

WAYZATA CITY COUNCIL MEETING AGENDA
Wayzata City Hall Community Room, 600 Rice Street
Tuesday, July 19, 2016

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

WORKSHOP TOPICS FOR DISCUSSION:

- 1. Discuss Administration Staffing Needs (5:00 PM)**
- 2. Discuss Peter Herfurth's Proposal to Purchase Mill Street and Superior/Lake Street Properties (5:30 PM or immediately following)**
- 3. Discuss Updated Noise Wall Study (6:00 PM or immediately following)**

7:00 PM - CITY COUNCIL MEETING

ITEM	DESCRIPTION	PRESENTER	JM	AM	KW	BA	ST	VOTE	PAGE #
1	Roll Call								
2	Approve Agenda								
3	Public Forum - 15 Minutes (3 min/person)								
a.	Recognition of Retiring Building Official Don Johaneson	Willcox							
b.	State Senator David Osmek - Update on Legislative Session	Osmek							
c.	Tom Shaver - HRA Chair - Annual Report from HRA	Shaver							
d.	Dan Baasen - LMCD Chair - LMCD Update	Baasen							
4	New Agenda Items (3 min/councilmember) - 1. Councilmember suggest item to add; 2. Must be seconded by another Councilmember; 3. Determine staff resources, scheduling & timeframe; 4. Discuss & vote to add to future agenda								
a.									
5	Consent Agenda								2
a.	Approval of City Council Workshop Meeting Minutes of July 5, 2016 and City Council Regular Meeting Minutes of July 5, 2016								
b.	Approval of Check Register								
c.	Municipal Licenses Which Received Administrative Approval (Informational Only)								
d.	Police Activity Report								
e.	Building Activity Report								
f.	Approval of Second Reading of Ordinance #757 - Tree Preservation Ordinance								
g.	Approval of Preliminary Plans for a New Home at 141 Wooddale Ave.								
h.	Approval of Fourth Amendment to AT&T Lease Agreement								
i.	Mediacom Quarterly Customer Service Report								
j.	Accept Dr. J. David McGill's Resignation from the Housing and Redevelopment Authority, and Charter Commission								
6	New Business								
a.	Update on Telecommunication Feasibility Study Update	Dudinsky							135
b.	Consider Resolution No. 23-2016 Denying Meyer Place on Ferndale Redevelopment Project-105 Lake Street E.	Thomson							184
c.	Consider Resolution No. 26-2016 for Subdivision at 320 & 346 Ferndale Rd. S.	Thomson							295
7	City Manager's Report and Discussion Items								
a.	Update on Roundabout on Lake Street								
8	Public Forum (as necessary)								
9	Adjournment								

Meeting Rules of Conduct:

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

Upcoming Meetings:

City Council - WEDNESDAY, August 3 & Tuesday, August 16, 2016
Planning Commission - August 1 & 15, 2016

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

WAYZATA CITY COUNCIL
DRAFT - WORKSHOP MEETING MINUTES
July 5, 2016

5:15 PM Boatworks Parking Lot Alterations

Mayor Willcox called the workshop meeting to order at 5:15 pm in the Community Room at Wayzata City Hall. Council Members present: Anderson, McCarthy, Mullin and Tyacke. Also present: City Manager Dahl, Director of Planning & Building Thomson, and Director of Public Service Dudinsky.

Mr. Dudinsky informed the Council that Boatworks II, LLC is requesting a few modifications to the parking and landscaping in the shared parking space west of the Boatworks building, 294 Grove Lane E. The proposal presented involves removal of two oak trees and a parking island at the north end of the parking spaces that are primarily on Boatworks property, and the removal of eight maple trees that are on the center median between the Boatworks building and the marina. The proposal includes placement of two "Proof of Parking" stalls that were part of the original Boatworks redevelopment approvals in 1996, and a donation to the City of \$1,400 for four new trees to be planted by the City in the beach/marina area. In addition, the eight maple trees would be replaced by four trees of the City's choice to be planted in four specially designed 59"x59"x 35" Treetec Nordic CorTen tree tubs to be purchased by Boatworks II, LLC. The tree tubs allow for the trees to be relocated for special events held in the parking area. In addition to the four movable tree tubs, Boatworks II, LLC would donate an additional \$2,800 for eight additional trees to be planted by the City in the beach/marina area and also \$1,000 for additional low shrubbery to be planted by the City in the median area within the parking lot. In addition, Boatworks II, LLC agrees to reimburse the City for stump removal costs. Terry Schneider, representing the Boatworks, answered questions from the Council. Consensus was that the Council was generally in favor of the proposal, however, the Parks and Trails Board should review the proposal for their feedback.

5:45 PM Lake Effect Project Strategic Plan/Recommendations for Next Steps

Mayor Willcox called the workshop meeting to order at 5:45 pm in the Community Room at Wayzata City Hall. Council Members present: Anderson, McCarthy, Mullin and Tyacke. Also present: City Manager Dahl, Director of Planning & Building Thomson, and City Attorney David Schelzel. Mary deLaitre with Groundwork the Foundation for City Building was also present.

Mr. Dahl reported that upon approval of the Lake Effect Signature Park Project (Lake Effect Park) schematic design in May, staff was directed to come back to the Council with recommendations on what components of the approved schematic design the Council should move forward with or, more simply put, recommended a realistic scope and sequence of the project.

Mr. Dahl stated that in addition to defining the scope and sequencing of this project, the other components that are critical to launching this next step, and ultimately the successful construction and sustainability of the Lake Effect Park, include:

- The Lake Effect Conservancy – the non-profit organization that will advocate and raise private funds for the Lake Effect Park; and
- The City of Wayzata/Lake Effect Conservancy Agreement – a City Council/Conservancy Board approved public private 'partnership' agreement outlining roles and responsibilities to fundraise for the Lake Effect Park.

Mr. Dahl reviewed an outline this unique partnership with the Conservancy, explained staff's recommendation of scope and sequencing of this project, provided detail how the project will be paid for, and then reviewed the proposed next steps.

1 Mayor Willcox indicated that comments should be high-level in nature in that staff was looking for
2 feedback on which general components the Council was in favor.
3

4 The Council provided feedback on the different components of the project and generally agreeing that the
5 marina portion of the project should be taken out. Discussion about the Eco Park, Beach, and Parking
6 Plaza components followed.
7

8 As time ran out, the next steps were that another work shop would be planned to continue discussion. City
9 Attorney Schelzel indicated that the Council should review the draft Conservancy Agreement and let him
10 know if he had any questions.
11

12 The workshop meetings were adjourned at 6:50 pm.
13

14 Respectfully submitted,
15
16
17

18 Becky Malone
19 Deputy City Clerk

WAYZATA CITY COUNCIL
DRAFT - MEETING MINUTES
July 5, 2016

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 Dahl, City Attorney Schelzel, and Director of Planning and Building Thomson.

Mayor Willcox stated the Council met in Workshop prior to the meeting and discussed Boatworks parking lot alterations and next steps for the Lake Effect Strategic Plan.

AGENDA ITEM 2. Approve Agenda.

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

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

a. Tour de Tonka Bike Ride Presentation

Tim Litfin, Tour de Tonka Director, gave a brief presentation and announced Tour de Tonka will be on Saturday, August 6, 2016.

AGENDA ITEM 4. New Agenda Items.

Mrs. Anderson requested reconfiguration of the roundabout be added for future discussion. City Manager Dahl responded staff will still need feedback from the Council, but the topic of the roundabout was programmed for next year and ties in with the completion of The Landing. Staff will provide an update at the next Council meeting.

Mrs. Anderson requested an update from Director of Public Service Dudinsky regarding the policy as to which neighborhoods and public rights-of-way receive weed control. Mr. Dahl stated he will provide a report to Mrs. Anderson regarding the policy on this topic.

Mr. Willcox requested staff provide a presentation in Workshop on the technology available with parking meters. The Council agreed.

AGENDA ITEM 5. Consent Agenda.

Mr. Willcox stated Dan Gustafson requested item No. 5(f) be removed.

Mrs. Anderson referred to item 5(f) and page No. 49 in the meeting packet and stated the word “consider” causes some discrepancy in the language associated with the Consent Agenda. City Manager Dahl clarified the Council would be considering the staff recommendation of approval of the installation of speed humps in the East Neighborhood. City Attorney Schelzel suggested amending item No. 5(f) by changing the word “Consider” to “Approval”.

Mrs. McCarthy stated she is willing to pull the item No. 5(f) from the Consent Agenda, but requested it be made part of the next Council meeting agenda so that others in the community could take part in the discussion.

Mr. Tyacke stated he opposes removing the item from the Consent Agenda because it was already part of a Public Forum at a previous meeting and the Council already authorized the speed humps as recommended by staff at a previous meeting. Mr. Dahl stated it was also discussed at a workshop and no action was taken.

Dan Gustafson, 1040 East Circle Drive, stated no decision on the implementation of speed humps should be made by the Council without referencing the speed hump policy that was supposed to be included in the packet for the last meeting and this meeting, but was not. His request was to pull it from Consent and table it for further discussion.

At the request of Mr. Willcox, by show of hands, 4/1 (Mullin), the majority of the Council voted keep item No. 5(f) as part of the Consent Agenda.

Mrs. Anderson made a motion, seconded by Mrs. McCarthy, to approve the amended consent agenda, changing the word “Consider” to “Approval of” in item No. 5(f):

- a. Approval of City Council Workshop Meeting Minutes of June 7 and 14, 2016, and City Council Regular Meeting Minutes of June 7, 2016, and City Council Special Meeting Minutes of June 14, 2016
- b. Approval of Check Register
- c. Municipal licenses which received administrative approval (informational only)
- d. Approval of Municipal Licenses
- e. Approval of Resolution No. 24-2016 Appointing Election Judges for the 2016 Elections
- f. ~~Consider~~ Approval of Implementation of Speed Humps in East Neighborhood
- g. Approval of Commercial Assessing Contract with Hennepin County
- h. Approval of Resolution No. 20-2016 Authorizing Participation in a MCES Grant Program for the Mitigation of Inflow and Infiltration in the Public Sanitary Sewer System
- i. Approval of Preliminary Plans for a New Home at 155 Wooddale Avenue
- j. Approval of ISD #284 Community Room and Cable Studio Use Agreement

The motion carried 5/0.

AGENDA ITEM 6. New Business.

a. Consider Schematic Design of Mill Street Parking Ramp

Mr. Dahl reported on the background surrounding the Schematic Design of the Mill Street Parking Ramp.

Victor Pechaty, HGA, provided a process summary of the cladding and roof options for the Mill Street Parking Ramp. The current design is a grade plus one structure which potentially provides 396 parking stalls for cars plus 10 spots for motorcycles.

Mr. Pechaty reported on three possible design options and provided the following cost estimate comparison summary:

	Option A Base Ramp (no roof)	Option B Base Ramp + Partial Roof	Option C Base Ramp + Full Roof
Construction Cost (includes 4% Design Contingency)	\$7,850,000	\$8,290,000	\$8,660,000
Construction Contingency (8%)	\$630,000	\$660,000	\$690,000
Owner Cost	\$880,000	\$940,000	\$940,000
Total Project Cost	\$9,360,000	\$9,890,000	\$10,290,000

Mr. Tyacke asked if building material samples would be available to look at. Mr. Pechaty stated they will be available in the design phase for approval.

Mrs. Anderson asked if the design components over the walkways that were in previous designs are still included. Mr. Pechaty responded they had been removed for budgetary reasons.

Mr. Willcox stated the partial roof looks strange and asked what benefit it provides. Mr. Dahl stated he requested the partial roof option as a compromise for budgetary reasons. The need for the roof was for the view from the homes above the ramp and the area of the partial roof is where there is significant impact of their view.

Mrs. McCarthy referred to page 178, and asked how tall a tree has to be to block the view of the ramp similar to what a roof on the ramp would provide. She expressed concern with going above the agreed upon height. Mr. Pechaty stated they met with landscape architects and

1 determined the trees have to be approximately 15 feet tall. There would be a blend of conifers and
2 deciduous trees that would remain in the height of 10 to 20 feet tall for screening the view of the
3 parking ramp while not impeding on lake views. It is assumed the landscaping would not extend
4 above the 975 feet height, but it was not considered if that would be in violation of the covenant.

5 Mr. Willcox asked about lighting and visibility on the lower level of the ramp. Mr.
6 Pechaty stated the lighting industry guidelines would be met with LED lighting, which is a little
7 brighter.

8 Scott Froemming, Walker Parking Consultants, stated the structure has a very open
9 feeling, it will be a well-lit, and people will feel safe.

10 Mr. Pechaty stated there is an allowance in the owner's cost for the addition of security
11 cameras.

12 Mrs. Anderson asked if a roof would be a barrier to noise and pollution. Mr. Pechaty
13 stated it would be a barrier to noise. Mr. Froemming stated that because it is an open parking
14 structure, it self-ventilates and there is no required ventilation system.

15 Mrs. Anderson asked about paint that could lighten the inside of the ramp. Scott stated
16 there are paint colors that do enhance facial recognition and increase the perception of safety.

17 Mr. Dahl stated the Steering Committee discussed the roof options and this is the best
18 option. The financial feasibility study showed that the City, utilizing TIF financing from the
19 Promenade TIF District, would be able to finance approximately \$7,682,750. In addition, cash on
20 hand through transfers, CIP and existing TIF districts available for the ramp is estimated at
21 \$1,680,000 for a total maximum project cost of \$9,362,750. There is an additional \$200,000
22 contingency money in this year's budget for the ramp as well as up to \$500,000 in end of the year
23 fund transfers.

24 Chris Morrison, Steering Committee member, stated they worked collaboratively to come
25 up with a solution. Their goal was to find a design that was appropriate for the City of Wayzata.
26 They also considered the climate and the benefit of parking under a roof. She urged the Council
27 to consider building a ramp with the full roof and stated this is a chance to enhance Wayzata.

28 Mr. Pechaty stated if Council chose to carry a roof design forward as an alternate for
29 bidding, it is based on an estimate. When HGA was working on the service contract with the City,
30 it included pre-established provisions for their scope of services and fee for three different roof
31 options that the City requested: the trellis, the green roof, and the photo voltaic options. Because
32 the ballasted membrane roof is designed to receive the weight, structure, and water proofing of a
33 green roof in the future, the City could invoke that contract option to have HGA draw it fully to
34 bid day and it is documented as an add alternate. Bidders are instructed to isolate a bid and as the
35 Council reviews bids, a decision can be made at that time.

36 Mr. Mullin asked what the fee is for design changes if the City includes an add-on in the
37 bid package. Mr. Pechaty stated the fee to change the design is \$115,000.

38 Mr. Tyacke asked how many add-on alternatives can be included in the bid package. Mr.
39 Pechaty responded it can include a number of alternatives, but can affect the scope and fee of the
40 design team because each option has to be fully documented all the way through to construction.

41 Mrs. Anderson asked if in the 4% design contingency covered the \$115,000 fee. Mr.
42 Pechaty stated it is included in the owner cost column, roughly at \$120,000. The design
43 contingency relates to actual construction that may not have been accounted for.

44 Mr. Willcox asked if the ramp was built without a roof, could the City add one in the
45 future. Mr. Pechaty stated during the design phase, changes would be made to accommodate a
46 roof in the future, without a substantial change in cost for the structure.

47 Mr. Tyacke stated the grade plus one level ramp is less massive, recedes well into the
48 hill, and still accommodates close to the number of spaces needed. He is hesitant to commit to
49 something that is beyond what the budget limit is. Initially, he liked the solar roof option, but that
50 did not work out as well as anticipated. The Carisch Ramp does not have a roof and he would like
51 this ramp to be comparable. Due to the budget limitations, he supports Option A, unless the

1 Widsten area would like to pay for a roof option since they are the primary beneficiaries. He is
2 not opposed to have an add-on alternative in the bid to see how prices come in.

3 Mrs. McCarthy thanked the Steering Committee for their work. The goal of this ramp
4 was to have a design that would stand the test of time and be visually pleasing from all angles.
5 She expressed concern with Option A as it does not meet the public's demand and the proposed
6 vegetation would either violate existing covenants or not get to the height needed to achieve the
7 intended objective. She supports Option C with a full roof.

8 Mr. Mullin stated the objective was to gain parking that will be sufficient for several
9 decades. He sees value in having a roof, but also sees the tradeoffs made to other significant
10 beneficial things to the community that have been traded off: centralized garbage and
11 beautification at the street level. The functionality of having a grade plus one ramp is also a
12 tradeoff that will provide unintended consequences with only one way to get to the second level.
13 He does not support a roof on the ramp, but is willing to invest in the bid option to explore a roof
14 option. The roof benefits a small number of residents and it is important to stay within the budget.

15 Mrs. McCarthy stated her concern is that even if they decide to have bids for the roof
16 option, the numbers will always be too high and it will not get done. Mr. Mullin stated there are a
17 certain amount of TIF dollars available and the budget has come a long way, but he does not
18 support an additional million dollars for a roof add-on. If a bid comes in close to \$9,400,000, he
19 could support it.

20 Mrs. Anderson asked about the operation and maintenance costs of the ramp. Mr. Dahl
21 responded the Steering Committee made sure that the design and materials of the ramp had the
22 least amount of impact for the Public Works staff. The Mobility District, if approved, was only
23 designed to cover a half of the operating costs, and the additional cost is not in the operating
24 budget. Mr. Froemming stated maintenance costs generally run \$60 to \$100 per stall per year,
25 roughly \$30,000 annually.

26 Mrs. Anderson stated the Mobility District is not a guarantee to cover half the costs. She
27 expressed concern with the cost of operating and maintaining the ramp, the Lake Effect project,
28 and other projects. The City has some unstable incomes that may not be around forever. She has
29 not been a proponent of this ramp because of the limits with the location. This side of community
30 has a surplus of parking spaces and in the west end of town, there is a deficit of spaces with
31 people looking to build a ramp in that area too. It may be best to wait a year to get the money
32 needed to build the right kind of ramp. There is also an offer from another developer for this area
33 that may allow the City to not be responsible for parking, but that offer will not be reviewed until
34 August. She is not comfortable spending the money until it can be done right with a full roof and
35 supports waiting until the City has the money needed. She thanked the Steering Committee and
36 staff for all their work.

37 Mr. Willcox stated a ramp is needed on Mill Street. The budget allows for a base ramp.
38 The financing needs to move forward with four of the five members of the Council supporting it.
39 He supports Option A and waiting to see how bids come in to see if a roof could also be included.

40 Mrs. McCarthy stated funding is ironed out for up to \$9,300,000, but there is a
41 \$1,000,000 gap around the roof. She asked how any other project in town would be funded that
42 needed to get done. Mr. Dahl stated it would depend on the project and department it is part of. A
43 special services district could be set up, but that also depends on a lot of different things. He does
44 not think the roof can be funded differently.

45 Mrs. McCarthy asked if there was another funding mechanism that has not been explored
46 and asked for explanation on the general levy. Mr. Dahl stated they have explored the options
47 available. If the City is not able to cover annual debt, they would have to leverage general bonds.
48 This would mean the general tax payers pay the remaining portion of the balance of the bond
49 payment.

50 Mrs. McCarthy stated paying for parking is another option in funding for the ramp to help
51 make up the difference. She does not think that every option has been discussed to fund the roof.

1 Mr. Mullin stated he is not ruling out any creative ways for funding once there is a final
2 number. He suggested they could pencil out a large CIP project and push the project out three to
3 five years. If the final number is reasonable and there are thoughtful approaches to bring forth
4 money to accomplish the goal, he will support it. It may include a partial assessment for the
5 project.

6 Mrs. Anderson asked what the cost savings would be if it was not constructed in the
7 winter and how much faster could it get done. Mr. Pechaty stated the winter construction costs are
8 built into the cost estimate, but are far less than \$500,000. If there would be a cost savings for not
9 constructing in the winter, there would be a corresponding cost increase for rise in construction
10 costs by waiting until summer. Mr. Tyacke commented he remembered the savings to be about
11 \$100,000.

12 Mr. Willcox stated in order for this to move forward, they have to figure out whether or
13 not a roof is affordable and if there are ways to fund it.

14 Mr. Tyacke stated he is not willing to vote to raise taxes in order to get a roof on the
15 ramp. Mr. Mullin agreed, but stated there may be other options available.

16 Mrs. McCarthy inquired what a tax increase would cost a property owner to cover this
17 gap, and suggested Ehlers run the numbers for the Council. Mrs. Anderson stated she would also
18 like to see the numbers if the City were to wait one year.

19 Mr. Tyacke made a motion, seconded by Mr. Mullin, to accept the Schematic Design of
20 the Mill Street Parking Ramp and to direct staff to move forward with a bid for the base ramp
21 with an add-on alternative for a full roof. The motion carried 5/0.

22
23 **b. Consider Resolution No. 21-2016 Denying Holdridge Homes Subdivision and PUD**
24 **Approval-1407 Holdridge Terrace**

25 Director of Planning and Building Thomson reported the applicant is requesting rezoning from R-
26 2 to PUD/Planned Unit Development, PUD Concept Plan and General Plan of Development
27 approval, and preliminary plat review to subdivide the properties at 1407 Holdridge Terrace and
28 an unaddressed parcel on Holdridge Terrace for a six lot single-family residential development.

29 At the request of Council, Mr. Thomson explained the PUD district has its own set of
30 zoning standards that are different than R-2 zoning standards. An applicant can request PUD
31 rezoning to allow for more flexible development standards. A variance is when rezoning is not
32 requested, but the applicant is looking for an exception to a requirement within the existing
33 zoning district.

34 Mr. Thomson reported the Planning Commission voted 5-0 to recommend denial of these
35 requests for the following reasons: 1) The applicant had not demonstrated that the project would
36 meet the intent of the PUD ordinance; 2) The PUD does not provide benefits to the R-2
37 development plan; and, 3) Concerns about density, tree removal, and reduced setbacks from the
38 south frontage road.

39 Mr. Tyacke asked if the dedication of parkland space impacted the wetland area. Mr.
40 Thomson stated it would be in the wetland buffer, but not in the wetland itself.

41 Mr. Thomson clarified what periphery setbacks are. The PUD ordinance states there are
42 setback requirements along the exterior perimeter of the PUD. But there are no specific setbacks
43 internal to the PUD itself. The exterior perimeter setbacks for a PUD are the same as the current
44 zoning of the property. There was discussion about the setbacks from Wayzata Boulevard, and
45 the R-2 requirement of 25 feet would apply to the PUD. This plan would need a variance from
46 that PUD setback requirement.

47 Curt Frethem, Lake West Development, 14525 Highway 7, commented they met with the
48 Council on this plan about a year ago and talked about what was an appropriate use for this site.
49 They agreed that something other than an R-2 would be appropriate, but the 12 units that were
50 proposed were denser than what the Council would like to see. They are now proposing a six lot
51 plan.

1 Reed Schultz, Land Form Professional Services, 105 South Fifth Avenue, Minneapolis,
2 reported on the project history and background, development options, proposed development, site
3 amenities, site plan details, PUD goals, and an alternative site plan. The proposed development
4 will include six single-family lots, lots that exceed the minimum 15,000 square feet of lot area,
5 and a creative design that allows for natural resource preservation and enhanced architectural
6 design. They will be honoring the front yard setback and would not need a variance.

7 Theresa Santima, Santima Design, commented each of the homes will be custom homes
8 with high quality construction and the homeowners would be able to design to their needs. She
9 provided drawings of the street scape, the buffering from Highway 394, and conceptual drawings
10 of what the homes may look like.

11 Mr. Schultz reported with PUD zoning, they are able to cluster the development to
12 maximize the views, to reduce the overall land costs, to enhance the overall architecture, and help
13 mitigate the traffic noise from Highway 394 by angling the homes on the lots.

14 Mr. Tyacke asked if the developer currently owns Lot 1 and if they would consider
15 keeping Lot 2 and making a conservation easement on it to maintain the tree coverage needed.
16 Mr. Schultz responded they do not own Lot 1. Under an R-3, they would still do the same six lots.
17 Mr. Frethem stated the house plan for Lot 2 did preserve a lot of the trees, but it would be asking
18 a lot to preserve it in its entirety.

19 Mrs. Anderson asked where the lift station is on the property. Mr. Schelzel stated there is
20 a lift station on the property and as part of an easement on that would be preserved. The lift
21 station is in front of proposed house three.

22 Mrs. McCarthy asked about the front yard setback and the dedication of the park land.
23 Mr. Thomson stated the plans the Planning Commission reviewed include the 15-foot setback
24 from the property line. The applicant presented alternative plans earlier in the meeting, but staff
25 has not had the opportunity to review them. The dedication of the park land was proposed by the
26 applicant, but has not been discussed by staff. There is no public access as it does not connect to
27 any trails. This was created in response to standards in the PUD ordinance about private
28 recreational space.

29 Mr. Mullin asked about the timing of the application. Mr. Thomson advised it expires
30 tomorrow, July 6. If the Council does not take action on it tonight, the applicant would need to
31 grant a waiver to the deadline.

32 Mr. Tyacke commented if it is zoned R-2, they can build five houses, and they are
33 proposing to build six with the PUD request. He would like to see Lot 2 left alone in a
34 conservation easement. He does see a benefit to clustering six homes instead of selling each of
35 them off individually.

36 Mrs. Anderson commented she thinks the request for a PUD is to get around things.
37 When going from a ten-foot side yard setback to five, it becomes too clustered. She supports the
38 R-2 zoning and building five houses instead of six, and the market will dictate the need for nice
39 homes in that area of Wayzata.

40 Mr. Mullin asked what the price point target is for the homes. Mr. Frethem stated the
41 homes will be in the \$600,000 to \$700,000 price point. By allowing them to build more homes, it
42 will drive the price of the land down. They need this, along with a few nice amenities in order to
43 be able to sell right along Highway 394.

44 Mr. Mullin commented there is a practical and reasonable difficulty with the frontage
45 road of the freeway. The applicant has shown some good will to be less dense and what is
46 practical and reasonable to sell. He asked the applicant if there is any way they could work with
47 staff on Lot 2 to soften the impact into the neighborhood to the north.

48 Mrs. McCarthy commented she is not okay with a five-foot setback as it is still too dense.
49 She appreciates the creative spin, but they need to make it work within the confines in which the
50 land was purchased.

1 Mr. Willcox commented he appreciates the design work. He does not support the density
 2 and the PUD request is an attempt to avoid the zoning regulations. The Subdivision Ordinance is
 3 demanding of what is being built and how it fits in with the adjacent neighborhood. The dense
 4 clustering of homes is in violation of the Comprehensive Plan.

5 Mrs. Anderson made a motion, seconded by Mrs. McCarthy to adopt Resolution No. 21-
 6 2016 Denying PUD, Rezoning, and Preliminary Plat at 1407 Holdridge Terrace and Unaddressed
 7 Parcel.

8 Mr. Tyacke asked if they are bound to the R-2 zoning with the adoption of this resolution.
 9 Mr. Schelzel stated they could come back with another request to rezone it to something else.
 10 There are restrictions with zoning and coming back with the same application.

11 The motion carried 5/0.

12
 13 The Council recessed at 9:58 p.m. and reconvened at 10:06 p.m.

14
 15 City Manager Dahl announced Councilmember Mullin had to leave the meeting.

16
 17 **c. Consider Resolution No. 22-2016 Approving Beacon Five Development Project at**
 18 **529 Indian Mound East**

19 Director of Planning and Building Thomson reported the applicant, Ron Clark Construction, has
 20 submitted a development application to develop the property located at 529 Indian Mount East.
 21 The project includes the construction of a three story mixed use building consisting of five
 22 residential condominiums, 600 square feet of office space, and 11 underground parking spaces.

23 Mr. Thomson reported the applicant is requesting approval of the following: 1) Rezoning
 24 from C-1 to PUD; 2) PUD Concept Plan of Development; 3) Variance from maximum height
 25 requirement from 35 feet to 38.9 feet; and, 4) Shoreland Impact Plan/CUP for building height.
 26 The Planning Commission recommended approval of this application.

27 Mr. Tyacke referred to the rezoning chart in Mr. Thomson's presentation. He asked about
 28 C-1 zoning and density. Mr. Thomson stated density is not applicable because it tends to be a
 29 residential measurement and the C-1 zoning is primarily a commercial district. The Floor Area
 30 Ratio in C-1 is a maximum 2.0 and this application is at 1.4.

31 Mrs. McCarthy asked if this project was in the Shoreland Overlay District and noted the
 32 proposed impervious surface is 60%. Mr. Thomson stated the maximum is 25%, but is allowed to
 33 go up to 75% if the application meets the City's stormwater management requirements.

34 Mrs. McCarthy referred to page 308 and asked about the pond. Mr. Thomson stated it
 35 shows the preliminary utility plan, but the detail around the pond will come later with the general
 36 design.

37 Mr. Willcox asked about the difference in design standards for upper story setbacks on
 38 and off Lake Street and if this met those requirements. Mr. Thomson stated the requirements are
 39 the same on and off Lake Street. The third story always has to be recessed back from the second
 40 story and the second floor only has to be recessed back if it meets a certain width.

41 Tim Whitten, Whitten Associates, 4159 Heatherton Place, Minnetonka, referred to page
 42 305. He stated the height of the roof is at 36.9 and they are looking for two additional feet to give
 43 interest to the architecture. The site slopes up 12 feet and creates a condition specific to the site
 44 and does not allow them to lower the building any further. The site is 66 feet wide with ten-foot
 45 setbacks on either side, allowing the building to be 46 feet wide. The only way to enter the
 46 building is off Indian Mound Street and they also need to meet the requirement of two handicap
 47 accessible spots.

48 Mrs. Anderson asked if it was possible to move the parapets down to make them flush
 49 with the top of the building in order to meet the height requirement. Mr. Whitten responded they
 50 could lower the parapet, but they are looking for more architectural interest.

1 The Council agreed that based on the limitations of the lot, there are practical difficulties
2 and it supports moving the application forward. The Council encouraged the applicant to find
3 ways to meet the height requirement.

4 Mr. Willcox commented this property is designated as mixed use/commercial through the
5 Comprehensive Plan, but should be mixed use/residential.

6 Mr. Tyacke made a motion, seconded by Mrs. McCarthy to adopt Resolution No. 22-
7 2016 Approving PUD, Rezoning, Height Variance, and Shoreland Impact Plan for 529 Indian
8 Mound East, with an added condition that the applicant will make every effort to reduce the
9 height by two feet to meet the height requirement. The motion carried 4/0.

10
11 **d. Consider Resolution No. 23-2016 Denying Meyer Place on Ferndale Redevelopment**
12 **Project-105 Lake Street East**

13 Director of Planning and Building Thomson reported the applicant, Homestead Partners, and the
14 property owner, Meyer Properties, have submitted a developmental application to redevelop the
15 Meyer Brothers Dairy site at 105 Lake Street East. It includes demolition of the existing vacant
16 commercial building and construction of a three-story building with a rooftop penthouse for a
17 rooftop terrace. The building would include 23 residential condominium units and 59 enclosed
18 parking spaces.

19 Mr. Thomson reported the applicant is requesting approval of the following: 1) Rezoning
20 from C-4A to PUD/Planned Unit Development; 2) Concurrent PUD Concept and General Plan
21 Development review; 3) Conditional Use Permit for the penthouse height from 40 feet to 48 feet;
22 and, 4) Design Review.

23 Mr. Thomson reported when this was before the Planning Commission it also included a
24 height variance and shoreland impact plan, but those have been removed from the application.
25 The following revisions have been made to the plan since the Planning Commission review: 1)
26 Reduced the height of the building from 35.4 feet to 35 feet (the building meets PUD height
27 requirement, except for the “penthouse”); 2) Reduced the overall size and height of “penthouse”
28 structure (height reduced from 51.4 feet to 48 feet); 3) Reduced the depth of the building by 5
29 feet; 4) Modifications to building materials; and, 5) Added additional boulevard trees along Lake
30 Street. The number of condominium units remains the same at 23 units.

31 Mrs. McCarthy asked for clarification on the requested sidewalk deviation. Mr. Thomson
32 stated the sidewalk requirements are 10 or 12 feet in width along Lake Street, and this design
33 meets that requirement. The deviation is for the sidewalk to be only six feet wide along Ferndale
34 Road.

35 Mr. Thomson reported the Planning Commission supports the PUD, but expressed
36 concern about the design of the building, and the height and density of the project. There was
37 additional discussion on including retail and commercial uses on the first floor. They voted 5-0 to
38 recommend denial of the application and also recommended denial of the height variance and
39 shoreland impact plan, which are no longer required.

40 At the request of the Council, Mr. Thomson highlighted the items that are a deviation
41 from the design plan. These include: 1) Building recessions between levels; 2) Ground level
42 expressions to distinguish between ground floor and upper floors; 3) Ferndale sidewalk width; 4)
43 Mechanical equipment located on the roof; and, 5) Roof color. Additionally, the height of the
44 building and the retail commercial uses are deviations from the current zoning.

45 Mr. Thomson commented there is language in the Comprehensive Plan that states retail
46 uses on Lake Street west of Barry Avenue are encouraged, but not required. City Attorney
47 Schelzel stated the Comprehensive Plan does allow for the uses contemplated in this PUD and the
48 application does not need a Comprehensive Plan amendment.

49 Mr. Tyacke asked if there was a density requirement for the current zoning. Mr. Thomson
50 stated the building mass is regulated by Floor Area ratio, not by units per acre. The PUD
51 standards dictate the number of units allowed.

1 Mr. Willcox asked for the difference between a C-1 building and a C-4A building. Mr.
2 Thomson stated the C-1 district are properties not located on Lake Street. They have a maximum
3 height of three stories/35 feet and only allow commercial on the first floor and residential on the
4 second and third floors. There are two C-4 districts: one for the east side of Lake Street and one
5 for the west side of Lake Street.

6 Mrs. Anderson commented on the building recession requirements on Lake Street. Mr.
7 Thomson stated the place where the building is not set back is on Ferndale. The Lake Street
8 frontage is at a zero-foot setback, and the majority of that third floor is set back.

9 Mrs. Anderson stated the building façade of livable space is not right on the property line
10 and is recessed five feet back. The second floor is recessed from the property line, but not from
11 the building story itself.

12 Mr. Tyacke commented the PUD ordinance stated the applicant must own the property
13 and this property being leased. City Attorney Schelzel commented it is a requirement so the
14 owner of the property should be a co-applicant on the application. Mr. Thomson confirmed the
15 owner signed the application as the property owner.

16 Mr. Schelzel commented on the differences between C-4 and C-4A. Both are meant to
17 emphasize downtown commercial, but C-4A has a residential component.

18 Mr. Rick Packer, Homestead Partners, 525 15th Avenue South, Hopkins, stated they have
19 tried to eliminate every variance and issue that has been addressed. They are trying to design
20 what the Council is looking for on the site and welcome feedback.

21 Tim Whitten, Whitten Associates, 4159 Heatherston Place, Minnetonka, commented on
22 the site plan. Building recesses have been added along the planters and the addition of park
23 benches. The roof is a membrane roof, lighter in color, and flat so it cannot be seen. The sidewalk
24 along Ferndale can be made to 12 feet, but it will take away green space. The tree spacing will be
25 26 feet on center, as stated in the City ordinance. They are requesting the top floor air
26 conditioning condensers be on the roof and all the others will be put at grade. More stone was
27 added with different uses of color in the design. The rooftop patio needs to be supported by the
28 elevator and two stair exits, and the height was dropped by three feet. Townhome unit No. 205
29 behind the proposed building will be the only one that has a chance of seeing the air conditioning
30 unit as proposed. The building along Lake Street is stepped back along the entire third floor
31 except for near the main entrance. Along Ferndale, the entire footprint of the building is set back
32 from the property line. There will be stone, brick and stucco used on the building, but they are
33 flexible with what is done on the exterior.

34 Mr. Tyacke asked what research was done in regard to having retail in the building. Mr.
35 Packer stated that research was provided earlier in the process. Realtors looked at the site and
36 thought it was an area that had too much retail. Additionally, neighborhood feedback also showed
37 there was enough retail in the area and they wanted to see a purely residential project.

38 Mr. Willcox asked about the height of the elevator shaft. Mr. Thomson stated the
39 building is at 35 feet and the zoning ordinance allows the rooftop structures to extend an
40 additional five feet. The applicant is requesting the height be extended from 40 feet to 48 feet.

41 Mr. Tyacke asked if there is an elevator shaft that could work within the five-foot
42 allowance. Mr. Packer stated he thought with the CUP and the rooftop terrace that these type of
43 structures were allowed and they were not exceeding any heights. Without the CUP, they would
44 not be able to meet the five-foot allowance.

45 Mr. Willcox commented it is doable to have the mechanicals inside the building.

46 Mrs. Anderson commented on the deviations relating to design and height. The applicant
47 is meeting the building height except for the elevator shaft. The rooftop terrace provides a
48 wonderful amenity for the residents, it is encouraged, and is a positive trade off. The building
49 recession has come a long way, and the applicant is listening to suggestions and working towards
50 a positive solution. She is concerned about the noise of the mechanical units if they are on the
51 ground level and would like to find a better solution for that. There is a lot of expression with the

1 building vertically. The Ferndale sidewalk is needed and the proposed six-foot sidewalk with
 2 greenspace is good. The roof color cannot be visibly seen, but she is concerned about reflection
 3 with the light color. She would like to see a different style and design in the community and does
 4 not like the stucco and rust color. She supports retail, but is flexible. She thanked the applicant for
 5 listening to the suggestions and the community is looking forward to the project.

6 Mr. Tyacke stated he is impressed with the building, but has some issues with the exterior
 7 with the building. He does not want it to look like another Presbyterian Homes.

8 Mrs. McCarthy stated her feedback has always been to stay true to the height allowed and
 9 have some form of retail. This is an integral part of the community, and this does not have the
 10 vibrancy that is needed. She does not support this project.

11 Mr. Willcox stated the current design is much better than previous design, but height is
 12 still an issue. The PUD is being requested to get around height issues. The C-4A is for a two
 13 story, 30 foot building, and it is more appropriate for this site. The proposed building is still too
 14 big and he is not in favor of the project.

15 Mrs. McCarthy made a motion, seconded by Mr. Willcox, to adopt Resolution No. 23-
 16 2016 denying Meyer Place on Ferndale Redevelopment Project-105 Lake Street. The motion
 17 failed 2/2 (Tyacke and Anderson).

18 Mrs. Anderson made a motion, seconded by Mr. Tyacke, to table Resolution No. 23-2016
 19 Denying Meyer Place on Ferndale Redevelopment Project-105 Lake Street until the next Council
 20 meeting.

21 Mrs. Anderson stated it is up to the applicant if they choose to come back with some
 22 revisions that may get more support from the Council.

23 Mr. Schelzel stated if the majority of Council wishes to adopt a resolution that would
 24 approve the project at the next meeting, staff needs to be ready with that resolution or get an
 25 extension from the applicant.

26 Mr. Tyacke asked for clarification on the CUP. Mr. Thomson stated it is for the staircase
 27 and elevator elements on the roof itself, not for the mechanical equipment. The mechanical
 28 equipment is a deviation from the design standard that prohibits the equipment from being on the
 29 roof.

30 The motion carried 3/1 (McCarthy).

31 **e. First Reading of Ordinance #757 Tree Preservation Ordinance**

32 Director of Planning and Building Thomson reported the proposed ordinance amendment
 33 includes two separate sections of the City Code. The maintenance and removal of trees chapter
 34 (Chapter 710) addresses maintenance and removal of trees throughout the community and applies
 35 to tree removal on existing properties where no construction, development, or redevelopment is
 36 occurring. It also includes the tree pathogen control program and abatement procedures. The tree
 37 preservation chapter (Chapter 801 Section 36) would be a new section to the zoning ordinance,
 38 and addressed the preservation of trees during development, such as construction, subdivision, or
 39 redevelopment.
 40

41 Mr. Thomson reported on the changes made to the ordinances. The previous ordinance
 42 distinguished between Developers and Property Owners. Instead of the Developers category, the
 43 new categories are Subdivision, Public Infrastructure, or Construction of a single-family home on
 44 a vacant lot. City Council will review Subdivisions and Public Infrastructure while City staff will
 45 review construction of a single-family home on a vacant lot, unless it is part of a subdivision.
 46 Instead of the Property Owners category, the new categories are Grading Permit, Design Review,
 47 and expansions or additions to existing single-family homes. The City Council will review the
 48 Design Review and City staff will review grading permits, and expansions to existing single-
 49 family homes.

50 Mr. Thomson reported on the parts of the ordinance the Council requested staff look at.
 51 This included changes to the Acceptable Tree Replacement Species, expanding the definition

1 relating to public infrastructure projects, expanding the definition of tree removal, additional
2 language around penalties, and clarification around tree removal permits.

3 Mr. Tyacke asked about the language on page 465. Mr. Thomson stated if the City
4 Forester makes a determination that a tree is structurally unsound, the City is not liable for the
5 decision by the property owner whether or not to remove it. Mr. Schelzel stated it was added to
6 protect the City from a liability claim.

7 After discussion concerning the City Forester qualifications, Mr. Schelzel summarized
8 the following amendments to the ordinance: 1) Section 801.36 2(A) under City Forester, it
9 should read, “means that person appointed as City Forester as determined in Section
10 710.02(b)...”; and 2) In Section 710.02(b), it should read, “The qualifications of the Forester shall
11 be, as a minimum, those qualifications prescribed for certified arborists by the International
12 Society of Arboriculture, or such other appropriate qualifications as determined by the City
13 Manager.”

14 Mr. Tyacke made a motion, seconded by Mrs. Anderson, to adopt the First Reading of
15 Ordinance No. 757 as amended. The motion carried 4/0.

16
17 **AGENDA ITEM 7. City Manager's Report and Discussion Items.**

18 **a. Storm Update**

19 City Manager Dahl commented there are many people without power and trees down in Wayzata.
20 There have been no injuries and City staff will work through the night to keep the lift stations
21 powered.

22
23 **b. Miscellaneous**

24 City Manager Dahl advised Hennepin County will be closing Highway 101 at Central on July 5-
25 6. It will be an all-way stop and one lane each way.

26
27 Mayor Willcox announced the Fourth of July Flying Pancake Breakfast was a success and the
28 family who heads it up each year is looking to hand the event off.

29
30 **AGENDA ITEM 8. Public Forum Continued (as necessary).**

31 There were no comments.

32
33 **AGENDA ITEM 9. Adjournment.**

34 Mrs. McCarthy made a motion, seconded by Mrs. Anderson to adjourn. There being no further
35 business, Mayor Willcox adjourned the meeting at 12:02 a.m.

36
37 Respectfully submitted,

38
39
40
41 Becky Malone
42 Deputy City Clerk

43
44 Drafted by Shannon Schmidt
45 *TimeSaver Off Site Secretarial, Inc.*

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June 2016 to July 2016

			Check Amt	Invoice	Comment
10100 Anchor Bank					
Paid Chk#	102902	7/1/2016	ARTISAN BEER COMPANY		
E 640-47000-253	Beer For Resale		\$386.00	3105845	BEER
E 640-47000-253	Beer For Resale		\$192.00	3107366	BEER
E 640-47000-253	Beer For Resale		\$209.00	3108813	BEER
E 640-48000-253	Beer For Resale		(\$90.00)	349391	BEER
Total ARTISAN BEER COMPANY			\$697.00		
Paid Chk#	102903	7/1/2016	BAUHAUS BREW LABS		
E 640-47000-253	Beer For Resale		\$297.50	8674	BEER
E 640-47000-253	Beer For Resale		\$184.50	9083	BEER
Total BAUHAUS BREW LABS			\$482.00		
Paid Chk#	102904	7/1/2016	BELLBOY BAR SUPPLY CORP.		
E 640-47000-251	Liquor For Resale		\$155.00	53975100	LIQUOR
E 640-47000-251	Liquor For Resale		\$153.00	54061900	LIQUOR
E 640-47000-259	Freight		\$2.55	54061900	FREIGHT
E 640-47000-259	Freight		\$2.55	54062400	FREIGHT
E 640-47000-251	Liquor For Resale		\$120.00	54062400	LIQUOR
E 640-47000-251	Liquor For Resale		\$97.75	54162400	LIQUOR
E 640-47000-259	Freight		\$2.55	54162400	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$38.50	94095900	MISC.MDSE
E 640-47000-210	Operating Supplies (GENERAL)		\$109.20	94095900	SUPPLIES
E 640-47000-259	Freight		\$4.69	94095900	FREIGHT
E 640-47000-259	Freight		\$4.35	94140300	FREIGHT
E 640-47000-210	Operating Supplies (GENERAL)		\$41.80	94140300	SUPPLIES
E 640-47000-254	Soft Drinks/Mix For Resale		\$32.00	94140300	MISC.MDSE
E 640-47000-254	Soft Drinks/Mix For Resale		\$56.25	94178900	MISC.MDSE
Total BELLBOY BAR SUPPLY CORP.			\$820.19		
Paid Chk#	102905	7/1/2016	BERNICK'S WINE		
E 640-47000-254	Soft Drinks/Mix For Resale		\$134.55	303012	MISC.BEV.
E 640-47000-253	Beer For Resale		\$1,641.50	303013	BEER
E 640-47000-254	Soft Drinks/Mix For Resale		\$38.20	304453	MISC.BEV.
Total BERNICK'S WINE			\$1,814.25		
Paid Chk#	102906	7/1/2016	BOURGET IMPORTS		
E 640-47000-252	Wine For Resale		\$336.00	134700	WINE
E 640-47000-259	Freight		\$4.50	134700	FREIGHT
Total BOURGET IMPORTS			\$340.50		
Paid Chk#	102907	7/1/2016	BREAKTHRU BEVERAGE		
E 640-47000-252	Wine For Resale		\$408.00	1080481954	WINE
E 640-47000-259	Freight		\$4.35	1080481954	FREIGHT
E 640-47000-259	Freight		\$14.74	1080481955	FREIGHT
E 640-47000-251	Liquor For Resale		\$1,709.57	1080481955	LIQUOR
E 640-47000-251	Liquor For Resale		\$368.50	1080484883	LIQUOR
E 640-47000-252	Wine For Resale		\$72.00	1080484883	WINE
E 640-47000-259	Freight		\$5.80	1080484883	FREIGHT
E 640-48000-252	Wine For Resale		\$411.95	1080484949	WINE
E 640-47000-259	Freight		\$5.80	1080484994	FREIGHT
E 640-47000-252	Wine For Resale		\$236.66	1080484994	WINE
E 640-47000-259	Freight		\$11.60	1080484995	FREIGHT
E 640-47000-251	Liquor For Resale		\$987.34	1080484995	LIQUOR
E 640-47000-251	Liquor For Resale		\$720.00	1080488140	LIQUOR
E 640-47000-259	Freight		\$1.45	1080488140	FREIGHT
E 640-47000-252	Wine For Resale		\$1,340.00	1080488141	WINE
E 640-47000-259	Freight		\$34.07	1080488141	FREIGHT

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June 2016 to July 2016

			Check Amt	Invoice	Comment
E 640-47000-259	Freight		\$19.33	1080488142	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$154.00	1080488142	MISC.MIX
E 640-47000-251	Liquor For Resale		\$2,190.77	1080488142	LIQUOR
E 640-47000-259	Freight		\$4.59	1080491125	FREIGHT
E 640-47000-251	Liquor For Resale		\$652.31	1080491125	LIQUOR
E 640-48000-252	Wine For Resale		\$224.70	1080491157	WINE
Total BREAKTHRU BEVERAGE			\$9,577.53		
Paid Chk# 102908	7/1/2016	BREAKTHRY BEVERAGE BEER			
E 640-47000-253	Beer For Resale		\$27.70	1090571559	BEER
E 640-47000-253	Beer For Resale		\$3,450.10	1090571560	BEER
E 640-47000-253	Beer For Resale		\$198.20	1090574485	BEER
E 640-47000-253	Beer For Resale		\$128.00	1090574486	BEER
E 640-47000-253	Beer For Resale		\$2,386.15	1090574487	BEER
E 640-48000-253	Beer For Resale		\$302.00	1090574499	BEER
E 640-47000-253	Beer For Resale		\$122.00	1090575279	BEER
E 640-48000-253	Beer For Resale		\$755.00	1090577526	BEER
E 640-47000-253	Beer For Resale		\$2,706.40	1090577577	BEER
Total BREAKTHRY BEVERAGE BEER			\$10,075.55		
Paid Chk# 102909	7/1/2016	CITY VIEW PLUMBING & HEATING			
E 640-48500-404	Repairs/Maint - Machin/Equip		\$148.00	44677	KITCHEN REPAIRS
Total CITY VIEW PLUMBING & HEATING			\$148.00		
Paid Chk# 102910	7/1/2016	CLEAR RIVER BEVERAGE CO.			
E 640-47000-253	Beer For Resale		\$112.00	279994	BEER
Total CLEAR RIVER BEVERAGE CO.			\$112.00		
Paid Chk# 102911	7/1/2016	COCA-COLA			
E 640-47000-254	Soft Drinks/Mix For Resale		\$202.68	0178081012	MISC.BEV.
E 640-47000-254	Soft Drinks/Mix For Resale		\$168.56	0178081512	MISC.BEV.
E 640-47000-254	Soft Drinks/Mix For Resale		\$129.96	0178082011	MISC.BEV.
Total COCA-COLA			\$501.20		
Paid Chk# 102912	7/1/2016	COZZINI BROS., INC.			
E 640-48500-415	Other Equipment Rentals		\$52.03	C2784851	KNIFE EXCHANGE
Total COZZINI BROS., INC.			\$52.03		
Paid Chk# 102913	7/1/2016	DAHLHEIMER DISTRIBUTING CO.			
E 640-47000-253	Beer For Resale		\$896.10	1206442	BEER
E 640-48000-253	Beer For Resale		\$774.00	1206443	BEER
E 640-47000-253	Beer For Resale		\$1,013.20	1206510	BEER
E 640-48000-253	Beer For Resale		\$120.00	1206511	BEER
E 640-48000-253	Beer For Resale		\$463.00	1206596	BEER
E 640-47000-253	Beer For Resale		\$1,054.76	127694	BEER
Total DAHLHEIMER DISTRIBUTING CO.			\$4,321.06		
Paid Chk# 102914	7/1/2016	DENNYS 5TH AVENUE BAKERY			
E 640-48500-255	FOODIngredients For Resale		\$80.32	613702	FOOD
E 640-48500-255	FOODIngredients For Resale		\$84.11	613972	FOOD
E 640-48500-255	FOODIngredients For Resale		\$59.36	614144	FOOD
E 640-48500-255	FOODIngredients For Resale		\$103.31	614524	FOOD
E 640-48500-255	FOODIngredients For Resale		\$73.19	614692	FOOD
E 640-48500-255	FOODIngredients For Resale		\$112.50	614992	FOOD
E 640-48500-255	FOODIngredients For Resale		\$147.18	615512	FOOD
E 640-48500-255	FOODIngredients For Resale		\$75.80	615571	FOOD
E 640-48500-255	FOODIngredients For Resale		\$91.50	615826	FOOD
Total DENNYS 5TH AVENUE BAKERY			\$827.27		

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June 2016 to July 2016

			Check Amt	Invoice	Comment
Paid Chk#	102915	7/1/2016	DIRECTV		
E 640-48000-415	Other Equipment Rentals		\$360.14	28832746855	SERVICE
	Total DIRECTV		\$360.14		
Paid Chk#	102916	7/1/2016	DMX MUSIC - MINNEAPOLIS		
E 640-48000-415	Other Equipment Rentals		\$103.67	52542642	BAR MUSIC
	Total DMX MUSIC - MINNEAPOLIS		\$103.67		
Paid Chk#	102917	7/1/2016	ECM PUBLISHERS, INC.		
E 640-48000-340	Advertising		\$160.00	367702	BAR ADVERTISEMENT
	Total ECM PUBLISHERS, INC.		\$160.00		
Paid Chk#	102918	7/1/2016	ENKI BREWING COMPANY		
E 640-48000-253	Beer For Resale		\$310.00	5892	BEER
	Total ENKI BREWING COMPANY		\$310.00		
Paid Chk#	102919	7/1/2016	G & K SERVICES		
E 640-48500-217	Uniforms		\$91.45	1013745359	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$73.39	1013745359	KITCHEN UNIFORMS & SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$60.94	1013745359	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-217	Uniforms		\$108.89	1013756719	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$78.75	1013756719	KITCHEN UNIFORMS & SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$131.75	1013756719	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-217	Uniforms		\$174.75	1013768065	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$100.00	1013768065	KITCHEN UNIFORMS & SUPPLIES
	Total G & K SERVICES		\$819.92		
Paid Chk#	102920	7/1/2016	GRAPE BEGINNINGS, INC.		
E 640-47000-252	Wine For Resale		\$401.00	5495	WINE
E 640-47000-259	Freight		\$6.75	5495	FREIGHT
E 640-47000-259	Freight		\$2.25	5814	FREIGHT
E 640-47000-252	Wine For Resale		\$168.00	5814	WINE
E 640-47000-252	Wine For Resale		\$439.00	5894	WINE
E 640-47000-259	Freight		\$9.00	5894	FREIGHT
E 640-47000-252	Wine For Resale		\$256.00	6095	WINE
E 640-47000-259	Freight		\$2.25	6095	FREIGHT
E 640-47000-252	Wine For Resale		\$240.00	6272	WINE
E 640-47000-259	Freight		\$2.25	6272	FREIGHT
	Total GRAPE BEGINNINGS, INC.		\$1,526.50		
Paid Chk#	102921	7/1/2016	HOHENSTEINS INC.		
E 640-47000-253	Beer For Resale		\$461.00	831450	BEER
E 640-47000-253	Beer For Resale		\$1,056.00	833940	BEER
	Total HOHENSTEINS INC.		\$1,517.00		
Paid Chk#	102922	7/1/2016	HOLIDAY		
E 640-47000-212	Motor Fuels		\$45.56		FUEL
	Total HOLIDAY		\$45.56		
Paid Chk#	102923	7/1/2016	JJ TAYLOR DISTRIBUTING OF MN		
E 640-47000-253	Beer For Resale		\$2,798.95	2509726	BEER
E 640-47000-259	Freight		\$3.00	2524339	FREIGHT
E 640-47000-253	Beer For Resale		\$2,378.00	2524339	BEER
E 640-47000-254	Soft Drinks/Mix For Resale		\$88.00	2524339	MISC.BEV.
E 640-47000-253	Beer For Resale		\$3,904.79	2524370	BEER
E 640-47000-253	Beer For Resale		\$4,221.17	2541649	BEER
E 640-48000-253	Beer For Resale		\$719.00	2549437	BEER
E 640-48000-253	Beer For Resale		\$128.20	2549438	BEER

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E 640-48000-253	Beer For Resale	\$527.00	2549525	BEER
E 640-48000-253	Beer For Resale	\$39.60	2549526	BEER
E 640-48000-253	Beer For Resale	\$306.00	2556215	BEER
E 640-48000-253	Beer For Resale	\$150.20	2556216	BEER
Total JJ TAYLOR DISTRIBUTING OF MN		\$15,263.91		

Paid Chk# 102924	7/1/2016	JOHNSON BROS.-ST.PAUL		
E 640-47000-251	Liquor For Resale	\$1,368.52	5460132	LIQUOR
E 640-47000-259	Freight	\$8.98	5460132	FREIGHT
E 640-47000-251	Liquor For Resale	\$1,152.75	5460133	LIQUOR
E 640-47000-259	Freight	\$14.64	5460133	FREIGHT
E 640-47000-259	Freight	\$2.44	5460134	FREIGHT
E 640-47000-252	Wine For Resale	\$256.00	5460134	WINE
E 640-47000-259	Freight	\$4.88	5461584	FREIGHT
E 640-47000-251	Liquor For Resale	\$503.13	5461584	LIQUOR
E 640-47000-251	Liquor For Resale	\$66.00	5461585	LIQUOR
E 640-47000-252	Wine For Resale	\$96.00	5461585	WINE
E 640-47000-259	Freight	\$2.44	5461585	FREIGHT
E 640-47000-251	Liquor For Resale	\$190.53	5464490	LIQUOR
E 640-47000-259	Freight	\$1.22	5464490	FREIGHT
E 640-47000-251	Liquor For Resale	\$3,166.15	5465883	LIQUOR
E 640-47000-259	Freight	\$43.92	5465883	FREIGHT
E 640-47000-252	Wine For Resale	\$9,502.50	5465884	WINE
E 640-47000-259	Freight	\$129.31	5465884	FREIGHT
E 640-47000-251	Liquor For Resale	\$2,845.15	5467333	LIQUOR
E 640-47000-259	Freight	\$22.88	5467333	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale	\$213.00	5471053	MISC.BE.V
E 640-47000-251	Liquor For Resale	\$1,382.33	5471311	LIQUOR
E 640-47000-259	Freight	\$12.53	5471311	FREIGHT
E 640-47000-252	Wine For Resale	\$1,684.95	5471312	WINE
E 640-47000-254	Soft Drinks/Mix For Resale	\$108.00	5471312	MISC.MIX
E 640-47000-259	Freight	\$29.29	5471312	FREIGHT
E 640-47000-251	Liquor For Resale	\$2,506.88	5472743	LIQUOR
E 640-47000-259	Freight	\$14.40	5472743	FREIGHT
E 640-47000-252	Wine For Resale	(\$201.22)	578668	WINE
Total JOHNSON BROS.-ST.PAUL		\$25,127.60		

Paid Chk# 102925	7/1/2016	KARLSBURGER FOODS, INC.		
E 640-48500-255	FOODIngredients For Resale	\$302.40	000411415	FOOD
E 640-48500-255	FOODIngredients For Resale	\$23.00	000411986	FOOD
E 640-48500-255	FOODIngredients For Resale	\$332.00	000412480	FOOD
Total KARLSBURGER FOODS, INC.		\$657.40		

Paid Chk# 102926	7/1/2016	LOCHER BROS., INC.		
E 640-48000-253	Beer For Resale	\$195.00	3266	BEER
Total LOCHER BROS., INC.		\$195.00		

Paid Chk# 102927	7/1/2016	M.AMUNDSON LLP		
E 640-47000-256	MISC.MDSE.RESALE	\$803.11	218188	CIGARS & CIGARETTES
E 640-47000-256	MISC.MDSE.RESALE	\$912.34	218620	CIGARS & CIGARETTES
E 640-47000-256	MISC.MDSE.RESALE	\$815.32	219037	CIGARS & CIGARETTES
Total M.AMUNDSON LLP		\$2,530.77		

Paid Chk# 102928	7/1/2016	MARGRON SKOGLUND WINE IMPORTS		
E 640-47000-252	Wine For Resale	\$2,672.00	20019865	WINE
E 640-47000-259	Freight	\$34.50	20019865	FREIGHT
tal MARGRON SKOGLUND WINE IMPORTS		\$2,706.50		

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Paid Chk#	102929	7/1/2016	NEW FRANCE WINE COMPANY		
E 640-47000-259	Freight		\$15.00	110775	FREIGHT
E 640-47000-252	Wine For Resale		\$640.00	110775	WINE
E 640-47000-252	Wine For Resale		\$224.00	111173	WINE
E 640-47000-259	Freight		\$3.00	111173	FREIGHT
Total	NEW FRANCE WINE COMPANY		\$882.00		
Paid Chk#	102930	7/1/2016	NORTHWESTERN FRUIT COMPANY		
E 640-48500-255	FOODIngredients For Resale		\$730.65	840657	FOOD
E 640-48500-255	FOODIngredients For Resale		\$238.40	840856	FOOD
E 640-48500-255	FOODIngredients For Resale		\$538.65	841025	FOOD
E 640-48500-255	FOODIngredients For Resale		\$740.05	841183	FOOD
E 640-48500-255	FOODIngredients For Resale		\$320.05	841358	FOOD
E 640-48500-255	FOODIngredients For Resale		\$450.35	841490	FOOD
E 640-48500-255	FOODIngredients For Resale		\$766.85	841702	FOOD
E 640-48000-251	Liquor For Resale		\$100.00	841873	BEER
E 640-48000-252	Wine For Resale		\$118.30	841873	LIQUOR
Total	NORTHWESTERN FRUIT COMPANY		\$4,003.30		
Paid Chk#	102931	7/1/2016	PARLEY LAKE WINERY		
E 640-47000-252	Wine For Resale		\$60.00	16120	WINE
Total	PARLEY LAKE WINERY		\$60.00		
Paid Chk#	102932	7/1/2016	PAUSTIS & SONS		
E 640-47000-252	Wine For Resale		\$952.65	8551064	WINE
E 640-47000-259	Freight		\$11.25	8551064	FREIGHT
E 640-47000-252	Wine For Resale		\$636.00	8551789	WINE
E 640-47000-259	Freight		\$7.00	8551789	FREIGHT
E 640-47000-259	Freight		\$20.00	8551841	FREIGHT
E 640-47000-252	Wine For Resale		\$2,454.52	8551841	WINE
E 640-47000-252	Wine For Resale		\$787.00	8552661	WINE
E 640-47000-259	Freight		\$8.75	8552661	FREIGHT
Total	PAUSTIS & SONS		\$4,877.17		
Paid Chk#	102933	7/1/2016	PEPSI-COLA		
E 640-47000-254	Soft Drinks/Mix For Resale		\$253.31	46299515	MISC.BEV.
E 640-47000-254	Soft Drinks/Mix For Resale		\$233.50	46299554	MISC.BEV.
Total	PEPSI-COLA		\$486.81		
Paid Chk#	102934	7/1/2016	PHILLIPS WINES & SPIRITS		
E 640-47000-252	Wine For Resale		\$353.95	2989079	WINE
E 640-47000-259	Freight		\$3.76	2989079	FREIGHT
E 640-47000-251	Liquor For Resale		\$942.00	2989080	LIQUOR
E 640-47000-259	Freight		\$9.76	2989080	FREIGHT
E 640-48000-251	Liquor For Resale		\$649.64	2992844	LIQUOR
E 640-47000-251	Liquor For Resale		\$143.25	2993012	LIQUOR
E 640-47000-259	Freight		\$0.61	2993012	FREIGHT
E 640-47000-259	Freight		\$1.22	2993013	FREIGHT
E 640-47000-252	Wine For Resale		\$86.46	2993013	WINE
E 640-47000-259	Freight		\$40.26	2993014	FREIGHT
E 640-47000-252	Wine For Resale		\$3,637.85	2993014	WINE
E 640-47000-259	Freight		\$3.87	2993015	FREIGHT
E 640-47000-251	Liquor For Resale		\$232.00	2993015	LIQUOR
E 640-47000-259	Freight		\$0.31	2996618	FREIGHT
E 640-47000-259	Freight		\$13.23	2996619	FREIGHT
E 640-47000-252	Wine For Resale		\$1,016.14	2996619	WINE
E 640-47000-259	Freight		\$2.44	2996620	FREIGHT
E 640-47000-251	Liquor For Resale		\$119.20	2996620	LIQUOR

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E 640-47000-259	Freight		\$1.22	2997650	FREIGHT
E 640-47000-252	Wine For Resale		\$44.00	2997650	WINE
Total PHILLIPS WINES & SPIRITS			\$7,301.17		
Paid Chk# 102935	7/1/2016	QUALITY SERVICE, INC.			
E 640-48000-404	Repairs/Maint - Machin/Equip		\$168.69	31725	COOLER REPAIRS
E 640-48500-404	Repairs/Maint - Machin/Equip		\$227.19	31728	FREEZER REPAIRS
E 640-48500-404	Repairs/Maint - Machin/Equip		\$117.00	31735	FREEZER REPAIRS
Total QUALITY SERVICE, INC.			\$512.88		
Paid Chk# 102936	7/1/2016	REYCRAFT, TOM			
E 640-48000-341	General Promotions		\$300.00	7/7/17	BAR MUSIC 7/7/16
Total REYCRAFT, TOM			\$300.00		
Paid Chk# 102937	7/1/2016	SHAMROCK GROUP			
E 640-48000-404	Repairs/Maint - Machin/Equip		\$348.55	1950690-A	BEER TAP REPAIRS
E 640-47000-254	Soft Drinks/Mix For Resale		\$146.55	2010211	ICE
E 640-47000-254	Soft Drinks/Mix For Resale		\$69.20	2011298	ICE
E 640-47000-254	Soft Drinks/Mix For Resale		\$150.20	2012033	ICE
E 640-47000-254	Soft Drinks/Mix For Resale		\$59.90	2015061	ICE
E 640-47000-254	Soft Drinks/Mix For Resale		\$103.80	2016428	ICE
E 640-47000-254	Soft Drinks/Mix For Resale		\$66.70	2017553	ICE
Total SHAMROCK GROUP			\$944.90		
Paid Chk# 102938	7/1/2016	SOUTHERN WINE & SPIRITS OF MN			
E 640-47000-251	Liquor For Resale		\$80.85	1417144	LIQUOR
E 640-47000-259	Freight		\$1.28	1417144	FREIGHT
E 640-47000-252	Wine For Resale		\$986.00	1417145	WINE
E 640-47000-259	Freight		\$11.52	1417145	FREIGHT
E 640-47000-251	Liquor For Resale		\$4,092.04	1417146	LIQUOR
E 640-47000-259	Freight		\$27.31	1417146	FREIGHT
E 640-47000-251	Liquor For Resale		\$760.46	1419841	LIQUOR
E 640-47000-259	Freight		\$2.88	1419841	FREIGHT
E 640-47000-252	Wine For Resale		\$4,428.00	1419842	WINE
E 640-47000-259	Freight		\$43.52	1419842	FREIGHT
E 640-47000-251	Liquor For Resale		\$1,349.80	1419843	LIQUOR
E 640-47000-259	Freight		\$8.96	1419843	FREIGHT
E 640-47000-259	Freight		\$3.84	1419844	FREIGHT
E 640-47000-252	Wine For Resale		\$272.00	1419844	WINE
E 640-47000-252	Wine For Resale		\$1,234.00	1419845	WINE
E 640-47000-259	Freight		\$15.36	1419845	FREIGHT
E 640-47000-251	Liquor For Resale		\$1,924.93	1419846	LIQUOR
E 640-47000-259	Freight		\$13.34	1419846	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$27.00	1419847	MISC.BEV.
E 640-47000-259	Freight		\$1.28	1419847	FREIGHT
E 640-47000-259	Freight		\$1.28	1419848	FREIGHT
E 640-47000-251	Liquor For Resale		\$80.00	1419848	LIQUOR
E 640-47000-259	Freight		\$32.00	1422571	FREIGHT
E 640-47000-252	Wine For Resale		\$1,632.00	1422571	WINE
E 640-47000-251	Liquor For Resale		\$1,976.56	1422572	LIQUOR
E 640-47000-259	Freight		\$14.19	1422572	FREIGHT
Total SOUTHERN WINE & SPIRITS OF MN			\$19,020.40		
Paid Chk# 102939	7/1/2016	SPENCER JANITORIAL			
E 640-48000-409	Maint services & Improv		\$2,554.97	10421	MONTHLY CLEANING
Total SPENCER JANITORIAL			\$2,554.97		
Paid Chk# 102940	7/1/2016	STRATEGIC EQUIPMENT AND			

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E 640-48000-210	Operating Supplies (GENERAL)		(\$26.91)	152510	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$574.70	2655387	KITCHEN SUPPLIES
E 640-48000-341	General Promotions		\$44.51	2655387	PROMO SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$129.52	2659619	BAR SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$159.29	2659621	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$274.65	2659623	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$467.12	2659623	KITCHEN SUPPLIES
E 640-48000-341	General Promotions		\$42.41	2659623	PROMO SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$299.91	2659787	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$69.45	2664174	KITCHEN SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$2.97	2664176	KITCHEN SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$346.33	2664184	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$283.32	2664184	BAR SUPPLIES
E 640-48000-341	General Promotions		\$61.60	2664184	PROMO SUPPLIES
Total STRATEGIC EQUIPMENT AND			\$2,728.87		
Paid Chk# 102941	7/1/2016	SUNBURST CHEMICALS, INC.			
E 640-48500-415	Other Equipment Rentals		\$92.37	0008046	KITCHEN SUPPLIES
E 640-48500-415	Other Equipment Rentals		\$92.37	0008407	KITCHEN SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$1,339.43	0358591	KITCHEN SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		(\$251.13)	0367886	KITCHEN SUPPLIES
E 640-48000-409	Maint services & Improv		\$367.34	0368163	KITCHEN SUPPLIES
Total SUNBURST CHEMICALS, INC.			\$1,640.38		
Paid Chk# 102942	7/1/2016	THORPE DISTRIBUTING CO.			
E 640-47000-253	Beer For Resale		\$2,848.05	1086277	BEER
E 640-47000-253	Beer For Resale		\$2,734.85	1089785	BEER
E 640-47000-253	Beer For Resale		\$1,973.80	1093258	BEER
E 640-47000-253	Beer For Resale		\$18.85	1096464	BEER
E 640-47000-253	Beer For Resale		\$6,290.40	1096586	BEER
E 640-48000-253	Beer For Resale		\$609.00	1097028	BEER
E 640-47000-253	Beer For Resale		\$111.45	1099963	BEER
E 640-47000-253	Beer For Resale		\$20.45	1099964	BEER
E 640-47000-253	Beer For Resale		\$2,228.35	1100088	BEER
E 640-48000-253	Beer For Resale		\$555.00	1100530	BEER
E 640-47000-253	Beer For Resale		\$20.45	1103354	BEER
E 640-48000-253	Beer For Resale		\$1,382.00	1103907	BEER
E 640-47000-253	Beer For Resale		\$18.85	1106678	BEER
Total THORPE DISTRIBUTING CO.			\$18,811.50		
Paid Chk# 102943	7/1/2016	TKO WINES, INC.			
E 640-47000-252	Wine For Resale		\$720.00	3684	WINE
Total TKO WINES, INC.			\$720.00		
Paid Chk# 102944	7/1/2016	TOLL GAS & WELDING SUPPLY			
E 640-48000-210	Operating Supplies (GENERAL)		\$41.28	10134347	SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$144.68	250569	SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$8.15	40046777	SUPPLIES
Total TOLL GAS & WELDING SUPPLY			\$194.11		
Paid Chk# 102945	7/1/2016	TRUE			
E 640-47000-254	Soft Drinks/Mix For Resale		\$74.95	137768	MISC.MDSE
Total TRUE			\$74.95		
Paid Chk# 102946	7/1/2016	TRUSTED EMPLOYEES			
E 640-47000-306	Personnel Expense		\$40.00	06201612035S	BACKGROUND SEARCH SERVICE
E 640-48000-306	Personnel Expense		\$80.00	06201612035S	BACKGROUND SEARCH SERVICE
Total TRUSTED EMPLOYEES			\$120.00		

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Paid Chk# 102947	7/1/2016	ULTRA-CHEM IN.C		
E 640-48000-409	Maint services & Improv	\$301.47	1166424	SUPPLIES
	Total ULTRA-CHEM IN.C	\$301.47		
Paid Chk# 102948	7/1/2016	US FOODS		
E 640-48500-255	FOODIngredients For Resale	\$56.97	4522036	FOOD
E 640-48500-255	FOODIngredients For Resale	\$3,113.89	4657730	FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$49.50	4657730	SUPPLIES
E 640-48000-253	Beer For Resale	\$7.70	4657730	BEER
E 640-48000-251	Liquor For Resale	\$116.51	4657730	LIQUOR
E 640-48000-254	Soft Drinks/Mix For Resale	\$63.74	4696968	MISC.BEV.
E 640-48000-342	Promotions - Food/Drinks	\$65.91	4696968	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$108.70	4696968	SUPPLEIS
E 640-48500-255	FOODIngredients For Resale	\$4,255.67	4696968	FOOD
E 640-48000-251	Liquor For Resale	\$30.43	4736216	LIQUOR
E 640-48500-210	Operating Supplies (GENERAL)	\$48.55	4736216	SUPPLIES
E 640-48000-342	Promotions - Food/Drinks	\$20.48	4736216	PROMO FOOD
E 640-48500-255	FOODIngredients For Resale	\$3,313.95	4736216	FOOD
E 640-48000-253	Beer For Resale	\$6.63	4736216	BEER
E 640-48000-254	Soft Drinks/Mix For Resale	\$186.43	4736216	MISC.BEV.
E 640-48500-255	FOODIngredients For Resale	\$145.17	4785114	FOOD
E 640-48500-255	FOODIngredients For Resale	\$3,842.39	4785118	FOOD
E 640-48000-253	Beer For Resale	\$10.61	4785118	BEER
E 640-48000-254	Soft Drinks/Mix For Resale	\$219.21	4785118	MISC.BEV.
E 640-48000-341	General Promotions	\$30.53	4785118	PROMO SUPPLIES
E 640-48000-342	Promotions - Food/Drinks	\$94.52	4785118	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$114.74	4785118	SUPPLIES
E 640-48500-255	FOODIngredients For Resale	\$167.10	4785780	FOOD
E 640-48500-255	FOODIngredients For Resale	\$3,086.82	4818781	FOOD
E 640-48500-255	FOODIngredients For Resale	\$14.13	4831783	FOOD
E 640-48000-251	Liquor For Resale	\$142.66	4872314	LIQUOR
E 640-48000-254	Soft Drinks/Mix For Resale	\$74.83	4872314	MISC.BEV.
E 640-48500-210	Operating Supplies (GENERAL)	\$69.27	4872314	SUPPLIES
E 640-48500-255	FOODIngredients For Resale	\$3,927.45	4872314	FOOD
E 640-48500-255	FOODIngredients For Resale	\$204.82	4911032	FOOD
E 640-48000-253	Beer For Resale	\$10.64	4911034	BEER
E 640-48500-255	FOODIngredients For Resale	\$4,238.82	4911034	FOOD
E 640-48000-254	Soft Drinks/Mix For Resale	\$358.17	4911034	MISC.BEV.
E 640-48000-210	Operating Supplies (GENERAL)	\$59.13	4911034	SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$100.38	4911034	SUPPLIES
E 640-48000-251	Liquor For Resale	\$72.95	4911034	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$188.21	4912784	FOOD
E 640-48500-255	FOODIngredients For Resale	\$2,827.07	4943770	FOOD
E 640-48000-342	Promotions - Food/Drinks	\$66.64	4943770	PROMO FOOD
E 640-48000-409	Maint services & Improv	\$15.20	4943770	SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$32.64	4943770	SUPPLIES
E 640-48000-251	Liquor For Resale	\$33.66	4943770	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$4,001.63	4991190	FOOD
E 640-48000-251	Liquor For Resale	\$60.25	4991190	LIQUOR
E 640-48500-210	Operating Supplies (GENERAL)	\$142.31	4991190	SUPPLIES
E 640-48500-255	FOODIngredients For Resale	(\$45.19)	5964857	FOOD
	Total US FOODS	\$35,751.82		
Paid Chk# 102949	7/1/2016	VINOCOPIA		
E 640-47000-252	Wine For Resale	\$348.00	0153854	WINE
E 640-47000-259	Freight	\$7.50	0153854	FREIGHT
E 640-47000-251	Liquor For Resale	\$84.87	0153855	LIQUOR

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E 640-47000-259	Freight		\$2.50	0153855	FREIGHT
E 640-47000-252	Wine For Resale		\$572.00	0154413	WINE
E 640-47000-259	Freight		\$6.00	0154413	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$120.00	0154414	MISC.BEV.
E 640-47000-259	Freight		\$9.00	0154414	FREIGHT
E 640-47000-251	Liquor For Resale		\$124.50	0154415	LIQUOR
E 640-47000-259	Freight		\$1.50	0154415	FREIGHT
E 640-47000-251	Liquor For Resale		\$346.58	0154864	LIQUOR
E 640-47000-259	Freight		\$6.00	0154864	FREIGHT
E 640-47000-259	Freight		\$2.00	0154865	FREIGHT
E 640-47000-252	Wine For Resale		\$112.00	0154866	WINE
E 640-47000-259	Freight		\$2.00	0154866	FREIGHT
Total VINOCOPIA			\$1,744.45		
Paid Chk#	102950	7/1/2016	WINE COMPANY		
E 640-47000-252	Wine For Resale		\$2,094.67	428018	WINE
E 640-47000-259	Freight		\$21.45	428018	FREIGHT
E 640-47000-252	Wine For Resale		\$1,720.00	428611	WINE
E 640-47000-259	Freight		\$18.15	428611	FREIGHT
E 640-47000-252	Wine For Resale		\$192.00	428751	WINE
E 640-47000-259	Freight		\$8.25	428828	FREIGHT
E 640-47000-252	Wine For Resale		\$1,666.67	428828	WINE
E 640-47000-252	Wine For Resale		\$710.00	429187	WINE
E 640-47000-259	Freight		\$8.25	429187	FREIGHT
Total WINE COMPANY			\$6,439.44		
Paid Chk#	102951	7/1/2016	WINE MERCHANT		
E 640-48000-252	Wine For Resale		(\$97.22)	708197	WINE
E 640-47000-252	Wine For Resale		\$2,804.00	7085040	WINE
E 640-47000-259	Freight		\$23.38	7085040	FREIGHT
E 640-47000-252	Wine For Resale		\$3,078.88	7085584	WINE
E 640-47000-259	Freight		\$54.90	7085584	FREIGHT
E 640-47000-259	Freight		\$1.01	7085853	FREIGHT
E 640-48000-252	Wine For Resale		\$109.22	7086027	WINE
E 640-47000-252	Wine For Resale		\$2,104.00	7086056	WINE
E 640-47000-259	Freight		\$15.86	7086056	FREIGHT
E 640-47000-252	Wine For Resale		\$300.00	7086837	WINE
E 640-47000-259	Freight		\$1.22	7086837	FREIGHT
E 640-48000-252	Wine For Resale		\$676.54	7087010	WINE
E 640-47000-252	Wine For Resale		\$672.00	7087042	WINE
E 640-47000-259	Freight		\$6.10	7087042	FREIGHT
Total WINE MERCHANT			\$9,749.89		
Paid Chk#	102952	7/8/2016	ABSOLUTE MECHANICAL		
E 101-41940-404	Repairs/Maint - Machin/Equip		\$186.00	6636	A/C SERVICE CALL-PD
Total ABSOLUTE MECHANICAL			\$186.00		
Paid Chk#	102953	7/8/2016	AEM FINANCIAL SOLUTIONS		
E 640-48000-301	Auditing and Acct g Services		\$2,291.66	369593	FINANCE DIRECTOR SERVICES
E 640-47000-301	Auditing and Acct g Services		\$2,291.67	369593	FINANCE DIRECTOR SERVICES
Total AEM FINANCIAL SOLUTIONS			\$4,583.33		
Paid Chk#	102954	7/8/2016	BARCO MUNICIPAL PRODUCTS		
E 620-40000-225	Repair & Maint - System		\$96.74	220771	UTILITY MARKING PAINT
E 610-40000-225	Repair & Maint - System		\$96.75	220771	UTILITY MARKING PAINT
Total BARCO MUNICIPAL PRODUCTS			\$193.49		
Paid Chk#	102955	7/8/2016	BARTON SAND & GRAVEL CO.		

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June 2016 to July 2016

			Check Amt	Invoice	Comment
E 620-40000-225	Repair & Maint - System		\$126.09	160630	ROCK
E 610-40000-225	Repair & Maint - System		\$126.09	160630	ROCK
Total	BARTON SAND & GRAVEL CO.		\$252.18		
Paid Chk# 102956	7/8/2016	BERRY COFFEE COMPANY			
E 101-41940-210	Operating Supplies (GENERAL)		\$45.95	T188469	SUPPLIES
Total	BERRY COFFEE COMPANY		\$45.95		
Paid Chk# 102957	7/8/2016	BIFFS, INC.			
E 101-45200-415	Other Equipment Rentals		\$62.50	W601468	PARK SERVICE
E 101-45200-415	Other Equipment Rentals		\$44.65	W601469	PARK SERVICE
Total	BIFFS, INC.		\$107.15		
Paid Chk# 102958	7/8/2016	BOTHAM, BRIAN			
E 101-42200-499	Miscellaneous		\$40.00	REIMB.	FD MTG.MEAL
Total	BOTHAM, BRIAN		\$40.00		
Paid Chk# 102959	7/8/2016	CANDLELIGHT FLORAL			
E 101-41500-499	Miscellaneous		\$96.55	013686	TYACKE FLOWERS
Total	CANDLELIGHT FLORAL		\$96.55		
Paid Chk# 102960	7/8/2016	CAREFREE LAWN SPRINKLERS, INC.			
E 430-40000-309	Contractual Services		\$540.00	0052626	IRRIGATION REPAIRS AT 301 FERNDAL
Total	CAREFREE LAWN SPRINKLERS, INC.		\$540.00		
Paid Chk# 102961	7/8/2016	CASH - ANCHOR BANK			
E 610-40000-331	Mileage & Expense Account		\$20.50		REPLENISH PW PETTY CASH
E 101-43100-331	Mileage & Expense Account		\$28.90		REPLENISH PW PETTY CASH
Total	CASH - ANCHOR BANK		\$49.40		
Paid Chk# 102962	7/8/2016	CENTERPOINT ENERGY			
E 610-40000-383	Fuel, oil and natural gas		\$80.74		SERVICE
E 101-41940-383	Fuel, oil and natural gas		\$383.85		SERVICE
E 640-48000-383	Fuel, oil and natural gas		\$558.46		SERVICE
E 640-47000-383	Fuel, oil and natural gas		\$139.62		SERVICE
Total	CENTERPOINT ENERGY		\$1,162.67		
Paid Chk# 102963	7/8/2016	ECM PUBLISHERS, INC.			
E 101-41500-350	Printing & Publishing		\$51.75	369773	ORDINANCE NOTICE
E 101-41500-350	Printing & Publishing		\$57.50	369774	ORDINANCE NOTICE
E 101-41500-350	Printing & Publishing		\$51.75	369775	BUSHAWAY RD LEGAL NOTICE
G 802-20333 350	GARDNER STREET		\$46.00	369776	350 GARDNER STREET
Total	ECM PUBLISHERS, INC.		\$207.00		
Paid Chk# 102964	7/8/2016	HENNEPIN COUNTY TREASURER			
G 650-20818	Garbage Sales Tax		\$1,387.80	9%REFUSE T	9% REFUSE TAX - JUNE 2016
Total	HENNEPIN COUNTY TREASURER		\$1,387.80		
Paid Chk# 102965	7/8/2016	JORGENSEN, KURT			
E 640-48000-341	General Promotions		\$250.00	7/13/16	BAR MUSIC 7/13/16
Total	JORGENSEN, KURT		\$250.00		
Paid Chk# 102966	7/8/2016	JORGENSEN, KURT			
E 640-48000-341	General Promotions		\$250.00	7/20/16	BAR MUSIC 7/20/16
Total	JORGENSEN, KURT		\$250.00		
Paid Chk# 102967	7/8/2016	JORGENSEN, KURT			
E 640-48000-341	General Promotions		\$250.00	7/27/16	BAR MUSIC 7/27/16
Total	JORGENSEN, KURT		\$250.00		

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June 2016 to July 2016

				Check Amt	Invoice	Comment
Paid Chk#	102968	7/8/2016	KRAUTH, MAX			
E 640-48000-341	General Promotions			\$300.00	7/14/16	BAR MUSIC 7/14/16
	Total KRAUTH, MAX			\$300.00		
Paid Chk#	102969	7/8/2016	LEAGUE OF MN CITIES INS.TRUST			
E 101-49200-361	General Liability Ins			\$3,053.53	C0021860	LAWSUIT - PRIVATE DATA ACCESS CLAIM
	Total LEAGUE OF MN CITIES INS.TRUST			\$3,053.53		
Paid Chk#	102970	7/8/2016	LONG LAKE TRU VALUE			
E 101-45200-210	Operating Supplies (GENERAL)			\$15.61	5318	SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)			\$33.86	5318	SUPPLIES
E 620-40000-210	Operating Supplies (GENERAL)			\$39.43	5318	SUPPLIES
E 101-42100-210	Operating Supplies (GENERAL)			\$15.16	5318	SUPPLIES
E 101-43100-210	Operating Supplies (GENERAL)			\$146.09	5318	SUPPLIES
	Total LONG LAKE TRU VALUE			\$250.15		
Paid Chk#	102971	7/8/2016	MARCO			
E 630-40000-404	Repairs/Maint - Machin/Equip			\$167.96	INV3430638	MV CONTRACT/SUPPORT
	Total MARCO			\$167.96		
Paid Chk#	102972	7/8/2016	MARY DELAITTRE			
E 233-40000-302	Consultants			\$9,775.00	JUNE 2016	LAKE EFFECT
	Total MARY DELAITTRE			\$9,775.00		
Paid Chk#	102973	7/8/2016	METROPOLITAN COUNCIL			
E 620-40000-386	Other Utilities			\$37,744.23	0001057582	SEWER SERVICE
	Total METROPOLITAN COUNCIL			\$37,744.23		
Paid Chk#	102974	7/8/2016	METROPOLITAN COUNCIL			
G 101-20831	MWCC (SAC)			\$2,485.00	JUNE2016	JUNE 2016 SAC FEES
R 101-00000-34190	Charges for Services/Gen Gov			(\$24.85)	JUNE2016	JUNE 2016 SAC FEES
	Total METROPOLITAN COUNCIL			\$2,460.15		
Paid Chk#	102975	7/8/2016	MN CHILD SUPPORT PAYMENT CENTE			
G 101-21710	County WH			\$235.00	0015104841	WITHHOLDING ORDER
	otal MN CHILD SUPPORT PAYMENT CENTE			\$235.00		
Paid Chk#	102976	7/8/2016	OFFICE DEPOT			
E 101-41500-200	Office Supplies (GENERAL)			\$96.98	847326273001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)			\$38.79	847326361001	SUPPLIES
	Total OFFICE DEPOT			\$135.77		
Paid Chk#	102977	7/8/2016	PIRTEK			
E 101-45200-222	Repair & Maint - Equip			\$53.20	S2301793.001	PARTS
E 101-43100-220	Repair/Maint Supply (GENERAL)			\$456.59	S2310778.001	PARTS
	Total PIRTEK			\$509.79		
Paid Chk#	102978	7/8/2016	SCHANKE, SUZIE			
E 101-42200-409	Maint services & Improv			\$145.00	2	FD MONTHLY CLEANING - JUNE 2016
	Total SCHANKE, SUZIE			\$145.00		
Paid Chk#	102979	7/8/2016	SOCIABLE CIDER WERKS			
E 640-47000-253	Beer For Resale			\$250.00	2046	BEER
	Total SOCIABLE CIDER WERKS			\$250.00		
Paid Chk#	102980	7/8/2016	STARY, MARK			
E 640-48000-341	General Promotions			\$300.00	7/21/16	BAR MUSIC 7/21/16
	Total STARY, MARK			\$300.00		

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June 2016 to July 2016

			Check Amt	Invoice	Comment
Paid Chk#	102981	7/8/2016	THORPE DISTRIBUTING CO.		
E 640-48000-253	Beer For Resale		\$180.00	1091172	BEER
Total THORPE DISTRIBUTING CO.			\$180.00		
Paid Chk#	102982	7/8/2016	TIME SAVER		
E 101-41100-302	Consultants		\$542.00	M22235	MEETING MINUTES
Total TIME SAVER			\$542.00		
Paid Chk#	102983	7/8/2016	WAYZATA BAY SENIOR HOUSING,INC		
G 316-20200	Note Payable		\$815,523.96	JUNE2016TIF	JUNE 2016 TIF PAYMENT
Total WAYZATA BAY SENIOR HOUSING,INC			\$815,523.96		
Paid Chk#	102984	7/8/2016	WESTSIDE WHOLESALE TIRE		
E 101-45200-222	Repair & Maint - Equip		\$67.36	769859	TIRE REPAIRS
Total WESTSIDE WHOLESALE TIRE			\$67.36		
Paid Chk#	102985	7/8/2016	XCEL ENERGY		
E 101-45203-381	Electric Utilities		\$376.77		SERVICE
E 101-41940-381	Electric Utilities		\$11.42		SERVICE
E 620-40000-381	Electric Utilities		\$1,446.68		SERVICE
E 640-48000-381	Electric Utilities		\$3,253.21		SERVICE
E 640-47000-381	Electric Utilities		\$1,394.23		SERVICE
E 610-40000-381	Electric Utilities		\$6,409.23		SERVICE
E 101-41940-381	Electric Utilities		\$4,126.53		SERVICE
E 101-42200-381	Electric Utilities		\$335.23		SERVICE
Total XCEL ENERGY			\$17,353.30		
10100 Anchor Bank			\$1,098,907.75		

Fund Summary**10100 Anchor Bank**

101 GENERAL FUND	\$13,224.81
233 LAKFRONT IMPROVE	\$9,775.00
316 BAY CENTER	\$815,523.96
430 STREET CIP	\$540.00
610 WATER FUND	\$6,767.17
620 SEWER FUND	\$39,453.17
630 MOTOR VEHICLE	\$167.96
640 LIQUOR	\$212,021.88
650 SOLID WASTE	\$1,387.80
802 ESCROW PROJECTS	\$46.00
	\$1,098,907.75

7/19/2016

THE FOLLOWING 2016 MUNICIPAL LICENSES
WERE APPROVED ADMINISTRATIVELY

Special Event/Itinerant Food License	
Wayzata Chamber Membership Appreciation Picnic 7/14/2016	
Wayzata Bar & Grill	Wayzata, MN
Food Vehicle License	
Kentucky Fried Chicken	Wayzata, MN

**WAYZATA POLICE DEPARTMENT
ACTIVITY REPORT – JUNE, 2016**

Suspicious

Reported: 06-30-2016 2225

Report of a group of teenagers congregating in the parking lot and blocking traffic flow. Officers advised the group and waited in the area until the group dispersed.

Addresses Involved

200 block of Grove Lane E, Wayzata, MN 55391

Unwanted Person

Reported: 06-30-2016 0031

Report of an unwanted male creating a disturbance. Male was escort off the property.

Addresses Involved

400 block of Wayzata Blvd E, Wayzata, MN 55391

Disturbance

Reported: 06-29-2016 0355

Noise complaint. Noise coming from road construction.

Addresses Involved

Hwy 12 & Wayzata Blvd W, Wayzata, MN

Theft

Reported: 06-26-2016 1615

Report of a theft of an iPhone. Loss approximately \$650.

Addresses Involved

400 block of Lake St E, Wayzata, MN 55391

Neighbor Dispute

Reported: 06-25-2016 2110

Report of a neighbor dispute. Parties were separated and advised.

Addresses Involved

600 block of Wayzata Blvd E, Wayzata, MN 55391

Fire

Reported: 06-24-2016 2344

Report of smoke in the residence. Smoke coming from the floor. Police and Wayzata Fire responded.

Addresses Involved

300 block of Broadway Ave N, Wayzata, MN 55391

Warrant

Reported: 06-24-2016 1920

25 year old male from Brooklyn Park arrested on an outstanding warrant. He paid cash bail and was released.

Addresses Involved

600 block of Wayzata Blvd E, Wayzata, MN 55391

Names Involved

(Arrested) Wicks, Harry (Age:25)

Fire

Reported: 06-23-2016 2004

Report of a vehicle fire. Fire was extinguished prior to officer and fire department arrival. Private tow ordered.

Addresses Involved

1400 block of Wayzata Blvd E, Wayzata, MN 55391

Open Door

Reported: 06-23-2016 1721

Officer observed an open door at a business. Officer located an employee still on site.

Addresses Involved

2200 block of Daniels St, Long Lake, MN 55356

Disturbance **Reported:** 06-23-2016 1631
Report hearing someone yelling for help. Area checked, nothing suspicious found.
Addresses Involved
1100 block of Wayzata Blvd E, Wayzata, MN

Fire **Reported:** 06-21-2016 2220
Report of smoke in the area. Recreational fire. Homeowner agreed to extinguish the fire.
Addresses Involved
2100 block of Grand Ave, Long Lake, MN 55356

Suspicious **Reported:** 06-21-2016 1418
Report of an attempted scam. No loss at this time.
Addresses Involved
700 block of Lake St, Wayzata, MN 55391

Fire **Reported:** 06-21-2016 0416
Report of smoke in a business. Wayzata Fire responded.
Addresses Involved
600 block of Lake St E, Wayzata, MN 55391

Domestic Assault **Reported:** 06-21-2016 0214
21 year old female from Wayzata arrested for domestic assault.
Addresses Involved
600 block of Ridgeview Dr, Wayzata, MN 55391
Names Involved
(Arrested) Farley, Akos (Age:21)

Warrant **Reported:** 06-21-2016 0038
28 year old male from Brooklyn Center arrested on an outstanding warrant. Male paid cash bail and was released with court date and citation for driving after revocation.
Addresses Involved
Superior Blvd & Rice St, Wayzata, MN
Names Involved
(Arrested) Kanneh, Anthony Amara (Age:28)

Damage to Property - Criminal **Reported:** 06-20-2016 1547
Report of minor damage to a picnic table.
Addresses Involved
300 block of Harrington Dr, Long Lake, MN 55356

Theft **Reported:** 06-20-2016 1205
Report of a theft of a wallet. Loss \$395.
Addresses Involved
16100 block of Wayzata Blvd E, Wayzata, MN 55391

Burglary-Attempted **Reported:** 06-20-2016 0536
Officers responded to a business alarm. They discovered a broken window upon arrival. Surveillance video showed two subjects approach the building and leave the scene prior to police arrival. Nothing from the business is missing and the case is under investigation.
Addresses Involved
1700 block of Wayzata Blvd W, Long Lake, MN 55356

Fight**Reported:** 06-18-2016 2335

Officers responded to the report of approximately 20 high school students, some with baseball bats, fighting near the Wayzata Beach. Nine males, mostly juveniles, were apprehended and will be facing various charges.

Addresses Involved

200 block of Grove Lane E, Wayzata, MN 55391

Theft**Reported:** 06-17-2016 0922

Report of a theft. Loss \$3365.

Addresses Involved

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

Alcohol**Reported:** 06-17-2016 0129

Request for a welfare check. Located an intoxicate female. Female was cited for underage consumption of alcohol and released to the custody of her mother.

Addresses Involved

400 block of Lake St E, Wayzata, MN 55391

Order Violation**Reported:** 06-16-2016 1907

48 year old male arrested for violation of a domestic abuse no contact order.

Addresses Involved

200 block of Grove Lane E, Wayzata, MN 55391

Names Involved

(Arrested) Dupont, Troy Allan (Age:48)

False Info**Reported:** 06-16-2016 1516

29 year old male from Hopkins arrested for giving false information to a police officer.

Addresses Involved

400 block of Lake St E, Wayzata, MN 55391 USA

Names Involved

(Arrested) Loyd, Jonathan Michael (Age:29)

Traffic Offense**Reported:** 06-16-2016 1207

45 year female from Wayzata arrested for driving after cancellation inimical to public safety.

Addresses Involved

600 block of Gardner St E, Wayzata, MN 55391 USA

Names Involved

(Arrested) Schewe, Noel Katherine (Age:45)

Theft from Vehicle**Reported:** 06-15-2016 2033

Report of a theft of a license plate off of a vehicle.

Addresses Involved

1600 block of Holdridge Circle, Wayzata, MN 55391

Trespass**Reported:** 06-15-2016 1256

25 year old male arrested for trespassing.

Addresses Involved

1300 block of Wayzata Blvd E, Wayzata, MN 55391

Names Involved

(Arrested) Thomas, Dontaye Javonne (Age:25)

Trespass **Reported:** 06-14-2016 1459

Report of a male trespassing on private property. Charges pending.

Addresses Involved

1300 block of Wayzata Blvd E, Wayzata, MN 55391

Damage to Property - Criminal **Reported:** 06-13-2016 2253

Report of a criminal damage to property. Damage to moped over \$1000.

Addresses Involved

200 block of Grove Lane E, Wayzata, MN 55391

Order Violation **Reported:** 06-13-2016 2138

46 year old male from Eden Prairie arrested for violation of a domestic abuse no contact order.

Addresses Involved

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

Names Involved

(Arrested) Gribovsky, Peter (Age:46)

Theft **Reported:** 06-13-2016 1138

Report of a theft. Loss \$255.

Addresses Involved

400 block of Arlington Cir, Wayzata, MN

Suspicious **Reported:** 06-13-2016 0920

Report of an attempted phone scam. No loss at this time.

Addresses Involved

600 block of Harmony Cir, Wayzata, MN 55391

DWI **Reported:** 06-12-2016 2109

31 year old male from Robbinsdale arrested for driving while under the influence. Refused to test.

Addresses Involved

Plymouth Road & I 394, Minnetonka, MN 55391 USA

Names Involved

(Arrested) Laird, Jamarous Lemark (Age:31)

Trepass **Reported:** 06-12-2016 0111

Report of a male trespassing on private property. Charges pending.

Addresses Involved

1300 block of Wayzata Blvd E, Wayzata, MN 55391

Suspicious **Reported:** 06-11-2016 2036

Report of a male transferring alcohol from vehicle trunk. Charges pending for sell or give alcohol to person under 21 and possession of marijuana in a motor vehicle.

Addresses Involved

400 block of Pondridge Cir, Wayzata, MN 55391

Theft **Reported:** 06-11-2016 1330

69 year old female arrested for shoplifting (loss \$65). She was tab charged and released from the scene.

Addresses Involved

1100 block of Wayzata Blvd E, Wayzata, MN 55391

Names Involved

(Arrested) Shalles, Sylvia Rosemarie (Age:69)

Theft from Vehicle **Reported:** 06-11-2016 0850

Report of four tires stolen off of a vehicle. Loss \$2000.

Addresses Involved

1800 block of Wayzata Blvd E, Wayzata, MN 55391

Unwanted Person **Reported:** 06-10-2016 1859

Report of solicitors in the area without a permit. Solicitor was advised.

Addresses Involved

100 block of Birch Lane, Wayzata, MN 55391

DWI **Reported:** 06-10-2016 0132

27 year old male from Medina arrested for driving while under the influence. Refused to test.

Addresses Involved

Highway 12 & Central Ave, Wayzata, MN 55391 USA

Names Involved

(Arrested) Hannan, Timothy Christopher (Age:27)

Fire **Reported:** 06-09-2016 1923

Report of a smoke in residence. Grease fire. Fire was extinguished.

Addresses Involved

100 block of Grand Ave S, Wayzata, MN 55391

Theft **Reported:** 06-09-2016 1050

Report of a theft. Loss \$2.

Addresses Involved

1800 block of Wayzata Blvd W, Long Lake, MN 55356

Assault **Reported:** 06-08-2016 1910

Report of an assault. This case is under investigation.

Addresses Involved

600 block of Ridgeview Dr E, Wayzata, MN 55391

Assault **Reported:** 06-08-2016 1332

Report of an assault. Charges pending.

Addresses Involved

200 block of Glenmoor Lane, Long Lake, MN 55356

Theft **Reported:** 06-08-2016 0846

Report of a theft of a boat trailer. Loss \$2000.

Addresses Involved

200 block of Lake St E, Wayzata, MN 55391

Customer Trouble **Reported:** 06-07-2016 2048

Report of an employee being harassed by a customer. All parties left prior to officer arrival.

Addresses Involved

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

Trespass **Reported:** 06-07-2016 0006

29 year old male arrested for trespassing.

Addresses Involved

800 block of Lake St N, Wayzata, MN 55391

Names Involved

(Arrested) Quast, Scott Randall (Age:29)

Theft of Vehicle **Reported:** 06-06-2016 1039

Report of a theft of a boat from a yard. Loss \$500.

Addresses Involved

400 block of Ferndale Road W, Wayzata, MN 55391

Customer Trouble **Reported:** 06-05-2016 1858

Report of a customer yelling and being belligerent. Customer left prior to officer arrival. Unable to locate.

Addresses Involved

700 block of Lake St E, Wayzata, MN 55391

Domestic Assault **Reported:** 06-05-2016 1627

Report of a domestic assault. Juvenile arrested.

Addresses Involved

100 block Gleason Lake Rd, Wayzata, MN 55391

Traffic Offense **Reported:** 06-05-2016 1533

51 year old male from St. Paul arrest for driving after cancellation inimical to public safety.

Addresses Involved

Broadway Ave S & Rice St E, Wayzata, MN

Names Involved

(Arrested) Welton, James Michael (Age:51)

Customer Trouble **Reported:** 06-04-2016 2313

Report of an uncooperative intoxicated female. Officer assisted female with ordering a cab.

Addresses Involved

1300 block of Wayzata Blvd W, Long Lake, MN 55356

Theft **Reported:** 06-03-2016 1405

Report of a theft. Loss over \$1000.

Addresses Involved

200 block of Grove Lane E, Wayzata, MN 55391

Unwanted Person **Reported:** 06-03-2016 1231

Report of an unwanted person. Male left prior to officer arrival.

Addresses Involved

1800 block of Wayzata Blvd W, Long Lake, MN 55356

Theft of Vehicle **Reported:** 06-02-2016 1637

Report of a theft of vehicle. Vehicle was returned to owner.

Addresses Involved

800 block of Lake St, Wayzata, MN 55391

Theft from Vehicle**Reported:** 06-02-2016 0905

Report of a theft from vehicle. Loss \$200.

Addresses Involved200 block of Barry Avenue S, Wayzata, MN 55391 USA

Theft from Vehicle**Reported:** 06-01-2016 1827

Report of a theft from vehicle. Loss approximately \$1435.

Addresses Involved1100 block of Eastman Lane, Wayzata, MN 55391

TRAFFIC – JUNE, 2016

CITATIONS	204
WRITTEN WARNINGS	35
VERBAL WARNINGS	106

Description	Jun 2016
MISSING PERSON	1
MISSING ANIMAL	2
MISSING/LOST PROPERTY	4
FOUND ANIMAL	3
FOUND PROPERTY	8
RECOVERED STOLEN PROPERTY	1
SAFEKEEPING & DISPOSAL	1
PIMV	1
PDMV	15
H & R PDMV	3
ANIMAL BITE	1
Other Fire/Smoke	1
Single Family Home Fire	1
Multiple Dwelling Fire	1
Business/Commercial/Industrial Fire	1
Vehicle Fire	1
FIRE ALARM	12
GAS LEAK/SMELL	1
HAZ ROAD CONDITION	18
RR Crossing Hazard	1
SUICIDE ATTEMPT	1

OTHER MEDICAL	54
72 Hour Hold/Emergency Admission	5
WELFARE CHECK - ADULT	16
WELFARE CHECK - JUV	4
MENTAL HEALTH ISSUE	1
INFO REC'D	18
CIVIL MATTER	6
DISTURBANCE/FIGHT/LOUD PARTY/HARASSMENT	17
RECEIVE COURT ORDER/OFP	3
SUSPICION	26
OPEN DOOR/WINDOW	1
SCAM/FRAUD ATTEMPT	3
BURNING COMPL	1
FIREWORKS COMPL	4
MISC. JUVENILE PROBLEM	9
DRIVING/TRAFFIC COMPLAINT	29
PARKING COMPL	10
HOUSE/BUSINESS CHECKS	14
RECORD CHECKS	12
OTHER PERMITS	1
FIREARM PERMIT	3
HC SHERIFFS PERMIT TO CARRY	4
PARKING PERMIT	2
OTHER ORD VIOL (JUNK CARS, ETC)	1
OTHER ORD VIOL (JUNK CARS, ETC) - Verbal Warning	1
SOLICITATION	1
ANIMAL VIOLATION	2
HUNTING/TRAPPING/FISHING	1
ANIMAL COMPLAINT/CHECK	20
DOG LICENSE ISSUED	4
ADULT PROTECTION ASSIST	3
FINGERPRINTS	6
ASSIST CHILD PROTECTION	5
MOTORIST ASSIST/STALL	11
UTILITY PROBLEM	11
PUBLIC ASSIST	16
LOCKOUT	10
BUSINESS ALARM	24
CO2 ALARM	1
HOME ALARM	14
911 HANG-UP	17
Park Violation - Verbal Warning	5
ASSIST OTHER DEPT	15
WARRANT/ATTEMPT/ARREST	6
SPECIAL EVENT	1

TRAFFIC CONTROL / DIRECT ENFORCEMENT	10
DEPARTMENT DELIVERIES	1
CASE FOLLOW UP	6
Sex Offender/POR Info/Checks	1
ASLT 2-INFLICTS BODILY HARM-OTH WEAP-CHLD-ACQ	1
ASLT 5-MS-INFLICT BD HRM-HANDS-ASLT-AC	2
TERR THREATS-THRT CRM VIOL-HANDS ETC-ADULT-STR	1
DOM ASLT-GM-HANDS FIST FEET-AD-FAM	1
DOM ASLT-MS-INFLT BODILY HARM-HANDS-AD-FAM	1
BURG 4-AT FRC NRES-N-UNK WEAP-UNK ACT	1
DRUGS-SMALL AMOUNT MARIJUANA-POSESSION	2
DRUGS-SM AMT IN MOT VEH-POSS-MARIJ-UNK	1
DRUGS-DRUG PARAPH-POSSESS-UNK-UNK	2
CON SUB 5-POSSESS-MARIJUANA-UNK	1
ESC-MS-FLEE AN OFFICER OTHER THAN MTR VEH	2
TRAFFIC-GM-OTHER-MV	2
TRAF-AC-GM-2ND DEG DWI-REFUSAL TO TEST-MV	2
CSC 3-NO FRC-ACQUAINT-18 OLDER F	1
JUVENILE-CONT SUBST OFFENDER-POSS SM AMT MARIJ	1
LIQUOR - POSSESSING	1
LIQUOR-GM-SELL TO OR PROCURE LIQUOR FOR MINOR	1
LIQUOR-UNDERAGE CONSUMPTION 18-21	1
JUVENILE-CURFEW	1
JUVENILE-RUNAWAY	1
DISTURB PEACE-FE-VIOL DOM ABUSE NO CONTACT	2
DISTURB PEACE-MS-UNLAWFUL ASSEMBLY	1
DISTURB PEACE-MS-DISORDERLY CONDUCT	1
PROP DAMAGE-FE-PRIVATE-UNK INTENT	1
PROP DAMAGE-MS-PUBLIC-OTHER INTENT	1
TRESPASS-MS-PRIVATE-UNK INTENT	3
TRESPASS-MS-PRIVATE-OTHER INTENT	1
THEFT-1001-5000 DLRS FE-YARDS-OTHER PROPERTY	2
THEFT-1001-5000 DLRS FE-MTR VEHICLE-OTH PROP	2
THEFT-501-1000 DLRS GM-OTHR-OTHER PROP	1
THEFT-500 OR LESS MS-BLDG-MONEY	1
THEFT-500 OR LESS MS-BLDG-OTH PROP	2
THEFT-500 OR LESS MS-YARDS-OTH PROP	1
THEFT-500 OR LESS MS-MTR VEHICLE-OTH PROP	2
THEFT-FE-FALSE REPRESENTATN-2501-19999	1
THEFT-FE-AUTO-MORE THAN 2500	2
VEH-NOT MORE 500-FE-THEFT-BOAT-MTRI	1
CRIM AGNST ADMN JUST-MS-CONSPR TO COMM CRIME	1
CRIM AGNST ADM JUST-MS-GIVE FLSE NAM POL	2

BUILDING CONSTRUCTION

2015	2016 Feb	2016 March	2016 April	2016 May	2016 June	2016
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NUMBER OF BLDG. PERMITS	259	17	13	17	20	14	98
PROJECT VALUE	\$50,380,054.75	\$1,082,874.45	\$617,445.00	\$37,137,225.83	\$3,301,920.40	\$2,216,062.00	\$46,688,382.85
BUILDING PERMIT FEE	\$329,932.64	\$10,373.00	\$7,406.75	\$161,004.75	\$21,697.25	\$16,002.00	\$233,555.00
PLAN CHECK FEE	\$181,911.71	\$5,913.28	\$3,973.98	\$98,467.75	\$12,449.86	\$9,229.39	\$140,879.96

EXTERIOR REPAIR

NUMBER OF PERMITS	98	1	2	5	12	11	31
PROJECT VALUE	\$1,566,840.36	\$30,000.00	\$9,443.00	\$41,366.00	\$228,276.00	\$282,790.00	\$591,875.00
PERMIT FEE	\$24,942.50	\$466.75	\$250.75	\$811.25	\$3,693.25	\$4,071.50	\$9,293.50

MECHANICAL

NUMBER OF PERMITS	228	17	17	12	14	11	81
PROJECT VALUE	\$3,391,980.96	\$586,486.50	\$169,410.25	\$142,437.52	138,775.51	130,924.00	\$1,238,954.48
PERMIT FEE	\$62,881.44	\$9,856.24	\$3,412.42	\$2,868.56	2,808.52	2,618.48	\$22,982.64

PLUMBING

NUMBER OF PERMITS	240	21	14	12	16	12	90
PROJECT VALUE	\$1,895,967.76	\$564,395.00	\$1,253,162.00	\$59,670.00	\$91,697.88	\$75,939.00	\$2,125,993.88
PERMIT FEE	\$38,015.46	\$9,726.20	\$19,406.08	\$1,248.60	\$1,952.93	\$1,618.78	\$35,640.19

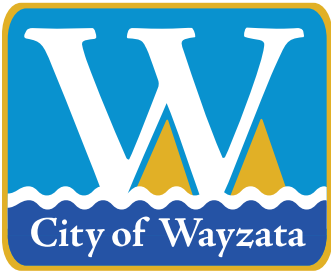
TOTAL # OF PERMITS	825	56	46	46	62	48	300
TOTAL INCOME	\$637,683.75	\$36,335.47	\$34,449.98	\$264,400.91	\$42,601.81	\$33,540.15	\$442,351.29

NUMBER OF INSPECTIONS

BUILDING	1087	60	59	54	72	104	399
EXTERIOR	150	1	3	3	11	24	43
HVAC	466	24	29	25	29	62	199
PLUMBING	508	25	34	23	23	51	181
OTHER	5	1	1	0	1	0	3
TOTAL # OF INSPECTIONS	2216	111	126	105	136	241	825

RENTAL HOUSING INSPECTIONS

INSPECTIONS	119	18	16	21	15	9	84
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City of Wayzata
600 Rice Street
Wayzata, MN 55391-1734

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

City Manager:
Jeffrey Dahl

Date: July 14, 2016
To: Mayor Willcox and City Councilmembers
From: Jeff Thomson, Director of Planning and Building
Subject: Tree Ordinance Amendment

Introduction

On July 5, 2016, the City Council adopted the first reading of Ordinance No. 757, amending Chapter 710 of the Wayzata City Code pertaining to planting, maintenance and removal of trees, and amending Chapter 801 to include a new Section 801.36 regarding tree preservation. The first reading of the ordinance adopted by the Council included amendments to the draft ordinance pertaining to the qualifications for the City Forester. Attached for the Council's review is the draft ordinance, which incorporates the changes made by the Council at the first reading. There have been no other changes made to the draft ordinance.

Effective Date of the Ordinance

If the Council adopts the second reading, the ordinance will be effective upon publishing the ordinance in the City's official newspaper.

Staff Recommendation

City staff recommends that the City Council adopt the second reading of Ordinance No. 757.

CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA
ORDINANCE NO. 757

**AN ORDINANCE AMENDING CHAPTER 710 (PLANTING, MAINTENANCE AND
REMOVAL OF TREES) OF THE WAYZATA CITY CODE, AND AMENDING
CHAPTER 801 (ZONING ORDINANCE) OF THE WAYZATA CITY CODE TO
INCLUDE NEW SECTION 36 ON TREE PRESERVATION**

THE CITY OF WAYZATA ORDAINS:

Section 1. Amendment to Ch. 710 of City Code. Chapter 710 of the Wayzata City Code (Planting, Maintenance and Removal of Trees) is hereby amended to read in its entirety as set forth in Exhibit A attached hereto (~~struck~~ text deleted; underlined text added).

Section 2. Amendment to Ch. 801 of City Code. Chapter 801 of the Wayzata City Code (Zoning Ordinance) is hereby amended to add a new Section 36, which shall read in its entirety as set forth in Exhibit B attached hereto.

Section 3. Findings. The amendments made hereby are based upon the findings set forth in the Report and Recommendation of the Wayzata Planning Commission, dated October 19, 2015.

Section 4. Effective Date. This Ordinance will become effective upon passage and publication.

Adopted by the City Council this 19th day of July, 2016.

Ken Willcox
Mayor

ATTEST:

Jeffrey Dahl
City Manager

First Reading: July 5, 2016
Second Reading: July 19, 2016
Publication:

Exhibit A

CHAPTER 710 **PLANTING,** MAINTENANCE AND REMOVAL OF TREES

710.01. Purpose. The Wayzata City Council has determined the preservation of trees growing on public and private property are necessary to maintain the general welfare of the public and is set forth more fully in Section 710.13 of this Chapter, and Section 801.36 of the Zoning Ordinance. In order to maintain and enhance the quantity and quality of trees growing within the City, this Chapter is adopted to regulate the ~~planting~~, maintenance and removal of trees within the City of Wayzata by: (1) Defining the duties and responsibilities of the City Forester as the agent enforcing regulations relating to the planning, ~~planting~~, maintenance and removal of trees within the City of Wayzata; (2) Providing for the issuing of permits and/or licenses for any maintenance and/or removal of trees within the City of Wayzata; (3) Providing for the pruning and removal of trees on private property that endanger public safety; (4) Providing for standards and specifications of all policy concerning trees on public property; ~~(5) Providing for standards and specifications of a care protection policy concerning trees in subdivision properties; and (6 and (5) Providing for standards and specifications for care protection policy concerning trees within project construction limits.~~

(Ord. ~~614 [5-27-1999]~~) ~~xxxx~~)

710.02. Definitions. ~~The following words and terms, when used in this Chapter, shall have the following meanings, unless the context clearly indicates otherwise:~~

~~a. "Applicant" shall mean any person applying for any City permit or approval that would result in the construction or improvements on land within the City that contains Significant Trees.~~

~~b. "Forester" shall mean that person appointed as City Forester by the Wayzata City Manager.~~

~~c. "Preservation Plan" shall mean a plan which is prepared for a proposed development or redevelopment project by a Minnesota registered surveyor which sets forth the project area, locates proposed improvements and locates all Significant Trees located in the project area. It shall indicate which Significant Trees are to be preserved and which are to be removed as a result of the construction of the project. Significant Trees' diameters, heights (where applicable) and species shall be noted in the Preservation Plan.~~

~~d. "Code Enforcement Officer" shall mean the City Manager or designee.~~

~~e. "Significant Trees" shall mean healthy trees (as determined by the City Forester) which are six (6) inches in diameter (DBH) for deciduous trees or greater than eight (8) feet in height for coniferous trees.~~

~~f. "Preservation" shall mean maintaining in its natural condition and location any tree.~~

~~g. "DBH" shall mean diameter of trees at breast height. It is that point 4½ feet (54 inches) above the ground at which the diameter of a tree shall be measured.~~

~~h. shall mean~~

~~(Ord. 614 [5-27-1999])~~

710.03. Duties and Qualifications of the Forester.

a. Duties. The Forester, as appointed by the City Manager, for the purposes of this Chapter shall identify diseased and hazardous trees that threaten the health and safety of the public and coordinate all activities of the City relating to the control and prevention of tree ~~diseases~~pathogens. It shall further be the duty of the Forester and the City Manager and/or his/her designee to identify and describe ~~significant trees~~Significant Trees in any proposed subdivision or development project and to assist planners, developers, and architects in the development of a tree preservation plan for each construction development project.

b. Qualifications of the Forester. The qualifications of the Forester shall be, as a minimum, those qualifications prescribed for certified arborists by the Minnesota~~International~~ Society of Arboriculture, or such other appropriate qualifications as determined by the ~~Commissioner of Agriculture~~City Manager.

~~(Ord. 614 [5-27-1999])xxxx)~~

710.04. Disease03. Pathogen Control Program. It is the intent of the City to conduct a program of plant pest control pursuant to the authority granted by Minn. Stat. §18.022. This Chapter provides full power and authority over all trees, plants and shrubs located within the street rights-of-way, parks and public places of the City; and to trees located on private property that constitute a hazard or threat as described herein; and trees that fall under the tree protection policy as described in Section 710.17 of this Chapter.

~~(Ord. 614 [5-27-1999])xxxx)~~

710.0504. Nuisances Declared. The following things hereby are declared to be public nuisances whenever they may be found within the City:

a. Any living or standing elm tree or part thereof infected to any degree with the Dutch Elm disease fungus ~~Ceratoecystis Ulmi (Buisman) Moreau~~(as defined by the Minnesota Department of Agriculture) or which harbors any of the elm bark beetles ~~Scolytus Multistriatus (Eichh.) or Hylurgopinus Rufipes (Marsh).~~ known by the Minnesota Department of Agriculture to transmit the disease.

- b. Any dead elm tree or part thereof, including logs, branches, stumps, firewood or other elm material from which the bark has not been removed or sprayed with an effective Dutch Elm insecticide, or disposed of in a manner prescribed by the Commissioner of Agriculture.
- c. Any living or standing oak tree or part thereof infected to any degree with the Oak Wilt disease fungus ~~Ceratoecystis Fagacearum~~, as defined by the Minnesota Department of Agriculture.
- d. Any infected oak tree or part thereof, including logs, branches, stumps, firewood or other oak material unless all bark material is removed and disposed of in a manner prescribed by the Commissioner of Agriculture.
- e.
- e. Any ash tree at risk of infestation of the Emerald Ash Borer (EAB) as determined by the City Forester after considering Minnesota Department of Agriculture guidance.
- f. Any living or standing tree or shrub or part thereof infected to any degree by any organism to be controlled as set forth and described by the Commissioner of Agriculture.
- f
- g. Any dead, dying, decaying or living tree, shrub or parts thereof that interferes with the public use of any public thoroughfare or right-of-way.

It shall be unlawful for any person to permit any public nuisance as defined in this Section to remain on any property owned or controlled by him within the City. Such a nuisance shall be abated in the manner prescribed by this Chapter. Abatement shall be at the discretion of the City Forester in accordance with all State Law and City Code.

(Ord. ~~614 [5-27-1999]~~xxxx)

710.0605. Inspection and Investigation. The City Forester shall inspect all premises and places within the City as often as practicable to determine whether any nuisances as described in this Chapter exist thereon. The Forester shall investigate all reported incidents of diseased trees within the City. The Forester or duly authorized representative(s) may enter upon private premises at any reasonable time for the purpose of carrying out any of the duties assigned under this Chapter. Except for cases of emergencies or the imminent threat of personal or property damage, the City shall notify the property owner at least five (5) days prior to the inspection through certified mail to the address listed on the Hennepin County tax records. The inspection may occur after five (5) days even if the certified letter is undeliverable or returned. The City Forester ~~shall~~may, upon finding conditions indicating disease infestation is suspected and unconfirmed by a field diagnosis, immediately send appropriate specimens or samples to the Commissioner of Agriculture for analysis or take such other steps for diagnosis as may be recommended by the Commissioner. Except as provided in Section 710.08, or in the case of a positive field diagnosis, no action to remove infected trees or wood shall be taken until positive diagnosis of the disease has been made.

(Ord. ~~614 [5-27-1999]~~xxxx)

710.0706. Abatement of Nuisances. In abating the nuisances defined in Section 710.05, the Forester shall cause the infected tree or wood to be sprayed, removed, burned or otherwise effectively treated so as to destroy and prevent as fully as possible spread of the disease. Such abatement shall be carried out in accordance with current technical and expert opinions and plans as may be designated by the Commissioner of Agriculture.

(Ord. 614 [5-27-1999])

710.0807. Abatement Procedure. Whenever the Forester finds with reasonable certainty that an infestation defined in this Chapter exists in any tree or wood on any public or private property within the City, he shall proceed to abate said nuisance as follows:

- a. If the Forester finds that the danger of infestation of other trees is not imminent the Forester shall notify in writing the person(s) owning or controlling the property upon which the nuisance is located that the nuisance must be abated within ~~fifteen (15)~~twenty one (21) days from the date of the mailing. If no action to abate the nuisance is taken within this period the Forester then shall make a written report of findings to the City Council. The Council shall take action to abate the nuisance, and it may proceed to recover the costs of such abatement as provided in Section 710.09.
- b. If the Forester finds that the danger of infestation of other trees is imminent the Forester shall notify in writing the person(s) owning or controlling the property upon which the nuisance is located that the nuisance must be abated within ~~five (5)~~seven (7) days from the date of the mailing, and shall report findings to the City Manager. If no action to abate the nuisance is taken within this period the Forester then shall make a written report of actions to the City Council, which may proceed to recover the costs of such abatement as provided in Section 710.09.
- c. If the Forester finds that the danger of infestation of other trees is imminent the Forester shall notify in writing all persons owning or controlling property upon which is located trees in danger of becoming infested. Within this notice the Forester shall state that action, if any, which should be taken to protect the trees in danger of becoming infested and the period within which such action must be taken. If no such action is taken within this period the Forester then shall take appropriate action to protect these trees as an emergency measure and shall make a written report of this action to the City Council, which may proceed to recover the costs of such action as provided in Section 710.09.

(Ord. ~~614 [5-27-1999]~~xxxx)

710.0908. Special Assessment Procedure. Upon receipt of a report from the Forester required by Section 710.08, subsections a. through c., the City Council may pass a resolution to provide for recovering the costs of abatement of a nuisance and/or for recovering the costs of protecting threatened trees by a special assessment procedure. Before such a resolution may be approved, the City Manager shall notify all affected property owners by mail that such a procedure is under consideration prior to the meeting thereon. This notice shall state the time and

place of the meeting, the abatement action proposed to be taken or already taken, the estimated or actual cost of such abatement and the proposed basis of assessing such cost. At this meeting all affected property owners shall have the right to be heard with reference to the proposed assessments and assessment procedure. The Council thereafter by resolution may approve such special assessments for the purposes specified herein.

The Forester shall keep a record of all abatement activities and all abatement costs for which special assessments are to be made or may be made, stating the description of the properties involved and the amounts chargeable to each property. On or before October 10th of each year the City Manager shall list the total unpaid charges for such abatement activities against each separate property to which they are attributable under this Chapter. The City Council then may spread the charges or any portion thereof against the property involved as a special assessment for certification to the Hennepin County Auditor and for collection the following year along with current taxes.

(Ord. 614 [5-27-1999])

710.10.9. Transporting Diseased Wood. It shall be unlawful for any person to transport within the City any diseased wood without first having obtained a permit therefore from the Forester. The Forester may grant such a permit only when the purposes of this Chapter will be served thereby. The transporting of diseased wood out of the City shall be governed by current State Statutes related to transportation of infected material.

(Ord. ~~614 [5-27-1999]~~)~~xxxx~~)

710.11.10. Interference Prohibited. It shall be unlawful for any person to prevent, delay or interfere with the Forester or duly authorized representative(s) while they are engaged in the performance of duties imposed by this Chapter.

(Ord. 614 [5-27-1999])

710.12.11. License Required. No person shall conduct as a business, the cutting, trimming, pruning, removal, spraying or other treatment of trees within the City without first having been issued a license therefore. Refer to Chapter 519, Section .01 of the City Code.

(Ord. 614 [5-27-1999])

~~**710.13. Establishment of Tree Preservation Zone.** A tree preservation zone is hereby established and applies to all property within the City of Wayzata in order to aid in the stabilization of soil by the prevention of erosion and sedimentation; reduce storm water runoff and the costs associated therewith and replenish ground water supplies; aid in the removal of carbon dioxide and generation of oxygen in the atmosphere; provide a buffer and screen against noise pollution; provide shade and the significant environmental benefit of counteracting the so-called "heat island" effect; provide protection against severe weather; aid in the control of drainage and restoration of denuded soil subsequent to construction or grading; protect and increase property values; conserve and enhance the City's physical and aesthetic environment;~~

provide a haven for birds, animals and flora to thrive; and generally protect and enhance the quality of life and the general welfare of the City.

~~(Ord. 614 [5-27-1999])~~

~~710.14. Application. A tree preservation zone shall be applied to and superimposed upon all property contained herein existing or amended by the text and map of the Wayzata Zoning Ordinance. The regulations and requirements imposed by the Tree Preservation Zone shall be in addition to flood plain, shoreland and wetland regulations and requirements, and will all jointly apply to the property. If a conflict is created by the joint application of zones, the more restrictive requirements shall apply.~~

~~(Ord. 614 [5-27-1999])~~

~~710.15. Restrictions. Within the Tree Preservation Zone, it shall be unlawful for any person or groups of persons to remove from privately owned land any tree or trees in excess of thirty-two (32) inches diameter at breast height (DBH) per acre (43,560 square feet) in any twelve (12) month period without having first obtained a valid tree removal permit from the City. The removal rate for parcels which are less than one (1) acre or more than one (1) acre shall be mathematically proportionate (subject, however, to the maximum density of thirty-two (32) inches diameter (DBH) for each acre). For example, up to sixteen (16) inches may be removed from a parcel which is one-half (1/2) acre in size without a permit or up to sixty-four (64) inches (but only up to thirty-two (32) inches) diameter at breast height (DBH) for each acre) may be removed from a parcel which is two (2) acres in size without a permit. The removal of dead, diseased or hazardous trees from privately owned land shall not require a tree removal permit.~~

~~(Ord. 614 [5-27-1999])~~

~~710.16. Permit:~~

~~a. Any person with due authority desiring a permit to remove a tree as provided in Section 710.15 shall submit a written application to the Code Enforcement Officer. The application shall include the following information:~~

- ~~(1) Name and address of applicant.~~
- ~~(2) Status of the applicant with respect to the land.~~
- ~~(3) Written consent of the owner of the land, if the applicant is not the owner.~~
- ~~(4) Name of the person preparing any map, drawing or diagram submitted with the application.~~
- ~~(5) Location of the property, including a street address or legal description.~~

~~(6) — Diagram of the parcel of land, specifically designating the area or areas of proposed tree removal and the existing and proposed use of such area.~~

~~(7) — Location of all proposed or existing structures, driveways or other hard surfaces on the site.~~

~~(8) — Location of all trees and identification of size (DBH) and species.~~

~~(9) — Designation of all diseased or damaged trees.~~

~~(10) — Designation of any tree(s) obstructing any roadway, pavement, walkway or utility.~~

~~(11) — Any proposed grade changes that might adversely affect or endanger any tree(s) on the site and plans to protect them.~~

~~(12) — Designation of trees to be removed and trees to be maintained.~~

~~(13) — Purpose of tree removal (construction, driveway, recreation area, patio, building addition etc.).~~

~~(14) — All materials to be planted as replacement trees, indicating size, species and method of planting.~~

~~b. — Upon receipt of the application, the Code Enforcement Officer may visit and inspect the site and adjoining lands. If it is determined that the plan set forth in the application outlined in this Section will minimize the loss of Significant Tree(s) and will destroy no more trees than are necessary to achieve a proposed development or purpose, and will comply with the Standards for Preservation of Trees in New Construction or Redevelopment of Property set forth in Section 710.17.a. and Section 710.17.c., the permit application may be approved. If the Code Enforcement Officer determines otherwise, the application shall be denied.~~

~~c. — The applicant may appeal the Code Enforcement Officer's decision by providing written notice to the City Council, with the City Council's decision to be made by the first City Council meeting to be held on or after 30 days of the written notice to the Council.~~

~~(Ord. 614 [5-27-1999])~~

~~**710.17. — Standards for Preservation of Trees in New Construction or Redevelopment.**~~

~~a. — Owners, Contractors, Developers, Builders and Applicants shall exert their best good faith efforts, as outlined in the Development Agreement, to avoid damage to or the destruction of Significant Trees when designing, locating or grading for and building~~

improvements. This requirement shall be set forth in any development agreement and construction contracts entered into regarding the project.

b.——The applicant shall submit a Preservation Plan if improvements are to be constructed on property containing Significant Trees. The Preservation Plan shall be submitted along with all other materials required for the permit. The Preservation Plan shall be officially filed when the Code Enforcement Officer has received and examined the application and determined that all required information has been submitted and that the application is complete. Following the determination of “completeness,” the Preservation Plan shall be approved or denied by the Code Enforcement Officer within ten (10) business days unless the Preservation Plan is being submitted in conjunction with a land use application, in which case the City of Wayzata shall approve or deny the application within sixty (60) days from the date of its official submission unless notice of an extension is provided by the City or a time waiver is granted by the applicant.

c.——The Code Enforcement Officer’s review of the Preservation Plan shall be based upon the following criteria:

(1)——The applicant’s legal right to use the property.

(2)——The Preservation Plan minimizes the loss of Significant Trees and will destroy no more trees than are necessary to achieve a proposed development or purpose.

(3)——The ease with which the applicant can alter or revise a proposed improvement to accommodate existing trees.

(4)——The density of trees in the area and the effect of tree removal on property values of the neighborhood and on other existing vegetation.

(5)——Impact upon the urban and natural environment including:

(a)——Whether tree removal would substantially alter the water table or affect the stabilization of ground and surface water.

(b)——Whether tree removal would create susceptibility to erosion and siltation.

(c)——Whether tree removal would cause substantial damage to the existing biological and ecological systems.

(d)——Whether tree removal would affect noise pollution by increasing source noise levels to such a degree that a public nuisance may be anticipated or a violation of noise control ordinances will occur.

~~(e) — Whether tree removal will affect air quality by significantly affecting the natural cleansing of the atmosphere by vegetation.~~

~~(f) — Whether tree removal will affect wildlife habitat by significantly reducing the habitat available for wildlife existence and reproduction or causing the migration of wildlife from adjacent or associated ecosystems.~~

~~(g) — Whether tree removal will increase the possibility of tree disease, wind damage and the loss of windbreak effect.~~

~~(6) — The heightened desirability of preserving tree cover in densely developed or densely populated areas.~~

~~(7) — The need for visual screening in transitional areas or relief from glare, blight, commercial or industrial ugliness or any other visual affront.~~

~~(8) — Whether the removal of the tree(s) is for the purpose of thinning a heavily wooded area where seventy-five (75) percent of the trees will still remain.~~

~~d. — If it is determined that the Preservation Plan complies with the criteria as set forth in part c. above, the Preservation Plan may be approved. If the Code Enforcement Officer determines otherwise, the Preservation Plan shall be denied.~~

~~e. — The applicant may appeal the Code Enforcement Officer's decision by providing written notice to the City Council, with the City Council's decision to be made by the first City Council meeting to be held on or after 30 days of the written notice to the Council.~~

~~f. — If a Preservation Plan is approved, a copy of that approved Preservation Plan shall be attached to any issued permit and a copy shall be retained at City offices.~~

~~g. — Prior to commencing construction of the improvements, applicant must implement some form of barricade such as snow fence or plastic fence, which is easily visible to a height of three feet (36") above ground to protect all trees to be preserved under the Preservation Plan. The barricade must incorporate 100% plus ten (10) feet of the tree(s) at the drip line or area to be preserved. No equipment or materials may be stored, parked, driven, moved or deposited within the area to be preserved. The positive protective measure such as fencing shall not be removed until all phases of construction have been completed and removal of protective measure has been approved by the Forester.~~

~~h. — Upon completion of grading and all construction, the Forester or Designee shall inspect the construction site for damage to trees that were to be preserved under the Preservation Plan. A report "Damage Report" shall be submitted to the Applicant as to~~

any trees required to be preserved under the Preservation Plan which have been destroyed or severely damaged because of the grading or construction activity.

~~i. — If the damage report identifies destroyed or severely damaged trees which were required to be preserved under the Preservation Plan, the applicant will be required to pay to the City of Wayzata the sum of two hundred (200) dollars per diameter inch or such greater amount as may be determined by the City Council for each such destroyed or damaged tree. Alternately, the City Council may, at its discretion, agree to tree replanting equaling the total caliper inches lost, species and quality, in lieu of a fine, or in conjunction with a reduced fine. Any such agreement shall specify the replacement tree(s) species and diameter. Applicant shall have the right to appeal the damage, report conclusions and resulting fine or replanting requirements in the same manner as set forth in part e. above.~~

~~j. — A certificate of occupancy shall not be issued until a final inspection of the property by the Code Enforcement Officer demonstrates compliance with the Preservation Plan and until such time as all levied fines have been paid or Security, subject to approval of the City Manager, has been posted by the applicant to secure performance. The Code Enforcement Officer may postpone the final inspection of the property if the Code Enforcement Officer determines that seasonal conditions prevent the determination of whether or not there has been compliance with the Preservation Plan. If the applicant appeals pursuant to part i. above, a Certificate of Occupancy may be issued prior to completion of the appeals process, so long as Security is posted.~~

~~k. — A tree will not be deemed to have been damaged under part h. above where the City verifies the applicant implements positive measures such as fencing, or other City approved methods, during the entire period of grading and construction and where there is no evidence of physical damage to the trees, including their root structure.~~

~~l. — The applicant's responsibility for the loss of trees on site subject to a Preservation Plan shall cease once the site grading and construction have been completed, the preservation has been verified, or any penalty fees have been paid or approved, replacement trees have been planted, and their growth has been well established for two (2) growing seasons. All monies collected pursuant to this Chapter shall be placed in the plant maintenance fund.~~

~~(Ord. 614 [5-27-1999])~~

710.18

710.12. **Intentional or Deliberate Damage.** It shall be unlawful for any person(s) to intentionally damage, destroy or adversely alter any living tree, deciduous or coniferous, on private land within the limits of the City of Wayzata ~~any tree or trees in excess of thirty two (32) inches diameter at breast height (DBH) per acre (43,560 square feet) in any twelve (12) month~~

~~period without first having obtained a tree removal permit from the City as set forth in Section 710.16 of this Chapter. The removal rate for parcels which are less than one (1) acre or more than one (1) acre shall be mathematically proportionate (subject, however, to the maximum density of thirty two (32) inches diameter (DBH) for each acre.) This shall pertain to manual, mechanical, chemical, abiotic or biotic (fire, water, insects or inoculation) methods of any kind.~~in violation of this Section. Minn. Stat. §561.04 strictly prohibits intentional damage to trees on public property in any form and provides that whoever willfully and without lawful authority injures any tree, timber or shrub on City property is liable for treble the amount of damages which may be assessed therefore. The City Forester and other City Staff shall not make any claims related to the structural integrity of any tree, and any assessments made related to a tree may not be relied upon by the property owner.
(Ord. 627 [2-6-2001])

710.19. — 13. Violation. Unless expressly provided otherwise, it shall be a misdemeanor for any person to violate any provision of the City Code including this ~~Chapter~~Section, any rule or regulation adopted in pursuance of any such provision, or any order lawfully enforcing the City Code or this ~~Chapter~~Section. The term "misdemeanor" shall be as defined in Minn. Stat. §609.02, Subd. 3.

It shall also be a misdemeanor for any person to attempt to commit a misdemeanor or to cause, aid, assist, counsel or advise another to commit misdemeanor. Any person who commits a misdemeanor, upon conviction, shall be subject to the penalties therefore established by State Statute. Unless expressly provided otherwise, each act in violation of the City Code, including this Chapter, shall constitute a separate offense, and each and every day that such a violation occurs or continues shall constitute a separate offense.
(Ord. 627 [2-6-2001])

710.2014. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of the City Code, including this Chapter are severable, and if any phrase, clause, sentence, paragraph, or section of the City Code, including this Chapter, shall be declared unconstitutional, invalid or unenforceable, such unconstitutionality, invalidity, or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of the City Code, including this Chapter.

(Ord. 627 [2-6-2001])~~xxxx~~)

(7-21-81 Code; Chapter repealed and replaced by Ord. 574 [2-21-1995]; Ord. 588 [2-27-1997]; Chapter repealed and replaced by Ord. 614 [5-27-1999]~~);~~ Ord. xxxx [xx-xx-2016])

**CITY OF WAYZATA
ZONING ORDINANCE**

CHAPTER 801

SECTION 36

TREE PRESERVATION

Section 801.36:

- 801.36.1: Purpose and Intent**
- 801.36.2: Definitions**
- 801.36.3: Establishment of Tree Preservation Zone**
- 801.36.4: Applicability**
- 801.36.5: Process**
- 801.36.6: Tree Preservation Plan**
- 801.36.7: Tree Protection**
- 801.36.8: Tree Replacement**
- 801.36.9: Financial Guarantee**
- 801.36.10: Penalties**

1. Purpose and Intent

The Wayzata City Council finds it is in the best interest of the City to protect, preserve, and enhance the natural environment of the community and to encourage a resourceful and prudent approach to the development and alteration of wooded areas. In the interest of achieving these objectives, the City has established the comprehensive tree preservation regulations herein to promote the furtherance of the following:

- A. Protection and preservation of the environment and natural beauty of the City;
- B. Assurance of orderly development within wooded areas to minimize tree and habitat loss;
- C. Evaluation of the impacts to trees and wooded areas resulting from development;
- D. Establishment of minimal standards for tree preservation and the mitigation of environmental impacts resulting from tree removal;
- E. Provision of incentives for creative land use and environmentally compatible site design which preserves trees and minimizes tree removal and clear cutting during development; and

- F. Enforcement of tree preservation standards to promote and protect the public health, safety and welfare of the community.

2. Definitions

For purposes of this section, the following definitions shall apply:

- A. **“City Forester”** means that person appointed as City Forester in Section 710.02(b).
- B. **“Coniferous Tree”** means a woody plant bearing seeds and cones oftentimes, but not always, retaining foliage throughout the year.
- C. **“Construction Area”** means any area in which movement of earth, alteration in topography, soil compaction, disruption of vegetation, change in soil chemistry, or any other change in the natural character of the land occurs as a result of site preparation, grading, building construction or any other construction activity.
- D. **“Critical Root Zone”** means the area around a tree measured from the trunk of the tree with a radius that is equal to 1.5 feet (1.5') for each one inch (1") of DBH of the tree. For example, if a tree's DBH is 10 inches, then its critical root zone radius is 15 feet ($10 \times 1.5 = 15$).
- E. **“Deciduous Tree”** means a woody plant which has a defined crown, and which loses leaves annually.
- F. **“Diameter of Tree at Breast Height” or “DBH”** means the diameter of a tree as measured 4½ feet (54 inches) above the ground. Trees that branch near or below 4 ½ feet from the ground will be measured at the narrowest point below 4 ½ feet. Trunks that originate from the ground shall be considered separate trees. The City Forester shall have the final determination in the DBH calculation if there is a question of how it is to be measured.
- G. **“Hardwood Deciduous Tree”** means a Deciduous Tree recognized as hardwoods by the City Forester, including ironwood, catalpa, oak, maple (hard), walnut, ash, hickory, birch, black cherry, hackberry, locust and basswood.
- H. **“Healthy Tree”** means the average or better condition and vitality for the area as determined by the City Forester.
- I. **“Heritage Tree”** means a Healthy Softwood Deciduous Tree that is thirty inches (30") or greater in DBH, a Healthy Hardwood Deciduous Tree that is twenty five inches (25") or greater in DBH, or a Healthy Coniferous Tree that is twenty five inches (25") or greater in DBH.

- J. **“Landscape Architect”** means a person licensed by the State of Minnesota as a landscape architect.
- K. **“Nursery Stock Dealer” or “Nursery Stock Grower”** means a person licensed by the State of Minnesota as a nursery stock dealer or a nursery stock grower.
- L. **“Public Infrastructure”** means the construction or maintenance of:
1. Collector or arterial roads as defined by the City Transportation Plan;
 2. Public recreational trails;
 3. Stormwater infrastructure;
 4. Installation or maintenance of trunk utility infrastructure as described in the Comprehensive Sewer or Water Plans; or
 5. Any essential service or public improvement.
- M. **“Removal” or “Tree Removal”** means:
1. Manual, mechanical, chemical, or abiotic or biotic (fire, water, insects or inoculation) methods which results in the physical removal of a tree;
 2. Grading impact, compaction, or other damage up to 40% of a tree’s Critical Root Zone, as
 3. Excessive pruning that severely impacts the long term survivability of the tree; or
 4. Any other impact to a tree that comprises the long term health or structural stability of a tree.
- N. **“Significant Tree”** means a Healthy Deciduous Hardwood Tree that is six inches (6”) or greater in DBH, a Healthy Softwood Deciduous Tree that is twelve inches (12”) or greater in DBH, or a Healthy Coniferous Tree that is twelve feet (12’) or greater in height or twelve inches (12”) or greater in DBH.
- O. **“Site Plan”** means the site plan established and described in this Chapter.
- P. **“Softwood Deciduous Tree”** means a Deciduous Tree recognized as softwoods by the City Forester, including cottonwood, poplar/aspen, box elder, willow, silver maple and elm.
- Q. **“Tree Preservation Plan”** means the tree preservation plan established and described in this Chapter.

- R. **“Tree Preservation Zone”** means the tree preservation zone established and described in this Chapter.

3. **Establishment of Tree Preservation Zone**

A Tree Preservation Zone is hereby established in order to aid in the stabilization of soil by the prevention of erosion and sedimentation; reduce storm water runoff and the costs associated therewith and replenish ground water supplies; aid in the removal of carbon dioxide and generation of oxygen in the atmosphere; provide a buffer and screen against noise pollution; provide shade and the significant environmental benefit of counteracting the so-called “heat-island” effect; provide protection against severe weather; aid in the control of drainage and restoration of denuded soil subsequent to construction or grading; protect and increase property values; conserve and enhance the City’s physical and aesthetic environment; provide a haven for birds, animals and flora to thrive; and generally protect and enhance the quality of life and the general welfare of the City.

The Tree Preservation Zone shall be applied to and superimposed upon all property within the City of Wayzata. The regulations and requirements imposed within the Tree Preservation Zone shall be in addition to the zoning districts within the existing and amended text and map of the Wayzata Zoning Ordinance, and the Floodplain, Shoreland, and Wetland regulations and requirements. In cases where there is a conflict between regulations applicable within such zones, the more restrictive requirements shall apply.

4. **Applicability**

The provisions of this Section shall apply to the following:

- A. Subdivision, Public Infrastructure, Construction of Single-Family Home: The following tree removal thresholds apply to Subdivision applications, Public Infrastructure projects, and construction of a single-family home on a vacant lot:
1. Heritage Trees: Heritage Trees are valued and special trees for the City of Wayzata due to their size and age. All possible measures must be taken to preserve Heritage Trees. Heritage Tree removal may occur only when there is not a practical alternative. There shall be a zero percent (0%) removal threshold of Heritage Trees, meaning every DBH inch of Heritage Tree removed requires full replacement in accordance with the standards within subsection 801.36.8, in addition to any other requirements hereunder.
 2. Significant Tree Removal by Developers: Although the City encourages preservation of the maximum amount of trees possible, the City recognizes that a certain amount of Significant Trees removal is sometimes necessary during development. Accordingly, twenty five percent (25%) of the existing DBH inches of Significant Trees can be

removed pursuant to a Tree Preservation Plan without obligation of replacement. Any tree removal beyond twenty five percent (25%) will require replacement in accordance with the standards of subsection 801.36.8.

3. Public Infrastructure: The City Council may waive the tree replacement requirements of this Section for Public Infrastructure projects if the City Council makes a finding that the tree replacement requirements hereof would create an undue financial or other burden on the project, and the public benefits of the Public Infrastructure project outweigh the benefits of the required tree replacement hereof.

B. Land Disturbance Permits, Design Review, and Expansions to Single-Family Homes: The following tree removal thresholds apply to projects that require a Land Disturbance Permit under City Code Section 409.05, projects that require Design Review under City Code Section 801.09.1.5.B., and expansions or additions to an existing single-family home:

1. Heritage Trees: Heritage Trees are valued and special trees for the City of Wayzata due to their size and age. All possible measures must be taken to preserve Heritage Trees. Heritage Tree removal may occur only when there is not a practical alternative. There shall be a zero percent (0%) removal threshold of Heritage Trees, meaning every DBH inch of Heritage Tree removed requires full replacement in accordance with the standards within subsection 801.36.8 in addition to any other requirements hereunder.
2. Significant Tree Removal: The City recognizes that additional tree removal may occur after the construction of new houses or commercial developments, or the expansion of existing homes or commercial developments, but to a lesser degree than the original development. Therefore, ten percent (10%) of the existing DBH inches of trees can be removed without obligation of replacement. Any removal beyond ten percent (10%) will require replacement in accordance with the standards within subsection 801.36.8.

C. Trees Exempt From Replacement Requirements: The following types of trees shall not be included as part of the tally of tree removals for purposes of calculating replacement in accordance with the standards within subsection 801.36.8:

1. Dead, Diseased, Dying, or Hazard Trees as determined by the City Forester; or
2. Trees that are transplanted from the site to another appropriate location within the City as approved by the City Forester; or

3. Trees that were planted as part of a commercial business such as a tree farm or nursery; or
4. Trees that are structurally unstable and pose a risk to people or permanent structures, as deemed by a certified arborist with a Tree Risk Assessment Qualification and the City Forester

5. Process

A. Construction of or Expansion to Single-Family Homes and Land Disturbance Permits: For construction of a single-family home, expansion to an existing single-family home, or a project that requires a Land Disturbance Permit, a Site Plan must be submitted to the City prior to any proposed tree removal. The Site Plan must include the following information:

1. Identify the Significant and Heritage Trees on the property.
2. Identify the Significant and Heritage Trees removed due to grading or construction.
3. Identify the Mandatory Protection measures in Section 801.36.6.A that will be used to protect the preserved trees during grading or construction.
4. Comply with the City's tree replacement procedure and requirements set forth in this section.

The Site Plan must receive the approval of the City Forester. Any denial of a Site Plan by the City Forester may be appealed to the City Council.

B. Subdivision, Public Infrastructure, and Design Review: Unless otherwise determined by the City Council, the following process for preserving trees shall be required for Subdivision applications, Public Infrastructure projects, and projects that require Design Review:

1. Prepare a Tree Preservation Plan that is incorporated on the grading plan, which meets the requirements of Section 801.36.5.
2. Implement the Tree Preservation Plan prior to and during site development.
3. Submit a financial guarantee for compliance with the approved Tree Preservation Plan in accordance with Section 801.36.9.
4. Comply with the City's tree replacement procedure and requirements set forth in this section.

5. The Tree Preservation Plan must be certified by a Forester, Landscape Architect, Nursery Stock Dealer or a Nursery Stock Grower.

6. **Tree Preservation Plan**

When a Tree Preservation Plan is required, an applicant is responsible for implementing the approved Tree Preservation Plan prior to and during site grading and plan development. The Tree Preservation Plan will be reviewed by the City Forester and any other relevant City staff to assess the best overall tree design for the project involved, taking into account the preservation, renewal and health of Significant and Heritage Trees, and ways to enhance the efforts to mitigate damage to the trees on the property and the natural environment. The applicant is encouraged to meet with City staff prior to submission of a Subdivision application, Public Infrastructure project, or Design Review application to determine the placement of buildings, parking, driveways, streets, storage and other physical features which result in the fewest Significant and Heritage Trees being destroyed or damaged. The Tree Preservation Plan must include the following items:

- A. The name(s) and address(es) of property owners and applicants
- B. Delineation of the buildings, structures, impervious surfaces, utilities, and other site improvements situated thereon or contemplated to be constructed thereon
- C. Delineation of all areas to be graded and limits of land disturbance, including the contouring of all areas to be graded
- D. Size, species, location and condition of all Significant and Heritage Trees located on the property as well as on adjacent properties where the Critical Root Zones of the trees are within the proposed Construction Area. The size of Deciduous Trees must be recorded in DBH and the size of Coniferous Trees must be recorded both in DBH and approximate height.
- E. Identification of all Dead, Diseased, Dying and Hazard Trees
- F. The Critical Root Zone of all Significant and Heritage Trees proposed to be preserved
- G. Identification of all Significant and Heritage Trees proposed to be removed within the Construction Area
- H. Identification of all Significant and Heritage Trees on all individual lots. The Developer must submit a list of all lot and block numbers identifying those lots.
- I. Measures to protect Heritage and Significant Trees as outlined in Section 801.36.6

- J. Size, species, and location of all replacement trees to be planted on the property in accordance with the tree replacement requirements
- K. Signature of the person preparing the plan and statement which includes acknowledgment of the fact the trees to be used as replacements are appropriate species with respect to survival of the replacement trees

7. Tree Protection

The following tree protection measures are required:

- A. Mandatory Protection: Measures to protect Significant and Heritage Trees must include:
 - 1. Installation of snow fencing, silt fence, or polyethylene laminate safety netting placed at the Critical Root Zone of Significant and Heritage Trees to be preserved on or adjacent to the property being developed.
 - 2. Identification of any oak trees requiring pruning between April 1 and July 15; any oak trees so pruned are required to have any cut areas sealed with an appropriate, non-petroleum based tree wound sealant, such as shellac.
- B. Discretionary Protection: Measures to preserve or protect Significant and Heritage Trees which may be required by the City include, but are not limited to:
 - 1. Installation of retaining walls or tree wells to preserve trees by eliminating the filling or cutting of soil within Critical Root Zones of Significant and Heritage Trees on or adjacent to the lot being developed.
 - 2. Placement of utilities in common trenches outside of the Critical Root Zone of Significant and Heritage Trees, or use of tunneled installation.
 - 3. Prevention of change in soil chemistry due to concrete washout and leakage or spillage of toxic materials, such as fuels or paints.
 - 4. Use of tree root aeration, fertilization, and irrigation systems when appropriate.
 - 5. Transplanting of Significant Trees into a protected area for later moving into permanent location within the Construction Area.
 - 6. Safety pruning for people working within the construction limits and for the trees involved.

8. Tree Replacement

- A. Tree Replacement Formula: Replacement of removed or disturbed trees in excess of the percentage allowed by this section shall be according to the following ratios:
1. For any removal that exceeds the percentage of allowable removal of Significant Trees as set in subsection 801.36.7, all Significant Trees shall be replaced at the ratio of one caliper inch (1") per one inch (1") of DBH removed.
 2. All Heritage Trees must be replaced at the ratio of two caliper inches (2") per one inch (1") of DBH removed.
- B. Size, Types and Diversification of Replacement Trees: Unless an approved Tree Preservation Plan sets forth a different requirement, all replacement trees must be of a similar species to those that are removed. A Tree Replacement plan must include a diversity of tree species that are suitable for the property given soil conditions, hydrology, topography, and tree pathogens. Replacement trees must be no less than the following sizes:
1. Deciduous Trees shall be no less than two and a half caliper inches (2.5"); and
 2. Coniferous Trees shall be no less than six feet (6') in height.
- C. Recommended Tree Replacement Species: In order to encourage a diverse tree canopy in the City, the following list of tree species are recommended for planting as part of a tree replacement plan:
- Arborvitae
 - Black cherry
 - Butternut
 - Cedar
 - Elm (disease resistant)
 - Fir
 - Hackberry
 - Hickory
 - Hemlock
 - Kentucky Coffee
 - Linden/Basswood
 - Maple (except Silver Maples)
 - Oak
 - Pine
 - Spruce (except Colorado Blue)
 - Tamarack
 - Walnut

- D. Prohibited Tree Replacement Species: The tree replacement plan may not include any tree species included in the Minnesota Department of Natural Resources Terrestrial Invasive Species List.
- E. Other Replacement Tree Requirements: Choice of replacement trees species and location of the trees should also take into account the following information:
 - 1. Soil Composition: Comparisons should be made between soil conditions and the ecology of the proposed species to make sure they are compatible.
 - 2. Spatial Requirements: The potential height and crown spread of the proposed replacement trees should be known. Generally, half of the adult tree crown diameter is the amount of distance a tree should be planted from any aboveground objects.
 - 3. Pathogen Problems: Appropriate replacement choices shall also consider insect and disease problems that may be common with particular species in the part of the state in which the City of Wayzata is located.
- E. Fee-In-Lieu Of Tree Replacement Or Replacement Trees Planted In Public Areas: The City recognizes that there may be instances where the total amount of tree replacement required under this section cannot occur on site. In those instances, the City may, at its option, accept a fee-in-lieu of tree replacement or allow the planting of replacement trees in public areas. Tree replacement is encouraged to happen on site as much as possible and fee in lieu-of-tree replacement should be used only when replacement on site is not feasible. The amount of fee-in-lieu of tree replacement will be determined annually by the City Council through the City fee schedule.

9. Financial Guarantee

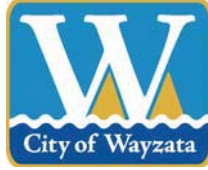
- A. Financial Guarantee: The City may, at its option, withhold a certificate of occupancy or require cash escrow or a letter of credit satisfactory to the City in the amount of one hundred ten percent (110%) of the value of the tree replacement, securing the full performance of Tree Preservation Plan and the tree replacement plan. The amount of such security shall be calculated by the fee-in-lieu of tree replacement schedules. The financial security shall be sufficient to cover the costs of the replacement trees planted, including any needed replacement of the trees over a three (3) year period.
- B. Use of Financial Guarantee: If the property owner does not implement the approved Tree Preservation Plan or Site Plan, including the tree replacement plan, in accordance with the City Council or City Forester approval, the City may use the financial guarantee to correct or complete the work.

- C. Release of Financial Guarantee: At least once annually, the City Forester shall review the financial securities, inspect the applicable trees, and release the financial securities as necessary. The financial security shall be released based on the following schedule:
1. Upon installation of a healthy tree: 50% of the financial guarantee for that tree shall be released.
 2. First year inspection determining the installed tree is still healthy: 15% of the financial guarantee for that tree shall be released.
 3. Second year inspection determining the installed tree is still healthy: 15% of the financial guarantee for that tree shall be released.
 4. Third year inspection determining the installed tree is still healthy: 20% of the financial guarantee for that tree shall be released.

10. Penalties

- A. Intentional or Deliberate Damage: It shall be unlawful for any person(s) to intentionally damage, destroy or adversely alter any living tree, deciduous or coniferous, on private land within the limits of the City of Wayzata in violation of this Section. Minn. Stat. §561.04 strictly prohibits intentional damage to trees on public property in any form and provides that whoever willfully and without lawful authority injures any tree, timber or shrub on City property is liable for treble the amount of damages which may be assessed therefore. The City Forester and other City Staff shall not make any claims related to the structural integrity of any tree, and any assessments made related to a tree may not be relied upon by the property owner.
- B. Violation: Unless expressly provided otherwise, it shall be a misdemeanor for any person to violate any provision of the City Code including this Section, any rule or regulation adopted in pursuance of any such provision, or any order lawfully enforcing the City Code or this Section. The term "misdemeanor" shall be as defined in Minn. Stat. §609.02, Subd. 3.

It shall also be a misdemeanor for any person to attempt to commit a misdemeanor or to cause, aid, assist, counsel or advise another to commit misdemeanor. Any person who commits a misdemeanor, upon conviction, shall be subject to the penalties therefore established by State Statute. Unless expressly provided otherwise, each act in violation of the City Code, including this Chapter, shall constitute a separate offense, and each and every day that such a violation occurs or continues shall constitute a separate offense.



**Planning Report
City Council
July 19, 2016**

Project Name: McLean Residence
Addresses of Request: 141 Wooddale Ave
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: August 14, 2016

Development Application

Introduction

The applicant, D.T. Carlson Construction, has submitted building plans for construction of a new home at 141 Wooddale Avenue. The property is part of the Anchor Bank/Walgreens PUD that was approved by the City Council in January 2014. The PUD includes the commercial development on the south side, which consists of Anchor Bank and Walgreens, and three single-family residential properties on the north side of the development. The City Council resolution approving the PUD and subdivision included a condition that the future homeowner must submit:

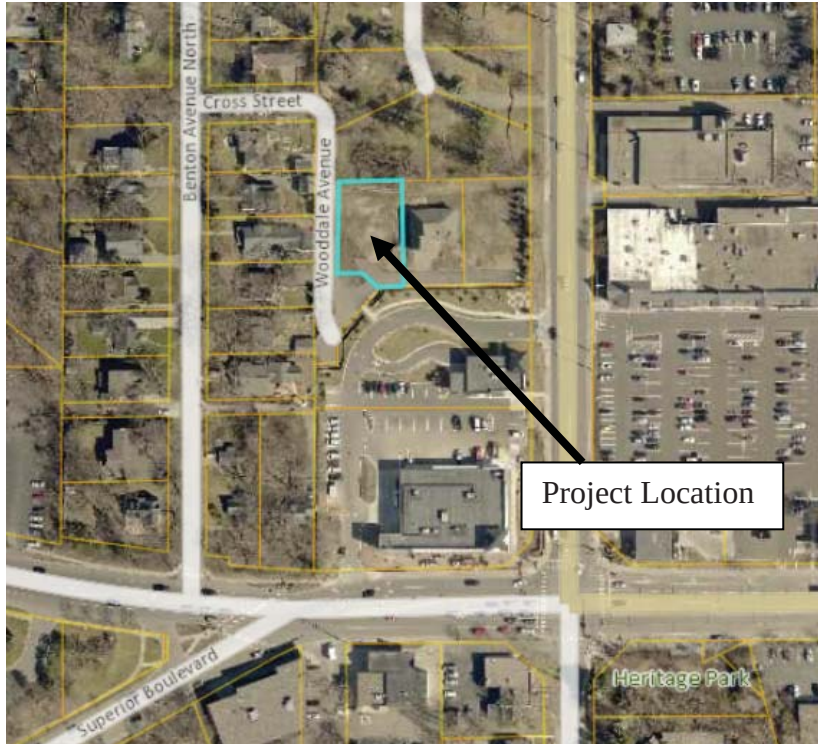
“Plans for review and approval by the City depicting architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the residential structures proposed to demonstrate similarity to the characteristics and quality of the existing homes in the neighborhood as required under Section 805.14.E.8 and 805.14.E.9.”

The applicant purchased Lot 3 of the development, and has submitted the plans for the home for review and approval by the Planning Commission and City Council. The proposed survey and building plans are included as Attachment A.

Project Location.

The property is located 141 Wooddale Ave, which is located north of the Anchor Bank/Walgreens development on Central Avenue:

Map 1: Project Location



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

Address	PID	Owner
141 Wooddale Ave	06-117-22-14-0086	Jace & Melissa McLean

Relevant Property Information

Current zoning:	PUD/Planned Unit Development
Comp plan designation:	Low Density Single Family
Total lot area:	11,140 sq. ft.

Surrounding Land Uses

The following table outlines the uses, zoning, and Comprehensive Plan land use designations for adjacent properties:

Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Single-family homes	PUD	Low Density Single Family
East	Single-family homes	PUD	Low Density Single Family
South	Anchor Bank/Walgreens	PUD	Mixed Use Commercial

West	Single-family homes	PUD	Low Density Single Family
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Analysis of Application

Zoning

The following table outlines the zoning requirements for the property:

Table 1: Proposed House

	PUD Requirement	Proposed
Front setback (south)	None (internal to PUD)	33.6 ft.
Side setback (west)	20 ft. (min.)	20 ft.
Side setback (east)	None (internal to PUD)	11.6 ft.
Rear setback (north)	20 ft. (min.)	28.9 ft.
Lot coverage	30% (max.)	19.2%
Impervious surface	35% (max.)	28.8%
Height	2 stories or 32 ft. to peak	32 ft.

House Plans

The plans submitted with the application include detailed elevations and floor plans for the new house. The proposed house would be two levels with a look-out basement on the northeast corner of the home. The house would include a three car attached garage with driveway access from the shared private street. The exterior materials on the front of the house consist of composite shakes and composite board and batten. The exterior materials on the other sides of the house would consist of composite lap siding with 6-inch exposure. The proposed house meets all of the PUD requirements for the lot.

Planning Commission Review

The Planning Commission reviewed the house plans at its meeting on July 6, 2016. The Planning Commission voted six (6) in favor and zero (0) opposed to recommend approval of the preliminary house plans with a request that the application submit the exterior building materials for all sides of the house. The applicant has submitted the revised plans as requested by the Planning Commission, which are included in Attachment A.

Applicable Code Provisions for Review

Preliminary Plat Criteria (Section 805.14.E)

The City Council condition requiring review and approval of the home design on Lot 1 is based on the ordinance criteria for preliminary plat review pertaining to the proposed house:

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.

Action Step

Approve the preliminary house plans for 141 Wooddale Ave, based on the finding that the design meets the standards of City Code Section 805.14.E.8 and 805.14.E.9, and satisfies the condition of Resolution No. 05-2015.

Attachments:

Attachment A: Proposed House Plans

PROPERTY DESCRIPTION
 Lot 3, Block 1, WAYZATA JUNCTION 2ND ADDITION, Hennepin County, Minnesota

PROPERTY ADDRESS
 141 Wooddale Avenue, Wayzata, Minnesota

NOTES

- Bearings are based on the recorded plat.
- Building dimensions shown are for horizontal and vertical placement of structure only. See architectural plans for building and foundation dimensions.
- No specific soils investigation has been completed on this lot by James R. Hill, Inc. the suitability of soils to support the specific house proposed is not the responsibility of James R. Hill, Inc. or the surveyor.
- No specific title search for existence or non-existence of recorded or un-recorded easements has been conducted by the surveyor as a part of this survey. Only easements per the recorded plat are shown.
- Proposed grades shown were taken from the grading &/or development plan prepared by CEI Engineering Associates, Inc.
- Grading plan date/revision date: February 26, 2014.
- Plan No. McLean Residence

BENCHMARK
 Top nut of hydrant located at Elm Lane and Central Avenue = 978.14

FLOOR ELEVATIONS

Garage Floor @ Front	Proposed
Garage Top of Block	= 985.83
House Top of Block	= 986.23
Lowest Floor	= 986.23
Top of Block	= 978.23
at Lookout Window	= 981.43

HARD COVER CALCULATIONS

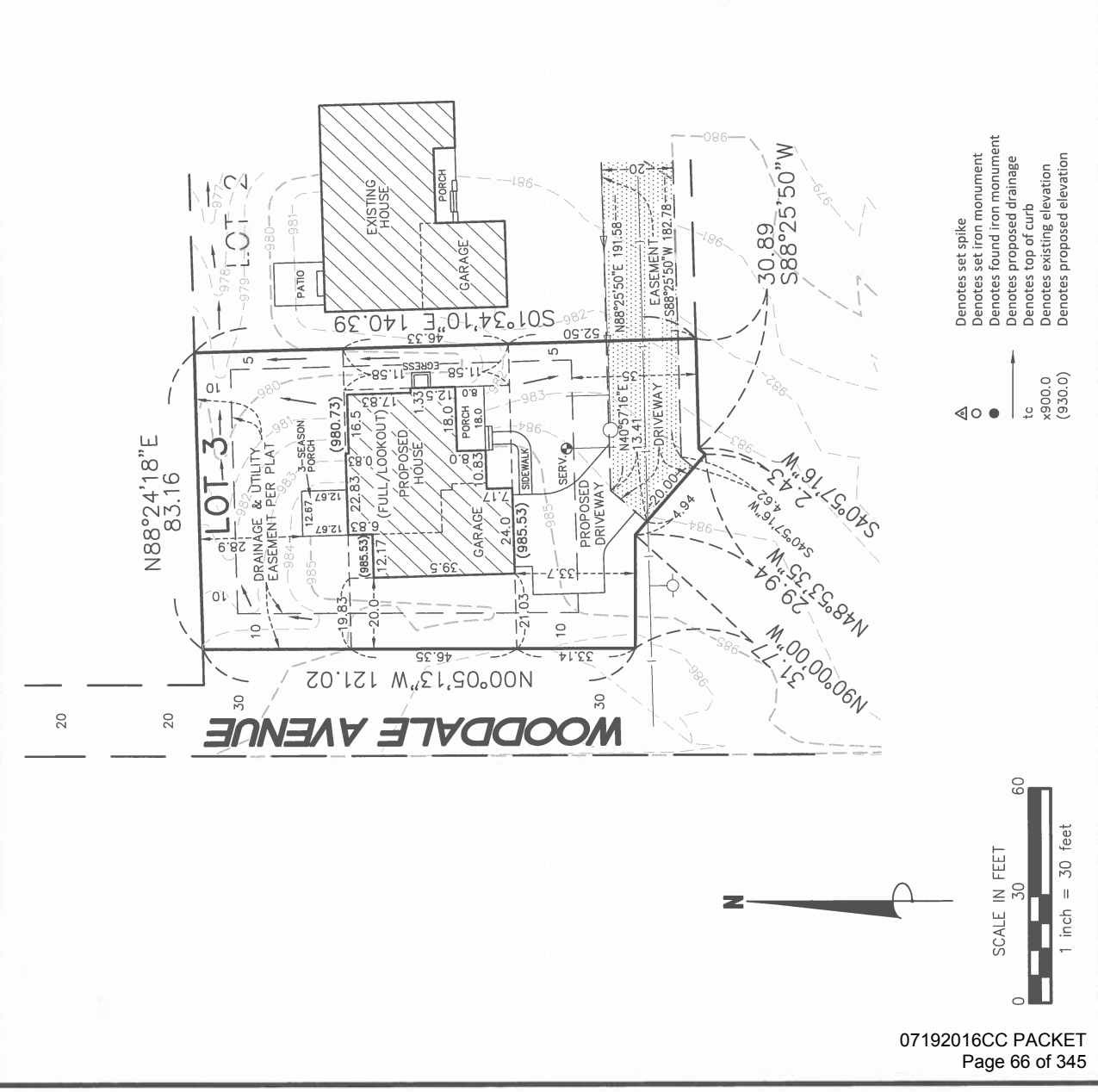
Lot	= 11,140 sq. ft.
House/Garage	= 1,975 sq. ft.
Porch (Front)	= 144 sq. ft.
Driveway	= 836 sq. ft.
Sidewalk	= 95 sq. ft.
Porch (Rear)	= 161 sq. ft.
Total Impervious	= 3,211 sq. ft. or 28.82 % of lot

SURVEYOR'S CERTIFICATE

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. That this survey does not purport to show all improvements, easements or encroachments, to the property except as shown thereon.

Signed this XX day of July, 2016

PRELIMINARY
 Marcus F. Hampton, MN L.S. No. 47481



James R. Hill, Inc.
 PLANNERS / ENGINEERS / SURVEYORS
 2500 WEST COUNTY ROAD #2, SUITE 120,
 BURNSVILLE, MN 55337
 PHONE: (952) 890-6044 FAX: (952) 890-6244

CERTIFICATE OF SURVEY
 FOR
D. T. Carlson Co.
 2ND ADDITION, WAYZATA JUNCTION
 Hennepin County, Minnesota.

DRAWN BY
 SHP

DATE
 7/xx/16

REVISIONS

CAD FILE
 Civil 3D\360044

PROJECT NO.
 360044

SHEET 1 OF 1

HART'S DESIGN LLC
Residential New Home
Custom Home Builder
(952) 828 - 8808
3609 East 47th St.
Minneapolis, MN 55406
9525 Center Ln Eden Prairie, MN 55946

Date:
1- 27- 2016
6- 14- 2016

SCALE
1/4" = 1'-0"

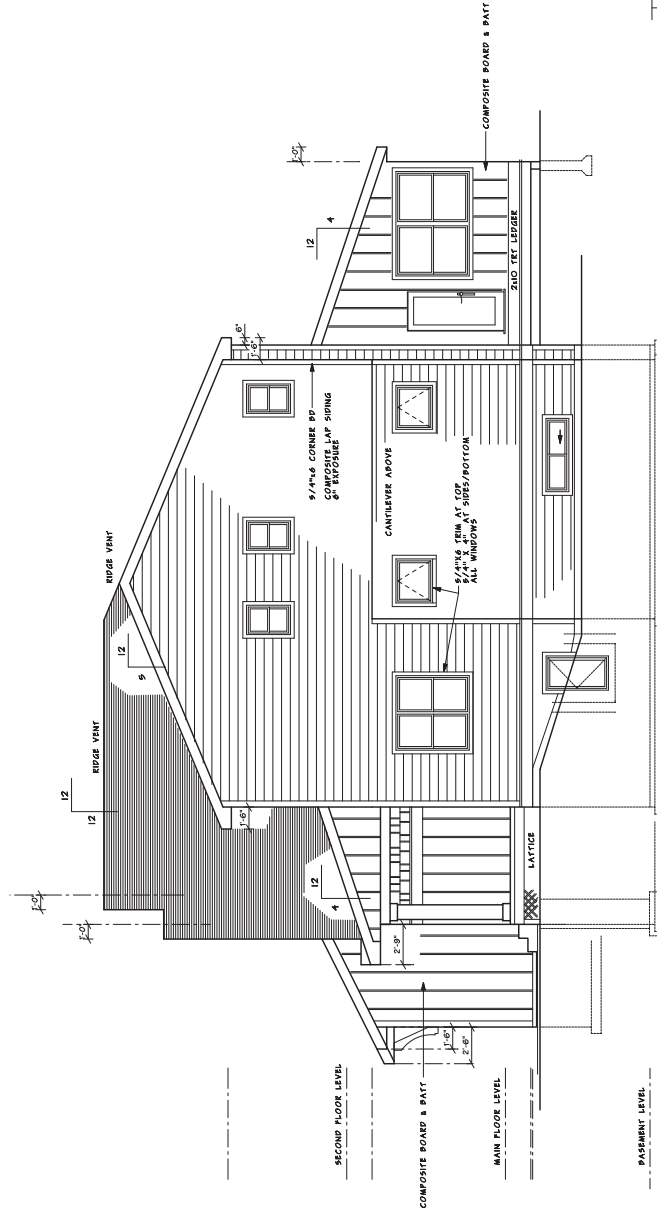
SHEET

of 2 8

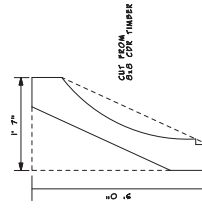
Project Site:
Jace & Melissa McKean
141 Wooddale Ave.
Waukegan, MN

Builder License #BC99620

Contractor:
C.J. Carlson
Custom Home Builder
3609 East 47th St.
Minneapolis, MN 55406



Right Elevation
SCALE: 1/4" = 1'-0"



Garage Bracket



Corbel Detail

HART'S DESIGN LLC
 Residential New Home &
 Remodeling Design
 (952) 828 - 8908
 3925 Centerville Rd. Eden Prairie, MN 55946

Date:
 1. 27. 2016
 6. 14. 2016

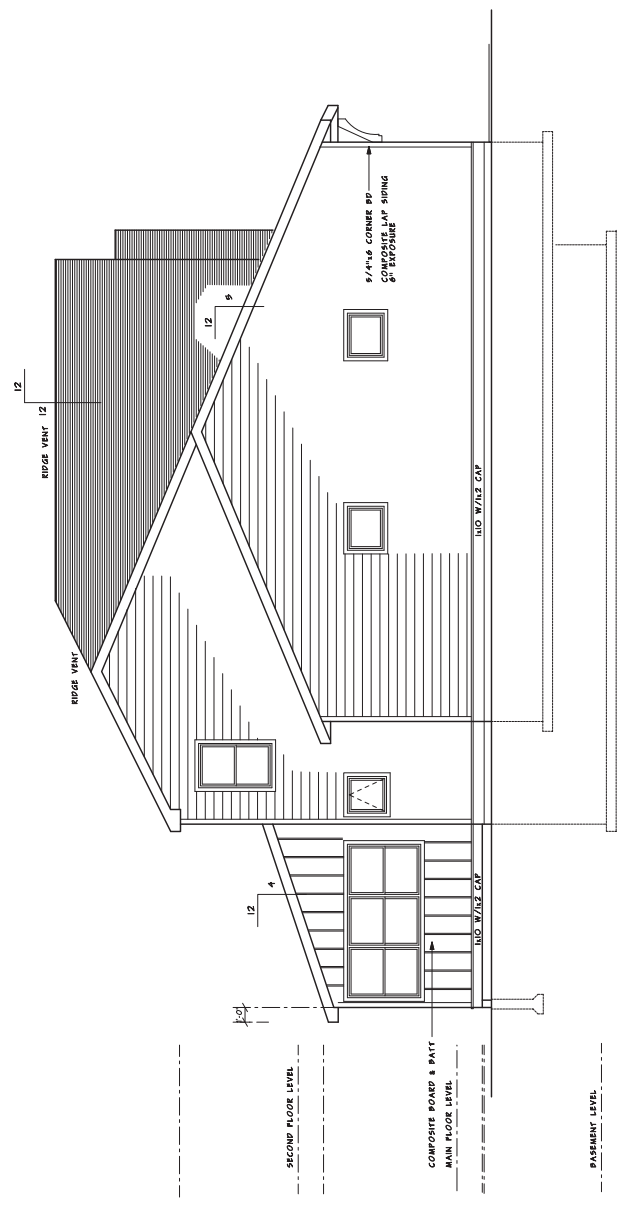
SCALE
 1/4" = 1'-0"

SHEET

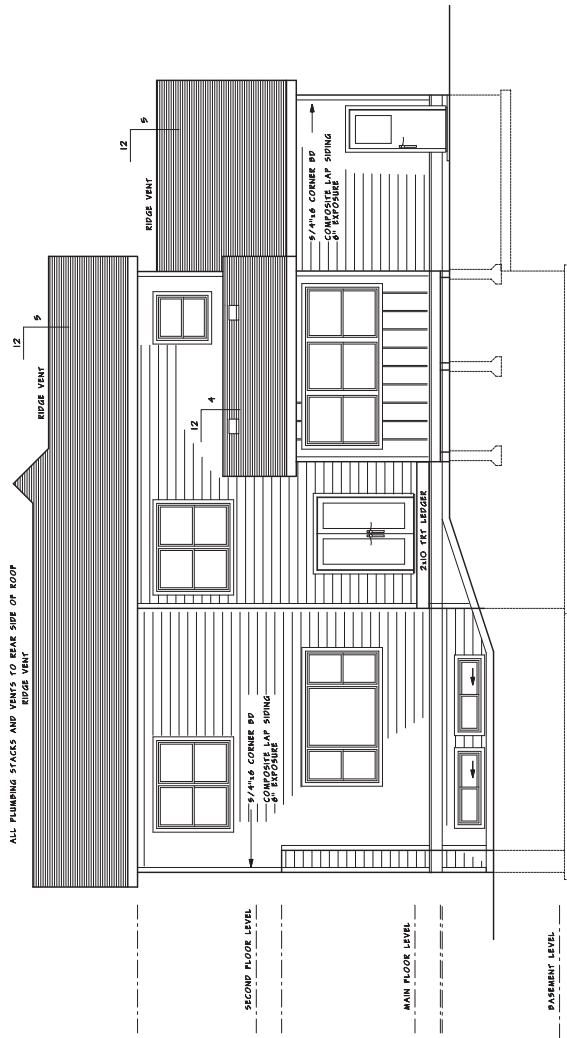
3 of 8

Contractor:
 C.T. Carlson
 Custom Home Builder
 3609 East 47th St.
 Minneapolis, MN 55406
 Builder License #BC99620

Project Site:
 Jack & Melissa McKean
 141 Wooddale Ave.
 Waukegan, MN



Left Elevation
 SCALE 1/4" = 1'-0"



Rear Elevation
SCALE 1/4" = 1'-0"

HART'S DESIGN LLC
Residential New Home &
Remodeling Design
(952) 828 - 8908
3609 East 47th St.
Minneapolis, MN 55406
Contractor:
C.J. Carlson
Custom Home Builder
Minneapolis, MN 55406

Date:
1- 27- 2016
6- 14- 2016

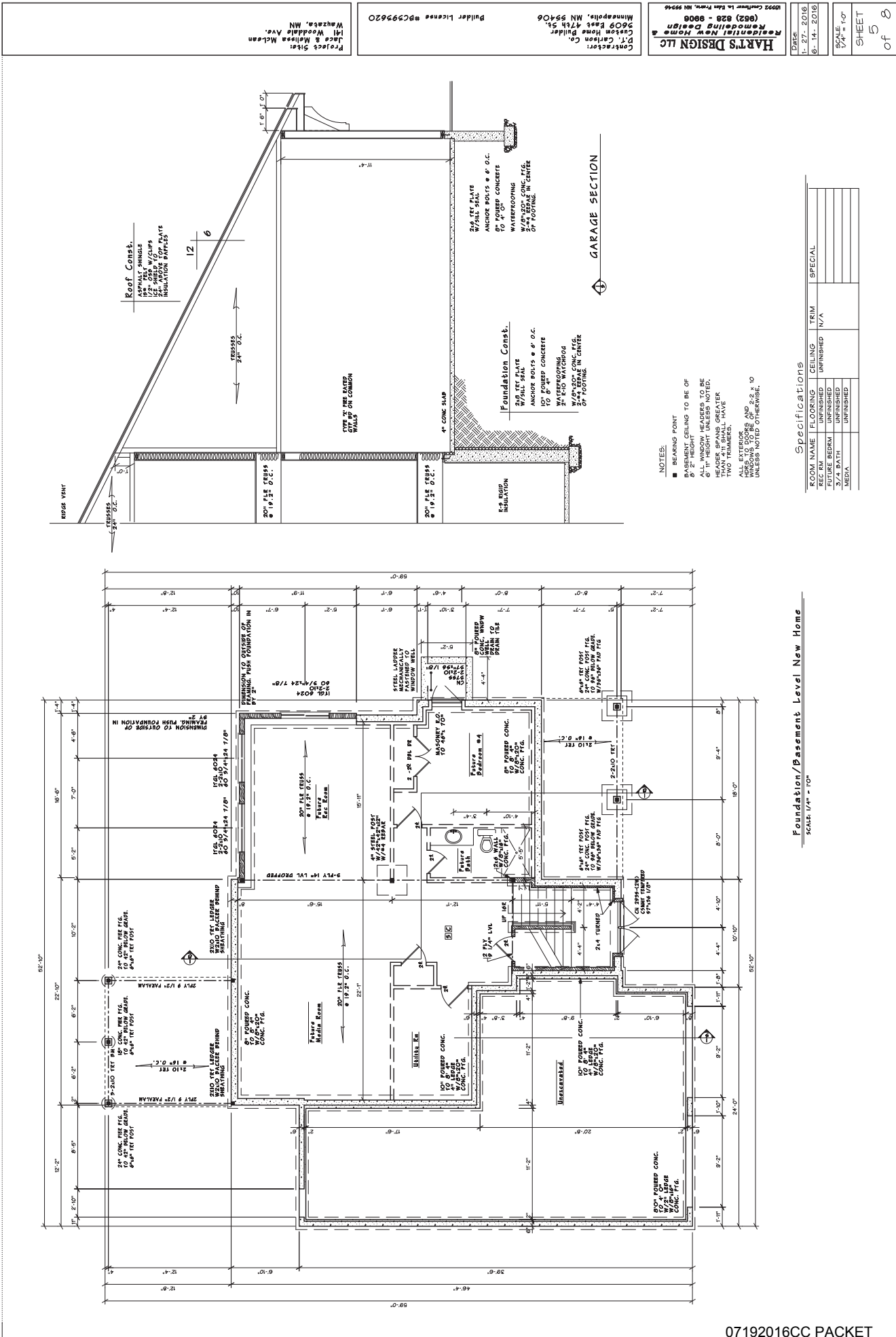
SCALE
1/4" = 1'-0"

SHEET
4

of 8

Project Site:
Jacob & Melissa McLean
141 Wooddale Ave.
Waukegan, MN

Builder License #BC99620



DATE	1-27-2016
6-14-2016	
SCALE	1/4" = 1'-0"
SHEET	5
of	8

HART'S DESIGN LLC
Residential Design
Custom Home Builders
3609 East 47th St.
Minneapolis, MN 55406
(952) 828-9808
3025 Centerville Rd. Suite 100, MN 55946

Contractor:
3609 East 47th St.
Minneapolis, MN 55406
Builder License #BC939620
Project: 51st & Hennepin Ave.
Waukegan, MN

ROOM NAME	FLOORING	CEILING	TRIM	SPECIAL
REC RM	UNFINISHED	UNFINISHED	N/A	
2 1/2 BATH	UNFINISHED	UNFINISHED		
MEDIA				

Specifications

- NOTES:
- BEARING POINT
 - BASEMENT CEILING TO BE OF 8' 2" HEIGHT
 - ALL EXTERIOR WALLS TO BE 8' 11" HEIGHT UNLESS NOTED
 - HEADER SPANS GREATER THAN 8' SHALL HAVE TWO TEAKERS
 - ALL EXTERIOR WINDOWS TO BE 2' 2" x 10' UNLESS NOTED OTHERWISE

Contractor:
D.T. Carlson Co.
Custom Home Builder
3609 East 47th St.
Minneapolis, MN 55406

The diagram shows a frame structure with the following loads and reactions:

- Uniformly distributed load of 10 kN/m acting downwards on the horizontal beam segment.
- Point load of 10 kN acting downwards at the midpoint of the horizontal beam segment.
- Reaction force of 10 kN acting upwards at the left end of the horizontal beam segment.
- Reaction force of 10 kN acting upwards at the right end of the horizontal beam segment.
- Reaction force of 10 kN acting upwards at the left end of the vertical column segment.
- Reaction force of 10 kN acting upwards at the right end of the vertical column segment.
- Reaction force of 10 kN acting upwards at the left end of the horizontal beam segment.
- Reaction force of 10 kN acting upwards at the right end of the horizontal beam segment.
- Reaction force of 10 kN acting upwards at the left end of the vertical column segment.
- Reaction force of 10 kN acting upwards at the right end of the vertical column segment.

Roof Plan

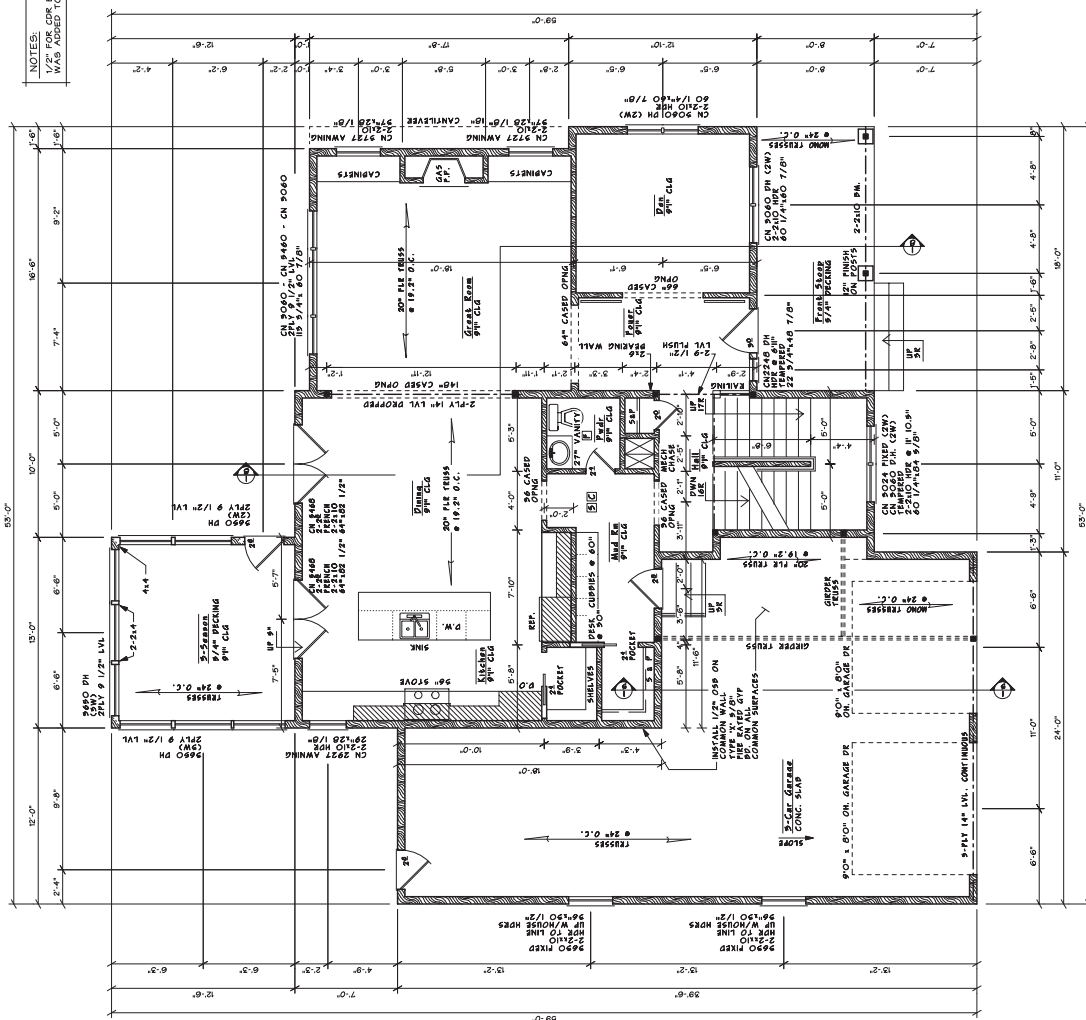
NOTES:

- BEARING POINT MAIN FLOOR TO BE OF 9" 1/8" HEIGHT ALL WINDOW HEADERS AND CASINGS OPINGS TO BE 7" 1/2" HEIGHT UNLESS NOTED. HEADER SPANS GREATER THAN 4" 11" SHALL HAVE TWO TRIMMERS.
- ALL EXTERIOR WINDOWS TO BE 2-2 x 10 UNLESS NOTED OTHERWISE.

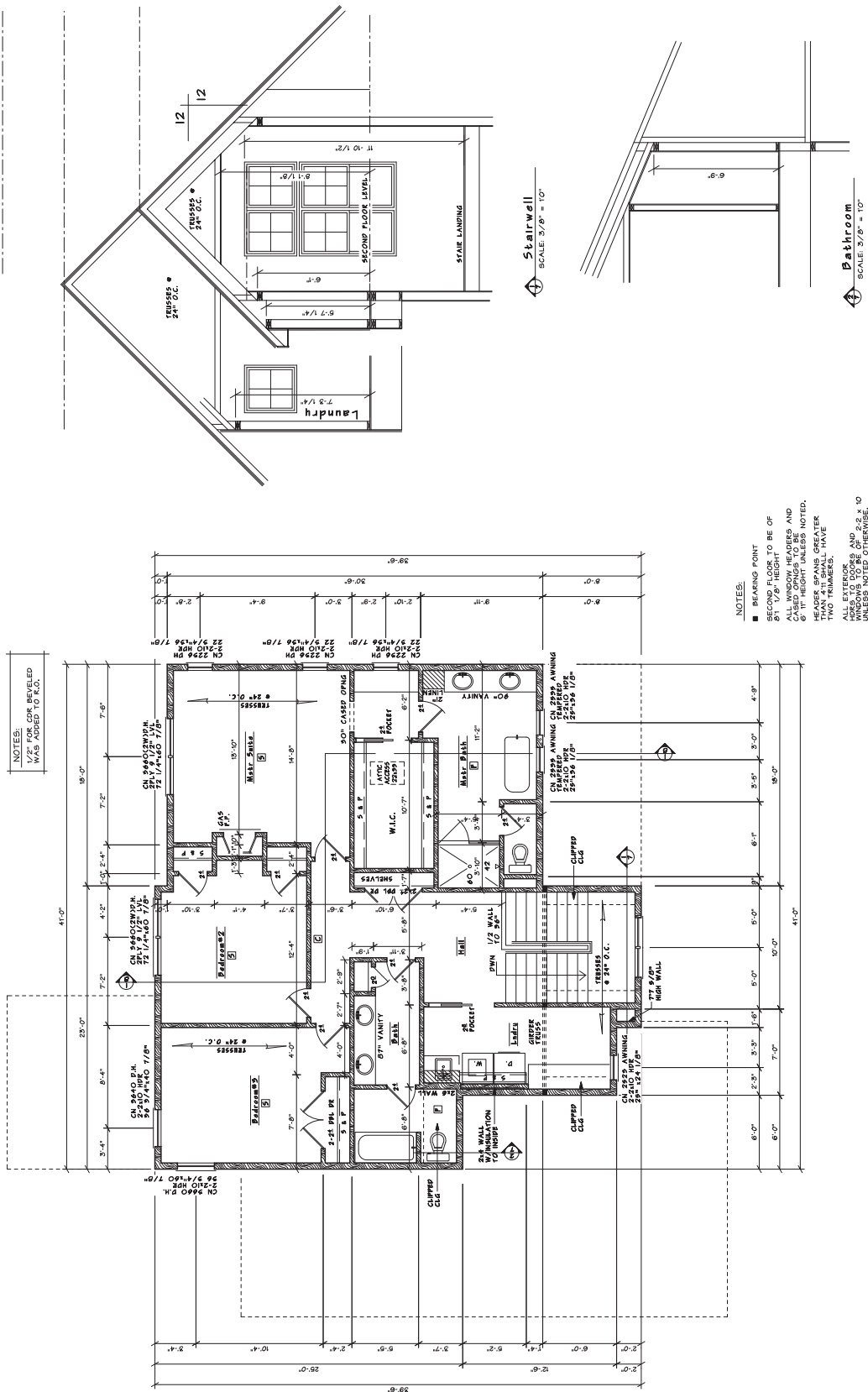
Radon Detail

Specifications				
ROOM NAME	FLOORING	CEILING	TRIM	SPECIAL
PORCH	WP		BASEBOARD 3/4"	
HALL	WP			
CL. ROOM	WP			
BATH	WP			
KITCHEN	WP			
DINING	WP			
BED	CARPET			
CL. ROOM	WP			

NOTES:
1/2" FOR CDR BEVELED
WAS ADDED TO R.O.



Main Floor New Home 1248 SF
SCALE: 1/4" = 1'0"
PORCH 162 SQ.FT.



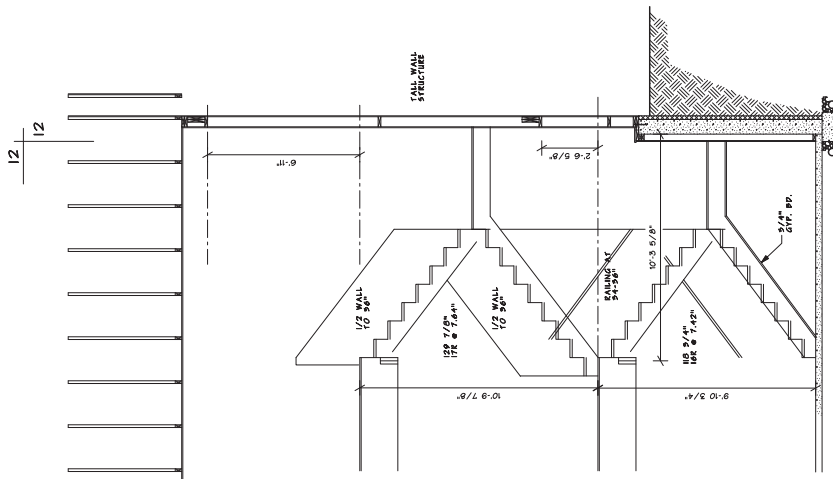
NOTES:
1. FLOORING FOR PORCHES
WAS ADDED TO R.O.D.

NOTES:
■ BEARING POINT
SECOND FLOOR TO BE OF
8" CONCRETE SLAB
ALL WINDOW HEADERS AND
SILLINGS TO BE 2" X 8" OR
6" IN HEIGHT UNLESS NOTED.
HEADER SPANS GREATER
THAN WALLS SHALL HAVE
TWO FRAMES.
ALL EXTERIOR
WINDOWS DOORS AND
UNLESS NOTED OTHERWISE.

Specifications

ROOM NAME	FLOORING	CEILING	TRIM	SPECIAL
KITCHEN	CARPET	KNICK-DOWN	BASEBOARD	
BEDRM #1	CARPET			
BEDRM #2	CARPET			
W.B.TH	TILE			
W.B.TH	TILE			
LAUNDRY	TILE			
HALL	CARPET			

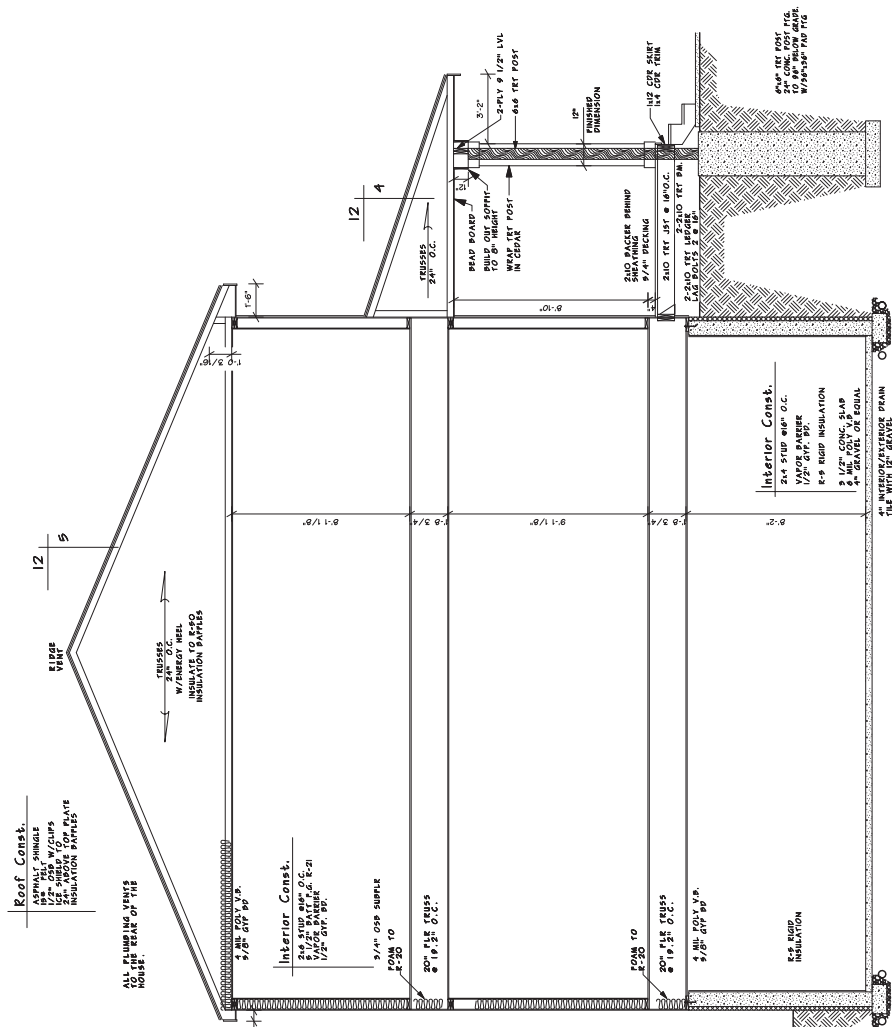
Stairs
SCALE: 3/8" = 1'-0"
MAX ESB 10"
MAX ESB 5' 9/4"



Foundation Const.
2'x8" T&B PLATE
ANCHOR BOLTS @ 4" O.C.
8" FIBERGLASS CONCRETE
TO 8" 4"
3" FIBERGLASS CONCRETE
TO 8" 4"
W/8" 20" CONC. TIE
OF FOOTING
EXTERIOR
DEAN TILE

Exterior Const.
ALUMINUM JACK
SILL BRACKET
W/CONTINGENT TIE
TIE OSG SHEATHING
DOOR WEAP
FOR EXTERIOR WINDING
2x8 T&B SILL PLATE
ANCHOR BOLTS @ 2' O.C.
7/8" SHEATHING TO LINE
OF SILL BRACKET

Roof Const.
ASPHALT SHINGLE
1/2" OSG W/CLIPS
2x4 TRUSS TOP PLATE
2x4 TRUSS TOP PLATE
INSULATION DARTED



Interior Const.
2x4 STUD @ 4" O.C.
1/2" OSG W/CLIPS
R-9 RIGID INSULATION
3 1/2" CONC. SLAB
8" MIC. POLY. B. BOARD
4" INTERIOR EXTERIOR PEAN
FIBERGLASS CONCRETE
SEE DETAIL

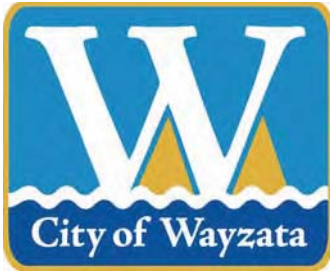
Entry Through Dining Room
SCALE: 3/8" = 1'-0"

DATE: 1-27-2016
SCALE: 1/4" = 1'-0"
SHEET
of 8

HART'S DESIGN LLC
Residential Design
Custom Home Builder
211. Carlson
3609 East 47th St.
Minneapolis, MN 55406
(952) 828-8808

Contractor:
3609 East 47th St.
Minneapolis, MN 55406
Builder License #B999620

Project Site:
Jace & Melissa McLean
Waukegan, MN



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

Director Of Public Service
David Dudinsky

City Engineer/Assist. Public Works Director
Mike Kelly

Public Works Superintendent
Jim Eibensteiner

Public Works Secretary/Utility Billing Clerk
Rebecca Jones

Memorandum

TO: Wayzata City Council and City Manager
FROM: Dave Dudinsky; Director of Public Service
DATE: July 13, 2016
RE: Consider Approval of Fourth Amendment to Antenna Lease Agreement with AT&T

AT&T made application in March of 2016 to upgrade their antennas and related equipment located on or near the Wayzata water tower located at 403 Gardner St E. An amendment to the lease is necessitated by their request to add three additional antennas on the city water tower.

Attached are the following:

1. Fourth Amendment to Antenna Lease Agreement negotiated between AT&T and the City by city attorney and staff.
2. AT&T Antenna Upgrade Plan Set (Exhibit A-2).
3. Cover letter from the city's consulting engineers SEH stating that all comments and recommendations made on behalf of the City regarding the proposed plans have been satisfactorily addressed by AT&T.
4. Structural Analysis Report.

Staff recommends approval of the Fourth Amendment to Antenna Lease Agreement with AT&T.

Market: Minnesota/Northern Plains (MNP)
Cell Site Number: MPLSMN1025
FA#: 10081742
Cell Site Name: WAYZATA

FOURTH AMENDMENT TO ANTENNA LEASE AGREEMENT

THIS FOURTH AMENDMENT TO ANTENNA LEASE AGREEMENT (the "**Amendment**"), effective the ___ day of _____, 2016, is by and between the City of Wayzata, a Minnesota municipal corporation having a mailing address at 600 Rice Street East, Wayzata, MN 55391 (hereinafter referred to as "**Lessor**") and New Cingular Wireless PCS, LLC, a Delaware limited liability company, successor in interest to AT&T Wireless, having a mailing address of 575 Morosgo Drive, Atlanta, Georgia 30324 (hereinafter referred to as "**Lessee**").

WHEREAS, Lessor and Lessee (through its predecessor in-interest entities) entered into an Antenna Lease Agreement dated April 2, 1985, as amended by a certain First Amendment to Antenna Lease Agreement dated March 28, 2002 ("**First Amendment**"), as amended by a certain Second Amendment to Antenna Lease Agreement dated October 23, 2006 ("**Second Amendment**") as amended by a certain Third Amendment to Antenna Lease Agreement dated September 12, 2012 ("**Third Amendment**"), which are incorporated herein and made a part hereof by reference (collectively referred to herein as the "**Lease Agreement**"); and

WHEREAS, Lessor and Lessee desire to amend certain terms in the Lease Agreement and to allow for the installation of additional antennas, associated cables and other communications instruments by Lessee; and

WHEREAS, Lessor and Lessee desire to amend the Lease Agreement to increase Lessee's Monthly Rent to reflect the increased number of antennas; and

WHEREAS, Lessor and Lessee, in their mutual interest, wish to amend the Lease Agreement as more specifically set forth below.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee agree as follows:

1. **Lease of Portion of Water Tower and Site.** Exhibit A-1 of the Lease Agreement is replaced with Exhibit A-2 attached hereto and incorporated herein by this reference to reflect the increased number of antennas and associated equipment. Pursuant to such Exhibit A-2, Lessee hereby increases the number of panel antennas from nine (9) to twelve (12), all with amplifiers attached at the back of the antennas (collectively, the "**New Equipment**"). The New Equipment will be purchased and installed at the sole expense of Lessee. By executing below, Lessor approves the New Equipment so long as said New Equipment does not interfere with other equipment currently located on the water tower (per Section 3 of the Lease Agreement) and so long as said New Equipment complies with all applicable statutes and regulations (per Section 5 of the Lease Agreement).

2. **Use of Ring.** The parties agree that the mounting ring may continue to be used by third parties so long as such use does not interfere with the New Equipment and so long as such third parties install their equipment at their own expense and provide Lessee with indemnification (including reasonably required insurance) against damage caused to the mounting ring by such third party.

3. **Rent.** Section 7 of the Lease Agreement is hereby amended as follows: Currently the annual base rent for both tower lease space and ground area is Eighty-Seven Thousand Nine Hundred Seven and 74/100 (\$87,907.74) ("**Base Rent**"). Once the New Equipment (including the three (3) additional antennas) is fully installed by Lessee as contemplated by Exhibit A-2, the Base Rent shall increase by Eighteen Thousand Nine Hundred Sixty-One and 75/100 Dollars (\$18,961.75), resulting in a new total annual Base Rent of One Hundred Six Thousand Eight Hundred Sixty-Nine and 49/100 Dollars (\$106,869.49). This Base Rent amount shall continue to increase on each renewal period as currently set forth in the Lease Agreement. If only part of the New Equipment is installed, the above rental amounts shall be adjusted to reflect the number of antennas installed (whether or not operational), but in no event shall the Base Rent be reduced. The parties acknowledge that because part of the work described in Section 1 (of the Third Amendment) benefits the Lessor, the above increased Base Rent is at a discount.

4. **Notices.** Section 14 of the Lease Agreement is hereby deleted in its entirety and replaced with the following:

NOTICES. All notices, requests, and demands hereunder will be given by first class certified or registered mail, return receipt requested, or by a nationally recognized overnight courier, postage prepaid, to be effective when properly sent and received, refused or returned undelivered. Notices will be addressed to the parties as follows:

If to Lessee: New Cingular Wireless PCS, LLC
ATTN: Network Real Estate Administration
Re: Cell Site #: MPLSMN1025; Cell Site Name: WAYZATA (MN)
Fa No.: 10081742
575 Morosgo Drive
Atlanta, GA 30324

With copy to: New Cingular Wireless PCS, LLC
ATTN: AT&T Legal Department
Re: Cell Site #: MPLSMN1025; Cell Site Name: WAYZATA (MN)
FA No. 10081742
208 S. Akard Street
Dallas, TX 75202-4206

The copy sent to the Legal Department is an administrative step which alone does not constitute legal notice.

If to Lessor: City of Wayzata
600 Rice Street East

Wayzata, MN 55391
ATTN: City Manager

Either party hereto may change the place for the giving of notice to it by thirty (30) days prior written notice to the other as provided herein.

5. **Other Terms and Conditions Remain.** In the event of any inconsistencies between the Lease Agreement and this Amendment, the terms of this Amendment shall control. Except as expressly set forth in this Amendment, the Lease Agreement otherwise is unmodified and remains in full force and effect. Each reference in the Lease Agreement to itself shall be deemed also to refer to this Amendment.

6. **Capitalized Terms.** All capitalized terms used but not defined herein shall have the same meanings as defined in the Lease Agreement.

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

8. **Authority.** The parties hereby warrant that they have the full power, authority and legal right to enter into this Amendment, and the execution and delivery have been duly authorized by all necessary action on the part of the parties.

[Signatures appear on the following page]

IN WITNESS WHEREOF, the parties have caused their properly authorized representatives to execute and seal this Amendment on the dates set forth below.

LESSOR:

City of Wayzata,
a Minnesota municipal corporation

By: _____

Name: _____

Title: _____

Date: _____

By: _____

Name: _____

Title: _____

Date: _____

LESSEE:

New Cingular Wireless PCS, LLC,
a Delaware limited liability company

By: AT&T Mobility Corporation
Its: Manager

By: M Burmeister

Name: _____

Title: _____

Date: 6/27/11



[ACKNOWLEDGMENTS APPEAR ON THE NEXT PAGE]

EXHIBIT A-2

[See attached drawings]

EXHIBIT A-2

SITE PHOTO



PROJECT INFORMATION

SITE NAME: WAYZATA
ADDRESS: 403 EAST GARDNER STREET
JURISDICTION: WAYZATA, MN 55391
SITE NUMBER: MNL01025
FA #: 10081742
PTN #: 3511796695 / 3511A02P6K
PAGE #: MRUMW012586 / MRUMW013341

USID: 44° 58' 30" N (44.975)
LATITUDE: -93° 30' 50" W (-93.513899)
LONGITUDE:

TOWER OWNER: CITY OF WAYZATA
GROUND OWNER: CITY OF WAYZATA
LANDLORD CONTACT: DAVE DUDINSKY
PHONE: (952) 404-5351
EMAIL: DAVE@WAYZATA.ORG

APPLICANT: AT&T WIRELESS
901 S. MARQUETTE AVE.
MINNEAPOLIS, MN 55402

AT&T PROJECT MANAGER: PETER MCENREY
PHONE: (952) 229-9867
EMAIL: PM7525@ATT.COM

AT&T CONSTRUCTION MANAGER: ANTHONY J. SANI
PHONE: (952) 229-9671
EMAIL: A55394@ATT.COM

PROJECT CONSULTANTS

PROJECT MANAGEMENT: SAC WIRELESS
340 W. MADISON ST. 17TH FLOOR
CHICAGO, ILLINOIS 60661
CONTACT: AMY HUTCHINGS
EMAIL: AMY.HUTCHINGS@SACW.COM

SITE ACQUISITION: SAC WIRELESS
340 W. MADISON ST. 17TH FLOOR
CHICAGO, ILLINOIS 60661
CONTACT: BARRY HUMPHREY
EMAIL: BARRY.HUMPHREY@SACW.COM

CHITECT: NESTOR POPOWICH, AIA
SAC WIRELESS ENGINEERING GROUP
CHICAGO, ILLINOIS 60661
CONTACT: KEVIN ALLEN
PHONE: (312) 893-4977 EXT. 436
EMAIL: KEVIN.ALLEN@SACW.COM

CONSTRUCTION: SAC WIRELESS
340 W. MADISON ST. 16TH FLOOR
CHICAGO, ILLINOIS 60661
CONTACT: DANA HUBBARD
EMAIL: DANA.HUBBARD@SACW.COM

AT&T MOBILITY

PROJECT: LTE 3C/4C
SITE #: MNL01025
FA #: 10081742
PTN #: 3511796695 / 3511A02P6K
PAGE #: MRUMW012586 / MRUMW013341

SITE NAME: WAYZATA
ADDRESS: 403 EAST GARDNER STREET
WAYZATA, MN 55391

JURISDICTION: WAYZATA

VICINITY MAP



LOCAL MAP



CITY OF WAYZATA
PLAN REVIEW
REVIEWED BY: David Dudinsky
PRINTED NAME: David Dudinsky
DATE: June 27, 2016

☒ **PLAN APPROVED AS SUBMITTED**
☐ **PLAN APPROVED WITH CORRECTIONS**
☐ **PLAN NOT APPROVED**
All work performed related to Approved Plan shall comply to all City Ordinances.



DRAWING INDEX

T1	TITLE SHEET
SP1	NOTES & SPECIFICATIONS
SP2	NOTES & SPECIFICATIONS
A1	COMPOUND PLAN
A2	EQUIPMENT PLAN
A3	TOWER ELEVATION
A4	ANTENNA PLAN
A5	ANTENNA & CABLE CONFIGURATION
A6	ANTENNA DETAILS & RAYCAP DETAILS
A7	DETAILS
A8	MOUNTING DETAILS GSM/UMTS
A9	MOUNTING DETAILS LTE 4C/GSM
A10	MOUNTING DETAILS LTE 3C
A11	CABLE NOTES & COLOR CODING
E1	GROUNDING DETAILS

SCOPE OF WORK

THIS IS NOT AN ALL INCLUSIVE LIST. CONTRACTOR SHALL UTILIZE SPECIFIED EQUIPMENT PART OR ENGINEER APPROVED EQUIVALENT. CONTRACTOR SHALL VERIFY ALL MATERIALS AND EQUIPMENT ARE AS SHOWN ON DRAWINGS. THE PROJECT GENERALLY CONSISTS OF THE FOLLOWING:

- REMOVE (3) EXISTING AT&T GSM PANEL ANTENNAS.
- REMOVE (3) EXISTING AT&T UMTS PANEL ANTENNAS.
- INSTALL (1) PROPOSED AT&T UMTS PANEL ANTENNAS IN POSITION 1.
- INSTALL (2) PROPOSED AT&T GSM/UMTS PANEL ANTENNAS IN POSITION 2.
- INSTALL (1) PER SECTOR (BETA & GAMMA SECTORS)
- INSTALL (1) PROPOSED AT&T LTE 4C/GSM PANEL ANTENNAS IN POSITION 2.
- INSTALL (2) PROPOSED AT&T LTE 4C/GSM PANEL ANTENNAS IN POSITION 3.
- INSTALL (1) PER SECTOR (BETA & GAMMA SECTOR)
- INSTALL (1) PROPOSED AT&T LTE 3C PANEL ANTENNAS, W/(1) PROPOSED AT&T LTE 3C RHSS, W/(1) PROPOSED ANTENNA PIPE MOUNT.
- INSTALL (2) PROPOSED AT&T LTE 3C PANEL ANTENNAS, W/(2) PROPOSED AT&T LTE 3C RHSS, W/(2) PROPOSED ANTENNA PIPE MOUNT.
- INSTALL (1) EACH PER SECTOR IN NEW POSITION 1. (BETA & GAMMA SECTORS)
- INSTALL (1) PROPOSED PROPOSED RAYCAP DC2-48-60-0-SE IN NEW POSITION 4. (ALPHA SECTOR)
- INSTALL (2) PROPOSED PROPOSED RAYCAP DC2-48-60-0-SE.
- INSTALL (1) EACH PER SECTOR IN NEW POSITION 1. (BETA & GAMMA SECTORS)
- INSTALL (2) PROPOSED RAYCAP F012-P08-10E.
- INSTALL (1) PROPOSED 15A BREAKERS IN EXISTING POWER PLANT.
- INSTALL (4) PROPOSED 20A BREAKER IN EXISTING POWER PLANT.
- INSTALL (2) PROPOSED 20A BREAKER IN EXISTING POWER PLANT.
- INSTALL (2) PROPOSED RECTIFIER(S) IN EXISTING POWER PLANT.
- INSTALL (1) PROPOSED BBU ML000205 IN EXISTING FF RACK.
- INSTALL (2) PROPOSED RAYCAP DC3 EXPANSION PACK (GEN 2) IN EXISTING FF RACK.
- INSTALL PROPOSED RAYCAP MODULES IN THE EXISTING RAYCAP IN SHELTER
- INSTALL PROPOSED DC/FIBER JUMPEERS.
- INSTALL (3) PROPOSED ALARM CABLES.
- INSTALL (7) PROPOSED ECOM2 CABLES.
- INSTALL PROPOSED ECOM2 CARD.

CODE COMPLIANCE

- 2015 MINNESOTA BUILDING CODE • 2014 NATIONAL ELECTRIC CODE • TIA/EIA-222-G
- THESE DRAWINGS ARE BASED AT&T SCOPING DOCUMENT DATED 07/24/2015.
- CONTRACTOR TO USE LATEST VERSION OF THE 3C RPTS DATED 06/10/16 & 4C RPTS DATED 06/10/16 WITH THE CD'S PER SCOPE OF WORK.

REFERENCE MATERIALS

- ALL WORK SHALL BE INSTALLED IN CONFORMANCE WITH CURRENT AT&T CONSTRUCTION STANDARDS.
- EXISTING CONDITIONS WILL BE CHANGED & VERIFIED IN FIELD. IF SIGNIFICANT DEVIATIONS OR DETEGRATION ARE ENCOUNTERED AT THE TIME OF CONSTRUCTION, A REPAIR PERMIT WILL BE OBTAINED & CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY.
- ALL MATERIALS SHALL BE VERIFIED & SCALEABLE ON 11"x17" SHEET SIZE.
- STATEMENT THAT COMPLIANCE WITH THE ENERGY CODE IS NOT REQUIRED.
- SCOPE OF WORK DOES NOT INVOLVE MODIFICATIONS TO EXISTING EQUIPMENT OR BUILDING HVAC SYSTEMS OR ELECTRICAL WIRING.

SPECIAL NOTES

- DO NOT SCALE DRAWINGS
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS & CONDITIONS
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS & CONDITIONS
- IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK. OR BE RESPONSIBLE FOR SAME.



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A	08/21/13	ISSUED FOR REVIEW	EV
B	11/20/13	ISSUED FOR REVIEW	CD
C	02/11/14	ISSUED FOR REVIEW	BA
E	02/16/14	FOR CONSTRUCTION	CD
1	03/29/14	FOR CONSTRUCTION	CD
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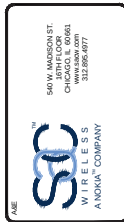
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PRINT NAME: NESTOR POPOWICH
 SIGNATURE: [Signature]
 DATE: 06/14/16
 LICENSE # 4779
 EXP. 06/26/17

LTE 3C/4C
 10081742
 WAYZATA
 403 EAST GARDNER STREET
 WAYZATA, MN 55391

SHEET TITLE
 TITLE SHEET

SHEET NUMBER
 T1



REV.	DATE	DESCRIPTION	INITIALS
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NOTES &
SPECIFICATIONS

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SP1

52. ALL RF CONNECTIONS, GROUNDING HARDWARE AND ANTENNA HARDWARE SHALL HAVE A TORQUE MARK INSTALLED IN A CONTINUOUS STRAIGHT LINE FROM BOTH SIDES OF THE CONNECTION.
53. THE FIBER OPTIC TRUNK CABLES SHALL BE INSTALLED INTO CONDUITS, CHANNEL CABLE TRAYS, OR CABLE TRAY. WHEN INSTALLING FIBER OPTIC TRUNK CABLES INTO A CABLE TRAY, SYSTEM, THEY SHALL BE INSTALLED INTO AN INTER DUCT AND A PARTITION BARRED BY THE TRAY. THE TRAY SHALL BE INSTALLED BETWEEN THE TRUNK CABLES AND THE INTER DUCT IN SUCH A MANNER THAT THE TRUNK CABLES ARE PROTECTED FROM THE TRAY. THE TRAY SHALL BE APPROVED CABLE RESTRAINTS EVERY (60) SIXTY FEET AND SECURELY FASTENED TO THE CABLE TRAY SYSTEM. NFPA 70 (NEC) ARTICLE 770 RULES SHALL APPLY.
54. THE TYPE TC-CER CABLES SHALL BE INSTALLED INTO CONDUITS, CHANNEL CABLE TRAYS, OR CABLE TRAY AND SHALL BE SECURED AT INTERVALS NOT EXCEEDING (6) SIX FEET. AN EXCEPTION: WHERE TYPE TC-CER CABLES ARE NOT SUBJECT TO PHYSICAL DAMAGE, CABLES SHALL BE PERMITTED TO MAKE A TRANSITION BETWEEN CONDUITS, CHANNEL CABLE TRAYS, OR CABLE TRAY. THE DISTANCE (6) SIX FEET SHALL NOT BE EXCEEDED WITHOUT CONTINUOUS SUPPORTING. NFPA 70 (NEC) ARTICLES 336 AND 392 RULES SHALL APPLY.
55. WHEN INSTALLING OPTIC FIBER TRUNK CABLES OR TYPE TC-CER CABLES INTO CONDUITS, NFPA 70 (NEC) ARTICLE 300 RULES SHALL APPLY.
- COAXIAL CABLE NOTES
62. TYPES AND SIZES OF THE ANTENNA CABLE ARE BASED ON ESTIMATED LENGTHS. PRIOR TO ORDERING CABLE, CONTRACTOR SHALL VERIFY ACTUAL LENGTH BASED ON CONSTRUCTION LAYOUT AND NOTIFY THE PROJECT MANAGER IF ACTUAL LENGTHS EXCEED ESTIMATED LENGTHS.
63. CONTRACTOR SHALL NOTIFY THE DOWN-TILT OF EACH ANTENNA WITH A DIGITAL LEVEL.
64. CONTRACTOR SHALL CONFIRM COAX COLOR CODING PRIOR TO CONSTRUCTION.
65. ALL JUMPERS TO THE ANTENNAS FROM THE MAIN TRANSMISSION LINE SHALL BE 1/2" DIA. LAD AND SHALL NOT EXCEED 6'-0".
66. ALL COAXIAL CABLE SHALL BE SECURED TO THE DESIGNED SUPPORT STRUCTURE, IN AN APPROVED MANNER, AT DISTANCES NOT TO EXCEED 4'-0" OC.
67. CONTRACTOR SHALL FOLLOW ALL MANUFACTURER'S RECOMMENDATIONS REGARDING BOTH THE INSTALLATION AND GROUNDING OF ALL COAXIAL CABLES, CONNECTORS, ANTENNAS, AND ALL OTHER EQUIPMENT.
68. CONTRACTOR SHALL GROUND ALL EQUIPMENT, INCLUDING ANTENNAS, RET MOTORS, TMA'S, COAX CABLES, AND RET CONTROL CABLES AS A COMPLETE SYSTEM. GROUNDING SHALL BE EXECUTED BY QUALIFIED WIREMEN IN COMPLIANCE WITH MANUFACTURER'S SPECIFICATION AND RECOMMENDATION.
69. CONTRACTOR SHALL PROVIDE STRAIN-RELIEF AND CABLE SUPPORTS FOR ALL CABLE ASSEMBLIES, COAX CABLES, AND RET CONTROL CABLES. CABLE STRAIN-RELIEFS AND CABLE SUPPORTS SHALL BE APPROVED FOR THE PURPOSE. INSTALLATION SHALL BE IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS.
70. CONTRACTOR TO VERIFY THAT EXISTING COAX HANGERS ARE STACKABLE SNAP IN HANGERS. EXISTING HANGERS ARE NOT STACKABLE SNAP IN HANGERS. IF EXISTING HANGERS ARE NOT STACKABLE SNAP IN HANGERS, CONTRACTOR SHALL REPLACE EXISTING HANGERS WITH NEW SNAP IN HANGERS IF APPLICABLE.
- GENERAL CABLE AND EQUIPMENT NOTES
71. CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY ANTENNA, TMA'S, DIPLEXERS, AND COAX CONFIGURATION, MAKE AND MODELS PRIOR TO INSTALLATION.
72. ALL CONNECTIONS FOR HANGERS, SUPPORTS, BRACING, ETC. SHALL BE INSTALLED PER TOWER MANUFACTURER'S RECOMMENDATIONS.
73. CONTRACTOR SHALL REFERENCE THE TOWER STRUCTURAL ANALYSIS/DESIGN DRAWINGS FOR DIRECTIONS ON CABLE DISTRIBUTION/ROUTING.
74. ALL OUTDOOR RF CONNECTORS/CONNECTIONS SHALL BE WEATHERPROOFED, EXCEPT THE RET CONNECTORS. USING BUTYL TAPE AFTER INSTALLATION AND FINAL CONNECTIONS ARE MADE. THE BUTYL TAPE SHALL BE MINIMUM 1/8" THICK. THE BUTYL TAPE SHALL BE TURNED AND EACH LAYER SHALL BE WRAPPED THREE TIMES. WEATHERPROOFING SHALL BE SMOOTH WITHOUT BUCKLING. BUTYL WRAPPING IS NOT ALLOWED.
75. IF REQUIRED TO PAINT ANTENNAS AND/OR COAX:
A. TEMPERATURE SHALL BE ABOVE 50° F.
B. PAINT COLOR MUST BE APPROVED BY BUILDING OWNER/LANDLORD.
C. FOR REGULATED TOWERS, FAA/FCC APPROVED PAINT IS REQUIRED.
D. DO NOT PAINT OVER COLOR CODING OR ON EQUIPMENT MODEL NUMBERS.
76. ALL CABLES SHALL BE GROUNDING WITH COAXIAL CABLE GROUND KITS. FOLLOW THE MANUFACTURER'S RECOMMENDATIONS.
A. GROUNDING AT THE ANTENNA LEVEL.
B. GROUNDING REQUIRED.
C. GROUNDING AT THE TOWER LEVEL, TOWERS WHICH ARE OVER 200'-0", ADDITIONAL CABLE GROUNDING REQUIRED.
D. GROUNDING AT THE EQUIPMENT SHELTER AT THE ENTRY PORT.
77. ALL PROPOSED GROUND BAR DOWNLOADS ARE TO BE TERMINATED TO THE EXISTING ADJACENT GROUND BAR DOWNLOADS A MINIMUM DISTANCE OF 4'-0" BELOW GROUND BAR. TERMINATIONS MAY BE EXOTHERMIC OR COMPRESSION.
- EXECUTION OF THE WORK, AS DIRECTED BY THE RESPONSIBLE ENGINEER, AND SUBJECT TO THE APPROVAL OF THE OWNER AND/OR LOCAL UTILITIES.
24. THE AREAS OF THE OWNER'S PROPERTY, DISTURBED BY THE WORK AND NOT COVERED BY EXISTING EQUIPMENT OR DRIVEWAY, SHALL BE GRADED TO A UNIFORM SLOPE, AND STABILIZED TO PREVENT EROSION.
25. CONTRACTOR SHALL MINIMIZE DISTURBANCE TO THE EXISTING SITE DURING CONSTRUCTION. THE WORK SHALL BE IN CONFORMANCE WITH THE FEDERAL AND LOCAL JURISDICTION FOR EROSION AND SEDIMENT CONTROL.
26. NO FILL OR EMBANKMENT MATERIAL SHALL BE PLACED ON FROZEN OR EMBANKMENT. FROZEN MATERIALS, SNOW OR ICE SHALL NOT BE PLACED IN ANY FILL OR EMBANKMENT.
27. THE SUBGRADE SHALL BE BROUGHT TO A SMOOTH UNIFORM GRADE AND COMPACTED TO 95 PERCENT STANDARD PROCTOR DENSITY UNDER PAVEMENT STRUCTURES AND 80 PERCENT STANDARD PROCTOR DENSITY IN OPEN SPACE. ALL TRENCHES IN PUBLIC RIGHT OF WAY SHALL BE BACKFILLED WITH FLOWABLE FILL OR OTHER MATERIAL PRE-APPROVED BY THE LOCAL JURISDICTION.
28. ALL NECESSARY RUBBISH, STUMPS, DEBRIS, STICKS, STONES, AND OTHER REFUSE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF IN A LAWFUL MANNER.
29. ALL BROCHURES, OPERATING AND MAINTENANCE MANUALS, CATALOGS, SHOP DRAWINGS, AND OTHER DOCUMENTS SHALL BE TURNED OVER TO THE GENERAL CONTRACTOR AT COMPLETION OF CONSTRUCTION AND PRIOR TO PAYMENT.
30. CONTRACTOR SHALL SUBMIT A COMPLETE SET OF AS-BUILT REDLINES TO THE GENERAL CONTRACTOR UPON COMPLETION OF PROJECT AND PRIOR TO FINAL PAYMENT.
31. CONTRACTOR SHALL LEAVE PREMISES IN A CLEAN CONDITION.
32. THE PROPOSED FACILITY WILL BE UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SEWER SERVICE, AND IS NOT FOR HUMAN HABITAT (NO HANDICAP ACCESS REQUIRED).
33. OCCUPANCY IS LIMITED TO PERIODIC MAINTENANCE AND INSPECTION, APPROXIMATELY 2 TIMES PER MONTH, BY AT&T TECHNICIANS.
34. NO OUTDOOR STORAGE OR SOLID WASTE CONTAINERS ARE PROPOSED.
35. ALL MATERIAL SHALL BE FURNISHED AND WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST REVISION AT&T MOBILITY GROUNDING STANDARD "TECHNICAL SPECIFICATION FOR CONSTRUCTION OF GSM/GPRS WIRELESS SITES" AND "TECHNICAL SPECIFICATION FOR FACILITY GROUNDING". IN CASE OF A CONFLICT BETWEEN THE CONSTRUCTION SPECIFICATION AND THE DRAWINGS, THE DRAWINGS SHALL GOVERN.
36. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS REQUIRED FOR CONSTRUCTION. IF CONTRACTOR CANNOT OBTAIN A PERMIT, THEY MUST NOTIFY THE GENERAL CONTRACTOR IMMEDIATELY.
37. CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS FROM THE SITE ON A DAILY BASIS.
38. INFORMATION SHOWN ON THESE DRAWINGS WAS OBTAINED FROM SITE VISITS AND/OR DRAWINGS PROVIDED BY THE SITE OWNER. CONTRACTORS SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES PRIOR TO ORDERING MATERIAL OR PROCEEDING WITH CONSTRUCTION.
39. NO WHITE STROBE LIGHTS ARE PERMITTED. LIGHTING IF REQUIRED, WILL MEET FAA STANDARDS AND REQUIREMENTS.
- ANTENNA MOUNTING
40. DESIGN AND CONSTRUCTION OF ANTENNA SUPPORTS SHALL CONFORM TO CURRENT ANS/ITIA-222 OR APPLICABLE LOCAL CODES.
41. ALL STEEL MATERIALS SHALL BE GALVANIZED AFTER FABRICATION IN ACCORDANCE WITH ASTM A123 "ZINC (HOT-DIP GALVANIZED) COATINGS ON IRON AND STEEL PRODUCTS". UNLESS NOTED OTHERWISE.
42. ALL BOLTS, ANCHORS AND MISCELLANEOUS HARDWARE SHALL BE GALVANIZED IN ACCORDANCE WITH ASTM A153 "ZINC-COATING (HOT-DIP) ON IRON AND STEEL HARDWARE", UNLESS NOTED OTHERWISE.
43. DAMAGED GALVANIZED SURFACES SHALL BE REPAIRED BY COLD GALVANIZING IN ACCORDANCE WITH ASTM A780.
44. ALL ANTENNA MOUNTS SHALL BE INSTALLED WITH LOCK NUTS, DOUBLE NUTS AND SHALL BE TORQUED TO MANUFACTURER'S RECOMMENDATIONS.
45. CONTRACTOR SHALL INSTALL ANTENNA PER MANUFACTURER'S RECOMMENDATION FOR INSTALLATION AND GROUNDING.
46. ALL UNUSED PORTS ON ANY ANTENNAS SHALL BE TERMINATED WITH A 50-OHM LOAD TO ENSURE ANTENNAS PERFORM AS DESIGNED.
47. PRIOR TO SETTING ANTENNA AZIMUTHS AND DOWNLITS, ANTENNA CONTRACTOR SHALL CHECK THE ANTENNA MOUNT FOR TIGHTNESS AND ENSURE THAT THEY ARE PLUMB. ANTENNA AZIMUTHS SHALL BE SET FROM TRUE NORTH AND BE ORIENTED WITHIN +/- 0.5° AS DEFINED BY THE RFDS. ANTENNA DOWNLITS SHALL BE WITHIN +/- 0.3° AS DEFINED BY THE RFDS. THE TMA'S MUST TERMINATE TO OPPOSITE POLARIZATION'S IN EACH SECTOR.
48. CONTRACTOR SHALL RECORD THE SERIAL #, SECTOR, AND POSITION OF EACH ACTUATOR INSTALLED AT THE ANTENNAS AND PROVIDE THE INFORMATION TO AT&T.
50. TMA'S SHALL BE MOUNTED ON PIPE DIRECTLY BEHIND ANTENNAS AS CLOSE TO ANTENNA AS FEASIBLE IN A VERTICAL POSITION.
- TORQUE REQUIREMENTS
51. ALL RF CONNECTIONS SHALL BE TIGHTENED BY A TORQUE WRENCH.
- GENERAL CONSTRUCTION
FOR THE PURPOSE OF CONSTRUCTION DRAWINGS, THE FOLLOWING DEFINITIONS SHALL APPLY:
1. CONTRACTOR/CM - [Logo]
SUB-CONTRACTOR
OWNER
2. ALL SITE WORK SHALL BE COMPLETED AS INDICATED ON THE DRAWINGS AND AT&T GENERAL SPECIFICATIONS.
3. GENERAL CONTRACTOR SHALL VISIT THE SITE AND SHALL FAMILIARIZE HIMSELF WITH ALL EXISTING UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FAMILIARIZING HIMSELF WITH ALL EXISTING DOCUMENTS, FIELD CONDITIONS, DIMENSIONS, AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES WITH THE WORK DETAILS ARE INTENDED TO SHOW DESIGN INTENT. MODIFICATIONS MAY BE REQUIRED TO SUIT JOB DIMENSIONS OR CONDITIONS AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF WORK AND PREPARED BY THE ENGINEER PRIOR TO PROCEEDING WITH WORK.
4. ALL MATERIALS FURNISHED AND INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL CODES, ORDINANCES, RULES, REGULATIONS, AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE PERFORMANCE OF WORK.
5. ALL WORK CARRIED OUT SHALL COMPLY WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS AND LOCAL JURISDICTIONAL CODES, ORDINANCES, AND APPLICABLE REGULATIONS.
6. UNLESS NOTED OTHERWISE, THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES, AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
7. PLANS ARE NOT TO BE SCALED. THESE PLANS ARE INTENDED TO BE A DIAGRAMMATIC OUTLINE OF THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING DIMENSIONS AND CLEARANCE. THEREFORE, IT IS CRITICAL TO FIELD VERIFY DIMENSIONS. SHOULD THERE BE ANY QUESTIONS REGARDING THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY INFORMATION FROM THE OWNER. ANY DISCREPANCIES WITH THE WORK DETAILS ARE INTENDED TO SHOW DESIGN INTENT. MODIFICATIONS MAY BE REQUIRED TO SUIT JOB DIMENSIONS OR CONDITIONS AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF WORK AND PREPARED BY THE ENGINEER PRIOR TO PROCEEDING WITH WORK.
8. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY STATED OTHERWISE.
9. IF THE SPECIFIED EQUIPMENT CANNOT BE INSTALLED AS SHOWN ON THESE DRAWINGS, THE CONTRACTOR SHALL PROPOSE AN ALTERNATIVE INSTALLATION SPACE FOR APPROVAL BY THE ENGINEER PRIOR TO PROCEEDING.
10. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF WORK AREA, ADJACENT AREAS AND BUILDING OCCUPANTS THAT ARE LIKELY TO BE AFFECTED BY THE WORK. CONTRACTOR SHALL CONFORM TO ALL OSHA REQUIREMENTS AND THE LOCAL JURISDICTION.
11. GENERAL CONTRACTOR SHALL COORDINATE WORK AND SCHEDULE WORK ACTIVITIES WITH OTHER DISCIPLINES.
12. ERECTION SHALL BE DONE IN A WORKMANLIKE MANNER BY COMPETENT EXPERIENCED WORKMEN ACCORDING TO APPLICABLE CODES AND THE BEST ACCEPTED PRACTICE. ALL MEMBERS SHALL BE LAD PLUMB AND TRUE AS INDICATED ON THE DRAWINGS.
13. SEAL PENETRATIONS THROUGH FIRE RATED AREAS WITH UL LISTED MATERIALS APPROVED BY THE ENGINEER. CONTRACTOR SHALL KEEP AREA CLEAN, HAZARD FREE, AND DISPOSE OF ALL DEBRIS.
14. WORK PREVIOUSLY COMPLETED IS REPRESENTED BY LIGHT SHADINGS LINES AND NOTES. CONTRACTOR SHALL NOTIFY THE GENERAL CONTRACTOR OF ANY EXISTING CONDITIONS THAT DEViate FROM THE DRAWINGS PRIOR TO BEGINNING CONSTRUCTION.
15. CONTRACTOR SHALL PROVIDE WRITTEN NOTICE TO THE CONSTRUCTION MANAGER 48 HOURS PRIOR TO COMMENCEMENT OF WORK.
16. THE CONTRACTOR SHALL PROTECT EXISTING IMPROVEMENTS, PAVEMENTS, CURBS, LANDSCAPING AND STRUCTURES. ANY DAMAGED PART SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE TO THE SATISFACTION OF THE OWNER.
17. THE CONTRACTOR SHALL CONTACT UTILITY LOCATING SERVICES PRIOR TO THE START OF CONSTRUCTION.
18. GENERAL CONTRACTOR SHALL COORDINATE AND MAINTAIN ACCESS FOR ALL TRADES AND CONTRACTORS TO THE SITE AND/OR BUILDING.
19. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR SECURITY OF THE SITE FOR THE DURATION OF CONSTRUCTION UNTIL JOB COMPLETION.
20. THE GENERAL CONTRACTOR SHALL MAINTAIN IN GOOD CONDITION ONE COMPLETE SET OF PLANS WITH ALL REVISIONS, ADDENDA, AND CHANGE ORDERS ON THE PREMISES AT ALL TIMES.
- THE GENERAL CONTRACTOR SHALL PROVIDE PORTABLE FIRE EXTINGUISHERS WITH A RATING OF NOT LESS THAN 2-A OT 2-A10-BC AND SHALL BE WITHIN 25 FEET OF DISTANCE FROM ALL PORTIONS OF WHERE THE WORK IS BEING COMPLETED DURING CONSTRUCTION.
- ALL EXISTING ACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES SHALL BE PROTECTED AND MAINTAINED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES. WORK SHALL BE RELOCATED AS DIRECTED BY THE ENGINEER. EXTREME CAUTION SHOULD BE USED BY THE CONTRACTOR WHEN EXCAVATING OR DRILLING PIERS AROUND OR NEAR UTILITIES. CONTRACTOR SHALL PROVIDE SAFETY TRAINING FOR THE WORKING CREW. THIS TRAINING SHALL BE PROVIDED BY THE CONTRACTOR AND SHALL INCLUDE THE FOLLOWING: ELECTRICAL SAFETY, AND D) TRENCHING & EXCAVATION.
- ALL EXISTING INACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES, WHICH ARE NOT IDENTIFIED ON THE DRAWINGS, SHALL BE PROTECTED AND MAINTAINED. WORK SHALL BE RELOCATED AS DIRECTED BY THE ENGINEER. EXTREME CAUTION SHOULD BE USED BY THE CONTRACTOR WHEN EXCAVATING OR DRILLING PIERS AROUND OR NEAR UTILITIES. CONTRACTOR SHALL PROVIDE SAFETY TRAINING FOR THE WORKING CREW. THIS TRAINING SHALL BE PROVIDED BY THE CONTRACTOR AND SHALL INCLUDE THE FOLLOWING: ELECTRICAL SAFETY, AND D) TRENCHING & EXCAVATION.

SECTION 09 97 15

COATING SYSTEMS FOR TELECOMMUNICATION EQUIPMENT

PART 1 GENERAL

1.01 SUMMARY

A. SECTION INCLUDES PAINTING AND PAINTING REPAIR WORK ASSOCIATED WITH THE INSTALLATION OF ANTENNAS, COAXIAL CABLES, AND COMMON COMPONENTS WITH DIRECT ATTACHMENT TO WATER TANK FACILITIES.

1.02 REFERENCES

- A. SOCIETY FOR PROTECTIVE COATINGS (SSPC):
www.sspc.org
1. Volume 1: good painting practice
2. Volume 2: Systems and Specifications

1.03 SUBMITTALS

- A. PRODUCTS DATA: SUBMIT DATA SHEETS FOR EACH COATING SYSTEM

PART 2 PRODUCTS

2.01 MATERIALS

- A. MANUFACTURERS:
1. SHERWIN WILLIAMS COMPANY www.sherwin-williams.com
2. TNEPEC COMPANY www.tnemecc.com
3. X-I-M PRODUCTS www.ximborder.com

PART 3 EXECUTION

3.01 EXAMINATION

- A. VISUALLY EVALUATE SURFACE PREPARATION BY COMPARISON WITH PICTORIAL STANDARDS OF SSPC-VS-11-68

3.02 PREPARATION

- A. REMOVE ALL SURFACE CONTAMINANTS IN ACCORDANCE WITH SSPC-SP1 SOLVENT CLEANING.
1. DO NOT USE HYDROCARBON SOLVENTS ON SURFACES TO BE COATED WITH WATER-BASED COATING
B. CLEAN AND REMOVE ALL RUST, SLAG, WELD SPLATTER, WELD SCABS, MILL SCALE, AND LOOSE PAINT
C. DAMPECT RUSTERS ADJACENT TO WELDING, OR GRINDING OPERATIONS TO PREVENT DAMAGE TO SURROUNDING UNPAINTED SURFACES
D. FERROUS METAL: SSPC-SP6 COMMERCIAL BLAST
E. GALVANIZED STEEL: SSPC-SP7 BRUSH OFF BLAST
F. ANTENNA COVERS, COAXIAL CABLE, NON-METALLIC SUBSTRATES AND PREVIOUSLY PAINTED SURFACES: SCARIFY TO DEGLOSS. SSPC-SP1 WITH A NON-HYDROCARBON SOLVENT
G. SURFACE PROFILE SHALL BE IN ACCORDANCE WITH MANUFACTURER'S PRODUCT RECOMMENDATIONS
H. RE-BLAST ALL SURFACES:
1. WHERE RUSTING HAS RECURRED
2. THAT DO NOT MEET THE REQUIREMENTS OF THESE SPECIFICATIONS.

3.03 APPLICATIONS

- A. COATING SHALL BE APPLIED IN ACCORDANCE WITH MANUFACTURER'S PRINT INSTRUCTIONS
B. COATING SHALL BE COATED, DRY, AND FREE OF AIRBORNE DUST AND CONTAMINANTS THE TIME OF APPLICATIONS AND WHILE FILM IS FORMING.
C. FINISH COAT SHALL BE UNIFORM IN COLOR AND SHEEN WITHOUT STREAKS, LAPS, RUNS SAGS OR MISSED AREAS.
D. SHOP PAINTING: TAPE-OFF (2-INCH MINIMUM) SURFACES THAT WILL BE IN THE HEAT-AFFECTED-ZONE DURING FIELD WELDING
E. COMPONENT PAINTING:

1. INTERIOR EXPOSED FERROUS METAL AND GALVANIZED STEEL:
a. PRODUCT: SHERWIN WILLIAMS MACROPOXY 646 OR TNEPEC SERIES 161
1) NUMBER OF COATS: 2
2) DRY FILM THICKNESS: 4.0 – 6.0 MILS
3) COLOR: BY OWNER
b. EXTERIOR EXPOSED FERROUS METAL AND GALVANIZED STEEL:
a. PRIMER: SHERWIN WILLIAMS MACROPOXY 646 OR TNEPEC SERIES 161 OR N69
1) NUMBER OF COATS: 1
2) DRY FILM THICKNESS: 4.0 – 6.0 MILS
3) COLOR: BY OWNER
b. FINISH: SHERWIN WILLIAMS ACROLOW 219 OR TNEPEC SERIES 10740/10750
1) NUMBER OF COATS: 1
2) DRY FILM THICKNESS: 2.0 – 3.0 MILS
3) COLOR: BY OWNER
3. ANTENNA COVERS:
a. PRIMER: SHERWIN WILLIAMS PRO-CRYL PRIMER
1) NUMBER OF COATS: 1
2) DRY FILM THICKNESS: 2.0 – 4.0 MILS
b. FINISH: SHERWIN WILLIAMS PRO-CRYL
1) NUMBER OF COATS: 1

- 2) DRY FILM THICKNESS: 2.0 – 3.0 MILS
3) COLOR: BY OWNER

4. COAXIAL CABLES:

- a. PRIMER: S-I-M 1138
1) NUMBER OF COATS: 1
2) DRY FILM THICKNESS: 2.0 – 3.0 MILS
b. FINISH: SHERWIN WILLIAMS SHER-CRYL
1) NUMBER OF COATS: 1
2) DRY FILM THICKNESS: 2.5 – 4.0 MILS
3) COLOR: BY OWNER

3.04 REPAIR OF AREAS DAMAGED BY WELDING

- A. PREPARE THE DAMAGE BY ONE OF THE TWO FOLLOWING METHODS AS DIRECTED BY THE ENGINEER:
1. ABRASIVE-BLAST TO SSPC-SP6
2. MECHANICALLY CLEAN TO SSPC-SP11
B. FEATHER EDGES TO PROVIDE SMOOTH COATING TRANSITION
C. APPLY PRIMER COAT TO BARE METAL SURFACE
D. APPLY FINISH COAT TO ENTIRE SURFACE
E. APPLY FINISH COAT

3.05 QUALITY CONTROL

- A. MEASURE DRY FILM THICKNESS WITH MAGNETIC FILM THICKNESS GAGE IN ACCORDANCE WITH SSPC-P42
B. VISUALLY INSPECT DRIED FILM FOR FUNDS, SAGS, DRY SPRAY, EMBEDDED PARTICLES AND MISSED AREAS
C. REPAIR DEFECTIVE OR DAMAGED AREAS IN ACCORDANCE WITH ARTICLES 3.02 AND 3.03



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I, NESTOR POPOWICH, HAVE PREPARED THIS PLAN, SPECIFICATION, OR REPORT. I AM A DULY LICENSED PROFESSIONAL ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

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SPECIFICATIONS

SHEET NUMBER
SP2



SITE PHOTO 1

SCALE: 1/16" = 1'-0"

COMPOUND PLAN



REVISIONS			
REV.	DATE	DESCRIPTION	INITIALS
A	09/21/15	ISSUED FOR REVIEW	EV
B	11/20/15	ISSUED FOR REVIEW	GD
C	02/11/16	ISSUED FOR REVIEW	BK
0	02/18/15	FOR CONSTRUCTION	GD
1	03/29/16	FOR CONSTRUCTION	GD
2	06/14/16	FOR CONSTRUCTION	GD
NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET			

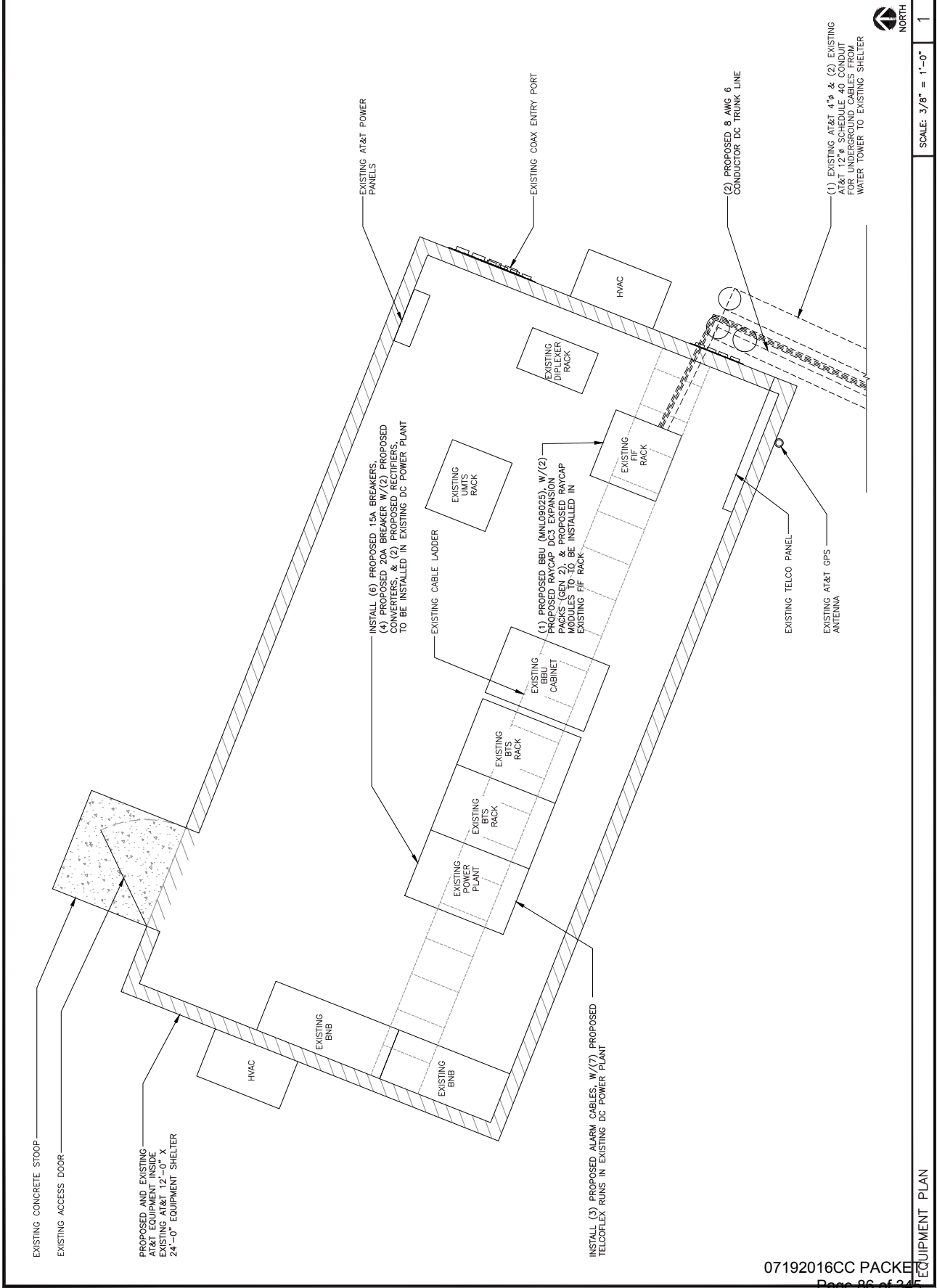
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PRINT NAME: NESTOR POPOWICH
SIGNATURE: [Signature]
DATE: 06/14/16
LICENSE # 47726
EXP. 06/30/17

LTE 3C/4C
10081742
WAYZATA
403 EAST GARDNER
STREET
WAYZATA, MN 55391

SHEET TITLE
EQUIPMENT
PLAN

SHEET NUMBER
A2



SCALE: 3/8" = 1'-0"

EQUIPMENT PLAN

1

REVISIONS					
	REV.	DATE	DESCRIPTION	INITIALS	
	A	09/21/15	ISSUED FOR REVIEW	EV	
	B	11/30/15	ISSUED FOR REVIEW	GD	
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PRINT NAME: NESTOR POPOWICH
SIGNATURE: 
DATE: 06/14/16
LICENSE # 47725
EXP 06/30/18

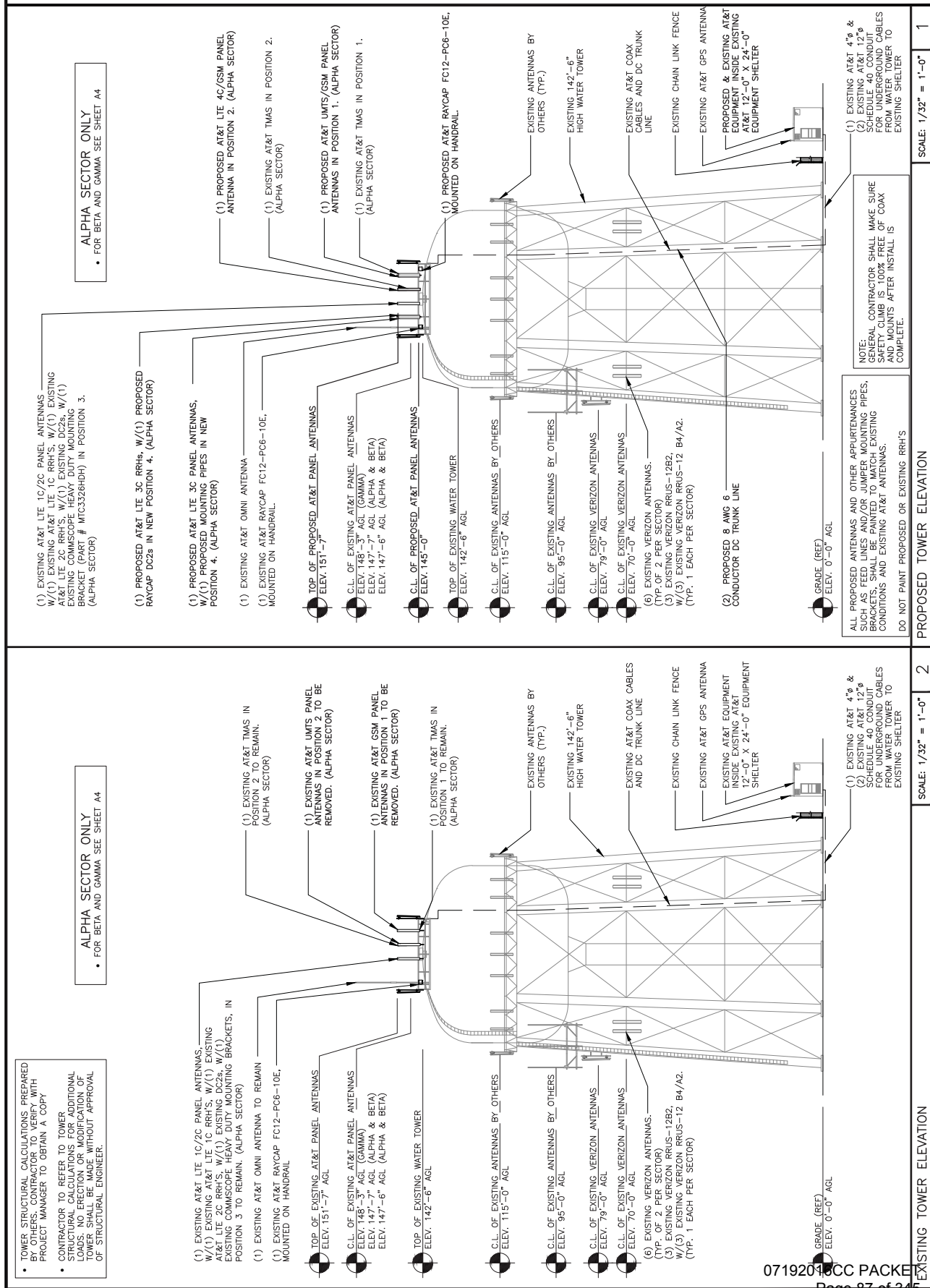
LTE 3C/4C
10081742
WAYZATA
403 EAST GARDNER
STREET
WAYZATA MN 55391

SHEET TITLE

TOWER
ELEVATION

A3

SHEET NUMBER





REV.	DATE	DESCRIPTION	INITIALS
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B	11/20/15	ISSUED FOR REVIEW	GD
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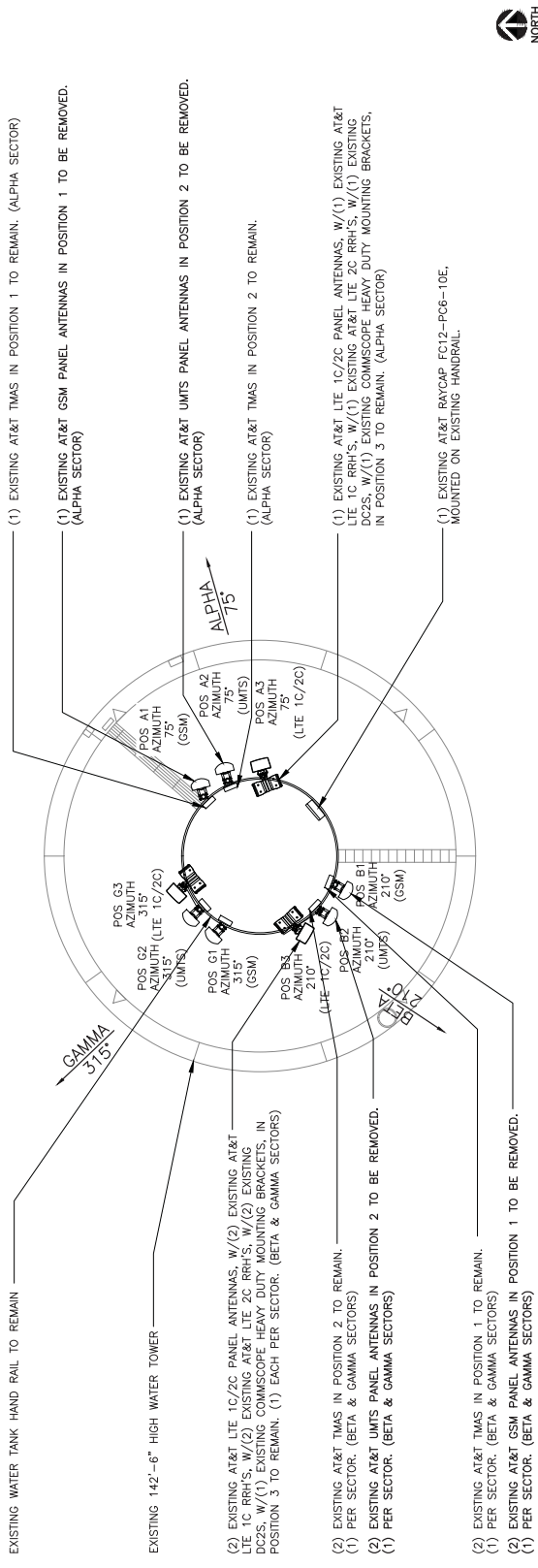
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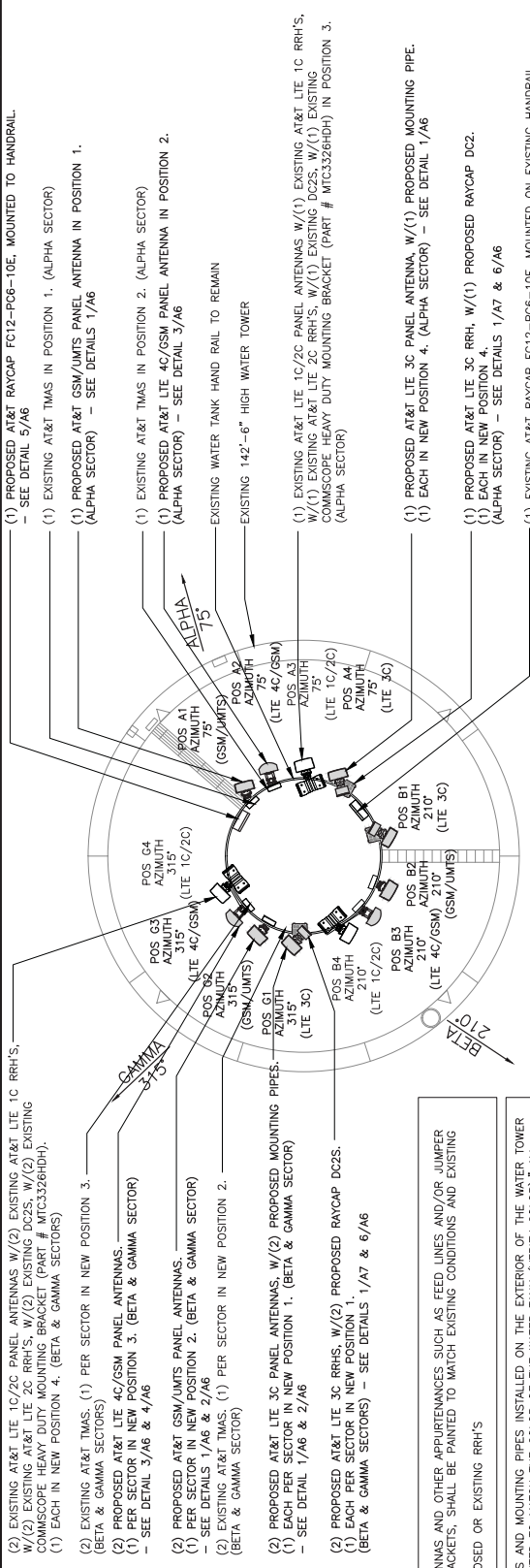
LTE 3C/4C
10081742
WAYZATA
403 EAST GARDNER
STREET
WAYZATA, MN 55391

SHEET TITLE
ANTENNA
PLAN

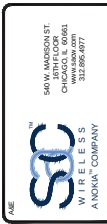
SHEET NUMBER
A4



EXISTING ANTENNA PLAN SCALE: 1/8" = 1'-0"



PROPOSED ANTENNA PLAN SCALE: 1/8" = 1'-0"



REV.	DATE	DESCRIPTION	INITIALS
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LICENSE # 47726

EXP. 06/30/17

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10081742
WAYZATA
403 EAST GARDNER
STREET
WAYZATA, MN 55391

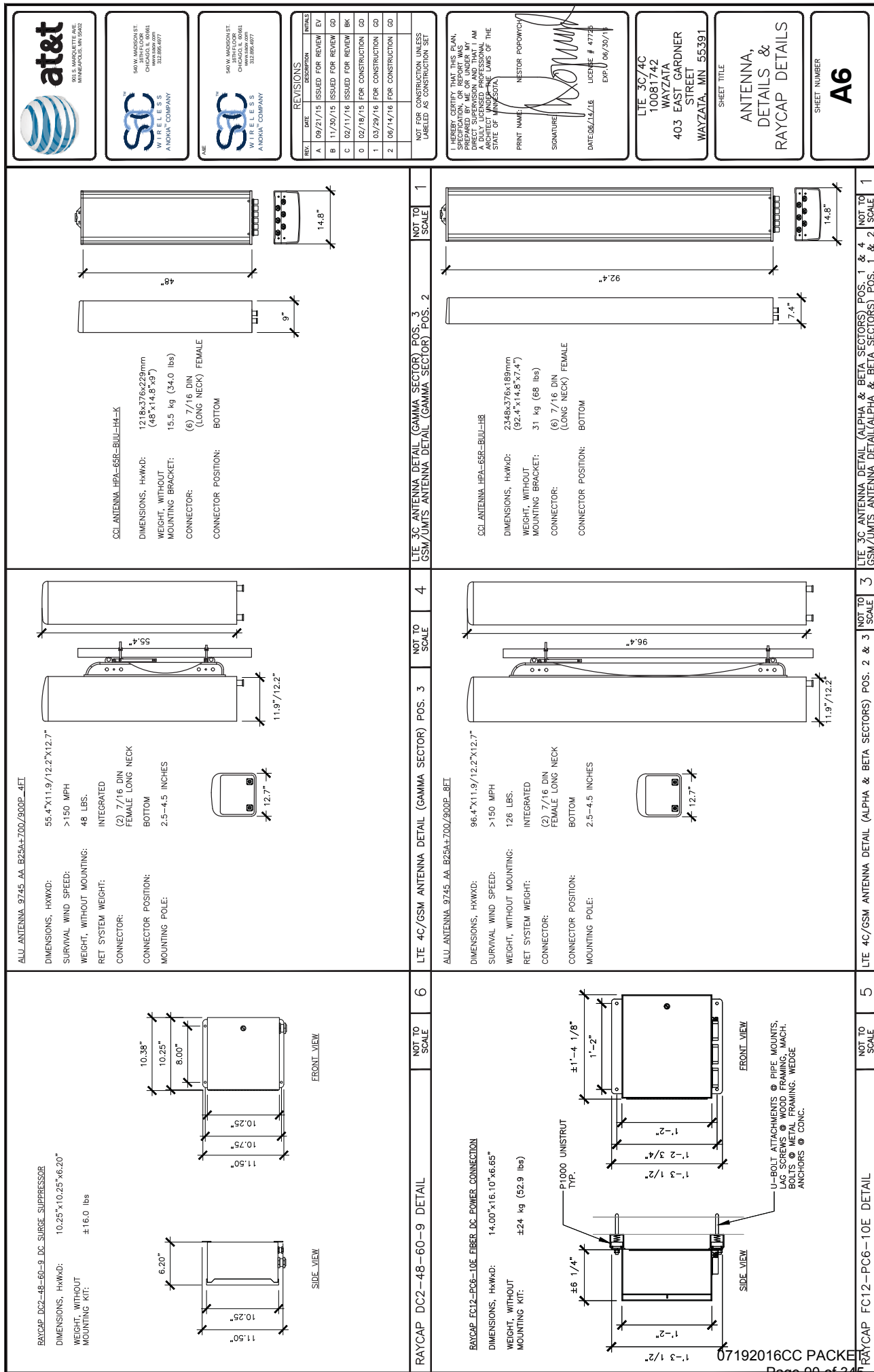
SHEET TITLE
ANTENNA &
CABLE
CONFIGURATION

SHEET NUMBER
A5

PROPOSED ANTENNA CONFIGURATION AND CABLE SCHEDULE									
SUPPLIED BY AT&T WIRELESS, FROM 3C RF CONFIG DATED 06/10/16 & 4C RF DATED 06/10/16, BY KSHITU SURYAWANSHI									
SECTOR	POS	TECH	ANTENNA	ANTENNA C _U HEIGHT	AZIMUTH	TMA/RRU MODEL #		CABLE TYPE	CABLE LENGTH (+20%)
A	1	UMTS/GSM	HPA-65R-BUU-H8-K (N)		75°	(1)(X) TT19-08BP111-001	(1)(N) RAYCAP FC12-PC6-10E (1)(X) RAYCAP FC12-PC6-10E (3)(N) RAYCAP DC2-48-60-9 (3)(X) RAYCAP DC2-48-60-9	(3)(X) LDF 1-5/8" COAX	0
	2	LTE 4C/GSM	9745 AA B25A+700/900 P-8FT (N)	145' AGL	75°	(1)(X) TT19-08BP111-001		(1)(X) LDF 1-5/8" COAX FIBER (SHARED W/A3) (1)(N) DC TRUNK	180'
	3	LTE 1C/2C	HPA-65R-BUU-H8-K (X)		75°	(1)(X) RRH2X40W-07AT (1)(X) RRH2X40-AWS+RDEM		(1)(X) FIBER (2)(X) DC TRUNK	0
	4	LTE 3C	HPA-65R-BUU-H8-K (N)		75°	(1)(N) RRH4X25-WCS-4R		FIBER (SHARED W/A3) (1)(N) DC TRUNK	0
B	1	LTE 3C	HPA-65R-BUU-H8-K (N)		210°	(1)(N) RRH4X25-WCS-4R		SHARED W/A4	0
	2	UMTS/GSM	HPA-65R-BUU-H8-K (N)	145' AGL	210°	(1)(X) TT19-08BP111-001		(3)(X) LDF 1-5/8" COAX	180'
	3	LTE 4C/GSM	9745 AA B25A+700/900 P-8FT (N)		210°	(1)(X) TT19-08BP111-001		SHARED W/A2	0
	4	LTE 1C/2C	HPA-65R-BUU-H8-K (X)		210°	(1)(X) RRH2X40W-07AT (1)(X) RRH2X40-AWS+RDEM		(1)(X) LDF 1-5/8" COAX	0
C	1	LTE 3C	HPA-65R-BUU-H4-K (N)		315°	(1)(N) RRH4X25-WCS-4R		SHARED W/A3	0
	2	UMTS/GSM	HPA-65R-BUU-H4-K (N)	145' AGL	315°	(1)(X) TT19-08BP111-001		SHARED W/A4	0
	3	LTE 4C/GSM	9745 AA B25A+700/900 P-4FT (N)		315°	(1)(X) TT19-08BP111-001		(3)(X) LDF 1-5/8" COAX	180'
	4	LTE 1C/2C	HPA-65R-BUU-H4-K (X)		315°	(1)(X) RRH2X40W-07AT (1)(X) RRH2X40-AWS+RDEM		SHARED W/A2 LDF 1-5/8" COAX	0

* INCLUDES SAFETY FACTOR OF 20' FT. (10 FT. AT BOTH ENDS OF CABLE RUN).
CONTRACTOR TO VERIFY RF DATA WITH AT&T WIRELESS CONSTRUCTION MANAGER
AND/OR RF ENGINEER PRIOR TO INSTALLATION

(N) = NEW
(X) = EXISTING
(XR) =
EXISTING/RELOCATED
(E) = ELECTRICAL
(M) = MECHANICAL





at&t
901 S. MARQUETTE AVE.
MINNEAPOLIS, MN 55402



540 W. MADISON ST.
16TH FLOOR
CHICAGO, IL 60661
WWW.SAGW.COM
312.895.4977



540 W. MADISON ST.
16TH FLOOR
CHICAGO, IL 60661
WWW.SIGN.COM
312.595.4977

REVIEWS				INITIALS
REV.	DATE	DESCRIPTION		
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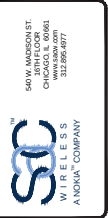
LTE 3C/4C
10081742
WAYZATA
403 EAST GARDNER
STREET
WAYZATA, MN 55391

SHEET TITLE

DETAILS

A7

NOT USED	6	NOT USED	4	NOT USED	2
				ALCATEL—LUCENT RRH4X25-WCS-4E DIMENSIONS, HxWxD: 31.5"x12"x8.7" WEIGHT, WITHOUT MOUNTING KIT: 31.5 kg (70 lbs) The drawing shows two views of the antenna. The front view is a rectangular unit with a large grille on the left and a control panel on the right. The top view shows the same unit from above, with a width of 12 inches and a depth of 8.7 inches. The front view has a width of 31.5 inches. Labels 'FRONT' and 'TOP' are present.	1 NOT TO SCALE
NOT USED	5	NOT USED	3	LTE 3C RRH DETAIL	1 NOT TO SCALE



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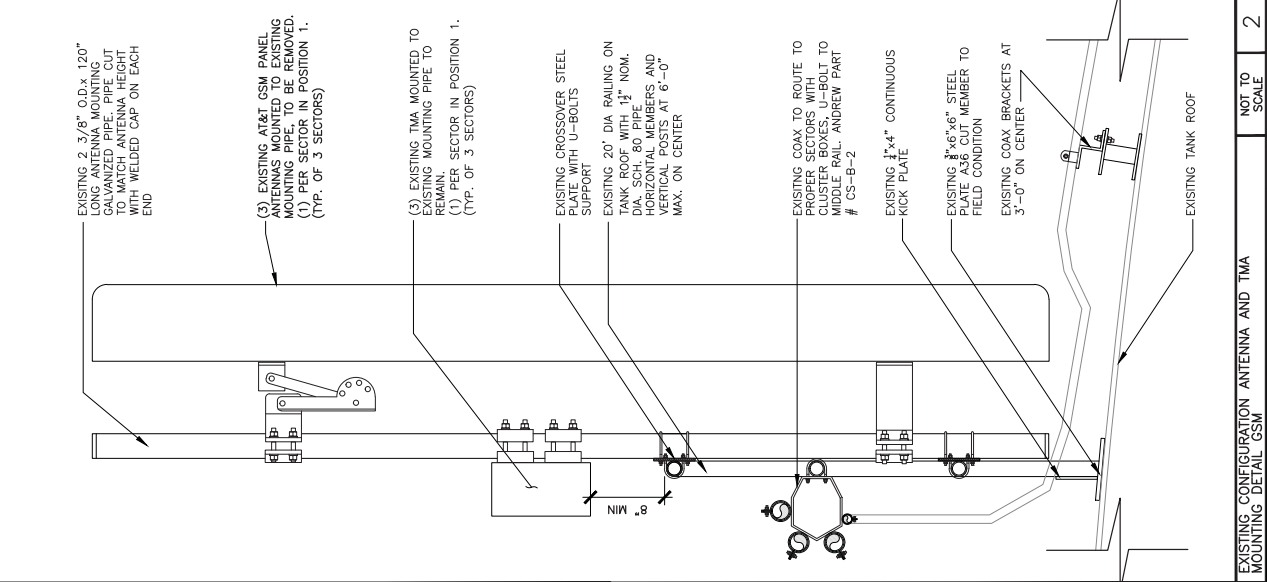
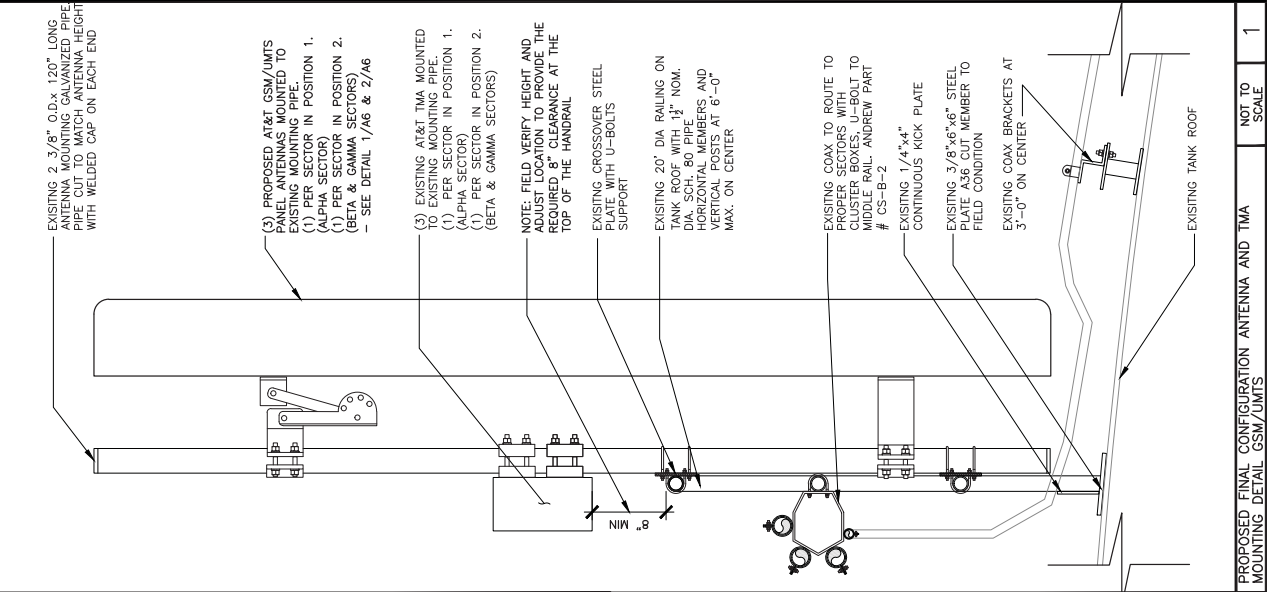
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LTE 3C/4C
10081742
WAYZATA
403 EAST GARDNER
STREET
WAYZATA, MN 55391

SHEET TITLE
MOUNTING
DETAILS
GSM/UMTS

SHEET NUMBER
A8



"ALL ATTACHMENTS TO PAINTED SURFACES ARE TO INCLUDE THE PLACEMENT OF NEOPRENE STRIPS BETWEEN HARDWARE AND POINTS OF CONTACT TO REDUCE/ELIMINATE DAMAGE TO THE PAINTED SURFACE. METAL SHIMS ARE REQUIRED IN SITUATIONS WHERE TIGHTENING A CLAMP MAY CAUSE THE NEOPRENE TO TEAR CAUSING METAL TO METAL CONTACT. WHERE POSSIBLE, EXPOSED NEOPRENE SHOULD BE WRAPPED WITH WHITE PIPE. FASTENING SEQUENCE SHOULD INCLUDE NYLON WASHERS BETWEEN THE PAINTED SURFACE AND THE GALVANIZED WASHER."

"PROPOSED ANTENNAS, NEW MOUNTING PIPES AND SHROUDS INSTALLED ON THE EXTERIOR OF THE WATER TOWER SHALL BE SHOP PAINTED TO MATCH THE COLOR OF THE TOWER (VERIFY COLOR). NEW MOUNTING PIPES ARE TO HAVE WELDED END CAPS, EXISTING MOUNTING PIPES ARE TO BE CAPPED WITH WHITE RUBBER CAPS."

"CONTRACTOR TO TOUCH UP PAINTING ON EXISTING ANTENNAS, SPOT REPAIRS MADE WITH BRUSH AND W/O FEATHERING, SHOULD BE COMPLETELY ROLLED FOR UNIFORMITY."

"CONTRACTOR TO TOUCH UP EXISTING ANTENNA PIPE MASTS, DEPENDING UPON THEIR CONDITION (DAMAGED/FAILED) THE RPU MAY REQUEST REPLACEMENT."

"ALL EXPOSED JUMPERS, CABLES, AND DC TRUNK CABLES ARE TO BE PROVIDED WITH MANUFACTURED WHITE JACKETING OR TAPED WHITE."

"ALL MOUNTING HARDWARE IS TO BE GALVANIZED AND/OR PROVIDED IN A NON-CORRODING MATERIAL."

"ALL ANTENNA FEED LINES, JUMPERS, COAX AND HYBRID CABLE CANNOT INTERFERE WITH TOP OF THE HANDRAIL AND MUST BE ROUTED AS SUCH THAT THEY COMPLY WITH OSHA REQUIREMENTS REGARDING HANDRAILS."

"THE INSTALLATION OF NEW EQUIPMENT WILL BE PLACED BEHIND THE ANTENNAS AND IN A MANNER THAT MAINTAINS THE HANDRAILS COMPLIANCE WITH OSHA GUIDES FOR ACCESS."

"ALL ABANDONED ANTENNAS, COAXIAL CABLE AND DETACHABLE EQUIPMENT THAT IS NO LONGER USED ARE TO BE MOVED DURING THE FINAL MIGRATION."

"ALL EQUIPMENT IS TO BE IDENTIFIED BY THE TENANT."

GENERAL NOTES BY SEH INC.

NO SCALE 4

NEOPRENE STRIPS WILL BE USED ON HARDWARE WHERE CONTACT IS MADE WITH PAINTED SURFACES. FASTENING SEQUENCE SHOULD INCLUDE NYLON WASHERS BETWEEN THE PAINTED SURFACE AND THE GALVANIZED WASHER.

ALL ANTENNA FEED LINES, JUMPERS, COAX AND HYBRID CABLE CANNOT INTERFERE WITH TOP OF THE HANDRAIL AND MUST BE ROUTED AS SUCH THAT THEY COMPLY WITH OSHA REQUIREMENTS REGARDING HANDRAILS

NOTE:
PER SEH COMMENTS: ANTENNAS ARE TO BE SHOP PAINTED

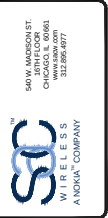
NOT TO SCALE 3

NOT TO SCALE 2

NOT TO SCALE 1

EXISTING CONFIGURATION ANTENNA AND TMA MOUNTING DETAIL GSM

PROPOSED FINAL CONFIGURATION ANTENNA AND TMA MOUNTING DETAIL GSM/UMTS



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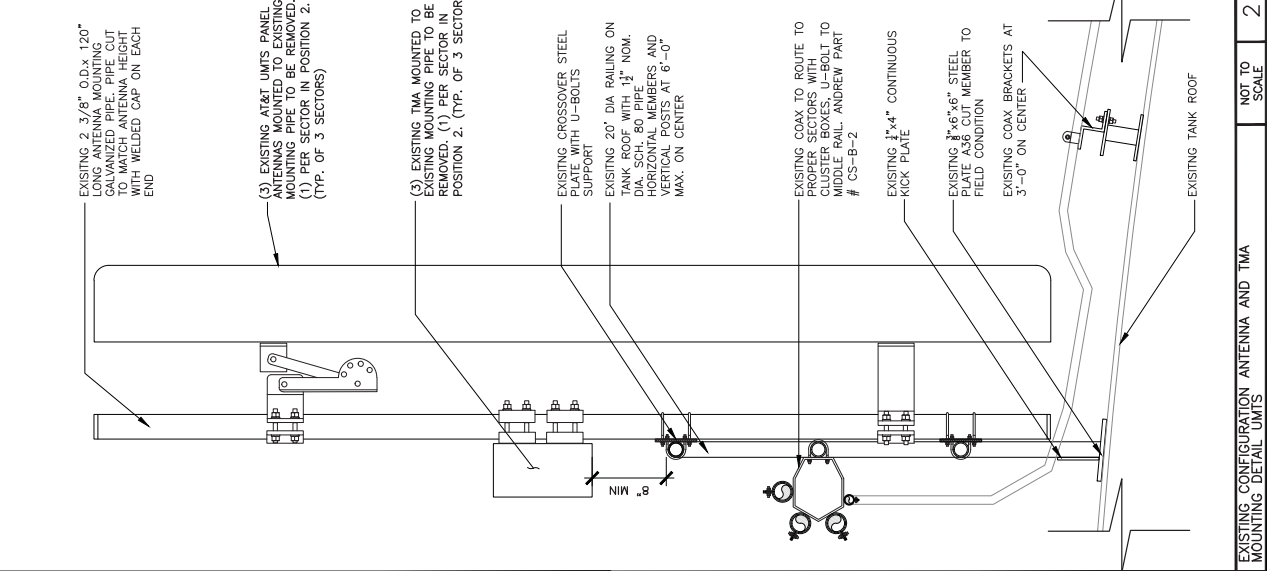
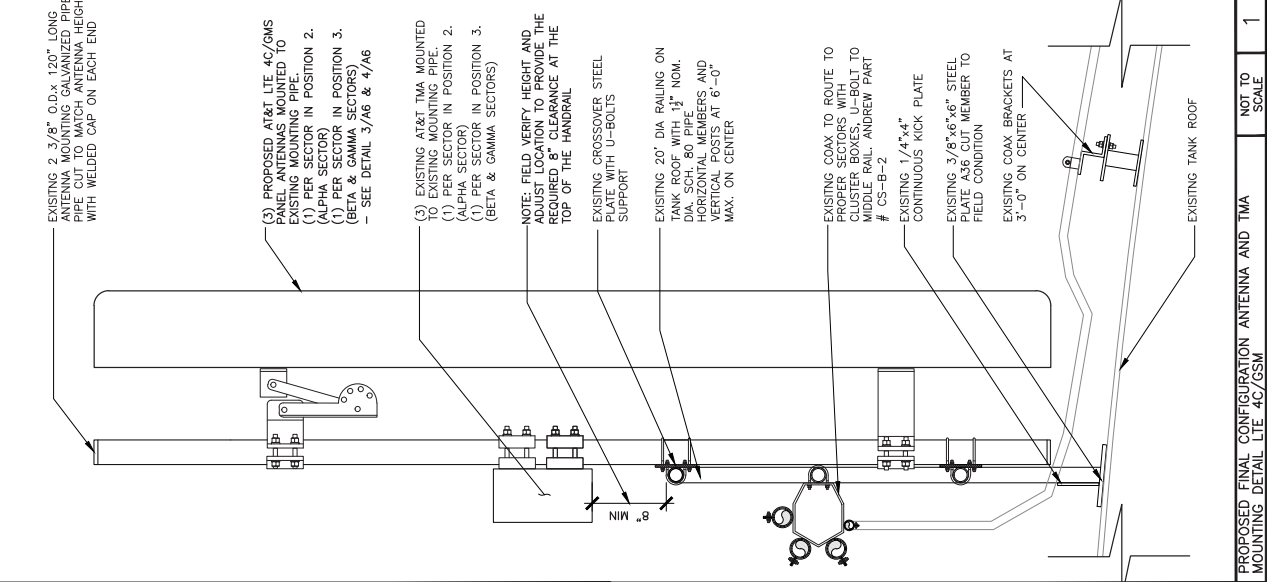
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LTE 3C/4C
10081742
WAYZATA
403 EAST GARDNER
STREET
WAYZATA, MN 55391

SHEET TITLE
MOUNTING
DETAILS
LTE 4C/GSM

SHEET NUMBER
A9



GENERAL NOTES BY SEH INC. 4

"ALL ATTACHMENTS TO PAINTED SURFACES ARE TO INCLUDE THE PLACEMENT OF NEOPRENE STRIPS BETWEEN HARDWARE AND POINTS OF CONTACT TO REDUCE/ELIMINATE DAMAGE TO THE PAINTED SURFACE. METAL SHIMS ARE REQUIRED IN SITUATIONS WHERE TIGHTENING A CLAMP MAY CAUSE THE NEOPRENE TO TEAR CAUSING METAL TO METAL CONTACT. WHERE POSSIBLE, EXPOSED NEOPRENE SHOULD BE WRAPPED WITH WHITE TAPE. FASTENING SEQUENCE SHOULD INCLUDE NYLON WASHERS BETWEEN THE PAINTED SURFACE AND THE GALVANIZED WASHER."

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"ALL EQUIPMENT IS TO BE IDENTIFIED BY THE TENANT."

NOTES

3 NOT TO SCALE

EXISTING CONFIGURATION ANTENNA AND TMA MOUNTING DETAIL UNITS

2 NOT TO SCALE

PROPOSED FINAL CONFIGURATION ANTENNA AND TMA MOUNTING DETAIL LTE 4C/GSM

1 NOT TO SCALE

EXISTING TANK ROOF

EXISTING COAX BRACKETS AT 3'-0" ON CENTER

EXISTING 1/4"x4" KICK PLATE

EXISTING 3/8"x6"x6" STEEL PLATE A36 CUT MEMBER TO FIELD CONDITION

EXISTING COAX TO ROUTE TO PROPER SECTORS WITH CLUSTER BOXES, U-BOLT TO MIDDLE RAIL, ANDREW PART # CS-B-2

EXISTING CROSSOVER STEEL SUPPORT

EXISTING 20' DIA RAILING ON TANK ROOF WITH 1 1/2" NOM. DIA SCH 80 PIPE, 12" HORIZONTAL MEMBERS AND VERTICAL POSTS AT 6'-0" MAX. ON CENTER

EXISTING TMA MOUNTED TO EXISTING MOUNTING PIPE TO BE REMOVED, (1) PER SECTOR IN POSITION 2. (TYP. OF 3 SECTORS)

EXISTING AT&T UNITS PANEL ANTENNAS MOUNTED TO EXISTING MOUNTING PIPE TO BE REMOVED. (1) PER SECTOR IN POSITION 2. (TYP. OF 3 SECTORS)

EXISTING 2 3/8" O.D.x 120" GALVANIZED PIPE, PIPE CUT TO MATCH ANTENNA HEIGHT WITH WELDED CAP ON EACH END

"ALL ATTACHMENTS TO PAINTED SURFACES ARE TO INCLUDE THE PLACEMENT OF NEOPRENE STRIPS BETWEEN HARDWARE AND POINTS OF CONTACT TO REDUCE/ELIMINATE DAMAGE TO THE PAINTED SURFACE. METAL SHIMS ARE REQUIRED IN SITUATIONS WHERE TIGHTENING A CLAMP MAY CAUSE THE NEOPRENE TO TEAR CAUSING METAL TO METAL CONTACT. WHERE POSSIBLE, EXPOSED NEOPRENE SHOULD BE WRAPPED WITH WHITE TAPE. FASTENING SEQUENCE SHOULD INCLUDE NYLON WASHERS BETWEEN THE PAINTED SURFACE AND THE GALVANIZED WASHER.

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GENERAL NOTES BY SEH INC.

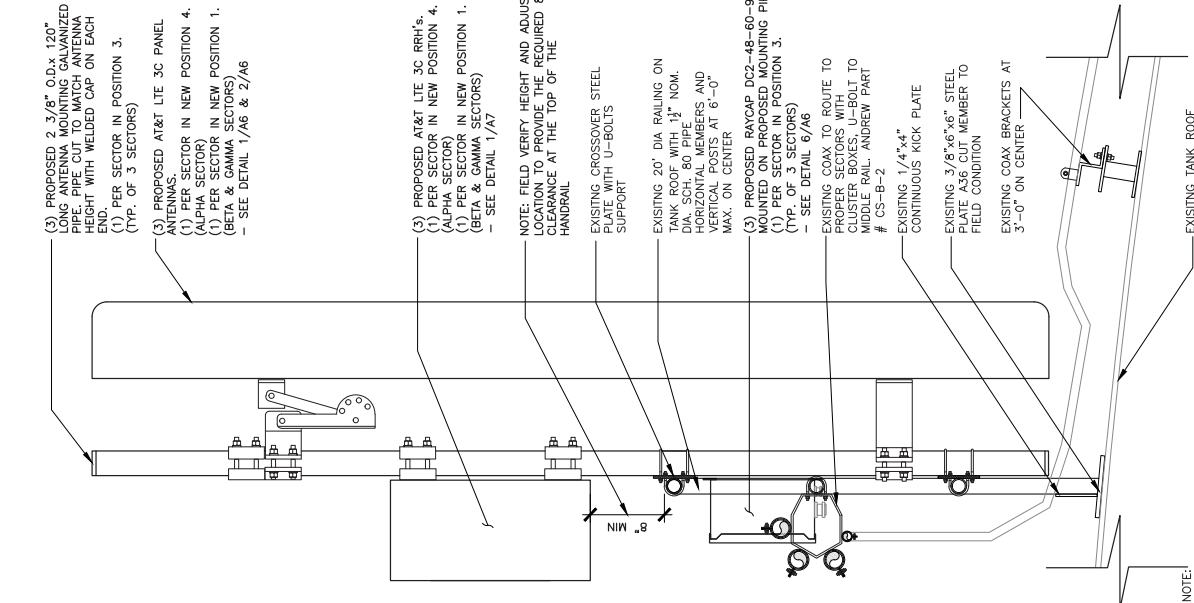
NO SCALE

3

NEOPRENE STRIPS WILL BE USED ON HARDWARE WHERE CONTACT IS MADE WITH PAINTED SURFACES. FASTENING SEQUENCE SHOULD INCLUDE NYLON WASHERS BETWEEN THE PAINTED SURFACE AND THE GALVANIZED WASHER.

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NOTE:
PER SEH COMMENTS: ANTENNAS ARE TO BE SHOP PAINTED



NOTE:
JUMPER LENGTHS FROM THE PROPOSED RAYCAP DC-48-60-0-9F TO ALL SECTORS NEED TO BE VERIFIED THAT THEY WILL BE LONG ENOUGH.

PROPOSED FINAL CONFIGURATION ANTENNA AND RRH MOUNTING DETAIL LITE 3C

NOT TO SCALE

2

NOT TO SCALE

1



REVIEWS			
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LICENSE # 47726

EXP. 06/30/17

LITE 3C/4C
10081742
WAYZATA
403 EAST GARDNER
STREET
WAYZATA, MN 55391

SHEET TITLE
MOUNTING
DETAILS
LITE 3C

SHEET NUMBER
A10



REV.	DATE	DESCRIPTION	INITIALS
A	09/21/15	ISSUED FOR REVIEW	EV
B	11/20/15	ISSUED FOR REVIEW	GD
C	02/11/16	ISSUED FOR REVIEW	BK
D	02/18/15	FOR CONSTRUCTION	GD
1	03/29/16	FOR CONSTRUCTION	GD
2	06/14/16	FOR CONSTRUCTION	GD
NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET			

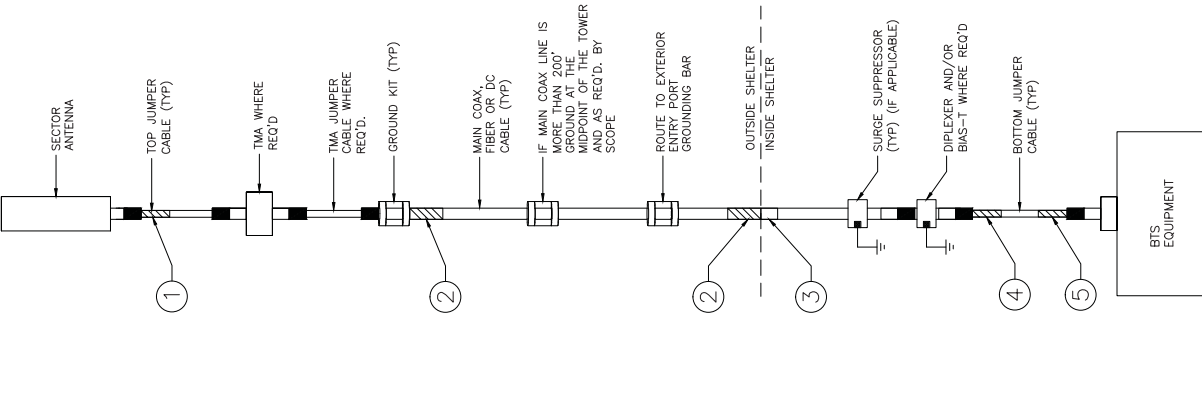
LIBRARY ENTRY: THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A DULY LICENSED PROFESSIONAL ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRINT NAME: NESTOR POPOWICH
SIGNATURE: [Signature]
DATE: 06/14/16
LICENSE # 47729
EXP. 06/30/17

LTE 3C/4C
10081742
WAYZATA
403 EAST GARDNER
STREET
WAYZATA, MN 55391

SHEET TITLE
CABLE NOTES
& COLOR
CODING

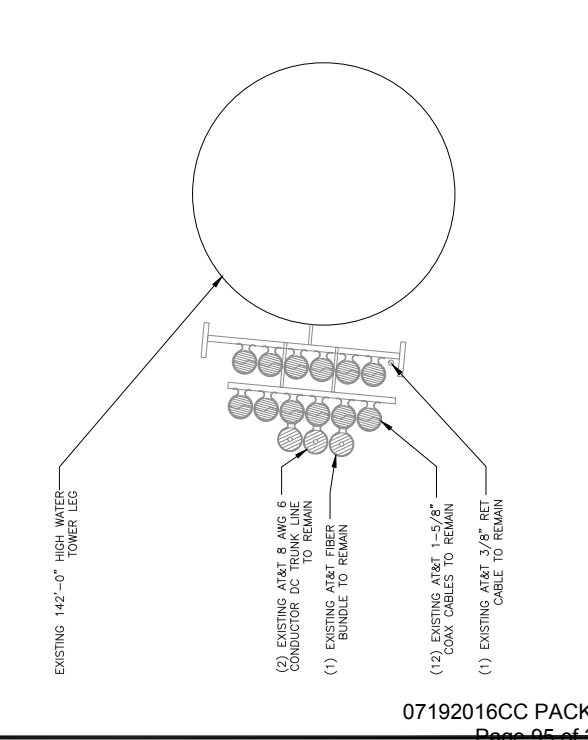
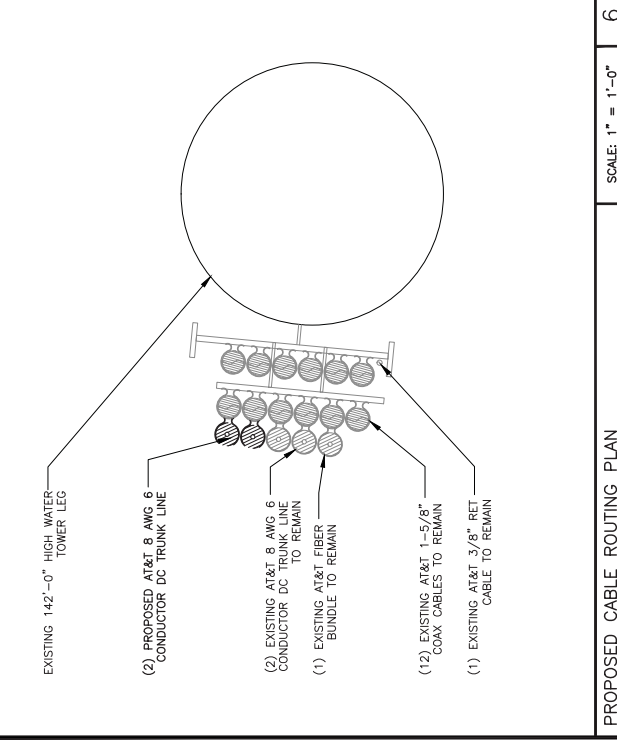
SHEET NUMBER
A11



- CONTRACTOR IS TO REFER TO AT&T'S MOST CURRENT RADIO FREQUENCY DATA SHEET (RFDs) PRIOR TO CONSTRUCTION.
- THE SIZE, HEIGHT, AND DIRECTION OF THE ANTENNAS SHALL BE ADJUSTED TO AVOID SHADOWING AND TO MEET THE SYSTEM REQUIREMENTS.
- CONTRACTOR SHALL VERIFY THE HEIGHT OF THE ANTENNA WITH THE AT&T WIRELESS PROJECT MANAGER.
- VERIFY TYPE AND SIZE OF TOWER LEG PRIOR TO ORDERING ANY ANTENNA MOUNT.
- UNLESS NOTED OTHERWISE THE CONTRACTOR MUST PROVIDE ALL MATERIAL NECESSARY.
- ANTENNA AZIMUTHS ARE DEGREES OFF OF TRUE NORTH, BEARING CLOCKWISE, IN WHICH ANTENNA FACE IS DIRECTED. ALL ANTENNAS (AND SUPPORTING STRUCTURES AS PRACTICAL) SHALL BE ACCURATELY ORIENTED IN THE SPECIFIED DIRECTION.
- CONTRACTOR SHALL VERIFY ALL RF INFORMATION PRIOR TO CONSTRUCTION.
- SWEEP TEST SHALL BE PERFORMED BY GENERAL CONTRACTOR AND SUBMITTED TO AT&T WIRELESS CONSTRUCTION SPECIALIST. TEST SHALL BE PERFORMED PER AT&T WIRELESS STANDARDS.
- CABLE LENGTHS WERE DETERMINED BASED ON THE DESIGN DRAWING. CONTRACTOR TO VERIFY ACTUAL LENGTH DURING PRE-CONSTRUCTION WALK.
- CONTRACTOR TO USE ROSENBERGER FIBER LINE HANGER COMPONENTS (OR ENGINEER APPROVED EQUAL).

ANTENNA & CABLING NOTES		NO SCALE	4
RF, DC, & COAX CABLE MARKING LOCATIONS TABLE			
NO	LOCATIONS		
1	EACH TOP-JUMPER SHALL BE COLOR CODED WITH (1) SET OF 3" WIDE BANDS.		
2	EACH MAIN COAX SHALL BE COLOR CODED WITH (1) SET OF 3" WIDE BANDS NEAR THE TOP-JUMPER CONNECTION AND WITH (1) SET OF 3/4" WIDE COLOR BANDS JUST PRIOR TO ENTERING THE BTS OR TRANSMITTER BUILDING.		
3	CABLE ENTRY PORT ON THE INTERIOR OF THE SHELTER.		
4	ALL BOTTOM JUMPERS SHALL BE COLOR CODED WITH (1) SET OF 3/4" WIDE BANDS ON EACH END OF THE BOTTOM JUMPER.		
5	ALL BOTTOM JUMPERS SHALL BE COLOR CODED WITH (1) SET OF 3/4" WIDE BANDS ON EACH END OF THE BOTTOM JUMPER.		

- CABLE MARKING DIAGRAM
- NO SCALE 3
- THE ANTENNA SYSTEM COAX SHALL BE LABELED WITH VINYL TAPE.
 - THE STANDARD IS BASED ON EIGHT COLORED TAPES-RED, BLUE, GREEN, YELLOW, ORANGE, BROWN, WHITE, AND VIOLET. THESE TAPES MUST BE 3/4" WIDE & IV RESISTANT SUCH AS SCOTCH 35 VINYL ELECTRICAL COLOR CODING TAPE AND SHOULD BE READILY AVAILABLE TO THE ELECTRICIAN OR CONTRACTOR ON SITE.
 - USING COLOR BANDS ON THE CABLES, MARK ALL RF CABLE BY SECTOR AND CABLE NUMBER AS SHOWN ON "CABLE COLOR CHART".
 - WHEN AN EXISTING COAXIAL LINE THAT IS INTENDED TO BE A SHARED LINE BETWEEN TECHNOLOGIES IS ENCOUNTERED, THE CONTRACTOR SHALL REMOVE THE EXISTING COLOR CODING SCHEME AND REPLACE IT WITH THE COLOR CODING SCHEME OR WHEN INSTALLING PROPOSED COAXIAL CABLES THIS GUIDELINE SHALL BE IMPLEMENTED AT THAT SITE REGARDLESS OF TECHNOLOGY.
 - ALL COLOR CODE TAPE SHALL BE 3M-35 AND SHALL BE INSTALLED USING A MINIMUM OF (3) THREE WRAPS OF TAPE AND SHALL BE NEATLY TRIMMED AND SMOOTHED OUT SO AS TO AVOID UNRAVELING.
 - ALL COLOR BANDS INSTALLED AT THE TOP OF THE TOWER SHALL BE A MINIMUM OF 3" WIDE, AND SHALL HAVE A MINIMUM OF 3/4" OF SPACE BETWEEN EACH COLOR.
 - ALL COLOR CODES SHALL BE INSTALLED SO AS TO ALIGN NEATLY WITH ONE ANOTHER FROM SIDE-TO-SIDE.
 - IF EXISTING CABLES AT THE SITE ALREADY HAVE A COLOR CODING SCHEME AND THEY ARE NOT INTENDED TO BE REUSED OR SHARED WITH THE NEW TECHNOLOGY, THE EXISTING COLOR CODING SCHEME SHALL REMAIN UNTOUCHED.





REVISIONS				INITIALS
REV.	DATE	DESCRIPTION	ISSUED FOR REVIEW	EV
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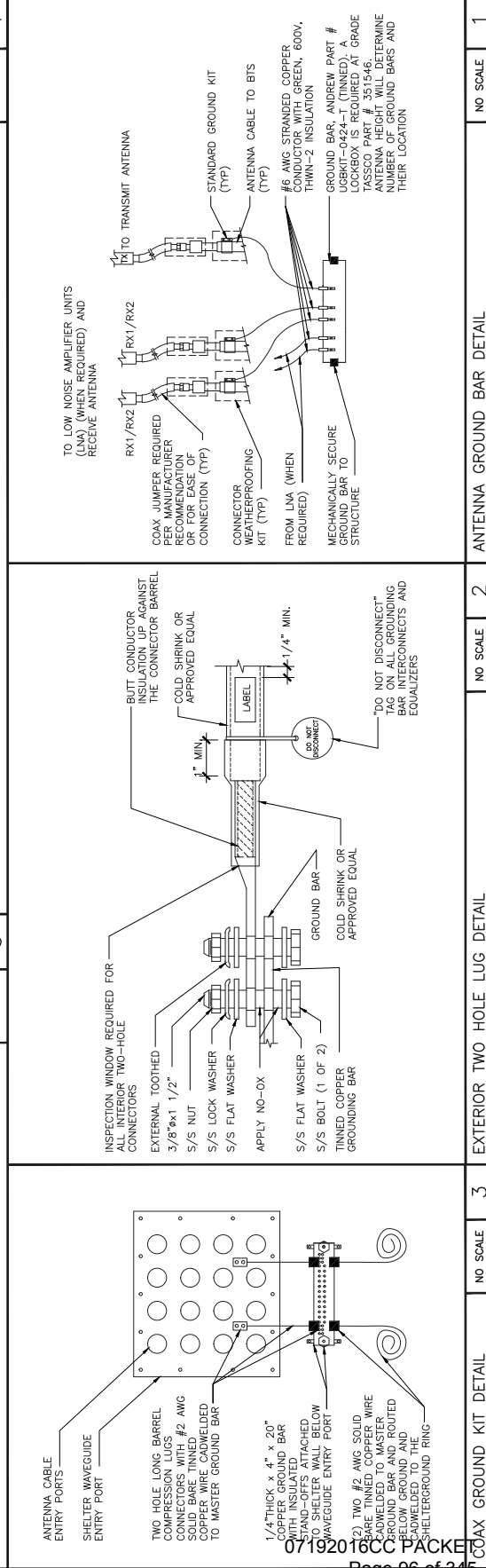
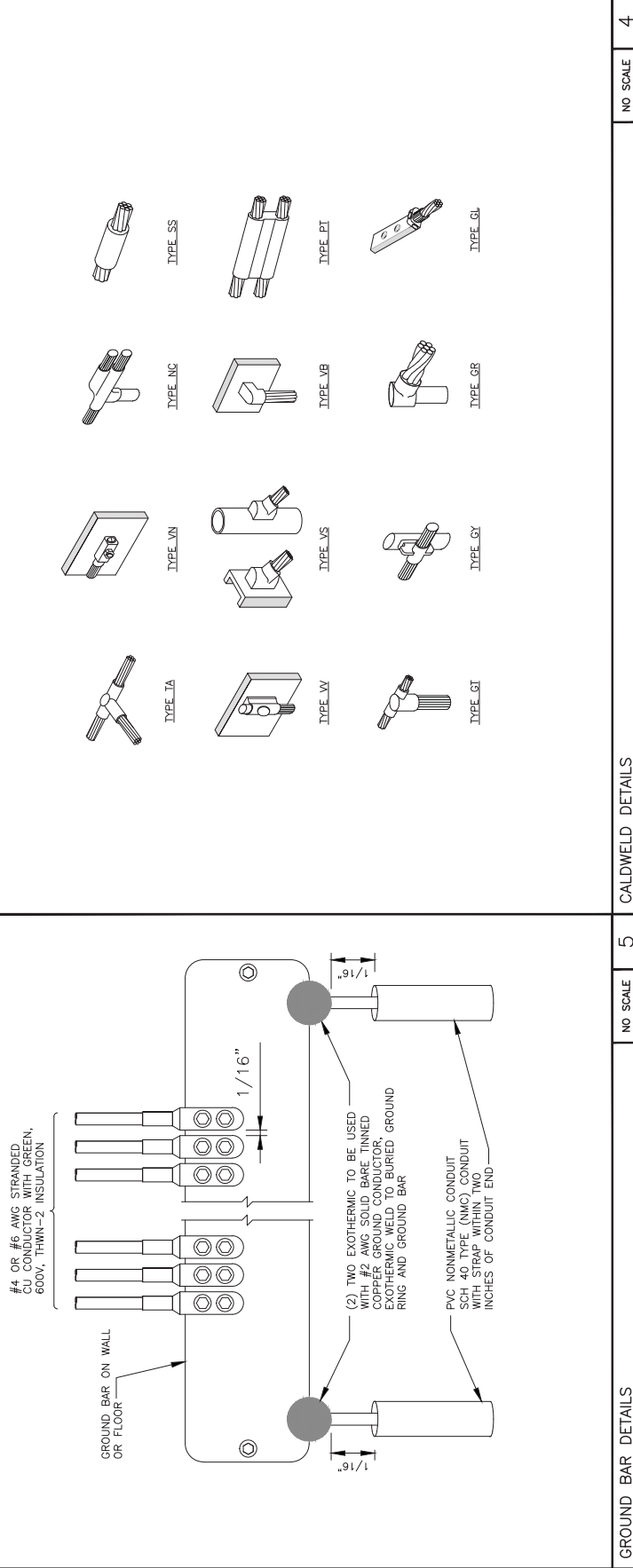
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PRINT NAME: NESTOR POPOWICH
SIGNATURE: [Signature]
DATE: 06/14/16
LICENSE # 47726
EXP. 06/30/17

LTE 3C/4C
10081742
WAYZATA
403 EAST GARDNER
STREET
WAYZATA, MN 55391

SHEET TITLE
**GROUNDING
DETAILS**

SHEET NUMBER
E1





June 22, 2016

RE: City of Wayzata, Minnesota
AT&T 3C/4C at Gardner St. Water Tower
Site No. MNL01025
SEH No. WAYZA 137158 14.00

Barry Humphrey
Site Acquisition
SAC Wireless, LLC
540 W Madison, 17th Floor
Chicago, IL 60661

Dear Mr. Humphrey:

In accordance with the request of the City of Wayzata, Minnesota, we have reviewed the plans submitted by SAC Wireless dated June 14, 2016, referencing the proposed AT&T 3C/4C upgrade project at the City's Gardner Street Water Tower and have the following comments for your review:

1. Structural Analysis by SAC Wireless dated June 9, 2016; Page 5, Results and Conclusions; it should be noted that the existing handrail will be stressed to near capacity at 103.8% with the proposed loads.
2. Sheet A1, Compound Plan; AT&T needs to identify their lease area to include the area around their equipment shelter. This will be addressed in the as-built drawings.
3. Sheets A-4 and A-5 on the CDs show the following existing and proposed equipment to be installed on the water tower:
 - Antennas:
 - (9) Existing antennas (3) per sector.
 - (6) Existing antennas (2 per sector) to be removed and (9) proposed antennas (3 per sector) to be installed bringing the total to (12) antennas, (4 per sector).
 - Remote Radio Heads (RRHs):
 - (6) Existing RRH units (2 per sector).
 - (3) Proposed RRH units to be installed (1 per sector) bringing the total to (9) RRH units (3 per sector).
 - TMA and Surge Protection Units:
 - (6) Existing TMA units (no change).
 - (1) Existing and (1) proposed Raycap-FC12-PC6-10E surge protection devices for a total of (2).
 - (3) existing and (3) proposed Raycap-DC2-48-60-9 surge protection devices for a total of (6)

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 3535 Vadnais Center Drive, St. Paul, MN 55110-5196

SEH is 100% employee-owned | sehinc.com | 651.490.2000 | 800.325.2055 | 888.908.8166 fax

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Page 97 of 345

- Tenant needs to verify with the City that the proposed additional antennas, radio heads and equipment are within the lease space on the water tower and quantities as specified are in the lease documents. An amendment to the existing lease agreement will be required prior to the commencement of project construction.
4. Note: This project and all aspects of construction will need to be discussed at a preconstruction meeting prior to commencement of project construction.

Based on our review and the above information as provided by SAC Wireless, it is our opinion that the City of Wayzata can proceed with approval of this phase of the project, as the remaining comments are minor in nature and can be addressed with a final plan set at the preconstruction meeting. Following approval by the City of Wayzata, a pre-construction meeting must be scheduled by the tenant to include the City, SEH, the Contractor and AT&T's representatives prior to commencement of project construction.

If you have any questions regarding our comments, please contact Jess Davison directly at 651.318.0343.

Sincerely,

SHORT ELLIOTT HENDRICKSON INC.



John Cvek
Senior Technician
dmk

Attachments

c: David Dudinsky – City of Wayzata, Minnesota
Dale Romsos – SEH Saint Paul

s:\uz\w\wayza\137158\telecom\gardner st\at&t lte 3c-4c\correspondence\letters\at&t 2c-4c at wayzata water tower to b. humphrey 062216.docx

*** Disclaimer - "SEH and the City review plan sets for each Tenant's proposed installations and upgrades in the order that they are received. Each review is independent of any other proposed Tenant modification(s). Any approval of Tenant's proposed installation are conditioned upon Tenant completing its approved improvements prior to another Tenant completing its modifications. If Tenant's proposed improvements are approved but Tenant fails to promptly commence construction such that another subsequent Tenant completes its improvements first, Tenant may need to resubmit its plans and update its structural analysis to reflect the new site conditions."**

STRUCTURAL ANALYSIS REPORT – REV 1

WATER TANK



Prepared For:
SAC Wireless
1501 E. Woodfield Road, Suite 300 E
Schaumburg, IL 60173



Water Tank Rating

Water Tank:	Pass
Corral:	Pass

Sincerely,
Destek Engineering, LLC

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

(Pages 1-31 covered by this seal)

06-09-2016



Ahmet Colakoglu, PE
Minnesota Professional Engineer
License No: 50293
(Expires 06/30/2016)

AT&T Site Name: Wayzata
AT&T Site ID: MNL01025
FA Location Code: 10081742
403 East Gardner Street
Wayzata, MN 55391

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1.1 - STRUCTURE

2.0 - EXISTING AND PROPOSED APPURTENANCES

3.0 - CODES AND LOADING

4.0 - STANDARD CONDITIONS FOR ENGINEERING SERVICES ON EXISTING
STRUCTURES

5.0 – ANALYSIS AND ASSUMPTIONS

6.0 – CONCLUSION AND RESULTS

APPENDIX

A –CALCULATIONS

1.0 SUBJECT AND REFERENCES

The purpose of this analysis is to evaluate the structural capacity of the telecommunications installation on the existing 142'-6" tall water tank located at 403 East Gardner St., Wayzata, MN 55391, for the additions and alterations proposed by AT&T.

Structural Analysis is based on the following information provided to Destek Engineering, LLC (Destek):

- Construction Drawings prepared by Black & Veatch, dated 03/31/1997.
- Construction Drawings prepared by Ulteig Engineers, dated 02/26/2002.
- T-Mobile Construction Drawings, approved 11/26/2007.
- Antenna Installation Structural Report prepared by Hagen Engineering International, Inc., dated 06/03/2011.
- As-Built Construction Drawings prepared by Edge Consulting Engineers, Inc., dated 01/24/2013.
- Construction Drawings prepared by SAC Wireless, dated 07/08/2015.
- 3C RFDS provided by AT&T dated 08/12/2015.
- 4C RFDS provided by AT&T dated 08/25/2015.
- Tower Mapping Report prepared by Hightower Solutions, dated 2/2/2016.
- Antenna Configuration e-mail received from SAC Wireless, dated 5/17/2016.

1.1 STRUCTURE

The subject structure is a water tank with a diameter of approximately 50.25 feet and 480,000 gallons capacity. The water tank reservoir is supported by 6 braced pipe legs. The water tank features a walkway, which surrounds the tank and is constructed with a braced handrail. AT&T currently has (9) panel antennas mounted to a custom corral supported on top of the water tank. The corral has a 20'-0" diameter and is built of (3) horizontal and (11) vertical 1-1/2" diameter sch. 80 pipes. The vertical pipes are welded to the skin of the water tank. Please refer to the calculations in Appendix A for details.

2.0 EXISTING AND PROPOSED APPURTENANCES

The analysis is based on the following existing and proposed appurtenances:

Existing Configuration of AT&T Appurtenances:

Rad Center (ft.)	Antennas & Equipment	Mounts
145	(4) Kathrein 80010766, (2) Kathrein 80010764 (2) CCI HPA-65R-BUU-H8, (1) CCI HPA-65R-BUU-H4 (6) CM1007-DBPXC-003, (1) FC12-PC6-10E (6) TT19-08BP111-001 TMA, (3) DC2-48-60-9 (3) RRH2x40W-07L, (3) RRH2x40-AWS-4R	(9) Pipe Mounts on Corral

Proposed and Final Configuration of AT&T Appurtenances:

Rad Center (ft.)	Antennas & Equipment	Mounts
145	(3) ALU IA 9745 AA B25A+700/900 (6) CCI HPA-65R-BUU-H8, (3) CCI HPA-65R-BUU-H4 (6) TT19-08BP111-001 TMA (3) RRH4x25-WCS, (3) RRH2x40W-07L (3) RRH2x40-AWS-4R, (2) FC12-PC6-10E (6) DC2-48-60-9	(12) Pipe Mounts on Corral

3.0 CODES AND LOADING

The analysis is in accordance with:

- 2015 Minnesota Building Code
- 2012 International Building Code
- ASCE 7-10, Minimum Design Loads for Building and Other Structures
- AISC, Manual of Steel Construction, 14th Edition.

The following loading parameters are used in the analysis:

- Basic wind speed, $V=120$ mph without ice.
- Exposure C
- Risk Category IV
- S_s : 0.050 g, S_1 : 0.027 g
- Seismic Site Class D

4.0 STANDARD CONDITIONS FOR ENGINEERING SERVICES ON EXISTING STRUCTURES

The analysis is based on the information provided to Destek and is assumed to be current and correct. Unless otherwise noted, the structure and the foundation system are assumed to be in good condition, free of defects and can achieve theoretical strength.

It is assumed that the structure has been maintained and shall be maintained during its service. The superstructure and the foundation system are assumed to be designed with proper engineering practice and fabricated, constructed and erected in accordance with the design documents. Destek will accept no liability which may arise due to any existing deficiency in design, material, fabrication, erection, construction, etc. or lack of maintenance.

The analysis results presented in this report are only applicable for the previously mentioned existing and proposed additions and alterations. Any deviation of the proposed equipment and placement, etc., will require Destek to generate an additional structural analysis.

5.0 **ANALYSIS AND ASSUMPTIONS**

This structural analysis and qualification of the subject structure is based on the following criteria:

Pursuant to 2012 International Building Code Sections 3403.3 and 3404.3, any existing gravity load-carrying structural element for which additions and/or alterations cause an increase in design gravity load of no more than 5 percent, shall be permitted to remain unaltered, and thus considered to be Code-compliant and adequate. Any existing gravity load-carrying structural element for which additions and/or alterations cause an increase in design gravity loads exceeding 5 percent is checked against the applicable Code criteria for new structures.

Pursuant to 2012 International Building Code Sections 3403.4 and 3404.4, any existing lateral load-carrying structural element whose demand-capacity ratio with the addition and/or alteration considered is no more than 10 percent greater than its demand-capacity ratio with the addition and/or alteration ignored shall be permitted to remain unaltered, and thus considered to be Code-compliant and adequate. If the demand-capacity ratio increase is more than 10 percent, the subject structural element is checked against the applicable Code criteria for new structures.

The analysis of the corral was performed by utilizing Risa 3-D, a commercially available structural engineering software package developed by Risa Technologies, as applicable.

6.0 RESULTS AND CONCLUSION

Water Tank: The existing water tank is considered to have **adequate** structural capacity for the proposed additions by AT&T. Utilizing a conservative approach, wind shear and moment are calculated to be 2.38 and 1.34 times larger than the seismic shear and moment respectively, thus tank structural design is governed by wind loads. The increase in wind force at the base due to the existing equipment and AT&T additions is approximately 5.31% of the original design load, less than 10%. The increase in moment at the base due to the existing equipment and AT&T additions is approximately 9.41% of the original design load, less than 10%. Therefore, further analysis of the tank is not required per Section 3403.4 of the 2012 IBC and the structure is considered to have adequate capacity. (See attached calculations in Appendix A).

Corral (Alpha and Beta): The existing corral on top of the water tank is found have **adequate** capacity for the proposed changes. As a maximum, the 1 1/2"φ diameter, schedule 80 horizontal rail will be stressed to **103.8%** of capacity below the industry wide accepted stress level of 105%.

Therefore, the additions & alterations proposed by AT&T can be implemented as intended with the conditions and recommendations outlined in this report.

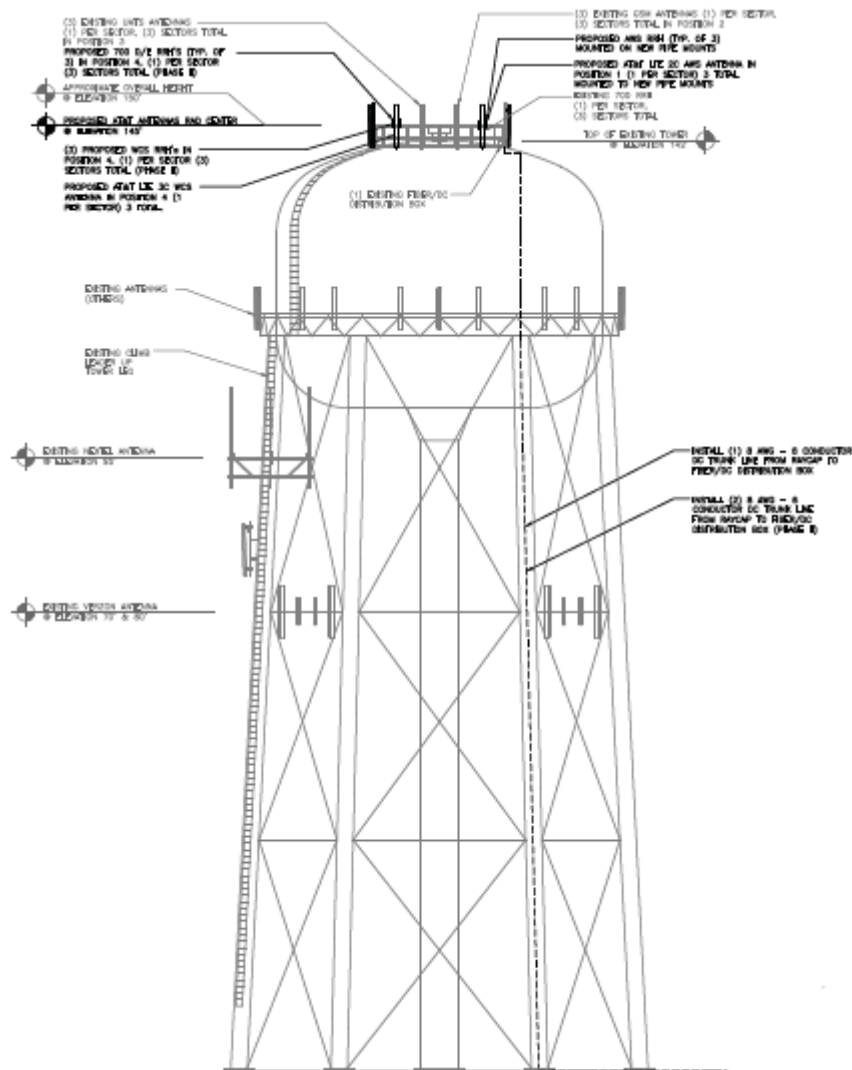
Should you need any clarifications or have any questions about this report, please contact me at (770) 693-0835 or at acolakoglu@destekengineering.com.

APPENDIX A CALCULATIONS

PURPOSE

The purpose of these calculations is to determine whether the Corral on top of the water tank located at 403 East Gardner St., Wayzata, MN 55391, has adequate structural capacity for the proposed changes.

All calculations in accordance with 2012 International Building Code



Wind Load

(reference ASCE 7-10)

The following variables will remain constant throughout the analysis of the water tank and the antennas/appurtenances:

[ASCE 7 Reference](#)

Location: Wayzata, MN

Classification:

IV

Table 1.5-1, pg. 2

Exposure category:

Exp := "C"

Section 26.7.3, pg. 251

$$z_g := \begin{cases} 1200 \cdot \text{ft} & \text{if Exp} = \text{"B"} \\ 900 \cdot \text{ft} & \text{if Exp} = \text{"C"} \\ 700 \cdot \text{ft} & \text{if Exp} = \text{"D"} \end{cases} = 900 \text{ ft}$$

$$\alpha := \begin{cases} 7.0 & \text{if Exp} = \text{"B"} \\ 9.5 & \text{if Exp} = \text{"C"} \\ 11.5 & \text{if Exp} = \text{"D"} \end{cases} = 9.5$$

Topographic factor:

$K_{zt} := 1.0$

Section 26.8.2, pg. 254

Wind directional factor:

$K_d := 0.95$

Table 26.6-1, pg. 250

Basic wind speed:

$V := 120 \cdot \sqrt{0.6} = 92.95$ mph

Figure 26.5-1B, pg. 248b

Gust effect factor:

$G := 0.85$

Section 26.9, pg. 254

Velocity Pressure:

$q_z := 0.00256 \cdot K_{zt} \cdot K_d \cdot G \cdot V^2 \cdot \text{psf}$

Equation 29.3-1, pg. 307

$q_z = 17.86 \cdot \text{psf}$

Force Coefficients:

Figure 29.5-1, pg. 312

for Flat surface

$$C_{F_flat} := \begin{pmatrix} 1 & 1.3 \\ 7 & 1.4 \\ 25 & 2 \end{pmatrix}$$

for $D \cdot \sqrt{q_z} > 2.5$

$$C_{F_round_1} := \begin{pmatrix} 1 & 0.5 \\ 7 & 0.6 \\ 25 & 0.7 \end{pmatrix}$$

for $D \cdot \sqrt{q_z} < 2.5$

$$C_{F_round_2} := \begin{pmatrix} 1 & 0.7 \\ 7 & 0.8 \\ 25 & 1.2 \end{pmatrix}$$

Check Antenna Mounts

Wind Load

[ASCE 7 Reference](#)

RAD Center: $z := 145\text{ft}$

Velocity pressure exposure coefficient:

$$K_z := 2.01 \cdot \left(\frac{z}{z_g} \right)^{\frac{2}{\alpha}} = 1.37$$

Table 29.3-1, pg. 310

Velocity Pressure:

$$q_z := 0.00256 \cdot K_z \cdot K_{zt} \cdot K_d \cdot G \cdot V^2 \cdot \text{psf}$$

$$q_z = 24.44 \cdot \text{psf}$$

Equation 29.3-1, pg. 307

Loads on Existing Antennas HPA-65R-BUU-H8:

Dimensions : $H := 92.4\text{in}$ $W := 14.8\text{in}$ $D := 7.4\text{in}$ $W_{\text{ant1}} := 68\text{lbf}$

Front: $\text{Area} := H \cdot W = 9.5 \text{ft}^2$

$$C_f := \text{interp} \left(C_{F_round_2}^{(0)}, C_{F_round_2}^{(1)}, \frac{H}{W} \right) = 0.79$$

$$F_{\text{ant1_front}} := q_z \cdot G \cdot C_f \cdot \text{Area} = 155.36 \text{lbf}$$

Side: $\text{Area} := H \cdot D = 4.75 \text{ft}^2$

$$C_f := \text{interp} \left(C_{F_round_2}^{(0)}, C_{F_round_2}^{(1)}, \frac{H}{D} \right) = 0.92$$

$$F_{\text{ant1_side}} := q_z \cdot G \cdot C_f \cdot \text{Area} = 90.95 \text{lbf}$$

Loads on Proposed Antenna 9745 AA B25A:

Dimensions : $H := 96.4\text{in}$ $W := 12.2\text{in}$ $D := 12.7\text{in}$ $W_{\text{ant2}} := 126\text{lbf}$

Front: $\text{Area} := H \cdot W = 8.17 \text{ft}^2$

$$C_f := \min \left(\text{interp} \left(C_{F_flat}^{(0)}, C_{F_flat}^{(1)}, \frac{H}{W} \right), 2 \right) = 1.43$$

$$F_{\text{ant2_front}} := q_z \cdot G \cdot C_f \cdot \text{Area} = 242.67 \text{lbf}$$

Side: $\text{Area} := H \cdot D = 8.5 \text{ft}^2$

$$C_f := \min \left(\text{interp} \left(C_{F_flat}^{(0)}, C_{F_flat}^{(1)}, \frac{H}{D} \right), 2 \right) = 1.42$$

$$F_{\text{ant2_side}} := q_z \cdot G \cdot C_f \cdot \text{Area} = 250.78 \text{lbf}$$

Loads on Existing Antenna HPA-65R-BUU-H4:

Dimensions : $H := 48\text{in}$ $W := 14.8\text{in}$ $D := 9\text{in}$ $W_{\text{ant2}} := 40.5\text{lbf}$

Front: $\text{Area} := H \cdot W = 4.93\text{ft}^2$

$$C_f := \min\left(\text{linterp}\left(C_{F_flat}^{(0)}, C_{F_flat}^{(1)}, \frac{H}{W}\right), 2\right) = 1.34$$

$$F_{\text{ant3_front}} := q_z \cdot G \cdot C_f \cdot \text{Area} = 137.08\text{lbf}$$

Side: $\text{Area} := H \cdot D = 3\text{ft}^2$

$$C_f := \min\left(\text{linterp}\left(C_{F_flat}^{(0)}, C_{F_flat}^{(1)}, \frac{H}{D}\right), 2\right) = 1.37$$

$$F_{\text{ant3_side}} := q_z \cdot G \cdot C_f \cdot \text{Area} = 85.53\text{lbf}$$

Loads on Proposed TT19-08BP111-001

Dimensions : $H := 9.9\text{in}$ $W := 6.7\text{in}$ $D := 5.4\text{in}$ $W_{\text{tta1}} := 16\text{lbf}$

Front: $\text{Area} := H \cdot W = 0.46\text{ft}^2$

$$C_f := \text{linterp}\left(C_{F_flat}^{(0)}, C_{F_flat}^{(1)}, \frac{H}{W}\right) = 1.31$$

$$F_{\text{tta2_front}} := q_z \cdot G \cdot C_f \cdot \text{Area} = 12.52\text{lbf}$$

Side: $\text{Area} := H \cdot D = 0.37\text{ft}^2$

$$C_f := \text{linterp}\left(C_{F_flat}^{(0)}, C_{F_flat}^{(1)}, \frac{H}{D}\right) = 1.31$$

$$F_{\text{tta2_side}} := q_z \cdot G \cdot C_f \cdot \text{Area} = 10.13\text{lbf}$$

Loads on Pipes 2.0" ϕ STD:

$$\text{Dia} := 2.375\text{in}$$

$$H := 35.3\text{in}$$

$$C_f := \min\left(\text{interp}\left(C_{F_round_2}^{(0)}, C_{F_round_2}^{(1)}, \frac{H}{\text{Dia}}\right), 1.2\right) = 0.97$$

$$F_{\text{pipe}2.0} := q_z \cdot G \cdot C_f \cdot \text{Dia} = 4.01 \cdot \text{plf}$$

Loads on Pipes 1.5" ϕ STD:

$$\text{Dia} := 1.875\text{in}$$

$$H := 96\text{in}$$

$$C_f := \min\left(\text{interp}\left(C_{F_round_2}^{(0)}, C_{F_round_2}^{(1)}, \frac{H}{\text{Dia}}\right), 1.2\right) = 1.2$$

$$F_{\text{pipe}2.5} := q_z \cdot G \cdot C_f \cdot \text{Dia} = 3.9 \cdot \text{plf}$$

Loads on Pipes 4.0" ϕ STD:

$$\text{Dia} := 4.5\text{in}$$

$$H := 132\text{in}$$

$$C_f := \min\left(\text{interp}\left(C_{F_round_2}^{(0)}, C_{F_round_2}^{(1)}, \frac{H}{\text{Dia}}\right), 1.2\right) = 1.2$$

$$F_{\text{pipe}4.0} := q_z \cdot G \cdot C_f \cdot \text{Dia} = 9.35 \cdot \text{plf}$$

Loads on L2 1/2x2 1/2x1/4:

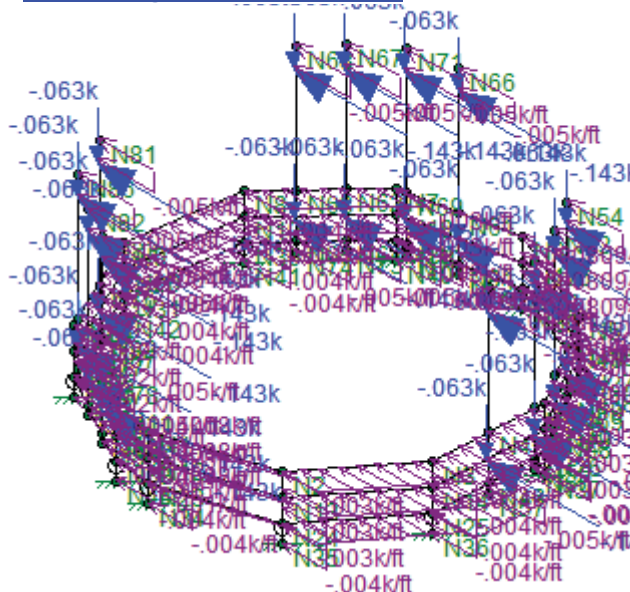
$$\text{Width} := 2.5\text{in}$$

$$L := 72\text{in}$$

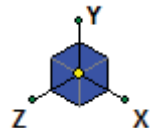
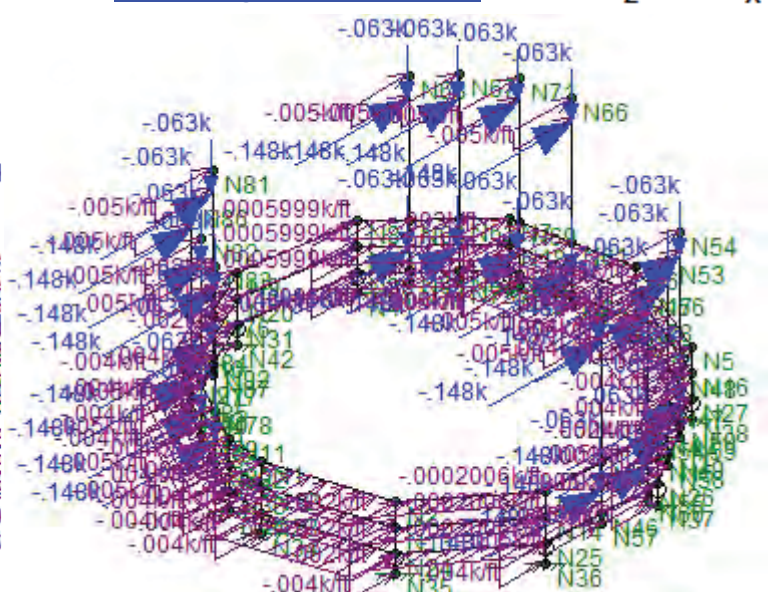
$$C_f := \min\left(\text{interp}\left(C_{F_flat}^{(0)}, C_{F_flat}^{(1)}, \frac{L}{\text{Width}}\right), 2\right) = 2$$

$$F_{L2.5} := q_z \cdot G \cdot C_f \cdot \text{Width} = 8.66 \cdot \text{plf}$$

Load Configuration - Front Wind



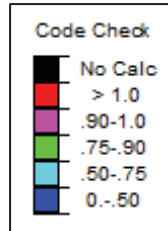
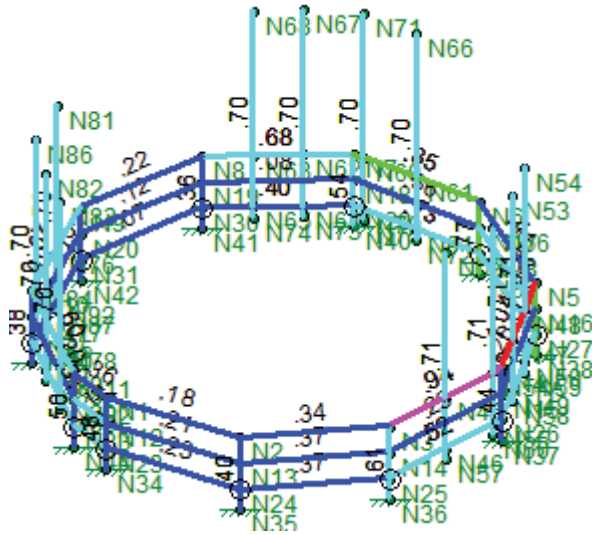
Load Configuration - Side Wind



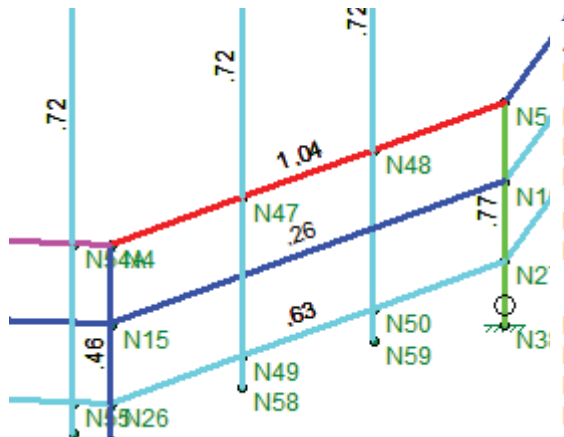
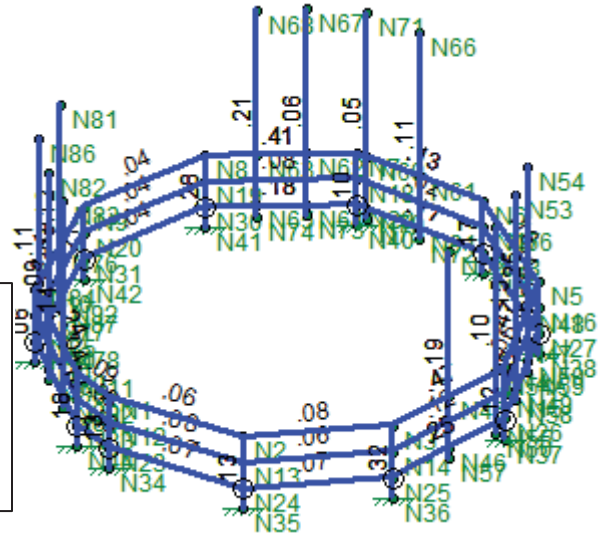
CALCULATION SHEET



Axial & Bending Check:



Shear Check:



AISC 14th(360-10): ASD Code Check Direct Analysis Method

Max Bending Check	1.038	Max Shear Check	0.469 (s)
Location	3.993 ft	Location	5.989 ft
Equation	H3-6	Max Defl Ratio	L/374
Bending Flange	Compact	Compression Flange	Non-Slender
Bending Web	Compact	Compression Web	Non-Slender
Fy	35 ksi	Lb	5.989 ft
Pnc/om	10.297 k	KL/r	117.835
Pnt/om	20.958 k		
Mny/om	.959 k-ft	L Comp Flange	5.989 ft
Mnz/om	.959 k-ft	Warp Length	NC
Vny/om	6.287 k	L-torque	5.989 ft
Vnz/om	6.287 k	Tau_b	1
Tn/om	.899 k-ft		
Cb	2.516		

Compute Wind Load on the Water Tank

Water Tower Elevation at Critical Elements:

Top of Tank Elevation:	$H_{\text{tank}} := 142.5\text{ft}$
Top of Shaft Elevation:	$H_{\text{shaft}} := 101.5\text{ft}$
Top of Leg Elevation:	$H_{\text{legs}} := 114.5\text{ft}$

Compute Wind Loads on Reservoir:

Height (at one half point):	$z_{\text{tank_wind}} := H_{\text{tank}} - \frac{1}{2}(H_{\text{tank}} - H_{\text{shaft}}) = 122\text{ft}$	
Velocity pressure exposure coefficient:	$K_z := 2.01 \cdot \left(\frac{z_{\text{tank_wind}}}{z_g} \right)^{\frac{2}{\alpha}} = 1.32$	Table 29.3-1, pg. 310
Reservoir Height:	$h_{\text{tank}} := H_{\text{tank}} - H_{\text{shaft}} = 41\text{ft}$	
Reservoir Diameter:	$D_{\text{tank}} := 50.25\text{ft}$	
Force coefficient:	$C_f := \text{linterp} \left(C_{F_round_1}^{\langle 0 \rangle}, C_{F_round_1}^{\langle 1 \rangle}, \frac{D_{\text{tank}}}{h_{\text{tank}}} \right) = 0.5$	
Area:	$A_{\text{tank}} := \pi \cdot \frac{h_{\text{tank}}}{2} \cdot \frac{D_{\text{tank}}}{2} = 1618.12\text{ft}^2$	
Wind Load:	$F_{\text{tank}} := G \cdot A_{\text{tank}} \cdot C_f \cdot q_z \cdot K_z = 22.35 \cdot \text{kip}$	

Compute Wind Loads on Shaft:

Height (at two thirds point):	$z_{\text{shaft_wind}} := \frac{2}{3}(42\text{ft} - 27\text{ft}) + 27\text{ft} = 37\text{ft}$	
Velocity pressure exposure coefficient:	$K_z := 2.01 \cdot \left(\frac{z_{\text{shaft_wind}}}{z_g} \right)^{\frac{2}{\alpha}} = 1.03$	Table 29.3-1, pg. 310
Shaft Height:	$h_{\text{shaft}} := H_{\text{shaft}} = 101.5\text{ft}$	
Shaft Diameter:	$D_{\text{shaft}} := 6\text{ft}$	
Force coefficient:	$C_f := \min \left(\text{linterp} \left(C_{F_round_1}^{\langle 0 \rangle}, C_{F_round_1}^{\langle 1 \rangle}, \frac{h_{\text{shaft}}}{D_{\text{shaft}}} \right), 0.7 \right) = 0.66$	
Area:	$A_{\text{shaft}} := h_{\text{shaft}} \cdot D_{\text{shaft}} = 609\text{ft}^2$	
Wind Load:	$F_{\text{shaft}} := G \cdot A_{\text{shaft}} \cdot C_f \cdot q_z \cdot K_z = 8.51 \cdot \text{kip}$	

Compute Wind Loads on Legs:

Height (at two thirds point):

$$z_{leg_wind} := \frac{2}{3} \cdot (H_{legs}) = 76.33 \text{ ft}$$

Velocity pressure exposure coefficient:

$$K_z := 2.01 \cdot \left(\frac{z_{leg_wind}}{z_g} \right)^{\frac{2}{\alpha}} = 1.2$$

Table 29.3-1, pg. 310

Leg Height:

$$h_{legs} := H_{legs} = 114.5 \text{ ft}$$

Leg Diameter:

$$D_{legs} := 30 \text{ in}$$

Number of legs:

$$n_{legs} := 6$$

Force coefficient:

$$C_f := \min \left(\text{linterp} \left(C_{F_flat}^{(0)}, C_{F_flat}^{(1)}, \frac{h_{legs}}{D_{legs}} \right), 2 \right) = 2$$

Area:

$$A_{legs} := n_{legs} \cdot h_{legs} \cdot D_{legs} = 1717.5 \text{ ft}^2$$

Wind Load:

$$F_{legs} := G \cdot A_{legs} \cdot C_f \cdot q_z \cdot K_z = 85.34 \cdot \text{kip}$$

Compute Wind Loads on Diagonal Leg Bracing:

For Lower Level:

Height (at two thirds point):

$$z_{DBrace1_wind} := \frac{2}{3} \cdot 41.25 \text{ ft} = 27.5 \text{ ft}$$

Velocity pressure exposure coefficient:

$$K_z := 2.01 \cdot \left(\frac{z_{DBrace1_wind}}{z_g} \right)^{\frac{2}{\alpha}} = 0.96$$

Table 29.3-1, pg. 310

Brace Length:

$$H_{DBrace1} := 60 \text{ ft}$$

Brace Diameter:

$$D_{DBrace1} := 2 \text{ in}$$

Number of Braces:

$$n_{DBrace1} := 12$$

Force coefficient:

$$C_f := \min \left(\text{linterp} \left(C_{F_round_2}^{(0)}, C_{F_round_2}^{(1)}, \frac{H_{DBrace1}}{D_{DBrace1}} \right), 1.2 \right) = 1.2$$

Area:

$$A_{DBrace1} := n_{DBrace1} \cdot H_{DBrace1} \cdot D_{DBrace1} = 120 \text{ ft}^2$$

Wind Load:

$$F_{DBrace1} := G \cdot A_{DBrace1} \cdot C_f \cdot q_z \cdot K_z = 2.89 \cdot \text{kip}$$

CALCULATION SHEET



For Middle Level:

Height (at two thirds point):

$$z_{D\text{Brace2_wind}} := \frac{2}{3} \cdot (41.75\text{ft}) + 43.25\text{ft} = 71.08\text{ft}$$

Velocity pressure exposure coefficient:

$$K_z := 2.01 \cdot \left(\frac{z_{D\text{Brace2_wind}}}{z_g} \right)^{\frac{2}{\alpha}} = 1.18$$

Table 29.3-1, pg. 310

Brace Length:

$$H_{D\text{Brace2}} := 60\text{ft}$$

Brace Diameter:

$$D_{D\text{Brace2}} := 1.75\text{in}$$

Number of Braces:

$$n_{D\text{Brace2}} := 12$$

Force coefficient:

$$C_f := \min \left(\text{linterp} \left(C_{F_round_2}^{(0)}, C_{F_round_2}^{(1)}, \frac{H_{D\text{Brace2}}}{D_{D\text{Brace2}}} \right), 1.2 \right) = 1.2$$

Area:

$$A_{D\text{Brace2}} := n_{D\text{Brace2}} \cdot H_{D\text{Brace2}} \cdot D_{D\text{Brace2}} = 105\text{ft}^2$$

Wind Load:

$$F_{D\text{Brace2}} := G \cdot A_{D\text{Brace2}} \cdot C_f \cdot q_z \cdot K_z = 3.08 \cdot \text{kip}$$

For Upper Level:

Height (at two thirds point):

$$z_{D\text{Brace3_wind}} := \frac{2}{3} \cdot 41.25\text{ft} + 41.75\text{ft} + 43.25\text{ft} = 112.5\text{ft}$$

Velocity pressure exposure coefficient:

$$K_z := 2.01 \cdot \left(\frac{z_{D\text{Brace3_wind}}}{z_g} \right)^{\frac{2}{\alpha}} = 1.3$$

Table 29.3-1, pg. 310

Brace Length:

$$H_{D\text{Brace3}} := 60\text{ft}$$

Brace Diameter:

$$D_{D\text{Brace3}} := 1.5\text{in}$$

Number of Braces:

$$n_{D\text{Brace3}} := 12$$

Force coefficient:

$$C_f := \min \left(\text{linterp} \left(C_{F_round_2}^{(0)}, C_{F_round_2}^{(1)}, \frac{H_{D\text{Brace3}}}{D_{D\text{Brace3}}} \right), 1.2 \right) = 1.2$$

Area:

$$A_{D\text{Brace3}} := n_{D\text{Brace3}} \cdot H_{D\text{Brace3}} \cdot D_{D\text{Brace3}} = 90\text{ft}^2$$

Wind Load:

$$F_{D\text{Brace3}} := G \cdot A_{D\text{Brace3}} \cdot C_f \cdot q_z \cdot K_z = 2.91 \cdot \text{kip}$$

Compute Wind Loads on Horizontal Bracing:

For Lower Member:

Height:

$$z_{HBrace1_wind} := 42\text{ft} = 42\text{ft}$$

Velocity pressure exposure coefficient:

$$K_z := 2.01 \cdot \left(\frac{z_{HBrace1_wind}}{z_g} \right)^{\frac{2}{\alpha}} = 1.05$$

Table 29.3-1, pg. 310

Brace Length:

$$H_{HBrace1} := 28\text{ft} + 8\text{in}$$

Brace Depth:

$$D_{HBrace1} := 9\text{in}$$

Number of Braces:

$$n_{HBrace1} := 6$$

Force coefficient:

$$C_f := \min \left(\text{linterp} \left(C_{F_flat}^{(0)}, C_{F_flat}^{(1)}, \frac{H_{HBrace1}}{D_{HBrace1}} \right), 2 \right) = 2$$

Area:

$$A_{HBrace1} := n_{HBrace1} \cdot H_{HBrace1} \cdot D_{HBrace1} = 129\text{ft}^2$$

Wind Load:

$$F_{HBrace1} := G \cdot A_{HBrace1} \cdot C_f \cdot q_z \cdot K_z = 5.65 \cdot \text{kip}$$

For Upper Member:

Height:

$$z_{HBrace2_wind} := 85\text{ft} = 85\text{ft}$$

Velocity pressure exposure coefficient:

$$K_z := 2.01 \cdot \left(\frac{z_{HBrace2_wind}}{z_g} \right)^{\frac{2}{\alpha}} = 1.22$$

Table 29.3-1, pg. 310

Brace Length:

$$H_{HBrace2} := 26\text{ft} + 10\text{in}$$

Brace Depth:

$$D_{HBrace2} := 9\text{in}$$

Number of Braces:

$$n_{HBrace2} := 6$$

Force coefficient:

$$C_f := \min \left(\text{linterp} \left(C_{F_flat}^{(0)}, C_{F_flat}^{(1)}, \frac{H_{HBrace2}}{D_{HBrace2}} \right), 2 \right) = 2$$

Area:

$$A_{HBrace2} := n_{HBrace2} \cdot H_{HBrace2} \cdot D_{HBrace2} = 120.75\text{ft}^2$$

Wind Load:

$$F_{HBrace2} := G \cdot A_{HBrace2} \cdot C_f \cdot q_z \cdot K_z = 6.14 \cdot \text{kip}$$

Compute Wind Loads on Handrail Members:

For Longitudinal Member:

Height:

$$z_{HR1_wind} := 114\text{ft} + 3.5\text{ft}$$

Velocity pressure exposure coefficient:

$$K_z := 2.01 \cdot \left(\frac{z_{HR1_wind}}{z_g} \right)^{\frac{2}{\alpha}} = 1.31$$

Table 29.3-1, pg. 310

Member Length:

$$H_{HR1} := 55\text{ft}$$

Member Depth:

$$D_{HR1} := 3\text{in}$$

Number of Longitudinal Members:

$$n_{HR1} := 2$$

Force coefficient:

$$C_f := \min \left(\text{linterp} \left(C_{F_flat}^{(0)}, C_{F_flat}^{(1)}, \frac{H_{HR1}}{D_{HR1}} \right), 2 \right) = 2$$

Area:

$$A_{HR1} := n_{HR1} \cdot H_{HR1} \cdot D_{HR1} = 27.5 \text{ ft}^2$$

Wind Load:

$$F_{HR1} := G \cdot A_{HR1} \cdot C_f \cdot q_z \cdot K_z = 1.5 \cdot \text{kip}$$

For Diagonal Members:

Height:

$$z_{HR2_wind} := 114\text{ft} + 3.5\text{ft}$$

Velocity pressure exposure coefficient:

$$K_z := 2.01 \cdot \left(\frac{z_{HR2_wind}}{z_g} \right)^{\frac{2}{\alpha}} = 1.31$$

Table 29.3-1, pg. 310

Vertical Dimension:

$$H_{HR2} := 3.5\text{ft}$$

Vertical Dimension:

$$D_{HR2} := 1.5\text{in}$$

Number of Verticals:

$$n_{HR2} := 10$$

Force coefficient:

$$C_f := \min \left(\text{linterp} \left(C_{F_flat}^{(0)}, C_{F_flat}^{(1)}, \frac{H_{HR2}}{D_{HR2}} \right), 2 \right) = 2$$

Area:

$$A_{HR2} := n_{HR2} \cdot H_{HR2} \cdot D_{HR2} = 4.37 \text{ ft}^2$$

Wind Load:

$$F_{HR2} := G \cdot A_{HR2} \cdot C_f \cdot q_z \cdot K_z = 0.24 \cdot \text{kip}$$

Compute Wind Loads at the Base of the Watertank

Wind Loads on the Water Tank:

Water Tank Sphere: $F_{\text{tank}} = 22.35 \cdot \text{kip}$

$$r_{\text{tank_wind}} := H_{\text{tank}} - \frac{1}{2}(H_{\text{tank}} - H_{\text{shaft}}) = 122 \text{ ft}$$

Shaft: $F_{\text{shaft}} = 8.51 \cdot \text{kip}$

$$r_{\text{shaft_wind}} := \frac{1}{2} \cdot H_{\text{shaft}} = 50.75 \text{ ft}$$

Legs: $F_{\text{legs}} = 85.34 \cdot \text{kip}$

$$r_{\text{legs_wind}} := \frac{1}{2} \cdot h_{\text{legs}} = 57.25 \text{ ft}$$

Diagonal Bracing: $F_{\text{DBrace1}} = 2.89 \cdot \text{kip}$

$$r_{\text{DBrace1}} := 20.625 \text{ ft}$$

Diagonal Bracing: $F_{\text{DBrace2}} = 3.08 \cdot \text{kip}$

$$r_{\text{DBrace2}} := 62.125 \text{ ft}$$

Diagonal Bracing: $F_{\text{DBrace3}} = 2.91 \cdot \text{kip}$

$$r_{\text{DBrace3}} := 104.625 \text{ ft}$$

Horizontal Bracing: $F_{\text{HBrace1}} = 5.65 \cdot \text{kip}$

$$r_{\text{HBrace1}} := 41.25 \text{ ft}$$

Horizontal Bracing: $F_{\text{HBrace2}} = 6.14 \cdot \text{kip}$

$$r_{\text{HBrace2}} := 41.25 \text{ ft} + 41.75 \text{ ft}$$

Handrail: $F_{\text{HR1}} = 1.5 \cdot \text{kip}$

$$r_{\text{HR1}} := 114 \text{ ft}$$

Handrail: $F_{\text{HR2}} = 0.24 \cdot \text{kip}$

$$r_{\text{HR2}} := 114 \text{ ft}$$

Wind Base Shear:

$$F_{\text{wind_tank_base}} := F_{\text{tank}} + F_{\text{shaft}} + F_{\text{legs}} + F_{\text{DBrace1}} + F_{\text{DBrace2}} + F_{\text{DBrace3}} + F_{\text{HBrace1}} \dots = 138.6 \cdot \text{kip} \\ + F_{\text{HBrace2}} + F_{\text{HR1}} + F_{\text{HR2}}$$

Wind Base Moment:

$$M_{\text{wind_tank_base}} := F_{\text{tank}} \cdot r_{\text{tank_wind}} + F_{\text{shaft}} \cdot r_{\text{shaft_wind}} + F_{\text{legs}} \cdot r_{\text{legs_wind}} \dots = 9540.1 \cdot \text{kip} \cdot \text{ft} \\ + F_{\text{DBrace1}} \cdot r_{\text{DBrace1}} + F_{\text{DBrace2}} \cdot r_{\text{DBrace2}} + F_{\text{DBrace3}} \cdot r_{\text{DBrace3}} \dots \\ + F_{\text{HBrace1}} \cdot r_{\text{HBrace1}} + F_{\text{HBrace2}} \cdot r_{\text{HBrace2}} + F_{\text{HR1}} \cdot r_{\text{HR1}} + F_{\text{HR2}} \cdot r_{\text{HR2}}$$

Seismic Load per ASCE 7-10

The following variables will remain constant throughout the analysis of the water tank and the antennas/appurtenances:

ASCE 7-10 Reference

Occupancy category:	IV	Table 1.5-1, pg. 2	
Importance factor:	$I := 1.5$	Table 1.5-2, pg. 5	
Spectral Parameters:	$S_s := 0.05$	Figure 22-1	
	$S_1 := 0.027$	Figure 22-2	
	$F_a := 1.6$	} Site Class D assumed per code	Table 11.4-1, pg. 66
	$F_v := 2.4$		Table 11.4-2, pg. 66
	$S_{MS} := F_a \cdot S_s$	$S_{MS} = 0.08$	Eq. 11.4-1, pg. 65
	$S_{M1} := F_v \cdot S_1$	$S_{M1} = 0.06$	Eq. 11.4.2, pg. 65
	$S_{DS} := \frac{2}{3} \cdot S_{MS}$	$S_{DS} = 0.053$	Eq. 11.4-3, pg. 65
	$S_{D1} := \frac{2}{3} \cdot S_{M1}$	$S_{D1} = 0.043$	Eq. 11.4-4, pg. 65
Response Modification Factor:	$R := 3$	Table 15.4-2, pg. 142	

Seismic Reponse Coefficient:

$$C_{s1} := \frac{S_{DS}}{\frac{R}{I}} \quad C_{s1} = 0.0267$$

Computed from Equation 12.8-2, pg. 129.
 Must be compared to max. and min. values.

Maximum Value of C_s :

Maximum value of C_s need not be greater than the value given by Equation 12.8-3:

$$C_s = S_{D1}/T(R/I)$$

Period Determination, T :

per Section 12.8.2, pg. 90

Structure Height:

$$h_n := 142.5 \text{ ft}$$

Coefficients:

$$C_t := 0.02$$

Table 12.8-2, pg. 90

$$x := 0.75$$

Table 12.8-2, pg. 90

Approx. Fundamental
Period:

$$T_a := C_t \cdot h_n^x = 0.82 \text{ sec}$$

Eq. 12.8-7, pg. 90

The fundamental period should not exceed:

$$C_u := 1.7$$

Table 12.8-1, pg. 90

$$T_{\max} := C_u \cdot T_a = 1.4 \text{ sec}$$

Section 12.8.2, pg. 90

Therefore,

$$T := T_a \quad T = 0.82 \text{ sec}$$

Maximum Seismic Response Coefficient:

$$C_{s_{\max}} := \frac{S_{D1}}{T \cdot \left(\frac{R}{I} \right)} = 0.0262$$

Eq. 12.8-3, pg. 89

Minimum value for C_s :

Minimum value of C_s should not be taken less than:

Therefore, use:

$$C_{s_{\min}} := 0.01$$

Eq. 15.4-1, pg. 140

$$C_s := \min(C_{s1}, C_{s_{\max}}) = 0.0262$$

$$C_s := \max(C_s, C_{s_{\min}}) = 0.0262$$

Compute Seismic Loads at the Base of the Watertank

Top and bottom part

Height of water tank $h := 13\text{ft}$

Diameter of water tank $D := 50.25\text{ft}$

Internal volume of water tank $\text{Volume1} := \frac{4}{3} \cdot \pi \cdot \left(\frac{D}{2}\right)^2 \cdot \frac{h}{2} = 128572 \text{ gal}$

Middle part

Height of water tank $h := 15\text{ft}$

Diameter of water tank $D := 50.25\text{ft}$

Internal volume of water tank $\text{Volume2} := \pi \cdot \left(\frac{D}{2}\right)^2 \cdot h = 222528 \text{ gal}$

$\text{TotalVolume} := \text{Volume1} \cdot 2 + \text{Volume2} = 479671.85 \text{ gal}$

Tank Volume: $\text{TankVolume} := \text{TotalVolume} \cdot 0.8 = 383737 \text{ gal}$ Assume 80% full

Tank Weight: $\text{Weight}_{\text{Tank}} := \text{TankVolume} \cdot 62\text{pcf} = 3180 \cdot \text{kip}$

Seismic Load Factor: $\text{LF}_{\text{Seismic}} := 0.7$ IBC 2012 Section 1605.3

Seismic Base Shear: $F_{\text{seismic_tank}} := \text{LF}_{\text{Seismic}} \cdot C_s \cdot \text{Weight}_{\text{Tank}} = 58 \cdot \text{kip}$ Eq. 12.8-1, pg. 129

Seismic Base Moment: $M_{\text{seismic_tank}} := F_{\text{seismic_tank}} \cdot 0.5(H_{\text{tank}} + H_{\text{shaft}}) = 7112 \cdot \text{kip} \cdot \text{ft}$

Determine Governing Load

$$\frac{F_{\text{wind_tank_base}}}{F_{\text{seismic_tank}}} = 2.38$$

$$\frac{M_{\text{wind_tank_base}}}{M_{\text{seismic_tank}}} = 1.34$$

==> Wind Load Governs

Compute AT&T Antenna Wind Loads:

Input Existing AT&T antenna information (HPA-65R-BUU-H8):

FRONT

Number of proposed antennas: $\text{Num}_{\text{HPA}} := 4$

Height of Existing antennas: $H_{\text{HPA}} := 92.4 \cdot \text{in}$

Width of Existing antennas: $W_{\text{HPA}} := 14.8 \cdot \text{in}$

Area of proposed antennas: $A_{\text{HPA}} := H_{\text{HPA}} \cdot W_{\text{HPA}} = 9.5 \text{ ft}^2$

SIDE

Number of proposed antennas: $\text{Num}_{\text{HPA2}} := 2$

Depth of proposed antennas: $D_{\text{HPA}} := 7.4 \cdot \text{in}$

Area of proposed antennas: $A_{\text{HPA2}} := H_{\text{HPA}} \cdot D_{\text{HPA}} = 4.75 \text{ ft}^2$

Weight of Proposed antennas: $\text{Weight}_{\text{HPA}} := 68 \cdot \text{lbf}$

Total exposed area of antennas: $A_{\text{ant_HPA}} := \text{Num}_{\text{HPA}} \cdot A_{\text{HPA}} + \text{Num}_{\text{HPA2}} \cdot A_{\text{HPA2}} = 47.48 \text{ ft}^2$

Wind force on antennas: $F_{\text{wind_HPA}} := q_z \cdot G \cdot C_f \cdot A_{\text{ant_HPA}} = 1.97 \cdot \text{kip}$

Rad Center: $r_{\text{HPA}} := 145 \text{ ft}$

Input Proposed AT&T antenna information (HPA-65R-BUU-H4):

FRONT

Number of proposed antennas: $\text{Num}_{\text{HPA2}} := 2$

Height of proposed antennas: $H_{\text{HPA1}} := 48\text{in}$

Width of proposed antennas: $W_{\text{HPA1}} := 14.8\text{in}$

Area of proposed antennas: $A_{\text{HPA2}} := H_{\text{HPA1}} \cdot W_{\text{HPA1}} = 4.93\text{ft}^2$

SIDE

Number of proposed antennas: $\text{Num}_{\text{HPA3}} := 1$

Depth of proposed antennas: $D_{\text{HPA1}} := 9\text{in}$

Area of proposed antennas: $A_{\text{HPA3}} := H_{\text{HPA1}} \cdot D_{\text{HPA1}} = 3\text{ft}^2$

Weight of Proposed antennas: $\text{Weight}_{\text{HPA1}} := 40.5\text{lbf}$

Total exposed area of antennas: $A_{\text{ant_HPA2}} := \text{Num}_{\text{HPA2}} \cdot A_{\text{HPA2}} + \text{Num}_{\text{HPA3}} \cdot A_{\text{HPA3}} = 12.87\text{ft}^2$

Wind force on antennas: $F_{\text{wind_HPA2}} := q_z \cdot G \cdot C_f \cdot A_{\text{ant_HPA2}} = 0.53\text{kip}$

Rad Center: $r_{\text{HPA2}} := r_{\text{HPA}} = 145\text{ft}$

Input Proposed AT&T antenna information (9745 AA B25A):

FRONT

Number of proposed antennas: $\text{Num}_{9745} := 2$
Height of proposed antennas: $H_{9745} := 96.4 \cdot \text{in}$
Width of proposed antennas: $W_{9745} := 12.2 \cdot \text{in}$
Area of proposed antennas: $A_{9745} := H_{9745} \cdot W_{9745} = 8.17 \text{ ft}^2$

SIDE

Number of proposed antennas: $\text{Num}_{9745_2} := 1$
Height of proposed antennas: $H_{9745} = 96.4 \cdot \text{in}$
Depth of proposed antennas: $D_{9745} := 12.7 \text{ in}$
Area of proposed antennas: $A_{9745_2} := H_{9745} \cdot W_{9745} = 8.17 \text{ ft}^2$
Weight of Proposed antennas: $\text{Weight}_{9745} := 126 \cdot \text{lbf}$
Total exposed area of antennas: $A_{\text{ant_}9745} := \text{Num}_{9745} \cdot A_{9745} + \text{Num}_{9745_2} \cdot A_{9745_2} = 24.5 \text{ ft}^2$
Wind force on antennas: $F_{\text{wind_}9745} := q_z \cdot G \cdot C_f \cdot A_{\text{ant_}9745} = 1.02 \cdot \text{kip}$
Rad Center: $r_{9745} := 145 \text{ ft}$

Input Existing TMA (TT19-08BP111-001):

Number of proposed antennas: $\text{Num}_{\text{TMA}} := 6$ (Shielded)
Height of proposed antennas: $H_{\text{TMA}} := 9.9 \cdot \text{in}$
Width of proposed antennas: $W_{\text{TMA}} := 6.7 \cdot \text{in}$

Area of proposed antennas: $A_{\text{TMA}} := H_{\text{TMA}} \cdot W_{\text{TMA}} = 0.46 \text{ ft}^2$
Weight of Proposed antennas: $\text{Weight}_{\text{TMA}} := 16 \cdot \text{lbf}$

Total exposed area of TMA: $A_{\text{ant_TMA}} := \text{Num}_{\text{TMA}} \cdot A_{\text{TMA}} = 2.76 \text{ ft}^2$
Wind force on TMA: $F_{\text{wind_TMA}} := q_z \cdot G \cdot C_f \cdot A_{\text{ant_TMA}} = 114.85 \text{ lbf}$
Rad Center: $r_{\text{TMA}} := 145 \text{ ft}$

Input Existing/Proposed FC12-PC6-10E:

Number of proposed antennas: $\text{Num}_{\text{FC12}} := 2$ (Shielded)
Height of proposed antennas: $H_{\text{FC12}} := 15.5 \cdot \text{in}$
Width of proposed antennas: $W_{\text{FC12}} := 6.5 \cdot \text{in}$

Area of proposed antennas: $A_{\text{FC12}} := H_{\text{FC12}} \cdot W_{\text{FC12}} = 0.7 \text{ ft}^2$
Weight of Proposed antennas: $\text{Weight}_{\text{FC12}} := 20.35 \cdot \text{lbf}$

Total exposed area of FC12: $A_{\text{ant_FC12}} := \text{Num}_{\text{FC12}} \cdot A_{\text{FC12}} = 1.4 \text{ ft}^2$
Wind force on TMA: $F_{\text{wind_FC12}} := q_z \cdot G \cdot C_f \cdot A_{\text{ant_FC12}} = 58.15 \text{ lbf}$
Rad Center: $r_{\text{FC12}} := 145 \text{ ft}$

Input Existing/Proposed DC2-48-60-9:

Number of proposed antennas: $\text{Num}_{\text{DC2}} := 3$ (Shielded)
Height of proposed antennas: $H_{\text{DC2}} := 10.75 \cdot \text{in}$
Width of proposed antennas: $W_{\text{DC2}} := 6.29 \cdot \text{in}$

Area of proposed antennas: $A_{\text{DC2}} := H_{\text{DC2}} \cdot W_{\text{DC2}} = 0.47 \text{ ft}^2$
Weight of Proposed antennas: $\text{Weight}_{\text{DC2}} := 20.35 \cdot \text{lbf}$

Total exposed area of FC12: $A_{\text{ant_DC2}} := \text{Num}_{\text{DC2}} \cdot A_{\text{DC2}} = 1.41 \text{ ft}^2$
Wind force on TMA: $F_{\text{wind_DC2}} := q_z \cdot G \cdot C_f \cdot A_{\text{ant_DC2}} = 58.54 \text{ lbf}$
Rad Center: $r_{\text{DC2}} := 145 \text{ ft}$

Input Existing RRH (RRH4x25):

Number of existing RRH: $\text{Num}_{4x25} := 3$ (Shielded)
 Height of existing RRH: $H_{4x25} := 31.5 \cdot \text{in}$
 Width of existing RRH: $W_{4x25} := 12 \cdot \text{in}$

 Area of existing RRH: $A_{4x25} := H_{4x25} \cdot W_{4x25} = 2.62 \text{ ft}^2$
 Weight of existing RRH: $\text{Weight}_{4x25} := 70 \cdot \text{lbf}$

 Total exposed area of RRH: $A_{\text{ant_}4x25} := \text{Num}_{4x25} \cdot A_{4x25} = 7.87 \text{ ft}^2$
 Wind force on RRH: $F_{\text{wind_}4x25} := q_z \cdot G \cdot C_f \cdot A_{\text{ant_}4x25} = 327.24 \text{ lbf}$
 Rad Center: $r_{4x25} := 145 \text{ ft}$

Input Existing RRH (RRH2x40):

Number of existing RRH: $\text{Num}_{2x40} := 3$ (Shielded)
 Height of existing RRH: $H_{2x40} := 20.16 \cdot \text{in}$
 Width of existing RRH: $W_{2x40} := 18.9 \cdot \text{in}$

 Area of existing RRH: $A_{2x40} := H_{2x40} \cdot W_{2x40} = 2.65 \text{ ft}^2$
 Weight of existing RRH: $\text{Weight}_{2x40} := 14.5 \cdot \text{lbf}$

 Total exposed area of RRH: $A_{\text{ant_}2x40} := \text{Num}_{2x40} \cdot A_{2x40} = 7.94 \text{ ft}^2$
 Wind force on RRH: $F_{\text{wind_}2x40} := q_z \cdot G \cdot C_f \cdot A_{\text{ant_}2x40} = 329.86 \text{ lbf}$
 Rad Center: $r_{2x40} := 145 \text{ ft}$

Existing antenna by Verizon@RAD 70feet:

Number of existing antenna: $\text{Num}_{\text{Others1}} := 6$
 Height of existing antenna: $H_{\text{Others1}} := 60 \cdot \text{in}$
 Width of existing antenna: $W_{\text{Others1}} := 8 \cdot \text{in}$

 Area of existing antenna: $A_{\text{Others1}} := H_{\text{Others1}} \cdot W_{\text{Others1}} = 3.33 \text{ ft}^2$
 Weight of existing antenna: $\text{Weight}_{\text{Others1}} := 60 \cdot \text{lbf}$

 Total exposed area of antenna: $A_{\text{total_Others1}} := \text{Num}_{\text{Others1}} \cdot A_{\text{Others1}} = 20 \text{ ft}^2$
 Wind force on antenna: $F_{\text{wind_Others1}} := q_z \cdot G \cdot C_f \cdot A_{\text{total_Others1}} = 0.831 \cdot \text{kip}$
 Rad center: $r_{\text{Others1}} := 70 \text{ ft}$

Existing antenna by Verizon@RAD 78feet:

Number of existing antenna: $\text{NumOthers2} := 3$

Height of existing antenna: $\text{HOthers2} := 72 \cdot \text{in}$

Width of existing antenna: $\text{WOthers2} := 10 \cdot \text{in}$

Area of existing antenna: $\text{AOthers2} := \text{HOthers2} \cdot \text{WOthers2} = 5 \text{ ft}^2$

Weight of existing antenna: $\text{WeightOthers2} := 60 \cdot \text{lbf}$

Total exposed area of antenna: $\text{A}_{\text{total_Others2}} := \text{NumOthers2} \cdot \text{AOthers2} = 15 \text{ ft}^2$

Wind force on antenna: $\text{F}_{\text{wind_Others2}} := q_z \cdot G \cdot C_f \cdot \text{A}_{\text{total_Others2}} = 0.623 \cdot \text{kip}$

Rad center: $r_{\text{Others2}} := 78 \text{ ft}$

Existing antenna by T-Mobile@RAD 118feet:

Number of existing antenna: $\text{NumOthers3} := 3$ $\text{NumOthers3_exposed} := 2$

Height of existing antenna: $\text{HOthers3} := 96 \cdot \text{in}$ (1) antenna consider shielded

Width of existing antenna: $\text{WOthers3} := 10 \cdot \text{in}$

Area of existing antenna: $\text{AOthers3} := \text{HOthers3} \cdot \text{WOthers3} = 6.67 \text{ ft}^2$

Weight of existing antenna: $\text{WeightOthers3} := 60 \cdot \text{lbf}$

Total exposed area of antenna: $\text{A}_{\text{total_Others3}} := \text{NumOthers3_exposed} \cdot \text{AOthers3} = 13.33 \text{ ft}^2$

Wind force on antenna: $\text{F}_{\text{wind_Others3}} := q_z \cdot G \cdot C_f \cdot \text{A}_{\text{total_Others3}} = 0.554 \cdot \text{kip}$

Rad center: $r_{\text{Others3}} := 118 \text{ ft}$

Existing antenna by Sprint@RAD 118feet:

Number of existing antenna: $\text{NumOthers4} := 3$ $\text{NumOthers4_exposed} := 2$

Height of existing antenna: $\text{HOthers4} := 72 \cdot \text{in}$ (1) antenna consider shielded

Width of existing antenna: $\text{WOthers4} := 10 \cdot \text{in}$

Area of existing antenna: $\text{AOthers4} := \text{HOthers4} \cdot \text{WOthers4} = 5 \text{ ft}^2$

Weight of existing antenna: $\text{WeightOthers4} := 60 \cdot \text{lbf}$

Total exposed area of antenna: $\text{A}_{\text{total_Others4}} := \text{NumOthers4_exposed} \cdot \text{AOthers4} = 10 \text{ ft}^2$

Wind force on antenna: $\text{F}_{\text{wind_Others4}} := q_z \cdot G \cdot C_f \cdot \text{A}_{\text{total_Others4}} = 0.416 \cdot \text{kip}$

Rad center: $r_{\text{Others4}} := 118 \text{ ft}$

$$\text{F}_{\text{wind_Others}} := \text{F}_{\text{wind_Others1}} + \text{F}_{\text{wind_Others2}} + \text{F}_{\text{wind_Others3}} + \text{F}_{\text{wind_Others4}} = 2.42 \cdot \text{kip}$$

$$\text{M}_{\text{wind_Others}} := \text{F}_{\text{wind_Others1}} \cdot r_{\text{Others1}} + \text{F}_{\text{wind_Others2}} \cdot r_{\text{Others2}} + \text{F}_{\text{wind_Others3}} \cdot r_{\text{Others3}} + \text{F}_{\text{wind_Others4}} \cdot r_{\text{Others4}} = 221.21 \cdot \text{kip} \cdot \text{ft}$$

$$M_{HPA} := F_{wind_HPA} \cdot r_{HPA} = 286.11 \cdot \text{kip} \cdot \text{ft}$$

$$M_{HPA2} := F_{wind_HPA2} \cdot r_{HPA2} = 77.53 \cdot \text{kip} \cdot \text{ft}$$

$$M_{9745} := F_{wind_9745} \cdot r_{9745} = 147.63 \cdot \text{kip} \cdot \text{ft}$$

$$M_{TMA} := F_{wind_TMA} \cdot r_{TMA} = 16.65 \cdot \text{kip} \cdot \text{ft}$$

$$M_{4x25} := F_{wind_4x25} \cdot r_{4x25} = 47.45 \cdot \text{kip} \cdot \text{ft}$$

$$M_{FC12} := F_{wind_FC12} \cdot r_{FC12} = 8.43 \cdot \text{kip} \cdot \text{ft} \quad M_{DC2} := F_{wind_DC2} \cdot r_{DC2} = 8.49 \cdot \text{kip} \cdot \text{ft}$$

$$M_{2x40} := F_{wind_2x40} \cdot r_{2x40} = 47.83 \cdot \text{kip} \cdot \text{ft}$$

$$F_{wind_equip} := F_{wind_HPA} + F_{wind_HPA2} + F_{wind_9745} + F_{wind_TMA} + F_{wind_4x25} \dots = 6.84 \cdot \text{kip} \\ + F_{wind_DC2} + F_{wind_FC12} + F_{wind_2x40} + F_{wind_Others}$$

$$M_{wind_equip} := M_{HPA} + M_{HPA2} + M_{9745} + M_{TMA} + M_{4x25} + M_{FC12} + M_{DC2} + M_{2x40} \dots = 861.33 \cdot \text{kip} \cdot \text{ft} \\ + M_{wind_Others}$$

Input to determine wind loads on the exposed cables:

[Reference, ASCE-7-10](#)

Rad center elevation of cables:

$$z_{cables} := \frac{2}{3} \cdot 145 \text{ft} = 96.67 \text{ft}$$

ft

Use z at 2/3 point of exposed cables

Velocity pressure exposure coefficient:

$$K_z := 2.01 \cdot \left(\frac{z_{cables}}{z_g} \right)^{\frac{2}{\alpha}} = 1.257$$

Table 26.6-1, pg. 250

Wind directionality factor:

$$K_d = 0.95$$

Basic wind speed:

$$V = 92.95 \text{ mph}$$

Importance factor:

$$I = 1.5$$

Velocity pressure:

$$q_z = 24.44 \cdot \text{psf}$$

Gust response factor:

$$G = 0.85$$

Force coefficient:

$$C_f := 1.2$$

Width of exposed Others:

$$W_{Others_cable} := 3 \cdot \text{in}$$

Width of exposed AT&T:

$$W_{ATT_cable} := 6 \cdot \text{in}$$

Length of exposed cables:

$$L_{cables} := 28 \cdot \text{ft}$$

Rad center of cables:

$$r_{cables} := \frac{1}{2} \cdot (140 \text{ft}) = 70 \text{ft}$$

Total exposed area of cables:

$$A_{\text{exposed_cables}} := (W_{\text{Others_cable}} + W_{\text{ATT_cable}}) \cdot L_{\text{cables}} = 21 \text{ ft}^2$$

Wind force on exposed cables:

$$F_{\text{wind_exposed_cables}} := q_z \cdot G \cdot C_f \cdot A_{\text{exposed_cables}} = 0.52 \cdot \text{kip}$$

Wind moment of exposed cables:

$$M_{\text{wind_exposed_cables}} := F_{\text{wind_exposed_cables}} \cdot r_{\text{cables}} = 36.65 \text{ ft} \cdot \text{kip}$$

$$F_{\text{wind_additional}} := F_{\text{wind_equip}} + F_{\text{wind_exposed_cables}} = 7.36 \cdot \text{kip}$$

$$M_{\text{wind_additional}} := M_{\text{wind_equip}} + M_{\text{wind_exposed_cables}} = 897.981 \cdot \text{kip} \cdot \text{ft}$$

Check Wind Loads at the Base of the Water Tank:

$$F_{\text{wind_inc_}} := \frac{F_{\text{wind_additional}}}{F_{\text{wind_tank_base}}} = 5.312 \cdot \%$$

$$M_{\text{wind_inc_}} := \frac{M_{\text{wind_additional}}}{M_{\text{wind_tank_base}}} = 9.413 \cdot \%$$



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:
Jeffrey Dahl

DATE: July 13, 2016

TO: Mayor and Council Members
Jeffrey Dahl, City Manager

FROM: Kristin Classey, Communications Coordinator

SUBJECT: Mediacom Cable Update---2nd Quarter

Update:

When the Cable franchise was discussed and entered into in July of 2015, Mediacom had agreed that they would return to the City Council to report on the progress they had made on improving customer service. Mediacom said they would provide a quarterly oral report on local service to the City Council at a quarterly update on May 17. At that meeting, Mediacom said they would provide a trend analysis at their next Council update to show how things are improving.

As of the date of this memo, a quarterly report and trend update from Mediacom wasn't submitted in time for publication of the council packet deadline. Attached is a copy of the spreadsheet report of the Unresolved Mediacom Technical and Service Issues complaints entered into the web form available on wayzata.org from the start of this year until the end of June.

Staff will be meeting with our attorney's to discuss customer service issues with Mediacom and how the City can leverage the Franchise Agreement to improve service.

January - June 2016 Mediacom Issues

#	ID	Submission Date	Address	What is your technical/customer service issue that you are experiencing?	When was the first time you contacted Mediacom?	What is your requested resolution? (if any)	Date resolved
42	form 42395		550 Waycliffe Drive N	new customer and needs service. Had an appointment but no one showed.	42387		2/3/2016 (customer cancelled first trouble call appointment, this is the only other trouble call at this address)
43	paper form		425 waycliff dr s	digital ready TV that is not showing ch 2 and 11			We do not (nor have had) service at this address
44	192	1/21/2016 9:46	543 Harrington Road	No television services working in house. After an electrical storm three weeks ago and a lighting and thunder. Sparks were in their kitchen and their computer modem and that was replaced with a new box with Mediacom. Somewhere around that time they experienced problems with the TV and then quit. Now on their tvs they are experiencing no channel reception. they were given appointment Sunday afternoon and are dissatisfied with their appointment time. They would like to watch the football games on Sunday, news etc.	1/15/2016 9:00	Want an earlier appointment so they can watch tv sooner.	1-21-16?
45	194	1/26/2016 10:06	550 Waycliffe Drive N	New customer and need a phone, internet, and cable service installed. Had a service appointment 21-22nd and no one ever called or came.	1/18/2016 9:00	install new services	1/27/2016
46	201	2/16/2016 11:36	1040 East Circle Drive	Sent me messages that they would replace my modem for free as part of a service upgrade. New modem arrived, disposed of old modem which I owned outright at their instruction and prompting, now I am being billed \$7.50 per month for modem rental.	2/5/2016 13:30	Want them to replace my modem for free, or issue credit for suggesting I could have a free modem, do not want a \$7.50 per month rental fee.	2/16/2016
47	202	2/16/2016 15:29	366 Ferndale Rd S	366 Ferndale Road South is a new home. he has made 3 phone calls to Mediacom requesting service. He is told that his address is not serviceable and that someone from Mediacom will call him back. No one has called them back. Please help.	2/10/2016 13:00	requesting Mediacom service at his new home, 366 Ferndale Rd South in Wayzata	2/19/2016

January - June 2016 Mediacom Issues

48	220	4/11/2016	620 Bushaway Road	I wonder whether you can point me in the right direction. Last July Mediacom disconnected our old cable presumably to reconnect us to the new cable. Over the remaining months prior to the first freeze, they failed to keep nine appointments to bury and connect the new cable to our house. Meanwhile, I jury rigged a temporary cable and hung it along our fence. I need to know how best to proceed.	1/12/2016 12:00	bury cable and connect to the new cable in house.	4/14/2016
49	244	6/7/2016	331 park st east	Internet was originally out. The idiot technician decided to cut service to the wire buried under my lawn and in his wisdom put a temporary cable across the entirety of my back lawn and over my back fence. Nobody can tell me why the original wire was cut even though we paid to have that wire buried originally. Now it has been three weeks with an orange cable running through and across our lawn. We have newly laid sod and we want the original wire to be used or for the new wire to be buried around the perimeter in the planting beds. Finally, excel energy replaced a telephone pole and mediacom has yet to move their equipment to the new pole so the old pole can be replaced. Mediacom is absolute crap.	5/17/2016		6/10/2016
50	249	6/20/2016	15600 Holdridge Rd East	No phone service for over a week. Has a child with special needs and it is illegal to not phone in the state of MN. Contacted Mediacom and scheduled a tech to come out on the 20th of June and someone came out on the 17th and they said they couldn't fix it. Had the same issue two years ago and they put in a new line. Feed up and is switching to Centurylink on Wednesday. Cancelling phone, internet and cable TV with other providers.	6/10/2015	Would like credit to account and doesn't want any issues breaking contract	6/26/2016

J. David McGill D.D.S.
355 Lake Street West
Wayzata, Minnesota 55391
13 July 2016

Dear Mayor Willcox, Chairman Shaver, and City Manager Dahl,

Due to my pending change of residence to outside of Wayzata I must submit my resignation from the Wayzata Housing and Redevelopment Authority effective July 15, 2016.

It has been a privilege serving on the Wayzata Housing and Redevelopment Authority in and for the greatest city in the country.

Respectfully submitted,

A handwritten signature in cursive script that reads "J. David McGill".

J. David McGill D.D.S.

Cc. Housing and Redevelopment Authority Members
Wayzata City Council

J. David McGill D.D.S.
355 Lake Street West
Wayzata, Minnesota 55391
13 July 2016

Dear Vice-Chair Botham, Secretary Fadden and Deputy City Clerk Malone,

Due to my pending change of residence to outside of Wayzata I must submit my resignation from the Wayzata Charter Commission effective July 15, 2016.

Vice-Chairman Botham will be the Commission Acting-Chair until a successor chair is elected by the Commission.

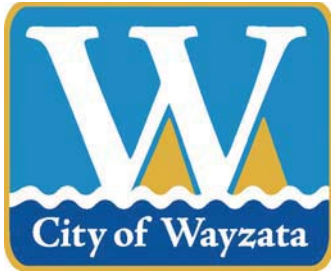
It has been a privilege serving on the Wayzata Charter Commission with you and the other conscientious commissioners.

Respectfully submitted,

A handwritten signature in cursive script that reads "J. David McGill".

J. David McGill D.D.S.

Cc. Charter Commission Members
Mayor Willcox
City Manager Dahl



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

Director Of Public Service
David Dudinsky

City Engineer/Assist. Public Works Director
Mike Kelly

Public Works Superintendent
Jim Eibensteiner

Public Works Secretary/Utility Billing Clerk
Rebecca Jones

Memorandum

To: City Council and City Manager
From: Dave Dudinsky, Director of Public Service
Date: July 13, 2016
RE: TELECOMMUNICATIONS TOWER FEASIBILITY STUDY @ WAYZATA W. MIDDLE SCHOOL UPDATE

Attached is a memo from our telecommunications consult Short Elliot Hendrickson (SEH) that represents an update to the SEH Telecommunications Tower Feasibility Study Update Letter dated February 17, 2016 (also included in this packet for reference).

Specifically, tasks completed since the last study update are as follows:

1. Campus Safety Concerns
2. Regulatory Due Diligence
3. Financial Cost Assessment
4. Tentative Project Schedule

The Tentative Project Schedule is just that. A tentative project schedule. Last week, a memo was sent to two of our larger telecommunication tenants describing two financial scenarios for their consideration if the city builds a new telecommunication tower on Wayzata West Middle School site for them to relocate too. We requested a response from both of them by the end of July.

Based on their responses, we will send a revised memo to our other two telecommunication tenants as we strive to develop a financial picture if the four tenants agree to relocate to the telecommunication location prior to the expiration date of their original lease agreements with the city.

Our success in having a full financial picture by October of this year depends on the cooperation of our four tenants. If the council wishes to have a solid financial picture of the relocation lease revenue before ordering the construction of the new telecommunications tower at the Wayzata West Middle School Site, the tower construction schedule may have to be pushed back one year to 2018.

Finally, we are reviewing a draft site lease agreement with the Wayzata School District drafted by our city attorney. I've given notice to the Wayzata School District that when our internal review of the draft site lease agreement is complete, we will forward it to the School District for their review and comments.

SEH consultants will be present at the council meeting to present their Tower Relocation Feasibility Study update to the city council and be available to answer questions.



Building a Better World
for All of Us®

MEMORANDUM

TO: Mr. David Dudinsky

FROM: City of Wayzata

DATE: July 11, 2016

RE: Telecommunications Tower Feasibility Study Update
SEH No. WAYZA 132264 14.00

This memorandum represents an update to the Short Elliott Hendrickson Inc. (SEH®) letter dated February 17, 2016.

In that letter SEH identified the completion of tasks associated with the Site Selection, including the Title Work and the Geotechnical Report. It also included contractor estimates specific to the proposed tower's construction. In this document we are providing more detail on our findings, as associated with each individual task identified in the study scope. We are also providing the initial supporting information for your review that will be incorporated as appendices within the final report document.

Tower Selection

Consideration for the tower selection was based on a set criteria with an emphasis on aesthetics as a driving factor for the project. Other determining criteria related to the towers need to maintain an equivalency in customer service that would equate to equal coverage by the current carriers as compared to the existing Gardner Street site. Furthermore, the new facility would need to consider expansion or upgrades in technology that may be required by each carrier from time to time.

It was determined early in the project through meetings with City staff that the design criteria should be reduced to consideration of a monopole in lieu of a lattice, or guyed style tower. A monopole would provide the least obtrusive design, require the smallest footprint, and could be the most cost-effective option for construction.

In a previous phase of the project SEH investigated three sites, as identified by the City, for consideration. These sites included the following:

- Public Works Facility (299 Wayzata Blvd. West)
- Wayzata Middle School (149 Barry Avenue N)
- South Frontage Road (Lift Station #21)

On March 31, 2015, SEH was contracted for performance of a video fly-over using an Unmanned Aerial Vehicle (UAV), or drone, at each of the sites. The purpose of which was to simulate actual conditions in real-time of vertical elevations at 10 ft. intervals to identify line-of-site issues associated with radio frequency (RF) propagation. RF propagation studies would be used by the carriers in determining signal coverage. It further simulated the current radiation or RAD centers of the carriers. The findings from this report were shared at a joint meeting commenced on April 24, 2015, attended by the City, SEH representatives, and current Tenant representatives. As identified in the SEH memorandum presented to the City of Wayzata dated June 17, 2015, based on review of the information provided inclusive of the City of Wayzata, the Tenant (carrier) meeting and

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 3535 Vadnais Center Drive, St. Paul, MN 55110-5196

SEH is 100% employee-owned | sehinc.com | 651.490.2000 | 800.325.2055 | 888.908.8166 fax

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follow up responses, it was the opinion of SEH that the Middle School site be considered as the site for construction of a new tower and future relocation of carrier equipment.

Initiation of the feasibility study began with utility locates coordinated by SEH. The purpose of which was to determine the existing site utilities available for the proposed site and adjacent site access. Additionally, a survey (staking) was initiated to identify proposed locations for soil borings used to confirm the feasibility of the Middle School location for both the tower and access road as associated to its design parameters. With the actual site confirmed, SEH will conduct a site survey of the property to be developed for the tower and ground equipment to the City to include required utility easements per the City's direction. The completed site survey will be included in the final study report. At this time the legal description and Title, as completed by Land Title, Inc., has been provided. (See attached exhibit)

Soil boring locations, as identified in the SEH survey discussion above, were completed by Braun Intertec on October 16, 2015. The results included in that report dated February 4, 2016, identified near surface existence of peat and silty sand, and groundwater at depths between 5 ft. and 12.5 ft. Hard, sandy-lean clay was encountered at approximately 70 feet, with poorly graded sand identified at the bottom of the boring.

On December 4, 2016, additional testing was performed due to poorer than expected soil conditions. This included the investigation of two more sites using SPT borings and cone penetrometer testing (CPT). The results, inclusive of the additional testing as outlined in the report, and stated in the SEH memorandum dated December 15, 2015, state that competent soils were located at boring B-4, and appear to be most favorable for foundation construction. (See attached exhibit) The summation of the report confirms the feasibility of the proposed tower at the selected Wayzata Middle School location.

Next was consideration of site access. Two routes were initially considered to the tower, the first along the tree line in the northeast corner of the school property and accessible from Barry Street. The second proposed access was from the school parking lot and cutting through the school grounds. Though soils were identified per the soils report as questionable, area residents had expressed that the City consider the second proposed access point through the school to minimize any additional traffic on Barry Street.

Campus Safety Concerns

Safety issues relating to the proposed selected site evolved around access and radio frequency (RF).

Based on the request for proposed access through the school parking lot, school concerns focused on timing as related to both daily project work and work in general. Limitation to driveway access includes 45 minutes prior to the start of school, and 30 minutes after dismissal to allow for busses dropping off and picking up students. Additionally, the school expressed a preference for major work to take place while school is in session, while staff is available to better monitor site access and work progress. Specific to notification the school had requested the following:

- 48 hour notification – General work
- 24 hour notification – Emergency access

During the meeting between school officials, the City, and SEH, the question was brought up about maintaining safety while activities are occurring at the adjacent fields. The consensus was that field activities were far enough away from the proposed site. Site safety would be maintained by incorporating permanent fencing around the perimeter of carrier equipment in the project design. Temporary fencing would be required and installed to segregate the work zone during periods of construction and or upgrading.

Specific to concerns regarding RF, the following recommendations were made at the above referenced meeting and will be supported in the final report:

- A radio frequency meter would be purchased by the City as part of the project, and kept at the Middle school to be made available to parents/residents upon request
- As an enhancement for the purpose of providing basic information regarding RF safety to the general public, educational materials incorporating FCC regulatory requirements could be developed and provided for the school and distributed on a per requested basis.

Regulatory Due Diligence

With consideration by the City in constructing a new communications tower, it is the responsibility of the City to complete regulatory due diligence associated with the property under consideration. Should the City move forward with the project; the information obtained will be required by each carrier as part of their documentation package as they proceed in the relocation of their equipment to the new facility. As per the project scope SEH has completed the following:

- 1A Certification
- Phase 1 Environmental Site Assessment
- FAA and ASR were not required based on the tower coordinates and structure height
- National Environmental Policy Act (NEPA) documentation

We have provided a spreadsheet (attached) identifying where we are on each of these regulatory segments. As stated in the attachment specific to the Environmental Site Assessment, based on the data gathered by our subcontractor Impact7G, no further investigation is warranted for the property at this time. Though two non-scope ASTM considerations were included, due to the absence of structures on the property, the risk of Asbestos Containing Materials (ACM) and Lead-Based Paint (LBP) exposure is minimal.

The NEPA investigation will be finalized upon the completion of the Tower Construction Notification System (TCNS), as provided with the aforementioned spreadsheet. To date one (1) tribe has granted conditional approval based on the requirement of having their own monitor on the site during construction at the City's expense. Upon project approval by the City and confirmation of an approved construction schedule, SEH will communicate with the tribe to coordinate site monitoring and determine estimated fees, which are anticipated to be a few thousand dollars.

Impact7G is still seeking approval from a few tribes but does not anticipate any issues that would ultimately impact the project from proceeding.

Financial Cost Assessment

As discussed above, recommendations for the new tower have been narrowed to a monopole design for reasons of aesthetics, functionality, and cost. As part of the study scope, SEH has reached out to two qualified area contractors for estimated project costs based on the proposed project parameters. The Estimated costs are shown in the table below:

Contractor	Estimated Construction Cost
Vertical Limit Construction, LLC	\$624,177.46
Vinco Inc.	\$451,200.00

A breakdown of these costs was provided in the February 15, 2016, letter provided by SEH and is provided as an attachment to this memorandum. As you will see, costs have also been included for construction of the access road to the tower and carrier equipment compound.

With respect to engineering, SEH proposes a fee of \$55,015 inclusive of design and specification development, bidding, construction administration, and construction observation. Upon completion of the feasibility study, SEH will provide the City of Wayzata with a final estimate based on the City's review and any final changes to the

overall project scope. Our submission will include a comprehensive breakdown of tasks associated with our scope of work and corresponding fee.

Project Schedule

The table below outlines a tentative project schedule that gives consideration to forthcoming lease renewals by the carriers and the request by Wayzata Middle Schools to complete construction prior to the start of the 2017 - 2018 school year.

Activity	Date
Engineering Phase	
Engineering Awarded	October 18, 2016
Project Initiation Meeting	Week of October 29th
Development – Plans/Specifications	October 29, 2016
Tenant Meeting	December 8, 2016
Review by City Staff	December 15, 2016
Final Plans/Specifications	January 9, 2017
Bid Phase	
Project Approval by Council	January 17, 2017
Ad for Bid	January 23, 2016 - Depending on Publishing Date Req.
Pre Bid Meeting	February 9, 2017
Contractor Qualification Assessment	February 16, 2017
Bid Opening	February 23, 2017
Council Award	March 7, 2017
Contracts to Contractor	March 14, 2017
Construction Phase	
Submittal Review	April 7, 2017
Preconstruction Meeting	May 30, 2017
Site Mobilization/ Foundation Development	June 6, 2017
Tower Erection/Site Utilities/Tenant Ground Equipment	July 6, 2017
Access Road Development and Final Landscaping	August 5, 2017
Begin - Tenant Monopole Installations	September 4, 2017
Substantial Completion - Tenant Monopole Installations	October 6, 2017

*Note the above represent estimated dates

It has been noted by the City that due to the project type the City must go through the conditional use permitting (CUP) process, taking approximately 60 days to complete. It is our understanding that it is the City's intent to proceed with this process in tandem with other activities as outlined in the above schedule, with completion prior to contractor award.

dmk

Attachments

c: Dale Romsos – SEH Inc.

Jess Davison – SEH Inc.

s:\uz\w\wayzata\134285\1-gen\14-corr\seh memo 7.12.16\feasibility memo_070816.docx



Re: wayzata report
Jess Davison to: Dan Zienty
Cc: Dale Romsos

07/08/2016 11:19 AM

Dan-

Phase 1: Based on the data gathered by Impact7g during this assessment, no further investigation is warranted for the property at this time based on the following:

- No REC's (Recognized Environmental Conditions)
- No HREC's (Historical Recognized Environmental Conditions)
- No, CREC's (Controlled Recognized Environmental Conditions)
- No De Minimis Conditions
- Two non-scope ASTM considerations were included, however due to the absence of structures on the property, the risk of Asbestos Containing Materials (ACM) and Lead-Based Paint (LBP) exposure is minimal. No further ACM/LBP investigation was warranted.

FAA Determination/ Antenna Structure Registration: N/A due to "No Hazard" finding based on the 1-A coordinates and proposed structure height.

1A Survey: Completed by SEH 3/3/16

Cultural Resources: Will be issued in conjunction with the NEPA

NEPA: Will be finalized upon the completion of TCNS (see chart below.) To date, (1) tribe has granted a conditional approval based on the requirement of having their own monitor on site during construction at the City's expense. Upon project acceptance from the City, and a concrete construction schedule is created, SEH will communicate with the tribe to coordinate. Fees will be determined at that time, however it is estimated to be a few thousand dollars.

Tribe Name	1st Notification Completion	2nd Notification Completion	3rd Notification Completion	4th Notification Forecast	Tribal Survey Completion	Ethnographic Report Completion	Tribal Response/ Approval Forecast	Tribal Res Approval R
Crow Creek Sioux	3/18/2016				6/15/2016			7/6/20
Fort Peck	3/18/2016					6/2/2016		7/6/20
Northern Arapaho	3/18/2016					6/2/2016		7/5/20
Omaha	3/18/2016	5/22/2016	6/22/2016					6/29/20
Wyandotte	3/18/2016	5/22/2016	6/22/2016	7/22/2016			8/5/2016	
Yankton	3/18/2016				6/15/2016		8/5/2016	
Chippewa Cree	3/18/2016							
Crow Tribe	3/18/2016							5/27/20
Fort Belknap Indian Community	3/18/2016							5/27/20
Keweenaw Bay Indian Community	3/18/2016							5/27/20
Lac du Flambeau	3/18/2016							5/27/20
Lac Vieux Desert Band of Lk Superior Chippewa	3/18/2016							5/27/20
Lower Sioux Community of Minnesota	3/18/2016							5/27/20
Menominee	3/18/2016							5/27/20
Northern Cheyenne	3/18/2016							5/27/20
Ottawa	3/18/2016							5/27/20
Ponka	3/18/2016							5/27/20
Red Cliff	3/18/2016							5/27/20

Santee Sioux	3/18/2016						5/27/2016
Sisseton- Wahpeton Oyate	3/18/2016						5/27/2016
Spirit Lake Nation	3/18/2016						5/27/2016
Turtle Mountain Band	3/18/2016						5/27/2016
Upper Sioux Community of Minnesota	3/18/2016						5/27/2016

Best Regards,

Jess Davison | Telecom Administrator
 SEH | 3535 Vadnais Center Dr | St Paul, MN 55110
 612-210-0573 mobile| 651-318-0343 direct
 jdavison@sehinc.com
 www.sehinc.com

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Please consider the environment before printing this email

Dan Zienty | Jess...bullet points on School Safety I can expand on. I recall from yesterday access availability, 07/08/2016 10:34:00 AM

From: Dan Zienty/seh
 To: Jess Davison/seh@SEH
 Date: 07/08/2016 10:34 AM
 Subject: Re: wayzata report

Jess...bullet points on School Safety I can expand on. I recall from yesterday access availability, we'll need a process called out for/developed in the final report. In the memo we'll discuss school concerns (incl. monitors). Do we include RF info? I believe the School should have a prepared document available upon request(?)

Dan



Jess Davison	S:\UZ\WWayza\134285\1-gen\10-setup-cont\03-proposal S:\UZ\WWayza\134285\4-prelim-dsgn-rpts\43-pre	07/06/2016 02:04:25 PM
Jess Davison	Dan - The Phase 1 and 1A Survey are the only completed tasks for Regulatory at this time. It is up t	07/06/2016 09:13:38 AM
Dan Zienty	Thanks for the reminder! From: Dale Romsos/seh	07/06/2016 09:07:16 AM
Dale Romsos	Can you two get together today and put start the draft report. Dave D is going to be looking for a	07/06/2016 09:03:46 AM

Typical Telecommunications Compound Sized For Ground Equipment and 200 Foot Monopole Tower

- Lease Area: 100 feet by 100 feet
- Fenced in Compound: 75 feet by 75 feet
- Monopole Foundation: 8 feet in diameter
- Road Access: 14 feet wide
- Utility Easement: 10 feet wide

All dimensions are approximations based on similar existing telecommunication sites sized for four to six telecommunication tenants on a monopole style tower. Location of site to be determined.

Boring redrilled to depth of 100 feet.

Location of two (CPT) Cone Penetrometer Tests

Cone Penetration Tests to a depth of 100'

Access Road Location Preferred by City

Access Road Location Preferred by School District

Boring drilled to depth of 40 feet. Did not hit bearing ground.

Additional Boring to Depth of 100 feet with penetration tests from 75' to 100' every 5 feet.

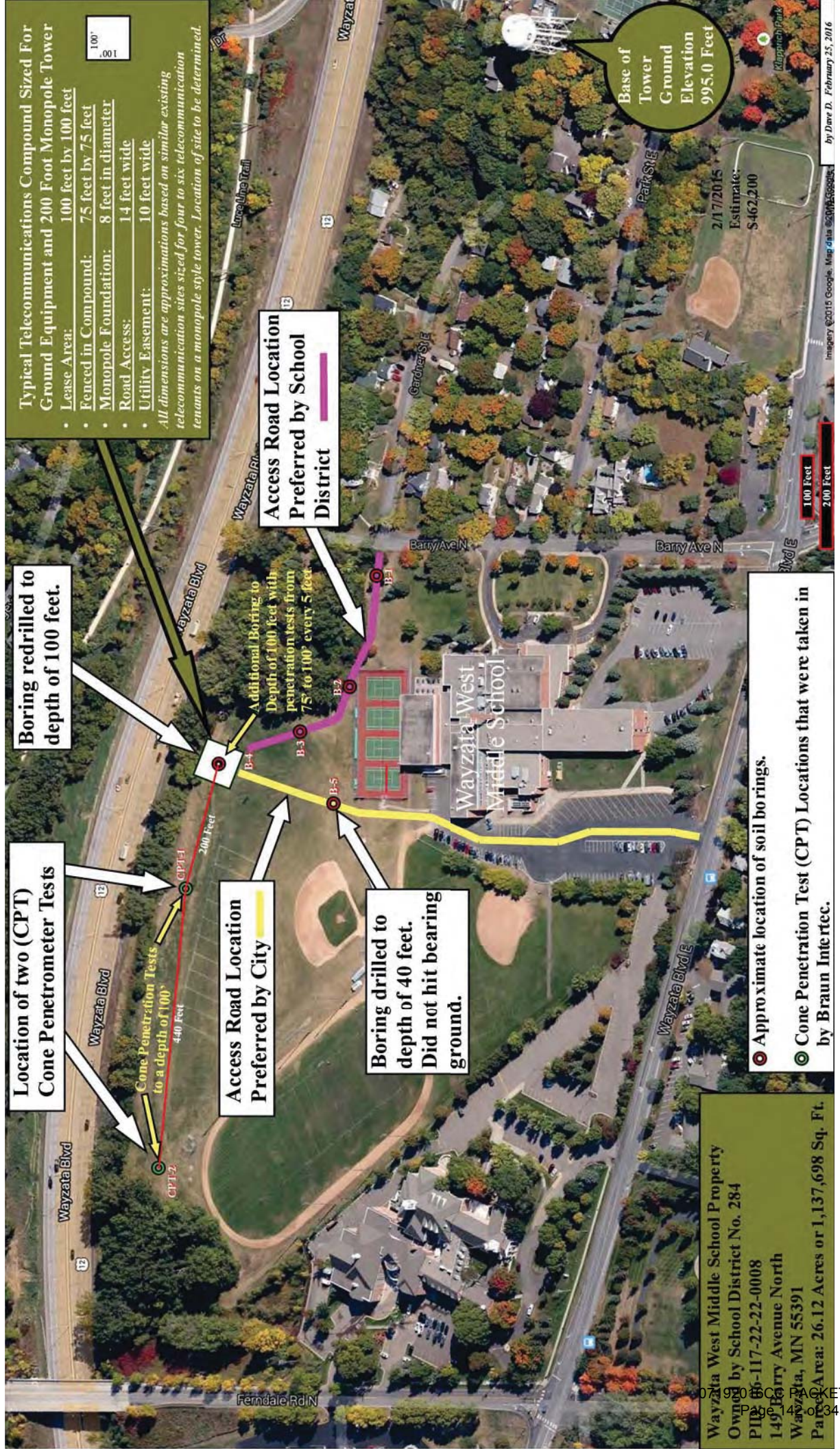
Base of Tower Ground Elevation 995.0 Feet

Wayzata West Middle School Property
 Owned by School District No. 284
 PID: 86-117-22-22-0008
 149 Barry Avenue North
 Wayzata, MN 55391
 Parcel Area: 26.12 Acres or 1,137,698 Sq. Ft.

Approximate location of soil borings.

Cone Penetration Test (CPT) Locations that were taken in by Braun Intertec.

by Dave D. February 25, 2016





February 17, 2016

RE: City of Wayzata, Minnesota
Wayzata Communication Tower
SEH No. WAYZA 134285 14.00

Mr. David Dudinsky
Director of Public Service
City of Wayzata
500 Wayzata Blvd
Wayzata, MN 55391

Dear Dudinsky:

This letter is in regards the status of the Wayzata Communications Tower project. Enclosed please find the geotechnical report along with our summation letter discussing our overall findings. In short the report identifies the following:

- Feasibility in the construction of a 195' Monopole.
- Based on City Council's interest; provide a budgetary cost with respect to the potential site access road from the school parking lot (West side approach) even with noted poor soil conditions in attached Geotechnical report.

This information has been used to gather project information related to estimated project cost. Attached you will find two estimates from area contractors experienced in construction of this type of project, and familiar with this project in particular. Each estimate is inclusive of a breakdown of major components, with assumption taken based on the information provided.

It is our intent with the report and supporting information to provide assistance to the City, as it makes its decision on whether to move forward on the development of this project. Should the City decide to proceed, SEH would continue with the remaining tasks involved in the completion of the Feasibility Study including:

1. Campus Safety Concerns
2. Regulatory Due Diligence
3. Financial Cost Assessment (Final)
4. Final Report and Project Schedule

Note: Budgetary construction costs are not inclusive of all costs associated with the project. Final report will include final cost assessment.

Mr. David Dudinsky
February 17, 2016
Page 2

Should you have any further questions or concerns following your review of the provided information prior to the meeting with City Council, or if you require further clarification, please contact Dale Romsos at 612.325.9995.

Sincerely,

SHORT ELLIOTT HENDRICKSON INC.

A handwritten signature in black ink, appearing to read "D.J. Zienty".

Daniel J. Zienty
Principal | Group Lead – Telecommunications

dmk

Attachments

c: Dale Romsos – SEH Saint Paul Office

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Building a Better World
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February 15, 2016

RE: Wayzata Communication Tower
Geotechnical Report
City of Wayzata
SEH No. WAYZA 134285

Mr. Dave Dudinsky
Director of Public Service
City of Wayzata
299 Wayzata Blvd.
Wayzata, MN 55391

Dear Mr. Dudinsky:

I have enclosed a copy of the geotechnical report summarizing the findings of the geotechnical investigation for the Wayzata Cell Tower in Wayzata, Minnesota.

The soils encountered at the tower location may provide sufficient support for a drilled shaft which is anticipated to extend to depths greater than 50 feet below existing ground. Competent soils at the original tower location (B-4) were reached at depths of 70 feet and greater. Near the surface, peat and silty sand overlie the glacial till. Groundwater was identified at approximately 5 feet and 12.5 feet below the ground surface in corresponding alluvium layers. The glacial till ranges from medium to stiff for the majority of the boring. CPT soundings were performed at two other locations. However, the soils at the selected site (B-4) appear to be the most favorable of the three locations. Two access routes were considered to the tower location. The first route along the tree line in the northeast corner of the school property (B-1, B-2, and B-3) could be constructed with low risk of settlement or disturbance. The second proposed access route from the school parking lot and cutting through the school grounds would be constructed with high risk of settlement and disturbance of surrounding conditions such as the existing shallow storm sewer pipes intersecting the proposed access route. This option will likely need extensive soil correction or modification using lightweight materials and geogrid to support the anticipated traffic due to the peat encountered in the boring (B-5).

Calculations for uplift and overturning are not provided in this report, rather general recommendations and soil parameters that can be used for foundation design are provided for use by the tower supplier/contractor.

Details regarding our finding and recommendations are contained in the attached report. We appreciate the opportunity to have provided geotechnical services to the City of Wayzata.

Sincerely,

D. Luke Thompson, PE
Geotechnical Engineer

ah

s:\uz\w\wayza\134285\4-prelim-dsgn-rpts\43-prelim-dsgn\45-geotech-rpt\report_wayzata cell geotech rpt 2016 final.docx



P.O. Box 907 • Forest Lake, MN 55025
Ph: 651-982-4642 • Fax: 651-982-4621

February 16, 2016

SEH Engineering
Attn: Dale Romsos

Subject: City of Wayzata – Budgetary Pricing – REV #1

Dear Mr. Romsos,

Thank you for providing us the opportunity to submit this budgetary pricing proposal for the city's proposed cell site to replace the existing water tank site. See below for estimated pricing. Pricing is based on the stated assumptions/qualifications.

Item	Material
Tower – material (195' monopole)	\$ 126,900
Tower – foundation (drilled pier)	\$ 235,000
Tower - erection	\$ 22,700
Access Road (west road)	\$ 17,100
Compound	\$ 15,600
Fencing	\$ 10,400
Grounding	\$ 7,300
Electric	\$ 16,200
Total Estimated Cost	\$ 451,200

Assumptions/Qualifications

1. Tower material pricing assumptions listed below:
 - a. 195' monopole
 - b. 5 antenna platforms with handrail kit, 12' face, no antenna pipes
 - c. Loading:
 - i. 5 carriers each with (12) antennas and (12) 1-5/8 coax lines
 - ii. Structure Class II, Exposure Category C, Topography Category 1
2. Tower foundation pricing based on 9' diameter by 57'-6" depth caisson.
 - a. 9' diameter, 57'-6" length
 - b. Slurry water disposed of on site
 - c. Spoils removed from site
3. Soils information from geotechnical report furnished by SEH Engineer.
4. Access road – 12' wide, 690' long, ground stabilization fabric, 6" aggregate surfacing
5. Tower compound – 75' by 75', ground stabilization fabric, 6" aggregate surfacing
6. Fencing – 6' standard chain link, driven posts (no concrete)
7. Electric – 6-gang multi-meter fed with (6) 500 MCM conductors. Utility transformer located within 10' of metering equipment.
8. Fiber/Telco – not included.
9. Grounding – standard system, #2 solid, tinned conductor and 5/8" by 10' long ground rods.
10. Pricing does not include any carrier work.
11. All work completed in "no frost" conditions.

If you have any questions or need additional information, let me know.

Sincerely,
Mike Bultsma

Vertical Limit Construction, LLC

825 3rd Avenue
Wanamingo, MN 55983

Phone: (507) 824-1222
Fax: (507) 824-1223

To: SBA Network Services	Contact:
Address: 122 Kerr Road New Kensington, PA 15068	Phone:
	Fax: (724) 335-7035
Project Name: SEH-Budgetary Monopole- Wayzata West Middle School	Bid Number: VLI-0145-2016
Project Location:	Bid Date: 1/19/2016

Item Description	Total Price
Access Road - Gravel Base Figured @ 400' Lineal Feet	\$8,193.90
Access Road - Pavement Figured @ 400' Lineal Feet	\$76,241.20
Site Preparation	\$52,500.00
Gravel Compound	\$20,300.00
Tower Foundation - Drilled Caisson	\$233,777.40
Erect 195' Foot Sabre Monopole	\$13,938.60
Supply And Offload 195' Monopole	\$80,371.20
Electrical	\$69,735.00
Telco	\$2,025.00
Grounding	\$11,385.00
Fencing	\$16,212.00
Bollards	\$4,783.08
Landscaping	\$25,125.00
Miscellaneous	\$9,590.08

Total Bid Price: \$624,177.46

Notes:

- Quotation valid for 30 days.
Material/fuel prices based on cost at time of quotation.
PO must be issued before commencement of work.
This quotation does not include any sales, use, excise, contractors or any other taxes.
Building Permit cost not included in above cost.
All material is guaranteed to be as specified.
All work to be completed in a professional manner according to standard practices.
Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate.
All agreements contingent upon strikes, accidents, or delays beyond our control.
Owner to carry fire, tornado, and other necessary insurance.
Our workers are fully covered by workers compensation insurance.
- PRICING IS BUDGETARY PRICING BASED ON PRELIMINARY DESIGN

Payment Terms:

Net due 30 days after completion.

ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted. Buyer: _____ Signature: _____ Date of Acceptance: _____	CONFIRMED: Vertical Limit Construction, LLC Authorized Signature: _____ Estimator: Christopher McCormick
---	---



Geotechnical Report

Wayzata Communication Tower

City of Wayzata

SEH No. WAYZA 134285 4.00

February 4, 2016



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February 15, 2016

RE: Wayzata Communication Tower
Geotechnical Report
City of Wayzata
SEH No. WAYZA 134285

Mr. Dave Dudinsky
Director of Public Service
City of Wayzata
299 Wayzata Blvd.
Wayzata, MN 55391

Dear Mr. Dudinsky:

I have enclosed a copy of the geotechnical report summarizing the findings of the geotechnical investigation for the Wayzata Cell Tower in Wayzata, Minnesota.

The soils encountered at the tower location may provide sufficient support for a drilled shaft which is anticipated to extend to depths greater than 50 feet below existing ground. Competent soils at the original tower location (B-4) were reached at depths of 70 feet and greater. Near the surface, peat and silty sand overlie the glacial till. Groundwater was identified at approximately 5 feet and 12.5 feet below the ground surface in corresponding alluvium layers. The glacial till ranges from medium to stiff for the majority of the boring. CPT soundings were performed at two other locations. However, the soils at the selected site (B-4) appear to be the most favorable of the three locations. Two access routes were considered to the tower location. The first route along the tree line in the northeast corner of the school property (B-1, B-2, and B-3) could be constructed with low risk of settlement or disturbance. The second proposed access route from the school parking lot and cutting through the school grounds would be constructed with high risk of settlement and disturbance of surrounding conditions such as the existing shallow storm sewer pipes intersecting the proposed access route. This option will likely need extensive soil correction or modification using lightweight materials and geogrid to support the anticipated traffic due to the peat encountered in the boring (B-5).

Calculations for uplift and overturning are not provided in this report, rather general recommendations and soil parameters that can be used for foundation design are provided for use by the tower supplier/contractor.

Details regarding our finding and recommendations are contained in the attached report. We appreciate the opportunity to have provided geotechnical services to the City of Wayzata.

Sincerely,

D. Luke Thompson, PE
Geotechnical Engineer

ah

s:\uz\w\wayza\134285\4-prelim-dsgn-rpts\43-prelim-dsgn\45-geotech-rpt\report_wayzata cell geotech rpt 2016 final.docx

Wayzata Communication Tower
Geotechnical Report
City of Wayzata

SEH No. WAYZA 134285

February 4, 2016

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



D. Luke Thompson, PE
Geotechnical Engineer

Date: 2/4/16 Lic. No.: 55278

Reviewed By: Brent Theroux, PE Date: 2/4/16

Short Elliott Hendrickson Inc.
3535 Vadnais Center Drive
St. Paul, MN 55110-5196
651.490.2000

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Certification Page
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Geotechnical Report

Wayzata Communication Tower

Prepared for City of Wayzata

1.0 Introduction

The City of Wayzata is proposing to construct a communications tower at the northeast corner of the Wayzata Middle School property and is expected to be approximately 199 feet high. It is our understanding from the City that the proposed tower will be supported by a single drilled shaft to bearing soils.

This report presents the results of the subsurface investigation and geotechnical evaluations for the proposed communications tower foundation. Geotechnical soil parameters and general recommendations for final design of the tower foundation are provided herein.

2.0 Scope of Services

This report was prepared in accordance with the proposal by SEH to The City of Wayzata authorized on August 25, 2015.

The scope of work for this project included drilling soil borings, performing laboratory testing and performing cone penetration tests (CPT) as part of the subsurface investigation. These services were provided by Braun Intertec, Inc. of Minneapolis, Minnesota. SEH geotechnical staff reviewed the samples and assigned laboratory testing.

The geotechnical evaluation included providing soil parameters based on soil classification, laboratory tests, and published charts and tables.

2.1 Drilling and Laboratory Testing Program

A comprehensive boring location diagram prepared by SEH shows the locations for the 2015 subsurface investigation by Braun Intertec and is included in Appendix A. Soil borings, CPT soundings and laboratory testing for the subsurface investigation was completed by Braun Intertec of Minneapolis, Minnesota on October 16 and December 4, 2015. All soils were classified in accordance with ASTM Designations: D2487 and D2488.

The final boring and CPT logs were prepared by Braun Intertec, Inc. The coordinates of the test locations are provided on the final logs. Details of the drilling and laboratory testing program and the final boring logs are contained in the Braun Soil Borings and Laboratory Testing Report included as Appendix A.

2.1.1 Drilling

The investigation consisted of standard penetration test (SPT) borings and CPT soundings (labeled as B-1 to B-5 and CPT-1 and CPT-2). Borings B-1, B-2, B-3 and B-5 were drilled at proposed access routes. Soil boring B-4 was drilled to 75 feet at the proposed tower location.

After reviewing the soil conditions encountered at original tower location (B-4), two more sites were selected for further investigation using CPT (CPT-1 and CPT-2). In an attempt to determine the extent of the encountered bearing soils at the original tower location, B-4 was offset a few feet, blind drilled to 75 feet and extended down to 100 feet on December 4, 2015. In addition, CPT locations were performed to 100 feet at two additional potential tower locations.

2.1.2 Laboratory Testing

Laboratory testing was performed on selected SPT and thin-wall samples by Braun Intertec, Inc. The testing included moisture contents, sieve analyses, Atterberg Limits and Unconsolidated Undrained (U-U) testing. Confining pressures for U-U testing were determined by SEH.

3.0 Existing Site Conditions

The proposed tower lies to the south of Wayzata Boulevard on the northeast corner of the Wayzata Middle School property. The tower site sits on a generally level ground in a clearing west of the nearby wooded lot. The surrounding area to the west and south is a sports field with the school buildings.

3.1 Soil Conditions

3.1.1 Access Routes

Soil borings B-1, B-2, B-3 and B-5 were drilled to 11 feet along the two potential access routes. The first access route was to tie into the intersection of Barry Avenue and Gardner Street East. Soils encountered in these borings (B-1, B-2, and B-3) consisted of approximately seven feet of fill overlying glacial till and glacial outwash. The fill consisted of sand and silty sand.

Soil boring B-5 was drilled to 11 feet along an alternative route in the event of poor soils at the original access route. This route ties into the west parking lot at the gate and runs north to the potential tower site. Soils at this location consisted of seven feet of silty sand fill overlying peat.

3.1.2 Tower Sites

Overall, three sites were selected for the tower location. SPT borings and CPT soundings were performed at each location (B-4, CPT 1 and CPT 2). Boring B-4 consisted of approximately five feet of silty sand fill overlying a six-foot section of peat. A two-foot layer of alluvium was then encountered overlying glacial till extending to 98 feet, at which sandy glacial outwash was encountered to the bottom of the boring. The glacial till consisted of sandy lean clay and lean clay that ranged from very soft to hard. The hard sandy lean clay was encountered at approximately 70 feet.

CPT 1 and CPT 2 were performed further to the west at approximately 200 feet west of B-4 and 700 feet west of B-4, respectively. Soil conditions encountered were similar to those found in B-4. The hard glacial till was encountered at approximately 97 feet in CPT 1 and at approximately 77 feet in CPT 2.

3.1.3 Groundwater Conditions

Groundwater was encountered in three soil borings (B-2, B-3 and B-4). In B-2 and B-3 the water table was recorded in the sandy fill at approximately five feet below the ground surface. In B-4 water was recorded at 12.5 feet below the ground in the alluvium layer beneath the peat. These measurements were recorded at the time of drilling.

Groundwater measurements during drilling operations in sandy soils can be representative of current levels. However, long term water levels in organic and predominantly silty and/or clayey soils may not be indicative of the long term water table. Measurements in such soils should be performed with the aid of an open pipe piezometer in order to obtain a more accurate depiction of water levels over a period of time. In general, groundwater levels should be expected to fluctuate based on a variety of reasons, including season, temperature, runoff, and other factors.

4.0 Geotechnical Evaluation

The recommendations provided in this report are based on the proposed project layout, results of the subsurface investigations, discussions with the City of Wayzata and SEH design staff, our review of relevant information made available to us, and our understanding of the nature of the proposed project. If any project elements change, or soil, rock, or groundwater conditions are encountered that vary from those described in the report, it is recommended that we be notified so that we may review our recommendations to determine if revisions are required.

4.1 Foundation Recommendations

4.1.1 Drilled Shaft Design Parameters

It is anticipated that a single drilled shaft will be constructed at the center of the tower. The soil boring was analyzed for design parameters for a drilled shaft foundation. Soils encountered in B-4 were used as the limiting case. Table 1 provides the estimated end bearing (q_{all}) and side resistance (f_{all}) at specified depths. The allowable end bearing pressure and allowable side resistance values are based on a factor of safety of three.

Table 1 – End Bearing and Side Resistance

Depth	Soil	Su	q _{all}	f _{all}
(ft)	Class	psf (average)	psf (FS=3)	psf (FS=3)
5	Fill	na	na	na
11	PT	na	na	na
14	SC	na	na	na
17	CL	na	na	na
22	CL	750	1500	138
43	CL	900	2160	165
50	CL-ML	725	1402	133
58	CL-ML	1125	1898	206
71	CL	1666	4163	305
75	CL	1750	4594	321
83	CL	800	1707	147
90	SC-SM	1375	2836	252
98	SC-SM	1250	2344	229

We recommend to neglect the top 17 feet of soil-shaft interaction in uplift and for a length at the base equal to the diameter of the shaft in compression.

We recommend that the base of the shaft not be placed within the upper 22 feet (elevation 938 feet) due to soft soils encountered in soil boring B-4.

Table 2 provides soil parameters to be used in a lateral pile analysis program such as LPILE. These can be used to determine anticipated deflection of the foundation and the anticipated maximum moment in the drilled shaft. Other design methods of lateral load analysis apply varying definitions of the lateral soil modulus parameters; k values should not be used interchangeably in other types of analysis.

Table 2 – Soil Parameters for Lateral Pressure

Depth (ft)	γ (pcf)	Su (psf)	ϕ (degrees)	k (pci)	ϵ_{50}
5	na	na	na	na	na
11	40	233	na	na	0.02
14	95	0	30	na	na
17	95	625	0	na	0.01
22	115	750	0	na	0.01
43	120	900	0	na	0.01
50	115	725	0	na	0.01
58	115	1125	0	200	0.007
71	125	1666	0	200	0.007
75	125	1750	0	200	0.007
83	120	800	0	na	0.01
90	125	1375	0	200	0.007
98	120	1250	0	200	0.007

Where,

γ = design unit weight of soil (pounds per cubic foot).

Su = undrained shear strength (pounds per square foot).

ϕ = angle of internal friction

k = coefficient of lateral subgrade reaction (pounds per cubic inch) required for p-y curve method of analysis.

ϵ_{50} = axial strain of soil corresponding to one-half of the maximum principal stress difference.

na = not applicable

5.0 Site Preparation and Excavation

Topsoil should be stripped and stockpiled for use during restoration.

5.1 Drilled Shaft Foundation

Due to the mixture of organic, sand and cohesive soils, we recommend using the casing method. In such soils a temporary steel casing is utilized in the upper portion of the excavation ahead of a head of bentonite slurry or drilling mud slurry until the casing can be socketed into an impermeable layer. At which time, the bentonite or drilling mud slurry can be bailed out and drilling can proceed. The contractor will need to determine the need and extent for slurry during drilling operations.

5.2 Dewatering and Surface Water Control

The soil near the surface may allow drainage during a rainfall event. However, we recommend the site be graded to divert surface water run-off away from excavations during construction.

5.3 Driveway/Access Road

We recommend any topsoil in the proposed area of the driveway/access road be removed and stockpiled for use for finish grading on the project site.

Two access routes were proposed by the City. Based on the soils encountered, an access road along B-1, B-2 and B-3, could be constructed with low risk of incurring permanent disturbance or settlement. Soils encountered in these borings consisted of granular fill overlying medium to stiff clay.

Soil conditions at B-5 indicate that an access road would likely require soil correction due to the underlying compressible peat. Possible soil correction methods include excavating the peat and unsuitable soils and replacing with suitable material or using lightweight fill combined with geogrid. This option would be constructed with high risk of mitigating, not eliminating, settlement and long-term disturbance of the access road. Both options would require further investigation.

The high potential for settlement along this access route produces an additional high risk of disturbance of the two existing shallow storm sewer lines intersecting the proposed route.

6.0 Construction Considerations

6.1 Surface Water

Sands near the surface are susceptible to severe erosion during a rainfall event. Surface water runoff must be diverted away from the excavation during construction.

6.2 Winter Construction

The following recommendations are provided in the event that construction activities occur during winter weather conditions.

- Do not place concrete on frozen ground, snow or ice.
- Remove all ice and snow from areas to receive fill.
- Place only unfrozen backfill.
- Do not place material containing snow or ice as fill.

- Do not utilize material requiring on-site moisture modification(s) as it will be impractical and difficult to control compaction levels during winter conditions.
- Protect (insulate) soils that are to support structure foundations.
- Protect (insulate or heat) structure foundations after placement of concrete.

7.0 Construction Safety

Construction safety is the sole responsibility of the Contractor. All excavations must comply with the most current OSHA rules and regulations.

8.0 Field Observation and Testing

We recommend that a geotechnical engineer or experienced technician observe the tower foundation excavation to evaluate if the soils are consistent with the results of the soil boring.

It is recommended that density testing (ASTM D698) of the native soils and granular borrow be conducted prior to the placement of backfill. A minimum of three working days are recommended for sampling and testing prior to backfill placement.

A minimum of one density test per 500 linear feet, or other tests such as static or dynamic cone penetration tests should be conducted for the access road embankment.

9.0 Basis of Recommendations

The analyses, conclusions and recommendations in this report are based on the data obtained from the soil borings and CPT soundings, the locations of which are contained in this report, and laboratory testing conducted on soil samples obtained therefrom; and our interpretation of that information with respect to the proposed structure. If information regarding the proposed tower structure changes, or observed soil conditions differ from those described in this report, we should be notified to determine if our recommendations require revision.

Appendix A

Braun's Soil Report

Soil Borings and Laboratory Testing Report

Wayzata Cell Tower
Wayzata West Middle School Property
Wayzata, Minnesota

Prepared for

Short Elliott Hendrickson, Inc.

Professional Certification:

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



Van Abel, Josh
Jan 14 2016 4:38 PM

Joshua J. Van Abel, PE
Principal – Senior Engineer
License Number: 45108
January 14, 2016



Projects B1508880 and B1508880.00

Braun Intertec Corporation

January 14, 2016

Projects B1508880 and B150880.00

Luke Thompson, PE
Short Elliott Hendrickson, Inc.
3535 Vadnais Center Drive, Suite 200
Saint Paul, MN 55110

Re: Soil Borings and Laboratory Testing
Wayzata Cell Tower
Wayzata West Middle School Property
Wayzata, Minnesota

Dear Mr. Thompson:

We have completed the soil borings and laboratory testing requested by Short Elliott Hendrickson, Inc. (SEH) for the Wayzata Cell Tower project located in Wayzata, Minnesota.

Scope of Services

Our work was completed in general accordance with our *Proposal for Soil Borings and Laboratory Testing* provided to SEH, dated October 13, 2015 and our *Revised Proposal for Soil Boring, CPT Sounding, and Laboratory Testing Services*, dated November 17, 2015.

For the project, our scope of services included the following:

- Clearance of public utilities.
- Performing one standard penetration test (SPT) boring to a depth of 100 feet*.
- Performing four SPT borings to a depth of 10 feet.
- Performing two cone penetration test (CPT) soundings to a depth of 100 feet or refusal.
- Laboratory testing as requested by SEH.
- Preparation of this factual soil boring report.

*The 100 foot SPT boring was originally drilled to a depth of 75 feet on October 16, 2015 and was extended to the 100-foot depth on December 4, 2015.

Documents Provided

SEH provided us with a map titled "Wayzata Middle School Telecommunications Soil Borings Exhibit". The map denoted the exploration locations selected by SEH for the SPT borings and the CPT soundings completed for this report. The map was dated January 12, 2016. A copy of the map is attached to this report.

Boring Locations and Elevations

The exploration locations were denoted as B-1 through B-5 for the SPT borings and CPT-1 and CPT-2 for the CPT soundings. The borings and soundings were performed at the approximate locations shown on the attached map. The exploration locations were selected and staked by SEH. Ground surface elevations and coordinates at the exploration locations were surveyed and provided by SEH.

Drilling and Sampling

Standard Penetration Test Borings

The SPT borings were drilled with an ATV-mounted core and auger drill rig equipped with hollow-stem auger in accordance with ASTM D 1586. During drilling, penetration test samples were generally taken at 2 1/2- and 5-foot intervals. A 140-pound autohammer was used for the penetration tests. Per direction from SEH, thinwall samples were taken at specified depths. Actual sample intervals and corresponding depths are shown on the boring logs.

Cone Penetration Test Soundings

The CPT soundings were performed by advancing a 1.75-inch diameter Vertek seismic piezocone with an unequal end area ratio of 0.8. A 20-ton track-mounted rig was used to advance the cone into the ground. The soundings were performed in accordance with ASTM D 5778. As the cone was advanced, tip resistance (Q_t), sleeve friction (F_s) and pore pressure (U_2) were measured continuously.

Sample Storage

Representative soil samples will remain in our Minneapolis office for a period of 60 days to be available for your examination.

Groundwater Observations and Borehole Abandonment

The drillers checked for groundwater as the SPT borings were advanced. The borings were typically checked again for the presence of groundwater after auger withdrawal. The boreholes were then backfilled with soil cuttings or bentonite grout after completion in accordance with Minnesota Department of Health regulations.

Log of Boring Sheets

Standard Penetration Test Boring Logs

Log of Boring sheets for our SPT borings are attached to this report. The logs identify and describe the geologic materials that were penetrated, present the results of penetration resistance tests, laboratory tests performed on penetration test samples, and groundwater measurements.

Strata boundaries were inferred from changes in the penetration test samples and the auger cuttings. The strata boundary depths are only approximate. The boundary depths likely vary away from the boring locations, and the boundaries themselves may also occur as gradual rather than abrupt transitions.

Cone Penetration Test Sounding Logs

CPT Sounding Logs are also attached to this report. The CPT sounding logs report the cone resistance (Q_t), sleeve friction (F_s) and pore pressure (U_2) that was measured continuously by the cone as it was advanced, as well as the equivalent N60 (SPT blow count) and the soil behavior type (SBT) inferred from established relationships between tip resistance, sleeve friction and pore pressure. Note that the SBT should not be used to infer a soil classification based on grain size distribution. Refer to the attached CPT Descriptive Terminology for more information. The CPT logs also report the friction ratio, which is determined by dividing the sleeve friction by the tip resistance.

Strata boundaries, like SBT, were inferred from changes in tip resistance, sleeve friction and pore pressure, and while cone measurements were made continuously with depth, the boundaries are still only approximate, likely vary away from the sounding locations, and may also occur as gradual rather than abrupt transitions.

Soil Classification

The geologic materials encountered were visually and manually classified in accordance with ASTM Test Method D 2488. A chart explaining the classification system is attached.

Groundwater Fluctuations

Groundwater measurements were made under the conditions reported herein and shown on the exploration logs. It should be noted that the observation period was relatively short, and groundwater can be expected to fluctuate in response to rainfall, flooding, irrigation, seasonal freezing and thawing, surface drainage modifications and other seasonal and annual factors.

Laboratory Testing

Laboratory testing was performed on samples recovered from the borings as requested by SEH. Laboratory testing performed included moisture content tests, mechanical sieve analysis, Atterberg limits, and unconsolidated undrained triaxial tests. The tests were performed in accordance with ASTM procedures.

The test results are shown or noted on the right side of the Log of Boring Sheets, across from the associated sample and the attached laboratory report sheets.

Level of Care

In performing our services, Braun Intertec has used that degree of care and skill ordinarily exercised under similar circumstances by reputable members of our profession currently practicing in the same locality. No warranty, express or implied, is made.

General

We appreciate the opportunity to be of service to you on this project. If you have any questions regarding this report, please contact Jeff Casmer at 952.995.2314 or Josh Van Abel at 952.995.2310.

Sincerely,

BRAUN INTERTEC CORPORATION



Jeffrey D. Casmer, PE
Project Engineer

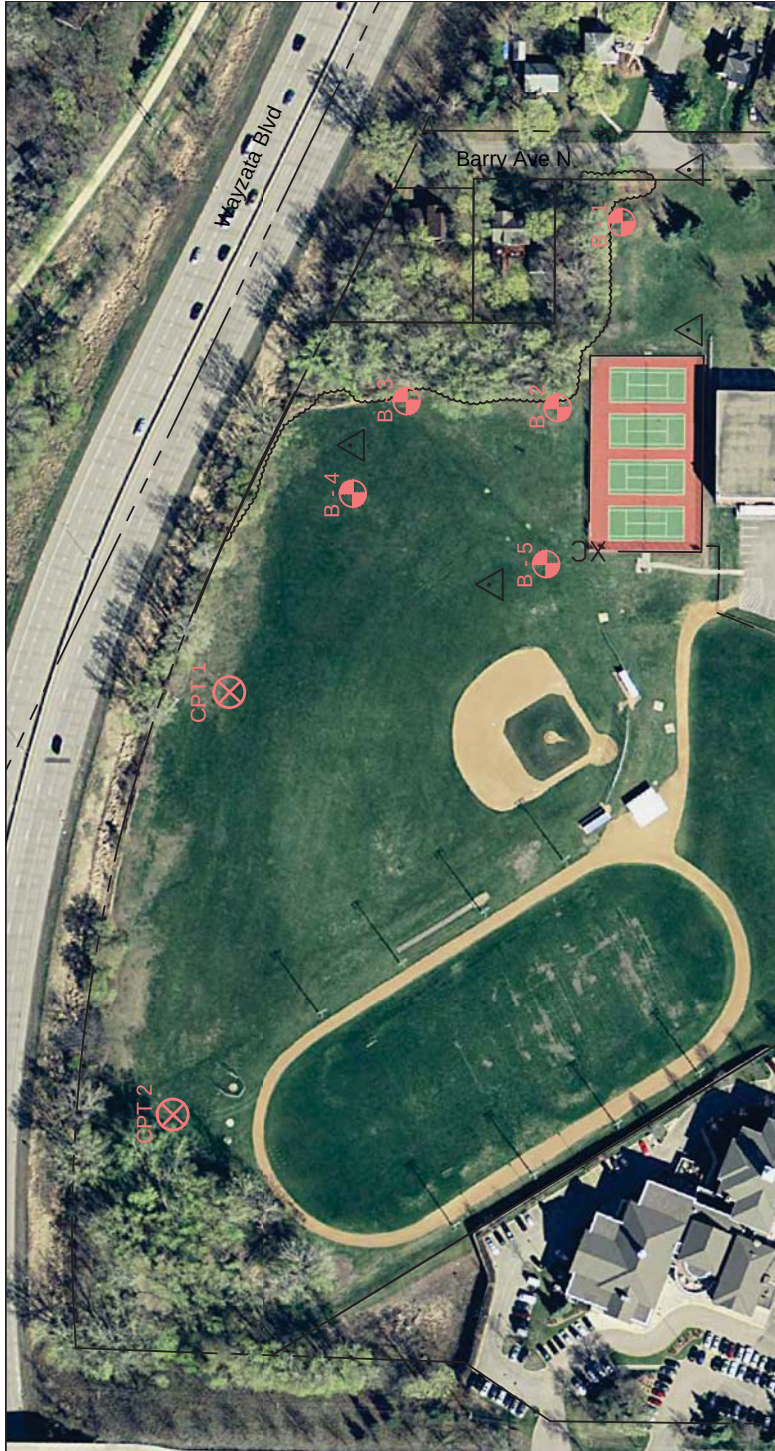
 Van Abel, Josh
Jan 14 2016 4:38 PM

Joshua J. Van Abel, PE
Principal - Senior Engineer

Attachments:

Telecommunications Soil Boring Exhibit (Provided by SEH)
Log of Boring Sheets B-1 to B-5
Cone Penetration Test Sounding Logs CPT-1 and CPT-2
Grain Size Accumulation Curve (1 sheet)
Atterberg Limits Graphs (1 sheet)
Unconsolidated Undrained Triaxial Test Reports (4 sheets)
Descriptive Terminology of Soil
Descriptive Terminology Cone Penetration Test

Wayzata Middle School
Telecommunications Soil Borings Exhibit



LEGEND	
	Soil Borings
	Cone Penetration Test
	Control Point
	Fence
	Edge of Trees
	Property Lines

Surveyors Note:
Soil Boring locations B-1 through B-5 were measured with Survey grade accuracy. Cone Penetration Test locations & elevations were determined using a combination of Aerial Photography and LIDAR data.

Point	Northing	Easting	Elevation
B - 1	167513.262	465268.216	965.220
B - 2	167579.721	465075.221	961.350
B - 3	167737.953	465081.946	959.980
B - 4	167793.213	464985.716	960.720
B - 5	167591.972	464912.701	961.480
CPT 1	167921.618	464778.946	960.980
CPT 2	167980.558	464338.976	961.150

DRAWN BY: SK	Wayzata West Middle School Property	FILE NO. 134285
CHECKED BY: GL	Auditors Subdivision No. 84	DATE 01/12/16
SURVEYED BY: GT	Wayzata, MN	REV. NO. 1

Wayzata West Middle School Property
149 Barry Avenue North
Wayzata, MN 55391
Telecommunications Tower
Soil Borings

PHONE: 651.491.2000
3535 VADNAIS CENTER DRIVE
VADNAIS HEIGHTS, MN 55110-5196
www.sehinc.com

NO.	BY	DATE	REVISIONS

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2015\08880.GPJ BRAUN_V8_CURRENT.GDT 1/13/16 08:26

Braun Project B1508880 SOIL BORINGS AND LABORATORY TESTING Wayzata Cell Tower 149 Barry Avenue North Wayzata, Minnesota						BORING: B-1 LOCATION: See attached sketch.			
DRILLER: J. Vloo			METHOD: 3 1/4" HSA, Autohammer			DATE: 10/16/15		SCALE: 1" = 4'	
Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	qp tsf	Tests or Notes	
965.2	0.0								
964.8	0.4	FILL	FILL: Silty Sand, fine- to medium-grained, trace roots and Gravel, dark brown, moist. (Topsoil Fill)						
		FILL	FILL: Silty Sand, fine- to medium-grained, with Gravel, dark brown, moist.	15					
961.2	4.0	FILL	FILL: Poorly Graded Sand with Silt, fine- to coarse-grained, with Gravel, reddish brown, moist.	24					
958.2	7.0	CL	SANDY LEAN CLAY, trace Gravel, gray, wet, rather stiff to stiff. (Glacial Till)	12		19	2		
954.2	11.0			11		16	1 1/4		
			END OF BORING.						
			Water not observed with 9 1/2 feet of hollow stem auger in the ground.						
			Boring immediately backfilled.						

(See Descriptive Terminology sheet for explanation of abbreviations)

LOG OF BORING N:\GINT\PROJECTS\AX PROJECTS\2015\08880.GPJ BRAUN_V8_CURRENT.GDT 1/13/16 08:26

Braun Project B1508880 SOIL BORINGS AND LABORATORY TESTING Wayzata Cell Tower 149 Barry Avenue North Wayzata, Minnesota					BORING: B-2 LOCATION: See attached sketch.		
DRILLER: J. Vloo		METHOD: 3 1/4" HSA, Autohammer		DATE: 10/16/15		SCALE: 1" = 4'	
Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	Tests or Notes	
961.4	0.0						
961.0	0.4	FILL FILL	FILL: Silty Sand, fine- to medium-grained, trace roots and Gravel, dark brown, moist. (Topsoil Fill) FILL: Poorly Graded Sand with Silt, fine- to coarse-grained, with Silty Sand and Sandy Lean Clay inclusions below 5 feet, brown, moist to 5 feet then waterbearing.	6		An open triangle in the water level (WL) column indicates the depth at which groundwater was observed while drilling. Groundwater levels fluctuate.	
954.4	7.0	SP-SM	POORLY GRADED SAND with SILT, fine- to coarse-grained, gray, waterbearing, loose. (Glacial Outwash)	6			
950.4	11.0		END OF BORING.	7			
			Water observed at a depth of 5 1/2 feet while drilling. Water observed at a depth of 5 1/2 feet with 9 1/2 feet of hollow-stem auger in the ground. Boring immediately backfilled.				

(See Descriptive Terminology sheet for explanation of abbreviations)

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Braun Project B1508880 SOIL BORINGS AND LABORATORY TESTING Wayzata Cell Tower 149 Barry Avenue North Wayzata, Minnesota						BORING: B-3 LOCATION: See attached sketch.			
DRILLER: J. Vloo			METHOD: 3 1/4" HSA, Autohammer			DATE: 10/16/15		SCALE: 1" = 4'	
Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	qp tsf	Tests or Notes	
959.9	0.0								
959.6	0.3	FILL	FILL: Silty Sand, fine- to medium-grained, trace roots and Gravel, dark brown, moist. (Topsoil Fill) FILL: Clayey Sand, with Gravel, brown, wet.	10					
955.9	4.0	FILL	FILL: Poorly Graded Sand with Silt, fine- to coarse-grained, with Gravel, brown, waterbearing.	8	▽				
951.9	8.0	CL	SANDY LEAN CLAY, trace Gravel, gray, wet, medium to rather stiff. (Glacial Till)	8					
948.9	11.0		END OF BORING. Water observed at a depth of 5 feet while drilling. Boring immediately backfilled.	10		18	2		

(See Descriptive Terminology sheet for explanation of abbreviations)

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Braun Project B1508880 SOIL BORINGS AND LABORATORY TESTING Wayzata Cell Tower 149 Barry Avenue North Wayzata, Minnesota						BORING: B-4		LOCATION: See attached sketch.		
DRILLER: J. Vloo			METHOD: 3 1/4" HSA, Autohammer			DATE: 10/16/15		SCALE: 1" = 4'		
Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	qp tsf	Tests or Notes		
960.7	0.0									
960.4	0.3	FILL	FILL: Silty Sand, fine- to medium-grained, trace roots, dark brown, moist. (Topsoil Fill)					Drilled and sampled from 0 to 75 feet on 10/16/15. Returned on 12/4/15 and sampled to 100 feet.		
		FILL	FILL: Silty Sand, fine- to coarse-grained, trace Gravel, brown, moist.	10						
955.7	5.0									
		PT	PEAT, semi-fibrous to partially decomposed, black and brown, wet. (Swamp Deposit)	4		378				
				2		56				
				TW						
949.7	11.0									
		SM	SILTY SAND, fine- to coarse-grained, trace Gravel, gray, waterbearing, very loose. (Alluvium)		▽					
946.7	14.0			WH						
		SC	CLAYEY SAND, trace Gravel, gray, wet, very soft. (Glacial Till)	1		19				
943.7	17.0									
		CL	SANDY LEAN CLAY, trace Gravel, gray, wet, medium to rather stiff. (Glacial Till)	6		19	1			
				TW		19				
				9		20	1 1/4			
				8		22	1 3/4			
				10		22	1 3/4	LL=38, PI=14		

(See Descriptive Terminology sheet for explanation of abbreviations)

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Braun Project B1508880 SOIL BORINGS AND LABORATORY TESTING Wayzata Cell Tower 149 Barry Avenue North Wayzata, Minnesota						BORING: B-4 (cont.)			
DRILLER: J. Vloo			METHOD: 3 1/4" HSA, Autohammer			DATE: 10/16/15		SCALE: 1" = 4'	
Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	qp tsf	Tests or Notes	
928.7	32.0		SANDY LEAN CLAY, trace Gravel, gray, wet, medium to rather stiff. (Glacial Till) (continued)						
				9		22	1		
				10		21	2		
917.7	43.0								
		CL-ML	SILTY CLAY, with Silty Sand layers or seams, gray, wet, medium to stiff. (Glaciofluvium)						
				6		23		LL=21, PI=5	
				14		23			
				11		30	2 1/4		
902.7	58.0								
		CL	SANDY LEAN CLAY, trace Gravel, gray, wet, stiff to hard. (Glacial Till)						
				18		15		LL=21, PI=11	

(See Descriptive Terminology sheet for explanation of abbreviations)

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Braun Project B1508880 SOIL BORINGS AND LABORATORY TESTING Wayzata Cell Tower 149 Barry Avenue North Wayzata, Minnesota					BORING: B-4 (cont.) LOCATION: See attached sketch.				
DRILLER: J. Vloo		METHOD: 3 1/4" HSA, Autohammer			DATE: 10/16/15		SCALE: 1" = 4'		
Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	qp tsf	Tests or Notes	
896.7	64.0		SANDY LEAN CLAY, trace Gravel, gray, wet, stiff to hard. (Glacial Till) (continued)	17		14		LL=22, PI=11	
				20		14	1 3/4		
				30					
				43		14	2 1/2		
				29					
				43		15		*No sample recovery.	
				18					
				14*					
877.7	83.0	SC-SM	SILTY CLAYEY SAND, trace Gravel, brown, wet, very stiff to hard. (Glacial Till)	31				LL=18, PI=5	
				19		12			
867.7	93.0	CL	SANDY LEAN CLAY, trace Gravel, gray, wet, very stiff. (Glacial Till)	20			1 1/4		

Braun Project B1508880
SOIL BORINGS AND LABORATORY TESTING
Wayzata Cell Tower
149 Barry Avenue North
Wayzata, Minnesota

BORING: **B-4 (cont.)**

LOCATION: See attached sketch.

DRILLER: J. Vloo

METHOD: 3 1/4" HSA, Autohammer

DATE: 10/16/15

SCALE: 1" = 4'

Elev. feet 864.7	Depth feet 96.0	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	qp tsf	Tests or Notes
862.7	98.0		SANDY LEAN CLAY, trace Gravel, gray, wet, very stiff. (Glacial Till) <i>(continued)</i>					50 blows for a 6 inch set.
860.7	100.0	SP	POORLY GRADED SAND, fine- to coarse-grained, brown, waterbearing, very dense. (Glacial Outwash)					
			END OF BORING. Water observed at a depth of 12 1/2 feet while drilling. Boring immediately backfilled with bentonite grout.					

(See Descriptive Terminology sheet for explanation of abbreviations)

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(See Descriptive Terminology sheet for explanation of abbreviations)

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Braun Project B1508880 SOIL BORINGS AND LABORATORY TESTING Wayzata Cell Tower 149 Barry Avenue North Wayzata, Minnesota						BORING: B-5 LOCATION: See attached sketch.		
DRILLER: J. Vloo			METHOD: 3 1/4" HSA, Autohammer		DATE: 10/16/15		SCALE: 1" = 4'	
Elev. feet	Depth feet	Symbol	Description of Materials (Soil-ASTM D2488 or D2487, Rock-USACE EM1110-1-2908)	BPF	WL	MC %	Tests or Notes	
961.5	0.0							
961.2	0.3	FILL FILL	FILL: Silty Sand, fine- to medium-grained, trace roots and Gravel, dark brown, moist. (Topsoil Fill) FILL: Silty Sand, fine- to coarse-grained, with Gravel, brown, moist.	23		6	P200=13% See Grain Size Curve.	
				10				
954.5	7.0	PT	PEAT, fibrous to decomposed, dark brown and black, wet. (Swamp Deposit)	2		404		
950.5	11.0		END OF BORING. Water not observed with 9 1/2 feet of hollow stem auger in the ground. Boring immediately backfilled.	2		65		

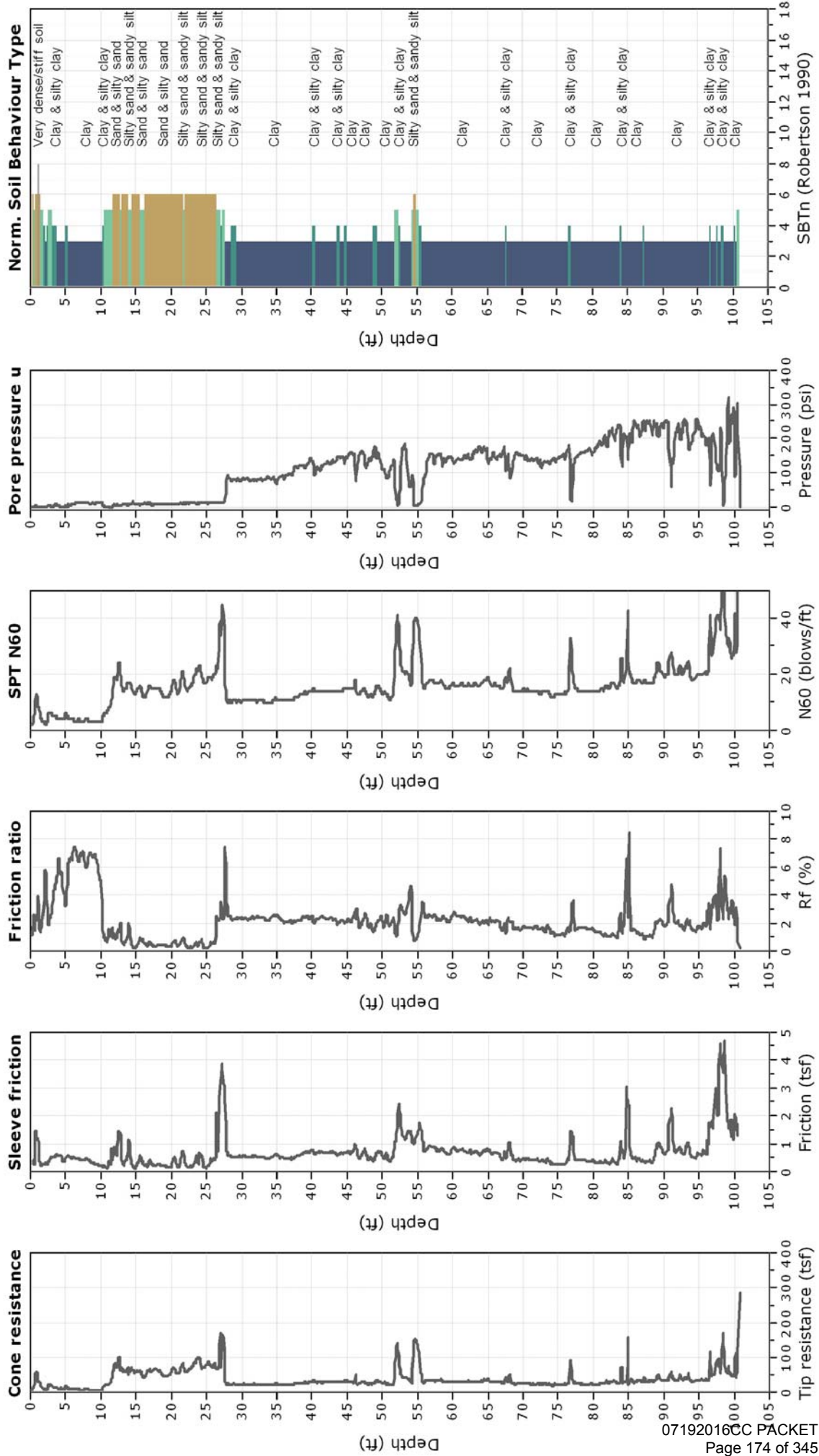
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Braun Intertec Corporation
11001 Hampshire Ave S
Minneapolis, MN 55438
952-995-2000

CPT: CPT-1
Total depth: 100.94 ft, Date: 12/4/2015
Surface Elevation: 960.98 ft
Coords: X:464778.95, Y:167921.62
Cone Type: SCPTu 4444.164.E
Cone Operator: Holmbo

Project: Wayzata Cell Tower
Location: Wayzata, MN
Project Number: B1508880.00



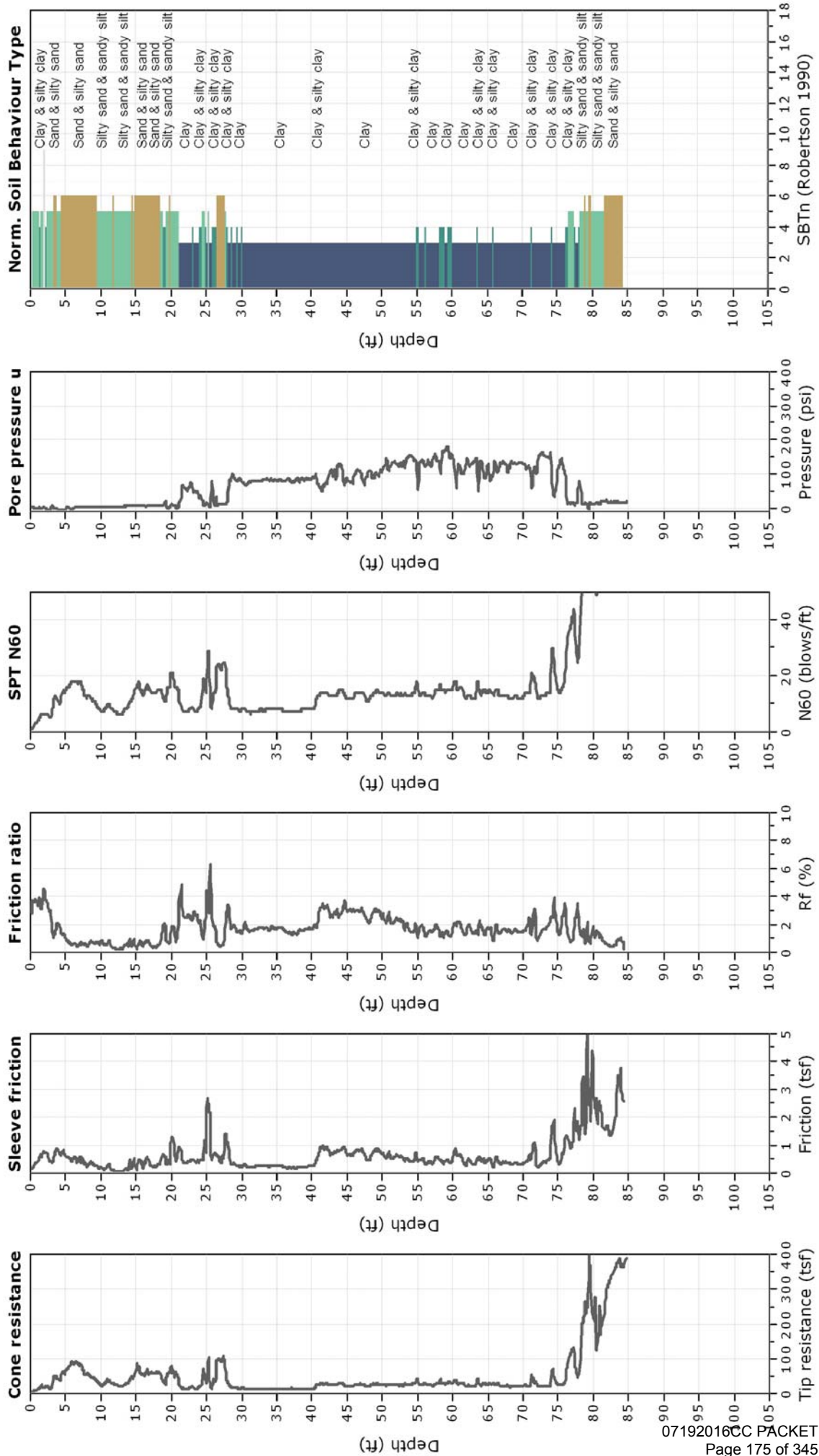


Braun Intertec Corporation
11001 Hampshire Ave S
Minneapolis, MN 55438
952-995-2000

CPT: CPT-2
Total depth: 84.66 ft, Date: 12/4/2015
Surface Elevation: 961.15 ft
Coords: X:464338.98, Y:167980.56
Cone Type: SCPTu 4444.164.E
Cone Operator: Holmbo

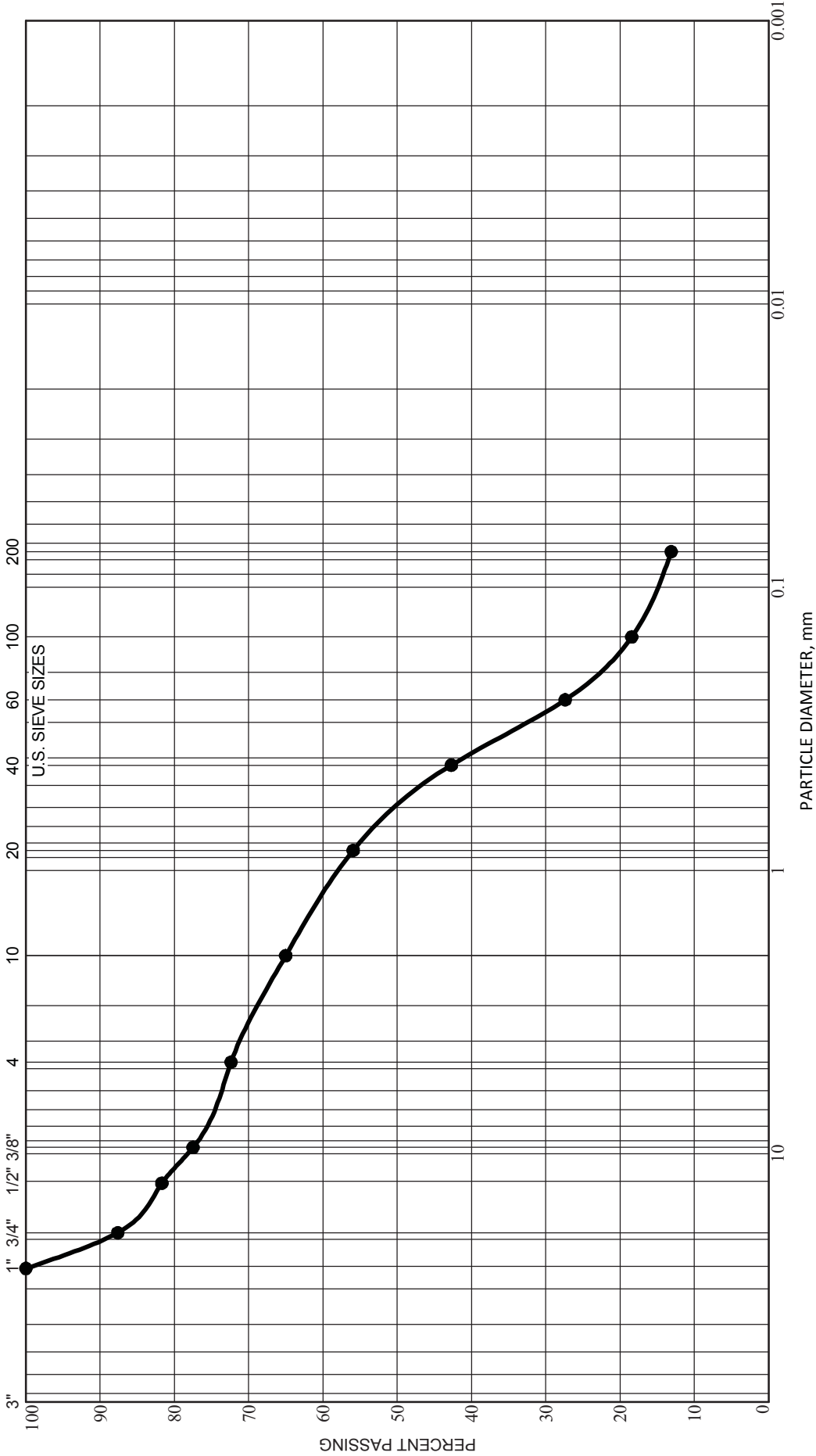
Project: Wayzata Cell Tower
Location: Wayzata, MN

Project Number: B1508880.00



GRAIN SIZE ACCUMULATION CURVE (ASTM)

GRAVEL		SAND			FINES	
COARSE	FINE	COARSE	MEDIUM	FINE	SILT	CLAY

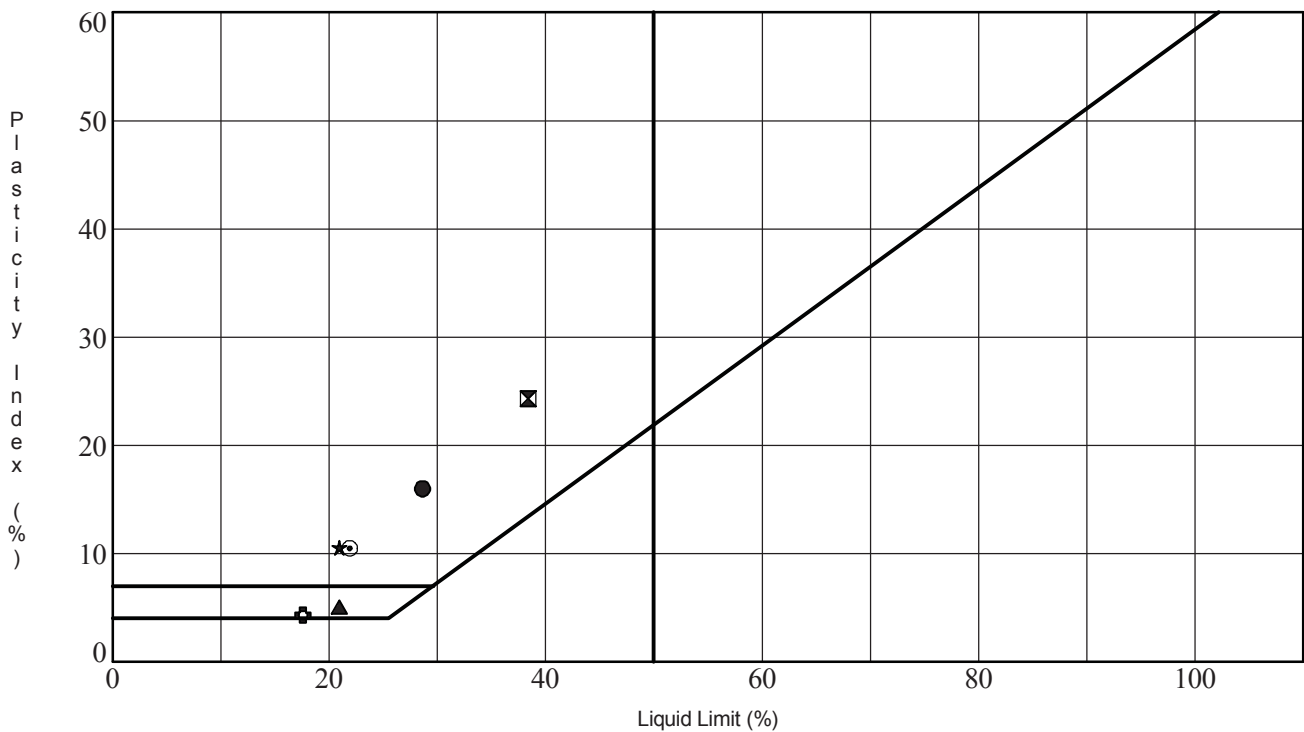


Braun Project B1508880
SOIL BORINGS AND LABORATORY TESTING
Wayzata Cell Tower
149 Barry Avenue North
Wayzata, Minnesota
BORING: B-5 DEPTH: 2.5'

CLASSIFICATION:
SILTY SAND(SM)

GRAVEL
SAND
FINES
D60=1.246
D30=0.274
D10=
Cu=
Cc=

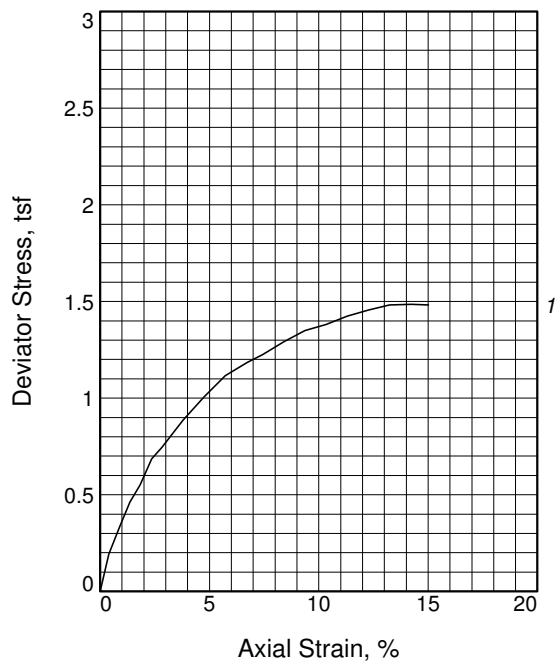
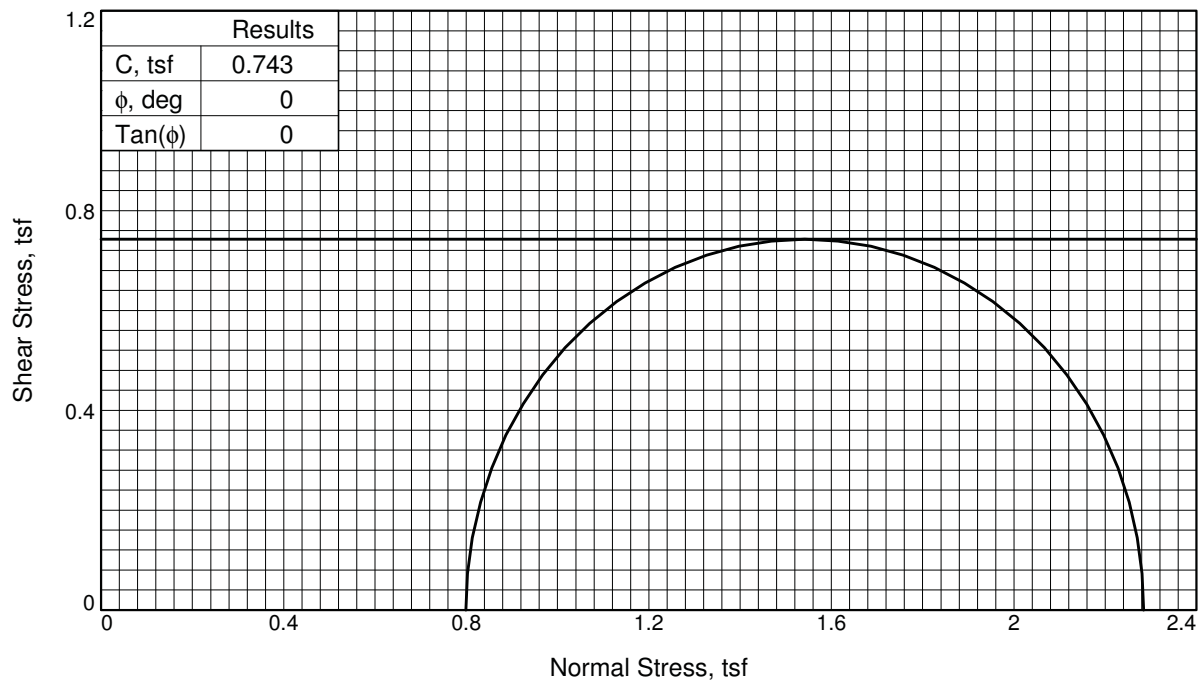


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Braun Project B1508880
SOIL BORINGS AND LABORATORY TESTING
Wayzata Cell Tower
149 Barry Avenue North
Wayzata, Minnesota

ATTERBERG LIMITS RESULTS

BRAUN
INTERTEC



Sample No.		1
Initial	Water Content, %	18.5
	Dry Density, pcf	112.5
	Saturation, %	100.0
	Void Ratio	0.4989
	Diameter, in.	1.402
	Height, in.	2.796
At Test	Water Content, %	18.5
	Dry Density, pcf	112.5
	Saturation, %	100.0
	Void Ratio	0.4989
	Diameter, in.	1.402
	Height, in.	2.796
Strain rate, %/min.		1.00
Back Pressure, tsf		0.00
Cell Pressure, tsf		0.80
Fail. Stress, tsf		1.49
Ult. Stress, tsf		1.48
σ_1 Failure, tsf		2.28
σ_3 Failure, tsf		0.80

Type of Test:

Unconsolidated Undrained

Sample Type: Thinwall

Description: SANDY LEAN CLAY, brown (CL)

Assumed Specific Gravity= 2.70

Remarks: UU Triax ASTM D 2850

Client: SEH, Inc.

Project: Wayzata Cell Tower

149 Barry Avenue North, Wayzata, MN

Sample Number: B-4

Depth: 20-22'

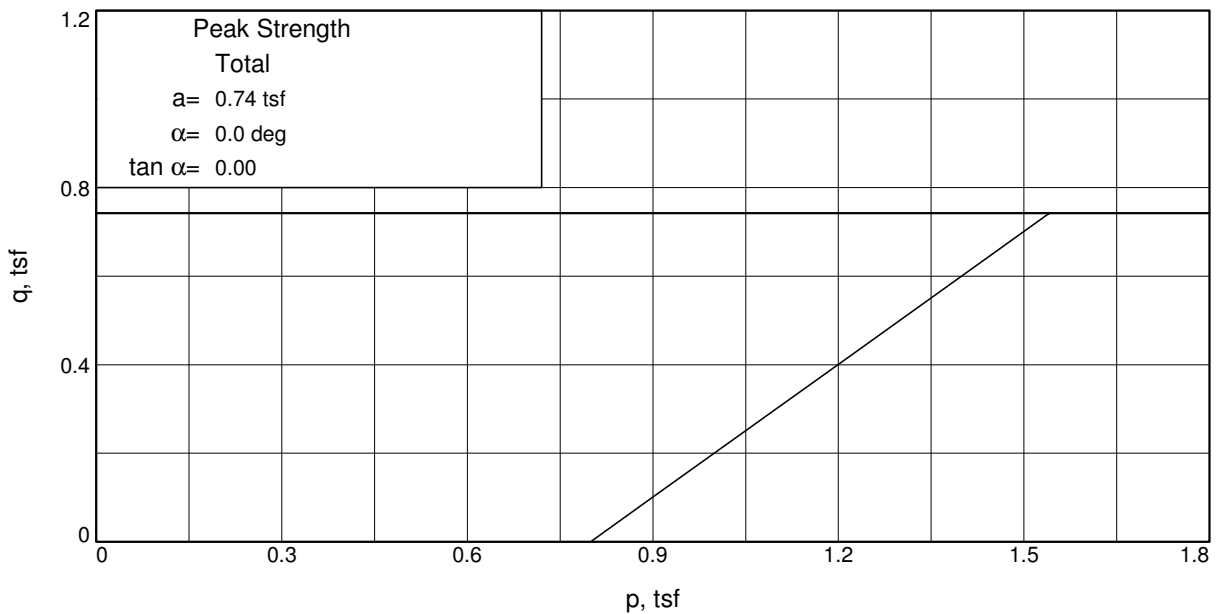
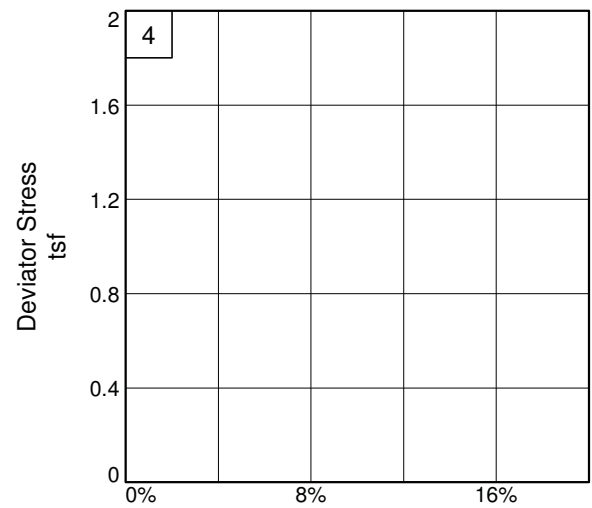
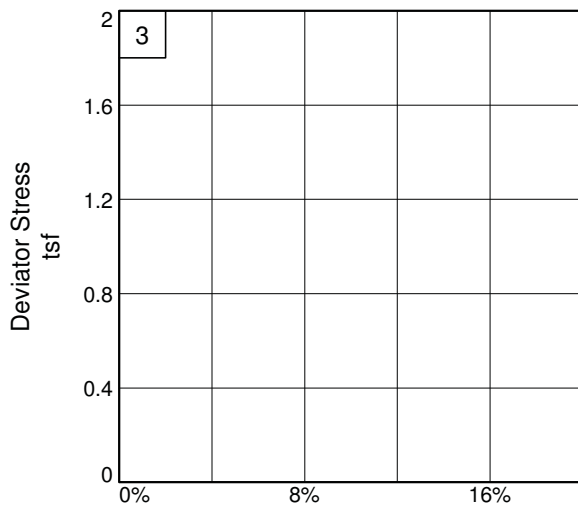
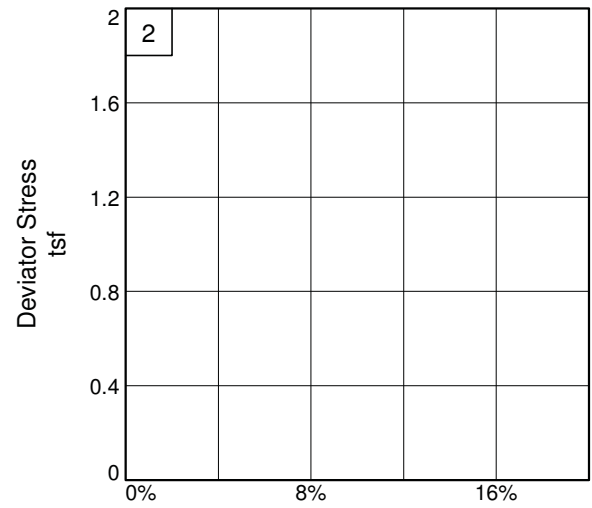
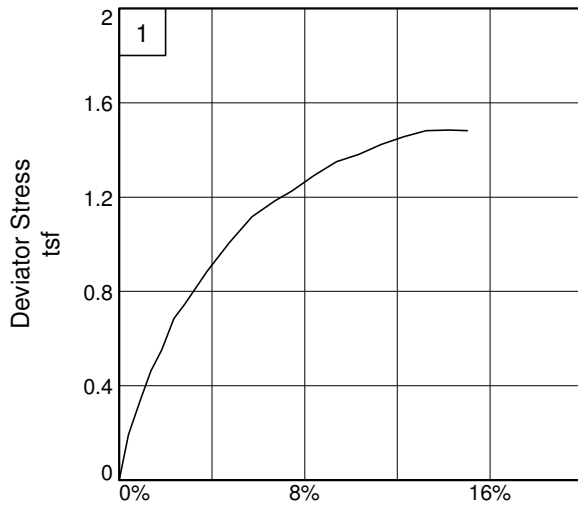
Proj. No.: B1508880

Date Sampled: 12/4/15

BRAUN
INTERTEC

07192016CC PACKET

Figure 1



Client: SEH, Inc.

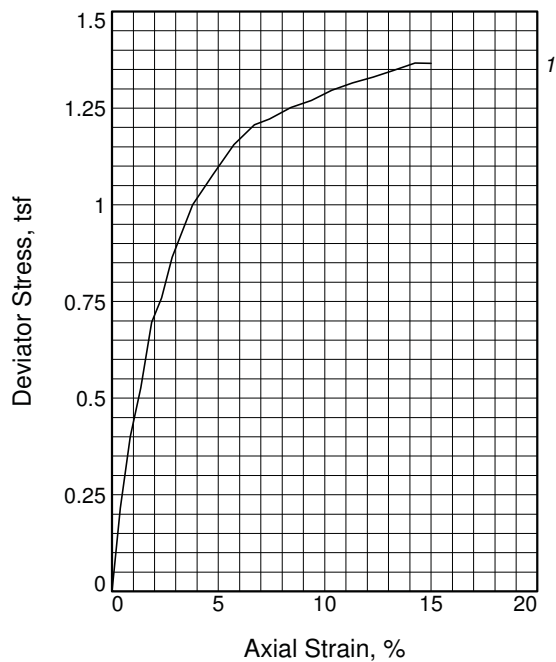
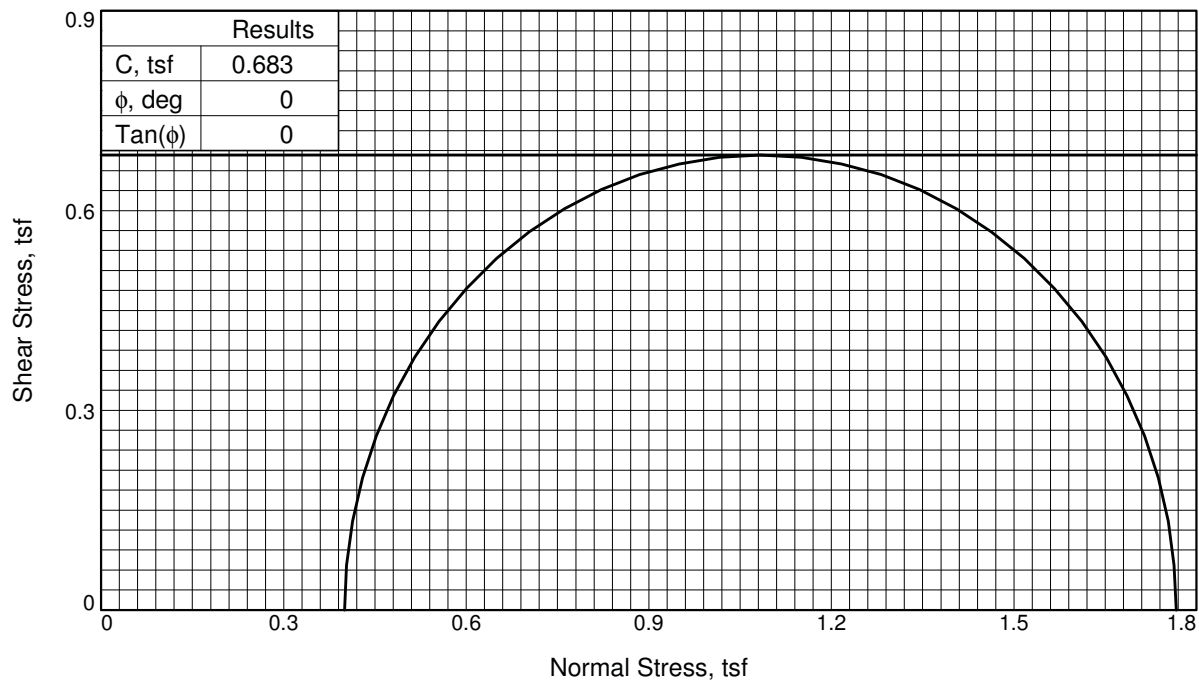
Project: Wayzata Cell Tower

Depth: 20-22' **Sample Number:** B-4

Project No.: B1508880

Figure _____

Braun Intertec
CHIEF ENGINEER PACKET
 Page 470 of 245



Sample No.		1
Initial	Water Content, %	18.5
	Dry Density, pcf	112.1
	Saturation, %	99.4
	Void Ratio	0.5030
	Diameter, in.	1.400
	Height, in.	2.795
At Test	Water Content, %	18.5
	Dry Density, pcf	112.1
	Saturation, %	99.4
	Void Ratio	0.5030
	Diameter, in.	1.400
	Height, in.	2.795
Strain rate, %/min.		1.00
Back Pressure, tsf		0.00
Cell Pressure, tsf		0.40
Fail. Stress, tsf		1.37
Ult. Stress, tsf		1.37
σ_1 Failure, tsf		1.77
σ_3 Failure, tsf		0.40

Type of Test:

Unconsolidated Undrained

Sample Type: Thinwall

Description: SANDY LEAN CLAY, brown (CL)

LL= 29 **PL=** 13 **PI=** 16

Assumed Specific Gravity= 2.70

Remarks: UU Triax ASTM D 2850

Client: SEH, Inc.

Project: Wayzata Cell Tower

149 Barry Avenue North, Wayzata, MN

Sample Number: B-4

Depth: 20-22'

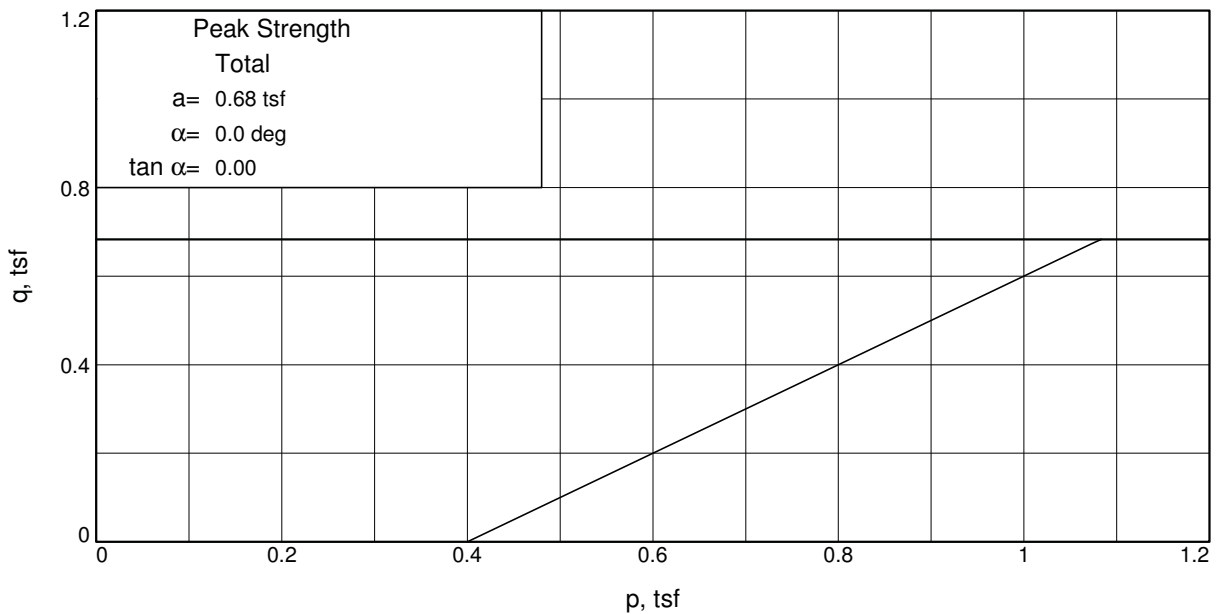
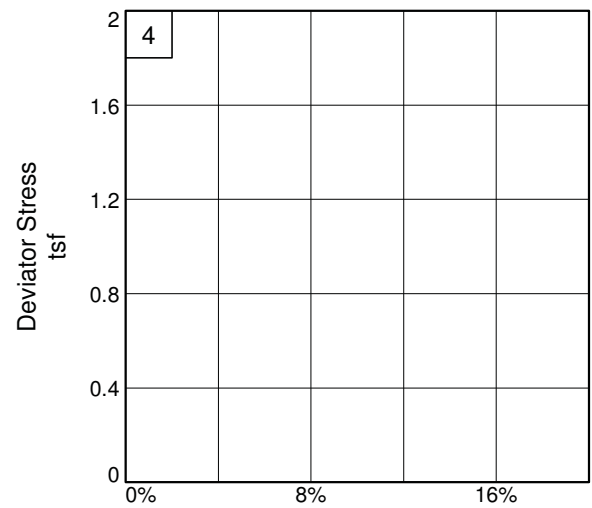
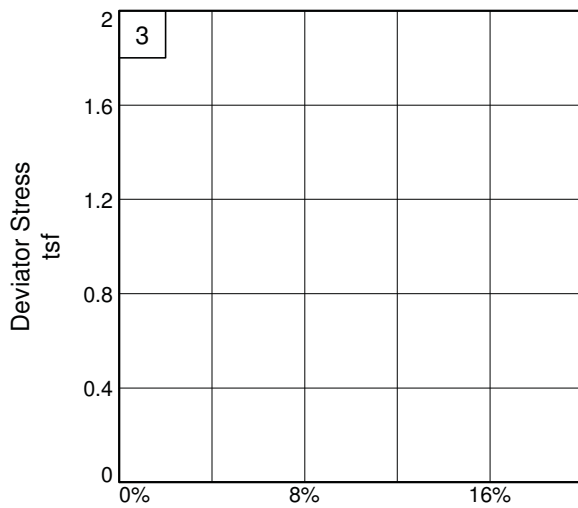
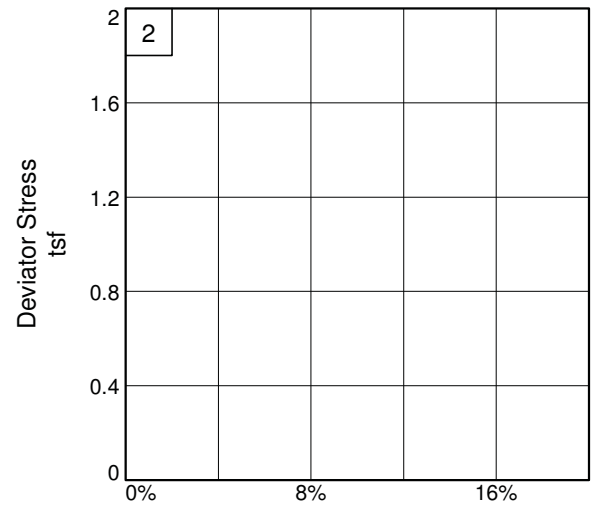
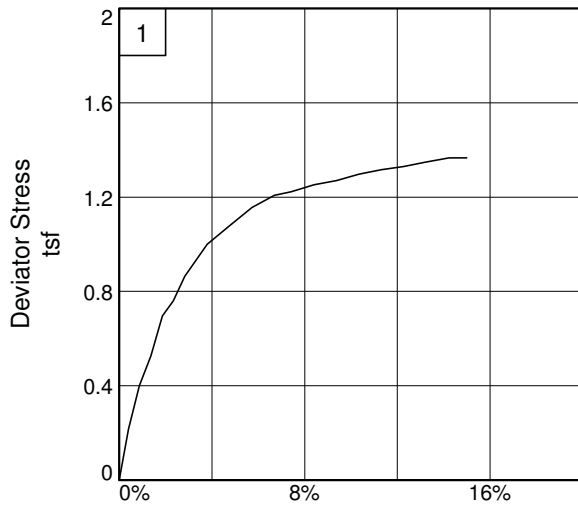
Proj. No.: B1508880

Date Sampled: 12/4/15

BRAUN
INTERTEC

07192016CC PACKET

Figure 3



Client: SEH, Inc.

Project: Wayzata Cell Tower

Depth: 20-22' **Sample Number:** B-4

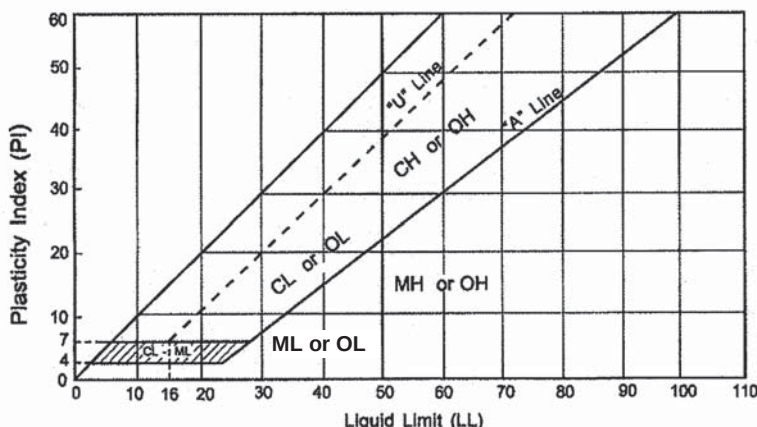
Project No.: B1508880

Figure 4



Criteria for Assigning Group Symbols and Group Names Using Laboratory Tests ^a					Soils Classification	
					Group Symbol	Group Name ^b
Coarse-grained Soils more than 50% retained on No. 200 sieve	Gravels More than 50% of coarse fraction retained on No. 4 sieve	Clean Gravels Less than 5% fines ^e	$C_u \geq 4$ and $1 \leq C_c \leq 3$ ^c	GW	Well-graded gravel ^d	
			$C_u < 4$ and/or $1 > C_c > 3$ ^c	GP	Poorly graded gravel ^d	
		Gravels with Fines More than 12% fines ^e	Fines classify as ML or MH	GM	Silty gravel ^{d f g}	
			Fines classify as CL or CH	GC	Clayey gravel ^{d f g}	
	Sands 50% or more of coarse fraction passes No. 4 sieve	Clean Sands Less than 5% fines ⁱ	$C_u \geq 6$ and $1 \leq C_c \leq 3$ ^c	SW	Well-graded sand ^h	
			$C_u < 6$ and/or $1 > C_c > 3$ ^c	SP	Poorly graded sand ^h	
		Sands with Fines More than 12% ⁱ	Fines classify as ML or MH	SM	Silty sand ^{f g h}	
			Fines classify as CL or CH	SC	Clayey sand ^{f g h}	
Fine-grained Soils 50% or more passed the No. 200 sieve	Silts and Clays Liquid limit less than 50	Inorganic	PI > 7 and plots on or above "A" line ^j	CL	Lean clay ^{k l m}	
			PI < 4 or plots below "A" line ^j	ML	Silt ^{k l m}	
		Organic	Liquid limit - oven dried < 0.75	OL	Organic clay ^{k l m n}	
			Liquid limit - not dried < 0.75	OL	Organic silt ^{k l m o}	
	Silts and clays Liquid limit 50 or more	Inorganic	PI plots on or above "A" line	CH	Fat clay ^{k l m}	
			PI plots below "A" line	MH	Elastic silt ^{k l m}	
		Organic	Liquid limit - oven dried < 0.75	OH	Organic clay ^{k l m p}	
			Liquid limit - not dried < 0.75	OH	Organic silt ^{k l m q}	
Highly Organic Soils		Primarily organic matter, dark in color and organic odor		PT	Peat	

- Based on the material passing the 3-inch (75mm) sieve.
- If field sample contained cobbles or boulders, or both, add "with cobbles or boulders or both" to group name.
- $C_u = D_{60}/D_{10}$, $C_c = (D_{30})^2 / (D_{10} \times D_{60})$
- If soil contains $\geq 15\%$ sand, add "with sand" to group name.
- Gravels with 5 to 12% fines require dual symbols:
GW-GM well-graded gravel with silt
GW-GC well-graded gravel with clay
GP-GM poorly graded gravel with silt
GP-GC poorly graded gravel with clay
- If fines classify as CL-ML, use dual symbol GC-GM or SC-SM.
- If fines are organic, add "with organic fines" to group name.
- If soil contains $\geq 15\%$ gravel, add "with gravel" to group name.
- Sand with 5 to 12% fines require dual symbols:
SW-SM well-graded sand with silt
SW-SC well-graded sand with clay
SP-SM poorly graded sand with silt
SP-SC poorly graded sand with clay
- If Atterberg limits plot in hatched area, soil is a CL-ML, silty clay.
- If soil contains 10 to 29% plus No. 200, add "with sand" or "with gravel" whichever is predominant.
- If soil contains $\geq 30\%$ plus No. 200, predominantly sand, add "sandy" to group name.
- If soil contains $\geq 30\%$ plus No. 200, predominantly gravel, add "gravelly" to group name.
- PI ≥ 4 and plots on or above "A" line.
- PI < 4 or plots below "A" line.
- PI plots on or above "A" lines.
- PI plots below "A" line.



Laboratory Tests

DD	Dry density, pcf	OC	Organic content, %
WD	Wet density, pcf	S	Percent of saturation, %
MC	Natural moisture content, %	SG	Specific gravity
LL	Liquid limit, %	C	Cohesion, psf
PL	Plastic limits, %	ϕ	Angle of internal friction
PI	Plasticity index, %	qu	Unconfined compressive strength, psf
P200	% passing 200 sieve	qp	Pocket penetrometer strength, tsf

Particle Size Identification

Boulders.....	over 12"
Cobbles	3" to 12"
Gravel	
Coarse	3/4" to 3"
Fine.....	No. 4 to 3/4"
Sand	
Coarse	No. 4 to No. 10
Medium	No. 10 to No. 40
Fine.....	No. 40 to No. 200
Silt	<No. 200, PI < 4 or below "A" line
Clay	<No. 200, PI ≥ 4 and on or about "A" line

Relative Density of Cohesionless Soils

Very Loose.....	0 to 4 BPF
Loose.....	5 to 10 BPF
Medium dense	11 to 30 BPF
Dense	31 to 50 BPF
Very dense.....	over 50 BPF

Consistency of Cohesive Soils

Very soft.....	0 to 1 BPF
Soft	2 to 3 BPF
Rather soft	4 to 5 BPF
Medium	6 to 8 BPF
Rather stiff	9 to 12 BPF
Stiff	13 to 16 BPF
Very stiff.....	17 to 30 BPF
Hard	over 30 BPF

Drilling Notes

Standard penetration test borings were advanced by 3 1/4" or 6 1/4" ID hollow-stem augers, unless noted otherwise. Jetting water was used to clean out auger prior to sampling only where indicated on logs. All samples were taken with the standard 2" OD split-tube samples, except where noted.

Power auger borings were advanced by 4" or 6" diameter continuous flight, solid-stern augers. Soil classifications and strata depths were inferred from disturbed samples augered to the surface, and are therefore, somewhat approximate.

Hand auger borings were advanced manually with a 1 1/2" or 3 1/4" diameter auger and were limited to the depth from which the auger could be manually withdrawn.

BPF: Numbers indicate blows per foot recorded in standard penetration test, also known as "N" value. The sampler was set 6" into undisturbed soil below the hollow-stem auger. Driving resistances were then counted for second and third 6" increments, and added to get BPF. Where they differed significantly, they are reported in the following form: 2/12 for the second and third 6" increments, respectively.

WH: WH indicates the sampler penetrated soil under weight of hammer and rods alone; driving not required.

WR: WR indicates the sampler penetrated soil under weight of rods alone; hammer weight, and driving not required.

TW: TW indicates thin-walled (undisturbed) tube sample.

Note: All tests were run in general accordance with applicable ASTM standards.

This document accompanies Cone Penetration Test Data. Please refer to the Boring Log Descriptive Terminology Sheet for information relevant to conventional v. Cone Penetration Test (CPT) boring logs.

Cone Penetration Test (CPT) sounding was performed in general accordance with ASTM D 5778 and consistent with the ordinary degree of care and skill used by reputable practitioners of the same discipline currently practicing under similar circumstances and in the same locality. No warranty, express or implied, is made.

Since subsurface conditions outside each CPT sounding are unknown, and soil, rock and pore water conditions cannot be relied upon to be consistent or uniform, no warranty is made that conditions adjacent to each sounding will necessarily be the same as or similar to those shown on this log. Braun Intertec is not responsible for any interpretations, assumptions, projections or interpolations of the data made by others.

Pore water pressure measurements and subsequently interpreted water levels shown on CPT logs should be used with discretion as they represent dynamic conditions. Dynamic pore water pressure measurements may deviate substantially from hydrostatic conditions, especially in cohesive soils. In cohesive soils, pore water pressures often take an extended time to reach equilibrium and thus reflect their true field level. Groundwater levels can be expected to vary both seasonally and yearly. The absence of notations on this log regarding water does not necessarily mean that groundwater is not present to the depth explored, or that a contractor will not encounter groundwater during excavation or construction.

CPT Terminology

CPT..... Cone Penetration Test
CPTU..... Cone Penetration Test with Pore Pressure measurements
SCPTU..... Cone Penetration Test with Pore Pressure and Seismic measurements
Piezocone...Common name for CPTU test
 Q_T normalized cone resistance
 B_q pore pressure ratio
 F_r normalized friction ratio
 σ_{vo} overburden pressure
 σ'_{vo} effective overburden pressure

q_T TIP RESISTANCE

The resistance at the cone corrected for water pressure. Data is from cone with a 60 degree apex angle and a 15 cm² end area.

f_s SLEEVE FRICTION RESISTANCE

The resistance along the sleeve of the penetrometer.

F_r Friction Ratio

Ratio of sleeve friction over corrected tip resistance.
 $F_r = f_s/q_t$

V_s Shear Wave Velocity

A measure of the speed at which a seismic wave travels through soil/rock.

SBT SOIL BEHAVIOR TYPE

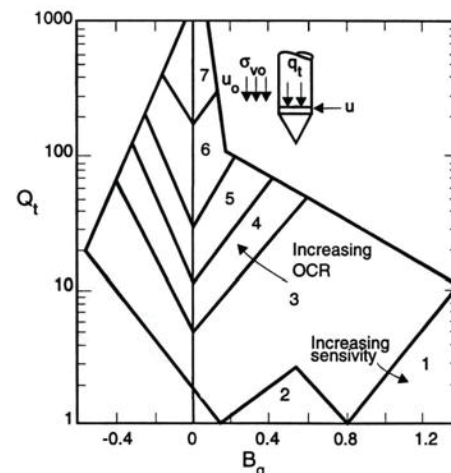
Soil Identification methods for the Cone Penetration Test are based on correlation charts developed from observations of CPT data and conventional borings. Please note that these identification charts are provided as a guide to Soil Behavior Type and should not be used to infer a soil classification based on grain size distribution.

Engineering judgment and comparison with augered borings is especially important in the proper interpretation of CPT data in certain geo-materials.

The following charts provide a Soil Behavior Type for the CPT Data. The numbers corresponding to different regions on the charts represent the following soil behavior types:

Soil Behavior Type based on pore pressure

Soil Behavior Type based on pore pressure



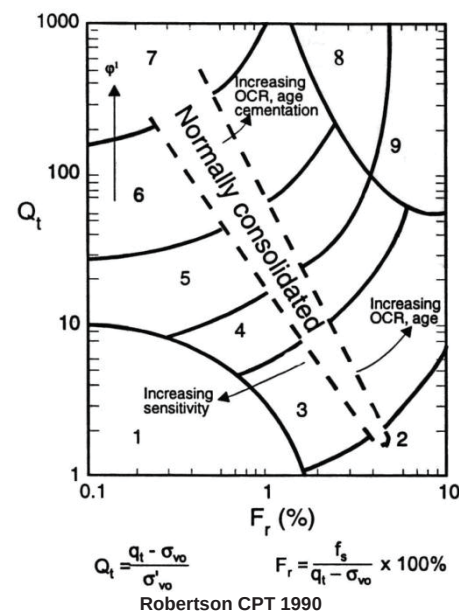
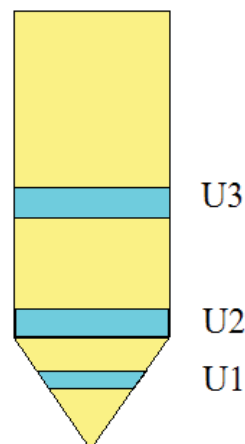
$$Q_t = \frac{q_t - \sigma_{vo}}{\sigma'_{vo}} \quad B_q = \frac{u_2 - u_0}{q_t - \sigma_{vo}}$$

Robertson CPT 1990

- 1 Sensitive, Fine Grained
- 2 Organic Soils - Peat
- 3 Clays - Clay to Silty Clay
- 4 Silt Mixtures - Clayey Silt to Silty Clay
- 5 Sand Mixtures - Silty Sand to Sandy Silt
- 6 Sands - Clean Sand to Silty Sand
- 7 Gravelly Sand to Sand
- 8 Very Stiff Sand to Clayey Sand
- 9 Very Stiff, Fine Grained

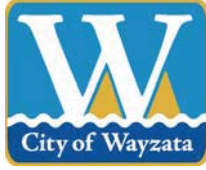
U2 PORE WATER MEASUREMENTS

Pore water measurements reported on CPT logs are representative of pore water pressures measured at the U2 location, just behind the cone tip, prior to the sleeve, as shown in the figure below. These measurements are considered to represent dynamic pore water pressures due to the local disturbance caused by the cone tip. Dynamic pore water pressure decay and static pore water pressure measurements are reported on a Pore Water Pressure Dissipation Graph.



$$Q_t = \frac{q_t - \sigma_{vo}}{\sigma'_{vo}} \quad F_r = \frac{f_s}{q_t - \sigma_{vo}} \times 100\%$$

Robertson CPT 1990



**Planning Report
City Council
July 19, 2016**

Project Name: Meyer Place on Ferndale
Applicant Homestead Partners, LLC
Addresses of Request: 105 Lake Street E
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: July 26, 2016

Introduction

The applicant, Homestead Partners, and the property owner, Meyer Properties have submitted a development application to redevelop the Meyer Brothers Dairy site at 105 Lake Street E. The development application includes demolition of the existing vacant commercial building and construction of a three story building with a rooftop penthouse for a roof top terrace. The building would include 23 residential condominium units and 59 enclosed parking spaces. The applicant has submitted revised plans for the project, which are included on Attachment A.

City Council Review

The City Council reviewed the development application at its meeting on July 5th. At the meeting, a motion to adopt the resolution denying the project failed. The City Council tabled action on the item until the July 19th meeting. Since the July 5th Council review, the applicant has submitted revised plans for the design of the building. There have been no changes to the site plan, number of condominium units, or overall size of the building. The proposed changes are to the design of the exterior elevations, including adding additional windows and patio doors with railings on the north elevation. The applicant has also provided two exterior color options for the building.

Additional Public Comments

Since the July 5th City Council meeting, the City received a petition from the Edgewood Court neighborhood regarding the project. The petition is included in the public comments attached to this report.

Development Application

Property Information

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

Address	PID	Owner
105 Lake Street E	06-117-22-23-0034	Meyer Properties

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

Current zoning:	C-4A/Limited Central Business District
Comp plan designation:	Central Business District
Total site area:	42,943 square feet (0.99 acres)

Project Location

The property is located on the northeast corner of the Lake St E/Ferndale Rd S intersection.

Map 1: Project Location



Application Requests

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

- A. Rezoning from C-4A to PUD/Planned Unit Development: The property is currently zoned C-4A, and the applicant is requesting a rezoning to PUD.

- B. Concurrent PUD Concept and General Plan of Development Review: A rezoning to PUD requires both concept and general plan of development review. The applicant is requesting concurrent review of both the concept plan and general plan.
- C. Design Review: Construction of a new building requires design review by City Code Section 801.09.1.5.
- D. Conditional Use Permit for the penthouse structure: The zoning ordinance establishes a maximum height of 40 feet for mechanical spaces and elevator penthouses. The proposed building includes a penthouse structure to serve a rooftop terrace which would be 13 feet above the roof the building with a total height of 48 feet. This requires a conditional use permit.

Adjacent Land Uses.

The following table outlines the uses, zoning, and Comprehensive Plan land use designations for adjacent properties:

Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Ferndale Ridge townhomes	PUD/Planned Unit Development	Medium Density Multiple Family
East	Wayzata Bay Car Wash	C-4A/Limited Central Business District	Central Business District
South	TCF office building	PUD/Planned Unit Development	Central Business District
West	Office building	PUD/Planned Unit Development	Central Business District

Analysis of Application

Comprehensive Plan

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

- Allow a mix of commercial, office, and residential uses that strengthen the CBD as the shopping, employment, and entertainment destination of Wayzata.
- Update development standards continually to assure the highest development quality possible for the Central Business District.

- Complement the CBD and its strong sense of place through land use choices, urban design principles, traffic, parking, and architectural style.
- Investigate strategies to increase retail vitality throughout the CBD. 2.5 Define and evaluate on-street/off-street parking needs consistent with land use, and requirements within the CBD so as to emphasize circulation ease and access control.
- Continue to provide a safe, comfortable, and attractive pedestrian scale environment through the enhancement of the pedestrian circulation system by improving sidewalks, walkways and street furniture; mitigating conflicts with traffic and street intersections, and by providing proper demarcation and sign control.
- Enhance the image and identity of the CBD by emphasizing street trees and landscaping elements.
- Plan for an orderly transition between the CBD development and adjacent residential neighborhoods.
- Accommodate traffic without negatively compromising the integrity of the downtown and its adjacent neighborhoods.
- Consider complementing abutting edges, both residential and retail/commercial.
- Consider public financial support that is fiscally responsible and provides value to the City's infrastructure and community systems.
- Consider ways to assist with redevelopment when properties become a liability to the community.
- Commercial buildings on Lake Street, west of Barry Avenue, should not be required to have a first floor retail use, although it is allowed and encouraged. Transparency requirements under the Lake Street District of the Design Standards remain in effect.
- Identify ecological and water quality impacts on the lake and other water bodies caused by proposed land use developments, for example stormwater runoff, and work to mitigate these impacts.

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

- Plan development of parking so that it is not a focal point but rather placed behind buildings with appropriate buffers and landscaping.

- Adjust City's Zoning Ordinance to address concerns of sun-orientation on southern side of Lake Street by requiring upper story setbacks for all new construction to avoid shading the north side of Lake Street.
- Continue to evaluate ways to encourage a variety of housing options for upper-story housing.
- Consider 3rd story' uses with appropriate considerations for design and scale. Commercial and residential uses are allowed as a third story, but the third story must be set back significantly more from the front facade of the floor below.

Zoning

The Property is currently zoned C-4A/Limited Central Business District. The proposed project deviates from the requirements of the C-4A zoning district. Specifically, the C-4A district has a maximum building height requirement of 30 feet or 2 stories, whichever is less. In addition, the C-4A district requires that at least 50 percent of the building frontage on the Lake Street ground level must be used for retail or service commercial uses, and new buildings on Lake Street must be developed with more than one of the following uses: retail, service, residential, and office. The applicant has requested a rezoning to PUD for two reasons. The first reason is to allow for a taller building than is permitted in the C-4A zoning district. The second reason is that the proposed building would be 100 percent residential use, and would not meet the retail, service, and mixed use requirements of the C-4A zoning district.

The PUD zoning district is an ordinance that can be used to allow for greater flexibility in development by incorporating design modifications from the strict application of the standard zoning district requirements. It is not the intent of the PUD ordinance to not apply any standards to a development project. Rather, it allows modifications of the strict standards for projects that meet a specific purpose, as outlined in "Applicable Code Provisions" section of this report. In addition, the PUD zoning district establishes general standards for a PUD, which are also outlined below.

Building Height

The proposed building would be three stories and 35 feet in height. In addition to the three stories of condominiums, the proposed building also includes a rooftop terrace that would be served by a penthouse structure. The penthouse structure includes an elevator, two staircases for access, a corridor to access the staircase, and bathrooms. The elevator, staircases, and corridor are required by the building code if there is an occupy-able space on the roof. The state building code does not consider a penthouse structure as a story of the building. The height of the building, as defined in the City's zoning ordinance, is measured to the top of a flat roof of the highest story, which would be 35 feet, which complies with the maximum height requirement in the PUD district.

The proposed penthouse structure extends 10 feet above the roof elevation with an additional 3 feet in height for the elevator overrun. The zoning ordinance establishes a maximum building height for mechanical spaces and elevator penthouses of 40 feet or

five feet greater than the maximum building height, whichever is greater. The maximum height for the penthouse structure is therefore 40 feet, which the proposed structure would exceed by 5 feet to the penthouse roof and 8 feet to the elevator overrun. The proposed building requires a conditional use permit for the penthouse structure.

Design Review

The project is subject to the design standards for the Lake Street design district. A updated design review critique of the revised plans is included as Attachment B. The proposed project does not meet several of the design standards. The following summarizes the items that do not meet the design standards. The detailed information is included in the design review critique:

- Building recession: The third level of the proposed building is partially recessed from the second level. The third level along Lake Street is stepped back 10 feet for most, but not the entire length of the Lake Street elevation. The third level along Ferndale is not stepped back from the second level at all. The design standards require the entire third floor to be recessed from the lower floors. In addition, the second story must be recessed for 25 percent of the façade length, and the proposed second story is not recessed from the first level.
- Ground level expression: The proposed building does not include the required elements to distinguish the ground floor from the upper floors.
- Ferndale sidewalk: The proposed site plan includes a 12-foot wide sidewalk along Lake Street that would meet the design standards and the City's Lake Street sidewalk specifications. However, the Ferndale Road streetscape includes a 6-foot wide concrete sidewalk. The design standards require a sidewalk of at least 12 feet in width of exposes aggregate surface along all street frontages. There is not currently a sidewalk along either side of Ferndale Road that the proposed sidewalk could connect to. However, the Ferndale Road sidewalk would still require a deviation from the design standard.
- Mechanical equipment on the roof: The proposed plans include mechanical equipment that would be located on the roof of the building that would be screened by the penthouse structure and a parapet screening wall. The design standards for the Lake Street District state that there may be no mechanical equipment on the roof deck and all such equipment must be located within the interior of the structure.
- Roof color: The proposed building would have a flat roof which would be comprised of a tan colored membrane. The tan color would not meet the design standards which require a dark colored flat roof.

Parking

The City's parking ordinance establishes the minimum number of parking stalls that must be provided in a development. For a multiple family development, the parking

ordinance requires a minimum of two fee-free spaces for each dwelling unit, of which one must be enclosed. The proposed building consists of 23 dwelling units and 59 enclosed parking spaces within an underground parking garage. In addition, there would be 6 guest parking stalls in a surface parking stall located behind the building. The surface parking lot would be screened from the property to the north by a hedge of 8-foot tall arborvitae that would be planted along the north property line. The proposed project provides 2.5 stalls per dwelling unit, plus 6 additional guest parking stalls, which meets the requirements of the City's parking ordinance.

Site Access and Circulation

The proposed site plan includes one driveway access on the east side of the site from Lake Street. The driveway would provide access to the guest surface parking stalls and to the underground parking garage entrance, which would be located along the back side of the building.

Planning Commission Review

The Planning Commission initially reviewed the development application and held the public hearing at its meeting on May 2, 2016. At that time, the applicant was proposing a four story building with the same number of condominium units. Based on the Planning Commission review and feedback, the applicant revised the development plans, which included:

- Increased the building setback from the north property line to meet the 20-foot setback requirement
- Reduced the building height from 4 stories to 3 stories
- Increased the number of underground parking stalls from 48 stalls to 59 stalls
- Relocated surface parking stalls from underneath the upper levels of the building to the back of the building.
- Updated the landscape plans to provide enhanced streetscaping along Lake Street, including a wider sidewalk consisting of the City's sidewalk specifications, additional trees planted with tree grates, and enhanced landscaping along the ground level of the building and at the building entrance.

The Planning Commission reviewed the revised plans at its meeting on June 6th. The Planning Commission provided positive feedback regarding the changes that the applicant made to the project, but continued to express concerns about the height of the building, density of the project, overall design of the building, and justification of all of the deviations from the design standards. The Planning Commission also discussed not including retail and service uses on the first floor of the building. Based on their concerns, on June 20th, the Planning Commission voted five (5) in favor and zero (0) opposed to adopt a Report and Recommendation recommending denial of the project.

Public Comments

City staff sent public hearing notices to 210 surrounding property owners, and we received several email correspondence on the project. The public comments were all

received prior to the May 2nd Planning Commission public hearing. The comments are included in the attachments.

Applicable Code Provisions for Review

Amendments to Zoning Ordinance (Section 801.03.2.F): City Council has the discretion and authority under state law and City Code to amend the City's Zoning Ordinance. Minn. Stat. Section 462.357; Wayzata City Code Section 801.03. A zoning ordinance amendment may be initiated by the governing body, the planning agency or by petition of affected property owners. Minn. Stat. Section 462.357, Subd. 4. In considering a proposed amendment to the Zoning Ordinance, the Planning Commission and City Council shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:

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

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

- A. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.

- B. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
- C. More convenience in location and design of development and service facilities.
- D. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
- E. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
- F. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
- G. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
- H. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.

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

- A. Health Safety and Welfare. In reviewing the PUD application, the Council shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area.
- B. Intent and Purpose of PUDs. In reviewing the PUD application, the Council shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the Zoning Ordinance.
- C. Ownership. Applicant/s must own all of the property to be included in the PUD.
- D. Comprehensive Plan. The PUD project must be consistent with the City's Comprehensive Plan.
- E. Sanitary Sewer Plan. The PUD project must be consistent with the City's Sanitary Sewer Plan.
- F. Common Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.

- G. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
- H. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
- I. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
- J. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
- K. Setbacks. The front, rear and side yard restrictions on the periphery of the PUD shall be the same as imposed in the respective districts.

Concurrent PUD Plan – 801.33.5. In cases of single stage PUDs or for projects of limited size and scope, the applicant may, at the discretion of the Zoning Administrator, submit the General Plan of Development for the proposed PUD simultaneously with the submission of a Concept Plan. The applicant shall comply with all provisions of this section applicable to submission of General Plan of Development. The Planning Commission and City Council shall consider such plans simultaneously and shall grant or deny a General Plan of Development in accordance with the provisions of Section 801.33.6 hereof.

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

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

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

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

Action Steps

The City Council should consider one of the following action steps:

- 1) Adopt draft Resolution No. 23-2016, which denies the PUD, Rezoning, Project Design, and Conditional Use Permit for the Meyer Place on Ferndale project at 105 Lake St E.
- 2) If the Council would like to consider approving the project, City staff recommends that the City Council direct staff to prepare a draft resolution and ordinance for approval of the project, for consideration at the next City Council meeting.

The 120-day deadline for the project expires on July 26, 2016. If the City Council wants to consider a draft approval resolution and ordinance, or if the Council wants to table action on the application, the City will need an extension of the 120 day deadline from the applicant.

Attachments

- Attachment A: Revised Plans
- Attachment B: Design Review Critique
- Attachment C: Public Comments
- Attachment D: May 2, 2016 Planning Commission Meeting Minutes

- Attachment E: June 6, 2016 Planning Commission Meeting Minutes
- Attachment F: Draft June 20, 2016 Planning Commission Meeting Minutes
- Attachment F: Planning Commission Report and Recommendation
- Attachment G: Draft City Council Resolution No. 23-2016



COLOR OPTION A



COLOR OPTION B

7/14/16



VIEW FROM NORTHEAST CORNER

7/14/16



VIEW FROM NORTHWEST CORNER

7/14/16



VIEW FROM LAKE ST AND FERNDALE

7/14/16



VIEW FROM LAKE ST AND FERNDALE

6/28/16



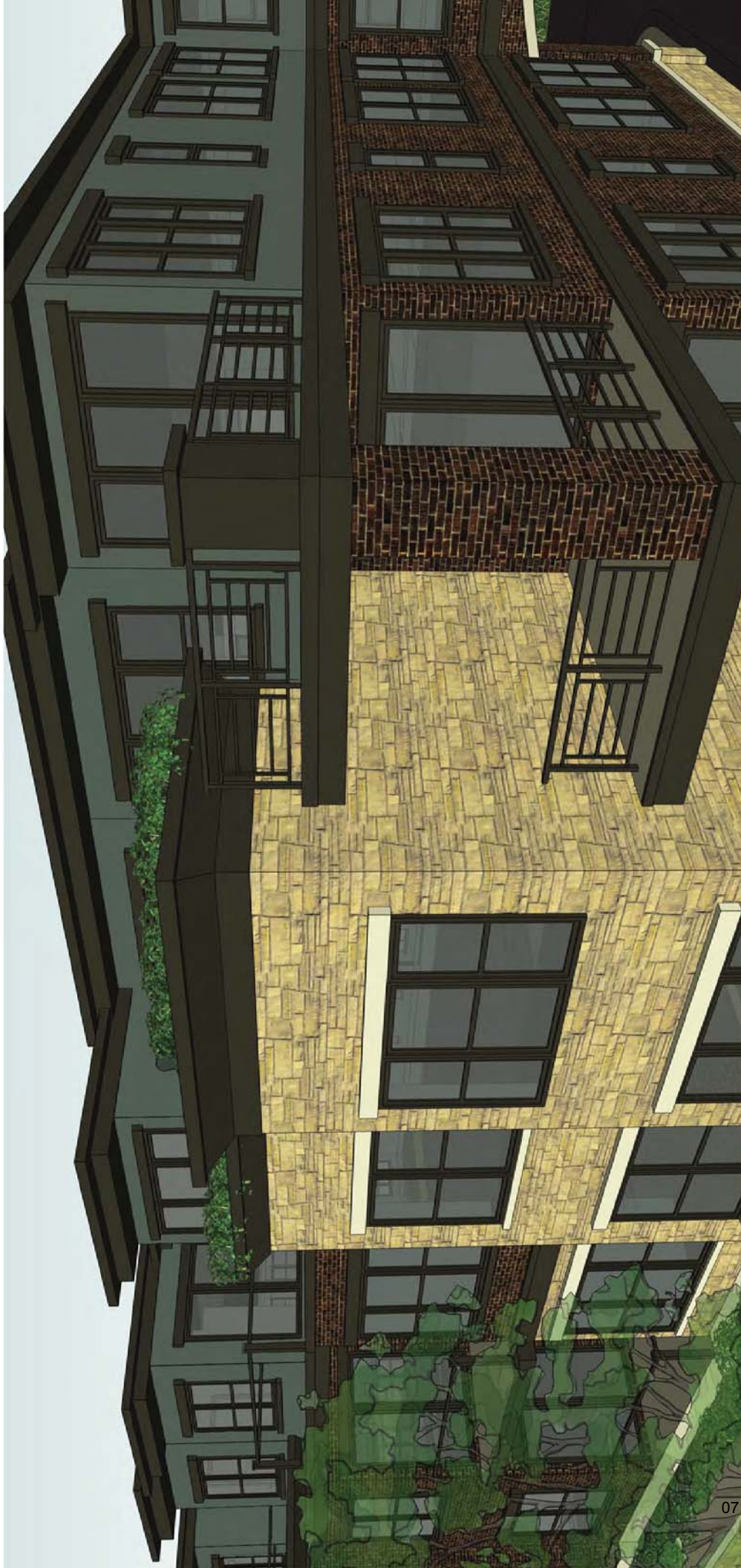
VIEW FROM SOUTHEAST CORNER

6/28/16



VIEW AT MAIN ENTRANCE

6/28/16



DETAIL VIEW AT SOUTHEAST CORNER

6/28/16



VIEW FROM NORTHEAST CORNER

6/28/16



CURRENT DESIGN 6/28



PREVIOUS DESIGN 5/26

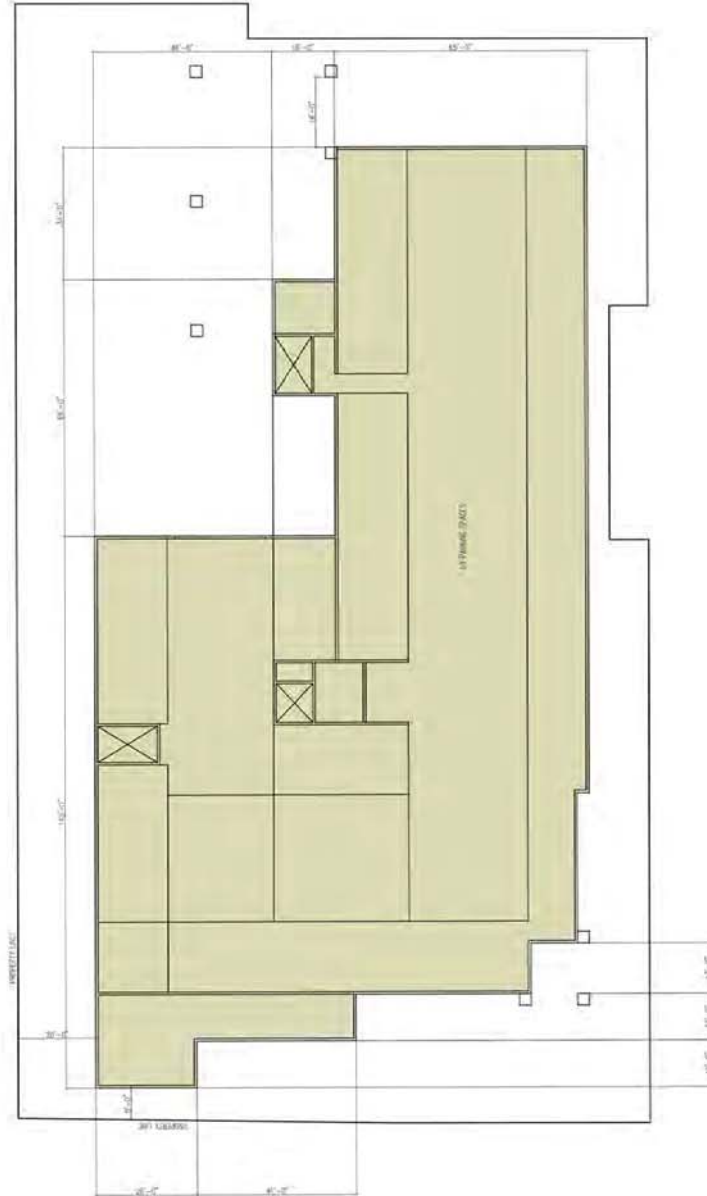
6/28/16



SITE PLAN

6/28/16

JMS CUSTOM HOMES MEYER PLACE ON FERNDALE WHITTEN ASSOCIATES, INC.





PARKING LEVEL PLAN
1/32"=1'-0"

6/27/16



SECOND LEVEL PLAN
1/32"=1'-0"

6/27/16

JMS CUSTOM HOMES MEYER PLACE ON FERNDALE WHITTEN ASSOCIATES, INC.





ROOF PLAN
1/32"=1'-0"

6/27/16



SOUTH ELEVATION

6/28/16



WEST ELEVATION

6/28/16

NORTH ELEVATION

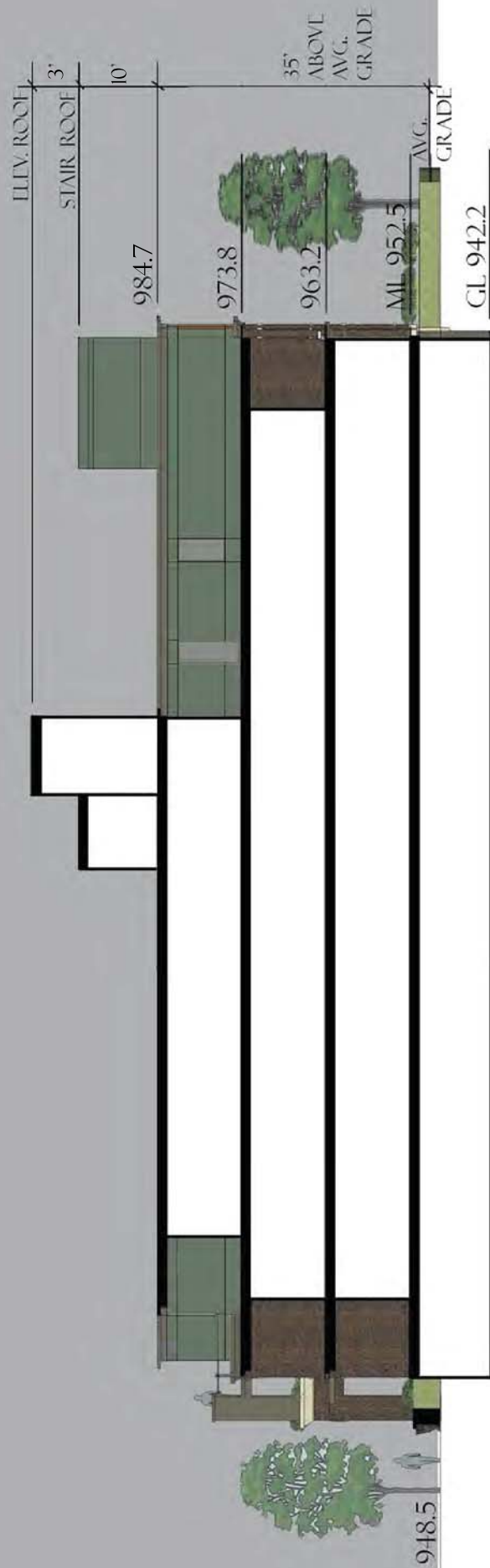
6/28/16





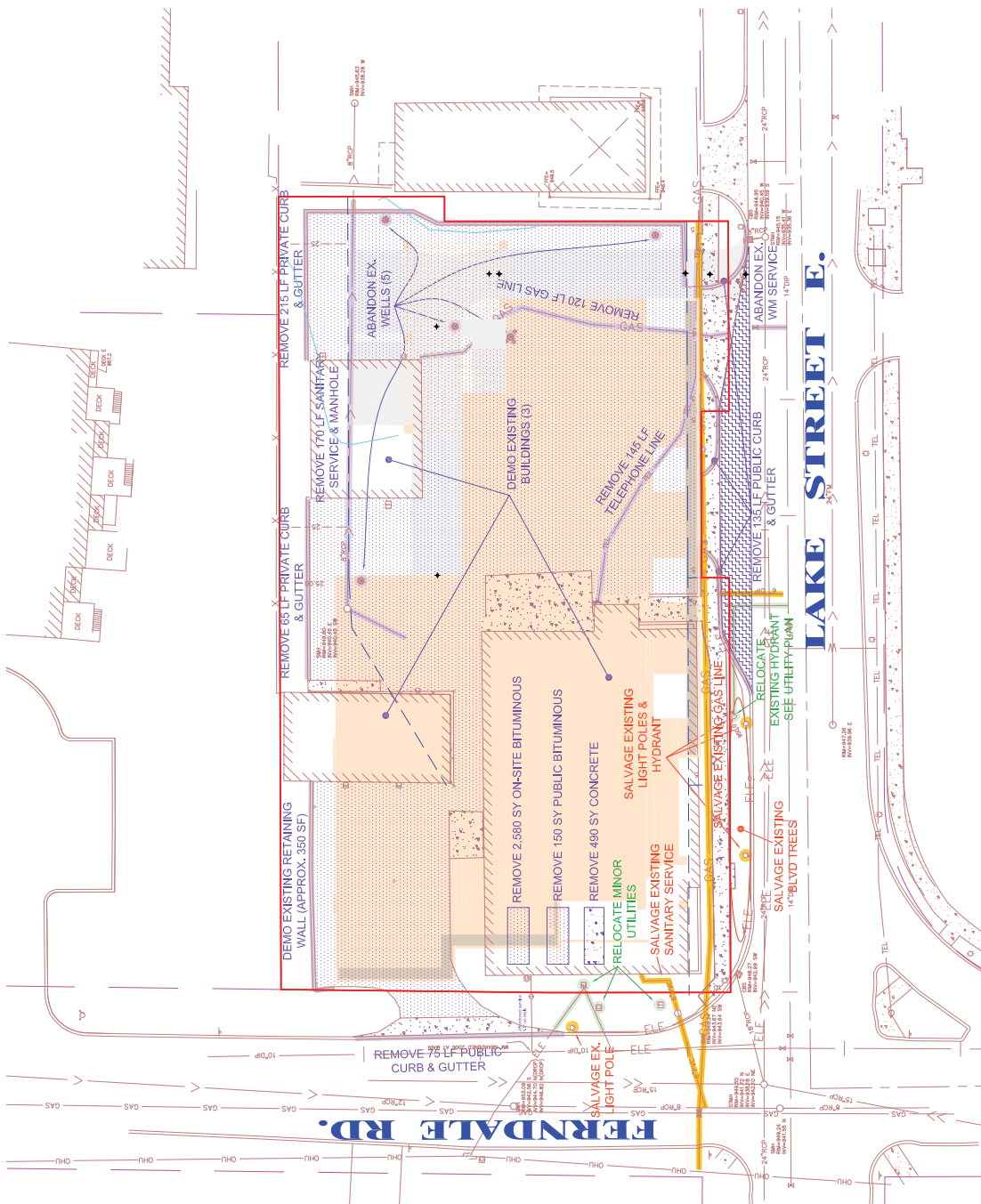
EAST ELEVATION

6/28/16



SECTION

6/28/16



UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK.

NO.	DATE	BY	REVISIONS
01	07/20/18	TCW	LETTER REVIEW
02	07/20/18	TCW	REVISIONS
03	07/20/18	TCW	REVISIONS
04	08/22/18	TCW	REVISIONS
05	08/22/18	TCW	REVISIONS
06	08/22/18	TCW	REVISIONS

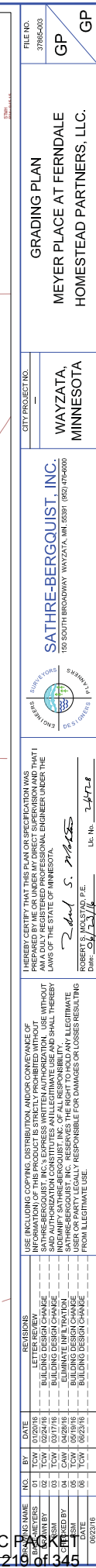
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THEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN 55391 (652) 475-6000

DEMOLITION PLAN
MEYER PLACE AT FERNDAL
HOMESTEAD PARTNERS, LLC.

CITY PROJECT NO. —
WAYZATA, MINNESOTA
FILE NO. 37895-003
DP



GENERAL NOTES: CONTRACTOR RESPONSIBILITY FOR ALL NECESSARY PERMITS, INCLUDING BUT NOT LIMITED TO, CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, AND STATE OF CALIFORNIA, SHALL BE THE CONTRACTOR'S. A COPY OF THE PERMITTING REQUIREMENTS WILL BE MAILED TO THE ENGINEER AND DEVELOPMENT ON VEHICLES UNIT. THE CONTRACTOR SHALL PLACE INLET PROTECTION DEVICES IN ACCORDANCE WITH THE CITY FOR ALL STORM SEWER INLETS AND MAINTAIN THEM AS AN EFFECTIVE SILT CONTROL DEVICE. INLET PROTECTION SHALL BE REMOVED WHEN RESTORATION IS COMPLETED.

ALL RETAINING WALLS FOUR FEET HIGH MUST BE STRUCTURALLY DERIVED BY A PROFESSIONAL ENGINEER AND A PERMIT MUST BE OBTAINED PRIOR TO CONSTRUCTION.

ALL 42" DIAMETER ROCKINGSTONE BEING SILL SHALL BE PLACED AT THE SILENT ENTRANCE, AND MINIMIZE EROSION ON TO THE STREETS. THE ROCK BEAMS SHALL BE THE WIDTH OF THE ENTRANCE AND BE PLACED AT THE ENTRANCE.

THE CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE AWAY FROM THE BUILDING AND STREET AREAS THROUGHOUT CONSTRUCTION.

THE CONTRACTOR SHALL ATTEMPT TO PREVENT SOIL MATERIALS FROM LEAVING THE SITE BY EROSION AND VEHICLE WHEEL TRACKING. HE SHALL BE RESPONSIBLE FOR CLEANING OF STREET BOULEVARD AND UTILITY AREAS.

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

PROPER MANAGEMENT OF ALL SITE WASTE INCLUDING TO BUT NOT LIMITED TO DEGRADED BUILDINGS, CONCRETE WASHOUT, CHEMICALS, LITTER AND SANITARY WASTE MUST BE OBSERVED IN ACCORDANCE TO THE CITY OF LOS ANGELES ORDINANCES.

6. ALL SLOPES 3:1 MAX (UNLESS NOTED)

7. RESTORATION - (1.04 ACRES)
A. RESTORE ALL DISTURBED AREAS WITH A MINIMUM 6" OF TOPSOIL, OR EXISTING ON-SITE ORGANIC MATERIAL.

D. MULLCH WITH TYPE 1 AT A RATE OF 2 TONS/ACRE AND DIS ANCHOR IMMEDIATELY AFTER PLACEMENT. USE EROSION BLANKET ON ALL SLOPES 3:1 (FT) OR GREATER.

E. PLACE APPROVED STORM SEWER INLET PROTECTION IN OR AROUND ALL STORM SEWER INLETS AND MAINTAIN UNTIL STREET CONSTRUCTION IS COMPLETED. REFER TO CITY DETAILS FOR APPROVED DEVICES. INLET PROTECTION MUST BE INSTALLED IN THE RECEIVING CATCHBASIN WEST OF THE SITE.

F. MAINTAIN ALL SILT FENCE UNTIL TURF HAS BEEN ESTABLISHED.

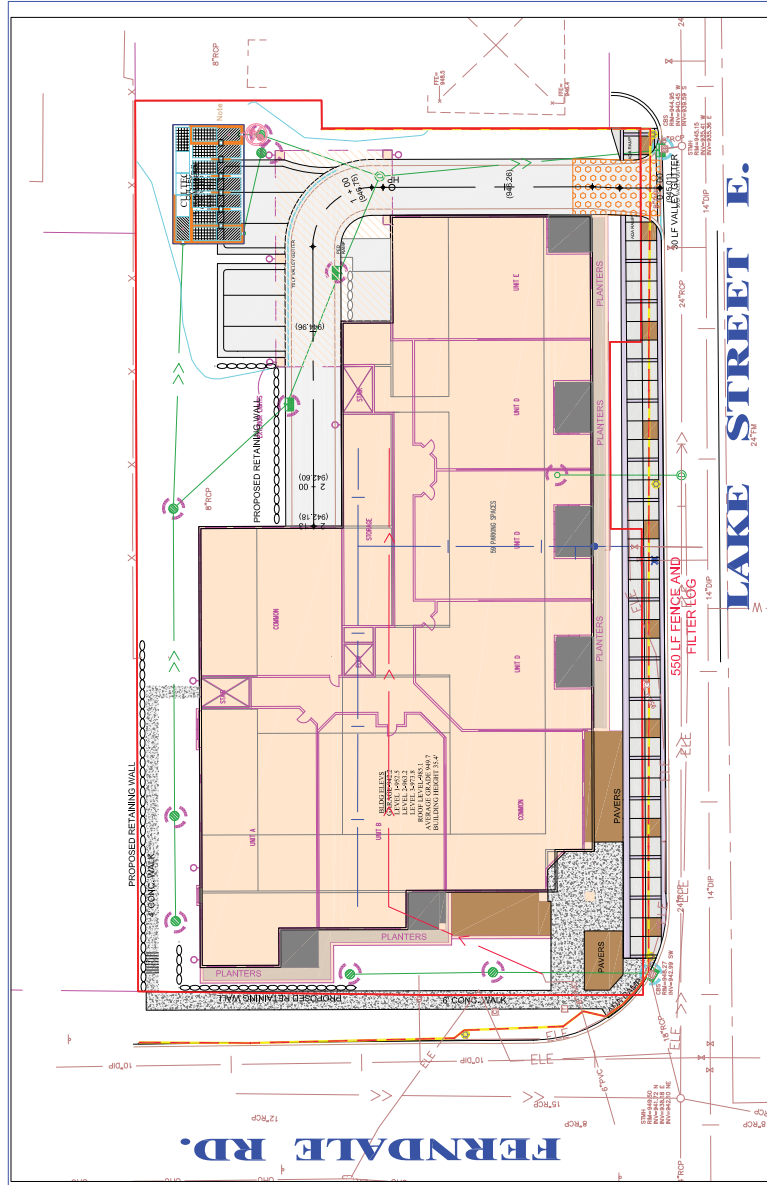
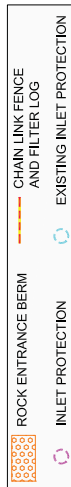
9. CHAIN LINK FENCE AND FILTER LOG - 550 LF

20. ALL TEMPORARY EROSION AND SEDIMENT CONTROL BMPs MUST BE MAINTAINED UNTIL COMPLETION OF CONSTRUCTION AND VEGETATION IS ESTABLISHED SUFFICIENTLY TO ENSURE STABILITY OF THE SITE. AS

10. ALL TEMPORARY EROSION AND SEDIMENT CONTROL BMPs MUST BE REMOVED UPON FINAL STABILIZATION.

11. THE PERMITTEE MUST, AT A MINIMUM, INSPECT, MAINTAIN AND REPAIR ALL DISTURBED SURFACES AND ALL EROSION AND SEDIMENT CONTROL FACILITIES AND SOIL STABILIZATION MEASURES EVERY DAY WORK IS PERFORMED ON THE SITE AND AT LEAST WEEKLY UNTIL VEGETATIVE COVER IS ESTABLISHED.

EROSION CONTROL PLAN

[illegible]

071920-6000

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1	01/20/16	BY	DATE	01/20/16	REVIEW	
2	02/24/16	BY	DATE	02/24/16	BUILDING DESIGN CHANGE	
3	07/17/16	BY	DATE	07/17/16	BUILDING DESIGN CHANGE	
4	05/26/16	BY	DATE	05/26/16	BUILDING DESIGN CHANGE	
5	05/26/16	BY	DATE	05/26/16	BUILDING DESIGN CHANGE	
6	05/26/16	BY	DATE	05/26/16	BUILDING DESIGN CHANGE	

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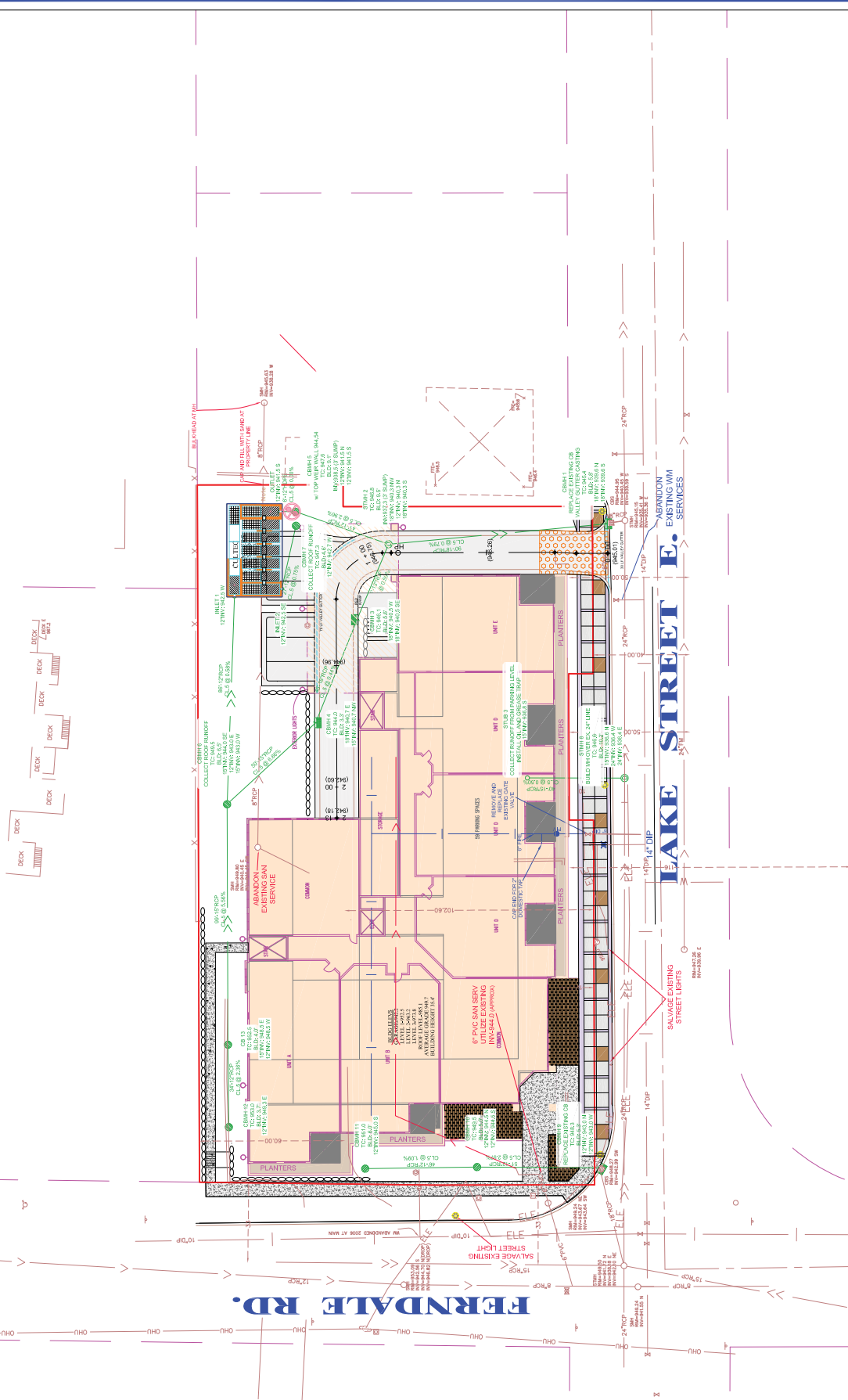
ROBERT S. MOLSTAD, P.E.
Date: 06/23/16 Lk. No. 264728

SATHRE-BERGQUIST, INC.

CITY PROJECT NO. _____

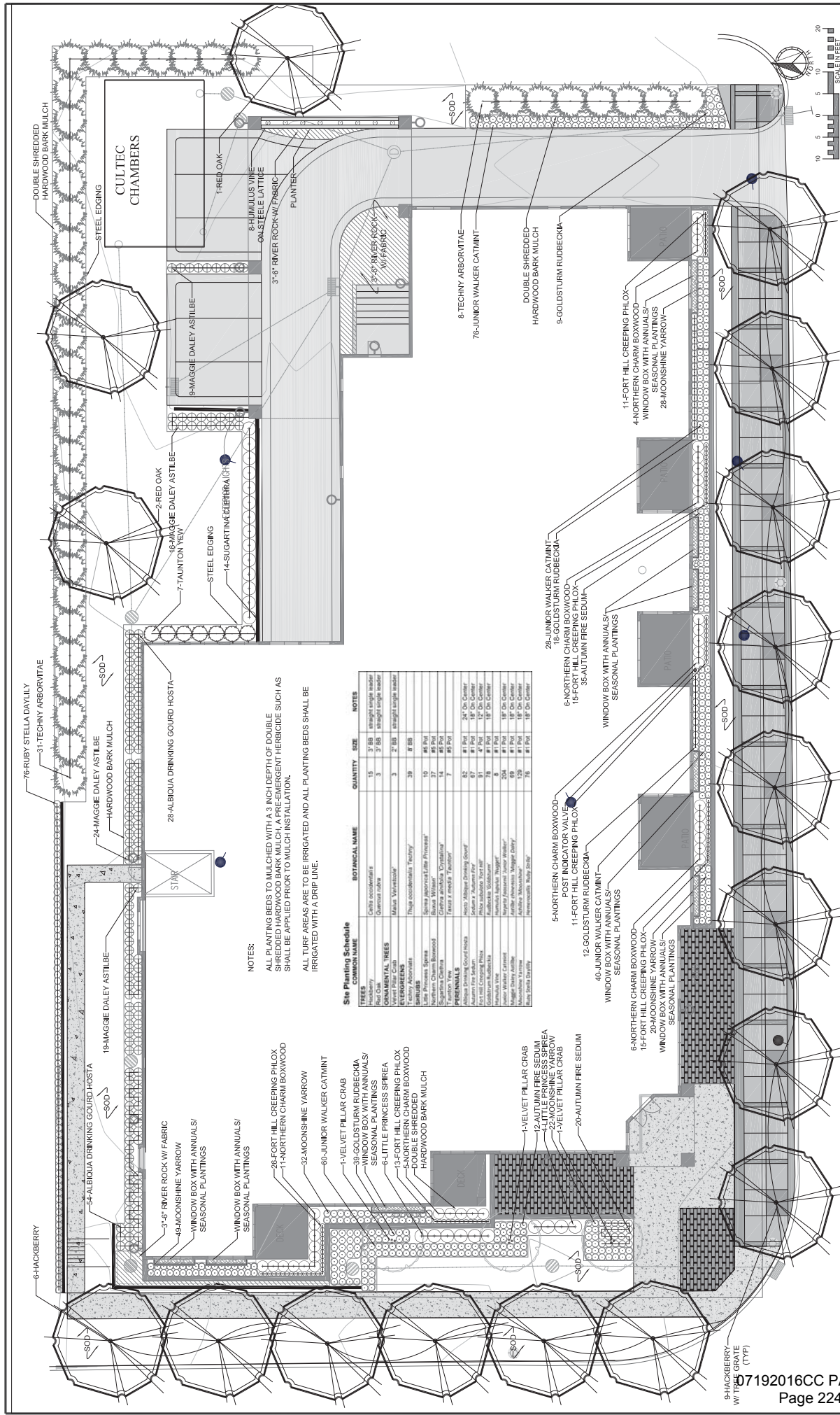
FILE NO.	37865-003
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UTILITY PLAN



REVISIONS		NO.	BY	DATE	CITY PROJECT NO.		UTILITY PLAN		FILE NO.	
1	LETTER REVIEW	01	TOW	07/20/16	—		MEYER PLACE AT FERNDALE		37895-003	
2	REVISION	02	TOW	07/20/16	—		—		—	
3	BUILDING DESIGN CHANGE	03	TOW	07/20/16	—		—		—	
4	ELIMINATE INFILTRATION	04	CAW	04/28/16	—		—		—	
5	BUILDING DESIGN CHANGE	05	TOW	05/09/16	—		—		—	
6	BUILDING DESIGN CHANGE	06	TOW	06/23/16	—		—		—	

SATHRE-BERGQUIST, INC.		WAYZATA, MINNESOTA		CITY PROJECT NO. —		UTILITY PLAN		FILE NO. 37895-003	
155 SOUTH BROADWAY WAYZATA, MN 55391 (952) 475-6300		MINNESOTA		—		MEYER PLACE AT FERNDALE		37895-003	
ROBERT S. MOULTON, P.E.		LE. No. 1418		—		—		—	
DATE: 06/23/16		—		—		—		—	



NOTES:

ALL PLANTING BEDS TO MULCH WITH A 3 INCH DEPTH OF DOUBLE SHREDDED HARDWOOD BARK MULCH. A PREEMERGENT HERBICIDE SUCH AS ALL TURF AREAS ARE TO BE IRRIGATED AND ALL PLANTING BEDS SHALL BE IRRIGATED WITH A DRIP LINE.

COMMON NAME	BOTANICAL NAME	QUANTITY	SIZE	NOTES
1-VELVET PILLAR CRAB	<i>Chamaecrista nictitans</i>	15	3' x 60'	straight single leader
2-RED OAK	<i>Quercus rubra</i>	3	2' x 60'	straight single leader
3-TECHNY ARBORVITAE	<i>Arctostaphylos uva-ursi</i>	3	2' x 60'	straight single leader
4-ALBIBOIA DRINKING GOURD HOSTA	<i>Hosta</i>	30	8' x 8'	
5-NORTHERN CHARM BOXWOOD	<i>Buxus sempervirens</i>	10	45' x 45'	
6-NORTHERN CHARM BOXWOOD	<i>Buxus sempervirens</i>	10	45' x 45'	
7-TAUNTON YEW	<i>Taxus canadensis</i>	10	45' x 45'	
8-TECHNY ARBORVITAE	<i>Arctostaphylos uva-ursi</i>	10	45' x 45'	
9-MAGGIE DALEY ASTILBE	<i>Astilbe</i>	10	45' x 45'	
10-ALBIBOIA DRINKING GOURD HOSTA	<i>Hosta</i>	10	45' x 45'	
11-FORT HILL CREEPING PHLOX	<i>Phlox</i>	10	45' x 45'	
12-GOLDSTURM RUDBECKIA	<i>Rudbeckia</i>	10	45' x 45'	
13-LITTLE PRINCESS SPREA	<i>Spirea</i>	10	45' x 45'	
14-SUGARTREE	<i>Syringa</i>	10	45' x 45'	
15-NORTHERN CHARM BOXWOOD	<i>Buxus sempervirens</i>	10	45' x 45'	
16-NORTHERN CHARM BOXWOOD	<i>Buxus sempervirens</i>	10	45' x 45'	
17-NORTHERN CHARM BOXWOOD	<i>Buxus sempervirens</i>	10	45' x 45'	
18-NORTHERN CHARM BOXWOOD	<i>Buxus sempervirens</i>	10	45' x 45'	
19-NORTHERN CHARM BOXWOOD	<i>Buxus sempervirens</i>	10	45' x 45'	
20-AUTUMN FIRE SEDUM	<i>Sedum</i>	10	45' x 45'	
21-VELVET PILLAR CRAB	<i>Chamaecrista nictitans</i>	10	45' x 45'	
22-ALBIBOIA DRINKING GOURD HOSTA	<i>Hosta</i>	10	45' x 45'	
23-ALBIBOIA DRINKING GOURD HOSTA	<i>Hosta</i>	10	45' x 45'	
24-ALBIBOIA DRINKING GOURD HOSTA	<i>Hosta</i>	10	45' x 45'	
25-ALBIBOIA DRINKING GOURD HOSTA	<i>Hosta</i>	10	45' x 45'	
26-ALBIBOIA DRINKING GOURD HOSTA	<i>Hosta</i>	10	45' x 45'	
27-ALBIBOIA DRINKING GOURD HOSTA	<i>Hosta</i>	10	45' x 45'	
28-ALBIBOIA DRINKING GOURD HOSTA	<i>Hosta</i>	10	45' x 45'	
29-ALBIBOIA DRINKING GOURD HOSTA	<i>Hosta</i>	10	45' x 45'	
30-ALBIBOIA DRINKING GOURD HOSTA	<i>Hosta</i>	10	45' x 45'	

LANDSCAPE PLAN
MEYER PLACE AT FERNDALE
HOMESTEAD PARTNERS, LLC.

CITY PROJECT NO.
WAYZATA,
MINNESOTA

Norby & Associates
Landscape Architects, Inc.
100 East Second Street, Chaska, MN 55318 (952) 361-4644

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FILE NO.
37865-003
LP1
LP2

DATE
5/27/16
BY
TJW
REVISIONS
1. Revised plan per new building layout
2. Revised plan per new building layout

DATE
5/27/16
BY
TJW
REVISIONS
1. Revised plan per new building layout
2. Revised plan per new building layout

DATE
5/27/16
BY
TJW
REVISIONS
1. Revised plan per new building layout
2. Revised plan per new building layout

MAYER PLACE SHADOW STUDY

10:00AM, DECEMBER, 21ST



Meyer Place on Ferndale – 105 Lake St E
Design Critique (Revised Based on Architectural Plans dated 5/26/2016 and Civil Plans dated 5/27/2016)
June 2, 2016

Building Uses	Comments	Compliance
801.09.2.1 – Lake Street District All new buildings east of Barry Avenue on Lake Street shall have retail usage at least eighty percent (80%) of the ground floor facing Lake Street. The remaining twenty percent (20%) of the ground floor frontage may only be used for walkways, public access, or public facilities. Retail activities shall comprise a total of at least fifty percent (50%) of the usage of the total building footprint.	The site is located west of Barry Avenue.	Not Applicable
Building Recesses 801.09.3.1.A – All Districts Building facades shall be articulated through the use of pilasters and/or recesses that create visible shadow lines and dimensions especially on the street level	The proposed building utilizes recesses and changes in materials to break up the façade.	Yes
801.09.3.1.B Street level landscaped courtyards, outdoor seating areas and gathering areas shall be incorporated into building and site plan design.	The project includes planters along the Lake Street and Ferndale road frontages and pavers at the intersection adjacent to the main entrance. There is an existing bench along Lake Street. If the proposed design review is approved, a condition of approval should be included that the existing sidewalk bench be salvage and reinstalled along Lake Street.	Evaluate

Building Width						
801.09.4.1 All Districts – New Buildings In order to reduce the scale of longer façades and to eliminate the long horizontal expressions of buildings, divisions or breaks in materials shall be included and at least three of the following design strategies shall be incorporated into the design: 1. Window bays 2. Special treatment at entrances 3. Variations in roof lines or parapet detailing 4. Awnings 5. Building setbacks or articulation of the facade 6. Rhythm of elements						
					The proposed building includes special treatment at the building entrance and articulation of the façade as the building includes varying building lines and recessions. In addition, the proposed building includes a rhythm of elements along each building elevation.	Yes

Upper Story Setbacks				
<u>801.09.5.1.A – All Districts – New Buildings</u>	Building height shall conform to the height of the applicable zoning district. Where three (3) story buildings are permitted, the third (3 rd) story must be recessed from all façades fronting public right of ways at least a distance equal to the vertical distance of the 3 rd story height from the second (2 nd) floor footprint, or an average of ten (10) feet across the facade, but no portion of the 3 rd story structure shall be closer than six (6) feet to the 2 nd story façade. The 3 rd story façade shall be designed with railings, pillars, dimensional windows, building recesses or other similar design techniques to break up the 3 rd story façade.	The third level is partially, but not fully, recessed from the second level. The third story on Lake Street is stepped back from the second level, except for the west corner of the building has a minimal step back between the second and third level. The third level along Ferndale is not stepped back from the second level at all.	No	
<u>801.09.5.1.B – All Districts – New Buildings</u>	The façades fronting public right-of-ways of every two and three story building, longer than sixty (60) feet, must have a recessed second story of approximately twenty-five percent (25%) of the façade's length, setting back a minimum of six (6) feet from the face of the first floor façade. The required third floor setback must follow the frontal plane of the second story setback.	The second story is not recessed from the first level of the building.	No	
<u>801.09.5.1.C – All Districts – New Buildings</u>	Wintertime sun orientation, solar access, and views of Lake Minnetonka are significant issues within the Design Districts. Building height should not negatively and significantly impact neighboring properties.	The applicant has applied for a height variance from the maximum height of 35 feet in the PUD district to 35.4 feet and a Conditional Use Permit for the penthouse structure with a height of 51.4 feet. The applicant has submitted a shadow study to know the wintertime shading on surrounding properties. The planning commission should evaluate the impacts of the height variance on sun orientation, solar access, views of Lake Minnetonka, and impacts on neighboring properties.	Evaluate	

Roof Design			
<u>801.09.6.1 – All Districts</u> “Green” roofs, roof garden terraces, arbors and other similar structures are encouraged on roofs of building.		The proposed building does not include any green roofs.	Not Applicable
<u>801.09.6.2.A – All Districts – Roof Materials</u> The roof material for all sloped roofs in all districts shall be slate, untreated copper, pre-finished metal, cedar shake or asphalt shingle in dark colors.		The proposed building has a flat roof which would consist of a tan membrane material.	No
<u>801.09.6.2.B – All Districts – Roof Materials</u> The roof material for all flat roofs in all districts shall be treated synthetic membrane or other similar material in dark colors.			
Screening of Rooftop Equipment			
<u>801.09.7.1 – Lake Street and Bluff Districts</u> No mechanical equipment for a building may be located on the roof deck. All such mechanical equipment must be located within the interior of the structure.		The applicant is proposing to locate mechanical units on the roof of the building which would be centered on the roof and fully surrounded by the upper level of the building and a parapet screening wall.	No

			Comments		Compliance
Facade Transparency					
801.09.8.2 – Lake Street District					
No less than fifty percent (50%) of the ground level façade of any building fronting Lake Street shall be transparent glass. No less than twenty-five percent (25%) of the ground level side and rear façade facing a public right of way, parking area or open space shall be transparent glass.			The proposed building contains at least 50% transparent glass on the ground level along Lake Street and Ferndale Road.		Yes
Ground Level Expression					
801.09.9.1 – All Districts					
In multi-story buildings, the ground floor shall be distinguished from the floors above by the use of at least three of the following elements:					
1. An intermediate cornice line					
2. A difference in building materials or detailing					
3. An offset in the façade					
4. An awning, trellis, or loggia					
5. Arcade					
6. Special window lintels					
7. Brick/stone corbels					
			The proposed building only includes a canopy and balcony floors along a portion of the building which would distinguish between the found floor and the second floor.		No

Entries					
801.09.10.1 – All Districts					
The front facade of all buildings shall be landscaped with window boxes or planters with seasonally appropriate plantings. The main entries shall face the primary street at sidewalk grade.			The proposed plans include planters and window boxes along both Lake Street and Ferndale Rd.		Yes

Building Materials and Quality			
<u>801.09.11.1.A – Primary Opaque Surfaces – All Districts</u> Other than the accent materials listed in 801.09.11.G, ninety percent (90%) of the non-glass surfaces of each elevation of the exterior building façade shall be composed of one or more of the following materials: 1. Brick 2. Stone 3. Cast stone 4. Factory finished and certified wood, including, but not limited to: a. Wood shingles (cedar shingles six (6) inch maximum exposure) b. Lap-siding (six (6) inch maximum width) 5. Stucco		The non-glass surfaces of the building are primarily comprised of brick, stone and stucco. The plans indicated that at least 90% of the building elevations would be comprised of these materials.	Yes
<u>801.09.11.1.B – Façade Coverage – All Districts</u> The primary opaque surface materials of all free standing buildings must be the same on all façades of the building.		The proposed building includes the same materials, brick, stone and stucco, on all four sides of the building.	Yes
<u>801.09.11.1.C – Type of Brick – All Districts</u> On all façades of a free-standing building where brick is used, full course modular, Roman, Norman or other standard size brick must be used.		The plans indicated that a standard size brick would be used.	Yes

<u>801.09.11.1.D – Façade Detail – All Districts</u> 1. Brick and/or stone façades shall be well detailed and dimensionally designed in order to avoid fractional cuts and odd pieces. All outside brick corners must be full bricks (custom if necessary), with no mitering, forming continuous vertical joints. 2. The narrow face of an exposed stone butt joint, at corners, must be a minimum dimension of two (2) inches. Mitered and quirked stone corners are also acceptable.	If the proposed design review is approved, this should be included as a condition of approval.	Yes
<u>801.09.11.1.E – Brick Joints – All Districts</u> 1. The mortar for brick must be dark grey or in the color range of the brick. All joints must be concave or 'v' joint. No mortar may be used beyond the face of the brick. 2. All brick walls must be built to avoid efflorescence	The brick will include a charcoal concave mortar no larger than ¼ inch.	Yes
<u>801.09.11.1.F – Stone Joints – All Districts</u> Stone joints shall be no larger than one-fourth (1/4) inch.	If the proposed design review is approved, this should be included as a condition of approval.	Yes

<u>801.09.11.1.G – Accent Materials – All Districts</u> Only the following materials may be used for lintels, sills, cornices, bases, and decorative accent trims, and must be no more than 10 percent (10%) of the non-glass surfaces of each elevation of the exterior building façade: 1. Stone 2. Cast stone 3. Copper (untreated) 4. Rock faced stone 5. Aluminum or painted steel structural shapes 6. Fiber cement board 7. Premium grade wood trim with mitered outside corners. Examples of premium grade wood are cedar, redwood, and fir. 8. EIFS	The accent materials consist of precast stone lintels and sills, aluminum parapet flashing, fiber cement board cornices and deck columns, and dark metal trellises.	Yes
<u>801.09.11.1.H - Parapets, Flashing, Coping – All Districts</u> 1. Only the following materials may be used for parapets, flashing and coping: a. copper (untreated) b. brick c. stone d. cast stone e. premium grade wood. 2. Pre-finished, painted .032 aluminum may only be used as a standard parapet coping with a maximum exposed edge of five (5) inches.	The proposed coping and flashing would meet these requirements.	Yes

<u>801.09.11.1.I – Awnings – All Districts</u> 1. Only the following types of awnings may be used: a. Fabric awnings of a heavy canvas in dark solid colors or other colors that are approved as part of the design review process b. Highly detailed, ornate metal in dark colors c. Glass awnings 2. Backlit awnings are prohibited. 3. Awnings with text or graphic material may be permitted but require approval via the sign permit process of the Zoning Ordinance.	The proposed building plans do not include any awnings.	Not Applicable
<u>801.09.11.1.J – Balconies – All Districts</u> Balconies shall be accessible and useable by persons. Fake or unusable balconies are prohibited. All balconies shall remain within the property line. Metal railings with members painted dark, or glass panels are permitted.	The proposed building includes balconies that would be accessible and usable by persons living in the building.	Yes
<u>801.09.11.1.K – Glass – All Districts</u> Glass shall not be mirrored, reflective or darkened. Slight green, bronze and grey tints are acceptable. Spandrel glass shall not be counted as transparent glass for the purposes of calculations under the transparency requirements of Section 801.09.8 of the Standards, but may be used for detailing purposes. Environmentally appropriate glass, such as Low-emissivity glass, shall be used in all projects	The proposed glass would not be mirrored, reflective, or darkened.	Yes
<u>801.09.11.1.L – Door Systems – All Districts</u> Unless there are building security concerns, main entry doors shall be primarily glass. If, for security reasons, a main entry door is not possible or practical, a main entry door must be well detailed. Appropriately designed wood doors may be utilized for retail and office buildings.	The proposed entry doors would be glass.	Yes

Franchise Architecture		Comments	Compliance
801.09.12.1 – All Districts			
A. Typical or standardized franchise architecture (including building design that is the trade dress of, or identified with a particular chain, franchise or business and is repetitive in nature) is prohibited. B. Large, bold or bright signage, trade dress or logos must be altered and scaled down to meet the purpose of these standards as articulated herein, and must not be repeated on the facades of the principal structure more than once. All new, altered and/or proposed signage for buildings must be submitted for review under Section 801.09.18 by the Planning Commission at the time of Design Standards Review application		The proposed building would not be franchise architecture.	Not Applicable.

Walkways								
801.09.13.1 – Lake Street District A. Continuous sidewalks at least twelve (12) feet in width shall be provided along all public street frontages. B. Lighted sidewalks shall extend between rear and side parking areas and building entrances. All sidewalk lighting must project downward. C. Buildings with street frontage exceeding fifty (50) feet shall have at least one (1) bench. D. All sidewalk surfaces must match the exposed aggregate/brick accent sidewalks on Lake Street.								

Landscaping											
801.09.14.1 – All Districts A. Seasonal landscaping shall be used in all Design Districts, including use of window boxes, hanging flowers baskets, vines and/or other similar seasonal landscaping. If feasible, garden areas and ornamental trees shall be used at the street level. B. Window boxes, hanging baskets and planters with seasonally appropriate plantings shall be used around entries to buildings. C. Vines shall be used to cover walls with more than one hundred (100) square feet of uninterrupted surface area. D. Streetscaping shall include all of the following: 1. Boulevard species trees, with at least three (3) caliper inches. 2. Exposed aggregate sidewalks with brick accents 3. Street lights 4. Benches (if building length is 50 feet or greater), which utilize existing city bench designs. 5. Flowers											
											No

<u>801.09.14.2 – Lake Street District</u> A. Established Lake Street landscape treatments shall be followed in accordance with the specifications of the Wayzata Engineering Guidelines set forth in Wayzata City Code. Exposed aggregate with brick accent sidewalks shall be used. B. Approved boulevard trees, planted in sidewalk areas, shall be planted no more than twenty six (26) feet on center from each other.	The proposed sidewalk along Lake Street meets the City's guidelines and specifications for width and materials. The proposed boulevard trees along Lake Street would be planted 38 feet on center from each other.	No
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Parking Lot Landscaping														
801.09.15.1 – All Districts A landscaped buffer strip at least five (5) feet wide shall be provided between all parking areas and the sidewalk or street. The buffer strip shall consist of shade trees appropriately spaced for the particular Design District, and a decorative metal fence, masonry wall or hedge. A solid wall or dense hedge shall be no less than three (3) feet and no more than four (4) feet in height.														
Surface Parking 801.09.16.1 – All Districts A. Off-street parking shall be located to the rear of buildings. When parking must be located in a side yard adjacent to the street, a landscaped buffer shall be provided in accordance with the Design Standards. The street frontage occupied by parking shall not exceed sixty (60) feet per property. B. Side-by-side parking lots creating a parking area frontage longer than sixty (60) feet are prohibited, except where a heavily landscaped buffer of at least twenty (20) feet wide completely separates both lots. C. Side yard parking shall not extend beyond the front yard setback of the primary building on the property. D. Front yard parking is prohibited. E. There shall be no corner parking.														

		Comments	Compliance
801.09.16.2 – All Districts – Bicycle Parking Commercial developments requiring more than twenty (20) parking spaces shall provide at least four (4) bicycle parking spaces in a convenient, visible, preferably sheltered location.		This section is not applicable to the residential building.	Not Applicable
Parking Structures			
801.09.17.1 – All Districts Parking structures shall meet the following standards, along with all other applicable building code standards: A. The ground floor façade abutting any public street or walkway shall be architecturally compatible with surrounding commercial or office buildings. B. The parking structure shall be designed in such a way that sloped floors do not dominate the appearance of the façade. C. Windows or openings shall be similar to those of surrounding buildings. D. Vines and other significant landscaping shall be used to minimize the visual impact of the parking structure.		This section is not applicable, as there is no parking ramp associated with the project.	Not Applicable

<u>801.09.17.2 – Lake Street District</u> A. If any part of a parking structure abuts Lake Street, that entire portion of the ground floor façade shall be occupied by at least eighty percent (80%) retail usage, extending to a depth of at least thirty (30) feet. B. The ground floor level of a parking structure shall not come within forty (40) feet of Lake Street. C. The top decks of parking structures visible from adjacent properties shall be designed with trellises and landscaping sufficient to screen at least fifty percent (50%) of the visible area.	This section is not applicable, as there is no parking ramp associated with the project.	Not Applicable
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Signs	Comments	Compliance
<u>801.09.18.1 – All Districts</u> A. Compatibility - Signs shall be architecturally compatible with the style, composition, materials, colors and details of the building, and with other signs on nearby buildings. Signs shall be an integral part of the building and site design. - A sign plan shall be developed for buildings which house more than one (1) business. Signs need not match, but shall be compatible with one another. Franchise or national chains must comply with these Sign Standards to create signs compatible with their context. - When illuminated signs are proposed, only the text and/or logo portion of the sign may be illuminated. Illuminated signs must be compatible with the location. Illumination of the sign to highlight architectural details is permitted. Fixtures shall be small, shielded, and directed towards the sign rather than toward the street, so as to minimize glare for pedestrians and adjacent properties. - Sign plans must be submitted for review as part of an Applicant for Design Approval. Proposed signs must also conform to the requirements of Section 801.27 of the Wayzata Zoning Ordinance.	The building includes two wall signs on the ground floor elevation of the building, which would be located at the main entrance to the building at Lake Street and Ferndale Road.	Yes

<u>801.09.18.2 – Permitted Signs – Lake Street District</u> A. Only the following types of signs are permitted in the Lake Street District: 1. Awning, canopy or marquee signs 2. Wall signs 3. Monument or ground signs 4. Projecting signs 5. Window signs (small accent signs) 6. Roof signs if located on pitched-roof buildings, below the peak of the roof			Yes
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Parking Lot and Building Lighting											Compliance
801.09.19.1 – All Districts A. Parking lot lighting shall be designed in such a way as to be in scale with its surroundings, and reduce glare. B. Cutoff fixtures shall be located below the mature height of trees located in parking lot islands so as to minimize ambient glow and light pollution. C. Pedestrian-scale lighting, not exceeding thirteen (13) feet in height, shall be located on walkways and adjacent to store entrances. All sidewalk lighting must be projected downwards. City light standard shall be followed for all public streets. D. Light posts shall be of a dark color. E. Lighting fixtures shall be compatible with the architecture of the building. F. Lights attached to buildings shall be screened by the building's architectural features to eliminate glare to adjacent properties. All façade lighting must be projected downwards. G. All lighting fixtures shall comply with City Code Section 801.16.6 as it relates to glare.											
											Evaluate

Mayor and City Council Members,

We are writing to express our concerns with the currently proposed 'Meyer Place on Ferndale' project. While we look forward to development of the Meyer Dairy site, we do not feel the proposed project is in the City's best interests, or in our best interest as property owners. Our concerns with the project are shown on the attachment.

We thank you for hearing our concerns and for your consideration.

Concerns with Proposed Meyer Place Development**Precedent Setting Impact of Multiple Variances/Rezoning**

Granting multiple variances (height, design, A/C on roof, etc.), plus a PUD and Conditional Use Permit would set a concerning precedent. What allowances will other developers expect? This could cause a snowball effect with more tall, high density buildings on Lake St. and elsewhere.

Not in Accordance with City's Comprehensive Plan

The development runs counter to the City's Comprehensive Plan in a number of ways. Are 23 high-priced condos on Lake Street really what the City needs?

48' Height Exceeds Limits, Even with a PUD and Conditional Use Permit

The building exceeds current zoning by 18', and PUD/Conditional Use Permit limits by 8'-13'. It would tower above everything in the area, restrict views and sunlight, and potentially hurt neighboring property values. At 48', this is a 3 story building in name only. A roof top terrace that would be used seasonally at best does not seem a good justification for a height variance.

23 Condos is High Density for a Busy Corner

23 condos on a 1 acre lot on a busy corner is a lot of density for a neighborhood to assimilate.

Western Gateway Merits a Design that Meets or Exceeds Design Standards

Although the building design has changed some from the initial design, it still does not meet design standards. Such a key corner merits a design that meets or exceeds standards.

6 Guest Parking Stalls for 23 Condos is Not Enough

6 guest stalls would easily fill with a party in 1 unit...and there is little space for larger contractor or service vehicles. Street parking is limited (2 spots at dairy; a few more 1 block away but used by TCF customers and bike trail riders). Creating a parking issue on this busy corner is in no one's best interest.

Noise from A/C Compressors on Roof and Shade Study Results

A noise study to assess the impact of rooftop A/C compressors would be helpful. The shade study showed the building would significantly block sun to the townhomes.

Planning Commission's Unanimous Vote to Deny Project

After vetting the project and hearing citizen comments, the vote was unanimous to deny the project. Project plans have been tweaked some since the Planning Commission review. But the biggest issues (precedent setting, height, density, design) have not been addressed.

Name

Address

Jaime P. Fle
Lora Ward Lake

117 Edgewood Lt.
117 Edgewood Ct.

Katherine Doerr

112 Edgewood Ct.

Judy Zitzloff

122 Edgewood Ct

Ginny Reagan

101 Edgewood Ct.

Mark Reagan

101 Edgewood Ct.

James R. Puelton

121 Edgewood Ct.

141 Edgewood Ct.

Patricia Arnold

105 Edgewood Ct.

Judy Boes

125 Edgewood Ct.

Marcia Behr

119 Edgewood Ct.

May Lamb

145 Edgewood Ct

Amey Lofdale

114 EDGEWOOD CT

Abad. Mehn

132 Edgewood Ct
Ct

Jo Cunniff

134 Edgewood

Leslie

127 Edgewood Court

Diane Mares

124 Edgewood Ct.

From: [Patricia Arnold](#)
To: [Jeff Thomson](#)
Subject: Meyers Dairy redevelopment
Date: Wednesday, April 27, 2016 10:55:40 AM

Dear Mr. Thomson,

I am writing to express my deep concerns regarding the proposed development on the Meyers Dairy site. The site is just to the south of my townhouse.

My first concern is the sheer size of the project. I understand that the proposal calls for four stories. A building that size on that corner is very much out of proportion to the rest of the buildings. It will tower over our townhouses and be very much of an intrusion into the privacy of my neighbors who overlook the site. The current zoning does not allow for a four story structure. By allowing four stories on that site we will be opening the door to an entire block of four story structures on the lake front.

My second concern is the set back. I understand that the builder has requested a variance. For the privacy of my neighbors, I am asking you to disallow the variance.

I have had an opportunity to view the design proposal. The red brick and stucco is, I believe, out of step with Wayzata. It is very similar to the low cost condo and apartment structures in Hopkins and St. Louis Park. Surely a more imaginative and architecturally detailed building would be to Wayzata's advantage. The condo behind the post office and the one across from it as well as the John Laurent buildings just to the west of Meyers Dairy are good examples of the kind of architecture that would be welcome!

We do not object to a condominium on the site. We do object to a four story, red brick and stucco structure that will intrusive.

I have been a resident of Wayzata and Deephaven for more than 45 years. I know that change is inevitable and I welcome some change to the current site. We have dealt with the eyesore of Meyer's Dairy for many years. My hope is that anything new on that site will be within the zoning limits and will be architecturally appealing.

Thank you,

Pat Arnold

Jeff Thomson

From: Peggy Douglas <peggydouglas@mchsi.com>
Sent: Wednesday, April 27, 2016 10:55 AM
To: Jeff Thomson
Subject: Meyer Place

I would like to go on record regarding Meyer Place. I agree that that property needs to be developed, but I want to make sure that we get it right as it is a major gateway into Wayzata.

I am against 4 stories. I would like to have the required 20 foot setback on the North. I think the architecture needs some additional work especially on the back side. And it could use some finishing touches such as "French" balconies.

I think the first floor retail/office requirement is outdated. Retail and office needs have changed (not just Wayzata) dramatically since our Comp Plan was done almost 10 years ago.

I could definitely support 3 stories residential with some architectural improvements.

Sent from my iPhone

Jeff Thomson

From: lakelora@aol.com
Sent: Thursday, April 28, 2016 12:08 AM
To: Jeff Thomson
Subject: Proposed Meyer Dairy Development

Hello Jeff,

We live at 117 Edgewood Ct. in the Ferndale Ridge complex. We will be out of town for the upcoming hearing on development of the Meyer Dairy property so are sending this note to voice some concerns.

Our concerns center on the 4 story height and reduced set backs on the proposed building. The building will in essence be a large wall on our complex's west end. It will reduce light, restrict views, and loom large in the windows of our homes. These factors could ultimately reduce enjoyment of our homes and property values.

Although we have concerns with the proposed design, we do fully support development of the Meyers Dairy property. We also realize some variances will likely be needed to make a project feasible. Our hope is that adjustments can be made to the proposal to reduce the negative impact on our property; for example, limit building to 3 stories and increase setbacks.

Thank you for letting us voice our concerns,

Wayne & Lora Lake

Jeff Thomson

From: Ada Nuhn <ada.nuhn@icloud.com>
Sent: Thursday, April 28, 2016 10:20 PM
To: Jeff Thomson
Cc: Ada Nuhn
Subject: Meyer Building Project

I am concerned that the variances do not adhere to existing zoning.
Variances from the 3 story maximum building height and setbacks from the north property line.

Jeff Thomson

From: Jrpaddon@aol.com
Sent: Thursday, April 28, 2016 12:30 PM
To: Jeff Thomson
Subject: Meyer Place Project

Hello Jeff:

As a resident in the Edgewood Crt. property, I wanted to share a couple of thoughts reg. the proposed new Meyer development.

I have concerns reg the height of 4 floors, as I think it would negatively impact Ferndale Ridge.

My other concern is the request for a reduced building setback to the Ferndale Ridge property.

The proposal seems too massive.

However, I am in favor of the project and is a movement in the right direction for this prime location. I think a 3 story building is a great resolution.

Just wanted to share my sentiments as a neighbor Jeff.

Best. Jim

121 and 141 Edgewood Crt.

James R. Paddon | President

JRPaddon Associates, Inc. | 701 Washington Avenue North, Suite 350 | Minneapolis, MN 55401

t | 612.333.7351x11

Jeff Thomson

From: Chris Plantan <chris.plantan@gmail.com>
Sent: Friday, April 29, 2016 9:52 AM
To: Jeff Thomson
Subject: Planning Commission Meeting

Good Morning Jeff,

I'm sure you are getting a lot of emails regarding the Meyer Place Project and the concern the neighbors have. I am a resident of the Highlands neighborhood and while I am concerned about the project and have opinions, I am certain the commission will make the right decisions for the residents.

I would like to voice my concern for the pedestrian in Wayzata. In some areas, it is downright dangerous so the anticipation of bringing new residents and more development is concerning. Especially on Ferndale. Is there a way to address the lack of a sidewalk or designated walking area along Ferndale from Wayzata Boulevard to Lake Street? Or have that at least be part of the development of the Meyer Place plans? The city has taken great care and consideration for the biking community and has not done the same for pedestrians.

Thank you for your consideration.
Kindly,
Chris

--

CHRIS PLANTAN
T: 612 749 7444

chris.plantan@gmail.com

Date: April 27th, 2016

To: Planning Commission/City Council- c/o Jeffrey Thomson

From: Marty & Virginia Reagan

Subject: Development Hearing for 105 Lake Street East.
Request from Homestead Partners.

Dear members of the Wayzata City Council and Planning Commission, pursuant to your notice requesting comments on the proposed development of the aforementioned property we would like to submit the following comments.

We currently own a townhouse at 101 Edgewood Ct. in Ferndale Ridge, which is located just on the North side of the proposed development. As we look out of our South kitchen window we look right at the existing Meyer property. So we concur with the City Council that this property needs to be developed and the area cleaned up and be a pleasing entry into the wonderful city of Wayzata. Having said that the magnitude and size of the proposed development and the variances that would be required bases the existing zoning would certainly be a strategic change by the Council and not in the best interest of the existing Ferndale Ridge neighbors who reside on the North side of the property. We feel these requested variances would be a very precedent setting decision by the Council for future development in the city of Wayzata and we would hope the Council does not yield to the variances requested by the developer. We would certainly like to see the Meyer property developed into a project that is aesthetically pleasing and adds value to the Wayzata community without detracting from the Ferndale Ridge property or quality of life. Hopefully those are reasonable goals.

Thanks for giving us the opportunity to be heard.

Jeff Thomson

From: Frederick <fcrichter@mchsi.com>
Sent: Wednesday, April 27, 2016 2:04 PM
To: Jeff Thomson
Cc: Peggy Douglas; Dave Carland; Dave Schmit
Subject: Meyer Project

Mr. Thomson:

In an effort to clarify my opinion of Homestead Partners request to construct a new residential condominium building at 105 Lake Street East (Meyer Place), I offer the following comments in response to the Public Hearing Notice.

1. I support the residential use of the project and lack of commercial/retail. I also support thoughtful zoning variances from the existing C-4A Limited CBD Zoning District.
2. I have met with the developers and suggested changes to their plans of building massing and north property line set backs which they have accommodated. The square plan has been changed to an L shaped configuration fronting on Lake Street and Ferndale which has improved the massing for the greater and immediate communities.
3. The building materials, upper floor set backs and articulation of the Lake and Ferndale Facades are improved from the original proposal and acceptable in my opinion. I have requested they incorporate more of the Lake and Ferndale Facade details to the North Elevation.
4. As I stated in my Jan 27, 2016 e mail and to the Developers the four level scheme lacks my understanding of community support. It is too out of context to the two level office character of the West End of Lake Street. A well designed three level residential building over parking that is partially below grade can fit in.

Hopefully a three level scheme can be worked out which can be acceptable to the Developers and the City. This project is an important addition to the West End of Wayzata's Lake Street replacing a vacant blighted property offering vehicular traffic entering Wayzata's Lake Street from the west a positive new first impression while reinforcing the pedestrian character of Lake Street.

Respectfully Submitted,

Frederick Richter AIA
103 Edgewood Ct
Wayzata MN 55391
fcrichter@mchsi.com

Jeff Thomson

From: Gary Petersen <pphilip88@yahoo.com>
Sent: Thursday, April 28, 2016 4:02 PM
To: Jeff Thomson
Cc: Kris Petersen
Subject: Meyer Place retail

Jeff

My wife and I live at 205 Ferndale Rd South in WAYZATA. We are almost directly across from the Dairy. We are opposed to retail in any new building approved for the site. Lack of parking is one issue, but more obvious is the overwhelming traffic that already exists on Ferndale. The area is a residential area and walking to the village on Ferndale is scary if two cars are passing. We have 13 grandkids and hate to even have them play in the front yard! Our opinion is that retail, for the most part, should stay east of Barry Ave. Please share this with the planning commission members.

Thank you!

Gary Petersen
952-451-0284

Sent from my iPhone

Jeff Thomson

From: Judy Bois <jbois@mchsi.com>
Sent: Thursday, April 28, 2016 7:35 AM
To: Jeff Thomson
Subject: Public Hearing Notice regarding a new residential condominium building at 105 Lake Street East

Mr. Thomson,

I am a resident of Wayzata and live at 125 Edgewood Ct. I am not opposed to the project but believe it should be more closely adhere to what is permitted under the existing zoning. I am concerned about the setback and height of the condominium.

Thank you for your time.

Judy Bois

Sent from my iPad

Jeff Thomson

From: Ed Spencer Jr. <espencerjr@affinitycapital.net>
Sent: Monday, May 02, 2016 8:09 AM
To: Jeff Thomson
Subject: 105 Lake Street East

Hi Jeff. My wife Val and I live at 180 Lakeview Lane and our son Teddy lives at 113 Highland. We are writing to express our concern about the setback and building height variances being requested for the project at 105 Lake Street East. I think giving the variance will directly impact neighbors around the property. If granted it will also set a dangerous precedent for future development along the west end of Wayzata. I appreciate your expressing our concerns at the meeting tonight. Thanks.

Ed

Jeff Thomson

From: M Mac <marthasmclaughlin@gmail.com>
Sent: Monday, May 02, 2016 9:32 AM
To: Jeff Thomson
Subject: Re: Hearing on 105 East Lake St

TO: Jeff Thomson, Director of Planning and Building

May 2, 2016

SUBJECT: Variances for 105 Lake Street East Proposed Condos

The purpose of my email is to respond to Homestead Partners' proposed condominium development at 105 Lake Street East.

I understand that development is good for the vitality of the town, and I do not oppose development. However, it is very important to stand by the codes and ordinances of the Town. I oppose a height variance, as such a building will obstruct the views of the lake for existing homes and obstruct the joyful sounds of lake activity. (There is also the added concern that sometimes the stated height of the building does not include elevator shafts and other roof top constructions that are even taller than the defined "building height".)

I also oppose a variance to the north property line, as that is unfair to the town house owners directly to the north. (If I understand the location of the north property line.) We want to be very careful not to hurt the property values of existing Wayzata home owners.

I regret that I cannot attend tonight's meeting but hope this email suffices to notify the Planning Commission of our opinion regarding variances. By opening the door to a taller-than-allowed building, we risk that development will snowball into ever-taller buildings lining Lake Street. Wayzata is a lovely, lively town, and we want it to remain vibrant, but taller buildings are not the answer.

Thank you for your consideration,

Martha McLaughlin

234 Edgewood Ave

On May 1, 2016, at 5:27 PM, Jeff Thomson <jthomson@wayzata.org> wrote:

Hi Martha,

Thanks for your email. Unfortunately the email went into my junk folder, and so I did not see it until after the planning commission packet was distributed. If you send me an email, I will provide your email to the planning commission at the meeting on Monday.

Regards,

Jeff Thomson

-----Original Message-----

From: Gmail [<mailto:marthasmclaughlin@gmail.com>]

Sent: Wednesday, April 27, 2016 8:12 PM

To: Jeff Thomson

Subject: Hearing on 105 East Lake St

Dear Jeffrey,

Thank you for the public hearing notice for the Homestead Partners project proposed for 105 Lake Street East.

I will not be in town but would like to share my concerns and objections to variances from maximum building height and setbacks. Who do I email to have my objections noted?

Thank you in advance for your assistance.

Martha McLaughlin

234 Edgewood Ave

612-501-2550

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
MAY 2, 2016**

AGENDA ITEM 1. Call to Order and Roll Call

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

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

AGENDA ITEM 2. Approval of Agenda

Commissioner Gonzalez made a motion, Seconded by Commissioner Flannigan to approve the May 2, 2016 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Approval of Minutes:

a.) None.

AGENDA ITEM 4. Regular Agenda Public Hearing Items:

a.) Meyer Place on Ferndale – 105 Lake St. E

i. Rezoning, Concurrent PUD Concept and General Plan of Development, Design Review, Variances, and Shoreland Impact Plan/Conditional Use Permit

Mr. Thomson stated Homestead Partners and Meyer Properties have submitted a development application to redevelop the Meyer Brothers Dairy site at 105 Lake Street E. The development application includes demolition of the existing vacant commercial building and construction of a new 4-story building. The building would include 23 residential condominium units and 48 enclosed parking spaces. He reviewed the application requests including rezoning from C-4A to PUD/Planned Unit Development, concurrent PUD Concept and General Plan of Development review, Design review, variance from the maximum building height requirement, variance from the setback requirement from the north property line, and Shoreland Impact Plan/Conditional Use Permit for the building height. He reviewed the Comprehensive Plan provisions that applied to this project. He reviewed the items in the application that do not meet the Design Standards, including the building recession, ground level expression, Lake Street sidewalk width, and seasonal landscaping and streetscaping. He stated the items that require additional information from the applicant and evaluation from the Planning Commission include: street level landscape courtyards, seating areas and gathering areas, the building articulation, the building height, roof

1 material and color, façade coverage, type of brick, accent materials, glass building materials, and
2 the parking lot and building lighting.

3
4 Mr. Rick Packer, President of Homestead Partners, 525 15th Ave. S., Hopkins, provided
5 background on the Meyer Dairy site, information on the year over year retail statistics for
6 downtown Wayzata and the project's building redesign. He clarified they would work with the
7 City to change the sidewalk width from 6-feet to 12-feet and they could also make changes to
8 accommodate the 20-foot setback from the north property line so the project would not require a
9 setback variance. He reviewed depictions of the applicant's 2015 proposal and compared them
10 to what they are proposing at this time. He provided information on the heights of other
11 buildings around the proposed project. He clarified they would be able to use different exterior
12 materials, but this would need to be part of a PUD because alternative materials are not included
13 in the Design Standards.

14
15 Commissioner Flannigan clarified that the applicant intended to withdraw the setback variance
16 request and meet the applicable setback standards. He asked why the developer was proposing a
17 project that did not comply with all of the standards of the City's Codes and Ordinances.

18
19 Mr. Packer stated the driving factors include economics and the desires of the property owner.
20 The proposed building provides an opportunity to build an exceptional building along Lake
21 Street to represent the City of Wayzata. Mr. Packer stated that a stacked 3-foot building would
22 be cheap to build but not meet the aesthetic goals of the City for this property.

23
24 Commissioner Flannigan asked how many units would be lost if the fourth story were not
25 allowed, or if the project would not proceed if they could not include a fourth floor.

26
27 Mr. Packer stated they have a 3-story plan prepared that would include the same number of units
28 as the building being proposed. He would not be able to decide tonight if they would proceed
29 with this 3-story plan if the current proposal is recommended for denial.

30
31 Chair Iverson asked what the square footage cost would be per unit.

32
33 Mr. Jeff Schoenwetter, JMS Custom Homes, stated the finished units would retail around \$550
34 per square foot.

35
36 Mr. Tim Whitten, Whitten Associates, stated they felt having the first two floors having more of
37 a brownstone feel would be better suited along Lake Street. He clarified the required setbacks
38 for each level does dictate the design of the building. They tried not to design a building around
39 approval but rather a good design. He said that it is difficult to fit 23-units into a 3-story building
40 without it looking like a box. He explained even if the building were 3-stories with a roof top
41 deck the building would need to accommodate two (2) staircases and an elevator. This would
42 make it just as tall as what is being proposed.

43
44 Commissioner Flannigan asked what the remediation cost was for cleaning up the chemicals and
45 asbestos on the site.

1 Mr. Packer stated the remediation will be about \$400,000, and they have applied for grants to
2 assist with this cost.

3
4 Chair Iverson asked what the material would be for the green roof and if the roof would be
5 usable for residents.

6
7 Mr. Whitten stated the rooftop patio is a float paver system and would be usable by the residents.
8 They have not determined the type of railing they would use because this will depend on the
9 building materials they are allowed to use. They are considering cable or glass for this feature,
10 and it would not be along the edge of the roof.

11
12 Commissioner Gonzalez asked where the equipment for the elevator would be housed.

13
14 Mr. Packer stated the equipment would internal on the fourth floor. The air conditioners would
15 be on the ground floor.

16
17 Commissioner Gonzalez asked if 5 guest parking stalls would be sufficient for 23 units.

18
19 Mr. Whitten stated they would have the 5-guest stalls along with the additional on street parking
20 around the site and the 2-stalls per unit within the site.

21
22 Commissioner Gonzalez asked what the setback was on the east side of the property.

23
24 Mr. Whitten stated this setback was 10-feet.

25
26 Commissioner Gonzalez asked if the City Engineer had reviewed the stormwater runoff
27 management plan and if he had concerns.

28
29 Mr. Thomson stated the City Engineer had reviewed the plans and due to the environmental
30 contamination on the site, the applicant may not be able to do the infiltration they are proposing.
31 The applicant will need to review the comments from the PCA.

32
33 Chair Iverson opened the public hearing at 8:03 p.m.

34
35 Ms. Peggy Douglas, 133 Edgewood Court, Wayzata, expressed concerns about this building
36 being the gateway to Wayzata. She said this is a massive building, and allowing this building to
37 be 4-stories opens up the possibility of all of Lake Street being 4-stories. She does not have
38 concerns that the building would not contain retail space, as called for in the ordinances. She
39 asked why this particular building required 23-units when other recent developments only
40 required 9-11-units to make the project work economically. She stated she would like to see
41 more architectural elements in the building as well.

42
43 Mr. Chris Hickman, 484 Highcroft Road, Wayzata, stated the setbacks are important so that
44 when you enter the City you do not see a monster building. He stated he is against having a 4-
45 story building in this location. He stated he would accept this building not containing office or
46 retail space. He stated he did not believe the sale price for the parcel was high enough to justify

1 a retail sale price over \$500/square foot. He stated eliminating the top 4-units should not break
2 the project.

3
4 Mr. David Carland, 130 Edgewood Court, Wayzata, stated residents would like to see something
5 appropriate developed on this property. He stated just because the property is an eye-sore
6 currently should not give the developer or the City the right to make new rules. He expressed
7 concerns about the size and mass of the proposal, and would not support a 4-story building.

8
9 Ms. Susan Yage, 110 Edgewood Court, Wayzata, stated the City established their Codes and
10 Ordinances for a reason, and they should be adhered to. She does not want to have a 4-story
11 building in this location. She would like to see something designed that better reflects Wayzata.

12
13 Chair Iverson closed the public hearing at 8:15 p.m.

14
15 Mr. Thomson stated the Commissioners had received several email comments from residents and
16 these were included in the packet materials for the meeting and are made part of the record.

17
18 Chair Iverson stated the two large issues with the proposal that the Commission should review
19 are conformance with Design Standards and the building height limit. If the Planning
20 Commission does not support the proposed height of the building, then they would not need to
21 discuss the Design Standards at this time. The property is currently zoned for a maximum 2-
22 story building.

23
24 Commissioner Young stated the Commission would need to decide if a PUD was even warranted
25 for this project, prior to determining if a 4-story building should be allowed. He generally likes
26 what is being proposed, and he would support granting a PUD for this location. The current
27 zoning requires a retail component that would not be in the best interest of the community, and a
28 rezoning to a PUD would allow the City the flexibility to remove this requirement. The PUD
29 would also allow for up to 3-stories.

30
31 Chair Iverson asked staff if the Commission could consider a PUD for a 2-story building.

32
33 City Attorney Schelzel stated the application before the Commission is for a PUD that includes a
34 particular 4-story building, and this is what the Planning Commission is considering and
35 reviewing this evening. If the application were for a PUD with a 2-story building, then the
36 Planning Commission would be considering that option. He noted that a PUD on this property
37 does not have to include 3-story buildings, but it could include buildings up to 3-stories.

38
39 Commissioner Gonzalez stated that when the City Council approved a PUD for the Bay Center
40 project, the PUD requirements were revised to ensure that buildings within PUDs would be
41 limited to 3-stories or 35-feet, and she has learned that the City needs to enforce the Ordinances
42 as written or rewrite them if they are granting too many variances. The PUD Ordinance states
43 that the project must meet the requirements of the Comprehensive Plan. The Comp Plan requires
44 the City to plan for an orderly transition between the central business development and adjacent
45 residential neighborhoods. A 4-story building next to single-family homes and townhomes is too
46 massive. The City also needs to consider density of the proposed project, and if the streets can

1 accommodate the additional traffic. She stated a PUD may be acceptable for the site, but the
2 applicant would need to meet the requirements of the PUD Ordinance, including the maximum
3 height of 3-stories or 35-feet. She would not support a 4-story building.

4
5 Commissioner Flannigan stated a PUD option should be approvable but with a 3-story maximum
6 building height.

7
8 Commissioner Young asked why the developer wanted 23-units.

9
10 Mr. Whitten stated the developer had used the formula established by the City that determines
11 the number of units based on the number of acres and enclosed parking stalls.

12
13 Chair Iverson stated the City does not have a lot of green space, and she asked the developer if
14 they had discussed ways to incorporate more green space in this project.

15
16 Mr. Whitten explained they have additional green space on the roofs, and the “L” shape of the
17 building allows for additional green space on the ground level. The ground level green space is
18 approximately 70-feet in length and an average of 40-feet in width.

19
20 Commissioner Murray agreed that the use of a PUD was warranted for the project. But he would
21 not support a PUD with a 4-story building.

22
23 Commissioner Gonzalez stated another reason she would not support the variance requested for
24 the building height because as presented this application does not meet the requirements of the
25 Variance Ordinance because they have not demonstrated that there are practical difficulties not
26 created by the applicant, and the variance request is mostly based on economic considerations.

27
28 Chair Iverson clarified the consensus of the Planning Commission would be to recommend
29 denial of the PUD and variance request for a 4-story building.

30
31 Commissioner Gonzalez stated she does not have enough information to make a
32 recommendation on the Shoreland Impact Plan/Conditional Use Permit. She would like to have
33 comments from the City Engineer on the Storm Water Management Plan.

34
35 Chair Iverson stated the lighting plan for the parking was also missing from the application.

36
37 Mr. Thomson suggested the applicant provide the additional information the Commission would
38 need in order to review the design of the project under the Design Standards, and provide general
39 feedback and direction for the applicant to consider for the next meeting.

40
41 Chair Iverson stated she would like to see the applicant address the ground level expression, and
42 any revised plans should include the change in the sidewalk width to 12-feet, and information on
43 seasonal landscaping and streetscaping. The application does not include plans for the
44 streetscape improvements, the required number of building articulations, the building height und
45 the PUD, information on roof material and color, facade coverage, the type of brick and accent
46 materials, additional information on the glass building materials, and a lighting plan for the

1 parking lot and building lighting. The Commission would like to have these items for review
2 prior to making additional decisions on findings and recommendations regarding the project.
3 Section 801.09.11.1b states the primary opaque surface material on all freestanding buildings
4 must be the same on all facades of the building. She would like to see documentation on how the
5 sun orientation, solar access, and views to Lake Minnetonka would be affected by the project.
6

7 Commissioner Young stated he would support a PUD to redevelop the property, and he agrees
8 that a 3-story building would be more appropriate in this location and this would require the
9 applicant to change the application. The Commission has reviewed and discussed a
10 comprehensive design critique of the project for the applicant. He would like to see the applicant
11 choose to present an application for a PUD that conforms more closely to the design critique that
12 has been created.
13

14 Chair Iverson asked the applicant if he would prefer to revise the application based on the
15 Commission's recommendations, or move the application forward with a recommendation of
16 denial from the Planning Commission.
17

18 Mr. Packer stated he would like to see the matter tabled at this time, and they would review the
19 application and provide the additional information the Commission has requested.
20

21 Commissioner Gonzalez made a motion, seconded by Commissioner Young to continue
22 consideration of the application for Meyer Place on Ferndale to the next Planning Commission
23 meeting. The motion carried unanimously.
24

25 The Planning Commission recessed at 8:45 p.m.
26

27 The Planning Commission reconvened at 8:50 p.m.
28
29

30 **AGENDA ITEM 5. Regular Agenda Old Business Items:**
31

32 **a.) None.**
33
34

35 **AGENDA ITEM 6. Other Items:**
36

37 **a.) Review of Development Activities**
38

39 Mr. Thomson stated there are currently 8-10 active development applications at this time. The
40 Planning Commission will have three (3) applications on the next agenda including Holdridge
41 Terrace, 529 Indian Mound E., and an impervious surface variance request on Ferndale Road.
42 At the next City Council meeting, the City Council is scheduled to review the Tree Ordinance
43 and an encroachment permit request for Gianni's, and a Resolution taking action on the Lake
44 Effect project.
45
46

Commissioner Young asked if there was a way for the Planning Commission to recommend the City Council review the project with flexibility on the office component.

Mr. Thomson stated the Staff Report and minutes would reflect the Commission's comments on the office space. He explained the office component had been brought up during the City Council workshop because the property is designated as a mixed use, and a 100% residential building would not be consistent with the guidance of the Comprehensive Plan.

Chair Iverson asked if the property could have a retail component rather than office.

Mr. Thomson stated the space could be office or service commercial.

Commissioner Gruber stated the PUD General Standards state the PUD project must provide common private or public open space, and facilities sufficient enough to meet minimum requirements established by the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of this. She stated the proposed project does not include any common space.

Mr. Whitten stated they do have common private common space within the facility.

Commissioner Young made a motion, Seconded by Commissioner Murray to direct Staff to prepare a draft Planning Commission Report and Recommendation, with appropriate findings, reflecting a recommendation of approval on the application for review and adoption at the next Planning Commission meeting. The motion carried unanimously.

AGENDA ITEM 5. Old Business Items:

a.) Meyer Place on Ferndale – 105 Lake St E

i. Rezoning, Concurrent PUD Concept and General Plan of Development, Design Review, Variance, and Shoreland Impact Plan/Conditional Use Permit

Mr. Thomson stated the applicant, Homestead Partners, and the property owner, Meyer Properties have submitted a development application to redevelop the Meyer Brothers Dairy site 105 Lake St. E. The development application includes demolition of the existing vacant commercial building and construction of a 3-story building with a rooftop penthouse for a rooftop terrace. The building would include 23 residential condominium units and 59 enclosed parking spaces. The applicant is requesting rezoning from C-4A to PUD/Planned Unit Development, concurrent PUD concept and General Plan of Development review, Design review, Variance from the maximum building height requirement, Shoreland Impact Plan/Conditional Use Permit for the building height, and Conditional Use Permit for the penthouse structure. He reviewed the revisions in the application since the May 2, 2016 Planning Commission meeting. He reviewed the analysis of the application including the Comprehensive Plan, zoning, building height, design review, parking, and site access and circulation. He stated the unoccupied penthouse terrace and penthouse area of the building

1 would not be considered a story because it is mechanical, staircases, storage, and elevator space
2 and is not occupied.

3
4 Chair Iverson asked if the elevator and rooftop penthouse would be needed if there was not a
5 rooftop terrace.

6
7 Mr. Thomson stated the elevator would still be needed to reach the second and third floors but it
8 would not need to go to the roof and thus extend 5-feet over the top of the rooftop penthouse
9 structure. The rooftop terrace is driving the elements on the fourth floor. He reviewed the
10 design deviations the applicant was requesting, the Civil Engineering plans, the grading plan, and
11 the landscaping plan.

12
13 Applicant's representative, Mr. Rick Packer, Homestead Partners, 525 15th Ave. S., Hopkins,
14 stated they had redone the design based on Commission comments during the May 2 meeting.
15 The proposal does meet a majority of the City's Ordinances and addresses many of the concerns
16 brought up by the Commission and residents. They did increase parking and met all the
17 infiltration, impervious surface, and lot coverage requirements. He explained they are completing
18 screening the mechanical equipment.

19
20 Commissioner Murray asked what consideration there had been for the location of the stairs and
21 elevators for the rooftop access to reduce the amount of structure above.

22
23 Mr. Whitten stated the stairway locations are dictated by code, and the elevator is centrally
24 located for the residents of the building. The rooftop terrace requires two exits and the elevator
25 is required to meet ADA requirements. He explained the mechanical equipment they are
26 requesting to house on the top floor is the air conditioning units for the third floor units.

27
28 Commissioner Flannigan asked what was driving the need for a rooftop deck.

29
30 Mr. Whitten stated the rooftop terrace was something that residents were interested in having,
31 and the Design Standards encourage outdoor space.

32
33 Commissioner Flannigan asked if residents would be impacted by the sound from the mechanical
34 systems on the roof and if geothermal had been considered.

35
36 Mr. Whitten stated there would be more noise impact if the system were on the ground level. He
37 stated they had considered geothermal but it had been determined this would not work for this
38 particular property.

39
40 Commissioner Gruber asked if the additional 11 underground parking stalls were intended for
41 guests.

42
43 Mr. Whitten explained the intention was for the residents of this project to impact the
44 neighboring community as little as possible, and they have found in projects this size two
45 parking stalls per unit is not enough. This will allow residents to use additional underground
46 parking so they are not using the streets. He clarified the Design Standards state a slanted roof

1 should be dark in color but if the Commission wants a flat dark roof, they will make that change.
2 He explained the building would be stepped back almost completely across Lake Street and
3 where it is not stepped back is to create more of a presence on the corner. The building also
4 steps back along Ferndale along the second floor and this makes the design more appealing for
5 the building flow and streetscape.
6

7 Commissioner Young stated this project was better than the four story project previously
8 proposed. He does not have concerns about the design variations being requested, but he does
9 have concerns about the height variance request. The request is for 4/10 of a foot but there is
10 also the penthouse structure that is 11-feet over the 40-feet that is allowed. It is setback, but it is
11 height and mass that will be part of this building. He stated the rooftop terrace allows for the
12 third floor to be all condominiums and this is an economic driver.
13

14 Commissioner Gruber expressed concerns about the height and the density of the property. 23
15 units in this area is massive.
16

17 Commissioner Murray stated this proposal is better than the previous submission but he has
18 concerns about the extra height being requested to accommodate a rooftop terrace. From an
19 amenities standpoint, the rooftop terrace would be a great feature.
20

21 Commissioner Flannigan stated the look of the design appears to be too blocky and too big for
22 this corner. He would support approval of the rooftop terrace and rooftop mechanical with
23 proper screening. He would also support the narrower sidewalk along Ferndale, but he does
24 question how similar this project would be to the structure on the other side of town. He stated
25 the rear of the building does not provide a good view for residents.
26

27 Chair Iverson stated there had been a comment at the public hearing that the City only has one
28 chance to make this a great project for the City, and the proposal is out of proportion to the other
29 buildings in the area. The scale and the mass of this project are too large for this area, and the
30 design is not innovative enough. She would like to see something that has more of a lake feel.
31 The proposal does not fit the character of the neighborhood. There are options that could be
32 softer for this area. She would challenge the applicants to look at the project and be more
33 innovative. The back of the building is institutional looking, and this is not a good view for the
34 residents in the back. She would like to see more charm, and Wayzata charm brought back. She
35 would not recommend approval of the project at this time because there are too many deviations
36 from code, and the proposed penthouse looks and feels like a fourth floor.
37

38 Commissioner Flannigan stated removing retail from this property does cut off the retail
39 potential for this area. If there is no retail in this development, then the next project will ask to
40 have retail removed as well.
41

42 Commissioner Young stated this area is a mixed use, and removing the spirit of the zoning
43 would have lasting impacts. This is a prominent corner, and they should look more at the
44 development to create an anchor for the City.
45

46 Commissioner Flannigan stated removing the retail impacts the City's tax base long term.

1
2 Mr. Thomson clarified that the Commission would like to see something in a PUD proposal that
3 meets more of the goals and objectives of the land use district.
4

5 Chair Iverson stated at the previous meeting, the Commission and public had expressed concerns
6 about size, mass, and scale, and they are discussing those same things with this proposal. She
7 asked if the City would want to schedule another workshop on this application.
8

9 Commissioner Young stated there is not support for this proposal. The applicant has taken the
10 Commission's input when they reduced the height of the building, and they are working in good
11 faith with the City. The PUD process and standards should allow the City to ask for a better
12 proposal, and he would like to see the City continue to work with the applicant to get a good
13 project.
14

15 Commissioner Young made a motion, seconded by Commissioner Gruber to direct Staff to
16 prepare a draft Planning Commission Report and Recommendation with appropriate findings as
17 outlined by the Commission, recommending denial of the Rezoning, Concurrent PUD Concept
18 and General Plan of Development, Design Review, Variance, and Shoreland Impact
19 Plan/Conditional Use Permit for Meyer Place on Ferndale located at 105 Lake St E. for review
20 and adoption at the next Planning Commission meeting. The motion carried unanimously.
21
22

23 **AGENDA ITEM 6. Other Items:**
24

25 **a.) Review of Development Activities**
26

27 Mr. Thomson stated on June 7th the City Council is scheduled to have a workshop that would
28 include an update on the Mill Street Ramp Project, and at their regular meeting they are
29 scheduled to review the new home on 181 Huntington.
30

31 **b.) Other Items**
32

33 Mr. Thomson provided an update on from the last City Council meeting, including the Unitarian
34 Church project and their discussions for the Tree Ordinance. The Tree Ordinance is scheduled
35 for another City Council meeting in July.
36
37

38 **AGENDA ITEM 8. Adjournment.**
39

40 Commissioner Flannigan made a motion, seconded by Commissioner Young to adjourn the
41 Planning Commission. The motion carried unanimously.
42

43 The Planning Commission meeting was adjourned at 9:24 p.m.
44

45 Respectfully submitted,
46 Tina Borg

1 Commissioner Gruber asked the Commission what type of project might be appropriate for
2 development of these properties.

3
4 Chair Iverson suggested that the density and impacts to the wetlands would have to be less, the
5 homes would have to be a smaller scale, and the homes would need to fit the particular lots.

6
7 Commissioner Flannigan stated residents had expressed concerns about noise pollution that
8 would be created by the removal of the trees on the property. He stated a plan that would result
9 in a lower number of trees removed, and reduce the density of the houses may be something that
10 would be more favorable to the neighboring residents and the City.

11
12 Commissioner Gonzalez stated she could not support the project as presented due to the density
13 of the project, and the impact to the wetlands. She explained additional reasons why she would
14 not support the project including the buildable area for four of the lots was too small, the setback
15 requirements for the frontage road were not met, the number of trees being removed was
16 significant, and the amount of fill brought to the site would greatly impact the remaining trees on
17 the property.

18
19 Commissioner Gonzalez made a motion, seconded by Commissioner Murray to adopt the
20 Planning Commission Report and Recommendation as presented, recommending denial of the
21 application for a Concurrent PUD Concept Plan and General Plan of Development for a six lot
22 single-family residential development, denial of Rezoning from R-2/Medium Density Single-
23 Family Residential District to PUD/Planned Unit Development District, and denial of
24 Preliminary Plat subdividing tow existing lots into six lots at 1407 and unaddressed parcel on
25 Holdridge Terrace. The motion carried unanimously.

26
27 **b.) Meyer Place on Ferndale – 105 Lake St E**

28 **i. Rezoning, Concurrent PUD Concept and General Plan of Development,**
29 **Design Review, Variance, and Shoreland Impact Plan/Conditional Use**
30 **Permit**
31

32 Mr. Thomson stated the applicant, Homestead Partners, and the property owner, Meyer
33 Properties had submitted a development application to redevelop the Meyer Brothers Dairy site
34 at 105 Lake Street E. The development application includes demolition of the existing vacant
35 commercial building and construction of a 3-story building with a rooftop penthouse for a roof
36 top terrace. The building includes 23 residential condominium units and 59 enclosed parking
37 spaces. The Planning Commission reviewed the development application and held a public
38 hearing at its meeting on May 2, 2016. After discussing the application, the Planning
39 Commission directed staff to prepare a draft Planning Commission Report and Recommendation,
40 recommending denial of the development application.

41
42 Commissioner Gruber made a motion, seconded by Commissioner Flannigan to adopt the
43 Planning Commission Report and Recommendation as presented, recommending denial of the
44 Concurrent PUD Concept Plan and General Plan of Development, denial of Rezoning from c-
45 4A/Limited Central Business District to PUD/Planned Unit Development District, denial of
46 Design Review, Denial of Height Variance from 35-feet to 35.4-feet, denial of Shoreland Impact

Plan/Conditional Use Permit to exceed maximum height of 35-feet in the Shoreland Overlay District, and denial of the Conditional Use Permit for a penthouse structure that is greater than 5-feet above the maximum building height for the property located at 105 Lake Street E. The motion carried unanimously.

c.) Beacon Five – 529 Indian Mound E

i. Rezoning, PUD Concept Plan, Height Variance, and Shoreland Impact Plan/CUP

Mr. Thomson stated the applicant, Ron Clark Construction, had submitted a development application to develop the property at 529 Indian Mound E. The project includes the construction of a 3-story mixed use building consisting of five residential condominiums, 600 square feet of office space, and 11 underground parking spaces. The Planning Commission reviewed the development application and held a public hearing at its meeting on June 6, 2016. After discussing the application, the Planning Commission directed staff to prepare a draft Planning Commission Report and Recommendation, recommending approval of the development application. He stated the recommended conditions of approval would include that the Developer would have to come back for approval of the General Plans of Development within 6-months of City Council approval, including the Landscape Plan and Grading, Drainage and Erosion Control Plan, and all expenses of the City of Wayzata must be fully reimbursed by the applicant.

Commissioner Flannigan abstained from voting and discussion on this application because of a conflict of interest.

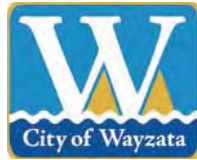
Commissioner Gonzalez stated she would not support this application because the request for a variance does not meet the Variance requirements, as the plight of the land owner is driven by economic reasons.

Commissioner Murray made a motion, Seconded Gruber by Commissioner to adopt the Planning Commission Report and Recommendation as presented, recommending approval of the Rezoning from C-1 to PUD/Planned Unit Development, approval of PUD Concept Plan of Development, approval of the Height Variance from 35-feet to 38.9-feet, and approval of the Shoreland Impact Plan/Conditional Use Permit for the building height for 529 Indian Mound E. including the conditions. The motion carried 3-ayes, 1-abstain (Flannigan), 1 nay (Gonzalez).

AGENDA ITEM 6. Other Items:

a.) Review of Development Activities

Mr. Thomson stated the July 6 Commission agenda would include the Ferndale Road subdivision, a new subdivision of Gardner, and a subdivision on Bushaway Road. The Council will have a workshop on the Lake Effect on July 5, the Mill Street Ramp will be on the City Council July 5 agenda, along with the recent development applications the Planning Commission has reviewed and made recommendations on.



WAYZATA PLANNING COMMISSION

June 20, 2016

REPORT AND RECOMMENDATION OF DENIAL OF PUD REZONING, PLANNED UNIT DEVELOPMENT PLAN, DESIGN REVIEW, BUILDING HEIGHT VARIANCE, SHORELAND IMPACT PLAN/CONDITIONAL USE PERMIT, AND CONDITIONAL USE PERMIT FOR PENTHOUSE AT 105 LAKE STREET EAST

SUMMARY OF RECOMMENDATIONS

1. **Denial** of Concurrent PUD Concept Plan and General Plan of Development
 2. **Denial** of Rezoning from C-4A/Limited Central Business District to PUD/Planned Unit Development District
 3. **Denial** of Design Review
 4. **Denial** of Height Variance from 35 feet to 35.4 feet
 5. **Denial** of Shoreland Impact Plan/Conditional Use Permit to exceed to maximum height of 35 feet in the Shoreland Overlay District
 6. **Denial** of the Conditional Use Permit for a penthouse structure that is greater than five feet above the maximum building height.
-

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Project. Homestead Partners (the "Applicant") has submitted a development application (the "Application") for redevelopment of the Meyer Brothers Dairy site located at 105 Lake Street East (the "Property"). The development application includes demolition of the existing vacant commercial building and construction of a three story building with a rooftop penthouse for a roof top terrace. The building would include 23 residential condominium units and 59 enclosed parking spaces (collectively, the "Project").
- 1.2 Application Requests. As part of the Application, the Applicant is requesting approval of the following:
 - A. Concurrent PUD Concept and General Plan of Development Review: A rezoning to PUD requires both concept and general plan of development review. The applicant is requesting concurrent review of both the concept plan and general plan (the "PUD").

- B. Rezoning from C-4A to PUD/Planned Unit Development: The property is currently zoned C-4A, and the applicant is requesting a rezoning to PUD (the “Rezoning” or “Zoning Amendment”).
- C. Design Review: Construction of a new building requires design review by City Code Section 801.09.1.5 (the “Design Review”).
- D. Variance from the maximum building height requirement: The maximum building height in the PUD zoning district is 35 feet and 3 stories, whichever is less. The proposed building would be 3 stories in height, but would be 35.4 feet in height, which requires a variance (the “Height Variance”).
- E. Shoreland Impact Plan/Conditional Use Permit for the building height: In addition to the PUD zoning district, the shoreland overlay district also includes a maximum height requirement of 35 feet. The shoreland ordinance states that building heights of over 35 feet may be allowed through approval of a shoreland impact plan/conditional use permit (the “Shoreland Impact Plan/Conditional Use Permit”).
- F. Conditional Use Permit for the penthouse structure: The zoning ordinance establishes a maximum height of 40 feet for mechanical spaces and elevator penthouses. The proposed building includes a penthouse structure to serve a rooftop terrace which would be 16 feet above the roof the building with a total height of 51.4 feet (the “Conditional Use Permit”).
- 1.3 Property. The addresses, property identification numbers and owner of the parcels comprising the subject property (the “Property”) are:

105 Lake Street E	06-117-22-23-0034	Meyer Properties
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- 1.4 Zoning and Land Use Designations. The Property falls within the following districts:

Current zoning:	C-4A/Limited Central Business District
Comp plan designation:	Central Business District

- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Sun Sailor* on April 21, 2016. A copy of the notice was mailed to all property owners located with 350 feet of the Property on April 21, 2016. The required public hearing was held at the May 2, 2016 Planning Commission meeting.

Section 2. STANDARDS

2.1 Planned Unit Developments (PUDs).

- A. Intent and Purpose of PUDs. The PUD process, outlined in Section 801.33 of the Zoning Ordinance, allows deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., for the purpose of encouraging:
1. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
 2. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
 3. More convenience in location and design of development and service facilities.
 4. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
 5. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
 6. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
 7. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
 8. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.
- B. General Standards. Section 801.33.2.A of the Zoning Ordinance sets forth the general standards for review of any PUD application. These are:
1. Health Safety and Welfare; Intent and Purpose of PUDs; Discretion of Council. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on

the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of this Section, it may approve a PUD permit, although it shall not be required to do so.

2. Ownership. Applicant/s must own all of the property to be included in the PUD.
3. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.
4. Sanitary Sewer Plan Consistency. The PUD project must be consistent with the City's Sanitary Sewer Plan.
5. Common Open Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
6. Operating and Maintenance Requirements. Whenever common private or public open space or service facilities are provided within a PUD, the PUD plan must contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD must be placed under the ownership of one of the following, as approved by the City Council: (i) dedicated to the public, where a community-wide use is anticipated, (ii) Landlord control, where only tenant use is anticipated, or (iii) Property Owners Association, provided the conditions of 801.33.2.A.6.c are met.
7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.

8. Density. The maximum allowable density in a PUD District shall be determined by standards negotiated and agreed upon between the applicant and the City. In all cases, the negotiated standards shall be consistent with the development policies as contained in the Wayzata Comprehensive Plan.
 9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
 10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 801.33.2.A.10.
 11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
 12. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
 13. Setbacks. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall be the same as imposed in the underlying districts, if a PUD conditional use permit, or the previous zoning district, if a PUD District. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street pattern. No building within the PUD project shall be nearer to another building than one-half (1/2) the sum of the building heights of the two (2) buildings. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the allowable setbacks shall be as negotiated and agreed upon between the applicant and the City.
 14. Height. The maximum building height to be considered within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser. There shall be no deviation from the height standards applied within the applicable zoning districts for PUD conditional use permits. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the maximum allowable height and number of floors shall be as negotiated and agreed upon between the applicant and the City.
- C. Residential Area PUD Standards. Section 801.33.3 sets forth area standards for PUDs which have a residential component. For multiple family residential

PUD District projects, the normal standards of either the R-4 or R-5 Zoning Districts shall apply to each project, excepting usage standards, as determined by the City Council and as provided above in Section 801.33.2. In addition to the other standards for PUDs, City Council may impose such other standards for a PUD project as are reasonable and as the Council deems are necessary to protect and promote the general health, safety and welfare of the community and the surrounding area.

- D. Simultaneous Concept and General Plans. In cases of single stage PUDs or for projects of limited size and scope, the applicant may, at the discretion of the Zoning Administrator, submit the General Plan of Development for the proposed PUD simultaneously with the submission of a Concept Plan. The Planning Commission and City Council shall consider such plans simultaneously and shall grant or deny a General Plan of Development in accordance with the provisions of the PUD Ordinance.

2.2 Zoning Ordinance Amendments (Text and Map) / Rezoning.

City Council has the discretion and authority under state law and City Code to amend the City's Zoning Ordinance and Official Zoning Map. Minn. Stat. Sec. 462.357; Wayzata City Code Sec. 801.03. A zoning ordinance amendment may be initiated by the governing body, the planning agency or by petition of affected property owners. Minn. Stat. Sec. 462.357, Subd. 4. The existing provisions of the Zoning Ordinance are presumed to be constitutional and otherwise valid. The City has broad discretion in whether to grant or deny a request to rezone. An applicant is only legally entitled to a change in the Zoning Ordinance if they can demonstrate that the existing zoning is unsupported by any rational basis related to the public health, safety and welfare. Under the City's Zoning Ordinance, the City Council acts on any proposed amendment upon receiving the report and recommendation of the Planning Commission. Section 801.03.2. In considering a proposed amendment to the Zoning Ordinance, the Planning Commission shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:

- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
- B. The proposed use's conformity with present and future land uses of the area.
- C. The proposed use's conformity with all performance standards contained in the Zoning Ordinance (i.e., parking, loading, noise, etc.).
- D. The proposed use's effect on the area in which it is proposed.

- E. The proposed use's impact upon property value in the area in which it is proposed.
 - F. Traffic generation by the proposed use in relation to capabilities of streets serving the property.
 - G. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.
- 2.3 Design Standards City Code §801.09: The design standards set forth in Section 9 of the Wayzata City Zoning Ordinance are referred to collectively as the "Design Standards" or the "Standards". The purpose of the Design Standards is to shape the City's physical form and to promote the quality, character and compatibility of new development in the City. The Standards function to:
- A. To guide the expansion and renovation of existing structures and the construction of new buildings and parking, within the commercial districts of the City;
 - B. To assist the City in reviewing development proposals;
 - C. To improve the City's public spaces including its streets, sidewalks, walkways, streetscape, and landscape treatments.
- 2.4 Variance Standards: Section 801.05.1.C provides the criteria for reviewing variances from the Zoning Ordinance. The Variance requested in the Application is a Setback Variance. The variance review criteria are as follows:
- A. Variances shall only be permitted when they are:
 - (i) in harmony with the general purposes and intent of this Ordinance; and
 - (ii) consistent with the Comprehensive Plan.
 - B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
 - C. "Practical difficulties," as used in connection with the granting of a variance, means that:
 - (i) the property owner's proposal for the property is reasonable but not permitted by this Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.

- D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
 - E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with this Ordinance.
 - F. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
 - G. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
 - H. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.
- 2.5 Shoreland Impact Plan/Conditional Use Permit: Section 801.91.19 states that landowners or developers desiring to develop land or construct any dwelling or any other artificial obstruction on land located within any Shoreland District within the City of Wayzata shall first submit a conditional use permit application as regulated by Section 801.04 of this Ordinance and a plan of development, hereinafter referred to as "Shoreland Impact Plan", which shall set forth proposed provisions for sediment control, water management, maintenance of landscaped features, and any additional matters intended to set forth proposed changes requested by the applicant and affirmatively disclose what, if any, change will be made in the natural condition of the earth, including loss of change of earth ground cover, destruction of trees, grade courses and marshes. The plan shall minimize tree removal, ground cover change, loss of natural vegetation, and grade changes as much as possible, and shall affirmatively provide for the relocation or replanting of as many trees as possible which are proposed to be removed. The purpose of the shoreland impact plan shall be to eliminate and minimize as much as possible potential pollution, erosion and siltation.
- 2.6 Conditional Use Permits: City Code Section 801.04.2.F. states that the Planning Commission and City Council shall consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:
- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.

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

Section 3. FINDINGS

Based on the Application materials, additional materials submitted by the Applicant, staff reports, public comment and information presented at the hearing, and the standards of the Wayzata Zoning and Subdivision Ordinances, the Planning Commission of the City of Wayzata makes the following findings of fact:

3.1 PUD.

- A. Intent and Purpose of PUDs. The PUD represented in the Application does not conform with all of the factors outlined in Section 33 of the Zoning Ordinance that represent the overall intent and purpose of a PUD in that Proposed PUD:
 - 1. Does not represent a greater variety in type, design, and placement of structures, or the conservation of land on the Property.
 - 2. Does not appear to represent higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
 - 3. Does not preserve or enhance desirable site characteristics, including the natural topography and geologic features, and wetlands, mature trees and vegetation, but instead have negative impact on such features.
 - 4. Does not show a development pattern in harmony with the objectives of the Wayzata Comprehensive Plan but rather appears to be a means to vary applicable planning and zoning principles of the applicable current zoning district.

5. Would not result in a more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.
- B. General Standards. The PUD does not satisfy all of the general standards listed in Section 801.33.2.A of the Zoning Ordinance and in Section 2.1 of this Report.
1. Greater Flexibility of PUD Not Justified. The Project deviates from the requirements of the current zoning district. The Property is currently zoned C-4A/Limited Central Business District. The C-4A district establishes a maximum building height of two (2) stories and thirty (30) feet, and the proposed building would be three (3) stories and 35.4 feet in height. It is not the intent of the PUD ordinance to waive the standards for a development project. Rather, a PUD allows modifications of the strict standards for projects that meet a specific purpose, as outlined in Section 3 of this Report. As outlined above, the Project does not meet the Purpose of the PUD Ordinance, and therefore the flexibility on building height is not justified.
 2. Building Height: The Project exceeds the maximum building height of the PUD district of 35 feet.
- 3.2 Zoning Ordinance Amendment / Rezoning.
- A. Rezoning to PUD is contingent on approval of the requested PUD, which the Planning Commission recommends denying for reasons stated in the preceding sections of this Report.
 - B. The uses associated with the requested Rezoning will have adverse effects, including on the residential area in which it is proposed, as noted elsewhere in this Report.
- 6.3 Design Review: The Project does not meet all of the Design Standards outlined in City Code Section 801.09, and the Applicant has not demonstrated that the negative impact of granting a deviation is outweighed by the factors outlined in City Code Section 801.09.21.1.A:
- A. Building recession: The third level of the proposed building is partially recessed from the second level. The third level along Lake Street is stepped back 10 feet for most, but not the entire length of the Lake Street elevation. The third level along Ferndale is not stepped back from the second level at all. The design standards require the entire third floor to be recessed from the lower floors. In addition, the second story must be recessed for 25

percent of the façade length, and the proposed second story is not recessed from the first level.

- B. Ground level expression: The proposed building does not include the required elements to distinguish the ground floor from the upper floors.
- C. Ferndale sidewalk: The proposed site plan includes a 12-foot wide sidewalk along Lake Street that would meet the design standards and the City's Lake Street sidewalk specifications. However, the Ferndale Road streetscape includes a 6-foot wide concrete sidewalk. The design standards require a sidewalk of at least 12 feet in width of exposes aggregate surface along all street frontages. There is not currently a sidewalk along either side of Ferndale Road that the proposed sidewalk could connect to. However, the Ferndale Road sidewalk would still require a deviation from the design standard.
- D. Mechanical equipment on the roof: The proposed plans include mechanical equipment that would be located on the roof of the building that would be screened by the penthouse structure and a parapet screening wall. The design standards for the Lake Street District state that there may be no mechanical equipment on the roof deck and all such equipment must be located within the interior of the structure.
- E. Roof color: The proposed building would have a flat roof which would be comprised of a tan colored membrane. The tan color would not meet the design standards which require a dark colored flat roof.
- F. Boulevard trees along Lake Street: The boulevard trees along Lake Street are placed 38 feet apart, which is greater than the 26 feet specified in the design standards.

3.4 Height Variance.

- A. The Height Variance is contingent on approval of the requested PUD, which the Planning Commission recommends denying for reasons stated in the preceding sections of this Report.
- B. The Applicant has not set forth the reasons that the Height Variance is justified under the criteria of City Code Section 801.05.1.C in order to make reasonable use of the land, structure or building.

3.5 Shoreland Impact Plan/Conditional Use Permit:

- A. Although the Shoreland Overlay district allows for a maximum building height of thirty five (35) feet, the underlying C-4A zoning only allows for a maximum building height of two (2) stories or thirty (30) feet, which the proposed

building would exceed. The Planning Commission recommends denying the requested PUD for reasons stated in the preceding sections of this Report.

3.6 Conditional Use Permit.

- A. The Conditional Use Permit is contingent on approval of the requested PUD, which the Planning Commission recommends denying for reasons stated in the preceding sections of this Report.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **DENIAL** of the (1) PUD; (2) Rezoning; (3) Design Review; (4) Height Variance; (5) Shoreland Impact Plan/Conditional Use Permit; and (6) Conditional Use Permit requested in the Application.

Adopted by the Wayzata Planning Commission this 20th day of June 2016.

Voting In Favor: Gonzalez, Gruber, Iverson, Murray, Flannigan

Voting Against: None

Abstaining: None

Absent: Gnos, Young

DRAFT RESOLUTION NO. 23-2016

**RESOLUTION DENYING PUD, REZONING, PROJECT DESIGN, AND CONDITIONAL
USE PERMIT FOR REDEVELOPMENT OF MEYER BROTHERS DAIRY SITE AT 105
LAKE STREET E**

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

Section 1. BACKGROUND

1.1 Development Application. Homestead Partners, and the property owner, Meyer Properties (the “Applicant”) have submitted a development application (the “Application”) to redevelop the Meyer Brothers Dairy site at 105 Lake Street E. The development would involve the demolition of the existing vacant commercial building, and the subsequent construction of a new three story residential building with 23 residential condominium units and 59 enclosed parking spaces. The Application includes requests for approval of:

- A. PUD Concept and General Plan of Development for New Residential Development (the “PUD”): The Project would be built according to an approved PUD for the Property.
- B. Rezoning from C-4A to PUD/Planned Unit Development (the “Rezoning” or “Zoning Amendment”): In connection with approval of the PUD, the Property would be rezoned to PUD District.
- C. Project Design (the “Design”): The proposed new building requires design review and approval under the City’s Design Standards, Section 801.09.1.5 of the Zoning Ordinance.
- D. Conditional Use Permit for Penthouse Structure (the “Penthouse CUP”): The Zoning Ordinance establishes a maximum height of 40 feet for mechanical spaces and elevator penthouses. The proposed building includes a penthouse structure to serve a rooftop terrace which would be 13 feet above the roof the building with a total height of 48 feet. This requires a conditional use permit.

1.2 Property. The address, property identification number and owner of the property involved in the Project (the “Property”) are:

105 Lake Street E	06-117-22-23-0034	Meyer Properties
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1.3 Land Use. Uses in the general vicinity are Central Business District. The Property is zoned C-4A/Limited Central Business District and guided Central

Business District in the Comprehensive Plan. The adjacent properties are both zoned C-4A/Limited Central Business District and PUD/Planned Unit Development. The Property is subject to the design standards of the Lake Street District.

- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Sun Sailor* on April 21, 2016. A copy of the notice was mailed to all property owners located within 350 feet of the Property on April 21, 2016. The required public hearing was held at the May 2, 2016 Planning Commission meeting.
- 1.6 Planning Commission Action. The Planning Commission reviewed the Application and held a public hearing at its May 4, 2015 meeting. At its meeting on June 20, 2016, the Planning Commission adopted a Report and Recommendation recommending denial of all the requests in the Application based on the findings in the Report.

Section 2. STANDARDS

2.1 Planned Unit Developments (PUDs).

- A. Intent and Purpose of PUDs. Section 801.33 of the Zoning Ordinance provides for the establishment of Planned Unit Developments to allow greater flexibility in the development of neighborhoods and/or non residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD process, by allowing deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:
 1. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
 2. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
 3. More convenience in location and design of development and service facilities.
 4. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.

5. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
 6. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
 7. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
 8. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.
- B. General Standards. Section 801.33.2.A of the Zoning Ordinance sets forth the general standards for review of a PUD application. These include:
1. Health Safety and Welfare; Council Discretion. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of Section 33 of the PUD Ordinance, it may approve the PUD, although it shall not be required to do so.
 2. Ownership. Applicant/s must own all of the property to be included in the PUD.
 3. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.
 4. Sanitary Sewer Plan Consistency. The PUD project must be consistent with the City's Sanitary Sewer Plan.
 5. Common Open Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the

Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.

6. Operating and Maintenance Requirements. Whenever common private or public open space or service facilities are provided within a PUD, the PUD plan must contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD must be placed under the ownership of one of the following, as approved by the City Council: (i) dedicated to the public, where a community-wide use is anticipated, (ii) Landlord control, where only tenant use is anticipated, or (iii) Property Owners Association, provided the conditions of 801.33.2.A.6.c are met.
7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 801.33.2.A.10.
11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
12. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
13. Setbacks. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall

be the same as imposed in the underlying districts, if a PUD conditional use permit, or the previous zoning district, if a PUD District. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street pattern. No building within the PUD project shall be nearer to another building than one-half (1/2) the sum of the building heights of the two (2) buildings. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the allowable setbacks shall be as negotiated and agreed upon between the applicant and the City.

14. Height. The maximum building height to be considered within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser. There shall be no deviation from the height standards applied within the applicable zoning districts for PUD conditional use permits. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the maximum allowable height and number of floors shall be as negotiated and agreed upon between the applicant and the City.

2.2 Zoning Ordinance Amendments (Text and Map) / Rezoning.

In considering a proposed amendment to the Zoning Ordinance, the Planning Commission shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon the following factors:

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

2.3 Design Standards. The design of all new buildings is subject to the review and approval of the Wayzata Planning Commission and City Council. City Code Section 801.09.1.5. The relevant design criteria for the “Lake District” which are applicable to the Project are included in the Design Critique attached to the Planning Commission Report and Recommendation. With the exception of Section 7 of the Design Standards, a deviation from any section of the Design Standards requires a finding by the City Council (after considering the Planning Commission’s recommendation) that the negative impact of such deviation is outweighed by one or more of the following factors:

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

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

- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
- B. The proposed use's compatibility with present and future uses of the area.
- C. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
- D. The proposed use's effect on the area in which it is proposed.

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

Section 3. FINDINGS OF FACT

The City Council of the City of Wayzata hereby confirms and memorializes that the (1) PUD; (2) Rezoning; (3) Design; and (4) Penthouse CUP requested as part of the Application do not meet the applicable requirements of Wayzata's Zoning Ordinance, based upon the following findings of fact made on the record (as well as all Application materials, staff reports, public comment presented at the hearing, and the Recommendation of the Planning Commission):

3.1 PUD.

- A. Intent and Purpose of PUDs. The PUD represented in the Application does not conform with all of the factors outlined in Section 33 of the Zoning Ordinance that represent the overall intent and purpose of a PUD in that Proposed PUD:
 - 1. Does not represent a greater variety in type, design, and placement of structures, or the conservation of land on the Property.
 - 2. Does not represent higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
 - 3. Does not preserve or enhance desirable site characteristics, including the natural topography and geologic features, and wetlands, mature trees and vegetation, but instead have negative impact on such features.
 - 4. Does not show a development pattern in harmony with the objectives of the Wayzata Comprehensive Plan but rather appears to be a means to vary applicable planning and zoning principles of the applicable current zoning district.
 - 5. Would not result in a more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.

B. General Standards. The PUD does not satisfy all of the general standards listed in Section 801.33.2.A of the Zoning Ordinance.

1. Greater Flexibility of PUD Not Justified. The Project deviates from the requirements of the current zoning district. The Property is currently zoned C-4A/Limited Central Business District. The C-4A district establishes a maximum building height of two (2) stories and thirty (30) feet, and the proposed building would be three (3) stories and 35.4 feet in height. It is not the intent of the PUD ordinance to waive the standards for a development project. Rather, a PUD allows modifications of the strict standards for projects that meet a specific purpose, as outlined in Section 3 of this Resolution. As outlined above, the Project does not meet the Purpose of the PUD Ordinance, and therefore the flexibility on building height is not justified.
2. Building Height. The Project exceeds the maximum building height of the PUD district of 35 feet.

3.2 Zoning Ordinance Amendment / Rezoning.

- A. The uses associated with the requested Rezoning will have adverse effects, including on the residential area in which it is proposed, as noted elsewhere in this Resolution.
- B. Rezoning to PUD is contingent on approval of the requested PUD, thus unless the PUD is approved, the Property should not be rezoned as requested.

3.3 Design. The Project does not meet all of the Design Standards outlined in City Code Section 801.09, and the Applicant has not demonstrated that the negative impact of granting a deviation is outweighed by the factors outlined in City Code Section 801.09.21.1.A:

- A. Building recession: The third level of the proposed building is partially recessed from the second level. The third level along Lake Street is stepped back 10 feet for most, but not the entire length of the Lake Street elevation. The third level along Ferndale is not stepped back from the second level at all. The design standards require the entire third floor to be recessed from the lower floors. In addition, the second story must be recessed for 25 percent of the façade length, and the proposed second story is not recessed from the first level.
- B. Ground level expression: The proposed building does not include the required elements to distinguish the ground floor from the upper floors.
- C. Ferndale sidewalk: The proposed site plan includes a 12-foot wide sidewalk along Lake Street that would meet the design standards and the

City's Lake Street sidewalk specifications. However, the Ferndale Road streetscape includes a 6-foot wide concrete sidewalk. The design standards require a sidewalk of at least 12 feet in width of exposed aggregate surface along all street frontages. There is not currently a sidewalk along either side of Ferndale Road that the proposed sidewalk could connect to. However, the Ferndale Road sidewalk would still require a deviation from the design standard.

- D. Mechanical equipment on the roof: The proposed plans include mechanical equipment that would be located on the roof of the building that would be screened by the penthouse structure and a parapet screening wall. The design standards for the Lake Street District state that there may be no mechanical equipment on the roof deck and all such equipment must be located within the interior of the structure.
- E. Roof color: The proposed building would have a flat roof which would be comprised of a tan colored membrane. The tan color would not meet the design standards which require a dark colored flat roof.
- F. Boulevard trees along Lake Street: The boulevard trees along Lake Street are placed 38 feet apart, which is greater than the 26 feet specified in the design standards.

3.4 Conditional Use Permit for Penthouse.

- A. There will be adverse effects of the proposed conditional use as outlined in this section of this Resolution.
- B. The CUPs are contingent on approval of the requested PUD, thus unless the PUD is approved, CUPs should not be granted as requested.

Section 4. CITY COUNCIL ACTION

- 4.1 Based on the findings in section 3 of this Resolution, the (1) PUD; (2) Rezoning; (3) Design; and (4) Penthouse CUP requested in the Application are hereby **DENIED**.

Adopted by the Wayzata City Council this 5th day of July, 2016.

Mayor Ken Willcox

ATTEST:

City Manager Jeffrey Dahl

ACTION ON THIS RESOLUTION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

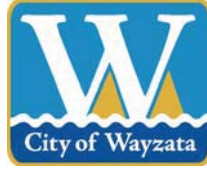
Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on _____, 2016.

Becky Malone, Deputy City Clerk
SEAL

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**Planning Report
City Council
July 19, 2016**

Project Name: Bayside Residence
Applicant Peterssen/Keller Architecture
Addresses of Request: 320 and 346 Ferndale Rd S
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: July 22, 2016

Development Application

Introduction

The applicant, Peterssen/Keller Architecture, and the property owner, Abbey Road Realty, have submitted a development application to combine the two existing parcels at 320 and 346 Ferndale Road into a single lot of record. The existing houses on both of the lots would be demolished, and one new single-family home would be constructed on the combined lot.

Property Information

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

Address	PID	Owner
320 Ferndale Rd S	06-117-22-32-0008	Abbey Road Realty, LLC
346 Ferndale Rd S	06-117-22-32-0021	Abbey Road Realty, LLC

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

Current zoning:	R-1A/Low Density Single Family Estate District
Comp plan designation:	Estate Single Family
Total site area:	142,309 square feet (3.27 acres)

Project Location

The properties are located on Ferndale Rd S, directly south of Shaver Park.

Map 1: Project Location



Application Requests

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

- A. Preliminary and Final Plat Subdivision: The City's subdivision ordinance defines subdivision as the division of land into two or more lots or combination of two or more lots. The applicant's proposal to combine the two existing lots into one lot requires subdivision review and approval.

The City's subdivision ordinance allows for administrative review and approval of a minor subdivision to combine two lots if one or both of the existing lots are non-conforming due to insufficient lot size, width, or depth, *and* the combined lot would have an area not greater than 125% of the minimum lot size in the zoning district. Both of the existing lots have non-conforming lot sizes and lot widths. However, the combined lot would have a lot area of 142,309 square feet, which is 178% of the minimum lot area requirement in the R-1A zoning district. Therefore, the proposed subdivision is not eligible for administrative review of a minor subdivision. Preliminary and final plat review and approval through the Planning Commission and City Council is required.

Adjacent Land Uses

The following table outlines the uses, zoning, and Comprehensive Plan land use designations for adjacent properties:

Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Shaver Park	R-1A/Low Density Single Family Residential District	Park

East	Lake Minnetonka	N/A	N/A
South	Single-family homes	R-1A/Low Density Single Family Residential District	Estate Single Family
West	Single-family homes	R-1A/Low Density Single Family Residential District	Estate Single Family

Public Hearing Notice

The public hearing notice was published in the *Wayzata Sun Sailor* on June 10, 2016. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on June 10, 2016. The Planning Commission held the public hearing on June 20, 2016.

Analysis of Application

Lot Requirements

Both of the existing lots have non-conforming lot areas and lot widths. The subdivision would result in a combined lot that would meet the lot requirements of the R-1A zoning district:

	Lot area (sq. ft.)	Lot width	Lot depth
R-1A Requirements	80,000 (min.)	200 ft. (min.)	200 ft. (min.)
320 Ferndale Rd (existing lot)	65,340 sq. ft.	136 ft.	400+ ft.
346 Ferndale Rd S (existing lot)	76,969 sq. ft.	135 ft.	400+ ft.
Combined Lot (proposed)	142,309 sq. ft.	271 ft.	400+ ft.

Surrounding Lot Sizes

The following summarizes the lot areas of the R-1A lots within 350 feet of the subject properties that contain a single-family home:

Address	Lot area
301 Ferndale Rd S	129,777 sq. ft.
353 Ferndale Rd S	204,800 sq. ft.
358 Ferndale Rd S	70,010 sq. ft.
366 Ferndale Rd S	108,018 sq. ft.
372 Ferndale Rd S	137,479 sq. ft.

Proposed House:

The applicant has submitted the preliminary plans for the new house that would be constructed on the combined lot. The proposed house would be one story in height with

a walk-out basement on the lake side of the home. The proposed site plan also includes a detached garage, pool house, and boat house. The proposed home would meet all of the R-1A zoning district requirements:

	R-1A Requirement	Proposed House
Front yard setback	45 ft. (min.)	81 ft.
Side yard setback	20 ft. (min.)	45 ft. / 63 ft.
Rear yard setback	50 ft. (min.)	223 ft.
Lot coverage	10% (max.)	7.1%
Impervious surface	20% (max.)	19.86%

In addition, the site is located in the shoreland overlay zoning district. The proposed house would also meet the requirements of the shoreland district:

- Shoreland setback: The setback requirement for the home is based on the average setback of the adjoining structures. In this case, there is no structure located on the property to the north, Shaver Park. Therefore, the set back from Lake Minnetonka must be equal to the setback of the structure on the property to the south, or 75 feet, whichever is greater. In this case, the home on the property to the south is set back 195 feet from the lake, and the proposed house would be set back 223 feet from the lake. The proposed house meets the lakeshore setback requirement.
- Impervious surface: The maximum impervious surface requirement in the R-1A zoning district of 20% is more restrictive than the impervious surface requirement in the shoreland district. Therefore the R-1A zoning district requirement applies, and the proposed site plan meets the maximum impervious surface requirement.
- Building height: The maximum building height within the shoreland overlay is 35 feet, which is measured from average grade within 6 feet of the house to the midpoint of the highest pitched roof. The proposed house would be 32 feet in height as measured from the walkout level to the top of the chimney, which is the tallest height of building. Therefore, the proposed house is well within the maximum height requirement of the shoreland district.

Sanitary Sewer Relocation

There is an existing City sanitary sewer main that bisects the back of the lot. The applicant is proposing to relocate a portion of the sanitary sewer main to accommodate the proposed house and pool location. The sanitary sewer main would be relocated to the back of these site improvements. The existing utility easement would need to be vacated, and new easements would need to be established along the new sewer location.

Planning Commission Review

The Planning Commission held a public hearing and reviewed the development application at its meeting on June 20, 2016. The Planning Commission generally commented that the proposed lot combination would be consistent with the other lots in the neighborhood, and they commended the applicant for designing a home that responds to the natural features of the site. On July 6, 2016, the Planning Commission voted six (6) in favor and zero (0) opposed to adopt a Report and Recommendation which recommends approval of the project, subject to the following conditions:

- A. Sanitary Sewer Relocation. The Final Plat must reflect the relocation of the existing utility easement for the City sanitary sewer main that bisects the back of the existing lot, in a form acceptable to the City Engineer and City Attorney.
- B. Utility and Grading Plans. The final utility and grading plans must be reviewed and approved by the City Engineer prior to the City issuing a building permit for construction of the new home on the Property.
- C. Final Plat Recording. The Applicant must record the Final Plat with the Hennepin County Registrar of Titles within 120 days of the City Council approval of the Final Plat. The Applicant must furnish the City with a copy of the recorded Final Plat prior to the City issuing a building permit for construction of the new home on the Property.
- D. City Expenses. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Applicable Code Provisions for Review

Preliminary Plat Criteria (Section 805.14.E: The Planning Commission shall consider possible adverse effects of the preliminary plat. Its judgment shall 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 performance standards contained herein.
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.

Action Steps

Adopt draft Resolution No. 26-2016 approving the preliminary and final plat subdivision at 320 and 346 Ferndale Rd S.

Attachments

- Attachment A: Applicant's narrative
- Attachment B: Proposed Plans

- o Preliminary and final plat
 - o Architectural plans
 - o Civil plans
 - o Landscape plans
- Attachment C: Draft June 20th Planning Commission meeting minutes
- Attachment D: Planning Commission Report and Recommendation
- Attachment E: Draft City Council Resolution No. 26-2016

PETERSSSEN/KELLER

architecture

May 20 2016

Peterssen/Keller Architecture
2919 James Avenue South
Minneapolis, Minnesota 55408

To:
The City of Wayzata
Planning Commission
600 Rice Street East
Wayzata, MN 55391

RE: Bayside Residence
320 & 346 Ferndale Road

Enclosed you will find documents for a Subdivision request (lot combination) and a grading review for the site. Below is a list of items within the submittal.

- Completed Development Application
- Landscape narrative provided from D/O, who created the landscape design
- Attested Deed
- Certified List of Property Owners within 350 Ft, on mailing labels
- Peterssen/Keller architecture:
 - Proposed floor plans
 - Exterior elevations
- D/O (Landscape Design)
 - Tree Preservation plan
 - Tree planting plan
- Pierce Pini Civil Engineers:
 - Site Plan Review
 - Stormwater Pollution Prevention Plan Existing and Proposed Conditions
 - Erosion Control Details
 - Grading and Drainage Plan
 - Sanitary Sewer Plan and Profile
 - Stormwater Management Plan
 - Stormwater Management Details
- HSJ Surveyors:
 - Preliminary Plat of Ferndale Gardens
 - Final Plat of Ferndale Gardens

05.18.2016

DWYER/OGLESBAY
227 COLFAX avenue north
suite 205
Minneapolis

ATTENTION

CITY OF WAYZATA
PLANNING COMMISSION
600 RICE STREET EAST
WAYZATA, MN 55391

PROJECT: BAYSIDE RESIDENCE
ADDRESS: 320 & 326 FERNDAL ROAD

The project site is the combination of two separate lots into a single 149,707 square foot parcel (3.427 Acres) along Wayzata Bay. This proposal is to develop a new single-family home. The designed site improvements include: a new-single family residence with detached garage and boat house, native landscape restoration, sustainable storm water systems, new natural stone drives and patios, pergola and a swimming pool.

The goal of the design is to restore the natural glacial landscape and biomes originally present on the undeveloped site. By removing formal garden walls, non-native tree species and restoring grades the new home is sited within 1.2 acres of restored prairie meadow, one-half acre of upland forest restoration and includes 3,245 square-feet of intensive green roof. The remaining site features formal gardens utilizing native grasses, trees and flowers. A large three-quarter lawn is designed to act as a large raingarden, preventing any storm water from entering Lake Minnetonka as runoff.

All storm water will be captured in raingardens, both natural and formal gardens, and pretreated prior to being captured within two large underground concrete vaults. This excess runoff will be stored and reused as irrigation for lawn and formal garden areas. In the end, the Bayside Residence will manage 100-year rain events, and improve the Lake quality.

All existing trees will be managed to save both significant and heritage trees. Any trees lost due to construction will be replaced with native sugar maples, bur oaks and aspen trees typical to the Kettle Moraine area of this Minnehaha Creek Watershed. The overall house and landscape design will be a quiet, clean modern interpretation of the natural features found within this landscape and environmentally friendly for the Lake and local community.

D/O / 227 colfax avenue north / suite 205 / Minneapolis minn 55405 / 612.259.8623 / dwyeroglesbay.com#

Bayside Residence

320 and 346 Ferndale Road South

June 20th, 2016

Applicable Code Provisions for Review

Preliminary Plat Criteria (Section 805.14.E)

- 1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan**
 - a. Response: The proposed lot combination will be consistent with the Wayzata Comprehensive Plan:
 - i. The property is currently zoned R1-A, low density single family estate district. The new combined property will be developed as a new single family home meeting all zoning and code ordinances for this type of district (including lot width and area.
 - ii. The existing lots are currently non-conforming, and do not meet the requirements for lot width or area.
- 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.**
 - a. Response: Extensive care and studies were completed to locate the proposed home and building pad appropriately on the site in both plan and elevation in order to preserve sensitive areas:
 - i. The proposed building, wall and landscape structures will be constructed to respect, and in many cases exceed, the codes and environmental targets of the City of Wayzata, Lake Minnetonka Conservation District, Minnehaha Creek Watershed District, and DNR. The intention of the landscape design, as per the Owner's request, is to be environmentally sensitive, utilize onsite storm water for all irrigation, restore the shoreline with native mesic prairie, and utilize native species that provide new habitat for local wildlife.
 - ii. The proposed design pushes the house significantly back from the required lake setback to minimize disruption to the front of the site.
 - iii. The proposed design locates the main level of the home at the mid-point of site in order minimize the visual impact of the home from the street and lake, while also minimizing the quantities of cut & fill that may be required for the building pad.
 - iv. The building pad was located to best preserve the significant trees that exist on the site. Extensive design changes have been made throughout the process in order to assure that these trees would be protected and preserved.

- v. The dense vegetation along the Northwest property line (adjacent to the park) are being preserved to buffer the park from the new building pad and house.
- vi. The design will meet the maximum impervious surface requirements of the R1-A zoning district and the Shoreland District.

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

- a. Response: Extensive care and studies were completed to locate the proposed home and building pad appropriately on the site in both plan and elevation in order to respect the natural topography:
 - i. The proposed design locates the main level of the home at the mid-point of site in order minimize the visual impact of the home from the street and lake, while also minimizing the quantities of cut & fill that may be required for the building pad.
 - ii. The proposed building pad and landscape design is intentionally integrated into the existing naturally undulating grading. The components of the hardscape and building have been designed and located in such a way as to minimize/fill and significant retaining walls.
 - iii. The proposed building is designed to appear nestled into the site, with natural plantings that minimize its impacts on the local environment. The overall topography changes are ½ of the allowed amount by the City of Wayzata.

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

- a. Response: Extensive care and studies were completed to locate the proposed home and building pad appropriately on the site in both plan and elevation in order to best preserve the existing significant trees:
 - i. The building pad was located to best preserve the significant trees that exist on the site. Extensive design changes have been made throughout the process in order to assure that these trees would be protected and preserved.
 - ii. All native trees are being cared for by Vineland Tree Care at the Owner's request. Trees will be watered and treated during construction. Trees to be saved will be protected by 6' chain link fences exceeding the City requirements for snow fencing.
 - iii. All trees to be removed are within the footprint of the house or driveway or otherwise of poor health. All trees to be removed will be replaced as follows:
 - 1. Significant Trees, 6 inches or greater with ½" for 1" of the caliper size lost.
 - 2. Legacy Trees, 27 inches or greater with 1" for 1" of caliper size lost.
 - 3. The new trees will be between 6"-12" of caliper size each and will be based on the historic plant pallet found in the Upland Forests present preconstruction in Wayzata.

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.

- a. Response: The new combined lot will not adversely impact the scale, pattern of character of the City or its neighborhood:
 - i. The lot is similar in size and nature to a majority of the other properties along Ferndale Road, and significantly smaller than at least four to five other properties nearby. The current two lots are the smallest parcels on the road and not within the scale of the neighborhood.
 - ii. The new lot will meet the City's plans and requirements for new lots, while the existing lots are non-conforming due to lot width and lot area.
 - iii. The new lot will allow the home to be further setback from the adjacent parkland, improving the impact of the house on the adjacent park and neighborhood.

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.

- a. Response: The design of the new lot, building pad and overall site layout will be contextual to character of the surrounding lots and neighborhood:
 - i. The landscape and proposed house respect the lake setbacks and create a continuity to the existing homes perspective along the lake. The continuous lawn maintains the rolling open quality of the houses next door. The landscape adjacent the house will be a combination of flowering meadows, designed to maintain a clean and consistent height, and formal gardens for the pool and master terraces.
 - ii. The new lot is similar in size and nature to a majority of the other properties along Ferndale Road.
 - iii. The new lot will meet the City's plans and requirements for new lots, while the existing lots are non-conforming due to lot width and lot area.
 - iv. The proposed design locates the main level of the home at the mid-point of site in order minimize the visual impact of the home from the street and lake, while also minimizing the quantities of cut & fill that may be required for the building pad.
 - v. The new house and building pad are located further from the lake and street than is required. This is similar to other developments along Ferndale, and consistent with the character of the neighborhood.

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.

- a. Response: The size of the new lot is similar to the lots in the surrounding neighbored along Ferndale Road:
 - i. The proposed combined lot size for 320 Ferndale lot (65,340 sq.ft.) and the 356 Ferndale lot (76,969 sq.ft.) is 142,309 sq.ft, which is not dissimilar to other lots found in the surrounding neighborhood. Along Ferndale Road South there are

other existing properties that have nearly the same square footage or over the proposed square footage. 372 Ferndale has a lot square footage of 137,479 and 301 Ferndale has a lot square footage of 129,777 sq. ft, while 353 Ferndale has a lot square footage of 204,800.

- ii. The new lot meets the minimum lot requirement of 80,000 sq. ft, while the existing lots are non-conforming.

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.

- a. Response: The architectural design for the new home will be consistent with the quality of design and materials, scale and mass, of the homes along Ferndale Road:

- i. The proposed design is for a home of exceptional “heritage” quality, with all exterior materials selected to last generations. The exterior façade is composed of stone and bronze, and the windows are of the highest quality steel. This level of quality and detail is consistent with the best examples of architectural along Ferndale Road.
- ii. The homes in the neighborhood are a diverse mix of more traditional “estate” homes that sit proudly on their sites, and more contemporary residences that are integrated into their sites. The proposed design is for a contemporary home that is sited seamlessly into its undulating landscape and tree scape. This scale and mass will be consistent with many of the homes in the area.
- iii. The lower scale of the proposed home is appropriate given the adjacent parkland and smaller scale development beyond.

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.

- a. Response: The design for the proposed home will be responsive to, and compatible with the architectural guidelines for the residential architectural districts.

10. The proposed lot layout and building pads shall confirm with all performance standards herein.

- a. Response: The proposed lot layout conforms to all performance standards required by the City and other governing bodies.

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.

- a. Response: The proposed development will not decrease the property values of neighboring properties:

- i. The proposed development is of better quality than the existing homes on the lots in both materiality and design.
- ii. The proposed development and scale of the new lot is more consistent with the natural and scale of other developments along Ferndale Road.

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.

- a. Response: The new lot will be accommodated with existing public services and will not overburden the City's service capacity:
 - i. The proposed single family home will replace two existing single family residences. This will result in a net overall decrease in use of City services.
 - ii. As per the City Engineer, the two existing sewer and water services to the two existing sites will be abandoned (as per all City and State requirements). One new service line for water and sewer will be installed to serve the new lot, at the expense of the property owner.

Supplemental images from the 3D model attached for review.

R.T. DOC. NO.

Tract A, Registered Land Survey No. 836, Hennepin County, Minnesota.

Has caused the same to be surveyed and plotted as FERNDALE GARDENS.

Signed: Abbey Road Realty LLC

Laurence J. White, President and Managing Director, The White Group, Inc.

STATE OF MINNESOTA

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, its

_____, of Abbey Road Realty LLC, a Minnesota limited liability company, on behalf of the company.

signature	notary printed name
-----------	---------------------

Mr. Cunningham. Excuse.

I, Thomas E. Hodorff 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 the 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 lands are shown and labeled on this plat.

Dated this day of 20 20

77907

COUNTY OF _____

	signature
	notary printed name

My Commission Expires _____

CITY COUNCIL, City of Wayzata, Minnesota

This plat of FERNDALE GARDENS was approved and accepted by the City Council of the City of Weyzata, Minnesota at a regular meeting thereof held on 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 City of Waukegan, Wisconsin

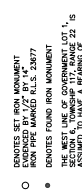
By: _____ Mayor
By: _____ Clerk

RESIDENT AND REAL ESTATE SERVICES, Hennepin County, Minnesota

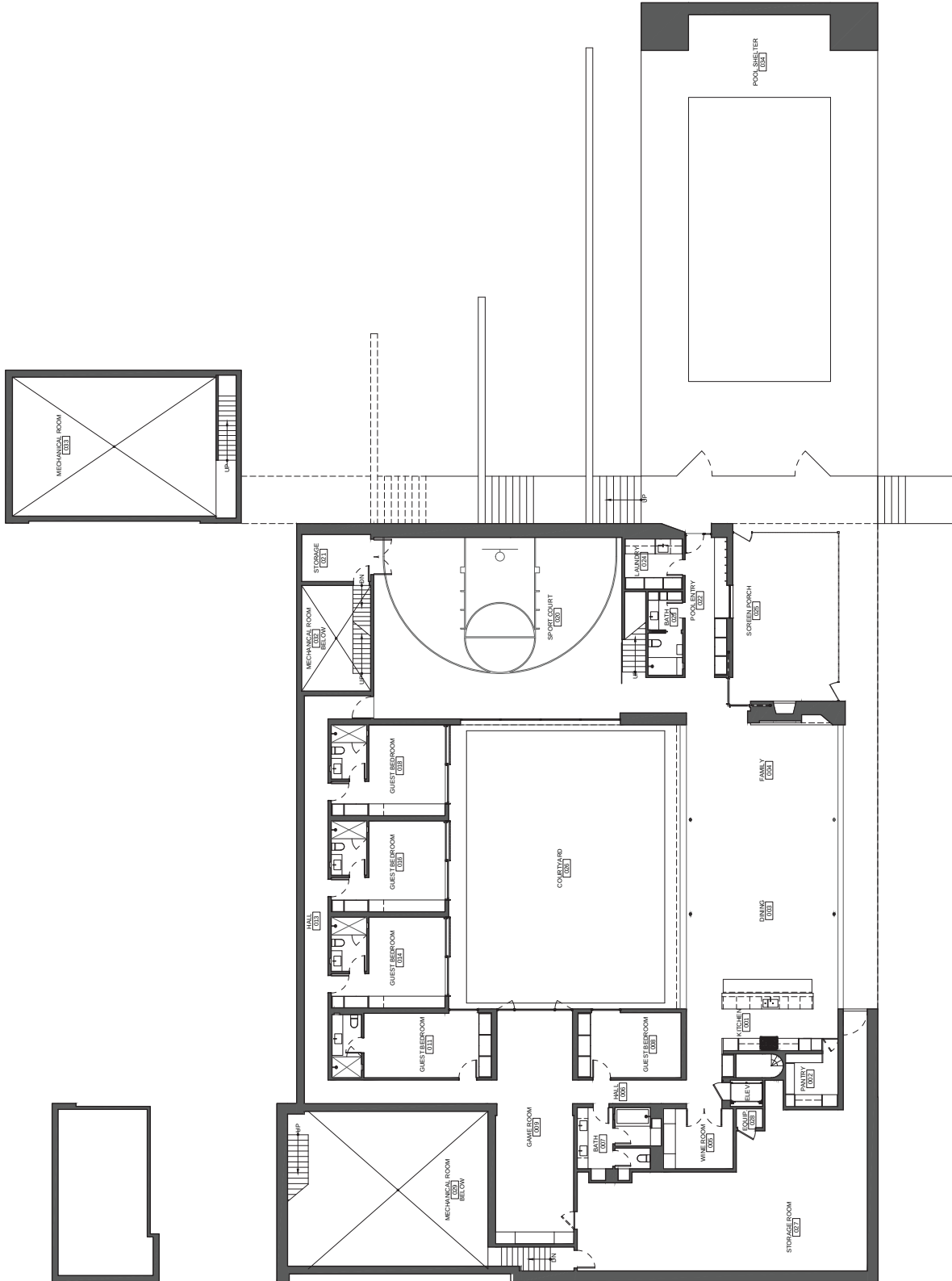
SURVEY DIVISION, Hennepin County, Minnesota

REGISTRAR OF TITLES, Hennepin County, Minnesota

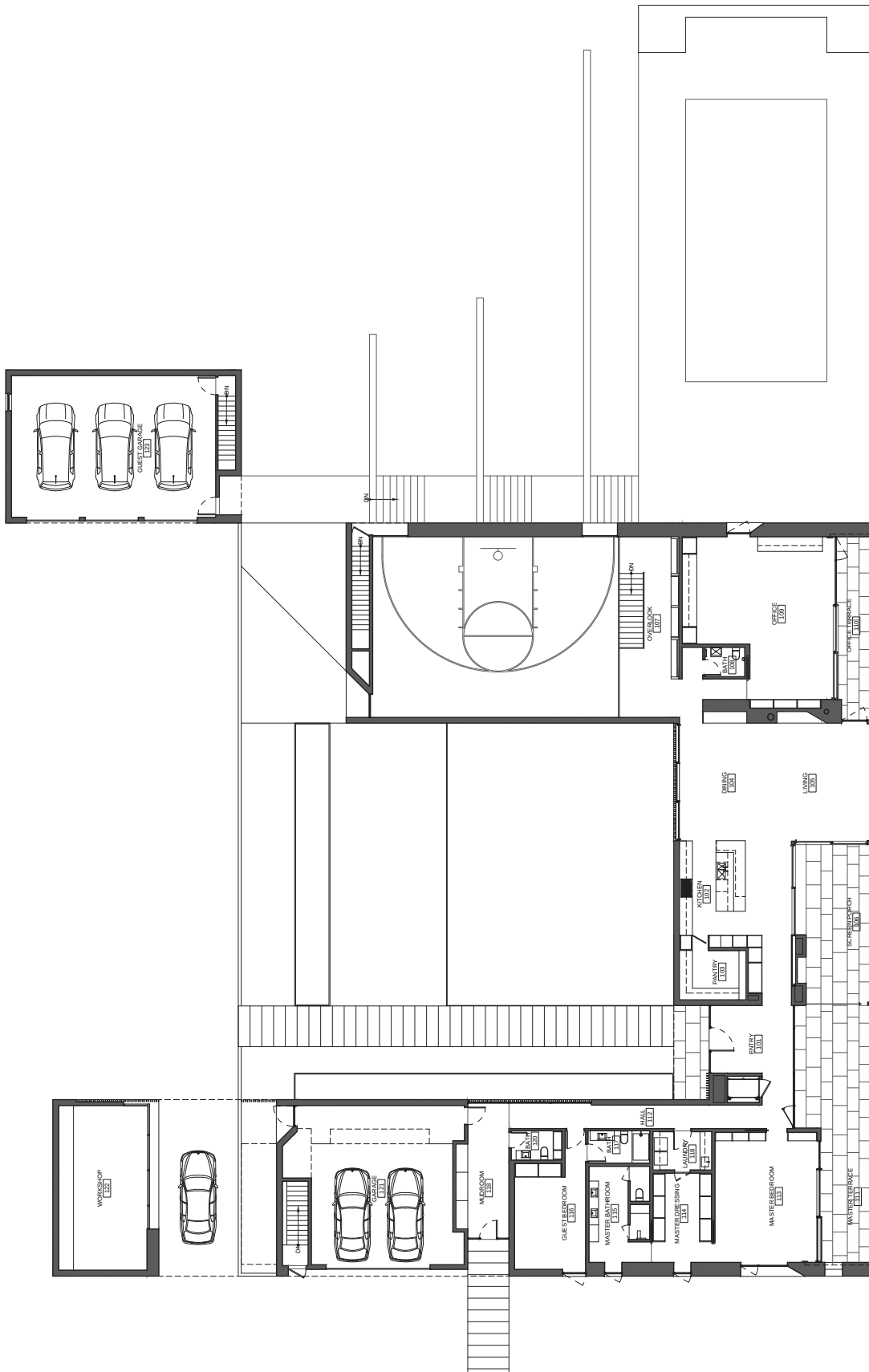
I hereby certify that the within plat of FERNDALE GARDENS was filed in this office this 20 day of October, 1904.



HARRY S. JOHNSON
LAND SURVEYORS



1
NORTH
LOWER LEVEL PLAN
SCALE: 1/8"=1'-0"



1 NORTH

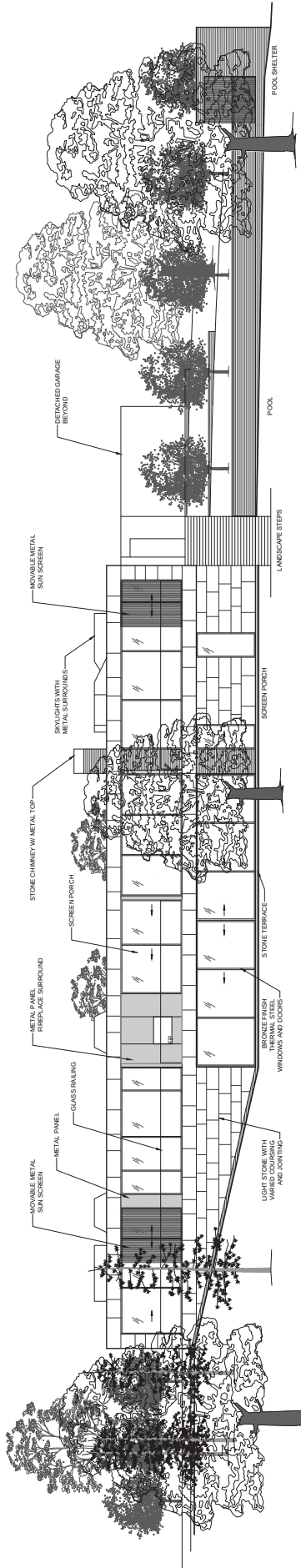
MAIN LEVEL PLAN

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

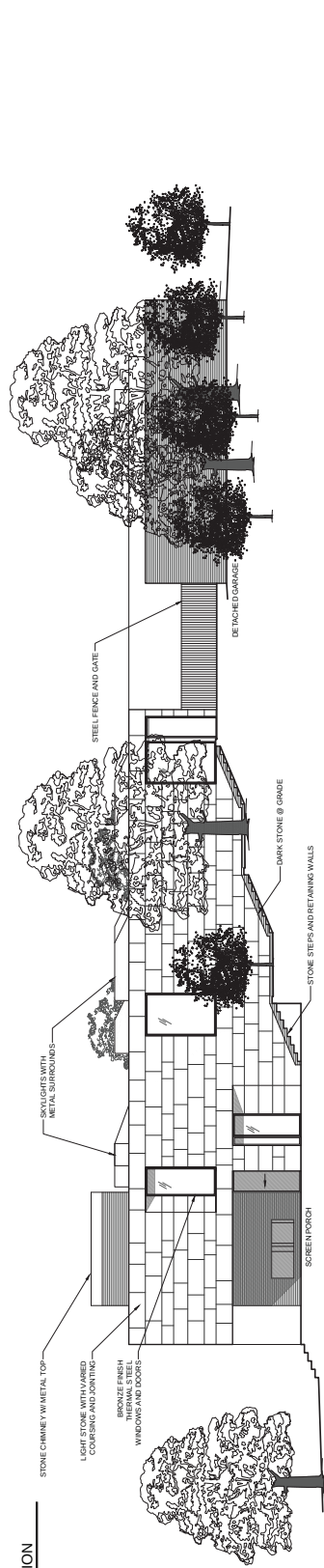
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A-200

NOT FOR CONSTRUCTION



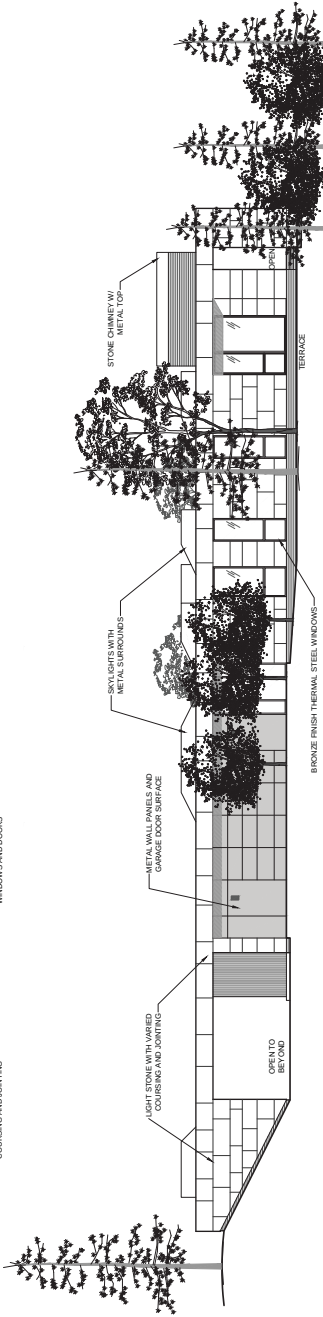
1 EAST ELEVATION
SCALE: 1/8"=1'-0"



2 NORTH ELEVATION
SCALE: 1/8"=1'-0"



3 WEST ELEVATION
SCALE: 1/8"=1'-0"



4 SOUTH ELEVATION
SCALE: 1/8"=1'-0"

BAYSIDE RESIDENCE 320 FERNDALE ROAD SOUTH

GRADING, EROSION CONTROL AND STORMWATER MANAGEMENT PLANS

CONTACT INFORMATION

CIVIL ENGINEER
PIERCE PINI & ASSOCIATES, INC.
9298 CENTRAL AVENUE NE, SUITE 312
BLAINE, MN 55434
CONTACT: Thomas Hodorf
TEL: 763-537-1311

SURVEYOR
HARVEY JOHNSON LAND SURVEYORS
9063 LYNDALE AVENUE SOUTH
BLOOMINGTON, MN 55437
CONTACT: Thomas Hodorf
TEL: 952-884-5341

ARCHITECTURE
PIERCE PINI & ASSOCIATES, INC.
2910 JAMES AVENUE SOUTH
MINNEAPOLIS, MN 55408
CONTACT: Kristine Andersen
TEL: 612-353-4920

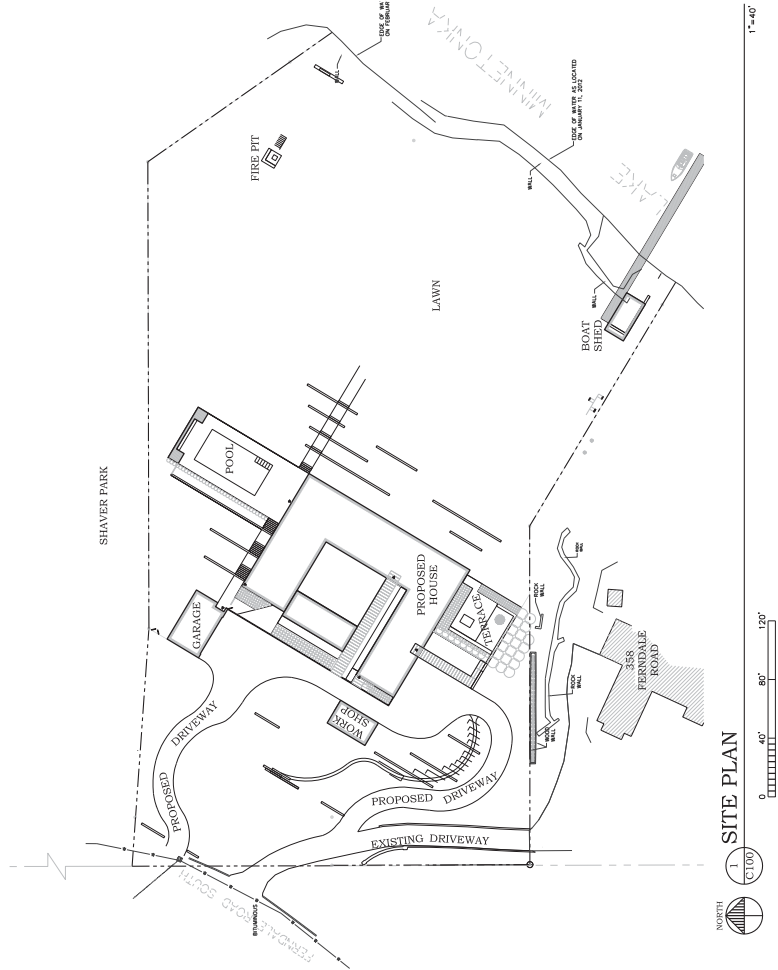
SHEET NUMBER

C100

DRAWING TITLE

TITLE SHEET

CIVIL NOTES AND LEGEND
SURVEY
STORMWATER POLLUTION PREVENTION PLAN - EXISTING CONDITIONS
STORMWATER POLLUTION PREVENTION PLAN - PROPOSED CONDITIONS
EROSION CONTROL DETAILS
GRADING AND DRAINAGE PLAN
SANITARY SEWER PLAN AND PROFILE
STORMWATER MANAGEMENT PLAN
STORMWATER MANAGEMENT DETAILS



BAYSIDE RESIDENCE

320 FERNDALE ROAD SOUTH
WAYZATA, MINNESOTA

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

Company: PIERCE PINI & ASSOCIATES

Sheet: _____

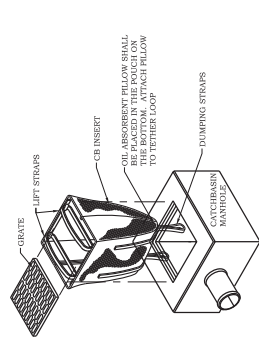
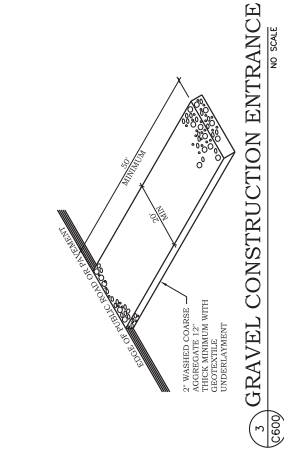
Name: Kevin Gaudier
Date: 05/20/2016
Revised For: _____
Site Plan Review: 05/20/2016

Drawn: _____
Checked: _____
Date: 05/20/2016

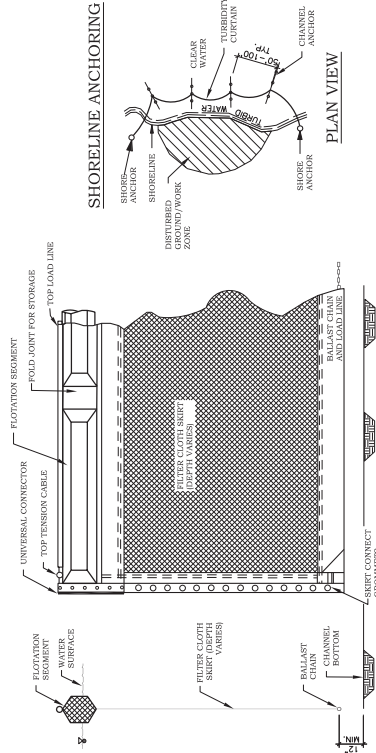
Comm. No. 16-013
LB
RG
Date: 05/20/2016

Site Plan Review
Erosion Control
Details

C600



1. OIL ABSORBENT PILLOW SHALL BE REMOVED AND REPLACED WHEN NEAR SATURATION.
2. SATURATION SHALL BE DETERMINED BY PIERCE PINI & ASSOCIATES, INC.
3. AN EQUIVALENT CATCH BASIN EROSION CONTROL INSERT METHOD OR PRODUCT MAY BE USED WITH PRIOR APPROVAL FROM ENGINEER.

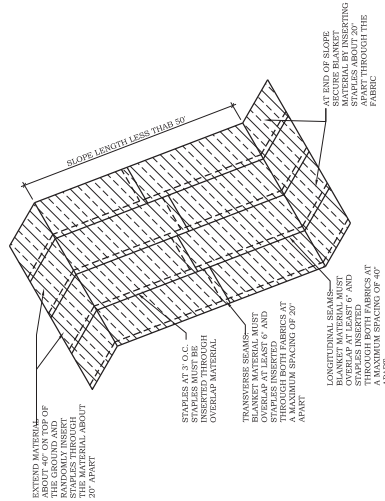


1. ALL TREE PROTECTION FENCING AND EROSION CONTROL FENCING SHALL BE INSTALLED ACCORDING TO THE PLANS PRIOR TO ANY DEMOLITION, AFTER DEMOLITION OR AS NECESSARY, THE FENCING SHALL BE MAINTAINED FOR THE DURATION OF THE CONSTRUCTION PERIOD.

2. CONTRACTOR SHALL NOT STORE ANY MATERIALS OR PARK ANY VEHICLES IN TREE PROTECTION FENCING OR EROSION CONTROL FENCING. MATERIALS AND SUPPLIES FROM HANDLING WITHIN THE LIMITS OF PROTECTION.

3. THE CONTRACTOR SHALL CLEANLY CUT ALL ROOTS EXPOSED BY GRADING AS DIRECTED BY THE LANDSCAPE ARCHITECT.

4. THE CONTRACTOR SHALL USE DESIGNATED CONSTRUCTION ENTRANCES AND STAGING AREAS.



1. EROSION CONTROL BLANKET TO BE CATEGORY 4-COCOMUT 28 FOR SLOPES GREATER THAN 38%.
2. CATEGORY 4-COCOMUT 28 FOR ALL SLOPES LESS THAN 38% PER MOUNT SPEC. SECTION 388S.

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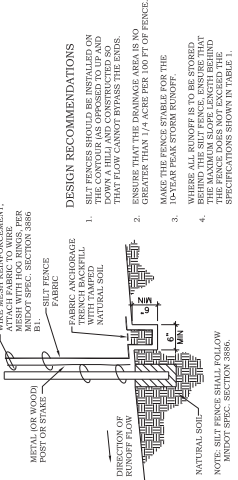
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BAYSIDE RESIDENCE

320 FERNDALE ROAD SOUTH
WAYZATA, MINNESOTA

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

Company: PIERCE PINI & ASSOCIATES

Project:

Drawn: Kevin Gaudier

Date: 05/20/2016

Revised for:

Site Plan Review: 05/20/2016

Drawn:

Checked:

Date:

05/20/2016

05/20/2016

05/20/2016

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Site Plan Review

Drawing Title

GRADING AND DRAINAGE PLAN

C700

1"=20'

0 20' 40' 60'

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BAYSIDE RESIDENCE

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

Company: PIERCE PINI & ASSOCIATES

Signature: _____
Name: Kevin Gaudier
Date: 05/20/2016
Reviewed for: _____
Checked for: _____
Site Plan Review: _____
Date: 05/20/2016

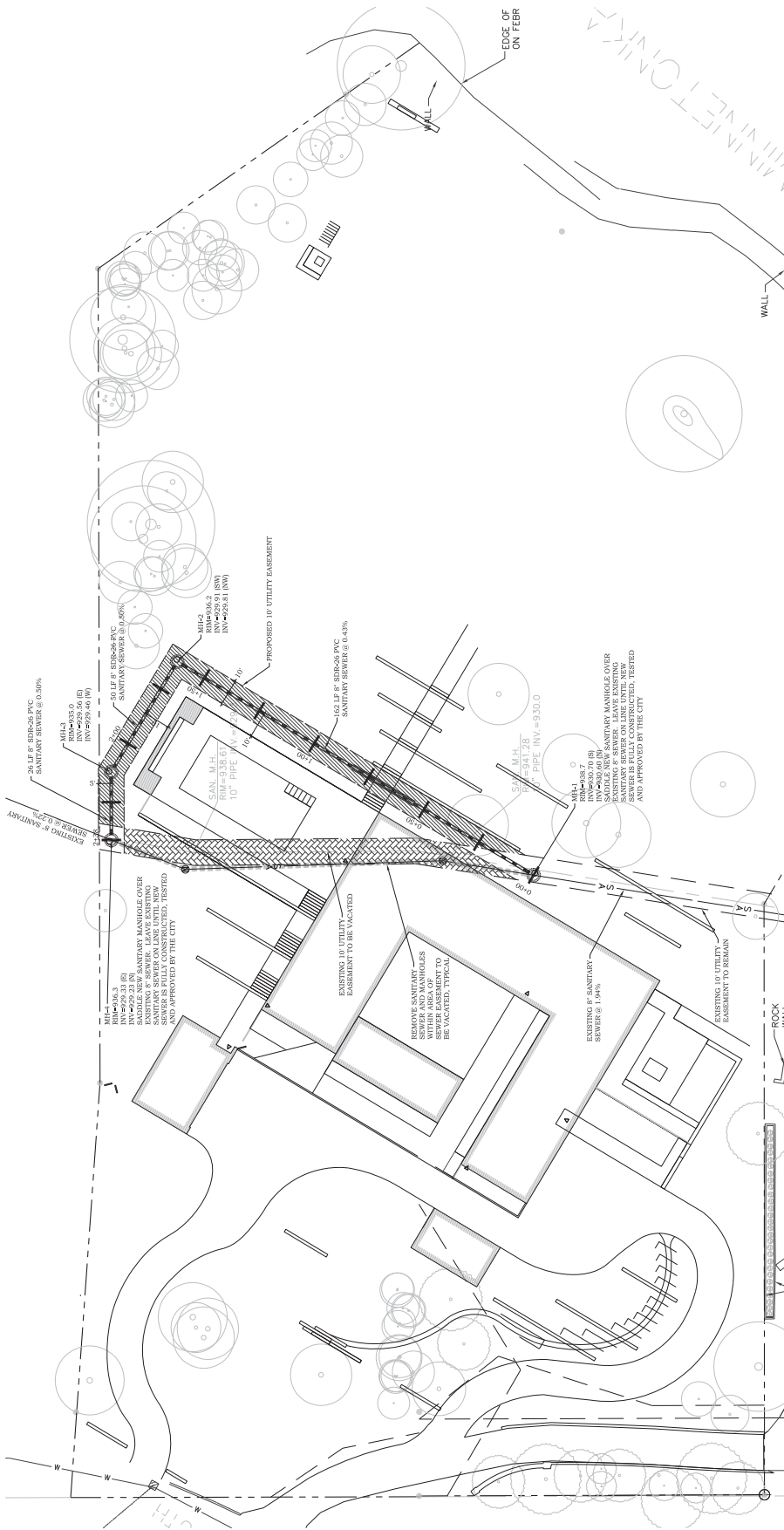
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Revision: _____
Date: _____

Copyright 2016 Pierce Pini & Associates, Inc.
Drawn: _____
Checked: _____
Date: _____
Project: _____
Client: _____
Contract: _____
Revision: _____
Date: _____

Site Plan Review

Drawing Title
SANTARY SEWER
PLAN AND PROFILE

C800



BAYSIDE RESIDENCE
320 FERNDALE ROAD SOUTH
WAYZATA, MINNESOTA

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

Company: PIERCE PINI & ASSOCIATES

Signature:

Name: Kevin Gardner

Date: 05/20/2016

Project No.: 0515

Sheet No.: 05/20/2016

Drawn:

Check:

Scale:

1"=20'

1"=20'

1"=20'

1"=20'

1"=20'

1"=20'

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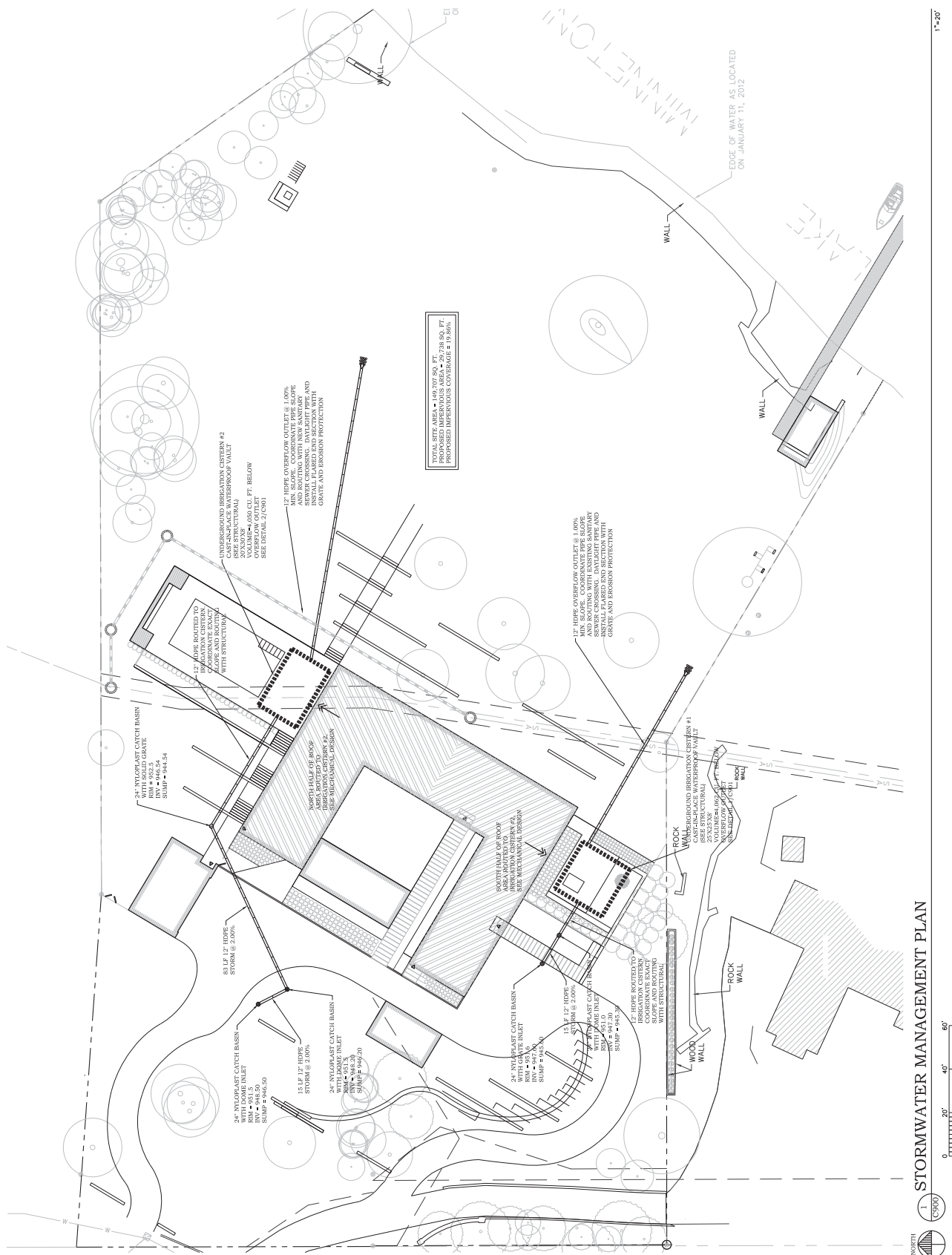
1"=20'

Site Plan Review

Stormwater

Management Plan

C900



BAYSIDE RESIDENCE
320 FERNDALE ROAD SOUTH
WAYZATA, MINNESOTA

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

Company: PIERCE PINI & ASSOCIATES

Project:

Source: Kern Goodner

Date: 05/20/2016

Revised: 05/20/2016

Drawn for:

Site Plan Review:

05/20/2016

05/20/2016

05/20/2016

05/20/2016

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05/20/2016

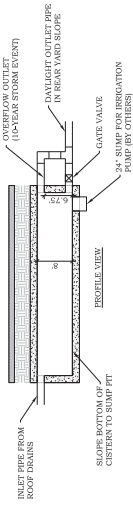
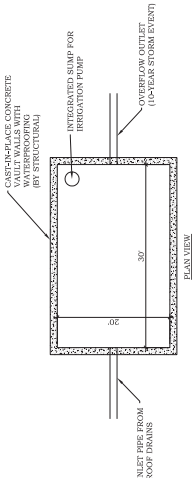
05/20/2016

Site Plan Review

Stormwater

Management Details

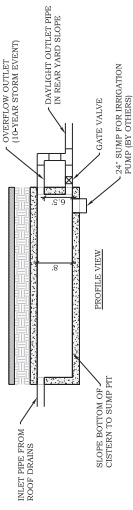
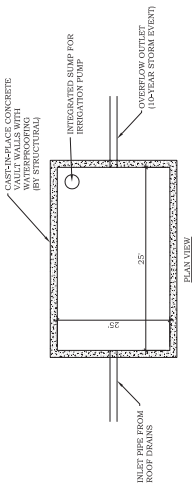
C901



1 IRRIGATION CISTERN #1 SCHEMATIC

NO SCALE

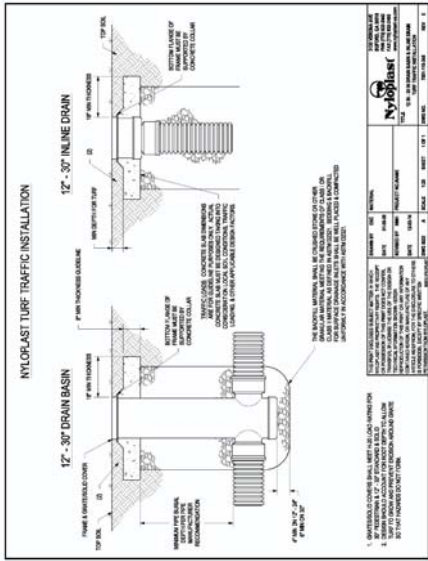
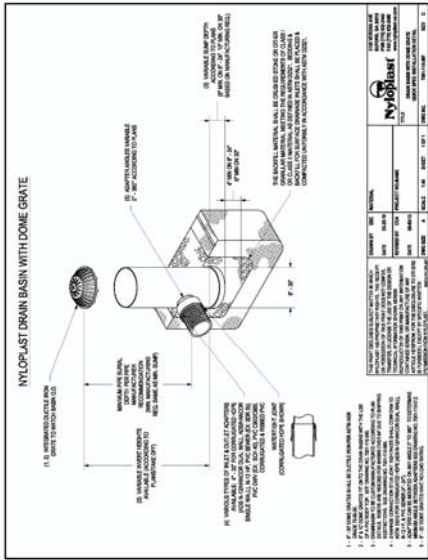
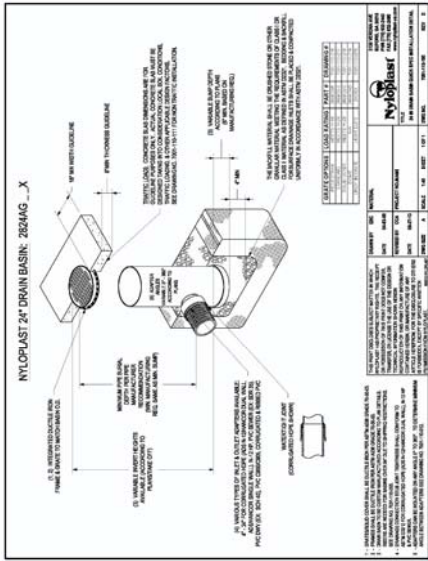
C901



2 IRRIGATION CISTERN #2 SCHEMATIC

NO SCALE

C901



RANGE
RESIDENCE
300 N. 15TH AVE
WISCONSIN 53090

CLIENT
ARISTO REALTY LLC
300 N. 15TH AVE
WISCONSIN 53090

ARCHITECT
300 N. 15TH AVE
WISCONSIN 53090

LANDSCAPE
DESIGN
300 N. 15TH AVE
WISCONSIN 53090

NOT FOR CONSTRUCTION USE

DATE
10/10/15

REVISIONS
10/10/15

These drawings are
intended to be used as
a guide only and do not
constitute a contract.

OVERVIEW

REFERENCE LEVEL
1000.00

PROJECT NUMBER
07192016CC

DATE
10/10/15

DESIGN DEVELOPMENT
10/10/15

CHECKED
10/10/15

SCALE (AT ARCH)
1" = 20'-0"

TREE PRESERVATION
PLAN OVERVIEW

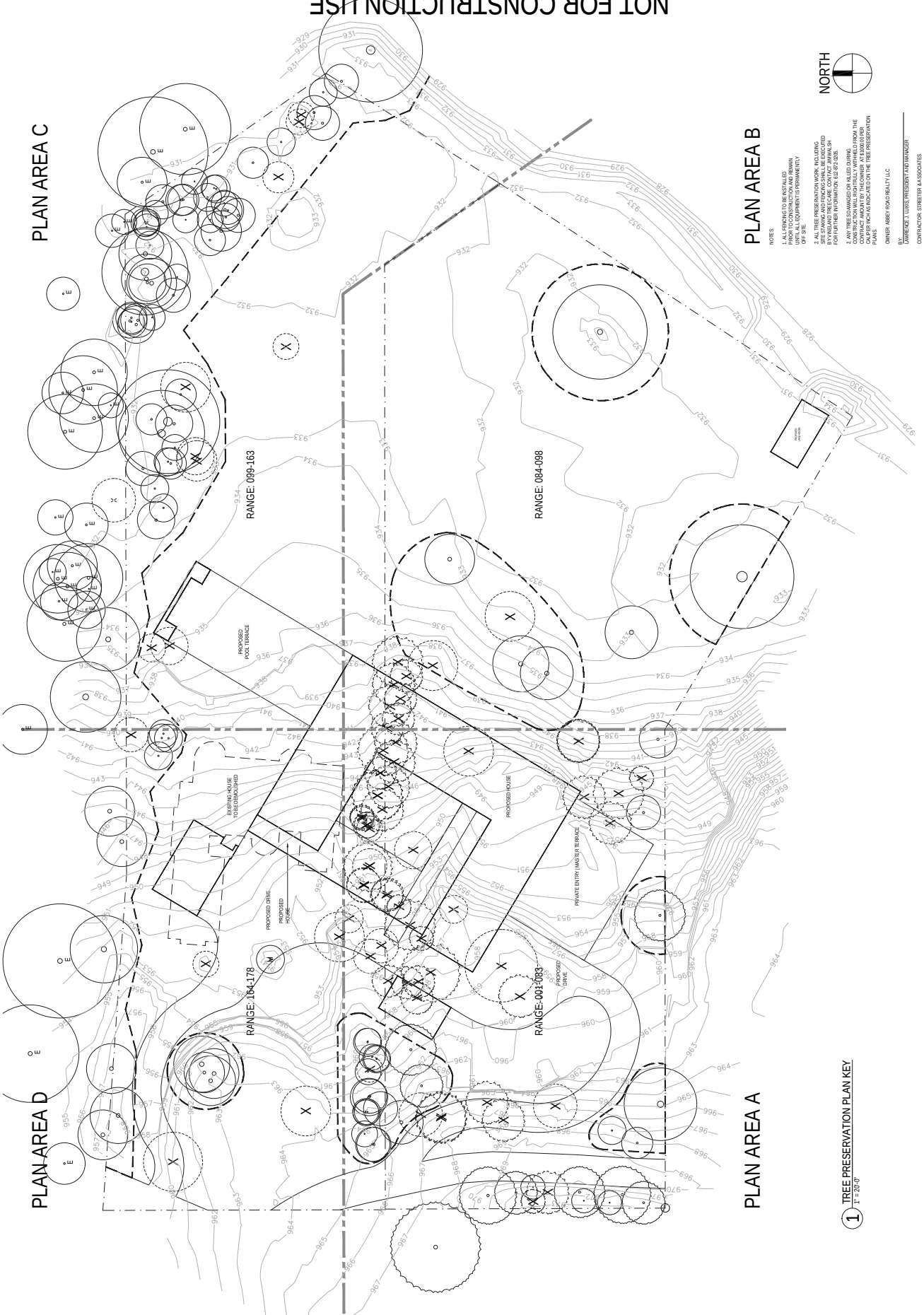
L0.80

PLAN AREA C

PLAN AREA B



- NOTES
1. ALL EXISTING TO BE REMOVED PRIOR TO CONSTRUCTION AND REMAIN OFF SITE.
 2. ALL TREE PRESERVATION WORK, INCLUDING SITE PREPARATION AND FENCING SHALL BE COMPLETED PRIOR TO CONSTRUCTION AND REMAIN OFF SITE.
 3. ANY TREE DAMAGED OR KILLED DURING CONSTRUCTION SHALL BE REPLACED WITH A TREE OF THE SAME SPECIES AND CALIBER WITHIN 12 MONTHS OF THE DATE OF DAMAGE.
 4. CALIBER SHALL BE INDICATED ON THE TREE PRESERVATION PLAN.
- OWNER: ARISTO REALTY LLC
MANAGER: LUIS PRESIDENT & MANAGER
CONTRACTOR: STREETWORKS ASSOCIATES
DATE: 10/10/15



RANGE RESIDENCE
 300 N. 15TH AVE.
 MILWAUKEE, WI 53212

CLIENT
 CARST FUND REALTY LLC
 Accounting Resource Group
 300 N. 15TH AVE.
 MILWAUKEE, WI 53212

ARCHITECT
 300 N. 15TH AVE.
 MILWAUKEE, WI 53212

LANDSCAPE DESIGN
 300 N. 15TH AVE.
 MILWAUKEE, WI 53212

NOT FOR CONSTRUCTION USE

REVISIONS
 1. 01/15/2016
 2. 01/15/2016
 3. 01/15/2016

DATE
 01/15/2016

OVERVIEW
 01/15/2016

REFERENCE LEVEL
 100.00

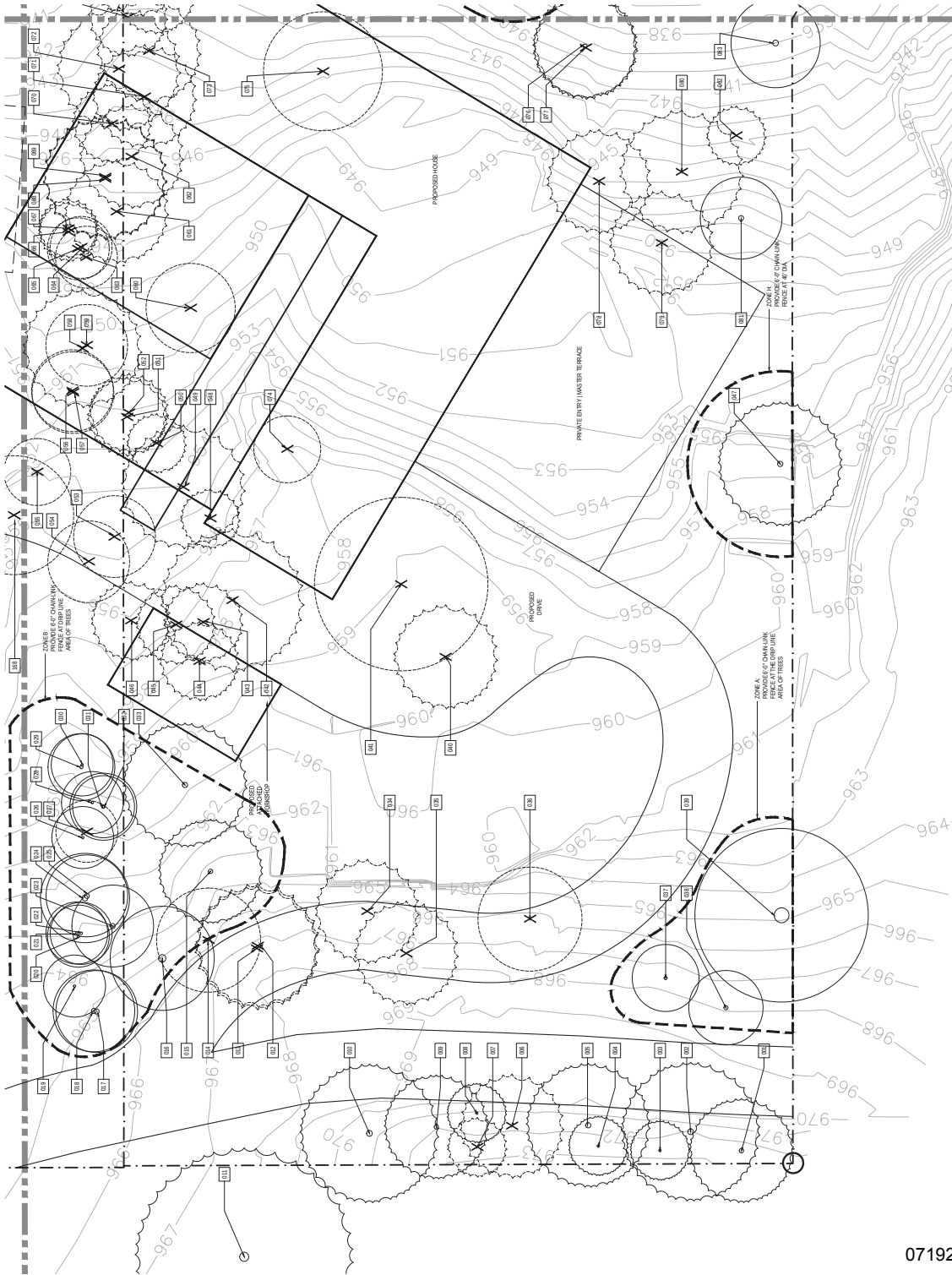
PROJECT NUMBER
 001

DESIGN DEVELOPMENT
 001

CHECKED
 001

SCALE (AT ARCH'D)
 1" = 10' - 0"

TREE PRESERVATION PLAN - AREA A
 L0.81



1 TREE PRESERVATION PLAN - AREA A
 1" = 10' - 0"

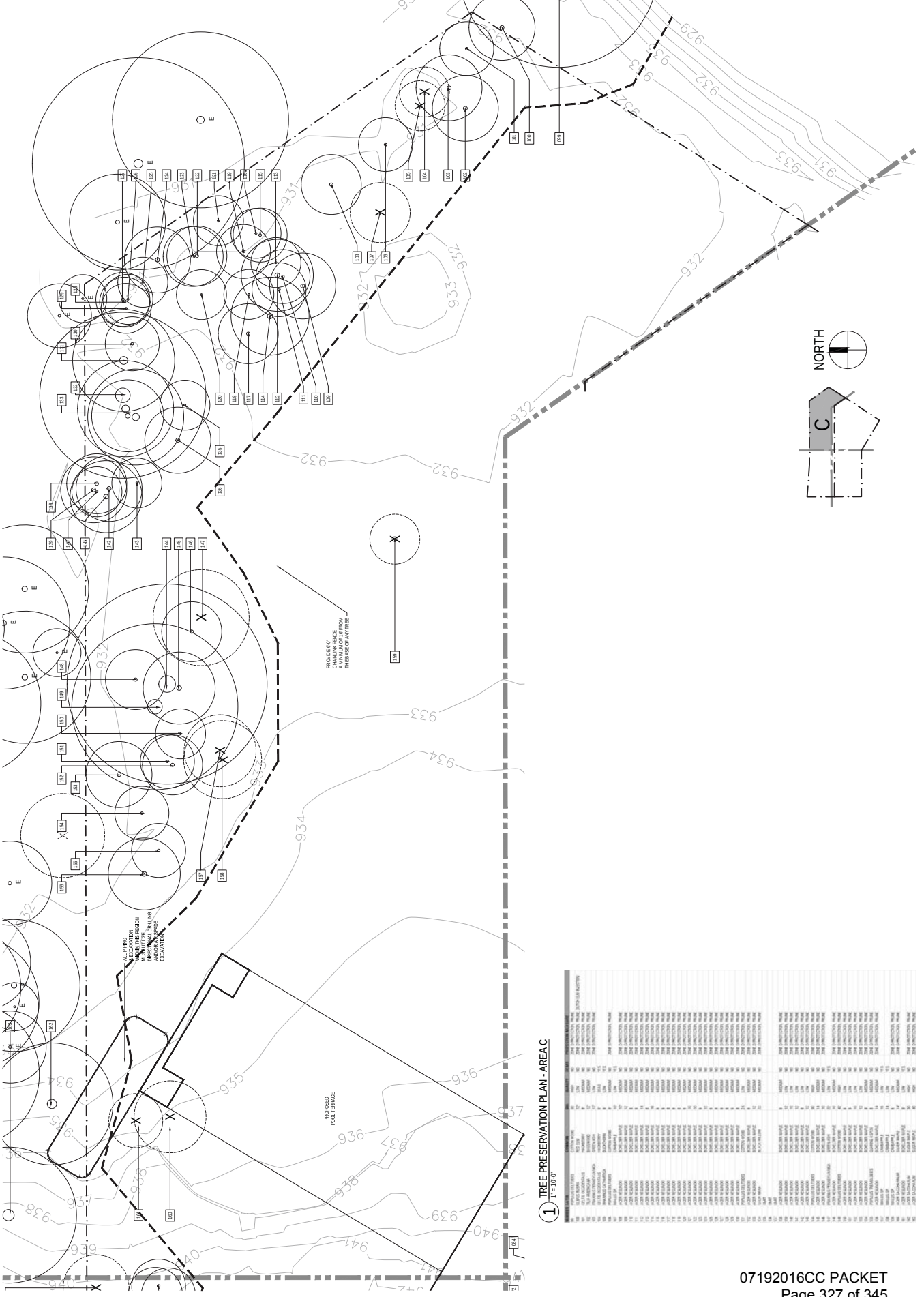
**RANSAGE
RESIDENCE**
300 S. 15TH ST., SUITE 100
MILWAUKEE, WI 53234

CLIENT
CASEY POND REALTY LLC
Accounting Resource Group
300 S. 15TH ST., SUITE 100
MILWAUKEE, WI 53234

ARCHITECT
310 FISHMEIL LANE
MILWAUKEE, WI 53234
TEL: 414.333.1111
WWW.CASEYPONDREALTY.COM

**LANDSCAPE
DESIGN**
D. J. COLEMAN
300 S. 15TH ST., SUITE 100
MILWAUKEE, WI 53234
TEL: 414.333.1111
WWW.CASEYPONDREALTY.COM

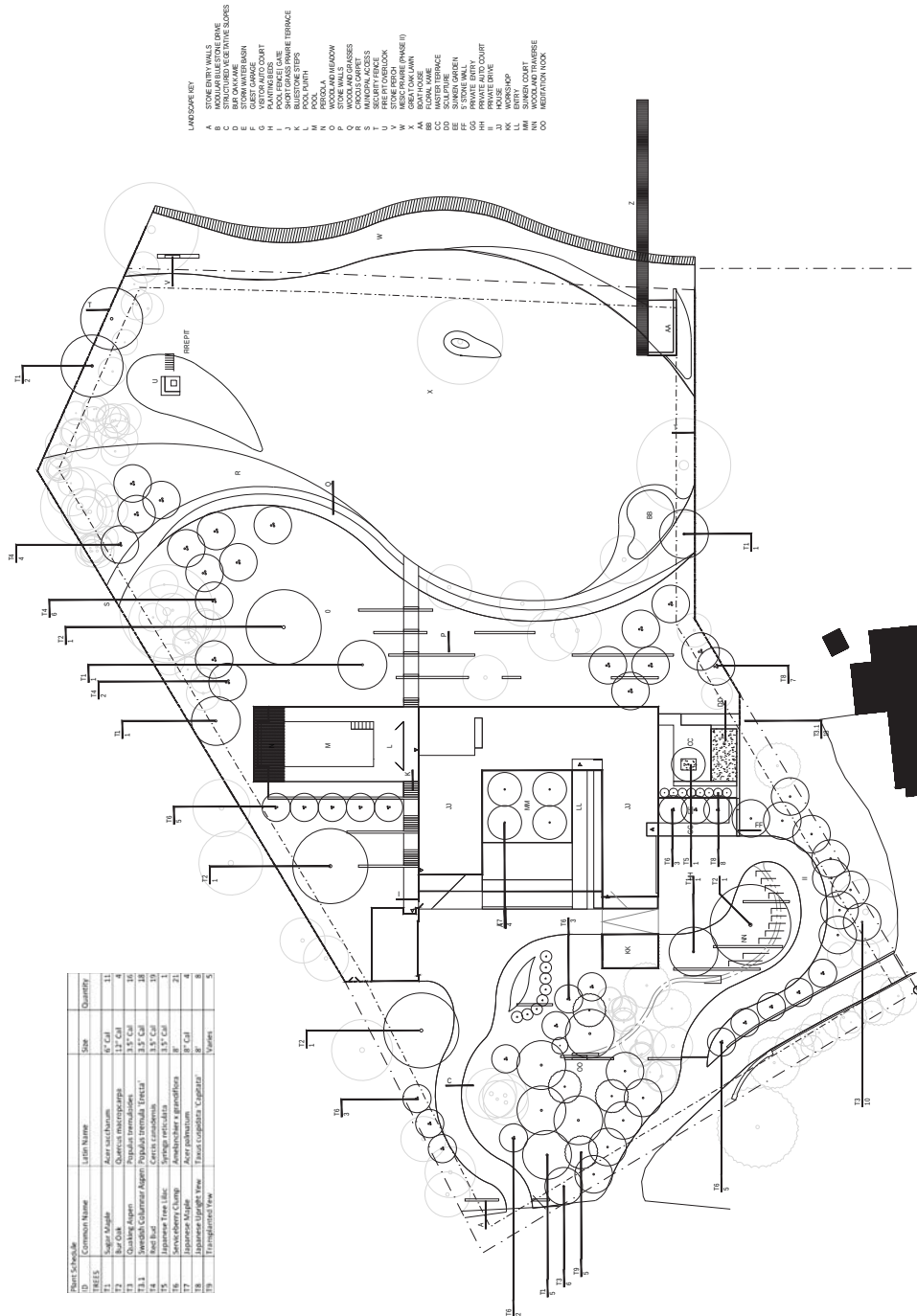
NOT FOR CONSTRUCTION USE



1 TREE PRESERVATION PLAN - AREA C
1" = 10'-0"

NO.	DATE	DESCRIPTION	BY	CHKD.
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2	07/20/2016	REVISION: ADD TREE SYMBOLS	J. COLEMAN	J. COLEMAN
3	07/21/2016	REVISION: ADD POOL TERRACE	J. COLEMAN	J. COLEMAN
4	07/22/2016	REVISION: ADD FENCE LINE	J. COLEMAN	J. COLEMAN
5	07/23/2016	REVISION: ADD TREE SYMBOLS	J. COLEMAN	J. COLEMAN
6	07/24/2016	REVISION: ADD POOL TERRACE	J. COLEMAN	J. COLEMAN
7	07/25/2016	REVISION: ADD FENCE LINE	J. COLEMAN	J. COLEMAN
8	07/26/2016	REVISION: ADD TREE SYMBOLS	J. COLEMAN	J. COLEMAN
9	07/27/2016	REVISION: ADD POOL TERRACE	J. COLEMAN	J. COLEMAN
10	07/28/2016	REVISION: ADD FENCE LINE	J. COLEMAN	J. COLEMAN
11	07/29/2016	REVISION: ADD TREE SYMBOLS	J. COLEMAN	J. COLEMAN
12	07/30/2016	REVISION: ADD POOL TERRACE	J. COLEMAN	J. COLEMAN
13	07/31/2016	REVISION: ADD FENCE LINE	J. COLEMAN	J. COLEMAN
14	08/01/2016	REVISION: ADD TREE SYMBOLS	J. COLEMAN	J. COLEMAN
15	08/02/2016	REVISION: ADD POOL TERRACE	J. COLEMAN	J. COLEMAN
16	08/03/2016	REVISION: ADD FENCE LINE	J. COLEMAN	J. COLEMAN
17	08/04/2016	REVISION: ADD TREE SYMBOLS	J. COLEMAN	J. COLEMAN
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19	08/06/2016	REVISION: ADD FENCE LINE	J. COLEMAN	J. COLEMAN
20	08/07/2016	REVISION: ADD TREE SYMBOLS	J. COLEMAN	J. COLEMAN
21	08/08/2016	REVISION: ADD POOL TERRACE	J. COLEMAN	J. COLEMAN
22	08/09/2016	REVISION: ADD FENCE LINE	J. COLEMAN	J. COLEMAN
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54	09/10/2016	REVISION: ADD POOL TERRACE	J. COLEMAN	J. COLEMAN
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99	10/25/2016	REVISION: ADD POOL TERRACE	J. COLEMAN	J. COLEMAN
100	10/26/2016	REVISION: ADD FENCE LINE	J. COLEMAN	J. COLEMAN

Plant Schedule	Common Name	Latin Name	Size	Quantity
1	Red Iris	<i>Iris sibirica</i>	6" Cal	11
2	Sage Maple	<i>Acer saccharum</i>	12' Cal	15
3	Bar Oak	<i>Quercus macrocarpa</i>	1.5' Cal	16
4	Quaking Aspen	<i>Populus tremula</i>	1.5' Cal	18
5	Swedish Chalmers Aspen	<i>Populus tremula 'Tremula'</i>	1.5' Cal	18
6	Blue Red	<i>Cornus canadensis</i>	3.5' Cal	19
7	Japanese Tree Lilac	<i>Syringa reticulata</i>	3.5' Cal	20
8	Serviceberry Clump	<i>Amelanchier alnifolia</i>	8"	21
9	Japanese Maple	<i>Acer palmatum</i>	8" Cal	22
10	Japanese Upright Yew	<i>Taxus cuspidata</i>	8" Cal	23

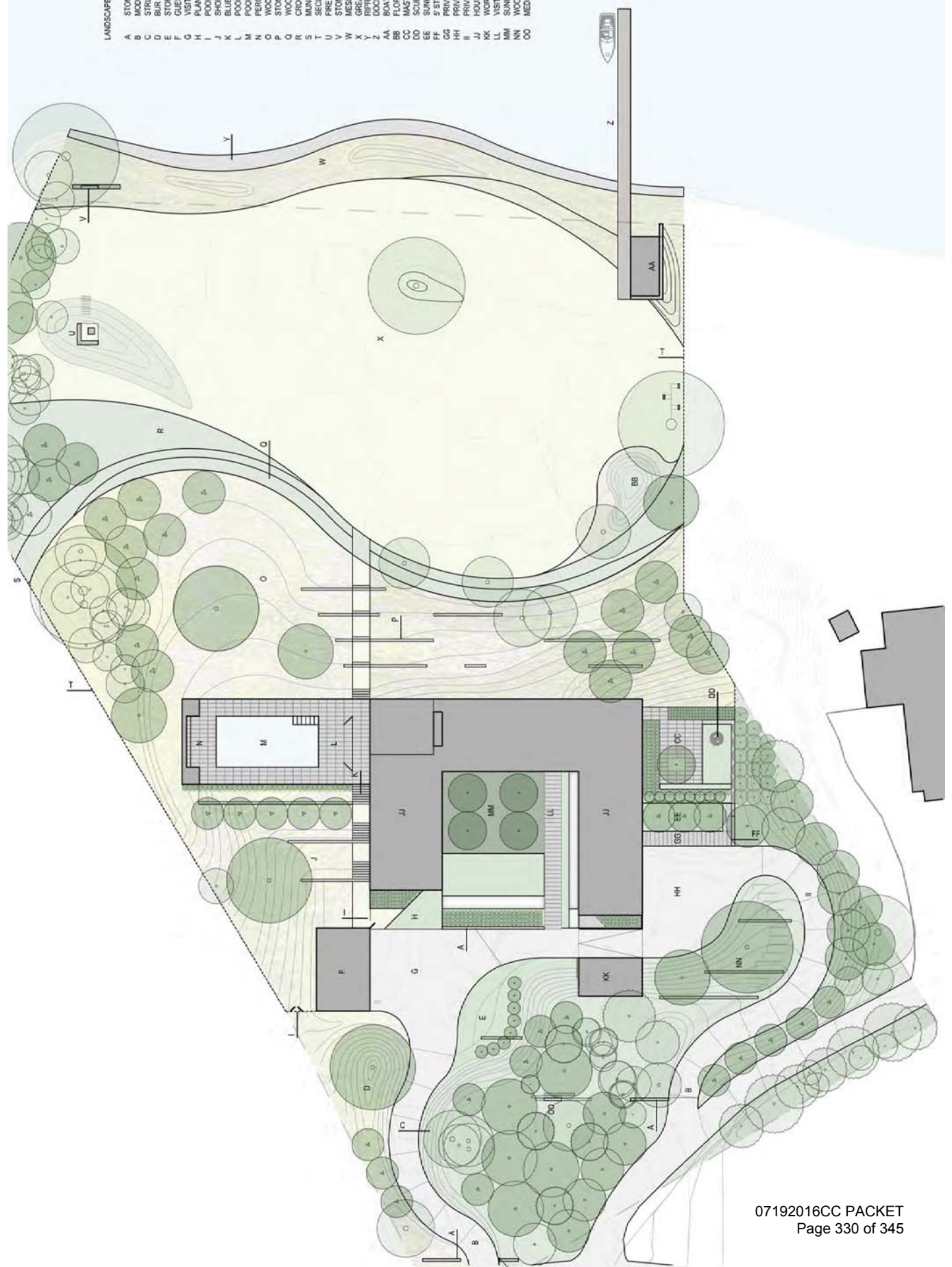


1 PLANTING PLAN - TREE
1" = 30'-0"

[illegible]

LANDSCAPE KEY

- A STONE ENTRY WALLS
- B MODULAR BLUESTONE DRIVE
- C PLANTING VEGETATIVE SLOPES
- D BIG OAK KAME
- E STORM WATER BASIN
- F GUEST GARAGE
- G VISITOR AUTO COURT
- H PLANTING BEDS
- I POOL FENCE (GATE)
- J SHORT GRASS PRAIRIE TERRACE
- K BLUESTONE STEPS
- L POOL PLINTH
- M POOL
- N PERGOLA
- O WOODLAND MEADOW
- P STONE WALLS
- Q WOODLAND GRASSES
- R CROCUS CARPET
- S MUNICIPAL ACCESS
- T SECURITY FENCE
- U FIRE PIT OVERLOOK
- V STONE PERCH
- W MESIC PRAIRIE (PHASE II)
- X GREAT OAK LAWN
- Y FIRE PIT
- Z DOCK
- AA BOAT HOUSE
- BB FLORAL KAME
- CC MASTER TERRACE
- DD SCULPTURE
- EE SUNKEN GARDEN
- FF 5' STONE WALL
- GG PRIVATE ENTRY
- HH PRIVATE AUTO COURT
- II PRIVATE DRIVE
- JJ VISITOR ENTRY
- KK WORKSHOP
- LL VISITOR ENTRY
- MM SUNKEN COURT
- NN WOODLAND TRAVERSE
- OO MEDITATION NOOK







1 Commissioner Gonzalez asked how the materials proposed compared to the materials of the
2 home that is already built in this area.

3
4 Mr. Francine stated these materials are comparable and this had been considered when
5 determining the materials to use.

6
7 Commissioner Gonzalez asked how the height of the proposed home compared to the existing
8 home.

9
10 Mr. Francine stated it would be slightly shorter or the same as the existing home.

11
12 Chair Iverson asked if there were landscaping plans.

13
14 Mr. Francine stated he could forward the landscaping plans to the City, and it would include a
15 fully sodded lot with irrigation.

16
17 Chair Iverson stated this should be included when the application when presented to the City
18 Council.

19
20 Commissioner Gonzalez made a motion, seconded by Commissioner Gruber to recommend
21 approval of the preliminary house plans for 155 Wooddale Avenue, based on the findings that
22 the house meets the standards of City Code Section 805.14.E.8 and 805.14.E.9, and satisfies the
23 condition of Resolution No. 05-2015, with the recommendation that landscape plans and
24 building material samples be included for review by the City Council. The motion carried
25 unanimously.

26
27
28 **AGENDA ITEM 4. Public Hearing Items:**

29
30 **a.) Bayside Residence – 320 and 346 Ferndale Rd S**

31 **i. Preliminary and Final Plat subdivision**

32
33 Mr. Thomson stated the applicant, Peterssen/Keller Architecture, and the property owner, Abbey
34 Road Realty, have submitted a development application to combine the two (2) existing parcels
35 at 320 and 346 Ferndale Road into a single lot of record. The existing houses on both of the lots
36 would be demolished, and one (1) new single-family home would be constructed on the
37 combined lot. He reviewed the application requests, the adjacent land uses, the lot requirements
38 and surrounding lot sizes, sanitary sewer relocation, and the proposed house including the
39 shoreland setback, impervious surface, and building height. He also reviewed the applicable
40 code provisions for the Commission to review. City Engineer Mike Kelly has reviewed the
41 application and is working with the applicant on the details of relocating the sanitary sewer line.

42
43 Commissioner Gonzalez stated several trees on the property had red ribbons. She asked if these
44 would be the trees that would be removed.

1 Applicant's representative, Mr. Collin Olglesbay, Dwyer/Oglesbay, 227 Colfax Ave N,
2 Minneapolis, stated a site survey had been prepared. The property owner would like to maintain
3 as many of the existing trees as possible. The trees on the property will be treated prior to
4 construction to ensure healthy trees through the construction and then treated again after
5 construction. He explained that they had worked with the City Forester and marked all the trees
6 that would be removed. These trees are located in the driveway and/or footprint of the proposed
7 home. Those that are marked with "x" are invasive and/or non-native species they are trying to
8 get rid of so they can be replaced with native trees. Trees marked in green are going to be
9 relocated on the property. They are planning to replace 107 trees on the property.

10
11 Commissioner Gonzalez asked if there would be a large amount of fill brought to the site
12 because of the topography.

13
14 Mr. Olglesbay stated they are planning for an average of 1 foot of fill for the entire site. They
15 are working to maintain the existing topography on the site.

16
17 Applicant's representative, Kristine Anderson, Peterssen/Keller Architecture, 2919 James
18 Avenue South, Minneapolis, stated the intent of the low profile of the home design is to create a
19 home that fits into the landscape, and make it feel like a smaller home while still fitting into the
20 neighborhood along the lake side.

21
22 Commissioner Gonzalez asked what type of building materials would be used.

23
24 Ms. Anderson stated for the exterior they are looking at lasting materials such as Vetter
25 limestone, bronze material, blue stone, and steel and bronze windows.

26
27 Mr. Kevin Gardner, Pierce Pini & Associates, 9298 Central Ave. NE, Blaine, stated most of the
28 grading on the property would occur right around the structure and pool. There is a prairie area
29 that will be restored near the lake. There will not be mass grading by the lake front.

30
31 Commissioner Gonzalez stated the Code allows up to 20% impervious surface and the proposed
32 house and other structures will have 19.86% impervious surface. She stated she likes the plan
33 for treating storm water runoff. She recommended they keep watch to ensure they stay within
34 the Code's maximum impervious surface amount of 20% because the plans are very close to the
35 maximum.

36
37 Mr. Gardner stated the detached garage and a portion of the primary structure have green roofs
38 and these will add to the treatment of water runoff.

39
40 Commissioner Flannigan asked how the project and design would fit in architecturally with
41 surrounding properties.

42
43 Ms. Anderson stated there are other contemporary style homes along Ferndale. Her firm is
44 currently working on designing a rustic contemporary home along Ferndale. Having a mix of
45 modern homes, traditional homes, and contemporary homes along the same road enhances the
46 area.

1
2 Chair Iverson opened the public hearing at 7:36 p.m.

3
4 There being no one wishing to address the Planning Commission on the application, Chair
5 Iverson closed the public hearing at 7:37 p.m.

6
7 Commissioner Flannigan asked if the moving of the sanitary sewer line would need to be
8 included as a condition of approval.

9
10 Mr. Thomson stated the rerouting of the sanitary sewer line does not require a formal
11 recommendation from the Planning Commission, but Staff could bring back the final plans as
12 approved by the City Engineer.

13
14 Based on the comments of the Commissioners, City Attorney Schelzel suggested the
15 Commission consider directing staff to come back with a draft report and recommendation for
16 approval, and direct staff would to follow-up with the City Engineer on the sanitary sewer line,
17 and ensure the final legal documentation reflects the necessary easement.

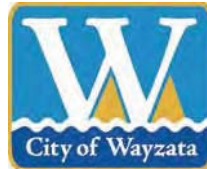
18
19 Commissioner Gonzalez made a motion, seconded by Commissioner Gruber to direct staff to
20 prepare a Planning Commission Report and Recommendation, with appropriate findings,
21 recommending approval of the preliminary and final plat subdivision for 320 and 346 Ferndale
22 Road S, for review and adoption at the next Planning Commission meeting. The motion carried
23 unanimously.

24
25
26 **AGENDA ITEM 5. Old Business Items:**

27
28 **a.) Holdridge Homes – 1407 and unaddressed parcel on Holdridge Terrace**

29 **i. Rezoning, Concurrent PUD Concept Plan and General Plan of**
30 **Development, Preliminary Plat**

31
32 Mr. Thomson stated the applicant and property owner, Lake West Development, LLC, had
33 submitted a development application requesting rezoning from R-2/Medium Density Single
34 Family Residential to PUD/Planned Unit Development, Concurrent PUD Concept Plan and
35 General Plan of Development approval, and preliminary plat review to subdivide the properties
36 at 1407 Holdridge Terrace and an unaddressed parcel on Holdridge Terrace for a six (6) lot
37 single family residential development. The Planning Commission reviewed the development
38 application and held a public hearing at its meeting on May 16, 2016. After discussing the
39 application, the Planning Commission directed staff to prepare a draft Planning Commission
40 Report and Recommendation recommending denial of the development application. He
41 reviewed the findings in the draft report that are based on the Commission's comments,
42 application materials and additional materials submitted by the applicant, staff reports, public
43 comment and information presented at the hearing, and the standards of the Wayzata Zoning and
44 Subdivision Ordinance.



WAYZATA PLANNING COMMISSION

July 6, 2016

REPORT AND RECOMMENDATION OF APPROVAL OF PRELIMINARY AND FINAL PLAT AT 320 AND 346 FERNDAL ROAD

SUMMARY OF RECOMMENDATION

1. **Approval** of Preliminary and Final Plat combining two existing lots into one lot
-

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Project. Peterssen/Keller Architecture, and the property owner, Abbey Road Realty (the "Applicant") have submitted a development application (the "Application") to combine the two existing parcels at 320 and 346 Ferndale Road into a single lot of record. The existing houses on both of the lots would be demolished, and one new single-family home would be constructed on the combined lot (the "Project").
- 1.2 Application Requests. As part of the Application, the Applicant is requesting approval of a Preliminary and Final Plat that would combine the two existing lots into a new single lot (the "Lot Combination" and "Preliminary and Final Plats").
- 1.3 Property. The addresses, property identification numbers and owner of the parcels comprising the subject property (the "Property") are:

320 Ferndale Rd S	06-117-22-32-0008	Abbey Road Realty, LLC
346 Ferndale Rd S	06-117-22-32-0021	Abbey Road Realty, LLC

- 1.4 Land Use Designations. The Property falls within the following land use districts:

Current zoning:	R-1A/Low Density Single Family Estate District
Comp plan designation:	Estate Single Family

- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Sun Sailor* on June 10, 2016. A copy of the notice was mailed to all property owners located with 350 feet of the Property on May 5, 2016. The required public hearing was held at the July 20, 2016 Planning Commission meeting.

Section 2. STANDARDS

2.1 Subdivision / Lot Combination / Preliminary and Final Plat

Review and approval of lot combinations and subdivisions of property are governed by the City's Subdivision Ordinance, Ch. 805 of City Code. The City may agree to review the preliminary and final plat simultaneously. Sec. 805.15.A.

In reviewing such requests, the Planning Commission shall consider possible adverse effects of the preliminary plat. Its judgment shall be based upon, but not limited to, the following factors found in Section 805.14.E:

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 filing 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 performance standards contained herein.
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.

Section 3. FINDINGS

Based on the Application materials, additional materials submitted by the Applicant, staff reports, public comment and information presented at the public hearing, and the standards of the Wayzata Subdivision Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

3.1 Preliminary / Final Plat.

1. The proposed Lot Combination is consistent with the Wayzata Comprehensive Plan.
2. The building pad that results from the Lot Combination preserves sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
3. The building pad that results from the Lot Combination has been selected and located with respect to natural topography to minimize filing or grading.
4. Existing stands of significant trees have been retained where possible.

The building pad that results from the Lot Combination is sensitively integrated into existing trees.

5. The Lot Combination does 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 responds to and is reflective of the surrounding lots and neighborhood character, which is a combination of contemporary and traditional Lake-side styles.
7. The lot size resulting from the Lot Combination is not being dissimilar from adjacent lots or lots found in the surrounding neighborhood.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the building proposed is similar to the characteristics and quality of existing development in the City and surrounding neighborhood.
9. 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 are not applicable to this Application.
10. The proposed lot layout and building pad conforms with all performance standards contained in the Subdivision Ordinance, though a condition related to the utility easement relocation is recommended.
11. The Lot Combination will not tend to or actually depreciate the values of neighboring properties in the area in which it is proposed.
12. The Lot Combination will be accommodated with existing public services, including those related to transportation and utility systems, and will not overburden the City's service capacity.

Section 4. RECOMMENDATION

4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **APPROVAL** of the Lot Combination and Preliminary and Final Plats, as requested in the Application, subject to the following conditions:

- A. Sanitary Sewer Relocation. The Final Plat must reflect the relocation of the existing utility easement for the City sanitary sewer main that bisects the back

of the existing lot, in a form acceptable to the City Engineer and City Attorney.

- B. Utility and Grading Plans. The final utility and grading plans must be reviewed and approved by the City Engineer prior to the City issuing a building permit for construction of the new home on the Property.
- C. Final Plat Recording. The Applicant must record the Final Plat with the Hennepin County Registrar of Titles within 120 days of the City Council approval of the Final Plat. The Applicant must furnish the City with a copy of the recorded Final Plat prior to the City issuing a building permit for construction of the new home on the Property.
- D. City Expenses. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 6th day of July 2016.

Voting In Favor: Flannigan, Gonzalez, Gnos, Gruber, Iverson, Murray

Voting Against:

Abstaining:

Absent: Young

DRAFT RESOLUTION NO. 26-2016

RESOLUTION APPROVING PRELIMINARY AND FINAL PLAT SUBDIVISION AT 320 AND 346 FERNDAL RD S

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

Section 1. BACKGROUND

- 1.1 Development Application. Peterssen/Keller Architecture, and the property owner, Abbey Road Realty (the "Applicant") have submitted a development application (the "Application") to combine the two existing parcels at 320 and 346 Ferndale Road into a single lot of record. The existing houses on both of the lots would be demolished, and one new single-family home would be constructed on the combined lot (the "Project").
- 1.2 Application Requests. As part of the Application, the Applicant is requesting approval of a Preliminary and Final Plat that would combine the two existing lots into a new single lot (the "Lot Combination" and "Preliminary and Final Plats").
- 1.3 Property. The addresses, property identification numbers and owner of the parcels comprising the subject property (the "Property") are:

320 Ferndale Rd S	06-117-22-32-0008	Abbey Road Realty, LLC
346 Ferndale Rd S	06-117-22-32-0021	Abbey Road Realty, LLC

- 1.4 Land Use Designations. The Property falls within the following land use districts:

Current zoning:	R-1A/Low Density Single Family Estate District
Comp plan designation:	Estate Single Family

- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Sun Sailor* on June 10, 2016. A copy of the notice was mailed to all property owners located with 350 feet of the Property on May 5, 2016. The required public hearing was held at the July 20, 2016 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 Subdivision / Lot Combination / Preliminary and Final Plat

Review and approval of lot combinations and subdivisions of property are governed by the City's Subdivision Ordinance, Ch. 805 of City Code. The City may agree to review the preliminary and final plat simultaneously. Sec. 805.15.A.

In reviewing such requests, the Planning Commission shall consider possible

adverse effects of the preliminary plat. Its judgment shall be based upon, but not limited to, the following factors found in Section 805.14.E:

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 filing 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 performance standards contained herein.

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.

Section 3. FINDINGS OF FACT

The City Council of the City of Wayzata hereby confirms and memorializes that the Lot Combination and Preliminary and Final Plats requested as part of the Application meet all of the applicable requirements of Wayzata's Zoning Ordinance, based upon the following findings of fact made on the record (as well as all Application materials, staff reports, public comment presented at the public hearing, and the Recommendation of the Planning Commission):

3.1 Preliminary / Final Plat.

1. The proposed Lot Combination is consistent with the Wayzata Comprehensive Plan.
2. The building pad that results from the Lot Combination preserves sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
3. The building pad that results from the Lot Combination has been selected and located with respect to natural topography to minimize filing or grading.
4. Existing stands of significant trees have been retained where possible. The building pad that results from the Lot Combination is sensitively integrated into existing trees.
5. The Lot Combination does 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 responds to and is reflective of the surrounding lots and neighborhood character, which is a combination of contemporary and traditional Lake-side styles.
7. The lot size resulting from the Lot Combination is not being dissimilar from adjacent lots or lots found in the surrounding neighborhood.

8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the building proposed is similar to the characteristics and quality of existing development in the City and surrounding neighborhood.
9. 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 are not applicable to this Application.
10. The proposed lot layout and building pad conforms with all performance standards contained in the Subdivision Ordinance, though a condition related to the utility easement relocation is recommended.
11. The Lot Combination will not tend to or actually depreciate the values of neighboring properties in the area in which it is proposed.
12. The Lot Combination will be accommodated with existing public services, including those related to transportation and utility systems, and will not overburden the City's service capacity.

Section 4. CITY COUNCIL ACTION

- 4.1 Based on the findings in section 3 of this Resolution the Lot Combination and Preliminary and Final Plats requested as part of the Application are hereby APPROVED, subject to all of the following conditions:
 - A. Sanitary Sewer Relocation. The Final Plat must reflect the relocation of the existing utility easement for the City sanitary sewer main that bisects the back of the existing lot, in a form acceptable to the City Engineer and City Attorney.
 - B. Utility and Grading Plans. The final utility and grading plans must be reviewed and approved by the City Engineer prior to the City issuing a building permit for construction of the new home on the Property.
 - C. Final Plat Recording. The Applicant must record the Final Plat with the Hennepin County Registrar of Titles within 120 days of the City Council approval of the Final Plat. The Applicant must furnish the City with a copy of the recorded Final Plat prior to the City issuing a building permit for construction of the new home on the Property.
 - D. City Expenses. All expenses of the City of Wayzata, including consultant,

expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata City Council this 19th day of July, 2016.

Mayor Ken Willcox

ATTEST:

City Manager Jeffrey Dahl

ACTION ON THIS RESOLUTION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on July 19, 2016.

Becky Malone, Deputy City Clerk
SEAL