

WAYZATA CITY COUNCIL SPECIAL MEETING AGENDA

Wayzata City Hall Community Room, 600 Rice Street

Tuesday, June 14, 2016

4:15 PM Dinner Available for Wayzata City Council - Conference Room

WORKSHOP TOPIC FOR DISCUSSION:

- 1. City Council and Lake Effect Joint Workshop on City/Conservancy Partnership Agreement (4:45 PM)**

6:00 PM - CITY COUNCIL SPECIAL 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 Check Register								
b.	Municipal Licenses Which Received Administrative Approval (Informational Only)								
c.	Building Activity Report								
d.	Approval of Resolution No. 16-2016 Appointing Absentee Ballot Board Election Judges for the 2016 Elections								
e.	Approval of Second Reading of Ordinance #759 Amending Official Zoning Map to Rezone Property to PUD & R-1 Residential @ 2030 Wayzata Blvd.								
6	New Business								
a.	Consider Resolution No. 18-2016 Approving Impervious Surface Variance at 426 Ferndale Rd S	Thomson							13
b.	Consider Resolution No. 19-2016 Approving Impervious Surface Variance at 353 Park Street E	Thomson							30
c.	Consider Resolution No. 17-2016 In Support of World Expo in 2023	Dahl							44
7	City Manager's Report and Discussion Items								
8	Public Forum (as necessary)								
9	Adjournment								

WORKSHOP TOPIC FOR DISCUSSION:

- 1. Speed Hump Discussion and Recommendations (Immediately following the City Council Special Meeting - Approximately 7:00 PM)**

Meeting Rules of Conduct:

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

Upcoming Meetings:

- City Council - July 5 & 19, 2016
- Planning Commission - June 20 & WEDNESDAY July 6, 2016

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

***Check Detail Register©**

June 2016

			Check Amt	Invoice	Comment
10100 Anchor Bank					
Paid Chk#	102651	6/7/2016	ABSOLUTE MECHANICAL		
E 101-41940-404	Repairs/Maint - Machin/Equip		\$446.00	6541	PD A/C REPAIRS
	Total ABSOLUTE MECHANICAL		\$446.00		
Paid Chk#	102652	6/7/2016	AEM FINANCIAL SOLUTIONS		
E 640-48000-301	Auditing and Acct g Services		\$2,291.66	368203	MONTHLY FINANCE DIR.SERVICES
E 640-47000-301	Auditing and Acct g Services		\$2,291.67	368203	MONTHLY FINANCE DIR.SERVICES
	Total AEM FINANCIAL SOLUTIONS		\$4,583.33		
Paid Chk#	102653	6/7/2016	AIRTECH		
E 437-40000-404	Repairs/Maint - Machin/Equip		\$806.45	25987	LIBRARY A/C REPAIRS
	Total AIRTECH		\$806.45		
Paid Chk#	102654	6/7/2016	AMPLATZ, CAROLINE		
R 610-00000-37110	W/S/Storm Sales		\$49.07	REFUND	OVERPAYMENT ON FINAL UTILITY BILL
	Total AMPLATZ, CAROLINE		\$49.07		
Paid Chk#	102655	6/7/2016	AT&T MOBILITY		
E 101-41940-321	Telephone		\$119.14	287250008232	CELL PHONE SERVICE
	Total AT&T MOBILITY		\$119.14		
Paid Chk#	102656	6/7/2016	BERRY COFFEE COMPANY		
E 101-42200-499	Miscellaneous		\$90.11	RENT33742	FD EQUIP.RENTAL
	Total BERRY COFFEE COMPANY		\$90.11		
Paid Chk#	102657	6/7/2016	BLOOMQUIST, RICK		
E 640-48000-341	General Promotions		\$300.00	6/30/16	BAR MUSIC 6/30/16
	Total BLOOMQUIST, RICK		\$300.00		
Paid Chk#	102658	6/7/2016	CANDELL, SUZANNE		
R 101-00000-32290	Misc Permits		\$16.00	REFUND	NO PARKING SIGNS - REFUND
	Total CANDELL, SUZANNE		\$16.00		
Paid Chk#	102659	6/7/2016	CASH - ANCHOR BANK		
E 101-43100-331	Mileage & Expense Account		\$42.25		PW PETTY CASH REPLENISHED
E 610-40000-322	Postage		\$3.40		PW PETTY CASH REPLENISHED
	Total CASH - ANCHOR BANK		\$45.65		
Paid Chk#	102660	6/7/2016	CENTERPOINT ENERGY		
E 610-40000-383	Fuel, oil and natural gas		\$30.60		SERVICE
E 101-42200-383	Fuel, oil and natural gas		\$86.10		SERVICE
E 101-41940-383	Fuel, oil and natural gas		\$10.52		SERVICE
E 640-47000-383	Fuel, oil and natural gas		\$153.28		SERVICE
E 101-41940-383	Fuel, oil and natural gas		\$674.63		SERVICE
E 640-48000-383	Fuel, oil and natural gas		\$613.11		SERVICE
	Total CENTERPOINT ENERGY		\$1,568.24		
Paid Chk#	102661	6/7/2016	CULLIGAN-BOTTLED WATER		
E 101-41940-210	Operating Supplies (GENERAL)		\$71.72	1993851	SUPPLIES
	Total CULLIGAN-BOTTLED WATER		\$71.72		
Paid Chk#	102662	6/7/2016	CULLIGAN-METRO		
E 640-48500-210	Operating Supplies (GENERAL)		\$96.06	1113676	SUPPLIES
	Total CULLIGAN-METRO		\$96.06		
Paid Chk#	102663	6/7/2016	DAY MAINTENANCE & CONSTRUCTION		
E 408-40000-520	Buildings and Structures		\$3,500.00	11303	PD PAINTED

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June 2016

			Check Amt	Invoice	Comment
total DAY MAINTENANCE & CONSTRUCTION			\$3,500.00		
Paid Chk#	102664	6/7/2016	ECM PUBLISHERS, INC.		
E	101-41500-350	Printing & Publishing	\$46.00	355806	426 FERNDALE RD S
E	101-41500-350	Printing & Publishing	\$63.25	355807	REZONE/PUD
E	101-41500-350	Printing & Publishing	\$51.75	355808	353 PARK STREET
E	101-41500-350	Printing & Publishing	\$1.20	413065	FEE
Total ECM PUBLISHERS, INC.			\$162.20		
Paid Chk#	102665	6/7/2016	EXCEL DOCUMENT MGMT.		
E	101-41500-200	Office Supplies (GENERAL)	\$43.90	42616	BUS.CARDS - DAHL
Total EXCEL DOCUMENT MGMT.			\$43.90		
Paid Chk#	102666	6/7/2016	FERGUSON WATERWORKS		
E	610-40000-225	Repair & Maint - System	\$143.05	0191528	PARTS
Total FERGUSON WATERWORKS			\$143.05		
Paid Chk#	102667	6/7/2016	HENN.CNTY.ACCTG.SERVICES		
E	101-42120-308	Prisoner Care	\$75.00	1000077324	PRISONER PROCESSING
Total HENN.CNTY.ACCTG.SERVICES			\$75.00		
Paid Chk#	102668	6/7/2016	HENNEPIN COUNTY TAX SERVICES		
E	101-41500-433	Dues, Licensing & Seminars	\$225.50	0616-99	SPECIAL ASSESSMENT SEARCHES
Total HENNEPIN COUNTY TAX SERVICES			\$225.50		
Paid Chk#	102669	6/7/2016	HENNEPIN COUNTY TREASURER		
G	650-20818	Garbage Sales Tax	\$1,376.38	9%REFUSE T	9% REFUSE TAX - MAY 2016
Total HENNEPIN COUNTY TREASURER			\$1,376.38		
Paid Chk#	102670	6/7/2016	HERITAGE SHADE TREE CONSULTANT		
E	404-40000-302	Consultants	\$2,271.25	5542	URBAN FORESTRY CONSULTING
total HERITAGE SHADE TREE CONSULTANT			\$2,271.25		
Paid Chk#	102671	6/7/2016	HOLIDAY		
E	640-48000-331	Mileage & Expense Account	\$22.06		FUEL
E	101-42100-210	Operating Supplies (GENERAL)	\$19.28		PD SUPPLIES
Total HOLIDAY			\$41.34		
Paid Chk#	102672	6/7/2016	ISRAEL, DAN		
E	640-48000-341	General Promotions	\$200.00	6/16/16	BAR MUSIC 6/16/16
Total ISRAEL, DAN			\$200.00		
Paid Chk#	102673	6/7/2016	JORGENSEN, KURT		
E	640-48000-341	General Promotions	\$250.00	6/8/16	BAR MUSIC 6/8/16
Total JORGENSEN, KURT			\$250.00		
Paid Chk#	102674	6/7/2016	JORGENSEN, KURT		
E	640-48000-341	General Promotions	\$250.00	6/15/16	BAR MUSIC 6/15/16
Total JORGENSEN, KURT			\$250.00		
Paid Chk#	102675	6/7/2016	JORGENSEN, KURT		
E	640-48000-341	General Promotions	\$250.00	6/22/16	BAR MUSIC 6/22/16
Total JORGENSEN, KURT			\$250.00		
Paid Chk#	102676	6/7/2016	JORGENSEN, KURT		
E	640-48000-341	General Promotions	\$250.00	6/29/16	BAR MUSIC 6/29/16
Total JORGENSEN, KURT			\$250.00		
Paid Chk#	102677	6/7/2016	KOTTKE, DAVID		

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			Check Amt	Invoice	Comment
E 640-48000-341	General Promotions		\$300.00	6/23/16	BAR MUSIC 6/23/16
Total KOTTKE, DAVID			\$300.00		
Paid Chk# 102678	6/7/2016	LOFFLER COMPANIES, INC.			
E 101-41500-311	Data Processing		\$2,870.00	2251155	NETWORK SUPPORT
Total LOFFLER COMPANIES, INC.			\$2,870.00		
Paid Chk# 102679	6/7/2016	LONG LAKE TRU VALUE			
E 101-41940-210	Operating Supplies (GENERAL)		\$37.16		SUPPLIES
E 620-40000-210	Operating Supplies (GENERAL)		\$61.33		SUPPLIES
E 101-42200-210	Operating Supplies (GENERAL)		\$29.26		SUPPLIES
E 101-43100-210	Operating Supplies (GENERAL)		\$26.46		SUPPLIES
E 101-42100-210	Operating Supplies (GENERAL)		\$3.29		SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)		\$89.34		SUPPLIES
E 101-45200-210	Operating Supplies (GENERAL)		\$122.68		SUPPLIES
Total LONG LAKE TRU VALUE			\$369.52		
Paid Chk# 102680	6/7/2016	MANSFIELD OIL COMPANY			
E 101-49200-212	Motor Fuels		\$1,469.11	445676	FUEL
Total MANSFIELD OIL COMPANY			\$1,469.11		
Paid Chk# 102681	6/7/2016	MARCO			
E 101-41500-433	Dues, Licensing & Seminars		\$1,122.50	INV3370195	SERVICE CONTRACT
E 101-41500-404	Repairs/Maint - Machin/Equip		\$185.00	INV3371286	COPIER REPAIRS
Total MARCO			\$1,307.50		
Paid Chk# 102682	6/7/2016	MARY DELAITTRE			
E 233-40000-302	Consultants		\$9,198.45	6/1/16	LAKE EFFECT
Total MARY DELAITTRE			\$9,198.45		
Paid Chk# 102683	6/7/2016	MCCARTHY, TIMOTHY			
E 101-42100-331	Mileage & Expense Account		\$21.06	REIMB.	MILEAGE & MEAL
Total MCCARTHY, TIMOTHY			\$21.06		
Paid Chk# 102684	6/7/2016	METERING & TECHNOLOGY SOLUTION			
G 610-14100	Inventory of Material/Supply		\$1,888.75	6448	WATER METERS
G 620-14100	Inventory of Material/Supply		\$1,888.75	6448	WATER METERS
Total METERING & TECHNOLOGY SOLUTION			\$3,777.50		
Paid Chk# 102685	6/7/2016	METROPOLITAN COUNCIL			
E 620-40000-386	Other Utilities		\$37,744.23	0001056581	SEWER SERVICE
Total METROPOLITAN COUNCIL			\$37,744.23		
Paid Chk# 102686	6/7/2016	METROPOLITAN COUNCIL			
E 620-40000-313	Permit Fees/Gopher State		\$4,970.00	MAY 2016	SAC FEES
R 101-00000-34190	Charges for Services/Gen Gov		(\$74.55)	MAY 2016	SAC FEES
G 101-20831	MWCC (SAC)		\$2,485.00	MAY 2016	SAC FEES
Total METROPOLITAN COUNCIL			\$7,380.45		
Paid Chk# 102687	6/7/2016	MINNESOTA EQUIPMENT			
E 101-45200-222	Repair & Maint - Equip		\$76.57	P43992	PARTS
E 101-45200-222	Repair & Maint - Equip		\$1.58	P43993	PARTS
E 101-45200-222	Repair & Maint - Equip		\$36.03	P44006	PARTS
Total MINNESOTA EQUIPMENT			\$114.18		
Paid Chk# 102688	6/7/2016	MN CHILD SUPPORT PAYMENT CENTE			
G 101-21710	County WH		\$235.00	0015104841	WITHHOLDING ORDER
Total MN CHILD SUPPORT PAYMENT CENTE			\$235.00		

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June 2016

			Check Amt	Invoice	Comment
Paid Chk#	102689	6/7/2016	MN NCPERS LIFE INSURANCE		
	G 101-21715	PERA Term Life	\$48.00	6/2016	LIFE INS.-JUNE 2016
	Total	MN NCPERS LIFE INSURANCE	\$48.00		
Paid Chk#	102690	6/7/2016	NAPA AUTO PARTS-WATERTOWN		
	E 101-43100-210	Operating Supplies (GENERAL)	\$23.68	459177	PARTS
	E 101-43100-210	Operating Supplies (GENERAL)	\$89.64	459180	PARTS
	E 101-43100-210	Operating Supplies (GENERAL)	\$13.83	459218	PARTS
	Total	NAPA AUTO PARTS-WATERTOWN	\$127.15		
Paid Chk#	102691	6/7/2016	NELSON AUTO CENTER		
	E 409-42100-550	Vehicles	\$23,325.71	16759	NEW SQUAD
	Total	NELSON AUTO CENTER	\$23,325.71		
Paid Chk#	102692	6/7/2016	OFFICE DEPOT		
	E 101-41940-499	Miscellaneous	\$264.58	841221621001	MICROWAVES
	E 101-41940-499	Miscellaneous	\$169.98	841221887001	CHAIRS
	E 101-41500-200	Office Supplies (GENERAL)	\$77.07	841221888001	SUPPLIES
	E 101-42200-200	Office Supplies (GENERAL)	\$6.82	841221888002	SUPPLIES
	Total	OFFICE DEPOT	\$518.45		
Paid Chk#	102693	6/7/2016	PLUNKETT S PEST CONTROL		
	E 101-42200-499	Miscellaneous	\$291.79	5449565	FD SERVICE
	Total	PLUNKETT S PEST CONTROL	\$291.79		
Paid Chk#	102694	6/7/2016	RASMUSSEN, JENNIFER		
	R 101-00000-32290	Misc Permits	\$24.00	REFUND	NO PARKING SIGNS - REFUND
	Total	RASMUSSEN, JENNIFER	\$24.00		
Paid Chk#	102695	6/7/2016	REYCRAFT, TOM		
	E 640-48000-341	General Promotions	\$300.00	6/9/16	BAR MUSIC 6/9/16
	Total	REYCRAFT, TOM	\$300.00		
Paid Chk#	102696	6/7/2016	SCHANKE, SUZIE		
	E 101-42200-409	Maint services & Improv	\$145.00	MAY 2016	MONTHLY FD CLEANING - MAY 2016
	Total	SCHANKE, SUZIE	\$145.00		
Paid Chk#	102697	6/7/2016	SEALCOATING.COM		
	E 101-43100-240	Small Tools and Minor Equip	\$102.31	1557	TOOLS
	Total	SEALCOATING.COM	\$102.31		
Paid Chk#	102698	6/7/2016	SPRINT		
	E 101-42200-323	Radio Units	\$300.06	523093316-17	FD SERVICE
	Total	SPRINT	\$300.06		
Paid Chk#	102699	6/7/2016	SPRINT		
	E 101-42100-323	Radio Units	\$268.59	134573312-17	PD SERVICE
	Total	SPRINT	\$268.59		
Paid Chk#	102700	6/7/2016	TIME SAVER		
	E 101-41100-302	Consultants	\$812.00	M22137	MTG.MINUTES
	Total	TIME SAVER	\$812.00		
Paid Chk#	102701	6/7/2016	UNIFORMS UNLIMITED		
	E 101-42100-217	Uniforms	\$81.99	21380-2	PD UNIFORMS
	Total	UNIFORMS UNLIMITED	\$81.99		
Paid Chk#	102702	6/7/2016	US BANK		
	E 610-49100-621	Fiscal Agent s Fees	\$100.00	4306623	AGENT FEES

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June 2016

			Check Amt	Invoice	Comment
E 430-40000-621	Fiscal Agent s Fees		\$100.00	4306625	AGENT FEES
	Total US BANK		\$200.00		
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Paid Chk# 102703	6/7/2016	USA BLUE BOOK			
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$419.95	960349	PARTS
	Total USA BLUE BOOK		\$419.95		
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Paid Chk# 102704	6/7/2016	VAN PAPER COMPANY			
E 101-41500-200	Office Supplies (GENERAL)		\$85.96	387616-00	SUPPLIES
	Total VAN PAPER COMPANY		\$85.96		
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Paid Chk# 102705	6/7/2016	VANDERHEIDEN, ROBERT			
E 101-42100-331	Mileage & Expense Account		\$46.57	REIMB.	MILEAGE & MEALS
	Total VANDERHEIDEN, ROBERT		\$46.57		
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Paid Chk# 102706	6/7/2016	XCEL ENERGY			
E 101-41940-381	Electric Utilities		\$11.42		SERVICE
E 101-45203-381	Electric Utilities		\$342.78		SERVICE
E 101-41940-381	Electric Utilities		\$4,558.41		SERVICE
E 101-42200-381	Electric Utilities		\$351.90		SERVICE
E 610-40000-381	Electric Utilities		\$5,721.04		SERVICE
E 640-47000-381	Electric Utilities		\$1,281.99		SERVICE
E 640-48000-381	Electric Utilities		\$2,991.31		SERVICE
E 620-40000-381	Electric Utilities		\$1,386.22		SERVICE
	Total XCEL ENERGY		\$16,645.07		
	10100 Anchor Bank		\$125,759.99		

Fund Summary

10100 Anchor Bank	
101 GENERAL FUND	\$19,264.83
233 LAKFRONT IMPROVE	\$9,198.45
404 PARK AND TRAIL CIP	\$2,271.25
408 GENERAL CIP	\$3,500.00
409 EQUIP REVOLVING	\$23,325.71
430 STREET CIP	\$100.00
437 LIBRARY/COMM.ROOM CIP	\$806.45
610 WATER FUND	\$8,025.25
620 SEWER FUND	\$46,050.53
640 LIQUOR	\$11,841.14
650 SOLID WASTE	\$1,376.38
	<hr/>
	\$125,759.99

6/14/2016

THE FOLLOWING 2016 MUNICIPAL LICENSES
WERE APPROVED ADMINISTRATIVELY

2016 Gas Fitter's License	
Kalmes Mechanical, Inc	Andover, MN
Riccar Heating & Air Conditioning	Andover, MN
Special Event/Itinerant Food Licenses WINE ON WAYZATA BAY EVENT On 6/24	
McCormick's Pub and Restaurant	Wayzata, MN
Spasso	Minnetonka, MN
Kips Irish Pub & Restaurant	St. Louis Park, MN
District Restaurant, LLC	Wayzata, MN
Lord Fletcher's	Spring Park, MN
Wayzata Bar & Grill	Wayzata, MN
Jake O'Connor's Public House	Excelsior, MN
Special Event/Itinerant Food Licenses WAYZATA ART EXPERIENCE On 6/25 & 6/26	
Curbside Chicken	Minneapolis, MN
Falafel King	Minneapolis, MN
Firehouse Foods	Mound, MN
MyBurger USA	Minneapolis, MN
Jake's City Grille	Plymouth, MN
WildEarth WoodFired Mobile Pizza Bakery	Minneapolis, MN

2015	2016 Feb	2016 March	2016 April	2016 May	2016
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BUILDING CONSTRUCTION

NUMBER OF BLDG. PERMITS	259	17	13	17	20	84
PROJECT VALUE	\$50,380,054.75	\$1,082,874.45	\$617,445.00	\$37,137,225.83	\$3,301,920.40	\$44,472,320.85
BUILDING PERMIT FEE	\$329,932.64	\$10,373.00	\$7,406.75	\$161,004.75	\$21,697.25	\$217,553.00
PLAN CHECK FEE	\$181,911.71	\$5,913.28	\$3,973.98	\$98,467.75	\$12,449.86	\$131,650.57

EXTERIOR REPAIR

NUMBER OF PERMITS	98	1	2	5	12	20
PROJECT VALUE	\$1,566,840.36	\$30,000.00	\$9,443.00	\$41,366.00	\$228,276.00	\$309,085.00
PERMIT FEE	\$24,942.50	\$466.75	\$250.75	\$811.25	\$3,693.25	\$5,222.00

MECHANICAL

NUMBER OF PERMITS	228	17	17	12	14	70
PROJECT VALUE	\$3,391,980.96	\$586,486.50	\$169,410.25	\$142,437.52	138,775.51	\$1,108,030.48
PERMIT FEE	\$62,881.44	\$9,856.24	\$3,412.42	\$2,868.56	2,808.52	\$20,364.16

PLUMBING

NUMBER OF PERMITS	240	21	14	12	16	78
PROJECT VALUE	\$1,895,967.76	\$564,395.00	\$1,253,162.00	\$59,670.00	\$91,697.88	\$2,050,054.88
PERMIT FEE	\$38,015.46	\$9,726.20	\$19,406.08	\$1,248.60	\$1,952.93	\$34,021.41

TOTAL # OF PERMITS	825	56	46	46	62	252
TOTAL INCOME	\$637,683.75	\$36,335.47	\$34,449.98	\$264,400.91	\$42,601.81	\$408,811.14

NUMBER OF INSPECTIONS

BUILDING	1087	60	59	54	72	295
EXTERIOR	150	1	3	3	11	19
HVAC	466	24	29	25	29	137
PLUMBING	508	25	34	23	23	130
OTHER	5	1	1	0	1	3
TOTAL # OF INSPECTIONS	2216	111	126	105	136	584

RENTAL HOUSING INSPECTIONS

INSPECTIONS	119	14	16	21	15	67
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**RESOLUTION NO. 16-2016
APPOINTING ABSENTEE BALLOT BOARD ELECTION JUDGES
FOR THE AUGUST 9, 2016 PRIMARY ELECTION AND
THE NOVEMBER 8, 2016 GENERAL ELECTION**

WHEREAS, Minnesota Election Law 204B.21 requires that persons serving as election judges be appointed by the Council at least 25 days before the election.

BE IT RESOLVED by the Wayzata City Council that the individuals named on Exhibit A, and on file in the office of the Deputy City Clerk be appointed as the City of Wayzata Absentee Ballot Board Election Judges for the August 9, 2016 Primary Election and the November 8, 2016 General Election; and

BE IT FURTHER RESOLVED the Wayzata City Council also appoints other individuals and all members appointed to the Hennepin County Absentee Ballot Board as authorized under Minn. Stat. 204B.21, subd. 2 under the direction of the Election Manager to serve as members of the Wayzata Absentee Ballot Board; and

BE IT FINALLY RESOLVED that the Deputy City Clerk is with this, authorized to make any substitutions or additions as deemed necessary.

Passed and adopted by the Wayzata City Council this 14th day of June, 2016.

Kenneth Willcox, Mayor

Attest: _____
Jeffrey Dahl, City Manager

CERTIFICATION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution:

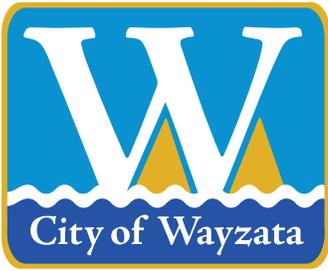
I hereby certify that the attached and foregoing Resolution is a true and correct copy of the Resolution duly adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on June 14, 2016.

Becky Malone, Deputy City Clerk

Exhibit A

City of Wayzata Absentee Ballot Board Election Judges for the August 9, 2016
Primary Election and the November 8, 2016 General Election

Nick Heider
Rebecca Jones
Julie Kaufman
Becky Malone
Sharon McGowan
Kathy Ovshak



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 10, 2016
To: Mayor Willcox and City Councilmembers
From: Jeff Thomson, Director of Planning and Building
Subject: Second Reading of Ordinance No. 739 Amending Official Zoning Map

Background Information

On June 7, 2016 the City Council adopted Resolution No. 15-2016, which approves the project design, PUD amendment, preliminary plat subdivision, zoning amendment, comprehensive plan amendment and variances for the Unitarian Universalist Church of Minnetonka development application at 2030 Wayzata Boulevard. On June 7, 2016, the City Council also adopted the first reading of Ordinance No. 739, which rezones Parcel B to PUD/Planned Unit Development and R-1/Low Density Single Family Residential District.

Attached is the copy of the draft Ordinance. There have been no changes to the draft Ordinance since the Council adopted the first reading.

City Council Action

City staff recommends approval of the second reading of Ordinance No. 759, an Ordinance amending the official zoning map of the City to rezone the property to PUD Planned Unit Development District and R-1 Low Density Single Family Residential District.

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.

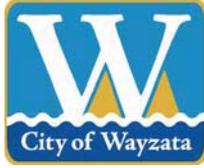
Ken Willcox
Mayor

ATTEST:

Jeffrey Dahl
City Manager

First Reading:
Second Reading:
Publication:

000043/280018/2398622_1



**Planning Report
City Council
June 14, 2016**

Project Name: Reger Residence
Applicant Keenan & Sveiven, Inc.
Addresses of Request: 426 Ferndale Rd S
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: June 24, 2016

Development Application

Introduction

The applicant, Keenan and Sveiven, is requesting a variance from the maximum impervious surface requirements in the R-1A zoning district from 20% to 21.6%.

Property Information

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

Address	PID	Owner
426 Ferndale Rd S	01-117-23-44-0002	426 Ferndale Road South, LLC

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

Current zoning:	R-1A/Low Density Single Family Estate District
Comp plan designation:	Estate Single Family
Total site area:	136,960 square feet (3.14 acres)

Project Location

The property is located on Ferndale Road South between Highcroft Road and Pillsbury Drive.

Map 1: Project Location



Application Requests

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

- A. Impervious Surface Variance: The R-1A zoning district establishes a maximum impervious surface coverage of 20%. The applicant is proposing impervious surface coverage of 21.6% of impervious surface coverage on the lot, which requires a variance.

Adjacent Land Uses.

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

Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Single-family homes	R-1A/Low Density Single Family Estate District	Estate Single Family
East	Lake Minnetonka	N/A	N/A
South	Single-family homes	R-1A/Low Density Single Family Estate District	Estate Single Family
West	Single-family homes	R-1A/Low Density Single Family Estate District	Estate Single Family

Public Hearing Notice

The public hearing notice was published in the *Wayzata Sun Sailor* on May 26, 2016. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on May 26, 2016.

Analysis of Application

Proposed Plan

In May 2014, the City issued a building permit for construction of a new house at 426 Ferndale Road South. The plans submitted with the building permit showed that the new home and all other improvements would meet the 20% maximum impervious surface requirement in the R-1A zoning district. The applicant is proposing changes to the site plan which would increase the amount of impervious surface and exceed the 20% coverage requirement. The increase in impervious surface is requested mainly for the driveway, which has been consolidated from two access points to only one, but the resulting driveway is larger. The applicant has submitted a site plan which shows all site improvements for the property. The proposed plan includes 29,535 square feet of impervious surface, or 21.6% coverage, which is 2,143 square feet more than is allowed by the zoning district.

Stormwater Management

The City's stormwater management plan states that redevelopment of a property which results in greater impervious surface coverage than allowed by the zoning ordinance requires that the stormwater for the *entire* site, not just the area that exceeds the requirement. The applicant has submitted a stormwater management plan which has been reviewed the City Engineer. The proposed plan includes six stormwater devices (BMPs) that would capture the stormwater from all impervious surfaces. The BMPs would include four underground stormtech chambers, a rock trench, and a dry creek bed. The stormwater management plan would provide infiltration, and treatment of phosphorus and sediment, and meets the city's stormwater management rules.

Although the City's water resources management plan provides standards for exceeding the maximum impervious surface requirements, the R-1A zoning district ordinance does not provide any credits or reductions for stormwater treatment of impervious surfaces that exceed the maximum coverage. Therefore the proposed site improvements require a variance, even though the proposal would meet the city's stormwater management requirements.

Planning Commission Review

The Planning Commission held a public hearing and reviewed the development application at its meeting on June 6, 2016. The Planning Commission generally commented that the impervious surface variance met the City's variance standards. The Planning Commission noted that the stormwater management provided in the proposed plans would provide a water quality benefit to the neighborhood and to Lake Minnetonka that would not otherwise be provided if an impervious surface variance was not requested. The Planning Commission made a motion to approve the impervious surface

variance, subject to installation of the stormwater management techniques identified in the proposed plans. The motion passed with four (4) affirmative votes and one (1) negative vote.

Applicable Code Provisions for Review

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.

Action Steps

Adopt the draft Resolution No. 18-2016, which approves the impervious surface variance at 426 Ferndale Rd S.

Attachments

- Draft Resolution No. 18-2016
- Plans

DRAFT RESOLUTION NO. 18-2016

**RESOLUTION APPROVING AN IMPERVIOUS SURFACE VARIANCE
AT 426 FERNDAL RD S**

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

Section 1. BACKGROUND

1.1 Project. Keenan and Sveiven (the “Applicant”) and 426 Ferndale Road South, LLC (the “Owner”) have submitted a development application requesting an impervious surface variance (the “Application”).

1.2 Application Request. As part of the Application, the Applicant and Owner are requesting approval of the following items:

A. A variance from the maximum impervious surface coverage requirement of 20 percent (City Code Section 801.51.7.A) to construct 21.6 percent impervious surface coverage on the Property (the “Impervious Surface Variance”).

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

426 Ferndale Rd S	01-117-23-44-0002	426 Ferndale Road South, LLC
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1.4 Land Use. All uses on adjacent properties are single-family homes. The properties to the north, west, and south are zoned R-1A/Low Density Single Family Estate District.

1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Wayzata Sun Sailor* on May 26, 2016, and notices were mailed to all properties within 350 feet of the Property on May 26, 2016. The required public hearing was held at the June 6, 2016 Planning Commission meeting.

1.6 Planning Commission Action. The Planning Commission reviewed the Application and held a Public Hearing on June 6, 2016. The Planning Commission voted four (4) in favor and one (1) opposed to recommend approval of the Application, subject to installation of the stormwater management techniques provided in the Application.

Section 2. STANDARDS

2.1 Impervious Surface Requirement. Impervious surface on a lot shall not exceed twenty (20) percent of the lot area. Section 801.51.7.A

- 2.2 Zoning Ordinance Variance Standards. Section 801.05.1.C provides the criteria for reviewing variances from the standards of the Zoning Ordinance. 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 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 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 3. FINDINGS

The City Council of the City of Wayzata hereby confirms and memorializes that the Impervious Surface Variance depicted in the Application meets the applicable

requirements of Wayzata's Zoning Ordinance, based upon the following findings of fact made on the record (as well as all Application materials, staff reports, public comment presented at the hearing, and the recommendation of the Planning Commission):

3.1 Impervious Surface Variance.

- A. The Impervious Surface Variance requested in the Application does not change the current single family residential use. The Impervious Surface Variance is in harmony with the general purposes and intent of the Ordinance and is consistent with the Comprehensive Plan.
- B. There is a practical difficulty in complying with the impervious surface requirement, as outlined in Section C below.
- C. The Impervious Surface Variance is reasonable because the Applicant is proposing to treat the stormwater runoff from all impervious surfaces on the site, in compliance with the City's Water Resources Management Plan. The Water Resources Management Plan requires that during redevelopment, stormwater runoff from all impervious surfaces must be treated if the redevelopment would exceed the maximum impervious surface coverage requirement in the zoning district. Although, the Water Resources Management Plan provides for this flexibility, it is not allowed by the Zoning Ordinance.

In addition, the Impervious Surface Variance would not adversely impact the essential character of the locality, since the Impervious Surface Variance would not create additional stormwater runoff onto adjoining properties or to Lake Minnetonka.

- D. The practical difficulties necessitating the Impervious Surface Variance are not solely economic in nature. The Applicant is requesting the Impervious Surface Variance due to the ability to provide innovative stormwater management techniques, and not due to an economic hardship.
- E. The Impervious Surface Variance is not requested for earth sheltered construction.
- F. The Impervious Surface Variance would not result in a use of the property that is not allowed by the R-1A zoning district.
- G. The conditions for granting approval of the Impervious Surface Variance are listed below in Section 4 of this Resolution.

- H. The Applicant has provided the reasons that the Impervious Surface Variance is justified under the criteria of the Ordinance in order to make reasonable use of the land, structures and buildings on the Property.

Section 4. CITY COUNCIL ACTION

4.1 Based on the Findings of this Resolution, the request for approval of the Impervious Surface Variance as set forth in the Application and plans (Attachment A), is hereby **APPROVED** subject to all of the following conditions (failure to comply with any one of these conditions shall result in the revocation of this approval):

- A. The Applicant must install the stormwater management techniques provided on the plan on Attachment A, in compliance with the City's Water Resources Management Plan.
- B. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata City Council this ___ day of _____, 2016.

Mayor Ken Willcox

ATTEST:

City Manager Jeffrey Dahl

ACTION ON THIS RESOLUTION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

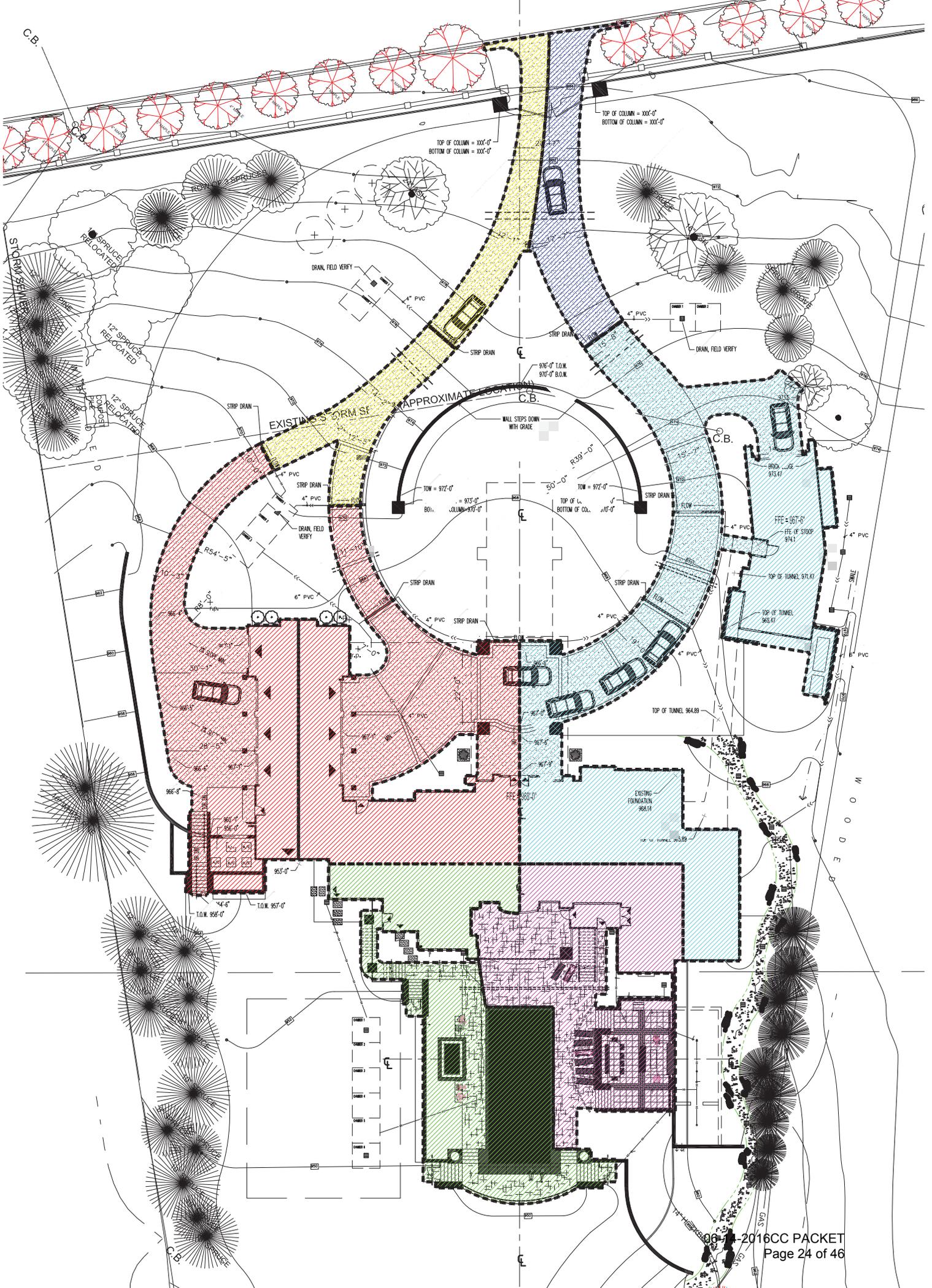
Resolution adopted.

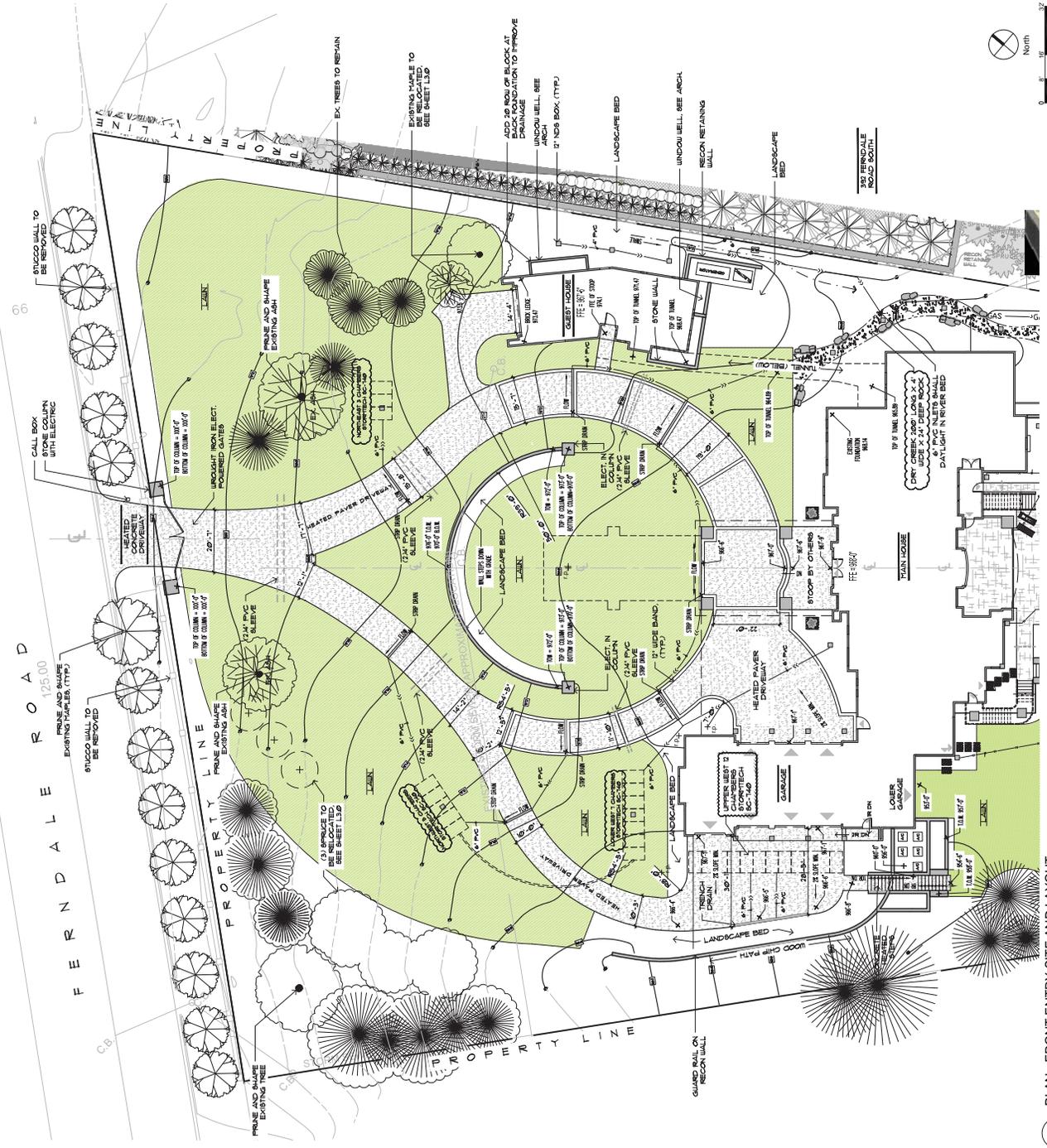
I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on _____, 2016.

Becky Malone, Deputy City Clerk
SEAL

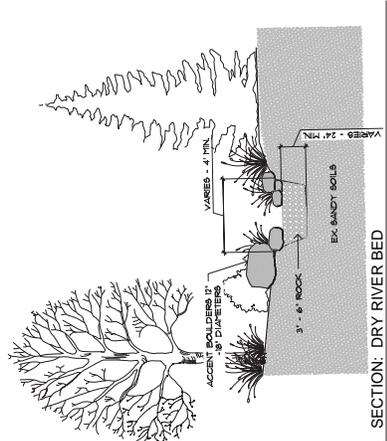
Attachment A

Impervious Surface Variance as set forth in the Application





1 PLAN: FRONT ENTRY SITE AND LAYOUT
 Scale: 1/16" = 1'-0"



2 SECTION: DRY RIVER BED
 Scale: 1/4" = 1'-0"



Keenan & Sveiven, Inc.
 10111 Hennepin Avenue, Suite 4548
 Minneapolis, Minnesota 55448
 Telephone: 952.475.1129
 Facsimile: 952.475.1607

DESIGN + BUILD
 Landscape Architecture

Reger Residence

426 Ferndale Road
 Wayzata, MN

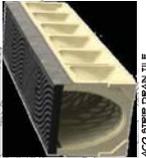
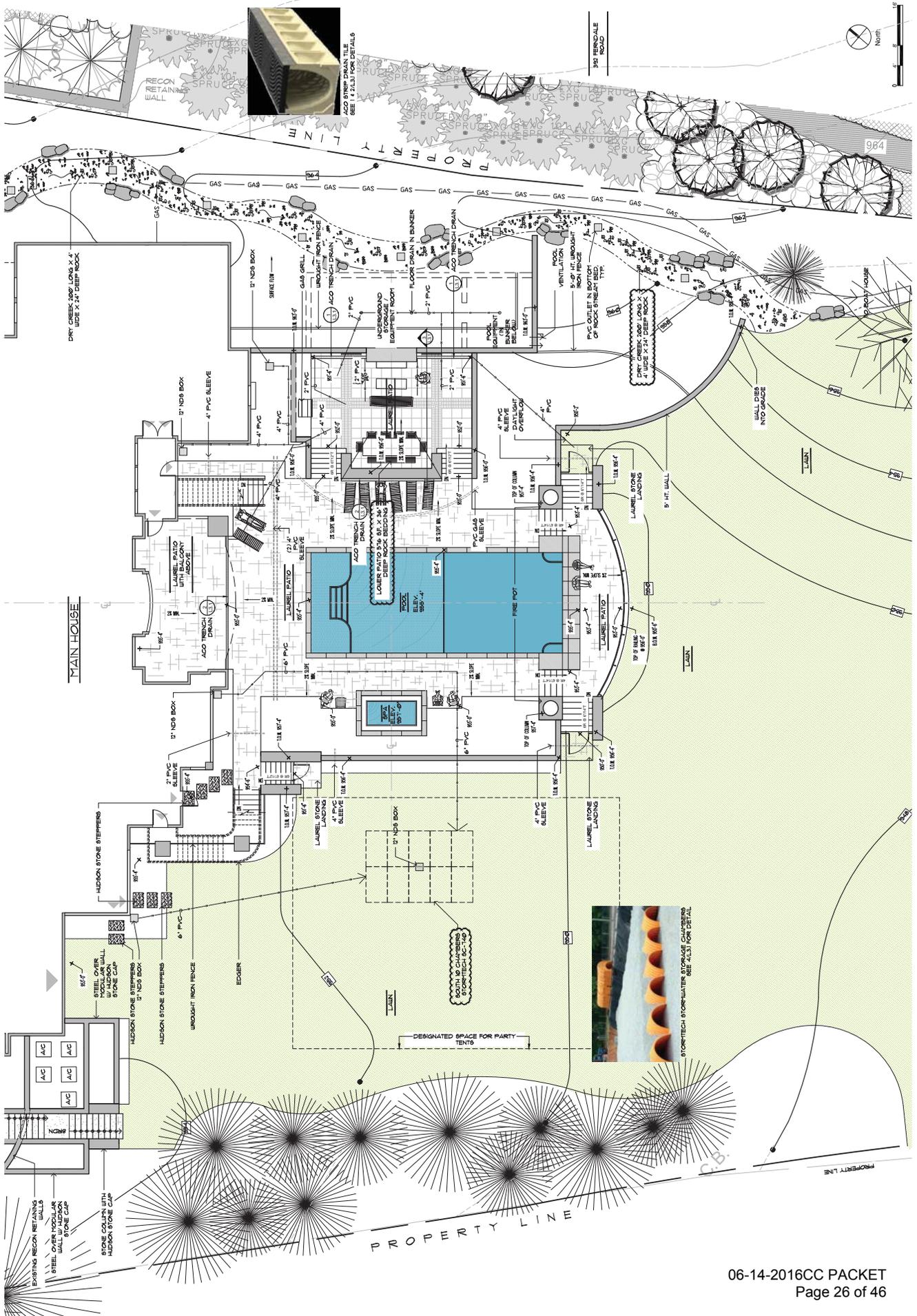
I hereby certify that this plan, prepared by me or under my supervision, and that I am a duly Licensed Landscape Architect in the State of Minnesota.

Tom H. In '16

FIG. NO. 40088
 DATE: 2015-03-XX
 DRAWN: JMD
 DATE: 2015-03-XX
 REVISIONS:

Site, Layout, &
 Utility Plan

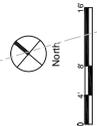
L2.1



400 8" DRIP DRAIN TILE
 SEE 1 + 2 L3.1 FOR DETAILS



STORTECH STORAGE CHAMBERS
 SEE 4.2.1 FOR DETAIL



REGER RESIDENCE

16-020
4/18/16

SITE INFO: TOTAL LOT AREA = 3.14 ACRES (136,960 SQ. FT.)
 ALLOWABLE IMPERVIOUS = 20% = 27,392 SQ. FT.
 PROPOSED IMPERVIOUS = 29,535 SQ. FT. (21.6%)
 EXCESS IMPERVIOUS = (29,535 - 27,392) = 2,143 SQ. FT.

STORMWATER RE-DEVELOPMENT THAT RESULTS IN EXCESSIVE
 REQUIREMENTS: IMPERVIOUS COVERAGE MUST MEET 60% TP
 AND 85% TSS REDUCTION FOR ENTIRE SITE

WAYZATA STORMWATER MANAGEMENT PLAN
 (PART 7.3.1) INDICATES FIRST 1" FROM
 IMPERVIOUS TREATED ON SITE WILL PROVIDE
 85% TP AND 95% TSS REMOVALS.

TOTAL REQUIRED WATER QUALITY VOLUME:

$$V_{REQ.} = A_{IMP.} \times 1" = (29,535 \text{ SQ. FT.}) \times (1 \text{ IN.}) \times (1 \text{ FT.} / 12 \text{ IN.})$$

⊗
$$V_{REQ.} = 2,461 \text{ CU. FT.}$$

PROPOSED DRAINAGE AREAS:	DRAINAGE AREA	CONTRIBUTING IMPERVIOUS AREA	PERCENT TOTAL IMPERVIOUS	REQUIRED VOLUME
1.	NORTHEAST	1,466 SQ. FT.	4.96 %	122 CU. FT.
2.	NORTH WEST	2,218 SQ. FT.	7.51 %	185 CU. FT.
3.	WEST	9,508 SQ. FT.	32.19 %	792 CU. FT.
4.	SOUTH	4,616 SQ. FT.	15.63 %	384 CU. FT.
5.	EAST CREEK BED	8,037 SQ. FT.	27.21 %	669 CU. FT.
6.	LAUREL PATIO	3,690 SQ. FT.	12.50 %	310 CU. FT.
	(TOTAL)	(29,535)	(100)	(2,462)

STORMWATER
SYSTEM
DESIGN:

1. NORTHEAST SYSTEM

REQUIRED VOLUME: 122 CU. FT.

PROPOSED BMP: STORMTECH SC-740 CHAMBER

PROPOSED WATER QUALITY VOLUME:

$$(40.80 \text{ CU. FT. BELOW OUTLET}) \times 3 \text{ CHAMBERS} = 122.4 \text{ CU. FT.}$$

2. NORTHWEST SYSTEM

REQUIRED VOLUME: 185 CU. FT.

PROPOSED BMP: STORMTECH SC-740 CHAMBER

PROPOSED WATER QUALITY VOLUME:

$$(40.80 \text{ CU. FT. BELOW OUTLET}) \times 5 \text{ CHAMBERS} = 204 \text{ CU. FT.}$$

3. WEST SYSTEM

REQUIRED VOLUME: 792 CU. FT.

PROPOSED BMP: STORMTECH SC-746 CHAMBER

PROPOSED WATER QUALITY VOLUME:

$$(40.80 \text{ CU. FT. BELOW OUTLET}) \times 19 \text{ CHAMBERS} = 775 \text{ CU. FT.}$$

4. SOUTH SYSTEM

REQUIRED VOLUME: 384 CU. FT.

PROPOSED BMP: STORMTECH SC-740 CHAMBER

PROPOSED WATER QUALITY VOLUME:

$$(40.80 \text{ CU. FT. BELOW OUTLET}) \times 10 \text{ CHAMBERS} = 408 \text{ CU. FT.}$$

5. EAST DRY CREEK BED

REQUIRED VOLUME: 669 CU. FT.

PROPOSED BMP: ROCK INFILTRATION TRENCH

PROPOSED WATER QUALITY VOLUME:

$$V = (\text{LENGTH}) \times (\text{WIDTH}) \times (\text{DEPTH}) \times (\text{VOIDS})$$

$$V = (200 \text{ FT.}) \times (4 \text{ FT.}) \times (2 \text{ FT.}) \times (40\%)$$

$$V = 640 \text{ CU. FT.}$$

6. LAUREL PATIO

REQUIRED VOLUME: 310 CU. FT.

PROPOSED BMP: ROCK INFILTRATION BED

PROPOSED WATER QUALITY VOLUME:

$$V = (\text{AREA}) \times (\text{DEPTH}) \times (\text{VOIDS})$$

$$V = (576 \text{ SQ. FT.}) \times (3 \text{ FT.}) \times (40\%)$$

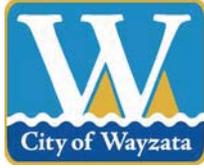
$$V = 691 \text{ CU. FT.}$$

SUMMARY:

<u>AREA</u>	<u>BMP</u>	<u>PROVIDED VOLUME</u>
1	STORMTECH	122 CU. FT.
2	STORMTECH	204 CU. FT.
3	STORMTECH	715 CU. FT.
4	STORMTECH	408 CU. FT.
5	ROCK TRENCH	640 CU. FT.
6	ROCK BED	<u>691 CU. FT.</u>

TOTAL = 2,840 CU. FT.

(MIN. REQUIRED VOLUME: 2,461 CU. FT.)



**Planning Report
City Council
June 14, 2016**

Project Name: Threlkeld Garage
Applicant Celia K. Threlkeld
Addresses of Request: 353 Park St E
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: July 5, 2016

Development Application

Introduction

The property owner, Celia Threlkeld, is proposing to demolish the existing detached garage on the property at 353 Park Street East, and construct a new detached garage on the back of the property.

Property Information

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

Address	PID	Owner
353 Park St E	06-117-22-21-0042	Celia K. Threlkeld

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

Current zoning:	R-3A/Single and Two Family Residential District
Comp plan designation:	Low Density Single Family
Total site area:	9,816 square feet (0.23 acres)

Project Location

The property is located on Park Street E between Klapprich Park and Barry Avenue.

Map 1: Project Location



Application Requests

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

- A. Impervious Surface Variance: The R-3A zoning district establishes a maximum impervious surface coverage of 35%. The applicant is proposing to add a detached garage and driveway which would provide 41.9% of impervious surface coverage on the lot, which requires a variance.

Adjacent Land Uses.

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

Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Single-family homes	R-3A/Single and Two Family Residential District	Low Density Single Family
East	Single-family homes	R-3A/Single and Two Family Residential District	Low Density Single Family
South	Klapprich Park	R-3A/Single and Two Family Residential District	Park

West	Single-family homes	R-3A/Single and Two Family Residential District	Low Density Single Family
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Public Hearing Notice

The public hearing notice was published in the *Wayzata Sun Sailor* on May 26, 2016. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on May 26, 2016.

Analysis of Application

Proposed Plan

The applicant is proposing to construct a new detached garage on the back of the property. The existing detached garage would be demolished, and the new garage would be located on the northeast corner of the lot. The garage would be accessed by a new driveway that would be constructed from Park Street that is in the same general location as the existing garage. The proposed garage would meet the setback requirements and maximum garage size requirements outlined in the zoning ordinance.

Impervious Surface Coverage

The site currently contains 3,631 square feet of impervious surface, which equates to 37% impervious surface coverage on the site. The existing impervious surface exceeds the 35% maximum requirements in the R-3A zoning district. By the City’s non-conforming use ordinance, the property owner is allowed to maintain the existing impervious surface coverage, but it may not be expanded or enlarged. Since the new detached garage is larger, is located further back on the lot, and had a larger side loading doorway and driveway, the proposed plan would increase the impervious surface on the site by 479 square feet. The resulting impervious surface coverage would increase from 37% to 41.9%, which requires a variance.

Alternative Plan

The applicant has submitted an alternative plan which shows how the same size three car attached garage could be constructed on the front of the property to meet the setback requirements, but would significantly reduce the size of the driveway. The alternative plan would meet the 35% maximum impervious surface requirement. However, the applicant has indicated that she does not prefer the alternative plan as it would locate the garage between the street and the house.

Planning Commission Review

The Planning Commission held a public hearing and reviewed the development application at its meeting on June 6, 2016. The Planning Commission generally commented that the impervious surface variance met the City’s variance standards. The Planning Commission noted that the impervious surface variance would allow for the new detached garage to be located in the back yard, rather than in the front yard, which would be less visible from surrounding properties and would not require removal of a

large tree in the front yard. The Planning Commission made a motion to approve the impervious surface variance. The motion passed with five (5) affirmative votes and zero (0) negative vote.

Applicable Code Provisions for Review

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.

Action Steps

Adopt the draft Resolution No. 19-2016, which approves the impervious surface variance at 353 Park St E.

Attachments

- Draft Resolution No. 19-2016
- Applicant's Narrative
- Plans

DRAFT RESOLUTION NO. 19-2016

**RESOLUTION APPROVING AN IMPERVIOUS SURFACE VARIANCE
AT 353 PARK ST E**

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

Section 1. BACKGROUND

- 1.1 Project. Celia Threlkeld (the “Applicant” and “Owner”) has submitted a development application requesting an impervious surface variance (the “Application”).
- 1.2 Application Request. As part of the Application, the Applicant and Owner are requesting approval of the following items:
 - A. A variance from the maximum impervious surface coverage requirement of 35 percent (City Code Section 801.55.7.A) to construct 41.9 percent impervious surface coverage on the Property (the “Impervious Surface Variance”).

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

353 Park St E	06-117-22-21-0042	Celia K. Threlkeld
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- 1.4 Land Use. All surrounding properties are zoned R-3A/Single and Two Family Residential District. The properties to the north, east, and south contain single-family homes and the property to the south is a park.
- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Wayzata Sun Sailor* on May 26, 2016, and notices were mailed to all properties within 350 feet of the Property on May 26, 2016. The required public hearing was held at the June 6, 2016 Planning Commission meeting.
- 1.6 Planning Commission Action. The Planning Commission reviewed the Application and held a Public Hearing on June 6, 2016. The Planning Commission voted five (5) in favor and zero (0) opposed to recommend approval of the Application.

Section 2. STANDARDS

- 2.1 Impervious Surface Requirement. Impervious surface on a lot shall not exceed thirty five (35) percent of the lot area. Section 801.55.7.A

- 2.2 Zoning Ordinance Variance Standards. Section 801.05.1.C provides the criteria for reviewing variances from the standards of the Zoning Ordinance. 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 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 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 3. FINDINGS

The City Council of the City of Wayzata hereby confirms and memorializes that the Impervious Surface Variance depicted in the Application meets the applicable

requirements of Wayzata's Zoning Ordinance, based upon the following findings of fact made on the record (as well as all Application materials, staff reports, public comment presented at the hearing, and the recommendation of the Planning Commission):

3.1 Impervious Surface Variance.

- A. The Impervious Surface Variance requested in the Application does not change the current single family residential use. The Impervious Surface Variance is in harmony with the general purposes and intent of the Ordinance and is consistent with the Comprehensive Plan.
- B. There is a practical difficulty in complying with the impervious surface requirement, as outlined in Section C below.
- C. The Impervious Surface Variance is reasonable because it is a result of the length of size of the driveway that is needed to provide access to the proposed garage, which would be located on the back of the property and more than 150 feet from the street. Due to the width of the lot, the detached garage could not be located on the side of the existing house, and if the garage were to be located in the front yard, it would adversely impact the view from surrounding properties. The lot width and location of the existing house are circumstances unique to the property.

In addition, the Impervious Surface Variance would not adversely impact the essential character of the locality, since the Impervious Surface Variance would allow for the garage to be placed in the back of the property, where it would not be highly visible from surrounding properties.

- D. The practical difficulties necessitating the Impervious Surface Variance are not solely economic in nature. The Applicant is requesting the Impervious Surface Variance due to the practical difficulties in locating a detached garage on the property, and not due to economic factors.
- E. The Impervious Surface Variance is not requested for earth sheltered construction.
- F. The Impervious Surface Variance would not result in a use of the property that is not allowed by the R-3A zoning district.
- G. The conditions for granting approval of the Impervious Surface Variance are listed below in Section 4 of this Resolution.
- H. The Applicant has provided the reasons that the Impervious Surface Variance is justified under the criteria of the Ordinance in order to make reasonable use of the land, structures and buildings on the Property.

Section 4. CITY COUNCIL ACTION

4.1 Based on the Findings of this Resolution, the request for approval of the Impervious Surface Variance as set forth in the Application and plans (Attachment A), is hereby **APPROVED** subject to all of the following conditions (failure to comply with any one of these conditions shall result in the revocation of this approval):

- A. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata City Council this ___ day of _____, 2016.

Mayor Ken Willcox

ATTEST:

City Manager Jeffrey Dahl

ACTION ON THIS RESOLUTION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution adopted.

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

Becky Malone, Deputy City Clerk
SEAL

Attachment A

Impervious Surface Variance as set forth in the Application

5-6-2016

353 Park St. E

Celia Threlkeld

Description of Request:

We would like to build a new garage to fit our family of 3 drivers; two of which currently park on the street. We would like the garage behind our home to preserve the architectural character of our neighborhood. This will push our hardcover from 36.99% (its original 3631 SF) to 41.87% (4110 SF). The alternative to building the new structure in back near the site of the original garage, is a garage built in the front which would require us to remove a 36" Silver Maple tree, and obstruct our neighbor's views of Klapprich Park. Additionally, Park Street has a lot of bus and car pool traffic due to West Middle School, which makes it less safe backing out from a front load garage. Lastly, snow removal in the winter causes problems with our need to park on the street.

The new structure will be designed by the same architect that designed our recent 2016 Mayors Preservation winning remodel award. It will include shake siding with a shed dormer to match our home. We believe our home looks extremely small in scale compared to the new homes that have been built in the last 10 years; some of which are at 50% hardcover.

Attached is a copy of both site proposals.

Sincerely,



Celia Threlkeld

612-867-8244

HARDCOVER CALCULATIONS:
THREE CAR GARAGE IN THE REAR

1st Choice

LOT AREA: 9816 SF

HARDCOVER ALLOWANCES:

MAX. LOT COVERAGE @ 30% - 2945 SF

EXIST. IMPERVIOUS SURFACE @ 36.99% - 3631 SF

PROPOSED IMPERVIOUS SURFACE @ 41.87% - 4110 SF

PROPOSED LOT COVERAGE:

EXISTING STRUCTURE: 1197 SF

PROPOSED GARAGE: 736 SF

PROPOSED LOT COVERAGE: 1933 SF

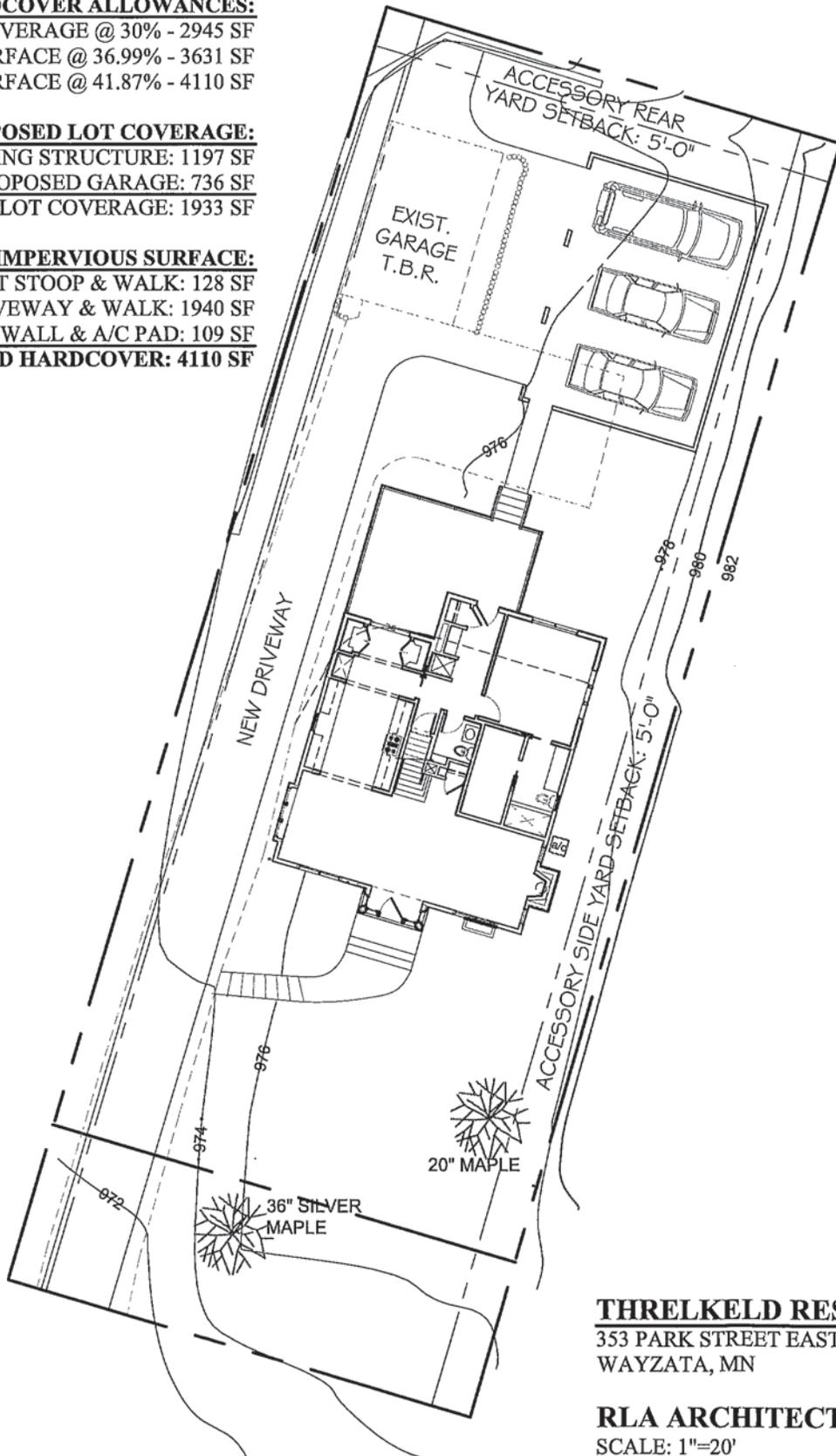
PROPOSED IMPERVIOUS SURFACE:

EXIST. FRONT STOOP & WALK: 128 SF

PROPOSED DRIVEWAY & WALK: 1940 SF

EXISTING RETAINING WALL & A/C PAD: 109 SF

TOTAL PROPOSED HARDCOVER: 4110 SF



THRELKELD RESIDENCE
353 PARK STREET EAST
WAYZATA, MN

RLA ARCHITECTS
SCALE: 1"=20'
FEBRUARY 11, 2015

Alternative Plan

HARDCOVER CALCULATIONS: THREE CAR GARAGE IN THE FRONT

LOT AREA: 9816 SF

HARDCOVER ALLOWANCES:

MAX. LOT COVERAGE @ 30% - 2945 SF

EXIST. IMPERVIOUS SURFACE @ 36.99% - 3631 SF

PROPOSED IMPERVIOUS SURFACE @ 29.88% - 2933 SF

PROPOSED LOT COVERAGE:

EXISTING STRUCTURE: 1197 SF

PROPOSED GARAGE: 736 SF

PROPOSED LOT COVERAGE: 1933 SF

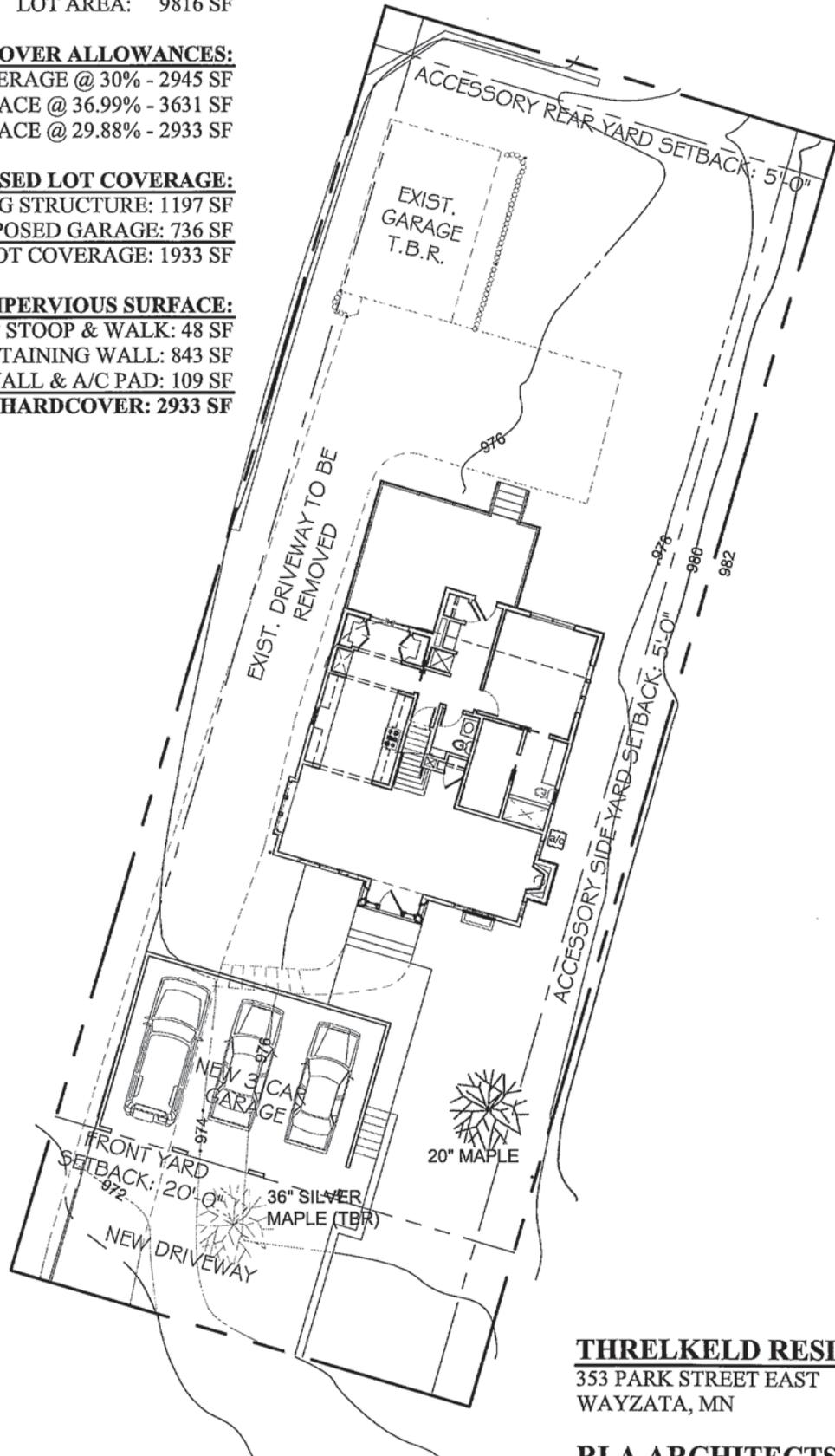
PROPOSED IMPERVIOUS SURFACE:

FRONT STOOP & WALK: 48 SF

PROPOSED DRIVEWAY & RETAINING WALL: 843 SF

EXISTING RETAINING WALL & A/C PAD: 109 SF

TOTAL PROPOSED HARDCOVER: 2933 SF



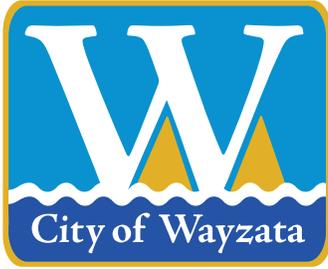
THRELKELD RESIDENCE

353 PARK STREET EAST
WAYZATA, MN

RLA ARCHITECTS

SCALE: 1"=20'

FEBRUARY 10, 2015



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 9, 2016

TO: Mayor Willcox and Councilmembers

FROM: Jeffrey Dahl, City Manager

SUBJECT: Consider Resolution of Support for the State of Minnesota's bid to host the 2023 World's Expo

Request

Former Secretary of State Mark Ritchie has been leading an effort for the State of Minnesota to bid to host the 2023 World's Fair. He has asked the City to support his efforts through a Resolution of Support.

While there are many details to be worked out, there is no doubt that bringing an international expo such as the World's Fair would provide an infinite number of benefits to Wayzata, the region, and state.

More details about the event can be had at <http://expo2023.info/>.

Recommendation

There is no financial obligation of the attached Resolution of Support. Its purpose is to increase leverage and help Minnesota's chances of landing the Expo.

City Council Action Requested

Motion to approve the attached Resolution of Support to bring the 2023 World's Fair to Minnesota.

CITY OF WAYZATA

RESOLUTION NO. 17-2016

**A RESOLUTION IN SUPPORT OF THE STATE OF MINNESOTA'S BID TO
HOST THE 2023 WORLD'S FAIR**

WHEREAS, the State of Minnesota is bidding to host the 2023 World's Fair; and

WHEREAS, the State of Minnesota's bid proposed theme is "Wellness and Well Being for All;" and

WHEREAS, the City of Wayzata and its commitment to providing a high quality of life and offering enjoyable experiences to live, work and play does exemplify all things positive about Minnesota along with its beautiful natural setting and active and healthy lifestyle; and

WHEREAS, these assets, combined with an engaged and energetic population, help make Minnesota a welcoming location for the 2023 Expo; and

WHEREAS, the World's Fair would provide a tremendous economic benefit to the City, region, and region; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Wayzata hereby supports the designation of Minnesota as the official site of the 2023 World's Fair and its theme "Wellness and Well Being for All;" and

ADOPTED BY THE CITY COUNCIL OF THE CITY OF WAYZATA this 14th 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:

I hereby certify that the foregoing is a true and correct copy of Resolution 17-2016 adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on June 14, 2016.

Becky Malone, Deputy City Clerk

SEAL