

**WAYZATA CITY COUNCIL MEETING AGENDA**  
 Wayzata City Hall Community Room, 600 Rice Street  
 Tuesday, March 3, 2015

**7:00 PM - CITY COUNCIL MEETING**

| ITEM     | DESCRIPTION                                                                         | PRESENTER | JM | AM | KW | BA | ST | VOTE | PAGE # |
|----------|-------------------------------------------------------------------------------------|-----------|----|----|----|----|----|------|--------|
| <b>1</b> | <b>Roll Call</b>                                                                    |           |    |    |    |    |    |      |        |
| <b>2</b> | <b>Approve Agenda</b>                                                               |           |    |    |    |    |    |      |        |
| <b>3</b> | <b>Public Forum - 15 Minutes (3 min/person)</b>                                     |           |    |    |    |    |    |      |        |
| <b>4</b> | <b>Consent Agenda</b>                                                               |           |    |    |    |    |    |      | 2      |
| a.       | Approval of Workshop Minutes of February 17, 2015 and Minutes of February 17, 2015  |           |    |    |    |    |    |      |        |
| b.       | Approval of Check Register                                                          |           |    |    |    |    |    |      |        |
| c.       | Approval of Minutes of January 20, 2015 w/ CC Member Anderson edits                 |           |    |    |    |    |    |      |        |
| d.       | Approval of Municipal Licenses                                                      |           |    |    |    |    |    |      |        |
| e.       | Municipal Licenses Which Received Administrative Approval (Informational Only)      |           |    |    |    |    |    |      |        |
| <b>5</b> | <b>New Business</b>                                                                 |           |    |    |    |    |    |      |        |
| a.       | Update on Downtown Parking Improvement Project (Tasks 1-4)                          | Nelson    |    |    |    |    |    |      | 34     |
| b.       | Consider Resolution 13-2015 Subdivision at 637 Harmony Cir.                         | Gadow     |    |    |    |    |    |      | 51     |
| c.       | Consider Approval of Ordinance - Wireless Facilities and Tower Six Month Moratorium | Nelson    |    |    |    |    |    |      | 146    |
| <b>6</b> | <b>City Manager's Report and Discussion Items</b>                                   |           |    |    |    |    |    |      |        |
| <b>7</b> | <b>Public Forum (as necessary)</b>                                                  |           |    |    |    |    |    |      |        |
| <b>8</b> | <b>Adjournment</b>                                                                  |           |    |    |    |    |    |      |        |

**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 - March 17 & April 7, 2015  
 Planning Commission - March 16 & April 6, 2015

**WAYZATA CITY COUNCIL**  
**DRAFT-WORKSHOP MEETING MINUTES**  
**February 17, 2015**

**4:30 PM – “Navigating Your Competitive Future” – Joint Workshop with Planning Commission, HRA & HPB – Conducted by the Urban Land Institute**

Mayor Willcox called the workshop meeting to order at 4:30 p.m. in the Community Room at Wayzata City Hall. Council members present: Anderson, McCarthy, Mullin and Tyacke. HRA Commissioners present: Shaver and Wothe. HPB Members present: Anderson and Sorrentino. Park and Trails Board Members present: Babcock. Also present: City Manager Nelson, Director of Planning and Building Gadow, and Director of Public Service Dudinsky. ULI MN Panelist present: Gordon Hughes, ULI MN; Cathy Bennett, ULI MN; David Anderson. Frauenshuh Commercial; Max Musicant, Musicant Group; Bill Beard, Beard Group; and Stacie Kvilvang, Ehlers, Inc.

Mr. Hughes with the Urban Land Institute (ULI) explained their group actively engages public and private sector leaders to foster collaboration, share knowledge and join in meaningful strategic action to create thriving, resilient communities. Ms. Bennett provided statistical data regarding U.S. Generational Distribution, projected Minnesota population for ages 65+, and metro area growth for older households.

Members in attendance then participated in a panel discussion with Mr. Anderson, Mr. Musicant, Mr. Beard, and Ms. Kvilvang regarding local demographics and the redevelopment market. The panelists discussed the following items with the members:

- Wayzata has a number of key strengths and assets to leverage, and a great story to tell.
- The Great Recession seriously affected the development community, in that developers are selective on about projects.
- The Next Generation is not just looking for a community, but also a sense of place which includes jobs, social and technological connectedness, sustainability, diversity, affordability and access to state of the art technology.
- Renting is still a desired option for the Next Generation and Baby Boomers.
- Density can make a significant difference in the feasibility of a project.
- Difficulties with accessing private capital have increased the complexity of development deals.
- Vertical mixed use projects are still possible despite tougher market conditions.
- Successful communities develop a clear vision, react appropriately to opportunities, create innovative financial tools and leverage their key assets.
- Continue to refine the financial and/or land use role the City would consider for future development and redevelopment opportunities.
- Continue to expand the sidewalk and trail system not only within neighborhoods but as connectors to important community assets such as downtown and the lake.
- Encourage reinvestment in older housing stock; particularly targeted to a younger generation of buyers.

The Council thanked the panelist for a thought provoking discussion.

The workshop meeting was adjourned at 6:35 p.m.

Respectfully submitted,

Becky Malone, Deputy City Clerk

**WAYZATA CITY COUNCIL  
DRAFT - MEETING MINUTES  
February 17, 2015**

**AGENDA ITEM 1. Call to Order and Roll Call.**

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

**AGENDA ITEM 2. Approve Agenda.**

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

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

**a. Update on Legislative Session**

This item was considered following Agenda Item 5c upon arrival of Minnesota State Representative Hertaus.

**AGENDA ITEM 4. Consent Agenda.**

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

- a. Approval of Workshop Minutes of February 3, 2015 and Minutes of February 3, 2015
- b. Approval of Check Register
- c. Second Reading of Ordinance No. 750, Allowing Installment Payments of City's On-Sale Liquor License Fees in Years 2015 and 2016
- d. Consider Policy for City Council – Board, Commission, and Committees Communication
- e. Approval of Municipal Licenses
- f. Municipal licenses which received administrative approval (informational only)
- g. Police Activity Report
- h. Building Activity Report

The motion carried 5/0.

**AGENDA ITEM 5. New Business.**

**a. Consider Resolution No. 10-2015 CUP Amendment, 700 Lake Street, CōV**

Mr. Gadow presented Resolution No. 10-2015, which had been revised based on Council comments during the February 3, 2015, City Council meeting and noted the items that had been changed.

The Council noted that the one allowable storage container in existence on the public right-of-way should be labeled as 'general storage' and not 'wood storage' to give CōV the opportunity to choose to store its wood in a different location. Mr. Gadow answered questions of the Council relating to current parking requirements, future parking requirements, and the 1988 Development Agreement. Mr. Schelzel commented that the City had the authority to change the parking requirements in the future under a different statute and staff would carefully engineer the language of the future development agreement. The Council requested staff to look into other businesses that might be using public right-of-way and how to address the issue moving forward.

Mrs. Anderson made a motion, seconded by Mrs. McCarthy, to Adopt Resolution No. 10-2015, Approving CUP Amendment and Temporary Encroachment Permit at 700 Lake Street. The motion carried 5/0.

**b. Consider Resolution No. 12-2015 Supporting the Minnehaha Creek Watershed District Design and Construction of Vegetated Soil Slopes along the Causeway Portion of CSAH 101 in Wayzata**

Mr. Kelly reported that on February 26, 2015, the Minnehaha Creek Watershed District would hold a public hearing regarding a project along the causeway, in Wayzata, as part of the overall CSAH 101/Bushaway Road reconstruction. The project proposed to construct vegetated soil slopes along both the Wayzata Bay and Grays Bay sides of the causeway. The Minnehaha Creek Watershed District was seeking a resolution of support from the local government as stipulated in its Comprehensive Plan prior to ordering capital projects in excess of \$300,000. Mr. Kelly presented a map of the area planned for reconstruction.

Mr. Kelly answered a question of the Council, indicating that there were not any budget implications for the City because the agreement was between Hennepin County and the Minnehaha Creek Watershed District. Mr. Kelly that there could be possible tax implications in regard to Hennepin County taxes.

James Wisker, Minnehaha Creek Watershed District, shared the project was to create an ecologically functioning shoreline that was contained within the District's ten year Capital Improvement Plan. Mr. Wisker answered questions of the Council relating to the materials, purpose of the shoreline, and the estimated project start date.

Mr. Kelly answered questions of the Council relating to the Indian burial grounds discovered at the intersection of Minnetonka and Woodland explaining that there were ongoing conversations with the Minnesota Indian Affairs Council and the County was considering a modified curve in that area.

Mayor Willcox thanked the Minnehaha Creek Watershed District for all of its forethought and hard work.

Polly Pabst, 217 Bushaway Road, presented a letter in support of Resolution No. 12-2015 from Ron Anderson, 663 Bushaway Road. Mr. Anderson was a professor of Sociology at the University of Minnesota and had dedicated countless hours to Bushaway Road preservation.

Mrs. Anderson made a motion, seconded by Mrs. McCarthy, to Adopt Resolution No. 12-2015, Supporting the Minnehaha Creek Watershed District Design and Construction of Vegetated Soil Slopes along the Causeway Portion of CSAH 101 in Wayzata. The motion carried 5/0.

The Council asked for updates on Bushaway Road, such as the Indian burial ground, to be passed on as soon as staff received them and encouraged staff to begin forming a new landscape committee as early as possible so discussions would not be rushed.

**c. Update on Telecommunications Site**

Mr. Dudinsky presented a short history of the telecommunication site for the new Council Members and explained that this item was back before the Council to explore the current options and get Council feedback. Mr. Dudinsky discussed one monopole options including 402 Gardner Street and Wayzata West Middle School and two monopole options including one monopole at Wayzata Public Works and one monopole on Minnesota Department of Transportation right-of-way property.

Mrs. Anderson asked if the monopole site on Minnesota Department of Transportation right-of-way property was the site that Mr. Dudinsky took from former Council Member Amdal's suggestion for the lift station site on Frontage Road. Mr. Dudinsky replied no, the lift station site was questionable because of possible future development. Mrs. Anderson noted the possibility of one of the subdivision lots that face Frontage Road. Mr. Dudinsky responded that they could be looked at.

Mr. Dudinsky also updated the Council on the current status of the four tenants noting that AT&T and Verizon were still against moving their buildings because the City was considering moving locations.

1 Mrs. McCarthy asked if staff was dealing with the tenants directly or through a third  
2 party. Mr. Dudinsky replied that it was typically through a consultant.

3 Mr. Dudinsky presented estimated costs for the monopole options discussed and finally, a  
4 proposal from the City's consultant, SEH, to provide an aerial video of the telecom sites for  
5 \$3,700. If approved, the video would provide the feasibility for each site and the minimum  
6 height each monopole tower would need to be to provide optimum coverage.

7 Mr. Mullin asked how to get the additional the radio frequency data that the City needs to  
8 determine if a site was feasible. Mr. Dudinsky answered the plan was to work through a  
9 consultant to sit down with each of the tenants and have them commit early on.

10 Mayor Willcox asked if the drone used in the aerial video needed line of sight and if the  
11 tenants would second guess the height estimates. Mr. Dudinsky replied yes, for the most part the  
12 drone needed line of sight and the tenants would use it as additional information. It would also  
13 make the City smarter and able to argue if a tenant claims something different.

14 Mrs. Anderson noted the feasibility studies that had been done were based only on what  
15 was in Wayzata and did not take into account the overlap in coverage from other communities.  
16 Only the tenants could provide that information so there would be value in requiring them to do  
17 their own studies and provide that information. Mrs. Anderson asked if there were two towers,  
18 would the two towers then not need to be as tall as the one monopole option. Mr. Dudinsky  
19 responded that he was unsure. Mrs. Anderson noted the private tower on the east end of town  
20 behind Gerring's and suggested it could be increased.

21 Mr. Dudinsky communicated that the intention of staff was to sit down with each of the  
22 tenants and if support could be gained from one or two, then it just came down to a money issue.

23 Mrs. Anderson mentioned contacting the Minnesota Association of Community  
24 Telecommunications Administrators or the Minnesota Public Broadband Alliance, who regularly  
25 work with these vendors, to find out what had been done in other communities.

26 Mr. Tyacke asked where the access to Wayzata West Middle School site would be. Mr.  
27 Dudinsky answered that access would be coming off the parking lot along the tennis courts.

28 Mrs. Anderson expressed concern for the school site noting they were familiar with a  
29 micro site, but not a macro site and all the traffic that a macro site entailed.

30 Mr. Tyacke asked if using the school site would mean a requirement for a second pole.  
31 Mr. Dudinsky replied that they were hoping not.

32 Mr. Dudinsky stated that moving forward, he needed two answers from the Council. Did  
33 the Council support spending the money on the aerial video and did the Council want staff to  
34 continue to pursue AT&T and Verizon to remove their buildings?

35 Dan Goodmundson, 373 Park Street, asked if there was a leasing agent involved between  
36 the tenants and the City. Mr. Dudinsky answered yes. Mr. Goodmundson expressed concern  
37 over the revenue, suggesting it was ill gotten gain and argued that the City should not be in the  
38 telecommunications business.

39 Cathy Carlson, 226 Minnetonka Avenue North, expressed concern over taking down a  
40 property near the water tower to move the site. She suggested this would increase traffic and  
41 problems for many neighbors.

42 Susan Hughes, 415 Gardner Street, asked about additional antennas for some of the  
43 tenants and whether or not the City could deny the antennas. Mr. Dudinsky answered that the  
44 City could not deny them, but could review the proposal and make it minimal from a visual  
45 perspective. Ms. Hughes stated there was no way to improve the site and this was a tough issue,  
46 but even tougher for those who lived in the neighborhood.

47 Mary Bader, 117 Peavey Lane, stated that she served on the Council for six years and  
48 first heard about this in 2007. She noted that last summer, 500 people had signed a petition  
49 asking the Council to move the telecommunications site and encouraged the Council to seek a  
50 long-term solution to provide better service and a better place for vendors.

51 Mayor Willcox asked each Council Member to share which site they preferred.

1 Mrs. McCarthy shared that she had concerns for safety at the school and believed the best  
2 option to be a two monopole solution with one at Public Works and let the vendors figure out a  
3 location on the east side.

4 Mr. Tyacke was supportive of the single monopole at the school for cost reasons, but did  
5 have safety concerns. He suggested an alternate access off Highway 12. Mr. Dudinsky answered  
6 that there was a drainage ditch, but it could be bridged. Mr. Tyacke added that the two monopole  
7 option would be his second choice.

8 Mrs. Anderson was against the Gardner site because it continued to devalue other  
9 properties and was also against the school site. She was not sure that the school site was feasible  
10 and had huge safety concerns. Mrs. Anderson was in support of the two monopole option with  
11 one located at Public Works, noting that it was free land and a consultant had confirmed it was  
12 the best site. She shared that the FCC had recently upgraded the minimum standards for  
13 broadband download usage from 4 megabytes to 25 megabytes. If the City started saving 25% of  
14 the money made over the next five years, it could cover the cost of one site. The City was also  
15 assuming that it would have to cover the entire cost, but the vendors would probable share the  
16 cost. Mrs. Anderson voiced concern over the lack of policy for telecommunications. Staff was to  
17 start working on a telecommunication ordinance or draft policy that looked at equitable service  
18 for all, safety, fiscal responsibility, and stealth design.

19 Mr. Mullin suggested that one fact had been overlooked and that was the more intense the  
20 macro site was, the less intense the micro sites could be. He shared the objectives of safety and  
21 access, to mitigate noise and visual impact, maintain quality coverage, and not degrade another  
22 neighborhood. Mr. Mullin was interested in getting more information on the school site versus  
23 the two monopole solution and advancing the refurbishing of the water tower.

24 Mayor Willcox shared that the showstoppers for him included losing the revenue source,  
25 degrading another neighborhood, degrading cellular service, and not improving the current  
26 location in some way. He believed the school made the most sense because of cost and because  
27 the two monopole option transferred the problem to another neighborhood.

28 Mayor Willcox asked each Council Member to weigh in on their first choice for a site.  
29 Mr. Tyacke responded the school. Mr. Mullin supported the school. Mrs. McCarthy was in favor  
30 of the school. Mrs. Anderson responded that she did not have enough information on the sites or  
31 cost and felt like she needed to understand the sites better.

32 Mrs. McCarthy noted that the City was dealing with four tenants that had incredible  
33 proprietary information and suggested telling them that the water tower was off the table and ask  
34 them to share information and find a location to make it work. She also had an issue with  
35 spending \$3,700 for the video.

36 Mr. Dudinsky responded that the City had asked for information before, but it was like  
37 ‘pulling teeth’ to get the vendors to share information with the City or each other. Mrs.  
38 McCarthy suggested speaking to them individually and offering a confidentiality agreement.

39 Mr. Schelzel advised that the City could request that information under a confidentiality  
40 agreement, but there was an exception in the Data Practices statute and he assumed it would fall  
41 under that category.

42 Mr. Dudinsky mentioned the earlier reference to the tower behind Gerring’s Car Wash  
43 and stated if the location was acceptable, it would need to be replaced with a larger monopole.

44 Mrs. Anderson supported that stating the City did not need to gain more revenue from a  
45 second site.

46 Mayor Willcox concluded the guidance to staff was that the school site was the first  
47 preferred option and a two monopole option with the first being at Public Works was the second  
48 preferred option. He then asked the Council if they supported the aerial video expenditure. Mrs.  
49 McCarthy thought it was premature. The rest of the Council was in support.

Mayor Willcox moved the discussion on to timing and asked if the Council wanted to move up the schedule or allow leases to expire. The advantage of the lease expiration was the City does not have to bear any cost for the tenants to move.

Mrs. Anderson agreed with Mr. Mullin's suggestion of moving forward the date of the water tower refurbishment. Mr. Tyacke voiced his support.

Mr. Dudinsky noted that the water tower was not due for refurbishment until 2020. Mayor Willcox asked about the cost the tenant's would incur during the refurbishment. Mr. Dudinsky estimated \$75,000 to \$100,000.

Mrs. McCarthy supported the idea of moving the water tower refurbishment to 2018 and suggested that the City have another site ready in 2017. Mr. Dudinsky noted it would be very hard to be completed by 2018.

Ms. Nelson requested time to meet with the City Attorney to better understand the process of getting a new tower sited. She confirmed that legal would prepare a letter notifying the tenants that it was the City's intent to move away from the water tower and look at other potential sites. The City would need cooperation to identify the feasibility of the other sites named. Ms. Nelson also notified the Council that if a private site was utilized on the east side, there could be financial implications to the City's current telecommunications revenue.

Mayor Willcox requested a financial analysis.

Mrs. Anderson stated she understood that a site was needed to draft a telecommunications ordinance, but a telecommunications guidance policy was still needed.

Mr. Gadow suggested creating a separate document from the ordinance that would be guidance and put the tenants on notice.

Mr. Mullin asked about the plan for improving interim conditions on the water tower site. Mr. Dudinsky responded that AT&T and Verizon implied that they might be willing to replace the fence if they did not have to move their buildings.

Mr. Mullin noted \$50,000 had been allocated toward the project and suggested the City plan to spend that and ask the tenants to match.

Mrs. Anderson was against spending the \$50,000 on something the vendors might pay for. She suggested asking the neighborhood what it wanted and working with the Parks and Trails Board.

Mr. Dudinsky explained that both AT&T and Verizon need to add three antennas and both have implied that they would replace the fencing and add landscaping.

Mayor Willcox recapped where the Council stood and polled the Council on how it felt about using the \$50,000 as a 'bargaining chip' in order to get the vendors to participate in site beautification. Mrs. Anderson was uncomfortable with using the \$50,000 as a 'bargaining chip' and suggested putting it aside for future cost. The rest of the Council agreed to use the money only if necessary.

Mr. Tyacke made a motion, seconded by Mr. Mullin, to authorize the aerial video; notify the tenants of the two site options including Wayzata West Middle School and a two monopole option with one located at Public Works; consider moving up the water tower refurbishment; beautify the current site with vendor participation; and draft a policy statement including the public versus private uses. The motion carried 5/0.

Mrs. Anderson requested a follow up e-mail from staff with all of the key points.

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

#### **a. Update on Legislative Session**

Minnesota State Representative Jerry Hertaus shared that he was the State Representative for 33-A, one of the larger metro districts and served on the Education Finance Committee, the Property Tax Committee, Public Safety, Mining and Outdoor Recreation, Co-Chair of Hennepin County delegation, and Financial Crimes Advisory Board. Currently at the capitol, bills were being

introduced and once the bills were introduced on the floor they were assigned to the respective committee for the real work. Mr. Hertaus noted the different types of bills and mentioned a few that might affect Wayzata. He also discussed the City's bonding request stating that it had been jacketed and bonding was typically completed on even years.

Mr. Hertaus answered questions of the Council relating to a bill that would allow municipalities to pass tax exemptions to qualified businesses, Sunday liquor sales, and the minimum wage tip credit.

Mr. Hertaus thanked the City for allowing him to represent it and mentioned a Property Tax Committee listening session being held in Wayzata on February 27, 2015 at 7:00 p.m.

The Council recessed at 9:57 p.m.

The Council reconvened at 10:03 p.m.

#### **AGENDA ITEM 5. New Business – continued.**

##### **d. Consider Scope of Work with Mary deLaittre for Next Steps Lake Effect**

Mr. Gadow reported that on December 2, 2014, the Council adopted a set of next step recommendations and an Implementation Strategy for the Lake Effect project through the assistance of Ms. Mary deLaittre of Groundworks Consulting. On January 20, 2015, the Council discussed whether it wanted to continue its work with Ms. deLaittre in a consulting role or if other consulting options should be explored for project implementation. The Council directed staff to define a scope of work with Ms. deLaittre for moving forward with the Lake Effect. Mr. Gadow presented the scope of work and cost.

The Council discussed the scope of work and requested that staff work with Ms. deLaittre to define a more detailed work plan and deliverables. The Council noted the amount of money it had already spent on this project and was concerned with how much it was going to spend in the future, wanting to keep it in check.

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

##### **a. Update on 227 Walker Lot Combination**

Mr. Gadow reported that in January, the City Council reviewed and approved a lot combination at 227 Walker Avenue. Since then, staff had received a building permit application for an addition to the home that complied with all of the Code requirements. The applicant was proposing a 365 square foot addition to the property. However, the applicant had stated that there were not plans for an addition when requesting the lot combination. Staff recommended adding language to the development agreement, adding a condition requiring an applicant to submit plans to the Planning Commission and City Council after a lot combination had been approved.

The Council discussed lot combinations and supported a one-year time period after a lot combination that an applicant would need to submit building plans to the Planning Commission and City Council. The Council also suggested having the Planning Commission review the codes in different districts to ensure the language was appropriate and up-to-date.

##### **b. Update on New Website**

Ms. Nelson shared that the City's new website goes live on Thursday, February 19, 2015.

##### **c. Upcoming Dates**

Ms. Nelson noted the joint workshop on February 18, 2015, at 5:00 p.m. for the Parks and Trails Board and the City Council to discuss the east corridor landscape; the Bushaway listening session on February 19, 2015 at 9:00 a.m.; and, the State of the City event on March 18, 2015 at 12:00 p.m. at the Wayzata Country Club.

1 **d. Announcements**

2 Mr. Mullin noted that two business owners in the Wayzata Village Shops area were very  
3 concerned about the sustainability of their businesses and asked for improved communications  
4 and engagement with Heidi Brenneman, Manager of the Village Shops, regarding the shared  
5 collaboration on cost sharing for the marketing plans.

6 Becky Pierson, Wayzata Chamber of Commerce, shared that the Chilly Open had been a  
7 success with good weather and a good turn-out.

8  
9 **AGENDA ITEM 7. Public Forum Continued (if necessary).**

10 There were no comments.

11  
12 **AGENDA ITEM 8. Adjournment.**

13 Mrs. McCarthy made a motion, seconded by Mr. Tyacke to adjourn. There being no further  
14 business, Mr. Willcox adjourned the meeting at 10:36 p.m.

15  
16 Respectfully submitted,

17  
18  
19  
20 Becky Malone  
21 Deputy City Clerk

22  
23 Drafted by Sarah Peterson  
24 *TimeSaver Off Site Secretarial, Inc.*

**\*Check Detail Register©**

February 2015

|                          |                                          | Check Amt   | Invoice                            | Comment                                 |
|--------------------------|------------------------------------------|-------------|------------------------------------|-----------------------------------------|
| <b>10100 Anchor Bank</b> |                                          |             |                                    |                                         |
| Paid Chk#                | 097901                                   | 2/17/2015   | <b>ABSOLUTE MECHANICAL</b>         |                                         |
| E 640-48000-404          | Repairs/Maint - Machin/Equip             | \$7,320.00  | 4862                               | HVAC FILTERS FOR KITCHEN EXHAUST SYSTEM |
|                          | <b>Total ABSOLUTE MECHANICAL</b>         | \$7,320.00  |                                    |                                         |
| Paid Chk#                | 097902                                   | 2/17/2015   | <b>ALPINE DIVERSIFIED SERVICES</b> |                                         |
| E 640-48000-409          | Maint services & Improv                  | \$509.56    | 15738                              | EXHAUST CLEANING                        |
|                          | <b>Total ALPINE DIVERSIFIED SERVICES</b> | \$509.56    |                                    |                                         |
| Paid Chk#                | 097903                                   | 2/17/2015   | <b>ARTISAN BEER COMPANY</b>        |                                         |
| E 640-47000-253          | Beer For Resale                          | \$384.00    | 3016560                            | BEER                                    |
|                          | <b>Total ARTISAN BEER COMPANY</b>        | \$384.00    |                                    |                                         |
| Paid Chk#                | 097904                                   | 2/17/2015   | <b>BARTLEY, CHAD</b>               |                                         |
| E 640-48000-331          | Mileage & Expense Account                | \$38.00     | REIMB.                             | RESTAURANT VISITS - FOOD COMPARISONS    |
|                          | <b>Total BARTLEY, CHAD</b>               | \$38.00     |                                    |                                         |
| Paid Chk#                | 097905                                   | 2/17/2015   | <b>BELLBOY BAR SUPPLY CORP.</b>    |                                         |
| E 640-47000-251          | Liquor For Resale                        | \$1,423.55  | 46842900                           | LIQUOR                                  |
| E 640-47000-259          | Freight                                  | \$13.95     | 46842900                           | FREIGHT                                 |
| E 640-47000-210          | Operating Supplies (GENERAL)             | \$207.40    | 91520700                           | SUPPLIES                                |
| E 640-47000-259          | Freight                                  | \$4.97      | 91520700                           | FREIGHT                                 |
|                          | <b>Total BELLBOY BAR SUPPLY CORP.</b>    | \$1,649.87  |                                    |                                         |
| Paid Chk#                | 097906                                   | 2/17/2015   | <b>BERRY COFFEE COMPANY</b>        |                                         |
| E 640-48000-254          | Soft Drinks/Mix For Resale               | \$168.95    | M2774                              | COFFEE SUPPLIES                         |
| E 640-48000-254          | Soft Drinks/Mix For Resale               | \$146.95    | M4444                              | COFFEE SUPPLIES                         |
|                          | <b>Total BERRY COFFEE COMPANY</b>        | \$315.90    |                                    |                                         |
| Paid Chk#                | 097907                                   | 2/17/2015   | <b>BLUE CROSS AND BLUE SHIELD</b>  |                                         |
| G 101-21706              | Health Insurance                         | \$43,869.50 | MARCH 2015                         | HEALTH INS.MARCH 2015                   |
|                          | <b>Total BLUE CROSS AND BLUE SHIELD</b>  | \$43,869.50 |                                    |                                         |
| Paid Chk#                | 097908                                   | 2/17/2015   | <b>BOURGET IMPORTS</b>             |                                         |
| E 640-47000-252          | Wine For Resale                          | \$176.00    | 124716                             | WINE                                    |
| E 640-47000-259          | Freight                                  | \$3.00      | 124716                             | FREIGHT                                 |
|                          | <b>Total BOURGET IMPORTS</b>             | \$179.00    |                                    |                                         |
| Paid Chk#                | 097909                                   | 2/17/2015   | <b>CULLIGAN-METRO</b>              |                                         |
| E 640-48500-210          | Operating Supplies (GENERAL)             | \$177.65    | 101X27474900                       | SUPPLIES                                |
|                          | <b>Total CULLIGAN-METRO</b>              | \$177.65    |                                    |                                         |
| Paid Chk#                | 097910                                   | 2/17/2015   | <b>DAHLHEIMER DISTRIBUTING CO.</b> |                                         |
| E 640-47000-253          | Beer For Resale                          | (\$61.00)   | 105040                             | BEER                                    |
| E 640-48000-253          | Beer For Resale                          | \$603.00    | 1143943                            | BEER                                    |
| E 640-47000-253          | Beer For Resale                          | \$228.75    | 1143944                            | BEER                                    |
| E 640-48000-253          | Beer For Resale                          | \$817.00    | 1147401                            | BEER                                    |
|                          | <b>Total DAHLHEIMER DISTRIBUTING CO.</b> | \$1,587.75  |                                    |                                         |
| Paid Chk#                | 097911                                   | 2/17/2015   | <b>DAY DISTRIBUTING</b>            |                                         |
| E 640-48000-253          | Beer For Resale                          | \$884.00    | 788844                             | BEER                                    |
| E 640-47000-253          | Beer For Resale                          | \$1,237.00  | 788845                             | BEER                                    |
| E 640-48000-210          | Operating Supplies (GENERAL)             | \$85.82     | 789403                             | SUPPLIES                                |
| E 640-48000-253          | Beer For Resale                          | \$709.00    | 789724                             | BEER                                    |
|                          | <b>Total DAY DISTRIBUTING</b>            | \$2,915.82  |                                    |                                         |
| Paid Chk#                | 097912                                   | 2/17/2015   | <b>DMX MUSIC - MINNEAPOLIS</b>     |                                         |
| E 640-48000-415          | Other Equipment Rentals                  | \$92.23     | 51366062                           | BAR MUSIC                               |

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| <b>Total DMX MUSIC - MINNEAPOLIS</b>       |                            | \$92.23                               |            |                                      |
| Paid Chk# 097913                           | 2/17/2015                  | <b>ENKI BREWING COMPANY</b>           |            |                                      |
| E 640-48000-253                            | Beer For Resale            | \$275.00                              | 3528       | BEER                                 |
| <b>Total ENKI BREWING COMPANY</b>          |                            | \$275.00                              |            |                                      |
| Paid Chk# 097914                           | 2/17/2015                  | <b>EXTREME BEVERAGE, LLC</b>          |            |                                      |
| E 640-47000-254                            | Soft Drinks/Mix For Resale | \$69.80                               | 261-1227   | MISC.BEV.                            |
| <b>Total EXTREME BEVERAGE, LLC</b>         |                            | \$69.80                               |            |                                      |
| Paid Chk# 097915                           | 2/17/2015                  | <b>FOREMOST BUSINESS SYSTEMS INC.</b> |            |                                      |
| E 640-48000-409                            | Maint services & Improv    | \$1,050.00                            | 15465      | BAR EQUIP. & SOFTWARE ANNUAL SUPPORT |
| E 640-48000-409                            | Maint services & Improv    | \$1,626.00                            | 15519      | BAR EQUIP. & SOFTWARE ANNUAL SUPPORT |
| <b>otal FOREMOST BUSINESS SYSTEMS INC.</b> |                            | \$2,676.00                            |            |                                      |
| Paid Chk# 097916                           | 2/17/2015                  | <b>GRAPE BEGINNINGS, INC.</b>         |            |                                      |
| E 640-47000-252                            | Wine For Resale            | \$2,024.00                            | 177326     | WINE                                 |
| E 640-47000-259                            | Freight                    | \$9.00                                | 177326     | FREIGHT                              |
| E 640-47000-252                            | Wine For Resale            | \$432.00                              | 177407     | WINE                                 |
| E 640-47000-259                            | Freight                    | \$6.75                                | 177407     | FREIGHT                              |
| <b>Total GRAPE BEGINNINGS, INC.</b>        |                            | \$2,471.75                            |            |                                      |
| Paid Chk# 097917                           | 2/17/2015                  | <b>HEGGIES PIZZA</b>                  |            |                                      |
| E 640-48500-255                            | FOODIngredients For Resale | \$235.30                              | 1429467    | FOOD                                 |
| <b>Total HEGGIES PIZZA</b>                 |                            | \$235.30                              |            |                                      |
| Paid Chk# 097918                           | 2/17/2015                  | <b>HOHENSTEINS INC.</b>               |            |                                      |
| E 640-47000-253                            | Beer For Resale            | \$755.00                              | 743414     | BEER                                 |
| E 640-47000-253                            | Beer For Resale            | \$435.75                              | 745640     | BEER                                 |
| <b>Total HOHENSTEINS INC.</b>              |                            | \$1,190.75                            |            |                                      |
| Paid Chk# 097919                           | 2/17/2015                  | <b>JJ TAYLOR DISTRIBUTING OF MN</b>   |            |                                      |
| E 640-47000-253                            | Beer For Resale            | \$697.40                              | 2322541    | BEER                                 |
| E 640-48000-253                            | Beer For Resale            | \$188.30                              | 2324992    | BEER                                 |
| E 640-48000-253                            | Beer For Resale            | \$545.20                              | 2333640    | BEER                                 |
| <b>Total JJ TAYLOR DISTRIBUTING OF MN</b>  |                            | \$1,430.90                            |            |                                      |
| Paid Chk# 097920                           | 2/17/2015                  | <b>JOHNSON BROS.-ST.PAUL</b>          |            |                                      |
| E 640-47000-251                            | Liquor For Resale          | \$1,551.74                            | 5086055    | LIQUOR                               |
| E 640-47000-259                            | Freight                    | \$15.86                               | 5086055    | FREIGHT                              |
| E 640-47000-252                            | Wine For Resale            | \$176.40                              | 5086056    | WINE                                 |
| E 640-47000-259                            | Freight                    | \$7.05                                | 5086056    | FREIGHT                              |
| E 640-47000-251                            | Liquor For Resale          | \$2,204.50                            | 5086057    | LIQUOR                               |
| E 640-47000-259                            | Freight                    | \$35.25                               | 5086057    | FREIGHT                              |
| E 640-47000-252                            | Wine For Resale            | \$1,229.20                            | 5087232    | WINE                                 |
| E 640-47000-259                            | Freight                    | \$16.92                               | 5087232    | FREIGHT                              |
| E 640-47000-259                            | Freight                    | \$5.64                                | 5087233    | FREIGHT                              |
| E 640-47000-251                            | Liquor For Resale          | \$397.00                              | 5087233    | LIQUOR                               |
| E 640-47000-252                            | Wine For Resale            | (\$7.22)                              | 513244     | WINE                                 |
| E 640-47000-252                            | Wine For Resale            | (\$4.82)                              | 513245     | WINE                                 |
| E 640-47000-251                            | Liquor For Resale          | (\$0.71)                              | 633578     | LIQUOR                               |
| <b>Total JOHNSON BROS.-ST.PAUL</b>         |                            | \$5,626.81                            |            |                                      |
| Paid Chk# 097921                           | 2/17/2015                  | <b>KARLSBURGER FOODS, INC.</b>        |            |                                      |
| E 640-48500-255                            | FOODIngredients For Resale | \$112.55                              | 371085     | FOOD                                 |
| <b>Total KARLSBURGER FOODS, INC.</b>       |                            | \$112.55                              |            |                                      |
| Paid Chk# 097922                           | 2/17/2015                  | <b>LEXUS</b>                          |            |                                      |
| G 630-20300                                | Deposits Payable           | \$2,717.79                            | CVR REFUND | CVR REFUND                           |

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| <b>Total LEXUS</b>                        |                              |                                      | \$2,717.79 |          |                     |
| Paid Chk# 097923                          | 2/17/2015                    | <b>M.AMUNDSON LLP</b>                |            |          |                     |
| E 640-47000-256                           | MISC.MDSE.RESALE             |                                      | \$857.13   | 189570   | CIGARETTES & CIGARS |
| <b>Total M.AMUNDSON LLP</b>               |                              |                                      | \$857.13   |          |                     |
| Paid Chk# 097924                          | 2/17/2015                    | <b>MAIN STREET BAKERY</b>            |            |          |                     |
| E 640-48500-255                           | FOODIngredients For Resale   |                                      | \$33.29    | 256750   | FOOD                |
| E 640-48500-255                           | FOODIngredients For Resale   |                                      | \$103.30   | 258438   | FOOD                |
| E 640-48500-255                           | FOODIngredients For Resale   |                                      | \$159.92   | 258559   | FOOD                |
| E 640-48500-255                           | FOODIngredients For Resale   |                                      | \$72.98    | 258592   | FOOD                |
| E 640-48500-255                           | FOODIngredients For Resale   |                                      | \$51.39    | 258682   | FOOD                |
| E 640-48500-255                           | FOODIngredients For Resale   |                                      | \$71.36    | 258748   | FOOD                |
| E 640-48500-255                           | FOODIngredients For Resale   |                                      | \$214.81   | 258896   | FOOD                |
| E 640-48500-255                           | FOODIngredients For Resale   |                                      | \$94.47    | 259002   | FOOD                |
| E 640-48500-255                           | FOODIngredients For Resale   |                                      | \$95.93    | 259051   | FOOD                |
| E 640-48500-255                           | FOODIngredients For Resale   |                                      | (\$3.85)   | 2624     | FOOD                |
| E 640-48500-255                           | FOODIngredients For Resale   |                                      | (\$3.85)   | 2628     | FOOD                |
| <b>Total MAIN STREET BAKERY</b>           |                              |                                      | \$889.75   |          |                     |
| Paid Chk# 097925                          | 2/17/2015                    | <b>MARGRON SKOGLUND WINE IMPORTS</b> |            |          |                     |
| E 640-47000-252                           | Wine For Resale              |                                      | \$183.08   | 20018361 | WINE                |
| E 640-47000-259                           | Freight                      |                                      | \$1.50     | 20018361 | FREIGHT             |
| <b>tal MARGRON SKOGLUND WINE IMPORTS</b>  |                              |                                      | \$184.58   |          |                     |
| Paid Chk# 097926                          | 2/17/2015                    | <b>NETWORK BUSINESS SUPPLIES</b>     |            |          |                     |
| E 640-48000-210                           | Operating Supplies (GENERAL) |                                      | \$181.84   | 97830    | SUPPLIES            |
| <b>Total NETWORK BUSINESS SUPPLIES</b>    |                              |                                      | \$181.84   |          |                     |
| Paid Chk# 097927                          | 2/17/2015                    | <b>NORTHWESTERN FRUIT COMPANY</b>    |            |          |                     |
| E 640-48500-255                           | FOODIngredients For Resale   |                                      | \$432.50   | 804499   | FOOD                |
| E 640-48500-255                           | FOODIngredients For Resale   |                                      | \$322.25   | 804690   | FOOD                |
| E 640-48000-251                           | Liquor For Resale            |                                      | \$40.10    | 804690   | LIQ                 |
| E 640-48500-255                           | FOODIngredients For Resale   |                                      | \$152.65   | 804850   | FOOD                |
| E 640-48500-255                           | FOODIngredients For Resale   |                                      | \$563.05   | 805043   | FOOD                |
| E 640-48000-251                           | Liquor For Resale            |                                      | \$11.65    | 805043   | LIQ                 |
| E 640-48000-253                           | Beer For Resale              |                                      | \$5.40     | 805043   | BEER                |
| <b>Total NORTHWESTERN FRUIT COMPANY</b>   |                              |                                      | \$1,527.60 |          |                     |
| Paid Chk# 097928                          | 2/17/2015                    | <b>PAUSTIS &amp; SONS</b>            |            |          |                     |
| E 640-47000-259                           | Freight                      |                                      | \$7.00     | 8485665  | FREIGHT             |
| E 640-47000-252                           | Wine For Resale              |                                      | \$173.50   | 8485665  | WINE                |
| E 640-47000-252                           | Wine For Resale              |                                      | \$1,199.48 | 8485666  | WINE                |
| E 640-47000-259                           | Freight                      |                                      | \$15.00    | 8485666  | FREIGHT             |
| E 640-48000-252                           | Wine For Resale              |                                      | \$264.25   | 8486641  | WINE                |
| <b>Total PAUSTIS &amp; SONS</b>           |                              |                                      | \$1,659.23 |          |                     |
| Paid Chk# 097929                          | 2/17/2015                    | <b>PHILLIPS WINES &amp; SPIRITS</b>  |            |          |                     |
| E 640-47000-252                           | Wine For Resale              |                                      | (\$8.78)   | 200167   | WINE                |
| E 640-47000-251                           | Liquor For Resale            |                                      | (\$11.78)  | 206787   | LIQUOR              |
| E 640-47000-252                           | Wine For Resale              |                                      | (\$16.67)  | 206788   | WINE                |
| E 640-47000-259                           | Freight                      |                                      | \$7.64     | 2737779  | FREIGHT             |
| E 640-47000-251                           | Liquor For Resale            |                                      | \$414.75   | 2737779  | LIQUOR              |
| E 640-47000-251                           | Liquor For Resale            |                                      | \$361.95   | 2737887  | LIQUOR              |
| E 640-47000-259                           | Freight                      |                                      | \$7.05     | 2737887  | FREIGHT             |
| E 640-47000-252                           | Wine For Resale              |                                      | \$312.00   | 2738725  | WINE                |
| E 640-47000-259                           | Freight                      |                                      | \$4.58     | 2738725  | FREIGHT             |
| <b>Total PHILLIPS WINES &amp; SPIRITS</b> |                              |                                      | \$1,070.74 |          |                     |

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| Paid Chk#       | 097930                                   | 2/17/2015 | <b>PLUNKETT S PEST CONTROL</b>           |           |                           |
| E 640-48000-409 | Maint services & Improv                  |           | \$82.48                                  | 3935211   | SERVICE                   |
| <b>Total</b>    | <b>PLUNKETT S PEST CONTROL</b>           |           | \$82.48                                  |           |                           |
| Paid Chk#       | 097931                                   | 2/17/2015 | <b>QUALITY SERVICE, INC.</b>             |           |                           |
| E 640-48500-404 | Repairs/Maint - Machin/Equip             |           | \$449.89                                 | 30625     | KITCHEN PLUMBING REPAIRS  |
| <b>Total</b>    | <b>QUALITY SERVICE, INC.</b>             |           | \$449.89                                 |           |                           |
| Paid Chk#       | 097932                                   | 2/17/2015 | <b>RASK, KENNETH</b>                     |           |                           |
| E 640-48000-499 | Miscellaneous                            |           | \$150.00                                 | SECURITY  | SECURITY CHILI OPEN       |
| <b>Total</b>    | <b>RASK, KENNETH</b>                     |           | \$150.00                                 |           |                           |
| Paid Chk#       | 097933                                   | 2/17/2015 | <b>SINCLAIR, DAVID</b>                   |           |                           |
| E 640-48000-130 | Employer Paid Ins                        |           | \$100.00                                 | JAN.2015  | HEALTH INS.REIMB.JAN.2015 |
| <b>Total</b>    | <b>SINCLAIR, DAVID</b>                   |           | \$100.00                                 |           |                           |
| Paid Chk#       | 097934                                   | 2/17/2015 | <b>SOUTHERN WINE &amp; SPIRITS OF MN</b> |           |                           |
| E 640-47000-252 | Wine For Resale                          |           | (\$152.00)                               | 0014695   | WINE                      |
| E 640-47000-252 | Wine For Resale                          |           | \$674.00                                 | 1251913   | WINE                      |
| E 640-47000-259 | Freight                                  |           | \$10.00                                  | 1251913   | FREIGHT                   |
| E 640-47000-251 | Liquor For Resale                        |           | \$845.57                                 | 1251915   | LIQUOR                    |
| E 640-47000-259 | Freight                                  |           | \$7.71                                   | 1251915   | FREIGHT                   |
| E 640-47000-254 | Soft Drinks/Mix For Resale               |           | \$24.00                                  | 1251916   | MISC.BEV.                 |
| E 640-47000-259 | Freight                                  |           | \$1.25                                   | 1251916   | FREIGHT                   |
| E 640-47000-252 | Wine For Resale                          |           | \$184.18                                 | 5008633   | WINE                      |
| E 640-47000-259 | Freight                                  |           | \$1.25                                   | 5009233   | FREIGHT                   |
| E 640-47000-252 | Wine For Resale                          |           | \$88.00                                  | 5009233   | WINE                      |
| <b>Total</b>    | <b>SOUTHERN WINE &amp; SPIRITS OF MN</b> |           | \$1,683.96                               |           |                           |
| Paid Chk#       | 097935                                   | 2/17/2015 | <b>STRATEGIC EQUIPMENT AND</b>           |           |                           |
| E 640-48500-210 | Operating Supplies (GENERAL)             |           | \$161.39                                 | 2359537   | SUPPLIES                  |
| E 640-48000-341 | General Promotions                       |           | \$32.72                                  | 2359537   | SUPPLIES                  |
| E 640-48000-210 | Operating Supplies (GENERAL)             |           | \$15.19                                  | 2359537   | SUPPLIES                  |
| <b>Total</b>    | <b>STRATEGIC EQUIPMENT AND</b>           |           | \$209.30                                 |           |                           |
| Paid Chk#       | 097936                                   | 2/17/2015 | <b>STROBEL, DAVID</b>                    |           |                           |
| E 640-48000-499 | Miscellaneous                            |           | \$97.50                                  | SECURITY  | SECURITY - CHILI OPEN     |
| <b>Total</b>    | <b>STROBEL, DAVID</b>                    |           | \$97.50                                  |           |                           |
| Paid Chk#       | 097937                                   | 2/17/2015 | <b>SUNBURST CHEMICALS, INC.</b>          |           |                           |
| E 640-48000-210 | Operating Supplies (GENERAL)             |           | \$426.07                                 | 0338908   | SUPPLIES                  |
| E 640-48500-210 | Operating Supplies (GENERAL)             |           | \$84.35                                  | 0338908   | SUPPLIES                  |
| <b>Total</b>    | <b>SUNBURST CHEMICALS, INC.</b>          |           | \$510.42                                 |           |                           |
| Paid Chk#       | 097938                                   | 2/17/2015 | <b>SYSCO MINNESOTA</b>                   |           |                           |
| E 640-48500-255 | FOODIngredients For Resale               |           | (\$205.60)                               | 501161306 | FOOD                      |
| E 640-48500-255 | FOODIngredients For Resale               |           | (\$6.56)                                 | 501280077 | FOOD                      |
| E 640-48500-255 | FOODIngredients For Resale               |           | (\$50.38)                                | 501311951 | FOOD                      |
| E 640-48000-251 | Liquor For Resale                        |           | \$14.15                                  | 502020931 | LIQUOR                    |
| E 640-48500-255 | FOODIngredients For Resale               |           | \$4,143.58                               | 502020931 | FOOD                      |
| E 640-48000-342 | Promotions - Food/Drinks                 |           | \$56.10                                  | 502020931 | PROMO FOOD                |
| E 640-48000-210 | Operating Supplies (GENERAL)             |           | \$82.58                                  | 502020931 | SUPPLIES                  |
| E 640-48500-210 | Operating Supplies (GENERAL)             |           | \$40.47                                  | 502020931 | KITCHEN SUPPLIES          |
| E 640-48000-253 | Beer For Resale                          |           | \$9.55                                   | 502020931 | BEER                      |
| E 640-48500-255 | FOODIngredients For Resale               |           | (\$81.65)                                | 502040585 | FOOD                      |
| E 640-48500-255 | FOODIngredients For Resale               |           | \$2,654.03                               | 502041096 | FOOD                      |
| E 640-48000-342 | Promotions - Food/Drinks                 |           | \$27.93                                  | 502041096 | PROMO FOOD                |
| E 640-48000-251 | Liquor For Resale                        |           | \$14.15                                  | 502041096 | LIQUOR                    |

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| E 640-48000-253                            | Beer For Resale              |                                      | \$9.55      | 502041096 | BEER                  |
| E 640-48000-254                            | Soft Drinks/Mix For Resale   |                                      | \$23.02     | 502041096 | MISC.BEV.             |
| E 640-48000-342                            | Promotions - Food/Drinks     |                                      | \$28.17     | 502061337 | PROMO FOOD            |
| E 640-48000-251                            | Liquor For Resale            |                                      | \$85.00     | 502061337 | LIQUOR                |
| E 640-48500-210                            | Operating Supplies (GENERAL) |                                      | \$91.49     | 502061337 | KITCHEN SUPPLIES      |
| E 640-48500-255                            | FOODIngredients For Resale   |                                      | \$3,064.22  | 502061337 | FOOD                  |
| E 640-48000-341                            | General Promotions           |                                      | \$45.92     | 502090918 | PROMO SUPPLIES        |
| E 640-48000-251                            | Liquor For Resale            |                                      | \$101.73    | 502090918 | LIQUOR                |
| E 640-48000-210                            | Operating Supplies (GENERAL) |                                      | \$45.78     | 502090918 | SUPPLIES              |
| E 640-48500-210                            | Operating Supplies (GENERAL) |                                      | \$145.73    | 502090918 | KITCHEN SUPPLIES      |
| E 640-48500-255                            | FOODIngredients For Resale   |                                      | \$4,120.03  | 502090918 | FOOD                  |
| E 640-48000-341                            | General Promotions           |                                      | \$56.10     | 502090918 | PROMO FOOD            |
| E 640-48500-210                            | Operating Supplies (GENERAL) |                                      | (\$30.44)   | 502100750 | SUPPLIES              |
| <b>Total SYSCO MINNESOTA</b>               |                              |                                      | \$14,484.65 |           |                       |
| Paid Chk# 097939                           | 2/17/2015                    | <b>T.D. ANDERSON INC.</b>            |             |           |                       |
| E 640-48000-409                            | Maint services & Improv      |                                      | \$115.00    | 508957    | BEER LINES CLEANED    |
| <b>Total T.D. ANDERSON INC.</b>            |                              |                                      | \$115.00    |           |                       |
| Paid Chk# 097940                           | 2/17/2015                    | <b>THORPE DISTRIBUTING CO.</b>       |             |           |                       |
| E 640-47000-253                            | Beer For Resale              |                                      | (\$25.55)   | 00701556  | BEER                  |
| E 640-48000-253                            | Beer For Resale              |                                      | \$175.00    | 874544    | BEER                  |
| E 640-47000-253                            | Beer For Resale              |                                      | \$1,106.81  | 874593    | BEER                  |
| E 640-48000-253                            | Beer For Resale              |                                      | \$812.00    | 874594    | BEER                  |
| E 640-48000-253                            | Beer For Resale              |                                      | \$143.30    | 874595    | BEER                  |
| E 640-48000-253                            | Beer For Resale              |                                      | (\$95.00)   | 875989    | BEER                  |
| <b>Total THORPE DISTRIBUTING CO.</b>       |                              |                                      | \$2,116.56  |           |                       |
| Paid Chk# 097941                           | 2/17/2015                    | <b>TOLL GAS &amp; WELDING SUPPLY</b> |             |           |                       |
| E 640-48000-210                            | Operating Supplies (GENERAL) |                                      | \$69.75     | 40021712  | SUPPLIES              |
| <b>Total TOLL GAS &amp; WELDING SUPPLY</b> |                              |                                      | \$69.75     |           |                       |
| Paid Chk# 097942                           | 2/17/2015                    | <b>TWEED, ISAIAH</b>                 |             |           |                       |
| E 640-48000-499                            | Miscellaneous                |                                      | \$195.00    | SECURITY  | SECURITY - CHILI OPEN |
| <b>Total TWEED, ISAIAH</b>                 |                              |                                      | \$195.00    |           |                       |
| Paid Chk# 097943                           | 2/17/2015                    | <b>ULTRA-CHEM IN.C</b>               |             |           |                       |
| E 640-48500-210                            | Operating Supplies (GENERAL) |                                      | \$307.79    | 1128446   | SUPPLIES              |
| <b>Total ULTRA-CHEM IN.C</b>               |                              |                                      | \$307.79    |           |                       |
| Paid Chk# 097944                           | 2/17/2015                    | <b>UPS STORE</b>                     |             |           |                       |
| E 640-47000-200                            | Office Supplies (GENERAL)    |                                      | \$34.80     | 7608      | SUPPLIES              |
| E 640-48000-340                            | Advertising                  |                                      | \$68.49     | 7642      | SUPPLIES              |
| <b>Total UPS STORE</b>                     |                              |                                      | \$103.29    |           |                       |
| Paid Chk# 097945                           | 2/17/2015                    | <b>VINOCOPIA</b>                     |             |           |                       |
| E 640-47000-251                            | Liquor For Resale            |                                      | \$328.00    | 0117480   | LIQUOR                |
| E 640-47000-254                            | Soft Drinks/Mix For Resale   |                                      | \$43.33     | 0117480   | MISC.BEV.             |
| E 640-47000-259                            | Freight                      |                                      | \$3.00      | 0117480   | FREIGHT               |
| E 640-47000-251                            | Liquor For Resale            |                                      | \$1,370.50  | 0117481   | LIQUOR                |
| E 640-47000-259                            | Freight                      |                                      | \$15.00     | 0117481   | FREIGHT               |
| E 640-47000-259                            | Freight                      |                                      | \$1.50      | 0117482   | FREIGHT               |
| E 640-47000-252                            | Wine For Resale              |                                      | \$112.00    | 0117482   | WINE                  |
| <b>Total VINOCOPIA</b>                     |                              |                                      | \$1,873.33  |           |                       |
| Paid Chk# 097946                           | 2/17/2015                    | <b>WINE COMPANY</b>                  |             |           |                       |
| E 640-47000-259                            | Freight                      |                                      | \$8.40      | 384396    | FREIGHT               |
| E 640-47000-252                            | Wine For Resale              |                                      | \$524.00    | 384396    | WINE                  |

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| <b>Total WINE COMPANY</b>                       |                              |                                           | \$532.40   |             |                                 |
| Paid Chk# 097947                                | 2/17/2015                    | <b>WINE MERCHANT</b>                      |            |             |                                 |
| E 640-47000-252                                 | Wine For Resale              |                                           | \$0.59     | 7011721     | WINE                            |
| E 640-48000-252                                 | Wine For Resale              |                                           | \$922.18   | 7016833     | WINE                            |
| E 640-47000-259                                 | Freight                      |                                           | \$2.82     | 7016865     | FREIGHT                         |
| E 640-47000-252                                 | Wine For Resale              |                                           | \$205.25   | 7016865     | WINE                            |
| <b>Total WINE MERCHANT</b>                      |                              |                                           | \$1,130.84 |             |                                 |
| Paid Chk# 097948                                | 2/17/2015                    | <b>WIRTZ BEVERAGE MN BEER</b>             |            |             |                                 |
| E 640-48000-253                                 | Beer For Resale              |                                           | \$730.00   | 1090355846  | BEER                            |
| E 640-47000-253                                 | Beer For Resale              |                                           | \$92.20    | 1090356105  | BEER                            |
| E 640-47000-253                                 | Beer For Resale              |                                           | \$46.20    | 1090356106  | BEER                            |
| E 640-47000-253                                 | Beer For Resale              |                                           | \$1,932.70 | 1090356107  | BEER                            |
| E 640-48000-253                                 | Beer For Resale              |                                           | \$231.00   | 1090359096  | BEER                            |
| E 640-47000-253                                 | Beer For Resale              |                                           | (\$35.71)  | 2090112440  | BEER                            |
| <b>Total WIRTZ BEVERAGE MN BEER</b>             |                              |                                           | \$2,996.39 |             |                                 |
| Paid Chk# 097949                                | 2/17/2015                    | <b>WIRTZ BEVERAGE MN WINE &amp; SPIRI</b> |            |             |                                 |
| E 640-47000-259                                 | Freight                      |                                           | \$11.11    | 1080284042  | FREIGHT                         |
| E 640-47000-251                                 | Liquor For Resale            |                                           | \$1,273.89 | 1080284042  | LIQUOR                          |
| <b>Total WIRTZ BEVERAGE MN WINE &amp; SPIRI</b> |                              |                                           | \$1,285.00 |             |                                 |
| Paid Chk# 097950                                | 2/20/2015                    | <b>CARQUEST OF WAYZATA</b>                |            |             |                                 |
| E 610-40000-210                                 | Operating Supplies (GENERAL) |                                           | \$74.95    | 6973-242781 | SUPPLIES                        |
| E 620-40000-210                                 | Operating Supplies (GENERAL) |                                           | \$74.95    | 6973-242781 | SUPPLIES                        |
| <b>Total CARQUEST OF WAYZATA</b>                |                              |                                           | \$149.90   |             |                                 |
| Paid Chk# 097951                                | 2/20/2015                    | <b>CLASSIC CLEANING COMPANY</b>           |            |             |                                 |
| E 101-41940-409                                 | Maint services & Improv      |                                           | \$1,345.00 | 21804       | MONTHLY CLEANING                |
| E 101-41940-409                                 | Maint services & Improv      |                                           | \$571.00   | 21805       | MONTHLY CH & PW CLEANING        |
| <b>Total CLASSIC CLEANING COMPANY</b>           |                              |                                           | \$1,916.00 |             |                                 |
| Paid Chk# 097952                                | 2/20/2015                    | <b>CRABTREE COMPANIES</b>                 |            |             |                                 |
| E 409-40000-540                                 | Equipment                    |                                           | \$2,314.00 | 130158      | ADMIN.SOFTWARE                  |
| E 101-41500-200                                 | Office Supplies (GENERAL)    |                                           | \$442.00   | 130308      | COPIER SUPPLIES                 |
| <b>Total CRABTREE COMPANIES</b>                 |                              |                                           | \$2,756.00 |             |                                 |
| Paid Chk# 097953                                | 2/20/2015                    | <b>CROWN MARKING, INC.</b>                |            |             |                                 |
| E 630-40000-200                                 | Office Supplies (GENERAL)    |                                           | \$129.95   | OE-25950    | MV SUPPLIES                     |
| <b>Total CROWN MARKING, INC.</b>                |                              |                                           | \$129.95   |             |                                 |
| Paid Chk# 097954                                | 2/20/2015                    | <b>CULLIGAN-BOTTLED WATER</b>             |            |             |                                 |
| E 101-42100-309                                 | Contractual Services         |                                           | \$80.36    | 1829144     | PD SERVICE                      |
| <b>Total CULLIGAN-BOTTLED WATER</b>             |                              |                                           | \$80.36    |             |                                 |
| Paid Chk# 097955                                | 2/20/2015                    | <b>CUSHMAN MOTOR COMPANY, INC.</b>        |            |             |                                 |
| E 101-45200-222                                 | Repair & Maint - Equip       |                                           | \$139.56   | 165069      | PARTS                           |
| <b>Total CUSHMAN MOTOR COMPANY, INC.</b>        |                              |                                           | \$139.56   |             |                                 |
| Paid Chk# 097956                                | 2/20/2015                    | <b>DELTA DENTAL OF MINNESOTA</b>          |            |             |                                 |
| G 101-21717                                     | Dental Insurance             |                                           | \$1,809.00 | 5882931     | DENTAL INS. MARCH 2015          |
| <b>Total DELTA DENTAL OF MINNESOTA</b>          |                              |                                           | \$1,809.00 |             |                                 |
| Paid Chk# 097957                                | 2/20/2015                    | <b>DEPUTY REGISTRAR 126</b>               |            |             |                                 |
| E 409-43100-550                                 | Vehicles                     |                                           | \$1,321.73 | NEW TRUCK   | NEW STREET TRUCK TITLE & PLATES |
| <b>Total DEPUTY REGISTRAR 126</b>               |                              |                                           | \$1,321.73 |             |                                 |
| Paid Chk# 097958                                | 2/20/2015                    | <b>EMERGENCY MEDICAL PRODUCTS</b>         |            |             |                                 |

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| E 101-42100-210  | Operating Supplies (GENERAL)            |                                         | \$137.45    | 1712522      | PD SUPPLIES                       |
| <b>Total</b>     | <b>EMERGENCY MEDICAL PRODUCTS</b>       |                                         | \$137.45    |              |                                   |
| Paid Chk# 097959 | 2/20/2015                               | <b>EXCEL DOCUMENT MGMT.</b>             |             |              |                                   |
| E 235-40000-200  | Office Supplies (GENERAL)               |                                         | \$43.18     | 40610        | BUS.CARDS                         |
| <b>Total</b>     | <b>EXCEL DOCUMENT MGMT.</b>             |                                         | \$43.18     |              |                                   |
| Paid Chk# 097960 | 2/20/2015                               | <b>FASTENAL</b>                         |             |              |                                   |
| E 101-43100-210  | Operating Supplies (GENERAL)            |                                         | \$37.76     | MNPLY74884   | SUPPLIES                          |
| <b>Total</b>     | <b>FASTENAL</b>                         |                                         | \$37.76     |              |                                   |
| Paid Chk# 097961 | 2/20/2015                               | <b>FORMS &amp; SYSTEMS OF MINNESOTA</b> |             |              |                                   |
| E 101-42100-350  | Printing & Publishing                   |                                         | \$112.63    | 141188       | PD SUPPLIES                       |
| <b>Total</b>     | <b>FORMS &amp; SYSTEMS OF MINNESOTA</b> |                                         | \$112.63    |              |                                   |
| Paid Chk# 097962 | 2/20/2015                               | <b>GRAINGER, INC.</b>                   |             |              |                                   |
| E 610-40000-210  | Operating Supplies (GENERAL)            |                                         | \$3.83      | 9662741009   | SUPPLIES                          |
| E 610-40000-242  | Well & F.P. Equipment                   |                                         | \$136.18    | 9663510460   | PARTS                             |
| E 610-40000-242  | Well & F.P. Equipment                   |                                         | \$44.48     | 9663510478   | PARTS                             |
| E 610-40000-242  | Well & F.P. Equipment                   |                                         | \$4.80      | 9663510486   | PARTS                             |
| E 610-40000-242  | Well & F.P. Equipment                   |                                         | \$80.40     | 9663933977   | PARTS                             |
| <b>Total</b>     | <b>GRAINGER, INC.</b>                   |                                         | \$269.69    |              |                                   |
| Paid Chk# 097963 | 2/20/2015                               | <b>HENN.CNTY.ACCTG.SERVICES</b>         |             |              |                                   |
| G 101-20300      | Deposits Payable                        |                                         | \$75.00     | 1000054170   | PRISONER PROCESSING               |
| <b>Total</b>     | <b>HENN.CNTY.ACCTG.SERVICES</b>         |                                         | \$75.00     |              |                                   |
| Paid Chk# 097964 | 2/20/2015                               | <b>HENN.CNTY.INFO.TECH.DEPT.</b>        |             |              |                                   |
| E 101-42100-323  | Radio Units                             |                                         | \$786.87    | 1000054356   | PD RADIO CONNECTION               |
| <b>Total</b>     | <b>HENN.CNTY.INFO.TECH.DEPT.</b>        |                                         | \$786.87    |              |                                   |
| Paid Chk# 097965 | 2/20/2015                               | <b>J.H. LARSON COMPANY</b>              |             |              |                                   |
| E 101-41940-210  | Operating Supplies (GENERAL)            |                                         | \$220.92    | S100859708.0 | SUPPLIES                          |
| <b>Total</b>     | <b>J.H. LARSON COMPANY</b>              |                                         | \$220.92    |              |                                   |
| Paid Chk# 097966 | 2/20/2015                               | <b>LAW ENFORCEMENT LABOR SERVICES</b>   |             |              |                                   |
| G 101-21707      | Police union dues                       |                                         | \$423.00    | FEB.2015     | PD UNION DUES FEB.2015            |
| <b>Total</b>     | <b>LAW ENFORCEMENT LABOR SERVICES</b>   |                                         | \$423.00    |              |                                   |
| Paid Chk# 097967 | 2/20/2015                               | <b>LEAGUE OF MN CITIES INS.TRUST</b>    |             |              |                                   |
| E 101-49200-361  | General Liability Ins                   |                                         | \$1,755.13  | C0024326     | PRIVATE DATA CLAIM                |
| <b>Total</b>     | <b>LEAGUE OF MN CITIES INS.TRUST</b>    |                                         | \$1,755.13  |              |                                   |
| Paid Chk# 097968 | 2/20/2015                               | <b>LEAGUE OF MN.CITIES</b>              |             |              |                                   |
| E 670-40000-499  | Miscellaneous                           |                                         | \$515.00    | 213015       | STORMWATER COALITION CONTRIBUTION |
| <b>Total</b>     | <b>LEAGUE OF MN.CITIES</b>              |                                         | \$515.00    |              |                                   |
| Paid Chk# 097969 | 2/20/2015                               | <b>LEE, DAN</b>                         |             |              |                                   |
| G 101-21721      | Flex Plan                               |                                         | \$1,000.00  | FLEX SPENDI  | FLEX SPENDING REIMB.              |
| <b>Total</b>     | <b>LEE, DAN</b>                         |                                         | \$1,000.00  |              |                                   |
| Paid Chk# 097970 | 2/20/2015                               | <b>LMCD</b>                             |             |              |                                   |
| E 233-40000-437  | Payments to Organizations               |                                         | \$10,053.75 | 1ST QTR.2015 | 1ST QTR.2015 LEVY                 |
| <b>Total</b>     | <b>LMCD</b>                             |                                         | \$10,053.75 |              |                                   |
| Paid Chk# 097971 | 2/20/2015                               | <b>M.M.K.R. &amp; COMPANY</b>           |             |              |                                   |
| E 101-41500-301  | Auditing and Acct g Services            |                                         | \$4,000.00  | 36875        | AUDIT SERVICES                    |
| <b>Total</b>     | <b>M.M.K.R. &amp; COMPANY</b>           |                                         | \$4,000.00  |              |                                   |

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| Paid Chk# 097972 | 2/20/2015                         | <b>MANSFIELD OIL COMPANY</b>      |              |                        |
| E 101-49200-212  | Motor Fuels                       | \$548.49                          | 252438       | FUEL                   |
| E 101-49200-212  | Motor Fuels                       | \$1,832.27                        | 252442       | FUEL                   |
| <b>Total</b>     | <b>MANSFIELD OIL COMPANY</b>      | \$2,380.76                        |              |                        |
| Paid Chk# 097973 | 2/20/2015                         | <b>MEDIACOM</b>                   |              |                        |
| E 101-41940-321  | Telephone                         | \$309.95                          |              | SERVICE                |
| <b>Total</b>     | <b>MEDIACOM</b>                   | \$309.95                          |              |                        |
| Paid Chk# 097974 | 2/20/2015                         | <b>METRO SALES INC.</b>           |              |                        |
| E 101-42100-409  | Maint services & Improv           | \$140.00                          | INV180470    | PD REPAIRS             |
| <b>Total</b>     | <b>METRO SALES INC.</b>           | \$140.00                          |              |                        |
| Paid Chk# 097975 | 2/20/2015                         | <b>MN DEPARTMENT OF HEALTH</b>    |              |                        |
| E 610-40000-309  | Contractual Services              | \$2,232.00                        | 1ST QTR.2015 | WATER CONNECTION FEES  |
| <b>Total</b>     | <b>MN DEPARTMENT OF HEALTH</b>    | \$2,232.00                        |              |                        |
| Paid Chk# 097976 | 2/20/2015                         | <b>NAPA AUTO PARTS-WATERTOWN</b>  |              |                        |
| E 620-40000-210  | Operating Supplies (GENERAL)      | \$7.20                            | 432629       | SUPPLIES               |
| E 610-40000-210  | Operating Supplies (GENERAL)      | \$7.20                            | 432629       | SUPPLIES               |
| <b>Total</b>     | <b>NAPA AUTO PARTS-WATERTOWN</b>  | \$14.40                           |              |                        |
| Paid Chk# 097977 | 2/20/2015                         | <b>NOKOMIS SHOE SHOP</b>          |              |                        |
| E 610-40000-241  | Safety equip/testings             | \$272.50                          | 0671         | SAFETY SHOES           |
| E 101-45200-241  | Safety equip/testings             | \$420.00                          | 0671         | SAFETY SHOES           |
| E 101-43100-241  | Safety equip/testings             | \$560.00                          | 0671         | SAFETY SHOES           |
| E 620-40000-241  | Safety equip/testings             | \$272.50                          | 0671         | SAFETY SHOES           |
| <b>Total</b>     | <b>NOKOMIS SHOE SHOP</b>          | \$1,525.00                        |              |                        |
| Paid Chk# 097978 | 2/20/2015                         | <b>WATER CONSERVATION SERVICE</b> |              |                        |
| E 610-40000-405  | Maint/Replac - System             | \$278.75                          | 5742         | WATERMAIN BREAK LOCATE |
| <b>Total</b>     | <b>WATER CONSERVATION SERVICE</b> | \$278.75                          |              |                        |
| Paid Chk# 097979 | 2/20/2015                         | <b>VESSCO, INC.</b>               |              |                        |
| E 610-40000-242  | Well & F.P. Equipment             | \$154.35                          | 62460        | PARTS WTP#3            |
| <b>Total</b>     | <b>VESSCO, INC.</b>               | \$154.35                          |              |                        |
| Paid Chk# 097980 | 2/20/2015                         | <b>USA MOBILITY WIRELESS</b>      |              |                        |
| E 101-43100-323  | Radio Units                       | \$14.70                           | Y0318102B    | PAGER SERVICE          |
| <b>Total</b>     | <b>USA MOBILITY WIRELESS</b>      | \$14.70                           |              |                        |
| Paid Chk# 097981 | 2/20/2015                         | <b>UNIVERSITY OF MINNESOTA</b>    |              |                        |
| E 101-45200-433  | Dues, Licensing & Seminars        | \$170.00                          | REGISTRATIO  | CLASS REGISTRATIONS    |
| <b>Total</b>     | <b>UNIVERSITY OF MINNESOTA</b>    | \$170.00                          |              |                        |
| Paid Chk# 097982 | 2/20/2015                         | <b>TIME SAVER</b>                 |              |                        |
| E 101-41100-302  | Consultants                       | \$855.00                          | M21129       | MEETING MINUTES        |
| <b>Total</b>     | <b>TIME SAVER</b>                 | \$855.00                          |              |                        |
| Paid Chk# 097983 | 2/20/2015                         | <b>THERMA-STOR</b>                |              |                        |
| E 610-40000-242  | Well & F.P. Equipment             | \$3,527.25                        | 2738881      | WTP#3 DEHUMIDIFYER     |
| <b>Total</b>     | <b>THERMA-STOR</b>                | \$3,527.25                        |              |                        |
| Paid Chk# 097984 | 2/20/2015                         | <b>STREICHER S</b>                |              |                        |
| E 101-42100-210  | Operating Supplies (GENERAL)      | \$496.89                          | I1136556     | PD SUPPLIES            |
| <b>Total</b>     | <b>STREICHER S</b>                | \$496.89                          |              |                        |
| Paid Chk# 097985 | 2/20/2015                         | <b>STONEBROOKE</b>                |              |                        |
| E 101-45200-241  | Safety equip/testings             | \$342.77                          | 34613        | PARTS                  |

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| <b>Total STONEBROOKE</b>                       |                              |                                          | \$342.77    |              |                       |
| Paid Chk# 097986                               | 2/20/2015                    | <b>SOUTHWEST NEWSPAPERS</b>              |             |              |                       |
| E 101-41500-350                                | Printing & Publishing        |                                          | \$85.50     | 379326       | LEGAL NOTICES         |
| <b>Total SOUTHWEST NEWSPAPERS</b>              |                              |                                          | \$85.50     |              |                       |
| Paid Chk# 097987                               | 2/20/2015                    | <b>SCHWAAB, INC.</b>                     |             |              |                       |
| E 101-41500-200                                | Office Supplies (GENERAL)    |                                          | \$46.74     | 380092       | SUPPLIES              |
| <b>Total SCHWAAB, INC.</b>                     |                              |                                          | \$46.74     |              |                       |
| Paid Chk# 097988                               | 2/20/2015                    | <b>RANGER</b>                            |             |              |                       |
| E 409-43100-550                                | Vehicles                     |                                          | \$19,727.36 | 46415        | NEW STREET DEPT.TRUCK |
| <b>Total RANGER</b>                            |                              |                                          | \$19,727.36 |              |                       |
| Paid Chk# 097989                               | 2/20/2015                    | <b>PLANT &amp; FLANGED EQUIPMENT CO.</b> |             |              |                       |
| E 610-40000-242                                | Well & F.P. Equipment        |                                          | \$119.47    | 0064517      | PARTS                 |
| <b>Total PLANT &amp; FLANGED EQUIPMENT CO.</b> |                              |                                          | \$119.47    |              |                       |
| Paid Chk# 097990                               | 2/20/2015                    | <b>OFFICE DEPOT</b>                      |             |              |                       |
| E 101-41500-200                                | Office Supplies (GENERAL)    |                                          | (\$26.13)   | 751326832001 | SUPPLIES              |
| E 620-40000-200                                | Office Supplies (GENERAL)    |                                          | \$19.52     | 753831502001 | SUPPLIES              |
| E 101-43100-200                                | Office Supplies (GENERAL)    |                                          | \$39.05     | 753831502001 | SUPPLIES              |
| E 101-45200-200                                | Office Supplies (GENERAL)    |                                          | \$39.05     | 753831502001 | SUPPLIES              |
| E 610-40000-200                                | Office Supplies (GENERAL)    |                                          | \$19.52     | 753831502001 | SUPPLIES              |
| E 101-42100-200                                | Office Supplies (GENERAL)    |                                          | \$8.59      | 754010227001 | SUPPLIES              |
| E 101-41500-200                                | Office Supplies (GENERAL)    |                                          | \$79.85     | 754010227001 | SUPPLIES              |
| E 630-40000-200                                | Office Supplies (GENERAL)    |                                          | \$109.99    | 754010227001 | SUPPLIES              |
| E 640-47000-200                                | Office Supplies (GENERAL)    |                                          | \$13.14     | 754010227001 | SUPPLIES              |
| E 101-41500-200                                | Office Supplies (GENERAL)    |                                          | \$9.63      | 754010334001 | SUPPLIES              |
| E 101-41500-200                                | Office Supplies (GENERAL)    |                                          | \$8.29      | 754010335001 | SUPPLIES              |
| <b>Total OFFICE DEPOT</b>                      |                              |                                          | \$320.50    |              |                       |
| Paid Chk# 097991                               | 2/20/2015                    | <b>NORTH MEMORIAL URGENT CARE</b>        |             |              |                       |
| E 101-41500-306                                | Personnel Expense            |                                          | \$44.00     | 059765-00    | DRUG TESTING          |
| <b>Total NORTH MEMORIAL URGENT CARE</b>        |                              |                                          | \$44.00     |              |                       |
| Paid Chk# 097992                               | 2/25/2015                    | <b>ALEX AIR APPARATUS, INC.</b>          |             |              |                       |
| E 237-40000-240                                | Small Tools and Minor Equip  |                                          | \$5,605.00  | 26731        | FD TOOLS              |
| <b>Total ALEX AIR APPARATUS, INC.</b>          |                              |                                          | \$5,605.00  |              |                       |
| Paid Chk# 097993                               | 2/25/2015                    | <b>BANK OF AMERICA</b>                   |             |              |                       |
| E 101-42200-433                                | Dues, Licensing & Seminars   |                                          | \$435.00    |              | FD DUES               |
| E 101-42200-499                                | Miscellaneous                |                                          | \$71.62     |              | FD MEALS              |
| E 101-42200-210                                | Operating Supplies (GENERAL) |                                          | \$102.62    |              | FD SUPPLIES           |
| <b>Total BANK OF AMERICA</b>                   |                              |                                          | \$609.24    |              |                       |
| Paid Chk# 097994                               | 2/25/2015                    | <b>BROOKDALE CHRYSLER, JEEP,DODGE</b>    |             |              |                       |
| E 101-42100-404                                | Repairs/Maint - Machin/Equip |                                          | \$493.75    | 259519       | PD PARTS/REPAIRS      |
| E 101-42100-404                                | Repairs/Maint - Machin/Equip |                                          | \$165.00    | 259714       | PD PARTS/REPAIRS      |
| E 101-42100-404                                | Repairs/Maint - Machin/Equip |                                          | \$319.39    | 259780       | PD PARTS/REPAIRS      |
| <b>Total BROOKDALE CHRYSLER, JEEP,DODGE</b>    |                              |                                          | \$978.14    |              |                       |
| Paid Chk# 097995                               | 2/25/2015                    | <b>CARQUEST OF WAYZATA</b>               |             |              |                       |
| E 101-42100-404                                | Repairs/Maint - Machin/Equip |                                          | \$105.74    | 6973-243550  | PARTS/REPAIRS         |
| E 610-40000-242                                | Well & F.P. Equipment        |                                          | \$10.49     | 6973-244026  | PARTS/REPAIRS         |
| <b>Total CARQUEST OF WAYZATA</b>               |                              |                                          | \$116.23    |              |                       |
| Paid Chk# 097996                               | 2/25/2015                    | <b>CLAREY S SAFETY EQUIPMENT</b>         |             |              |                       |
| E 237-40000-240                                | Small Tools and Minor Equip  |                                          | \$26,581.00 | 159702       | FD EQUIPMENT & TOOLS  |

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|--------------|---------------------------------------|------------------------------|---------------------------------------|---------------------------------------------|
| <b>Total</b> | <b>CLAREY S SAFETY EQUIPMENT</b>      | \$26,581.00                  |                                       |                                             |
| Paid Chk#    | 097997                                | 2/25/2015                    | <b>COMMERCIAL PARTNERS TITLE, INC</b> |                                             |
| E            | 401-40000-304                         | Legal Fees                   | \$702.55                              | LAKE/SUPERIOR ROW                           |
| <b>Total</b> | <b>COMMERCIAL PARTNERS TITLE, INC</b> | \$702.55                     |                                       |                                             |
| Paid Chk#    | 097998                                | 2/25/2015                    | <b>COURIER SOURCE, INC.</b>           |                                             |
| E            | 101-41500-499                         | Miscellaneous                | \$27.91 135216                        | SERVICE                                     |
| <b>Total</b> | <b>COURIER SOURCE, INC.</b>           | \$27.91                      |                                       |                                             |
| Paid Chk#    | 097999                                | 2/25/2015                    | <b>CRABTREE COMPANIES</b>             |                                             |
| E            | 610-40000-200                         | Office Supplies (GENERAL)    | \$96.32 130454                        | PW SUPPLIES                                 |
| E            | 620-40000-200                         | Office Supplies (GENERAL)    | \$96.32 130454                        | PW SUPPLIES                                 |
| E            | 101-43100-200                         | Office Supplies (GENERAL)    | \$192.62 130454                       | PW SUPPLIES                                 |
| E            | 101-45200-200                         | Office Supplies (GENERAL)    | \$192.62 130454                       | PW SUPPLIES                                 |
| <b>Total</b> | <b>CRABTREE COMPANIES</b>             | \$577.88                     |                                       |                                             |
| Paid Chk#    | 098000                                | 2/25/2015                    | <b>DEPUTY REGISTRAR 126</b>           |                                             |
| E            | 101-42100-404                         | Repairs/Maint - Machin/Equip | \$11.00 PD REG.                       | UNMARKED SQUAD REGISTRATION                 |
| <b>Total</b> | <b>DEPUTY REGISTRAR 126</b>           | \$11.00                      |                                       |                                             |
| Paid Chk#    | 098001                                | 2/25/2015                    | <b>DLT SOLUTIONS INC.</b>             |                                             |
| E            | 409-40000-499                         | Miscellaneous                | \$6,092.57 SI279928                   | CAD SOFTWARE                                |
| <b>Total</b> | <b>DLT SOLUTIONS INC.</b>             | \$6,092.57                   |                                       |                                             |
| Paid Chk#    | 098002                                | 2/25/2015                    | <b>DORSEY &amp; WHITNEY LLP</b>       |                                             |
| E            | 401-40000-304                         | Legal Fees                   | \$12,713.19 1996930                   | DOWNTOWN PARKING                            |
| <b>Total</b> | <b>DORSEY &amp; WHITNEY LLP</b>       | \$12,713.19                  |                                       |                                             |
| Paid Chk#    | 098003                                | 2/25/2015                    | <b>EHLERS</b>                         |                                             |
| E            | 316-40000-309                         | Contractual Services         | \$2,306.25 66879                      | BAY CENTER TIF                              |
| <b>Total</b> | <b>EHLERS</b>                         | \$2,306.25                   |                                       |                                             |
| Paid Chk#    | 098004                                | 2/25/2015                    | <b>EXCEL DOCUMENT MGMT.</b>           |                                             |
| E            | 101-41100-210                         | Operating Supplies (GENERAL) | \$44.75 40505                         | COUNCIL BUS.CARDS - REPLACEMENT FOR LOST CK |
| <b>Total</b> | <b>EXCEL DOCUMENT MGMT.</b>           | \$44.75                      |                                       |                                             |
| Paid Chk#    | 098005                                | 2/25/2015                    | <b>FIRSTLAB</b>                       |                                             |
| E            | 101-41500-306                         | Personnel Expense            | \$335.90 FL00112847                   | DRUG/ALCOHOL TESTING                        |
| <b>Total</b> | <b>FIRSTLAB</b>                       | \$335.90                     |                                       |                                             |
| Paid Chk#    | 098006                                | 2/25/2015                    | <b>GRAINGER, INC.</b>                 |                                             |
| E            | 101-42200-210                         | Operating Supplies (GENERAL) | \$169.29 9658413381                   | PARTS                                       |
| E            | 610-40000-210                         | Operating Supplies (GENERAL) | \$86.51 9664699676                    | PARTS                                       |
| E            | 610-40000-210                         | Operating Supplies (GENERAL) | (\$86.35) 9664715100                  | PARTS                                       |
| E            | 101-41940-210                         | Operating Supplies (GENERAL) | \$72.42 9668346894                    | PARTS                                       |
| <b>Total</b> | <b>GRAINGER, INC.</b>                 | \$241.87                     |                                       |                                             |
| Paid Chk#    | 098007                                | 2/25/2015                    | <b>HENN.CNTY.ACCTG.SERVICES</b>       |                                             |
| E            | 101-42120-308                         | Prisoner Care                | \$274.29 1000053178                   | PRISONER PROCESSING                         |
| G            | 101-20300                             | Deposits Payable             | \$75.00 1000053178                    | PRISONER PROCESSING                         |
| <b>Total</b> | <b>HENN.CNTY.ACCTG.SERVICES</b>       | \$349.29                     |                                       |                                             |
| Paid Chk#    | 098008                                | 2/25/2015                    | <b>HERC-U-LIFT</b>                    |                                             |
| E            | 101-41940-499                         | Miscellaneous                | \$106.40 R029134                      | EQUIP.RENTAL                                |
| <b>Total</b> | <b>HERC-U-LIFT</b>                    | \$106.40                     |                                       |                                             |
| Paid Chk#    | 098009                                | 2/25/2015                    | <b>HIRSHFIELD S</b>                   |                                             |

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|-------------------|------------------------------------------------|------------------------------------------|------------|--------------|---------------------------------------|
| E 101-41940-401   | Repairs/Maint Buildings                        |                                          | \$832.50   | 33079352     | PD WINDOW SHADES                      |
|                   | <b>Total HIRSHFIELD S</b>                      |                                          | \$832.50   |              |                                       |
| Paid Chk# 098010  | 2/25/2015                                      | <b>INTEGRATED FIRE &amp; SECURITY</b>    |            |              |                                       |
| E 101-41940-409   | Maint services & Improv                        |                                          | \$263.40   | 61519        | ANNUAL MONITORING CITY HALL & LIBRARY |
| E 437-40000-309   | Contractual Services                           |                                          | \$263.40   | 61520        | ANNUAL MONITORING CITY HALL & LIBRARY |
|                   | <b>Total INTEGRATED FIRE &amp; SECURITY</b>    |                                          | \$526.80   |              |                                       |
| Paid Chk# 098011  | 2/25/2015                                      | <b>KAYAK REMODELING</b>                  |            |              |                                       |
| R 610-00000-37110 | W/S/Storm Sales                                |                                          | \$110.56   | REFUND       | OVERPAYMENT ON FINAL UTILITY BILL     |
|                   | <b>Total KAYAK REMODELING</b>                  |                                          | \$110.56   |              |                                       |
| Paid Chk# 098012  | 2/25/2015                                      | <b>LAMBERT, JEFFREY W.</b>               |            |              |                                       |
| E 101-42120-304   | Legal Fees                                     |                                          | \$3,501.75 | FEB.2015     | LEGAL SERVICES                        |
|                   | <b>Total LAMBERT, JEFFREY W.</b>               |                                          | \$3,501.75 |              |                                       |
| Paid Chk# 098013  | 2/25/2015                                      | <b>LHB, INC.</b>                         |            |              |                                       |
| E 430-40000-302   | Consultants                                    |                                          | \$1,348.00 | 130445.00-10 | EASTMAN LANE                          |
|                   | <b>Total LHB, INC.</b>                         |                                          | \$1,348.00 |              |                                       |
| Paid Chk# 098014  | 2/25/2015                                      | <b>LOFFLER COMPANIES, INC.</b>           |            |              |                                       |
| E 409-40000-540   | Equipment                                      |                                          | \$878.00   | 1923736      | MV MONITORS                           |
|                   | <b>Total LOFFLER COMPANIES, INC.</b>           |                                          | \$878.00   |              |                                       |
| Paid Chk# 098015  | 2/25/2015                                      | <b>LSA DESIGN, INC.</b>                  |            |              |                                       |
| E 401-40000-309   | Contractual Services                           |                                          | \$9,231.20 | 15001        | DOWNTOWN PARKING                      |
|                   | <b>Total LSA DESIGN, INC.</b>                  |                                          | \$9,231.20 |              |                                       |
| Paid Chk# 098016  | 2/25/2015                                      | <b>METRO ELEVATOR, INC.</b>              |            |              |                                       |
| E 101-41940-404   | Repairs/Maint - Machin/Equip                   |                                          | \$315.00   | 42263        | MAINT.                                |
|                   | <b>Total METRO ELEVATOR, INC.</b>              |                                          | \$315.00   |              |                                       |
| Paid Chk# 098017  | 2/25/2015                                      | <b>MINNESOTA PETROLEUM</b>               |            |              |                                       |
| E 101-41940-404   | Repairs/Maint - Machin/Equip                   |                                          | \$311.09   | 107989       | PARTS FOR FUEL SYSTEM                 |
|                   | <b>Total MINNESOTA PETROLEUM</b>               |                                          | \$311.09   |              |                                       |
| Paid Chk# 098018  | 2/25/2015                                      | <b>MN CHILD SUPPORT PAYMENT CENTE</b>    |            |              |                                       |
| G 101-21710       | County WH                                      |                                          | \$227.50   | 0015104841   | WITHHOLDING ORDER                     |
|                   | <b>Total MN CHILD SUPPORT PAYMENT CENTE</b>    |                                          | \$227.50   |              |                                       |
| Paid Chk# 098019  | 2/25/2015                                      | <b>NEWMAN TRAFFIC SIGNS</b>              |            |              |                                       |
| E 101-43100-226   | Sign Repair Materials                          |                                          | \$186.62   | 0283028      | STREET SIGNS                          |
|                   | <b>Total NEWMAN TRAFFIC SIGNS</b>              |                                          | \$186.62   |              |                                       |
| Paid Chk# 098020  | 2/25/2015                                      | <b>OFFICE DEPOT</b>                      |            |              |                                       |
| E 101-42100-200   | Office Supplies (GENERAL)                      |                                          | \$83.41    | 755364962001 | SUPPLIES                              |
| E 630-40000-200   | Office Supplies (GENERAL)                      |                                          | \$14.43    | 755364962001 | SUPPLIES                              |
|                   | <b>Total OFFICE DEPOT</b>                      |                                          | \$97.84    |              |                                       |
| Paid Chk# 098021  | 2/25/2015                                      | <b>PLANT &amp; FLANGED EQUIPMENT CO.</b> |            |              |                                       |
| E 610-40000-242   | Well & F.P. Equipment                          |                                          | \$784.09   | 0064566      | PARTS                                 |
|                   | <b>Total PLANT &amp; FLANGED EQUIPMENT CO.</b> |                                          | \$784.09   |              |                                       |
| Paid Chk# 098022  | 2/25/2015                                      | <b>POPP TELECOM</b>                      |            |              |                                       |
| E 640-48000-321   | Telephone                                      |                                          | \$100.00   |              | SERVICE                               |
| E 640-47000-321   | Telephone                                      |                                          | \$100.00   |              | SERVICE                               |
| E 620-40000-323   | Radio Units                                    |                                          | \$32.66    |              | SERVICE                               |
| E 101-41940-321   | Telephone                                      |                                          | \$310.74   |              | SERVICE                               |
| E 610-40000-323   | Radio Units                                    |                                          | \$89.48    |              | SERVICE                               |

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| <b>Total POPP TELECOM</b>                      |                              |                                          | \$632.88     |              |                       |
| Paid Chk# 098023                               | 2/25/2015                    | <b>RANDY S SANITATION</b>                |              |              |                       |
| E 101-41940-386                                | Other Utilities              |                                          | \$331.12     |              | CH & PW SERVICE       |
| E 650-47500-386                                | Other Utilities              |                                          | \$2,843.47   |              | DISPOSAL              |
| E 650-47500-384                                | Refuse/Garbage Disposal      |                                          | \$957.84     |              | DRIVEUP               |
| E 650-47500-384                                | Refuse/Garbage Disposal      |                                          | \$1,349.71   |              | KARTS                 |
| E 650-47500-384                                | Refuse/Garbage Disposal      |                                          | \$8,421.94   |              | LABOR                 |
| E 650-47600-309                                | Contractual Services         |                                          | \$3,880.08   |              | RECYCLING             |
| E 640-48000-384                                | Refuse/Garbage Disposal      |                                          | \$326.59     |              | BAR                   |
| E 650-47500-384                                | Refuse/Garbage Disposal      |                                          | \$72.15      |              | STICKERS              |
| E 650-47800-386                                | Other Utilities              |                                          | \$44.85      |              | ORGANICS DISPOSAL     |
| E 640-47000-384                                | Refuse/Garbage Disposal      |                                          | \$150.00     |              | STORE                 |
| E 650-47800-384                                | Refuse/Garbage Disposal      |                                          | \$6,479.48   |              | ORGANICS              |
| <b>Total RANDY S SANITATION</b>                |                              |                                          | \$24,857.23  |              |                       |
| Paid Chk# 098024                               | 2/25/2015                    | <b>RISVOLD, MICHAEL</b>                  |              |              |                       |
| E 101-42100-331                                | Mileage & Expense Account    |                                          | \$6.00       | REIMB.       | PARKING               |
| E 101-42500-409                                | Maint services & Improv      |                                          | \$306.78     | REIMB.       | EOC ROOM EQUIP.       |
| E 101-42100-210                                | Operating Supplies (GENERAL) |                                          | \$3.43       | REIMB.       | SUPPLIES              |
| E 101-42100-433                                | Dues, Licensing & Seminars   |                                          | \$325.00     | REIMB.       | CHIEFS CONF. REG.     |
| <b>Total RISVOLD, MICHAEL</b>                  |                              |                                          | \$641.21     |              |                       |
| Paid Chk# 098025                               | 2/25/2015                    | <b>SCHARBER &amp; SONS</b>               |              |              |                       |
| E 101-45200-222                                | Repair & Maint - Equip       |                                          | \$27.84      | P27695       | PARTS                 |
| <b>Total SCHARBER &amp; SONS</b>               |                              |                                          | \$27.84      |              |                       |
| Paid Chk# 098026                               | 2/25/2015                    | <b>SPRINT</b>                            |              |              |                       |
| E 101-42100-323                                | Radio Units                  |                                          | \$132.61     | 134573312-15 | PD SERVICE            |
| <b>Total SPRINT</b>                            |                              |                                          | \$132.61     |              |                       |
| Paid Chk# 098027                               | 2/25/2015                    | <b>URAM, DON</b>                         |              |              |                       |
| G 101-21721                                    | Flex Plan                    |                                          | \$154.95     | FLEX REIMB.  | FLEX SPENDING REIMB.  |
| <b>Total URAM, DON</b>                         |                              |                                          | \$154.95     |              |                       |
| Paid Chk# 098028                               | 2/25/2015                    | <b>USA BLUE BOOK</b>                     |              |              |                       |
| E 610-40000-240                                | Small Tools and Minor Equip  |                                          | \$78.60      | 566158       | MANHOLE COVER LIFTER  |
| E 620-40000-240                                | Small Tools and Minor Equip  |                                          | \$78.59      | 566158       | MANHOLE COVER LIFTER  |
| <b>Total USA BLUE BOOK</b>                     |                              |                                          | \$157.19     |              |                       |
| Paid Chk# 098029                               | 2/25/2015                    | <b>VERIZON WIRELESS</b>                  |              |              |                       |
| E 101-42100-323                                | Radio Units                  |                                          | \$200.07     | 9740452164   | PD SERVICE            |
| <b>Total VERIZON WIRELESS</b>                  |                              |                                          | \$200.07     |              |                       |
| Paid Chk# 098030                               | 2/25/2015                    | <b>VESSCO, INC.</b>                      |              |              |                       |
| E 610-40000-242                                | Well & F.P. Equipment        |                                          | \$1,311.89   | 62548        | WTP#3 PARTS           |
| <b>Total VESSCO, INC.</b>                      |                              |                                          | \$1,311.89   |              |                       |
| Paid Chk# 098031                               | 2/25/2015                    | <b>VISU-SEWER CLEAN &amp; SEAL, INC.</b> |              |              |                       |
| E 620-40000-409                                | Maint services & Improv      |                                          | \$1,588.75   | 26591        | STORMSEWER TELEVIEWED |
| <b>Total VISU-SEWER CLEAN &amp; SEAL, INC.</b> |                              |                                          | \$1,588.75   |              |                       |
| Paid Chk# 098032                               | 2/25/2015                    | <b>WBC HOLDINGS, INC.</b>                |              |              |                       |
| E 101-43100-404                                | Repairs/Maint - Machin/Equip |                                          | \$7.51       | 11871        | VEHICLE MAINT.        |
| E 101-45200-404                                | Repairs/Maint - Machin/Equip |                                          | \$7.51       | 11916        | VEHICLE MAINT.        |
| E 101-43100-404                                | Repairs/Maint - Machin/Equip |                                          | \$7.51       | 11971        | VEHICLE MAINT.        |
| <b>Total WBC HOLDINGS, INC.</b>                |                              |                                          | \$22.53      |              |                       |
| <b>10100 Anchor Bank</b>                       |                              |                                          | \$276,705.89 |              |                       |

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**Fund Summary****10100 Anchor Bank**

|                           |              |
|---------------------------|--------------|
| 101 GENERAL FUND          | \$73,567.48  |
| 233 LAKFRONT IMPROVE      | \$10,053.75  |
| 235 CABLE TV              | \$43.18      |
| 237 FIRE DEPT PULL TABS   | \$32,186.00  |
| 316 BAY CENTER            | \$2,306.25   |
| 401 PERM IMPROVEMENT      | \$22,646.94  |
| 409 EQUIP REVOLVING       | \$30,333.66  |
| 430 STREET CIP            | \$1,348.00   |
| 437 LIBRARY/COMM.ROOM CIP | \$263.40     |
| 610 WATER FUND            | \$9,437.27   |
| 620 SEWER FUND            | \$2,170.49   |
| 630 MOTOR VEHICLE         | \$2,972.16   |
| 640 LIQUOR                | \$64,812.79  |
| 650 SOLID WASTE           | \$24,049.52  |
| 670 STORMWATER            | \$515.00     |
|                           | <hr/>        |
|                           | \$276,705.89 |

**WAYZATA CITY COUNCIL**  
**DRAFT - MEETING MINUTES**  
**January 20, 2015**

**AGENDA ITEM 1. Call to Order and Roll Call.**

Mayor Willcox called the meeting to order at 7 p.m. Council Members present: Anderson, McCarthy, Mullin and Tyacke. Also present: City Manager Nelson, Director of Planning and Building Gadow, and City Attorney Schelzel.

**AGENDA ITEM 2. Approve Agenda.**

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

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

**a. Remember John Berryhill**

Mayor Willcox shared that long time Wayzata resident, John Berryhill, had passed away after a lengthy illness. He had been a wonderful asset to Wayzata, a dedicated volunteer, and a regular visitor to the City Council meetings.

**b. Bushaway Road Update**

Trudy Richter, Outreach representative for Shafer Contracting Construction team, reported that work had continued through the winter. Thirty-one hotline calls had been received and responded to concerning complaints, local traffic concerns, utilities, etc. Seven updates in November and four in December had been sent out. McGinty Road and Eastman Road should be open next week and new signage would be put up to alert drivers. The road should stay open until Spring when the work would be finished and the road permanently open.

The Council asked questions concerning the placement of the signage and the negative effects on the local businesses.

**AGENDA ITEM 4. Consent Agenda.**

Mrs. Anderson requested to pull Item 4.c., Approval of Addendum to Recording Secretary Service Agreement, from the consent agenda for discussion.

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

- a. Approval of Minutes of January 6, 2015
- b. Approval of Check Registers
- c. ~~Approval of Addendum to Recording Secretary Service Agreement~~
- d. Approval of Lease Agreement for 2015 with Wayzata Historical Society for the Wayzata Depot at 402 Lake Street East
- e. Approval of Resolution No. 03-2015 Approving Hennepin County Law Enforcement Personnel and Equipment Mutual Aid Agreement
- f. Municipal licenses which received administrative approval (informational only)
- g. Police Activity Report
- h. Building Activity Report

The motion carried 5/0.

**AGENDA ITEM 5. New Business.**

**a. Consider Resolution No. 06-2015 Approval of Lot Combination at 227 Walker Avenue North and 529 Park Street**

Mr. Gadow presented a Development application for approval from Joseph and Mary Kiser for a Concurrent Preliminary/Final Plat Lot Combination at 227 Walker Avenue North and 529 Park Street. The applicants own both properties. The 227 Walker Avenue North lot was only 7,260

square feet and the 529 Park Street lot was only 5,500 square feet. The minimum lot area in the R-3A District was 9,000 square feet. The resulting lot combination would remove the non-conformities and create one conforming lot of 12,760 square feet. Mr. Gadow presented sketch drawing of the lots and shared that the Planning Commission had recommended unanimously approve the request.

The Council asked why the lot combination had not been done previously. Mr. Gadow responded that it was built in the 1980s and remodeled in the 1990s, but he was unaware of why it had not been previously combined.

Mr. Mullin made a motion, seconded by Mrs. Anderson, to Adopt Resolution No. 06-2015, Approving an Application for Concurrent Preliminary and Final Plat Lot Combination at 227 Walker Avenue North and 529 Park Street. The motion carried 5/0.

**b. Consider Resolution No. 07-2015 Approval of Planned Unit Development and Associated Approvals at 236 and 240 Minnetonka Avenue and 519 Indian Mound**

Mr. Gadow presented a request from John Adams, representing John Kraemer and Sons, and Haglund's Corner LLC, for approval of a concurrent Concept and General Plan Planned Unit Development, Project Design Review, a concurrent preliminary and final plat for a lot combination of commercial property, a Shoreland Conditional Use Permit, a variance for building height above the thirty-five feet in Planned Unit Development District, building and site setback variances, and a Conditional Use Permit for an elevator penthouse above forty feet to redevelop the properties at 236 Minnetonka Avenue, 240 Minnetonka Avenue, and 519 Indian Mound. The request proposed a mixed use building of 45,227 square feet with 3,000 square feet of retail located half below grade and ten residential condominium units in three stories. Mr. Gadow shared that the current zoning was C-1 and that the Planning Commission had voted 4/3 to recommend in favor. Mr. Gadow then presented aerial photos, the existing conditions survey, preliminary and final plats, the site plan, the parking plans, and Council action steps.

Mr. Adams explained that the project had evolved over the last six months with input from the neighbors, City staff, the Planning Commission, and the City Council. He noted that the team had done its best to not deviate from the City's ordinances and asked the Council for its approval.

The Council asked if it was the low elevation or the retail addition that was responsible for the height variance and Mr. Adams responded that it was a combination of both. The Council also asked about the association and who would be responsible for maintaining the public spaces. Mr. Adams replied that the tenants would be responsible for the tables and grills in the park and the retail component would be responsible for the front tables and chairs.

Lisa Richardson, Tanek Architects, discussed the screening on the East side of the property with crab apple trees.

Daniel Goldman, 520 Indian Mound Street, and Polly Grose, 540 Indian Mound Street, shared that the neighbors were in favor and strongly endorsed it.

Bette Hammel, 101 Promenade Avenue #413, shared that she was happy to see the Post Office being preserved. She felt the architect had done a good job with this residential project and it fit well in the neighborhood.

The Council discussed the request and the resolution and each shared concerns. Mrs. McCarthy was concerned with the height of the elevator, the lack of natural light for the park, and the lack of articulation between floors of the building. Mayor Willcox was concerned that a large portion of the variances were in violation of the City's ordinances, but had the most trouble with the height of the building.

Mr. Adams informed the Council that the architect could commit to decreasing the tower height by at least two feet, but the elevator was necessary for handicap use.

Mr. Mullin made a motion, seconded by Mr. Tyacke, to Adopt Resolution No. 07-2015, Approving and Application for Concept/General Plan Planned Unit Development and Rezoning,

1 Concurrent Preliminary and Final Plat, Shoreland Conditional Use Permit, Building Setback  
 2 Variances, Conditional Use Permit for Elevator Penthouse, Project Design Review and Site Plan  
 3 Review at 236 Minnetonka Avenue South, 240 Minnetonka Avenue South, and 519 Indian  
 4 Mound, with the following conditions and amendments:

- 5 • The last sentence of Item 3.7.D. should read, “The Project could meet the City's Zoning  
 6 Ordinance standards without the need for variance with a residential and commercial  
 7 office building.”
- 8 • Add to Item 4.1.C., The height of the elevator shaft shall be no more than 11 feet from  
 9 the parapet wall and will be screened with Boston Ivy.”
- 10 • Add to Item 4.1.F., Incorporating additional screening of garage door and North wall.
- 11 • Add Item 4.1.M., The applicant must enter into a development agreement with the City in  
 12 a form acceptable to the City Attorney covering all of the approvals, restrictions, and  
 13 conditions noted above.
- 14 • Add Item 4.1.N., The applicant is encouraged to diversify tree stock in the landscaping  
 15 plan.
- 16 • Add Item 4.1.O., The building height plus parapet wall cannot exceed 40 feet.
- 17 • Add Item 4.1.P., The applicant must maintain public spaces in the park and retail space.

18 The motion carried 3/2 (McCarthy, Willcox).

19 Mr. Mullin made a motion, seconded by Mr. Tyacke, to Approve the First Reading of  
 20 Ordinance No. 751, Rezoning the property, 236 Minnetonka Avenue South, 240 Minnetonka  
 21 Avenue South, and 519 Indian Mound to a Planned Unit Development District. The motion  
 22 carried 4/1 (Willcox).

23 The Council requested that staff look into more detail about storm water management and  
 24 how it was working for staff to check and maintain pavers.

25  
 26 **c. Consider Resolution No. 08-2015 Wayzata Brew Works LLC and Boatworks II LLC**  
 27 **Microbrewery and Distillery**

28 Mr. Gadow reported that Boatworks II LLC and Wayzata Brew Works LLC had previously  
 29 submitted and received approval for a similar application in August of 2014, but withdrew and  
 30 rescinded the Application to allow the operators an opportunity to make some modifications to  
 31 their business plan. The applicant had resubmitted a new application requesting the same  
 32 approvals for an amendment to an existing Planned Unit Development Conditional Use Permit  
 33 and new Conditional Use Permit to allow the operation of a microbrewery/taproom and distillery  
 34 facility at 294 Grove Lane. Mr. Gadow presented an aerial photo; site layout; interior design  
 35 concepts; parking calculations and parking layout; and operation items such as trash, hours of  
 36 operation, special events, and brewery operations. The Planning Commission voted unanimously  
 37 to recommend approval of the application.

38 The Council discussed the flow analysis for sewer discharge, parking concerns, and the  
 39 possibility of moving the trailhead.

40 Mrs. Anderson made a motion, seconded by Mrs. McCarthy, to Adopt Resolution No. 08-  
 41 2015, Approving Planned Unit Development Amendment, Conditional Use Permit, and Site Plan  
 42 for 294 Grove Lane, as amended to require employees to park at the 259 site and valet to utilize  
 43 off-site parking first. The motion carried 5/0.

44  
 45 **d. Consider 2015 Legislative Priorities**

46 Ms. Nelson shared that at the end of the 2014 legislative session, the City of Wayzata began  
 47 discussions with local legislative representatives regarding funding for the Lake Effect. She  
 48 requested Council direction with regard to continued discussions with the legislative  
 49 representatives in pursuing funding.

The Council asked questions concerning other funding sources and having the legislative representatives visit. The Council also asked about a timeline for more specific plans and cost estimates. Ms. Nelson replied that a framework with cost estimates was all that was needed currently and specifics would come later. The Council noted that the framework was not binding, but more of an example.

Ms. Nelson discussed the issue of Sunday liquor sales noting that it seemed likely to receive serious consideration this session. She asked for Council feedback regarding the issue of Sunday liquor sales. The Council expressed concern over the amount of revenue it would earn, but believed Sunday liquor sales were inevitable.

The recessed for Council five minutes and then reconvened.

**e. Consider Resolution No. 05-2015 Designating Additional City Appointments and Assignments for 2015 to Include Council Liaison Positions for Boards and Commissions**

Ms. Nelson reported that at the January 6, 2015 City Council meeting, the Council decided to postpone consideration of the appointments of the Council Liaison positions for boards and commissions. Staff recommended the Council consider moving away from the Council liaison format move towards “independently-functioning boards and commissions” and create a process for communication between the various board chairs and the Council.

~~The Council discussed~~ Mr. Willcox stated his understanding of what he thought the role of liaison was created to do in the past in respect to boards and commissions, ~~the liaison roles and other options for communicating with and supporting the various boards and commissions.~~ Mrs. Anderson asked if any of the other members of the Council had been Council Liaisons. None of the council members responded. Mrs. Anderson stated her experiences as Council Liaison on 2 boards for 2 years and 1 board for 1 year. Mrs. Anderson recommended asking the boards and commissions for input before making a choice that would affect them. She stated that if the boards and commissions are seen having value by the Council then their opinion on the role of liaison should be valued, as well. Mrs. Anderson stated how the role was described to her when she started in the position as not directly a group that was lost, but rather being supportive and answering questions around what was happening in the community. She also was in favor of the liaison roles stating that the role ~~was to assist in a supportive manner and~~ provided value to the various boards by saying they had worth. Mrs. Anderson questioned why this topic was being brought up since there was no declared dissatisfaction with role as it was currently executed by any of the boards or commissions. Mrs. Anderson stated that she saw the boards and commissions as already “independently-functioning” in their current state.

Mr. Tyacke stated that he saw the structure as Council being a Board of Directors of a corporation and didn't feel that directors should sit on operating committees or the like. He was in favor of the role stated in report and felt that Council members should just dedicate 100% of their time to their elected responsibilities and not be diluted with boards and commissions. Mrs. Anderson informed Mr. Tyacke that was not the case.

Mr. Mullin stated that he would like to see consistency among the boards and commissions. He would like to see the boards and commissions act with more autonomy to formulate their own ideas, perspectives and opinions. Mr. Mullin stated that if the goal is to form better relations with boards and commissions they he could support a quarterly rotation of council to the role. However, he does not see the need for the role in any of the boards and commissions.

Mrs. McCarthy believed the liaison roles were important when large initiatives were happening. Mrs. McCarthy also stated that best business practices would be to have a definition around the role of Council Liaison and to have, at minimum, the Chair/Vice Chairs come before the Council on a regular basis to keep communication open.

1 Mrs. Anderson asked staff if the staff liaison role was formally described in any of the  
 2 boards and commissions resolutions. Staff did not provide answer.

3 —Mrs. Anderson suggested that if it was the desire of the Council to allow the boards and  
 4 commissions to function independently, staff liaison roles should be removed as well. She  
 5 offered that under that structure the chairs/vice chairs of the boards and commissions can then  
 6 reach out when they need assistance to staff or council.

7 Mr. Willcox stated that he thinks it is the staff that executes the direction of the boards.  
 8 Mrs. Anderson stated her disagreement to that statement. She stated that it is the Chair that  
 9 executes and gives direction as well as the entire board offering up recommendations to Council.  
 10 Mrs. Anderson also argued that it is not an efficient use of staff's time to be at all the meetings of  
 11 the various boards and commissions.

12 The Council discussed the role of staff concerning boards and commissions. Mrs.  
 13 Anderson stated that staff's role is not necessary at all or any of the boards and commissions'  
 14 meetings if they are to "independently function" and at times the staff role has had an influencing  
 15 effect. Staff's role should be that as supportive. Mr. Mullin acknowledged that he has experience  
 16 with that occurring in the past and proposed that the boards and commissions be allowed to meet  
 17 without staff at their discretion. Ms. Nelson thought that staff attendance was necessary at the  
 18 meetings to answer questions concerning City resources, etc.

19 The Council Mr. Mullin noted that the intent of removing the liaison positions was to  
 20 give the boards and commissions more structure and face time with the entire Council.  
 21 Ms. Nelson thought that staff attendance was necessary at the meetings to answer questions  
 22 concerning City resources, etc.

23 Mrs. Anderson stated that was the same role Council Liaison played when attending  
 24 boards and committee's meetings. Mrs. Anderson asked Council if anyone on Council had heard  
 25 differently in how she had conducted herself while performing her job, then they should state so  
 26 at that point in time in the meeting. No one on Council or staff responded with any such  
 27 accountings.

28 Mr. Mullin made a motion, seconded by Mr. Tyacke, to direct staff to adjust the  
 29 Communications Board's resolution to reflect removal of the formal Council role and to not  
 30 appoint a Council Liaison to the Parks and Trails Board or the Volunteer Committee. The motion  
 31 carried 3/2 (Anderson, McCarthy).

#### 33 **4.c. Approval of Addendum to Recording Secretary Service Agreement**

34 Mrs. Anderson shared that she had requested staff calculate the amount spent on recording  
 35 services over the past five years and that the total was approximately \$45,000. The City Council  
 36 meeting minutes and workshop minutes were not verbatim like the Planning Commission  
 37 minutes. Mrs. Anderson suggested that the minutes should be verbatim in an effort to be more  
 38 transparent and the cost could be reduced greatly by using recording software for dictation. The  
 39 process would be more efficient and the minutes more thorough.

40 The Council discussed whether or not both the City Council meeting minutes and  
 41 workshop minutes should be verbatim. Mr. Mullin was in favor of exploring alternate paths, but  
 42 did not believe the workshop meetings should be recorded because there was not any formal  
 43 action taken in workshops. Mr. Tyacke preferred minutes to a transcript of the meeting, but noted  
 44 that the Planning Commission minutes regularly had typos or errors. Mrs. Anderson suggested  
 45 that a transcript was not different than a recording and was against the summary style of minutes  
 46 because it required paraphrasing and the tone or point of view could be misconstrued.

47 Mr. Schelzel cautioned against a transcript approach to the minutes and noted that there  
 48 was a difference between meeting minutes and the meeting recording. The minutes should  
 49 accurately reflect discussions. Mr. Schelzel encouraged the Council to review the minutes  
 50 carefully and request revisions when needed.

1 Mr. Tyacke made a motion, seconded by Mrs. McCarthy, to approve the 2015 Addendum  
2 to Recording Secretary Service Agreement. The motion carried 5/0.

3  
4 **AGENDA ITEM 6. City Manager's Report and Discussion Items.**

5 **a. Chilly Open**

6 Ms. Nelson shared that Chilly Open was scheduled for February 7, 2015. There would be a  
7 Cinema and Skates family event on Friday night.

8  
9 **b. Update on Special Event Permit Fees**

10 Ms. Nelson shared that the City had reviewed and approved fifty special event permits for  
11 Wayzata over the last year and that the \$200 permit fee was not covering the cost. The Council  
12 had previously approved a tiered schedule for event permits based on the size of the event. Staff  
13 had received feedback requesting that the increases be phased in.

14 The Council discussed the phase-in approach and agreed to reduce the increases for 2015  
15 and revisit the prices again for 2016.

16  
17 **c. Liquor Licenses**

18 Ms. Nelson shared that liquor license renewals were due in April, but a restaurant had requested  
19 to make a partial payment in April and final payment in July. The restaurant attributed its  
20 struggles to Bushaway Road.

21 The Council supported allowing the partial payment.

22  
23 **AGENDA ITEM 7. Public Forum Continued (if necessary).**

24 There were no comments.

25  
26 **AGENDA ITEM 8. Adjournment.**

27 Mrs. McCarthy made a motion, seconded by Mr. Tyacke to adjourn. There being no further  
28 business, Mr. Willcox adjourned the meeting at 9:55 p.m.

29  
30 Respectfully submitted,

31  
32  
33  
34 Becky Malone  
35 Deputy City Clerk

36  
37 Drafted by Sarah Peterson  
38 *TimeSaver Off Site Secretarial, Inc.*

## 2015 MUNICIPAL LICENSES FOR CITY COUNCIL APPROVAL ON 03/03/2015

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

|                                                                                                                                            |                 |
|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| <b>Permit for a ONE (1) Day Temporary Consumption and Display Permit<br/>at Unitarian Universalist Church of Minnetonka on May 2, 2015</b> |                 |
| Unitarian Universalist Church of Minnetonka                                                                                                | 605 Rice Street |
| <b>Permit for a ONE (1) Day Temporary Consumption and Display Permit<br/>at Unitarian Universalist Church of Minnetonka on May 9, 2015</b> |                 |
| Unitarian Universalist Church of Minnetonka                                                                                                | 605 Rice Street |



Minnesota Department of Public Safety  
Alcohol and Gambling Enforcement Division  
444 Cedar Street, Suite 222, St. Paul, MN 55101  
651-201-7500 Fax 651-297-5259 TTY 651-282-6555

**APPLICATION AND PERMIT FOR A 1 DAY  
TEMPORARY CONSUMPTION AND DISPLAY PERMIT**  
(City or county may not issue more than 10 permits in any one year)

215  
#3 RECEIVED

FEB 23 2015

**CITY OF WAYZATA**

Name of organization

Unitarian Universalist Church of mtka

Date organized

1960

Tax exempt number

23688

Address

605 Rice Street

City

Wayzata

State

Minnesota

Zip Code

55391

Name of person making application

William Tregaskis / Judy Regan

Business phone

952-473-5900

Home phone

Date(s) of event

May 2nd 2015

Time(s) of event

7:30pm - 10:30pm

Type of organization

☐ Club

☐ Charitable

☒ Religious

☐ Other non-profit

Organization officer's name

X Rev. Kent Hemmen Saleska, Minister

City

Wayzata

State

Minnesota

Zip

55391

NAME OF PERSON IN CHARGE AT EVENT: William Tregaskis

TELEPHONE NUMBER OF PERSON IN CHARGE AT EVENT: \_\_\_\_\_

DESCRIPTION OF EVENT: Performance - Concert - UUCM 5th Annual Extravaganza

WHAT DO YOU PLAN TO CONSUME: wine and beer  
(BEER, WINE, OR INTOXICATING LIQUOR)

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

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

LOCATION LICENSE WILL BE USED. IF AN OUTDOOR AREA, DESCRIBE:

605 Rice Street, Wayzata - Inside church

SIGNATURE OF APPLICANT: Judy Regan

DATE: 2/11/2015

CITY FEE AMOUNT: \$25.00

DATE FEE PAID: 2-25-2015

**APPROVAL**

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

City of Wayzata / Hennepin County, MN

City/County

Date Approved

\$25.00

City Fee Amount

2-25-2015 # 30423

Date Fee Paid

Permit Date

Police Signature

2/25/15  
Date Signed

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 permit for the event.



Minnesota Department of Public Safety  
Alcohol and Gambling Enforcement Division  
444 Cedar Street, Suite 222, St. Paul, MN 55101  
651-201-7500 Fax 651-297-5259 TTY 651-282-6555

**APPLICATION AND PERMIT FOR A 1 DAY  
TEMPORARY CONSUMPTION AND DISPLAY PERMIT**

(City or county may not issue more than 10 permits in any one year)

2015  
#RECEIVED

FEB 23 2015

|                                                                            |                                         |                                                                                                                                                                                   |                           |                                                      |  |
|----------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------|--|
| Name of organization<br><u>Unitarian Universalist Church of mtka</u>       |                                         | Date organized<br><u>1960</u>                                                                                                                                                     |                           | CITY OF WAYZATA<br>Tax exempt number<br><u>23688</u> |  |
| Address<br><u>605 Rice Street</u>                                          |                                         | City<br><u>Wayzata</u>                                                                                                                                                            | State<br><u>Minnesota</u> | Zip Code<br><u>55391</u>                             |  |
| Name of person making application<br><u>William Tregaskis / Judy Regan</u> |                                         | Business phone<br><u>952-473-5900</u>                                                                                                                                             |                           | Home phone<br><u></u>                                |  |
| Date(s) of event<br><u>Sat, May 9th 2015</u>                               | Time(s) of event<br><u>7:30-10:30pm</u> | Type of organization<br><input type="checkbox"/> Club <input type="checkbox"/> Charitable <input checked="" type="checkbox"/> Religious <input type="checkbox"/> Other non-profit |                           |                                                      |  |
| Organization officer's name<br><u>X Rev. Kent Hemmen Saleska, minister</u> |                                         | City<br><u>Wayzata</u>                                                                                                                                                            | State<br><u>Minnesota</u> | Zip<br><u>55391</u>                                  |  |

NAME OF PERSON IN CHARGE AT EVENT: William Tregaskis

TELEPHONE NUMBER OF PERSON IN CHARGE AT EVENT:

DESCRIPTION OF EVENT: Performance - Concert - Roy Zimmerman

WHAT DO YOU PLAN TO CONSUME: wine and beer  
(BEER, WINE, OR INTOXICATING LIQUOR)

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

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

LOCATION LICENSE WILL BE USED. IF AN OUTDOOR AREA, DESCRIBE:  
605 Rice Street, Wayzata - Inside of church

SIGNATURE OF APPLICANT: Judy Regan DATE: 2/11/2015

CITY FEE AMOUNT: 25.00 DATE FEE PAID: 2-25-2015

APPROVAL

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

City of Wayzata / Hennepin County, MN

City/County

Date Approved

\$25.00

City Fee Amount

2-25-2015

# 30422

Date Fee Paid

Permit Date

W. Miller  
Police Signature

2/25/15  
Date Signed

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 for the permit for the event.

**COMMERCIAL LIABILITY  
CERTIFICATE OF INSURANCE**

**RECEIVED**

FEB 23 2015

THIS CERTIFICATE IS USED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER.  
THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW.

**CITY OF WAYZATA**

|                                                                                                                               |                                                                                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>NAME AND ADDRESS OF AGENCY</b><br>Helland Agency, Inc.<br>18202 Minnetonka Blvd.<br>Deephaven, MN. 55391                   |                                                                                                                                                                                                       |
| <b>NAME AND ADDRESS OF FIRST NAMED INSURED</b><br>Unitarian Universalist Church<br>605 Rice Street East<br>Wayzata, MN. 55391 | This Certificate of Insurance neither affirmatively nor negatively amends, extends or alters the coverage or any provision of Policy No. <u>1298-430</u> issued by <u>GuideOne Specialty Ins. Co.</u> |

This is to certify that policies of insurance listed below have been issued to the insured named above and are in force at this time.

| TYPE OF INSURANCE                                                                                                                                                                                                                                                                   | COMPANY AFFORDING COVERAGE AND POLICY NUMBER                                                                                                                                                                                                                    | POLICY EXPIRATION DATE | Limits of Liability                                                                                                                                                                    |                                                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                 |                        | OCCURRENCE/AGGREGATE                                                                                                                                                                   | OCCURRENCE/AGGREGATE                                                                                                                                       |
| <input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY (OCCURRENCE FORM)</b><br><input type="checkbox"/> _____<br><input type="checkbox"/> _____                                                                                                                       | <input type="checkbox"/> GuideOne Mutual<br><input type="checkbox"/> GuideOne Elite<br><input checked="" type="checkbox"/> GuideOne Specialty Mutual<br><input type="checkbox"/> GuideOne America<br><input type="checkbox"/> GuideOne Lloyds<br>Policy # _____ | 4/1/16                 | <input type="checkbox"/> \$ 300,000/\$ 600,000<br><input type="checkbox"/> 500,000/ 1,000,000<br><input type="checkbox"/> 1,000,000/ 2,000,000<br><input type="checkbox"/> _____/_____ | <input type="checkbox"/> \$ 300,000/\$1,000,000<br><input type="checkbox"/> 500,000/ 1,500,000<br><input checked="" type="checkbox"/> 1,000,000/ 3,000,000 |
| <b>AUTOMOBILE LIABILITY SYMBOL</b><br><input type="checkbox"/> ANY AUTO 1<br><input type="checkbox"/> ALL OWNED AUTOS 2<br><input type="checkbox"/> SCHEDULED AUTOS 7<br><input checked="" type="checkbox"/> HIRED AUTOS 8<br><input checked="" type="checkbox"/> NON-OWNED AUTOS 9 | <input type="checkbox"/> GuideOne Mutual<br><input type="checkbox"/> GuideOne Specialty Mutual<br>Policy # <u>Same</u>                                                                                                                                          |                        | BODILY INJURY AND PROPERTY DAMAGE COMBINED<br><div style="border: 1px solid black; padding: 5px; width: 150px; float: right;">\$1,000,000</div>                                        |                                                                                                                                                            |
| <b>EXCESS LIABILITY</b><br><input checked="" type="checkbox"/> <b>UMBRELLA FORM</b>                                                                                                                                                                                                 | <input checked="" type="checkbox"/> GuideOne Mutual<br><input type="checkbox"/> GuideOne Elite<br><input type="checkbox"/> GuideOne Specialty Mutual<br><input type="checkbox"/> GuideOne America<br><input type="checkbox"/> GuideOne Lloyds<br>Policy # _____ | 4/1/16                 | OCCURRENCE/AGGREGATE<br><div style="border: 1px solid black; padding: 5px; width: 150px; float: right;">\$1,000,000<br/>\$1,000,000</div>                                              |                                                                                                                                                            |
| <b>WORKERS' COMPENSATION and EMPLOYERS' LIABILITY</b>                                                                                                                                                                                                                               | <input checked="" type="checkbox"/> GuideOne Mutual<br><input type="checkbox"/> GuideOne Elite<br><input type="checkbox"/> GuideOne Specialty Mutual<br><input type="checkbox"/> GuideOne America<br><input type="checkbox"/> GuideOne Lloyds<br>Policy # _____ | 4/1/16                 | STATUTORY<br>EACH ACCIDENT DISEASE —<br>POLICY LIMITS<br>DISEASE —<br>EACH EMPLOYEE                                                                                                    | Included<br><div style="border: 1px solid black; padding: 5px; width: 150px; float: right;">\$100,000<br/>\$500,000<br/>\$100,000</div>                    |
| Property Ins. OTHER                                                                                                                                                                                                                                                                 | GuideOne Spec.                                                                                                                                                                                                                                                  | 4/1/16                 | Per Schedule                                                                                                                                                                           |                                                                                                                                                            |

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES**

Church And Related Activities, City of Wayzata Is A Certificate Holder.

**CANCELLATION:** Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days\* (unless otherwise indicated below) written notice to the below-named certificate holder, but failure to mail such notice shall impose no obligation or liability of any kind upon the company.

\*Optional number of days written notice applicable in lieu of above only if indicated: N/A

**NAME AND ADDRESS OF CERTIFICATE HOLDER:**

City of Wayzata  
Wayzata, MN. 55391

DATE ISSUED: 1/27/2015

Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance containing any materially false information, or conceals for the purpose of misrepresenting information concerning any material fact thereto, commits a fraudulent insurance act which is a crime. (This statement is required by the laws of New York and Ohio when this application is used in those states. The laws of other states may be different.)

Greg Helland

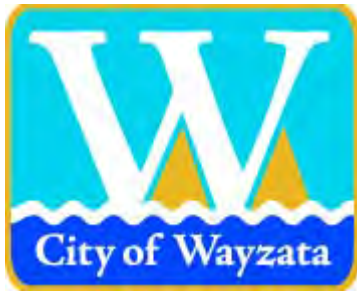
AUTHORIZED REPRESENTATIVE

(FIRM AND ADDRESS)  
THIS CERTIFICATE IS FOR INFORMATION ONLY; IT IS NOT A CONTRACT OF INSURANCE BUT ATTESTS THAT A POLICY AS NUMBERED HEREIN, AND AS IT STANDS AT THE DATE OF THIS CERTIFICATE, HAS BEEN ISSUED BY THE INSURER.

3/3/2015

THE FOLLOWING 2015 MUNICIPAL LICENSES  
WERE APPROVED ADMINISTRATIVELY

| 2015 Gas Fitters License            |                           |
|-------------------------------------|---------------------------|
| Airtech Thermex, LLC                | St Louis Park, MN         |
| City View Plumbing & Heating        | Long Lake, MN             |
| Kleve & JC Mechanical, LLC          | Eden Prairie, MN          |
| 2015 Seasonal Sidewalk Café License |                           |
| McCormick's                         | 331 Broadway Avenue South |



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

---

**Mayor:**  
Ken Willcox  
**City Council:**  
Bridget Anderson  
Johanna McCarthy  
Andrew Mullin  
Steven Tyacke  
**City Manager:**  
Heidi Nelson

## **MEMORANDUM**

**TO:** Mayor Willcox and Councilmembers  
**FROM:** Heidi Nelson, City Manager  
**DATE:** February 26, 2015  
**RE:** Update on Downtown Parking Improvement Project

Jim Lasher of LSA Design will be present for the March 3<sup>rd</sup> City Council meeting to provide an update on the progress of the scope of work regarding downtown parking improvements. Attached to this memo is a DRAFT report that will be reviewed during the meeting. Staff will be seeking feedback from the Council on work completed to date. LSA Design will be bringing forward the final report and recommendations on Tasks 1-4 (see below) at the March 17<sup>th</sup> meeting for Council consideration.

In summary the Scope of Work included in the Downtown Parking Improvement Project includes the following:

1. Pilot Projects: Look at some quick improvements the City can do to help alleviate the current parking problem (parking signage, possibly move employee parking further away from some businesses, bring back the trolley and a valet parking plan. These would also stay in effect during any parking ramp construction activities.
2. Parking District and Parking Ordinance: Create the framework for a Parking District Downtown that also includes a review of the current Parking Ordinance and possibly new parking ratio's and a more formal Shared Parking Formula.
3. Carisch Ramp: Look at some improvements that could be done to the Carisch Ramp to help modernize. Also, start negotiations with the Carisch Family to possibly extend the current parking easement between the Carisch Family and the City.
4. Plan of Finance: Start working on a Plan of Finance for the necessary Parking Improvements associated with all six projects.

Once these first 4 projects are underway, the City Council directed staff to come back and report preliminary findings before starting work on the next two projects, which are:

5. Programming, Pre-Design and Plan of Finance for a New Parking Ramp: Locate and design options for a New Parking Ramp for Downtown Wayzata (including looking at new development opportunities and their impacts on current parking as well as demand for new parking)
6. Wayfinding: A Plan for New Parking and Pedestrian Signage for the Downtown Parking District

# Wayzata Downtown Parking Update



LSA Design, Inc.  
February 2015



**DRAFT**

## Introduction

The City of Wayzata performed a Parking Study in 2014 for a large area between Ferndale Road and the Presbyterian Homes Development, and between Wayzata Boulevard and Lake Street. The results of this study found a wide range between a surplus and a deficit of parking spaces in the 37 zones. Figure 1 shows the boundary of the 2014 Parking Study area.

*Figure 1: 2014 Parking Study Area*



The City determined that they needed to focus on the Downtown/Central Business District to identify:

- Need for Mill Street Parking Ramp,
- Means for managing city controlled parking between multiple parcels and better utilize what exists,
- Consolidation of Operations & Maintenance (O&M), and
- Capital and O&M cost allocations.

The City approved Planning and Owner's Representative services to perform a Downtown Parking Update. The update is divided in six separate projects:

### Phase One:

1. Plan of Finance
2. Parking District; Ordinance and Management Tools
3. Pilot Projects
4. Options for Renovation of Carisch Ramp

After the completion of Projects 1 through 4, the City Council will review the findings. The City Council will then determine authorization to proceed prior to moving to Projects #5 and #6.

### Phase Two:

5. New Mill Street Parking Ramp
6. Wayfinding and Real Time Signage

## **Project #1: Plan of Finance**

Project #1: Plan of Finance is made up of the following tasks:

- Verify the city's current funding sources and obligations
  - o Identify new funding opportunities
  - o New TIF District
  - o TIF Pooling
  - o Ground Lease/Sale/Development Revenue Options for
    - Commercial development within and adjacent to the proposed Mill Street Ramp
    - Commercial development at the corner of Superior and Lake St. currently owned by the City
  - o 429 Special Assessments
  - o Bonding
  - o Grants
- Negotiate with private partners to define their participation:
  - o Carisch Ramp negotiations to extend public use and agree on proposed improvements financing
  - o Presbyterian Homes negotiations to discuss (1) public parking benefits, (2) inclusion in Parking District, (3) other city benefits that could result from site plan and TIF negotiations and (4) right of first refusal for city owned Superior/Lake parcel.

City staff, Ehlers & LSA are meeting on Feb. 26, 2016 to review the above tasks and options for financing future improvements. Additionally, LSA has completed a preliminary list of proposed improvements for the Carisch Ramp that will be discussed in a meeting with George Carisch on March 2, 2015. LSA will be prepared to discuss the results of these meetings at the City Council update on March 3, 2015 and will have a preliminary recommended Plan of Finance for the March 17<sup>th</sup> City Council meeting.

## **Project #2: Parking District; Ordinance and Management Tools**

Project #2; Parking District, Ordinance and Management Tools is made up of the following tasks:

- Define a Parking District boundary,
- Review of the City's parking regulations and case studies,
- Draft revisions to parking regulations, including shared parking standards, and
- Identify management tools

The potential outcomes of this project include:

- Revised parking ratios and/or shared parking calculations,
- Parking District with parking space allocation,
- Parking space allocation formula,
- Capital, operations and maintenance cost assignments,
- Valet and employee parking regulations,
- Mobility options, and
- Improved wayfinding.

## Wayzata Parking District Boundary

A Phase 1 Parking District boundary is proposed and focuses on the Downtown/ CBD where there is:

- Concentrated areas of parking under City control,
- Development demand,
- Parking deficit (under current City Code)
- Walkability (average distance from .2 to .4 miles)

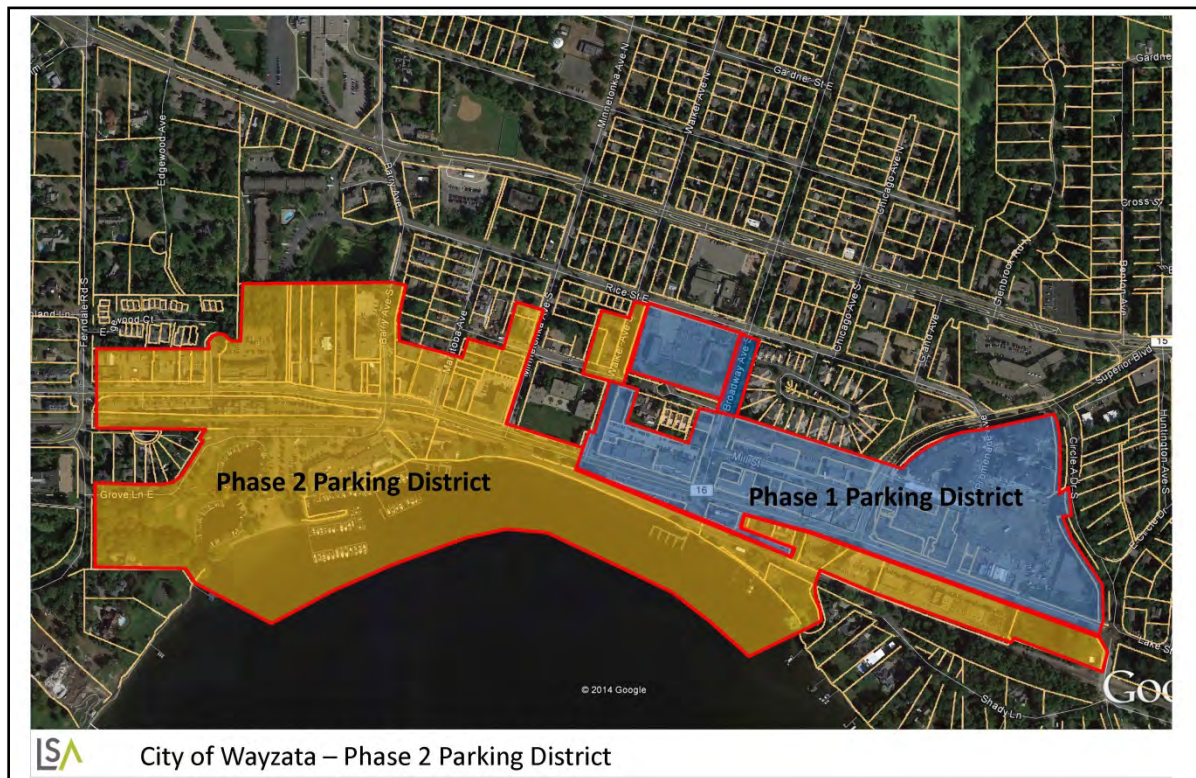
The Phase 1 Parking District boundary includes Office, Retail, Restaurant and Civic uses. It excludes housing areas. This boundary will be used as the focus of revised parking ratios and/or shared parking calculations, parking space allocation, parking space allocation formula, capital, operations and maintenance cost assignments, valet and employee parking regulations, mobility options, and improved wayfinding. Figure 2 provides a graphic of the Phase 1 Parking District Boundary.

*Figure 2: Phase 1 Parking District Boundary*



A Phase 2 Boundary has also been proposed for future expansion of the Parking District. The Phase 2 Parking District will expand to the west where there is future development potential and additional city controlled parking. Expanding the Parking District increases the walking distances and introduction of expanded mobility improvements for increased accessibility will be reviewed. Figure 3 provides a graphic of the Phase 2 Parking District Boundary.

Figure 3: Phase 2 Parking District Boundary



**Case Study: Austin, Texas**

An example of a Parking and Transportation Management District is the City of Austin, TX. Austin, TX recently implemented their first Parking and Transportation Management District (PTMD). This plan combines existing ordinances and tools with proven best practices, using a comprehensive district management approach to address the diverse parking and transportation needs of mixed-use commercial and residential areas. In December 2014 the City of Austin amended the City Code to add a chapter establishing a Parking and Transportation Management District Program. More on this program can be found at: <http://www.austintexas.gov/edims/document.cfm?id=223312>

## Best Practices

Research was performed on best practices for parking standards and parking management. In general, the current trend in Parking Best Practices and Management is to support transit oriented and pedestrian friendly areas, help make infill development viable and create more walkable, livable communities.

Providing the appropriate supply of parking can be achieved through reduced parking requirements, shared parking, promoting alternative modes of travel, management of parking, a park once vision, and establishing a Parking District with benefits. Sharing parking among different users can result in overall reductions in the amount of motor vehicle parking required. Shared parking is encouraged as a means of conserving scarce land resources, reducing stormwater runoff, reducing the heat island effect caused by large pave areas and improving community appearance.

A Parking District can provide planning and coordination between on-street and off-street public parking, a process for shared parking between uses, payment in-lieu of providing parking option, monitoring and enforcement, and supportive measures, such as wayfinding, drop-off locations (valet/employee parking potential), shuttle, bike parking and structured parking. The goal of these practices is to create flexibility to meet market demands while minimizing impacts on residents, visitors and businesses. Updated parking practices can also provide an environment that supports creative parking plans as part of development/redevelopment. Details on potential Parking District practices are provided under Management Tools section of this report.

### **Parking Ratio Case Studies**

How the city regulates parking standards influences the determination of downtown parking supply or deficit. Parking regulations from other municipalities were reviewed to use as case studies from which to suggest revised parking requirements for the City of Wayzata. The focus of the case studies was on Parking Ratios and Shared Parking. For the purposes of this report, Parking Ratios are defined as the number of parking spaces required per square footage by type of use. For example, Wayzata requires four parking spaces per 1,000 square feet for office uses. Shared Parking is defined as a parking space that can be used to serve two or more individual land uses without conflict or encroachment. Shared Parking requires the following conditions:

- Variations in the peak accumulation of parked vehicles as the result of different activity patterns of adjacent or nearby land uses (by hour, by day, by season), and
- Relationships among land use activities that result in people's attraction to two or more land uses on a single auto trip to a given area or development.

After completing reviews of several municipalities (see Attachment #1 for list/links) it was determined to use Edina, MN, Downers Grove, IL and Institute of Transportation Engineers (ITE) Parking Generation as examples for *Parking Ratios*.

*Note: It was suggested to review parking requirements/conditions from areas such as Martha's Vineyard, Nantucket, Evanston, IL and Vail, CO. These areas were found to have a strong transit or shuttle systems used to reduce the demand on parking and provided good examples for potential pilot projects or future multi-modal improvements, but were not selected as examples for parking ratios or shared parking for the following parking scenarios.*

Case studies of *Shared Parking* were also reviewed (see Attachment #1 for lists/links). All of the shared parking examples had a similar range of percentages used to calculate shared parking potential and are based on Urban Land Institute (ULI) shared parking standards. Minneapolis and St. Paul utilize the same shared parking calculations and were selected to be used in the following Parking Scenarios. Below are summaries of parking regulations for Wayzata, Edina, MN, Downers Grove, IL, and ITE.

### **Wayzata's Current Parking Regulations**

Section 20 (Off-Street Parking and Loading) and Section 9 (Design Review Standards) of the City Code were reviewed to understand current practices. The focus of this review was on parking requirements applicable to the Downtown/Central Business District (CBD) for Office, Retail, and Restaurant, shared or joint parking, and alternative ways developers can meet their parking obligations. The City Code requires that each structure developed in the City must provide a certain number of parking spaces. These specific requirements are set out in detail for each type of structure in City Code Section 801.20.15 and are generally calculated on the basis of occupancy or square footage. The current off-street parking and loading requirements for Office, Restaurant, and Retail are as follows:

- Office: 4 stalls per 1,000 square feet
- Restaurant: 25 stalls per 1,000 square feet
- Retail: 4 stalls per 1,000 square feet

### **Edina, MN**

Parking requirements under Planned Commercial District; Shopping Centers are used for the 50<sup>th</sup> and France area. The parking ratios for Office, Restaurant and Retail are as follows:

- Office: 5 stalls per 1,000 square feet
- Restaurant: 8.6 stalls per 1,000 square feet
- Retail: 5 stalls per 1,000 square feet

### **Downers Grove, IL**

Downers Grove, IL amended their Zoning Ordinance in June, 2014. The regulations of the parking code are intended to help ensure provision of off-street motor vehicle parking facilities, bicycle parking and other motorized and non-motorized transportation circulation facilities in proportion to the generalized demands of different land uses. It is the intent to help avoid the negative impacts associated with spillover parking into adjacent areas, while at the same time avoiding the negative environmental and visual impacts that can result from unnecessarily large parking and vehicular use areas. The parking regulations are also intended to promote multi-modal transportation options and enhanced safety and convenience for non-motorized travel, and provide flexible methods of responding to the transportation and access demands of various land uses. The parking ratios for Office, Restaurant, and Retail are as follows:

- Office: 3 per 1,000 square feet
- Restaurant: 12.5 per 1,000 square feet
- Retail: 3.5 per 1,000 square feet

### **Institute of Transportation Engineers (ITE)**

The ITE parking ratios for Office, Restaurant, and Retail are as follows:

- Office: 2.8 stalls per 1,000
- Restaurant: 17.3 stalls per 1,000
- Retail: 2.9 stalls per 1,000

### **Parking Scenarios**

The following parking scenarios apply parking ratios from the selected case studies to the existing land uses within the Phase 1 Parking District Boundary. These parking calculations utilize existing land uses and quantities and do not include future development scenarios. Parking ratios for Office, Restaurant and Retail from Wayzata, Edina, Downers Grove and ITE were applied for each scenario. Since it is not foreseen to have government uses added to the Phase 1 Parking District and the City Hall/Library parking lot will not be changing, Wayzata's Government parking ratio of 5.2 stalls per 1,000 square feet was used for each scenario. The purpose of these scenarios is to provide an idea of the impact to parking supply/demand if reduced parking ratios are adopted by Wayzata.

## Wayzata Current Ordinance

If the City's required parking requirements are applied to the office, restaurant and retail uses in the Phase 1 Parking District there is a deficit of 742 parking stalls. Figure 4 provides a summary of the parking requirements within the Phase 1 Parking District.

Figure 4: Wayzata Parking Requirements – Phase 1 Parking District

| ZONE                     | PRIMARY LAND USES | QUANTITY | UNIT    | CITY RATE/1000 SF | TOTAL DEMAND |
|--------------------------|-------------------|----------|---------|-------------------|--------------|
| ALL                      | OFFICE            | 92,633   | SQ. FT. | 4.0               | 371          |
| ALL                      | RESTAURANT        | 39,040   | SQ. FT. | 25.0              | 976          |
| ALL                      | RETAIL            | 198,445  | SQ. FT. | 4.0               | 794          |
| ALL                      | GOVERNMENT        | 37,722   | SQ. FT. | 5.2               | 196          |
|                          |                   |          |         |                   | <b>2336</b>  |
| <b>Parking Supply</b>    |                   |          |         |                   | <b>1594</b>  |
|                          | On Street         | 180      |         |                   |              |
|                          | Off Street        | 1414     |         |                   |              |
| <b>SURPLUS/(DEFICIT)</b> |                   |          |         |                   | <b>-742</b>  |

The downtown area is not operating as if there is an unmet parking demand of 742 stalls. A couple of factors can be contributed to this scenario 1) the city parking requirements are higher than are necessary, and 2) shared parking is already occurring in the downtown.

## Edina, MN

If Edina parking requirements are applied to the office, restaurant and retail uses in the Phase 1 Parking District there is a deficit of 393 parking stalls. Figure 5 provides a summary of the parking requirements within the Phase 1 Parking District with Edina's parking ratios.

Figure 5: Edina Parking Requirements applied to Phase 1 Parking District

| ZONE                     | PRIMARY LAND USES | QUANTITY | UNIT    | CITY RATE/1000 SF | TOTAL DEMAND |
|--------------------------|-------------------|----------|---------|-------------------|--------------|
| ALL                      | OFFICE            | 92,633   | SQ. FT. | 5.0               | 463          |
| ALL                      | RESTAURANT        | 39,040   | SQ. FT. | 8.6               | 336          |
| ALL                      | RETAIL            | 198,445  | SQ. FT. | 5.0               | 992          |
| ALL                      | GOVERNMENT        | 37,722   | SQ. FT. | 5.2               | 196          |
|                          |                   |          |         |                   | <b>1987</b>  |
| <b>Parking Supply</b>    |                   |          |         |                   | <b>1594</b>  |
|                          | On Street         | 180      |         |                   |              |
|                          | Off Street        | 1414     |         |                   |              |
| <b>SURPLUS/(DEFICIT)</b> |                   |          |         |                   | <b>-393</b>  |

## Downers Grove, IL

If Downers Grove parking requirements are applied to the office, restaurant and retail uses in the Phase 1 Parking District there is a deficit of 63 parking stalls. Figure 6 provides a summary of the parking requirements within the Phase 1 Parking District with Downers Grove parking ratios.

Figure 6: Downers Grove Parking Requirements applied to Phase 1 Parking District

| ZONE                     | PRIMARY LAND USES | QUANTITY | UNIT    | CITY RATE/1000 SF | TOTAL DEMAND |
|--------------------------|-------------------|----------|---------|-------------------|--------------|
| ALL                      | OFFICE            | 92,633   | SQ. FT. | 3.0               | 278          |
| ALL                      | RESTAURANT        | 39,040   | SQ. FT. | 12.5              | 488          |
| ALL                      | RETAIL            | 198,445  | SQ. FT. | 3.5               | 695          |
| ALL                      | GOVERNMENT        | 37,722   | SQ.FT.  | 5.2               | 196          |
|                          |                   |          |         |                   | 1657         |
| <b>Parking Supply</b>    |                   |          |         |                   | 1594         |
|                          | On Street         | 180      |         |                   |              |
|                          | Off Street        | 1414     |         |                   |              |
| <b>SURPLUS/(DEFICIT)</b> |                   |          |         |                   | -63          |

### Institute of Transportation Engineers (ITE)

If ITE parking requirements are applied to the office, restaurant and retail uses in the Phase 1 Parking District there is a deficit of 112 parking stalls. Figure 7 provides a summary of the parking requirements within the Phase 1 Parking District with ITE parking ratios.

Figure 7: ITE Parking Requirements applied to Phase 1 Parking District

| ZONE                     | PRIMARY LAND USES | QUANTITY | UNIT    | CITY RATE/1000 SF | TOTAL DEMAND |
|--------------------------|-------------------|----------|---------|-------------------|--------------|
| ALL                      | OFFICE            | 92,633   | SQ. FT. | 2.8               | 259          |
| ALL                      | RESTAURANT        | 39,040   | SQ. FT. | 17.3              | 675          |
| ALL                      | RETAIL            | 198,445  | SQ. FT. | 2.9               | 575          |
| ALL                      | GOVERNMENT        | 37,722   | SQ.FT.  | 5.2               | 196          |
|                          |                   |          |         |                   | 1706         |
| <b>Parking Supply</b>    |                   |          |         |                   | 1594         |
|                          | On Street         | 180      |         |                   |              |
|                          | Off Street        | 1414     |         |                   |              |
| <b>SURPLUS/(DEFICIT)</b> |                   |          |         |                   | -112         |

### Parking Scenario Summary

When all of the scenarios are compared, Downers Grove and ITE provide the lowest unmet parking demand under today's conditions. There is no exact science to determining the perfect parking ratio. All of the four parking ratio case studies have merit.

- Downers Grove parking ordinance was amended within the last year and is the result of findings from a parking study. As mentioned previously, Downers Grove amended parking code is intended to help ensure provision of off-street motor vehicle parking facilities, bicycle parking and other motorized and non-motorized transportation circulation facilities in proportion to the generalized demands of different land uses. These are some of the management tools Wayzata may pursue, and Downers Grove is a mid-west city with similar weather conditions (i.e. cold in the winter, less walkable).

- ITE parking standards are based on a collection and assemblage of data performed by volunteers, and is provided as an informational guide regarding parking demand. ITE was referenced as a suggested parking ratio in the 2014 Parking Study.
- The city of Edina is a close comparable case study to Wayzata.
- And of course, Wayzata's parking ratios reflect current development requirements.

Therefore, we consolidated these parking ratios and created an average to be applied to each land use. Figure 8 provides a summary of the parking ratios for each city and an average rate.

*Figure 8 Parking Ratio Summary Table*

|            | EDINA | DOWNERS GROVE | ITE  | WAYZATA | AVERAGE RATE |
|------------|-------|---------------|------|---------|--------------|
| Office     | 5.0   | 3.0           | 2.8  | 4.0     | 3.7          |
| Restaurant | 8.6   | 12.5          | 17.3 | 25.0    | 15.9         |
| Retail     | 5.0   | 3.5           | 2.9  | 4.0     | 3.9          |

Applying this average parking ratio to current Phase 1 Parking District uses results in a parking deficit of 328 stalls. Figure 9 provides the parking summary for Phase 1 Parking District with the average parking ratio applied.

*Figure 9 Parking Ratio Summary Table*

| ZONE                     | PRIMARY LAND USES | QUANTITY | UNIT    | CITY RATE/1000 SF | TOTAL DEMAND |
|--------------------------|-------------------|----------|---------|-------------------|--------------|
| ALL                      | OFFICE            | 92,633   | SQ. FT. | 3.7               | 343          |
| ALL                      | RESTAURANT        | 39,040   | SQ. FT. | 15.9              | 619          |
| ALL                      | RETAIL            | 198,445  | SQ. FT. | 3.9               | 764          |
| ALL                      | GOVERNMENT        | 37,722   | SQ. FT. | 5.2               | 196          |
|                          |                   |          |         |                   | 1922         |
| <b>Parking Supply</b>    |                   |          |         |                   | 1594         |
| On Street                |                   | 180      |         |                   |              |
| Off Street               |                   | 1414     |         |                   |              |
| <b>SURPLUS/(DEFICIT)</b> |                   |          |         |                   | -328         |

## Management Tools

In addition to considering revisions to Wayzata's current parking ordinance, Wayzata should also consider steps to maximize potential benefits of existing parking facilities through better management. The downtown core parking facilities experience higher demand and will be utilized faster and more often than other parking options. Without effective management, there may be a perception of a parking shortage; even after adding additional capacity. The following are potential management tools that could be applied to the Phase 1 Parking District.

## District Management

In addition to reducing the parking ratio requirements for Office, Restaurant and Retail, shared parking percentages should be applied to uses within the Phase 1 Parking District. This will allow the city to better manage the District's parking supply and demand and benefit from shared parking opportunities.

Both Minneapolis and St. Paul permit the zoning administrator to authorize a reduction in the total number of required parking spaces for two (2) or more uses jointly providing off-street parking when their respective hours of peak operation do not overlap. Shared parking shall be subject to the following conditions:

The number of shared spaces for two (2) or more distinguishable land uses shall be determined by the following procedure:

- Multiply the minimum parking required for each individual use, by the appropriate percentage for each of the six (6) designated time periods.
- Add the resulting sums for each of the six (6) columns.
- The minimum parking requirement shall be the highest sum among the six (6) columns resulting from the above calculations.
- Select the time period with the highest total parking requirement and use that total as the shared parking requirement.

Figure 10 provides the shared use percentages by land use and time period use by Minneapolis and St. Paul, MN.

*Figure 10: Minneapolis and St. Paul, MN Shared Parking Table*

| General Land Use Classification | Weekdays              |                       |                       | Weekends              |                       |                       |
|---------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
|                                 | 2:00 a.m. – 7:00 a.m. | 7:00 a.m. – 6:00 p.m. | 6:00 p.m. – 2:00 a.m. | 2:00 a.m. – 7:00 a.m. | 7:00 a.m. – 6:00 p.m. | 6:00 p.m. – 2:00 a.m. |
| Office                          | 5%                    | 100%                  | 5%                    | 0%                    | 10%                   | 0%                    |
| Retail sales and services       | 0%                    | 90%                   | 80%                   | 0%                    | 100%                  | 60%                   |
| Restaurant (not 24 hour)        | 10%                   | 70%                   | 100%                  | 20%                   | 70%                   | 100%                  |

As new development, or changes in use, occurs within the Parking District, the developer will have the option to request a reduction of the required parking spaces based upon applying the shared parking percentages. The city will have to amend their city code to define the policies and process for such a procedure, but doing this will provide the city with a means of keeping track of the parking supply/demand in the Parking District.

## On-Street Management

***Encourage turnover at prime customer spaces along Lake Street*** either through posted time limits or through installation of parking meters. On-street parking is the preferred parking location for most shoppers and employees. Enforced time limits or parking meters will deter employees or business owners from parking in front of their business. When properly managed, on-street parking will have a high turnover which benefits overall performance and customer service.

## Off-Street Management

**Improve signage, mapping, wayfinding and branding** to make Parking District options clear to customers. Currently Wayzata does not have clear and consistent signage identifying location and access to public parking. Improving this condition to make available parking more accessible should be a completed prior to consideration of expanding parking supply.

**Explore Valet strategies** to manage high parking demand in the Parking District. The Parking District could be used to coordinate and regulate valet parking between business owners and public/private parking facilities. Management of Valet Parking will ensure valet service is utilized as a tool for the efficient use of existing parking supply. Currently, some downtown Wayzata businesses offer private valet parking for the convenience of their customers. For example, the Cov has received a special permit from the City to valet park vehicles at the City Hall parking lot.

**Designate employee parking** to remove long term parking and utilization of high demand Parking District spaces. Currently, certain businesses do require employees to park in designated areas, such as Cov employees parking on the third level of the Carisch ramp. Requiring all employees to park in designated areas and to apply for a permit (see Edina case study below) would reduce demand on priority parking stalls within the Phase 1 Parking District. Consideration of remote employee parking, outside of the Phase 1 Parking District would make the greatest impact on parking demand in the parking district.

**Expand Trolley Service** to reduce employee parking demand, peak-hour customer parking demand, and provide multimodal access to the Phase 1 Parking District.

## Management Tools Case Studies

### Carmel, CA (Parking Meters)

In November, 2014 Carmel, CA implemented a Parking Pilot Program. The parking pilot program is a temporary six month trial program on Ocean Avenue between Junipero and Monte Verde Street that can be extended on a month to month basis, up to a year or even longer based on recommendations by council. Carmel installed paid parking along Ocean Avenue in their business district. Paid parking is between the hours of 10 am – 7 pm. In addition to parking meters, the city has free on-street parking with posted time limits (up to four hours), and promotes un-timed free parking at various locations. Carmel agreed to the parking pilot program after Walker Parking Consultants completed a parking study in October 2013 and discovered there was an imbalance of parking in the downtown commercial district with very little turn over from vehicle parking longer than the recommended time rates. Walker identified two types of policy measures that can help achieve the redistribution of long-term parkers by refocusing the behavior of drivers parking in the on-street spaces; and providing incentives which encourage or incentivize long-term parkers to not park in the coveted visitor spaces, or not park at all, but instead use other means to access the commercial district. Walker concluded that parking policies are needed to redistribute parking demand and increase the availability of parking spaces on the busiest locations.

A recommendation of the study was to provide more convenient and attractive parking options for employees by encouraging them to park away from the commercial core to make more on-street spaces

available to visitors and residents. Employees are directed to park at designated free parking locations. A shuttle service or ambassador/concierge for employees and others who park in the peripheral locations was suggested. More information can be found on the following link:

<http://ci.carmel.ca.us/carmel/index.cfm/residents/city-services/transportation-parking/parking-information1/multi-space-parking-stations-frequently-asked-questions/>

#### Nantucket, MA (Parking Meters)

Nantucket, MA recently completed a parking study. One of the recommendations is for the city to institute an on-street parking meter system with deferral permits issued to adjacent business and property owners. Net Revenue is projected to be well over \$1.0M after operating costs. Meters will most likely only be operational during peak season (May thru September). <http://www.nantucket-ma.gov/documentcenter/view/5527>. <http://www.nantucket-ma.gov/documentcenter/view/1194>

#### Huntington Village, NY (Valet Parking)

Huntington Village, NY implemented a valet parking pilot project in May of 2014. The pilot program was implemented in response to a parking study and provided free valet parking on Friday and Saturday in a portion of a municipal lot. The program was jointly funded by a formed “parking consortium” including the Town, Chamber of Commerce and Huntington Village Business Improvement District. The pilot project was part of a series of measures in response to the parking study. In addition to valet parking, the Town activated multi-space parking pay stations on specific streets, changed the hours for which metered parking is active (10am to 8 pm, Monday-Saturday); and increased to three hours in the maximum a vehicle can remain parking at an on-street spot. The pilot project was discontinued in October 2014 when it was determined that it was no longer necessary after parking spaces in a city lot were reopened after a construction project on the lot was completed. <http://patch.com/new-york/huntington/new-to-huntington-village-valet-parking>

#### Concord, CA (Valet Parking)

The municipality of Concord, CA (July, 2014) introduced an Ordinance amending the City Code to include a new section on Valet Parking Passenger Loading/Unloading Zones. Concord, CA completed a review of the feasibility of permitting private business in the City to operate valet parking passenger loading/unloading zones in the public right-of-way. It was determined that business-operated valet parking services could potential benefit the financial wellbeing of businesses in the City by offering parking convenient to patrons. Furthermore, it was determined that adding a new policy on valet parking passenger loading/unlading zones in the City’s Municipal Code will provide a process to review and approve requests by sponsor businesses to operate valet parking services on a case-by-case basis, to ensure these services are safely and properly operated.

<http://www.cityofconcord.org/pdf/citygov/agendas/council/2014/0722/3D.pdf>

#### Edina, MN (Employee Parking)

The City of Edina owns and operates three parking ramps to serve the Edina portion of the 50th and France Commercial Area. Parking permits are available for full- and part-time employees of businesses located in the Edina portion of 50th and France who choose to park in the City ramps. A permit allows an employee to park in the ramps in excess of the posted time limits applicable to customers and clients. Parking stalls are available on a first-come-first-served basis. Issuance of a parking permit does not guarantee or reserve a space. Every employee who chooses to park in the City facilities MUST purchase a parking permit and abide by the parking regulations. Employees are not allowed to park in the City parking ramps without a valid permit. Permit holders may only park in the designated areas of the City

ramps. Permits are issued on a calendar-year basis. Permits will be valid from January 1 to December 31. The employee parking permit fees are \$10/month or \$120/year.  
[http://edinamn.gov/edinafiles/files/Resources/Permits\\_Applications/Parking%20Permit%20Application.pdf](http://edinamn.gov/edinafiles/files/Resources/Permits_Applications/Parking%20Permit%20Application.pdf)

#### Carmel, CA (Employee Parking)

Responding to concerns that many parking spaces in downtown Carmel-by-the-Sea are being taken up by business employees and are thus not available for visitors, those employees will be able to park for free for unlimited periods on certain nearby streets and other areas starting August 2014. Map of employee parking: <http://ci.carmel.ca.us/carmel/index.cfm/linkservid/2D07A6C8-3048-7B3D-C50680BF3C50609E/showMeta/0/>

#### Nantucket, MA (Shuttle)

The Town of Nantucket is a tourism focused island community approximately 29 miles off the coast of Hyannis, MA, approximately 80 miles southeast of Boston, MA. The city has 10,371 year-round residents and a summer seasonal population of over 50,000 people. As traffic and parking issues have been long standing issues for Nantucket, it has developed a highly successful mass transit shuttle system to move people around the town and help alleviate significant downtown parking issues, of which have been studied numerous times over the past few years. Transit service is delivered on 9 separate routes with a total of 13 buses. The system is administered by the Nantucket Regional Transit Authority, one of 13 transit authorities in the State of Massachusetts. (<http://www.nrtawave.com/index.php>) The system has an annual budget of \$1.8M, with 25% coming from fair box recovery from approximately 290,000 rides per year, or an average of approximately \$4.70 per trip in subsidy.

This transit system also provides service to three city controlled remote parking lots outside the core downtown area, which are used by both employees and visitors. Additionally, over the past two years, they have instituted a Common Valet location just one block from the city center that has been very successful. Rates vary from time of day and day of the week. Downtown street parking is also highly controlled via time limits and enforcement is by local police and community service officers.  
<http://www.nantucket-ma.gov/documentcenter/view/7176>

### **Project #3: Pilot Projects**

Note: preliminary costs, and implementation periods, for the following Pilot Projects will be presented at the March 17, 2015 City Council meeting.

***On-Street Parking Posted Time Limits:*** A pilot project would be to install posted time limits along Lake Street within the Phase 1 Parking District. It is recommended to implement this pilot project along both sides of Lake Street between Walker Avenue South and Superior Boulevard, and on Broadway Avenue South from Lake Street to Rice Street East. Figure #11 provides a graphic of the area for the posted time limits. Initially, we are recommending a Maximum Parking Time Limit of 2 hours. To make this a successful Pilot Project, the City will need to:

1. Create an Awareness Campaign for the parking time limits and set a specific period for the Pilot Project
2. Design and Install adequate signage within the Pilot Project limits that provides sufficient and proper notification to users of the new rules for on-street parking

3. Assign a part-time Community Service Officer to assist with actively managing this new time limit by marking cars at periodic intervals throughout the allotted time and issuing warnings or follow up tickets in the event of multiple infractions
4. Measure results with business owners to determine the effectiveness of the time limits on sales and customer satisfaction.

*Figure 11: Area for On-Street Posted Time Limit Signage*



**Parking Wayfinding:** Installation of public parking signage at the entrance to Mill Street surface parking lot, Carisch parking ramp, and the Presbyterian Homes development. The City of Wayzata has a Wayfinding Signage plan that should be used as support documentation in determining Public Parking signage placement and design. If selected as a pilot project, a signage placement and design plan will be created, along with estimated costs of temporary versus permanent signage.

**Valet Parking:** Implement a more formalized process for valet parking within the Phase 1 Parking District that would control where valet stands and valet parking stalls are located. This process could also be used to gather data on how valet parking is working, and its impact on parking demand. One option for the valet pilot project could be to designate certain locations for valet stands that could be used by all businesses in the Phase 1 Parking District. With this option, the city could choose to hold the contract with a valet provider, or form a consortium that contracts for the valet service. Another option is to maintain the choice of contracting of valet services with each individual business, but the city will implement policies and a permit process to ensure public safety and that the City is protected from legal liability. In either case, the pilot project should require valet parking stalls be located outside the Phase 1 Parking District, such as at the City Hall/Library parking lot, to reduce parking demand within the Parking District.

**Designated Employee Parking:** Select a few businesses that are willing to participate in this pilot project. The Muni would be a good candidate since it is a city owned/operated business and has a significant number of employees during the peak periods that may currently be parking in prime parking

stalls. Another candidate could be the Cov since they currently designate where employees park and also have a high number of employees during peak periods. As with the valet parking pilot project, it would be preferred to have the designated employee parking be located outside the Phase 1 Parking District. If this option is pursued, support services, such as a shuttle, may need to be implemented to provide safe connection between remote employee parking and the Phase 1 Parking District.

***Expand Trolley Service:*** The trolley would be expanded to follow the previous, or slightly modified, route and increased frequency. The trolley route must service any proposed designated employee parking areas outside the Phase 1 Parking District. The City, consultant and trolley representatives are meeting on February 26, 2015 to discuss initiation of expanded trolley service as a pilot project. Potential routes, frequency and costs will be reviewed, along with potential funding sources and these will be presented at the March 17, 2015 City Council meeting.

#### **Project #4: Options for Renovation of Carisch Ramp**

[Will be presented at CC Update meeting on March 3, 2015]



**Planning Report  
Wayzata City Council  
March 3, 2015**

**Project Name:** Bailey Woods  
**File Number:** PR 2014-16  
**Applicant/Owner:** Fritz Gullickson  
**Address of Request:** 637 Harmony Circle  
**Property ID #s:** 31-118-22-44-0036  
**Prepared by:** Bryan Gadow, City Planner  
**Planning Commission Review:** January 26, 2015  
**City Council Review:** March 3, 2015

**PROJECT SUMMARY**

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**Section 1. Development Application**

- 1.1. General. Mr. Fritz Gullickson (the “Applicant”) has submitted a Development Application (the “Application”) requesting concurrent preliminary and final plat subdivision approval (the “Subdivision” or the “Preliminary/Final Plat”) to divide 37,565 SF parcel into two (2) new lots at 637 Harmony Circle (the “Property”). The Applicant had originally included images and plans for two (2) proposed full two (2) story residences on the Property. After a request by the Planning Commission, the Applicant provided plans for two (2) modified or reduced height two story residences with one at 28 ft (Lot 1) and one at 30.5 ft (Lot 2), which are included as Attachment B. The Planning Commission’s Report and Recommendation (Attachment H) is based upon the revised building plans included in Attachment B. The previous residence on the Property was removed by the Applicant and the Property is currently vacant.

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

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

1.2 Project Location.

The proposed Subdivision would be built on property located within the Harmony Circle neighborhood. The Harmony Circle neighborhood developed in the early 1950s, with

many of the homes reflecting a one story or one and half story aesthetic. The Applicant has met with neighborhood residents to review the Project.

*Map 1: Project Location.*



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

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

1.3 Area Land Uses.

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

1.4 Public Hearing Notice.

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

1.5 Planning Commission Meeting Summary.

The Planning Commission reviewed the Application and held a Public Hearing on January 26, 2015. Five (5) individuals spoke on the Application. The Planning Commission voted seven (7) in favor and zero (0) opposed to continue review of the

Application to a future meeting to: 1) request the Applicant consider and submit alternative home designs, and 2) have staff research the existing oak tree.

The Planning Commission continued their review of the Application on February 23, 2015, and received additional information from the Application. The Planning Commission received additional public comment from three (3) individuals at the public meeting. The Commission voted five (5) in favor and zero (0) opposed to direct staff to prepare a draft *Planning Commission Report and Recommendation* recommending approval of the Application with condition for review at their next meeting.

Copies of the minutes from the January 26, 2015 and February 23, 2015 meeting are included as Attachments F and G. The Planning Commission will review and adopt the Planning Commission Report and Recommendation at their March 2, 2015 meeting. A copy of the draft *Planning Commission Report and Recommendation* is included as Attachment H. A draft Resolution based on the Planning Commission Report and Recommendation is included as Attachment I.

## SECTION 2. ANALYSIS OF CURRENT DEVELOPMENT PROPOSAL

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### 2.1 Lot Arrangement.

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

*Table 1: Proposed Lot Sizes*

| Lot            | Lot Size (SF)    |
|----------------|------------------|
| 1              | 17,166 SF        |
| 2              | 20,399 SF        |
| <b>Average</b> | <b>18,782 SF</b> |

*Table 2: Adjacent Lot Sizes*

| Address            | Lot Size (SF) | Acres |
|--------------------|---------------|-------|
| 697 Harmony Circle | 10,845        | 0.25  |
| 691 Harmony Circle | 10,845        | 0.25  |
| 685 Harmony Circle | 10,845        | 0.25  |
| 679 Harmony Circle | 11,772        | 0.27  |
| 675 Harmony Circle | 14,451        | 0.33  |
| 671 Harmony Circle | 18,520        | 0.43  |
| 667 Harmony Circle | 19,632        | 0.45  |
| 663 Harmony Circle | 25,456        | 0.58  |
| 659 Harmony Circle | 31,948        | 0.73  |
| 655 Harmony Circle | 21,163        | 0.49  |
| 645 Harmony Circle | 35,881        | 0.82  |
| 633 Harmony Circle | 34,275        | 0.79  |
| 631 Harmony Circle | 16,091        | 0.37  |
| 627 Harmony Circle | 10,509        | 0.24  |
| 623 Harmony Circle | 10,564        | 0.24  |
| 615 Harmony Circle | 10,548        | 0.24  |
| 609 Harmony Circle | 10,532        | 0.24  |
| 605 Harmony Circle | 10,516        | 0.24  |

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

## 2.2 Housing Unit Density.

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

## 2.3 Zoning.

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

*Table 4: R-3 Zoning District Requirements*

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

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

*Table 5: Proposed Development Plan*

|                           | <b>Lot 1</b> | <b>Lot 2</b> |
|---------------------------|--------------|--------------|
| <b>Lot Area</b>           | 17,166 SF    | 20,399 SF    |
| <b>Lot Width</b>          | 60 ft        | 60 ft        |
| <b>Lot Depth</b>          | 253 ft       | 253 ft       |
| <b>Front Yard Setback</b> | 27 ft        | 21.5 ft      |

|                                           |                     |                    |
|-------------------------------------------|---------------------|--------------------|
| <b>Side Yard Setback</b>                  | 10 ft               | 10 ft              |
| <b>Rear Yard Setback</b>                  | 165 ft              | 175 ft             |
| <b>Proposed Lot Coverage</b>              | 11.1%<br>(1,904 SF) | 8.8%<br>(1,792 SF) |
| <b>Proposed Hardcover</b>                 | 17.4%<br>(2,982 SF) | 13% (2,649 SF)     |
| <b>Proposed Height (Modified 2 Story)</b> | 28 ft               | 30.5 ft            |

Building images and plans for the two residences have been provided by the Applicant for review by the Planning Commission and City Council, both the original full 2 story plans reviewed by the Planning Commission on January 26<sup>th</sup>, and modified 2 story plans reviewed by the Planning Commission on February 23<sup>rd</sup>. If the Subdivision is approved, the building plans would undergo additional review prior to any building permit approval.

#### 2.4 Tree Inventory and City Tree Consultant Review.

- A. The Application materials include a tree inventory of the Property, which shows a total of sixteen (16) significant trees on the property having a minimum diameter of 6 inches. The property includes a wide variety of species: Maple, Linden, Oak, Cottonwood, and Spruce. One (1) thirty four inch (34") oak is proposed to be removed for the Subdivision for the location of the proposed driveway on Lot 1. All other trees would be protected with silt fence during construction.
- B. Per the Planning Commission's request, staff had the City's tree consultant, Mr. Manuel Jordan of Heritage Shade Tree Consultants, conducted a site inspection of the tree on January 29, 2015. Mr. Jordan provided the following report and photos (Attachment C):

The subject tree is located across at 637 Harmony Circle, in Wayzata MN. It is a bur oak measuring 36" in diameter, measured at 4.5' from the ground (DBH). The subject tree has several areas on the canopy where there is a small amount of internal deadwood (dead branches, most of which are under 3" in diameter).

As for its health, it appears to be growing well in its location as evidenced by the growth rate of last years' branch tips (see attached photo) and the lack of dead large branches with associated dead terminal branch tips.

There is evidence of decay in the major stem at about 8-10' from the ground (facing SSW), as there is a hole in the trunk of about 4" in diameter. Sounding of the trunk did not indicate the presence of large decay pockets within the tree trunk's hot-zone (area between the ground and the first major set or large-architectural limbs). The lack of any results from the sounding test indicates that it is unlikely that a large decay

pocket exists in the indicated area. A Tree Risk Assessment (Level 3) could confirm the current visual and sounding observations. As of the date of the inspection, the visual inspection did not result in enough evidence to warrant the Level 3 investigation to determine the extent of the decay in the main trunk.

You have asked that I comment on the tree's health as a whole. It is my opinion that the subject tree is a healthy specimen with a few defects, but otherwise structurally stable and relatively healthy for its age and species.

Attached are a few photos that show the tree in relation to the adjacent structures, the whole in the trunk of the subject tree as well as the growth rate of several branch tips.

Please let me know if you have any questions.

Thank you,

Manuel Jordán  
Heritage Shade Tree Consultants  
6347 Minnewashta Woods Drive  
Excelsior, MN 55331

ISA Certified Arborist # MN 0206 A

- C. The Applicant also had a certified arborist provide an evaluation of the oak tree, which is included as Attachment D.

2.7 Grading and Utilities.

The Applicant's original grading plan showed the addition of fill as part of the construction of the two story walk out homes, with the proposed homes being 2-3 ft above existing elevation at the front of the building pads. Staff requested that the Applicant to reexamine the proposed grading to reduce the amount of fill and grading needed for the site, which the Applicant agreed to do. The proposed grading plan, included in Attachment A, now shows the garage elevations at approximately one (1) ft above existing grade on the Property.

The Applicant would connect to existing water and sanitary sewer lines on Harmony Circle. In addition, the Applicant would abandon an existing storm sewer line running along the northern portion of the Property, and relocate it to between Lots 1 and 2. Grading and utility information is included on the Applicant's Preliminary Plat document included as Attachment A.

**Section 3. Applicable Code Provisions for Review**

3.1 Subdivision Ordinance

Section 805.14(e) provides criteria for the Planning Commission to evaluate when reviewing a Preliminary Plat. In this review, the Planning Commission should determine if the proposed subdivision would have an adverse impact on the site or surrounding

area. The following are the factors from this section for consideration. Included is Staff's evaluation of each of the factors.

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

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

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

*The Applicant's submittal materials show that one (1) bur oak tree will need to be removed as a result of the Project. The City Council should comment on the amount of tree loss and preservation proposed as part of the Project.*

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

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

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

*The Applicant's submittal materials show that one (1) bur oak tree will need to be removed as a result of the Project. The existing tree coverage in the rear of the Property is depicted as being preserved, and protected during construction with silt fence. The City Council should comment on the amount of tree loss and preservation proposed as part of the Project.*

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

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

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

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

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

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

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

*The Applicant has provided images of the proposed two new residences, which are modified two story in design. The Planning Commission provided a recommended that the height of the structures from the street should be no higher than twenty eight (28) ft. The City Council should review and comment on the proposed residential plans.*

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

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

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

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

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

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

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

*The Project has access to City sanitary sewer and water services, and would not over-burden these systems. The Applicant would be required to address the comments from the Engineering Department listed below.*

- 3.2 Concurrent Preliminary/Final Plat. Section 805.15 of the Subdivision Ordinance allows the City to review the preliminary and final plat simultaneously. The final plat shall incorporate

all changes, modifications, and revisions required by the City. Otherwise, it shall conform to the approved preliminary plat.

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

#### **Section 4. Staff Input**

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

##### **4.1 City Engineer**

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

#### **Section 5. Action Steps.**

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

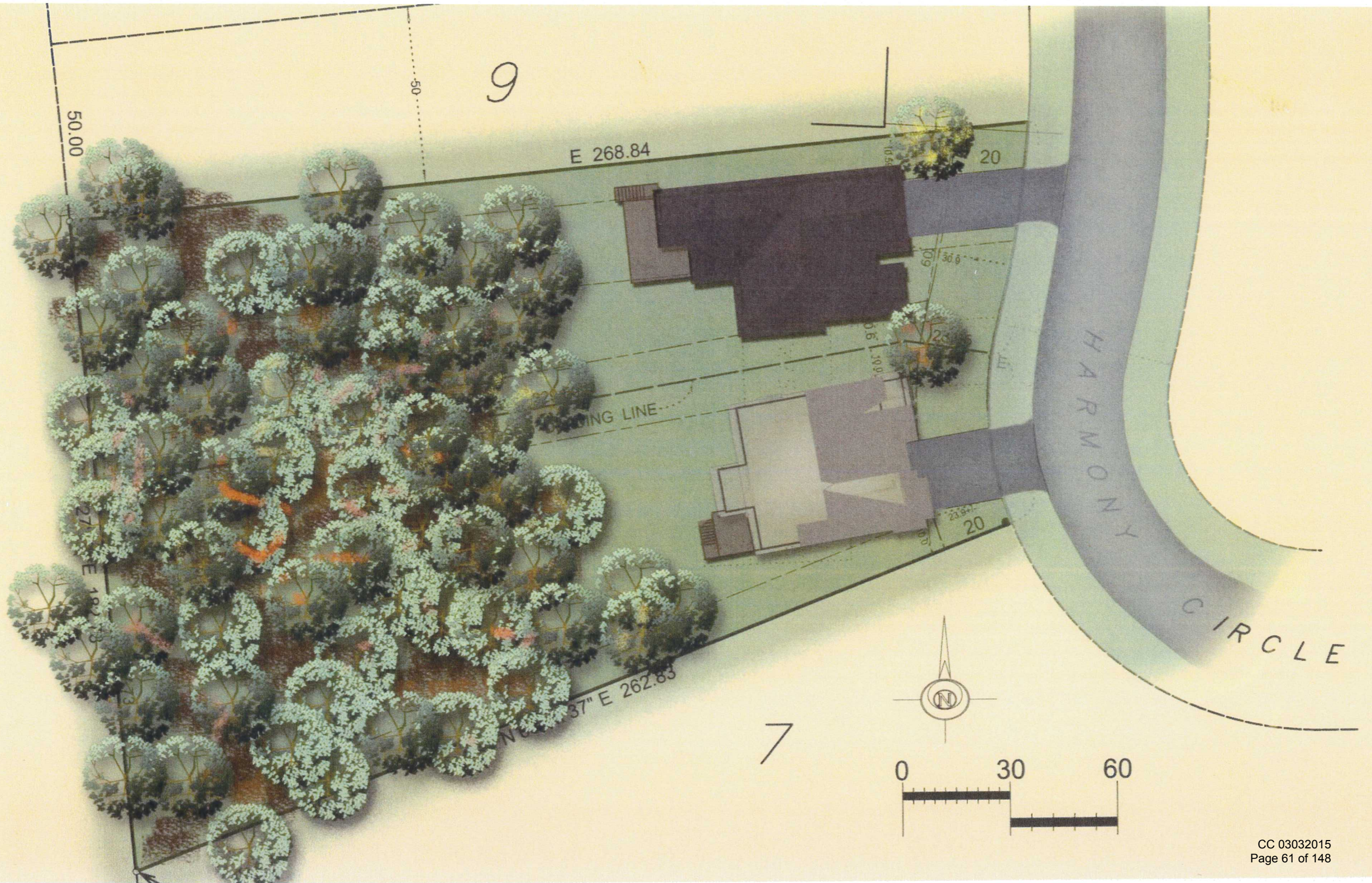
1. Adopt the draft approval Resolution No. 13-2015 included as Attachment I of this Report.
2. If the Council wishes to significantly modify the Resolution for approval, the Council should direct staff to prepare a revised Resolution for review and adoption at the next Council meeting.
3. If the Council wishes to pursue a denial motion, the Council should direct staff to prepare a revised Resolution reflecting the denial motion for review and adoption at the next Council meeting.

#### **Attachments:**

- Attachment A: Original Applicant Submittals:
  - o Existing Conditions Survey
  - o Preliminary Plat and Proposed Grading, Utilities, and Tree Inventory
  - o Final Plat
  - o Single Family Residential Designs
- Attachment B: Alternative House Plan Designs
- Attachment C: Photos of Existing Oak Tree
- Attachment D: Report of Applicant's Tree Consultant
- Attachment E: Received Public Comment
- Attachment F: Planning Commission Meeting Minutes – January 26, 2015
- Attachment G: Planning Commission Meeting Minutes – February 23, 2015
- Attachment H: Planning Commission Report and Recommendation
- Attachment I: Draft Resolution 13-2015

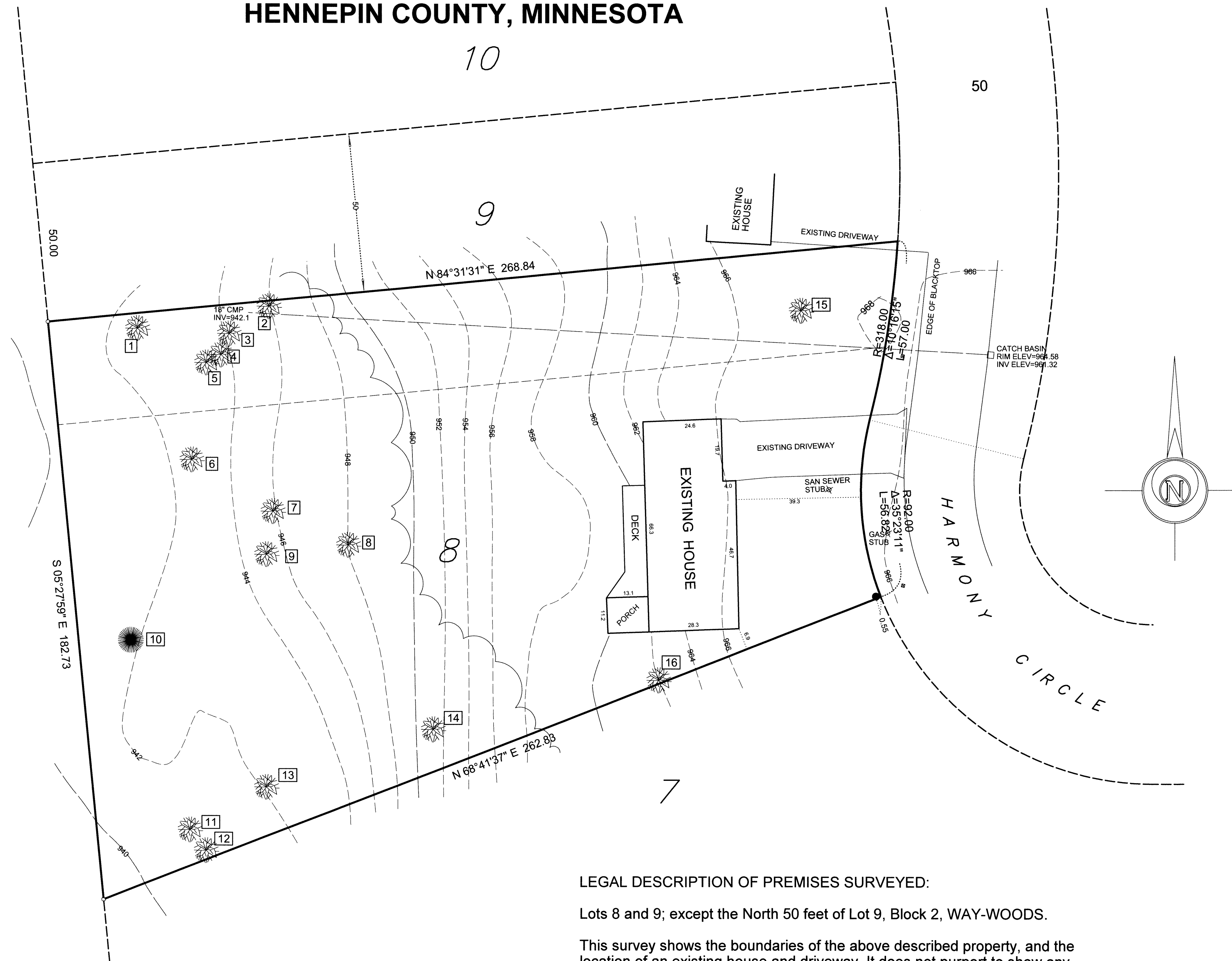
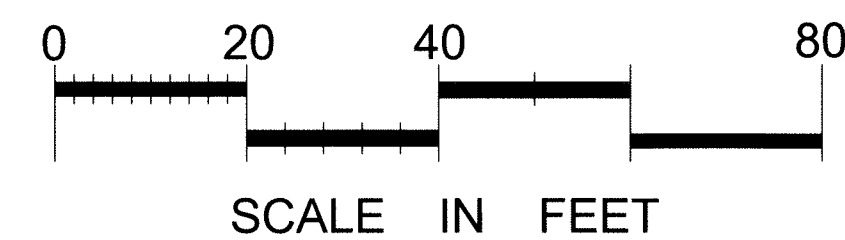


Front Elevation 1/8"=1'-0"



10

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



● : Iron marker found  
 ○ : Iron marker set  
 — : Existing contour from Henn. Co. maps  
 Bearings shown are based upon an assumed datum

|      |    |
|------|----|
| DATE | BY |
|------|----|

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.

DATE 11-20-14 MINN. LICENSE NUMBER 12755

DATE  
**1"=20'**

SCALE  
**8-28-14**

JOB NO.  
**14-343**

SHEET  
OF  
SHEETS

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

Hardcover Calculations

North Parcel

|       |         |
|-------|---------|
| House | 1904 SF |
| Stoop | 80 SF   |
| Drive | 552 SF  |
| Deck  | 366 SF  |
| Walk  | 80 SF   |

|          |   |                  |
|----------|---|------------------|
| Total    | = | 2982 SF = 17.37% |
| Lot Area | = | 17,166 SF        |

South Parcel

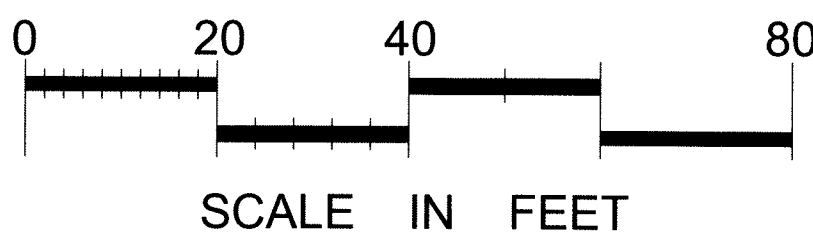
|               |         |
|---------------|---------|
| House         | 1792 SF |
| Drive         | 488 SF  |
| Covered Porch | 112 SF  |
| Deck          | 189 SF  |
| Walk          | 68 SF   |

|          |   |                  |
|----------|---|------------------|
| Total    | = | 2649 SF = 12.99% |
| Lot Area | = | 20,399 SF        |

TREE INVENTORY

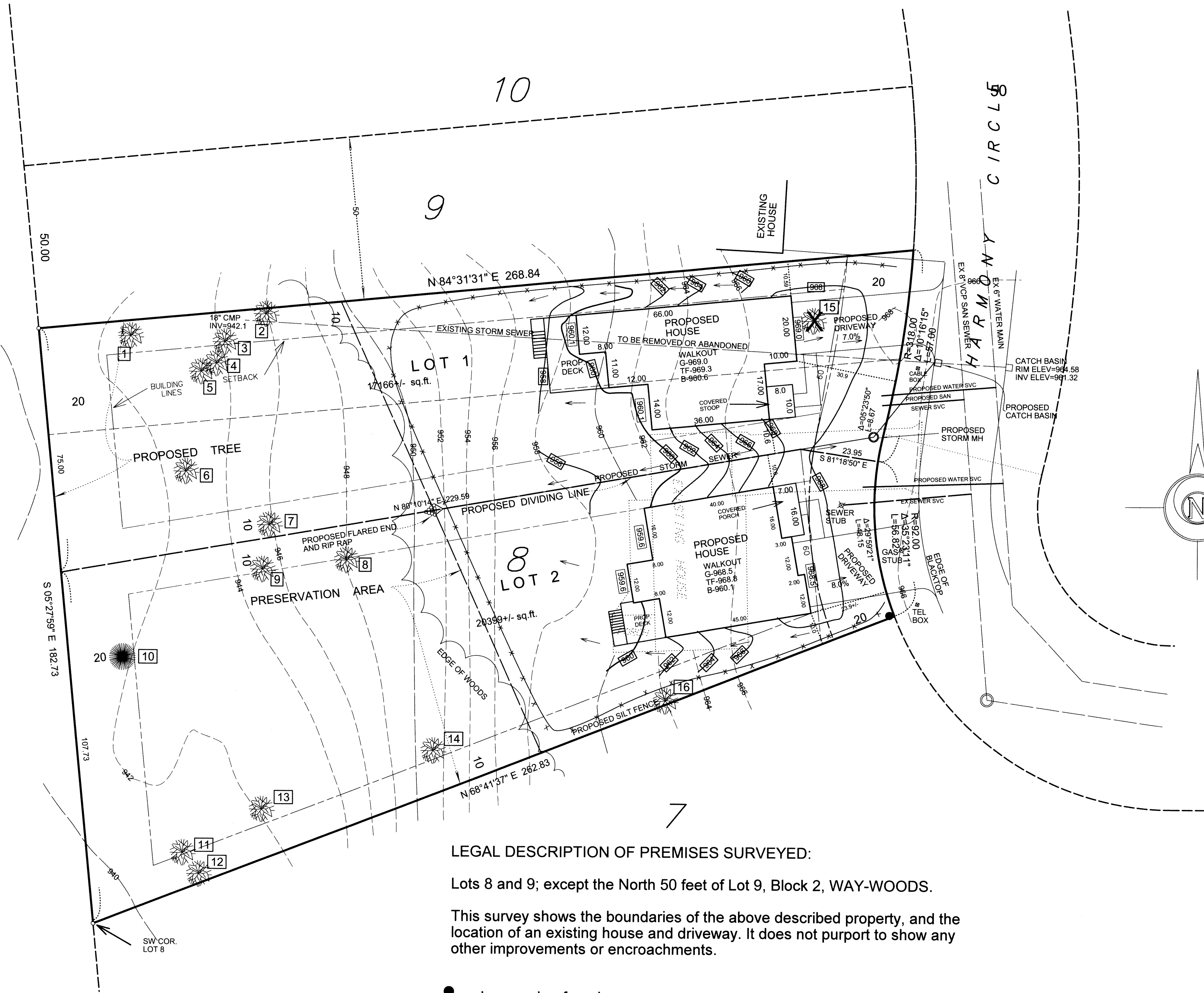
|    |                   |
|----|-------------------|
| 1  | 8X12" ASH         |
| 2  | 8" OAK            |
| 3  | 8" OAK            |
| 4  | 10" OAK           |
| 5  | 14" OAK           |
| 6  | 40" COTTONWOOD    |
| 7  | 40" COTTONWOOD    |
| 8  | 12" OAK           |
| 9  | 12" OAK           |
| 10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

(TO BE REMOVED) X



SCALE IN FEET

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



LEGAL DESCRIPTION OF PREMISES SURVEYED:

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

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

- : Iron marker found
- : Iron marker set
- 960.1 : Proposed spot elevation
- 956 : Existing contour line
- 950 : Proposed contour line

Bearings shown are based upon an assumed datum  
NOTE: Topo is from Henn. Co. Nat. Res. website

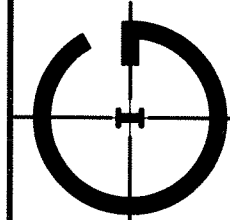
REVISIONS

| DATE     | BY | REMARKS          |
|----------|----|------------------|
| 11-20-14 |    | TREES ADDED      |
| 11-25-14 |    | PROPOSED GRADING |

|          |  |
|----------|--|
| DESIGNED |  |
| DRAWN    |  |
| CHECKED  |  |

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 Professional Surveyor under the laws of the State of Minnesota.  
*Mark J. Gronberg*  
DATE 11-21-14 MINN. LICENSE NUMBER 12257

|              |          |
|--------------|----------|
| DATE         | 11-20-14 |
| SCALE        | 1"=20'   |
| SHEET NO.    | 10-28-14 |
| TOTAL SHEETS | 14-343   |



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

# BAILEY WOODS

In witness whereof said Fritz J. Gullickson, single, and hereunto set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By \_\_\_\_\_, Deputy





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

1235 SQ. FT. FIRST FLOOR  
1462 SQ. FT. SECOND FLOOR  
2697 SQ. FT. TOTAL 1st & 2nd FLOOR  
884 SQ. FT. FINISHED BASEMENT  
3581 SQ. FT. TOTAL FINISHED AREAS

637 HARMONY CIRCLE  
WAYZATA, MN

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CROIX DESIGN and DRAFTING, INC.

| REVISIONS | BY |
|-----------|----|
| XXXXX     | XX |
|           |    |
|           |    |
|           |    |

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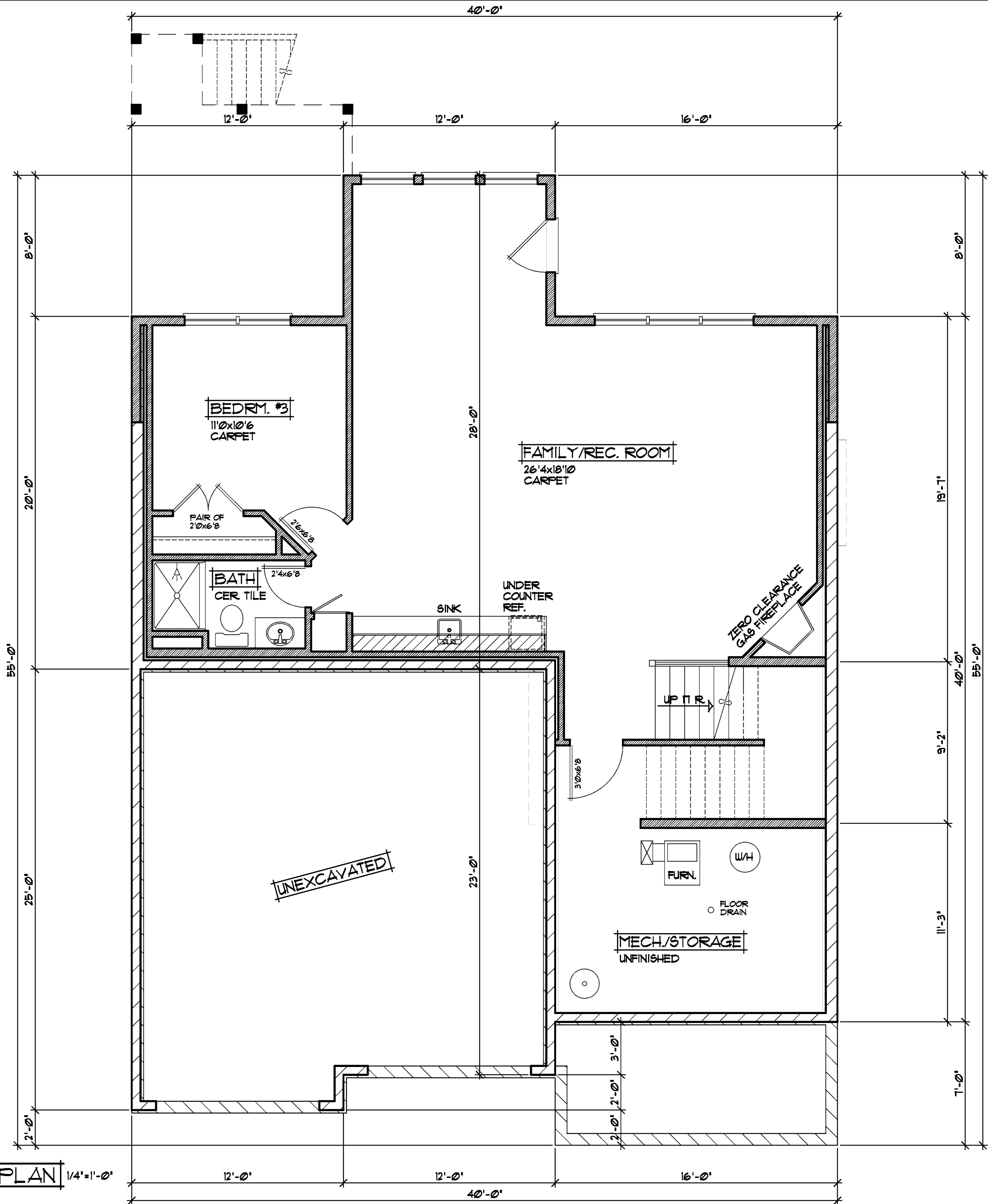
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ATLAS HOMES

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FINISHED BASEMENT PLAN 1/4"=1'-0"  
884 SQ. FT. (FINISHED AREAS)



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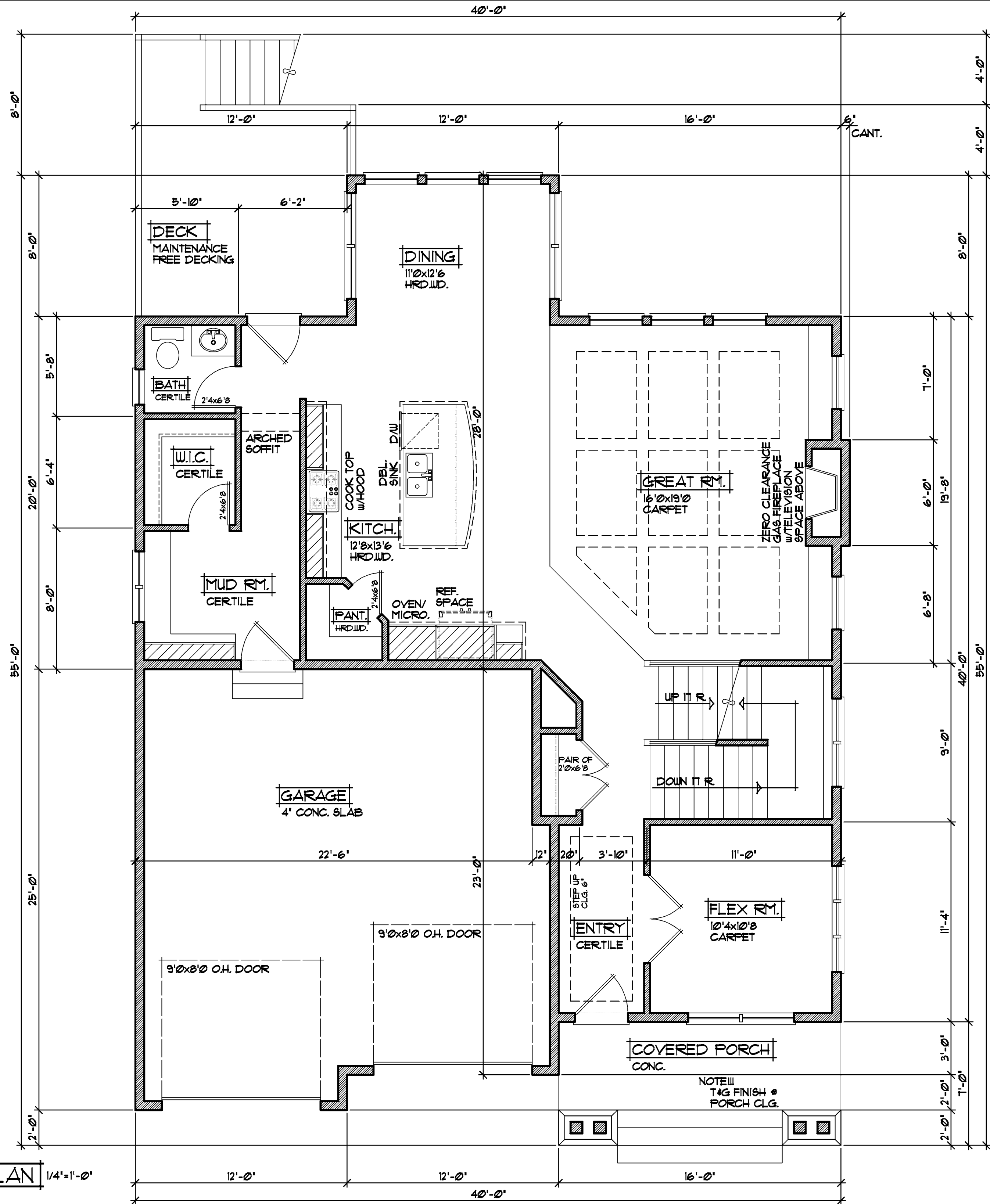
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**ATLAS HOMES**

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FIRST FLOOR PLAN 1/4"=1'-0"

1235 SQ. FT.



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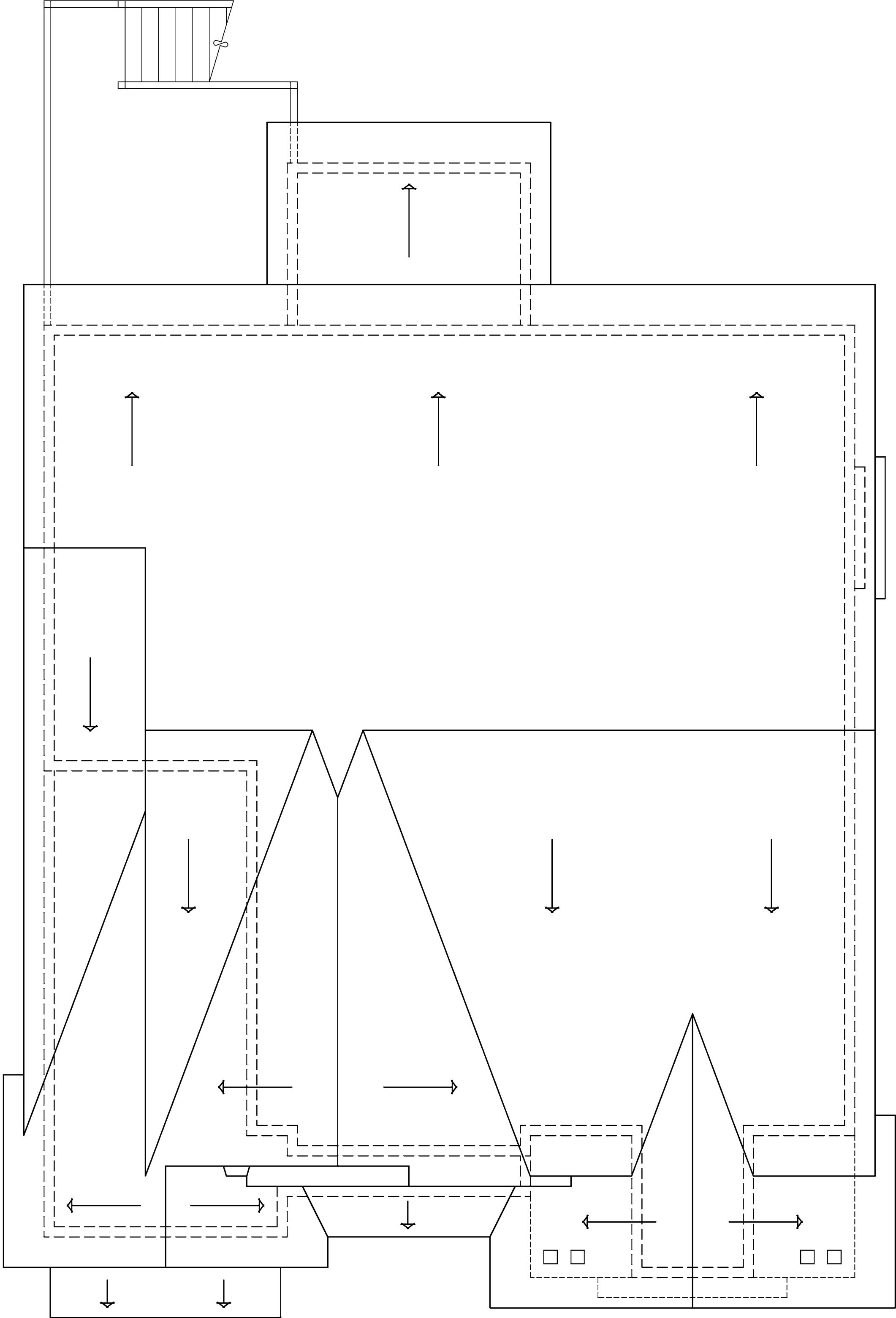
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BIRDS EYE ROOF PLAN 1/4"=1'-0"

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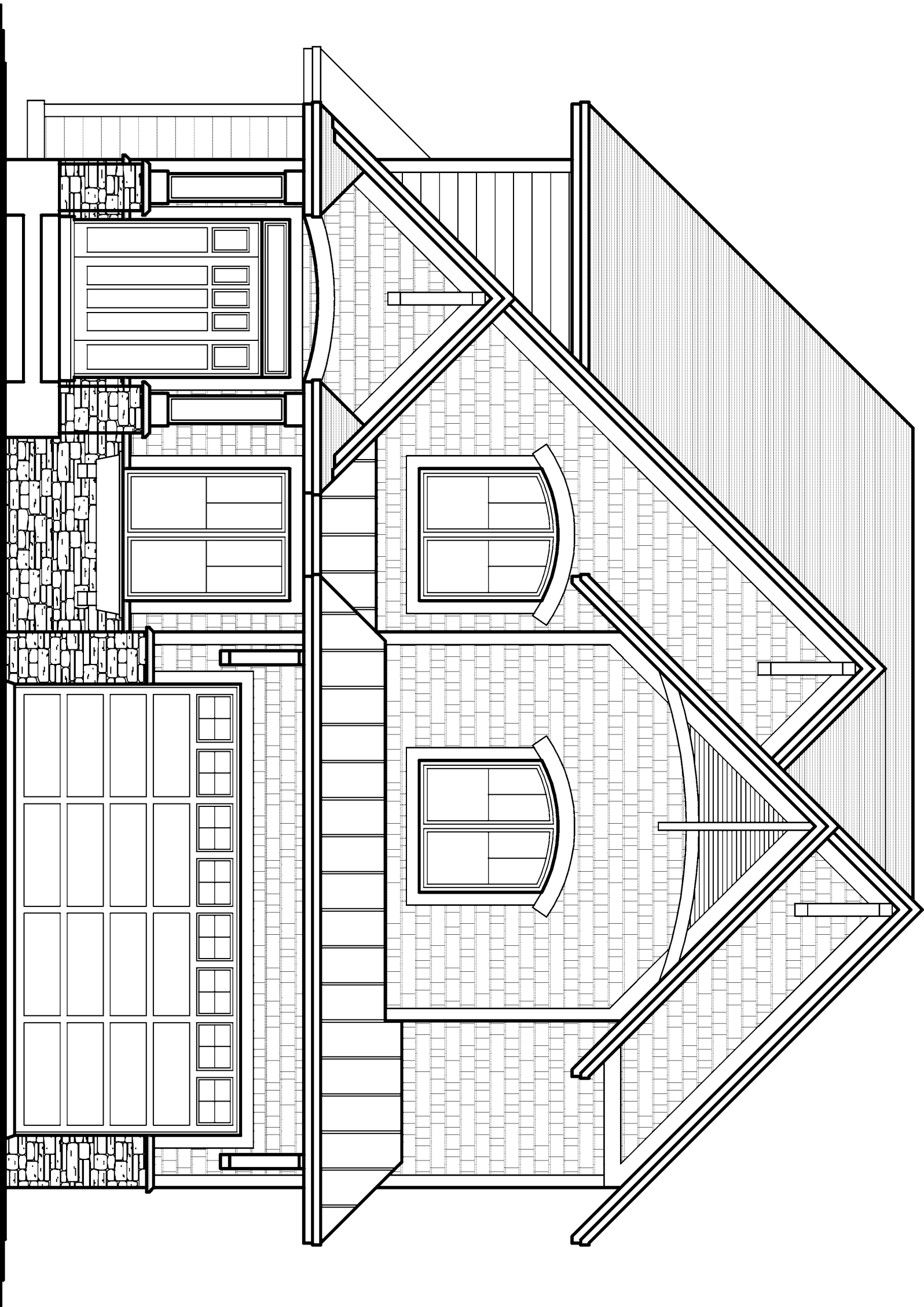


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**ATLAS HOMES**

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PRE-N182



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

1341 SQ. FT. FIRST FLOOR  
1650 SQ. FT. SECOND FLOOR  
2991 SQ. FT. TOTAL 1st & 2nd FLOOR  
XXXX SQ. FT. FINISHED BASEMENT  
XXXX SQ. FT. TOTAL FINISHED AREAS

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XXXX HARMONY CIRCLE  
WAYZATA, MN

BUILT BY:

ATLAS HOMES

DESIGN and DRAFTING BY



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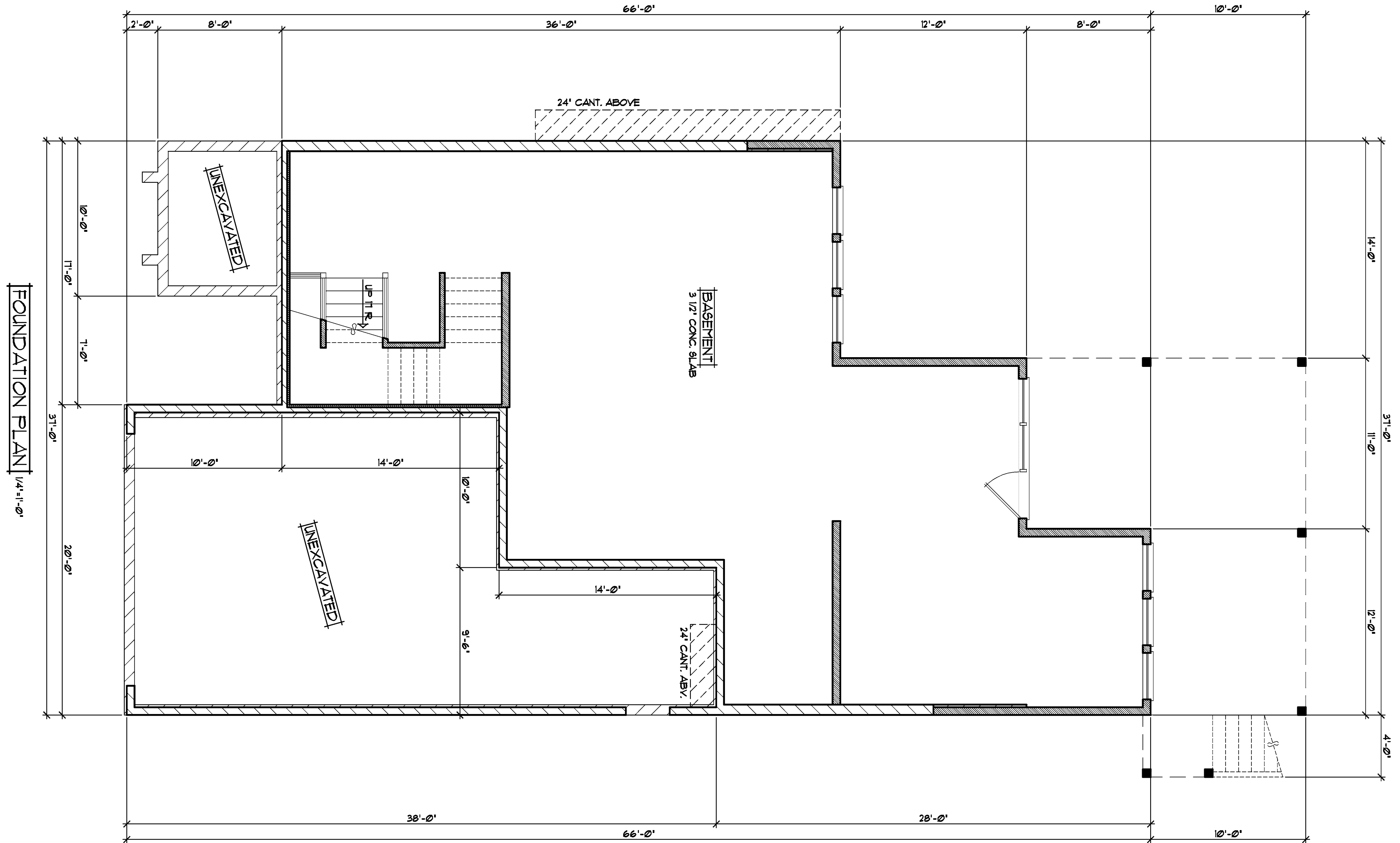
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10/07/2014

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AS NOTED

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ATLAS HOMES

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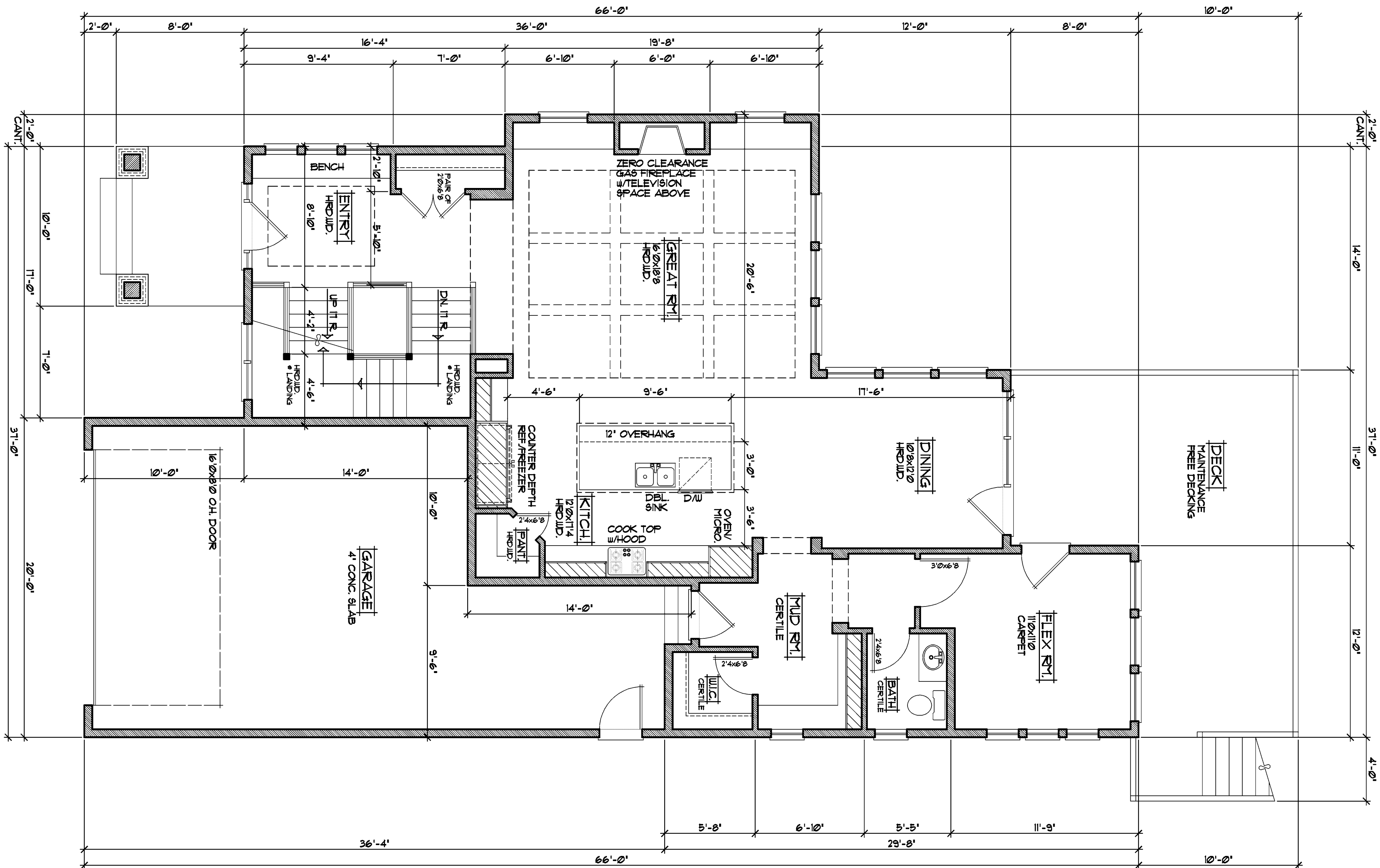
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BY: X.X

FIRST FLOOR PLAN 1/4"=1'-0"



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OF X

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X

BUILT BY:

ATLAS HOMES

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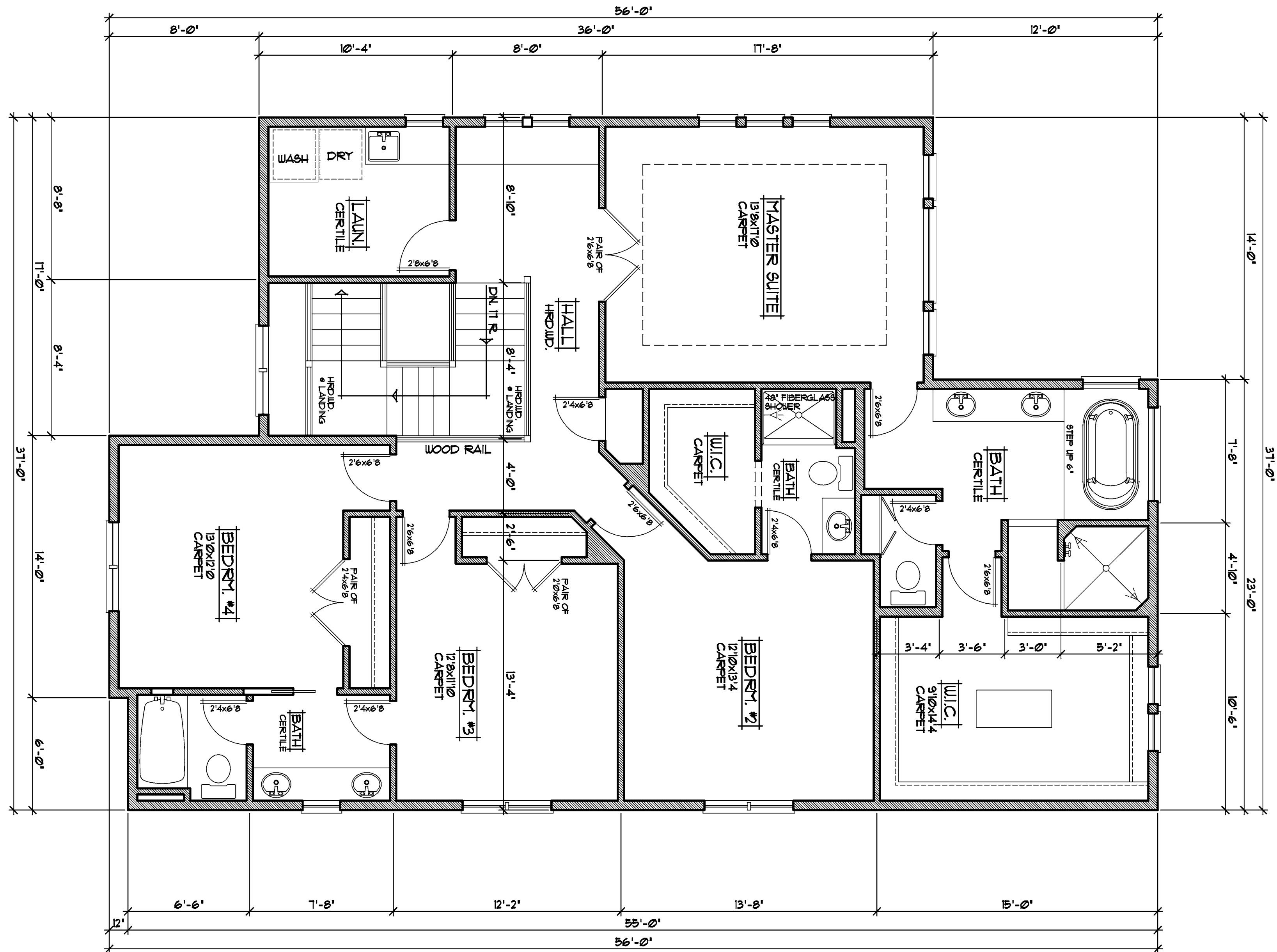
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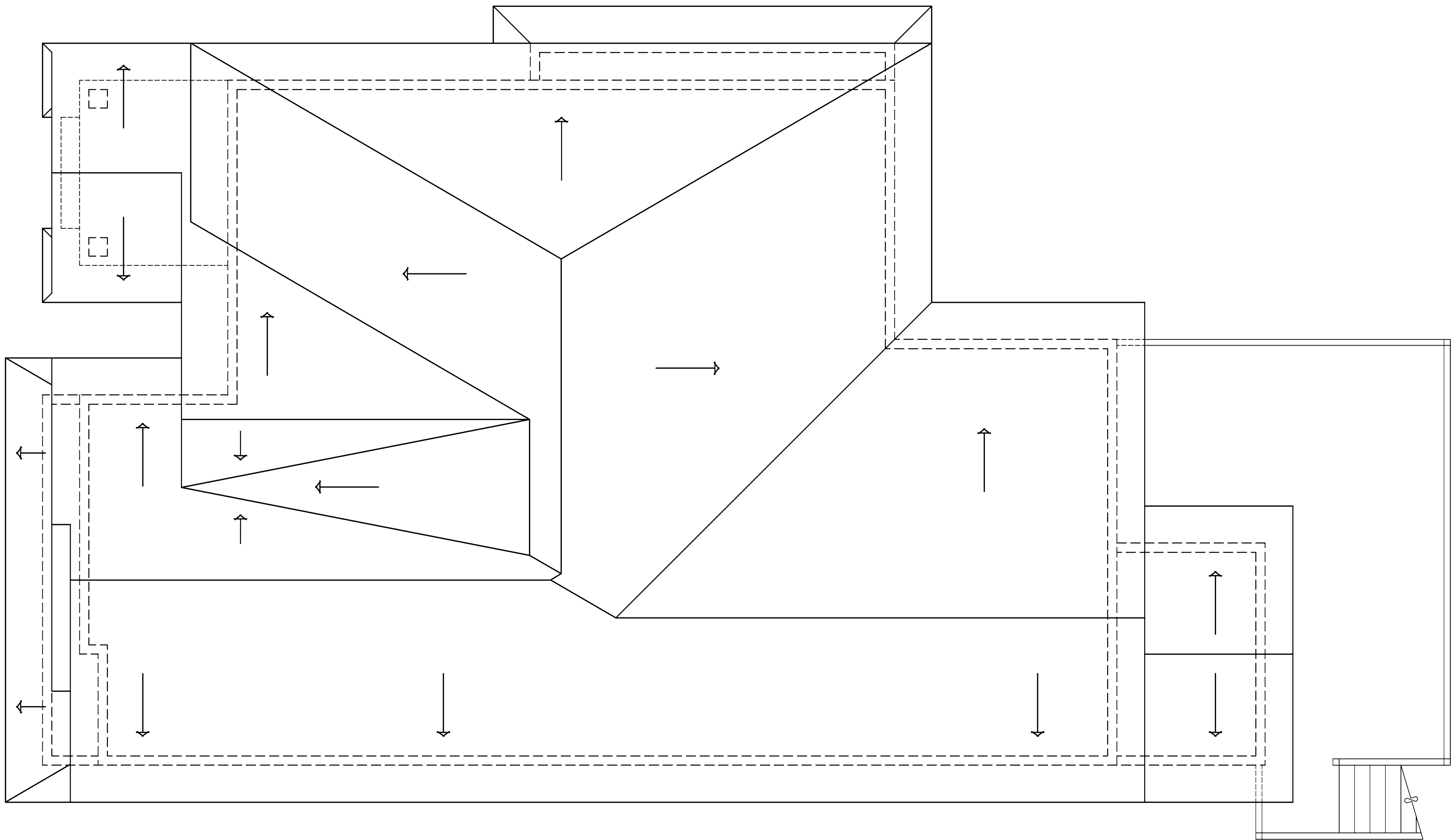
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BY: X, X



SECOND FLOOR PLAN 1/4"=1'-0"  
1650 SQ. FT.  
112 SQ. FT. STAIRS/OPEN AREA (NOT INCLUDED)





BIRDS EYE ROOF PLAN 1/4"=1'-0"

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**FRONT ELEVATION**  
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PLAN NUMBER  
21407

DATE  
1-30-2015

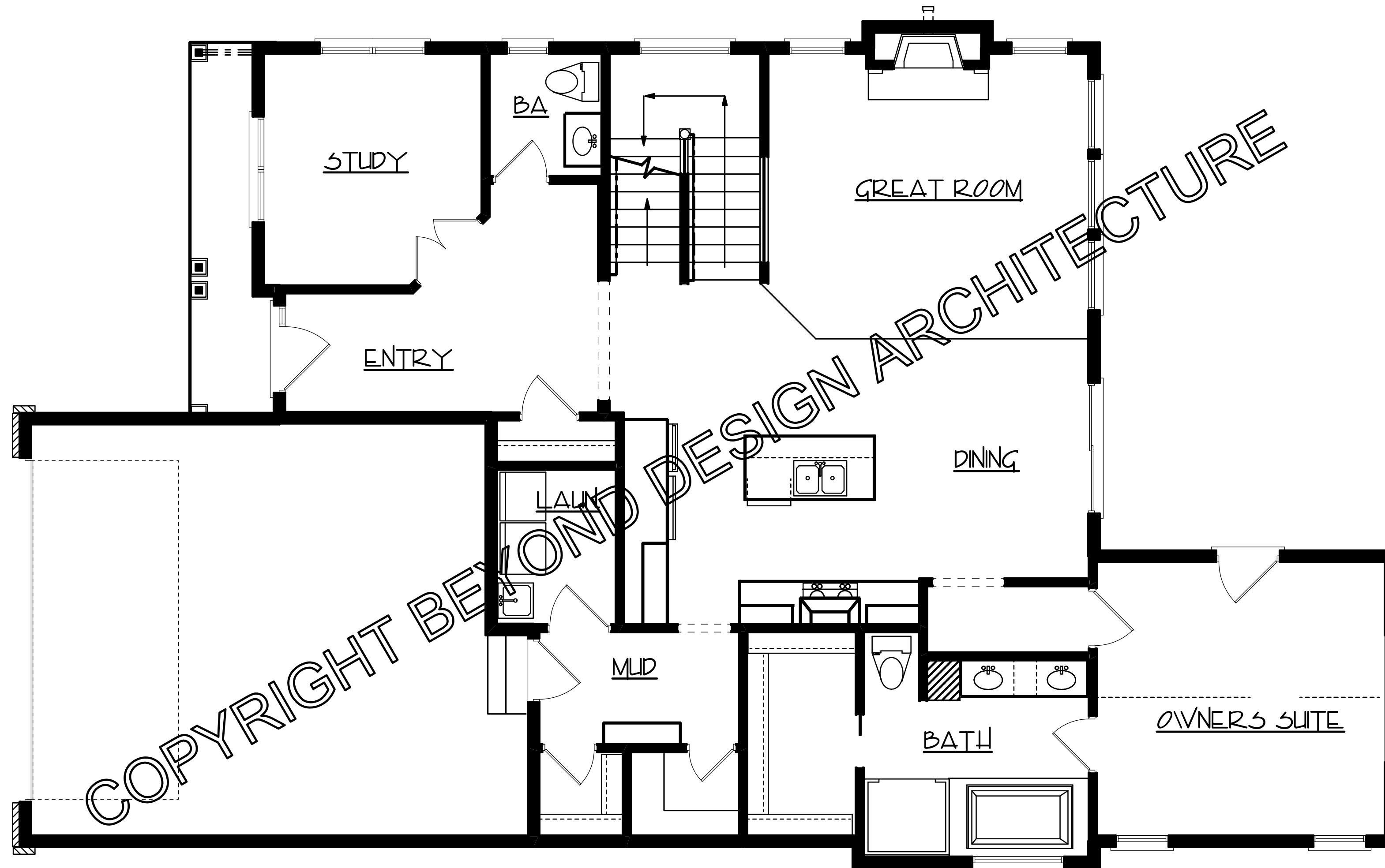
REVISIONS

RESIDENCE FOR:

BUILT BY:

612-597-4269  
EXCELLENCE FROM EVERY ANGLE  
**Beyond Design**  
Architecture

**SHEET**      **OF**



MAIN FLOOR PLAN

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PLAN NUMBER  
21407

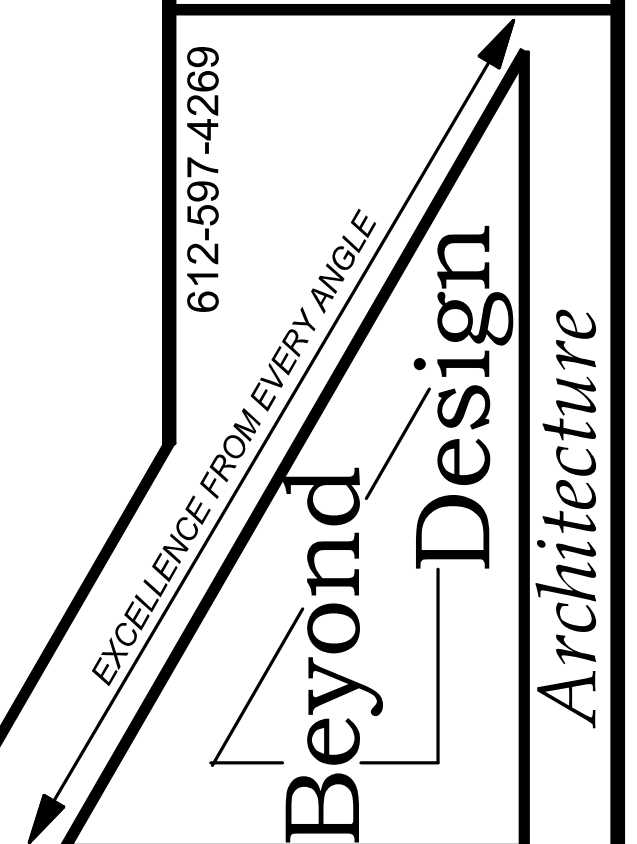
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1-30-2015

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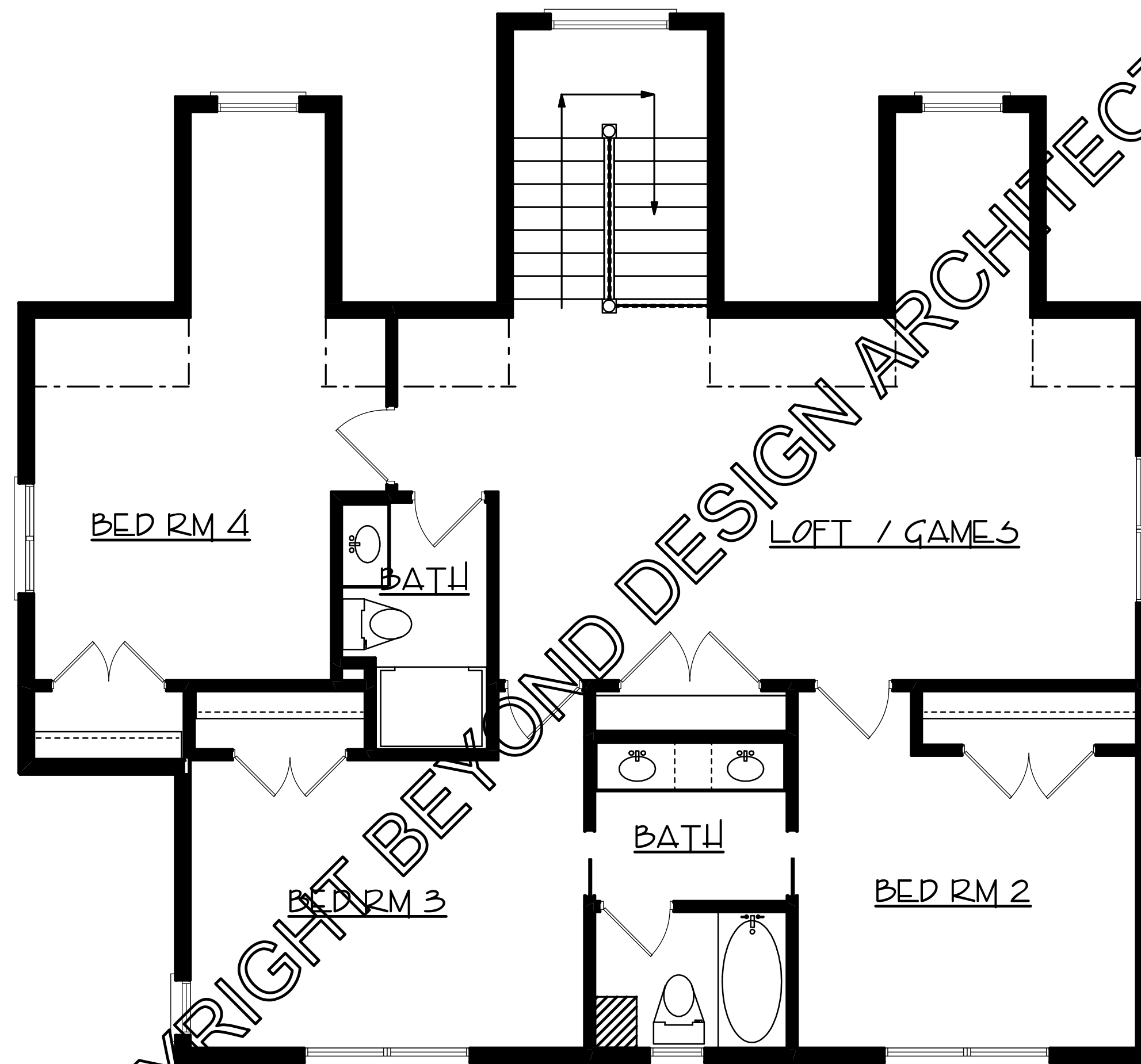
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**UPPER FLOOR PLAN**  
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PLAN NUMBER  
21407

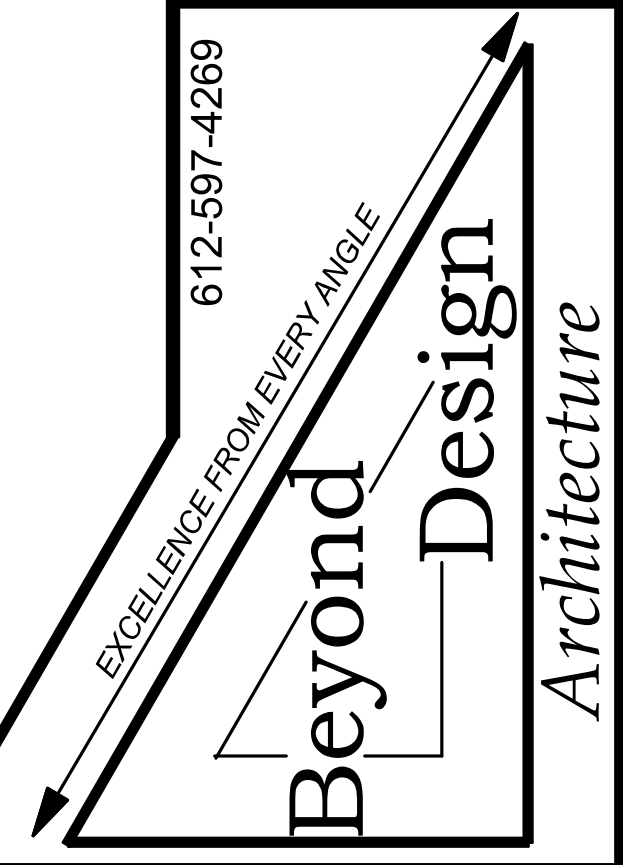
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PLAN NUMBER  
21408

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1-30-2015

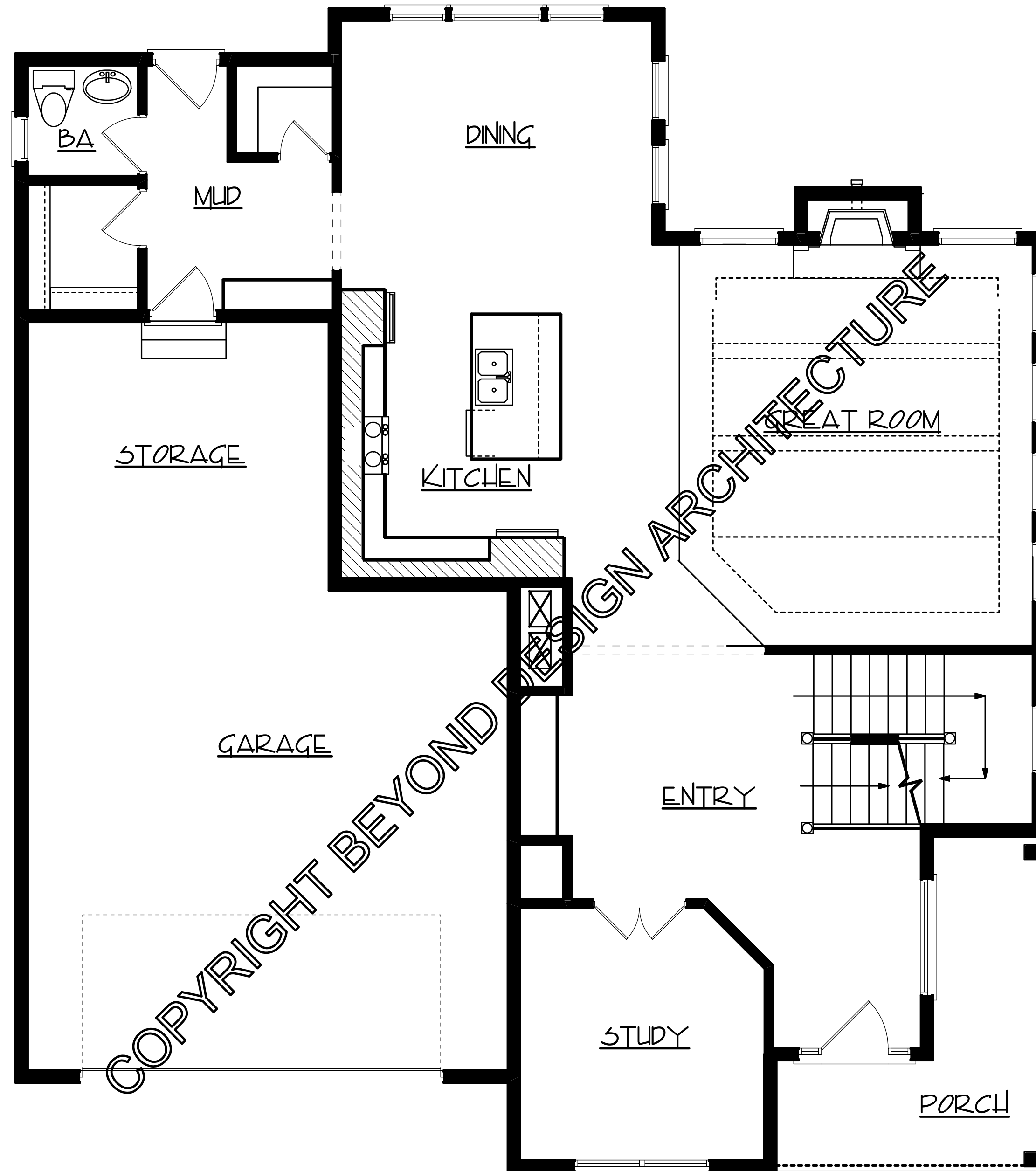
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# MAIN FLOOR PLAN

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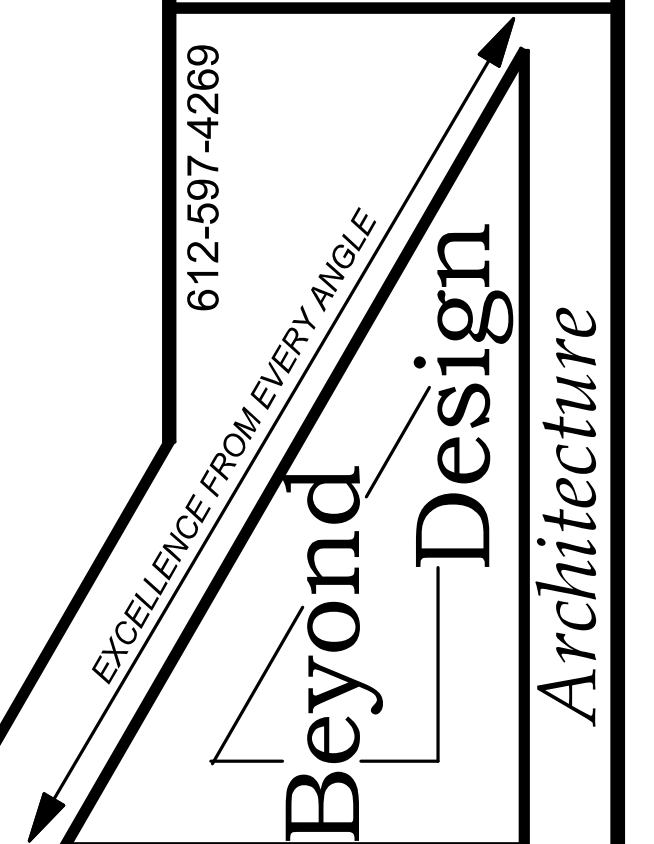
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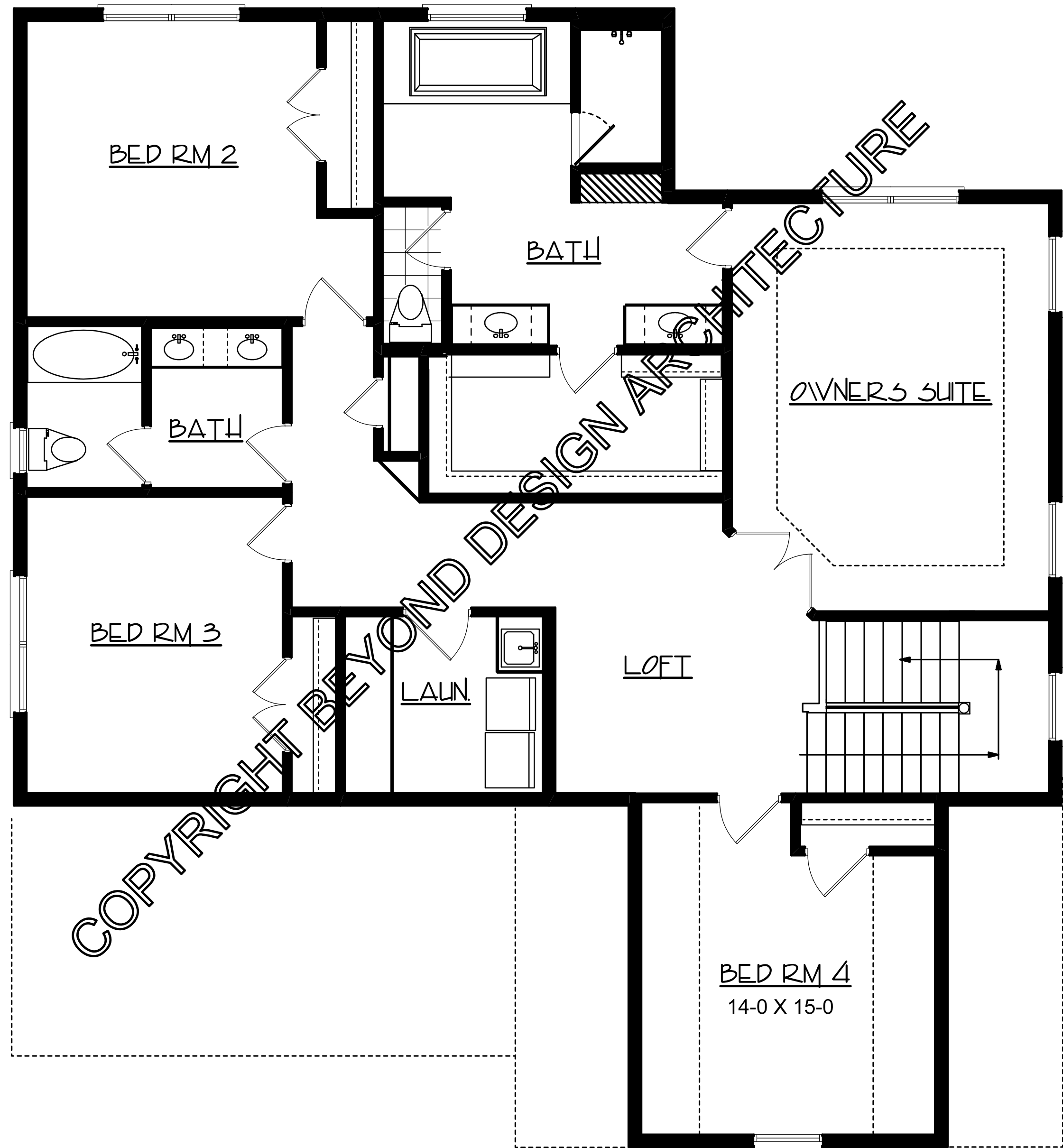
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# UPPER FLOOR PLAN

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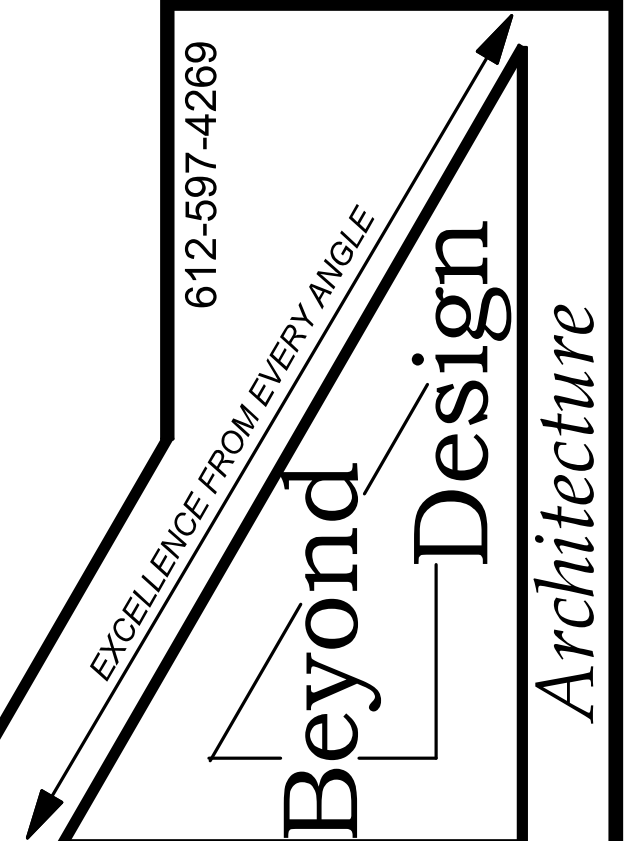
DATE  
1-30-2015

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612-597-4269



SHEET OF











# Meridian Tree

*Professional Tree & Shrub Care*

February 9, 2015

Re: Fritz Gullickson 637 Harmony Circle  
Plymouth, MN

I inspected the oak at the above address. Below are my findings.



The current condition of the tree upon first impressions is its a healthy tree. It has little deadwood. There is an area of decay however that is on the east side of the tree approximately 12' high on the main trunk (see photo). The cavity does extend into the tree but I was unable to determine the full extent. Without this knowledge I can only state that the tree is compromised by the decay but it is impossible to say to what extent.

I feel the bigger issue at this time is the placement of the house foundation and the flagged sewer(?) line. Both will cause major damage to the trees root system. Damage that will weaken the trees ability to both nourish itself and to support its massive size. Again the exact implications of the root loss is impossible to guess. However, due to the close proximity of both the proposed new house and the neighbors house to the west I feel the possibility of this tree tipping in a storm onto either structure is to great a threat to ignore.

Please feel free to contact me if you have any questions. Thank you.

Scott Gilbertson  
Forester, Certified Arborist



Thank you for meeting with me this week to discuss your upcoming project at 637 Harmony Circle, Wayzata. When doing construction in proximity to large, old trees we must consider the a few things.

1. Will the tree survive having roots cut due to digging, trenching, tunneling etc.?
2. Will the tree remain stable and anchored after the topsoil is disturbed during construction?
3. Will limbing or trimming of the existing tree leave it balanced structurally and visually.

Taking into account the placement of the new homes and the location of the existing home, I do not believe the large Oak tree in the northeast corner of the development can/should be retained. I believe trenching for sewer and utilities will cut numerous roots, which will leave the tree too malnourished to survive. The shape, balance and limb structure of the tree has it currently leaning toward the existing home to the north. Disturbing the topsoil or cutting of roots to the south of the tree would weaken the anchoring effect of the roots and soil, which may cause the tree to lean further or even fall over. Limbing existing branches to the south would change the weight and balance of the tree which also could cause it to further lean.

After seeing the layout of the future homes with respect to the existing homes, I feel your project and its neighbors will benefit best by placing trees as follows:

1. Along the north property line, I recommend placing a tree in the view line between the deck/picture window of the existing home and the new residence.
2. In the front of the properties, parallel to Harmony Circle I recommend placing 3 trees. One tree on each of the northeast and southeast corners of the project, as well as a tree along the property line separating the two future homes.

As discussed at our meeting, a variety of trees can be used, e.g. Oaks, Maples, Evergreens. The trees provided will be 4-5" in trunk diameter, and a height of approximately 20 feet. Thank you for your time and consideration during this project.

Regards,  
Tom  
1-2 TREE Moving and Transplanting

10001 Hennepin Avenue, Suite 100, Dayton, MN 55327  
(763) 221-1999

## Bryan Gadow

---

**From:** Graciela Gonzalez  
**Sent:** Monday, January 26, 2015 3:57 PM  
**To:** Bryan Gadow  
**Subject:** FW: Agenda Item: Proposed Sub-Division in Harmony Circle

Hi Bryan:

Please add the email below to the PC packet.

Thank you.

Graciela

---

**From:** Cheri Morris [cherimorris1@hotmail.com]  
**Sent:** Monday, January 26, 2015 1:20 PM  
**To:** Graciela Gonzalez; Lynn Gruber; Graham Gnos; Michael Ramy; Steven Young; Tom Vanderheyden; Cathy Iverson  
**Subject:** Agenda Item: Proposed Sub-Division in Harmony Circle

Good Afternoon, Planning Commission Chair, Vice Chair, and Commission Members:

Thank you in advance for your time to read this email and reflect on our concerns regarding the referenced agenda item. We hope several Harmony Circle residents, in addition to us, will be attending the Planning Commission meeting tonight to speak to our concerns regarding the proposed sub-division in the Harmony Circle Neighborhood of Wayzata.

On January 22, there were 13 residents attending a neighborhood meeting to present concerns and have the opportunity to discuss this matter with the developer, Fritz Gullickson, in advance of the Planning Commission meeting. We were assured his proposed development on Lot 637 (former Hedner property) meets R-3 Single and Two Family Residential District requirements, the City's lot area and setback requirements, and that no variances will be requested. We also are very appreciative of Fritz's willingness to attend this meet in an effort to mitigate our concerns regarding his plans for Two, Two- Family Homes for this site, his agreement to plant trees between Site property and that of the Engel's home, and his presentation at our request in providing optional development plans such as ramblers on the site.

In the last couple of weeks, I have facilitated email communications with all residents in the Circle regarding Fritz Gullickson's development and would like to advise the Planning Commission that **the consensus of respondents was a high-level concern for two, two-story homes on this site**, as we feel this housing will be over-whelming on the site and it will not blend in with the character of our present neighborhood. As well, **because the site is located on a curve in the circle, we are very concerned about the potentially serious traffic and safety issues that it will present for the current children residing in the neighborhood.** There is currently up to 10 children in daycare in the Engel home and Mr. Gullickson indicated he has a *potential buyer* for one of his homes who has 6 children. Considering an additional 10-12 children currently residing in our neighborhood, plus the possible 16 for these two sites, we feel this matter is also worthy of more reflection on future development plans for the site. We are also aware that with Fritz's current, development-investment costs associated with this site that he needs to build two homes. He unequivocally states he cannot consider only one home for this site, which still remains the preferred development plan by several existing Harmony Circle residents.

**Please also consider that Harmony Circle is likely the last existing Wayzata neighborhood providing**

**true middle-class housing. We have not yet started the *trending* home development.** This is important! Throughout all of Wayzata, new home development is primarily only focused on high-income families. **We have young couples and families purchasing our existing homes - not with the intent to level and re-develop - but to update, reside in, and raise their families.** Please also consider this very important factor in approval of appropriate development that will not only blend in but will preserve the current character of Harmony Circle. Thank you again for your time and consideration on our concerns.

Sincerely,

Cheri and Ron Morris  
663 Harmony Circle  
Wayzata, MN 55391  
763-232-2897  
[cherimorris1@hotmail.com](mailto:cherimorris1@hotmail.com)

Received on 1/26/15

From: rksuds <rksuds@aol.com>  
Bcc: rksuds@aol.com  
Date: Thu, Oct 23, 2014 9:39 pm

TO: CITY COUNCIL OF WAYZATA

RE: PROPERTY LOCATED AT 637 HARMONY CIRCLE, WAYZATA, MN.

FROM: ROBERT & VERLAINE KOLB....631 HARMONY CIRCLE, WAYZATA, MN.

As owners of our home at 631 Harmony Circle since 1967 (47 years) naturally we were disappointed to see the decline of the property located at 637 Harmony Circle the past years. However, we firmly believe that the proposed NEW HOMES to be built at that location will be a positive addition to our neighborhood.

Thank you very much for your consideration.

Robert & Verlaine Kolb  
631 Harmony Circle  
Wayzata, Mn.  
email; [rksuds@aol.com](mailto:rksuds@aol.com)  
cell phone: 612-616-3424

Two handwritten signatures are present. The top signature is 'Verlaine Kolb' written in cursive. The bottom signature is 'R. Kolb' also in cursive. Both signatures are followed by a horizontal line.

Mary Lou Persian  
648 Harmony Circle

Wayzata, MN 55391-1106

1-26-2015

Regarding the Sub-Division in Harmony  
Circle the former Hedner Property

(2) Two Story Homes would not be in  
Character for the neighborhood of ranchers.  
It would be congested in that corner.  
There are already a number of cars that belong  
to the homeowners there. Traffic has picked up  
in the neighborhood. We have school buses  
upon occasion that go pretty fast thru the  
neighborhood, as well as Fed Ex Trucks,  
UPS trucks etc and some general public  
looking to exit back on Central (101). At the  
end of the day when people are coming home from  
work the sun is so bright it is blinding  
there. There are children to worry about.  
The other end of the Circle you have a Stop Light.  
If you are coming from the North on 101 to turn  
into the Circle you have to signal a block before  
you turn. You hope people won't run end  
you turning quickly into Harmony Circle  
and no children are there on Rosswood.  
(over)

7108 68-1  
681709 Vol 1111  
6010 100000 1000  
6011-10000 1000 100000  
We are a social group of people who  
have Bible studies weekly, swimming pools,  
general company, and special occasions  
to celebrate. We need to be able to park.  
We have times it's hard to back out  
of our driveways, or the mailman  
can't get to our mailboxes. I've lived  
here for 48 yrs and we've managed,  
but two houses on that property.  
No way.

Mary Lou Pessier

## Bryan Gadow

---

**From:** GORDON L. ENGEL <engelgordy@gmail.com>  
**Sent:** Sunday, February 22, 2015 9:22 AM  
**To:** Graciela Gonzalez  
**Cc:** Bryan Gadow  
**Subject:** Gordy/Nancy Engel- Harmony Circle Sub-Division

Madam Chairperson

Since we will be out of town for the 23rd meeting we are sending this email representing our opinions to be included in the discussion concerning the Harmony Circle sub division decision

1. Since one of the new homes will be built only 10 feet from our garage we believe the best option for both our privacy and our views will be to have the driveway adjacent to our driveway even if it means the oak tree will have to go
2. Even though we do not have a strong preference to a 2 story or 1 1/2 story we lean to a 1 1/2
3. We are thankful for Mr GULLICKSON s willingness to work with us in providing house designs and landscaping buffers for our privacy
4. We will workout the easement on the issue of our driveway asap
5. After the initial shock of having two houses instead of one we think it is great at a time when we have seen in Wayzata tearing down 2 houses to make one here is an opportunity to tear down one to .take two.

Sincerely  
GORDY and Nancy Engel

## Bryan Gadow

---

**From:** Peterson-Nelson, Lisa <LPetersonNelson@DataRecognitionCorp.com>  
**Sent:** Monday, February 23, 2015 3:02 PM  
**To:** Bryan Gadow  
**Cc:** 'jdlpnelson@gmail.com'; 'Jim Nelson'; 'lpetersonnelson@gmail.com'  
**Subject:** Tonight's Planning Commission Meeting

**Importance:** High

Hello Brian,

My name is Lisa Peterson-Nelson and I live on Harmony Circle in Wayzata ( a couple houses down from the proposed development and sub-division of property next to Gordy and Nancy Engel's home). I am writing to you because I may not be able to attend the Planning Commission meeting tonight where I know this development is being discussed and I wanted to give you my feedback. I have two concerns with the development being proposed on Harmony Circle: 1) two houses on one lot is just too much and 2) it breaks my heart to think about losing the majestic oak tree in the front next to Gordy's house (which I understand would be a goner if the developer gets his way). That tree has got to be close to 100 years old. We certainly do not have many trees like this left in residential neighborhoods around the City.

I am not a anti-development resident. I appreciate what some businesses and home owners have done in the city recently when demolishing an older structure and have replaced it with new. If it is scaled to look like it fits with smaller structures around it, it adds to our charm. Development is good for a city and brings in new residents and helps businesses. It is good for the tax base. And when the Planning Commission and the City Council use restraint, beautiful developments can occur.

What I have been seeing the past few years though seems to be a departure from the past. The City of Wayzata leaders have been making a lot of decisions lately to approve "bigger and better" developments and this is quite frankly ruining the beauty of the City. What is happening across the street from the Muni and along Lake Street is just a monstrosity. I have to say I liked the original concept when I first heard about it and saw the plans, but scratch my head now every time I drive by it when I see how massive it has turned out to be and what an eyesore it actually is. I know that there are people who want to live there and shop there, etc. but I wonder what it would look like if even a 1/3 of its footprint had not been developed and how many people would have even paid more to live in a more beautifully designed space. Room for some mature trees perhaps, and some space for them to grow. No chance of that happening now. It is very sad. Wayzata used to be considered "quaint" but that look and that atmosphere is slowly being eroded every direction one turns. I would also say the same thing about the development happening on the corner of Wayzata Boulevard and Central Ave. 101. Between the new Walgreens with its pillars (really?), the Anchor Bank with that horrible signage that shines brightly 24 hours a day, the three houses that will be jammed in facing a silver grey (icky color, who chose that?) bank and concrete parking lots with more lighting, and now, the final icing on the cake, 6 huge new homes slated to be built north of the three houses so whoever lives in them can look out their front and back windows into the walls and windows of the others houses. Do people really want to live like this or have developers just gotten greedy? Just a massive explosion of big boned structures that are way too close together. Another monstrosity in the making. And let's not forget about the loss of several other really beautiful large trees which will need to be cut to fit the six houses on that lot.

Anyway, I hope you receive this email before tonight's meeting and you will think about some of what I have written. I don't know your personal philosophy about growth for Wayzata but I ask you to keep in mind that not all residents want to see a lot of house jammed on to a lot. Just because a developer has put together nice plans and says that he has interested buyers who want to live in the neighborhood does not mean that the city leaders have to approve it as presented. Thanks very much for your time and for your leadership on the Commission.

Lisa Peterson-Nelson  
952-475-2213  
655 Harmony Circle  
Wayzata

**WAYZATA PLANNING COMMISSION  
MEETING MINUTES  
January 26, 2015**

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

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

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

Chair Gonzalez stated the minutes to be reviewed are from the January 5, 2015 meeting.

Commissioner Vanderheyden made a motion, Seconded by Commissioner Gruber, to approve the January 5, 2015 meeting minutes as presented. The motion carried unanimously.

**AGENDA ITEM 2. Regular Agenda Public Hearing Items:**

**a. 637 Harmony Circle – Fritz Gullickson**

**i. Concurrent Preliminary and Final Plat for a Two (2) Lot Subdivision**

Mr. Gadow stated Mr. Fritz Gullickson has submitted a Development Application requesting concurrent preliminary and final plat approval to divide a 37,565 square-foot parcel into two (2) new lots. He reviewed the existing conditions survey, the preliminary plat, grading, utility and tree inventory plans, the final plat, and proposed residential images and plans. He also reviewed the changes the Applicant had made in response to Staff comments and the actions the Commission could take.

Commissioner Iverson asked if the lot width of 60-feet would be from the front or if it was an average.

Mr. Gadow stated this is calculated at the 20-foot front yard setback.

Chair Gonzalez asked if there would be 20-feet between the two (2) homes.

Mr. Gadow stated there would be a 10-foot side yard setback on each home, which would equal the 20-feet between the two (2) homes.

Chair Gonzalez stated the current property line encroaches into the driveway of the neighbor to the north.

Mr. Gadow stated the existing driveway crosses the property line to the north. This would be an item the Applicant and the property owner would have to resolve.

1  
2 Commissioner Iverson asked how much fill would be brought in.

3  
4 Mr. Fritz Gullickson, 3443 Crystal Place, Orono, stated there would not be fill brought in. The  
5 site plan shows how the property will be leveled. The dirt that would be dug up for the  
6 basements would be used.

7  
8 Commissioner Gruber asked for Mr. Gullickson's background in home building.

9  
10 Mr. Gullickson provided an overview of his experience in home building.

11  
12 Commissioner Vanderheyden asked if the Applicant had considered a story and a half or ranch.

13  
14 Mr. Gullickson stated he had looked at the homes that are currently being built in the City and  
15 the 2-stories seem to be a family orientated home in today's market.

16  
17 Commissioner Gruber asked what the price point would be for these homes.

18  
19 Mr. Gullickson stated they would be priced approximately \$600,000 to \$700,000.

20  
21 Chair Gonzalez asked what the height of the homes would be.

22  
23 Mr. Gullickson stated they would be under the 35-foot height maximum allowed and he would  
24 expect them to be at 32-feet.

25  
26 Chair Gonzalez asked if he had talked with the neighbor to the north to address the driveway  
27 encroachment and find a resolution.

28  
29 Mr. Gullickson stated he has talked to the neighbor and they have not expressed concerns  
30 regarding this driveway.

31  
32 Chair Gonzalez asked what type of materials would be used.

33  
34 Mr. Gullickson provided sample panels for the Planning Commission to review.

35  
36 Chair Gonzalez stated the Applicant planned to take down a 34-caliper inch oak tree on the  
37 property. She asked if there would be a way to move the garage to the other side in order to  
38 preserve the tree.

39  
40 Mr. Gullickson stated he had put the driveway on the north side so that the two driveways would  
41 be parallel to each other and the existing driveway and there would be more green space between  
42 the homes. He did not believe this could be changed.

43  
44 Commissioner Iverson suggested Mr. Gullickson do what he can to save the large oak tree.

1 Chair Gonzalez asked if the City Engineer had any concerns with the storm sewer system being  
2 relocated.

3  
4 Mr. Gadow stated the City Engineer did not have concerns and the system would be located in a  
5 new easement and removed from an odd location. This would be done at the Applicant's  
6 expense.

7  
8 Chair Gonzalez asked if the City Forester had any comments on the oak tree and if it would be  
9 possible to save this tree.

10  
11 Mr. Gadow stated he could talk to the City Forester again regarding this tree.

12  
13 Commissioner Iverson stated the proposed new lots do meet the minimum requirement for the  
14 district but not the whole lot would be considered buildable. She asked what portion of the lots  
15 would be buildable. She has concerns that the scale of the home is too large for the buildable lot  
16 size.

17  
18 Mr. Gadow stated the code does not take this into consideration but he would have the  
19 information available for the City Council when they review the application.

20  
21 Chair Gonzalez opened the public hearing at 7:23 p.m.

22  
23 Ms. Cheri Morris, 663 Harmony Circle, Wayzata, expressed concerns with having two (2) 2-  
24 story homes in this location. She would prefer to have only one home on this property or have  
25 ramblers. The request for 2-story homes is an economic consideration for the developer. This is  
26 a middle-class neighborhood and families are moving there because it is affordable housing for  
27 them.

28  
29 Ms. Jeanne Osterby, 636 Harmony Circle, expressed concerns about the development. This is a  
30 unique neighborhood. The homes are ramblers and there are a couple of walkout basements.  
31 The new driveways would affect her driveway. The Comprehensive Plan tries to maintain the  
32 character of the neighborhood and this neighborhood does not have 2-story homes. The property  
33 is too small for two (2) homes this size. She would prefer to see one rambler or story and a half  
34 home on this property. She read an email from another neighbor, which expressed concerns  
35 about the traffic from the additional homes in this neighborhood.

36  
37 Ms. Nancy Engel, 645 Harmony Circle, Wayzata, this project greatly impacts her property and  
38 family because her home faces this property. She likes having the open property. She stated  
39 they understand that change would occur and Mr. Gullickson has been very willing to work with  
40 them. They are "ok" with whatever the City's decision is regarding the development. She  
41 would like to see the one tree saved if possible. She is concerned that the home closest to them  
42 would have all their windows facing their property but Mr. Gullickson is willing to work with  
43 these concerns.

1 Mr. Gordy Engel, 645 Harmony Circle, Wayzata, stated he would be alright with two (2) homes  
2 in this area and it would have a positive impact on the neighborhood to have two (2) families  
3 move in.

4  
5 Ms. Christine Cameron, 667 Harmony Circle, Wayzata, understands Mr. Gullickson's  
6 perspective in providing the amenities the floor plans offer. This is a good neighborhood for  
7 middle-class families. Two (2) homes would be a tight fit but having one large home would not  
8 fit the neighborhood either. She is concerned about the precedent that this subdivision would  
9 establish for future development of this neighborhood.

10  
11 There being no additional public comments, Chair Gonzalez closed the public hearing at 7:53  
12 p.m.

13  
14 Commissioner Gruber suggested Mr. Gullickson consider putting a smaller home on the parcels  
15 and try to save the oak tree. Mr. Gullickson is working with the neighborhood but today's  
16 market is for larger homes. The plans presented are out of character for this neighborhood and  
17 scaling the homes down would fit into this neighborhood better.

18  
19 Commissioner Vanderheyden stated there are no variances being requested so it is difficult to  
20 deny the application. The Commission does consider the fit in the neighborhood and two (2) 2-  
21 story homes does not fit the character of the neighborhood.

22  
23 Commissioner Young stated there are no variances and the developer is working with the  
24 neighborhood to address concerns but in a neighborhood that does not have 2-story homes they  
25 would be very different. This would not be setting a precedent for this neighborhood because  
26 there are only a couple of lots that would be large enough for a subdivision to even occur. He  
27 does have concern about the 2-story and would suggest the developer look at a home design that  
28 would be more in keeping with the character of the neighborhood.

29  
30 Commissioner Iverson expressed concerns that the City is pushing out young families by  
31 allowing more expensive homes to be built. She is also concerned about setting precedent for  
32 other development in this neighborhood and the scale of the homes is too large for the  
33 neighborhood. She suggested the developer also look at ways to save the oak tree.

34  
35 Commissioner Ramy stated he would rather live next to two (2) smaller homes than one (1) very  
36 large home and the homes proposed are modest in size compared to today's standards. There are  
37 no variances being requested so he would recommend moving it to the City Council with a  
38 suggestion the developer considers modifying the design of the homes to fit the neighborhood  
39 more and look at ways to save the oak tree.

40  
41 Commissioner Gnos stated there are no variances and the developer showed good faith by  
42 meeting with the neighborhood. He has heard more concerns about the homes being 2-story  
43 rather than having two (2) homes and he would suggest the developer look at other design  
44 options for the homes. He would also like to see the oak tree saved if possible.

1 Chair Gonzalez stated it meets the requirements of the R-3 District and the Developer is not  
2 requesting any variances but there are two (2) Ordinances the Commission should consider: the  
3 R-3 Single Family Zoning Ordinance and the Subdivision Ordinance. Section 3.1.B of the Staff  
4 Report, reference Subdivision Ordinance Section 805.14.E.2, which states that trees should be  
5 preserved and the Applicant is proposing to remove a tree that would be equal to a small grove.  
6 She suggested the Applicant consider angling the driveway to save this tree. She would like to  
7 have an opinion from the City Forester regarding this tree. She asked for clarification regarding  
8 the grading that would be required for the project.

9  
10 Mr. Gadow stated the applicant had revised their plans to closely match the existing grading and  
11 there would be removal of fill rather than bringing in fill.

12  
13 Chair Gonzalez stated if the property is raised a foot then the height of the building would be  
14 even greater.

15  
16 Mr. Gadow stated the height is calculated by taking data points around the building and using the  
17 average grading.

18  
19 Chair Gonzalez stated Section 3.1.E of the staff report references Subdivision Ordinance Section  
20 805.14.E.5, which states the creation of the lots shall not adversely impact the scale, pattern, or  
21 character of the City, its neighborhoods, or its commercial areas. The buildable area of these lots  
22 is not very large. The application did not include a landscaping plan and she is not clear on what  
23 steps would be taken to protect the existing wetlands to the north. She stated the runoff from the  
24 property should be trapped on the property. Section 3.1.H of the staff report references  
25 Subdivision Ordinance Section 805.14.E.8, which states the architectural appearance, scale,  
26 mass, construction materials, proportion and scale of roof line and functional plan of the building  
27 proposed should be similar to the characteristics and quality of existing development. These  
28 homes do not fit the character of the existing neighborhood.

29  
30 Commissioner Gruber suggested the developer consider scaling down the homes to better fit the  
31 existing character of the neighborhood.

32  
33 Commissioner Iverson stated she would like to see a landscape plan.

34  
35 Commissioner Young suggested if the tree is not diseased it should be part of the application that  
36 the developer attempts to save it.

37  
38 Chair Gonzalez asked if the Commission would want to ask the developer to come back to the  
39 Commission with revised plans and have the City Forester provide input regarding the tree or if  
40 the Commission is ready to make recommendations.

41  
42 Commissioner Iverson stated she would like to see it come back to the Commission so they are  
43 able to make recommendations to the City Council.

44  
45 Commissioner Gruber asked what the Commission's rights were in asking the application to  
46 come back.

1  
2 Mr. Gadow stated the Commission has the right to ask the Applicant to come back with  
3 additional information. He stated he would have to look at the time line for the development  
4 review.

5  
6 Commissioner Vanderheyden clarified the Commission is to consider the application being  
7 presented and can ask the Applicant if they would be interested in revising their application.  
8

9 Mr. Gadow stated the application is for two (2) 2-story homes on two (2) lots. The Commission  
10 can forward this to the City Council as is, forward to the City Council with conditions for  
11 approval, or ask the applicant to provide additional information on the questions brought up by  
12 the Commission.  
13

14 Mr. Gullickson stated he has added trees to the front and along the sides to replace the large tree  
15 being removed. The homes are positioned in order to provide privacy for the neighbors. He  
16 would prefer to move forward with the 2-story designs presented in the application.  
17

18 Commissioner Vanderheyden stated he would not support the project because it does not fit the  
19 character of the neighborhood. The tree is critical but it is only 10% of the total caliper inches  
20 for the property. He does not have an issue with the subdivision but would like to see the scale  
21 of the homes smaller.  
22

23 Commissioner Young stated he would recommend approval.  
24

25 Commissioner Gruber stated she would recommend approval with a condition that the developer  
26 attempt to save the tree.  
27

28 Chair Gonzalez stated she would recommend a condition that measures be taken to protect the  
29 wetlands.  
30

31 Commissioner Iverson stated she would recommend denial because Section 3.1.B, 3.1.D, 3.1.E,  
32 and 3.1.H do not meet the criteria set forth.  
33

34 Commissioner Ramy stated he is concerned about the scale but is willing to recommend  
35 approval with conditions.  
36

37 Commissioner Gnos stated he would recommend approval with the conditions.  
38

39 Chair Gonzalez stated this does not fit the neighborhood and does not meet the goals of the  
40 Comprehensive Plan of having affordable housing in the city so she would recommend denial.  
41

42 Commissioner Iverson stated this is the first time she has seen a builder not be willing to work  
43 with the City and she found this disturbing.  
44

45 Commissioner Gruber would be in favor of denying the application.  
46

Commissioner Young stated the condition of the tree should be known before making any requirements or suggestions on what to do. The total tree coverage is high. This is a lot that is going to be redeveloped and these homes coupled with the developer working with the neighborhood may work better in the long term. Finding a solution to the scale and preserving the tree may create other concerns that could result in variance requests or not work with what the neighborhood has asked for.

Chair Gonzalez stated the Applicant did work with the neighborhood but the width of the existing lot barely supports two (2) new lots. The City wants to have 20-feet between homes and the Engels home is only 2-feet from the property line so these homes would be too close together.

Commissioner Vanderheyden suggested tabling the discussion to allow the builder to consider changing the design and bring back at a future meeting for a vote. This would also allow time for the City Forester to comment on the tree. He clarified the new homes that are proposed would be conforming and the Engel's home is non-conforming.

Commissioner Vanderheyden made a motion, Seconded by Commissioner Gruber to table the discussion and ask the City to research the tree and allow the Developer to consider alternative home designs and bring back to the Commission on February 23, 2015. The motion carried 6-ayes; 1-nay (Gonzalez).

**b. 700 Lake St E. – Clock Tower Ventures LLC & CoV Restaurant**

- i. Amendment to CUP for twenty four (24) additional dining seats in an enclosed rear building addition**
- ii. Use of City Right-of-Way for storage**

Mr. Gadow stated Clock Tower Venture, LLC and CoV Restaurant desire to expand their existing private dining space by adding a 16-foot by 17-foot glass enclosed dining space at the rear of the building. The request requires an amendment to an existing 1988 Conditional Use Permit (CUP) and development agreement to increase the number of restaurant seats. The Applicant has included a request to the City Council for use of two (2) locations on adjacent City right-of-way for enclosed storage bins. He reviewed the parking requirements and considerations for the City Council.

Mr. Neil Weber explained where the additional storage would be and the design. He stated the updated parking analysis the City had done was recommending 2.71 per 1,000 for restaurant and retail. Since this is not currently the standard he asked if this project be required to follow current standards or the recommended standard.

Mr. Gadow stated this would depend on the timing of the project. At this time the City has not started the process of reviewing the Parking Ordinance and if the Ordinance were updated prior to approval of the application then the new standards would be used.

Mr. Dean Vlahos, 2129 Maplewood Road, Woodland, reviewed the addition to the private dining area and the need to accommodate larger corporate groups.

**WAYZATA PLANNING COMMISSION**  
**DRAFT MEETING MINUTES**  
**February 23, 2015**

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

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

Present at roll call were Commissioners: Gonzalez, Ramy, Vanderheyden, Young, and Gnos. Absent and Excused: Commissioners Iverson and Gruber. Director of Planning and Building Gadow was also present.

Chair Vanderheyden stated the minutes to be reviewed are from the February 2, 2015 meeting.

Commissioner Gonzalez stated she had provided corrections to Mr. Gadow.

Chair Vanderheyden stated on page 7, line 4, the word “stated” should be inserted after “Mr. Gadow.”

Commissioner Young made a motion, Seconded by Commissioner Gonzalez, to approve the February 2, 2015 meeting minutes as amended. The motion carried unanimously.

**AGENDA ITEM 2. Agenda Items:**

- a. **637 Harmony Circle – Fritz Gullickson (Continued from January 26, 2015)**
  - i. **Concurrent Preliminary and Final Plat for a Two (2) Lot Subdivision**

Mr. Gadow stated the Planning Commission began review of the application at their January 26 meeting. After conclusion of the public hearing, the Commission directed Staff to work with the Applicant to provide additional information on alternative house designs and a review of the existing oak tree on the property by the City Forester. He reviewed the alternate 1-1/2 story home designs proposed. The proposed homes would have heights of 28-feet and 30.4-feet. He also reviewed the report provided by Mr. Jordan from Heritage Shade Tree Consultants regarding the site inspection of the oak tree on the property. He stated he had also received an e-mail from the property owner to the north of Lot 1. This property owner would like to see a design that did not have windows on the side of the home and he would also like to see the oak tree saved. He also expressed concerns with how the driveways would align as related to his driveway.

Mr. Fritz Gullickson, 3443 Crystal Place, Orono, stated he had additional experts look at the oak tree to determine if this tree could be saved and their opinion was with the extensive excavating under the tree to remove the sewer it was unlikely the tree would survive. He also provided a rendering of a single 2-story home that he could be put on the parcel if the property was not subdivided.

1 Mr. Gadow stated the additional information provided by Mr. Gullickson had not been received  
2 by the City until shortly before the meeting and had not been reviewed by Staff.

3  
4 Commissioner Gonzalez asked if it would be possible to reduce the height of the home on Lot 2  
5 to 28-feet to match the height of the proposed home for Lot 1.

6  
7 Mr. Gullickson stated it might be possible to change the pitch of the roof enough but he does not  
8 believe that the 2-foot height difference would be noticeable. He explained he had brought down  
9 the front of the 2-story homes he had previously proposed in order to match the neighborhood.

10  
11 Chair Vanderheyden asked what the height of the proposed homes would be at the front.

12  
13 Mr. Gullickson stated the height would be approximately 32-feet for the side facing the street for  
14 the 2-story homes and approximately 30-feet for the 1-1/2-story homes.

15  
16 Commissioner Ramy asked if the proposed grading and utilities had changed with the new  
17 proposed home designs. He also asked how the new designs would impact the hardcover  
18 calculations. He clarified it was difficult to compare the different home designs without all the  
19 calculations being done.

20  
21 Mr. Gadow stated the grading plan provided is the same as the one included in the application  
22 reviewed at the January 26 meeting. The proposed 1-1/2 story homes did not change the  
23 grading, utilities or hardcover calculations significantly.

24  
25 Mr. Gullickson stated the foundation for both proposals would be the same. The only difference  
26 would be the shortening the height of the home by 2-feet by moving from a 2-story to a 1-1/2  
27 story home. He stated the pitch of the roof for the 2-story homes could be changed to bring the  
28 height down as well.

29  
30 Commissioner Ramy clarified the Commission had been concerned with the mass of a 2-story  
31 home in this neighborhood as well as the height. A 2-story home would be too large for this  
32 neighborhood. He stated he would like to see the Applicant calculate the elevations and  
33 hardcover. He would also like to know what the setbacks would be for the 1-1/2 story homes  
34 along with an updated grading plan.

35  
36 Mr. Gullickson stated the setbacks would not change because the foundation size for either home  
37 design would be approximately the same.

38  
39 Commissioner Gonzalez asked if there would be fill brought in for the project.

40  
41 Mr. Gullickson stated the lots are perfect for a walk-out basement and he would not expect to  
42 have any fill brought in or removed from the site because there would not be significant  
43 regarding done on the site.

44  
45 Mr. Gadow stated the elevation with the proposed 1-1/2-story homes would be the same as what  
46 had been proposed with the 2-story homes on January 26.

1  
2 Commissioner Ramy stated the City Forester had not stated if the tree would survive the  
3 construction.

4  
5 Mr. Gadow stated if the driveways stay where they are proposed it is unlikely the tree would  
6 survive the construction and it would be difficult to determine if it would survive if the  
7 driveways were moved.

8  
9 Commissioner Gonzalez asked what type of trees the Applicant had planned on planting.

10  
11 Mr. Gullickson stated there would be 5-6 large evergreens located between Lot 1 and Mr.  
12 Engel's home and 3 large maple trees planted in the front. There are several maple trees in the  
13 neighborhood currently.

14  
15 Chair Vanderheyden opened the public hearing at 7:28 p.m.

16  
17 Ms. Lisa Peterson-Nelson, 655 Harmony Circle, expressed concerns that having two (2) homes  
18 on this property would be too much and she would not like to see the oak tree removed. If the  
19 homes are scaled to match the neighborhood, it would work. She stated the City has parted from  
20 the charm of what the City use to be in exchange for bigger and better.

21  
22 Ms. Jeanne Osterby, 636 Harmony Circle, stated she would prefer to have only one (1) house on  
23 this property and for it to be a rambler or a true story and a half home, similar to the style that is  
24 currently in the neighborhood. There are other developments in Wayzata that are building  
25 ramblers so this is possible. The 1-1/2-story homes proposed appear to be 2-story homes and are  
26 taller than the 1-1/2 story homes currently in the neighborhood. She would also like to see the  
27 oak tree preserved. She does not believe the proposed homes fit the character of the  
28 neighborhood and if the subdivision is allowed, she would recommend having the driveways on  
29 the left side of the lot to allow the tree to be saved. She explained the proposed homes were also  
30 located closer to the road than the existing homes in the neighborhood.

31  
32 Ms. Cheri Morris, 663 Harmony Circle, stated she would prefer to have only one (1) rambler  
33 home built on this parcel and not two (2) larger 1-1/2 story homes. Two (2) homes on this  
34 property would be overwhelming.

35  
36 Chair Vanderheyden closed the public hearing at 7:43 p.m.

37  
38 Mr. Gullickson provided a rendering of the single home he would propose if the subdivision  
39 were not approved. This proposed home would meet all of the setback requirements including  
40 the 35-foot height maximum and would not require any variances. He explained he had  
41 provided all the setback information for the two (2) proposed homes and these homes would  
42 meet all of the requirements of the Code including the height. The foundation of the single home  
43 would be approximately 3300-feet including the garage.

44  
45 Commissioner Young asked how the front yard setback compared to other homes in the  
46 neighborhood.

1  
2 Mr. Gullickson stated the proposed homes would be closer to the street. He had talked with Mr.  
3 Gadow about the possibility of moving the homes back on the property but this would affect  
4 raise the height of the homes because of the drainage issues that would need to be addressed.

5  
6 Commissioner Ramy stated he would like to see the proposed homes be in line visually with the  
7 existing homes.

8  
9 Ms. Person-Nelson asked if the tree could be saved if the driveways were shifted.

10  
11 Commissioner Gonzalez stated it would be unlikely the tree would survive the excavation of the  
12 sewer line.

13  
14 Mr. Gullickson explained it could be possible to push the homes back on the lot farther to  
15 increase the front yard setback.

16  
17 Commissioner Young stated the proposal meets the requirements of the Ordinances so it comes  
18 down to the character and he believes pushing the homes back on the lot would fit in more with  
19 the neighborhood.

20  
21 Mr. Gullickson stated if the drainage could be worked out then he would be able to move the  
22 homes back from the street farther.

23  
24 Commissioner Gonzalez stated the character of the neighborhood would be altered and the  
25 proposal meets the requirements of the Ordinances. She clarified she could support the 1-1/2-  
26 story homes if they were set back farther on the property. She would recommend a condition of  
27 approval that the homes could not exceed 28-feet in height and the landscaping should be done  
28 with native trees in consultation with the City Forester.

29  
30 Commissioner Gnos stated the Applicant has been willing to work with the neighborhood and he  
31 would agree with the conditions proposed by Commissioner Gonzalez.

32  
33 Commissioner Ramy stated he would favor the two (2) home proposal over the one (1) larger  
34 home. He stated a maximum height of 28-feet would be reasonable and he would like to see the  
35 homes pushed back on the property. If these homes are moved on the property then a new  
36 grading plan would be required for the City Council to review and he would like to have the City  
37 Forester look at the potential for saving the oak tree under these circumstances.

38  
39 Chair Vanderheyden stated he would also prefer the two (2) homes and having the homes set  
40 back farther on the property. He would also like information on potentially saving the oak tree  
41 and the impacts if the driveways are relocated and the tree dies. He would also like to know  
42 what the height of the homes would be from the street view.

43  
44 Mr. Gadow suggested the Commission direct Staff to prepare a report and recommendation for  
45 the Commission to adopt at their next meeting.

Commissioner Gonzalez suggested adding the following conditions for approval: 1) The Developer follow the recommendations of the City Engineer detailed on page 7, Section 4.1, of the January 26, 2015 Staff Report, 2) Neither home exceed a total of 28-feet in height, 3) The applicant shall pay the park dedication fee as required by the Ordinance.

Chair Vanderheyden clarified if the homes were pushed back on the property the calculated height would be increase because the data points would change. This may increase the calculated height of the homes over 28-feet even though the actual designs have not changed.

Mr. Gadow stated there could be a condition the homes that the homes be pushed back on the property and the maximum height from the street level could not exceed 28-feet.

Commissioner Gonzalez suggested condition 2 be changed to: 2) the homes should be pushed back on the property 4-6 feet and the maximum height from the street level could not exceed 28-feet. She continued with the following conditions: 4) The Applicant shall take all necessary measures to prevent runoff into the wetlands at the back of the property during construction, 5) The Applicant shall work with the City Forester on a landscaping plan that would use native trees whenever possible, 6) the project shall meet all the performance standards as required by the Zoning Ordinance, 7) The Applicant shall construct the 1-1/2-story homes as presented and not the 2-story homes previously presented, and 8) Any deviation from the construction materials presented at the January 26 Planning Commission meeting should be approved by the City Council.

Commissioner Young stated based on the information provided it is likely the tree would not survive and he would like to see taken care of on the front end of the project. He felt the more important concerns were to bring down the height of the homes and setting them farther back on the property to match the character of the neighborhood.

Commissioner Gnos stated he would like to see the addition of the large spaded trees to replace the removal of the oak tree at this time rather than potentially have the oak tree die and no trees to replace it.

Commissioner Gonzalez made a motion, Seconded by Commissioner Ramy to direct Staff to prepare a report and recommendation for approval for the Concurrent Preliminary and Final Plat for a two (2) lot subdivision with the eight conditions outlined. The motion carried unanimously.

### **AGENDA ITEM 3. Other Items:**

#### **a. Review of Development Activities**

Mr. Gadow stated the next meeting, March 2, would be a 2 (two) lot sub-division for 151 Westwood Lane and a variance request for 123 Broadway Avenue North for hardcover. He stated there would be a Planning 101 training offered by WSB and Associates on March 7 and Commissioners were welcome to attend. He stated the City Council had approved the expansion request for CoV Restaurant and the right-of-way encroachment for one (1) container. The other



## WAYZATA PLANNING COMMISSION

March 2, 2015

### REPORT AND RECOMMENDATION OF APPROVAL OF CONCURRENT PRELIMINARY AND FINAL PLAT AT 637 HARMONY CIRCLE

DRAFT

---

#### SUMMARY OF RECOMMENDATION

Approval\* of Concurrent Preliminary and Final Plat for Two (2) Lot Subdivision

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

---

#### REPORT AND RECOMMENDATION

##### **Section 1. BACKGROUND**

1.1 Project. Mr. Fritz Gullickson (the "Applicant") has submitted a Development Application (the "Application") requesting concurrent preliminary and final plat subdivision approval (the "Subdivision" or the "Preliminary/Final Plat") to divide 37,565 SF parcel into two (2) new lots at 637 Harmony Circle (the "Property"). The previous residence on the Property was removed by the Applicant and the Property is currently vacant.

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

A. Concurrent Preliminary and Final Plat for two (2) Lot Subdivision of the Property (the "Proposed Subdivision")

1.3 Property. The property identification numbers and owners of the parcels comprising the property (the "Property") are:

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

- 1.4 Land Use. Uses in the general vicinity are entirely single family residential, with the area zoned for R-3 Single and Two Family Residential (9,000 SF minimum lot sizes).
- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Lakeshore Weekly* on January 13, 2015. A copy of the notice was mailed to all property owners located with 350 feet of the Property on January 15, 2015. The required public hearing was held at the January 26, 2015 Planning Commission meeting. Additional public comment was received at the February 23, 2015 Planning Commission meeting.

## Section 2. STANDARDS

- 2.1 Preliminary and Final Plat Subdivision. Chapter 805 of the Wayzata City Code, (the "Subdivision Ordinance") sets forth the procedure and substantive review criteria for applications for a subdivision. Before any plat can be recorded or of any validity, it must be referred to the City Planning Commission and approved by the City Council as having fulfilled the requirements of the Subdivision Ordinance. Section 805.15 of the Wayzata Subdivision Ordinance allows the City to review a proposed preliminary and final plat simultaneously.
- A. Goals. Under Section 805.2.b of the Subdivision Ordinance, subdivisions approved under the Subdivision Ordinance must be guided by the following:
1. Preserve and enhance Wayzata's "small town" character (Comprehensive Plan).
  2. Respect the existing scale, character and pattern of the City, recognizing existing neighborhoods and commercial areas (Wayzata Physical Plan).
  3. Provide a balanced housing supply available for all people no matter their income, age, race or ethnicity (Comprehensive Plan).
  4. Support a pedestrian environment at a human, not automotive scale (Wayzata Physical Plan).
  5. Relate development/redevelopment to the natural characteristics of the land to enhance the development through the preservation of attractive natural amenities (i.e., lakes, wetlands, creeks, wooded areas, slopes, etc.) (Comprehensive Plan).
- B. Criteria for Approval. Under Section 805.14.e of the Subdivision Ordinance, the Planning Commission must consider the possible adverse effects of a preliminary plat and report its findings and recommendation to City Council. Its judgment must be based upon, but not limited to, the following factors:

1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
2. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filling or grading.
4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
6. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
10. The proposed lot layout and building pads shall conform with all relevant performance standards.

11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
  12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.
- C. Concurrent Preliminary/Final Plat. Section 805.15 of the Subdivision Ordinance allows the City to review the preliminary and final plat simultaneously.
- D. Parkland Dedication. Section 805.37 of the Subdivision Ordinance requires a parkland dedication contribution for new single family lots at the time of recording of the Final Plat.

### Section 3. FINDINGS

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

#### 3.1 Proposed Subdivision.

- A. Goals. The Proposed Subdivision is consistent with the goals of the Subdivision Ordinance.
- B. Criteria for Approval.
1. The Project associated with the Proposed Subdivision is consistent with the Wayzata Comprehensive Plan. The proposed Subdivision conforms with the low density residential guidance of the Comp Plan for this area and the One Acre Single Family District. The proposed lots are 17,166 SF (Lot 1) and 20,399 SF (Lot 2).
  2. The building pads associated with the Project ("Proposed Building Pads") would not negatively impact any sensitive areas, however one (1) significant tree, a Bur Oak measuring thirty-four (34) inches in diameter, would be impacted by the Project.
  3. The Proposed Building Pads have been selected and located with respect to natural topography to minimize filling or grading, though the Commission would recommend a condition be attached to approval that the City Engineer's approval must be secured for a grading plan, prior to any construction work so that land disruption is minimized.

4. Existing significant trees would be retained where possible on the Property, with the exception on one (1) thirty-four (34) inch diameter Bur Oak tree. The Applicant proposes to install five (5) to six (6) evergreen trees along the northern property line of Lot 1 to serve as screening for the Property, and three (3) additional mature trees.
5. The creation of the proposed lots in the Proposed Subdivision would not adversely impact the scale, pattern or character of the City, its neighborhoods, as the lots would be consistent with the lots in the surrounding area in terms of lot area.
6. The design of the lots, the proposed building pads, and the site layout of the Proposed Subdivision responds to and is reflective of the surrounding lots and neighborhood character. The proposed lot layout provides for two larger sized lots that exceed the lot area minimum for the district.
7. The lot sizes that result from the Proposed Subdivision would not be dissimilar from adjacent lots or lots found in the surrounding neighborhood. The proposed lots conform with and exceed the R-3 District and Comprehensive Plan minimums for lot area.
8. The building plans originally submitted with the Application were not similar to the architectural appearance, scale, mass, proportion and scale of roof lines and functional plans of existing development in the surrounding neighborhood. As recommended by the Planning Commission at its January 26, 2015 meeting, the Applicant has provided two (2) alternative building plans for two story residences for the Property, which are included as Attachment A. The Planning Commission finds that the plans on Attachment A better reflect and are similar to the architectural appearance, scale, mass, proportion and scale of roof lines and functional plans of existing development in the surrounding neighborhood.
9. The proposed lot layout and Proposed Building Pads of the Proposed Subdivision would conform will all relevant performance standards.
10. The Proposed Subdivision is not likely to tend to or actually depreciate the values of neighboring properties in the area in which it is proposed.
11. The Proposed Subdivision would be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

- C. Parkland Dedication. A parkland dedication fee in lieu of land under Section 805.37 of the Subdivision Ordinance for the new single family lots must be made at the time of recording of the Final Plat.

#### **Section 4. RECOMMENDATION**

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends approval of the Proposed Subdivision and Final Plat (Attachment B), subject to the following conditions:
- A. The Applicant and/or future homeowners shall construct the residences in the Proposed Subdivision according to the alternative residential building plans presented to the Planning Commission on February 23, 2015, included as Attachment A to this Report. Any alternative or substantially modified final building plans that differ materially from those depicted in Attachment A to this Report must be reviewed by the Planning Commission and approved by the City Council to ensure that such building plans would result in buildings that are similar to the characteristics and quality of the existing homes in the neighborhood as required under Section 805.14.E.8.
  - B. The Applicant and/or future homeowners shall construct the residential buildings with the same high quality materials as presented by the Applicant at the Planning Commission's January 26, 2015 meeting. Any deviations from such building materials must be reviewed by the Planning Commission and approved by the City Council to ensure that the building materials are compatible with the characteristics and quality of the existing homes in the neighborhood as required under Section 805.14.E.8 and 805.14.E.9.
  - C. The Applicant and/or future homeowners must work with the City Forester on a landscape plan for Lots 1 and 2, which incorporate native trees and plants, and at least five (5) to six (6) evergreens between Lot 1 and the property at 645 Harmony Circle, and three (3) additional mature trees on the Property.
  - D. The Applicant and/or future homeowners must construct the proposed residences (depicted in Attachment A), in such a manner that neither home exceeds twenty eight (28) ft in height as viewed and measured from the adjacent street.
  - E. The Applicant and/or future homeowners must construct the proposed residence on Lot 2 (depicted in Attachment A) with an additional front yard setback of four (4) to six (6) ft, for a total front yard setback of 27.9 ft to 29.9 ft, to be more in line with adjacent property front yard setbacks.
  - F. The Applicant and/or future homeowners must construct the proposed residence on Lot 1 (depicted in Attachment A) with an additional front yard setback of four (4) to six (6) ft for a total front yard setback of 36 ft to 38 ft.

- G. The Applicant and/or future homeowners must take all necessary measures, as directed by the City Engineer, to prevent water runoff into the wetlands in the rear of the Property during construction.
- H. 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.
- I. The Applicant and/or future homeowners shall ensure that the Project meets all of the performance standards required by the City's Zoning Ordinance.
- H. The following comments of City Staff outlined in the Planning Report on the Application dated January 26, 2015 must be incorporated into the Final Plat:
  - 1. Existing services (water) shall be abandoned at main if less than one inch (1").
  - 2. New water services shall be one inch (1") minimum.
  - 3. Existing service sewer shall be televised to document structural integrity prior to reconnection.
  - 4. Existing storm sewer on north parcel shall be relocated and easement recorded.
- J. The Applicant and/or future homeowners must secure all necessary building permits for construction, and conform to all laws and regulations applicable to the Project.
- K. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.
- L. The Applicant must pay the required Park Dedication Fee for each new single family lot at the time of recording of the Final Plat, as required under Section 805.37.
- M. The Applicant must record the Final Plat document with the appropriate Hennepin County officials within one hundred twenty (120) days in conformance with Section 805.15.E.7, and provide a recorded copy to the City.

Adopted by the Wayzata Planning Commission this \_\_\_\_\_ day of March 2015.

Voting In Favor:

Voting Against:

Abstaining:

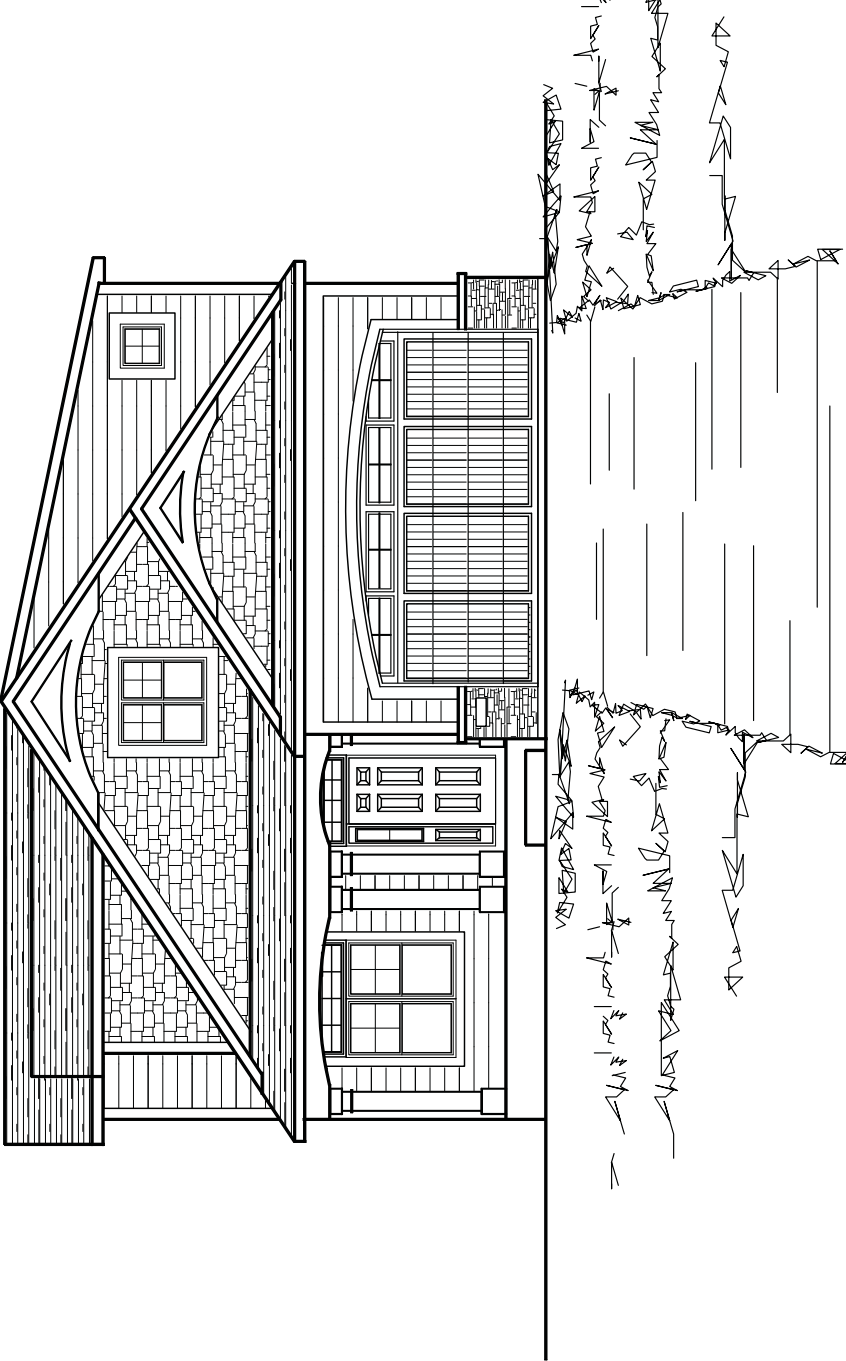
Chair, Planning Commission

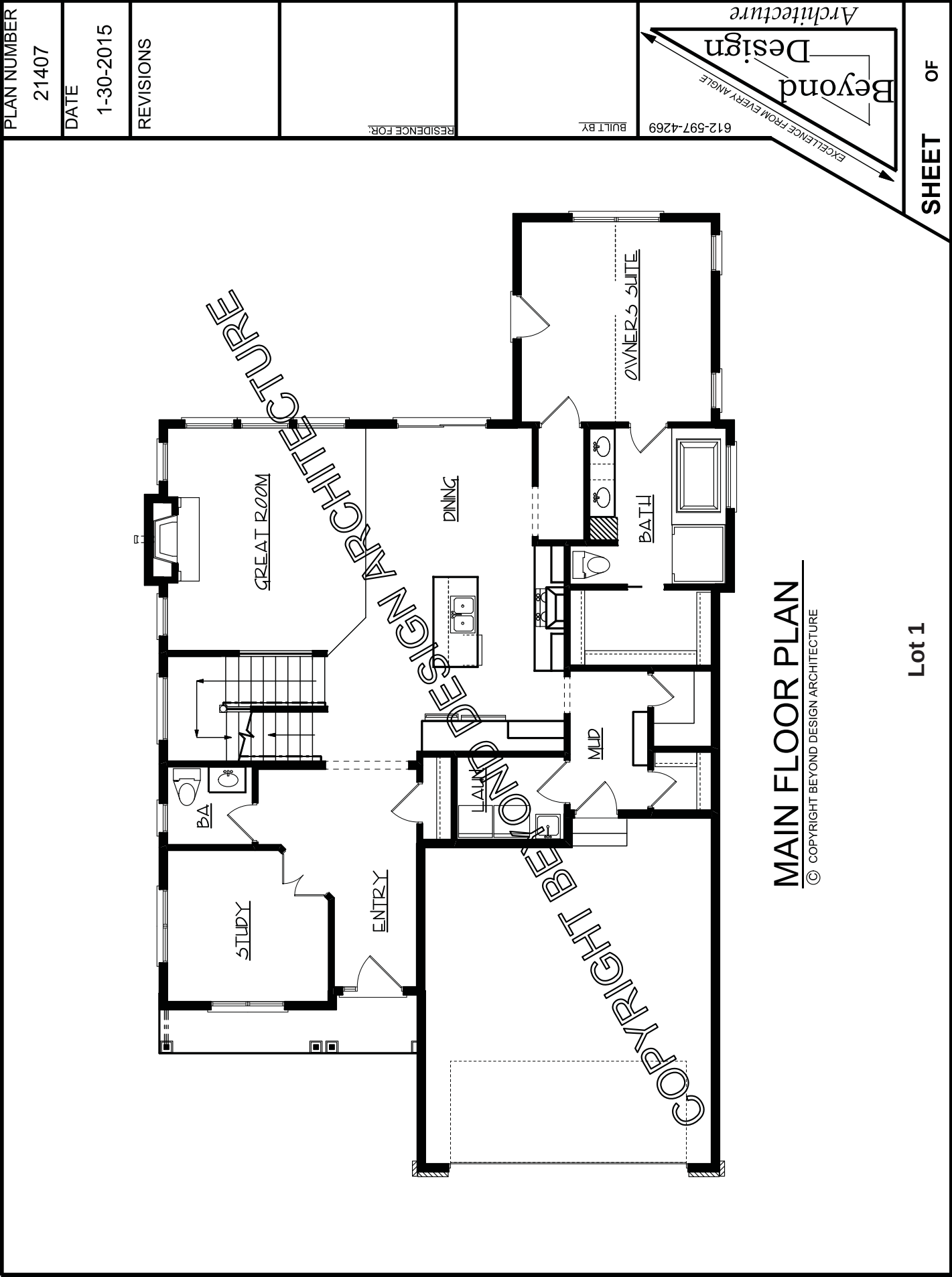
DRAFT

Attachment A

Alternative Single Family Residential Building Plans for Lots 1 and 2, Block 1, Bailey Woods

DRAFT

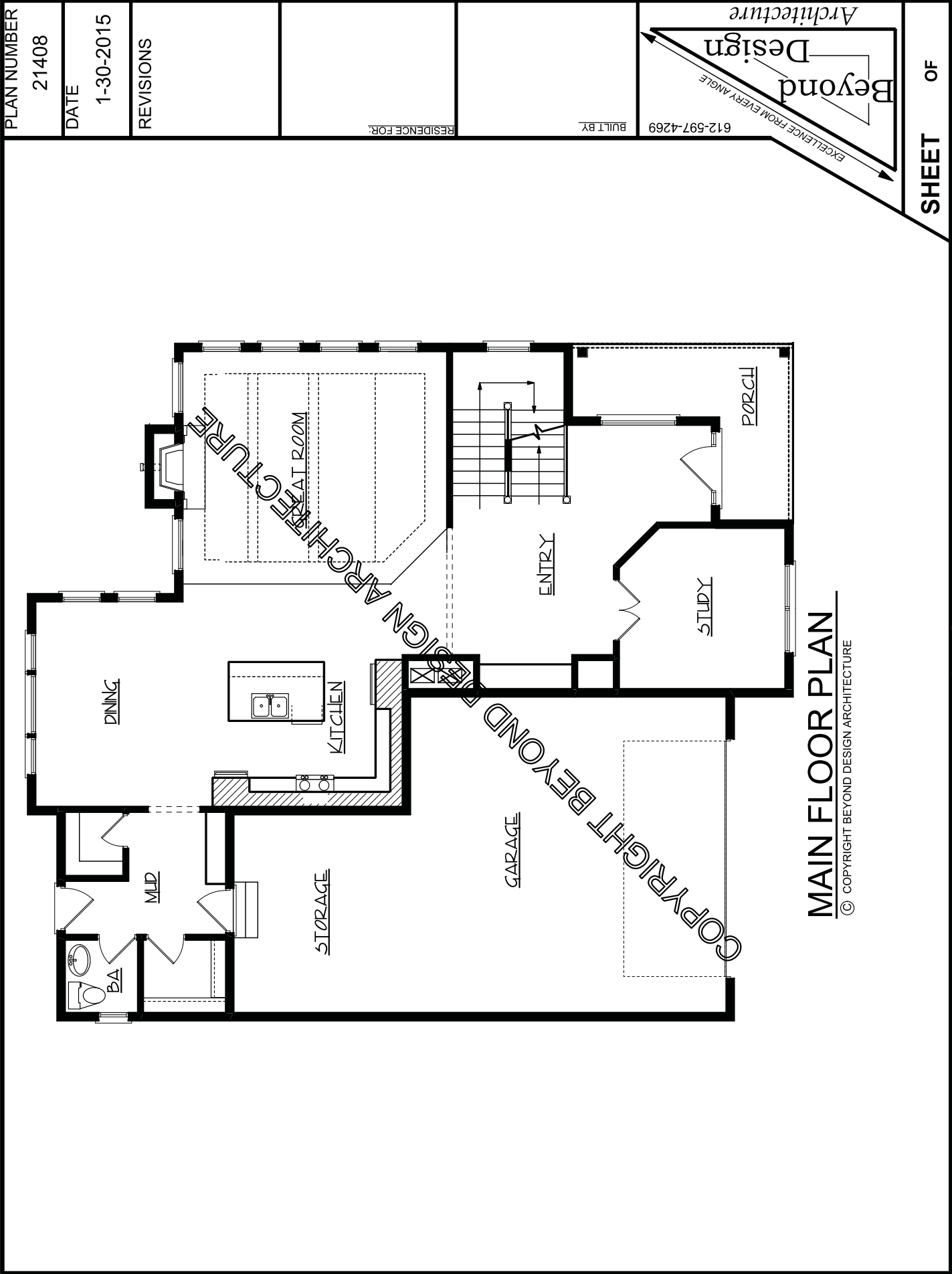
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|-------------------------------------------------------------------------------------|--|-------------------|--|-----------|--|----------------|--|-----------|--|--------------|--|------------------------------------------------------------------------------|--|----------|--|
| PLAN NUMBER<br>21407                                                                |  | DATE<br>1-30-2015 |  | REVISIONS |  | RESIDENCE FOR: |  | BUILT BY: |  | 612-597-4269 |  | <div>EXCELLENCE FROM EVERY ANGLE</div> <div>Beyond Design Architecture</div> |  | SHEET OF |  |
|  |  |                   |  |           |  |                |  |           |  |              |  |                                                                              |  | Lot 1    |  |
| <div>FRONT ELEVATION</div> <div>© COPYRIGHT BEYOND DESIGN ARCHITECTURE</div>        |  |                   |  |           |  |                |  |           |  |              |  |                                                                              |  |          |  |

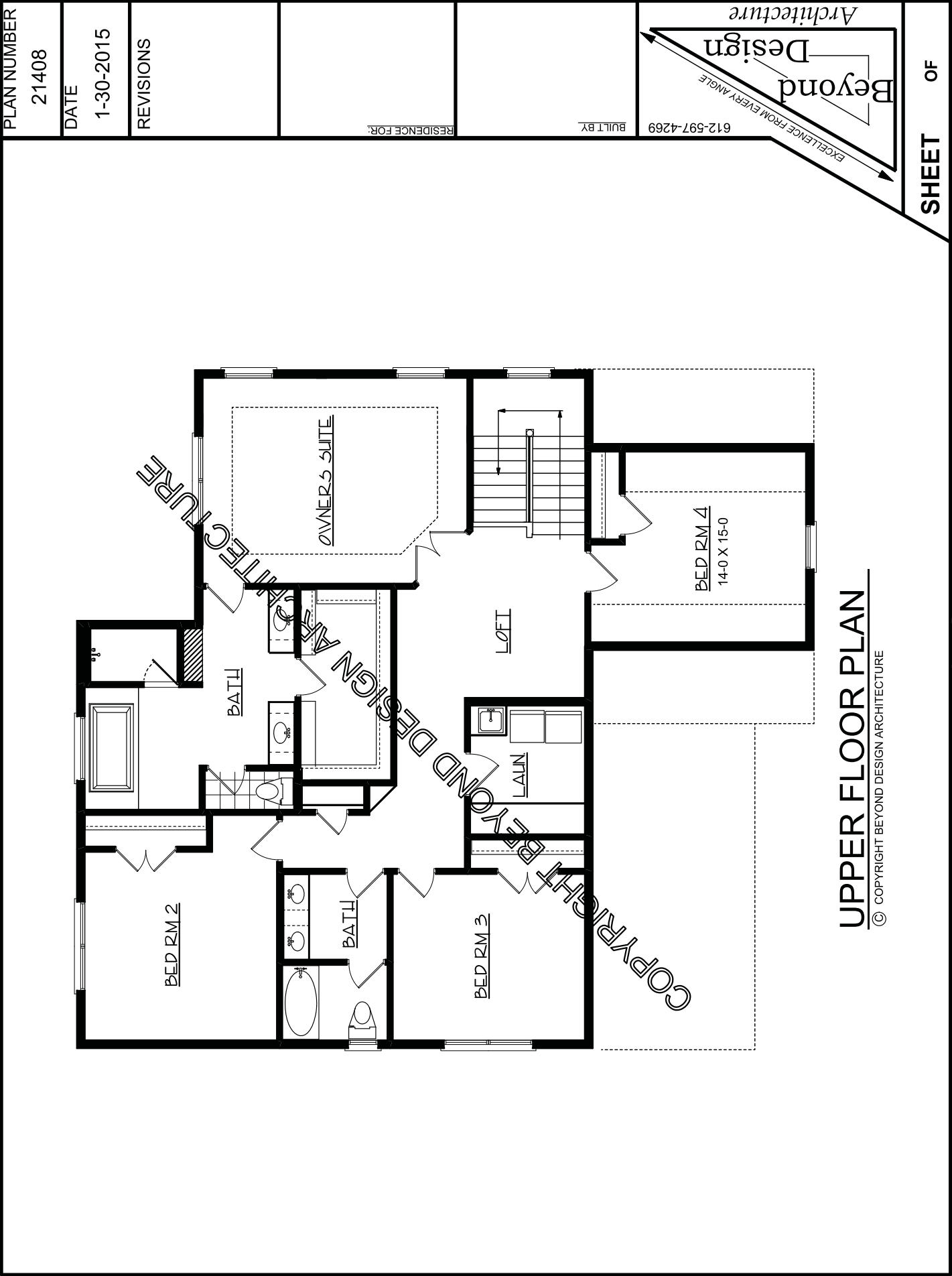


© COPYRIGHT BEYOND DESIGN ARCHITECTURE

## Lot 1

|                                                                                     |  |                                                                                      |  |
|-------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------|--|
|  |  | <p><b>FRONT ELEVATION 1/4"= 1'-0"</b><br/>© COPYRIGHT BEYOND DESIGN ARCHITECTURE</p> |  |
| <p>PLAN NUMBER<br/>21408</p>                                                        |  | <p>DATE<br/>1-30-2015</p>                                                            |  |
| <p>REVISIONS</p>                                                                    |  | <p>RESIDENCE FOR:</p>                                                                |  |
| <p>BUILT BY:</p>                                                                    |  | <p>612-597-4269</p>                                                                  |  |
| <p>Architectural<br/>Design<br/>Beyond<br/>Architecture</p>                         |  | <p>EXCELLENCE FROM EVERY ANGLE</p>                                                   |  |
| <p>SHEET</p>                                                                        |  | <p>OF</p>                                                                            |  |







Lot 2

Attachment B

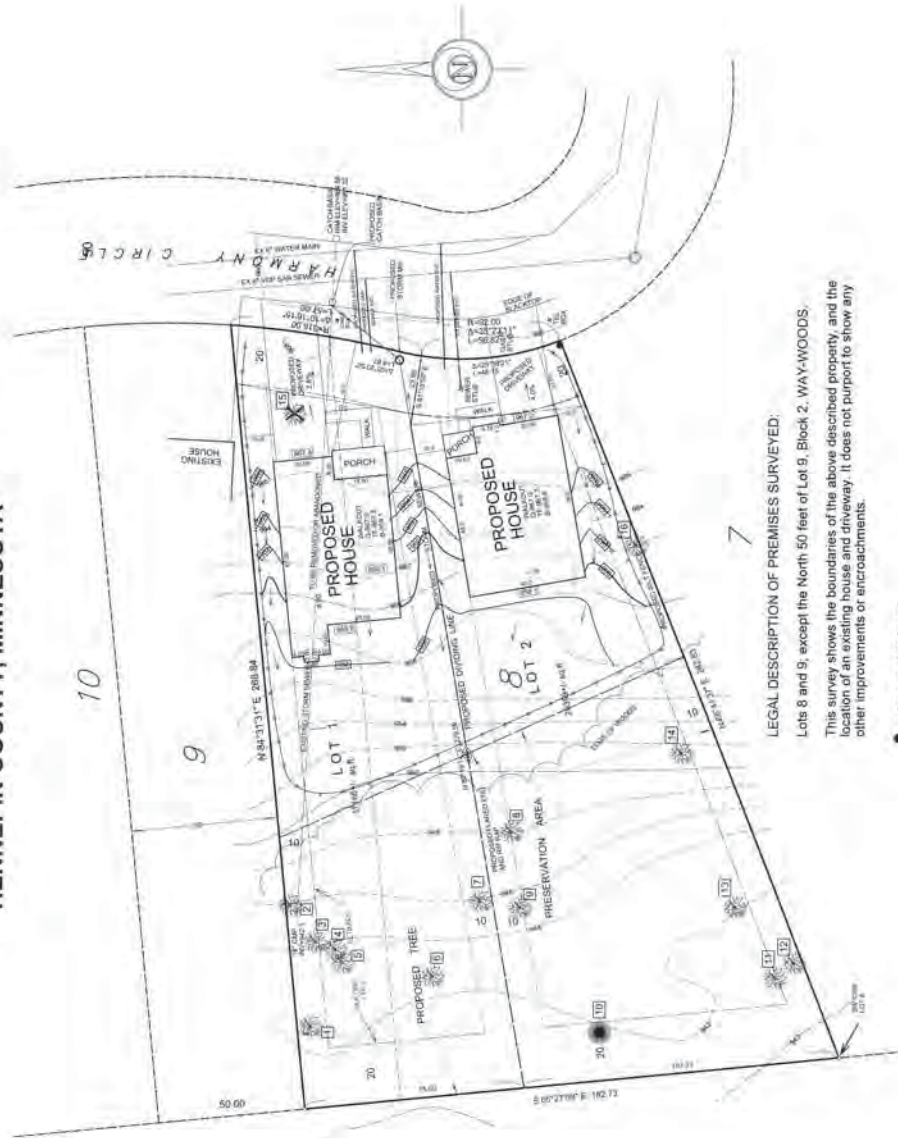
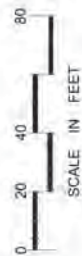
Preliminary and Final Plat Application Materials

DRAFT

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

|                                |              |
|--------------------------------|--------------|
| <b>HARD COVER CALCULATIONS</b> |              |
| LOT 1                          | 17168+- S.F. |
| HOUSE                          | 2162+-       |
| PORCH                          | 180+-        |
| DRIVEWAY                       | 100+-        |
| WALK                           | 792+-        |
| TOTAL                          | 3234+- S.F.  |
| 3234/17168 = 18.84%            |              |
| LOT 2                          | 20399+- S.F. |
| HOUSE                          | 2164+-       |
| PORCH                          | 85+-         |
| DRIVEWAY                       | 76+-         |
| WALK                           | 421+-        |
| TOTAL                          | 2746+- S.F.  |
| 2746/20399 = 13.46%            |              |

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



## LEGAL DESCRIPTION OF PREMISES SURVEYED:

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

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

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

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



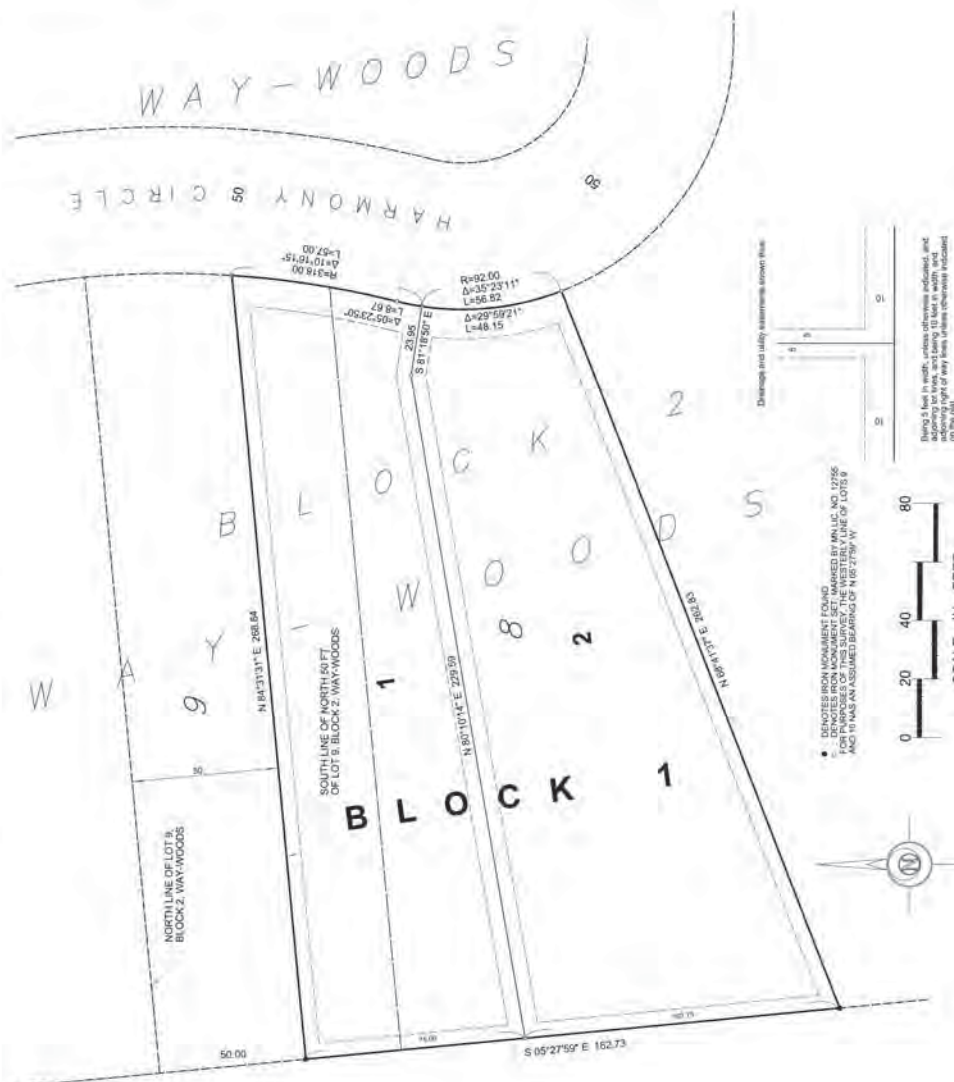
|       |       |
|-------|-------|
| 1-200 | 1-200 |
| 1-200 | 1-200 |
| 1-200 | 1-200 |
| 1-200 | 1-200 |

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

DATE: 11-25-14  
DRAWN: [Signature]  
CHECKED: [Signature]  
DESIGNED: [Signature]

| DATE     | BY | REVISIONS               |
|----------|----|-------------------------|
| 11-25-14 |    | TREES ADDED             |
| 11-25-14 |    | PROPOSED GRADING        |
| 11-25-14 |    | REVISED HOUSES, GRADING |

**BAILEY WOODS**



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

**DRAFT RESOLUTION NO. 13-2015**

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

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

**Section 1. BACKGROUND**

1.1 Project. Mr. Fritz Gullickson (the "Applicant") has submitted a Development Application (the "Application") requesting concurrent preliminary and final plat subdivision approval (the "Subdivision" or the "Preliminary/Final Plat") to divide 37,565 SF parcel into two (2) new lots at 637 Harmony Circle (the "Property"). The previous residence on the Property was removed by the Applicant and the Property is currently vacant.

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

A. Concurrent Preliminary and Final Plat for two (2) Lot Subdivision of the Property (the "Proposed Subdivision")

1.3 Property. The property identification numbers and owners of the parcels comprising the property (the "Property") are:

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

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

1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Lakeshore Weekly* on January 13, 2015. A copy of the notice was mailed to all property owners located with 350 feet of the Property on January 15, 2015. The required public hearing was held at the January 26, 2015 Planning Commission meeting. Additional public comment was received at the February 23, 2015 Planning Commission meeting.

1.6 Planning Commission Action. The Planning Commission reviewed the Application and held a public hearing at their January 26, 2015 meeting. The Planning Commission continued review of the Application to February 23, 2015 to request additional information of the Applicant and Staff. The Planning Commission continue review and received additional public comment at their February 23, 2015 meeting. The Planning Commission voted five (5) in favor and zero (0) opposed to direct staff to prepare a draft *Planning Commission Report and Recommendation*, recommending approval of the Application with

conditions, for review at their March 2, 2015 meeting. The *Planning Commission Report and Recommendation* was adopted by the Planning Commission on a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

## Section 2. STANDARDS

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

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

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

B. Criteria for Approval. Under Section 805.14.e of the Subdivision Ordinance, the Planning Commission must consider the possible adverse effects of a preliminary plat and report its findings and recommendation to City Council. Its judgment must be based upon, but not limited to, the following factors:

1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
2. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife

habitat, trees and vegetation, scenic points, historical locations, or similar community assets.

3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filling or grading.
4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
6. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
10. The proposed lot layout and building pads shall conform with all relevant performance standards.
11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to

transportation and utility systems, and will not overburden the City's service capacity.

- C. Concurrent Preliminary/Final Plat. Section 805.15 of the Subdivision Ordinance allows the City to review the preliminary and final plat simultaneously.
- D. Parkland Dedication. Section 805.37 of the Subdivision Ordinance requires a parkland dedication contribution for new single family lots at the time of recording of the Final Plat.

### Section 3. FINDINGS

The City Council of the City of Wayzata hereby confirms and memorializes that the Concurrent Preliminary and Final Plat depicted in the Application meets the applicable requirements of Wayzata's Zoning and Subdivision Ordinances, based upon the following findings of fact made on the record (as well as all Application materials, staff reports, public comment presented at the hearing, and the Recommendation of the Planning Commission):

#### 3.1 Proposed Subdivision.

- A. Goals. The Proposed Subdivision is consistent with the goals of the Subdivision Ordinance.
- B. Criteria for Approval.
  - 1. The Project associated with the Proposed Subdivision is consistent with the Wayzata Comprehensive Plan. The proposed Subdivision conforms with the low density residential guidance of the Comprehensive Plan for this area and the One Acre Single Family District. The proposed lots are 17,166 SF (Lot 1) and 20,399 SF (Lot 2).
  - 2. The building pads associated with the Project ("Proposed Building Pads") would not negatively impact any sensitive areas, however one (1) significant tree, a Bur Oak measuring thirty-four (34) inches in diameter, would be impacted by the Project.
  - 3. The Proposed Building Pads have been selected and located with respect to natural topography to minimize filling or grading, although a condition of approval is that the City Engineer's approval must be secured for a grading plan, prior to any construction work so that land disruption is minimized.

4. Existing significant trees would be retained where possible on the Property, with the exception on one (1) thirty-four (34) inch diameter Bur Oak tree. The Applicant proposes to install five (5) to six (6) evergreen trees along the northern property line of Lot 1 to serve as screening for the Property, and three (3) additional mature trees.
5. The creation of the proposed lots in the Proposed Subdivision would not adversely impact the scale, pattern or character of the City, its neighborhoods, as the lots would be consistent with the lots in the surrounding area in terms of lot area.
6. The design of the lots, the proposed building pads, and the site layout of the Proposed Subdivision responds to and is reflective of the surrounding lots and neighborhood character. The proposed lot layout provides for two larger sized lots that exceed the lot area minimum for the district.
7. The lot sizes that result from the Proposed Subdivision would not be dissimilar from adjacent lots or lots found in the surrounding neighborhood. The proposed lots conform with and exceed the R-3 District and Comprehensive Plan minimums for lot area.
8. The building plans originally submitted with the Application were not similar to the architectural appearance, scale, mass, proportion and scale of roof lines and functional plans of existing development in the surrounding neighborhood. As recommended by the Planning Commission at its January 26, 2015 meeting, the Applicant has provided two (2) alternative building plans for two story residences for the Property, which are included as Attachment A. The City Council finds that the plans on Attachment A better reflect and are similar to the architectural appearance, scale, mass, proportion and scale of roof lines and functional plans of existing development in the surrounding neighborhood.
9. The proposed lot layout and Proposed Building Pads of the Proposed Subdivision would conform will all relevant performance standards.
10. The Proposed Subdivision is not likely to tend to or actually depreciate the values of neighboring properties in the area in which it is proposed.
11. The Proposed Subdivision would be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

- C. Parkland Dedication. A parkland dedication fee in lieu of land under Section 805.37 of the Subdivision Ordinance for the new single family lots must be made at the time of recording of the Final Plat.

#### **Section 4. CITY COUNCIL ACTION**

- 4.1 Based on the Findings of this Resolution, the request for approval of the Concurrent Preliminary and Final Plat Subdivision as set forth in the Application (Attachment B), is hereby **APPROVED** subject to all of the following conditions (failure to comply with any one of these conditions shall result in the revocation of this approval):
- A. The Applicant and/or future homeowners shall construct the residences in the Proposed Subdivision according to the alternative residential building plans presented to the Planning Commission on February 23, 2015, included as Attachment A to this Resolution. Any alternative or substantially modified final building plans that differ materially from those depicted in Attachment A to this Resolution must be reviewed by the Planning Commission and approved by the City Council, prior to issuance of a building permit, to ensure that such building plans would result in buildings that are similar to the characteristics and quality of the existing homes in the neighborhood as required under Section 805.14.E.8.
  - B. The Applicant and/or future homeowners shall construct the residential buildings with the same high quality materials as presented by the Applicant at the Planning Commission's January 26, 2015 meeting. Any deviations from such building materials must be reviewed by the Planning Commission and approved by the City Council, prior to issuance of a building permit, to ensure that the building materials are compatible with the characteristics and quality of the existing homes in the neighborhood as required under Section 805.14.E.8 and 805.14.E.9.
  - C. The Applicant and/or future homeowners must work with the City Forester on a landscape plan for Lots 1 and 2, which incorporate native trees and plants, and at least five (5) to six (6) evergreens between Lot 1 and the property at 645 Harmony Circle, and three (3) additional mature trees on the Property.
  - D. The Applicant and/or future homeowners must construct the proposed residences (depicted in Attachment A), in such a manner that neither home exceeds twenty eight (28) ft in height as viewed and measured from the adjacent street.
  - E. The Applicant and/or future homeowners must construct the proposed residence on Lot 2 (depicted in Attachment A) with an additional front yard

setback of four (4) to six (6) ft, for a total front yard setback of 27.9 ft to 29.9 ft, to be more in line with adjacent property front yard setbacks.

- F. The Applicant and/or future homeowners must construct the proposed residence on Lot 1 (depicted in Attachment A) with an additional front yard setback of four (4) to six (6) ft for a total front yard setback of 36 ft to 38 ft.
- G. The Applicant and/or future homeowners must take all necessary measures, as directed by the City Engineer, to prevent water runoff into the wetlands in the rear of the Property during construction.
- H. 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.
- I. The Applicant and/or future homeowners shall ensure that the Project meets all of the performance standards required by the City's Zoning Ordinance.
- H. The following comments of City Staff outlined in the Planning Report on the Application dated January 26, 2015 must be incorporated into the Final Plat:
  - 1. Existing services (water) shall be abandoned at main if less than one inch (1").
  - 2. New water services shall be one inch (1") minimum.
  - 3. Existing service sewer shall be televised to document structural integrity prior to reconnection.
  - 4. Existing storm sewer on north parcel shall be relocated and easement recorded.
- J. The Applicant and/or future homeowners must secure all necessary building permits for construction, and conform to all laws and regulations applicable to the Project.
- K. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.
- L. The Applicant must pay the required Park Dedication Fee for each new single family lot at the time of recording of the Final Plat, as required under Section 805.37.
- M. The Applicant must record the Final Plat document with the appropriate Hennepin County officials within one hundred twenty (120) days in conformance with Section 805.15.E.7, and provide a recorded copy to the City.

Adopted by the Wayzata City Council this \_\_\_\_ day of March, 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

Alternative Single Family Residential Building Plans for Lots 1 and 2, Block 1, Bailey Woods

PLAN NUMBER  
21407

DATE  
1-30-2015

REVISIONS

RESIDENCE FOR:

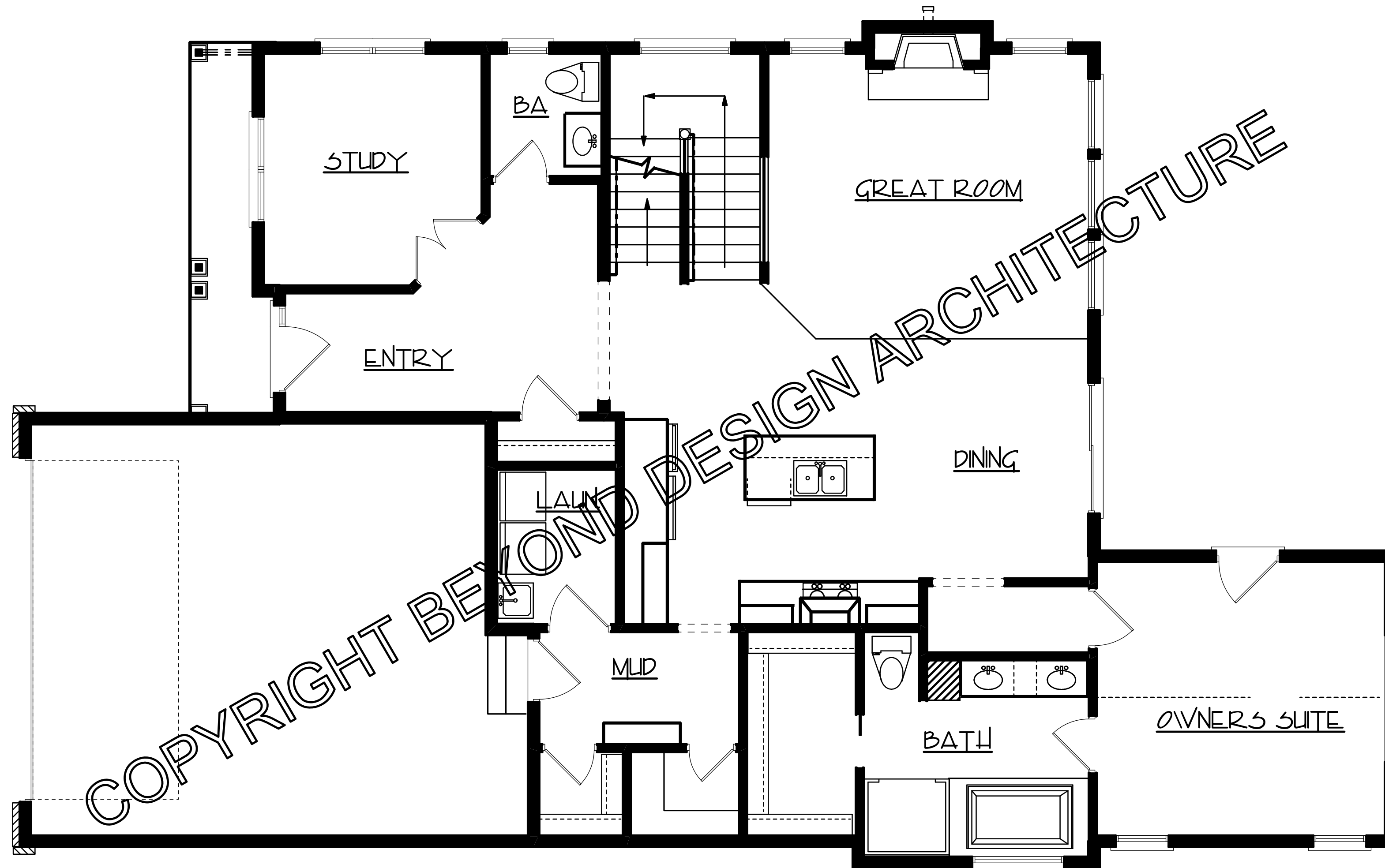
BUILT BY:

612-597-4269  
EXCELLENCE FROM EVERY ANGLE  
**Beyond Design**  
Architecture



**FRONT ELEVATION**  
© COPYRIGHT BEYOND DESIGN ARCHITECTURE

**SHEET**      **OF**



# MAIN FLOOR PLAN

© COPYRIGHT BEYOND DESIGN ARCHITECTURE

PLAN NUMBER  
21407

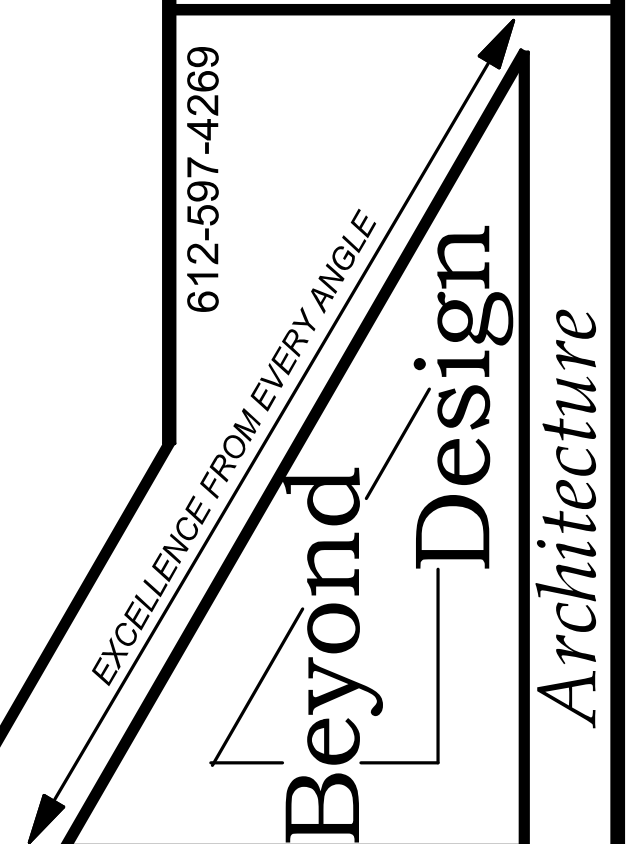
DATE  
1-30-2015

REVISIONS

RESIDENCE FOR:

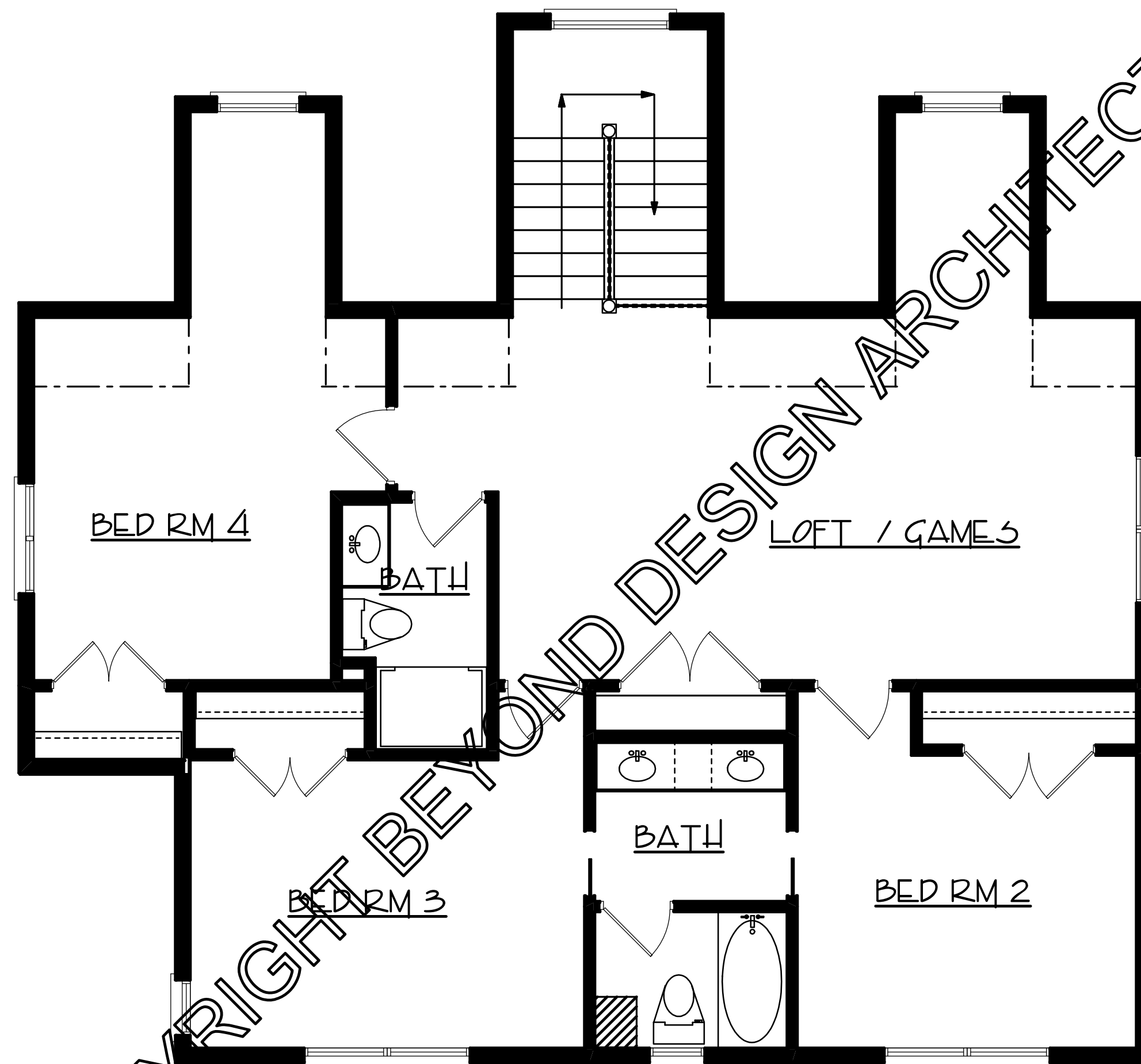
BUILT BY:

612-597-4269



SHEET OF

COPYRIGHT BEYOND DESIGN ARCHITECTURE



**UPPER FLOOR PLAN**  
© COPYRIGHT BEYOND DESIGN ARCHITECTURE

PLAN NUMBER  
21407

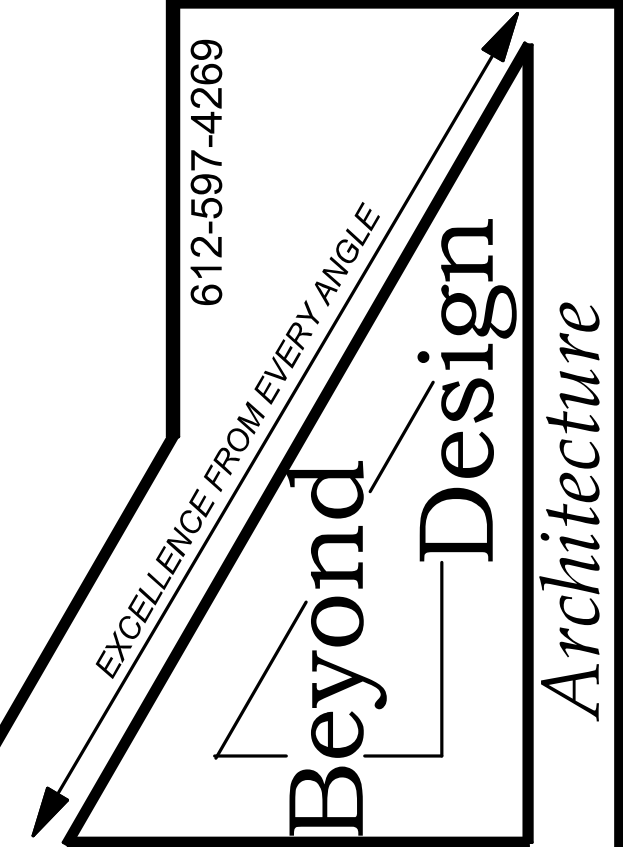
DATE  
1-30-2015

REVISIONS

RESIDENCE FOR:

BUILT BY:

612-597-4269



**SHEET**      **OF**



PLAN NUMBER  
21408

DATE  
1-30-2015

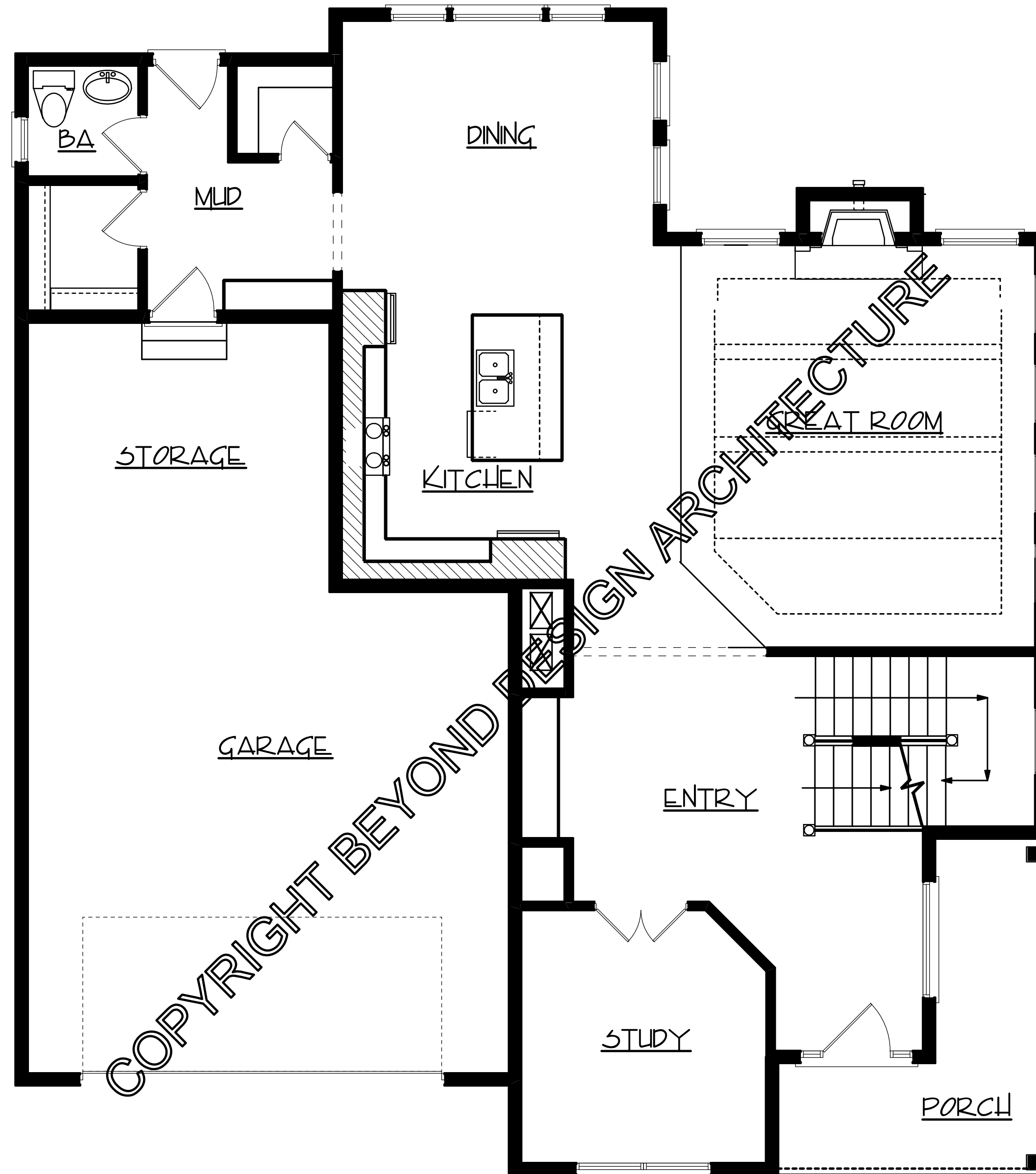
REVISIONS

RESIDENCE FOR:

BUILT BY:

612-597-4269  
EXCELLENCE FROM EVERY ANGLE  
Beyond Design  
Architecture

SHEET OF



MAIN FLOOR PLAN

© COPYRIGHT BEYOND DESIGN ARCHITECTURE

PLAN NUMBER  
21408

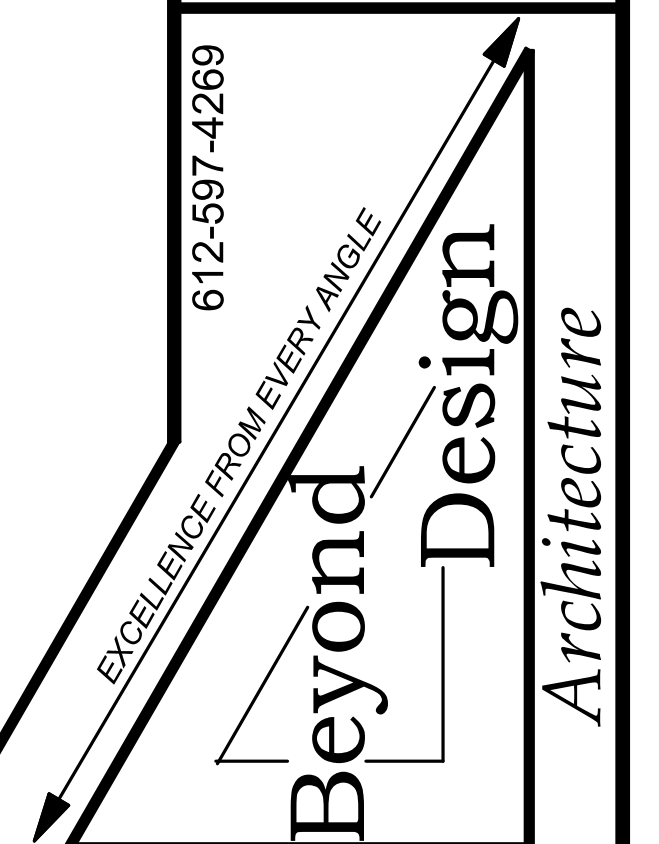
DATE  
1-30-2015

REVISIONS

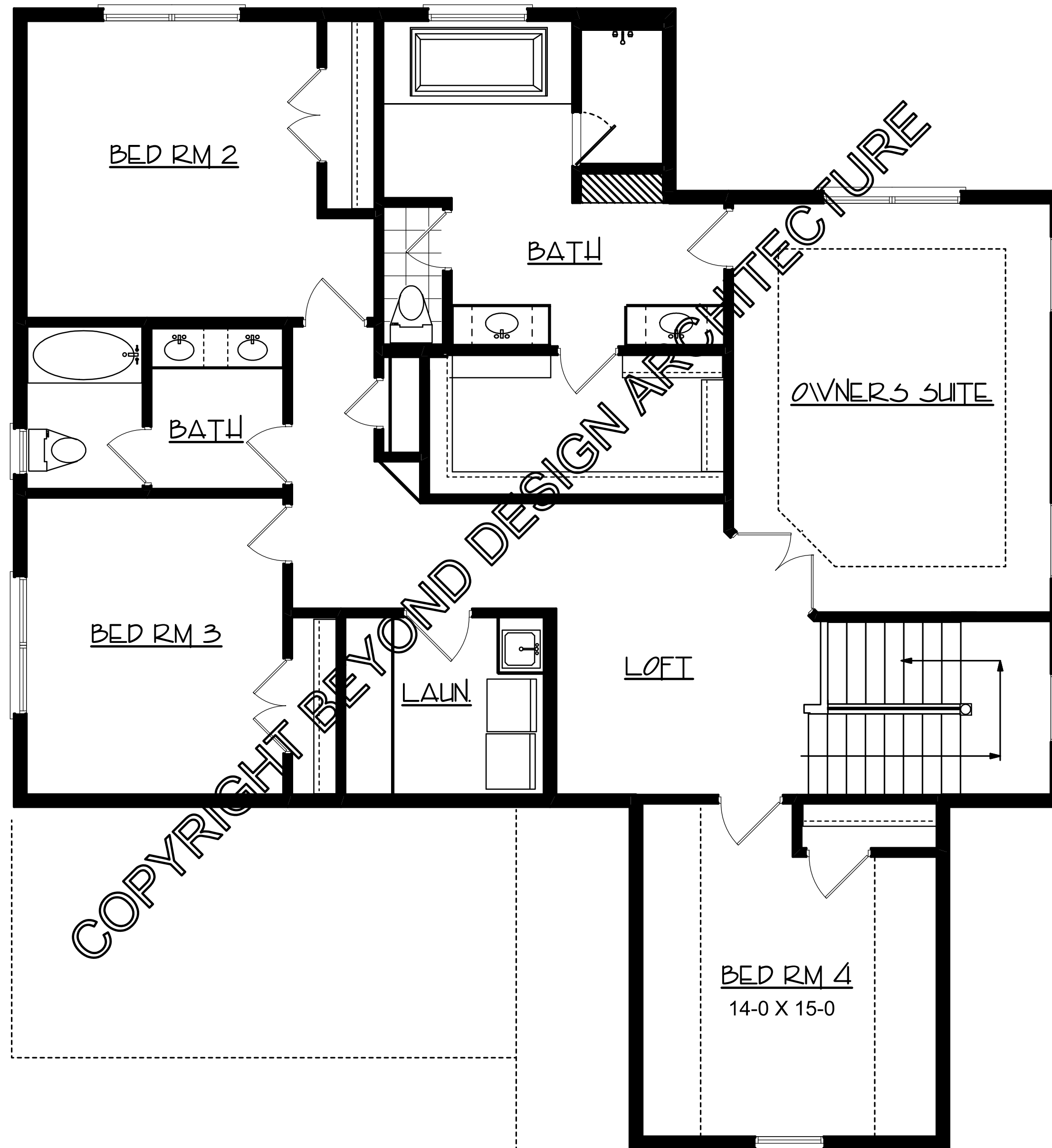
RESIDENCE FOR:

BUILT BY:

612-597-4269



SHEET OF



# UPPER FLOOR PLAN

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PLAN NUMBER  
21408

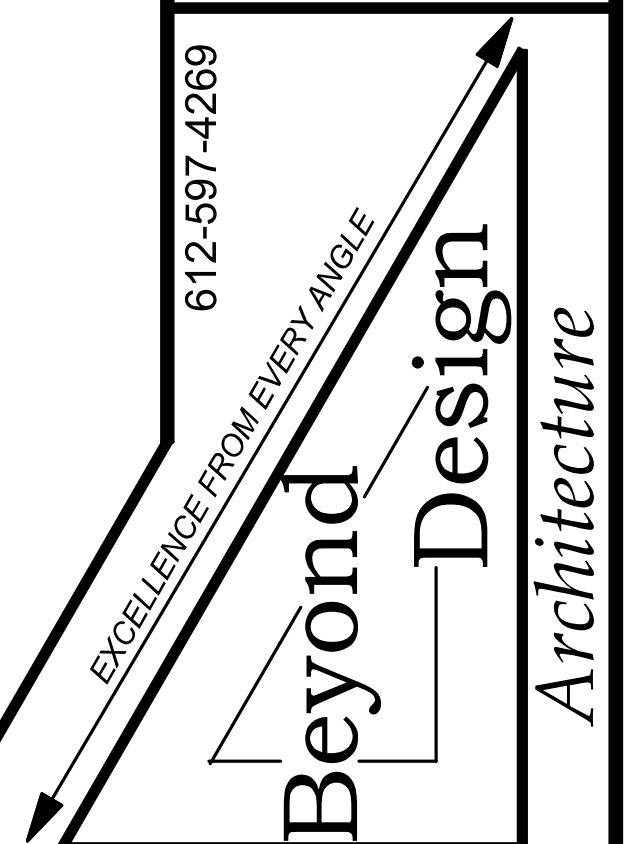
DATE  
1-30-2015

REVISIONS

RESIDENCE FOR:

BUILT BY

612-597-4269



SHEET OF



Attachment B

Preliminary and Final Plat Application Materials

HARDCOVER CALCULATIONS

LOT 1 17166+- S.F.

HOUSE 2162+-  
PORCH 180+-  
DRIVEWAY 100+-  
WALK 792+-  
TOTAL 3234+- S.F.  
3234/17166 = 18.84%

LOT 2 20399+- S.F.

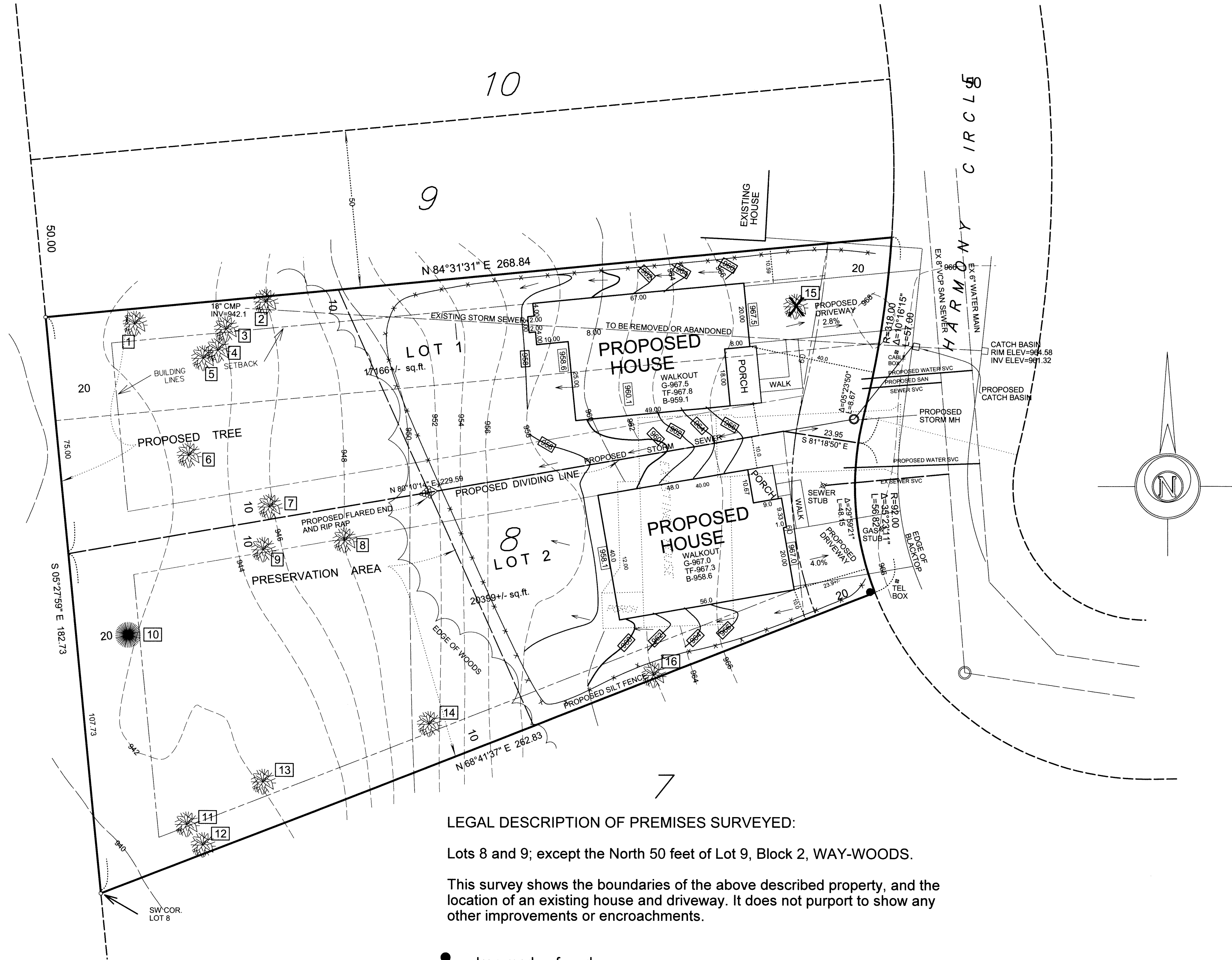
HOUSE 2164+-  
PORCH 85+-  
DRIVEWAY 76+-  
WALK 421+-  
TOTAL 2746+- S.F.  
2746/20399 = 13.46%

TREE INVENTORY

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

(TO BE REMOVED) X

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



LEGAL DESCRIPTION OF PREMISES SURVEYED:

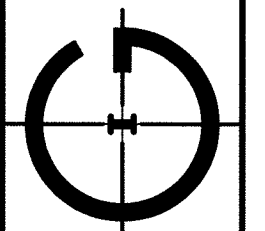
Lots 8 and 9; except the North 50 feet of Lot 9, Block 2, WAY-WOODS.

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

- : Iron marker found
- : Iron marker set
- 960.1 : Proposed spot elevation
- 958 : Existing contour line
- 950 : Proposed contour line

Bearings shown are based upon an assumed datum  
NOTE: Topo is from Henn. Co. Nat. Res. website

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



1-20-14  
10-28-14  
14-343  
SHEET OF SHEETS

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.  
DATE 1-22-15 MNN LICENSE NUMBER 12255

| DESIGNED |    | REVISIONS              |         |
|----------|----|------------------------|---------|
| DATE     | BY | REMARKS                |         |
| 11-20-14 |    | TREES ADDED            | DRAWN   |
| 11-25-14 |    | PROPOSED GRADING       | CHECKED |
| 1-22-15  |    | REVISED HOUSES GRADING |         |

# BAILEY WOODS

Know all persons by these presents that Fritz J. Gullickson, single, fee owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

Lots 8 and 9, EXCEPT the north 50 feet of said Lot 9, Block 1, WAY-WOODS

Has caused the same to be surveyed and platted as BAILEY WOODS, and does hereby dedicate to the public for public use forever the drainage and utility easements as shown on the plat.

In witness whereof said Fritz J. Gullickson, single, and hereunto set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

FRITZ J. GULLICKSON  
STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_) The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Fritz J. Gullickson, single.

Notary Public, \_\_\_\_\_ County, \_\_\_\_\_ Notary's printed name  
My commission expires \_\_\_\_\_

I, Mark S. Gronberg, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands as defined in Minnesota Statutes, Section 505.01, Subd.3 as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Mark S. Gronberg Licensed Land Surveyor and Engineer  
Minnesota License Number 12755

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_) The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Mark S. Gronberg, Land Surveyor and Engineer.

Notary Public, \_\_\_\_\_ County, \_\_\_\_\_ Notary's printed name  
My commission expires \_\_\_\_\_

WAYZATA, MINNESOTA  
This plat of BAILEY WOODS was approved and accepted by the City Council of Wayzata, Minnesota, at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City, or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes, Section 505.03, Subd. 2.

CITY COUNCIL OF WAYZATA, MINNESOTA  
\_\_\_\_\_, Mayor  
\_\_\_\_\_, Clerk

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

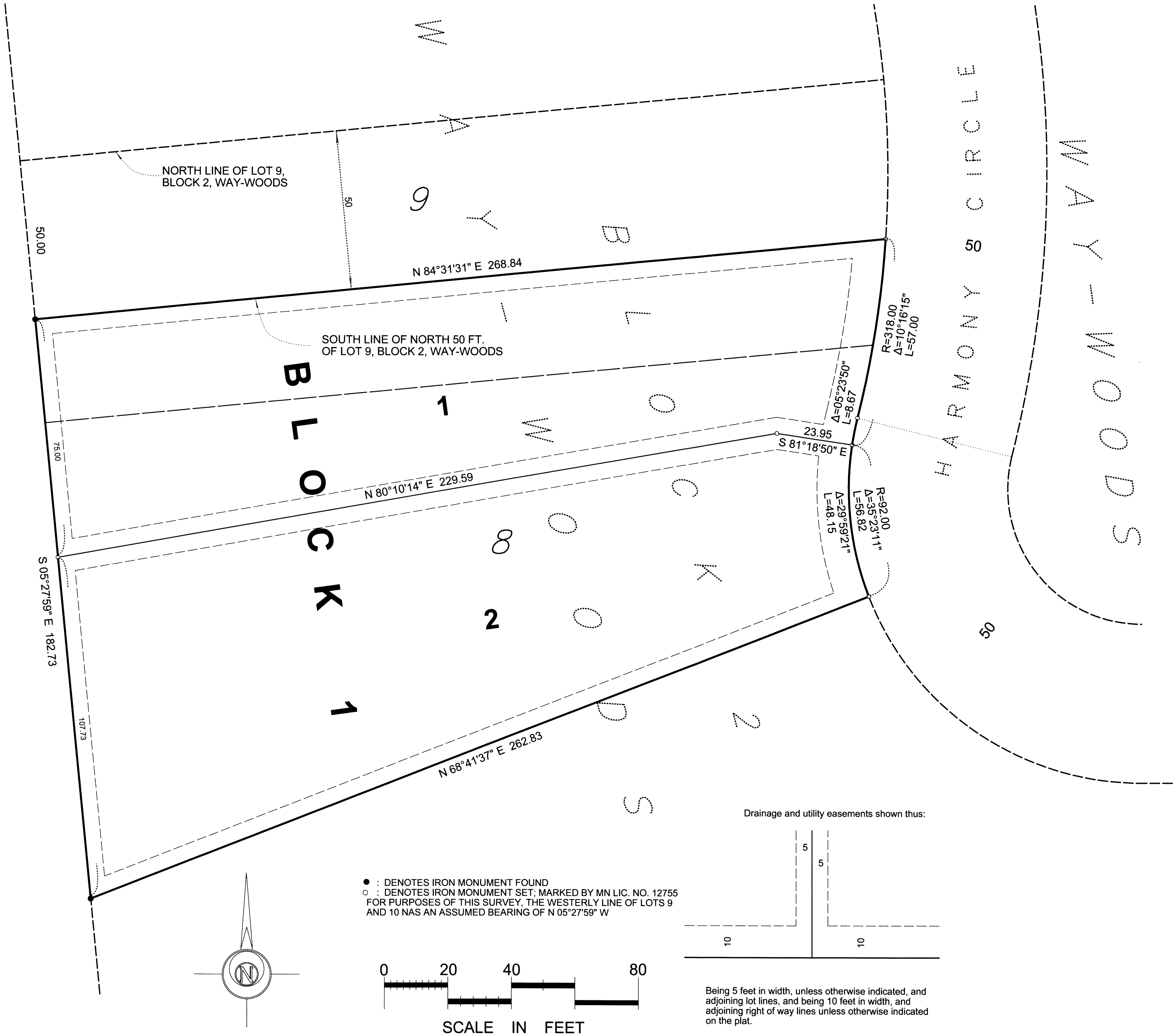
MARK V. CHAPIN, HENNEPIN COUNTY AUDITOR  
By \_\_\_\_\_, Deputy

SURVEY DIVISION, HENNEPIN COUNTY, MINNESOTA  
Pursuant to MINN. STAT. Sec. 383B.565, (1969), this plat has been approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

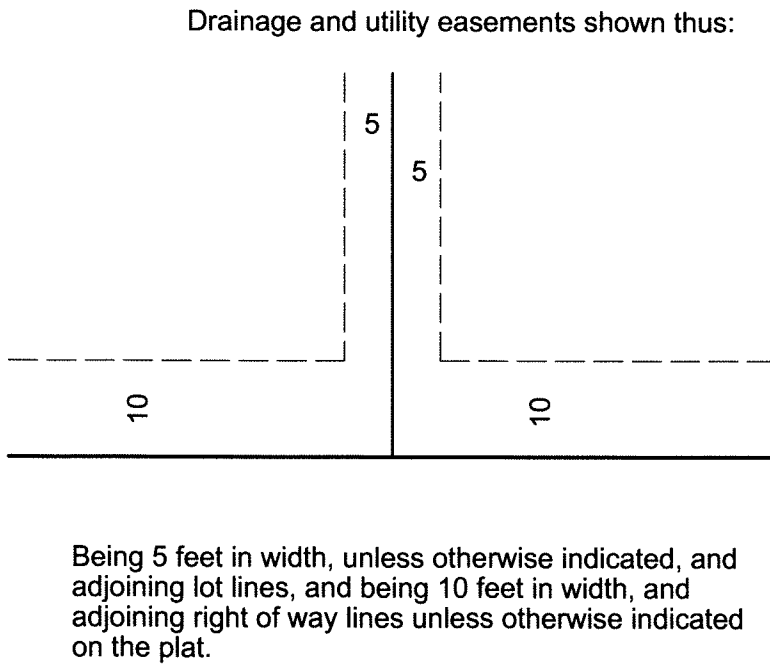
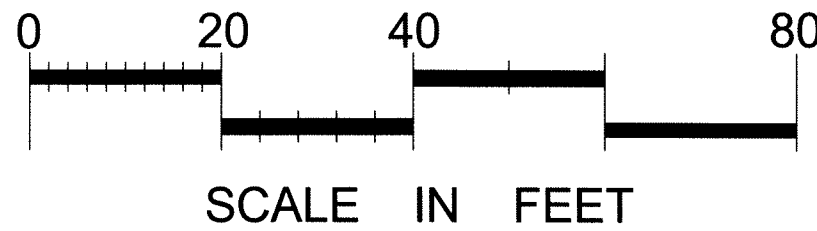
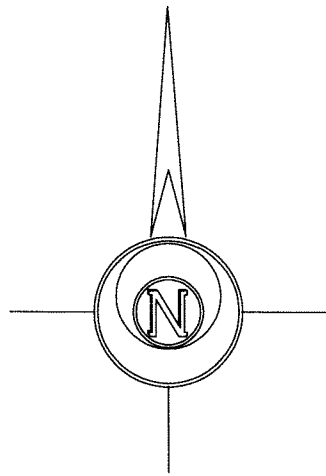
CHRIS F. MAVIS, HENNEPIN COUNTY SURVEYOR  
By \_\_\_\_\_

COUNTY RECORDER, HENNEPIN COUNTY, MINNESOTA  
I hereby certify that the within plat of BAILEY WOODS was recorded in this office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M.

MARTIN MCCORMICK, HENNEPIN COUNTY RECORDER  
By \_\_\_\_\_, Deputy



• : DENOTES IRON MONUMENT FOUND  
○ : DENOTES IRON MONUMENT SET; MARKED BY MN LIC. NO. 12755  
FOR PURPOSES OF THIS SURVEY, THE WESTERLY LINE OF LOTS 9 AND 10 HAS AN ASSUMED BEARING OF N 05°27'59" W



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

## *Memorandum*

**DATE:** February 24, 2015  
**TO:** City Council  
**FROM:** Wayzata City Attorney  
**REGARDING:** Wireless Facilities and Tower Moratorium

---

The City Council at its last meeting decided to move towards decommissioning use of the Gardner Street water tower for telecommunications equipment. As part of the decommissioning process the Council has directed staff to:

1. Investigate Alternate Sites to determine the viability to relocate existing tenants to one or more telecommunication towers, including:
  - A. Wayzata West Middle School site (east or west end of school property adjacent to TH 12)
  - B. West and East end Sites
    - a. West End
      - i. Public Works Grounds
    - b. East End
      - i. Mn/DOT Out Lot north of Holdridge Lane
      - ii. Mn/DOT Out Lot east of Crosby Rd by existing Lift Station #21
      - iii. Telcom Site on 1411 Wayzata Blvd E Property (Private Property)
2. Perform an Aerial Video Flyover of potential telecommunication tower locations
3. Investigate the possibility of Constructing New Telecom Tower(s) as early as 2017
  - A. Establish timeline for siting and construction of new telecommunication tower(s) based on input from telecommunication consultants and legal
  - B. Pursue Rehabilitation of Existing Water Tower in 2018
4. Draft Letter to Existing Telecommunication Tenants Informing them that the existing Water Tower and Ground Site will no longer be available after their Leases Expire
  - A. AT&T lease expires: 04/01/2021
  - B. Sprint lease expires: 01/01/2018
  - C. T-Mobile lease expires: 01/01/2018
  - D. Verizon Wireless lease expires: 01/01/2022
5. Further discussions with Wayzata School District officials regarding the possible agreement on use of its property for telecommunication purposes including construction of a telecommunications tower
6. Draft Telecommunications Policy
7. Adopt Telecommunications Ordinance before Telecommunication Moratorium expires

As the staff and Council consider alternative sites, we recommend that the telecommunications facilities ordinance and any associated city policy be completed. Those documents will guide both City staff and service providers on the location of telecommunication facilities in the city.

Given all of these moving parts, we also recommend that a moratorium prohibiting the placement of any new commercial telecommunication facilities (as opposed to typical residential equipment, such as satellite dishes) be adopted in order to avoid any third parties placing equipment/towers in locations that would not be allowed under the forthcoming ordinance. We believe this moratorium will also be helpful to staff as they start negotiating with current tenants of the water tower about the relocation of their equipment.

The proposed moratorium ordinance is attached.

**DRAFT ORDINANCE NO. \_\_\_\_\_**

**AN INTERIM ORDINANCE IMPOSING A SIX MONTH MORATORIUM  
ON NEW WIRELESS COMMUNICATIONS FACILITIES AND TOWERS  
PENDING STUDY AND CONSIDERATION OF CHANGES TO  
THE CITY'S REGULATIONS AND OFFICAL CONTROLS**

**THE CITY OF WAYZATA ORDAINS:**

**PREAMBLE**

The Wayzata City Council declares that there is an immediate, pressing, and emergency need to place a moratorium on any new wireless communications facilities and towers, including antennas, monopoles, towers and accessory equipment, but not including smaller scale private residential communications devices, such as satellite dishes, television and radio antennas, or similar communication transmission/reception devices ("Wireless Facilities").

Based on the information presented by City Staff during the City Council Meeting of March 3, 2015, and the information reviewed and discussed at previous City Council meetings on the need for updates to the City's policies and ordinances related to Wireless Facilities and related services, the Wayzata City Council finds that the relocation of existing Wireless Facilities and the siting of new Wireless Facilities in the City has the potential to negatively impact the health, safety and welfare of the City of Wayzata if not properly guided and regulated, and the City needs time to study the issue and make any necessary and appropriate changes to the City's policies, ordinances and official controls. To give the City such time, and to protect and preserve the public peace, health, morals, safety and welfare of the City and its citizens, a study of the matter should be authorized and a moratorium immediately put in place.

**AUTHORIZATION OF STUDY**

**Authorization of Study.** City staff is hereby directed to undertake a study to determine whether, or to what extent, the City's policies and official controls, including the Zoning Ordinance, should be revised to address Wireless Facilities and related services.

**MORATORIUM**

**Moratorium Imposed.** Pursuant to Minnesota Statue 462.355, subd. 4 and the Wayzata City Charter, the Wayzata City Council of Wayzata hereby imposes a six (6) month moratorium prohibiting any new Wireless Facilities within the city limits of Wayzata.

**Scope of Moratorium.** During the moratorium, the City shall not accept, issue or process any application of any kind for use of real property anywhere within the City for or related to a new Wireless Facility. Any such application received by the City is hereby denied by City Council based on the findings referenced in this Ordinance. Nothing in this Interim Ordinance shall prohibit or limit the use of any existing Wireless Facilities, including ordinary servicing and maintenance, and upgrades to existing Wireless Facilities as allowed by existing leases.

**Effective Date and Duration.** This Ordinance shall become effective immediately upon adoption and shall expire, without further action of the City Council, one year from its effective date.

Adopted by the City Council of Wayzata, Minnesota this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

---

Kenneth Willcox  
Mayor

**ATTEST:**

---

Heidi Nelson  
City Manager

000043/204032/2075446\_1