

WAYZATA CITY COUNCIL MEETING AGENDA
 Wayzata City Hall Community Room, 600 Rice Street
 Tuesday, September 6, 2016

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

WORKSHOP TOPICS FOR DISCUSSION:

- 1. Discuss Communications Board Status (4:45 PM)**
- 2. General Fund Budget and Parking Ramp Finance Update (5:15 PM or immediately following)**
- 3. Tree Ordinance Discussion (6:15 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.	Wayzata High School Football Presentation - Coach Anderson								
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								3
a.	Approval of City Council Regular Meeting Minutes of August 16, 2016								
b.	Approval of Check Register								
c.	Municipal Licenses Which Received Administrative Approval (Informational Only)								
d.	Approval of Municipal Licenses								
e.	Accept Holly Evans' Resignation from the Parks and Trails Board								
f.	Approval of Memorial Committee Appointments for Wayzata Police Sgt. James Anderson's Memorial								
6	New Business								
a.	Consider Resolution No. 32-2016 Approving Broadway Place Development at 326 and 332 Broadway Ave. S. and Consider First Reading of Ordinance 760 Rezoning Broadway Place Development at 326 and 332 Broadway Ave. S.	Thomson							37
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 - September 20 & October 4, 2016
- Planning Commission - WEDNESDAY, September 7 & Monday, September 19, 2016

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WAYZATA CITY COUNCIL
DRAFT - MEETING MINUTES
August 16, 2016

AGENDA ITEM 1. Call to Order and Roll Call.

Mayor Willcox called the meeting to order at 7 p.m. Council Members present: McCarthy, Mullin, and Tyacke. Also present: City Manager Dahl, City Attorney Schelzel, and City Engineer Kelly.

Mayor Willcox announced that Councilmember Anderson is absent and excused.

AGENDA ITEM 2. Approve Agenda.

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

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

a. Proclamation Recognizing Dr. J. David McGill's Service

Mayor Willcox read a proclamation recognizing Dr. J. David McGill for his remarkable and dedicated service to the City of Wayzata, presented him an award, and proclaimed August 16, 2016 Dr. David McGill Day. Dr. McGill commented Wayzata has been a great place to serve.

b. Jake Houts' Eagle Scout Project

Jake Houts, Wayzata resident, presented his plans to do an Eagle Scout project that consists of implementing Little Libraries throughout the community. The proposed locations include outside the Wayzata library, Post Office Pocket Park, and possibly the Great Lawn or Klapprich Park. The designs include the old Village Hall, the train depot, and the theater on Lake Street.

The Council thanked Mr. Houts for his presentation.

AGENDA ITEM 4. New Agenda Items.

None.

AGENDA ITEM 5. Consent Agenda.

By the request of Mr. Tyacke item J was pulled from the Consent Agenda and made item 6(d).

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

- a. Approval of City Council Workshop Meeting Minutes of July 25 and August 3, 2016, and City Council Regular Meeting Minutes of August 3, 2016
- b. Approval of Check Register
- c. Municipal licenses which received administrative approval (informational only)
- d. Approval of Municipal Licenses
- e. Police Activity Report
- f. Building Activity Report
- g. Approval of Amended Contract with HGA for Design of Mill Street Ramp Parking
- h. Approval of Resolution No. 31-2016 Authorizing Signing Authority Allowing Access to MN Government Access Accounts for Electronic Court Records and Documents
- i. Approval of Agreement to Amend the Settlement Agreement with UUCM
- ~~j. Approval of Resolution No. 33-2016 Granting Extension on Variance at 133 Ridgeway Drive East~~

The motion carried 4/0.

AGENDA ITEM 6. New Business.

1 **a. Consider Resolution No. 32-2016 Approving Broadway Place Development at 326 and**
 2 **332 Broadway Avenue South, and Consider First Reading of Ordinance 760 Rezoning**
 3 **Broadway Place Development at 326 and 332 Broadway Avenue South**

4 City Manager Dahl introduced this item to the Council. The applicant, Beltz Enterprises, LLC, and
 5 the property owner, MJ Mail Center, LLC, have submitted a development application to redevelop
 6 the Gold Mine and Mail Center properties at 326 and 332 Broadway Avenue S. The development
 7 application includes demolition of the two existing commercial buildings and construction of a
 8 three story mixed use building which would consist of retail uses on the ground level and office
 9 uses on the upper two levels.

10 Mr. Dahl reported on the requests of the application. They are as follows:

- 11 1. Rezoning from C-4B to PUD
- 12 2. Concurrent PUD Concept and General Plans of Development Review
- 13 3. Design Review with deviations
- 14 4. Variance from the maximum building height requirement
- 15 5. Shoreland Impact/CUP for building height in the Shoreland District
- 16 6. Shoreland Impact/CUP for impervious surface coverage
- 17 7. Preliminary and Final Plat Subdivision to combine the lots

18 Mr. Dahl reported the Planning Commission recommends approval of the application with
 19 the following conditions:

- 20 a. The Property Owner must comply with all current and future parking requirements
 21 for the uses associated with the Project.
- 22 b. The City will not issue a building permit for construction of the building until the
 23 Property Owner provides 52 parking stalls for the project either through a
 24 Downtown Mobility District or a separate agreement between the Property Owner
 25 and the City of Wayzata for use of parking stalls within the Mill Street parking lot
 26 (or future parking ramp) located on the north side of the site.
- 27 c. Final Utility, Stormwater Management, Grading, Drainage, and Erosion Plans
 28 must be approved by the City Engineer prior to the submission of building permits
 29 and submitted to the City for review.
- 30 d. A stormwater facility maintenance agreement for maintenance of the stormwater
 31 management facilities is required.
- 32 e. The Property Owner must enter into an encroachment agreement with the City for
 33 the grease trap and stormwater treatment structure located within the City's right
 34 of way.
- 35 f. The final design of the sidewalks with the City's right of way must be reviewed
 36 and approved by the City Engineer and Building Official for compliance with the
 37 City's engineering and design standards and the State building code.
- 38 g. The Applicant must record the Final Plat with the appropriate Hennepin County
 39 officials within one hundred twenty (120) days in conformance with Section
 40 805.15.E.7 of the Subdivision Ordinance, and provide a recorded copy to the City.
- 41 h. All expenses of the City of Wayzata, including consultant, expert, legal, and
 42 planning fees incurred must be fully reimbursed by the Applicant.

43 Mr. Tyacke inquired about the relationship between Beltz Enterprises, LLC, and MJ Mail
 44 Center, LLC. Mr. James Beltz, 447 Peavey Road, Wayzata, responded they are separate entities,
 45 but owned by the same parties.

46 Mr. Tyacke asked if there was a density issue with the zoning and PUD requirements, if
 47 the mechanical components could be put somewhere else to avoid the height deviation request, and
 48 if there was a reason for using the exterior metal panels. Mr. Dahl stated density is not an issue
 49 under the PUD, even with adding the third floor. City Engineer Kelly stated there was no room
 50 behind the building for the mechanical components. The only other option would be within the

1 building, which would take away from commercial space. The building across the alley has its
2 mechanical components located outside the building on a level near the top in an enclosed area.

3 Mr. David Shea, 10 South Eighth Street, Minneapolis, stated the parapet around the
4 perimeter of the roof creates a dam and aids in stormwater management on the roof. The rooftop
5 has a pit in it where the mechanical equipment is stored, and the parapet hides the rest of the
6 equipment. The metal included on the building is a solid material that will not require maintenance
7 and will hold up for a long time.

8 Mr. Willcox stated generally accent pieces are encouraged to be darker in color. Mr. Shea
9 commented they wanted it to be compatible with the 701 building and the white adds a nice
10 punctuation. They looked at using black and the building became heavy. The white trim serves as
11 a simple outline around the glass and metal.

12 At the request of Mrs. McCarthy, Mr. Shea explained the exterior lighting on the building.
13 There are lights at the door height and they also want to accent the brick and the cornice elements
14 with light. They will also include signage that lights up and lights in the storefronts on the first
15 floor.

16 Mrs. McCarthy inquired if the protrusion of the balcony takes away from the recession of
17 the third floor, causing it to become too linear.

18 Mr. Dave Link, 2399 Wayzata Boulevard West, referred to page 155 of the meeting packet,
19 and pointed out on the rendering how the building steps back.

20 Mrs. McCarthy inquired about the width of the sidewalks and what type of use will be on
21 the first floor. She encouraged staff to look at the width of the sidewalks for appropriate mobility
22 and to make sure it is in line with future sidewalk requirements on Lake Street with Lake Effect.
23 Mr. Shea stated retail, which includes restaurants, would be considered for the first floor.

24 Mr. Dahl advised parking ratios would also change if a restaurant went in instead of a retail
25 store. There will be coordination with HGA to make sure it fits in with Mill Street. Mr. Shea stated
26 the final plans include what HGA recommends.

27 Mr. Link commented the sidewalk is limited along Broadway because there are two mature
28 trees there and they did not want to jeopardize the health of them. Mr. Kelly stated the sidewalks
29 vary from 5 to 8 feet along Broadway and code requires it to be 12 feet. The applicant is looking to
30 preserve a large maple tree and an existing paver patio area.

31 Mr. Willcox asked if there was any other way to handle water management on the top of
32 the building so that the height of the parapets could be lessened. Mr. Kelly stated they are using the
33 space above the building to capture the water and providing stormwater treatment upstream of the
34 City's system in the alley. They could propose a cistern beneath the building to handle the water,
35 but that would create maintenance and access issues. The City has never built a building taller in
36 order to accomplish this stormwater management system.

37 Mrs. McCarthy asked if there was a way for the applicant to share stormwater management
38 plans and cost with the Mill Street parking ramp in order to lower the height of the building. Mr.
39 Kelly stated the stormwater from the applicant's site could not get uphill to the parking ramp site.

40 Mr. Link stated they used the same civil engineer as the City and he tried everything to
41 make this work with the City's system. This is the only option for this site.

42 Mr. Dahl stated the rooftop mechanical screening also requires a height deviation.

43 Mr. Tyacke inquired how the slope and terrain were part of the practical difficulties listed
44 with the height variance. Mr. Kelly stated the height request has nothing to do with the stormwater
45 management, it just happens that the roof is being used for it. The Widsten townhomes can look
46 down over at the building and see the mechanicals on the rooftop and the parapet was meant to
47 minimize the impact of them.

48 City Attorney Schelzel inquired if the slope drives any of the need for the height variance.
49 Mr. Link stated the average height of the building is 38 feet and the elevation change along
50 Broadway is significant in the sidewalk plan and in keeping the main floor level for ADA

1 requirements. The height of the building matches the 701 building and the Carisch building. All
2 the buildings in the area have rooftop mechanicals and they will treat theirs in an identical way.

3 Mr. Willcox advised all the mechanicals that Mr. Link was referring to were in place before
4 the new design standards were implemented.

5 Mr. Shea stated the rooftop units are facing the alley, not Mill Street. They are recessed,
6 will be closed in on all four sides, but open at the top for air flow.

7 Mr. Mullin asked if the intent is to stage construction at the same time as the parking ramp,
8 if the application proceeds. Mr. Dahl stated construction would start soon and be tied with the Mill
9 Street parking ramp. They have added a condition that requires construction related parking to be
10 off-site. Mr. Link stated they have talked with staff about ways to minimize the hardship for
11 everyone in the area.

12 Mr. Mullin asked if the applicant would be willing to work with Civitas and the parking
13 ramp advisors to get the best possible outcome for the sidewalks from a landscape and functionality
14 perspective, and possibly highlight the public walkway tunnel through the 701 building. Mr. Shea
15 commented once the City has a finalized plan, he would love to work together to create great
16 streetscapes on Mill Street and Broadway. Mr. Link stated they would be willing to promote what
17 is needed. The signage may be part of the City's overall plan with the mobility district and
18 additional wayfinding signs.

19 Mrs. McCarthy inquired about a development agreement and the timing of the project. Mr.
20 Dahl stated they are moving toward an agreement that will come back to the Council and cover the
21 parking issues and improvements in public right-of-way. Even if the development agreement takes
22 until November or December to pass, construction could still line up with the ramp construction.

23 Mrs. McCarthy referred to the variance regarding the third floor recess and asked if there
24 were other options that were smaller in scale in place of the corner tower. Mr. Shea stated they felt
25 the enhanced corner was a logical element that is similar to Cōv and the 701 building.

26 Mr. Willcox commented the corner element is not setback 10 feet on the third floor; it is
27 thrust out. This is creating an imposing structure and does not align with the 701 building's corner
28 element, which only goes up two stories.

29 Mrs. McCarthy stated she has a concern with all the glass and would like staff to work with
30 the applicant on the lighting, so that it is not too bright. Mr. Shea commented they will make sure
31 there is not any light pollution coming off the building. The lighting on the second and third floor
32 is downcast lighting and only putting light on working areas.

33 Mr. Tyacke commented the third floor is primarily office space and would not be lit at night.

34 Mr. Willcox stated the way the balconies thrust out bothers him and requested clarification
35 on the second floor setback. Mr. Dahl stated the applicant does a good job with the setback because
36 they exceed the amount of setback required. Mr. Shea stated most of the building is recessed back
37 beyond the required setback on the property line itself. It gives a vertical element from the first and
38 second floor, but that is broken up by the balconies and the vitrines for the retail fronts along the
39 first floor. The intention was to make it an interesting looking façade.

40 Mr. Mullin commented the applicant has done a good job to create harmony with the
41 existing buildings in the area and applying the newer setback standards may in fact make the
42 building look less harmonious. The justification for deviation from the newer standard is to have it
43 look more in line with the existing building.

44 Mr. Tyacke inquired what the practical difficulty is in complying with the 35-foot height
45 requirement under the PUD. Mr. Shea stated the main piece was the water storage for stormwater
46 management, as well as the ability to have the rooftop units set down enough above the roof line,
47 but below the parapet line.

48 Mr. Tyacke commented he agrees with the findings of the Planning Commission. He agrees
49 with the PUD, and the lot requirement, but has difficulty with the height variance. He supports the
50 project with added conditions of coordinating construction with the Mill Street Ramp as well as
51 landscaping with the Mill Street area.

1 Mr. Mullin commented he agrees with Mr. Tyacke. It is important to get this corner right
2 and it is important the corridor functions from the redesigned intersection near Cōv, to the
3 redesigned streetscape on Lake, to the precedent that is set on Broadway, as well as what happens
4 to the corridor on Mill Street. He would support the application if there was a strong consideration
5 from the applicant that there is an intent in the development agreement as well as financially to
6 help partner and address these things. The reasons for justifying the height variance are it provides
7 screening for the mechanical equipment, inventive ways for stormwater treatment, and breaks up
8 the façade.

9 Mrs. McCarthy stated she does not like the façade of the building and the recesses of the
10 second and third floor. The third floor tower is too imposing and she does not support moving
11 forward with the variance for the third floor. Important components the applicant could work on
12 with staff would be lighting, sidewalks, Mill Street streetscape, and identifying the alleyway as a
13 public access way.

14 Mr. Willcox expressed concern with the building in reference to height and setbacks. The
15 height variance request is driven by the desire to have larger ceiling heights on the retail spaces and
16 he does not see justification for going over it. With all the requests, it seems as though the building
17 has been designed without reference to the City's design standards. The corner tower is too big and
18 not set back, and the amount of glass is too much. He is reluctant to support the application without
19 reducing the number of deviations and complying with some of the design standards.

20 Mr. Mullin requested clarification on what the actual setback is on the third story and the
21 foot split between the second story and the back of the building without the balcony railing. Mr.
22 Kelly stated the third floor is setback 10 feet from the second floor, except for the tower.

23 Mr. Mullin asked if the Council would feel differently if the tower was softened on the
24 third story. Mr. Willcox stated the tower on Lake Street is two stories and this one should be as
25 well.

26 Mr. Tyacke commented the tower is only one-eighth of the building on Broadway and is
27 not as prominent as the rendering makes it seem.

28 Mr. Shea stated the elevations show the corner element is more restrictive than the picture
29 shows. The floor to ceiling height for each floor is 12 feet, which is a normal height for an office
30 and retail space. The idea of a conference room in the third floor tower is important and it finishes
31 the building off on all three floors. They would be willing to explore if it could be set back farther.
32 In reference to the second floor and the code, they could have built out to the property line and
33 setback on the second and third floor, but felt it was important to have additional sidewalk areas
34 for the pedestrians and the retail space.

35 Mr. Willcox stated his concern is precedent in the City. When deviations are granted, it
36 makes it more difficult to say no to other developers.

37 Mr. Link advised the Council Mr. Beltz is willing to remove the balconies on the second
38 floor, but would still like to incorporate the ornamental ironwork on the front of the windows.

39 Mrs. McCarthy stated the applicant expressed willingness to explore other options to the
40 third story tower, but she cannot approve a variance if she does not know what the end result will
41 be.

42 City Attorney Schelzel stated the resolution asks for multiple things that are intertwined.
43 If there are not three votes to adopt, the next step could be tabling the resolution for further
44 discussion, direct staff to draft a denial resolution, or ask the applicant to explore the design options
45 requested by the Council. If it included a material change, it would need to go to the Planning
46 Commission again.

47 The majority of the Council supported tabling the resolution to allow the applicant to make
48 some minor changes and address the concerns brought forward by the Council.

49 Mr. Mullin stated he would like this application to move forward and does not support the
50 application process starting over from the beginning.

1 Mrs. McCarthy made a motion, seconded by Mr. Tyacke, to table Resolution 32-2016
2 Approving PUD Concept and General Plan, PUD Rezoning, Project Design, Height Variance,
3 Shoreland Height, and Impervious Surface CUPs, and Preliminary and Final Plat at 326 and 332
4 Broadway Avenue South until September 6, 2016. The motion carried 3/1. (Mullin)

5
6 **b. Approval of Memorial Committee Appointments for Wayzata Police Sargent James
7 Anderson’s Memorial**

8 City Manager Dahl reported the Police Department recommends setting up a Committee to provide
9 direction on the memorial. This Committee would consist of the City Manager, a Council Member,
10 Police representatives, a Public Works/Parks representative, Wayzata Crime Prevention Coalition
11 Member, and a Wayzata Citizen.

12 Mr. Tyacke made a motion, seconded by Mr. Mullin to approve the Committee structure.
13 The motion carried 4/0.

14 Mrs. McCarthy volunteered to be the Council representative on the Committee.
15

16 **c. Consider Approval of Agreement for Professional Services with Rainbow Tree
17 Company to Provide Ash Tree Injection Services to Ash Trees on Private and Public
18 Properties in Wayzata**

19 City Engineer Kelly reported staff is proposing the City to enter into a service contract with
20 Rainbow Tree Company to provide tree injection services to selected Ash Trees on private and
21 public properties within the City at a discounted rate. The City would begin injection treatments on
22 City property after Emerald Ash Borer (EAB) has been confirmed within the City limits.
23 Homeowners can contact Rainbow Tree Company directly to request an inspection, receive a quote,
24 and provide permission to perform the work.

25 Mr. Kelly stated he had Rainbow Tree Company do an injection on a tree on his property
26 and they did a good job. He would prefer to treat the tree and save it rather than pay to have it
27 removed.

28 Mr. Willcox asked if there was any risk in waiting until EAB is in Wayzata before treating
29 the trees. Mr. Kelly stated it is harder to fight EAB after it has arrived. EAB will attack a tree
30 whether or not it has been treated, but treated trees are able to fight the EAB with the injections.

31 Mr. Jeff Hafner, Rainbow Tree Company representative, commented they provide the
32 lowest cost. Homeowners can enter into an agreement with any other company, but they are willing
33 to provide the cost upfront. There is a risk to waiting for the EAB to arrive as there could be damage
34 in the tree and the treatments could be less effective. The chemical injected kills the EAB when it
35 feeds on the tree.

36 Mr. Kelly advised the contract expires in September 2017 and staff will communicate with
37 Wayzata residents about this service.

38 Mrs. McCarthy requested staff track the number of residents participating in the program
39 and broadcast this service option on Channel 8.

40 Mr. Tyacke stated the Certificate of Insurance should show City of Wayzata as an insured
41 party. City Attorney Schelzel advised he would make the change.

42 Mr. Tyacke made a motion, seconded by Mrs. McCarthy to approve an Agreement of
43 Professional Services with Rainbow Tree Company to provide ash tree injection services to ash
44 trees on private and public property in Wayzata, and add the City of Wayzata as an insured party
45 on the Certificate of Insurance. The motion carried 4/0.
46

47 **d. Approval of Resolution No. 33-2016 Granting Extension on Variance at 133
48 Ridgeview Drive East**

49 City Manager Dahl reported the original variance request was approved by the City Council in
50 September 2015. This request is for a 12-month extension for a setback variance on a garage

1 expansion. The property has not been sold and it may have impact on the factors regarding granting
2 a variance extension.

3 Mr. Tyacke inquired if the standard of a good faith effort was relative to the person who
4 applied for the variance or if it is transferable to a subsequent owner of the property. City Attorney
5 Schelzel stated it is not specified in the ordinance, but a variance does run with the land. Right now,
6 the applicant is the same as the owner and the extension criteria would apply.

7 Mr. Tyacke stated this was granted a year ago and no work has been done. Mr. Schelzel
8 stated it is up to the Council to determine whether or not there was a good faith attempt to utilize
9 the variance.

10 Graham Gnos, 321 Margaret Circle, stated they have worked with two potential buyers of
11 the property, but the purchase agreements fell through. A third purchase agreement is being worked
12 on with no set closing date yet. At the request of each potential buyer, they did not work on the
13 garage. The current potential buyer plans to expand the garage the approved four feet and that is
14 why he is requesting the variance extension. If the purchase agreement falls through, he plans to
15 follow through on the garage expansion himself.

16 Mrs. McCarthy commented when the original application was before the Council, she was
17 not in favor of it and will not support granting the extension.

18 Mr. Tyacke commented 12 months was enough time to get the work done and he has a
19 hard time supporting the extension.

20 Mr. Mullin commented the applicant's documentation and verbal representation justifies
21 the extension and he support it. Mr. Mullin pointed out that Councilmember Anderson recused
22 herself from the original application.

23 Mr. Mullin made a motion, seconded by Mr. Willcox, to approve Resolution No. 33-2016
24 Granting Extension on Variance 133 Ridgeview Drive East. The motion failed 2/2. (McCarthy and
25 Tyacke)

26 Mr. Willcox advised the applicant has to begin construction on the garage prior to September.

27 Mr. Mullin asked if a six-month extension would be a possibility. Mrs. McCarthy and Mr.
28 Tyacke indicated a time change on the extension will not change their vote.

29 Mr. Mullin made a motion, seconded by Mr. Willcox to approve Resolution No. 33-2016
30 Granting Extension on Variance 133 Ridgeview Drive East, reducing the extension from one year
31 to six months. The motion failed 2/2. (McCarthy and Tyacke)

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

33 **a. Second Quarter Finance Report – Investment Policy**

34 City Manager Dahl stated in response to questions raised by Mr. Tyacke regarding the City's
35 Investment Policy, he sent out a report outlining his response. In addition, the City's Financial
36 Consultant, Steve McDonald, will review the Investment Policy at the next Workshop meeting.
37

38 **b. Updates – City Engineer Kelly**

39 City Engineer Kelly reported speed hump installations have begun in the neighborhoods.

40 Mr. Kelly reported they met with Hennepin County to begin conversations regarding
41 upcoming projects with Wayzata Boulevard and Central Avenue. The County does not have any
42 projects planned in the next five to seven years. They informed Hennepin County of potential
43 pedestrian suggestions and concerns and will look into the sidewalk repair program. They plan to
44 have the County present at a future Workshop to get sense of what improvements the Council is
45 interested in along Wayzata Boulevard and Central Avenue.
46

47 Mrs. McCarthy asked if there is a design for the Superior and Wayzata Boulevard
48 intersection. Mr. Kelly stated there is a preliminary design that has not been approved. He would
49 like to also include SRF in discussions regarding traffic and how it affects the intersection design.

50 Mrs. McCarthy stated it will be important to observe traffic as some intersections are
51 becoming tricky to maneuver.

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c. Council Reports/Updates

Mrs. McCarthy asked about the windows at Walgreens. Mr. Dahl stated it is in process and the historical group is looking for the right images.

Mrs. McCarthy stated there are some issues in Wayzata regarding lighting in storefront windows. Mr. Dahl agreed they could work with store owners to adjust the lighting.

Mr. Mullin reported that August 5-7, he and his wife Kristyn, along with Sharon Lim and Lance Wallin, hosted a professional Match Race Sailing Event. He thanked everyone for their hard work in assisting the event organizer, Sam Rogers. The race included professional racers, youth sailors from the U.S. Development Team for the Olympics, and collegiate sailors. He acknowledged the World Match Race Tour out of Sweden and the M32 North American Racing Club out of Rhode Island and stated they hope to host a Match Race again in 2018. They also held a benefit for the Lake Minnetonka Sailing School and the Community Sailing Center, as well as a clinic for youth sailors in the community.

Mr. Willcox commented along with the potential Match Race in 2018, the City is going to be meeting with the Chamber on what to do for the Super Bowl as well.

Mr. Willcox reported he attended his first meeting with the Governor’s Freight Rail Committee and was appointed to represent the cities in Minnesota.

Mr. Willcox announced the following:

- James J. Hill Days on September 9-11.
- Sign up deadline for Boards and Commissions is October 31.
- Pull-It will take place on October 15.
- Bushaway Road is scheduled to be opened to McGinty on September 16 and entirely open November 1.

Mr. Willcox noticed signage has been popping up around town and needs to be address. He also noticed the weeds had been cut in front of the pink building, but graffiti on the east wall needs to be addressed.

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

There were no comments.

AGENDA ITEM 9. Adjournment.

Mr. Mullin made a motion, seconded by Mr. Mr. Tyacke to adjourn. There being no further business, Mayor Willcox adjourned the meeting at 9:53 p.m.

Respectfully submitted,

Becky Malone
Deputy City Clerk

Drafted by Shannon Schmidt
TimeSaver Off Site Secretarial, Inc.

***Check Detail Register©**

August 2016

		Check Amt	Invoice	Comment
10100 Anchor Bank				
Paid Chk#	103313	8/17/2016	ARTISAN BEER COMPANY	
E 640-47000-253	Beer For Resale	\$209.50	3099825	BEER
E 640-48000-253	Beer For Resale	\$270.00	3117833	BEER
E 640-47000-253	Beer For Resale	\$325.80	3117917	BEER
E 640-47000-253	Beer For Resale	\$508.40	3119371	BEER
Total ARTISAN BEER COMPANY		\$1,313.70		
Paid Chk#	103314	8/17/2016	BAUHAUS BREW LABS	
E 640-47000-253	Beer For Resale	\$136.00	9980	BEER
Total BAUHAUS BREW LABS		\$136.00		
Paid Chk#	103315	8/17/2016	BELLBOY BAR SUPPLY CORP.	
E 640-47000-259	Freight	\$2.55	54781800	FREIGHT
E 640-47000-252	Wine For Resale	\$128.00	54781800	WINE
E 640-47000-251	Liquor For Resale	\$84.00	54876900	LIQUOR
E 640-47000-252	Wine For Resale	\$128.00	54876900	WINE
E 640-47000-259	Freight	\$5.23	54876900	FREIGHT
E 640-47000-256	MISC.MDSE.RESALE	\$301.20	6684700	CIGARS
E 640-47000-210	Operating Supplies (GENERAL)	\$97.24	94415600	SUPPLIES
Total BELLBOY BAR SUPPLY CORP.		\$746.22		
Paid Chk#	103316	8/17/2016	BERNICK'S WINE	
E 640-47000-253	Beer For Resale	\$22.84	304454	BEER
E 640-47000-253	Beer For Resale	\$21.34	311899	BEER
Total BERNICK'S WINE		\$44.18		
Paid Chk#	103317	8/17/2016	BLOOMQUIST, RICK	
E 640-48000-341	General Promotions	\$300.00	8/18/16	BAR MUSIC 8/18/16
Total BLOOMQUIST, RICK		\$300.00		
Paid Chk#	103318	8/17/2016	BREAKTHRU BEVERAGE	
E 640-48000-252	Wine For Resale	\$299.60	1080507019	WINE
E 640-47000-252	Wine For Resale	\$72.00	1080507055	WINE
E 640-47000-259	Freight	\$1.45	1080507055	FREIGHT
E 640-47000-252	Wine For Resale	\$1,644.00	1080507056	WINE
E 640-47000-259	Freight	\$24.65	1080507056	FREIGHT
E 640-47000-251	Liquor For Resale	\$6,907.87	1080507057	LIQUOR
E 640-47000-259	Freight	\$90.26	1080507057	FREIGHT
E 640-47000-259	Freight	\$1.45	1080510282	FREIGHT
E 640-47000-251	Liquor For Resale	\$234.00	1080510282	LIQUOR
E 640-47000-259	Freight	\$10.39	1080510283	FRERIGHT
E 640-47000-252	Wine For Resale	\$1,682.41	1080510283	WINE
E 640-48000-252	Wine For Resale	\$224.70	1080510298	WINE
E 640-47000-251	Liquor For Resale	\$4,830.90	1080510314	LIQUOR
E 640-47000-259	Freight	\$32.39	1080510314	FREIGHT
E 640-47000-251	Liquor For Resale	(\$424.38)	2080144604	LIQUOR
E 640-47000-251	Liquor For Resale	(\$60.54)	2080144819	LIQUOR
Total BREAKTHRU BEVERAGE		\$15,571.15		
Paid Chk#	103319	8/17/2016	BREAKTHRY BEVERAGE BEER	
E 640-47000-253	Beer For Resale	\$1,830.80	1090593462	BEER
E 640-48000-253	Beer For Resale	\$272.00	1090594941	BEER
E 640-47000-253	Beer For Resale	\$464.00	1090595207	BEER
E 640-47000-253	Beer For Resale	\$89.05	1090595208	BEER
E 640-47000-253	Beer For Resale	\$3,080.25	1090595209	BEER
E 640-48000-253	Beer For Resale	\$221.00	1090597781	BEER
E 640-47000-253	Beer For Resale	\$55.40	1090597850	BEER

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E 640-47000-253	Beer For Resale		\$2,863.51	1090597911	BEER
Total	BREAKTHRY BEVERAGE BEER		\$8,876.01		
Paid Chk#	103320	8/17/2016	BROOKDALE CHRYSLER, JEEP,DODGE		
E 640-47000-404	Repairs/Maint - Machin/Equip		\$206.25	286269	DELIVERY VAN REPAIRS
Total	BROOKDALE CHRYSLER, JEEP,DODGE		\$206.25		
Paid Chk#	103321	8/17/2016	CINTAS CORPORATION		
E 640-48000-210	Operating Supplies (GENERAL)		\$70.83	5005712369	FIRST AID SUPPLIES
Total	CINTAS CORPORATION		\$70.83		
Paid Chk#	103322	8/17/2016	CITY VIEW PLUMBING & HEATING		
E 640-48000-401	Repairs/Maint Buildings		\$185.35	44885	RESTROOM REPAIRS
Total	CITY VIEW PLUMBING & HEATING		\$185.35		
Paid Chk#	103323	8/17/2016	CLEAR RIVER BEVERAGE CO.		
E 640-47000-253	Beer For Resale		\$72.00	69-589	BEER
Total	CLEAR RIVER BEVERAGE CO.		\$72.00		
Paid Chk#	103324	8/17/2016	COCA-COLA		
E 640-47000-254	Soft Drinks/Mix For Resale		\$113.64	3601200095	MISC.BEV.
E 640-47000-254	Soft Drinks/Mix For Resale		\$147.60	3601200234	MISC.BEV.
Total	COCA-COLA		\$261.24		
Paid Chk#	103325	8/17/2016	COZZINI BROS., INC.		
E 640-48500-415	Other Equipment Rentals		\$52.03	C2950343	KNIFE EXCHANGE
Total	COZZINI BROS., INC.		\$52.03		
Paid Chk#	103326	8/17/2016	CULLIGAN-METRO		
E 640-48500-210	Operating Supplies (GENERAL)		\$113.12	101X29205104	SUPPLIES
Total	CULLIGAN-METRO		\$113.12		
Paid Chk#	103327	8/17/2016	DAHLHEIMER DISTRIBUTING CO.		
E 640-47000-253	Beer For Resale		\$932.60	1210887	BEER
E 640-48000-253	Beer For Resale		\$303.00	1210888	BEER
E 640-48000-253	Beer For Resale		\$307.00	1210945	BEER
E 640-47000-253	Beer For Resale		\$1,288.20	129671	BEER
E 640-47000-253	Beer For Resale		\$578.60	130299	BEER
Total	DAHLHEIMER DISTRIBUTING CO.		\$3,409.40		
Paid Chk#	103328	8/17/2016	DENNYS 5TH AVENUE BAKERY		
E 640-48500-255	FOODIngredients For Resale		\$93.00	620381	FOOD
E 640-48500-255	FOODIngredients For Resale		\$97.00	620592	FOOD
E 640-48500-255	FOODIngredients For Resale		\$58.98	620764	FOOD
E 640-48500-255	FOODIngredients For Resale		\$143.52	621113	FOOD
E 640-48500-255	FOODIngredients For Resale		\$120.18	621440	FOOD
E 640-48500-255	FOODIngredients For Resale		\$81.76	621729	FOOD
E 640-48500-255	FOODIngredients For Resale		\$130.33	622067	FOOD
Total	DENNYS 5TH AVENUE BAKERY		\$724.77		
Paid Chk#	103329	8/17/2016	DIRECTV		
E 640-48000-415	Other Equipment Rentals		\$360.14	29068744435	SERVICE
Total	DIRECTV		\$360.14		
Paid Chk#	103330	8/17/2016	ENKI BREWING COMPANY		
E 640-48000-253	Beer For Resale		\$55.00	6079	BEER
Total	ENKI BREWING COMPANY		\$55.00		
Paid Chk#	103331	8/17/2016	FUTURE FUNDS ATM		

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E 640-48000-404	Repairs/Maint - Machin/Equip	\$531.01	1044	ATM CARD READER SOFTWARE
Total FUTURE FUNDS ATM		\$531.01		
<hr/>				
Paid Chk# 103332	8/17/2016	G & K SERVICES		
E 640-48500-217	Uniforms	\$133.18	1013824607	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$104.63	1013824607	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-217	Uniforms	\$182.51	1013835940	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$65.72	1013835940	KITCHEN UNIFORMS & SUPPLIES
Total G & K SERVICES		\$486.04		
<hr/>				
Paid Chk# 103333	8/17/2016	GRAPE BEGINNINGS, INC.		
E 640-47000-252	Wine For Resale	\$1,468.02	8001	WINE
E 640-47000-259	Freight	\$29.25	8001	FREIGHT
Total GRAPE BEGINNINGS, INC.		\$1,497.27		
<hr/>				
Paid Chk# 103334	8/17/2016	HOHENSTEINS INC.		
E 640-47000-253	Beer For Resale	\$1,477.63	841582	BEER
Total HOHENSTEINS INC.		\$1,477.63		
<hr/>				
Paid Chk# 103335	8/17/2016	HOLIDAY		
E 640-47000-212	Motor Fuels	\$56.31		FUEL
Total HOLIDAY		\$56.31		
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Paid Chk# 103336	8/17/2016	JJ TAYLOR DISTRIBUTING OF MN		
E 640-47000-253	Beer For Resale	\$4,329.52	2558654	BEER
E 640-47000-253	Beer For Resale	\$87.00	2558681	BEER
E 640-48000-253	Beer For Resale	\$716.00	2573807	BEER
E 640-48000-253	Beer For Resale	\$711.00	2573856	BEER
E 640-48000-253	Beer For Resale	\$167.70	2573857	BEER
Total JJ TAYLOR DISTRIBUTING OF MN		\$6,011.22		
<hr/>				
Paid Chk# 103337	8/17/2016	JOHNSON BROS.-ST.PAUL		
E 640-47000-251	Liquor For Resale	\$843.65	5499983	LIQUOR
E 640-47000-259	Freight	\$10.98	5499983	FREIGHT
E 640-47000-252	Wine For Resale	\$1,733.80	5499984	WINE
E 640-47000-259	Freight	\$34.16	5499984	FREIGHT
E 640-47000-251	Liquor For Resale	\$1,630.11	5501505	LIQUOR
E 640-47000-259	Freight	\$8.08	5501505	FREIGHT
E 640-47000-251	Liquor For Resale	\$3,570.00	5502950	LIQUOR
E 640-47000-259	Freight	\$52.46	5502950	FREIGHT
E 640-47000-252	Wine For Resale	\$3,722.50	5502951	WINE
E 640-47000-259	Freight	\$36.60	5502951	FREIGHT
E 640-47000-259	Freight	\$41.48	5505720	FREIGHT
E 640-47000-251	Liquor For Resale	\$3,038.50	5505720	LIQUOR
E 640-47000-252	Wine For Resale	\$4,958.10	5505721	WINE
E 640-47000-259	Freight	\$96.99	5505721	FREIGHT
E 640-47000-252	Wine For Resale	\$667.20	5505995	WINE
E 640-47000-259	Freight	\$12.20	5505995	FREIGHT
E 640-47000-251	Liquor For Resale	\$1,758.27	5507110	LIQUOR
E 640-47000-259	Freight	\$15.45	5507110	FREIGHT
E 640-47000-251	Liquor For Resale	\$957.99	5511122	LIQUOR
E 640-47000-259	Freight	\$9.76	5511122	FREIGHT
E 640-47000-252	Wine For Resale	\$3,048.34	5511123	WINE
E 640-47000-254	Soft Drinks/Mix For Resale	\$33.95	5511123	MISC.MIX
E 640-47000-259	Freight	\$35.60	5511123	FREIGHT
E 640-47000-259	Freight	\$16.17	5512509	FREIGHT
E 640-47000-251	Liquor For Resale	\$2,950.62	5512509	LIQUOR
E 640-47000-252	Wine For Resale	\$2,040.00	5515266	WINE

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E 640-47000-259	Freight		\$28.06	5515266	FREIGHT
E 640-47000-252	Wine For Resale		(\$12.00)	584344	WINE
E 640-47000-252	Wine For Resale		(\$4.68)	584345	WINE
E 640-47000-251	Liquor For Resale		(\$17.25)	584846	LIQUOR
Total JOHNSON BROS.-ST.PAUL			\$31,317.09		
Paid Chk#	103338	8/17/2016	KARLSBURGER FOODS, INC.		
E 640-48500-255	FOODIngredients For Resale		\$322.80	000415614	FOOD
Total KARLSBURGER FOODS, INC.			\$322.80		
Paid Chk#	103339	8/17/2016	LIBATION PROJECT		
E 640-47000-259	Freight		\$7.50	5102	FREIGHT
E 640-47000-252	Wine For Resale		\$1,710.00	5102	WINE
Total LIBATION PROJECT			\$1,717.50		
Paid Chk#	103340	8/17/2016	M.AMUNDSON LLP		
E 640-47000-256	MISC.MDSE.RESALE		\$810.77	217768	CIGARETTES
E 640-47000-256	MISC.MDSE.RESALE		\$917.13	221467	CIGARETTES
E 640-47000-256	MISC.MDSE.RESALE		\$820.93	221873	CIGARETTES
Total M.AMUNDSON LLP			\$2,548.83		
Paid Chk#	103341	8/17/2016	MARGRON SKOGLUND WINE IMPORTS		
E 640-47000-252	Wine For Resale		\$867.00	20020049	WINE
E 640-47000-259	Freight		\$12.00	20020049	FREIGHT
Total MARGRON SKOGLUND WINE IMPORTS			\$879.00		
Paid Chk#	103342	8/17/2016	MCQUILLAN BROS PLUMBING		
R 620-00000-37150	WS Connect/Reconnect Fee		\$104.00	RCT34654	SEWER INSPECTION FEE REFUND
Total MCQUILLAN BROS PLUMBING			\$104.00		
Paid Chk#	103343	8/17/2016	NAPA AUTO PARTS-WATERTOWN		
E 640-47000-404	Repairs/Maint - Machin/Equip		\$47.08	462974	DELIVERY VAN REPAIRS
Total NAPA AUTO PARTS-WATERTOWN			\$47.08		
Paid Chk#	103344	8/17/2016	NETWORK BUSINESS SUPPLIES		
E 640-48000-210	Operating Supplies (GENERAL)		\$375.74	00103408	SUPPLIES
Total NETWORK BUSINESS SUPPLIES			\$375.74		
Paid Chk#	103345	8/17/2016	NEW FRANCE WINE COMPANY		
E 640-47000-259	Freight		\$1.50	112263	FREIGHT
E 640-47000-252	Wine For Resale		\$191.00	112263	WINE
E 640-47000-259	Freight		\$10.50	112426	FREIGHT
E 640-47000-252	Wine For Resale		\$599.00	112426	WINE
Total NEW FRANCE WINE COMPANY			\$802.00		
Paid Chk#	103346	8/17/2016	NORTHWESTERN FRUIT COMPANY		
E 640-48500-255	FOODIngredients For Resale		(\$12.55)	843590	FOOD
E 640-48000-251	Liquor For Resale		\$21.80	843994	LIQUOR
E 640-48500-255	FOODIngredients For Resale		\$521.95	843994	FOOD
E 640-48500-255	FOODIngredients For Resale		\$385.95	844157	FOOD
E 640-48000-253	Beer For Resale		\$15.20	844331	BEER
E 640-48500-255	FOODIngredients For Resale		\$434.55	844331	FOOD
E 640-48500-255	FOODIngredients For Resale		\$465.55	844469	FOOD
E 640-48500-255	FOODIngredients For Resale		\$354.45	844639	FOOD
E 640-48500-255	FOODIngredients For Resale		\$62.50	844686	FOOD
E 640-48500-255	FOODIngredients For Resale		\$619.80	844805	FOOD
E 640-48000-251	Liquor For Resale		\$79.45	955569	LIQUOR
Total NORTHWESTERN FRUIT COMPANY			\$2,948.65		

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Paid Chk# 103347 8/17/2016 PAUSTIS & SONS				
E 640-47000-251	Liquor For Resale	\$220.68	8544672	LIQUOR
E 640-47000-252	Freight	\$2.25	8544672	FREIGHT
E 640-47000-259	Wine For Resale	\$2,099.28	8557348	WINE
E 640-47000-259	Freight	\$26.25	8557348	FREIGHT
E 640-47000-259	Freight	\$11.25	8558158	FREIGHT
E 640-47000-252	Wine For Resale	\$1,976.39	8558158	WINE
Total PAUSTIS & SONS		\$4,336.10		
Paid Chk# 103348 8/17/2016 PEPSI -COLA				
E 640-47000-254	Soft Drinks/Mix For Resale	\$261.50	46299769	MISC.BEV.
E 640-47000-254	Soft Drinks/Mix For Resale	\$183.30	46299810	MISC.BEV.
Total PEPSI -COLA		\$444.80		
Paid Chk# 103349 8/17/2016 PHILLIPS WINES & SPIRITS				
E 640-47000-259	Freight	\$7.32	2019326	FREIGHT
E 640-47000-251	Liquor For Resale	\$778.95	2019326	LIQUOR
E 640-47000-252	Wine For Resale	\$1,615.62	2019327	WINE
E 640-47000-259	Freight	\$24.61	2019327	FREIGHT
E 640-48000-251	Liquor For Resale	\$422.58	2022841	LIQUOR
E 640-47000-259	Freight	\$6.10	2022992	FREIGHT
E 640-47000-251	Liquor For Resale	\$422.75	2022992	LIQUOR
E 640-47000-259	Freight	\$21.96	2022993	FREIGHT
E 640-47000-252	Wine For Resale	\$1,154.85	2022993	WINE
Total PHILLIPS WINES & SPIRITS		\$4,454.74		
Paid Chk# 103350 8/17/2016 PLUNKETT S PEST CONTROL				
E 640-48000-409	Maint services & Improv	\$118.26	5480631	SERVICE
Total PLUNKETT S PEST CONTROL		\$118.26		
Paid Chk# 103351 8/17/2016 RITE				
E 640-47000-404	Repairs/Maint - Machin/Equip	\$133.59	4696	REGISTER SUPPORT
Total RITE		\$133.59		
Paid Chk# 103352 8/17/2016 ROOTSTOCK WINE COMPANY				
E 640-47000-259	Freight	\$1.50	16-7509	FREIGHT
E 640-47000-252	Wine For Resale	\$96.00	16-7509	WINE
Total ROOTSTOCK WINE COMPANY		\$97.50		
Paid Chk# 103353 8/17/2016 RUDY LUTHER				
G 630-20300	Deposits Payable	\$2,312.99	CVR REFUND	CVR REFUND
Total RUDY LUTHER		\$2,312.99		
Paid Chk# 103354 8/17/2016 SHAMROCK GROUP				
E 640-47000-254	Soft Drinks/Mix For Resale	\$97.80	2029175	ICE
E 640-47000-254	Soft Drinks/Mix For Resale	\$76.90	2030569	ICE
E 640-47000-254	Soft Drinks/Mix For Resale	\$90.30	2031532	ICE
E 640-47000-254	Soft Drinks/Mix For Resale	\$112.80	2032635	ICE
E 640-47000-254	Soft Drinks/Mix For Resale	\$119.60	2033680	ICE
Total SHAMROCK GROUP		\$497.40		
Paid Chk# 103355 8/17/2016 SOUTHERN GLAZER'S OF MN				
E 640-47000-252	Wine For Resale	\$354.00	1437920	WINE
E 640-47000-259	Freight	\$2.77	1437920	FREIGHT
E 640-47000-251	Liquor For Resale	\$2,552.25	1437921	LIQUOR
E 640-47000-253	Beer For Resale	\$495.00	1437921	BEER
E 640-47000-259	Freight	\$34.67	1437921	FREIGHT
E 640-47000-252	Wine For Resale	\$1,500.96	1437922	WINE

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E 640-47000-259	Freight		\$21.97	1437922	FREIGHT
E 640-47000-252	Wine For Resale		\$1,324.00	1437923	WINE
E 640-47000-259	Freight		\$32.00	1437923	FREIGHT
E 640-47000-259	Freight		\$2.56	1437924	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$54.00	1437924	MISC.MIX
E 640-47000-252	Wine For Resale		\$104.00	1437925	WINE
E 640-47000-259	Freight		\$2.56	1437925	FREIGHT
E 640-47000-251	Liquor For Resale		\$83.21	1437925	LIQUOR
E 640-47000-252	Wine For Resale		\$2,280.00	1440517	WINE
E 640-47000-259	Freight		\$34.56	1440517	FREIGHT
E 640-47000-251	Liquor For Resale		\$3,632.87	1440518	LIQUOR
E 640-47000-259	Freight		\$28.82	1440518	FREIGHT
Total	SOUTHERN GLAZER`S OF MN		\$12,540.20		
Paid Chk#	103356	8/17/2016	STAR TRIBUNE		
E 640-48000-433	Dues, Licensing & Seminars		\$171.86	2519144	SUBSCRIPTION RENEWAL
Total	STAR TRIBUNE		\$171.86		
Paid Chk#	103357	8/17/2016	STARY, MARK		
E 640-48000-341	General Promotions		\$300.00	8/25/16	BAR MUSIC 8/25/16
Total	STARY, MARK		\$300.00		
Paid Chk#	103358	8/17/2016	STRATEGIC EQUIPMENT AND		
E 640-48500-210	Operating Supplies (GENERAL)		\$656.47	2687475	KITCHEN SUPPLIES
E 640-48000-342	Promotions - Food/Drinks		\$61.60	2687475	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$58.73	2687624	KITCHEN SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$59.78	2691916	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$189.70	2691919	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$701.10	2691919	KITCHEN SUPPLIES
E 640-48000-342	Promotions - Food/Drinks		\$76.30	2691919	PROMO FOOD
Total	STRATEGIC EQUIPMENT AND		\$1,803.68		
Paid Chk#	103359	8/17/2016	SUNBURST CHEMICALS, INC.		
E 640-48500-415	Other Equipment Rentals		\$92.37	0008586	DISHWASHER LEASE
E 640-48500-210	Operating Supplies (GENERAL)		\$740.16	0370339	KITCHEN SUPPLIES
Total	SUNBURST CHEMICALS, INC.		\$832.53		
Paid Chk#	103360	8/17/2016	T.D. ANDERSON INC.		
E 640-48000-409	Maint services & Improv		\$115.00	334888	BEER LINES CLEANED
Total	T.D. ANDERSON INC.		\$115.00		
Paid Chk#	103361	8/17/2016	THORPE DISTRIBUTING CO.		
E 640-47000-253	Beer For Resale		\$4,544.72	1116998	BEER
E 640-47000-253	Beer For Resale		\$3,715.17	1120288	BEER
E 640-48000-253	Beer For Resale		\$496.00	1120729	BEER
E 640-47000-254	Soft Drinks/Mix For Resale		\$28.00	1123545	MISC.MIX
E 640-48000-253	Beer For Resale		\$1,346.00	1124043	BEER
E 640-47000-253	Beer For Resale		\$58.15	1126740	BEER
Total	THORPE DISTRIBUTING CO.		\$10,188.04		
Paid Chk#	103362	8/17/2016	TKO WINES, INC.		
E 640-47000-252	Wine For Resale		\$1,440.00	4036	WINE
Total	TKO WINES, INC.		\$1,440.00		
Paid Chk#	103363	8/17/2016	TOLL GAS & WELDING SUPPLY		
E 640-48000-210	Operating Supplies (GENERAL)		\$69.27	10140097	SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$32.61	40049891	SUPPLIES
Total	TOLL GAS & WELDING SUPPLY		\$101.88		

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Paid Chk#	103364	8/17/2016	TRADITION WINE & SPIRITS		
E 640-47000-252	Wine For Resale		\$560.00	10162	WINE
E 640-47000-259	Freight		\$10.00	10162	FREIGHT
Total TRADITION WINE & SPIRITS			\$570.00		
Paid Chk#	103365	8/17/2016	TRUE BRANDS		
E 640-47000-254	Soft Drinks/Mix For Resale		\$217.06	144978	MISC.MDSE.RESALE
E 640-47000-259	Freight		\$26.05	144978	FREIGHT
E 640-47000-259	Freight		\$10.82	146255	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$64.57	146255	MISC.MDSE.RESALE
E 640-47000-254	Soft Drinks/Mix For Resale		\$98.15	146434	MISC.MDSE.RESALE
Total TRUE BRANDS			\$416.65		
Paid Chk#	103366	8/17/2016	US FOODS		
E 640-49100-560	Furniture and Fixtures		\$2,677.59	5567867	BAR STOOLS
E 640-48000-254	Soft Drinks/Mix For Resale		\$219.11	5583841	MISC BEV
E 640-48500-210	Operating Supplies (GENERAL)		\$18.74	5583841	KITCHEN SUPPLIES
E 640-48000-342	Promotions - Food/Drinks		\$18.78	5583841	PROMO FOOD
E 640-48000-255	FOODIngredients For Resale		\$2,729.59	5583841	FOOD
E 640-48000-254	Soft Drinks/Mix For Resale		\$133.60	5628952	MISC.BEV.
E 640-48000-342	Promotions - Food/Drinks		\$20.37	5628952	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$172.62	5628952	KITCHEN SUPPLIES
E 640-48500-255	FOODIngredients For Resale		\$3,438.11	5628952	FOOD
E 640-48000-251	Liquor For Resale		\$77.76	5628952	LIQUOR
E 640-48000-254	Soft Drinks/Mix For Resale		\$623.51	5673296	MISC.BEV.
E 640-48000-342	Promotions - Food/Drinks		\$55.39	5673296	PROMO FOOD
E 640-48500-255	FOODIngredients For Resale		\$4,459.91	5673296	FOOD
E 640-48000-254	Soft Drinks/Mix For Resale		\$69.83	5712546	MISC.BEV.
E 640-48000-251	Liquor For Resale		\$41.12	5712546	LIQUOR
E 640-48000-342	Promotions - Food/Drinks		\$18.23	5712546	PROMO FOOD
E 640-48500-255	FOODIngredients For Resale		\$2,692.65	5712546	FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$31.28	5723129	KITCHEN SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$294.66	5723131	KITCHEN SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$269.97	5723132	KITCHEN SUPPLIES
E 640-48500-255	FOODIngredients For Resale		\$3,774.03	5752379	FOOD
E 640-48000-254	Soft Drinks/Mix For Resale		\$145.81	5752379	MISC.BEV.
E 640-48500-210	Operating Supplies (GENERAL)		\$190.37	5752379	KITCHEN SUPPLIES
E 640-48000-251	Liquor For Resale		\$24.61	5752379	LIQUOR
E 640-48000-342	Promotions - Food/Drinks		\$18.23	5752379	PROMO FOOD
E 640-48500-255	FOODIngredients For Resale		\$70.26	5767422	FOOD
E 640-48000-251	Liquor For Resale		\$89.75	5802565	LIQUOR
E 640-48500-255	FOODIngredients For Resale		\$2,655.24	5802565	FOOD
E 640-48000-210	Operating Supplies (GENERAL)		\$54.13	5802565	BAR SUPPLIES
Total US FOODS			\$25,085.25		
Paid Chk#	103367	8/17/2016	VINOCOPIA		
E 640-47000-259	Freight		\$10.00	0157944	FREIGHT
E 640-47000-251	Liquor For Resale		\$156.00	0157944	LIQUOR
E 640-47000-251	Liquor For Resale		\$175.25	0158580	LIQUOR
E 640-47000-259	Freight		\$5.00	0158580	FREIGHT
Total VINOCOPIA			\$346.25		
Paid Chk#	103368	8/17/2016	WALT S GARAGE		
E 640-47000-404	Repairs/Maint - Machin/Equip		\$1,386.13	6010	DELIVERY VAN REPAIRS
Total WALT S GARAGE			\$1,386.13		
Paid Chk#	103369	8/17/2016	WHITTAKER, CHAD		
E 640-48000-341	General Promotions		\$300.00	9/1/16	BAR MUSIC 9/1/16

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Total WHITTAKER, CHAD		\$300.00		
Paid Chk#	103370	8/17/2016	WINE COMPANY	
E 640-47000-252	Wine For Resale	\$906.66	10492	WINE
E 640-47000-259	Freight	\$8.40	10492	FREIGHT
E 640-47000-259	Freight	\$36.30	10828	FREIGHT
E 640-47000-252	Wine For Resale	\$4,034.00	10828	WINE
Total WINE COMPANY		\$4,985.36		
Paid Chk#	103371	8/17/2016	WINE MERCHANT	
E 640-47000-252	Wine For Resale	(\$247.09)	709083	WINE
E 640-47000-252	Wine For Resale	(\$41.28)	709084	WINE
E 640-47000-252	Wine For Resale	\$5,176.08	7092019	WINE
E 640-47000-259	Freight	\$19.50	7092019	FREIGHT
E 640-47000-252	Wine For Resale	(\$52.00)	709233	WINE
E 640-47000-259	Freight	\$39.04	7092556	FREIGHT
E 640-47000-252	Wine For Resale	\$8,128.00	7092556	WINE
E 640-47000-252	Wine For Resale	(\$429.82)	709266	WINE
E 640-48000-252	Wine For Resale	\$274.88	7092750	WINE
E 640-47000-252	Wine For Resale	\$248.00	7092750	WINE
E 640-47000-252	Wine For Resale	\$2,142.08	7092803	WINE
E 640-47000-259	Freight	\$20.95	7092803	FREIGHT
E 640-47000-259	Freight	\$6.10	7093005	FREIGHT
E 640-47000-252	Wine For Resale	\$667.00	7093005	WINE
E 640-48000-252	Wine For Resale	\$1,417.62	7093676	WINE
E 640-47000-259	Freight	\$19.52	7093732	FREIGHT
E 640-47000-252	Wine For Resale	\$1,996.44	7093732	WINE
E 640-47000-252	Wine For Resale	\$1,800.00	7093916	WINE
E 640-47000-259	Freight	\$12.20	7093916	FREIGHT
Total WINE MERCHANT		\$21,197.22		
Paid Chk#	103372	8/25/2016	AMERICAN PLANNING ASSOCIATION	
E 101-41500-433	Dues, Licensing & Seminars	\$465.00	196093-1673	J DAHL MEMBERSHIP
Total AMERICAN PLANNING ASSOCIATION		\$465.00		
Paid Chk#	103373	8/25/2016	ANCOM TECHNICAL CENTER	
E 101-42200-323	Radio Units	\$120.00	61903	FD RADIO BATTERY & REPAIRS
E 101-42200-323	Radio Units	\$50.00	61936	FD RADIO BATTERY & REPAIRS
E 101-42200-323	Radio Units	\$120.00	62049	FD RADIO BATTERY & REPAIRS
Total ANCOM TECHNICAL CENTER		\$290.00		
Paid Chk#	103374	8/25/2016	ANDERSON, KIM	
E 101-41910-492	HPB	\$274.00	HPB EXP	HPB JJ HILL DAY EXP.-REIMBURSEMENT
Total ANDERSON, KIM		\$274.00		
Paid Chk#	103375	8/25/2016	BACHMAN S	
E 101-45200-240	Small Tools and Minor Equip	\$27.81	841217/50	POLE SAW BLADE
Total BACHMAN S		\$27.81		
Paid Chk#	103376	8/25/2016	BANK OF AMERICA	
E 101-42200-433	Dues, Licensing & Seminars	\$150.00		FD DUES
Total BANK OF AMERICA		\$150.00		
Paid Chk#	103377	8/25/2016	BANK OF AMERICA	
E 101-42200-210	Operating Supplies (GENERAL)	\$225.53		SUPPLIES
E 101-42200-212	Motor Fuels	\$162.44		FUEL
E 101-42200-217	Uniforms	\$46.71		UNIFORMS CLEANED
E 101-42200-210	Operating Supplies (GENERAL)	\$9.28		SUPPLIES

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E 101-42200-323	Radio Units		\$402.27		FD CELL PHONE
E 101-42200-499	Miscellaneous		\$210.51		MTG.MEALS
Total BANK OF AMERICA			\$1,056.74		
Paid Chk# 103378	8/25/2016	BARCO MUNICIPAL PRODUCTS			
E 620-40000-210	Operating Supplies (GENERAL)		\$169.57	221360	UTILITY MARKING PAINT
E 610-40000-210	Operating Supplies (GENERAL)		\$169.57	221360	UTILITY MARKING PAINT
Total BARCO MUNICIPAL PRODUCTS			\$339.14		
Paid Chk# 103379	8/25/2016	BERRY COFFEE COMPANY			
E 101-45200-200	Office Supplies (GENERAL)		\$47.15	T206061	COFFE SUPPLIES
E 101-43100-200	Office Supplies (GENERAL)		\$47.15	T206061	COFFE SUPPLIES
E 610-40000-200	Office Supplies (GENERAL)		\$23.57	T206061	COFFE SUPPLIES
E 620-40000-200	Office Supplies (GENERAL)		\$23.58	T206061	COFFE SUPPLIES
Total BERRY COFFEE COMPANY			\$141.45		
Paid Chk# 103380	8/25/2016	BEST & FLANAGAN			
G 802-20330	VERIZON UPGRADE		\$98.75	459625	VERIZON ESCROW PROJECT
G 802-20331	AT&T UPGRAD		\$752.50	459630	AT&T ESCROW PROEJCT
E 407-40000-304	Legal Fees		\$1,275.00	459649	CELL TOWER
E 407-40000-304	Legal Fees		\$792.50	459650	CELL TOWER/SCHOOL DISTRICT
Total BEST & FLANAGAN			\$2,918.75		
Paid Chk# 103381	8/25/2016	BIFFS, INC.			
E 101-45200-415	Other Equipment Rentals		\$62.50	W608455	PARKS SERVICE
E 101-45200-415	Other Equipment Rentals		\$62.50	W608456	PARKS SERVICE
Total BIFFS, INC.			\$125.00		
Paid Chk# 103382	8/25/2016	BLUE CROSS AND BLUE SHIELD			
G 101-21706	Health Insurance		\$52,102.00	SEPT.2016	HEALTH INS.SEPT.2016
Total BLUE CROSS AND BLUE SHIELD			\$52,102.00		
Paid Chk# 103383	8/25/2016	CFS INSPECTIONS			
E 101-42200-241	Safety equip/testings		\$700.00	2016MY0148	FD INSPECTION
Total CFS INSPECTIONS			\$700.00		
Paid Chk# 103384	8/25/2016	CLAREY S SAFETY EQUIPMENT			
E 101-42200-240	Small Tools and Minor Equip		\$1,679.15	167562	FD TOOLS
Total CLAREY S SAFETY EQUIPMENT			\$1,679.15		
Paid Chk# 103385	8/25/2016	DECORATORS SERVICE CO.,INC.			
E 101-41940-309	Contractual Services		\$4,468.00	18763	WARMING HOUSE PAINTED
Total DECORATORS SERVICE CO.,INC.			\$4,468.00		
Paid Chk# 103386	8/25/2016	DELTA DENTAL OF MINNESOTA			
G 101-21717	Dental Insurance		\$1,612.95	6604521	DENTAL INS.
Total DELTA DENTAL OF MINNESOTA			\$1,612.95		
Paid Chk# 103387	8/25/2016	EARL F. ANDERSEN, INC.			
E 101-43100-226	Sign Repair Materials		\$275.30	0111880	STREET SIGNS
Total EARL F. ANDERSEN, INC.			\$275.30		
Paid Chk# 103388	8/25/2016	EHLERS			
E 316-40000-304	Legal Fees		\$805.00	71290	DOWNTOWN PARKING
Total EHLERS			\$805.00		
Paid Chk# 103389	8/25/2016	EMERGENCY AUTOMOTIVE			
E 409-42100-550	Vehicles		\$4,050.90	12740	NEW SQUAD SETUP
Total EMERGENCY AUTOMOTIVE			\$4,050.90		

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Paid Chk#	103390	8/25/2016	EXCEL DOCUMENT MGMT.		
E 630-40000-200	Office Supplies (GENERAL)		\$43.94	42789	MV BUS.CARDS
Total EXCEL DOCUMENT MGMT.			\$43.94		
Paid Chk#	103391	8/25/2016	FASTENAL		
E 101-43100-210	Operating Supplies (GENERAL)		\$10.88	MNPLY87012	SUPPLIES
E 620-40000-210	Operating Supplies (GENERAL)		\$26.57	MNPLY87013	SUPPLIES
Total FASTENAL			\$37.45		
Paid Chk#	103392	8/25/2016	FUZZY DUCK DESIGN		
E 101-41910-492	HPB		\$300.00	16-3389071	HPB PROMO ITEMS FOR JJ HILL DAYS
Total FUZZY DUCK DESIGN			\$300.00		
Paid Chk#	103393	8/25/2016	HD SUPPLY WATERWORKS, LTD		
E 670-40000-409	Maint services & Improv		\$377.56	F934763	STORMSEWER - NO CHICAGO
Total HD SUPPLY WATERWORKS, LTD			\$377.56		
Paid Chk#	103394	8/25/2016	JONES, REBECCA		
E 101-43100-499	Miscellaneous		\$54.16	AUGUST2016	AUG.2016 SUPPLIES
Total JONES, REBECCA			\$54.16		
Paid Chk#	103395	8/25/2016	LAW ENFORCEMENT LABOR SERVICES		
G 101-21707	Police union dues		\$490.00	AUG.2016	PD DUES AUG.2016
Total LAW ENFORCEMENT LABOR SERVICES			\$490.00		
Paid Chk#	103396	8/25/2016	LEE, ROSE		
E 101-42100-331	Mileage & Expense Account		\$12.00	PARKING REI	PARKING
Total LEE, ROSE			\$12.00		
Paid Chk#	103397	8/25/2016	LMCD		
E 233-40000-437	Payments to Organizations		\$8,988.50	3RD QTR.201	3RD QTR.2016 LEVY
Total LMCD			\$8,988.50		
Paid Chk#	103398	8/25/2016	MAGNEY CONSTRUCTION		
E 610-49100-309	Contractual Services		\$103,383.75	4	WTP#2
Total MAGNEY CONSTRUCTION			\$103,383.75		
Paid Chk#	103399	8/25/2016	MANSFIELD OIL COMPANY		
E 101-49200-212	Motor Fuels		\$1,138.07	650902	FUEL
Total MANSFIELD OIL COMPANY			\$1,138.07		
Paid Chk#	103400	8/25/2016	MARCO		
E 620-40000-404	Repairs/Maint - Machin/Equip		\$224.17	INV3532396	PW COPIER CONTRACT
E 610-40000-404	Repairs/Maint - Machin/Equip		\$224.17	INV3532396	PW COPIER CONTRACT
E 101-45200-404	Repairs/Maint - Machin/Equip		\$224.17	INV3532396	PW COPIER CONTRACT
E 101-43100-404	Repairs/Maint - Machin/Equip		\$224.16	INV3532396	PW COPIER CONTRACT
Total MARCO			\$896.67		
Paid Chk#	103401	8/25/2016	MEDIACOM		
E 101-41940-321	Telephone		\$309.95	838492151000	SERVICE
Total MEDIACOM			\$309.95		
Paid Chk#	103402	8/25/2016	MICRO CENTER		
E 409-42100-540	Equipment		\$929.98	6224092	EOC ROOM EQUIPMENT
Total MICRO CENTER			\$929.98		
Paid Chk#	103403	8/25/2016	MILLER, FRED		
E 235-40000-309	Contractual Services		\$750.00	135	NITE TO UNITE
E 235-40000-302	Consultants		\$1,600.00	135	WCTV

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Total MILLER, FRED			\$2,350.00		
Paid Chk#	103404	8/25/2016	MINNESOTA EQUIPMENT		
E 101-45200-222	Repair & Maint - Equip		\$18.06	P48269	PARTS
Total MINNESOTA EQUIPMENT			\$18.06		
Paid Chk#	103405	8/25/2016	MN BATTERY LLC		
E 101-42200-404	Repairs/Maint - Machin/Equip		\$99.75	16469	PARTS
E 101-42100-404	Repairs/Maint - Machin/Equip		\$89.75	16480	PARTS
E 101-45200-222	Repair & Maint - Equip		\$89.75	16523	PARTS
Total MN BATTERY LLC			\$279.25		
Paid Chk#	103406	8/25/2016	MN CHILD SUPPORT PAYMENT CENTE		
G 101-21710	County WH		\$235.00	0015104841	WITHHOLDING ORDER
Total MN CHILD SUPPORT PAYMENT CENTE			\$235.00		
Paid Chk#	103407	8/25/2016	MN CITY/COUNTY MANAGEMENT ASSO		
E 101-41500-331	Mileage & Expense Account		\$50.00	KANSAS CITY J DAHL CONF.REGISTRATION	
Total MN CITY/COUNTY MANAGEMENT ASSO			\$50.00		
Paid Chk#	103408	8/25/2016	MN CITY/COUNTY MANAGEMENT ASSO		
E 101-41500-433	Dues, Licensing & Seminars		\$132.00	MEMBERSHIP J DAHL MEMBERSHIP	
Total MN CITY/COUNTY MANAGEMENT ASSO			\$132.00		
Paid Chk#	103409	8/25/2016	MN DEPARTMENT OF HEALTH		
E 610-40000-309	Contractual Services		\$2,232.00	7/1-9/30/16	WATER CONNECTIONS
Total MN DEPARTMENT OF HEALTH			\$2,232.00		
Paid Chk#	103410	8/25/2016	MN HWY SAFETY & RESEARCH CNTR.		
E 101-42100-434	Training and schools		\$1,584.00	629430-5167	PD TRAINING
Total MN HWY SAFETY & RESEARCH CNTR.			\$1,584.00		
Paid Chk#	103411	8/25/2016	MOSS & BARNETT		
E 101-41500-304	Legal Fees		\$2,583.54	652115	MEDIACOM
Total MOSS & BARNETT			\$2,583.54		
Paid Chk#	103412	8/25/2016	OFFICE DEPOT		
E 101-41500-200	Office Supplies (GENERAL)		\$45.79	856591308001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$45.99	857539533001	SUPPLIES
Total OFFICE DEPOT			\$91.78		
Paid Chk#	103413	8/25/2016	PITNEY BOWES		
E 101-49200-322	Postage		\$538.75		SUPPLIES & LEASE
Total PITNEY BOWES			\$538.75		
Paid Chk#	103414	8/25/2016	POPP TELECOM		
E 101-41940-404	Repairs/Maint - Machin/Equip		\$50.00	136623	SERVER SUPPORT
Total POPP TELECOM			\$50.00		
Paid Chk#	103415	8/25/2016	POPP TELECOM		
E 640-47000-321	Telephone		\$100.00		SERVICE
E 640-48000-321	Telephone		\$100.00		SERVICE
E 101-41940-321	Telephone		\$306.98		SERVICE
E 610-40000-323	Radio Units		\$90.20		SERVICE
E 620-40000-323	Radio Units		\$32.92		SERVICE
Total POPP TELECOM			\$630.10		
Paid Chk#	103416	8/25/2016	RANDY S SANITATION		
E 650-47800-386	Other Utilities		\$52.05		ORGANICS DISPOSAL 09-06-2016 CC PACKET

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E 640-47000-384	Refuse/Garbage Disposal		\$150.00		STORE
E 650-47800-384	Refuse/Garbage Disposal		\$6,479.48		ORGANICS
E 650-47600-309	Contractual Services		\$3,938.22		RECYCLING
E 101-41940-386	Other Utilities		\$66.96		CH & PW
E 650-47500-384	Refuse/Garbage Disposal		\$1,025.53		DRIVE UP
E 650-47500-384	Refuse/Garbage Disposal		\$1,402.57		KARTS
E 650-47500-384	Refuse/Garbage Disposal		\$46.15		STICKERS
E 650-47800-386	Other Utilities		\$4,248.75		DISPOSAL
E 650-47500-384	Refuse/Garbage Disposal		\$8,838.13		LABOR
E 640-48000-384	Refuse/Garbage Disposal		\$433.53		BAR
Total RANDY S SANITATION			\$26,681.37		
<hr/>					
Paid Chk# 103417	8/25/2016	RISVOLD, MICHAEL			
E 101-42100-433	Dues, Licensing & Seminars		\$350.00	IACP CONF.	IACP CONF.REGISTRATION
Total RISVOLD, MICHAEL			\$350.00		
<hr/>					
Paid Chk# 103418	8/25/2016	SHORT ELLIOTT HENDRICKSON INC.			
G 802-20331	AT&T UPGRAD		\$463.29	319707	AT&T ESCROW PROJECT
Total SHORT ELLIOTT HENDRICKSON INC.			\$463.29		
<hr/>					
Paid Chk# 103419	8/25/2016	SITEONE LANDSCAPE SUPPLY			
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$65.17	77007187	SUPPLIES
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$144.47	77190464	SUPPLIES
Total SITEONE LANDSCAPE SUPPLY			\$209.64		
<hr/>					
Paid Chk# 103420	8/25/2016	SPOK, INC.			
E 101-43100-499	Miscellaneous		\$14.73	Z0318102H	ON CALL PAGER
Total SPOK, INC.			\$14.73		
<hr/>					
Paid Chk# 103421	8/25/2016	SPRINT			
E 101-42200-323	Radio Units		\$322.92	523093316-17	FD SERVICE
Total SPRINT			\$322.92		
<hr/>					
Paid Chk# 103422	8/25/2016	SRF CONSULTING GROUP, INC.			
E 408-40000-302	Consultants		\$1,132.15	08758.00-15	PEAVEY BRIDGE
E 430-40000-302	Consultants		\$168.90	09311.00-1	2016 STREETS
Total SRF CONSULTING GROUP, INC.			\$1,301.05		
<hr/>					
Paid Chk# 103423	8/25/2016	STANTEC CONSULTING SERVICES			
E 610-49100-302	Consultants		\$6,454.72	1083817	WTP#2
Total STANTEC CONSULTING SERVICES			\$6,454.72		
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Paid Chk# 103424	8/25/2016	STERICYCLE, INC.			
E 101-42100-309	Contractual Services		\$1,252.20	4006504907	PD SERVICE
Total STERICYCLE, INC.			\$1,252.20		
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Paid Chk# 103425	8/25/2016	STREICHER S			
E 101-42100-217	Uniforms		\$9.99	I1220254	PD UNIFORMS
E 101-42100-217	Uniforms		\$279.98	I1220485	PD UNIFORMS
E 101-42100-217	Uniforms		\$265.95	I1220578	PD UNIFORMS
E 101-42100-217	Uniforms		\$29.98	I1220581	PD UNIFORMS
Total STREICHER S			\$585.90		
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Paid Chk# 103426	8/25/2016	SUBURBAN TIRE WHOLESALE INC.			
E 101-42100-404	Repairs/Maint - Machin/Equip		\$126.50	10140714	PD TIRES
Total SUBURBAN TIRE WHOLESALE INC.			\$126.50		
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Paid Chk# 103427	8/25/2016	SUMMIT FIRE PROTECTION			
E 233-40000-401	Repairs/Maint Buildings		\$171.52	1124850	SEMI ANNUAL INSPECTION- BEACH HOUSE

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Total SUMMIT FIRE PROTECTION			\$171.52		
Paid Chk# 103428	8/25/2016	TIME SAVER			
E 101-41100-302	Consultants		\$439.50	M22322	MTG.MINUTES
Total TIME SAVER			\$439.50		
Paid Chk# 103429	8/25/2016	TRANSPORT GRAPHICS			
E 101-42200-404	Repairs/Maint - Machin/Equip		\$167.90	120770	FD TRUCK GRAPHICS
Total TRANSPORT GRAPHICS			\$167.90		
Paid Chk# 103430	8/25/2016	TRUCK UTILITIES MFG.CO.			
E 409-45200-550	Vehicles		\$120.25	0301441	LICENSE & TRANSFER FEE FOR TRUCK
Total TRUCK UTILITIES MFG.CO.			\$120.25		
Paid Chk# 103431	8/25/2016	UPS STORE			
E 101-45200-499	Miscellaneous		\$13.72	1846	POCKET PARK CELEBRATION
Total UPS STORE			\$13.72		
Paid Chk# 103432	8/25/2016	USA BLUE BOOK			
E 610-40000-240	Small Tools and Minor Equip		\$60.91	029571	TOOLS
E 620-40000-240	Small Tools and Minor Equip		\$60.90	029571	TOOLS
Total USA BLUE BOOK			\$121.81		
Paid Chk# 103433	8/25/2016	VAN PAPER COMPANY			
E 101-41500-200	Office Supplies (GENERAL)		\$290.20	396392-00	SUPPLIES
Total VAN PAPER COMPANY			\$290.20		
Paid Chk# 103434	8/25/2016	VERIZON WIRELESS			
E 101-42100-323	Radio Units		\$200.07	9770231088	PD SERVICE
Total VERIZON WIRELESS			\$200.07		
Paid Chk# 103435	8/25/2016	VILLAGE CHEVROLET			
E 101-45200-222	Repair & Maint - Equip		\$105.20	295117	PARTS
Total VILLAGE CHEVROLET			\$105.20		
Paid Chk# 103436	8/25/2016	WARNING LITES			
E 101-43100-415	Other Equipment Rentals		\$504.00	159223	TRAFFIC CONTROL EQUIPMENT
E 101-43100-415	Other Equipment Rentals		\$620.00	HAIR TO THE	TRAFFIC CONTROL EQUIPMENT
Total WARNING LITES			\$1,124.00		
Paid Chk# 103437	8/25/2016	WAYZATA CHAMBER OF COMMERCE			
E 101-41500-433	Dues, Licensing & Seminars		\$125.00	7450	JJ HILL DAY BOOTH
Total WAYZATA CHAMBER OF COMMERCE			\$125.00		
Paid Chk# 103438	8/25/2016	WAYZATA COMMUNITY SAILING SCHO			
G 101-20300	Deposits Payable		\$10,000.00	YOUTH PROG	HENN.CNTY.YOUTH SPORTS PROGRAM GRANT
Total WAYZATA COMMUNITY SAILING SCHO			\$10,000.00		
Paid Chk# 103439	8/25/2016	WAYZATA TIRE & AUTO			
E 101-42200-404	Repairs/Maint - Machin/Equip		\$120.09	130936	FD REPAIRS
Total WAYZATA TIRE & AUTO			\$120.09		
Paid Chk# 103440	8/25/2016	WESTSIDE WHOLESALE TIRE			
E 101-42100-404	Repairs/Maint - Machin/Equip		\$23.00	772533	PD TIRES
E 101-42100-404	Repairs/Maint - Machin/Equip		\$43.00	772949	PD TIRES
Total WESTSIDE WHOLESALE TIRE			\$66.00		
Paid Chk# 103441	8/25/2016	WSB & ASSOCIATES			
E 430-40000-302	Consultants		\$2,146.00	01204-470-6	2016 STREEST 09-06-2016 CC PACKET

***Check Detail Register©**

August 2016

	Check Amt	Invoice	Comment
Total WSB & ASSOCIATES	\$2,146.00		
10100 Anchor Bank	\$429,986.27		

Fund Summary

10100 Anchor Bank	
101 GENERAL FUND	\$87,533.53
233 LAKFRONT IMPROVE	\$9,160.02
235 CABLE TV	\$2,350.00
316 BAY CENTER	\$805.00
407 CELL TOWER	\$2,067.50
408 GENERAL CIP	\$1,132.15
409 EQUIP REVOLVING	\$5,101.13
430 STREET CIP	\$2,314.90
610 WATER FUND	\$112,638.89
620 SEWER FUND	\$641.71
630 MOTOR VEHICLE	\$2,356.93
640 LIQUOR	\$176,161.53
650 SOLID WASTE	\$26,030.88
670 STORMWATER	\$377.56
802 ESCROW PROJECTS	\$1,314.54
	\$429,986.27

9/6/2016

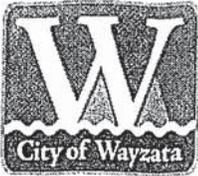
THE FOLLOWING 2016 MUNICIPAL LICENSES
WERE APPROVED ADMINISTRATIVELY

Special Event/Itinerant Food License HairToThere 5K Event on 8/20/16	
Camille Weas	Plymouth, MN
Special Event/Itinerant Food License Flagship Bank Minnesota Grand Opening on 8/26/16	
Flagship Bank Minnesota	Wayzata, MN
Special Event/Itinerant Food License James J. Hill Days on September 9, 10 and 11	
Bobby's Baby Back Ribs	Mounds View, MN
Daryl's Dog House	White Bear Lake, MN
Green & The Grain	Minneapolis, MN
MyBurger USA	Minneapolis, MN
Plymouth Jakes, Inc	Plymouth, MN
WildEarth LLC	Minneapolis, MN
Wayzata Bar & Grill (Two (2) locations)	Wayzata, mn
Special Event/Itinerant Food License James J. Hill Days on September 10 and 11	
Falafel King	Minneapolis, MN
Kabomelette	Minneapolis, MN
Lord Fletcher's Walleye Wagon	Spring Park, MN
Rusty Taco	Minneapolis, MN
Red River Kitchen/Republic	Minneapolis, MN
Four (4) Special Event/Itinerant Food Licenses James J. Hill Days on September 9, 10 and 11	
Brooks Concession	Slidell, LA
2016 Gas Fitter's License	
Serbus Heating & Cooling, LLC	Waconia, MN
2016 Tree Removal & Treatment License	
Maximum Tree Service	New London, MN

**2016 MUNICIPAL LICENSES
FOR CITY COUNCIL APPROVAL ON 09/06/2016**

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

ONE (1) DAY Temporary Consumption and Display Permit on October 1, 2016 for a Musical Concert at the Church	
Unitarian Univerisalist Church	Wayzata, MN
ONE (1) DAY Temporary On-Sale Liquor License on September 9, 2016 Rails and Ales Craft Beer Festival at James J Hills Day	
Wayzata Chamber of Commerce	Wayzata, MN
2016 Massage License (NEW)	
Shelley Harris @ Wayzata Salon & Day Spa on the Bay	301 Broadway Ave. S.
Karla Kuehl @ Wayzata Salon & Day Spa on the Bay	301 Broadway Ave. S.



APPLICATION FOR A 1 DAY TEMPORARY CONSUMPTION AND DISPLAY PERMIT

NAME OF ORGANIZATION: Unitarian Universalist Church of Minnetonka

DATE(S) OF EVENT: Sat, Oct 1st 2016 START TIME: 7:30 PM STOP TIME: 10:30 PM

NAME OF EVENT: Performing Arts Concert: Steve Katz

DESCRIPTION OF EVENT: musical concert

NAME OF LOCATION WHERE EVENT WILL BE HELD: Unitarian Universalist Church

ADDRESS WHERE EVENT WILL BE HELD: 605 Rice Street E

NAME OF PERSON IN CHARGE AT EVENT: William Tregaskis

TELEPHONE NUMBER OF PERSON IN CHARGE AT EVENT: 612-220-2867 / 763-477-7431

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

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

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

LOCATION LICENSE/PERMIT WILL BE USED. IF AN OUTDOOR AREA, DESCRIBE:
inside church building @ 605 Rice Street E.

PLEASE ATTACH A MAP AND/OR DRAWINGS WHICH ILLUSTRATE YOUR LOCATION AT THE EVENT INCLUDING LOCATION OF TABLES, LOCATION OR BAR, ILLUSTRATION OF CONTROL MEASURES, ETC.
ARE MAP/DRAWINGS ATTACHED? YES N/A

SIGNATURE OF APPLICANT: Judy Regan DATE: 7/19/2016

PRINT NAME: JUDY REGAN

CITY FEE AMOUNT: \$25.00 DATE FEE PAID: 8/16/16 RECEIPT # _____

POLICE CHIEF SIGNATURE: [Signature] DATE SIGNED: 8/16/16

APPROVED BY WAYZATA CITY COUNCIL ON: _____

DEPUTY CITY CLERK SIGNATURE: _____ DATE SIGNED: _____



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

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

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

Name of organization	Date organized	Tax exempt number	
Unitarian Universalist Church of Mtka	1960	23688	
Address	City	State	Zip Code
605 Rice Street	Wayzata	Minnesota	55364
Name of person making application	Business phone	Home phone	
Gudy Regan / Bill Tregaskis	(952) 473-5900	612-220-2867	
Date(s) of event	Type of organization		
Saturday, October 1st 2016	<input type="checkbox"/> Club <input type="checkbox"/> Charitable <input checked="" type="checkbox"/> Religious <input type="checkbox"/> Other non-profit		
Organization officer's name	City	State	Zip
X Rev. Kent Hemmen Salecka	Wayzata	Minnesota	55391
<input type="checkbox"/> Add New Officer			

Location where permit will be used. If an outdoor area, describe.

605 Rice street, inside building.

APPROVAL

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

City of Wayzata City or County approving the license	Date Approved
\$25.00 Fee Amount	Permit Date
8/16/16 Date Fee Paid	City or County Email Address
	City or County phone number

Signature City Clerk or County Official

Approved Director Alcohol and Gambling Enforcement

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.

ONE SUBMISSION PER EMAIL, APPLICATION ONLY.

PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US

**COMMERCIAL LIABILITY
CERTIFICATE OF INSURANCE**

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

NAME AND ADDRESS OF AGENCY Helland Agency, Inc. 18202 Minnetonka Blvd. Deephaven, MN. 55391	
NAME AND ADDRESS OF FIRST NAMED INSURED Unitarian Universalist Church 605 Rice Street East Wayzata, MN. 55391	This Certificate of Insurance neither affirmatively nor negatively amends, extends or alters the coverage or any provision of Policy No. <u>1296430</u> Issued by <u>GuideOne Specialty Mutual Ins. Co.</u>

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

TYPE OF INSURANCE	COMPANY AFFORDING COVERAGE AND POLICY NUMBER	POLICY EXPIRATION DATE	Limits of Liability	
			OCCURRENCE/AGGREGATE	OCCURRENCE/AGGREGATE
<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY (OCCURRENCE FORM) <input type="checkbox"/> _____ <input type="checkbox"/> _____	<input type="checkbox"/> GuideOne Mutual <input type="checkbox"/> GuideOne Elite <input checked="" type="checkbox"/> GuideOne Specialty Mutual <input type="checkbox"/> GuideOne America <input type="checkbox"/> GuideOne Lloyds Policy # _____	4/1/2017	<input checked="" type="checkbox"/> \$ 300,000/\$ 600,000 <input type="checkbox"/> 500,000/ 1,000,000 <input type="checkbox"/> 1,000,000/ 2,000,000 <input type="checkbox"/> _____ / _____	<input type="checkbox"/> \$ 300,000/\$1,000,000 <input type="checkbox"/> 500,000/ 1,500,000 <input checked="" type="checkbox"/> 1,000,000/ 3,000,000
AUTOMOBILE LIABILITY SYMBOL <input type="checkbox"/> ANY AUTO 1 <input type="checkbox"/> ALL OWNED AUTOS 2 <input type="checkbox"/> SCHEDULED AUTOS 7 <input checked="" type="checkbox"/> HIRED AUTOS 8 <input checked="" type="checkbox"/> NON-OWNED AUTOS 9	<input type="checkbox"/> GuideOne Mutual <input type="checkbox"/> GuideOne Specialty Mutual Policy # <u>Same</u>		BODILY INJURY AND PROPERTY DAMAGE COMBINED	\$1,000,000
EXCESS LIABILITY <input checked="" type="checkbox"/> UMBRELLA FORM	<input checked="" type="checkbox"/> GuideOne Mutual <input type="checkbox"/> GuideOne Elite <input type="checkbox"/> GuideOne Specialty Mutual <input type="checkbox"/> GuideOne America <input type="checkbox"/> GuideOne Lloyds Policy # _____	4/1/2017	OCCURRENCE/AGGREGATE \$1,000,000 \$1,000,000	
WORKERS' COMPENSATION and EMPLOYERS' LIABILITY	<input checked="" type="checkbox"/> GuideOne Mutual <input type="checkbox"/> GuideOne Elite <input type="checkbox"/> GuideOne Specialty Mutual <input type="checkbox"/> GuideOne America <input type="checkbox"/> GuideOne Lloyds Policy # _____	4/1/2017	STATUTORY EACH ACCIDENT DISEASE — \$ 100,000 POLICY LIMITS DISEASE — \$ 500,000 EACH EMPLOYEE \$ 100,000	Included
Property Insurance OTHER	GuideOne Spec.	4/1/2017	Per Schedule	

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES

Church And Related Activities, Including April 16th Concert. Insurance Coverage Includes Host Liquor Coverage, Along With Off Church Premises Activities.

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

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

NAME AND ADDRESS OF CERTIFICATE HOLDER: City Of Wayzata 600 Rice Street Wayzata, MN. 55391-1734

DATE ISSUED: 3/9/2016

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

Greg Helland
Greg Helland

AUTHORIZED REPRESENTATIVE

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



Minnesota Department of Public Safety
 Alcohol and Gambling Enforcement Division
 445 Minnesota Street, Suite 222, St. Paul, MN 55101
 651-201-7500 Fax 651-297-5259 TTY 651-282-6555
**APPLICATION AND PERMIT FOR A 1 DAY
 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization: Greater Wayzata Area Chamber of Commerce Date organized: Jan 1, 1973 Tax exempt number: 41-6040778

Address: 402 East Lake Street City: Wayzata State: Minnesota Zip Code: 55391

Name of person making application: Becky Pierson Business phone: 952-473-9595 Home phone: _____

Date(s) of event: Friday September 9, 2016 Type of organization: Club Charitable Religious Other non-profit

Organization officer's name: Becky Pierson - President City: Wayzata State: Minnesota Zip Code: 55391

Organization officer's name: Brooke Bayer - Director of Events City: Wayzata State: Minnesota Zip Code: 55391

Organization officer's name: _____ City: _____ State: Minnesota Zip Code: _____

Organization officer's name: _____ City: _____ State: Minnesota Zip Code: _____

Location where permit will be used. If an outdoor area, describe.

Fenced off area of parking lot by Chamber office (402 East Lake st), 10's checked by security @ 1 secure entrance point

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.

Scottsdale Insurance Company \$1,000,000

APPROVAL

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

<u>City of Wayzata</u> City or County approving the license	_____
<u>\$25.00</u> Fee Amount	_____
<u>8/29/2016</u> Date Fee Paid	_____
_____	Date Approved
_____	Permit Date
_____	City or County E-mail Address
_____	City or County Phone Number

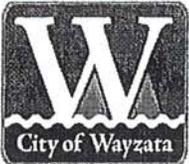
Signature City Clerk or County Official

Approved Director Alcohol and Gambling Enforcement

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.

ONE SUBMISSION PER EMAIL, APPLICATION ONLY.

PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US



APPLICATION FOR A 1 DAY TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE

NAME OF ORGANIZATION: Greater Wayzata Area Chamber of Commerce

DATE(S) OF EVENT: Friday September 9, 2016 START TIME: 3:00 pm STOP TIME: 8:00 pm

NAME OF EVENT: Rails And Ales Craft Beer Festival @ James J Hill Days

DESCRIPTION OF EVENT: Craft Beer Sampling Festival. 3oz pours of craft > 3.2 beer

NAME OF LOCATION WHERE EVENT WILL BE HELD: Parking lot near chamber office

ADDRESS WHERE EVENT WILL BE HELD: 402 East Lake street

NAME OF PERSON IN CHARGE AT EVENT: Jon Peterson or Brooke Beyer

TELEPHONE NUMBER OF PERSON IN CHARGE AT EVENT: 858-888-3200 ↳ 507.313.1583

WHAT DO YOU PLAN TO CONSUME: Beer > 3.2% ABV
(BEER, WINE, OR INTOXICATING LIQUOR)

DO YOU PLAN TO PROVIDE THE LIQUOR? NO, GUESTS WILL PROVIDE THEIR OWN LIQUOR
 YES - Breweries provide the Beer.

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

LOCATION LICENSE/PERMIT WILL BE USED. IF AN OUTDOOR AREA, DESCRIBE:
Parking lot of Wayzata Chamber office ~~area~~. fenced off w/ 1 secure entrance for checking IDs. No beer allowed beyond fences

PLEASE ATTACH A MAP AND/OR DRAWINGS WHICH ILLUSTRATE YOUR LOCATION AT THE EVENT INCLUDING LOCATION OF TABLES, LOCATION OR BAR, ILLUSTRATION OF CONTROL MEASURES, ETC.
ARE MAP/DRAWINGS ATTACHED? YES

SIGNATURE OF APPLICANT: *Becky Pierson*

PRINT NAME: Becky Pierson

RECEIVED
DATE: 8-26-2016
AUG 29 2016
BY: *JK*

CITY FEE AMOUNT: \$25.00 DATE FEE PAID: 8/29/2016 RECEIPT # 34877

POLICE CHIEF SIGNATURE: *Walter Rosenthal* DATE SIGNED: 8/29/16

APPROVED BY WAYZATA CITY COUNCIL ON: 9/6/16

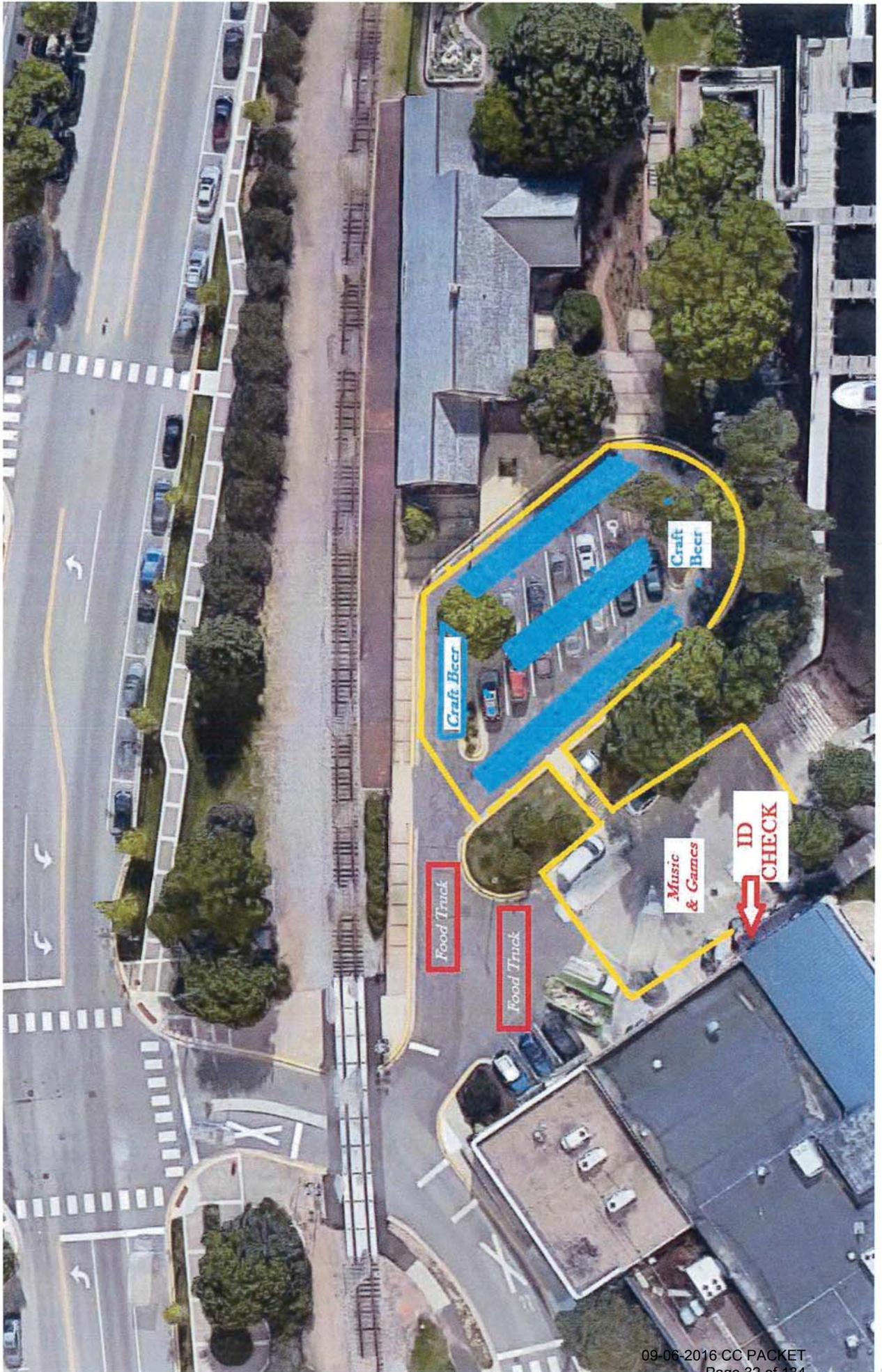
DEPUTY CITY CLERK SIGNATURE: _____ DATE SIGNED: _____

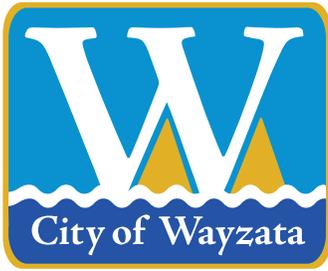


JAMES J. HILL DAYS

RAILS & ALES

Date and Time: Friday, September 9th serving from 4-8pm
ID Check and only entrance / exit near Wayzata Brew Works
Location: Beer Vendors will be in the parking lot of 402 East Lake Street
Food Trucks will be outside the fenced off, ID-Required area,
Music and games will be near Wayzata Brew Works





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: August 31, 2016

TO: Mayor Willcox and Councilmembers

FROM: Jeffrey Dahl, City Manager

SUBJECT: Acceptance of Resignation of Parks and Trails Board Member Holly Evans

Update

Attached is the resignation letter Holly Evans submitted to staff on August 13th. Staff will add the vacancy to what is advertised this fall for the available seats on all of the City Commissions.

Holly Evans participated on the board for five years and brought a great deal of enthusiasm in addition to the perspective of a local business owner that specializes in parks and recreation services. Her service to the community will be greatly missed.

Ms. Evans was the sole “non-resident Board member” as an Orono resident. Coincidentally, Chair Dan Baasen recently moved out of the City, albeit in a neighboring Lake Minnetonka community. However, Dan is still heavily invested in and actively involved in various activities throughout Wayzata. Staff recommends re-assigning the non-resident board member from Holly Evans to Dan Baasen.

City Council Action Requested

Motion to accept the attached resignation of Holly Evans from the Parks and Trails Board and re-assign the non-resident Parks and Trails Board vacancy to Dan Baasen.

August 13, 2016

1477 North Arm Drive
Orono, MN 55364

Dear Mayor Willcox, Members of the Wayzata City Council and Dave Dudinsky,

These past five years working hand and hand with a Community I cherish, has been one of the most fulfilling experiences of my life. I have been honored to serve the City of Wayzata on a number of various projects; Wayzata Lake Effect Advisory Board, Lake Effect Designer Selection Committee, Lake Effect Steering Committee and of course, the Wayzata Parks and Trails Board.

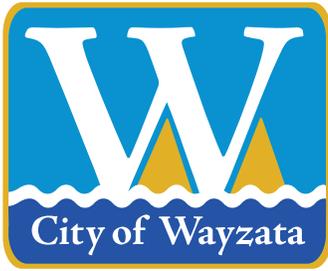
Some of you may also know that I am very passionate and involved in the Stand Up Paddleboard Industry where I serve as Vice President of the Stand Up Paddleboard Industry Association based out of Dana Point, CA. Being able to serve my Industry working on major initiatives such as Consumer Safety has been an absolute privilege and a responsibility I will never take lightly.

It is with the heaviest of hearts that I write this letter. Sadly, due to the extreme seasonality of my business in Minnesota and the continuous wave of possibilities being presented to me in my Industry, I will be pursuing "off-season" extension opportunities for a few months out of state. Over Fall 2016/Winter 2017, I will be residing in San Diego, working closely with other Stand Up Paddleboarding Industry leaders and more importantly for my family, generating income that is very difficult to do over the long Midwest Winter months.

Because of this temporary seasonal move (that will take place this month), I believe I need to resign, effective immediately, from the Wayzata Parks and Trails Board (assuming it will not be a position I can hold being out of the state for half the year.) Please know, I do plan to return to Minnesota next Spring to enjoy our beautiful Lake Minnetonka summers, to bring experiential and safe Stand Up Paddleboarding opportunities to our community and to once again be close to family and friends.

It has been an incredible honor to serve the city of Wayzata in these capacities and my hope is that this temporary, seasonal move is not the end of that relationship. Wayzata means the World to me and I hope for my family to be part of this wonderful Community for years to come! Thank you for continuous support and understanding. I will always be forever grateful.

Sincerely,
Holly Evans



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: August 31, 2016

TO: Mayor Willcox and Councilmembers

FROM: Jeffrey Dahl, City Manager

SUBJECT: Consider Appointment of James Anderson Memorial Committee

Update

At the Council's last meeting, the City Council formed the James Anderson Memorial Committee. The intent of this group will be to make a recommendation to the Council for a new and more prominent memorial to honor James Anderson, a Wayzata Police Officer who was killed in the line of duty on August 31, 1982.

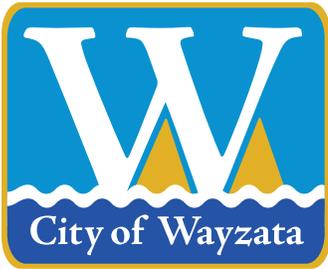
After discussion with interested parties, staff recommends the following appointments:

- Johanna McCarthy, City Council
- Jeffrey Dahl, City Manager
- Chief Risvold, Chief of Police
- Officer McCarthy, Police Department
- Dave Dudinsky, Public Services Director
- Sarah Showalter, Parks and Trails Board/Lake Effect Conservancy Member
- ,Wayzata Crime Prevention Coalition Member
- Gayle Wilson, Resident

Upon approval, staff will schedule an introductory meeting.

City Council Action Requested

Motion to appoint the aforementioned community members to the James Anderson Memorial Committee.



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: September 1, 2016
To: Mayor Willcox and City Councilmembers
From: Jeff Thomson, Director of Planning and Building
Subject: Broadway Place – 326 and 332 Broadway Ave S

Introduction

The City Council reviewed the development application at its meeting on August 16, 2016. The City Council tabled action on the development application to allow the applicant to make minor changes and address the concerns discussed by the Council.

Revised Plans

The applicant has submitted revised plans for the project, which include the following design changes:

- The portion of the third story at the corner of the building has been removed so that the entire third story is not stepped back 10 feet from the first floor of the building. The revision now complies with the design standards, and the deviation for the third story step back is no longer required.
- The revised plans include minor changes to the building lines at the first and second floor to provide additional articulation of the façade as required by the design standards. A portion of the first floor has been stepped out to create a larger area of setback between the first and second floor. The second story is not stepped back from the first story for 50 percent of the building length, which is more than the 25 percent minimum required by the design standards. The distance of the step back remains 3 feet, which still requires a deviation from the design standard.
- The applicant has reduced the amount of metal paneling on the building elevations by adding more brick and cast stone to the north and west elevations.

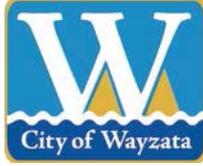
Sidewalks and Pedestrian Connections

The Council also discussed and provided direction on improving the existing sidewalks along Mill Street and Broadway Avenue, as well as improving the visibility of the pedestrian walkway through the 701 Broadway building. At the last City Council meeting regarding the Mill Street parking ramp project, the Council asked staff to look at improvements to the sidewalk and

building entrances along the south side of Mill Street. This area is not currently included in the scope of the parking ramp project. City staff is working with HGA to put together a scope of work for the south side of Mill Street. The scope would include minor sidewalk improvements, lighting, landscaping, and wayfinding signage. The project area would include Broadway Ave in front of the proposed development, and the south side of Mill Street from Broadway to Wuollet Bakery. The goal is to provide a unified design and coordinated construction in this area. The applicant has stated that they are agreeable to work with the City on the project. This is included as a condition of approval in the draft Council resolution.

Action Steps

- 1) Adopt draft Resolution No. 32-2016 approving the PUD concept and general plans, PUD rezoning, project design, height variance, shoreland height and impervious surface CUPs, and preliminary and final plat subdivision at 326 and 332 Broadway Ave S.
- 2) Adopt the first reading of draft Ordinance No. 760 amending the official zoning map of the City to rezone property at 326 and 332 Broadway Ave S to PUD/Planned Unit Development District.



**Planning Report
City Council
August 16, 2016**

Project Name: Broadway Place
Applicant Beltz Enterprises, LLC
Addresses of Request: 326 and 332 Broadway Ave S
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: August 18, 2016

Development Application

Introduction

The applicant, Beltz Enterprises, LLC, and the property owner, MJ Mail Center, LLC, have submitted a development application to redevelop the Gold Mine and Mail Center properties at 326 and 332 Broadway Ave S. The development application includes demolition of the two existing commercial buildings and construction of a three story mixed use building which would consist of retail uses on the ground level and office uses on the upper two levels.

Property Information

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

Address	PID	Owner
326 Broadway Ave S	06-117-22-42-0016	MJ Mail Center, LLC
332 Broadway Ave S	06-117-22-42-0017	MJ Mail Center, LLC

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

Current zoning:	C-4B/Central Business District
Comp plan designation:	Central Business District
Total site area:	7,518 square feet (0.17 acres)

Project Location

The property is located on the southeast corner of the Broadway Ave/Mill Street E intersection.

Map 1: Project Location



Application Requests

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

- A. Rezoning from C-4B to PUD/Planned Unit Development: The property is currently zoned C-4B, and the applicant is requesting a rezoning to PUD.
- B. Concurrent PUD Concept and General Plan of Development Review: A rezoning to PUD requires both concept and general plan of development review. The applicant is requesting concurrent review of both the concept plan and general plan.
- C. Design Review: Construction of a new building requires design review by City Code Section 801.09.1.5.
- D. Variance from the maximum building height requirement: The maximum building height in the PUD zoning district is 35 feet and 3 stories, whichever is less. The proposed building would be 3 stories in height, but would be 38 feet in height, which requires a variance.
- E. Shoreland Impact Plan/Conditional Use Permit for the building height: In addition to the PUD zoning district, the shoreland overlay district also includes a maximum height requirement of 35 feet. The shoreland ordinance states that building heights of over 35 feet may be allowed through approval of a shoreland impact plan/conditional use permit.

- F. Shoreland Impact Plan/Conditional Use Permit for impervious surface: The shoreland overlay district also establishes a maximum impervious surface of 25% of the lot area, except impervious surface coverage may be allowed to exceed 75% of the lot area with a shoreland impact plan/conditional use permit. The proposed plan would have an impervious surface coverage of approximately 96%.
- G. Preliminary and Final Plat Subdivision to combine the lots: The City's subdivision ordinance defines subdivision as the division of land into two or more lots or combination of two or more lots. The applicant's proposal to combine the two existing lots into one lot requires subdivision review and approval.

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	Mill Street municipal parking lot	Institutional	Institutional/Public
East	701 Lake St E mixed use building	PUD/Planned Unit Development	Central Business District
South	COV restaurant mixed use building	C-4B/Central Business District	Central Business District
West	Marquee Place mixed use building	C-4B/Central Business District	Central Business District

Public Hearing Notice

The public hearing notice was published in the *Wayzata Sun Sailor* on July 7, 2016. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on July 8, 2016. The Planning Commission held the public hearing at its meeting on July 18, 2016.

Analysis of Application

Comprehensive Plan

The Comprehensive Plan land use designation for the subject property is Central Business District. The objective of the Central Business District land use category is to promote a diversity of retail, office, service, and residential land uses at a high level of development quality to enhance it as a regional destination. The Comprehensive Plan includes the follow "1st Tier" priorities for the Central Business District:

- Allow a mix of commercial, office, and residential uses that strengthen the CBD as the shopping, employment, and entertainment destination of Wayzata.

- Update development standards continually to assure the highest development quality possible for the Central Business District.
- Complement the CBD and its strong sense of place through land use choices, urban design principles, traffic, parking, and architectural style.
- Investigate strategies to increase retail vitality throughout the CBD. 2.5 Define and evaluate on-street/off-street parking needs consistent with land use, and requirements within the CBD so as to emphasize circulation ease and access control.
- Continue to provide a safe, comfortable, and attractive pedestrian scale environment through the enhancement of the pedestrian circulation system by improving sidewalks, walkways and street furniture; mitigating conflicts with traffic and street intersections, and by providing proper demarcation and sign control.
- Enhance the image and identity of the CBD by emphasizing street trees and landscaping elements.
- Plan for an orderly transition between the CBD development and adjacent residential neighborhoods.
- Accommodate traffic without negatively compromising the integrity of the downtown and its adjacent neighborhoods.
- Consider complementing abutting edges, both residential and retail/commercial.
- Consider public financial support that is fiscally responsible and provides value to the City's infrastructure and community systems.
- Consider ways to assist with redevelopment when properties become a liability to the community.
- Commercial buildings on Lake Street, west of Barry Avenue, should not be required to have a first floor retail use, although it is allowed and encouraged. Transparency requirements under the Lake Street District of the Design Standards remain in effect.
- Identify ecological and water quality impacts on the lake and other water bodies caused by proposed land use developments, for example stormwater runoff, and work to mitigate these impacts.

In addition, the Comprehensive Plan includes the following “2nd Tier” priorities:

- Plan development of parking so that it is not a focal point but rather placed behind buildings with appropriate buffers and landscaping.
- Adjust City's Zoning Ordinance to address concerns of sun-orientation on southern side of Lake Street by requiring upper story setbacks for all new construction to avoid shading the north side of Lake Street.
- Continue to evaluate ways to encourage a variety of housing options for upper-story housing.
- Consider 3rd story' uses with appropriate considerations for design and scale. Commercial and residential uses are allowed as a third story, but the third story must be set back significantly more from the front facade of the floor below.

Zoning

The Property is currently zoned C-4B/Central Business District. The following table outlines the zoning standards for the C-4B, PUD, and shoreland overlay districts:

	C-4B Zoning	PUD Zoning	Shoreland Overlay District	Proposed PUD
Height	2 stories and 30 feet, whichever is less	3 stories and 35 feet, whichever is less	35 feet	38 feet ⁽¹⁾⁽²⁾
Floor Area Ratio	2.0	No maximum	N/A	2.66 (approx.)
Impervious Surface	No maximum	No maximum	25% 75% with stormwater management 100% with shoreland impact plan/CUP	96% ⁽²⁾ (approx.)
Setbacks	None	Same as imposed by zoning district	N/A	The proposed building would be set back 0 feet from all property lines.

⁽¹⁾ Variance required

⁽²⁾ Shoreland impact plan/conditional use permit required

In addition to the zoning standards outlined above, the permitted uses in the C-4B zoning district include retail and service establishments in the ground level of the building that deal directly with the customer for whom the goods or services are furnished, and retail, service, office, laboratories, schools, or residential dwelling units within upper levels of the building. The PUD zoning district states that uses within the

building must be consistent with the Comprehensive Plan land use designation. The proposed building would consist of retail uses on the ground level and office uses on the upper two levels, which would comply with the C-4B zoning district and the Central Business District land use designation in the Comprehensive Plan.

The proposed project includes three deviations from the requirements of the C-4B zoning district. First, the C-4B district has a maximum building height requirement of 30 feet or 2 stories, whichever is less. The applicant's request to rezone the property to PUD would allow a 3 story building with a maximum height of 35 feet. In addition to the PUD zoning for the increased building height, the applicant is also requesting a variance to exceed the 35-foot maximum height of the PUD district.

The second deviation from the C-4B district requirements is to the maximum floor area ratio (FAR) of 2.0. However, the PUD district does not include a maximum FAR. The proposed building would have an FAR of approximately 2.66.

The third deviation from the C-4B district is from the minimum lot area requirements. The C-4B district includes a minimum lot area of 12,000 square feet. However, the PUD zoning district does not have a minimum lot size for non-residential projects. The proposed lot combination would result in a lot size of 7,518 square feet, which would not meet the C-4B requirements, but would meet the PUD requirements.

The PUD zoning district is an ordinance that can be used to allow for greater flexibility in development by incorporating design modifications from the strict application of the standard zoning district requirements. The PUD zoning district allows modifications of the strict standards for projects that meet a specific purpose, as outlined in "Applicable Code Provisions" section of this report. In addition, the PUD zoning district establishes general standards for a PUD, which are also outlined below.

Proposed Building

The proposed building would be three stories and would consist of first floor retail and office uses on the upper two floors. The total building size is approximately 20,000 square feet, which would include approximately 7,000 ground floor retail, and 13,000 square feet of office. The ground floor retail space could include single or multiple tenants, and each ground level tenant space would have an individual entrance from Broadway Avenue or Mill Street. The upper level office would be accessed by an entrance from Mill Street on the northeast corner of the building. The back of the building includes a common corridor, elevator, staircases, and common restrooms. Service and deliveries could be provided from both Mill Street and from the alley on the back of the property. Trash and recycling services for the building would be accommodated by the trash area within the existing 701 Lake Street East building.

Design Review

The project is subject to the design standards for the Lake Street design district. A design review critique of the proposal is included as Attachment B. The following

summarizes the items that do not meet the design standards, and would require a deviation from the standards:

- Building recession: The design standards require that the third story of the building be recessed from the lower floors for the entire length of the building along a public right of way. The third story of the proposed building is recessed 10 feet from the second story along most of the right of way frontages from Broadway Avenue and Mill Street. The only portion of the third story that is not recessed is the northwest corner of the building. In addition, the second story must be recessed for 25% of the length of the building. The second story along Broadway Avenue is recessed for 40% of the length of the building and the second story along Mill Street is recessed for 30% of the length of the building. However, the second story is recessed only 3 feet from the first floor façade, not the 6 feet required by the design standards.
- Exterior building materials: The exterior materials of the proposed building would consist of brick, cast stone, and metal paneling/detailing. Brick and cast stone are permitted exterior building materials. However, the metal panels would comprise 35% of the non-glass surfaces of the north elevation and 40% of the west elevation, which exceeds the maximum of 10% established by the design standards.
- Sidewalks and streetscape: The design standards require a continuous sidewalk of at least 12 feet in width along all public street frontages. The applicant is proposing a sidewalk between 5 feet and 8.6 feet in width along Broadway Avenue. The sidewalk could be widened to 12 feet, however that would result in removal of a large tree on the southwest corner of the site, and the existing landscaping and decorative brick.
- Roof Top Mechanicals: The proposed plans include mechanical equipment on the roof of the building, which would be fully surrounded by the parapet and cornice of the building. The design standards for the Lake Street district state that no mechanical equipment for a building may be located on the roof deck.

Parking

The City's parking ordinance establishes the minimum number of parking stalls that must be provided in a development. The minimum parking requirements for the 7,000 square feet of retail is 19 stalls, and the minimum parking requirement for the 13,000 square feet of office is 35 stalls. Based on the revised parking ordinance recently adopted by the City Council, the project would require a minimum of 52 parking stalls. The reduced parking requirement is a result of the new shared parking standards that account for daily and hourly changes in the parking demand of mixed use buildings.

The proposed plans do not provide any off-site parking. The City Council has previously discussed the project with the applicant in a workshop format. The discussions by the

applicant and City Council have included the potential for an alternative parking plan where the applicant would use a portion of the additional parking stalls that would be constructed in the new Mill Street parking ramp that is currently being designed by the City. Through a potential downtown mobility district, the applicant would then pay the City annually for the number of stalls that are required for the development.

There are a number of details that need to be negotiated between the City and the applicant regarding the potential alternative parking plan. In addition, the alternative parking plan would be contingent on the City constructing a parking ramp on the Mill Street property and the adoption of a downtown mobility district. In a previous workshop with the applicant, the City Council indicated they supported the applicant applying for the development application and going through the standard development review process, with the understanding that if the project were to be approved, the approval would be contingent and conditioned on providing an alternative parking plan. The potential benefit to the City of reviewing the development application prior to the final approval of the Mill Street parking ramp and downtown mobility district is to allow for coordinated construction of the two projects. If the Planning Commission recommends approval of the project, City staff would recommend a condition of approval for the PUD regarding the alternative parking plan.

Stormwater Management

Stormwater management for the site would be provided by a stormwater storage device on the roof of the building which would capture all of the runoff from the flat roof. The storage device would limit the discharge of the stormwater from the roof during the designated storm events. From the roof, the stormwater would be directed to an underground hydrodynamic separator which would be constructed in the public alley behind the building. The hydrodynamic separator would provide treatment of the stormwater prior to being discharged into the City’s storm sewer system. The City engineer has reviewed the proposed plans and finds that it is a best management practice to treating the stormwater runoff from the development. An encroachment agreement with the City would be required for the storm sewer improvements within the City’s alley easement.

Proposed Subdivision

The applicant is proposing to combine the two existing lots into one platted lot. Both of the existing lots have lot areas that are non-conforming to the current C-4B zoning district. The following table outlines the existing and proposed lots:

	Lot area	Lot width	Lot depth
C-4B Requirements	12,000 sq. ft. (min.)	No minimum	No minimum
PUD Requirement	No minimum	No minimum	No minimum
326 Broadway Ave S (existing lot)	2,467 sq. ft.	25 ft.	100 ft.
332 Broadway Ave S (existing lot)	4,934 sq. ft.	50 ft.	100 ft.

Combined Lot (proposed)	7,518 sq. ft.	75 ft.	100 ft.
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As outlined in the PUD information of this report, the PUD zoning does not have minimum lot size, width or depth requirements, and the proposed subdivision would meet the lot requirement of the PUD zoning district.

Planning Commission Review

The Planning Commission reviewed the development application and held a public hearing at its meetings on July 18, 2016 and August 1, 2016. The Planning Commission voted four (4) in favor and one (1) abstention to adopt the Report and Recommendation recommending approval of the application. The Planning Commission minutes and Report and Recommendation are attached to this report.

Applicable Code Provisions for Review

Amendments to Zoning Ordinance (Section 801.03.2.F): City Council has the discretion and authority under state law and City Code to amend the City's Zoning Ordinance. Minn. Stat. Section 462.357; Wayzata City Code Section 801.03. A zoning ordinance amendment may be initiated by the governing body, the planning agency or by petition of affected property owners. Minn. Stat. Section 462.357, Subd. 4. In considering a proposed amendment to the Zoning Ordinance, the Planning Commission and City Council shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:

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

Purpose of PUDs: Section 801.33 of the Zoning Ordinance provides for the establishment of Planned Unit Developments to allow greater flexibility in the development of neighborhoods and/or non-residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD process, by allowing deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:

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

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

- A. Health Safety and Welfare. In reviewing the PUD application, the Council shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area.
- B. Intent and Purpose of PUDs. In reviewing the PUD application, the Council shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the Zoning Ordinance.

- C. Ownership. Applicant/s must own all of the property to be included in the PUD.
- D. Comprehensive Plan. The PUD project must be consistent with the City's Comprehensive Plan.
- E. Sanitary Sewer Plan. The PUD project must be consistent with the City's Sanitary Sewer Plan.
- F. Common Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
- G. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
- H. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
- I. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
- J. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
- K. Setbacks. The front, rear and side yard restrictions on the periphery of the PUD shall be the same as imposed in the respective districts.

Concurrent PUD Plan – 801.33.5. In cases of single stage PUDs or for projects of limited size and scope, the applicant may, at the discretion of the Zoning Administrator, submit the General Plan of Development for the proposed PUD simultaneously with the submission of a Concept Plan. The applicant shall comply with all provisions of this section applicable to submission of General Plan of Development. The Planning Commission and City Council shall consider such plans simultaneously and shall grant or deny a General Plan of Development in accordance with the provisions of Section 801.33.6 hereof.

Design Standards City Code §801.09: The design standards set forth in Section 9 of the Wayzata City Zoning Ordinance are referred to collectively as the “Design Standards” or

the “Standards”. The purpose of the Design Standards is to shape the City’s physical form and to promote the quality, character and compatibility of new development in the City. The Standards function to:

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

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:

- A. The extent to which the project advances specific policies and provisions of the City’s Comprehensive Plan.
- B. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards.
- C. The positive effect of the project on the area in which the project is proposed.
- D. The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.
- E. The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.
- F. A national, state or local historic designation.
- G. The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.

Variance Standards: Section 801.05.1.C provides the criteria for reviewing variances from the Zoning Ordinance. The Variance requested in the Application is a Setback Variance. The variance review criteria are as follows:

- A. Variances shall only be permitted when they are:
 - (i) in harmony with the general purposes and intent of this Ordinance; and
 - (ii) consistent with the Comprehensive Plan.

- B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
- C. "Practical difficulties," as used in connection with the granting of a variance, means that:
 - (i) the property owner's proposal for the property is reasonable but not permitted by this Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
- D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
- E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with this Ordinance.
- F. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
- G. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
- H. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.

Shoreland Impact Plan/Conditional Use Permit: Section 801.91.19 states that landowners or developers desiring to develop land or construct any dwelling or any other artificial obstruction on land located within any Shoreland District within the City of Wayzata shall first submit a conditional use permit application as regulated by Section 801.04 of this Ordinance and a plan of development, hereinafter referred to as "Shoreland Impact Plan", which shall set forth proposed provisions for sediment control, water management, maintenance of landscaped features, and any additional matters intended to set forth proposed changes requested by the applicant and affirmatively disclose what, if any, change will be made in the natural condition of the earth, including loss of change of earth ground cover, destruction of trees, grade courses and marshes. The plan shall minimize tree removal, ground cover change, loss of natural vegetation, and grade changes as much as possible, and shall affirmatively provide for the relocation or replanting of as many trees as possible which are proposed to be removed. The purpose of the shoreland impact plan shall be to eliminate and minimize as much as possible potential pollution, erosion and siltation.

Conditional Use Permits: City Code Section 801.04.2.F. states that the Planning Commission and City Council shall consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:

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

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:

- A. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
- B. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
- C. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filing or grading.
- D. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
- E. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.

- F. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
- G. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
- H. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
- I. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
- J. The proposed lot layout and building pads shall conform with all performance standards contained herein.
- K. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
- L. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

Action Steps

- 1) Adopt draft Resolution No. 32-2016 approving the PUD concept and general plans, PUD rezoning, project design, height variance, shoreland height and impervious surface CUPs, and preliminary and final plat subdivision at 326 and 332 Broadway Ave S.
- 2) Adopt the first reading of draft Ordinance No. 760 amending the official zoning map of the City to rezone property at 326 and 332 Broadway Ave S to PUD/Planned Unit Development District.

Attachments

- Attachment A: Applicant's Narrative
- Attachment B: Proposed Plans

- Attachment C: Design Review Critique
- Attachment C: July 18, 2016 and draft August 1, 2016 Planning Commission Meeting Minutes
- Attachment D: Planning Commission Report and Recommendation
- Attachment E: Draft Resolution No. 32-2016
- Attachment F: Draft Ordinance No. 760



memo

date: 8/30/2016

project #: 7241.00

client: James A. Beltz

subject: List of changes from City Council Meeting held August 16th, 2016

1) Council Concern: Variation from Design Standard set-backs for second and third floor stories.

Response: We have removed the third floor portion of the rounded corner element so that the third floor now fully complies with the 10'-0" set back from the first floor façade and 7'-0" from the second floor facade. The second floor setback is still 3'-0" for over 50% of façade length, instead of required 6'-0" for 25%. In addition, portions of the first floor have been stepped out to create a larger area of setback between the first and second floor than what existed previously.

2) Council Concern: The amount of metal exceeds the design standard maximums.

Response: The area under the second floor windows has been changed from metal to brick and cast stone sills. The glass and metal vitrine near the office entry has been changed to brick and cast stone. These changes reduce the amount of metal as follows:

North Façade (Mill Street)

- i. Metal Paneling/Detailing: reduced from 35% to 27%
- ii. Brick: increased from 55% to 60%

West Façade (Broadway)

- iii. Metal Paneling/Detailing: reduced from 40% to 30%
- iv. Brick: increased from 50% to 56%

3) Council Concern: Variance from 35'-0" building height.

Response: Building as proposed is still 38'-0" as needed for the rooftop storage water system to work properly and be the most efficient it must be placed on the roof. To finish the elevations appropriately an architectural cornice piece is applied to add to the context of the Lake District. In order to provide a viable and marketable building, the tenant space needs to be a minimum of 9'-0" to the finished ceiling. The building's 12'-0" floor to floor heights account for mechanical, structural and electrical that requires a minimum 3'-0" of clearance between the ceiling and the top of structure, leaving 9'-0" finished ceiling for tenant spaces.

4) Council Concern: The amount of white colors and light from inside the building will appear too bright.

Response: The white metal panel material that is closer to a "bone white" has been reduced and replaced with either brick or cast stone, mitigating the appearance of bright light. In addition, the doors at each area of storefront have been changed to a dark color to provide contrast and reduce the amount of white. All building lights will be directed at the building and not out into the city. All interior lights for the second and third floor office spaces will be off after business hours. The first floor interior lights will have fixtures that direct the light to the tenant spaces within.

5) Council Concern: Landscaping at Broadway and Mill St. should be added to enhance the property and not create a dark alley at either street location.

Response: The owner will work with the city and HGA to provide a cohesive landscaping plan that extends the liveliness of Lake St. to Broadway and Mill St. With the parking ramp addition, Mill St. will become a more pedestrian friendly walkway.

6) Council Concern: Add/liven Mill St alley and pedestrian walk from 701 building.

Response: Owner has agreed to assist in putting in trees, landscaping, lighting, signage and other site improvements to mitigate the alley effect from Mill St. Owner will also upgrade signage and lighting to enhance promenade for public benefit to and from the new parking ramp to Lake St. through the existing 701 building passageway. In addition to the improvements to the public passageway, the owner will duplicate the enhancements between the existing 701 building and the new Broadway Place.

801.09.3 BUILDING RECESSES

801.09.5.1

A. **Variance** for Building Height from 35'-0" to 38'-0"

- 1) Storm Water Retention
- 2) To fit into context of surrounding buildings.
- 3) Broadway Place **complies** with 3rd story set-back requirement of being set back 10'-0" from the first floor façade. See Section B. This story also complies with Section 801.08.5.1 by the addition of railings and balconies to achieve the required design technique "to break up the story façade".

B. The North and West facades are the two facades that face a "public right-of-way". These two facades are over 60'-0" in length. See the second level floor plan for shaded set backs.

1) North façade:

99'-8 1/4" (25% = 24'-11" @ 6'-0" set back)

Currently Planned: 53'-10 1/2" (without balconies) @ 3'-0" set back, **54%**

2) West façade:

74'-11" (25% = 18'-8 3/4" @ 6'-0" set back)

Currently Planned: 41'-1 1/4" (without balconies) @ 3'-0" set back, **55%**

801.09.6 ROOF DESIGN

801.09.6.2

B. Roofing **complies** with synthetic membrane and will be a ballasted EPDM roof in a dark color.

801.09.7 SCREENING OF ROOFTOP EQUIPMENT

801.09.7.1

Variance for mechanical equipment located on roof

- 1) The mechanical equipment will be recessed and have no view from the pedestrian level and the future parking ramp along Mill St.

801.09.8 FAÇADE TRANSPARENCY

801.09.8.1

See Material Square Footage calculations as part of this packet.

801.09.11 GROUND LEVEL EXPRESSION

801.09.9.4

The ground level **complies** with the distinguishing elements requirements by using:

- 1) Intermediate cornice
- 2) Offset façade
- 3) Special window trims
- 4) Cast stone base

801.09.10 ENTRIES

The front façades (Broadway and Mill St.) **comply** with the landscaping requirement. Refer to Site Plan for planting and landscaping locations. Tenant entries face both Broadway and Mill St.

801.09.11 BUILDING MATERIALS AND QUALITY

- A. **Variance;** Primary Opaque Surfaces being less than 90% of non-glass surfaces. See Broadway Place Material Calculations on page 15 and 16.
 - 1) North Façade:
 - a. Brick; Previous: **55%** Current: **60%**
 - b. Metal paneling/detailing; Previous: **35%** Current: **27%**
 - c. Cast Stone; Previous: **10%** Current: **12%**
 - 2) West Façade:
 - a. Brick; Previous: Previous: **50%** Current: **61%**
 - b. Metal paneling/detailing; Previous: **40%** Current: **30%**
 - c. Cast Stone; Previous: **10%** Current: **13%**
- B. The primary opaque surface on all façades is brick and **complies** with being the primary opaque surface.
- C. The brick on all facades **complies** and will be a Norman size brick.
- D. Throughout the detailing of the project, the brick and stone will **comply** and have full bricks and mitered stone corners.
- E. Throughout the detailing of the project, the brick will **comply** with the required mortar color and shape. See Wall Section B for brick wall construction that will **comply** to avoid efflorescence.
- F. Throughout the detailing of the project, the stone will **comply** with the required mortar color and shape.
- G. **Variance** for Accent Material of “aluminum painted steel structural shapes” being more than 10% of non-glass surfaces. See Broadway Place Material Calculations
- H. **Variance** for use of “Aluminum painted steel structural shape” at parapet.
- I. Not Applicable.
- J. All balconies **comply** and will be accessible and usable.
- K. All glass **complies** and will not be tinted, mirrored, or spandrel.
- L. All entry doors facing a public way **comply** in being primarily glass.

801.09.13 WALKWAYS

- A. Building will **comply** with 12'-0" sidewalks at public streets. See Site Plan.
- B. All lighting will **comply** both at the sidewalk and building. The fixtures used will reduce light pollution by projecting light down or only at the building, not out into the street or directed at adjacent buildings.
- C. The building will **comply** and provide one bench at street frontage facades (North and West). See Site Plan.

801.09.14 LANDSCAPING

Owner has agreed to work with the city and HGA to enhance the pedestrian look and feel of the Lake District. The enhancements will create a subdued liveliness similar to Lake St., but will also increase security to avoid dark alleys or areas.

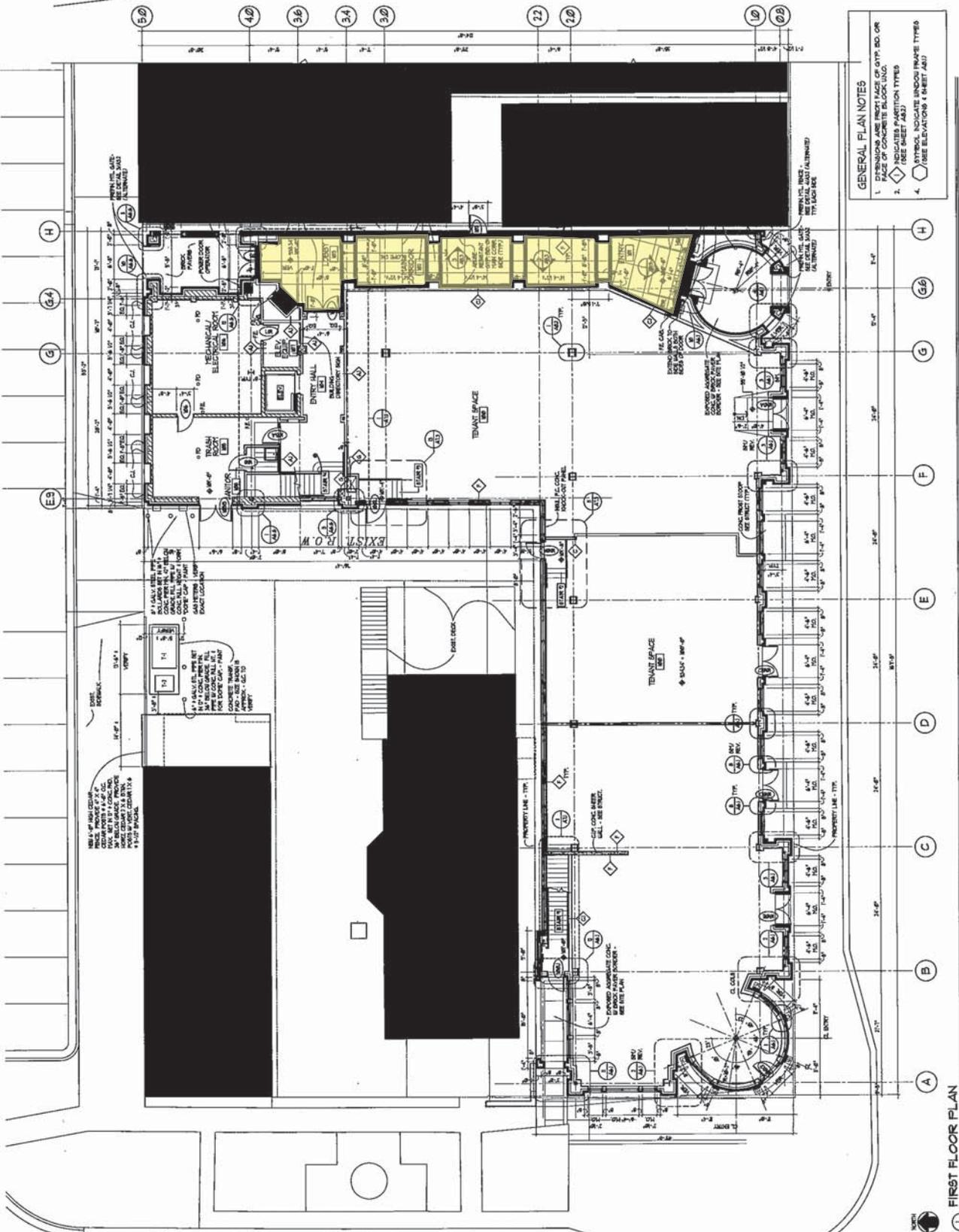
701 EAST
 LAKE STREET
 WAYZATA, MN
 FIRST FLOOR PLAN

ISSUE DATE:
 2/21/03

1. REVIEW SHEET FOR THE DATE, WORK
 DONE AND THE DESIGNER'S SIGNATURE.
 2. ALL DIMENSIONS ARE TO FACE UNLESS
 OTHERWISE NOTED.
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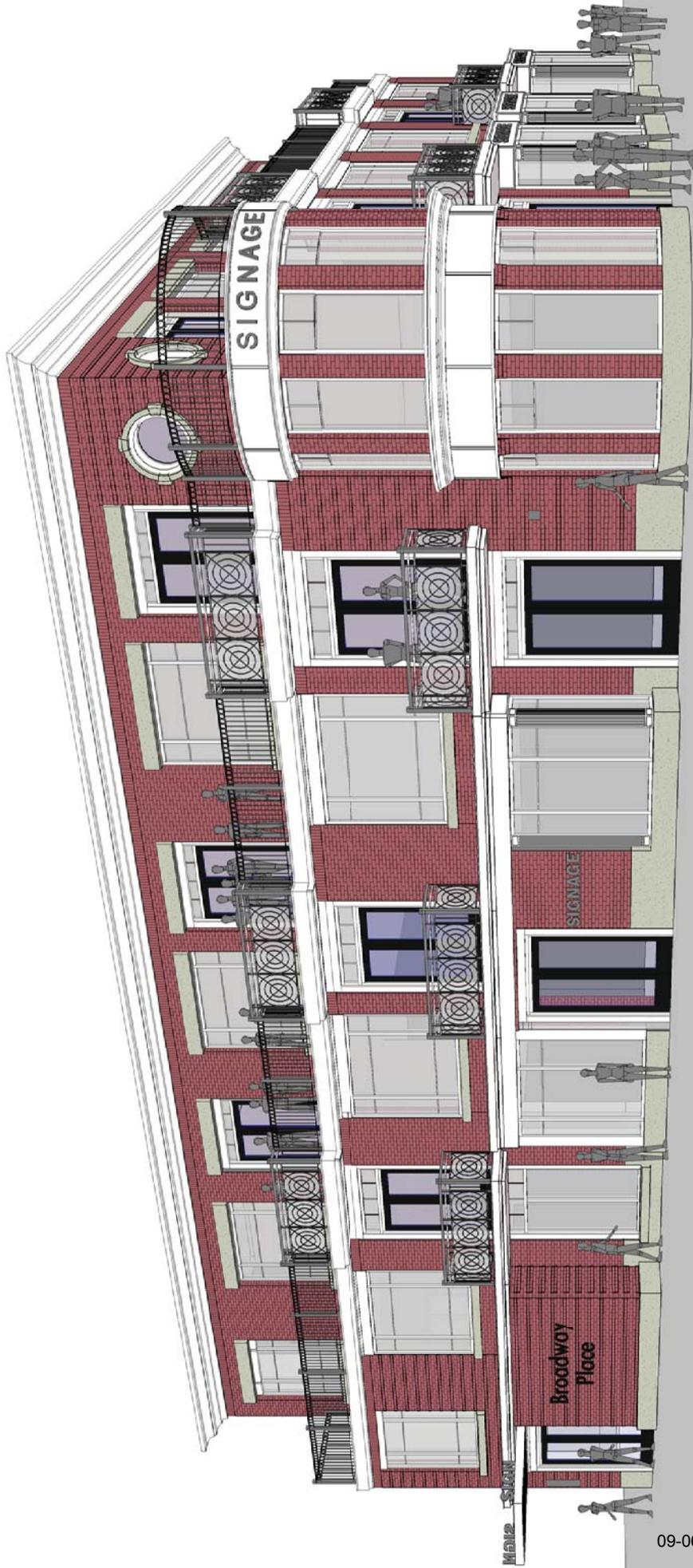


GENERAL PLAN NOTES
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 FACE OF CONCRETE BLOCK WALL.
 4. SYMBOLS INDICATE WINDOW FRAME TYPES
 (SEE ELEVATIONS & SHEET A2.1)

FIRST FLOOR PLAN
 1/8" = 1'-0"









10 South Eighth Street
Minneapolis, MN 55402
612.338.5277
612.338.2020
shea@shea.com

CONTRACT
TBD

TBD

PROJECT
BROADWAY PLACE
CORNER OF BROADWAY & MILL
WANTZATA, MN

DATE
JIM BELTZ

RVD SUBMITTAL
JUNE 17, 2016

DATE
2016.06.17
BY
DMS
CHECKED BY
DMS

PROJECT
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PROJECT
FLOOR PLAN - 1ST LEVEL

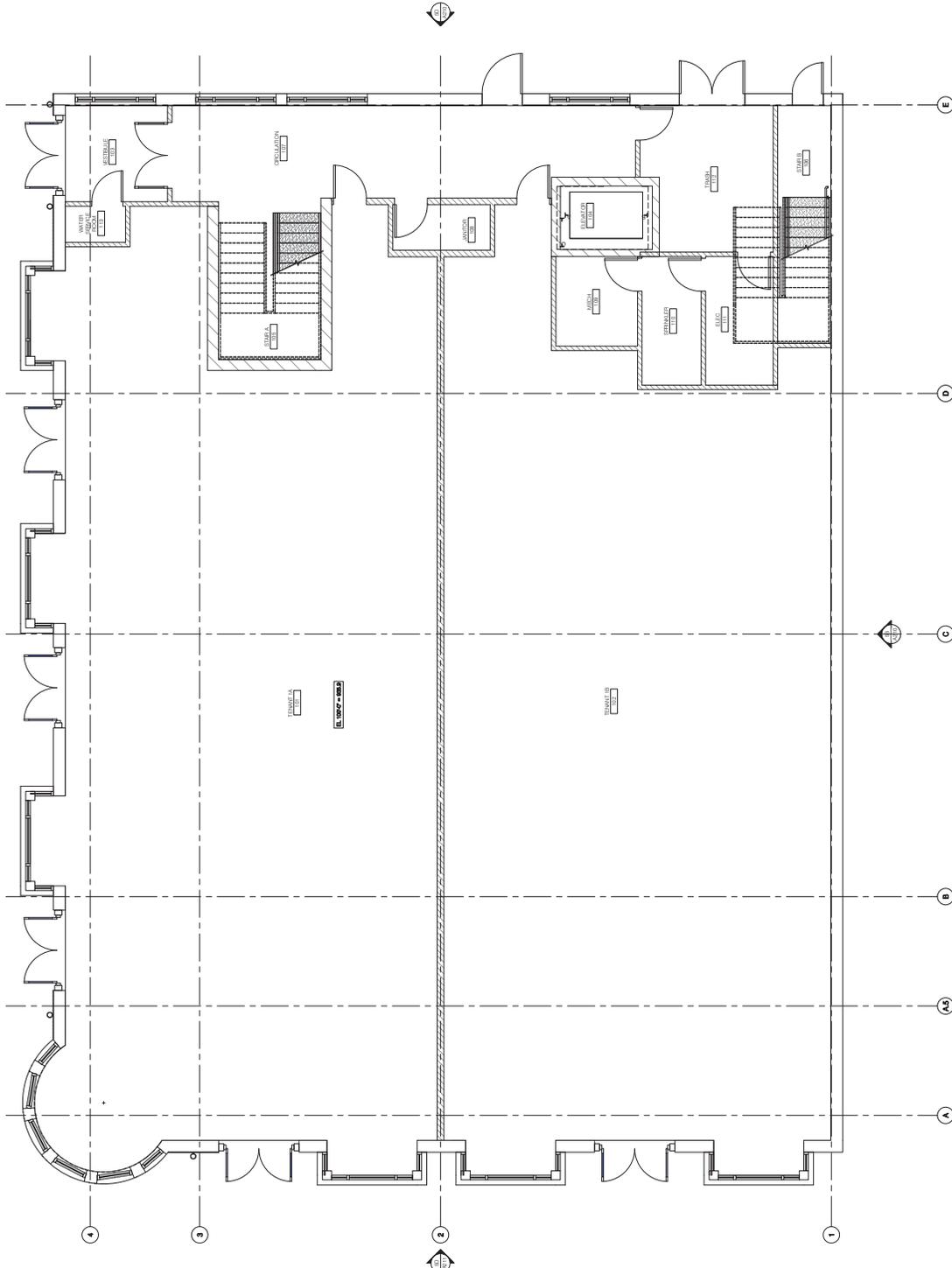
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FLOOR PLAN NOTES

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FLOOR KEY NOTES

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PREVIOUS PLAN REVIEWED AT
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A-FLOOR PLAN-01
SCALE: 1/8" = 1'-0"



10 South Eighth Street
 Minneapolis, MN 55402
 612.338.5277
 612.338.2020
 sheahq.com

CONTRACT
 TBD

TBD

PROJECT
 BROADWAY PLACE
 CORNER OF BROADWAY & MILL
 WAYZATA, MN

DATE
 JIM BELTZ

RVD SUBMITTAL
 JUNE 17, 2016

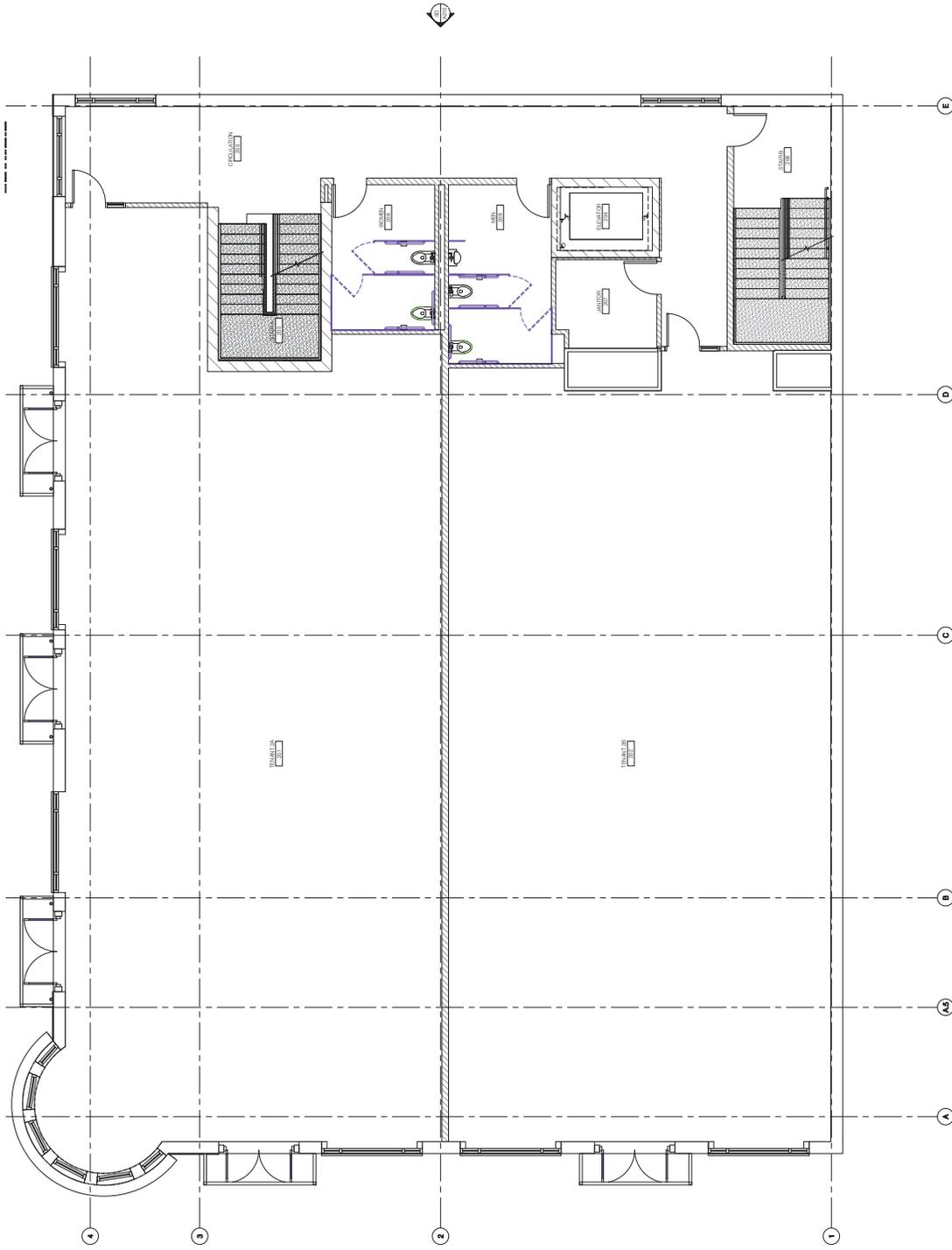
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FLOOR KEY NOTES

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A-FLOOR PLAN-02
 SCALE: 1/4" = 1'-0"



10 South Eighth Street
 Minneapolis, MN 55402
 612.338.5277
 612.338.2020
 shea@shea.com

CONTRACT
 TBD

TBD

PROJECT
 BROADWAY PLACE
 CORNER OF BROADWAY & MILL
 WAYZATA, MN

DATE
 JIM BELTZ

RVD SUBMITTAL
 JUNE 17, 2016

DATE
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 TIME
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 BY
 JMS
 SHEA

PROJECT
 BROADWAY PLACE
 CORNER OF BROADWAY & MILL
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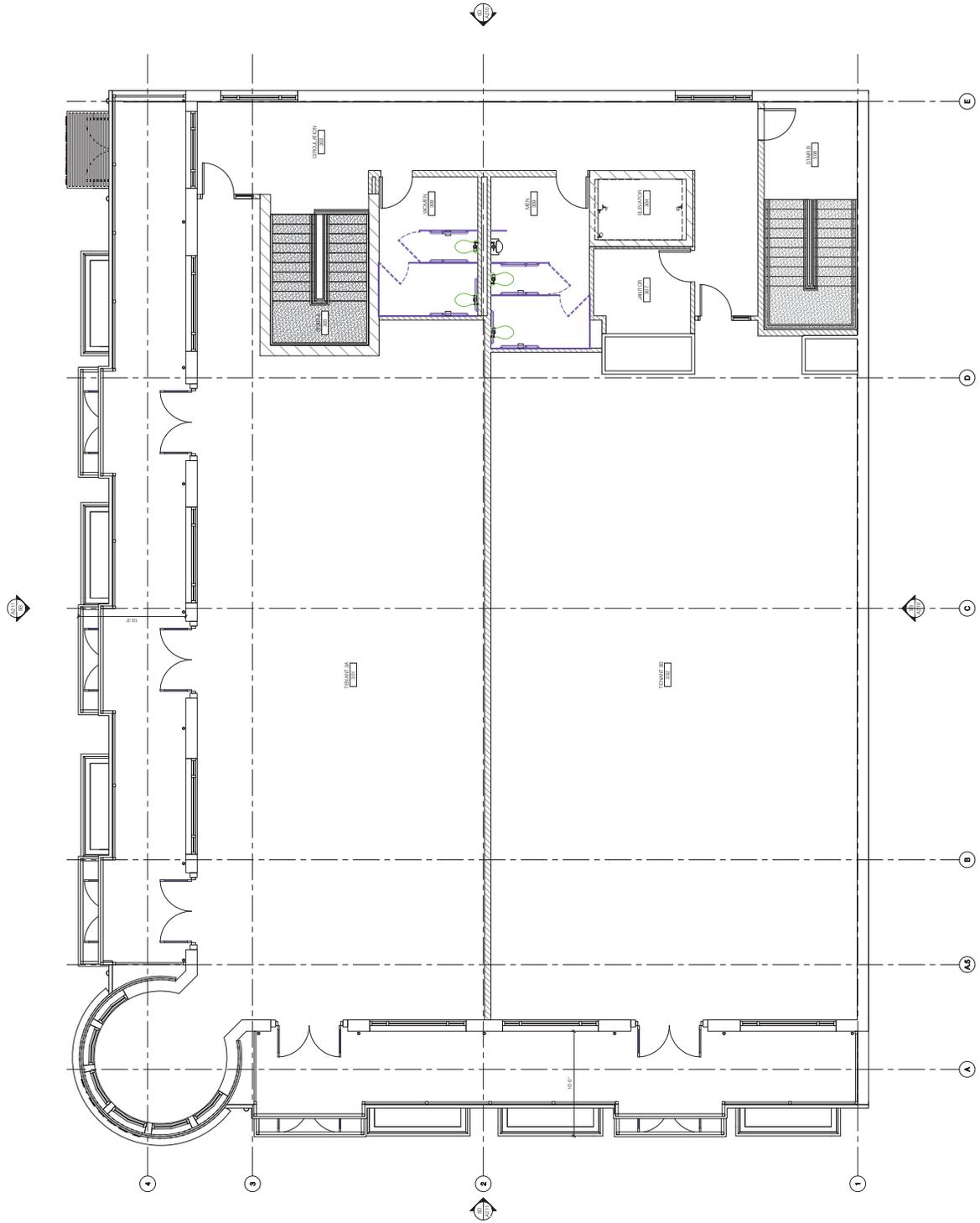
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FLOOR PLAN NOTES

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 REFERENCE AND COMPARISON)

1 FLOOR PLAN-03
 SCALE: 1/8" = 1'-0"



10 South Eighth Street
Minneapolis, MN 55402
612.336.5277
612.336.5200
shea@shea.com

OWNER
TBD

TBD

PROJECT
BROADWAY PLACE
CORNER OF BROADWAY & MILL
WAYZATA, MN

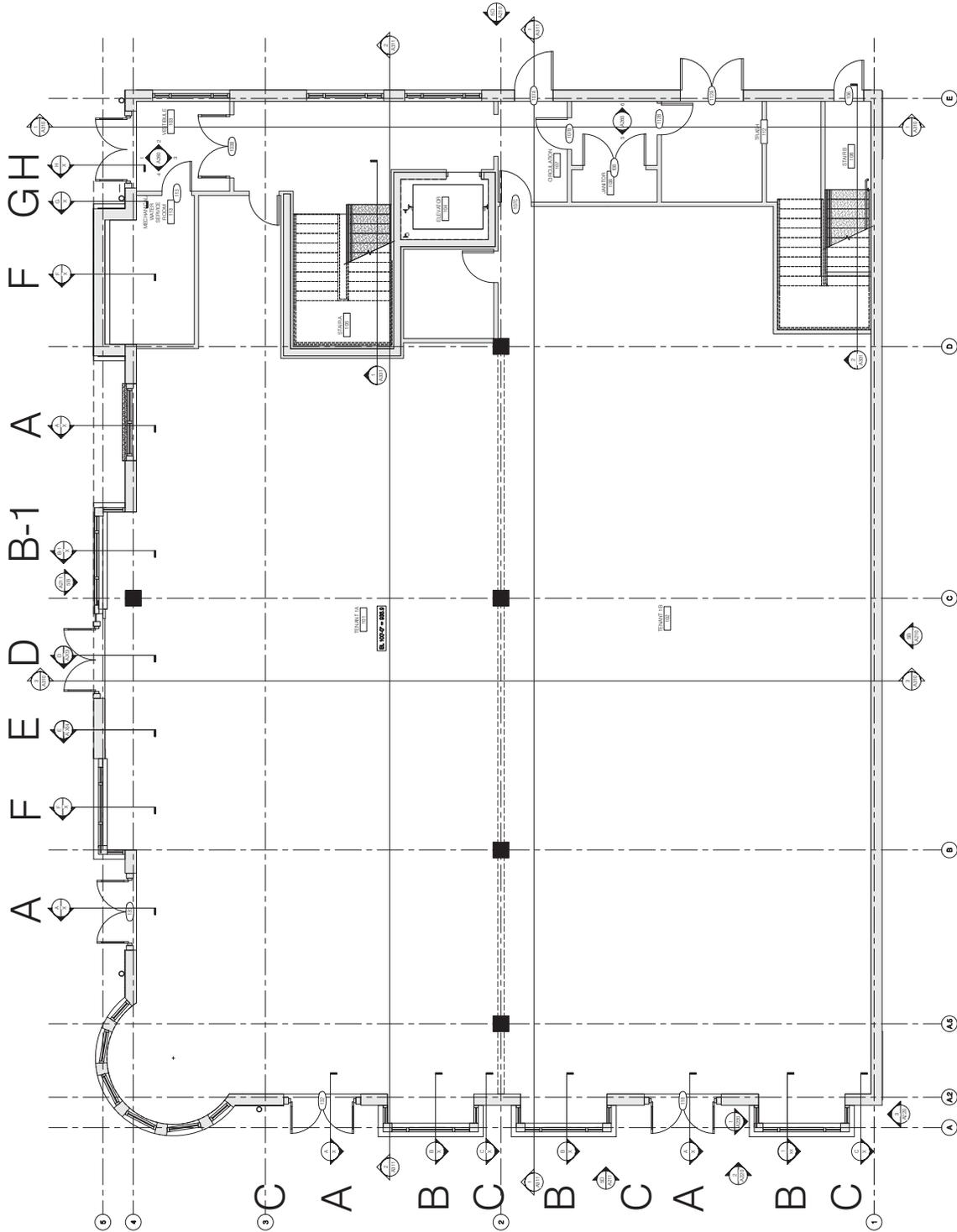
ARCHITECT
JIM BELTZ

SAC REVIEW SUBMITTAL
AUGUST 30, 2016

DATE	08/29/16
TIME	7:54:00
BY	Author
CHECKED BY	Checker

PROJECT
FIRST FLOOR PLAN -
PRESENTATION

A111P



REVISED PLAN

A-FLOOR PLAN 01 - PRESENTATION
SCALE: 1/8" = 1'-0"

BROADWAY PLACE - MATERIAL CALCULATIONS w/ STOREFRONT

Façade	Material	Before (sq. ft.)	% of total (before)	After (sq.ft)	% of total (after)	Difference
North	METAL	757.73	19.97	584.19	15.97	173.54 (-)
North	STOREFRONT	1662.67	43.82	1528.21	41.77	134.46 (-)
North	BRICK	1171.67	30.88	1286.33	35.16	114.66 (+)
North	CAST STONE	201.94	5.32	259.66	7.10	57.72 (+)
TOTAL		3794.01		3658.39		

Façade	Material	Before (sq. ft.)	% of total (before)	After (sq.ft)	% of total (after)	Difference
West	METAL	640.79	22.46	471.19	17.35	167.53 (-)
West	STOREFRONT	1261.55	44.21	1188.82	43.77	72.73 (-)
West	BRICK	792.16	27.76	853.48	31.43	61.32 (+)
West	CAST STONE	158.9	5.57	202.3	7.45	43.4 (+)
TOTAL		2853.4		2715.79		

BROADWAY PLACE - MATERIAL CALCULATIONS w/o STOREFRONT

Façade	Material	Before (sq. ft.)	% of total (before)	After (sq.ft)	% of total (after)	Difference
North	METAL	757.73	35.55	584.19	27.42	173.54 (-)
North	BRICK	1171.67	54.97	1286.33	60.39	114.66 (+)
North	CAST STONE	201.94	9.47	259.66	12.19	57.72 (+)
TOTAL		2131.34		2130.18		

Façade	Material	Before (sq. ft.)	% of total (before)	After (sq.ft)	% of total (after)	Difference
West	METAL	640.79	40.25	471.19	30.86	167.53 (-)
West	BRICK	792.16	49.76	853.48	55.89	61.32 (+)
West	CAST STONE	158.9	9.98	202.3	13.25	43.4 (+)
TOTAL		1591.85		1526.97		



10 South Eighth Street
Minneapolis, MN 55402

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1612_346-2600
sheaesign.com

PROJECT NO.

BROADWAY PLACE
CORNER OF BROADWAY & MILL
WAZAHA, MN

client logo

client
JIM BELTZ

DATE

SAC REVIEW SUBMITTAL
AUGUST 30, 2016

PROJECT NO.
7241.00

DATE
06/29/16

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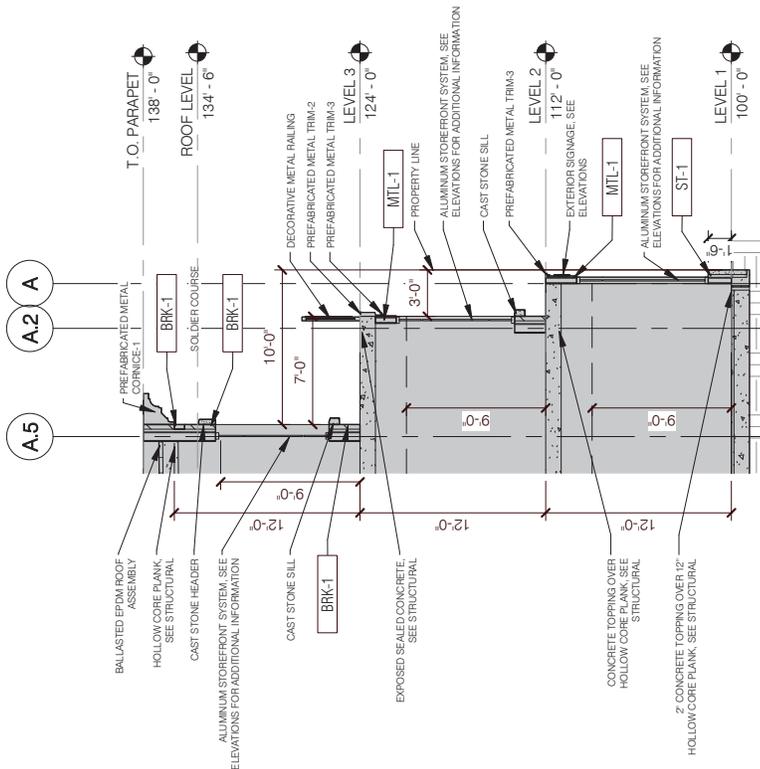
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AUTHOR
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REVISION
PRESENTATION WALL SECTION

XX

WALL AND ROOF ASSEMBLIES	
NORMAN BRICK WALL ASSEMBLY - (R-13 MIN)	<p>BRK-1</p> <p>NORMAN BRICK 2" AIR SPACE 3" INSULATION BOARD (R-4 PER INCH, TOTAL R-12) AIR BARRIER 5/8" SHEATHING (GLASMAT GYPSUM SHEATHING, TYP. PLYWOOD WHERE INDICATED BY STRUCTURAL) 6" METAL FRAMING</p>
CAST STONE WALL ASSEMBLY - (R-13 MIN)	<p>ST-1</p> <p>CAST STONE WALL PANEL 2" AIR SPACE 3" INSULATION BOARD (R-4 PER INCH, TOTAL R-12) AIR BARRIER 5/8" SHEATHING (GLASMAT GYPSUM SHEATHING, TYP. PLYWOOD WHERE INDICATED BY STRUCTURAL) 6" METAL FRAMING</p>
METAL PANEL WALL ASSEMBLY - (R-13 MIN)	<p>MTL-1</p> <p>CONCEALED-FASTENER METAL PANEL WALL SYSTEM 3" INSULATION BOARD (R-4 PER INCH, TOTAL R-12) AIR BARRIER 5/8" SHEATHING (GLASMAT GYPSUM SHEATHING, TYP. PLYWOOD WHERE INDICATED BY STRUCTURAL) 6" METAL FRAMING</p>
PRECAST CONCRETE WALL PANEL - (R-13 MIN)	<p>PC-1</p> <p>3" ARCHITECTURAL PRECAST CONCRETE 3" RIGID INSULATION 6" STRUCTURAL PRECAST CONCRETE</p>
BALLASTED EPDM ROOF ASSEMBLY - (R-30 MIN)	<p>BALLAST EPDM MEMBRANE 1/2" COVER BOARD 6" RIGID INSULATION (R-5 PER INCH, R-30 TOTAL) VAPOR RETARDER 1/2" SUBSTRATE BOARD STEEL DECK (SEE STRUCTURAL)</p>



B



10 South Eighth Street
Minneapolis, MN 55402

612.339.5277
612.339.5200
sheahq.com

OWNER
TBD

TBD

PROJECT
BROADWAY PLACE
CORNER OF BROADWAY & MILL
WAYZATA, MN

ARCH
JIM BELTZ

DATE

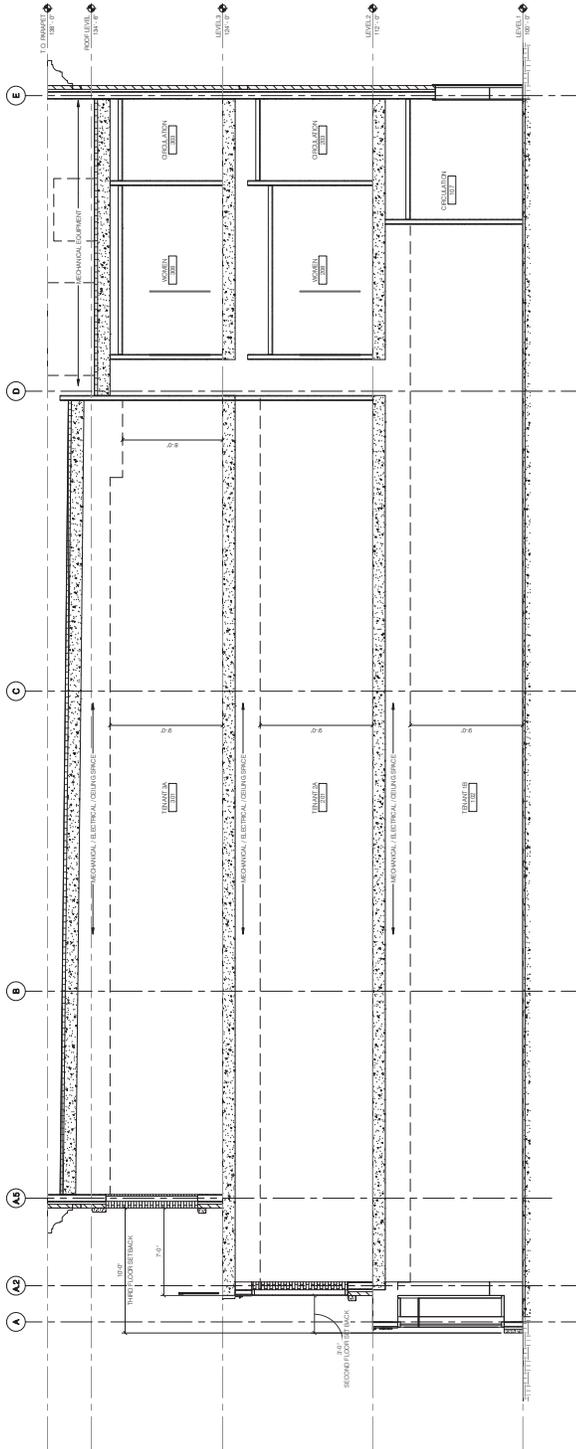
SAC REVIEW SUBMITTAL
AUGUST 30, 2016

NO.	DATE
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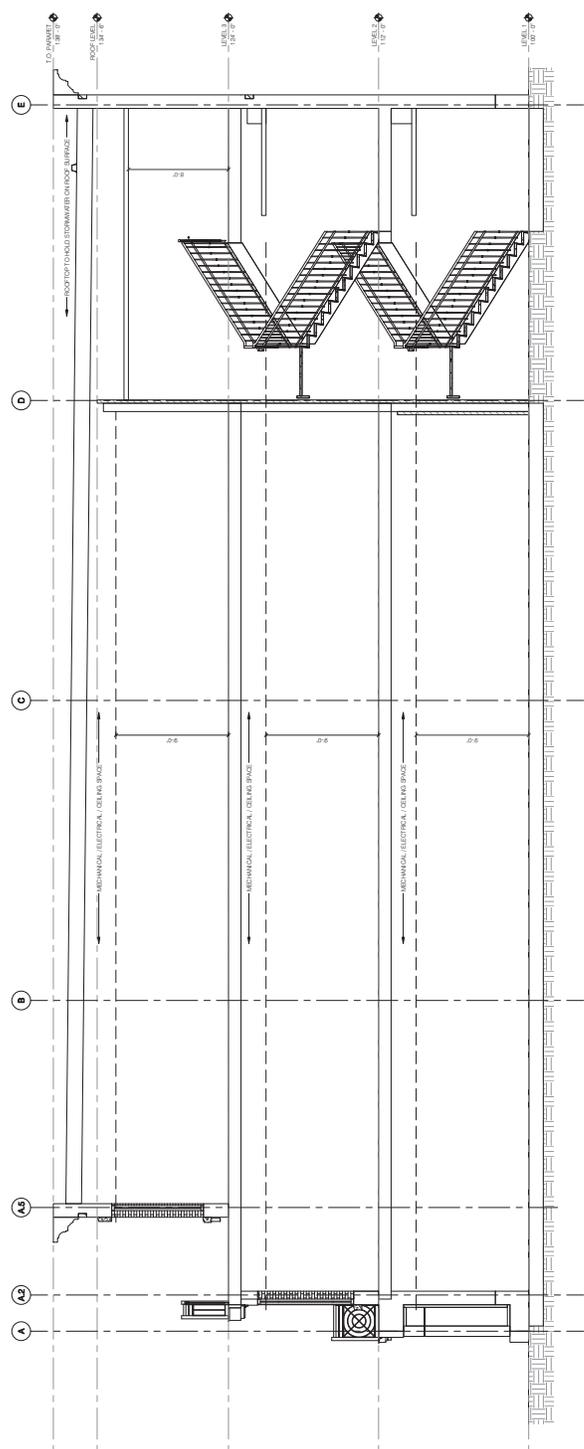
PROJECT NO. 7541.000
DATE 07/26/16
ARCHIT. JIM BELTZ
OWNER TBD
DRAWN BY CRACKER
CHECKED BY

BUILDING SECTIONS

A311



1.1 BUILDING SECTION AT MECHANICAL PIT
SCALE: 1/4" = 1'-0"



1.2 TYPICAL BUILDING SECTION
SCALE: 1/4" = 1'-0"

Broadway Ave Towards Lake St.



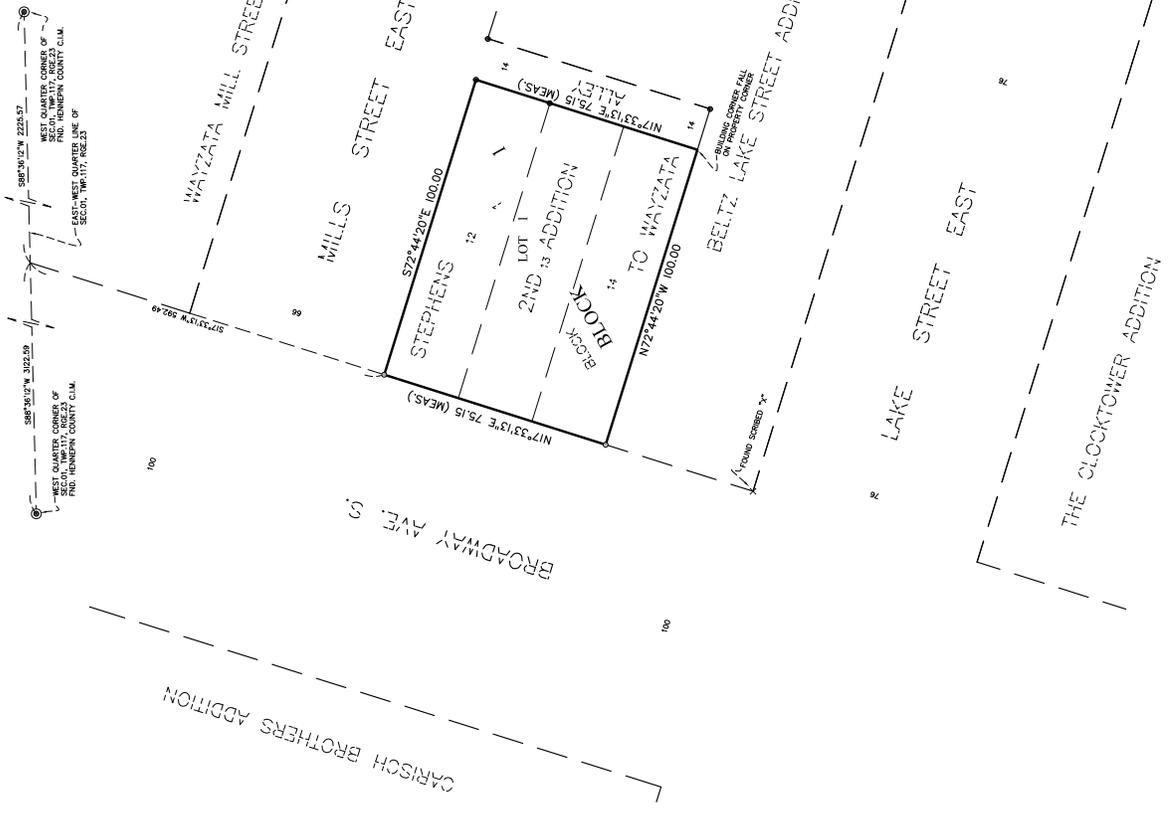
7241.00

JIM BELTZ | WAYZATA DEVELOPMENT

August 26, 2016 page 1

BELTZ MILL STREET ADDITION

C.R. DOC. NO. _____



KNOW ALL PERSONS BY THESE PRESENTS, That M Mill Center, L.L.C. a Minnesota limited liability company, for owner of the following described property situated in the State of Minnesota, County of Hennepin, to wit:

Lot 12, 13, 14, Block 1, Stephens Second Addition to Wayzata

Has caused the same to be surveyed and plat defined in BELTZ MILL STREET ADDITION.

In witness whereof said M Mill Center, L.L.C., a Minnesota limited liability company, has caused these presents to be signed by its proper officer, this _____ day of _____, 2016.

_____, President
 Jim Belzer

STATE OF MINNESOTA, COUNTY OF HENNEPIN

This foregoing instrument was acknowledged before me this _____ day of _____, 2016, by Jim Belzer, President of M Mill Center, L.L.C. a Minnesota limited liability company on behalf of the company.

Notary Public, Hennepin County, Minnesota _____ My Commission Expires _____

I, David B. Peschke, do hereby certify that this plat was prepared by me or under my direct supervision, that I am a duly Licensed Land Surveyor in the State of Minnesota, that this plat is a correct representation of the boundary survey, that all mathematical data and labels are correctly designated on the plat, that all instruments depicted on the plat have been or will be correctly set within one year, and that all distances and bearings are true, as defined by Minnesota Statutes, Section 360.01, Subd. 3. As of the date of this certificate, as shown and indicated on this plat, and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 2016.

David B. Peschke, Licensed Land Surveyor
 Minnesota License No. 40184

STATE OF MINNESOTA, COUNTY OF HENNEPIN

This instrument was acknowledged before me this _____ day of _____, 2016, by David B. Peschke.

Notary Public, Hennepin County, Minnesota _____ My Commission Expires _____

WAYZATA, MINNESOTA

This plat of BELTZ MILL STREET ADDITION was approved and accepted by the City Council of Wayzata, Minnesota at a regular meeting held this _____ day of _____, 2016. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City of Wayzata, Minnesota on _____ day of _____, 2016. I depose that I am the duly authorized officer of the City of Wayzata, Minnesota, and I have read the foregoing instrument and the plat hereon, and I depose that the same are correct and conform to the laws of the State of Minnesota, and that the same have been duly recorded in the office of the County Recorder of Hennepin County, Minnesota.

By: _____ Mayor _____ City Clerk

RESIDENT AND REAL ESTATE SERVICES
 Hennepin County, Minnesota

I hereby certify that taxes payable in _____ and prior years have been paid for land described on this plat. Dated this _____ day of _____, 2016.

Maria V. Chapin, Hennepin County Auditor

By: _____ Deputy

SARAH J. WILSON
 Hennepin County, Minnesota

Pursuant to Minnesota Statutes Section 360.01 (1999), this plat has been approved this _____ day of _____, 2016.

Chris F. Martin, Hennepin County Surveyor

By: _____ Deputy

COUNTY RECORDER
 Hennepin County, Minnesota

I hereby certify that the within plat of BELTZ MILL STREET ADDITION was recorded in the office of the County Recorder of Hennepin County, Minnesota on _____ day of _____, 2016, at _____ o'clock _____ M.

Miriam McCormick, County Recorder

This plat for the bearing system is the First Meridian Quarter line of Section 1, Township 117, Range 23 which is assumed to bear S88 degrees 36 minutes 12 seconds West

Denotes a 1/2 inch by 1/4 inch iron pipe set in the ground and marked by License No. 40184

Denotes a Found Iron Monument

Denotes a Found Cast-Iron Monument

SATHRE-BERGQUIST, INC.



**Broadway Place – 326 and 332 Broadway Ave S
 Design Critique (Based on Architectural Plans dated 6/17/2016 and Civil Plans dated 6/16/2016 and Revised Plans
 dated July 26, 2016)
 July 28, 2016**

Building Uses			
<p>801.09.2.1 – Lake Street District All new buildings east of Barry Avenue on Lake Street shall have retail usage at least eighty percent (80%) of the ground floor facing Lake Street. The remaining twenty percent (20%) of the ground floor frontage may only be used for walkways, public access, or public facilities. Retail activities shall comprise a total of at least fifty percent (50%) of the usage of the total building footprint.</p>		<p>The building is not located on Lake Street.</p>	<p>Not Applicable</p>
Building Recesses			
<p>801.09.3.1.A – All Districts Building facades shall be articulated through the use of pilasters and/or recesses that create visible shadow lines and dimensions especially on the street level</p>		<p>The proposed building utilizes recesses and changes in materials to break up the façade.</p>	<p>Yes</p>
<p>801.09.3.1.B Street level landscaped courtyards, outdoor seating areas and gathering areas shall be incorporated into building and site plan design.</p>		<p>The Broadway Avenue right of way adjacent to the site currently has a landscaped area, benches, and plaza with decorative brick. The proposed plan would retain these improvements.</p>	<p>Yes</p>

	Comments	Compliance
<p>Building Width</p> <p>801.09.4.1 All Districts – New Buildings</p> <p>In order to reduce the scale of longer façades and to eliminate the long horizontal expressions of buildings, divisions or breaks in materials shall be included and at least three of the following design strategies shall be incorporated into the design:</p> <ol style="list-style-type: none"> 1. Window bays 2. Special treatment at entrances 3. Variations in roof lines or parapet detailing 4. Awnings 5. Building setbacks or articulation of the facade 6. Rhythm of elements 	<p>The proposed building includes window bays, articulation of the façade, and a rhythm of elements.</p>	<p>Yes</p>

Upper Story Setbacks			Deviation Requested
<p>801.09.5.1.A – All Districts – New Buildings</p> <p>Building height shall conform to the height of the applicable zoning district. Where three (3) story buildings are permitted, the third (3rd) story must be recessed from all façades fronting public right of ways at least a distance equal to the vertical distance of the 3rd story height from the second (2nd) floor footprint, or an average of ten (10) feet across the facade, but no portion of the 3rd story structure shall be closer than six (6) feet to the 2nd story façade. The 3rd story façade shall be designed with railings, pillars, dimensional windows, building recesses or other similar design techniques to break up the 3rd story façade.</p>	<p>The third story is recessed 10 feet from the second story along most of the right of way frontages from Broadway Avenue and Mill Street. The only portion of the third story that is not recessed is the northwest corner of the building. The recessed portion of the third story would be utilized as a balcony area, and would include railings to break up the third story façade.</p>		Deviation Requested
<p>801.09.5.1.B – All Districts – New Buildings</p> <p>The façades fronting public right-of-ways of every two and three story building, longer than sixty (60) feet, must have a recessed second story of approximately twenty-five percent (25%) of the façade's length, setting back a minimum of six (6) feet from the face of the first floor façade. The required third floor setback must follow the frontal plane of the second story setback.</p>	<p>The building is 75 feet in length along Broadway Avenue and 100 feet in length along Mill Street. The second story along Broadway Avenue is recessed back for 40% of the length of the building and the second story along Mill Street is recessed back for 30% of the length of the building. However, the second story is recessed only 3 feet from the first floor façade, not the required 6 feet.</p>		Deviation Requested
<p>801.09.5.1.C – All Districts – New Buildings</p> <p>Wintertime sun orientation, solar access, and views of Lake Minnetonka are significant issues within the Design Districts. Building height should not negatively and significantly impact neighboring properties.</p>	<p>The applicant has requested a height variance from the maximum height of 35 feet in the PUD district to 38 feet. The proposed building would be the same height as the adjacent building and would not adversely impact sun orientation, solar access, or views of Lake Minnetonka.</p>		Yes

Roof Design		
<p>801.09.6.1 – All Districts “Green” roofs, roof garden terraces, arbors and other similar structures are encouraged on roofs of building.</p>	<p>The proposed building does not include a green roof.</p>	<p>Not Applicable</p>
<p>801.09.6.2.A – All Districts – <u>Roof Materials</u> The roof material for all sloped roofs in all districts shall be slate, untreated copper, pre-finished metal, cedar shake or asphalt shingle in dark colors.</p> <p>801.09.6.2.B – All Districts – <u>Roof Materials</u> The roof material for all flat roofs in all districts shall be treated synthetic membrane or other similar material in dark colors.</p>	<p>The proposed building has a flat roof in a dark color.</p>	<p>Yes</p>
Screening of Rooftop Equipment		
<p>801.09.7.1 – <u>Lake Street and Bluff Districts</u> No mechanical equipment for a building may be located on the roof deck. All such mechanical equipment must be located within the interior of the structure.</p>	<p>The proposed plans include mechanical equipment on the roof of the building, which would be fully surrounded by the parapet and cornice of the building.</p>	<p>Deviation Requested</p>

	Comments	Compliance
<p>Facade Transparency</p> <p>801.09.8.2 – Lake Street District No less than fifty percent (50%) of the ground level façade of any building fronting Lake Street shall be transparent glass. No less than twenty-five percent (25%) of the ground level side and rear façade facing a public right of way, parking area or open space shall be transparent glass.</p>	<p>The building does not have any frontage on Lake Street. The north and west elevations of the building, which face public right of way, would be comprised of 44% glass along the entire building façade. The glass is equally distributed along all three levels of the building. Therefore, the ground level would be comprised of more than 25% of transparent glass.</p>	<p>Yes</p>
<p>Ground Level Expression</p> <p>801.09.9.1 – All Districts In multi-story buildings, the ground floor shall be distinguished from the floors above by the use of at least three of the following elements:</p> <ol style="list-style-type: none"> 1. An intermediate cornice line 2. A difference in building materials or detailing 3. An offset in the façade 4. An awning, trellis, or loggia 5. Arcade 6. Special window lintels 7. Brick/stone corbels 	<p>The proposed building includes the following elements to distinguish the ground floor from the upper levels:</p> <ul style="list-style-type: none"> • Special window lintels • Difference in building materials or detailing with the balconies and decorative railings • An offset in the façade at the ground level entrances and window bays 	<p>Yes</p>
<p>Entries</p> <p>801.09.10.1 – All Districts The front facade of all buildings shall be landscaped with window boxes or planters with seasonally appropriate plantings. The main entries shall face the primary street at sidewalk grade.</p>	<p>The proposed plans include a landscaped area adjacent to each of the ground floor entrances which would be planted with perennials or pavers with flower pots.</p>	<p>Yes</p>

Building Materials and Quality	Deviation Requested
<p>801.09.11.1.A – Primary Opaque Surfaces – All Districts Other than the accent materials listed in 801.09.11.G, ninety percent (90%) of the non-glass surfaces of each elevation of the exterior building façade shall be composed of one or more of the following materials:</p> <ol style="list-style-type: none"> 1. Brick 2. Stone 3. Cast stone 4. Factory finished and certified wood, including, but not limited to: <ol style="list-style-type: none"> a. Wood shingles (cedar shingles six (6) inch maximum exposure) b. Lap-siding (six (6) inch maximum width) 5. Stucco 	<p>The non-glass surfaces of the east and south elevations would be comprised of 90% of brick.</p> <p>The non-glass surfaces of the north elevation would be comprised of 55% brick, 35% metal paneling/detailing, and 10% cast stone.</p> <p>The non-glass surfaces of the west elevation would be comprised of 50% brick, 40% metal paneling/detailing, and 10% cast stone.</p> <p>The metal paneling/detailing materials on the north and west elevations require a deviation from the design standards.</p>
<p>801.09.11.1.B – Façade Coverage – All Districts The primary opaque surface materials of all free standing buildings must be the same on all facades of the building.</p>	<p>The proposed building includes the same materials, brick, metal paneling/detailing, and cast stone on all sides of the building.</p>
<p>801.09.11.1.C – Type of Brick – All Districts On all facades of a free-standing building where brick is used, full course modular, Roman, Norman or other standard size brick must be used.</p>	<p>The details of the brick construction would be reviewed with the final building plans.</p>

<p><u>801.09.11.1.D – Façade Detail – All Districts</u></p> <p>1. Brick and/or stone façades shall be well detailed and dimensionally designed in order to avoid fractional cuts and odd pieces. All outside brick corners must be full bricks (custom if necessary), with no mitering, forming continuous vertical joints.</p> <p>2. The narrow face of an exposed stone butt joint, at corners, must be a minimum dimension of two (2) inches. Mitered and quirked stone corners are also acceptable.</p>	<p>The details of the brick construction would be reviewed with the final building plans.</p>	<p>Yes</p>
<p><u>801.09.11.1.E – Brick Joints – All Districts</u></p> <p>1. The mortar for brick must be dark grey or in the color range of the brick. All joints must be concave or 'v' joint. No mortar may be used beyond the face of the brick.</p> <p>2. All brick walls must be built to avoid efflorescence</p>	<p>The details of the brick construction would be reviewed with the final building plans.</p>	<p>Yes</p>
<p><u>801.09.11.1.F – Stone Joints – All Districts</u></p> <p>Stone joints shall be no larger than one-fourth (1/4) inch.</p>	<p>The details of the stone construction would be reviewed with the final building plans.</p>	<p>Yes</p>

<p>801.09.11.1.G – Accent Materials – All Districts Only the following materials may be used for lintels, sills, cornices, bases, and decorative accent trims, and must be no more than 10 percent (10%) of the non-glass surfaces of each elevation of the exterior building façade:</p> <ol style="list-style-type: none"> 1. Stone 2. Cast stone 3. Copper (untreated) 4. Rock faced stone 5. Aluminum or painted steel structural shapes 6. Fiber cement board 7. Premium grade wood trim with mitered outside corners. Examples of premium grade wood are cedar, redwood, and fir. 8. EIFS 	<p>The lintels, sills, cornices, and base of the building are comprised of metal panels and cast stone.</p>	<p>Yes</p>
<p>801.09.11.1.H - Parapets, Flashing, Coping – All Districts</p> <ol style="list-style-type: none"> 1. Only the following materials may be used for parapets, flashing and coping: <ol style="list-style-type: none"> a. copper (untreated) b. brick c. stone d. cast stone e. premium grade wood. 2. Pre-finished, painted .032 aluminum may only be used as a standard parapet coping with a maximum exposed edge of five (5) inches. 	<p>The proposed building includes parapets and coping comprised of brick and a metal paneling cornice.</p>	<p>Yes</p>

<p><u>801.09.11.1.I – Awnings – All Districts</u> 1. Only the following types of awnings may be used:</p> <ul style="list-style-type: none"> a. Fabric awnings of a heavy canvas in dark solid colors or other colors that are approved as part of the design review process b. Highly detailed, ornate metal in dark colors c. Glass awnings <p>2. Backlit awnings are prohibited.</p> <p>3. Awnings with text or graphic material may be permitted but require approval via the sign permit process of the Zoning Ordinance.</p>	<p>The proposed building plans do not include any awnings.</p>	<p>Not Applicable</p>
<p><u>801.09.11.1.J – Balconies – All Districts</u> Balconies shall be accessible and useable by persons. Fake or unusable balconies are prohibited. All balconies shall remain within the property line. Metal railings with members painted dark, or glass panels are permitted.</p>	<p>The proposed building includes balconies on the second and third floors. Each of the balconies includes a doorway from the building, and would be usable. The proposed balconies would be located within the property and would be surrounded by decorative metal railings.</p>	<p>Yes</p>
<p><u>801.09.11.1.K – Glass – All Districts</u> Glass shall not be mirrored, reflective or darkened. Slight green, bronze and grey tints are acceptable. Spandrel glass shall not be counted as transparent glass for the purposes of calculations under the transparency requirements of Section 801.09.8 of the Standards, but may be used for detailing purposes. Environmentally appropriate glass, such as Low-emissivity glass, shall be used in all projects</p>	<p>The proposed glass would not be mirrored, reflective, or darkened.</p>	<p>Yes</p>

<p>801.09.11.1.L – Door Systems – All Districts Unless there are building security concerns, main entry doors shall be primarily glass. If, for security reasons, a main entry door is not possible or practical, a main entry door must be well detailed. Appropriately designed wood doors may be utilized for retail and office buildings.</p>	<p>The proposed entry doors would be all be comprised of glass.</p>	<p>Yes</p>
<p>Franchise Architecture</p>		
<p>801.09.12.1 – All Districts A. Typical or standardized franchise architecture (including building design that is the trade dress of, or identified with a particular chain, franchise or business and is repetitive in nature) is prohibited. B. Large, bold or bright signage, trade dress or logos must be altered and scaled down to meet the purpose of these standards as articulated herein, and must not be repeated on the facades of the principal structure more than once. All new, altered and/or proposed signage for buildings must be submitted for review under Section 801.09.18 by the Planning Commission at the time of Design Standards Review application</p>	<p>The proposed building would not be franchise architecture.</p>	<p>Not Applicable</p>
<p>Comments</p>		
<p>Compliance</p>		

	Comments	Compliance
<p>Walkways</p> <p>801.09.13.1 – Lake Street District</p> <p>A. Continuous sidewalks at least twelve (12) feet in width shall be provided along all public street frontages.</p> <p>B. Lighted sidewalks shall extend between rear and side parking areas and building entrances. All sidewalk lighting must project downward.</p> <p>C. Buildings with street frontage exceeding fifty (50) feet shall have at least one (1) bench.</p> <p>D. All sidewalk surfaces must match the exposed aggregate/brick accent sidewalks on Lake Street.</p>	<p>There is 26 feet of boulevard area between the curb line of Broadway Avenue and the west property line. The boulevard area currently contains a landscaped area, benches, and plaza with decorative brick. The applicant is proposing to reconstruct the sidewalk which would be 8.6 feet in width in front of the building and 5 feet in width on the north side of the right of way. The sidewalk could be widened to 12 feet, however that would result in removal of the existing landscaping and decorative brick.</p> <p>There is 13 feet of boulevard area between the curb line of the Mill Street parking lot and the north property line. The applicant is proposing to construct a 13-foot wide sidewalk along Mill Street, which would meet the design standards.</p> <p>In addition, the sidewalk materials should be changed to the exposed aggregate per the City's downtown sidewalk specifications, which is included as a condition of approval.</p>	<p>Deviation Requested</p>

	Comments	Compliance
<p>Landscaping</p> <p>801.09.14.1 – All Districts</p> <p>A. Seasonal landscaping shall be used in all Design Districts, including use of window boxes, hanging flowers baskets, vines and/or other similar seasonal landscaping. If feasible, garden areas and ornamental trees shall be used at the street level.</p> <p>B. Window boxes, hanging baskets and planters with seasonally appropriate plantings shall be used around entries to buildings.</p> <p>C. Vines shall be used to cover walls with more than one hundred (100) square feet of uninterrupted surface area.</p> <p>D. Streetscaping shall include all of the following:</p> <ol style="list-style-type: none"> 1. Boulevard species trees, with at least three (3) caliper inches. 2. Exposed aggregate sidewalks with brick accents 3. Street lights 4. Benches (if building length is 50 feet or greater), which utilize existing city bench designs. 5. Flowers 	<p>The proposed plans include a landscaped area adjacent to each of the ground floor entrances. The landscaped areas would consist of four new trees and planters with perennial or pavers with flower pots.</p> <p>The boulevard area currently contains a landscaped area, benches, and plaza with decorative brick, and existing boulevard trees.</p>	<p>Yes</p>

<p>801.09.14.2 – Lake Street District</p> <p>A. Established Lake Street landscape treatments shall be followed in accordance with the specifications of the Wayzata Engineering Guidelines set forth in Wayzata City Code. Exposed aggregate with brick accent sidewalks shall be used.</p> <p>B. Approved boulevard trees, planted in sidewalk areas, shall be planted no more than twenty six (26) feet on center from each other.</p>	<p>As previously indicated, the sidewalk materials would need to be modified to exposed aggregate to comply with the City's engineering guidelines, which is included as a condition of approval.</p>	<p>Yes</p>
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	Comments	Compliance
<p>Parking Lot Landscaping 801.09.15.1 – All Districts A landscaped buffer strip at least five (5) feet wide shall be provided between all parking areas and the sidewalk or street. The buffer strip shall consist of shade trees appropriately spaced for the particular Design District, and a decorative metal fence, masonry wall or hedge. A solid wall or dense hedge shall be no less than three (3) feet and no more than four (4) feet in height.</p>	<p>The proposed project does not include any surface parking lots.</p>	<p>Not Applicable</p>
<p>Surface Parking 801.09.16.1 – All Districts A. Off-street parking shall be located to the rear of buildings. When parking must be located in a side yard adjacent to the street, a landscaped buffer shall be provided in accordance with the Design Standards. The street frontage occupied by parking shall not exceed sixty (60) feet per property. B. Side-by-side parking lots creating a parking area frontage longer than sixty (60) feet are prohibited, except where a heavily landscaped buffer of at least twenty (20) feet wide completely separates both lots. C. Side yard parking shall not extend beyond the front yard setback of the primary building on the property. D. Front yard parking is prohibited. E. There shall be no corner parking.</p>	<p>The proposed project does not include any surface parking lots.</p>	<p>Not Applicable</p>

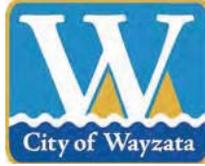
	Comments	Compliance
<p>801.09.16.2 – All Districts – Bicycle Parking Commercial developments requiring more than twenty (20) parking spaces shall provide at least four (4) bicycle parking spaces in a convenient, visible, preferably sheltered location.</p>	<p>The proposed building would require more than 20 parking spaces. The applicant states that bicycle parking will be provided in the alley on the east side of the building or within the landscaped area along Broadway Avenue.</p>	<p>Yes</p>
<p>Parking Structures</p>		
<p>801.09.17.1 – All Districts Parking structures shall meet the following standards, along with all other applicable building code standards:</p> <p>A. The ground floor façade abutting any public street or walkway shall be architecturally compatible with surrounding commercial or office buildings.</p> <p>B. The parking structure shall be designed in such a way that sloped floors do not dominate the appearance of the façade.</p> <p>C. Windows or openings shall be similar to those of surrounding buildings.</p> <p>D. Vines and other significant landscaping shall be used to minimize the visual impact of the parking structure.</p>	<p>This section is not applicable, as there is no parking ramp associated with the project.</p>	<p>Not Applicable</p>

<p>801.09.17.2 – Lake Street District</p> <p>A. If any part of a parking structure abuts Lake Street, that entire portion of the ground floor façade shall be occupied by at least eighty percent (80%) retail usage, extending to a depth of at least thirty (30) feet.</p> <p>B. The ground floor level of a parking structure shall not come within forty (40) feet of Lake Street.</p> <p>C. The top decks of parking structures visible from adjacent properties shall be designed with trellises and landscaping sufficient to screen at least fifty percent (50%) of the visible area.</p>	<p>This section is not applicable, as there is no parking ramp associated with the project.</p>	<p>Not Applicable</p>
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Signs	Comments	Compliance
<p><u>801.09.18.1 – All Districts</u> A. <u>Compatibility</u> 1. Signs shall be architecturally compatible with the style, composition, materials, colors and details of the building, and with other signs on nearby buildings. Signs shall be an integral part of the building and site design.</p> <p>2. A sign plan shall be developed for buildings which house more than one (1) business. Signs need not match, but shall be compatible with one another. Franchise or national chains must comply with these Sign Standards to create signs compatible with their context.</p> <p>3. When illuminated signs are proposed, only the text and/or logo portion of the sign may be illuminated. Illuminated signs must be compatible with the location. Illumination of the sign to highlight architectural details is permitted. Fixtures shall be small, shielded, and directed towards the sign rather than toward the street, so as to minimize glare for pedestrians and adjacent properties.</p> <p>4. Sign plans must be submitted for review as part of an Applicant for Design Approval. Proposed signs must also conform to the requirements of Section 801.27 of the Wayzata Zoning Ordinance.</p>	<p>The proposed building would include wall signs along the north and west building elevations to identify the individual tenants. The sign band areas are incorporated into the building and site design.</p>	<p>Yes</p>

<p>801.09.18.2 – Permitted Signs – Lake Street District A. Only the following types of signs are permitted in the Lake Street District:</p> <ol style="list-style-type: none"> 1. Awning, canopy or marquee signs 2. Wall signs 3. Monument or ground signs 4. Projecting signs 5. Window signs (small accent signs) 6. Roof signs if located on pitched-roof buildings, below the peak of the roof 	<p>The proposed building would include wall signs.</p>	<p>Yes</p>
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	Comments	Compliance
<p>Parking Lot and Building Lighting</p> <p>801.09.19.1 – All Districts</p> <p>A. Parking lot lighting shall be designed in such a way as to be in scale with its surroundings, and reduce glare.</p> <p>B. Cutoff fixtures shall be located below the mature height of trees located in parking lot islands so as to minimize ambient glow and light pollution.</p> <p>C. Pedestrian-scale lighting, not exceeding thirteen (13) feet in height, shall be located on walkways and adjacent to store entrances. All sidewalk lighting must be projected downwards. City light standard shall be followed for all public streets.</p> <p>D. Light posts shall be of a dark color.</p> <p>E. Lighting fixtures shall be compatible with the architecture of the building.</p> <p>F. Lights attached to buildings shall be screened by the building's architectural features to eliminate glare to adjacent properties. All façade lighting must be projected downwards.</p> <p>G. All lighting fixtures shall comply with City Code Section 801.16.6 as it relates to glare.</p>	<p>The project does not include any parking lot lighting.</p> <p>The building lighting includes exterior mounted wall sconces and would cast light on the building façade, but would be screened by the building's architectural design to eliminate glare onto adjacent properties.</p>	<p>Yes</p>



WAYZATA PLANNING COMMISSION

August 1, 2016

REPORT AND RECOMMENDATION OF APPROVAL OF PUD CONCEPT AND GENERAL PLANS, PUD REZONING, PROJECT DESIGN, HEIGHT VARIANCE, SHORELAND HEIGHT AND IMPERVIOUS SURFACE CUPs, AND PRELIMINARY AND FINAL PLAT AT 326 AND 332 BROADWAY AVE S

SUMMARY OF RECOMMENDATION

1. **Approval*** of Concurrent PUD Concept and General Plan of Development
2. **Approval*** of Rezoning from C-4B to PUD/Planned Unit Development
3. **Approval*** of Design of Project
4. **Approval*** of Building Height Variance
5. **Approval*** of Shoreland Impact Plan/CUP for Building Height
6. **Approval*** of Shoreland Impact Plan/CUP for Impervious Surface
7. **Approval*** of Preliminary and Final Plat Subdivision

* with certain conditions listed at the end of this Report

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

1.1 Project. Beltz Enterprises, LLC, and the property owner, MJ Mail Center, LLC (collectively, the "Applicant") have submitted a development application to redevelop the Gold Mine and Mail Center properties at 326 and 332 Broadway Ave S (the "Property"). The proposed redevelopment involves the demolition of the two existing commercial buildings on the property, and construction of a new three story mixed use building consisting of retail uses on the ground level and office uses on the upper two levels (the "Project").

1.2 Application Requests. The Application includes requests for approval of:

- A. Concurrent PUD Concept and General Plan of Development (the "PUD" or "PUD Concept and General Plans"): The Project would be built according to an approved PUD for the proposed new building on the Property with

ground level retail and upper level office use. The Applicant is requesting concurrent concept and general plan review and approval.

- B. Rezoning from C-4B to PUD/Planned Unit Development (the “Rezoning” or “Zoning Amendment”): In connection with approval of the PUD, the Property would be rezoned from the current C-4B District to the PUD District.
- C. Design (the “Design”): The newly constructed building of the Project is subject to the Design Standards. The Applicant is requesting approval of the design elements of the building as well as deviations from the Design Standards, further detailed in the Design Critique, that pertain to (i) building recession; (ii) exterior building materials; (iii) sidewalks and streetscape; and (iv) roof-top mechanical equipment (the “Deviations”).
- D. Variance from the Maximum Building Height Limit (the “Height Variance”): The Project requires a variance from the maximum building height limit in the PUD Zoning District of 35 feet and 3 stories, whichever is less. The proposed building for the Project would be 3 stories in height, but would be 38 feet in height.
- E. Shoreland Impact Plan/Conditional Use Permit for the Building Height (the “Shoreland Height CUP”): The Project requires a shoreland impact plan/conditional use permit for a building in excess of 35 feet. The proposed building for the Project would be 3 stories in height, but would be 38 feet in height.
- F. Shoreland Impact Plan/Conditional Use Permit for Impervious Surface (the “Shoreland Impervious Surface CUP”): The Project requires a shoreland impact plan/conditional use permit for having impervious surface coverage that exceeds 75% of the lot area. The proposed Project would have an impervious surface coverage of approximately 96%.
- G. Preliminary and Final Plat Subdivision to combine the Lots (the “Subdivision”, “Preliminary and Final Plats” or “Lot Combination”): The Project would combine the two existing lots comprising the Property into a new single lot.
- 1.3 Property. The address, property identification numbers and owners of the Property involved in the Project are:

326 Broadway Ave S	06-117-22-42-0016	MJ Mail Center, LLC
332 Broadway Ave S	06-117-22-42-0017	MJ Mail Center, LLC

- 1.4 Land Use. The Property is falls within the C-4B Central Business District, the Shoreland Overlay District, and the Lake Street Design District, under the Zoning

Ordinance, and is guided Central Business District in the Comprehensive Plan. 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	Mill Street Parking Lot	Institutional	Institutional/Public
East	701 Lake St E mixed use building	PUD/Planned Unit Development	Central Business District
South	COV restaurant mixed use building	C-4B/Central Business District	Central Business District
West	Marquee Place mixed use building	C-4B/Central Business District	Central Business District

- 1.5 Notice and Public Hearing. Notice of the public hearing on the Application was published in the *Wayzata Sun Sailor* on July 7, 2016. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on July 8, 2016.

Section 2. STANDARDS

2.1 Planned Unit Developments (PUDs).

- A. Intent and Purpose of PUDs. Section 801.33 of the Zoning Ordinance provides for the establishment of Planned Unit Developments to allow greater flexibility in the development of neighborhoods and/or non residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD process, by allowing deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:

1. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
2. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.

3. More convenience in location and design of development and service facilities.
 4. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
 5. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
 6. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
 7. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
 8. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.
- B. General Standards. Section 801.33.2.A of the Zoning Ordinance sets forth the general standards for review of a PUD application. These include:
1. Health Safety and Welfare; Council Discretion. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of Section 33 of the PUD Ordinance, it may approve the PUD, although it shall not be required to do so.
 2. Ownership. Applicant/s must own all of the property to be included in the PUD.

3. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.
4. Sanitary Sewer Plan Consistency. The PUD project must be consistent with the City's Sanitary Sewer Plan.
5. Common Open Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
6. Operating and Maintenance Requirements. Whenever common private or public open space or service facilities are provided within a PUD, the PUD plan must contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD must be placed under the ownership of one of the following, as approved by the City Council: (i) dedicated to the public, where a community-wide use is anticipated, (ii) Landlord control, where only tenant use is anticipated, or (iii) Property Owners Association, provided the conditions of 801.33.2.A.6.c are met.
7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 801.33.2.A.10.
11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.

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

2.2 Zoning Ordinance Amendments / Rezoning.

In considering a proposed amendment to the Zoning Ordinance, the Planning Commission shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon the following factors:

- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
- B. The proposed use's conformity with present and future land uses of the area.
- C. The proposed use's conformity with all performance standards contained in the Zoning Ordinance (i.e., parking, loading, noise, etc.).
- D. The proposed use's effect on the area in which it is proposed.

- E. The proposed use's impact upon property value in the area in which it is proposed.
- F. Traffic generation by the proposed use in relation to capabilities of streets serving the property.
- G. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

2.3 Design Standards. All new nonresidential building construction in the City must comply with the Design Standards found in Section 9 of the Zoning Ordinance. The Project falls within the Lake Street Design District, and the relevant design standards applicable to the Project are outlined in the attached "Design Critique" (Attachment A). Deviations from the Design Standards may be permitted under Sec. 801.09.21 (with the exception of Section 7 of the Design Standards) if City Council (after considering the Planning Commission's recommendation) makes a finding that the negative impact of such deviation is outweighed by one or more of the following factors:

1. The extent to which the project advances specific policies and provisions of the City's Comprehensive Plan.
2. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards.
3. The positive effect of the project on the area in which the project is proposed.
4. The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.
5. The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.
6. A national, state or local historic designation.
7. The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.

2.4 Building Height; Variances. Under Section 801.33.2.14, the maximum building height in the PUD Zoning District is thirty-five (35) feet and three (3) stories, whichever is less. 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 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.

2.5 Shoreland Impact Plan/Conditional Use Permit for Building Height. The maximum height of buildings in the Shoreland Overlay District is 35 feet. Building heights over 35 feet may be allowed through approval of a shoreland impact plan/conditional use permit. Section 801.91.10. Section 801.91.19 states that landowners or developers desiring to develop land or construct any dwelling or any other artificial obstruction on land located within any Shoreland District within the City of Wayzata shall first submit a conditional use permit application

as regulated by Section 801.04 of this Ordinance and a plan of development, referred to as "Shoreland Impact Plan", which shall set forth proposed provisions for sediment control, water management, maintenance of landscaped features, and any additional matters intended to set forth proposed changes requested by the applicant and affirmatively disclose what, if any, change will be made in the natural condition of the earth, including loss of change of earth ground cover, destruction of trees, grade courses and marshes. The plan shall minimize tree removal, ground cover change, loss of natural vegetation, and grade changes as much as possible, and shall affirmatively provide for the relocation or replanting of as many trees as possible which are proposed to be removed. The purpose of the shoreland impact plan shall be to eliminate and minimize as much as possible potential pollution, erosion and siltation.

Conditional Use Permits. City Code Section 801.04.2.F. states that the Planning Commission and City Council shall consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:

- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
 - B. The proposed use's compatibility with present and future uses of the area.
 - C. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
 - D. The proposed use's effect on the area in which it is proposed.
 - E. The proposed use's impact upon property values in the area in which it is developed.
 - F. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.
 - G. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.
- 2.6 Shoreland CUP for Impervious Surface Coverage. The Shoreland Overlay District establishes a maximum impervious surface of 25% of the lot area, except impervious surface coverage may be allowed to exceed 75% of the lot area with a shoreland impact plan/conditional use permit.
- 2.7 Subdivision / Preliminary and Final Plat. Review and approval of subdivisions of property, combinations of two or more lots, and preliminary/final plats are governed by the City's Subdivision Ordinance, Ch. 805 of City Code. The City may agree to review the preliminary and final plat simultaneously. Sec. 805.15.A.

In reviewing such requests, the Planning Commission shall consider possible adverse effects of the preliminary plat. Its judgment shall be based upon, but not limited to, the following factors found in Section 805.14.E:

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

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

Section 3. FINDINGS OF FACT

Based on the Application materials, additional materials submitted by the Applicant, staff reports and documents, public comment and information presented at the public hearings, and the standards of the Wayzata Subdivision and Zoning Ordinances, the Planning Commission of the City of Wayzata makes the following findings of fact:

- 3.1 PUD. The PUD Concept Plan meets the purpose and intent of the PUD Ordinance.
 - A. The PUD reflects higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
 - B. The PUD includes a mixed use building consisting of appropriate retail and unique office use. The mixed use building meets the land use designation for the Property, and is consistent with the goals and objectives of the comprehensive plan.
 - C. The PUD creates a more desirable and creative environment than would be possible under the existing C-4B Central Business District. The ground floor retail spaces and upper stories of small office spaces creates a more desirable and creative environment.

In addition, the PUD meets all of the PUD general standards listed in Section 801.33.2.A of the Zoning Ordinance, except for the height requirement for which the Applicant has requested the Height Variance.

- 3.2 Zoning Ordinance Amendments / Rezoning. The Rezoning for the proposed use (the "Proposed Use") would not have an adverse effect on surrounding properties or the community, and meets the standards for a zoning ordinance amendment:

- A. The Proposed Use is consistent with the Comprehensive Plan land use designation of the Property, and meets the policies of the Comp Plan.
- B. The Proposed Use is consistent with current and future land uses in the area.
- C. The Proposed Use would meet the performance standards outlined in the Zoning Ordinance, except those for which the Variance and CUPs have been requested.
- D. The Proposed Use would not adversely impact surrounding properties.
- E. The Proposed Use would not impact property values in the area.
- F. The existing transportation facilities can meet the traffic demand of the Proposed Use.
- G. The Proposed Use would not exceed service capacity of public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

3.3 Project Design. The Project meets the applicable provisions of the Design Standards except for the Deviations. Any negative impacts of the Deviations are outweighed by one or more of the following factors:

- 1. The extent to which the Project advances specific policies and provisions of the City's Comprehensive Plan, as noted in the record.
- 2. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards, as noted in the record.
- 3. The positive effect of the Project on the area in which the Project is proposed.

3.4 Height Variance. The Height Variance meets the standards for granting a variance:

- A. The Height Variance is in harmony with the purpose and intent of the zoning ordinance, and is consistent with the comprehensive plan.
- B. The Applicant has demonstrated that there are practical difficulties in complying with the applicable building height requirement.

- C. There are practical difficulties in complying with the maximum building height requirement in that the need for the increased building height for the Project is a result of the terrain and slope of the Property.
- D. The Height Variance is requested based on the topography and elevation of the property and adjacent public streets, not based on economic factors.
- F. The Applicant is not proposing earth sheltered construction.
- E. The Height Variance is from the building height, not from the use requirements of the zoning district.

3.5 Shoreland CUP for Building Height. The provisions of Section 801.91.19 and 801.04.2(F) of the Zoning Ordinance have been considered and are satisfactorily met.

- 1. All structures and practices are or will be in place for the treatment of storm water runoff for the Project as reviewed and approved by the City Engineer.
- 2. A Shoreland Impact Plan has been submitted for review and approval by the City Engineer.

Section 801.04.2(F) Findings

- 1. The proposed action is compatible with the specific policies and provisions of the official City Comprehensive Plan.
- 2. The proposed use is compatible with present and future uses of the area.
- 3. The proposed use conforms with all performance standards contained in the Zoning Ordinance, except those for which a variance and CUPs are requested.
- 4. The proposed structure and associated uses will not have a negative effect upon the surrounding area.
- 5. The proposed structure and associated use will not have a negative impact upon surrounding property values.
- 6. The proposed structure and associated use will not increase traffic.
- 7. The proposed structure and associated use will not negatively impact existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

3.6 Shoreland CUP for Impervious Surface Coverage. The provisions of Section 801.91.19 and 801.04.2(F) of the Zoning Ordinance have been considered and are satisfactorily met.

1. All structures and practices are or will be in place for the treatment of storm water runoff for the Project as reviewed and approved by the City Engineer.
2. A Shoreland Impact Plan has been submitted for review and approval by the City Engineer.

Section 801.04.2(F) Findings

1. The proposed action is compatible with the specific policies and provisions of the official City Comprehensive Plan.
2. The proposed use is compatible with present and future uses of the area.
3. The proposed use conforms with all performance standards contained in the Zoning Ordinance, except those for which a variance and CUPs are requested.
4. The proposed structure and associated uses will not have a negative effect upon the surrounding area.
5. The proposed structure and associated use will not have a negative impact upon surrounding property values.
6. The proposed structure and associated use will not increase traffic.
7. The proposed structure and associated use will not negatively impact existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

3.7 Preliminary / Final Plat Subdivision for Lot Combination.

1. The Subdivision is consistent with the Wayzata Comprehensive Plan.
2. The building pad that results from the Subdivision not impact sensitive areas on the Property.
3. The building pad that results from the Subdivision have been selected and located with respect to natural topography to minimize filing or grading.

4. Existing stands of significant trees will be retained where possible.
5. The building pad that results from the Subdivision is sensitively integrated into existing trees on the right of way.
5. The Subdivision does not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
6. The design of the lot, the building pad, and the site layout responds to and is reflective of the surrounding lots and neighborhood character.
7. The lot size resulting from the Subdivision is not dissimilar from adjacent lots or lots found in the surrounding neighborhood.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the building proposed is similar to the characteristics and quality of existing development in the City and surrounding neighborhood.
9. The building proposed for the Subdivision meets the applicable Design District and the Design Review Board/City Council review criteria and process outlined in Section 9 of the Wayzata Zoning Ordinance.
10. The proposed lot layout and building pad conforms with all performance standards contained in the Subdivision Ordinance with the exception of those for which a variance and CUPs are being requested.
11. The Subdivision will not tend to or actually depreciate the values of neighboring properties in the area in which it is proposed.
12. The Subdivision will be accommodated with existing public services, including those related to transportation and utility systems, and will not overburden the City's service capacity.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **APPROVAL** of the following requests made in the Application: (i) Concurrent PUD Concept and General Plan of Development for New Retail and Office Development; (ii)

Rezoning from C-4B to PUD/Planned Unit Development; (iii) Design of Project; (iv) Building Height Variance; (v) Shoreland Height CUP; (vi) Shoreland Impervious Surface CUP; and (vii) Preliminary and Final Plat Subdivision to combine the existing two lots into a single lot, subject to the following conditions:

- A. The Property Owner must comply with all current and future parking requirements for the uses associated with the Project.
- B. The City will not issue a building permit for construction of the building until the Property Owner provides 52 parking stalls for the project either through a Downtown Mobility District or a separate agreement between the Property Owner and the City of Wayzata for use of parking stalls within the Mill Street parking lot (or future parking ramp) located on the north side of the site.
- C. Final Utility, Stormwater Management, Grading, Drainage, and Erosion Plans must be approved by the City Engineer prior to the submission of building permits and submitted to the City for review.
- D. A stormwater facility maintenance agreement for maintenance of the stormwater management facilities is required.
- E. The Property Owner must enter into an encroachment agreement with the City for the grease trap and stormwater treatment structure located within the City's right of way.
- F. The final design of the sidewalks with the City's right of way must be reviewed and approved by the City Engineer and Building Official for compliance with the City's engineering and design standards and the State building code.
- G. The Applicant must record the Final Plat with the appropriate Hennepin County officials within one hundred twenty (120) days in conformance with Section 805.15.E.7 of the Subdivision Ordinance, and provide a recorded copy to the City.
- H. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 1st day of August 2016.

Voting In Favor: Gnos, Gruber, Murray, Young

Voting Against: None

Abstaining: Iverson

Absent: Flannigan, Gonzalez

DRAFT RESOLUTION NO. 32-2016

**RESOLUTION APPROVING PUD CONCEPT AND GENERAL PLANS, PUD
REZONING, PROJECT DESIGN, HEIGHT VARIANCE, SHORELAND HEIGHT AND
IMPERVIOUS SURFACE CUPS, AND PRELIMINARY AND FINAL PLAT
AT 326 AND 332 BROADWAY AVE S**

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

Section 1. BACKGROUND

1.1 Project. Beltz Enterprises, LLC, and the property owner, MJ Mail Center, LLC (collectively, the "Applicant") have submitted a development application to redevelop the Gold Mine and Mail Center properties at 326 and 332 Broadway Ave S (the "Property"). The proposed redevelopment involves the demolition of the two existing commercial buildings on the property, and construction of a new three story mixed use building consisting of retail uses on the ground level and office uses on the upper two levels (the "Project").

1.2 Application Requests. The Application includes requests for approval of:

- A. Concurrent PUD Concept and General Plan of Development (the "PUD" or "PUD Concept and General Plans"): The Project would be built according to an approved PUD for the proposed new building on the Property with ground level retail and upper level office use. The Applicant is requesting concurrent concept and general plan review and approval.
- B. Rezoning from C-4B to PUD/Planned Unit Development (the "Rezoning" or "Zoning Amendment"): In connection with approval of the PUD, the Property would be rezoned from the current C-4B District to the PUD District.
- C. Design (the "Design"): The newly constructed building of the Project is subject to the Design Standards. The Applicant is requesting approval of the design elements of the building as well as deviations from the Design Standards, further detailed in the Design Critique, that pertain to (i) building recession; (ii) exterior building materials; (iii) sidewalks and streetscape; and (iv) roof-top mechanical equipment (the "Deviations").
- D. Variance from the Maximum Building Height Limit (the "Height Variance"): The Project requires a variance from the maximum building height limit in the PUD Zoning District of 35 feet and 3 stories, whichever is less. The proposed building for the Project would be 3 stories in height, but would be 38 feet in height.

- E. Shoreland Impact Plan/Conditional Use Permit for the Building Height (the "Shoreland Height CUP"): The Project requires a shoreland impact plan/conditional use permit for a building in excess of 35 feet. The proposed building for the Project would be 3 stories in height, but would be 38 feet in height.
- F. Shoreland Impact Plan/Conditional Use Permit for Impervious Surface (the "Shoreland Impervious Surface CUP"): The Project requires a shoreland impact plan/conditional use permit for having impervious surface coverage that exceeds 75% of the lot area. The proposed Project would have an impervious surface coverage of approximately 96%.
- G. Preliminary and Final Plat Subdivision to combine the Lots (the "Subdivision", "Preliminary and Final Plats" or "Lot Combination"): The Project would combine the two existing lots comprising the Property into a new single lot.

- 1.3 Property. The address, property identification numbers and owners of the Property involved in the Project are:

326 Broadway Ave S	06-117-22-42-0016	MJ Mail Center, LLC
332 Broadway Ave S	06-117-22-42-0017	MJ Mail Center, LLC

- 1.4 Land Use. The Property is falls within the C-4B Central Business District, the Shoreland Overlay District, and the Lake Street Design District, under the Zoning Ordinance, and is guided Central Business District in the Comprehensive Plan. 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	Mill Street Parking Lot	Institutional	Institutional/Public
East	701 Lake St E mixed use building	PUD/Planned Unit Development	Central Business District
South	COV restaurant mixed use building	C-4B/Central Business District	Central Business District
West	Marquee Place mixed use building	C-4B/Central Business District	Central Business District

- 1.5 Notice and Public Hearing. Notice of the public hearing on the Application was published in the *Wayzata Sun Sailor* on July 7, 2016. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on July 8, 2016.
- 1.6 Planning Commission Action. The Planning Commission held a public hearing and reviewed the Application on July 18, 2016. At its August 1, 2016 meeting, the Planning Commission adopted a Report and Recommendation recommending approval of all the requests in the Application based on the findings in the Report.

Section 2. STANDARDS

2.1 Planned Unit Developments (PUDs).

- A. Intent and Purpose of PUDs. Section 801.33 of the Zoning Ordinance provides for the establishment of Planned Unit Developments to allow greater flexibility in the development of neighborhoods and/or non residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD process, by allowing deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:
 1. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
 2. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
 3. More convenience in location and design of development and service facilities.
 4. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
 5. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
 6. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.

7. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
 8. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.
- B. General Standards. Section 801.33.2.A of the Zoning Ordinance sets forth the general standards for review of a PUD application. These include:
1. Health Safety and Welfare; Council Discretion. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of Section 33 of the PUD Ordinance, it may approve the PUD, although it shall not be required to do so.
 2. Ownership. Applicant/s must own all of the property to be included in the PUD.
 3. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.
 4. Sanitary Sewer Plan Consistency. The PUD project must be consistent with the City's Sanitary Sewer Plan.
 5. Common Open Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
 6. Operating and Maintenance Requirements. Whenever common private or public open space or service facilities are provided within a PUD, the PUD plan must contain provisions to assure the

continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD must be placed under the ownership of one of the following, as approved by the City Council: (i) dedicated to the public, where a community-wide use is anticipated, (ii) Landlord control, where only tenant use is anticipated, or (iii) Property Owners Association, provided the conditions of 801.33.2.A.6.c are met.

7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 801.33.2.A.10.
11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
12. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
13. Setbacks. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall be the same as imposed in the underlying districts, if a PUD conditional use permit, or the previous zoning district, if a PUD District. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street pattern. No building within the PUD project shall be nearer to another building than one-half (1/2) the sum of the

building heights of the two (2) buildings. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the allowable setbacks shall be as negotiated and agreed upon between the applicant and the City.

14. Height. The maximum building height to be considered within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser. There shall be no deviation from the height standards applied within the applicable zoning districts for PUD conditional use permits. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the maximum allowable height and number of floors shall be as negotiated and agreed upon between the applicant and the City.

2.2 Zoning Ordinance Amendments / Rezoning.

In considering a proposed amendment to the Zoning Ordinance, the Planning Commission shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon the following factors:

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

- 2.3 Design Standards. All new nonresidential building construction in the City must comply with the Design Standards found in Section 9 of the Zoning Ordinance. The Project falls within the Lake Street Design District, and the relevant design standards applicable to the Project are outlined in the attached "Design Critique" (Attachment A). Deviations from the Design Standards may be permitted under Sec. 801.09.21 (with the exception of Section 7 of the Design Standards) if City

Council (after considering the Planning Commission's recommendation) makes a finding that the negative impact of such deviation is outweighed by one or more of the following factors:

1. The extent to which the project advances specific policies and provisions of the City's Comprehensive Plan.
2. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards.
3. The positive effect of the project on the area in which the project is proposed.
4. The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.
5. The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.
6. A national, state or local historic designation.
7. The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.

2.4 Building Height; Variances. Under Section 801.33.2.14, the maximum building height in the PUD Zoning District is thirty-five (35) feet and three (3) stories, whichever is less. 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 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.
- 2.5 Shoreland Impact Plan/Conditional Use Permit for Building Height. The maximum height of buildings in the Shoreland Overlay District is 35 feet. Building heights over 35 feet may be allowed through approval of a shoreland impact plan/conditional use permit. Section 801.91.10. Section 801.91.19 states that landowners or developers desiring to develop land or construct any dwelling or any other artificial obstruction on land located within any Shoreland District within the City of Wayzata shall first submit a conditional use permit application as regulated by Section 801.04 of this Ordinance and a plan of development, referred to as "Shoreland Impact Plan", which shall set forth proposed provisions for sediment control, water management, maintenance of landscaped features, and any additional matters intended to set forth proposed changes requested by the applicant and affirmatively disclose what, if any, change will be made in the natural condition of the earth, including loss of change of earth ground cover, destruction of trees, grade courses and marshes. The plan shall minimize tree removal, ground cover change, loss of natural vegetation, and grade changes as much as possible, and shall affirmatively provide for the relocation or replanting of as many trees as possible which are proposed to be removed. The purpose of the shoreland impact plan shall be to eliminate and minimize as much as possible potential pollution, erosion and siltation.

Conditional Use Permits. City Code Section 801.04.2.F. states that the Planning Commission and City Council shall consider possible adverse effects of the

proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:

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

2.6 Shoreland CUP for Impervious Surface Coverage. The Shoreland Overlay District establishes a maximum impervious surface of 25% of the lot area, except impervious surface coverage may be allowed to exceed 75% of the lot area with a shoreland impact plan/conditional use permit.

2.7 Subdivision / Preliminary and Final Plat. Review and approval of subdivisions of property, combinations of two or more lots, and preliminary/final plats are governed by the City's Subdivision Ordinance, Ch. 805 of City Code. The City may agree to review the preliminary and final plat simultaneously. Sec. 805.15.A.

In reviewing such requests, the Planning Commission shall consider possible adverse effects of the preliminary plat. Its judgment shall be based upon, but not limited to, the following factors found in Section 805.14.E:

1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
2. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to

minimize filing or grading.

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

Section 3. FINDINGS OF FACT

The City Council of the City of Wayzata hereby confirms and memorializes that the (i) Concurrent PUD Concept and General Plan of Development for New Retail and Office Development; (ii) Rezoning from C-4B to PUD/Planned Unit Development; (iii) Design of Project; (iv) Building Height Variance; (v) Shoreland Height CUP; (vi) Shoreland Impervious Surface CUP; and (vii) Preliminary and Final Plat Subdivision that are requested as part of the Application meet all of 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, Applicant's additional submittals, staff reports, public comment presented at the hearing, and the Report and Recommendation of the Planning Commission):

3.1 PUD. The PUD Concept Plan meets the purpose and intent of the PUD Ordinance.

- A. The PUD reflects higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
- B. The PUD includes a mixed use building consisting of appropriate retail and unique office use. The mixed use building meets the land use designation for the Property, and is consistent with the goals and objectives of the comprehensive plan.
- C. The PUD creates a more desirable and creative environment than would be possible under the existing C-4B Central Business District. The ground floor retail spaces and upper stories of small office spaces creates a more desirable and creative environment.

In addition, the PUD meets all of the PUD general standards listed in Section 801.33.2.A of the Zoning Ordinance, except for the height requirement for which the Applicant has requested the Height Variance.

3.2 Zoning Ordinance Amendments / Rezoning. The Rezoning for the proposed use (the "Proposed Use") would not have an adverse effect on surrounding properties or the community, and meets the standards for a zoning ordinance amendment:

- A. The Proposed Use is consistent with the Comprehensive Plan land use designation of the Property, and meets the policies of the Comp Plan.
- B. The Proposed Use is consistent with current and future land uses in the area.
- C. The Proposed Use would meet the performance standards outlined in the Zoning Ordinance, except those for which the Variance and CUPs have been requested.

- D. The Proposed Use would not adversely impact surrounding properties.
- E. The Proposed Use would not impact property values in the area.
- F. The existing transportation facilities can meet the traffic demand of the Proposed Use.
- G. The Proposed Use would not exceed service capacity of public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

3.3 Project Design. The Project meets the applicable provisions of the Design Standards except for the Deviations. Any negative impacts of the Deviations are outweighed by one or more of the following factors:

- 1. The extent to which the Project advances specific policies and provisions of the City's Comprehensive Plan, as noted in the record.
- 2. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards, as noted in the record.
- 3. The positive effect of the Project on the area in which the Project is proposed.

3.4 Height Variance. The Height Variance meets the standards for granting a variance:

- A. The Height Variance is in harmony with the purpose and intent of the zoning ordinance, and is consistent with the comprehensive plan.
- B. The Applicant has demonstrated that there are practical difficulties in complying with the applicable building height requirement.
- C. There are practical difficulties in complying with the maximum building height requirement in that the need for the increased building height for the Project is a result of the terrain and slope of the Property.
- D. The Height Variance is requested based on the topography and elevation of the property and adjacent public streets, not based on economic factors.
- F. The Applicant is not proposing earth sheltered construction.

E. The Height Variance is from the building height, not from the use requirements of the zoning district.

3.5 Shoreland CUP for Building Height. The provisions of Section 801.91.19 and 801.04.2(F) of the Zoning Ordinance have been considered and are satisfactorily met.

1. All structures and practices are or will be in place for the treatment of storm water runoff for the Project as reviewed and approved by the City Engineer.
2. A Shoreland Impact Plan has been submitted for review and approval by the City Engineer.

Section 801.04.2(F) Findings

1. The proposed action is compatible with the specific policies and provisions of the official City Comprehensive Plan.
2. The proposed use is compatible with present and future uses of the area.
3. The proposed use conforms with all performance standards contained in the Zoning Ordinance, except those for which a variance and CUPs are requested.
4. The proposed structure and associated uses will not have a negative effect upon the surrounding area.
5. The proposed structure and associated use will not have a negative impact upon surrounding property values.
6. The proposed structure and associated use will not increase traffic.
7. The proposed structure and associated use will not negatively impact existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

3.6 Shoreland CUP for Impervious Surface Coverage. The provisions of Section 801.91.19 and 801.04.2(F) of the Zoning Ordinance have been considered and are satisfactorily met.

1. All structures and practices are or will be in place for the treatment of storm water runoff for the Project as reviewed and approved by the City Engineer.

2. A Shoreland Impact Plan has been submitted for review and approval by the City Engineer.

Section 801.04.2(F) Findings

1. The proposed action is compatible with the specific policies and provisions of the official City Comprehensive Plan.
2. The proposed use is compatible with present and future uses of the area.
3. The proposed use conforms with all performance standards contained in the Zoning Ordinance, except those for which a variance and CUPs are requested.
4. The proposed structure and associated uses will not have a negative effect upon the surrounding area.
5. The proposed structure and associated use will not have a negative impact upon surrounding property values.
6. The proposed structure and associated use will not increase traffic.
7. The proposed structure and associated use will not negatively impact existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

3.7 Preliminary / Final Plat Subdivision for Lot Combination.

1. The Subdivision is consistent with the Wayzata Comprehensive Plan.
2. The building pad that results from the Subdivision not impact sensitive areas on the Property.
3. The building pad that results from the Subdivision have been selected and located with respect to natural topography to minimize filing or grading.
4. Existing stands of significant trees will be retained where possible.
5. The building pad that results from the Subdivision is sensitively integrated into existing trees on the right of way.
5. The Subdivision does not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.

6. The design of the lot, the building pad, and the site layout responds to and is reflective of the surrounding lots and neighborhood character.
7. The lot size resulting from the Subdivision is not dissimilar from adjacent lots or lots found in the surrounding neighborhood.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the building proposed is similar to the characteristics and quality of existing development in the City and surrounding neighborhood.
9. The building proposed for the Subdivision meets the applicable Design District and the Design Review Board/City Council review criteria and process outlined in Section 9 of the Wayzata Zoning Ordinance.
10. The proposed lot layout and building pad conforms with all performance standards contained in the Subdivision Ordinance with the exception of those for which a variance and CUPs are being requested.
11. The Subdivision will not tend to or actually depreciate the values of neighboring properties in the area in which it is proposed.
12. The Subdivision will be accommodated with existing public services, including those related to transportation and utility systems, and will not overburden the City's service capacity.

Section 4. CITY COUNCIL ACTION

- 4.1 Based on the findings in section 3 of this Resolution, the (i) Concurrent PUD Concept and General Plan of Development for New Retail and Office Development; (ii) Rezoning from C-4B to PUD/Planned Unit Development; (iii) Design of Project; (iv) Building Height Variance; (v) Shoreland Height CUP; (vi) Shoreland Impervious Surface CUP; and (vii) Preliminary and Final Plat Subdivision to combine the existing two lots into a single lot, subject to the following conditions and restrictions:
- A. The Property Owner must comply with all current and future parking requirements for the uses associated with the Project.
 - B. The City will not issue a building permit for construction of the building on the Property as proposed until the Property Owner provides 52

parking stalls for the Project, either through a Downtown Mobility District, City parking policy, and/or a separate agreement between the Property Owner and the City of Wayzata for use of parking stalls within the Mill Street parking lot (or future parking ramp) located on the north side of the site.

- C. Final Utility, Stormwater Management, Grading, Drainage, and Erosion Plans must be approved by the City Engineer prior to the submission of building permits and submitted to the City for review.
- D. A stormwater facility maintenance agreement for maintenance of the stormwater management facilities on the Property must be executed for the Property in a form acceptable to the City Engineer.
- E. The Property Owner must enter into an encroachment agreement with the City for the grease trap and stormwater treatment structure located within the City's right of way.
- F. The final design of the sidewalks with the City's right of way must be reviewed and approved by the Director of Planning and Building, City Engineer, and Building Official for compliance with the City's engineering and design standards, State building code, and City's design for the sidewalk along the south side of Mill Street.
- G. Prior to the City issuing a building permit for the Project, the Applicant must submit evidence of a private easement or other agreement acceptable to the City Attorney for use of the trash and recycling facilities by the Project located with the existing building at 701 Lake St E.
- H. Prior to the City issuing a building permit for the Project, the Applicant must submit a construction management plan to City staff for review and approval. The construction management plan must outline locations of construction staging, construction-related parking, and employee parking. All construction-related and employee parking must be located off-site and may not be located within the Mill Street parking lot, Broadway Avenue, Lake Street, or the municipal parking lot located at Broadway Avenue and Lake Street.
- I. The Applicant must record the Final Plat with the appropriate Hennepin County officials within one hundred twenty (120) days in conformance with Section 805.15.E.7 of the Subdivision Ordinance, and provide a recorded copy to the City.
- J. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata City Council this 6th day of September, 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 September 6, 2016.

Becky Malone, Deputy City Clerk
SEAL

CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA
DRAFT ORDINANCE NO. 760

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY
TO REZONE PROPERTY AT 326 AND 332 BROADWAY AVE S TO
PUD PLANNED UNIT DEVELOPMENT DISTRICT**

THE CITY OF WAYZATA ORDAINS:

Section 1. Zoning Map Amendment

- 1.1. Rezoning. Based upon City Council Resolution 32-2016 (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.

Section 2. Effective Date

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

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

Ken Willcox
Mayor

ATTEST:

Jeffrey Dahl
City Manager

First Reading:
Second Reading:
Publication: