

WAYZATA CITY COUNCIL MEETING AGENDA
Wayzata City Hall Community Room, 600 Rice Street
Tuesday, June 16, 2015

WORKSHOP TOPICS FOR DISCUSSION:

1. Workshop with Planning Commission to Review Zoning Standards for Neighborhoods (5:45 PM or immediately following)
2. KC Chermak - Wise House Relocation (6:30 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.	Trudy Richter - Bushaway Update								
b.	Tour de Tonka Bike Ride Presentation	Tim Litfin							
c.	Presentation of Chamber Exceptional Service Award	Pierson							
d.	Introduction of Jason Peters, new Management/Planning Intern	Nelson							
4	New Agenda Items (3 min/councilmember) - 1. Councilmember suggest item to add; 2. Must be seconded by another Councilmember; 3. Determine staff resources, scheduling & timeframe; 4. Discuss & vote to add to future agenda								
a.									
b.									
5	Consent Agenda								2
a.	Approval of Workshop Minutes of June 2, 2015 and Minutes of June 2, 2015								
b.	Consider Cooperative Agreement with Hennepin County for Bushaway/LaSalle Lighting								
c.	Approval of Check Register								
d.	Approval of Municipal Licenses								
e.	Municipal Licenses Which Received Administrative Approval (Informational Only)								
f.	Police Activity Report								
g.	Building Activity Report								
6	Public Hearing								79
a.	Public Hearing for an On-Sale Intoxicating Liquor License and Sunday On-Sale Intoxicating Liquor License at District Restaurant LLC DBA "District Fresh Kitchen & Bar" at 300 Superior Blvd.	Nelson							
b.	Consider Approval of an On-Sale Intoxicating Liquor License and Sunday On-Sale Intoxicating Liquor License at District Restaurant LLC DBA "District Fresh Kitchen & Bar" at 300 Superior Blvd.	Nelson							
7	New Business								
a.	Consider Resolution 25-2015 Approving Shoreland CUP and Variances at 532 Ferndale Rd W	Gadow							81
b.	Review of TIF Analysis for 239-259 Lake St Concept	Gadow							143
c.	Discussion of Mill Street Parking Ramp Site Planning	Nelson							189
d.	Council Designation of Council Representatives for Key Initiatives: Parking, Cell Tower Site & Bushaway Rd.	Nelson							209
e.	Council Selection of Lake Effect Selection Committee Appointments	Gadow							210
8	City Manager's Report and Discussion Items								
9	Public Forum (as necessary)								
10	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 - July 7 & 21, 2015
Planning Commission - July 6 & 20, 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.



2015 Tour de Tonka
...and a look back at 2014

2014 Distances and Participation



16-Mile
347 Riders



26-Mile
584 Riders



44-Mile
592 Riders



52-Mile
565 Riders



67-Mile
374 Riders



100-Mile
675 Riders

3,137 Total Riders

Tour de Tonka Participation History

Year	Rider Total	Increase
2006	861	n/a
2007	1204	+343
2008	1881	+677
2009	2134	+253
2010	2425	+291
2011	2448	+23
2012	2738	+290
2013	2896	+158
2014	3137	+241

Where our riders came from in 2014

- 204 different communities
- 52 Minnesota counties
- 20 states
- 2 countries



Legacy Riders

Year	# of Legacy Riders
2009	124
2010	92
2011	84
2012	80
2013	77
2014	75



2014 Top 10 Participating Communities

Top 10 Communities		2013 Rank	2014 TdT	Up/down from 2013
1	Minnetonka	1	373	-38
2	Minneapolis	3	242	+20
3	Chanhassen	2	235	-78
4	Eden Prairie	4	177	-43
5	Plymouth	6	174	+30
6	Excelsior	5	165	+20
7	Shorewood	7	113	+5
8	Wayzata	8	102	+15
9	Maple Grove	9	81	+2
10	Chaska	14	73	+23
Total these riders brought to TdT			2014 1735 55%	2013 1805 62%

2014 Top 40 Participating Communities

#			#		
1	Minnetonka	373	21	Orono	25
2	Minneapolis	242	23	Woodbury	24
3	Chanhassen	235	24	Mound	22
4	Eden Prairie	177	25	Greenwood	19
5	Plymouth	174	25	Tonka Bay	19
6	Excelsior	165	27	Long Lake	18
7	Shorewood	113	28	Prior Lake	17
8	Wayzata	102	29	Lakeville	15
9	Maple Grove	81	30	Savage	14
10	Chaska	73	31	Burnsville	13
11	St Louis Park	70	31	Richfield	13
12	St Paul	68	31	Shoreview	13
13	Edina	64	34	Shakopee	12
14	Deephaven	53	35	Blaine	11
15	Golden Valley	40	35	Crystal	11
16	Victoria	38	37	Champlin	10
17	Bloomington	37	37	Elk River	10
18	Waconia	36	37	Mankato	10
19	Eagan	27	37	Mendota Heights	10
19	Minnetrista	27	37	Robbinsdale	10
21	Hopkins	25	37	Rochester	10
				2014 Total	2526 / 80.5%
				2013 Total	2639 / 91.1%

2014 Demographics

Gender Breakdown by Age	Male	% Male	Female	% Female	Total #
did not provide age	43	70%	18	30%	61
0-9 years old	43	61%	28	39%	71
10-19 years old	188	67%	94	33%	282
20-29 years old	142	53%	128	47%	270
30-39 years old	264	62%	165	38%	429
40-49 years old	414	61%	261	39%	675
50-59 years old	639	67%	312	33%	951
60-69 years old	252	73%	92	27%	344
70-79 years old	43	84%	8	16%	51
80-89 years old	3	100%	0	0%	3
TOTAL RIDERS	2,031		1,106		3,137

Oldest = 86 (100-Miler)

Youngest = 4 (16-Miler)

2014 Tour de Tonka Gender Breakdown by Ride

	#	%	#	%	Total
	Male	Male	Female	Female	
16-Mile	167	48%	180	52%	347
26-Mile	321	55%	263	45%	584
44-Mile	362	61%	230	39%	592
52-Mile	376	67%	189	33%	565
67-Mile	271	72%	103	28%	374
100-Mile	534	79%	141	21%	675
TOTAL RIDERS	2,031	65%	1,106	35%	3,137



2014 ICA Foodshelf Donations

Annual Donation from TdT	\$3,137
Donations from Rider Registration	\$1,390
Same Day Donations (Ron Kamps' fishbowl)	\$1,140
184 pounds of food (X \$1.70 per pound)	\$313
2014 TOTAL	\$5,980



To date, Tour de Tonka has raised over \$36,000 for the ICA Foodshelf

Police and Fire

Departments

Minnetonka Police

Carver County Sheriffs

Deephaven Police

Eden Prairie Police

Minnetrista Police

Orono Police

Plymouth Police

South Lake Minnetonka Police

Three Rivers Park District Police

Wayzata Police

West Hennepin Public Safety

Maple Plain Fire

Norwood-Young America Fire



St Boni Fire

Wayzata Fire

Delano Fire

Waconia Fire

Victoria Fire

Excelsior Fire

Long Lake Fire

2015 Ride Distances

Mile Options



2015 Cities Travelling Through

Chanhassen	Chaska
Deephaven	Delano
Eden Prairie	Excelsior
Greenwood	Independence
Long Lake	Mayer
Mnetonka	Mnetrista
Mound	Navarre
Norwood-Young America	
Orono	Shorewood
Spring Park	Tonka Bay
Victoria	Waconia
Watertown	
Wayzata	

Thank you TDT Cities!

2015 All-Route Map

Tour de Tonka
2015 All-Route Map
 *Routes are subject to change

100-mile Route
 77-Mile Route
 57-Mile Route
 49-Mile Route
 28-Mile Route
 16-Mile Route

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2015 Rest Stops

Gray's Bay Dam
Minnetonka Middle School East
Excelsior Commons
Lake Riley Park
Trinity Lutheran Church
Wolner Field
Delano City Park
NYA Legions Park
Pioneer Park



2015 Major Sponsors



MAPLE GROVE CYCLING TREK

MAPLE GROVE'S CYCLING OUTFITTERS SINCE 1988! 13950 GROVE DRIVE • MAPLE GROVE, MN 55311
MONDAY-FRIDAY 10AM-9PM SATURDAY 9AM-6PM SUNDAY 12-4PM 763-420-8878



**TWIN CITIES
ORTHOPEDICS**



Park Dental

2015 Major Sponsors



SUBARU®



INVICTA

2015 T-Shirt Artwork



Volunteers

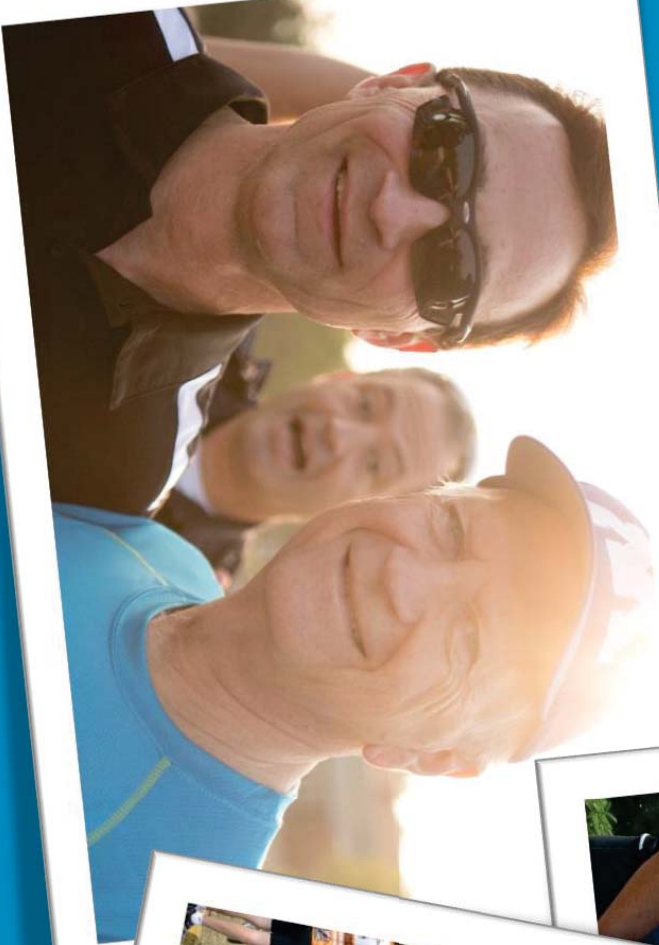


to register or volunteer
go to:

www.tourdetonka.org

952-401-6800

2014 Photo Album



2014 Photo Album



2014 Photo Album



Saturday August 1, 2015 See you there!!



WAYZATA CITY COUNCIL
DRAFT - WORKSHOP MEETING MINUTES
June 2, 2015

5:00 PM UPDATE ON DOWNTOWN PARKING – IMPLEMENTATION OF PILOT PROJECTS AND PRELIMINARY REVIEW OF PRE-DESIGN/SITE PLANNING FOR MILL STREET RAMP

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. Also present: City Manager Nelson, Director of Planning and Building Gadow, City Consultants Jim Lasher and Jo Ann Olsen with SRF Consulting Group, Inc., and valet contractor Christopher Forest with Unparalleled Parking.

Ms. Nelson advised the Council that staff has continued to work towards implementation of the Pilot Projects: which include public valet, 2-hour parking enforcement, and designated employee parking. Staff has met with property owners on the south side of Lake Street in the 700 Block, and the valet contractor has further refined the proposed public valet program. Ms. Nelson reviewed an outline of the pilot projects, including recommended changes.

Mr. Forest, the valet Contractor with Unparalleled Parking provided an overview of the public valet program.

Mr. Lasher, City Consultant, reviewed preliminary pre-design/site planning for the Mill Street Ramp. He also reviewed items completed since May 19, 2015. He said there are ten site forces: Height restrictions; steep slope/trees; delivery vehicle access, traffic impacts; pedestrian access; trash/storage/utility impacts; bicycle path; water table/quality; marina expansion; and development pressure. Traffic projections from the HR Green study conducted in 2007 were reviewed and a recommendation was made that traffic projections should be updated to reflect changes in use for our downtown commercial area, as well as the ramp size. Mr. Lasher reviewed different concepts for ramp access from adjacent streets and potential impacts. Considerations for delivery vehicle access, trash and utilities were discussed with the Council. Mr. Lasher discussed goals and objectives of having a green roof or a green edge on the parking structure. He stated the costs associated with the construction of a green roof are somewhere between \$2.5 million to \$3 million. Mr. Lasher discussed the goals and objectives of having solar panels on the parking structure and reviewed design guidelines for angled or 90 degree parking.

The group reviewed parking options for a 2 bay and 3 bay parking ramp configurations and the associated impacts to the bluff and adjacent properties.

The Council requested Consultant Jim Lasher to put together some data regarding a green roof on the parking structure. The Council provided direction regarding a preference for a two bay, longer configuration to the ramp design. Further development of this concept will be brought forward to the regular meeting of June 16.

6:00 PM DISCUSS BUSHAWAY ROAD LANDSCAPE COMMITTEE STRUCTURE & POSSIBLE CHANGES TO LISTENING SESSIONS

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, Director of Planning and Building Gadow, and City Engineer/Assistant Director of Public Works Kelly.

1 Mr. Kelly informed the Council that City Staff, the Wayzata Chamber of Commerce, and Hennepin
2 County have been holding listening sessions with the Wayzata business community for several months.
3 These sessions have been held at the Lund's Kitchen and have included construction updates from the
4 County as well as opportunities for the business community to ask questions and voice concerns. The last
5 two sessions were not attended by any local businesses. Mr. Kelly stated that after the City Council
6 meeting on May 21, 2015, it has become apparent that the residents along the corridor would like to
7 opportunity to hear updates, ask questions, and voice concerns. Staff and the Chamber would like to
8 modify our current listening sessions to allow residents to attend. He said the meetings would still
9 include project updates, but would also allow residents and businesses a forum to voice their concerns.
10 Mr. Kelly said the first joint meeting is scheduled for June 18, 2015 at 9:00 am in the Community Room
11 at City Hall.
12

13 Mr. Kelly indicated that staff would also like to discuss the format and makeup of the proposed
14 Bushaway Landscape Committee with the Council. This committee would be responsible to assist in the
15 design of the landscaping project to be constructed following the completion of the utility and roadwork
16 along the corridor. Mr. Kelly asked the Council if they would like the committee to be made up of former
17 Task Force and committee members or if new invitations should be sent to the neighborhood.
18

19 The Council directed staff to reach out to former Task Force Chair Jack Amdal to see if he would be
20 interested in leading the committee. The Council further directed staff to reach out to former members
21 Ron Anderson, Peter Pflaum, Merrily Borg Babcock to participate and invite potential new members
22 Michael Ramy and Kristin Osterby.
23

24 The Workshop meetings were adjourned at 6:50 pm.
25

26 Respectfully submitted,
27
28

29
30 Becky Malone
31 Deputy City Clerk
32

WAYZATA CITY COUNCIL
DRAFT - MEETING MINUTES
June 2, 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 and City Planner Gadow

AGENDA ITEM 2. Approve Agenda.

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

The Council requested to meet with staff to address traffic issues and to meet with Public Works about maintenance of landscaping gardens.

Mr. Willcox reported that downtown parking and Bushaway Road were topics for discussion at the Workshop meeting prior to the Council meeting.

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

a. Trudy Richter – Bushaway Project

This item was postponed to the next Council meeting when Ms. Richter can attend.

AGENDA ITEM 4. Consent Agenda.

The Council inquired about Item d and whether SRF would be the default vendor for the implementation and design of the ramp. Ms. Nelson stated the Assignment Agreement does not endorse that SRF is the implementation partner and covers only the current work with the programming and pre-design phase.

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

- a. Approval of Workshop Minutes of May 19, 2015, Minutes of May 19, 2015, and Workshop Minutes of May 21, 2015
- b. Approval of Check Register
- c. Approval of Residential Assessing Contract
- d. Approval of Assignment Agreement from LSA Design, Inc. to SRF Consulting Group, Inc. for Downtown Parking Improvement Project

The motion carried 5/0.

AGENDA ITEM 5. New Business.

a. Consider Development Agreement Amendments for Wayzata Bay Redevelopment LLC

Ms. Nelson reported that the City Council and Housing and Redevelopment Association (HRA) Chair Tom Shaver met for a workshop meeting on May 21, 2015 to review the Wayzata Bay Center Redevelopment Agreement amendments. The HRA met on May 29, 2015 for approval of the term sheet. Ms. Nelson invited Mr. Jay Lindgren, Dorsey and Whitney, to outline the proposed amendments.

Mr. Lindgren reported the proposed amendments relate to the East Block of the Promenade project, and would allow 29-31 condominiums, an 80-90 room hotel, approximately 14,000 square feet of commercial retail space, parking, and additional plans. He reported on the timeline of the project, the modified tax-increment proposal, the TIF note, and the remnant parcel.

Mr. Lindgren reported the developer, Presbyterian Homes, agrees to participate in the downtown parking district, to provide a workforce parking and project access plan, to provide landscaping of the East Buffer area, to provide a lump sum payment of \$25,000 for additional landscaping, and will allow public parking within the project after occupancy of the West Block.

1 The Council asked if there is a current fee schedule of fines for workers parked in non-
2 designated area. Mr. Lindgren stated this would be developed and brought before Council at a
3 later date.

4 The Council asked what the existing term expiration date is on the Remnant Parcel for
5 the first right of consideration for development. Mr. John Mehrkens, Presbyterian Homes,
6 reported it was originally a 5-year period that expires in 2016, which then moves to a 5-year
7 notification period.

8 The Council asked for clarification on workforce parking and the future City ramp. Mr.
9 Mehrkens stated his understanding is that if space is available, parking will be made available to
10 the broader public not related to the development itself, and exclude workforce parking. There
11 will be off-site parking for construction. Mr. Mullin suggested the signs be as specific as possible
12 to remove all workforce parking off the site.

13 The Council asked for clarification on Item No. 7. Mr. Lindgren stated this means a
14 special service district will be established and the developer agrees to be a part of that district.

15 The Council inquired about the meaning of a full-service hotel in Item No. 3 and the
16 Available Tax Increment in Item No. 6. Ms. Nelson explained there is a \$22.9 million note
17 issued on the TIF. Over the term of the district, the developer receives the principle amount of
18 that note on an annual basis plus the interest. The benefit to the developer is \$57.4 million and
19 the benefit to the City is \$12.3 million.

20 The Council referred to the table in the packet and asked why around year 2 and 3, the
21 amount the City receives drops by \$3,000 and increases on the developer's share. Ms. Nelson
22 stated the difference is the shift of taking between 50% of the East Block versus 5% of all the
23 blocks. It will be looked at again to make sure the City is in the best position as to when that shift
24 occurs.

25 The Council clarified that street parking is available to the public, the ramp parking is
26 public for those going to retailers and Presbyterian Homes Development. The Council questioned
27 how those differences were going to be communicated to the public if blue public parking signs
28 are used. Mr. Mehrkens stated there will be additional signage in the ramp stating the ramp is for
29 paying patrons of The Promenade, but challenges still remain as to how to enforce this.

30 The Council asked staff about the TIF money and if it can be spent on maintenance of the
31 area. Ms. Nelson said it can only be used for capital improvement projects, not for upkeep and
32 maintenance.

33 The Council stated in previous Workshops, there was discussion that some of this
34 funding could be earmarked for areas around the Eastman Buffer and the storm water
35 management issues. Ms. Nelson stated some amendments need to be made stating who gets what
36 portion of the TIF and the agreements amended as to what type of projects are anticipated with
37 this revenue stream.

38 Mrs. McCarthy made a motion, seconded by Mr. Tyacke, to approve the term sheet of
39 Development Agreement Amendments for Wayzata Bay Redevelopment LLC. The motion
40 carried 5/0.

41 42 **b. Consider Resolution No. 24-2015 Wayzata Bay Center East Block Approvals**

43 Mr. Gadow reported BohLand Development LLC has submitted an application for an amendment
44 to the Planned Unit Development (PUD) and modification design of the East Block of the
45 Promenade project. The Planning Commission recommends approval of the PUD Amendment
46 and Project Design, if the developer agrees to remedy or pay an assessment acceptable to the City
47 to address the significant tree damage that occurred on the east area of the subject property.

48 Mr. Gadow stated in response to the concerns of the residents in that area with the
49 landscaping around the buffer, the City and developer should consider actions that are outlined in
50 the staff report.

1 Mr. Steve Bohl, BohLand Development LLC, expressed gratitude to everyone involved
2 in the project. He reported that the spa component of the project has decreased in size and moved
3 from the ground level to the mezzanine level, and the condominiums have from increased from
4 22 units to 31 units.

5 Mr. David Stahl, Cunningham Group Architecture, reported on and displayed the floor
6 plans and drawings for parking, landscaping, retail space, condominiums, and hotel included in
7 this project.

8 The Council asked if there was a way to make a brick façade more interesting with a
9 pattern on the south side of the project. Mr. Stahl stated there is minimal brick and there are
10 plans to make it look interesting.

11 By request of the Council, Mr. Stahl explained the attempt to soften the east side of the
12 building was done through architectural design to pull back the building from the east edge.

13 The Council asked about the holding pond. Ms. Tiffani Navratil, LHB, reported the pond
14 is meant to function as a storm water capture site.

15 The Council asked about the colors that will be used on the buildings. Mr. Bohl
16 responded the detail trim will be white, with a deeper gray and stone detail to tie in with the rest
17 of the buildings and blue signage.

18 The Council expressed appreciation to the developer for listening to the suggestions that
19 were made for the project. The Council also expressed concern for the west and east elevations
20 from the Presidential Suites to the end of the building, that appears to be a long, flat façade and
21 suggested a design with more movement. Mr. Stahl stated that space is about 80-90 feet long and
22 includes landscaping and trees that help create detail on that wall. Mr. Bohl explained the image
23 does not capture the detail on the roof that also helps break up the flatness.

24 The Council asked if adding these buildings will affect airflow and create a wind tunnel
25 in that area. Mr. Stahl responded these building are not tall enough to have a great impact on the
26 airflow.

27 By request of the Council, Mr. Mehrkens reported on the features of the park stating there
28 will be an additional stairway into the park, benches, tables, an area for games, and the dog policy
29 is being reconsidered.

30 The Council stated money has been set aside from the City, the developer, and TIF to
31 create an eastern buffer vegetative screen. Ms. Navratil stated it is important to do an invasive
32 removal plan and maintain the removal. Other plantings can then take place and will need to be
33 maintained. These plantings would possibly include White Pines and Dogwoods to help with
34 year-round screening.

35 The Council asked about traffic concerns addressed by the Planning Commission. Mr.
36 Gadow reported they would work with the Hotel to direct traffic down Superior.

37 Mr. Dan Mahoney, Hay Creek Hotels, reported on the restaurant in this development.
38 The plan for the restaurant includes median prices with higher quality food and service and sees it
39 as a standalone restaurant that can be used by people in the community.

40 The Council asked for clarification on traffic flow and valet parking around the hotel
41 entrance.

42 Mr. Dan Gustafson, 1040 E Circle Drive, Wayzata, thanked everyone for all the work
43 that is being done. He stated three issues are traffic on East Circle Drive, the buffer, and the
44 round-about. He suggested turning the entire circle into greenspace and creating a larger buffer
45 between the residential and commercial spaces.

46 Ms. Nelson stated truck traffic is restricted through that area and needs to be enforced.
47 Staff would be willing to look at design concerns in that area.

48 Mr. Gadow suggested a change in the conditions of approval on page 128, under 4.1A to
49 read: "The Owner agree to the remedies as defined in the revised Development Agreement". He
50 also referenced page 121 and suggested the applicant have a meeting with the residents of the east

neighborhood to communicate about the landscaping and the pedestrian connection. He also stated the number of condominium units should be changed from 29 to 29-31.

The Council suggested a condition that the applicant and City would work with the neighborhood to mitigate traffic concerns. This could be added to 4.1 4 on page 121 of the staff report.

Mrs. Anderson made a motion, seconded by Mrs. McCarthy, to Adopt Resolution No. 24-2015 Approving PUD Amendment and Revised Project Design for Wayzata Bay Center East Block as revised to add a condition on page 128, under 4.1 A to read: “The Owner agrees to the remedies as defined in the revised Development Agreement”; to add a condition stating “The applicant shall have a meeting with the residents of the east neighborhood to communicate about the landscaping, the pedestrian connection and discuss traffic concerns”; and, the number of condominium units shall be changed from 29 to read 29-31. The motion carried 5/0.

c. Consider RFP for Lake Effect Signature Project Design

Mr. Gadow reported the Council met with Ms. Mary deLaittre of Groundworks LLC, to review a draft of a RFP to solicit design team submissions for the Lake Effect: Signature Project. The idea is to build off the previous work already done and put it into a form that allows construction on this project. Staff is requesting approval of the RFP, so it can be sent out for responses starting on June 3. Applications would be accepted until July 10 and the winning team selected in September.

The Council asked Ms. deLaittre to summarize the changes made to the RFP. Ms. deLaittre stated there were vocabulary changes and clarifications around schematic design to the RFP. The Council stated the work already done is to be used as a springboard and wondered how to emphasize this to the design teams. Ms. deLaittre pointed out it is referenced in several areas.

The Council emphasized this is not an additional cost, but is part of the original Lake Effect plan costs. The Council suggested adding there was money earmarked for this project and is still under budget.

Mrs. Anderson made a motion, seconded by Mr. Mullin, to authorize the RFP for Lake Effect Signature Project Design. The motion carried 5/0.

Mr. Gadow stated at the next City Council meeting on June 16, the Council will be asked to select individuals that will serve on the Selection Committee.

d. Accept Strategic Planning Report and Adoption of Norms of Behavior and Parameters for Interaction with Developers, Media

Ms. Nelson presented the report from the Strategic Planning Sessions held on April 30 and May 1. Once accepted, staff anticipates having the Strategic Plan document updated for Council review in July. Staff is recommending the Council consider adoption of the two policy items: 1) Norms of Behavior for Wayzata City Council; and, 2) Parameters for Interaction with Public, Developers, and Media. Staff is also looking to discuss Item No. 4: More involvement by Council Members.

The Council thanked Ms. Nelson and staff for their work on the Strategic Planning Session.

Mrs. Anderson presented a Proposed Diversity and Inclusion Statement and requested it be included with the Norms of Behavior. Mr. Tyacke stated it is incongruous with the goal of governing the City. Those that serve on the Council are equals and he does see it as relevant.

Mrs. McCarthy stated it would be more appropriate at a City level, not just at the City Council. She noted it is separate and distinct from the Norms of Behavior that were discussed and if we chose to implement it, it could be reviewed at the City level and with City Attorney review.

Mr. Mullin thanked Mrs. Anderson for her work and stated this could be addressed at a broader level than just the City Council. He is open to further discussion on it, but feels it does not fit with the Norms of Behaviors for Wayzata City Council.

Mr. Willcox stated the Norms of Behavior address current issues that the Council had and needed to be addressed, and diversity and inclusion are not part of those issues.

Ms. Nelson stated there is a personnel policy that states how the City operates as an employer with provisions that apply to the elected officials. Staff requested to review this Statement with existing policy language.

Mr. Tyacke made a motion, seconded by Mr. Mullin, to approve Norms of Behavior for Wayzata City Council. The motion carried 5/0.

Ms. Nelson clarified Item No. 2, Parameters for Interaction with Public, Developers and Media, refers to bigger issues and anything that has to do with legal matters.

Mr. Mullin stated his is not comfortable with the way it is written. He suggested adding “Notify and inform the City Manager about media inquiries. In situations where legal matters are involved, direct media inquiries to the City Manager”. Mr. Tyacke and Mrs. McCarthy agreed.

Mrs. McCarthy stated Item E should be shortened. Ms. Nelson suggested Council Members use some phrases of Item E at the end of their emails.

Mrs. McCarthy made a motion, seconded by Mr. Mullin, to approve Parameter for Interaction with Public, Developers, and Media with the following revision: “Notify and inform the City Manager about media inquiries. In situations where legal matters are involved, direct media inquiries to the City Manager. ~~Direct media inquiries to City Manager first, especially regarding legal matters.~~” The motion carried 5/0.

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

a. Update on Bushaway Project

Ms. Nelson reported the Council toured the Bushaway Road Project corridor and has a better understanding of the inconveniences to the residents. There is a 50/50 chance the railroad bridge will be done this year and staff is working with the County to put pressure on the railroad to get the project finished.

The Bushaway listening session will now be held at City Hall to get updates from the County and Landscape Committee on the progress being made.

b. Lakefront Docks

Ms. Nelson reported the docks are being installed and encouraged people from the south shore to come by boat to visit downtown Wayzata.

c. Upcoming Dates

Emergency Management Training on June 25 from 5:30 – 7:30 p.m. in Corcoran.

d. Announcements

Mrs. Anderson announced beginning on Sunday, June 7, the Trolley will run on Sundays and Thursdays between now and September 3 from 10:00 a.m. to 4:00 p.m. as well as Wednesday evenings in July from 5:00 p.m. to 9:00 p.m. for the concerts at the Depot.

e. Other

Mr. Mullin stated Council never discussed Item No. 4 on page 174. Mr. Willcox recommended staff send an email that lists major City projects so that Council Members can indicate which ones they would like to be more involved in.

Mr. Mullin asked staff to look at the timing of the pedestrian light near Walgreens on Wayzata Boulevard.

AGENDA ITEM 7. Public Forum Continued (if necessary).

There were no comments.

AGENDA ITEM 8. Adjournment.

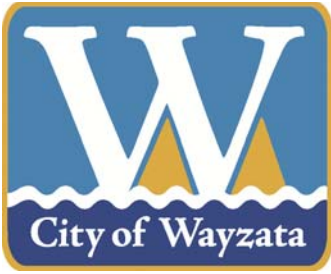
Mrs. McCarthy made a motion, seconded by Mr. Mullin to adjourn. There being no further business, Mr. Willcox adjourned the meeting at 10:03 p.m.

Respectfully submitted,

Becky Malone
Deputy City Clerk

Drafted by Shannon Schmidt
TimeSaver Off Site Secretarial, Inc.

DRAFT



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: Mike Kelly, City Engineer
Date: 6/10/2015
Re: Construction Cooperative Agreement – Bushaway Road/LaSalle Street Lighting

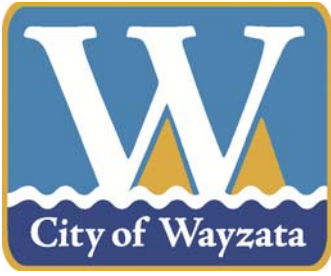
As part of the Hennepin County reconstruction of Bushaway Road, three (3) street lights are proposed adjacent to LaSalle Street to provide lighting for the intersection and the vertical curve.

These lights were included in the original specifications to be constructed by the contractor at a cost of \$37,791.90. Upon further research, Xcel Energy can furnish these poles and fixtures at a cost of \$26,148.20.

The poles and fixtures to be installed in this area will match those installed by Xcel Energy within the Locust Hills development. A photo of the pole and fixture can be found below.



Locust Hills pole and fixture



City of Wayzata Public Works
299 Wayzata Blvd. W
Wayzata, MN 55391

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Rebecca Jones

The attached agreement, PW 09-21-15, removes the original poles and fixtures from the contract and allows Wayzata to enter into a contract with Xcel Energy to furnish and install three poles and fixtures. The County will reimburse the City for this work.

A copy of the proposed contract with Xcel Energy is also attached, for your reference.

Staff recommends approval of this Cooperative Agreement for the lighting at LaSalle Street.

Agreement No. PW 09-21-15
County Project No. 9931
County State Aid Highway No. 101
City of Wayzata
County of Hennepin

COOPERATIVE AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 20____, by and between the **County of Hennepin**, a body politic and corporate under the laws of the State of Minnesota, hereinafter referred to as the "County", and the **City of Wayzata**, a body politic and corporate under the laws of the State of Minnesota, hereinafter referred to as the "City".

WITNESSETH:

WHEREAS, the County and the City have developed a project to improve County State Aid Highway Number (CSAH) 101 (Bushaway Road) from CSAH 5 (Minnetonka Boulevard) to Wayzata Boulevard as shown on the County Engineer's plans for County Project Number 9931, and which shall hereinafter be referred to as the "Project"; and

WHEREAS, the County has entered into a contract with the successful bidder for construction of the Project; and

WHEREAS, included in the Project is the installation of a lighting system at the intersection of CSAH 101 and LaSalle Street within the corporate limits of the City; and

WHEREAS, it is beneficial for Xcel Energy to install the above mentioned lighting system at the intersection of CSAH 101 and LaSalle Street instead of the County's construction contractor for the Project; and

WHEREAS, the City is willing to enter into a contract with Xcel Energy for installation of said lighting system; and

WHEREAS, the County will reimburse the City for the costs it incurs with Xcel Energy under the terms and conditions established herein; and

WHEREAS, it is contemplated that the work be carried out by the parties hereto under the provisions of Minnesota Statutes, Section 162.17, Subdivision 2 and Section 471.59.

NOW THEREFORE, IT IS HEREBY AGREED:

I

It is understood and agreed by the parties hereto that the City will enter into a separate contract with Xcel Energy to install a lighting system at the intersection of CSAH 101 and LaSalle Street. The parties understand that Xcel Energy has estimated the cost to install the lighting system to be \$26,148.20. The County shall reimburse the City the actual costs it incurs from Xcel Energy up to a maximum of Thirty Thousand Dollars and No Cents (\$30,000.00).

It is understood by the parties that the County will eliminate from the construction contract the lighting system that was to be installed at said intersection as part of the Project.

It is further understood that the City will be responsible for coordinating with Xcel Energy the installation of said lighting system and will require Xcel Energy to coordinate its construction activities with the activities of the County's construction contractor for the Project.

Upon completion of the work by Xcel Energy and acceptance of the work by the County Engineer or a designated representative, the City will invoice the County. Included in the City's invoice to the County will be copies of all invoices received from Xcel Energy for the work included herein. The County agrees to remit payment to the City within forty five (45) days after receipt of the City's invoice.

II

It is understood that upon completion of the work by Xcel Energy, the City shall notify the County. It is understood and agreed that upon completion, the lighting system installed by Xcel Energy at the intersection of CSAH 101 and LaSalle Street shall be the property of the City and all maintenance, restoration, repair, replacement or other work or services required thereafter shall be performed by the City at no expense to the County. It is further understood and agreed that the City shall be responsible for the electricity costs associated with said lighting system.

III

Each party agrees that it will be responsible for its own acts and the results thereof, to the extent authorized by law, and shall not be responsible for the acts of the other party and the results thereof.

The City agrees to defend, indemnify, and hold harmless the County, its elected officials, officers, agents, volunteers and employees from any liability, claims, causes of action, judgments, damages, losses, costs, or expenses, including reasonable attorney fees, resulting directly or indirectly from any act or omission of the City, its contractors, anyone directly or indirectly employed by them, and/or anyone for whose acts and/or omissions they may be liable for in the performance of the services required by this contract, and against all loss by reason of the failure of said City to perform

fully its obligations under this Contract. The City's liability is governed by the provisions of Minnesota Statutes, Chapter 466.

The County agrees to defend, indemnify, and hold harmless the City, its elected officials, officers, agents, volunteers and employees from any liability, claims, causes of action, judgments, damages, losses, costs, or expenses, including reasonable attorney fees, resulting directly or indirectly from any act or omission of the County, its contractors, anyone directly or indirectly employed by them, and/or anyone for whose acts and/or omissions they may be liable for in the performance of the services required by this contract, and against all loss by reason of the failure of said County to perform fully its obligations under this Contract. The County's liability is governed by the provisions of Minnesota Statutes, Chapter 466.

The County and the City each warrant that they are able to comply with the aforementioned indemnity requirements through an insurance or self-insurance program.

IV

The City agrees that any contract let by them for the performance of the work as provided herein, or for any maintenance activities associated with the herein established City owned improvements shall include clauses that will: 1) Require the Contractor to defend, indemnify, and hold the County and City, their officials, officers, agents and employees harmless from any liability, causes of action, judgments, damages, losses, costs or expenses including, without limitation, reasonable attorneys' fees, arising out of or by reason of the acts and/or omissions of the said Contractor, its officers, employees, agents or subcontractors; 2) Require the Contractor to be an independent contractor for the purposes of completing the work provided for in this Agreement; and 3) Require the Contractor to provide and maintain insurance in accordance with the following:

1. Commercial General Liability on an occurrence basis with

Contractual Liability and Explosion, Collapse and Underground
Property Damage (XCU) Liability coverages:

	Limits
General Aggregate	\$2,000,000
Products--Completed Operations Aggregate	\$2,000,000
Personal and Advertising Injury	\$1,500,000
Each Occurrence - Combined Bodily Injury and Property Damage	\$1,500,000

Hennepin County shall all be named as an additional insured for the Commercial General Liability coverage with respect to operations covered under this Agreement.

2. Automobile Liability:

Combined Single limit each occurrence coverage or the

equivalent covering owned, non-owned, and hired
automobiles:

\$1,500,000

3. Workers' Compensation and Employer's Liability:

A. Workers' Compensation

Statutory

If the Contractor is based outside the State of Minnesota,
coverages must apply to Minnesota laws.

B. Employer's Liability - Bodily injury by:

Each Accident	\$500,000
Disease - Policy Limit	\$500,000
Disease - Each Employee	\$500,000

An Umbrella Liability policy over primary liability coverages is an acceptable method to provide the required insurance limits.

The above subparagraphs establish minimum insurance requirements. It shall be the sole responsibility of the City's contractor(s) to determine the need for and to procure additional insurance which may be needed in connection with the work provided for herein. All insurance policies shall be open to inspection by the County and copies of policies shall be submitted to the County upon written request.

V

It is further agreed that any and all employees of the City and all other persons engaged by the City in the performance of any work or services required or provided for herein to be performed by the City shall not be considered employees of the County, and that any and all claims that may or might arise under the Workers' Compensation Act or Minnesota Economic Security Law on behalf of the employees while so engaged and any and all claims made by any third parties as a consequence of any act or omission on the part of the employees while so engaged on any of the work or services provided to be rendered herein shall in no way be the obligation or responsibility of the County.

Also, any and all employees of the County and all other persons engaged by the County in the performance of any work or services required or provided for herein to be performed by the County shall not be considered employees of the City, and that any and all claims that may or might arise under the Workers' Compensation Act or the Minnesota Economic Security Law on behalf of the employees while so engaged and any and all claims made by any third parties as a consequence of any act or omission on the part of the employees while so engaged on any of the work or services provided to be rendered herein shall in no way be the obligation or responsibility of the City.

VI

Any alterations, variations, modifications, or waivers of provisions of this Agreement shall only be valid when they have been reduced to writing as an amendment to this Agreement signed by the parties hereto.

VII

In order to coordinate the services of the County with the activities of the City so as to accomplish the purposes of this Agreement, the Hennepin County Engineer or a designated representative shall manage this Agreement on behalf of the County and serve as liaison between the County and the City.

In order to coordinate the services of the City with the activities of the County so as to accomplish the purposes of this Agreement, the City Engineer or a designated representative shall manage this Agreement on behalf of the City and serve as liaison between the City and the County.

VIII

The provisions of Minnesota Statute Section 181.59 and of any applicable local ordinance relating to civil rights and discrimination and the Affirmative Action Policy statement of Hennepin County shall be considered a part of this Agreement as though fully set forth herein.

IX

The matters set forth in the "whereas" clauses at the beginning of this Agreement are incorporated into and made a part hereof by this reference.

(this space left intentionally blank)

IN TESTIMONY WHEREOF, The parties hereto have caused this Agreement to be executed by their respective duly authorized officers as of the day and year first above written.

CITY OF WAYZATA

(Seal)

By: _____
Mayor

Date: _____

And: _____
Manager

Date: _____

COUNTY OF HENNEPIN

ATTEST:

By: _____
Deputy/Clerk of the County Board

Date: _____

By: _____
Chair of its County Board

Date: _____

APPROVED AS TO FORM:

By: Quik Brunner
Assistant County Attorney

Date: 3/26/15

And: _____
County Administrator

Date: _____

And: _____
Assistant County Administrator, Public Works

Date: _____

APPROVED AS TO EXECUTION:

By: _____
Assistant County Attorney

Date: _____

RECOMMENDED FOR APPROVAL

By: _____
Director, Transportation Department and
County Engineer

Date: _____



Outdoor Lighting
825 Rice Street
St. Paul, MN 55117

Construction Agreement For Street Lighting Facilities

The ("Customer") and Northern States Power Company, a Minnesota Corporation d/b/a Xcel Energy ("Xcel Energy" or "Company") agree to this Construction Agreement for Street Lighting Facilities, including the attached Terms and Conditions, for the following street light facilities:

Customer: **City of Wayzata**

Address: **600 Rice St. East**

City: **Wayzata**

State: **MN**

Zip Code: **55391**

Project charges of: **Twenty six thousand one hundred forty eight dollars 20/100** Dollars: **\$26,148.20**

In accordance with the following terms of payment: **Payment for the street light project is due prior to construction starting**

For Association or City of: **Wayzata, MN**

Streetlights/Facilities Location: **LaSalle/101**

Rate Code: **A30-Q5**

Service consisting of:

Installation of Company Owned streetlight facilities consisting of:	
<u>Designation of Lamps:</u> Installation of 3 - 100W Vernon fixtures on 15' black base mounted poles with the installation by plow of 400' of #6CU triplex in 1 1/2" conduit.	<u>Number of Luminaries:</u> 3
Moving the following Company Owned street light facilities to a new location: Project charges valid for 60 days from signing of contract.	
Construction process valid for 30 days from:	

Customer and Xcel Energy agree to the attached terms and conditions for the installation and moving of the facilities identified above. Customer and Xcel Energy agree that the operation of the newly installed or moved facilities shall be subject to the General Street Lighting Contract for Operations & Maintenance Services between Customer and Xcel Energy.

Dated this 5th day of June, 2015

Dated this 5th day of June, 2015

Customer:

Xcel Energy:

By:

By:

Title:

Title:

**Mary J. Woolf, Director Business
Operations – Minnesota as authorized
agent for Northern States Power Co.**

XCEL ENERGY USE ONLY	Date:	Div:
Xcel Energy Outdoor Lighting Consultant :	Randy Kemnitz	
Xcel Energy Project Number:		
Customer Charges Paid:		

TERMS AND CONDITIONS

Customer and Company agree to the following terms and conditions:

1. **Acceptance.** Execution of this Agreement constitutes Customer's acceptance of the express terms of Company's proposal and the offer contained therein, which are included and incorporated into this Agreement. Any additional or different terms proposed by Customer, or any attempt by Customer to vary in any degree any of the terms in this Agreement in Customer's acceptance, are hereby objected to and rejected, and (i) such additional or different terms shall not operate as a rejection of the incorporation of the Company's proposal in this Agreement unless such variances are with respect to terms involving the description, quantity, or delivery schedule of the Work to be performed by Company as described in Company's proposal ("the Work" means the supplying of any labor, materials, or any other work of Company expressly described in Company's proposal); (ii) such additional or different terms shall be deemed a material alteration hereof; and (iii) Company's proposal shall be deemed accepted by Customer and incorporated into this Agreement without said additional or different terms.
2. **Request for Installation; Rights.** Customer requests that Company install outdoor lighting at the location(s) designated on page one and/or as shown on the attached exhibit. Customer grants Company any right, privilege and easement to install, operate and maintain its facilities, including underground facilities, on the property.
3. **Installation Requirements.** Customer agrees that, prior to Company starting work: (1) the route of Company's service installation shall be accessible to Company's equipment; (2) Customer will remove all obstructions from the route at no cost or expense to Company; (3) Customer will clearly mark all septic tanks, drain-fields, sprinkler systems, water wells, owner-installed electric or pipeline facilities, or other Customer-owned facilities in the installation route; and (4) the ground elevation along the route shall not be above or more than four inches below the final grade. Company will contact the appropriate agency to locate 3rd party utility facilities (phone, cable, etc.) on Customer property. Customer agrees Company is not responsible for damage to Customer-owned underground facilities not marked at the time of outdoor lighting service installation.
4. **Installation Cost Contribution.** Customer agrees to pay an installation cost contribution provided in Project Charges on page one. Customer is responsible for any additional installation costs incurred by Company because of (1) soil conditions that impair the installation of underground facilities, such as rock formations, etc., and (2) sidewalks, curbing, black top, paving, sod or other landscaping and obstructions along the cable route, such as extensive existing underground facilities, etc.
5. **Winter Construction Charges.** When underground facilities are installed between October 1 and April 15, inclusive, because of failure of Customer to meet all requirements of the Company by September 30, or because the Customer's property, or the streets leading thereto, are not ready to receive the underground facilities by such date, such work will be subject to a Winter Construction Charge when winter conditions of six inches or more of frost exist, snow removal or plowing is required to install service, or burners must be set at the underground facilities in order to install service for the entire length of the underground service. Winter construction will not be undertaken by the Company where prohibited by law or where it is not practical to install underground facilities during the winter season. The charges apply to frost depths of 18" or less. At greater frost depths, the Company may individually determine the job cost. The Company also reserves the right to charge for any unusual winter construction expenses. All winter construction charges are non-refundable and are in addition to any normal construction charges.
6. **Schedule; Delays.** Quoted shipping and completion dates are approximate and are based on prompt receipt of all necessary information and approvals from Customer and access as required by Company and its contractors or subcontractors (if any) to the site and to the equipment which is the subject of this Agreement. If Company's performance is delayed by Customer's suspension of work, in whole or in part, or by any act or omission of Customer, the time for performance will be extended by the period of time required by Company to return to the



Outdoor Lighting
825 Rice Street
St. Paul, MN 55117

state of performance that existed before the delay. If the delay or suspension continues for sixty (60) days, Company has the right to cancel or renegotiate the Agreement. Customer will pay an equitable adjustment based on a claim submitted by Company for all reasonable costs, damages and expenses incurred by Company incident to the delay or suspension.

7. **Changes.** The prices for any extras or changes to the scope of the Work or modifications to the payment or performance schedule will be agreed upon in writing before either party will be obligated to proceed with such changes. Performance of any change will not waive any claims for equitable adjustment in price or schedule.
8. **Relocating Facilities.** Customer agrees to pay the cost of relocating any portion of facilities, including underground facilities, to accommodate Customer or as required due to altering of grade, additions to structures, installation of patios, decks, gardens, sidewalks, curbing, paving, blacktop, sod, landscaping or any other condition which makes maintenance of the Company's facilities impractical.
9. **Environmental.** Prior to the start of the Work, Customer will provide notice of any hazardous materials or hazardous situations that it is aware of with respect to the facilities where the Work is to be performed or that could affect the Work. In the event Company encounters the existence of asbestos, asbestos containing materials, formaldehyde, lead, or potentially toxic or otherwise hazardous material in the performance of the Work, the discovery thereof shall constitute a cause beyond Company's reasonable control and Company shall have the right to cease or not commence the Work until the area has been made safe by Customer or Customer's representative, at Customer's expense.
10. **Restoration.** Company will restore any excavation of the boulevard on Customer's property with existing soil so it is level and clean. Customer is responsible for the final compacting, loam, seeding, sod or watering of the boulevard at Customer's expense unless otherwise noted on page one of this Agreement.
11. **Additional Charges.** In addition to the project charges on page one of this Agreement, Company shall be compensated for any added costs of performing the Work attributable to any one or more of the following: (i) any and all extras and change orders and any and all other additional work mutually agreed by Customer and Company; (ii) any and all costs and expenses related to asbestos or other environmental matters, any unforeseen conditions or any changes in the law; and (iii) any and all added costs and expenses of performing the Work attributable to any change by Customer in the criteria or information for the facility or to any delay or breach by Customer or its subcontractors.
12. **Operations; Maintenance.** Customer requests and authorizes Company to provide illumination and maintain the street lighting facilities under the Terms and Conditions as described in Customer's General Street Lighting Contract for Operations & Maintenance Services with Company, which shall be effective upon the completion date of the street light installation.
13. **Payments.** Unless otherwise specified in Company's proposal, Company may at its option invoice Customer upon completion of the Work or invoice Customer on a monthly basis for construction work performed under this Agreement. Customer shall pay Company all invoiced amounts within thirty (30) days of receipt of invoice.
14. **Termination.** Customer may terminate the Agreement only upon written notice to Company and payment to Company for all (i) services and Work rendered or performed to the effective date of such termination; (ii) materials, supplies and equipment purchased prior to the effective date of such termination; and (iii) costs incurred by Company as a result of such termination.
15. **Warranties.** Company shall perform the Work in a safe and professional manner in accordance with all applicable codes, standards, regulations and laws. Company shall repair, replace or correct to Customer's satisfaction all faulty or substandard work or defects in materials which appear within ninety (90) days from the date of completion of the Work. Acceptance of the Work or payment by Customer shall not affect this obligation. **THE WARRANTIES SET FORTH IN THIS AGREEMENT ARE EXCLUSIVE AND IN LIEU OF ALL STATUTORY OR IMPLIED WARRANTIES (INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR ANY IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE).**

- 16. Limitation of Remedies.** IN NO EVENT, WHETHER BASED ON CONTRACT, INDEMNITY, WARRANTY, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY OR OTHERWISE, SHALL COMPANY BE LIABLE TO CUSTOMER FOR SPECIAL, INDIRECT, INCIDENTAL OR CONSEQUENTIAL DAMAGES WHATSOEVER INCLUDING, WITHOUT LIMITATION, LOSS OF PROFITS OR REVENUE. In no event whatsoever shall Company ever be liable to Customer for any damages or other amounts (including, without limitation, direct or actual damages), whether arising in contract or tort (including, without limitation, negligence) or otherwise, under or in connection with this Agreement or the Work, in an amount, in the aggregate, in excess of the total price paid for the Work; any and all claims for damages in excess of such amount being hereby forever waived and released by Customer; provided, however, that nothing contained in this sentence shall waive or limit any direct damages which Customer may suffer on account of Company's gross negligence or willful misconduct.
- 17. Force Majeure.** Neither party will be liable to the other for any delay or failure to perform due to any cause beyond its reasonable control, including fire, flood, strike or other labor difficulty, act of God, or act of any governmental authority. The party experiencing the force majeure will notify the other party promptly, and appropriate adjustments will be negotiated. In the event of delay in performance due to force majeure, the date of delivery or time for completion will be extended by a period of time reasonably necessary to overcome the effect of such delay, provided that if such delay continues for 60 days the party not experiencing the force majeure may terminate this Agreement.
- 18. Document Approval.** Company may request that Customer review documents developed by Company for conformity with Customer requirements or specifications. Unless Customer advises Company otherwise in writing within fifteen (15) days after Company's submission, Company may consider the documents approved and proceed with work. Changes thereafter, made at the direction of Customer, will entitle Company to adjustment by change order.
- 19. Documentation and Proprietary Information.** Customer will provide Company with accurate and complete information in order to permit Company to successfully undertake and complete the Work. Company shall not be prohibited from disclosure or use of proprietary or confidential information or documents necessary for Company to secure or maintain in effect any license or permit, or otherwise to complete the Work. Where Customer information is incomplete or incorrect, resulting in delay or extra work, Company will be entitled to adjustment by change order.
- 20. Work Product.** All reports, drawings, plans, specifications, calculations, studies, software programs, tapes, models and memoranda, if any, assembled or prepared by Company or Company's affiliates, independent professional associates, agents, consultants, contractors or subcontractors pursuant to this Agreement are instruments of service in respect of the Work, and Company shall retain all ownership and property interest therein, whether or not the Work is completed. Customer may make and retain copies for information and reference in connection with the Work; *provided, however*, that it is understood and agreed that such documents are not intended to be re-used by Customer or others on extensions of the project or on any other project or any other purpose other than as expressly set forth in this Agreement, and Customer shall not re-use or disclose to any third party all or any portion of such work product without the express prior written consent of Company.
- 21. Customer Facilities.** Company does not assume any responsibility for the adequacy, safety or satisfactory performance of Customer's facilities. Customer shall, to the fullest extent permitted by law, indemnify, defend and hold harmless Company and its officers, directors, agents, employees, and representatives from and against any and all losses, claims, damages, expenses (including attorneys' fees and costs) arising, for any reason whatsoever, out of the failure, non-operation or faulty performance of Customer's facilities (except to the extent of Company's gross negligence or willful misconduct).
- 22. Subcontracting.** Company may subcontract any portion or all of the Work without the approval of Customer.
- 23. Independent Contractor.** Nothing contained in this Agreement nor any acts of the parties shall be construed to create the relationship of principal and agent, or of limited or general partner, or of joint venture or of any association between or among the parties to this Agreement, except that of owner and independent contractor.
- 24. Title; Rights of Access.** Customer warrants that it has fee simple title to the property. Customer hereby grants to Company the right to enter and improve the real property for the purposes stated herein.



Outdoor Lighting
825 Rice Street
St. Paul, MN 55117

- 25. Ownership.** Customer shall acquire no right, title or interest in any portion of the Work or Company's equipment or facilities placed in, on, over, through and/or under the real property by Company. The Work constructed and installed by Company on the real property of Customer shall be and mean the personal property of Company, shall not be considered a fixture of the property, shall not attach to the realty, and shall not be alienable or lienable by Customer or any other party. Further, Company may remove, repair and replace the Work and its component system and equipment at any time without notice in Company's sole and absolute discretion.
- 26. Other.** It is agreed that failure by Customer or by Company at any time or from time to time to enforce any of the provisions of this Agreement shall not be construed to be a waiver of such provision or of Customer's right or Company's right, respectively, to thereafter enforce each and every provision hereof. This Agreement contains, with respect to the specific services to be performed by Company, the entire understanding of the parties, and shall supersede any other oral or written agreements and be binding upon and inure to the benefit of the parties' successors and assigns. This Agreement may not be modified in any way without the written consent of both parties. If any provision of this Agreement is determined by a court to be unenforceable, then such provision will be deemed null and void but the remaining provisions shall be enforceable according to their terms. This Agreement shall be construed and interpreted in accordance with the internal laws of the State of Minnesota (as opposed to conflicts of laws provisions) as though all acts and omissions contemplated hereby or related hereto occurred in Minnesota. No course of prior dealing, usage of trade and course of performance shall be used to modify, supplement or explain any terms of this Agreement. Neither Party will assign or otherwise transfer its rights or obligations hereunder, in whole or in part, without the advance written consent of the other. Notwithstanding the above, Company may assign its rights or obligations to any of its affiliates without the written consent of Customer.
- 27. Governing Law.** The Terms and Conditions provided herein and the rights of all the parties hereunder shall be construed under and governed by the laws of the State of Minnesota.

***Check Detail Register©**

May 2015 to June 2015

			Check Amt	Invoice	Comment
10100 Anchor Bank					
Paid Chk#	098945	6/1/2015	ARCTIC GLACIER INC.		
E 640-47000-254	Soft Drinks/Mix For Resale		\$66.92	377513909	ICE RESALE
E 640-47000-254	Soft Drinks/Mix For Resale		\$110.56	462514903	ICE RESALE
Total ARCTIC GLACIER INC.			\$177.48		
Paid Chk#	098946	6/1/2015	ARTISAN BEER COMPANY		
E 640-47000-253	Beer For Resale		\$395.80	3033574	BEER
Total ARTISAN BEER COMPANY			\$395.80		
Paid Chk#	098947	6/1/2015	BELLBOY BAR SUPPLY CORP.		
E 640-47000-259	Freight		\$23.25	48348300	FREIGHT
E 640-47000-251	Liquor For Resale		\$1,929.31	48348300	LIQUOR
E 640-47000-251	Liquor For Resale		\$417.00	48348400	LIQUOR
E 640-47000-259	Freight		\$4.65	48348400	FREIGHT
E 640-47000-251	Liquor For Resale		\$536.70	48348800	LIQUOR
E 640-47000-259	Freight		\$6.20	48348800	FREIGHT
E 640-47000-252	Wine For Resale		\$580.00	48348900	WINE
E 640-47000-259	Freight		\$10.85	48348900	FREIGHT
E 640-47000-251	Liquor For Resale		\$564.75	48390300	LIQUOR
E 640-47000-251	Liquor For Resale		\$1,141.50	48427400	LIQUOR
E 640-47000-259	Freight		\$14.35	48427400	FREIGHT
E 640-47000-259	Freight		\$4.26	92044900	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$52.03	92044900	MISC.MDSE.
E 640-47000-259	Freight		\$4.71	92074800	FREIGHT
E 640-47000-210	Operating Supplies (GENERAL)		\$151.00	92074800	SUPPLIES
Total BELLBOY BAR SUPPLY CORP.			\$5,440.56		
Paid Chk#	098948	6/1/2015	BERNICK'S WINE		
E 640-47000-254	Soft Drinks/Mix For Resale		\$106.35	219866	MISC.BEV.
Total BERNICK'S WINE			\$106.35		
Paid Chk#	098949	6/1/2015	BETH, GERALD O		
E 640-48000-341	General Promotions		\$175.00	6/2/15	BAR MUSIC 6/2/15
Total BETH, GERALD O			\$175.00		
Paid Chk#	098950	6/1/2015	BOURGET IMPORTS		
E 640-47000-252	Wine For Resale		\$184.00	126686	WINE
E 640-47000-259	Freight		\$3.00	126686	FREIGHT
E 640-47000-252	Wine For Resale		\$128.00	126808	WINE
E 640-47000-259	Freight		\$1.50	1268808	FREIGHT
Total BOURGET IMPORTS			\$316.50		
Paid Chk#	098951	6/1/2015	CINTAS CORPORATION		
E 640-48500-210	Operating Supplies (GENERAL)		\$62.74	5002957356	FIRST AID SUPPLIES
Total CINTAS CORPORATION			\$62.74		
Paid Chk#	098952	6/1/2015	COCA-COLA		
E 640-48000-254	Soft Drinks/Mix For Resale		\$622.56	0188059709	MISC.BEV.
E 640-47000-254	Soft Drinks/Mix For Resale		(\$27.48)	0188059710	MISC.BEV.
E 640-47000-254	Soft Drinks/Mix For Resale		\$218.48	0188059711	MISC.BEV.
Total COCA-COLA			\$813.56		
Paid Chk#	098953	6/1/2015	COZZINI BROS., INC.		
E 640-48500-415	Other Equipment Rentals		\$73.48	C1730727	KNIFE EXCHANGE
Total COZZINI BROS., INC.			\$73.48		
Paid Chk#	098954	6/1/2015	DAHLHEIMER DISTRIBUTING CO.		

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E 640-47000-253	Beer For Resale		\$882.82	1156342	BEER
E 640-48000-253	Beer For Resale		\$477.00	1156343	BEER
E 640-47000-253	Beer For Resale		\$522.70	1156396	BEER
E 640-48000-253	Beer For Resale		\$280.00	1156397	BEER
Total DAHLHEIMER DISTRIBUTING CO.			\$2,162.52		
Paid Chk# 098955	6/1/2015	DAY DISTRIBUTING			
E 640-48000-253	Beer For Resale		\$843.00	802369	BEER
E 640-48000-253	Beer For Resale		\$479.00	803342	BEER
E 640-47000-253	Beer For Resale		\$1,669.80	803343	BEER
E 640-47000-254	Soft Drinks/Mix For Resale		\$240.00	804112	MISC.MDSE.
E 640-48000-253	Beer For Resale		\$873.00	804361	BEER
E 640-47000-253	Beer For Resale		\$1,824.70	804362	BEER
Total DAY DISTRIBUTING			\$5,929.50		
Paid Chk# 098956	6/1/2015	DENNYS 5TH AVENUE BAKERY			
E 640-48500-255	FOODIngredients For Resale		\$41.87	556221	FOOD
E 640-48500-255	FOODIngredients For Resale		\$120.21	556538	FOOD
E 640-48500-255	FOODIngredients For Resale		\$152.14	556891	FOOD
E 640-48500-255	FOODIngredients For Resale		\$145.58	557284	FOOD
E 640-48500-255	FOODIngredients For Resale		\$85.49	557521	FOOD
E 640-48500-255	FOODIngredients For Resale		\$144.32	557805	FOOD
E 640-48500-255	FOODIngredients For Resale		\$72.49	557939	FOOD
E 640-48500-255	FOODIngredients For Resale		\$236.81	558309	FOOD
E 640-48500-255	FOODIngredients For Resale		\$101.58	558609	FOOD
E 640-48500-255	FOODIngredients For Resale		\$127.30	558766	FOOD
E 640-48500-255	FOODIngredients For Resale		\$92.64	558947	FOOD
E 640-48500-255	FOODIngredients For Resale		\$110.94	559324	FOOD
Total DENNYS 5TH AVENUE BAKERY			\$1,431.37		
Paid Chk# 098957	6/1/2015	DIRECTV			
E 640-48000-415	Other Equipment Rentals		\$355.87	25878585095	SERVICE
Total DIRECTV			\$355.87		
Paid Chk# 098958	6/1/2015	DMX MUSIC - MINNEAPOLIS			
E 640-48000-415	Other Equipment Rentals		\$96.62	51648184	SERVICE
Total DMX MUSIC - MINNEAPOLIS			\$96.62		
Paid Chk# 098959	6/1/2015	ENKI BREWING COMPANY			
E 640-48000-253	Beer For Resale		\$225.00	3902	BEER
Total ENKI BREWING COMPANY			\$225.00		
Paid Chk# 098960	6/1/2015	G & K SERVICES			
E 640-48500-217	Uniforms		\$40.30	1013106259	UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$98.46	1013106259	UNIFORMS & SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$42.52	1013106259	UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$95.41	1013117595	UNIFORMS & SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$41.62	1013117595	UNIFORMS & SUPPLIES
E 640-48500-217	Uniforms		\$40.30	1013117595	UNIFORMS & SUPPLIES
E 640-48500-217	Uniforms		\$46.51	1013894861	UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$95.66	1013894861	UNIFORMS & SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$40.48	1013894861	UNIFORMS & SUPPLIES
Total G & K SERVICES			\$541.26		
Paid Chk# 098961	6/1/2015	GRAPE BEGINNINGS, INC.			
E 640-47000-259	Freight		\$15.75	181831	FREIGHT
E 640-47000-252	Wine For Resale		\$1,330.00	181831	WINE
E 640-47000-259	Freight		\$4.50	182156	FREIGHT

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E 640-47000-252	Wine For Resale		\$247.00	182156	WINE
	Total GRAPE BEGINNINGS, INC.		\$1,597.25		
Paid Chk# 098962	6/1/2015	HOBART SERVICE			
E 640-48500-404	Repairs/Maint - Machin/Equip		\$62.33	60806032	DOOR REPAIRS
	Total HOBART SERVICE		\$62.33		
Paid Chk# 098963	6/1/2015	HOHENSTEINS INC.			
E 640-47000-253	Beer For Resale		\$740.75	764588	BEER
	Total HOHENSTEINS INC.		\$740.75		
Paid Chk# 098964	6/1/2015	JJ TAYLOR DISTRIBUTING OF MN			
E 640-47000-253	Beer For Resale		\$2,284.10	2362148	BEER
E 640-47000-253	Beer For Resale		\$1,824.50	2362194	BEER
E 640-48000-253	Beer For Resale		\$397.35	2374617	BEER
E 640-48000-253	Beer For Resale		\$390.20	2374671	BEER
	Total JJ TAYLOR DISTRIBUTING OF MN		\$4,896.15		
Paid Chk# 098965	6/1/2015	JOHNSON BROS.-ST.PAUL			
E 640-47000-259	Freight		\$13.42	5164806	FREIGHT
E 640-47000-252	Wine For Resale		\$520.15	5164806	WINE
E 640-47000-259	Freight		\$17.18	5164807	FREIGHT
E 640-47000-251	Liquor For Resale		\$1,919.99	5164807	LIQUOR
E 640-47000-254	Soft Drinks/Mix For Resale		\$151.00	5164808	MISC.BEV.
E 640-47000-259	Freight		\$2.44	5164808	FREIGHT
E 640-47000-259	Freight		\$30.50	5166184	FREIGHT
E 640-47000-252	Wine For Resale		\$2,300.00	5166184	WINE
E 640-47000-259	Freight		\$6.10	5166185	FREIGHT
E 640-47000-251	Liquor For Resale		\$530.00	5166185	LIQUOR
E 640-47000-259	Freight		\$14.64	5169221	FREIGHT
E 640-47000-252	Wine For Resale		\$372.50	5169221	WINE
E 640-47000-251	Liquor For Resale		\$2,551.85	5170767	LIQUOR
E 640-47000-259	Freight		\$37.21	5170767	FREIGHT
E 640-47000-259	Freight		\$12.20	5170768	FREIGHT
E 640-47000-252	Wine For Resale		\$410.25	5170768	WINE
E 640-47000-251	Liquor For Resale		\$1,427.32	5170769	LIQUOR
E 640-47000-259	Freight		\$13.42	5170769	FREIGHT
E 640-47000-259	Freight		\$1.22	5170770	FREIGHT
E 640-47000-251	Liquor For Resale		\$64.50	5170770	LIQUOR
E 640-47000-259	Freight		\$9.76	5172492	FREIGHT
E 640-47000-252	Wine For Resale		\$448.00	5172492	WINE
E 640-47000-252	Wine For Resale		(\$57.22)	527568	WINE
	Total JOHNSON BROS.-ST.PAUL		\$10,796.43		
Paid Chk# 098966	6/1/2015	KARLSBURGER FOODS, INC.			
E 640-48500-255	FOODIngredients For Resale		\$232.45	000379237	FOOD
	Total KARLSBURGER FOODS, INC.		\$232.45		
Paid Chk# 098967	6/1/2015	M.AMUNDSON LLP			
E 640-47000-256	MISC.MDSE.RESALE		\$690.12	196198	CIGARS & CIGARETTES
	Total M.AMUNDSON LLP		\$690.12		
Paid Chk# 098968	6/1/2015	MARGRON SKOGLUND WINE IMPORTS			
E 640-47000-259	Freight		\$5.00	20018550	FREIGHT
E 640-47000-252	Wine For Resale		\$177.00	20018550	WINE
	tal MARGRON SKOGLUND WINE IMPORTS		\$182.00		
Paid Chk# 098969	6/1/2015	MEDIACOM			

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E 101-41940-321	Telephone	\$592.00		SERVICE
Total MEDIACOM		\$592.00		
Paid Chk# 098970	6/1/2015	MN DEPARTMENT OF HEALTH		
E 640-48000-433	Dues, Licensing & Seminars	\$35.00	9547	HOSPITALITY FEE 2015
Total MN DEPARTMENT OF HEALTH		\$35.00		
Paid Chk# 098971	6/1/2015	NETWORK BUSINESS SUPPLIES		
E 640-48500-210	Operating Supplies (GENERAL)	\$283.74	98920	SUPPLIES
Total NETWORK BUSINESS SUPPLIES		\$283.74		
Paid Chk# 098972	6/1/2015	NORTHWESTERN FRUIT COMPANY		
E 640-48500-255	FOODIngredients For Resale	\$330.15	812613	FOOD
E 640-48500-255	FOODIngredients For Resale	\$186.70	812792	FOOD
E 640-48500-255	FOODIngredients For Resale	(\$10.30)	812882	FOOD
E 640-48500-255	FOODIngredients For Resale	\$420.55	812985	FOOD
E 640-48000-251	Liquor For Resale	\$47.70	812985	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$295.85	813154	FOOD
E 640-48000-251	Liquor For Resale	\$15.20	813154	LIQUOR
E 640-48000-251	Liquor For Resale	\$17.65	813328	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$450.75	813328	FOOD
E 640-48500-255	FOODIngredients For Resale	\$598.90	813557	FOOD
E 640-48000-251	Liquor For Resale	\$14.60	813557	LIQUOR
E 640-48000-253	Beer For Resale	\$6.00	813557	BEER
E 640-48000-253	Beer For Resale	\$15.20	813657	BEER
E 640-48500-255	FOODIngredients For Resale	\$239.35	813657	FOOD
E 640-48000-251	Liquor For Resale	\$14.60	813657	LIQUOR
E 640-48000-251	Liquor For Resale	\$65.45	813834	LIQUOR
E 640-48000-253	Beer For Resale	\$6.00	813834	BEER
E 640-48500-255	FOODIngredients For Resale	\$389.50	813834	FOOD
E 640-48000-251	Liquor For Resale	\$11.75	814064	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$290.95	814064	FOOD
Total NORTHWESTERN FRUIT COMPANY		\$3,406.55		
Paid Chk# 098973	6/1/2015	PAUSTIS & SONS		
E 640-47000-252	Wine For Resale	\$512.00	8499751	WINE
E 640-47000-259	Freight	\$7.00	8499751	FREIGHT
E 640-48000-252	Wine For Resale	\$113.25	8499758	WINE
E 640-47000-252	Wine For Resale	\$2,474.02	8499759	WINE
E 640-47000-259	Freight	\$32.50	8499759	FREIGHT
E 640-48000-252	Wine For Resale	\$151.00	8500590	WINE
E 640-47000-259	Freight	\$10.00	8500593	FREIGHT
E 640-47000-252	Wine For Resale	\$438.00	8500593	WINE
Total PAUSTIS & SONS		\$3,737.77		
Paid Chk# 098974	6/1/2015	PEPSI -COLA		
E 640-47000-254	Soft Drinks/Mix For Resale	\$244.00	51127607	MISC.BEV.
Total PEPSI -COLA		\$244.00		
Paid Chk# 098975	6/1/2015	PHILLIPS WINES & SPIRITS		
E 640-47000-259	Freight	\$11.19	2790304	FREIGHT
E 640-47000-251	Liquor For Resale	\$1,161.05	2790304	LIQUOR
E 640-47000-259	Freight	\$29.38	2790305	FREIGHT
E 640-47000-252	Wine For Resale	\$1,959.85	2790305	WINE
E 640-47000-252	Wine For Resale	\$1,529.35	2793164	WINE
E 640-47000-259	Freight	\$21.36	2793164	FREIGHT
E 640-47000-259	Freight	\$2.44	2793165	FREIGHT
E 640-47000-251	Liquor For Resale	\$175.30	2793165	LIQUOR

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Total PHILLIPS WINES & SPIRITS		\$4,889.92		
Paid Chk# 098976	6/1/2015	SOUTHERN WINE & SPIRITS OF MN		
E 640-47000-259	Freight	\$21.64	1284831	FREIGHT
E 640-47000-251	Liquor For Resale	\$1,990.55	1284831	LIQUOR
E 640-47000-252	Wine For Resale	\$1,718.50	1287240	WINE
E 640-47000-259	Freight	\$28.75	1287240	FREIGHT
E 640-47000-259	Freight	\$30.21	1289519	FREIGHT
E 640-47000-251	Liquor For Resale	\$3,123.93	1289519	LIQUOR
E 640-47000-259	Freight	\$1.25	1289520	FREIGHT
E 640-47000-259	Freight	\$22.50	1289521	FREIGHT
E 640-47000-252	Wine For Resale	\$994.00	1289521	WINE
Total SOUTHERN WINE & SPIRITS OF MN		\$7,931.33		
Paid Chk# 098977	6/1/2015	STRATEGIC EQUIPMENT AND		
E 640-48500-210	Operating Supplies (GENERAL)	\$54.80	2417367	KITCHEN SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$366.85	2417369	KITCHEN SUPPLIES
E 640-48000-341	General Promotions	\$32.72	2417369	PROMO SUPPLIES
E 640-48000-341	General Promotions	\$65.44	2421816	PROMO SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$452.82	2421816	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)	\$237.08	2421822	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$147.97	2421822	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)	\$77.45	2421823	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$184.21	2423515	KITCHEN SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$201.83	2425405	KITCHEN SUPPLIES
E 640-48000-341	General Promotions	\$65.44	2425405	PROMO SUPPLIES
Total STRATEGIC EQUIPMENT AND		\$1,886.61		
Paid Chk# 098978	6/1/2015	SYSCO MINNESOTA		
E 640-48500-255	FOODIngredients For Resale	(\$21.30)	505092209	FOOD
E 640-48500-255	FOODIngredients For Resale	\$3,574.32	505130968	FOOD
E 640-48000-251	Liquor For Resale	\$19.68	505130968	LIQUOR
E 640-48000-253	Beer For Resale	\$9.73	505130968	BEER
E 640-48500-255	FOODIngredients For Resale	(\$17.25)	505140789	FOOD
E 640-48000-342	Promotions - Food/Drinks	\$56.10	505151370	PROMO FOOD
E 640-48000-251	Liquor For Resale	\$166.25	505151370	LIQUOR
E 640-48000-210	Operating Supplies (GENERAL)	\$45.78	505151370	SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$64.87	505151370	KITCHEN SUPPLIES
E 640-48000-253	Beer For Resale	\$9.73	505151370	BEER
E 640-48500-255	FOODIngredients For Resale	\$5,026.01	505151370	FOOD
E 640-48500-255	FOODIngredients For Resale	(\$35.66)	505161899	FOOD
E 640-48000-210	Operating Supplies (GENERAL)	\$45.78	505180969	SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$171.60	505180969	KITCHEN SUPPLIES
E 640-48000-251	Liquor For Resale	\$14.03	505180969	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$2,637.07	505180969	FOOD
E 640-48000-342	Promotions - Food/Drinks	\$73.32	505180969	PROMO FOOD
E 640-48000-253	Beer For Resale	\$9.28	505180969	BEER
E 640-48000-254	Soft Drinks/Mix For Resale	\$28.33	505200803	MISC.BEV.
E 640-48000-342	Promotions - Food/Drinks	\$28.17	505200803	PROMO FOOD
E 640-48000-210	Operating Supplies (GENERAL)	\$45.78	505200803	SUPPLIES
E 640-48500-255	FOODIngredients For Resale	\$2,855.17	505200803	FOOD
E 640-48000-342	Promotions - Food/Drinks	\$27.95	505221505	PROMO FOOD
E 640-48500-255	FOODIngredients For Resale	\$3,729.09	505221505	FOOD
E 640-48000-251	Liquor For Resale	\$131.25	505221505	LIQUOR
E 640-48500-210	Operating Supplies (GENERAL)	\$72.18	505221505	KITCHEN SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$104.64	505250486	KITCHEN SUPPLIES
E 640-48000-251	Liquor For Resale	\$29.47	505250486	LIQUOR
E 640-48000-342	Promotions - Food/Drinks	\$56.12	505250486	PROMO FOOD

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E 640-48000-253	Beer For Resale		\$9.39	505250486	BEER
E 640-48000-210	Operating Supplies (GENERAL)		\$45.78	505250486	SUPPLIES
E 640-48500-255	FOODIngredients For Resale		\$3,885.60	505250486	FOOD
E 640-48000-210	Operating Supplies (GENERAL)		\$91.56	505271325	SUPPLIES
E 640-48500-255	FOODIngredients For Resale		\$4,167.13	505271325	FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$15.99	505271325	KITCHEN SUPPLIES
E 640-48000-342	Promotions - Food/Drinks		\$28.17	505271325	PROMO FOOD
E 640-48500-255	FOODIngredients For Resale		\$61.50	505281471	FOOD
E 640-48500-255	FOODIngredients For Resale		\$4,548.81	505291607	FOOD
E 640-48000-342	Promotions - Food/Drinks		\$56.12	505291607	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$215.27	505291607	KITCHEN SUPPLIES
Total SYSCO MINNESOTA			\$32,082.81		
Paid Chk# 098979	6/1/2015	T.D. ANDERSON INC.			
E 640-48000-409	Maint services & Improv		\$115.00	974552	BEER LINES CLEANED
Total T.D. ANDERSON INC.			\$115.00		
Paid Chk# 098980	6/1/2015	THORPE DISTRIBUTING CO.			
E 640-48000-253	Beer For Resale		\$197.10	894986	BEER
E 640-48000-253	Beer For Resale		\$935.00	894987	BEER
E 640-47000-253	Beer For Resale		\$4,983.65	894993	BEER
E 640-47000-253	Beer For Resale		\$54.25	894994	BEER
E 640-48000-253	Beer For Resale		\$360.00	896006	BEER
E 640-47000-253	Beer For Resale		\$796.30	896007	BEER
E 640-47000-253	Beer For Resale		\$852.20	896050	BEER
E 640-47000-253	Beer For Resale		\$37.10	896051	BEER
E 640-47000-253	Beer For Resale		\$73.95	896052	BEER
Total THORPE DISTRIBUTING CO.			\$8,289.55		
Paid Chk# 098981	6/1/2015	TRUE			
E 640-47000-254	Soft Drinks/Mix For Resale		\$203.93	I20504	MISC.MDSE.
E 640-47000-210	Operating Supplies (GENERAL)		\$90.76	I20753	SUPPLIES
E 640-47000-254	Soft Drinks/Mix For Resale		\$16.74	I21362	MISC.MDSE.
Total TRUE			\$311.43		
Paid Chk# 098982	6/1/2015	VINOCOPIA			
E 640-47000-252	Wine For Resale		\$2,208.00	0124907	WINE
E 640-47000-259	Freight		\$30.00	0124907	FREIGHT
E 640-47000-259	Freight		\$5.00	0125454	FREIGHT
E 640-47000-251	Liquor For Resale		\$280.75	0125454	LIQUOR
Total VINOCOPIA			\$2,523.75		
Paid Chk# 098983	6/1/2015	WINE COMPANY			
E 640-47000-252	Wine For Resale		\$1,008.00	393367	WINE
E 640-47000-259	Freight		\$11.55	393367	FREIGHT
E 640-47000-259	Freight		\$16.50	393721	FREIGHT
E 640-47000-252	Wine For Resale		\$1,440.67	393721	WINE
Total WINE COMPANY			\$2,476.72		
Paid Chk# 098984	6/1/2015	WINE MERCHANT			
E 640-48000-252	Wine For Resale		\$321.66	7030392	WINE
E 640-48000-252	Wine For Resale		\$226.44	7031075	WINE
E 640-47000-252	Wine For Resale		\$1,587.25	7031115	WINE
E 640-47000-259	Freight		\$13.42	7031115	FREIGHT
E 640-47000-252	Wine For Resale		\$815.25	7031910	WINE
E 640-47000-259	Freight		\$3.66	7031910	FREIGHT
E 640-47000-252	Wine For Resale		\$345.00	7032173	WINE
E 640-47000-259	Freight		\$2.65	7032173	FREIGHT

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Total WINE MERCHANT			\$3,315.33		
Paid Chk# 098985	6/1/2015	WIRTZ BEVERAGE MN BEER			
E 640-47000-253	Beer For Resale	\$123.00	1090406802	BEER	
E 640-47000-253	Beer For Resale	\$27.70	1090406803	BEER	
E 640-47000-253	Beer For Resale	\$3,334.15	1090406804	BEER	
E 640-48000-253	Beer For Resale	\$377.00	1090407352	BEER	
E 640-48000-253	Beer For Resale	\$261.00	1090410506	BEER	
E 640-47000-253	Beer For Resale	\$324.00	1090410865	BEER	
E 640-47000-253	Beer For Resale	\$2,474.45	1090410866	BEER	
Total WIRTZ BEVERAGE MN BEER		\$6,921.30			
Paid Chk# 098986	6/1/2015	WIRTZ BEVERAGE MN WINE & SPIRI			
E 640-47000-252	Wine For Resale	\$4,236.00	1080325461	WINE	
E 640-47000-259	Freight	\$44.95	1080325461	FREIGHT	
E 640-47000-254	Soft Drinks/Mix For Resale	\$25.51	1080325462	MISC.BEV.	
E 640-47000-259	Freight	\$21.99	1080325462	FREIGHT	
E 640-47000-251	Liquor For Resale	\$1,848.24	1080325462	LIQUOR	
E 640-47000-259	Freight	\$1.45	1080328020	FREIGHT	
E 640-47000-252	Wine For Resale	\$72.00	1080328020	WINE	
E 640-47000-252	Wine For Resale	\$812.80	1080328021	WINE	
E 640-47000-259	Freight	\$8.70	1080328021	FREIGHT	
E 640-47000-259	Freight	\$42.17	1080328022	FREIGHT	
E 640-47000-251	Liquor For Resale	\$5,322.79	1080328022	LIQUOR	
E 640-47000-252	Wine For Resale	(\$7.75)	2080090375	WINE	
Total WIRTZ BEVERAGE MN WINE & SPIRI		\$12,428.85			
Paid Chk# 098987	6/1/2015	WOODFORD, RICHARD			
E 640-47000-130	Employer Paid Ins	\$300.00	MAY 2015	MAY 2015	
Total WOODFORD, RICHARD		\$300.00			
Paid Chk# 098988	6/4/2015	BETH, GERALD O			
E 640-48000-341	General Promotions	\$175.00	6/9/15	BAR MUSIC 6/9/15	
Total BETH, GERALD O		\$175.00			
Paid Chk# 098989	6/4/2015	BETH, GERALD O			
E 640-48000-341	General Promotions	\$175.00	6/16/15	BAR MUSIC 6/16/15	
Total BETH, GERALD O		\$175.00			
Paid Chk# 098990	6/4/2015	BETH, GERALD O			
E 640-48000-341	General Promotions	\$175.00	6/23/15	BAR MUSIC 6/23/15	
Total BETH, GERALD O		\$175.00			
Paid Chk# 098991	6/4/2015	BETH, GERALD O			
E 640-48000-341	General Promotions	\$175.00	6/30/15	BAR MUSIC 6/30/15	
Total BETH, GERALD O		\$175.00			
Paid Chk# 098992	6/4/2015	BLOOMQUIST, RICK			
E 640-48000-341	General Promotions	\$400.00	6/13/15	BAR MUSIC 6/13/15	
Total BLOOMQUIST, RICK		\$400.00			
Paid Chk# 098993	6/4/2015	ISRAEL, DAN			
E 640-48000-341	General Promotions	\$200.00	6/27/15	BAR MUSIC 6/27/15	
Total ISRAEL, DAN		\$200.00			
Paid Chk# 098994	6/4/2015	JORGENSEN, KURT			
E 640-48000-341	General Promotions	\$300.00	6/11/15	BAR MUSIC 6/11/15	
Total JORGENSEN, KURT		\$300.00			

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Paid Chk#	098995	6/4/2015	KRAUTH, MAX			
E 640-48000-341	General Promotions			\$300.00	6/18/15	BAR MUSIC 6/18/15
	Total		KRAUTH, MAX	\$300.00		
Paid Chk#	098996	6/4/2015	MARTIN, SHANE			
E 640-48000-341	General Promotions			\$300.00	6/4/15	BAR MUSIC 6/4/15
	Total		MARTIN, SHANE	\$300.00		
Paid Chk#	098997	6/4/2015	REYCRAFT, TOM			
E 640-48000-341	General Promotions			\$300.00	6/6/15	BAR MUSIC 6/6/15
	Total		REYCRAFT, TOM	\$300.00		
Paid Chk#	098998	6/4/2015	SINCLAIR, DAVID			
E 640-48000-130	Employer Paid Ins			\$100.00	MAY 2015	MAY 2015 REIMB.
	Total		SINCLAIR, DAVID	\$100.00		
Paid Chk#	098999	6/4/2015	STARY, MARK			
E 640-48000-341	General Promotions			\$300.00	6/25/15	BAR MUSIC 6/25/15
	Total		STARY, MARK	\$300.00		
Paid Chk#	099000	6/4/2015	WAYZATA CHAMBER OF COMMERCE			
E 640-47000-340	Advertising			\$150.00	6538	EVENT SPONSOR
E 640-48000-340	Advertising			\$150.00	6538	EVENT SPONSOR
	Total		WAYZATA CHAMBER OF COMMERCE	\$300.00		
Paid Chk#	099001	6/4/2015	ZAHLER, TONY			
E 640-48000-341	General Promotions			\$400.00	6/20/15	BAR MUSIC 6/20/15
	Total		ZAHLER, TONY	\$400.00		
Paid Chk#	099002	6/10/2015	AEM FINANCIAL SOLUTIONS			
E 101-41500-301	Auditing and Acct g Services			\$4,000.00	348951	FINANCIAL SERVICES
	Total		AEM FINANCIAL SOLUTIONS	\$4,000.00		
Paid Chk#	099003	6/10/2015	ALLEGRA PRINT & IMAGING			
E 101-42100-350	Printing & Publishing			\$176.31	111735	PD SUPPLIES/FORMS
	Total		ALLEGRA PRINT & IMAGING	\$176.31		
Paid Chk#	099004	6/10/2015	ANCHOR BANK-CARDMEMBER SERV.			
E 640-47000-433	Dues, Licensing & Seminars			\$566.16		STORE DOMAIN NAMES - 3 YEARS
E 404-40000-499	Miscellaneous			\$1,528.80		CHAIRS
E 101-45200-210	Operating Supplies (GENERAL)			\$15.00		PARKS SUPPLIES
E 640-48000-499	Miscellaneous			\$89.00		BAR EMPL.ADS
E 101-42400-433	Dues, Licensing & Seminars			\$54.45		BLDG.INSR.MATERIAL
E 101-41500-331	Mileage & Expense Account			\$86.09		MTG.MEALS
E 101-41940-210	Operating Supplies (GENERAL)			\$23.09		CH SUPPLIES
	Total		ANCHOR BANK-CARDMEMBER SERV.	\$2,362.59		
Paid Chk#	099005	6/10/2015	AT&T MOBILITY			
E 101-41940-321	Telephone			\$247.79	287250190047	CELL PHONE SERVICE-DUDINSKY, EIBENSTEINER, ON CALL STS & ON CALL UTILITIES
	Total		AT&T MOBILITY	\$247.79		
Paid Chk#	099006	6/10/2015	AT&T MOBILITY			
E 101-41940-321	Telephone			\$204.52	287250008232	CELL PHONE SERVICE-NELSON, KELLY, JOHANESON
	Total		AT&T MOBILITY	\$204.52		
Paid Chk#	099007	6/10/2015	BAGY JO, INC.			
E 101-45200-217	Uniforms			\$161.60	DRV-15095	DOCK MASTER SHIRTS/HATS

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E 101-45200-217	Uniforms		\$429.85	DRV-15100	DOCK MASTER SHIRTS/HATS
Total BAGY JO, INC.			\$591.45		
Paid Chk# 099008	6/10/2015	BENSON, JIM			
E 640-49100-499	Miscellaneous		\$118.78	REIMB.	KITCHEN SHELF
Total BENSON, JIM			\$118.78		
Paid Chk# 099009	6/10/2015	BERRY COFFEE COMPANY			
E 101-42200-499	Miscellaneous		\$90.11	RENT25082	FD COFFEE MAKER
Total BERRY COFFEE COMPANY			\$90.11		
Paid Chk# 099010	6/10/2015	BIFFS, INC.			
E 101-45200-415	Other Equipment Rentals		\$62.50	W561527	SERVICE
Total BIFFS, INC.			\$62.50		
Paid Chk# 099011	6/10/2015	BLUE CROSS AND BLUE SHIELD			
G 101-21706	Health Insurance		\$47,138.22	LOG27	HEALTH INS.JULY 2015
Total BLUE CROSS AND BLUE SHIELD			\$47,138.22		
Paid Chk# 099012	6/10/2015	BROOKDALE CHRYSLER, JEEP,DODGE			
E 101-42100-404	Repairs/Maint - Machin/Equip		\$184.38	263887	PARTS/REPAIRS
E 101-42100-404	Repairs/Maint - Machin/Equip		\$44.56	264163	PARTS/REPAIRS
E 101-42100-404	Repairs/Maint - Machin/Equip		(\$40.00)	CM261743	PARTS/REPAIRS
Total BROOKDALE CHRYSLER, JEEP,DODGE			\$188.94		
Paid Chk# 099013	6/10/2015	BUSINESS FORMS & ACCOUNTING			
E 101-41500-200	Office Supplies (GENERAL)		\$451.36	050029	ACCTS.PAYABLE CHECKS
Total BUSINESS FORMS & ACCOUNTING			\$451.36		
Paid Chk# 099014	6/10/2015	CALTRELL			
E 101-42100-404	Repairs/Maint - Machin/Equip		\$107.00	27942	SQUAD REPAIRS
Total CALTRELL			\$107.00		
Paid Chk# 099015	6/10/2015	CARQUEST OF WAYZATA			
E 101-42100-404	Repairs/Maint - Machin/Equip		\$56.47	6973-251521	PARTS/REPAIRS
Total CARQUEST OF WAYZATA			\$56.47		
Paid Chk# 099016	6/10/2015	CIVICPLUS			
E 235-40000-433	Dues, Licensing & Seminars		\$4,006.72	154932	ANNUAL HOSTING/SUPPORT
Total CIVICPLUS			\$4,006.72		
Paid Chk# 099017	6/10/2015	CLAREY S SAFETY EQUIPMENT			
E 101-42200-210	Operating Supplies (GENERAL)		\$127.50	161369	FD SUPPLIES
Total CLAREY S SAFETY EQUIPMENT			\$127.50		
Paid Chk# 099018	6/10/2015	COMMERCIAL ASPHALT CO.			
E 430-40000-309	Contractual Services		\$115.41	150531	ASPHALT
Total COMMERCIAL ASPHALT CO.			\$115.41		
Paid Chk# 099019	6/10/2015	CRABTREE COMPANIES			
E 101-41500-404	Repairs/Maint - Machin/Equip		\$117.00	132641	COPIER MAINT.
E 101-41500-404	Repairs/Maint - Machin/Equip		\$385.00	132905	COPIER MAINT.
Total CRABTREE COMPANIES			\$502.00		
Paid Chk# 099020	6/10/2015	CULLIGAN-BOTTLED WATER			
E 101-42100-309	Contractual Services		\$123.35	1857593	PD SERVICE
Total CULLIGAN-BOTTLED WATER			\$123.35		
Paid Chk# 099021	6/10/2015	DISTEL, DANIEL			

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E 101-41550-302	Consultants	\$3,566.00		MONTHLY ASSESSING
Total DISTEL, DANIEL		\$3,566.00		
Paid Chk# 099022	6/10/2015	DISTRICT FRESH KITCHEN		
R 101-00000-32110	Alcoholic Beverages	\$891.67	REFUND	PRO-RATED LIQUOR LICENSE REFUND
Total DISTRICT FRESH KITCHEN		\$891.67		
Paid Chk# 099023	6/10/2015	EMERGENCY AUTOMOTIVE		
E 409-42100-550	Vehicles	\$9,984.48	12197	NEW SQUAD EQUIPMENT
E 409-42100-550	Vehicles	\$145.89	12197A	NEW SQUAD EQUIPMENT
Total EMERGENCY AUTOMOTIVE		\$10,130.37		
Paid Chk# 099024	6/10/2015	ESS BROTHERS & SONS INC.		
E 101-45203-220	Repair/Maint Supply (GENERAL)	\$902.00	UU2469	PARTS/SUPPLIES
E 620-40000-225	Repair & Maint - System	\$344.00	UU2469	PARTS/SUPPLIES
E 620-40000-225	Repair & Maint - System	\$742.50	UU2867	PARTS/SUPPLIES
Total ESS BROTHERS & SONS INC.		\$1,988.50		
Paid Chk# 099025	6/10/2015	FASTENAL		
E 101-43100-210	Operating Supplies (GENERAL)	\$65.73	MNPLY76728	SUPPLIES
E 620-40000-210	Operating Supplies (GENERAL)	\$65.73	MNPLY76728	SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)	\$65.73	MNPLY76728	SUPPLIES
E 101-45200-210	Operating Supplies (GENERAL)	\$65.72	MNPLY76728	SUPPLIES
E 101-43100-210	Operating Supplies (GENERAL)	\$89.24	MNPLY77208	SUPPLIES
Total FASTENAL		\$352.15		
Paid Chk# 099026	6/10/2015	GARELICK STEEL CO.		
E 404-40000-499	Miscellaneous	\$645.00	318617	DOGGIE PARK SHADE SAIL
Total GARELICK STEEL CO.		\$645.00		
Paid Chk# 099027	6/10/2015	GOPHER STATE ONE CALL		
E 610-40000-313	Permit Fees/Gopher State	\$210.00	136993	UTILITY LOCATES
E 620-40000-313	Permit Fees/Gopher State	\$209.35	136993	UTILITY LOCATES
Total GOPHER STATE ONE CALL		\$419.35		
Paid Chk# 099028	6/10/2015	GRAFIX SHOPPE		
E 409-42100-550	Vehicles	\$2,580.00	100436	NEW SQUAD SET-UPS
Total GRAFIX SHOPPE		\$2,580.00		
Paid Chk# 099029	6/10/2015	GRAYBAR		
E 404-40000-309	Contractual Services	\$515.00	979216716	WAYFINDING
Total GRAYBAR		\$515.00		
Paid Chk# 099030	6/10/2015	HACH COMPANY		
E 610-40000-309	Contractual Services	\$172.88	9392523	CHEMICALS
Total HACH COMPANY		\$172.88		
Paid Chk# 099031	6/10/2015	HAMEL BUILDING CENTER		
E 101-43100-226	Sign Repair Materials	\$59.40	113465	PARTS
Total HAMEL BUILDING CENTER		\$59.40		
Paid Chk# 099032	6/10/2015	HATZ, KIM		
E 630-40000-331	Mileage & Expense Account	\$22.44	REIMB.	MILEAGE
Total HATZ, KIM		\$22.44		
Paid Chk# 099033	6/10/2015	HD SUPPLY WATERWORKS, LTD		
E 620-40000-225	Repair & Maint - System	\$29.54	D951424	PARTS
E 101-45203-220	Repair/Maint Supply (GENERAL)	\$522.34	D951424	PARTS
E 610-40000-225	Repair & Maint - System	\$51.29	D994523	PARTS

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Total	HD SUPPLY WATERWORKS, LTD		\$603.17		
Paid Chk#	099034	6/10/2015	HEIDER, NICK		
E 630-40000-331	Mileage & Expense Account		\$52.36	REIMB.	MILEAGE
Total	HEIDER, NICK		\$52.36		
Paid Chk#	099035	6/10/2015	HENDRICKSEN PSG		
E 101-41500-404	Repairs/Maint - Machin/Equip		\$60.00	565955	FURNITURE REPAIRS
Total	HENDRICKSEN PSG		\$60.00		
Paid Chk#	099036	6/10/2015	HENN.CNTY.INFO.TECH.DEPT.		
E 101-42100-323	Radio Units		\$839.56	10000060443	RADIO CONNECTIONS
E 101-42200-323	Radio Units		\$962.58	10000061531	RADIO CONNECTIONS
E 101-45200-323	Radio Units		\$150.00	10000061543	RADIO CONNECTIONS
E 610-40000-323	Radio Units		\$80.70	10000061543	RADIO CONNECTIONS
E 101-43100-323	Radio Units		\$150.00	10000061543	RADIO CONNECTIONS
E 620-40000-323	Radio Units		\$80.69	10000061543	RADIO CONNECTIONS
Total	HENN.CNTY.INFO.TECH.DEPT.		\$2,263.53		
Paid Chk#	099037	6/10/2015	HENNEPIN COUNTY TAX SERVICES		
E 101-41550-210	Operating Supplies (GENERAL)		\$100.00	ASSESSING S	ASSESSING SUPPLIES
Total	HENNEPIN COUNTY TAX SERVICES		\$100.00		
Paid Chk#	099038	6/10/2015	HENNEPIN COUNTY TREASURER		
G 650-20818	Garbage Sales Tax		\$1,361.61	9% REFUSE T	9% REFUSE TAX - MAY 2015
Total	HENNEPIN COUNTY TREASURER		\$1,361.61		
Paid Chk#	099039	6/10/2015	HOME DEPOT		
E 620-40000-240	Small Tools and Minor Equip		\$41.38		TOOLS
E 101-45200-415	Other Equipment Rentals		\$167.91		EQUIP.RENTAL
E 101-45200-210	Operating Supplies (GENERAL)		\$65.85		SUPPLIES
E 640-48000-499	Miscellaneous		\$120.35		PARTS/SUPPLIES
E 101-45200-216	Chemicals and Chem Products		\$35.48		CHEMICALS
E 101-45200-240	Small Tools and Minor Equip		\$32.94		TOOLS
E 610-40000-240	Small Tools and Minor Equip		\$41.00		TOOLS
Total	HOME DEPOT		\$504.91		
Paid Chk#	099040	6/10/2015	HUNTLEY REPAIR SERVICE		
E 101-43100-404	Repairs/Maint - Machin/Equip		\$167.00	5/6/15	DOT INSPECTION
E 620-40000-404	Repairs/Maint - Machin/Equip		\$84.00	5/6/15	DOT INSPECTION
Total	HUNTLEY REPAIR SERVICE		\$251.00		
Paid Chk#	099041	6/10/2015	INT L SECURITY PRODUCTS		
E 101-45200-210	Operating Supplies (GENERAL)		\$91.04	3044438	HARMONY CIRCLE FENCE REPAIRS
Total	INT L SECURITY PRODUCTS		\$91.04		
Paid Chk#	099042	6/10/2015	JOHN DEERE LANDSCAPES		
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$139.50	71947473	CHEMICALS & SUPPLIES
E 101-45200-216	Chemicals and Chem Products		\$156.00	71986293	CHEMICALS & SUPPLIES
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$43.30	71986293	CHEMICALS & SUPPLIES
E 101-45200-210	Operating Supplies (GENERAL)		\$4.78	71986293	CHEMICALS & SUPPLIES
Total	JOHN DEERE LANDSCAPES		\$343.58		
Paid Chk#	099043	6/10/2015	KAMIDA		
E 408-40000-402	Sidewalk Replacement		\$1,800.00	001479	SIDEWALK REPAIR
Total	KAMIDA		\$1,800.00		
Paid Chk#	099044	6/10/2015	KELLY, MICHAEL JR.		
E 610-40000-331	Mileage & Expense Account		\$48.66	REIMB.	MEALS

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Total KELLY, MICHAEL JR.			\$48.66		
Paid Chk# 099045	6/10/2015	KENNETH N. POTTS, PA			
E 101-42120-304	Legal Fees		\$427.50	5/26/15	LEGAL SERVICES
Total KENNETH N. POTTS, PA			\$427.50		
Paid Chk# 099046	6/10/2015	KLAPPRICH, KURT			
E 101-45200-200	Office Supplies (GENERAL)		\$32.16	REIMB.	SUPPLIES
Total KLAPPRICH, KURT			\$32.16		
Paid Chk# 099047	6/10/2015	LAKE RESTORATION INC.			
E 233-40000-309	Contractual Services		\$629.00	128417	WEED CONTROL
E 233-40000-309	Contractual Services		\$629.00	128418	WEED CONTROL
Total LAKE RESTORATION INC.			\$1,258.00		
Paid Chk# 099048	6/10/2015	LANO EQUIPMENT, INC.			
E 670-40000-409	Maint services & Improv		\$200.00	03-267835	EQUIPMENT RENTAL
Total LANO EQUIPMENT, INC.			\$200.00		
Paid Chk# 099049	6/10/2015	LHB, INC.			
E 430-40000-302	Consultants		\$1,768.45	130445.00-13	EASTMAN LANE
Total LHB, INC.			\$1,768.45		
Paid Chk# 099050	6/10/2015	LINDVALL, WILLIAM			
R 610-00000-37110	W/S/Storm Sales		\$37.67	REFUND	OVER PAYMENT ON FINAL UTILITY BILL
Total LINDVALL, WILLIAM			\$37.67		
Paid Chk# 099051	6/10/2015	LMCD			
E 233-40000-437	Payments to Organizations		\$10,053.75	2ND QTR.201	2ND QTR.2015 LEVY
Total LMCD			\$10,053.75		
Paid Chk# 099052	6/10/2015	LOFFLER COMPANIES, INC.			
E 101-41500-311	Data Processing		\$2,911.76	1994568	NETWORK SUPPORT
E 409-40000-540	Equipment		\$1,250.63	CW41748	COMPUTERS
Total LOFFLER COMPANIES, INC.			\$4,162.39		
Paid Chk# 099053	6/10/2015	LONG LAKE TRU VALUE			
E 101-45200-210	Operating Supplies (GENERAL)		\$28.59		SUPPLIES
E 101-41940-210	Operating Supplies (GENERAL)		\$11.44		SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)		\$32.16		SUPPLIES
E 101-43100-210	Operating Supplies (GENERAL)		\$66.35		SUPPLIES
Total LONG LAKE TRU VALUE			\$138.54		
Paid Chk# 099054	6/10/2015	MACQUEEN EQUIPMENT, INC.			
E 620-40000-225	Repair & Maint - System		\$241.65	2153471	SUPPLIES
Total MACQUEEN EQUIPMENT, INC.			\$241.65		
Paid Chk# 099055	6/10/2015	MANSFIELD OIL COMPANY			
E 101-49200-212	Motor Fuels		\$1,922.64	509873	FUEL
E 101-49200-212	Motor Fuels		\$478.87	509905	FUEL
Total MANSFIELD OIL COMPANY			\$2,401.51		
Paid Chk# 099056	6/10/2015	MARINE DOCK & LIFT			
E 233-40000-309	Contractual Services		\$34,320.00		BROADWAY & DEPOT DOCK LEASE
E 233-40000-540	Equipment		\$51,640.00		H DOCK AT BEACH
Total MARINE DOCK & LIFT			\$85,960.00		
Paid Chk# 099057	6/10/2015	MARY DELAITTRE			

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E 233-40000-302	Consultants	\$2,175.00	GROUNDWO	LAKE EFFECT
E 233-40000-302	Consultants	\$3,825.00	GROUNDWO	LAKE EFFECT
Total MARY DELAITTRE		\$6,000.00		
Paid Chk# 099058	6/10/2015	MENARD S		
E 101-45200-210	Operating Supplies (GENERAL)	\$39.00		SUPPLIES
Total MENARD S		\$39.00		
Paid Chk# 099059	6/10/2015	METROPOLITAN COUNCIL		
R 101-00000-34190	Charges for Services/Gen Gov	(\$24.85)	MAY 2015 SA	SAC FEES - MAY 2015
G 101-20831	MWCC (SAC)	\$2,485.00	MAY 2015 SA	SAC FEES - MAY 2015
Total METROPOLITAN COUNCIL		\$2,460.15		
Paid Chk# 099060	6/10/2015	METROPOLITAN COUNCIL		
E 620-40000-386	Other Utilities	\$36,867.42	0001045328	SEWER SERVICE
Total METROPOLITAN COUNCIL		\$36,867.42		
Paid Chk# 099061	6/10/2015	MINNEAPOLIS, CITY OF		
E 101-49200-365	Workers Comp Ins	\$499.32	J.WILSON	J.WILLSON W/C CLAIM
Total MINNEAPOLIS, CITY OF		\$499.32		
Paid Chk# 099062	6/10/2015	MN CHILD SUPPORT PAYMENT CENTE		
G 101-21710	County WH	\$197.40	0014468629	WITHHOLDING ORDERS
G 101-21710	County WH	\$235.00	0015104841	WITHHOLDING ORDERS
Total MN CHILD SUPPORT PAYMENT CENTE		\$432.40		
Paid Chk# 099063	6/10/2015	MN CITY/COUNTY MANAGEMENT ASSO		
E 101-41500-433	Dues, Licensing & Seminars	\$140.00	2015 DUES	NELSON - 2015 DUES
Total MN CITY/COUNTY MANAGEMENT ASSO		\$140.00		
Paid Chk# 099064	6/10/2015	MN DEPARTMENT OF HEALTH		
E 610-40000-309	Contractual Services	\$2,232.00		WATER ANALYSIS
Total MN DEPARTMENT OF HEALTH		\$2,232.00		
Paid Chk# 099065	6/10/2015	MN NCPERS LIFE INSURANCE		
G 101-21715	PERA Term Life	\$48.00	6/2015	LIFE INS.
Total MN NCPERS LIFE INSURANCE		\$48.00		
Paid Chk# 099066	6/10/2015	NAPA AUTO PARTS-LONG LAKE		
E 610-40000-242	Well & F.P. Equipment	\$5.59	273976	PARTS
Total NAPA AUTO PARTS-LONG LAKE		\$5.59		
Paid Chk# 099067	6/10/2015	NORTHERN TOOL & EQUIPMENT		
E 101-45200-210	Operating Supplies (GENERAL)	\$46.97	4062006262	SUPPLIES
Total NORTHERN TOOL & EQUIPMENT		\$46.97		
Paid Chk# 099068	6/10/2015	OFFICE DEPOT		
E 101-41500-200	Office Supplies (GENERAL)	\$40.97	771913687001	SUPPLIES
E 101-42100-200	Office Supplies (GENERAL)	\$41.82	771913687001	SUPPLIES
E 235-40000-210	Operating Supplies (GENERAL)	\$110.18	771913827001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)	\$22.74	771913828001	SUPPLIES
E 640-48000-200	Office Supplies (GENERAL)	\$3.18	771913830001	SUPPLIES
Total OFFICE DEPOT		\$218.89		
Paid Chk# 099069	6/10/2015	OFFICE OF ENTERPRISE TECHNOLOG		
E 101-42100-309	Contractual Services	\$35.00	W15040743	PD SERVICES
Total OFFICE OF ENTERPRISE TECHNOLOG		\$35.00		
Paid Chk# 099070	6/10/2015	OIL-AIR PRODUCTS, LLC		

***Check Detail Register©**

May 2015 to June 2015

			Check Amt	Invoice	Comment
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$122.24	562535-002	PARTS
	Total OIL-AIR PRODUCTS, LLC		\$122.24		
Paid Chk# 099071	6/10/2015	OTTEN BROTHERS			
E 101-43100-229	Dirt, Sand and gravel		\$45.50	1-1399560	SOD
	Total OTTEN BROTHERS		\$45.50		
Paid Chk# 099072	6/10/2015	PEARSON BROS.,INC.			
E 430-40000-408	Sealcoating		\$70,000.00	3532	2015 SEALCOAT
	Total PEARSON BROS.,INC.		\$70,000.00		
Paid Chk# 099073	6/10/2015	PLUNKETT S PEST CONTROL			
E 640-48000-409	Maint services & Improv		\$120.41	4176298	SERVICE
E 101-42200-409	Maint services & Improv		\$289.64	4811224	SERVICE
E 101-41940-409	Maint services & Improv		\$320.63	4872892	SERVICE
	Total PLUNKETT S PEST CONTROL		\$730.68		
Paid Chk# 099074	6/10/2015	POPP TELECOM			
E 101-42100-323	Radio Units		\$33.31		PD SERVICE/LONG LAKE
E 101-41940-321	Telephone		\$115.00	128707	SOFTWARE UPGRADE
	Total POPP TELECOM		\$148.31		
Paid Chk# 099075	6/10/2015	RADERMACHER, KURT			
E 620-40000-433	Dues, Licensing & Seminars		\$23.00	REIMB.	OPERATOR RENEWAL CERTIFICATE
	Total RADERMACHER, KURT		\$23.00		
Paid Chk# 099076	6/10/2015	SCHERBER CO. LLC			
G 101-20300	Deposits Payable		\$1,019.00	REFUND	STREET CUT DEPOSIT REFUND
R 101-00000-34190	Charges for Services/Gen Gov		(\$300.00)	REFUND	DEGRADATION FEE
	Total SCHERBER CO. LLC		\$719.00		
Paid Chk# 099077	6/10/2015	SEARS IMPORTED AUTOS, INC.			
G 630-20300	Deposits Payable		\$7,062.78	CVR REFUND	CVR REFUND
	Total SEARS IMPORTED AUTOS, INC.		\$7,062.78		
Paid Chk# 099078	6/10/2015	SHERWIN-WILLIAMS CO.			
E 101-45200-210	Operating Supplies (GENERAL)		\$35.22	0025-3	PAINT
E 101-45200-210	Operating Supplies (GENERAL)		\$203.45	9961-0	PAINT
	Total SHERWIN-WILLIAMS CO.		\$238.67		
Paid Chk# 099079	6/10/2015	SOUTHWEST NEWSPAPERS			
E 101-41500-350	Printing & Publishing		\$28.50	1793155	LUNDS BYERLYS KITCHEN
E 101-41500-350	Printing & Publishing		\$38.00	1795955	205 BUSHAWAY RD
	Total SOUTHWEST NEWSPAPERS		\$66.50		
Paid Chk# 099080	6/10/2015	SPRINT			
E 101-42100-323	Radio Units		\$126.91	134573312-16	PD SERVICE
	Total SPRINT		\$126.91		
Paid Chk# 099081	6/10/2015	ST.PAUL, CITY OF			
E 430-40000-309	Contractual Services		\$65.51	IN000009245	ASPHALT
	Total ST.PAUL, CITY OF		\$65.51		
Paid Chk# 099082	6/10/2015	STREICHER S			
E 101-42100-210	Operating Supplies (GENERAL)		\$135.97	I1151624	PD SUPPLIES
E 101-42100-217	Uniforms		\$72.96	I1152789	PD UNIFORMS
	Total STREICHER S		\$208.93		
Paid Chk# 099083	6/10/2015	TIME SAVER			

***Check Detail Register©**

May 2015 to June 2015

			Check Amt	Invoice	Comment
E 101-41100-302	Consultants		\$477.00	M21373	MTG.MINUTES
Total TIME SAVER			\$477.00		
Paid Chk# 099084	6/10/2015	TRI-CITY			
E 610-40000-309	Contractual Services		\$52.50	5/1-5/31/15	WATER ANALYSIS
Total TRI-CITY			\$52.50		
Paid Chk# 099085	6/10/2015	UPS STORE			
E 101-42100-350	Printing & Publishing		\$69.10	0004	PD SUPPLIES
E 101-41500-499	Miscellaneous		\$30.34	5/12/15	BANNERS
E 101-41100-493	Volunteer program		\$552.43	5/15/15	VOLUNTEER SUPPLIES
Total UPS STORE			\$651.87		
Paid Chk# 099086	6/10/2015	US BANK			
E 610-49100-621	Fiscal Agent s Fees		\$100.00	3987665	PAYING AGENT FEES
E 311-40000-621	Fiscal Agent s Fees		\$100.00	3987667	PAYING AGENT FEES
Total US BANK			\$200.00		
Paid Chk# 099087	6/10/2015	VAN PAPER COMPANY			
E 101-41500-200	Office Supplies (GENERAL)		\$314.52	350269-00	SUPPLIES
Total VAN PAPER COMPANY			\$314.52		
Paid Chk# 099088	6/10/2015	VANDERHEIDEN, ROBERT			
E 101-42100-331	Mileage & Expense Account		\$100.91	REIMB.	MILEAGE & MEALS
Total VANDERHEIDEN, ROBERT			\$100.91		
Paid Chk# 099089	6/10/2015	VERIZON WIRELESS			
E 101-42100-323	Radio Units		\$200.09	9745523227	PD SERVICE
Total VERIZON WIRELESS			\$200.09		
Paid Chk# 099090	6/10/2015	VIKING AWARDS & RECOGNITION			
E 101-42200-499	Miscellaneous		\$217.50	119381	CLOCK FOR RETIRING FD
Total VIKING AWARDS & RECOGNITION			\$217.50		
Paid Chk# 099091	6/10/2015	WAYZATA PENNHURST CLEANERS			
E 101-42200-210	Operating Supplies (GENERAL)		\$23.90	41836	FD SERVICE
Total WAYZATA PENNHURST CLEANERS			\$23.90		
Paid Chk# 099092	6/10/2015	WESTSIDE WHOLESALE TIRE			
E 101-43100-404	Repairs/Maint - Machin/Equip		\$60.00	746357	LOADER TIRE
Total WESTSIDE WHOLESALE TIRE			\$60.00		
Paid Chk# 099093	6/10/2015	WHAT WORKS INC			
E 101-41500-302	Consultants		\$6,847.50	WYZ15-01	STRATEGIC PLANNING FACILITATOR
E 101-41500-302	Consultants		\$1,567.50	WYZ15-02	STRATEGIC PLANNING FACILITATOR
Total WHAT WORKS INC			\$8,415.00		
Paid Chk# 099094	6/10/2015	WILLIAMS, CRAIG			
E 640-48500-130	Employer Paid Ins		\$300.00	MAY 2015	REIMB.FOR MAY 2015
Total WILLIAMS, CRAIG			\$300.00		
Paid Chk# 099095	6/10/2015	XCEL ENERGY			
E 101-41940-381	Electric Utilities		\$3,176.55		SERVICE
E 101-42200-381	Electric Utilities		\$392.49		SERVICE
E 610-40000-381	Electric Utilities		\$5,918.91		SERVICE
E 640-47000-381	Electric Utilities		\$1,239.94		SERVICE
E 640-48000-381	Electric Utilities		\$2,893.18		SERVICE
E 620-40000-381	Electric Utilities		\$1,263.47		SERVICE
E 101-41940-381	Electric Utilities		\$11.30		SERVICE

***Check Detail Register©**

May 2015 to June 2015

		Check Amt	Invoice	Comment
E 101-45203-381	Electric Utilities	\$4,020.52		SERVICE
	Total XCEL ENERGY	\$18,916.36		
Paid Chk# 099096	6/10/2015	ZERO WASTE USA		
E 101-45200-210	Operating Supplies (GENERAL)	\$99.00	77558	DOGGIE WASTE BAGS
	Total ZERO WASTE USA	\$99.00		
	10100 Anchor Bank	\$487,659.43		

Fund Summary

<u>10100 Anchor Bank</u>	
101 GENERAL FUND	\$94,298.85
233 LAKFRONT IMPROVE	\$103,271.75
235 CABLE TV	\$4,116.90
311 STREET BONDS	\$100.00
404 PARK AND TRAIL CIP	\$2,688.80
408 GENERAL CIP	\$1,800.00
409 EQUIP REVOLVING	\$13,961.00
430 STREET CIP	\$71,949.37
610 WATER FUND	\$9,049.09
620 SEWER FUND	\$39,992.73
630 MOTOR VEHICLE	\$7,137.58
640 LIQUOR	\$137,731.75
650 SOLID WASTE	\$1,361.61
670 STORMWATER	\$200.00
	\$487,659.43

2015 MUNICIPAL LICENSES FOR CITY COUNCIL APPROVAL ON 06/16/2015

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

NEW Food License (7/23/15-12/31/15)	
District Restaurant, LLC DBA "District Fresh Kitchen & Bar"	300 Superior Blvd.
NEW On-Sale Intoxicating Liquor License (with Sunday) 7/23/15-4/30/16	
District Restaurant, LLC DBA "District Fresh Kitchen & Bar"	300 Superior Blvd.
ONE (1) DAY Temporary On-Sale Liquor License on July 12, 2015, for "Wayzata Legion Rib Cook-Off," at Wayzata American Legion, 949 Wayzata Blvd. E.	
Wayzata American Legion #118	Wayzata, MN



July 12, 2015 10am - midnight

Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
444 Cedar Street Suite 133, St. Paul MN 55101-5133
(651) 215-6209 Fax (651) 297-5259 TTY (651) 282-6555
WWW.DPS.STATE.MN.US



RECEIVED

JUN 10 2015

APPLICATION AND PERMIT
FOR A 1 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE
AT A COMMUNITY FESTIVAL HELD WITHIN THE CITY OF WAYZATA

TYPE OR PRINT INFORMATION

NAME OF RESTAURANT <u>POST 118</u> <u>WAYZATA AMERICAN LEGION</u>		DO YOU HOLD A FOOD LICENSE IN THE CITY OF WAYZATA? <u>YES</u>	
STREET ADDRESS <u>949 E. WAYZATA BLVD.</u>		CITY <u>WAYZATA</u>	STATE <u>MN</u>
		ZIP CODE <u>55391</u>	
NAME OF PERSON MAKING APPLICATION <u>William J. Stein</u>		BUSINESS PHONE <u>(651) 473-7478</u>	HOME PHONE
DATE(S) LIQUOR WILL BE SOLD: TIME LIQUOR WILL BE SOLD: <u>10:00AM</u> <u>12:00 MIDNIGHT</u> <u>JULY 14</u> <u>12 2015</u> start time stop time		NAME OF COMMUNITY FESTIVAL <u>WAYZATA LEGION RIB COOK-OFF</u>	
ORGANIZATION OFFICER'S NAME <u>William J. Stein</u>		ADDRESS	
NAME OF PERSON IN CHARGE AT EVENT <u>PAUL CARLSON</u>		TELEPHONE NUMBER OF PERSON IN CHARGE AT EVENT	
WHAT DO YOU PLAN TO SELL? <u>RIBS & ALCOHOL</u>		PLEASE ATTACH DRAWINGS WHICH ILLUSTRATE YOUR LOCATION AT THE EVENT INCLUDING LOCATION OF TABLES, LOCATION OF BAR, ILLUSTRATION OF CONTROL MEASURES, ETC. ARE DRAWINGS ATTACHED?	
Location license will be used. If an outdoor area, describe Please attach a map and/or drawings of location license will be used. <u>PARKING LOT OF WAYZATA AMERICAN LEGION</u>			

Will the applicant contract for intoxicating liquor service? If so, give the name and address of the liquor licensee providing the service.

CURRENT BARTENDERS ARE EMPLOYEES OF THE
WAYZATA LEGION

Will the applicant carry liquor liability insurance? If so, please provide the carrier's name and amount of coverage.

CERTIFICATE OF INSURANCE MUST BE ATTACHED.
THE CITY OF WAYZATA MUST BE LISTED AS A "CERTIFICATE HOLDER" ON THE CERTIFICATE.
THE CITY OF WAYZATA MUST BE LISTED AS AN "ADDITIONAL INSURED" ON THE POLICY AND
THE ACTUAL EVENT LOCATION AND EXACT DATES OF THE EVENT MUST BE SHOWN.

WE CURRENTLY CARRY LIQUOR LIABILITY

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL & GAMBLING ENFORCEMENT

Wayzata Police Department Approval [Signature]

Date Approved 06-11-2015

CITY/COUNTY City of Wayzata / Hennepin County

DATE APPROVED

CITY FEE AMOUNT \$25.00

LICENSE DATES

DATE FEE PAID 06-10-2015 # 31190

SIGNATURE CITY CLERK OR COUNTY OFFICIAL

APPROVED DIRECTOR ALCOHOL AND GAMBLING ENFORCEMENT

NOTE: Submit this form to the city or county 30 days prior to event. Forward application signed by city and/or county to the address above. If the application is approved the Alcohol and Gambling Enforcement Division will return this application to be used as the License for the event

Signature of Applicant

William J. Stein

Date

June 1 2015

PS-09079 (02/05)
06162015
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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/1/2015

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

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

PRODUCER Ross Nesbit Agencies, Inc. 7500 Flying Cloud Drive #950 Eden Prairie MN 55344		CONTACT NAME: Alice Allen PHONE (A/C No. Ex): (952) 941-9418 FAX (A/C No.): (952) 941-9615 E-MAIL ADDRESS: aallen@nesbitagencies.com															
INSURED Ernest Aselton American Legion Post 118 dba Wayzata American Legion Post 118 949 Wayzata Blvd East Wayzata MN 55391		INSURER(S) AFFORDING COVERAGE <table border="1"> <tr> <th>INSURER</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A: Secura</td> <td>22543</td> </tr> <tr> <td>INSURER B: Milwaukee Casualty</td> <td>26662</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>		INSURER	NAIC #	INSURER A: Secura	22543	INSURER B: Milwaukee Casualty	26662	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
INSURER	NAIC #																
INSURER A: Secura	22543																
INSURER B: Milwaukee Casualty	26662																
INSURER C:																	
INSURER D:																	
INSURER E:																	
INSURER F:																	

COVERAGES

CERTIFICATE NUMBER: CL1543039722

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC OTHER:	X		B154911859	5/1/2015	5/1/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 HMO Auto Liability \$ 1,000,000
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☒ HIRED AUTOS ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS			B154911859	5/1/2015	5/1/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB OCCUR CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WNC1008799	5/1/2015	5/1/2016	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Liquor Liability			B154911859	5/1/2015 until	Continuous cancelled	Each Common Cause 1,000,000 Aggregate 2,000,000

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

RE: Sunday July 12th 2015

2nd Annual Rib Fest at Ernest Aselton Post No. 118, Wayzata, MN

The City of Wayzata is an additional insured under the commercial general liability when required by written contract.

CERTIFICATE HOLDER

CANCELLATION

City of Wayzata
 600 Rice Street East
 Wayzata, MN 55391

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

AUTHORIZED REPRESENTATIVE

Derek Larson/AA

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ACORD 25 (2014/01)

INS025 (201401)

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CC_06162015

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6/16/2015
THE FOLLOWING 2015 MUNICIPAL LICENSES
WERE APPROVED ADMINISTRATIVELY

2015 Gas Fitters License	
Ray N Welter Heating Company	Minneapolis, MN

Special Event/Itinerant Food License Wayzata Sailing Center - June 12, 2015	
Kona Ice SW Twin Cities	Chanhassen, MN
Special Event/Itinerant Food License Wine on Wayzata Bay - June 19, 2015	
District Fresh Bar & Kitchen	Wayzata, MN
Jake O'Connor's Public House	Excelsior, MN
Kip's Irish Pub	St. Louis Park, MN
Lord Fletchers	Spring Park, MN
McCormick's	Wayzata, MN
Wayzata Bar & Grill	Wayzata, MN

**WAYZATA POLICE DEPARTMENT
ACTIVITY REPORT
MAY, 2015**

Theft **Reported:** 05-31-2015 1941

Report of a theft of jewelry. Loss approximately \$15000.

Addresses Involved

100 block of Wayzata Blvd St, Wayzata, MN 55391

Suspicious **Reported:** 05-31-2015 1404

Report of a male walking around the fence line. Area checked, unable to locate.

Addresses Involved

300 block of Hampton St, Wayzata, MN 55391

Disturbance **Reported:** 05-31-2015 0155

Vehicle in parking lot with horn sounding. Voicemail message left for registered owner.

Addresses Involved

1100 block of Wayzata Blvd, Wayzata, MN 55391

Domestic Assault **Reported:** 05-29-2015 1757

Report of a domestic assault. Charges are pending.

Addresses Involved

100 block of Circle A Dr S, Wayzata, MN 55391

Unwanted Person **Reported:** 05-29-2015 1617

Report of two males soliciting without a permit. Males were advised and left the area.

Addresses Involved

100 block of Birch Lane, Wayzata, MN 55391

Suspicious **Reported:** 05-29-2015 1058

Report of a phone scam. Call was from a legitimate company. Unfounded.

Addresses Involved

16000 block of Holdridge Rd W, Wayzata, MN 55391

Theft **Reported:** 05-29-2015 1054

Report of a theft of a cellular phone. Phone was located. Party who had taken it stated they took it by mistake because they thought it was theirs.

Addresses Involved

1100 block of Wayzata Blvd E, Wayzata, MN 55391

Burglary-Attempted **Reported:** 05-29-2015 0412

Report of an attempted business burglary. Fresh pry markers were found on the door. Suspect was unable to gain access to the building.

Addresses Involved

1100 block of Wayzata Blvd, Wayzata, MN 55391

Disturbance **Reported:** 05-29-2015 0223

Report of loud music. Loud music and voices heard upon arrival. Resident was advised.

Addresses Involved

400 block of Virginia Ave, Long Lake, MN 55356

DWI**Reported:** 05-29-2015 0203

18 year old male from Plymouth arrested for driving while impaired, careless driving and possession of drug paraphernalia. Charges pending test results.

Addresses Involved

1400 block of Wayzata Blvd E, Wayzata, MN 55391

Names Involved

(Arrested) Lindblom, Brandon Scott (Age:18)

Suspicious**Reported:** 05-28-2015 2102

Report of a suspicious female possibly trying to selling items. Area checked, unable to locate.

Addresses Involved

300 block of Ferndale Rd N, Wayzata, MN

Animal**Reported:** 05-28-2015 1239

Report of a mother duck and her ducklings needing to be relocated to a safe location. Mama duck and 12 ducklings were safely relocated.

Addresses Involved

700 block of Mill St E, Wayzata, MN

Open Door**Reported:** 05-28-2015 0338

Officer observed an open garage door. Attempted contact with resident.

Addresses Involved

200 block of Greenhill Lane, Long Lake, MN 55356

Domestic Assault**Reported:** 05-27-2015 2142

Report of a domestic assault. Juvenile male cited for domestic assault.

Addresses Involved

600 block of Ridgeview Dr E, Wayzata, MN

Disturbance**Reported:** 05-27-2015 1858

Report of a male kicking a garage door. Male locked himself out of his house. Male was transported to a friend's house.

Addresses Involved

1800 block of Orchard Lane, Long Lake, MN 55356

Harassment**Reported:** 05-26-2015 1633

Report of a harassing phone call.

Addresses Involved

600 block of Harmony Cir, Wayzata, MN 55391

Suspicious**Reported:** 05-26-2015 0730

Report of three males jumping around in front of the business. Males left prior to officer arrival.

Addresses Involved

800 block of Lake St E, Wayzata, MN 55391

Domestic**Reported:** 05-26-2015 0351

Report of a verbal domestic. Male agreed to leave for the night.

Addresses Involved

200 block of Harrington Dr, Long Lake, MN

Disturbance **Reported:** 05-26-2015 0002
Report of chainsaws being used in the middle of the night. Xcel Energy was on scene removing trees from the power lines to restore power to residents.

Addresses Involved
1600 block of Crosby Rd, Wayzata, MN

Disturbance **Reported:** 05-25-2015 2353
Report of a loud party. Group playing football and listen to music was advised.

Addresses Involved
400 block of Ferndale Road S, Wayzata, MN 55391 USA

Suspicious **Reported:** 05-25-2015 2157
Report of people loitering near the bridge. Several people were fishing in the area.

Addresses Involved
100 block of Grove Lane E, Wayzata, MN

Trespass **Reported:** 05-24-2015 1404
Report of a female trespassing after being served a trespass notice. Charges pending.

Addresses Involved
1100 block of Wayzata Blvd E, Wayzata, MN 55391

Unwanted Person **Reported:** 05-23-2015 1658
Report of a solicitor in the area. Area checked, unable to locate.

Addresses Involved
600 block of Harmony Cir, Wayzata, MN 55391

Disturbance **Reported:** 05-23-2015 0034
Report of a loud party. Group was advised to turn down the music.

Addresses Involved
200 block of Gleason Lake Road, Wayzata, MN 55391

Suspicious **Reported:** 05-22-2015 1119
Report of an attempted phone scam. No personal information or money was obtained.

Addresses Involved
300 block of Margaret Cir, Wayzata, MN 55391

Fire **Reported:** 05-22-2015 1027
Vehicle Fire. Wayzata Fire extinguished the fire.

Addresses Involved
Bushaway Rd & Wayzata E, Wayzata, MN

Burglary-Commercial **Reported:** 05-22-2015 0047
Report of a business burglary. Stolen items were recovered nearby. No loss at this time.

Addresses Involved
1700 block of Wayzata Blvd W, Long Lake, MN 55356

Damage to Property **Reported:** 05-21-2015 1154
Report of damage to a vehicle. Paint was dripped on the vehicle. Unknown loss.

Addresses Involved
100 block of Glenbrook Road N, Wayzata, MN 55391 USA

Theft **Reported:** 05-21-2015 1110

Report of a theft. Loss \$28.

Addresses Involved

700 block of Mill St E, Wayzata, MN 55391

Suspicious **Reported:** 05-20-2015 1905

Report of two juveniles standing on overpass. Area checked, unable to locate.

Addresses Involved

Broadway Ave N & Hwy 12, Wayzata, MN

Unwanted Person **Reported:** 05-20-2015 1825

Report of a solicitor in the area. Male and female were with a non-profit group.

Addresses Involved

300 block of Peavey Rd, Wayzata, MN

Unwanted Person **Reported:** 05-20-2015 1752

Report of a solicitor in the area. Solicitor was with a non-profit group.

Addresses Involved

100 block of Ferndale Rd S, Wayzata, MN 55391

Theft **Reported:** 05-20-2015 1458

Report of several items stolen over the past year. Loss approximately \$1300.

Addresses Involved

2100 block of Neilson Ave, Long Lake, MN

Theft from Vehicle **Reported:** 05-20-2015 1020

Report of a theft from vehicle. Unknown loss.

Addresses Involved

100 block of Gleason Lake Rd, Wayzata, MN 55391

Theft from Vehicle **Reported:** 05-20-2015 0958

Report of a theft from vehicle. Unknown loss at this time.

Addresses Involved

100 block of Gleason Lake Rd, Wayzata, MN 55391

Robbery **Reported:** 05-20-2015 0506

Report of a business robbery. Unknown loss. This case is under investigation.

Addresses Involved

2400 block of Industrial Blvd, Long Lake, MN 55356

Utility/Public Works Issue **Reported:** 05-19-2015 2007

Report of a gas odor. Small gas leak located near outside gas meter. Gas Company notified.

Addresses Involved

100 block of Barry Ave N, Wayzata, MN 55391

Domestic **Reported:** 05-19-2015 1632

Report of a verbal domestic.

Addresses Involved

1800 block of Watertown Rd, Long Lake, MN 55356

Disturbance **Reported:** 05-18-2015 2155

Report of a car alarm sounding. Area checked, nothing heard.

Addresses Involved

200 block of Upper Lea Lane, Long Lake, MN 55356

Animal **Reported:** 05-18-2015 1005

Report of a dog bite.

Addresses Involved

300 block of Wolf Pointe Tr, Long Lake, MN

Disturbance **Reported:** 05-17-2015 2343

Noise complaint. Street sweeper was in the area.

Addresses Involved

Superior Blvd & Wayzata E, Wayzata, MN

Domestic Assault **Reported:** 05-17-2015 2229

21 year old male from Wayzata arrested for domestic assault.

Addresses Involved

400 block of Wayzata Blvd, Wayzata, MN 55391

Names Involved

(Arrested) Almendinger, Arlen Gordon (Age:21)

Order Violation **Reported:** 05-17-2015 2036

Report of a violation of an order for protection. Charges are pending.

Addresses Involved

100 block of Circle A Dr S, Wayzata, MN 55391

Suspicious **Reported:** 05-17-2015 2032

Report of a male dressed in dark clothing walking down access road.

Male lived at one of the neighboring houses.

Addresses Involved

1500 block of Stoneridge Cir, Long Lake, MN 55356

Theft **Reported:** 05-17-2015 0812

Report of a taxi fare no pay. Loss \$49.50.

Addresses Involved

600 block of Wayzata Blvd E, Wayzata, MN 55391

Alcohol **Reported:** 05-17-2015 0306

Two parties cited for underage alcohol consumption and possession.

Addresses Involved

200 block of Grove Lane E, Wayzata, MN 55391

Suspicious **Reported:** 05-16-2015 2007

Officer observed juveniles in a vehicle throw an item at a male walking on the street.

Juveniles thought the male was a friend of theirs. Male did not wish to pursue charges.

Addresses Involved

Inglewood St & Watertown, Long Lake, MN

Theft **Reported:** 05-16-2015 1156

Report of a theft by swindle. Loss \$41.

Addresses Involved

1100 block of Wayzata Blvd E, Wayzata, MN 55391

Death **Reported:** 05-16-2015 0816

Report of one unconscious and not breathing. Elderly female passed away.

Addresses Involved

100 block of Promenade Ave, Wayzata, MN 55391

Order Violation **Reported:** 05-14-2015 2027

Report of a violation of a protection order. Charges pending.

Addresses Involved

200 block of Bushaway Rd, Wayzata, MN

Death **Reported:** 05-14-2015 1716

Report of a 5 month-old child not breathing. The child was deceased upon officer arrival. The case is under investigation by Wayzata Police and the Hennepin County Medical Examiner's Office.

Addresses Involved

2100 block of Watertown Rd, Long Lake, MN 55356

Unwanted Person **Reported:** 05-14-2015 1301

Report of a male going door to door soliciting without a permit.
Male was advised of the ordinance and left the area.

Addresses Involved

200 block of Ridgeview Drive E, Wayzata, MN 55391

Theft **Reported:** 05-13-2015 1156

Report of a male leaving without paying his bill. Loss \$28.

Addresses Involved

300 block of Broadway Ave, Wayzata, MN 55391

Theft **Reported:** 05-13-2015 1104

Report of identity theft.

Addresses Involved

200 block of Barry Avenue S, Wayzata, MN 55391 USA

Suspicious **Reported:** 05-12-2015 2104

Report of a suspicious occupied vehicle in the parking lot. Employee in a company vehicle. Unfounded.

Addresses Involved

700 block of Central Ave N, Wayzata, MN 55391

Damage to Property - Criminal **Reported:** 05-12-2015 1633

Report of damage to a vehicle window. Nothing taken from the vehicle. Unknown loss at this time.

Addresses Involved

1100 block of Wayzata Blvd, Wayzata, MN 55391

Damage to Property - Criminal **Reported:** 05-12-2015 1633

Report of damage to a vehicle window. Nothing taken from the vehicle. Unknown loss at this time.

Addresses Involved

1100 block of Wayzata Blvd, Wayzata, MN 55391

Theft from Vehicle **Reported:** 05-12-2015 0816
Report of a vehicle of light covers stolen off of a vehicle. Loss \$60.

Addresses Involved
100 block of Promenade Ave, Wayzata, MN 55391

Open Door **Reported:** 05-10-2015 1858
Officer observed an open door at a residence. Homeowners were home. No issues.

Addresses Involved
100 block of Harrington Dr, Long Lake, MN

Disorderly Conduct **Reported:** 05-09-2015 2357
Report of a male yelling obscenities. Charges pending for disorderly conduct.

Addresses Involved
600 block of Wayzata Blvd E, Wayzata, MN 55391

Fire **Reported:** 05-09-2015 2219
Report of a wood pile on fire. Fire was extinguished.

Addresses Involved
1400 block of Holdridge Lane, Wayzata, MN 55391

Open Door **Reported:** 05-09-2015 2152
Report of an open door. Building checked. Attempted to contact keyholder to advise.

Addresses Involved
900 block of Wayzata Blvd E, Wayzata, MN 55391

Death **Reported:** 05-09-2015 0133
Female passed away after experiencing trouble breathing. Female had a do not resuscitate order on file.

Addresses Involved
100 block of Promenade Ave, Wayzata, MN

Damage to Property - Criminal **Reported:** 05-08-2015 2051
Report of damage to rear bump of vehicle. Loss \$500.

Addresses Involved
1800 block of Symes St, Long Lake, MN

Damage to Property - Criminal **Reported:** 05-08-2015 1546
Damage to trailer latches. Loss approximately \$100.

Addresses Involved
500 block of Tamarack Ave , Long Lake, MN 55356

Suspicious **Reported:** 05-08-2015 0222
Report of someone outside neighbor's house with a flashlight. Homeowner was checking window well.

Addresses Involved
200 block of Glenbrook Rd, Wayzata, MN

Suspicious **Reported:** 05-06-2015 0905
Report of an attempted phone scam. No loss at this time.

Addresses Involved
100 block of Peavey Lane, Wayzata, MN 55391

Missing Person **Reported:** 05-06-2015 0215

Report of a missing person. Female was located.

Addresses Involved

800 block of Lake St, Wayzata, MN 55391

Alcohol **Reported:** 05-05-2015 1949

Charges pending against a 20 year old male from Maple Plain for underage consumption of alcohol.

Addresses Involved

1800 block of Wayzata Blvd, Long Lake, MN 55356

Harassment **Reported:** 05-05-2015 1635

Report of a male and a female asking people for money. Parties were assisted by an outreach group.

Addresses Involved

Ferndale Rd N & Wayzata W, Wayzata, MN

Assault **Reported:** 05-04-2015 1859

Report of an assault. This case is under investigation.

Addresses Involved

1600 block of Wayzata Blvd W, Long Lake, MN 55356

Death **Reported:** 05-04-2015 1743

Report a male unconscious and not breathing. Efforts to revive the male were unsuccessful.

Addresses Involved

100 block of Gleason Lake Rd, Wayzata, MN 55391

Theft **Reported:** 05-04-2015 0818

Report of a theft of two packs of cigarettes. Loss \$16.76.

Addresses Involved

1300 block of Wayzata Blvd E, Wayzata, MN 55391

Damage to Property - Criminal **Reported:** 05-03-2015 1140

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

Addresses Involved

400 block of Willow Dr, Long Lake, MN

Burglary-Attempted **Reported:** 05-03-2015 0120

Report of an attempted burglary. Door was open but nothing else appeared to have been disturbed.

Addresses Involved

1300 block of Lasalle St, Wayzata, MN 55391

Domestic **Reported:** 05-02-2015 2012

Report of a verbal domestic. Male was transported to a hotel.

Addresses Involved

300 block of Pondridge Cir, Wayzata, MN 55391

DWI **Reported:** 05-02-2015 0142
25 year old male from Washington arrested for driving while under the influence of alcohol. Tested .12

Addresses Involved
100 block of Broadway Ave S, Wayzata, MN 55391

Names Involved
(Arrested) Pacheco, Marc Alan (Age:25)

DWI **Reported:** 05-01-2015 1930
66 year old male from Long Lake arrested for driving while under the influence of alcohol. Tested .15

Addresses Involved
2100 block of Watertown Rd, Long Lake, MN

Names Involved
(Arrested) Otto, Stephen Hopkins (Age:66)

Death **Reported:** 05-01-2015 1707
Report of a male unconscious and not breathing. Life saving measures were performed and he was transported to the hospital. He subsequently passed away.

Addresses Involved
100 block of Grand Ave S, Wayzata, MN 55391

Domestic Assault **Reported:** 05-01-2015 1420
Charges pending against a 75 year old male from Wayzata for domestic assault.

Addresses Involved
16200 block of Holdridge Rd W, Wayzata, MN 55391

Theft **Reported:** 05-01-2015 1241
Report of a check being issued with insufficient funds. Loss \$1378.

Addresses Involved
2000 block of Wayzata Blvd W, Long Lake, MN 55356

TRAFFIC – MAY, 2015

CITATIONS	148
WRITTEN WARNINGS	30
VERBAL WARNINGS	60

Description	May 2015
MISSING PERSON	2
MISSING ANIMAL	3
MISSING/LOST PROPERTY	3
FOUND ANIMAL	2
FOUND PROPERTY	2
ABANDONED VEHICLE	1
PIMV	2
PDMV	10
H & R PDMV	4
PDMV & DEER	1
FALL/CUT	11
ANIMAL BITE	2
HANDLING OBJECTS/CUTS	1
Vehicle Fire	2
Grass/Brush Fire	1
FIRE ALARM	9
GAS LEAK/SMELL	1
HAZ ROAD CONDITION	17
SUDDEN DEATH	5
OTHER MEDICAL	43
DETOX PATIENT	1
72 Hour Hold/Emergency Admission	2
WELFARE CHECK - ADULT	19
MENTAL HEALTH ISSUE	1
INFO REC'D	10
VERBAL DOMESTIC	3
CIVIL MATTER	7
Trespass Warn/Order	1
DISTURBANCE/FIGHT/LOUD PARTY/HARASSMENT	25
RECEIVE COURT ORDER/OFP	5
SUSPICION	30
OPEN DOOR/WINDOW	3
SCAM/FRAUD ATTEMPT	3
MISC. JUVENILE PROBLEM	5
DRIVING/TRAFFIC COMPLAINT	27
PARKING COMPL	16
HOUSE/BUSINESS CHECKS	2
RECORD CHECKS	19
FIREARM PERMIT	5
HC SHERIFFS PERMIT TO CARRY	8
TOBACCO COMPLIANCE CHECK	1
Solicitor Permit	1
PARKING PERMIT	4
OTHER ORD VIOL (JUNK CARS, ETC)	1

SOLICITATION	4
SOLICITATION - Verbal Warning	1
ANIMAL COMPLAINT/CHECK	12
DOG LICENSE ISSUED	2
PATROL REQUEST	4
POLICE ESCORT/STAND-BY	2
ADULT PROTECTION ASSIST	4
FINGERPRINTS	4
ASSIST CHILD PROTECTION	3
MOTORIST ASSIST/STALL	10
UTILITY PROBLEM	5
PUBLIC ASSIST	18
LOCKOUT	11
BUSINESS ALARM	16
CO2 ALARM	1
HOME ALARM	15
911 HANG-UP	16
Liquor Laws	1
ASSIST OTHER DEPT	9
SPECIAL EVENT	1
TRAFFIC CONTROL / DIRECT ENFORCEMENT	14
TRANSPORT	1
CASE FOLLOW UP	5
VOID	9
Cancel/No Contact	1
ASLT 3-SUBSTANTIAL INJURY-HANDS ETC-ADLT-ACQ	1
ASLT 5-MS-INFLICT BD HRM-HANDS-ASLT-AC	1
ASLT 5-MS-FEAR BOD HRM-HANDS-ADLT STR	1
TERR THREATS-INFLT BH-UNK WEAP-ADULT-STR	1
DOM ASLT-FE-INFLCT SUBST BOD HRM-HNDS-ADLT-FAM	1
DOM ASLT-MS-INFLT BODILY HARM-HANDS-AD-FAM	5
ASLT-DOMESTIC-MS-INFLT BODLY HRM-HNDS-ADLT-AC	1
BURG 3-AT FRC NRES-N-UNK WEAP-UNK ACT	1
BURG 3-UNOCC NRES NO FRC-N-UNK WEAP-COM THEFT	1
BURG 3-AT FRC RES-N-UNK WEAP-UNK ACT	1
FORG-FE-MAK ALT DEST-CHK-251-2500-BUS	1
DRUGS-SMALL AMOUNT MARIJUANA-POSESSION	1
TRAFFIC-GM-OTHER-MV	1
TRAF-ACC-MS-UND AGE DRINK DRIVE-UNK-MOTOR VEH	1
TRAF-ACC-M-4TH DEG DWI-UI ALCOHOL-MV	2
TRAF-ACC-M-4TH DEG DWI-UI CONTROLLED SUB-MV	1
JUVENILE-ALCOHOL OFFENDER-UNDER 18 YRS	2
LIQUOR-UNDERAGE CONSUMPTION 18-21	3
FURNISHING OF TOBACCO TO CHILDREN - MS	1
FE-VIOL ORDER FOR PROTECTION-2 OR MORE PRIORS	1

DISTURB PEACE-MS-DISORDERLY CONDUCT	5
MS-VIOL ORDER FOR PROTECTION	1
PROP DAMAGE-MS-PRIVATE-OTHER INTENT	6
TRESPASS-MS-PRIVATE-OTHER INTENT	1
LITTER-UNLAWFUL DEPOSIT OF GARBAGE-MS	1
ROBB-SIMPLE-CON STO-STRONGARM-ADULT-STR	1
THEFT-OVER 5000DLRS FE-BLDG-OTHER PROPERTY	1
THEFT-1001-5000 DLRS FE-BLDG-OTHER PROPERTY	1
THEFT-500 OR LESS MS-BLDG-SERVICES	1
THEFT-500 OR LESS MS-BLDG-OTH PROP	3
THEFT-500 OR LESS MS-MTR VEHICLE-UNK PROP	2
THEFT-500 OR LESS MS-MTR VEHICLE-OTH PROP	1
THEFT-500 OR LESS MS-OTHER-SERVICES	1
THEFT-FE-ISSUE-WORTHLES-CHK-251-2500	1
THEFT-MS-BY SWINDLE OR TRICK-250 OR LESS	1
THEFT-MS-SHOPLIFTING-250 OR LESS	1
THEFT-MS-IDENTITY THEFT-UNK LOSS	1

2014	2015 Jan	2015 Feb	2015 March	2015 April	2015 May	2015 YTD
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BUILDING CONSTRUCTION

NUMBER OF BLDG. PERMITS	197	31	31	14	7	32	115
PROJECT VALUE	\$71,316,194.31	\$6,247,783.00	\$4,904,067.00	\$1,187,329.00	\$6,924,147.00	\$2,558,702.00	\$21,822,028.00
BUILDING PERMIT FEE	\$398,821.84	\$43,717.70	\$39,064.50	\$9,752.40	\$34,606.50	\$25,037.50	\$152,178.60
PLAN CHECK FEE	\$239,736.80	\$24,974.46	\$18,449.82	\$5,435.87	\$22,494.24	\$10,368.24	\$81,722.63

EXTERIOR REPAIR

NUMBER OF PERMITS	69	1	3	2	7	6	19
PROJECT VALUE	\$868,852.35	\$2,271.00	\$47,943.00	\$11,285.00	\$86,877.22	\$137,377.33	\$285,753.55
PERMIT FEE	\$15,457.53	\$ 88.50	\$ 835.50	\$ 231.50	\$ 1,549.00	\$ 1,835.75	\$4,540.25

MECHANICAL

NUMBER OF PERMITS	213	18	26	25	19	9	97
PROJECT VALUE	\$6,434,508.61	235,538.00	345,809.25	402,931.26	149,652.00	119,775.00	\$1,253,705.51
PERMIT FEE	\$108,666.50	4,704.00	6,755.52	7,092.14	3,169.04	2,385.25	\$24,115.95

PLUMBING

NUMBER OF PERMITS	193	27	24	22	23	17	113
PROJECT VALUE	\$4,316,761.00	\$178,389.00	\$132,780.00	\$204,295.00	\$468,799.00	\$58,701.79	\$1,042,964.79
PERMIT FEE	\$75,280.16	\$3,721.20	\$2,779.30	\$4,133.89	\$8,514.73	\$1,263.90	\$20,413.02

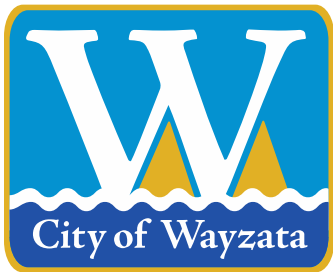
TOTAL # OF PERMITS	672	77	84	63	56	64	344
TOTAL INCOME	\$837,962.83	\$77,205.86	\$67,884.64	\$26,645.80	\$70,333.51	\$40,900.64	\$282,970.45

NUMBER OF INSPECTIONS

BUILDING	1061	89	109	100	88	136	522
EXTERIOR	86	1	1	0	8	11	21
HVAC	471	45	44	48	38	50	225
PLUMBING	401	48	62	55	28	72	265
OTHER	6	1	0	0	0	1	1
TOTAL # OF INSPECTIONS	2027	184	216	203	162	269	1034

RENTAL HOUSING INSPECTIONS

INSPECTIONS	119	7	26	31	16	4	84
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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

DATE: May 27, 2015

TO: The Honorable Mayor and Members of the City Council

FROM: Becky Malone, Deputy City Clerk

RE: Public hearing for an on-sale intoxicating liquor license and Sunday on-sale intoxicating liquor license at District Fresh Kitchen & Bar

District Restaurant, LLC has applied for an on-sale intoxicating liquor license and Sunday on-sale intoxicating liquor license for District Fresh Kitchen & Bar, a restaurant located at 300 Superior Blvd. The licensed premises will include the first floor indoor restaurant and an outdoor patio on the West side of the building. The outdoor patio must have approved control measures in place prior to opening.

The applicant applied for an on-sale intoxicating liquor license and Sunday on-sale intoxicating liquor license for the license period of July 23, 2015 through April 30, 2016. The applicant paid a pro-rated license fee of \$8,750.

A background investigation as it pertains to liquor licensing was conducted on the owners and was found to be in satisfactory order. The applicant paid a background investigation fee of \$500.

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

Staff recommends approval of both licenses.

Owner and Managing Partner Anoush Ansari will be present at the meeting to answer questions.

2015 MUNICIPAL LICENSES FOR CITY COUNCIL APPROVAL ON 06/16/2015

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

NEW On-Sale Intoxicating Liquor License (with Sunday) 7/23/15-4/30/16	
District Restaurant, LLC DBA "District Fresh Kitchen & Bar"	300 Superior Blvd.



Planning Report
June 16, 2015
Wayzata City Council Meeting

File Case No: PR 2015-6

Applicant: Philip and Margaret Soran

Address of request: 532 Ferndale Road West

PID number: 01-117-23-33-0027

Prepared By: Bryan Gadow, AICP, Director of Planning and Building

Project Summary: The Application is for: Shoreland Conditional Use Permit; a Variance for Impervious Coverage; a Variance for Front Yard Setback; and Variances for a Tennis Court

Section 1: Background.

Phillip and Margaret (the “Applicant”) has submitted a development application (the “Application”) requesting zoning approvals to remove an existing non-conforming detached garage on the property at 532 Ferndale Road W (the “Property”) to build a new attached garage and install a tennis court on the Property (the “Project”).

The zoning requests included in the Application are:

- A Shoreland Conditional Use Permit (CUP) for hardcover above twenty five percent (25%) with stormwater mitigation (the “Shoreland CUP”)
- A Variance from the Front Yard Setback (Section 801.52.6.1.a) (the “Front Yard Setback Variance”)
- A Variance from the Impervious Surface maximum of twenty five percent (25%) (Section 801.52.7.A) (the “Impervious Surface Variance”)
- Variances from the Front Yard, Side Yard, and Lakeshore Setbacks for Accessory Uses for installation of a tennis court (Sections 801.52.6.1.1, 801.52.2.b, and 801.91.D.2 & 3)(the “Tennis Court Variances”)

1.1 Approval Requests.

The Project includes four (4) approval requests associated with the Application:

A. *Front Yard Setback Variance.*

The existing residential structure on the Property was built in 1934, known as the “Painted Lady” house. The existing detached garage is located entirely within the required forty five (45) ft front yard setback and encroaches on City Right of Way. The Applicant is requesting to remove the existing 999 SF non-conforming garage, and build a new 996 SF attached garage to the existing residential structure. The new attached garage is proposed to be located in front of the existing residence, and would be 17.1 ft from the front property line, which would require approval of a Front Yard Setback Variance.

B. *Impervious Surface Variance.*

The maximum amount of impervious surface (i.e. hardcover) is twenty five percent (25%) of lot area in the R-1 District. The existing structure is at 25.7% hardcover. The Applicant is proposing to remove an existing paver walkway, remove portions of an existing paver driveway, and install a hard surface tennis court in the west Side Yard of the Property. With the addition of the tennis court and the removal of some of the existing paver area, the proposed hardcover for the site would be 38.8%. As part of the Application, the Applicant has included a request for a Shoreland CUP, to utilize stormwater management techniques, including a stormwater collection and treatment surface to capture the water runoff from the proposed tennis court, and a rain-water collection system for the gutters of the residence to maintain the current drainage and run off of the existing condition of the Property.

C. *Shoreland Conditional Use Permit.*

The Property falls within the Shoreland Overlay District, which has a hardcover limit of twenty five percent (25%). Given the limiting amount of lot area on the Property, the Applicant request approval to increase the hardcover to 38.8% and install a stormwater collection and treatment system and a rain water collection system to address the additional proposed hardcover.

D. *Tennis Court Variances.*

The Applicant proposes to install a 5,250 SF tennis court on the west side of the Property. Private recreational facilities, such as tennis courts, are an allowed accessory use within the R-1 District. The accessory use setbacks for the R-1 District are 50 ft in the Front Yard, 10 ft in the Side Yard, and would need to conform with the Lakeshore rear yard setback. The tennis court is proposed to be located 11.5 ft from the front property line, 6 ft from the side property line, and 32 ft from the lakeshore rear property line, which would require approval of variances. In addition, due to the additional hardcover created by the proposed tennis court, the Applicant is proposing to install a stormwater collection and treatment system to the north of the court location, in order to capture water runoff from the court and the nearby area.

1.2 Relevant Property Information.

Zoning:	R-1 Low Density Single Family Residential District
Comp Plan:	One Acre Single Family Residential
Shoreland Overlay:	Property is in a Shoreland Management Overlay District
Total lot size:	32,879 square feet (SF) or 0.75 acres

Map 1: Existing Property Aerial



1.3 Legal Description.

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

532 Ferndale Road West	01-117-23-33-0027	Sendero Properties LLC
------------------------	-------------------	------------------------

Image 1: Existing Residence at 532 Ferndale Rd W



1.4 Public Noticing Requirements.

Zoning Ordinance Section 804.14 requires the Planning Commission to hold a public hearing on the Application. The Notice of Public Hearing was published in the Lakeshore Weekly on April 28, 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 April 24, 2015.

1.5 Planning Commission Meeting Summary.

The Planning Commission reviewed the Application and held a Public Hearing on May 4, 2015. No individuals spoke at the Public Hearing. The Planning Commission voted three (3) in favor and two (2) opposed to direct staff to prepare a draft *Planning Commission Report and Recommendation* for approval of the Application.

The Planning Commission reviewed the draft *Planning Commission Report and Recommendation* on June 1, 2015, where a motion to adopt the Report failed on a three (3) in favor and three (3) opposed voted. The Planning Commission then voted on each of the four (4) Application requests individually, with the following results:

- Front Yard Variance: Approved 6-0, with conditions
- Shoreland CUP: Motion to Approve Failed 3-3

- Impervious Surface Variance: Motion to Approve Failed 3-3
- Tennis Court Variances: Motion to Approve Failed 3-3

With the 3-3 ties on the Shoreland CUP, Impervious Surface Variance, and Tennis Court Variances, the Planning Commission does not offer a formal recommendation on those components of the Application.

A copy of the May 4, 2015 minutes are included as Attachment D, and the June 1, 2015 minutes are included as Attachment E. The *Planning Commission Report and Recommendation* is included as Attachment F. A draft Resolution is included as Attachment G.

Section 2. Summary of Issues.

2.1 Zoning Analysis.

Adjacent property uses are:

Adjacent Property	Zoning	Uses
North	R-1A	Single Family Residences
West	R-1	Single Family Residences
East	R-1A	Single Family Residences

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

R-1 District	Code Standard	Proposed	Notes
Minimum Lot Area	40,000 square feet (SF)	32,879 SF (existing condition)	Legal Non-conformity
Minimum Lot Width	150 ft	220 ft	Conforms to Code
Minimum Lot Depth	150 ft	120 ft (existing condition)	Legal Non-conformity
Front Yard Setback (House)(min.)	45 ft	0 ft (existing); 17.1 ft (proposed)	Requires approval of a Variance
Side Yard Setback (House)(West)	20 ft	63 ft	Conforms to Code
Side Yard Setback (House)(East)	20 ft	63 ft	Conforms to Code
Rear Yard Setback (House) (min.)	75 ft, or a line drawn between the two closest riparian principal structures,	33 ft	Legal Non-conformity

	or the average setback of the two closest riparian principal structures, whichever is greater		
Front Yard Setback (Tennis Court)	50 ft	11.5 ft	Requires approval of a Variance
Side Yard Setback (Tennis Court)	20 ft	6 ft	Requires approval of a Variance
Rear Yard Setback (Tennis Court)	75 ft, or a line drawn between the two closest riparian principal structures, or the average setback of the two closest riparian principal structures, whichever is greater	32 ft	Requires approval of a Variance
Lot Coverage	15%	13.3%	Conforms to Code
Impervious Surface	25%	38.8%	Requires approval of a CUP and Variance

2.2 Hardcover Calculations.

Based upon staff's analysis of the survey and calculations submitted by the Applicant, the Property has the following proposed hardcover as part of the Project.

Item	Proposed
House	3,387 SF
Garage	996 SF
Existing Pavers	2,696 SF
Steps	427 SF
Tennis Court	2,808 SF
Tennis Court Perimeter	2,442 SF
Hardcover Total	12,756 SF
Hardcover Percent	38.8%

2.3 Stormwater Treatment Methods.

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. In the R-1 Zoning Districts the maximum impervious surface coverage for a property is twenty percent (25%). Based upon the Applicant's submitted hardcover calculations, the Applicant is proposing to have approximately 38.8% impervious surface coverage on the Property.

To improve stormwater runoff on the site, the Applicant is proposing to install a stormwater collection and treatment system, called a StormTech Chamber, in the front yard of the Property to capture water runoff from the proposed tennis court and adjacent area. Images of this system are shown below. This system collects and filters water in chambers below ground. In addition, the Applicant proposes to install a rain gutter system to capture water from the roof of the house and direct it into an underground holding area. Lastly, the Applicant will remove portions of the existing paver driveway and walkway area as feasible. The Applicant has applied for a Shoreland CUP in order to utilize these stormwater systems to reduce stormwater runoff, which is subject to review and approval by the City Engineer.

Image 2: Location of StormTech System

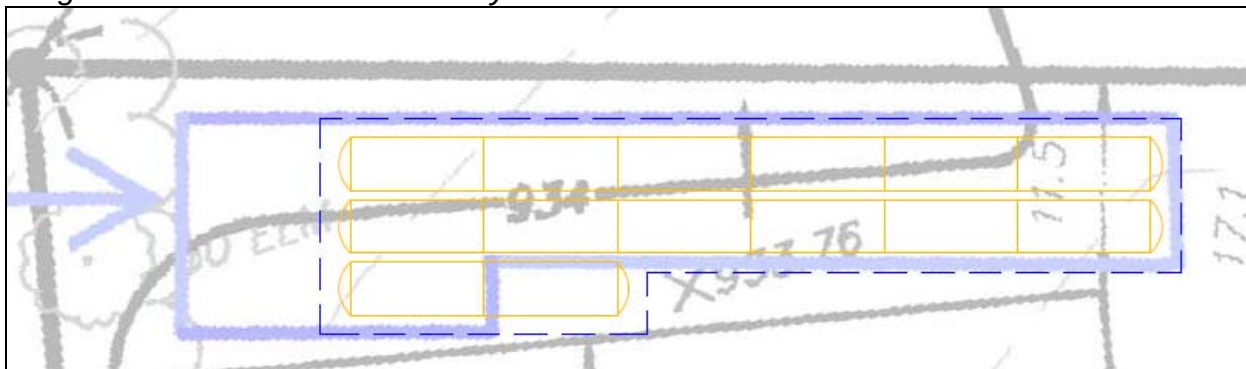
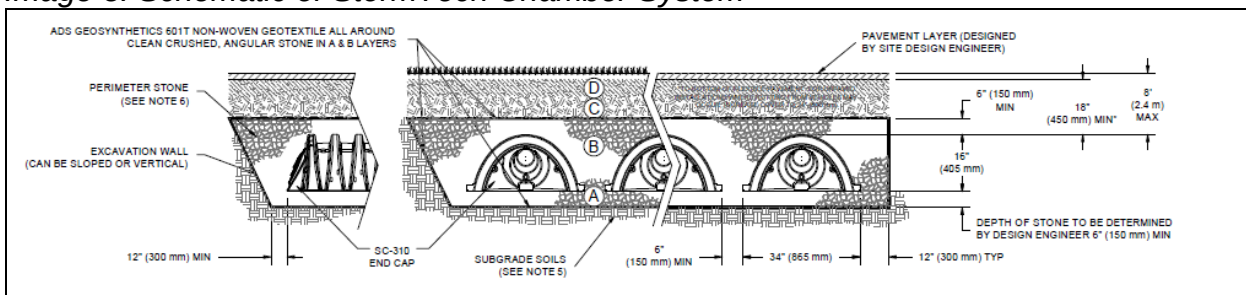


Image 3: Schematic of StormTech Chamber System



Section 3. Applicable Review Criteria:

3.1 Shoreland Impact Plan and Conditional Use Permit.

Section 801.91.19 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 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.
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 this Ordinance.

7. Lot coverage on a project basis shall be restricted to the provisions for maximum impervious surface coverage as provided for in this 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.

In addition to the above conditions, the provisions of Section 801.04.2.F must be considered and satisfactorily met. Section 801.04.2.F 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 (Staff's analysis of the review criteria are provided in the *italicized* text):

1. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.

Granting the Shoreland CUP does not contravene any specific policies and provisions of the official City Comprehensive Plan.

2. The proposed use's compatibility with present and future uses of the area.

The proposed single family residential use conforms with present and future land uses in the area. The Property is currently zoned for One Acre Single Family use in the City Comprehensive Plan.

3. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).

The Application includes variance requests for Front Yard Setback Variance, Impervious Surface Variance, and Variances for a Tennis Court.

The proposed use meets all other applicable performance standards not noted above.

4. The proposed use's effect on the area in which it is proposed.

The proposed use will not have a negative effect on the area, as it replacing a single family residential structure with a new single family residential structure.

5. The proposed use's impact upon property values in the area in which it is developed.

The proposed use will not have a significant impact upon property value in the area in the adjacent Residential Districts.

6. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.

The proposed use will not generate traffic that would have a negative impact on the surrounding area.

7. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

The proposed use will not have a negative impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity. The Utility Supervisor has provided comments on installing new water and sewer systems.

- 3.2 Zoning Ordinance Variance Standards. Section 801.05.1.C provides the criteria for reviewing variances from the Zoning Ordinance. The Variances requested in the Application are a Front Yard Setback Variance, and an Impervious Variance. The variance review criteria are as follows (with Staff's comments included in *italics*):

- A. Variances shall only be permitted when they are:
(i) in harmony with the general purposes and intent of this Ordinance; and
(ii) consistent with the Comprehensive Plan.

The Property is guided for One Acre single family residential use. The Application proposes to remove an existing non-conforming garage, add a new attached garage to an existing single family residence on the Property, and install a tennis court. The Planning Commission and City Council should make a finding of fact on whether the variance requests are in harmony with the general purpose and intent of the ordinance and consistent with the Comprehensive Plan.

- B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.

The Applicant has provided a written narrative describing what they believe to be limiting factors of the Property, including substandard lot area and depth, which necessitate the Variance requests. The Planning Commission and City Council should make a finding of fact on whether or not the Applicant has established that there are practical difficulties in complying with the Ordinance.

- C. "Practical difficulties," as used in connection with the granting of a variance, means that:
- (i) the property owner's proposal for the property is reasonable but not permitted by this Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.

The Property is currently guided for single family use, and the Applicant desires to continue that use by adding an attached garage and tennis court to an existing single family residence. The Applicant has provided a narrative describing how they desire to put the Property to a reasonable use and how the circumstances for the Variances are related to the Property itself. The Planning Commission and City Council should make a finding of fact on whether or not the Project meets the practical difficulties and reasonableness standard.

- D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

The Planning Commission and City Council should make a finding of fact on whether or not economic considerations are the sole reason for the practical difficulties.

- E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with this Ordinance.

Not applicable in this case, as the Applicant is not proposing earth sheltered construction.

- F. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.

The existing single family detached house and proposed tennis court are permitted uses in the R-1 District.

- G. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

The Planning Commission and City Council should determine if there are any applicable conditions that apply to a potential approval of the Variances.

- H. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.

The Applicant's narrative has articulated their reasons for requesting the variances due to the lack of lot area and lot depth of the Property.

Section 4. Staff Comments.

4.1 City Engineer.

- Will need to submit for grading permit prior to construction work

Section 5. Action Steps.

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

1. Adopt the draft approval Resolution No. 25-2015 included as Attachment G 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:

1. Attachment A: Application Narrative
2. Attachment B: Submitted Plan Set (Included as 11 x 17 sheets)
3. Attachment C: Received Public Comment
4. Attachment D: Planning Commission Meeting Minutes – May 4, 2015
5. Attachment E: Planning Commission Meeting Minutes – June 1, 2015
6. Attachment F: Planning Commission Report and Recommendation
7. Attachment G: Draft Resolution 25-2015

Attachment A

532 Ferndale Rd W, Wayzata MN

Description of Request:

1. Request of front yard set back variance of Primary structure.

Background/ Current Condition: The property currently has a detached 3-car garage structure at the front yard of the property. The current detached structure 999 sqft and encroaches beyond the lot line into the city right of way by an average of 4.65 ft at the front yard property line. The current garage front-loads onto Ferndale W. This structure is non-conforming by current city code. The current property overall is 32,879 sqft and lot depth is 132.82 ft and is non-conforming for the lot size required by the City at 40,000 sqft minimal lot size.

Action for Request: For the front yard set back request of variance the existing garage would be removed and a request for a new garage structure would be built that connects to the primary structure. The new structure would be placed 17.1 ft from the Front Yard property line. The net difference of the front yard setback of the two structures is 21.75 ft.

The action would remove a current non-conforming accessory structure but increase the non-conformity of the current primary structure.

Variance Request: The request for variance is of a front yard set back of a primary structure to encroach beyond the current 45 ft. setback to 17.1 ft setback. This action removes the structure off the city right-away which improves the public safety. By moving the structure back it also will allow for 3 additional off street parking spots for the occupants and their guest. The request also attaches the garage to the home which having a detached garage in Minnesota is recognized as a hardship with the climate conditions. It also fits with the architecture of the neighboring houses and community.

2. Request of impervious surface lot coverage variance.

Background/ Current Condition: The property total surface area is 32,879 sqft. and the current percentage of 25.7 %. (8,463 sqft.). A majority of the impervious surface area is with the current circular paver driveway that provides off-street parking for the residence and their guest.

Action for Request: The Owners of the property are requesting to add a hard court tennis court surface on the west side of the property. The area of the tennis court as planned is 5,250 sqf. Increasing the impervious percentage to 38.6%

Variance Request: The request of variance is to increase the impervious lot coverage from 25.7% to 38.5%. In providing a hard court surface, the action would be to capture 100% of a 1" rainfall event (3,260 gallons from a 5,250 sqf) in an ADS StormTech underground infiltration system. The systems as designed will

Attachment A

accommodate 4,500 gallons in part due to the high water table not allowing for an under-drain and an emergency over flow out the side of the berm. An additional system planned for the east side of the home will capture an additional (630 Gallons or the equivalent of removing 1,015 sqf from roof top run off). With both infiltration systems off-setting the equivalent of 6,265 sqf the percentage of impervious surface percentage would be reduced to 19.5%



Front Perspective
Grid Option #4



3D Conceptual Illustration
Copy right 2015

Soran
Residence

REVISIONS		
	MM/DD/YY	REMARKS
6	04/07 /15	Revised window grids
7	04/08 /15	Revised window grids
8	04/15 /15	Revised window grids Option 3
9	04/24 /15	Revised window grids Option 4
10		

A



Rear Perspective 1
Grid Option #4

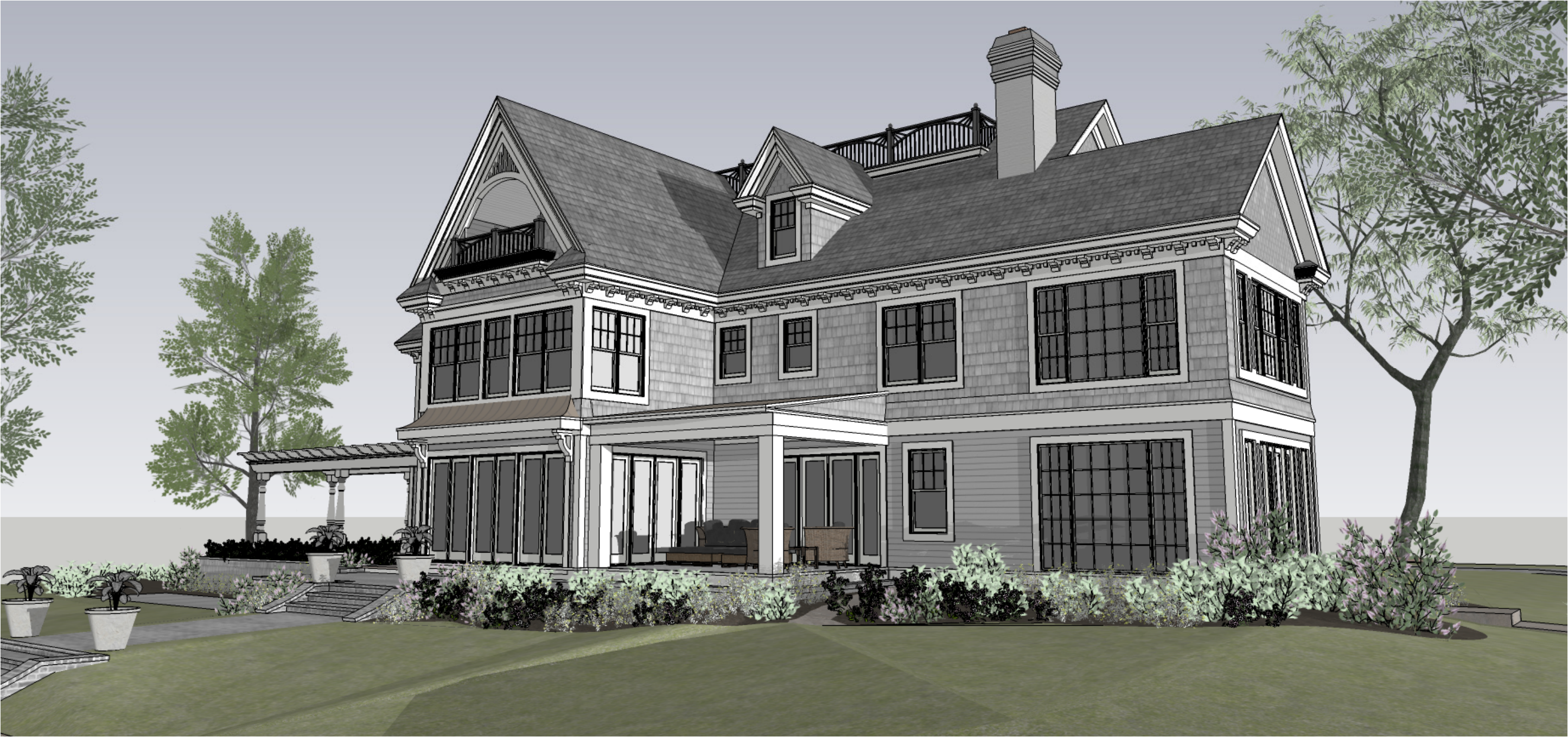


3D Conceptual Illustration
Copy right 2015

**Soran
Residence**

REVISIONS		
	MM/DD/YY	REMARKS
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7	04/08 /15	Revised window grids
8	04/15 /15	Revised window grids Option 3
9	04/24 /15	Revised window grids Option 4
10		

A



Rear Perspective 2
Grid Option #4



3D Conceptual Illustration
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**Soran
Residence**

REVISIONS		
MM/DD/YY	REMARKS	
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7 04/08 /15	Revised window grids	
8 04/15 /15	Revised window grids Option 3	
9 04/24 /15	Revised window grids Option 4	
10		

A



Front Elevation
Grid Option #4



3D Conceptual Illustration
Copy right 2015

Soran
Residence

REVISIONS		
	MM/DD/YY	REMARKS
6	04/07 /15	Revised window grids
7	04/08 /15	Revised window grids
8	04/15 /15	Revised window grids Option 3
9	04/24 /15	Revised window grids Option 4
10		

A



Left Elevation
Grid Option #4



3D Conceptual Illustration
Copy right 2015

Soran
Residence

REVISIONS		
	MM/DD/YY	REMARKS
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7	04/08 /15	Revised window grids
8	04/15 /15	Revised window grids Option 3
9	04/24 /15	Revised window grids Option 4
10		

A



Right Elevation
Grid Option #4



3D Conceptual Illustration
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Soran
Residence

REVISIONS		
	MM/DD/YY	REMARKS
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7	04/08 /15	Revised window grids
8	04/15 /15	Revised window grids Option 3
9	04/24 /15	Revised window grids Option 4
10		

A



Rear Elevation
Grid Option #4

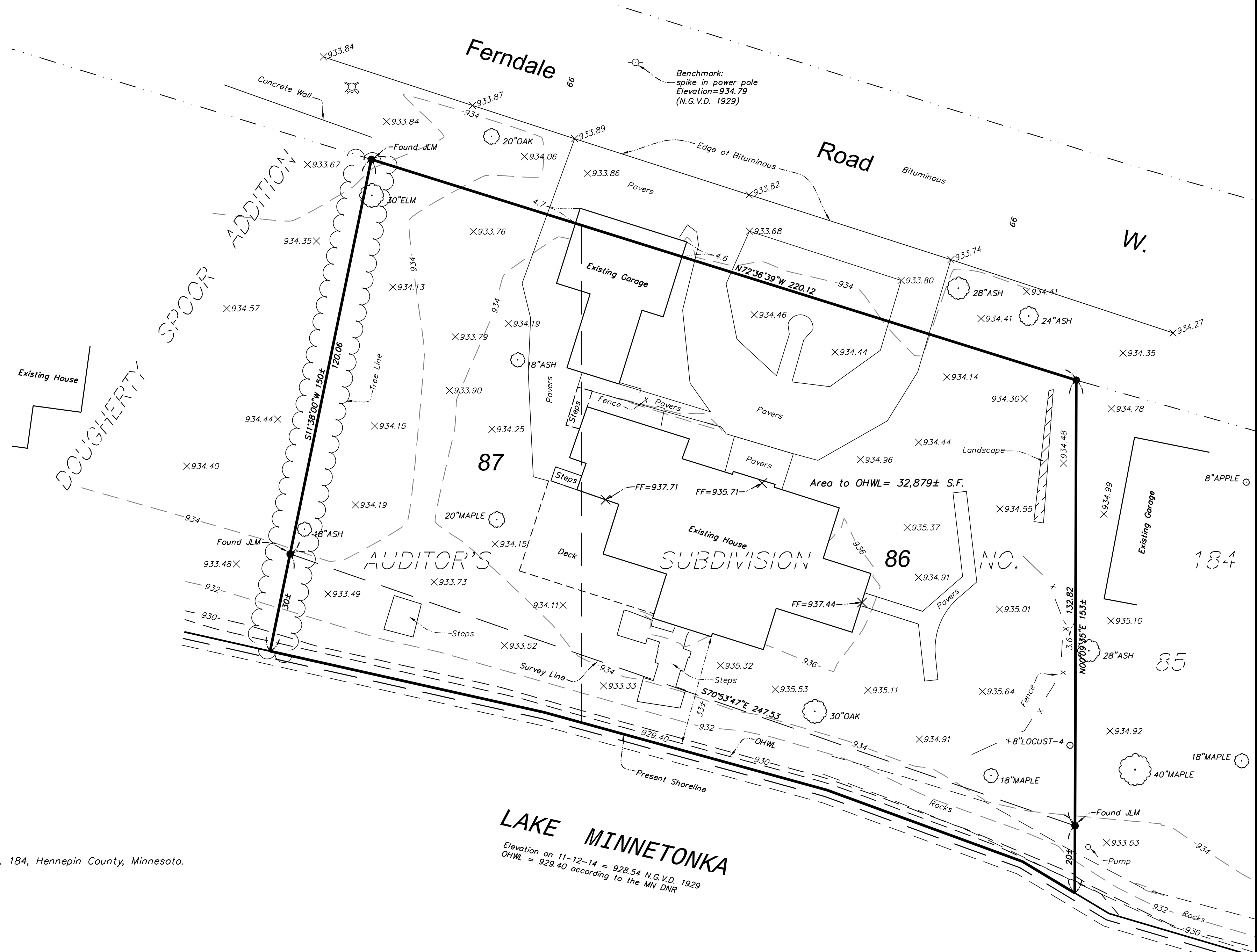


3D Conceptual Illustration
Copy right 2015

Soran
Residence

REVISIONS		
	MM/DD/YY	REMARKS
6	04/07 /15	Revised window grids
7	04/08 /15	Revised window grids
8	04/15 /15	Revised window grids Option 3
9	04/24 /15	Revised window grids Option 4
10		

Lots 86 and 87, AUDITOR'S SUBDIVISION NO. 184, Hennepin County, Minnesota.



*Certificate of Survey and Topographic Survey
on Lots 86 and 87, AUDITOR'S SUBDIVISION
NO. 184, Hennepin County, Minnesota.*

Revised:

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.

Paul E Otto
Paul E. Otto
License #40062 Date: 11-20-14

Requested By:

Patt Cavanaugh

Date: 11-11-14

Drawn By:
T.J.B.

Scale:
1"=20'

Checked By:
P.E.O.



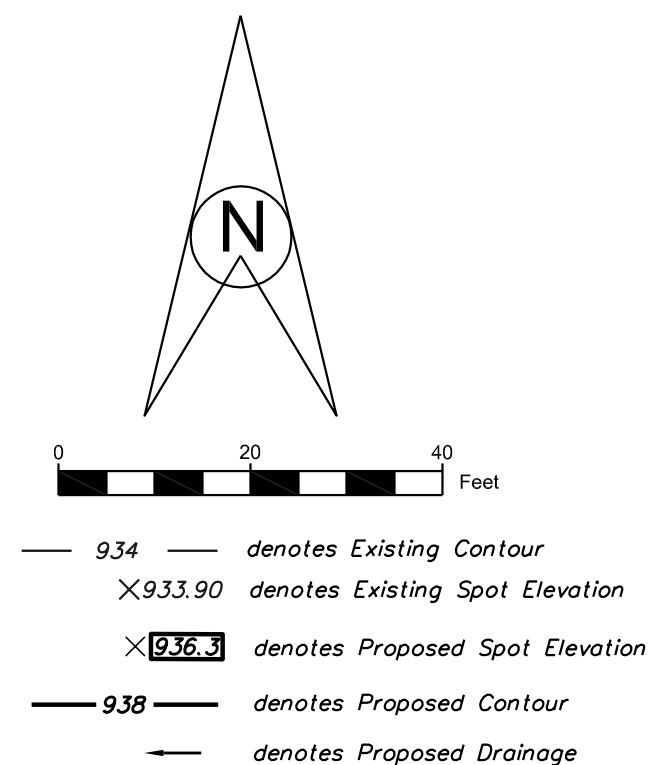
www.ottoassociates.com

9 West Division Street
Buffalo, MN 55313
(763)682-4727
Fax: (763)682-3522

- denotes iron monument found
- denotes 1/2 inch by 14 inch iron pipe set and marked by License #40062

Project No.	14-0413
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Certificate of Survey and Topographic Survey (Proposed Conditions)



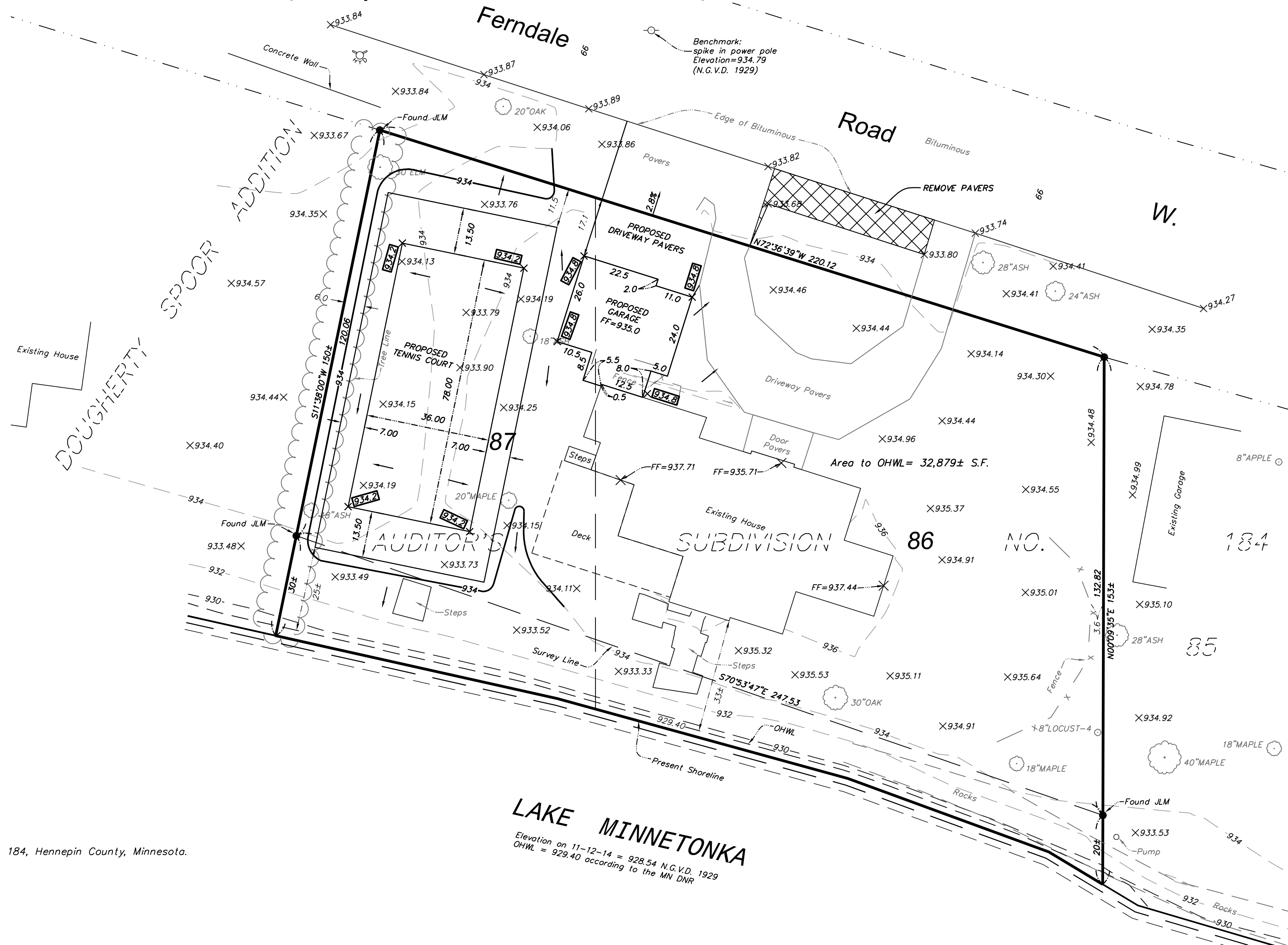
HARDCOVER CALCULATIONS:
 AREA = 32,879 S.F. (0.75 ACRES)

PROPOSED HARDCOVER:

	Area
House	3,387 S.F.
Garage	996 S.F.
Tennis Court	2,808 S.F.
Tennis Court (Outer Area)	2,442 S.F.
Pavers (Driveway & Door)	2,629 S.F.
Steps	427 S.F.
Total	12,689 S.F.
% Hardcover	38.6%

Property Description:

Lots 86 and 87, AUDITOR'S SUBDIVISION NO. 184, Hennepin County, Minnesota.



Certificate of Survey and Topographic Survey
 on Lots 86 and 87, AUDITOR'S SUBDIVISION
 NO. 184, Hennepin County, Minnesota.

Revised: HARDCOVER CALCULATIONS 4-30-15

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.

Paul E. Otto
 Paul E. Otto
 License #40062 Date: 4-30-15

Requested By:

Alexander Design Group

Date:

11-11-14

Drawn By:

T.J.B.

Scale:

1"=20'

Checked By:

P.E.O.



www.ottoassociates.com

9 West Division Street
 Buffalo, MN 55313
 (763)682-4727
 Fax: (763)682-3522

- denotes iron monument found
- denotes 1/2 inch by 14 inch iron pipe set and marked by License #40062

Project No.

15-0151

ALEXANDER

DESIGN GROUP

2 MARCH 2015
PREVIOUS ISSUE DATE:

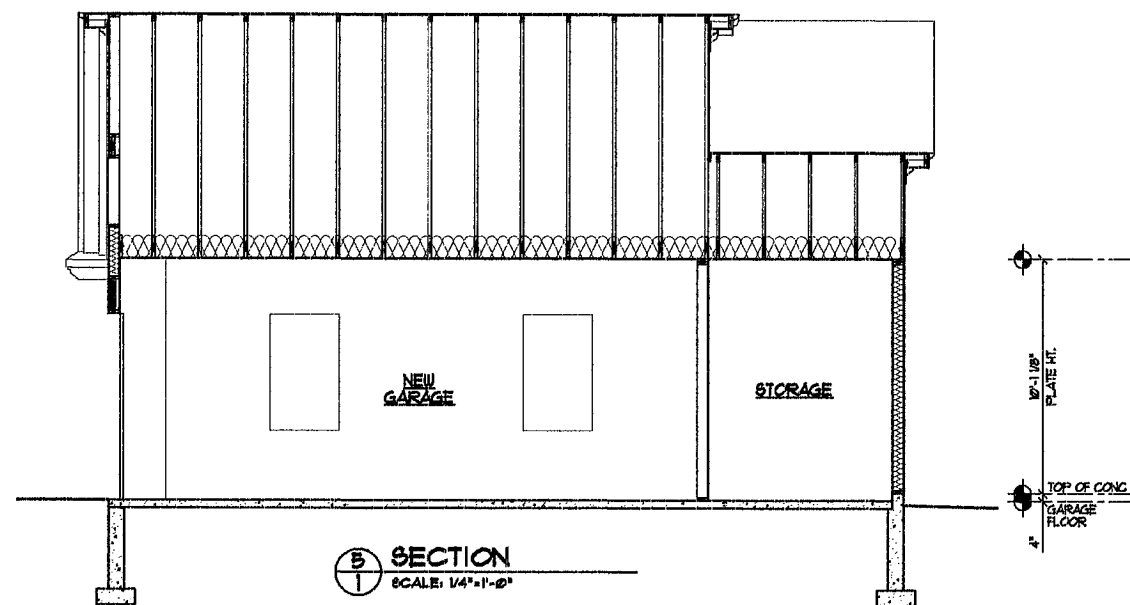
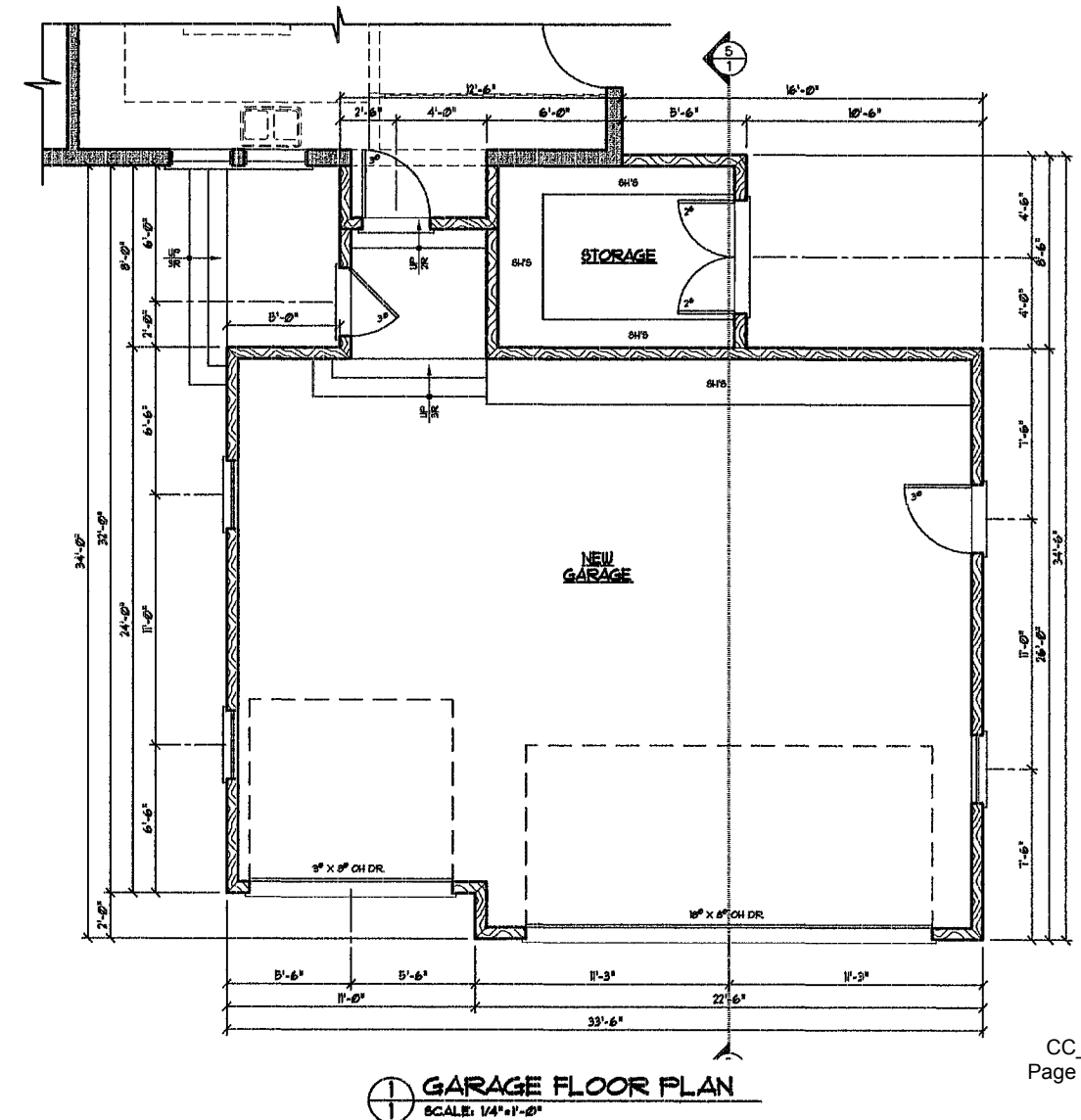
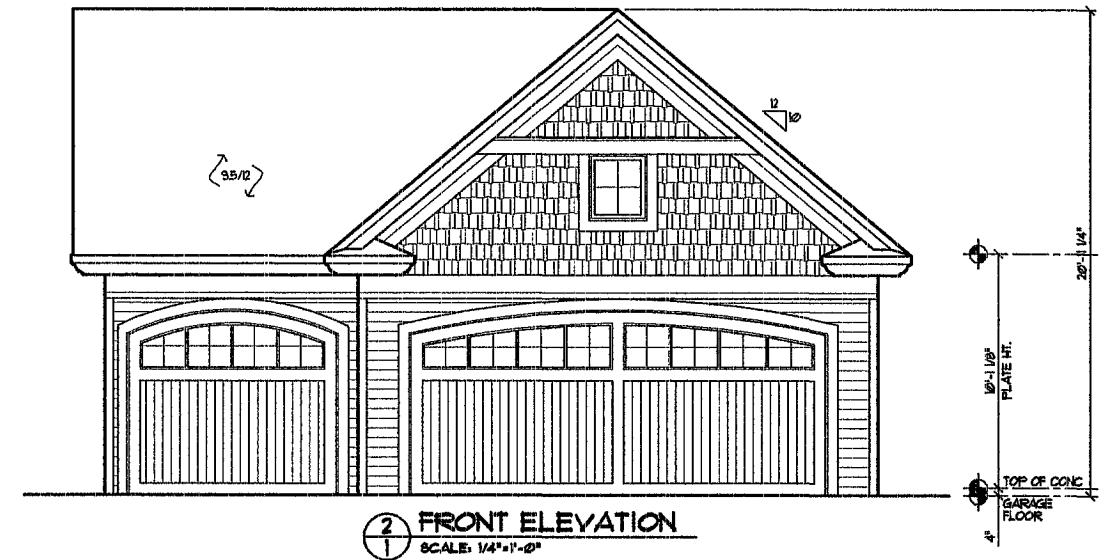
GARAGE ADDITION

•

• What's Next?

532 FERNDALE RD. W.
WAYZATA, MN 55391

1
OF 1



Attachment B



Attachment B

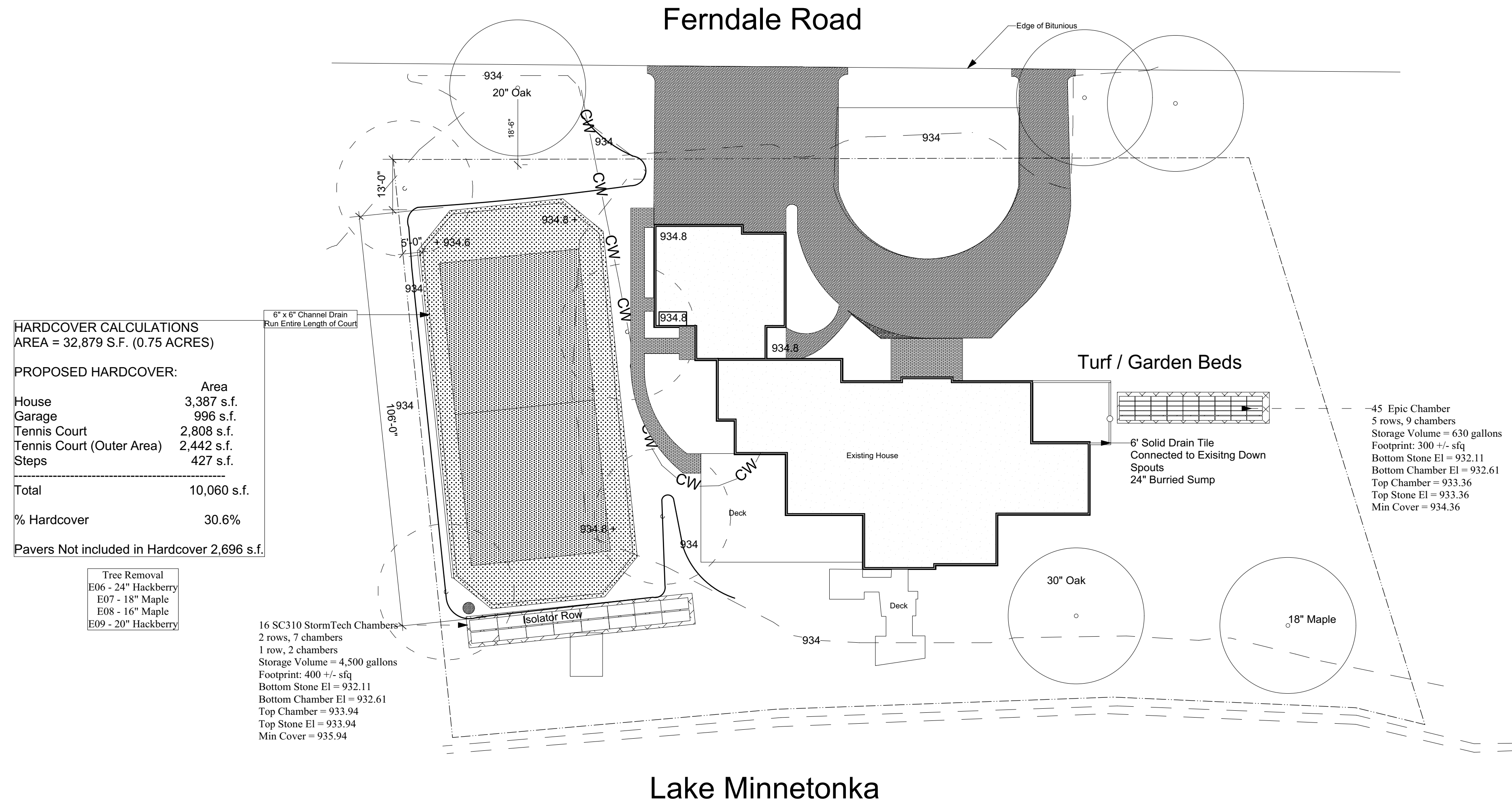


Attachment B



Attachment B





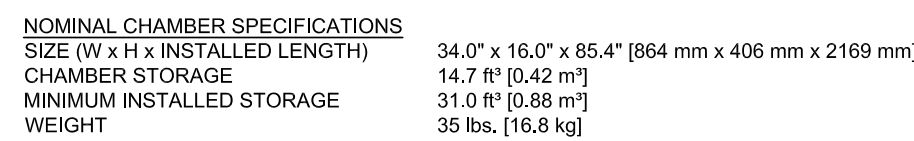
Phil Soran 532 Ferndale Road N Wayzata MN	Project Title Chamber System	DATE	REVISIONS	SCALE	1" = 20'	 outdoor LAB Landscape Design LLC address: 147 Tenth Street, St. Paul, Minnesota 55101 email: chuck@outdoorlab.net phone: 651-202-3662	Date: 4/28/15
		5/27	Chamber Location / Court	DRAWN BY	CH		Sheet #
				CHECKED			Sheet #
				APPROVED			

- ### ACCEPTABLE FILL MATERIALS: SC-310 CHAMBER SYSTEMS

PLEASE NOTE:

1. THE LISTED AASHTO DESIGNATIONS ARE FOR GRADATIONS ONLY. THE STONE MUST ALSO BE CLEAN, CRUSHED, ANGULAR. FOR EXAMPLE, A SPECIFICATION FOR #4 STONE WOULD STATE: "CLEAN, CRUSHED, ANGULAR NO. 4 (AASHTO M43) STONE".
2. AS AN ALTERNATE TO PROCTOR TESTING AND FIELD DENSITY MEASUREMENTS ON OPEN GRADED STONE, STORMTECH COMPACTION REQUIREMENTS ARE MET FOR 'A' LOCATION MATERIALS WHEN PLACED AND COMPACTED IN 9" (229 mm) (MAX) LIFTS USING TWO FULL COVERAGES WITH AN APPROPRIATE COMPACTOR.

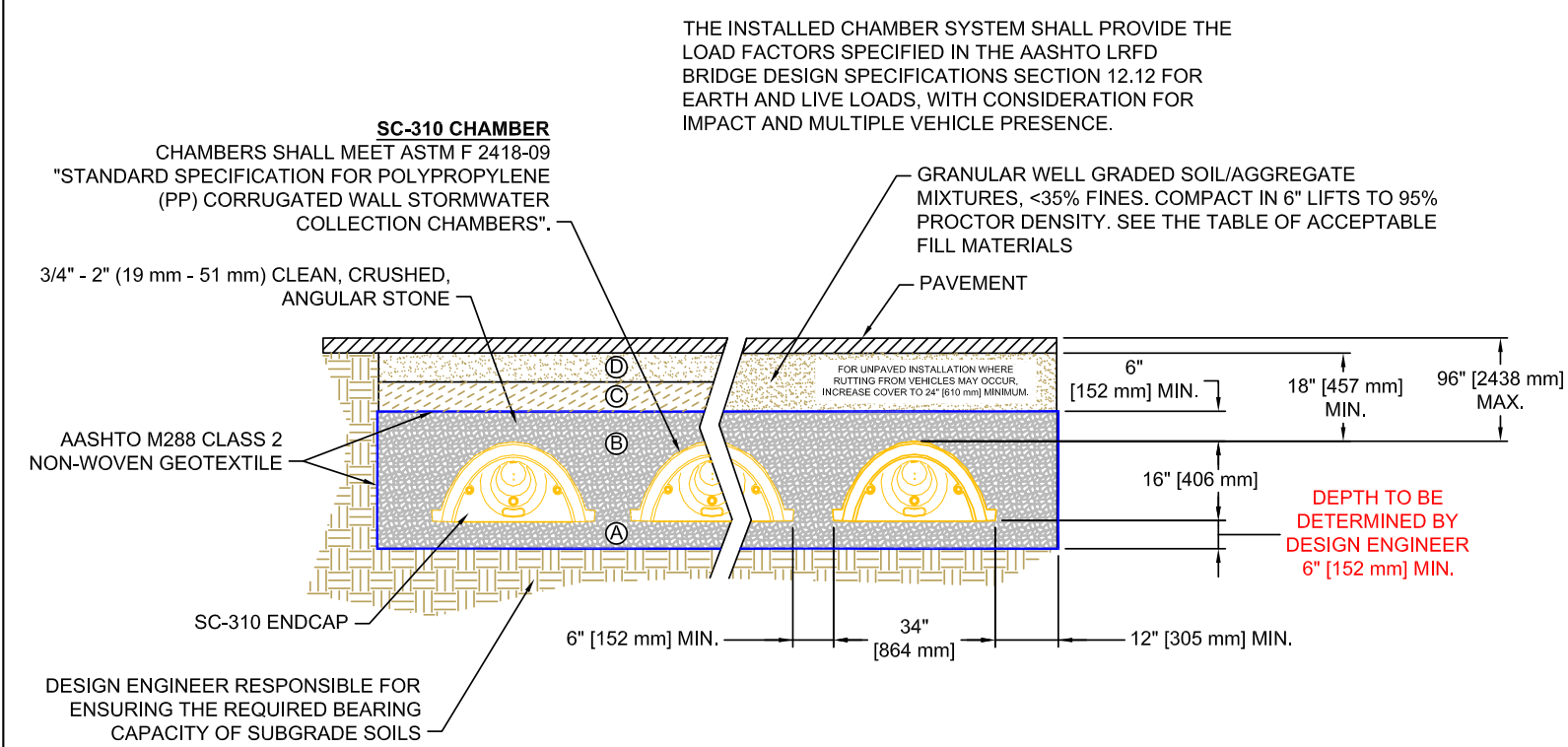
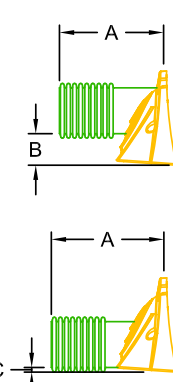
6 STORMTECH ACCEPTABLE FILL MATERIALS



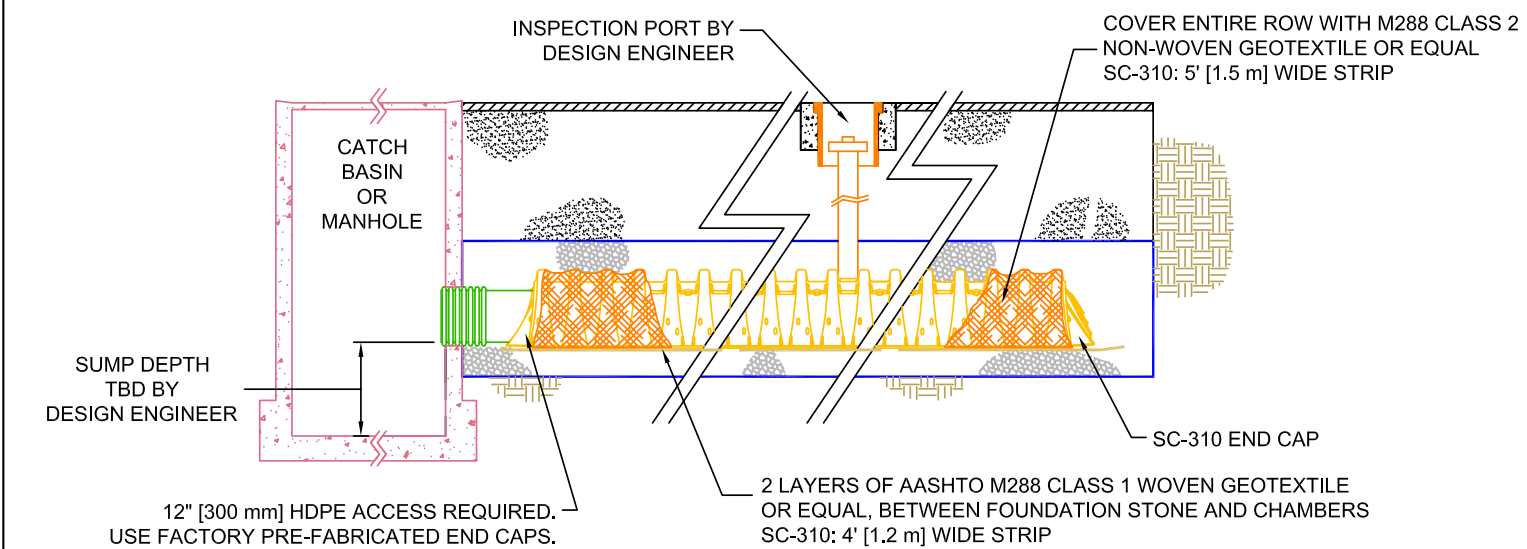
NOTE: ALL DIMENSIONS ARE NOMINAL

*FOR THE SC310EPE12B THE 12" [300 mm] STUB LIES BELOW THE BOTTOM OF THE END CAP APPROXIMATELY 0.25" [6 mm]. BACKFILL MATERIAL SHOULD BE REMOVED FROM BELOW THE N-12 STUB SO THAT THE FITTING SITS LEVEL.

ALL STUBS, EXCEPT FOR THE SC310EPE12B ARE PLACED AT BOTTOM OF END CAP SUCH THAT THE OUTSIDE DIAMETER OF THE STUB IS FLUSH WITH THE BOTTOM OF THE END CAP. FOR ADDITIONAL INFORMATION CONTACT STORMTECH AT 1-888-892-2694.



7 SC-310 STANDARD CROSS SECTION



8 SC-310 ISOLATOR™ ROW DETAIL

DATE:	PROJECT #:
DRAWN BY:	SCALE: NTS
CHECKED BY:	PAGE: OF



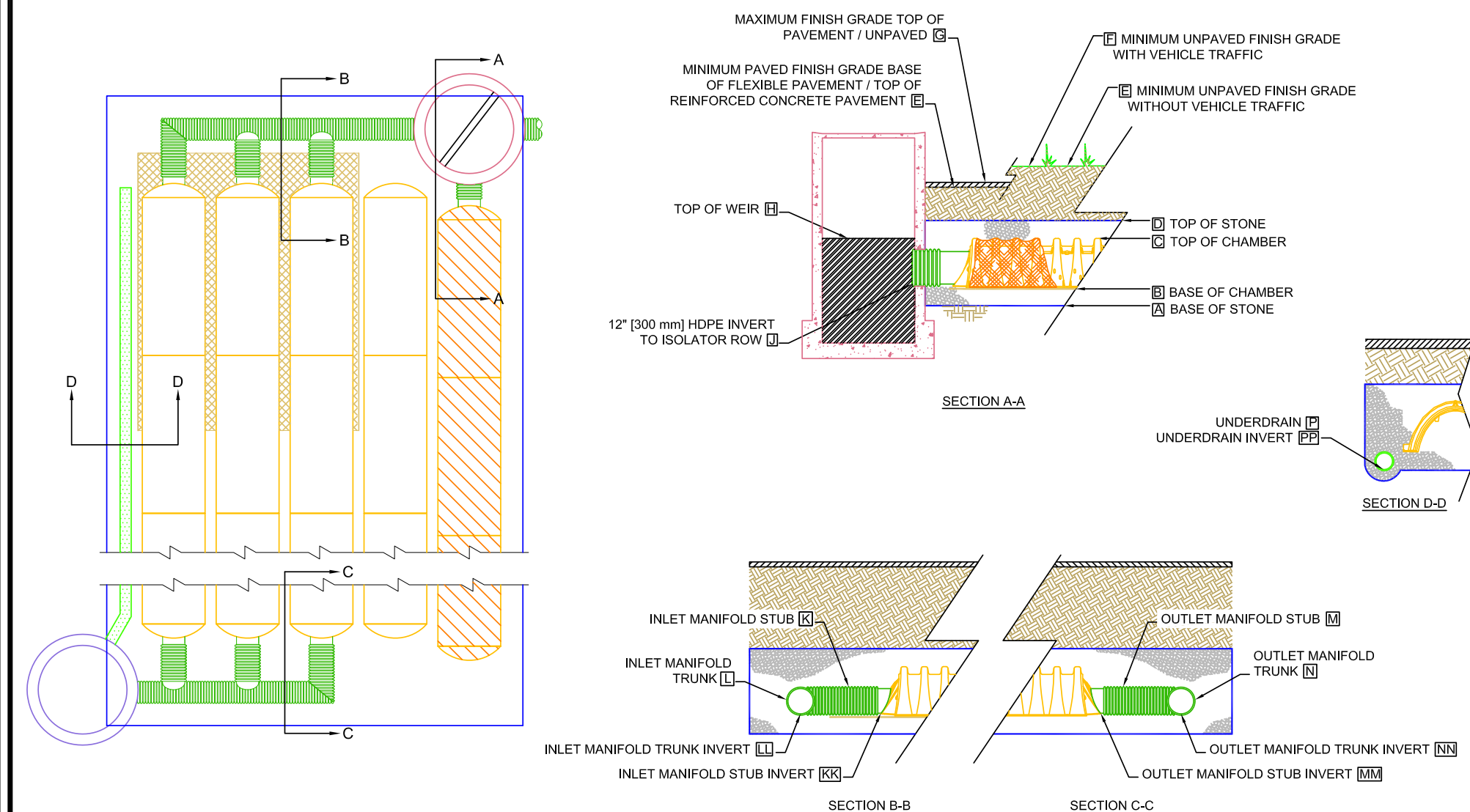
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WETHERSFIELD, CT 06109
PHONE: 888-892-2694
FAX: 866-328-8401
WWW.STORMTECH.COM

DESCRIPTION

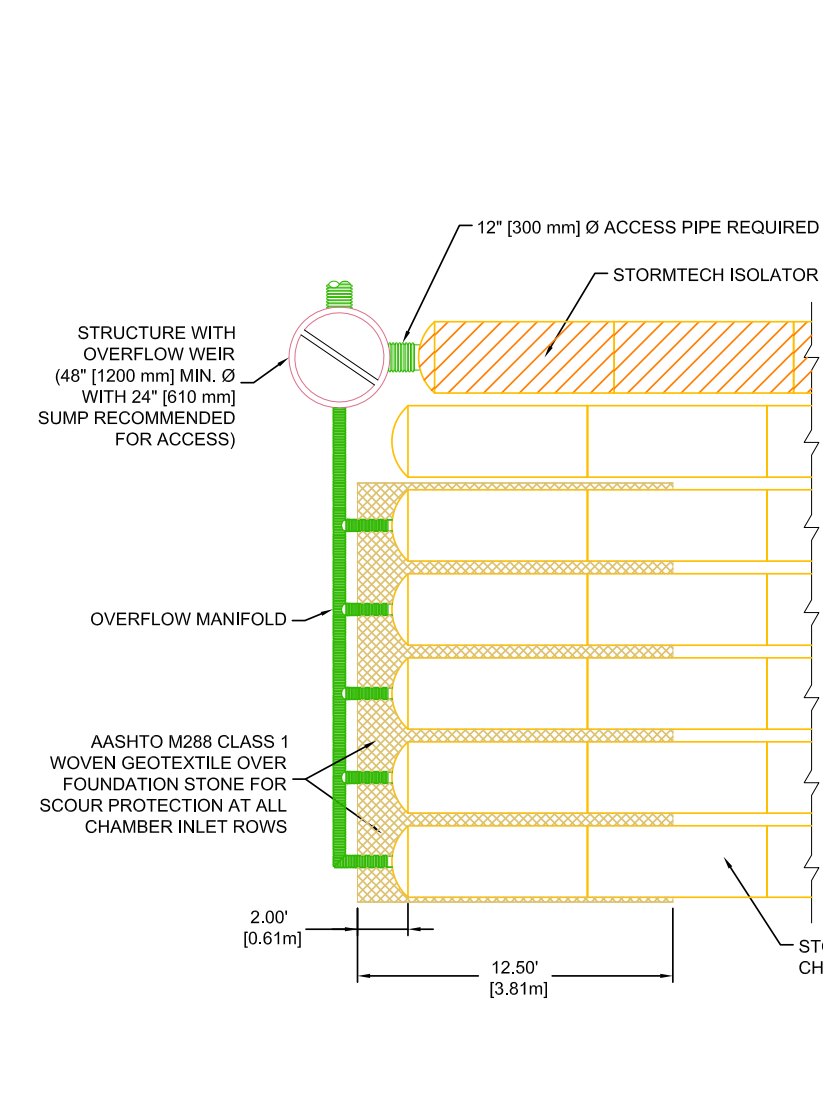
[illegible]

THIS DRAWING WAS PREPARED TO SUPPORT THE DESIGN ENGINEER FOR THE PROPOSED PROJECT. IT IS THE ULTIMATE RESPONSIBILITY OF THE DESIGN ENGINEER TO ENSURE THAT THE STORMWATER SYSTEM DESIGN IS IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS AND REGULATIONS. IT IS THE DESIGN ENGINEER'S RESPONSIBILITY TO ENSURE THAT ALL STORMTECH PRODUCTS ARE DESIGNED IN ACCORDANCE WITH STORMTECH MINIMUM REQUIREMENTS. STORMTECH LLC DOES NOT APPROVE PLANS, SIZING, OR SYSTEM DESIGNS. THE DESIGN ENGINEER IS RESPONSIBLE FOR ALL DESIGN DECISIONS.

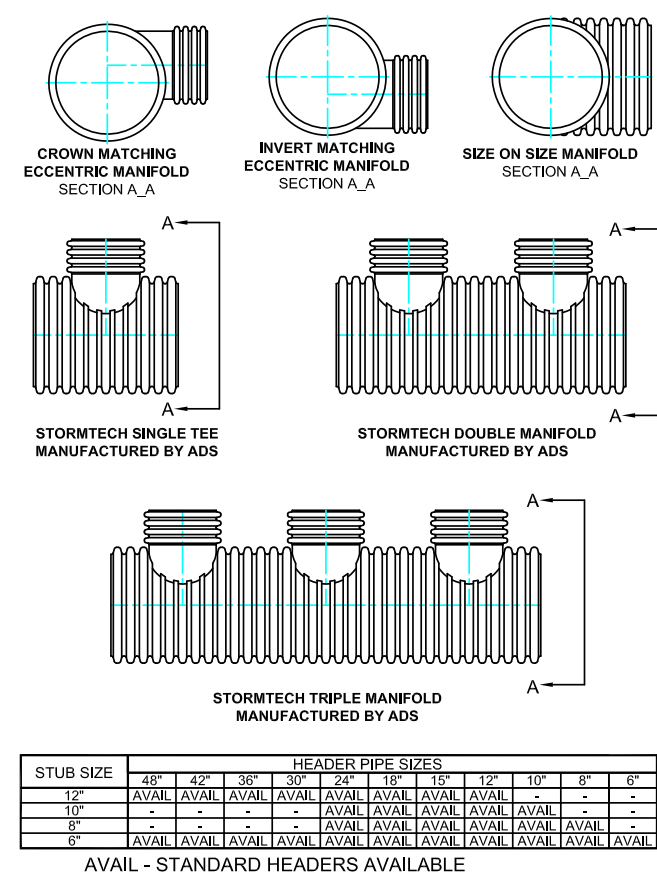
1 PLAN VIEW LAYOUT

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SC-310 ELEVATIONS



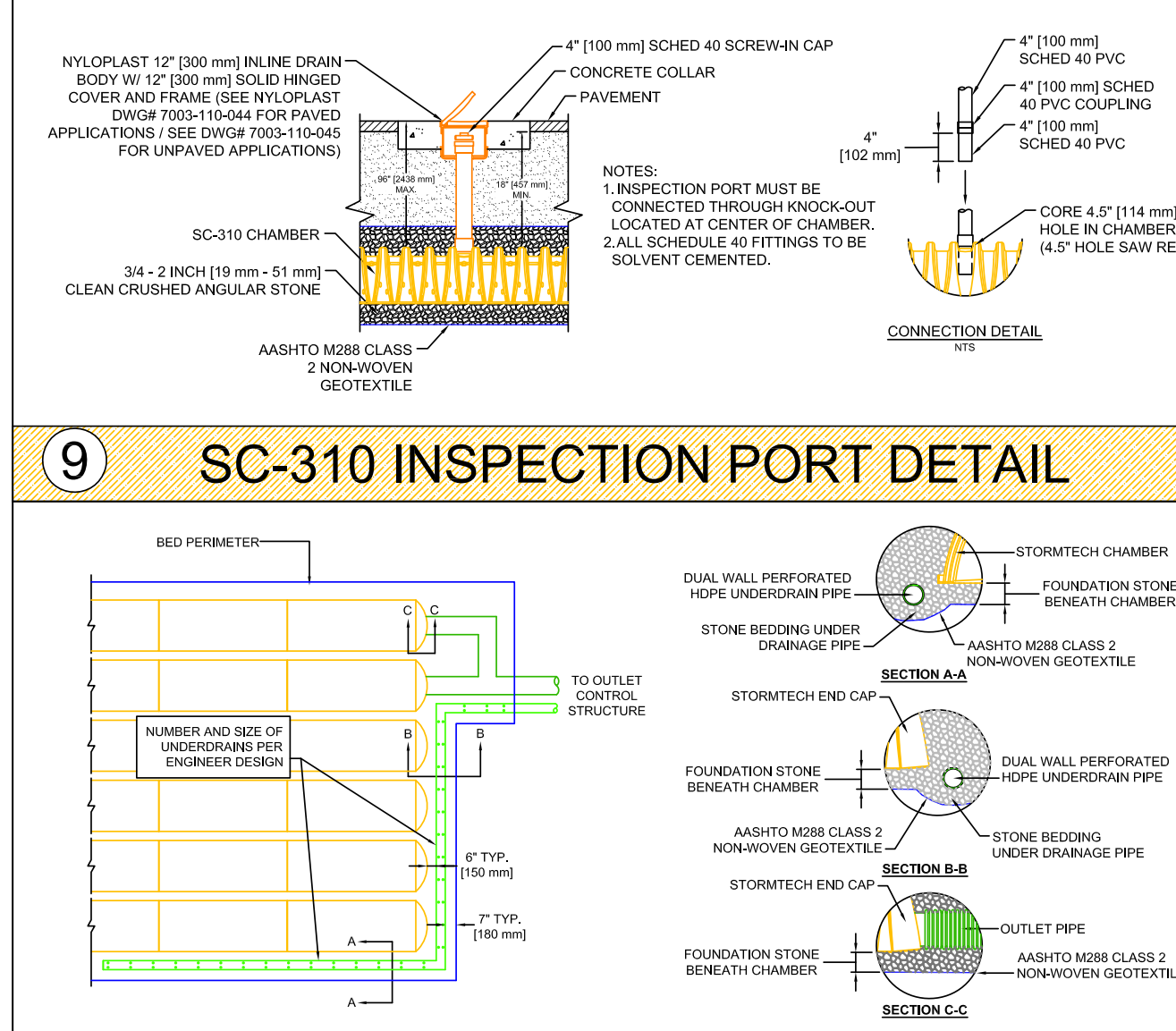
5 SC-310 MANIFOLD DETAIL



ADS 1-800-821-6710

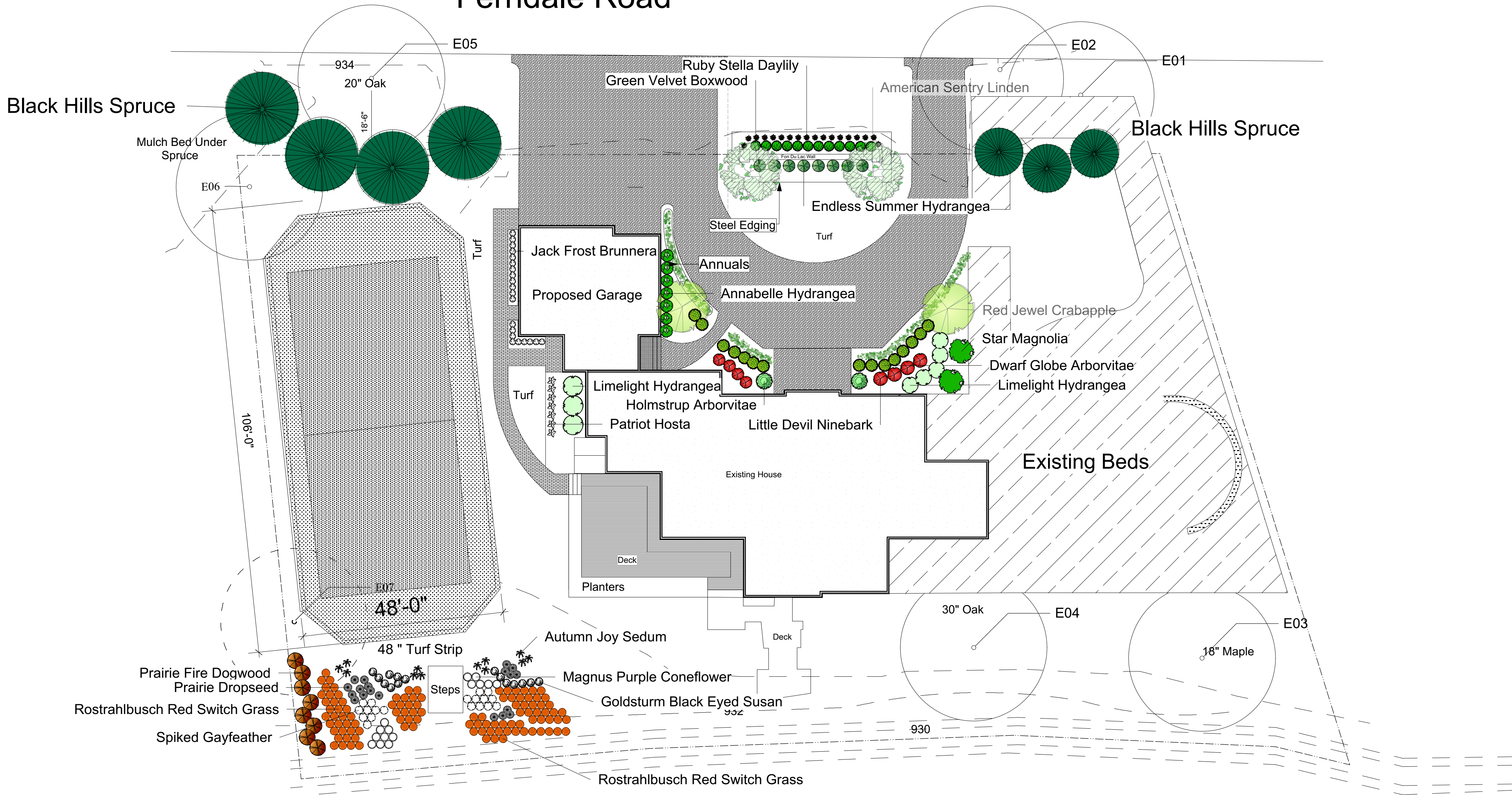
MANIFOLDS ARE DESIGNED TO BE COUPLED TO STORMTECH PREFABRICATED END CAPS. WHEN USING STANDARD END CAPS, CORRUGATED PIPE UP TO 10 INCHES CAN BE INSERTED DIRECTLY INTO THE END CAP. FOR 12" INLET PIPES, CORRUGATED TO SMOOTH PIPE ADAPTER IS REQUIRED.

11 MANIFOLDS



10 SC-310 UNDERDRAIN DETAIL

Ferndale Road



Lake Minnetonka

Phil Soran 532 Ferndale Road N Wayzata MN	Project Title	Planting Plan	DATE	REVISIONS	SCALE	1" = 16'	outdoor LAB Landscape Design LLC address: 147 Tenth Street, St. Paul, Minnesota 55101 email: chuck@outdoorlab.net phone: 651-202-3662	Date: 5/18/15
					DRAWN BY	CH		Sheet #
					CHECKED			L2
					APPROVED			

Attachment C

To: City of Wayzata

RE: Variance request for 532 Ferndale Rd West – Phil and Margaret Soran

I understand that our new neighbors, the Sorans, have a variance request in to attach their garage to the house (moving away from road) and to add a tennis court.

We wanted to let you know that we are supportive of this request. We are neighbors of the Sorans.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bridget", followed by a long horizontal flourish.

Daniel and Bridget Johnson
437 Ferndale Rd West
Wayzata, MN 55357

Dear City of Wayzata,

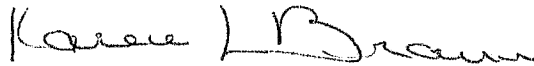
April 19, 2015

We want to inform you of our support for the variance request that Margaret and Phil Soran have requested for their new house at 532 Ferndale Rd W.

We understand the variance is to attach the garage to the house allowing more setback from the street, and also the installation of a tennis court.

We are supportive of their request.

Respectfully,



Karen and Richard Braun
513 Ferndale Rd W
Wayzata, MN 55391

To: City of Wayzata:

We understand that Philip and Margaret Soran, owners of 532 Ferndale Road West have applied for two variances regarding their home

1. Attach the garage to the house
2. Install a tennis court on the west side of their house.

We support their application and endorse approval for the variances. We considered attaching the garage to the house while we were owners but never got around to doing so. It will be a considerable improvement.

The west side of the lot would make an ideal location for a tennis court.

Sincerely,


Patt and Jerry Cavanaugh
520 Ferndale Road West

Attachment C

Steve and Barbara Hemsley
622 Ferndale Road West
Wayzata, MN 55391

April 14, 2015

City of Wayzata
600 Rice Street East
Wayzata, MN 55391

Dear City of Wayzata,

We want to inform you of our support for the variance request that Margaret and Phil Soran have requested for their new house at 532 Ferndale Road West.

We understand the variance includes attaching the garage to the house allowing an increased setback from the street and also the installation of a tennis court.

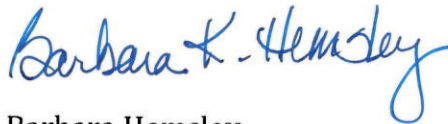
We are very supportive of their request.

Thank you.

Regards,



Steve Hemsley



Barbara Hemsley

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
May 4, 2015**

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

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

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

Acting Chair Iverson stated the minutes to be reviewed are from the April 20, 2015 meeting.

City Attorney Schelzel stated he had provided minor grammatical and spelling corrections to Mr. Gadow.

Commissioner Gruber made a motion, Seconded by Commissioner Gnos, to approve the April 20, 2015 meeting minutes as presented. The motion carried unanimously.

AGENDA ITEM 2. Regular Agenda Public Hearing Items:

- a. 532 Ferndale Rd W – Phillip and Margaret Soran**
 - i. Shoreland Conditional Use Permit**
 - ii. Impervious Surface Variance**
 - iii. Front Yard Setback Variance for Garage**
 - iv. Variances for Tennis Court**

Mr. Gadow stated Phillip and Margaret Soran have submitted a development application requesting zoning approvals to remove an existing non-conforming detached garage on the property at 532 Ferndale Road W to build a new attached garage and install a tennis court on the Property. He reviewed the Staff Report, the zoning requests included in the Application along with a zoning analysis, the relevant property information, hardcover calculations, and stormwater treatment methods.

Commissioner Gonzalez asked if the Minnehaha Creek Watershed had reviewed the Application.

Mr. Gadow stated the Minnehaha Creek Watershed would not need to review this Application. The City serves as the administrator of the Minnehaha Creek Watershed rules for these types of requests. The City Engineer would be the appropriate person to review the Application unless there are additional questions. The City Engineer has reviewed this Application and requested a grading permit be submitted prior to construction starting. He reviewed the grading that would be done with the Project.

1 Acting Chair Iverson asked if the City Engineer was familiar with the Storm Tech Chamber
2 System.

3
4 Mr. Gadow stated this and similar technology have been used with other projects in the City. He
5 suggested that if the Shoreland CUP is approved a Stormwater Management Agreement be
6 included as a condition of approval that would outline what these systems are, the maintenance
7 responsibilities and inspection responsibilities. This agreement would be recorded against the
8 property so that future buyers would be aware of these responsibilities.

9
10 Acting Chair Iverson asked what the life expectancy would be for this type of system.

11
12 Mr. Gadow stated he would not be able to speak to this specifically but could have this
13 information available for the City Council.

14
15 Mr. Phil Soran (the Applicant), 5625 Interlocking Circle, Edina, stated tennis is a large part of
16 their lives and they looked at ways to make the hardcover better by adding the stormwater
17 collection systems that are included in the project. They have also discussed this project with the
18 neighbors and they are supportive of the project and the tennis court addition does fit with the
19 character of the neighborhood.

20
21 Mr. Chuck Hanna of Outdoor Lab Landscape (Representative of the Applicant), 147 E. 10th
22 Street, St. Paul, explained the stormwater system is an infiltration system. It has been in use for
23 at least 15-years and is the same system under the TCF Bank Stadium and Target Stadium. It
24 has been oversized to meet the needs of the property for a 1.5-inch rainfall. The maintenance
25 includes having it cleared off but this is less of a concern with a tennis court versus a road and
26 cleaning the sump every 2-years. He explained there is an inspection schedule included as well.

27
28 Mr. John Daly of Revision LLC (Representative of the Applicant), 153 E. Lake Street, Wayzata,
29 stated the proposed garage would replace the existing detached garage and improve the current
30 setbacks.

31
32 Commissioner Gonzalez asked if the brick paver driveway would be replaced with pervious
33 pavers.

34
35 Mr. Daly stated the existing driveway is a brick paver system that is not calculated as
36 impervious. They would not be replacing these pavers at this time because the Storm Tech
37 Chamber System would meet the needs of the property.

38
39 Commissioner Gonzalez stated anything that can be done to mitigate the runoff into the lake
40 would be a plus. She asked if the Applicant had plans for additional landscaping in the back of
41 the property to offset the impervious brick there.

42
43 Mr. Soran stated the plan was to add trees and vegetation throughout the property. The brick
44 that are located in the back are part of the character of the property and are from the original
45 streets. They are working to minimize runoff to improve it over what it is currently.

1 Commissioner Gruber asked if the Applicant planned to retain all of the gardens on the property
2 and how many tennis courts were located in the neighborhood.

3
4 Mr. Soran stated they would be keeping the gardens on the eastside of the property along with
5 landscaping in the front and along the berm where the stormwater system is located. Some of
6 the gardens will be lost but there would be others added.

7
8 Acting Chair Iverson asked if any of the existing trees would be removed.

9
10 Mr. Soran stated there is one (1) tree that would be removed and the others would be close but
11 they should remain.

12
13 Mr. Daly stated there are five (5) other homes in this area that have tennis courts.

14
15 Commissioner Gruber stated this particular lot would be the smallest one with a tennis court on
16 it. She asked where the applicant planned to play tennis if the Application were denied.

17
18 Mr. Soran stated they would schedule time to play at another location although they would
19 probably not play as often.

20
21 Ms. Margie Soran, 5625 Interlocking Circle, Edina, stated this is also something that draws
22 people to their home and something they can enjoy with guests.

23
24 Acting Chair Iverson opened the public hearing at 7:29 p.m.

25
26 There being no one wishing to speak on the Application, Acting Chair Iverson closed the public
27 hearing at 7:30 p.m.

28
29 Commissioner Gonzalez stated there were four (4) requests that the Planning Commission is
30 reviewing as part of the Application. The request for a Shoreland Conditional Use permit for
31 hardcover above 25% with Stormwater mitigation has been addressed. She asked why they are
32 requesting a variance from the impervious surface maximum of 25%.

33
34 Mr. Gadow stated this was included because even if the Shoreland Conditional Use Permit is
35 approved the maximum amount of hardcover permitted in the R-1 District is 25%. What the
36 Applicant is showing, absent any treatment options, is 38.6%. Mr. Gadow said the record should
37 reflect what is existing today and what the Application is requesting. The Applicant is planning
38 water treatment options but Mr. Gadow said he is not sure if the treatment options would bring
39 the Applicant under the 25% maximum allowed for the District.

40
41 Commissioner Gonzalez asked if the tennis court were not approved if the impervious surface
42 variance would be necessary.

43
44 Mr. Gadow explained if the tennis court is not approved there would be approximately 5,000-
45 square feet of impervious surface not included in the plan and they would be within the 25%.
46 Commissioner Gruber asked how mitigation was measured.

1
2 Mr. Gadow stated he would discuss this with the City Engineer and get a clear answer on what
3 the percentages would be. The proposed system can treat a 1.5-inch rainfall, which is more than
4 the Minnehaha Creek Watershed standard of 1-inch of rainfall.

5
6 Commissioner Gnos suggested replacing the tree that would be removed as part of the landscape
7 plan.

8
9 Commissioner Young stated the garage would be an improvement because the existing garage is
10 further into the City right-of-way. This would move it back from the street more and improve
11 the safety.

12
13 Commissioner Gnos stated the neighbors are in support of the request.

14
15 Commissioner Gonzalez stated she is not comfortable recommending approval of everything
16 because there are too many variances needed. The other tennis courts in the neighborhood are
17 further from the lake on larger lots. The stormwater treatment system proposed does not bring
18 the hardcover into compliance with the Ordinances. Both the Statute and the Code state the
19 requests need to be reasonable in order to be approved and the tennis court would require four
20 (4) variances. She expressed concerns about what precedent this would be setting. She would
21 not support the variances for the tennis court or the impervious surfaces but she would support
22 the variance for the garage. The Applicant knew what the size of the lot was and the restrictions
23 prior to purchasing the property.

24
25 Acting Chair Iverson expressed concerns regarding the amount of green space that is
26 disappearing in the City. She would like to know what the long-term impact of this would be to
27 the lake and what would happen if the system failed. She would not be comfortable with
28 approving the variances for the tennis court at this time.

29
30 Acting Chair Iverson asked if Staff could prepare hardcover calculations so they could
31 understand the impacts if the tennis court were denied.

32
33 Mr. Gadow stated if the tennis court were removed they Application would meet all the
34 hardcover requirements.

35
36 Commissioner Gruber asked for specific information on the Storm Tech Chamber system and
37 how the City makes the calculations for what this system would mitigate.

38
39 Commissioner Young asked if Commissioner Gruber's concerns were about the short-term
40 integrity of the system or if they were more on the long-term performance.

41
42 Acting Chair Iverson stated those are concerns why also the number of variances that would be
43 needed for the tennis court.

44
45 Commissioner Gonzalez stated the State Statute and City Code state there must be practical
46 difficulties in granting a variance. This Application is not reasonable for the size of the lot and

1 the buyer knew this was a substandard size lot prior to purchasing it. The Ordinance requires
2 that the plight of the landowner is due to circumstances unique to the property and not created by
3 the landowner. The desire of the landowner to have tennis court is not a plight due to the
4 uniqueness of the property. These are practical difficulties created by the landowner's desire to
5 have a tennis court and are not justified according to the Statute and Ordinances. She clarified
6 she would support any variance needed for the garage.

7
8 Mr. Gadow stated if the tennis court were removed from the hardcover calculations the property
9 would be at 22.6% and they would meet the requirements of the R-1 District. There would not
10 be a need for any storm water mitigation methods.

11
12 Commissioner Young made a motion, Seconded by Commissioner Gnos to direct Staff to
13 prepare a Draft Planning Commission Report and Recommendation for approval of the
14 Application for a Shoreland Conditional Use Permit, Impervious Surface Variance, Front Yard
15 Setback Variance for the Garage, and Variances for the Tennis Court based on the discussion of
16 the Planning Commission for review and approval at the next Planning Commission meeting.

17
18 Acting Chair Iverson recommending adding a condition that a landscape plan be included when
19 this is presented to the City Council.

20
21 Commissioner Young suggested including the net hardcover calculations after the mitigation
22 system is installed.

23
24 Acting Chair Iverson suggested a condition that the report includes information from the City
25 Engineer regarding the grading on the property and a Stormwater Maintenance Agreement to be
26 recorded against the property.

27
28 Commissioner Young and Commissioner Gnos accepted the proposed conditions to the motion.

29
30 Commissioner Gruber asked how far the tennis court would be from the water.

31
32 Mr. Gadow stated it would be 27-feet from the lake. The Code allows options for determining
33 the setback from the lake: 75-feet from the lake or the line that connects the two (2) adjacent
34 properties, whichever is more restrictive. Using either method the tennis court would require a
35 setback variance.

36
37 Commissioner Young stated the Applicant is preserving the existing home, having the garage
38 setback further from the road is an improvement, and the Applicant is taking extensive steps to
39 mitigate the stormwater related to the tennis court.

40
41 Acting Chair Iverson asked if it would make a difference if the tennis court were made out of
42 grass or clay.

43 Mr. Gadow stated grass would be the same as any other grass surface and as long as it allowed
44 water to infiltrate the ground it would not be used to calculate hardcover. Staff would have to do
45 more research on a clay surface.

1 Commissioner Gonzalez clarified looking at the Statute and Ordinances the application does not
2 meet the requirements that would allow for a variance to be granted. It is the City Council that
3 votes on policy.

4
5 The motion was called to a vote. The motion carried 3-ayes; 2-nays (Iverson, Gonzalez)

6
7 **b. 637 Harmony Circle – Fritz Gullickson**

8 **i. Review of revised one (1) story residential designs**
9

10 Mr. Gadow stated in 2014, Mr. Gullickson submitted a Development Application requesting
11 concurrent preliminary and final plat subdivision approval of a two (2) lot subdivision at 637
12 Harmony Circle. The Planning Commission reviewed the Application on January 26, 2015 and
13 February 23, 2015 and found that the submitted house plans were not similar to the architectural
14 appearance, scale, and mass in the surrounding neighborhood. The Planning Commission had
15 requested the Applicant submit alternative plans and they recommended approval of the Original
16 Application with multiple conditions. The Applicant reached out to the architectural firm of
17 Charles Cudd & Co. Charles Cudd & Co., on behalf of the Applicant, has submitted a revised
18 preliminary plat and architectural plans reflecting two 1-story style homes on the lots. Mr.
19 Gadow reviewed the Staff Report, the analysis of the current development proposal, applicable
20 Code provisions for review, the grading, and the conditions of approval from the Original
21 Application.

22
23 Commissioner Gonzalez stated the original Planning Commission Report and Recommendation
24 on the Application had included a recommendation that a sewer line be relocated, which would
25 have meant the large Bur Oak tree would have either been damaged or removed. She clarified
26 that it had been determined at the April 21st Council workshop that this line would not need to be
27 removed.

28
29 Mr. Gadow stated portions of the sewer line would be removed in areas that would not impact
30 the tree.

31
32 Acting Chair Iverson asked if this was documented as a condition in the Staff Report.

33
34 Mr. Gadow stated Condition H.4 could be further clarified to reflect that the sewer line would be
35 removed in areas where it would not impact the bur oak tree and then abandoned in those areas
36 where removal would have a negative impact on the tree.

37
38 Acting Chair Iverson asked if an updated grading plan had been submitted.

39
40 Mr. Gadow explained the revised preliminary plat was being presented at this time. There has
41 not been much change other than the location of the 1-story home pads and the grading is the
42 same as what had been approved with the original application.

43
44 Mr. Rick Denman, Charles Cudd & Co. (Representative of the Applicant), 3515 Meadow Lane,
45 Minnetonka, stated they had reviewed all the discussions in order to determine what they would
46 need to design to get approval and acceptance from the City and the neighborhood. He clarified

1 correct inequities resulting from an extreme physical hardship such as topography. Any variance
2 that is granted requires the Application comply with the Comprehensive Plan and this
3 Application does not. The variance request for frontage is created by the Applicant and should
4 not be approved. She would not justify granting a variance because the owner is looking to
5 maximize their profit.

6
7 Commissioner Gnos stated the Applicant's letter refers to a neighbor putting in a pool and
8 removing the serene, quiet atmosphere. He noted that the proposed subdivision would do the
9 same thing.

10
11 Commissioner Gruber asked if the Applicant had to prove to the Planning Commission that this
12 was not a premature subdivision, and whether this should be resolved prior to looking at the
13 variance requests.

14
15 Mr. Gadow stated that this would be one of the criteria to be considered by the Planning
16 Commission.

17
18 Commissioner Gruber made a motion, seconded by Commissioner Gonzalez, to direct Staff to
19 prepare a draft Report and Recommendation, for consideration at the next Planning Commission
20 meeting, recommending denial based on discussions of the Planning Commission, including the
21 variance standards criteria for the Subdivision Ordinance, the preliminary and final plat criteria,
22 and the premature subdivision standards. The motion carried unanimously.

23
24
25 **AGENDA ITEM 3. Other Items:**

26
27 **a. Review and adoption of Planning Commission Report and Recommendation on 532**
28 **Ferndale Rd W for Shoreland Conditional Use Permit and Variances**

29
30 Mr. Gadow reviewed the Report and recommendation of Approval of Shoreland Conditional Use
31 Permit, Front Yard Setback Variance, Impervious Surface Variance, and Tennis Court Variances
32 at 532 Ferndale Road West. He noted that this Application had been reviewed at the previous
33 Planning Commission and staff had been directed to prepare a draft Report and Recommendation
34 recommending approval on a 3-2 vote. The Planning Commission had indicated a condition of
35 approval should be that a landscape plan be provided to the City Council. He reviewed the
36 landscaping plan and the updated Stormwater Management Plan provided by the Applicant.

37
38 Mr. John Daly, Revision LLC, 153 E. Lake Street, Wayzata, representing the Applicant pointed
39 out updates that had been made to the proposed plans: the corners of the proposed tennis court
40 had been "clipped" to address some of the concerns about surface coverage, and the court had
41 been moved 5-feet further from the lake than originally proposed.

42
43 Commissioner Gruber asked if a grass court had been considered.

1 Mr. Phil Soran, 5625 Interlocking Circle, Edina, co-Applicant, stated they had considered grass
2 and clay surfaces. The grass would be difficult to maintain and the proposed surface would
3 improve the water retention.

4
5 Commissioner Gruber stated she is not comfortable with the tennis court being so close to the
6 lake, and she would not support this portion of the recommendation.

7
8 City Attorney Schelzel noted that staff had been directed by the Planning Commission at its last
9 meeting to prepare a draft Report and Recommendation recommending approval of the
10 Application for adoption at the present Planning Commission meeting. He suggested the
11 Planning Commission take a vote on adopting the draft Report and Recommendation that had
12 been prepared, and if the Report was not adopted in its entirety, then take separate votes on the
13 various components of the Report.

14
15 Mr. Gadow explained the Lakeshore section of the Code does not designate between principle
16 uses or accessory uses. A water-orientated structure can be as close as 10-feet to the shore.

17
18 Commissioner Young made a motion, seconded by Commissioner Ramy, to adopt the draft
19 Report and Recommendation prepared by staff, recommending approval of Shoreland
20 Conditional Use Permit, Front Yard Setback Variance, Impervious Surface Variance, and tennis
21 Court Variances at 532 Ferndale Road West. The motion failed: 3-ayes and 3-nays (Gruber,
22 Gonzalez, Iverson)

23
24 Commissioner Gnos asked if the Applicant would consider a grass court if Commissioner Gruber
25 would be in favor of the tennis court.

26
27 Commissioner Gruber stated she would be in favor of the tennis court if it were grass.

28
29 Commissioner Gonzalez made a motion, seconded by Commissioner Ramy, to recommend
30 approval of the Front Yard Setback Variance based on the findings of fact in the draft Report and
31 Recommendation, previous discussions, and public comments. The motion carried unanimously.

32
33 City Attorney Schelzel asked if a Shoreland Conditional Use Permit would be required if there
34 were no tennis court.

35
36 Mr. Gadow stated there would not be a need for a Shoreland CUP if the tennis court was not
37 included in the Application.

38
39 Commissioner Young made a motion, seconded by Commissioner Ramy, to recommend
40 approval of the Shoreland Conditional Use Permit based on the findings of fact in the draft
41 Report and Recommendation. The motion failed: 3-ayes and 3-nays (Gruber, Gonzalez,
42 Iverson).

43
44 City Attorney Schelzel explained the outcome of the votes for each request would be forwarded
45 to the City Council.

Commissioner Ramy made a motion, seconded by Commissioner Young, to recommend approval of the Impervious Surface Variance based on the findings of fact in the draft Report and Recommendation and public comments. The motion failed: 3-ayes and 3-nays (Gruber, Gonzalez, Iverson).

Commissioner Gnos made a motion, seconded by Commissioner Young, to recommend approval of Variances from the front yard, side yard, and Lakeshore setbacks for accessory uses for installation of a tennis court based on the findings of fact in the draft Report and Recommendation. The motion failed: 3-ayes and 3-nays (Gruber, Gonzalez, Iverson).

b. Review of Development Activities

Mr. Gadow reviewed the items that would be on the next Planning Commission meeting agenda including the draft report for 250 Bushaway Road, the Lake Effect Project, and other workshop items. There will be a joint workshop with the City Council in June to discuss neighborhood zoning.

c. Other Items

Commissioner Gonzalez provided an update on City Council activity including the approval of the Harmony Circle and Central Avenue Applications and the Centennial Home presentation by the Heritage Preservation Board.

Mr. Gadow stated there would be an update on the relocation of the historic home in the 313 Central Avenue Project.

AGENDA ITEM 4. Adjournment.

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

The meeting was adjourned at 8:46 p.m.

Respectfully submitted,

Tina Borg
TimeSaver Off Site Secretarial, Inc.



WAYZATA PLANNING COMMISSION

June 1, 2015

**REPORT AND RECOMMENDATION ON APPLICATION FOR SHORELAND
CONDITIONAL USE PERMIT, FRONT YARD SETBACK VARIANCE, IMPERVIOUS
SURFACE VARIANCE, AND TENNIS COURT VARIANCES
AT 532 FERNDAL ROAD WEST**

SUMMARY OF RECOMMENDATION

- Approval* of Front Yard Setback Variance [*Recommended for Approval 6-0*]
- No Recommendation on Shoreland CUP [*Motion to Recommend Approval Failed 3-3*]
- No Recommendation on Impervious Surface Variance [*Motion to Recommend Approval Failed 3-3*]
- No Recommendation on Variances from the Front Yard, Side Yard, and Lakeshore Setbacks for Accessory Uses for installation of a tennis court [*Motion to Recommend Approval Failed 3-3*]

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

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Project. Phillip and Margaret Soran (the “Applicant”) have submitted a development application (the “Application”) requesting zoning approvals to remove an existing non-conforming detached garage on the property at 532 Ferndale Road W (the “Property”) to build a new attached garage and install a tennis court on the Property (the “Project”).
- 1.2 Application Requests. As part of the Application, the Applicant is requesting approval of the following items:
 - A. A Shoreland Conditional Use Permit (CUP) for hardcover above twenty five percent (25%) to 38.8% with stormwater mitigation (the “Shoreland CUP”)

- B. A Variance from the forty five (45) ft Front Yard Setback (Section 801.52.6.B.1.a) to allow a 17.1 ft front yard setback for a new attached garage (the "Front Yard Setback Variance")
- C. A Variance from the Impervious Surface maximum of twenty five percent (25%) for impervious surface (Section 801.52.7.A) up to 38.6% (the "Impervious Surface Variance")
- D. Variances from the Front Yard, Side Yard, and Lakeshore Setbacks for Accessory Uses (Sections 801.52.6.B.2.b and 801.91.9.D.2 & 3) (for installation of a tennis court the "Tennis Court Variances") with the following setbacks:
1. Front Yard Setback of 11.5 ft
 2. Side Yard Setback (West) of 6 ft
 3. Rear Yard Setback of 27 ft
- 1.3 Property. The street address, property identification number and owner of the Property are:
- | | | |
|------------------------|-------------------|------------------------|
| 532 Ferndale Road West | 01-117-23-33-0027 | Sendero Properties LLC |
|------------------------|-------------------|------------------------|
- 1.4 Land Use. Uses in the general vicinity are single family detached residential. The Property and adjacent properties are zoned R-1 (40,000 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 April 28, 2015. A copy of the notice was mailed to all property owners located within 350 feet of the Property on April 24, 2015. The required public hearing was held at the May 4, 2015 Planning Commission meeting.

Section 2. STANDARDS

2.1 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 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.
- 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.

2.2 Front Yard Setback. The front yard setback in the R-1 District is forty-five (45) feet. Section 801.52.6.B.1.a.

2.3 Impervious Surface Maximum. Impervious surfaces in the R-1 District shall not exceed of twenty-five (25) percent of the lot area. Section 801.52.7.A.

2.4 Front Yard, Side Yard, and Lakeshore Setbacks for Accessory Uses. For accessory structures in the R-1 District, the front yard setback is fifty (50) feet and the side yard setback is ten (10) feet. Section 801.52.6.B.2.b. The Lakeshore setbacks for accessory uses in the Shoreland Overlay District are a minimum of seventy five feet, the average of the lakeshore setback of the two adjacent properties, or a line connecting the closest points of the two adjacent properties, whichever is greater. Sections 801.52.6.B.2.b and 801.91.9.D.2 & 3.

2.5 Zoning Ordinance Variance Standards. Sections 801.05.1.C and 801.91.9.D.3 provide the criteria for reviewing variances from the Zoning Ordinance. The variance review criteria are as follows (with Staff's comments included in *italics*):

- A. Variances shall only be permitted when they are:
 - (i) in harmony with the general purposes and intent of this Ordinance; and
 - (ii) consistent with the Comprehensive Plan.
- B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.

- C. "Practical difficulties," as used in connection with the granting of a variance, means that:
- (i) the property owner's proposal for the property is reasonable but not permitted by this Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
- D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
- E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with this Ordinance.
- F. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
- G. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
- H. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.
- I. The required setback distance may be reduced by a variance if the following conditions are met:
- 1. The minimum setback from the ordinary high water mark is at least seventy-five feet,
 - 2. The setback shall not adversely impact views of the shoreline or lake for adjacent neighboring principal structures,
 - 3. The reduction of setback requirements is based upon a specific need or circumstance which is unique to the property in question and which, if approved, will not set a precedent which is contrary to the intent of this Ordinance. However, any structure built as a result of an issued variance shall be considered in determining the proper setback of future construction on adjacent lots.
 - 4. A shoreland impact plan is submitted and approved as required and set forth in Section 801.91.19 of this Ordinance.
 - 5. The conditions of Section 801.05 and Section 801.91.20 of this Ordinance are considered and satisfactorily met.

Section 3. FINDINGS

Based on the Application materials, staff reports, public comment presented at the hearing, and Wayzata's Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact with respect to the Shoreland CUP, Front Yard Variance, Impervious Surface Variance, and Tennis Court Variances:

3.1 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 StormTech chamber infiltration system and drain tile system as specified in the Application.
- B. The Applicant has complied with the applicable requirements and regulations for a Conditional Use Permit under Section 801.04 of the Zoning Ordinance:
 - 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.

3.2 Variances.

- A. The Front Yard Setback Variance requests requested in the Application does not change the current single family residential use. The proposed additional hardcover is being mitigated with appropriate stormwater treatment measures required under the Zoning Ordinance. The Front Yard Setback Variance requested is in harmony with the general purposes and intent of the Ordinance and are consistent with the Comprehensive Plan.
- B. The Property's lot area (32,879 SF) and lot depth (120 ft) are legal non-conforming for the R-1 District, which creates practical difficulties in complying with the setback and impervious surface requirements.
- C. The Front Yard Setback Variance requested is reasonable, due to circumstances driven by the existing lot layout and a desire to preserve the

historic character of the existing residence, and if granted would not alter the essential character of the locality. The Applicant has proposed to mitigate the additional impervious surface through stormwater treatment methods.

- D. The practical difficulties necessitating the Front Yard Setback Variance are not solely economic in nature. The existing layout of the Property and a desire to preserve the historic and architecturally significant character of the property are significant factors in the practical difficulty with meeting the ordinance requirements.
- E. The proposed uses for the Property, including an attached garage, are permitted accessory uses within the R-1 District.
- F. The conditions for granting approval of the Front Yard Setback Variance listed below in Section 4 of this Report should be considered by City Council.
- G. The Applicant has provided the reasons that the Front Yard Setback Variance is justified under the criteria of this section in order to make reasonable use of the land, structures and buildings on the Property.

Section 4. RECOMMENDATION

4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends approval of Front Yard Setback Variance request included the Application (Attachment A), subject to the following conditions:

- A. The Applicant must submit a proposed landscaping plan for review by City staff and the City Council.
- B. 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.
- C. The Applicant must secure all necessary building permits for construction, and all laws and regulations applicable to the Project.
- D. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 1st day of June 2015.

Chair, Planning Commission

Attachment A

Applicant Submittals

DRAFT RESOLUTION NO. 25-2015

RESOLUTION APPROVING SHORELAND CONDITIONAL USE PERMIT, FRONT YARD SETBACK VARIANCE, IMPERVIOUS SURFACE VARIANCE, AND TENNIS COURT VARIANCES AT 532 FERNDAL ROAD WEST

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

Section 1. BACKGROUND

1.1 Project. Phillip and Margaret Soran (the “Applicant”) have submitted a development application (the “Application”) requesting zoning approvals to remove an existing non-conforming detached garage on the property at 532 Ferndale Road W (the “Property”) to build a new attached garage and install a tennis court on the Property (the “Project”).

1.2 Application Requests. As part of the Application, the Applicant is requesting approval of the following items:

- A. A Shoreland Conditional Use Permit (CUP) for hardcover above twenty five percent (25%) to 38.8% with stormwater mitigation (the “Shoreland CUP”)
- B. A Variance from the forty five (45) ft Front Yard Setback (Section 801.52.6.B.1.a) to allow a 17.1 ft front yard setback for a new attached garage (the “Front Yard Setback Variance”)
- C. A Variance from the Impervious Surface maximum of twenty five percent (25%) for impervious surface (Section 801.52.7.A) up to 38.6% (the “Impervious Surface Variance”)
- D. Variances from the Front Yard, Side Yard, and Lakeshore Setbacks for Accessory Uses (Sections 801.52.6.B.2.b and 801.91.9.D.2 & 3) for installation of a tennis court (the “Tennis Court Variances”) with the following setbacks:
 - 1. Front Yard Setback of 11.5 ft
 - 2. Side Yard Setback (West) of 6 ft
 - 3. Rear Yard Setback of 27 ft

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

532 Ferndale Road West	01-117-23-33-0027	Sendero Properties LLC
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1.4 Land Use. Uses in the general vicinity are single family detached residential. The Property and adjacent properties are zoned R-1 (40,000 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 April 28, 2015. A copy of the notice was mailed to all property owners located with 350 feet of the Property on April 24, 2015. The required public hearing was held at the May 4, 2015 Planning Commission meeting.
- 1.6 Planning Commission Action. The Planning Commission reviewed the Application and held a Public Hearing on May 4, 2015. No individuals spoke at the Public Hearing. The Planning Commission voted three (3) in favor and two (2) opposed to direct staff to prepare a draft *Planning Commission Report and Recommendation* for approval of the Application.

The Planning Commission reviewed the draft *Planning Commission Report and Recommendation* on June 1, 2015, where a motion to adopt the Report failed on a three (3) in favor and three (3) opposed vote. The Planning Commission then voted on each of the four (4) Application requests individually, adopting only a recommendation to approve the

- Front Yard Variance, with conditions.

Section 2. STANDARDS

2.1 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 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.
- 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.
- 2.2 Front Yard Setback. The front yard setback in the R-1 District is forty-five (45) feet. Section 801.52.6.B.1.a.
- 2.3 Impervious Surface Maximum. Impervious surfaces in the R-1 District shall not exceed of twenty-five (25) percent of the lot area. Section 801.52.7.A.
- 2.4 Front Yard, Side Yard, and Lakeshore Setbacks for Accessory Uses. For accessory structures in the R-1 District, the front yard setback is fifty (50) feet and the side yard setback is ten (10) feet. Section 801.52.6.B.2.b. The Lakeshore setbacks for accessory uses in the Shoreland Overlay District are a minimum of seventy five feet, the average of the lakeshore setback of the two adjacent properties, or a line connecting the closest points of the two adjacent properties, whichever is greater. Sections 801.52.6.B.2.b and 801.91.9.D.2 & 3.
- 2.5 Zoning Ordinance Variance Standards. Sections 801.05.1.C and 801.91.9.D.3 provide the criteria for reviewing variances from the Zoning Ordinance. The variance review criteria are as follows (with Staff's comments included in *italics*):
- A. Variances shall only be permitted when they are:
 - (i) in harmony with the general purposes and intent of this Ordinance; and
 - (ii) consistent with the Comprehensive Plan.
 - B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
 - C. "Practical difficulties," as used in connection with the granting of a variance, means that:
 - (i) the property owner's proposal for the property is reasonable but not permitted by this Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.

- D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
- E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with this Ordinance.
- F. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
- G. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
- H. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.
- I. The required setback distance may be reduced by a variance if the following conditions are met:
 - 1. The minimum setback from the ordinary high water mark is at least seventy-five feet,
 - 2. The setback shall not adversely impact views of the shoreline or lake for adjacent neighboring principal structures,
 - 3. The reduction of setback requirements is based upon a specific need or circumstance which is unique to the property in question and which, if approved, will not set a precedent which is contrary to the intent of this Ordinance. However, any structure built as a result of an issued variance shall be considered in determining the proper setback of future construction on adjacent lots.
 - 4. A shoreland impact plan is submitted and approved as required and set forth in Section 801.91.19 of this Ordinance.
 - 5. The conditions of Section 801.05 and Section 801.91.20 of this Ordinance are considered and satisfactorily met.

Section 3. FINDINGS

The City Council of the City of Wayzata hereby confirms and memorializes that the Front Yard Setback Variance, Shoreland CUP, Impervious Surface Variance, and Tennis Court Variances depicted in the Application meet the applicable requirements of Wayzata's Zoning Ordinance, based upon the following findings of fact made on the record (as well as all Application materials, staff reports, public comment presented at the hearing, and the Recommendation of the Planning Commission):

3.1 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 StormTech chamber infiltration system and drain tile system as specified in the Application.
- B. The Applicant has complied with the applicable requirements and regulations for a Conditional Use Permit under Section 801.04 of the Zoning Ordinance:
 - 1. The proposed action is consistent with the specific policies and provisions of the official City Comprehensive Plan.
 - 2. The proposed use is compatible with present and future uses of the area.
 - 3. The proposed use conforms with all performance standards contained herein (i.e., parking, loading, noise, etc.).
 - 4. The proposed use will not have a negative effect on the area in which it is proposed.
 - 5. The proposed use will not negatively impact property values in the area in which it is developed.
 - 6. Traffic generated by the proposed use can be handled by the streets serving the property.
 - 7. The proposed use will not have a significant impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

3.2 Variances.

- A. The variance requests included in the Application (collectively, the "Variances") do not change the current single family residential use. The proposed additional hardcover is being mitigated with appropriate stormwater treatment measures required under the Zoning Ordinance. The Variances requested are in harmony with the general purposes and intent of the Ordinance and are consistent with the Comprehensive Plan.
- B. The Property's lot area (32,879 SF) and lot depth (120 ft) are legal non-conforming for the R-1 District, which creates practical difficulties in complying with the setback and impervious surface requirements.
- C. The Variances requested are reasonable, due to circumstances driven by the existing lot layout and a desire to preserve the historic character of the existing residence, and if granted would not alter the essential character of the locality. The Applicant has proposed to mitigate the additional impervious surface through stormwater treatment methods. In addition, other properties within the area have tennis courts, which is part of the character of the area.

- D. The practical difficulties necessitating the Variances are not solely economic in nature. The existing layout of the Property and a desire to preserve the historic and architecturally significant character of the property are significant factors in the practical difficulty with meeting the ordinance requirements.
- E. The proposed uses for the Property, including an attached garage and tennis court, are permitted accessory uses within the R-1 District.
- F. The Applicant has provided the reasons that the Variances are justified under the criteria of this section in order to make reasonable use of the land, structures and buildings on the Property.

Section 4. CITY COUNCIL ACTION

- 4.1 Based on the Findings of this Resolution, the request for approval of the Front Yard Setback Variance, Shoreland CUP, Impervious Surface Variance, and Tennis Court Variances as set forth in the Application (Attachment A), are 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 must submit a proposed landscaping plan for review by City staff and the City Council.
 - B. The Applicant must enter into a Stormwater Maintenance Agreement with the City Engineer that covers 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 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.
 - D. The Applicant must 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, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata City Council this ____ day of June, 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



PLANNING DEPARTMENT

MEMORANDUM

To: City Council
From: Bryan Gadow, Director of Planning and Building
Date: June 10, 2015
Re: Review of TIF Analysis for Lake St Redevelopment Project

Background

On May 19th, the City Council had a workshop meeting with Mr. Brad Hoyt, property owner of 253 Lake St E, Mr. Pat Hughes, property owner of 239 Lake St E, and Ms. Kim Erickson of Cambridge State Bank for 259 Lake St to discuss potential redevelopment options for the properties. Mr. Hoyt has requested an update from the City before the end of the month on its willingness to pursue a partnership on the redevelopment of the lots.

The City is also engaging Three Rivers Park District to see if there is a potential for partnership on a parking ramp component of the project, given the proximity of the lots to the Dakota trail.

At the conclusion of the workshop, the Council directed staff to engage the City's public finance consultant, Ehlers Inc., to conduct a preliminary analysis of potential Tax Increment Financing (TIF) for redevelopment scenarios on the lots that would include a parking ramp.

Ehlers has completed the TIF analysis, and has provided a summary for an office option, and two options for mixed use with residential and retail. A copy of the analysis and the City's Business Subsidy and Public Financing Policy are attached. In addition, attached are copies of a previous concept from 2005 and a development proposal from 2006, which were referenced in the May 19th workshop.

The developer is seeking feedback from the Council regarding the potential viability of the project.

City of Wayzata

239, 253 & 259 Lake Street - TIF Estimate Summary (Redevelopment District - 26 years of TIF)

June 3, 2015

Project Scenario	Units/Sq. Ft.			Value Per Unit/sq. ft.			Total Value	Present Value TIF @ 5%
	Apartments	Retail	Office	Apartments	Retail	Office		
Mixed-Use #1	90	7,000	0	\$200,000	\$250	N/A	\$19,750,000	\$2,594,208
Mixed-Use #2	90	7,000	0	\$250,000	\$250	N/A	\$24,250,000	\$3,376,196
Mixed-Use #3	90	7,000	0	\$300,000	\$250	N/A	\$28,750,000	\$4,158,184
Office	0	0	80,000	N/A	N/A	\$275	\$22,000,000	\$3,078,929



239, 253 & 259 Lake Street

City of Wayzata

80,000 Sq. Ft. Office

ASSUMPTIONS AND RATES

DistrictType:	Redevelopment
District Name/Number:	
County District #:	
First Year Construction or Inflation on Value	2016
Existing District - Specify No. Years Remaining	
Inflation Rate - Every Year:	0.00%
Interest Rate:	5.00%
Present Value Date:	1-Aug-17
First Period Ending	1-Feb-18
Tax Year District was Certified:	Pay 2016
Cashflow Assumes First Tax Increment For Development:	2018
Years of Tax Increment	26
Assumes Last Year of Tax Increment	2043
Fiscal Disparities Election [Outside (A), Inside (B), or NA]	Inside(B)
Incremental or Total Fiscal Disparities	Incremental
Fiscal Disparities Contribution Ratio	37.0420% Pay 2015
Fiscal Disparities Metro-Wide Tax Rate	161.6250% Pay 2015
Maximum/Frozen Local Tax Rate:	109.878% Pay 2015
Current Local Tax Rate: (Use lesser of Current or Max.)	109.878% Pay 2015
State-wide Tax Rate (Comm./Ind. only used for total taxes)	50.8400% Pay 2015
Market Value Tax Rate (Used for total taxes)	0.23943% Pay 2015

Tax Rates

Exempt Class Rate (Exempt)	0.00%
Commercial Industrial Preferred Class Rate (C/I Pref.)	
First \$150,000	1.50%
Over \$150,000	2.00%
Commercial Industrial Class Rate (C/I)	2.00%
Rental Housing Class Rate (Rental)	1.25%
Affordable Rental Housing Class Rate (Aff. Rental)	
First \$100,000	0.75%
Over \$100,000	0.25%
Non-Homestead Residential (Non-H Res. 1 Unit)	
First \$500,000	1.00%
Over \$500,000	1.25%
Homestead Residential Class Rate (Hmstd. Res.)	
First \$500,000	1.00%
Over \$500,000	1.25%
Agricultural Non-Homestead	1.00%

BASE VALUE INFORMATION (Original Tax Capacity)

Map #	PID	Owner	Address	Land Market Value	Building Market Value	Total Market Value	Percentage Of Value Used for District	Original Market Value	Tax Year Original Market Value	Property Tax Class	Current Original Tax Capacity	Class After Conversion	After Conversion Orig. Tax Cap.	Area/ Phase
06-117-22-23-0005				2,205,000	1,000	2,206,000	100%	2,206,000	Pay 2016	C/I Pref.	43,370	C/I Pref.	43,370	
06-117-22-23-0013				1,300,000	185,000	1,485,000	100%	1,485,000	Pay 2016	C/I Pref.	28,950	C/I Pref.	28,950	
06-117-22-23-0014				795,000	0	795,000	100%	795,000	Pay 2016	C/I	15,900	C/I Pref.	15,150	
				4,300,000	186,000	4,486,000		4,486,000			88,220		87,470	

Note:

1. Base values are for pay 2016 based upon review of County website on 5-29-15.



239, 253 & 259 Lake Street

City of Wayzata
80,000 Sq. Ft. Office

PROJECT INFORMATION (Project Tax Capacity)													
Area/Phase	New Use	Estimated Market Value Per Sq. Ft./Unit	Taxable Market Value Per Sq. Ft./Unit	Total Sq. Ft./Units	Total Taxable Market Value	Property Tax Class	Project Tax Capacity	Project Tax Capacity/Unit	Percentage Completed 2016	Percentage Completed 2017	Percentage Completed 2018	Percentage Completed 2019	First Year Full Taxes Payable
	Office	275	275	80,000	22,000,000	C/I Pref.	439,250	5	100%	100%	100%	100%	2018
TOTAL					22,000,000		439,250						
Subtotal Residential				0	0		0						
Subtotal Commercial/Ind.				80,000	22,000,000		439,250						

Note:

1. Market values are based upon estimates from comparable projects

TAX CALCULATIONS									
New Use	Total Tax Capacity	Fiscal Disparities Tax Capacity	Local Tax Capacity	Local Property Taxes	Fiscal Disparities Taxes	State-wide Property Taxes	Market Value Taxes	Total Taxes	Taxes Per Sq. Ft./Unit
Office	439,250	162,707	276,543	303,860	262,975	223,315	52,675	842,824	10.54
TOTAL	439,250	162,707	276,543	303,860	262,975	223,315	52,675	842,824	

Note:

1. Taxes and tax increment will vary significantly from year to year depending upon values, rates, state law, fiscal disparities and other factors which cannot be predicted.

WHAT IS EXCLUDED FROM TIF?	
Total Property Taxes	842,824
less State-wide Taxes	(223,315)
less Fiscal Disp. Adj.	(262,975)
less Market Value Taxes	(52,675)
less Base Value Taxes	(60,509)
Annual Gross TIF	243,351



**239, 253 & 259 Lake Street
City of Wayzata
80,000 Sq. Ft. Office**

TAX INCREMENT CASH FLOW														
% of OTC	Project Tax Capacity	Original Tax Capacity	Fiscal Disparities Incremental	Captured Tax Capacity	Local Tax Rate	Annual Gross Tax Increment	Semi-Annual Gross Tax Increment	State Auditor 0.36%	Admin. at 10%	Semi-Annual Net Tax Increment	Semi-Annual Present Value	PERIOD ENDING Yrs.	Tax Year	Payment Date
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	103,856	0.5	2018	02/01/18
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	205,179	1	2018	02/01/19
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	304,030	1.5	2019	08/01/19
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	400,471	2	2019	02/01/20
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	494,559	2.5	2020	08/01/20
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	586,353	3	2020	02/01/21
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	675,907	3.5	2021	08/01/21
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	763,278	4	2021	02/01/22
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	848,517	4.5	2022	08/01/22
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	931,678	5	2022	02/01/23
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	1,012,810	5.5	2023	08/01/23
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	1,091,963	6	2023	02/01/24
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	1,169,186	6.5	2024	08/01/24
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	1,244,525	7	2024	02/01/25
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	1,318,027	7.5	2025	08/01/25
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	1,389,735	8	2025	02/01/26
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	1,459,695	8.5	2026	08/01/26
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	1,527,949	9	2026	02/01/27
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	1,594,538	9.5	2027	08/01/27
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	1,659,503	10	2027	02/01/28
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	1,722,883	10.5	2028	08/01/28
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	1,784,717	11	2028	02/01/29
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	1,845,044	11.5	2029	08/01/29
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	1,903,898	12	2029	02/01/30
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	1,961,318	12.5	2030	08/01/30
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,017,337	13	2030	02/01/31
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,071,989	13.5	2031	08/01/31
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,125,309	14	2031	02/01/32
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,177,328	14.5	2032	08/01/32
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,228,078	15	2032	02/01/33
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,277,591	15.5	2033	08/01/33
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,325,896	16	2033	02/01/34
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,373,023	16.5	2034	08/01/34
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,419,000	17	2034	02/01/35
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,463,856	17.5	2035	08/01/35
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,507,618	18	2035	02/01/36
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,550,312	18.5	2036	08/01/36
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,591,966	19	2036	02/01/37
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,632,603	19.5	2037	08/01/37
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,672,249	20	2037	02/01/38
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,710,928	20.5	2038	08/01/38
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,748,664	21	2038	02/01/39
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,785,479	21.5	2039	08/01/39
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,821,397	22	2039	02/01/40
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,856,438	22.5	2040	08/01/40
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,890,625	23	2040	02/01/41
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,923,978	23.5	2041	08/01/41
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,956,517	24	2041	02/01/42
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	2,988,263	24.5	2042	08/01/42
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	3,019,234	25	2042	02/01/43
100%	439,250	(87,470)	(130,306)	221,474	109.878%	243,351	121,675	(438)	(12,124)	109,114	3,049,450	25.5	2043	08/01/43
							121,675	(438)	(12,124)	109,114	3,078,929	26	2043	02/01/44
Total							6,327,121	(22,778)	(630,434)	5,673,909				
Present Value From 08/01/2017							3,433,393	(12,360)	(342,103)	3,078,929				

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239, 253 & 259 Lake Street

City of Wayzata

90 Apartment Units and 7,000 Sq. Ft. Retail

ASSUMPTIONS AND RATES

DistrictType:	Redevelopment
District Name/Number:	
County District #:	
First Year Construction or Inflation on Value	2016
Existing District - Specify No. Years Remaining	
Inflation Rate - Every Year:	0.00%
Interest Rate:	5.00%
Present Value Date:	1-Aug-17
First Period Ending	1-Feb-18
Tax Year District was Certified:	Pay 2016
Cashflow Assumes First Tax Increment For Development:	2018
Years of Tax Increment	26
Assumes Last Year of Tax Increment	2043
Fiscal Disparities Election [Outside (A), Inside (B), or NA]	Inside(B)
Incremental or Total Fiscal Disparities	Incremental
Fiscal Disparities Contribution Ratio	37.0420% Pay 2015
Fiscal Disparities Metro-Wide Tax Rate	161.6250% Pay 2015
Maximum/Frozen Local Tax Rate:	109.878% Pay 2015
Current Local Tax Rate: (Use lesser of Current or Max.)	109.878% Pay 2015
State-wide Tax Rate (Comm./Ind. only used for total taxes)	50.8400% Pay 2015
Market Value Tax Rate (Used for total taxes)	0.23943% Pay 2015

Tax Rates

Exempt Class Rate (Exempt)	0.00%
Commercial Industrial Preferred Class Rate (C/I Pref.)	
First \$150,000	1.50%
Over \$150,000	2.00%
Commercial Industrial Class Rate (C/I)	2.00%
Rental Housing Class Rate (Rental)	1.25%
Affordable Rental Housing Class Rate (Aff. Rental)	
First \$100,000	0.75%
Over \$100,000	0.25%
Non-Homestead Residential (Non-H Res. 1 Unit)	
First \$500,000	1.00%
Over \$500,000	1.25%
Homestead Residential Class Rate (Hmstd. Res.)	
First \$500,000	1.00%
Over \$500,000	1.25%
Agricultural Non-Homestead	1.00%

BASE VALUE INFORMATION (Original Tax Capacity)

Map #	PID	Owner	Address	Land Market Value	Building Market Value	Total Market Value	Percentage Of Value Used for District	Original Market Value	Tax Year Original Market Value	Property Tax Class	Current Original Tax Capacity	Class After Conversion	After Conversion Orig. Tax Cap.	Area/ Phase
06-117-22-23-0005				2,205,000	1,000	2,206,000	100%	2,206,000	Pay 2016	C/I Pref.	43,370	C/I Pref.	43,370	
06-117-22-23-0013				1,300,000	185,000	1,485,000	100%	1,485,000	Pay 2016	C/I Pref.	28,950	C/I Pref.	28,950	
06-117-22-23-0014				795,000	0	795,000	100%	795,000	Pay 2016	C/I	15,900	C/I Pref.	15,150	
				4,300,000	186,000	4,486,000		4,486,000			88,220		87,470	

Note:

1. Base values are for pay 2016 based upon review of County website on 5-29-15.



239, 253 & 259 Lake Street

City of Wayzata

90 Apartment Units and 7,000 Sq. Ft. Retail

PROJECT INFORMATION (Project Tax Capacity)													
Area/Phase	New Use	Estimated Market Value Per Sq. Ft./Unit	Taxable Market Value Per Sq. Ft./Unit	Total Sq. Ft./Units	Total Taxable Market Value	Property Tax Class	Project Tax Capacity	Project Tax Capacity/Unit	Percentage Completed 2016	Percentage Completed 2017	Percentage Completed 2018	Percentage Completed 2019	First Year Full Taxes Payable
	Retail	250	250	7,000	1,750,000	C/I Pref.	34,250	5	100%	100%	100%	100%	2018
	Apartments	200,000	200,000	90	18,000,000	Rental	225,000	2,500	100%	100%	100%	100%	2018
TOTAL					19,750,000		259,250						
Subtotal Residential				90	18,000,000		225,000						
Subtotal Commercial/Ind.				7,000	1,750,000		34,250						

Note:

- Market values are based upon estimates from comparable projects

TAX CALCULATIONS									
New Use	Total Tax Capacity	Fiscal Disparities Tax Capacity	Local Tax Capacity	Local Property Taxes	Fiscal Disparities Taxes	State-wide Property Taxes	Market Value Taxes	Total Taxes	Taxes Per Sq. Ft./Unit
Retail	34,250	12,687	21,563	23,693	20,505	17,413	4,190	65,801	9.40
Apartments	225,000	0	225,000	247,226	0	0	43,097	290,323	3,225.81
TOTAL	259,250	12,687	246,563	270,919	20,505	17,413	47,287	356,124	

Note:

- Taxes and tax increment will vary significantly from year to year depending upon values, rates, state law, fiscal disparities and other factors which cannot be predicted.

WHAT IS EXCLUDED FROM TIF?	
Total Property Taxes	356,124
less State-wide Taxes	(17,413)
less Fiscal Disp. Adj.	(20,505)
less Market Value Taxes	(47,287)
less Base Value Taxes	(60,509)
Annual Gross TIF	210,410



239, 253 & 259 Lake Street
City of Wayzata
90 Apartment Units and 7,000 Sq. Ft. Retail

TAX INCREMENT CASH FLOW														
% of OTC	Project Tax Capacity	Original Tax Capacity	Fiscal Disparities Incremental	Captured Tax Capacity	Local Tax Rate	Annual Gross Tax Increment	Semi-Annual Gross Tax Increment	State Auditor 0.36%	Admin. at 10%	Semi-Annual Net Tax Increment	Semi-Annual Present Value	PERIOD ENDING Yrs.	Tax Year	Payment Date
100%	259,250	(87,470)	-	171,780	109.878%	188,748	94,374	(340)	(9,403)	84,631	80,553	0.5	2018	02/01/18
100%	259,250	(87,470)	-	171,780	109.878%	188,748	94,374	(340)	(9,403)	84,631	159,141	1	2018	02/01/19
100%	259,250	(87,470)	-	171,780	109.878%	188,748	94,374	(340)	(9,403)	84,631	235,813	1.5	2019	08/01/19
100%	259,250	(87,470)	-	171,780	109.878%	188,748	94,374	(340)	(9,403)	84,631	310,614	2	2019	02/01/20
100%	259,250	(87,470)	-	171,780	109.878%	188,748	94,374	(340)	(9,403)	84,631	383,591	2.5	2020	08/01/20
100%	259,250	(87,470)	-	171,780	109.878%	188,748	94,374	(340)	(9,403)	84,631	454,789	3	2020	02/01/21
100%	259,250	(87,470)	-	171,780	109.878%	188,748	94,374	(340)	(9,403)	84,631	524,249	3.5	2021	08/01/21
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	94,374	(340)	(9,403)	84,631	592,016	4	2021	02/01/22
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	665,717	4.5	2022	08/01/22
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	737,620	5	2022	02/01/23
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	807,769	5.5	2023	08/01/23
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	876,208	6	2023	02/01/24
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	942,978	6.5	2024	08/01/24
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,008,118	7	2024	02/01/25
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,071,670	7.5	2025	08/01/25
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,133,673	8	2025	02/01/26
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,194,162	8.5	2026	08/01/26
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,253,177	9	2026	02/01/27
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,310,752	9.5	2027	08/01/27
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,366,923	10	2027	02/01/28
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,421,723	10.5	2028	08/01/28
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,475,187	11	2028	02/01/29
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,527,348	11.5	2029	08/01/29
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,578,236	12	2029	02/01/30
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,627,882	12.5	2030	08/01/30
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,676,318	13	2030	02/01/31
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,723,573	13.5	2031	08/01/31
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,769,675	14	2031	02/01/32
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,814,652	14.5	2032	08/01/32
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,858,533	15	2032	02/01/33
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,901,343	15.5	2033	08/01/33
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,943,109	16	2033	02/01/34
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	1,983,857	16.5	2034	08/01/34
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,023,610	17	2034	02/01/35
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,062,394	17.5	2035	08/01/35
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,100,232	18	2035	02/01/36
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,137,147	18.5	2036	08/01/36
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,173,162	19	2036	02/01/37
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,208,298	19.5	2037	08/01/37
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,242,578	20	2037	02/01/38
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,276,021	20.5	2038	08/01/38
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,308,649	21	2038	02/01/39
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,340,481	21.5	2039	08/01/39
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,371,536	22	2039	02/01/40
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,401,834	22.5	2040	08/01/40
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,431,393	23	2040	02/01/41
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,460,231	23.5	2041	08/01/41
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,488,366	24	2041	02/01/42
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,515,814	24.5	2042	08/01/42
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,542,593	25	2042	02/01/43
100%	259,250	(87,470)	19,714	191,494	109.878%	210,410	105,205	(379)	(10,483)	94,343	2,568,719	25.5	2043	08/01/43
							105,205	(379)	(10,483)	94,343	2,594,208	26	2043	02/01/44
Total							5,384,003	(19,382)	(536,462)	4,828,158				
Present Value From 08/01/2017							2,892,867	(10,414)	(288,245)	2,594,208				

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239, 253 & 259 Lake Street

City of Wayzata

90 Apartment Units and 7,000 Sq. Ft. Retail

ASSUMPTIONS AND RATES

DistrictType:	Redevelopment
District Name/Number:	
County District #:	
First Year Construction or Inflation on Value	2016
Existing District - Specify No. Years Remaining	
Inflation Rate - Every Year:	0.00%
Interest Rate:	5.00%
Present Value Date:	1-Aug-17
First Period Ending	1-Feb-18
Tax Year District was Certified:	Pay 2016
Cashflow Assumes First Tax Increment For Development:	2018
Years of Tax Increment	26
Assumes Last Year of Tax Increment	2043
Fiscal Disparities Election [Outside (A), Inside (B), or NA]	Inside(B)
Incremental or Total Fiscal Disparities	Incremental
Fiscal Disparities Contribution Ratio	37.0420% Pay 2015
Fiscal Disparities Metro-Wide Tax Rate	161.6250% Pay 2015
Maximum/Frozen Local Tax Rate:	109.878% Pay 2015
Current Local Tax Rate: (Use lesser of Current or Max.)	109.878% Pay 2015
State-wide Tax Rate (Comm./Ind. only used for total taxes)	50.8400% Pay 2015
Market Value Tax Rate (Used for total taxes)	0.23943% Pay 2015

Tax Rates

Exempt Class Rate (Exempt)	0.00%
Commercial Industrial Preferred Class Rate (C/I Pref.)	
First \$150,000	1.50%
Over \$150,000	2.00%
Commercial Industrial Class Rate (C/I)	2.00%
Rental Housing Class Rate (Rental)	1.25%
Affordable Rental Housing Class Rate (Aff. Rental)	
First \$100,000	0.75%
Over \$100,000	0.25%
Non-Homestead Residential (Non-H Res. 1 Unit)	
First \$500,000	1.00%
Over \$500,000	1.25%
Homestead Residential Class Rate (Hmstd. Res.)	
First \$500,000	1.00%
Over \$500,000	1.25%
Agricultural Non-Homestead	1.00%

BASE VALUE INFORMATION (Original Tax Capacity)

Map #	PID	Owner	Address	Land Market Value	Building Market Value	Total Market Value	Percentage Of Value Used for District	Original Market Value	Tax Year Original Market Value	Property Tax Class	Current Original Tax Capacity	Class After Conversion	After Conversion Orig. Tax Cap.	Area/ Phase
06-117-22-23-0005				2,205,000	1,000	2,206,000	100%	2,206,000	Pay 2016	C/I Pref.	43,370	C/I Pref.	43,370	
06-117-22-23-0013				1,300,000	185,000	1,485,000	100%	1,485,000	Pay 2016	C/I Pref.	28,950	C/I Pref.	28,950	
06-117-22-23-0014				795,000	0	795,000	100%	795,000	Pay 2016	C/I	15,900	C/I Pref.	15,150	
				4,300,000	186,000	4,486,000		4,486,000			88,220		87,470	

Note:

1. Base values are for pay 2016 based upon review of County website on 5-29-15.



239, 253 & 259 Lake Street

City of Wayzata

90 Apartment Units and 7,000 Sq. Ft. Retail

PROJECT INFORMATION (Project Tax Capacity)													
Area/Phase	New Use	Estimated Market Value Per Sq. Ft./Unit	Taxable Market Value Per Sq. Ft./Unit	Total Sq. Ft./Units	Total Taxable Market Value	Property Tax Class	Project Tax Capacity	Project Tax Capacity/Unit	Percentage Completed 2016	Percentage Completed 2017	Percentage Completed 2018	Percentage Completed 2019	First Year Full Taxes Payable
	Retail	250	250	7,000	1,750,000	C/I Pref.	34,250	5	100%	100%	100%	100%	2018
	Apartments	250,000	250,000	90	22,500,000	Rental	281,250	3,125	100%	100%	100%	100%	2018
TOTAL					24,250,000		315,500						
Subtotal Residential				90	22,500,000		281,250						
Subtotal Commercial/Ind.				7,000	1,750,000		34,250						

Note:

- Market values are based upon estimates from comparable projects

TAX CALCULATIONS									
New Use	Total Tax Capacity	Fiscal Disparities Tax Capacity	Local Tax Capacity	Local Property Taxes	Fiscal Disparities Taxes	State-wide Property Taxes	Market Value Taxes	Total Taxes	Taxes Per Sq. Ft./Unit
Retail	34,250	12,687	21,563	23,693	20,505	17,413	4,190	65,801	9.40
Apartments	281,250	0	281,250	309,032	0	0	53,872	362,904	4,032.26
TOTAL	315,500	12,687	302,813	332,725	20,505	17,413	58,062	428,705	

Note:

- Taxes and tax increment will vary significantly from year to year depending upon values, rates, state law, fiscal disparities and other factors which cannot be predicted.

WHAT IS EXCLUDED FROM TIF?	
Total Property Taxes	428,705
less State-wide Taxes	(17,413)
less Fiscal Disp. Adj.	(20,505)
less Market Value Taxes	(58,062)
less Base Value Taxes	(60,509)
Annual Gross TIF	272,216

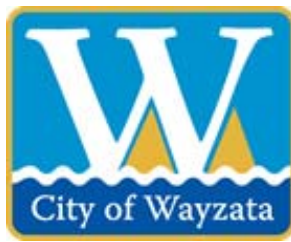


239, 253 & 259 Lake Street
City of Wayzata
90 Apartment Units and 7,000 Sq. Ft. Retail

TAX INCREMENT CASH FLOW														
% of OTC	Project Tax Capacity	Original Tax Capacity	Fiscal Disparities Incremental	Captured Tax Capacity	Local Tax Rate	Annual Gross Tax Increment	Semi-Annual Gross Tax Increment	State Auditor 0.36%	Admin. at 10%	Semi-Annual Net Tax Increment	Semi-Annual Present Value	PERIOD ENDING Yrs.	Tax Year	Payment Date
100%	315,500	(87,470)	-	228,030	109.878%	250,555	125,277	(451)	(12,483)	112,344	106,930	0.5	2018	02/01/18
							125,277	(451)	(12,483)	112,344	211,253	1	2018	02/01/19
100%	315,500	(87,470)	-	228,030	109.878%	250,555	125,277	(451)	(12,483)	112,344	313,031	1.5	2019	08/01/19
							125,277	(451)	(12,483)	112,344	412,326	2	2019	02/01/20
100%	315,500	(87,470)	-	228,030	109.878%	250,555	125,277	(451)	(12,483)	112,344	509,200	2.5	2020	08/01/20
							125,277	(451)	(12,483)	112,344	603,711	3	2020	02/01/21
100%	315,500	(87,470)	-	228,030	109.878%	250,555	125,277	(451)	(12,483)	112,344	695,917	3.5	2021	08/01/21
							125,277	(451)	(12,483)	112,344	785,873	4	2021	02/01/22
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	881,223	4.5	2022	08/01/22
							136,108	(490)	(13,562)	122,056	974,248	5	2022	02/01/23
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	1,065,003	5.5	2023	08/01/23
							136,108	(490)	(13,562)	122,056	1,153,545	6	2023	02/01/24
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	1,239,928	6.5	2024	08/01/24
							136,108	(490)	(13,562)	122,056	1,324,204	7	2024	02/01/25
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	1,406,424	7.5	2025	08/01/25
							136,108	(490)	(13,562)	122,056	1,486,638	8	2025	02/01/26
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	1,564,897	8.5	2026	08/01/26
							136,108	(490)	(13,562)	122,056	1,641,246	9	2026	02/01/27
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	1,715,733	9.5	2027	08/01/27
							136,108	(490)	(13,562)	122,056	1,788,404	10	2027	02/01/28
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	1,859,302	10.5	2028	08/01/28
							136,108	(490)	(13,562)	122,056	1,928,471	11	2028	02/01/29
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	1,995,953	11.5	2029	08/01/29
							136,108	(490)	(13,562)	122,056	2,061,789	12	2029	02/01/30
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	2,126,019	12.5	2030	08/01/30
							136,108	(490)	(13,562)	122,056	2,188,683	13	2030	02/01/31
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	2,249,818	13.5	2031	08/01/31
							136,108	(490)	(13,562)	122,056	2,309,462	14	2031	02/01/32
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	2,367,651	14.5	2032	08/01/32
							136,108	(490)	(13,562)	122,056	2,424,421	15	2032	02/01/33
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	2,479,807	15.5	2033	08/01/33
							136,108	(490)	(13,562)	122,056	2,533,841	16	2033	02/01/34
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	2,586,558	16.5	2034	08/01/34
							136,108	(490)	(13,562)	122,056	2,637,989	17	2034	02/01/35
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	2,688,166	17.5	2035	08/01/35
							136,108	(490)	(13,562)	122,056	2,737,118	18	2035	02/01/36
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	2,784,877	18.5	2036	08/01/36
							136,108	(490)	(13,562)	122,056	2,831,471	19	2036	02/01/37
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	2,876,928	19.5	2037	08/01/37
							136,108	(490)	(13,562)	122,056	2,921,277	20	2037	02/01/38
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	2,964,544	20.5	2038	08/01/38
							136,108	(490)	(13,562)	122,056	3,006,756	21	2038	02/01/39
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	3,047,938	21.5	2039	08/01/39
							136,108	(490)	(13,562)	122,056	3,088,116	22	2039	02/01/40
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	3,127,314	22.5	2040	08/01/40
							136,108	(490)	(13,562)	122,056	3,165,555	23	2040	02/01/41
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	3,202,865	23.5	2041	08/01/41
							136,108	(490)	(13,562)	122,056	3,239,264	24	2041	02/01/42
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	3,274,775	24.5	2042	08/01/42
							136,108	(490)	(13,562)	122,056	3,309,420	25	2042	02/01/43
100%	315,500	(87,470)	19,714	247,744	109.878%	272,216	136,108	(490)	(13,562)	122,056	3,343,220	25.5	2043	08/01/43
							136,108	(490)	(13,562)	122,056	3,376,196	26	2043	02/01/44
Total							6,990,969	(25,167)	(696,580)	6,269,221				
Present Value From 08/01/2017							3,764,882	(13,554)	(375,133)	3,376,196				

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City of Wayzata
Business Subsidy Criteria and Public Financing Policy
October 7, 2014

INTRODUCTION:

This Policy is adopted for purposes of the business subsidies act, which is Minnesota Statutes, Sections 116J.993 through 116J.995 (the “Statutes”). Terms used in this Policy are intended to have the same meanings as used in Statutes. Subdivision 3 of the Statutes specifies forms of financial assistance that are not considered a business subsidy. This list contains exceptions for several activities, including redevelopment, pollution clean-up, and housing, among others. By providing a business subsidy, the city commits to holding a public hearing, as applicable, and reporting annually to the Department of Employment and Economic Development on job and wage goal progress.

1. PURPOSE AND AUTHORITY

- A. The purpose of this document is to establish criteria for the City of Wayzata for granting of business subsidies and City public financing for private development within the City. These criteria shall be used as a guide in processing and reviewing applications requesting business subsidies and/or City public financing.
- B. The City's ability to grant business subsidies is governed by the limitations established in the Statutes. The City may choose to apply its Business Subsidy Criteria to other development activities not covered under this statute. City public financing may or may not be considered a business subsidy as defined by the Statutes.
- C. Unless specifically excluded by the Statutes, business subsidies include grants by state or local government agencies, contributions of personal property, real property, infrastructure, the principal amount of a loan at rates below those commercially available to the recipient of the subsidy, any reduction or deferral of any tax or any fee, tax increment financing (TIF), abatement of property taxes, loans made from City funds, any guarantee of any payment under any loan, lease, or other obligation, or any preferential use of government facilities given to a business.
- D. These criteria are to be used in conjunction with other relevant policies of the City. Compliance with the Business Subsidy Criteria and City Public Financing Guidelines shall not automatically mean compliance with such separate policies.

- E. The City may deviate from these criteria by documenting in writing the reason(s) for the deviation. The documentation shall be submitted to the Department of Employment and Economic Development with the next annual report.
- F. The City may amend this document at any time. Amendments to these criteria are subject to public hearing requirements contained in the Statutes.

2. BUSINESS SUBSIDY PUBLIC PURPOSE REQUIREMENT

- A. All business subsidies must meet a public purpose with measurable benefit to the City as a whole. Public purpose may include, but not be limited to: diversification of the local economy, creating needed services or facilities not currently available, redeveloping and removing blight and encouraging redevelopment in the commercial areas of the City in order to encourage high levels of property maintenance and private reinvestment in those areas, retaining local jobs, increasing the job base, and providing diversity in that job base, enhancing existing jobs through increased wages, encouraging additional unsubsidized private development in the area, either directly, or through secondary “spin off” development, offsetting increased costs of redevelopment over and above those costs that a developer would incur in normal urban and suburban development, and meeting other uses of public policy, as adopted by the Council from time to time including the promotion of quality urban design, quality architectural design, energy conservation, decreasing the capital and operating costs of local government, etc.
- B. Job retention may only be used as a public purpose in cases where job loss is specific and demonstrable. The City shall document the information used to determine the nature of the job loss.
- C. The creation of tax base shall not be the sole public purpose of a subsidy.
- D. Unless the creation of jobs is removed from a particular project pursuant to the requirements of the Statutes, the creation of jobs is a public purpose for granting a subsidy. Creation of at least one Full Time Equivalent (FTE) job is a minimum requirement for consideration of assistance.
- E. The wage floor for wages to be paid for the jobs created shall be not less than 150% of the State of MN Minimum Wage. The City will seek to create jobs with higher wages as appropriate for the overall public purpose of the subsidy. Wage goals may also be set to enhance existing jobs through increased wages, which increase must result in wages higher than the minimum under this Section.
- F. After a public hearing, if the creation or retention of jobs is determined not to be a goal, the wage and job goals may be set at zero.

3. SUBSIDY AGREEMENT

- A. In granting a business subsidy, the City shall enter into a subsidy agreement with the recipient that provides the following information: wage and job goals (if applicable), commitments to provide necessary reporting data, and recourse for failure to meet goals required by the Statutes.

- B. The subsidy agreement may be incorporated into a broader development agreement for a project.
- C. The subsidy agreement will commit the recipient to providing the reporting information required by the Statutes.

4. CITY'S OBJECTIVE FOR THE USE OF PUBLIC FINANCING

- A. As a matter of adopted policy, the City may consider using public financing which may include tax increment financing (TIF), tax abatement, bonds, and other forms of public financing as appropriate, to assist private development projects when such assistance complies with all applicable statutory requirements to:
 - 1. Remove blight and/or encourage redevelopment in designated redevelopment/development area(s) per the goals and visions established by the HRA and City Council.
 - 2. Diversify the local economy and tax base.
 - 3. Encourage additional unsubsidized private development in the area, either directly or through secondary "spin-off" development.
 - 4. Offset increased costs for redevelopment over and above the costs that a developer would incur in normal urban and suburban development (determined as part of the But-For analysis).
 - 5. Facilitate the development process and promote development on sites that could not be developed without this assistance.
 - 6. Retain local jobs and/or increase the number and diversity of quality jobs
 - 7. Meet other uses of public policy, as adopted by the City Council from time to time, including but not limited to promotion of quality urban design, quality architectural design, energy conservation, sustainable building practices, and decreasing the capital and operating costs of local government.

5. PUBLIC FINANCING PRINCIPLES

- A. The guidelines and principles set forth in this document pertain to all applications for City public financing regardless of whether they are considered a Business Subsidy as defined by the Statutes. The following general assumptions of development/redevelopment shall serve as a guide for City public financing:
 - 1. All viable requests for City public financing assistance shall be reviewed by staff, and, if staff designates so, a third party financial advisor who will inform the City of its findings and recommendations.

2. The City shall establish mechanisms within the development agreement to ensure that adequate checks and balances are incorporated in the distribution of financial assistance where feasible and appropriate, including but not limited to:
 - a. Third party review of the “but for” analysis
 - b. Establishment of “look back provisions”
 - c. Establishment of minimum assessment agreements
3. TIF and abatement will be provided on a pay-as-you-go-basis. Any request for upfront assistance will be evaluated on its own merits and may require security to cover any risks assumed by the City.
4. The City will set up TIF districts in accordance with the maximum number of statutory years allowable. However, this does not mean that the developer will be granted assistance for the full term of the district.
5. The City will elect the fiscal disparities contribution to come from inside applicable TIF district(s) to eliminate any impact to the existing tax payers of the community.
6. Public financing will not be used to support speculative commercial, office or housing projects. In general the developer should be able to provide market data, tenant letters of commitment or finance statements which support the market potential/demand for the proposed project.
7. Public financing will not be used in projects that would give a significant competitive financial advantage over similar projects in the area due to the use of public subsidies. Developers should provide information to support that assistance will not create such a competitive advantage. Priority consideration will be given to projects that fill an unmet market need.
8. Public financing will not be used in a project that involves a land and/or property acquisition price in excess of fair market value.
9. In most cases, public financing will not be generally utilized exclusively for the construction of new rental housing units. The City may consider public financing for the preservation and reinvestment in the existing housing stock. The goal of such financing would be to preserve and promote affordability and/or alleviate blight conditions.
10. The developer will pay all applicable application fees and pay for the City and HRA’s fiscal and legal advisor time as stated in the City’s Public Assistance Application.
11. The developer shall proactively attempt to minimize the amount of public assistance needed through the pursuit of grants, innovative solutions in structuring the deal, and other funding mechanisms.

6. PROJECTS WHICH MAY QUALIFY FOR PUBLIC FINANCING ASSISTANCE

- A. All new applications for assistance considered by the City must meet each of the following minimum qualifications. However, it should **not** be presumed that a project meeting any of the qualifications will automatically be approved for assistance. Meeting the qualifications does not imply or create contractual rights on the part of any potential developer to have its project approved for assistance.

6.1 MINIMUM QUALIFICATIONS:

- A. In addition to meeting the applicable requirements of State law, the project shall meet one or more of the Public financing objectives outlined in Section 4; and shall either:
 - 1. Remove blight and/or encourage redevelopment in the City in order to encourage high quality development or redevelopment and private reinvestment in those areas; OR
 - 2. Facilitate the development process to achieve development on sites which would not be developed without this assistance.
- B. The developer must demonstrate to the satisfaction of the City that the project is not financially feasible “but for” the use of tax increment or other public financing.
- C. The project must be consistent with the City’s Comprehensive Plan and Zoning Ordinances, Design Guidelines or any other applicable land use documents.
- D. Prior to approval of a financing plan, the developer shall provide any requested market and financial feasibility studies, appraisals, soil boring, private lender commitment, and/or other information the City or its financial consultants may require in order to proceed with an independent evaluation of the proposal.
- E. The developer must provide adequate financial guarantees to ensure the repayment of any public financing and completion of the project. These may include, but are not limited to, assessment agreements, letters of credit, personal deficiency guarantees, guaranteed maximum cost contract, etc.
- F. Any developer requesting assistance must be able to demonstrate past successful general development capability as well as specific capability in the type and size of development proposed. Public financing will not be used when the developer’s credentials, in the sole judgment of the City, are inadequate due to past history relating to completion of projects, general reputation, and/or bankruptcy, or other problems or issues considered relevant to the City.
- G. The developer, or its contractual assigns, shall retain ownership of any portion of the project long enough to complete it, to stabilize its occupancy, to establish project management and/or needed mechanisms to ensure successful operation.

6.2 DESIRED QUALIFICATIONS:

- A. Projects providing higher than a 3 to 1 ratio of private investment to City public investment will receive priority consideration. Private investment includes developer cash, government and bank loans, conduit bonds, tax credit equity, and land if already owned by the developer.
- B. Proposals that significantly increase the amount of property taxes paid after redevelopment will receive priority consideration.
- C. Proposals that encourage the following will receive priority consideration:
 - 1. Implementation of the City's values and vision for its lakefront, as detailed in the Lake Effect Design Framework
 - 2. Adding needed road, access and multi-modal improvements
 - 3. Contributes additional public parking
 - 4. Alleviates the need for additional public parking
 - 5. Provides significant improvement to surrounding land uses, the neighborhood, and/or the City
 - 6. Attracts or retains a significant employer within the City
 - 7. Provides significant rehabilitation of an existing apartment complex or significant rehabilitation and/or expansion of existing office or commercial facility
- D. Preference will be given to projects that meet good public policy criteria as determined by the City Council, including:
 - 1. High project quality (e.g. sound architectural design, quality construction and materials, sustainable building practices)
 - 2. Projects that meet financial feasibility criteria established by the City
 - 3. Projects that provide the highest and best desired use for the property

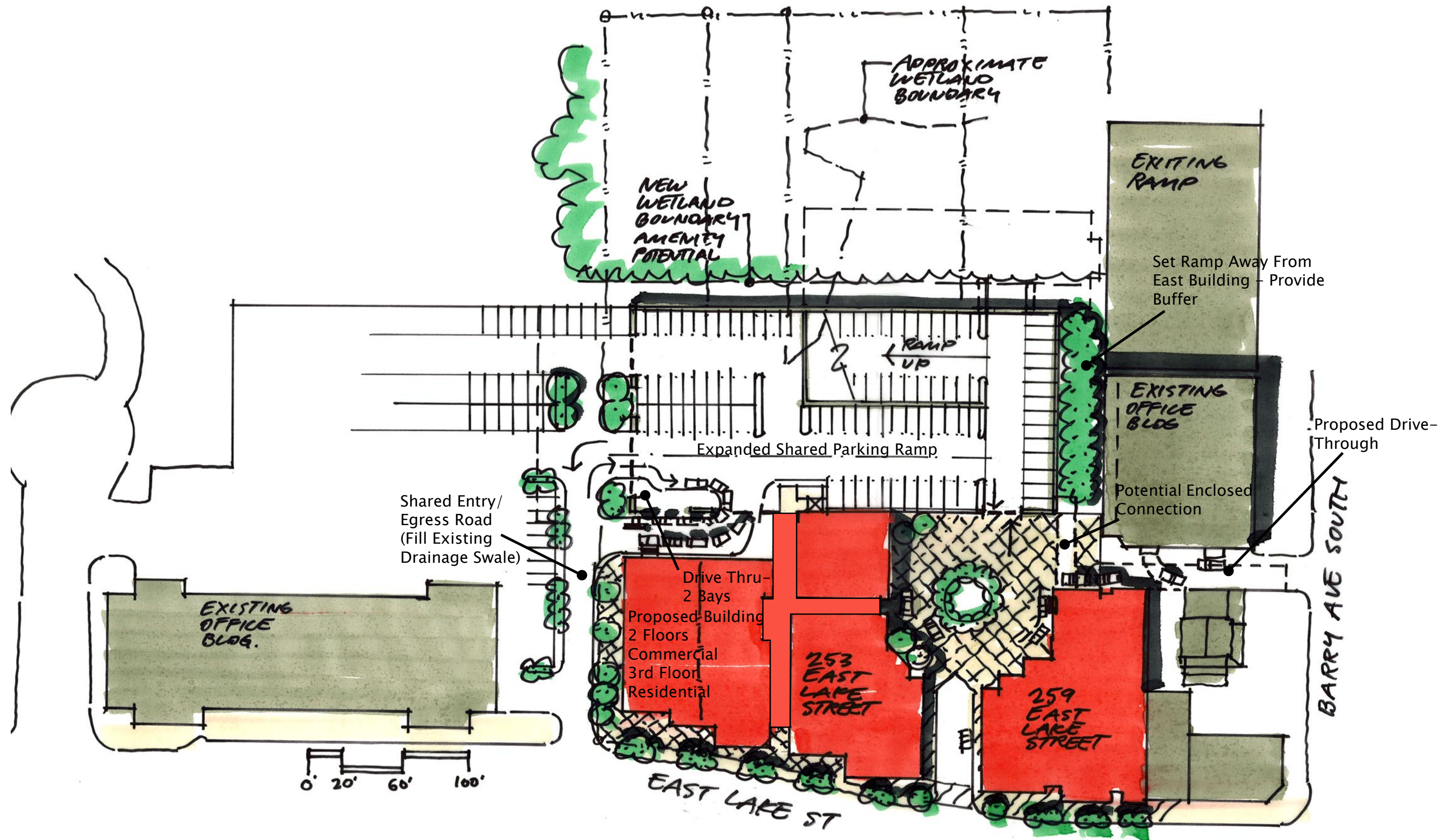
7. PUBLIC FINANCING PROJECT EVALUATION PROCESS

- A. The following methods of analysis for all public financing proposals will be used:
 - 1. Consideration of project meeting minimum qualifications
 - 2. Consideration of project meeting desired qualifications
 - 3. Project meets "but-for" analysis and/or statutory qualifications
 - 4. Project is deemed consistent with City's Goals and Objectives

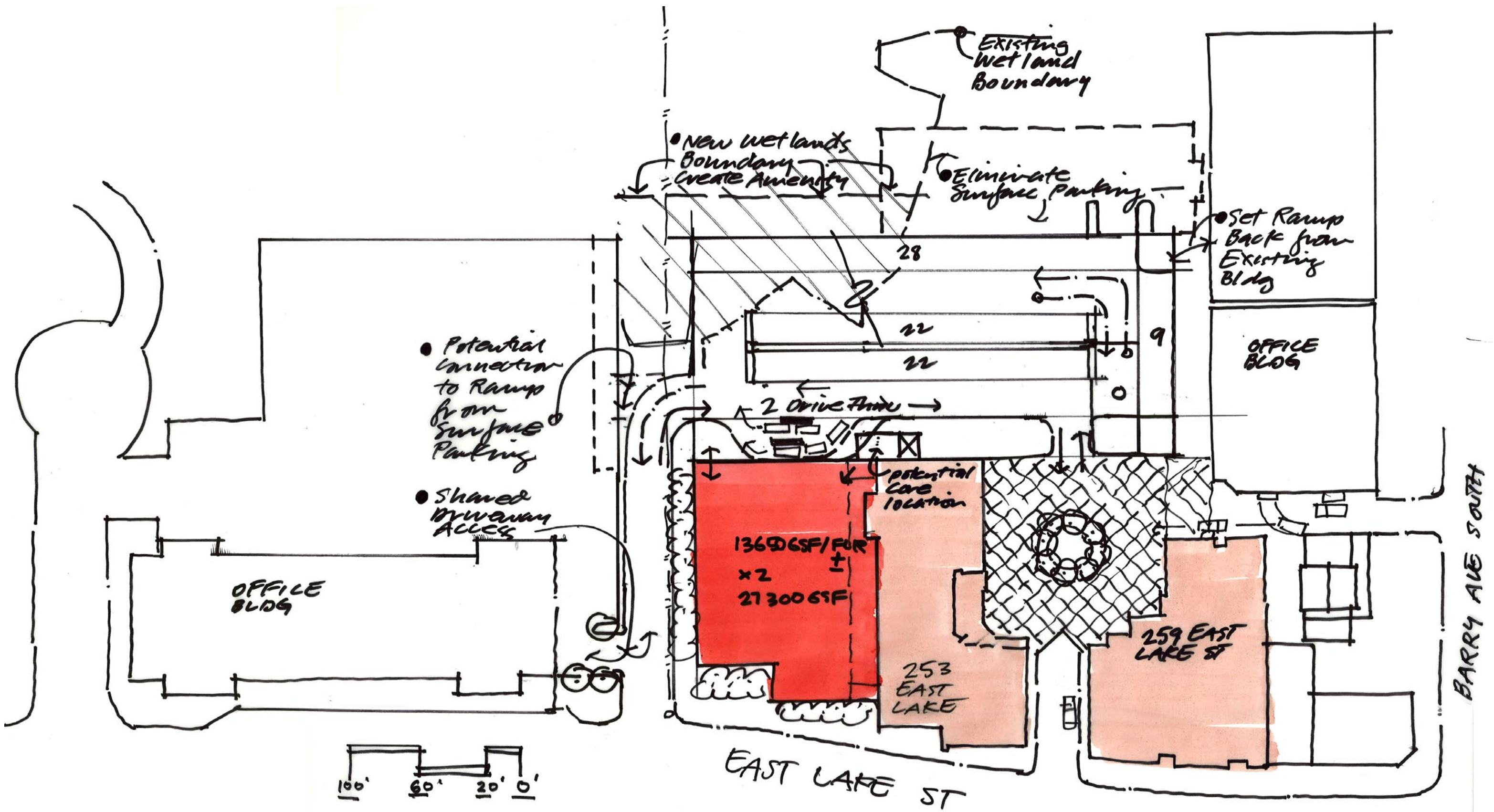
Please note that the evaluation methodology is intended to provide a balanced review. Each area will be evaluated individually and collectively and in no case should one area outweigh another in terms of importance to determining the level of assistance.

Adopted by the Wayzata HRA August 8, 2014

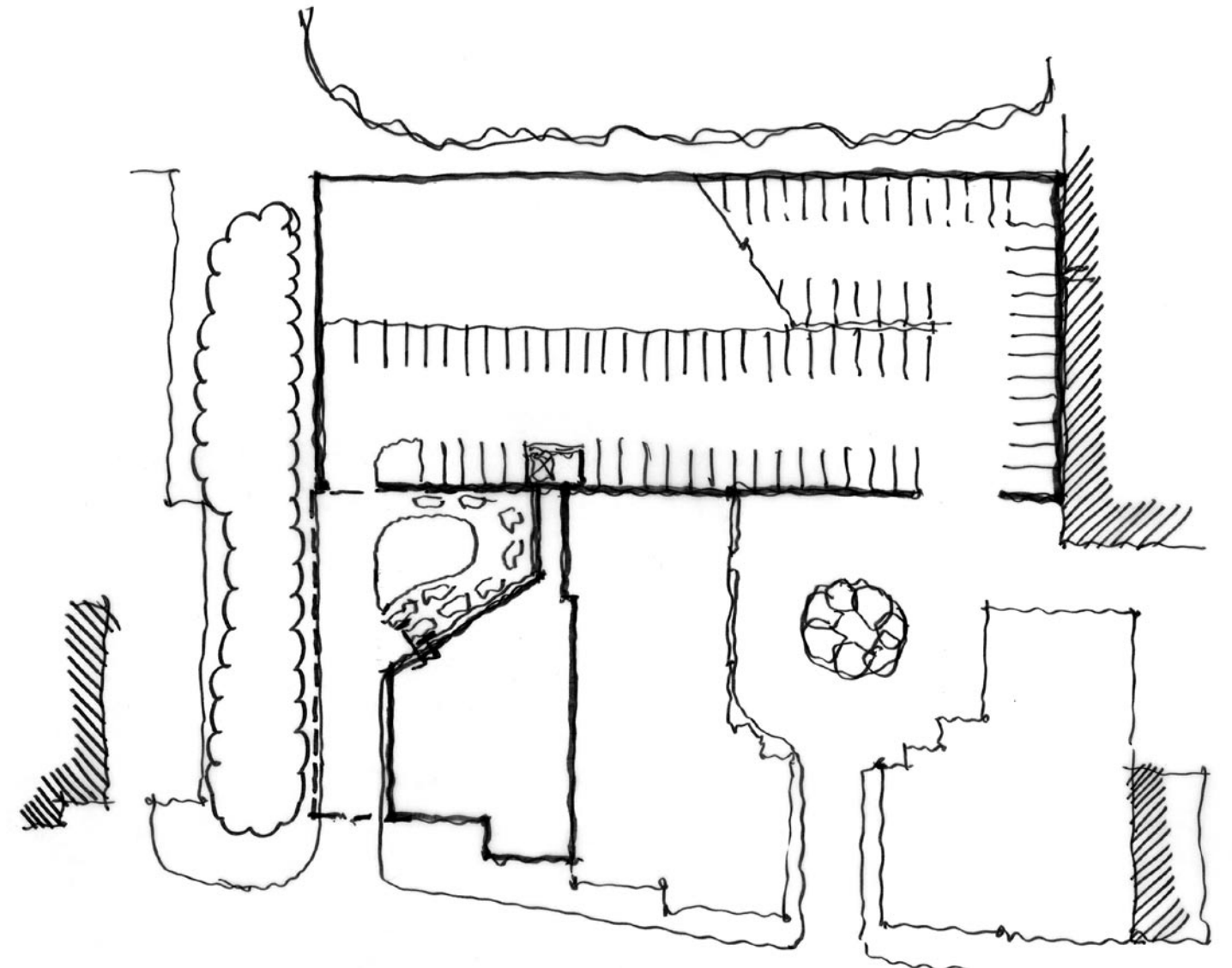
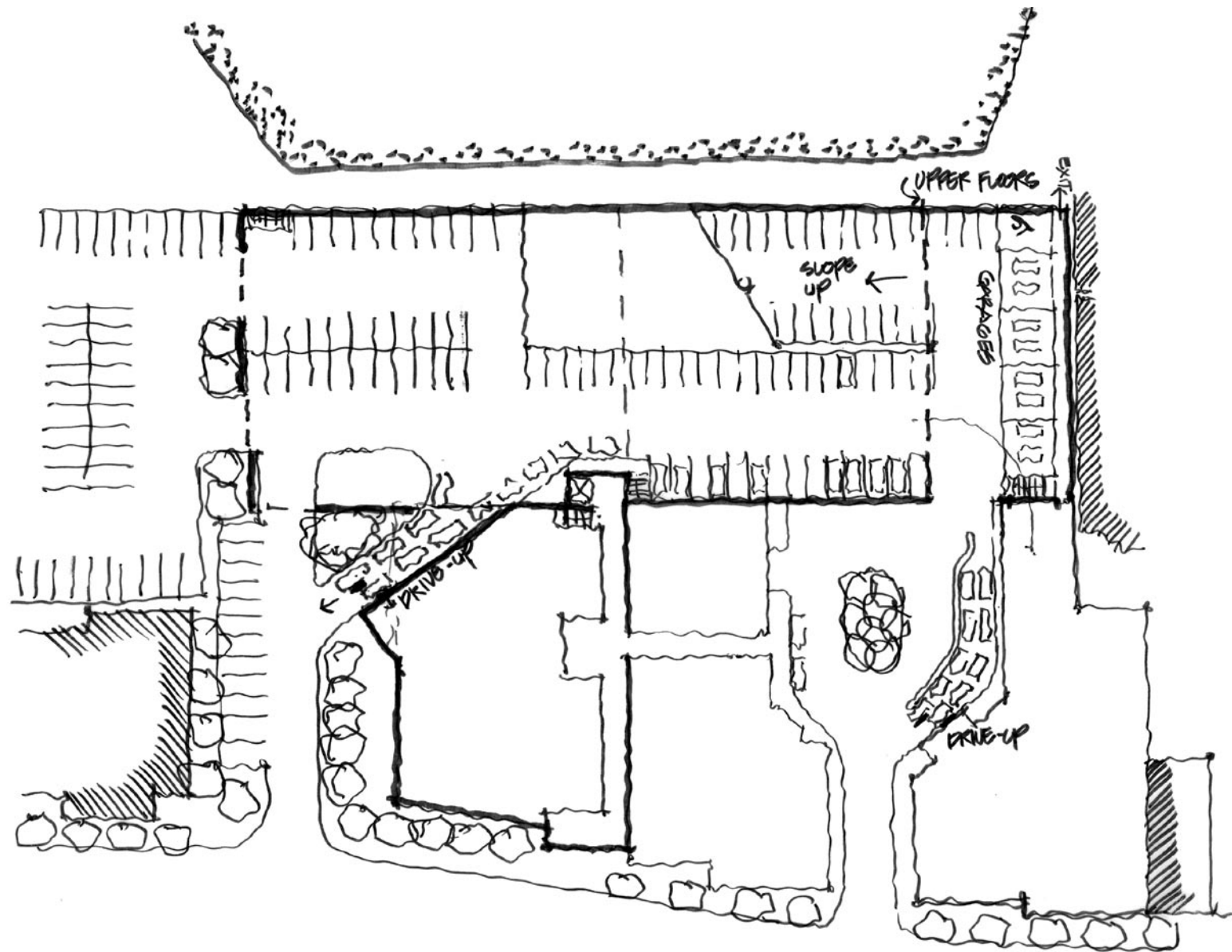
Adopted by the Wayzata City Council October 7, 2014



13 January 2005



13 January 2005



13 January 2005



253-259 EAST LAKE STREET

Ownership Group

253 East Lake Street
Continental Property Group, INC.
253 East Lake Street
Wayzata, MN 55391

259 East Lake Street
Boatworks Development Company, LLC.
284 East Grove Lane #100
Wayzata, MN 55391

PUD Planning & Design Team

Architectural Design

Bentz/Thompson/Rietow INC. (253 East Lake Street)
1123 IDS Center
Minneapolis, MN 55402
612-332-1234

Miller Dunwiddie Architecture (259 East Lake Street)
123 North Third Street, Suite 104
Minneapolis, MN 55401
612-337-0000

Landscape Architecture

Damon Farber Associates
923 Nicollet Mall
Minneapolis, MN 55402
612-332-7522

Civil Engineering

Kimley-Horn Associates
2550 University Avenue West
St Paul, MN 55114
651-645-4197

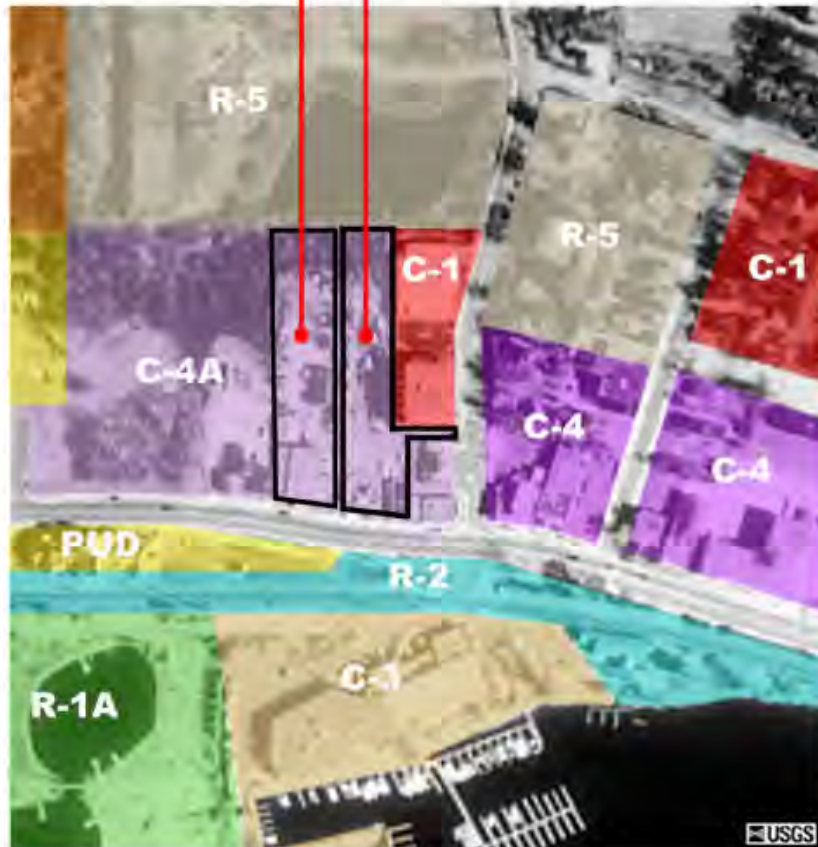
Traffic

Bonestroo Engineering
2335 West Highway 36
St Paul, MN 55113
651-636-4600



PROPOSED PUD FOR
253 EAST LAKE ST.

PROPOSED PUD FOR
259 EAST LAKE ST.



Zoning Request

The project requests Rezoning to **PUD District with Commercial and Residential Components**. Residential aspects conform to standards outlined in the residential portion of the PUD Ordinance and the R-5 zoning classification. Commercial aspects conform to standards outlined in the commercial portion of the PUD Ordinance and the C4-A zoning classification with the exception of building height for the main structure.

The PUD zoning request includes the following exceptions to the zoning of the C4-A classification:

- Increased height from 2 stories to 3 stories
- Permission to provide residential uses
- Increased maximum height

Provision of **additional building height and number of stories** beyond that allowed by existing zoning in order to:

- Address the economic viability of the site given the cost of development and the significant amount of wetland areas to the north,
- Screen the parking ramp structure from Lake Street,
- Acknowledge that the two properties exist within a context of significantly taller and larger buildings,
- Acknowledge that the proposed development would have little to no impact on views to the lake from properties to the north, and
- Provide floor to ceiling heights consistent with proper distribution of building services (mechanical, fire protection, etc.) and sound leasing practices/market forces.

While both projects are requesting relief on building height and building story limitations via the Planned Unit Development process, both projects are sensitive to the spirit of the Wayzata Design Standards.

Intent

The architectural intent of the 253 and 259 East Lake Street development is to maximize this underdeveloped, urban site through the creation of an economically viable, mixed-use building. Designed within the context of the Lake Street corridor, we are seeking to enhance the character and usability of downtown Wayzata.

Design Factors

- Narrow frontage for retail
- Access from Lake Street
- Parking requirements
- Design Guidelines
- Mixed Use mandate
- Economics of Wayzata real estate
- Modern construction practices
- Market forces / tenant desires

Cooperation Between Neighbors

- Shared, efficient, privately funded parking facility
- Shared access to Lake Street
- Pedestrian friendly auto court
- Distinct yet complementary designs

Benefits to Wayzata

- Privately funded public parking facility
- Bridges a gap within the Lake Street retail district
- Prime example of mixed-use development as stated within the city's Comprehensive Plan
- Implementation of Design Guidelines and Comprehensive Plan
- Beautification of this area of Wayzata



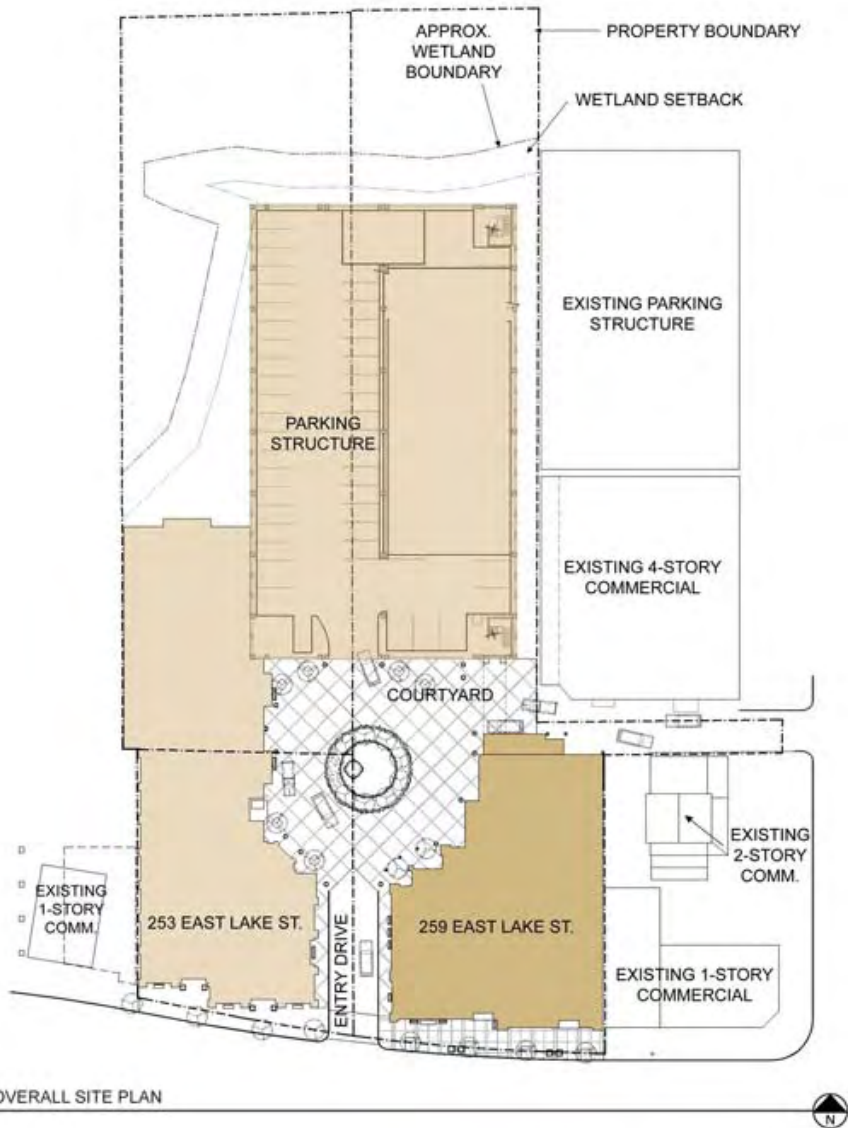
EXISTING

NOVEMBER 2004 - CONCEPT APPROVAL

MAY 2005 - GENERAL DEVELOPMENT PLAN

SITE CONDITIONS 253, 259 EAST LAKE STREET





BUILDING FACTS 253 E. LAKE ST.	
Areas:	
First Floor	16,107 GSF
Second Floor	16,171 GSF
Third Floor	12,138 GSF
Total	44,416 GSF
Area of Site:	54,211 SF or 1.245 acres
Building Footprint	16,107 SF

COMBINED BUILDING FACTS 253 AND 259 E. LAKE ST.	
Area of Site:	106,696 SF or 2.449 acres
Building Footprint	27,643 SF
Ramp Footprint	28,860 SF
Impervious Surface	75,185 SF or 70.5%
Floor Area Ratio Permitted (C-4A Zone)	2.00
Existing	0.26
Proposed (including ramp)	1.76
Proposed (excluding ramp)	0.68
(See Section 5 for additional info and data)	

BUILDING FACTS 259 E. LAKE ST.	
Areas:	
First Floor	11,536 GSF
Second Floor	10,837 GSF
Third Floor	5,835 GSF
Total	28,208 GSF
Area of Site:	52,485 SF or 1.204 acres
Building Footprint	11,536 SF

PARKING REQUIREMENTS 253 AND 259 E. LAKE ST.	
Spaces Required:	
253 E. Lake St.	131
259 E. Lake St.	80
Offsite (Boatworks Bldg.)	85
Spaces Provided - Garage:	
253 E. Lake St.	15
259 E. Lake St.	4
Spaces Provided - Ramp:	
	286
Total Spaces Required:	296
Total Spaces Provided:	305

Summary of Refinements since Concept Plan Approval

This PUD General Development Plan submittal represents a refinement to the PUD Concept Plan that was approved by the Wayzata Planning Commission on October 18, 2004 and approved by the Wayzata City Council on November 16, 2004.

The City Council approval action listed 9 conditions. These conditions and the refinements being submitted with this application, are summarized below.

1. Buildings and parking ramp shall meet the height requirement of 3 stories or 35 feet.

The buildings and parking structure of the 253 – 259 East Lake Street project meet the height requirements in this condition. The buildings at 253-259 East Lake Street exceed 35 feet in height in order to accommodate market driven floor-to-floor requirements for modern retail, office and residential buildings, as well as modern day amenities such as forced air heating and air conditioning.

Section 801.19.2 of the City of Wayzata Zoning Ordinance does allow an increase in building height of 5 feet, but no greater than 40 feet in height, via Conditional Use. Also, certain items up to forty feet in height are exempt such as: mechanical/electrical appurtenances, cupolas and domes, elevator penthouses, etc.

Please note that the third floor roof forms of 253-259 East Lake Street are the items that are higher than 35 feet. These forms have been set far back from the property lines and utilize sloping and curved roof forms in order to minimize the massing of the buildings from the street. Significant design efforts have been made and setbacks increased to minimize the impact of projects' third story.

2. The wetland boundary must be delineated and owners must work with the City and MCWD on any mitigation.

The survey has been updated to include the wetland boundary. The delineation has been verified by MCWD on December 9, 2004. This is included in the appendix section of this submittal. The project development has been revised to omit impact on the wetland area. The project will be reviewed with the City and MCWD prior to construction.

3. The building and parking plans shall be adjusted to meet the parking requirements of the Zoning Ordinance.

The parking requirements for the project are met through the construction of the joint use parking structure, which is part of the PUD.

4. Detailed plans of the drive through window/ATM must be provided.

Plans and elevations of the drive through window/ATM included within the 259 East Lake Street building are shown in section 3 of this submittal. Traffic impact of the drive through is addressed in the traffic summary included in section 5. A letter describing a summary of operations was delivered to city staff on March 1, 2005.

5. All streetscape plans and Lake Street sidewalk plans must comply with City standards.

Plans for exterior streetscape elements and Lake Street sidewalk are shown in section 4 of this submittal. These plans meet the City standards.

6. Applicants must submit and be approved for a shoreland impact/conditional use permit as part of the General Plan of Development.

The site and civil engineering design shown in section 5 meets the applicable requirements of the shoreland plan for erosion and sediment control, etc.

7. Residential units shall be required for the 3rd floor of each building.

Residential units are provided on the 3rd floor of each building. Condominiums are located at the 259 building and rental apartments are located at the 253 building. See sections 2 and 3 for plans of each building.

8. The design and proximity to the neighboring buildings of the parking ramp would have to be reviewed and approved.

The ramp location has been revised to include setbacks from all property lines. The setback forms a 10 foot buffer from properties to the east of the site. See section 4 for the parking ramp design plans.

9. The design would have to create a greater vertical separation and greater emphasis on first floor retail.

The original building designs submitted during the Concept Review have been modified to address this condition. Please see the building elevations in sections 2 and 3 to view the changes.

BUILDING FACTS

253 E. Lake St.

Areas:

First Floor	16,107 GSF
Second Floor	16,171 GSF
Third Floor	12,138 GSF
Total	44,416 GSF

Area of Site: 64,211 SF or 1.245 acres

Building Footprint: 16,107 SF

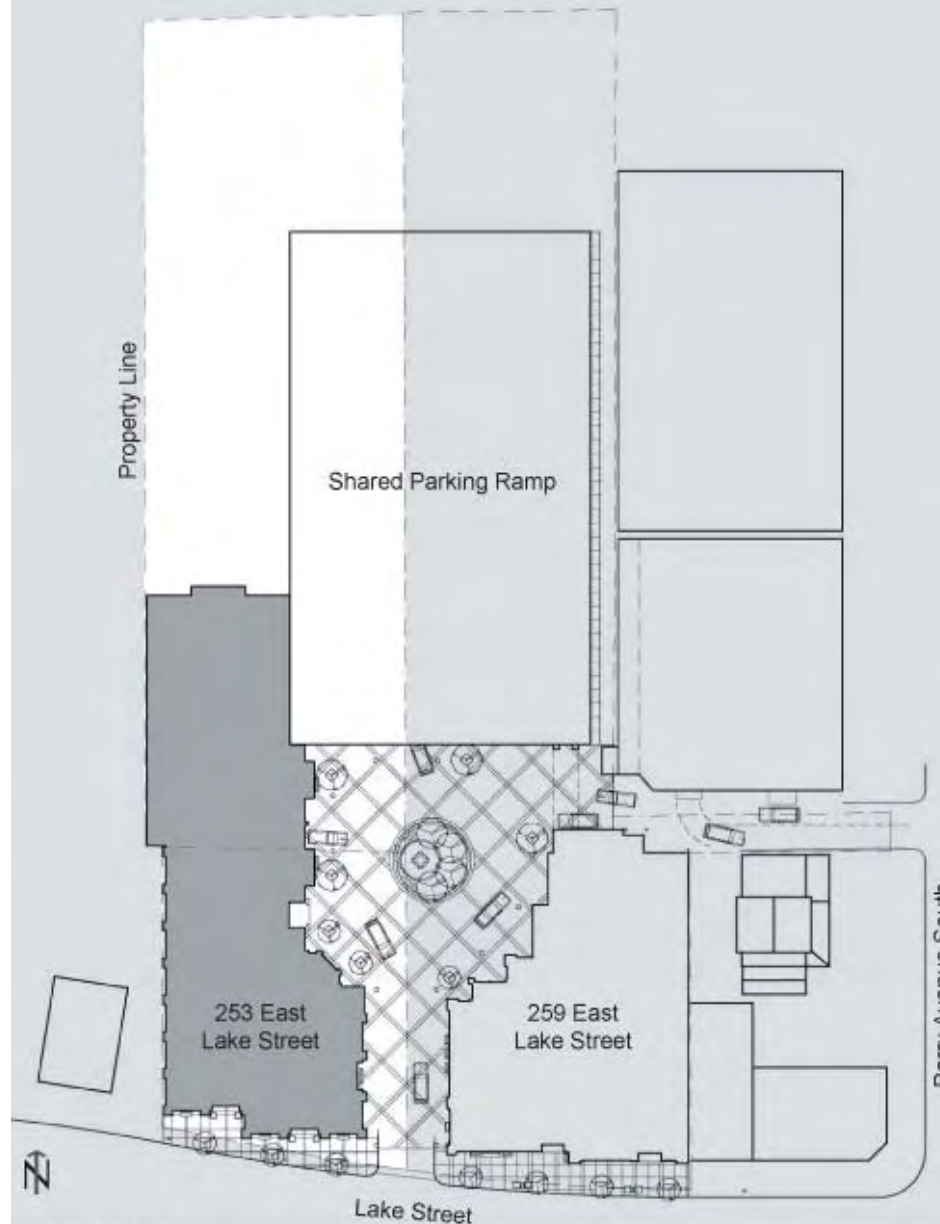
Ramp Footprint on 253 site: 11,007 SF

Other Impervious on 253 site: 6,876 SF

Impervious Surface: 33,990 SF or 62.7%

Floor Area Ratios:

Existing	.22
Allowed	2.00
Proposed	.82



SITE PLAN

1" = 60'

PARKING CALCULATIONS FOR 253 E. LAKE STREET REQUIREMENTS

1st Floor GSF (Retail):	16,107
- Garage Parking Area	-7,217
Adjusted 1st Floor Area	8,890
- 10% per Parking Req. Calcs.	-889
1st Floor Parking Req. Area	8,001

250 SF/Stall **33 Stalls**

2nd Floor GSF (Office):	16,171
- 10% per Parking Req. Calcs.	-1,617
2nd Floor Parking Req. Area	14,554

250 SF/Stall **59 Stalls**

3rd Floor GSF (Office/Resid.):	12,138
- Residential Area	-3,120
Adjusted 3rd Floor Area	9,018
- 10% per Parking Req. Calcs.	-902
1st Floor Parking Req. Area	8,116

250 SF/Stall **33 Stalls**

Plus 3 Units Res. X 2 Stalls = **6 Stalls**

3rd Floor Total **39 Stalls**

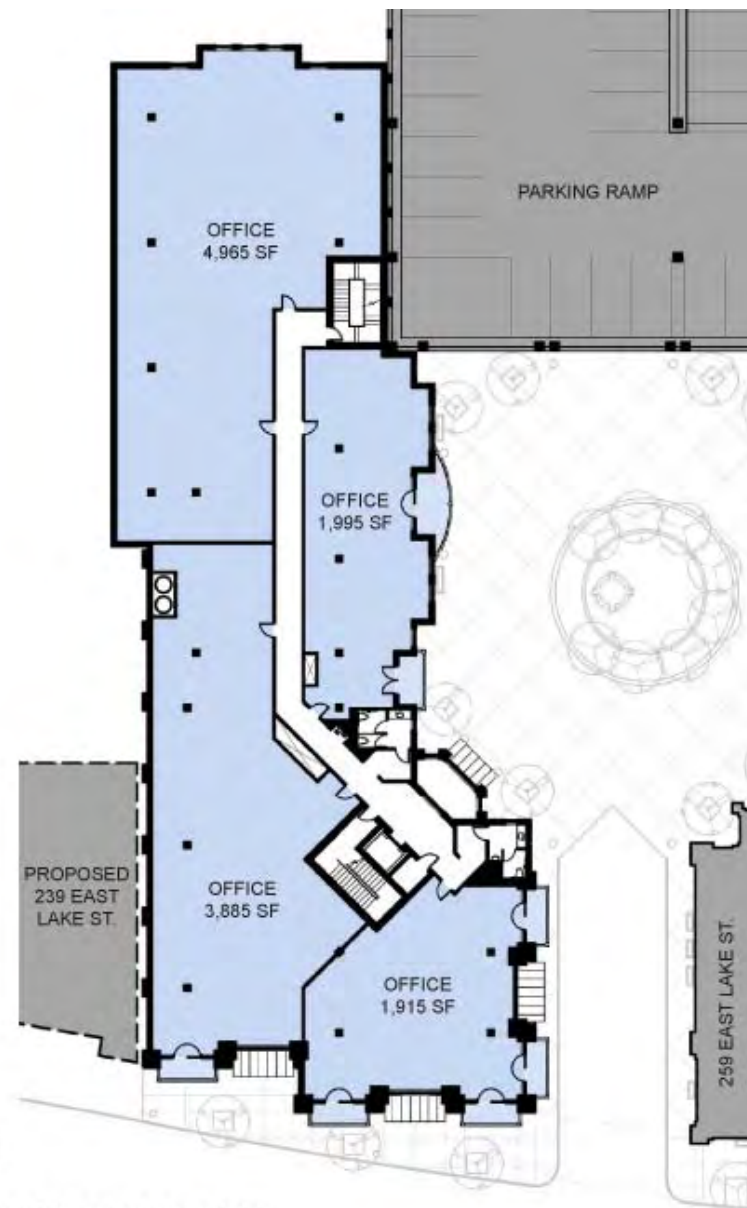
Total Parking Req. @ 253 **131 Stalls**

(Of these 131 required parking stalls, 15 are accommodated in the enclosed garage, so 116 total spaces need to be provided for the 253 building in the parking ramp.)





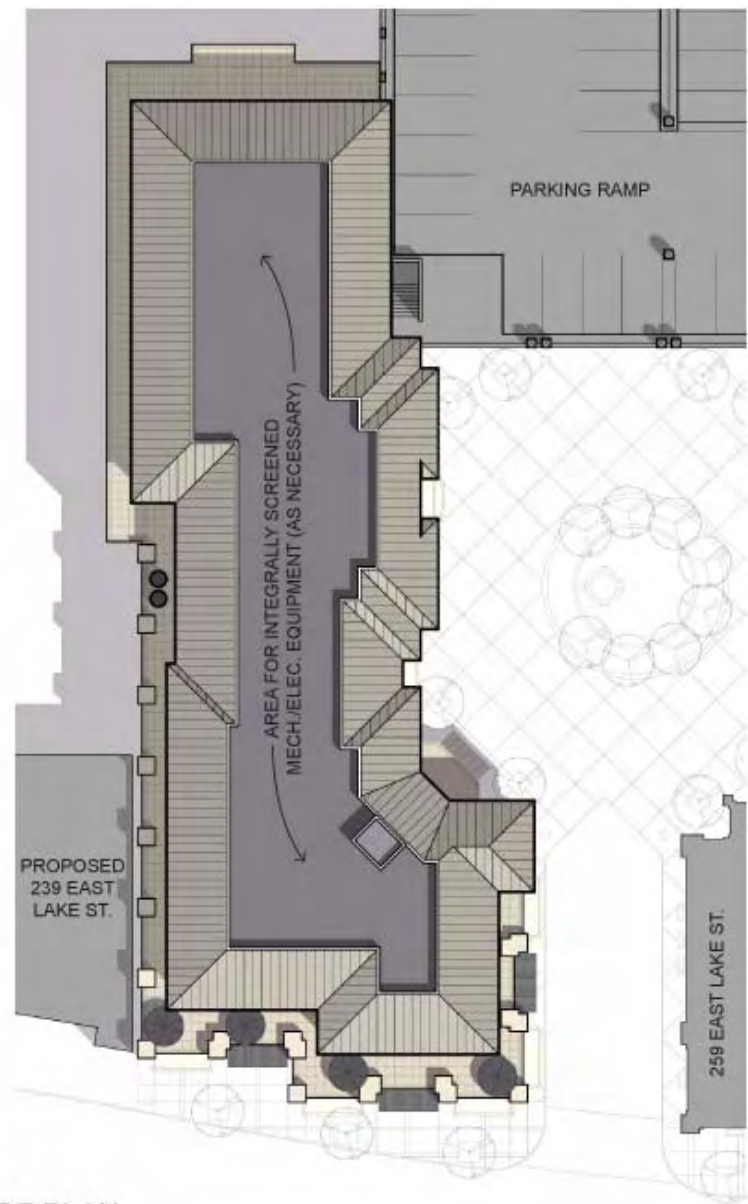
FIRST FLOOR PLAN
1" = 30'



SECOND FLOOR PLAN
1" = 30'



THIRD FLOOR PLAN
1" = 30'



ROOF PLAN
1" = 30'



SOUTH ELEVATION

1/16" = 1'-0"





EAST ELEVATION
1/16" = 1'-0"





COMPUTER RENDERING
VIEW FROM THE SOUTHWEST

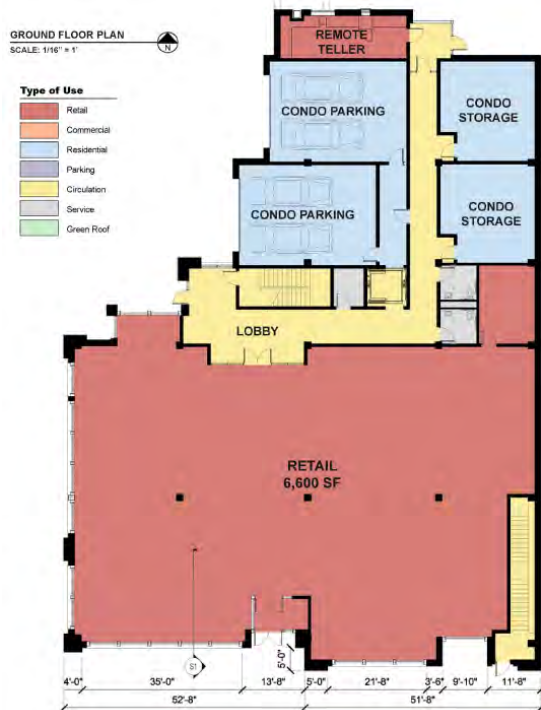


PARTIAL ILLUSTRATIVE SITE PLAN AND LANDSCAPE PLAN

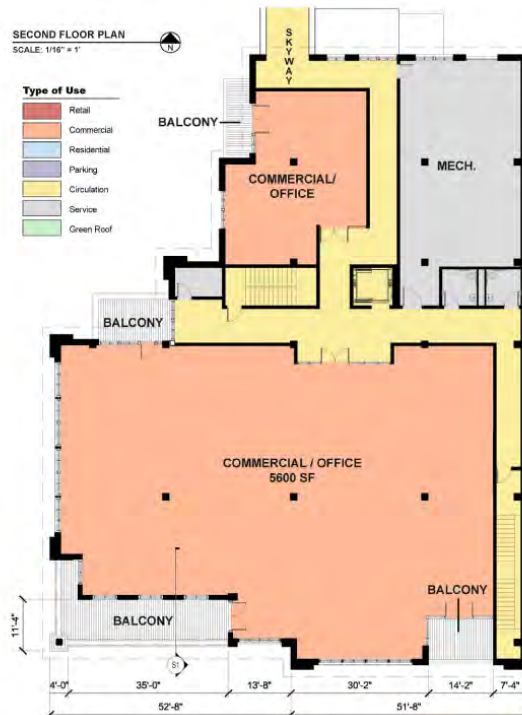
NOT TO SCALE

The 259 East Lake Street development consists of the following buildings in Phase I:

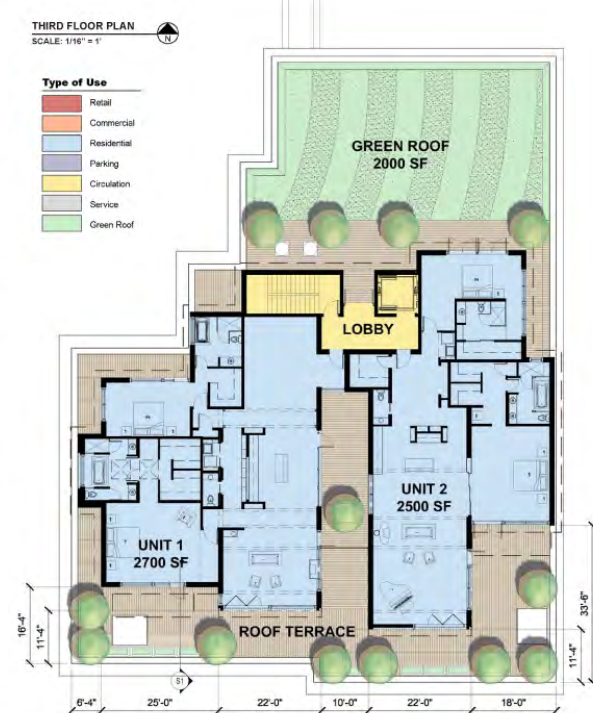
- A three-story main building of approximately 29,000 gross square feet containing retail tenants on the first floor, office space on the second floor and two roof-top houses with extensive roof terrace on the third floor. This building fronts Lake Street and is the primary structure on the site. At this time, one of the potential tenants is a local bank and provisions have been made for a drive up lane at the rear of the building with an ATM. The drive-up lane enters from Barry Avenue and exits through the courtyard onto Lake Street.
- An approximately 75,000 gross square foot parking structure containing 311 parking spaces on 4 levels (grade plus 3 elevated levels). This structure is located within the middle third of the site, approximately 190 feet from the Lake Street curb line. In order to achieve the most efficient parking layout, the structure continues from the 259 property onto the 253 property. This structure, in conjunction with the 259 building and the proposed 253 building immediately to the West, defines a pedestrian / auto court that is shared between the two properties. The parking summary in section 1.2 includes information for the 259 Building as well as the 253 Building due to the ramp providing spaces for both properties.



Street Level



Second Level



Third Level

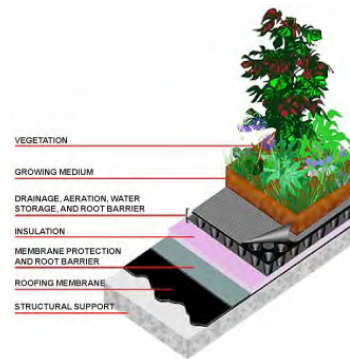
THIRD FLOOR PLAN

SCALE: 1/16" = 1'



Type of Use

- Retail
- Commercial
- Residential
- Parking
- Circulation
- Service
- Green Roof



T.O. VAULT
 39'-7 1/2"
 T.O. PARAPET
 36'-11 1/2"
 T.O. ROOF
 36'-7 1/2"
 THIRD FLOOR
 26'-5 1/2"
 SECOND FLOOR
 13'-7 1/2"
 AVERAGE GRADE
 0'-0"
 GROUND FLOOR
 -0'-4 1/2"
 (FEMA EL. 936.8')

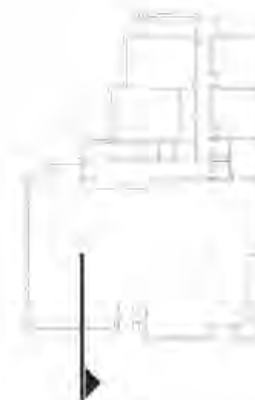


PARTIAL SECTION AT LAKE STREET

SCALE: 1/8" = 1'



NORTH ELEVATION
NOT TO SCALE



PLAN KEY
NOT TO SCALE

"At the ground floor, ceiling heights are a critical part of what makes retail space inviting and what makes a building feel comfortable for pedestrians on the sidewalk next to it. Low ceiling make uninviting spaces that rent for less, feel cramped, are less visible from the street, and don't allow commercial uses to easily flourish."

Why Can't New Buildings be as Nice as Old Buildings? It's the Ceiling Heights, for One Thing, *Spur*, May 2004



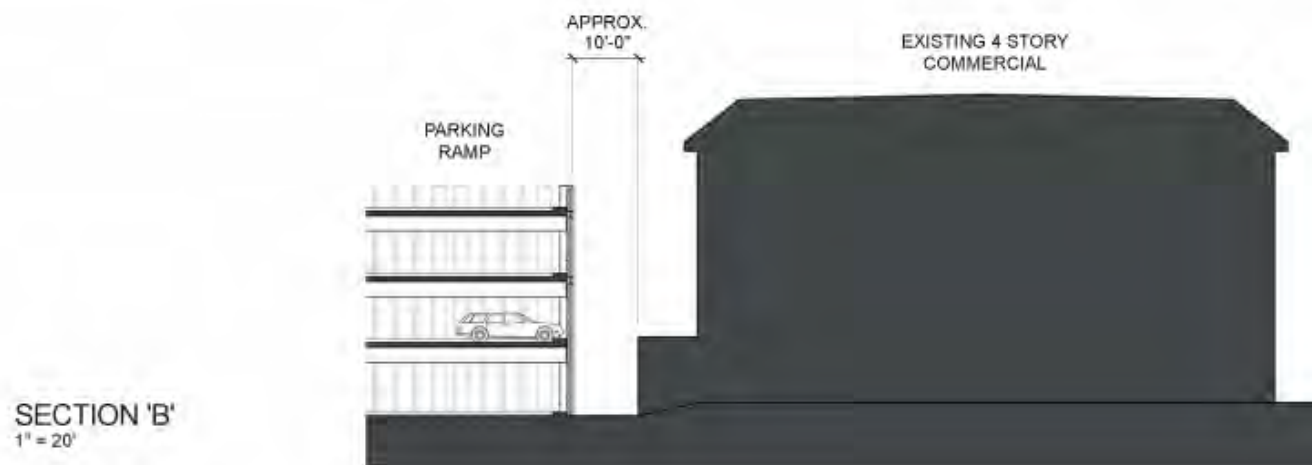
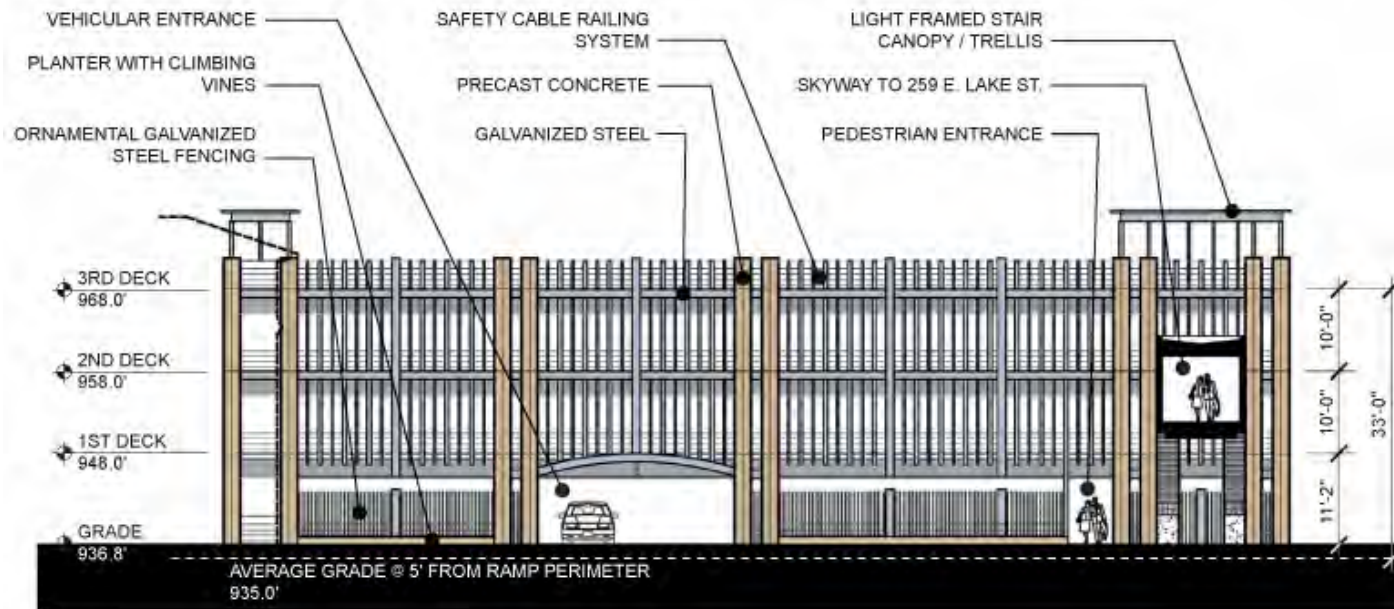
Lake Street (south) Elevation

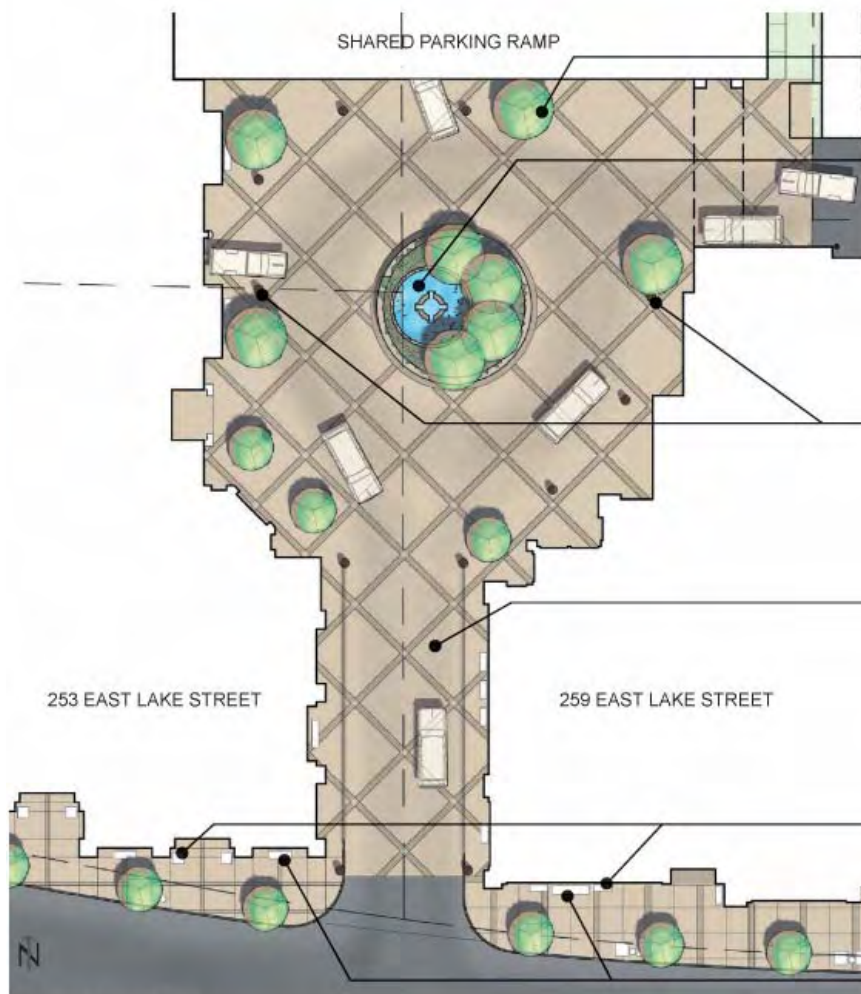


Auto Court (west) Elevation



Auto Court entry from Lake Street

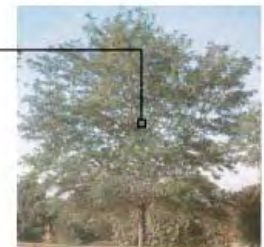




COURTYARD PLAN
NO SCALE



Water Feature



Tree



Stone Bollard



Trash Receptacle



Herring-bone Paver
with Soldier Accent



Tree Grate



Wood Planter

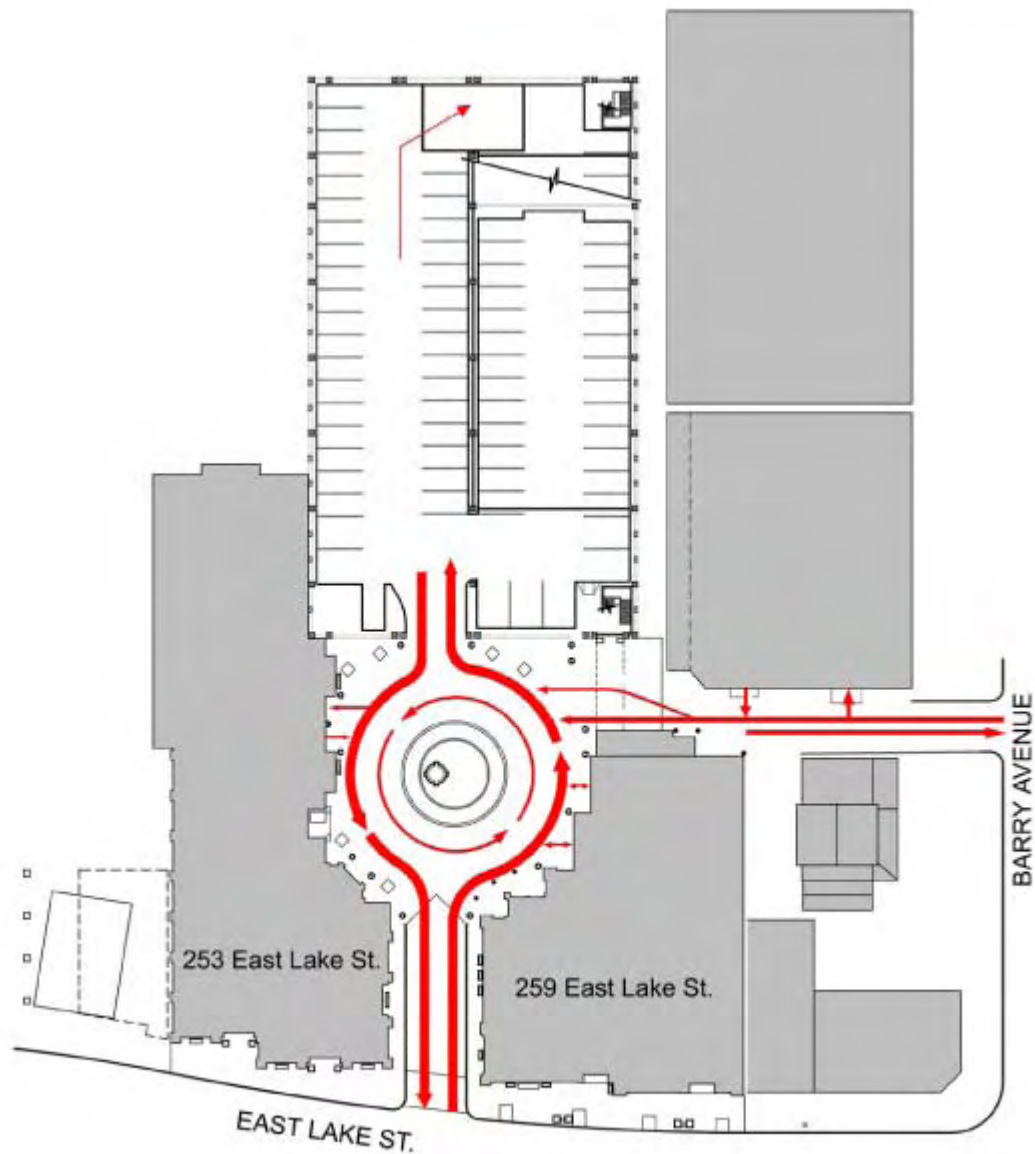


Bike Rack



Bench

SITE MATERIAL OPTIONS



TRAFFIC FLOW DIAGRAM
NOT TO SCALE





RENDERED VIEW OF COURTYARD - LOOKING EAST





RENDERED VIEW OF COURTYARD - LOOKING NORTHWEST





Design Factors

- Narrow frontage for retail
- Access from Lake Street
- Parking requirements
- Design Guidelines
- Mixed Use mandate
- Economics of Wayzata real estate
- Modern construction practices
- Market forces / tenant desires

Cooperation Between Neighbors

- Shared, efficient, privately funded parking facility
- Shared access to Lake Street
- Pedestrian friendly auto court
- Distinct yet complementary designs

Benefits to Wayzata

- Privately funded public parking facility
- Bridges a gap within the Lake Street retail district
- Prime example of mixed-use development as stated within the city's Comprehensive Plan
- Implementation of Design Guidelines and Comprehensive Plan
- Beautification of this area of Wayzata



Wayzata City Council – Work Session

Downtown Parking Project Update

June 16, 2015

AGENDA

- 1. Completed Since June 2, 2016**
- 2. Traffic Update from 2007 Study**
- 3. Geotechnical Investigation Proposal**
- 4. Green Roof & Watershed District Update on Storm Water Options**
- 5. Site Plan Alternatives**
- 6. Schedule Options**



Since the May 19 Meeting we have,

1. **Request Proposal for Preliminary Geotechnical Investigation**
2. **Meeting with Beltz/Source Group to review Development Options**
3. **Received and Reviewed Development Options from Pres Homes for Superior/Lake Parcel**
4. **Meeting with MCWD on Storm Water Management Options**
5. **Two-Hour Parking Enforcement Started June 1**
6. **Valet will start June 15**
7. **Advancing Employee Parking Discussions with Businesses**
8. **Schedule Options**

Actions Required Tonight:

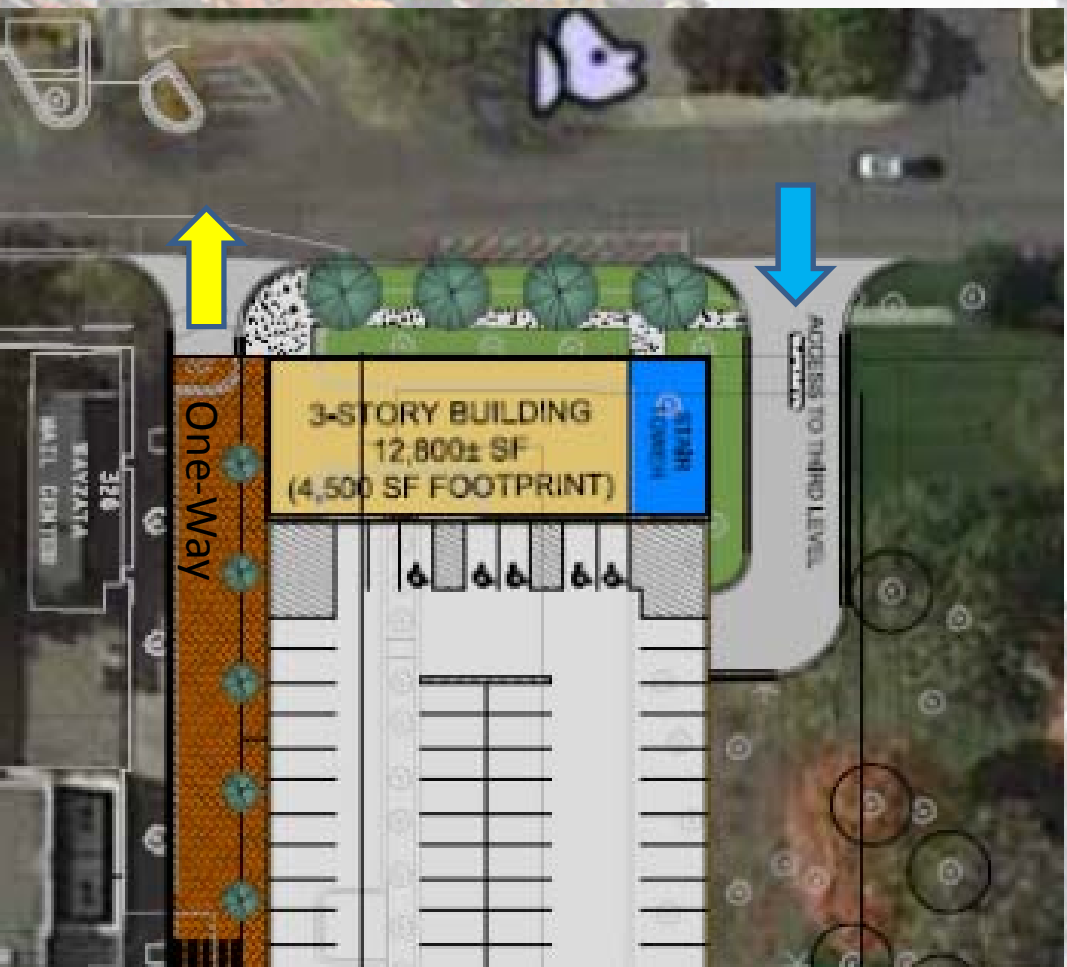
- **Authorize Geotechnical Investigation**
- **Approve Scope of Work for Traffic Update – Detailed Proposal at next meeting**
- **Consider Schedule Options**



Upper Broadway Access Concept

Access To Parking Ramp from Broadway

1. Access for parking ramp at Third Level within proper setbacks.
2. Impacts are limited and may move south depending on final Commercial Building layout.





Traffic Projections 2007

HR Green Study

- Broadway intersections show greater capacity that Superior Boulevard intersections.
- Traffic Projections should be updated to reflect changes in use for Downtown Commercial Area.
- Original Traffic Study assumed a 331 car parking ramp – number should be updated.

Table 4: Forecasted Peak Hour Intersection Level of Service Summary

Intersection	Level of Service	
	A.M. Peak	P.M. Peak
Central Avenue North and Hollybrook Road/Shadyway Road ⁽¹⁾⁽²⁾⁽³⁾	C, F	A/D
Central Avenue North and TH 12 North Ramps ⁽³⁾	C	C
Central Avenue North and TH12 South Ramps ⁽³⁾	B	C
Central Avenue and Wayzata Boulevard ⁽⁴⁾	C	D
Central Avenue South and Circle Drive ⁽¹⁾	A/A	A/A
Central Avenue South and LaSalle Avenue ⁽¹⁾	A/A	A/A
Wayzata Boulevard and Broadway Avenue	B	B
Wayzata Boulevard and Superior Boulevard ⁽⁴⁾	C	C
Wayzata Boulevard and Birch Bend Lane ⁽¹⁾	A/A	A/A
Wayzata Boulevard and Huntington Avenue	A/A	A/C
Wayzata Boulevard and TH 12 South Ramp	C	C
Bushaway Road and TH 12 South Frontage Road ⁽¹⁾	A/A	A/B
Bushaway Road and LaSalle Street ⁽¹⁾⁽²⁾	B/F	F/F
Bushaway Road and McGinny Road	F/F	F/F
Circle A Drive and East Circle Drive ⁽¹⁾	A/A	A/A
Huntington Avenue and East Circle Drive	A(A)	A/A
Superior Boulevard and Circle A Drive ⁽¹⁾	A/A	B/F
Superior Boulevard and Rice Street ⁽¹⁾	A/A	B/E
Superior Boulevard and Mill Street ⁽¹⁾	A/A	A/A
Broadway Avenue and Rice Street ⁽¹⁾	A/A	A/A
Broadway Avenue and Mill Street ⁽¹⁾	A/A	A/A
Lake Street and Broadway Avenue ⁽¹⁾	A/A	A/B
Lake Street and Superior Boulevard ⁽¹⁾	A/A	A/B
Lake Street and Circle A Drive ⁽¹⁾	A/A	A/A
Lake Street and Wise Avenue	A/A	A/A
North Plaza Road and West Internal Roadway	A/A	C/E
South Plaza Road and West Internal Roadway	A/A	A/A
South Plaza Road and East Internal Roadway	A/A	A/A
Mill Street and West Internal Roadway	A/A	A/A
Lake Street and West Internal Roadway	A/A	A/A
Lake Street and East Internal Roadway	A/A	A/A



Phased Geotechnical Investigation

Phase 1: Geotechnical Investigation

- 2 Borings to 50' depth on south half of ramp
 - 2 Borings to 30' depth on north half of ramp
 - Written Report with Foundation Recommendations
- * Fee: Braun Intertec Proposed \$9,000)

Phase 2 Geotechnical Investigation

- Based on Phase 1 results do additional borings as needed for Final Recommendation
- Fee: Estimated Range of \$10,000 to \$20,000





Woonerf – Next Steps

Meet with Business Owners to discuss proposed changes in use of Mill Street:

- Opportunities to consolidate trash/storage in new parking ramp
- Business creation opportunities (two-sided retail)
- Understand delivery vehicle requirements and frequency
- Vehicle & Pedestrian Access and Limitations
- Review Utility Impacts
- Opportunities for additional storm water improvements
- “Pocket Parks”





Green Roof – Next Steps

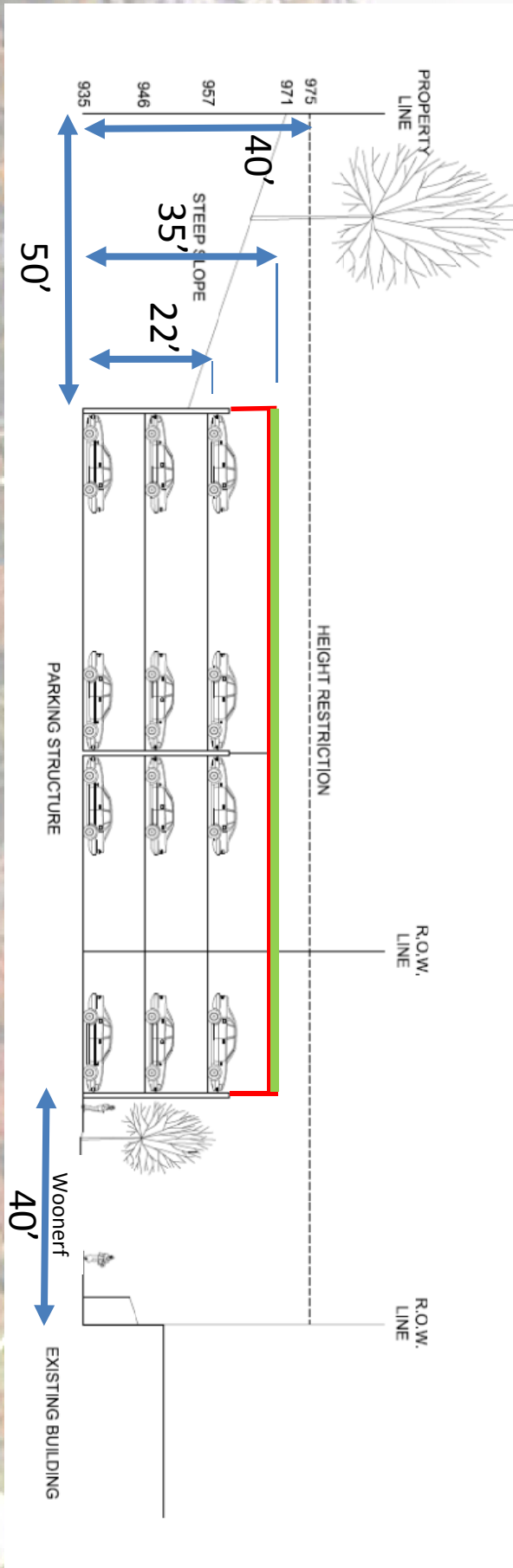
Green Roof Investigation:

- a. Meeting with WCWD –
Discuss Funding Options
- b. Further define cost-benefit
 - i. Structural impacts
 - ii. Capital Costs
 - iii. Long-Term O & M Costs
- c. Consider treating more of
600 block run-off and
consider cost-benefits
- d. Continued investigation
with Watershed District for
grant opportunities





Green Roof Height Impacts





Development Discussions

Beltz Discussions:

- **Up to 20,000 SF addition to the existing Beltz Property**
 - ✓ Three-level structure approx. 100' x 70' with third level step-back
 - ✓ Parking Demand (assume retail/office) of 70 – 75 spaces
- **Building on west side of parking deck smaller than 10,000 SF is most likely not financially feasible**
- **Possibly utilize air-rights over Mill Street for added development connected to existing Beltz Property**

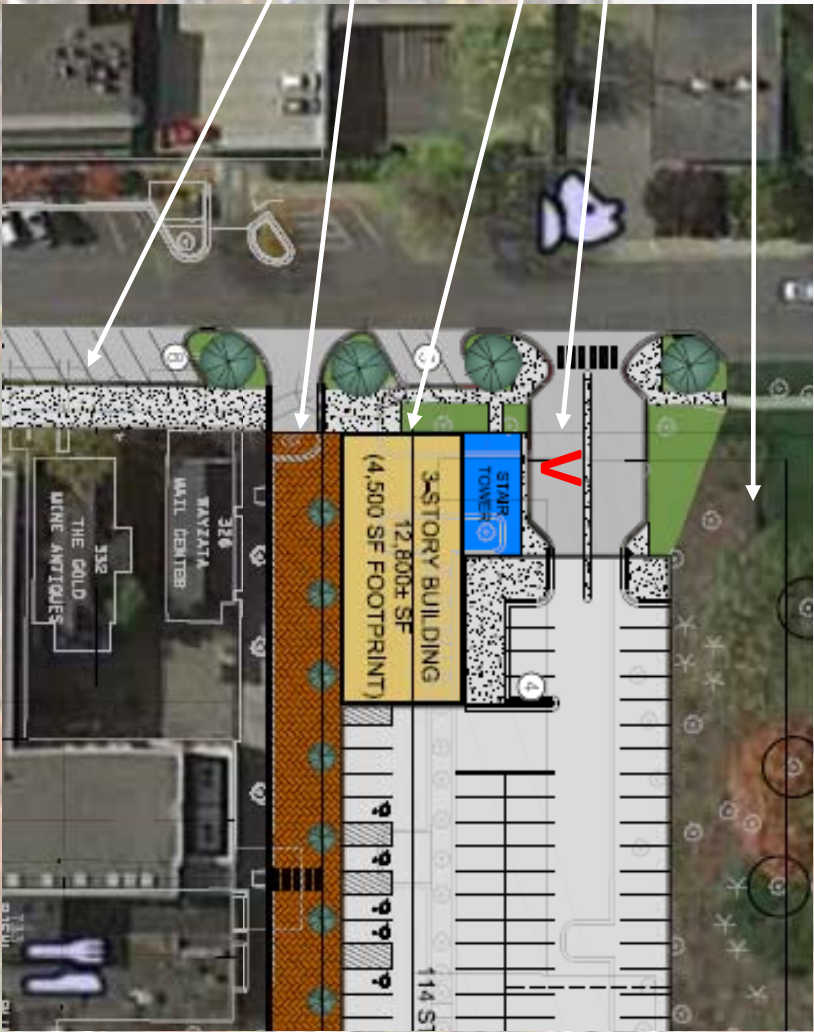
John Mehrkens/Pres Homes Discussions (memo in packet):

- **Development Scenarios for consideration of Superior Parcel**
 - ✓ Single Story 8,000 SF building up to two-story 22,000 SF
 - ✓ Parking Demand from 38 stalls to 212
 - ✓ Restaurant and Office Combination



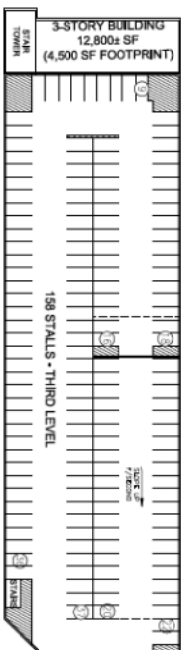
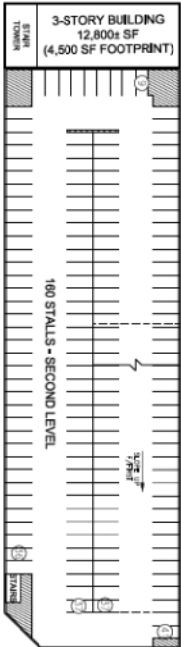
Parking Ramp Broadway Entrance Moved South

- Site Plan Changes**
- a. Move entry further down Broadway – entrance onto 2nd Level
 - b. Valet Center at Ramp Entry
 - c. Reduce Commercial Frontage on Broadway – Focus on Woonerf
 - d. Retain 40' width for Woonerf
 - e. Added angled parking on Broadway – plus 6 to 7 stalls





Parking Ramp Broadway Entrance Moved to Mill St.



- Advantages:**
- Valet, Bike RR & Stair Tower closer to Shops and Woonerf
 - Added Commercial Frontage on Broadway
 - 20-30 More Parking Stalls
- Disadvantages:**
- Vehicular use of portions of Woonerf full-time
 - Loading of ramp only from ground level



PARKING RAMP DATA

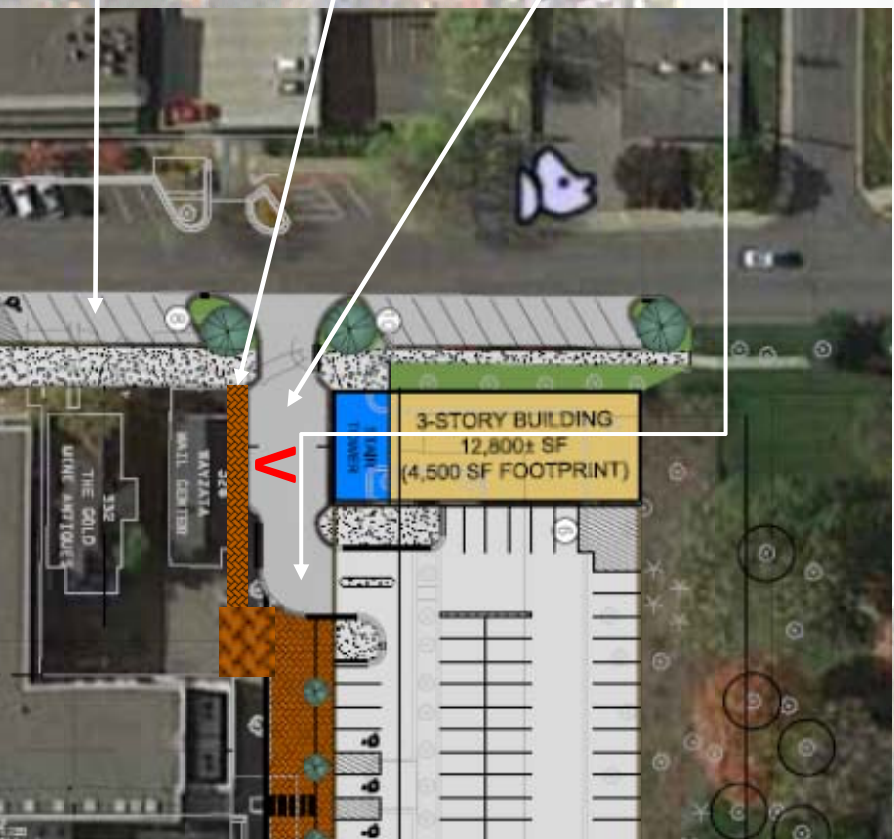
PROPOSED STALL SIZE:	14'4" x 20' ± (11' x 20' ± @ 48,000 SF EACH)
PROPOSED DRIVE AISLE WIDTH:	24' (TWO-WAY)
ADA PARKING REQUIRED:	9 STALLS
STRUCTURED PARKING PROVIDED:	455± STALLS @ 400' ±
RAMP AREA PER STALL:	337 SQ. FT.
STREET PARKING DATA (BROADWAY AVE)	
60 256 PARKING PROVIDED:	18 STALLS
PARALLEL PARKING REMOVED:	9 STALLS
TOTAL NET GAIN:	9 STALLS



Parking Ramp Broadway Entrance Moved to Mill St.

Site Plan Changes

- Move parking ramp entry to Mill St. Entry on 1nd Level
- Valet Center at Ramp Entry
- Stair Tower at more convenient location to access shops
- Dedicate portions of Woonerf to street function
 - Mixing pedestrians with vehicles at all times
 - Possibly direct pedestrians to Beltz Building Walkway
- Added angled parking on Broadway – plus 11 to 12 stalls





Parking Ramp Broadway Entrance Moved to Mill St.

Site Plan Changes

- Beltz Expansion goes over Mill St. and creates an arched gateway to Woonerf
- Expansion area could be two-levels or three

Advantages:

- Consolidate Commercial building
- Woonerf out to Broadway

Disadvantages:

- Loss of 20-30 parking stalls
- Stair Tower moves away from Woonerf





Schedule Options

Option #1: Accelerate Schedule for 2015/2016 Construction

- | | |
|---|----------------|
| • Site Plan and Parking Ramp Options | June 16, 2015 |
| • Select Preferred Alternative (PA) for Further Investigation | July 7, 2015 |
| • Public Involvement | July//Aug 2015 |
| • Concept Approval – Advance to Site Plan Submittal | August 2015 |
| • Procurement Selection/Fast Track Final Design | October 2015 |
| • Start Construction | December 2015 |
| • Substantial Completion (1 st Level) | June 2016 |
| • Final Completion | August 2016 |



Schedule Options

Option #2: Delay to 2016/2017 Construction

- | | |
|---|-----------------|
| • Site Plan and Parking Ramp Options | June 16, 2015 |
| • Select Preferred Alternative (PA) for Further Investigation | July 7, 2015 |
| • Public Involvement | July/Aug 2015 |
| • Concept Approval – Advance to Site Plan Submittal | September 2015 |
| • Additional Public Comment Period | Oct/Nov 2015 |
| • Procurement Selection Initiate Final Design | December 2015 |
| • Bidding/Contractor Selection | March 2016 |
| • Partial NTP for Shop Drawings/Material Ordering | April 2016 |
| • Break Ground | October 1, 2015 |
| • Final Completion | April 2017 |

Memorandum

To: Heidi Nelson, City of Wayzata

From: John Mehrkens, VP Development

Date: June 9, 2015

Subject: Wayzata Remnant Parcel Development Concept

The purpose of this memorandum is to provide a brief history of how the Remnant Parcel was created and an outline of its development potential should Wayzata Bay Redevelopment Company develop the site. This letter is also intended to fulfill the first requirement as outlined in the Term Sheet for amendment of the Redevelopment Contract, item #10, adopted by Wayzata City Council at their meeting of June 2, 2015.

The Remnant Parcel was created when the re-routing of Superior Boulevard took place creating a traditional 90° intersection at Lake Street. As a result of the road reconfiguration a triangular parcel was created. Since that time, a land swap occurred with the neighboring parcel to create a square, more developable lot. Based upon that land swap, a parcel of approximately 128' x 124' or 15,000 square feet or .36 acres is now available for potential redevelopment.

In conjunction with the redevelopment of the Bay Center, the Remnant Parcel originally owned by Wayzata Bay was transferred to the City. The City has since developed the Municipal Bar and Liquor Store and have utilized that parcel for parking. As part of the Redevelopment Agreement, Wayzata Bay Redevelopment Company retained a Right of First Negotiation to re-acquire the site should the City wish to sell it.

It is our understanding that the potential creation of a Municipal Parking Ramp may make the Remnant Parcel available for development. Further, it is assumed the City is looking at the sale of the Remnant Parcel as a potential source of capital and could be, to the extent it qualifies, an ongoing source of tax increment to support the new ramp.

Per the current Term Sheet for Amendment to the Redevelopment Contract, Wayzata Bay Redevelopment is to submit a conceptual development plan for the site by September 1, 2015. However, due to the necessity of City planning of the ramp it has been requested that we provide an outline of the development potential and its parking impacts in advance.

The development of the property could take a number of forms based upon the planning direction adopted. If it was presumed that the City wished to maximize its value for the property, the site would be developed to its outer limits. As such, we have provided an outline that maximizes the leasable square footage in order to capitalize on land value. However, should the City wish to reduce the leasable square footage in order to meet other planning goals, such as reducing the visual impact of the property, a smaller foot print and building could be developed. We have provided alternatives for a smaller development plan as well. It is understood that whichever development plan is adopted, the land value will be directly dependent upon the leasable square footage achieved. Under any circumstance, it is assumed that any development of the Remnant Parcel will not allow for any on site or below grade parking and thus would require off-site parking, presumably in the new ramp.

Maximized Development Option:

Based upon the above range of assumptions, the maximized development would include a two-story building that would house retail/restaurant on the first floor and office above.

Building Site Placement Assumptions:

- South elevation to be placed at the back of the Lake Street sidewalk, similar to other properties within the block.
- East elevation would be set back 20' from the back of the curb to match the Muni.
- West elevation would be at the property line.
- North elevation would be at the property line.

This would yield a first floor gross square footage of approximately 12,500. Removing utility space, trash, elevator lobby for second floor, etc., the net leasable would be approximately 11,300 square feet.

Assuming the project would require a step back design for the second floor, as I believe current ordinances requires, the south and east elevations would be stepped back 5'. The north and west elevations would remain on the same plain as the first floor. This would yield a second floor gross square footage of approximately 11,400 with an approximate 10,800 square foot net leasable for a single tenant or approximately 9,000 for a multi-tenant design.

This represents the maximum two story net leasable of:

1 st Floor Retail / Restaurant	11,300 SF
2 nd Floor Office	<u>10,800 SF</u>
Combined Total	22,100 SF

The following table outlines three potential scenarios that follow the square footage noted above. The first scenario is a restaurant only plan which is unlikely. Very few restaurants users could utilize the full square footage. The second is an equal split between restaurant and general retail. The third assumes no restaurant. In all three scenarios, the office is shown at its largest capacity.

Use	Parking Ratio	Scenario 1		Scenario 2		Scenario 3	
		Square Footage	Parking Demand	Square Footage	Parking Demand	Square Footage	Parking Demand
Restaurant	15.2	11300	172	5650	86	0	0
General Retail	3.9	0	0	5650	22	11300	44
Office	3.7	10800	40	10800	40	10800	40
			212		148		84

Reduced Development Option:

Under a reduced development plan, the building could have increased first floor setbacks and either a larger second floor setback or no second floor at all. The building would then be a one or two story option with similar uses as indicated above.

Building Site Placement Assumptions:

- South elevation to be placed at the back of the Lake Street sidewalk, similar to other properties within the block.
- East elevation would be set back 20' from the back of the curb to match the Muni.
- West elevation would have a 10' setback from the property line.
- North elevation would have a 10' setback from the property line.

This would yield a first floor gross square footage of approximately 9,900. Removing utility space, trash, elevator lobby for second floor, etc., the net leasable would be approximately 8,700 square feet.

Increasing the upper level setback on the Lake and Superior elevations from 5' to 10' would reduce the second floor to 9,200 gross. The north and west elevations would remain on the same plain as the first floor. This would yield a second floor net 8,000 square foot leasable for a single tenant.

This represents the following reduced one and two story net leasable of:

	Two Story	One Story
1 st Floor Retail / Restaurant	8,700 SF	8,700 SF
2 nd Floor Office	8,000 SF	0 SF
Combined Total	16,700 SF	8,700 SF

The following table outlines three potential scenarios that follow the square footage noted above. The first scenario is a restaurant only plan which is unlikely. Very few restaurants users could utilize the full square footage. The second is an equal split between restaurant and general retail. The third assumes no restaurant. In all three scenarios, the office is shown at its largest capacity.

Two Story

Use	Parking Ratio	Scenario 1		Scenario 2		Scenario 3	
		Square Footage	Parking Demand	Square Footage	Parking Demand	Square Footage	Parking Demand
Restaurant	15.2	8700	132	4850	73	0	0
General Retail	3.9	0	0	4850	19	8700	34
Office	3.7	8000	30	8000	30	8000	30
			162		122		64

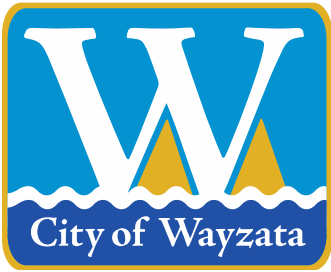
One Story

Use	Parking Ratio	Scenario 1		Scenario 2		Scenario 3	
		Square Footage	Parking Demand	Square Footage	Parking Demand	Square Footage	Parking Demand
Restaurant	15.2	8700	132	4850	73	0	0
General Retail	3.9	0	0	4850	19	8700	34
			132		92		34

While the above provides a range of options, there are many more iterations that could be considered. We hope this information will be helpful in planning for the potential development of the Remnant Parcel, as well as the various potential demands on a parking structure.

We are pleased to working with the City of development of this important parcel and look forward to continued discussion. Please let me know if I can provide any additional information or if you have any questions.

End of Memorandum



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: May 27, 2015

To: Mayor Willcox and Councilmembers

From: Heidi Nelson, City Manager

Subject: Designation of Council Representatives for Key Initiatives

As a part of the 2015 Strategic Planning session, Council expressed an interest in being more involved in key city initiatives, which included Lake Effect, Bushaway Road Reconstruction, Cell Tower Site, and Downtown Parking. Staff polled the Council regarding their interest in the key initiatives, the following responses were received:

Mayor Willcox:

- 1) Lake Effect
- 2) Downtown Parking

Councilmember Mullin:

- 1) Lake Effect
- 2) Downtown Parking

Councilmember Anderson:

- 1) Lake Effect

Councilmember Tyacke:

- 1) Downtown Parking
- 2) Cell Tower Site

Councilmember McCarthy:

- 1) Cell Tower Site
- 2) Downtown Parking
- 3) Lake Effect
- 4) Bushaway Road Reconstruction

Council appointments to the Lake Effect Selection Committee will be made in the item #7d of the agenda. Following Council discussion, staff is requesting that designation be made for the other three key initiatives. Staff is also recommending that Council involvement in key initiatives be defined as follows:

- For Bushaway Road Reconstruction: participation as Council representative in Landscape Committee and monthly/bi-monthly resident/business update meetings
- For Lake Effect: Council representative on Lake Effect Selection Committee
- For Downtown Parking: Involvement in key meetings with staff, financial and design consultants, residents, property/business owners to assist in moving the project forward.
- For Cell Tower Site: Involvement in key meetings with staff, legal and telecom consultants, residents and property owners to assist in moving the project forward.

CITY OF WAYZATA



PLANNING DEPARTMENT

MEMORANDUM

To: City Council
From: Bryan Gadow, Director of Planning and Building
Date: June 9, 2015
Re: Lake Effect: Signature Project RFP Selection Committee Representative from City Council

Background

On June 2nd, the City Council authorized the release of a request for proposals (RFP) for the Lake Effect: Signature Project. This RFP process solicits design teams to submit proposals that build off of the Lake Effect framework and other work that the City has completed to date, with the goal of a project that is ready for construction.

To assist with the review of the RFP responses and selection of the winning design team, the City Council is creating a Selection Committee composed of design professionals, City Councilmembers, a representative from Planning Commission, Park and Trails, HPB/Historical Society, and representatives from area governmental jurisdictions such as Hennepin County, Three Rivers Park District, and the Minnehaha Creek Watershed District.

There will be some time commitment requested of each participant in the Selection Committee, as the group will begin review of the RFP responses in mid-July, creating a shortlist of teams by beginning of August, with finalist team interviews in mid-August, and winning team selection in early September.

City Council Selection

For the City Council, three (3) Councilmembers have expressed interest in serving on the Selection Committee: Councilmember Anderson, Councilmember Mullin, and Mayor Willcox.

The Council should address the following questions in determining their representative(s) to the Selection Committee:

1. How many Councilmember representatives: 1 or 2?
2. Which of the three interested Councilmembers would be appointed to serve?

Attached is a copy of the description of the Selection Committee roles and responsibilities.

LAKE EFFECT: SIGNATURE PROJECT

Supplemental Information

SELECTION COMMITTEE COMPOSITION

The role of the Selection Committee is similar to that of any group overseeing the hiring for a civic project – to select an interdisciplinary design team that has the appropriate skill set, understanding and approach to the project.

The up to 11 Committee members will have design and city building expertise and/or a vested interest in or particular knowledge of the site. Consideration is also given to potential partners, funders and regulatory bodies. It is expected that not all invitees will be able to participate.

The composition of the Selection Committee should be:
2-3 regional design experts

A selection of political and institutional representation:

- 1-2 Wayzata City Council member
- 1- Hennepin County
- 1-Three Rivers
- 1-LMCD
- 1-MCWD
- 1-Railroad

Community Committee representation:

- 1-Historical Society
- 1-Planning Committee
- 1-Parks and Trails Committee

In order to preserve objectivity, Selection Committee names will not be made public until after submissions are received.

SELECTION COMMITTEE JOB DESCRIPTION AND EXPECTATIONS

The Selection Committee will shortlist up to three teams and ultimately select a winning team based on a team's:

- Size and composition (disciplines represented)
- Team project experience and experience working together
- Design philosophy and approach
- Proposed design process and fees

The Committee Members will:

- Evaluate all submissions using established criteria and ranking system
- Convene and shortlist up to three teams based on previous ranking, discussion and voting
- Interview the up to three teams and select a winner through evaluation, discussion and voting

If the number of submissions exceeds 12, the three design professionals will cull through all of the submissions and reduce the number to 8 for full Selection Committee evaluation and shortlisting.

Selection Committee members are discouraged from speaking to design teams or the public throughout the selection and contracting process. All public communication about team selection will be managed through formal communication channels.

City Council will honor the Selection Committee process and choice.

DESIGN PHASES AND DEFINITIONS

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Schematic Design Phase Services

During the first phase—schematic design—a designer consults with the owner to determine project goals and requirements. Often this determines the program for the project. The program is the term used to define the required functions of the project. It should include estimated square footage of each usage type and any other elements that achieve the project goals. During schematic design, a designer commonly develops study drawings, documents, or other media that illustrate the concepts of the design and include spatial relationships, scale, and form for the owner to review. Schematic design also is the research phase of the project, when zoning requirements or jurisdictional restrictions are discovered and addressed. This phase produces a final schematic design, to which the owner agrees after consultation and discussions with the designer. Costs are estimated based on overall project volume. The design then moves forward to the design development phase.

Design Development Phase Services

Design development (DD) services use the initial design documents from the schematic phase and take them one step further. This phase lays out mechanical, electrical, plumbing, structural, and other landscape or infrastructure details. Typically referred to as DD, this phase results in drawings that often specify design elements such as material types and location of windows and doors. The level of detail provided in the DD phase is determined by the owner's request and the project requirements. The DD phase often ends with a formal presentation to, and approval by, the owner.

Construction Document Phase Services

The next phase is construction documents (CDs). Once the owner and designer are satisfied with the documents produced during DD, the designer moves forward and produces drawings with greater detail. These drawings typically include specifications for construction details and materials. Once CDs are satisfactorily produced, the designer sends them to contractors for pricing or bidding, if part of the contract. The level of detail in CDs may vary depending on the owner's preference. If the CD set is not 100-percent complete, this is noted on the CD set when it is sent out for bid. This phase results in the contractors' final estimate of project costs.

Bid Or Negotiation Phase Services

The first step of this phase is preparation of the bid documents to go out to potential contractors for pricing. The bid document set often includes an advertisement for bids, instructions to bidders, the bid form, bid documents, the owner-contractor agreement, labor and material payment bond, and any other sections necessary for successful price bids. For some projects that have unique aspects or complex requirements, the designer and owner elect to have a pre-bid meeting for potential contractors. After bid sets are distributed, both the owner and designer wait for bids to come in. The owner, with the help of the designer, evaluate the bids and select a

winning bid. Any negotiation with the bidder of price or project scope, if necessary, should be done before the contract for construction is signed. The final step is to award the contract to the selected bidder with a formal letter of intent to allow construction to begin.

Construction Phase Services

Contract administration (CA) services are rendered at the owner's discretion and are outlined in the owner-designer construction agreement. Different owner-designer-contractor agreements require different levels of services on the designer's part. CA services begin with the initial contract for construction and terminate when the final certificate of payment is issued. The designer's core responsibility during this phase is to help the contractor to build the project as specified in the CDs as approved by the owner.