

WAYZATA CITY COUNCIL MEETING AGENDA
Wayzata City Hall Community Room, 600 Rice Street
Tuesday, June 20, 2017

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

WORKSHOP TOPICS FOR DISCUSSION:

- 1. Update on Access to Lake Street from Steele Fitness Private Driveway (5:00 PM)**
- 2. Discuss Progress on Platform Tennis Park Improvements (5:30 PM or immediately following)**
- 3. Discuss Summit Park Cemetery Expansion Options (6:00 PM or immediately following)**
- 4. Review Boat Slip Policy (6:30 PM or immediately following)**

7:00 PM - CITY COUNCIL MEETING

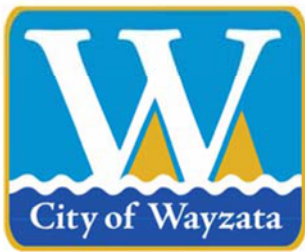
ITEM	DESCRIPTION	PRESENTER	DK	ST	KW	JM	AP	VOTE	PAGE #
1	Call to Order								
2	Pledge of Allegiance								
3	Roll Call								
4	Approve Agenda								
5	Public Forum - 15 Minutes (3 min/person)								
a.	Mill Street Parking Ramp Update	Nate Pearson							
b.	Tour de Tonka Bike Ride Presentation	Tim Litfin							
c.	Lake Effect Conservancy Update	Andrew Mullin							
6	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.									
7	Consent Agenda								3
a.	Approval of City Council Workshop Meeting Minutes of June 6, 2017 and City Council Regular Meeting Minutes of June 6, 2017								
b.	Approval of Check Register								
c.	Approval of Municipal Licenses								
d.	Police Activity Report								
e.	Building Activity Report								
f.	Approval of Second Reading of Ordinance No. 773 Amending Chapter 309 of the City Code Pertaining to Fishing From Docks								
g.	Approval of Resolution No. 22-2017 Approving Minnesota Laws, 2017 Chapter 1, Article 6, Section 24 (Widsten TIF Amendment)								
8	New Business								
a.	Consider Resolution 21-2017 Approving Project Design, CUPs, and Variances at 1300 Wayzata Blvd E	Thomson							54
b.	Consider First Reading of Ordinance No. 772 Amending Chapter 710 and Section 801.36 of the City Code Pertaining to Tree Regulations	Thomson							213
9	City Manager's Report and Discussion Items								
10	Public Forum (as necessary)								
11	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 July 5 & Tuesday July 18, 2017
Planning Commission - July 17, 2017 (July 3, 2017 meeting cancelled)



City of Wayzata City Council Agenda Report

MEETING DATE: June 20, 2017	AGENDA ITEM: 7a
TITLE: Approval of City Council Workshop Meeting Minutes of June 6, 2017, and City Council Regular Meeting Minutes of June 6, 2017	
PROPOSED MOTION: To approve the City Council Workshop Meeting Minutes of June 6, 2017, and City Council Regular Meeting Minutes of June 6, 2017	
PREPARED BY: Becky Malone, Deputy City Clerk	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

Staff recommends approval of the attached draft minutes.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

N/A

ATTACHMENTS:

1. Draft City Council Workshop Meeting Minutes of June 6, 2017
2. Draft City Council Meeting Minutes of June 6, 2017

WAYZATA CITY COUNCIL
DRAFT - WORKSHOP MEETING MINUTES
June 6, 2017

4:00 PM Mill Street Parking Ramp

Mayor Willcox and Council Members Koch, McCarthy, Plechash, and Tyacke met in the lobby at City Hall and walked to the Adolfson and Peterson Construction trailer along Mill Street, near the Mill Street Parking Ramp construction site at 4:00 pm. Also present: City Manager Dahl, Public Service Director Dudinsky, Planning and Building Director Thomson, Fire Chief Kevin Klapprich, and City Engineer Mike Kelly.

The group met and toured the construction site of the Mill Street parking ramp. Rob Berger, Project Superintendent with Adolfson and Peterson Construction, gave a brief presentation and tour of the site.

After the tour was complete the group walked back to the Community Room at Wayzata City Hall.

5:00 PM Strategic Planning Recap

Mayor Willcox called the meeting to order at 5:05 pm in the Community Room at Wayzata City Hall. Council Members present: Koch, McCarthy, Plechash, and Tyacke. Also present: City Manager Dahl, Public Service Director Dudinsky, Planning and Building Director Thomson, Fire Chief Kevin Klapprich, City Engineer Mike Kelly, and City Strategic Planning Consultant Nick Ruehl.

Mr. Dahl stated that on April 20 and April 21 of this spring, the City Council and City staff held a two-day retreat to discuss organization accomplishments, updating the City's mission, vision, and values, and then agreeing on priority objectives, goals, and the initiatives needed to accomplish them.

Mr. Dahl said now that staff has had a chance to digest the feedback received at the retreat, we are ready to discuss the draft Strategic Plan, which is equipped with responsible parties and tentative completion dates.

Strategic Planning Consultant Nick Ruehl discussed the following areas:

- Provided a summary of the entire retreat
- Recapped the Mission, Vision, and Values
- Went over draft 2017-2021 Strategic Plan
- Articulated next steps/tracking of the Plan

The Council asked that the plan be updated by color coding tasks according to staff/departments. All understood that with such a small staff, items may take extra time to accomplish. Next steps will be to accept the Plan at a future Council meeting and hold workshops two times a year to track the plan.

The workshop meeting was adjourned at 6:55 pm.

Respectfully submitted,

Becky Malone
Deputy City Clerk

WAYZATA CITY COUNCIL
DRAFT - MEETING MINUTES
June 6, 2017

AGENDA ITEM 1. Call to Order.

Mayor Willcox called the meeting to order at 7:00 p.m.

AGENDA ITEM 2. Pledge of Allegiance.

AGENDA ITEM 3. Roll Call.

Council Members present: Koch, McCarthy, Plechash, and Tyacke. Also present: City Manager Dahl, Director of Planning and Building Thomson, City Engineer Kelly, and City Attorney Schelzel.

AGENDA ITEM 4. Approve Agenda.

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

AGENDA ITEM 5. Public Forum – 16 Minutes (3 minutes per person).

a. LMCD Update – Presented by Dan Baasen LMCD Representative and Vickie Schleuning Executive Director

Dan Baasen, LMCD Representative, reported the LMCD is about to celebrate 50 years. He described the LMCD responsibilities and reported on a recent incident on Lake Minnetonka where all the agencies worked together to help a distressed boater.

Mr. Baasen reported in 2016 they developed a new strategic plan, their attorney passed away and was replaced by Troy Gilchrist, and they hired new Executive Director Vickie Schleuning. The 2017 budget reflects an increase of five percent over last year. Wayzata's increase is six percent due to larger growth in assessed valuations. The allowable maximum levy indicated by the State Legislature is .00242 of assessed valuation. This puts their allowable maximum levy at \$538,100, but their levy this year is \$342,000.

Mr. Baasen reported the main challenges they face this year is the loss of grants, a lot of milfoil on the lake, recodification, and expansion of solicitation from the Save the Lake group. He acknowledged the work done by Vickie Schleuning in her role as the new LMCD Executive Director.

Vickie Schleuning, LMCD Executive Director, reported on Lake Minnetonka and the mission, vision, strategic priorities, and role of the LMCD. The 2017 Initiatives include recodification, increased communication, and collaborations with other organizations. She highlighted the roles of the Aquatic Invasive Species Committee (AIS) and Save the Lake Fund, and announced they have a harvesting position open for the summer.

Mr. Tyacke inquired if there are problems with jet skis on the lake. Ms. Schleuning responded the concerns are how close they get in proximity to boats and if a person can have two jet skis instead of one boat.

Mrs. McCarthy stated she learned of a boat inspection incentive happening in another State where a boater is entered into a raffle each time they went through an inspection station. The program worked in partnership with businesses to acquire prizes for the raffle. She also requested more explanation on Sophia's Law.

Ms. Schleuning stated Sophia's Law is enforced by the Minnesota Department of Natural Resources and will require specific boats to display signage and install carbon monoxide detectors. She will post more information on the LMCD Facebook page.

1 Mr. Plechash inquired if there has been anything that has surprised her as Executive
2 Direction and what the cities can do better than they have in the past.

3 Ms. Schleuning stated she has been surprised on how many different types of projects
4 they are involved in that are related to her background in Microbiology and Chemistry, the
5 uniqueness of some of the bays, and the passion of the people around the lake. In the future, they
6 plan to have strategic discussions with member cities.

7 Mayor Willcox inquired what the biggest challenge is on Lake Minnetonka. Ms.
8 Schleuning stated cuts in funding, AIS, and developing bay-based strategies are current
9 challenges on the lake.

10 Mr. Baasen stated they are looking at other sources of funding through private sources
11 and grants that have not been traditional sources of funding for them.

12 13 **b. Bushaway Landscaping Update**

14 Jack Amdal reported the Bushaway landscaping event took place on Earth Day, April 22, 2017.
15 The weather cooperated and they worked with Cargill, Great River Greening group, and members
16 from the community. He thanked Bridget Anderson, Landscape Committee Chair, for her work in
17 organizing this event.

18 Mr. Amdal acknowledged City Engineer Mike Kelly for his work on this project over the
19 past 10 years and presented him with a gold star. City Engineer Kelly thanked Mr. Amdal for his
20 kind words and stated there were many people and organizations that led on this project.

21 22 **c. Wayzata Blu Project - Jane Cole**

23 Jane Cole, 181 East Ridgeview Drive, reported she is working with a group of people on a
24 petition trying to stop the Wayzata Blu Project because it will change the commercial district on
25 the west end of Lake Street into residential. Representing Wayzata residents and businesses, she
26 requested a moratorium be placed on both sides of Lake Street from Barry Avenue to Ferndale
27 Avenue, on any new construction other than what has already been approved. During this time,
28 she requested staff actively seek and promote alternative options to benefit all parties involved
29 and attempt to preserve the charm of Wayzata's beautiful shoreline.

30 Mayor Willcox directed City Manager Dahl to brief the Council at a future workshop on
31 the pros and cons of this request. Mr. Dahl agreed.

32 Ms. Cole stated residents are confused by what is going on in that area. She requested the
33 City inform the residents of exactly what is being developed, the requirements for what is being
34 proposed, and if there is hope.

35 36 **AGENDA ITEM 6. New Agenda Items.**

37 None.

38 39 **AGENDA ITEM 7. Consent Agenda.**

40 Mrs. McCarthy stated she will not be able to vote on item Nos. 7(g) and 7(h), and requested they
41 be removed from the Consent Agenda and voted on separately.

42 Mr. Plechash requested item No. 7(f) be pulled for further discussion. He stated he
43 thought there was an internal solution and inquired how much it would cost to do inspections
44 internally as opposed to with Metro West Inspection Services. City Manager Dahl advised it will
45 cost about \$100,000 with the contract, and if it were done internally, it would cost more than that.
46 With the current high-profile projects in the City, they did not feel comfortable with the
47 candidates they had and this is a better approach. In a year, they will see if an internal candidate
48 could grow into the position, or they could re-advertise the position. Director of Planning and
49 Building Thomson pointed out one change with the contract is removal of the errors and
50 Omissions insurance requirements, because it is not necessary. He also requested the Council
51 appoint Todd Geske as the City's Building Official.

Mr. Koch inquired about the turnaround times listed in the contract to make sure it is in line with what they were previously providing. Mr. Dahl stated the service will likely be a little slower than what has been done in the past, but consistent with industry standards.

Mayor Willcox requested item No. 7(d) be pulled for further discussion. He inquired if they would do anything different in that area than what has been previously decided if they do a speed study and it says there is a speed problem. City Engineer Kelly responded the concerned resident wanted to go directly to an evaluation by Mn/DOT, which is irreversible. This speed study allows them to evaluate it on their own internally and determine if they want to pursue the evaluation by Mn/DOT. They will still maintain the things they have previously decided to do.

Mr. Tyacke recalled the speed study results may also help them make a case with Mn/DOT to move the speed limit boundary to the west side of the bridge.

Mr. Plechash inquired if they should wait on the speed study until construction in the area is completed. Mr. Kelly stated this is a good time due to the increased amount of traffic in the area. The study could move forward as soon as it is approved and the money allocated is well worth spending.

Mayor Willcox explained item 7(h) has to do with steps coming off The Landing and encroaching on the City's sidewalk. He inquired why a permit was not acquired before it was completed and why it is considered a temporary encroachment. Mr. Dahl stated they thought the temporary encroachment process was the most appropriate given that the stairs were already approved in the site plan process and it gives the City the ability to be able to excavate under it if needed, and not be held responsible. Mr. Thomson stated it was approved as part of the design of the building, but a temporary encroachment permit was not approved at that time.

Mr. Tyacke made a motion, seconded by Mr. Koch, to approve the consent agenda, including striking the Errors and Omissions insurance section from the contract in 7(f) and appointing Todd Geske as Building Official, and excluding item Nos. 7(g) and 7(h):

- a. Approval of City Council Workshop Minutes of May 16, 2017, and City Council Regular Meeting Minutes of May 16, 2017
 - b. Approval of Check Register
 - c. Approval of Municipal Licenses
 - d. Approval of Speed Study for Wayzata Boulevard at Ferndale Road by SRF
 - e. Approval of Security System for Mill Street Parking Structure
 - f. Approval of Professional Services Agreement with Metro West Inspection Services, Inc. for Building Inspection Service
 - ~~g. Approval of Resolution No. 18-2017 Approving and Authorizing Execution of the RLS for The Landing at 901 Lake Street East~~
 - ~~h. Approval of Resolution No. 20-2017 Approving Temporary Encroachment Permit for The Landing at 901 Lake Street East~~
- The motion carried 5/0.

The Council considered the following items next:

- g. Approval of Resolution No. 18-2017 Approving and Authorizing Execution of the RLS for The Landing at 901 Lake Street East
- h. Approval of Resolution No. 20-2017 Approving Temporary Encroachment Permit for The Landing at 901 Lake Street East

Mr. Thomson advised item 7(h) also includes approval of the Encroachment Agreement that was included in the revised meeting packet.

Mr. Plechash made a motion, seconded by Mr. Koch, to approve item Nos. 7(g) and 7(h), including the Encroachment Agreement.

Mr. Tyacke noted the letter that was submitted by Terry Schneider as the Owner's Representative for the developer clarifies that the sidewalk along the south portion of the building is over a pond and structurally supported by The Landing, resulting in rebar ties to the building.

1 The motion carried 4/0/1. (McCarthy abstained)

2
3 **AGENDA ITEM 8. Public Hearing.**

4 **a. Resolution No. 19-2017 Vacating a Drainage and Utility Easement and**
5 **Acknowledging Grant for a New Drainage and Utility Easement at 901 Lake Street**
6 **East**

7 Mrs. McCarthy explained she has a family member who is employed by the applicant on this
8 item. She recused herself, and stepped down from the dais.

9 Mr. Tyacke inquired if a unanimous vote is required. City Attorney Schelzel explained
10 they will be following State Statute for this vacation, and simple majority is required for
11 approval.

12 Director of Planning and Building Thomson reported when The Landing project was
13 approved by the City Council in 2015, the stormwater pond configuration was different than what
14 was anticipated in the 2008 master plan for the Bay Center redevelopment project. Due to the
15 change in configuration, the existing easement does not reflect the approved configuration. To
16 accommodate this modification, the applicant is requesting the City vacate the existing easement
17 and dedicate a new easement that would encumber the stormwater pond as actually constructed.

18 Mr. Tyacke inquired if approval is needed from the Minnehaha Creek Watershed District
19 because it is part of the wetland. City Engineer Kelly responded any action that was needed was
20 done in 2008 and this is simply cleanup with the description and shape of the pond.

21 Mayor Willcox opened the public hearing at 8:13 p.m.

22 There being no comment, Mayor Willcox closed the public hearing at 8:14 p.m.

23 Mr. Schelzel advised a revised Resolution was distributed to the Council prior to the
24 meeting. The change reflects that the applicant was unable to complete the recording of the new
25 drainage and utility easement that is needed in order to vacate the existing easement. The revised
26 Resolution includes a condition of approval that the applicant must grant the new drainage and
27 utility easement.

28 Mr. Koch made a motion, seconded by Mr. Tyacke to approve Resolution No. 19-2017
29 vacating a drainage and utility easement and acknowledging grant of a new drainage and utility
30 easement at 901 Lake Street East, as amended. The motion carried 4/0.

31
32 Mrs. McCarthy returned to the dais.

33
34 **AGENDA ITEM 9. New Business.**

35 **a. Consider Speed Hump Installation Petition on Hollybrook Road**

36 City Engineer Kelly reported staff received a petition for the installation of a speed hump at the
37 east end of Hollybrook Road, at the entrance to a cul-de-sac. It is a unique because it is requested
38 by one person and it is the second time they have made the request. It was previously denied as it
39 did not meet the City's Speed Hump Policy guidelines pertaining to traffic volume. The
40 guidelines stated average traffic volumes should be less than 1,500 vehicles and more than 200
41 vehicles in a 24-hour period. During a ten-day evaluation at this site, the maximum traffic volume
42 was 24 vehicles and only one vehicle was observed above the posted speed limit of 30 miles per
43 hour. Staff recommends denial of the request for speed hump installation due to it not meeting the
44 City's Speed Hump Policy guidelines.

45 Mr. Tyacke inquired about the traffic counts. Mr. Kelly responded his family's counts
46 going to and from his home are included in the traffic counts. The applicant's concern is with
47 vehicles that are lost on Hollybrook Road and use the cul-de-sac to frantically turn around.

48 Mayor Willcox inquired if 30 miles per hour is an appropriate speed. Mr. Kelly stated it
49 is the posted speed. During the study, one vehicle was going above 30 miles per hour, 17 percent
50 were between 26 and 30 miles per hour, but the majority of the vehicles entering the cul-de-sac
51 were between 16 and 25 miles per hour.

1 Mr. Kelly stated in response to the previous request, the City installed two “no outlet”
 2 signs at the entrance to Hollybrook Road and just east of the Waycliffe Drive entrance. Mayor
 3 Willcox suggested installing a “dead end” sign.

4 Mr. Tyacke recalled the Gleason Lake Apartments appear to be at the end of the road, but
 5 cannot be reached that way.

6 Mr. Kelly pointed out during the traffic evaluation, the maximum daily traffic volume
 7 was 24 vehicles, but the daily average was around 15 vehicles.

8 Mr. Plechash made a motion, seconded by Mrs. McCarthy to deny the petition for the
 9 installation of a speed hump on Hollybrook Road. The motion carried 5/0.

10
 11 **b. Consider Options for Proposed Reconfiguration of Wayzata Boulevard/Superior**
 12 **Boulevard Intersection**

13 City Engineer Mike Kelly commented he understands this will be a difficult decision. He reported
 14 as a result of previous traffic studies and through the Comprehensive Plan, the need for
 15 improvements have been identified at the Wayzata Boulevard/Superior Boulevard intersection.
 16 Two-thirds of the traffic in the intersection travels to or from Wayzata Boulevard, and one-third
 17 of the traffic travels to or from Superior Boulevard.

18 Mr. Kelly provided the following information regarding Option 1, Superior Alignment:
 19 1) Realigns the eastbound Wayzata Boulevard approach to reduce the skew of the intersection
 20 with Superior Boulevard and creates a T-intersection; 2) Encourages motorists to enter the
 21 downtown area via Superior Boulevard; 3) Accommodates traffic on Benton Avenue; 4)
 22 Coordinates two signalized intersections; and, 5) Improvements will accommodate future traffic
 23 volumes.

24 Mr. Kelly provided the following information regarding Option 2, Wayzata Alignment:
 25 1) Realigns Wayzata Boulevard to be the primary through movement; 2) Benton Avenue
 26 becomes the north approach of the Wayzata Boulevard/Superior Boulevard intersection; 3)
 27 Coordinates two signalized intersections; and, 4) Improvements will accommodate future traffic
 28 volumes.

29 Mr. Kelly reported an additional traffic study was done in May 2017 to determine where
 30 the cars go after they get through the intersection. One-third of vehicles traveling westbound are
 31 considered “through trips.” Motorists going to or from Superior Boulevard are destination trips
 32 and are not using Lake Street for a regional trip. Approximately 50 to 65 percent of vehicles at
 33 the intersection are destined to or near the downtown area. The study also showed that if the
 34 traffic at Wayzata and Superior Boulevard was split 50/50, the queues and average delay would
 35 increase slightly at the Lake Street/Superior Boulevard intersection, but would still operate at an
 36 acceptable level of service (LOS).

37 Emily Gross, SRF Senior Engineer, reported the existing LOS is level B and with the
 38 50/50 split, it becomes worse, but stays in the level B category.

39 Mr. Kelly directed staff to a rendering that shows where traffic goes as it progresses both
 40 west and east on Wayzata Boulevard.

41 Councilmember McCarthy inquired if counts were taken along Broadway Avenue or
 42 Minnetonka Avenue since Broadway is a primary artery. Mr. Kelly stated they did pulse counts at
 43 each of the intersections, but they did not do counts further north or south.

44 Ms. Gross confirmed they did a pulse count at Broadway Street and Wayzata Boulevard,
 45 and it showed the number of people making a left turn into the downtown area.

46 Mr. Kelly provided a rendering of Option 2 from the Benton Avenue perspective. He
 47 stated the current Comprehensive Plan contemplates an intersection redesign and the majority of
 48 the project is proposed to be funded completely by the Presbyterian Homes/The Promenade
 49 development through special assessment or cash payment.

1 Mr. Kelly stated Option 2 (Wayzata Boulevard) is best regarding pedestrian safety and
2 traffic flow, and Option 1 (Superior Boulevard) is best regarding the Comprehensive Plan and
3 neighborhood impact. Staff has not reached a consensus on a preferred option.

4 Mr. Koch inquired how much farther away the intersection is from Benton Avenue
5 between Option 1 and 2. Mr. Kelly responded in Option 1, the center of the intersection is about
6 36 feet away than where it would be in Option 2.

7 Mr. Koch inquired why it is assumed that more traffic would go down Superior
8 Boulevard when they do not want to under Option 1, and if signage would do a better job of
9 directing people to the downtown area. Mr. Kelly responded if they build Option 1, they are
10 assuming two-thirds of the traffic will go west on Wayzata Boulevard. Signage would help and
11 both options provide additional signage opportunities.

12 Mayor Willcox inquired if the traffic flow in all directions is improved with both options.
13 Ms. Gross responded both options will provide better traffic flow than is there today.

14 Mr. Koch stated the Benton Avenue residents are concerned about light and noise
15 pollution in Option 2 with traffic signals and cars sitting closer to their homes, and inquired what
16 additional measures could be taken to mitigate this. Mr. Kelly responded in both options, they
17 will look at how they can mitigate noise, light and sound. They have the technology of LED
18 fixtures that provides a more directed light and they can provide louvers on the traffic lights.
19 There is a failing retaining wall on Benton Avenue that will be restored and provide additional
20 opportunities for landscaping and screening.

21 Mrs. McCarthy inquired if there would be an ADA approved auditory mechanism as part
22 of the crosswalk. Mr. Kelly stated they currently have an Accessible Pedestrian Signal (APS) at
23 Lake Street and one will be installed at Wayzata Boulevard and Central Avenue. It is not
24 required to be installed, but they will have it constructed for when installation is needed.

25 Matt Pacyne, SRF Senior Associate, commented they are smart to make the intersection
26 APS ready, but funding will determine when it is actually installed. Mr. Kelly stated federal
27 projects require it to be APS compliant, but this project is locally funded.

28 Mr. Koch inquired about steep grade on the approach on Benton Avenue down to
29 Wayzata Boulevard. Mr. Kelly responded the intersection will not get any closer than it exists
30 today. There are some improvements that can be done on Benton Avenue that can be determined
31 in future phases of the project.

32 Mr. Tyacke inquired what is different regarding the preferable 90-degree angle and slope
33 of Superior Boulevard since the Comprehensive Plan was written. Mr. Kelly stated he did not
34 participate in writing the 2008 Comprehensive Plan and does not see the slope as an obstacle.
35 They intend to provide a reasonably flat intersection, but there will be slope on Superior
36 Boulevard similar to what exists today. They will look at making grade improvements on Benton
37 Avenue, grading adjustments on Wayzata Boulevard, and all the options available to them.

38 Mr. Tyacke stated he always has to wait to pull out onto Barry Avenue. There are a
39 substantial number of cars turning off Wayzata Boulevard onto Barry Avenue. Also, the study
40 inaccurately referred to a development at Barry Avenue at Lake Street as part of the Continental
41 Property Group, but it is really the Carlson Gatehouse Property.

42 In response to Mr. Tyacke regarding the LOS at Benton Avenue, Ms. Gross explained the
43 LOS at Benton Avenue under Option 1 is A/D and the delay from the south bound approach goes
44 down 27 seconds from 50 seconds. This shows there are no improvements to the LOS. If there
45 were no improvement made, the LOS would be F.

46 Mr. Kelly stated the Continental Property Group did their study when it was still an
47 approved project before the latest revisions, and the pulse counts did not account for any
48 development in town.

49 Ms. Gross commented they took pulse counts at Barry Avenue/Wayzata Boulevard and
50 the volume is in the six percent or 29 percent bubble, and they did see cars turning in and out
51 during peak hours.

1 Mr. Tyacke stated the Option 2 diagrams on pages 118 and 128 in the meeting packer
2 appear to be different. Mr. Kelly stated they are the same, and the diagram on page 128 depicts a
3 better representation of the three-quarter access at Huntington Avenue. It provides a right-in
4 going eastbound, a right-out going eastbound, and a left-in going westbound to Huntington
5 Avenue. The intersection approved by Walgreens is right-in/right-out only. The diagram on page
6 118 is a sketch to depict a potential intersection option at Benton Avenue and Superior
7 Boulevard.

8 Mr. Tyacke stated Option 2 on page 118 has three lanes on westbound Wayzata
9 Boulevard and the diagram on page 128 only has two. Mr. Kelly stated page 118 is a preliminary
10 drawing and page 128 is the refined drawing.

11 Mr. Plechash referred to Option 1, and inquired if there is a safety hazard for people
12 coming south on Benton Avenue by people who continue west on Wayzata Boulevard and if a
13 right turn on red will be allowed onto Benton Avenue. Mr. Kelly commented they will coordinate
14 the signal timing with the Central Avenue to allow for the Benton Avenue residents to get across
15 Wayzata Boulevard. An unmanaged four-way signal would be the most challenging scenario for
16 Benton Avenue residents.

17 Mr. Plechash pointed out that Option 1 does not make things better for people coming out
18 of Benton Avenue and trying to go east on Wayzata Boulevard. Mr. Kelly agreed Option 1 does
19 not provide an improvement for Benton Avenue residents over existing conditions, and Option 2
20 would be preferred.

21 Mr. Plechash inquired if they knew which option the majority of the Benton Avenue
22 neighborhood preferred. Mr. Kelly stated he thinks the neighborhood is leaning more toward
23 Option 1 than Option 2. Mr. Dahl stated he has heard from the business community and they
24 strongly support Option 1.

25 Mr. Plechash commented he sees the Comprehensive Plan leaning more towards Option
26 2. Also, if the intention is to realign traffic to get people to go down Superior Boulevard, people
27 know where they want to go. The study showed that two-thirds of the people continued through
28 on Wayzata Boulevard and only one-third went on Superior Boulevard. If people inadvertently
29 continue on Superior Boulevard, they will continue through town, and get back on the route they
30 want. Mr. Kelly agreed it is a reasonable observation and he does not think they will see more
31 traffic on Superior Boulevard with it being rerouted.

32 Mrs. McCarthy inquired when the most recent traffic counts were conducted. Mr. Kelly
33 stated the last ones were done in 2015. Ms. Gross advised the numbers reflect counts in 2015, but
34 since there was construction going on, they did have to provide some judgement based on the
35 historical information they had. They looked at what movements would be influenced by the
36 construction and the historical counts in the area in order to adjust the counts so they would
37 match into a non-construction type scenario.

38 Mrs. McCarthy expressed concern with not having traffic counts that reflect what is
39 going on today. Mr. Kelly stated Superior Boulevard has been the primary gateway to the
40 business district and Lake Street. Option 2 still provides this and better manages the traffic
41 proceeding further on Wayzata Boulevard. There have been discussions on an interchange at
42 Ferndale Road to alleviate traffic going through the neighborhood, but that project will not
43 happen in the next five years.

44 Mrs. McCarthy commented a school bus that comes twice a day and stops at Benton
45 Avenue and stated they should be concerned about asking four lanes of traffic to stop for it. Mr.
46 Kelly pointed out it will stop at the pedestrian crossing at the corner of Benton and Wayzata
47 Boulevard.

48 Mr. Plechash inquired where the school bus would stop in Option 1. Mr. Kelly explained
49 it would stop it would come around the corner and stop at Benton Avenue or at the intersection
50 before making the turn on to Wayzata Boulevard.

1 Greg Boeder, 123 Benton Avenue, commented the two-thirds going down Wayzata
2 Boulevard and one-third going down Superior Boulevard is because of the light timing, not just
3 because people want to go along Wayzata Boulevard.

4 Pat Broyles, 212 Benton Avenue, spoke from the audience. Mayor Willcox summarized
5 that she had stated that she likes Option 1, not Option 2.

6 Mr. Kelly stated they have received emails from Andrew Cullin, who leans towards
7 Option 1, and Sandy McLain, who also prefers Option 1, and inquired if a third option could be
8 considered. They have looked at a potential hybrid option, but it does not work because of the
9 grades. The two best options are presented.

10 Mr. Dahl commented they have struggled internally on this decision. Mr. Kelly views it
11 from a traffic flow standpoint and he views it from an economic development standpoint. They
12 are both fair and difficult to quantify in terms of pros and cons. There is a good rationale for both
13 options and both will make the intersection safer.

14 Mrs. McCarthy stated she prefers Option 1 because it is a more elegant approach into the
15 City. She favors having the natural flow of traffic go down to Lake Street rather than into
16 neighborhoods to the west.

17 Mr. Plechash stated Option 1 is favored by the Benton Avenue residents, presumes to
18 direct traffic down Superior to the business district, is more complicated by design, and there are
19 safety concerns. Option 2 is a simpler design, fits the traffic flow pattern, is safer and better for
20 Benton traffic to enter and exit their neighborhood, is closer to the Benton neighborhood, and
21 there are concerns with sound and light pollution. He favors Option 2.

22 Mr. Koch commented he supports Option 2. He agrees that Option 1 is more elegant, but
23 finds it more confusing than Option 2. He has concerns with people turning safely off Benton
24 Avenue, and supports driving business down to Lake Street. Fifty percent of the people who park
25 in the parking ramp will have to access it through Broadway, and Option 2 provides better traffic
26 flow down Wayzata Boulevard. He takes the impact of light and noise to the neighborhood
27 seriously, but does not think there will be that big of a difference from what is already there. The
28 City can work to mitigate the noise and light pollution and direct people to downtown businesses
29 through signage.

30 Mr. Tyacke commented he has appreciated all the comments he has received from the
31 Benton Avenue neighbors. They must look at the impacts to the entire community when they
32 make a decision like this. The Comprehensive Plan, Lake Effect Framework and Strategic Plan
33 show in favor of the walkability of Wayzata and they need to consider the safest and easiest
34 accessibility for pedestrians at this intersection. He referred to page 115 of the meeting packet
35 and highlighted to goals for the reconfiguration of the intersection. The vehicular traffic that will
36 access the parking ramps both have entry points off Broadway Avenue and should become one of
37 the major arteries to lessen the traffic around Lake Street and Presbyterian Homes. They also
38 need to reduce the skew of the intersection and this can be done with 90 degree angles. The
39 access for Benton Avenue needs to be simple and safe and he supports Option 2. He would also
40 like to see efforts made to reduce light and noise pollution to the Benton neighborhood.

41 Mayor Willcox commented he favors Option 1 because they have been trying to calm
42 traffic on Wayzata Boulevard for a while, they have been trying to direct traffic down Superior
43 Avenue to Lake Street, and the businesses, residents, and lake favors it. This is the last piece of
44 construction resulting from the Presbyterian Homes project and is a good example of what has
45 been accomplished.

46 Mr. Plechash made a motion, seconded by Mr. Tyacke to direct staff to pursue
47 construction of Option 2. The motion carried 3/2. (McCarthy and Willcox)

48
49 The Council recessed at 9:40 p.m. and reconvened at 9:50 p.m.
50

c. Consider Approval of Professional Services Agreement with Future IQ, Inc. for Comprehensive Plan Community Visioning Services

Director of Planning and Building Jeff Thomson reported this proposal from Future IQ is to provide the community vision framework for the Comprehensive Plan update. In working with IQ, staff appreciates their broad approach to community engagement, the informed discussion, and the quality of the deliverables.

David Beurle, Founder of Future IQ, introduced Heather Branigin, Vice President of Business Development, and Juliana Panetta, Expert on Community Engagement. He stated they develop processes that build meaningful results for cities and are pleased to provide community visioning services to the City. He provided a background on their company, reported on projects they are working on, and the importance on delivering on targeted outcomes. Their methodology is future oriented, people focused, and data driven. He provided a handout to the Council and highlighted the Scenario-based strategic visioning and planning process, and the proposed Community Vision Project Process Plan for the City of Wayzata. There are four phases that will take place from June through December.

Mr. Tyacke inquired if their firm creates the Comprehensive Plan document. Mr. Beurle stated they have been asked to respond to a proposal for the visioning component with the understanding that it will integrate with the Comprehensive Plan process. Mr. Thomson stated this includes the visioning component of the Comprehensive Plan and the rest on the plan would be developed in conjunction with the vision statement.

Mr. Tyacke inquired how they take their data and narrow it down to something that is more focused that decisions can be made from. Mr. Beurle responded they try to connect the comments to the profile of the people making them. People of differing ages think about issues differently. They try to find a point of consensus and understand the spread of views which allows the City to make a better decision regarding the future.

Mr. Tyacke inquired if they bring in any data that is external to the City other than what is discussed in the focus groups. Mr. Beurle responded their intention is to bring a lot in terms of trends as well as a comparative analysis with other similar cities.

Mayor Willcox inquired how they know the future. Mr. Beurle stated it is becoming easier to anticipate the future. They will bring foresight into the process based on research and studies, and develop plausible future scenarios. It will give the City a framework for where it wants to go and how to get there.

Mayor Willcox commented the future development of retail will be very important to the City. Mr. Beurle stated they want to tap into the intelligence of the community and make assessment as to what will happen in the future. With retail, they can look at trends, but they will also need to look at the type of retail that will be important in this specific City.

Mayor Willcox inquired if IQ's services are overkill for a small town like Wayzata. Mr. Beurle stated it is not and it is something well invested cities should be doing. The future is complex and they are in an interesting location with seasonal residents, proximity to a major city in the middle of North America, close proximity to high value amenity recreation, and the future of Lake Effect.

Mayor Willcox requested an example in his work with Edina that was an "aha" moment for them. Mr. Beurle responded two things that surprised the Edina was the very high appetite for environmentally sustainable approaches and economic development.

Mayor Willcox inquired how he helped Edina reach the conclusion on what they should do. Mr. Beurle stated they do not tell the City what to do, but it is figured out through the process of discovery both on things that are wanted as well as thing that have not yet even been thought about.

Mrs. McCarthy inquired if the questions they ask are general or specific to Wayzata. Mr. Beurle responded the content of the process is built from the ground up based on the information that comes from the benchmark analysis, the assessment of critical local drivers made by the

1 think tank group, and the scenario narratives. It is original, unique material developed through the
2 process by the core group in the City.

3 Mrs. McCarthy requested clarification between the think tank concept versus surveying
4 the general population of the residents. Mr. Beurle stated they go wide and deep. The wide is a
5 survey across the City and the deeper part is the think tank where they can do serious thinking
6 about the future. Typically, there are between 50 and 100 people at the think tank meetings.

7 Mayor Willcox inquired when the process would begin if they approved this agreement.
8 Mr. Dahl stated they would begin this month.

9 Mr. Thomson pointed out the Scope of Services Agreement begins on page 133 in the
10 meeting packet and outlined everything that was just discussed.

11 Councilmembers McCarthy, Plechash, Koch, and Tyacke support moving forward with
12 this agreement.

13 Mayor Willcox commented this is an expensive piece of work and he wants to make sure
14 it results in actionable information they can make sound judgements on. They are going to learn a
15 lot about the world and trends, but he does not know if that will be helpful and may be more than
16 they need for the size of their City.

17 Mrs. McCarthy stated many of the elements that came out of the strategic plan discussion
18 would be prime candidates for what the vision could look like in 20 years. Decisions can be made
19 on what they know now, but is what they are acting on now what they want the community to be
20 in 20 or 30 years. This process may help sort through those questions.

21 Mayor Willcox commented he sees they are at a pause after a lot of development. The
22 real split in the community is between those who do and do not want change. This is a
23 sophisticated approach to what he sees as very simple question in their Comprehensive Plan.

24 Mr. Tyacke commented there is not much area left to develop in the City and he is still
25 concerned with the interaction of the Metropolitan Council. This takes up more than half of their
26 consulting budget and inquired if it is money that they need to spend on the process.

27 Mr. Thomson explained they are set up well for the additional components with the
28 Metropolitan Council. They have received the system statements from them that shows the things
29 that are changing in their regional plan that affect Wayzata and there are not major changes.
30 They have a land use plan and transportation plan that work well and will not see changes there
31 either. They benefit from the past work that has been done and the position they are in to be able
32 to focus more on the community engagement piece.

33 Mr. Dahl added it allows them to get better and more accurate data to make policy
34 decisions, and get better information to preferences so they know what decisions to make moving
35 forward.

36 Mr. Plechash commented he is excited move forward with the community engagement
37 piece because he believes Wayzata can be the lead and model of the type of community that
38 could lead the nation. The most important thing is a vision and IQ seems to know how to get them
39 to an exciting place.

40 Mr. Plechash made a motion, seconded by Mrs. McCarthy to approve the Proposal for
41 Community Visioning and the Professional Services Agreement with Future IQ, Inc.

42 Mayor Willcox advised he will vote in favor of this agreement, but is concerned with the
43 cost, and getting actionable information.

44 The motion carried 5/0.

45
46 **d. Consider First Reading of Ordinance No. 773 Amending Chapter 309 of the City**
47 **Code (Use of City Parks)**

48 City Engineer Kelly reported this ordinance amendment addressed the concern of fishing between
49 the boats at the Wayzata marina, hooks being found in boat covers and the possibility of lines
50 getting tangled in propellers. They have cleaned up some language under Section 309.03 and

1 allowed for future flexibility through administration of this particular chapter by the City
2 Manager.

3 Mrs. McCarthy inquired about the rationale of allowed fishing on the Wayzata Depot
4 docks easterly extension from 5:00 a.m. to 10:00 a.m. and 8:00 p.m. to 10:30 p.m. Mr. Kelly
5 explained the easterly extension is the charter boat and the Minnehaha facility and is enforced
6 during their operation. The allowable fishing times on the Broadway Dock is enforced and signed
7 as well.

8 Mrs. McCarthy read the allowable days and times for fishing on the platforms and in the
9 marina. Mr. Kelly stated fishing is allowed in the marina November 2 through April 30 because
10 the boats are out of the water for the winter. They are not yet putting a time provision until they
11 observe and determine what times may need to be prohibited. The allowance in paragraph D
12 gives the City Manager the administration of when to implement the hours without having to
13 make an additional code revision.

14 Mr. Tyacke inquired if the fishing times and a personal liability warning should be
15 posted. Mr. Kelly responded they are going to start with prohibiting fishing between the boats and
16 the allowance of only fishing from the three platforms, and it will be signed accordingly. He is
17 not sure how they could determine who caused damage to any particular boat. Mr. Dahl advised
18 no fishing signs will be posted as well as signage that states the area is under surveillance.

19 Mrs. McCarthy made a motion, seconded by Mr. Tyacke, to approve the First Reading of
20 Ordinance No. 773 Amending Chapter 309 of the City Code (Use of City Parks). The motion
21 carried 5/0.

22
23 **e. Consider Approval of 2017-2018 Assessing Contract with Southwest Assessing**
24 City Manager Dahl reported last year, after soliciting bids, the City selected Southwest Assessing
25 to take over the assessment of residential properties and lead the subsequent appeal process and
26 they are proposing to renew this contract. The base annual rate is proposed to increase by 2.5
27 percent to \$49,610 and an increase in reimbursables by Hennepin County that is mandated for
28 Southwest Assessing to expend only for Wayzata. The concerns with the 2017 Board of Appeal
29 and Equalization Hearing pertaining to the clarity and timeliness of materials presented to the
30 Council were discussed with Mr. Rolf Erickson and he agreed the process will go a lot smoother
31 and be presented differently next year.

32 Mr. Tyacke commented it would be beneficial to incorporate into the contract the process
33 changes that will be done next year and if someone is challenging an assessment, it is important
34 to go and inspect the property.

35 Mr. Plechash inquired how many people work for Southwest Assessing and what
36 percentage of his work is represented by their contract with him.

37 Mr. Rolf Erickson, owner of Southwest Assessing, stated he has two full-time and two-
38 part time appraisers, plus his wife who works full-time on homesteads and one other contract
39 worker who does data entry work. His business assesses about 10,000 parcels and Wayzata has
40 about 1,600 parcels.

41 Mayor Willcox stated he was disappointed in the performance last year particularly with
42 the Board of Appeals. The Assessor did not seem prepared and did not have good reasons for the
43 way he assessed the properties. He does not favor increasing the contract by 2.5 percent and
44 would propose keeping it at the same dollar amount as last year. Mrs. McCarthy agreed.

45 Mrs. McCarthy made a motion, seconded by Mr. Tyacke, to approve the residential
46 assessing contract with Southwest Assessing for the 2017-2018 assessing year at \$48,400, and
47 allowing for the increase in reimbursable costs to the County, and including amendments to the
48 contract regarding process changes, subject to City Attorney approval. The motion carried 5/0.

49
50 **f. Consider First Reading of Ordinance No. 722 Amending Chapter 710 and Section**
51 **801.36 of the City Code Pertaining to Tree Regulations**

1 Mr. Willcox suggested they postpone discussion on this item regarding the tree ordinance to a
2 future meeting. The Council agreed.

3 Mr. Plechash made a motion, seconded by Mrs. McCarthy to table this item to the next
4 Regular City Council meeting on June 20, 2017. The motion carried.

5
6 **AGENDA ITEM 10. City Manager's Report and Discussion Items.**

7 **a. Mill Street Parking Ramp Tour**

8 City Manager Dahl reported they toured the parking ramp before the meeting. The top deck is
9 scheduled to be opened this weekend.

10
11 **b. Upcoming Dates**

- 12 • Wine on Wayzata Bay will take place on June 23.
- 13 • The Landing's Grand Opening event will take place on Friday, June 16 at 10:30 a.m. and
14 the Council is all invited to attend.
- 15 • Music in the Park will begin on June 11.
- 16 • Lifeguards will begin on June 10 and go through August 13.
- 17 • The Trolley starts on June 13 and goes through August. It is available on Tuesdays and
18 Thursdays, and Wednesday evenings for the concerts at the Depot.
- 19 • The Police Department/Fire Department Game will be held on June 15 at 6:00 p.m.
- 20 • Farmers Market will be moved to the Broadway Municipal Lot on June 15.

21
22 **c. Miscellaneous**

23 City Engineer Kelly announced Shoreline Drive will open just before July 4 as expected.

24
25 Mrs. McCarthy requested staff look into traffic concerns and the valet service at Bellecour. Mr.
26 Dahl stated they recently agreed to the addition of another stall for valet service with neighboring
27 property owners, but they will look into it. Once the top deck of the ramp is open, they will be
28 eliminating the public valet during the day.

29
30 **AGENDA ITEM 11. Public Forum Continued (as necessary).**

31 There were no comments.

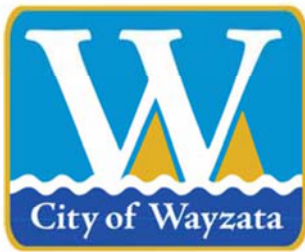
32
33 **AGENDA ITEM 12. Adjournment.**

34 Mrs. McCarthy made a motion, seconded by Mr. Tyacke to adjourn. There being no further
35 business, Mr. Willcox adjourned the meeting at 11:07 p.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.*



City of Wayzata City Council Agenda Report

MEETING DATE: June 20, 2017	AGENDA ITEM: 7b
TITLE: Approval of Check Register	
PROPOSED MOTION: To Approve the Payment of Checks for May & June 2017	
PREPARED BY: Kathy Ovshak, Senior Accountant	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

Staff recommends approval of the attached check register for May & June of 2017.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

N/A

ATTACHMENTS:

1. Check Detail Register—May & June 2017

***Check Detail Register©**

May 2017 to June 2017

			Check Amt	Invoice	Comment
10100 Anchor Bank					
Paid Chk#	106150	6/1/2017	ARTISAN BEER COMPANY		
E 640-47000-253	Beer For Resale		\$213.20	3177857	BEER
E 640-47000-253	Beer For Resale		\$153.25	3179463	BEER
E 640-47000-253	Beer For Resale		\$652.80	3181089	BEER
E 640-47000-253	Beer For Resale		(\$30.75)	383944	BEER
Total ARTISAN BEER COMPANY			\$988.50		
Paid Chk#	106151	6/1/2017	BELLBOY BAR SUPPLY CORP.		
E 640-47000-251	Liquor For Resale		\$304.25	58881400	LIQUOR
E 640-47000-259	Freight		\$7.65	58881400	FREIGHT
E 640-47000-210	Operating Supplies (GENERAL)		\$168.22	95847400	SUPPLIES
Total BELLBOY BAR SUPPLY CORP.			\$480.12		
Paid Chk#	106152	6/1/2017	BERNICK'S WINE		
E 640-47000-254	Soft Drinks/Mix For Resale		\$63.24	359617	MISC.MIX
E 640-47000-253	Beer For Resale		\$151.10	359618	BEER
E 640-47000-254	Soft Drinks/Mix For Resale		\$65.60	360903	MISC.MIX
E 640-47000-253	Beer For Resale		\$62.15	360904	BEER
Total BERNICK'S WINE			\$342.09		
Paid Chk#	106153	6/1/2017	BOURGET IMPORTS		
E 640-47000-252	Wine For Resale		\$234.00	141845	WINE
E 640-47000-259	Freight		\$1.50	141845	FREIGHT
Total BOURGET IMPORTS			\$235.50		
Paid Chk#	106154	6/1/2017	BREAKTHRU BEVERAGE		
E 640-47000-251	Liquor For Resale		\$3,851.09	1080635749	LIQUOR
E 640-47000-252	Wine For Resale		\$72.00	1080635749	WINE
E 640-47000-259	Freight		\$32.74	1080635749	FREIGHT
E 640-47000-252	Wine For Resale		\$1,876.15	1080635750	WINE
E 640-47000-259	Freight		\$30.93	1080635750	FREIGHT
E 640-48000-252	Wine For Resale		\$524.30	1080636153	WINE
E 640-47000-251	Liquor For Resale		\$772.21	1080638858	LIQUOR
E 640-47000-259	Freight		\$7.97	1080638858	FREIGHT
E 640-48000-252	Wine For Resale		\$365.62	1080638873	WINE
E 640-48000-251	Liquor For Resale		\$216.00	1080638873	LIQUOR
E 640-47000-252	Wine For Resale		\$543.50	1080639205	WINE
E 640-47000-259	Freight		\$7.25	1080639205	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		(\$18.00)	2080173498	MISC.MIX
Total BREAKTHRU BEVERAGE			\$8,281.76		
Paid Chk#	106155	6/1/2017	BREAKTHRY BEVERAGE BEER		
E 640-48000-253	Beer For Resale		\$30.80	1090710384	BEER
E 640-48000-253	Beer For Resale		\$1,440.00	1090710385	BEER
E 640-47000-253	Beer For Resale		\$2,578.75	1090710571	BEER
E 640-47000-253	Beer For Resale		\$123.00	1090710572	BEER
E 640-47000-253	Beer For Resale		\$94.15	1090710573	BEER
E 640-47000-253	Beer For Resale		\$1,184.55	1090713481	BEER
E 640-47000-253	Beer For Resale		\$17.65	1090713482	BEER
E 640-48000-253	Beer For Resale		\$630.00	1090716207	BEER
Total BREAKTHRY BEVERAGE BEER			\$6,098.90		
Paid Chk#	106156	6/1/2017	CAPITOL BEVERAGE SALES		
E 640-47000-253	Beer For Resale		\$20.45	1837037	BEER
E 640-48000-253	Beer For Resale		\$832.00	1865497	BEER
E 640-47000-253	Beer For Resale		\$1,327.70	1872620	BEER
E 640-48000-253	Beer For Resale		\$1,056.00	1874169	BEER

***Check Detail Register©**

May 2017 to June 2017

			Check Amt	Invoice	Comment
E 640-47000-253	Beer For Resale		\$1,945.20	1882043	BEER
E 640-48000-253	Beer For Resale		\$689.00	1883656	BEER
Total CAPITOL BEVERAGE SALES			\$5,870.35		
Paid Chk#	106157	6/1/2017	CFS INTERIORS & FLOORING		
E 640-49100-560	Furniture and Fixtures		\$866.00	110640-2	STORE - FLOORING
Total CFS INTERIORS & FLOORING			\$866.00		
Paid Chk#	106158	6/1/2017	CLEAR RIVER BEVERAGE CO.		
E 640-47000-253	Beer For Resale		\$150.00	69-2022	BEER
Total CLEAR RIVER BEVERAGE CO.			\$150.00		
Paid Chk#	106159	6/1/2017	COCA-COLA		
E 640-47000-254	Soft Drinks/Mix For Resale		\$176.04	3601203648	MISC.MIX
E 640-47000-254	Soft Drinks/Mix For Resale		\$148.35	3628200273	MISC.MIX
Total COCA-COLA			\$324.39		
Paid Chk#	106160	6/1/2017	COZZINI BROS., INC.		
E 640-48500-415	Other Equipment Rentals		\$55.78	C3823690	KNIFE EXCHANGE
Total COZZINI BROS., INC.			\$55.78		
Paid Chk#	106161	6/1/2017	DAHLHEIMER DISTRIBUTING CO.		
E 640-47000-253	Beer For Resale		\$812.70	1279881	BEER
E 640-48000-253	Beer For Resale		\$514.00	1279882	BEER
E 640-48000-253	Beer For Resale		\$513.00	1279942	BEER
E 640-47000-253	Beer For Resale		\$844.19	148546	BEER
Total DAHLHEIMER DISTRIBUTING CO.			\$2,683.89		
Paid Chk#	106162	6/1/2017	DENNYS 5TH AVENUE BAKERY		
E 640-48500-255	FOODIngredients For Resale		\$77.50	659881	FOOD
E 640-48500-255	FOODIngredients For Resale		\$138.72	660469	FOOD
E 640-48500-255	FOODIngredients For Resale		\$53.99	661308	FOOD
E 640-48500-255	FOODIngredients For Resale		\$143.61	661754	FOOD
E 640-48500-255	FOODIngredients For Resale		\$51.25	661861	FOOD
Total DENNYS 5TH AVENUE BAKERY			\$465.07		
Paid Chk#	106163	6/1/2017	DIRECTV		
E 640-48000-415	Other Equipment Rentals		\$311.00	31474701095	SERVICE
Total DIRECTV			\$311.00		
Paid Chk#	106164	6/1/2017	G & K SERVICES		
E 640-48500-217	Uniforms		\$169.51	6013485395	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$90.37	6013485395	KITCHEN UNIFORMS & SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$17.60	6013485395	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-217	Uniforms		\$169.07	6013496537	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$87.91	6013496537	KITCHEN UNIFORMS & SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$17.60	6013496537	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-217	Uniforms		\$240.80	6013507622	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$92.43	6013507622	KITCHEN UNIFORMS & SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$17.60	6013507622	KITCHEN UNIFORMS & SUPPLIES
Total G & K SERVICES			\$902.89		
Paid Chk#	106165	6/1/2017	GRAPE BEGINNINGS, INC.		
E 640-47000-252	Wine For Resale		\$215.80	21347	WINE
E 640-47000-259	Freight		\$3.90	21347	FREIGHT
E 640-47000-252	Wine For Resale		\$490.00	21389	WINE
E 640-47000-259	Freight		\$6.75	21389	FREIGHT
E 640-47000-252	Wine For Resale		\$177.00	21668	WINE
E 640-47000-259	Freight		\$2.25	21668	FREIGHT

***Check Detail Register©**

May 2017 to June 2017

			Check Amt	Invoice	Comment
Total GRAPE BEGINNINGS, INC.			\$895.70		
Paid Chk# 106166	6/1/2017	HIGH FIVE LLC			
E 640-47000-306	Personnel Expense		\$750.49	5019	STORE UNIFORM SHIRTS
Total HIGH FIVE LLC			\$750.49		
Paid Chk# 106167	6/1/2017	HOHENSTEINS INC.			
E 640-47000-253	Beer For Resale		\$750.00	892001	BEER RESALE
Total HOHENSTEINS INC.			\$750.00		
Paid Chk# 106168	6/1/2017	HOLIDAY			
E 640-47000-212	Motor Fuels		\$29.40		FUEL
Total HOLIDAY			\$29.40		
Paid Chk# 106169	6/1/2017	JJ TAYLOR DISTRIBUTING OF MN			
E 640-47000-253	Beer For Resale		\$3,116.25	2689004	BEER
E 640-47000-253	Beer For Resale		\$2,338.90	2689043	BEER
E 640-48000-253	Beer For Resale		\$995.20	2696724	BEER
E 640-48000-253	Beer For Resale		\$910.60	2704203	BEER
Total JJ TAYLOR DISTRIBUTING OF MN			\$7,360.95		
Paid Chk# 106170	6/1/2017	JOHNSON BROS.-ST.PAUL			
E 640-47000-251	Liquor For Resale		\$1,630.30	5726244	LIQUOR
E 640-47000-259	Freight		\$17.90	5726244	FREIGHT
E 640-47000-252	Wine For Resale		\$962.40	5726245	WINE
E 640-47000-259	Freight		\$21.96	5726245	FREIGHT
E 640-47000-251	Liquor For Resale		\$1,685.49	5727638	LIQUOR
E 640-47000-259	Freight		\$10.54	5727638	FREIGHT
E 640-47000-252	Wine For Resale		\$3,490.65	5727639	WINE
E 640-47000-259	Freight		\$36.60	5727639	FREIGHT
E 640-47000-251	Liquor For Resale		\$189.25	5731772	LIQUOR
E 640-47000-259	Freight		\$2.65	5731772	FREIGHT
E 640-47000-252	Wine For Resale		\$753.25	5731773	WINE
E 640-47000-259	Freight		\$12.30	5731773	FREIGHT
E 640-47000-251	Liquor For Resale		\$2,177.64	5733192	LIQUOR
E 640-47000-259	Freight		\$18.09	5733192	FREIGHT
E 640-47000-252	Wine For Resale		\$359.90	5733193	WINE
E 640-47000-259	Freight		\$4.88	5733193	FREIGHT
E 640-47000-252	Wine For Resale		(\$71.72)	626635	WINE
E 640-47000-252	Wine For Resale		(\$60.34)	626636	WINE
Total JOHNSON BROS.-ST.PAUL			\$11,241.74		
Paid Chk# 106171	6/1/2017	KARLSBURGER FOODS, INC.			
E 640-48500-255	FOODIngredients For Resale		\$270.00	000438170	FOOD
E 640-48500-255	FOODIngredients For Resale		\$282.80	000439209	FOOD
Total KARLSBURGER FOODS, INC.			\$552.80		
Paid Chk# 106172	6/1/2017	LIBATION PROJECT			
E 640-47000-252	Wine For Resale		\$576.00	8620	WINE
E 640-47000-259	Freight		\$7.50	8620	FREIGHT
E 640-47000-252	Wine For Resale		\$128.00	8753	WINE
E 640-47000-259	Freight		\$1.50	8753	FREIGHT
Total LIBATION PROJECT			\$713.00		
Paid Chk# 106173	6/1/2017	M.AMUNDSON LLP			
E 640-47000-256	MISC.MDSE.RESALE		\$1,276.75	237251	CIGARETTES
E 640-47000-256	MISC.MDSE.RESALE		\$869.53	237813	CIGARETTES
E 640-47000-256	MISC.MDSE.RESALE		\$357.59	237891	CIGARETTES

***Check Detail Register©**

May 2017 to June 2017

			Check Amt	Invoice	Comment
E 640-47000-256	MISC.MDSE.RESALE		\$831.81	238122	CIGARETTES
	Total M.AMUNDSON LLP		\$3,335.68		
Paid Chk# 106174	6/1/2017	MARTIN, SHANE			
E 640-48000-341	General Promotions		\$300.00	6/8/17	BAR MUSIC 6/8/17
	Total MARTIN, SHANE		\$300.00		
Paid Chk# 106175	6/1/2017	MIDWEST GREASE			
E 640-48500-404	Repairs/Maint - Machin/Equip		\$180.00	187287	MAINT.SERVICE
	Total MIDWEST GREASE		\$180.00		
Paid Chk# 106176	6/1/2017	MN DEPARTMENT OF HEALTH			
E 640-48000-433	Dues, Licensing & Seminars		\$35.00	9547	BAR-HOSPITALITY FEE 2017
	Total MN DEPARTMENT OF HEALTH		\$35.00		
Paid Chk# 106177	6/1/2017	MOOD MEDIA			
E 640-48000-415	Other Equipment Rentals		\$108.86	53259598	BAR MUSIC
	Total MOOD MEDIA		\$108.86		
Paid Chk# 106178	6/1/2017	NARDINI FIRE EQUIPMENT CO.,INC			
E 640-48000-401	Repairs/Maint Buildings		\$522.27	IN00044462	ANNUAL INSPECTION
	Total NARDINI FIRE EQUIPMENT CO.,INC		\$522.27		
Paid Chk# 106179	6/1/2017	NETWORK BUSINESS SUPPLIES			
E 640-48000-210	Operating Supplies (GENERAL)		\$194.16	00106350	SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$556.23	00106406	SUPPLIES
	Total NETWORK BUSINESS SUPPLIES		\$750.39		
Paid Chk# 106180	6/1/2017	NEW FRANCE WINE COMPANY			
E 640-47000-252	Wine For Resale		\$72.00	120795	WINE RESALE
E 640-47000-259	Freight		\$1.50	120795	FREIGHT
	Total NEW FRANCE WINE COMPANY		\$73.50		
Paid Chk# 106181	6/1/2017	NORTHWESTERN FRUIT COMPANY			
E 640-48500-255	FOODIngredients For Resale		\$533.75	861878	FOOD
E 640-48500-255	FOODIngredients For Resale		\$375.65	862032	FOOD
E 640-48500-255	FOODIngredients For Resale		\$519.40	862189	FOOD
E 640-48500-255	FOODIngredients For Resale		\$665.90	862343	FOOD
E 640-48000-251	Liquor For Resale		\$289.60	862495	LIQUOR
E 640-48500-255	FOODIngredients For Resale		\$26.75	862497	FOOD
E 640-48500-255	FOODIngredients For Resale		\$581.75	862610	FOOD
E 640-48500-255	FOODIngredients For Resale		\$677.40	862878	FOOD
	Total NORTHWESTERN FRUIT COMPANY		\$3,670.20		
Paid Chk# 106182	6/1/2017	PAUSTIS & SONS			
E 640-47000-252	Wine For Resale		\$1,345.00	8590391	WINE
E 640-47000-251	Liquor For Resale		\$178.00	8590391	LIQUOR
E 640-47000-259	Freight		\$15.00	8590391	FREIGHT
E 640-47000-252	Wine For Resale		\$371.00	8590600	WINE
E 640-47000-259	Freight		\$2.25	8590600	FREIGHT
E 640-47000-252	Wine For Resale		\$223.00	8591289	WINE
E 640-47000-259	Freight		\$4.50	8591289	FREIGHT
	Total PAUSTIS & SONS		\$2,138.75		
Paid Chk# 106183	6/1/2017	PEPSI -COLA			
E 640-47000-254	Soft Drinks/Mix For Resale		\$193.80	80937955	MISC.MIX
	Total PEPSI -COLA		\$193.80		
Paid Chk# 106184	6/1/2017	PHILLIPS WINES & SPIRITS			

***Check Detail Register©**

May 2017 to June 2017

			Check Amt	Invoice	Comment
E 640-47000-251	Liquor For Resale		\$1,129.49	2167622	LIQUOR
E 640-47000-259	Freight		\$11.38	2167622	FREIGHT
E 640-47000-252	Wine For Resale		\$609.50	2167623	WINE
E 640-47000-259	Freight		\$12.20	2167623	FREIGHT
E 640-47000-251	Liquor For Resale		\$247.04	2171280	LIQUOR
E 640-47000-259	Freight		\$2.84	2171280	FREIGHT
Total PHILLIPS WINES & SPIRITS			\$2,012.45		
Paid Chk# 106185	6/1/2017	QUALITY SERVICE, INC.			
E 640-48500-404	Repairs/Maint - Machin/Equip		\$291.95	32556	SOUP WELL REPAIR
Total QUALITY SERVICE, INC.			\$291.95		
Paid Chk# 106186	6/1/2017	RITE			
E 640-47000-210	Operating Supplies (GENERAL)		\$41.57	16805	SUPPLIES
Total RITE			\$41.57		
Paid Chk# 106187	6/1/2017	ROOTSTOCK WINE COMPANY			
E 640-47000-252	Wine For Resale		\$132.00	17-13866	WINE RESALE
E 640-47000-259	Freight		\$1.50	17-13866	FREIGHT
Total ROOTSTOCK WINE COMPANY			\$133.50		
Paid Chk# 106188	6/1/2017	RUE 38			
E 640-47000-252	Wine For Resale		\$858.00	1616	WINE
E 640-47000-259	Freight		\$16.50	1616	FREIGHT
Total RUE 38			\$874.50		
Paid Chk# 106189	6/1/2017	SHAMROCK GROUP			
E 640-47000-254	Soft Drinks/Mix For Resale		\$84.60	2118023	ICE
E 640-47000-254	Soft Drinks/Mix For Resale		\$73.50	2119129	ICE
Total SHAMROCK GROUP			\$158.10		
Paid Chk# 106190	6/1/2017	SOUTHERN GLAZER'S OF MN			
E 640-47000-251	Liquor For Resale		\$4,628.10	1544485	LIQUOR
E 640-47000-259	Freight		\$32.09	1544485	FREIGHT
E 640-47000-251	Liquor For Resale		\$430.15	1544486	LIQUOR
E 640-47000-259	Freight		\$2.56	1544486	FREIGHT
E 640-47000-252	Wine For Resale		\$532.00	1544487	WINE
E 640-47000-259	Freight		\$5.12	1544487	FREIGHT
E 640-47000-252	Wine For Resale		\$2,929.67	1544488	WINE
E 640-47000-259	Freight		\$46.08	1544488	FREIGHT
E 640-47000-259	Freight		\$1.60	1547305	FREIGHT
E 640-47000-251	Liquor For Resale		\$2,440.00	1547306	LIQUOR
E 640-47000-259	Freight		\$20.90	1547306	FREIGHT
E 640-47000-252	Wine For Resale		\$834.00	1547307	WINE
E 640-47000-259	Freight		\$12.80	1547307	FREIGHT
Total SOUTHERN GLAZER'S OF MN			\$11,915.07		
Paid Chk# 106191	6/1/2017	STRATEGIC EQUIPMENT AND			
E 640-48000-210	Operating Supplies (GENERAL)		(\$69.43)	160155	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$584.41	2865791	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$118.00	2865791	BAR SUPPLIES
E 640-48000-342	Promotions - Food/Drinks		\$84.00	2865791	PROMO FOOD
E 640-48000-210	Operating Supplies (GENERAL)		\$118.10	2870492	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$413.91	2870496	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$135.42	2870496	BAR SUPPLIES
E 640-48000-342	Promotions - Food/Drinks		\$56.00	2870496	PROMO FOOD
E 640-48000-210	Operating Supplies (GENERAL)		\$8.43	2875750	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$486.00	2875751	KITCHEN SUPPLIES

***Check Detail Register©**

May 2017 to June 2017

			Check Amt	Invoice	Comment
E 640-48000-210	Operating Supplies (GENERAL)		\$222.76	2875751	BAR SUPPLIES
E 640-48000-342	Promotions - Food/Drinks		\$56.00	2875751	PROMO FOOD
Total	STRATEGIC EQUIPMENT AND		\$2,213.60		
Paid Chk# 106192	6/1/2017	T.D. ANDERSON INC.			
E 640-48000-409	Maint services & Improv		\$115.00	196773	BEER LINE SERVICE
E 640-48000-409	Maint services & Improv		\$115.00	196814	BEER LINES CLEANED
Total	T.D. ANDERSON INC.		\$230.00		
Paid Chk# 106193	6/1/2017	TOLL GAS & WELDING SUPPLY			
E 640-48000-210	Operating Supplies (GENERAL)		\$76.81	10190372	SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$57.07	40065023	SUPPLIES
Total	TOLL GAS & WELDING SUPPLY		\$133.88		
Paid Chk# 106194	6/1/2017	TRUE BRANDS			
E 640-47000-254	Soft Drinks/Mix For Resale		\$295.93	226895	MISC MDSE
E 640-47000-259	Freight		\$16.95	226895	FREIGHT
Total	TRUE BRANDS		\$312.88		
Paid Chk# 106195	6/1/2017	TRUSTED EMPLOYEES			
E 101-45200-499	Miscellaneous		\$240.00	05201712035S	BACKGROUND CHECKS
E 640-48000-306	Personnel Expense		\$100.00	05201712035S	BACKGROUND CHECKS
Total	TRUSTED EMPLOYEES		\$340.00		
Paid Chk# 106196	6/1/2017	ULTRA-CHEM IN.C			
E 640-48000-409	Maint services & Improv		\$302.92	1189066	SUPPLIES
Total	ULTRA-CHEM IN.C		\$302.92		
Paid Chk# 106197	6/1/2017	US FOODS			
E 640-48500-255	FOODIngredients For Resale		\$3,328.47	5128243	FOOD
E 640-48000-210	Operating Supplies (GENERAL)		\$90.45	5128243	BAR SUPPLIES
E 640-48000-254	Soft Drinks/Mix For Resale		\$196.18	5128243	MISC.BEV.
E 640-48000-342	Promotions - Food/Drinks		\$59.38	5128243	PROMO FOOD
E 640-48000-251	Liquor For Resale		\$7.70	5128243	LIQUOR
E 640-48500-255	FOODIngredients For Resale		\$6,116.28	5175061	FOOD
E 640-48000-342	Promotions - Food/Drinks		\$20.79	5175061	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$108.04	5175061	KITCHEN SUPPLIES
E 640-48000-254	Soft Drinks/Mix For Resale		\$261.84	5175061	MISC.BEV.
E 640-48000-251	Liquor For Resale		\$70.82	5175061	LIQUOR
E 640-48000-210	Operating Supplies (GENERAL)		\$42.33	5223407	BAR SUPPLIES
E 640-48500-255	FOODIngredients For Resale		\$2,161.19	5223409	FOOD
E 640-48000-210	Operating Supplies (GENERAL)		\$97.48	5223409	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$80.14	5223409	KITCHEN SUPPLIE
E 640-48000-254	Soft Drinks/Mix For Resale		\$195.01	5223409	MISC.BEV.
E 640-48500-255	FOODIngredients For Resale		\$2,817.52	5259901	FOOD
E 640-48000-254	Soft Drinks/Mix For Resale		\$89.57	5259901	MISC.BEV.
E 640-48500-210	Operating Supplies (GENERAL)		\$38.43	5259901	KITCHEN SUPPLIES
E 640-48000-342	Promotions - Food/Drinks		\$59.38	5259901	PROMO FOOD
E 640-48000-251	Liquor For Resale		\$49.80	5259901	LIQUOR
E 640-48500-255	FOODIngredients For Resale		\$5,820.78	5303799	FOOD
E 640-48000-254	Soft Drinks/Mix For Resale		\$404.05	5303799	MISC.BEV.
E 640-48000-342	Promotions - Food/Drinks		\$59.38	5303799	PROMO FOOD
E 640-48000-251	Liquor For Resale		\$232.95	5303799	LIQUOR
E 640-48500-210	Operating Supplies (GENERAL)		\$83.56	5303799	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$161.41	5303799	BAR SUPPLIES
E 640-48500-255	FOODIngredients For Resale		\$4,738.42	5352759	FOOD
E 640-48000-210	Operating Supplies (GENERAL)		\$83.07	5352759	BAR SUPPLIES
E 640-48000-254	Soft Drinks/Mix For Resale		\$486.38	5352759	MISC.BEV.

***Check Detail Register©**

May 2017 to June 2017

			Check Amt	Invoice	Comment
E 640-48500-210	Operating Supplies (GENERAL)	\$51.23	5352759		KITCHEN SUPPLIES
E 640-48000-251	Liquor For Resale	\$31.14	5352759		LIQUOR
E 640-48000-342	Promotions - Food/Drinks	\$59.38	5352759		PROMO FOOD
E 640-48500-255	FOODIngredients For Resale	\$568.55	5381509		FOOD
Total US FOODS		\$28,671.10			
Paid Chk# 106198	6/1/2017	VINOCOPIA			
E 640-47000-252	Wine For Resale	\$232.00	0181030		WINE
E 640-47000-259	Freight	\$2.00	0181031		FREIGHT
E 640-47000-251	Liquor For Resale	\$561.89	0181032		LIQUOR
Total VINOCOPIA		\$795.89			
Paid Chk# 106199	6/1/2017	WAYZATA BREW WORKS LLC			
E 640-48000-253	Beer For Resale	\$139.00	MU009		BEER
Total WAYZATA BREW WORKS LLC		\$139.00			
Paid Chk# 106200	6/1/2017	WINE COMPANY			
E 640-47000-252	Wine For Resale	\$1,440.00	37299		WINE RESALE
E 640-47000-259	Freight	\$14.85	37299		FREIGHT
Total WINE COMPANY		\$1,454.85			
Paid Chk# 106201	6/1/2017	WINE MERCHANT			
E 640-47000-252	Wine For Resale	\$4,507.00	7133183		WINE
E 640-47000-259	Freight	\$23.18	7133183		FREIGHT
E 640-48000-252	Wine For Resale	\$253.66	7133401		WINE
E 640-47000-252	Wine For Resale	\$971.00	7134223		WINE
E 640-47000-259	Freight	\$6.10	7134223		FREIGHT
E 640-48000-252	Wine For Resale	\$552.32	7134457		WINE
E 640-47000-252	Wine For Resale	(\$249.22)	713724		WINE
E 640-47000-252	Wine For Resale	(\$100.22)	713842		WINE
Total WINE MERCHANT		\$5,963.82			
Paid Chk# 106202	6/14/2017	ABSOLUTE MECHANICAL			
E 101-41940-404	Repairs/Maint - Machin/Equip	\$192.00	8057		HVAC REPAIRS
E 101-41940-404	Repairs/Maint - Machin/Equip	\$880.00	8058		HVAC REPAIRS
Total ABSOLUTE MECHANICAL		\$1,072.00			
Paid Chk# 106203	6/14/2017	ADOLFSON & PETERSON MIDWEST			
E 401-40000-309	Contractual Services	\$949,630.73	7		PARKING RAMP
Total ADOLFSON & PETERSON MIDWEST		\$949,630.73			
Paid Chk# 106204	6/14/2017	ADVANCE AUTO PARTS			
E 620-40000-210	Operating Supplies (GENERAL)	\$12.69	15077-4386		PARTS
Total ADVANCE AUTO PARTS		\$12.69			
Paid Chk# 106205	6/14/2017	ADVANCED IMAGING SOLUTIONS			
E 640-47000-200	Office Supplies (GENERAL)	\$72.00	INV135787		SUPPLIES
E 640-48000-200	Office Supplies (GENERAL)	\$72.00	INV135787		SUPPLIES
Total ADVANCED IMAGING SOLUTIONS		\$144.00			
Paid Chk# 106206	6/14/2017	ADVANTAGE HEALTH CORPORATION			
E 101-41500-306	Personnel Expense	\$800.00	104445		WELLNESS SEMINAR SPEAKERS
Total ADVANTAGE HEALTH CORPORATION		\$800.00			
Paid Chk# 106207	6/14/2017	AEM FINANCIAL SOLUTIONS			
E 101-41500-301	Auditing and Acct g Services	\$4,679.00	385355		CONTRACTED FINANCE DIR.SERVICES
Total AEM FINANCIAL SOLUTIONS		\$4,679.00			
Paid Chk# 106208	6/14/2017	ANCHOR BANK-CARDMEMBER SERV.			

***Check Detail Register©**

May 2017 to June 2017

			Check Amt	Invoice	Comment
E 101-41500-331	Mileage & Expense Account		\$246.85		MTG.MEALS
E 101-45200-312	Rec Program Fee/Sr. Serv		\$106.86		REC PROGRAM SUPPLIES
E 101-45200-331	Mileage & Expense Account		\$51.50		EMPLOYEE MTG/
E 101-45200-404	Repairs/Maint - Machin/Equip		\$22.53		VEHICLE MAINT.
E 101-45200-212	Motor Fuels		\$17.00		CALLIOPE FUEL
E 101-41500-306	Personnel Expense		\$63.18		WELLNESS PROGRAM
E 630-40000-540	Equipment		\$1,435.56		MV SCANNERS
E 640-47000-340	Advertising		\$32.06		STORE ADVERTISEMENT
E 640-47000-433	Dues, Licensing & Seminars		\$336.08		DOMAIN NAMES
E 640-48000-433	Dues, Licensing & Seminars		\$336.08		DOMAIN NAMES
E 630-40000-433	Dues, Licensing & Seminars		\$29.95		MV SUPPORT
E 101-41100-499	Miscellaneous		\$3.62		COUNCIL PHOTO
E 101-41500-331	Mileage & Expense Account		\$27.85		EMPL.MTG.
E 101-42400-433	Dues, Licensing & Seminars		\$75.00		BLDG.INSPE.LICENSE
E 235-40000-433	Dues, Licensing & Seminars		\$345.00		KRISTIN CONF.
E 640-48000-306	Personnel Expense		\$20.57		BAR EEMPL.AD
Total ANCHOR BANK-CARDMEMBER SERV.			\$3,149.69		
Paid Chk# 106209	6/14/2017	ANCOM COMMUNICATIONS, INC.			
E 101-42200-323	Radio Units		\$596.50	69769	RADIO BATTERIES
Total ANCOM COMMUNICATIONS, INC.			\$596.50		
Paid Chk# 106210	6/14/2017	AT&T MOBILITY			
E 101-41940-321	Telephone		\$119.10	287250008232	CELL PHONE SERVICE
Total AT&T MOBILITY			\$119.10		
Paid Chk# 106211	6/14/2017	AT&T MOBILITY			
E 101-41940-321	Telephone		\$288.98	287250190047	CELL PHONE SERVICE
Total AT&T MOBILITY			\$288.98		
Paid Chk# 106212	6/14/2017	AXON ENTERPRISES, INC			
E 101-42100-210	Operating Supplies (GENERAL)		\$91.80	SI1484054	PD SUPPLIES
Total AXON ENTERPRISES, INC			\$91.80		
Paid Chk# 106213	6/14/2017	BUDGET PRINTING & AWARDS			
E 404-40000-499	Miscellaneous		\$35.49	4708	BENCH PLAQUES
Total BUDGET PRINTING & AWARDS			\$35.49		
Paid Chk# 106214	6/14/2017	CASH - ANCHOR BANK			
E 610-40000-322	Postage		\$15.76		POSTAGE
E 630-40000-210	Operating Supplies (GENERAL)		\$174.81		MV SUPPLIES
E 101-42100-210	Operating Supplies (GENERAL)		\$52.40		PD SUPPLIES
E 235-40000-331	Mileage & Expense Account		\$28.14		MILEAGE
E 101-41500-306	Personnel Expense		\$15.00		WELLNESS PROGRAM
E 101-41500-200	Office Supplies (GENERAL)		\$13.44		SUPPLIES
Total CASH - ANCHOR BANK			\$299.55		
Paid Chk# 106215	6/14/2017	CEMENT RAISING INC			
E 408-40000-402	Sidewalk Replacement		\$1,040.00	5/30/17	SIDEWALK REPLACMENT
Total CEMENT RAISING INC			\$1,040.00		
Paid Chk# 106216	6/14/2017	CENTERPOINT ENERGY			
E 101-41940-383	Fuel, oil and natural gas		\$856.07		SERVICE
E 610-40000-383	Fuel, oil and natural gas		\$32.41		SERVICE
E 640-47000-383	Fuel, oil and natural gas		\$180.92		SERVICE
E 640-48000-383	Fuel, oil and natural gas		\$723.68		SERVICE
E 101-41940-383	Fuel, oil and natural gas		\$9.96		SERVICE
E 101-42200-383	Fuel, oil and natural gas		\$161.84		SERVICE

***Check Detail Register©**

May 2017 to June 2017

			Check Amt	Invoice	Comment
Total CENTERPOINT ENERGY			\$1,964.88		
Paid Chk# 106217	6/14/2017	CINTAS CORPORATION			
E 610-40000-241	Safety equip/testings		\$19.00	5007868082	FIRST AID SUPPLIES
E 620-40000-241	Safety equip/testings		\$19.59	5007868082	FIRST AID SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$55.59	5008115031	FIRST AID SUPPLIES
Total CINTAS CORPORATION			\$94.18		
Paid Chk# 106218	6/14/2017	CLAREY S SAFETY EQUIPMENT			
E 101-42200-217	Uniforms		\$317.94	171965	FD UNIFORMS
Total CLAREY S SAFETY EQUIPMENT			\$317.94		
Paid Chk# 106219	6/14/2017	CLASSIC CLEANING COMPANY			
E 101-41940-409	Maint services & Improv		\$1,365.00	25264	MONTHLY CLEANING
E 101-41940-409	Maint services & Improv		\$516.00	25265	PW MONTHLY CLEANING
Total CLASSIC CLEANING COMPANY			\$1,881.00		
Paid Chk# 106220	6/14/2017	COMMERCIAL ASPHALT CO.			
E 430-40000-309	Contractual Services		\$160.89	170531	ASPHALT
Total COMMERCIAL ASPHALT CO.			\$160.89		
Paid Chk# 106221	6/14/2017	COURIER SOURCE, INC.			
E 101-41500-499	Miscellaneous		\$33.84	146278	SERVICE
Total COURIER SOURCE, INC.			\$33.84		
Paid Chk# 106222	6/14/2017	CULLIGAN-BOTTLED WATER			
E 101-41940-499	Miscellaneous		\$232.18	114-10039014-	SERVICE
Total CULLIGAN-BOTTLED WATER			\$232.18		
Paid Chk# 106223	6/14/2017	DOUGLAS, DON			
E 640-48000-341	General Promotions		\$300.00	6/15/17	BAR MUSIC 6/15/17
Total DOUGLAS, DON			\$300.00		
Paid Chk# 106224	6/14/2017	EMBEDDED SYSTEMS, INC.			
E 101-42500-409	Maint services & Improv		\$503.44	34286	SIREN MAINT.
Total EMBEDDED SYSTEMS, INC.			\$503.44		
Paid Chk# 106225	6/14/2017	EMERGENCY RESPONSE SOLUTIONS			
E 101-42200-241	Safety equip/testings		\$957.53	8890	FD SAFETY EQUIP.
otal EMERGENCY RESPONSE SOLUTIONS			\$957.53		
Paid Chk# 106226	6/14/2017	EMERY'S TREE SERVICE, INC.			
E 404-40000-309	Contractual Services		\$2,065.00	21431	TREE REMOVAL IN BIG WOODS
Total EMERY'S TREE SERVICE, INC.			\$2,065.00		
Paid Chk# 106227	6/14/2017	FABYANSKE WESTRA HART & THOMSO			
E 430-40000-304	Legal Fees		\$153.75	220672	VALLEY PAVING LEGAL ISSUE
al FABYANSKE WESTRA HART & THOMSO			\$153.75		
Paid Chk# 106228	6/14/2017	FRED HOLASEK & SON, INC.			
E 101-45200-227	Plantings		\$4,220.73	00019164	FLOWERS
Total FRED HOLASEK & SON, INC.			\$4,220.73		
Paid Chk# 106229	6/14/2017	FUTURE IQ, INC.			
E 239-40000-309	Contractual Services		\$16,000.00	252	COMP PLAN
Total FUTURE IQ, INC.			\$16,000.00		
Paid Chk# 106230	6/14/2017	GALLS			
E 101-42100-217	Uniforms		\$131.98	007555985	PD UNIFORMS

***Check Detail Register©**

May 2017 to June 2017

			Check Amt	Invoice	Comment
Total GALLS			\$131.98		
Paid Chk# 106231	6/14/2017	GERTENS			
E 101-45200-227	Plantings		\$34.50	423425-1	PLANTS
E 101-45200-240	Small Tools and Minor Equip		\$53.99	423425-1	TOOLS
Total GERTENS			\$88.49		
Paid Chk# 106232	6/14/2017	GOPHER STATE ONE CALL			
E 610-40000-313	Permit Fees/Gopher State		\$133.65	7050800	MONTHLY LOCATES
E 620-40000-313	Permit Fees/Gopher State		\$133.65	7050800	MONTHLY LOCATES
Total GOPHER STATE ONE CALL			\$267.30		
Paid Chk# 106233	6/14/2017	GRAINGER, INC.			
E 101-42200-240	Small Tools and Minor Equip		\$45.03	9455368713	FD TOOLS
Total GRAINGER, INC.			\$45.03		
Paid Chk# 106234	6/14/2017	GROVE NURSERY			
E 404-40000-227	Plantings		\$1,350.00	27140000	BARE ROOT TREES
E 101-45200-229	Dirt, Sand and gravel		\$211.20	27365700	SOIL
Total GROVE NURSERY			\$1,561.20		
Paid Chk# 106235	6/14/2017	GROVES, JAMES			
E 101-42100-217	Uniforms		\$100.00	REIMB.	FOOT WEAR
Total GROVES, JAMES			\$100.00		
Paid Chk# 106236	6/14/2017	HD SUPPLY WATERWORKS, LTD			
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$506.10	H215671	SUPPLIES
Total HD SUPPLY WATERWORKS, LTD			\$506.10		
Paid Chk# 106237	6/14/2017	HENN.CNTY.ACCTG.SERVICES			
E 101-42120-308	Prisoner Care		\$491.97	1000094656	PRISONER PROCESSING
Total HENN.CNTY.ACCTG.SERVICES			\$491.97		
Paid Chk# 106238	6/14/2017	HENN.CNTY.INFO.TECH.DEPT.			
E 101-42200-323	Radio Units		\$1,062.00	1000094909	RADIO CONNECTIONS
E 101-42100-323	Radio Units		\$1,147.83	1000094910	RADIO CONNECTIONS
E 101-43100-323	Radio Units		\$276.37	1000094977	RADIO CONNECTIONS
E 101-45200-323	Radio Units		\$276.37	1000094977	RADIO CONNECTIONS
Total HENN.CNTY.INFO.TECH.DEPT.			\$2,762.57		
Paid Chk# 106239	6/14/2017	HENNEPIN COUNTY TAX SERVICES			
E 101-41500-433	Dues, Licensing & Seminars		\$161.50	0617-99	ANNUAL FEE
Total HENNEPIN COUNTY TAX SERVICES			\$161.50		
Paid Chk# 106240	6/14/2017	HENNEPIN COUNTY TREASURER			
G 650-20818	Garbage Sales Tax		\$1,417.73	MAY 2017	9% REFUSE TAX - MAY 2017
Total HENNEPIN COUNTY TREASURER			\$1,417.73		
Paid Chk# 106241	6/14/2017	HOFFMAN & MCNAMARA			
E 408-40000-309	Contractual Services		\$214,814.65	BUSHAWAY L	BUSHAWAY LANDSCAPING
Total HOFFMAN & MCNAMARA			\$214,814.65		
Paid Chk# 106242	6/14/2017	HOME DEPOT			
E 101-45200-216	Chemicals and Chem Products		\$33.98		SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)		\$8.02		SUPPLIES
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$111.02		SUPPLIES
Total HOME DEPOT			\$153.02		
Paid Chk# 106243	6/14/2017	HOSE / CONVEYORS INC.			

06-20-2017 CC PACKET

***Check Detail Register©**

May 2017 to June 2017

			Check Amt	Invoice	Comment
E 101-43100-210	Operating Supplies (GENERAL)		\$49.92	00064657	SUPPLIES
	Total HOSE / CONVEYORS INC.		\$49.92		
Paid Chk# 106244	6/14/2017	INTEGRATED PROCESS SOLUTIONS			
E 610-49100-540	Equipment		\$3,566.98	907233846	WTP#3 BACKWASH TANK
E 610-49100-540	Equipment		\$288.52	907233847	WTP#3 BACKWASH TANK
	Total INTEGRATED PROCESS SOLUTIONS		\$3,855.50		
Paid Chk# 106245	6/14/2017	KD & COMPANY			
E 101-43100-229	Dirt, Sand and gravel		\$390.00	10567	DISPOSAL
	Total KD & COMPANY		\$390.00		
Paid Chk# 106246	6/14/2017	KLEIN UNDERGROUND, LLC			
E 408-40000-402	Sidewalk Replacement		\$15,648.60	74616	SIDEWALK REPLACEMENTS
	Total KLEIN UNDERGROUND, LLC		\$15,648.60		
Paid Chk# 106247	6/14/2017	LANO EQUIPMENT, INC.			
E 101-45200-222	Repair & Maint - Equip		\$21.73	03-453863	PARTS
	Total LANO EQUIPMENT, INC.		\$21.73		
Paid Chk# 106248	6/14/2017	LEAGUE OF MN.CITIES			
E 101-41500-433	Dues, Licensing & Seminars		\$45.00	256273	REGISTRATION FOR SEMINARS
	Total LEAGUE OF MN.CITIES		\$45.00		
Paid Chk# 106249	6/14/2017	LEE, DAN			
E 101-41500-306	Personnel Expense		\$58.00	WELLNESS R	WELLNESS PROGRAM SUPPLIES
	Total LEE, DAN		\$58.00		
Paid Chk# 106250	6/14/2017	LOFFLER COMPANIES, INC.			
E 409-40000-540	Equipment		\$213.00	2528125	EQUIPMENT REPLACEMENT
E 409-40000-540	Equipment		\$479.00	2529029	EQUIPMENT REPLACEMENT
E 610-40000-499	Miscellaneous		\$13.00	2529941	EQUIPMENT REPLACEMENT
E 101-41500-311	Data Processing		\$3,000.00	2536808	NETWORK SUPPORT
E 409-40000-540	Equipment		\$230.00	CW71718	EQUIPMENT REPLACEMENT
E 640-49100-540	Equipment		\$1,236.25	CW71718	EQUIPMENT REPLACEMENT
	Total LOFFLER COMPANIES, INC.		\$5,171.25		
Paid Chk# 106251	6/14/2017	LONG LAKE TRU VALUE			
E 101-42100-210	Operating Supplies (GENERAL)		\$5.49		SUPPLIES
E 101-43100-210	Operating Supplies (GENERAL)		\$76.66		SUPPLIES
E 101-45200-210	Operating Supplies (GENERAL)		\$159.86		SUPPLIES
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$7.58		SUPPLIES
E 101-42400-404	Repairs/Maint - Machin/Equip		\$11.98		SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)		\$12.23		SUPPLIES
E 610-40000-225	Repair & Maint - System		\$22.15		SUPPLIES
E 620-40000-210	Operating Supplies (GENERAL)		\$12.98		SUPPLIES
	Total LONG LAKE TRU VALUE		\$308.93		
Paid Chk# 106252	6/14/2017	LONG LAKE VETERINARY CLINIC			
E 101-42120-309	Contractual Services		\$200.00	253901	PD SERVICE
	Total LONG LAKE VETERINARY CLINIC		\$200.00		
Paid Chk# 106253	6/14/2017	MANSFIELD OIL COMPANY			
E 101-49200-212	Motor Fuels		\$1,752.90	20317810	FUEL
E 101-49200-212	Motor Fuels		\$1,169.30	20317833	FUEL
	Total MANSFIELD OIL COMPANY		\$2,922.20		
Paid Chk# 106254	6/14/2017	MARCO			
E 101-41500-404	Repairs/Maint - Machin/Equip		\$1,490.39	INV4314444	COPIER MAINT.

***Check Detail Register©**

May 2017 to June 2017

		Check Amt		Invoice	Comment
E 630-40000-404	Repairs/Maint - Machin/Equip	\$87.98	INV4314445		COPIER MAINT.
E 101-41500-404	Repairs/Maint - Machin/Equip	\$666.88	INV4325660		COPIER MAINT.
Total MARCO		\$2,245.25			
Paid Chk# 106255	6/14/2017	MEDIACOM			
E 101-41940-321	Telephone	\$309.95			SERVICE
Total MEDIACOM		\$309.95			
Paid Chk# 106256	6/14/2017	MENARD S			
E 401-40000-499	Miscellaneous	\$41.88			PARKING RAMP SIGN
E 101-45200-210	Operating Supplies (GENERAL)	\$39.00			SUPPLIES
Total MENARD S		\$80.88			
Paid Chk# 106257	6/14/2017	METERING & TECHNOLOGY SOLUTION			
G 610-14100	Inventory of Material/Supply	\$1,736.37	9090		WATER METER
G 620-14100	Inventory of Material/Supply	\$1,736.38	9090		WATER METER
tal METERING & TECHNOLOGY SOLUTION		\$3,472.75			
Paid Chk# 106258	6/14/2017	METROPOLITAN COUNCIL			
G 101-20831	MWCC (SAC)	\$2,485.00	SAC FEESMA		SAC FEES MAY 2017
R 101-00000-34190	Charges for Services/Gen Gov	(\$24.85)	SAC FEESMA		ADMIN.FEE
Total METROPOLITAN COUNCIL		\$2,460.15			
Paid Chk# 106259	6/14/2017	METROPOLITAN COUNCIL			
E 620-40000-386	Other Utilities	\$42,807.38	0001069287		SEWER SERVICE
Total METROPOLITAN COUNCIL		\$42,807.38			
Paid Chk# 106260	6/14/2017	MINNESOTA EQUIPMENT			
E 101-45200-210	Operating Supplies (GENERAL)	\$4.42	P56833		SUPPLIES
Total MINNESOTA EQUIPMENT		\$4.42			
Paid Chk# 106261	6/14/2017	MINNESOTA PIPE & EQUIPMENT			
E 610-40000-405	Maint/Replac - System	\$5,225.00	0376637		FIRE HYDRANT KITS
Total MINNESOTA PIPE & EQUIPMENT		\$5,225.00			
Paid Chk# 106262	6/14/2017	MINNESOTA WANNER COMPANY			
E 101-45200-210	Operating Supplies (GENERAL)	\$33.80	0120220		SUPPLIES
Total MINNESOTA WANNER COMPANY		\$33.80			
Paid Chk# 106263	6/14/2017	MN CHIEFS OF POLICE ASSOC.			
E 101-42100-434	Training and schools	\$105.00	2698		PD TRAINING
Total MN CHIEFS OF POLICE ASSOC.		\$105.00			
Paid Chk# 106264	6/14/2017	MORRIE S MINNETONKA FORD			
E 101-42100-404	Repairs/Maint - Machin/Equip	\$276.64	F6CS610364		SQUAD REPAIR
Total MORRIE S MINNETONKA FORD		\$276.64			
Paid Chk# 106265	6/14/2017	NAPA AUTO PARTS-WATERTOWN			
E 620-40000-224	Repair & Maint - Motor Equip	\$29.19	479783		PARTS
E 101-43100-240	Small Tools and Minor Equip	\$74.80	479785		PARTS
Total NAPA AUTO PARTS-WATERTOWN		\$103.99			
Paid Chk# 106266	6/14/2017	NEWMAN TRAFFIC SIGNS			
E 233-40000-220	Repair/Maint Supply (GENERAL)	\$262.19	0309842		BEACH HOUSE SIGN
Total NEWMAN TRAFFIC SIGNS		\$262.19			
Paid Chk# 106267	6/14/2017	NITRO GREEN			
E 101-45200-316	Weed Control	\$2,944.00	121070426		TREE TREATMENTS
E 101-45200-316	Weed Control	\$404.00	121070523		TREE TREATMENTS

***Check Detail Register©**

May 2017 to June 2017

			Check Amt	Invoice	Comment
E 101-45200-316	Weed Control		\$128.00	121070523	TREE TREATMENTS
	Total NITRO GREEN		\$3,476.00		
Paid Chk# 106268	6/14/2017	NORTH MEMORIAL			
E 101-42100-434	Training and schools		\$90.00	8885035	PD TRAINING
	Total NORTH MEMORIAL		\$90.00		
Paid Chk# 106269	6/14/2017	OFFICE DEPOT			
E 630-40000-200	Office Supplies (GENERAL)		\$20.65	928984432001	SUPPLIES
E 610-40000-200	Office Supplies (GENERAL)		\$24.98	928984432001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$16.99	928984432001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$154.84	929854525001	SUPPLIES
E 640-47000-200	Office Supplies (GENERAL)		\$28.80	930954694001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$16.21	930954694001	SUPPLIES
E 640-47000-200	Office Supplies (GENERAL)		\$12.17	930954794001	SUPPLIES
E 630-40000-200	Office Supplies (GENERAL)		\$19.18	932360918001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$34.82	932360918001	SUPPLIES
E 630-40000-200	Office Supplies (GENERAL)		\$43.86	932361042001	SUPPLIES
	Total OFFICE DEPOT		\$372.50		
Paid Chk# 106270	6/14/2017	OTTEN BROTHERS			
E 101-45200-216	Chemicals and Chem Products		\$67.97	1-1483179	SUPPLIES
	Total OTTEN BROTHERS		\$67.97		
Paid Chk# 106271	6/14/2017	PAKOR INC.			
E 630-40000-210	Operating Supplies (GENERAL)		\$437.69	8023961	MV SUPPLIES
	Total PAKOR INC.		\$437.69		
Paid Chk# 106272	6/14/2017	PLUNKETT S PEST CONTROL			
E 101-42200-499	Miscellaneous		\$291.79	5688209	SERVICE
	Total PLUNKETT S PEST CONTROL		\$291.79		
Paid Chk# 106273	6/14/2017	PLYMOUTH AUTOMOTIVE INC.			
E 240-40000-499	Miscellaneous		\$265.11	17003216	PD SERVICE
	Total PLYMOUTH AUTOMOTIVE INC.		\$265.11		
Paid Chk# 106274	6/14/2017	POST BOARD			
E 101-42100-433	Dues, Licensing & Seminars		\$450.00		OFFICER CERTIFICATIONS
	Total POST BOARD		\$450.00		
Paid Chk# 106275	6/14/2017	SAM S CLUB			
E 101-42200-210	Operating Supplies (GENERAL)		\$44.35		FD SUPPLIES
	Total SAM S CLUB		\$44.35		
Paid Chk# 106276	6/14/2017	SCHANKE, SUZIE			
E 101-42200-409	Maint services & Improv		\$145.00	MAY2017	FD MONTHLY CLEANING
	Total SCHANKE, SUZIE		\$145.00		
Paid Chk# 106277	6/14/2017	SHORT ELLIOTT HENDRICKSON INC.			
E 407-40000-302	Consultants		\$1,600.50	332213	CELL TOWER
	Total SHORT ELLIOTT HENDRICKSON INC.		\$1,600.50		
Paid Chk# 106278	6/14/2017	SITEONE LANDSCAPE SUPPLY			
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$13.88	80878801	SUPPLIES
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$22.29	80886161	SUPPLIES
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$43.71	80975477	SUPPLIES
	Total SITEONE LANDSCAPE SUPPLY		\$79.88		
Paid Chk# 106279	6/14/2017	SPRINT			

***Check Detail Register©**

May 2017 to June 2017

			Check Amt	Invoice	Comment
E 101-42200-323	Radio Units		\$337.40		FD SERVICE
	Total SPRINT		\$337.40		
Paid Chk# 106280	6/14/2017	SPRINT			
E 101-42100-323	Radio Units		\$350.04		PD SERVICE
	Total SPRINT		\$350.04		
Paid Chk# 106281	6/14/2017	ST.PAUL, CITY OF			
E 430-40000-309	Contractual Services		\$447.33	IN00021737	ASPHALT
	Total ST.PAUL, CITY OF		\$447.33		
Paid Chk# 106282	6/14/2017	STREICHER S			
E 409-42100-540	Equipment		\$410.00	I1263845	PD PISTOLS
	Total STREICHER S		\$410.00		
Paid Chk# 106283	6/14/2017	SW NEWS MEDIA			
G 802-20352	1330 WAYZATA BLVD.		\$38.00	1943112	1330 WAYZ.BLVD
G 802-20357	BOHLAND DEVELOPMENT		\$38.00	1945700	901 LAKE STREET
	Total SW NEWS MEDIA		\$76.00		
Paid Chk# 106284	6/14/2017	TEGRA GROUP, INC.			
E 401-40000-309	Contractual Services		\$5,592.00	368.0617	PARKING RAMP
	Total TEGRA GROUP, INC.		\$5,592.00		
Paid Chk# 106285	6/14/2017	TIME SAVER			
E 101-41100-302	Consultants		\$414.00	M22967	MTG.MINUTES
	Total TIME SAVER		\$414.00		
Paid Chk# 106286	6/14/2017	TOLL GAS & WELDING SUPPLY			
E 101-43100-210	Operating Supplies (GENERAL)		\$62.56	10189927	SUPPLIES
	Total TOLL GAS & WELDING SUPPLY		\$62.56		
Paid Chk# 106287	6/14/2017	TRI-CITY			
E 610-40000-309	Contractual Services		\$52.50	1700024	WATER ANALYSIS
	Total TRI-CITY		\$52.50		
Paid Chk# 106288	6/14/2017	TWIN CITIES SOUND, LLC			
E 404-40000-499	Miscellaneous		\$2,697.00	1002	MUSIC IN THE PARK
	Total TWIN CITIES SOUND, LLC		\$2,697.00		
Paid Chk# 106289	6/14/2017	UNIFORMS UNLIMITED			
E 101-45200-217	Uniforms		\$112.60	46036-2	PW UNIFORMS
E 610-40000-217	Uniforms		\$26.40	46127-2	PW UNIFORMS
E 620-40000-217	Uniforms		\$26.40	46127-2	PW UNIFORMS
E 101-43100-217	Uniforms		\$26.40	46128-2	PW UNIFORMS
	Total UNIFORMS UNLIMITED		\$191.80		
Paid Chk# 106290	6/14/2017	UNPARALLELED PARKING			
E 401-40000-309	Contractual Services		\$545.49	1894	VALET PARKING
E 401-40000-309	Contractual Services		\$531.01	1924	VALET PARKING
E 401-40000-309	Contractual Services		\$926.86	1997	VALET PARKING
E 401-40000-309	Contractual Services		\$1,158.57	2012	VALET PARKING
	Total UNPARALLELED PARKING		\$3,161.93		
Paid Chk# 106291	6/14/2017	UPS STORE			
E 101-45200-200	Office Supplies (GENERAL)		\$28.40	0041	SUPPLIES
E 101-45200-200	Office Supplies (GENERAL)		\$104.05	2184	SUPPLIES
	Total UPS STORE		\$132.45		

***Check Detail Register©**

May 2017 to June 2017

			Check Amt	Invoice	Comment
Paid Chk# 106292	6/14/2017	US BANK			
E 311-40000-621	Fiscal Agent s Fees		\$100.00	4649339	PAYING AGENT FEES
E 610-49100-621	Fiscal Agent s Fees		\$100.00	4649340	PAYING AGENT FEES
	Total US BANK		\$200.00		
Paid Chk# 106293	6/14/2017	USA BLUE BOOK			
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$329.35	261747	PARTS
	Total USA BLUE BOOK		\$329.35		
Paid Chk# 106294	6/14/2017	VERIZON WIRELESS			
E 101-42200-323	Radio Units		\$12.71	9786101464	FD SERVICE
	Total VERIZON WIRELESS		\$12.71		
Paid Chk# 106295	6/14/2017	VIKING AWARDS & RECOGNITION			
E 101-42100-499	Miscellaneous		\$221.12	129792	PD EMPL.RECOGNITION
	Total VIKING AWARDS & RECOGNITION		\$221.12		
Paid Chk# 106296	6/14/2017	VILLAGE CHEVROLET			
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$206.25	302587	PARTS
E 101-42200-404	Repairs/Maint - Machin/Equip		\$671.01	755218	FD REPAIRS
	Total VILLAGE CHEVROLET		\$877.26		
Paid Chk# 106297	6/14/2017	WAYZATA CHAMBER OF COMMERCE			
E 101-41500-331	Mileage & Expense Account		\$25.00	8041	LUNCHEON
E 101-41500-433	Dues, Licensing & Seminars		\$500.00	8089	WAYZ.WEDNESDAYS
	Total WAYZATA CHAMBER OF COMMERCE		\$525.00		
Paid Chk# 106298	6/14/2017	WAYZATA TIRE & AUTO			
E 101-42100-404	Repairs/Maint - Machin/Equip		\$54.00	138114	PD TIRES
	Total WAYZATA TIRE & AUTO		\$54.00		
Paid Chk# 106299	6/14/2017	WESTCO CUSTOM SURVEILLANCE SYS			
E 233-40000-409	Maint services & Improv		\$16,562.50	18984	BEACH/LAGOON SECURITY
	Total WESTCO CUSTOM SURVEILLANCE SYS		\$16,562.50		
Paid Chk# 106300	6/14/2017	WILSON, DAVID			
E 101-42100-331	Mileage & Expense Account		\$81.32	MILEAGE	MILEAGE
	Total WILSON, DAVID		\$81.32		
Paid Chk# 106301	6/14/2017	WSB & ASSOCIATES			
E 430-40000-303	Engineering Fees		\$12,591.75	0-001204-530-	2017 STREETS
	Total WSB & ASSOCIATES		\$12,591.75		
Paid Chk# 106302	6/14/2017	XCEL ENERGY			
E 101-45203-381	Electric Utilities		\$2,449.72		SERVICE
E 101-41940-381	Electric Utilities		\$3,788.41		SERVICE
E 101-42200-381	Electric Utilities		\$400.00		SERVICE
E 610-40000-381	Electric Utilities		\$5,976.88		SERVICE
E 640-47000-381	Electric Utilities		\$1,369.54		SERVICE
E 640-48000-381	Electric Utilities		\$3,195.60		SERVICE
E 620-40000-381	Electric Utilities		\$1,425.97		SERVICE
E 101-41940-381	Electric Utilities		\$11.57		SERVICE
	Total XCEL ENERGY		\$18,617.69		
	10100 Anchor Bank		\$1,488,367.31		

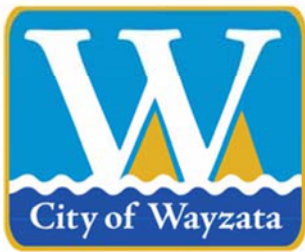
***Check Detail Register©**

May 2017 to June 2017

Check Amt Invoice Comment

Fund Summary

10100 Anchor Bank	
101 GENERAL FUND	\$49,864.19
233 LAKFRONT IMPROVE	\$16,824.69
235 CABLE TV	\$373.14
239 COMP PLAN - LAND USE	\$16,000.00
240 DWI FORFIETURES	\$265.11
311 STREET BONDS	\$100.00
401 PERM IMPROVEMENT	\$958,426.54
404 PARK AND TRAIL CIP	\$6,147.49
407 CELL TOWER	\$1,600.50
408 GENERAL CIP	\$231,503.25
409 EQUIP REVOLVING	\$1,332.00
430 STREET CIP	\$13,353.72
610 WATER FUND	\$17,253.85
620 SEWER FUND	\$46,204.23
630 MOTOR VEHICLE	\$2,249.68
640 LIQUOR	\$125,375.19
650 SOLID WASTE	\$1,417.73
802 ESCROW PROJECTS	\$76.00
	\$1,488,367.31



City of Wayzata City Council Agenda Report

MEETING DATE: June 20, 2017	AGENDA ITEM: 7c
TITLE: Approval of Municipal Licenses	
PROPOSED MOTION: To approve the Municipal Licenses as attached	
PREPARED BY: Julie Kaufman, Payroll Clerk/HR Specialist and Lori Krismer, Office Assistant	
REVIEWED BY: Becky Malone, Deputy City Clerk	

ACTION REQUESTED:

Staff recommends approval of the Municipal Licenses.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

N/A

ATTACHMENTS:

1. List of Municipal Licenses for City Council Approval and Municipal Licenses Which Received Administrative Approval (Informational Only)

06/20/2017
THE FOLLOWING MUNICIPAL LICENSES
WERE APPROVED ADMINISTRATIVELY

2017 GAS FITTER'S LICENSES	
ProMech LLC	Champlin, MN
Weld & Sons Plumbing	Plymouth, MN
2017 TREE REMOVAL AND TREATMENT LICENSES	
Urban Tree & Landscape, LLC	Bethel, MN
2017 Itinerant Food License for Wine on Wayzata Bay on 6/23/17	
District Restaurant	Wayzata, MN
Jake O'Connor's Public House	Excelsior, MN
Kip's Pub & Restaurant	St. Louis Park, MN
Lord Fletchers	Spring Park, MN
McCormicks	Wayzata, MN
North Mallow & Co	Bloomington, MN
Spasso	Minnetonka, MN
Wayzata Bar & Grill	Wayzata, MN
2017 Itinerant Food License for Chamber Appreciation Picnic on 6/15/17	
Wayzata Bar & Grill	Wayzata, MN
2017 Itinerant Food License for Wayzata Art Experience on 6/24/17	
Falafel King	Minneapolis, MN
Leo's Kitchen	Corcoran, MN
2017 Itinerant Food License for Wayzata Art Experience on 6/24/17-6/25/17	
Firehouse Foods	Mound, MN
Kettle Creek Kitchen	Chaska, MN
Sweet Cakes	Plymouth, MN
Wildearth Woodfired Mobile Pizza Bakery	Minneapolis, MN



City of Wayzata City Council Agenda Report

MEETING DATE: June 20, 2017	AGENDA ITEM: 7c
TITLE: Police Activity Report	
PROPOSED MOTION: N/A	
PREPARED BY: Nicci Fernandez, Administrative Records Specialist	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

The attached May 2017 Police Activity Report is for informational purposes only.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

N/A

ATTACHMENTS:

1. May 2017 Police Activity Report

**WAYZATA POLICE DEPARTMENT
ACTIVITY REPORT – MAY, 2017**

Fire

Reported: 05-31-2017 1705

Report of a fire. A male was found deceased inside. The case is under investigation by the State Fire Marshall's Office.

Addresses Involved

400 block of Rice St E, Wayzata, MN 55391

Theft

Reported: 05-31-2017 1440

Report of a theft. Loss \$83,000.

Addresses Involved

500 block of Harrington Rd, Wayzata, MN 55391

Warrant

Reported: 05-30-2017 2357

52 year old female from Maple Grove arrested on an outstanding warrant. Paid cash bail and was released with a court date.

Addresses Involved

1300 block of Wayzata Blvd E, Wayzata, MN 55391

Names Involved

(Arrested) Davis, Oluwakemi Modupe (Age:52)

DWI

Reported: 05-30-2017 2040

47 year old male from Wayzata arrested for driving while under the influence of alcohol. Tested .11

Addresses Involved

1300 block of Wayzata Blvd E, Wayzata, MN 55391

Names Involved

(Arrested) Culp, Paul Michael (Age:47)

Disturbance

Reported: 05-29-2017 0054

Noise complaint. Loud voices heard. Resident was advised.

Addresses Involved

400 block Rice St E, Wayzata, MN 55391

Unwanted Person

Reported: 05-27-2017 1314

Report of an unwanted intoxicated male. Male was transported to detox facility.

Addresses Involved

400 block of Wayzata Blvd E, Wayzata, MN 55391

Theft

Reported: 05-27-2017 1236

Report of a theft of a bicycle. Loss \$4000.

Addresses Involved

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

DWI

Reported: 05-27-2017 0019

64 year old male from Inver Grove Heights arrested for driving while under the influence of alcohol. Tested .11

Addresses Involved

800 block of Lake St E, Wayzata, MN 55391

Names Involved

(Arrested) Burns, Thomas Cyril (Age:64)

Ordinance

Reported: 05-26-2017 2253

Three juveniles observed in park after hours. Advised to leave park.

Addresses Involved

100 block of Glenmoor Lane, Long Lake, MN 55356

Utility/Public Works Issue

Reported: 05-25-2017 1739

Report of a smell of gas in the area. Construction crew hit a gas line. Gas company notified.

Addresses Involved

1500 block of Wayzata Blvd W, Long Lake, MN 55356

Customer Trouble**Reported:** 05-25-2017 1448

Report of a customer refusing to leave. Officer attempted to mediate the situation and customer left.

Addresses Involved1300 block of Wayzata Blvd E, Wayzata, MN 55391

Animal**Reported:** 05-25-2017 1143

Report of a juvenile being bit by a cat. Juvenile was taken to urgent care by family member.

Addresses Involved200 block of Glenmoor Lane, Long Lake, MN 55356

Traffic Offense**Reported:** 05-25-2017 0928

Report of a school bus stop arm violation. This case is under investigation.

Addresses Involved300 block of Glenmoor Lane, Long Lake, MN 55356

Damage to Property - Criminal**Reported:** 05-23-2017 1510

Report of damage to a door. Loss under \$500.

Addresses Involved100 block of Wayzata Blvd E, Wayzata, MN 55391

Domestic Assault**Reported:** 05-20-2017 2334

31 year old male from Minnetonka arrested for domestic assault.

Addresses Involved

200 block of Grove Lane E, Wayzata, MN 55391

Names Involved(Arrested) Saleh, Sherif Samy (Age:31)

Welfare Check**Reported:** 05-20-2017 0117

Officer located an intoxicated male staggering on sidewalk. Officer provided the male a courtesy ride home.

Addresses Involved1300 block of Wayzata Blvd E, Wayzata, MN 55391

DWI**Reported:** 05-19-2017 0005

28 year old female from Wayzata arrested for driving while under the influence of alcohol. Refused to test.

Addresses Involved

100 block of Grand Ave S, Wayzata, MN 55391

Names Involved(Arrested) Stringer, Shayvette Lucille (Age:28)

Order Violation**Reported:** 05-17-2017 1330

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

Addresses Involved1900 block of Central Ave, Long Lake, MN 55356

Theft**Reported:** 05-16-2017 1835

Theft of money. Loss approximately \$200.

Addresses Involved200 block of Barry Ave S, Wayzata, MN 55391

Warrant**Reported:** 05-16-2017 1347

54 year old male from Orono arrested on an outstanding warrant. Paid bail and was released.

Addresses Involved

600 block of Rice St E, Wayzata, MN 55391

Names Involved(Arrested) Duke, Kenneth Christopher (Age:54)

Ordinance**Reported:** 05-16-2017 1213

Report of a male soliciting without a permit. Verbal warning.

Addresses Involved100 block of Lakeview Lane S, Wayzata, MN 55391

DWI**Reported:** 05-14-2017 1842

35 year old male from Wayzata arrested for driving while under the influence of alcohol.
Refused to test.

Addresses Involved

900 block of Wayzata Blvd E, Wayzata, MN 55391

Names Involved

(Arrested) Swanson, Benjamin Jeffrey (Age:35)

Alcohol**Reported:** 05-14-2017 0036

Four males cited for charges consisting of underage consumption of alcohol,
possession of marijuana, and possession of drug paraphernalia.

Addresses Involved

Central Ave N & 8th Ave N, Plymouth, MN

Theft of Vehicle**Reported:** 05-13-2017 1715

Report of a stolen vehicle. Vehicle was later located by another agency.

Addresses Involved

100 block of Wayzata Blvd E, Wayzata, MN 55391

Domestic**Reported:** 05-12-2017 2259

Report of a verbal domestic. Officers mediated the situation.

Addresses Involved

100 block of Circle A Dr, Wayzata, MN 55391

Disturbance**Reported:** 05-12-2017 0557

Construction noise complaint. Construction crew advised of ordinance.

Addresses Involved

200 block of Central Ave N, Wayzata, MN 55391

Disturbance**Reported:** 05-10-2017 2150

Report of four teenagers using BB guns. Area checked, unable to locate.

Addresses Involved

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

Suspicious**Reported:** 05-10-2017 1450

Report of two suspicious males in the area. Males were solicitors and were leaving the area.

Addresses Involved

Highcroft Rd & Peavey Rd, Wayzata, MN 55391

Disturbance**Reported:** 05-10-2017 1114

Report of a road rage incident. Area checked, unable to locate.

Addresses Involved

1900 block of Wayzata Blvd W, Long Lake, MN 55356

DWI**Reported:** 05-10-2017 0033

32 year old female from Shorewood arrested for driving while under the influence
of alcohol. Tested .08

Addresses Involved

Co Rd 15 W & Ferndale Rd, Wayzata, MN 55391

Names Involved

(Arrested) Abramson, Emily Rebecca (Age:32)

Suspicious**Reported:** 05-08-2017 2357

Report of someone pounding on the front door. Area checked, unable to locate anyone.

Addresses Involved

100 block of Minnetonka Ave S, Wayzata, MN 55391

Warrant**Reported:** 05-08-2017 1936

49 year old male from Plymouth arrested on an outstanding warrant. Transported to jail.

Addresses Involved

Park St E & Chicago Ave N, Wayzata, MN 55391

Names Involved(Arrested) Tate, Michael Jay (Age:49)

Theft**Reported:** 05-08-2017 1112

Report of a theft of two yard tools. Loss \$900.

Addresses Involved1200 block of Lasalle St, Wayzata, MN 55391

Damage to Property - Criminal**Reported:** 05-08-2017 0907

Report of eight city owned trees being cut down without permission. Unknown loss at this time.

Addresses Involved300 block of Ferndale Rd W, Wayzata, MN 55391

Neighbor Dispute**Reported:** 05-07-2017 1622

Report of a neighbor dispute. Officer mediated the situation.

Addresses Involved200 block of Glenbrook Rd N, Wayzata, MN 55391

Theft**Reported:** 05-07-2017 1326

Report of a theft of a cell phone. Loss \$750.

Addresses Involved1300 block of Wayzata Blvd W, Long Lake, MN 55356

Ordinance**Reported:** 05-04-2017 1944

Report of an unlicensed solicitor. Officer checked the area, unable to locate.

Addresses Involved300 block of Russell Lane, Long Lake, MN 55356

Disturbance**Reported:** 05-04-2017 1415

Report of a male causing a disturbance. Reporting Party only wanted the incident documented at this time.

Addresses Involved600 block of Harmony Circle, Wayzata, MN 55391

Ordinance**Reported:** 05-03-2017 1753

Report of door-to-door solicitor. Officer spoke with the non-profit canvasser and confirmed he had permission from the city to be in the area.

Addresses Involved500 block of Harrington Rd, Wayzata, MN 55391

Theft**Reported:** 05-03-2017 1410

Report of identity theft. Loss \$946.

Addresses Involved2200 block of Grand Ave, Long Lake, MN 55356

Theft**Reported:** 05-03-2017 1022

Identity theft. Approximately \$475 loss at this time.

Addresses Involved400 block of Rice St E, Wayzata, MN 55391

Burglary-Residential**Reported:** 05-03-2017 0645

Report of a burglary. Loss \$900.

Addresses Involved200 block of Barry Ave S, Wayzata, MN 55391

Controlled Substance**Reported:** 05-03-2017 0009

26 year old female from St. Paul arrested for possession of a controlled substance.

42 year old male from White Bear Lake arrested on an outstanding warrant.

Addresses Involved

Co Rd 15 & Ferndale Rd W, Orono, MN

Names Involved

(Arrested) Enockson, Coleman Arthur (Age:42)

(Arrested) Giebler, Diana Cristine (Age:26)

Disturbance**Reported:** 05-02-2017 0351

Report of loud construction noise. Nothing heard upon arrival.

Addresses Involved

100 block of Huntington Ave S, Wayzata, MN 55391

Fraud**Reported:** 05-01-2017 1049

Report of an IRS scam. Loss \$7521.

Addresses Involved

1100 block of Wayzata Blvd E, Wayzata, MN 55391

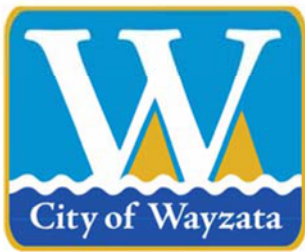
TRAFFIC – MAY, 2017

CITATIONS	208
WRITTEN WARNINGS	36
VERBAL WARNINGS	183

Description	May 2017
LITTERING	2
No MV Insurance - Citation	2
MISSING PERSON	1
MISSING ANIMAL	1
MISSING/LOST PROPERTY	1
FOUND ANIMAL	3
FOUND PROPERTY	7
RECOVERED STOLEN PROPERTY	1
SAFEKEEPING & DISPOSAL	3
PIMV	8
PI INVOLVING BICYCLE/PED	1
PDMV	21
H & R PDMV	9
PDMV & DEER	3
ANIMAL BITE	1
Other Fire/Smoke	2
Multiple Dwelling Fire	1
Grass/Brush Fire	1
FIRE ALARM	4
GAS LEAK/SMELL	3
HAZ ROAD CONDITION	9
RR Crossing Hazard	1
SUDDEN DEATH	2
OTHER MEDICAL	56
Medical Alarm	2

DETOX PATIENT	1
72 Hour Hold/Emergency Admission	6
WELFARE CHECK - ADULT	13
WELFARE CHECK - JUV	5
INFO REC'D	8
VERBAL DOMESTIC	1
CIVIL MATTER	6
DISTURBANCE/FIGHT/LOUD PARTY/HARASSMENT	19
RECEIVE COURT ORDER/OFP	1
SUSPICION	32
OPEN DOOR/WINDOW	2
SCAM/FRAUD ATTEMPT	1
MISC. JUVENILE PROBLEM	3
DRIVING/TRAFFIC COMPLAINT	27
PARKING COMPL	10
HOUSE/BUSINESS CHECKS	11
RECORD CHECKS	10
OTHER PERMITS	1
FIREARM PERMIT	7
HC SHERIFFS PERMIT TO CARRY	8
Solicitor Permit	1
PARKING PERMIT	1
SOLICITATION	2
SOLICITATION - Verbal Warning	1
NOISE VIOLATION - Verbal Warning	1
ANIMAL COMPLAINT/CHECK	9
DOG LICENSE ISSUED	4
PATROL REQUEST	5
ADULT PROTECTION ASSIST	4
FINGERPRINTS	3
ASSIST CHILD PROTECTION	5
MOTORIST ASSIST/STALL	19
UTILITY PROBLEM	3
PUBLIC ASSIST	22
LOCKOUT	8
BUSINESS ALARM	25
CO2 ALARM	2
HOME ALARM	11
911 HANG-UP	10
Park Violation - Verbal Warning	1
ASSIST OTHER DEPT	17
WARRANT/ATTEMPT/ARREST	4
TRAFFIC CONTROL / DIRECT ENFORCEMENT	17
Impound Release	1
CASE FOLLOW UP	8
PUBLIC RELATIONS	3
Sex Offender/POR Info/Checks	1
DOM ASLT-MS-INFLT BODILY HARM-HANDS-AD-FAM	1
BURG 2-OCC BUILDING NOFRC-N-UNK WEAP-COM THEFT	1
DRUGS-SM AMT IN MOT VEH-POSS-MARIJ-UNK	3
DRUGS-DRUG PARAPH-POSSESS-UNK-UNK	2
CON SUB 3-POSS INT-METHAM-UNK	1

TRAFFIC-GM-OTHER-MV	2
ACCIDENT-MS-FAIL STOP-DRVR CAUSED-UNK INJ-MV	1
TRAF-AC-GM-2ND DEG DWI-REFUSAL TO TEST-MV	1
TRAF-AC-GM-3RD DEG DWI-UI ALCOHOL-MV	1
TRAF-AC-GM-3RD DEG DWI-REFUSAL TO TEST-MV	1
TRAF-ACC-M-4TH DEG DWI-UI ALCOHOL-MV	2
LIQUOR-UNDERAGE CONSUMPTION 18-21	1
DISTURB PEAC-MS-VIOL DOM ABUSE NO CONTACT ORD	1
PROP DAMAGE-FE-PUBLIC-UNK INTENT	1
PROP DAMAGE-MS-PRIVATE-OTHER INTENT	1
THEFT-MORE 35000-FE-BUILDING-OTH PROP	1
THEFT-1001-5000 DLRS FE-YARDS-OTHER PROPERTY	1
THEFT-501-1000 DLRS GM-BLDG-OTHER	1
THEFT-501-1000 DLRS GM-YARDS-OTH PROPERTY	1
THEFT-500 OR LESS MS-BLDG-MONEY	1
THEFT-500 OR LESS MS-BLDG-OTH PROP	1
THEFT-FE-BY SWINDLE-TRICK-501-2500	1
THEFT-FE-IDENTITY THEFT-2501-19999	1
THEFT-FE-IDENTITY THEFT-501-2500	1
THEFT-GM-IDENTITY THEFT-251-500	1
THEFT-FE-AUTO-MORE THAN 2500	1



City of Wayzata City Council Agenda Report

MEETING DATE: June 20, 2017	AGENDA ITEM: 7e
TITLE: Building Activity Report	
PROPOSED MOTION: N/A	
PREPARED BY: Jeff Thomson, Director of Planning and Building	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

The attached May 2017 Building Activity Report is for informational purposes only.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

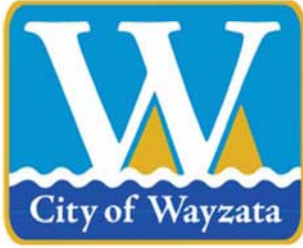
BACKGROUND:

N/A

ATTACHMENTS:

1. May 2017 Building Activity Report

	2016	2017 Jan	2017 Feb	2017 March	2017 April	2017 May	2017
BUILDING CONSTRUCTION							
NUMBER OF BLDG. PERMITS	192	9	13	14	28	17	81
PROJECT VALUE	\$75,533,798.11	\$55,814.50	\$1,501,806.83	\$672,798.00	\$1,800,890.00	\$1,989,166.00	\$6,020,475.33
BUILDING PERMIT FEE	\$395,100.25	\$5,834.50	\$13,737.50	\$6,993.50	\$19,612.75	\$14,280.00	\$60,458.25
PLAN CHECK FEE	\$235,706.39	\$3,028.78	\$6,327.99	\$4,416.60	\$5,812.93	\$8,141.08	\$27,727.38
EXTERIOR REPAIR							
NUMBER OF PERMITS	110	5	2	6	4	27	44
PROJECT VALUE	\$2,835,501.49	\$169,288.00	\$26,000.00	\$23,804.00	\$86,274.00	\$443,360.00	\$750,726.00
PERMIT FEE	\$42,251.50	\$ 2,048.75	\$472.00	\$1,135.75	\$1,423.00	\$ 7,511.00	\$12,590.50
MECHANICAL							
NUMBER OF PERMITS	183	18	15	10	10	17	70
PROJECT VALUE	\$4,370,422.74	\$91,088.00	\$186,270.00	\$78,336.00	\$149,902.00	\$717,717.00	\$1,223,313.00
PERMIT FEE	\$74,964.87	\$1,846.76	\$3,503.40	\$1,632.22	\$2,918.04	\$11,515.26	\$21,415.68
PLUMBING							
NUMBER OF PERMITS	159	27	11	12	6	17	73
PROJECT VALUE	\$2,880,924.19	\$214,625.00	\$78,406.00	\$24,850.00	\$65,749.00	\$374,225.00	\$757,855.00
PERMIT FEE	\$50,633.18	\$4,399.00	\$1,598.12	\$607.80	\$1,314.98	\$6,528.50	\$14,448.40
TOTAL # OF PERMITS	644	59	41	42	48	78	268
TOTAL INCOME	\$798,656.19	\$17,157.79	\$25,639.01	\$14,785.87	\$31,081.70	\$47,975.84	\$136,640.21
NUMBER OF INSPECTIONS							
BUILDING	776	66	76	71	49	54	316
EXTERIOR	180	4	7	4	7	12	34
HVAC	380	67	53	42	37	29	228
PLUMBING	332	36	37	27	35	34	169
OTHER	3	4	3	5			12
TOTAL # OF INSPECTIONS	1671	177	176	149	128	129	759
RENTAL HOUSING INSPECTIONS							
INSPECTIONS	101	5	19	30	15	3	72
EROSION CONTROL INSPECTIONS							
INSPECTIONS	124						



City of Wayzata City Council Agenda Report

MEETING DATE: June 20, 2017	AGENDA ITEM: 7f
TITLE: Approval of Second Reading of Ordinance No. 773 amending Chapter 309 of the City Code (Use of City Parks)	
PROPOSED MOTION: Adopt the Second Reading of Ordinance No. 773	
PREPARED BY: Mike Kelly, City Engineer/Asst. Director of Public Works	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

City staff recommends approval of the second reading of Ordinance No. 773.

FINANCIAL OR BUDGET CONSIDERATION:

The ordinance amendment has minimal impact on the City budget.

BACKGROUND:

At the April 18 City Council meeting, a resident voiced a concern about local fishermen fishing between the boats at the Wayzata marina. The concern is related to hooks being found in boat covers and the possibility of lines getting tangled in propellers.

Staff has reviewed the resident's concern and suggests that the Council consider restricting fishing to the three (3) loading docks within the marina. Two of these loading docks are located within the inner marina and one dock is located in the outer marina. An aerial photo, depicting the location of the loading docks in the marina, is attached for your review.

Attached for the Council's consideration is a draft ordinance which amends Chapter 309 of City Code (Use of City Parks). The draft ordinance updates the overall list of City parks, as well as adds language regarding the prohibition of fishing within the City Marina.

Universal signs would be installed to depict areas where fishing is allowed/not allowed.

At the June 5th meeting, the City Council adopted the first reading of the ordinance.

ATTACHMENTS:

1. Ordinance No. 773

CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA

DRAFT ORDINANCE NO. 773

**AN ORDINANCE AMENDING CHAPTER 309 (USE OF PUBLIC PARKS) OF THE
WAYZATA CITY CODE RELATED TO MUNICIPAL DOCKS**

THE CITY OF WAYZATA ORDAINS:

Section 1. Amendment. Chapter 309 of the Wayzata City Code (Use of Public Parks) is hereby amended to read in its entirety as follows (~~struck~~ text deleted; underlined text added):

CHAPTER 309

USE OF PUBLIC PARKS

309.01. Hours of Closing. All public parks shall be closed between the hours of 10:30 P.M. and 5:00 A.M. of the following day. During said hours no person shall frequent, congregate, enter, or remain within any public park.

309.02. Liquor Prohibited. No person shall consume or have in his or her possession within any public park any intoxicating liquor or any beer, as such terms are defined in Section 205.01 hereof.

309.03. Location of Public Parks. The following locations within the City of Wayzata are hereby designated public parks and subject to the provisions of this Chapter:

- A. Wayzata Municipal Beach and Marina.
- B. Bell Courts.
- C. Klapprich Field.
- D. Wayzata Depot and adjacent land and docks.
- E. Broadway dock and adjacent land
- F. Big Woods Preserve
- G. Heritage Park
- H. Little Beach Pedestrian Pier
- I. Margaret Circle Park
- J. Post Office Pocket Park

(Ord. 410 [4-20-1982]; Ord. 422 [8-16-1983])

309.04. Motorized Vehicles. No motorized vehicles shall be driven or parked in any public park except on the designated roadways or parking areas within such parks.
(Ord. 422 [8-16-1983])

309.05. Municipal Boat Dock, Charter Boats. *(Repealed by Ord. 592 [5-29-1997])*

309.06. Fishing From Docks. Fishing from public docks shall be regulated as follows:

A. Fishing shall be allowed on the Wayzata Depot docks from 5:00 A.M. to 10:30 P.M. daily, with the exception that fishing shall be prohibited on the easterly extension ~~(new dock)~~ from 10:00 A.M. to 8:00 P.M., on Saturdays, Sundays and holidays.

B. Fishing shall be allowed on the Broadway Dock ~~(Sunset)~~ from 5:00 A.M. to 10:00 A.M. daily.

C. Fishing shall be allowed in the Wayzata Municipal Marina from November 2 to April 30 during such times set by the City Manager. Fishing shall be prohibited in the Wayzata Municipal Marina from May 1 to November 1, with the exception that fishing shall be permitted from the three (3) loading platforms, only.

D. Fishing from public docks in areas and at times other than allowed in this section shall be prohibited. The City Manager may modify the hours, days and areas of fishing allowed from public docks for any reason related to health, safety or welfare. Days, hours and areas for fishing shall be posted on public docks in accordance with this section.

(Ord. 583 [07-17-1996])

Section 2. Effective Date. This Ordinance will become effective upon passage and publication.

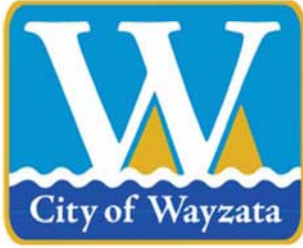
Adopted by the City Council this 6th day of June, 2017.

Ken Willcox
Mayor

ATTEST:

Jeffrey Dahl
City Manager

First Reading: June 6, 2017
Second Reading: June 20, 2017
Publication:



City of Wayzata City Council Agenda Report

MEETING DATE: June 6, 2017	AGENDA ITEM: 7g
TITLE: Approval of Resolution No. 22-2017 approving Minnesota Laws, 2017 Chapter 1, Article 6, Section 24 (Widsten TIF Amendment)	
PROPOSED MOTION: Adopt Resolution No. 22-2017 approving the Special Legislation for the Widsten TIF Amendment	
PREPARED BY: Jeffrey Dahl, City Manager	
REVIEWED BY: N/A	

ACTION REQUESTED:

Staff recommends adoption of the attached resolution.

FINANCIAL OR BUDGET CONSIDERATION:

Adoption of the resolution approving the Widsten TIF amendment will allow the City to:

- Transfer back unrestricted funds that were temporarily moved to help provide upfront cash for the parking ramp;
- Pay off the parking ramp debt quicker with future increment.

While staff is still determining the specific amount of funds that can be transferred back, the amendment will allow the TIF district to be open until December 31, 2022. It is estimated that the district will generate approximately \$400,000 annually over the next 6-years or approximately \$2.4 million.

UPDATE:

After three years of lobbying, the City was finally successful in getting approval of Special Legislation to amend the Widsten TIF District to allow the Mill Street Parking Ramp to be considered an eligible expense despite its later-than-anticipated construction date. This means the City will be able to utilize the increment generated to help pay/finance the Mill Street Parking Ramp.

NEXT STEPS:

The first step of the process in order to utilize the increment is to adopt the attached resolution approving the special legislation. Over the next two months, staff will be working with the Council and HRA to amend the TIF Plan through the Public Hearing process.

ATTACHMENTS:

1. Draft Resolution 2017—Approving Minnesota Laws, 2017 Chapter 1, Article 6, Section 24 (Widsten TIF Amendment)
2. Language of Special Legislation

RESOLUTION NO. 22-2017

**RESOLUTION OF THE CITY OF WAYZATA APPROVING
MINNESOTA LAWS, 2017
CHAPTER 1, ARTICLE 6, SECTION 24**

WHEREAS, the 2017 session of the Minnesota Legislature passed and the Governor signed Minnesota Laws, 2017, Chapter 1, Article 6, Section 24, related to the City's Tax Increment Financing District No. 3 (Widsten School Project).

WHEREAS, such legislation requires local approval in accordance with Minnesota Statutes, §645.021; and

WHEREAS, the City of Wayzata desires the law to become effective;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Wayzata that:

1. Minnesota Laws, 2017, Chapter 1, Article 6, Section 24 is hereby approved.
2. City staff is hereby instructed to submit the appropriate certificate and a copy of this Resolution to the Secretary of State of the State of Minnesota.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared to have been duly passed and adopted by the Wayzata City Council this 20th day of June, 2017.

Mayor Kenneth Willcox

ATTEST:

City Manager Jeffrey Dahl

ACTION ON THIS RESOLUTION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution:

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 June 20, 2017.

Becky Malone, Deputy City Clerk

SEAL

STATE OF MINNESOTA
COUNTY OF HENNEPIN
CITY OF WAYZATA

I, the undersigned, being the duly qualified and acting Deputy City Clerk of the City of Wayzata, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the Council duly called and held on the date therein indicated, insofar as such minutes relate to approving Minnesota Laws, 2017 Chapter 1, Article 6, Section 24.

WITNESS my hand on _____, 2017.

Deputy City Clerk

Sec. 24.

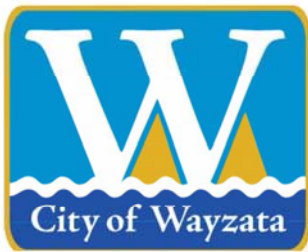
CITY OF WAYZATA; TIF DISTRICT 3; WIDSTEN.

(a) The requirements of Minnesota Statutes, section 469.1763, subdivision 3, that activities must be undertaken within a five-year period from the date of certification of a tax increment financing district, are considered to be met for Tax Increment Financing District 3 (Widsten) in the city of Wayzata if the revenues derived from tax increments from the district are expended for any project contemplated by the original tax increment financing plan for the district, including, without limitation, a municipal parking ramp within the district.

(b) The requirements of Minnesota Statutes, section 469.1763, subdivision 4, do not apply to the district if the revenues derived from tax increment from the district are expended for any project contemplated by the original tax increment financing plan for the district, including, without limitation, a municipal parking ramp within the district.

EFFECTIVE DATE.

This section is effective upon compliance by the chief clerical officer of the governing body of the city of Wayzata with the requirements of Minnesota Statutes, section 645.021, subdivisions 2 and 3.



City of Wayzata City Council Agenda Report

MEETING DATE: June 20, 2017	AGENDA ITEM: 8a
TITLE: Consider Resolution No. 21-2017 approving Project Design, CUPs, and Variances at 1330 Wayzata Blvd E	
PROPOSED MOTION: Adopt Resolution No. 21-2017	
PREPARED BY: Jeff Thomson, Director of Planning and Building	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

Adopt the resolution approving the development application.

FINANCIAL OR BUDGET CONSIDERATION:

The development application does not have any impact on the City budget.

BACKGROUND:

Application Overview

The applicant, Nolan Properties Group, LLC, has submitted a development application for the property at 1330 Wayzata Blvd E. The property currently contains a 2,300 square foot fast food building that was occupied by Kentucky Fried Chicken. The proposal includes demolition of the existing building, parking lot, and other site improvements. The new development would consist of a 4,500 square foot commercial building and 47 on-site parking stalls. As part of the submitted development application, the applicant is requesting approval of the following items:

- Design review: Construction of a new commercial building requires design review. (City Code Section 801.09.1.5)
- Conditional use permit for drive-in facilities: Within the C-3 zoning district, drive-in facilities for banks or savings and loans associations are a conditional use. (City Code Section 801.77.5.C)
- Conditional use permit for restaurant: Within the C-3 zoning district, restaurants are a conditional use. (City Code Section 801.77.5.F)
- Conditional use permit for convenience food restaurant: Within the C-3 zoning district, convenience food restaurants are a conditional use. (City Code Section 801.77.5.G)
- Variance from the minimum parking lot setback requirement: The zoning ordinance requires a minimum parking lot setback of 10 feet from all property lines. The proposed plans include a 5-foot setback from the west and east property lines, which requires a variance. (City Code Section 801.20.5.D)
- Variance from the minimum landscaping area requirements: The C-3 zoning district requires a minimum of 20 percent of the lot to be landscaped and maintained. The proposed plans

include 16.4 percent of the lot area as landscaping, which requires a variance. (City Code Section 801.77.6.F)

- Variance from the minimum parking requirements: The applicant is proposing a tenant mix within the building that would include a coffee shop and restaurant/convenience food restaurant which would require 58 parking stalls, and only 47 parking stalls would be provided on-site, which requires a variance. (801.20.11 and 801.20.13.B)

Planning Commission Review

The Planning Commission reviewed the development application and held a public hearing at its meeting on May 15, 2017. On June 5th, the Planning Commission adopted a Report and Recommendation for approval of the development application, subject to several conditions of approval.

The draft Planning Commission Report and Recommendation included two conditions of approval that were removed by the Planning Commission:

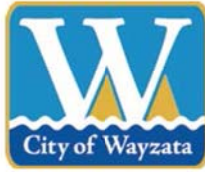
1. Hours of operation: The conditional use permit standards for restaurants and drive-in facilities allows the City to restrict the hours of operation, as necessary, to minimize the effect of nuisance factors such as traffic, noise, and glare on nearby residential uses. After reviewing the location of adjacent residences, and the lack of restrictions on hours of operation for other restaurants in the area (McDonald's, Punch Pizza, and Chipotle), the Planning Commission did not recommend any restriction on the hours of operation for the proposed restaurant or drive-in facility.
2. Restriction on restaurant uses: The applicant's justification for the parking variance for a coffee shop and a restaurant as the two tenants of the building is based on the off-setting peak hour parking demands for the two uses. Since a coffee shop would have peak parking demand in the morning, and a restaurant would have peak parking demand during lunch and dinner times, the 47 stalls would meet the actual parking demand for the two tenants. To codify the restriction, staff recommended a condition of the parking variance approval which stated:
 - The coffee shop must be limited to the sale and production of coffee products and foods associated with drinking coffee. The coffee shop may not serve foods generally associated with lunch or dinner.
 - The restaurant/convenience food restaurant must meet both of the following conditions: The restaurant/convenience food restaurant must not serve foods generally associated with breakfast, and the hours of service open to the public are restricted to 10:30 a.m. to 12:00 a.m., daily.

The Planning Commission discussed the draft conditions of approval and ultimately decided that the parking variance would restrict the potential tenants to a coffee shop and restaurant/convenience food restaurant, and additional restrictions on the uses was not warranted.

ATTACHMENTS:

1. May 15, 2017 Staff Report
2. Applicant's narrative
3. Proposed plans

- a. Architectural, Civil, Landscape, and Illumination Plans
 - b. Traffic and Parking Memo
- 4. Design review critique
- 5. Public comments
- 6. May 15, 2017 Planning Commission draft meeting minutes
- 7. June 5, 2017 Planning Commission draft meeting minutes
- 8. Draft Resolution No. 21-2017
- 9. Planning Commission Report and Recommendation



**Staff Report
May 15, 2017**

Project Name: 1330 Wayzata Blvd E
Applicant Nolan Properties Group, LLC
Addresses of Request: 1330 Wayzata Blvd E
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: August 12, 2017

Development Application

Introduction

The applicant, Nolan Properties Group, LLC, has submitted a development application for the property at 1330 Wayzata Blvd E. The property currently contains a 2,300 square foot fast food building that is occupied by Kentucky Fried Chicken and was constructed in 1961. The proposal includes demolition of the existing building, parking lot, and other site improvements. The new development would consist of a 4,500 square foot commercial building and 47 on-site parking stalls. In addition, a new 5-foot public sidewalk would be constructed adjacent to Wayzata Boulevard.

Property Information

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

Address	PID	Owner
1330 Wayzata Blvd E	05-117-22-31-0008	Delarias Kitchen, Inc.

The current zoning and comprehensive plan land use designation for the property are as follows:

Current zoning:	C-3/Service District
Comp Plan designation:	Mixed Use Commercial
Overlay districts:	None

Project Location

The property is on Wayzata Blvd E, west of the Bushaway Rd intersection:

Map 1: Project Location



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	Wayzata Blvd E	N/A	N/A
	Holiday gas station	C-3/Service District	Mixed Use Commercial
	Gerring Car Wash	C-3/Service District	Mixed Use Commercial
East	McDonald's	C-3/Service District	Mixed Use Commercial
South	Single-family homes	R-2A/Single Family Residential District	Low Density Single Family
West	Commercial building	C-3/Service District	Mixed Use Commercial

Application Requests

As part of the submitted development application, the applicant is requesting approval of the following items:

- Design review: Construction of a new commercial building requires design review. (City Code Section 801.09.1.5)
- Conditional use permit for drive-in facilities: Within the C-3 zoning district, drive-in facilities for banks or savings and loans associations are a conditional use. (City Code Section 801.77.5.C)

- Conditional use permit for restaurant: Within the C-3 zoning district, restaurants are a conditional use. (City Code Section 801.77.5.F)
- Conditional use permit for convenience food restaurant: Within the C-3 zoning district, convenience food restaurants are a conditional use. (City Code Section 801.77.5.G)
- Variance from the minimum parking lot setback requirement: The zoning ordinance requires a minimum parking lot setback of 10 feet from all property lines. The proposed plans include a 5-foot setback from the west and east property lines, which requires a variance. (City Code Section 801.20.5.D)
- Variance from the minimum landscaping area requirements: The C-3 zoning district requires a minimum of 20 percent of the lot to be landscaped and maintained. The proposed plans include 16.4 percent of the lot area as landscaping, which requires a variance. (City Code Section 801.77.6.F)
- Variance from the minimum parking requirements: The applicant is proposing a tenant mix within the building that would include a coffee shop and restaurant/convenience food restaurant which would require 58 parking stalls, and only 47 parking stalls would be provided on-site, which requires a variance. (801.20.11 and 801.20.13.B)

Public Hearing Notice

The public hearing notice was published in the *Lakeshore Weekly News* on May 4, 2017. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on May 5, 2017.

Analysis of Application

City staff has reviewed the pertinent information and City Code requirements for the development application, and provides the following analysis and information:

Comprehensive Plan

The Comprehensive Plan land use designation for the subject property is Mixed Use Commercial. The Comprehensive Plan includes the following discussion for the Mixed Use Commercial district:

The Mixed Use Commercial land use category was created to reflect the reality that many traditional service commercial uses along the Wayzata Blvd. and Central Avenue corridors, in addition to smaller commercial parcels within the Bluff neighborhood, may wish to evolve over time to include a mixture of commercial, limited office, and residential uses. This Mixed Use Commercial category provides flexibility to property owners who wish to incorporate a residential component with retail or other commercial uses on their site.

Zoning

The following table outlines the zoning standards for the C-3/Service District:

	C-3 Zoning District	Proposed
Height (max.)	2 stories and 30 ft., whichever is less	1 story, 25 ft.
Floor area ratio (max.)	1.0	0.14
Lot coverage (max.)	50%	14.1%
Landscaped area (min.)	20%	16.4%**
Building setbacks (min.)		
Front (north)	10 ft.	48 ft.
Side (east)	10 ft.	15 ft.
Side (west)	10 ft.	68 ft.
Rear (south)	50 ft.	93 ft.
Lot area (min.)	15,000 sq. ft.	31,928 sq. ft.
Parking setbacks (min.)		
Front (north)	10 ft.	35 ft.
Side (east)	10 ft.	5 ft.**
Side (west)	10 ft.	5 ft.**
Rear (south)	10 ft.	11 ft.

**variance requested

Proposed Uses

The proposed building would be 4,500 square feet in size, and the applicant has indicated that the building would be occupied by up to two commercial tenants. The applicant does not know at this time the specific tenants that would occupy the building. They have indicated that the tenants could include a bank, restaurant, convenience food restaurant, retailer, or coffee shop. All of these prospective tenants are either permitted or conditional uses in the C-3 zoning district:

Proposed Use	C-3 Zoning District
Bank	Permitted use
Retail	Permitted use
Coffee shop	Permitted use
Drive-in facilities for bank	Conditional use
Restaurant	Conditional use
Convenience food restaurant	Conditional use

Although restaurants, coffee shops, and convenience food restaurants are similar uses, they are classified as separate uses in the zoning ordinance according to the following definitions:

- **Coffee Shop:** A business establishment providing services limited to the sale and production of coffee products and foods associated with the drinking of coffee, as

distinguished from a full service restaurant or convenience (fast) food establishment.

- Convenience Food Restaurant: An establishment which serves food in or on disposable or edible containers in individual servings for consumption on or off the premises.
- Restaurant: An establishment which serves food in or on non-disposable dishes to be consumed primarily while seated at tables or booths within the building.

To allow flexibility for near term and long term tenants of the building, the applicant has applied for conditional use permits for the proposed uses that are conditional uses in the zoning district, which includes: (1) drive-in facility for a bank; (2) restaurant; and (3) convenience food restaurant.

Parking

The proposed plans include 47 off-street parking stalls on the site. The City's zoning ordinance establishes minimum parking requirements for individual commercial uses. The following table is a summary of the City's parking requirements for the proposed uses:

Retail	3 stalls / 1,000 nsf*
Drive-in convenience food restaurant	1 stall / 60 nsf* (average)
Restaurant	15.2 stalls / 1,000 nsf*
Coffee shop	No specific standard provided
Bank	1 stall / 350 nsf

*net square feet (90% of gross square feet)

The City's zoning ordinance does not provide a specific parking standard for coffee shops. For uses that are not specifically listed in the ordinance, the City may determine the minimum parking requirement based on the most similar use provided in the ordinance. The applicant has submitted a report from a transportation consultant that provides the Institute of Transportation Engineers (ITE) standards, which are industry parking standards that have been previously utilized by the City. The ITE standards indicate that coffee shops require a minimum of 10.5 stalls per 1,000 gross sq. ft. or floor area.

The minimum parking requirements for the project would be based on the tenants that actually occupy the building. Based on the zoning ordinance requirements and ITE standards for coffee shops, the following is a summary of the uses that could occupy the building as the sole tenant and meet the City's parking requirements with the 47 stalls provided on the site:

- 4,500 sq. ft. retail
- 4,500 sq. ft. coffee shop
- 4,500 sq. ft. bank

If the building were to be occupied by two different tenants, the following mix of tenants would meet the City's parking requirements with the 47 stalls provided on the site:

- 2,250 sq. ft. retail / 2,250 sq. ft. bank
- 2,250 sq. ft. retail / 2,250 sq. ft. convenience food or restaurant or coffee shop
- 2,250 sq. ft. bank / 2,250 sq. ft. convenience food or restaurant or coffee shop

If the City Council approves the project, City staff would recommend a condition of approval that the tenant mix of the building must comply with the City's minimum parking requirements with the 47 stalls available on the site.

Parking Variance

The applicant has applied for a variance to allow an additional tenant mix that would not meet the strict requirements of the ordinance. The applicant's request is to allow for a coffee shop and a restaurant/convenience food restaurant. In this case, the property would be required to have up to 58 stalls and only 47 stalls would be provided.

The applicant has provided a transportation report and narrative to outline their justification for the variance. The applicant's request notes that a coffee shop and a restaurant/convenience food restaurant would have off-setting peak hour demands, and therefore the 47 stalls would meet the anticipated demand of the tenants. When the City updated the parking ordinance in 2016, additional flexibility was added to the ordinance to accommodate shared parking scenarios. However, the City's shared parking standards only account for a mix of general uses, not for individual types of commercial uses. Therefore, the applicant's proposal requires a variance.

The City's parking ordinance states that the City may reduce the number of required off-street parking spaces and/or loading spaces when the applicant can demonstrate in documented form a need which is less than required. In such situations, the City may require land to be reserved for parking development should use or needs change.

Tree Preservation

The City's tree preservation ordinance states that for projects that require design review, up to 10 percent of the inches of significant trees may be removed for the project. Removal beyond 10 percent requires inch for inch mitigation. For heritage trees, all possible measures must be taken to preserve heritage trees, and heritage trees can be removed only when there is not a practical alternative. Any heritage tree removal requires two inches of tree replacement for every one inch of tree removed.

There are a total of seven trees on the property, one heritage tree and six significant trees. The proposed tree preservation plan includes the removal of two trees, one heritage tree and one significant tree. Based on the tree removal, 64 inches of tree replacement would be required. However, the tree preservation plan indicates that the heritage tree, a 26-inch green ash, is in poor health. If the City Forester confirms the ash tree meets the City's definition of a dead, diseased, dying, or hazard tree, it would not be required to be replaced. In that case, 10 inches of tree replacement would be

required, and the applicant is proposing to plant 56 inches of new trees as part of the landscaping plan.

Design Review

The project is subject to the design standards for the Wayzata Blvd design district. A complete design review critique of the proposal is included as an attachment. The following summarizes the design standards in which the applicant is requesting design deviations:

- Exterior building materials: The design standards state that the primary building materials must consist of brick, stone, cast stone, wood, and/or stucco. In addition, the parapets must consist of copper, brick, stone, cast stone, or premium grade wood. The applicant is proposing to use zinc metal panels as a primary building material, and for use along the parapet of one of the corners of the building. The proposed zinc material requires a design deviation.
- Type of brick: When brick is used as a building material, the design standards require full course modular, Roman, Norman, or other standard size brick. The applicant is proposing to use mortar-less brick “shingles”, which requires a design deviation.

Action Steps

After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should direct staff to prepare a *Planning Commission Report and Recommendation*, with appropriate findings, reflecting a recommendation on the application for review and adoption at the next Planning Commission meeting.

Attachments

- Applicant's Narrative
- Proposed Plans
- Traffic Memo
- Design Review Critique

Applicable Code Provisions for Review

Comprehensive Plan

The Comprehensive Plan land use designation for the subject property is Mixed Use Commercial. The objective of the Mixed Use Commercial land use category is to maintain and enhance these areas for primarily general retail and other commercial uses, while allowing the integration of a residential component. The Comprehensive Plan includes the follow "1st Tier" priorities for the Mixed Use Commercial and Mixed Use Residential land use categories:

- Allow for a broad range commercial and residential uses that provide daily goods and services, as well as a variety of housing opportunities.
- Increase the walkability of eastern Wayzata Blvd. where possible, through improvements in the public and private realm.
- Plan development of parking so that it is not a focal point, but rather placed behind buildings with appropriate buffers and landscaping.
- Give particular attention in commercial and services areas to building design and scale, street trees, and extensive use of landscaping to minimize the effects of buildings, parking areas and driveways.
- Consolidate access to streets wherever possible.
- Develop and enforce ordinances to eliminate the visual pollution created by signs and "franchise" architecture.
- Adequately screen or buffer all service and commercial uses from any adjacent residential neighborhoods.
- Create safe and convenient pedestrian movement within all service and commercial districts.
- Strictly regulate and enforce outdoor commercial storage and environmental quality maintenance.
- Enact and enforce a commercial maintenance code to help ensure that commercial development continues to maintain community character.
- 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.

Design Standards City Code Section 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.

With the exception of Section 7 of the Design Standards, a deviation from any section of the Design Standards shall require 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.

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.

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.

CUP – Drive-in Facilities: Section 801.77.5.C provides the following conditional use permit standards for drive-in facilities for banks, or savings and loan associations:

- 1. Compatibility. The architectural appearance, scale, construction materials, and functional plan of the building and site shall not be dissimilar to the existing nearby commercial and residential buildings, and shall not cause impairment in property values, or constitute a blighting influence within a reasonable distance of the site.
- 2. Vehicle Access. Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movements.
- 3. Surfacing. The entire area other than that portion occupied by buildings or structures or plantings shall be surfaced with a material which will control dust and drainage and which is subject to the approval of the City.
- 4. Drive-through Windows. Service windows shall be allowed if the following additional criteria are satisfied:
 - a. Stacking. Not less than one hundred eighty (180) feet of segregated automobile stacking lane(s) must be provided for the service window.
 - b. Traffic Control. The stacking lane and its access must be designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.
 - c. Use of Street. No part of the public street or boulevard may be used for stacking of automobiles.
 - d. Noise. The stacking lane, service intercom, and service window shall be designed and located in such a manner as to minimize automobile and communication noises, emissions, and headlight glare upon adjacent premises, particularly residential premises, and to maximize maneuverability of vehicles on the site. Levels of noise, light, and air

quality shall occur and be measured at property lines and shall satisfy established state regulations.

- e. Hours. Hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.
- f. Green Strip. At any common boundary shared with a residential district, a strip of not less than five (5) feet shall be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.
- g. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.

CUP – Restaurant: Section 801.77.5.F provides the following conditional use permit standards for restaurants, excluding drive-ins or convenience food operations:

- 1. The use obtains all local, state and federal food and beverage handling licenses and/or permits.
- 2. There shall be no excessive noise or odors emitted from the use.
- 3. There shall be no outdoor storage and/or display.
- 4. The hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.
- 5. The use must be landscaped and screened in accordance with Section 801.18 of this Ordinance.
- 6. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.

CUP – Convenience Food Restaurant: Section 801.77.5.G provides the following conditional use permit standards for convenience food restaurants:

- 1. Compatibility. The architectural appearance, scale, construction materials, and functional plan of the building and site shall not be dissimilar to the existing nearby commercial buildings, and shall not cause impairment in property values, or constitute a blighting influence within a reasonable distance of the site.
- 2. Green Strip. At any common boundary shared with a residential district, a strip of not less than five (5) feet shall be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.

3. Lighting. Each light standard base island and all islands in the parking lot landscaped or covered. The light source is hooded to prevent glare onto adjoining property and the public right-of-way.
4. Curbing. Parking areas and driveways shall be curbed with continuous concrete curbs not less than six (6) inches high above the parking lot or driveway grade.
5. Vehicle Access. Vehicular access points shall be limited and shall create a minimum of conflict with through traffic movements.
6. Drainage. The entire area shall have a drainage system which is subject to the approval of the City Engineer.
7. Surfacing. The entire area other than that portion occupied by buildings or structures or plantings shall be surfaced with a material which will control dust and drainage and which is subject to the approval of the City.

1330 Wayzata Redevelopment

1330 WAYZATA BOULEVARD, WAYZATA, MN

Nolan Properties Group is pleased to present its proposed redevelopment of 1330 Wayzata Boulevard, a 4,500 square foot retail building in Wayzata, Minnesota. Enclosed is a summary of the project.



SUMMARY PROPERTY DATA

Address:	1330 Wayzata Boulevard E, Wayzata, MN 55391
PID:	05-117-22-31-0008
Existing Property:	A 2,300 square foot fast-food building built in 1961.
Proposed Project:	A new 4,500 square foot retail building with drive-thru, ample parking, and site improvements.
Developer:	Nolan Properties Group, a Wayzata-based real estate development company.
Current Property Owner:	Delaria's Kitchen, Inc. – owner & operator of existing KFC
Zoning:	C-3 Service District
Site Size:	.73 acres or 31,928 square feet

PROJECT NARRATIVE

Nolan Properties Group proposes the redevelopment of an existing fast food restaurant located at 1330 Wayzata Boulevard into an urban, pedestrian friendly project that positively contributes to the life and activity on Wayzata Boulevard. The site, located between a retail strip center to the west, and McDonald's to the east, on the heavily trafficked county road has served as fast food restaurant for over 40 years. The existing 2,300 square foot decrepit structure sits on an inefficient site with a significant grade drop making one third of the site unusable. Portions of the site are in disrepair and unappealing to the community and neighbors alike.

The redevelopment of the site includes a newly constructed approximately 4,500 square foot building, reconfiguration of the site layout, and ample parking. The visually clean, sophisticated urban design with significant windows and warm, high quality materials accomplishes the objective of a strongly defined street presence bringing life to the site. The boulevard features a new sidewalk and new bike racks. Attractive landscaping will accompany the patio area in front of the building. Tables and seating create a pedestrian friendly experience to draw guests and neighbors to gather and interact.

The urban site contains the maximum amount of parking stalls the site can accommodate. Landscaping is planted where able, especially around the building and the west and south property lines, providing a buffer to adjacent properties. The grade will be raised in the back of the site so the entire site can be utilized. As a result of the grade changes, the building and parking layout significantly improves vehicular circulation on the site. The conditional use of a drive through is important for the site layout. The urban design of this site is such that vehicles will be appropriately accommodated but pedestrian accessibility and activity will be promoted.

There is currently no storm water management on this site. This proposal significantly improves and appropriately addresses storm water runoff by incorporating a below grade infiltration system and installing three new catch basins on site. The building's internal roof drains will be directly connected to one of the catch basins. These improvements and redirection of existing rain water runoff areas will significantly reduce storm water runoff rates, specifically a 26% reduction during a two year storm event, while immensely improving the amount of storm water runoff to the residential properties to the south.

The sophisticated design of this redevelopment will draw attention to the project and contribute to activity on the street while creating a sense of place on Wayzata Boulevard. Building features such as significant windows, outdoor seating and landscaping, and inviting design will transform the site and area to a place where neighbors, pedestrians and cyclists feel compelled to visit, interact, and spend time. As such, it is our expectation that this proposal will complement the neighborhood character and be an asset to the community for years to come.

PROFESSIONAL CONSULTANTS

Architect	Studio 55 Architects, Jack Amdal, jack@studio55architects.com
Civil Engineer	BKBM Engineers, Keith Matte, kmatte@bkbm.com
Landscape Architect	CALYX Design Group, Ben Hartburg, ben@calyxdesigngroup.com
Traffic Engineer	Spack Consulting, Mike Spack, mspack@spackconsulting.com

CITY ENTITLEMENT APPLICATION OVERVIEW

Subject to City Planner review

Conditional Use Permits

- Restaurant, convenience food with drive-in
- Drive-in facility for bank
- Joint Parking for two food uses if one is a primary morning use (i.e. coffee, bagels, breakfast), and the other is primarily lunch and dinner (not open before 10:30am).

Variances

- Landscaping
- West property line parking set back
- Southeast property line parking set back

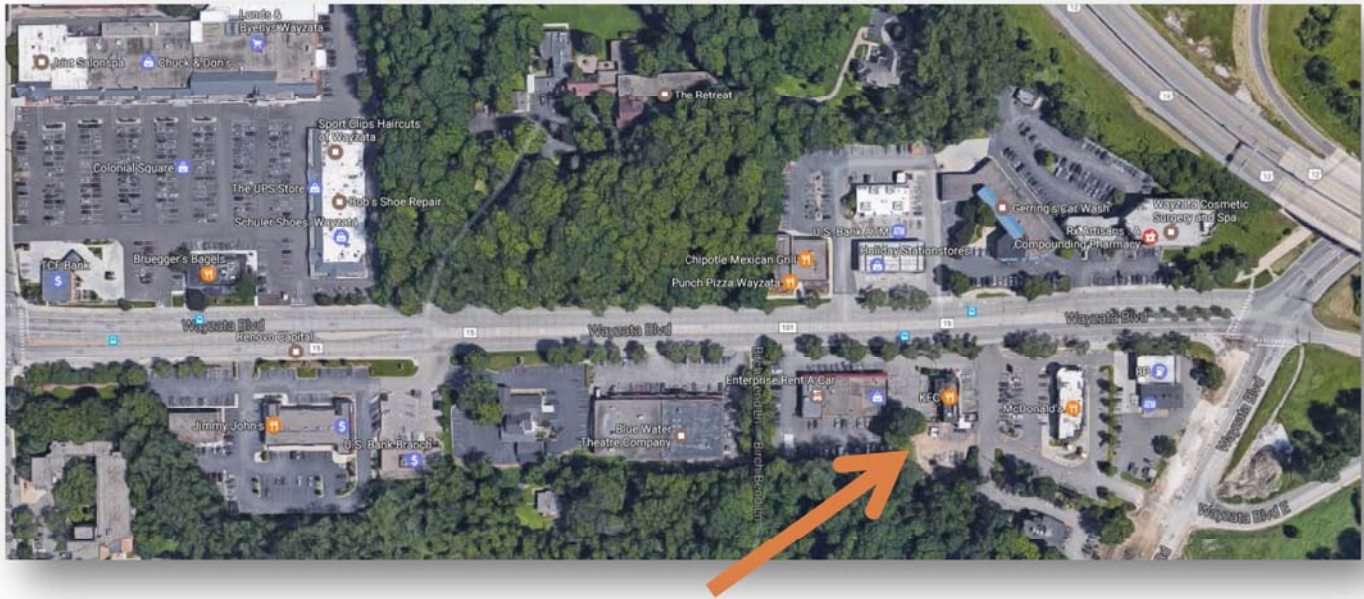
Design Review

- Subject to Design Review Standards, Section 801.09 of City of Wayzata Zoning Ordinance

ATTACHMENTS

- Development Application
- Plans & Drawings
 - As-is Survey
 - Architectural
 - Civil
 - Landscaping
 - Photometric Lighting
- Traffic Study

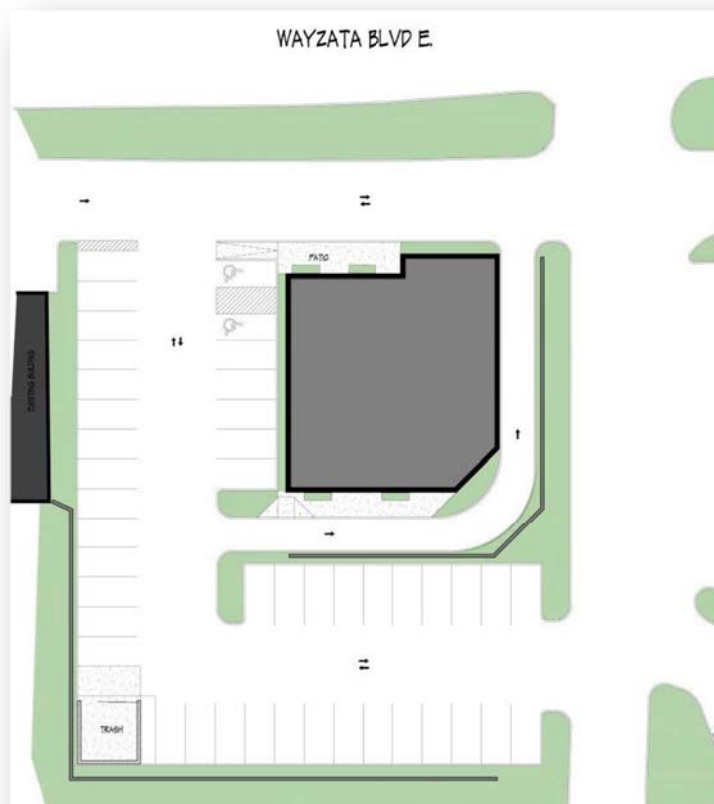
AERIAL PHOTOS



PRELIMINARY RENDERING



PRELIMINARY SITE PLAN



EXTERIOR MATERIALS

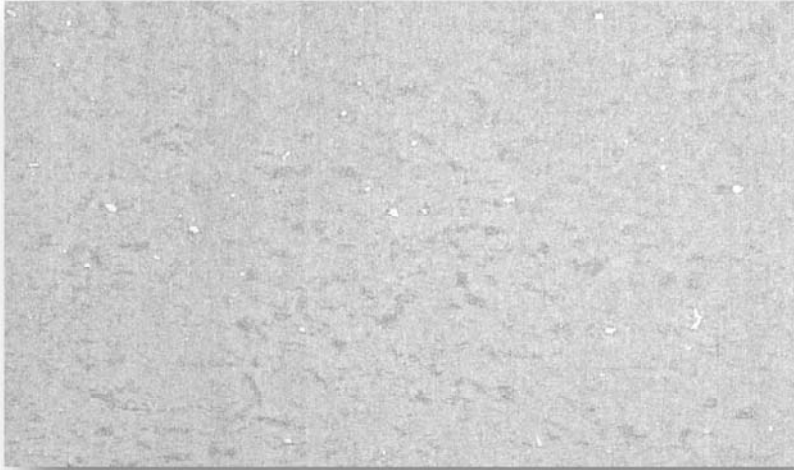
BRICK

- Petersen Cover Brick is a brick shingle that will wrap all four facades of the new building.
- Petersen Cover is a handmade brick product from Denmark which adds a distinctive and modern look while maintaining all the known advantages of brick.
- Below is a detail photo which shows the color and application of the selected brick.



ZINC PANEL

- VM Zinc's AZENGAR illuminating zinc will accent the northeast corner of the building providing an attractive, warm contrast to the brick shingle and immense glass.
- This eco-designed high-quality, all natural zinc is an expressive, vibrant complement to Wayzata Boulevard.



WOOD ACCENT

- A warm, attractive wood, species yet to be selected, will provide a horizontal pergola over the tenant entrances and windows.
- The below photo is for reference only, not exact selection or construction.



1330 Wayzata Boulevard Development Application

Written Statement on Design Standard Deviations

Section 801.09.21 provides the criteria for deviations from the Design Standards in the Zoning Ordinance. The Deviations requested are (1) exterior building materials, (2) parapet material requirements, and (3) type of brick. An explanation of the deviations and the corresponding review criteria responses are as follows:

1. **Exterior Building Materials**

- a. Section 801.09.11.1.A of the Design Standard requires, 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: brick stone, cast stone, factory finished and certified wood, including, but not limited to: wood shingles (cedar shingles six (6) inch maximum exposure), lap-siding (six (6) inch maximum width) or stucco.
- b. The proposed zinc requires a deviation from the design standards for primary opaque surfaces requirements of 801.09.11.1.A.
- c. A deviation from any section of the Design Standards shall require 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:
 - i. The extent to which the project advances specific policies and provisions of the City's Comprehensive Plan.
 1. **Response:** The proposed zinc material is of superior quality found only in high design projects and provides a rich architectural element to the primary building corner. This expressive material is eco-designed using a brand new industrial process which limits negative effects on the environment. This award winning product stands out with its textured surface, which catches natural light and gives projects a timeless appearance. The selected zinc advances the Comprehensive Plan's statement that the "selection of the highest quality of building materials is encouraged" because zinc is one of the heaviest metals, therefore more durable and more costly than a standard metal. Additionally, this zinc is designed to imitate nature's unpredictability which is achieved by a surface treatment of natural zinc. The zinc will be installed with interlocking joints in a staggered horizontal pattern resulting in clean, simple visual lines.
 2. Section I.9 of the Comprehensive Plan states a Broad Objective to "Strengthen and reinforce community gateways - Provide announcement and a sense of place to areas of the community at key entry points through architectural, landscape and urban design element." The design objective of this proposal is to create a visual oasis among all the existing visual noise on Wayzata Blvd. with a clean, simple understated elegance. This is achieved by significant storefront glazing, a limited number of high quality building materials, a mix of modern architecture and old world materials, appropriate landscape buffers to adjacent neighbors, and charming landscaping bordering the patio area in front of the building which

accommodates tables and seating creating a soft, welcoming pedestrian friendly experience drawing guests and neighbors to gather and interact. The visually clean design brings life to the site and creates a strongly defined street presence on Wayzata Blvd.

ii. The positive effect of the project on the area in which the project is proposed.

1. Response: Due to the high amount of glass, 19% of the overall facade, the calculation of the non-glass surfaces results in high accent material percentages. The selected zinc material makes up 15% of the total building non-glass surfaces providing an attractive feature element to the primary building corner. The high quality material is similar to copper in that it is a natural material with a rich finish that may patina over time. The other non-glass surface material is 82% brick shingle and the remaining amount is a subtle warm wood accent. The sophisticated design of this redevelopment will draw attention to the project and contribute to activity on the street while creating a sense of place on Wayzata Boulevard. Building features such as significant windows, outdoor seating and landscaping, and inviting design elements will transform the site from a fairly harsh fast food restaurant to a place where people will want to visit, interact, and spend time. The proposed project complements the neighborhood character and will be an asset to the community for years to come.

2. Parapet Material Requirements

- a. Section 801.09.11.1.A.H of the Design Standards requires one the following materials to be used for parapets, flashing, and coping: copper (untreated), brick, stone, cast stone, premium grade wood.
- b. The proposed zinc requires a deviation from the design standards for parapet requirements of 801.09.11.1.A.H.
- c. A deviation from any section of the Design Standards shall require 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:
 - i. The extent to which the project advances specific policies and provisions of the City's Comprehensive Plan.
 1. Response: In the Land Use Chapter of the Comprehensive Plan, the commercial use section states "Develop and enforce ordinances to eliminate the visual pollution created by signs and "franchise" architecture," as a first tier priority. Utilizing the zinc for the parapet material results in a clean, simple building design with high quality materials resulting in an understated elegance that does not relate to franchise architecture.
 - ii. The positive effect of the project on the area in which the project is proposed.
 1. Response: The simple clean design is accomplished by building massing that creates a presence on Wayzata Blvd, by what it's not – loud and busy. The building's significant amount of storefront glazing results in a space that opens itself to the street, creating a warm and inviting pedestrian sense of place. The parapet on all facades is either brick shingle or zinc, there is no additional material used in the parapet.

3. Type of Brick

- a. Section 801.09.11.1.C of the Design Standards state that where brick is used, full course modular, Roman, Norman or other standard size brick must be used.
- b. The proposed mortar-less brick shingle is a unique type of brick unlike those described in the design standards section 801.09.11.1.C. While the brick shingle is not specifically anticipated in the Design Standards, it certainly fits within the spirit of the intent.
- c. A deviation from any section of the Design Standards shall require 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:
 - i. The extent to which the project advances specific policies and provisions of the City's Comprehensive Plan.

- 1. Response: The brick shingle material, created and produced in Denmark by a centuries old manufacturer which has been in business since in 1791, adds a distinctive look to the building while maintaining the rich textures and all known advantages of brick. The structure of the hand formed bricks leaves the building façade with a beautiful layered shingle often associated with water oriented structures. The building will read as a modern, clean design with attractive traditional materials.

Section 1.9 of the Comprehensive Plan states the Broad Objective to "Strengthen and reinforce community gateways- Provide announcement and a sense of place to areas of the community at key entry points through architectural, landscape and urban design element." The project positively contributes to the Comprehensive Plan objectives by creating a sense of place through architectural, landscape, and urban design elements that capture the spirit of where the city wants to go. Specifically, the material selections are of superior quality. This includes the selected brick shingle material. The mortar-less brick shingles are applied to the building in a lap application on a rain screen, they measure 7.5" exposure (height) and 22.5" in length. The rain screen is an exterior wall detail where the siding (wall cladding) stands off from the moisture-resistant surface of an air barrier applied to the sheathing (sheeting) to create a capillary break and to allow drainage and evaporation.

- ii. The positive effect of the project on the area in which the project is proposed.
 - 1. Response: The sophisticated design of this redevelopment will draw attention to the project and contribute to activity on the street while creating a sense of place on Wayzata Boulevard. The old world brick shingles and inviting design elements transform the site and reinforce this community gateway by providing a sense of place to this key entry point to the City.

1330 Wayzata Boulevard Development Application

Written Statement on Variances

Due primarily to the narrow configuration of the lot and its steep drop in elevation from front to back, meeting the city's objectives for this district and corridor is challenging without relief from some dimensional requirements in the Zoning Ordinance. Notwithstanding this need for some relief, the applicant feels the proposal successfully meets the city's objectives while providing some additional benefits, such as significant site improvements from existing conditions, including but not limited to improved circulation, increased landscape buffers around the site, and significant storm water management improvements. The Variances requested are (1) a parking setback variance, (2) a landscaping area variance, and (3) a parking variance. An explanation of the variances and the corresponding review criteria responses are as follows.

A. Parking Setback Variance:

1. Section 801.20.5.D requires front, side and rear parking setbacks of at least ten (10) feet from property lines shall be maintained.
2. The proposal meets the front and rear parking setbacks, and provides a 5.5 foot setback in certain areas of the western and eastern side yards.
3. 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.

Response: The Parking Setback Variance requested is

- (i) in harmony with the general purposes and intent of the Zoning Ordinance in that the applicant seeks to better conform with the C-3 Service District's intent, as described in the Ordinance Section 801.77.1, "to provide an area of service facilities to the motoring public." With the C-3 Service District dependent on vehicle oriented uses, sufficient parking must be provided in order to successfully serve a vibrant and healthy business climate. Additionally, in the Land Use Chapter of the Comprehensive Plan, it states "redevelopment should also....avoid the suburban approach of long expanses of parking lots and buildings," and the proposal eliminates the existing expanses of asphalt around the entire site and provides appropriate landscape buffers breaking up the site. The proposal achieves the city and zoning objectives by providing the optimal balance of building, parking, circulation, and landscaping on the site.
- (ii) consistent with the Chapter 3, Section 3.4 of the Comprehensive Plan's objective to "give particular attention to...building design and scale...and use of landscaping to minimize the effects of buildings, parking areas and driveways." The proposal provides an appropriate building size with a balance of parking and landscaping which delivers green expression from the front of the property and buffering the adjacent buildings, parking lot, and back of the site, all while significantly replacing the constrained circulation and unkempt conditions of the

existing site. The patio area creates an inviting focal point and pedestrian friendly sense of place which is supplemented by seasonal flowers and planter boxes in front of the building.

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

Response: Due to the site configuration, topography, and small lot size, there are practical difficulties in complying with the strict standards of the Zoning Ordinance as they relate to the parking setback requirement.

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

Response: A finding of "Practical difficulties" is supported by the following:

- (i) The proposal for the Property is necessary in that it reflects the practical needs of providing a sufficient amount of parking to successfully serve the businesses and their customers, while providing better vehicle circulation eliminating vehicle conflict which cause congestion or interference with other traffic consistent with Section 801.20.5.E. of the Ordinance;
 - (ii) The plight of the Applicant is due to the unique characteristics of the Property's shape, whereby the very narrow and dramatic topography create constraints along the east and west boundaries;
 - (iii) The Parking Setback Variance would not alter the essential character of the locality but will instead greatly improve the overall existing conditions of the site and allow greater conformity through landscaping, improved circulation, and increased parking, which is not possible without the variance.
5. 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.

Response: The practical difficulties requiring the Parking Setback Variance result from creating improved circulation and eliminating the existing vehicle conflicts thereby advancing objectives of Section 801.20.5.E of the Zoning Code and promoting a vibrant and healthy business climate for successful commercial businesses.

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

Response: Not applicable.

7. 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.

Response: The proposed uses for the Property are permitted within the C-3 Service District.

8. 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.

Response: Not applicable.

9. 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.

Response: The Applicant has provided (in the above responses) the reasons that justify the Parking Setback Variance under applicable criteria in order to make reasonable use of the land, structures, and buildings on the Property that meet the objectives of the corridor, city, and Comprehensive Plan.

B. Landscaping Area Variance:

1. Section 801.77.6.F requires a minimum of twenty (20) percent of the total lot shall be landscaped.
2. The proposed project provides 16.4% landscaping coverage.
3. 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.

Response: The Landscaping Area Variance requested is

- (i) in harmony with the general purposes and intent of the Zoning Ordinance in that it better conforms with the C-3 Service District's intent as described in the Ordinance Section 801.77.1, "to provide and area of service facilities to the motoring public,"
 - (ii) consistent with the Comprehensive Plan, Land Use Chapter 3, Section 3.2 which states the priority to "Increase the walkability of eastern Wayzata Blvd. where possible, through improvements in the public and private realm." The applicant is adding a five (5) foot sidewalk along the boulevard (which decreases the landscaping by 2.5%). Additionally, Section 3.4 of the Comprehensive Plan notes to "...use landscaping to minimize the effects of buildings, parking areas and driveways." The applicant uses landscaping to minimize the effects of buildings and parking areas by not only providing landscaped buffers to the west, south, and east properties but also a warm, inviting landscaped patio space in front of the building to soften the entrance for pedestrians to enjoy.
4. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.

Response: There are practical difficulties in complying with the strict standards of the Zoning Ordinance as they relate to the landscaping area requirement.

5. "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.

Response: A finding of "Practical difficulties" is supported by the following:

- (i) The proposal for the Property is reasonable in that it reflects the character and layout of the surrounding commercial corridor by providing greatly improved and controlled traffic circulation to eliminate conflicts causing congestion or interference with other traffic consistent with Section 801.20.5. of the Ordinance, which impacts the required Landscaping Area Variance. Additionally, there is currently no storm water management on this site. This proposal significantly improves and appropriately addresses storm water runoff by incorporating a below grade infiltration system and installing three new catch basins on site. The building's internal roof drains will be directly connected to one of the catch basins. These improvements and redirection of existing rain water runoff areas will significantly reduce storm water runoff rates, specifically a 26% reduction during a 2 year storm event, while immensely improving the amount of storm water runoff to the residential properties to the south, and addressing a malfunctioning drain on the adjacent property to the west.
 - (ii) The plight of the Applicant is due to the unique characteristics of the Property's significant elevation change. The site currently drops approximately 8 feet from front to back (north to south) and in order to improve circulation, the grade of the site requires two new retaining walls in areas that would otherwise be landscaped.
 - (iii) The Landscaping Area Variance would not alter the essential character of the locality but will instead improve and allow greater conformity to such character than without the variance.
6. 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.

Response: The practical difficulties requiring the Landscaping Area Variance are not economic in nature but rather are driven by a desire to better advance the corridor objectives, address the needs of pedestrians/general public, and to promote vibrant and healthy business climate successful commercial businesses. The proposal's balance between parking, landscaping, and patio areas to serve customers are significant factors in the practical difficulty with meeting the Zoning Ordinance requirements.

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

Response: The existing site has no storm water management practices. The proposal incorporates best practices for storm water management which significantly improves not only the subject site but adjacent sites as well.

8. 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.

Response: The proposed uses for the Property are permitted within the C-3 Service District.

9. 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.

Response: Not applicable.

10. 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.

Response: The Applicant has provided (in the above responses) the reasons that the Landscaping Area Variance is justified under applicable criteria in order to make reasonable use of the land, structures, and buildings on the Property.

C. Parking Variance:

1. Section 801.20.11.B provides the minimum off-street parking requirements for various uses of the site.
2. The proposed project provides a total of 47 stalls, or 11.6 stalls per square foot of floor area. While the parking provided meets the requirements of the Zoning Ordinance for many various use scenarios for the property, one likely combination of uses that does not meet the strict requirements of the Ordinance is that of a Coffee Shop and Convenience Food or Restaurant use. Under the Zoning Ordinance, the total parking required for this scenario is 65 stalls. A parking variance is required for this scenario based on Section 801.20.13.B of the Ordinance; however, because of the compatibility of the uses offering different peak demand times, the overall parking count is sufficient to successfully serve both businesses as demonstrated by the off-setting peak demands of such uses. The traffic study from Spack Consulting, on page 4, confirms the site provides enough parking for a Coffee Shop and Convenience Food or Restaurant even if both of their peak demand times were the same (i.e. 23 stalls each during their peak demand times, $23 + 23 = 46$ required stalls, where the site provides 47).
3. 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.

Response: The Parking Variance requested is

- (i) in harmony with the general purposes and intent of the Zoning Ordinance in that the parking provided at the site meets the parking requirements of Section 801.20.11.B when considering the peak time-of-day demands of each use. Given the uses compliment one another, as corroborated by the traffic study provided by the applicant, the coffee shop and fast-casual restaurants peak parking demands will be met by the provided amount of parking provided on the site.
 - (ii) consistent with the Chapter 1 Section I.3. of the Comprehensive Plan's objective to foster "a vibrant and healthy business climate and to preserve and enhance the business structure for commercial areas" the proposal, again, provides a sufficient amount of parking for the compatible uses without creating an expansive asphalt parking lot.
4. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.

Response: There are practical difficulties in complying with the strict standards of the Zoning Ordinance as they relate to the parking requirement for a combination of Coffee Shop and Drive-In Convenience Food and Restaurant uses.

5. "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.

Response: A finding of "Practical difficulties" is supported by the following:

- (i) The proposal for the Property is reasonable in that it reflects the practical needs of providing a sufficient amount of parking to serve vibrant and healthy businesses and their customers, while providing better traffic circulation to eliminate congestion or interference with other traffic consistent with Section 801.20.5.E. of the Ordinance.
 - (ii) The plight of the Applicant is due to the unique characteristics of the site's configuration and size, balancing an appropriate building size with the appropriate amount of parking to meet both the C-3 Service District's intent, as described in the Ordinance Section 801.77.1, "to provide an area of service facilities to the motoring public", while also meeting the Land Use Chapter of the Comprehensive Plan's objective to "avoid the suburban approach of long expanses of parking lots and buildings."
 - (iii) The Parking Variance would not alter the essential character of the locality but will instead improve and allow greater advancement of city objectives.
6. 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.

Response: This relief is from the number of spaces required when the combination of tenants are a Coffee Shop and Convenience Food or Restaurant use. The practical difficulties requiring the Parking Variance result from the supply required by the Zoning Ordinance verses the practical parking need given the offsetting nature of peak parking demand times for the various businesses. A coffee use's peak hours of demand are in the morning, while midday and evening hours are peak demand times for the convenience food or restaurant uses. The Institute of Transportation Engineers (ITE), referenced in the traffic study provided by the applicant, confirms the compatible uses of a coffee shop and fast-casual restaurants peak parking demands are met by the amount of parking provided in the proposal. In fact, according to ITE, the proposed number of spaces would even accommodate the peak demand for coffee and fast casual restaurant if the peaks were at the same time, which they are not. ITE notes the peak morning parking requirements for a 2,200 square foot coffee shop is 23 parking spaces. The peak parking generation of a 2,300 square feet fast casual restaurant at midday is 23 parking spaces. If the peaks are summed, the peak parking demand for the entire building would be 46 spaces. The total spaces provided on the site are 47 stalls.

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

Response: Not applicable.

8. 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.

Response: The proposed uses for the Property are permitted within the C-3 Service District.

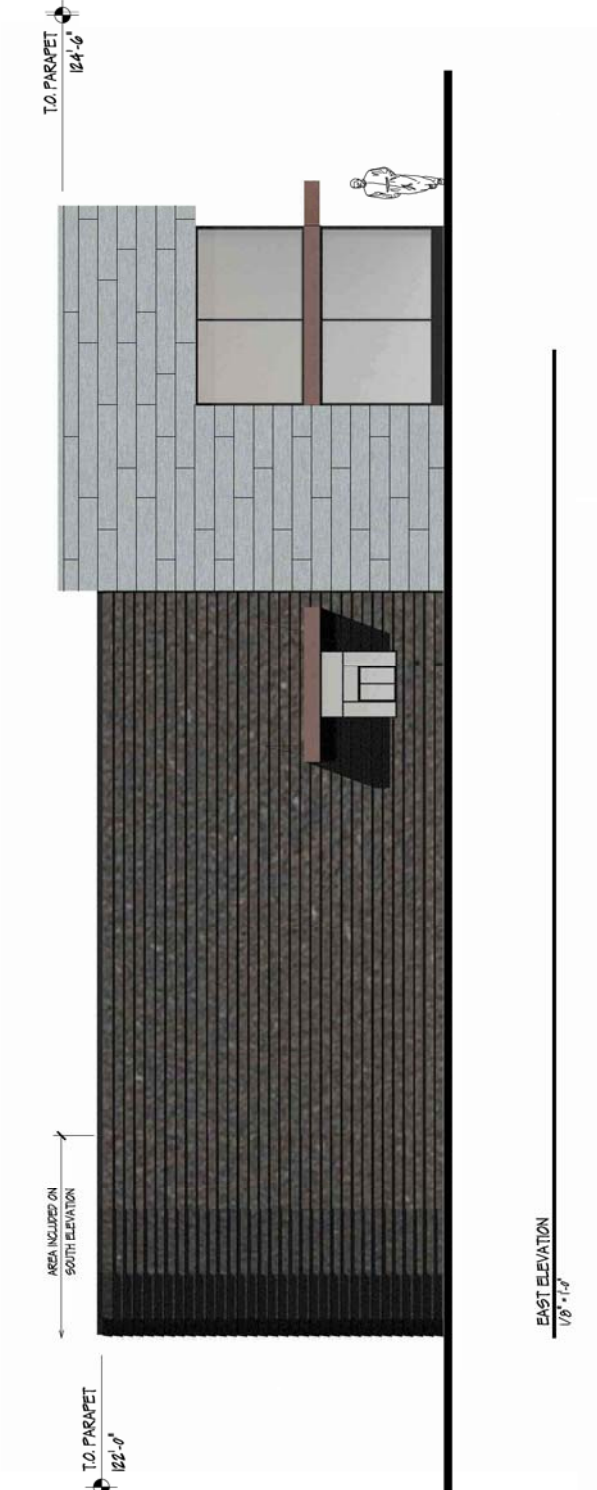
9. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

Response: Not applicable

10. 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.

Response: The Applicant has provided (in the above responses) the reasons that the Parking Variance is justified under applicable criteria in order to make reasonable use of the land, structures, and buildings on the Property.





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



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

06-20-2017 CO. PACKET
Page 38 of 259
4/24/2017

STUDIO 55 ARCHITECTS
Studio 55 Architects, LLP
10700 Highway 55, suite 275
Plymouth, MN 55441
765.544.8370
studio55architects.com

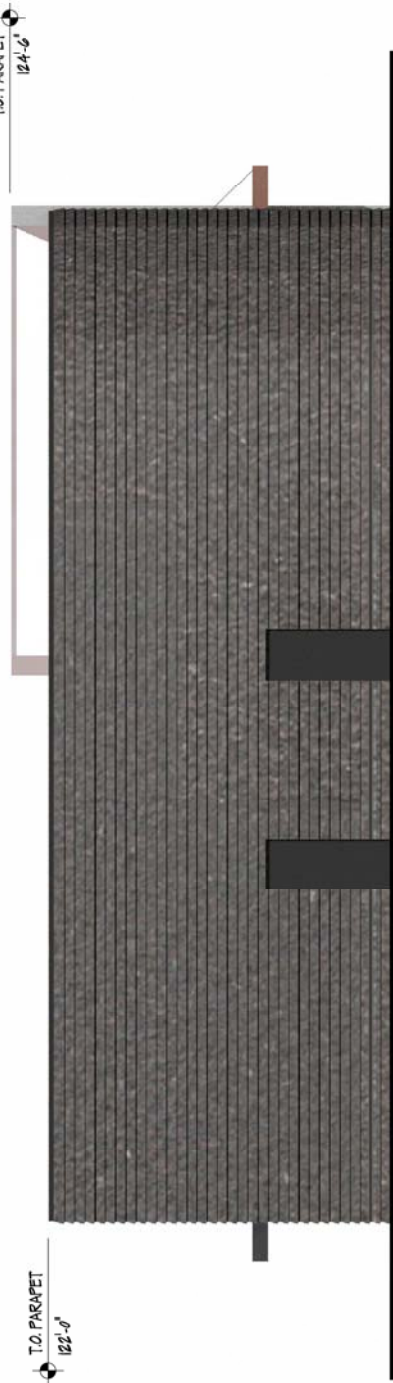
T.O. PARAPET
124'-6"



T.O. PARAPET
122'-0"

WEST ELEVATION
1/8" = 1'-0"

T.O. PARAPET
124'-6"



T.O. PARAPET
122'-0"

SOUTH ELEVATION
1/8" = 1'-0"



Studio 55 Architects, LLP
10700 Highway 55, Suite 275
Plymouth, MN 55441
Plymouth@studio55architects.com
studio55architects.com

Nolan Properties Group
328 Barry Avenue S. #300
Wayzata, Minnesota 55391

Commercial Site
1330 Wayzata Blvd E.
Wayzata, Minnesota 55391

1330 WAYZATA REDEVELOPMENT

1330 WAYZATA BLVD E.

CLIENT
1930 WAYZATA, LLC
328 BARRY AVE. S.
SUITE 300
WAYZATA, MN 55391

ARCHITECT
STUDIO 55 ARCHITECTS
10700 HWY 55, SUITE 275
PLYMOUTH, MN 55441
763-844-0370

LANDSCAPE ARCHITECT
CALYX DESIGN GROUP
970 SHELBY AVE. SUITE 301
ST. PAUL, MN 55102
651-788-9400

TRAFFIC ENGINEER
SPACK CONSULTING
8700 W 34TH ST.
ST. LOUIS PARK, MN
888-334-9962

CIVIL ENGINEER
BGM ENGINEERING
8900 BROOKLYN BLVD
MINNEAPOLIS, MN 55420
763-843-4421

ZONING DATA

- ZONING DISTRICT: C3
- BUILDING SETBACK:
FRONT: 10'
SIDE: 10'
REAR: 10'
- PARKING SETBACK:
FRONT: 10'
SIDE: 10'
REAR: 10'

(60' ABUTTING RESIDENTIAL)
(60' ABUTTING RESIDENTIAL)

AREA SUMMARY

- LOT AREA: 7.75 AC (21,010 SF)
- EXISTING INTERVIEWS: 84 AC (INCL. EXISTING BLDG)
- PROPOSED INTERVIEWS: 19 AC
- INTERVIEWS: 41 AC (INCL. PROPOSED 4,800 SF BLDG)
- INTERVIEWS: 12 AC

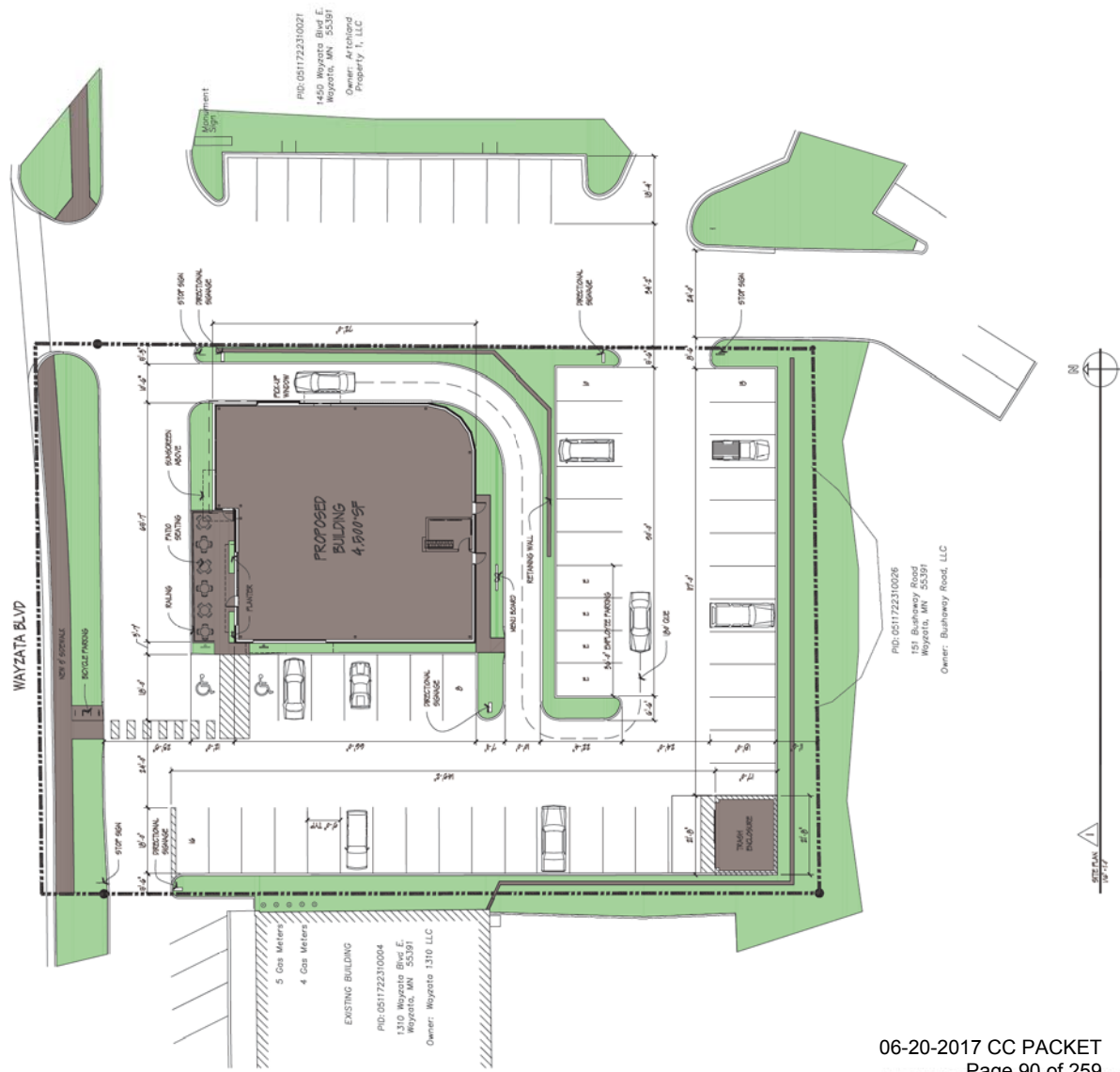
PARKING SUMMARY

- REQUIRED PARKING: REFER TO SPACK CONSULTING TRAFFIC STUDY
- PROVIDED PARKING: STANDARD STALLS: 49
ACCESSIBLE STALLS: 2
- TOTAL: 47 STALLS
- REQUIRED / PROVIDED BICYCLE PARKING: 4 STALLS

SITE PLAN

Project: _____
Date: _____
Drawn by: _____
Checked by: _____
Drawing Number: _____

A-1





Studio 55 Architects, LLP
10700 Highway 55, Suite 275
Plymouth, MN 55441
(763) 885-8800
studio55architects.com

Nolan Properties Group
328 Barry Avenue S. #300
Wayzata, Minnesota 55391

Commercial Site
1330 Wayzata Blvd E.
Wayzata, Minnesota 55391

No.	Date	Revision
1	02/09/2017	REVISED PER COMMENTS
2	02/09/2017	REVISED PER COMMENTS
3	02/09/2017	REVISED PER COMMENTS
4	02/09/2017	REVISED PER COMMENTS
5	02/09/2017	REVISED PER COMMENTS
6	02/09/2017	REVISED PER COMMENTS
7	02/09/2017	REVISED PER COMMENTS
8	02/09/2017	REVISED PER COMMENTS
9	02/09/2017	REVISED PER COMMENTS
10	02/09/2017	REVISED PER COMMENTS

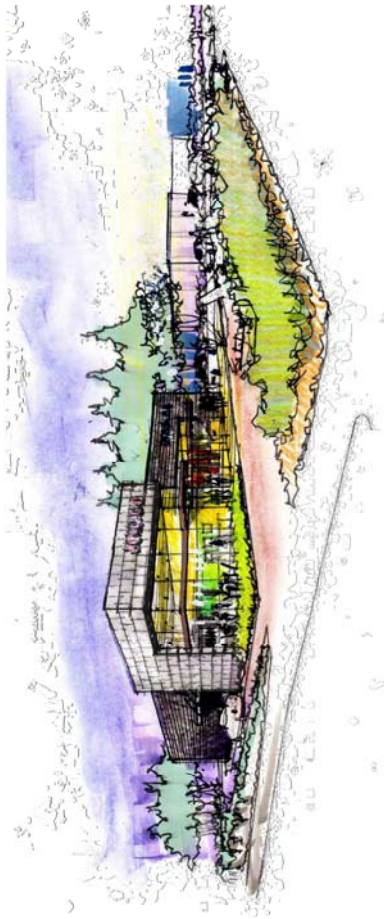
I hereby certify that this plan, specification, and report was prepared by me or under my direct supervision, and that I am a duly Licensed Professional Engineer in the State of Minnesota.

Printed Name: _____
Signature: _____
Date: _____
License #: _____

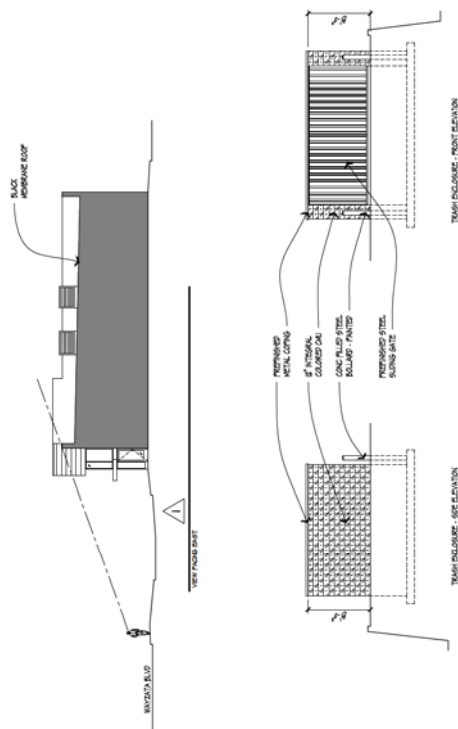
EXTERIOR ELEVATIONS

Project: _____
Date: _____
Drawn By: _____
Checked By: _____
Drawing Number: _____

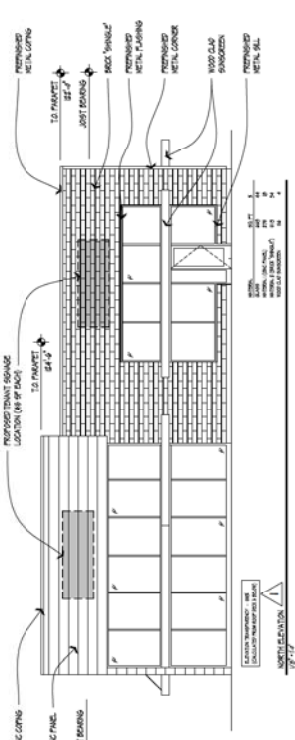
A-2



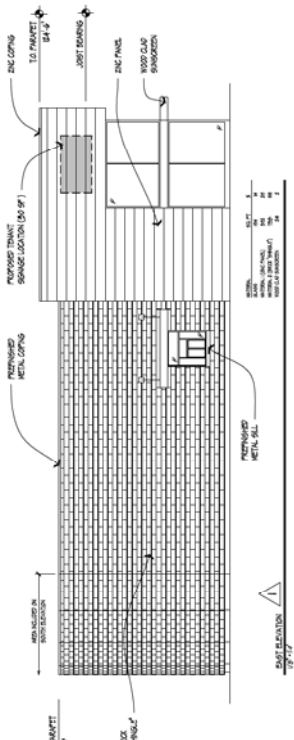
WEST ELEVATION - PERSPECTIVE
12/17



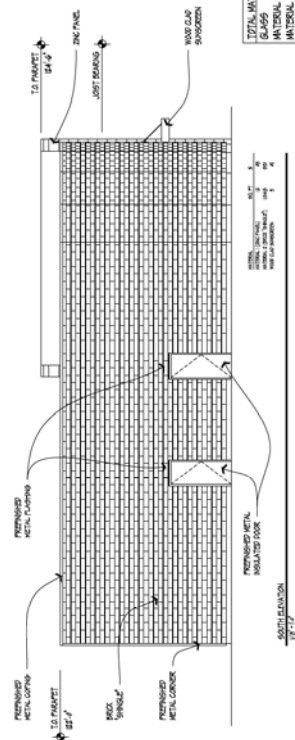
WEST ELEVATION - PERSPECTIVE
12/17



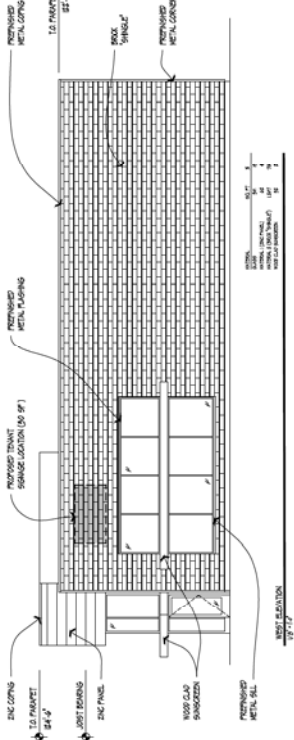
NO.	DATE	REVISION
1	02/09/2017	REVISED PER COMMENTS
2	02/09/2017	REVISED PER COMMENTS
3	02/09/2017	REVISED PER COMMENTS
4	02/09/2017	REVISED PER COMMENTS
5	02/09/2017	REVISED PER COMMENTS
6	02/09/2017	REVISED PER COMMENTS
7	02/09/2017	REVISED PER COMMENTS
8	02/09/2017	REVISED PER COMMENTS
9	02/09/2017	REVISED PER COMMENTS
10	02/09/2017	REVISED PER COMMENTS



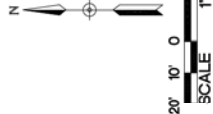
NO.	DATE	REVISION
1	02/09/2017	REVISED PER COMMENTS
2	02/09/2017	REVISED PER COMMENTS
3	02/09/2017	REVISED PER COMMENTS
4	02/09/2017	REVISED PER COMMENTS
5	02/09/2017	REVISED PER COMMENTS
6	02/09/2017	REVISED PER COMMENTS
7	02/09/2017	REVISED PER COMMENTS
8	02/09/2017	REVISED PER COMMENTS
9	02/09/2017	REVISED PER COMMENTS
10	02/09/2017	REVISED PER COMMENTS



NO.	DATE	REVISION
1	02/09/2017	REVISED PER COMMENTS
2	02/09/2017	REVISED PER COMMENTS
3	02/09/2017	REVISED PER COMMENTS
4	02/09/2017	REVISED PER COMMENTS
5	02/09/2017	REVISED PER COMMENTS
6	02/09/2017	REVISED PER COMMENTS
7	02/09/2017	REVISED PER COMMENTS
8	02/09/2017	REVISED PER COMMENTS
9	02/09/2017	REVISED PER COMMENTS
10	02/09/2017	REVISED PER COMMENTS



NO.	DATE	REVISION
1	02/09/2017	REVISED PER COMMENTS
2	02/09/2017	REVISED PER COMMENTS
3	02/09/2017	REVISED PER COMMENTS
4	02/09/2017	REVISED PER COMMENTS
5	02/09/2017	REVISED PER COMMENTS
6	02/09/2017	REVISED PER COMMENTS
7	02/09/2017	REVISED PER COMMENTS
8	02/09/2017	REVISED PER COMMENTS
9	02/09/2017	REVISED PER COMMENTS
10	02/09/2017	REVISED PER COMMENTS

[illegible]

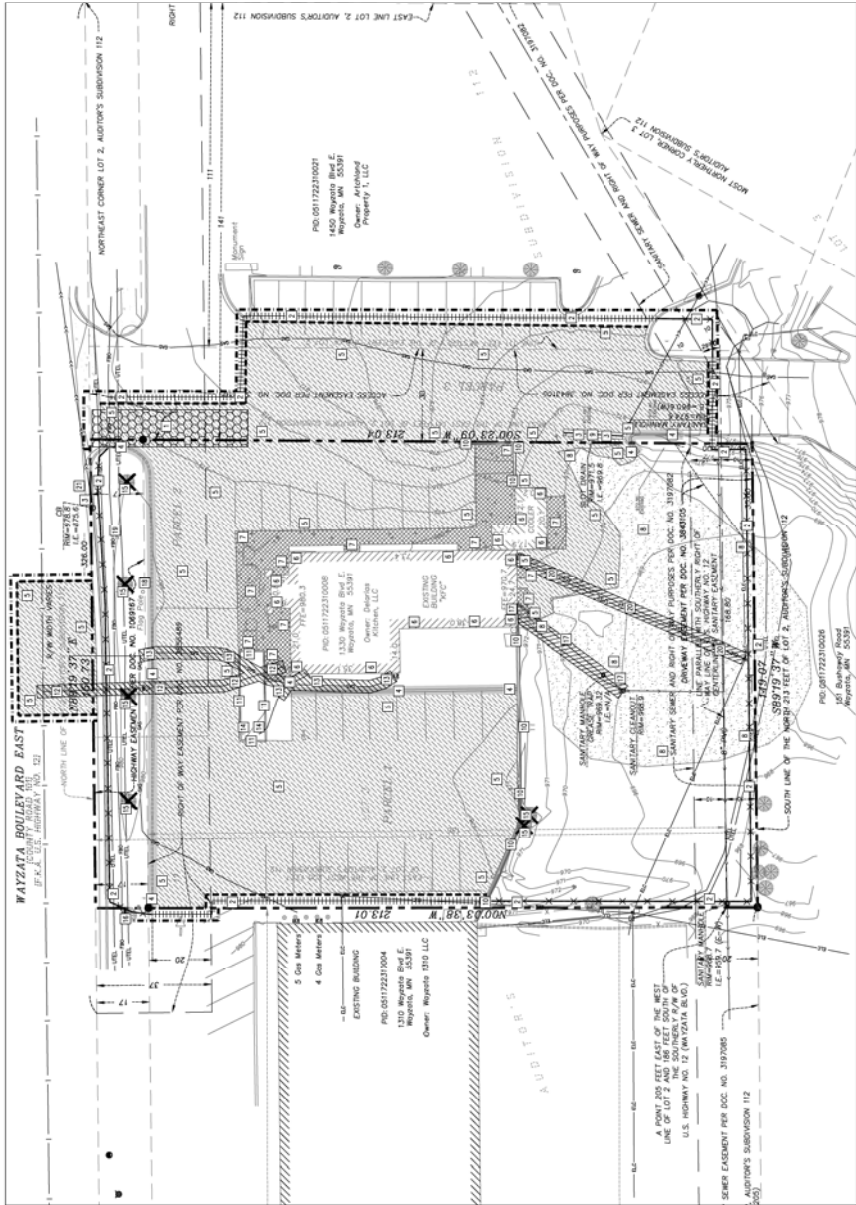
NOTE: STORM SEWER INLETS NOT SHOWN ON PLAN MAY RECEIVE RUNOFF FROM CONSTRUCTION ACTIVITIES. INSTALL INLET SEDIMENT PROTECTION PER DETAIL 4/C500 ON ALL STORM INLETS THAT MAY RECEIVE

ADDITIONAL NOTES ARE INDICATED BY

- [illegible]

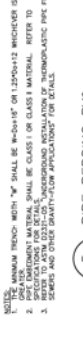
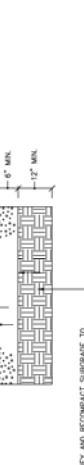
REMOVAL AND REMOVAL NOTES:

- [illegible]



1 DEMOLITION AND EROSION CONTROL PLAN
1" = 20'





No.	Date	Revision
1	4/14/2017	Issue # 46674

I hereby certify that this plan, specification or other document 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.

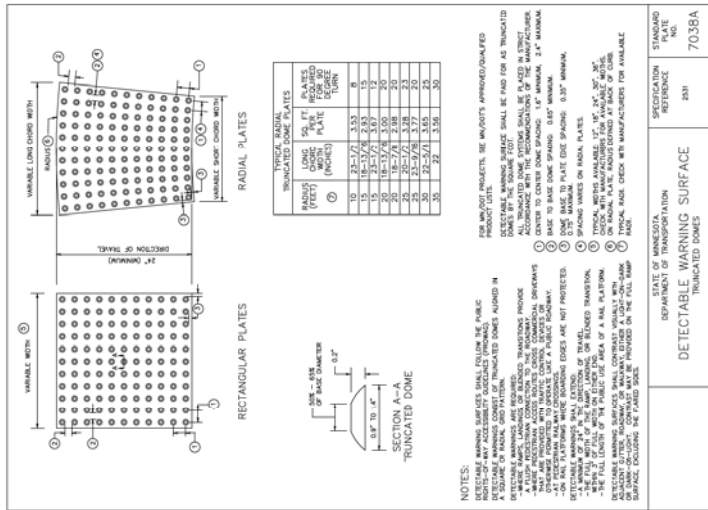
Signature: **Keith A. Matto**
Printed Name: **Keith A. Matto**
Date: 4/14/2017 License #: 46674

No.	Description	Date

Project #: 1032
Date: 4/14/2017
Drawn by: SK, MM
Checked by: KAM
Drawing Number

C502

Civil Details
Sheet

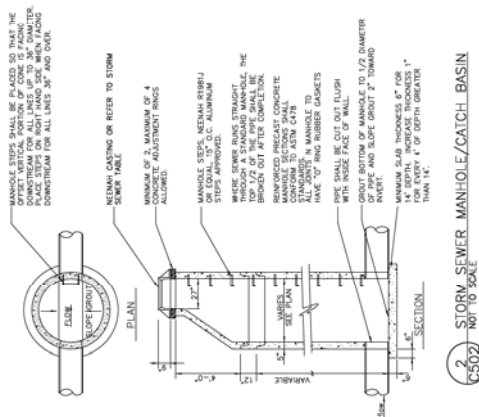


STATE OF MINNESOTA	DEPARTMENT OF TRANSPORTATION	TRUNCATED DOME	7038A

NOTE: FOR ADA COMPLIANT PEDESTRIAN RAMP, REFER TO MN/DOT STANDARD PLAN 5-297.230 PEDESTRIAN CURB RAMP DETAILS AT THE FOLLOWING WEB ADDRESS: [HTTP://STANDARDS.DOT.STATE.MN.US/SIDEPLATE.ASPX](http://standards.dot.state.mn.us/sideplate.aspx)

CONTRACTOR SHALL COORDINATE FINAL CURB RAMP LOCATION AND PEDESTRIAN CURB RAMP DETAIL WITH THE CITY AND OWNER PRIOR TO INSTALLATION.

1 PEDESTRIAN CURB RAMP — DETECTABLE WARNING
NOT TO SCALE



2 STORM SEWER MANHOLE/CATCH BASIN
NOT TO SCALE

[illegible]

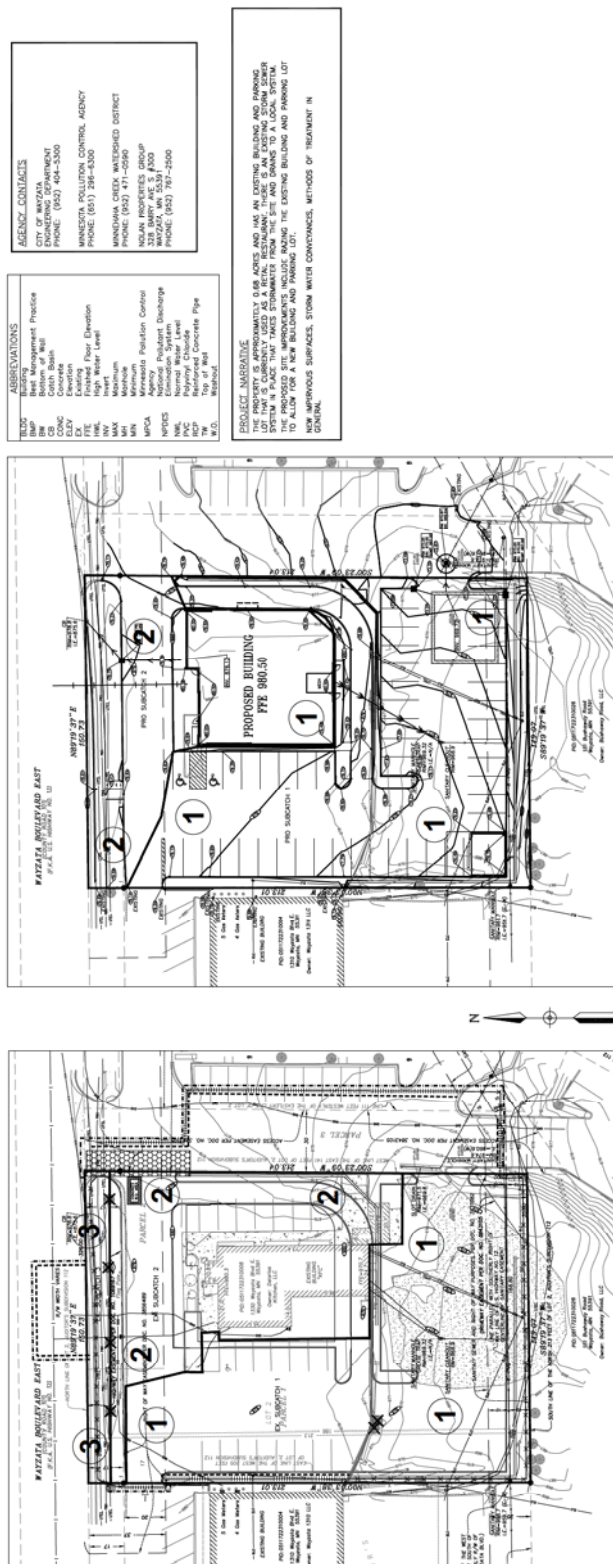
I hereby certify that this plan,
specification or

Printed Name: Keith A. Matte Date: 4/14/2017 Phone: 4667

[illegible]

Project #: 17232
Date: 4/14/2017
Drawn by: SJH, BMM
Checked by: KAB
Drawing Number

C600

Watershed
Plan

2 PROPOSED CONDITIONS

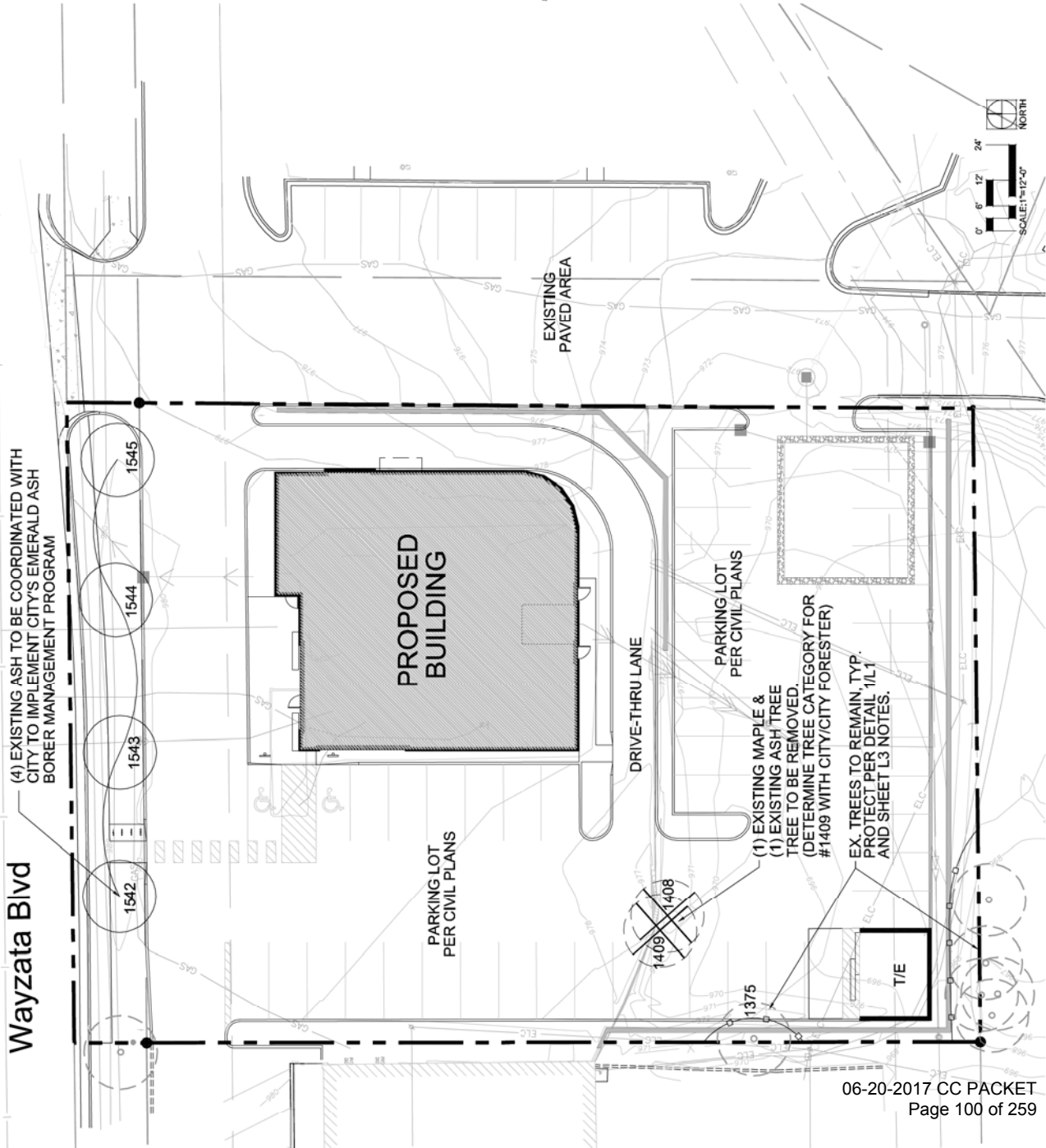
DRAINAGE AREA	PROPOSED DRAINAGE AREAS					
	IMPERVIOUS AREA (ACRES)	PERVIOUS AREA (ACRES)	TOTAL AREA (ACRES)	2-YEAR 10-YEAR (2.85' (4.28')	0 (Q5) STORM EVENT 100-YEAR (7.37')	ROUTING INFILTRATION SYSTEM
1	0.39	0.10	0.49	0.80	2.15	3.89
2	0.22	0.03	0.25	1.04	1.62	2.69
3	0.00	0.00	0.00	0.00	1.00	2.00

STORMWATER RUNOFF SUMMARY			
	2-YR STORM (2.65") RUNOFF (CFS)	10-YR STORM (4.26") RUNOFF (CFS)	100-YR STORM (7.37") RUNOFF (CFS)
EXISTING SITE	2.49	4.00	6.91
PROPOSED SITE	1.84	1.77	6.48



Wayzata Blvd

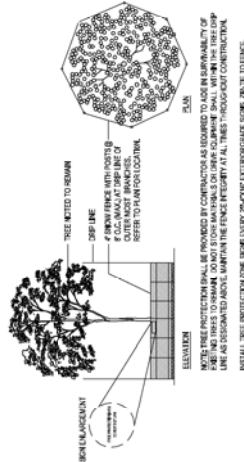
(4) EXISTING ASH TO BE COORDINATED WITH CITY TO IMPLEMENT CITY'S EMERALD ASH BORER MANAGEMENT PROGRAM



General Notes:

1. Refer to Sheet L3 for Plant Schedule, Details, Notes, and Requirements.
2. See Civil Engineer's plans for grading layout and requirements.
3. Contractor to coordinate all work in the right-of-way with City of Wayzata Public Works Department and Hennepin County.
4. See Architect's plans for additional requirements regarding the site plan layout.
5. Sod all disturbed areas except plant beds and mulch beds.
6. Place a minimum of 6" topsoil or slope dressing on all areas disturbed by construction, including right-of-way boulevards, unless specified otherwise.
7. Install tree mulch ring on new trees planted in turf areas.

Symbols Legend:



TYPICAL TREE PROTECTION DETAIL

Existing Tree Summary:

Category	Quantity	Remarks
Maple	1	100% Survival
Ash	1	100% Survival
Other	1	100% Survival
Total	3	

Maple: 100% Survival
Ash: 100% Survival
Other: 100% Survival
Total: 3

TREE INVENTORY & PRESERVATION PLAN:



Commercial

Site

1330 Wayzata Blvd E
Wayzata, Minnesota
55391

NOT FOR
CONSTRUCTION

No. Date Revision

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 Landscape Architect under the laws of the state of MINNESOTA.

Signature
Printed Name: Benjamin Harberg
Date: License #: 48054

No. Description Date

Project #: 7025
Date: 6/14/2017
Drawn by: JH
Checked by: BH
Drawing Number

Tree Inventory
& Preservation

L1



No.	Date	Revision
1	4/10/2017	Initial Design
2	4/10/2017	Revised Design
3	4/10/2017	Revised Design
4	4/10/2017	Revised Design
5	4/10/2017	Revised Design
6	4/10/2017	Revised Design
7	4/10/2017	Revised Design
8	4/10/2017	Revised Design
9	4/10/2017	Revised Design
10	4/10/2017	Revised Design
11	4/10/2017	Revised Design
12	4/10/2017	Revised Design
13	4/10/2017	Revised Design
14	4/10/2017	Revised Design
15	4/10/2017	Revised Design
16	4/10/2017	Revised Design
17	4/10/2017	Revised Design
18	4/10/2017	Revised Design
19	4/10/2017	Revised Design
20	4/10/2017	Revised Design
21	4/10/2017	Revised Design
22	4/10/2017	Revised Design
23	4/10/2017	Revised Design
24	4/10/2017	Revised Design
25	4/10/2017	Revised Design
26	4/10/2017	Revised Design
27	4/10/2017	Revised Design
28	4/10/2017	Revised Design
29	4/10/2017	Revised Design
30	4/10/2017	Revised Design
31	4/10/2017	Revised Design
32	4/10/2017	Revised Design
33	4/10/2017	Revised Design
34	4/10/2017	Revised Design
35	4/10/2017	Revised Design
36	4/10/2017	Revised Design
37	4/10/2017	Revised Design
38	4/10/2017	Revised Design
39	4/10/2017	Revised Design
40	4/10/2017	Revised Design
41	4/10/2017	Revised Design
42	4/10/2017	Revised Design
43	4/10/2017	Revised Design
44	4/10/2017	Revised Design
45	4/10/2017	Revised Design
46	4/10/2017	Revised Design
47	4/10/2017	Revised Design
48	4/10/2017	Revised Design
49	4/10/2017	Revised Design
50	4/10/2017	Revised Design
51	4/10/2017	Revised Design
52	4/10/2017	Revised Design
53	4/10/2017	Revised Design
54	4/10/2017	Revised Design
55	4/10/2017	Revised Design
56	4/10/2017	Revised Design
57	4/10/2017	Revised Design
58	4/10/2017	Revised Design
59	4/10/2017	Revised Design
60	4/10/2017	Revised Design
61	4/10/2017	Revised Design
62	4/10/2017	Revised Design
63	4/10/2017	Revised Design
64	4/10/2017	Revised Design
65	4/10/2017	Revised Design
66	4/10/2017	Revised Design
67	4/10/2017	Revised Design
68	4/10/2017	Revised Design
69	4/10/2017	Revised Design
70	4/10/2017	Revised Design
71	4/10/2017	Revised Design
72	4/10/2017	Revised Design
73	4/10/2017	Revised Design
74	4/10/2017	Revised Design
75	4/10/2017	Revised Design
76	4/10/2017	Revised Design
77	4/10/2017	Revised Design
78	4/10/2017	Revised Design
79	4/10/2017	Revised Design
80	4/10/2017	Revised Design
81	4/10/2017	Revised Design
82	4/10/2017	Revised Design
83	4/10/2017	Revised Design
84	4/10/2017	Revised Design
85	4/10/2017	Revised Design
86	4/10/2017	Revised Design
87	4/10/2017	Revised Design
88	4/10/2017	Revised Design
89	4/10/2017	Revised Design
90	4/10/2017	Revised Design
91	4/10/2017	Revised Design
92	4/10/2017	Revised Design
93	4/10/2017	Revised Design
94	4/10/2017	Revised Design
95	4/10/2017	Revised Design
96	4/10/2017	Revised Design
97	4/10/2017	Revised Design
98	4/10/2017	Revised Design
99	4/10/2017	Revised Design
100	4/10/2017	Revised Design

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 Landscape Architect under the laws of the state of MINNESOTA.

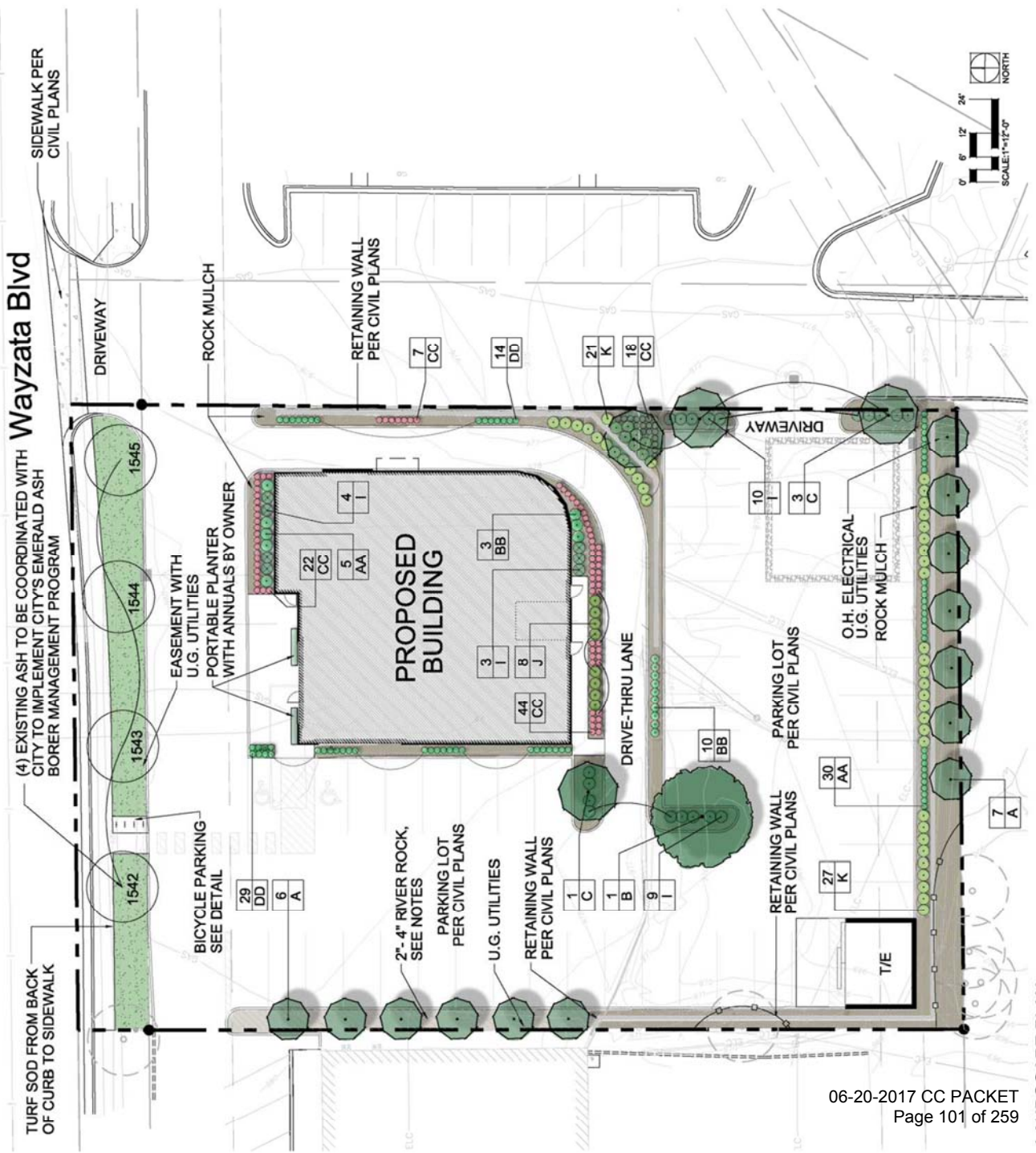
Signature: Benjamin Hartberg
 Printed Name: Benjamin Hartberg
 Date: 4/10/2017
 License #: 46094

No.	Date	Revision
1	4/10/2017	Initial Design
2	4/10/2017	Revised Design
3	4/10/2017	Revised Design
4	4/10/2017	Revised Design
5	4/10/2017	Revised Design
6	4/10/2017	Revised Design
7	4/10/2017	Revised Design
8	4/10/2017	Revised Design
9	4/10/2017	Revised Design
10	4/10/2017	Revised Design
11	4/10/2017	Revised Design
12	4/10/2017	Revised Design
13	4/10/2017	Revised Design
14	4/10/2017	Revised Design
15	4/10/2017	Revised Design
16	4/10/2017	Revised Design
17	4/10/2017	Revised Design
18	4/10/2017	Revised Design
19	4/10/2017	Revised Design
20	4/10/2017	Revised Design
21	4/10/2017	Revised Design
22	4/10/2017	Revised Design
23	4/10/2017	Revised Design
24	4/10/2017	Revised Design
25	4/10/2017	Revised Design
26	4/10/2017	Revised Design
27	4/10/2017	Revised Design
28	4/10/2017	Revised Design
29	4/10/2017	Revised Design
30	4/10/2017	Revised Design
31	4/10/2017	Revised Design
32	4/10/2017	Revised Design
33	4/10/2017	Revised Design
34	4/10/2017	Revised Design
35	4/10/2017	Revised Design
36	4/10/2017	Revised Design
37	4/10/2017	Revised Design
38	4/10/2017	Revised Design
39	4/10/2017	Revised Design
40	4/10/2017	Revised Design
41	4/10/2017	Revised Design
42	4/10/2017	Revised Design
43	4/10/2017	Revised Design
44	4/10/2017	Revised Design
45	4/10/2017	Revised Design
46	4/10/2017	Revised Design
47	4/10/2017	Revised Design
48	4/10/2017	Revised Design
49	4/10/2017	Revised Design
50	4/10/2017	Revised Design
51	4/10/2017	Revised Design
52	4/10/2017	Revised Design
53	4/10/2017	Revised Design
54	4/10/2017	Revised Design
55	4/10/2017	Revised Design
56	4/10/2017	Revised Design
57	4/10/2017	Revised Design
58	4/10/2017	Revised Design
59	4/10/2017	Revised Design
60	4/10/2017	Revised Design
61	4/10/2017	Revised Design
62	4/10/2017	Revised Design
63	4/10/2017	Revised Design
64	4/10/2017	Revised Design
65	4/10/2017	Revised Design
66	4/10/2017	Revised Design
67	4/10/2017	Revised Design
68	4/10/2017	Revised Design
69	4/10/2017	Revised Design
70	4/10/2017	Revised Design
71	4/10/2017	Revised Design
72	4/10/2017	Revised Design
73	4/10/2017	Revised Design
74	4/10/2017	Revised Design
75	4/10/2017	Revised Design
76	4/10/2017	Revised Design
77	4/10/2017	Revised Design
78	4/10/2017	Revised Design
79	4/10/2017	Revised Design
80	4/10/2017	Revised Design
81	4/10/2017	Revised Design
82	4/10/2017	Revised Design
83	4/10/2017	Revised Design
84	4/10/2017	Revised Design
85	4/10/2017	Revised Design
86	4/10/2017	Revised Design
87	4/10/2017	Revised Design
88	4/10/2017	Revised Design
89	4/10/2017	Revised Design
90	4/10/2017	Revised Design
91	4/10/2017	Revised Design
92	4/10/2017	Revised Design
93	4/10/2017	Revised Design
94	4/10/2017	Revised Design
95	4/10/2017	Revised Design
96	4/10/2017	Revised Design
97	4/10/2017	Revised Design
98	4/10/2017	Revised Design
99	4/10/2017	Revised Design
100	4/10/2017	Revised Design

Project #: 1705
 Date: 4/10/2017
 Drawn by: MF
 Checked by: BH
 Drawing Number: 1705-01

Landscape Plan

L2



Wayzata Blvd

(4) EXISTING ASH TO BE COORDINATED WITH CITY TO IMPLEMENT CITY'S EMERALD ASH BORER MANAGEMENT PROGRAM

TURF SOD FROM BACK OF CURB TO SIDEWALK

SIDEWALK PER CIVIL PLANS

DRIVEWAY

ROCK MULCH

EASEMENT WITH U.G. UTILITIES PORTABLE PLANTER WITH ANNUALS BY OWNER

RETAINING WALL PER CIVIL PLANS

PROPOSED BUILDING

DRIVE-THRU LANE

DRIVEWAY

O.H. ELECTRICAL U.G. UTILITIES

ROCK MULCH

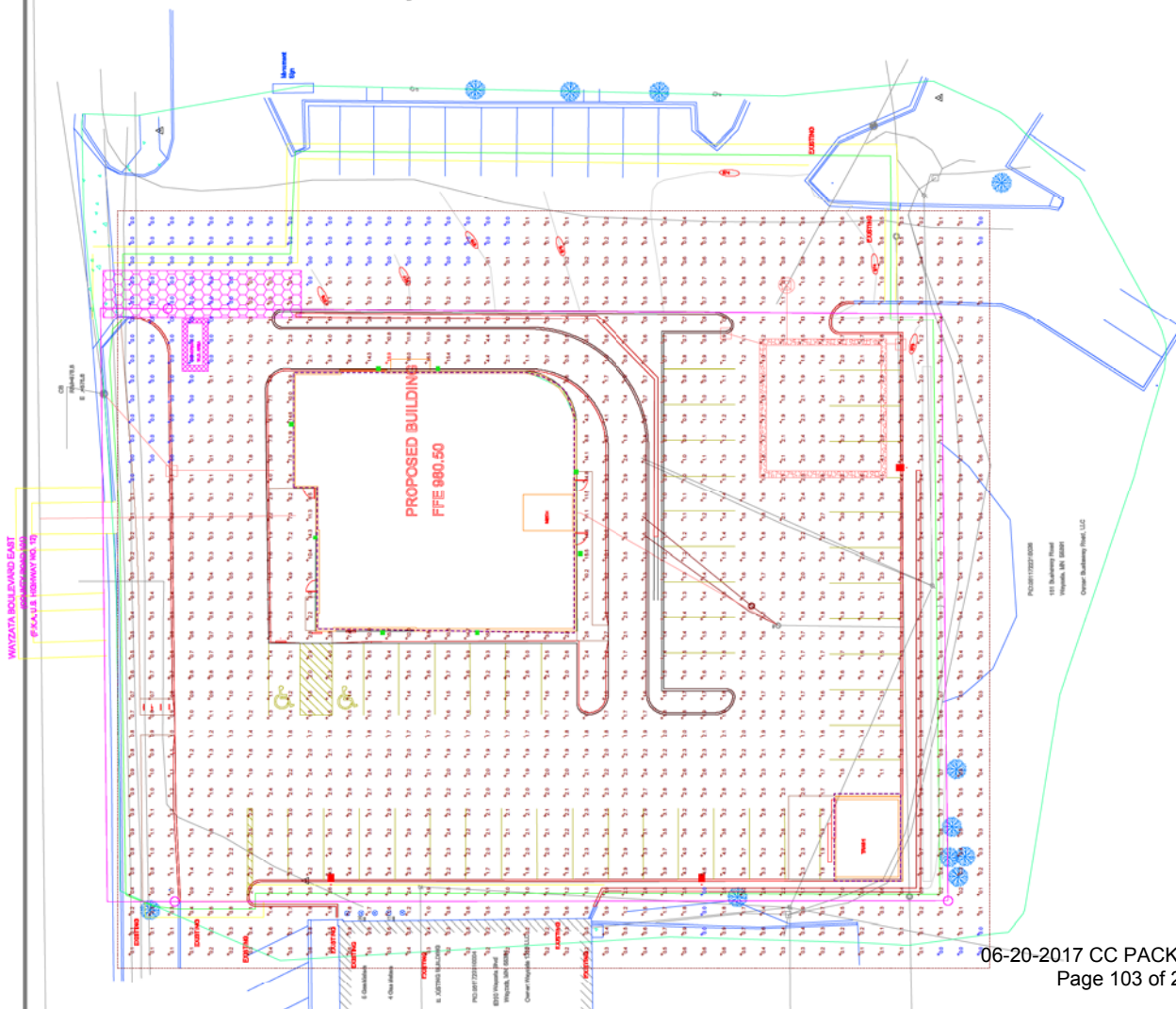
PARKING LOT PER CIVIL PLANS

RETAINING WALL PER CIVIL PLANS

T/E



Luminaire Locations										
Location						Aim				
No.	Label	X	Y	Z	MH	Orientation	Tilt	X	Y	Z
1	A	470932.00	165572.00	9.00	9.00	90.00	0.00	470932.00	165572.00	0.00
2	A	470932.00	165557.00	9.00	9.00	90.00	0.00	470932.00	165557.00	0.00
3	A	470906.00	165522.00	9.00	9.00	180.00	0.00	470906.00	165522.00	0.00
4	A	470895.00	165521.00	9.00	9.00	180.00	0.00	470895.00	165521.00	0.00
5	A	470899.00	165588.00	9.00	9.00	0.00	0.00	470899.00	165588.00	0.00
6	A	470918.00	165594.00	9.00	9.00	0.00	0.00	470918.00	165594.00	0.00
7	A	470895.00	165571.00	9.00	9.00	270.00	0.00	470895.00	165571.00	0.00
8	A	470895.00	165547.00	9.00	9.00	270.00	0.00	470895.00	165547.00	0.00
1	B	470801.00	165490.00	25.00	25.00	90.00	0.00	470801.00	165490.00	0.00
2	B	470801.00	165584.00	25.00	25.00	90.00	0.00	470801.00	165584.00	0.00
3	B	470907.00	165438.00	25.00	25.00	0.00	0.00	470907.00	165438.00	0.00



Technical Memorandum

To: Katelyn Murray, Nolan Properties Group
From: Bryant Ficek, PE, PTOE
Max Moreland, PE
Date: April 21, 2017
Re: 1330 Wayzata Boulevard Redevelopment – Traffic and Parking Review

Nolan Properties Group has contracted with Spack Consulting to complete a review of the proposed redevelopment for the 1330 Wayzata Boulevard site in Wayzata, Minnesota. The purpose of this technical memorandum is to:

- Document traffic associated with the existing site.
- Determine the expected traffic for two redevelopment scenarios.
- Determine the expected peak parking demand for two redevelopment scenarios.
- Review the proposed concept site plan.

Conclusions

Based on the analysis and evaluation contained in this technical memorandum, the principle findings and recommendations are:

- The existing restaurant is generating approximately 452 daily trips, 81 mid-day peak hour trips, and 47 p.m. peak hour trips.
- The existing restaurant's traffic is well below the typical traffic expectations for a fast food restaurant.
- The proposed redevelopment of the site will increase traffic compared to the existing restaurant.
- Scenario 1 for this site, the morning breakfast user + fast casual lunch/dinner restaurant option, is forecast to generate more traffic than Scenario 2, the restaurant + retail option. Both sets of estimated traffic are higher than the existing restaurant. Although, only Scenario 1 is higher than what would normally be expected from a typical fast food restaurant.
- Summing the raw parking generation for each land use, the peak parking demands would be 45 spaces for Scenario 1 and 28 spaces for Scenario 2. The proposed redevelopment concept site plan shows 47 spaces, enough to cover the expected summed parking demand at peak hours.
- A marked crosswalk of the drive-thru should be considered to improve the pedestrian connection between the parking and building entrance.
- The proposed drive-thru has sufficient length to accommodate approximately seven vehicles, with an addition four spots within the proposed parking area. The maximum observed stacking is 11 vehicles for a morning breakfast user and about six vehicles for a casual food restaurant.
- Accessing the drive-thru from the southeast side of the site allows for vehicle entries and exits even in the event of a maximum drive through queue condition.

Existing Traffic Review

Video counts were conducted at the existing site over two weekdays in April 2017 to determine traffic associated with the existing KFC restaurant. These counts were from 9:00 a.m. to midnight and counted every vehicle that accessed the site. For reference, the store's hours of operation are 10:30 a.m. to 10:00 p.m. every day. Table 1 summarizes the count data with the full count data attached. The midday peak hour for both days was found to be 11:30 a.m. to 12:30 p.m. and the p.m. peak hour for both days was found to be 4:30 to 5:30 p.m.

Table 1 – Existing Weekday Vehicles Entering/Exiting Site

Date	Daily		Midday Peak Hour		PM Peak Hour	
	In	Out	In	Out	In	Out
Wednesday, April 5, 2017	217	217	41	41	21	23
Thursday, April 6, 2017	235	235	43	37	25	24
Average	226	226	42	39	23	24

From the trip generation counts, parking lot counts can also be determined. Adding the entering vehicles and subtracting the exiting vehicles, the number of vehicles remaining in the parking lot throughout the day can be determined. For April 5, the maximum number of vehicles in the lot at any one time was 16 vehicles. For April 6, the maximum number of vehicles in the lot at any one time was 22 vehicles.

Spack Consulting collects current average traffic volumes for various land uses in the Twin Cities regional area for use in our studies. Local data is considered more relevant than the national data as it is generally newer and accounts for our area's specific characteristics and driving habits. For comparison purposes, the expected trip generation of a general fast food restaurant was reviewed. Table 2 shows the expected trip generation of a fast food restaurant with the average trip generation for this specific site.

Table 2 – Trip Generation Comparison, Existing versus Expected

Date	Daily		Midday Peak Hour		PM Peak Hour	
	In	Out	In	Out	In	Out
Existing Store Average	226	226	42	39	23	24
Comparison Fast Food	703	703	89	87	45	44
Difference	(477)	(477)	(47)	(48)	(22)	(20)

As shown, the existing store is generating less traffic than would be expected at a comparable fast food restaurant. It can also be assumed that parking needs, if the site were fully generating the expected amount of traffic, would also increase.

Forecast Traffic Review

The attached preliminary site plan shows the proposed 4,500 square feet building with a drive-thru. Two potential scenarios are envisioned for this redeveloped building:

- Scenario 1: approximately 2,200 square foot primarily morning breakfast user (i.e. coffee, bagels, breakfast) with drive-thru and approximately 2,300 square foot fast casual restaurant.
- Scenario 2: approximately 2,300 square foot retail shop and approximately 2,200 square foot fast casual restaurant with a drive-thru.

A trip generation analysis was performed for the proposed site based on the methods and average rates published in the Institute of Transportation Engineers' (ITE) *Trip Generation Manual, 9th Edition* as well as trip generation data collected locally in the Twin Cities by Spack Consulting. The ITE Trip Generation Manual is a compilation of traffic data from existing developments throughout the United States. As mentioned, it is recommended to use local trip generation data where possible as it may more accurately depict traffic patterns than a national database.

For the fast casual restaurant land use, our local rates were used. However, these rates show no distinction between a fast-casual restaurant with a drive-thru and one without a drive-thru. For the retail and morning breakfast land uses, local data is not available. Instead, national data from ITE was consulted. For the midday rates, which is not provided in the national data, an average of the a.m. and p.m. peak hour rates was used. Table 3 shows a summary of the proposed redevelopment trip generation for each scenario. A detailed trip generation table is attached.

Table 3 – Forecast Trip Generation for Proposed Redevelopment Scenarios

Source	Development Description	Daily		AM Peak Hour		Midday Peak Hour		PM Peak Hour	
		In	Out	In	Out	In	Out	In	Out
ITE - 937	Coffee Shop w/Drive-Thru* (2,200 square feet)	900	900	113	108	80	78	47	47
Local – Fast Casual	Fast-Casual Restaurant (2,300 square feet)	353	353	9	6	52	47	34	31
Scenario 1 Total – Morning Breakfast & Restaurant		1,253	1,253	122	114	132	125	81	78
ITE - 826	Specialty Retail (2,300 square feet)	51	51	8	8	5	6	3	3
Local – Fast Casual	Fast-Casual Restaurant w/Drive-Thru (2,200 square feet)	338	338	9	6	49	45	33	29
Scenario 2 Total – Restaurant & Retail		389	389	17	14	54	51	36	32

* Morning breakfast user for development, ITE land use is called Coffee Shop with Drive-Thru.

As shown, Scenario 1 would expect to draw more trips than the existing land use or more than a typical fast food restaurant. Scenario 2 would expect more traffic than the existing land use, but less than a typical fast food restaurant. It should be noted that this trip generation represents total traffic to and from the site only. Not all of this traffic would be new to the transportation roadway system. Generally, traffic is sub-divided between three types of trips – new, pass-by, and internal. Pass-by trips are those vehicles already on the roads which will stop at the development site in the future. Internal trips are those vehicles within the site visiting both businesses. New trips represent traffic increasing the overall number of vehicles on the adjacent roadway.

Parking Generation

For each scenario, the expected parking was also examined. For the fast casual land use, the local data was again consulted. ITE provided parking data for a morning breakfast user and for a retail store. In this case, ITE makes no distinction between a specialty retail store, like the proposed development, and a shopping center. Table 4 presents the average parking generation for each land use type of each scenario.

Table 4 – Forecast Parking Generation for Proposed Redevelopment Scenarios

Source	Development Description	Peak Parking Generation	
		Weekday	Peak Period
Scenario 1 Total – Morning Breakfast User & Fast Casual Restaurant			
ITE - 937	Coffee Shop w/Drive-Thru* (2,200 square feet)	23	Morning
Local – Fast Casual	Fast-Casual Restaurant (2,300 square feet)	23	Mid-day
Scenario 2 Total – Restaurant & Retail			
ITE - 820	Shopping Center** (2,300 square feet)	6	Early Evening
Local – Fast Casual	Fast-Casual Restaurant w/Drive-Thru (2,200 square feet)	22	Mid-day

* Morning breakfast user for development, ITE land use is called Coffee Shop with Drive-Thru.

** Specialty retail user for development, ITE does not have a separate category apart from Shopping Center.

If the peaks are summed, the peak parking demands would be 46 spaces for Scenario 1 and 28 spaces for Scenario 2. As shown in the site plan, the proposed redevelopment would provide 47 spaces, enough to cover the expected summed parking demand. However, the peak parking periods of the individual land uses within each scenario are likely to occur at different times. Most importantly, the actual peak parking demand for the site under each redevelopment would be less than summed total. In addition, Scenario 2 has the potential for internal trips which would also reduce the peak parking. Based on this information, the proposed redevelopment would have sufficient parking to accommodate the expected peak demand for either scenario.

Site Plan Review

The proposed redevelopment site plan, attached, shows pedestrian accesses on the north and south side of the building. A marked crosswalk across the drive-thru entrance, connecting to the sidewalk curb cut, could be provided for pedestrians parked on the south side of the site.

Bicycle parking facilities are also shown on the north edge of the site. This area is also connected the sidewalk for the site. These elements are appropriate to potentially reduce the vehicle traffic to/from the site.

Assuming the drive-thru window is located at the north end of the building and approximately 20 feet per vehicle, about seven vehicles could be accommodated in the drive-thru lane. In 2012, Spack Consulting compiled a report looking at the drive-through lane usage at several land uses in Minnesota including coffee shops and fast food restaurants. At each of these land uses, six different locations were observed from between one to five days and the maximum queue lengths for each day at each location were noted. This study is attached.

The daily maximum queue length was determined to be 11 vehicles at a coffee shop and nine vehicles at a fast food restaurant. No data was obtained for a casual food restaurant. Assuming a similar ratio to that for the trip generation, a casual food restaurant might expect approximately six vehicles stack in the drive- thru lane.

Based on this review, the shown drive-thru lane likely has sufficient space to accommodate the expected queuing for a casual food restaurant. However, a morning breakfast user (i.e. coffee, bagels, breakfast) maximum drive-thru stacking could exceed the available designated queueing lane at peak times. In that case, the vehicles will spill out of the drive-thru lane into the parking area, but within the property boundaries. This parking area at this site allows for additional stacking of approximately four vehicles. Considering the drive-thru lane and the internal stacking in the parking lot, sufficient space is provided for a potential primary morning breakfast user (i.e. coffee, bagels, breakfast),

The second site access on the southeast side of the site allows for vehicle entries and exits in the event of a maximum drive-thru queue blocking the parking lot drive aisle to the northern access. The expected morning breakfast user could create parking lot conflicts between parking vehicles and drive-thru queues at times.

Attachments

- A. Existing Trip Generation Counts
- B. Forecast Trip Generation Table
- C. Site Plan
- D. Drive-Thru Queue Generation Report

Attachment A - Existing Trip Generation Counts

1350 Wayzata Blvd Trip Generation Counts

4/5/2017							4/6/2017						
Time	Enter	Exit	Hourly Total	Hourly Enter	Hourly Exit	In Parking Lot	Time	Enter	Exit	Hourly Total	Hourly Enter	Hourly Exit	In Parking Lot
09:00	1	1	4	3	1	0	09:00	0	0	5	3	2	0
09:15	1	0	2	2	0	1	09:15	1	1	6	4	2	0
09:30	1	0	1	1	0	2	09:30	2	1	4	3	1	1
09:45	0	0	1	1	0	2	09:45	0	0	3	3	0	1
10:00	0	0	5	4	1	2	10:00	1	0	7	6	1	2
10:15	0	0	15	10	5	2	10:15	0	0	18	14	4	2
10:30	1	0	30	20	10	3	10:30	2	0	28	19	9	4
10:45	3	1	48	28	20	5	10:45	3	1	48	29	19	6
11:00	6	4	65	38	27	7	11:00	9	3	58	33	25	12
11:15	10	5	75	40	35	12	11:15	5	5	68	39	29	12
11:30	9	10	82	41	41	11	11:30	12	10	80	43	37	14
11:45	13	8	79	39	40	16	11:45	7	7	75	40	35	14
12:00	8	12	71	33	38	12	12:00	15	7	72	37	35	22
12:15	11	11	67	32	35	12	12:15	9	13	63	28	35	18
12:30	7	9	61	29	32	10	12:30	9	8	48	23	25	19
12:45	7	6	55	27	28	11	12:45	4	7	41	19	22	16
13:00	7	9	50	22	28	9	13:00	6	7	41	19	22	15
13:15	8	8	41	19	22	9	13:15	4	3	39	19	20	16
13:30	5	5	29	12	17	9	13:30	5	5	41	20	21	16
13:45	2	6	28	11	17	5	13:45	4	7	39	17	22	13
14:00	4	3	26	11	15	6	14:00	6	5	37	18	19	14
14:15	1	3	21	9	12	4	14:15	5	4	36	17	19	15
14:30	4	5	21	10	11	3	14:30	2	6	37	17	20	11
14:45	2	4	20	9	11	1	14:45	5	4	33	15	18	12
15:00	2	0	21	10	11	3	15:00	5	5	26	11	15	12
15:15	2	2	27	12	15	3	15:15	5	5	24	12	12	12
15:30	3	5	29	14	15	1	15:30	0	4	23	12	11	8
15:45	3	4	29	15	14	0	15:45	1	1	32	19	13	8
16:00	4	4	34	19	15	0	16:00	6	2	40	21	19	12
16:15	4	2	43	23	20	2	16:15	5	4	40	20	20	13
16:30	4	4	44	21	23	2	16:30	7	6	49	25	24	14
16:45	7	5	41	20	21	4	16:45	3	7	47	23	24	10
17:00	8	9	39	18	21	3	17:00	5	3	45	23	22	12
17:15	2	5	34	19	15	0	17:15	10	8	50	29	21	14
17:30	3	2	36	19	17	1	17:30	5	6	51	25	26	13
17:45	5	5	37	18	19	1	17:45	3	5	60	29	31	11
18:00	9	3	41	20	21	7	18:00	11	2	60	29	31	20
18:15	2	7	39	16	23	2	18:15	6	13	59	22	37	13
18:30	2	4	36	17	19	0	18:30	9	11	42	17	25	11
18:45	7	7	38	19	19	0	18:45	3	5	30	13	17	9
19:00	5	5	33	17	16	0	19:00	4	8	29	14	15	5
19:15	3	3	34	18	16	0	19:15	1	1	29	15	14	5
19:30	4	4	36	18	18	0	19:30	5	3	35	17	18	7
19:45	5	4	32	16	16	1	19:45	4	3	32	15	17	8
20:00	6	5	27	13	14	2	20:00	5	7	31	13	18	6
20:15	3	5	24	11	13	0	20:15	3	5	27	13	14	4
20:30	2	2	18	9	9	0	20:30	3	2	25	12	13	5
20:45	2	2	18	9	9	0	20:45	2	4	21	9	12	3
21:00	4	4	16	8	8	0	21:00	5	3	17	8	9	5
21:15	1	1	8	4	4	0	21:15	2	4	9	3	6	3
21:30	2	2	6	3	3	0	21:30	0	1	5	1	4	2
21:45	1	1	2	1	1	0	21:45	1	1	4	1	3	2
22:00	0	0	0	0	0	0	22:00	0	0	2	0	2	2
22:15	0	0	0	0	0	0	22:15	0	2	2	0	2	0
22:30	0	0	0	0	0	0	22:30	0	0	0	0	0	0
22:45	0	0	1	1	0	0	22:45	0	0	0	0	0	0
23:00	0	0	2	1	1	0	23:00	0	0	0	0	0	0
23:15	0	0				0	23:15	0	0				0
23:30	1	0				1	23:30	0	0				0
23:45	0	1				0	23:45	0	0				0
TOTAL	217	217					TOTAL	235	235				

Forecast Trip Generation

Daily Volumes

LAND USE	ITE CODE #	DEVELOPMENT UNITS	QUANTITY	DAILY RATE	ENTER PERCENT	EXIT PERCENT	INTERNAL PERCENT	INTERNAL TRIPS	PASSBY PERCENT	PASSBY TRIPS	NEW TRIPS	
Coffee Shop w/Drive-Thru	937	1,000 GFA	2.2	818.58	50%	50%	0%	0	89%	1,603	ENTER	EXIT
Fast Casual Restaurant	Local	1,000 GFA	2.2	306.88	50%	50%	0%	0	49%	331	172	172
								0		1,934	271	271
TOTALS (Coffee Shop & Restaurant)												
Fast Casual Restaurant w/Drive-Thru	Local	1,000 GFA	2.2	306.88	50%	50%	7%	47	49%	331	149	149
Specialty Retail	826	1,000 GFA	2.2	44.32	50%	50%	7%	7	34%	33	29	29
								54		364	178	178
TOTALS (Restaurant & Retail)												

AM Peak Hour

LAND USE	ITE CODE #	DEVELOPMENT UNITS	QUANTITY	AM RATE	ENTER PERCENT	EXIT PERCENT	INTERNAL PERCENT	INTERNAL TRIPS	PASSBY PERCENT	PASSBY TRIPS	NEW TRIPS	
Coffee Shop w/Drive-Thru	937	1,000 GFA	2.2	100.58	51%	49%	0%	0	89%	197	14	10
Fast Casual Restaurant	Local	1,000 GFA	2.2	6.88	59%	41%	0%	0	49%	7	5	2
								0		204	19	12
TOTALS (Coffee Shop & Restaurant)												
Fast Casual Restaurant w/Drive-Thru	Local	1,000 GFA	2.2	6.88	59%	41%	13%	2	49%	7	4	2
Specialty Retail	826	1,000 GFA	2.2	6.84	48%	52%	13%	2	34%	5	4	4
								4		13	8	6
TOTALS (Restaurant & Retail)												

Midday Peak Hour

LAND USE	ITE CODE #	DEVELOPMENT UNITS	QUANTITY	MIDDAY RATE	ENTER PERCENT	EXIT PERCENT	INTERNAL PERCENT	INTERNAL TRIPS	PASSBY PERCENT	PASSBY TRIPS	NEW TRIPS	
Coffee Shop w/Drive-Thru	937	1,000 GFA	2.2	71.69	51%	49%	0%	0	89%	140	9	8
Fast Casual Restaurant	Local	1,000 GFA	2.2	42.71	53%	47%	0%	0	49%	46	26	21
								0		186	35	29
TOTALS (Coffee Shop & Restaurant)												
Fast Casual Restaurant w/Drive-Thru	Local	1,000 GFA	2.2	42.71	53%	47%	6%	6	49%	46	24	19
Specialty Retail	826	1,000 GFA	2.2	4.78	46%	54%	6%	1	34%	4	3	4
								6		50	27	23
TOTALS (Restaurant & Retail)												

PM Peak Hour

LAND USE	ITE CODE #	DEVELOPMENT UNITS	QUANTITY	PM RATE	ENTER PERCENT	EXIT PERCENT	INTERNAL PERCENT	INTERNAL TRIPS	PASSBY PERCENT	PASSBY TRIPS	NEW TRIPS	
Coffee Shop w/Drive-Thru	937	1,000 GFA	2.2	42.80	50%	50%	0%	0	89%	84	5	5
Fast Casual Restaurant	Local	1,000 GFA	2.2	28.27	53%	47%	0%	0	50%	31	17	14
								0		115	22	19
TOTALS (Coffee Shop & Restaurant)												
Fast Casual Restaurant w/Drive-Thru	Local	1,000 GFA	2.2	28.27	53%	47%	9%	6	50%	31	15	11
Specialty Retail	826	1,000 GFA	2.2	2.71	44%	56%	9%	1	34%	2	1	2
								6		33	16	13
TOTALS (Restaurant & Retail)												

NOTES:

- GFA = Gross Floor Area
- Trip generation rates for Coffee Shop & Specialty Retail based on "Trip Generation", Institute of Transportation Engineers, 9th Edition.
- Trip generation rates for Fast Casual Restaurant & Fast Casual Restaurant w/Drive-Thru based on locally collected data by Spack Consulting.
- A.M. Trip Generation is for the peak hour of adjacent street traffic (one hour between 7 and 9 a.m.).
- P.M. Trip Generation is for the peak hour of adjacent street traffic (one hour between 4 and 6 p.m.).
- A.M. Trip Generation for Specialty Retail is for the peak hour of generator.
- Midday Trip Generation for Coffee Shop and Specialty Retail based on average of AM & PM Peak Hour rates.
- Reduction for internal and passby trips (Internal Percent) is based on "Trip Generation Handbook", Institute of Transportation Engineers, 3rd Edition.
- The passby rate for ITE 826, Specialty Retail, is based on the similar ITE 820, Shopping Center.
- The passby rate for Fast Casual Restaurant & Fast Casual Restaurant w/Drive-Thru is based on the similar ITE 934, Fast Food with Drive Thru.
- The passby rate for ITE 937, Coffee Shop w/Drive-Thru, is based on the similar ITE 938, Coffee Shop w/Drive-Thru and No Indoor Seating.

1330 WAYZATA BLVD E



Studio 55 Architects, LLP
10700 Highway 55, Suite 275
Plymouth, MN 55441
P: 763-885-5555
studio55architects.com

Nolan Properties Group
328 Barry Avenue S. #300
Wayzata, Minnesota 55391

Commercial Site
1330 Wayzata Blvd E.
Wayzata, Minnesota 55391

CLIENT
1930 WAYZATA, LLC
328 BARRY AVE. S.
SUITE 300
WAYZATA, MN 55391

ARCHITECT
STUDIO 55 ARCHITECTS
10700 HWY 55, SUITE 275
PLYMOUTH, MN 55441
763-885-5555

LANDSCAPE ARCHITECT
CALIX DESIGN GROUP
9709 SHELBY AVE. SUITE 301
ST. PAUL, MN 55142
651-788-9410

CIVIL ENGINEER
BGM ENGINEERING
8920 BROOKLYN BLVD
MINNEAPOLIS, MN 55420
763-843-4421

TRAFFIC ENGINEER
SPACK CONSULTING
8700 W 34TH ST.
ST. LOUIS PARK, MN
888-335-9962

ZONING DATA

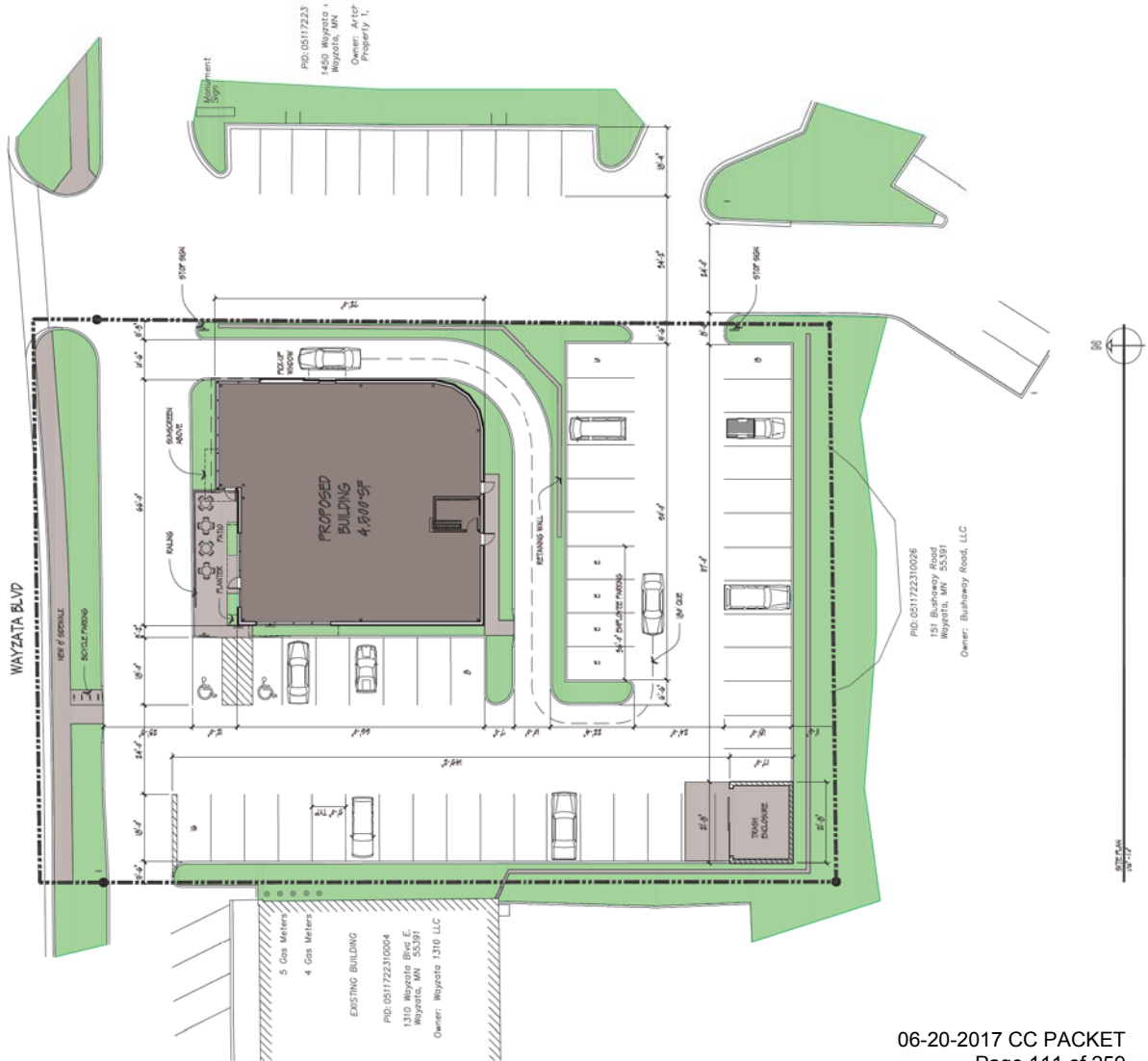
- ZONING DISTRICT: C3
- BUILDING SETBACK FRONT: 10'
- BUILDING SETBACK REAR: 10'
- BUILDING SETBACK SIDE: 10'
- PARKING SETBACK FRONT: 10'
- PARKING SETBACK REAR: 10'
- PARKING SETBACK SIDE: 10'

AREA SUMMARY

- LOT AREA EXISTING: .75 AC (31,920 SF)
- INTERVIEWS: 94 AC (INCL. EXISTING BLDG)
- PERVIOUS: 19 AC
- PROPOSED: 41 AC (INCL. PROPOSED 4,800 SF BLDG)
- INTERVIEWS: 12 AC

PARKING SUMMARY

- REQUIRED PARKING: REFER TO SPACK CONSULTING TRAFFIC STUDY
- PROVIDED PARKING: STANDARD STALLS: 49
ACCESSIBLE STALLS: 2
- TOTAL: 47 STALLS
- REQUIRED / PROVIDED BICYCLE PARKING: 4 STALLS



Drive-Through Queue Generation

Mike Spack, PE, PTOE, Max Moreland, EIT, Lindsay de Leeuw, Nate Hood

1.0 Introduction

This report provides queuing data for businesses with drive-through services. It is intended to be an aid for site designers and reviewers, similar to the Institute of Transportation Engineers' *Trip Generation* and *Parking Generation* reports. The data presentation is modeled on the *Parking Generation* report and data is provided based on at least six sites, similar to data sets marked as statistically significant in *Trip Generation*.

Businesses with drive-through lanes are very common in the United States and having data that gives usage information for drive-through lanes will assist designers as well as cities in determining the appropriate amount of storage needed for proposed drive-through businesses. Data for drive-through queues was published by the ITE Technical Council Committee 5D-10 in 1995 based on information collected between the late 1960's and the 1990's. A paper was also published in 2009 by Mark Stuecheli, PTP giving updated information for bank and coffee shop drive-through lanes. The results from the 2009 study are incorporated into this paper (thank you Mark for your assistance).

2.0 Data Collection

Data was collected using COUNTcam video recording systems at a total of 30 drive-through locations in Minneapolis, MN and several surrounding suburbs between 2010 and 2012 (26 of the 30 videos were recorded in February of 2012, which should represent peak usage in the cold Minnesota winter). Videos of drive-through lanes were collected at banks, car washes, coffee shops, fast food restaurants and pharmacies. A total of six locations were selected for each of the five different land uses. Each location was recorded for between one and five days where the majority of locations were recorded for two consecutive days. The days of the week that each video was recorded on varies.

The 24-hour videos were watched at high speeds with the PC-TAS counting software and maximum queues throughout the day were noted. Most of the COUNTcams were set up such that the entire queue lane could be seen, but at a few locations the drive-through lanes wrapped around the building in a way that the entire queue length would not be able to be seen. For these situations, the COUNTcams were set up so that the ordering window and back of the queue could be seen and it was noted how many vehicles could fit between the ordering window and the front of the queue. For drive-through locations with multiple lanes, the number of lanes was noted but the maximum queue is defined as the sum of the queues at each lane for any given point in time, not the queue per lane. This approach provides overall demand, which may assist designers in determining how many drive through lanes are appropriate in addition to determining how long they should be.



Once the maximum queue for each day at each location was determined, the data was compiled and statistics for each land use were calculated. The average maximum queue, standard deviation, coefficient of variation, range, 85th percentile and 33rd percentile were calculated for each land use.

Data for drive-through coffee shops and banks from the Kansas City, Kansas metropolitan area was published in the 2009 paper New Drive-Through Stacking Information for Banks and Coffee Shops by Mark Stuecheli. This data is included in the analysis.

3.0 Data Analysis

Based on the peak queue lengths, it is apparent that each land use will require a different minimum drive through stacking distance. The results for each land use can be found below. The peak queue lengths for each location, broken down by land use and day of the week, can be found in the Appendix.

3.1 Banks

Data collection was done at six banks with drive-through services (including one credit union) in August 2011 and February 2012. Twelve days of data were collected. The banks were located in the cities of Minneapolis, Robbinsdale and St. Louis Park, MN.

All of the locations had a lane with a drive-through ATM and at least two other lanes. Though service times may differ for ATM lanes compared to the regular lanes, the maximum queues were counted together. This is because based upon what was observed, vehicles would occasionally switch the lane they were in. For example, a vehicle waiting in the ATM line with a queue of three vehicles may move over to a regular line with a queue of only one vehicle. Much of what can be done at the bank's drive-through lane can also be accomplished at that bank's ATM and vice versa. Vehicles being served were counted as being in the queue.

Nine days of data from the Kansas City, Kansas area is also included. This data does not factor in vehicles in ATM lanes.

Table 3.1 – Drive-Through Bank Maximum Queue Statistics

	Minnesota Data	Minnesota + Kansas Data
Number of Data Points	12	21
Average Maximum Queue (Vehicles)	5.83	5.76
Standard Deviation (Vehicles)	1.85	2.21
Coefficient of Variation	32%	38%
Range (Vehicles)	3 to 8	1 to 10
85th Percentile (Vehicles)	8.00	8.00
33rd Percentile (Vehicles)	5.00	5.00

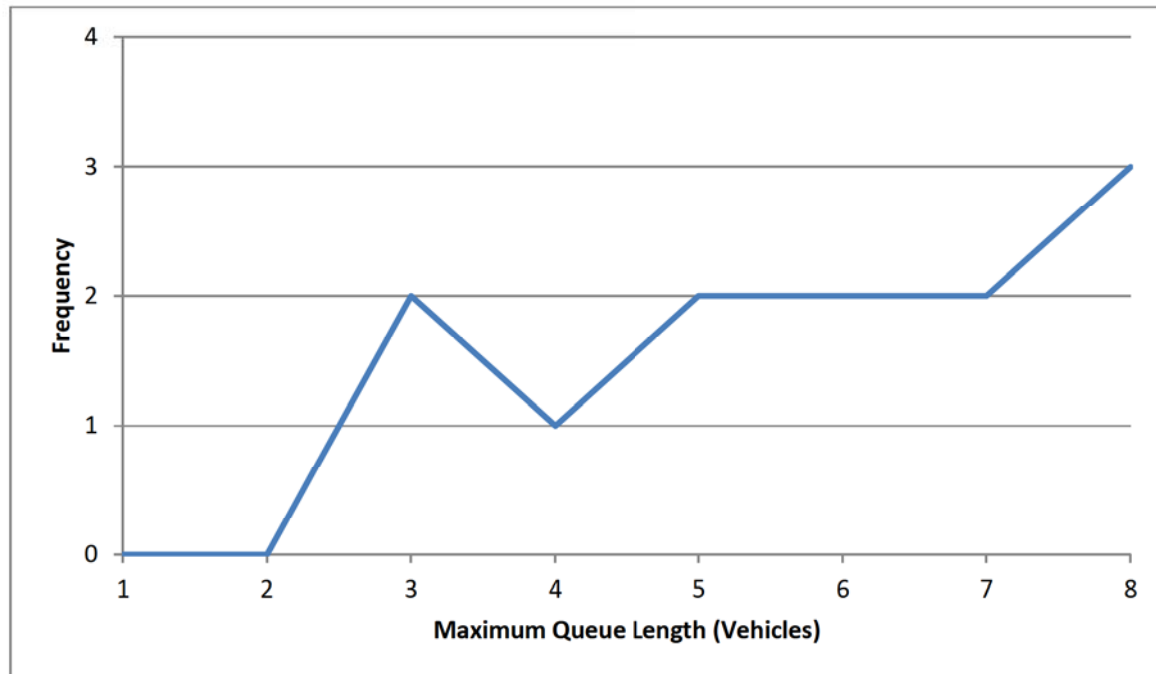


Figure 3.1.1 – Drive-Through Bank Maximum Queue Frequency – Minnesota Data

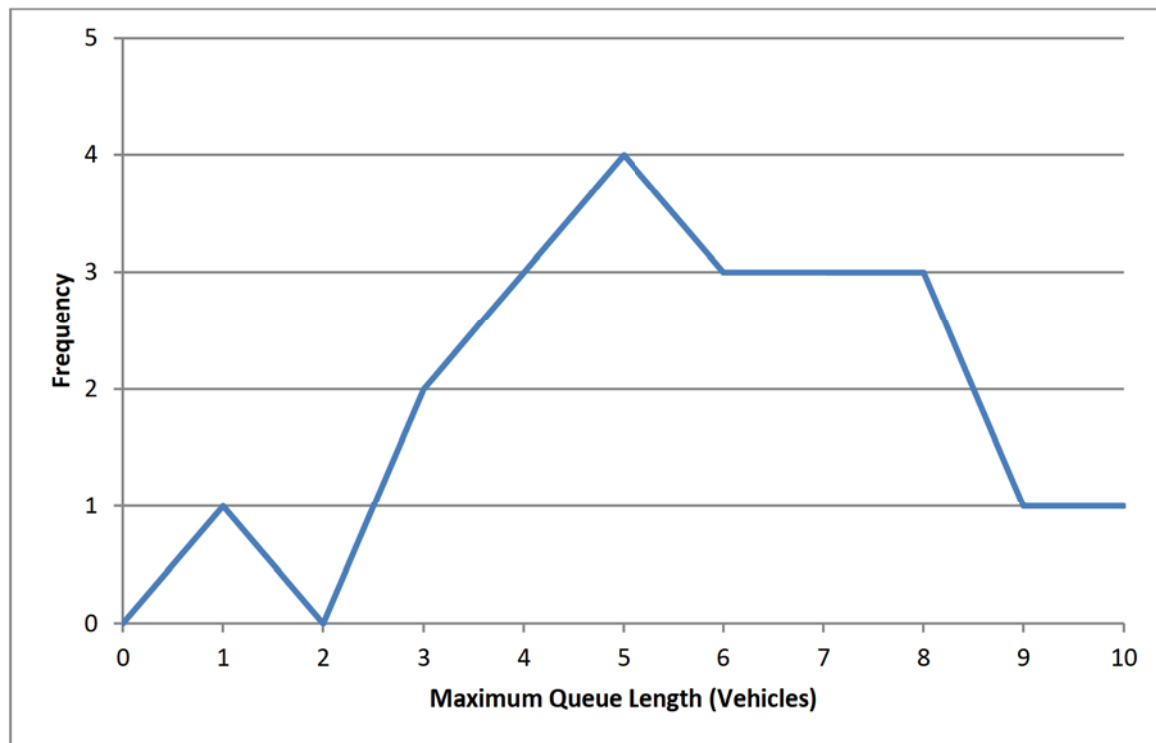


Figure 3.1.2 – Drive-Through Bank Maximum Queue Frequency – Minnesota + Kansas Data



The data for Kansas banks was collected between 4:30pm and 6:00pm. While many of the maximum queues for the data collected in Minnesota were between these times, maximum queues occurred between 8:30am and 5:30pm so it is possible that some of the Kansas data does not capture the actual maximum queues for the day.

The number of available lanes at banks, not including the ATM lane, ranged from two to seven lanes (though the most open at one time was five lanes). Even though plenty of lanes were available, cars often stacked at the lane closest to the building, thus additional lanes may not result in shorter queues. With an 85th percentile maximum queue of eight vehicles, the data suggests that banks with drive-through lanes should be able to accommodate 160 feet of vehicle stacking.

3.2 Car Washes

Data collection was done at six car washes with drive-through services (including one full-service car wash) in February 2012. Twelve days of data were collected. The car washes were located in the cities of Falcon Heights, Hopkins, Minneapolis, Roseville and St. Louis Park, MN. Five of the six car washes (excluding the full-service car wash) were located at gas stations. Only the vehicles waiting in line were counted; vehicles being washed were not added to the queue.

Table 3.2 – Drive-Through Car Wash Maximum Queue Statistics

Number of Data Points	12
Average Maximum Queue (Vehicles)	4.42
Standard Deviation (Vehicles)	2.31
Coefficient of Variation	52%
Range (Vehicles)	1 to 10
85th Percentile (Vehicles)	6.20
33rd Percentile (Vehicles)	3.00

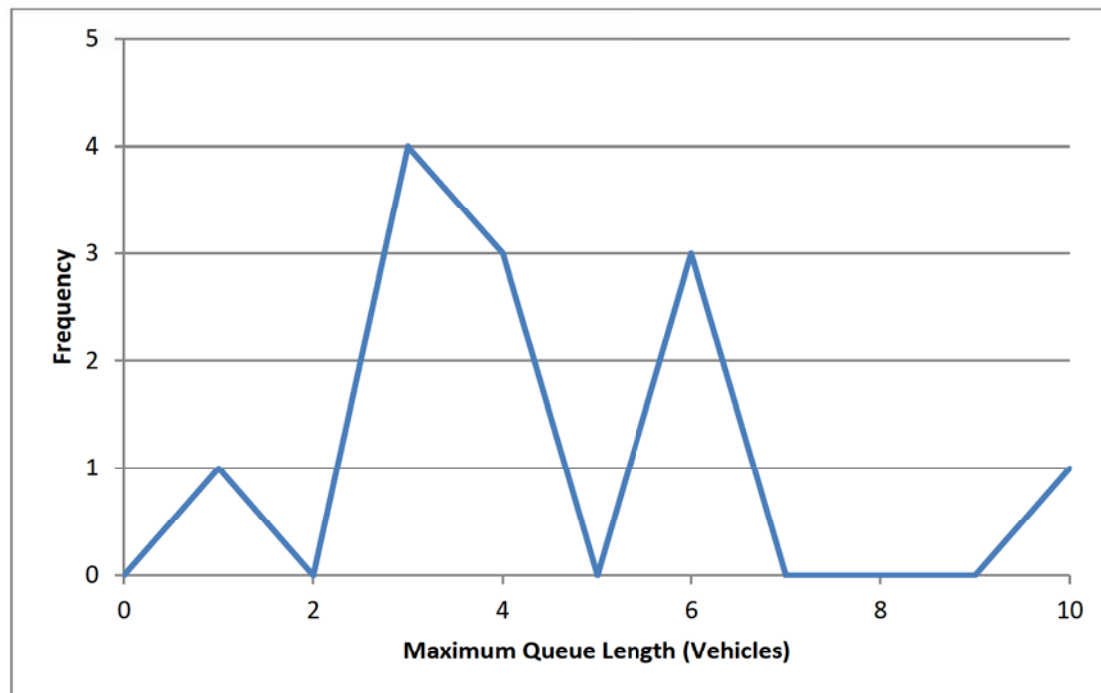


Figure 3.2 – Drive-Through Car Wash Maximum Queue Frequency

Two of the car washes had two lanes while the other four were one lane car washes. The full-service car wash had two lanes and also produced the highest maximum queue of 10 vehicles. The maximum queues for car washes were spread throughout the afternoon from 12:30pm to 8:30pm. With an 85th percentile maximum queue of more than six vehicles, the data suggests that car washes with drive-through lanes should be able to accommodate 140 feet of vehicle stacking throughout the day.

3.3 Coffee Shops

Data collection was done at six coffee shops with drive-through services in November 2010, August 2011 and February 2012. Fourteen days of data were collected. The coffee shops were located in the cities of Edina, Hopkins, Minneapolis, Roseville and St. Louis Park, MN. Vehicles being served were counted as being in the queue. Twelve days of data from the Kansas City, Kansas area is also included.

Table 3.3 – Drive-Through Coffee Shop Maximum Queue Statistics

	Minnesota Data	Minnesota + Kansas Data
Number of Data Points	14	26
Average Maximum Queue (Vehicles)	11.00	10.23
Standard Deviation (Vehicles)	2.25	2.76
Coefficient of Variation	20%	27%
Range (Vehicles)	7 to 16	3 to 16
85th Percentile (Vehicles)	13.50	13.00
33rd Percentile (Vehicles)	10.00	9.91

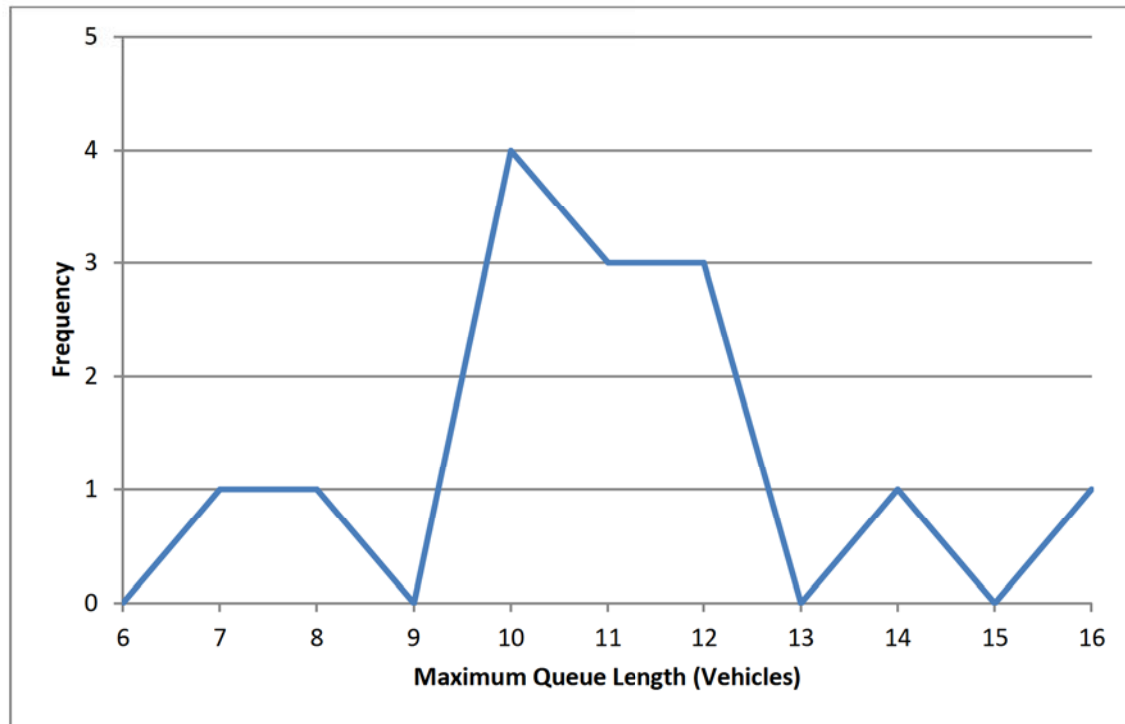


Figure 3.3.1 – Drive-Through Coffee Shop Maximum Queue Frequency – Minnesota Data

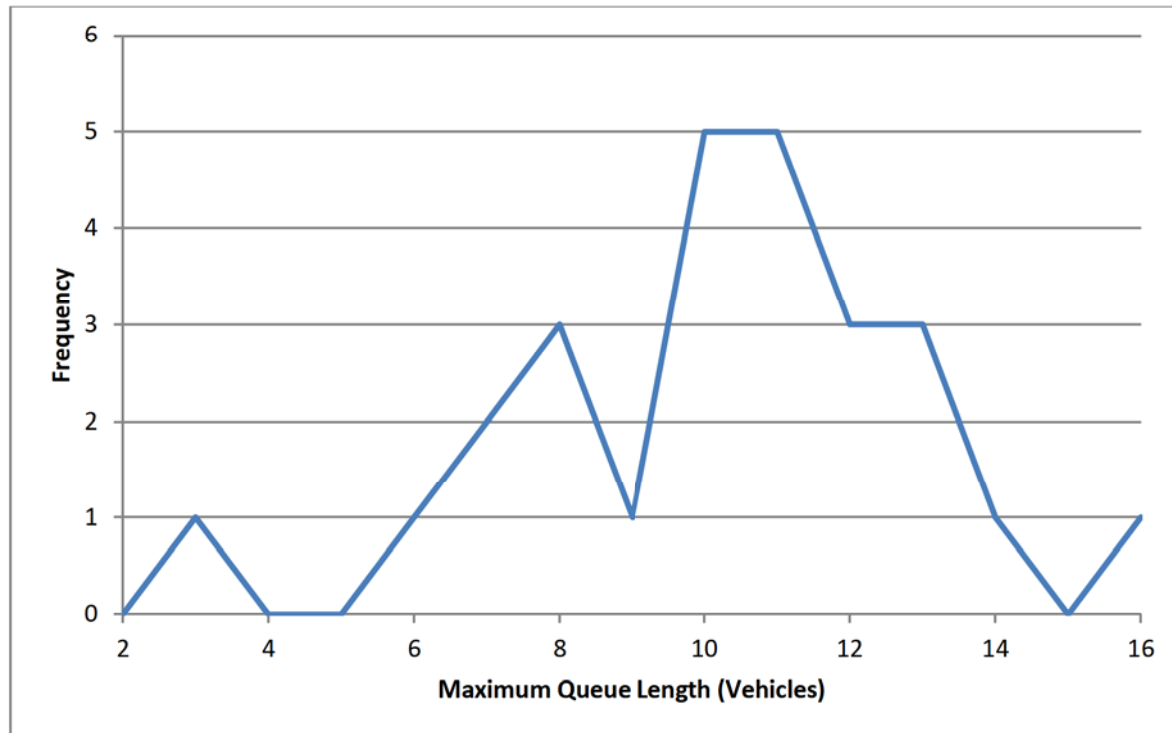


Figure 3.3.2 – Drive-Through Coffee Shop Maximum Queue Frequency – MN + KS Data



Coffee shops produced the longest maximum queues of any of the land uses in this study with all of the maximum queues occurring in the morning. In four of the six cases, the queues spilled out of the parking lot and into the street. These spillovers would typically only happen once or twice a day and last only a few minutes, however, one location had stacking into the street for about 15 minutes in addition to multiple periods of several minutes where cars would queue in the street.

With an 85th percentile maximum queue of 13 vehicles, the data suggests that coffee shops with drive-through lanes should be able to accommodate at least 260 feet of vehicle stacking during morning hours.

3.4 Fast Food Restaurants

Data collection was done at six fast food restaurants with drive-through services in August 2011 and February 2012. Fourteen days of data were collected. The restaurants were located in the cities of Golden Valley, Hopkins, Minneapolis and St. Louis Park, MN. Vehicles being served were counted as being in the queue.

Table 3.4 – Drive-Through Fast Food Restaurant Maximum Queue Statistics

Number of Data Points	14
Average Maximum Queue (Vehicles)	8.50
Standard Deviation (Vehicles)	2.68
Coefficient of Variation	32%
Range (Vehicles)	5-13
85th Percentile (Vehicles)	12.00
33rd Percentile (Vehicles)	7.90

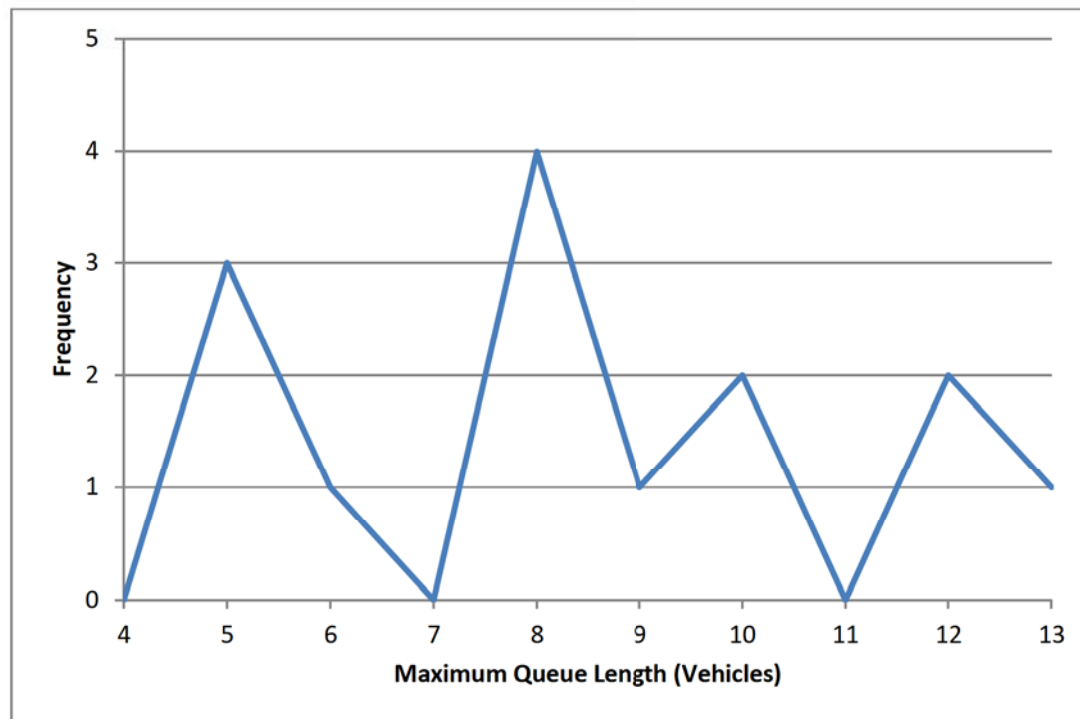


Figure 3.4 – Drive-Through Fast Food Restaurant Maximum Queue Frequency

The maximum queues for fast food restaurants were spread throughout the day from 8:00am to 10:00pm. With an 85th percentile maximum queue of 12 vehicles, the data suggests that fast food restaurants with drive-through lanes should be able to accommodate 240 feet of vehicle stacking throughout the day.

3.5 Pharmacies

Data collection was done at six pharmacies with drive-through services in February 2012. Twelve days of data were collected. The pharmacies were located in the cities of Hopkins, Minneapolis, New Hope and Robbinsdale, MN. Vehicles being served were counted as being in the queue.

Table 3.5 – Drive-Through Pharmacy Maximum Queue Statistics

Number of Data Points	12
Average Maximum Queue (Vehicles)	2.92
Standard Deviation (Vehicles)	1.16
Coefficient of Variation	40%
Range (Vehicles)	1-5
85th Percentile (Vehicles)	4.05
33rd Percentile (Vehicles)	2.00

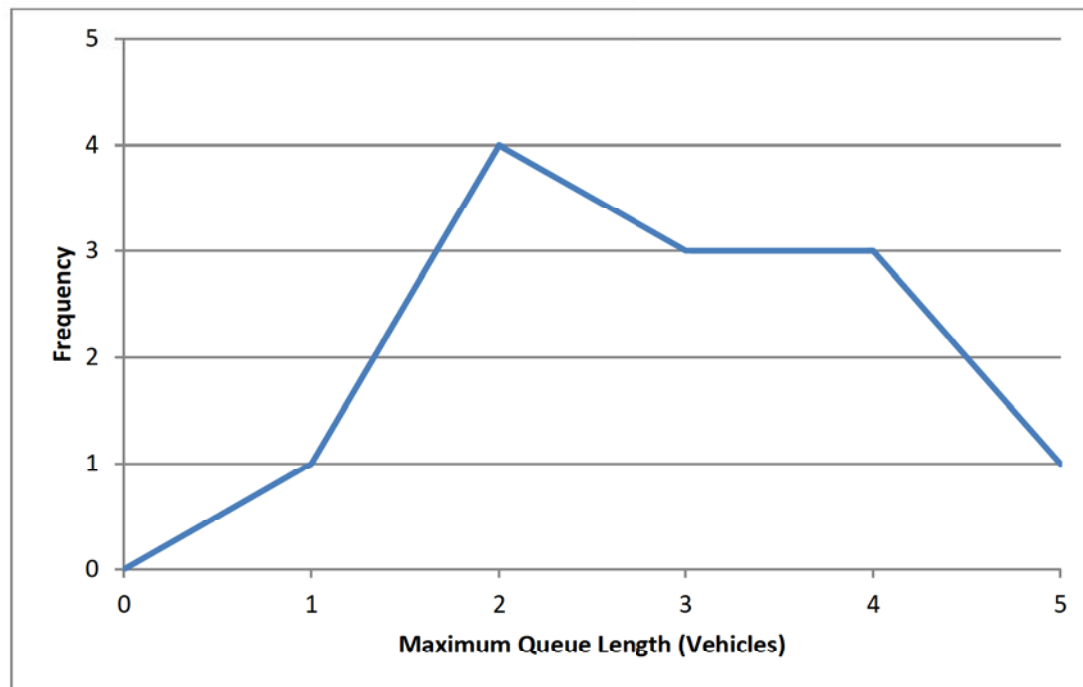


Figure 3.5 – Drive-Through Pharmacy Maximum Queue Frequency

The maximum queues for pharmacies were spread throughout the day from 8:00am to 10:00pm. With an 85th percentile maximum queue of more than 4 vehicles, the data suggests that pharmacies with drive-through lanes should be able to accommodate 100 feet of vehicle stacking throughout the day.

4.0 Conclusions

The 85th percentile maximum queue lengths for each land use are: 160 feet for banks (eight vehicles), 140 feet for car washes (seven vehicles), 260 feet for coffee shops (13 vehicles), 240 feet for fast food restaurants (12 vehicles) and 100 feet for pharmacies (five vehicles).

While some of the locations observed have an excess of space dedicated to drive-through lanes (i.e. some banks and pharmacies), others could occasionally use additional space for drive-through lanes (i.e. coffee shops in the morning).

Fast food restaurants and coffee shops have the longest maximum queues of the five land uses observed. Coffee shops have a tendency for the morning queues to build so long that they spill out onto the street, though, as is expected, their afternoon and evening queues are minimal. Fast food restaurants also have large queues, but they tended to have enough dedicated space that stacking did not go beyond the designated queuing area.



The data collected for this paper along with the data from the papers by Mark Stuecheli and the ITE Technical Committee 5D-10 (see Appendix for both of these) will hopefully provide useful data for traffic engineers and others trying to analyze drive-through queuing storage areas.

5.0 Labor Savings of the COUNTkit

Deploying people in the field to perform this data collection would not have been feasible. Using the COUNTcam video system made it possible to observe the drive through lanes 24 hours a day and the PC-TAS software made the data reduction practical. One location was recorded in November 2010 for 6 hours, three locations were recorded in August 2011 for a total of 202 hours and 26 locations were recorded in February 2012 for a total of 1012 hours. These 1220 hours of video were counted with a total of 120 hours of labor, meaning the videos were watched at approximately 10x speed. Installation of a COUNTcam takes approximately 10 minutes and retrieval takes approximately 5 minutes. This whole project was completed in approximately 3 weeks.

6.0 References

1. Stuecheli, M. (2009). New Drive-Through Stacking Information for Banks and Coffee Shops. *ITE 2009 Annual Meeting and Exhibit*. Print.
2. ITE Technical Committee 5D-10. "Queuing Areas for Drive-Thru Facilities." *ITE Journal* (May 1995): 38-42. Print.
3. Institute of Transportation Engineers. *Parking Generation*. 4th ed. Washington, DC: Institute of Transportation Engineers, 2010. Print.
4. Institute of Transportation Engineers. *Trip Generation*. 8th ed. Washington, DC: Institute of Transportation Engineers, 2008. Print.

7.0 Appendix

- A – Day of Week Maximum Queues
- B – New Drive-Through Stacking Information for Banks and Coffee Shops
- C – ITE Technical Committee 5D-10: Queuing Areas for Drive-Thru Facilities
- D – Drive-Through Data Forms

Day of Week Maximum Queues

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Fast Food	Arby's			5	5		
	Burger King	6	12			10	8
	McDonald's			12	13		
	McDonald's			9	8		
	Taco Bell			10	8		
	White Castle			8	5		
	BP			6	6		
Car Wash	BP		1	3			
	BP		4	3			
	Holiday			3	4		
	Mister Car Wash			10	6		
	Mobil			4	3		
	Caribou			11	10		
	Caribou	7	10	12		12	8
Coffee	Starbucks			14	16		
	Starbucks			10	11		
	Starbucks		10	12			
	Starbucks			11			
	Citizens Independent Bank		5	5			
Bank	SharePoint Credit Union			3	3		
	TCF	4				8	8
	US Bank			7	7		
	Wells Fargo		8	6			
	Wells Fargo		6				
	CVS		1	2			
	CVS		4	4			
Pharmacy	CVS		2	2			
	Walgreens			4	5		
	Walgreens		3	3			
	Walgreens		3	2			
	Walgreens						

New Drive-Through Stacking Information for Banks and Coffee Shops

Mark Stuecheli, PTP

Abstract

This paper provides updated queuing information for drive-in banks and new queuing data for coffee shops with drive-through lanes. The data is presented in a format similar to that used in the report for **ITE Technical Council Committee 5D-10**, originally published in 1995.

Significant changes have occurred in the way that bank patrons conduct business with their banks. In recognition of those changes, ITE has adjusted the trip generation information included in the Eighth Edition of **Trip Generation, an ITE Informational Report** to include only data collected since 2000, and the revised trip generation totals are significantly lower than in previous editions. Clearly, the reduced trip generation figures indicate a reduction in bank drive-through business. This report summarizes queuing information included in counts taken in the Kansas City metropolitan area.

In the last few years coffee shops with drive-through lanes have become prevalent throughout the country. Because those businesses were uncommon when the 1995 report was prepared, no data was gathered for those operations. This paper contains information on counts taken at those establishments, once again in the Kansas City metropolitan area.

Based on the count data, recommendations are included for the minimum amount of stacking distance to require for the two types of drive-through businesses that were studied.

Background

ITE Technical Council Committee 5D-10 was formed in 1987 to produce a database of queuing information for various types of drive-through lanes. The report of the findings of the Committee, published in the May 1995 **ITE Journal**, included information on the characteristics of drive-through lane stacking for fast-food restaurants, drive-in banks, car washes, day care centers and dry cleaners. The counts that were included in the Committee report were conducted from the late 1960s through the late 1980s in a limited number of mid-western, southern and eastern states.

As a former member of that Committee, and having submitted drive-through counts for the effort, I am in a position to make some observations about the change in drive-through usage.

This paper analyzes two types of drive-through operations – one that is greatly modified and another that is new since the original report was published. First, significant changes have occurred in the ways that bank patrons conduct business with their financial institutions. On-line banking, direct deposit and the wide usage of ATMs have resulted in greatly reduced trip generation totals for drive-in banks. In recognition of that fact, ITE adjusted the trip generation information for drive-in banks in the Eighth Edition of **Trip Generation, an ITE Informational Report**, to include only data collected since 2000. The trip generation rates during the p.m. peak hour for the newer data are about 44% lower than rates in the Seventh Edition.

The amount of stacking provided for bank drive-through lanes often has a critical impact on the potential site design alternatives for proposed bank properties. If the information included in the 1995 Report were to be used as the basis for establishing stacking requirements, a large area would need to be allocated to the drive-through lanes. On tight sites, that limitation could preclude developing an acceptable layout.

Clearly, the major drop in trip generation rates indicates that fewer customers are using drive-through lanes. That reduction in drive-through usage has an impact on queue lengths and other operational characteristics observed at those facilities. This paper includes updated information on queuing in bank drive-through lanes based on counts taken in the City of Overland Park, Kansas, a suburban community of 171,000 residents in the Kansas City metropolitan area.

The second area of analysis in this paper pertains to observed queuing characteristics for coffee shops with drive-through lanes. In the last few years, drive-through coffee shops have become common throughout the country. Because those businesses were an insignificant factor when the report for **ITE Technical Council Committee 5D-10** was completed, no counts were conducted for that land use category. This paper contains data on queuing for coffee shops with drive-through lanes, based on counts conducted predominantly in the Kansas suburbs of the Kansas City metropolitan area.

As is the case for drive-in banks, the length of stacking required for a site has a major impact on potential site layouts. If a relatively short stacking distance is permitted, the lanes can be fit into very restricted sites or be more easily retrofitted to work with existing buildings. But if more queuing occurs than is provided for in a dedicated lane, the flow of traffic within a parking lot can be seriously restricted by that excess queue. In the worst case, if the drive-through stacking is located close to a public street and the excess queue extends into or near the street, the operation of the adjoining public street may be negatively impacted.

Drive-In Banks

Counts were conducted at ten suburban drive-in banks located throughout Overland Park in the fall of 2008 and the spring of 2009. Both established locations and sites that were relatively new were counted, although all banks had been open for business for at least one year. All but one location had drive-through ATMs. Based on the results of counts taken at a single bank location during a mid-week lunch hour, a mid-week p.m. peak hour, a Friday lunch hour, and a Friday p.m. peak hour; the maximum queue lengths occurred during the Friday p.m. peak hour. Therefore, all counts used in the study were conducted during the Friday p.m. peak hour time period.

The counting process involved noting the maximum per lane and total queues for the drive-through lanes at each location in fifteen minute increments, along with collecting information on the stacking of any drive-through ATM. In all cases the vehicles in the service positions were included in the counts. Where possible, the volumes of vehicles entering and exiting the parking lot also were tabulated. As a way to evaluate the frequency of various maximum queue lengths, the total queue lengths were noted at five minute intervals.

The queuing data was analyzed in ways similar to the methods used in the 1995 Report. Table 1 lists the observed frequency of maximum queue lengths per lane. Figure 1 plots the per lane maximum queue lengths using both the 2009 data and the data that was presented in 1995 (please note that the 1995 data involved fifteen counts, compared to the ten counts in the 2009 data). Figure 2 plots the probability that the queue lengths per lane will not exceed a given maximum queue length, once again presenting both 2009 and 1995 data.

Table 1 – Drive-In Bank 2009 Maximum Queue Length Per Lane

Queue Length	Frequency	Cumulative Frequency	P($q \leq N$)
0	0	0	0.00
1	1	1	.10
2	4	5	.50
3	4	9	.90
4	1	10	1.00

Note: P($q \leq N$) indicates probability, based on sample, of queue length of “q” not exceeding length “N”

Figure 1 – Drive-In Bank 1995 And 2009 Maximum Queue Length Per Lane Data Plot

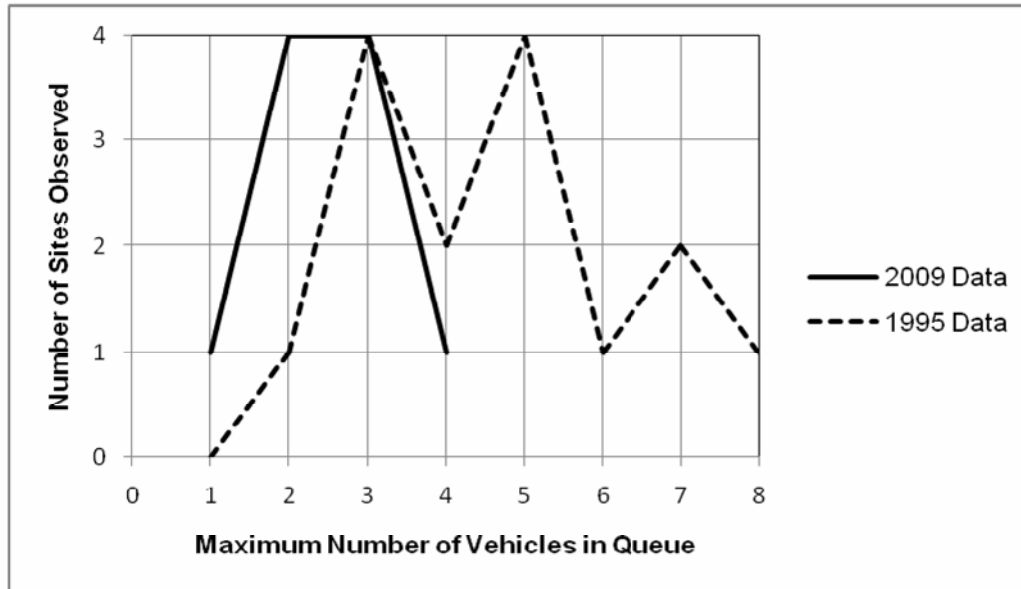
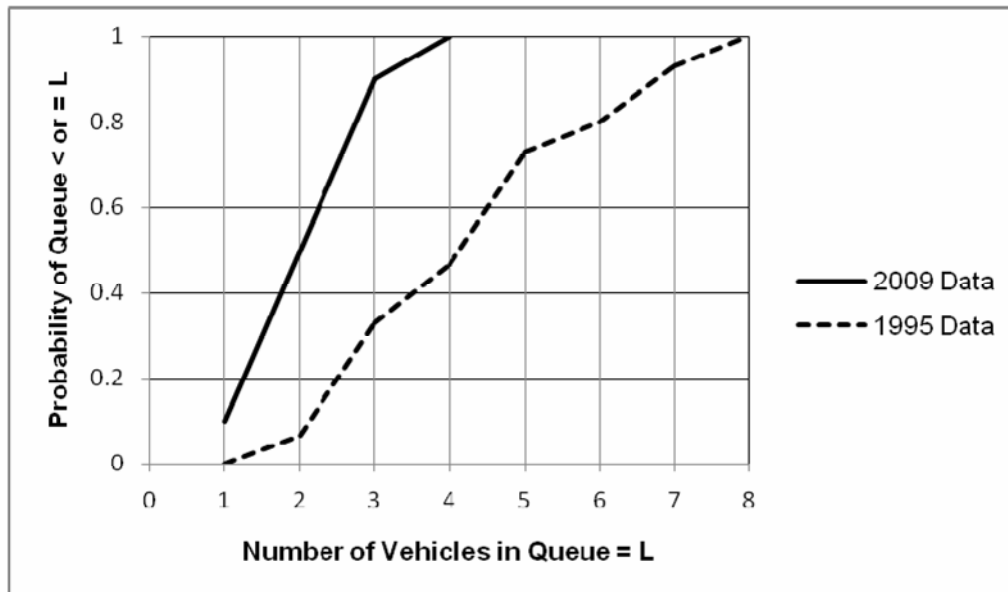


Figure 2 – Drive-In Bank 1995 And 2009 Cumulative Maximum Queue Length Per Lane Data Plot



The differences between the 1995 Report data (as noted earlier, actually based on counts conducted from the late 1960s to the late 1980s) and the 2009 counts are dramatic. The maximum per-lane queue lengths in the current counts were half what they were in the 1995 data.

An attempt was made to determine if such factors as adjoining major street traffic volumes or the size of the building could predict the queuing results, but no correlation was found.

Observations

Some banks, especially those that have been in operation for several years, have a surplus of drive-through lanes and stacking area. That is because those sites were designed to accommodate the much higher demands that existed many years ago. Consequently, they often open only a portion of the available lanes.

In one case, for a main office bank location where it was possible to make a direct comparison between a count conducted in 1988 and a new count in 2008 (actually taken almost precisely 20 years apart), the difference was dramatic. The p.m. peak hour drive-through volumes for the 2008 count were 65% lower than the 1988 count, a much greater drop than would have been indicated by the reduced ITE trip generation figures discussed earlier. The maximum total number of vehicles queued and the maximum queue lengths per lane were correspondingly lower, dropping from 29 to 8 and 7 to 3, respectively. The demographics and development characteristics of the surrounding area have changed little since 1988 and the bank has continued as a stable operation. Considering all of those factors, it is reasonable to assume that the differences are associated with changes in customers' banking habits.

The one incidence of a four car per lane maximum stack was a single occurrence that lasted for only a few minutes. Based on that information, it is reasonable to consider the practical maximum required queue length to be three vehicles.

The maximum queue lengths for ATMS ranged from two to five vehicles. Only one location experienced the longer queue lengths and only for a short time period. All other locations had maximum queue lengths of three vehicles or less.

Coffee Shops With Drive-Through Lanes

Counts were conducted in the fall of 2008 and the spring of 2009 at twelve coffee shops located in the Kansas suburbs of Merriam, Olathe and Overland Park in the Kansas City metropolitan area and also in suburban Kansas City, Missouri. All but two of the establishments were situated in free-standing buildings, and several were located within shopping centers. Three were drive-through-only operations and the remaining nine were full-service locations that included both drive-through lanes and inside seating facilities. Because this type of use is busiest in the morning peak hour, all counts were completed during that time period.

Similar to the process used for drive-in banks, the counting process involved noting the maximum number of vehicles queued in the drive-through lane at each location for fifteen minute increments. As was done for the drive-in bank counts, the vehicle in the

service position was included in the counts. Information on the number of vehicles entering and leaving the parking lot was collected for full-service operations (drive-through-only locations did not have any parking activity). The queuing information was tabulated for both the total length of queue and for the number of vehicles behind the menu board. The observed queue length was noted at five minute intervals as a way to evaluate the frequency of various queue lengths.

Once again, the queuing data was analyzed in ways similar to the methods used in the 1995 Report. Table 2 lists the observed frequency of maximum queue lengths. Figure 3 plots the per-lane maximum queue lengths and Figure 4 plots the probability that the queue will not exceed a given maximum queue length.

Table 2 – Coffee Shop With Drive-Through Maximum Queue Length

Queue Length	Frequency	Cumulative Frequency	P($q \leq N$)
0	0	0	0.00
1	0	0	0.00
2	0	0	0.00
3	1	1	.08
4	0	1	.08
5	0	1	.08
6	1	2	.17
7	1	3	.25
8	2	5	.42
9	1	6	.50
10	1	7	.58
11	2	9	.75
12	0	9	.75
13	3	12	1.00

Note: P($q \leq N$) indicates probability, based on sample, of queue length of “q” not exceeding length “N”

Figure 3 – Coffee Shop With Drive-Through Maximum Queue Length Data Plot

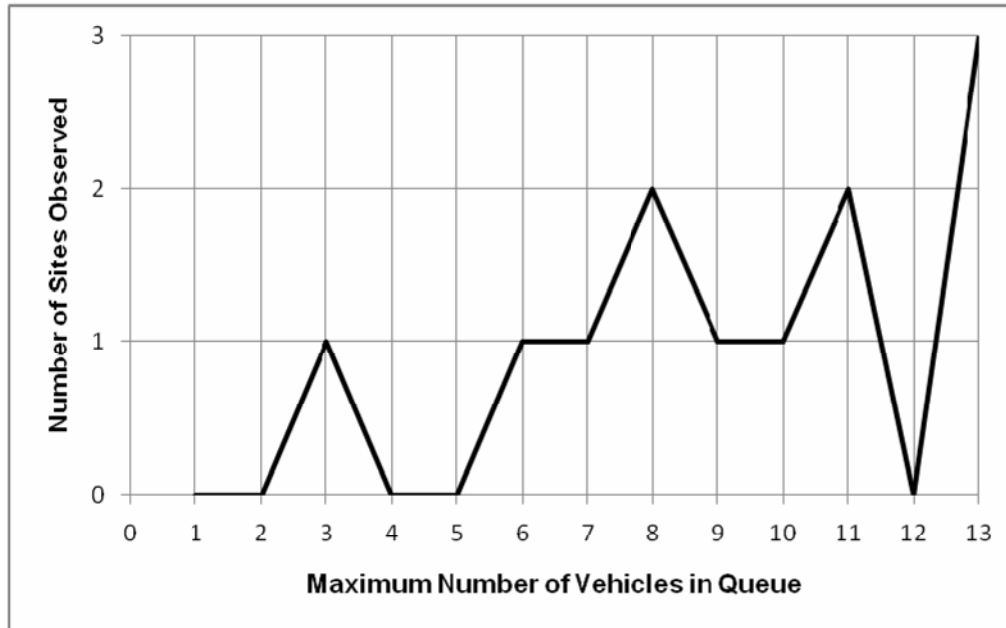
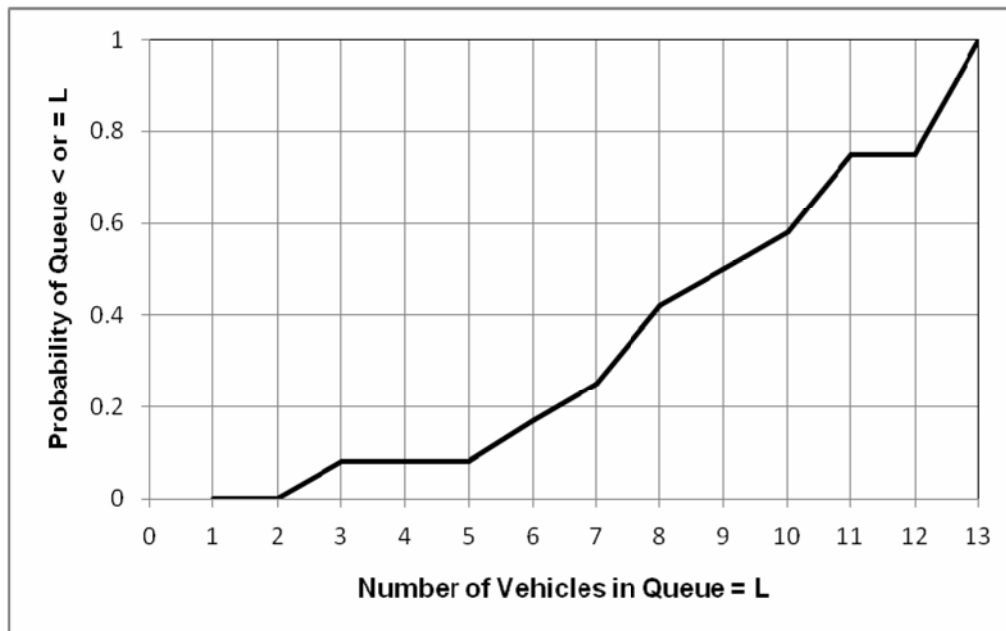


Figure 4 – Coffee Shop With Drive-Through Cumulative Maximum Queue Length Data Plot



The total trip generation figures were compared to the a.m. peak hour ITE rates for Land Use Code 937, Coffee/Donut Shop with Drive-Through Window, and Land Use Code 938, Coffee/Donut Shop with Drive-Through Window and No Indoor Seating. The observed counts generally fell within the range of counts included in those categories, although two of the rates for the No Indoor Seating category exceeded the published range. No correlation was found between the adjoining major street traffic volumes or the size of the building and either the queuing or the trip generation results.

Observations

Several of the drive-through lanes were under-designed for the usage that was observed and queues spilled-out into parking lot circulation areas. In most cases the excess stacking did not result in disruptions of the operations of surrounding uses, since most other businesses were not open in the early morning. But for those sites where the end of the drive-through lane extended into the coffee shop parking lot, the excess queue often disrupted the movements of drivers who were trying to enter or exit parking spaces or the site itself.

One interesting facet of the data is that the three lowest observed maximum queue lengths were for the drive-through-only locations. The highest observed queue length for those operations was seven vehicles, which occurred only once at one location and only for a very short period of time. A six vehicle maximum stack was a more common occurrence.

The data shows that the volume of drive-through traffic and, therefore, the required stacking distance, is higher for full-service coffee shops than for drive-through-only operations. When total trip generation (both drive-through business and customers who park and walk in) is factored in, the full-service coffee shops did, on average, about two and one-half times the business of drive-through-only facilities. Since all of the full-service operations were Starbucks locations, it may be possible to apply the results of those counts to other proposed suburban Starbucks locations elsewhere in the country.

Total vehicular stacking available for a drive-through lane is an important consideration, but the location of the menu board relative to the pick-up window also impacts the efficiency of a drive-through lane operation. If the spacing is too short, stacking behind the pick-up window will extend into the menu board area, delaying ordering for those farther back in the line. In the counts conducted for this study, the pick-up window to menu board available stacking distances ranged from two to five vehicles.

The operation with the two car stack between the pick-up window and menu board regularly resulted in delays for drivers waiting to order at the menu board. The location with a five car stack rarely experienced delays for those ordering. Based on field observations, if an unlimited amount of stacking were available at a proposed site, the five car spacing would be ideal. Realizing that space for stacking nearly always is limited, an acceptable alternative would be the four car spacing.

Conclusions

Drive-in bank usage has dropped dramatically, as illustrated in the data provided in this report. Consequently, a reduced amount of stacking is required. That reduced area for drive-through stacking can provide more flexibility in the design of bank sites, allowing for development on smaller sites or the provision of increased landscaped areas.

Based on the data that was gathered, the City of Overland Park has reduced its previous requirement for a minimum five car stack per lane to a three car stack (a distance of 60 feet per lane, assuming average vehicle spacing to be 20 feet). That design should be sufficient to accommodate virtually all situations. Vehicular stacking requirements for ATMs have been established, also at a minimum of three car lengths.

Coffee shop drive-through lanes are most heavily used during the morning peak period, and therefore it is important to design sites to accommodate that peak demand. The following recommended minimum stacking lengths should be appropriate in most cases. The only exceptions would be situations in which excess queuing could impact a nearby street or major drive, in which case a more conservative approach should be taken.

Based on the data that was gathered for drive-through-only operations, it appears reasonable to require that a dedicated drive-through lane be provided with a stack of 120 feet – enough to handle six vehicles. That should be sufficient to accommodate nearly all vehicles that are likely to arrive during the morning peak hour time period.

For full service establishments, a 220-foot long drive-through lane, providing eleven cars of total storage, should be adequate to handle the vast majority of the drive-through lane volumes that might be encountered. In those cases where more than eleven vehicles were counted, the duration of the extreme queue lasted for only a few minutes. For the most efficient operation, the distance between the pick-up window and menu board should be at least 80 feet to accommodate four vehicles.

References

1. Gattis, J. L., Chair of ITE Technical Council Committee 5D-10. "Queuing Areas for Drive-Thru Facilities, by ITE Technical Council Committee 5D-10." *ITE Journal* (May 1995): 38-42.

Author Information

Mark Stuecheli, PTP
Senior Transportation Planner
City of Overland Park
Overland Park, KS 66212
Phone: 913-895-6026
Fax: 913-895-5016
E-Mail: mark.stuecheli@opkansas.org

Appendix C

Queuing Areas For Drive-Thru Facilities

BY ITE TECHNICAL COUNCIL COMMITTEE 5D-10

ITE Technical Council Committee 5D-10 was formed to collect and analyze basic information that may be used to estimate and evaluate lengths of automobile queues at drive-thru facilities. In addition to fulfilling this objective, this Informational Report constitutes a starting point for compiling a database for drive-thru facility queue length information.

Introduction

When faced with the need to evaluate the future impacts of a planned development, the transportation engineer often employs some form of analogy, estimating the future impacts of as-yet unbuilt development by using the attributes of existing land uses having a similar nature. For instance, the engineer may refer to published trip generation rates, derived from observations made at existing developments, to obtain a figure by which to estimate volumes that will occur at the proposed development.



J. L. Gattis,
P.E., was Chair of
Technical Council
Committee 5D-10.
He is an Assistant
Professor in the
Department of

Civil Engineering at the University of
Arkansas in Fayetteville, Ark. He is a
Member of ITE.

Many types of businesses (such as fast-food restaurants, banks and cleaners) utilize drive-thru systems. A similar form of drive-thru operation can be found at sites where passenger pick-up

operations occur (such as parents picking up schoolchildren). These drive-thru systems are comprised of a server position (often at a service "window"), and vehicle queuing space in advance

QUEUING DATA SHEET						
1. Type of Service Provided						
2. Day(s) of Week	Sun	Mon	Tue	Wed	Thu	Fri Sat
3. Time(s) of Day						
4. Type of Area	CBD ☐	Suburban ☐	Rural ☐			
5. Competition in Area (For Same Services)	High ☐	Medium ☐	Low ☐			
6. Service Rate Measured (Per Window or Aisle or Lane)	_____ Vehicles/Time					
7. Arrival Rate Measured (Per Window or Aisle or Lane)	Avg _____		Max _____		Vehicles/Time	
8. Uniformity Rating	_____ (1 - 10)					
9. Capacity of Queue Storage Area	_____ (Vehicles)					
10. Measured Average Queue	_____ (Vehicles)					
11. Measured Maximum Queue	_____ (Vehicles)					
12. Excess Demand Volume	_____ (Vehicles)					
13. Excess Demand Frequency	_____					
14. Size Sample or Length of Count Data	_____					
15. Narrative Description of Service	_____ _____ _____ _____ _____					

Figure 1. Data gathering form used in survey.

Appendix C

of the service position, for waiting in line as those ahead are served first.

When attempting to project lengths of automobile queues at proposed drive-thru facilities, the municipal or private consulting engineers may not find available data by which a projection can be made. While such data may be known by larger business chains that have drive-thru operations, the data do not seem to be generally available to the average traffic engineer trying to size or evaluate automobile queue storage area. True, some publications present results of queuing studies or equations for estimating queue lengths based on known system arrival and service rates.¹⁻⁹ But the proposed-site arrival and service rates may be unknown, and the proposed system may not possess attributes (such as negative exponential service time rates) needed for certain equations to properly predict queue lengths.

Drive-thru facilities are perceived as time-savers; as a convenience to the physically challenged, elderly and parents with young children; and as a way to avoid going out into inclement weather. Due to vehicle idling while in line, drive-thru facilities may also be viewed as causing unnecessary fuel consumption and air pollution. The popularity of drive-thru services creates a need to evaluate the queuing capacities of the varied drive-thru facilities. This report provides some basic drive-thru facility queue length information. It is hoped that the database will continue to grow, so that a comprehensive analytical tool may be available for the transportation professional.

Methods

The queue length data gathering form shown in Figure 1 was distributed to committee members in November 1987. The form was accompanied by specific user-instructions to ensure uniformity of procedures and compatibility of results.

Completed forms were returned to the committee chair and data were cataloged by land-use type. The maximum observed queue lengths and the maximum observed queue length frequencies were compiled. Cumulative frequencies and the probability that

Table 1. Ranges of Fast Food Queue Lengths by Food Type

Food Type	Maximum Queue Range (# in system)	Average Maximum Queue (# in system)	Studies
Donuts	4	4	2
Steak	4	4	2
Chicken	2-9	5	5
Fish	5	5	1
Sandwiches	5	5	1
Mexican	7	7	1
Roast Beef	6-8	7	2
Hamburgers	4-13	7	27

Table 2. Fast Food Queue Lengths

Maximum Queue Length (# in system)	Frequency	Cumulative Frequency	P(q≤N)
1	0	0	0.00
2	2	2	0.05
3	0	2	0.05
4	6	8	0.18
5	4	12	0.27
6	7	19	0.43
7	10	29	0.66
8	7	36	0.82
9	5	41	0.93
10	1	42	0.95
11	0	42	0.95
12	1	43	0.98
13	1	44	1.00

Note: P(q≤N) indicates probability, based on sample, of queue length "q" not exceeding length "N".

queues would not exceed an absolute maximum were calculated and shown graphically.

Findings

Within this report, data have been compiled for banks, car washes, day care facilities, dry cleaners and fast-food restaurants.

Fast Food

This category includes restaurants characterized by food being prepared in advance of, or shortly after, ordering; by high turnover for eat-in customers; and by long business hours. The ITE land-use codes (LUCs) for this use are LUC 834 (*Trip Generation*, 1991) and 836 (*Parking Generation*, 1987).

Forty-four fast-food restaurants were observed for this study. They ranged from those serving chicken to the hamburger chains. All sites were suburban locations. Queuing was observed mainly during the weekday mid-day peak from the 1970s through

the 1990s, at sites in Florida, Kansas, Illinois, Minnesota, Montana, New Jersey, Oklahoma, Pennsylvania and Texas. All fast-food facilities observed for this study had a single-window drive-thru system. The industry is changing, with double- and even triple-window systems being utilized. Further information will be needed on queuing characteristics of these facilities.

The average observed service rate was 54 vehicles per hour (vph); the maximum rate was 108 vph. The maximum observed queue lengths (number of vehicles in line, including vehicle at service position) ranged from two to 13 vehicles (see Table 1). Where there was a menu-order board followed by a service window, the combined total of vehicles in both sequential lines was reported.

The restaurants featuring hamburgers had maximum queues in the upper part of the range. Table 2 shows the frequencies of the observed maximum queue lengths, as well as a probability of a queue of less than a given number

Appendix C

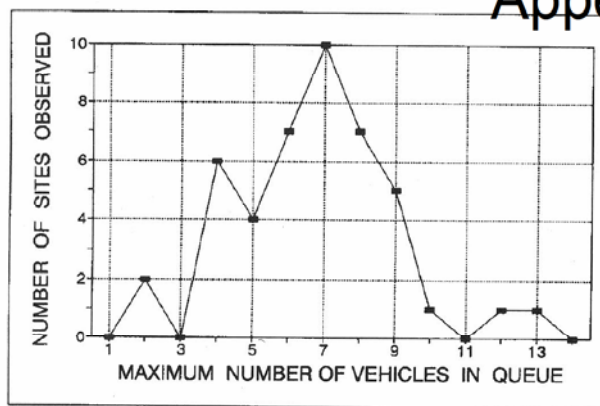


Figure 2. Maximum queue lengths at fast-food.

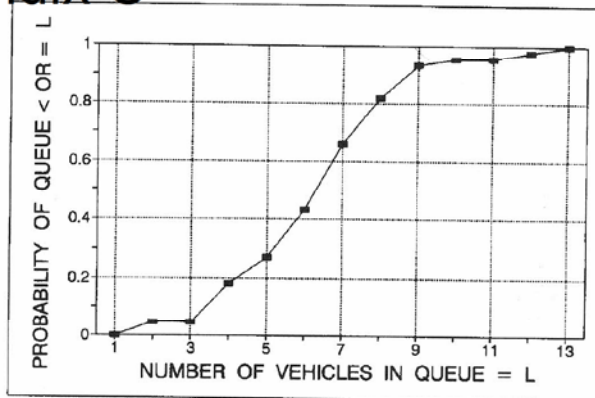


Figure 3. Maximum queue length probability at fast-food.

of vehicles. Figure 2 plots maximum queue length against the observed frequency of occurrence. Figure 3 depicts the probability that at any fast-food site, the queue will not exceed a given maximum queue length. From Table 2 or Figure 3, it can be seen that there was a 95 percent probability that the maximum queue at a site would be no more than 10 vehicles.

The maximum queues were evaluated against days of the week and were found to have no statistical relationship. Likewise, when evaluated against different levels of competition within the area and against service rates, there was no statistical relationship.

Bank

This category includes savings-and-loans with or without automatic teller machines (ATMs) and commercial banks with or without ATMs. Although there were historical differences between banks and savings-and-loans, they are now often indistinguishable to the public. The ITE land-use codes for this use are LUC 912 and 914 (*Trip Generation*, 1991) and LUC 912 (*Parking Generation*, 1987).

The studies analyzed were conducted from the late 1960s through the late 1980s; many were in Illinois, Minnesota, New Jersey and Texas. The size of the bank drive-thru facilities ranged from a minimum of one lane with one teller-window up to an institution with 10 lanes and four tellers.

Observed service rates for these institutions went up to a maximum of 35 vehicles per lane-hour. Maximum observed queues per lane ranged from two to eight vehicles. The maximum system queue lengths (all lanes com-

bined) ranged from five to 29 vehicles. At two sites, it was observed that a queue length exceeding eight vehicles per lane was not tolerated by customers. When the queue length became excessive, customers would park and use walk-in facilities rather than the drive-thru. Thus the collected data reflect a maximum queue per lane of eight vehicles.

Table 3 shows the observed frequency of occurrence of maximum queue lengths per lane. Figure 4 plots the maximum number of vehicles per lane

observed. On the basis of the studies received, there is a 100 percent probability that the queue length at a bank drive-thru facility will not exceed eight vehicles per lane, as Figure 5 shows.

Table 4 presents the maximum number of vehicles in an entire drive-thru system (all lanes combined) by ranges, along with the frequency of occurrence. This table shows that the most common maximum number-in-the-system at a bank drive-thru facility fell between six and 10 vehicles, as most observed facilities consisted of two lanes. Table 4 also

Table 3. Bank Queue Lengths

Queue Length	Maximum Queue Per Lane		P(q≤N)
	Frequency	Cumulative Frequency	
0	0	0	0.00
1	0	0	0.00
2	1	1	0.07
3	4	5	0.33
4	2	7	0.47
5	4	11	0.73
6	1	12	0.80
7	2	14	0.93
8	1	15	1.00

Note: P(q≤N) indicates probability, based on sample, of queue length "q" not exceeding length "N".

Table 4. Maximum Number of Vehicles in Bank System (All Lanes)

# in system	Frequency	Cumulative Frequency	P(q≤N)
0 - 5	2	2	0.13
6 - 10	6	8	0.53
11 - 15	3	11	0.73
16 - 20	2	13	0.87
21 - 25	1	14	0.93
26 - 30	1	15	1.00

Note: P(q≤N) indicates probability, based on sample, of queue length "q" not exceeding length "N".

Appendix C

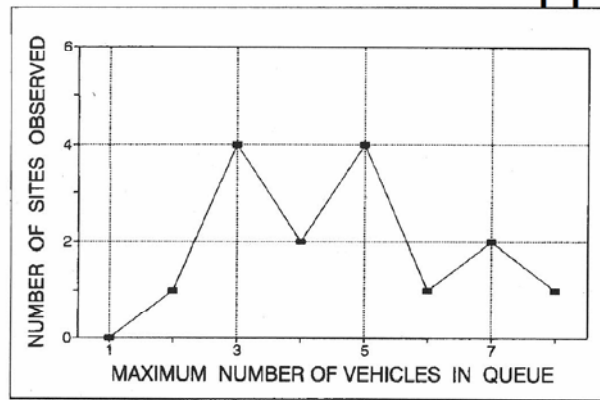


Figure 4. Maximum queue length per lane at bank.

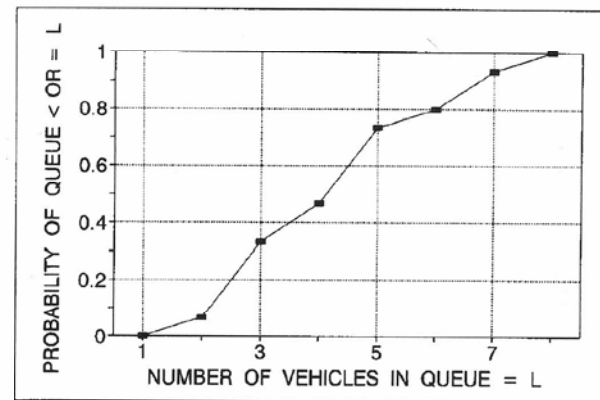


Figure 5. Maximum per lane queue length probability at bank.

gives the probability, based on the studies received, that the number of vehicles in the system will not exceed a certain range.

It should be noted that queuing lengths may be affected by time-of-day banking habits. There may be differences between the central city and a suburb. An area with a large proportion of retired persons may experience unique banking-time behaviors. In addition, the effects of banks incorporating ATMs into drive-thru aisles may also need to be investigated in future queuing studies.

Car Wash

This category includes full-service car washes (offering vacuuming and towel-drying services), exterior tunnel operation (vacuuming and towel drying not a part of the "in-line" operation, but may be offered at separate stations to the side), and self-service car washes (where customers pull into a wash bay, insert coins into a box, and proceed to wash). The ITE land-use code for these uses is LUC 847 (*Trip Generation*, 1991). This land use was not included in the 1987 *Parking Generation* report.

The studies analyzed were conducted from the late 1960s through the late 1980s in Kansas, Illinois, Montana, New Jersey and Texas. They included seven full service car washes, two exterior tunnel car washes, and nine self-service car washes. The number of self-service bays ranged from six to 14 per site. The self-service car washes typically had one or more parallel wash bays; the full-service car wash operations tended to have a single tunnel to serve customers.

Studies at the full-service car washes were made during winter or early spring months. Both full-service car washes consisted of a single tunnel. Observed service rates were 35 vph (maximum queue of nine vehicles) and 27 vph (maximum queue of 26 vehicles). At the site with a 26-vehicle queue, the queue extended off the site and onto an adjacent private street with light traffic volumes.

The self-service car wash studies were conducted on Saturday and Thursday, during late spring and/or summer months. Service rates at self-service car washes ranged from 4.1 vehicles per bay-hour to 5.4 vehicles per bay-hour. The average service rate was 4.77 vehicles per bay-hour. The maximum queue observed at two study sites was three vehicles, and at a third study site the maximum observed was one vehicle. No distinction was made as to whether these were maximum

queues per bay or total maximum queues (per entire operation).

Day Care

This category includes facilities that provide a place for children during the day, often while parents are at work. After-school care may also be provided. The ITE land-use code is LUC 565 (*Trip Generation*, 1991). This land use was not included in the 1987 *Parking Generation* report.

Data were submitted for one day-care facility in Texas, during the evening peak hour. The facility had 99 children enrolled and 94 present the day the study was conducted. The day-care facility handled children age 2 through first grade. The facility was operated in a manner that required the parents to park their cars and go inside to get their children.

The hour service rate was 46 vehicles. A maximum of eight vehicles in

This is an Informational Report of the Institute of Transportation Engineers prepared by Technical Council Committee 5D-10. The information in this report has been obtained from experiences of transportation engineering professionals and research. ITE Informational Reports are prepared for informational purposes only and do not include Institute recommendations on which is the best course of action or the preferred application of the data.

Members of Technical Council Committee 5D-10 were J. L. Gattis, P.E. (M), Chair; Grant A. Bacchus, P. Eng. (F); Benedict G. Barkan (F); Robert R. Marvin, P.E. (M); Dale B. McKinney, P.E. (F); Robert A. Nelson, P.E. (F); Seyed M. Safavian (M); James M. Schoen (A); David K. Sorenson, P.E. (A); Mark J. Stuecheli (M); and Jack Wierzenski (A).

Members of the Technical Council Department 5 Standing Committee at the time of approval of this report were Dennis O'Malley (F), Chair; Carol H. Walters, P.E. (M), Assistant Chair; Robert D. McMillen, P.E. (FL); Wamahdri W. Williams (A); and Donald J. Galloway, P.E. (F). Brian S. Bochner, P.E. (F), was the Chair of Technical Council, and John M. Mason, P.E. (F), was the Assistant Chair.

Appendix C

Table 5. Summary of Observed Queue Distances at Drive-Thru Facilities

	Near-maximum number of queued vehicles observed in system (does not include vehicle at service position)	Lane Length needed to store near-maximum queue (does not include) vehicle at service position)
Fast-Food (Hamburger)	10 - 1 = 9	60 m (198 feet)
Bank	8 - 1 = 7	47 m (154 feet)
Car Wash (self-service)	3 - 1 = 2	13 m (44 feet)
Day Care	10 - 1 = 9	can store in parallel
Dry Cleaner	3 - 1 = 2	13 m (44 feet)

5 minutes (if sustained, equivalent to 96 vph) were observed; a 20-minute period had 28 vehicles (84 per hour). The maximum number of waiting vehicles was 10 vehicles.

VanWinkle and Kinton reported the results of 29 field studies at day-care establishments in Tennessee. Their findings are in the July 1994 *ITE Journal*.⁸

Dry Cleaners

This category includes facilities that clean clothing and other fabrics that should not be laundered. Often a walk-up window is present. No information is provided for this land use in either the ITE 1991 *Trip Generation* report or the ITE 1987 *Parking Generation* report.

One study was conducted at a dry cleaner with drive-thru facilities in Montana during a weekday p.m. peak period. An average service rate of 41 vph was measured at the single window. The observed maximum queue was three vehicles long. Forty-five percent of the customers used the drive-thru facility.

Conclusions

Table 5 summarizes the observed maximum or near-maximum observed queue lengths, and also lists the stacking distance needed to accommodate these observed queues, based on a front bumper-to-front bumper space occupied length of 22 feet (ft) per vehicle. This 22 ft may not be the exact space that vehicles occupy, but a value ranging from 20 ft to 25 ft seems appropriate for many situations. Because only one day-care facility was observed, and because parents picking up children may park in parallel or in a lot instead of in a single-file line, no stacking length was calculated for this land use.

Due to a change of committee personnel during the course of the data-gathering effort, some of the original forms submitted by committee members are not available. There are some apparent errors in the tables. For instance, the number of studies tallied in Table 1 is 41, while the number in Table 2 is 44. It is not known whether three studies were not included in Table 1, or whether there was double counting in Table 2. The unavailability of the original data forms makes it impossible to recheck the numbers.

The size of this drive-thru facility queuing characteristic database was limited. There is a need to accumulate and analyze more drive-thru queuing system data, so transportation engineers and site planners can be better informed. Additional observations of service rates are also needed in order to determine relationships between service rates and queue lengths, and to evaluate long-term trends in service rates. Finally, investigations of the amount of space occupied per vehicle within a queue are needed so that engineers will have the ability to project not only the number of vehicles that will be in the maximum queue for a given site, but also the queue storage length required for a site.

When collecting queuing data, the recorder should clearly indicate whether the number of vehicles recorded includes or excludes the vehicle(s) in the service position (that is, at the window). The data record must indicate which numbers are for a single queuing line and which totals are for the entire system of multiple queuing lines. An observer should also note instances of arriving vehicles balking or refusing to enter a queue due to excessive length, and how many vehicles were in the queue when the next arrival balked.

Other types of drive-thru operations

that could be studied include those at credit unions, funeral homes, gas stations (either gas only, full-service, self-service, or a combination with convenience stores or car washes), libraries, liquor stores, movie theater ticket booths, parking lots and garages (either pick-up ticket or pay, or key, tag, or card), post offices, pre-schools, baby-sitting or school combinations, lower grade schools, stadium ticket sales machines, truck stops and places of worship.

References

1. Ballard, J. L., J. G. Goble, and Pat T. McCoy. "Another Look at the Storage Requirements for Bank Drive-In Facilities." *Transportation Research Record* 971. Washington, D.C.: Transportation Research Board (1984): 130-132.
2. W. Gordon Derr, Thomas E. Mulinazzi, and Bob L. Smith. "Queuing at Drive-up Windows." *Transportation Research Record* 901. Washington, D.C.: Transportation Research Board (1983): 38-42.
3. Fricker, Jon D. and H. S. Tsay. "Drive-Up Windows, Energy, and Air Quality." *Transportation Research Record* 1092. Washington, D.C.: Transportation Research Board (1975): 22-25.
4. Gattis, J. L., N. Zaman, G. W. Tauxe, and R. S. Marshment. "Analyzing Fast-Food Drive-Up Window Site Impacts." *Site Impact Traffic Assessment*. New York: American Society of Civil Engineers (1992): 16-20.
5. Gerlough, D. L. and M. J. Huber. *Traffic Flow Theory: TRB Special Report 165*. Washington, D.C.: Transportation Research Board, 1975.
6. May, Adolf D. *Traffic Flow Fundamentals*. Englewood Cliffs, N.J.: Prentice Hall, 1990.
7. Stover, Vergil G. and Frank J. Koepke. *Transportation and Land Development*. Washington, D.C.: Institute of Transportation Engineers, 1987.
8. VanWinkle, John W. and S. Colin Kinton. "Parking and Trip Generation Characteristics for Day-Care Facilities." *ITE Journal* (July 1994): 24-28.
9. Woods, Donald L. and Carroll J. Messer. "Design Criteria for Drive-In Banking Facilities." *Traffic Engineering* (December 1970): 30-37.

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:

Land Use/Building Type*:

Name of Business:

Address:

City:

State:

Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):

CBD	
Urban (non-CBD)	
Suburban (non-CBD)	<input checked="" type="text" value="X"/>
Suburban CBD	
Rural	
Not Given	

Competition Within Area (select one):

High	
Medium	<input checked="" type="text" value="X"/>
Low	

Drive-Through Description

4 Lanes + 1 ATM Lane

Gross Floor Area (estimated):

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday	5	3:36pm
Wednesday	5	2:37pm
Thursday		
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:

Land Use/Building Type:

Name of Business:

Address:

City:

State:

Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):

CBD	
Urban (non-CBD)	
Suburban (non-CBD)	<input checked="" type="text" value="X"/>
Suburban CBD	
Rural	
Not Given	

Competition Within Area (select one):

High	
Medium	<input checked="" type="text" value="X"/>
Low	

Drive-Through Description :

2 Lanes + 1 ATM Lane

Gross Floor Area (estimated)

7,850 sq. ft

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	3	3:28pm
Thursday	3	8:51am, 10:37am
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:

Land Use/Building Type:

Name of Business:

Address:

City:

State:

Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):

CBD	
Urban (non-CBD)	
Suburban (non-CBD)	<input checked="" type="text" value="X"/>
Suburban CBD	
Rural	
Not Given	

Competition Within Area (select one):

High	
Medium	<input checked="" type="text" value="X"/>
Low	

Drive-Through Description :

5 Lanes + 1 ATM Lane

Gross Floor Area (estimated)

6,000 sq. ft

	Maximum Queue	Time Max Queue Occurred
Sunday	4	5:18pm
Monday		
Tuesday		
Wednesday		
Thursday		
Friday	8	12:20pm, 2:20pm
Saturday	8	11:40am

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:

Land Use/Building Type:

Name of Business:

Address:

City:

State:

Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):

CBD	
Urban (non-CBD)	
Suburban (non-CBD)	<input checked="" type="text" value="X"/>
Suburban CBD	
Rural	
Not Given	

Competition Within Area (select one):

High	
Medium	<input checked="" type="text" value="X"/>
Low	

Drive-Through Description :

3 Lanes + 1 ATM Lane

Gross Floor Area (estimated)

21,550 sq. ft.

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday	7	4:47pm, 5:04pm
Wednesday	7	3:00pm, 5:26pm
Thursday		
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:

Land Use/Building Type:

Name of Business:

Address:

City:

State:

Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):

CBD	
Urban (non-CBD)	☒
Suburban (non-CBD)	☐
Suburban CBD	☐
Rural	☐
Not Given	☐

Competition Within Area (select one):

High	☐
Medium	☒
Low	☐

Drive-Through Description :

4 Lanes + 1 ATM Lane

Gross Floor Area (estimated):

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday	6	1:18pm
Wednesday		
Thursday		
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday	8	4:41pm
Wednesday	6	11:27am, 1:48pm, 2:23pm, 4:32pm, 5:25pm
Thursday		
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD) ☒ X
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low ☒ X

Drive-Through Description :

1 Lane. Only counted the vehicles waiting in line, not the vehicles currently being washed.

Gross Floor Area (estimated)

3,375 sq. ft

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	6	3:08pm
Thursday	6	3:07pm
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

1 Lane. Only counted the vehicles waiting in line, not the vehicles currently being washed.

Gross Floor Area (estimated)

3,150 sq. ft

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday	1	12:58pm
Wednesday	3	2:53pm
Thursday		
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

1 Lane. Only counted the vehicles waiting in line, not the vehicles currently being washed.

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday	4	1:48pm
Wednesday	3	4:29pm
Thursday		
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

1 Lane. Only counted the vehicles waiting in line, not the vehicles currently being washed.

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	3	12:37pm, 1:50pm, 3:43pm, 4:41pm, 5:10pm, 7:04pm, 7:30pm
Thursday	4	2:38pm, 4:20pm
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD) ☒ X
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low ☒ X

Drive-Through Description :

2 Lanes, Full Service Wash, only vehicles in line were counted, not the vehicles being washed.

Gross Floor Area (estimated)

8,250 sq. ft

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	10	1:03pm
Thursday	6	4:02pm
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

2 lanes. Only vehicles in line were counted, not vehicles being washed.

Gross Floor Area (estimated)

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	4	6:03pm
Thursday	3	4:37pm, 6:28pm, 7:39pm, 7:51pm, 8:04pm, 8:23pm
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:

Land Use/Building Type:

Name of Business:

Address:

City:

State:

Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):

CBD	
Urban (non-CBD)	☒
Suburban (non-CBD)	☐
Suburban CBD	☐
Rural	☐
Not Given	☐

Competition Within Area (select one):

High	☐
Medium	☒
Low	☐

Drive-Through Description :

1 Lane

Gross Floor Area (estimated)

1,950 sq. ft.

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	11	8:50am
Thursday	10	7:57am
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

1 Lane

Gross Floor Area (estimated)

3,600 sq. ft

	Maximum Queue	Time Max Queue Occurred
Sunday	7	9:39am, 9:41am
Monday	10	8:39am
Tuesday	12	9:26am
Wednesday		
Thursday		
Friday	12	8:12am
Saturday	8	8:52am, 10:24am

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD ☐
 Urban (non-CBD) ☐
 Suburban (non-CBD) ☒ X
 Suburban CBD ☐
 Rural ☐
 Not Given ☐

Competition Within Area (select one):
 High ☐
 Medium ☐
 Low ☒ X

Drive-Through Description :

1 Lane

Gross Floor Area (estimated)

3,000 sq. ft

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	14	7:22am, 7:49am
Thursday	16	8:56am
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

1 Lane, Queuing Went Out Onto the Street

Gross Floor Area (estimated)

1,800 sq. ft

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	10	7:42am, 8:41am, 8:59am
Thursday	11	7:33am
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:

Land Use/Building Type:

Name of Business:

Address:

City:

State:

Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):

CBD	
Urban (non-CBD)	
Suburban (non-CBD)	<input checked="" type="text" value="X"/>
Suburban CBD	
Rural	
Not Given	

Competition Within Area (select one):

High	
Medium	<input checked="" type="text" value="X"/>
Low	

Drive-Through Description :

1 Lane, Queue Lengths Recorded at 5 min Intervals

Gross Floor Area (estimated)

2,550 sq. ft.

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	11	8:45am
Thursday		
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:

Land Use/Building Type:

Name of Business:

Address:

City:

State:

Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):

CBD	
Urban (non-CBD)	
Suburban (non-CBD)	<input checked="" type="text" value="X"/>
Suburban CBD	
Rural	
Not Given	

Competition Within Area (select one):

High	
Medium	<input checked="" type="text" value="X"/>
Low	

Drive-Through Description :

1 Lane

Gross Floor Area (estimated)

1,500 sq. ft

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday	10	8:09am
Wednesday	12	7:57am
Thursday		
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD) ☒
 Suburban (non-CBD) ☐
 Suburban CBD ☐
 Rural ☐
 Not Given ☐

Competition Within Area (select one):
 High
 Medium ☒
 Low

Drive-Through Description :

1 Lane

Gross Floor Area (estimated)

3,000 sq. ft

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	5	6:04pm
Thursday	5	6:55pm
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

1 Lane

Gross Floor Area (estimated)

3,300 sq. ft

	Maximum Queue	Time Max Queue Occurred
Sunday	6	4:30pm
Monday	12	12:10pm
Tuesday		
Wednesday		
Thursday		
Friday	10	12:12pm
Saturday	8	9:38pm

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

2 Order Stations

Gross Floor Area (estimated)

3,600 sq. ft

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	12	11:46am
Thursday	13	12:23pm
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD) ☒
 Suburban (non-CBD) ☐
 Suburban CBD ☐
 Rural ☐
 Not Given ☐

Competition Within Area (select one):
 High
 Medium ☒
 Low

Drive-Through Description :

1 Lane

Gross Floor Area (estimated)

3,825 sq. ft.

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	9	8:48am
Thursday	8	8:54am
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

1 Lane

Gross Floor Area (estimated)

2,500 sq. ft

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	10	12:26pm
Thursday	8	12:17pm, 6:57pm
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

1 Lane

Gross Floor Area (estimated)

1,750 sq. ft

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	8	5:26pm
Thursday	5	8:13am, 12:10pm, 1:25pm, 3:22pm, 8:54pm
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD) ☒
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High ☒
 Medium ☐
 Low ☐

Drive-Through Description :

2 Lanes

Gross Floor Area (estimated)

18, 700 sq. ft.

	Maximum Queue	Time Max Queue Occurred
Sunday		
Monday		
Tuesday	1	13 times
Wednesday	2	5:55pm
Thursday		
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:

Land Use/Building Type:

Name of Business:

Address:

City:

State:

Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):

CBD	
Urban (non-CBD)	
Suburban (non-CBD)	<input checked="" type="text" value="X"/>
Suburban CBD	
Rural	
Not Given	

Competition Within Area (select one):

High	
Medium	<input checked="" type="text" value="X"/>
Low	

Drive-Through Description :

2 Lanes

Gross Floor Area (estimated):

	Maximum Queue	Time(s) Max Queue Occurred
Sunday		
Monday		
Tuesday	4	5:28pm
Wednesday	4	6:38pm
Thursday		
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:
 Land Use/Building Type:

Name of Business:
 Address:
 City:
 State:
 Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):
 CBD
 Urban (non-CBD)
 Suburban (non-CBD)
 Suburban CBD
 Rural
 Not Given

Competition Within Area (select one):
 High
 Medium
 Low

Drive-Through Description :

2 Lanes

Gross Floor Area (estimated)

	Maximum Queue	Time(s) Max Queue Occurred
Sunday		
Monday		
Tuesday	2	1:57pm, 3:35pm, 5:48pm, 6:07pm, 7:10pm
Wednesday	2	3:03pm, 3:52pm, 4:07pm, 4:46pm, 5:12pm, 5:20pm, 6:43pm
Thursday		
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:

Land Use/Building Type:

Name of Business:

Address:

City:

State:

Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):

CBD	
Urban (non-CBD)	
Suburban (non-CBD)	<input checked="" type="text" value="X"/>
Suburban CBD	
Rural	
Not Given	

Competition Within Area (select one):

High	
Medium	<input checked="" type="text" value="X"/>
Low	

Drive-Through Description :

2 Lanes

Gross Floor Area (estimated)

	Maximum Queue	Time(s) Max Queue Occurred
Sunday		
Monday		
Tuesday		
Wednesday	4	2:33pm, 3:31pm, 4:46pm, 4:57pm, 5:28pm, 6:26pm, 6:38pm, 8:20pm, 9:20pm
Thursday	5	4:30pm, 4:52pm, 5:56pm, 6:00pm
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:

Land Use/Building Type:

Name of Business:

Address:

City:

State:

Zip Code:

Date(s)

Weather Conditions

Location Within Area (select one):

CBD		Competition Within Area (select one):	High	X
Urban (non-CBD)			Medium	
Suburban (non-CBD)	X		Low	
Suburban CBD				
Rural				
Not Given				

Drive-Through Description :

2 Lanes

Gross Floor Area (estimated)

	Maximum Queue	Time(s) Max Queue Occurred
Sunday		
Monday		
Tuesday	3	4:03pm
Wednesday	3	8:34am, 4:04pm, 4:51pm
Thursday		
Friday		
Saturday		

Attachment D - Drive-Thru Queue Generation Report

Appendix D

Drive-Through Queuing Data Form

ITE Land Use Code:

Land Use/Building Type:

Name of Business:

Address:

City:

State:

Zip Code:

Date(s):

Weather Conditions:

Location Within Area (select one):

CBD	
Urban (non-CBD)	
Suburban (non-CBD)	<input checked="" type="text" value="X"/>
Suburban CBD	
Rural	
Not Given	

Competition Within Area (select one):

High	<input checked="" type="text" value="X"/>
Medium	
Low	

Drive-Through Description :

1 Lane

Gross Floor Area (estimated):

	Maximum Queue	Time(s) Max Queue Occurred
Sunday		
Monday		
Tuesday	3	4:49pm
Wednesday	2	12:49pm
Thursday		
Friday		
Saturday		

Design Review Critique

1330 Wayzata Blvd E. – Nolan Properties
May 11, 2017

The Design Review Critique is based on the following plans submitted by the applicant:

1. Site Plan prepared by Studio 55 Architects and dated May 9, 2017
2. Exterior Elevations prepared by Studio 55 Architects and dated May 9, 2017
3. Demolition and Erosion Control Plan prepared by BKBM and dated April 14, 2017
4. Grading, Drainage, and Erosion Control Plan prepared by BKBM and dated April 14, 2017
5. Utility Plan prepared by BKBM and dated April 14, 2017
6. Paving and Geometric Plan prepared by BKBM and dated April 14, 2017
7. Civil Details Sheets prepared by BKBM and dated April 14, 2017
8. Watershed Plan prepared by BKBM and dated April 14, 2017
9. Tree Inventory & Preservation prepared by Calyx Design Group and dated April 14, 2017
10. Landscape Plan prepared by Calyx Design Group and dated April 14, 2017
11. Landscape Details prepared by Calyx Design Group and dated April 14, 2017
12. Exterior lighting plan prepared by TSR Lighting & Controls and dated April 14, 2017

Building Recesses		Comments	Compliance
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 is 66 feet in total width and includes a 5-foot building recession along the west side of the front of the building.	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 proposed plans include a patio, planters, and landscaping along the front of the building.	Yes

Design Review Critique
1330 Wayzata Blvd E. – Nolan Properties
May 11, 2017

					Compliance
Building Width					
<u>801.09.4.1 All Districts – New Buildings</u> 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 project incorporates the following items: 1. Variations in roof lines 2. Building setbacks and articulation of the façade 3. Rhythm of elements		Yes

Design Review Critique
1330 Wayzata Blvd E. – Nolan Properties
May 11, 2017

Upper Story Setbacks				
801.09.5.1.A – All Districts – New Buildings				
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.		This section is not applicable as the proposed building is one story in height.		Not Applicable
801.09.5.1.B – All Districts – New Buildings				
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.		This section is not applicable as the proposed building is one story in height.		Not applicable
801.09.5.1.C – All Districts – New Buildings				
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 building height of the building is 25 ft to the top of the parapet, and the proposed building meets all building height and setback requirements.		Yes

Roof Design				
801.09.6.1 – All Districts				
"Green" roofs, roof garden terraces, arbors and other similar structures are encouraged on roofs of building.		The project does not include a green roof.		Not Applicable

Design Review Critique
1330 Wayzata Blvd E. – Nolan Properties
May 11, 2017

<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. <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.			The proposed material for the flat roof would be a black membrane.	Yes
--	--	--	---	------------

Screening of Rooftop Equipment <u>801.09.7.2 – Wayzata Blvd District</u> All mechanical equipment shall be completely screened behind a parapet wall, so as not to be visible from adjacent properties and pedestrian view vantage points from adjacent sidewalks. No enclosure shall be larger than 25% of the roof area.			The mechanical equipment would be located on the roof deck and screened on all sides by the parapet wall.	Yes
--	--	--	--	------------

Design Review Critique
1330 Wayzata Blvd E. – Nolan Properties
May 11, 2017

		Comments	Compliance
Facade Transparency			
801.09.8.4 – Wayzata Blvd District		The front of the proposed building consists of 55% transparent glass.	Yes
No less than fifty percent (50%) of ground level façades for buildings containing commercial or office uses fronting Wayzata Blvd shall be transparent glass.			
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:		This section is not applicable as the proposed building is one story in height.	Yes
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			

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 landscaping along the front of the building, and the main entrances to the building are located along the street frontage of the building.		Yes

Design Review Critique

1330 Wayzata Blvd E. – Nolan Properties

May 11, 2017

<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 exterior building materials consist of glass, brick, zinc, and wood with the following percentages: <u>Front (north) elevation:</u> Glass: 44% Brick “shingle”: 34% Zinc metal panel: 18% Wood sunscreen: 4% <u>Side (east) elevation:</u> Glass: 14% Brick “shingle”: 55% Zinc metal panel: 29% Wood sunscreen: 2% <u>Side (west) elevation:</u> Glass: 19% Brick “shingle”: 75% Zinc metal panel: 4% Wood sunscreen: 2% <u>Rear (south) elevation:</u> Glass: 0% Brick “shingle”: 99% Zinc metal panel: 0.8% Wood sunscreen: 0.2%	No. The applicant is requesting a design deviation.
<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 same materials are used 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 proposed brick is a mortar-less brick shingle.	No. The applicant is requesting a design deviation.

Design Review Critique
1330 Wayzata Blvd E. – Nolan Properties
May 11, 2017

<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.	The proposed brick meets this design standard.	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 proposed brick is a mortar-less brick shingle.	Not Applicable
<u>801.09.11.1.F – Stone Joints – All Districts</u> Stone joints shall be no larger than one-fourth (1/4) inch.	The exterior of the proposed building does not include any stone.	Not Applicable

Design Review Critique

1330 Wayzata Blvd E. – Nolan Properties

May 11, 2017

<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 proposed building does not include lintels, sills, or cornices.	Not Applicable
<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 building includes pre-finished metal coping, and the parapets would consist of brick and zinc metal panels.	No. The applicant is requesting a design deviation.

Design Review Critique
1330 Wayzata Blvd E. – Nolan Properties
May 11, 2017

<u>801.09.11.1.J – 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.		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 does not include balconies.	Not Applicable
<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 – Doors – 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

Design Review Critique
1330 Wayzata Blvd E. – Nolan Properties
May 11, 2017

Franchise Architecture	Comments	Compliance
801.09.12.1		
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.	The building will not be a franchise.	Not Applicable
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		
Walkways		
801.09.13.2 – Bluff District		
A. Continuous sidewalks at least five (5) feet in width shall be provided along all public street frontages. The sidewalk street grid shall be maintained and extended wherever possible.	The proposed plans include the construction of a 9-foot sidewalk along Wayzata Blvd.	Yes
B. Where the sidewalk street grid is interrupted by steep slopes or other topographic variations, walkways or stairways shall be built to maintain pedestrian continuity.		

Design Review Critique
1330 Wayzata Blvd E. – Nolan Properties
May 11, 2017

Landscaping	Comments	Compliance
<u>801.09.14.1 – All Districts</u> 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	The proposed plans include landscape planters along the front of the building. There are existing boulevard trees located within the Wayzata Blvd boulevard.	Yes
<u>801.09.14.3 – Bluff and Wayzata Blvd Districts</u> Trees with a minimum of three (3) caliper inches shall be planted no more than twenty-six (26) feet apart within a landscaped boulevard.	There are existing boulevard trees located within the Wayzata Blvd boulevard.	Not Applicable

Design Review Critique
1330 Wayzata Blvd E. – Nolan Properties
May 11, 2017

				Comments		Compliance
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.			There are existing boulevard trees located within the Wayzata Blvd boulevard which are between the parking area and the street.			Yes
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.			The proposed parking area is in the interior (rear) and side of the site, away from the public facades on Wayzata Blvd. The side yard parking is less than 60 feet in width, and the parking stalls do not extend in front of the building.			Yes
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.						

Design Review Critique
1330 Wayzata Blvd E. – Nolan Properties
May 11, 2017

					Compliance
<u>801.09.16.2 – All Districts – Bicycle Parking</u> 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.				The proposed plans include 4 bicycle parking spaces along Wayzata Blvd.	Yes
<u>Parking Structures</u>					
<u>801.09.17.1 – All Districts</u> 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.				The proposed plans do not include a parking ramp.	Not Applicable

Design Review Critique
1330 Wayzata Blvd E. – Nolan Properties
May 11, 2017

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 proposes two tenant signs on the north elevation which would each be 45 sq. ft., which complies with the City's sign ordinance.	Yes

Design Review Critique
1330 Wayzata Blvd E. – Nolan Properties
May 11, 2017

Parking Lot and Building Lighting		Comments	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.		All lighting fixtures attached to the building and within the parking lot are designed with downcast fixtures, and the illumination levels comply with the standards in City Code Section 801.16.6	Yes

Jeff Thomson

From: Patrick Lensing <PLensing@steinerdevelopment.com>
Sent: Friday, May 12, 2017 4:20 PM
To: Jeff Thomson
Cc: Bryan Laskin
Subject: Comments regarding 1330 Wayzata Blvd E redevelopment - May 15 Planning Commission hearing

Jeff,

I wanted to pass along for Planning Commission our comments regarding the development at 1330 Wayzata Blvd. E. (currently KFC). We represent Laskin Properties, the Real Estate entity for Lake Minnetonka Dental at 109 Bushaway Rd and adjacent to this site.

1. While this development is well thought out and has the potential to be an asset to the community, we fear that the parking proposed may not meet its requirements. Our site is also maxed out on parking, and could not support any parking or patrons of this redevelopment should they "spill over" to us as neighbors.
2. We similarly have concerns regarding access to Wayzata Blvd. The current access is dangerous enough – especially at peak times. This development will only further increase risk at this access. How does the City propose to ease the congestion that the current and now this increased quantity of vehicles will pose?

I am unable to be available at the Monday, May 15 meeting due to a previous obligation, but would appreciate passing these concerns along to the Commission for discussion and consideration.

Regards,
Patrick Lensing

Patrick Lensing
Senior Property Manager
Direct: 952-475-5121
Fax: 952-475-5114
www.SteinerDevelopment.com



WAYZATA PLANNING COMMISSION
DRAFT MEETING MINUTES
MAY 15, 2017

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, Gruber, Iverson, and Buchanan. Absent: Gonzalez, Murray, Flannigan. Director of Planning and Building Jeff Thomson and City Attorney David Schelzel were also present.

AGENDA ITEM 2. Approval of Agenda

Commissioner Buchanan made a motion, Seconded by Commissioner Young, to approve the May 15, 2017 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Approval of Minutes

a.) None

AGENDA ITEM 4. Public Hearing Items:

a.) Nolan Properties – 1330 Wayzata Blvd E

i. Design review, Conditional Use Permits, Variances

Director of Planning and Building Thomson stated the applicant, Nolan Properties Group, LLC, has submitted a development agreement for the property at 1330 Wayzata Blvd E. The proposal includes demolition of the existing building, parking lot, and other site improvements. The new development would consist of a 4,500 square-foot commercial building and 47 on-site parking stalls. In addition, a new 9-foot public sidewalk would be constructed adjacent to Wayzata Blvd. As part of the submitted development application, the applicant is requesting approval of the design with deviations, conditional use permit (CUP) for drive-in facilities, CUP for restaurant, CUP for convenience food restaurant, variance from the minimum parking lot setback requirement, variance from the minimum landscaping area requirements, and variance from the minimum parking stall requirements.

The City's Tree Preservation Ordinance states that for projects that require design review, up to 10% of the inches of significant trees may be removed for the project. Removal beyond 10% requires tree replacement mitigation or a fee in lieu of such replacement. For heritage trees, all possible measures must be taken to preserve heritage trees and heritage trees can only be removed when there is not a practical alternative. Any heritage tree removal requires two inches of tree replacement for every one inch removed. There are a total of seven trees on the property,

1 one heritage and six significant trees. The proposed plan includes the removal of the heritage
2 tree and one significant tree. The tree preservation plan indicates that the heritage tree, a 26-inch
3 green ash, is in poor health. If the City Forester confirms the ash tree meets the City's definition
4 of a dead, diseased, dying, or hazard tree, it would not be required to be replaced.
5

6 Applicant's representative, Ms. Katelyn Murray, Nolan Properties Group, 328 Barry Avenue S,
7 Wayzata, discussed the significant complexities of the property, including the disrepair of the
8 existing building and parking lot on the site, the poor circulation on the property due to the
9 significant drop from the front of the property to the back of the property, and the narrowness of
10 the site. She stated the proposed design would bring a fresh complimentary look to the corridor
11 and the clean design brings life to the street and creates a sense of place. This is accomplished
12 through high quality and attractive building materials, building massing, and a significant
13 amount of glazing.
14

15 Applicant's architect, Mr. Jack Amdal, Studio 55 Architects, 10700 Highway 55, Plymouth,
16 stated they are planning to use two types of material on the exterior of the proposed building to
17 differentiate the two tenants of the property. They pushed the building as close to the street as
18 possible while maintaining circular access in order to push the urban edge on the building. The
19 sidewalk was added to increase the connectivity of the project and broadening the public
20 sidewalk. He provided samples of the exterior materials they are proposing to use. He explained
21 the use of the rain screen would reduce the potential for mold in the exterior of the building. The
22 glazing on the building would be clear in order to show the lighting in the winter months.
23

24 Ms. Murray stated meeting the City's comprehensive plan objectives for the Wayzata Blvd.
25 corridor is challenging without some relief in the dimensions required in the Zoning Ordinance.
26 The project would provide significant benefits including site improvements from existing
27 conditions, improved vehicular circulation, increased landscape buffers around the site, and
28 significant Stormwater Management improvements.
29

30 Commissioner Buchanan asked what the current building setback was from the street.
31

32 Mr. Amdal stated the proposed building would be close to the same distance from the street as
33 the existing building.
34

35 Commissioner Young stated since there were no tenants identified for the property, it might be
36 premature to discuss the design standards.
37

38 Ms. Murray stated that based on their experience with design, they looked at the tenant
39 possibilities, and included these possible scenarios into the building design and application.
40

41 Mr. Thomson stated the project proposed in this particular application approached the building
42 design in a manner that the City would like to see it done, by designing a quality building for the
43 community and not a franchise building for a particular client or tenant.
44

45 Chair Iverson asked if the applicant would alter the design based on potential tenants.
46

1 Ms. Murray stated they would be looking for quality tenants that would work with the design
2 they have presented for the building.

3
4 Mr. Thomson stated the City has strict design standards limits related to franchise architecture.
5 If the building design were to change, it would likely need to come back to the City for review
6 and approval.

7
8 Chair Iverson asked why there was only the drive-up window on the east side of the building.

9
10 Mr. Amdal discussed how the corner feature of the building wraps the corner. The back of the
11 building would be where the maintenance areas and bathrooms will be located. These areas
12 would not be suitable for windows.

13
14 Commissioner Gruber stated the applicant had done a good job with the narrative in outlining the
15 difficulties with the site, including applicable references to the Comprehensive Plan, and
16 explaining in depth the reasons for the variance requests. She expressed concern however with
17 the grade change along the east side of the building. She asked how the applicant would deal
18 with this significant elevation change.

19
20 Ms. Murray stated they would be raising the grade in the back of the lot. There would be a small
21 retaining wall along the property line. There will be a safety feature provided once the height is
22 determined.

23
24 Chair Iverson asked if there would be any runoff into the wetland with the infiltration system the
25 applicant would be installing.

26
27 Ms. Murray stated there would be some but it would be significantly reduced from what it is
28 currently. They would be installing two new catch basins and infiltration system.

29
30 Commissioner Buchanan asked what the setbacks were currently on the property.

31
32 Mr. Thomson stated currently the parking lot is a zero-foot setback from the east and west
33 property lines.

34
35 Chair Iverson expressed concerns about the increased traffic on Wayzata Boulevard. She noted
36 that this would be a policy question for the City Council and Hennepin County with respect to
37 the road.

38
39 Ms. Murray stated they had looked at the traffic as it related to the project. The circulation
40 around the site would be improved over existing conditions, and that they would be adding
41 access points and traffic flow would be in the path of least resistance. They would stripe the turn
42 lanes at the access points.

43
44 Chair Iverson stated she was concerned about the traffic and with the application presented, they
45 did not have a clear understanding of the traffic impacts because the tenants of the building had

1 not been identified. She would like to know who the tenants would be and see the traffic studies
2 before approving.

3
4 Ms. Murray stated they have built similar projects along busy streets with only one curb cut.
5 They did not have tenants identified for these projects prior to construction. They were able to
6 identify the tenants that would work best for the building and the community. They do consider
7 the traffic when determining the tenants.

8
9 Mr. Thomson stated the staff also reviews traffic with every project. The current access point is
10 the best location in order to address the circulation on the three sites the access point serves.

11
12 Commissioner Young stated the traffic concerns would be a policy question for the City Council
13 but they would not be applicable to the application that is being presented.

14
15 Chair Iverson opened the public hearing on the Application at 7:53 p.m.

16
17 Mr. Thomson stated the Commission had received a written response to the Application from
18 Patrick Lensing, on behalf of Laskin Properties, and this would be included in the public record.

19
20 Ms. Joni Holst, 121 Bushaway Road, Wayzata, expressed concerns about the traffic for Wayzata
21 Boulevard and on Bushaway Road. She asked if the access to Bushaway Road would remain.
22 She would like to know who the tenants of the building would be because some would have
23 higher traffic volumes. She also expressed concerns about miscellaneous cars being in the
24 adjacent office building parking lot at all hours of the day and night. The increased traffic would
25 increase the number of cars in the parking lot and her home is next to this parking lot.

26
27 Mr. George Daniels, 1285 Zircon Lane N, Minneapolis, stated he works at the Carisch building.
28 He stated he recently purchased 1310 Wayzata Boulevard. He had talked with the applicant
29 about development on this property. He stated unless all of Wayzata Boulevard were a
30 redevelopment district the City can not do anything about the curb cuts. He suggested signage
31 along the roadway. He stated that the proposed application is a good development. He further
32 stated he had installed LED lights in the lower portion of his parking lot to eliminate people
33 hanging out in the parking lot, and he suggested Ms. Holst contact the office building owners and
34 discuss their parking lot with them. He supports the application.

35
36 There being no one further who wished to speak, Chair Iverson closed the public hearing at 8:05
37 p.m.

38
39 Commissioner Young stated he supports the CUP requests, the variance request for minimum
40 parking lot setback and the variance from the minimum landscaping area. However, with respect
41 to the parking stall variance requested, he stated the gap in the number of parking stalls on the
42 site and what would be required is too large without knowing the actual tenant mix.

43
44 Commissioner Gruber expressed concerns about potential lighting problems along the south side
45 of the property and the neighboring residential property.

1 Ms. Murray stated they would accommodate the resident with reducing the light in this area but
2 they are also raising the grade along the south so the traffic lights would not shine directly into
3 the home. They would also have trees along the property line that would reduce the exposure to
4 the surrounding properties. On parking, she noted that the Zoning Ordinance requires 58 parking
5 stalls for a coffee shop and convenience food restaurant but according to the traffic study, a
6 coffee use in the building would have a peak demand of 23 parking stalls and a convenience food
7 use would have a peak demand of 23 parking stalls. These two uses also have different parking
8 demand times which allows for the 47 proposed parking stalls to meet these demands. She stated
9 there are other uses that would also comply with the parking provided on the property.

10
11 Chair Iverson asked how much the grading would be increased and if the lighting would be a
12 problem for the second level of the residential property.

13
14 Ms. Murray stated she did not know the exact height of the grade increase but with the
15 appropriate screening and safety measures they would be able to block the headlights from the
16 neighboring residential property.

17
18 Commissioner Gruber stated she is hesitant to approve the variance for the required parking
19 stalls.

20
21 Ms. Murray stated she had talked with the property manager for the dental office building and no
22 one will be incentivized to go up the hill to use their parking lot. But they want to be good
23 neighbors and will police this activity as much as possible. They worked to balance the amount
24 of parking with the size of the building.

25
26 Mr. Daniels stated there had been a parking study done 10-years ago and it looked at the type of
27 use versus the expected turnover of parking. The proposed strip mall type building with only
28 two uses would provide for a quicker turnover in parking. The drive-thru also reduces the need
29 for parking.

30
31 Mr. Thomson clarified that the tenant combination of a restaurant and coffee shop would be the
32 only reason the parking would be out of compliance. He reviewed the applicant's illumination
33 plan and the City's illumination requirements. The proposed plan does meet all of the City's
34 requirements, and the illumination levels along the south property line meet the City's standards.

35
36 Commissioner Buchanan stated he had concerns about the parking until he reviewed the in-depth
37 information the applicant had provided. He would support the parking stall variance.

38
39 Chair Iverson stated she had concerns about the parking stall variance without knowing who the
40 tenants would be.

41
42 Commissioner Gruber stated Mr. Daniels had persuaded her about the parking stall variance.
43 The parking provided in this project is more than what is provided at other locations, and the two
44 uses that are being discussed do have different peak times. She would support the application as
45 presented.

Commissioner Young made a motion, Seconded by Commissioner Gruber, to direct staff to prepare a draft Planning Commission Report and Recommendation, recommending approval of the development application for 1330 Wayzata Boulevard, including approval of the design with requested deviations, approval of the CUP for drive-in facilities, approval of the CUP for restaurant, approval of the CUP for convenience food restaurant, approval of the variance from the minimum parking lot setback requirement, approval of the variance from the minimum landscaping area requirements, and approval of the variance from the minimum parking requirements, with certain conditions as discussed and appropriate findings of fact. The motion carried unanimously.

AGENDA ITEM 5. Old Business Items:

a.) None

AGENDA ITEM 6. Other Items:

a.) Review of Development Activities

Director of Planning and Building Thomson stated that at the last City Council meeting, the Heritage Preservation Board presented the Centennial House Award, and the Council approved the variance request for 128 Broadway N. The agenda for the next City Council meeting includes: HPB presentation of the Mayor's Award for best preserved home, review of the Tree Ordinance amendments, and review of the Comp Plan Community Engagement contract. The agenda for the next Planning Commission meeting will include the review of the draft report and recommendation for 1330 Wayzata Blvd. He stated he would check with Commissioners about rescheduling the July 3 meeting.

b.) Next Meeting is Scheduled for June 5, 2017

AGENDA ITEM 7. Adjournment.

Commissioner Young made a motion, seconded by Commissioner Gruber, to adjourn the meeting of the Planning Commission. The motion carried unanimously.

The Planning Commission meeting was adjourned at 8:34 p.m.

Respectfully submitted,

Tina Borg

TimeSaver Off Site Secretarial, Inc.

WAYZATA PLANNING COMMISSION
DRAFT MEETING MINUTES
JUNE 5, 2017

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, Gruber, Gonzalez, Iverson, Murray, and Buchanan. Absent: Flannigan. Director of Planning and Building Jeff Thomson and City Attorney David Schelzel were also present.

AGENDA ITEM 2. Approval of Agenda

Commissioner Young made a motion, Seconded by Commissioner Gruber, to approve the June 5, 2017 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Approval of Minutes

a.) May 1, 2017 Planning Commission Meeting

Commissioner Gruber made a motion, Seconded by Commissioner Young, to approve the May 1, 2017 Planning Commission Meeting minutes as presented. The motion carried unanimously.

AGENDA ITEM 4. Public Hearing Items:

a.) None

AGENDA ITEM 5. Old Business Items:

**a.) Adopt Report and Recommendation for Nolan Properties – 1330 Wayzata Blvd
E
i. Design review, Conditional Use Permits, Variances**

Director of Planning and Building Thomson stated the applicant, Nolan Properties Group, LLC, has submitted a development agreement for the property at 1330 Wayzata Blvd E. The proposal includes demolition of the existing building, parking lot, and other site improvements. The new development would consist of a 4500 square-foot commercial building and 47 on-site parking stalls. In addition, a new 9-foot public sidewalk would be constructed adjacent to Wayzata Blvd. As part of the submitted development application, the applicant is requesting approval of the design with deviations, Conditional use Permit (CUP) for drive-in facilities, CUP for restaurant,

1 CUP for convenience food restaurant, variance from the minimum parking lot setback
2 requirement, variance from the minimum landscaping area requirements, and variance from the
3 minimum parking stall requirements. The Planning Commission reviewed the development
4 application and held a public hearing at its meeting on May 15, 2017. After discussing the
5 application, the Planning Commission directed staff to prepare a draft Planning Commission
6 Report and Recommendation for approval of the development application subject to several
7 conditions of approval. He stated the applicant requested that the set hours of operation noted in
8 Item 4.1.G.2 of the Report be changed from 11:00 a.m. to 10:30 a.m. He stated that the applicant
9 does not know what tenants would be in the space, and could not specify the hours of operation
10 for closing. The Planning Commission could choose to remove this condition at this time or
11 recommend another time and if there is a need to change it, the applicant can request a CUP
12 amendment.

13
14 Commissioner Buchanan asked why the Commission would restrict the hours of operation at this
15 particular location when they are not restricted for the businesses across the street at the
16 Punch/Chipotle location.

17
18 Mr. Thomson stated Punch and Chipotle are not adjacent to single family residential uses. The
19 McDonalds property is most similar to this application, and there are no restrictions for hours of
20 operation. While there is not a requirement that the hours of operation be restricted for this
21 application, the language is meant to address the criteria of the CUP and the parking stall
22 variance.

23
24 Commissioner Gonzalez expressed concerns about the significant trees that would be removed as
25 part of this development, and how the commercial use would be buffered from the residential
26 area to the south.

27
28 Commissioner Buchanan stated there is quite a bit of land and tree cover that currently acts as a
29 buffer. The resident that spoke at the public hearing had expressed concerns with a different
30 property.

31
32 Commissioner Young stated there would also be a significant re-grading of the property that
33 would elevate the downward focused lighting.

34
35 Commissioner Gonzalez asked if the Commission should require additional landscaping along
36 the south property line.

37
38 Commissioner Buchanan asked if McDonalds had additional screening along this property line
39 and noted that the home that they are screening from is quite a distance from the property line.

40
41 Chair Iverson stated the McDonalds does not have additional screening along the south property
42 line. She stated the neighbors are impacted during the winter.

43
44 Applicant's representative, Mr. John Nolan, 328 Barry Ave, Wayzata, stated they would be
45 willing to switch the types of trees they are planting to arborvitae. He stated they would have a

1 challenge planting trees along this property line because they are raising the grade of the
2 property in this area, so the headlights would point down.

3
4 Mr. Thomson stated this part of the property would be a restrictive area for significant plantings.
5 He suggested a short wall or fence as an alternative to address any screening needs.

6
7 Mr. Nolan stated a short fence would block headlights but may not block ambient light. He noted
8 that trees will not block this light either.

9
10 After discussion, it was the consensus of the Commission to not include a requirement for a
11 fence or additional screening, noting that the City Council can review the discussion at their
12 meeting.

13
14 Commissioner Young stated he would recommend striking from the Report the hours of
15 operation in Sec. 4.1.G.2. He stated he would also recommend changing the language in Sec.
16 4.1.G.1 from "The coffee shop may not serve foods generally associated with lunch or dinner."
17 to "The coffee shop must not serve foods generally not associated with breakfast."

18
19 Commissioner Gruber agreed with Commissioner Young.

20
21 Commissioner Gonzalez stated Sec. 4.1.G may not be needed. Once the applicant has a tenant,
22 then they could submit a parking plan.

23
24 Mr. Thomson stated the parking requirements are specific to uses, not tenants, and the intent of
25 this proposed condition of approval is to have different peak parking hours if the tenants are a
26 coffee shop and restaurant.

27
28 Commissioner Young expressed concerns that the language would restrict places such as
29 Starbucks or Caribou that offer lunch sandwiches, but are not necessarily lunch destinations.

30
31 Mr. Thomson suggested including "ancillary foods" along with breakfast foods in the condition.

32
33 Commissioner Gruber stated most coffee shops are open past 8:00 p.m. so it does not seem
34 reasonable to restrict them to just breakfast foods.

35
36 Commissioner Murray asked if there was similar language included in the approvals for Punch
37 and Chipotle, and how many stalls they have at that location.

38
39 Mr. Thomson stated the development approval for the Punch/Chipotle uses does not include
40 these types of restrictions, and it has a lower parking ratio than the proposed application.

41
42 Commissioner Buchanan stated 47 parking stalls should be adequate for whatever tenants are in
43 the proposed building.

44
45 Commissioner Murray asked if the City considered the parking and traffic at the Punch/Chipotle
46 site to be a problem.

1
2 Mr. Thomson stated Punch and Chipotle are at full capacity for their parking spaces on a regular
3 basis, which tends to indicate that they do not have enough parking.
4

5 Commissioner Young stated 47 stalls is adequate, and he would consider striking the language
6 from the conditions of approval in the draft Report.
7

8 Commissioner Buchanan stated prospective tenants would be considering the parking and if it
9 would address their particular needs.
10

11 Commissioner Gonzalez stated the property also has the opportunity to work with adjacent
12 properties for additional parking if there is a need in the future.
13

14 City Attorney Schelzel stated that part of the reason given by the Applicant for the variance
15 approval was that there would be off set parking demands for each tenant, because they had
16 different peak hours of operation. If language proposed in the Report is not required as part of
17 the conditions, there still needs to be adequate findings that support granting the parking stall
18 variance, such as the narrowness of the lot.
19

20 Mr. Thomson stated this Conditional Use Permit would go with the property, and would be in
21 effect for any tenant changes that occur in this development.
22

23 Commissioner Gonzalez asked how the City would enforce this condition on food served and
24 hours of operation.
25

26 City Attorney Schelzel stated the intent when drafting conditions is to be as clear as possible for
27 everyone, including the City and future tenants. However, this particular condition is more
28 vague and recognizes that there will be some gray area. The City would not be monitoring the
29 menu items of these locations to ensure there was no overlap, but rather have the ability to
30 enforce this condition in cases where there is clear noncompliance that is causing a problematic
31 overlapping in parking demands.
32

33 Commissioner Gonzalez stated if the limiting factor is the number of parking stalls available,
34 then this will determine the use of the property. She does not believe the City should include the
35 conditional language in Sec. 4.1.G.1 and 4.1.G.2 of the Report.
36

37 Commissioner Young stated the parking stall variance would still restrict the potential tenants to
38 a coffee shop and restaurant/convenience food restaurant, which meets the intent of the
39 additional conditions.
40

41 Commissioner Young made a motion, Seconded by Commissioner Gruber, to recommend
42 approval of the Planning Commission Report and Recommendation, recommending approval of
43 the Project Design, Conditional Use Permits, and Variances for a New Commercial development
44 at 1330 Wayzata Blvd. E and striking the conditional Sections 4.1.G.1, 4.1.G.2, 3.2.D.5, 3.3.D,
45 and 3.4.K.5. The motion carried unanimously.
46

DRAFT RESOLUTION NO. 21-2017

**RESOLUTION APPROVING PROJECT DESIGN, CONDITIONAL USE PERMITS,
AND VARIANCES FOR A NEW COMMERCIAL DEVELOPMENT
AT 1330 WAYZATA BLVD E**

WHEREAS, Nolan Properties Group, LLC on behalf of property owner Delarias Kitchen, Inc. (the "Applicant") has submitted a development application for the property at 1330 Wayzata Blvd E (the "Property") requesting design approval, multiple CUPs and multiple variances (the "Application") for a new 4,500 square foot commercial building with 47 on-site parking stalls, a new 5-foot public sidewalk, new landscaping, and other site improvements (the "Project"); and

WHEREAS, the Wayzata Planning Commission, pursuant to the Zoning Ordinance, held a public hearing on the Application on May 15, 2017, and adopted a Report and Recommendation to the City Council to approve the Application on June 5, 17, a copy of which is attached to this Resolution as Attachment A ("PC Report and Recommendation").

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

A. Based on the Application materials, additional materials submitted by the Applicant, staff reports, public comment and information presented at the public hearings, the standards of the Wayzata Zoning Ordinance, and the findings and recommendations of the PC Report and Recommendation, all of which are incorporated by reference in this Resolution, the City Council of the City of Wayzata hereby finds, confirms and memorializes that the Application meets the applicable requirements of Wayzata's Zoning Ordinance.

B. Based on the foregoing, (1) the Project Design and Deviations; (2) the Drive In CUP; (3) the Restaurant CUP; (4) the Convenience Food CUP; (5) the Parking Lot Setback Variance; (6) the Landscaping Variance; and (7) the Parking Stall Variance requested in the Application, and as defined in the record, are hereby **APPROVED**, subject to satisfaction and continuing compliance with all of the following:

1. CUP Standards. The Applicant and future owners of the Property must continue to comply with all standards of City Code Sec. 801.77.5 applicable to each of the approved CUPs.
2. Civil Design. The final Grading, Drainage, and Erosion Control Plan, Utility Plan, Civil Details, Watershed Plan must be reviewed and approved by the City Engineer prior to the City issuing a building permit.

3. Tree Preservation. The final Tree Inventory and Preservation Plan, Landscape Plan, and Landscape Details must be reviewed and approved by the City Forester prior to the City issuing a building permit.
4. Other Approvals. The Applicant must secure all necessary building, construction and other permits for the Project, and comply with all laws and regulations applicable to improvements upon and uses of the Property.
5. Costs. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata City Council this _____ day of _____, 2017.

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:

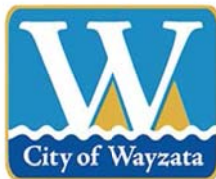
Resolution adopted.

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 _____, 2017.

Becky Malone, Deputy City Clerk
SEAL

Attachment A

Planning Commission Report and Recommendation, dated June 5, 2017



WAYZATA PLANNING COMMISSION

June 5, 2017

REPORT AND RECOMMENDATION OF APPROVAL OF PROJECT DESIGN, CONDINTIONAL USE PERMITS, AND VARIANCES FOR A NEW COMMERCIAL DEVELOPMENT AT 1330 WAYZATA BLVD E

SUMMARY OF RECOMMENDATIONS*

1. **Approval** of Project Design
2. **Approval** of Conditional Use Permit for Bank Drive-in Facilities
3. **Approval** of Conditional Use Permit for Restaurant
4. **Approval** of Conditional Use Permit for Convenience Food Restaurant
5. **Approval** of Variance from the Minimum Parking Lot Setback
6. **Approval** of Variance from the Minimum Landscaped Area
7. **Approval** of Variance from Minimum Parking Stalls Requirement

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

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 **Project.** Nolan Properties Group, LLC on behalf of property owner Delarias Kitchen, Inc. (the "Applicant") has submitted a development application for the property at 1330 Wayzata Blvd E (the "Property") requesting design approval, multiple CUPs and multiple variances (the "Application") for a new 4,500 square foot commercial building with 47 on-site parking stalls, a new 9-foot public sidewalk, new landscaping, and other site improvements (the "Project").
- 1.2 **Application Requests.** Approvals of the following are requested in the Application:
 - A. **Design:** Design of the new building and other site improvements as depicted in the plans listed in the Design Critique attached as **Attachment A** that are part of the Project ("Project Design"), including two deviations from the Wayzata Design Standards for use of zinc metal panels as a primary exterior building material and mortar-less brick shingles. (the "Deviations")

- B. Conditional Use Permit for Drive-in Facilities: A CUP for drive-in facilities for a bank or savings and loans association on the Property. ("Drive In CUP")
 - C. Conditional Use Permit for Restaurant: A CUP for a restaurant on the Property. ("Restaurant CUP")
 - D. Conditional Use Permit for Convenience Food Restaurant: A CUP for a convenience food restaurant. ("Convenience Food CUP")
 - E. Variance from the Minimum Parking Lot Setback: A variance from the 10 foot minimum parking lot setback to allow for a 5 foot setback from the west and east property lines. ("Parking Lot Setback Variance")
 - F. Variance from the Minimum Landscaped Area: A variance from the requirement that a minimum of 20 percent of a total lot be landscaped to allow for a 16.4 percent landscaped area on the Property. ("Landscaping Variance")
 - G. Variance from the Minimum Parking Stalls Requirement for Possible Uses: A variance from the 58 parking stalls requirement for a potential tenant combination of a 2,300 square foot coffee shop and a 2,200 square foot restaurant/convenience food restaurant to allow for only 47 parking stalls on the Property if such combination of uses were to occur on the Property. ("Parking Stall Variance")
- 1.3 Property. The street address, property identification number and owner of the Property are:

1330 Wayzata Blvd E	05-117-22-31-0008	Delarias Kitchen, Inc.
---------------------	-------------------	------------------------

- 1.4 Land Use. The Property is zoned C-3/Service District and guided Mixed Use Commercial under the Wayzata Comprehensive Plan.
- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Lakeshore Weekly News* on May 4, 2017. A copy of the notice was mailed to all property owners located with 350 feet of the Property on May 5, 2017. The public hearing on the Application was held at the May 15, 2017 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 Design Standards. All new nonresidential building construction in the City must comply with the Design Standards found in Section 9 of the Zoning Ordinance. (City Code Section 801.09). The Project falls within the Wayzata Blvd Design District, and the relevant design standards applicable to the Project are outlined in

the attached "Design Critique" (Attachment A). Deviations from the Design Standards may be permitted under Sec. 801.09.21 (with the exception of Section 7 of the Design Standards) if City Council (after considering the Planning Commission's recommendation) makes a finding 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.

2.2 Conditional Use Permit for Bank Drive-in Facilities. Within the C-3 zoning district, drive-in facilities for banks or savings and loans associations are a conditional use. (City Code Section 801.77.5.C). Such conditional uses may be approved under the general CUP standards of Sec. 801.04.2.F and compliance with the following use-specific standards:

- A. Compatibility. The architectural appearance, scale, construction materials, and functional plan of the building and site shall not be dissimilar to the existing nearby commercial and residential buildings, and shall not cause impairment in property values, or constitute a blighting influence within a reasonable distance of the site.
- B. Vehicle Access. Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movements.
- C. Surfacing. The entire area other than that portion occupied by buildings or structures or plantings shall be surfaced with a material which will control dust and drainage and which is subject to the approval of the City.

D. Drive-through Windows. Service windows shall be allowed if the following additional criteria are satisfied:

1. Stacking. Not less than one hundred eighty (180) feet of segregated automobile stacking lane(s) must be provided for the service window
2. Traffic Control. The stacking lane and its access must be designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.
3. Use of Street. No part of the public street or boulevard may be used for stacking of automobiles.
4. Noise. The stacking lane, service intercom, and service window shall be designed and located in such a manner as to minimize automobile and communication noises, emissions, and headlight glare upon adjacent premises, particularly residential premises, and to maximize maneuverability of vehicles on the site. Levels of noise, light, and air quality shall occur and be measured at property lines and shall satisfy established state regulations.
5. Hours. Hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.
6. Green Strip. At any common boundary shared with a residential district, a strip of not less than five (5) feet shall be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.
7. General CUP Standards. The provisions of Section 801.04.2.F of the Zoning Ordinance (CUPs) are considered and satisfactorily met. These provisions require City Council to consider possible adverse effects of the proposed conditional use. Council's 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 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 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.

2.3 Conditional Use Permit for Restaurant. Within the C-3 zoning district, convenience food restaurants are a conditional use. (City Code Section 801.77.5.F). Such conditional uses may be approved under the general CUP standards of 801.04.2.F and compliance with the following use-specific standards:

- A. The use obtains all local, state and federal food and beverage handling licenses and/or permits.
- B. There shall be no excessive noise or odors emitted from the use.
- C. There shall be no outdoor storage and/or display.
- D. The hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.
- E. The use must be landscaped and screened in accordance with Section 801.18 of this Ordinance.
- F. The provisions of Section 801.04.2.F of the Zoning Ordinance (CUPs) are considered and satisfactorily met.

2.4 Conditional Use Permit for Convenience Food Restaurant. Within the C-3 zoning district, convenience food restaurants are a conditional use. (City Code Section 801.77.5.G). Such conditional uses may be approved under the general CUP standards of Sec. 801.04.2.F and compliance with the following use-specific standards:

- A. Compatibility. The architectural appearance, scale, construction materials, and functional plan of the building and site shall not be dissimilar to the existing nearby commercial buildings, and shall not cause impairment in property values, or constitute a blighting influence within a reasonable distance of the site.

- B. Green Strip. At any common boundary shared with a residential district, a strip of not less than five (5) feet shall be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.
- C. Lighting. Each light standard base island and all islands in the parking lot landscaped or covered. The light source is hooded to prevent glare onto adjoining property and the public right-of-way.
- D. Curbing. Parking areas and driveways shall be curbed with continuous concrete curbs not less than six (6) inches high above the parking lot or driveway grade.
- E. Vehicle Access. Vehicular access points shall be limited and shall create a minimum of conflict with through traffic movements.
- F. Drainage. The entire area shall have a drainage system which is subject to the approval of the City Engineer.
- G. Surfacing. The entire area other than that portion occupied by buildings or structures or plantings shall be surfaced with a material which will control dust and drainage and which is subject to the approval of the City.
- H. Loading Berth. Adequate space shall be provided on the site for a loading berth to accommodate the parking and maneuvering of semi-tractor trailers.
- I. Refuse Storage. All refuse shall be stored in containers as specified by City Code. Said containers are to be screened and enclosed by a fence or similar structure.
- J. Litter Control. The operation shall be responsible for litter control within five hundred (500) feet of the property line and is to occur on a daily basis.
- K. Drive-Through Windows. Service windows shall be allowed if the following additional criteria are satisfied:
 - 1. Stacking. Not less than one hundred eighty (180) feet of segregated automobile stacking lane must be provided for the service window.
 - 2. Traffic Control. The stacking lane and its access must be designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.
 - 3. Use of Street. No part of the public street or boulevard may be used for stacking of automobiles.

4. Noise. The stacking lane, order board intercom, and service window shall be designed and located in such a manner as to minimize automobile and communication noises, emissions, and headlight glare upon adjacent premises, particularly residential premises, and to maximize maneuverability of vehicles on the site. Levels of noise, light, and air quality shall be measured at property lines and shall satisfy established state regulations.
 5. Hours. Hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.
- L. The provisions of Section 801.04.2.F of the Zoning Ordinance are considered and satisfactorily met.
- 2.5. Minimum Parking Lot Setback. The Zoning Ordinance requires a minimum parking lot setback of 10 feet from all property lines. (City Code Section 801.20.5.D)
 - 2.6. Minimum Landscaped Area. The C-3 zoning district requires a minimum of 20 percent of the lot to be landscaped and maintained. (City Code Section 801.77.6.F)
 - 2.7. Minimum Parking Stall Requirement. The Project's possible building tenant mix of a coffee shop and restaurant/convenience food restaurant would require 58 parking stalls. (City Code Section 801.20.11 and 801.20.13.B)
 - 2.8. Variances. The applicable criteria for granting a variance from the standards of the Zoning Ordinance under Sec. 801.05.1.C. are:
 - A. Variances shall only be permitted when they are:
 - (i) in harmony with the general purposes and intent of the Zoning 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 the Zoning 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 the Zoning 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. The City Council shall not permit as a variance any use that is not allowed under the Zoning 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.
- F. 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.

Section 3. FINDINGS

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

- 3.1 Project Design. Except for the Deviations, the Project meets the applicable provisions of the Design Standards, as detailed in the Design Critique attached to this Report as Attachment A. There are several advantages and positive impacts of the proposed exterior zinc and brick material associated with the Deviations. Any negative impacts of the Deviations are 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, including (i) allowing for a broader range of commercial uses that provide daily goods and services; (ii) increasing walkability of eastern Wayzata Blvd; (iii) placing more parking behind the building; (iii) reducing franchise architecture; (iv) better screening of commercial and service areas from adjacent residential neighborhoods with new landscaping and site design; (v) giving attention in commercial and services areas to building design and scale, street trees and extensive use of landscaping.
 - 2. The extent to which the Deviations permit greater conformity with other standards, policies behind the standards, and with other Zoning Ordinance standards, including use of materials that are innovative, attractive, more sustainable, more cost effective, an integral part of a high quality design, and appropriate for the site and proposed building.
 - 3. The positive effect of the Project on the area in which the Project is proposed, as noted elsewhere in this Report.

- 3.2 Conditional Use Permit for Bank Drive-in Facilities. The potential bank drive in facilities associated with the Drive In CUP ("Drive In Facilities") (assuming compliance with the conditions recommended in Section 4 of this Report) meet the requirements of City Code Section 801.77.5.C, as detailed below.
- A. Compatibility. The architectural appearance, scale, construction materials, and functional plan of the building and site associated with the Project will not be dissimilar in any negative way to the existing nearby commercial and residential buildings, and shall not cause impairment in property values, or constitute a blighting influence within a reasonable distance of the site.
 - B. Vehicle Access. Vehicular access points for the Project will be limited, and create a minimum of conflict with through traffic movements.
 - C. Surfacing. The entire area other than that portion occupied by buildings or structures or plantings will be surfaced with a material which will control dust and drainage that has been approved by the City.
 - D. Drive-through Windows. The following additional criteria for service windows are satisfied and/or will be satisfied prior to any use of the Drive In Facilities:
 - 1. Stacking. Not less than one hundred eighty (180) feet of segregated automobile stacking lane(s) is provided for the service window.
 - 2. Traffic Control. The stacking lane and its access are designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.
 - 3. Use of Street. No part of the public street or boulevard will be used for stacking of automobiles.
 - 4. Noise. The stacking lane, service intercom, and service window are be designed and located in such a manner as to minimize automobile and communication noises, emissions, and headlight glare upon adjacent premises, particularly residential premises, and to maximize maneuverability of vehicles on the site. Levels of noise, light, and air quality must continue to meet state regulations.
 - 5. Hours. The drive through window would not adversely affect nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.
 - 6. Green Strip. The common boundary shared with a residential district, contains a strip of not less than five (5) feet, and will be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.

7. General CUP Standards. The provisions of Section 801.04.2.F of the Zoning Ordinance are met, and the possible adverse effects of the proposed conditional use have been considered. The Drive In CUP should be issued based on the following factors:
- a. The Drive In Facilities do not contravene any specific policies or provisions of the official City Comprehensive Plan.
 - b. The Drive In Facilities are compatible with present and future uses of the area, in which there are similar uses.
 - c. The Drive In Facilities conform with all performance standards contained in the Zoning Ordinance (i.e., parking, loading, noise, etc.).
 - d. The Drive In Facilities will not have a negative effect on the area in which they are proposed.
 - e. The Drive In Facilities will not have a negative impact upon property values in the area.
 - f. Traffic generated by the Drive In Facilities will be able to be served by the capabilities of the streets serving the Property.
 - g. The Drive In Facilities will not have a negative impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

3.3 Conditional Use Permit for Restaurant. The potential restaurant associated with the Restaurant CUP ("Restaurant") (assuming compliance with the conditions recommended in Section 4 of this Report) meets the requirements of City Code Section 801.77.5.F, as detailed below.

- A. As a condition of approval and continued validity of the Restaurant CUP, the Restaurant must obtain and maintain all local, state and federal food and beverage handling licenses and/or permits.
- B. As a condition of approval and continued validity of the Restaurant CUP, there must be no excessive noise or odors emitted from the Restaurant use.
- C. As a condition of approval and continued validity of the Restaurant CUP, there must be no outdoor storage and/or display associated with the Restaurant.

- D. The restaurant would not adversely affect nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.
 - E. The Project will be landscaped and screened in accordance with Section 801.18 of the Zoning Ordinance.
 - F. The provisions of Section 801.04.2.F of the Zoning Ordinance are met, and the possible adverse effects of the Restaurant have been considered. The Restaurant CUP should be issued based on the following factors, and assuming compliance with the conditions noted above:
 - 1. The Restaurant does not contravene any specific policies or provisions of the official City Comprehensive Plan.
 - 2. The Restaurant is compatible with present and future uses of the area, in which there are similar uses.
 - 3. The Restaurant conforms with all performance standards contained herein (i.e., parking, loading, noise, etc.).
 - 4. The Restaurant will not have a negative effect on the area in which it is proposed.
 - 5. The Restaurant will not have a negative impact upon property values in the area.
 - 6. Traffic generated by the Restaurant will be able to be served by the capabilities of the streets serving the Property.
 - 7. The Restaurant will not have a negative impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.
- 3.4 Conditional Use Permit for Convenience Food Restaurant. The potential convenience restaurant associated with the Convenience Food CUP ("Convenience Food Restaurant") (assuming compliance with the conditions recommended in Section 4 of this Report) meets the requirements of City Code Section 801.77.5.G, as detailed below.
- A. Compatibility. The architectural appearance, scale, construction materials, and functional plan of the building and site associated with the Project will not be dissimilar in any negative way to the existing nearby commercial and residential buildings, and shall not cause impairment in property values, or constitute a blighting influence within a reasonable distance of the site, as noted elsewhere in this Report.

- B. Green Strip. The common boundary shared with a residential district, contains a strip of not less than five (5) feet, and will be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.
- C. Lighting. Each light standard base island and all islands in the parking lot will be landscaped or covered, and the light source will be hooded to prevent glare onto adjoining property and the public right-of-way.
- D. Curbing. Parking areas and driveways for the Project will be curbed with continuous concrete curbs not less than six (6) inches high above the parking lot or driveway grade.
- E. Vehicle Access. Vehicular access points for the Project will be limited, and create a minimum of conflict with through traffic movements.
- F. Drainage. The entire area will have a drainage system which has been approved by the City Engineer.
- G. Surfacing. The entire area other than that portion occupied by buildings or structures or plantings will be surfaced with a material which will control dust and drainage that has been approved by the City.
- H. Loading Berth. Adequate space will be provided on the site for a loading berth to accommodate the parking and maneuvering of semi-tractor trailers.
- I. Refuse Storage. All refuse will be stored in containers as specified by City Code. Said containers will be screened and enclosed by a fence or similar structure.
- J. Litter Control. The operation will be responsible for litter control within five hundred (500) feet of the property line and will ensure that such control will occur on a daily basis.
- K. Drive-Through Windows. Service windows shall be allowed if the following additional criteria are satisfied:
 - 1. Stacking. Not less than one hundred eighty (180) feet of segregated automobile stacking lane(s) is provided for the service window.
 - 2. Traffic Control. The stacking lane and its access are designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.
 - 3. Use of Street. No part of the public street or boulevard will be used for stacking of automobiles.

4. Noise. The stacking lane, service intercom, and service window are designed and located in such a manner as to minimize automobile and communication noises, emissions, and headlight glare upon adjacent premises, particularly residential premises, and to maximize maneuverability of vehicles on the site. Levels of noise, light, and air quality must continue to meet state regulations.
 5. Hours. The drive through window would not adversely affect nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.
- L. The provisions of Section 801.04.2.F of the Zoning Ordinance are met, and the possible adverse effects of the Convenience Food Restaurant have been considered. The Convenience Food CUP should be issued based on the factors noted above for a potential Restaurant, and assuming compliance with the conditions noted above.
- 3.5. Minimum Parking Lot Setback Variance.
- A. The Parking Lot Setback Variance and associated Project is:
 - (i) in harmony with the general purposes and intent of the Zoning Ordinance for the C-3 Service District; and
 - (ii) consistent with the Comprehensive Plan guidance for the area.
 - B. The Applicant, in its application and public testimony, has established that there are practical difficulties in complying with the Zoning Ordinance as they relate to parking lot setback requirements.
 - C. With respect to such practical difficulties:
 - (i) the Project and its proposed parking lot setbacks are reasonable but not permitted by the Zoning Ordinance;
 - (ii) the plight of the Applicant is due to circumstances unique to the Property, namely the narrow configuration of the lot relative to its east and west side boundaries, and its steep drop in elevation from front to back, and not created by the Applicant; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
 - D. Economic considerations alone do not constitute practical difficulties in this case.
 - E. The Parking Lot Setback Variance is not a use variance.

- F. The Application sets forth reasons that the Parking Lot Setback Variance is justified under the criteria of the Zoning Ordinance in order to make reasonable use of the Property.

3.6 Minimum Landscaped Area Variance.

- A. The Landscaping Variance and associated Project is:
 - (i) in harmony with the general purposes and intent of the Zoning Ordinance for the C-3 Service District; and
 - (ii) consistent with the Comprehensive Plan guidance for the area.
- B. The Applicant, in its application and public testimony, has established that there are practical difficulties in complying with the Zoning Ordinance as they relate to minimum landscaped area requirements.
- C. With respect to such practical difficulties:
 - (i) the Project and its proposed landscaped areas are reasonable but not permitted by the Zoning Ordinance;
 - (ii) the plight of the Applicant is due to circumstances unique to the Property, namely the narrow configuration of the lot relative to its east and west side boundaries, and its steep drop in elevation from front to back, and not created by the Applicant; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
- D. Economic considerations alone do not constitute practical difficulties in this case.
- E. The Landscaping Variance is not a use variance.
- F. The Application sets forth reasons that the Landscaping Variance is justified under the criteria of the Zoning Ordinance in order to make reasonable use of the Property.

3.7 Minimum Parking Stall Requirements Variance.

- A. The Parking Stall Variance and associated Project is:
 - (i) in harmony with the general purposes and intent of the Zoning Ordinance for the C-3 Service District; and
 - (ii) consistent with the Comprehensive Plan guidance for the area.
- B. The Applicant, in its application and public testimony, has established that there are practical difficulties in complying with the Zoning Ordinance as they relate to parking stall requirements.
- C. With respect to such practical difficulties:

- (i) the Project and its proposed parking stalls are reasonable in light of hours of operations for the respective tenant businesses, but not permitted by the Zoning Ordinance;
 - (ii) the plight of the Applicant is due to circumstances unique to the Property, namely the narrow configuration of the lot relative to its east and west side boundaries, and its steep drop in elevation from front to back, and not created by the Applicant; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
- D. Economic considerations alone do not constitute practical difficulties in this case.
 - E. The Parking Stall Variance is not a use variance.
 - F. The Application sets forth reasons that the Parking Stall Variance is justified under the criteria of the Zoning Ordinance in order to make reasonable use of the Property.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends the following:
- A. Project Design: **APPROVAL** of the Project Design, as set forth in the Application, conditioned on the approval of the Parking Lot Setback Variance and the Landscaping Variance.
 - B. Conditional Use Permit for Drive-in Facilities: **APPROVAL** of the Drive In CUP for drive-in facilities for a bank or savings and loans association on the Property, conditioned on continuing compliance with the standards of City Code Section 801.77.5.C.
 - C. Conditional Use Permit for Restaurant: **APPROVAL** of the Restaurant CUP for a restaurant on the Property, conditioned on continuing compliance with the standards of City Code Section 801.77.5.F.
 - D. Conditional Use Permit for Convenience Food Restaurant: **APPROVAL** of the Convenience Food CUP for a convenience food restaurant on the Property, conditioned on continuing compliance with the standards of City Code Section 801.77.5.G.
 - E. Variance from the Minimum Parking Lot Setback: **APPROVAL** of the Parking Lot Setback Variance to allow for a 5 foot setback from the west and east property lines.

- F. Variance from the Minimum Landscaped Area: **APPROVAL** of the Landscaping Variance to allow for a 16.4 percent landscaped area on the Property.
- G. Minimum Parking Stall Requirements Variance: **APPROVAL** of the Parking Stall Variance for only 47 parking stalls on the Property for a potential tenant combination of a 2,200 square foot coffee shop and a 2,300 square foot restaurant/convenience food restaurant.

4.2 Additional Conditions:

- A. Civil Design. The final Grading, Drainage, and Erosion Control Plan, Utility Plan, Civil Details, Watershed Plan must be reviewed and approved by the City Engineer prior to the City issuing a building permit.
- B. Tree Preservation. The final Tree Inventory and Preservation Plan, Landscape Plan, and Landscape Details must be reviewed and approved by the City Forester prior to the City issuing a building permit.
- C. Other Approvals. The Applicant must secure all necessary building, construction and other permits for the Project, and comply with all laws and regulations applicable to improvements upon and uses of the Property.
- D. Costs. 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 5th day of June 2017.

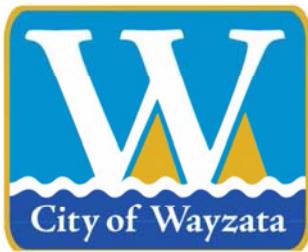
Voting In Favor: Buchanan, Gonzalez, Gruber, Iverson, Murray, Young

Voting Against: None

Abstaining: None

Absent: Flannigan

Attachment A
(the "Design Critique")



City of Wayzata City Council Agenda Report

MEETING DATE: June 20, 2017	AGENDA ITEM: 8b
TITLE: Consider first reading of Ordinance No. 772 amending Chapter 710 and Section 801.36 of the City Code pertaining to tree regulations	
PROPOSED MOTION: Adopt the first reading of Ordinance No. 772	
PREPARED BY: Jeff Thomson, Director of Planning and Building	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

City staff recommends approval of Ordinance No. 772

FINANCIAL OR BUDGET CONSIDERATION:

If the Council adopts a tree removal permit as part of the ordinance amendment, the permit would have a minor impact on the City budget. The City's general practice is to charge a fee that covers any costs that the City incurs to review a permit application. The City's costs to review a tree removal permit would include the staff time necessary to review the permit, which would be minimal given the scope of the permit is simply to track tree removal on a property for recordkeeping purposes. The tree removal permit fee in 2016 was \$35, and City staff would recommend reinstating the \$35 fee. If the Council adopts the draft ordinance, the fee schedule amendment would be brought back at the next meeting for the Council's consideration.

BACKGROUND:

Draft Ordinance Amendment

City staff drafted amendments to Chapter 710 and Section 801.36 that made the following categories of changes:

- **"Clean-Up" Items:** As City staff has administered and applied the new tree ordinance, we have identified several sections where the regulations and standards could be stated more clearly. Most of the changes in the draft ordinance are intended to clean-up these sections of the ordinance to make it easier for the City to administer. These amendments do not change the intent, purpose, or policies of the regulations contained in the existing ordinance.
- **Adds a look-back clause:** To address concerns about tree removal occurring prior to development or construction, the draft ordinance amendment includes a two-year look back clause for subdivision applications, construction or maintenance of public infrastructure, and construction of single-family homes. If trees were removed from a property within two years of submitting an application to the City for these projects, the removed trees would be included as trees being removed as a result of the project.

For expansions to single-family homes, land disturbance permits, and applications for design review, the draft ordinance amendment includes a one year look-back clause. If trees were removed from a property within one year of submitting an application to the City for these

projects, the removed trees would be included as trees being removed as a result of the project.

- **Adds a tree removal permit requirement:** The original tree ordinance (prior to the 2016 amendment) included a tree removal permit requirement in which a property owner was required to obtain a permit from the City prior to removing trees from a property. However, the permit requirement was removed from the ordinance in 2016 based on direction from the Council that they did not want to require a permit for property owners to remove trees on their property if they are not proposing any type of construction. In adding a look-back clause to the ordinance, City staff thinks the clause would be easier to enforce if there is an administrative means of tracking tree removal. The permit requirement would not preclude a property owner from removing trees if there is no construction of the property. It would allow the City to (1) ensure that the contractor is licensed by the City, and (2) track the size and type of trees that are removed from a property.

Planning Commission Review

The Planning Commission reviewed the draft ordinance amendments and held a public hearing at its meeting on May 1st. In general, the Planning Commission expressed unanimous support for the clean-up items. The Planning Commission discussion related to the look-back clause and tree removal permit requirement was split. A motion to recommend approval of the draft ordinance amendment, including the clean-up items, look-back clause, and tree permit requirements, failed on a vote of 3 in favor and 3 opposed. Ultimately, the Planning Commission adopted a recommendation of approval for the ordinance amendments for only the clean-up items, which passed with a vote of 4 in favor and 2 opposed.

City Council Review

The City Council reviewed the draft ordinance amendment at its meeting on May 16, 2017. At the meeting, the City Council expressed support for the clean-up items in the draft ordinance amendment. The Council also indicated that they would like to consider the draft ordinance amendments for the look-back clause and the tree removal permit.

Draft Ordinance Amendment

Attached for the Council's consideration is a draft ordinance which amends Chapter 710 of City Code (Planting, Maintenance, and Removal of Trees) and Section 801.36 of City Code (Tree Preservation.) The draft ordinance includes the clean-up amendments, look-back clauses, and tree removal permit requirements.

ATTACHMENTS:

1. Draft Ordinance No. 772
2. Draft Ordinance Amendment to Chapter 710
 - red-lined copy
 - clean copy
3. Draft Ordinance Amendment to Section 801.36
 - red-lined copy
 - clean copy
4. Planning Commission Report and Recommendation

CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA
ORDINANCE NO. 772

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

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 Sec. 801.36 of City Code. Section 801.36 of the Wayzata Zoning Ordinance is hereby amended to read in its entirety as set forth in Exhibit B attached hereto (~~struck~~ text deleted; underlined text added).

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 May 1, 2017.

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

Adopted by the City Council this ____ day of _____, 2017.

Ken Willcox
Mayor

ATTEST:

Jeffrey Dahl
City Manager

First Reading:
Second Reading:
Publication:

EXHBIT A

Amendment of Ch. 710 of City Code

DRAFT

EXHIBIT B

Amendment of Sec. 801.36 of City Code

DRAFT

CHAPTER 710

MAINTENANCE AND REMOVAL OF TREES CITY FORESTER AND SAFETY OF TREES ON PUBLIC AND PRIVATE PROPERTY

- 710.01.** Purpose. ~~The Wayzata City Council has determined the preservation of trees growing on public and private property are is necessary to maintain the general welfare of the public City 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 maintenance and removal of trees within the City of Wayzata by This Chapter:~~ (1) Defining the duties and responsibilities of the City Forester as the agent enforcing regulations relating to the planning, maintenance, and removal of trees within the City of Wayzata; (2) Establishing a Pathogen Control Program; (3) Defining nuisance conditions related to trees on private property and a process for abating the nuisances; (4) Providing for the issuing of ~~permits and/or~~ licenses for businesses that conduct any maintenance and/or removal of trees within the City of Wayzata; ~~and (3) Providing for the pruning and removal of trees on private property that endanger public safety;~~ (45) Providing for standards and specifications of all policy concerning trees on public property.
- ~~and (5) Providing for standards and specifications for care protection policy concerning trees within project construction limits.~~

(Ord. xxxx)

710.02. Duties and Qualifications of the City Forester.

- aA. Duties. The City 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 pathogens. It shall further be the duty of the City Forester and the City Manager and/or his/her designee to ~~identify and describe 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.~~ perform the duties outlined in Section 801.36.
- Bb. Qualifications of the City Forester. The qualifications of the City Forester shall be, as a minimum, those qualifications prescribed for certified arborists by the International Society of Arboriculture, or such other appropriate qualifications as determined by the City Manager.
- cC. Limitations and Disclaimer. ~~The City Forester and other City Staff shall not make any definitive claims or guarantees related to the structural integrity of any tree, and any assessments made by the City Forester or other City representative~~

insertions moved to
deletions moved from

related to a tree may not be relied upon by the property owner or a third party.

(Ord. xxxx)

- 710.03. 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. xxxx)

- 710.04. Nuisances.** 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.

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

- ~~a1.~~ Any living or standing elm tree or part thereof infected to any degree with the Dutch Elm disease fungus (as defined by the Minnesota Department of Agriculture) or which harbors any of the elm bark beetles known by the Minnesota Department of Agriculture to transmit the disease.
- ~~b2.~~ 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.
- ~~3e.~~ Any living or standing oak tree or part thereof infected to any degree with the Oak Wilt disease fungus, as defined by the Minnesota Department of Agriculture.
- ~~d4.~~ 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.
- ~~5e.~~ 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.

insertions
deletions

moved to
moved from

~~6.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.

~~7.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. xxxx)

~~B. 710.05.~~ *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 City Forester shall investigate all reported incidents of diseased trees within the City. The City 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 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 710.0~~84.D~~7, 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. xxxx)

~~710.06C.~~ *Abatement of Nuisances.* In abating the nuisances defined in Section 710.0~~54.A~~, the City 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])

insertions
deletions

moved to
moved from

~~710.07D.~~ *Abatement Procedure.* Whenever the City 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:

- a1. If the City Forester finds that the danger of infestation of other trees is not imminent the City 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 twenty one (21) days from the date of the mailing. If no action to abate the nuisance is taken within this period the City 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 710.094.E8.
- b2. If the City Forester finds that the danger of infestation of other trees is imminent the City 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 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 City 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 710.094.E8.
- e3. If the City Forester finds that the danger of infestation of other trees is imminent the City 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 City 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 City 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 710.094.E8.

(Ord. xxxx)

710.08E. *Special Assessment Procedure.* Upon receipt of a report from the City Forester required by Section 710.04.D78, ~~subsections a. through e.,~~ 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 City 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])

710.9-05 ——— **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 City Forester. The City 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. xxxx)

710.10-06 **Interference Prohibited.** It shall be unlawful for any person to prevent, delay or interfere with the City Forester or duly authorized representative(s) while they are engaged in the performance of duties imposed by this Chapter.

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

710.11-07 **Tree Business 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])

710.08 **Tree Removal Permit Required.**

- A. The removal of any Significant or Heritage Tree on public or private property in the City of Wayzata shall require a tree removal permit as described in this section. Any person with due authority desiring a tree removal permit shall submit a written application to the City. The application shall be in the form prescribed by the City and include the following information:

insertions
deletions

moved to
moved from

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. Designation of trees to be removed and trees to be maintained
 8. Purpose of tree removal (construction, driveway, recreation area, patio, building addition etc.)
 9. All materials to be planted as replacement trees, indicating size, species and method of planting.
- B. Upon receipt of the application, the City Forester may visit and inspect the site and adjoining lands. If it is determined that the proposed tree removal outlined in the application complies with the standards in Section 801.36 and this Chapter, the application shall be approved and permit issued. If the City Forester determines otherwise, the application shall be denied and the City shall advise the applicant on the reasons for denial and any steps that can be taken to correct deficiencies.
- C. The applicant may appeal the City Forester's decision by providing written notice to the City Council of appeal. The Council shall hear such appeal and rule on it by the first or second City Council meeting held on or after 30 days of the written notice to the Council.

(Ord. xxxx)

710.12.09 — **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~~**public** 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

insertions
deletions

moved to
~~moved from~~

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.~~

~~710.13. 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.~~

~~710.14. 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. 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])

CHAPTER 710

CITY FORESTER AND SAFETY OF TREES ON PUBLIC AND PRIVATE PROPERTY

- 710.01.** **Purpose.** This Chapter: (1) Defines the duties and responsibilities of the City Forester as the agent enforcing regulations relating to the planning, maintenance, and removal of trees within the City of Wayzata; (2) Establishes a Pathogen Control Program; (3) Defines nuisance conditions related to trees on private property and a process for abating the nuisances; (4) Provides for the issuing of licenses for businesses that conduct any maintenance and/or removal of trees within the City of Wayzata; and (5) Provides standards and specifications of all policy concerning trees on public property.

(Ord. xxxx)

710.02. **Duties and Qualifications of the City Forester.**

- A. *Duties.* The City 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 pathogens. It shall further be the duty of the City Forester and the City Manager and/or his/her designee to perform the duties outlined in Section 801.36.
- B. *Qualifications of the City Forester.* The qualifications of the City Forester shall be, as a minimum, those qualifications prescribed for certified arborists by the International Society of Arboriculture, or such other appropriate qualifications as determined by the City Manager.
- C. *Limitations and Disclaimer.* The City Forester and other City Staff shall not make any definitive claims or guarantees related to the structural integrity of any tree, and any assessments made by the City Forester or other City representative related to a tree may not be relied upon by the property owner or a third party.

(Ord. xxxx)

- 710.03.** **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.

(Ord. xxxx)

710.04

Nuisances. 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.

- A. *Nuisances Declared.* The following are hereby declared to be public nuisances whenever they may be found within the City:
1. Any living or standing elm tree or part thereof infected to any degree with the Dutch Elm disease fungus (as defined by the Minnesota Department of Agriculture) or which harbors any of the elm bark beetles known by the Minnesota Department of Agriculture to transmit the disease.
 2. 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.
 3. Any living or standing oak tree or part thereof infected to any degree with the Oak Wilt disease fungus, as defined by the Minnesota Department of Agriculture.
 4. 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.
 5. 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.
 6. 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.
 7. 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.

(Ord. xxxx)

- B. *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 City Forester shall investigate all reported incidents of diseased trees within the City. The City 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 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 710.04.D, 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. xxxx)

- C. *Abatement of Nuisances.* In abating the nuisances defined in Section 710.04.A, the City 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])

- D. *Abatement Procedure.* Whenever the City 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:

1. If the City Forester finds that the danger of infestation of other trees is not imminent the City 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 twenty one (21) days from the date of the mailing. If no action to abate the nuisance is taken within this period the City 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 710.04.E.
2. If the City Forester finds that the danger of infestation of other trees is imminent the City 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 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 City 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 710.04.E.

3. If the City Forester finds that the danger of infestation of other trees is imminent the City 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 City 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 City 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 710.04.E.

(Ord. xxxx)

- E. *Special Assessment Procedure.* Upon receipt of a report from the City Forester required by Section 710.04.D, 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 City 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])

710.05

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 City Forester. The City 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. xxx)

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

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

710.07 Tree Business 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])

710.08 Tree Removal Permit Required.

- A. The removal of any Significant or Heritage Tree on public or private property in the City of Wayzata shall require a tree removal permit as described in this section. Any person with due authority desiring a tree removal permit shall submit a written application to the City. The application shall be in the form prescribed by the City and 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. Designation of trees to be removed and trees to be maintained
 8. Purpose of tree removal (construction, driveway, recreation area, patio, building addition etc.)
 9. All materials to be planted as replacement trees, indicating size, species and method of planting.

- B. Upon receipt of the application, the City Forester may visit and inspect the site and adjoining lands. If it is determined that the proposed tree removal outlined in the application complies with the standards in Section 801.36 and this Chapter, the application shall be approved and permit issued. If the City Forester determines otherwise, the application shall be denied and the City shall advise the applicant on the reasons for denial and any steps that can be taken to correct deficiencies.
- C. The applicant may appeal the City Forester's decision by providing written notice to the City Council of appeal. The Council shall hear such appeal and rule on it by the first or second City Council meeting held on or after 30 days of the written notice to the Council.

(Ord. xxxx)

710.09 **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 public 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.

(Ord. 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])

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
801.36.43:	Applicability
801.36.54:	Process
801.36.65:	Tree Preservation Plan
801.36.76:	Tree Protection <u>Measures</u>
801.36.87:	Tree Replacement <u>Standards</u>
801.36.98:	Financial Guarantee
801.36.10:	Penalties

1. Purpose and Intent.

The Wayzata City Council finds it is in the best interest of the City, and critical to its health and welfare, to protect, preserve, and enhance tree coverage~~the natural environment of~~ in the City~~community,~~ and to encourage a resourceful and prudent approach to the development and alteration of wooded areas. ~~In the interest of achieving these~~To further these objectives, the City has established the comprehensive tree preservation regulations ~~herein of this section, which are intended to promote the furtherance of the following:~~

- A. Protection and preserv~~ation of~~ the natural environment and ~~natural~~ beauty of the City;
- ~~B. A Tree Preservation Zone is hereby established in the City in order to a~~B. 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.
- ~~BC. Minimize tree and habitat loss Assurance of and promote~~ BC. Minimize tree and habitat loss orderly development within wooded areas ~~to minimize tree and habitat loss;~~

~~CD.~~ ~~Evaluation-Evaluate of the impacts of development to-on~~ trees and wooded areas ~~resulting from development;~~

~~DE.~~ Establish~~ment-of~~ minimal standards for tree preservation and the mitigation of environmental impacts resulting from tree removal

~~F.~~ Recognize that Heritage Trees are valued and special trees for the City of Wayzata due to their size and age and encourage that all possible measures be taken to preserve Heritage Trees.-

~~G.~~ Encourage the preservation of the maximum amount of trees possible and recognize that a certain amount of Significant Trees removal is sometimes necessary when construction, maintenance, redevelopment and similar activity occurs on a property, and -
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.

~~EFH.~~ Provi~~desion-of~~ incentives for creative land use and environmentally compatible site design to 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 by the City Manager as the City Forester with the duties and qualifications listed 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 ~~other physical infrastructure that provides an e~~Essential ~~s~~Service ~~Structure or constitutes a~~ public improvement.
- M. **“Removal”, “Removed” 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; or
 2. Grading impact, compaction, or other damage ~~up to~~ more than 40% of a tree's Critical Root Zone; ~~as~~ or
 3. Excessive pruning that, in the opinion of the City Forester, severely impacts the long term survivability of the tree; or
 4. Any other impact to a tree that, in the opinion of the City Forester, 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~~Section.
- 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~~Section.
- R. **"Tree Replacement Plan"** means a part of a Tree Preservation Plan as described in this Section.
- ~~R. **"Tree Preservation Zone"** means the tree preservation zone established and described in this ChapterSection.~~
- ~~3. **Establishment of Tree Preservation Zone**~~
- ~~A Tree Preservation Zone is hereby established in the City 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.~~

43. Applicability.

The provisions of this Section shall apply only to the following: land for or on which there is (i) an application under the Subdivision Ordinance; (ii) construction or maintenance of Public Infrastructure; (iii) construction of a new single-family home; (iv) expansion of an existing single family home; (v) a use requiring a land disturbance permit; and/or (vi) an application under the Design Standards, or such is required. The provisions of this Section shall be in addition to the requirements under City Code Chapter 710 which require a tree removal permit for tree removal in the City.

- A. *Subdivision, Public Infrastructure, Construction of Single-Family Home:* ~~The following tree removal thresholds~~specific standards shall apply to all land for or on which there is (i) an application under the Subdivision Ordinance; (ii) construction or maintenance of Public Infrastructure; (iii) construction of a new single-family home~~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 ~~subs~~Section 801.36.87, 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 when construction, maintenance, redevelopment and similar activity occurs on a property 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 ~~subs~~Section 801.36.87.

3. *Applicable Time Period*:- For purposes of this subsection, Tree Removal, subject to the replacement requirements of this Section, includes any Significant or Heritage Tree removed within the two years prior to submitting an application to the City for subdivision approval; public infrastructure construction or maintenance; or construction of a new single-family home, or when any of the foregoing is required, whichever is earlier.

~~34.~~ *Public Infrastructure*:- The City Council may waive the tree replacement requirements of this Section for Public Infrastructure construction and maintenance 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 required in this Section hereof.

B. *Expansions to Single-Family Homes, Land Disturbance Permits, and Design Review*;~~and Expansions to Single-Family Homes~~:- The following specific standards shall tree removal thresholds apply to all land for or on which there is (i) expansion of an existing single family home; (ii) a use requiring a land disturbance permit under City Code Section 409.05; and/or (iii) an application under the Design Standards, or such is required under City Code Section 801.09.1.5.B 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 ~~subs~~Section 801.36.87 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, T~~en percent (10%) of the existing DBH inches of Significant ~~T~~rees can be removed without obligation of replacement. Any removal

beyond ten percent (10%) will require replacement in accordance with the standards within ~~subs~~Section 801.36.78.

3. *Applicable Time Period*: For purposes of this subsection, Tree Removal, subject to the replacement requirements in this Section, includes any Significant or Heritage Tree removed within one year of submitting an application to the City for a land disturbance permit; Design Standards review and approval; or expansion to a single-family home, or when any of the foregoing is required, whichever is earlier.

C. *Types of 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~~ require any tree replacement under ~~subs~~Section 801.36.78:

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

~~54.~~ 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~~when a Land Disturbance Permit ~~is required~~, a Site Plan must be submitted to the City prior to any ~~proposed~~tree removal on the applicable property. 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 to be removed due to grading or construction.

3. Identify the ~~Mandatory tree P~~rotection measures outlined in Section 801.36.6-A76 and any additional measures that will be used to protect the preserved trees during grading or construction on the property.
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 prior to the removal of any trees on the property. 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 all Subdivision applications, Public Infrastructure construction and maintenance projects, and projects that require Design Standards rReview and approval:

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 801.36.98.
4. Comply with the City's tree replacement procedure and requirements set forth in ~~this s~~Section 801.36.7.
5. Obtain certification of tThe Tree Preservation Plan ~~must be certified~~ by a Forester, Landscape Architect, Nursery Stock Dealer or a Nursery Stock Grower.

65. Tree Preservation Plan

When a Tree Preservation Plan is required under this Section, an applicant is responsible for implementing the approved Tree Preservation Plan prior to and during site grading, construction, and plan development or other activity on the property. The Tree Preservation Plan will be reviewed by the City Forester and ~~any may be reviewed by~~ other ~~relevant~~ City planning and engineering staff to assess the best overall tree ~~design plan~~ for the project and activities 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, application for a Public Infrastructure maintenance or construction project, or Design Standard rReview and approval

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~~ on the property or ~~contemplated to be constructed thereon~~ proposed for the property
- C. Delineation of all areas to be graded and limits of land disturbance on the property, including the contouring of all areas to be graded
- D. Size, species, location and condition of all Significant and Heritage Trees presently 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 on the property
- F. The Critical Root Zone of all Significant and Heritage Trees proposed to be preserved on the property and adjacent properties
- 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 comprising the property. 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. ~~6-76.~~
- J. Size, species, and location of all replacement trees to be planted on the property in accordance with the tree replacement ~~requirements~~ standards of Section 801.36.87
- K. Signature of the person preparing the Tree Preservation 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

76. Tree Protection Measures.

~~The following tree protection measures are required:~~

- A. *Mandatory Protection*: Measures to preserve or protect Significant and Heritage Trees ~~must include which are required under this Section are:~~
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~~ property.
 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.

87. Tree Replacement Standards.

- A. *Tree Replacement Formula*: ~~Replacement of removed or disturbed trees removal in excess of the percentage allowed by this section shall be replaced according to the following ratios:~~
1. All Significant Trees removed ~~For any removal~~ that exceeds the percentage of allowable removal of Significant Trees as set in ~~sub~~ Section 801.36.743, ~~all Significant Trees~~ shall be replaced at the minimum ratio of one caliper inch (1") per one inch (1") of DBH removed.
 2. All Heritage Trees removed must be replaced at the minimum 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 ~~p~~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 ~~T~~tree ~~R~~Replacement ~~p~~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 ~~t~~Tree ~~R~~Replacement ~~p~~Plan may not include any tree species included in the Minnesota Department of Natural Resources Terrestrial Invasive Species List.

E. *Other Replacement Tree ~~Requirements~~Standards*: 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~~the property in which Tree Removal is occurring. 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 and be included in~~ the City fee schedule.

98. 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, is not followed and implemented for any reason, in accordance with the City Council or City Forester approval,~~ the City may use the financial guarantee to correct or complete the plan for, and may enter the property as needed to make such corrections or completions, to correct or complete the work.
- C. *Release of Financial Guarantee*: ~~At least once annually,~~ The City Forester shall periodically review the financial securities provided under this Section, inspect the applicable trees, and release the financial securities ~~as necessary. The financial security shall be released based on~~ according to the following schedule:
1. ~~Upon~~ Within 30 days of installation of ~~a all healthy replacement trees according to an approved Tree Replacement Plan~~: 50% of the financial guarantee for ~~those~~ at trees shall be released.

2. ~~After the first anniversary of such initial planting, if an~~First-year inspection by the City Forester ~~determines~~ing that the installed trees ~~is are~~ still healthy: 15% of the financial guarantee for ~~that such healthy trees~~ shall be released.
3. ~~After the second anniversary of initial planting, if an~~Second-year inspection by the City Forester ~~determines~~ing that the installed trees ~~are is~~ still healthy: 15% of the financial guarantee for ~~such healthy that~~ trees shall be released.
4. ~~After the t~~Third anniversary of initial planting, if ~~any~~year inspection by the City Forester ~~determines~~ing that the installed trees ~~are is~~ still healthy: 20% or the remaining amount of the financial guarantee for ~~such healthy that~~ trees 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: In addition to the remedies proscribed hereunder, u~~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.~~

SECTION 36

TREE PRESERVATION

Section 801.36:

801.36.1:	Purpose and Intent
801.36.2:	Definitions
801.36.3:	Applicability
801.36.4:	Process
801.36.5:	Tree Preservation Plan
801.36.6:	Tree Protection Measures
801.36.7:	Tree Replacement Standards
801.36.8:	Financial Guarantee

1. **Purpose and Intent.** The Wayzata City Council finds it is in the best interest of the City, and critical to its health and welfare, to protect, preserve, and enhance tree coverage in the City, and to encourage a resourceful and prudent approach to the development and alteration of wooded areas. To further these objectives, the City has established the comprehensive tree preservation regulations of this section, which are intended to:
 - A. Protect and preserve the natural environment and beauty of the City
 - B. 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.
 - C. Minimize tree and habitat loss and promote orderly development within wooded areas
 - D. Evaluate the impacts of development on trees and wooded areas
 - E. Establish minimal standards for tree preservation and the mitigation of environmental impacts resulting from tree removal

- F. Recognize that Heritage Trees are valued and special trees for the City of Wayzata due to their size and age and encourage that all possible measures be taken to preserve Heritage Trees.
- G. Encourage the preservation of the maximum amount of trees possible and recognize that a certain amount of Significant Trees removal is sometimes necessary when construction, maintenance, redevelopment and similar activity occurs on a property, and 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.
- H. Provide incentives for creative land use and environmentally compatible site design to preserve trees and minimize tree removal during development

2. **Definitions.** For purposes of this section, the following definitions shall apply:

- A. **“City Forester”** means that person appointed by the City Manager as the City Forester with the duties and qualifications listed in Section 710.02.
- 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 x 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:
1. Collector or arterial roads as defined by the City Transportation Plan;
 2. Public recreational trails;
 3. Stormwater infrastructure;
 4. Trunk utility infrastructure as described in the Comprehensive Sewer or Water Plans; or
 5. Any Essential Service Structure or public improvement.
- M. **“Removal”, “Removed” 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; or
 2. Grading impact, compaction, or other damage of more than 40% of a tree’s Critical Root Zone; or
 3. Excessive pruning that, in the opinion of the City Forester, severely impacts the long term survivability of the tree; or
 4. Any other impact to a tree that, in the opinion of the City Forester, 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 described in this Section.
- 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 described in this Section.
- R. **“Tree Replacement Plan”** means a part of a Tree Preservation Plan as described in this Section.

3. **Applicability.** The provisions of this Section shall apply only to land for or on which there is (i) an application under the Subdivision Ordinance; (ii) construction or maintenance of Public Infrastructure; (iii) construction of a new single-family home; (iv) expansion of an existing single family home; (v) a use requiring a land disturbance permit; and/or (vi) an application under the Design Standards, or such is required. The provisions of this Section shall be in addition to the requirements under City Code Chapter 710 which require a tree removal permit for tree removal in the City.

A. *Subdivision, Public Infrastructure, Construction of Single-Family Home.* The following specific standards shall apply to all land for or on which there is (i) an application under the Subdivision Ordinance; (ii) construction or maintenance of Public Infrastructure; (iii) construction of a new single-family home:

- 1. *Heritage Trees.* 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 Section 801.36.7, in addition to any other requirements hereunder.
- 2. *Significant Trees.* 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 Section 801.36.7.
- 3. *Applicable Time Period.* For purposes of this subsection, Tree Removal, subject to the replacement requirements of this Section, includes any Significant or Heritage Tree removed within the two years prior to submitting an application to the City for subdivision approval; public infrastructure construction or maintenance; or construction of a new

single-family home, or when any of the foregoing is required, whichever is earlier.

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

B. *Expansions to Single-Family Homes, Land Disturbance Permits, and Design Review.* The following specific standards shall apply to all land for or on which there is (i) expansion of an existing single family home; (ii) a use requiring a land disturbance permit under City Code Section 409.05; and/or (iii) an application under the Design Standards, or such is required under City Code Section 801.09.1.5.B:

1. *Heritage Trees.* 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 Section 801.36.7 in addition to any other requirements hereunder.
2. *Significant Tree Removal.* Ten percent (10%) of the existing DBH inches of Significant Trees can be removed without obligation of replacement. Any removal beyond ten percent (10%) will require replacement in accordance with the standards within Section 801.36.7.
3. *Applicable Time Period.* For purposes of this subsection, Tree Removal, subject to the replacement requirements in this Section, includes any Significant or Heritage Tree removed within one year of submitting an application to the City for a land disturbance permit; Design Standards review and approval; or expansion to a single-family home, or when any of the foregoing is required, whichever is earlier.

C. *Types of Trees Exempt From Replacement Requirements.* The following types of trees shall not require any tree replacement under Section 801.36.7:

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

4. 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 when a Land Disturbance Permit is required, a Site Plan must be submitted to the City prior to any tree removal on the applicable property. The Site Plan must:

1. Identify the Significant and Heritage Trees on the property.
2. Identify the Significant and Heritage Trees to be removed due to grading or construction.
3. Identify the tree protection measures outlined in Section 801.36.6 and any additional measures that will be used to protect the preserved trees during grading or construction on the property.
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 prior to the removal of any trees on the property. 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 shall be required for all Subdivision applications, Public Infrastructure construction and maintenance projects, and projects that require Design Standards review and approval:

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 801.36.8.

4. Comply with the City's tree replacement procedure and requirements set forth in Section 801.36.7.
5. Obtain certification of the Tree Preservation Plan by a Forester, Landscape Architect, Nursery Stock Dealer or a Nursery Stock Grower.

5. **Tree Preservation Plan.** When a Tree Preservation Plan is required under this Section, an applicant is responsible for implementing the approved Tree Preservation Plan prior to and during site grading, construction, development or other activity on the property. The Tree Preservation Plan will be reviewed by the City Forester and may be reviewed by other City planning and engineering staff to assess the best overall tree plan for the project and activities 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, application for a Public Infrastructure maintenance or construction project, or Design Standard review and approval 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 on the property or proposed for the property
- C. Delineation of all areas to be graded and limits of land disturbance on the property, including the contouring of all areas to be graded
- D. Size, species, location and condition of all Significant and Heritage Trees presently 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 on the property
- F. The Critical Root Zone of all Significant and Heritage Trees proposed to be preserved on the property and adjacent properties
- 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 comprising the property. 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 standards of Section 801.36.7
- K. Signature of the person preparing the Tree Preservation 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

6. Tree Protection Measures.

- A. *Mandatory Protection.* Measures to preserve or protect Significant and Heritage Trees which are required under this Section are:
 - 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.
 - 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 property.
 - 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.

7. **Tree Replacement Standards.**

A. Tree Replacement Formula:

1. All Significant Trees removed that exceed the percentage of allowable removal of Significant Trees as set in Section 801.36.3, shall be replaced at the minimum ratio of one caliper inch (1") per one inch (1") of DBH removed.
2. All Heritage Trees removed must be replaced at the minimum 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 Standards.* 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 the property in which Tree Removal is occurring. 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 and be included in the City fee schedule.

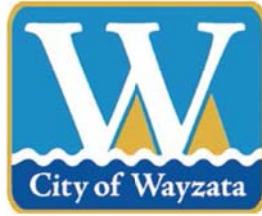
8. Financial Guarantee.

- 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 approved Tree Preservation Plan or Site Plan, including the Tree Replacement Plan, is not followed and implemented for any

reason, the City may use the financial guarantee to correct or complete the plan, and may enter the property as needed to make such corrections or completions.

C. *Release of Financial Guarantee.* The City Forester shall periodically review the financial securities provided under this Section, inspect the applicable trees, and release the financial securities according to the following schedule:

1. Within 30 days of installation of all replacement trees according to an approved Tree Replacement Plan: 50% of the financial guarantee for those trees shall be released.
2. After the first anniversary of such initial planting, if an inspection by the City Forester determines that the installed trees are still healthy: 15% of the financial guarantee for such healthy trees shall be released.
3. After the second anniversary of initial planting, if an inspection by the City Forester determines that the installed trees are still healthy: 15% of the financial guarantee for such healthy trees shall be released.
4. After the third anniversary of initial planting, if an inspection by the City Forester determines that the installed trees are still healthy: 20% or the remaining amount of the financial guarantee for such healthy trees shall be released.



WAYZATA PLANNING COMMISSION

May 1, 2017

REPORT AND RECOMMENDATION ON AN ORDINANCE AMENDING SECTION 36 OF THE WAYZATA ZONING ORDINANCE (TREE PRESERVATION) AND AMENDING WAYZATA CITY CODE CHAPTER 710 (PLANTING, MAINTENANCE AND REMOVAL OF TREES)

RECOMMENDATION

APPROVE amendments to clarify and update City Code related to trees

REPORT

Section 1. BACKGROUND

- 1.1 General. Since the City's adoption in 2016 of a comprehensive Tree Preservation Ordinance (City Code 801.36) and related revisions to existing City Code on Planting, Maintenance and Removal of Trees (City Code, Ch. 710), the Planning Commission and City staff have identified several areas of these ordinances that could be clarified and changed to better address the policy goals behind the ordinances. Based on the foregoing, staff has prepared a draft ordinance attached to this Report as Attachment A and Attachment B which would amend parts of Section 801.36 of the Zoning Ordinance and parts of Chapter 710 of City Code (collectively, the "Proposed Amendments").
- 1.2 Public Hearing. The Planning Commission held a public hearing on the Proposed Amendments on May 1, 2017. Notice of Public Hearing on the Proposed Amendments was published in the *Lakeshore Weekly News* on April 20, 2017.

Section 2. LEGAL AUTHORITY AND STANDARDS

- 2.1 City Council has the discretion and authority under state law and City Code to amend the City's Zoning Ordinance and other parts of City Code. Minn. Stat. Sec. 462.357; Wayzata City Code Section 801.03. A zoning ordinance amendment may be initiated by the governing body, the planning agency or by a property owner. Minn. Stat. Sec. 462.357, Subd. 4; City Code Section 801.03.
- 2.2 Under the City's Zoning Ordinance, the City Council acts on any proposed amendment upon receiving the report and recommendation of the Planning Commission. Sec. 801.03.2. In considering a proposed amendment to the Zoning Ordinance, the Planning Commission shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:
 1. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
 2. The proposed use's conformity with present and future land uses of the area.
 3. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
 4. The proposed use's effect on the area in which it is proposed.
 5. The proposed use's impact upon property value in the area in which it is proposed.
 6. Traffic generation by the proposed use in relation to capabilities of streets serving the property.
 7. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

Wayzata City Code Section 801.03.2.F.

Section 3. FINDINGS

- 3.1 Based on the studies and reports of City Staff, comments and information presented at the public hearing on the Proposed Amendments, and information provided by the City Forester and other City staff, the Planning Commission of the City of Wayzata makes the following findings with respect to the Proposed Amendments:

1. The Proposed Amendments would not allow a use that would contravene any specific policies and provisions of the official City Comprehensive Plan.
2. The Proposed Amendments would only allow uses that conform to present and future land uses in the City's business and commercial districts.
3. The Proposed Amendments would not allow uses that do not conform with the performance standards contained in the Zoning Ordinance (parking, loading, noise, etc.).
4. The Proposed Amendments would not allow uses that would have a negative impact on the areas in which they are proposed in that the Proposed Amendments would reasonably regulate and preserve the City's vital natural resources and the urban forest.
5. The Proposed Amendments will not negatively impact upon property values in the City.
6. The Proposed Amendments will not allow any use that would have a negative impact traffic generation in the City.
7. The Proposed Amendments will not allow a use that would negatively impact existing public services and facilities and would provide a framework for needed telecommunications services in the City.

Section 4. Recommendation

- 4.1 Proposed Amendments. Based on the Findings of this Report, the Planning Commission recommends approval of the Proposed Amendments, as set forth in Attachment A and Attachment B.

Adopted by the Wayzata Planning Commission this 1st day of May, 2017.

Voting In Favor: Buchanan, Flannigan, Murray, Young

Voting Against: Gonzalez, Gruber

Abstaining: None

Absent: Iverson

Attachment A: Section 801.36 (~~struck~~ text deleted; underlined text added)

Attachment B: Chapter 710 (~~struck~~ text deleted; underlined text added)

Attachment A:

Section 801.36

Attachment B:

Chapter 710