

WAYZATA CITY COUNCIL MEETING AGENDA
 Wayzata City Hall Community Room, 600 Rice Street
 Tuesday, June 7, 2016

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

WORKSHOP TOPICS FOR DISCUSSION:

- 1. Xcel Energy to Discuss Project at County Road 101 Substation (5:00 PM)**
- 2. Discuss Schematic Design For Mill Street Ramp (5:30 PM or immediately following)**

7:00 PM - CITY COUNCIL MEETING

ITEM	DESCRIPTION	PRESENTER	JM	AM	KW	BA	ST	VOTE	PAGE #
1	Roll Call								
2	Approve Agenda								
3	Public Forum - 15 Minutes (3 min/person)								
a.									
4	New Agenda Items (3 min/councilmember) - 1. Councilmember suggest item to add; 2. Must be seconded by another Councilmember; 3. Determine staff resources, scheduling & timeframe; 4. Discuss & vote to add to future agenda								
a.									
5	Consent Agenda								2
a.	Approval of City Council Workshop Meeting Minutes of May 24, 2016 and City Council Regular Meeting Minutes of May 17, 2016								
b.	Approval of Check Register								
c.	Municipal Licenses Which Received Administrative Approval (Informational Only)								
d.	Approval to Reschedule the June 21, 2016 City Council meeting to June 14, 2016								
e.	Approval of Agreement for Assessor Services								
6	New Business								
a.	Consider Agreement for Owners Representative for Mill Street Ramp	Dahl							38
b.	Consider First Reading of Ordinance #759 and Resolution #15-2016 for UUCM at 2030 Wayzata Blvd.	Thomson							62
c.	Consider Preliminary Plans for New Home at 181 Huntington Ave. S.	Thomson							126
d.	Discuss MCES Shoreline Drive Project - 2017	Kelly							152
7	City Manager's Report and Discussion Items								
8	Public Forum (as necessary)								
9	Adjournment								

Meeting Rules of Conduct:

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

Upcoming Meetings:

- City Council - June 14 & July 5, 2016
- Planning Commission - June 20 & WEDNESDAY July 6, 2016

1
2
3
4
5
6
7
8
9

**WAYZATA CITY COUNCIL
SPECIAL WORKSHOP MEETING MINUTES
May 24, 2016**

10
11
12

5:30 PM COUNCIL INTERVIEW CITY ASSESSOR CANDIDATE ROLF ERICKSON

13
14
15
16

Mayor Willcox called the workshop meeting to order at 5:30 pm in the Community Room at Wayzata City Hall. Council Members present: McCarthy, Mullin and Tyacke. Council Member absent: Anderson. Also present: City Manager Dahl, and Director of Planning & Building Thomson.

17
18

City Assessor candidate Rolf Erickson with Southwest Assessing presented his proposal to provide residential assessing services to the City in order to replace retiring residential Assessor Dan Distel.

19
20
21
22

The Council discussed the qualifications of Southwest Assessing and directed staff to draft a contract for residential assessment services with Southwest Assessing to be considered at the June 7th Council Meeting.

23
24
25
26
27

6:15 PM COUNCIL INTERVIEW THREE (3) OWNERS REPRESENTATIVES FOR MILL STREET PARKING RAMP PROJECT

28
29
30
31

Mayor Willcox called the workshop meeting to order at 6:15 pm in the Community Room at Wayzata City Hall. Council Members present: McCarthy, Mullin and Tyacke. Council Member absent: Anderson. Also present: City Manager Dahl and Director of Planning & Building Thomson.

32
33
34
35
36

Mr. Dahl stated that earlier this month, staff sent out an RFP to selected firms that could provide construction management services as the City's "Owner Representative" for the pending construction of the Mill Street Parking Ramp. After reviewing the proposals, staff has selected three (3) finalists that will be presenting proposals tonight. The following groups made presentations to the Council:

- 37
38
39
40
41
42
- 6:15 pm – SEH, Inc.
 - 6:45 pm – TEGRA Group
 - 7:15 pm – Terranova, LLC

43
44

The Council reviewed the proposals and discussed their options. Ultimately, consensus was reached that provided that if the TEGRA Group could address discussion points regarding cost and engineering expertise, that staff should draft a contract for owners representative services with TEGRA Group to be considered at the June 7th Council Meeting.

The workshop meetings were adjourned at 8:25 pm.

Respectfully submitted,

43
44

Becky Malone
Deputy City Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

WAYZATA CITY COUNCIL
DRAFT - MEETING MINUTES
May 17, 2016

AGENDA ITEM 1. Call to Order and Roll Call.

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

Mayor Willcox was absent and excused.

AGENDA ITEM 2. Approve Agenda.

Mrs. McCarthy made a motion, seconded by Mr. Tyacke, to approve the agenda. The motion carried 4/0.

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

a. Swearing in New City Manager Jeffrey Dahl

Mayor Pro Tem Mullin introduced and swore in Jeffrey Dahl, Wayzata's new City Manager.

Mr. Dahl stated it is an honor to serve the City and he looks forward to working in Wayzata.

c. Recognition of Retiring City Assessor Dan Distel

Mayor Pro Tem Mullin stated Mr. Dan Distel served the City of Wayzata for 27 years. He thanked Mr. Distel for his service and presented him with a plaque.

Mr. Distel stated it has been an honor to serve the City and thanked the Council for trusting him.

b. Heritage Preservation Board Presentation of Mayor's Best Historic Restoration Award 2016

Kim Anderson, Chair of the Heritage Preservation Board, presented the 2016 Mayor's Best Historic Restoration Award to Tom and Celia Threlkeld, 353 Park Street East. She reported on the history of the home and the renovation that has taken place.

Mayor Pro Tem Mullin presented Mr. and Mrs. Threlkeld with a plaque to commemorate the award. He thanked the HPB for their work and the Threlkelds for moving to Wayzata.

e. Speed Humps - Kathy Iverson

Kathy Iverson, 220 Central Avenue South, stated the need for speed humps in her neighborhood does not need to be discussed in a workshop, and requested Council to direct staff to put in speed humps immediately.

City Manager Dahl advised this will be discussed in a Council workshop on June 14.

Mayor Pro Tem Mullin recalled from the last meeting they were going to wait to consider installation of speed humps until all the petitions circulating in the neighboring areas had been submitted, and Bushaway Road was reopened.

Mrs. Anderson recalled the matter was not going to be discussed in a workshop, but that they were waiting to get the remaining petitions and then bring the matter back to Council for consideration. The opening of Bushaway Road was related to the roundabout, not speed humps.

Mayor Pro Tem Mullin clarified the motion from the previous meeting was to table it for consideration at a future Council workshop. He suggested addressing it as a new agenda item later in the meeting.

Mrs. Anderson thanked staff for verifying the motion and will look for it in a future Council workshop.

1
2 **d. Mediacom Quarterly Oral Report on Local Service**

3 Theresa Sunde, Government Relations Manager for Mediacom, presented Mediacom’s quarterly
4 service report covering January through April.

5 Zach Raskovich, Director of Mediacom Operations Minnesota and Wisconsin, reported
6 there were 119 total calls in 4 months in Wayzata.

7 Mrs. McCarty requested Mediacom provide a trend analysis at their next Council update
8 to show how things are improving.

9 Mr. Tyacke stated the type of issues he hears about from residents relate to complete
10 service going out, and it is unrelated to weather. Mr. Raskovich stated that happens when things
11 are being replaced in the network or when there is an outage.

12 Mr. Tyacke stated he read about a billion-dollar investment to Mediacom to upgrade their
13 system and asked if that will go towards fixing some of these problems. Mr. Raskovich stated that
14 investment is split into two areas: electronic and equipment, and the network. They will be
15 changing their network to make it wider which will provide a faster internet. The network
16 elements continually have to be upgraded and replaced.

17
18 **AGENDA ITEM 4. New Agenda Items.**

19 None.

20
21 **AGENDA ITEM 5. Consent Agenda.**

22 Mr. Tyacke referred to the resolution on page 54, second paragraph from the bottom, and asked if
23 the City had a Finance Manager. City Manager Dahl stated that refers to the contracted position
24 by AEM.

25 Mrs. Anderson referred to the resolution on page 54 and stated that Dan Distel, who
26 recently retired is still listed as the Assessor. City Manager Dahl stated Mr. Distel is still
27 employed by the City through May, and they will have to address it again when they select a new
28 Assessor.

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

- 30 a. Approval of City Council Workshop Minutes May 3, 2016 and City Council Regular
- 31 Meeting Minutes of April 19 and May 3, 2016
- 32 b. Approval of Check Register
- 33 c. Municipal licenses which received administrative approval (informational only)
- 34 d. Police Activity Report
- 35 e. Building Activity Report
- 36 f. Consider Resolution #14-2016 Amending the Appointments and Assignments for 2016 to
- 37 include Jeffrey Dahl

38 The motion carried 4/0.

39
40 **AGENDA ITEM 6. New Business.**

41 **a. Consider UUCM Development Application at 2030 Wayzata Boulevard East**

42 Director of Planning and Building Thomson reported the applicant, Locus Architects, and
43 property owner, Unitarian Universalist Church of Minnetonka (UUCM), submitted a
44 development application that includes construction of a new 11,000 square foot church building
45 and associated parking. It also includes a request to combine the property with the parcel to the
46 east, and subdivide a portion of the east parcel into single-family residential property.

47 Mr. Thomson reported the Planning Commission recommends approval of the design and
48 a requested deviation from roof color, PUD amendment, preliminary plat for PUD lot and
49 residential lot, variances for lot depth and size, rezoning to PUD and R-1, and a Comprehensive
50 Plan Amendment to Institutional/Public and One-Acre Single Family. The Planning Commission

1 recommends denial of a requested Design Standards deviation for the primary exterior building
2 material, which would not be a permitted material under the Design Standards.

3 Mr. Tyacke asked why the easterly part of Parcel B was zoned to R-1/Low Density and
4 not R-2. Mr. Thomson stated this had been discussed, and there would be a concern about spot
5 zoning, as every residential parcel on the east and south side is zoned R-1.

6 Mr. Tyacke asked what is stated in the sales agreement for the east parcel on how the
7 parcel would be zoned. City Attorney Schelzel stated there was not any language about how the
8 lot would be used or zoned in the sales agreement. However, in the City's settlement agreement
9 for litigation brought by the church, the City and church agreed the parcel would be conveyed and
10 combined with the existing parcel, and the uses on the combined parcel would be limited to uses
11 associated with a church. The City and applicant are free to change that limitation, however staff
12 would recommend that as a condition of approval, an amendment to the settlement agreement be
13 agreed to by the church, reflecting the change in use.

14 Mrs. Anderson asked if the DNR had reviewed the wetland plan. Mr. Thomson stated
15 with the revised plan, the applicant completed a wetland delineation. During the Planning
16 Commission review, the City confirmed the revised parking lot is outside of the wetland and the
17 setback requirement. The wetland has receded on the property and this has been confirmed by the
18 City engineer and a wetland consultant.

19 Mrs. McCarthy inquired if any measurements of light output had been measured for the
20 exterior sign. Mr. Thomson stated there is not a specific measurement on the intensity, and the
21 City's sign ordinance allows for internally lit signs. In the recommended conditions it states that
22 all exterior signage and lighting on the property, including the parking lot, needs to be turned off
23 by 10 p.m. or at the close of operations, whichever occurs later. This does not apply to security
24 lights on the building.

25 Mrs. Anderson commented 10 p.m. on a Monday night seems strange to still have lights
26 on at a church if no one is around. It is not beneficial to the surrounding neighborhood to have
27 things lit until then because the code says so. Mr. Thomson stated the wording could be changed
28 regarding nighttime illumination on the property.

29 Mr. Paul Neseth, Locus Architecture, 4453 Nicollet Avenue, for the Applicant, stated
30 there have been some changes since the Planning Commission met. These include changes to the
31 parking lot design, the building material on the low administration building, and signage at the
32 north door.

33 Mr. Doug Johnson, 4775 Dodd Road, Applicant and owner's representative for design,
34 stated due to contour of the lot, the church does not have a need for a 30,000 square foot portion
35 of the site and would like to return it to the adjacent neighborhood for someone to build on it.

36 Mr. Neseth provided more detail on the proposed changes made since the Planning
37 Commission met. The parking lot was moved from the outlot on the east, to the south of the main
38 lot. The lower portion of the building is now proposed to have a synthetic stucco, instead of metal
39 siding, that meets the energy code, is sustainable, requires low maintenance, will not degrade over
40 time, and is aesthetically similar to an approved building material.

41 Mr. Tyacke asked about the metal siding that helps in mitigating sound and why they
42 want to use this material instead of complying with the design standards. Mr. Neseth clarified the
43 mitigating of sound comes from a pre-formed concrete panel that is under the metal siding. They
44 want to use the metal siding to have a more modern look.

45 Mrs. Anderson asked if the siding will be installed in a random pattern or straight line.
46 Mr. Neseth replied it is only made to be installed in a line, but they are proposing to use three
47 different colors to achieve a more random look.

48 Mrs. Anderson asked what additional measures were being done to provide screening for
49 the neighborhood. Mr. Neseth replied along the eastern side changes were made to embellish the
50 screening with some retaining on the southern side and additional plantings.

1 Mrs. McCarthy inquired about the parking requirement. Mr. Thomson stated there are
2 198 seats in the church, 66 parking stalls in the lot, and this meets the parking requirements.

3 Mrs. McCarthy spoke of the outlot and where it is split. She asked if the line could be
4 moved to meet the square footage requirement for R-1 zoning on the proposed residential lot. Mr.
5 Neseth stated due to the topography of the lot, the proposed line is at a natural break on the lot.
6 Mr. Johnson stated this lot gives the church options for future parking if needed and represents a
7 consistent use of land compared with the other properties in the neighborhood.

8 Mrs. McCarthy asked for clarification on the number of heritage trees to be removed.
9 Mr. Thomson stated there are four heritage trees slated for removal.

10 The Council discussed the policy issues regarding the preliminary plat and PUD.

11 City Attorney Schelzel stated any changes from the contemplated and previously agreed
12 upon church use should be reflected in an amendment to the settlement agreement with the
13 church, which will be one of the recommended conditions of approval with the proposed
14 resolution and ordinance.

15 The Council discussed the subdivision of the outlot and regarding it to R-1. The Council
16 agreed it is consistent with the surrounding neighborhood uses and is the best option. Mrs.
17 Anderson stated the Planning Commission did a great job working it out and the lot is a great
18 buffer. She assumes the access to the house would come in off the cul-de-sac and not the
19 frontage road. Mr. Thomson stated under ordinance requirements, they could have access to one
20 or the other.

21 The Council discussed the design standards and requested deviations. The Council
22 indicated it is fine with the roof color, but there was discussion regarding the metal siding. Mr.
23 Tyacke stated they are trying to enforce a uniform look, but understands the cost sensitivity. He
24 suggested the money from the sale of the outlot might be used to purchase conforming exterior
25 materials. Mrs. Anderson stated she struggles with the brightness in color of the metal siding.

26 Mr. Neseth commented the building is viewable by the neighboring properties mostly
27 during the wintertime because of the foliage on the property, and the white siding would actually
28 blend in better than a darker siding. He noted that there are limited color selections for the siding
29 material, and that it is a long distance from the residential properties.

30 Mr. Johnson stated the money from the lot is already included in the overall budget.

31 The Council discussed the language relating to the lighting on the property. City Attorney
32 Schelzel stated it seems clear the Council agrees that the lights should be on when needed, and off
33 when no one is around, and staff can draft language of a proposed condition to reflect that. Mr.
34 Thomson suggested removing the 10 p.m. language, and simply stating when the site is not in
35 use, the lights should be off.

36 Mrs. Anderson made a motion, seconded by Mrs. McCarthy, to direct staff to prepare an
37 draft Ordinance and Resolution, with appropriate findings, for review and adoption at the next
38 City Council meeting, inclusive of the preliminary plat and PUD, the subdivision of Parcel B
39 (outlot), the design and the deviations from the design standards, adjusting the number of heritage
40 trees from five trees to four in the record, and for the applicant to work with staff on acceptable
41 language regarding lighting.

42 City Attorney Schelzel stated they will use the findings of the Planning Commission,
43 except as amended by the motion.

44 Upon roll call vote, the motion carried 4/0.

45 The Council recessed the meeting at 8:45 p.m. and reconvened at 8:51 p.m.

46
47 **b. 2015 Audit Report Presented by Bill Lauer, MMKR**

48 Bill Lauer, MMKR, described their role in preparing the 2015 Audit Report. He stated that
49 MMKR has issued an unmodified opinion on the City's basic financial position of the City. This
50 year, there is a change in the Government Accounting Standards Board (GASB 68) which is
51 employer reporting for pensions. Employers have to now share any underfunding of that plan.

1 Mr. Lauer reported that similar to past years, MMKR has identified “Segregation of
2 Duties” as a weakness in internal control over financial reporting. This is primarily caused by the
3 limited size of the City’s office staff. There were also some issues related to Minnesota Legal
4 Compliance findings regarding the withholding certificate and prompt payment of claims. This
5 has not happened in the past and is not seen as a problem.

6 Mr. Tyacke inquired about the GASB 68 long-term pension liability and if there is a
7 reserve level minimum the City is required to keep. Mr. Lauer stated it is basically a promise to
8 pay retirees benefits. It is recognition that the liability is not fully funded and this can be
9 generated through increased rates of contributions or reducing benefits to future employees. It
10 does not affect the City’s financial rating. Mr. Mullin clarified it reflects our proportional share of
11 the State’s liability and is not a unique circumstance to Wayzata.

12 Mrs. McCarthy asked staff if the findings are discussed to make sure they are not
13 repeated. She requested staff let the Council know if additional support is needed. City Manager
14 Dahl stated there will always be a few invoices that slip through the cracks, but it has not been a
15 common theme.

16 Mr. Lauer completed the presentation of the Audit Report and answered questions of the
17 Council relating for the Report.

18 Mr. Tyacke asked referred to page 404 and asked if the funds with HRA are restricted or
19 treated as cash. Mr. Lauer replied it is all restricted for economic development.

20
21 **c. Consideration of Tree Preservation Ordinance**

22 Director of Planning and Building Thompson provided a brief report on the Tree Preservation
23 ordinance. The draft ordinance includes two important components: tree removal thresholds and
24 replacement requirements. He requested Council discussion and direction on three things:

- 25 1) Does the City Council support changing the acceptable tree replacement species in the
26 draft ordinance to a list of recommended tree species?
27 2) Does the City Council want to amend the draft ordinance to apply the tree removal
28 thresholds and mitigation requirement to regional infrastructure?
29 3) Does the City Council want to modify the tree removal thresholds of the tree replacement
30 ratios in the draft tree ordinance?

31 Mr. Thomson reported in the draft ordinance, there is a list of 17 tree species that are
32 acceptable species and listed as a strict requirement, but at the last meeting during which the
33 ordinance was considered, the Council had expressed this provision to be too restrictive. A
34 potential change to the ordinance could keep the 17 tree species listed as recommendations and
35 not have them be a strict requirement. There would also be an addition of prohibiting the planting
36 of invasive species.

37 Mrs. McCarthy expressed concern that people do not generally consult the City ordinance
38 when they decide to plant a tree to see what is recommended. She suggested language that
39 communicates a person can plant one of the recommended 17 trees or trees of another variety
40 upon approval by the City Arborist. Attorney Schelzel clarified this proposed ordinance would
41 apply to developers replacing trees, not a homeowner who just wants to plant trees.

42 Mrs. Anderson stated there are challenges with enforcing the restrictions on the specific
43 types of trees that people are allowed to plant. People do not want to be told what they can plant
44 on their private property. She is comfortable telling people they have to replace their trees, but not
45 what they need to replace it with. She supports restrictions on planting invasive species as they
46 are harmful to the community.

47 Mr. Tyacke commented he is okay with the 17 recommended species and restricting
48 invasive species. He referred to page 413, the first paragraph. It states the replacement of heritage
49 trees must be of the same species and replacement of significant trees must consist of 25 percent
50 coniferous trees and 25 percent deciduous trees. He asked if the 25 percent requirements would
51 come from the list of 17 acceptable trees. Mr. Thomson stated the revised language could remove

1 all the percentages and replace it with a recommended list of trees. There may be value in adding
 2 back standards to get to the goal which is to provide diversity in tree species. There can be
 3 general statements that require a diversity of species.

4 Mayor Pro Tem Mullin commented he has concern about being too limited. He is
 5 comfortable with a recommended list of species and restrictions on planting invasive species. The
 6 intention is to get trees replaced of good stature and quality in developments where they have
 7 been cut down.

8 Mr. Thomson asked the Council if the draft ordinance should apply to other
 9 governmental agencies as they come in to do regional projects in the community, and what are
 10 the potential impacts to the City if these requirements are included.

11 Mrs. Anderson commented when trees were removed for Bushaway Road, the trees were
 12 replaced with the minimum standard because the City did not have a policy in place with specific
 13 requirements. Because of this, she does not accept the language in the draft ordinance.

14 Mr. Schelzel stated according to the draft ordinance, a project like Bushaway would be
 15 exempt from the requirements of the ordinance. The Council should decide if they want to make
 16 it apply with some exceptions, or include flexibility that the City can waive if it is a project that
 17 involves the City.

18 After Council discussion, Mr. Schelzel summarized the Council would want the
 19 ordinance to apply to any user of land within the City, but give the City the ability to waive it if it
 20 is another governmental agency project that the City is partnering with. Mayor Pro Tem Mullin
 21 added it also needs to be decided if it is a staff decision or a Council decision.

22 Mr. Thomson asked for Council's feedback on changing the threshold requirements or
 23 tree replacement ratios in the draft tree ordinance.

24 The Council agreed they are comfortable with the standards as written. Mr. Tyacke
 25 suggested creating a procedure where people can ask for a lesser requirement if needed.

26 Mr. Thomson stated if a developer cannot do the tree replacement on site, they are
 27 required to pay the City to replace the trees somewhere else. Additional language will also be
 28 added regarding the definition of pruning, tree removal permit, administration and standards,
 29 removal of trees on existing properties, and definition of diseased, dead, dying or hazard trees.
 30 He also commented the restriction of 32 inches per acre per year is inconsistent with the 10
 31 percent threshold for existing properties and also needs to be addressed.

32 Mrs. Anderson stated it is too restrictive to require a homeowner to apply for a tree
 33 removal permit if they wanted to remove a tree on their property. She suggested staff change that
 34 requirement as it is too hard to enforce.

35 Mr. Thomson advised these suggestions will be incorporated into the draft ordinance and
 36 brought back to the Council for review.

37 38 **AGENDA ITEM 7. City Manager's Report and Discussion Items.**

39 **a. Draft Minutes Clarification**

40 In response to a question from Mrs. Anderson, City Attorney Schelzel stated the reason the
 41 minutes in the Council packet have a draft stamp on them is because they are unapproved draft
 42 minutes when they go into the packet. When they are approved by the Council, they become the
 43 official minutes of the meeting.
 44

45 **b. Upcoming meetings**

46 Mr. Dahl noted upcoming meetings on:

- 47 • Bushaway Road - Thursday, May 19 at City Hall at 10:00 a.m.
- 48 • Workshop – Tuesday, May 24 at 5:30 p.m.
- 49 • Regular City Council Meetings – June 7 and June 14 (instead of June 21) at 6:00 p.m.
- 50 • Dig-it – Saturday, May 21 at Public Works at 8:00 a.m.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

c. Miscellaneous

Mr. Dahl noted street pavement crack sealing will be done by Public Works early on Thursday to get Wayzata Boulevard done. After that, they will proceed with non-residential areas first. This will be communicated with the public.

Mr. Dahl noted that Cargill Headquarters will be moving their employees back in June. The Chamber is planning a welcoming event later in the summer.

d. Annual Second Call Meeting

Mayor Pro Tem Mullin commented the Annual Second Call meeting took place last night. If people are interested in supporting the fire department, they should contact Mr. Dahl or Chief Klapprich.

AGENDA ITEM 8. Public Forum Continued (as necessary).

There were no comments.

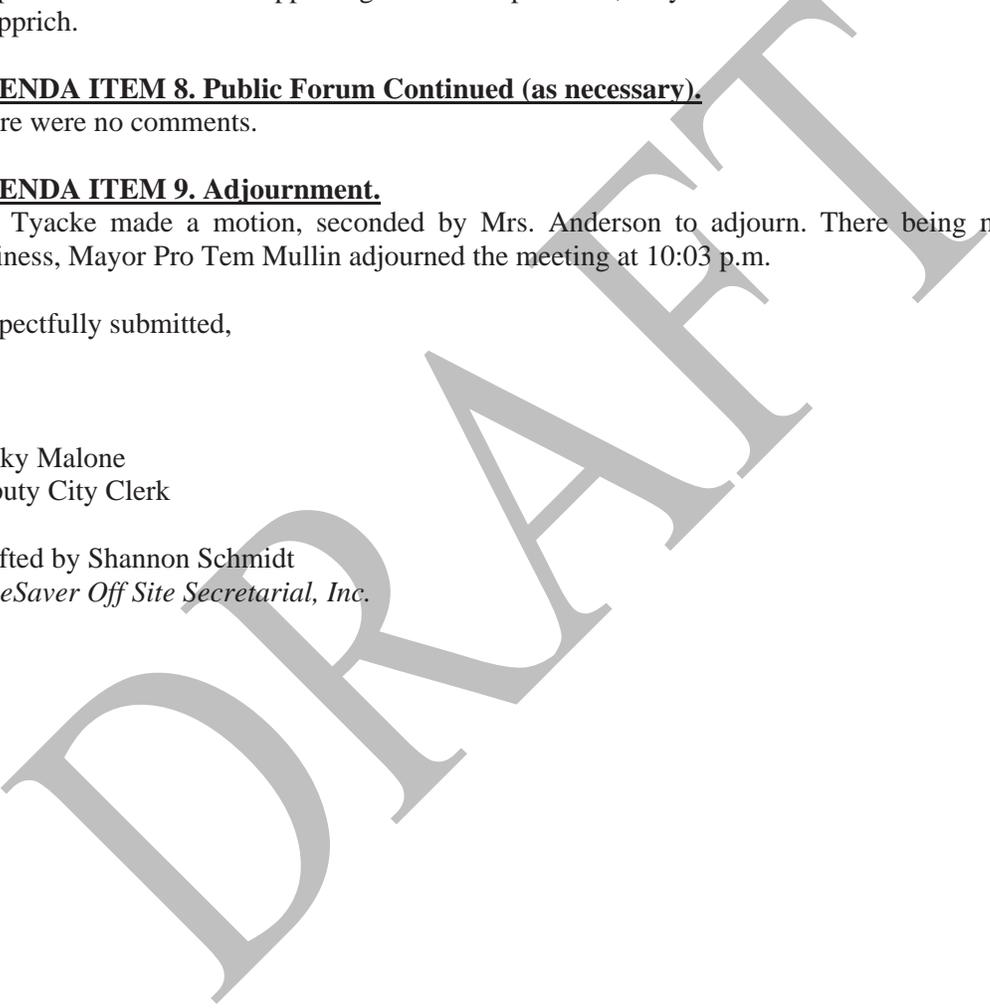
AGENDA ITEM 9. Adjournment.

Mr. Tyacke made a motion, seconded by Mrs. Anderson to adjourn. There being no further business, Mayor Pro Tem Mullin adjourned the meeting at 10:03 p.m.

Respectfully submitted,

Becky Malone
Deputy City Clerk

Drafted by Shannon Schmidt
TimeSaver Off Site Secretarial, Inc.



***Check Detail Register©**

May 2016

			Check Amt	Invoice	Comment
10100 Anchor Bank					
Paid Chk#	102496	5/24/2016	BAGY JO, INC.		
E 640-48000-306	Personnel Expense		\$81.00	16076	BAR UNIFORM SHIRTS
	Total BAGY JO, INC.		\$81.00		
Paid Chk#	102497	5/24/2016	BAUHAUS BREW LABS		
E 640-47000-253	Beer For Resale		\$140.00	8076	BEER
	Total BAUHAUS BREW LABS		\$140.00		
Paid Chk#	102498	5/24/2016	BELLBOY BAR SUPPLY CORP.		
E 640-47000-251	Liquor For Resale		\$440.75	53549100	LIQUOR
E 640-47000-259	Freight		\$12.75	53549100	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$70.00	53549100	MISC.MIX
E 640-47000-256	MISC.MDSE.RESALE		\$1,016.72	6652500	CIGARS
E 640-47000-210	Operating Supplies (GENERAL)		\$52.40	93906500	SUPPLIES
E 640-47000-259	Freight		\$4.41	93906500	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$34.25	93906500	MISC.MIX
	Total BELLBOY BAR SUPPLY CORP.		\$1,631.28		
Paid Chk#	102499	5/24/2016	BOURGET IMPORTS		
E 640-47000-259	Freight		\$6.00	133815	FREIGHT
E 640-47000-252	Wine For Resale		\$1,216.82	133815	WINE
	Total BOURGET IMPORTS		\$1,222.82		
Paid Chk#	102500	5/24/2016	BREAKTHRU BEVERAGE		
E 640-47000-252	Wine For Resale		\$540.00	1080469735	WINE
E 640-47000-259	Freight		\$23.20	1080469735	FREIGHT
E 640-47000-251	Liquor For Resale		\$2,055.71	1080469736	LIQUOR
E 640-47000-259	Freight		\$15.95	1080469736	FREIGHT
	Total BREAKTHRU BEVERAGE		\$2,634.86		
Paid Chk#	102501	5/24/2016	BREAKTHRY BEVERAGE BEER		
E 640-47000-253	Beer For Resale		\$3,378.03	1090560216	BEER
E 640-48000-253	Beer For Resale		\$665.00	1090562822	BEER
	Total BREAKTHRY BEVERAGE BEER		\$4,043.03		
Paid Chk#	102502	5/24/2016	CINTAS CORPORATION		
E 640-48500-210	Operating Supplies (GENERAL)		\$78.64	5005161411	FIRST AID SUPPLIES
	Total CINTAS CORPORATION		\$78.64		
Paid Chk#	102503	5/24/2016	COCA-COLA		
E 640-47000-254	Soft Drinks/Mix For Resale		\$140.12	0168087822	MISC.BEV.
E 640-47000-254	Soft Drinks/Mix For Resale		\$106.40	0168088812	MISC.BEV.
	Total COCA-COLA		\$246.52		
Paid Chk#	102504	5/24/2016	CULLIGAN-METRO		
E 640-48500-210	Operating Supplies (GENERAL)		\$96.06	101X28895806	SUPPLIES
	Total CULLIGAN-METRO		\$96.06		
Paid Chk#	102505	5/24/2016	DAHLHEIMER DISTRIBUTING CO.		
E 640-47000-253	Beer For Resale		\$605.79	1200516	BEER
E 640-48000-253	Beer For Resale		\$474.00	1200517	BEER
E 640-48000-253	Beer For Resale		\$270.00	1200573	BEER
	Total DAHLHEIMER DISTRIBUTING CO.		\$1,349.79		
Paid Chk#	102506	5/24/2016	DENNYS 5TH AVENUE BAKERY		
E 640-48500-255	FOODIngredients For Resale		\$92.83	608913	FOOD
E 640-48500-255	FOODIngredients For Resale		\$163.20	609442	FOOD

***Check Detail Register©**

May 2016

			Check Amt	Invoice	Comment
E 640-48500-255	FOOD	Ingredients For Resale	\$91.46	609677	FOOD
E 640-48500-255	FOOD	Ingredients For Resale	\$102.75	609946	FOOD
Total	DENNYS 5TH AVENUE BAKERY		\$450.24		
<hr/>					
Paid Chk#	102507	5/24/2016	DMX MUSIC - MINNEAPOLIS		
E 640-48000-415	Other Equipment Rentals		\$103.67	52478287	BAR MUSIC
Total	DMX MUSIC - MINNEAPOLIS		\$103.67		
<hr/>					
Paid Chk#	102508	5/24/2016	ENKI BREWING COMPANY		
E 640-48000-253	Beer For Resale		\$365.00	5620	BEER
Total	ENKI BREWING COMPANY		\$365.00		
<hr/>					
Paid Chk#	102509	5/24/2016	G & K SERVICES		
E 640-48000-210	Operating Supplies (GENERAL)		\$80.63	1013688441	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-217	Uniforms		\$96.71	1013688441	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$75.47	1013688441	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-217	Uniforms		\$92.45	1013699865	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$75.76	1013699865	KITCHEN UNIFORMS & SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$79.99	1013699865	KITCHEN UNIFORMS & SUPPLIES
Total	G & K SERVICES		\$501.01		
<hr/>					
Paid Chk#	102510	5/24/2016	GREG JOHNSON DESIGN		
E 640-48000-210	Operating Supplies (GENERAL)		\$270.00	2958	MENU DESIGN
Total	GREG JOHNSON DESIGN		\$270.00		
<hr/>					
Paid Chk#	102511	5/24/2016	HOHENSTEINS INC.		
E 640-47000-253	Beer For Resale		\$948.00	826135	BEER
Total	HOHENSTEINS INC.		\$948.00		
<hr/>					
Paid Chk#	102512	5/24/2016	JJ TAYLOR DISTRIBUTING OF MN		
E 640-47000-259	Freight		\$3.00	2524214	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$15.49	2524214	MISC.BEV.
E 640-47000-253	Beer For Resale		\$3,743.75	2524214	BEER
E 640-48000-253	Beer For Resale		\$879.00	2536204	BEER
E 640-48000-253	Beer For Resale		\$201.85	2536239	BEER
E 640-48000-253	Beer For Resale		\$710.00	2536274	BEER
E 640-48000-253	Beer For Resale		\$97.20	2536275	BEER
Total	JJ TAYLOR DISTRIBUTING OF MN		\$5,650.29		
<hr/>					
Paid Chk#	102513	5/24/2016	JOHNSON BROS.-ST.PAUL		
E 640-47000-251	Liquor For Resale		\$1,112.14	5437791	LIQUOR
E 640-47000-259	Freight		\$8.03	5437791	FREIGHT
E 640-47000-259	Freight		\$10.98	5437792	FREIGHT
E 640-47000-251	Liquor For Resale		\$1,041.51	5437792	LIQUOR
E 640-47000-259	Freight		\$32.94	5437793	FREIGHT
E 640-47000-252	Wine For Resale		\$1,397.20	5437793	WINE
Total	JOHNSON BROS.-ST.PAUL		\$3,602.80		
<hr/>					
Paid Chk#	102514	5/24/2016	JONES, JAMIE		
E 640-48000-341	General Promotions		\$175.00	REPLACEME	REPLACEMENT CHECKS #102363 & 102364 FOR JERRY BETH DATES 5/10 & 5/17
E 640-48000-341	General Promotions		\$175.00	REPLACEME	REPLACEMENT CHECKS #102363 & 102364 FOR JERRY BETH DATES 5/10 & 5/17
Total	JONES, JAMIE		\$350.00		
<hr/>					
Paid Chk#	102515	5/24/2016	JONES, JAMIE		
E 640-48000-341	General Promotions		\$175.00	5/24/16	BAR MUSIC 5/24/16
Total	JONES, JAMIE		\$175.00		

***Check Detail Register©**

May 2016

		Check Amt	Invoice	Comment
Paid Chk#	102516	5/24/2016	JONES, JAMIE	
E 640-48000-341	General Promotions	\$175.00	5/31/16	BAR MUSIC 5/31/16
Total JONES, JAMIE		\$175.00		
Paid Chk#	102517	5/24/2016	JORGENSEN, KURT	
E 640-48000-341	General Promotions	\$250.00	6/1/16	BAR MUSIC 6/1/16
Total JORGENSEN, KURT		\$250.00		
Paid Chk#	102518	5/24/2016	KARLSBURGER FOODS, INC.	
E 640-48500-255	FOODIngredients For Resale	\$485.40	000407982	FOOD
E 640-48500-255	FOODIngredients For Resale	\$238.00	000409236	FOOD
Total KARLSBURGER FOODS, INC.		\$723.40		
Paid Chk#	102519	5/24/2016	LOCHER BROS., INC.	
E 640-48000-253	Beer For Resale	\$135.00	2544	BEER
Total LOCHER BROS., INC.		\$135.00		
Paid Chk#	102520	5/24/2016	LUPINE BREWING COMPANY	
E 640-48000-253	Beer For Resale	\$35.00	780	BEER
Total LUPINE BREWING COMPANY		\$35.00		
Paid Chk#	102521	5/24/2016	MARGRON SKOGLUND WINE IMPORTS	
E 640-47000-252	Wine For Resale	\$337.92	20019728	WINE
E 640-47000-259	Freight	\$5.00	20019728	FREIGHT
Total MARGRON SKOGLUND WINE IMPORTS		\$342.92		
Paid Chk#	102522	5/24/2016	MARTIN, SHANE	
E 640-48000-341	General Promotions	\$300.00	6/2/16	BAR MUSIC 6/2/16
Total MARTIN, SHANE		\$300.00		
Paid Chk#	102523	5/24/2016	MIDWEST GREASE	
E 640-48000-409	Maint services & Improv	\$180.00	163982	SERVICE
Total MIDWEST GREASE		\$180.00		
Paid Chk#	102524	5/24/2016	MILL POND CLAY WORKS LLC	
E 640-48000-341	General Promotions	\$171.64	253	CROCKS
Total MILL POND CLAY WORKS LLC		\$171.64		
Paid Chk#	102525	5/24/2016	NORTHWESTERN FRUIT COMPANY	
E 640-48500-255	FOODIngredients For Resale	(\$2.25)	838039	FOOD
E 640-48000-251	Liquor For Resale	\$36.55	838320	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$200.95	838320	FOOD
E 640-48000-253	Beer For Resale	\$21.70	838466	BEER
E 640-48500-255	FOODIngredients For Resale	\$383.90	838466	FOOD
E 640-48500-255	FOODIngredients For Resale	(\$16.20)	838527	FOOD
E 640-48000-251	Liquor For Resale	\$36.55	838637	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$543.95	838637	FOOD
E 640-48000-251	Liquor For Resale	\$81.55	838764	LIQUOR
E 640-48000-253	Beer For Resale	\$5.00	838764	BEER
E 640-48500-255	FOODIngredients For Resale	\$409.55	838764	FOOD
E 640-48000-253	Beer For Resale	\$27.70	838965	BEER
E 640-48500-255	FOODIngredients For Resale	\$465.65	838965	FOOD
E 640-48000-253	Beer For Resale	\$14.60	839093	BEER
E 640-48500-255	FOODIngredients For Resale	\$498.95	839093	FOOD
Total NORTHWESTERN FRUIT COMPANY		\$2,708.15		
Paid Chk#	102526	5/24/2016	PAUSTIS & SONS	
E 640-48000-252	Wine For Resale	\$260.75	8547546	WINE
E 640-47000-252	Wine For Resale	\$590.14	8547554	WINE

***Check Detail Register©**

May 2016

			Check Amt	Invoice	Comment
E 640-47000-259	Freight		\$8.75	8547554	FREIGHT
E 640-48000-252	Wine For Resale		\$721.10	8548436	WINE
Total PAUSTIS & SONS			\$1,580.74		
<hr/>					
Paid Chk#	102527	5/24/2016	PHILLIPS WINES & SPIRITS		
E 640-47000-259	Freight		\$4.88	2974053	FREIGHT
E 640-47000-251	Liquor For Resale		\$337.90	2974053	LIQUOR
E 640-47000-259	Freight		\$7.32	2974054	FREIGHT
E 640-47000-252	Wine For Resale		\$273.40	2974054	WINE
Total PHILLIPS WINES & SPIRITS			\$623.50		
<hr/>					
Paid Chk#	102528	5/24/2016	SHAMROCK GROUP		
E 640-48000-210	Operating Supplies (GENERAL)		\$62.00	1998117	SUPPLIES
E 640-47000-254	Soft Drinks/Mix For Resale		\$116.40	1999164	ICE
Total SHAMROCK GROUP			\$178.40		
<hr/>					
Paid Chk#	102529	5/24/2016	SOUTHERN WINE & SPIRITS OF MN		
E 640-47000-251	Liquor For Resale		\$270.00	1406948	LIQUOR
E 640-47000-259	Freight		\$1.28	1406948	FREIGHT
E 640-47000-252	Wine For Resale		\$408.00	1406949	WINE
E 640-47000-259	Freight		\$6.40	1406949	FREIGHT
E 640-47000-259	Freight		\$6.61	1406950	FREIGHT
E 640-47000-251	Liquor For Resale		\$768.74	1406950	LIQUOR
Total SOUTHERN WINE & SPIRITS OF MN			\$1,461.03		
<hr/>					
Paid Chk#	102530	5/24/2016	SPENCER JANITORIAL		
E 640-48000-409	Maint services & Improv		\$2,473.65	10412	MONTHLY CLEANING
Total SPENCER JANITORIAL			\$2,473.65		
<hr/>					
Paid Chk#	102531	5/24/2016	STRATEGIC EQUIPMENT AND		
E 640-48500-210	Operating Supplies (GENERAL)		\$10.73	2634607	KITCHEN SUPPLIES
E 640-48000-341	General Promotions		\$68.60	2634608	PROMO SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$19.95	2634608	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$526.75	2634608	KITCHEN SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$695.11	2638930	KITCHEN SUPPLIES
Total STRATEGIC EQUIPMENT AND			\$1,321.14		
<hr/>					
Paid Chk#	102532	5/24/2016	SUNBURST CHEMICALS, INC.		
E 640-48500-415	Other Equipment Rentals		\$92.37	0008326	EQUIPMENT LEASE
E 640-48500-210	Operating Supplies (GENERAL)		\$849.14	0366346	SUPPLIES
Total SUNBURST CHEMICALS, INC.			\$941.51		
<hr/>					
Paid Chk#	102533	5/24/2016	T.D. ANDERSON INC.		
E 640-48000-409	Maint services & Improv		\$115.00	469842	BEER LINES CLEANED
Total T.D. ANDERSON INC.			\$115.00		
<hr/>					
Paid Chk#	102534	5/24/2016	THORPE DISTRIBUTING CO.		
E 640-47000-253	Beer For Resale		\$89.00	00010171	BEER
E 640-48000-253	Beer For Resale		\$175.00	00150746	BEER
E 640-47000-253	Beer For Resale		\$1,740.03	1079337	BEER
E 640-48000-253	Beer For Resale		\$1,080.00	1079809	BEER
E 640-47000-253	Beer For Resale		\$78.45	1082635	BEER
E 640-48000-253	Beer For Resale		\$297.00	1083218	BEER
Total THORPE DISTRIBUTING CO.			\$3,459.48		
<hr/>					
Paid Chk#	102535	5/24/2016	TOLL GAS & WELDING SUPPLY		
E 640-48000-210	Operating Supplies (GENERAL)		\$60.49	40045218	SUPPLIES
Total TOLL GAS & WELDING SUPPLY			\$60.49		

***Check Detail Register©**

May 2016

			Check Amt	Invoice	Comment
Paid Chk#	102536	5/24/2016	TRUE		
E 640-47000-254	Soft Drinks/Mix For Resale		\$73.52	78760 & 86422	MISC.MDSE.RESALE
	Total TRUE		\$73.52		
Paid Chk#	102537	5/24/2016	US FOODS		
E 640-48000-210	Operating Supplies (GENERAL)		\$59.09	4018387	SUPPLIES
E 640-48000-253	Beer For Resale		\$6.75	4056504	BEER
E 640-48500-255	FOODIngredients For Resale		\$3,208.24	4056504	FOOD
E 640-48000-342	Promotions - Food/Drinks		\$56.79	4056504	PROMO FOOD
E 640-48000-254	Soft Drinks/Mix For Resale		\$73.82	4056504	MISC.BEV.
E 640-48000-251	Liquor For Resale		\$21.45	4056504	LIQUOR
E 640-48000-251	Liquor For Resale		\$139.73	4103648	LIQUOR
E 640-48000-342	Promotions - Food/Drinks		\$23.00	4103648	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$162.31	4103648	SUPPLIES
E 640-48500-255	FOODIngredients For Resale		\$3,007.60	4103648	FOOD
E 640-48500-255	FOODIngredients For Resale		\$269.44	4150537	FOOD
E 640-48000-251	Liquor For Resale		\$71.00	4150541	LIQUOR
E 640-48000-253	Beer For Resale		\$9.81	4150541	BEER
E 640-48000-254	Soft Drinks/Mix For Resale		\$184.20	4150541	MISC.BEV.
E 640-48000-342	Promotions - Food/Drinks		\$59.85	4150541	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$130.27	4150541	SUPPLIES
E 640-48500-255	FOODIngredients For Resale		\$4,049.91	4150541	FOOD
E 640-48500-255	FOODIngredients For Resale		\$3,605.80	4185301	FOOD
E 640-48000-251	Liquor For Resale		\$25.33	4185301	LIQUOR
E 640-48000-254	Soft Drinks/Mix For Resale		\$154.55	4185301	MISC.BEV.
E 640-48500-210	Operating Supplies (GENERAL)		\$47.74	4185301	SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$33.13	4202369	SUPPLIES
E 640-48500-255	FOODIngredients For Resale		\$382.34	4233930	FOOD
E 640-48500-255	FOODIngredients For Resale		\$2,931.34	4233933	FOOD
E 640-48000-253	Beer For Resale		\$8.73	4233933	BEER
E 640-48000-254	Soft Drinks/Mix For Resale		\$133.72	4233933	MISC.BEV.
E 640-48000-342	Promotions - Food/Drinks		\$21.30	4233933	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$65.98	4233933	SUPPLIES
E 640-48000-251	Liquor For Resale		\$24.18	4233933	LIQUOR
	Total US FOODS		\$18,967.40		
Paid Chk#	102538	5/24/2016	VINOCOPIA		
E 640-47000-259	Freight		\$16.50	0151714	FREIGHT
E 640-47000-252	Wine For Resale		\$304.00	0151714	WINE
E 640-47000-251	Liquor For Resale		\$1,133.87	0151714	LIQUOR
	Total VINOCOPIA		\$1,454.37		
Paid Chk#	102539	5/24/2016	WAYZATA CHAMBER OF COMMERCE		
E 640-48000-340	Advertising		\$500.00	7248	RETAIL SUMMER EVENTS - BAR DUES
	Total WAYZATA CHAMBER OF COMMERCE		\$500.00		
Paid Chk#	102540	5/24/2016	WINE COMPANY		
E 640-47000-259	Freight		\$8.40	425260	FREIGHT
E 640-47000-252	Wine For Resale		\$420.00	425260	WINE
	Total WINE COMPANY		\$428.40		
Paid Chk#	102541	5/24/2016	WINE MERCHANT		
E 640-48000-252	Wine For Resale		\$271.66	7080878	WINE
E 640-47000-252	Wine For Resale		\$1,057.00	7080926	WINE
E 640-47000-259	Freight		\$9.76	7080926	FREIGHT
E 640-48000-252	Wine For Resale		\$366.88	7082113	WINE
	Total WINE MERCHANT		\$1,705.30		

***Check Detail Register©**

May 2016

			Check Amt	Invoice	Comment
Paid Chk#	102542	5/26/2016	AM.PUBLIC WORKS ASSOC.		
E 101-43300-433	Dues, Licensing & Seminars		\$193.50	2016 DUES	M.KELLY 2016 DUES
E 101-45200-433	Dues, Licensing & Seminars		\$97.00	2016 DUES	M.KELLY 2016 DUES
E 101-43100-433	Dues, Licensing & Seminars		\$97.00	2016 DUES	M.KELLY 2016 DUES
Total AM.PUBLIC WORKS ASSOC.			<u>\$387.50</u>		
Paid Chk#	102543	5/26/2016	BAGY JO, INC.		
E 101-45200-217	Uniforms		\$538.72	16109A	DOCK MASTER SHIRTS/HATS
Total BAGY JO, INC.			<u>\$538.72</u>		
Paid Chk#	102544	5/26/2016	BANK OF AMERICA		
E 101-42200-217	Uniforms		\$109.95		FD UNIFORMS
E 101-42200-331	Mileage & Expense Account		\$72.73		MTG.MEALS
E 101-42200-404	Repairs/Maint - Machin/Equip		\$81.47		FD PARTS
Total BANK OF AMERICA			<u>\$264.15</u>		
Paid Chk#	102545	5/26/2016	BANK OF AMERICA		
E 101-42200-433	Dues, Licensing & Seminars		\$85.00		FD DUES- NATIONAL FIRE SPRINKLE
Total BANK OF AMERICA			<u>\$85.00</u>		
Paid Chk#	102546	5/26/2016	BEST & FLANAGAN		
E 101-41500-304	Legal Fees		\$2,325.00	458186	CITY COUNCIL
E 101-41500-304	Legal Fees		\$675.00	458187	PLANNING COMM.MTGS
E 101-41500-304	Legal Fees		\$37.50	458188	ORDINANCES
E 101-41500-304	Legal Fees		\$112.50	458189	UNITARIAN CHURCH
E 407-40000-304	Legal Fees		\$840.00	458190	CELL TOWER
E 101-41500-304	Legal Fees		\$562.50	458193	CONTRACT REVIEW
E 101-41500-304	Legal Fees		\$525.00	458194	BRAD HOYT TAX APPEAL
E 233-40000-304	Legal Fees		\$2,775.00	458195	LAKE EFFECT
G 802-20313	UUCM		\$1,462.50	458196	UUCM DEV.APP.
E 101-41500-304	Legal Fees		\$1,860.50	458197	MISC.ITEMS
G 802-20338	Grant Funding Agreement-Meyer		\$562.50	458198	GRANT ESCROW PROJECT
G 802-20332	MEYER BROS DEV.		\$262.50	458198	MEYERS PLACE ESCROW PROJECT
E 101-41500-304	Legal Fees		\$304.50	458199	201-209 LAKE ST
E 316-40000-304	Legal Fees		\$2,025.00	458219	DOWNTOWN PARKING
Total BEST & FLANAGAN			<u>\$14,330.00</u>		
Paid Chk#	102547	5/26/2016	BLUE CROSS AND BLUE SHIELD		
G 101-21706	Health Insurance		\$50,355.50	JUNE 2016	HEALTH INS
Total BLUE CROSS AND BLUE SHIELD			<u>\$50,355.50</u>		
Paid Chk#	102548	5/26/2016	CALTRELL		
E 101-45200-222	Repair & Maint - Equip		\$24.53	29793	PARTS
Total CALTRELL			<u>\$24.53</u>		
Paid Chk#	102549	5/26/2016	CITY VIEW PLUMBING & HEATING		
E 101-41940-401	Repairs/Maint Buildings		\$315.60	43849	PW REPAIRS
E 101-41940-401	Repairs/Maint Buildings		\$591.48	44033	GARAGE REPAIRS
E 101-41940-401	Repairs/Maint Buildings		\$1,103.61	44348	PW LEAK REPAIRS
E 101-45200-404	Repairs/Maint - Machin/Equip		\$223.00	44531	LAKE ST DRINKING FOUNTAIN REPAIRS
Total CITY VIEW PLUMBING & HEATING			<u>\$2,233.69</u>		
Paid Chk#	102550	5/26/2016	CLASSEY, KRISTIN		
E 235-40000-331	Mileage & Expense Account		\$38.88		MILEAGE
G 101-21721	Flex Plan		\$116.32		FLEX REIMB.
Total CLASSEY, KRISTIN			<u>\$155.20</u>		
Paid Chk#	102551	5/26/2016	COMMERCIAL ASPHALT CO.		

***Check Detail Register©**

May 2016

			Check Amt	Invoice	Comment
E 430-40000-309	Contractual Services		\$1,328.01	160515	ASPHALT
Total COMMERCIAL ASPHALT CO.			\$1,328.01		
Paid Chk# 102552	5/26/2016	DELTA DENTAL OF MINNESOTA			
G 101-21717	Dental Insurance		\$1,612.95	6500375	DENTAL INS.JUNE 2016
Total DELTA DENTAL OF MINNESOTA			\$1,612.95		
Paid Chk# 102553	5/26/2016	DIAMOND VOGEL PAINTS			
E 101-43100-210	Operating Supplies (GENERAL)		\$309.96	802167204	PAINT GUN REPAIRS
Total DIAMOND VOGEL PAINTS			\$309.96		
Paid Chk# 102554	5/26/2016	EHLERS			
E 316-40000-304	Legal Fees		\$230.00	70444	DOWNTOWN PARKING
Total EHLERS			\$230.00		
Paid Chk# 102555	5/26/2016	ELECTRONIC & APPLIANCE RECYCLI			
E 101-43100-499	Miscellaneous		\$33.90	75	MISC.EQUIP.DISPOSAL
E 101-45200-499	Miscellaneous		\$33.90	75	MISC.EQUIP.DISPOSAL
E 610-40000-499	Miscellaneous		\$33.90	75	MISC.EQUIP.DISPOSAL
E 620-40000-499	Miscellaneous		\$33.90	75	MISC.EQUIP.DISPOSAL
Total ELECTRONIC & APPLIANCE RECYCLI			\$135.60		
Paid Chk# 102556	5/26/2016	EMBEDDED SYSTEMS, INC.			
E 101-42500-409	Maint services & Improv		\$527.16	33994	SIREN MAINT.
Total EMBEDDED SYSTEMS, INC.			\$527.16		
Paid Chk# 102557	5/26/2016	EMERYS TREE SERVICE, INC.			
E 404-40000-309	Contractual Services		\$5,754.00	20643	EAB TREE REMOVAL
Total EMERYS TREE SERVICE, INC.			\$5,754.00		
Paid Chk# 102558	5/26/2016	ESS BROTHERS & SONS INC.			
E 670-40000-409	Maint services & Improv		\$206.00	VV2221	STORM GRATE
Total ESS BROTHERS & SONS INC.			\$206.00		
Paid Chk# 102559	5/26/2016	FASTENAL			
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$41.13	MNPLY85032	PARTS
E 101-43100-210	Operating Supplies (GENERAL)		\$6.06	MNPLY85207	PARTS
Total FASTENAL			\$47.19		
Paid Chk# 102560	5/26/2016	FERGUSON WATERWORKS			
E 610-49100-405	Maint/Replac - System		\$10,001.67	0186277	LAKE & FERNDAL LEAK REPAIRS
E 610-40000-225	Repair & Maint - System		\$437.94	0186277-1	PARTS
E 610-40000-225	Repair & Maint - System		\$75.39	0192355	PARTS
Total FERGUSON WATERWORKS			\$10,515.00		
Paid Chk# 102561	5/26/2016	FINLEY BROS. INC.			
E 404-40000-309	Contractual Services		\$3,896.45	16-0077HT	BOCCE BALL COURT
Total FINLEY BROS. INC.			\$3,896.45		
Paid Chk# 102562	5/26/2016	FIRE CATT			
E 101-42200-241	Safety equip/testings		\$1,364.45	MN-5155	FD SAFETY EQUIPMENT
E 101-42200-241	Safety equip/testings		\$1,550.05	MN-5156	FD SAFETY EQUIPMENT
Total FIRE CATT			\$2,914.50		
Paid Chk# 102563	5/26/2016	GARELICK STEEL CO.			
E 101-43100-210	Operating Supplies (GENERAL)		\$110.00	348491	SUPPLIES
Total GARELICK STEEL CO.			\$110.00		
Paid Chk# 102564	5/26/2016	GOLDFARB, STEVEN			

***Check Detail Register©**

May 2016

			Check Amt	Invoice	Comment
R 610-00000-37110	W/S/Storm Sales		\$26.62	REFUND	OVERPAYMENT ON FINAL BILL
Total GOLDFARB, STEVEN			\$26.62		
<hr/>					
Paid Chk# 102565	5/26/2016	GRAINGER, INC.			
E 610-40000-210	Operating Supplies (GENERAL)		\$107.27	9109193244	SUPPLIES
E 620-40000-210	Operating Supplies (GENERAL)		\$108.00	9109193244	SUPPLIES
Total GRAINGER, INC.			\$215.27		
<hr/>					
Paid Chk# 102566	5/26/2016	GROTH SEWER & WATER			
G 101-20300	Deposits Payable		\$1,019.00	ST.CUT REFU	313 CENTRAL STREET CUT DEPOSIT REFUND
R 101-00000-34190	Charges for Services/Gen Gov		(\$240.00)	ST.CUT REFU	DEGRADATION FEE
Total GROTH SEWER & WATER			\$779.00		
<hr/>					
Paid Chk# 102567	5/26/2016	GROTH SEWER & WATER			
R 101-00000-34190	Charges for Services/Gen Gov		(\$315.00)	ST CUT REFU	DEGRADATION FEE
G 101-20300	Deposits Payable		\$1,019.00	ST CUT REFU	297 CENTRAL STREET CUT DEPOSIT REFUND
Total GROTH SEWER & WATER			\$704.00		
<hr/>					
Paid Chk# 102568	5/26/2016	GROVE NURSERY			
E 404-40000-309	Contractual Services		\$2,460.50	26248800	TREES FOR EAB PROJECT
Total GROVE NURSERY			\$2,460.50		
<hr/>					
Paid Chk# 102569	5/26/2016	HENN.CNTY.INFO.TECH.DEPT.			
E 101-42200-323	Radio Units		\$1,040.01	10000076400	FD RADIO CONNECTION
Total HENN.CNTY.INFO.TECH.DEPT.			\$1,040.01		
<hr/>					
Paid Chk# 102570	5/26/2016	HUNTLEY REPAIR SERVICE			
E 620-40000-404	Repairs/Maint - Machin/Equip		\$82.00	5/18/16	TRUCK DOT INSPECTION
E 101-43100-404	Repairs/Maint - Machin/Equip		\$164.00	5/18/16	TRUCK DOT INSPECTION
Total HUNTLEY REPAIR SERVICE			\$246.00		
<hr/>					
Paid Chk# 102571	5/26/2016	JONES, REBECCA			
E 610-40000-499	Miscellaneous		\$24.99	REIMB.	SUPPLIES
Total JONES, REBECCA			\$24.99		
<hr/>					
Paid Chk# 102572	5/26/2016	JS STEWART COMPANIES INC			
G 101-20300	Deposits Payable		\$1,019.00	ST CUT REFU	STREET CUT DEPOSIT REFUND167 HUNTINGTON
R 101-00000-34190	Charges for Services/Gen Gov		(\$550.00)	ST CUT REFU	STREET CUT DEPOSIT REFUND167 HUNTINGTON
Total JS STEWART COMPANIES INC			\$469.00		
<hr/>					
Paid Chk# 102573	5/26/2016	KEEPRS			
E 101-42100-217	Uniforms		\$51.99	307863	PD UNIFORMS
Total KEEPRS			\$51.99		
<hr/>					
Paid Chk# 102574	5/26/2016	KELLY, MICHAEL JR.			
E 101-43300-331	Mileage & Expense Account		\$184.12	REIMB.	CONF.EXP.REIMB.
E 101-43300-433	Dues, Licensing & Seminars		\$75.00	REIMB.	CONF.EXP.REIMB.
Total KELLY, MICHAEL JR.			\$259.12		
<hr/>					
Paid Chk# 102575	5/26/2016	KIRVIDA FIRE, INC.			
E 101-42200-404	Repairs/Maint - Machin/Equip		\$100.98	5480	FD TRUCK REPAIRS
Total KIRVIDA FIRE, INC.			\$100.98		
<hr/>					
Paid Chk# 102576	5/26/2016	LAMBERT, JEFFREY W.			
E 101-42120-304	Legal Fees		\$4,416.75	5/24/16	LEGAL SERVICES
Total LAMBERT, JEFFREY W.			\$4,416.75		
<hr/>					
Paid Chk# 102577	5/26/2016	LANO EQUIPMENT, INC.			
E 409-43100-540	Equipment		\$3,500.00	03-363187	BUCKET BROOM

***Check Detail Register©**

May 2016

			Check Amt	Invoice	Comment
Total LANO EQUIPMENT, INC.			\$3,500.00		
Paid Chk#	102578	5/26/2016	LAW ENFORCEMENT LABOR SERVICES		
	G 101-21707	Police union dues	\$490.00	MAY 2016 DU	MAY 2016 PD DUES
Total LAW ENFORCEMENT LABOR SERVICES			\$490.00		
Paid Chk#	102579	5/26/2016	LAW ENFORCEMENT TARGET, INC.		
	E 101-42100-210	Operating Supplies (GENERAL)	\$88.20	0312860	PD SUPPLIES
Total LAW ENFORCEMENT TARGET, INC.			\$88.20		
Paid Chk#	102580	5/26/2016	LEE, ROSE		
	E 101-42100-434	Training and schools	\$944.06	TUITION REIM	TUITION REIMBURSEMENT
Total LEE, ROSE			\$944.06		
Paid Chk#	102581	5/26/2016	LOFFLER COMPANIES, INC.		
	E 409-40000-540	Equipment	\$99.00	2234163	COMPUTERS & SOFTWARE
	E 409-40000-540	Equipment	\$2,179.00	2239277	COMPUTERS & SOFTWARE
	E 409-40000-540	Equipment	\$508.00	2241177	COMPUTERS & SOFTWARE
	E 409-40000-540	Equipment	\$747.50	CW53953	COMPUTERS & SOFTWARE
Total LOFFLER COMPANIES, INC.			\$3,533.50		
Paid Chk#	102582	5/26/2016	M.M.K.R. & COMPANY		
	E 640-48000-301	Auditing and Acct g Services	\$4,237.50	40110	AUDIT SERVICES
	E 640-47000-301	Auditing and Acct g Services	\$4,237.50	40110	AUDIT SERVICES
Total M.M.K.R. & COMPANY			\$8,475.00		
Paid Chk#	102583	5/26/2016	MACQUEEN EQUIPMENT, INC.		
	E 620-40000-224	Repair & Maint - Motor Equip	\$54.69	2161790	PARTS
Total MACQUEEN EQUIPMENT, INC.			\$54.69		
Paid Chk#	102584	5/26/2016	MAGNEY CONSTRUCTION		
	E 610-49100-309	Contractual Services	\$240,673.00	5/12/16	WTP#2 REHAB
Total MAGNEY CONSTRUCTION			\$240,673.00		
Paid Chk#	102585	5/26/2016	MANSFIELD OIL COMPANY		
	E 101-49200-212	Motor Fuels	\$1,469.11	410590	FUEL
Total MANSFIELD OIL COMPANY			\$1,469.11		
Paid Chk#	102586	5/26/2016	MARCO		
	E 610-40000-200	Office Supplies (GENERAL)	\$174.95	INV3342178	COPIER CONTRACT
	E 101-45200-200	Office Supplies (GENERAL)	\$349.90	INV3342178	COPIER CONTRACT
	E 620-40000-200	Office Supplies (GENERAL)	\$174.96	INV3342178	COPIER CONTRACT
	E 101-43100-200	Office Supplies (GENERAL)	\$349.90	INV3342178	COPIER CONTRACT
Total MARCO			\$1,049.71		
Paid Chk#	102587	5/26/2016	MEDIACOM		
	E 101-41940-321	Telephone	\$627.82		SERVICE
Total MEDIACOM			\$627.82		
Paid Chk#	102588	5/26/2016	MENARD S		
	E 610-40000-210	Operating Supplies (GENERAL)	\$61.73		SUPPLIES
Total MENARD S			\$61.73		
Paid Chk#	102589	5/26/2016	MILLER, FRED		
	E 235-40000-200	Office Supplies (GENERAL)	\$80.43	130	SUPPLIES
	E 235-40000-302	Consultants	\$1,600.00	130	WCTV
Total MILLER, FRED			\$1,680.43		
Paid Chk#	102590	5/26/2016	MINNETONKA COMMUNITY EDUCATION		

***Check Detail Register©**

May 2016

			Check Amt	Invoice	Comment
E 101-45200-312	Rec Program Fee/Sr. Serv		\$8,000.00	512-001	COMMUNITY ED PROGRAM - APRIL & MAY 2016
al MINNETONKA COMMUNITY EDUCATION			\$8,000.00		
Paid Chk#	102591	5/26/2016	MN BATTERY LLC		
E 240-40000-499	Miscellaneous		\$41.00	16077	PARTS
E 101-45200-222	Repair & Maint - Equip		\$59.98	16078	PARTS
E 101-45200-222	Repair & Maint - Equip		\$199.50	16084	PARTS
Total MN BATTERY LLC			\$300.48		
Paid Chk#	102592	5/26/2016	MN CHILD SUPPORT PAYMENT CENTE		
G 101-21710	County WH		\$235.00	0015104841	WITHHOLDING ORDER
otal MN CHILD SUPPORT PAYMENT CENTE			\$235.00		
Paid Chk#	102593	5/26/2016	MN DEPARTMENT OF HEALTH		
E 610-40000-309	Contractual Services		\$2,232.00		WATER ANALYSIS
Total MN DEPARTMENT OF HEALTH			\$2,232.00		
Paid Chk#	102594	5/26/2016	MN POLLUTION CONTROL AGENCY		
E 610-40000-310	Plan Review		\$345.00	10000008557	ANNUAL WATER PERMIT FEE
Total MN POLLUTION CONTROL AGENCY			\$345.00		
Paid Chk#	102595	5/26/2016	OFFICE DEPOT		
E 620-40000-200	Office Supplies (GENERAL)		\$22.26	840051572001	SUPPLIES
E 101-45200-200	Office Supplies (GENERAL)		\$44.53	840051572001	SUPPLIES
E 610-40000-200	Office Supplies (GENERAL)		\$22.27	840051572001	SUPPLIES
E 101-43100-200	Office Supplies (GENERAL)		\$44.53	840051572001	SUPPLIES
E 101-43100-200	Office Supplies (GENERAL)		\$7.58	840051573001	SUPPLIES
Total OFFICE DEPOT			\$141.17		
Paid Chk#	102596	5/26/2016	OTTEN BROTHERS		
E 101-45200-210	Operating Supplies (GENERAL)		\$17.97	1-1447204	SUPPLIES
Total OTTEN BROTHERS			\$17.97		
Paid Chk#	102597	5/26/2016	PLANT & FLANGED EQUIPMENT CO.		
E 610-40000-242	Well & F.P. Equipment		\$1,200.50	0067149	PARTS
Total PLANT & FLANGED EQUIPMENT CO.			\$1,200.50		
Paid Chk#	102598	5/26/2016	POPP TELECOM		
E 610-40000-323	Radio Units		\$90.22		SERVICE
E 640-47000-321	Telephone		\$100.00		SERVICE
E 101-41940-321	Telephone		\$303.27		SERVICE
E 620-40000-323	Radio Units		\$32.92		SERVICE
E 101-42100-309	Contractual Services		\$33.47		SERVICE
E 640-48000-321	Telephone		\$100.00		SERVICE
Total POPP TELECOM			\$659.88		
Paid Chk#	102599	5/26/2016	RANDY S SANITATION		
E 650-47600-309	Contractual Services		\$3,922.92		RECYCLING
E 650-47800-384	Refuse/Garbage Disposal		\$6,479.48		ORGANICS
E 650-47500-499	Miscellaneous		\$14,286.82		SPRING CLEANUP
E 650-47800-386	Other Utilities		\$45.00		ORGANICS DISPOSAL
E 650-47500-384	Refuse/Garbage Disposal		\$8,571.47		LABOR
E 650-47500-384	Refuse/Garbage Disposal		\$68.25		STICKERS
E 650-47500-386	Other Utilities		\$3,486.45		DISPOSAL
E 650-47500-384	Refuse/Garbage Disposal		\$1,436.11		KARTS
E 640-48000-384	Refuse/Garbage Disposal		\$433.53		BAR
E 640-47000-384	Refuse/Garbage Disposal		\$150.00		STORE
E 650-47500-384	Refuse/Garbage Disposal		\$968.26		DRIVEUP
E 101-41940-386	Other Utilities		\$66.96		PW/CH SERVICE

***Check Detail Register©**

May 2016

			Check Amt	Invoice	Comment
Total RANDY S SANITATION			\$39,915.25		
Paid Chk#	102600	5/26/2016	REEDER, DOUGLAS		
E 101-41500-302	Consultants		\$8,250.00	MAY 2016	INTERIM CITY MGR. MAY 2016
Total REEDER, DOUGLAS			\$8,250.00		
Paid Chk#	102601	5/26/2016	SHERIDAN SHEET METAL COMPANY		
E 408-40000-520	Buildings and Structures		\$4,190.00	75299	FD COUNTER TOPS
Total SHERIDAN SHEET METAL COMPANY			\$4,190.00		
Paid Chk#	102602	5/26/2016	SHORT ELLIOTT HENDRICKSON INC.		
G 802-20331	AT&T UPGRAD		\$687.70	315386	AT&T CELL TOWER ESCROW
Total SHORT ELLIOTT HENDRICKSON INC.			\$687.70		
Paid Chk#	102603	5/26/2016	SRF CONSULTING GROUP, INC.		
E 408-40000-302	Consultants		\$1,158.24	08758.00-12	PEAVEY BRIDGE
Total SRF CONSULTING GROUP, INC.			\$1,158.24		
Paid Chk#	102604	5/26/2016	STANTEC CONSULTING SERVICES		
G 802-20325	2030 WAYZATA BLVD - WETLAND		\$392.50	1047763	2030 WAYZATA.BLVD.WETLAND DELINEATION
Total STANTEC CONSULTING SERVICES			\$392.50		
Paid Chk#	102605	5/26/2016	STREICHER S		
E 101-42100-217	Uniforms		\$24.99	I1208392	PD UNIFORMS
E 101-42100-210	Operating Supplies (GENERAL)		\$89.95	I1208592	PD SUPPLIES
E 101-42100-217	Uniforms		\$27.99	I1209192	PD UNIFORMS
E 101-42100-210	Operating Supplies (GENERAL)		\$23.98	I1209207	PD SUPPLIES
Total STREICHER S			\$166.91		
Paid Chk#	102606	5/26/2016	TERMINAL SUPPLY CO.		
E 101-43100-210	Operating Supplies (GENERAL)		\$47.49	22719	SUPPLIES
Total TERMINAL SUPPLY CO.			\$47.49		
Paid Chk#	102607	5/26/2016	TIME SAVER		
E 101-41100-302	Consultants		\$806.60	M22131	MTG.MINUTES
Total TIME SAVER			\$806.60		
Paid Chk#	102608	5/26/2016	TRANSPORT GRAPHICS		
E 237-40000-240	Small Tools and Minor Equip		\$3,501.00	EM-119899	FD BOAT GRAPHICS
Total TRANSPORT GRAPHICS			\$3,501.00		
Paid Chk#	102609	5/26/2016	UNIFORMS UNLIMITED		
E 101-42100-217	Uniforms		\$58.15	20134-2	PD UNIFORMS
Total UNIFORMS UNLIMITED			\$58.15		
Paid Chk#	102610	5/26/2016	VERIZON WIRELESS		
E 101-42100-323	Radio Units		\$200.05	9765301180	SERVICE
Total VERIZON WIRELESS			\$200.05		
Paid Chk#	102611	5/26/2016	WARNING LITES		
E 101-43100-415	Other Equipment Rentals		\$900.00	155909	DETOUR SIGNS
Total WARNING LITES			\$900.00		
Paid Chk#	102612	5/26/2016	WAYZATA TIRE & AUTO		
E 101-45200-221	Equipment Parts		\$38.25	129860	PARTS
Total WAYZATA TIRE & AUTO			\$38.25		
Paid Chk#	102613	5/26/2016	WESTSIDE WHOLESALE TIRE		
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$1,041.98	764573	TIRES

***Check Detail Register©**

May 2016

			Check Amt	Invoice	Comment
Total WESTSIDE WHOLESALE TIRE			\$1,041.98		
Paid Chk#	102614	5/26/2016	WSB & ASSOCIATES		
E	430-40000-302	Consultants	\$1,647.00	01204-470-3	2016 STREETS
Total WSB & ASSOCIATES			\$1,647.00		
Paid Chk#	102615	6/1/2016	ARTISAN BEER COMPANY		
E	640-48000-253	Beer For Resale	\$252.00	3102696	BEER
E	640-48000-253	Beer For Resale	(\$120.00)	346023	BEER
Total ARTISAN BEER COMPANY			\$132.00		
Paid Chk#	102616	6/1/2016	BELLBOY BAR SUPPLY CORP.		
E	640-47000-259	Freight	\$24.80	53649300	FREIGHT
E	640-47000-251	Liquor For Resale	\$1,537.10	53649300	LIQUOR
E	640-47000-252	Wine For Resale	\$380.00	53649300	WINE
E	640-47000-256	MISC.MDSE.RESALE	\$388.55	6656600	CIGARS
E	640-47000-210	Operating Supplies (GENERAL)	\$70.32	93944100	SUPPLIES
E	640-47000-210	Operating Supplies (GENERAL)	\$28.53	93979400	SUPPLIES
Total BELLBOY BAR SUPPLY CORP.			\$2,429.30		
Paid Chk#	102617	6/1/2016	BERNICK'S WINE		
E	640-47000-254	Soft Drinks/Mix For Resale	\$131.95	297631	MISC.BEV.
E	640-47000-253	Beer For Resale	\$462.30	297632	BEER
Total BERNICK'S WINE			\$594.25		
Paid Chk#	102618	6/1/2016	BREAKTHRU BEVERAGE		
E	640-47000-259	Freight	\$13.77	1080472829	FREIGHT
E	640-47000-252	Wine For Resale	\$1,216.00	1080472829	WINE
E	640-47000-251	Liquor For Resale	\$960.45	1080472830	LIQUOR
E	640-47000-259	Freight	\$8.82	1080472830	FREIGHT
E	640-47000-252	Wine For Resale	\$2,026.18	1080475879	WINE
E	640-47000-259	Freight	\$22.47	1080475879	FREIGHT
E	640-47000-251	Liquor For Resale	\$2,234.38	1080475880	LIQUOR
E	640-47000-259	Freight	\$20.30	1080475880	FREIGHT
E	640-47000-254	Soft Drinks/Mix For Resale	\$124.23	1080475881	MISC.MIX
E	640-47000-259	Freight	\$4.35	1080475881	FREIGHT
E	640-47000-252	Wine For Resale	\$776.00	1080476492	WINE
E	640-47000-259	Freight	\$5.80	1080476492	FREIGHT
Total BREAKTHRU BEVERAGE			\$7,412.75		
Paid Chk#	102619	6/1/2016	BREAKTHRY BEVERAGE BEER		
E	640-47000-253	Beer For Resale	\$99.10	1090562838	BEER
E	640-47000-253	Beer For Resale	\$432.00	1090562839	BEER
E	640-47000-253	Beer For Resale	\$1,438.54	1090562840	BEER
E	640-47000-253	Beer For Resale	\$75.30	1090565825	BEER
E	640-47000-253	Beer For Resale	\$2,628.10	1090565826	BEER
Total BREAKTHRY BEVERAGE BEER			\$4,673.04		
Paid Chk#	102620	6/1/2016	COCA-COLA		
E	640-47000-254	Soft Drinks/Mix For Resale	\$222.24	0168089307	MISC.BEV.
Total COCA-COLA			\$222.24		
Paid Chk#	102621	6/1/2016	COZZINI BROS., INC.		
E	640-48500-415	Other Equipment Rentals	\$52.03	C2697809	KNIFE EXCHANGE
Total COZZINI BROS., INC.			\$52.03		
Paid Chk#	102622	6/1/2016	DAHLHEIMER DISTRIBUTING CO.		
E	640-47000-253	Beer For Resale	\$732.18	1200572	BEER
E	640-47000-253	Beer For Resale	\$636.80	1203641	BEER

***Check Detail Register©**

May 2016

		Check Amt	Invoice	Comment
E 640-48000-253	Beer For Resale	\$120.00	1203642	BEER
E 640-48000-253	Beer For Resale	\$183.00	127130	BEER
Total DAHLHEIMER DISTRIBUTING CO.		\$1,671.98		
<hr/>				
Paid Chk#	102623	6/1/2016	DENNYS 5TH AVENUE BAKERY	
E 640-48500-255	FOODIngredients For Resale	\$153.64	610506	FOOD
E 640-48500-255	FOODIngredients For Resale	\$80.49	610879	FOOD
E 640-48500-255	FOODIngredients For Resale	\$90.38	611119	FOOD
E 640-48500-255	FOODIngredients For Resale	\$98.62	611477	FOOD
E 640-48500-255	FOODIngredients For Resale	\$86.00	611563	FOOD
Total DENNYS 5TH AVENUE BAKERY		\$509.13		
<hr/>				
Paid Chk#	102624	6/1/2016	DIRECTV	
E 640-48000-415	Other Equipment Rentals	\$360.14	28598013955	SERVICE
Total DIRECTV		\$360.14		
<hr/>				
Paid Chk#	102625	6/1/2016	G & K SERVICES	
E 640-48500-217	Uniforms	\$91.45	1013711229	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$72.72	1013711229	KITCHEN UNIFORMS & SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)	\$73.75	1013711229	KITCHEN UNIFORMS & SUPPLIES
Total G & K SERVICES		\$237.92		
<hr/>				
Paid Chk#	102626	6/1/2016	GRAINGER, INC.	
E 640-47000-401	Repairs/Maint Buildings	\$7.92	9096991477	PARTS/REPAIRS
Total GRAINGER, INC.		\$7.92		
<hr/>				
Paid Chk#	102627	6/1/2016	GRAPE BEGINNINGS, INC.	
E 640-47000-259	Freight	\$6.75	MN00004530	FREIGHT
E 640-47000-252	Wine For Resale	\$644.00	MN00004530	WINE
E 640-47000-259	Freight	\$2.25	MN00004748	FREIGHT
E 640-47000-252	Wine For Resale	\$88.00	MN00004748	WINE
E 640-47000-259	Freight	\$18.00	MN00004836	FREIGHT
E 640-47000-252	Wine For Resale	\$576.00	MN00004836	WINE
Total GRAPE BEGINNINGS, INC.		\$1,335.00		
<hr/>				
Paid Chk#	102628	6/1/2016	HOHENSTEINS INC.	
E 640-47000-253	Beer For Resale	\$1,242.00	828828	BEER
Total HOHENSTEINS INC.		\$1,242.00		
<hr/>				
Paid Chk#	102629	6/1/2016	JJ TAYLOR DISTRIBUTING OF MN	
E 640-48000-253	Beer For Resale	(\$30.00)	2521265	BEER
E 640-47000-253	Beer For Resale	\$4,370.06	2524256	BEER
E 640-47000-254	Soft Drinks/Mix For Resale	\$88.00	2524256	MISC.BEV.
E 640-48000-253	Beer For Resale	\$665.00	2536376	BEER
E 640-48000-253	Beer For Resale	\$112.60	2536377	BEER
Total JJ TAYLOR DISTRIBUTING OF MN		\$5,205.66		
<hr/>				
Paid Chk#	102630	6/1/2016	JOHNSON BROS.-ST.PAUL	
E 640-47000-259	Freight	\$1.22	5442077	FREIGHT
E 640-47000-251	Liquor For Resale	\$292.50	5442077	LIQUOR
E 640-47000-251	Liquor For Resale	\$1,240.51	5443445	LIQUOR
E 640-47000-259	Freight	\$12.20	5443445	FREIGHT
E 640-47000-252	Wine For Resale	\$5,321.10	5443446	WINE
E 640-47000-259	Freight	\$84.37	5443446	WINE
E 640-47000-251	Liquor For Resale	\$1,196.61	5444982	LIQUOR
E 640-47000-259	Freight	\$4.50	5444982	FREIGHT
E 640-47000-251	Liquor For Resale	\$2,593.97	5448906	LIQUOR
E 640-47000-259	Freight	\$37.82	5448906	FREIGHT

***Check Detail Register©**

May 2016

			Check Amt	Invoice	Comment
E 640-47000-252	Wine For Resale		\$1,745.50	5448907	WINE
E 640-47000-259	Freight		\$39.04	5448907	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$243.00	5450208	MISC.BEV.
E 640-47000-251	Liquor For Resale		\$2,139.03	5450442	LIQUOR
E 640-47000-259	Freight		\$12.91	5450442	FREIGHT
E 640-47000-252	Wine For Resale		(\$11.33)	574220	WINE
E 640-47000-252	Wine For Resale		(\$38.42)	574221	WINE
Total JOHNSON BROS.-ST.PAUL			\$14,914.53		
<hr/>					
Paid Chk#	102631	6/1/2016	LUPINE BREWING COMPANY		
E 640-48000-253	Beer For Resale		\$95.00	LBC000794	BEER
Total LUPINE BREWING COMPANY			\$95.00		
<hr/>					
Paid Chk#	102632	6/1/2016	M.AMUNDSON LLP		
E 640-47000-256	MISC.MDSE.RESALE		\$866.12	216920	CIGARETTES
Total M.AMUNDSON LLP			\$866.12		
<hr/>					
Paid Chk#	102633	6/1/2016	MARGRON SKOGLUND WINE IMPORTS		
E 640-47000-252	Wine For Resale		\$406.00	20019786	WINE
E 640-47000-259	Freight		\$7.50	20019786	FREIGHT
Total MARGRON SKOGLUND WINE IMPORTS			\$413.50		
<hr/>					
Paid Chk#	102634	6/1/2016	NEW FRANCE WINE COMPANY		
E 640-47000-259	Freight		\$1.50	110173	FREIGHT
E 640-47000-252	Wine For Resale		\$168.00	110173	WINE
E 640-47000-259	Freight		\$15.00	110293	FREIGHT
E 640-47000-252	Wine For Resale		\$640.00	110293	WINE
Total NEW FRANCE WINE COMPANY			\$824.50		
<hr/>					
Paid Chk#	102635	6/1/2016	NORTHWESTERN FRUIT COMPANY		
E 640-48500-255	FOODIngredients For Resale		\$427.00	839238	FOOD
E 640-48000-251	Liquor For Resale		\$34.15	839443	LIQUOR
E 640-48000-253	Beer For Resale		\$21.70	839443	BEER
E 640-48500-255	FOODIngredients For Resale		\$519.30	839443	FOOD
E 640-48000-253	Beer For Resale		\$17.20	839568	BEER
E 640-48500-255	FOODIngredients For Resale		\$539.35	839568	FOOD
E 640-48500-255	FOODIngredients For Resale		\$19.90	839625	FOOD
E 640-48500-255	FOODIngredients For Resale		\$19.60	839655	FOOD
Total NORTHWESTERN FRUIT COMPANY			\$1,598.20		
<hr/>					
Paid Chk#	102636	6/1/2016	PARLEY LAKE WINERY		
E 640-47000-252	Wine For Resale		\$87.00	052116	WINE
Total PARLEY LAKE WINERY			\$87.00		
<hr/>					
Paid Chk#	102637	6/1/2016	PAUSTIS & SONS		
E 640-47000-252	Wine For Resale		\$1,419.02	8548440	WINE
E 640-47000-259	Freight		\$16.25	8548440	FREIGHT
E 640-48000-252	Wine For Resale		\$113.25	8549394	WINE
Total PAUSTIS & SONS			\$1,548.52		
<hr/>					
Paid Chk#	102638	6/1/2016	PEPSI -COLA		
E 640-47000-254	Soft Drinks/Mix For Resale		\$246.31	53304278	MISC.BEV.
Total PEPSI -COLA			\$246.31		
<hr/>					
Paid Chk#	102639	6/1/2016	PHILLIPS WINES & SPIRITS		
E 640-47000-252	Wine For Resale		\$1,528.25	2977949	WINE
E 640-47000-259	Freight		\$17.69	2977949	FREIGHT
E 640-47000-251	Liquor For Resale		\$301.65	2977950	LIQUOR
E 640-47000-259	Freight		\$3.87	2977950	FREIGHT

***Check Detail Register©**

May 2016

			Check Amt	Invoice	Comment
E 640-47000-251	Liquor For Resale		\$1,097.23	2981675	LIQUOR
E 640-47000-259	Freight		\$11.19	2981675	FREIGHT
E 640-47000-252	Wine For Resale		\$1,352.00	2981676	WINE
E 640-47000-259	Freight		\$19.12	2981676	FREIGHT
E 640-48000-251	Liquor For Resale		\$422.58	2983728	LIQUOR
Total PHILLIPS WINES & SPIRITS			\$4,753.58		

Paid Chk#	102640	6/1/2016	SHAMROCK GROUP		
E 640-47000-254	Soft Drinks/Mix For Resale		\$46.70	2001641	ICE
E 640-47000-254	Soft Drinks/Mix For Resale		\$49.30	2004957	ICE
E 640-47000-254	Soft Drinks/Mix For Resale		\$104.60	2005691	ICE
Total SHAMROCK GROUP			\$200.60		

Paid Chk#	102641	6/1/2016	SOUTHERN WINE & SPIRITS OF MN		
E 640-47000-252	Wine For Resale		\$3,048.68	1409540	WINE
E 640-47000-259	Freight		\$30.72	1409540	FREIGHT
E 640-47000-252	Wine For Resale		\$612.00	1409541	WINE
E 640-47000-259	Freight		\$3.84	1409541	FREIGHT
E 640-47000-251	Liquor For Resale		\$1,758.16	1409542	LIQUOR
E 640-47000-259	Freight		\$19.62	1409542	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$54.00	1409543	MISC.BEV.
E 640-47000-259	Freight		\$2.56	1409543	FREIGHT
E 640-47000-259	Freight		\$2.56	1409544	FREIGHT
E 640-47000-252	Wine For Resale		\$154.00	1409544	WINE
E 640-47000-252	Wine For Resale		\$2,778.00	1411972	WINE
E 640-47000-259	Freight		\$33.28	1411972	FREIGHT
E 640-47000-251	Liquor For Resale		\$3,655.14	1411973	LIQUOR
E 640-47000-259	Freight		\$32.64	1411973	FREIGHT
E 640-47000-259	Freight		\$2.56	1411974	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$54.00	1411974	MISC.MIX
E 640-47000-259	Freight		\$5.12	1411975	FREIGHT
E 640-47000-252	Wine For Resale		\$800.00	1411975	WINE
Total SOUTHERN WINE & SPIRITS OF MN			\$13,046.88		

Paid Chk#	102642	6/1/2016	STRATEGIC EQUIPMENT AND		
E 640-48500-210	Operating Supplies (GENERAL)		(\$94.04)	151893	SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$483.59	2617976	SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$153.03	2627692	SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$91.14	2642867	SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$275.66	2642872	SUPPLIES
E 640-48000-341	General Promotions		\$73.62	2642872	PROMO SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$379.08	2642872	SUPPLIES
Total STRATEGIC EQUIPMENT AND			\$1,362.08		

Paid Chk#	102643	6/1/2016	T.D. ANDERSON INC.		
E 640-48000-409	Maint services & Improv		\$115.00	788530	BEER LINES CLEANED
Total T.D. ANDERSON INC.			\$115.00		

Paid Chk#	102644	6/1/2016	THORPE DISTRIBUTING CO.		
E 640-47000-253	Beer For Resale		\$1,993.24	1082746	BEER
E 640-48000-253	Beer For Resale		\$550.00	1086750	BEER
E 640-47000-253	Beer For Resale		\$171.15	1089653	BEER
E 640-47000-253	Beer For Resale		\$57.00	1089655	BEER
Total THORPE DISTRIBUTING CO.			\$2,771.39		

Paid Chk#	102645	6/1/2016	TKO WINES, INC.		
E 640-47000-252	Wine For Resale		\$1,440.00	3602	WINE
Total TKO WINES, INC.			\$1,440.00		

***Check Detail Register©**

May 2016

		Check Amt	Invoice	Comment
Paid Chk# 102646 6/1/2016 TRUSTED EMPLOYEES				
E 640-48000-306	Personnel Expense	\$165.00	05201612035S	BACKGROUND CHECK SERVICE
Total TRUSTED EMPLOYEES		\$165.00		
Paid Chk# 102647 6/1/2016 US FOODS				
E 640-48000-254	Soft Drinks/Mix For Resale	\$226.27	4279979	MISC.BEV.
E 640-48500-255	FOODIngredients For Resale	\$5,062.35	4279979	FOOD
E 640-48000-342	Promotions - Food/Drinks	\$43.60	4279979	PROMO FOOD
E 640-48000-253	Beer For Resale	\$13.48	4279979	BEER
E 640-48500-210	Operating Supplies (GENERAL)	\$237.44	4279979	SUPPLIES
E 640-48000-251	Liquor For Resale	\$95.65	4279979	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$382.34	4321108	FOOD
E 640-48000-251	Liquor For Resale	\$23.76	4321109	LIQUOR
E 640-48000-254	Soft Drinks/Mix For Resale	\$216.00	4321109	MISC.BEV.
E 640-48500-255	FOODIngredients For Resale	\$2,461.04	4321109	FOOD
E 640-48000-342	Promotions - Food/Drinks	\$39.49	4321109	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$37.07	4321109	SUPPLIES
E 640-48500-255	FOODIngredients For Resale	\$382.34	4359878	FOOD
E 640-48000-251	Liquor For Resale	\$107.24	4359880	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$2,515.32	4359880	FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$95.90	4359880	SUPPLIES
E 640-48000-342	Promotions - Food/Drinks	\$24.97	4359880	PROMO FOOD
E 640-48000-254	Soft Drinks/Mix For Resale	\$361.82	4359880	MISC.BEV.
E 640-48500-255	FOODIngredients For Resale	\$145.40	4408672	FOOD
E 640-48000-254	Soft Drinks/Mix For Resale	\$79.25	4408674	MISC.BEV.
E 640-48500-210	Operating Supplies (GENERAL)	\$24.00	4408674	SUPPLIES
E 640-48500-255	FOODIngredients For Resale	\$4,236.80	4408674	FOOD
E 640-48000-253	Beer For Resale	\$9.12	4408674	BEER
E 640-48000-251	Liquor For Resale	\$85.44	4408674	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$2,770.83	4432813	FOOD
Total US FOODS		\$19,676.92		
Paid Chk# 102648 6/1/2016 VINO COPIA				
E 640-47000-251	Liquor For Resale	\$248.00	0151933	LIQUOR
E 640-47000-259	Freight	\$2.50	0151933	FREIGHT
Total VINO COPIA		\$250.50		
Paid Chk# 102649 6/1/2016 WINE COMPANY				
E 640-47000-259	Freight	\$19.80	426021	FREIGHT
E 640-47000-252	Wine For Resale	\$1,995.00	426021	WINE
E 640-47000-252	Wine For Resale	\$352.00	426213	WINE
E 640-47000-252	Wine For Resale	\$1,196.00	426646	WINE
E 640-47000-259	Freight	\$14.85	426646	FREIGHT
Total WINE COMPANY		\$3,577.65		
Paid Chk# 102650 6/1/2016 WINE MERCHANT				
E 640-47000-259	Freight	\$8.75	7082146	FREIGHT
E 640-47000-252	Wine For Resale	\$1,904.16	7082146	WINE
E 640-47000-252	Wine For Resale	\$936.00	7082683	WINE
E 640-47000-259	Freight	\$3.97	7082683	FREIGHT
E 640-48000-252	Wine For Resale	\$342.66	7083121	WINE
E 640-47000-259	Freight	\$10.27	7083151	FREIGHT
E 640-47000-252	Wine For Resale	\$2,415.08	7083151	WINE
Total WINE MERCHANT		\$5,620.89		
10100 Anchor Bank		\$609,500.29		

***Check Detail Register©**

May 2016

Check Amt Invoice Comment

Fund Summary

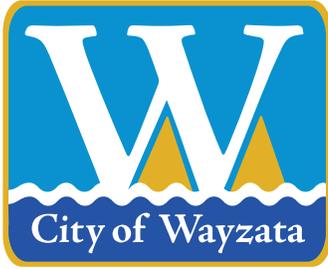
10100 Anchor Bank

101 GENERAL FUND	\$98,823.53		
233 LAKFRONT IMPROVE	\$2,775.00		
235 CABLE TV	\$1,719.31		
237 FIRE DEPT PULL TABS	\$3,501.00		
240 DWI FORFIETURES	\$41.00		
316 BAY CENTER	\$2,255.00		
404 PARK AND TRAIL CIP	\$12,110.95		
407 CELL TOWER	\$840.00		
408 GENERAL CIP	\$5,348.24		
409 EQUIP REVOLVING	\$7,033.50		
430 STREET CIP	\$2,975.01		
610 WATER FUND	\$255,507.45		
620 SEWER FUND	\$508.73		
640 LIQUOR	\$173,223.11		
650 SOLID WASTE	\$39,264.76		
670 STORMWATER	\$206.00		
802 ESCROW PROJECTS	\$3,367.70		
	<hr/>		
	\$609,500.29		

6/7/2016

THE FOLLOWING 2016 MUNICIPAL LICENSES
WERE APPROVED ADMINISTRATIVELY

Special Event/Itinerant Food Licenses - Lunds & Byerlys Kitchen "The Summer BBQ"	
<u>Four (4) Events</u> on 6/23, 7/27, 8/25, 9/22 outside front door on 250 Superior Blvd	
Lunds, Inc. dba Lunds & Byerlys Kitchen	Wayzata, MN
2016 Tree Removal & Treatment License	
Arbor Artisans, LLC	Minneapolis, MN
EB Tree, LLC	Cologne, MN
2016 Gas Fitter's License	
River City Sheet Metal, Inc	Fridley, MN
Schulties Plumbing, Inc	Blaine, MN



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

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

City Manager:
Jeffrey Dahl

DATE: June 2, 2016

TO: Mayor Willcox and Councilmembers

FROM: Jeffrey Dahl, City Manager

SUBJECT: Consider Rescheduling Regular June 21 Meeting to June 14

Update

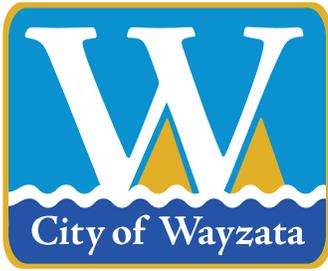
As mentioned at the previous Council Meeting, staff recommends moving the regularly scheduled June 21 meeting to June 14. At least two Council Members would not be able to attend the June 21 meeting. The next regularly scheduled meeting will be July 5th.

Recommendation

Staff recommends approval of the aforementioned scheduling change.

City Council Requested Action

Motion to approve rescheduling the June 21 City Council Meeting to June 14.



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

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

City Manager:
Jeffrey Dahl

DATE: June 2, 2016

TO: Mayor Willcox and Councilmembers

FROM: Jeffrey Dahl, City Manager

SUBJECT: Consider Agreement with Southwest Assessing for Residential Assessing Services

Background

For more than 20 years, the City contracted with Dan Distel to provide residential assessing services. Earlier this year, Dan indicated to the City that he would be retiring from Wayzata effective at the end of May.

As a result, the City received proposals from several private assessing firms as well as Hennepin County, who currently provides assessment services for the majority of the county and also assesses Wayzata's commercial properties. The City Council heard presentations from Jim Atchison of Hennepin County and Rolf Erickson of Southwest Assessing in two May work sessions.

Update

At the May 24 work session, there was consensus that the City should pursue residential assessing services with Southwest Assessing and renew its annual contract with Hennepin County to provide commercial assessing services. Some of the deciding points in contracting with Southwest Assessing were its vast experience in assessing smaller cities in the Lake Minnetonka Area and its overall lower cost.

Attached is a draft contract between the City and Southwest Assessing for your consideration. The annual cost is \$50,200 (Please note that their original proposal was for \$59,900, however, that included commercial assessing as well). While Dan Distel's contract was approximately \$10,000 less, Southwest Assessing's Proposal is the most cost effective option.

Recommendation

Staff recommends approval of the draft contract between the City and Southwest Assessing.

City Council Action Requested

Make a motion to approve contract between the City of Wayzata and Southwest Assessing for residential assessing services and allow the Mayor and City Manager to execute contract.

Southwest Assessing

P.O. Box 47841

Plymouth, MN 55447

Assessor84@comcast.net

763-473-3978

April 4, 2016

Doug Reeder
Wayzata City Manager
600 Rice St. E.
Wayzata, MN 55391

RE: Assessing Contract

Dear Mr. Reeder:

Thank you for allowing me to submit my bid for the assessing contract for the City of Wayzata. I have been contracting with Minnesota cities to do assessing work since 1979. I currently am the City Assessor for five cities and have five people who work with me. I think that it is beneficial to a city to have a local assessor. Smaller local government is better than larger units of government.

As you know, all property tax assessing activities are prescribed in Minnesota State Statutes. I have attached a document, Expectations of Assessors, which is published by the Hennepin County Assessor and spells out what all local assessors and Hennepin County assessors are expected to do throughout the assessment year. I have also enclosed a memo that explains what is covered by our services and a copy of a sample contract that I use with my other cities. I have included my proposed price for the Wayzata assessing contract in the sample contract.

Please note that I separate my fee into two sections. The first is for labor and transportation and the second is for supplies and materials. The requested amount for labor and transportation is \$57,900. I cap the amount of supplies and materials at \$2,000 annually. The amount billed is not usually that much.

If you have further questions on the supplied information, please contact me.

Sincerely,



Rolf Erickson

TO: Doug Reeder, Wayzata City Manager

FROM: Rolf Erickson, Southwest Assessing 763-473-3978

DATE: April 4, 2016

RE: Wayzata Assessing Price

Yearly Assessing Fee	\$57,900
Total Expenses (maximum)	\$2,000
Yearly Total	\$59,900

This memo has been prepared in response to your request for our price to provide assessing services to the City of Wayzata. We ask for a one year contract and we split the services provided into two categories: monthly fee for labor and transportation and prorated items to be billed separately.

The City of Wayzata has 1742 taxable parcels. The assessing fee listed here is dependent on the following:

The Hennepin County Assessor's Office does not require more work than is statutorily required.

The assessor physically inspects and revalues 20% of all property each year. If property owners are not home at the time of inspection and we believe we do not have adequate interior information, a tag is left on the door requesting that the owner call to schedule an appointment.

The assessor physically inspects and values all new construction, additions and renovations each year.

All taxable parcels in the City are valued each year after analyzing sales that have occurred in the time period specified by the state. Values are posted electronically to the assessment roll and the file is transmitted in prescribed format to Hennepin County.

The assessor maintains and updates the property characteristics of all property types and submits them to Hennepin County's mainframe database.

The assessor attends monthly meetings of all Hennepin County assessors, and additional "residential assessment" meetings, "commercial and industrial" meetings, the annual "Assessment Information and Communication" meeting and other information sessions or training sessions offered by the Hennepin County Assessor's Office.

The assessor administers the homestead classification database including the maintenance of the Social Security Number file.

The assessor maintains a subscription in the Assessor Commercial Exchange (ACE) and completes all data exchanges in the ACE format for submission to the Hennepin County Assessor's Office.

The assessor completes all divisions and combinations of property values.

The assessor conducts valuation reviews prior to the Local Board of Appeal and Equalization and at other times as requested by property owners.

The assessor attends the Local Board of Appeal and Equalization and performs all necessary review appraisals.

The assessor responds by phone or in-person meetings to requests by property owners, general public, government officials, county assessor staff and others regarding assessment or appraisal issues and inquiries.

Requests for tax abatements are initially processed by the assessor and then forwarded with the necessary information to the Hennepin County Assessor's Office for further action.

Hennepin County is responsible for Open Space values on Golf Courses with the local assessor valuing the club house, misc. buildings and the deferred land values.

Hennepin County is responsible for representing the City in all property tax court cases. The local assessor cooperates with the County by providing necessary data.

Additional Expenses that Wayzata would be billed for separately include:

- Prorated Annual Hennepin County Commercial Data Exchange Fee
- Prorated Monthly County Data Fee
- Prorated Marshall Valuation Service
- Prorated Apex Drawing Support
- Office Supplies
- Copying and Printing Costs
- Photos-older photos are being replaced by electronic photos as each quintile is done. This is a requirement of Hennepin County.
- Postage

Prorated Expenses are shared among the cities that we assess and are based on the parcel count in each city.

Total expenses and prorated expenses- Will be no more than \$2,000 per year.

Please let us know if you have additional questions.

Respectfully,
Rolf Erickson

SAMPLE CONTRACT FOR ASSESSING SERVICES

This contract is made this first day of May, XXX, by and between the City of Wayzata, Hennepin County, Minnesota (hereinafter called the "Municipality") and Rolf Erickson, P.O. Box 47841, Plymouth, Minnesota, 55447 DBA Southwest Assessing, a Minnesota Corporation (hereinafter called the "Contractor")

The Contractor represents that he is a Licensed Minnesota Assessors as required in Chapter 273 of Minnesota Statutes and that he is a qualified real estate appraiser.

ASSESSING SERVICES: The Municipality hereby contracts for and the Contractor hereby agrees to cooperate with officials of the Municipality and the County of Hennepin in performing 2017 assessment services as defined in Minnesota Statutes. The Municipality agrees and acknowledges that the manner and the method used in the performance of the assessment duties will be under the control and direction of said Contractor.

CONTRACT PRICE: In consideration of the services rendered by the Contractor, the Municipality shall pay to the Contractor at the above stated address, the sum of \$57,900.00 payable in twelve (12) installments of \$4,825.00 beginning June 2106 and ending May 2017.

TERM OF CONTRACT: June1, 2016 through May 31, 2017.

The following services are to be billed separately on an as needed basis, not to exceed a total of \$2000.00. Supplies, postage, Hennepin Data Services, software support for commercial valuation software and drawing software.

FURNISHING OF EQUIPMENT: The contractor shall provide all transportation necessary for the performance of the services contracted for. The Municipality shall furnish all supplies necessary for the performance of the services contracted for, including the Hennepin County Data fee (total supplies limitation of \$2000 annually-see above).

ATTENDANCE AT COUNCIL MEETINGS: The Contractor shall attend the local board of review meeting on the date selected by the Municipality and the Contractor and not to exceed three other Municipality council meetings during the term of the contract.

LEGAL STATUS: The parties agree that the Contractor is not required to maintain office hours, shall not receive retirement benefits, health insurance benefits, or any other fringe benefits offered to employees of the Municipality and shall, in all respects, be deemed independent an contractor.

IN WITNESS WHEREOF, the Contractor and the Municipality have executed this Contract this day of 2015.

City of Medina(Municipality)
by

Southwest Assessing (Contractor)
by

**INDEPENDENT CONTRACTOR AGREEMENT
CITY ASSESSOR SERVICES**

This contract (the "Agreement") is made and entered into as of the _____ day of _____, 2016, by and between the City of Wayzata, Minnesota (the "City"), and Rolf Erickson d/b/a Southwest Assessing, (the "Contractor"), (collectively, the "Parties").

WHEREAS, Contractor has been appointed assessor pursuant to Section 29(a) of the Wayzata City Charter; and

WHEREAS, the City and Contractor wish to confirm and memorialize certain terms related to Contractor's appointment and the services Contractor will be rendering to the City in his capacity as assessor.

NOW THEREFORE, the City and Contractor agree as follows:

1. Appointment as Assessor; Scope of Services. The Contractor accepts the appointment as assessor for the City of Wayzata for all properties in the City, including but not limited to residential and commercial/industrial properties. Contractor shall serve at the will of the City Council and shall perform such services as are customary and required of an assessor for the City of Wayzata under Minnesota law and the standards set forth by the Hennepin County Assessor's Office, in accordance with the professional standards associated with the position.
2. Compensation. The City agrees to pay the Contractor the aggregate sum of \$58,900.00 payable in twelve (12) monthly installments of \$4,908.33 (see attached Schedule for Assessing). Of the total amount payable, approximately \$9,500.00 will constitute compensation for commercial and industrial property assessment services, and approximately \$49,400.00 will constitute compensation for residential and all other types of property assessment services performed by the Contractor. The City shall not withhold monies for the payment of any federal or state income taxes, social security benefits, or other taxes.
3. Costs. The City agrees to pay the Contractor for the cost of all materials and supplies used or purchased by the Contractor to perform the assessment services, which amount the Contractor agrees shall not exceed \$1,800 annually.
4. Term. This Agreement shall be in effect for one year, commencing on June 1 and ending on May 31 of the year executed and may be renewed annually by May 31 of each year by mutual agreement.
5. Independent Contractor Relationship. It is expressly understood that the Contractor is an "independent contractor" and not an employee of the City. The Contractor shall have control over the manner in which the services are performed under this Agreement. The Contractor shall supply, at his own expense, all transportation, materials, supplies, equipment and tools required to accomplish the work contemplated by this Agreement.

The Contractor shall not be entitled to any benefits from the City, including, without limitation, Contractor shall not be entitled to, nor will Contractor receive, insurance benefits, sick and vacation leave, workers' compensation benefits, unemployment compensation, disability, severance pay, or retirement benefits from the City.

6. Tax Exempt Property. This agreement shall not cover assessment of tax-exempt property within the City. During those assessment years in which tax-exempt values must be determined and submitted to Hennepin County, the City and Contractor shall negotiate a supplemental agreement for the provision of such service.

7. Insurance Requirements.
 - A. Liability. The Contractor agrees to have and maintain commercial general liability ("CGL") insurance, with a limit of not less than \$1,000,000 per occurrence. If the CGL insurance contains a general aggregate limit, the general aggregate limit shall be not less than \$2,000,000. The CGL insurance shall be issued by an insurance company acceptable to the City, and shall cover liability arising from the Contractor's operations for the City, including liability arising from premises, operations, independent contractors, products-completed operations, personal injury, advertising injury and contractually assumed liability. The City shall be named as an additional insured under the Contractor's CGL policy, which coverage shall be primary coverage for the City. The Contractor acknowledges and agrees that coverage under the July, 2004 or April, 2013 additions of ISO Additional Insured Endorsement CG2010 is not acceptable, and if additional insured coverage is provided under ISO Additional Insured Endorsement CG2010, it will be provided under a pre-2004 edition of that endorsement..
 - B. Automobile Liability. If the Contractor operates a motor vehicle in performing the services under this Agreement, the Contractor shall maintain automobile liability insurance, including owned, hired, and non-owned automobiles, with a minimum liability limit of \$300,000, combined single limit.
 - C. Workers' Compensation. The Contractor agrees to comply with all applicable workers' compensation laws in Minnesota.
 - D. Professional Liability Insurance. The Contractor agrees to have and maintain professional liability insurance that will provide coverage for the services provided by the Contractor under this Agreement, with limits of not less than \$1,000,000 per claim or occurrence, and \$1,000,000 in the aggregate.
 - E. Certificate of Insurance and Policy. The Contractor shall, prior to commencing services, deliver to the City a Certificate of Insurance as evidence that the above coverages are in full force and effect. In addition, the Contractor shall provide a copy of the additional insured provisions and/ or additional insured endorsements for the policies in a form acceptable to the City. The Certificate and required policies shall contain a provision that the coverage afforded under this Agreement will not be cancelled or allowed to expire until at least 30 days prior written notice has been given to the City.

8. Indemnification. The Contractor agrees to defend and indemnify the City, and its employees, officials, volunteers and agents from and against all claims, actions, damages, losses and expenses arising out of the Contractor’s ongoing operations for the City in the performance of his work under this Agreement.

9. Meeting Attendance. The Contractor will attend monthly meetings of all Hennepin County assessors, and additional “residential assessment” meetings, “commercial and industrial” meetings, the annual “Assessment Information and Communication” meeting and other information sessions or training sessions offered by the Hennepin County Assessor’s Office. The Contractor further agrees to attend the meetings of the Local Board of Appeal and Equalization and perform all necessary review appraisals.

10. General Provisions.
 - A. Entire Agreement. This Agreement supersedes any prior or contemporaneous representations or agreements, whether written or oral, between the Parties and contains the entire agreement.
 - B. Assignment. The Contractor may not assign this Agreement to any other party.
 - C. Amendments. Any modification or amendment to this Agreement shall require a written agreement signed by both Parties.
 - D. Governing Law. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Minnesota.
 - E. Waivers. The waiver by either party of any breach or failure to comply with any provision of this Agreement by the other party shall not be construed as, or constitute a continuing waiver of such provision or a waiver of any other breach of or failure to comply with any other provision of this Agreement.
 - F. Savings Clause. If any court finds any portion of this Agreement to be contrary to law or invalid, the remainder of the Agreement will remain in full force and effect.
 - G. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. Facsimile and scanned copies shall be deemed originals for all purposes.

Accepted and Agreed To:

CONTRACTOR

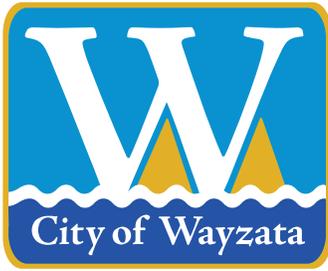
CITY OF WAYZATA

By _____
 Rolf Erickson d/b/a
 Southwest Assessing

By _____
 Jeffrey Dahl, City Manager

By _____
 Ken Willcox, Mayor

SCHEDULE FOR ASSESSING



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

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

City Manager:
Jeffrey Dahl

DATE: June 2, 2016

TO: Mayor Willcox and Councilmembers

FROM: Jeffrey Dahl, City Manager

SUBJECT: Proposals for Owners Representatives for Mill Street Parking Ramp

Background

Earlier this month, staff sent out an RFP to selected firms that could provide construction management services as the City's "Owner Representative" for the pending construction of the Mill Street Parking Ramp. Utilizing an Owner's Representative as a consultant to the City will provide critical analysis of all aspects of the design of the structure as requested by the City including the evaluation and recommendation of value engineering opportunities, cost estimates, bidding procedures, and communication. The Owner's Representative shall review construction methods proposed to protect the neighboring properties from exposure to damage.

After reviewing the proposals, staff selected three finalists that presented to the Council at its Tuesday, May 24, 2016 work session. The finalists were: SEH, Inc, TEGRA Group, and Terranova, LLC.

Update

While all firms had an impressive background in construction management, consensus of the Council was that TEGRA Group was the preferred firm. TEGRA Group had the most experience specifically as an Owner's Representative and they were most familiar with this scale of a project in close proximity of residential neighborhoods. For example, they worked on the Walker Art Center Parking Ramp next to the Kenwood Area in Minneapolis. Additionally, other deciding factors were TEGRA Group agreed to a 5% decrease in their fees and they have a lot of connections within the Wayzata community---meaning they have a lot at stake to ensure a successful project.

If the Council is to meet its timeline of the completion of the schematic design in June, bidding out in September, construction beginning in October, and completion in May, it should approve an Owner's Representative in June.

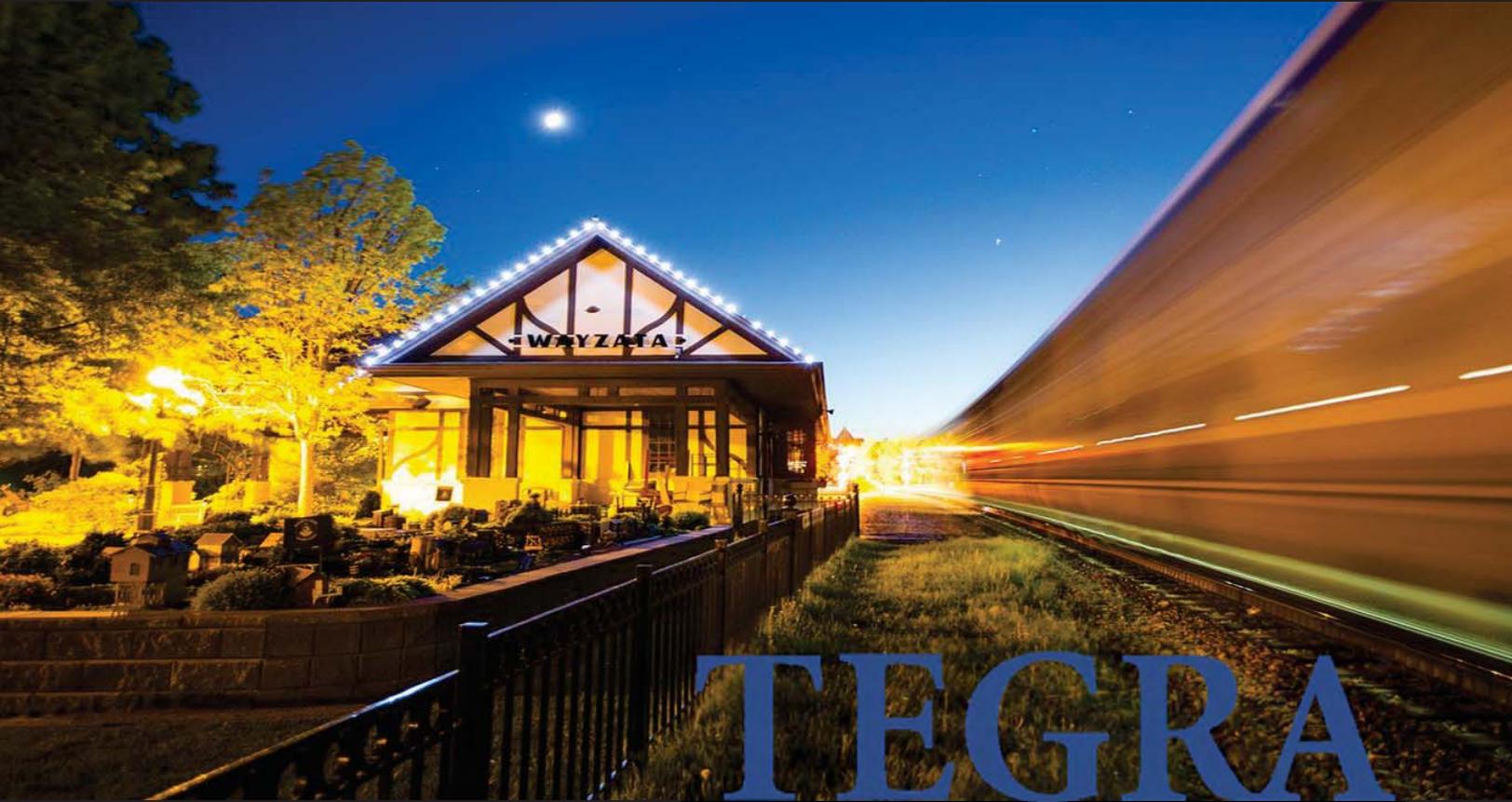
Recommendation

Upon a satisfactory reference check, staff recommends approval of the attached draft Owner's Representative contract.

City Council Action Requested

Motion to approve contract between TEGRA group and City of Wayzata for Owner's Representative services to facilitate design, bidding, and construction of the Mill Street Parking Ramp.

Owner's Representative Services Proposal



City of Wayzata

Mill Street Parking Ramp

May 19, 2016



May 19, 2016

Jeff Dahl
City Manager
City of Wayzata
jdahl@wayzata.org

Re: City of Wayzata – Mill Street Parking Ramp | Owner’s Representative Proposal

Jeff:

We are pleased to present a proposal for Owner’s Representative Services related to the City of Wayzata’s proposed Mill Street Parking Ramp. The TEGRA Group has extensive experience in both working with City municipalities and overseeing the efficient design & construction of parking structures. Our municipal clients include the City of Minneapolis, City of Duluth, and City of Sioux Falls. We are in the preconstruction phase of two parking structures and recently completed a parking ramp in Duluth.

Successful projects start with two foundational questions: Is the vision well-considered? Is the execution in capable hands? TEGRA is committed to making sure you can confidently answer both of these questions in the affirmative. In our proposal, we outline a sample scope of services that has been honed over two decades of leading successful projects in the region. Our workplan will ensure the City of Wayzata is positioned to make effective and well-informed decisions in order to deliver a great project, on-time and on-budget.

Our body of work teamed with HGA includes award-winning projects such as The Walker Art Center, Surly Brewing, Target Field, The American Swedish Institute, and Maurices new corporate headquarters, to name a few. Several of these projects have associated parking structures, some owned by municipal entities.

Through our collective experience, we have also built the most capable, experienced and effective owner’s representative team in the region. Eight-strong, our team was carefully curated to combine the right education, industry experience, personal chemistry and professional skillsets. Our professionals have an average tenure of more than 20 years as leaders in construction, architecture, real estate development, law, corporate planning, finance and project management from successful careers at Price Waterhouse Coopers, United Health Group, Ryan Companies, Mortenson Construction, Cabot, Cabot & Forbes, Wells Fargo, and HGA.

But don’t take our word for it. We hope you will contact our clients. We would love to put our team to work for the City of Wayzata!

Sincerely,
The TEGRA Group, Inc.

Dick Strassburg
Partner

Nate Pearson
Director

Naomi Burchett
Director



Proposal Outline

1. Firm Description
2. Sample Scope of Services
3. Team Structure & Bios
4. Compensation Approach
5. Representative Project Experience
6. Why TEGRA?



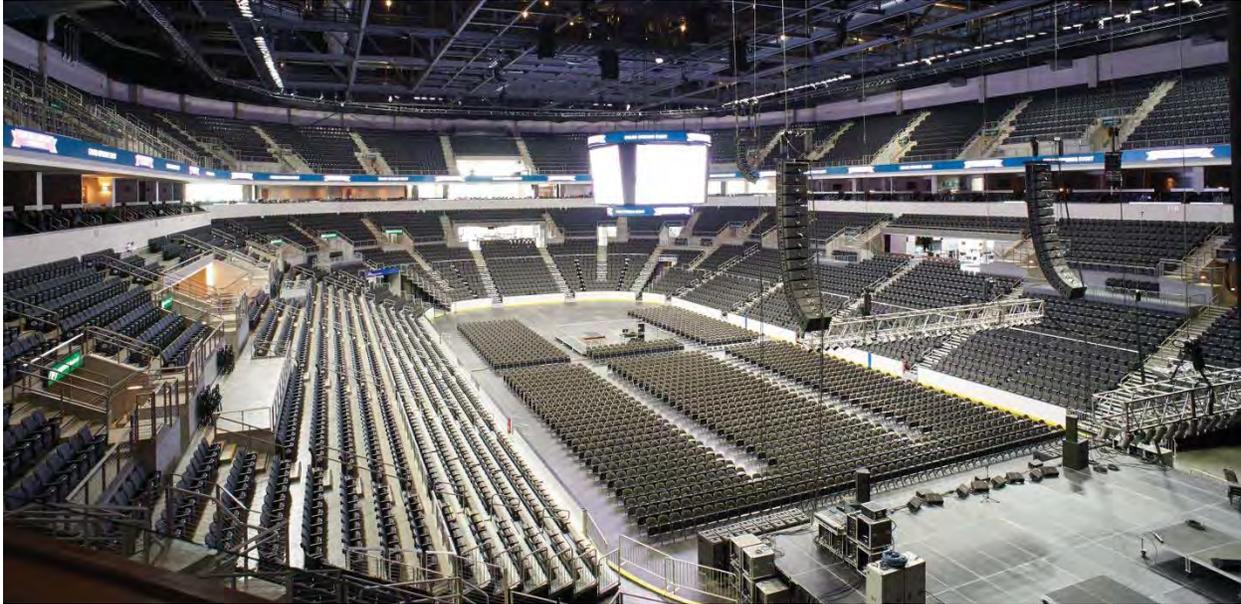
1. Firm Description

The TEGRA Group plans, negotiates and implements commercial projects with a singular focus on the user of commercial space. Founded in 1996, we are an advisory/consulting firm consisting of eight professionals with backgrounds in real estate development, law, finance, business, architecture, interior design, construction management, and facility management.

Our firm has provided project leadership to several hundred clients with projects ranging from interior tenant improvements to landmark buildings in the Twin Cities region and beyond. Past projects include Target Field, The Walker Art Center, Denny Sanford Premier Center in Sioux Falls, and Great River Energy's LEED Platinum Corporate Headquarters.

Current assignments include the Target Center renovation, Minnesota United FC Soccer stadium, Minnesota Children's Museum expansion/renovation, several corporate headquarters and interior build-out projects.

The TEGRA Group is privately-held by its original founders, Tom Hauschild and Dick Strassburg. More information on TEGRA can be found on our website at www.tegragroup.com.



2. Sample Scope of Services

- A. **General Project Administration** – Set up and lead project meetings, develop and periodically update project organizational materials (such as project directory, org charts, communication charts), define team member roles/responsibilities, maintain hard copies of contracts, track change orders, create reports, maintain electronic files of project related correspondence, mobilize/demobilize on-site offices, prepare time reports and invoices.
- B. **Project Communications** – Develop project communication tools; Act as the “project point person” for communication with the Architect/Engineer (“AE”), Parking Consultant, Construction Manager (“CM”) teams, potential vendors and service providers; Prepare and respond to emails and phone calls; Monitor AE and CM for contract compliance regarding communication requirements; Assist the City of Wayzata staff with communication as needed.
- C. **Stakeholder Meetings** – Prepare for meetings (develop agendas, action item lists, executive summaries, etc.); Participate as needed in meetings.
- D. **Team Assembly** – Assist in the selection process for the CM team, quality assurance testing, and other consultants and service providers as needed (AE team previously selected); Assist in the preparation and publishing of RFPs, facilitate pre-proposal conferences and tours, review proposal responses, provide comparative bid analysis, schedule, organize and facilitate interviews, develop score cards for interviews, and negotiate the terms and conditions of the various contracts while interfacing with the City of Wayzata attorney or legal advisors.

- E. **Cost Control** – Assist with the development of a comprehensive project budget (soft costs, construction costs, options/alternates). Coordinate risk identification to evaluate potential financial and schedule risks; Track approved and pending change orders, looming risks, analysis of budget/contingency, and related assessments of insurance associated with the Project; Review, evaluation and negotiation of CM change order requests; Review AE Additional Services requests, negotiate as needed and make recommendations to city staff or council.
- F. **Schedule Management** – Develop master project schedule in conjunction with AE, and CM; Create an organized and systematic design approval sequence with the AE team to expedite design approvals; Coordinate schedules for obtaining approvals from the various governmental and regulatory entities; Facilitate coordination of construction schedule with a disruption avoidance plan; Provide recommendations for targeted dates for specific milestones; Monitor service providers and contractors for schedule compliance and report deviations to City staff; Facilitate development of schedule recovery plans if needed.
- G. **Design Process Management** – Assist AE throughout the design phase; provide design review recommendations based on past experience; Direct the AE team to benchmark proposed design with comparable facilities if appropriate; Assist with building consensus to facilitate timely decisions; Facilitate value engineering, cost benefit analysis, life cycle analysis with the AE, CM; Monitor compliance with contractual terms.
- H. **Requests for Payment** –Review service provider and vendor invoices and CM monthly pay requests with requirements in corresponding contract agreements; Make invoice and pay application approval recommendations to City staff.
- I. **Project Reporting** – Assist in furnishing City staff with reports as needed concerning (a) status of the Project, (b) a comparison of the general budget to costs incurred to date of the report, (c) a comparison of the general schedule to the work actually completed through the date of the report, (d) a list of all pending change orders and all outstanding issues requiring action or approval by the AE team, and (e) other reports concerning the Project.
- J. **Disruption Avoidance** – Assist CM in the development of a disruption avoidance plan in coordination with AE to minimize disruption to adjacent neighbors and businesses. Work with AE on site infrastructure, design impacts to neighborhood, and temporary construction conditions.
- K. **Construction Administration** – Observe job site conditions, progress, staffing, quality, and contract compliance; Assist with identifying problems/challenges and provide experienced based recommendations on solutions to day-to-day issues; Attend and represent the City of Wayzata in job site meetings and job site walk thru meetings; Monitor Construction Change Directives, Construction Bulletins, RFI submittal log, shop drawing submittal log, CM submittal log, samples and mock ups; Monitor and track proposed change orders; Keep city staff aware of on-site issues.

- L. **Project Close Out** – Facilitate the punch list process with the AE and CM; Monitor the CM's progress in obtaining final sign-off from City Assist the Architect with determination of dates for substantial and final completion; Coordinate the transmittal of warranties, O&M documents, as-built documents, final lien waivers, attic stock, and CM field redlines of plans and specifications.



3. Team Structure and Bios

When you engage TEGRA for your project, you're tapping a seasoned team of uniquely qualified experts in the fields essential for successful project management and real estate projects, including business, law, architecture, finance, engineering and construction.

We propose a project team with an average tenure of 25 years, including the following core team members:

- Nate Pearson – Project Lead, Construction Project Management
 - Former Construction Executive at Mortenson and Ryan
 - 20+ years' experience
 - Wayzata Area Resident
- Naomi Burchett – Design Project Management
 - Former Architect at HGA and Leo A Daly
 - 20+ years' experience
- Dick Strassburg – Strategic Project Oversight
 - Former Developer at Cabot, Cabot, and Forbes
 - 30+ years' experience

The core project team will be supported by other TEGRA professionals including Darcy Weise who will lead cost accounting and reporting functions.



Nate Pearson

Director

Nate spent nearly 20 years rising through the ranks of two of the country's highest-caliber construction and development firms. Whether poring over construction documents or guiding Fortune 500 companies in their infrastructure and building plans, Nate brings comprehensive, no-nonsense construction and design smarts to every project he touches. Consistently valued by clients for his keen industry knowledge and upbeat, collaborative personality, Nate thrives in leading multi-discipline teams to successful results.

Employment History

Mortenson Construction – Corporate Market Sector Leader | 5 years

Nate led Mortenson's Corporate Market Sector in their Minneapolis office. Responsibilities included marketing/proposal oversight, design-phase management and executive oversight of project management. Clients included Duluth Transit Authority, Cargill, Minnesota Vikings, Blue Cross Blue Shield, Thrivent, AgriBank, and Wells Fargo.

Ryan Companies – Project Manager | 12 years

As project manager, Nate represented Ryan's client's on-site leading development of projects in the Midwest and around the country. Nate provided services in Arizona, Texas and Georgia for clients Target, Polaris, Conoco Phillips, Dial Corporation and Ryan Development.

Education & Certifications

University of Minnesota, Carlson School of Management, MBA | 2007

Iowa State University, Bachelor of Science – Construction Engineering | 1996

U.S Green Building Council/Green Building Certification Institute, LEED AP BD+C | 2004

Community Involvement

Wayzata Youth Baseball Association – Coach, Current

City of Medina – Parks Commissioner, Current

MNCAR Member, Current

Northwest YMCA Board Member, Financial Committee, Past

Design Build Institute of America, Past President (2013)

Expert Witness Testimony (2014)



Naomi Burchett

Director

A registered architect and LEED-accredited professional, Naomi applies her extensive design and project management experience to spearhead complex facility projects for TEGRA clients. Naomi thrives while leading clients and integrated project teams through efficient, customized project management systems that streamline even the most complex ventures. She delivers the kind of tailored systems that are a vital component of TEGRA's unmatched track record for project completion that is on schedule and within budget. Naomi is a valued consensus-builder — from initial planning through successful completion.

Employment History

Hammel, Green & Abrahamson, Inc. – Assistant Project Manager | 10 years

As an Assistant Project manager and Project Coordinator, Naomi worked with a wide range of clients on project types including religious, corporate and educational facilities. Some of her most notable projects while working at HGA are the 166,000 square foot, \$125 million Valley Performing Arts Center at California State University, Northridge and the 340,000 square foot, \$38 Million Grace Church in Eden Prairie, Minnesota.

Leo A. Daly – Project Architect | 5 years

Naomi was a Project Architect on multiple local, government and higher education projects in addition to being a LEED Project Administrator on 20+ facilities. She served as the key coordinator for drawings and specifications between the designer and engineers. Her experience ranges from the program planning, design and B3 administration of the \$35 million Sanford Event Center in Bemidji, MN to the small-scale remodel with a very short design & construction schedule of Century College's Classroom Addition in White Bear Lake, MN.

Education & Certifications

University of Minnesota, Bachelor of Arts in Architecture | 1997

U.S Green Building Council/Green Building Certification Institute, LEED AP BD+C | 2004

Registered Architect with National Council of Architectural Registration Boards | 2009

Community Involvement

Championing childhood education and opportunities are center target for Naomi. Whether as a one-on-one reading tutor or playing a lead role in developing reading advancement programs, she enjoys pitching in with school efforts to enhance kids' opportunities both in the classroom and on the playground.



Dick Strassburg

Partner/Co-Founder

Recognized locally and nationally for his innovative and principled leadership, Dick has provided insightful guidance on a long list of high-profile private and municipal projects throughout the country — all of which were completed on time and within budget. Among this list of success stories is Target Field, home to the Minnesota Twins, which boasted a zero-item punch list on opening day, a feat never before achieved in construction of any modern major league sports facility. Built on his years as an executive at real estate firms in Los Angeles, Colorado and Minneapolis, Dick offers TEGRA clients a depth and breadth of wisdom that is unmatched in the industry.

Employment History

Frauenshuh Companies – Partner-in-Charge, Minneapolis Office | 2 years

Dick was the Partner-in-Charge of Frauenshuh's Minneapolis office. He managed a staff of 22 professionals and was involved in many development projects including multiple office projects for Allina and Park Nicollet Clinics.

The Keewaydin Group – Vice President | 3 years

Dick was a Vice President for the Keewaydin Group where he managed the company's New York City office. He managed several large-scale projects including serving as the Lead Project Manager for Polo Ralph Lauren's 170,000 square foot International Headquarters in New York City.

Cabot Cabot and Forbes – Project Manager | 6 years

Dick was initially retained as a Project Architect for three suburban office park developments. Later he was hired as an in-house Project Manager in CC&Fs Colorado Springs, CO and Los Angeles, CA offices.

Education & Certifications

North Dakota State University, Bachelor of Architecture | 1983

Registered Architect, National Council of Architectural Registration Boards Certified | 1987

Community Involvement

Lambda Alpha International, Board Member and past Treasurer

Cornerstone Advocacy Services, past Chairman of the Board

Chosen Ones Adoption Agency, past Board Member



4. Compensation

At the onset of projects, we often work on an hourly basis. Soon after, we can establish an agreed-upon scope of services and fixed fee as the project roles and responsibilities come into focus. For this project, we propose to work the initial 30 days with an hourly fee cap of \$10,000. Based on similar project experience, we expect our total fee may fall in the range of 1% to 1 ½% of the total project cost. That equates to approximately 370 - 550 hours at a blended rate of \$220 per hour. We propose to work with you collaboratively to define our role and services provided and will be happy to set a “not to exceed” fee, once the scope of our engagement is finalized.

Our 2016 hourly rates are as follows:

Nate Pearson	\$238 per hour
Naomi Burchett	\$238 per hour
Dick Strassburg	\$288 per hour
Darcy Weise	\$110 per hour

TEGRA hourly rates increase 3% annually on January 1.

We do not seek reimbursement for routine business expense; however, if out of town business travel is required, we will request reimbursement with your advance approval.



5. Representative Project Experience & References

- A. City of Sioux Falls owned 550 car ramp
- one level below grade, three levels above grade, future development above ramp
 - currently in schematic design phase
 - Walker Parking Consultants, local Sioux Falls architect, yet to be determined CM
 - **Reference:** Kendra Siemonsma, City of Sioux Falls Chief Project Manager 605-367-8825
- B. City of Duluth owned 500 car ramp at Maurices new headquarters
- four level above grade parking ramp, office tower above parking ramp
 - competed May 2016
 - Walker Parking Consultants, HGA and RSP as architects and engineers, McGough Construction as CM
 - **Reference:** Brian Thun, CFO Maurices 218-720-2160
- C. City of Minneapolis owned 680 car ramp at Walker Art Center
- three and one half levels below grade parking ramp, sculpture garden above parking ramp
 - ramp constructed in 2003/2004, landscaping currently under construction
 - HGA as architects and engineers, MA Mortenson as CM
 - **Reference:** Mary Polta, CFO Walker Art Center 612-375-7647
- D. Washington Square, Sioux Falls SD, privately owned 191 car ramp
- one level parking below grade, plus three levels above grade, mixed use development
 - construction to begin June 2016
 - BKV as architects and engineers, local Sioux Falls CM
 - **Reference:** Chris Houwman, Washington Square Owner, 605-351-9290



6. Why TEGRA

We hope you will call our references to better understand the value we add to the process. Here are a few other reasons to consider TEGRA for the Mill Street Parking Ramp project:

1. **We know municipal parking ramps.** We have substantial experience working with municipalities on parking ramp construction. Recent experiences with ramps for The City of Sioux Falls, The City of Minneapolis, and The City of Duluth have provided valuable insights into the municipal decision-making process.
2. **We know HGA.** We have a strong working relationship with HGA built on collaboration of many signature projects including The Walker Art Center, Maurices corporate headquarters, Surly Brewing, Target Field, and The American Swedish Institute. Note, too, that a member of our project team is an HGA Alumna.
3. **We know Walker Parking Consultants.** We have experience and history with Walker Parking Consultants collaborating on numerous projects including recent and current projects for the City of Sioux Falls, Washington Square, and the City of Duluth.
4. **We know the design, development and construction business.** Our team has an unmatched combination of backgrounds required for effective owner's representation. We were once contractors, architects, and developers and understand the collaboration required for a successful project.

TEGRA

The TEGRA Group, Inc. | 801 Nicollet Mall, Suite 1850 | Minneapolis, MN 55402
612.752.5750 | tegragroup.com

**CONSULTING AGREEMENT
CITY OF WAYZATA – MILL STREET PARKING RAMP**

THIS CONSULTING AGREEMENT (the "Agreement") is effective as of June ____, 2016 ("Effective Date"), by and between the City of Wayzata, Minnesota ("CITY"), and The TEGRA Group, Inc. ("TEGRA"), a Minnesota Corporation.

RECITALS

- A. CITY desires to engage TEGRA to perform certain consulting services.
- B. TEGRA desires to perform certain consulting services for CITY upon the terms and subject to the conditions set forth herein.

TERMS AND CONDITIONS

In consideration of the premises and the mutual covenants, hereinafter set forth, the parties agree as follows:

1. Consulting Services of TEGRA. CITY hereby engages TEGRA as a consultant to provide advisory services for the proposed Mill Street Parking Ramp, which will be located in downtown Wayzata, MN.

The CITY will assign various tasks and responsibilities to TEGRA to perform as consulting services under this Agreement during the project. In general, assignment of tasks and responsibilities will be as defined in **Exhibit A** to this Agreement; however, both parties agree to work together to refine the specific services as the project develops. The assignment of services not listed in **Exhibit A** shall be confirmed by the City in writing.

A. TEGRA will report to the Wayzata City Manager unless otherwise directed in writing by an authorized representative of CITY.

B. To the extent any of the terms and provisions of this Agreement are inconsistent with any prior proposal or other communications, written or oral regarding the Services under this agreement, the terms of this Agreement will control. The Agreement cannot be changed or modified orally. This Agreement may be supplemented, amended, or revised only in writing by agreement of the parties.

2. Personnel. TEGRA agrees to assign Nate Pearson, Director, to this Project, with project support provided by other TEGRA staff members. TEGRA will not substitute Nate Pearson as the project lead without CITY's written approval.

3. Term and Termination. This Agreement will commence on the Effective Date of this agreement and will remain in effect until Project Completion or termination by either party provided, however, if not earlier terminated, the Agreement will expire on December 31, 2017. In the event the Services are needed after the expiration date, this Agreement will be modified to reflect mutually agreed to compensation. CITY may terminate TEGRA without cause anytime during the project with responsibility for compensating TEGRA for the time and expenses incurred through the date of termination. TEGRA may terminate this

agreement at any time without cause or if payment of sums properly due are not paid within 30 days. CITY will not be liable for, nor will TEGRA be required to perform, any services after the effective date of termination, unless the parties mutually agree.

4. Payment. CITY will pay TEGRA for the Services on an hourly basis. TEGRA hourly rates for 2016 are as follows:

Nate Pearson	\$ 226 per hour
Naomi Burchett	\$ 226 per hour
Dick Strassburg	\$ 274 per hour
Darcy Weise	\$ 105 per hour

TEGRA's fees will be capped at \$10,000 for the initial 30 days, TEGRA and CITY will work collaboratively to define TEGRA's roles and services and will establish a "not to exceed" fee once the scope of the project can be finalized. TEGRA hourly rates will increase 3% annually beginning on January 1, 2017.

TEGRA will invoice CITY each month for time incurred the previous month beginning July 1, 2016. These payment terms are subject to termination provisions listed above. The parties may in writing make changes within the general scope of this Agreement in the work and services to be performed by TEGRA. Any changes which materially increase or reduce the cost of or the time required for the performance of the Agreement will be modified in writing.

5. Expense Reimbursement. TEGRA will not seek reimbursement for routine out-of-pocket expenses. However, if out of town business travel is required, TEGRA will request reimbursement with the CITY's advanced approval.

6. Method of Payment. Payments will be processed on a monthly basis upon the City's receipt of the invoice prepared by TEGRA. Invoices will be in TEGRA's standard format.

7. Consultant Status. TEGRA, its employees, independent contractors, and agents, are not and will not be construed to be employees of CITY. Neither TEGRA nor any of its employees, independent contractors, agents, or other personnel are authorized to enter into contracts or agreements on behalf of CITY or otherwise create obligations of CITY to third parties. TEGRA's Services are advisory in nature. While Services may involve the review of the work product of architectural, engineering, design, construction, legal, and other professional services providers, TEGRA is not engaged to provide such professional services. Rather TEGRA is engaged to provide coordination, project leadership, review, and commentary to the best of its abilities, experience, and skills.

8. Insurance. TEGRA will be solely responsible for taking out and maintaining, at its own expense (i) workers' compensation insurance; (ii) employer's liability insurance; (iii) comprehensive general liability insurance, including contractual liability coverage, with minimum limits of \$1 million per occurrence and \$2 million aggregate; (iv) comprehensive automobile liability insurance coverage for bodily injury and property damage liability for all owned, nonowned, hired, and rented automotive equipment; (v) excess liability umbrella insurance with minimum limits of \$1 million per occurrence and \$1 million aggregate; and

(vi) professional errors and omissions insurance with minimum limits of \$1 million per claim and \$2 million aggregate.

9. Hold Harmless. TEGRA agrees to indemnify and hold the City harmless from claims or liability including attorneys' fees arising out of the consulting services furnished under the Agreement provided such claims or liability are the result of a negligent or intentional act, error, or omission of TEGRA and/or its employees/agents arising out of the consulting services described in the Agreement.

10. Funds Appropriation. If funds are not budgeted or appropriated for any fiscal year for services provided by the terms of this Agreement, this Agreement will impose no further obligation on the City for payment for services performed after the date on which the CITY has provided written notice to TEGRA that such appropriation is no longer available. This agreement is null and void except as to annual payments herein agreed upon for which funds have been budgeted or appropriated, and no right of action or damage will accrue to the benefit of TEGRA, its successors or assignees, for any further payments.

11. Jurisdiction. This Agreement will be governed by and interpreted and construed in accordance with the laws of the state of Minnesota without regard to its choice of law provisions. The parties expressly consent and agree to the exclusive jurisdiction and venue of any state or federal court located within Hennepin County, Minnesota, for all purposes in connection with any suit between the parties arising out of or relating to this Agreement.

12. Audit. The City will have the right to audit all books and records (in whatever form they may be kept, whether written, electronic, or other) relating or pertaining to this Agreement (including any and all documents and other materials in whatever form they may be kept, which support or underlie those books and records) kept by or under the control of TEGRA, including but not limited to those kept by TEGRA, its employees, agents, assigns, successors, and subcontractors. TEGRA will maintain such books and records, together with such supporting or underlying documents and materials, for the duration of this Agreement and for at least three years following the completion of this Agreement including all renewals thereof. The books and records, together with the supporting or underlying documents and materials, will be made available, upon request, to the City, through its employees, agents, representatives, contractors, or other designees, during normal business hours at TEGRA's office or place of business. This paragraph will not be construed to limit, revoke, or abridge any other rights, powers, or obligations relating to audit which the City may have by state, City, or federal statute, ordinance, regulation, or agreement, whether those rights, powers, or obligations are expressed or implied.

13. Freely Entering into Agreement. The parties acknowledge that they are entering into this Agreement freely and voluntarily, that they have had an opportunity to be represented and advised by counsel in the negotiations resulting in this Agreement, that they have ascertained and weighed all the facts and circumstances likely to influence their judgment, that they have given due consideration to the provisions contained herein, and that they thoroughly understand and consent to all provisions herein.

14. Severability. In the event that any part of this Agreement is ruled by any court to be invalid or unenforceable, then this Agreement will be automatically modified to

eliminate that part which is affected thereby. The remainder of this Agreement will remain in full force and effect.

15. Assignability. This Agreement will not be transferred or assigned, in whole or in part, by TEGRA without the prior written consent of CITY and any transfer or assignment without such consent will be void.

16. Notices. Any notice or consent required or permitted hereunder must be in writing, and must be signed by the party giving the same, and may be given either by delivering the same to such party personally or by mailing the notice by United States certified or registered mail, postage prepaid, via overnight courier or facsimile transmission to the addresses shown below as part of this Section 17, and will be deemed received: (i) as of the day following deposit with an overnight courier, charges prepaid; (ii) as of the day of receipt if deposited in first-class certified or registered U.S. mail, charges prepaid, return receipt requested; (iii) the next business day of recipient following delivery by confirmed facsimile; or (iv) as of the day of receipt of hand delivery, accepted in writing by the recipient to:

City of Wayzata
Attention: City Manager
600 Rice Street East
Wayzata, MN 55371

The TEGRA Group, Inc.
Attention: Dick Strassburg
801 Nicollet Mall, Suite 1850
Minneapolis, MN 55402

The names and addresses for notifications given pursuant to this Agreement may be changed by means of a written notice given to the other party at least five (5) days prior to the effective date of such change.

17. Reports and Schedules Property of City. The reports, schedules, models, budgets, and other documents prepared or assembled by TEGRA, and all information contained therein, will be deemed by the parties to be done as works made for hire. TEGRA hereby assigns to the City all right, title, and interest in and to all reports, schedules, models, budgets and other documents, and all information contained herein, prepared and assembled by TEGRA in connection with this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Consulting Agreement to be executed as of the date first above written.

CITY OF WAYZATA

THE TEGRA GROUP

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

ATTEST:

City Clerk

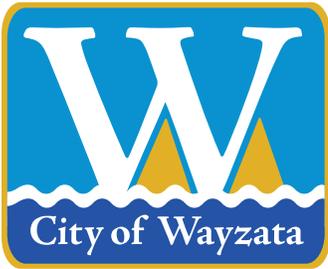
000043/203885/2400812_1

Exhibit A

City of Wayzata- Mill Street Parking Ramp

- A. General Project Administration – Set up and lead project meetings, develop and periodically update project organizational materials (such as project directory, org charts, communication charts), define team member roles/responsibilities, maintain hard copies of contracts, track change orders, create reports, maintain electronic files of project related correspondence, mobilize/demobilize on-site offices, prepare time reports and invoices.
- B. Project Communications – Develop project communication tools; Act as the “project point person” for communication with the Architect/Engineer (“AE”), Parking Consultant, Construction Manager (“CM”) teams, potential vendors and service providers; Prepare and respond to emails and phone calls; Monitor AE and CM for contract compliance regarding communication requirements; Assist the City of Wayzata Staff with communication as needed.
- C. Stakeholder Meetings – Prepare for meetings (develop agendas, action item lists, executive summaries, etc.); Participate as needed in meetings.
- D. Team Assembly – Assist in the selection process for the CM team, quality assurance testing, and other consultants and service providers as needed (AE team previously selected); Assist in the preparation and publishing of RFPs, facilitate pre-proposal conferences and tours, review proposal responses, provide comparative bid analysis, schedule, organize and facilitate interviews, develop score cards for interviews, and negotiate the terms and conditions of the various contracts while interfacing with the City Attorney of Wayzata or legal advisors.
- E. Cost Control – Assist with the development of a comprehensive project budget (soft costs, construction costs, options/alternates). Coordinate risk identification to evaluate potential financial and schedule risks; Track approved and pending change orders, looming risks, analysis of budget/contingency, and related assessments of insurance associated with the Project; Review, evaluation and negotiation of CM change order requests; Review AE Additional Services requests, negotiate as needed and make recommendations to City Staff or Council.
- F. Schedule Management – Develop master project schedule in conjunction with AE, and CM; Create an organized and systematic design approval sequence with the AE team to expedite design approvals; Coordinate schedules for obtaining approvals from the various governmental and regulatory entities; Facilitate coordination of construction schedule with a disruption avoidance plan; Provide recommendations for targeted dates for specific milestones; Monitor service providers and contractors for schedule compliance and report deviations to City Staff; Facilitate development of schedule recovery plans if needed.

- G. Design Process Management – Assist AE throughout the design phase; provide design review recommendations, with design decisions to be made by AE; Direct the AE team to benchmark proposed design with comparable facilities if appropriate; Assist with building consensus to facilitate timely decisions; Facilitate value engineering, cost benefit analysis, life cycle analysis with the AE, CM; Monitor compliance with contractual terms.
- H. Requests for Payment –Review service provider and vendor invoices and CM monthly pay requests with requirements in corresponding contract agreements; Make invoice and pay application approval recommendations to City Staff.
- I. Project Reporting – Assist in furnishing City Staff with reports as needed concerning (a) status of the Project, (b) a comparison of the general budget to costs incurred to date of the report, (c) a comparison of the general schedule to the work actually completed through the date of the report, (d) a list of all pending change orders and all outstanding issues requiring action or approval by the AE team, and (e) other reports concerning the Project.
- J. Disruption Avoidance – Assist CM in the development of a disruption avoidance plan in coordination with AE to minimize disruption to adjacent neighbors and businesses. Work with AE on site infrastructure, design impacts to neighborhood, and temporary construction conditions.
- K. Construction Administration – Observe job site conditions, progress, staffing, quality, and contract compliance; Assist with identifying problems/challenges and provide experienced based recommendations on solutions to day-to-day issues; Attend and represent the City of Wayzata in job site meetings and job site walk thru meetings; Monitor Construction Change Directives, Construction Bulletins, RFI submittal log, shop drawing submittal log, CM submittal log, samples and mock ups; Monitor and track proposed change orders; Keep city staff aware of on-site issues.
- L. Project Close Out – Facilitate the punch list process with the AE and CM; Monitor the CM's progress in obtaining final sign-off from City; Assist the Architect with determination of dates for substantial and final completion; Coordinate the transmittal of warranties, O&M documents, as-built documents, final lien waivers, attic stock, and CM field redlines of plans and specifications.



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

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

City Manager:
Jeffrey Dahl

Date: June 2, 2016
To: Mayor Willcox and City Councilmembers
From: Jeff Thomson, Director of Planning and Building
Subject: Draft Ordinance and Resolution for UUCM at 2030 Wayzata Blvd E

Background Information

On May 17, 2016, the City Council reviewed the development application for the Unitarian Universalist Church of Minnetonka at 2030 Wayzata Blvd E. The development application includes construction of a new 11,000 sq. ft. church building and associated parking. The development application also includes a request to combine the property with the parcel to the east, and subdivide a portion of the east parcel into a single-family residential property. The staff report for the project is attached, which has been updated to include the correct parking and heritage tree information.

City Council Review

The City Council directed City staff to prepare a draft Ordinance and Resolution with appropriate findings for review and adoption at the June 7th City Council meeting. The Council discussion and direction included the following actions on the development application:

- Approval of the design review, including deviations from the design standards for the primary exterior building material and roof color
- Approval of the PUD amendment
- Approval of the subdivision to combine the two parcels and subdivide the easterly portion of Parcel B into a separate lot for use as a single-family home
- Approval of the rezoning of Parcel B to PUD for the westerly part and R-1 for the easterly part
- Approval of the Comprehensive Plan amendment for the land use designation for Parcel B to Public/Institutional for the westerly part and One Acre Single Family for the easterly part
- Approval of the lot area and lot width variances for the residential lot

The City Council review included discussion of the exterior lighting for the project, and the condition of approval recommended by the Planning Commission pertaining to hours of operation. The City Council commented that the lighting should be on when needed and off when the site is not in use. In addition, the City Council indicated that the future parking lot expansion shown on the plans should be included as proof of parking.

Based on the City Council discussion, City staff has drafted the attached Ordinance and Resolution. The draft Resolution includes the following conditions of approval:

- A. The Project must be constructed in compliance with the Architectural Plans included as Attachment A and Civil Engineering Plans included as Attachment B.
- B. The one-way drive lanes in front of the building on the Property must be a minimum of 18 feet in width, in accordance with the requirements of the State Fire Code.
- C. All exterior lighting, including parking lot lighting and artificially illuminated signs, but not including security or safety lighting, must be turned off whenever the Property is not in use.
- D. The Applicant may install the future parking lot shown on the Architectural Site Plan in Attachment A if the Applicant can demonstrate to the City that there is a need for the parking spaces to meet the actual parking demands for the use of the Property.
- E. The Applicant must pay the City for all expenses, including consultant, expert, legal, and planning fees, incurred by the City for review of the Application.
- F. The Applicant address and meet all conditions of approval listed in City Council Resolution No. 62-2012 that have not yet been met, namely:
 - 1. The Applicant shall submit a Project and Development Agreement, in a form acceptable to the City Attorney, is entered into between the Applicant and the City to address matters related to the Project, including, but not limited to:
 - a. Project Performance and Development Timeline
 - b. Stormwater Facilities Maintenance
 - c. Conditions of approval and PUD standards outlined in this Resolution.
 - 2. The Applicant shall record the Development Agreement with the appropriate officials at Hennepin County.

Recommendation

Adopt the attached draft Resolution No. 15-2016 and the first reading of the attached draft Ordinance No. 759.



**Planning Report
Wayzata City Council
May 17, 2016**

Project Name: Unitarian Universalist Church of Minnetonka (UUCM)
File Number: PR 2016-03
Applicant: Wynne Yelland, Locus Architects
Property Owner: Unitarian Universalist Church of Minnetonka
Addresses of Request: 2030 Wayzata Blvd E
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: June 28, 2016

Section 1. Development Application

Introduction

The applicant, Locus Architects, and the property owner, Unitarian Universalist Church of Minnetonka (UUCM), have submitted a development application for the property at 2030 Wayzata Blvd E. The development application includes construction of a new 11,000 sq. ft. church building and associated parking. The development application also includes a request to combine the property with the parcel to the east, and subdivide a portion of the east parcel into a single-family residential property. The applicant's proposed plans are included on Attachments A, B and C.

Project Location.

The property is located on the south side of Wayzata Blvd E between Holdridge Road West and Crosby Road.

Map 1: Project Location



Relevant Property Information

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

Table 1

Parcel	Address	PID	Property Owner
A	2030 Wayzata Blvd E	05-117-22-41-0012	Unitarian Universalist Church of Minnetonka
B	No assigned address	No assigned PID	Unitarian Universalist Church of Minnetonka

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

Table 2

Parcel	Current zoning	Comp Plan Land Use Designation	Lot Area
A	Planned Unit Development (PUD)	Institutional/Public	127,671 sq. ft.
B	No zoning designation	No land use designation	56,933 sq. ft.

Parcel B does not currently have an assigned zoning district because it was previously owned by MnDOT and was used for state highway right-of-way uses. In 2015, the City acquired the parcel from MnDOT and sold the parcel to UUCM under the terms of the Settlement Agreement. The City Council's 2012 approval of the rezoning to PUD included Parcel A and not Parcel B, since it was unknown at the time whether the City would be able to acquire the property from MnDOT. Similar to the current zoning of Parcel B, the parcel does not currently have an assigned land use designation in the City's Comprehensive Plan.

Surrounding Land Uses.

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

Table 3

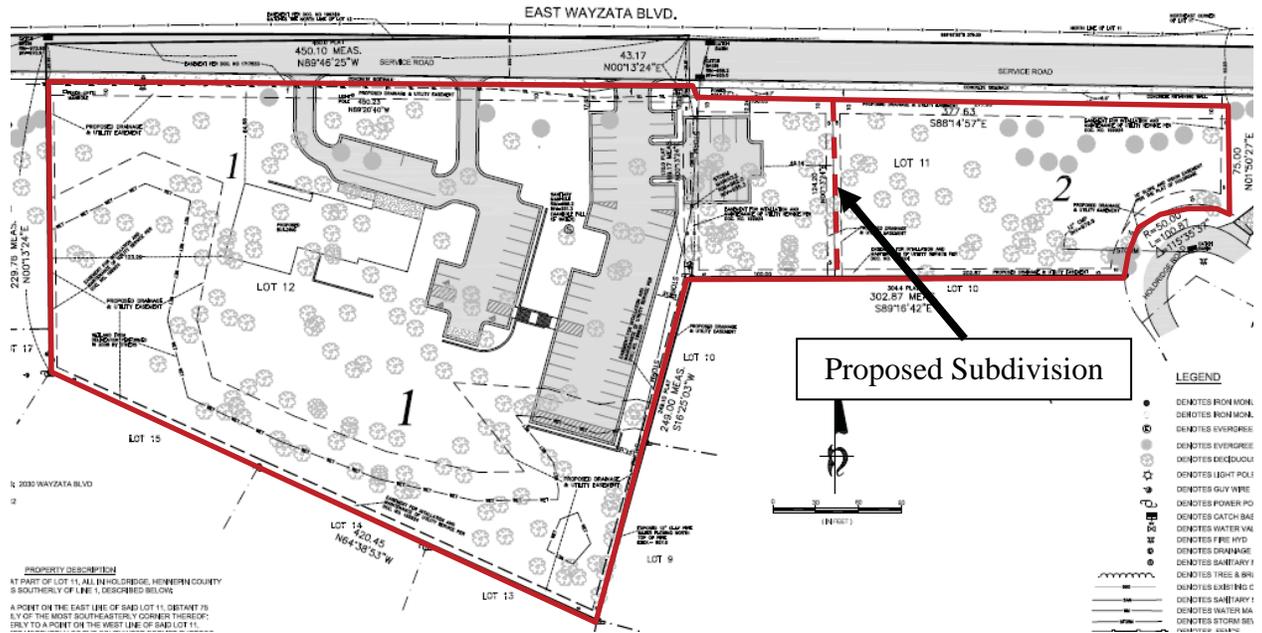
Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Wayzata Blvd E and U. S. Highway 12	N/A	N/A
East	Single-family homes	R-1/Low Density Single Family Residential District	One Acre Single Family
South	Single-family homes	R-1/Low Density Single Family Residential District	One Acre Single Family
West	Single-family homes	R-1/Low Density Single Family Residential District	One Acre Single Family

Application Requests.

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

- A. Design Review: Construction of a new building requires Design Review by City Code Section 801.09.1.5.
- B. Preliminary Plat Review: The applicant is proposing to combine Parcel A and Parcel B, and subdivide the easterly portion of Parcel B into a separate lot for use as a single-family home. The subdivision requires preliminary plat review by City Code Sections 805.03 and 805.14.

Map 2: Proposed Subdivision



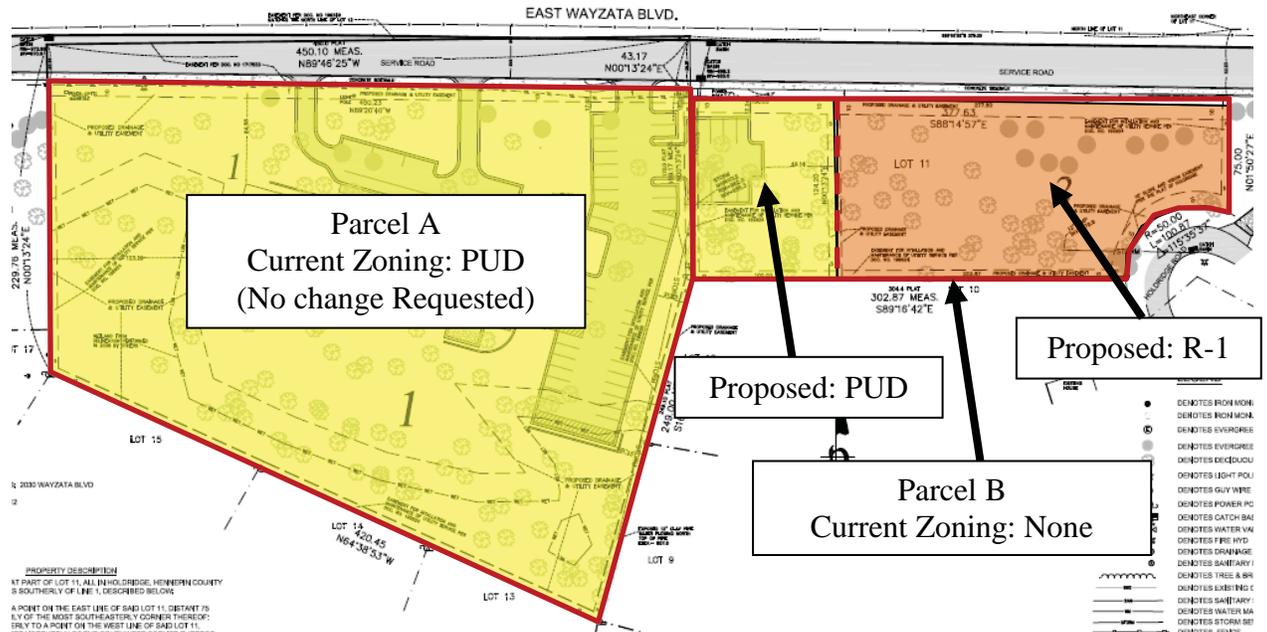
C. Amendment to the PUD: The proposed site plan varies from the site plan that was approved by the City Council as part of the 2012 PUD development application. The revised site plan requires an amendment to the PUD according to City Code Section 801.33.9.

Map 3: Proposed PUD Amendment



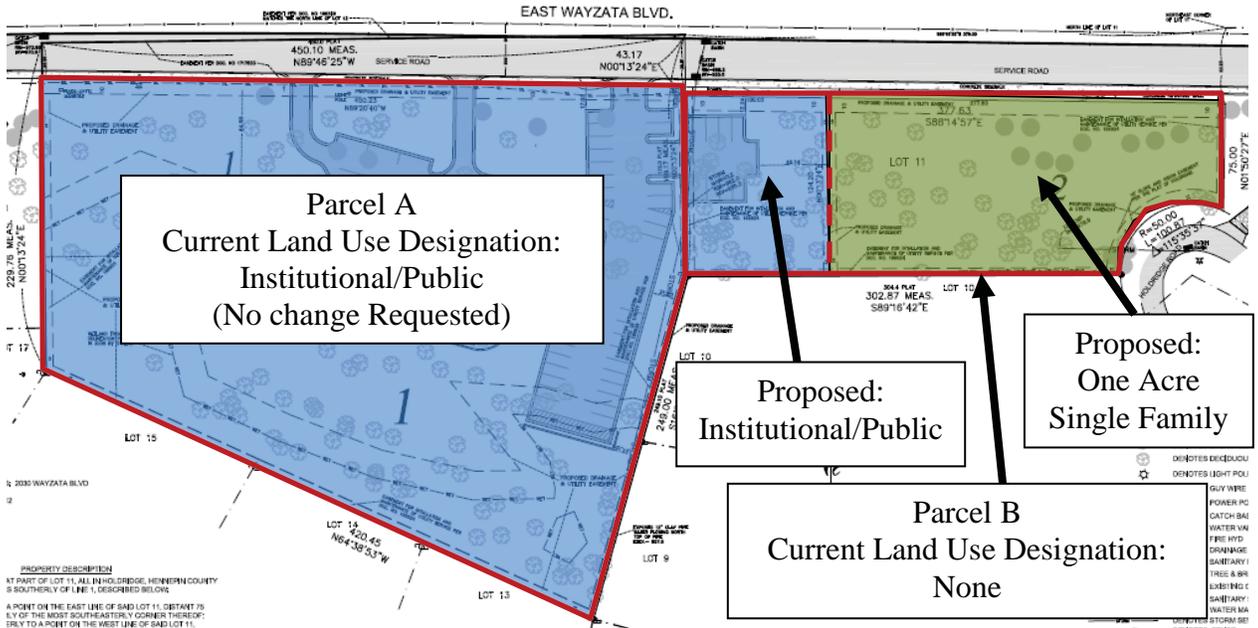
- D. Rezoning of Parcel B: Parcel B does not currently have an assigned zoning district. The applicant is requesting a rezoning of Parcel B to PUD/Planned Unit Development for the westerly portion and R-1/Low Density Single Family Residential District for the easterly portion.

Map 4: Proposed Rezoning



- E. Amendment to the Comprehensive Plan land use designation for Parcel B: Parcel B does not currently have an assigned land use designation in the City's Comprehensive Plan. The applicant is requesting an amendment to the Comprehensive Plan to designate the westerly part of Parcel B to Institutional/Public land use designation, and the easterly part of Parcel B in the One Acre Single Family land use designation.

Map 5: Proposed Comp Plan Amendment



- F. Variances for R-1 Lot: The R-1 zoning district requires a minimum lot area of 40,000 square feet, and a minimum lot depth of 150 feet. The proposed R-1 residential lot would have a lot area of 30,603 square feet and a lot depth of 124 feet. The proposed lot requires variances from the minimum lot area and minimum lot depth requirements.

Section 2. Background Information

2008 Development Application

In 2008, the property owner submitted an application requesting a rezoning of the property from R-1/Low Density Single Family Residential District to INS/Institutional, and an amendment to the Comprehensive Plan land use designation from One Acre Single Family residential to Institutional/Public. The Planning Commission reviewed that application in October 2008 and recommended denial to the City Council on a 5-2 vote. The City Council reviewed the application in December of 2008, voted 3-2 to deny the Application.

Settlement Agreement.

The Applicant commenced litigation against the City in 2010 for denying the 2008 application. On December 22, 2011, the Applicant and the City Council reached a Settlement Agreement on the lawsuit and a framework for approving the project. The Settlement Agreement outlines a three phase review of the project:

1. Comprehensive Plan Amendment, Rezoning, PUD and Site Plan Review: The first phase was a development application for (1) an amendment to the Comprehensive Plan land use designation from One Acre Single Family to

Institutional/Public, (2) Rezoning from R-1 to PUD/Planned Unit Development, (3) Concept Plan and General Plan Stage PUD, and (4) Site Plan Review.

UUCM submitted this development application in 2012 and the City Council approved the application on January 8, 2013. The City Council ordinance and resolution are provided on Attachment D.

2. Design Review and Subdivision: The second phase is a development application for Design Review approval of the design of the new church, and Subdivision to combine UUCM's property with the MnDOT parcel(s).

The applicant and property owner's current application includes both of these requests for Design Review and Subdivision approval outlined in the Settlement Agreement. The current application also includes a request for comp plan amendment, rezoning, PUD amendment, and lot area variance, as outlined in the Development Application section of this report.

3. Final State PUD: The third phase will be an application for Final Plan Stage PUD, which will be reviewed by City staff prior to the start of construction to ensure that the building permit plans conform to the PUD Concept and General Plan approved by the City Council.

Section 3. Staff Analysis of Application

Proposed Building and Site Plan

The applicant is proposing to construct an 11,000 square foot church building and accessory parking lots on the property. The proposed building one would be one story in height with a walkout lower level on the back of the building. The main floor of the church includes the main entry, sanctuary, community room, kitchen, and office space. The lower level includes classrooms, chapel/music room, and additional office space. The site would have two separate parking lots, an upper parking lot adjacent to the building, and a lower parking lot that would have a separate access drive from Wayzata Blvd E.

Wetland Delineation

The previous site plan approved by the City Council in 2013 indicated a wetland location that was based on a wetland delineation that was completed in 2008. In 2015, the applicant completed another wetland delineation which indicated that the wetland edge has receded since the 2008 delineation. The revised delineation was completed at the end of the 2015 growing season. City Staff was not able to confirm the wetland delineation, which must occur during the growing season, prior to the Planning Commission's review of the development application. City Staff was recently able to confirm the wetland delineation and determined that the revised site plan for the proposed building, parking lot, and other site improvements would meet the City's wetland requirements.

Zoning Analysis

A comparison of the PUD district standards and the proposed Project is as follows:

Table 4: PUD Standards

PUD District	Code Requirement	Proposed
Minimum Lot Area	N/A	3.21 acres
Front Yard Setback	50 ft. (min.)	76 ft.
Side Yard Setback	50 ft. (min.)	122 ft. / 191 ft.
Rear Yard Setback	50 ft. (min.)	124 ft.
Lot Coverage	N/A	Undetermined
Impervious Surface Coverage	N/A	Undetermined
Floor Area Ratio	N/A	Undetermined
Building Height	35 ft or 3 stories, whichever is less (max.)	30 ft. / 1 story

The applicant is proposing to rezone the easterly part of Parcel B to R-1/Low Density Single Family Residential District. The following table outlines the lot requirements for the R-1 zoning district.

Table 5: R-1 Standards

R-1 District	Code Requirement	Proposed
Lot Area	40,000 sq. ft. (min.)	30,603 sq. ft.**
Lot Width	150 ft. (min.)	277 ft.
Lot Depth	150 ft. (min.)	124 ft.**
Front Yard Setback	45 ft. (min.)	Undetermined
Side Yard Setback	20 ft. (min.)	Undetermined
Rear Yard Setback	50 ft. (min.)	Undetermined
Lot Coverage	15% (max.)	Undetermined
Impervious Surface Coverage	25% (max.)	Undetermined
Building Height	40 ft or 3 stories, whichever is less (max.)	Undetermined

**Variance required

The applicant has not submitted house plans for the R-1 residential lot, as they intend to sell the residential lot for construction of a home by a future owner. If the City Council approves the R-1 residential lot, a condition of approval could be added that the house plans be submitted by the future owner in order to confirm that the proposed house meets the zoning and subdivision ordinance requirements.

Parking Requirements

For auditorium, theater, and religious institutions, the zoning ordinance requires one space for each three permanent seat in the main assembly hall. The proposed sanctuary has a seating capacity of 198 people, so the zoning ordinance requires a minimum of 66 parking stalls. The proposed site plan provides a total of 66 parking

stalls, 15 in the upper parking lot and 51 in the lower parking lot. The zoning ordinance also requires additional parking if there are additional facilities provided in conjunction with the building or use. There are no other facilities within the building besides the church. The application meets the parking requirements outlined in the zoning ordinance.

Site Access and Internal Circulation.

The proposed site plan includes three access drives from Wayzata Blvd E. The two access drives on in front of the building would provide access to the pick-up/drop-off area in front of the building and to the upper parking lot. The pick-up/drop-off area is designed as a one-way access drive. The westerly access drive would be an entrance and the center access drive would be an exit. The third access drive would be an entrance and exit to the lower parking lot. The number and size of the access drives meet the zoning ordinance requirements.

Design Review

The project is subject to the Design Standards for "All Districts" as it is not located in a specific design district. A Design Review Critique of the proposal is included as Attachment H. The applicant is requesting two deviations from the design standards. The first requested deviation is for the exterior building materials. The primary building material for the non-glass surfaces of the proposed building is prefinished metal panel and exterior insulating finish system (EIFS) in a stucco finish, which are not included as allowable primary building material. The applicant has requested a deviation from this standard, and has provided a written narrative outlining the reason for the proposed material deviations. The applicant is also requesting a deviation from Design Standards pertaining to the roof color. The Design Standards require that a flat roof shall consist of a dark color. The applicant is proposing a light colored membrane for the flat roof of the building.

The Design Standards include the following factors for considering deviations from Design Standards:

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.

Stormwater Management

Stormwater runoff from the building and hardsurface parking lot areas would be directed to three separate infiltration basins on the site. The infiltration basins are located on the front of the property between the parking lots, on the south side of the parking lots, and on the east side of the lot.

Tree Inventory

The applicant has completed a tree inventory for the property, and has submitted a tree removal plan for the application. The tree inventory is based on the City's draft tree preservation ordinance. There are a total of 195 trees on the property, of which 20 are considered heritage trees in the draft ordinance. The proposed project would remove a total of 63 trees, 4 heritage trees and 59 significant trees. The proposed plan would remove 33 percent of the number of trees on the site, and also 32 percent of the total caliper inches of trees on the site.

Section 4. Revised Plans

After the Planning Commission review, the applicant submitted revised plans for the project. The revised plans include the following changes:

- Parking Lot: The eastern spur of the parking lot has been changed to future parking, and the stalls have been relocated within the eastern parking lot. Three of the stalls would be relocated to the location of the previous drive-aisle which provided access to the eastern spur, and six additional stalls have been added by expanding the eastern parking lot further to the south. The expanded parking lot would continue to meet the wetland setback requirements from the new delineated wetland edge.
- Exterior Building Materials: A portion of the building exterior, which was previously comprised of the metal shingles, has been revised to an exterior insulating finish system (EIFS) in a stucco finish. The exterior of the sanctuary space is still proposed to be metal shingles. The revised building material, EIFS, would still not meet the Design Standards, and continues to require a deviation.
- Mechanical Equipment Screening: The screening wall for the roof-top mounted HVAC equipment has been revised from a perforated metal panel around the edge of the building façade, to a solid, painted steel enclosure around the equipment.

Section 5. Planning Commission Review

Planning Commission Discussion

The Planning Commission held a public hearing on March 21, 2016, and reviewed the development application at its meetings on March 21st, April 4th, and April 18th. The meeting minutes from the Planning Commission are included as Attachment F. The Planning Commission requested additional information pertaining to the following items:

- Phase 1 Environmental Report: The applicant has submitted a copy of the Environmental Site Assessment (ESA) that was completed in March 2014 for the properties. The ESA found that there were no Recognized Environmental Conditions (REC) identified on the site, and determined that no additional investigations of the site are necessary. A copy of the ESA is provided on Attachment C.
- Grading balance calculations: The applicant has provided cut and fill balancing information for the proposed grading plan. The applicant estimates that there would be 1,250 cubic yards of soil exported from the site, 1,900 cubic yards of sand imported to the site, and 700 cubic yards of rain garden soils imported.
- Exterior lighting hours of operation: The applicant's letter provides additional information related to exterior lighting. The letter states that the congregation plans to limit their lighting usage and work within the code requirements to use exterior lighting for safety and security purposes. The applicant did not provide specific hours of operation for exterior lighting.

The City Code does not provide specific requirements for hours of operation for parking lot lighting. As a PUD application, the City Council has the discretion to include conditions of approval that mitigate impacts on surrounding properties. The Planning Commission Report and Recommendation includes a condition of approval for exterior lighting that would address exterior lighting for parking lots and signage.

- Lighting of exterior signage: The revised plans submitted by the applicant indicate that the monument sign along Wayzata Boulevard East would be externally lit with full cutoff ground fixtures. The UUCM building sign is designed to be opaque letters on a perforated metal screen that would be lit from behind, commonly known as halo lighting. The City's sign ordinance requires that artificially illuminated signs must be shielded to prevent lights from being directed at oncoming traffic or interfere with or obscure an official traffic sign. In addition, the City's design standards state that only the text and/or logo portion of a sign may be illuminated. City staff finds that the proposed lighting of the exterior signs would meet the requirements of the sign ordinance and design standards. The sign ordinance requires that all artificially illuminated signs in non-residential districts adjacent to a residential district must be turned off at the close of

business or by 10:00 p.m., whichever occurs later. The Planning Commission Report and Recommendation includes this as a condition of approval.

- Visibility of the flat roof from surrounding properties: The applicant has provided a cross-section drawing that shows the roof elevation of the church and the elevation of the homes along Holdridge Road West. The applicant also provided additional information on the environmental benefits of light-colored roofs.
- Tree preservation plan: The applicant has updated the tree preservation plan based on the comments by the city's consulting arborists. Based on the revised plan, up to 65 trees would be removed for the proposed project.
- Screening: The previous landscape plan included landscaping along the east and north sides of the parking lots. The applicant has submitted a revised landscape plan which includes Black Hill Spruce trees along the east side of the parking lot, and adds shrubs along the south edge of the east parking lot.
- Parking lot setback requirements: The minimum setback for a parking lot from all property lines is ten feet. The proposed parking lot would be 21 feet from the east property line and 16 feet from the north property line. The proposed parking lot meets the setback requirements.
- Traffic: The applicant has provided a copy of the traffic analysis that was completed by them in July 2008, which is included as Attachment C.

Planning Commission Report and Recommendation

On April 18, 2016, the Planning Commission voted four (4) in favor and one (1) opposed to adopted the Planning Commission Report and Recommendation, included as Attachment G, with the following recommendation:

- Approval of the Design Review, including:
 - Denial of the requested Design Standards Deviation for the primary exterior building material,
 - Approval of the requested Design Standards Deviations or the roof color based on the finding that the negative impact of the roof color, which would not be visible from most vantage points, would be outweighed by the overall positive effect of the project on the area in which it is proposed, and greater conformity with the policies behind the Design Standards as they relate to green roof and environmentally sensitive design, subject to further data supporting such findings.

- Approval of the PUD Amendment for the revised site plan, subject to the conditions discussed, including additional language for landscape, security, and safety lighting;
- Approval of the Preliminary Plat Subdivision creating a new PUD lot and residential lot
- Approval of variances for lot depth and minimum lot size
- Approval of rezoning to PUD/Planned Unit Development and R-1/Low Density Single Family Residential
- Approval of the Comprehensive Plan Amendment to designate Parcel B to Institutional/Public and One-Acre Single Family

The Planning Commission Report and Recommendation includes the following conditions of approval:

- The Project must be constructed in compliance with the Architectural Plans dated March 31, 2016 and Civil Engineering Plans dated March 30, 2016.
- The one-way drive lanes in front of the building must a minimum of 18 feet in width.
- All exterior lighting, including parking lot lighting and artificially illuminated signs, must be turned off at the close of business or by 10:00 p.m., whichever occurs later. This condition does not apply to exterior lighting that is used exclusively for safety and security purposes.
- The wetland delineation report must be reviewed and confirmed by the City Engineer prior to issuance of a building permit for construction of the project. The parking lot and all site improvements must meet the setback requirements from the wetland boundary, as confirmed by the City Engineer.
- [P]rior to submitting a building permit application to the City for construction of a new house on the residential lot, the owner of the lot must submit preliminary house plans for review and approval by the Planning Commission and City Council for compliance with the Wayzata Subdivision and Zoning Ordinances.

Section 6. Public Comments

City staff has received two comments submitted by members of the community. The

public comments are included as Attachment E.

Section 7. Applicable Code Provisions for Review

7.1 Design Standards City Code §801.09: The design standards set forth in this 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:

1. To guide the expansion and renovation of existing structures and the construction of new buildings and parking, within the commercial districts of the City;
2. To assist the City in reviewing development proposals;
3. To improve the City’s public spaces including its streets, sidewalks, walkways, streetscape, and landscape treatments.

7.2 Preliminary Plat Criteria (Section 805.14.E): The Planning Commission shall consider possible adverse effects of the preliminary plat. Its judgment shall be based upon, but not limited to, the following factors:

1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
2. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filing or grading.
4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
6. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.

8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
 9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
 10. The proposed lot layout and building pads shall conform with all performance standards contained herein.
 11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
 12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.
- 7.3 Premature Subdivision (Sections 805.16-18): The Subdivision Ordinance requires the City Council to deny any preliminary plat of a proposed subdivision deemed premature for development. Section 805.16. The burden is on the applicant to show that the proposed subdivision is not premature. Section 805.18. Under Section 805.17 of the Subdivision Ordinance, a subdivision may be deemed premature should any of the conditions listed in Section 805.17 exist, including inadequate drainage, inadequate water supply, inadequate roads, inadequate waste disposal systems, and inconsistency with the Comprehensive Plan, in ability to provide public improvements, and MEQB policies.
- 7.4 Amendment of a PUD Permit (Section 801.33.9): Any deviation or modification from the terms or conditions of an approved PUD permit or any alteration in a project for which a PUD permit has been approved shall require an amendment of the original permit. The same application and hearing procedure for an amendment of a PUD permit shall be followed as was followed with respect to the applicant's Concept Plan, as outlined in Section 801.33.5.
- 7.5 Purpose of PUDs. Section 801.33 of the Zoning Ordinance provides for the establishment of Planned Unit Developments to allow greater flexibility in the development of neighborhoods and/or non-residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD process, by allowing deviation from the

strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:

- A. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
- B. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
- C. More convenience in location and design of development and service facilities.
- D. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
- E. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
- F. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
- G. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
- H. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.

7.6 PUD General Standards. Section 801.33.2.A sets forth the general standards for review of a PUD application. These are:

- 1. Health Safety and Welfare. In reviewing the PUD application, the Council shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area.
- 2. Intent and Purpose of PUDs. In reviewing the PUD application, the Council shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the Zoning Ordinance.
- 3. Ownership. Applicant/s must own all of the property to be included in the PUD.
- 4. Comprehensive Plan. The PUD project must be consistent with the City's Comprehensive Plan.

5. Sanitary Sewer Plan. The PUD project must be consistent with the City's Sanitary Sewer Plan.
 6. Common Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
 7. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
 8. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
 9. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
 10. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
 11. Setbacks. The front, rear and side yard restrictions on the periphery of the PUD shall be the same as imposed in the respective districts.
- 7.7 Concurrent PUD Plan – 801.33.5. In cases of single stage PUDs or for projects of limited size and scope, the applicant may, at the discretion of the Zoning Administrator, submit the General Plan of Development for the proposed PUD simultaneously with the submission of a Concept Plan. The applicant shall comply with all provisions of this section applicable to submission of General Plan of Development. The Planning Commission and City Council shall consider such plans simultaneously and shall grant or deny a General Plan of Development in accordance with the provisions of Section 801.33.6 hereof.
- 7.8 Zoning Ordinance Amendment: City Council has the discretion and authority under state law and City Code to amend the City's Zoning Ordinance. Minn. Stat. Section 462.357; Wayzata City Code Section 801.03. A zoning ordinance amendment may be initiated by the governing body, the planning agency or by petition of affected property owners. Minn. Stat. Section 462.357, Subd. 4

- 7.9 Amendments to Zoning Ordinance (Section 801.03.2.F): In considering a proposed amendment to the Zoning Ordinance, the Planning Commission and City Council shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:
- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
 - B. The proposed use's conformity with present and future land uses of the area.
 - C. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
 - D. The proposed use's effect on the area in which it is proposed.
 - E. The proposed use's impact upon property value in the area in which it is proposed.
 - F. Traffic generation by the proposed use in relation to capabilities of streets serving the property.
 - G. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.
- 7.10 Comprehensive Plan Amendment. The City's Planning Commission may recommend to the City Council an amendment to the City's comprehensive municipal plan. City Council may also propose amendments to Planning Commission by resolution submitted to the Planning Commission. Before adopting an amendment to the Plan, the Planning Commission must hold at least one public hearing on the proposed amendment. A notice of the time, place and purpose of the hearing must be published once in the official newspaper of the City at least ten days before the day of the hearing. A proposed amendment may not be acted upon by the City Council until it has received the recommendation of the Planning Commission or until 60 days have elapsed from the date an amendment proposed by the City Council has been submitted to the Planning Commission for its recommendation. The City Council may by resolution by a two-thirds vote of all of its members amend the City's comprehensive plan. Minn. Stat. Sec. 462.355, subd. 2 and 3.
- 7.11 Institutional Facilities – 2030 Comprehensive Plan Policies. The City of Wayzata has a number of schools, churches and other institutional uses in areas throughout the community. These institutions are viewed as a positive aspect of the community that serves the good of its residents. Many of these institutional uses are located in or adjacent to established residential neighborhoods. Institutional facilities create impacts and add activity to an area resulting in

parking or increased traffic that is not characteristic of residential neighborhoods. Wayzata needs to plan for facility expansion and potential redevelopment of institutional property to ensure proper preservation of land use compatibility, including:

- Accomplish transitions between differing types of land uses in an orderly fashion to minimize negative impacts on adjoining development.
- Establish sufficient setback requirements for new or expanding institutional development to assure adequate separation of differing land uses.
- Develop all institutional uses according to high levels of design, which are sensitive to the mass and scale of the existing surrounding neighborhood.
- Adequately screen, landscape and buffer institutional facilities to minimize the impact on surrounding uses and enhance the neighborhood and community in which they are located.

7.12 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.

Section 8. Action Steps

After considering the items outlined in this report, the City Council should direct staff to prepare an Ordinance and Resolution, with appropriate findings, for review and adoption at the next City Council meeting.

Attachments

- Attachment A:
 - Applicant's Letter dated February 29, 2016
 - Applicant's Letter dated March 31, 2016
- Attachment B:
 - Revised Plans
- Attachment C:
 - Metal Panel Finish Information
 - White Roof Documentation
 - Exterior Lighting Information
 - Phase 1 Environmental Site Assessment
 - Traffic Analysis
- Attachment D: City Council 2013 Ordinance and Resolution
- Attachment E: Public Comments
- Attachment F:
 - March 21, 2016 Planning Commission Meeting Minutes
 - April 4, 2016 Planning Commission Meeting Minutes
 - April 18, 2016 Draft Planning Commission Meeting Minutes
- Attachment G: Planning Commission Report and Recommendation
- Attachment H: Design Critique

DRAFT RESOLUTION NO. 15-2016

**RESOLUTION APPROVING PROJECT DESIGN, PUD AMENDMENT,
SUBDIVISION/PRELIMINARY PLAT, ZONING AMENDMENT, COMPREHENSIVE PLAN
AMENDMENT AND VARIANCES FOR 2030 WAYZATA BLVD E**

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

Section 1. BACKGROUND

- 1.1 Summary. Locus Architects and property owner Unitarian Universalist Church of Minnetonka (UUCM) (the “Applicant”) have submitted an application and related materials and documentation (the “Application”) for the construction of a new church building and associated parking at 2030 Wayzata Blvd E and adjacent property (the “Project”). The Application includes a request to combine the 2030 Wayzata Blvd E property (Parcel A) with the parcel to the east (Parcel B) as depicted on Attachment C, and subdivide a portion of that east parcel into a single-family residential property.
- 1.2 Application Requests. As part of the Application, the Applicant is requesting approval of the following:
- A. Design: The Applicant is requesting approval of the Project design, as shown in Attachment A, (the “Design”) under the Wayzata Design Standards (City Code Section 801.09, including deviations from the Design Standards that pertain to (i) primary exterior building materials; and (ii) roof color (the “Deviations”).
 - B. PUD Amendment: The Applicant is requesting approval of an amendment to its previously approved PUD Plan, as shown in Attachment B (the “PUD Amendment”). As the proposed PUD site plan varies from the plan that was approved by the City Council as part of a 2012 PUD approval, an amendment is required under City Code Section 801.33.
 - C. Subdivision and Preliminary Plat: The Applicant is requesting approval of a preliminary plat that reflects a combination of Parcel A and Parcel B, and a subdivision of the easterly portion of Parcel B into a separate lot for use as a single-family home, as shown on Attachment C (the “Subdivision and Preliminary Plat”).
 - D. Zoning of Parcel B: Parcel B does not currently have a zoning designation under the Official Zoning Map of the City. The Applicant is requesting a zoning of the westerly portion of Parcel B to PUD/Planned Unit Development

and R-1/Low Density Single Family Residential District for the easterly portion of Parcel B as shown on Attachment D (the “Zoning Amendment”).

- E. Comprehensive Plan Land Use Designation for Parcel B: Parcel B does not currently have a land use designation in the City’s Comprehensive Plan Land Use Map. The Applicant is requesting an amendment to the Comprehensive Plan to designate the westerly part of Parcel B as Institutional/Public, and the easterly part of Parcel B as One Acre Single Family in the Comp Plan’s Land Use Map, all as shown on Attachment E (the “Comp Plan Amendment”).
- F. Variances for R-1 Lot: The R-1 zoning district requires a minimum lot area of 40,000 square feet, and a minimum lot depth of 150 feet. The proposed R-1 residential lot would have a lot area of 30,603 square feet and a lot depth of 124 feet. Thus, the Applicant is requesting variances from the minimum lot area and minimum lot depth requirements for the proposed residential lot (collectively, the “Variances”).

1.3 Property Description. The address, property identification numbers and owner of the property involved in the Project (the “Property”) are:

Parcel	Address	PID	Property Owner
A	2030 Wayzata Blvd E	05-117-22-41-0012	Unitarian Universalist Church of Minnetonka
B	No assigned address	No assigned PID	Unitarian Universalist Church of Minnetonka

1.4 Land Use. The land use designations for the Property are:

Parcel	Current zoning	Comp Plan Land Use Designation
A	Planned Unit Development (PUD)	Institutional/Public
B	No zoning designation	No land use designation

1.5 Settlement Agreement. Land uses on the Property are subject to a settlement agreement between the City and UUCM that imposes certain terms and conditions on the Applicant and the City of Wayzata with respect to the Property and land use requests related to the Property (the “Settlement Agreement”). These include:

- A. Review Phases. The Settlement Agreement outlines a three phase review process for the Project:
 - 1. Comprehensive Plan Amendment, Rezoning, PUD and Site Plan Review: The first phase, which was completed in 2012, was the review and approval via Ordinance No. 734 and City Council Resolution No. 62-2012 of (1) an amendment to the Comprehensive Plan land use designation for the 2030 Wayzata Blvd E property from One Acre Single Family to Institutional/Public, (2) Rezoning that

property from R-1 to PUD/Planned Unit Development, (3) Concept Plan and General Plan Stage PUD approval, and (4) Site Plan Review.

2. Design Review and Subdivision: The second and current phase is for (1) Design Review of the plans for the new church building, and (2) Subdivision/Plat review and approval to combine the 2030 Wayzata Blvd E property with the adjacent parcel(s).
3. Final Stage PUD: The third and final phase is for Final Plan Stage PUD, which is to be reviewed by City staff prior to the start of construction to ensure that the building permit plans conform to the PUD Concept and General Plan approved by the City Council.

B. Review Standards. The Settlement Agreement requires that the City process the PUD Application, the Subdivision/Plat review and Final Stage PUD according to the terms of the Settlement Agreement and the City's ordinary and normal practices for such applications. Approval of the PUD Application does not except UUCM from obtaining all permits or approvals required by City Code and by other jurisdictions, and paying all associated fees.

C. Use Restriction. The Settlement Agreement limits the use of the Property, including, without limitation, the outlot Parcel B, to a Church, including uses that are customarily incidental to a Church, including: a) gatherings or meetings of members of the community or of a community or non-profit organizations or groups; and b) charitable activities or services associated with a religious body.

- 1.6 Public Hearing and Planning Commission Action. Notice of a public hearing on the Application at the March 21, 2016 Planning Commission Meeting was published in the *Wayzata Sun Sailor* on March 10, 2016. A copy of the notice was mailed to all property owners located within 350 feet of the Property on March 10, 2016. The Planning Commission reviewed the Application and held a Public Hearing on March 21, 2016. The Planning Commission also reviewed the Application on April 4, 2016 and April 18, 2016. The Planning Commission adopted a Planning Commission Report and Recommendation recommending approval of all requests in the Application, with certain conditions, except a requested Design Standard deviation for the primary exterior building material on a vote of four (4) in favor and one (1) opposed.

Section 2. STANDARDS

- 2.1 Design Standards (Section 801.09). All new nonresidential building construction in the City must comply with the Design Standards found in Section 9 of the Zoning Ordinance. The relevant design standards applicable to the Project are included in the Planning Report and Recommendation. 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 PUD Amendment (Section 801.33).

- A. Process. Any deviation or modification from the terms or conditions of an approved PUD or any alteration in a project for which a PUD has been approved shall require an amendment of the original PUD. The same application and hearing procedure for an amendment of a PUD shall be followed as was followed with respect to the applicant's Concept Plan.
- B. General Standards. Section 801.33.2.A of the Zoning Ordinance sets forth the general standards for review of a PUD application. These are:
 1. Health Safety and Welfare; Intent and Purpose of PUDs. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance. If the Council determines that the proposed project will not

be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of Section 33 of the PUD Ordinance, it may approve the PUD, although it shall not be required to do so.

2. Ownership. Applicant/s must own all of the property to be included in the PUD.
3. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.
4. Sanitary Sewer Plan Consistency. The PUD project must be consistent with the City's Sanitary Sewer Plan.
5. Common Open Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
6. Operating and Maintenance Requirements. Whenever common private or public open space or service facilities are provided within a PUD, the PUD plan must contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD must be placed under the ownership of one of the following, as approved by the City Council: (i) dedicated to the public, where a community-wide use is anticipated, (ii) Landlord control, where only tenant use is anticipated, or (iii) Property Owners Association, provided the conditions of 801.33.2.A.6.c are met.
7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.

9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 801.33.2.A.10.
11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
12. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
13. Setbacks. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall be the same as imposed in the underlying districts, if a PUD conditional use permit, or the previous zoning district, if a PUD District. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street pattern. No building within the PUD project shall be nearer to another building than one-half (1/2) the sum of the building heights of the two (2) buildings. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the allowable setbacks shall be as negotiated and agreed upon between the applicant and the City.
14. Height. The maximum building height to be considered within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser. There shall be no deviation from the height standards applied within the applicable zoning districts for PUD conditional use permits. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the maximum allowable height and number of floors shall be as negotiated and agreed upon between the applicant and the City.

- 2.3 Preliminary Plat (Section 805.14.E). Review and approval of lot combinations and subdivisions of property are governed by the City's Subdivision Ordinance, Ch. 805 of City Code. In reviewing such requests, the Planning Commission shall consider possible adverse effects of the preliminary plat reflecting the lot combination or subdivision. Its judgment shall be based upon, but not limited to, the following factors:

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

All proposed subdivisions must conform with the Design Standards of the Subdivision Ordinance, including the lot area and sizes established by the City Zoning Ordinance. Sec. 805.23-28. The R-1 zoning district requires a minimum lot area of 40,000 square feet, and a minimum lot depth of 150 feet.

2.4 Zoning Ordinance Amendment (Section 801.03.2.F). In considering a proposed amendment to the Zoning Ordinance, the Planning Commission and City Council shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:

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

2.5 Comprehensive Plan Amendment (Minn. Stat. Sec. 462.355, subd. 2 and 3). The City's Planning Commission may recommend to the City Council an amendment to the City's comprehensive plan, or City Council may propose amendments to Planning Commission by resolution submitted to the Planning Commission. Before adopting an amendment to the Plan, the Planning Commission must hold at least one public hearing on the proposed amendment. Except for amendments to permit affordable housing development, a resolution to amend a comprehensive plan must be approved by a two-thirds vote of all of the members.

- A. Institutional Facilities – 2030 Comprehensive Plan Policies. The City of Wayzata has a number of schools, churches and other institutional uses in areas throughout the community. These institutions are viewed as a positive aspect of the community that serves the good of its residents. Many of these institutional uses are located in or adjacent to established residential neighborhoods. Institutional facilities create impacts and add activity to an area resulting in parking or increased traffic that is not characteristic of

residential neighborhoods. Wayzata needs to plan for facility expansion and potential redevelopment of institutional property to ensure proper preservation of land use compatibility, including:

- Accomplish transitions between differing types of land uses in an orderly fashion to minimize negative impacts on adjoining development.
- Establish sufficient setback requirements for new or expanding institutional development to assure adequate separation of differing land uses.
- Develop all institutional uses according to high levels of design, which are sensitive to the mass and scale of the existing surrounding neighborhood.
- Adequately screen, landscape and buffer institutional facilities to minimize the impact on surrounding uses and enhance the neighborhood and community in which they are located.

2.6 Zoning Ordinance Variance (Section 801.05.1.C). The criteria for granting a variance from the Zoning Ordinance standards are as follows:

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

- F. 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.
- 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.

Section 3. FINDINGS

The City Council of the City of Wayzata finds that the Application requests outlined in Section 1.2 of this Resolution meet the applicable requirements of Wayzata's Zoning and Subdivision Ordinances, based upon the following findings of fact made on the record (as well as all Application materials, staff reports, public comment presented at the hearing, and the Recommendation of the Planning Commission):

- 3.1 Project Design. The Project meets the Design Standards of City Code Section 801.09, including the Deviations requested in the Application and identified in the Design Critique.
 - A. Exterior Building Materials Deviation. The negative impact of the proposed exterior appearance of metal siding is outweighed by the overall positive effect of the Project in the area in which it is proposed, and greater conformity with the environmentally positive policies of the Comprehensive Plan, and the policies behind the Zoning Ordinance, that seek to promote the incorporation of sustainable design approaches.
 - B. Roof Color Deviation. The minimal negative impact, if any, of the proposed white roof is outweighed by the overall positive effect of the Project in the area in which it is proposed, and greater conformity with the environmentally positive policies of the Comprehensive Plan, and the policies behind the Zoning Ordinance, that seek to promote the incorporation of sustainable design approaches and "green" roofs.
- 3.2 PUD Amendment. The PUD Amendment requested in the Application meets the applicable standards set forth above in this Report. The only changes to the previously approved PUD that are being requested involve changes to the footprint of the building and parking lots, and associated grading and tree removal.

- A. Health Safety and Welfare; Intent and Purpose of PUDs. The PUD Amendment (resulting in the “Amended PUD”) will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and generally conforms with the overall intent and purpose of a PUD as outlined in Section 33 of the Zoning Ordinance and the terms of the Settlement Agreement. The change in building and parking lot footprints over the previously approved plan would reduce the footprint of the building and parking lot areas and lessen some of the impact to the trees and natural features of the Property.
- B. General Standards. The Amended PUD, as presented, satisfies all of the fourteen (14) general standards listed in Section 801.233.2.A and in Section 2.2 of this Report.
1. Application Complete. The Application contains all of the information and materials required by or requested pursuant to Section 801.33.5.C.
 2. Ownership. All of the property to be included in the Amended PUD is owned by the Applicant.
 3. Comprehensive Plan. The proposed Amended PUD conforms with the applicable guidance of, and is consistent with the goals of the Comprehensive Plan, as amended under the Application.
 4. Common Space. The Amended PUD would provide sufficient common private or public open space and facilities.
 5. Landscaping. The Application includes a detailed plan that considers the natural features of the site, architectural characteristics of the proposed structure, and overall scheme of the PUD.
 6. Health, Safety, and Welfare. Provided the recommended conditions of approval with respect to lighting and proof of parking for future expansion of the parking lot are considered and met, the Amended PUD would not have a negative effect on the welfare of residents of the community and the surrounding area.
- 3.3 Subdivision and Preliminary Plat. Subject to granting the Zoning Amendment, Comprehensive Plan Amendment and Variances requested in the Application, the Preliminary Plat meets the applicable standards of the Subdivision Ordinance:
1. The proposed subdivision reflected in the Preliminary Plat is consistent with the Wayzata Comprehensive Plan, as amended in connection with the Application.

2. The building pad on the PUD lot that results from the proposed subdivision reflected in the Preliminary Plat is sensitive to areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation and scenic points on the Property. The impact of the building pad on the residential lot that results from the proposed subdivision reflected in the Preliminary Plat on sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets is not known at this time.
3. The location of the PUD building pad that results from the subdivision and its selection relates well to natural topography and seeks to minimize filing or grading. The location of the residential building pad that results from the subdivision or lot combination and their selection as they relate to natural topography to minimize filing or grading is not known at this time.
4. Existing stands of significant trees will be retained where possible, and the building pad that results from the proposed subdivision, on the PUD lot will be sensitively integrated into existing trees. With respect to the residential parcel, the extent to which existing stands of significant trees will be retained where possible is not known at this time, nor whether the building pads that result from the proposed subdivision on the residential parcel will be sensitively integrated into existing trees.
5. The creation of the new lots will not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas. The new residential lot will fit into the existing neighborhood and be a return to the use that pre-existed the taking of the property for the improvements to Highway 12.
6. The design of the proposed PUD lot, building pad and site layout will respond to and be reflective of the surrounding area. The design of the proposed residential lot will respond to and be reflective of the surrounding lots and neighborhood character; it is not known at this time whether the building pad and the site layout will do so.
7. The lot size that results from the subdivision proposed in the Preliminary Plat will not be dissimilar from adjacent lots or lots found in the surrounding neighborhood. With respect to the residential lot, several lots in the surrounding neighborhood, including an adjacent lot, are of similar substandard depth and area.
8. The building proposed for the PUD lot is being reviewed under the PUD process and Design Standards, and meets the standards of the Subdivision Ordinances. It is not known at this time whether the architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on the

residential lot will be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.

9. The standards and review process of Section 9 of the Wayzata Zoning Ordinance would not be applicable to the residential lot.
10. The PUD lot and building pad will conform with all performance standards contained herein. With approval of the Variances requested in the Application, the proposed residential lot layout would conform with all performance standards contained herein; it is not known at this time whether the building pad will do so.
11. The proposed subdivision in the Preliminary Plat will not tend to or actually depreciate the values of neighboring properties in the area.
12. The proposed subdivision in the Preliminary Plat will be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

The creation of a new residential lot from Parcel B conflicts with the terms of the Settlement Agreement the City has with UUCM, which calls for the combination of Parcel A and Parcel B, and for such combined new parcel to be used only for purposes related to a church. Thus, approval of the Preliminary Plat requested should be conditioned upon an amendment to the Settlement Agreement allowing such use.

3.4 Zoning Ordinance Amendment. The Zoning Amendment requested for zoning both the westerly portion of Parcel B to PUD/Planned Unit Development and the requested zoning of R-1/Low Density Single Family Residential District for the easterly portion of Parcel B meet the standards of the Zoning Ordinance.

1. The Zoning Amendment would not allow a use that would contravene any specific policies and provisions of the official City Comprehensive Plan, as amended pursuant to the Application.
2. The Zoning Amendment would only allow uses that conform to land use designations, as amended pursuant to the Application.
3. The Zoning Amendment would not allow uses that do not conform with the performance standards contained in the Zoning Ordinance (parking, loading, noise, etc.).
4. The Zoning Amendment would not allow uses that would have a negative impact on the areas in which they are proposed, as such uses are regulated as a PUD and the residential portion under the zoning district for the area.

5. The Zoning Amendment will not negatively impact property values in the City.
6. The Zoning Amendment will not allow any use that would have a negative impact traffic generation in the City.
7. The Zoning Amendment will not allow a use that would negatively impact existing public services and facilities.

With respect to the easterly portion of Parcel B: The residential zoning designation conflicts with the terms of the Settlement Agreement the City has with UUCM, which calls for the combination of Parcel A and Parcel B, and for such combined new parcel to be used only for purposes related to a church. Approval of the Zoning Amendment requested should be conditioned upon an amendment to the Settlement Agreement allowing such zoning and use.

3.5 Comprehensive Plan Amendment. Guiding the westerly portion of Parcel B Institutional/Public would to be consistent with the Comp Plan designation for adjacent Parcel A and the terms of the Settlement Agreement. Guiding the easterly portion of Parcel B residential will also best accomplish the goals of the Comp Plan with respect to Institutional Facilities located adjacent to established residential neighborhoods, and provide an orderly transition between the differing types of land uses that will minimize the impact and enhance the surrounding neighborhood. Because the residential guiding would be in conflict with the Settlement Agreement, any approval in this regard should be conditioned upon an amendment to the Settlement Agreement allowing such guidance and use.

3.6 Lot Area and Depth Variances.

- A. The Variances requested in the Application are: (i) in harmony with the general purposes and intent of the Zoning Ordinance; and (ii) consistent with the Comprehensive Plan, as the foregoing are amended by the Application.
- B. The Applicant has established that there are practical difficulties in complying with this Ordinance, in that (i) the proposed lot is reasonable in relation to other lots of similar dimensions in the immediate area and neighborhood; (ii) depth and area are largely factors of a taking by the state related to highway improvements; (iii) the creation of a residential lot would be a reversion to a previous use and not alter the essential character of the surrounding neighborhood.
- C. Economic considerations alone are not a factor in the request for the Variances.
- E. The Variances are not use variances.

Section 4. CITY COUNCIL ACTION

Based on the findings referenced and set forth in this Resolution, the City Council of Wayzata, Minnesota takes the following action:

- 4.1 Design Review. The Design of the Project, as depicted in the Application and attached hereto as Attachment A, is hereby **APPROVED**, including the requested Deviations.
- 4.2 PUD Amendment. The PUD Amendment, as depicted in the Application and attached hereto as Attachment B, is hereby **APPROVED**, subject to the following conditions:
 - A. The Project must be constructed in compliance with the Architectural Plans included as Attachment A and Civil Engineering Plans included as Attachment B.
 - B. The one-way drive lanes in front of the building on the Property must be a minimum of 18 feet in width, in accordance with the requirements of the State Fire Code.
 - C. All exterior lighting, including parking lot lighting and artificially illuminated signs, but not including security or safety lighting, must be turned off whenever the Property is not in use.
 - D. The Applicant may install the future parking lot shown on the Architectural Site Plan in Attachment A if the Applicant can demonstrate to the City that there is a need for the parking spaces to meet the actual parking demands for the use of the Property.
 - E. The Applicant must pay the City for all expenses, including consultant, expert, legal, and planning fees, incurred by the City for review of the Application.
 - F. The Applicant address and meet all conditions of approval listed in City Council Resolution No. 62-2012 that have not yet been met, namely:
 1. The Applicant shall submit a Project and Development Agreement, in a form acceptable to the City Attorney, is entered into between the Applicant and the City to address matters related to the Project, including, but not limited to:
 - a. Project Performance and Development Timeline
 - b. Stormwater Facilities Maintenance

- c. Conditions of approval and PUD standards outlined in this Resolution.
 2. The Applicant shall record the Development Agreement with the appropriate officials at Hennepin County.
- 4.3 Subdivision and Preliminary Plat. The Subdivision and Preliminary Plat attached hereto as Attachment C is **APPROVED** subject to (i) the Zoning, Comprehensive Plan Amendment and Variances requested in the Application being in full force and effect; (ii) the Settlement Agreement being amended by the parties to be consistent with the action taken in this Resolution, in a form acceptable to the City Attorney and the Applicant's attorney; and (iii) a future finding of the City Council that any new residence built on the new residential lot conforms with the standards of the Wayzata Subdivision and Zoning Ordinances. To that end, prior to submitting a building permit application to the City for construction of a new house on the residential lot, the owner of the lot must submit preliminary house plans for review by the Planning Commission and approval by City Council for compliance with the applicable standards of the Wayzata Subdivision and Zoning Ordinances.
- 4.4 Zoning Amendment. The Zoning Amendment reflected on Attachment D is hereby **APPROVED**, provided the Settlement Agreement is amended by the parties, in a form acceptable to the City Attorney and the Applicant's Attorney, to allow for residential uses on the designated residential parcel.
- 4.5 Comp Plan Amendment. The Comprehensive Plan Amendment reflected on Attachment E is hereby **APPROVED**, provided the Settlement Agreement is amended by the parties, in a form acceptable to the City Attorney and the Applicant's Attorney, to allow for residential uses on the designated residential parcel.
- 4.6 Variances. The Variances requested in the Application are hereby **APPROVED**, provided the Settlement Agreement is amended by the parties, in a form acceptable to the City Attorney and the Applicant's Attorney, to allow for residential uses on the designated residential parcel.

Adopted by the Wayzata City Council this 7th day of June, 2016.

Mayor Ken Willcox

ATTEST:

City Manager Jeffrey Dahl

ACTION ON THIS RESOLUTION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

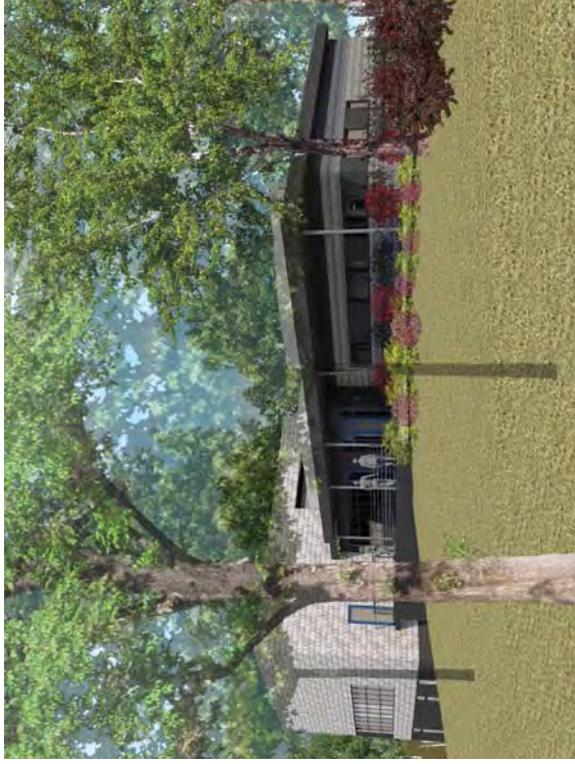
Absent:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on June 7, 2016.

Becky Malone, Deputy City Clerk
SEAL

Attachments A-E



1 FROM SOUTHEAST



2 FROM NORTHWEST

LOCUS
ARCHITECTURE
LOCUS ARCHITECTURE, LTD.
4433 NICOLET AVENUE
MINNEAPOLIS, MN 55419
612.706.5600
WWW.LOCUSARCHITECTURE.COM

UNITARIAN
UNIVERSALIST
CHURCH OF
MINNETONKA

CONSULTANTS

5/12/16
NOT FOR
CONSTRUCTION

01/29/2016	PUD SUBMITTAL
02/29/2016	PUD RESUBMIT
03/31/2016	PC RESPONSE
04/29/2016	PROGRESS SET
05/12/2016	CITY COUNCIL PRG

MARK	DATE	DESCRIPTION
COPYRIGHT © 2016 Locus Architecture, Ltd.		
SHEET TITLE		

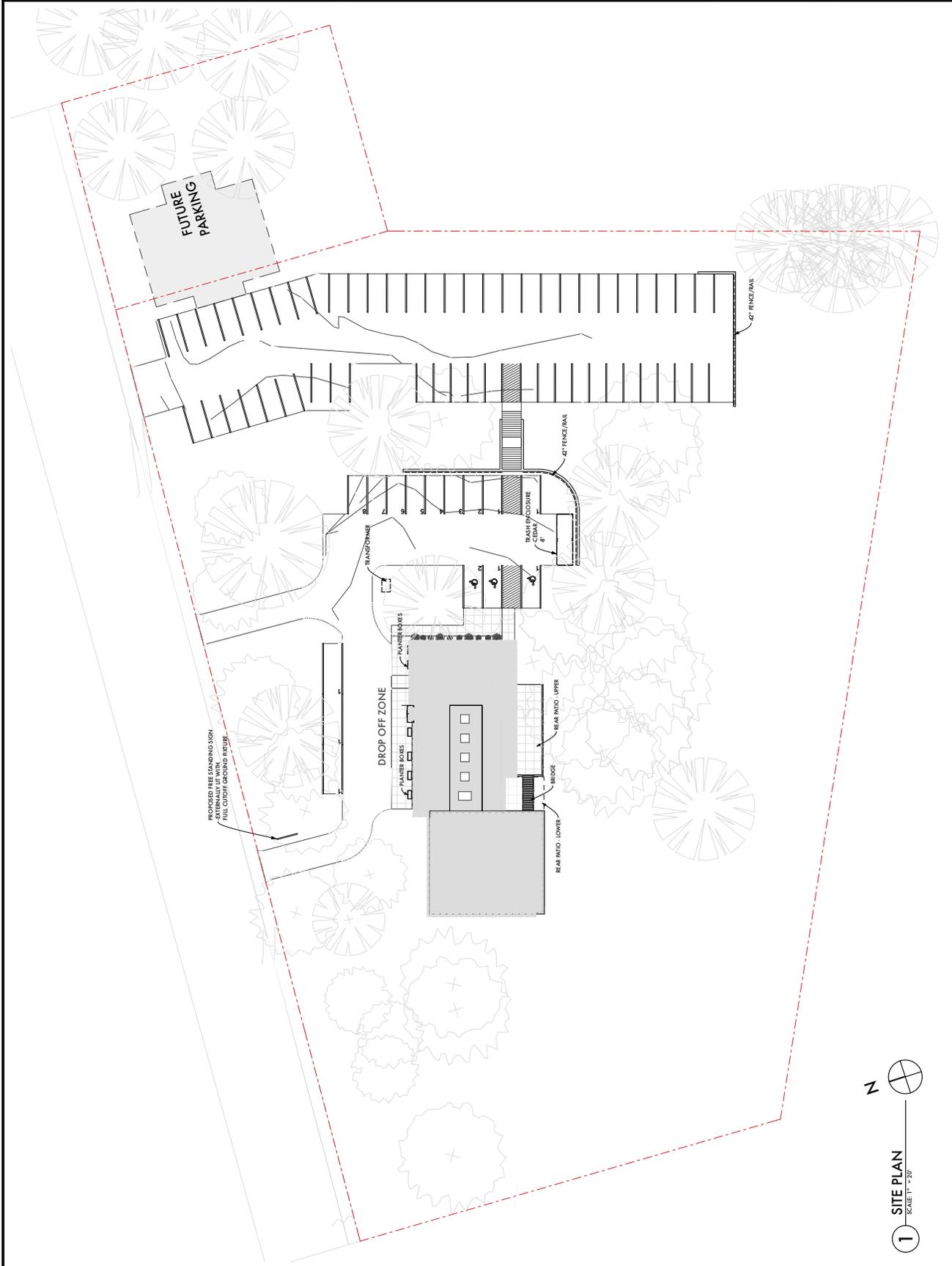
PERSPECTIVES

A-003

01/29/2016	PIUD SUBMITTAL
02/29/2016	PIUD RESUBMIT
03/31/2016	PC RESPONSE
05/07/2016	PROGRESS SET
05/12/2016	CITY COUNCIL PIUD

MARK	DATE	DESCRIPTION
		2016 Locus Architecture, Ltd.

SHEET TITLE	
ARCHITECTURAL SITE PLAN	



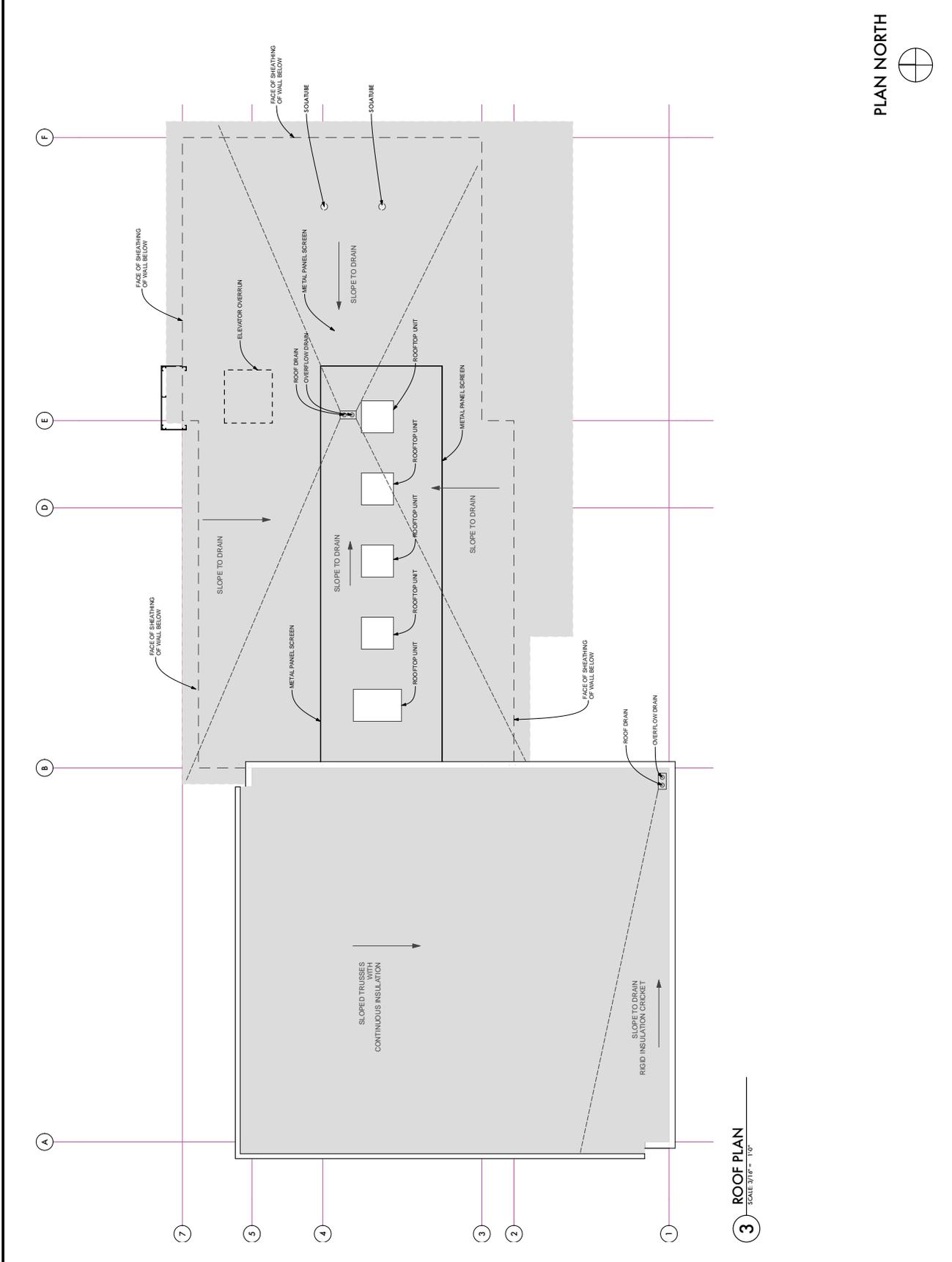
1 SITE PLAN
SCALE: 1" = 20'

5/12/16
**NOT FOR
CONSTRUCTION**

01/29/2016	PIUD SUBMITTAL	
02/29/2016	PIUD RESUBMIT	
03/31/2016	PC RESPONSE	
04/01/2016	PROGRESS SET	
05/12/2016	CITY COUNCIL A/R/G	
MARK	DATE	DESCRIPTION
COPYRIGHT © 2016 Loous Architecture, Ltd.		
SHEET TITLE		

ROOF PLAN

A-104



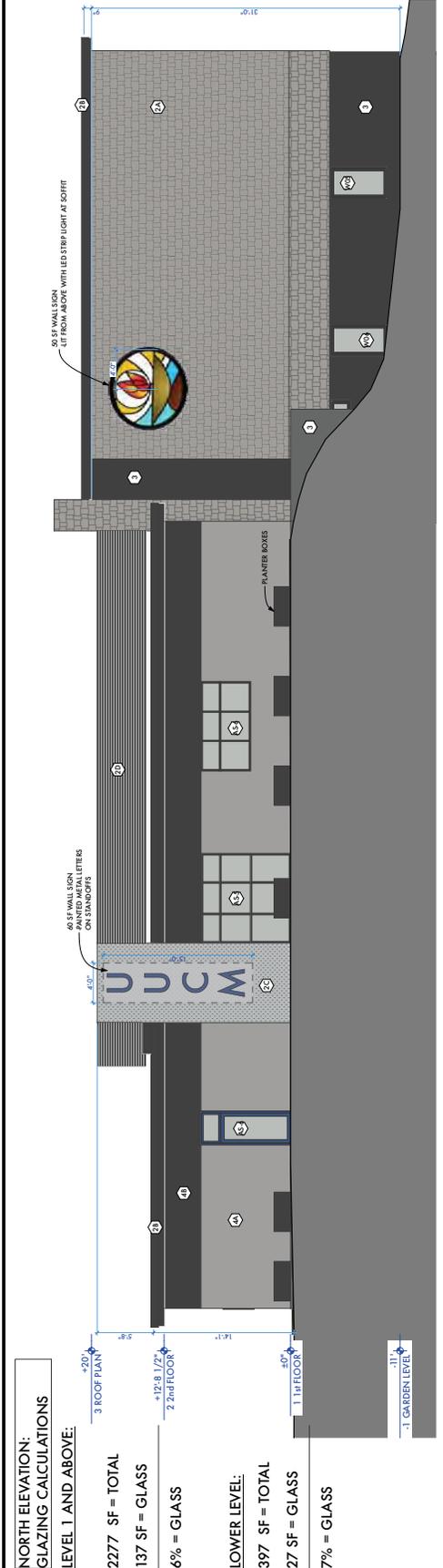
3 ROOF PLAN
SCALE: 3/16" = 1'-0"

MARK	DATE	DESCRIPTION
01/29/2016		PIUD SUBMITTAL
02/29/2016		PIUD RESUBMIT
03/31/2016		PC RESPONSE
04/27/2016		PROGRESS SET
05/12/2016		CITY COUNCIL PIUD

MARK	DATE	DESCRIPTION
		2015 Locus Architecture, Ltd.

SHEET TITLE

ELEVATIONS

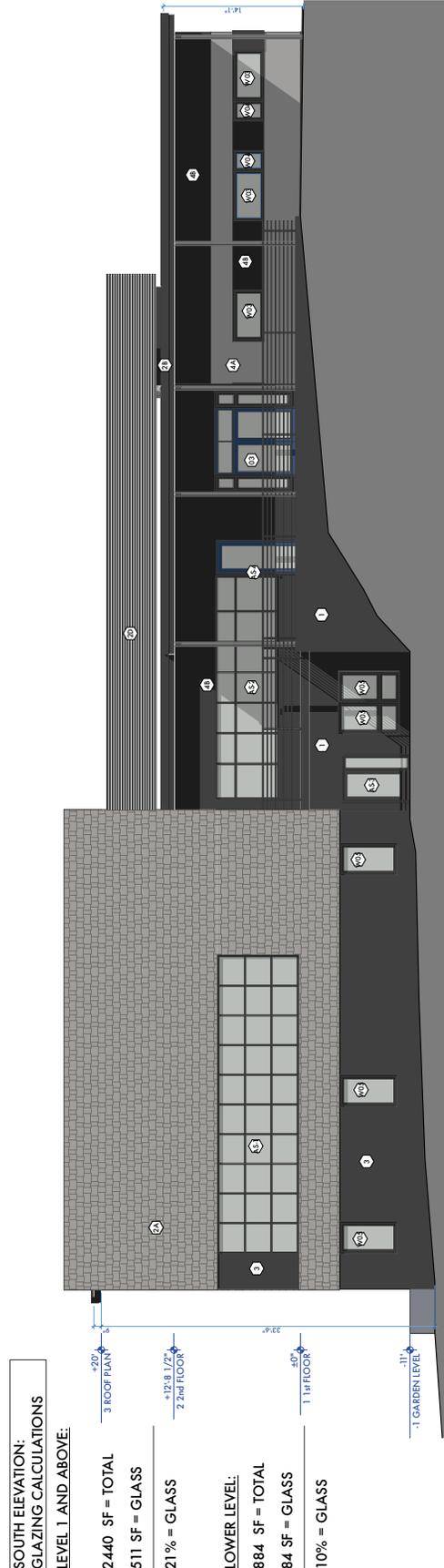


1 NORTH ELEVATION
SCALE 3/16" = 1'-0"

**NORTH ELEVATION:
GLAZING CALCULATIONS**
LEVEL 1 AND ABOVE:

2277 SF = TOTAL
137 SF = GLASS
6% = GLASS

LOWER LEVEL:
397 SF = TOTAL
27 SF = GLASS
7% = GLASS



2 SOUTH ELEVATION
SCALE 3/16" = 1'-0"

**SOUTH ELEVATION:
GLAZING CALCULATIONS**
LEVEL 1 AND ABOVE:

2440 SF = TOTAL
511 SF = GLASS
21% = GLASS

LOWER LEVEL:
884 SF = TOTAL
84 SF = GLASS
10% = GLASS

KEY NOTES:

- 1 CAST IN PLACE CONCRETE
- 2A PREFINISHED METAL PANEL
- 2B PREFINISHED METAL FASCIA/CORING
- 2C PERFORATED METAL SCREEN
- 2D PREFINISHED CORRUGATED METAL PANEL
- 3 COLORED PRECAST CONCRETE
- 4A EIFS - COLOR 1
- 4B EIFS - COLOR 2
- 4S ALUMINUM STOREFRONT SYSTEM - CLEAR, LOW EMISSIVITY GLASS
- 4W PREFINISHED FIBERGLASS WINDOW - CLEAR, LOW EMISSIVITY GLASS

ENLARGED MATERIALS:

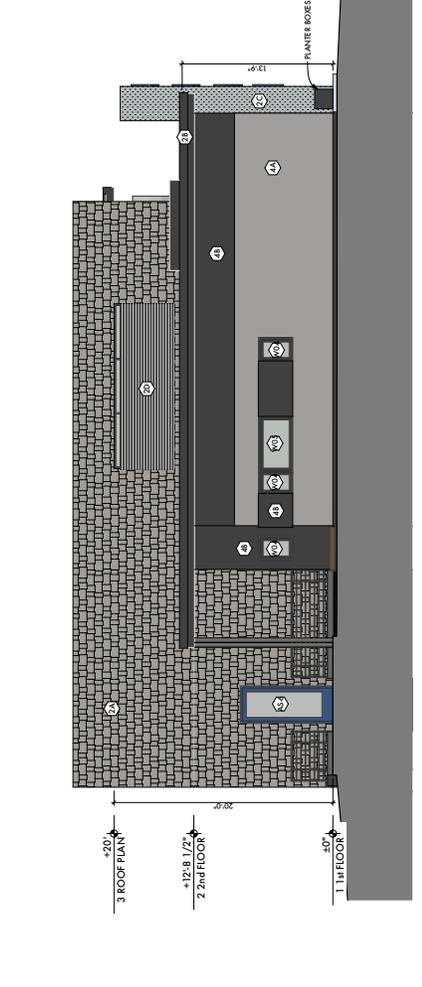
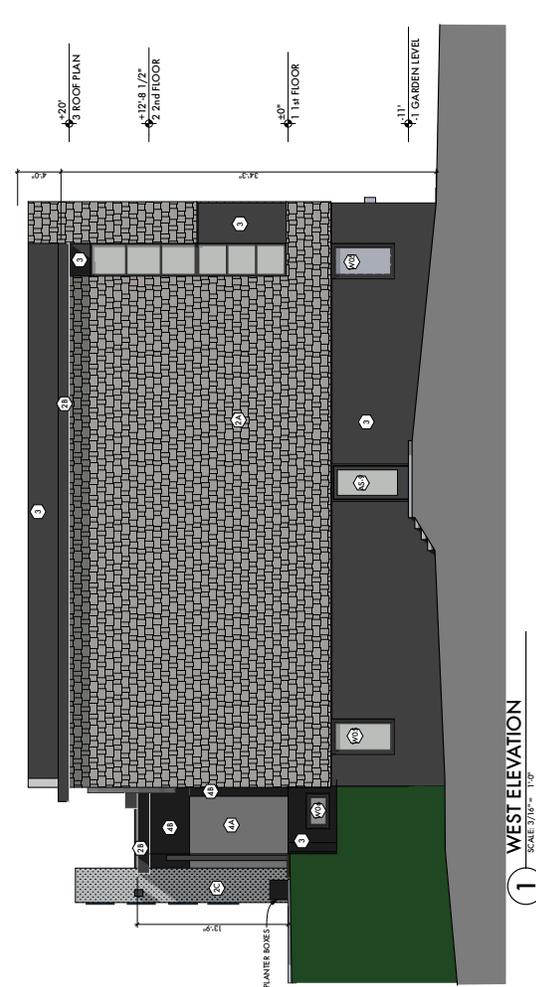
- 2A PREFINISHED METAL PANEL 9' x 12' INDIVIDUAL PANEL COVERAGE (APPROXIMATELY 12 PANELS SHOWN)
- BERNICE SHASTA WHITE PAVEMENT, AMONG
- 2C PERFORATED METAL SCREEN

MARK	DATE	DESCRIPTION
01/29/2016		PIUD SUBMITTAL
02/29/2016		PIUD RESUBMIT
03/31/2016		PC RESPONSE
04/01/2016		PROGRESS SET
05/12/2016		CITY COUNCIL PRIG

COPYRIGHT © 2016 LougHS Architecture, Ltd.
SHEET TITLE

ELEVATIONS

A-202



**WEST ELEVATION:
GLAZING CALCULATIONS
LEVEL 1 AND ABOVE:**

1551 SF = TOTAL
47 SF = GLASS
3% = GLASS

**LOWER LEVEL:
674 SF = TOTAL
28 SF = GLASS
4% = GLASS**

**EAST ELEVATION:
GLAZING CALCULATIONS
LEVEL 1 AND ABOVE:**

1551 SF = TOTAL
77 SF = GLASS
5% = GLASS

ENLARGED MATERIALS:

2A) PREFINISHED METAL PANEL
9' x 12' INDIVIDUAL PANEL COVERAGE
(APPROXIMATELY 12 PANELS SHOWN)

BERNDEE SHASTA WHITE
PARCHMENT, ALMOND

2C) PERFORATED METAL SCREEN

3) COLORED PRECAST CONCRETE

4A) EIFS - COLOR 1

4B) EIFS - COLOR 2

4S) ALUMINUM STOREFRONT SYSTEM
- CLEAR, LOW EMISSIVITY GLASS

4W) PREFINISHED FIBERGLASS WINDOW
- CLEAR, LOW EMISSIVITY GLASS

1) CAST IN PLACE CONCRETE

2A) PREFINISHED METAL PANEL

2B) PREFINISHED METAL FASCIA/CORING

2C) PERFORATED METAL SCREEN

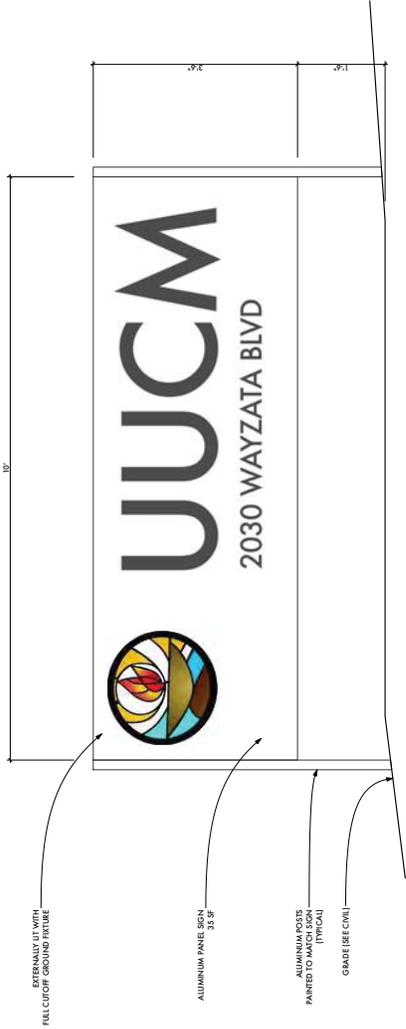
2D) PREFINISHED CORRUGATED METAL PANEL

**5/12/16
NOT FOR
CONSTRUCTION**

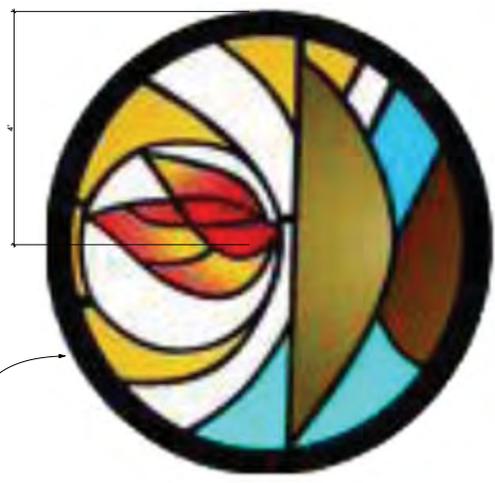
MARK	DATE	DESCRIPTION
01/29/2016		PUD SUBMITTAL
02/29/2016		PUD RESUBMIT
03/31/2016		PC RESPONSE
04/14/2016		PROGRESS SET
05/12/2016		CITY COUNCIL AIRS

COPYRIGHT © 2016 Loous Architecture, Ltd.
SHEET TITLE
PROPOSED SIGNAGE

A-203

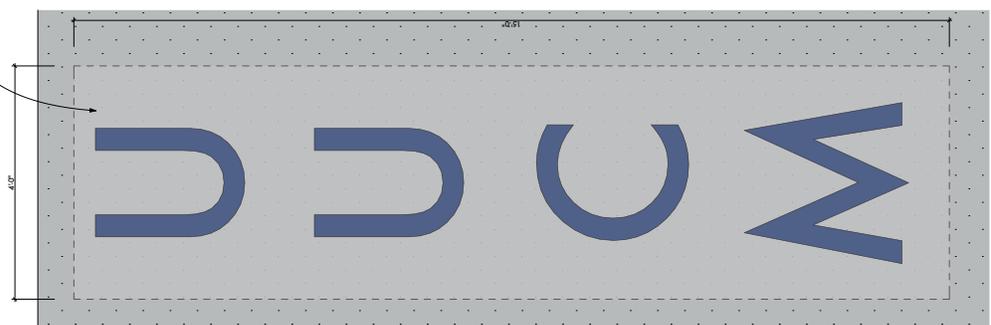


2 PROPOSED FREE STANDING SIGN AT ROAD
SCALE: 1" = 10'



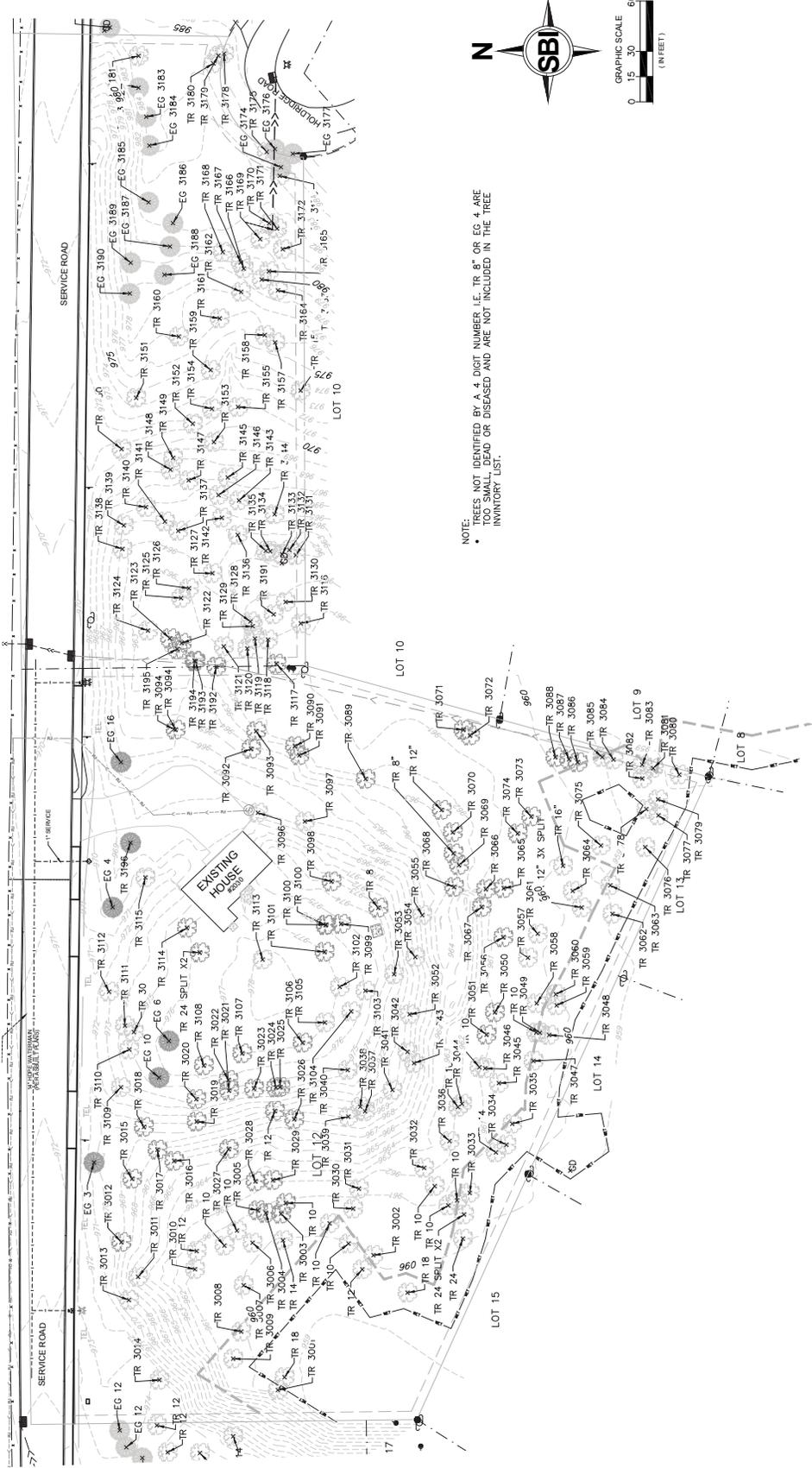
3 PROPOSED WALL SIGN AT SANCTUARY
SCALE: 1" = 10'

45 OF WALL SIGN
PAINTED METAL LETTERS
ON STANDOFFS



1 PROPOSED WALL SIGN AT ENTRY
SCALE: 1" = 10'

05/12/16	REVISE PLAN PARKING AREA
03/29/16	CITY RESUBMITTAL
COPYRIGHT 2015 Loous Architecture, Ltd.	
SHEET TITLE	



NOTE:
TREES NOT IDENTIFIED BY A 4 DIGIT NUMBER I.E. TR 8" OR EG 4 ARE TOO SMALL, DEAD OR DISEASED AND ARE NOT INCLUDED IN THE TREE INVENTORY LIST.

NOT FOR
CONSTRUCTION

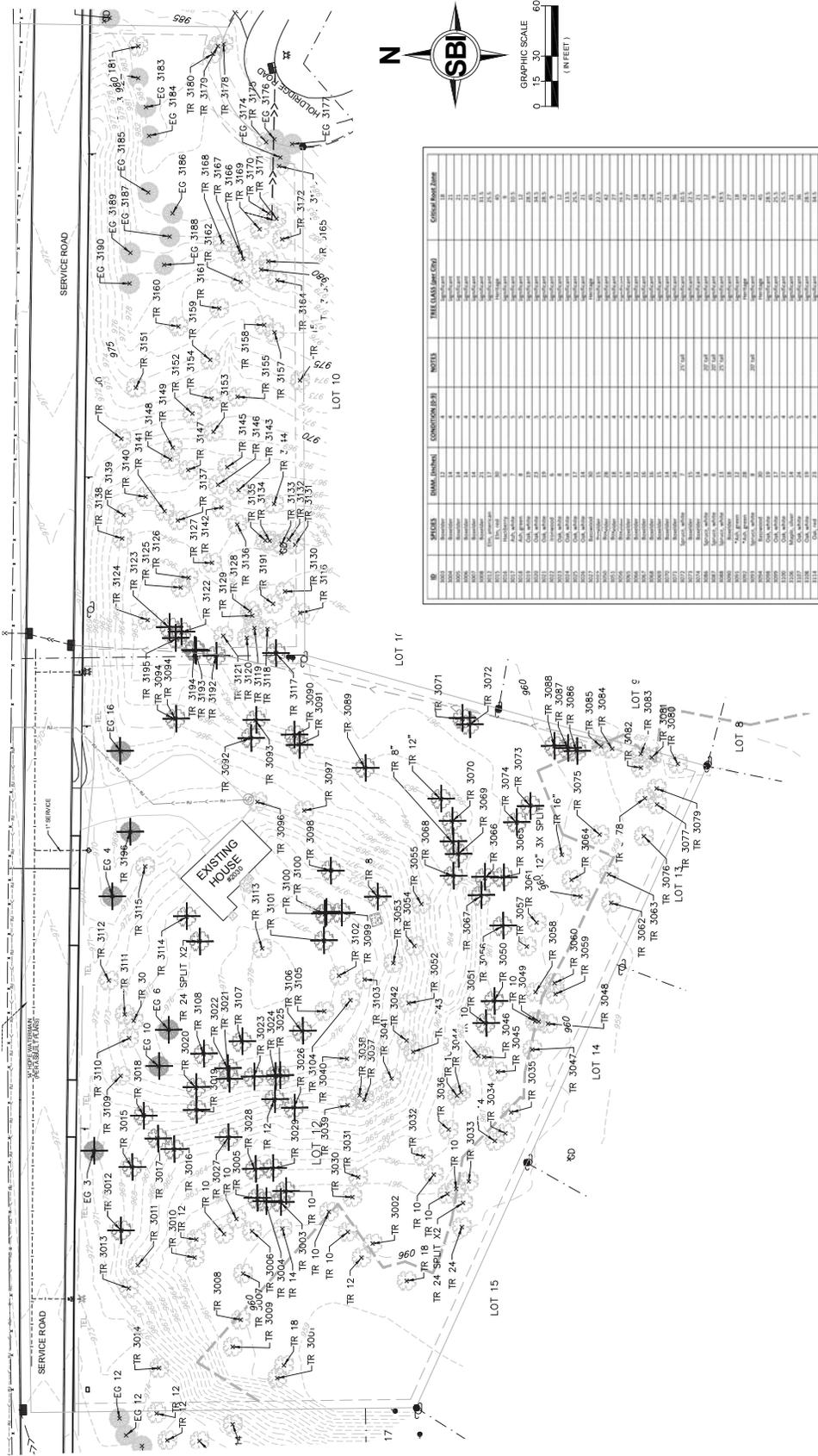
05/12/16 REVISE PLAN PARKING AREA
03/20/16 CITY RESUBMITTAL
COPYRIGHT 2016 Locus Architecture, Ltd.

SHEET TITLE
TREE INVENTORY
LIST
PLAN

C4

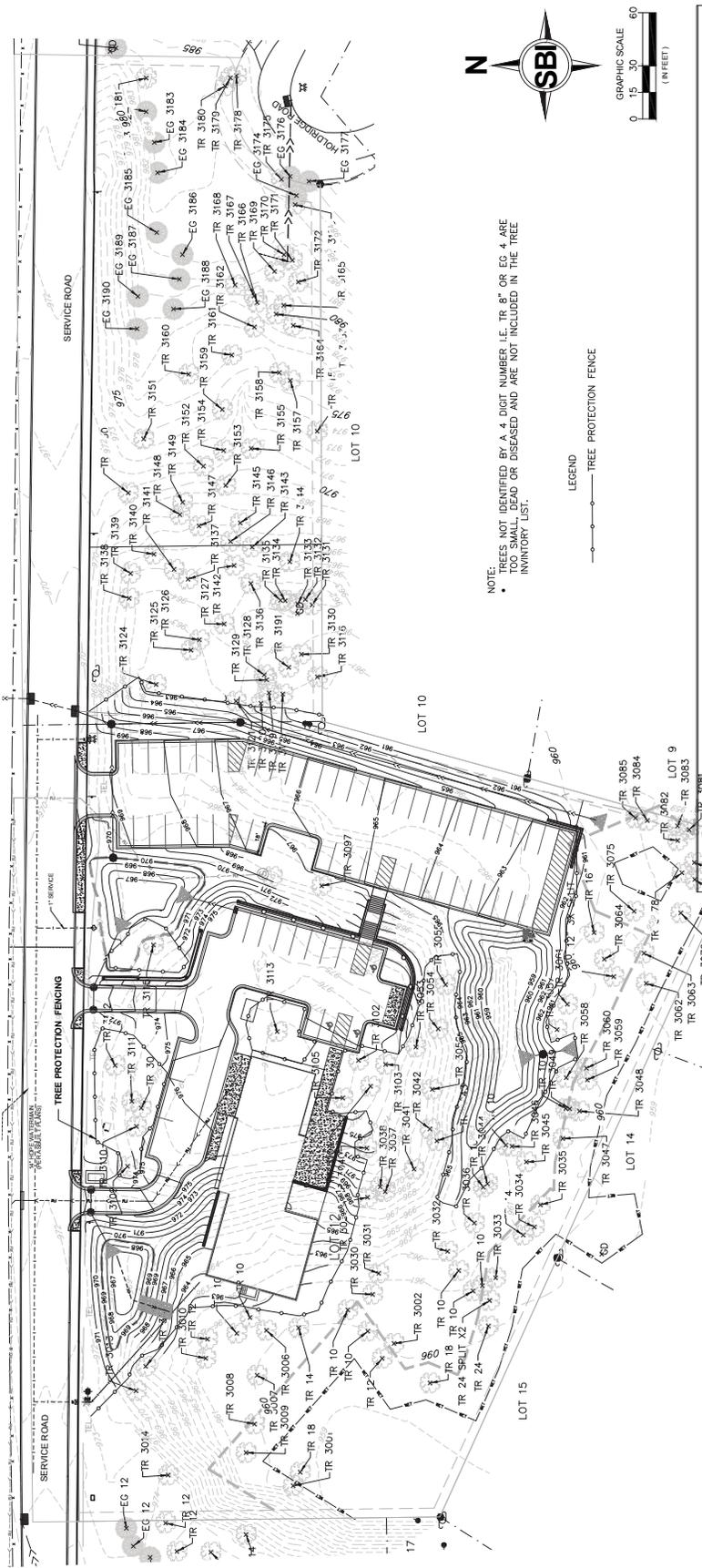
ID	TREE CLASS (per CHS)	TRAIL CLASS (per CHS)	Critical Root Zone	SPACES	DIAM. (inches)	CONDITION (DBH)	NOTES	TRAIL CLASS (per CHS)	Critical Root Zone
0001	Bur Oak	Spec'ed	30	20	20	4		Spec'ed	30
0002	Bur Oak	Spec'ed	18	18	18	4		Spec'ed	18
0003	Bur Oak	Spec'ed	15	15	15	4		Spec'ed	15
0004	Bur Oak	Spec'ed	12	12	12	4		Spec'ed	12
0005	Bur Oak	Spec'ed	10	10	10	4		Spec'ed	10
0006	Bur Oak	Spec'ed	8	8	8	4		Spec'ed	8
0007	Bur Oak	Spec'ed	7	7	7	4		Spec'ed	7
0008	Bur Oak	Spec'ed	6	6	6	4		Spec'ed	6
0009	Bur Oak	Spec'ed	5	5	5	4		Spec'ed	5
0010	Bur Oak	Spec'ed	4	4	4	4		Spec'ed	4
0011	Bur Oak	Spec'ed	3	3	3	4		Spec'ed	3
0012	Bur Oak	Spec'ed	2	2	2	4		Spec'ed	2
0013	Bur Oak	Spec'ed	1	1	1	4		Spec'ed	1
0014	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0015	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0016	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0017	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0018	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0019	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0020	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0021	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0022	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0023	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0024	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0025	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0026	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0027	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0028	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0029	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0030	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0031	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0032	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0033	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0034	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0035	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0036	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0037	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0038	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0039	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0040	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0041	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0042	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0043	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0044	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0045	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0046	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0047	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0048	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0049	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0050	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0051	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0052	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0053	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0054	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0055	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0056	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0057	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0058	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0059	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0060	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0061	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0062	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0063	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0064	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0065	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0066	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0067	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0068	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0069	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0070	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0071	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0072	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0073	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0074	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0075	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0076	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0077	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0078	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0079	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0080	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0
0081	Bur Oak	Spec'ed	0	0	0	4		Spec'ed	0

NOTES:
1) Length of root zone based on 0.5' DBH, 0.5' height & 0.5' diameter and 1' from the trunk.
2) Diameter is measured at chest height and is the diameter of the tree.



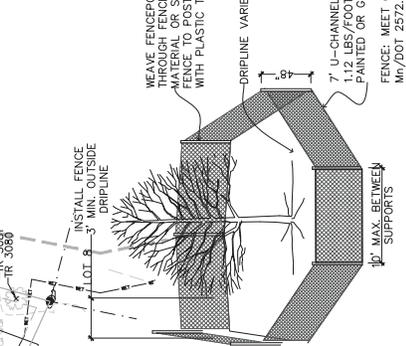
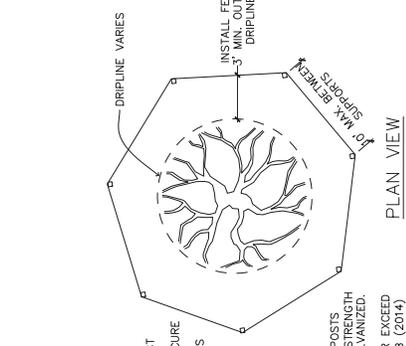
ID	SPICES	DIMAL DIMENSIONS	CONDITION (S)	NOTES	TREE CLASS (S)	CROWN FOOT AREA
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

NOTES:
 1. All trees are to be removed unless otherwise noted. The City for removal of all trees.
 2. Condition - health of tree based on a scale from 1-5. 1 = Best, 2 = Fair, 3 = Poor, 4 = Very Poor, 5 = Dead.
 3. Crown Foot Area - Diameter x Diameter x 0.785.
 4. Crown Foot Area - Diameter x Diameter x 0.785.
 5. Tree Classifications - Diameter x Height.
 6. Tree Classifications - Diameter x Height.
 7. Tree Classifications - Diameter x Height.
 8. Tree Classifications - Diameter x Height.
 9. Tree Classifications - Diameter x Height.
 10. Tree Classifications - Diameter x Height.
 11. Tree Classifications - Diameter x Height.
 12. Tree Classifications - Diameter x Height.
 13. Tree Classifications - Diameter x Height.
 14. Tree Classifications - Diameter x Height.
 15. Tree Classifications - Diameter x Height.
 16. Tree Classifications - Diameter x Height.
 17. Tree Classifications - Diameter x Height.
 18. Tree Classifications - Diameter x Height.
 19. Tree Classifications - Diameter x Height.
 20. Tree Classifications - Diameter x Height.
 21. Tree Classifications - Diameter x Height.
 22. Tree Classifications - Diameter x Height.
 23. Tree Classifications - Diameter x Height.
 24. Tree Classifications - Diameter x Height.
 25. Tree Classifications - Diameter x Height.
 26. Tree Classifications - Diameter x Height.
 27. Tree Classifications - Diameter x Height.
 28. Tree Classifications - Diameter x Height.
 29. Tree Classifications - Diameter x Height.
 30. Tree Classifications - Diameter x Height.
 31. Tree Classifications - Diameter x Height.
 32. Tree Classifications - Diameter x Height.
 33. Tree Classifications - Diameter x Height.
 34. Tree Classifications - Diameter x Height.
 35. Tree Classifications - Diameter x Height.
 36. Tree Classifications - Diameter x Height.
 37. Tree Classifications - Diameter x Height.
 38. Tree Classifications - Diameter x Height.
 39. Tree Classifications - Diameter x Height.
 40. Tree Classifications - Diameter x Height.
 41. Tree Classifications - Diameter x Height.
 42. Tree Classifications - Diameter x Height.
 43. Tree Classifications - Diameter x Height.
 44. Tree Classifications - Diameter x Height.
 45. Tree Classifications - Diameter x Height.
 46. Tree Classifications - Diameter x Height.
 47. Tree Classifications - Diameter x Height.
 48. Tree Classifications - Diameter x Height.
 49. Tree Classifications - Diameter x Height.
 50. Tree Classifications - Diameter x Height.
 51. Tree Classifications - Diameter x Height.
 52. Tree Classifications - Diameter x Height.
 53. Tree Classifications - Diameter x Height.
 54. Tree Classifications - Diameter x Height.
 55. Tree Classifications - Diameter x Height.
 56. Tree Classifications - Diameter x Height.
 57. Tree Classifications - Diameter x Height.
 58. Tree Classifications - Diameter x Height.
 59. Tree Classifications - Diameter x Height.
 60. Tree Classifications - Diameter x Height.
 61. Tree Classifications - Diameter x Height.
 62. Tree Classifications - Diameter x Height.
 63. Tree Classifications - Diameter x Height.
 64. Tree Classifications - Diameter x Height.
 65. Tree Classifications - Diameter x Height.
 66. Tree Classifications - Diameter x Height.
 67. Tree Classifications - Diameter x Height.
 68. Tree Classifications - Diameter x Height.
 69. Tree Classifications - Diameter x Height.
 70. Tree Classifications - Diameter x Height.
 71. Tree Classifications - Diameter x Height.
 72. Tree Classifications - Diameter x Height.
 73. Tree Classifications - Diameter x Height.
 74. Tree Classifications - Diameter x Height.
 75. Tree Classifications - Diameter x Height.
 76. Tree Classifications - Diameter x Height.
 77. Tree Classifications - Diameter x Height.
 78. Tree Classifications - Diameter x Height.
 79. Tree Classifications - Diameter x Height.
 80. Tree Classifications - Diameter x Height.
 81. Tree Classifications - Diameter x Height.
 82. Tree Classifications - Diameter x Height.
 83. Tree Classifications - Diameter x Height.
 84. Tree Classifications - Diameter x Height.
 85. Tree Classifications - Diameter x Height.
 86. Tree Classifications - Diameter x Height.
 87. Tree Classifications - Diameter x Height.
 88. Tree Classifications - Diameter x Height.
 89. Tree Classifications - Diameter x Height.
 90. Tree Classifications - Diameter x Height.
 91. Tree Classifications - Diameter x Height.
 92. Tree Classifications - Diameter x Height.
 93. Tree Classifications - Diameter x Height.
 94. Tree Classifications - Diameter x Height.
 95. Tree Classifications - Diameter x Height.
 96. Tree Classifications - Diameter x Height.
 97. Tree Classifications - Diameter x Height.
 98. Tree Classifications - Diameter x Height.
 99. Tree Classifications - Diameter x Height.
 100. Tree Classifications - Diameter x Height.

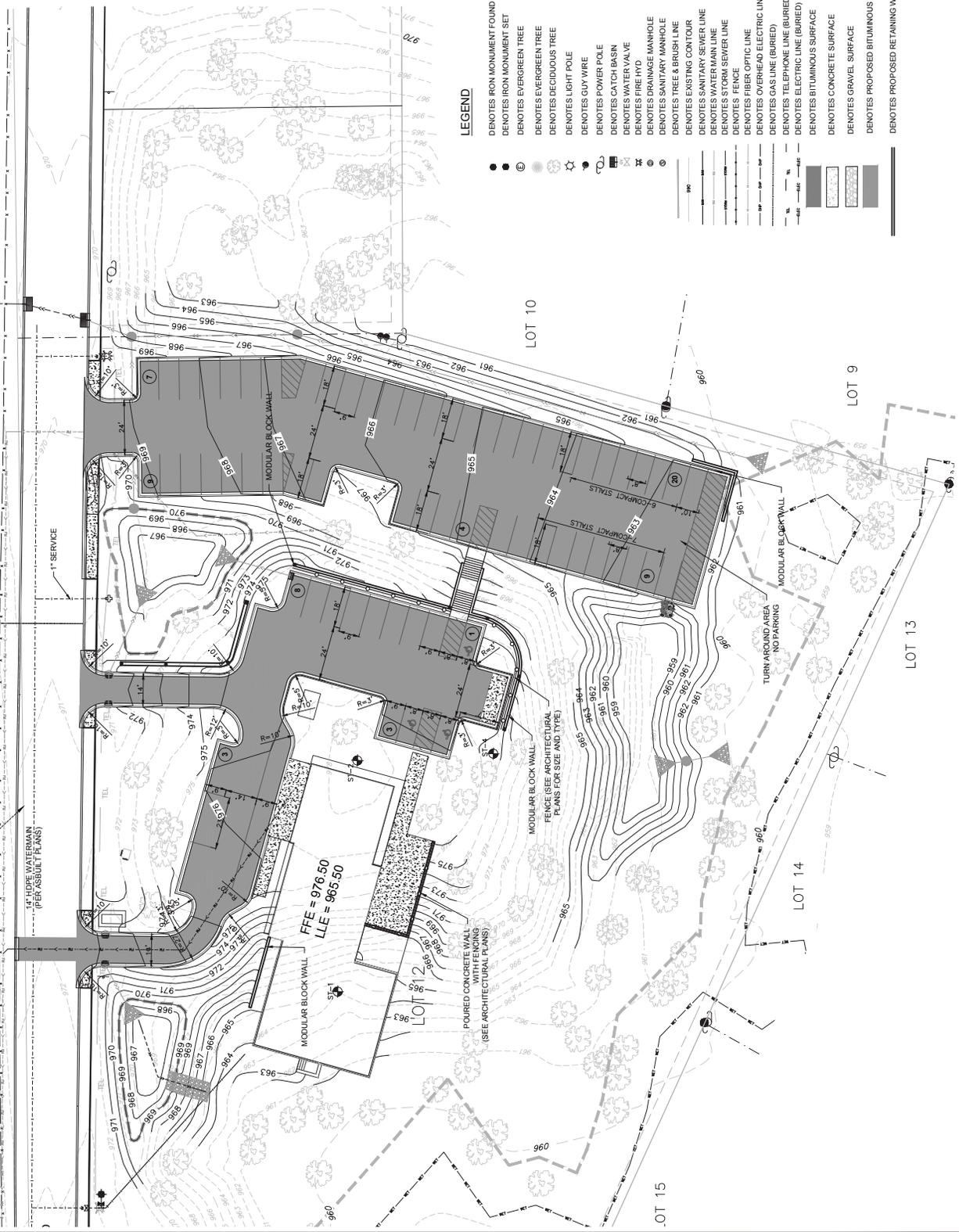


NOTE:
• TREES NOT IDENTIFIED BY A 4 DIGIT NUMBER I.E. TR 8" OR EG 4 ARE TOO SMALL, DEAD OR DISEASED AND ARE NOT INCLUDED IN THE INVENTORY LIST.

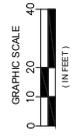
NOTES:
1) ALL TREE PROTECTION FENCING AND EROSION CONTROL FENCING SHALL BE INSTALLED ACCORDING TO THE PLAN PRIOR TO ANY CONSTRUCTION. PROTECTION FENCING MAY BE RELOCATED WITH APPROVAL FROM THE LANDSCAPE ARCHITECT OR ENGINEER. ALL TREE PROTECTION DEVICES SHALL BE MAINTAINED FOR THE DURATION OF THE CONSTRUCTION PERIOD. ALL NOT STORE ANY MATERIALS OR PARK ANY VEHICLES IN TREE PROTECTION ZONES. THE FENCE SHALL PREVENT THE PLACEMENT OF TEMPORARY FACILITIES, EQUIPMENT, STOCKPILES AND SUPPLIES FROM HARMING VEGETATION WITHIN THE LIMITS OF PROTECTION. THE CONTRACTOR SHALL CLEANLY CUT ALL ROOTS EXPOSED BY GRADING AS DIRECTED BY THE LANDSCAPE ARCHITECT OR ENGINEER. THE CONTRACTOR SHALL USE DESIGNATED CONSTRUCTION ENTRANCES AND STAGING AREAS.



- NOTES ON TREE PRESERVATION & OAK WILT MANAGEMENT**
- 1) ALL TREES IDENTIFIED TO BE PRESERVED SHALL BE FENCED OFF WITH TREE PROTECTION FENCE TO PREVENT ANY DISTURBANCE, COMPACTION OF SOILS AND/OR STORAGE OF MATERIALS IN THESE AREAS.
 - 2) CONTRACTOR SHALL HAVE A CERTIFIED ARBORIST OR TREE SPECIALIST ON STAFF OR UNDER CONTRACT TO INSPECT THE EXISTING OAK TREES PRIOR TO AND THROUGHOUT CONSTRUCTION. IF ANY SIGNS OF OAK WILT OCCUR, CONTRACTOR SHALL NOTIFY THE CITY TO CONFIRM THE PROPER PROCESS FOR TREATMENT AND/OR REMOVAL.
 - 3) AVOID THE PRUNING, REMOVAL AND/OR DISTURBANCE OF ALL OAK TREES FROM MARCH 15 THROUGH JULY 31.
 - 4) IF IMPACTS TO OAK TREES CAN'T BE AVOIDED FROM MARCH 15 THROUGH JULY 31, IMMEDIATELY TREAT ANY IMPACTED TRUNKS, BRANCHES AND/OR STUMPS WITH LATEX PRUNING PAINT.
 - 5) CLEAN ALL PRUNING TOOLS WITH 10% SODIUM HYPOCHLORITE BETWEEN SITES AND/OR TREES.



- LEGEND**
- DENOTES IRON MONUMENT FOUND
 - DENOTES IRON MONUMENT SET
 - ⊙ DENOTES EVERGREEN TREE
 - ⊕ DENOTES DECIDUOUS TREE
 - ⊛ DENOTES LIGHT POLE
 - ⊜ DENOTES GUY WIRE
 - ⊝ DENOTES POWER POLE
 - ⊞ DENOTES CATCH BASIN
 - ⊟ DENOTES WATER VALVE
 - ⊠ DENOTES FIRE HYD.
 - ⊡ DENOTES DRAINAGE MANHOLE
 - ⊢ DENOTES TREE & BRUSH LINE
 - ⊣ DENOTES EXISTING CONTOUR
 - ⊤ DENOTES WATER MAIN LINE
 - ⊥ DENOTES STORM SEWER LINE
 - ⊦ DENOTES FENCE
 - ⊧ DENOTES FIBER OPTIC LINE
 - ⊨ DENOTES OVERHEAD ELECTRIC LINE
 - ⊩ DENOTES GAS LINE (BURIED)
 - ⊪ DENOTES TELEPHONE LINE (BURIED)
 - ⊫ DENOTES ELECTRIC LINE (BURIED)
 - ⊬ DENOTES BITUMINOUS SURFACE
 - ⊭ DENOTES CONCRETE SURFACE
 - ⊮ DENOTES GRAVEL SURFACE
 - ⊯ DENOTES PROPOSED BITUMINOUS SURFACE
 - ⊰ DENOTES PROPOSED RETAINING WALL



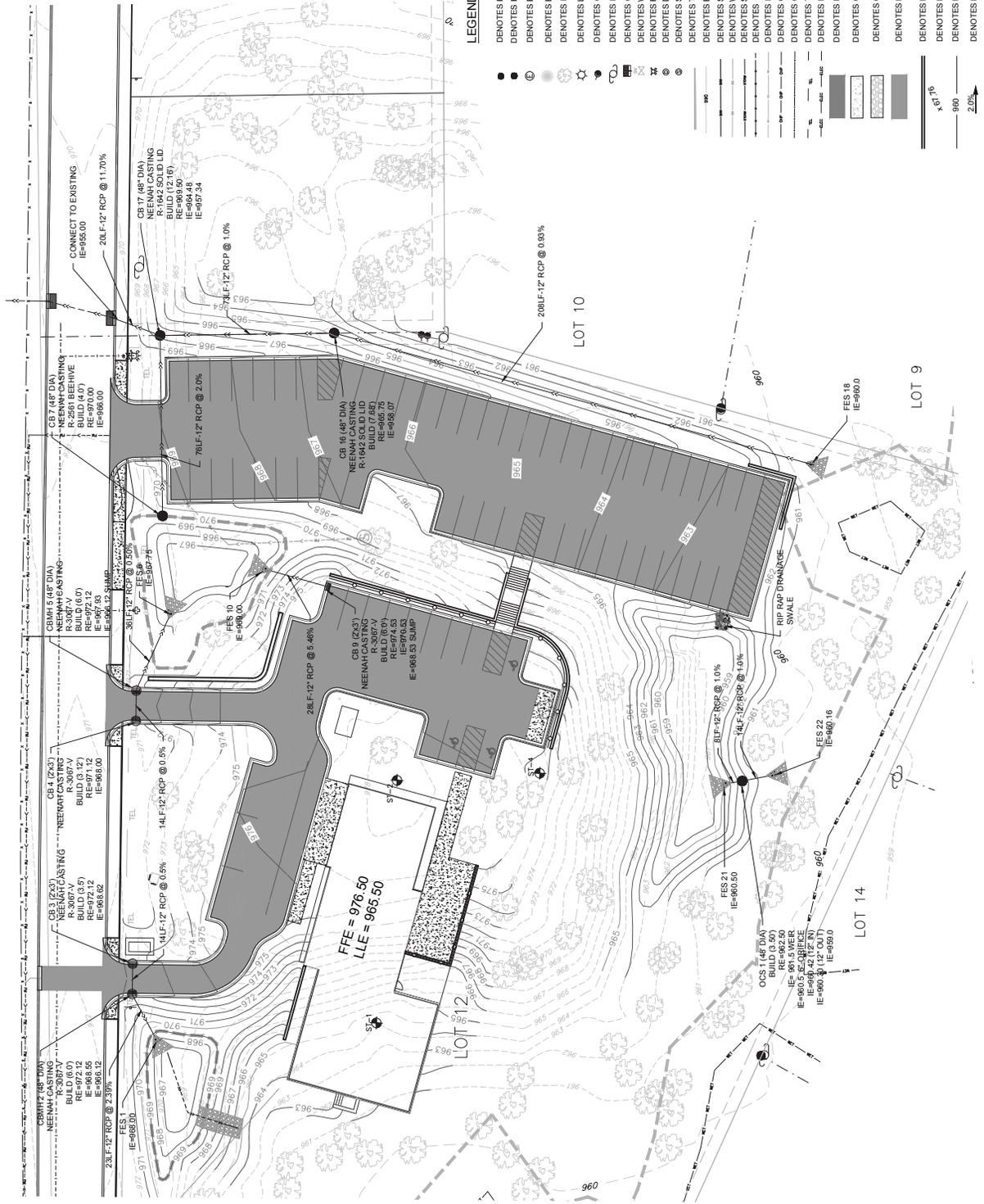
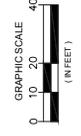
LEGEND

- DENOTES IRON MONUMENT FOUND
- ⊙ DENOTES IRON MONUMENT SET
- ⊙ DENOTES EVERGREEN TREE
- ⊙ DENOTES DECIDUOUS TREE
- ⊙ DENOTES LIGHT POLE
- ⊙ DENOTES GUY WIRE
- ⊙ DENOTES POWER POLE
- ⊙ DENOTES CATCH BASIN
- ⊙ DENOTES WATER VALVE
- ⊙ DENOTES FIRE HYD
- ⊙ DENOTES DRAINAGE MANHOLE
- ⊙ DENOTES SANITARY MANHOLE
- ⊙ DENOTES TREE & BRUSH LINE
- ⊙ DENOTES EXISTING CONTOUR
- ⊙ DENOTES SANITARY SEWER LINE
- ⊙ DENOTES WATER MAIN LINE
- ⊙ DENOTES STORM SEWER LINE
- ⊙ DENOTES FENCE
- ⊙ DENOTES FIBER OPTIC LINE
- ⊙ DENOTES OVERHEAD ELECTRIC LINE
- ⊙ DENOTES GAS LINE (BURIED)
- ⊙ DENOTES TELEPHONE LINE (BURIED)
- ⊙ DENOTES ELECTRIC LINE (BURIED)
- ⊙ DENOTES BITUMINOUS SURFACE
- ⊙ DENOTES CONCRETE SURFACE
- ⊙ DENOTES GRAVEL SURFACE
- ⊙ DENOTES PROPOSED BITUMINOUS SURFACE
- ⊙ DENOTES PROPOSED RETAINING WALL
- ⊙ DENOTES PROPOSED SPOT ELEVATION
- ⊙ DENOTES PROPOSED CONTOUR LINE
- ⊙ DENOTES PROPOSED SLOPE

12" FLOOD WATERMAIN (PER ADJUT PLAN)

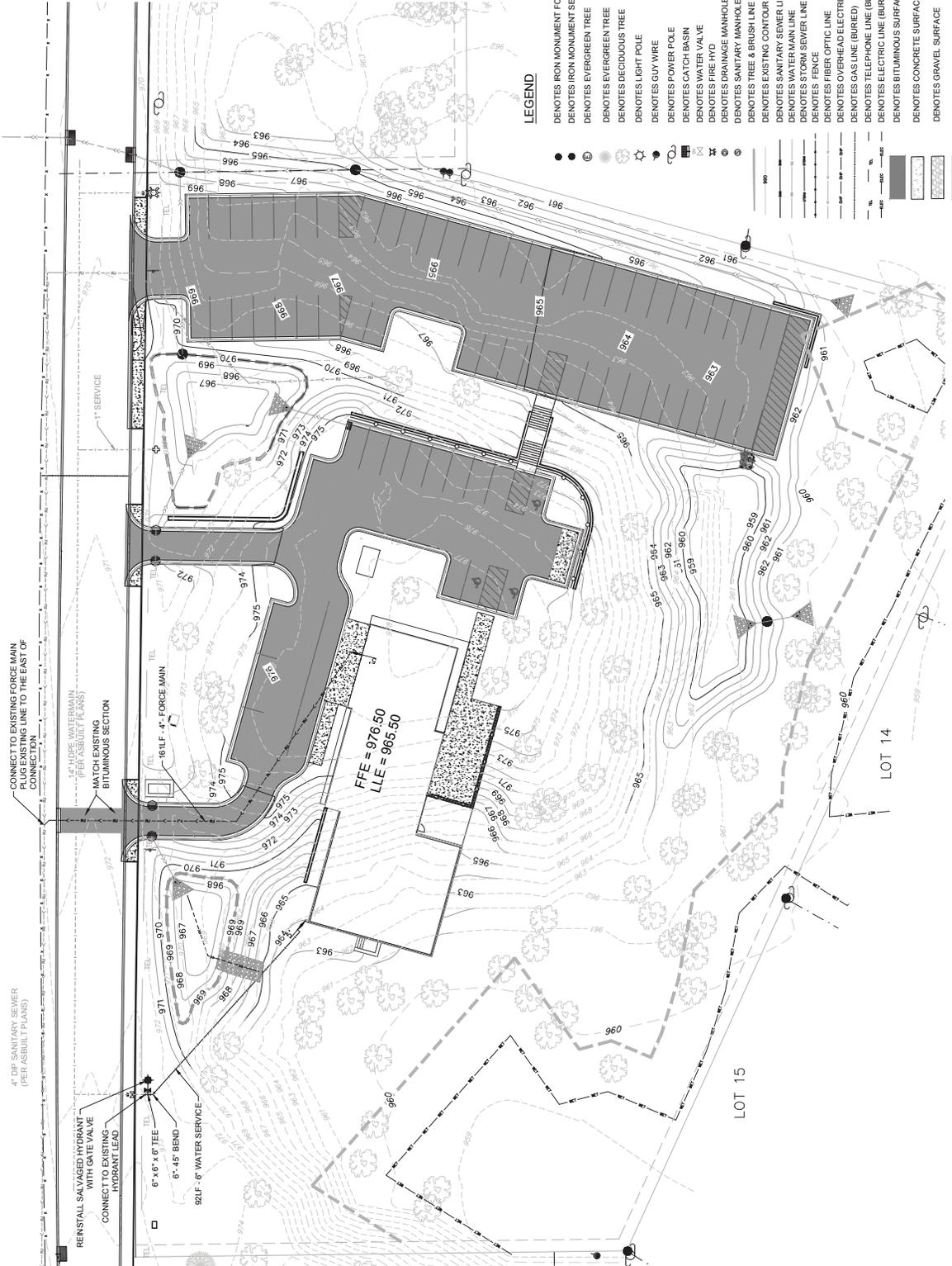
RVISE ROAD

FFE = 976.50
LLE = 965.50



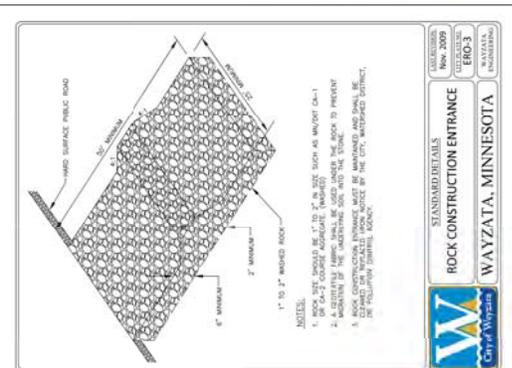
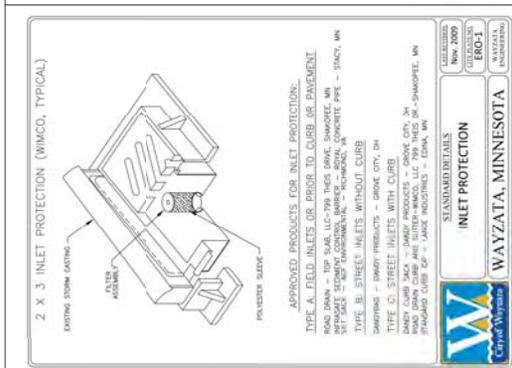
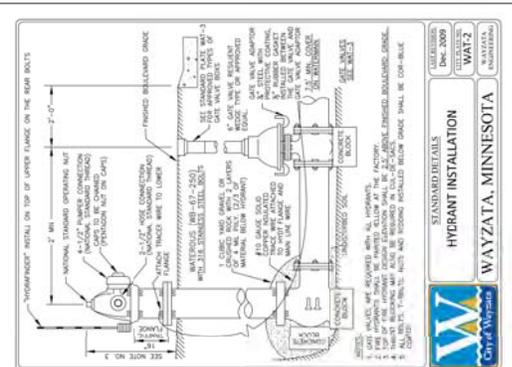
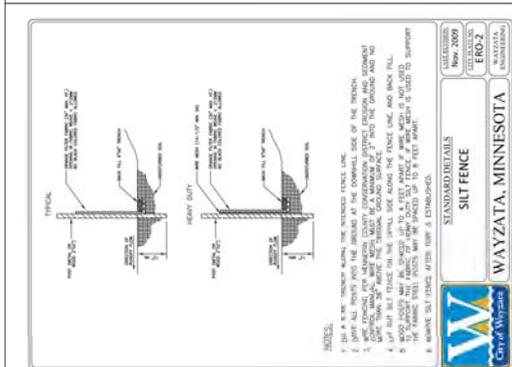
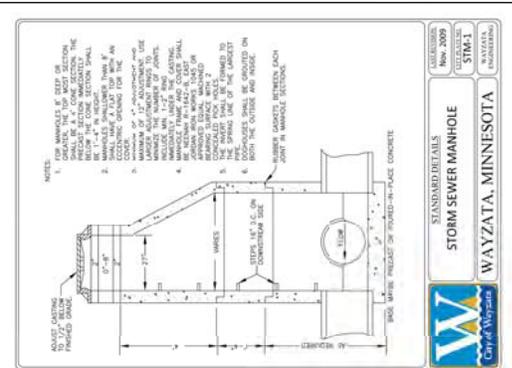
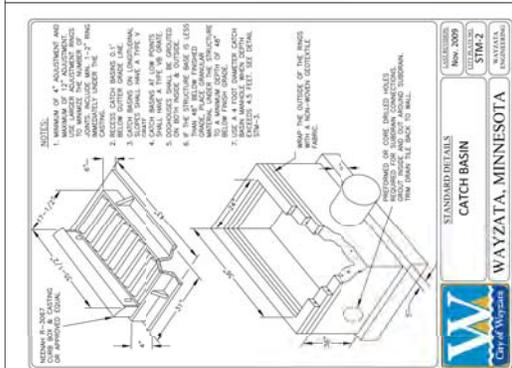
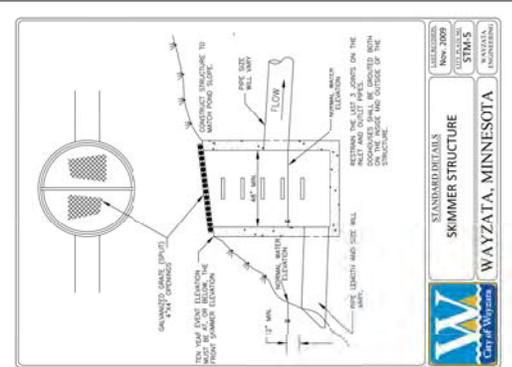
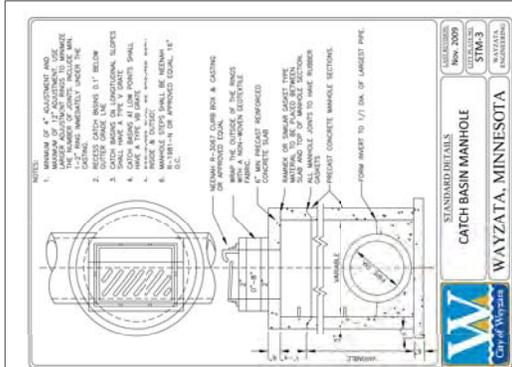
LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- DENOTES EVERGREEN TREE
- DENOTES DECIDUOUS TREE
- DENOTES LIGHT POLE
- DENOTES GUY WIRE
- DENOTES POWER POLE
- DENOTES CATCH BASIN
- DENOTES WATER VALVE
- DENOTES FIRE HYD
- DENOTES DRAINAGE MANHOLE
- DENOTES SANITARY MANHOLE
- DENOTES TREE & BRUSH LINE
- DENOTES EXISTING CONTOUR
- DENOTES SANITARY SERVICES LINE
- DENOTES WATER MAIN LINE
- DENOTES STORM SEWER LINE
- DENOTES FENCE
- DENOTES FIBER OPTIC LINE
- DENOTES OVERHEAD ELECTRIC LINE
- DENOTES GAS LINE (BURIED)
- DENOTES TELEPHONE LINE (BURIED)
- DENOTES ELECTRIC LINE (BURIED)
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES PROPOSED BITUMINOUS SURFACE
- DENOTES PROPOSED RETAINING WALL
- DENOTES PROPOSED SPOT ELEVATION
- DENOTES PROPOSED CONTOUR LINE
- DENOTES PROPOSED SLOPE



LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- DENOTES EVERGREEN TREE
- DENOTES EVERGREEN TREE
- DENOTES DECIDUOUS TREE
- DENOTES LIGHT POLE
- DENOTES GUY WIRE
- DENOTES POWER POLE
- DENOTES CATCH BASIN
- DENOTES WATER VALVE
- DENOTES FIRE HYD
- DENOTES DRAINAGE MANHOLE
- DENOTES SANITARY MANHOLE
- DENOTES TREE & BRUSH LINE
- DENOTES EXISTING CONTOUR
- DENOTES SANITARY SEWER LINE
- DENOTES WATER MAIN LINE
- DENOTES STORM SEWER LINE
- DENOTES FENCE
- DENOTES FIBER OPTIC LINE
- DENOTES OVERHEAD ELECTRIC LINE
- DENOTES GAS LINE (BURIED)
- DENOTES TELEPHONE LINE (BURIED)
- DENOTES ELECTRIC LINE (BURIED)
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES PROPOSED BITUMINOUS SURFACE
- DENOTES PROPOSED RETAINING WALL
- DENOTES PROPOSED SPOT ELEVATION
- DENOTES PROPOSED CONTOUR LINE
- DENOTES PROPOSED SLOPE



I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A DULY REGISTERED CIVIL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

CIVIL ENGINEER _____ REG. NO. _____
DATE: _____

CONSULTANTS



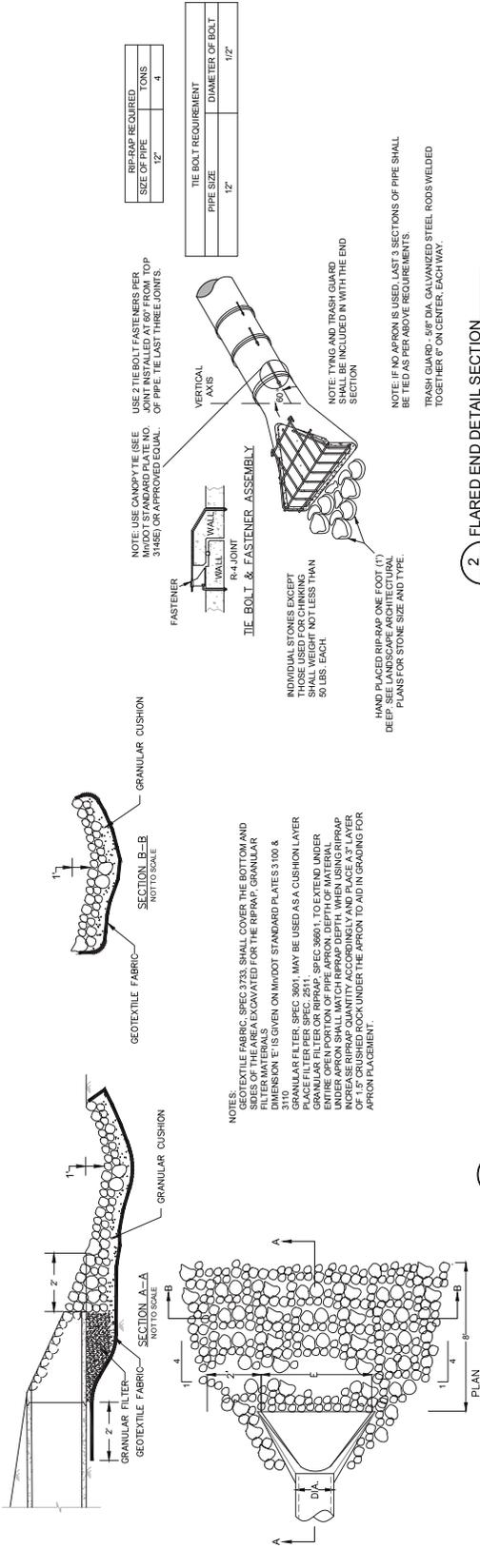
NOT FOR
CONSTRUCTION

85/12/16 REVISE PLAN PARKING AREA
83/29/16 CITY RESUBMITTAL
83/29/16 CITY RESUBMITTAL
COPYRIGHT 2015 Loous Architecture, Ltd.

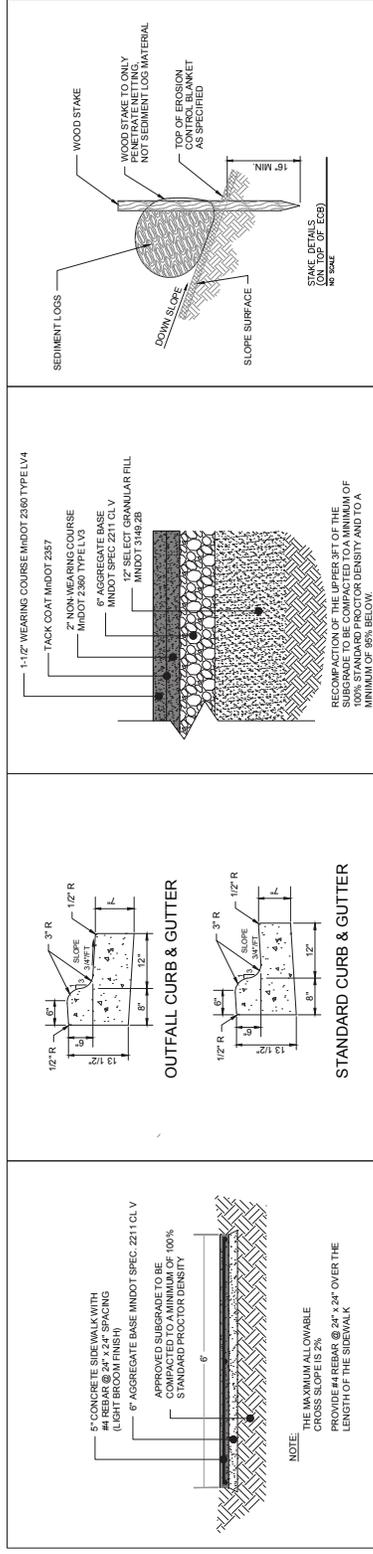
SHEET TITLE

DETAIL PLAN

C11



1 RIPRAP AT 12" FLARED END SECTION (NOT TO SCALE)



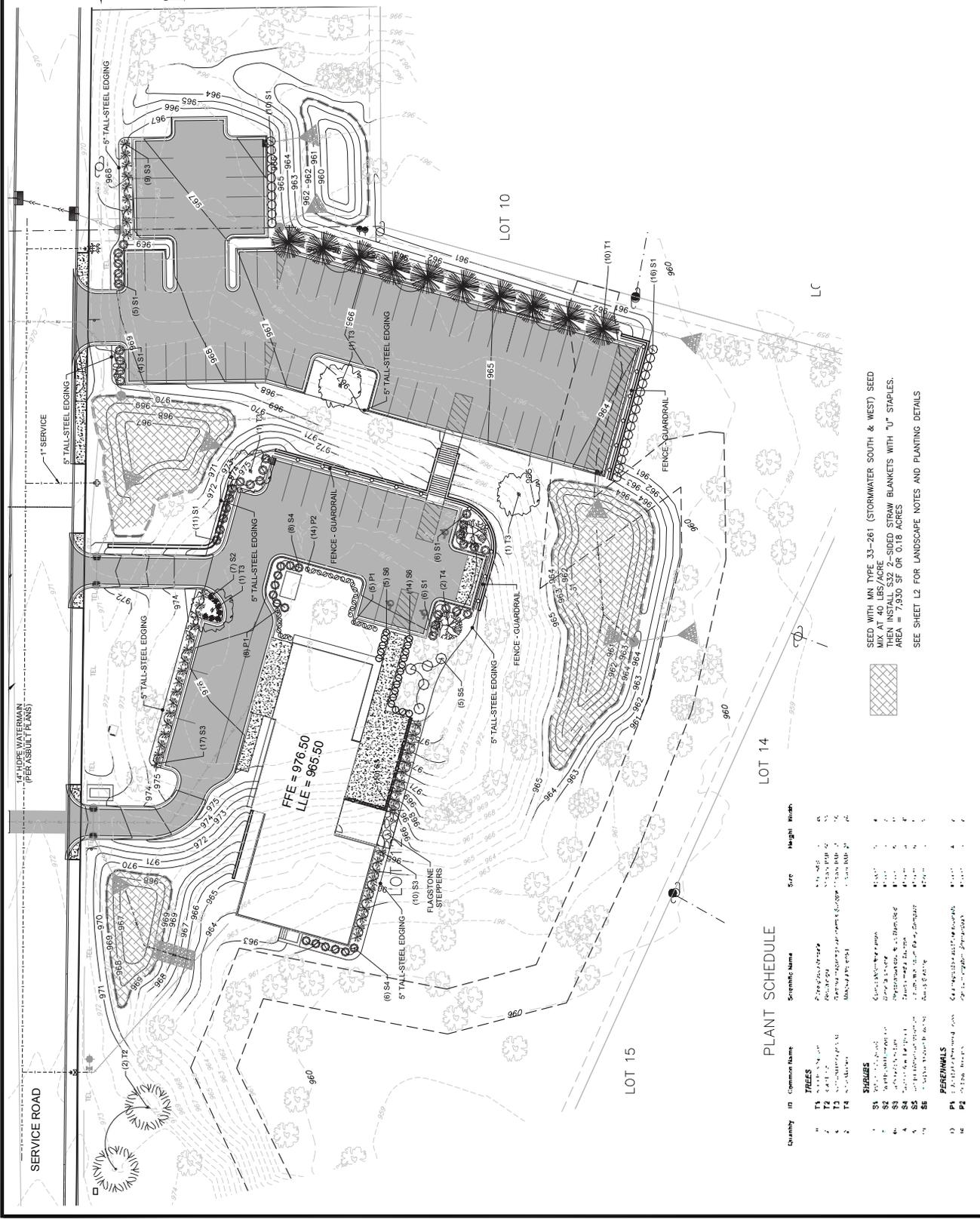
2 FLARED END DETAIL SECTION (NOT TO SCALE)

5 BITUMINOUS PAVEMENT SECTION - STANDARD DUTY (NOT TO SCALE)

6 SEDIMENT LOG STAKE DETAIL (NOT TO SCALE)

3 CONCRETE SIDEWALK SECTION (NOT TO SCALE)

4 B612 CURB & GUTTER DETAIL (NOT TO SCALE)



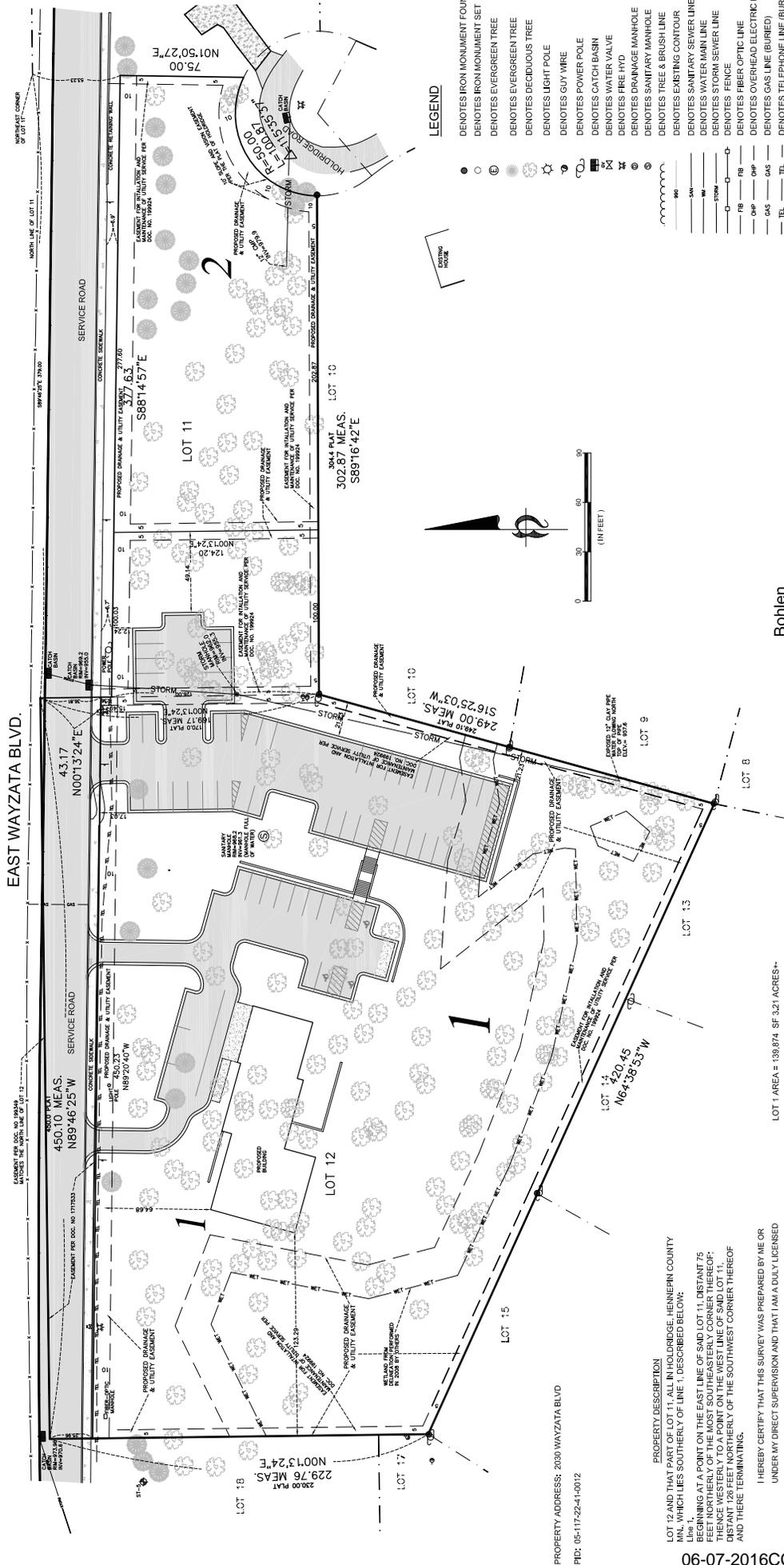
SEED WITH MN TYPE 33-261 (STORMWATER SOUTH & WEST) SEED MIX AT 40 LBS/ACRE THEN INSTALL S32 2-SIDED STRAW BLANKETS WITH "U" STAPLES. AREA = 7,930 SF OR 0.18 ACRES
SEE SHEET L2 FOR LANDSCAPE NOTES AND PLANTING DETAILS

PLANT SCHEDULE

Quantity	ID	Common Name	Scientific Name	Size	Height	Width
1	T1	Tree		4" x 6"	6'	6"
2	T2	Tree		4" x 6"	6'	6"
3	T3	Tree		4" x 6"	6'	6"
4	T4	Tree		4" x 6"	6'	6"
5	S1	Shrub		4" x 6"	6'	6"
6	S2	Shrub		4" x 6"	6'	6"
7	S3	Shrub		4" x 6"	6'	6"
8	S4	Shrub		4" x 6"	6'	6"
9	S5	Shrub		4" x 6"	6'	6"
10	S6	Shrub		4" x 6"	6'	6"
11	P1	Perennial		4" x 6"	6'	6"
12	P2	Perennial		4" x 6"	6'	6"

Attachment C

**PRELIMINARY PLAT
OF
UNITARIAN UNIVERSALIST CHURCH OF MINNETONKA**



LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- DENOTES EVERGREEN TREE
- DENOTES DECIDUOUS TREE
- DENOTES LIGHT POLE
- DENOTES GUY WIRE
- DENOTES POWER POLE
- DENOTES CATCH BASIN
- DENOTES WATER VALVE
- DENOTES FIRE HYD
- DENOTES DRAINAGE MANHOLE
- DENOTES SANITARY MANHOLE
- DENOTES TREE & BRUSH LINE
- DENOTES EXISTING CONTOUR
- DENOTES SANITARY SEWER LINE
- DENOTES WATER MAIN LINE
- DENOTES STORM SEWER LINE
- DENOTES FENCE
- DENOTES FIBER OPTIC LINE
- DENOTES OVERHEAD ELECTRIC LINE
- DENOTES GAS LINE (BURIED)
- DENOTES TELEPHONE LINE (BURIED)
- DENOTES ELECTRIC LINE (BURIED)
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE
- DENOTES GRAVEL SURFACE

**Bohlen
Surveying & Associates**
 31432 Fellage Avenue
 Northfield, MN 55057
 Phone: (507) 645-7788
 Fax: (507) 645-6599
 tom@bohlena.com

PROPERTY DESCRIPTION
 LOT 12 AND THAT PART OF LOT 11, ALL IN HOLDRIDGE, HENNEPIN COUNTY MN, WHICH LIES SOUTHERLY OF LINE 1, DESCRIBED BELOW:
 LIES BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT 11, DISTANT 75 FEET NORTHERLY TO A POINT ON THE MOST SOUTHEASTERLY CORNER THEREOF; THENCE WESTERLY TO A POINT ON THE WEST LINE OF SAID LOT 11, DISTANT 126 FEET NORTHERLY OF THE SOUTHWEST CORNER THEREOF AND THERE TERMINATING.

HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE: 06-07-2016
 Thomas J. O'Leary
 M.S.
 MINNESOTA LICENSE NO. 48187

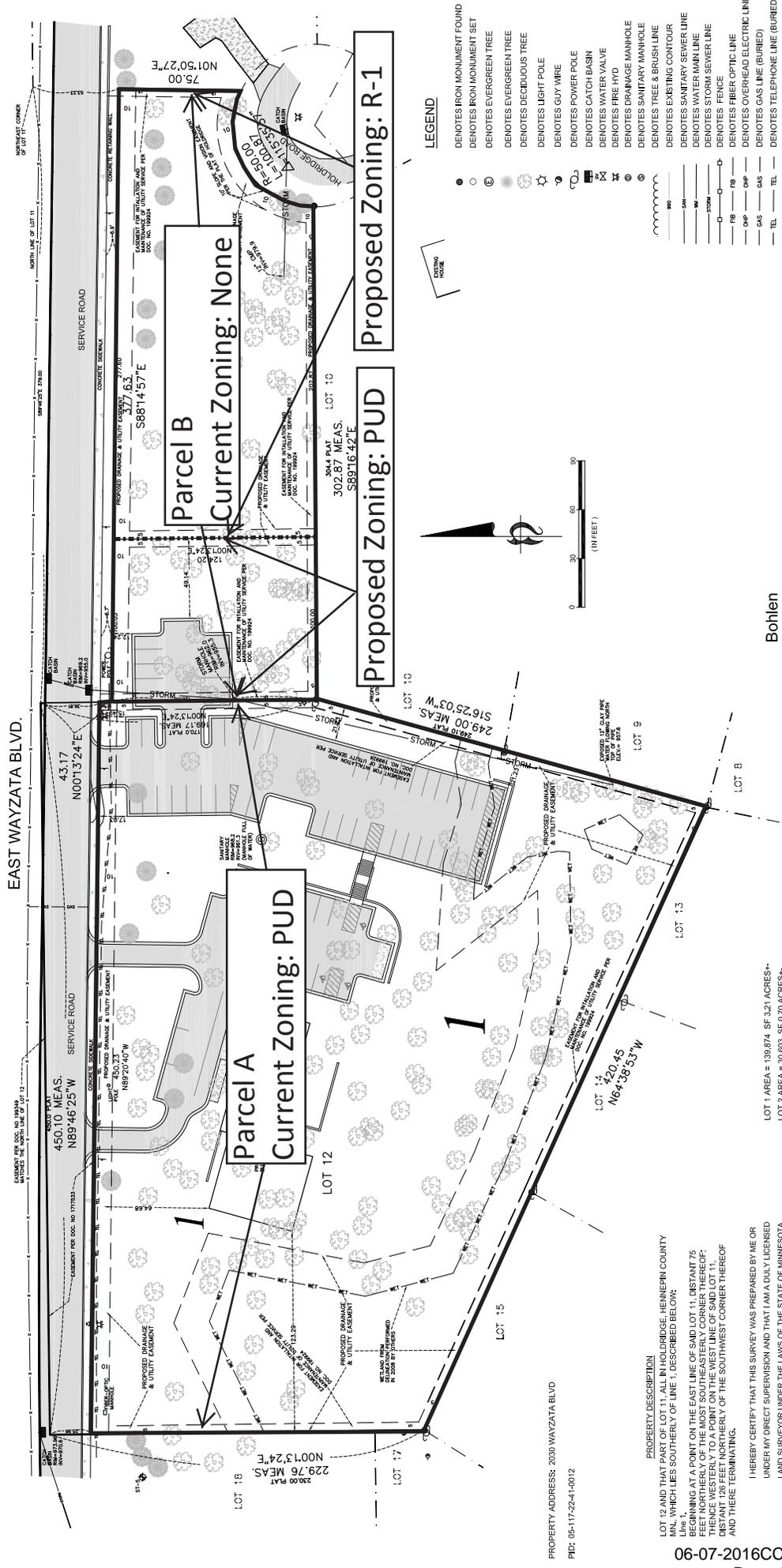
LOT 1 AREA = 139,874 SF (3.21 ACRES)
 LOT 2 AREA = 30,603 SF (0.70 ACRES)
TOTAL PARCEL AREA = 184,604 SF (4.24 ACRES)

PROPERTY ADDRESS: 2030 WAYZATA BLVD
 PID: 05-117-224-1-0012

S:\Company Share\Projects\Wayzata\holdridge\wg\3-D-prelim-p04-2-26-16.dwg

Attachment D

**PRELIMINARY PLAT
OF
UNITARIAN UNIVERSALIST CHURCH OF MINNETONKA**



LOT 1 AREA = 139,974 SF 3.21 ACRES+
 LOT 2 AREA = 30,603 SF 0.70 ACRES+
TOTAL PARCEL AREA = 184,604 SF (4.24 ACRES)

PROPERTY DESCRIPTION
 LOT 12 AND THAT PART OF LOT 11, ALL IN HOLDRIDGE, HENNEPIN COUNTY
 MN, WHICH LIES SOUTHERLY OF LINE 1, DESCRIBED BELOW:
 LINE 1 BEING AT A POINT ON THE EAST LINE OF SAID LOT 11, DISTANT 75
 FEET NORTHERLY TO A POINT ON THE MOST SOUTHEASTLY CORNER THEREOF;
 THENCE WESTERLY TO A POINT ON THE WEST LINE OF SAID LOT 11,
 DISTANT 126 FEET NORTHERLY OF THE SOUTHWEST CORNER THEREOF
 AND THERE TERMINATING.

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR
 UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED
 LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE: 2-26-2016
Theresa J. O'Leary
 LAND SURVEYOR
 MINNESOTA LICENSE NO. 48187

PROPERTY ADDRESS: 2030 WAYZATA BLVD
 PID: 05-117-2241-0012

Bohlen
 Surveying & Associates
 31432 Fellage Avenue
 Northfield, MN 55057
 Phone: (507) 645-7788
 Fax: (507) 645-6599
 tom@bohlersurveying.com

LEGEND
 DENOTES IRON MONUMENT FOUND
 DENOTES IRON MONUMENT SET
 DENOTES EVERGREEN TREE
 DENOTES EVERGREEN TREE
 DENOTES DECIDUOUS TREE
 DENOTES LIGHT POLE
 DENOTES GUY WIRE
 DENOTES POWER POLE
 DENOTES CATCH BASIN
 DENOTES WATER VALVE
 DENOTES FIRE HYD
 DENOTES DRAINAGE MANHOLE
 DENOTES SANITARY MANHOLE
 DENOTES TREE & BRUSH LINE
 DENOTES EXISTING CONTOUR
 DENOTES SANITARY SEWER LINE
 DENOTES WATER MAIN LINE
 DENOTES STORM SEWER LINE
 DENOTES FENCE
 DENOTES FIBER OPTIC LINE
 DENOTES OVERHEAD ELECTRIC LINE
 DENOTES GAS LINE (BURIED)
 DENOTES TELEPHONE LINE (BURIED)
 DENOTES ELECTRIC LINE (BURIED)
 DENOTES BITUMINOUS SURFACE
 DENOTES CONCRETE SURFACE
 DENOTES GRAVEL SURFACE

CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA
DRAFT ORDINANCE NO. 759

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY
TO REZONE PROPERTY TO PUD PLANNED UNIT DEVELOPMENT DISTRICT
AND R-1 RESIDENTIAL**

THE CITY OF WAYZATA ORDAINS:

Section 1. Zoning Map Amendment

- 1.1. Rezoning. Based upon City Council Resolution 15-2016 (the “Resolution”), the Official Zoning Map of the City of Wayzata is hereby amended to change the Zoning District designation of the Property, as defined in the Resolution, to PUD Planned Unit Development District and R-1 Low Density Single Family Residential, as designated in the Resolution.

Section 2. Effective Date

- 2.1 This Ordinance will become effective upon passage and publication.

Adopted by the City Council this ____ day of June 2016.

Ken Willcox
Mayor

ATTEST:

Jeffrey Dahl
City Manager

First Reading:
Second Reading:
Publication:

000043/280018/2398622_1



**Planning Report
Wayzata Planning Commission
June 7, 2016**

Project Name: Welter Residence
Applicant Anthony and Rebecca Welter
Property Owner: Bruno Silikowski
Addresses of Request: 181 Huntington Ave S
Prepared by: Jeff Thomson, Director of Planning and Building
City Council Review: June 7, 2016
“60 Day” Deadline: June 18, 2016

Development Application

General The applicant, Anthony and Rebecca Welter, have submitted building plans for construction of a new home at 181 Huntington Avenue South. The proposed plans include construction of a two-story home on the property. The proposed building plans are included as Attachment A.

Application Requests

In March 2016, the City Council approved the Huntington Heights subdivision, a two lot single-family residential subdivision at 173 Huntington Ave S. The subdivision development application included preliminary home plans for Lot 1 (173 Huntington Ave S), but the property owner, Bruno Silikowski, did not have a home design for Lot 2 (181 Huntington Ave S) at that time. Therefore, the City Council added a condition to the subdivision approval that the owner of Lot 2 must submit preliminary home plans for review and approval by the Planning Commission and City Council prior to the City issuing a building permit for construction of the new home.

The applicant has an agreement with the property owner to purchase the lot, and has submitted the plans for the home for review and approval by the Planning Commission and City Council.

Project Location.

The property is located at 181 Huntington Ave S, which is part of the Huntington Heights subdivision.

Map 1: Project Location



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

Address	PID	Owner
181 Huntington Ave S	None*	Bruno Silikowski/Brody Investments

* The Huntington Heights plat has been recorded at Hennepin County, but the County has not yet assigned the PID for the parcel.

Relevant Property Information

Current zoning:	R-3A/Single and Two Family Residential District
Comp plan designation:	Low Density Single Family
Total lot area:	14,034 sq. ft.

Surrounding Land Uses

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

Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Single-family homes	R-3A	Low Density Single Family
East	Single-family homes	R-3A	Low Density Single Family
South	Single-family homes	R-3A	Low Density Single Family
West	Single-family homes	R-3A	Low Density Single Family

Analysis of Application

Zoning

The Property is currently zoned R-3A/Single and Two Family Residential District. The following table outlines the zoning requirements for the R-3A district:

Table 1: Proposed Homes

	Front setback	Side setback	Rear setback	Lot coverage	Hard surface	Height Maximum
R-3A	20 ft. (min)	10 ft. (min)	20 ft. (min)	30% (max.)	35% (max.)	2 stories or 32 ft.
Lot 1	28 ft (east) 24 ft (south)	10 ft. (north)	20 ft (west)	17%	33.2%	30 ft.

House Plans

The plans submitted with the application include detailed elevations and floor plans for the new house on Lot 2. The proposed house would be two levels with a full basement, with the second story extending over only a portion of the first floor. The house would include a two car attached garage with driveway access from the alley on the west side of the lot. The proposed house would meet all of the R-3A zoning district requirements.

Tree Inventory

The application materials include a tree inventory of the property, which shows a total of 14 trees on the property. The property includes a wide variety of species: spruce, mulberry, maple, elm and oak. The tree preservation plan indicates that 10 trees would be removed for construction of the home.

The plans that were reviewed by the Planning Commission included preservations of the four large trees on the southwest corner of the lot – three oak trees and a maple tree. After the review by the Planning Commission, the City Forester reviewed the trees on site with the applicant. The forester determined that the large oak tree on the property line has significant internal decay and is in poor health. Based on the assessment, the applicant is proposing to remove the oak tree. The updated grading plan for the new home has been adjusted to minimize grading within the drip line of these trees, which would minimize construction impacts.

Applicable Code Provisions for Review

Preliminary Plat Criteria (Section 805.14.E)

The City Council condition requiring review and approval of the home design on Lot 2 is based on the ordinance criteria for preliminary plat review, which include the following factors:

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

11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

Planning Commission Review

The Planning Commission reviewed the plans at its meeting on May 16, 2016. The minutes from the meeting are included as Attachment C. The Planning Commission recommended approval of the preliminary house plans, and requested the Applicant provide a grading and drainage plan and a landscape plan with the application to the City Council.

The applicant has submitted a revised site plan which includes both grading and landscaping information. The proposed grading limits have been adjusted on the southwest corner of the lot to reduce impacts to the critical root zones of the large oak trees and maple tree that would be preserved during construction. In addition, the landscape plan includes five whitespire birch trees along the front walkway, four additional whitespire birch trees on the north side of the driveway, and no mow fescue along the north side of the home.

Recommendation

After considering the items outlined in this report, the City Council should consider making a motion which approves the preliminary house plans for 181 Huntington Ave S, based on the finding that the design meets the standards of City Code Section 805.14.E, and satisfies the condition of Resolution No. 06-2016 approving the Huntington Heights subdivision.

Attachments:

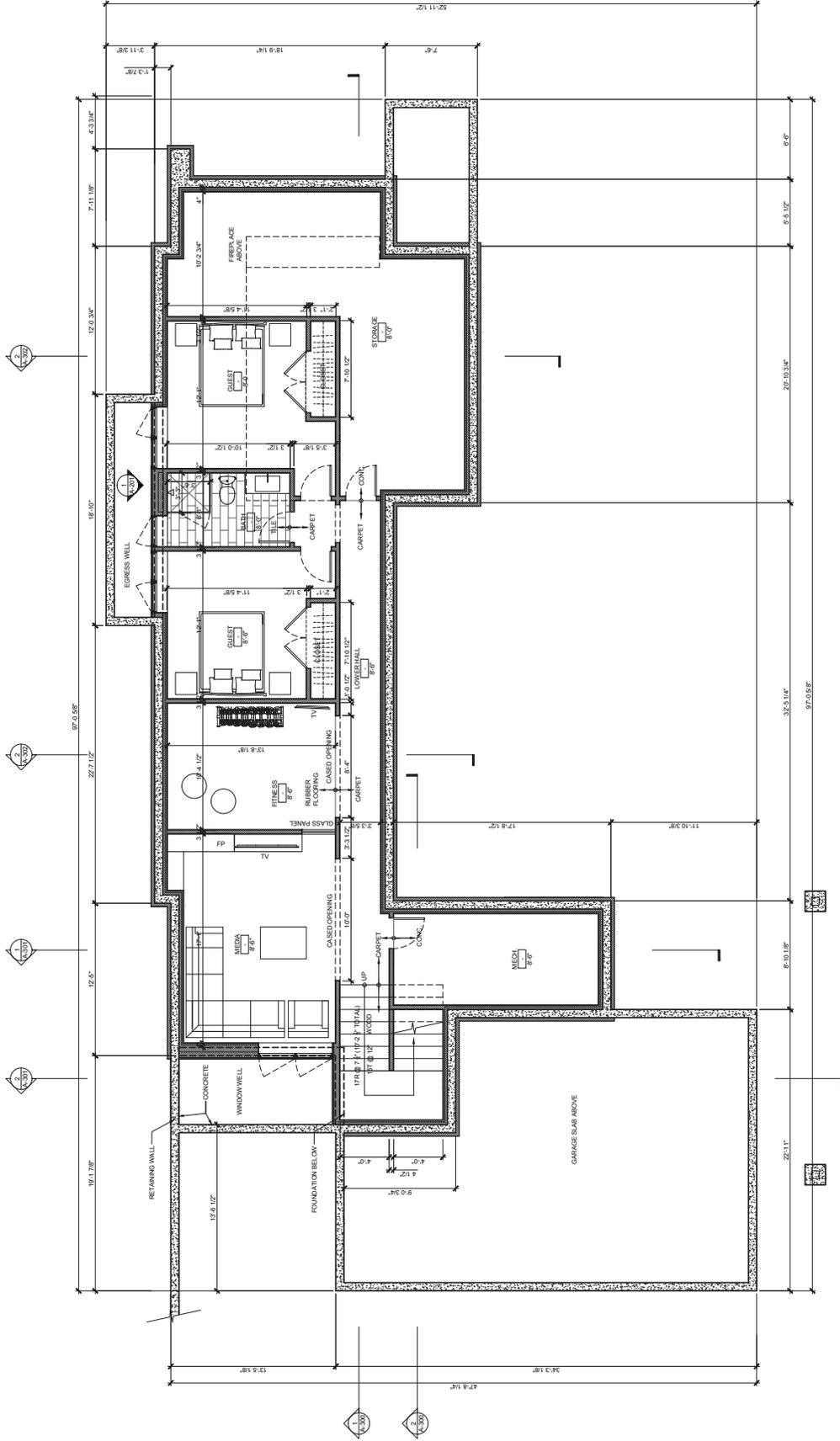
Attachment A: Revised Site Plan

Attachment B: Preliminary Home Design

Attachment C: Draft Planning Commission Meeting Minutes

NO.	DATE	DESCRIPTION
01	01/07/15	CONCEPT
02	02/02/15	SCHEMATIC
03	02/11/15	PRELIMINARY
04	03/02/15	PERMITS
05	03/10/15	CONTRACT

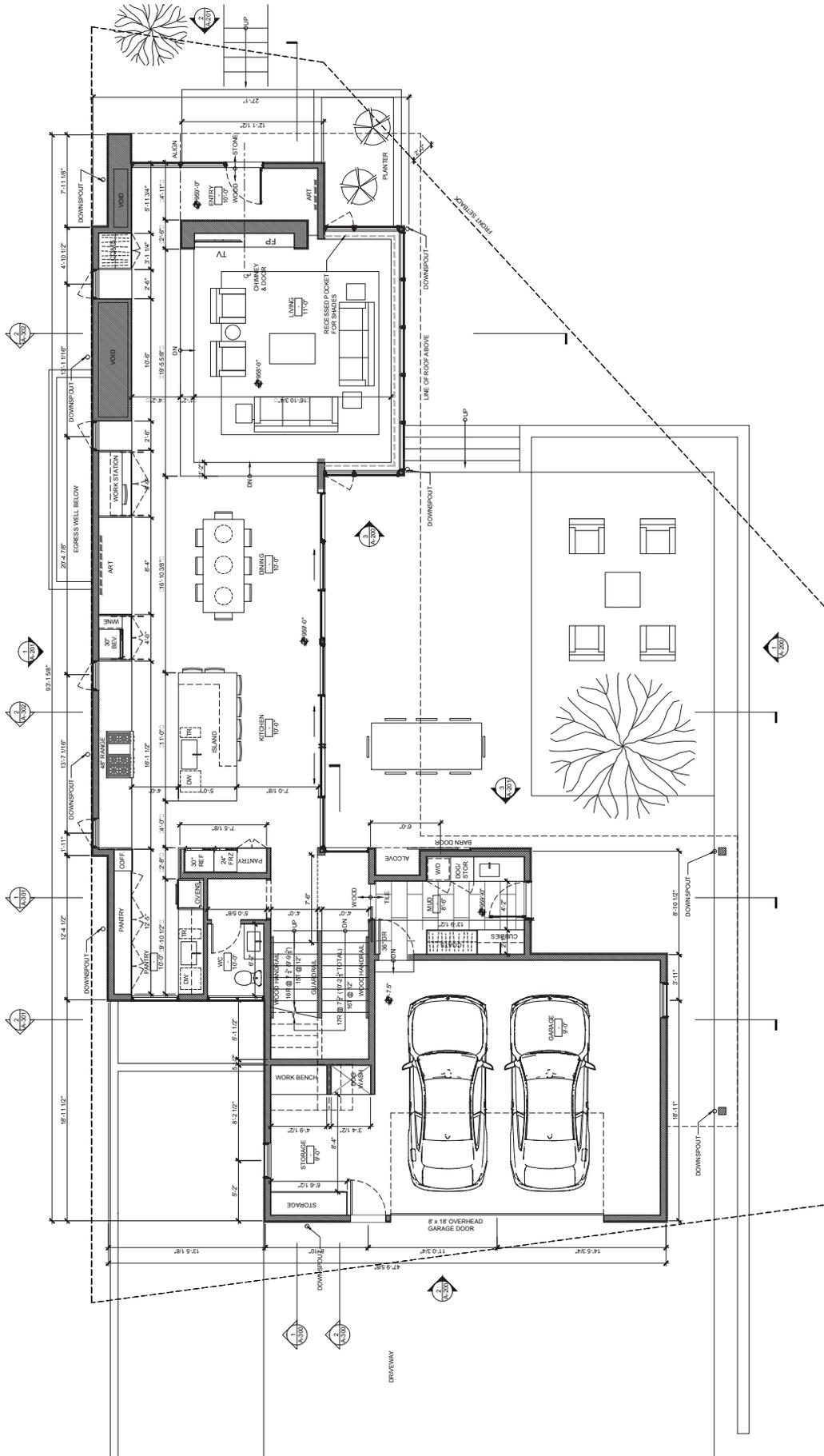
NOT FOR CONSTRUCTION



1 LOWER FLOOR PLAN
 SCALE: 1/4" = 1'-0"

DESCRIPTION	DATE
NO. SHEETING	00/00/13
TOTAL SHEETS	00/00/13
NO. DRAWINGS	00/00/13
TOTAL DRAWINGS	00/00/13

A-101
 173 HUNTINGTON AVENUE SOUTH



1 MAIN FLOOR PLAN
 SCALE: 1/8" = 1'-0"

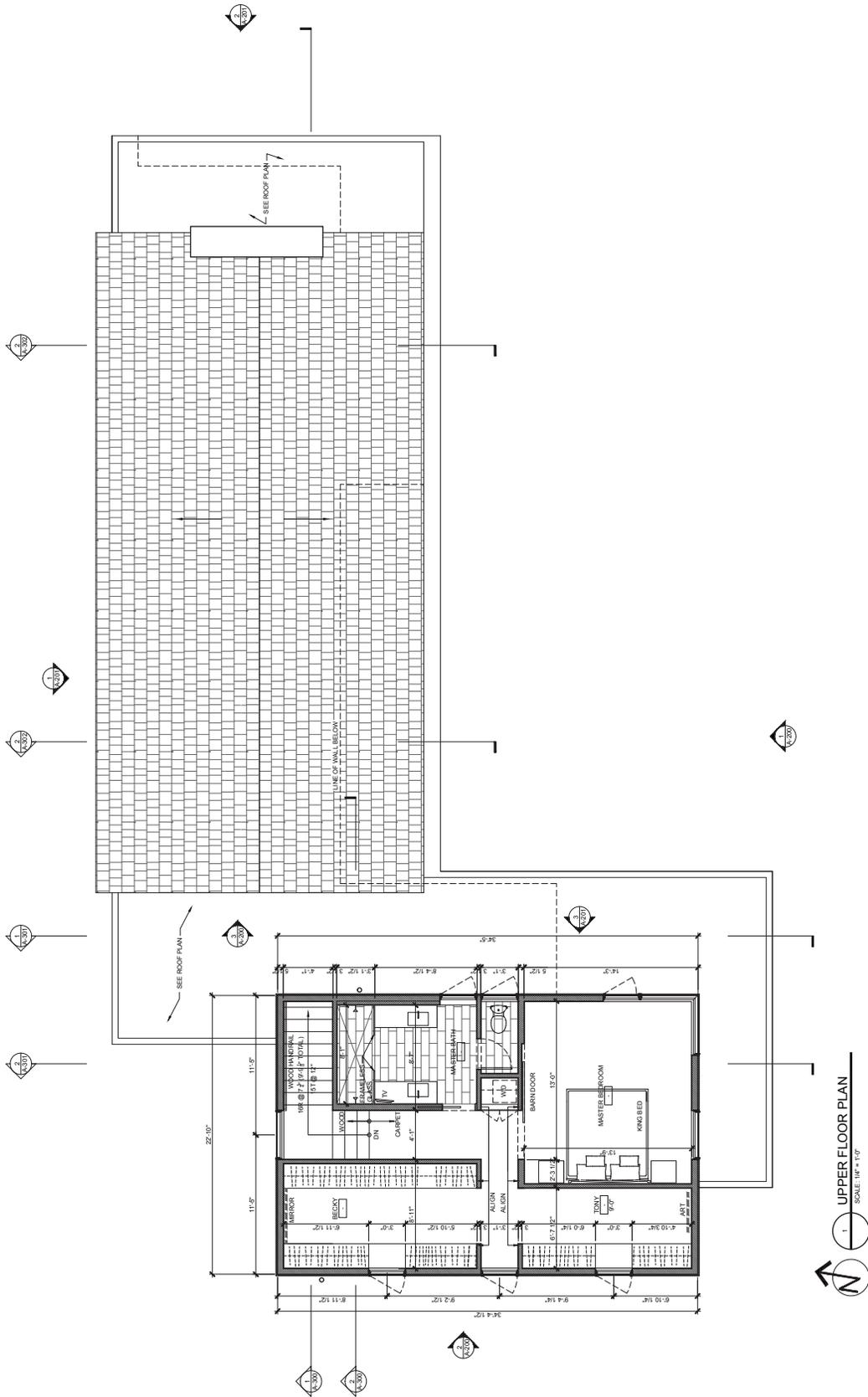
NOT FOR CONSTRUCTION

DESCRIPTION	DATE
NO. SHEETING	01/07/11
NO. REVISIONS	00/00/00
NO. CIRCLES	00/00/00
NO. DIMENSIONS	00/00/00
NO. NOTES	00/00/00
NO. SCHEDULES	00/00/00
NO. TABLES	00/00/00
NO. LEGENDS	00/00/00
NO. INDEXES	00/00/00
NO. TITLES	00/00/00

A-102

173 HUNTINGTON AVENUE SOUTH

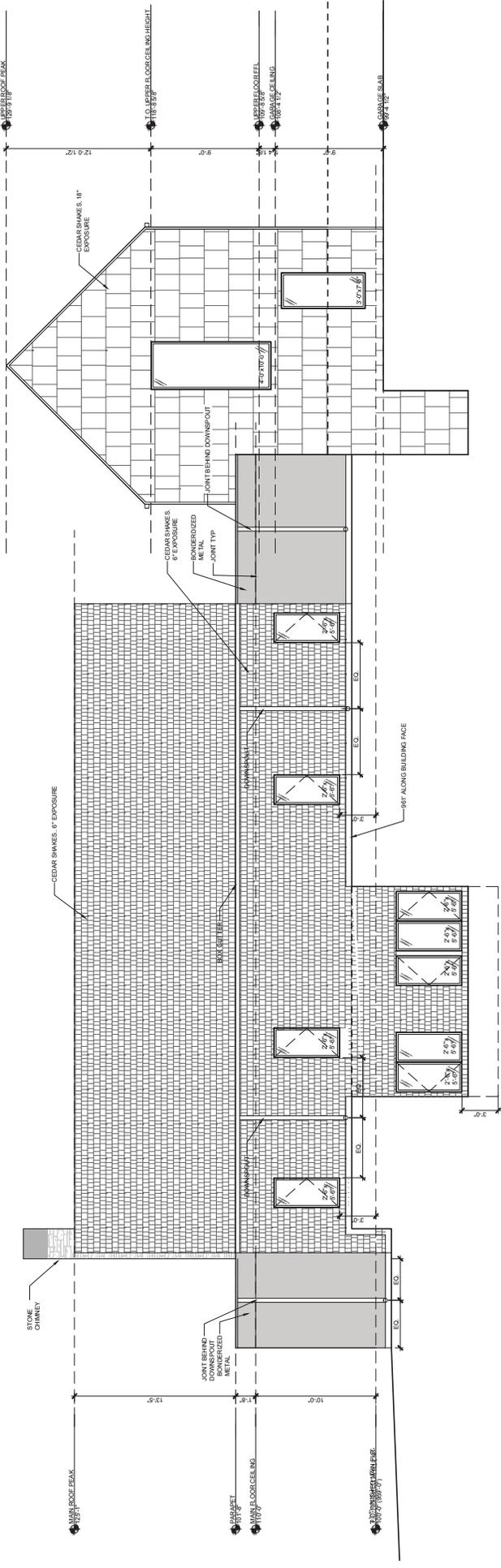
NOT FOR CONSTRUCTION



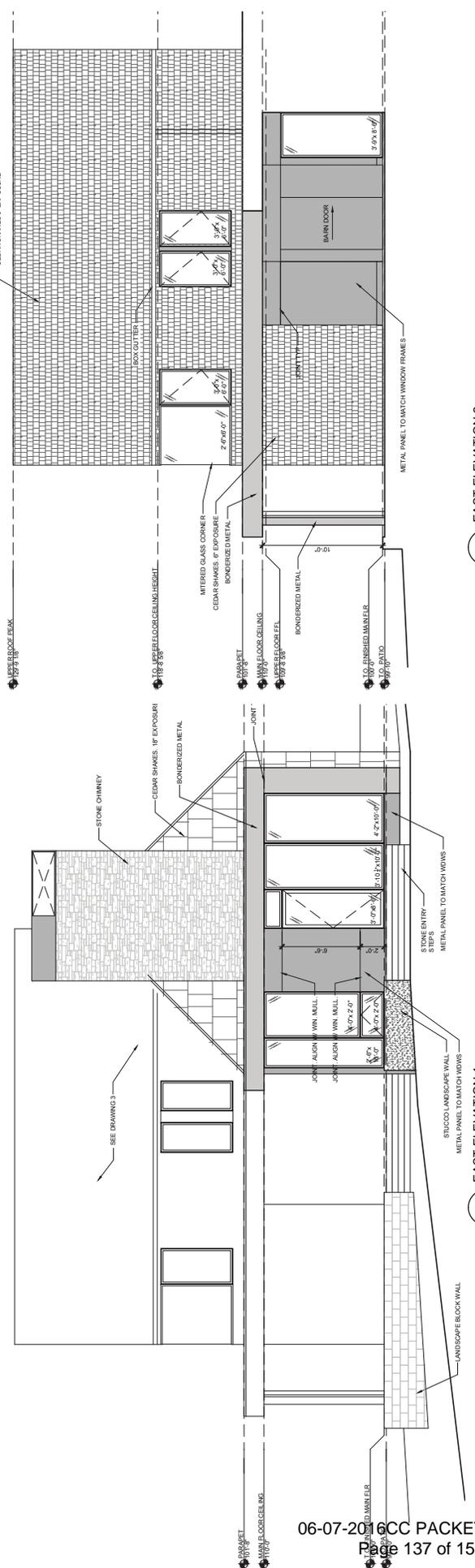
NO.	DESCRIPTION	DATE
01	ISSUED FOR PERMITS	03/11/16
02	ISSUED FOR PERMITS	03/11/16
03	ISSUED FOR PERMITS	03/11/16
04	ISSUED FOR PERMITS	03/11/16
05	ISSUED FOR PERMITS	03/11/16
06	ISSUED FOR PERMITS	03/11/16
07	ISSUED FOR PERMITS	03/11/16
08	ISSUED FOR PERMITS	03/11/16
09	ISSUED FOR PERMITS	03/11/16
10	ISSUED FOR PERMITS	03/11/16
11	ISSUED FOR PERMITS	03/11/16
12	ISSUED FOR PERMITS	03/11/16
13	ISSUED FOR PERMITS	03/11/16
14	ISSUED FOR PERMITS	03/11/16
15	ISSUED FOR PERMITS	03/11/16
16	ISSUED FOR PERMITS	03/11/16
17	ISSUED FOR PERMITS	03/11/16
18	ISSUED FOR PERMITS	03/11/16
19	ISSUED FOR PERMITS	03/11/16
20	ISSUED FOR PERMITS	03/11/16

A-201
 3 EAST ELEVATION 2
 SCALE: 1/4" = 1'-0"

NOT FOR CONSTRUCTION

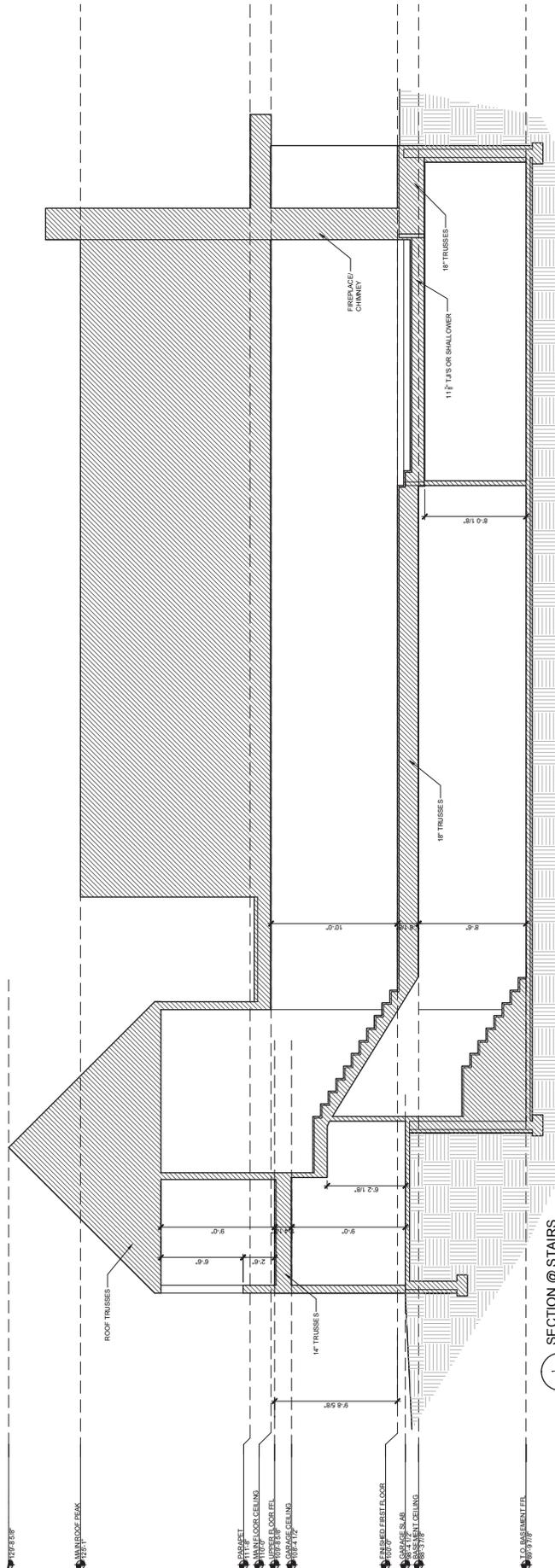


1 NORTH ELEVATION
 SCALE: 1/4" = 1'-0"

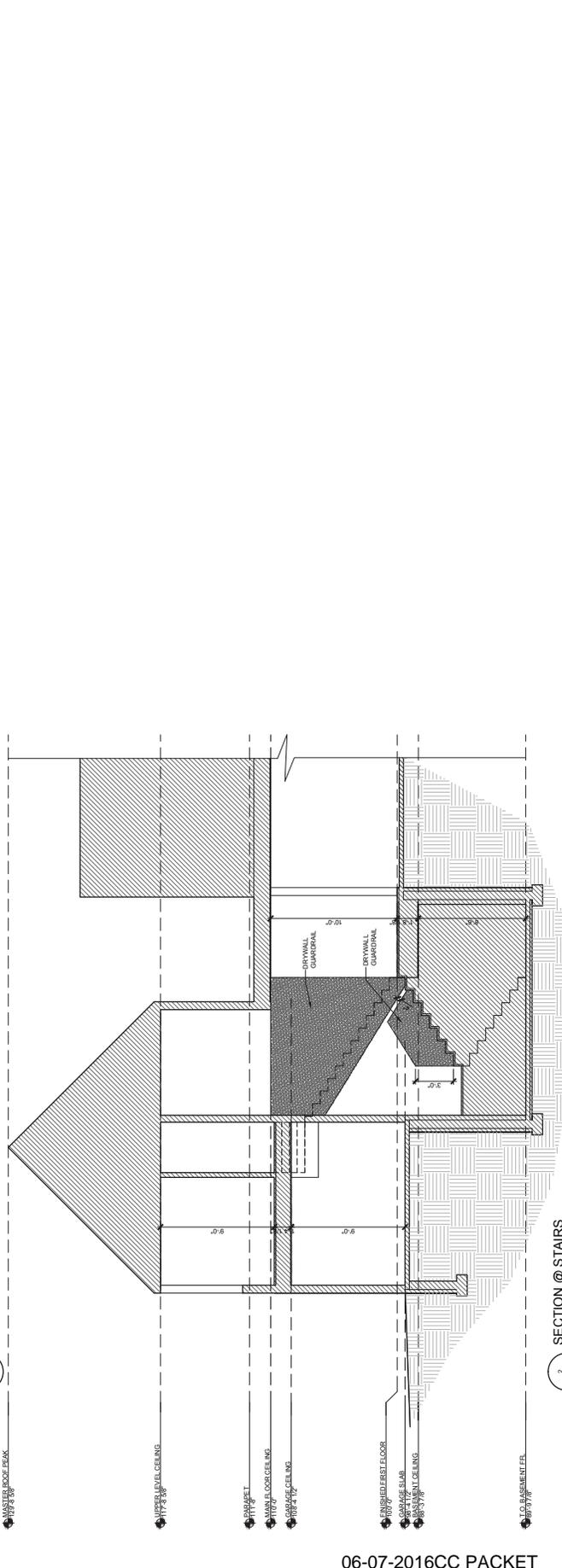


2 EAST ELEVATION 2
 SCALE: 1/4" = 1'-0"

DESCRIPTION	DATE
NO. 001	03/07/13
NO. 002	03/07/13
NO. 003	03/07/13
NO. 004	03/07/13
NO. 005	03/07/13
NO. 006	03/07/13
NO. 007	03/07/13
NO. 008	03/07/13
NO. 009	03/07/13
NO. 010	03/07/13
NO. 011	03/07/13
NO. 012	03/07/13
NO. 013	03/07/13
NO. 014	03/07/13
NO. 015	03/07/13
NO. 016	03/07/13
NO. 017	03/07/13
NO. 018	03/07/13
NO. 019	03/07/13
NO. 020	03/07/13



1 SECTION @ STAIRS
 SCALE 1/4" = 1'-0"

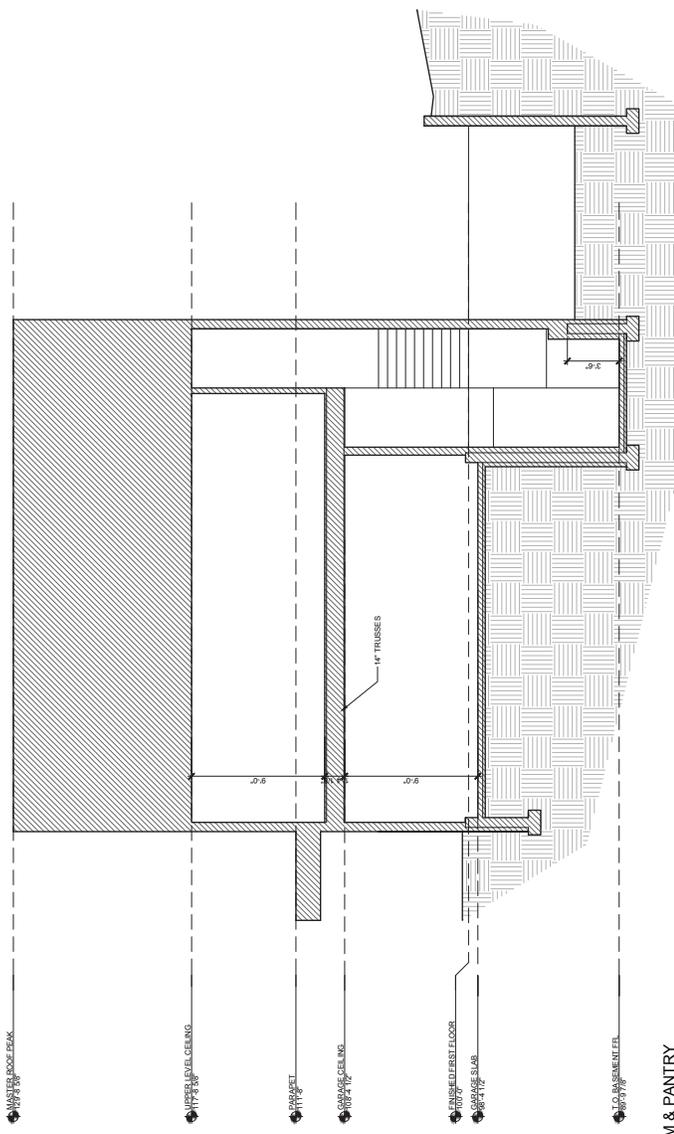


2 SECTION @ STAIRS
 SCALE 1/4" = 1'-0"

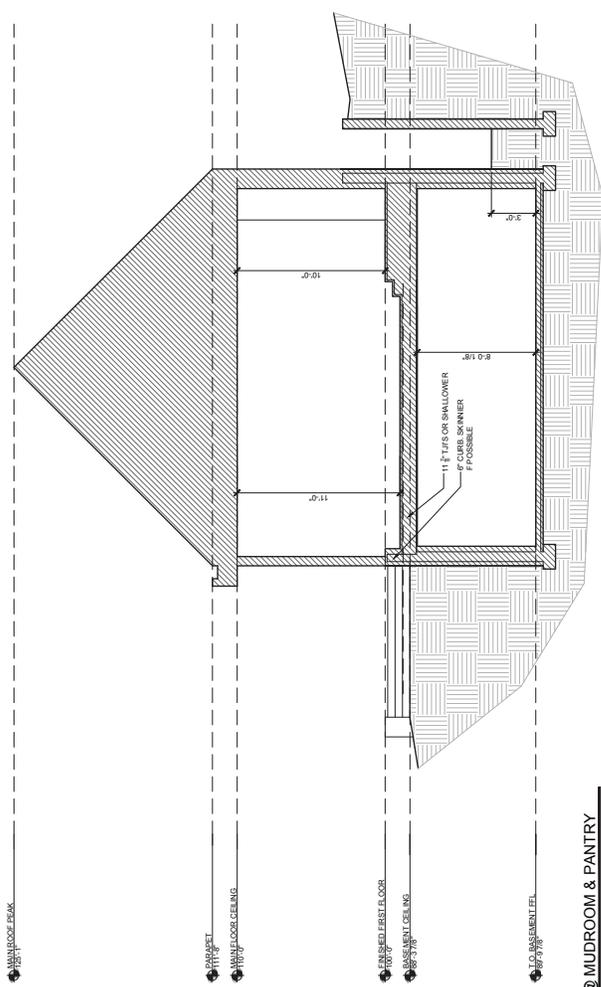
NOT FOR CONSTRUCTION

DESCRIPTION	DATE
NO. 001	02/07/15
NO. 002	03/02/15
NO. 003	03/02/15
NO. 004	03/02/15
NO. 005	03/02/15
NO. 006	03/02/15
NO. 007	03/02/15
NO. 008	03/02/15
NO. 009	03/02/15
NO. 010	03/02/15
NO. 011	03/02/15
NO. 012	03/02/15
NO. 013	03/02/15
NO. 014	03/02/15
NO. 015	03/02/15
NO. 016	03/02/15
NO. 017	03/02/15
NO. 018	03/02/15
NO. 019	03/02/15
NO. 020	03/02/15

A-301
 173 HUNTINGTON AVENUE SOUTH
 WAYZATA MINNESOTA



1 SECTION @ MUDROOM & PANTRY
 SCALE: 1/4" = 1'-0"



1 SECTION @ MUDROOM & PANTRY
 SCALE: 1/4" = 1'-0"

NOT FOR CONSTRUCTION



FRONT YARD



FRONT ENTRY



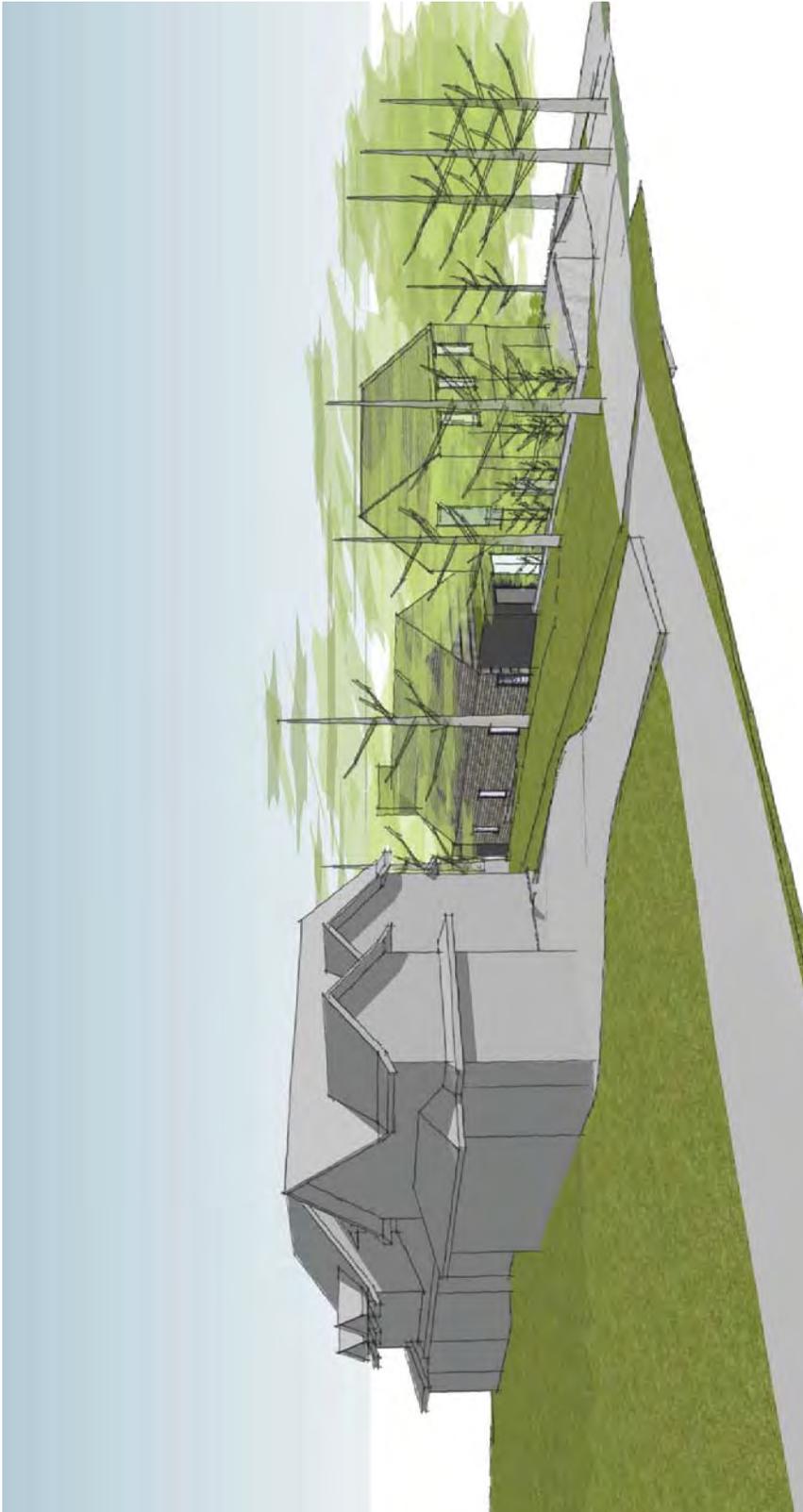
APPROACH UP ALLEY



AERIAL VIEW



AERIAL VIEW OF SITE



VIEW SHOWING MASSING RELATIVE TO NEIGHBOR



PROPOSED MASSING NESTLED INTO HILL

WAYZATA PLANNING COMMISSION
DRAFT MEETING MINUTES
MAY 16, 2016

AGENDA ITEM 1. Call to Order and Roll Call

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

Present at roll call were Commissioners: Young, Gruber, Gonzalez, Iverson, Murray and Flannigan. Absent and excused: Commissioner Gnos. City Planner Jeff Thomson and City Attorney David Schelzel were also present.

AGENDA ITEM 2. Approval of Agenda

Commissioner Murray made a motion, Seconded by Commissioner Gruber to approve the May 16, 2016 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Approval of Minutes:

a.) Approval of April 18, 2016 Planning Commission Minutes

Commissioner Gonzalez stated on page 5, line 5, change "Gonzales" to "Gonzalez".

Commissioner Gruber made a motion, Seconded by Commissioner Gonzalez to approve the April 18, 2016 meeting minutes as amended. The motion carried unanimously.

Commissioner Gonzalez stated the Fire Department is having their annual meeting for the group Second Call. The money that is raised at this event goes to purchase lifesaving equipment.

AGENDA ITEM 4. New Business Items:

a.) Welter Residence – 181 Huntington Avenue S

i. Review of preliminary house plans

Mr. Thomson stated the applicants have submitted building plans for construction of a new home at 181 Huntington Avenue South. The proposed plans include construction of a 2-story home on the property. He reviewed the background of the two (2) lot single-family residential subdivision. The plans submitted with the application include detailed elevations and floor plans for the new home on Lot 2 and the proposed house would meet the setback, lot coverage, impervious surface, and height requirements of the R-3A District. He reviewed the Grading Plan and Tree Inventory including the preservation of the four (4) large trees on the southwest corner of the property, three (3) oak trees, and a maple tree.

1
2 Commissioner Gonzalez asked if there was a Storm Water Runoff Plan included with the
3 application and if the City Engineer has had any comments on the project pertaining to the storm
4 water runoff.

5
6 Mr. Thomson stated the City Engineer did review all of the plans including the Grading Plan.
7 There is not stormwater management included in the proposal because it is not required by City
8 Code because it is outside of the Shoreland District. The applicant is not requesting credit for
9 impervious surface and the City does not require stormwater management for a single family
10 home.

11
12 Commissioner Gonzalez stated they do request a storm water management plan as part of a
13 subdivision especially when adjacent properties may be affected. She requested the City
14 Engineer review the plans to determine if there are any measures that could be taken to reduce
15 potential impacts on the neighboring properties.

16
17 Mr. Thomson clarified the Commission is looking for additional information on the grading and
18 drainage for the property, and not a storm water management plan.

19
20 Chair Iverson stated landscaping may be a way to assist with keeping stormwater on the property
21 so it does not affect the neighboring properties.

22
23 Mr. Bill Costello, Elevation Homes, 18312 Minnetonka Blvd., Wayzata, stated the site is unique
24 in that it has never been built on and they worked with the current property owner and the
25 existing grading. The main level of the home would be 3-feet lower than the adjacent grading.
26 He explained most of the roof runoff would go into catch basins and the terrace will be sand to
27 accommodate the water runoff. They would develop a full landscape plan as they move through
28 the project.

29
30 Commissioner Gonzalez stated there are 10 significant trees being removed and she asked the
31 applicant to do what they could to preserve the remaining trees. She asked if there was a plan to
32 replace the trees being removed and if so what would be planted and where would it be planted.

33
34 Mr. Costello stated they would be meeting with the City Forester to review the health of the trees
35 that would remain and based on these findings the applicant would be adding a row of quaking
36 aspen, two rows of white birch, and potentially additional trees in the southwest corner.

37
38 Commissioner Gonzalez encouraged the applicant to plant trees that are native to the area.

39
40 Chair Iverson stated she would like to see a tree preservation plan. She clarified based on what
41 the City Forester finds when he does his inspection it is possible that all of the trees could be
42 removed from the property. She asked what the City can do to have accurate information to
43 determine the exact number of trees that would be removed. The developer is required to fill out
44 a tree removal permit and this requires the designation of all diseased and damaged trees as well
45 as all the materials to be planted and replacement trees indicating size, species, and methods of
46 planting. This information should be included for the City Council when they consider the

1 application. She stated there were several trees on the property that were not indicated on the
2 proposed plan.

3
4 Mr. Costello stated they would get an updated survey for the City.

5
6 Chair Iverson stated the City Ordinance states that the developer or applicant would do what was
7 necessary to preserve as many trees as possible on the property. She asked if all the trees were
8 removed if the City or Commission could review where the house footprint would be. There are
9 no trees left in this area. She stated it is important that the applicant provides a good landscaping
10 plan. She stated there was a lot of glass along the front of the home. She asked if the applicant
11 had concerns about privacy.

12
13 Mr. Costello stated they were not concerned about privacy. He stated he would provide a more
14 formulated landscape plan for the City and Commission.

15
16 Commissioner Flannigan asked what the material would be for the patio and what the green roof
17 was.

18
19 Mr. Costello stated the patio would be cut concrete and the green roof was a flat roof and they
20 are constructing it so that the applicant can add it later.

21
22 Commissioner Flannigan stated the scale of the home fits with the neighborhood and it seems
23 this is the best design for this lot.

24
25 Commissioner Gonzalez asked what the building materials would be and if the applicant had
26 samples to show the Commission.

27
28 Mr. Costello stated they would be using cedar shake as the primary building material, the
29 chimney would be stone and the flat portion of the roof would be treated metal.

30
31 Chair Iverson requested the applicant provide information on how they intended to preserve the
32 remaining trees on the property.

33
34 Mr. Costello stated this information would be included with the building set.

35
36 Chair Iverson asked for any public comments. There was no one wishing to provide comments
37 on the application.

38
39 Commissioner Young stated he fully supports this plan because the design of the home fits the
40 property and neighborhood and the owner's intent is to preserve as many trees as possible.

41
42 Commissioner Gruber stated she would agree with Commissioner Young.

43
44 Commissioner Gonzalez stated she is disappointed about the number of trees that would be
45 removed from the site but she recommended the Commission add a condition of approval that

1 the grading within the drip line of the trees that would be preserved on the southwest corner of
2 the property must be reviewed and approved by the City Engineer.

3
4 Commissioner Flannigan stated he would also support the project.

5
6 Chair Iverson stated she would like to see a condition for approval added that a landscape plan is
7 included.

8
9 Commissioner Gonzalez made a motion, Seconded by Commissioner Murray to recommend the
10 Applicant include with the application to the City Council a grading and drainage plan and a
11 landscape plan, and recommend approval of the preliminary house plans for 181 Huntington
12 Avenue S. based on the finding that the design meets the standards of City Code Section
13 805.14.E, and satisfies the condition of Resolution No 06-2016 approving the Huntington
14 Heights subdivision. The motion carried unanimously.

15
16
17 **AGENDA ITEM 5. Public Hearing Items:**

18
19 **a.) Holdridge Homes – 1407 and unaddressed parcel on Holdridge Terrace**

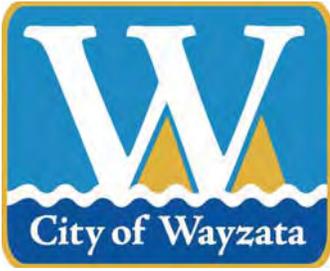
20 **i. PUD Rezoning, Concurrent PUD Concept Plan and General Plan of**
21 **Development, Preliminary Plat**

22
23 Mr. Thomson stated the applicant and property owner, Lake West Development, LLC, has
24 submitted a development application requesting rezoning from R-2/Medium Density Single
25 Family Residential to PUD/Planned Unit Development, Concurrent PUD Concept Plan and
26 General Plan of Development approval, and preliminary plat review to subdivide the properties
27 at 1407 Holdridge Terrace and an unaddressed parcel on Holdridge Terrace for a six (6) lot
28 single-family residential development. He reviewed the property background including previous
29 development plans. He reviewed the information the Planning Commission had previously
30 requested including lot coverage, building height and size of homes, value of homes, building
31 materials, wetland buffers, grading and drainage plan, and tree preservation plan. He explained
32 through the PUD the applicant was requesting to reduce the front yard setback, reduce the lot
33 width requirement, and reduce the side yard setback.

34
35 Commissioner Gonzalez asked if the homes on the outsides of the subdivision meet the setback
36 requirements for the R2 District. She asked if the applicant should have a variance application
37 for the front yard setback because this would not meet the periphery or outside boundaries
38 requirement for the development.

39
40 Mr. Thomson explained the front yard setback for the periphery or outside boundaries of the
41 entire development would be less than the PUD requires and it could be interpreted that a
42 variance would be required because they are not meeting this requirement with the front yard
43 setbacks.

44
45 Chair Iverson stated the application is incomplete because the height for the homes is not
46 specified, there is no data on lot coverage, and there is not a complete landscaping plan.



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

Director of Public Service
David Dudinsky

City Engineer/Asst. Public Works Director
Mike Kelly

Public Works Superintendent
Jim Eibensteiner

Public Works Secretary/Utility Billing Clerk
Rebecca Jones

To: City Council
From: Public Works Department
Date: June 2, 2016
Re: MCES Shoreline Drive project - 2017

On March 2, 2016, the Wayzata City Council met with representatives of the Metropolitan Council Environmental Services (MCES) division to discuss the status of the proposed work on Shoreline Drive in Wayzata.

At that workshop, the City Council, staff, and MCES representatives discussed the proposed sewer force main improvements on Shoreline Drive, in Wayzata, originally proposed to be constructed beginning in June of 2016. MCES stated that they are proposing to delay the project until 2017 to eliminate conflicts with the on-going Bushaway Road construction. MCES representatives also presented several options which had been evaluated for the Wayzata portion of the project. The options included: installation of a dual force main, tunneling in the existing alignment, moving the pipe to the north side of Shoreline Drive, routing the pipe on to Peavey Lane, and keeping the previously proposed alignment. MCES discussed the pros and cons of each option and prefers to keep the existing alignment. MCES explained that the work is proposed to be completed within a 12-week timeframe, using three crews. Council and MCES also discussed the proposed timing of the project and determined three potential start dates; April, June, and August. The majority of the Council favored an August start date but, requested input from both the Wayzata Chamber and Blake School before making a final determination.

The Council agreed with delaying the project to 2017 and asked MCES to solicit input from both the Wayzata Chamber and Blake School regarding the proposed start date for the project.

At this time, MCES can provide the following input for the City Council's consideration:

Chamber of Commerce input

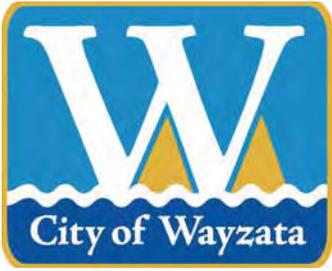
- Chamber received responses from about 40 businesses
- Very close between April-July option and August-October option (just a few more for Aug-Oct)
- Asked for additional evaluation of 101/394 intersection for detour routing

Blake School input

- No preference for a starting date, same amount of traffic during summer school as during regular school year
- Want a few weeks' notice before closure of Shoreline so they can put up signs and notify their community

MCES input

- Current contractor is willing to extend contract to 2017
- Current contractor wants to perform work in the spring (May – July), or as early as possible
- Confirmed bus routes would not be affected for the Orono and Wayzata School Districts



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

Director of Public Service
David Dudinsky

City Engineer/Asst. Public Works Director
Mike Kelly

Public Works Superintendent
Jim Eibensteiner

Public Works Secretary/Utility Billing Clerk
Rebecca Jones

- MCES has gathered existing traffic data from Hennepin County/MNDOT and will generate a memo on what they believe the impacts on the intersection will be and propose traffic management options for mitigating impacts, if necessary

MCES has also informed Wayzata Public Works that, if the City Council elects to have the work performed in the fall of 2017 (August-October), the project would likely have to be rebid, due to costs.

The Public Works Department, after evaluating the input above, recommends that the work be performed in the Spring of 2017 (May- July) and that the contractor be allowed to begin work as soon as weather and road restrictions permit. PW staff prefers construction in the spring over the fall simply for flexibility. If for some reason something unforeseen occurs, it can be dealt with in a timely fashion without being up against winter weather.

Staff asks that the City Council consider authorizing MCES and their contractor to perform their work on Shoreline Drive as soon as possible in the spring of 2017.