowners shall ensure that the Project meets all of the performance standards required by the City's Zoning Ordinance.
- H. The following comments of City Staff outlined in the Planning Report on the Application dated January 26, 2015 must be incorporated into the Final Plat:
 - 1. Existing services (water) shall be abandoned at main if less than one inch (1").
 - 2. New water services shall be one inch (1") minimum.
 - 3. Existing service sewer shall be televised to document structural integrity prior to reconnection.
 - 4. Existing storm sewer on north parcel shall be relocated and easement recorded.
- I. The Applicant and/or future homeowners must secure all necessary building permits for construction, and conform to all laws and regulations applicable to the Project.
- J. All expenses of the City of Wayzata, including consultant, expert, legal, planning, and Park Dedication fees incurred must be fully reimbursed by the Applicant.
- K. The Applicant must record the Final Plat document with the appropriate Hennepin County officials within one hundred twenty (120) days in conformance with Section 805.15.E.7, and provide a recorded copy to the City.
- L. The Applicant must take the steps necessary to preserve the existing Bur Oak tree on Lot 1 during construction, in consultation with the City Forester and City Tree Consultant.

Section 6. Action Steps.

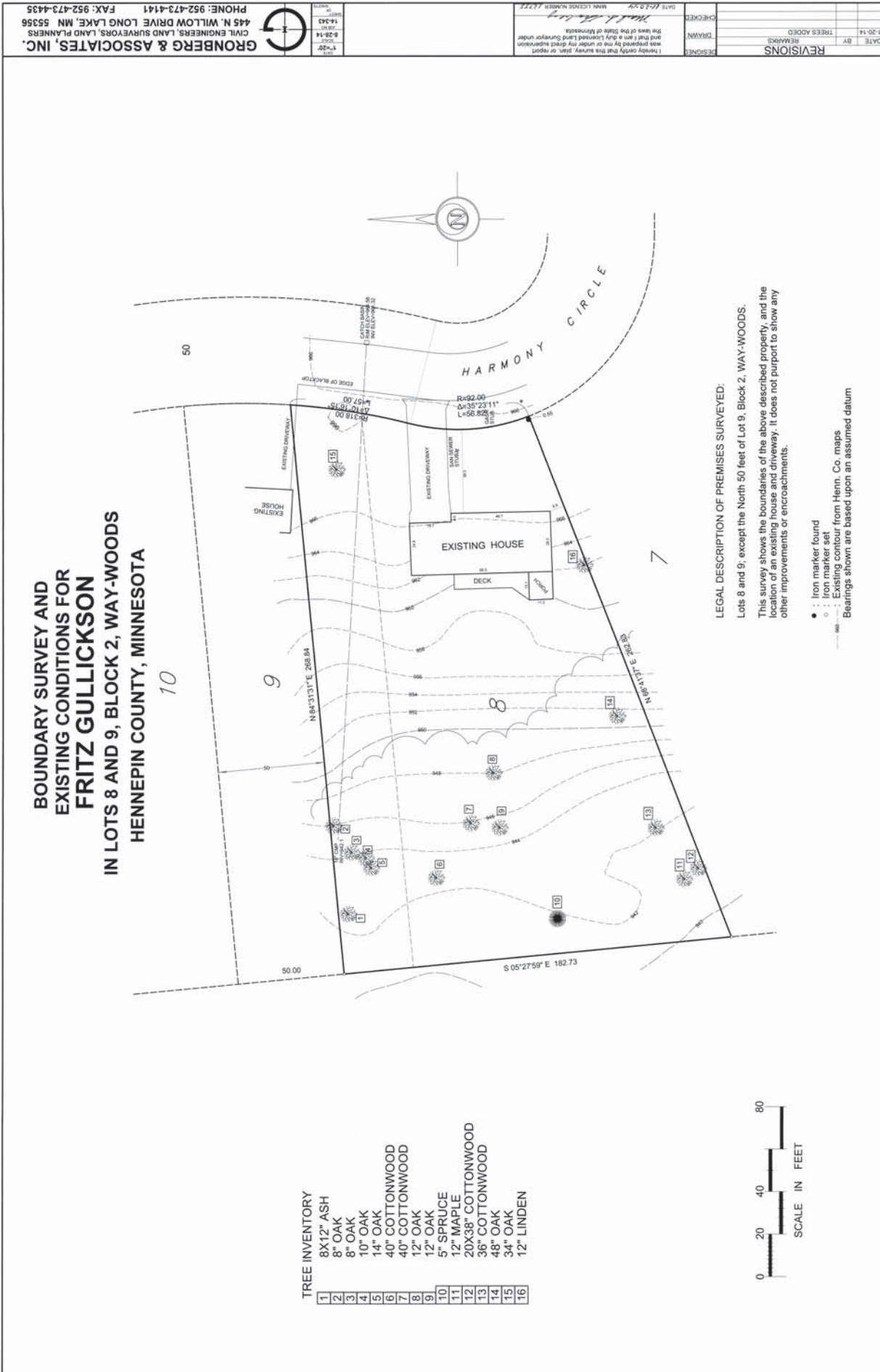
After considering the items outlined in this Report, the City Council should pursue one of the following options as an action step:

- 1. Adopt the draft approval Resolution No. 21-2015 included as Attachment B of this Report.
- 2. If the Council wishes to significantly modify the Resolution for approval, the Council should direct staff to prepare a revised Resolution 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: Applicant Submittals:
 - o Existing Conditions Survey
 - o Preliminary Plat and Proposed Grading, Utilities, and Tree Inventory
 - o Final Plat

- o Single Family Residential Designs
- Attachment B: Draft Resolution 21-2015



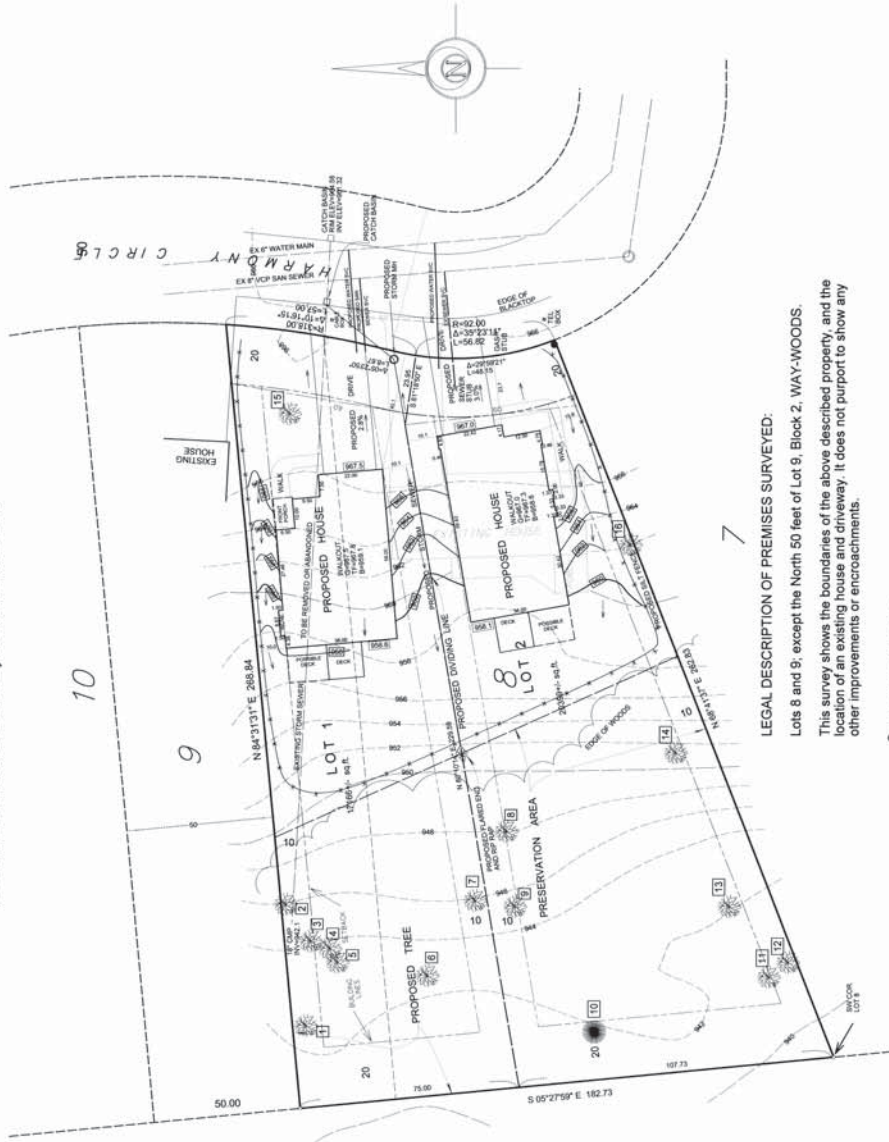
HARDCOVER CALCULATIONS	
LOT 1	17168+ S.F.
HOUSE	2032+ S.F.
PORCH	170+ S.F.
WALKWAY	821+ S.F.
DECK	123+ S.F.
POSSIBLE DECK	144+ S.F.
TOTAL	3352+ S.F.
3352/17168 = 19.53%	
LOT 2	20399+ S.F.
HOUSE	2156+ S.F.
DRIVEWAY	152+ S.F.
DECK	234+ S.F.
POSSIBLE DECK	142+ S.F.
TOTAL	3152+ S.F.
3152/20399 = 15.45%	

TREE INVENTORY	
1	8X12" ASH
2	8" OAK
3	8" OAK
4	10" OAK
5	14" OAK
6	40" COTTONWOOD
7	40" COTTONWOOD
8	12" OAK
9	12" OAK
10	5" SPRUCE
11	12" MAPLE
12	20X38" COTTONWOOD
13	36" COTTONWOOD
14	48" OAK
15	34" OAK
16	12" LINDEN

NO TREES ARE PROPOSED TO BE REMOVED



PROPOSED GRADING, UTILITIES AND
PRELIMINARY PLAT FOR
FRITZ GULLICKSON
IN LOTS 8 AND 9, BLOCK 2, WAY-WOODS
HENNEPIN COUNTY, MINNESOTA



LEGAL DESCRIPTION OF PREMISES SURVEYED:

Lots 8 and 9, except the North 50 feet of Lot 9, Block 2, WAY-WOODS.

This survey shows the boundaries of the above described property, and the location of an existing house and driveway. It does not purport to show any other improvements or encroachments.

- Iron marker found
 - Iron marker set
 - Proposed spot elevation
 - Existing contour line
 - Proposed contour line
- Bearings shown are based upon an assumed datum
NOTE: Topo is from Henn. Co. Nat. Res. website

GRONBERG & ASSOCIATES, INC.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
445 N. WILLOW DRIVE LONG LAKE, MN 55356
PHONE: 952-473-4141 FAX: 952-473-4435

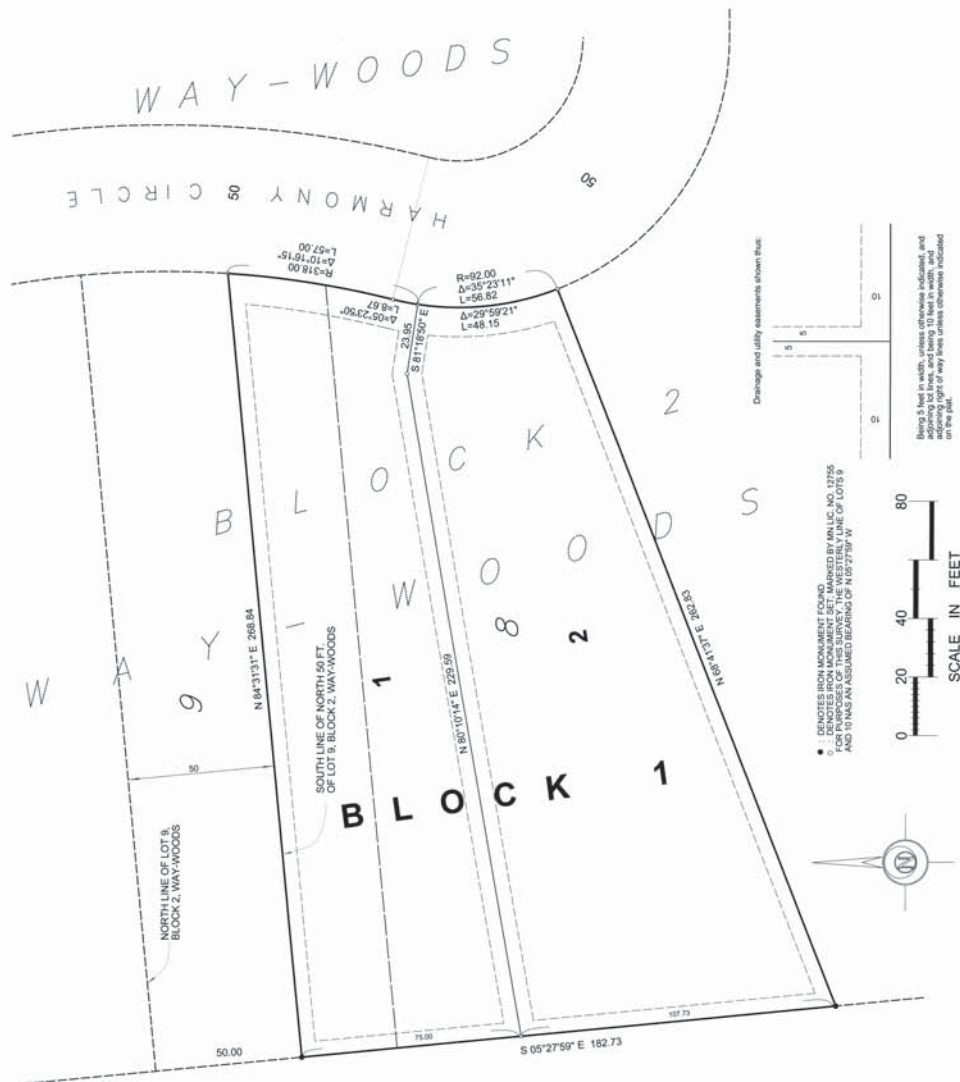


DATE: 7-17-15
DRAWN: [Signature]
CHECKED: [Signature]
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
MAIN LICENSE NUMBER: 27735

REVISIONS	DATE	BY	REMARKS

C.R.DOC.NO.

By _____, Deputy
MARTIN MCCORMICK, HENNEPIN COUNTY RECORDER



GRONBERG & ASSOCIATES, INC.
ENGINEERS, LAND SURVEYORS, PLANNERS

Attachment A



Lot 2 (South Lot)

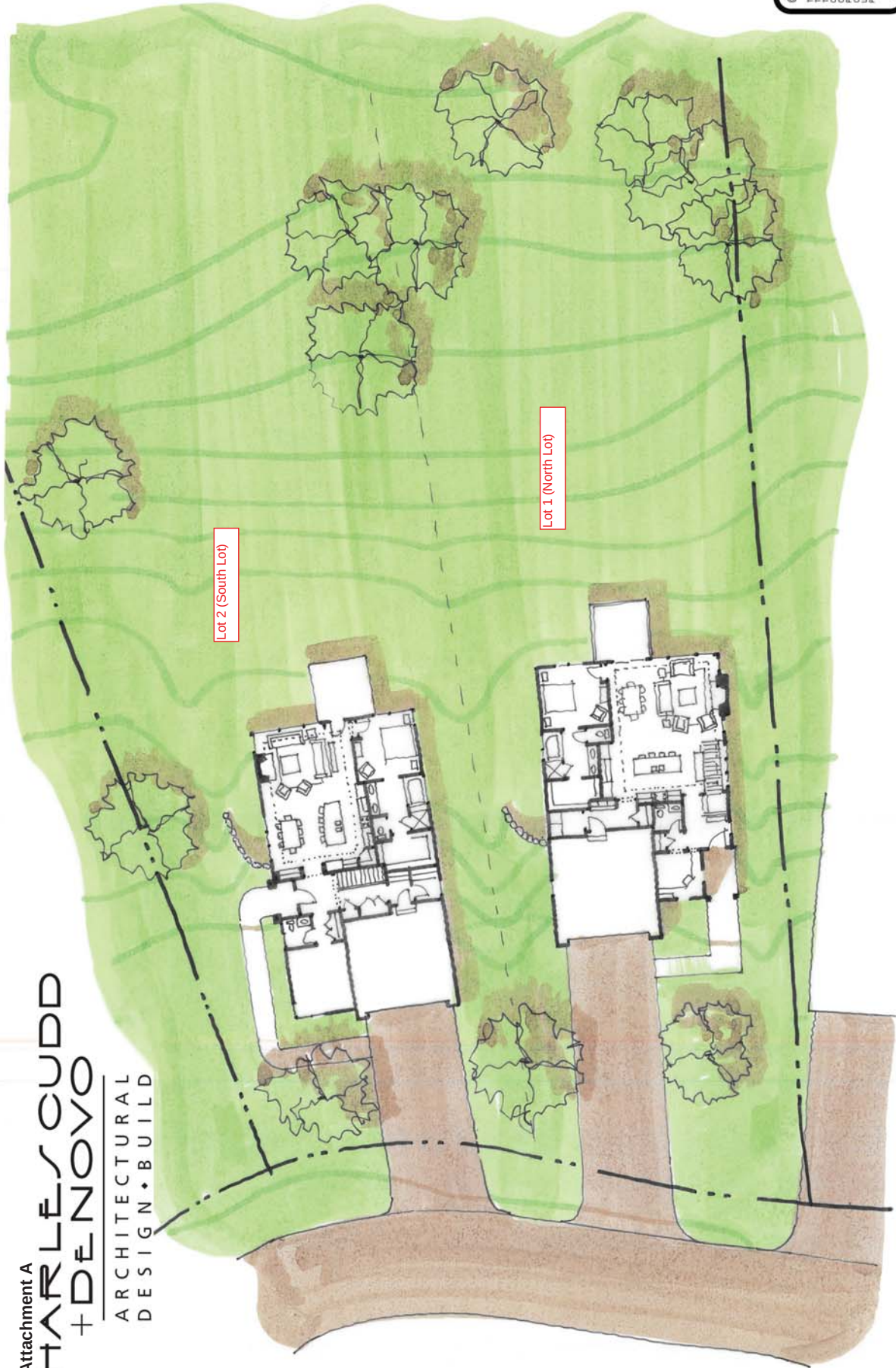
Lot 1 (North Lot)

CHARLES CUDD + DE NOVO

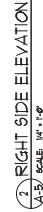
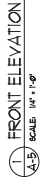
ARCHITECTURAL DESIGN • BUILD

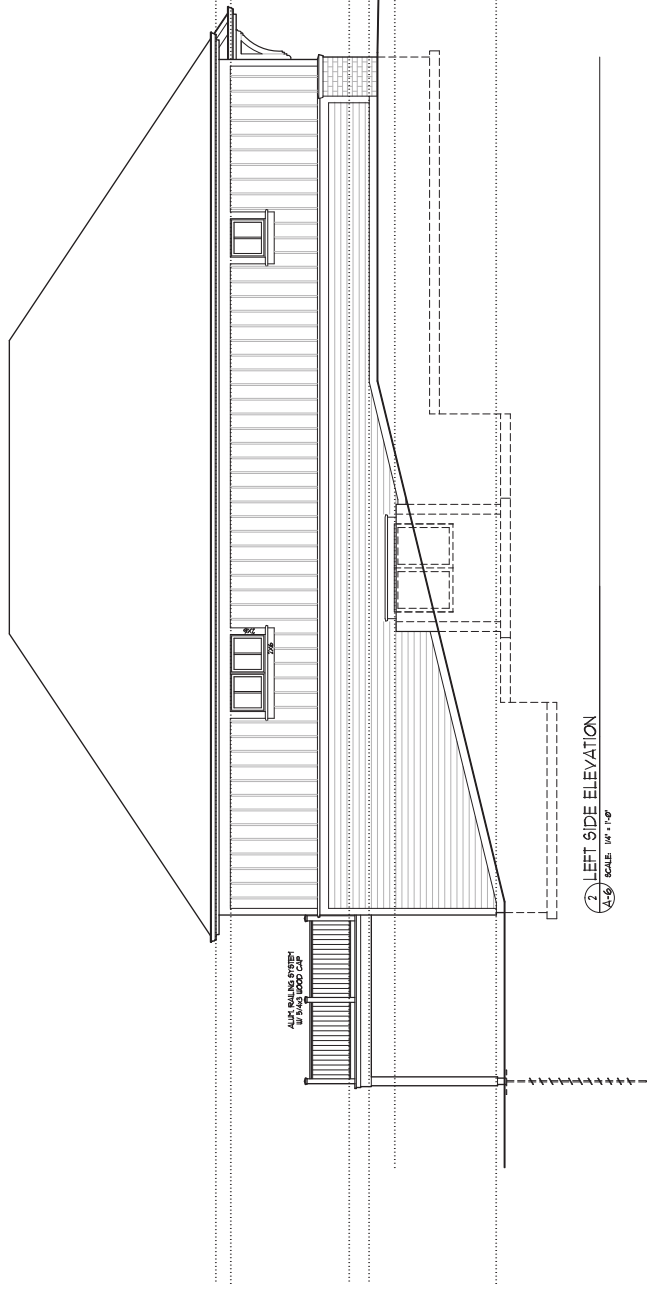
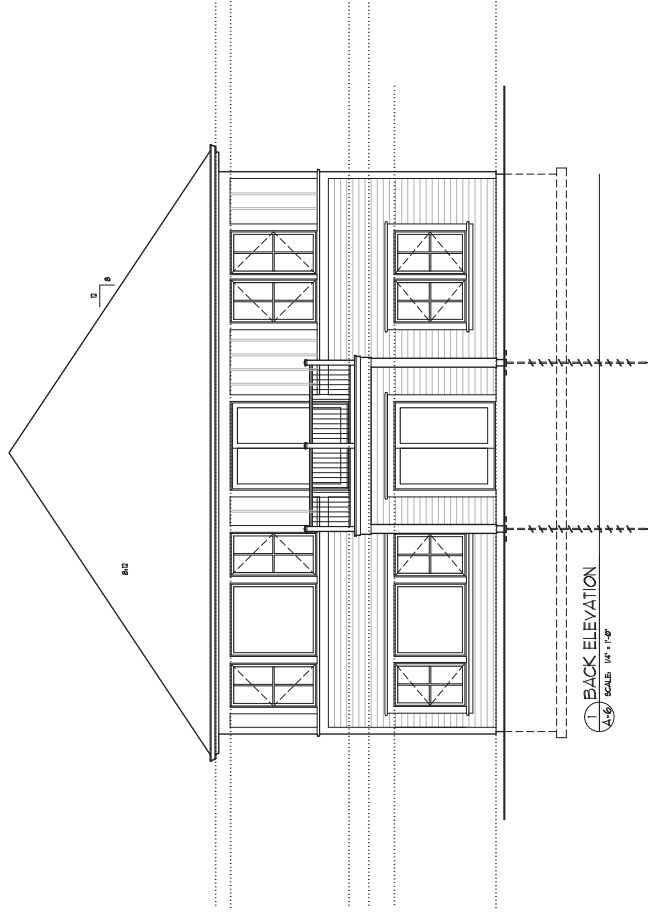
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THE HOME CONSTRUCTED PURSUANT
TO THEM ARE THE EXCLUSIVE
PROPERTY OF CHARLES CUDD DE
NOVO, LLC AND ARE
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USE OF THESE PLANS IS STRICTLY
PROHIBITED.
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Printed at 262

Attachment A
CHARLÈS CUDD
+ DE NOVO
ARCHITECTURAL
DESIGN • BUILD

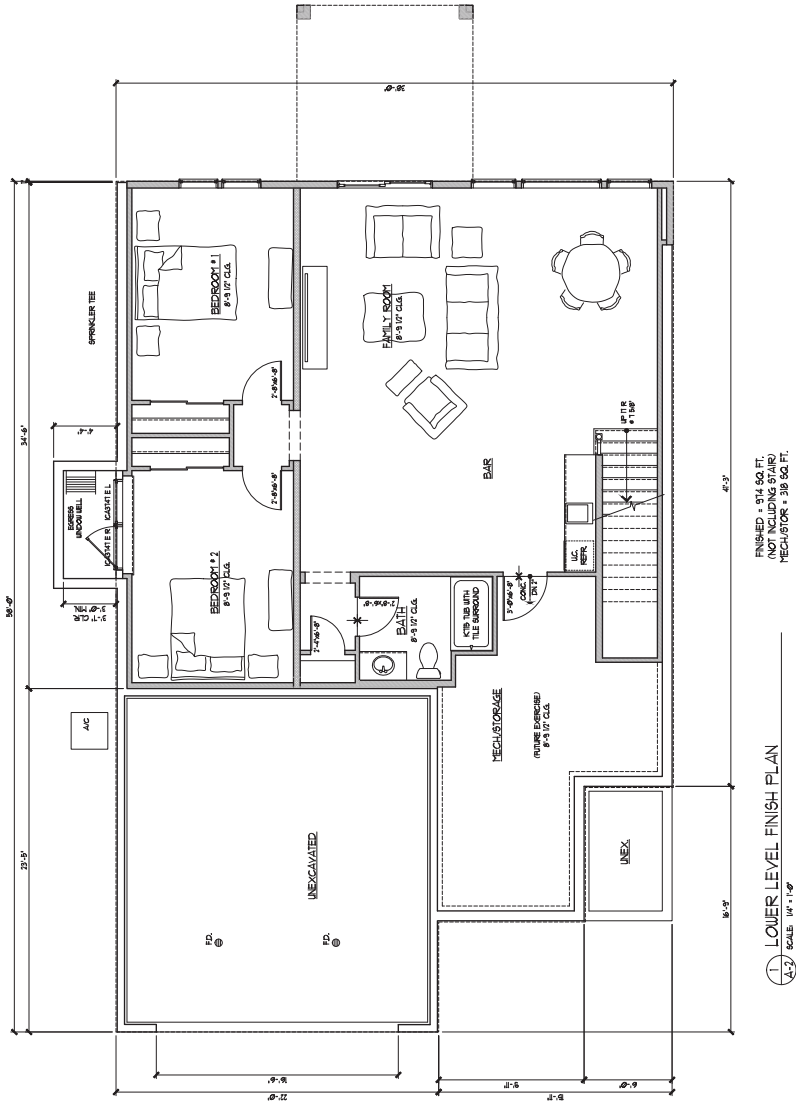


© Charles Cudd De Novo, LLC
THESE ARCHITECTURAL PLANS AND
THE NAME CONSTRUCTED PURSUANT
TO THE AGREEMENT BETWEEN
CHARLES CUDD DE NOVO, LLC AND
CUDDE DE NOVO, LLC AND ARE
THE PROPERTY OF CHARLES
CUDD DE NOVO, LLC AND ARE
NOT TO BE REPRODUCED OR
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USE OF THESE PLANS IS STRICTLY
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CC_05052019-1911 © 2009
Page 1 of 1





[illegible]



FINISHED - 8'11" 40 FT.
NOT INCLUDING STAIRS
MECH. STOR. + 38' 50 FT.

1. LOWER LEVEL FINISH PLAN
A-2 SCALE: 1/4" = 1'-0"

A-2
SHEET NO.

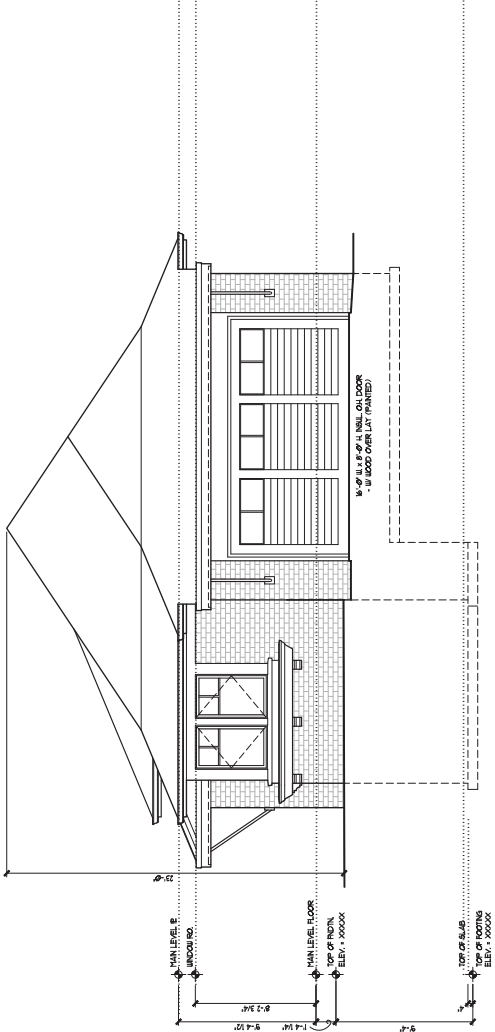
REVISIONS / ISSUE DATES
DATE DESCRIPTION DATE DESCRIPTION
1.00 1.00 1.00 1.00

DATE DRAWN
DATE CHECKED
DATE REVISION

PROJECT
JOB NO.
ADDRESS: XXXXX, NM
HARMONY CIRCLE VILLO 38 X 58

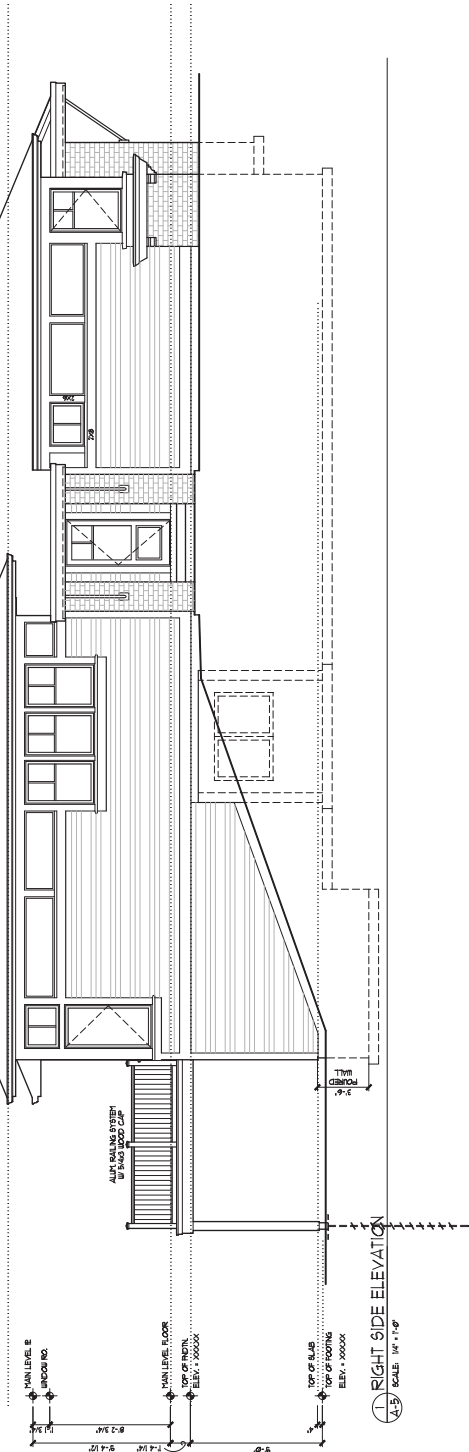
CHARLES + DE NOVO
ARCHITECTURAL
DESIGN BUILD
1500 2nd Ave. N. • Plymouth, NM 8647 • 505.333.0020 phone
charlesandnovo.com • charlesandnovo.com

Lot 2 (South Lot): Building Elevations



1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

NOTES:
- TRIM HEIGHT TO BE 1'-3 1/4"
- ALL TRIM TO BE 1/2" X 4" PINE
- TRIM TO BE 1/2" X 4" PINE
- TRIM TO BE 1/2" X 4" PINE



2 RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

CHARLES/CUDD
ARCHITECTURAL
DESIGN • BUILD
15000 27th Ave. N. • Plymouth, MN 55447 • 612-333-0020 phone
charles@cudd.com • cdesign@cudd.com

Charles Cudd Design, LLC
15000 27th Ave. N. • Plymouth, MN 55447 • 612-333-0020 phone
charles@cudd.com • cdesign@cudd.com

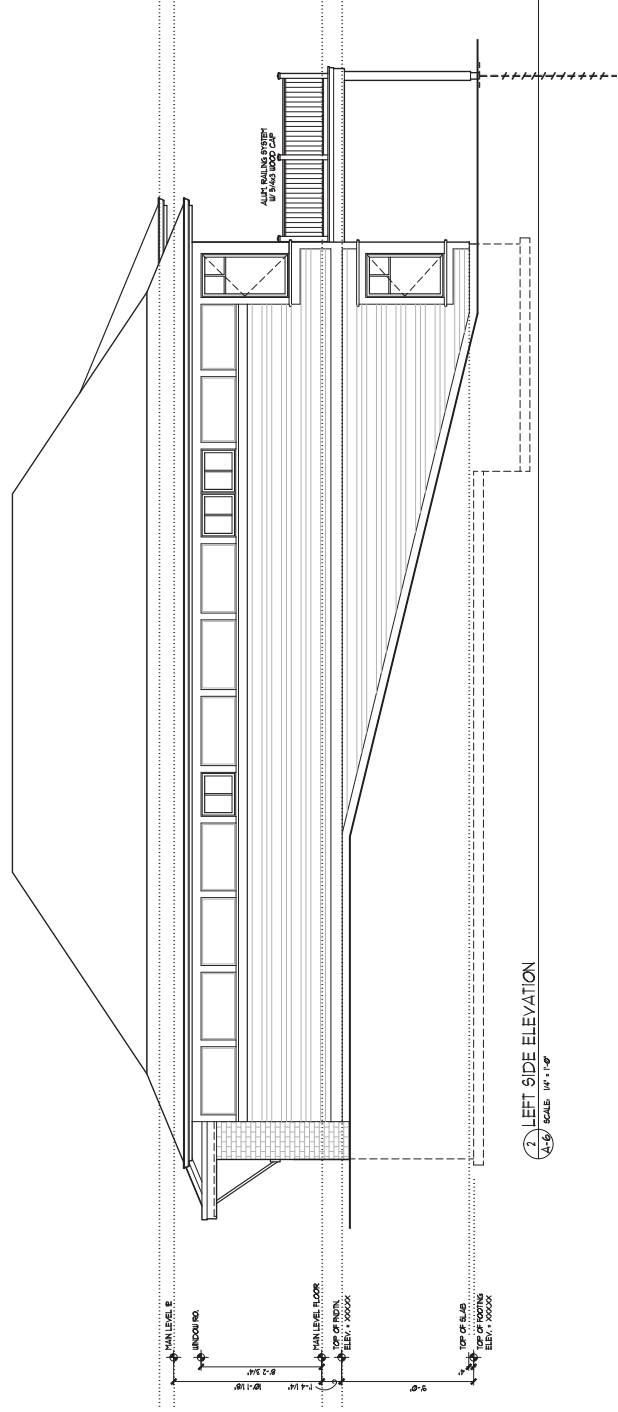
PROJECT: Harmony Circle Villa 34 X 62
JOB NO.: X
BLOCK NO.: X
ADDRESS: XXXXX, MN
REFERENCE FROM: XXXXX

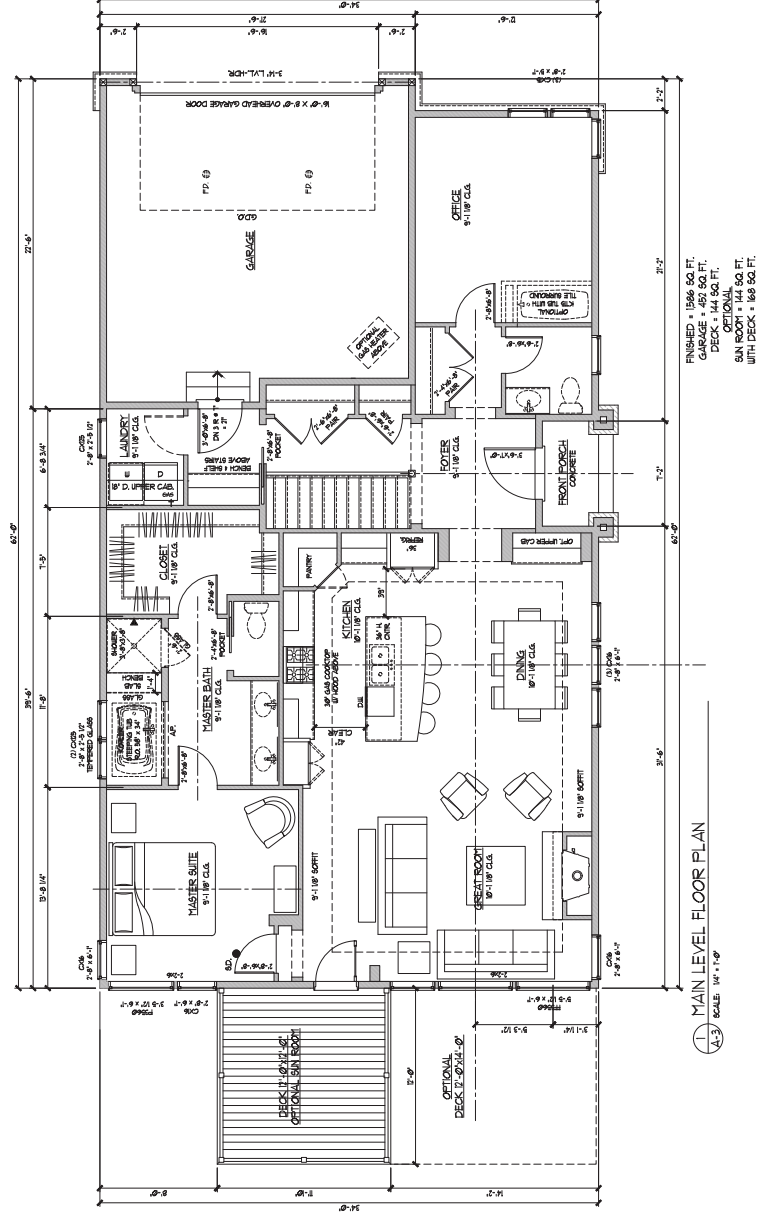
REVISIONS / ISSUE DATES
DATE DESCRIPTION DATE DESCRIPTION
1/1/2020 1/1/2020

DRAWN BY: DATE
CHECKED BY: DATE
RELEASE: DATE
CUSTOMER: DATE

SHEET INDEX
SHEET NO. 1 OF 1
SHEET NO. 2 OF 1
SHEET NO. 3 OF 1
SHEET NO. 4 OF 1
SHEET NO. 5 OF 1
SHEET NO. 6 OF 1
SHEET NO. 7 OF 1
SHEET NO. 8 OF 1
SHEET NO. 9 OF 1
SHEET NO. 10 OF 1

A-5
SHEET NO.





LOWER LEVEL FINISH PLAN

1/4" = 1'-0" SCALE

FINISHED = 1094 SQ. FT.
(NOT INCLUDING STAIR)
RECHIGOR = 380 SQ. FT.

Overall dimensions: 38'-1 1/2" (width) x 67'-2" (depth).

Room dimensions and labels:

- Living Room: 11'-0" x 17'-0"
- Dining Room: 11'-0" x 17'-0"
- Kitchen: 11'-0" x 17'-0"
- Bathroom: 5'-0" x 7'-0"
- Bedroom #1: 8'-0" x 12'-0"
- Bedroom #2: 8'-0" x 12'-0"
- Stair: 7'-0" x 10'-0"
- Deck: 11'-0" x 17'-0"
- Porch: 11'-0" x 17'-0"

Other features include a fireplace, a large rug, a window, a sink, a stove, a refrigerator, a dining table, a sofa, and a deck.





Attachment A

DRAFT RESOLUTION NO. 21-2015

**RESOLUTION APPROVING CONCURRENT PRELIMINARY AND FINAL PLAT AT
637 HARMONY CIRCLE**

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

Section 1. BACKGROUND

- 1.1. Background Project. In 2014, Mr. Fritz Gullickson (the “Applicant”) submitted a Development Application (the “Original Application”) requesting concurrent preliminary and final plat subdivision approval (the “Subdivision” or the “Preliminary/Final Plat”) to divide 37,565 SF parcel into two (2) new lots at 637 Harmony Circle (the “Property”). At the time of the Original Application, the Applicant included images and plans for two (2) story residences on the two lots for review by the Planning Commission and City Council.

The Original Application was reviewed by the Planning Commission on January 26, 2015 and February 23, 2015. The Planning Commission found that the submitted house plans were not similar to the architectural appearance, scale, and mass in the surrounding neighborhood, and requested the Applicant submit alternative plans. The Planning Commission recommended approval of the Original Application with multiple conditions.

The City Council began their review of the Application on March 3, 2015, and continued their review to March 17, 2015. On March 17, 2015, the Council directed staff to prepare a draft resolution for approval with a number of conditions pertaining to the architectural design of the single family residences, among other items.

After conclusion of the Council meeting on March 17th, the Applicant contacted staff and indicated that they did not own the rights to the architectural plans included in the Council’s motion, and wanted to pursue a different architectural design for the homes. The Applicant reached out to the architecture and building firm of Charles Cudd & Co, who had expressed interest in building two one (1) story style structures on the lots if they were subdivided. The Applicant requested a workshop meeting with the Council to receive feedback on a one story style option for the lots, and granted the City a time extension for review of the subdivision application.

The City Council held a workshop on April 21, 2015 with the Applicant and Mr. Rick Denman from Charles Cudd & Co regarding the revised building concept plans for two one (1) story style structures. Charles Cudd & Co has modified the garage location on the proposed house for Lot 1 so that the existing Bur Oak tree would not be impacted by the driveway location. The Council was generally supportive of the revised building plans, and asked Charles Cudd & Co to submit a revised preliminary plat to reflect the new residential designs and building pads for review by the Planning Commission and City Council.

Charles Cudd & Co has submitted a revised preliminary plat and architectural plans reflecting two one (1) story style homes on the lot (the "Revised Application").

- 1.2 Application Requests. As specified further in the Application, the Applicant is requesting approval of the following:

A. Concurrent Preliminary and Final Plat for two (2) Lot Subdivision of the Property depicted in Attachment A.

- 1.3 Property. The property identification number and owner of the affected property (the "Property") are:

637 Harmony Circle	31-118-22-44-0036	Fritz Jon Gullickson
--------------------	-------------------	----------------------

- 1.4 Land Use. The Property is zoned R-3 Single and Two Family Residential District (9,000 SF minimum lot sizes) and guided Low Density Single Family Residential District in the Comprehensive Plan. Uses in the general vicinity are entirely single family residential.

- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Lakeshore Weekly* on January 13, 2015. A copy of the notice was mailed to all property owners located with 350 feet of the Property on January 15, 2015. The required public hearing was held at the January 26, 2015 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 Preliminary and Final Plat Subdivision. Chapter 805 of the Wayzata City Code, (the "Subdivision Ordinance") sets forth the procedure and substantive review criteria for applications for a subdivision. Before any plat can be recorded or of any validity, it must be referred to the City Planning Commission and approved by the City Council as having fulfilled the requirements of the Subdivision Ordinance. Section 805.15 of the Wayzata Subdivision Ordinance allows the City to review a proposed preliminary and final plat simultaneously.

A. Goals. Under Section 805.2.b of the Subdivision Ordinance, subdivisions approved under the Subdivision Ordinance must be guided by the following:

1. Preserve and enhance Wayzata's "small town" character (Comprehensive Plan).
2. Respect the existing scale, character and pattern of the City, recognizing existing neighborhoods and commercial areas (Wayzata Physical Plan).

3. Provide a balanced housing supply available for all people no matter their income, age, race or ethnicity (Comprehensive Plan).
 4. Support a pedestrian environment at a human, not automotive scale (Wayzata Physical Plan).
 5. Relate development/redevelopment to the natural characteristics of the land to enhance the development through the preservation of attractive natural amenities (i.e., lakes, wetlands, creeks, wooded areas, slopes, etc.) (Comprehensive Plan).
- B. Criteria for Approval. Under Section 805.14.e of the Subdivision Ordinance, the Planning Commission must consider the possible adverse effects of a preliminary plat and report its findings and recommendation to City Council. Its judgment must be based upon, but not limited to, the following factors:
1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
 2. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
 3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filling or grading.
 4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
 5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
 6. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
 7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.

8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
 9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
 10. The proposed lot layout and building pads shall conform with all relevant performance standards.
 11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
 12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.
- C. Concurrent Preliminary/Final Plat. Section 805.15 of the Subdivision Ordinance allows the City to review the preliminary and final plat simultaneously.
- D. Parkland Dedication. Section 805.37 of the Subdivision Ordinance requires a parkland dedication contribution for new single family lots at the time of recording of the Final Plat.

Section 3. FINDINGS

The City Council of the City of Wayzata hereby confirms and memorializes that the Concurrent Preliminary and Final Plat depicted in the Application meets the applicable requirements of Wayzata's Zoning and Subdivision Ordinances, 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 Proposed Subdivision.

- A. Goals. The Proposed Subdivision is consistent with the goals of the Subdivision Ordinance.
- B. Criteria for Approval.
1. The Project associated with the Proposed Subdivision is consistent with the Wayzata Comprehensive Plan. The proposed Subdivision conforms with the low density residential guidance of the Comprehensive Plan for this area and the Single and Two Family Residential District. The proposed lots are 17,166 SF (Lot 1) and 20,399 SF (Lot 2).
 2. The building pads associated with the Project ("Proposed Building Pads") would not negatively impact any sensitive areas, as the Applicant is proposing to modify the building plans to preserve a thirty four inch (34") Burr Oak tree on the Property.
 3. The Proposed Building Pads have been selected and located with respect to natural topography to minimize filling or grading, with lower level walkouts proposed for both lots. A condition of approval is that the City Engineer's approval must be secured for a grading plan, prior to any construction work so that land disruption is minimized.
 4. Existing significant trees would be retained where possible on the Property, including a thirty four (34) inch Bur Oak tree. The Applicant proposes to install five to six evergreen trees to serve as screening for the Property, and 2-3 additional mature trees.
 5. The Proposed Subdivision would not adversely impact the scale, pattern or character of the City, its neighborhoods, as it would be consistent with the surrounding area in terms of lot area.
 6. The design of the lots, the proposed building pads, and the site layout of the Proposed Subdivision responds to and is reflective of the surrounding lots and neighborhood character. The proposed lot layout provides for two larger sized lots that exceed the lot area minimum for the district.
 7. The lot sizes that result from the Proposed Subdivision would not be dissimilar from adjacent lots or lots found in the surrounding neighborhood. The proposed lots conform with and exceed the R-3 District and Comprehensive Plan minimums for lot area.
 8. Based upon Planning Commission, City Council, and public comment feedback, the Applicant has revised the building plans to

be two one (1) story style residences, more reflective of the architectural appearance, scale, mass, and character of the surrounding neighborhood (the "Revised Application", Attachment A). As a condition of approval, the Applicant must construct the residences based on the Revised Application submitted to the City, included as Attachment A. Furthermore, the building materials of the proposed residences shall be the same as the high quality building materials presented to the Planning Commission on January 26, 2015.

9. The proposed lot layout and Proposed Building Pads of the Proposed Subdivision would conform will all relevant performance standards.
 10. The Proposed Subdivision is not likely to tend to or actually depreciate the values of neighboring properties in the area in which it is proposed.
 11. The Proposed Subdivision would be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.
- C. Parkland Dedication. Section 805.37 of the Subdivision Ordinance requires a parkland dedication fee for new single family lots at the time of recording of the Final Plat.

Section 4. CITY COUNCIL ACTION

- 4.1 Based on the Findings of this Resolution, the request for approval of the Concurrent Preliminary and Final Plat Subdivision as set forth in the Application (Attachment A), is hereby **APPROVED** subject to all of the following conditions (failure to comply with any one of these conditions shall result in the revocation of this approval):
 - A. The Applicant and/or future homeowners shall construct the residences in the Proposed Subdivision according to the revised residential building plans presented to the Planning Commission on May 4, 2015, included as Attachment A to this Report. The revised residential building plans reflect two one (1) story structures that are similar to the character of the surrounding neighborhood. Any alternative or substantially modified final building plans that differ materially from those depicted in Attachment A to this Report must be reviewed by the Planning Commission and approved by the City Council to ensure that such building plans would result in buildings that are similar to the characteristics and quality of the existing homes in the neighborhood as required under Section 805.14.E.8.

- B. The Applicant and/or future homeowners shall construct the residential buildings with the same high quality materials as presented by the Applicant at the Planning Commission's January 26, 2015 meeting. Any deviations from such building materials must be reviewed by the Planning Commission and approved by the City Council to ensure that the building materials are compatible with the characteristics and quality of the existing homes in the neighborhood as required under Section 805.14.E.8 and 805.14.E.9.
- C. The Applicant and/or future homeowners must work with the City Forester on a landscape plan for Lots 1 and 2, which incorporate native trees and plants, and at least five (5) to six (6) evergreens between Lot 1 and the property at 645 Harmony Circle, and three (3) additional mature trees on the Property.
- D. The Applicant and/or future homeowners must construct the proposed residences (depicted in Attachment A), in such a manner that neither home exceeds twenty eight (28) ft in height as viewed and measured from the adjacent street.
- E. The Applicant and/or future homeowners must take all necessary measures, as directed by the City Engineer, to prevent water runoff into the wetlands in the rear of the Property during construction.
- F. The City Engineer's approval must be secured for a grading plan, prior to any construction work on the Property so that land disruption is minimized.
- G. The Applicant and/or future homeowners shall ensure that the Project meets all of the performance standards required by the City's Zoning Ordinance.
- H. The following comments of City Staff outlined in the Planning Report on the Application dated January 26, 2015 must be incorporated into the Final Plat:
 - 1. Existing services (water) shall be abandoned at main if less than one inch (1").
 - 2. New water services shall be one inch (1") minimum.
 - 3. Existing service sewer shall be televised to document structural integrity prior to reconnection.
 - 4. Existing storm sewer on north parcel shall be relocated and easement recorded.
- I. The Applicant and/or future homeowners must secure all necessary building permits for construction, and conform to all laws and regulations applicable to the Project.

- J. All expenses of the City of Wayzata, including consultant, expert, legal, planning, and Park Dedication fees incurred must be fully reimbursed by the Applicant.
- K. The Applicant must record the Final Plat document with the appropriate Hennepin County officials within one hundred twenty (120) days in conformance with Section 805.15.E.7, and provide a recorded copy to the City.
- L. The Applicant must take the steps necessary to preserve the existing Bur Oak tree on Lot 1 during construction, in consultation with the City Forester and City Tree Consultant.

Adopted by the Wayzata City Council this ____ day of May, 2015.

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 _____, 2015.

Becky Malone, Deputy City Clerk
SEAL

Attachment A

Applicant Submittals



**Planning Report
Wayzata City Council
May 5, 2015**

Project Name: Wise East End
File Number: PR 2015-2
Applicant/Owner: Pillar Homes and Gary Gravier
Address of Request: 313 Central Ave S
Property ID #s: 06-117-22-41-0051
Prepared by: Bryan Gadow, Director of Planning and Building
Planning Commission Review: April 6, 2015
City Council Review: May 5, 2015

PROJECT SUMMARY

Section 1. Development Application

- 1.1. General. Pillar Homes (the “Applicant”) and Gary Gravier (the “Owner”) have submitted a Development Application (the “Application”) requesting concurrent preliminary and final plat subdivision approval (the “Subdivision” or the “Preliminary/Final Plat”) and a Shoreland Conditional Use Permit for hardcover up to thirty five percent (35%) for a new three (3) lot subdivision (the “Project”) at 313 Central Ave S (the “Property”). The Project would require the removal of the existing structure on the Property and a subdivision of the parcel. Building concept plans for the new residences have been submitted for review.

Along with the Development Application, the following plans are included with this Application as Attachment A:

- Existing Conditions Survey
- Preliminary Plat, Grading and Utility Plan, and Tree Inventory
- Final Plat
- Architectural Concepts

1.2 Application Requests.

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

- A. Concurrent Preliminary and Final Plat Subdivision to create three (3) lots (Section 805)

- B. Shoreland Conditional Use Permit to increase impervious surface from twenty five percent (25%) up to thirty five percent (35%) with stormwater management techniques.

1.3 Project Location.

The proposed Subdivision is located at the intersection of Wise Ave S and Central Ave S.

Map 1: Project Location.



The property identification numbers and owners for the Property involved in the proposed Application is as follows:

313 Central Ave S	06-117-22-41-0051	G P & C Gravier
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1.4 Area Land Uses.

Uses in the general vicinity are single family detached residential and two family residential. The Project area is zoned R-3A (9,000 SF minimum lot sizes).

1.5 Public Hearing Notice.

Zoning Ordinance Section 805.14 requires the Planning Commission to hold a public hearing on the Subdivision Application. The Notice of Public Hearing was published in the *Lakeshore Weekly* on March 24, 2015. A copy of the Notice of Public Hearing was also mailed to all property owners located within 350 feet of the subject Property on March 26, 2015.

1.6 Planning Commission Meeting Summary.

The Planning Commission reviewed the Application and held a public hearing on April 6, 2015. Five (5) individuals spoke at the Public Hearing on the Application. The

Commission voted seven (7) in favor and zero (0) opposed to continue review of the Application to request additional information from the Application. On April 20, 2015, the Planning Commission continued their review of the Application and received additional public comment. The Planning Commission voted five (5) in favor and one (1) opposed to direct staff to prepare a Planning Commission Report and Recommendation on the Application, recommending approval of the Application with conditions. The minutes of the April 6th and 20th Planning Commission meetings are included as Attachments F and G. A draft Planning Commission Report and Recommendation is included as Attachment H. A draft Resolution based on the Planning Commission Report and Recommendation is included as Attachment I.

Section 2. Analysis of Current Development Proposal

2.1 Lot Arrangement.

The Project would consist of 3 parcels, together totaling 30,560 SF. The lots would be 11,150 SF (Lot 1), 9,860 SF (Lot 2), and 9,550 SF (Lot 3). The lots as proposed would exceed the R-3A District lot area minimum requirement of 9,000 SF.

Table 1: Proposed Lot Sizes

Lot	Lot Size (SF)
1	11,150
2	9,860
3	9,550

Table 2: Adjacent Lot Sizes

Address	Lot Size (SF)	Acres
350 Wise Ave S	12,938	0.3
333 Central Ave S	12,910	0.3
1037 Lake St E	8,818	0.2
1045 Lake St E	9,236	0.2
1053 Lake St E	10,974	0.25
1100 Lasalle St	15,380	0.35
298 Central Ave S	13,128	0.3
300 Central Ave S	8,968	0.21
330 Central Ave S	8,043	0.18
309 Wise Ave S	6,889	0.16
317 Wise Ave S	7,279	0.17
321 Wise Ave S	9,036	0.21
325 Wise Ave S	9,240	0.21
333 Wise Ave S	15,386	0.35
353 Wise Ave S	17,612	0.4
1021 Lake St E	9,367	0.22

2.2 Housing Unit Density.

The Subdivision consists of 3 single-family homes on a 0.7 acre site. This yields a total project density of 4 dwelling units per acres, which meets the density requirements of the Low Density Single Family Residential guidance in the Comprehensive Plan.

2.3 Zoning.

The Property is located in the R-3A, Single and Two Family Residential District. The R-3A District prescribes minimum design criteria for the creation of lots and platting of land. The following minimum standards for the R-3A District apply to this Preliminary/Final Plat:

Table 4: R-3A Zoning District Requirements

R-3A District	Standard
Minimum Lot Area	9,000 square feet
Minimum Lot Width	60 feet
Minimum Lot Depth	100 feet
Front Yard Setback (min.)	20 feet
Side Yard Setback (min.)	10 feet
Rear Yard Setback (min.)	20 feet
Lot Coverage	30%
Impervious Surface	35%
Building Height	32 ft to Peak of Roof

As shown on the submitted Plat, the proposed division would result in three (3) buildable parcels that would meet minimum standards of the R-3A District and therefore would be conforming lots.

Table 5: Proposed Development Plan

	R-3A Requirements	Lot 1	Lot 2	Lot 3	Notes
Lot Area	9,000 SF	11,150 SF	9,860 SF	9,550 SF	Conforms to Code
Lot Width (Public Street Frontage)	60 ft	100 ft	133 ft	94 ft	Conforms to Code
Lot Depth	100 ft	135 ft	103	100 ft	Conforms to Code
Front Yard Setback	20 ft	20 ft	20 ft	20 ft	Conforms to Code
Side Yard Setback	10 ft	20 ft (corner lot)	10 ft	10 ft	Conforms to Code
Rear Yard Setback	20 ft	48 ft	20 ft	20 ft	Conforms to Code
Potential Lot Coverage	30%	21.9% (2,444 SF)	21.2% (2,099 SF)	22% (2,099 SF)	Conforms to Code
Proposed Hardcover	25% in the Shoreland District 35% with approval of Shoreland CUP	38.4% (4,290 SF) With Shoreland CUP Credits:	35.5% (3,503 SF) With Shoreland CUP Credits:	35.3% (3,367 SF) With Shoreland CUP Credits:	Would require approval of a Shoreland CUP to go up to 35%

		30.2% (3,367 SF)	28.4% (2,801 SF)	28.6% (2,733 SF)	
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The Applicant has submitted concept renderings of the proposed new residences. Any substantial modifications to the concept renderings by future owners would require review and approval by the Planning Commission and City Council prior to applying for a building permit. All residential structures would need to conform to applicable setback, lot coverage, and hardcover requirements.

2.4 Tree Inventory.

The Application materials include a tree inventory of the Property, which shows a total of 31 significant trees on the property having a minimum diameter of 6 inches. The property includes a wide variety of species: Maple, Box Elder, Cedar, Pine, and Spruce.

The amount of trees proposed to be removed for the Project is:

Portion of Site	Number of Trees Proposed for Removal
Lot 1	2
Lot 2	2
Lot 3	10
Total	14 trees (out of 31) or 45%

The amount of trees to be removed for the proposed subdivision is 14 trees, or 45% of the site. In addition, three (3) trees on City Right of Way are proposed to be removed to provide access for the driveway. This would require City approval prior to any disturbance to the trees.

2.5 Existing Structure – Historic Wise House.

The existing structure on the Property is Thomas E. Wise house, which was constructed in 1904. The Wayzata Historical Society and Wayzata Heritage Preservation Board have compiled the history of the home and the Wise family, included as Attachment D.

Much of the discussion of the Application at the Planning Commission focused on the ability of the Applicant to pursue potential options for relocating the historic house to another location within the community, if feasible, rather than demolishing the house. Mr. Chermak of Pillar Homes has met with members of the Wayzata Historical Society and the Wayzata Heritage Preservation Board to discuss potential options for relocation of the structure. A letter describing Mr. Chermak's conversations is included as Attachment D. Per Mr. Chermak's offer and the Planning Commission's recommendation, Mr. Chermak will provide a 45-60 day window to serve a facilitator for a willing buyer to relocate the structure within the adjacent neighborhood. If Mr. Chermak is unsuccessful in finding a willing buyer to relocate the house, Mr. Chermak will provide an update to the City Council prior to any demolition of the existing structure.

2.6 Shoreland CUP.

The Shoreland Overlay District has a twenty-five percent (25%) impervious surface limit, however it allows properties to go up to a maximum of seventy-five percent (75%), if appropriate structures and practices are in place for the treatment of stormwater runoff,

and if a conditional use permit (CUP) is approved for the Property. Outside of the shoreland overlay district, the maximum impervious surface coverage for an R-3A type property is thirty-five percent (35%).

Based upon the Applicant's submitted hardcover calculations, the Applicant is proposing to have approximately 28.4% to 30% impervious surface coverage for each of the three lots in the Project, after a 50% hardcover credit is applied to the hardcover for the stormwater treatment methods on the lots. The Applicant is requesting approval to go above the twenty-five percent (25%) hardcover for each of the lots. The Applicant is proposing to address the additional hardcover through use of pervious pavers for the driveways, walkways, and patios constructed on each lot. In addition, the Applicant is proposing to install green depression storage areas on each of the lots to capture additional water runoff.

The Applicant's surveyor has provided volume calculations (Attachment B) for the proposed storage capacity for the depression areas in cubic feet (CF), based upon capturing one (1) inch of runoff. Based on the Applicant's calculations, the proposed depression areas are being designed to capture more than one (1) inch of rainwater for the additional hardcover proposed.

The site plan included in packet materials provides a depiction of the proposed depression storage areas on each of the lots. The Applicant has applied for a Shoreland CUP in order to utilize these systems to reduce stormwater runoff, which is subject to review and approval by the City Engineer. Staff requires that the Applicant to enter into a stormwater maintenance agreement which would be recorded with the Property. The agreement would cover such items as inspection and maintenance of the proposed stormwater management systems.

Section 3. Applicable Code Provisions for Review

3.1 Subdivision Ordinance

Section 805.14(e) provides criteria for the Planning Commission to evaluate when reviewing a Preliminary Plat. In this review, the Planning Commission should determine if the proposed subdivision would have an adverse impact on the site or surrounding area. The following are the factors from this section for consideration. Included is Staff's evaluation of each of the factors.

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

The proposed Subdivision conforms with low density development for this residential area. Lot sizes exceed the 9,000 SF minimum of an R-3A area, as the proposed lots are 11,150 SF, 9,860 SF, and 9,550 SF, respectively. The proposed subdivision would meet the density guidance for the Low Density Single Family District.

- B. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.

The Applicant's submittal materials show that approximately fourteen (14) trees will need to be removed on the Property as a result of the Project, in addition to three (3) City Right of Way trees. The Planning Commission and City Council should comment on the amount of tree loss and preservation proposed as part of the Project.

- C. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filing or grading.

The two of the proposed building pads are located on portions of the lot that slope down towards the street. A grading plan was submitted as part of the Application and will need final approval by the City Engineer prior to any construction work so that land disruption is minimized.

- D. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.

The Applicant's submittal materials show that approximately fourteen (14) trees will need to be removed as a result of the Project, in addition to three (3) City Right of Way trees. The Planning Commission and City Council should comment on the amount of tree loss and preservation proposed as part of the Project.

- E. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.

The proposed lots conform with other lots in the immediate vicinity in terms of lot size.

- F. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.

The lot layout and size are similar to surrounding lots in the area.

- G. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.

The proposed lot sizes are similar to those in the area. The proposed lot conforms to the R-3A District minimums for lot area.

- H. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.

The Applicant has provided concept architectural designs for the proposed lots on the Property. The proposed house concepts would be required to meet the 32 ft height limit in the R-3A District. The proposed house concepts are included as Attachment A. The Planning Commission and City Council should comment on the proposed architectural designs for the residences.

- I. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.

Not applicable, as the City does not have single family residential design standards.

- J. The proposed lot layout and building pads shall conform with all performance standards contained herein.

As noted above, the Applicant has included a Shoreland CUP request as part of the Application, to allow hardcover above 25% with use of stormwater management techniques.

- K. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.

The Subdivision would not be dissimilar from other lots in the neighborhood in terms of lot size.

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

The Project has access to City sanitary sewer and water services, and would not over-burden these systems. The Public Works Department provided comments on the Application below.

- 3.2 Concurrent Preliminary/Final Plat. Section 805.15 of the Subdivision Ordinance allows the City to review the preliminary and final plat simultaneously. The final plat shall incorporate all changes, modifications, and revisions required by the City. Otherwise, it shall conform to the approved preliminary plat.

- 3.3 Parkland Dedication Fee. Section 805.37 of the Subdivision Ordinance requires a parkland dedication fee for new single family lots at the time of recording of the Final Plat.

- 3.4 Shoreland Conditional Use Permit (CUP).
Except for certain situations not applicable to the Project, Section 801.91.19 of the Zoning Ordinance requires landowners or developers developing land in the Shoreland District to first submit a conditional use permit application in accordance with Section 801.04 (CUPs) and a Shoreland Impact Plan in accordance with Section 801.91.19A. The purpose of the Shoreland Impact Plan shall be to eliminate and minimize as much as possible potential pollution, erosion and siltation. All conditional use permits for consideration under Section 801.91.19 are subject to the following stipulations:

1. The projects shall be analyzed to determine the impact of impervious surfaces, storm water runoff, floodplain, and water quality implications. Only those projects

- shall be allowed where the adverse impacts have been mitigated through approved means to the extent possible.
2. Storm water treatment measures including, but not limited to, sediment basins (debris basins), desilting basins or silt traps, installation of debris guards, and microsilts basins on storm water inlets, oil skimming devices, etc. shall be required subject to the review of the City Engineer and the Minnehaha Creek Watershed District on projects where applicable.
 3. Projects shall be analyzed in terms of provisions for maintenance and enhancement of landscape features, and change in the natural condition of the soil, trees, grade courses and marshes. The vegetative planting plan shall contain trees, when fully mature, that will exceed the building height. The plan shall also minimize tree removal, ground cover change, loss of natural vegetation, and grade changes as much as possible. It shall further provide for the relocation or replanting of trees which are proposed to be removed.
 4. Projects shall be analyzed in terms of the appearance of the structure when viewed from the lake's surface. Building materials, and color shall be analyzed to determine which facade and roof materials minimize the appearance and blend the structure into the shoreland and vegetation.
 5. Building heights shall be analyzed to determine the impact on surrounding structures and views from the lake surface or other shores. Structures shall not be allowed to exceed a height beyond that is allowed by the base zoning district or cannot be screened by landscaping or other design measures.
 6. Residential densities on a project basis shall not be allowed to exceed the maximum allowed density of the base zoning district for which the project is proposed. For higher density residential development and planned unit developments, the density shall not be allowed to exceed the density standards as specified in the R-5 District of the Zoning Ordinance.
 7. Lot coverage on a project basis shall be restricted to the provisions for maximum impervious surface coverage as provided for in the Zoning Ordinance.
 8. Overall residential densities in the shoreland area shall not exceed the surplus development capacity for residential density, as calculated for Lake Minnetonka, Gleason and Peavey Lakes, as specified in the Wayzata Comprehensive Plan/Shoreland Management Plan, as may be amended.
 9. Overall lot coverage in the shoreland area shall not exceed the surplus development capacity for impervious surface coverage calculated for Lake Minnetonka, Gleason and Peavey Lakes, as specified in the Wayzata Comprehensive Plan/Shoreland Management Plan, as may be amended.
 10. All projects shall be in conformance with the Stormwater Management Plan for the City of Wayzata, May 1988, as may be amended and/or approved by the City Engineer.
 11. All projects shall be in conformance with the Wayzata Comprehensive Plan/Shoreland Management Plan, as may be amended.
 12. All projects shall be subject to the review of the Minnehaha Creek Watershed District.

The Shoreland Conditional Use Permits are regulated by Section 801.04.2.F which requires City Council to consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:

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

Section 4. Staff Comments

Staff has reviewed the proposal. Comments from each department are as follows.

4.1 Utility Superintendent

- Existing utilities are ¾" water line and 4" sewer line.
- ¾" water line shall be disconnected at 6" main in Wise Ave prior to demolition permit.
- New 1" or larger service shall be provided for each new home.
- Existing sewer service to be capped at property line, prior to demolition permit.
- If sewer service is to be reused, it shall be televised, prior to reconnect.

4.2 City Planner

- The Application includes architectural concept plans for each of the new single family residences that would be built on the lots. Any substantial modification or deviation from these plans would require that any future owners of the lots would need to submit the proposed building plans for review and approval by the Planning Commission and City Council prior to any building permits being issued for the Property.

Section 5. Action Steps.

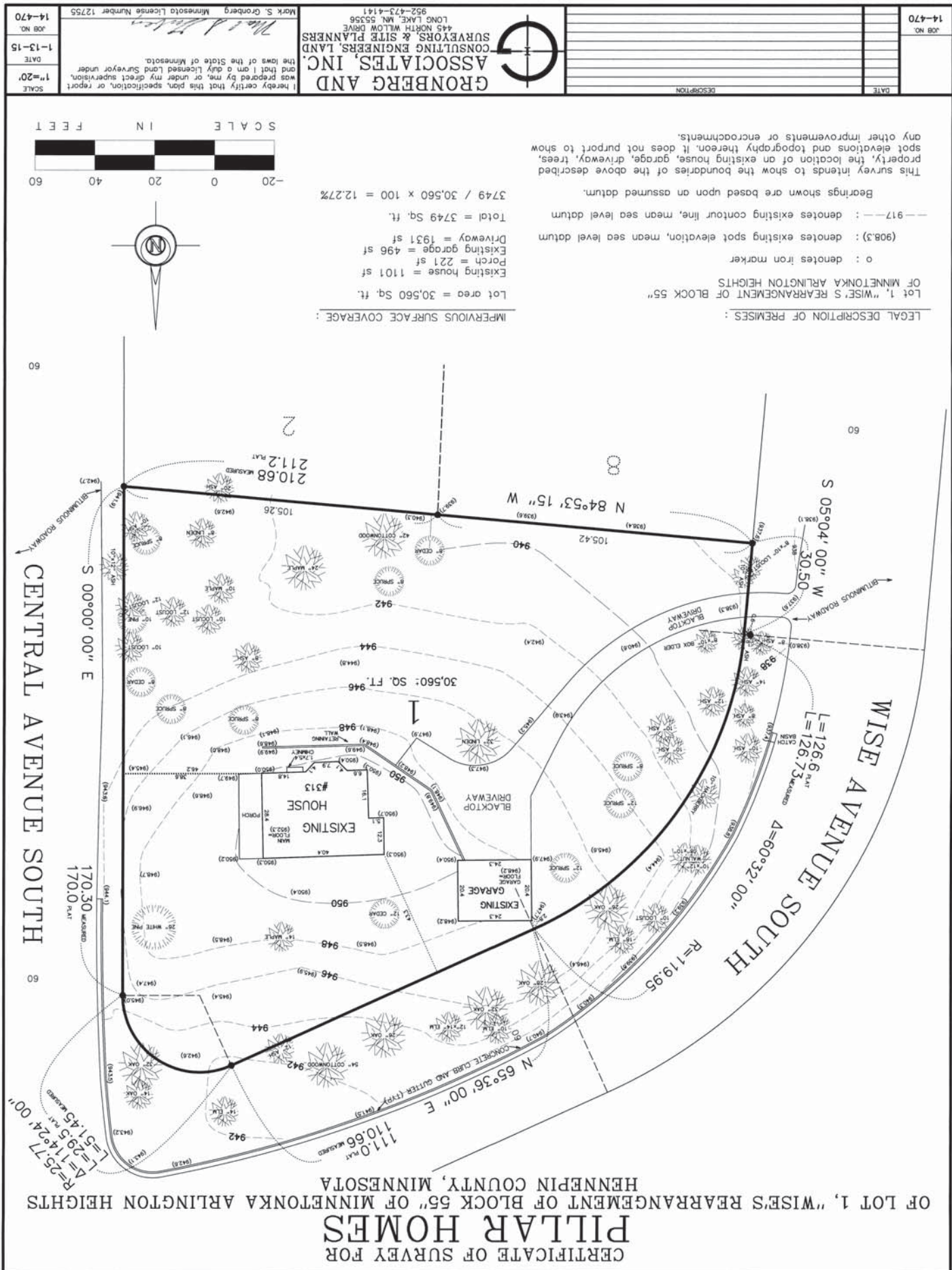
After considering the items outlined in this Report, the City Council should pursue one of the following options as an action step:

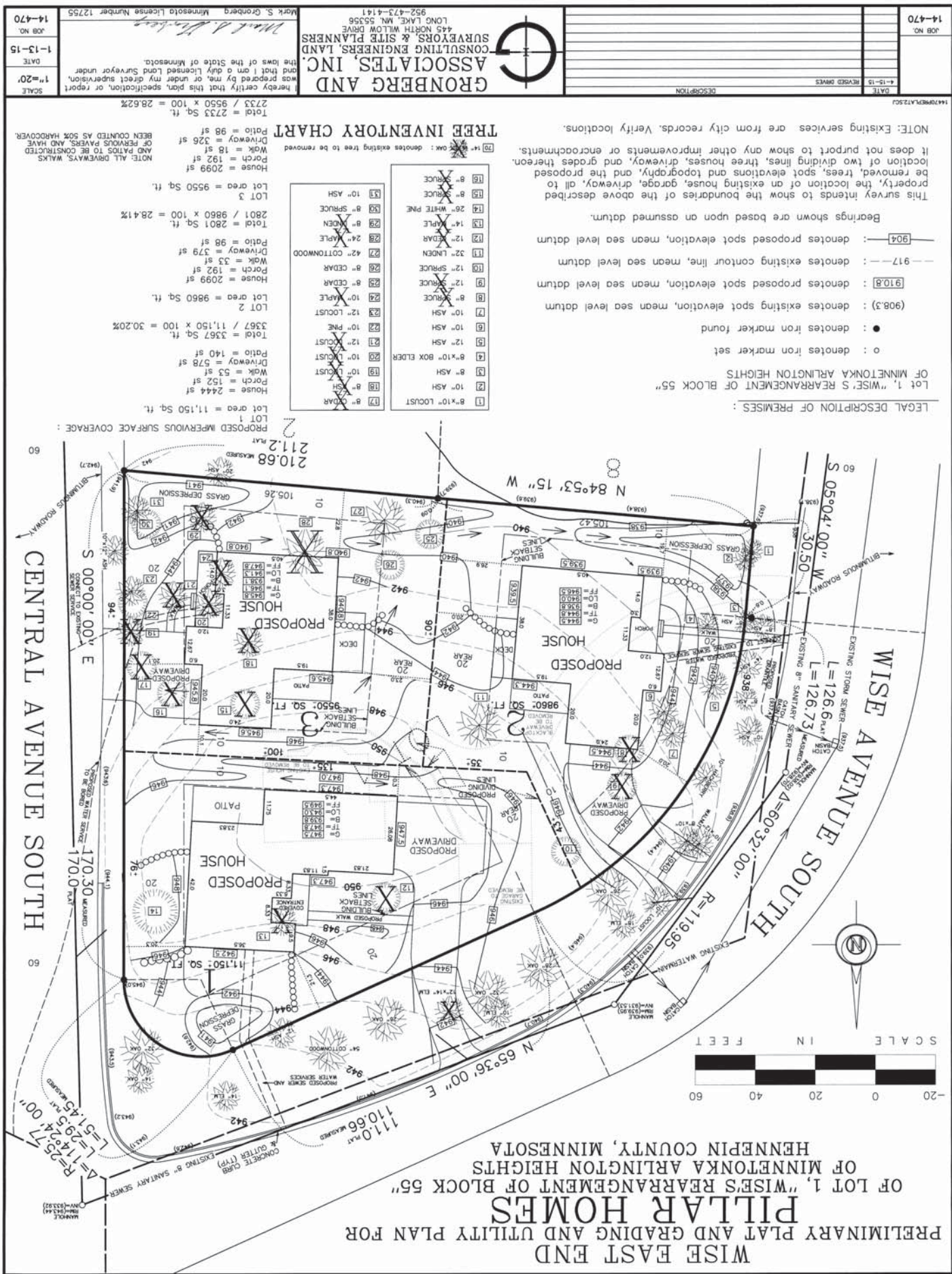
1. Adopt the draft approval Resolution No. 20-2015 included as Attachment I of this Report.
2. If the Council wishes to significantly modify the Resolution for approval, the Council should direct staff to prepare a revised Resolution for review and adoption at the next Council meeting.

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:

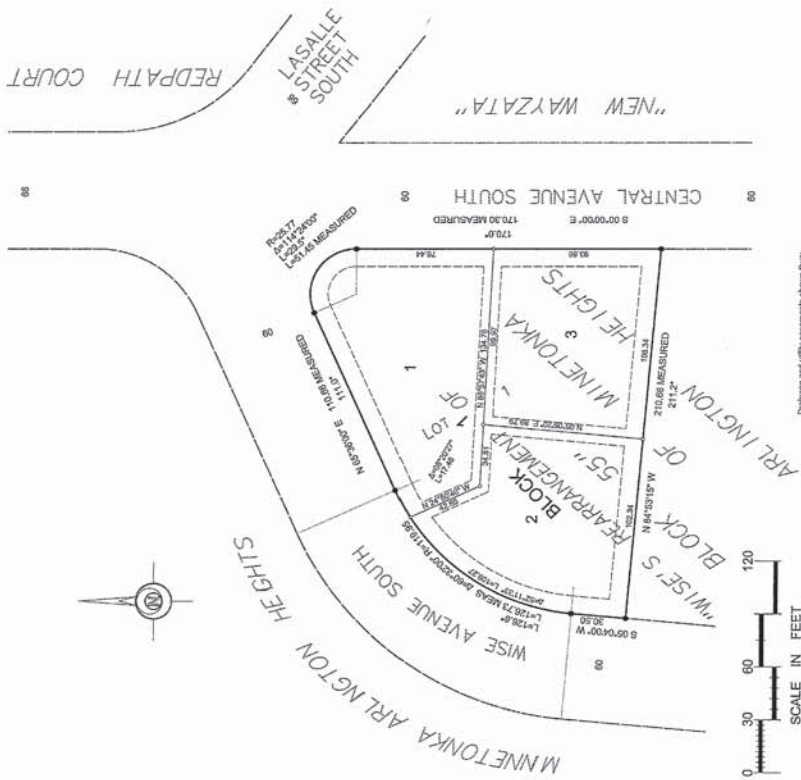
- Attachment A: Applicant Submittals:
 - o Existing Conditions Survey
 - o Preliminary Plat, Grading and Utility Plan, and Tree Inventory
 - o Final Plat
 - o Architectural Concepts
 - o Concept Landscape Plan
- Attachment B: Stormwater Treatment Methods Volume Calculations
- Attachment C: Applicant's Narrative and Supplemental Information
- Attachment D: 313 Central Ave S House History
- Attachment E: Received Public Comment
- Attachment F: Planning Commission Meeting Minutes – April 6, 2015
- Attachment G: Planning Commission Meeting Minutes – April 20, 2015
- Attachment H: Draft Planning Commission Report and Recommendation
- Attachment I: Draft Resolution 20-2015





WISE EAST END

C.R.DOC.NO.



Drainage and utility easements shown that:

SCALE IN FEET

● : Denotes Non market found
○ : Denotes Non market set; marked by Minn. Lto. No. 12755
○ : Denotes distance shown on plot of WISSE'S REARRANGEMENT OF
BLOCK 50th OF MINNETONKA ARLINGTON HEIGHTS
For purposes of this survey, the East line of Lot 1, WISSE'S REARRANGEMENT
OF BLOCK 50th OF MINNETONKA, ARLINGTON HEIGHTS is assumed to have
a bearing of N. 00° 00' 00" E.

Being 5 feet in width, unless otherwise indicated, and adjoining lot lines, and being 10 feet in width, and adjoining right of way lines unless otherwise indicated on the plat.

Know all persons by these presents that Waytunka, LLC, a Minnesota limited liability company, the owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

LOT 5, "WINGS REARRANGEMENT OF BLOCK 59" OF MINNETONKA ARLINGTON HEIGHTS

Lot 1, "WISSE'S REARRANGEMENT OF BLOCK 65" OF MINNETONKA ASLINGTON HEIGHTS

Has caused the same to be surveyed and plotted as WISE EAST END, and does hereby dedicate to the public for public use forever the coverage and utility easements as shown on the plat.

In witness whereof said Waytusha, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this _____ day of _____, 20____.

Waytusha, LLC, a Minnesota limited liability company

By _____, its _____ day of _____, 20____ by
COUNTY OF _____ STATE OF _____
The foregoing instrument was acknowledged before me this _____ day of _____, 20____, at _____, in _____, Minnesota Limited liability company, on behalf of the _____ company.

Notary Public, _____ County, _____ Notary's printed name

My commission expires _____

I, Mark S. Gensberg, do hereby certify that this poll was prepared by me or under my direct supervision; that I am a duly licensed and sworn in the State of Minnesota; that this poll is a correct representation of the voluntary survey; that the names of the voters and the precincts are correctly designated in this poll; that all of the Minnesota Ballots, including Ballots 68B, 69A, 69B, 69C, 69D, 69E, 69F, 69G, 69H, 69I, 69J, 69K, 69L, 69M, 69N, 69O, 69P, 69Q, 69R, 69S, 69T, 69U, 69V, 69W, 69X, 69Y, 69Z, 69AA, 69AB, 69AC, 69AD, 69AE, 69AF, 69AG, 69AH, 69AI, 69AJ, 69AK, 69AL, 69AM, 69AN, 69AO, 69AP, 69AQ, 69AR, 69AS, 69AT, 69AU, 69AV, 69AW, 69AX, 69AY, 69AZ, 69BA, 69BB, 69BC, 69BD, 69BE, 69BF, 69BG, 69BH, 69BI, 69BJ, 69BK, 69BL, 69BM, 69BN, 69BO, 69BP, 69BQ, 69BR, 69BS, 69BT, 69BU, 69BV, 69BW, 69BX, 69BY, 69BZ, 69CA, 69CB, 69CC, 69CD, 69CE, 69CF, 69CG, 69CH, 69CI, 69CJ, 69CK, 69CL, 69CM, 69CN, 69CO, 69CP, 69CQ, 69CR, 69CS, 69CT, 69CU, 69CV, 69CW, 69CX, 69CY, 69CZ, 69DA, 69DB, 69DC, 69DD, 69DE, 69DF, 69DG, 69DH, 69DI, 69DJ, 69DK, 69DL, 69DM, 69DN, 69DO, 69DP, 69DQ, 69DR, 69DS, 69DT, 69DU, 69DV, 69DW, 69DX, 69DY, 69DZ, 69EA, 69EB, 69EC, 69ED, 69EE, 69EF, 69EG, 69EH, 69EI, 69EJ, 69EK, 69EL, 69EM, 69EN, 69EO, 69EP, 69EQ, 69ER, 69ES, 69ET, 69EU, 69EV, 69EW, 69EX, 69EY, 69EZ, 69FA, 69FB, 69FC, 69FD, 69FE, 69FF, 69FG, 69FH, 69FI, 69FJ, 69FK, 69FL, 69FM, 69FN, 69FO, 69FP, 69FQ, 69FR, 69FS, 69FT, 69FU, 69FV, 69FW, 69FX, 69FY, 69FZ, 69GA, 69GB, 69GC, 69GD, 69GE, 69GF, 69GG, 69GH, 69GI, 69GJ, 69GK, 69GL, 69GM, 69GN, 69GO, 69GP, 69GQ, 69GR, 69GS, 69GT, 69GU, 69GV, 69GW, 69GX, 69GY, 69GZ, 69HA, 69HB, 69HC, 69HD, 69HE, 69HF, 69HG, 69HH, 69HI, 69HJ, 69HK, 69HL, 69HM, 69HN, 69HO, 69HP, 69HQ, 69HR, 69HS, 69HT, 69HU, 69HV, 69HW, 69HX, 69HY, 69HZ, 69IA, 69IB, 69IC, 69ID, 69IE, 69IF, 69IG, 69IH, 69II, 69IJ, 69IK, 69IL, 69IM, 69IN, 69IO, 69IP, 69IQ, 69IR, 69IS, 69IT, 69IU, 69IV, 69IW, 69IX, 69IY, 69IZ, 69JA, 69JB, 69JC, 69JD, 69JE, 69JF, 69JG, 69JH, 69JI, 69JJ, 69JK, 69JL, 69JM, 69JN, 69JO, 69JP, 69JQ, 69JR, 69JS, 69JT, 69JU, 69JV, 69JW, 69JX, 69JY, 69JZ, 69KA, 69KB, 69KC, 69KD, 69KE, 69KF, 69KG, 69KH, 69KI, 69KJ, 69KK, 69KL, 69KM, 69KN, 69KO, 69KP, 69KQ, 69KR, 69KS, 69KT, 69KU, 69KV, 69KW, 69KX, 69KY, 69KZ, 69LA, 69LB, 69LC, 69LD, 69LE, 69LF, 69LG, 69LH, 69LI, 69LJ, 69LK, 69LL, 69LM, 69LN, 69LO, 69LP, 69LQ, 69LR, 69LS, 69LT, 69LU, 69LV, 69LW, 69LX, 69LY, 69LZ, 69MA, 69MB, 69MC, 69MD, 69ME, 69MF, 69MG, 69MH, 69MI, 69MJ, 69MK, 69ML, 69MM, 69MN, 69MO, 69MP, 69MQ, 69MR, 69MS, 69MT, 69MU, 69MV, 69MW, 69MX, 69MY, 69MZ, 69NA, 69NB, 69NC, 69ND, 69NE, 69NF, 69NG, 69NH, 69NI, 69NJ, 69NK, 69NL, 69NM, 69NN, 69NO, 69NP, 69NQ, 69NR, 69NS, 69NT, 69NU, 69NV, 69NW, 69NX, 69NY, 69NZ, 69OA, 69OB, 69OC, 69OD, 69OE, 69OF, 69OG, 69OH, 69OI, 69OJ, 69OK, 69OL, 69OM, 69ON, 69OO, 69OP, 69OQ, 69OR, 69OS, 69OT, 69OU, 69OV, 69OW, 69OX, 69OY, 69OZ, 69PA, 69PB, 69PC, 69PD, 69PE, 69PF, 69PG, 69PH, 69PI, 69PJ, 69PK, 69PL, 69PM, 69PN, 69PO, 69PP, 69PQ, 69PR, 69PS, 69PT, 69PU, 69PV, 69PW, 69PX, 69PY, 69PZ, 69QA, 69QB, 69QC, 69QD, 69QE, 69QF, 69QG, 69QH, 69QI, 69QJ, 69QK, 69QL, 69QM, 69QN, 69QO, 69QP, 69QQ, 69QR, 69QS, 69QT, 69QU, 69QV, 69QW, 69QX, 69QY, 69QZ, 69RA, 69RB, 69RC, 69RD, 69RE, 69RF, 69RG, 69RH, 69RI, 69RJ, 69RK, 69RL, 69RM, 69RN, 69RO, 69RP, 69RQ, 69RR, 69RS, 69RT, 69RU, 69RV, 69RW, 69RX, 69RY, 69RZ, 69SA, 69SB, 69SC, 69SD, 69SE, 69SF, 69SG, 69SH, 69SI, 69SJ, 69SK, 69SL, 69SM, 69SN, 69SO, 69SP, 69SQ, 69SR, 69SS, 69ST, 69SU, 69SV, 69SW, 69SX, 69SY, 69SZ, 69TA, 69TB, 69TC, 69TD, 69TE, 69TF, 69TG, 69TH, 69TI, 69TJ, 69TK, 69TL, 69TM, 69TN, 69TO, 69TP, 69TQ, 69TR, 69TS, 69TT, 69TU, 69TV, 69TW, 69TX, 69TY, 69TZ, 69UA, 69UB, 69UC, 69UD, 69UE, 69UF, 69UG, 69UH, 69UI, 69UJ, 69UK, 69UL, 69UM, 69UN, 69UO, 69UP, 69UQ, 69UR, 69US, 69UT, 69UU, 69UV, 69UW, 69UX, 69UY, 69UZ, 69VA, 69VB, 69VC, 69VD, 69VE, 69VF, 69VG, 69VH, 69VI, 69VJ, 69VK, 69VL, 69VM, 69VN, 69VO, 69VP, 69VQ, 69VR, 69VS, 69VT, 69VU, 69VV, 69VW, 69VX, 69VY, 69VZ, 69WA, 69WB, 69WC, 69WD, 69WE, 69WF, 69WG, 69WH, 69WI, 69WJ, 69WK, 69WL, 69WM, 69WN, 69WO, 69WP, 69WQ, 69WR, 69WS, 69WT, 69WU, 69WV, 69WW, 69WX, 69WY, 69WZ, 69XA, 69XB, 69XC, 69XD, 69XE, 69XF, 69XG, 69XH, 69XI, 69XJ, 69XK, 69XL, 69XM, 69XN, 69XO, 69XP, 69XQ, 69XR, 69XS, 69XT, 69XU, 69XV, 69XW, 69XX, 69XY, 69XZ, 69YA, 69YB, 69YC, 69YD, 69YE, 69YF, 69YG, 69YH, 69YI, 69YJ, 69YK, 69YL, 69YM, 69YN, 69YO, 69YP, 69YQ, 69YR, 69YS, 69YT, 69YU, 69YV, 69YW, 69YX, 69YY, 69YZ, 69ZA, 69ZB, 69ZC, 69ZD, 69ZE, 69ZF, 69ZG, 69ZH, 69ZI, 69ZJ, 69ZK, 69ZL, 69ZM, 69ZN, 69ZO, 69ZP, 69ZQ, 69ZR, 69ZS, 69ZT, 69ZU, 69ZV, 69ZW, 69ZX, 69ZY, 69ZZ, 69AA, 69AB, 69AC, 69AD, 69AE, 69AF, 69AG, 69AH, 69AI, 69AJ, 69AK, 69AL, 69AM, 69AN, 69AO, 69AP, 69AQ, 69AR, 69AS, 69AT, 69AU, 69AV, 69AW, 69AX, 69AY, 69AZ, 69BA, 69BB, 69BC, 69BD, 69BE, 69BF, 69BG, 69BH, 69BI, 69BJ, 69BK, 69BL, 69BM, 69BN, 69BO, 69BP, 69BQ, 69BR, 69BS, 69BT, 69BU, 69BV, 69BW, 69BX, 69BY, 69BZ, 69CA, 69CB, 69CC, 69CD, 69CE, 69CF, 69CG, 69CH, 69CI, 69CJ, 69CK, 69CL, 69CM, 69CN, 69CO, 69CP, 69CQ, 69CR, 69CS,

STATE OF _____
COUNTY OF _____
The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by
Mark S. Cronberg, Licensed Land Surveyor and Engineer
Minnesota License Number 12718
Mrs. S. Cronberg, Land Surveyor and Engineer.

Notary Public _____ County _____ Notary's printed name _____

My commission expires _____

WISCONSIN, MINNESOTA

This plan of **WAYE EAST** road was approved and accepted by the City Council of **Wayzata, Minnesota**, at a regular meeting held on the _____ day of _____, 20____.

If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer were received by Minnesota Statutes, Section 68.05, subd. 2.

Notary Public _____ County _____

CITY COUNCIL AT THE CITY OF **WAYZATA, MINNESOTA**

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

MARIE V. CHAPIN, HENNEPIN COUNTY AUDITOR

COUNTY RECORDER, MINNESOTA
 I hereby certify that the within plat of WISE EAST ESD was recorded in this office this _____ day of _____, 20____ at _____ o'clock _____ A.M.
 MARTIN MCCORMICK, COUNTY RECORDER.
 My _____ Deputy

COUNTY RECORDER, MINNESOTA
 I hereby certify that the within plat was improved this _____ day of _____, 20____ at _____ o'clock _____ A.M.
 CHRIS P. MAVIS, HENNEPIN COUNTY SURVEYOR.
 My _____ Deputy

COUNTY RECORDER, MINNESOTA
 I hereby certify that the within plat was improved this _____ day of _____, 20____ at _____ o'clock _____ A.M.
 JERRY DIVISION, HENNEPIN COUNTY, MINNESOTA.
 Pursuant to MINN. STAT. Sec. 481.356, (1965), this plat has been improved this _____ day of _____, 20____ at _____ o'clock _____ A.M.
 My _____ Deputy

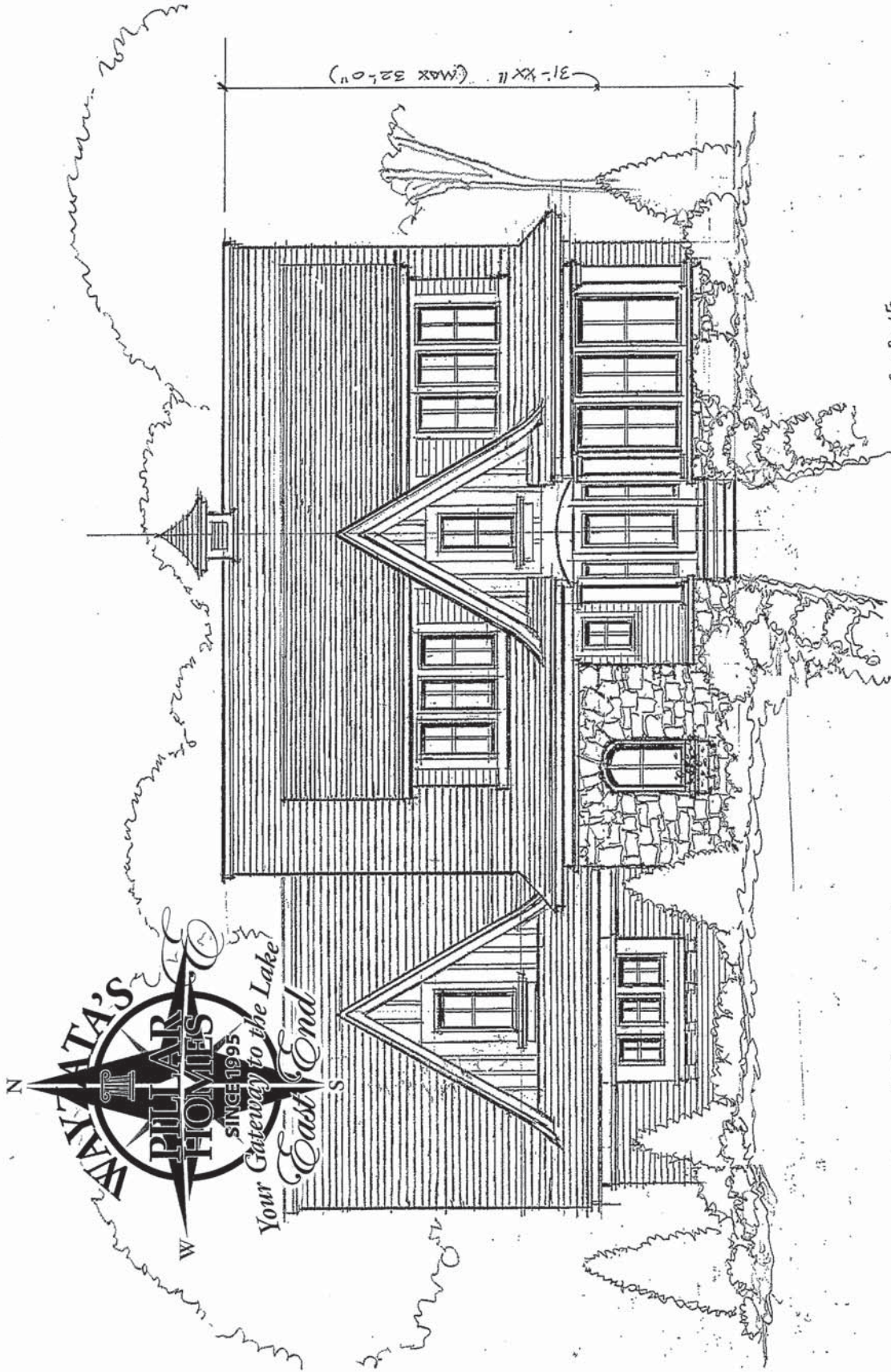
GRONBERG & ASSOCIATES, INC.
ENGINEERS, LAND SURVEYORS, PLANNERS

Attachment A



LOT 2 WISE EAST END PILLAR
 WAYZATA HOMES
 2.6.15
 NRDI

Attachment A



2.13.15

2.2.15

NRDI

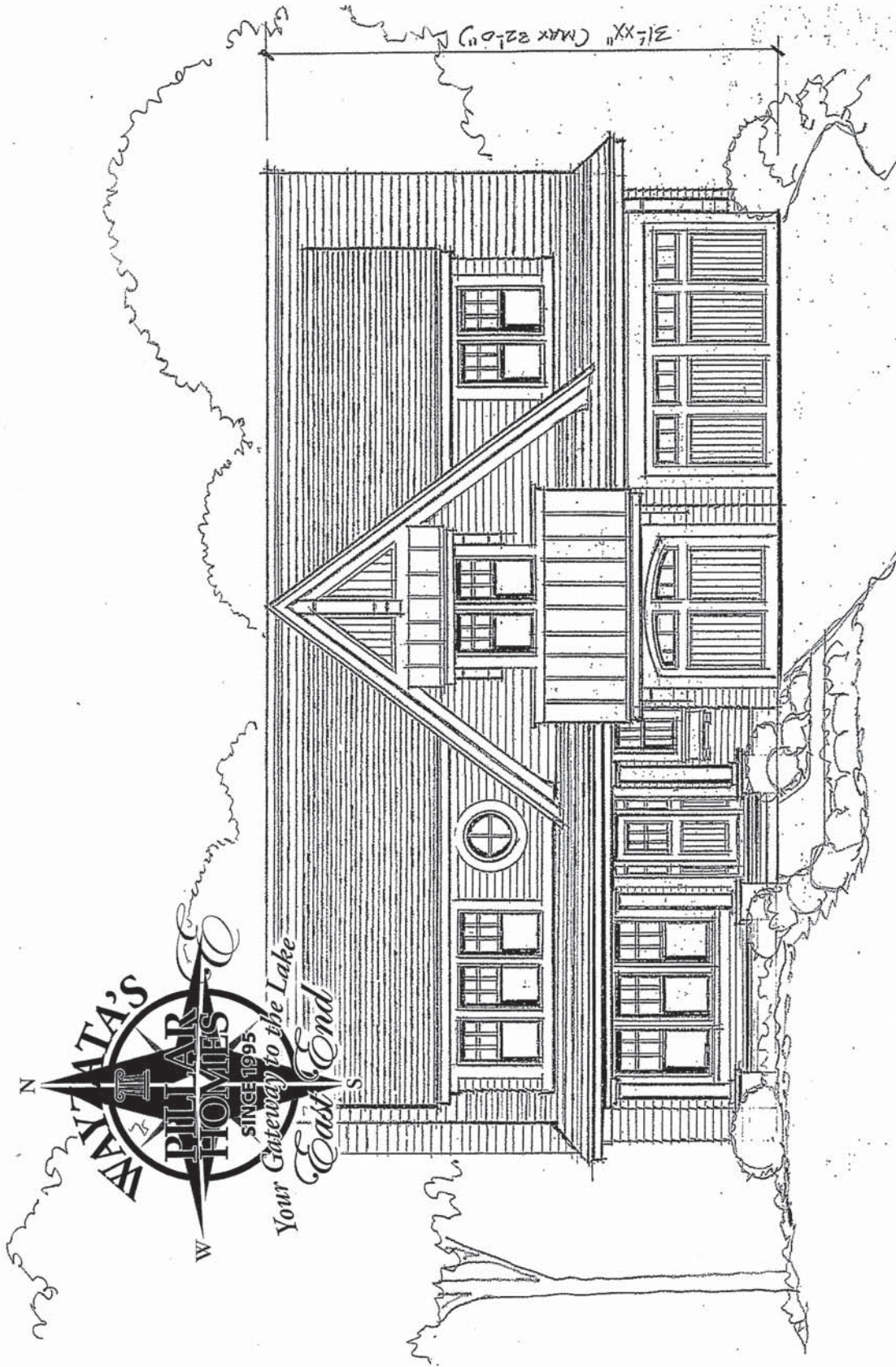
LOT 2, WISE EAST END

WAY 2A TA

PILLAR

HOMES

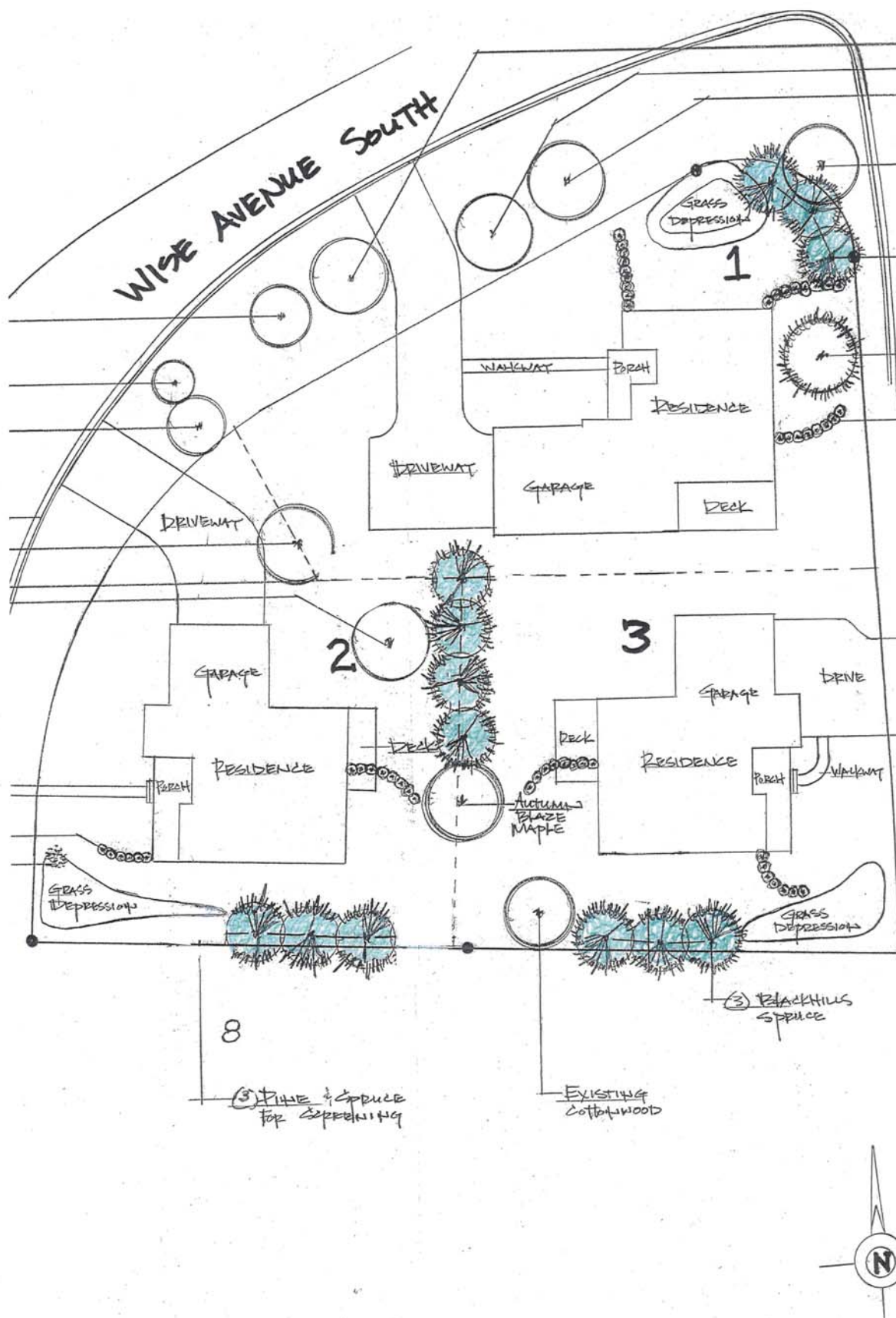
Attachment A



2.3.15
2.2.15

LOT 3, WISE EAST END PILLAR
WAYZATA HOMES

NRDI



Attachment B

Wise East End

Stormwater/Hardcover Calculation

March 9, 2015

LOT 1

11,150 S.F. lot area X 10% increase in hardcover from 25% to 35% = 1115 S.F.

1115 S.F. X 1 inch runoff = 93 C.F. of storage needed in depression

Proposed green depression

<u>ELEV.</u>	<u>AREA</u>
--------------	-------------

941.0	170 S.F.
-------	----------

941.5	<u>320 S.F.</u>
-------	-----------------

122 C.F. vs 93 C.F. required

LOT 2

9,860 S.F. lot area X 10% increase in hardcover from 25% to 35% = 986 S.F.

986 S.F. X 1 inch runoff = 82 C.F. of storage needed in depression

Proposed green depression

<u>ELEV.</u>	<u>AREA</u>
--------------	-------------

937.0	320 S.F.
-------	----------

937.5	<u>540 S.F.</u>
-------	-----------------

215 C.F. vs 82 C.F. required

LOT 3

9,550 S.F. lot area X 10% increase in hardcover from 25% to 35% = 955 S.F.

955 S.F. X 1 inch runoff = 80 C.F. of storage needed in depression

Proposed green depression

<u>ELEV.</u>	<u>AREA</u>
--------------	-------------

941.0	380 S.F.
-------	----------

941.5	<u>560 S.F.</u>
-------	-----------------

235 C.F. vs 80 C.F. required

GRONBERG & ASSOCIATES, INC.
445 N. WILLOW DR.
LONG LAKE, MN 55356



PILLAR HOMES

313 Central Avenue, Wayzata Minnesota

#1 Analysis of viability of the restoration of existing home and #4 analysis of setback variances. These two topics are connected so I will address them together.

The home will be moved if at all possible. Many variables exist that would need to be researched.

On Thursday, April 9th – a meeting was held to discuss the reality of any salvaging/moving of this home. Members of the Pillar Homes Team and four members of the Historical Society attended. It was a pleasant meeting with many topics and ideas discussed. An action plan was created for a few attending - after our ideas were vetted.

- A) A common goal was achieved by our group to try and move the home onto a new foundation in the same neighborhood – not on existing site.
- B) With this common goal of trying to move the home – any variance for this site will not be required. The application submitted will stay as is.
- C) An effort to match an entrusted party (buyer) to move and buy the house and place it on another lot nearby. Presently we have had discussion with two potential parties.

#2 Additional information on the proposed grading of the lot (Cut/Fill calculations). Evaluation has been reviewed by the survey company. (More information to follow from Surveyor tomorrow).

#3 Tree Protection – see attached photo

A) A new survey will show a narrower driveway to preserve trees. It will be 12' wide at the neck of the driveway which part will be on the City right of way. Surveyor had almost 20' wide driveway on 1st survey.

B) Large rock is used to help handle compaction for the driveway. The larger rock provides a buffer between the ground and disperses the pressure and makes a good base for the future finished driveway.

C) Silt fence and tree fencing keep site visitors off protected areas.

D) A common construction practice is to access onto the site from one entrance. This reduces compaction in areas of more trees. We can access to lot 1 by using driveway access on lot 3 for most of our construction.





Tree Protection

Silt fence and tree fencing keep visitor off protected areas



Larger rock provides a buffer between the ground and disperses the pressure/makes a good base for the future finished driveway



OSTVIG TREE, INC.

SINCE 1933

A Tradition of Excellence

Pillar Homes
1700 Niagara Lane North
Plymouth, MN 55447

April 20, 2015

Dear Planning Committee:

My name is Scott Lejonvarn, consulting arborist for Ostvig Tree Inc. Pillar Homes has requested a consult on the Wise East End project at 313 Central Avenue.

Lot 2 has a mislabeled tree in buffer zone. The walnut is actually a dead elm tree behind an ash tree. Pillar has a proposed driveway here which avoids impacting the more desirable red oak tree to the north of the access. This is a good choice in my opinion.

Lot 3 has a 12" locust tree (#21). I consider this tree hazardous due to large area of exposed heartwood. It has greater than 25% of its bark missing near its base. It is marked for removal which is a good choice.

The north edge of lot 3, off of Central Avenue is the proposed construction access. There are no trees impacted by this decision.

Lot 1 has a driveway that requires 2 elm trees in the buffer to be removed. The elm trees have very wide crowns that are causing damage to 2 very large oak trees also in the buffer. Removing the elm trees would improve the situation for the oak trees. As far as Pillar Homes placing a driveway here, as long as they provide a 5 inch diameter rock base the oak roots will not be stressed due to compaction and loss of air pore space in the soil. This assumes the grade doesn't change dramatically.

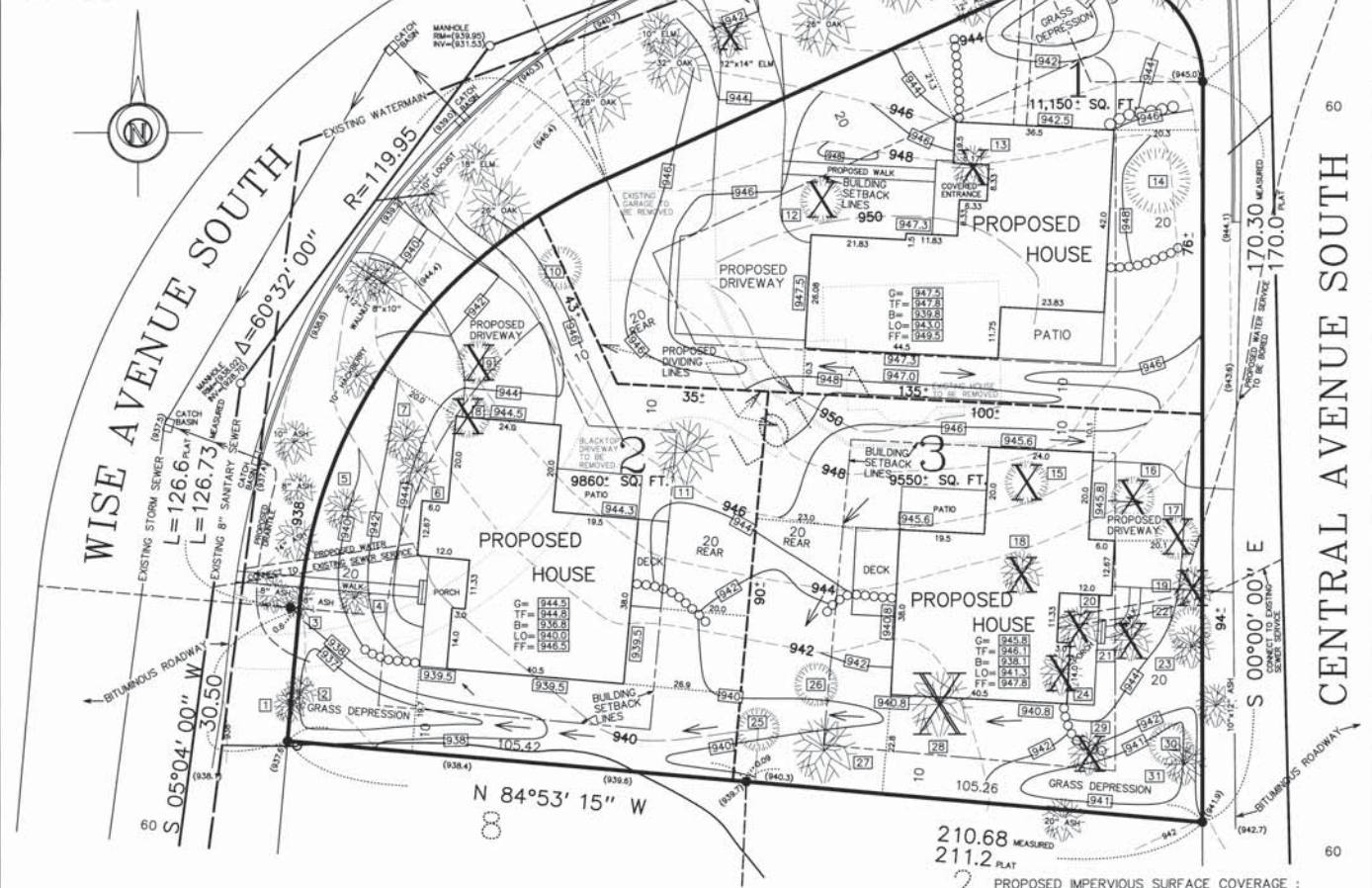
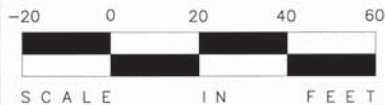
I whole heartedly agree with Pillar Homes recommendations and proposal for location of driveways.

I would add that the buffer zone is overgrown with ash and boxelder. It would be a good time to remove these trees being that EAB pressure is increasing exponentially. St. Louis Park, St. Paul and other cities are currently and proactively removing ash trees as part of their forestry programs.

Sincerely

Scott Lejonvarn
ISA Certified Arborist
MN-0291A

WISE EAST END
PRELIMINARY PLAT AND GRADING AND UTILITY PLAN FOR
PILLAR HOMES
OF LOT 1, "WISE'S REARRANGEMENT OF BLOCK 55"
OF MINNETONKA ARLINGTON HEIGHTS
HENNEPIN COUNTY, MINNESOTA



LEGAL DESCRIPTION OF PREMISES:

Lot 1, "WISE'S REARRANGEMENT OF BLOCK 55"
OF MINNETONKA ARLINGTON HEIGHTS

o : denotes iron marker set

● : denotes iron marker found

(908.3) : denotes existing spot elevation, mean sea level datum

[910.8] : denotes proposed spot elevation, mean sea level datum

---917--- : denotes existing contour line, mean sea level datum

---904--- : denotes proposed spot elevation, mean sea level datum

Bearings shown are based upon an assumed datum.

This survey intends to show the boundaries of the above described property, the location of an existing house, garage, driveway, all to be removed, trees, spot elevations and topography, and the proposed location of two dividing lines, three houses, driveway, and grades thereon. It does not purport to show any other improvements or encroachments.

NOTE: Existing services are from city records. Verify locations.

1 8"x10" LOCUST	17 8" OAK
2 10" ASH	18 8" SH
3 8" ASH	19 10" LOCUST
4 8"x10" BOX ELDER	20 10" LOCUST
5 12" ASH	21 12" LOCUST
6 10" ASH	22 10" PINE
7 10" ASH	23 12" LOCUST
8 8" SPRUCE	24 10" MAPLE
9 12" SPRUCE	25 8" CEDAR
10 12" SPRUCE	26 8" CEDAR
11 32" LINDEN	27 42" COTTONWOOD
12 12" CEDAR	28 24" MAPLE
13 14" MAPLE	29 8" LINDEN
14 26" WHITE PINE	30 8" SPRUCE
15 8" SPRUCE	31 10" ASH
16 8" SPRUCE	

(70) 14" OAK : denotes existing tree to be removed

TREE INVENTORY CHART

PROPOSED IMPERVIOUS SURFACE COVERAGE :
LOT 1
Lot area = 11,150 Sq. ft.

House = 2444 sf
Porch = 152 sf
Walk = 53 sf
Driveway = 578 sf
Patio = 140 sf
Total = 3367 Sq. ft.
3367 / 11,150 x 100 = 30.20%

LOT 2
Lot area = 9860 Sq. ft.

House = 2099 sf
Porch = 192 sf
Walk = 33 sf
Driveway = 379 sf
Patio = 98 sf
Total = 2801 Sq. ft.
2801 / 9860 x 100 = 28.41%

LOT 3
Lot area = 9550 Sq. ft.

House = 2099 sf
Porch = 192 sf
Walk = 18 sf
Driveway = 326 sf
Patio = 98 sf
Total = 2733 Sq. ft.
2733 / 9550 x 100 = 28.62%

NOTE: ALL DRIVEWAYS, WALKS AND PATIOS TO BE CONSTRUCTED OF PERVIOUS PAVERS, AND HAVE BEEN COUNTED AS 50% HARDCOVER.

14470PREPLAT2.SGJ

DATE	REVISIONS	DESCRIPTION
4-15-15	REVISED DRIVES	
JOB NO.		
14-470		

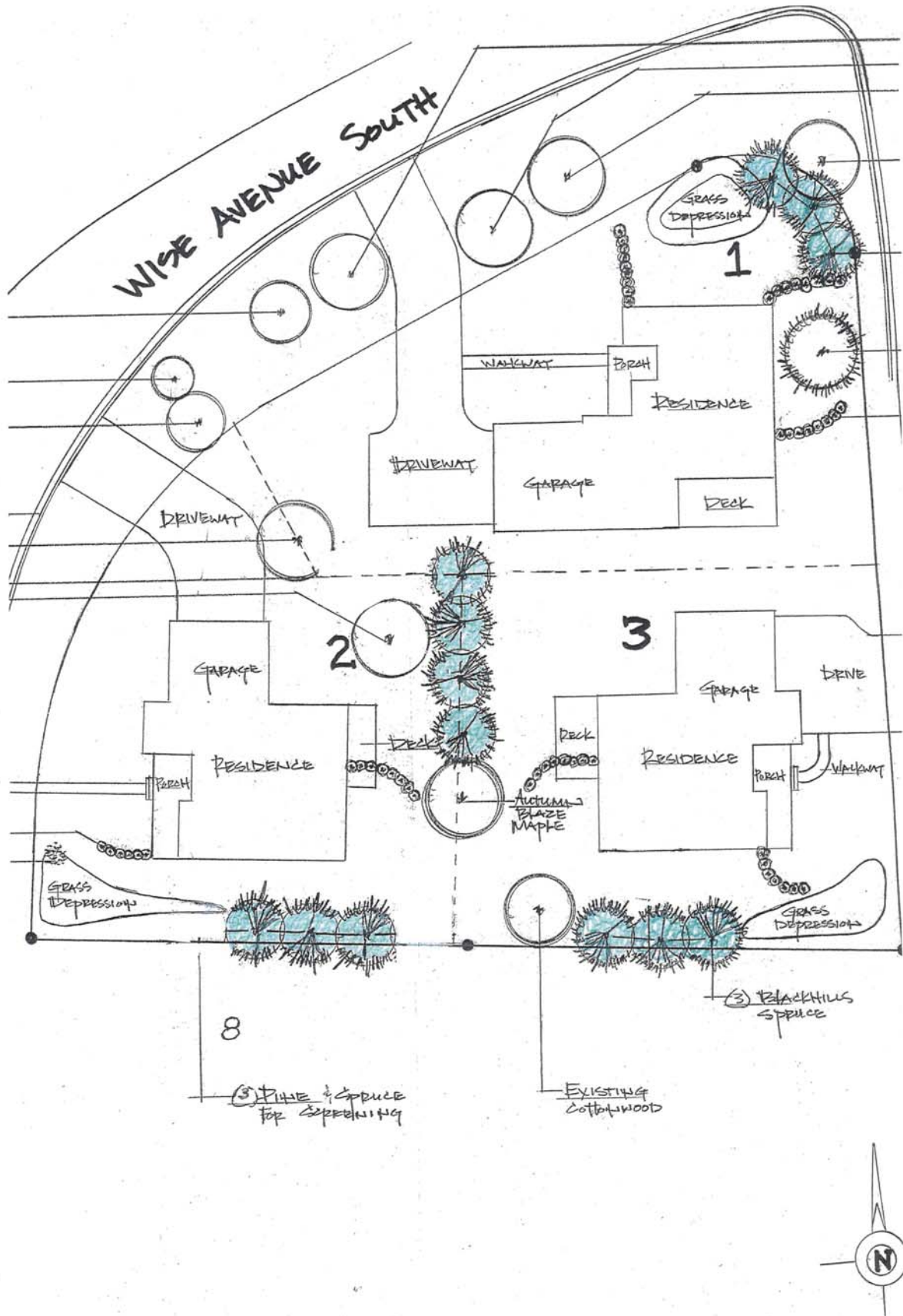


GRONBERG AND ASSOCIATES, INC.
CONSULTING ENGINEERS, LAND SURVEYORS, & SITE PLANNERS
445 NORTH WILLOW DRIVE
LONG LAKE, MN. 55356
952-473-4141

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

Mark S. Gronberg Minnesota License Number 12755

SCALE	1"=20'
DATE	1-13-15
JOB NO.	14-470



Attachment D

Wayzata Historical Society

[Home](#)[About Wayzata](#)[The Depot](#)[Photos](#)[Online Documents](#)[WHS Orga](#)**313 CENTRAL AVENUE SOUTH - 1904**

This house is rich in Wayzata's history which is greatly cherished by its present owners. The house was built by Thomas E. Wise. Mr. Wise and his son Harry, purchased all of Block 55 from the Harrington estate in 1904 for \$11,000. Wise lived in the house until his death May 4, 1919. His funeral was held in the house. A brief history from his obituary in the Minneapolis Journal says that Mr. Wise came to St. Paul in 1866, after serving as a corporal in the Civil War. In 1876, he came to Wayzata to work as a wood agent for James J. Hill which continued until he started Wise Boat Works located at the present site of the Wayzata Yacht Club. He built numerous types of boats from the Minnetonka Canoe to speed boats for which he was particularly noted.

The Wise family occupied the house until 1935 when it was sold to A. E. Hartman. In 1944, it was purchased by Frank and Rhoda Blackmarr who lived there until 1958 when Richard and Rene Deziel bought the house and since he was a carpenter, he replaced all the windows. Ownership then switched to the Essigs, then Nancy Gibson, and 1976 to Robert and Linda Simmons who expanded the rear dormer. In 1983 ownership was transferred to the current owners.

Copyright © 2010 Wayzata Historical Society

Attachment D
THOMAS H. WISE HOUSE
313 CENTRAL AVENUE-OLD HOLDRIDGE

This beautiful house was built 111 years ago in 1904. Yes, it is one of our Centennial Houses and received the award from the HPB and the City in 2004. That along with the considerate care and preservation of the exterior by its numerous owners help to make it a historic house that has been well maintained.

It is not often we know who built a historic house or for whom but we know both of these about this one. Thomas H. Wise purchased the entire block from John S. Harrington Ferndale, Wayzata for \$11,000. in 1904 . Built this house for himself and lived there until his death May 4, 1919. His funeral was held in his house.

All that alone would make this house historic but Thomas Wise himself left a large footprint in Wayzata's history both as a business man and a prominent participant in the building of Wayzata's government. You see a house becomes historic not only for its age or architect but also for the prominent citizen who built it and lived there.

Wise came to St Paul in 1866 after serving as a corporal in the Army during the Civil War. He came to Wayzata in 1876 to work as a wood agent for James J. Hill furnishing wood for the RR steam engines.

In 1902, he opened the WISE BOAT WORKS, where the Sailing club is today. He was noted for his fast racing motor boats but also canoes and row boats. Boat building was the most prominent business in Wayzata. Wise Boat Works was One of the largest along with Moore Boat Works, where he worked at one time. But this was not Wise's only contribution to our city's history.

When the town of Wayzata became the Village of Wayzata in 1883 and residents took on their own government and responsibility for development of the village, Tom Wise stepped in to do his part. He was appointed the first Street Commissioner even before there were streets just wagon ruts. It was a big job—trees and stumps to remove, grading with probably not much more than a log pulled behind a team of horses.

In 1888, he was appointed the City's "Lamp lighter" the first street lights were gas lit.. Wise was responsible for maintaining, fueling and lighting the lamps every night at dusk and shutting them down at midnight.

In 1998, he was elected a trustee on the Village Board and appt to oversee the Street Committee and given the responsibility of securing a lawyer in Mpls that would handle the suit against the Great Northern RR to get it to move tracks and water tank and allow the Village to have 60' wide Lake Street.

In 1902, he was elected President of the Village Board. During his term cement sidewalks were put in from Manitoba Ave To Broadway. The same year, the Waterous Gas Fire Truck was purchased.

The Wise House is a historic house in Wayzata, not only for its age and but also the man who built it and lived in it. We ask that it be saved right where it was built by Thomas H. Wise. Not only has the house been carefully and respectfully preserved by all those who have lived there but it stands as a monument to Thomas H. Wise . for his infamous boat building business, and his numerous contributions to the government and development of our city.

Irene Stemmer-
205 Barry Ave S-Wayzata, MN

Attachment E

Bryan Gadow

From: Joanie Holst <jholst@nwhealth.edu>
Sent: Monday, April 06, 2015 1:41 PM
To: Bryan Gadow
Subject: Wise House

Hi Bryan

I understand the Wise house will be discussed at the planning commission meeting tonight. Unfortunately, I have a previously appointment and cannot attend.

However, I would like to comment that I very much want to see this house saved. It is one of the only pieces of history left in Wayzata and as I understand it has not been altered much. It is important to many of us as residents that our local history be preserved and saved. And there isn't much of anything left. I ask that you work together to find a creative way to save this house, and I imagine there is a builder involved also. Even the Vogel book comments on the valuable piece of history this house is. Not to mention, also, how important the Wise family is to our local history.

Let me know if there is anything the historical society can do for this effort.

Thank you for reading this.

Sincerely

Joanie Holst

121 Bushaway Road

President of Wayzata

Historical Society

Sent from my Verizon Wireless 4G LTE smartphone

AGENDA ITEM 3. Regular Agenda Public Hearing Items:

a. 313 Central Avenue S – Pillar Homes

- i. Concurrent Preliminary and Final Plat for a Three (3) Lot Subdivision**
- ii. Shoreland Conditional Use Permit**

Mr. Gadow stated Pillar Homes and Gary Gravier have submitted a Development Application requesting concurrent preliminary and final plat subdivision approval and a Shoreland Conditional Use Permit for hardcover up to 35%, with storm water mitigation techniques, for a new three (3) lot subdivision at 313 Central Avenue S. He reviewed the Building Concept Plans, the Existing Conditions Survey, Preliminary Plat, Grading and Utility Plan, tree inventory, Final Plat, and Architectural Concepts.

Commissioner Ramy asked how the Storm Water Maintenance Agreement would be defined.

Mr. Gadow explained there is a standardized agreement that the City Engineer uses and he adds the specific project elements. There would be a copy of the site plan attached to the agreement and this would be recorded at Hennepin County. Buyers of these lots would be bound by the conditions of the Storm Water Maintenance Agreement. Pillar Homes also has an agreement that the buyers would sign acknowledging they are bound by the conditions of maintaining these storm water mitigation techniques if the subdivision is approved.

Commissioner Ramy asked about the inspection and enforcement of these systems and agreements.

Mr. Gadow stated the owner of the property is responsible to provide the City with a report that a trained professional has done an inspection and the City Engineer and Public Works staff verify that the work has been completed. If there are any issues with a system not working then the City can direct the property owner to fix the issues. There is typically an annual review done by the City.

Mr. K.C. Chermak, owner Pillar Homes, 575 Far Hill Road, Wayzata, explained the storm water mitigation. He stated the materials being used for the homes would meet the City's code. He also pointed out that 2 of the 3 homes would have side loading garages in order to create some architectural interest. He explained which trees would be removed, which includes 1 large tree and 13 small trees. He asked the City to groom the large trees in the City's right-of-way.

Commissioner Gonzalez asked for clarification on what trees in the right-of-way would be removed and if the remaining trees would be protected during construction.

Mr. Chermak stated they were proposing to remove two (2) of the smaller trees in the right-of-way and they would utilize different techniques to preserve the remaining trees.

Commissioner Gonzalez asked if fill would be brought in or taken out of the site.

1 Mr. Chermak stated the topography of the site would not change much and all of the garages
2 would be on the high side. He anticipated there would be fill removed from the site.

3
4 Commissioner Gonzalez asked if anything had been done to try and save the historic home on
5 the site.

6
7 Mr. Chermak stated he had contacted some people in regard to moving the home but there are
8 structural deficiencies that make moving it difficult.

9
10 Commissioner Gruber asked if it would be less expensive to shore up the foundation of the
11 existing home and retain it rather than move it.

12
13 Mr. Chermak explained that in order to determine if a home is worth remodeling, they have a
14 check list they use. The home is historic but based on these criteria it would be too costly to
15 remodel the existing home.

16
17 Commissioner Iverson asked what the square footage would be for the new homes being
18 proposed because the existing homes in the neighborhood are small.

19
20 Mr. Chermak stated a rambler would have approximately 2400-2600 square feet on two floors
21 and a 2-story home would have approximately 3500-4200 square feet on three floors. He
22 explained he was including the basement square footage in these calculations.

23
24 Commissioner Iverson stated there is potential to save the current home and make it livable for
25 today's family and she would like to ask the Applicant to look into this further and consider it.

26
27 Chair Vanderheyden opened the public hearing at 6:56 p.m.

28
29 Ms. Merrily Borg Babcock, 337 Reno Street, Wayzata, stated the existing home is part of
30 Wayzata history and adds character to this neighborhood. She explained the history and
31 significance of the home and asked Mr. Chermak to consider different lot layouts and setbacks in
32 order to preserve this home. She expressed concerns that Wayzata is losing one of only a couple
33 historic homes that has not been altered and asked if the records for the City's inspection on
34 pavers were public record.

35
36 Mr. Gadow stated he would check with the Engineering Department in regard to these records
37 and find out if they would be considered public record.

38
39 Ms. Stemmer, 205 Barry Ave S, Wayzata, shared the history of the home currently on the
40 property and she asked the Developer to consider alternatives in order to save the home.

41
42 Ms. Sue Sorrentino, 525 Queensland Lane N, Plymouth, stated she would also like to see the
43 home maintained in its current location due to its historic significance.

1 Ms. Judy Starkey, 16201 Holdridge Road W, Wayzata, stated Wayzata does not have a Historic
2 District but this home had been given centennial status and she would like to see the home
3 remain.

4
5 Ms. Janet Lillevold, 307 Hampton Street, Wayzata, stated there are challenges to keeping the
6 existing home but she would like the Commission to consider allowing only 2 homes in this area
7 due to size and mass.

8
9 Chair Vanderheyden closed the public hearing 7:19 p.m.

10
11 Commissioner Gruber stated she would like to spend more time working with Mr. Chermak to
12 save the existing home.

13
14 Commissioner Young stated he had been unaware of the historical nature of the existing home.
15 He expressed concerns with putting three (3) homes on this property and saving the existing
16 home does warrant additional dialogue with the Developer.

17
18 Commissioner Iverson stated she would like to ask the Developer to look at laying out the parcel
19 differently in order to save the home and also look at different ways to fix the home. She would
20 support continuing the meeting in order to look at options at the next meeting.

21
22 Mr. Gary Gravier, 313 Central Avenue, stated over the last twenty years they had looked at
23 remodeling several times but the cost was greater than what the home is worth. He pointed out
24 the parcel is legally three (3) lots.

25
26 Commissioner Gruber stated there are grants that the City could look into for the preservation of
27 historical homes. The City should take its time to consider all possibilities because there are so
28 few historic homes remaining in Wayzata.

29
30 Commissioner Gonzalez stated the Planning Commission should look at the Ordinances. The
31 size of the proposed homes does not meet all the requirements of the subdivision Ordinance, the
32 trees loss is too significant, and the proposed homes are too large for the neighborhood, altering
33 the characteristic of the neighborhood. The developer has not clarified the amount of fill that
34 will be brought in or removed from the site or what preservation techniques will be used to save
35 the remaining trees. She stated two (2) lots would be better than three (3).

36
37 Commissioner Gnos asked if the Developer and Owner would even consider keeping the existing
38 home. He clarified that the tree loss is significant but Pillar Homes has a history of brining in
39 trees. He would like to see a landscape plan.

40
41 Commissioner Young stated that this had been presented as a subdivision but the historical value
42 of the existing home makes it more challenging. He would like to know that all avenues for
43 preserving the home have been exhausted. He stated he would not be prepared to render a
44 decision on this proposal at this time.

1 Chair Vanderheyden stated the Application is before them and there is time constraints the City
2 must work within. He asked Mr. Gadow what the Commission's options were.

3
4 Mr. Gadow explained the Commission could ask the Applicant for information about the plan
5 submitted. The Applicant would need to decide if they would like to make modifications to the
6 Application submitted based on the comments and suggestions of the Commission.

7
8 City Attorney Schelzel clarified the Commission should be specific regarding the additional
9 information they would require.

10
11 Chair Vanderheyden stated the Commission would like more information on the restoration
12 viability, either by the Applicant or an expert hired by the Applicant, including moving the
13 existing home or keeping it in its current location.

14
15 Commissioner Gonzalez stated she would like more information regarding the amount of fill that
16 would be brought onto the site or removed from the site, if the three (3) lots were approved. She
17 requested the Applicant consider a two (2) lot subdivision.

18
19 Mr. Gravier stated over 55% of the trees would be preserved and the value of this parcel is in
20 subdividing it into the three (3) legal lots. These lots meet the Zoning requirements for the
21 District.

22
23 Chair Vanderheyden stated the Commission would like clarification on what techniques would
24 be used to preserve the remaining trees. The Heritage Preservation Board should be granted
25 access to the existing home in order to document it. He asked for details regarding any variances
26 that may be needed to make the three (3) lots work and the Commission would like to see a
27 landscape plan.

28
29 Commissioner Gruber suggested Staff work with the Heritage Preservation Board and the
30 Heritage Society to look into grants for restoration. She stated there is value in subdividing the
31 property into three (3) lots but this is an opportunity to show the community that private and
32 public sectors can work together to solve issues to be a win/win situation.

33
34 Mr. Chermak stated the property is legally three (3) lots and it is unlikely this would be
35 reconsidered. He provided the Commission with a landscape plan. He stated the mature trees on
36 the property would not be disturbed. There would be fill removed from the site not brought in
37 and the grade on the property will change minimally. He did not have an exact calculation of
38 how much fill would be removed but could provide an estimate for the Commission.

39
40 Commissioner Gonzalez expressed concerns the Applicant was requesting to remove trees from
41 the City's right-of-way. She does not want to set a precedent that this is acceptable and she
42 asked the Applicant to look at alternate driveway configurations.

43
44 Mr. Chermak stated they would look at alternate driveway configuration. He explained he
45 would continue to look into restoration of the existing home including moving it but he would
46 not want to do something with a timeline that would infringe on the property owners rights, such

1 as applying for a grant that may take years. He asked if Park Dedication fees could be used in
2 this situation to move and restore the move.

3
4 City Attorney Schelzel asked for clarification regarding the historic nature of the requests, if
5 Staff would work with the Applicant, and what information the Applicant would need to provide
6 to the Commission.

7
8 Chair Vanderheyden asked if there were any policies about historic properties.

9
10 Mr. Gadow explained the City has a Historic Preservation Ordinance. This is a voluntary opt in
11 and once on the list there are some rules about what could happen with the property.

12
13 Commissioner Gonzalez made a motion, Seconded by Commissioner Iverson, to Continue
14 Review of the Application for 313 Central Avenue for a Concurrent Preliminary and Final Plat
15 for Three (3) lot Subdivision and Shoreland Conditional Use Permit to a future meeting. The
16 Applicant is requested to provide additional information as outlined in the discussions. The
17 motion carried unanimously.

18
19 Commissioner Ramy left the meeting at 8:15 p.m.

20
21 **b. 901 Lake Street – East Block of the Promenade of Wayzata**

22 **i. Review and Adoption of Planning Commission Report and**
23 **Recommendation**

24
25 Mr. Gadow stated BohLand Development LLC submitted an application for an amendment to
26 the Planned Unit Development (PUD) and modification of the design of the East Block of the
27 Promenade Project. The Planning Commission reviewed the Application on March 16 and held
28 a public hearing. The Commission voted 4-0 to direct Staff to prepare a draft Planning
29 Commission Report and Recommendation for approval for review at the next meeting.

30
31 Mr. Steve Bohl, President BohLand Development, 825 Wayzata Blvd. E., Wayzata, reviewed
32 what the original submission had been and the scope, scale, and size changes that have been
33 made so the building has less visual impact. He reviewed the traffic routes that would likely be
34 used to access the property and explained they would promote the Superior/Lake Street access to
35 the property. He also discussed the traffic counts of the original approved use and the revised
36 traffic counts if this plan were approved.

37
38 Commissioner Iverson stated she would like to see what a different front would look like. She
39 would also like to see more of the historic references such as porches and altered rooflines. She
40 asked if a cupola could be added to the roof or some of the window sizes changed in order to
41 create more charm. She would like to see the outside look more like the buildings that they used
42 for reference.

43
44 Mr. Bohl stated it was difficult to tie in historical references and still keep the building new and
45 modern. He pointed out areas that they had tied in the historical references. He stated they
46 could continue to look at adding architectural detail to the building including bringing the

WAYZATA PLANNING COMMISSION
DRAFT MEETING MINUTES
April 20, 2015

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

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

Present at roll call were Commissioners: Gruber, Gonzalez, Vanderheyden, Iverson, Ramy, and Gnos. Absent and excused was Commissioner Young. Director of Planning and Building Gadow and City Attorney David Schelzel were also present.

Chair Vanderheyden stated the minutes to be reviewed are from the April 6, 2015 meeting.

Commissioner Ramy stated he had left the meeting at 8:15 p.m. for line 19 on page 7. He did not second the motion to adjourn the meeting on page 10, line 32.

Chair Vanderheyden stated there had been several seconds to the motion to adjourn.

City Attorney Schelzel stated he had provided typo corrections to Mr. Gadow.

Commissioner Gonzalez made a motion, Seconded by Commissioner Gruber, to approve the April 6, 2015 meeting minutes as amended. The motion carried unanimously.

AGENDA ITEM 2. Regular Agenda Public Hearing Items:

- a. 313 Central Avenue S – Pillar Homes (Continued from April 6, 2015)**
 - i. Concurrent Preliminary and Final Plat for Three (3) Lot Subdivision**
 - ii. Shoreland Conditional Use Permit**

Mr. Gadow stated on April 6, the Planning Commission began review of an application for subdivision of the property at 313 Central Avenue S. into three (3) single-family lots. The application also included a request for a Shoreland CUP for additional hardcover above the 25%. After the public hearing, the Planning Commission voted to continue review of the application to request additional information from the Applicant including: having the Applicant review options to preserve and restore the existing residence, clarify the amount of grading, provide a landscape plan, tree preservation techniques that would be used on the site, and alternate driveway configurations. He stated Ms. Babcock would be able to speak about the options for the existing home.

Mr. K.C. Chermak, owner Pillar Homes, 575 Far Hill Road, Wayzata, stated the proposed grading amounts for the site were 80 cubic-yards of fill average per lot and they are proposing silt fencing and tree protection fencing around the trees during construction and rock areas during construction for vehicle access to disperse pressure from construction vehicles. He had a

1 Certified Arborist evaluate the trees on the site and he does agree that the large rock areas will
2 disperse pressure on the roots. He clarified he would also do most of the access for the project
3 on Lot 3 because there are less trees in this area. The driveways would be approximately 10-feet
4 narrower than on the survey and the driveways would be pervious pavers. He stated he had met
5 with the Wayzata Heritage Preservation Board and the Wayzata Historical Society regarding the
6 existing home. These meeting have resulted in a good collaboration of creative ideas and
7 entrepreneurship. There is no guarantee that the home will be kept but there is a chance with
8 creativity that it could happen. He has showed the home to three (3) interested parties. The
9 home would not stay where it is located because there would be too many variances needed to
10 make this happen and the home needs to be moved to a better foundation regardless. He has
11 received an estimate for moving the home. He reviewed the landscape plan.

12
13 Commissioner Gonzalez expressed gratitude that Mr. Chermak had been willing to look at
14 alternatives for the existing home and she asked what the total tree loss would be on the
15 property.

16
17 Mr. Chermak stated this had been estimated at 45% but the Certified Arborist had found a couple
18 of these trees to be damaged, diseased or dead so the percentage would be closer to 40%. He did
19 express concerns about the ash trees on the property.

20
21 Mr. Gadow clarified from the original analysis there had been 14 trees to be removed.

22
23 Commissioner Gonzalez asked if there would be additional tree loss if the existing home is
24 moved.

25
26 Mr. Chermak stated they would expect to have to remove branches but no significant trees. The
27 strategy is to move the home north.

28
29 Commissioner Gruber thanked Mr. Chermak for his work in trying to save the existing home and
30 asked if there would be any deciduous trees planted on the property.

31
32 Mr. Chermak stated there are so many on the property now that he had not planned on adding
33 more than the one maple.

34
35 Commissioner Iverson asked if these would be custom homes or spec homes.

36
37 Mr. Chermak stated the last 15 permits he had pulled in Wayzata these had all been for custom
38 homes and he believed that the three (3) new homes would also be custom homes. He stated he
39 is not a proponent of the sprinkler code that was just changed and he would try to keep the
40 homes under a certain size for this reason and they would fit into the neighborhood better.

41
42 Commissioner Iverson asked what the time frame would be for when the final decision would
43 need to be made regarding the existing home.

44
45 Mr. Chermak estimated he would need to know in approximately the next 45-60 days. If a site is
46 selected the time could be extended another 60-90 days by moving the home to the corner. He

1 stated he had looked at the footprint of the existing home to verify that it would fit on the smaller
2 lots in the area and it did but may require a variance.

3
4 Chair Vanderheyden opened the public hearing at 7:26 p.m.

5
6 Chair Vanderheyden closed the public hearing at 7:27 p.m.

7
8 Commissioner Gonzalez recommended adding a condition that the Applicant would repair any
9 damage to the roads done by the construction traffic.

10
11 Commissioner Iverson asked how they would determine what damage was done by the
12 Applicant and what had been preexisting because these roads are in bad condition due to the
13 construction at Presbyterian Homes. She would not feel comfortable making the Applicant fix a
14 road that was already damaged.

15
16 Mr. Gadow stated they would check with the City Engineer regarding the request.

17
18 Commissioner Iverson suggested adding language that the Applicant would help pay for it when
19 the City does work on the road and she would recommend this is added to the Presbyterian
20 Homes request as well.

21
22 Commissioner Gruber stated having one more driveway on Wise Avenue would be dangerous.
23 The land can be subdivided but she would like to see if there was a way the City could mitigate
24 some of this danger with additional signs.

25
26 Mr. Gadow stated if the Planning Commission approves this Application one of the conditions
27 would be that a Storm Water Maintenance Agreement would be put together with the Applicant
28 and recorded against the property.

29
30 Commissioner Iverson asked how realistic 45-60 days would be for putting something together
31 to save the existing home and if the Commission could recommend a condition that the
32 Applicant provides 90 days.

33
34 Ms. Merrily Borg Babcock, 337 Reno Street, Wayzata, stated she would not be able to say if this
35 is a realistic time line. Mr. Chermak is being reasonable and providing options. She asked the
36 Commission to consider having the driveway not cut onto Wise Avenue but exit on Central
37 Avenue, if possible.

38
39 Commissioner Gruber asked Mr. Chermak why he thought he would only be able to give them
40 45-60 days to save the existing home.

41
42 Mr. Chermak stated there are a couple of things that have to do with the timeframe of the
43 application. When there are deadlines then things can happen but he would not like to see it
44 extended indefinitely. The real estate market is vibrant and he would not tear it down just
45 because the deadline would need to be pushed slightly when there is a plan in place.

1 Commissioner Gonzalez stated she would support the Shoreland Conditional Use Permit with a
2 condition that would ensure the mitigating measures are taken and maintained. She expressed
3 concerns about the number of trees that would be lost and the preservation of trees is very strong
4 in the Subdivision Ordinance. She stated she would support two (2) houses on this property but
5 three (3) is too many because this many curb cuts in an area that is already dangerous would not
6 work. She would not support the Preliminary and Final Plat for three (3) houses.

7
8 Commissioner Iverson asked if speed bumps should be discussed again for this neighborhood.

9
10 Mr. Gadow stated he would check with Public Works but these are something that are typically
11 considered after receiving a petition from the neighborhood with a set percentage of residents
12 requesting them. Once this is received the City would do a study to see if these would work in
13 the area.

14
15 Commissioner Gruber stated mitigating the safety in the area should be included in the
16 Commission report and the City should look at ways to mitigate the safety. Mr. Chermak had
17 done a great deal to make sure there are no additional trees lost and he is doing what he can to
18 save trees and still be able to develop the property.

19
20 Commissioner Iverson asked if the City should be notified if the home is going to be taken
21 down. She would like to see the Developer come before the City Council and notify the City in
22 this situation.

23
24 Mr. Chermak stated he would come back to the City Council in the event the home needs to be
25 taken down but he would like the time frame shortened to the 45-60 days he had requested.

26
27 City Attorney Schelzel asked if Commissioner Iverson was asking for notice in order to inform
28 the public or in order to try and make one last ditch effort to save the home. He also asked how
29 much notice would be required and when would this notice need to be received.

30
31 Commissioner Iverson stated she would like to have notice in order to inform the public that all
32 efforts had been exhausted and the Developer did everything he could but the home could not be
33 saved.

34
35 Commissioner Gnos stated part of the demolition process includes notice to the City.

36
37 Commissioner Gruber made a motion, Seconded by Commissioner Ramy, to direct Staff to
38 prepare a draft Planning Commission Report recommending approval of the Preliminary and
39 Final Plat for a Three (3) Lot Subdivision and Shoreland Conditional Use Permit for 313 Central
40 Avenue S. with the following conditions: At the policy level concern for safety mitigation
41 methods should be discussed by the Council, there is a Storm Water Maintenance Agreement
42 recorded against the property, the tree protection that the Developer has offered is implemented
43 through the construction process, and best efforts basis to save the existing home with a period
44 not to be less than 60 days from City Council approval and if all opportunities have been
45 exhausted the Developer would provide the City with public notification 10 days prior to the
46 home being taken down.

Commissioner Gonzalez asked how she would vote since she does not support the Preliminary and Final Plat but she does support the Shoreland Conditional Use Permit.

City Attorney Schelzel stated if Commissioner Gonzalez did not support the motion on the floor then she should vote nay.

The motion was called to a vote. The motion carried 4-ayes; 1-nay (Gonzalez).

AGENDA ITEM 3. Other Items:

a. Review of Development Activities

Director of Planning and Building Gadow stated the next meeting would be the Planning Commission recommendation on 313 Central Avenue subdivision and a variance request, Shoreland Conditional Use Permit and impervious surface variance request for 532 Ferndale West and 637 Harmony Circle application.

b. Other Items

Chair Vanderheyden asked what value the Planning Commission had when holding public hearings when they are held again at the City Council meetings.

Mr. Gadow stated from a policy level, as part of their rules, the City Council allows the public to come and speak to any items that are not formally on the agenda and those that are formally on the agenda.

City Attorney Schelzel stated under the Statute the Planning Commission legally holds the public hearing. The City Council does not have to hold a public hearing.

AGENDA ITEM 4. Adjournment.

There being no further business, Commissioner Ramy made a motion, seconded by Commissioner Gonzalez to adjourn the meeting. The motion passed unanimously.

The meeting was adjourned at 8:09 p.m.

Respectfully submitted,

Tina Borg

TimeSaver Off Site Secretarial, Inc.



WAYZATA PLANNING COMMISSION

May 4, 2015

**REPORT AND RECOMMENDATION OF APPROVAL OF CONCURRENT
PRELIMINARY AND FINAL PLAT AND SHORELAND CONDITIONAL USE PERMIT AT
313 CENTRAL AVE S**

DRAFT

SUMMARY OF RECOMMENDATION

Approval* of Concurrent Preliminary and Final Plat for Three (3) Lot Subdivision
Approval* of Shoreland Conditional Use Permit

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

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Project. Pillar Homes (the “Applicant”) and Gary Gravier (the “Owner”) have submitted a Development Application (the “Application”) requesting concurrent preliminary and final plat subdivision approval (the “Subdivision” or the “Preliminary/Final Plat”) and a Shoreland Conditional Use Permit for hardcover up to thirty five percent (35%) for a new three (3) lot subdivision (the “Project”) at 313 Central Ave S (the “Property”). The Project would require the removal of the existing structure on the Property and a subdivision of the parcel. Building concept plans for the new residences have been submitted for review.
- 1.2 Application Requests. As part of the Application, the Applicant is requesting approval of the following items:
- A. Concurrent Preliminary and Final Plat for Three (3) Lot Subdivision of the Property (the “Proposed Subdivision”).
 - B. Shoreland Conditional Use Permit to increase impervious surface from twenty five percent (25%) up to thirty five percent (35%) with stormwater management techniques (the “Shoreland CUP”).

- 1.3 Property. The property identification numbers and owners of the parcel comprising the property (the “Property”) is:

313 Central Ave S	06-117-22-41-0051	G P & C Gravier
-------------------	-------------------	-----------------

- 1.4 Land Use. Uses in the general vicinity are single family detached residential and two family residential. The Project area is zoned R-3A (9,000 SF minimum lot sizes).
- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Lakeshore Weekly* on March 24, 2015. A copy of the notice was mailed to all property owners located with 350 feet of the Property on March 26, 2015. The required public hearing was held at the April 6, 2015 Planning Commission meeting. Additional public comment was received at the April 20, 2015 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 Preliminary and Final Plat Subdivision. Chapter 805 of the Wayzata City Code, (the “Subdivision Ordinance”) sets forth the procedure and substantive review criteria for applications for a subdivision. Before any plat can be recorded or of any validity, it must be referred to the City Planning Commission and approved by the City Council as having fulfilled the requirements of the Subdivision Ordinance. Section 805.15 of the Wayzata Subdivision Ordinance allows the City to review a proposed preliminary and final plat simultaneously.

- A. Goals. Under Section 805.2.b of the Subdivision Ordinance, subdivisions approved under the Subdivision Ordinance must be guided by the following:

1. Preserve and enhance Wayzata’s “small town” character (Comprehensive Plan).
2. Respect the existing scale, character and pattern of the City, recognizing existing neighborhoods and commercial areas (Wayzata Physical Plan).
3. Provide a balanced housing supply available for all people no matter their income, age, race or ethnicity (Comprehensive Plan).
4. Support a pedestrian environment at a human, not automotive scale (Wayzata Physical Plan).
5. Relate development/redevelopment to the natural characteristics of the land to enhance the development through the preservation of

attractive natural amenities (i.e., lakes, wetlands, creeks, wooded areas, slopes, etc.) (Comprehensive Plan).

- B. Criteria for Approval. Under Section 805.14.e of the Subdivision Ordinance, the Planning Commission must consider the possible adverse effects of a preliminary plat and report its findings and recommendation to City Council. Its judgment must be based upon, but not limited to, the following factors:
1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
 2. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
 3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filling or grading.
 4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
 5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
 6. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
 7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
 8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
 9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council

review process outline in Section 9 of the Wayzata Zoning Ordinance.

10. The proposed lot layout and building pads shall conform with all relevant performance standards.
 11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
 12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.
- C. Concurrent Preliminary/Final Plat. Section 805.15 of the Subdivision Ordinance allows the City to review the preliminary and final plat simultaneously.
- D. Parkland Dedication. Section 805.37 of the Subdivision Ordinance requires a parkland dedication contribution for new single family lots at the time of recording of the Final Plat.

2.2 Shoreland Conditional Use Permit (CUP).

Except for certain situations not applicable to the Project, Section 801.91.19 of the Zoning Ordinance requires landowners or developers developing land in the Shoreland District to first submit a conditional use permit application in accordance with Section 801.04 (CUPs) and a Shoreland Impact Plan in accordance with Section 801.91.19A. The purpose of the Shoreland Impact Plan shall be to eliminate and minimize as much as possible potential pollution, erosion and siltation. All conditional use permits for consideration under Section 801.91.19 are subject to the following stipulations:

- A. The projects shall be analyzed to determine the impact of impervious surfaces, storm water runoff, floodplain, and water quality implications. Only those projects shall be allowed where the adverse impacts have been mitigated through approved means to the extent possible.
- B. Storm water treatment measures including, but not limited to, sediment basins (debris basins), desilting basins or silt traps, installation of debris guards, and microsil basins on storm water inlets, oil skimming devices, etc. shall be required subject to the review of the City Engineer and the Minnehaha Creek Watershed District on projects where applicable.
- C. Projects shall be analyzed in terms of provisions for maintenance and enhancement of landscape features, and change in the natural condition of the soil, trees, grade courses and marshes. The vegetative planting plan shall contain trees, when fully mature, that will exceed the building height. The plan shall also minimize tree removal, ground cover change, loss of

natural vegetation, and grade changes as much as possible. It shall further provide for the relocation or replanting of trees which are proposed to be removed.

- D. Projects shall be analyzed in terms of the appearance of the structure when viewed from the lake's surface. Building materials, and color shall be analyzed to determine which facade and roof materials minimize the appearance and blend the structure into the shoreland and vegetation.
- E. Building heights shall be analyzed to determine the impact on surrounding structures and views from the lake surface or other shores. Structures shall not be allowed to exceed a height beyond that is allowed by the base zoning district or cannot be screened by landscaping or other design measures.
- F. Residential densities on a project basis shall not be allowed to exceed the maximum allowed density of the base zoning district for which the project is proposed. For higher density residential development and planned unit developments, the density shall not be allowed to exceed the density standards as specified in the R-5 District of the Zoning Ordinance.
- G. Lot coverage on a project basis shall be restricted to the provisions for maximum impervious surface coverage as provided for in the Zoning Ordinance.
- H. Overall residential densities in the shoreland area shall not exceed the surplus development capacity for residential density, as calculated for Lake Minnetonka, Gleason and Peavey Lakes, as specified in the Wayzata Comprehensive Plan/Shoreland Management Plan, as may be amended.
- I. Overall lot coverage in the shoreland area shall not exceed the surplus development capacity for impervious surface coverage calculated for Lake Minnetonka, Gleason and Peavey Lakes, as specified in the Wayzata Comprehensive Plan/Shoreland Management Plan, as may be amended.
- J. All projects shall be in conformance with the Stormwater Management Plan for the City of Wayzata, May 1988, as may be amended and/or approved by the City Engineer.
- K. All projects shall be in conformance with the Wayzata Comprehensive Plan/Shoreland Management Plan, as may be amended.
- L. All projects shall be subject to the review of the Minnehaha Creek Watershed District.

The Shoreland Conditional Use Permits are regulated by Section 801.04.2.F which requires City Council to consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:

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

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

Section 3. FINDINGS

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

3.1 Proposed Subdivision.

- A. Goals. The Proposed Subdivision is consistent with the goals of the Subdivision Ordinance.
- B. Criteria for Approval.
 1. The Project associated with the Proposed Subdivision is consistent with the Wayzata Comprehensive Plan. The proposed Subdivision conforms with the low density residential guidance of the Comp Plan for this area and the R-3A Single and Two Family Residential District. The proposed lots are in excess of 9,000 SF of lot area.
 2. The building pads associated with the Project ("Proposed Building Pads") would not negatively impact any sensitive areas.
 3. The Proposed Building Pads have been selected and located with respect to natural topography to minimize filling or grading, though the Commission would recommend a condition be attached to approval that the City Engineer's approval must be secured for a grading plan, prior to any construction work so that land disruption is minimized.

4. Existing significant trees would be retained where possible on the Property. As part of the Project, there would be a net reduction of fourteen (14) trees of a total of 31 significant trees on the entire site but additional trees would be planted to offset this reduction.
 5. The Proposed Subdivision would not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas as it would be consistent with the surrounding area in terms of lot area.
 6. The design of the lots, the proposed building pads, and the site layout of the Proposed Subdivision responds to and is reflective of the surrounding lots and neighborhood character.
 7. The lot sizes that result from the Proposed Subdivision would not be dissimilar from adjacent lots or lots found in the surrounding neighborhood. The proposed lots conform with and exceed the R-3A District and Comprehensive Plan minimums for lot area.
 8. The submitted architectural plans reflect and are similar to the architectural appearance, scale, mass, proportion and scale of roof line and functional plan of existing buildings in the surrounding neighborhood. Any alternative or substantially modified final building plans that differ materially from those depicted in Attachment A of this Report must be reviewed by the Planning Commission and approved by the City Council to ensure that such building plans would result in buildings that are similar to the character and quality of the existing homes in the neighborhood as required under Section 805.14.E.8.
 9. The proposed lot layout and Proposed Building Pads of the Proposed Subdivision would conform will all relevant performance standards.
 10. The Proposed Subdivision is not likely to tend to or actually depreciate the values of neighboring properties in the area in which it is proposed.
 11. The Proposed Subdivision would be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.
- C. Parkland Dedication. A parkland dedication fee in lieu of land under Section 805.37 of the Subdivision Ordinance for the new single family lots must be made at the time of recording of the Final Plat.

3.2 Shoreland CUP.

- A. The Applicant has complied with applicable requirements and regulations for a Shoreland CUP under Section 801.91.19 of the Zoning Ordinance with the proposed installation of the pervious paver driveways and grass depression areas.
- B. The Applicant has complied with the applicable requirements and regulations for a Conditional Use Permit under Section 801.04 of the Zoning Ordinance.

Section 4. RECOMMENDATION

4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends approval of the Proposed Subdivision (Attachment A), subject to the following conditions:

- A. The Applicant and/or future homeowners must construct the residences in the Proposed Subdivision according to the residential concept plans, included as Attachment A to this Report. Any alternative or substantially modified final building plans that differ materially from those depicted in Attachment A of this Report must be reviewed by the Planning Commission and approved by the City Council to ensure that such building plans would result in buildings that are similar to the character and quality of the existing homes in the neighborhood as required under Section 805.14.E.8.
- B. The Applicant must enter into a Stormwater Maintenance Agreement with the City Engineer that will cover design, installation, maintenance, and inspection of all stormwater management systems approved as part of this Application, which will be recorded against the Property.
- C. The Applicant must preserve the existing “1903 Wise House” on the Property and make best efforts to facilitate the relocation of the house to another property for a period of no less than sixty (60) days from the date of approval of the Proposed Subdivision by the City Council. Thereafter, the Applicant must provide the City with public notification no less than ten (10) days prior to the home being demolished, in addition to following all other City processes and permit requirements for demolition.
- D. The Applicant must implement the tree protection measures, included in the Application, during construction, including installation of silt fence around protected trees and rock construction access roads.
- E. The City Engineer’s approval must be secured for a grading plan, prior to any construction work on the Property so that land disruption is minimized.

- F. All comments of City Staff outlined in the Planning Report on the Application dated April 6, 2015, and listed below, shall be incorporated into the Proposed Subdivision as specified in such comments and further directed by such staff:

Utility Superintendent

- Existing utilities are ¾" water line and 4" sewer line.
- ¾" water line shall be disconnected at 6" main in Wise Ave prior to demolition permit.
- New 1" or larger service shall be provided for each new home.
- Existing sewer service to be capped at property line, prior to demolition permit.
- If sewer service is to be reused, it shall be televised, prior to reconnect.

City Planner

- The Application includes architectural concept plans for each of the new single family residences that would be built on the lots. Any substantial modification or deviation from these plans would require that any future owners of the lots would need to submit the proposed building plans for review and approval by the Planning Commission and City Council prior to any building permits being issued for the Property.
- G The Applicant shall secure all necessary building permits for construction, and all laws and regulations applicable to the Project.
- H. All expenses of the City of Wayzata, including consultant, expert, legal, planning, and Park Dedication fees incurred be fully reimbursed by the Applicant.
- I. The Applicant records the Final Plat document with the appropriate Hennepin County officials within one hundred twenty (120) days in conformance with Section 805.15.E.7, and provide a recorded copy to the City.

Adopted by the Wayzata Planning Commission this 4th day of May 2015.

Voting In Favor:

Voting Against:

Abstaining:

Chair, Planning Commission

Attachment A

Applicant Submittals

DRAFT

DRAFT RESOLUTION NO. 20-2015

RESOLUTION APPROVING CONCURRENT PRELIMINARY AND FINAL PLAT AND SHORELAND CONDITIONAL USE PERMIT AT 313 CENTRAL AVE S

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

Section 1. BACKGROUND

1.1 Project. Pillar Homes (the “Applicant”) and Gary Gravier (the “Owner”) have submitted a Development Application (the “Application”) requesting concurrent preliminary and final plat subdivision approval (the “Subdivision” or the “Preliminary/Final Plat”) and a Shoreland Conditional Use Permit for hardcover up to thirty five percent (35%) for a new three (3) lot subdivision (the “Project”) at 313 Central Ave S (the “Property”). The Project would require the removal of the existing structure on the Property and a subdivision of the parcel. Building concept plans for the new residences have been submitted for review.

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

- A. Concurrent Preliminary and Final Plat for Three (3) Lot Subdivision of the Property (the “Proposed Subdivision”).
- B. Shoreland Conditional Use Permit to increase impervious surface from twenty five percent (25%) up to thirty five percent (35%) with stormwater management techniques (the “Shoreland CUP”).

1.3 Property. The property identification numbers and owners of the parcel comprising the property (the “Property”) is:

313 Central Ave S	06-117-22-41-0051	G P & C Gravier
-------------------	-------------------	-----------------

1.4 Land Use. Uses in the general vicinity are single family detached residential and two family residential. The Project area is zoned R-3A (9,000 SF minimum lot sizes).

1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Lakeshore Weekly* on March 24, 2015. A copy of the notice was mailed to all property owners located with 350 feet of the Property on March 26, 2015. The required public hearing was held at the April 6, 2015 Planning Commission meeting. Additional public comment was received at the April 20, 2015 Planning Commission meeting.

- 1.6 Planning Commission Action. The Planning Commission reviewed the Application and held a public hearing at their April 6, 2015 meeting. The Planning Commission voted seven (7) in favor and zero (0) opposed to continue review of the Application and request additional information from the Applicant. The Planning Commission continued their review of the Application on April 20, 2015. The Planning Commission voted five (5) in favor and one (1) opposed to direct staff to prepare a Planning Commission Report and Recommendation on the Application, recommending approval of the Application with conditions to the City Council. On May 4, 2015, the Planning Commission voted ____ in favor and ____ opposed to adopt the draft Planning Commission Report and Recommendation.

Section 2. STANDARDS

- 2.1 Preliminary and Final Plat Subdivision. Chapter 805 of the Wayzata City Code, (the "Subdivision Ordinance") sets forth the procedure and substantive review criteria for applications for a subdivision. Before any plat can be recorded or of any validity, it must be referred to the City Planning Commission and approved by the City Council as having fulfilled the requirements of the Subdivision Ordinance. Section 805.15 of the Wayzata Subdivision Ordinance allows the City to review a proposed preliminary and final plat simultaneously.

- A. Goals. Under Section 805.2.b of the Subdivision Ordinance, subdivisions approved under the Subdivision Ordinance must be guided by the following:

1. Preserve and enhance Wayzata's "small town" character (Comprehensive Plan).
2. Respect the existing scale, character and pattern of the City, recognizing existing neighborhoods and commercial areas (Wayzata Physical Plan).
3. Provide a balanced housing supply available for all people no matter their income, age, race or ethnicity (Comprehensive Plan).
4. Support a pedestrian environment at a human, not automotive scale (Wayzata Physical Plan).
5. Relate development/redevelopment to the natural characteristics of the land to enhance the development through the preservation of attractive natural amenities (i.e., lakes, wetlands, creeks, wooded areas, slopes, etc.) (Comprehensive Plan).

- B. Criteria for Approval. Under Section 805.14.e of the Subdivision Ordinance, the Planning Commission must consider the possible adverse effects of a preliminary plat and report its findings and recommendation to

City Council. Its judgment must be based upon, but not limited to, the following factors:

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

10. The proposed lot layout and building pads shall conform with all relevant performance standards.
 11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
 12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.
- C. Concurrent Preliminary/Final Plat. Section 805.15 of the Subdivision Ordinance allows the City to review the preliminary and final plat simultaneously.
- D. Parkland Dedication. Section 805.37 of the Subdivision Ordinance requires a parkland dedication contribution for new single family lots at the time of recording of the Final Plat.
- 2.2 Shoreland Conditional Use Permit (CUP).
Except for certain situations not applicable to the Project, Section 801.91.19 of the Zoning Ordinance requires landowners or developers developing land in the Shoreland District to first submit a conditional use permit application in accordance with Section 801.04 (CUPs) and a Shoreland Impact Plan in accordance with Section 801.91.19A. The purpose of the Shoreland Impact Plan shall be to eliminate and minimize as much as possible potential pollution, erosion and siltation. All conditional use permits for consideration under Section 801.91.19 are subject to the following stipulations:
- A. The projects shall be analyzed to determine the impact of impervious surfaces, storm water runoff, floodplain, and water quality implications. Only those projects shall be allowed where the adverse impacts have been mitigated through approved means to the extent possible.
 - B. Storm water treatment measures including, but not limited to, sediment basins (debris basins), desilting basins or silt traps, installation of debris guards, and microsilt basins on storm water inlets, oil skimming devices, etc. shall be required subject to the review of the City Engineer and the Minnehaha Creek Watershed District on projects where applicable.
 - C. Projects shall be analyzed in terms of provisions for maintenance and enhancement of landscape features, and change in the natural condition of the soil, trees, grade courses and marshes. The vegetative planting plan shall contain trees, when fully mature, that will exceed the building height. The plan shall also minimize tree removal, ground cover change, loss of natural vegetation, and grade changes as much as possible. It

shall further provide for the relocation or replanting of trees which are proposed to be removed.

- D. Projects shall be analyzed in terms of the appearance of the structure when viewed from the lake's surface. Building materials, and color shall be analyzed to determine which facade and roof materials minimize the appearance and blend the structure into the shoreland and vegetation.
- E. Building heights shall be analyzed to determine the impact on surrounding structures and views from the lake surface or other shores. Structures shall not be allowed to exceed a height beyond that is allowed by the base zoning district or cannot be screened by landscaping or other design measures.
- F. Residential densities on a project basis shall not be allowed to exceed the maximum allowed density of the base zoning district for which the project is proposed. For higher density residential development and planned unit developments, the density shall not be allowed to exceed the density standards as specified in the R-5 District of the Zoning Ordinance.
- G. Lot coverage on a project basis shall be restricted to the provisions for maximum impervious surface coverage as provided for in the Zoning Ordinance.
- H. Overall residential densities in the shoreland area shall not exceed the surplus development capacity for residential density, as calculated for Lake Minnetonka, Gleason and Peavey Lakes, as specified in the Wayzata Comprehensive Plan/Shoreland Management Plan, as may be amended.
- I. Overall lot coverage in the shoreland area shall not exceed the surplus development capacity for impervious surface coverage calculated for Lake Minnetonka, Gleason and Peavey Lakes, as specified in the Wayzata Comprehensive Plan/Shoreland Management Plan, as may be amended.
- J. All projects shall be in conformance with the Stormwater Management Plan for the City of Wayzata, May 1988, as may be amended and/or approved by the City Engineer.
- K. All projects shall be in conformance with the Wayzata Comprehensive Plan/Shoreland Management Plan, as may be amended.
- L. All projects shall be subject to the review of the Minnehaha Creek Watershed District.

The Shoreland Conditional Use Permits are regulated by Section 801.04.2.F which requires City Council to consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:

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

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

Section 3. FINDINGS

The City Council of the City of Wayzata hereby confirms and memorializes that the Concurrent Preliminary and Final Plat and Shoreland Conditional Use Permit depicted in the Application meets the applicable requirements of Wayzata's Zoning and Subdivision Ordinances, 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 Proposed Subdivision.

- A. Goals. The Proposed Subdivision is consistent with the goals of the Subdivision Ordinance.
- B. Criteria for Approval.
 1. The Project associated with the Proposed Subdivision is consistent with the Wayzata Comprehensive Plan. The proposed Subdivision conforms with the low density residential guidance of the Comp Plan for this area and the R-3A Single and Two Family Residential District. The proposed lots are in excess of 9,000 SF of lot area.
 2. The building pads associated with the Project ("Proposed Building Pads") would not negatively impact any sensitive areas.
 3. The Proposed Building Pads have been selected and located with respect to natural topography to minimize filling or grading, though the Commission would recommend a condition be attached to approval that the City Engineer's approval must be secured for a

grading plan, prior to any construction work so that land disruption is minimized.

4. Existing significant trees would be retained where possible on the Property. As part of the Project, there would be a net reduction of fourteen (14) trees of a total of 31 significant trees on the entire site but additional trees would be planted to offset this reduction.
5. The Proposed Subdivision would not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas as it would be consistent with the surrounding area in terms of lot area.
6. The design of the lots, the proposed building pads, and the site layout of the Proposed Subdivision responds to and is reflective of the surrounding lots and neighborhood character.
7. The lot sizes that result from the Proposed Subdivision would not be dissimilar from adjacent lots or lots found in the surrounding neighborhood. The proposed lots conform with and exceed the R-3A District and Comprehensive Plan minimums for lot area.
8. The submitted architectural plans reflect and are similar to the architectural appearance, scale, mass, proportion and scale of roof line and functional plan of existing buildings in the surrounding neighborhood. Any alternative or substantially modified final building plans that differ materially from those depicted in Attachment A of this Report must be reviewed by the Planning Commission and approved by the City Council to ensure that such building plans would result in buildings that are similar to the character and quality of the existing homes in the neighborhood as required under Section 805.14.E.8.
9. The proposed lot layout and Proposed Building Pads of the Proposed Subdivision would conform will all relevant performance standards.
10. The Proposed Subdivision is not likely to tend to or actually depreciate the values of neighboring properties in the area in which it is proposed.
11. The Proposed Subdivision would be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

- C. Parkland Dedication. A parkland dedication fee in lieu of land under Section 805.37 of the Subdivision Ordinance for the new single family lots must be made at the time of recording of the Final Plat.

3.2 Shoreland CUP.

- A. The Applicant has complied with applicable requirements and regulations for a Shoreland CUP under Section 801.91.19 of the Zoning Ordinance with the proposed installation of the pervious paver driveways and grass depression areas.
- B. The Applicant has complied with the applicable requirements and regulations for a Conditional Use Permit under Section 801.04 of the Zoning Ordinance.

Section 4. CITY COUNCIL ACTION

- 4.1 Based on the Findings of this Resolution, the request for approval of the Concurrent Preliminary and Final Plat Subdivision and Shoreland Conditional Use Permit as set forth in the Application (Attachment A), is hereby **APPROVED** subject to all of the following conditions (failure to comply with any one of these conditions shall result in the revocation of this approval):

- A. The Applicant and/or future homeowners must construct the residences in the Proposed Subdivision according to the residential concept plans, included as Attachment A to this Report. Any alternative or substantially modified final building plans that differ materially from those depicted in Attachment A of this Report must be reviewed by the Planning Commission and approved by the City Council to ensure that such building plans would result in buildings that are similar to the character and quality of the existing homes in the neighborhood as required under Section 805.14.E.8.
- B. The Applicant must enter into a Stormwater Maintenance Agreement with the City Engineer that will cover design, installation, maintenance, and inspection of all stormwater management systems approved as part of this Application, which will be recorded against the Property.
- C. The Applicant must preserve the existing “1903 Wise House” on the Property and make best efforts to facilitate the relocation of the house to another property for a period of no less than sixty (60) days from the date of approval of the Proposed Subdivision by the City Council. Thereafter, the Applicant must provide the City with public notification no less than ten (10) days prior to the home being demolished, in addition to following all other City processes and permit requirements for demolition.

- D. The Applicant must implement the tree protection measures, included in the Application, during construction, including installation of silt fence around protected trees and rock construction access roads.
- E. The City Engineer's approval must be secured for a grading plan, prior to any construction work on the Property so that land disruption is minimized.
- F. All comments of City Staff outlined in the Planning Report on the Application dated April 6, 2015, and listed below, shall be incorporated into the Proposed Subdivision as specified in such comments and further directed by such staff:

Utility Superintendent

- Existing utilities are ¾" water line and 4" sewer line.
- ¾" water line shall be disconnected at 6" main in Wise Ave prior to demolition permit.
- New 1" or larger service shall be provided for each new home.
- Existing sewer service to be capped at property line, prior to demolition permit.
- If sewer service is to be reused, it shall be televised, prior to reconnect.

City Planner

- The Application includes architectural concept plans for each of the new single family residences that would be built on the lots. Any substantial modification or deviation from these plans would require that any future owners of the lots would need to submit the proposed building plans for review and approval by the Planning Commission and City Council prior to any building permits being issued for the Property.
- G. The Applicant shall secure all necessary building permits for construction, and all laws and regulations applicable to the Project.
 - H. All expenses of the City of Wayzata, including consultant, expert, legal, planning, and Park Dedication fees incurred be fully reimbursed by the Applicant.
 - I. The Applicant records the Final Plat document with the appropriate Hennepin County officials within one hundred twenty (120) days in conformance with Section 805.15.E.7, and provide a recorded copy to the City.

Adopted by the Wayzata City Council this ____ day of May, 2015.

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:

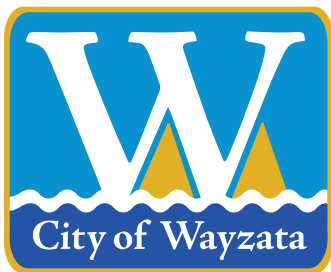
Resolution adopted.

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 _____, 2015.

Becky Malone, Deputy City Clerk
SEAL

Attachment A

Applicant Submittals



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

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

City Manager:
Heidi Nelson

Date: April 28, 2015

To: Mayor Willcox and Councilmembers

From: Heidi Nelson, City Manager

Subject: Consider Lease for Beach Concession Operation

Staff has continued in discussions with representatives of McCormick's regarding the lease of the storage space on the south side of the City Beach House, to be re-purposed as a concession operation.

Attached is the following:

- Overview showing location of the beach house, proposed concession stand location on south side of beach house, proposed patio location, and proposed dumpster location on west side of MCES facility.
- Internal layout plan of equipment for proposed concession stand operation.
- Wayzata Beach House Concession Seasonal Lease Agreement in draft form.
 - o Attachment A: Map depicting location of Beach House, proposed patio areas, and proposed dumpster location.
 - o Attachment B: Lessees proposal to operation concessions at the Wayzata Beach House
 - o Attachment C: Facilities and Grounds Improvements and Cost Sharing Agreement Table.
- Construction estimate proposed to be a City Expense: \$29,858.00 provided by Diversified Construction.
- Permanent Equipment cost estimate to be a City Expense: \$17,073.97 provided by Premier
- Non-permanent Equipment cost estimate to be a McCormicks Expense: \$24,896.25.

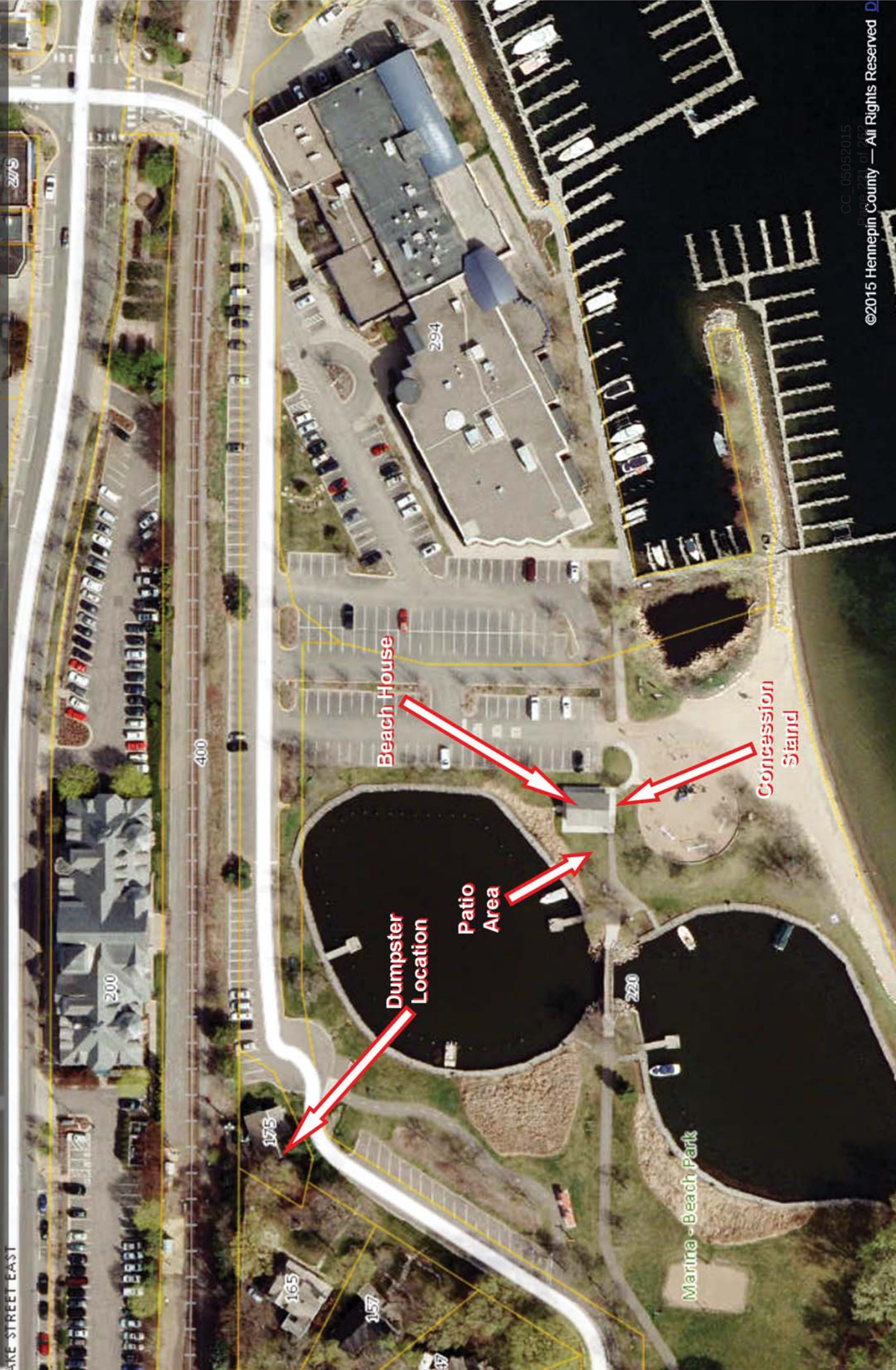
The concession stand building improvements were budgeted for in the General CIP in the amount of \$25,800 and in the Lakefront CIP in the amount of \$20,600.

Under the agreement, the tenant will provide all equipment necessary for the operation within the improved leased space. The concession operations would begin around Memorial Day until Labor Day weekend. Tim McCormick with McCormick's will be present for the Council meeting.

Staff recommends if the Council chooses to approve the proposed Beach Concession Operation lease, include in the motion "subject to final review and approval of the City Attorney".

WAYZATA BEACH HOUSE CONCESSION STAND

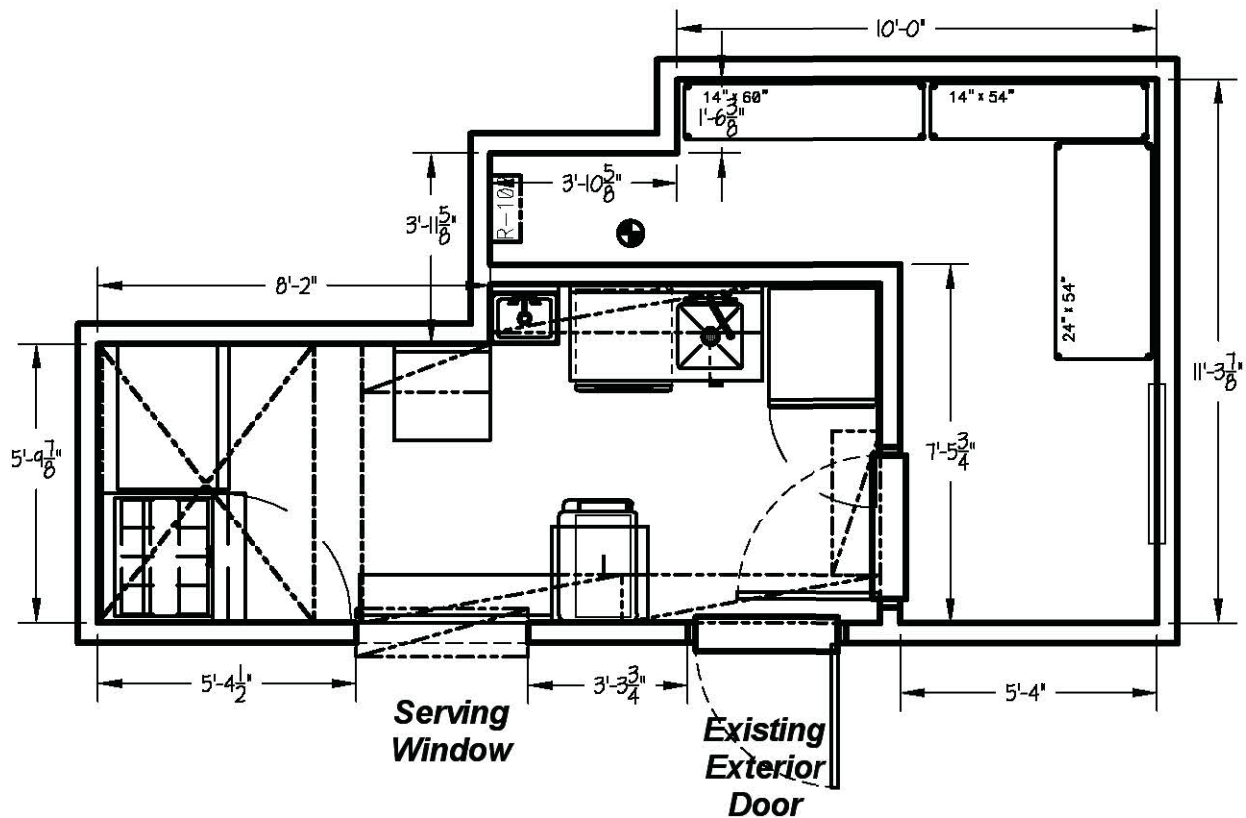
LAKE STREET EAST



CC_05052015

Page 231 of 232

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South Side of
Beach House

RESTAURANT EQUIPMENT COMPANY
PREMIER
Foodservice Design Specialists
 7120 NORTHLAND TERRACE, MINNEAPOLIS, MN 55428
 (763) 544-8800 : FAX (763) 544-7949 : WWW.PREMIEREQ.COM

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PROJECT NO.
15-186

MCCORMICKS CONCESSION
MINNEAPOLIS, MINNESOTA
FOODSERVICE FIXTURE PLAN

SCALE $\frac{1/8" = 1'-0"$
 SALES BC
 DESIGN MC
 DATE 4.27.18
 REV. _____
 REV. _____
 REV. _____

SHEET
K-1.1

8X11

**WAYZATA BEACH HOUSE CONCESSION
SEASONAL LEASE AGREEMENT**

THIS AGREEMENT is made as of the ____ day of _____, 2015 (the “Effective Date”), by and between the City of Wayzata (the “City”) and McCormick Hospitality Group, LLC (the “Lessee”).

- A. The City has determined that the public interest in providing amenities at the lakefront to residents and visitors of from the Facility would be best furthered by retaining a private concessionaire to operate the Facility.
- B. The Lessee has submitted a Proposal to improve, manage and operate the Facility commencing on or about May 18 of 2015, attached hereto as Attachment B (the “Proposal”).
- C. The parties acknowledge and agree that the Lessee, in addition to operating the Facility during the Operating Season, as defined herein, will be required to make an investment into the Facility to improve it for such operations.

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

1. Definitions.

- a. *Facility* means the concession area and related preparation and storage areas at the Wayzata Beach House, as depicted on Attachment A. The Facility does not include any area occupied by the City or any other Lessee.
- b. *Grounds* means the areas adjacent to the Facility, including the patio area, and dumpster area depicted on Attachment A.
- c. *Gross Revenue - Sales* means the total revenue derived from the Facility (including, but not limited to, revenue derived from the sale of food, beverages, and merchandise), less any sales tax or credit cards fees thereon.
- d. *Operating Season* means the period from the Saturday prior to Memorial Day to Labor Day of each year when the Facility’s water is available. If water is unavailable to the Facility by the Saturday prior to Memorial Day, the Operating Season shall commence on the first day after water is made available to the Facility. If water to the Facility is discontinued prior to Labor Day, the Operating Season shall end the day prior to the date the water is shut off to the Facility.

- 2. Term of Agreement. The term of this Agreement shall be five (5) years, commencing on the Effective Date (the “Term”). The Term may be extended an additional five (5) years thereafter if agreed upon by both parties in writing. The Lessee shall have no rights or

obligations under this Lease with respect to Use of the Facility except during the Operating Season, provided it has met all of its obligations during the Operating Season. The City reserves the right to terminate this Agreement within ninety (90) days prior to the end of any Operating Season during the Term on written notice to Lessee if Lessee fails to generate Gross Revenue within ninety percent (90%) of Gross Revenue projections as stated in the Proposal. Lessee shall have the right to terminate this Agreement for any reason within forty-five (45) days prior to the end of any Operating Season during the Term on written notice to the City.

3. Use of Facility. Unless specifically agreed to in writing by City, Lessee shall use the Facility only during the Operating Season and only for performing the services described in the following section of this Agreement and the Proposal. Lessee shall not use or occupy the Facility or knowingly permit the Facility to be used or occupied: contrary to any statute, rule, order, ordinance, requirement or regulation applicable thereto; or in any manner which would cause structural injury to the improvements, cause the value or usefulness of the Facility or any part thereof substantially to diminish (reasonable wear and tear excepted); which would adversely affect City's activities on property owned by City adjacent to the Facility; or which would constitute a public or private nuisance or waste. Lessee shall promptly upon discovery of any such prohibited use take all necessary steps to compel the discontinuance of such use. Notwithstanding the foregoing, Lessee shall be allowed to remove its furniture, fixtures and equipment at the end of each Operating Season. Lessee may store its furniture, fixtures and equipment in the Facility between Operating Seasons only with the prior written permission of the City Manager, and in such case Lessee shall insure such property as required hereunder during the Operating Season.
4. Services to be Performed by Lessee.
 - a. *General Description of Services.* Lessee shall provide food, beverage and merchandise concession services at the Facility during the Operating Season in accordance with the Proposal.
 - b. *Hours of Operation.*
 - i. At a minimum, the Facility shall remain open daily from 11:00 am to 7:00 p.m. during the Operating Season. Upon the prior written approval of the City Manager, not unreasonably conditioned, withheld or delayed, Lessee may extend the hours of operation for the Facility during the Operating Season or open the Facility for operation during hours outside the Operating Season. Lessee shall have right to close the Facility in inclement weather conditions.
 - ii. Under no circumstances may the Facility close during the Operating Season without the prior written approval of the City Manager. The Facility shall be open during the hours of operation in stated in this section, unless such other hours are approved in writing by the City Manager.
 - c. *Staffing.* Lessee shall, at its sole cost, be responsible for providing adequate

staffing for concession at the Facility.

- d. *Inventory.* Lessee shall, at its sole cost, be responsible to maintain adequate inventory for all items sold at the Facility.
 - e. *Other Obligations Under This Agreement.* Lessee shall perform such other duties and obligations as specifically set forth herein.
5. Menu and Products for Sale: Pricing. Each year, at least sixty (60) days prior to the start of the Operating Season, Lessee shall submit to the City Manager for the approval by the City Manager, a list of the food, beverage and merchandise items proposed to be sold by Lessee and the prices to be charged for each item. Lessee must obtain the written approval of the City Manager prior to the start of the Operating Season, and Lessee may not change the product list or pricing without the prior written approval of the City Manager. Approval of the initial product and pricing list and any subsequent changes thereto shall not unreasonably be withheld. The City reserves the right to require Lessee to offer for sale certain types of food and beverage items but shall not require Lessee to use any specific brand or supplier.
6. No Discounts to City Employees. Lessee shall not provide food, beverages or merchandise to City employees at a discount or without charge.
7. Condition of Facility.
- a. “As Is”. Lessee hereby agrees to accept the Facility “as is”, in its current condition, without any representation from City as to the condition, state of repair, existence of latent or apparent defects, or safety of the Facility, and City shall not be obligated to make or pay for any improvements to the Facility prior to the first Operating Season except as specified in Attachment C of this Agreement.
 - b. *Improvements.* Lessee and City agree to make the improvements to the Facility and Grounds that are specified in Attachment C of this Agreement. The parties may mutually agree to changes in the construction specifications provided in Attachment C. The costs of any improvements shall be allocated and paid for as set forth in Attachment C.
 - c. *Repair and Maintenance - Obligations of City.* City agrees that it will undertake the following responsibilities with regard to the Facility during the term of this Agreement:
 - i. Provide benches, tables and chairs for use at the Facility appropriate for Lessee’s use.
 - ii. Provide trash dumpsters, water and electrical service to the Facility appropriate for Lessee’s use.
 - iii. Maintain the structural portions of the Facility, excluding repairs to any special treatment of interior walls, floors or ceilings made by or at the

request of Lessee and excluding any modification of the structure resulting from the installation of any fixtures or other improvements to the interior of the building by Lessee.

- iv. Provide replacements of standard fluorescent tubes, light bulbs and ballasts as required as a result of normal usage.
- v. Mow grass and trim vegetation on the grounds adjacent to the Facility in a manner consistent with the City's practices for a similar Facility within its system.
- vi. Maintain the security system for the Facility.

City does not warrant that any of the services or items referred to in this section will be free from temporary interruption for reasons beyond City's control. Such temporary interruption of service shall never be deemed an eviction or disturbance of Lessee's use and possession of the Facility or render City liable to Lessee for damages, or relieve Lessee from performance of Lessee's obligations under this Agreement. The parties acknowledge that the City obligations under this section shall be performed in accordance with its practices consistent with its maintenance of similar facilities within the City.

- d. *Repair and Maintenance - Obligations of Lessee.* Lessee agrees that it will undertake the following responsibilities with regard to the Facility during the term of this Agreement:
 - i. Keep the Facility and surrounding area customarily used by Lessee's customers reasonably free from trash, rubbish, and surfaces cleaned on a daily basis, including tables, benches and chairs.
 - ii. Provide trash receptacles on the Grounds and, as necessary, empty such receptacles into the City dumpsters for removal.
 - iii. Lessee shall promptly pay City, upon request, an amount equal to any cost incurred by City in repairing any part (structural or otherwise) of the Facility where such repairs were made necessary by the negligence of or misuse by the Lessee, its agents, customers, employees or invites, except to the extent the damage or loss resulting from such negligence is covered under any policy of insurance and the full amount of such loss is paid to or on behalf of City pursuant to such insurance coverage.
 - iv. The City shall have access to the Facility at all times during the Operating Season, upon prior reasonable notice to Lessee, to enable the City and its agents to examine the same and to make such repairs, additions and alternations as City reasonably may deem advisable.
 - v. Lessee shall not store, keep, dispose of, transport or generate in the Facility or the Grounds any hazardous substances or wastes or

dangerous materials.

- vi. **Personal Property Taxes.** The Lessee shall be responsible for payment of personal property taxes (but in no event any real estate taxes or assessments) in the event that they are assessed against Lessee by reason of Lessee's operations conducted on public property under this Agreement. Lessee shall give written notice of such assessment to the City.
- e. ***No Alterations Without Prior Approval.*** Lessee shall not make any alterations to the Facility or the Grounds without the prior written approval of the City not unreasonably conditioned, withheld or delayed. All of Lessee's alterations or improvements to the Facility paid for by Lessee, except movable furnishings, fixtures and equipment, shall, upon termination of this Agreement, become the property of the City, and shall at the option of City, either remain upon and be surrendered with the Facility, at the termination of this Agreement, or be removed, at Lessee's expense, in which case, Lessee shall also repair all damage done to the Facility resulting from such alterations or improvements, and the removal thereof, by Lessee.
8. **Ownership, Maintenance and Risk of Loss of Equipment.** Any equipment currently owned by the City in the Facility, including, but not limited to, all kitchen appliances, utensils and furniture, and all benches, tables and chairs provided by the City shall remain the property of the City. All furniture, fixtures and equipment owned by the Lessee shall remain the property of the Lessee. Lessee shall be solely responsible for maintaining and cleaning all of its property and for City property used by it. During the Operating Season, Lessee shall maintain insurance covering its property maintained by and customarily used by Lessee and its customers at the Facility and on the Grounds. Lessee shall name the City as an additional insured on all insurance policies relating to its use and its customers use and possession of the Facility and adjacent areas.
9. **Signs.** Lessee shall not erect, install or maintain any signs, advertising media, product logo displays or other signs in the Facility or the Grounds without the prior written approval of the City Manager or that are in violation of City Code.
10. **Taxes.** Lessee is responsible for and shall pay any sales taxes and personal property taxes, In the event the Facility ever becomes subject to real estate taxes, Lessee agrees to negotiate in good faith with the City to determine payment structure of real estate taxes.
11. **Utilities.** Lessee will pay the City monthly for the use of water, natural gas, sewer, and electrical utilities at the Facility, or its prorated share thereof for any partial month of operation. In consideration of this amount the City agrees to maintain access to these utilities for use by the Lessee at the Facility. Lessee shall have the right to request copies of any utility bills and/or request information as to how the pro rata share was calculated.
12. **Assumption of Risks.** Lessee assumes all risk of loss or damage of Lessee's business or property within the Facility or on the Grounds, including any loss or damage caused by

water leakage, tire, windstorm, explosion, theft, vandalism or other cause. City shall not be liable to Lessee, or those claiming through Lessee, for injury, death or property damage occurring on, in, or about the Facility, except as may be caused by the willful misconduct or negligence of City. Nothing herein shall be deemed to be a waiver of any limits of liability granted City under statutory or common laws.

13. Consideration for Use of Facility. As for consideration to the City for the right of the Lessee to operate the concession business from the Facility, Lessee shall compensate the City pursuant to the terms of this Section.
 - a. *Percentage of Revenue - Sales:* Lessee shall pay to the City twelve percent (12%) of annual Gross Revenue derived from, Lessee's operations of the Facility and the Grounds less sales tax and credit card fees per Operational Season.
 - b. *Monthly Payments.* On or before the fifteenth (15th) day after every month during which the Facility is open for business, Lessee shall submit payment to the City of the amounts due under subparagraph a. for the prior month. Each payment shall be accompanied by a statement showing the Gross Revenues during the payment period itemized by total daily receipts per location.
 - c. *Monthly Audit.* Lessee shall maintain, at its main office, complete and accurate financial books and records of its operations in the Facility, Grounds and any mobile vending units in accordance with generally accepted accounting principles. Upon reasonable notice, the City or its representatives shall be entitled to inspect the books and records of Lessee's operations related to City property during regular business hours and at Lessee's main office, at least once per Operating Season. In the event that such audit by the City or its representatives determines that the City has been underpaid or overpaid: the amount of any such underpayment shall be remitted to the City within ten (10) days of written notice to Lessee; and any such overpayment may be subtracted from future payments by Lessee.
14. Destruction of Facility by Fire or Casualty. If the Facility, or any part thereof, shall be partially or totally destroyed by fire or other casualty, the City retains the exclusive right to determine whether it will repair or rebuild the Facility. The City shall have at least thirty (30) days in which to determine whether to re-build the Facility or terminate this Lease. In the event that the City determines that it will not repair or rebuild the Facility and the damage to the Facility materially impairs the ability of the Lessee to conduct the business contemplated hereunder, either party may terminate this agreement upon thirty (30) days advance written notice to the other party. Under any such circumstances, or in the event of any interruption in the operation of the Facility by Lessee resulting from any fire or casualty, City shall not be liable to Lessee for any loss or interruption of business or for any loss or damage to Lessee's fixtures, furniture, furnishings or equipment, and Lessee shall not be liable to the City for any consideration under section 13 during such period.
15. Indemnification. Lessee shall defend and indemnify City, its employees, agents, Lessees and invitees against all claims, demands and actions, and all related costs and expenses

(including reasonable attorneys' fees) for injury, death, disability or illness of any person, or damage to property, occurring on or about the Facility during the Operating Season or arising from Lessee's operations on City property during the Operating Season.

Notwithstanding the foregoing, Lessee shall not be obligated to indemnify City for claims, demands and actions arising out of or caused by the negligence or willful misconduct of City's employees or agents, nor for any injury, death, disability or illness of any person, or damage to property, occurring on or about the Facility at any time other than during the Operating Season unless any of the foregoing is related to Lessee's operations on or about the Facility.

16. Payment of Others. The Lessee shall pay all of the Lessee's employees, agents, and subcontractors furnishing service, labor, equipment, or materials incidental to the performance of the Lessee's obligations under this Agreement and the Lessee will furnish the City with satisfactory evidence that all of its subcontractors have been fully paid to accordance with the Lessees payment terms.
17. Assignability. The rights and obligations of the Lessee under this Agreement shall not be assignable or transferable without the prior written approval of the City, which approval shall not be unreasonably withheld, conditioned or delayed. However, as long as Tim McCormick maintains a 50% ownership interest in the company, corporation, partnership, or other entity type that is the proposed transferee or assignee, Lessee shall have the right to assign this Lease to such company, corporation or partnership without the consent of the City. Notice of any such assignment or transfer shall be furnished promptly to the City.
18. Compliance of all Laws; Ability to Perform. The Lessee shall comply with all applicable federal, state, regional, and local laws, ordinances and regulations applicable to the Lessee. The Lessee represents and warrants to City that if a license is required, the Lessee is duly licensed and qualified to conduct business in the State or Minnesota, and that the Lessee is not aware of fact or circumstance which would prevent the Lessee from performance in accordance with this Agreement.
19. Entire Agreement; Amendments. This Agreement, and any documents incorporated herein, represent the entire integrated agreement between the Lessee and the City and supersedes all prior negotiations, representations, or agreements, either written or oral. No amendment or modification of the terms of this Agreement, except as may be expressly authorized herein, may be made and will not be effective unless agreed upon in writing by the City and the Lessee.
20. Interest of Members of City Staff. No member of the governing body, officer, employee, or agent of the City who exercises any functions or responsibilities in the carrying out of this project to which this Agreement pertains shall have any interest, financial or otherwise direct or indirect, in this Agreement. The City may terminate this Agreement if the City has reasons to believe that gratuities in any form were offered or given by the Lessee or any representative of the Lessee to any officer or employee of the City for receiving favorable treatment with respect to the award of, or the making with respect to the performance of, this Agreement.

21. Insurance. This Agreement shall be effective only upon approval by the City of acceptable evidence of the insurance coverage in amounts not less than that referenced in Minnesota Statutes Section 466.04 issued by reputable insurers authorized to conduct insurance in the State of Minnesota. Such insurance shall be in force on the date of execution of this Agreement and shall remain continuously in force until the termination of this Agreement. The Lessee shall provide evidence of workers' compensation insurance covering its employees in accordance with statutory requirements, and evidence of general liability insurance naming the City its officers and employees as additional insured's under the policy. The Lessee shall submit to the City, prior to the beginning of each operating season, certificates of insurance verifying the insurance coverage required under this Section.
22. Equal Opportunity Statement. The Lessee shall comply with the provisions of all applicable federal, state, and local statutes, ordinances, and regulations pertaining to human rights and non-discrimination including, without limitation, Minnesota Statutes Section 181.53 and Chapter 363A and the Wayzata Code of Ordinances, Chapter 139, incorporated herein by reference.
23. Default. If the Lessee shall vacate or abandon the Facility during the Operating Season; shall allow the Facility to be appropriated to or used for any other purpose or use than those set forth in this Agreement; or if any term, condition or covenant of this Agreement shall be violated by Lessee; then and in any of said cases Lessee shall be in default. If such default is not cured by Lessee within (10) days for a monetary default and thirty (30) days for all other defaults, after mailing of written notice of the conditions of default, Lessee does hereby authorize and fully empower City to cancel and terminate this Agreement, and to remove all of Lessee's property therefrom. City's failure to give immediate notice of default or agreement to allow more than the respective cure period to cure a default, shall in no way constitute a waiver of any remedy available to City upon default by Lessee.
24. Automatic Termination. Notwithstanding any other provision contained herein, this agreement shall automatically terminate upon the occurrence of any of the events described below:
 - a. A petition by or against Lessee under the bankruptcy laws of the United States, which petition is not dismissed within ninety (90) days from the date of such filing;
 - b. The assignment by Lessee of its assets for the benefit of creditors under any state insolvency laws;
 - c. Conduct by Lessee of its business under any trustee or other person appointed pursuant to judicial proceedings; or
 - d. The taking by a court of jurisdiction of the Lessee and its assets pursuant to proceedings brought under the provisions or any federal reorganization act;
 - e. The appointment of a receiver of Lessee's assets;
 - f. A lapse in the insurance coverage Lessee is required to maintain pursuant to this Agreement which continues for ten (10) days after written notice by City to Lessee

specifying such lapse in such insurance coverage.

- g. Upon thirty (30) days written notice of either party to the other after the parties are unable to reasonably agree to construction specifications for the Facility and outside seating areas.
25. Lessee's Obligations Upon Termination. Upon the expiration or termination of this Agreement, Lessee shall remove, at its expense, all of its goods and effects and other items of personal property, furniture, fixtures and equipment, repairing any damage caused, and leave the Facility in as good order, condition and repair as the same were in at the commencement of this Agreement, reasonable wear and tear, fire and casualty excepted. Goods and effects not removed by Lessee at the expiration or termination of this Agreement shall be considered abandoned and City may retain or dispose of the same as it deems expedient.
26. City's Right to Perform Obligations. If Lessee fails to make any payment or perform any act required to be made or performed hereunder, City, without waiving or releasing any obligation or default, may make such payment or perform such act for the account and at the expense of Lessee, and may enter upon the Facility or any part thereof for such purposes and take such action thereon as, in City's opinion, may be necessary or appropriate therefore. All sums so paid by City and all costs, fees and expenses so incurred shall, upon written request for payment by City, be immediately due and payable by Lessee. Nothing herein shall create any obligation of City to make such payments.
27. Financial Statement. Upon written request, and not more than once in an Operating Season, Lessee shall provide the City access to review their Financial Statement related to the Facility prepared by Lessee's Certified Public Accountant.
28. Headings. The headings in this Agreement are intended solely for convenience of reference and shall be given no effect in the construction or interpretation of this Agreement.
29. Notices. All notices or communications relating to this Agreement shall be in writing and shall be deemed given upon hand delivery or deposit in the United States mail, return receipt requested, and addressed as follows:

To the City:

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

To Lessee:

McCormick's Pub & Restaurant
331 Broadway Avenue South
Wayzata, MN 55391
Attention: Tim McCormick

30. Independent Contractor. The City and the Lessee agree that the relationship created by this Agreement is that of lessee and landlord and independent contractor, and not of employer and employee, a joint venture or a partnership. The Lessee retains the sole and exclusive right to control the manner, time, place and means by which the services are performed under this Agreement. The Lessee shall be solely and entirely responsible for its acts and for the acts of its employees, agents, and subcontractors in connection with the Project. The Lessee shall be responsible for the compensation and benefits of the Lessee's employees and for payment of all federal, state and local taxes payable with respect to any amounts paid to the Lessee under this Agreement. No payroll or employment taxes of any kind shall be withheld or paid with respect to payments to the Lessee including but not limited to, FICA, FUTA, federal and state personal income tax, state disability insurance tax and state unemployment tax.
31. General Construction Requirements. Lessee shall obtain, and provide to the City, copies of all necessary governmental approvals and permits prior to commencing construction of any work, and shall additionally provide the City with three (3) days' notice prior to the start of such construction work to permit the City to post notices of non-responsibility. All Lessee's Lessees and subcontractors shall be duly licensed in Minnesota.
32. Governing Law. This Agreement shall be construed in accordance with governed by the laws of the State of Minnesota.
33. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document.

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

CITY:

City of Wayzata, a Minnesota Municipal corporation

By: _____
Kenneth Willcox, Mayor

By: _____
Heidi Nelson, City Manager

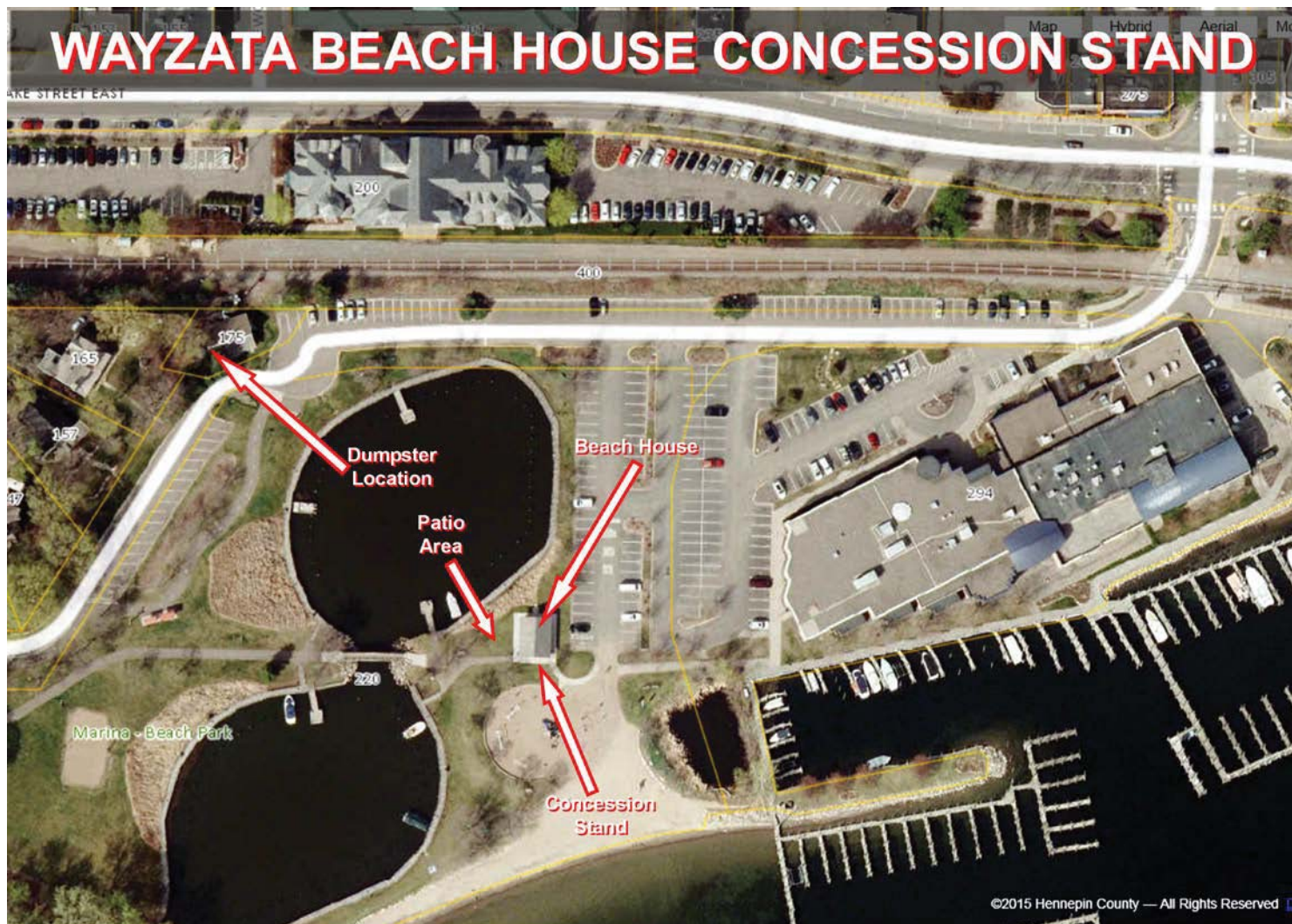
LESSEE:

McCormick Hospitality Group, LLC

By: _____
Tim McCormick, Its President

ATTACHMENT A

Map depicting
“Facility” (Wayzata Beach House concessions areas and related preparations and storages areas)
and
“Grounds” (areas adjacent to the Wayzata beach house, including the patio area, and dumpster)



ATTACHMENT B

Lessee's proposal to operation concessions at Wayzata Beach House



BEACH HOUSE CONCESSION STAND

McCormick's will offer concession sales at the Wayzata Beach House from Memorial Day thru Labor Day.

Hours of operation 11 am. – 7pm, 7 days a week

Concept – McCormick's beach house concession stand will look to the past for inspiration in product and service. With a nostalgic look and nostalgic menu, we hope to add to the already abundant small town charm and lakeside appeal of this great city.

Menu will include the following –

New England style hot dogs – griddled, split top steamed roll, chili, cheese, onion, ketchup, mustard

New England style lobster rolls – split top roll, lightly dressed North Atlantic Maine lobster meat

Loose meat "Maid-Rite" hamburgers – steamed bun, American cheese, onion, ketchup, mustard, pickles

Soft serve ice cream

Potato chips

Bottled water, milk, soft drinks

Revenue projection – Year one \$50,000

** include copy of business plan with annual projected revenue*

ATTACHMENT C

Facilities and Grounds Improvement and Cost Sharing Agreement and Table

Improvement Item and Description	Party Responsible to Complete Work <i>(one contractor to do it all)</i>	Estimated Cost	Lessee's Financial Responsibility	City's Financial Responsibility
General Construction	City Contractor	\$30,000		\$30,000
Electrical				
Plumbing				
Interior and Door Painting				
Flooring				
Roofing to install condenser unit				
Permanent Equipment	Equipment Supplier	\$17,000		\$17,000
All kitchen equipment	Tenant - McCormicks	\$25,000	\$25,000	
TOTAL		\$72,000	\$25,000	\$47,000

PROPOSAL

May 8, 2014

McCormicks Pub & Restaurant
Mr. Tim McCormick
331 Broadway Ave S
Wayzata, MN 55391
t-mccorlick@hotmail.com

DIVERSIFIED CONSTRUCTION proposes to furnish labor and materials for miscellaneous work to be performed to build hotdog stand in Wayzata, MN per discussion and plan provided by Mr. McCormick
Price below is a budget number at this time until some items are finalized.

Proposal to Include:**1. Construction**

- a. Remove window and install aluminum rolling grill in place of window. Grill will be manual style.
- b. Construct new walls to 8'.
- c. Frame over existing walls steel studs and drywall. Electrical conduit must be behind walls, cannot be surface mounted in food service situations.
- d. F&I standard FRP to 8' on walls. Areas above 8' will be painted to current scrubable ceiling.
- e. F&I (1) hollow metal frame and hollow metal door to side area.

2. Ceiling

- a. As is

3. Electrical

- a. Provide light bulb covers on existing lights.
- b. Wire all kitchen equipment.
- c. New service to space is being studied and is not included in price at this time. There is currently not enough power to service space.

4. HVAC

- a. No HVAC is figured at this time.
- b. If AC is desired a simple split system could be installed for \$6,500. If acceptable to city a through wall style could be used however it is not likely it is subject to city approval.

5. Plumbing

- a. Plumb all kitchen equipment as per plan including three comp sink with telltale floor drain, hand sink, floor drain.
- b. Existing utility sink will be turned to 90 degrees. No new water heaters figured at this time.
- c. No grease trap is figured at this time.

6. Fire Protection

- a. Building is currently not sprinkled.

7. Kitchen Equipment \$0

- a. This will be furnished and installed by kitchen equipment company hired directly by McCormicks.

8. Decorating

- a. Prep and paint area from FRP to ceiling.
- b. Prep and paint one new door.
- c. No exterior decorating figured at this time.

9. Flooring

- a. F&I quarry tile floor at base per code through entire kitchen area.

10. Roofing

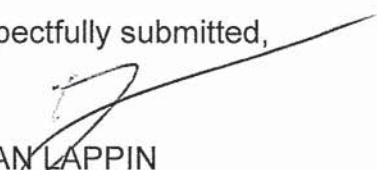
- a. Furnish and install necessary roofing for remote condenser unit used for soft serve machine.

11. Construction permitting

- a. A budget of \$750 is included for construction permit.
- b. No sac or wac fees are figured.
- c. Builders risk policy included throughout project
- d. Dumpster for legal removal of all debris is included. Please note Diversified Construction recycles all debris with a 75% capture rate.
- e. Price based on proposal, additional work requested by city or tenant will be additional.

Total Project Price: \$ 29,858.00

Respectfully submitted,



BRIAN LAPPIN

Senior Project Manager

Project:

Wayzata Beach Grill - McCormicks
Ventilation
Wayzata, MN

From:

Premier Restaurant Equip Co
Jamie Rowe
7120 Northland Terrace
Minneapolis, MN 55428-1573
(763)544-8800
(763)544-8800 (Contact)

City Expense

Item	Qty	Description	Sell	Sell Total
6	1 ea	SHELVING, WALL-MOUNTED Premier Restaurant Equipment Model No. WALL SHELF Shelf, wall mount, 12" W x 72" L, 1-1/2" turned up backsplash, (3) support brackets, 18/300 stainless steel with # 4 polish, NSF	\$182.00	\$182.00
				
7	1 ea	EXHAUST HOOD Captive-Aire Model No. EXHAUST HOOD Exhaust hood - custom includes back and side splash panels	\$2,304.90	\$2,304.90
	1 ea	FREIGHT Incoming Freight	\$693.76	\$693.76
	1 ea	PSP PLENUM PSP Plenum	\$453.70	\$453.70
8	1 ea	FIRE SUPPRESSION Captive-Aire Model No. FIRE SUPPRESSION Piranha Fire Suppression System - required by HD	\$4,611.10	\$4,611.10
9	1 ea	EXHAUST FAN Captive-Aire Model No. EXHAUST FAN Exhaust fan, includes pitched curb.	\$1,394.90	\$1,394.90
10	1 ea	SUPPLY FAN Captive-Aire Model No. SUPPLY FAN Supply fan, includes pitched curb	\$1,795.30	\$1,795.30
10	1 ea	SUPPLY FAN Captive-Aire Model No. SUPPLY FAN Supply fan with COOLING OPTION, includes pitched curb	\$6,332.40	<Alternate>
11	1 ea	ELECTRICAL SYSTEM Captive-Aire Model No. ELECTRICAL SYSTEM Electrical System	\$924.30	\$924.30
12	1 ea	SINK, HAND Premier Restaurant Equipment Model No. HAND SINK Sink, Hand, wall mount, 14" wide x 10" front-to-back x 5" deep, all stainless steel construction	\$136.80	\$136.80
				
	2 ea	SIDE SPLASH Custom Side Splash	\$45.00	\$90.00
	1 ea	T&S Brass B-1146 Faucet, gooseneck nozzle, splash mounted	\$104.08	\$104.08
14	1 ea	SOILED DISHTABLE	\$730.00	\$730.00

Item	Qty	Description	Sell	Sell Total
		John Boos Model No. JDTS-20-50UCR-X Straight-Dirty Undercounter Dishtable, 50"W x 30"D, straight design, right to left, 10" boxed backsplash, 20" x 20" x 8" bowl, 16/300 stainless steel, stainless steel crossrail & legs, metal feet, NSF (FLYER)		
	1 ea	T&S Brass B-0133-B EasyInstall Pre-Rinse Unit, wall mount. base faucet with spring check cart. & lever handles, 2" diameter flanges with 1/2" NPT female eccentric flanged inlets, 35-1/2"H, 15" overhang, 8-1/4" clearance, 18" riser, B-0107 spray valve, B-0044-H flex stainless steel hose, 6" wall bracket	\$320.40	\$320.40
	1 ea	T&S Brass B-0156 Add-on Faucet, for Pre-Rinse Units, 12" nozzle, includes 3" nipple	\$81.00	\$81.00
15	2 ea	SHELVING, WALL-MOUNTED Premier Restaurant Equipment Model No. WALL SHELF Shelf, wall mount, 12" W x 72" L, 1-1/2" turned up backsplash, (3) support brackets, 18/300 stainless steel with # 4 polish, NSF	\$182.00	\$364.00
				
	18	2 ea SHELVING, WALL-MOUNTED Premier Restaurant Equipment Model No. WALL SHELF Shelf, wall mount, 16" W x 60" L, 1-1/2" turned up backsplash, (2) support brackets, 18/300 stainless steel with # 4 polish, NSF	\$184.00	\$368.00
	2 ea	WALL SHELF Shelf, wall mount, 16" W x 36" L, 1-1/2" turned up backsplash, (2) support brackets, 18/300 stainless steel with # 4 polish, NSF	\$134.00	\$268.00
100	1 ea	FREIGHT & DELIVERY Premier Restaurant Equipment Model No. FREIGHT & DELIVERY Incoming freight from factories and delivery to site	\$520.00	\$520.00
101	1 ea	INSTALL Premier Restaurant Equipment Model No. INSTALL Receive equipment on site, uncrate, set in place, dispose of trash in GC provided dumpster. Silicone, level, ready for final health inspection. Does not include hvac, plumbing, or electrical. Normal working hours, non-union wages.	\$500.00	\$500.00
			Merchandise	\$15,842.24
			Tax 7.775%	\$1,231.73
			Total	\$17,073.97

Prices Good Until: 05/15/2015

Acceptance: _____ Date: _____

Printed Name: _____

Project:

Wayzata Beach Grill - McCormicks
- Equipment
Wayzata, MN

From:

Premier Restaurant Equip Co
Jamie Rowe
7120 Northland Terrace
Minneapolis, MN 55428-1573
(763)544-8800
(763)544-8800 (Contact)

McCormicks Expense

Item	Qty	Description	Sell	Sell Total
1		ICE CREAM MACHINE Ice Cream Machine - by Others		
2	1 ea	WORK TABLE Premier Restaurant Equipment Model No. TABLE Work Table, 48"W x 24"D, 16/300 stainless steel top with 5" backsplash, 90° turndown on sides, 18 gauge stainless steel adjustable under shelf, stainless steel legs & bullet feet, NSF	\$558.00	\$558.00
				
3	1 ea	REFRIGERATED SANDWICH UNIT Delfield Model No. 4432N-12M Mega Top Refrigerator, single-section, 32" W, 10.10 cubic feet, (1) door, (1) 1/1 GN shelf, stainless steel top with polyethylene cutting board & (12) 1/6 size plastic pans, ABS interior sides, stainless steel front & sides, 5" casters, front breathing rear-mounted refrigeration system, 1/5 hp, cUL, UL, NSF	\$2,588.27	\$2,588.27
				
	1 ea	115v/60/1-ph, 7.2 amps, NEMA 5-15P, standard		
	1 ea	(3) Year parts & labor warranty standard		
	1 ea	Self-Contained refrigeration, std		
	1 ea	(5) Year compressor warranty standard		
4	1 ea	COUNTERTOP GRIDDLE Vulcan Model No. RRE36E Rapid Recovery™ Heavy Duty Electric Griddle, 36" W x 24" D x 5/8" thick composite griddle plate with stainless steel cooking surface, countertop, bottom mounted snap action thermostat every 12", stainless steel front, sides, front top ledge, front grease trough, heavy gauge 4" back & tapered side splashes, 4" adjustable legs, 16.2 kW, UL, NSF	\$4,743.89	\$4,743.89
				
	1 ea	1 year limited parts & labor warranty, standard		
	1 ea	480v/60/3-ph, 19.5amps, 16.2kW	\$259.99	\$259.99
	1 ea	STAND/C-36 Equipment Stand, universal, 37" W x 24" H, 1/2" marine edge, undershelf, stainless steel, 5" casters	\$698.26	\$698.26
5	1 ea	EQUIPMENT STAND, REFRIGERATED BASE True Food Service Equipment Model No. TRCB-36 Refrigerated Chef Base, 36-3/8"L, one-piece 300 series 18 gauge stainless steel top with V edge, stainless steel front/sides, aluminum back, white aluminum interior with stainless steel floor, (2) drawers [accommodates (1) 12"x20"x4" pans & (3) 1/6 size pans, NOT included],	\$4,091.95	\$4,091.95
				

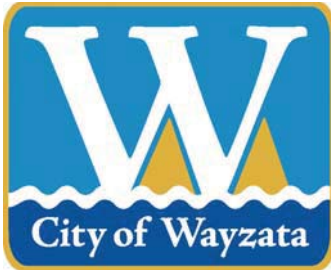
Item	Qty	Description	Sell	Sell Total
		4" castors, 1/5 HP, 115v/60/1, 5.7 amps, 7' cord, NEMA 5-15P, cULus, NSF, CE, MADE IN USA		
	1 ea	Self-contained refrigeration standard		
	1 ea	Warranty - 5 year compressor (self-contained only), please visit www.Truemfg.com for specifics		
	1 ea	Warranty - 3 year parts and labor, please visit www.Truemfg.com for specifics		
	1 ea	4" Castors, standard		
13	1 ea	DISHWASHER, UNDERCOUNTER	\$4,287.50	\$4,287.50
		 Jackson WWS, Inc. Model No. AVENGER HT-E Avenger® Dishwasher, undercounter, 24-3/16"W, high temperature sanitizing with built in 70° rise booster heater, approximately (26) racks/hour capacity, (0.73) gals of water per rack, digital & electromechanical components, built in chemical pumps, auto fill, stainless steel wash pump, cabinet finished in stainless steel, 3/4 HP, ENERGY STAR®		
	1 ea	1 year parts & labor warranty, continental USA (std)		
	1 ea	Voltage to be verified with jobsite		
17	1 ea	REACH-IN REFRIGERATOR	\$2,749.89	\$2,749.89
		 Delfield Model No. 6025XL-S Refrigerator, Reach-in, single-section, 20.0 cubic feet, top mounted self-contained refrigeration 404A, digital thermometer, stainless steel front, aluminum ends, ABS interior, (3) epoxy coated wire shelves, solid hinged full height door, casters, 1/4 hp, cUL, UL, NSF, ENERGY STAR®		
	1 ea	115v/60/1-ph, 6.0 amps, with cord & NEMA 5-15P, standard		
	1 ea	(3) Year parts & labor warranty, standard (USA)		
	1 ea	5 Year compressor warranty standard		
	1 ea	Door hinged on right standard		
19	5 ea	WIRE SHELVEING	\$37.34	\$186.70
		 Metro Model No. 1860BR Super Erecta® Shelf, wire, 60"W x 18"D, Bright (zinc) finish, plastic split sleeves are included in each carton, NSF		
	5 ea	1854BR Super Erecta® Shelf, wire, 54"W x 18"D, Bright (zinc) finish, plastic split sleeves are included in each carton, NSF	\$37.34	\$186.70
	5 ea	2454BR Super Erecta® Shelf, wire, 54"W x 24"D, Bright (zinc) finish, plastic split sleeves are included in each carton, NSF	\$47.04	\$235.20
	12 ea	86P Super Erecta® SiteSelect™ Post, 86-5/8"H, adjustable leveling bolt, posts are grooved at 1" increments & numbered at 2" increments, double grooved every 8", chrome finish	\$14.13	\$169.56
20		PICK UP WINDOW		
		Pick up Window and Counter - By Others		
100	1 ea	FREIGHT & DELIVERY	\$1,444.30	\$1,444.30
		Premier Restaurant Equipment Model No. FREIGHT & DELIVERY Incoming freight from factories and delivery to site		
101	1 ea	INSTALL	\$900.00	\$900.00
		Premier Restaurant Equipment Model No. INSTALL		

Item	Qty	Description	Sell	Sell Total
		Receive equipment on site, uncrate, set in place, dispose of trash in GC provided dumpster. Silicone, level, ready for final health inspection. Does not include hvac, plumbing, or electrical. Normal working hours, non-union wages.		
			Merchandise	\$23,100.21
			Tax 7.775%	\$1,796.04
			Total	\$24,896.25

Prices Good Until: 05/15/2015

Acceptance: _____ Date: _____

Printed Name: _____



City of Wayzata Public Works
299 Wayzata Blvd. W
Wayzata, MN 55391

Director of Public Service

David Dudinsky

City Engineer/Asst. Public Works Director

Mike Kelly

Public Works Superintendent

Jim Eibensteiner

Public Works Secretary/Utility Billing Clerk

Rebecca Jones

To: City Council
From: Public Works Department
Date: April 1, 2015
Re: 2015 Street Reconstruction project

The Public Works Department accepted bids for the 2015 Street Reconstruction project on Friday, May 1, 2015. At the time of packet printing, the bids had not yet been received. A summary of the bids will be provided to the City Council, via email, on Monday, May 4, 2015.

The project includes the following streets:

- Beaver Dam Street
- Edgewood Court (off of Lake Street)
- Ferndale Road South
- Ferndale Road West (to Peavey Bridge)
- Gardner Street (east of Benton)
- Bovey Road/Ferndale Woods (Council to consider adding to the above project)

The project has been designed by WSB & Associates and the engineer's estimate for the project is approximately \$1,764,550.

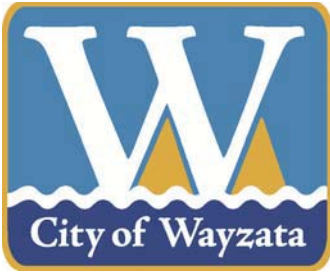
The project is proposed to be funded using the Street Capital Improvement Program (CIP), Stormwater CIP, and a Minnehaha Creek Watershed District (MCWD) low impact development (LID) grant. The proposed funding breakdown is summarized below.

Street CIP	\$1,417,300
Stormwater CIP	\$ 347,250
MCWD LID grant	\$ 36,500*

*The LID grant would be reimbursed by MCWD, to the Stormwater CIP, upon completion of the project.

The project would start in June 2015 and be completed in October 2015.

The Public Works Department will present the bids, formally, on Tuesday, May 5, 2015.



City of Wayzata Public Works
299 Wayzata Blvd. W
Wayzata, MN 55391

Director of Public Service
David Dudinsky

City Engineer/Asst. Public Works Director
Mike Kelly

Public Works Superintendent
Jim Eibensteiner

Public Works Secretary/Utility Billing Clerk
Rebecca Jones

To: Wayzata City Council
From: Dave Dudinsky, Mike Kelly
Date: 4/30/2015
Re: Roundabout landscaping and Circle A pedestrian facility

The Public Works Department is requesting that the Wayzata City Council consider authorizing two (2) projects be put out for bid, for construction in 2015. Both projects have been designed by LHB.

The first project is the landscaping of the roundabout at the east end of Lake Street. The project is estimated at \$79,650. The project also contemplates lighting within the roundabout for an additional \$20,000. The roundabout was constructed to be able to install both irrigation and lighting, whenever necessary.

The second project is a pedestrian facility along the west side of Circle A Drive. This project has been proposed with three (3) alternatives. A summary of the alternatives can be found below with their respective cost estimates.

Alternative 1 – Concrete sidewalk directly behind curb	\$82,050
Alternative 2 – Construct boardwalk loops from concrete sidewalk, extending into and through east buffer (will require approval from DNR, MCWD, USACE, etc.)	Add \$113,550 to Alternative 1
Alternative 3 – Boardwalk through east buffer, only (will require approval from DNR, MCWD, USACE, etc.)	\$248,400

City staff and LHB continue to evaluate the viability of using the large cottonwood as part of the project. Once a final determination has been made with regards to the tree, the plan will be updated and the project will be modified via change order to incorporate any modifications.

The Public Works Department requests approval to advertise for bid for the roundabout landscaping project.

The Public Works Department also requests direction on the Circle A pedestrian facility. If Alternative 1 is chosen, it can be put out for bid immediately. If Alternative 2 or 3 are selected, staff will begin conversations and permit approval with the various environmental agencies.



PERFORMANCE
DRIVEN DESIGN
LLC

701 Hennepin Ave. N. Ste 201 Minneapolis, MN 55401 | 612.206.2020



THIS SQUARE APPEARS 1/2" x 1/2" ON
FULL SIZE SHEETS.

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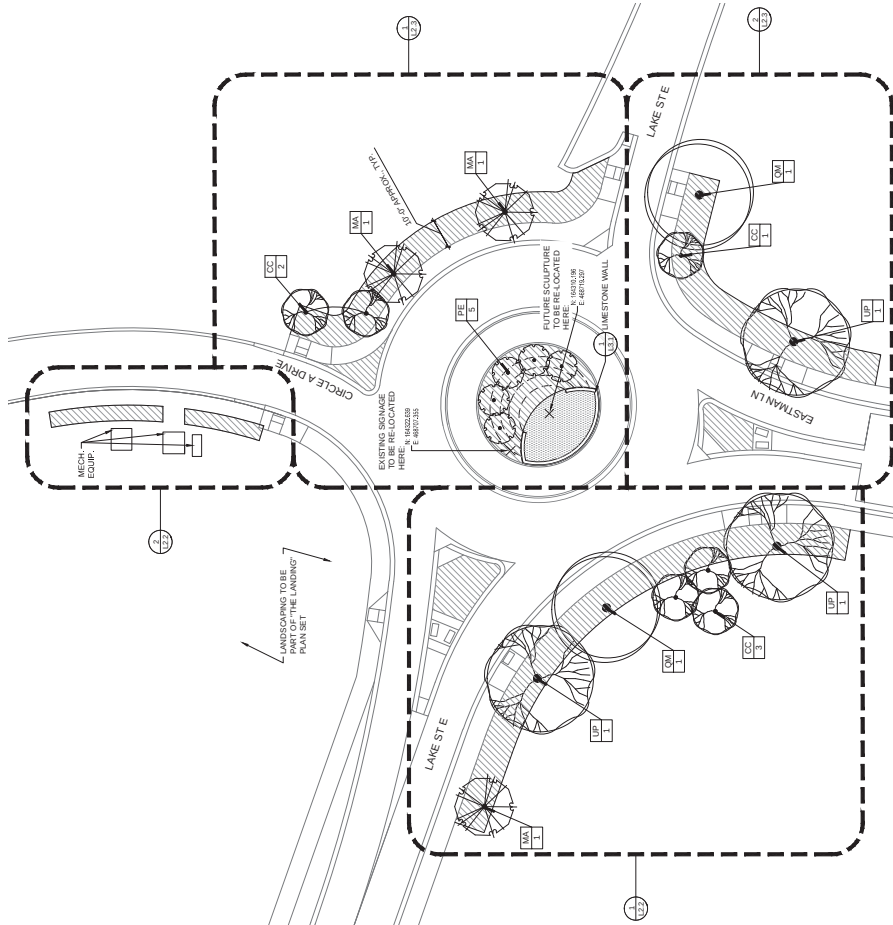
CITY OF WAYZATA
800 Rice Street East
Wayzata, MN 55391

PLANT SCHEDULE ROUNDABOUT TREE PLAN

TREES	CODE	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL
	CC	6	Cercis canadensis / Eastern Redbud	B&B	1.75' Cal
	MA	3	Maackia amurensis / Amur Maackia	B&B	1.75' Cal
	PE	5	Populus tremula 'Erecta' / European Columnar Aspen	B&B	1.75' Cal
	QM	2	Quercus macrocarpa 'Urban Princeps' / Bur Oak	B&B	2.5' Cal
	UP	3	Ulmus americana 'Princeton' / American Elm	B&B	2.5' Cal
			Varies		
		399 sf	Turf Seed No Mow Drought Tolerant Dwarf Fescue Blend		

GROUND COVERS	QTY	BOTANICAL NAME / COMMON NAME	CONT	NOTES
	5,319 sf	Perennial and Shrub Area (See L1.1 and L1.2)		
	399 sf	Turf Seed No Mow Drought Tolerant Dwarf Fescue Blend		

SEE FOR PERENNIAL AND SHRUB PLANTING PLANS
SEE FOR TREE PLANTING DETAILS



NOTE: PROTECT ALL EXISTING HARDSCAPE.



1 EASTMAN LANE ROUNDABOUT GROUNDCOVER, TREE, AND SHRUB PLANTING PLAN
Scale: 1" = 20'

CC_05052015
Page 247 of 262

PRELIMINARY
NOT FOR CONSTRUCTION
02-06-2015

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PROJECT NAME:

CIRCLE A / LAKE STREET
ROUNDABOUT
LANDSCAPE PLAN

Wayzata, MN

DRAWING TITLE:

OVERALL LANDSCAPE PLAN

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DESIGNED BY: JAM

PROJECT NO: 0505

DRAWING NO:

L1.0

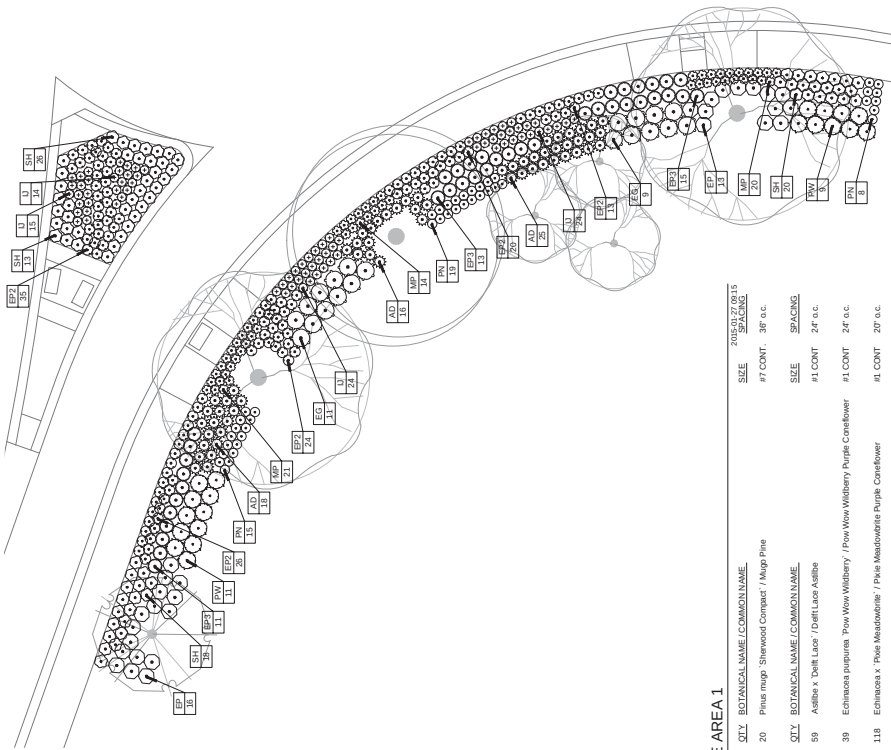


701 Hennepin Ave. N. Ste 201 Minneapolis, MN 55401 | 612.330.2020

THE SQUARE APPEARS 1/2" x 1/2" ON
FULL SIZE SHEETS

CITY OF WAYZATA
800 Rice Street East
Wayzata, MN 55391

SEE 1.1 FOR TREE PLANTING PLAN
SEE 1.2 FOR SHRUB AND PERENNIAL PLANTING DETAILS



PLANT SCHEDULE AREA 1

SHRUBS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SIZE	SPACING
	PW	20	Prunella vulgaris / Blackberry	#7 CONT.	3' x 3'
ANNUALS/PERENNIALS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SIZE	SPACING
	AD	50	Asclepias tuberosa / Milkweed	#1 CONT.	2' x 2'
	EP3	30	Echinacea purpurea / Purple Coneflower	#1 CONT.	2' x 2'
	EP2	110	Echinacea x 'Pike Meadow' / Purple Coneflower	#1 CONT.	2' x 2'
	EG	20	Eupatorium maculatum / Joe-Pye-Weed	#1 CONT.	3' x 3'
	EP	20	Eupatorium x 'Phantom' / Joe-Pye-Weed	#1 CONT.	3' x 3'
	U	77	Urtica dioica / Stinging Nettle	#1 CONT.	1' x 1'
	MP	55	Monarda didyma / Red Hot Catmint	#1 CONT.	1' x 1'
GRASSES	CODE	QTY	BOTANICAL NAME / COMMON NAME	SIZE	SPACING
	PN	42	Panicum virgatum / Switchgrass	#1 CONT.	1' x 1'
	SH	77	Sporobolus heterolepis / Prairie Dropseed	#1 CONT.	2' x 2'

LANDSCAPE ENLARGEMENT AREA 1

Scale: 1" = 10'

PLANT SCHEDULE SWITCHGEAR LOCATION 1

ANNUALS/PERENNIALS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SIZE	SPACING
	AP	12	Asclepias purpurascens / Purple Milkweed	#1 CONT.	1' x 1'
	AD	5	Asclepias 'Dott's Lace' / Dott's Lace Asclepias	#1 CONT.	2' x 2'
	EP3	6	Echinacea purpurea 'Pow Wow' / Purple Coneflower	#1 CONT.	2' x 2'
	EP2	10	Echinacea x 'Pike Meadow' / Purple Coneflower	#1 CONT.	2' x 2'
	EG	12	Eupatorium maculatum 'Gloria' / Joe-Pye-Weed	#1 CONT.	3' x 3'
	EP	3	Eupatorium x 'Phantom' / Joe-Pye-Weed	#1 CONT.	3' x 3'
	U	22	Urtica dioica 'Javelin' / Stinging Nettle	#1 CONT.	1' x 1'
	MP	10	Monarda didyma 'Pete Dought' / Red Hot Catmint	#1 CONT.	1' x 1'
GRASSES	CODE	QTY	BOTANICAL NAME / COMMON NAME	SIZE	SPACING
	PN	15	Panicum virgatum 'North Wind' / Switchgrass	#1 CONT.	1' x 1'
	SH	6	Sporobolus heterolepis / Prairie Dropseed	#1 CONT.	2' x 2'

LANDSCAPE ENLARGEMENT AREA 2

Scale: 1" = 10'

PRELIMINARY
NOT FOR CONSTRUCTION
02-06-2015

CITY OF WAYZATA
800 Rice Street East
Wayzata, MN 55391

Wayzata, MN

ENLARGED LANDSCAPE PLAN

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701 Hennepin Ave. N. Ste 201 Minneapolis, MN 55401 | 612.330.2029

THIS SQUARE APPEARS 17" x 17" ON
FULL SIZE SHEETS

CLIENT:

CITY OF WAYZATA
800 Rice Street East
Wayzata, MN 55391

NO DATE REVISION FOR

NO DATE REVISION

PRELIMINARY
NOT FOR CONSTRUCTION
02-06-2015

COPYRIGHT 2015 BY LRS, INC. ALL RIGHTS RESERVED.

PROJECT NAME
CIRCLE A / LAKE STREET
ROUNDABOUT
LANDSCAPE PLAN

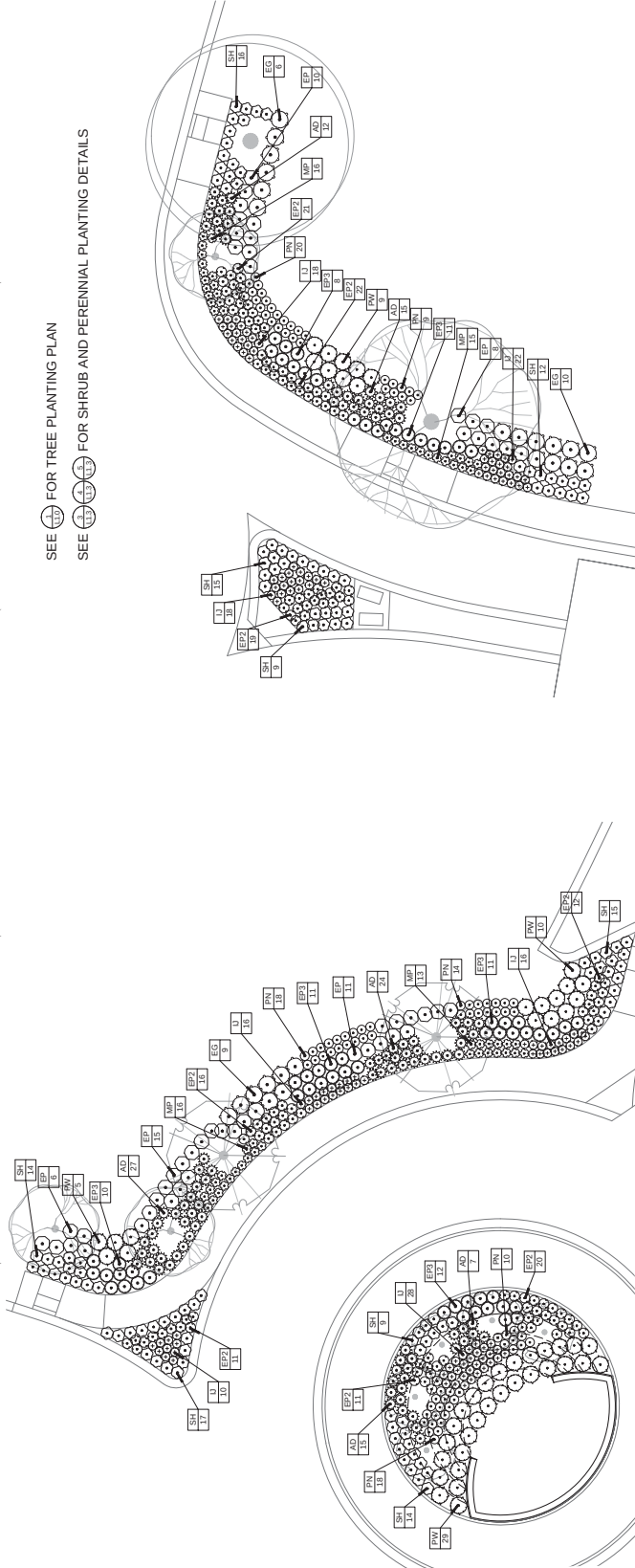
Wayzata, MN

ISSUING FIRM

ENLARGED LANDSCAPE PLAN

THE LANDSCAPE DESIGN AND DETAILS ARE NOT TO BE USED FOR CONSTRUCTION
DESIGNED BY: LRS
PROJECT NO.: 15045
DRAWING NO.: L1.2

SEE FOR TREE PLANTING PLAN
SEE FOR SHRUB AND PERENNIAL PLANTING DETAILS



PLANT SCHEDULE AREA 3

SHRUBS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SIZE	SPACING
	PW	44	Pinus mugo 'Shenwood Compact' / Mugo Pine	#1 CONT.	30' o.c.
ANNUAL/SUPERBLENDS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SIZE	SPACING
	AD	73	Asclepias x 'Dell Lace' / Dell Lace Asclepias	#1 CONT.	24' o.c.
	EP3	44	Echinacea purpurea 'Pow Wow Wildberry' / Pow Wow Wildberry Purple Coneflower	#1 CONT.	24' o.c.
	EP2	70	Echinacea x 'Pole Meadowlark' / Pole Meadowlark Purple Coneflower	#1 CONT.	20' o.c.
	EG	9	Eupatorium maculatum 'Glenida' / Glenida Joe-Pye Weed	#1 CONT.	30' o.c.
	EP	32	Eupatorium x 'Phantom' / Red Joe-Pye Weed	#1 CONT.	30' o.c.
	IJ	70	Iris germanica 'Jenny Holm' / Tall Bearded Reblooming Iris	#1 CONT.	18' o.c.
	MP	29	Monarda didyma 'Petal Delight' / Petal Delight Bee Balm	#1 CONT.	18' o.c.
GRASSES	CODE	QTY	BOTANICAL NAME / COMMON NAME	SIZE	SPACING
	PN	60	Panicum virgatum 'North Wind' / Northwind Switch Grass	#1 CONT.	18' o.c.
	SH	69	Sporobolus heterolepis / Prairie Dropseed	#1 CONT.	24' o.c.

LANDSCAPE ENLARGEMENT AREA 3

Scale: 1" = 10'

LANDSCAPE ENLARGEMENT AREA 4

Scale: 1" = 10'

PLANT SCHEDULE AREA 4

SHRUBS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SIZE	SPACING
	PW	9	Pinus mugo 'Shenwood Compact' / Mugo Pine	#1 CONT.	30' o.c.
ANNUAL/SUPERBLENDS	CODE	QTY	BOTANICAL NAME / COMMON NAME	SIZE	SPACING
	AD	27	Asclepias x 'Dell Lace' / Dell Lace Asclepias	#1 CONT.	24' o.c.
	EP3	19	Echinacea purpurea 'Pow Wow Wildberry' / Pow Wow Wildberry Purple Coneflower	#1 CONT.	24' o.c.
	EP2	62	Echinacea x 'Pole Meadowlark' / Pole Meadowlark Purple Coneflower	#1 CONT.	20' o.c.
	EG	16	Eupatorium maculatum 'Glenida' / Glenida Joe-Pye Weed	#1 CONT.	30' o.c.
	EP	38	Eupatorium x 'Phantom' / Red Joe-Pye Weed	#1 CONT.	30' o.c.
	IJ	58	Iris germanica 'Jenny Holm' / Tall Bearded Reblooming Iris	#1 CONT.	18' o.c.
	MP	31	Monarda didyma 'Petal Delight' / Petal Delight Bee Balm	#1 CONT.	18' o.c.
GRASSES	CODE	QTY	BOTANICAL NAME / COMMON NAME	SIZE	SPACING
	PN	29	Panicum virgatum 'North Wind' / Northwind Switch Grass	#1 CONT.	18' o.c.
	SH	52	Sporobolus heterolepis / Prairie Dropseed	#1 CONT.	24' o.c.





701 Washington Ave. N. Ste 201 Minneapolis, MN 55401 | 612.330.2020

THIS SQUARE APPEARS 1/2" x 1/2" ON
FULL SIZE SHEETS.

CLIENT:
CITY OF WAYZATA
600 Rice Street East
Wayzata, MN 55391

NO.	DATE	ISSUED FOR
NO.	DATE	REVISION

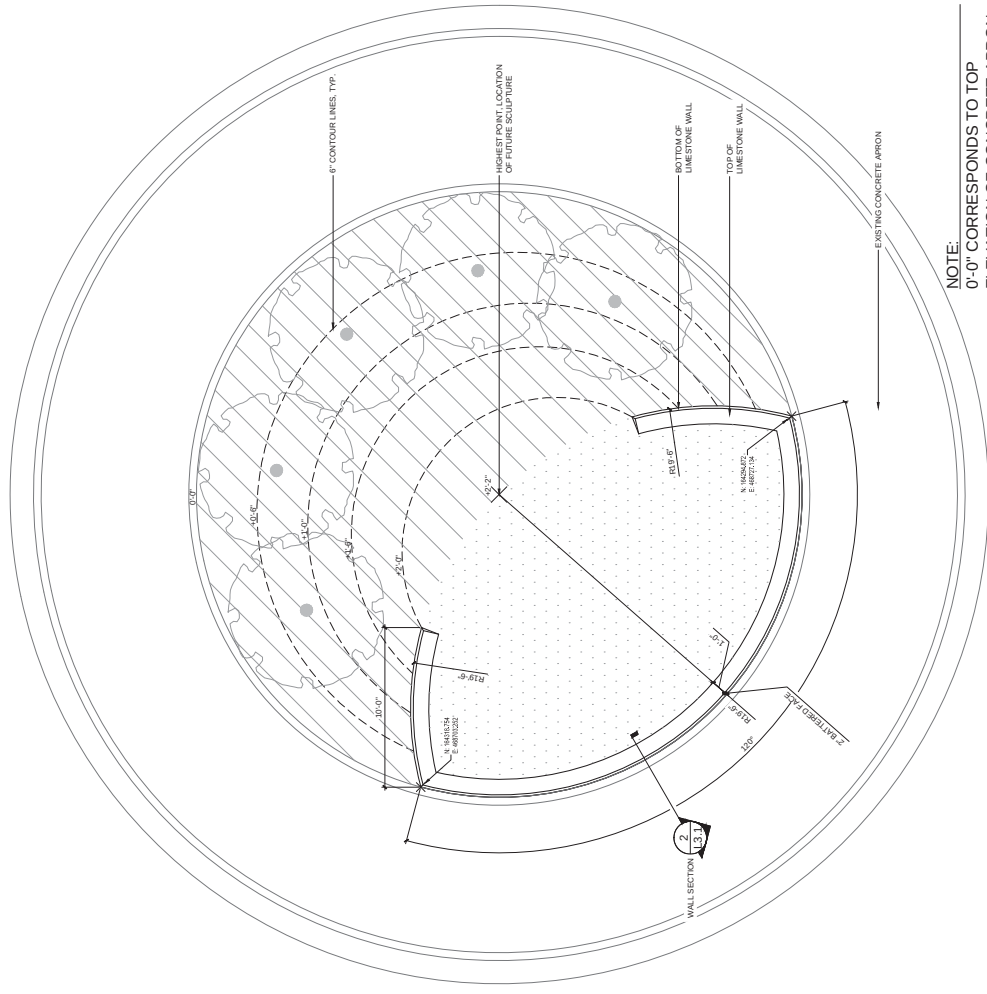
PRELIMINARY
NOT FOR CONSTRUCTION
02-06-2015

COPYRIGHT 2015 BY LHB, INC. ALL RIGHTS RESERVED.
PROJECT NAME:
CIRCLE A / LAKE STREET
ROUNDABOUT
LANDSCAPE PLAN

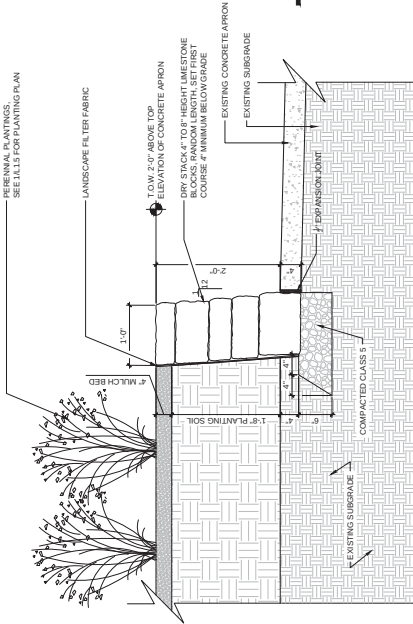
Wayzata, MN

DRAWING TITLE:
SITE DETAILS

FILE: CC_05052015
DRAWN BY: **LM**
CHECKED BY: **LM**
PROJECT NO.: **0505**
DRAWING NO.: **L1.4**



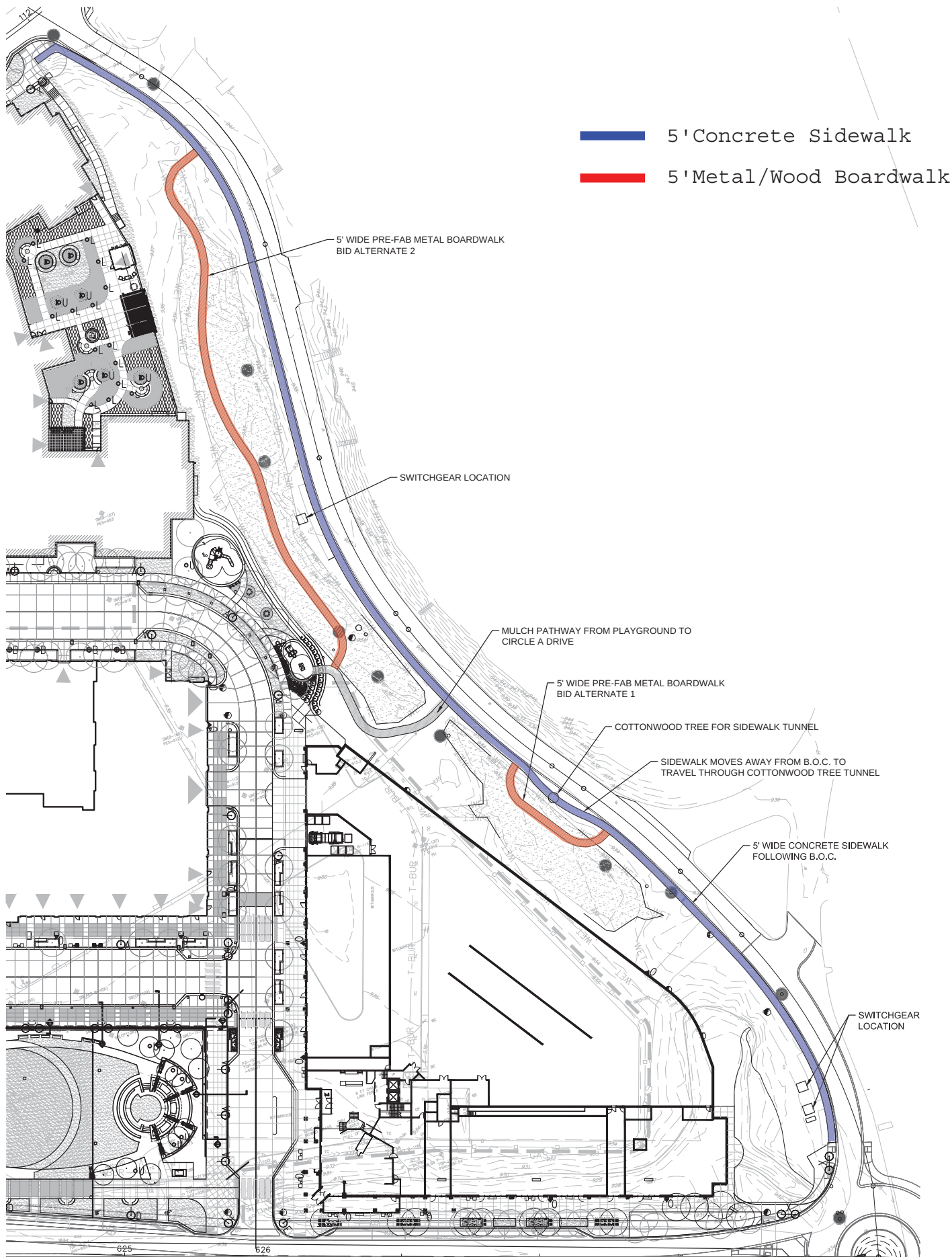
1 WALL PLAN
Scale: 3" = 1'-0"



2 WALL SECTION
Scale: 1" = 1'-0"

NOTE:
0'-0" CORRESPONDS TO TOP
ELEVATION OF CONCRETE APRON.

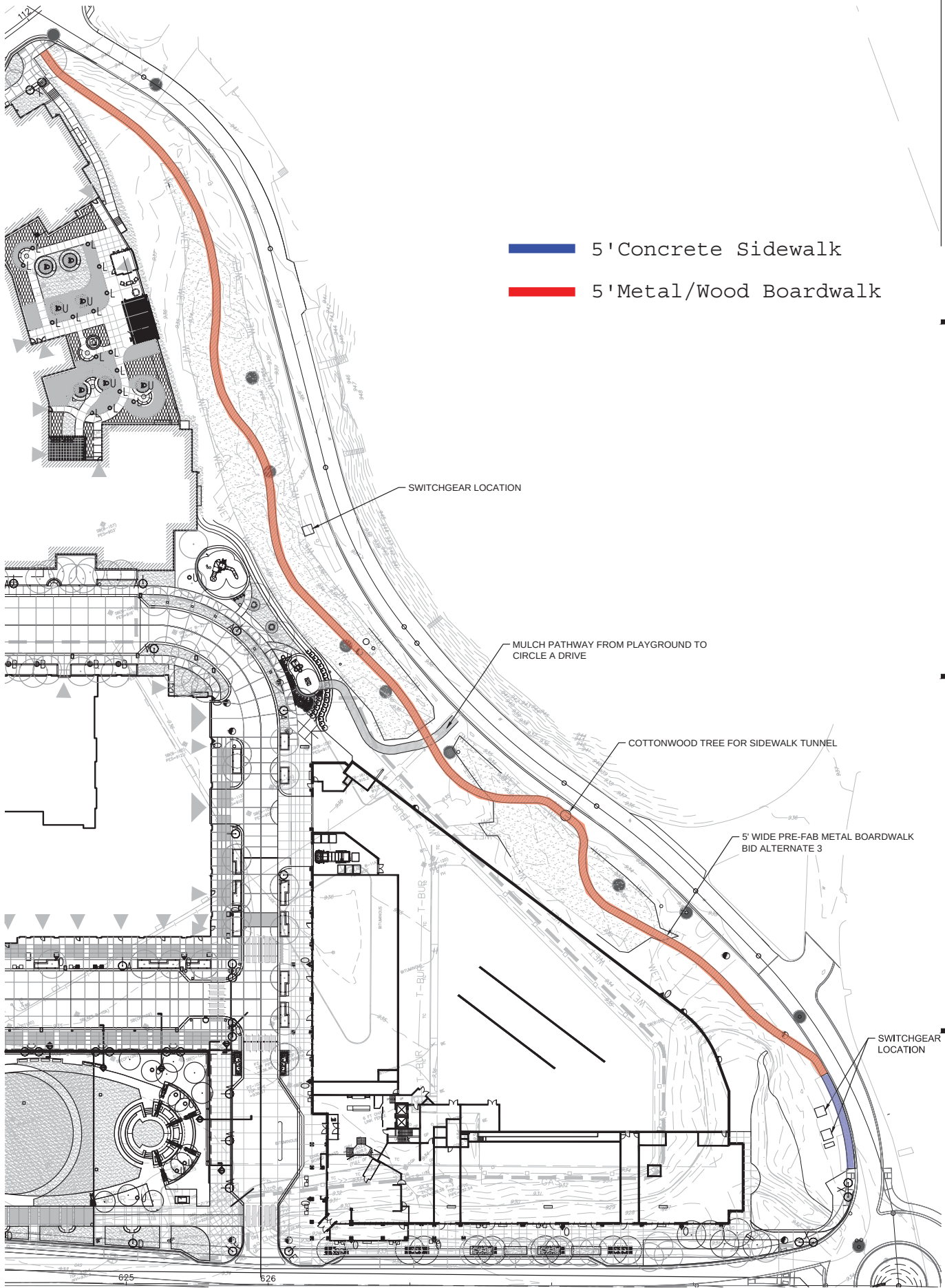




PROPOSED LOCATION OF WALKWAY ALONG CIRCLE A DRIVE
WITH BOARDWALK BID ALTERNATE 2

Scale: 1" = 50'

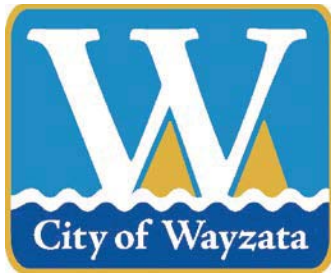




PROPOSED LOCATION OF WALKWAY ALONG CIRCLE A DRIVE
WITH BOARDWALK BID ALTERNATE 3

Scale: 1" = 50'

2



City of Wayzata Public Works
299 Wayzata Blvd. W
Wayzata, MN 55391

Director Of Public Service
David Dudinsky

City Engineer/Assist. Public Works Director
Mike Kelly

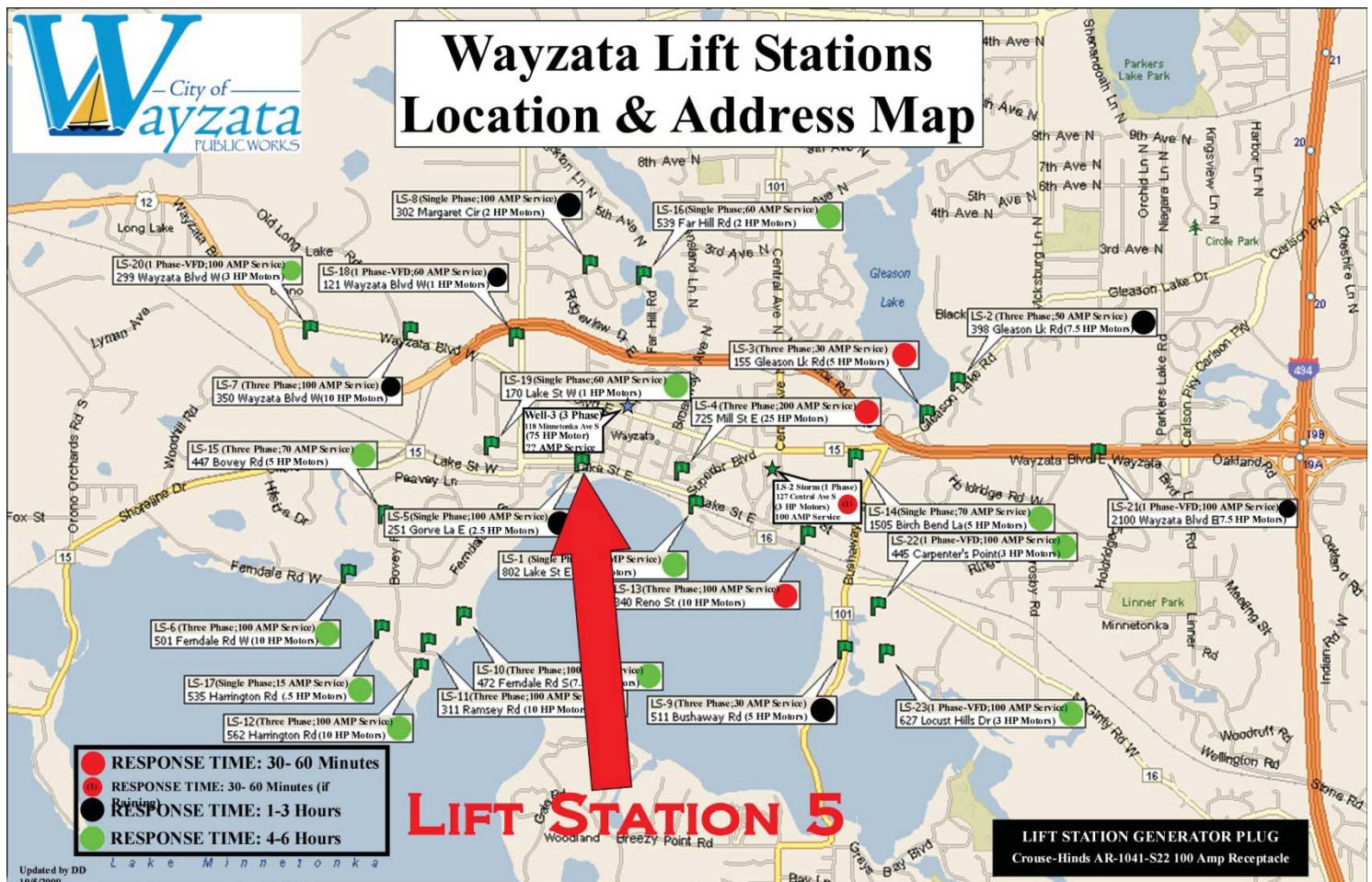
Public Works Superintendent
Jim Eibensteiner

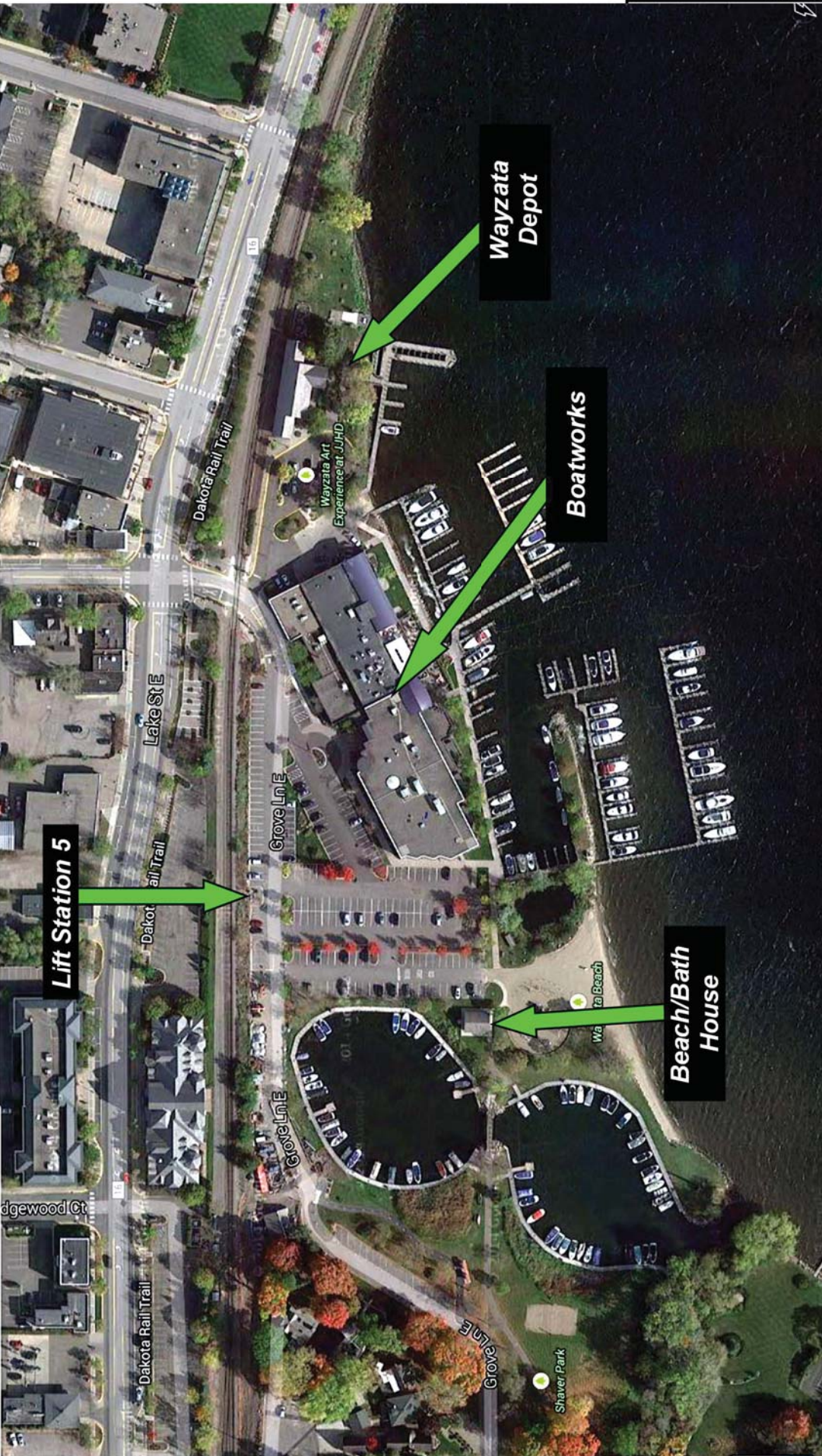
Public Works Secretary/Utility Billing Clerk
Rebecca Jones

Memorandum

TO: City Council and City Manager
FROM: David Dudinsky
DATE: April 29th, 2015
SUBJECT: Lift Station 5 Improvements

Refurbishing a City lift station is a relatively routine process that has typically been accomplished by the City Utility staff with consultant assistance as needed. Refurbishing occurs on a 15-20 years cycle and is generally limited to the replacement of the pumps and their associated hardware, piping and valves and electrical and control systems. If the sewer shed has changed, and there is a significant increase in sewage flows, the lift station pumps may need to be increased in pumping capacity and rarely, lift station wet wells are replaced with larger wet wells or an additional wet well in order to increase holding capacity.





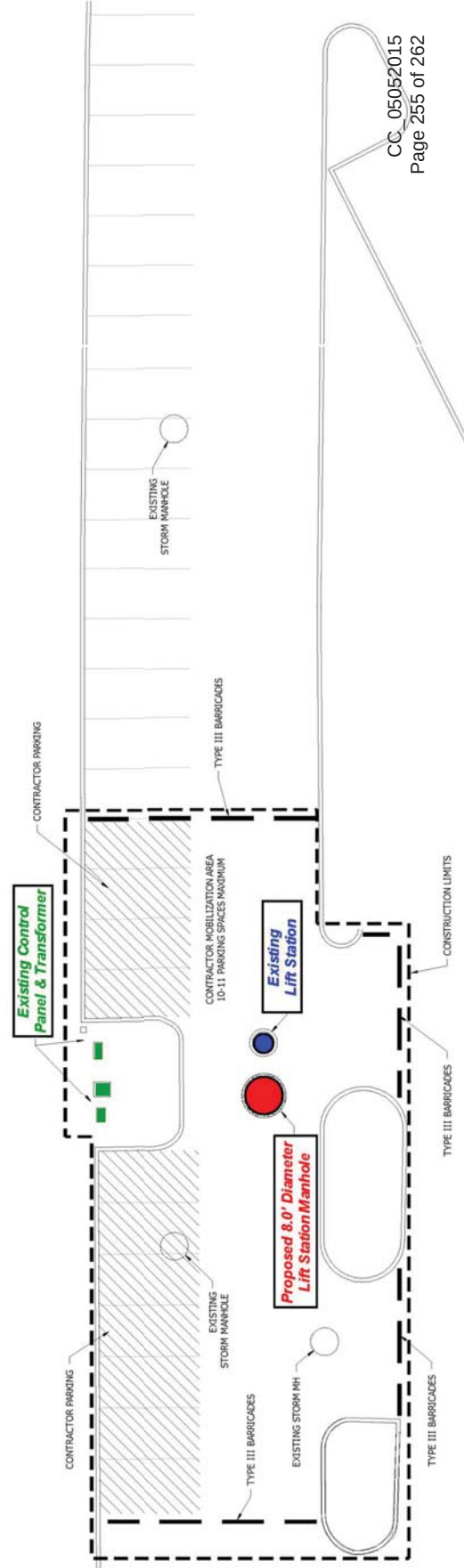
Stantec

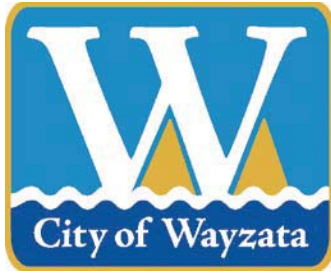
2020 Highway 34 W
St. Paul, MN 55113
www.stantec.com



PROJECT: REPLACEMENT LIFT STATION NO. 5
DATE: 05/05/2015
DRAWN BY: J. B. JOHNSON
CHECKED BY: J. B. JOHNSON
APPROVED BY: J. B. JOHNSON
SCALE: AS SHOWN
SHEET NO.: 255 OF 262

ATA, MINNESOTA
REPLACEMENT LIFT STATION NO. 5
AFFIC CONTROL PLAN





City of Wayzata Public Works
299 Wayzata Blvd. W
Wayzata, MN 55391

Director Of Public Service

David Dudinsky

City Engineer/Assist. Public Works Director

Mike Kelly

Public Works Superintendent

Jim Eibensteiner

Public Works Secretary/Utility Billing Clerk

Rebecca Jones

Lift 5 was constructed in 1990. The lift station takes sewage flows from the Boatworks property, Depot property and Beach/Bath house.

The original small grinder pumps in this duplex station struggled with the sewage flows and grease from the then called Sasha's New York Style Deli. In 1998, the small grinder pumps were replaced with larger centrifugal pumps. This increase in pumping capacity maximized the capacity of the lift station; particularly due to the limited wet well volume (4 foot diameter wet well) and small diameter force main. The ability to increase the pumping capacity any further is severely limited and would likely lead to high maintenance and seriously diminished equipment life.

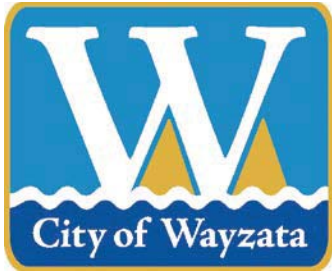
Refurbishing Lift Station 5 is necessary at this time and has been budgeted for in the 2015 Sewer Capital Improvement Fund (CIF). The planned renovation entails a straightforward pump and electrical component replacement budgeted at \$41,100.

However, the Boatworks Development has recently prepared for the lease of new space to a microbrewery. This new tenant is expected to increase sewage flows to existing Lift 5 through their brewing operation and customer draw. City staff has been working with the Boatworks to determine if the additional sewage flows will exceed the reasonable capacity of this lift station because any new flow will certainly challenge the lift station's ability to manage reliable sewage pumping operations.

The additional sewage flows projected by the new microbrewery operation reported to staff several months ago led staff to design a major upgrade of Lift Station 5. The project was designed, advertised and the bid opening was on April 1, 2015. Below is the LOW BID as well as the expected additional costs that are anticipated in order to complete the planned upgrade of Lift Station 5:

BASE BID SUBMITTED BY LOW BIDDER:	\$227,440.00
Engineering 11%	\$25,018.40
Administration 1.5%	\$3,411.60
Contingency 2%	\$4,548.80
TOTAL PROJECT ESTIMATE:	\$260,418.80

Much time and effort has been spent to date in accumulating data in an effort to determine the amount of additional sewage flows the microbrewery will generate. There is uncertainty amongst staff that the existing Lift Station without increased pumping capability will be reliable to handle additional waste water flows generated by the new microbrewery operation.



City of Wayzata Public Works
299 Wayzata Blvd. W
Wayzata, MN 55391

Director Of Public Service
David Dudinsky

City Engineer/Assist. Public Works Director
Mike Kelly

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Public Works Secretary/Utility Billing Clerk
Rebecca Jones

Staff feels it may be short sighted to just refurbish Lift Station 5 for the following reasons:

- Since little can be done to increase the GPM's of the existing lift station, the safety factor to deal with grease issues that can decrease performance of the pumps is less than desirable.
- If there is any intensification of sewage flows generated from the Boatworks, Depot, or Beach/Bath house properties, it's almost a certainty Lift Station 5 will need to be upgraded.

Why is the upgrade so expensive?

Of the city's 25 sewer lift stations, the four lift stations that take sewage flows not just from residential properties but also commercial properties, all have wet wells at least six feet in diameter. Lift station 5 has a wet well size of four feet in diameter. A majority of the upgrade cost is the installation of a new larger wet well in poor soil conditions and well below lake level. Staff has spent much time with our consultant in the design of the lift station upgrade, implementing cost saving measures whenever possible. That said the overall upgrade cost is very expensive.

Which leads to the question-Who should pay for the upgrade of Lift Station 5 and how much?

The fact is that if the lift station wet well was six feet in diameter or more instead of the four feet in diameter that it is, the City would have just went ahead with the refurbishing of the lift station as planned at an estimated cost of \$41,100 but would have installed larger pumps to address the additional flows anticipated from the new microbrewery operation. The estimated cost to upsize the pumps estimated at \$6,000 is all that would have been charged to the boat works.

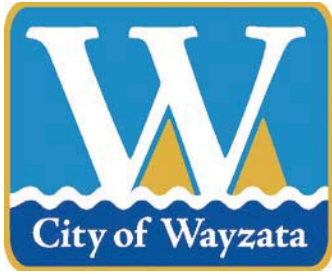
So in summary:

- The City had plans to refurbish Lift Station 5 in 2015 and budgeted \$41,100. This included replacing the pumps in kind and replacing electrical controls, floats, etc. as needed.
- If the wet well for Lift Station 5 had been six foot in diameter or more instead of four feet in diameter, the estimated cost to upsize the pumps (that we already planned to replace) is estimated at about \$6,000.
- Because there is very little opportunity to increase the handling and pumping capacity of the existing lift station, the upgrade of Lift Station 5 is anticipated to be \$260,419.

Service Availability Charges (SAC):

In the mid-1980's the city adopted SAC for all new connections to the city's sanitary sewer system. In theory, the purpose of SAC was to use this money when the number of new connections constituted the need to upsize sanitary sewer facilities to accommodate all the new users that drove the need for the upsizing to handle increasing flows. The argument for adopting such fees was that existing users should not have to pay for the cost to increase capacity but the money collected from new connections over time should be used instead.

Since 1997, the Boatworks has paid for a total of 17 City SAC Units; 5 units in 1997, 1 unit in 2004, and 11 units in 2014. The total accumulated cost for the 17 City SAC units was \$6,125.00



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Staff suggests the city council consider using SAC funds to offset the overall cost to upgrade Lift Station 5:

This upgrade will accommodate existing and future development or redevelopment within the area that the lift station serves including not only the Boatworks property but also the Wayzata Depot grounds and Beach/Bath House properties as well.

Payment Option for Consideration:

Anticipated Overall Project Cost:	\$260,419
Less City Budgeted amount to refurbish the lift station paid from the Sewer CIF of	\$-41,100
Remaining Outstanding Balance:	\$219,319
City uses SAC to pay for half of the outstanding balance:	\$109,660
** Boatworks pays for half of the outstanding balance:	\$109,660

Other project cost options certainly can be entertained.

Staff recommends that Lift Station 5 be upgraded.

Staff recommends the council approve low bid for the upgrade of Lift Station 5 in the amount of 227,440 to Minger Construction.

** The lift station upgrade will be capable of handling additional sewage flows if there is an intensified use of the Boatworks property in the future.



Project Name: **CONSTRUCTION OF REPLACEMENT LIFT STATION NO. 5**

I hereby certify that this is an exact reproduction of bids received.

City Project No.:

Stantec Project No.: 193803132

Bid Opening: Wednesday, April 1, 2015 at 11 A.M., CDT

Owner: **City of Wayzata, Minnesota**

Michael Kelly, PE
License No. 40952

BID TABULATION

Minger Construction

Magney Construction

Geislinger & Sons

PCiRoads, LLC

Item Num	Item	Units	Qty	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
BASE BID:											
1	MOBILIZATION	LS	1	\$12,050.00	\$12,050.00	\$30,000.00	\$30,000.00	\$11,625.00	\$11,625.00	\$45,000.00	\$45,000.00
2	TRAFFIC CONTROL	LS	1	\$2,800.00	\$2,800.00	\$3,500.00	\$3,500.00	\$1,500.00	\$1,500.00	\$5,000.00	\$5,000.00
3	TEMPORARY EROSION AND SEDIMENT CONTROL	LS	1	\$2,700.00	\$2,700.00	\$1,500.00	\$1,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00
4	SAWCUT BITUMINOUS PAVEMENT	LF	120	\$7.80	\$936.00	\$4.00	\$480.00	\$8.00	\$960.00	\$15.00	\$1,800.00
5	REMOVE BITUMINOUS PAVEMENT	SY	75	\$16.00	\$1,200.00	\$24.00	\$1,800.00	\$10.00	\$750.00	\$45.00	\$3,375.00
6	FURNISH 8 FOOT DIAMETER WETWELL, TOP SLAB, DRIVE	LS	1	\$25,000.00	\$25,000.00	\$17,000.00	\$17,000.00	\$62,500.00	\$62,500.00	\$55,000.00	\$55,000.00
7	INSTALL WETWELL BY CAISSON CONSTRUCTION, INCL	LS	1	\$60,000.00	\$60,000.00	\$114,200.00	\$114,200.00	\$98,000.00	\$98,000.00	\$85,000.00	\$85,000.00
8	CORE DRILL/INSTALL JACK 10" CARRIER PIPE AND 8" G	LS	1	\$5,575.00	\$5,575.00	\$4,000.00	\$4,000.00	\$19,000.00	\$19,000.00	\$22,000.00	\$22,000.00
9	REMOVE EXISTING FORCEMAIN(S) AS REQUIRED AND I	LF	30	\$4.80	\$144.00	\$200.00	\$6,000.00	\$300.00	\$9,000.00	\$240.00	\$7,200.00
10	PROVIDE BY-PASS PUMPING FROM EXISTING LIFT 5 AS	LS	1	\$20,685.00	\$20,685.00	\$16,000.00	\$16,000.00	\$5,000.00	\$5,000.00	\$34,000.00	\$34,000.00
11	FURNISH AND INSTALL INTERIOR WET WELL DIP PIPE	LS	1	\$16,625.00	\$16,625.00	\$8,500.00	\$8,500.00	\$15,000.00	\$15,000.00	\$25,000.00	\$25,000.00
12	FURNISH AND INSTALL SUBMERSIBLE PUMPS, RAILS, BA	LS	1	\$23,650.00	\$23,650.00	\$40,000.00	\$40,000.00	\$31,000.00	\$31,000.00	\$50,000.00	\$50,000.00
13	REMOVE TEMPORARY BY-PASS PUMPS AND PIPING FRO	LS	1	\$14,850.00	\$14,850.00	\$9,500.00	\$9,500.00	\$18,000.00	\$18,000.00	\$7,500.00	\$7,500.00
14	REROUTE AND RECONNECT EXISTING LIFT 5 VENT AND	LS	1	\$2,230.00	\$2,230.00	\$7,500.00	\$7,500.00	\$8,500.00	\$8,500.00	\$35,000.00	\$35,000.00
15	FURNISH AND INSTALL NEW LIFT 5 CONTROL PANEL AN	LS	1	\$25,000.00	\$25,000.00	\$17,500.00	\$17,500.00	\$31,200.00	\$31,200.00	\$7,000.00	\$7,000.00
16	AGGREGATE BASE, CLASS 5	TN	18	\$40.00	\$720.00	\$40.00	\$720.00	\$50.00	\$900.00	\$95.00	\$1,710.00
17	BITUMINOUS WEARING COURSE MIXTURE	TN	20	\$225.00	\$4,500.00	\$220.00	\$4,400.00	\$160.00	\$3,200.00	\$250.00	\$5,000.00
18	REPAIR ALL BITUMINOUS PAVEMENT DAMAGED BY CON	SY	50	\$55.50	\$2,775.00	\$55.00	\$2,750.00	\$65.00	\$3,250.00	\$50.00	\$2,500.00
19	MISCELLANEOUS SITE RESTORATION	LS	1	\$6,000.00	\$6,000.00	\$3,900.00	\$3,900.00	\$3,500.00	\$3,500.00	\$5,000.00	\$5,000.00
TOTAL BASE BID					\$227,440.00		\$289,250.00		\$325,385.00		\$399,585.00

SUBSTITUTE ITEMS:

ITEM	
MANUFACTURER	
ADD OR DEDUCT	
ITEM	
MANUFACTURER	
ADD OR DEDUCT	

Findings Regarding Water Use & Sewage Flow Regarding Lift Station No.5.

By City Consultant from Stantec

1. Boatworks water use on a work day and a weekend day with focus on 6 Smith Restaurant.

The Boatworks water meter was read over a period of 33 hours beginning at 11 AM on Friday 4/17/15 and ending at 8 pm on Saturday 4/18/15. The readings were made to reflect 3 hour lunch and dinner periods at the 6 Smith Restaurant and a 3 hour period (2 PM – 5 PM) in the afternoon. The “overnight” water use over the period from 8 PM Friday to 11 AM Saturday was also possible.

The largest reading over a 3 hour time period was 1,800 gallons, and it occurred Saturday night from 5 PM to 8 PM. The average rate over this period was 10 gpm.

The smallest reading over a 3 hour time period was 800 gallons, and it occurred Saturday afternoon from 2 PM to 5 PM. The average rate over this period was 4.4 gpm. The same period on Friday, a work day was 1,200 gallons, or a rate of 6.7 gpm.

The overnight readings yielded a flow volume of 3,600 gallons. The average rate of use over this 15 hour period was 4 gpm.

2. Boatworks water use for a three day Period Tuesday 4/21/15 to Friday 4/24/15

The metered water use over the above three day period was 40,390 gallons, or an average of 9.4 gpm. Each day was virtually the same; there was less than 5% variance.

3. 6 Smith Customers

The number of customers on Friday 4/17/15 was 458 and Saturday 4/18/15 was 494.

If we use the 494 customers on Saturday 4/18/15 and they dined over the 3 hour period for lunch and the three hour period for dinner, we would get $2,600 \text{ gallons} \div 494 \text{ customers} = 5.3 \text{ gallons per customer}$. The average rate would then be 7.2 gpm. The largest customer day last summer was reported to be 920 customers on the 4th of July. Scaling up to 920 would not quite double the water use on a peak customer day at 6 Smith.

4 Wayzata Brew Works

The Brew Works recently supplied drawings and specifications of the brewing tankage that requires cleaning; reportedly on a three weeks cycle. The spray nozzle spec's call for a flow of 10 – 20 gpm. They also report that, other than this water use, the majority of their water use will go into the product.

5. Marina and Boat Holding Tank pumpage.

Jim has found the individual responsible for pumping boat holding tanks. They report pumping 4 – 5 holding tanks a week with a volume of about 30 gallons each. This pumping is reported to occur for the summer months of July, August and September. This volume is insignificant.

Findings Regarding Water Use & Sewage Flow Regarding Lift Station No.5.

By City Consultant from Stantec

6. Boatworks building Plans

Terry Schneider forwarded several building plans of the Boatworks plumbing. These plans covered the east and west building wings and the 6 Smith build-out. After reviewing the plans, it was found (to the extent provided by these drawings) that roof drainage appears to be discharge outside of the building to the stormwater system, or to the Lake. The largest building sewer shown on the drawings is 4-inch. I did find that the elevator pit has drain tile that runs to two clear water pumps. These pumps appear to discharge into the rest room plumbing near the elevator(s).

7. Metered water use from Boatworks billings (KBJ Spreadsheet 3-30-15)

The metered/sold water monthly bills show a dramatic increase in the summer months. It also shows an increase in the non-summer quarters after 2nd quarter 2014 (6 Smith?). The 4th quarter 2015 metered water volume was 844,500 over 97 days. This quarter should not include outside/irrigation/boat washing water use and reduces to a daily use of 8,706 gpd, or an average demand of 6 gpm. This average demand is similar to the metered water use in items 1 and 2 above.

8. Future wastewater contributions to Lift Station No. 5

There are at least two known future contributors to the Lift 5 sewershed. The first one is the Wayzata Depot. The Depot contributes a very small flow to Lift 5 and is too small to affect the existing or future station capacity. There is a desire to add bathrooms at or contributory to the Depot's sanitary service. The bathrooms would provide facilities to visitors and cruise boats that stop to deliver passenger an opportunity to shop in Wayzata's Lake Street business district. Quantifying this flow at this time is uncertain, but likely to also be small.

The second future sanitary flow to Lift 5 will come from the Bath/Beach House at Wayzata's marina. Plans are underway to add a small food counter at this facility. It is assumed that there will be cooking and cleaning at this building. This counter is not expected to add more than a contribution from a sink and too small a flow to be concerned with. If, however the service counter here become large and involves dishwashing or other regular wastewater discharge, it should certainly be included in the flow to Lift 5.

9. Conclusions

Based on the recent water metering to the Boatworks development and the discussion above, the expected normal wastewater production from this building was found to be:

Normal Daily flow average - 10 gpm

Expected Brew Works cleaning flow - 20 gpm

Bath House summer use estimate – 5 gpm

Wayzata Depot estimate – 5 gpm

Total average daily flow – 40 gpm

Findings Regarding Water Use & Sewage Flow Regarding Lift Station No.5.

By City Consultant from Stantec

The average flow will certainly peak during each day. Since this service is for Lift 5 is so small, the peaking factor would be expected to be higher than, say a residential district. A factor of 2 is suggested as a minimum adjustment. The instantaneous peak would then become 80 gpm.

The Boatworks mechanical maintenance service performed a fixture count to estimate wastewater production from this building. Their work yielded a fixture count of 324 for the existing building and another 60 units for the Brew Works totals 384 fixture units. Under the Minnesota Plumbing Code, subparagraph 4, Supply demand for various loads in supply fixture units, and round up to 400 units would return a supply demand of 127 gpm.

Obviously, there is a large disparity between each of these approaches. It is pointed out that the fixture unit approach is more suitable for larger plumbing systems and is intended to size services and metering.

The best information that has been generated in this analysis is the actual metered water events. We have also learned that the summer water use peaks are probably the result of “outside” water use.

Wayzata staff has also monitored run times at Lift 5. This information is presented on the spreadsheet referred to above. During this monitoring, the flow to Lift 5 did not exceed 40 gpm after a peaking factor of 2 was applied.

Lift Station No. 5, based on the findings above, appears to have capacity to pump existing flows from the Boatworks, including the addition of the Brew Works, the Bath/Beach House, and Wayzata Depot.

The existing lift station, even though it may have the capacity to reliably pump the incoming flow at this time, does fall short in two other categories. First, the wet well volume is too small for the existing pumps. The wet well volume is undersized due to its four foot diameter and the depth incoming Boatworks sewer. Undersized lift station volume results in too frequent starts of the pump motors and their overheating. This condition will reduce their service life of the equipment and pumps. The existing motors, fortunately, are relatively small and have survived unexpectedly well. Secondly, there is no ability in the wet well to store floating material, particularly grease from the 6 Smith restaurant. This in turn results in even further reducing the storage volume of the wet well, which creates many problems for the pumps, valves and forcemain, and added maintenance and cost for the City. Providing a larger wet well will allow grease to collect on top of wet well, away from the pumps and reduce the effort to manage maintenance for the staff.