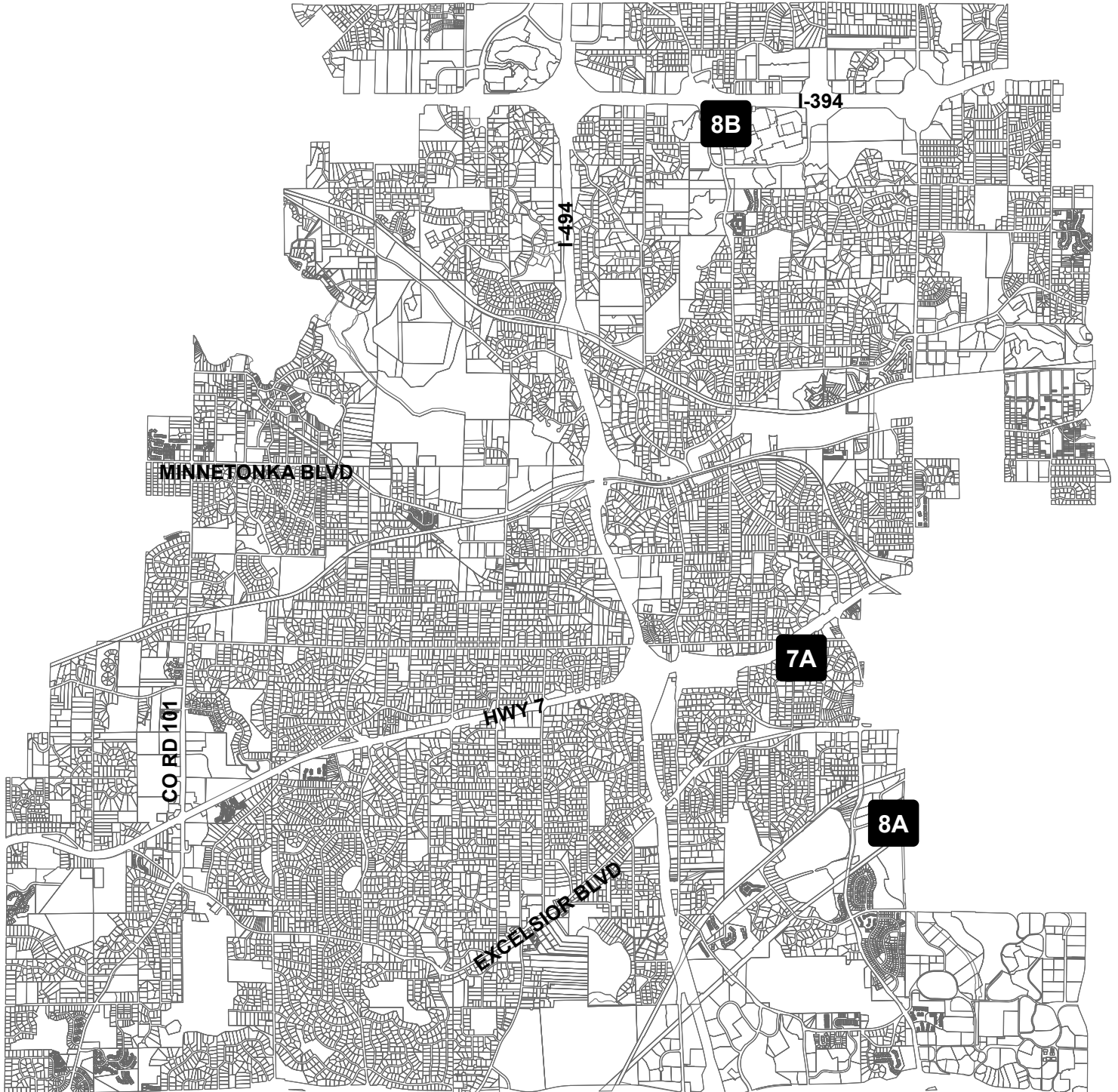




# PLANNING COMMISSION

## JULY 7, 2022

14600 Minnetonka Blvd. • Minnetonka, MN 55345  
(952) 939-8200 • Fax (952) 939-8244  
minnetonkamn.gov





**Planning Commission Agenda  
July 7, 2022**

**City Council Chambers – Minnetonka Community Center**

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Approval of Minutes:** June 23, 2022
- 5. Report from Staff**
- 6. Report from Planning Commission Members**
- 7. Public Hearings: Consent Agenda**
  - A. Conditional use permit for daycare facility within the existing religious institution at 4215 Fairview Ave.  
Recommendation: Recommend the city council adopt the resolution approving the request (4 votes)
    - Recommendation to City Council (July 18, 2022)
    - Project Planner: Bria Raines
- 8. Public Hearings: Non-Consent Agenda Items**
  - A. Conditional use permit, with variance, for a religious institution at 11505 and 11543 K-Tel Drive.  
Recommendation: Recommend the city council adopt the resolution approving the request (4 votes)
    - Recommendation to City Council (July 18, 2022)
    - Project Planner: Bria Raines
  - B. Amendment to the existing Bonaventure sign plan for Top Ten Liquors at 1641 Plymouth Road.  
Recommendation: Adopt the resolution approving the request (4 votes)
    - Final decision, subject to appeal
    - Project Planner: Ashley Cauley

**9. Adjournment**

**Notices**

1. Please call the planning division at (952) 939-8290 to confirm meeting dates as they are tentative and subject to change.
2. There following applications are tentatively schedule for the July 21, 2022 agenda.

<b>Project Description</b>	Noonan Residence, VAR, FAP
<b>Project Location</b>	2507 Bantas Point Lane
<b>Assigned Staff</b>	Susan Thomas
<b>Ward Councilmember</b>	Bradley Schaeppi, Ward 3

<b>Project Description</b>	First Light Donuts and Café
<b>Project Location</b>	11014 Cedar Lake Road
<b>Assigned Staff</b>	Ashely Cauley
<b>Ward Councilmember</b>	Rebecca Schack, Ward 2

<b>Project Description</b>	Brito's Burritos, CUP
<b>Project Location</b>	11014 Cedar Lake Road
<b>Assigned Staff</b>	Ashley Cauley
<b>Ward Councilmember</b>	Rebecca Schack, Ward 2

<b>Project Description</b>	CREO Dance, CUP
<b>Project Location</b>	15102 Minnetonka Blvd
<b>Assigned Staff</b>	Ashley Cauley
<b>Ward Councilmember</b>	Bradley Schaeppi, Ward 3

<b>Project Description</b>	Meier Residence
<b>Project Location</b>	2203 Windsor Lake Dr
<b>Assigned Staff</b>	Susan Thomas
<b>Ward Councilmember</b>	Rebecca Schack, Ward 2

**Unapproved  
Minnetonka Planning Commission  
Minutes**

**June 23, 2022**

**1. Call to Order**

Chair Sewall called the meeting to order at 6:30 p.m.

**2. Roll Call**

Commissioners Henry, Maxwell, Powers, Waterman, Hanson, and Sewall were present. Banks was absent.

Staff members present: Community Development Director Julie Wischnack, Assistant City Planner Susan Thomas, and Planner Bria Raines.

**3. Approval of Agenda**

***Powers moved, second by Henry, to approve the agenda as submitted.***

***Henry, Maxwell, Powers, Waterman, Hanson, and Sewall voted yes. Banks was absent. Motion carried.***

**4. Approval of Minutes: June 9, 2022**

***Powers moved, second by Hanson, to approve the June 9, 2022 meeting minutes as submitted.***

***Henry, Maxwell, Powers, Waterman, Hanson, and Sewall voted yes. Banks was absent. Motion carried.***

**5. Report from Staff**

Thomas briefed the commission on land use applications considered by the city council at its meeting on June 13, 2022:

- Adopted a resolution approving an accessory dwelling unit on Excelsior Blvd.
- Adopted a resolution approving the Weber two-lot subdivision on Oakland Road.

The annual boards and commissions dinner is scheduled to be held on July 13, 2022. Please RSVP to staff.

The annual planning commission and EDAC bus tour is scheduled to be held on Aug. 2, 2022.

The next planning commission meeting is scheduled to be held on July 7, 2022.

**6. Report from Planning Commission Members**

Powers reported that the park and Dick's House of Sports' outdoor field at Ridgedale are under construction.

Henry asked if the Weber subdivision would be able to save the oak trees he identified. Thomas explained that the natural resources staff found a way to preserve two of the five oak trees. The subdivision meets tree protection ordinance requirements.

**7. Public Hearings: Consent Agenda: None**

**8. Public Hearings**

**A. Variance to the tree protection ordinance for the redevelopment of the property at 17048 Patricia Lane.**

Chair Sewall introduced the proposal and called for the staff report.

Raines reported. She recommended approval of the application based on the findings and subject to the conditions listed in the staff report.

Jason Smith, Capital Builders, applicant, stated that he had no new information to add. He was available for questions.

In response to Henry's question, Raines explained that during the review of the demolition permit, natural resources staff determined that no tree removal would be necessary and included this as a condition of the demolition permit. During the review of the building permit, staff discovered that the removal of a tree would be needed for the proposed house's footprint, which would require a variance to the tree protection ordinance, and that the tree had already been removed during demolition.

Mr. Smith suggested that the city require a tree survey be required for every demolition permit to avoid the confusion that occurred. Thomas clarified that a demolition permit was submitted; staff provided written instruction to the applicant that no tree removal could occur during demolition; the applicant confirmed in writing that he understood that no tree removal could occur during demolition.

The public hearing was opened. No testimony was submitted, and the hearing was closed.

Powers hopes the house turns out beautifully. He has been on the commission a number of years, and he has never seen a similar unauthorized tree-removal scenario. He supports the staff's recommendation.

Waterman supports the staff's recommendation. He does not want to encourage any activity that circumvents the ordinance. He felt it reasonable to remove one tree for the proposed residence's footprint. It would be a beautiful house. He wished the builder good luck.

Chair Sewall noted that the variance seems reasonable and whether it was applied for now or prior to the removal of the tree, he believes that the commission would have granted the proposed variance either way. The lot still has many wonderful trees.

***Hanson moved, second by Waterman, to adopt the resolution approving a tree protection ordinance variance for the redevelopment of a new home at 17048 Patricia Lane.***

***Henry, Maxwell, Powers, Waterman, Hanson, and Sewall voted yes. Banks was absent. Motion carried.***

Chair Sewall stated that an appeal of the planning commission's decision must be made in writing to the planning division within ten days.

**B. Conditional use permit for an accessory structure in excess of 1,000 square feet at 12015 Glendale Lane.**

Chair Sewall introduced the proposal and called for the staff report.

Raines reported. She recommended approval of the application based on the findings and subject to the conditions listed in the staff report.

Jason Lowe, 12015 Glendale Lane, applicant, stated that the shed is required to maintain this type of property to house the snow blower, lawn mower, and tools. The proposed shed would not be much larger than a three-car garage. The lot is unique because the house is located on a hill.

Henry visited the site. The applicant's plan makes sense. He agrees with the applicant's desired location for a porch. He saw no reason to deny the application.

The public hearing was opened. No testimony was submitted, and the hearing was closed.

Chair Sewall felt that the request is reasonable. He would support looking at modifying the ordinance to allow similar structures. Waterman noted that other properties might be more crowded with structures than the applicant's property.

***Powers moved, second by Waterman, to recommend that the city council adopt the resolution approving a conditional use permit for an aggregate of accessory structures in excess of 1,000 square feet at 12015 Glendale Lane.***

*Henry, Maxwell, Powers, Waterman, Hanson, and Sewall voted yes. Banks was absent. Motion carried.*

**9. Adjournment**

*Powers moved, second by Hanson, to adjourn the meeting at 7:02 p.m. Motion carried unanimously.*

By: \_\_\_\_\_  
Lois T. Mason  
Planning Secretary



# **Minnetonka Planning Commission Meeting**

## **Agenda Item 7**

Public Hearing: Consent Agenda

**MINNETONKA PLANNING COMMISSION**  
**July 7, 2022**

<b>Brief Description</b>	Conditional use permit for a daycare facility at Grace Apostolic Church at 4215 Fairview Avenue
<b>Recommendation</b>	Recommend the city council approve the request.

---

## **Background**

The subject property has been used as a religious institution since the early 1970s. The original church on the site was the Fairview Evangelical Lutheran Church. In late 2014, Grace Apostolic Church bought the property and continued religious uses on the premises. A conditional use permit would not have been required for the use, as the property had an established religious use prior to the introduction of the zoning ordinance, and the use was continued.

The applicant, Grace Apostolic Church, proposes to add a child care center to the existing religious use. A child care center in the R-1 zoning district requires a CUP.

It is anticipated that the child care center will be in operation Monday through Friday from 6 a.m. to 6 p.m. The area will be used on the weekend as a child care area for assembly purposes alone. The child care center is proposed to accommodate newborns to 12-year-old children. The anticipated number of children has not been included in the proposal.

## **Primary Questions and Analysis**

A land-use proposal is comprised of many details. In evaluating a proposal, staff first reviews these details and then aggregates them into a few primary questions or issues. The following outlines both the primary questions and staff's findings for the proposed daycare center.

- **How many children should be anticipated?**

Grace Apostolic Church has proposed to accommodate 50 children within the child care facility. The applicant has applied to become a licensed child care center with the Minnesota Department of Human Services (DHS).

The official number of children allowed in a child care center is determined by city ordinance and state statute. The applicant must apply for a child care license from DHS, which will determine what state statute allows based on the site. For example, state statute requires 35 square footage per child in a child care facility, which has been calculated below based on the square footage of each classroom and the ratio requirements per age. The square footage and placement of children by age have been provided by the applicant. The staff has only run the calculations based on the information provided.

Classroom 38 – 760 square feet/35 square feet = Maximum of 21 children

- State requires: 1:4 to 1:8 ratio for infants
  - 6 to 3 staff required\*

- Proposal: 1:4 ratio
  - Six staff members required

Classroom 14 – 290 square feet/35 square feet = Maximum of 8 children

- Toddlers require 1:7 to 1:14 ratio
  - 2 to 1 staff required\*
- Proposal: 1:5 ratio
  - Two staff members required

Classroom 29 – 582 square feet/35 square feet = Maximum of 16 children

- Older toddlers require a 1:10 to 1:20 ratio
  - 2 to 1 staff required\*
- Proposal: 1:6 ratio
  - Three staff members required

Classroom 19 – 386 square feet/35 square feet = Maximum of 11 children

- School-age requires 1:15 to 1:30 ratio
  - One staff member required
- Proposal: 1:8 ratio
  - Two staff members required

Total of 56 children based on the square footage of child care area

- State requirement: 6 to 21 staff members (depending on ratio)
- Proposal: 13 staff members required

City ordinance also determines the allowed number of children in a play area based on the recreation area provided. Per state statute 9503.0155 Subp. 7. Outdoor activity area – “A center must have an outdoor activity area of at least 1,500 square feet, and there must be at least 75 square feet of space per child within the area at any given time during use.”

The proposed playground is roughly 1,700 square feet. Per the statute above, the permitted number of children in the play area would be 22 children at a time. This would accommodate at least one class at a time and possibly two of the smaller classrooms sharing the playground at the same time.

- **Is the proposed use appropriate?**

Yes. The city code does not provide specific standards for daycares located within religious institutions within residential districts. Additionally, staff has considered a smaller daycare as part of the religious institution's mission, therefore operating as an "accessory use" within the structure.<sup>1</sup> Staff believed that the proposed capacity exceeded what is generally considered an accessory and found that the proposed use would operate *more* similarly to a public building where people would gather for a specific purpose at a specific time. As such, staff reviewed the proposal under the “other uses similar to those permitted by this section” provision. Staff found that the daycare would meet all the specific standards outlined for the use and have included those standards and findings in the "Supporting Information" section of this report.

---

<sup>1</sup> City code Section 300.02: An accessory use is a use that is subordinate to, associated with, and located on the same property as the principal use.

- **Can the parking demand be accommodated on-site?**

Yes. The child care use would require eight parking stalls for the proposal of 50 children.<sup>2</sup> The church is open Wednesday from 7 to 8:30 p.m., Saturday from noon to 1 p.m., and Sunday for assemblies at 10 a.m. and 11:30 a.m. The child care facility would operate on weekdays and not during religious functions, meaning parking would be available for a single-use at a time.

- **Would the proposed use have a negative impact on the surrounding neighborhood?**

No. Staff closely evaluated how the following parts of the proposal could impact the surrounding neighborhood:

Pick-up and drop-off areas: The pick-up and drop-off areas will be located within the child care facility on the lower level of the building. The staff does not anticipate any impacts on adjacent properties but has included a condition of approval requesting the areas be identified on a site plan.

Outdoor play area: The outdoor play area would be constructed on the east side of the building. The play area would be roughly 130 feet from the closest residential structure and would be screened by a fence, existing vegetation along the adjacent property line, and the existing parking lot.

### **Staff Recommendation**

Recommend the city council adopt the resolution approving a conditional use permit for a daycare facility at Grace Apostolic Church at 4215 Fairview Avenue

Originator: Bria Raines, Planner  
Through: Susan Thomas, AICP, Assistant City Planner  
Loren Gordon, AICP, City Planner

---

<sup>2</sup> City Code Sec. 300.28, Subd. 12: parking requirements for licensed daycare facilities: one parking space for every six children based on the licensed capacity of the facility.

### Supporting Information

#### Surrounding Land Uses

**Northerly:** Highway 7 and Single-family residential homes, zoned R-1 guided for low-density residential.

**Easterly:** Single-family homes, zoned R-1, guided for low-density residential.

**Southerly:** Single-family homes, zoned R-1, guided for low-density residential.

**Westerly:** Single-family homes, zoned R-1, guided for low-density residential.

#### Planning

Guide plan designation: Institutional

Zoning: R-1, low-density residential

The proposal would be a similar use to those permitted in the R-1 low-density residential zoning district as outlined in City Code §300.10 Subd. 4(r).

#### CUP Standards

The proposal would meet the general conditional use permit standards as outlined in City Code §300.16 Subd.2:

1. The use is consistent with the intent of this ordinance;
2. The use is consistent with the goals, policies, and objectives of the comprehensive plan;
3. The use does not have an undue adverse impact on governmental facilities, utilities, services, or existing or proposed improvements; and
4. The use does not have an undue adverse impact on public health, safety, or welfare.

The proposal would meet the general conditional use permit standards as outlined in City Code §300.16 Subd. 3(e) for uses similar to public facilities in residential districts:

1. Located only on a collector or arterial roadway as designated in the comprehensive plan or otherwise located so that access can be provided without conducting significant traffic on local residential streets;

**Finding:** The outdoor play area is the only exterior modification to the site. The existing site has access from Lake Street Extension to Shady Oak Road or Fairview Avenue to Excelsior Boulevard. It would meet all site and building plan review standards, as it has been reviewed by city departments to be consistent with ordinances and policies.

2. Buildings set back 50 feet from all property lines and parking lots set back 15 feet from streets and non-residential property and 25 feet from residential property;

**Finding:** The building is set back more than 50 feet from all property lines. The site has a nonconforming parking lot setback as the site was developed prior to the zoning ordinance.

3. Pick-up and drop-off areas located outside of the parking setback area;

**Finding:** The pick-up and drop-off area is within the building on the lower level where the child care facility is located.

4. Outdoor recreational areas to be set back 15 feet from all property lines and screening provided to mitigate noise and adverse visual impacts on neighboring properties;

**Finding:** The outdoor play area will mitigate adverse impacts with an opaque fence, and existing vegetation will line the eastern property line adjacent to the nearest residential property.

5. One parking space is provided for every six children based upon the licensed capacity of the center;

**Finding:** The child care facility will require eight parking stalls. The site will have no other uses during the hours of the child care center. Eighty-eight parking stalls are available on the site.

6. Site and building plan of all free-standing centers subject to review pursuant to section 300.27 of this ordinance, with particular attention to the compatibility of the facility with the surrounding neighborhood; and

**Finding:** The proposal is not a free-standing center.

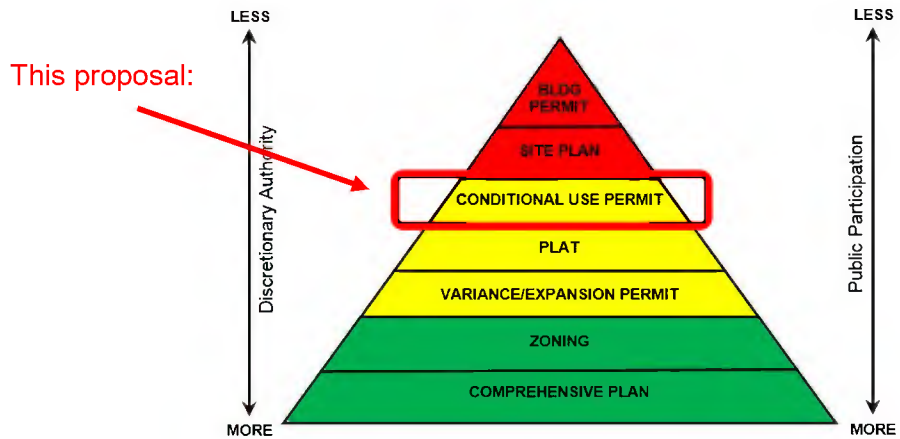
7. Review by city planner of facilities in common areas to determine whether externally visible modifications are significant enough to require formal site and building plan review.

**Finding:** The only exterior modification to the site is the outdoor play area. The deteriorating wood fascia requires replacement with metal panels. This is maintenance, which is separate from the child care center use.

**Natural Resources**

Best management practices must be followed during the course of site preparation and construction activities. This would include the installation and maintenance of erosion control and tree protection fencing. As a condition of approval, the applicant must submit a construction management plan detailing these management practices and a tree inventory.

**Pyramid of Discretion**



**Voting Requirement**

The planning commission will make a recommendation to the city council. A recommendation for approval requires an affirmative vote of a simple majority.

**Motion Options**

The planning commission has three options:

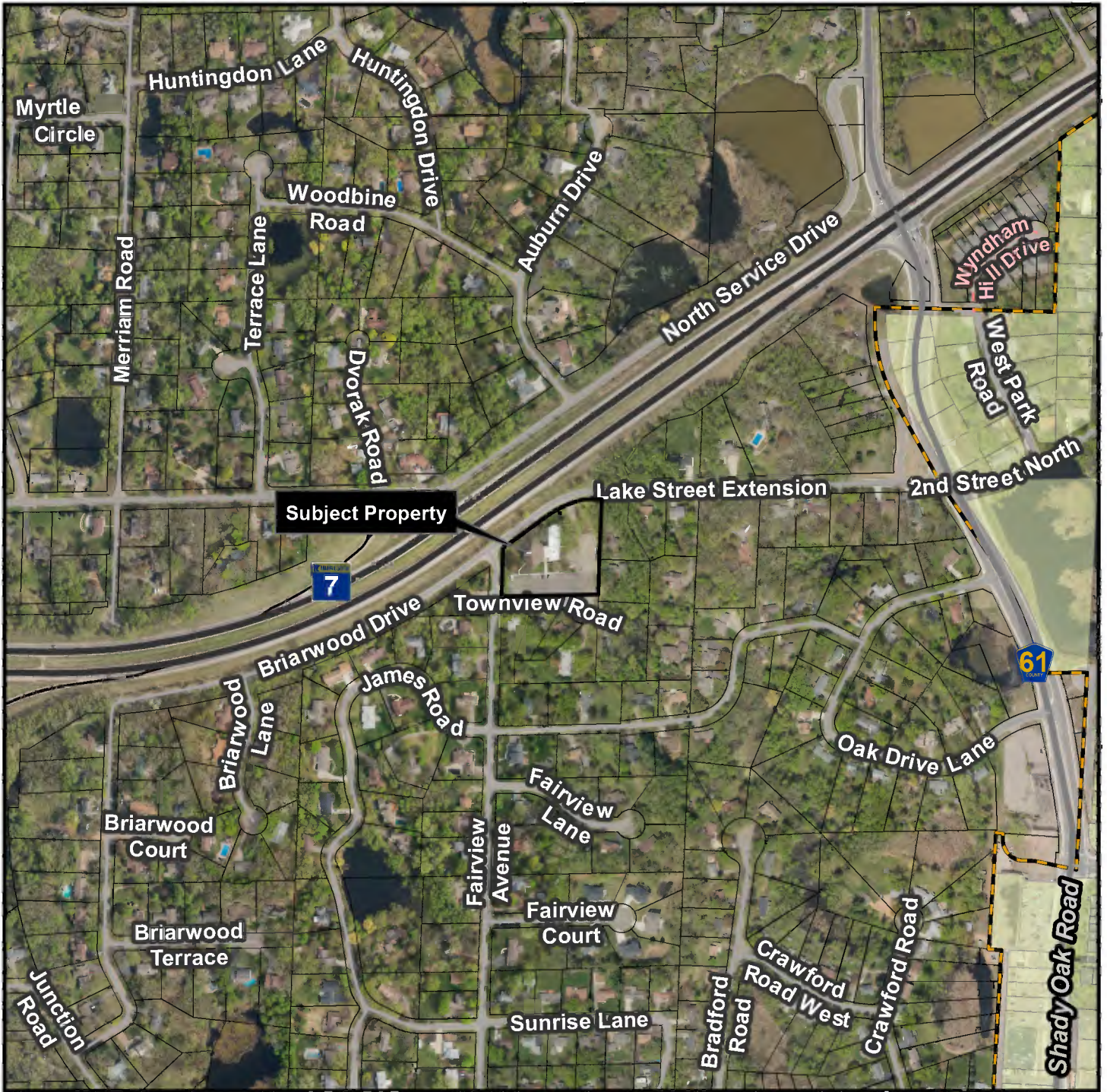
1. Concur with the staff recommendation. In this case, a motion should be made recommending the city council adopt the resolution approving the request.
2. Disagree with staff's recommendation. In this case, a motion should be made recommending the city council deny the request. This motion must include a statement as to why denial is recommended.
3. Table the requests. In this case, a motion should be made to table the item. The motion should include a statement as to why the request is being tabled with direction to staff, the applicant, or both.

**Neighborhood Comments**

The city sent notices to 38 area property owners and received no comments.

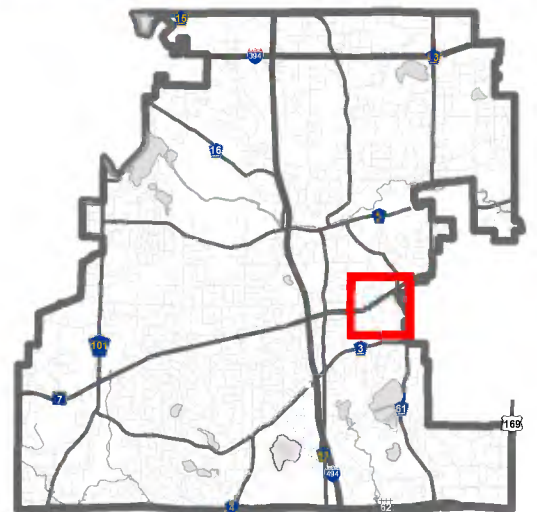
**Deadline for Decision**

September 16, 2022



**Location Map**

Project: Grace Apostolic Church Daycare  
 Address: 4215 Fairview Ave





Grace Apostolic looks to create a child care center that hosts the following. We are not yet licensed as the center is in the building phase.

The Infants classroom will host children ages 0-18 months and the ratio will be 1:4. This is classroom 38 on the diagram.

The Toddler classroom will host children ages 18mo-2 yrs and the ratio will be 1:5. This is classroom 14 on the diagram.

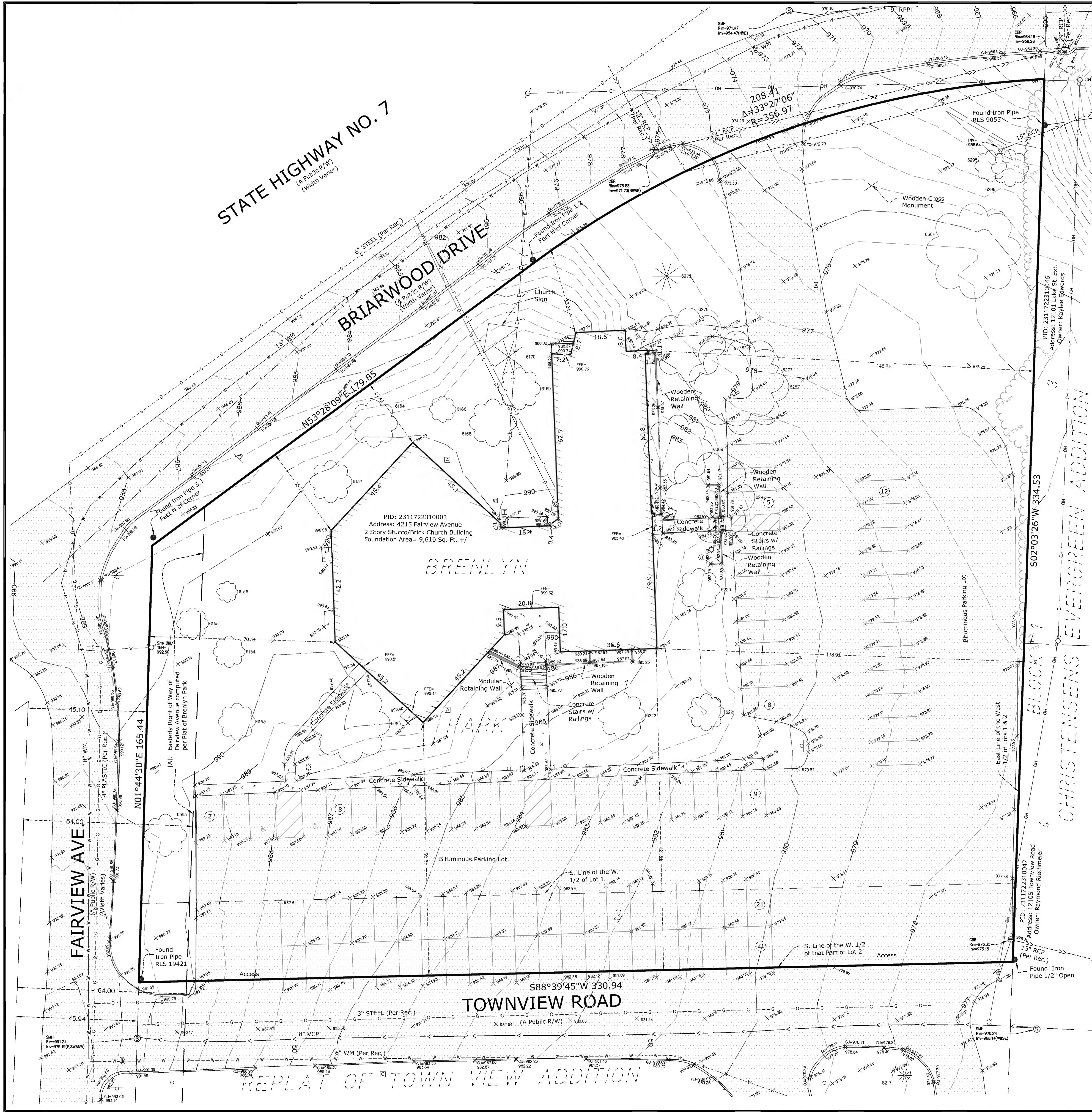
The Older toddler classroom will host children ages 2rs -4yrs ratio will be 1:6. This is classroom 29 on the diagram.

The school age classroom will host children ages 5-12 and the ratio will be 1:8. This is a classroom labeled 19 on the diagram.

The program will run Monday through Friday from 6am-6pm. The program will not run on weekends.

The total square footage of the center itself is approximately 2,083 square feet. The total square footage of the church is approximately 21,000 square feet. Please refer to the attached documents for exact measurements from the architect.

Circled on the diagram is the proposed playground which will be fenced. The area has not yet been built out, and will undergo renovations.



**DESCRIPTION OF PROPERTY SURVEYED**

The West One half (W 1/2) of Lots One (1) and Two (2), except the South Three Hundred (300) feet of Lot Two (2), Brenlyn Park, except that part of Lot One (1) taken by the State of Minnesota for highway purposes, according to the recorded plat thereof on file and of record in the office of the Register of Deeds, Hennepin County, Minnesota.

**GENERAL SURVEY NOTES**

- Bearings are based on the Hennepin County Coordinate System (1986 Adjustment).
- Elevations are based on the NGVD 29 Datum. Site Benchmark is top nut of hydrant located at the southeast corner of the intersection of Fairview Avenue and Briarwood Drive with an elevation of 992.50 feet.
- We have shown the location of utilities to the best of our ability based on observed evidence together with evidence from the following sources: plans obtained from utility companies, markings by utility companies and other appropriate sources. We have used this information to develop a view of the underground utilities for this site. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property.

**ALTA/NSPS LAND TITLE SURVEY NOTES**

(numbered per Table A)

- Monuments placed and/or found at all major corners of the boundary of the surveyed property as shown hereon.
- Site Address: 4215 Fairview Avenue, Hopkins, MN 55343.
- This property is contained in Zone X (area determined to be outside the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27053C0341F, effective date of November 11, 2016.
- The Gross land area is 90,141 +/- square feet or 2.069 +/- acres.
- (a) Exterior dimensions of buildings at ground level as shown hereon.
- Substantial features observed in the process of conducting the fieldwork as shown hereon. Please note that seasonal conditions may inhibit our ability to visibly observed all site features located on the subject property.
- The number of striped parking stalls on this site are as follows: 86 Regular + 2 Handicap = 88 Total Parking Stalls.
- The names of the adjoining owners of the platted lands, as shown hereon, are based on information obtained from Hennepin County GIS Interactive Map.

**SURVEY REPORT**

- This map and report was prepared without the benefit of a Commitment for Title Insurance. There may or may not be title items existing that affect the subject property of which we are unaware and thus are not shown hereon. The property description above was obtained from Warranty Deed, filed and recorded on October 29, 2014 as Document No. A10131611, and may or may not be the description of record.
- Conflicts such as (but not limited to): encroachments, protrusions, access, occupation, and easements and/or servitudes:

[A]. *The westerly boundary line hereon is shown per monument found in the field. The computed position of the westerly boundary of the subject property, based on the section information, published by Hennepin County, and the originally filed and recorded plat referenced in the above property description is shown hereon 19+/- feet easterly of the line as monumented.*

**ALTA CERTIFICATION**

To Grace Apostolic Church Inc.:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7(a), 8, 9, and 13 of Table A thereof.

The fieldwork was completed on 03-28-2022.

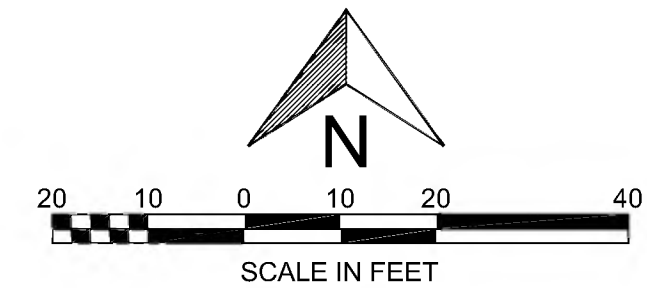
Dated this 5th day of April, 2022.

*Rory L. Synsteliën*  
Rory L. Synsteliën  
rory@civilsitegroup.com

Minnesota License No. 44565

Tree Table	
Point #	Description
6277	36" Tree
6085	30" Tree
6221	14" Tree
6157	16" Tree
6153	14" Tree
6154	12" Tree
6155	12" Tree
6156	8" Tree
6164	18" Tree
6166	10" Tree
6296	14" / 3 TRUNK Tree
6168	18" Tree
8217	5" SPR Tree

Tree Table	
Point #	Description
6169	16" Tree
6170	12" Tree
6222	18" Tree
6223	16" Tree
6247	34" Tree
6257	36" Tree
6275	10" Tree
6276	28" Tree
6295	12" Tree
6304	36" Tree
6355	16" Tree
6369	26" Tree



**Linetype & Symbol Legend**

—E—E—E—	ELECTRIC LINE	⊠	AIR CONDITIONER	⊠	UTILITY VAULT
---E---E---	ELECTRIC LINE (RECORD)	⊠	CABLE TV BOX	⊠	UTILITY MANHOLE
---F---F---	FIBER/COMM. LINE	⊠	ELECTRIC MANHOLE	⊠	ELECTRICAL OUTLET
---G---G---	FIBER/COMM. LINE (RECORD)	⊠	ELECTRIC TRANSFORMER	⊠	HAND HOLE
---H---H---	GASMAIN	⊠	ELECTRICAL METER	⊠	BOLLARD
---I---I---	GASMAIN (RECORD)	⊠	FIBER/COMM. MANHOLE	⊠	FLAG POLE
---J---J---	OVERHEAD UTILITIES	⊠	POWER POLE	⊠	FUEL TANK
---K---K---	SANITARY SEWER	⊠	GUY WIRE	⊠	HANDICAP SYMBOL
---L---L---	SANITARY SEWER (RECORD)	⊠	GAS METER	⊠	LIGHT POLE
---M---M---	STORM SEWER	⊠	GAS MANHOLE	⊠	MAIL BOX
---N---N---	STORM SEWER (RECORD)	⊠	GAS VALVE	⊠	SIGN
---O---O---	TELEPHONE LINE	⊠	ROOF DRAIN	⊠	CONFIRIOUS TREE
---P---P---	TELEPHONE LINE (RECORD)	⊠	SEWER CLEAN OUT	⊠	
---Q---Q---	WATERMAIN	⊠	SANITARY MANHOLE	⊠	
---R---R---	WATERMAIN (RECORD)	⊠	STORM MANHOLE	⊠	
---S---S---	CHAINLINK FENCELINE	⊠	CATCH BASIN	⊠	
---T---T---	WOODEN FENCELINE	⊠	FLARED END SECTION	⊠	
---U---U---	GUARDRAIL	⊠	SANITARY MANHOLE	⊠	
---	CONCRETE SURFACE	⊠	STORM MANHOLE	⊠	
---	PAVER SURFACE	⊠	CATCH BASIN	⊠	
---	BITUMINOUS SURFACE	⊠	FLARED END SECTION	⊠	
---	GRAVEL/LANDSCAPE SURFACE	⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	
		⊠	CATCH BASIN	⊠	
		⊠	FLARED END SECTION	⊠	
		⊠	SANITARY MANHOLE	⊠	
		⊠	STORM MANHOLE	⊠	





333 Washington Ave N, Suite 210  
 Minneapolis, Minnesota 55401  
 612.676.2700 www.djr-inc.com



NOT FOR CONSTRUCTION

Project #: 21-116  
 Date: 11/12/21  
 Drawn by: CW  
 Checked by: SE  
 Issue: Date:

**DEMOLITION FLOOR PLAN LEGEND**

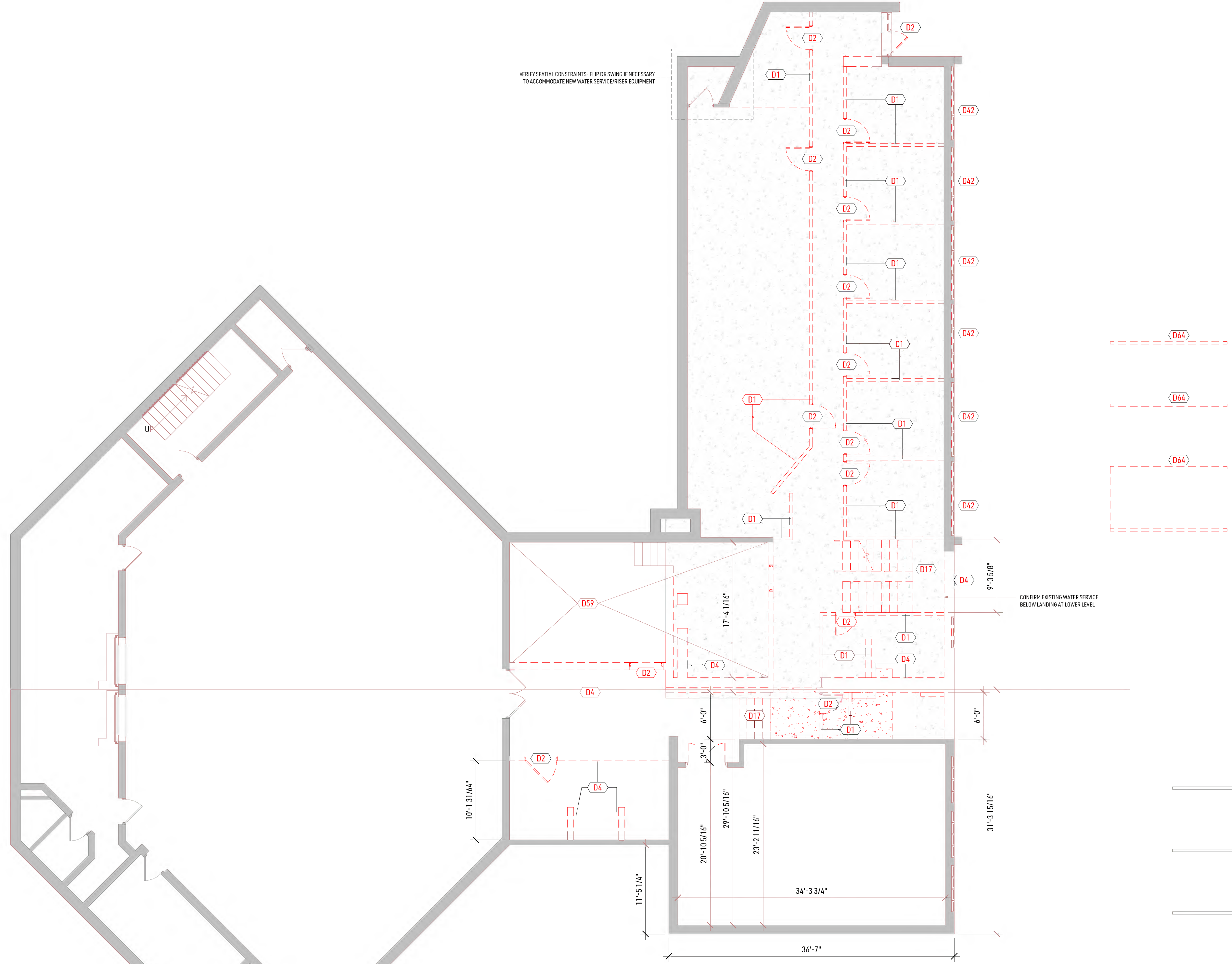
- EXISTING WALLS
- NEW WALLS
- DEMOLISHED WALLS
- EXISTING DOORS
- NEW DOORS
- DEMOLISHED DOORS
- EXISTING BUILDING AREAS - NO WORK TO BE DONE AS SPECIFICALLY NOTED
- NEW OR RENOVATED BUILDING AREAS

**DEMO PLAN NOTES**

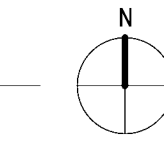
1. DO NOT SCALE THE DRAWINGS.
2. NOTES AND DRAWINGS FOR SYSTEMS AND MATERIALS MAY APPEAR ON MULTIPLE DRAWINGS. REVIEW ALL SHEETS AND APPLY TO RELATED BUILDING COMPONENTS.
3. DETAILS NOT SHOWN ARE ASSUMED TO BE SIMILAR IN CHARACTER TO THOSE SHOWN AND REFERENCED. WHERE SPECIFIC DIMENSIONS, DETAIL OR DESIGN INTENT CANNOT BE DETERMINED, CONSULT THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
4. THE CONTRACTOR SHALL SUPPLY LABOR AND MATERIALS WHICH ARE OBVIOUS, REASONABLE AND NECESSARY TO COMPLETE THE INSTALLATION OF A SYSTEM OR ELEMENT.
5. MATERIALS WHICH ARE SHOWN IN THE DRAWINGS AND WHICH MAY NOT BE SPECIFIED SHALL BE FURNISHED AND INSTALLED BY THE CONTRACTOR. MATERIALS SHALL BE SUITABLE FOR THE INTENDED USE AND INSTALLATION SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S LATEST PRINTED INSTRUCTIONS, OR INDUSTRY STANDARDS.
6. WHERE MATERIALS ARE APPLIED TO, OR ARE IN DIRECT CONTACT, WITH WORK INSTALLED BY ANOTHER CONTRACTOR, COMMENCEMENT OF WORK SIGNIFIES ACCEPTANCE OF CONDITIONS.
7. ISOLATE DISSIMILAR METALS TO PREVENT GALVANIC CORROSION.
8. PROVIDE STIFFENERS, BRACING, BACKING PLATES AND BLOCKING AS REQUIRED FOR SECURE INSTALLATION OF BUILT-IN FIXTURES AND ATTACHED EQUIPMENT. VERIFY THE USE OF FIRE-RETARDANT WOOD AS BLOCKING WITH THE CODE OFFICIAL.
9. PARTITIONS NOT DIMENSIONED ARE TO BE LOCATED BY ONE OF THE FOLLOWING METHODS: CONTACT THE ARCHITECT IF CLARIFICATION IS NEEDED PRIOR TO COMMENCING WORK.
  - CENTERLINE: CENTER OF THE PARTITION (OVERALL PARTITION WIDTH, NOT CENTER OF STUD) ALIGNS WITH THE CENTER OF A GRIDLINE OR OBJECT CENTERLINE (SUCH AS A COLUMN OR WINDOW MULLION).
  - ALIGN: LOCATE THE FINISHED EDGE OF THE PARTITION FLUSH WITH THE FACE OF THE SURFACE INDICATED.
10. MAINTAIN DIMENSIONS NOTED AS "HOLD", "MINIMUM", OR "CLEAR".
11. DOOR OPENINGS ARE DIMENSIONED TO THE CENTERLINE OF THE OPENING. IF OPENING IS NOT DIMENSIONED, THE DOOR JAMB SHALL BE SET 4" FROM THE ADJACENT PERPENDICULAR WALL.
12. FINISH FLOOR ELEVATIONS ARE TO THE TOP OF SUB-FLOOR (NOT FINISHED FLOOR).
13. COORDINATE LOCATIONS OF BASE AND HOUSEKEEPING PADS WITH MECHANICAL, PLUMBING, AND ELECTRICAL EQUIPMENT.
14. LOCATE ACCESS PANELS AS INDICATED ON DRAWINGS. LOCATE ACCESS PANELS AS REQUIRED BY THE CONTRACT DOCUMENTS OR BY CODE, IF NOT SHOWN. SUBMIT PROPOSED LOCATIONS TO THE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION.
15. FIRE-RESISTIVE RATINGS INDICATED ON AN ASSEMBLY SHALL BE CONTINUOUS OVER THE ENTIRE ASSEMBLY, UNLESS NOTED OTHERWISE. FOR EXAMPLE: PARTITIONS NOTED WITH FIRE-RESISTIVE RATINGS SHALL BE RATED CONTINUOUSLY FOR THE LENGTH AND HEIGHT OF THAT PARTITION.
16. OPENINGS IN FIRE-RATED ASSEMBLIES SHALL BE SEALED WITH PENETRATION SEALANT SYSTEMS MEETING OR EXCEEDING THE REQUIRED RATING.
17. MAINTAIN THE FIRE RATING OF AN ASSEMBLY AROUND BUILT-IN/RECESSED FIXTURES, SUCH AS CABINETS, PANELS AND BOXES.
18. PROVIDE CONTINUOUS PERIMETER FIRE-SAFING BETWEEN FLOORS AND COORDINATE THE INSTALLATION WITH THE EXTERIOR WALL SYSTEM. FIRE-SAFING RATING SHALL MATCH THE FIRE RATING OF THE ADJACENT HORIZONTAL ASSEMBLY (FLOOR OR ROOF).
19. WHERE APPLICABLE ALIGN INFILL WALLS WITH ADJACENT SMOOTH WITH CONSISTENT TEXTURE.
20. IF NOTED REMOVE VS. DEMO VERIFY WITH OWNER/REP PRIOR TO DISCARD.
21. WHERE FLOOR FINISHES DEMOLISHED, PREP SUBFLOOR/CONCRETE AS NECESSARY TO ACCOMMODATE NEW FLOORING AND THRESHOLD REQUIREMENTS.
23. REFER TO INTERIORS DRAWINGS FOR FINISHES.

**Keynotes - Demolition**

Note #	Note
D1	DEMO WOOD STUD FRAMED GYPSUM WALL
D2	SALVAGE DOOR AND FRAME FOR RELOCATION
D4	DEMO MASONRY WALL REFER TO STRUCTURAL FOR SPAN SUPPORT
D17	DEMO STAIR ASSEMBLY
D35	SALVAGE WINDOWS FOR RELOCATION
D39	DEMO EXISTING SITE LIGHTING FIXTURE, CAP CONDUIT OR REROUTE PER MEP
D40	RELOCATE PARKING SIGNS - FOLLOW APPLICABLE CODES FOR SITE SIGNAGE AS NECESSARY
D41	REMOVE AND RELOCATE PLANTING - AS DIRECTED BY OWNER
D42	DEMO RETAINING WALL AND FILL. RESHAPE SOIL/BERM TO COORDINATE WITH ADJACENT SITE ITEMS - SLOPE AWAY FROM THE BUILDING FOR DRAINAGE
D45	MODIFY AND REPLACE LANDSCAPING AS NEEDED TO SCREEN EXISTING TRANSFORMER LOCATION
D47	DEMO EXISTING THROUGH WALL HVAC - REPLACE GLASS PANE
D52	DEMO EXISTING LUMBER AND LANDSCAPE ROCK. REGRADE SOIL BERM TO SLOPE AWAY FROM BUILDING - COORDINATE WITH STAIR ACCESS FROM UPPER LEVEL NURSERY TO LIMIT STAIR RISER ACCESS
D53	DEMO EXISTING LOUVERS WITH PTAC SYSTEM
D54	DEMO EXISTING WINDOW. MODIFY HEADER AS NECESSARY, CUT AND KEY EXISTING STONE TO RECIEVE DOOR AS SCHEDULED
D55	BALANCE EXISTING SITE - SCHEDULE CUT AND FILL MTG TO ADDRESS OWNERS EXISTING WATER INTRUSION ISSUES, PRIORITIZE OVER TERRAIN REMOVAL FROM JOBSITE
D56	DEMO GRADE TO EXISTING SUB LEVEL. VERIFY SLOPE AWAY FROM BUILDING COMPLY WITH ACCESSIBILITY STANDARDS - PROVIDE SOIL RETENTION ADJACENT AS NECESSARY
D57	DEMO BELOW EXISTING WINDOW/LINTEL FOR DOOR OPENING. CUT AND KEY BLOCK, PREP FOR FRAME
D58	DEMO EXISTING PARKING SURFACE AND STALLS AS NECESSARY TO PREP FOR ADDITION. RELOCATE STRIPING AS NEEDED.
D59	DEMO AND REMOVE BOILER, ADD RTUs - SEE MECH
D62	DEMO EXISTING WINDOW AND PREP TO RECIEVE NEW WINDOW AS SCHEDULED
D64	REMOVE PARKING STRIPING AND PREP FOR NEW STRIPING
D65	PREPARE DOOR FOR USE
D66	MODIFY/REMOVE LANDSCAPE BRUSH, VERIFY W/ OWNER
D67	DEMO UPPER FLOOR FOR NEW STAIR/LOBBY



**A1 BASEMENT - DEMOLITION PLAN**  
 1/8" = 1'-0"



**GRACE APOSTOLIC CHURCH**  
 4235 FAIRBURN AVE - MINNEAPOLIS, MN  
 DEMO FLOOR PLANS - LOWER LEVEL AND SUB LEVEL

**D100**

NOT FOR CONSTRUCTION



333 Washington Ave N, Suite 210  
Minneapolis, Minnesota 55401  
612.676.2700 www.djr-inc.com



NOT FOR CONSTRUCTION

Project #: 21-116  
Date: 12/11/21  
Drawn by: CW  
Checked by: SE  
Issue: Date:

DEMOLITION FLOOR PLAN LEGEND

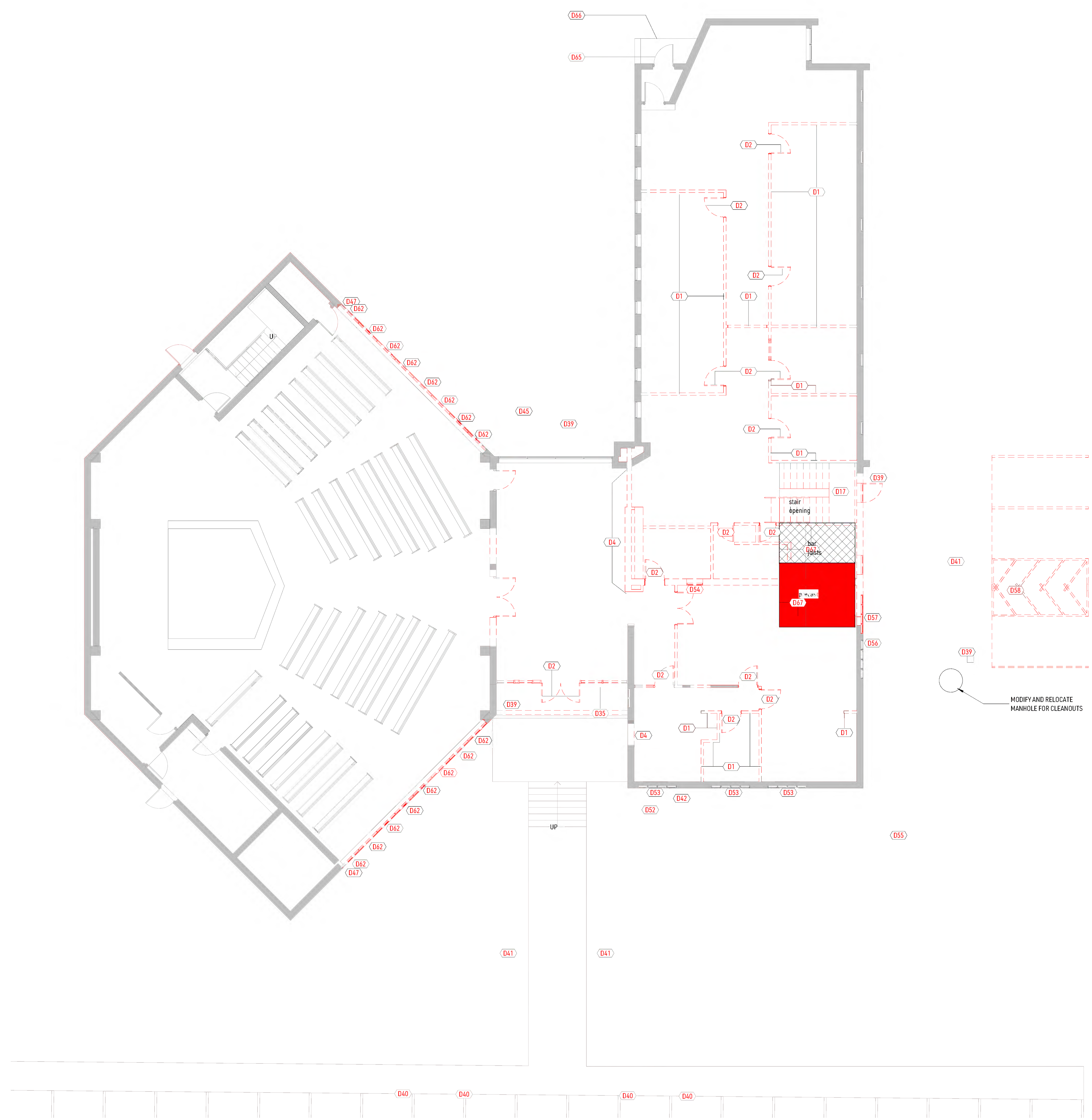
- EXISTING WALLS
- NEW WALLS
- DEMOLISHED WALLS
- EXISTING DOORS
- NEW DOORS
- DEMOLISHED DOORS
- EXISTING BUILDING AREAS - NO WORK EXCEPT AS SPECIFICALLY NOTED
- NEW OR RENOVATED BUILDING AREAS

DEMO PLAN NOTES

1. DO NOT SCALE THE DRAWINGS.
2. NOTES AND DRAWINGS FOR SYSTEMS AND MATERIALS MAY APPEAR ON MULTIPLE DRAWINGS. REVIEW ALL SHEETS AND APPLY TO RELATED BUILDING COMPONENTS.
3. DETAILS NOT SHOWN ARE ASSUMED TO BE SIMILAR IN CHARACTER TO THOSE SHOWN AND REFERENCED. WHERE SPECIFIC DIMENSIONS, DETAIL OR DESIGN INTENT CANNOT BE DETERMINED, CONSULT THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
4. THE CONTRACTOR SHALL SUPPLY LABOR AND MATERIALS WHICH ARE OBVIOUS, REASONABLE AND NECESSARY TO COMPLETE THE INSTALLATION OF A SYSTEM OR ELEMENT.
5. MATERIALS WHICH ARE SHOWN IN THE DRAWINGS AND WHICH MAY NOT BE SPECIFIED SHALL BE FURNISHED AND INSTALLED BY THE CONTRACTOR. MATERIALS SHALL BE SUITABLE FOR THE INTENDED USE AND INSTALLATION SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S LATEST PRINTED INSTRUCTIONS, OR INDUSTRY STANDARDS.
6. WHERE MATERIALS ARE APPLIED TO, OR ARE IN DIRECT CONTACT, WITH WORK INSTALLED BY ANOTHER CONTRACTOR, COMMENCEMENT OF WORK SIGNIFIES ACCEPTANCE OF CONDITIONS.
7. ISOLATE DISSIMILAR METALS TO PREVENT GALVANIC CORROSION.
8. PROVIDE STIFFENERS, BRACING, BACKING PLATES AND BLOCKING AS REQUIRED FOR SECURE INSTALLATION OF BUILT-IN FIXTURES AND ATTACHED EQUIPMENT. VERIFY THE USE OF FIRE-RETARDANT WOOD AS BLOCKING WITH THE CODE OFFICIAL.
9. PARTITIONS NOT DIMENSIONED ARE TO BE LOCATED BY ONE OF THE FOLLOWING METHODS. CONTACT THE ARCHITECT IF CLARIFICATION IS NEEDED PRIOR TO COMMENCING WORK.
  - CENTERLINE: CENTER OF THE PARTITION (OVERALL PARTITION WIDTH, NOT CENTER OF STUD) ALIGNS WITH THE CENTER OF A GRIDLINE OR OBJECT (SUCH AS A COLUMN OR WINDOW MULLION).
  - ALIGN: LOCATE THE FINISHED EDGE OF THE PARTITION FLUSH WITH THE FACE OF THE SURFACE INDICATED.
10. MAINTAIN DIMENSIONS NOTED AS "HOLD", "MINIMUM", OR "CLEAR".
11. DOOR OPENINGS ARE DIMENSIONED TO THE CENTERLINE OF THE OPENING. IF OPENING IS NOT DIMENSIONED, THE DOORJAMB SHALL BE SET 4" FROM THE ADJACENT PERPENDICULAR WALL.
12. FINISH FLOOR ELEVATIONS ARE TO THE TOP OF SUB-FLOOR (NOT FINISHED FLOOR).
13. COORDINATE LOCATIONS OF BASE AND HOUSEKEEPING PADS WITH MECHANICAL, PLUMBING, AND ELECTRICAL EQUIPMENT.
14. LOCATE ACCESS PANELS AS INDICATED ON DRAWINGS. LOCATE ACCESS PANELS AS REQUIRED BY THE CONTRACT DOCUMENTS OR BY CODE, IF NOT SHOWN. SUBMIT PROPOSED LOCATIONS TO THE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION.
15. FIRE-RESISTIVE RATINGS INDICATED ON AN ASSEMBLY SHALL BE CONTINUOUS OVER THE ENTIRE ASSEMBLY, UNLESS NOTED OTHERWISE. FOR EXAMPLE: PARTITIONS NOTED WITH FIRE-RESISTIVE RATINGS SHALL BE RATED CONTINUOUSLY FOR THE LENGTH AND HEIGHT OF THAT PARTITION.
16. OPENINGS IN FIRE-RATED ASSEMBLIES SHALL BE SEALED WITH PENETRATION SEALANT SYSTEMS MEETING OR EXCEEDING THE REQUIRED RATING.
17. MAINTAIN THE FIRE RATING OF AN ASSEMBLY AROUND BUILT-IN RECESSED FIXTURES, SUCH AS CABINETS, PANELS AND BOXES.
18. PROVIDE CONTINUOUS PERIMETER FIRE-STOPPING BETWEEN FLOORS AND COORDINATE THE INSTALLATION WITH THE EXTERIOR WALL SYSTEM. FIRE-STOPPING SHALL MATCH THE FIRE RATING OF THE ADJACENT HORIZONTAL ASSEMBLY (FLOOR OR ROOF).
19. WHERE APPLICABLE ALIGN INFILL WALLS WITH ADJACENT SMOOTH WITH CONSISTENT TEXTURE.
20. IF NOTED REMOVE VS. DEMO VERIFY WITH OWNER/REP PRIOR TO DISCARD.
21. WHERE FLOOR FINISHES DEMOLISHED, PREP SUBFLOOR/CONCRETE AS NECESSARY TO ACCOMMODATE NEW FLOORING AND THRESHOLD REQUIREMENTS.
22. REFER TO INTERIORS DRAWINGS FOR FINISHES.

Keynotes - Demolition

Note #	Note
D1	DEMO WOOD STUD FRAMED GYPSUM WALL
D2	SALVAGE DOOR AND FRAME FOR RELOCATION
D4	DEMO MASONRY WALL REFER TO STRUCTURAL FOR SPAN SUPPORT
D17	DEMO STAIR ASSEMBLY
D35	SALVAGE WINDOWS FOR RELOCATION
D39	DEMO EXISTING SITE LIGHTING FIXTURE, CAP CONDUIT OR REROUTE PER MEP
D40	RELOCATE PARKING SIGNS - FOLLOW APPLICABLE CODES FOR SITE SIGNAGE AS NECESSARY
D41	REMOVE AND RELOCATE PLANTING - AS DIRECTED BY OWNER
D42	DEMO RETAINING WALL AND FILL. RESHAPE SOIL/BERM TO COORDINATE WITH ADJACENT SITE ITEMS - SLOPE AWAY FROM THE BUILDING FOR DRAINAGE
D45	MODIFY AND REPLACE LANDSCAPING AS NEEDED TO SCREEN EXISTING TRANSFORMER LOCATION
D47	DEMO EXISTING THROUGH WALL HVAC - REPLACE GLASS PANE
D52	DEMO EXISTING LUMBER AND LANDSCAPE ROCK. REGRADE SOIL BERM TO SLOPE AWAY FROM BUILDING - COORDINATE WITH STAIR ACCESS FROM UPPER LEVEL NURSERY TO LIMIT STAIR RISER ACCESS
D53	DEMO EXISTING LOUVERS WITH PTAC SYSTEM
D54	DEMO EXISTING WINDOW. MODIFY HEADER AS NECESSARY, CUT AND KEY EXISTING STONE TO RECEIVE DOOR AS SCHEDULED
D55	BALANCE EXISTING SITE - SCHEDULE CUT AND FILL MTG TO ADDRESS OWNERS EXISTING WATER INTRUSION ISSUES, PRIORITIZE OVER TERRAIN REMOVAL FROM JOBSITE
D56	DEMO GRADE TO EXISTING SUB LEVEL. VERIFY SLOPE AWAY FROM BUILDING COMPLY WITH ACCESSIBILITY STANDARDS - PROVIDE SOIL RETENTION ADJACENT AS NECESSARY
D57	DEMO BELOW EXISTING WINDOW/LINTEL FOR DOOR OPENING. CUT AND KEY BLOCK, PREP FOR FRAME
D58	DEMO EXISTING PARKING SURFACE AND STALLS AS NECESSARY TO PREP FOR ADDITION. RELOCATE STRIPING AS NEEDED.
D59	DEMO AND REMOVE BOILER, ADD RTUs - SEE MECH
D62	DEMO EXISTING WINDOW AND PREP TO RECEIVE NEW WINDOW AS SCHEDULED
D64	REMOVE PARKING STRIPING AND PREP FOR NEW STRIPING
D65	PREPARE DOOR FOR USE
D66	MODIFY/REMOVE LANDSCAPE BRUSH, VERIFY W/ OWNER
D67	DEMO UPPER FLOOR FOR NEW STAIR/LOBBY



A1 LEVEL 1- DEMOLITION PLAN  
1/8" = 1'-0"

GRACE APOSTOLIC CHURCH  
4235 FAIRVIEW AVE - MINNEAPOLIS, MN

DEMO FLOOR PLAN - UPPER LEVEL

D101

**NOT FOR CONSTRUCTION**

Project #: 21-116  
Date: 02/09/15  
Drawn by: CW  
Checked by: SE  
Issue: Date:

**LIFE SAFETY LEGEND**

- 0' / 0" — Exit Width Req'd / Provided
- ▲ — Direction of Egress
- 0 — Occupant Load
- ♿ — Accessible Public Entrance / Parking Stall

**TOTAL BUILDING AREA**  
9,604 SF LOWER LEVEL + 10,281 SF UPPER LEVEL

NEW ALARM SYSTEM WILL BE SUPPLIED THROUGHOUT FE WITHIN 75'-0" RADIUS AND BY VERT CIRCULATION, NEW FIRE SPRINKLERS PROVIDED

TOTAL OCCUPANTS  
UPPER LEVEL 379

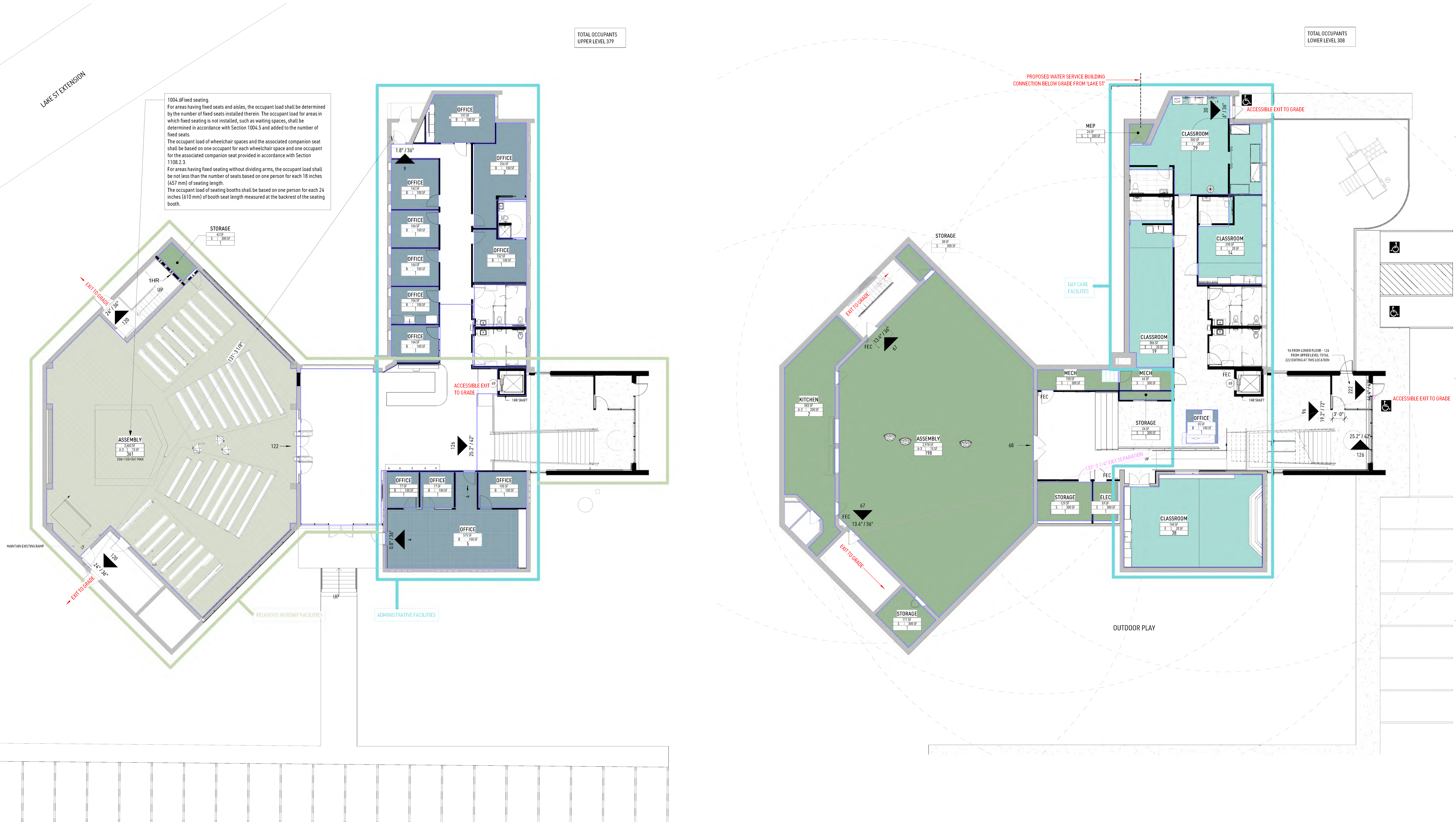
TOTAL OCCUPANTS  
LOWER LEVEL 308

**1004.4 Fixed Seating.**  
For areas having fixed seats and aisles, the occupant load shall be determined by the number of fixed seats installed therein. The occupant load for areas in which fixed seating is not installed, such as waiting spaces, shall be determined in accordance with Section 1004.5 and added to the number of fixed seats.

The occupant load of wheelchair spaces and the associated companion seat shall be based on one occupant for each wheelchair space and one occupant for the associated companion seat provided in accordance with Section 1108.2.3.

For areas having fixed seating without dividing arms, the occupant load shall be not less than the number of seats based on one person for each 18 inches (457 mm) of seating length.

The occupant load of seating booths shall be based on one person for each 24 inches (610 mm) of booth seat length measured at the backrest of the seating booth.

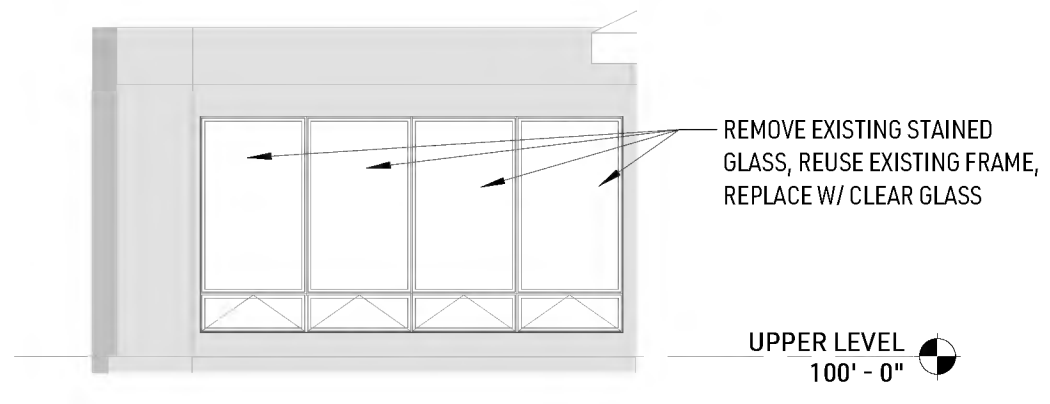


**A2 LIFE SAFETY PLAN - UPPER LEVEL**  
1" = 10'-0"

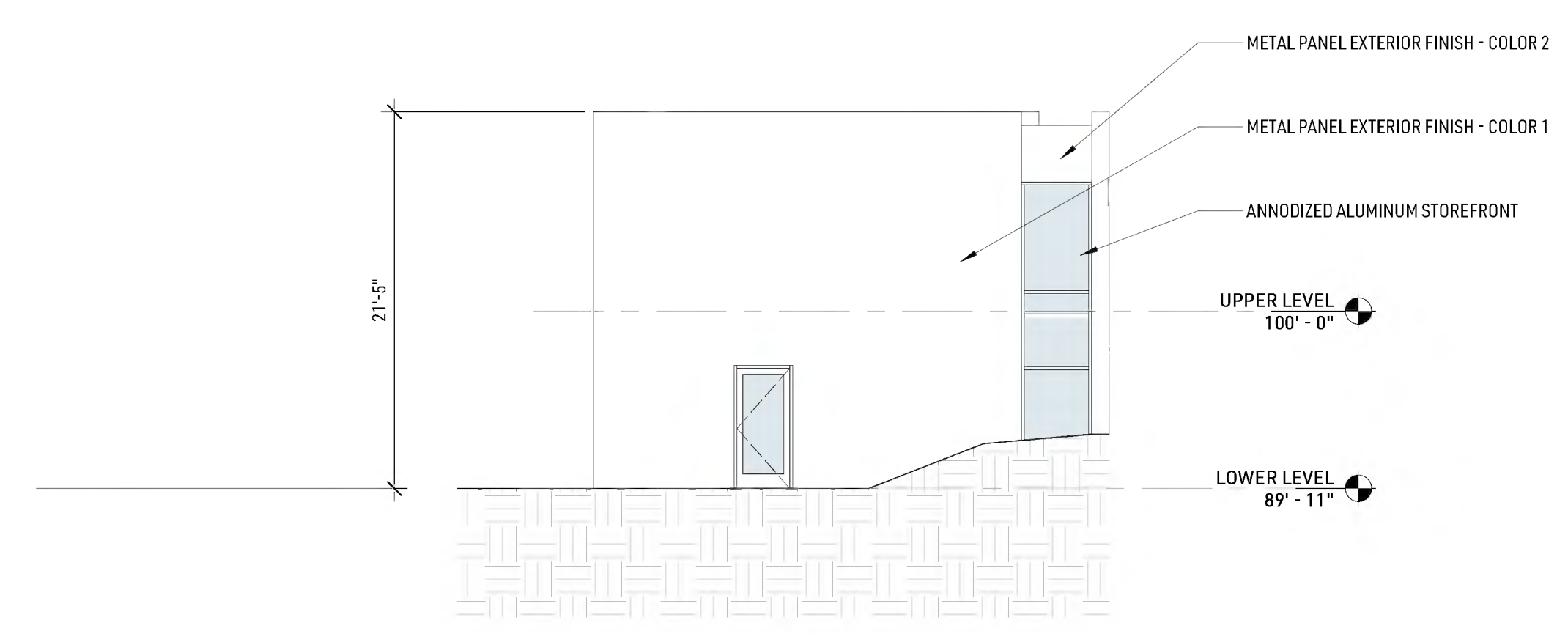
**A1 LIFE SAFETY PLAN - LOWER LEVEL**  
1" = 10'-0"



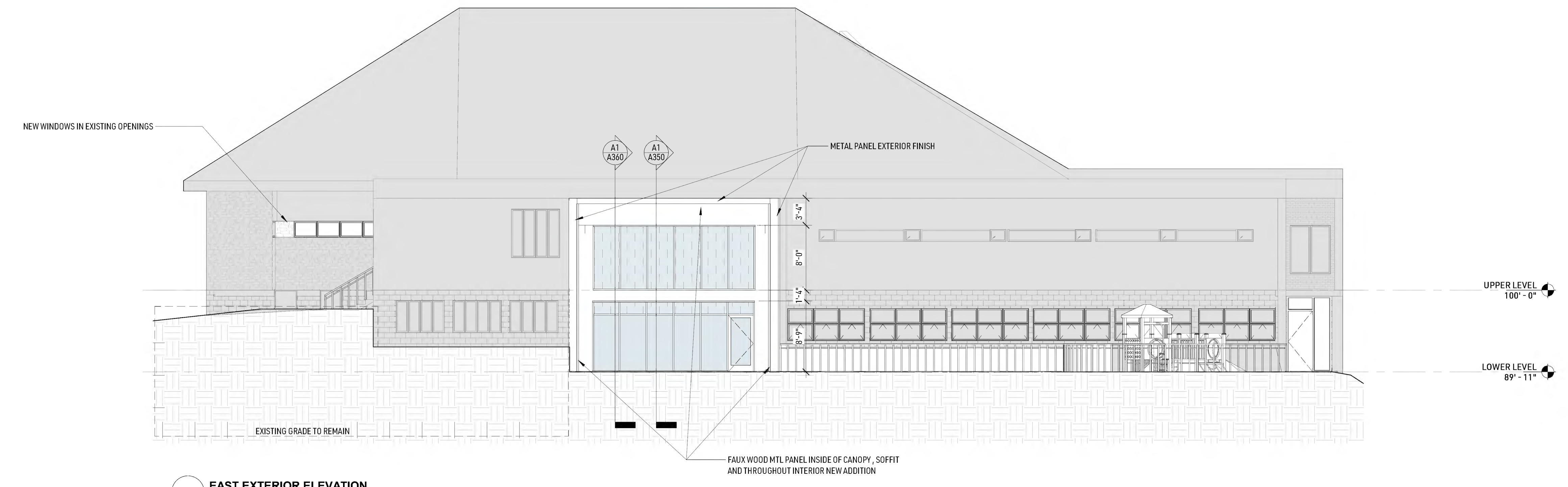
REMOVE - PREP AND REPLACE EXISTING WOOD FASCIA ENTIRE BUILDING PERIMETER - REPLACE WITH NEW SHEATHING AND DRY DESIGN BLACK METAL PANEL (COLOR/MATERIAL TO BE VERIFIED/APPROVED BY ARCH)



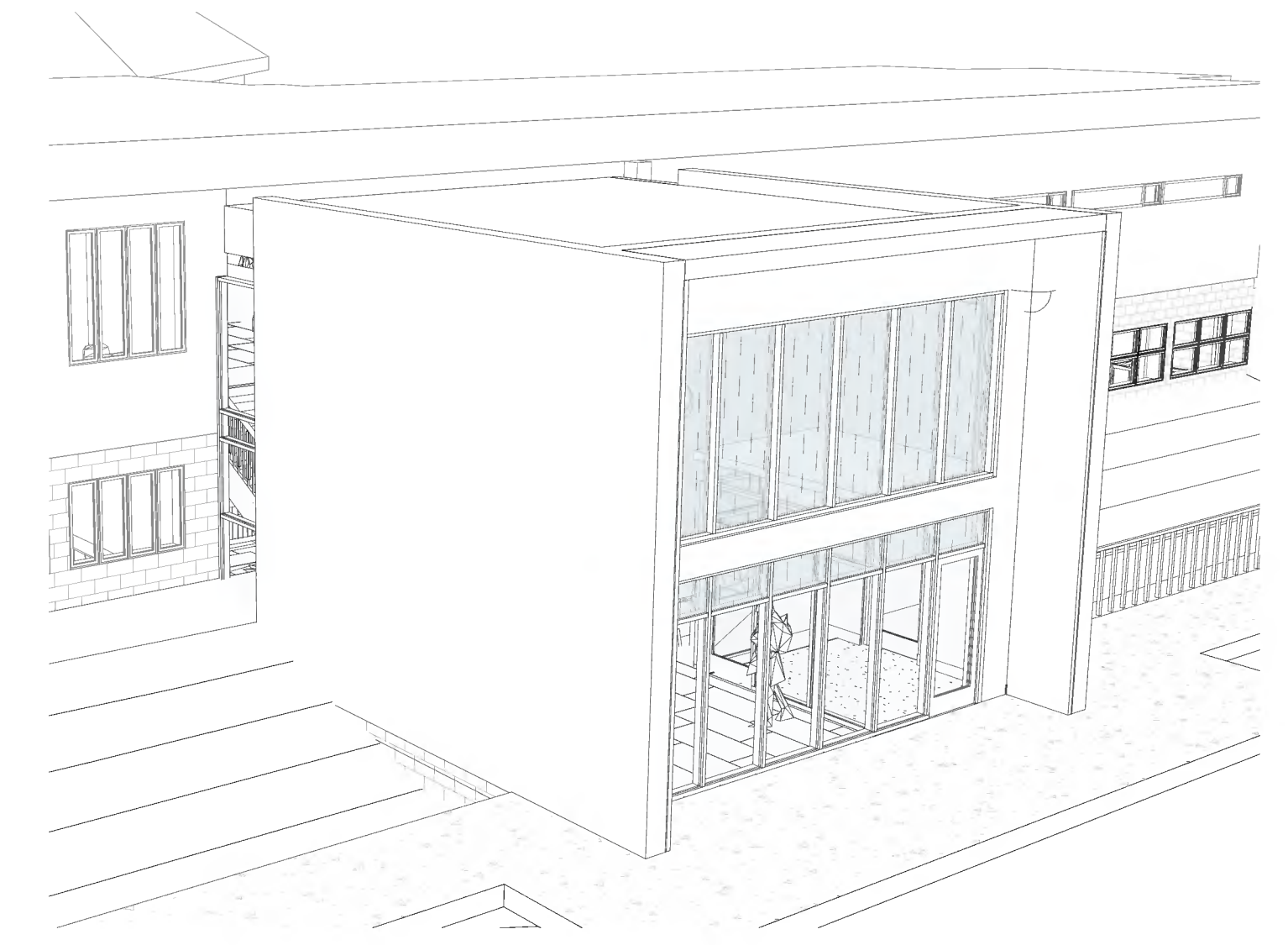
**A3 NORTH EXTERIOR ALCOVE ELEVATION**  
1/8" = 1'-0"



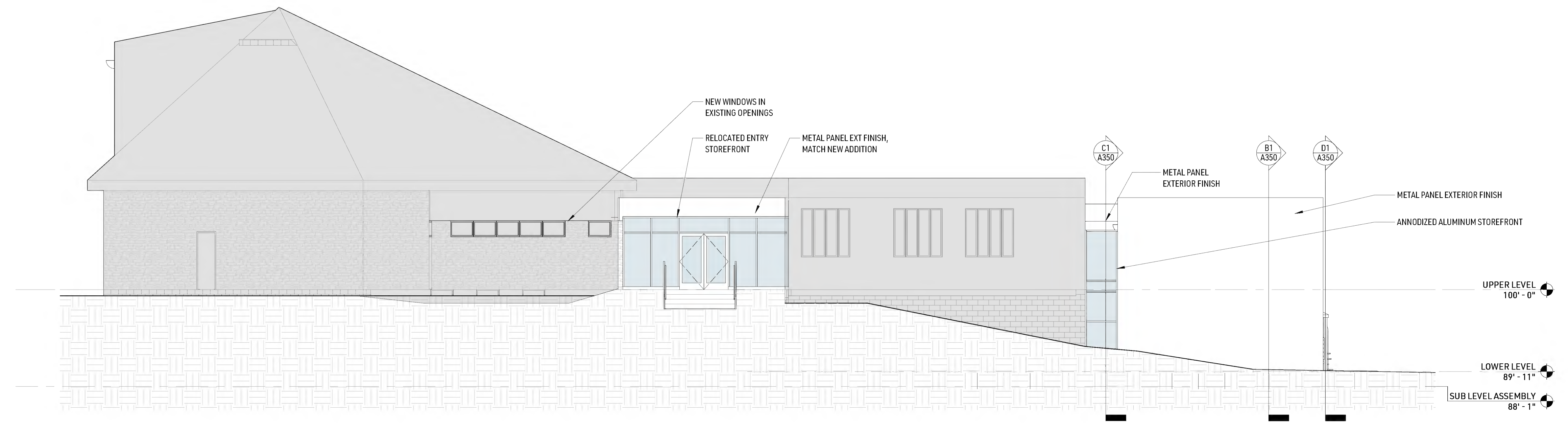
**B2 NORTH EXTERIOR ELEVATION**  
1/8" = 1'-0"



**A2 EAST EXTERIOR ELEVATION**  
1/8" = 1'-0"



**B1 PERSPECTIVE VIEW**



**A1 SOUTH EXTERIOR ELEVATION**  
1/8" = 1'-0"

**Resolution No. 2022-**

**Resolution approving a conditional use permit for a daycare facility at Grace Apostolic Church at 4215 Fairview Avenue**

---

Be it resolved by the City Council of the City of Minnetonka, Minnesota, as follows:

Section 1. Background.

1.01 Pastor David Johnson, on behalf of Grace Apostolic Church, has requested a conditional use permit for a daycare facility for 50 children within a child care facility.

1.02 The property is located at 4215 Fairview Avenue. It is legally described as:

The West One-half (W1/2) of Lots One (1) and Two (2), except the South Three Hundred (300) feet of Lot Two, Brenlyn Park, except that part of Lot One (1) taken by the State of Minnesota for highway purposes, according to the recorded plat thereof on file and of record in the office of the Register of Deeds, Hennepin County, Minnesota.

Abstract Property.

1.03 City Code §300.10 Subd. 4(e) allows licensed daycare facilities serving 13 through 16 persons, provided they are located within suitably designed structures that are not also used for residential purposes or are not within religious or educational buildings, as conditionally-permitted uses.

1.04 City Code §300.10 Subd. 4(r) allows “other uses similar to those permitted in this section, as determined by the city” as conditional uses within the R-1 zoning district.

1.05 On July 7, 2022, the planning commission held a hearing on the proposal. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments received and the staff report, which are incorporated by reference into this resolution. The commission recommended that the city council approve the permit.

Section 2. Standards.

2.01 City Code §300.16 Subd. 2 outlines the general standards that must be met for



granting a conditional use permit. These standards are incorporated into this resolution by reference.

- 2.02 City Code §300.16 Subd. 3(e) outlines the following specific standards that must be met for granting a conditional use permit for licensed child care facilities:
1. Located only on a collector or arterial roadway as designated in the comprehensive plan or otherwise located so that access can be provided without conducting significant traffic on local residential streets;
  2. Buildings set back 50 feet from all property lines and parking lots set back 15 feet from streets and non-residential property and 25 feet from residential property;
  3. Pick-up and drop-off areas located outside of the parking setback area;
  4. Outdoor recreational areas to be set back 15 feet from all property lines and screening provided to mitigate noise and adverse visual impacts on neighboring properties;
  5. One parking space is provided for every six children based on the licensed capacity of the center;
  6. Site and building plan of all free-standing centers subject to review pursuant to section 300.27 of this ordinance, with particular attention to the compatibility of the facility with the surrounding neighborhood; and
  7. Review by city planner of facilities in common areas to determine whether externally visible modifications are significant enough to require formal site and building plan review.

Section 3. Findings.

3.01 The proposal would meet the general conditional use permit standards outlined in City Code §300.16 Subd.2.

3.02 The proposal would meet the specific conditional use permit standards outlined in City Code 300.16 Subd.3(e).

1. The outdoor play area is the only exterior modification to the site. The existing site has access from Lake Street Extension to Shady Oak Road or Fairview Avenue to Excelsior Boulevard. It would meet all site and building plan review standards, as it has been reviewed by city departments to be consistent with ordinances and policies.
2. The building is set back more than 50 feet from all property lines. The site has a nonconforming parking lot setback as the site was developed prior to the zoning ordinance.

3. The pick-up and drop-off area is within the building on the lower level where the child care facility is located.
4. The outdoor play area will mitigate adverse impacts with an opaque fence, and existing vegetation will line the eastern property line adjacent to the nearest residential property.
5. The child care facility will require eight parking stalls. The site will have no other uses during the hours of the child care center. Eighty-eight parking stalls are available on the site.
6. The proposal is not a free-standing child care center.
7. The only exterior modification to the site is the outdoor play area. The deteriorating wood fascia requires replacement with a metal panel. This is maintenance, which is separate from the child care center use.

Section 4. City Council Action.

4.01 The above-described conditional use permit is approved. Approval is based on the findings outlined in the associated staff report and Section 3 of this resolution. Approval is subject to the following conditions:

1. This resolution must be recorded with Hennepin County.
2. Prior to issuance of a building permit:
  - a) Provide detail on a recreation area in accordance with State Statute 9503.0155; regarding activity area requirements.
  - b) Submit a cash escrow in an amount to be determined by city staff. At the time of this approval, the amount is \$2,500. This escrow must be accompanied by a document prepared by the city attorney and signed by the builder and property owner. Through this document, the builder and property owner will acknowledge:
    - 1) The property will be brought into compliance within 48 hours of notification of a violation of the construction management plan, other conditions of approval, or city code standards; and
    - 2) If compliance is not achieved, the city will use any or all of the escrow dollars to correct any erosion and/or grading problems.
  - c) Submit final landscaping and tree mitigation plans. These plans must:
    - 1) Meet minimum landscaping and mitigation requirements as outlined in the ordinance. However, at the sole discretion

- of staff, mitigation may be decreased. Based on the submitted plans, there are no mitigation requirements.
- 2) Note that only small shrubs, perennials, and grasses may be located in public easements.
  - 3) Include information relating to species, sizes, quantities, locations, and landscape values.
  - 4) Include pollinator-friendly species.
- d) Install a temporary rock driveway, erosion control, tree, and wetland protection fencing, and any other measured as identified as the SWPPP for staff inspection. These items must be maintained throughout the course of construction.
3. The applicant is responsible for obtaining all applicable state, county, and city licenses, including any necessary child care center license, through the Department of Human Services (DHS).
  4. Prior to operation of the daycare, submit the following for staff review and approval:
    - a) Site plan identifying the location of the pick-up and drop-off areas.
    - b) Application for a Full or Limited Service Daycare commercial food license through the city's Environmental Health Division.
    - c) If applicable, a license from DHS for the facility to operate as a child care center.
  5. If the disturbance for the play area exceeds 5,000 square feet or 50 cubic yards, a grading permit is required.
  6. An increase in licensed capacity may require an amended conditional use permit and applicable state and county licenses.
  7. The city council may reasonably add or revise conditions to address any future unforeseen problems.
  8. Any change to the approved use that results in a significant increase in traffic or a significant change in character would require a revised conditional use permit.

Adopted by the City Council of the City of Minnetonka, Minnesota, on July 18, 2022.

---

Brad Wiersum, Mayor

Attest:

\_\_\_\_\_  
Becky Koosman, City Clerk

**Action on this resolution:**

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Minnetonka, Minnesota, at a meeting held on July 18, 2022.

\_\_\_\_\_  
Becky Koosman, City Clerk

# **Minnetonka Planning Commission Meeting**

## **Agenda Item 8**

Public Hearing: Non-Consent Agenda

**MINNETONKA PLANNING COMMISSION**  
**July 7, 2022**

**Brief Description**                    Conditional use permit with a variance for Eden Prairie Islamic Center at 11503 and 11543 K-Tel Drive

**Recommendation**                Recommend the city council approve the request.

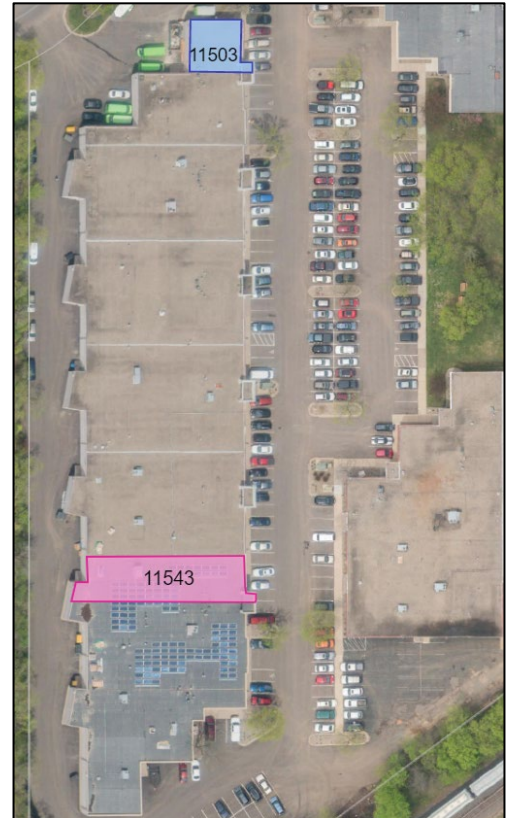
---

**Proposal**

The subject property is roughly 14.5 acres in size and is improved with three multi-tenant industrial buildings. Eden Prairie Islamic Center is proposing to utilize two tenant spaces in the westernmost building of Encore Park on K-Tel Drive. The property is located in the Planned Unit Development (PUD) zoning district.

The applicant is proposing interior remodeling of the two tenant spaces; no exterior modifications are proposed at this time. The primary use of the tenant spaces would be a mosque, with accessory uses of child care and religious studies.

Religious and educational institutions are conditionally-permitted uses in this zoning district. This conditional use permit application includes the proposed uses at both 11503 and 11543 K-Tel Drive. (For more information, visit [epislamiccenter.com](http://epislamiccenter.com)). The proposal for this site has undergone several revisions. This report is based on the latest version of the proposal. The staff has indicated to the applicant that what is outlined in this report are the only uses under consideration. If approved, they are the only uses that would be allowed in these tenant spaces. The applicant could not change the uses without further city approvals.



The applicant has been using suite 11503 since March 2020, and the second suite was acquired in January 2022. Neither space applied for or was issued a conditional use permit. Staff discovered the discrepancy when the applicant applied for a conditional use for the proposed uses at 11543. The initial space, suite 11503, has been included in this proposal as it did not have the ordinance required conditional use permit.

Between 4 a.m. and 11:30 p.m., the applicant proposes the following uses at the tenant spaces:

**11503 K-Tel Drive (shown on the above aerial in blue)**

<b>Summary of Uses and Times at Suite 11503</b>	
<b>Weekdays: Monday to Friday</b>	<b>Weekends: Saturday and Sunday</b>
<p><b>Mosque</b> - 4 a.m., 1:30 p.m., 5:30 p.m., 9 p.m. and 11 p.m.</p> <p><b>4 p.m. to 6 p.m.</b></p> <ul style="list-style-type: none"> <li>• Women’s mosque (11 occ.)</li> <li>• Children’s studies (21 occ.)</li> </ul>	<p><b>Mosque</b> - 4 a.m., 1:30 p.m., 5:30 p.m., 9 p.m. and 11 p.m.</p> <p><b>9 a.m. to 12 p.m.</b> (Session 1: 40 occupants)</p> <ul style="list-style-type: none"> <li>• Women’s mosque (11 occupants)</li> <li>• Children’s worship and studies                             <ul style="list-style-type: none"> <li>○ Preschool (7 occ.) and School-age (22 occupants)</li> </ul> </li> </ul> <p><b>12:30 p.m. to 3:30 p.m.</b> (Session 2: 40 occupants)</p> <ul style="list-style-type: none"> <li>• Women’s mosque (11 occupants)</li> <li>• Children’s worship and studies                             <ul style="list-style-type: none"> <li>○ Preschool (7 occ.) and School-age (22 occ.)</li> </ul> </li> </ul>

**Details Times and Uses for Suite 11503:**

**Weekdays:**

- Primary use of a Mosque for women and children only, every day at 4 a.m., 1:30 p.m., 5:30 p.m., 9 p.m., and 11 p.m.
  - Ten adult women plus leaders
- Religious studies for children 5 to 14 years old in three classrooms on Monday through Friday from 4 p.m. to 6 p.m.
  - Six children per room and one teacher (21 total)

**Weekends:**

- Primary use of a Mosque for women and children only, every day at 4 a.m., 1:30 p.m., 5:30 p.m., 9 p.m., and 11 p.m.
- Worship and religious studies on Saturday and Sunday from 9 a.m. to 12 p.m. and a second session from 12:30 p.m. to 3:30 p.m. (Proposed maximum of 40 occupants per each session)
  - Ten adult women plus one leader (11 occupants)
  - Preschool in one classroom with six students plus one teacher (7 occ.)
  - School-age in two classrooms with ten students plus one teacher (22 occ.)

**11543 K-Tel Drive (shown on the aerial in pink)**

<b>Summary of Uses and Times at Suite 11543</b>	
<b>Weekdays: Monday to Friday</b>	<b>Weekends: Saturday and Sunday</b>
<p><b>Mosque</b> - 4 a.m., 1:30 p.m., 5:30 p.m., 9 p.m. and 11 p.m.</p> <p><b>7 a.m. to 7 p.m.</b></p> <ul style="list-style-type: none"> <li>• Child care                             <ul style="list-style-type: none"> <li>○ Preschool (22 occ.)</li> <li>○ School-age (48 occ.)</li> </ul> </li> </ul>	<p><b>Mosque</b> - 4 a.m., 1:30 p.m., 5:30 p.m., 9 p.m. and 11 p.m.</p> <p><b>9 a.m. to 12 p.m.</b> (Session 1: Max 120 occupants)</p> <ul style="list-style-type: none"> <li>• Mosque (11 occupants)</li> <li>• Children’s worship and studies                             <ul style="list-style-type: none"> <li>○ Preschool (22 occ.) and School-age (48 occ.)</li> </ul> </li> </ul> <p><b>12:30 p.m. to 3:30 p.m.</b> (Session 2: Max 120 occ.)</p> <ul style="list-style-type: none"> <li>• Mosque (11 occupants)</li> <li>• Children’s worship and studies                             <ul style="list-style-type: none"> <li>○ Preschool (22 occ.) and School-age (48 occ.)</li> </ul> </li> </ul> <p><b>4 p.m. to 6 p.m.</b></p> <ul style="list-style-type: none"> <li>• Adult religious studies (proposed 120 occupants)</li> </ul>

**Details Times and Uses for Suite 11503:**

**Weekdays:**

- Primary use of a Mosque every day at 4 a.m., 1:30 p.m., 5:30 p.m., 9 p.m., and 11 p.m.
- Child care for children 3 to 12 years old on Monday to Friday from 7 a.m. to 7 p.m.
  - Preschool in two classrooms with ten students plus one teacher (22 occ.)
  - School-age in three classrooms with 15 students plus one teacher (48 occ.)

**Weekends:**

- Primary use of a Mosque, every day at 4 a.m., 1:30 p.m., 5:30 p.m., 9 p.m., and 11 p.m.
- Worship and religious studies on Saturday and Sunday from 9 a.m. to 12 p.m. and a second session from 12:30 p.m. to 3:30 p.m. (Proposed maximum of 120 occupants per each session)
  - Ten adult women plus one leader (11 occupants)
  - Preschool in two classrooms with ten students plus one teacher (22 occ.)
  - School-age in three classrooms with 15 students plus one teacher (48 occ.)
- Adult congregation on Saturday and Sunday from 4 p.m. to 6 p.m. is proposed for 120 occupants.



## **Primary Questions and Analysis**

A land-use proposal is comprised of many details. In evaluating a proposal, staff first reviews these details and then aggregates them into a few primary questions or issues. The following outlines both the primary questions and staff findings for the proposed mosque, child care, and religious studies.

- **Is the proposed use appropriate for the site?**

The land use designation of the property is industrial, whereas the zoning is PUD. Within the PUD district, all uses are allowed as permitted, and accessory uses within any other zoning districts are allowed. All uses allowed by conditional use permit within any other district are allowed by conditional use permit.

By ordinance, religious institutions and facilities are a conditional use permitted when approved by the city council in the PUD zoning district. While religious institutions are typically located in residential areas with green space, the city code does not have a green space requirement but rather a maximum of impervious surface coverage. The maximum impervious surface coverage is 70%. The site meets this requirement. (Details can be found in the "Supporting Information" section of this report.)

- **How have the proposals for this site changed? What is no longer included?**

The previous narrative statements submitted by the applicant suggested a child care primary use with religious studies, which would have required a license from the Minnesota Department of Human Services (DHS). The current proposal for a religious institution, a mosque, does not appear to require a DHS license so long as the child care is only held during the religious function. The applicant will be responsible for following up with the DHS to confirm no license is required from the State agency. Child care as an accessory only during religious functions has been added as a condition of this proposal.

A requirement of the DHS child care license is a recreational space. This would no longer be a requirement if confirmed by DHS that a child care license is not necessary. However, should the applicant want to utilize the on-site green space, safety improvements would be required. This condition has been added to the associated resolution.

The previous proposal listed uses of a child care and religious institution, which require a conditional use permit. The current proposal is for a religious institution, a mosque, as the primary use. This does not change the conditional use permit requirement. Per ordinance, a religious institution is a conditionally-permitted use.

- **Can parking demand be met?**

By city code, no. This proposal requires a variance to the parking ordinance. The religious institution, mosque, require more parking than a commercial service business or manufacturing business, such as the previous tenants. The parking stalls required by city ordinance and Institute of Transportation Engineers (ITE) for all uses and this proposal have been calculated. (The full table can be found in the "Supporting Information" section of this report.)

	<b>City Ordinance (weekday)</b>	<b>City Ordinance (weekends)</b>	<b>ITE (weekday)</b>	<b>ITE (weekends)</b>
Parking demand	286 stalls	209 stalls	214 stalls	125 stalls

The existing parking lot has 238 parking stalls. This proposal would create a total parking demand for the entire industrial park of 390 stalls during the weekdays and 209 during the weekends, according to the city ordinance. As the existing parking would not meet the ordinance, a variance is required. The parking calculations for the ITE standards suggest that 214 parking stalls are required during the weekdays and 125 during the weekends. Meaning the site proposal would meet the ITE parking suggestions.

The parking calculation of seating for a religious institution is based on the number of seats. As a mosque does not use pews or chairs for prayer, staff has calculated the standard size of a prayer rug, 2.5 feet by 4 feet, to use as "one seat." The parking standard required for a religious institution is "one parking space per 2.5 seats based on the design capacity of the main sanctuary or assemble space". With an assumed prayer rug size of 10 square feet (2.5 feet by 4 feet), 2.5 seats would mean for every 25 square feet in the Musallah worship area, one parking stall is required.

For calculation of religious studies, the parking requirement is one per every three children and one per instructor. For example, EPIC at 11503 during the weekdays has 18 children and three teachers.  $18 \text{ children} / 3 = 6 \text{ parking stalls}$ .  $3 \text{ instructors} = 3 \text{ parking stalls}$ . The total would be nine parking stalls for that use. This does not include that there is also a mosque in another portion of this tenant space.

### **Staff Recommendation**

Recommend the city council adopt the resolution approving a conditional use permit, with parking ordinance variance, for a mosque with child care services and religious studies at 11503 and 11543 K-Tel Drive

Originator: Bria Raines, Planner  
Through: Loren Gordon, AICP, City Planner

### Supporting Information

#### Surrounding Land Uses

Northerly: Bay Island, zoned I-1 (Industrial)  
Easterly: Business in Hopkins, zoned I-2 (General Industrial)  
Southerly: Deer Ridge Townhome Rentals, zoned PUD  
Twin Cities and Western Railroad  
Westerly: Shady Oak Lake Corporate Center, zoned PUD  
Napco Industrial Park Second Addition, zoned I-1

#### Planning

Guide Plan designation: Industrial  
Existing Zoning: Planned Unit Development (PUD)

Within the PUD district, all uses allowed as permitted, and accessory uses within any other zoning districts are allowed. All uses allowed by conditional use permit within any other district are allowed by conditional use permit. For religious institutions in the PUD zoning district, the residential conditional use standards serve as the development guidelines outlined below.

#### CUP Standards

The proposed uses would be consistent with the general CUP standards as outlined in City Code §300.16 Subd.2:

1. The use is consistent with the intent of this ordinance;

**Finding:** These proposed uses are allowed by this conditional use permit.

2. The use is consistent with the goals, policies, and objectives of the comprehensive plan;

**Finding:** This proposal will not change the land use or zoning of the property.

3. The use does not have an undue adverse impact on governmental facilities, utilities, services, or existing or proposed improvements; and

**Finding:** This use has no anticipated adverse impacts on public services.

4. The use does not have an undue adverse impact on public health, safety, or welfare.

**Finding:** This use has no anticipated negative impacts on adjacent properties and businesses.

The proposed religious institution would be consistent with the CUP standards as outlined in City Code §300.16 Subd.3(b):

1. Direct access limited to a collector or arterial roadway as identified in the comprehensive plan or otherwise located so

that access can be provided without conducting significant traffic on local residential streets;

**Finding:** The site is accessible without travel or traffic on local residential streets.

2. Buildings set back 50 feet from all property lines;

**Finding:** The proposal would not change the existing building. The site meets this requirement.

3. Parking spaces and parking setbacks are subject to section 300.28 of this ordinance;

**Finding:** The proposal does not meet the parking ordinance. The associated resolution would grant a parking variance, addressing this requirement.

4. No more than 70 percent of the site to be covered with impervious surface and the remainder to be suitably landscaped; and

**Finding:** The site is approximately 12.9 acres, and the impervious surface area is approximately 7.5 acres; roughly 60%.The site meets this requirement.

5. Site and building plan subject to review pursuant to section 300.27 of this ordinance.

**Finding:** The applicant has not proposed signage at this time. However, signage will require a separate permit, which will be mentioned in the resolution.

The proposed educational institution would be consistent with the CUP standards as outlined in City Code §300.16 Subd.3(a):

1. Direct access limited to a collector or arterial roadway as identified in the comprehensive plan or otherwise located so that access can be provided without conducting significant traffic on local residential streets; the use is not permitted on property that has access only by way of a private road or driveway that is used by more than one lot;

**Finding:** The site is accessible without travel or traffic on local residential streets.

2. Buildings set back 50 feet from all property lines and parking setbacks subject to section 300.28 of this ordinance;

**Finding:** The proposal would not change the existing building. The site meets this requirement.

3. School bus pick-up and drop-off areas located outside of the public right-of-way and designed to enhance vehicular and pedestrian safety;

**Finding:** The proposal does not include school bus pick-up or drop-offs. Parents would be expected to check their children in and out within the tenant space.

4. Recreational areas designed for outdoor group activities set back 25 feet from residential property, suitable buffering provided to protect neighboring properties from noise and adverse visual impacts, and lighted playing fields permitted only upon demonstration that off-site impacts can be mitigated substantially;

**Finding:** No recreational space has been proposed. A condition has been added to the resolution that if the nearby green space is to be used for recreation in the future, a fence and possibly additional safety measures would be required.

5. No more than 60 percent of the site to be covered with impervious surface and the remainder to be suitably landscaped;

**Finding:** The site is approximately 12.9 acres, and the impervious surface area is approximately 7.5 acres; roughly 60%. The site meets this requirement.

6. Site and building plan subject to review pursuant to section 300.27 of this ordinance; and

**Finding:** The applicant has not proposed signage at this time. However, signage will require a separate permit, which will be mentioned in the resolution.

7. Not connected to, or part of, any residential dwelling.

**Finding:** The use and property are not zoned or permitted for residential use.

By City Code §300.27, Subd. 5, the city will consider compliance with the following standards when evaluating site and building plans. The proposed apartment development would meet these standards.

1. Consistency with the elements and objectives of the city's development guides, including the comprehensive plan and water resources management plan;

**Finding:** The proposal has been reviewed by city planning, engineering, and natural resources staff and found to be generally consistent with the city's development guides, including the water resources management plan.

2. Consistency with this ordinance;

**Finding:** Apart from the variance, the proposal would comply with the standards of the CUP ordinance and the site and building plan review. As is outlined in the associated resolution, the variance standard is met.

3. Preservation of the site in its natural state to the extent practicable by minimizing tree and soil removal and designing grade changes to be in keeping with the general appearance of neighboring developed or developing areas;

**Finding:** The proposal does not require site work or exterior changes to the site.

4. Creation of a harmonious relationship of buildings and open spaces with natural site features and with existing and future buildings having a visual relationship to the development;

**Finding:** The proposed use would not alter the existing design of buildings and green open space.

5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:

- a) An internal sense of order for the buildings and uses on the site and provision of a desirable environment for occupants, visitors, and the general community;
- b) The amount and location of open space and landscaping;
- c) Materials, textures, colors, and details of construction as an expression of the design concept and the compatibility of the same with the adjacent and neighboring structures and uses; and
- d) Vehicular and pedestrian circulation, including walkways, interior drives, and parking in terms of location and number of access points to the public streets, the width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement and amount of parking.

**Finding:** The proposal is for internal use of the existing building, with no changes to the site. The proposed floor plan does allow order with the multiple uses in each tenant space.

6. Promotion of energy conservation through design, location, orientation, and elevation of structures, the use and location of the glass in structures, and the use of landscape materials and site grading; and

**Finding:** The building is existing but will be required to meet building code and fire code standards with a second exit at suite 11503 for an occupancy load of over 49 people.

7. Protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and sight buffers, preservation of views, light, and air, and those aspects of design not adequately covered by other regulations which may have substantial effects on neighboring land uses.

**Finding:** The proposal is not anticipated to negatively impact adjacent or neighboring properties.

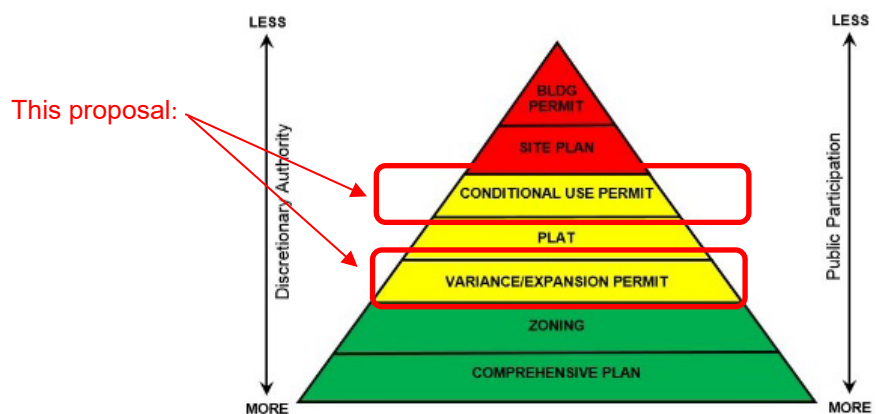
### Variance Standard

By City Code §300.07, a variance may be granted from the requirements of the zoning ordinance when: (1) it is in harmony with the general purposes and intent of the ordinance; (2) it is consistent with the comprehensive plan; and (3) when an applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties mean that the applicant proposes to use a property in a reasonable manner not permitted by the ordinance, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance if granted, would not alter the essential character of the locality.

### Play Area

No play area has been proposed. A fence and possibly additional safety standards are required for the on-site green space within the industrial park near the parking lot.

### Pyramid of Discretion



### Motion Options

The planning commission will make a recommendation to the city council; a recommendation requires an affirmative vote of a simple majority. The city council's final approval requires an affirmative vote of five members due to the variance.

The planning commission has three options:

1. Concur with the staff recommendation. In this case, a motion should be made recommending the city council adopt the resolution approving the request.
2. Disagree with the staff's recommendation. In this case, a motion should be made recommending the city council deny the request. This motion must include a statement as to why denial is recommended.
3. Table the requests. In this case, a motion should be made to table the item. The motion should include a statement as to why the request is being tabled with direction to staff, the applicant, or both.

**Neighborhood  
Comments**

The city sent notices to 158 area property owners and has received no comments to date.

**Deadline for Action**

**Oct. 20, 2022**





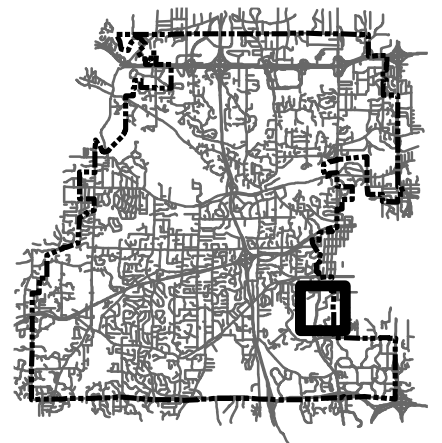
**Subject Property**



**LOCATION MAP**

Project: Eden Prairie Islamic Center  
Daycare

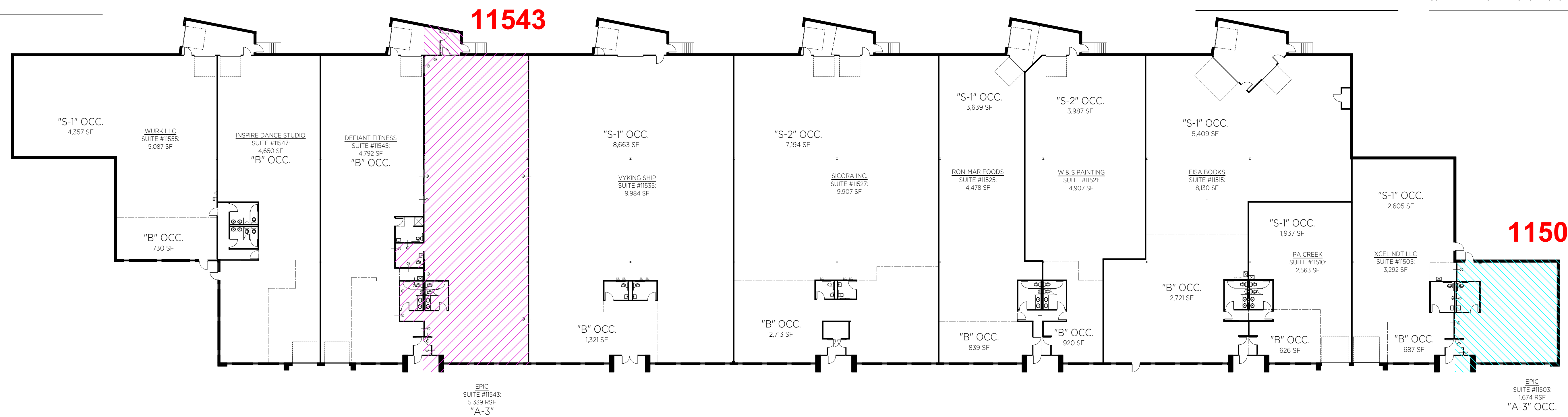
Location: 11543 K-tel Dr





1 LOCATION KEY PLAN WITH SITE INFORMATION  
FIRST FLOOR

N.T.S.



2 BUILDING "A" EXISTING TENANT PLAN/ INFO  
FIRST FLOOR

N.T.S.

SHEET INDEX

T1	PROJECT OVERVIEW LOCATION KEY PLAN WITH SITE INFORMATION BUILDING "A" EXISTING TENANT PLAN/ INFO
A1	SUITE #11543 PROJECT OVERVIEW DEMOLITION PLAN CODE REVIEW NOTES AND PLAN
A2	SUITE #11503 PROJECT OVERVIEW DEMOLITION PLAN CODE REVIEW NOTES AND PLAN
PROJECT TEAM	
DESIGNER	
ARCHIMEA INTERIOR DESIGN SERVICES 2550 UNIVERSITY AVE. W, SUITE #4165 ST. PAUL, MN 55114 VICKI KOTSONAS, 952-854-5206, vkotsonas@archimea.com	

PROPERTY OWNER/ MANAGEMENT

JGM PROPERTIES 1224 WEST 96TH STREET BLOOMINGTON, MN 55431 ELI RUSSELL, 612.290.1037, erussell@jgmproperties.com JAY MUTSCHLER, 612.701.8088, jaym@jgmproperties.com
--

PREVIOUS TENANT - SUITE #11543

EASY BRAID
BUSINESS AND STORAGE OCCUPANCIES (OFFICE / WAREHOUSE/ PRODUCTION AREAS) MANUFACTURER OF SUPPLIES AND EQUIPMENT USED IN THE PCB ASSEMBLY INDUSTRY.

PROJECT DESCRIPTION - SUITE #11543

EPIC IS A MOSQUE WITH (5) FIVE DAILY PRAYERS THAT START ABOUT AN HOUR BEFORE SUNRISE AND END WITH THE FINAL NIGHT PRAYER. ALL THESE PRAYERS ARE DONE IN CONGREGATION IN THE MUSALLAH. PLEASE SEE THE WEBSITE FOR THE DAILY PRAYER SCHEDULE.  
HTTPS://WWW.EPISLAMICCENTER.COM/SERVICES-3 THE PRAYERS ARE SPREAD THROUGHOUT THE DAY. IN BETWEEN THE PRAYERS THE CONGREGATION PARTICIPATES IN RELIGIOUS STUDIES LEAD BY THE IMAM AND OTHER APPOINTED LEADERS. INDIVIDUAL MEMBERS OF THE CONGREGATION DO NOT STAY AT THE FACILITY FOR ALL OF THE PRAYER TIMES.  
  
THE ISLAMIC MEMBERSHIP REQUESTED CHILD CARE SERVICES FOR AGES 3 TO 12 AS AN ACCESSORY DURING WEEKDAY WORSHIP TIMES IN THE MOSQUE (NO CHILD CARE OCCURRING ON SITE AT THIS TIME. EPIC IS COMMUNICATING WITH DHS TO DETERMINE IF LICENSE FOR EPIC CARE IS REQUIRED). ONLY MEMBER CHILDREN WILL PARTICIPATE IN THE CHILD CARE SERVICE AND CHILDREN WILL ONLY BE PRESENT WHEN FAMILY IS ON SITE WORSHIPPING. CHILD CARE WILL CONSIST OF PRAYER AND RELIGIOUS STUDIES. CHILDREN WILL BE ON SITE 1 TO 2 HOURS DURING THE SAME TIME FAMILY / PARENTS ARE WORSHIPPING. WORSHIP MOSTLY OCCURS ON WEEKENDS, BUT ALSO DURING THE WEEK.  
  
MINOR MODIFICATIONS ARE NECESSARY. DRAWINGS AND CODE REVIEW PROVIDED FOR CHANGE OF USE REVIEW.

SITE DESCRIPTION

THE ENCORE BUILDING PARK CONSISTS OF THREE (3) BUILDINGS. (A, B, AND C). THE PARKING IS SHARED BY ALL BUILDINGS.  
  
EXISTING SHARED PARKING CONSISTS OF: 238 STALLS (INCLUDING 7 ACCESSIBLE STALLS WITH ISLES)  
  
BUILDING "A" CONSISTS OF: 65,149 USF (SEE I/T1 FOR EXISTING TENANTS / OCCUPANCIES AND SQUARE FOOTAGE)  
  
BUILDING "B" CONSISTS OF: 31,038 USF (EGAN COMPANY - 5,012 USF) - OFFICE / WAREHOUSE CONSTRUCTION COMPANY (SILLIKER - 26,026 USF) - OFFICE / LAB / WAREHOUSE LABORATORY SERVICES FOR THE FOOD INDUSTRY  
  
BUILDING "C" CONSISTS OF: 30,444 USF (RAINBOW TREE CARE - SINGLE TENANT BUILDING) OFFICE / WAREHOUSE TREE/ LAWN SERVICE EXPERTS

EXISTING TENANT

EPIC (EDEN PRAIRIE ISLAMIC CENTER) ABDIHAMD SHEEKH, 763.339.2998, ashkeh@epislamiccenter.com
ASSEMBLY OCCUPANCY: WORSHIP/ RELIGIOUS STUDIES
SUITE #11543: OCCUPANCY OF SPACE SINCE 01/2022 (CURRENTLY ONLINE) SUITE #11503: OCCUPANCY OF SPACE SINCE 03/2020 (CURRENTLY ONLINE)
PREVIOUS TENANT - SUITE #11503
SERV PRO
BUSINESS OCCUPANCY (OFFICE /WAREHOUSE AREAS) WATER DAMAGE RESTORATION SERVICE

PROJECT DESCRIPTION - SUITE #11503

EPIC IS A MOSQUE WITH (5) FIVE DAILY PRAYERS THAT START ABOUT AN HOUR BEFORE SUNRISE AND END WITH THE FINAL NIGHT PRAYER. ALL THESE PRAYERS ARE DONE IN CONGREGATION IN THE MUSALLAH. PLEASE SEE THE WEBSITE FOR THE DAILY PRAYER SCHEDULE.  
HTTPS://WWW.EPISLAMICCENTER.COM/SERVICES-3 THE PRAYERS ARE SPREAD THROUGHOUT THE DAY. IN BETWEEN THE PRAYERS THE CONGREGATION PARTICIPATES IN RELIGIOUS STUDIES LEAD BY THE IMAM AND OTHER APPOINTED LEADERS. INDIVIDUAL MEMBERS OF THE CONGREGATION DO NOT STAY AT THE FACILITY FOR ALL OF THE PRAYER TIMES.  
  
INTENT IS TO PROVIDE A PLACE OF WORSHIP AND RELIGIOUS STUDIES TO THE ISLAMIC COMMUNITY. (CURRENTLY ONLY CONDUCTING CLASSES AND TUTORING ONLINE. GOAL IS TO MEET IN PERSON FOR ADULTS AND CHILDREN AGES 3 TO 17). THIS IS AN ACCESSORY TO THE MOSQUE FUNCTION. CURRENT ONLINE MEMBERSHIP IS (SPLIT TO MORNING SESSION AND 90 AFTERNOON SESSION). AFTER THE CUP IS APPROVED, THE 160 MEMBER CONGREGATION WILL BE DIVIDED BETWEEN BOTH SUITES WHEN WORSHIP IS ALLOWED TO BE IN PERSON (SUITE #11503: WOMEN AND CHILDREN).  
  
CURRENTLY HAVE ONE STUDENT ON-LINE FOR HOMEWORK TUTORING (OCCURS DURING THE SCHOOL YEAR AND SUMMER)  
  
MINOR MODIFICATIONS ARE NECESSARY. DRAWINGS AND CODE REVIEW PROVIDED FOR CHANGE OF USE REVIEW.

REVISIONS

NO.	DATE	DESCRIPTION

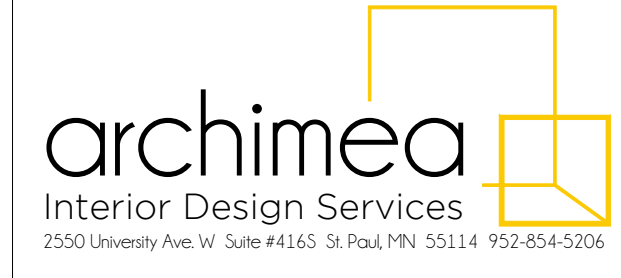


PRELIMINARY

PROJECT NAME	EPIC (EDEN PRAIRIE ISLAMIC CENTER)
ENCORE PARK - BUILDING A	11503 - 11555 K-TEL DRIVE
FIRST FLOOR, SUITES #11503 AND #11543	MINNETONKA, MN 55343

DRAWING TITLE	PROJECT OVERVIEW LOCATION KEY PLAN WITH SITE INFORMATION BUILDING "A" EXISTING TENANT PLAN/ INFO
---------------	--

DATE	06/10/22
DRAWN BY	VJK
APPROVED BY	VJK
SCALE	N.T.S.
SHEET	T1
OF 3 SHEETS(S)	



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY CERTIFIED INTERIOR DESIGNER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Vicki Kotsonas  
VICKI KOTSONAS  
REG. NO.: C00705  
DATE: 06/10/22

## Current narrative proposal (version 4) - received June 14, 2022

### Suite #11503 K-Tel Drive

### EDEN PRAIRIE ISLAMIC CENTER

#### Background:

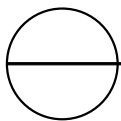
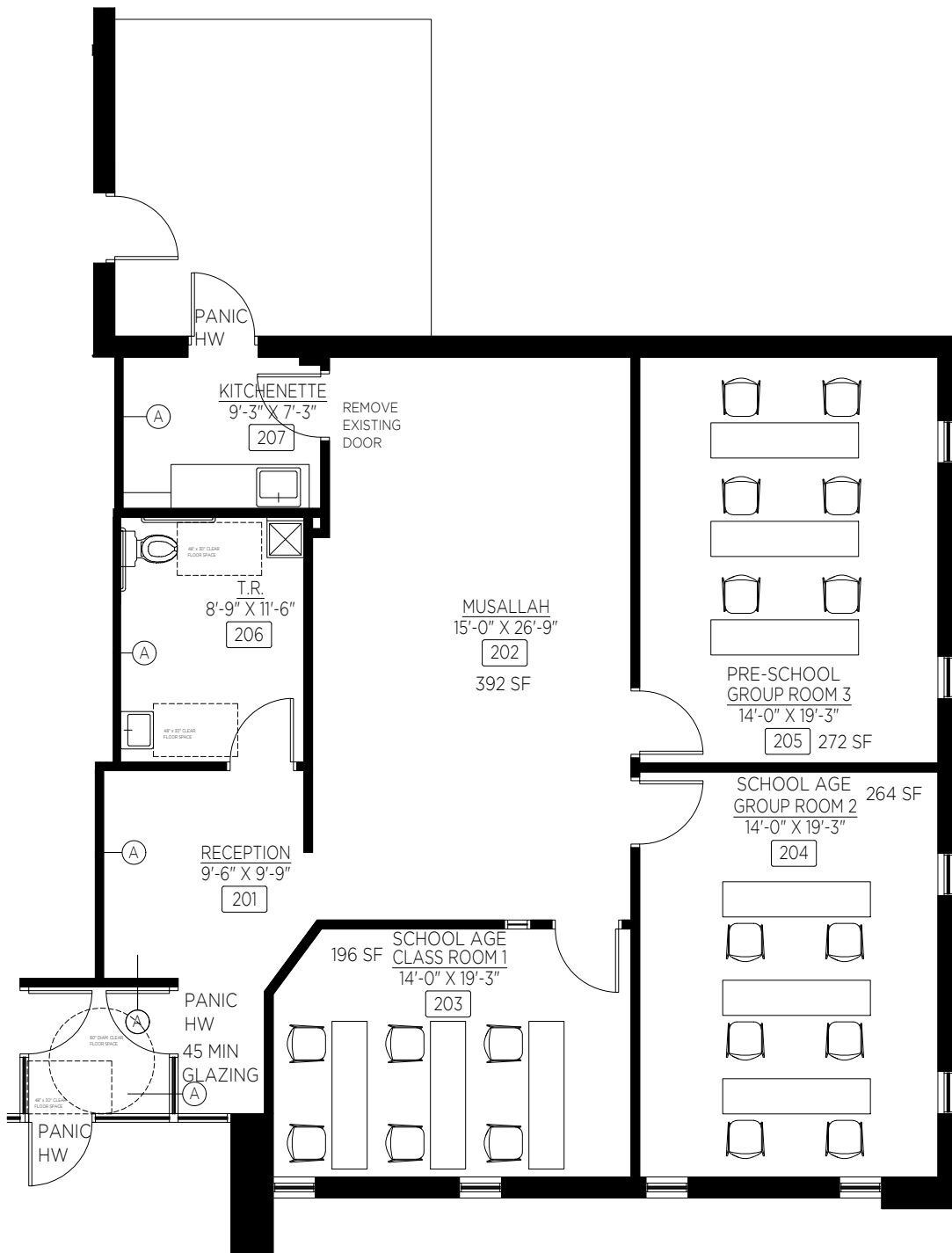
- Suite was leased in March of 2020
- Original intent was to provide a place of worship and religious studies to the Islamic community. (currently only conducting classes and tutoring online for adults and children ages 3 to 17. Goal is to meet in person). This is an accessory to the Mosque function (currently only conducting worship and religious studies online. Goal is to meet in person) – current online membership is (split 70 morning session and 90 afternoon session). After the CUP is approved, the 160 member congregation will be divided between both suites when worship is allowed to be in person.(Suite #11503: Women and children).
- Currently have no students for homework help and tutoring
  
- **Weekend** (in person worship/ religious studies) Maximum occupants (per code) on site at one time is (101)
  - *9am to 12pm class: Worship and Religious studies for children ages 3 to 17 years of age and adults (projected max 40 occ.)*
    - Adult congregation: Mosque (Prayer and religious studies including reading and reciting in the Masullah) (10 adult women plus Imam/ Leader)
    - Pre-school (ages 3 to 4): 1 class with (6) students plus (1) teacher (7 occupants)
    - School age (ages 5 to 17): 2 class with (10) students plus (1) teacher each class ( 22 occupants)
  - *12:30pm to 3:30pm class: Worship and Religious studies for children ages 3 to 17 years of age and adults (projected max 40 occ.)*
    - Adult congregation: Mosque (Prayer and religious studies including reading and reciting in the Masullah) (10 adult women plus Imam/ Leaders)
    - Pre-school (ages 3 to 4): 1 class with (6) students plus (1) teacher (7 occupants)
    - School age (ages 5 to 17): 2 class with (10) students plus (1) teacher each class ( 22 occupants)
  
- **Weekday** (Homework Tutoring) Maximum occupants (per code) on site at one time is (101)
  - (M – F) 4m to 6pm (**projected max 40 occ.**)
    - Adult congregation: Mosque (Prayer and religious studies including reading and reciting in the Masullah) (10 adult women plus Imam/ Leaders)
    - School age (5 to 14 years of age): 3 class with (6) students plus (1) teacher each class ( 21 occupants)
    - Homework help and tutoring will occur during the school year and in the summer.

#11503 Proposed Schedule of Uses

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>Worship* (Adult Women)</b>	Fajr 4am Dhuhr 1:30pm Asr 5:30pm Maghrib 9pm Isha 11pm (10 Adult Congregants)	Fajr 4am Dhuhr 1:30pm Asr 5:30pm Maghrib 9pm Isha 11pm (10 Adult Congregants)	Fajr 4am Dhuhr 1:30pm Asr 5:30pm Maghrib 9pm Isha 11pm (10 Adult Congregants)	Fajr 4am Dhuhr 1:30pm Asr 5:30pm Maghrib 9pm Isha 11pm (10 Adult Congregants)	Fajr 4am Dhuhr 1:30pm Asr 5:30pm Maghrib 9pm Isha 11pm (10 Adult Congregants)	Fajr 4am Dhuhr 1:30pm Asr 5:30pm Maghrib 9pm Isha 11pm (10 Adult Congregants)	Fajr 4am Dhuhr 1:30pm Asr 5:30pm Maghrib 9pm Isha 11pm (10 Adult Congregants)
<b>Weekday Tutoring (Children)</b>	4pm-6pm (projected max 40 occ.)	4pm-6pm (projected max 40 occ.)	4pm-6pm (projected max 40 occ.)	4pm-6pm (projected max 40 occ.)	4pm-6pm (projected max 40 occ.)		
<b>Religious Studies (Children)</b>						Session One: 9am-12pm (projected max 40 occ.)  Session Two: 12:30pm-3:30pm (projected max 40 occ.)	Session One: 9am-12pm (projected max 40 occ.)  Session Two: 12:30pm-3:30pm (projected max 40 occ.)

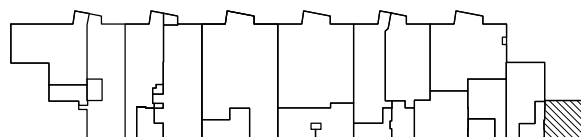
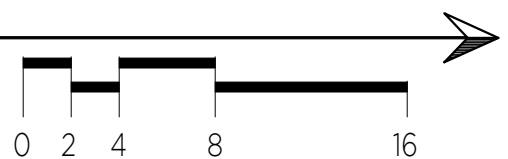
\*Worship times change daily as sunrise as sunset changes. It also changes due to Daylight Savings. Worship last about 30 minutes each. After worship congregants can stay and do reading and recitation class with Imam or teachers appointed by the Imam, and that may last 30 minutes to 2 hours.

# Suite #11503



EPIC - SUITE #11503

WORSHIP FACILITY - OCCUPANCY A-3  
(WITH RELIGIOUS STUDIES AND  
HOMEWORK TUTORING ACCESSORY)



ENCORE PARK - BUILDING A

11503 - 11555 K-TEL DRIVE

MINNETONKA, MN 55343

06/09/22

1,674 RSF



# PRELIMINARY

PROJECT NAME  
**EPIC**  
 (EDEN PRAIRIE ISLAMIC CENTER)

ENCORE PARK - BUILDING A  
 11503 - 11555 K-TEL DRIVE  
 FIRST FLOOR, SUITES #11503 AND #11543  
 MINNETONKA, MN 55343

DRAWING TITLE  
 CODE REVIEW NOTES - SUITE #11503  
 CODE REVIEW PLAN - SUITE #11503  
 DEMOLITION PLAN - SUITE #11503

DATE 06/10/22  
 DRAWN BY VJK  
 APPROVED BY VJK  
 SCALE 1/8" = 1'-0"

SHEET **A2**  
 OF 3 SHEETS(S)



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY CERTIFIED INTERIOR DESIGNER UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Vicki J. Kotas*

DATE: 06/10/22 REG. NO.: C00735

### CODE REVIEW NOTES - SUITE #11503

- A. TENANT AREA CALCULATION FIRST FLOOR 1,671 USF
- B. BUILDING CODE REQUIREMENTS APPLICABLE BUILDING CODES
- 2018 INTERNATIONAL BUILDING CODE (IBC) (WITH STATE AMENDMENTS/ MINNESOTA RULES CHAPTER 1305)
  - 2018 INTERNATIONAL FIRE CODE (WITH STATE AMENDMENTS/ MINNESOTA RULES CHAPTER 7510)
  - 2018 INTERNATIONAL EXISTING BUILDING CODE (WITH STATE AMENDMENTS/ MINNESOTA RULES CHAPTER 511)
  - 2018 INTERNATIONAL ENERGY CONSERVATION CODE - COMMERCIAL (WITH STATE AMENDMENTS/ CHAPTERS 1322 AND 1323)
  - 2018 INTERNATIONAL MECHANICAL & FUEL GAS CODE
  - 2018 UNIFORM PLUMBING CODE (WITH STATE AMENDMENTS/ MINNESOTA RULES CHAPTER 4714)
  - 2020 NATIONAL ELECTRICAL CODE
  - 2020 MINNESOTA BUILDING CODE
  - 2020 MINNESOTA FIRE CODE
  - 2020 MINNESOTA CONSERVATION CODE FOR EXISTING BUILDINGS (MINNESOTA RULES CHAPTER 1311)
  - 2020 MINNESOTA ENERGY CODE (MINNESOTA RULES CHAPTERS 1322 AND 1323)
  - 2020 MINNESOTA ACCESSIBILITY CODE (CHAPTER 1341 - AMENDS 2018 INTERNATIONAL BUILDING CODE, CHAPTER 11, AND IS BASED UPON ICC/ANSI A117.1 2009)
  - 2020 MINNESOTA MECHANICAL & FUEL GAS CODE (MINNESOTA RULES CHAPTER 1346 FROM 2018 INTERNATIONAL MECHANICAL CODE)
  - 2020 MINNESOTA PLUMBING CODE (MINNESOTA RULES CHAPTER 4714)
  - 2019 MINNESOTA HIGH PRESSURE PIPING CODE
- C. OCCUPANCY CLASSIFICATION WORSHIP FACILITY (WITH RELIGIOUS STUDIES ACCESSORY); GROUP A-3
- D. CONSTRUCTION TYPE IIB
- E. BUILDING INFORMATION
- A. SPRINKLERED WITH FIRE MONITORING SYSTEM
  - B. 1 STORY
  - C. DEMISING WALLS: (PER IBC 506.1. BLDG. A DOES NOT NEED AREA SEP. WALLS FOR OCCUPANCIES B, F, AND S)
- F. TOTAL OCCUPANT LOAD: 101 OCCUPANTS  
 OCCUPANCY ASSEMBLY WITHIN MUSALLAH - 392/ 5 = 79 OCCUPANTS  
 OCCUPANCY FOR RELIGIOUS STUDIES (ACCESSORY TO WORSHIP) - 769 SF / 35 = 22 OCCUPANTS
- G. EXIT ARRANGEMENT
- A. ONE EXIT REQUIRED, DISTANCE NOT LESS THAN ONE-THIRD OF LONGEST DIAGONAL DISTANCE OF AREA SERVED
  - B. MAXIMUM TRAVEL DISTANCE (IBC TABLE 1006.2.1); COMMON PATH OF TRAVEL SHALL NOT 75 FEET (ASSEMBLY)
  - C. EXIT ACCESS TRAVEL DISTANCE (IBC TABLE 1017.2); 250 FEET.
- H. EXIT HARDWARE
- A. HARDWARE: PANIC HARDWARE ON EXIT DOORS
  - B. DOORS SWING IN DIRECTION OF EXIT TRAVEL
- I. FIRE RESISTIVE REQUIREMENTS
- A. DEMISING WALLS - 1 HOUR RATED
  - B. PARTITIONS - NO REQUIREMENTS
- J. PLUMBING FIXTURE REQUIREMENTS
- A. 101 OCCUPANTS/2 = 51 MEN / 50 WOMEN (1 PER 150 MEN/ (1/75 WOMEN)/ (SINK: 1 PER 200)
  - B. REQUIRED (MEN): 1 FIXTURES, 1 LAV
  - C. REQUIRED (WOMEN): 1 FIXTURES, 1 LAV
  - D. PROVIDED: 1 UNISEX WITH (1 FIXTURE, 1 LAV, 1 MOP SINK, 2 DRINKING FOUNTAINS

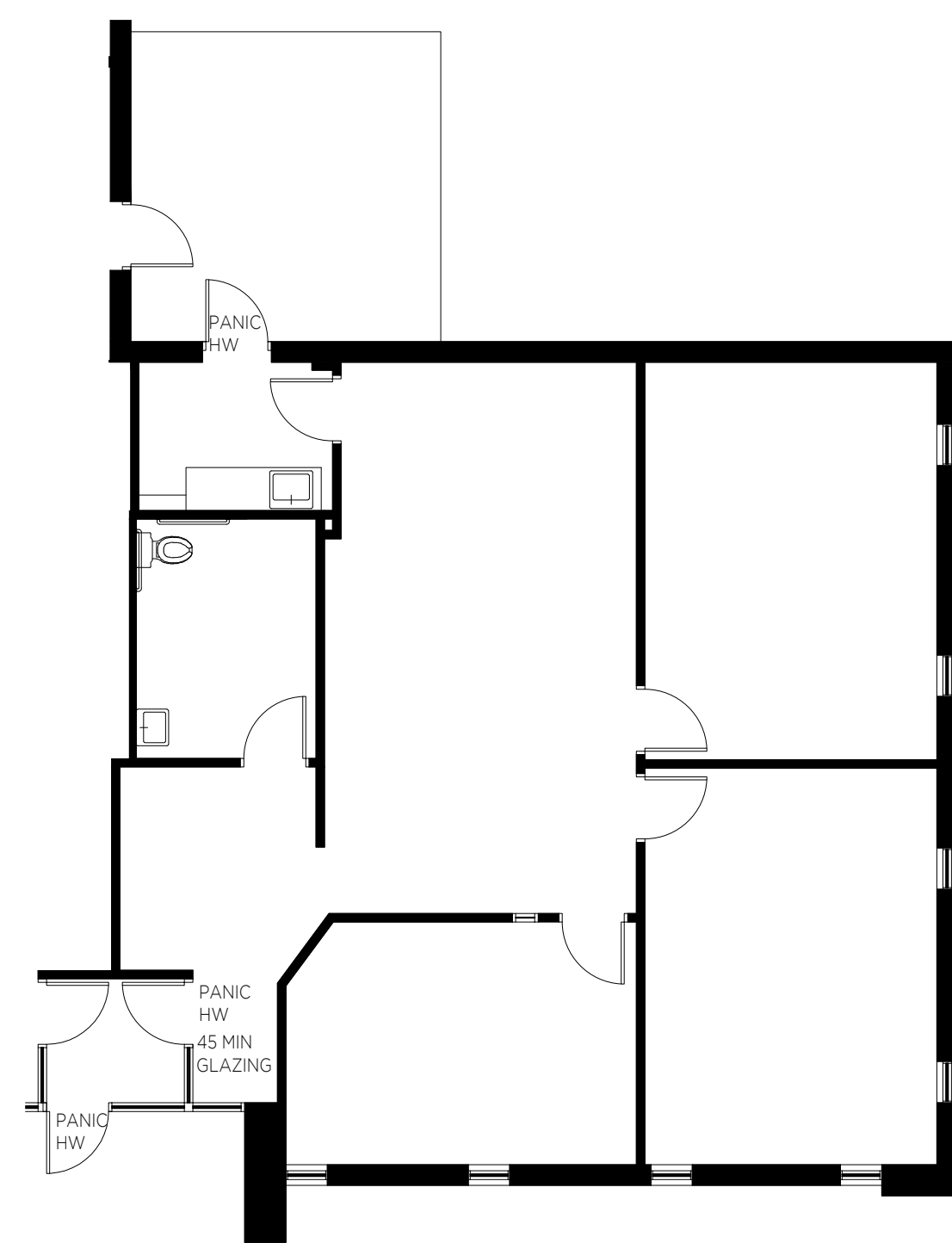
### WALL SYMBOLS KEY

- EXISTING CONSTRUCTION TO REMAIN
- EXISTING CONSTRUCTION TO BE DEMOLISHED
- NEW DEMISING PARTITION WITH ONE HOUR FIRE RATING:  
 5/8" TYPE "X" GYPSUM BOARD APPLIED PARALLEL TO EACH SIDE OF 1 1/2" 20 GAUGE STEEL STUDS 24" O.C. WITH TYPE S12 DRYWALL SCREWS 12" O.C. TO UNDERSIDE OF DECK. ATTACH STUDS TO EACH SIDE OF FLOOR AND CEILING RUNNERS BY WELDING OR WITH 1/2" TYPE S12 PAN HEAD SCREWS. TAPE AND SAND BOTH SIDES. STAGGER JOINTS 24" ON OPPOSITE SIDES. FULL BATT INSULATION IN WALL CAVITY BUILT TO ALL SIDINGS.
- NEW BUILDING STANDARD DEMISING PARTITION:  
 5/8" STEEL STUDS, SPACED 24" O.C. TO UNDERSIDE OF DECK. 5/8" GYPSUM BOARD, TAPED AND SANDED BOTH SIDES. FULL BATT INSULATION IN WALL CAVITY.
- CONFIRM EXISTING PARTITION EXTENDS TO DECK AND IS 1-HOUR RATED
- NEW INTERIOR PARTITION:  
 1 1/8" STEEL STUDS, SPACED 24" O.C. TO UNDERSIDE OF ACOUSTICAL CEILING. 5/8" GYPSUM BOARD, TAPED AND SANDED BOTH SIDES.

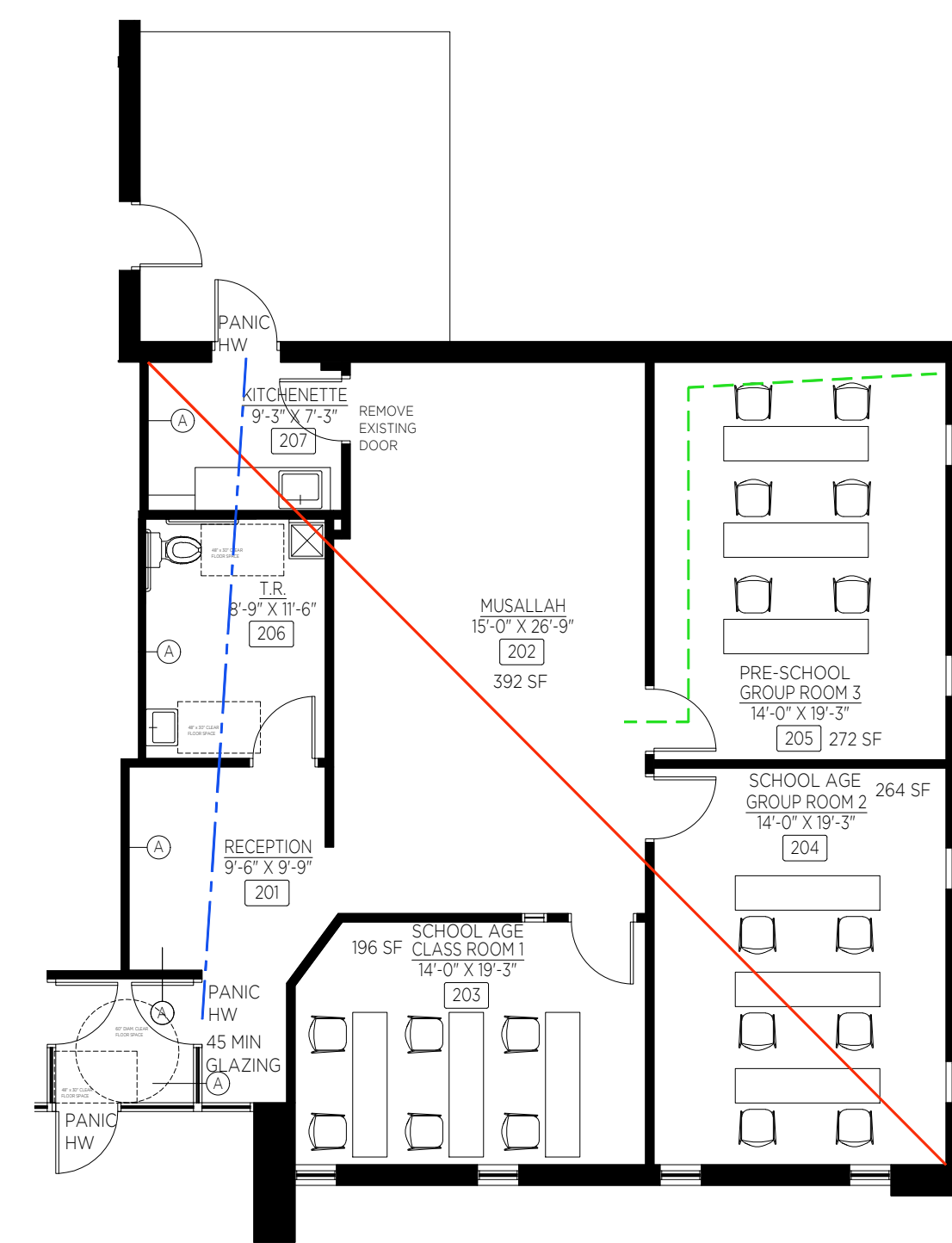
VERIFY APPROPRIATE FIRE RATING OF ALL DEMISING WALLS ARE 1-HOUR RATED ASSEMBLY.

VERIFY APPROPRIATE FIRE RATED DOORS AND GLAZING AT ALL DEMISING WALLS.

USE WATER RESISTANT GYPSUM BOARD FOR ALL WALLS AND CHASES CONTAINING PLUMBING.



1 DEMOLITION PLAN - SUITE #11503  
 A2  
 0 2 4 8 16



2 CODE REVIEW PLAN - SUITE #11503  
 A2  
 0 2 4 8 16

- LONGEST DIAGONAL: (ACTUAL 54'-9")
- EXIT DISTANCE APART: (ACTUAL 32'-0")
- COMMON PATH OF TRAVEL: (ACTUAL 31'-3")

## Current narrative proposal (version 4) - continued

### Suite #11543 K-Tel Drive

### EDEN PRAIRIE ISLAMIC CENTER & EPIC Care

#### Background:

- Suite was leased in January of 2022

EPIC is a Mosque with (5) five daily prayers that start about an hour before sunrise and end with the final night prayer. All these prayers are done in congregation in the Musallah. The prayers are spread throughout the day. (Fajr: 4am, Dhuhr: 1:30pm, Asr: 5:30pm, Maghrib: 9pm, Isha: 11pm). In between the prayers the congregation participates in religious studies lead by the Imam and other appointed leaders. Individual members of the congregation do not stay at the facility for all of the prayer times.

Original intent was to provide religious studies as part of the worship service for adults and children ages 3 to 17 This is an accessory to the Mosque function (currently only conducting worship and religious studies online. Goal is to meet in person) – current online membership is (split 70 morning session and 90 afternoon session). After the CUP is approved, the 160 member congregation will be divided between both suites when worship is allowed to be in person.(Men, Women and children). Addition of suite #11543 was in response to growing membership and to allow women who preferred to pray only among sisters to do so in the smaller suite #11503.

The Islamic membership requested child care services for ages 3 to 12 as an accessory during weekday worship times in the Mosque (no daycare occurring on site at this time. EPIC is communicating with DHS to determine if license for EPIC Care is required). Only member children will participate in the child care facility and children will only be present when family is on site worshipping. Child care will consist of prayer and religious studies. Children will be onsite 1 to 2 hours during the same time family / parents are worshipping. Worship mostly occurs on weekends, but also during the week.

#### Future Intended Use for suite #11543:

- **Weekend** (in person worship/ religious studies) Maximum occupants (per code) on site at one time is (289)

#### **Projected max at one time for facility is 120 occupants.**

- *9am to 12pm class: Worship and Religious studies for children ages 3 to 17 years of age and adults (projected max 120 occ.)*
  - Adult congregation: Mosque (Prayer and religious studies including reading and reciting) (10 adult plus Imam/ Leaders)
  - Pre-school (ages 3 to 4): 2 worship/ religious study group with (10) children plus (1) adult leader (22 occupants)
  - School age (ages 5 to 17): 3 worship/ religious study groups with (15) children plus (1) adult leader each class ( 48 occupants)
- *12:30pm to 3:30pm class: Worship and Religious studies for children ages 3 to 17 years of age and adults (projected max 120 occ.)*

- Adult congregation: Mosque (Prayer and religious studies including reading and reciting) (10 adult plus Imam/ Leaders)
    - Pre-school (ages 3 to 4): 2 worship/ religious study group with (10) children plus (1) adult leader (22 occupants)
    - School age (ages 5 to 17): 3 worship/ religious study groups with (15) children plus (1) adult leader each class ( 48 occupants)
  - *4pm to 6pm class: Adult congregation: Mosque (Prayer and religious studies including reading and reciting) (projected max 120 occ.)*
- **Weekday** (Childcare/ Worship) Maximum occupants (per code) on site at one time is (289).
  - (M – F) 7am to 7pm (projected 6 adult leaders max.) – **Projected max at one time for facility is 120 occupants**
    - Only congregation member children will participate in the child care service and children will only be present when family is on site worshipping. Child care will consist of prayer and religious studies. Children will be onsite 1 to 2 hours during the same time family / parents are worshipping/ studying in the Musallah.
    - Pre-school classrooms (ages 3 to 4): 2 classes with (10) students plus (1) teacher each room (22 occupants)
    - School age classrooms (ages 5 to 12): 3 classes with (15) students plus (1) teacher each class ( 48 occupants)



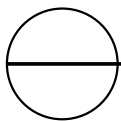
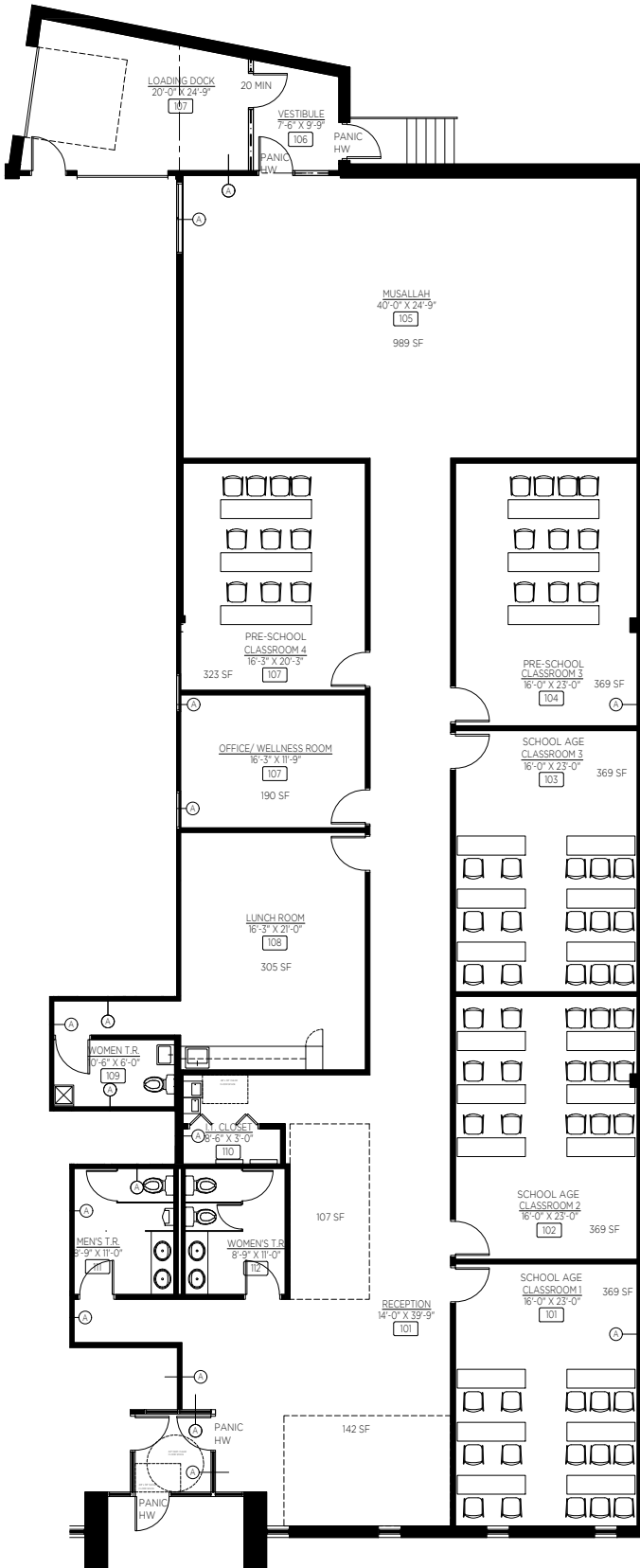
#11543 Proposed Schedule of Uses

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>Worship* (Adults)</b>	Fajr 4am Dhuhr 1:30pm Asr 5:30pm Maghrib 9pm Isha 11pm (10 Adult Congregants)	Fajr 4am Dhuhr 1:30pm Asr 5:30pm Maghrib 9pm Isha 11pm (10 Adult Congregants)	Fajr 4am Dhuhr 1:30pm Asr 5:30pm Maghrib 9pm Isha 11pm (10 Adult Congregants)	Fajr 4am Dhuhr 1:30pm Asr 5:30pm Maghrib 9pm Isha 11pm (10 Adult Congregants)	Fajr 4am Dhuhr 1:30pm Asr 5:30pm Maghrib 9pm Isha 11pm (10 Adult Congregants)	Fajr 4am Dhuhr 1:30pm Asr 5:30pm Maghrib 9pm Isha 11pm (10 Adult Congregants)	Fajr 4am Dhuhr 1:30pm Asr 5:30pm Maghrib 9pm Isha 11pm (10 Adult Congregants)
<b>Religious Studies (Adults)</b>						4pm-6pm (projected max 120 occ.)	4pm-6pm (projected max 120 occ.)
<b>Religious Studies (Children)</b>						Session One: 9am-12pm (projected max 120 occ.)  Session Two: 12:30pm-3:30pm (projected max 120 occ.)	Session One: 9am-12pm (projected max 120 occ.)  Session Two: 12:30pm-3:30pm (projected max 120 occ.)
<b>Child Care**</b>	7am-7pm (projected max 120 occ.)	7am-7pm (projected max 120 occ.)	7am-7pm (projected max 120 occ.)	7am-7pm (projected max 120 occ.)	7am-7pm (projected max 120 occ.)		

**\*Worship times change daily as sunrise as sunset changes. It also changes due to Daylight Savings. Worship last about 30 minutes each. After worship congregants can stay and do reading and recitation class with Imam or teachers appointed by the Imam, and that may last 30 minutes to 2 hours.**

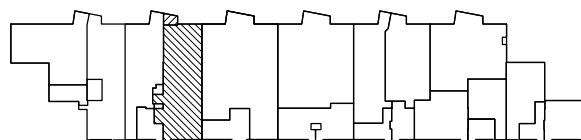
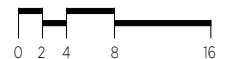
**\*\*Only congregation member children will participate in the child care service and children will only be present when family is on site worshipping. Child care will consist of prayer and religious studies. Children will be onsite 1 to 2 hours during the same time family / parents are worshipping/ studying in the Musallah. The Child Care will spread out over the entire day (not at one time).**

# Suite #11543



EDEN PRAIRIE ISLAMIC CENTER AND EPIC CARE - SUITE #11543

WORSHIP FACILITY - OCCUPANCY A-3  
(WITH RELIGIOUS STUDIES AND CHILD CARE ACCESSORY)



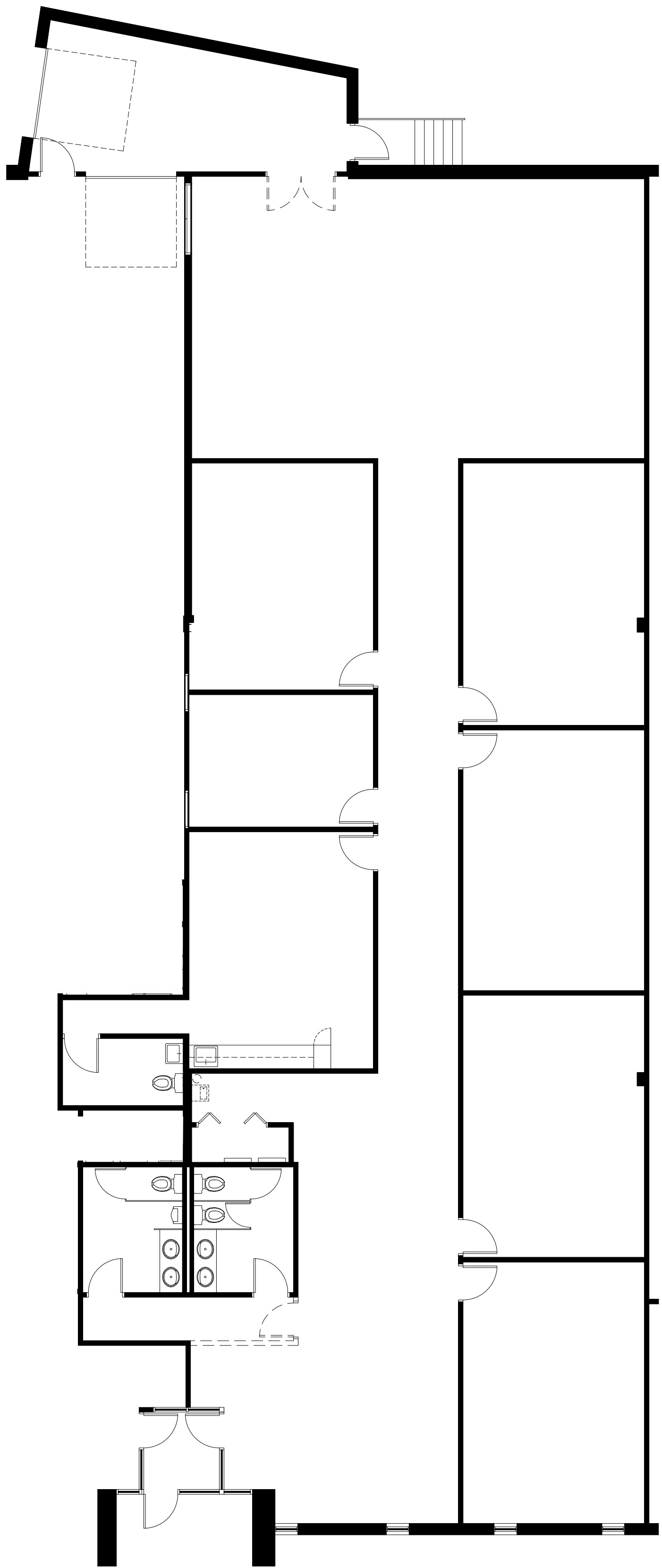
ENCORE PARK - BUILDING A

11503 - 11555 K-TEL DRIVE

MINNETONKA, MN 55343

06/09/22

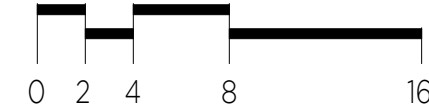
5,339 RSF



1  
A1  
DEMOLITION PLAN - SUITE #11543



2  
A1  
CODE REVIEW PLAN - SUITE #11543



**WALL SYMBOLS KEY**

- EXISTING CONSTRUCTION TO REMAIN
- EXISTING CONSTRUCTION TO BE DEMOLISHED
- NEW DEMISING PARTITION WITH ONE HOUR FIRE RATING:  
5/8" TYPE "X" GYPSUM BOARD APPLIED PARALLEL TO EACH SIDE OF 1 1/2" X 20 GAUGE STEEL STUDS 24" O.C. WITH TYPE S12 DRYWALL SCREWS 12" O.C. TO UNDERSIDE OF DECK. ATTACH STUDS TO EACH SIDE OF FLOOR AND CEILING RUNNERS BY WELDING OR WITH 1/2" TYPE S12 PAN HEAD SCREWS. TAPE AND SAND BOTH SIDES. STAGGER JOINTS 24" ON OPPOSITE SIDES. FULL BATT INSULATION IN WALL CAVITY BUILT TO ALL SIDINGS/USES.
- NEW BUILDING STANDARD DEMISING PARTITION:  
1/2" GYPSUM BOARD, SPACED 24" O.C. TO UNDERSIDE OF DECK. 5/8" GYPSUM BOARD, TAPED AND SANDED BOTH SIDES. FULL BATT INSULATION IN WALL CAVITY.
- CONFIRM EXISTING PARTITION EXTENDS TO DECK AND IS 1-HOUR RATED
- NEW INTERIOR PARTITION:  
1/2" GYPSUM BOARD, SPACED 24" O.C. TO UNDERSIDE OF ACOUSTICAL CEILING. 5/8" GYPSUM BOARD, TAPED AND SANDED BOTH SIDES.

VERIFY APPROPRIATE FIRE RATING OF ALL DEMISING WALLS ARE 1-HOUR RATED ASSEMBLY.

VERIFY APPROPRIATE FIRE RATED DOORS AND GLAZING AT ALL DEMISING WALLS.

USE WATER RESISTANT GYPSUM BOARD FOR ALL WALLS AND CHASES CONTAINING PLUMBING.

- LONGEST DIAGONAL: (ACTUAL 126'-3")
- EXIT DISTANCE APART: (ACTUAL 111'-2")
- COMMON PATH OF TRAVEL: (ACTUAL 45'-11")

**CODE REVIEW NOTES - SUITE #11543**

- A. TENANT AREA CALCULATION FIRST FLOOR 5,331 USF
- B. BUILDING CODE REQUIREMENTS APPLICABLE BUILDING CODES
  - 2018 INTERNATIONAL BUILDING CODE (IBC) (WITH STATE AMENDMENTS/ MINNESOTA RULES CHAPTER 1305)
  - 2018 INTERNATIONAL FIRE CODE (WITH STATE AMENDMENTS/ MINNESOTA RULES CHAPTER 7510)
  - 2018 INTERNATIONAL EXISTING BUILDING CODE (WITH STATE AMENDMENTS/ MINNESOTA RULES CHAPTER 1311)
  - 2018 INTERNATIONAL ENERGY CONSERVATION CODE - COMMERCIAL (WITH STATE AMENDMENTS/ CHAPTERS 1322 AND 1323)
  - 2018 INTERNATIONAL MECHANICAL & FUEL GAS CODE
  - 2018 UNIFORM PLUMBING CODE (WITH STATE AMENDMENTS/ MINNESOTA RULES CHAPTER 4714)
  - 2020 NATIONAL ELECTRICAL CODE
  - 2020 MINNESOTA BUILDING CODE
  - 2020 MINNESOTA FIRE CODE
  - 2020 MINNESOTA CONSERVATION CODE FOR EXISTING BUILDINGS (MINNESOTA RULES CHAPTER 1311)
  - 2020 MINNESOTA ENERGY CODE (MINNESOTA RULES CHAPTERS 1322 AND 1323)
  - 2020 MINNESOTA ACCESSIBILITY CODE (CHAPTER 1341 - AMENDS 2018 INTERNATIONAL BUILDING CODE, CHAPTER 11 AND IS BASED UPON ICC/ANSI A117.1 2009)
  - 2020 MINNESOTA MECHANICAL & FUEL GAS CODE (MINNESOTA RULES CHAPTER 1346 FROM 2018 INTERNATIONAL MECHANICAL CODE)
  - 2020 MINNESOTA PLUMBING CODE (MINNESOTA RULES CHAPTER 4714)
  - 2019 MINNESOTA HIGH PRESSURE PIPING CODE
- C. OCCUPANCY CLASSIFICATION WORSHIP FACILITY (WITH CHILD CARE/ RELIGIOUS STUDIES ACCESSORY); GROUP A-3
- D. CONSTRUCTION TYPE IIB
- E. BUILDING INFORMATION
  - A. SPRINKLERED/ WITH FIRE MONITORING SYSTEM
  - B. 1 STORIES
  - C. 1 HOUR RATED DEMISING WALLS AT EDUCATION OCCUPANCY (PER IBC 506.1.BLDG. A DOES NOT NEED AREA SEP. WALLS FOR OCCUPANCIES B, F, AND S.)
- F. OCCUPANT LOAD: 281 OCCUPANTS OCCUPANCY ASSEMBLY WITHIN MUSALLAH - 989 SF / 5 = 198 OCCUPANTS  
OCCUPANCY FOR CHILD CARE/ RELIGIOUS STUDIES (ACCESSORY TO WORSHIP) - 2,843 SF / 35 = 83 OCCUPANTS
- G. EXIT ARRANGEMENT
  - A. TWO EXITS REQUIRED, DISTANCE NOT LESS THAN ONE-THIRD OF LONGEST DIAGONAL DISTANCE OF AREA SERVED
  - B. MAXIMUM TRAVEL DISTANCE (IBC TABLE 1006.2.1); COMMON PATH OF TRAVEL SHALL NOT EXCEED 75 FEET
  - C. EXIT ACCESS TRAVEL DISTANCE (IBC TABLE 1017.2); 250 FEET MAX.
- H. EXIT HARDWARE
  - A. SELF CLOSING LATCHING HARDWARE
  - B. DOORS SWING IN DIRECTION OF EXIT TRAVEL
  - C. PANIC HARDWARE ON EXIT DOORS
- I. FIRE RESISTIVE REQUIREMENTS
  - A. PARTITIONS - NO REQUIREMENTS
  - B. DEMISING PARTITIONS - 1 HOUR
- J. PLUMBING FIXTURE REQUIREMENTS
  - A. 281 OCCUPANTS/2 = 141 MEN / 140 WOMEN (1 PER 150 MEN)/ (1/75 WOMEN)/ (SINK: 1 PER 200)
  - B. REQUIRED/ PROVIDED (MEN): 1 FIXTURES, 1 LAV
  - C. REQUIRED/ PROVIDED (WOMEN): 2 FIXTURES, 1 LAV
  - D. REQUIRED/ PROVIDED: 1 MOP SINK, 2 DRINKING FOUNTAINS



PROJECT NAME  
EPIC  
(EDEN PRAIRIE ISLAMIC CENTER)

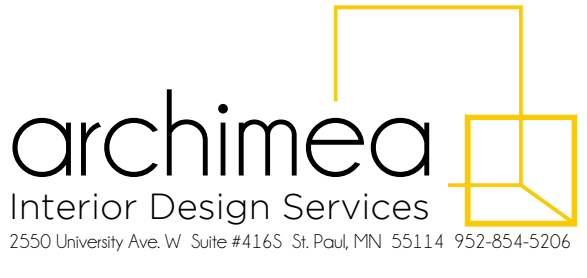
ENCORE PARK - BUILDING A  
11503 - 11555 K-TEL DRIVE  
FIRST FLOOR, SUITES #11503 AND #11543  
MINNETONKA, MN 55343

**PRELIMINARY**

DRAWING TITLE  
CODE REVIEW NOTES - SUITE #11543  
CODE REVIEW PLAN - SUITE #11543  
DEMOLITION PLAN - SUITE #11543

DATE 06/10/22  
DRAWN BY VJK  
APPROVED BY VJK  
SCALE 1/8" = 1'-0"

SHEET A1  
OF 3 SHEETS(S)



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY CERTIFIED INTERIOR DESIGNER UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Vicki J. Kotsch*  
VICKI KOTSCHAS  
DATE: 06/10/22 REG. NO.: C00735

# Parking Calculations

Building	Suite	Business	Use	Square feet	Ordinance Requirement		Institute of Transportation Engineers (ITE)	
					Weekdays	Weekends	Weekdays	Weekends
A	11503	EPIC - 7 days a week	Mosque - Musallah	392	15 stalls	15 stalls	8 stalls	8 stalls
			Religious Studies (26 students and 3 instructors)	732	12 stalls	12 stalls	2 stalls	2 stalls
			<b>Total</b>		<b>27 stalls</b>	<b>27 stalls</b>	<b>10 stalls</b>	<b>10 stalls</b>
11505	Xcel NDT LLC* - Monday - Friday	Office	688	4 stalls	NA	2 stalls	NA	
		Warehouse	2,609	3 stalls	NA	3 stalls	NA	
		<b>Total</b>		<b>7 stalls</b>	<b>0 stalls</b>	<b>5 stalls</b>	<b>0 stalls</b>	
11510	College H.U.N.K.S. - Everyday	Office (service)	627	4 stalls	4 stalls	2 stalls	2 stalls	
		Warehouse	2,567	3 stalls	3 stalls	3 stalls	3 stalls	
		<b>Total</b>		<b>7 stalls</b>	<b>7 stalls</b>	<b>5 stalls</b>	<b>5 stalls</b>	
11515	Vacant (formerly medical device manufacturing)	Office	2725	11 stalls	NA	7 stalls	NA	
		Manufacturing	5,417	15 stalls	NA	5 stalls	NA	
		<b>Total</b>		<b>26 stalls</b>	<b>0 stalls</b>	<b>12 stalls</b>	<b>0 stalls</b>	
11521	W&S Painting* - Monday - Friday	Office	921	4 stalls	NA	2 stalls	NA	
		Warehouse	3,993	4 stalls	NA	5 stalls	NA	
		<b>Total</b>		<b>8 stalls</b>	<b>0 stalls</b>	<b>7 stalls</b>	<b>0 stalls</b>	
11525	Ron-Mar Foods* - Monday - Friday	Office	840	4 stalls	NA	2 stalls	NA	
		Warehouse	3,645	4 stalls	NA	4 stalls	NA	
		<b>Total</b>		<b>8 stalls</b>	<b>0 stalls</b>	<b>6 stalls</b>	<b>0 stalls</b>	
11527	Sicora DBA Rift Saw Cabinets* - Monday - Friday	Office	2717	11 stalls	NA	7 stalls	NA	
		Manufacturing	7,205	7 stalls	NA	7 stalls	NA	
		<b>Total</b>		<b>18 stalls</b>	<b>0 stalls</b>	<b>14 stalls</b>	<b>0 stalls</b>	
11535	Vyking Ship - Monday - Friday	Office	1323	5 stalls	NA	3 stalls	NA	
		Warehouse	8,676	9 stalls	NA	10 stalls	NA	
		<b>Total</b>		<b>14 stalls</b>	<b>0 stalls</b>	<b>13 stalls</b>	<b>0 stalls</b>	
11543	EPIC - 7 days a week	Mosque - Musallah	989	39 stalls	39 stalls	19 stalls	19 stalls	
		Child care (65 children)	1,799	11 stalls	NA	4 stalls	NA	
		Religious Studies (65 students, 5 instructors)	1,799	NA	27 stalls	NA	4 stalls	
		<b>Total</b>		<b>50 stalls</b>	<b>66 stalls</b>	<b>23 stalls</b>	<b>23 stalls</b>	
11545	Defiant Fitness - Monday - Saturday	Office	950	4 stalls	4 stalls	2 stalls	2 stalls	
		Fitness	3849	17 stalls	17 stalls	18 stalls	13 stalls	
		<b>Total</b>		<b>21 stalls</b>	<b>21 stalls</b>	<b>20 stalls</b>	<b>15 stalls</b>	
11547	Inspire Dance Studio - Monday-Thursday, Saturday	Office	988	4 stalls	4 stalls	2 stalls	2 stalls	
		Fitness	3840	17 stalls	17 stalls	18 stalls	13 stalls	
		<b>Total</b>		<b>21 stalls</b>	<b>21 stalls</b>	<b>20 stalls</b>	<b>15 stalls</b>	
11555	Wurk LLC - 7 days a week	Office	758	4 stalls	4 stalls	2 stalls	2 stalls	
		Fitness	4,524	20 stalls	20 stalls	21 stalls	15 stalls	
		<b>Total</b>		<b>24 stalls</b>	<b>24 stalls</b>	<b>23 stalls</b>	<b>17 stalls</b>	
<b>CUMULATIVE TOTAL</b>					<b>231 stalls</b>	<b>166 stalls</b>	<b>158 stalls</b>	<b>85 stalls</b>
B	11581	Egan Company - Monday - Friday	Office	2113	9 stalls	NA	5 stalls	NA
			Warehouse	2916	3 stalls	NA	4 stalls	NA
			Estimated work vehicles	3	3 stalls	3 stalls	3 stalls	3 stalls
			<b>Total</b>		<b>15 stalls</b>	<b>3 stalls</b>	<b>12 stalls</b>	<b>3 stalls</b>
11585-11595	Merieux NutriSciences - 7 days a week	Office	2,130	9 stalls	9 stalls	5 stalls	5 stalls	
		Manufacturing (research and development center)	6,400	18 stalls	18 stalls	17 stalls	17 stalls	
		Warehouse	12,254	13 stalls	13 stalls	15 stalls	15 stalls	
		<b>Total</b>		<b>40 stalls</b>	<b>40 stalls</b>	<b>37 stalls</b>	<b>37 stalls</b>	
<b>CUMULATIVE TOTAL</b>					<b>286 stalls</b>	<b>209 stalls</b>	<b>207 stalls</b>	<b>125 stalls</b>
C	11571	Rainbow Tree Care - Monday - Friday	Office	30,444	97 stalls	0 stalls	59 stalls	0 stalls
			Warehouse	24355 (80%)	7 stalls	0 stalls	7 stalls	0 stalls
			Warehouse	6,089 (20%)	7 stalls	0 stalls	7 stalls	0 stalls
<b>CUMULATIVE TOTAL</b>					<b>390 stalls</b>	<b>209 stalls</b>	<b>214 stalls</b>	<b>125 stalls</b>

City ordinance	
<b>Religious</b>	One stall per 2.5 seats (one seat is square footage of one prayer rug - approximately 10 square feet or 2.5 by 4 feet)
<b>Educational (CUP permitted)</b>	1 stall per 3 students and 1 stall per instructor
<b>Child care</b>	1 stall per 6 children
<b>Retail or service*</b>	1 stall per 250 square feet of gross floor area within the building with a minimum of five parking spaces
<b>Office</b>	1 stall per 250 square feet with a minimum of 10 parking spaces
<b>Fitness</b>	1 stall per 225 square feet of floor area
<b>Manufacturing/processing</b>	1 stall per 350 square feet of gross floor area devoted to manufacturing plus one space per 250 square feet of gross floor area devoted to office use, whichever is greater, plus one space for each motor vehicle customarily kept on the premises;
<b>Warehouse</b>	1 stall per 1,000 square feet

ITE	
<b>Light industrial park (warehouse)</b>	Average rate 1.20
<b>Office Park (Office)</b>	Average rate 2.43

For tenants with multiple uses, the highest parking required uses, at any one time, will be calculated

## Original narrative - May 18, 2022

### EDEN PRAIRIE ISLAMIC CENTER

#### Intended Use

We intend to conduct weekend religious studies on Saturdays and Sundays. We intend to conduct tutoring and homework help on weekdays. We intend to use our activities at 11503 K-Tel Drive, Minnetonka, MN 55343 for Eden Prairie Islamic Center.

**Eden Prairie Islamic Center** weekend religious studies intended hours of operation: Saturdays and Sundays 9am-3:30pm. **AGES** 3-17 year old. **Number of Children** 20.

Weekday Tutoring and Homework Help intended hours of operation: Monday-Thursday 4pm-6pm. **Ages** 5-17 year old. **Number of Children** 15.

### EDEN PRAIRIE ISLAMIC CENTER & EPIC Care

#### Intended Use

We intend to conduct weekend religious studies on Saturdays and Sundays. We also intend to provide Child Care Services. We intend to use our activities at 11543 K-Tel Drive, Minnetonka, MN 55343 for Eden Prairie Islamic Center and EPIC Care.

**Eden Prairie Islamic Center** weekend religious studies intended hours of operation: Saturdays and Sundays 9am-3:30pm. **AGES** 3-17 year old. **Number of Children** 50.

**EPIC Care** intended hours of operation: Weekdays Monday-Friday 7am-7pm. **AGES** 3-12 year old. **Number of Children** 50.

For **EPIC Care** we have applied for the DHS license and waiting for a licensor to get in contact with us.

## Narrative Proposal (version #2) - provided June 1, 2022

### EDEN PRAIRIE ISLAMIC CENTER #11503

#### Intended Use

We intend to conduct weekend religious studies on Saturdays and Sundays. We intend to conduct tutoring and homework help on weekdays. We intend to use our activities at 11503 K-Tel Drive, Minnetonka, MN 55343 for Eden Prairie Islamic Center.

**Eden Prairie Islamic Center** weekend religious studies intended hours of operation: Saturdays and Sundays 9am-12:00pm & 12:30pm-3:30pm. **AGES** 3-17 year old. **Number of Children** 20 each session.

Weekday Tutoring and Homework Help intended hours of operation: Monday-Thursday 4pm-6pm. **Ages** 5-17 year old. **Number of Children** 15.

### EDEN PRAIRIE ISLAMIC CENTER & EPIC Care #11543

#### Intended Use

We intend to conduct weekend religious studies on Saturdays and Sundays. We also intend to provide Child Care Services. We also intend to use Adult classes during weekdays and weekends. We intend to use our activities at 11543 K-Tel Drive, Minnetonka, MN 55343 for Eden Prairie Islamic Center and EPIC Care.

**Eden Prairie Islamic Center** weekend religious studies intended hours of operation: Saturdays and Sundays 9am-12:00pm & 12:30pm-3:30pm **AGES** 3-17 year old. **Number of Children** 50 each session.

**Eden Prairie Islamic Center** Adult class Wednesdays 4pm-6pm. **AGES** 18+. Maximum 8 adults. Weekends 4pm-6pm. Maximum 8 adults.

**EPIC Care** intended hours of operation: Weekdays Monday-Friday 7am-7pm. **AGES** 3-12 year old. **Number of Children** 50.

For **EPIC Care** we have applied for the DHS license and working with a licensor.

## Current narrative proposal (version 3) - received June 13, 2022

### Suite #11503 K-Tel Drive

### EDEN PRAIRIE ISLAMIC CENTER & EPIC Care

#### Background:

- Suite was leased in March of 2020
- Original intent was to provide a place of worship and religious studies to the Islamic community. (currently only conducting classes and tutoring online for adults and children ages 3 to 17. Goal is to meet in person). This is an accessory to the Mosque function (currently only conducting worship and religious studies online. Goal is to meet in person) – current online membership is (split 70 morning session and 90 afternoon session). After the CUP is approved, the 160 member congregation will be divided between both suites when worship is allowed to be in person.(Suite #11503: Women and children).
- Currently have no students for homework help and tutoring
  
- **Weekend** (in person worship/ religious studies) **Maximum occupants on site at one time is (101)**
  - *9am to 12pm class: Worship and Religious studies for children ages 3 to 17 years of age and adults (max 40 occ.)*
    - Adult congregation: Mosque (Prayer and religious studies including reading and reciting in the Masullah) (10 adult women plus Imam/ Leader)
    - Pre-school (ages 3 to 4): 1 class with (6) students plus (1) teacher (7 occupants)
    - School age (ages 5 to 17): 2 class with (10) students plus (1) teacher each class ( 22 occupants)
  - *12:30pm to 3:30pm class: Worship and Religious studies for children ages 3 to 17 years of age and adults (max 40 occ.)*
    - Adult congregation: Mosque (Prayer and religious studies including reading and reciting in the Masullah) (10 adult women plus Imam/ Leaders)
    - Pre-school (ages 3 to 4): 1 class with (6) students plus (1) teacher (7 occupants)
    - School age (ages 5 to 17): 2 class with (10) students plus (1) teacher each class ( 22 occupants)
  
- **Weekday** (Homework Tutoring) **Maximum occupants on site at one time is (101)**
  - (M – F) 4m to 6pm (*max 40 occ.*)
    - Adult congregation: Mosque (Prayer and religious studies including reading and reciting in the Masullah) (10 adult women plus Imam/ Leaders)
    - School age (5 to 14 years of age): 3 class with (6) students plus (1) teacher each class ( 21 occupants)
    - Homework help and tutoring will occur during the school year and in the summer.

## Current narrative proposal (version 3) - continued

### Suite #11543 K-Tel Drive

### EDEN PRAIRIE ISLAMIC CENTER & EPIC Care

#### Background:

- Suite was leased in January of 2022

EPIC is a Mosque with (5) five daily prayers that start about an hour before sunrise and end with the final night prayer. All these prayers are done in congregation in the Musallah. Please see the website for the daily prayer schedule, <https://www.epislamiccenter.com/services-3> The prayers are spread throughout the day. In between the prayers the congregation participates in religious studies lead by the Imam and other appointed leaders. Individual members of the congregation do not stay at the facility for all of the prayer times.

Original intent was to provide religious studies as part of the worship service for adults and children ages 3 to 17 This is an accessory to the Mosque function (currently only conducting worship and religious studies online. Goal is to meet in person) – current online membership is (split 70 morning session and 90 afternoon session). After the CUP is approved, the 160 member congregation will be divided between both suites when worship is allowed to be in person.(Men, Women and children). Addition of suite #11543 was in response to growing membership and to allow women who preferred to pray only among sisters to do so in the smaller suite #11503.

The Islamic membership requested child care services for ages 3 to 12 as an accessory during weekday worship times in the Mosque (no daycare occurring on site at this time. EPIC is communicating with DHS to determine if license for EPIC Care is required). Only member children will participate in the child care facility and children will only be present when family is on site worshipping. Child care will consist of prayer and religious studies. Children will be onsite 1 to 2 hours during the same time family / parents are worshipping. Worship mostly occurs on weekends, but also during the week.

#### Future Intended Use for suite #11543:

- **Weekend** (in person worship/ religious studies) **Maximum occupants on site at one time is (289)**
  - *9am to 12pm class: Worship and Religious studies for children ages 3 to 17 years of age and adults (projected max 120 occ.)*
    - Adult congregation: Mosque (Prayer and religious studies including reading and reciting) (10 adult plus Imam/ Leaders)
    - Pre-school (ages 3 to 4): 1 worship/ religious study group with (10) children plus (1) adult leader (11 occupants)
    - School age (ages 5 to 17): 5 worship/ religious study groups with (15) children plus (1) adult leader each class ( 80 occupants)
  - *12:30pm to 3:30pm class: Worship and Religious studies for children ages 3 to 17 years of age and adults (projected max 120 occ.)*



- Adult congregation: Mosque (Prayer and religious studies including reading and reciting) (10 adult plus Imam/ Leaders)
    - Pre-school (ages 3 to 4): 1 worship/ religious study group with (10) children plus (1) adult leader (11 occupants)
    - School age (ages 5 to 17): 5 worship/ religious study groups with (15) children plus (1) adult leader each class ( 80 occupants)
  - *4pm to 6pm class: Adult congregation: Mosque (Prayer and religious studies including reading and reciting) (projected max 120 occ.)*
- **Weekday (Childcare/ Worship) Maximum occupants on site at one time is (289)**
  - (M – F) 7am to 7pm (projected 6 adult leaders max.) – 120 max
    - Only congregation member children will participate in the child care service and children will only be present when family is on site worshipping. Child care will consist of prayer and religious studies. Children will be onsite 1 to 2 hours during the same time family / parents are worshipping/ studying in the Musallah.
    - Pre-school classrooms (ages 3 to 4): 2 classes with (10) students plus (1) teacher each room (22 occupants)
    - School age classrooms (ages 5 to 12): 3 classes with (15) students plus (1) teacher each class ( 48 occupants)

**Resolution No. 2022-**

**Resolution approving a conditional use permit, with parking ordinance variance, for a religious institution with child care services and religious studies at 11503 and 11543 K-Tel Drive**

---

Be it resolved by the City Council of the City of Minnetonka, Minnesota, as follows:

Section 1. Background.

1.01 The subject property is located at 11503 and 11543 K-Tel Drive.

1.02 The property is legally described as:

That part of Outlet B, Napco Industrial Park (Official Plat 5939 filed in Book 2002 beginning at Page 26, R.D. Doc. No. 4098357, R.T. Doc. No. 1116204) except the most Northwesterly 61 .16 feet of said Outlet B lying Easterly of the following described line and its Northerly extension, said line is described as follows: Beginning at the most Easterly corner of Outlet C in said plat; thence on an assumed bearing of North 28 degrees, 31 minutes, 32 seconds West along the Northeasterly line of said Outlet C, a distance of 127.56 feet to the angle point in said Northeasterly line; thence North 1 degree, 49 minutes, 25 seconds West, a distance of 586.10 feet to the Northerly line of said Outlet B and said line there terminating.

And

The Southeasterly 46.16 feet of the most Northwesterly 61 .16 feet of Outlet B, Napco Industrial Park, Hennepin County, Minnesota.

Torrens Certificate No. 1380192

1.03 Eden Prairie Islamic Center (EPIC) is proposing to operate a mosque with child care services and religious studies in suites 11503 and 11543 within the existing office building on the site. This proposal requires a variance to the parking ordinance.

1.04 By City Code §§300.22 Subd.3, all uses allowed by conditional use permit within any other district are allowed by conditional use permit within the PUD zoning district. Religious and educational institutions require a conditional use permit in other zoning districts.

1.05 On July 7, 2022, the planning commission held a hearing on the request. The applicant was provided the opportunity to present information to the commission. The commission considered all of the comments and the staff report, which are incorporated by reference into this resolution. The commission recommended the city council approve the conditional use permit.

Section 2. Standards.

2.01 City Code §300.16 Subd.2 lists the following general conditional use permit standards:

No conditional use permit shall be granted unless the city council determines that all of the following standards will be met:

1. The use is consistent with the intent of this ordinance;
2. The use is consistent with the goals, policies, and objectives of the comprehensive plan;
3. The use does not have an undue adverse impact on governmental facilities, utilities, services, or existing or proposed improvements; and
4. The use does not have an undue adverse impact on public health, safety, or welfare.

2.02 City Code §300.16 Subd.3(b) lists the following specific conditional use permit standards for religious institutions:

1. Direct access is limited to a collector or arterial roadway as identified in the comprehensive plan or otherwise located so that access can be provided without conducting significant traffic on local residential streets;
2. Buildings set back 50 feet from all property lines;
3. Parking spaces and parking setbacks are subject to section 300.28 of this ordinance;
4. No more than 70 percent of the site to be covered with impervious surface and the remainder to be suitably landscaped; and
5. Site and building plan subject to review pursuant to section 300.27 of this ordinance.

2.03 City Code §300.16 Subd.3(a) lists the following specific conditional use permit standards for educational institutions:

1. Direct access is limited to a collector or arterial roadway as identified in the comprehensive plan or otherwise located so that access can be provided without conducting significant traffic on local residential streets; the use is not permitted on property that has access only by way of a private road or driveway that is used by more than one lot;
2. Buildings set back 50 feet from all property lines and parking setbacks subject to section 300.28 of this ordinance;
3. School bus pickup and drop-off areas located outside of the public right-of-way and designed to enhance vehicular and pedestrian safety;
4. Recreational areas designed for outdoor group activities set back 25 feet from residential property, suitable buffering provided to protect neighboring properties from noise and adverse visual impacts, and lighted playing fields permitted only upon demonstration that off-site impacts can be mitigated substantially;
5. No more than 60 percent of the site to be covered with impervious surface and the remainder to be suitably landscaped;
6. Site and building plan subject to review pursuant to section 300.27 of this ordinance; and
7. Not connected to, or part of, any residential dwelling.

2.04 By City Code §300.07, Subd. 1, a variance may be granted from the requirements of the zoning ordinance when: (1) the variance is in harmony with the general purposes and intent of this ordinance; (2) when the variance is consistent with the comprehensive plan; and (3) when the applicant establishes that there are practical difficulties in complying with the ordinance. Practical difficulties mean: (1) the proposed use is reasonable; (2) the need for a variance is caused by circumstances unique to the property, not created by the property owner, and not solely based on economic considerations; and (3) the proposed use would not alter the essential character of the surrounding area.

2.05 By City Code §300.27, Subd. 5, the city will consider compliance with a variety of general standards when evaluating the site and building plans. Those standards are incorporated by reference into this resolution.

### Section 3. FINDINGS.

3.01 Except for the previously outlined parking variance, the proposed uses would meet the conditional use permit standards as outlined in City Code §300.16 Subd.2.

3.02 The proposed religious institution would meet all conditional use permit standards as outlined in City Code §300.16 Subd.3(b):

1. This site is accessible without conducting any traffic on local residential streets;
2. The existing building meets setback requirements;
3. The site would not meet the parking ordinance. However, the associated variance application would address this item;
4. The site is approximately 60% covered with impervious surfacing; and
5. Site and building plan reviews are met by this proposal.

3.03 The proposed educational institution would meet all conditional use permit standards as outlined in City Code §300.16 Subd.3(b):

1. This site is accessible without conducting any traffic on local residential streets;
2. Apart from the parking variance, the site would meet the building setback;
3. School bus pickups are not proposed for this site, and parents would be required to pick up and drop off their children inside the building;
4. No recreational space has been proposed, and if the nearby green space is to be used for recreation in the future, a fence would be required;
5. The site is approximately 60% covered with impervious surfacing;
6. Site and building plan review are met by this proposal; and
7. The use and property are not zoned or permitted for residential use.

3.04 The proposed restaurant would meet the variance standard as outlined in City Code §300.07, Subd. 1.

1. Intent of the Ordinance.

The intent of the ordinance as it relates to parking requirements is to ensure adequate parking is provided to meet anticipated parking demands. The proposed parking would not meet city code requirements. However, the site would meet the parking demands of the ITE (Institute of Transportation Engineers) standards.

2. Consistent with the Comprehensive Plan.

The subject property is an existing industrial park with three buildings sharing a parking lot. This site is designated for industrial land use. While religious and educational institutions are not specified as permitted uses

by right in the industrial zoning district, these uses are allowed with a conditional use permit.

3. Practical Difficulties. There are practical difficulties in meeting the standards of the ordinance.

a) Reasonableness.

The request for a parking variance is reasonable. The proposed uses have been operating, unpermitted in one of the tenant spaces for two years, and did not have any parking issues. This proposal does not meet the city ordinance, but the ITE standards are met.

Staff is in the midst of researching and preparing a draft parking ordinance amendment, which would allow projects to meet the city ordinance, and ITE standards or provide a traffic study supporting the amount of parking. The intent would be that future projects could meet the parking stall requirement by means other than only meeting the city ordinance determined parking ratios.

b) Unique Circumstance. The property has 15 total tenants utilizing the existing parking lot. The parking lot has 238 available parking stalls. The site has operated with unpermitted, religious uses and affirms that no more than ten parking stalls have been used by their one tenant space during the last two years.

c) Character of Locality. The proposed uses are not anticipated to negatively impact the existing businesses and uses at Encore Park.

3.05 The proposal would meet site and building plan standards outlined in the City Code §300.27, Subd.5.

1. The proposal has been reviewed by city planning, engineering, and natural resources staff and found to be generally consistent with the city's development guides, including the water resources management plan.
2. Apart from the variances, the proposal would comply with the standards of the CUP ordinance and the site and building plan review.
3. The proposal does not require site work or exterior changes to the site.
4. The proposed use would not alter the existing design of buildings and green open space.
5. The proposal is for internal use of the existing building, with no changes to the site. The proposed floor plan does allow order with the multiple uses in each tenant space.

6. The building is existing but will be required to meet building code and fire code standards.
7. The proposal is not anticipated to negatively impact adjacent or neighboring properties.

Section 4. City Council Action.

4.01 The above-described conditional use permit is approved. Approval is based on the findings outlined in the associated staff report and Section 3 of this resolution. Approval is subject to the following conditions:

1. Prior to the operation of uses at 11503 and 11543 K-Tel Drive:
  - a) City staff must receive an accurate SAC determination letter and, if necessary, a SAC deferral application provided to economic development staff.
  - b) All doors (front, back, etc.) that access the tenant space must be labeled with the address number.
  - c) Remove the door to the “kitchenette” area to create a second egress at suite 11503 as proposed. A second exit is required for an occupancy load of over 49 people. The second exit must meet State Building Code standards for an egress.
2. Prior to the issuance of a building permit:
  - a) Fire sprinkler coverage must be reviewed by a fire sprinkler contractor to ensure proper coverage despite the proposed wall removals.
3. The sites must be in compliance with city ordinance, state building code, state fire code, and any other applicable local and state code requirements. The building permit will not be issued until all requirements are met.
4. Any exterior signage will require a sign permit approved by the City of Minnetonka. Signage is a separate permit from building and conditional use permits.
5. In conjunction with the proposed conditional uses only, a fence and possibly other safety measures are required for the use of the on-site green space. The city must be notified of the proposal prior to fruition.
6. It is the responsibility of the applicant to secure all applicable state, county, and city licenses prior to operation.
7. An increase in capacity or use may require an amended conditional use

permit and applicable state and county licenses.

8. The city council may reasonably add or revise conditions to address any future unforeseen problems.
  - b) Any change to the approved use that results in a significant increase in traffic or a significant change in character would require a revised conditional use permit.

Adopted by the City Council of the City of Minnetonka, Minnesota, on July 18, 2022.

---

Brad Wiersum, Mayor

Attest:

---

Becky Koosman, City Clerk

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 Minnetonka, Minnesota, at a duly authorized meeting held on July 18, 2022.

---

Becky Koosman, City Clerk

SEAL



**MINNETONKA PLANNING COMMISSION**  
**July 7, 2022**

<b>Brief Description</b>	Amendment to the Bonaventure Shopping Center Sign Plan for Top 10 Liquors at 1641 Plymouth Road
<b>Recommendation</b>	Adopt the resolution approving the request.

---

**Proposed**

Bonaventure shopping center was originally approved and constructed in 1978 as an enclosed shopping center with internal access to the tenant spaces. In September 1991, the city council approved a master development plan to allow the multi-tenant center to have external access to each space. A sign plan was subsequently approved. The current sign plan allows:

- **Tenants over 15,000 square feet in size:** Two signs, one mounted above the entrance to the tenant space and one on the east elevation. Each sign can be up to four feet in height and up to 150 square feet in size.
- **Tenants less than 15,000 square feet in size:** One sign mounted above the entrance to the tenant space.

In 2021/2022, the city reviewed and approved the conversion of the former Champps restaurant space into an off-sale liquor store, grocery store, restaurant/deli, and wine bar:

- Nov. 8, 2021: Conditional use permit for a restaurant with an outdoor patio.
- June 6, 2022: Building permit for interior remodel.
- June 16, 2022: Sign permit for southern elevation (approved but not yet issued).

Top 10 Liquors has recently submitted a request for a sign on the eastern elevation. This requires an amendment to allow a sign on the eastern elevation for a tenant less than 15,000 square feet.

**Staff Analysis**

Staff finds that the applicant's proposal meets the variance standard outlined in the city code:

- A sign plan establishes the sign requirements for a specific development based on its unique characteristics and visibility needs. The sign plan called out the Champps tenant location and allowed the tenant nine-foot signs on the south and east elevation, totaling 324 square feet. The Champs signs were removed upon the closure of the restaurant. The sign permit recently approved for Top 10 Liquors – on the south façade –has a vertical dimension of three feet. The vertical dimension of the proposed eastern sign is 2.6 feet. Cumulatively, the signs would be 180 square feet and would result in a significant reduction of overall signage for the tenant space. This would be more consistent with the sizes outlined in the sign plan for similarly sized tenants.

- The signs would be cohesive and appropriately scaled with the building and existing wall signs.
- Signage on the east elevation allows for visibility from Ridgedale and would allow for improved wayfinding.

**Staff Recommendation**

Adopt the attached resolution approving an amendment to the Bonaventure sign plan for Top Ten Liquors at 1641 Plymouth Road

Originator: Ashley Cauley, Senior Planner  
Through: Loren Gordon, AICP, City Planner

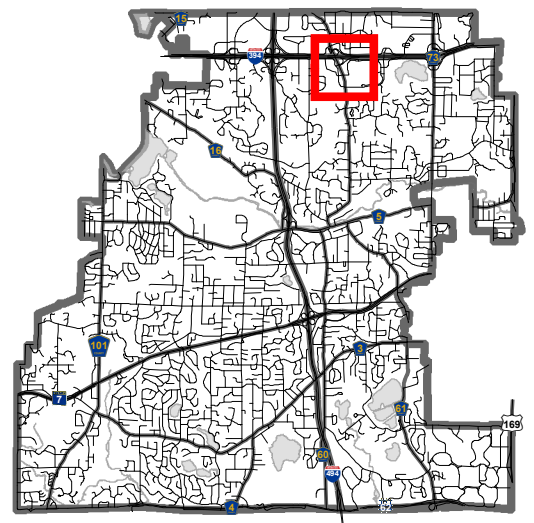
### Supporting Information

<b>Surrounding Land Uses</b>	Northerly: I-394 Easterly: Ridgedale Center, zoned PID and guided mixed-use Southerly: TCF building, zoned PID, and guided for mixed-use Westerly: Verizon, zoned PID, and guided for mixed-use
<b>Planning</b>	Guide Plan designation: Mixed-use Zoning: PID, planned I-394 district
<b>Sign Plan Review Standards</b>	<p>Within the P.U.D./P.I.D zoning districts, a sign plan with differing requirements may be approved by the city. Factors that will be used in determining if an individual P.U.D/P.I.D sign play will be considered include the following:</p> <ol style="list-style-type: none"><li>1) The development includes a high rise (greater than a three-story) structure;</li><li>2) The development includes multiple structures and/or substantial site area;</li><li>3) The development includes mixed uses;</li><li>4) A sign plan is uniquely adapted to address the visibility needs of a development while remaining consistent with the intent of this section to direct high-quality signage; and</li><li>5) The sign plan includes permanent sign covenants which can be enforced by the city.</li></ol>
<b>Natural Resources</b>	Best management practices must be followed during the course of site preparation and construction activities. This would include the installation and maintenance of erosion control fencing.
<b>Appeals</b>	Any person aggrieved by the planning commission's decision about the requested variances may appeal such a decision to the city council. A written appeal must be submitted to the planning staff within ten days of the date of the decision.
<b>Neighborhood Comments</b>	The city sent notices to 169 area property owners and received no comments.
<b>Deadline for Decision</b>	Sept. 24, 2022



### Location Map

Project: Top Ten Liquors & Wine Side  
Address: 1641 Plymouth Road





June 28, 2022

City of Minnetonka

Sign plan Review Application

Written Statement for Staff Reconsideration

The applicant, Yayin Gadol (DBA as Top Ten Liquors – Off Premise and Wineside – On Premise), proposes to install a sign on the Eastern elevation of the property located at 1641 Plymouth Road, Minnetonka in addition to our sign facing south (above our entrance).

Our concept will be housed within 12,285 s.f. at Bonaventure Mall. Once finished, the concept will host approximately 1,400sf dedicated to groceries, 2,250sf on-sale wine bar experience and 7,500sf wine and spirits store, to be accessed through a separate entrance off a vestibule. This is a new and unique concept in the State of Minnesota.

Our concept is strategically located in the corner of the Bonaventure Mall, which allows for visibility from Plymouth Road and Highway 394, west bound. Currently the Bonaventure Sign Criteria covenant that applies to our space allows only for the installation of a 3' by 90 sf sign, next to our entrance (South Elevation).

Prior to Top Ten Liquors taking over the space, Champps was allowed to have signs on the Southern facing and Eastern facing parts of the building. Each other tenant is also allowed to have signage above their location and on the Eastern facing part of the building. The criteria changes and when Champps signs were taken down, the right to have two signs disappeared without your support.

Top Ten Liquors/Wineside has taken over the Champps premises and per the existing sign criteria Champps is allowed two (2) building mounted signs on the east and south walls. It is our position that Champps was an existing tenant when this Sign Criteria was agreed upon; please refer to Section A, under Number, Color and Vertical Size of Signs on the Bonaventure Shopping Center Sign Criteria, which identifies our area as an existing Tenant. As a result, the occupant of the space should be able to maintain the same sign space on two sides of the building.

There's a precedent that we believe is important to mention for this request. The Tenant Bacio, who occupies the suite where LeeAnn Chin was previously established, has signage on both the north and east sides of the building. Currently Bacio occupies 11,772sf in the property with signage on the North elevation of 55sf, and signage on the East elevation of 63sf for a total of 118sf of signage. LeeAnn Chin is the named existing tenant on the attached sign criteria, not Bacio. Therefore, we respectfully ask that the City treats Top Ten Liquors/Wine Side similarly to Bacio in the interpretation and reading of the sign criteria.

We are requesting a reconsideration from Staff. Making a comparison between leasable square footage vs signage square footage for proposed signage as follows:

- East elevation = 90 sq ft
- South Elevation = 60 sq ft
- Total signage allowance = 150sf
- Supporting documents can be attached to this request
  - JUN28-32IN
  - 60 sq ft 30
  - Bonaventure sign criteria



Top Ten Liquors and Wineside are two new concepts in the Minnetonka market, we want to be successful in the shopping center & within the community and providing sizable signage within reason is imperative to our success, specifically in this instance with the east façade facing the retail traffic at Ridgedale Center and the exposure it has to I-394. Signage color shall be white and will comply with production and installation specifications from Bonaventure sign criteria. Signage on the Eastern elevation will be consistent to other retailers in the building.

Top Ten Liquors/Wine Side has CSM full support and approval for signage on both facades as Champps had for several decades. They don't find the signage that Top Ten/Wineside is proposing to be out of the ordinary or obnoxious from an aesthetics standpoint. The height and size of the eastern wall is a unique feature the property since it was repositioned from an interior/inward facing mall to an exterior/outward facing mall. Allowing the large wall to be used as a common sign opportunity is the most logical solution for breaking up the monolithic look to the current architecture.

Having a dedicated wine and spirits shop at a distinct section elevation of the building, will allow customers to find our space with ease from the highway 394/Plymouth Road area. Once customers reach the main entrance of the Bonaventure Mall, they will be greeted with our 2-concept signage on the South elevation, as per sign criteria allows.

Thanks for your consideration to this submission.

**Omar A. Torres**

VP Marketing Top Ten Liquors/Wineside

[otorres@toptenliquors.com](mailto:otorres@toptenliquors.com) | 612.803.8828



**CSM** 500 Washington Avenue South, Suite 3000  
Minneapolis, MN 55415

DEVELOPING REAL ESTATE FOR PEOPLE,  
BUSINESS & COMMUNITIES

June 28, 2022

Top Ten Liquors  
1641 Plymouth Road  
Minnetonka, MN 55343

To whom it concerns:

Top Ten/Wine Side has CSM's full support and approval for signage on the east and south facing facades at Bonaventure Shopping Center. This is the same area of signage, exposure and visibility that Champps benefitted from for several decades. We don't find the signage that Top Ten/Wine Side is proposing to be out of the ordinary or obtrusive from an aesthetics standpoint. The height and size of the eastern wall is a unique feature of the property. Allowing the large east exterior facade to be used as a common sign opportunity is the most logical solution for breaking up the monolithic look of the current architecture. Top Ten and CSM are asking for the City to provide Top Ten/Wine Side with the same amount of signage that Champps previously had in place.

It should be noted that Top Ten/Wine Side is taking over the Champps premises and per the existing sign criteria, (attached) Champps was allowed two (2) building mounted signs - one the east wall and one on the south wall. It should be recognized that precedent has been set by allowing all other tenants in the shopping center (except Pearle Vision) to have signage on both the north and east sides of the building. In conclusion CSM requests the city grant Top Ten/Wine Side the permission to have signage on the east and south elevations of the building.

We want our retail tenants to be successful in the shopping center & within the community. We believe providing them as much signage within reason is imperative to their success, specifically in this instance with the east façade facing the retail traffic at Ridgedale Center and exposure it has to I-394.

Respectfully,

Justin Wing,  
Vice President  
Commercial Leasing and Development



Scale 1/16" = 1'-0"

Channel LED letters & logo

89.25 sq.ft







Scale 1/16" = 1'-0"

2'-6" X 33'-9" = 89.775 SF

Channel LED letters & logo



Quality Sign Solutions

IDENTITY • INFORM • IMPACT

Sign area allowed 90 SQ FT

Scale 1/16" = 1'-0"

Revision 6.28.2022

Top Ten Liquors Minnetonka

Final Sign Plan  
Updated 7/7/92

SIGN CRITERIA

BONAVENTURE SHOPPING CENTER

Existing Tenants: (LeeAnn Chin and Champps)

Existing Tenants shall maintain existing signage as follows:

<u>Sign #</u>	<u>Tenant</u>	<u>Location</u>	<u>Sq. Ft.</u>	<u>Existing Sign Size</u>
1	Champps	south wall	10,149 *	9' x 18'
2	Champps	east wall	---	9' x 18'
3	LeeAnn Chin	east wall	6,159	7' x 27'
4	LeeAnn Chin	north wall	---	7' x 27'

\* Champps also has 1,996 square feet of office space.

New Anchor Tenants: (Tenants over 15,000 square feet)

New anchor Tenants shall be allowed two signs each as follows:

<u>Sign #</u>	<u>Tenant</u>	<u>Location</u>	<u>Approx. Sq. Ft.</u>	<u>Sign Size</u>	<u>Color</u>
5	Borders Books	south wall	17,000	4' x 38'	Tenant's choice
6	Borders Books	northwest wall	---	4' x 38'	Tenant's choice
7	Jo-Ann Fabrics	south wall	17,000	4' x 38'	Tenant's choice
8	Jo-Ann Fabrics	east wall	---	4' x 38'	Tenant's choice
9	Filene's Basement	northwest wall	26,000	4' x 38'	Tenant's choice
10	Filene's Basement	east wall	---	4' x 38'	Tenant's choice
			Maximum	150 sq. ft.	

Optional Spec Tenants:

In the event that the space identified for signs 9 and 10 is not leased to a single Tenant, it is probable that the space would be divided into three spaces of approximately 15,000 square feet, 6,000 square feet, and 5,000 square feet. In this case, the 15,000 square foot space shall be treated as an anchor tenant and utilize signs 9 and 10, and the two smaller spaces shall be allowed one sign each, to be located above their storefront entry door, as follows:

<u>Sign #</u>	<u>Tenant</u>	<u>Location</u>	<u>Sq. Ft.</u>	<u>Sign Size</u>	<u>Color</u>
11	Spec-Optional	northwest wall	5,000 approx.	3' x 30'	Tenant's choice
12	Spec-Optional	northwest wall	6,000 approx.	3' x 30'	Tenant's choice

Other:

All signs must be individually mounted and lit letters  
 Existing "Bonaventure" sign to be removed  
 No pylon signs present or future  
 Product advertising signage is not permitted. See II A7  
 City ordinance requires uniform color not to exceed two for each sign. See I B,C,D  
 Logos are allowed: Anchor Tenants - maximum 5' x 5' added to 150 sq. ft. maximum for sign.  
 Non-Anchors - maximum 4' x 4' added to 90 sq. ft. maximum for sign.  
 City ordinance sets standards for temporary signs and requires permits for all temporary and permanent signs.  
 This Sign Criteria is valid only in conjunction with exterior building renovation as represented on the plans reviewed by the Planning Commission on October 3, 1991.

## SIGN CRITERIA

### BONAVENTURE SHOPPING CENTER

The following sign covenants are for Bonaventure Shopping Center. The following covenants are specifically contingent upon Municipal approval.

#### I. NUMBER, COLOR AND VERTICAL SIZE OF SIGNS

##### A. Existing Tenants

Champps Americana and LeeAnn Chin Chinese Cuisine shall maintain their existing signage and shall not be granted additional signage. Champps and LeeAnn Chin each have two (2) building mounted signs currently.

##### B. Tenants Over 15,000 Square Feet

Each Tenant of greater than 15,000 square feet shall be allowed:

Two (2) signs up to 4' in height and 150 square feet of total sign area mounted above or adjacent to the primary storefront entry and on the east elevation of the building.

Color shall be Tenant's choice.

##### C. Tenants 15,000 Square Feet and Under

Tenants 15,000 square feet and under in size shall be allowed one (1) sign up to 3' in height and 90 square feet of total sign area above or adjacent to the storefront entry. Color shall be white.

#### II. BUILDING MOUNTED SIGNAGE

##### A. General Requirements

1. This exhibit shall govern the design, construction and installation of all signs to be installed by the Tenant at any time in conjunction with the provisions of the lease to which this exhibit is attached. Landlord shall make all final and controlling determinations concerning any questions of interpretation of this Sign Policy.
2. Each Tenant shall submit to the Landlord for approval three (3) signed and dated copies of a detailed shop drawing of all proposed signage and/or graphics prior to fabrication. The drawings shall indicate location, size, style of lettering, material, installation details, color, logo design, and layout design. Drawings shall include an elevation specifying location of Tenant's signage on sign band area. The drawings must also make clear that Tenant understands and will adhere to the fabrication procedures outlined below.
3. All permits for signs and their installation shall be obtained by the Tenant or his representative and shall comply with all government ordinances. All signs and their installation shall comply with all local building, zoning, and electrical codes.
4. Tenant shall be responsible, at Tenant's expense, for the fulfillment of all requirements and specifications as prescribed by Landlord if required by governmental authority and/or any necessary governmental authority.
5. All signs shall be constructed and installed, including electrical hook-up, at Tenant's expense.
6. All Tenants are obligated to have a sign and all signs shall be reviewed for conformance with these covenants and overall design quality. Notwithstanding compliance with all covenants, approval and disapproval of sign submittals shall remain the sole right of Landlord. Landlord assumes no liability as the result of approval or disapproval of Tenant's sign.

7. A qualified Graphics Artist should be consulted to ensure readability and compatibility with the overall project. Wording on the sign shall not include the product or service sold, except as a part of the Tenant's trade name or insignia. Logos are permitted.
8. Tenant shall be responsible for the installation and maintenance of all signs.
9. TENANT UNDERSTANDS AND AGREES THAT THIS CRITERION SETS FORTH STANDARDS ESTABLISHED BY LANDLORD. LANDLORD AND LANDLORD'S AGENTS AND REPRESENTATIVES MAKE NO REPRESENTATIONS OR WARRANTIES WHATSOEVER, THAT SIGNS WHICH CONFORM WITH THIS SIGN CRITERION OR WHICH ARE APPROVED BY LANDLORD WILL CONFORM WITH GOVERNMENTAL REGULATIONS AND CODES OR WILL RECEIVE NECESSARY GOVERNMENTAL APPROVALS. IT SHALL BE TENANT'S SOLE RESPONSIBILITY TO OBTAIN ALL NECESSARY GOVERNMENTAL APPROVALS.

B. General Specifications

- X 1. All signs shall be internally illuminated individual letter type.
2. ALL TRANSFORMERS DRIVING THE INTERNAL TUBING MUST BE REMOTE OR INTERNAL, NO EXPOSED RACEWAYS, CROSSOVERS, BALLASTS OR CONDUIT WILL BE PERMITTED.
3. Tenant shall be responsible for the installation and maintenance of all signs. In the event that Tenant fails to adequately install or maintain its sign, Landlord may do so at Tenant's expense.
4. All signs are to be installed under the direction of Landlord or Landlord's representative.
5. Tenant's sign contractor shall repair any damage caused by said contractor's work, or by its agents or employees at Tenant's expense.
6. Tenant shall be liable for the operations of Tenant's sign contractor.
- X 7. No signs perpendicular to the face of the building or storefront, or mounted on the roof, will be permitted. No cabinet signs will be allowed.

C. Signs to be Constructed and Installed in Accordance with the following:

1. All signs shall be limited to individual Pan Channel letters 5" deep, fabricated out of 24 gauge paintlok sheet metal.
2. All signs are to be centered, vertically in the sign area and horizontally on Tenant's storefront, except where approved or specified by Landlord.
3. Maximum vertical size of sign shall be as outlined above, measured from the top of any ascender to the bottom of any descender. The vertical size of the sign is specifically contingent on governmental approval, and Tenant shall comply with the standards as revised by any governmental authorities.
4. The overall area of any one Tenant's sign may not exceed one hundred fifty (150) square feet for 4' sign, calculated as the sum of the areas encircled by the least continuous perimeter around the individual words comprising Tenant's sign.
5. Each Tenant is permitted only those signs as outlined above.
6. The color of the letters and copy shall be as outlined above.
7. The color of the letter return must be approved by Landlord.
8. Logos are permitted.
9. All signs must have 60 M.A. transformers on all Mercury Argon gas tubing. 30 M.A. transformers may be used on red neon tubing.

10. Tenant should be aware that for proper sign illumination a correct relationship of amount of luminous tube per width of stroke of letter is required. The type of letter style and color of the plexiglass face will vary this relationship, but as a general guide the following should be adhered to:

Minimum lighting requirements:

Up to 4" stroke ... 1 tube  
Up to 6" stroke ... 2 tubes  
Up to 8" stroke ... 3 tubes  
Up to 12" stroke ... 4 tubes

11. All signs must comply with all applicable building and electrical codes.
12. No clips, mounting devices or labels shall be visible. All conductors, transformers and other equipment shall be concealed. If Tenant's sign is mounted on an exposed (parapet) fascia, a waterproof cover of 22 gauge metal will be required on the back side concealing all wiring and transformers. In all cases where it is possible, sign penetration shall be below the roof line.
13. Tenant's sign shall be installed such that all holes are made in the mortar joints. No drilling of brick shall be permitted, unless specifically approved by Landlord. All penetrations of the building structure (to include fascia) required for sign installation shall be sealed in a watertight condition. If at any time during Tenant's occupancy of the leased premises, water is found to be leaking into the building structure via penetration from Tenant's sign, then Tenant shall cause its sign contractor or others to make the necessary repairs to stop water leakage, said work to be done at Tenant's expense and Tenant shall be liable for any and all damage resulting from such water leakage.

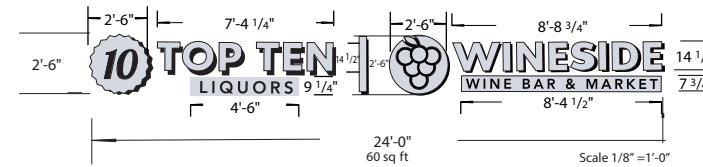
D. Miscellaneous Requirements

1. If required by the U.S. Post Office, Tenant may install on the storefront, its street number in the exact location and with the size, type, and color of numbers as stipulated by Landlord.
2. Tenant may identify its delivery door only with non-illuminated painted letters in the size, color, and location specified by Landlord.
3. Upon removal of Tenant's sign, Tenant, at its sole expense, shall plug and patch the penetrations into the building structure so as to make watertight and so as to match the adjacent finish in a manner satisfactory to Landlord.
4. It is Tenant's sole responsibility to obtain Landlord's written approval prior to manufacture of the above sign. Landlord reserves the right to remove any unapproved signage.
5. Landlord assumes no liability as the result of approval or disapproval of Tenant's sign. Tenant is solely responsible for construction and design.
6. The provisions of this Sign Criteria are guidelines established by Landlord and are subject to approval by the governing municipal authority. Landlord reserves the right to adjust this Sign Criteria as necessary to conform with municipal requirements.

III. STOREFRONT SIGNAGE CRITERIA

1. All signage must be professionally prepared and installed.
2. All signs must be fabricated by a professional keylining service. No handwritten signs are permitted.

3. All damaged signs, weathered, ripped, etc. must be removed and/or replaced.
4. All signs with dated information must be removed from the Tenant's windows by close of the last business day listed on the sign.
5. No decals or holiday decorations, except Tenant's store hours and credit card information, may be placed in Tenant's window without Landlord's prior approval.
6. The maximum height of signage lettering shall be 20 inches.
7. Total window signage shall not exceed twenty percent (20%) of total window area within Tenant's Demised Premises storefront.
8. No moving, rotating, flashing, noise-making or odor producing signs shall be allowed.



Scale 1/16" = 1'-0"

Channel LED letters & logo

60. sq.ft



**Planning Commission Resolution No. 2022-**

**Resolution approving an amendment to the Bonaventure Shopping Center sign plan for  
Top 10 Liquors at 1641 Plymouth Road**

---

Be it resolved by the Planning Commission of the City of Minnetonka, Minnesota, as follows:

Section 1. Background.

- 1.01 Yayin Gadol, LLC d.b.a Top Ten Liquors/Wineside is requesting an amendment to the Bonaventure Shopping Center sign plan to allow a wall sign on the eastern elevation for the southeastern mall tenant.
- 1.02 The subject property is located at 1641 Plymouth Road. It is legally described as:
- LOT 001 BLOCK 001 RIDGEDALE CENTER 6TH ADDN ALSO THAT PART OF  
OUTLOT A RIDGEDALE CTR 6TH ADDN LYING SLY AND SELY OF THE FOL  
DESC LINE BEG AT THE R/W BOUNDARY CORNER B3 AS SHOWN ON MN/DOT  
R/W PLAT NO 27-33 TH WLY ON AN AZIMUTH OF 256 DEG 17 MIN 41 SEC 60.69  
FT TH ON AN AZIMUTH OF 227 DEG 51 MIN 01 SEC 95.85 FT TH ON AN  
AZIMUTH OF 223 DEG 59 MIN 12 SEC 216.61 FT TO A PT ON THE SELY  
BOUNDARY LINE OF SAID PLAT 27-33 AND THERE TERM EX PARCEL 8A AS  
SHOWN MN/DOT R/W PLAT NO 27-33
- Torrens Certificate No. 1442428
- 1.03 City Code §325.06 Subd. 4 allows properties zoned P.U.D./P.I.D. to have sign plans with differing requirements if approved by the city.
- 1.04 Bonaventure Shopping Center is governed by a sign plan that was approved by the planning commission on Oct. 3, 1991. The sign plan allows for tenants larger than 15,000 square feet to have a wall sign on the east elevation. Tenants less than 15,000 square feet are allowed one sign over the entrance.
- 1.05 The city council approved a conditional use permit for Top Ten Liquors, a restaurant with an outdoor patio, in the former Champps tenant space on Nov. 8, 2021. City staff has subsequently approved permits for the interior remodeling and a sign on the south elevation.
- 1.06 The applicant is proposing to construct a wall sign at the east elevation of the shopping center at 1641 Plymouth Rd. The wall sign will have a vertical dimension of 2.6 feet and a total area of 90 square feet.



Section 2. General Standards.

2.01 By City Code §325.06 Subd. 4, the city may consider and approve sign plans with differing standards for properties located within the PID district. Factors used in determining if an individual sign plan will be considered include the following:

1. The development includes a high rise (greater than 3 stories) structure;
2. The development includes multiple structures and/or substantial site area;
3. The development includes mixed uses;
4. A sign plan is uniquely adapted to address the visibility needs of development while remaining consistent with the intent of this section to direct high-quality signage; and
5. The sign plan includes permanent sign covenants which can be enforced by the city.

Section 3. FINDINGS.

3.01 The sign plan amendment is appropriate for the property at 12800 Whitewater Drive as:

1. The former tenant, Champps, occupied the space prior to the adoption of the sign plan. The sign plan allowed Champps to continue to have nine-foot signs on both the south and east elevation, totaling 324 square feet of signage. The Top Ten Liquors proposal would result in a significant reduction of wall signage for the southeastern tenant space.
2. The Top Ten Liquors sign on the south elevation has been administratively approved and has a vertical dimension of three feet. The vertical dimension of the eastern elevation is 2.6 feet. Cumulatively, the signs would be 180 square feet.
3. The eastern sign would be cohesive and appropriately scaled with the building and the existing wall signs.
4. Signage on the eastern elevation allows for visibility from Ridgedale and would improve wayfinding.

Section 4. Planning Commission Action.

4.01 The planning commission approves a sign plan amendment to the Bonaventure Shopping Center to allow a wall sign for Top Ten Liquors on the east elevation of the building at 1641 Plymouth Road.

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the site and sign plans date-stamped June 28, 2022, unless modified by the conditions below.
2. A sign permit is required for all signs.
3. This approval does not guarantee future wall signs on the eastern elevation for any future tenants of the mall or the southeastern tenant.
4. Any changes to the sign plans may require an amendment to this approval.
5. The signs must be installed prior to December 31, 2023, unless the planning commission grants a time extension.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on July 7, 2022.

---

Josh Sewall, Chairperson

Attest:

---

Fiona Golden, Deputy City Clerk

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 Planning Commission of the City of Minnetonka, Minnesota, at a duly authorized meeting held on July 7, 2022.

---

Fiona Golden, Deputy City Clerk