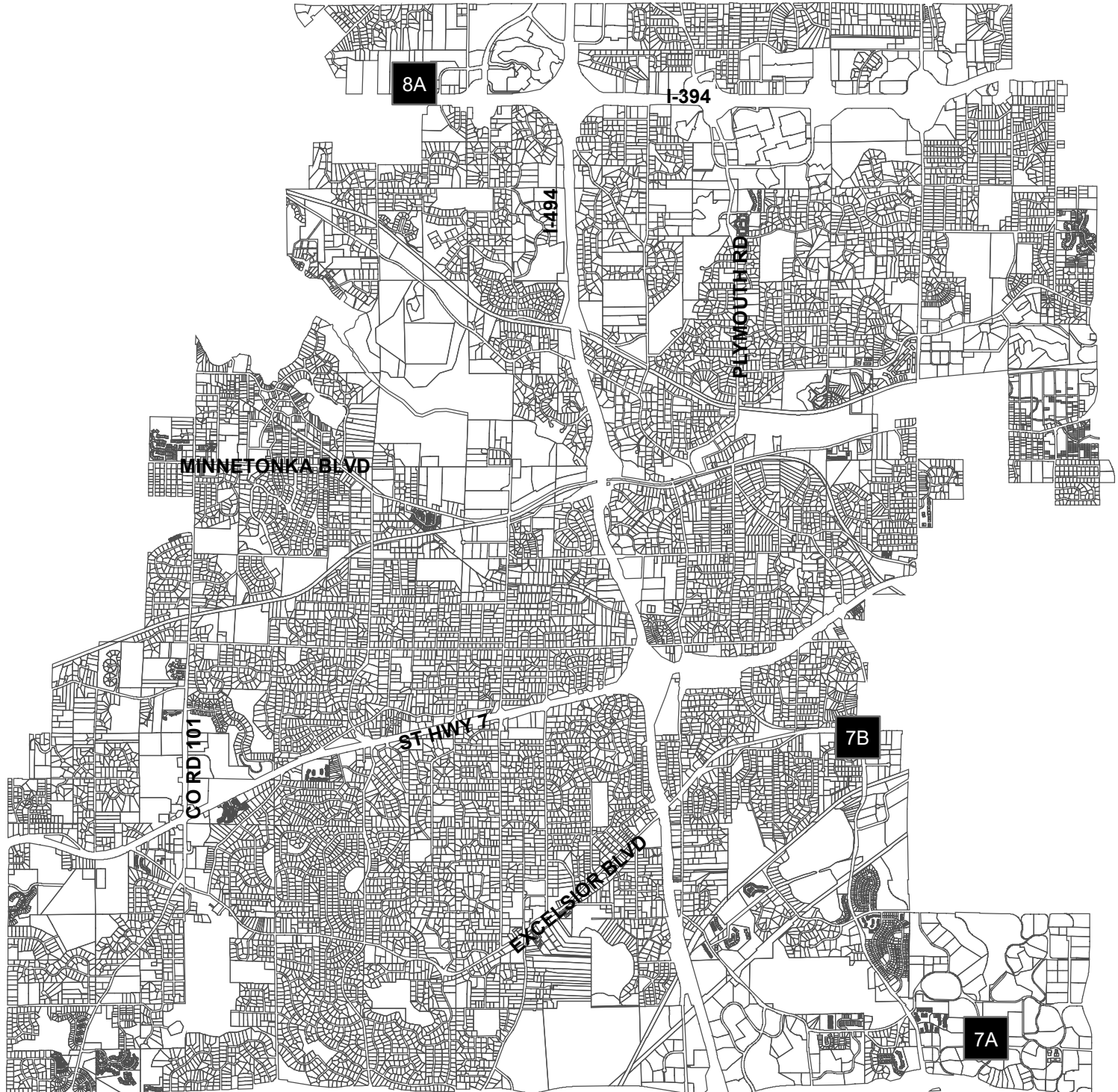




CITY OF  
MINNETONKA

CITY OF MINNETONKA  
PLANNING COMMISSION  
June 1, 2023

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





CITY OF  
**MINNETONKA**

**Planning Commission Agenda**  
**June 1, 2023**  
**6:30 p.m.**

**City Council Chambers – Minnetonka Community Center**

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Approval of Minutes:** May 18, 2023
- 5. Report from Staff**
- 6. Report from Planning Commission Members**
- 7. Public Hearings: Consent Agenda Items**
  - A. Sign plan review for a wall sign for Minnetonka Station at 10400 Bren Road East.  
  
Recommendation: Adopt the resolution approving the request (4 votes).
    - Final decision subject to appeal
    - Project Planner: Susan Thomas
  - B. Conditional use permit for an accessory structure at Cross of Glory at 4600 Shady Oak Road.  
  
Recommendation: Recommend the city council adopt the resolution approving the request (4 votes).
    - Recommendation to city council (June 26, 2023)
    - Project Planner: Susan Thomas
- 8. Public Hearings: Non-Consent Agenda Items**
  - A. Items concerning Walser Kia at 15700 and 15724 Wayzata Blvd.  
  
Recommendation: Recommend the city council adopt the resolution denying the proposal (4 votes).
    - Recommendation to city council (June 5, 2023)
    - Project Planner: Susan Thomas

**Planning Commission Agenda**

**June 1, 2023**

**Page 2**

**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 June 15, 2023 agenda.

<b>Project Description</b>	Ridgewood Ponds, 13-lot residential development
<b>Project Location</b>	18116 Ridgewood Rd
<b>Assigned Staff</b>	Ashley Cauley
<b>Ward Councilmember</b>	Kissy Coakley, Ward 4

<b>Project Description</b>	Dish Wireless, CUP for Telecom
<b>Project Location</b>	501 Carlson Parkway
<b>Assigned Staff</b>	Susan Thomas
<b>Ward Councilmember</b>	Kissy Coakley, Ward 4

<b>Project Description</b>	Frostad Residence, CUP
<b>Project Location</b>	2507 Sherwood Hills Rd
<b>Assigned Staff</b>	Bria Raines
<b>Ward Councilmember</b>	Rebecca Schack, Ward 2

<b>Project Description</b>	TNT Fireworks, IUP
<b>Project Location</b>	4795 Co Rd 101
<b>Assigned Staff</b>	Bria Raines
<b>Ward Councilmember</b>	Bradley Schaeppi, Ward 2

<b>Project Description</b>	Crescent Ridge, SGN
<b>Project Location</b>	10900 Wayzata Blvd
<b>Assigned Staff</b>	Bria Raines
<b>Ward Councilmember</b>	Rebecca Schack, Ward 2

<b>Project Description</b>	Page Residence
<b>Project Location</b>	1505 Traymore Rd
<b>Assigned Staff</b>	Bria Raines
<b>Ward Councilmember</b>	Rebecca Schack, Ward 2

**Unapproved  
Minnetonka Planning Commission  
Minutes**

**May 18, 2023**

**1. Call to Order**

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

**2. Roll Call**

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

Staff members present: Assistant City Planner Susan Thomas and Planner Bria Raines.

**3. Approval of Agenda:**

***Henry moved, second by Powers, to approve the agenda as submitted with a modification and additional comments provided in the change memo dated May 18, 2023.***

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

**4. Approval of Minutes: May 4, 2023**

***Banks moved, second by Waterman, to approve the May 4, 2023 meeting minutes as submitted.***

***Banks, Henry and Sewall voted yes. Powers and Waterman abstained from voting. Maxwell and Hanson were absent. Motion carried.***

**5. Report from Staff**

Thomas briefed the commission on land use applications considered by the city council at its meeting on May 1, 2023:

- Introduced an ordinance for items concerning Walser Kia at 15700 Wayzata Blvd.
- Introduced an ordinance for items concerning Ridgewood Ponds at 18116 Ridgewood Road and an adjacent unaddressed parcel.
- Adopted an ordinance amending city code 300.28, subdivision 12, regarding parking and loading requirements and adding a new section 315.14.

The next planning commission meeting is scheduled to be held June 1, 2023.

**6. Report from Planning Commission Members: None**

**7. Public Hearings: Consent Agenda**

No items were removed from the consent agenda for discussion or separate action.

***Henry moved, second by Banks, to approve the items listed on the consent agenda as recommended in the respective staff reports as follows:***

**A. Setback variance for a freestanding-electric-message-center sign at 13911 Ridgedale Drive.**

Adopt the resolution approving a setback variance for a freestanding-electronic-message-center sign at 13911 Ridgedale Drive.

**B. Conditional use permit for a restaurant with on-sale liquor at 17623 Minnetonka Blvd.**

Recommend that the city council adopt the resolution approving a conditional use permit for a restaurant with on-sale liquor at 17623 Minnetonka Blvd.

***Powers, Waterman, Banks, Henry, and Sewall voted yes. Maxwell and Hanson were absent. The motion was carried, and the items on the consent agenda were approved as submitted.***

**8. Public Hearings**

**A. Expansion permit for garage and living space additions to the house at 5123 Willow Lane.**

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

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

Marielena Acorda Shaner, the owner of 5123 Willow Lane, applicant, stated that:

- The basement would not be finished.
- The project would include adding stormwater mitigation controls.

Luke Shaner, 5123 Willow Lane, applicant, stated that:

- He appreciated the opportunity to talk about the project.
- He is an architect and found this to be the right project for the site and for the applicants' needs.
- The proposal would increase the current setback from the north property line.

- The proposal would make the site more in conformance with current ordinance requirements.

Powers asked if the proposal would still meet the needs of the applicant after making changes to come closer to meeting ordinance requirements. Mr. Shaner answered affirmatively. He explained how the owners learned of the issues inherent to the site, researched 12 different possible solutions, and found the best solution. Mr. Shaner understood the issue of meeting fire rating issues even though there is a pond adjacent to the site. He likes the project and is excited to move forward.

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

Waterman stated that:

- He supports the proposal.
- He agrees with the staff's recommendation.
- The proposal would be a reasonable use of the property.
- There would be no parking issue.
- The situation is unique to this property, given when the property was platted and when the house was built.
- The proposal would not change the essential character of the neighborhood and would improve it.
- Expanding and improving residential property is a great investment.
- The only feedback received from a neighbor is positive.
- It is a good project.

Powers stated that:

- He supports the proposal.
- He appreciates the applicants working with neighbors and staff.
- He visited the site and felt it would be a wonderful addition.
- He wished the applicants the best of luck.

Henry stated:

- He felt that the design is logical for the site.
- He agrees with commissioners.
- He appreciates the applicants explaining the project.
- The proposal is very thoughtful.
- It would be a great addition to the neighborhood.

Chair Sewall stated:

- He likes when a non-conforming site is able to become slightly less non-conforming.
- He appreciates the progress.
- He supports the staff's recommendation.

***Waterman moved, second by Powers, to adopt the resolution approving an expansion permit for garage and living space additions to the house at 5123 Willow Lane.***

***Powers, Waterman, Banks, Henry, and Sewall voted yes. Maxwell and Hanson were 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 and 12 feet in height at 12620 Orchard Road.**

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

Raines reported. Staff recommends denial of the application based on the findings listed in the staff report.

Scott Wothe, 12620 Orchard Road, applicant, stated that:

- There is no room along the side of the house for the addition to meet the side setback.
- The look and design would blend into the woods.
- The proposed building would not be very visible from the street.
- The color would be gray to blend in with the trees and be a similar color to the house.
- He was available for questions.
- He has an abundance of vehicles he would like to house in the proposed structure.

Banks asked how many vehicles the structure would house. Mr. Wothe answered six vehicles arranged two wide and three deep.

Henry asked if there would be lifts on the right side to potentially store vehicles above the others. Mr. Wothe explained that the architect included that on the plan, but he did not know if there would be enough height to allow vehicles to fit above other vehicles. A small lift may be used for auto repairs.

Powers asked for the reasoning behind the patio area. Mr. Wothe thought that the patio roof gave the structure balance and offset the visual height of the building. The covered patio area would be utilized for outdoor gatherings.

Waterman asked what would be lost if ordinance requirements were met. Mr. Wothe answered that the number of vehicles that could be stored would be decreased. He is paying to have the vehicles stored now.

Mr. Wothe stated that there are quite a number of properties that have an accessory structure larger than the principal structure in the area. There are a couple of horse barns still in existence, and another horse barn was torn down a few months ago. The corner of Excelsior Blvd. and Baker Road has a structure that is larger and ten feet taller than the principal structure.

The public hearing was opened.

Kari Lidstone, 12608 Orchard Road, stated that:

- The rendering does not show how nestled in the woods the structure would appear.
- She would see more of the structure if it were located somewhere else on the property.
- She has no problem with the proposed location of the structure.
- She fully supports the proposal.

No additional testimony was submitted, and the hearing was closed.

Chair Sewall asked if any secondary structures larger than the principal structure have been approved by the city. Thomas answered that some had been requested, but she did not recall any that had been approved.

Raines explained that the referenced existing accessory structures might have been built before the adoption of current ordinance requirements.

Banks asked if the same restrictions would be in place if the structure were used for living space. Raines explained that an accessory dwelling unit (ADU) has a size limit of 1,000 square feet. The proposed structure would exceed 1,000 square feet in size.

Powers stated that:

- The rendering did not show how well the structure would fit into the woods and gardens.
- What bothers him the most is that the size of the accessory structure would not be subordinate to the size of the primary residence. That is the most important consideration for the neighborhood and the city.



- He struggled with his decision because the site is an R-1 neighborhood, but the structure would be tucked into the woods.
- The architectural style of the structure is attractive but not consistent with the house.
- He likes the structure's proposed location on the property. It would allow a good use of the land.
- The homeowner's backyard is beautiful.
- He is inclined to follow the staff's recommendation, but he would like the applicant to get a garage. It would not need to house six vehicles.

Henry stated:

- He was torn with his decision.
- The structure is beautiful, and he likes vehicles. He wants the applicant to have a place to hold the vehicles.
- The neighbors support the proposal, which is great.
- The location makes sense.
- The purpose of the commission is to codify a balance between individual and community interests and apply ordinances consistently.
- The existing barns and large accessory structures were probably built before the ordinances were in place.
- He agreed that the accessory structure should be subordinate to the size of the principal structure, and the proposal is not.
- He likes the proposal and wants it to succeed, but he cannot support it primarily for the reason that the proposed accessory structure would not be subordinate to the principal structure.

Banks stated that:

- He appreciates the neighbor in support of the proposal sharing her comments.
- He visited the property and thought that once 23 trees were removed and the driveway would be added that the back area would look significantly different than it does now.
- The rendering of the proposed structure looks beautiful. The rendering looks like a showroom for vehicles, but a showroom for vehicles does not belong in a residential area.
- The staff has provided viable options to decrease the square footage and attach the structure to the residence.
- The structure would be a bit much for its purpose, located on a residential property.
- The structure would be twice as large as the residence, which feels excessive.
- The proposal would impact the natural landscape of the area.

Waterman stated that:

- He also struggled with this one.
- The property is large.
- It looks like the structure could be nestled in the woods so it would not have a large impact from the view from Orchard Road.
- The neighbor supports the proposal.
- He agreed that the structure could be cut back to better comply with the conditional use permit standards in regards to height and size and make it subordinate to the principal structure.
- He thought something unique and large might fit, but the proposal is so far from ordinance requirements that he does not support the proposal.

Chair Sewall stated:

- Commissioners like to be reasonable, but an accessory structure two times the size of the principal structure would be too much of a violation of the ordinance.
- A three-vehicle garage is reasonable for a residential area, but a six-vehicle garage has an industrial appearance.
- He appreciates the support of the current neighbors, but future neighbors may not agree.
- He felt there might be another compromise, but the proposal exceeds the reasonableness scale.

***Waterman moved, second by Henry, to recommend that the city council adopt the resolution denying a conditional use permit for an accessory structure in excess of 1,000 square feet and 12 feet in height at 12620 Orchard Road.***

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

## 9. Adjournment

***Powers moved, second by Banks, to adjourn the meeting at 7:40 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**  
**June 1, 2023**

**Brief Description** Sign plan for Minnetonka Station at 10400 Bren Road East

**Recommendation** Adopt the resolution approving the sign plan.

---

**Proposal**

In 2021, the city council approved MINNETONKA STATION, a 275-unit apartment building in the OPUS development. Construction of the building is well underway.

Under the sign ordinance, MINNETONKA STATION is allowed a monument identification signage. The ordinance makes no provision for wall signs on multi-household buildings. However, the ordinance does allow planned unit developments (PUDs) to be governed by sign plans. Sign plans may have allowances/restrictions that differ from basic sign ordinance allowances/restrictions.

Sowder Design & Development, on behalf of MINNETONKA STATION, is requesting approval of a sign plan. The plan would allow the placement of a 2-foot by 25-foot wall sign on the building.



**Staff Analysis**

Wall signs are generally used for identification and advertising purposes. It has long been the city's position that residences do not require either. It is for this reason that the sign ordinance makes no provision for such signs. Staff recognizes that the one-way street design of OPUS – together with the number of new rental buildings nearing completion/offering housing opportunities – is unique. Reasonable identification in this setting could be accomplished through well-proportioned, well-designed wall signage near the entry to multi-household buildings.

It is the staff's opinion that the proposed Minnetonka Station wall sign is well-proportioned and well-designed. However, the proposed location – on the west façade of the building's 5th floor – appears to serve as advertising rather than identification. The sign would not be easily visible to pedestrians or vehicles. A sign of the same size and design could be located on the south façade of the building, between the first and second floors, near the



primary entrance to the MINNETONKA STATION site and building. Staff supports such a location.

**Staff Recommendation**

Adopt the resolution approving a sign plan for MINNETONKA STATION, allowing for a two-foot by 25-foot wall sign to be located on the south façade of the building, between the first and second floors, near the primary entrance to the building.

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

### Supporting Information

#### Surrounding Land Uses

Northerly: Minneapolis Mart, zoned B-2  
Easterly: Office building, zoned I-1  
Southerly: Bren Road E and office building beyond, zoned I-1  
Westerly: Bren Road E and office building beyond, zoned I-1  
(Proposed Grey Star site)

#### Planning

Guide Plan designation: mixed-use  
Existing Zoning: PUD

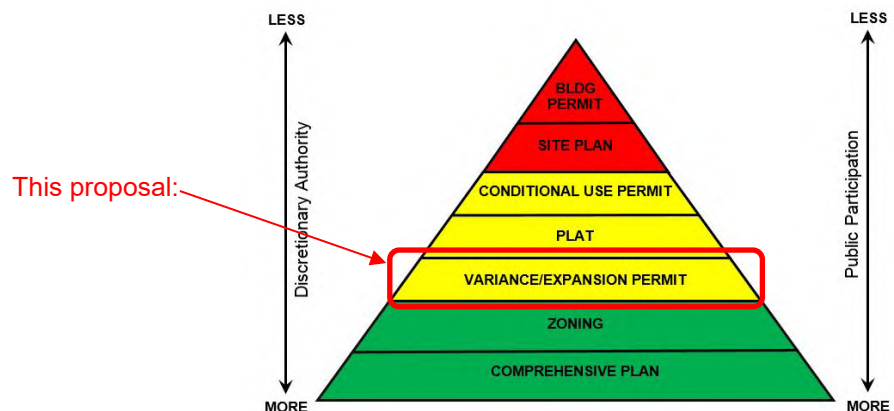
#### Light Rail Locations

Staff did an online review of multi-household buildings along existing light rail lines in Minnesota. Many of the buildings have no wall signage. Some have wall signage located near the entry to the building, as the staff is suggesting for MINNETONKA STATION.

#### Neighborhood Comments

The city sent notice to 48 area property owners. No comments have been received.

#### Pyramid of Discretion



#### Motion Options

The planning commission has three options:

1. Concur with the staff recommendation. In this case, a motion should be adopting the resolution approving the sign plan.
2. Disagree with staff's recommendation. In this case, a motion should be made denying the proposed sign plan. This motion must include a statement as to why the plan is denied.
3. Table the request. 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.

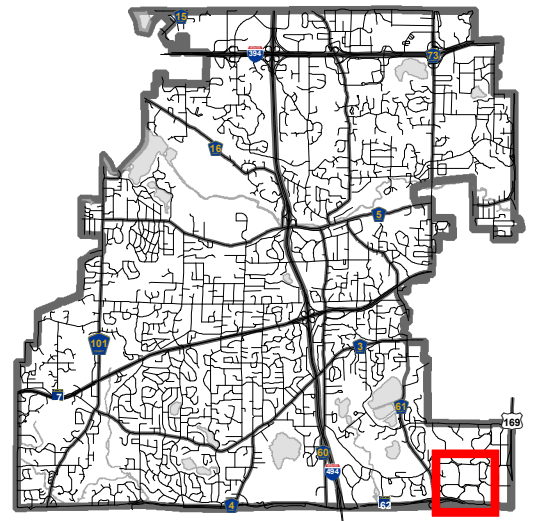
#### Deadline for Action

**Aug. 25, 2023**



### Location Map

Project: Minnetonka Station  
Address: 10400 Bren Road East



# Graphics Proposal:



**WARREN ASSOCIATES**

2901 Brighton Road  
Pittsburgh, PA 15212

www.warrenassociates.com

NOTES:

DATE:

**DESIGN DEVELOPMENT**

These drawings are for the sole purpose of documenting design intent only and are not intended for actual fabrication purposes. The Contractor/Fabricator accepts total responsibility for final material selection, fabrication and installation.

PROJECT:

CLIENT INFORMATION:

**Client Name**

Address Info

CUSTOMER RESPONSE:

- APPROVED
- APPROVED AS NOTED
- REVISE & SUBMIT

CREATION DATE: 07.27.22

SCALE: AS SHOWN

PAGE:

2 of 3



**Perforated Vinyl**  
Color shows white  
at night.





**Resolution No. 2023-**

**Resolution approving a sign plan for MINNETONKA STATION at  
10400 Bren Road East**

---

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

Section 1. Background.

- 1.01 In 2021, the city council approved MINNETONKA STATION, a 275-unit apartment at 10400 Bren Road East.
- 1.02 The property, which is zoned PUD, is legally described as: Lot 1, Block 1, MINNETONKA STATION.
- 1.03 Sowder Design & Development, on behalf of MINNETONKA STATION, is requesting approval of a sign plan. The plan would allow the placement of a 2-foot by 25-foot wall sign on the building.

Section 2. General Standards.

- 2.01 By City Code §325.06 Subd. 6, a sign plan with requirements different than those of the sign ordinance may be approved within planned unit developments.
- 2.03 By City Code §325.05 Subd.5, the city may enforce, in the same manner as the requirements of the sign ordinance, the terms of a sign plan or sign covenants that it has approved.

Section 3. Findings

- 3.01 The one-way street design of OPUS – together with the number of new rental buildings nearing completion/offering housing opportunities – is unique. Reasonable identification in this setting could be accomplished through well-proportioned, well-designed wall signage near the entry to multi-household buildings.
- 3.02 The proposed wall sign is well-proportioned and well-designed.
- 3.03 The proposed sign would not be larger than signs allowed on similarly-sized, non-residential buildings.

Section 4. Planning Commission Action.

4.01 The planning commission hereby approves the placement of a 2-foot by 35-foot wall sign on the MINNETONKA STATION building. Approval is subject to the following conditions:

1. The sign must be located on the south façade of the building, between the first and second floors, near the primary entrance to the building. This location is generally noted in the June 1, 2023 staff report associated with this request.
2. All other signs located on the site must comply with the sign ordinance.

4.02 A sign permit must be obtained prior to the installation of any sign.

Adopted by the Planning Commission of the City of Minnetonka, Minnesota, on June 1, 2023.

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Josh Sewall, Chairperson

Attest:

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Fiona Golden, Deputy City Clerk

Action on this resolution:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent: Schack

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 June 1, 2023.

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Fiona Golden, Deputy City Clerk

**MINNETONKA PLANNING COMMISSION**  
**June 1, 2023**

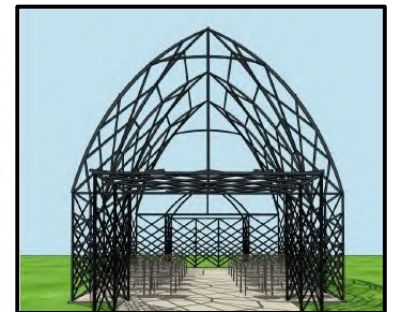
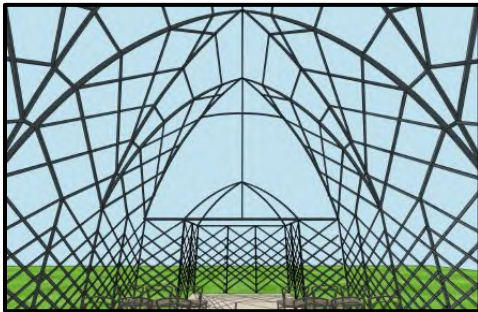
<b>Brief Description</b>	Conditional use permit for an accessory structure in excess of 12 feet in height at 4600 Shady Oak Road
<b>Recommendation</b>	Recommend the city council adopt the resolution approving the request.

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**Proposal**

Andy Higgins, in conjunction with Cross of Glory Church, is proposing to construct a steel lattice structure in the northwest corner of the church property at 4600 Shady Oak Road. The structure, which would ultimately be covered with vines and greenery, would primarily be used as a garden seating space or area for quiet contemplation. Small outdoor gatherings or services could also be held in the structure, which would have seating for up to 60 people.

The structure would have a footprint of roughly 1100 sq. ft. and a code-defined height of 15.5 feet. By ordinance, a conditional use permit is required for an accessory structure over 12 feet in height.



**Staff Analysis**

Staff finds that the proposed structure is reasonable and appropriate, as:

- **Proposed Use.** The lattice structure would be clearly accessory and subordinate to the religious institution on the site. It would have a footprint of just four percent of the size of the principal building.
- **CUP Standards.** The structure would meet all CUP standards. These standards are outlined in this report's "Supporting Information" section.

**Staff Recommendation**

Recommend that the city council adopt the resolution approving a conditional use permit for an accessory structure in excess of 12 feet in height at 4600 Shady Oak Road.

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

### Supporting Information

#### Surrounding Land Uses

North: Excelsior Blvd, single-family homes beyond  
South: Single-family homes, zoned R-1  
East: Shady Oak Road, commercial properties beyond  
West: Single-family homes, zoned R-1

#### Planning

Guide Plan designation: Institutional  
Zoning: R-1, low density residential

#### CUP Standards

The proposal would meet the general and specific standards for accessory structures in excess of 12 feet in height, as outlined in City Code §300.16 Subd. 2 and §300.16 Subd. 3(f) respectively.

#### General Standards

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.

#### Specific Standards

1. Side and rear setbacks equal to the height of the structure or 15 feet, whichever is greater;

**Finding:** The proposed accessory structure would have a side yard setback of at least 16 feet and a rear yard setback of over 150 feet, meeting the setback requirements.

2. No additional curb cuts are to be permitted;

**Finding:** No additional curb cuts are proposed.

3. Not to be used for commercial activities;

**Finding:** The applicant indicates that the structure would be used primarily as a garden seating space or an area for quiet contemplation. Small outdoor gatherings or services could also be held in the structure, which would have seating for up to 60 people.

4. Structure to be architecturally consistent with the principal structure;

**Finding:** The structure would be different from the existing church building and residential structure on the site. However, it would be “chapel-like” in design, consistent with the religious use of the site.

5. Landscaping to be required to buffer views when the structure is highly visible from adjoining properties; and

**Finding:** The structure itself is intended to have vines and greenery surrounding it. Existing vegetation would further screen it from adjacent residential lots not owned by the church.

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

**Finding:** The structure would meet site and building plan standards. See the following section.

#### **SBP Standards**

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

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 members of the city's engineering, fire, legal, natural resources, planning, and public works department and divisions. Staff finds it to be consistent with the city's development guides.

2. Consistency with this ordinance;

**Finding:** The proposal would meet ordinance standards. Note, the site plan originally submitted by the applicant suggested a front yard setback of 22 feet, while a 35-foot setback is required. This setback requirement could be met and has simply been included as a condition of approval.

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:** No grading or associated tree removal would be necessary to construct the structure.

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 garden-type structure would be appropriately located in proximity to the site's other structures and green spaces.

5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:
  - 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;
  - the amount and location of open space and landscaping;
  - 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
  - vehicular and pedestrian circulation, including walkways, interior drives, and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement and amount of parking.

**Finding:** The garden-type structure would be appropriately located in proximity to the site's other structures and green spaces and would not impact overall site circulation.

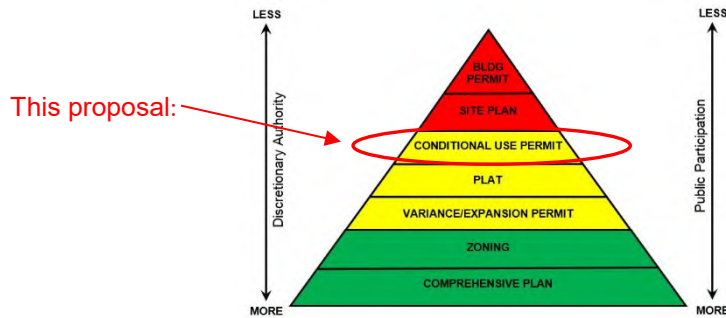
6. Promotion of energy conservation through design, location, orientation, and elevation of structures, the use and location of glass in structures and the use of landscape materials and site grading; and

**Finding:** The outdoor garden structure would, by its very nature, promote energy conservation.

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:** Staff does not anticipate a negative impact to adjacent or neighboring uses. Were the structure lowered three feet in height, only a building permit would be required.

**Pyramid of Discretion**



**Voting Requirement**

The planning commission will make a recommendation to the city council. The commission's recommendation and the council's decision require the affirmative vote of a simple majority.

**Motion Options**

The planning commission has three options:

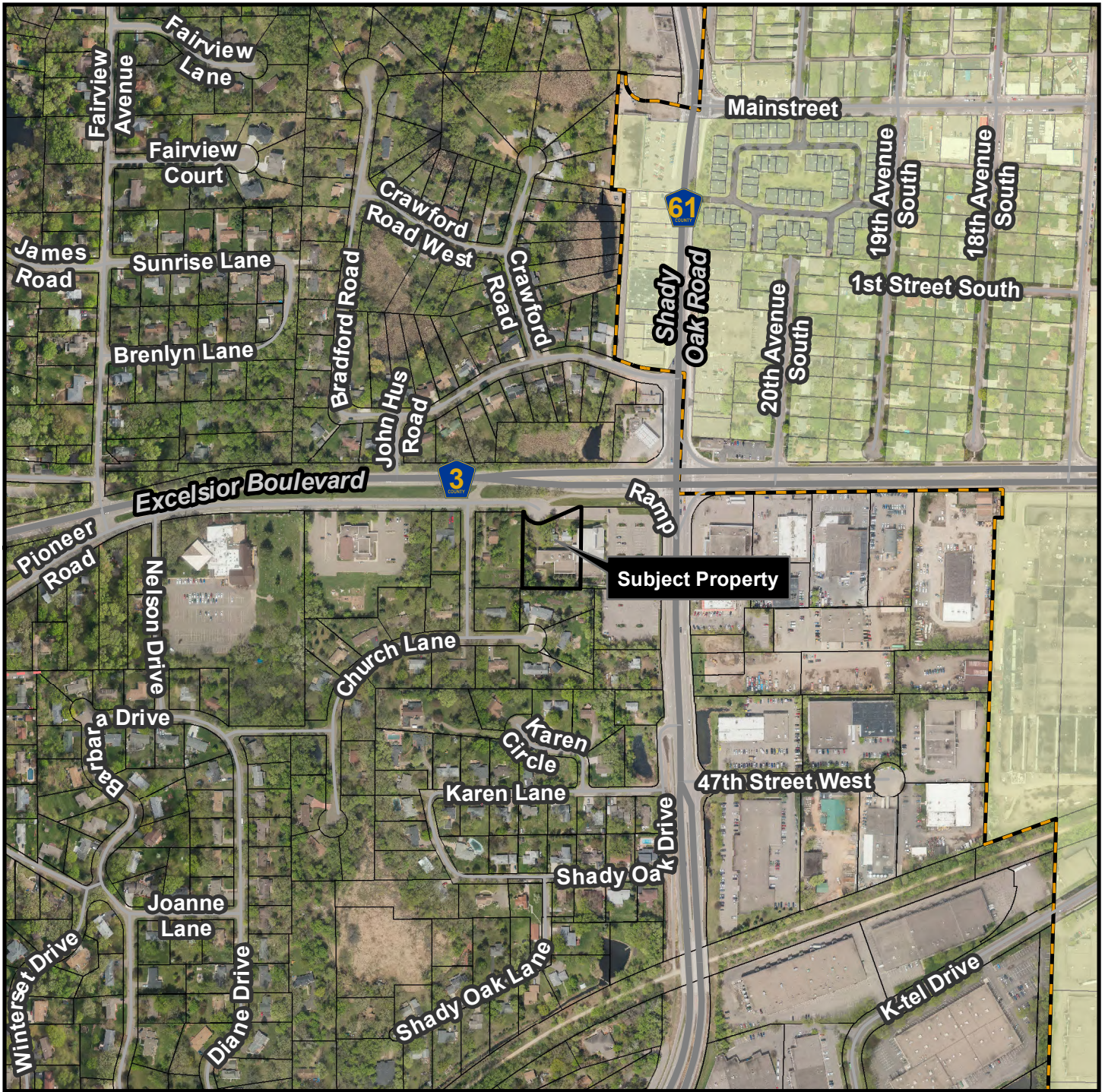
1. Concur with the staff recommendation. In this case, a motion should be made recommending the city council adopt the resolution approving the request.
2. Disagree with staff's recommendation. In this case, a motion should be made recommending the city council deny the request. This motion must include a statement as to how the CUP standards are not met.
3. Table the request. 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 44 area property owners and received one response in support of the proposal.

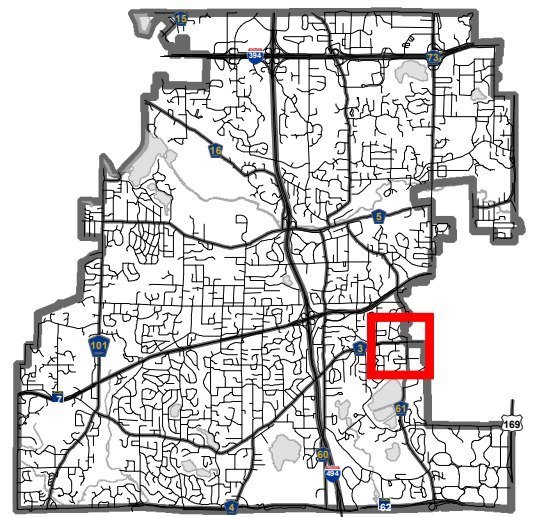
**Deadline for Decision**

**Aug. 25, 2023**



### Location Map

Project: Cross of Glory  
Address: 11707 Excelsior Blvd





Drawings and Specifications as instruments of service are and shall remain the property of the Architect. They are not to be used on extensions of the project, or other projects, except by agreement in writing and appropriate compensation to the Architect.

The General Contractor is responsible for confirming and correlating dimensions at the job site. The Architect will not be responsible for construction means, methods, techniques, sequences, or procedures, or for safety precautions and programs in connection with the project.

© 2023 Studio 134, llc

**Cross of Glory**  
4600 Shady Oak Road  
Hopkins, MN 55343

**Outdoor Chapel for:**  
Cross of Glory  
4600 Shady Oak Road  
Hopkins, MN 55343

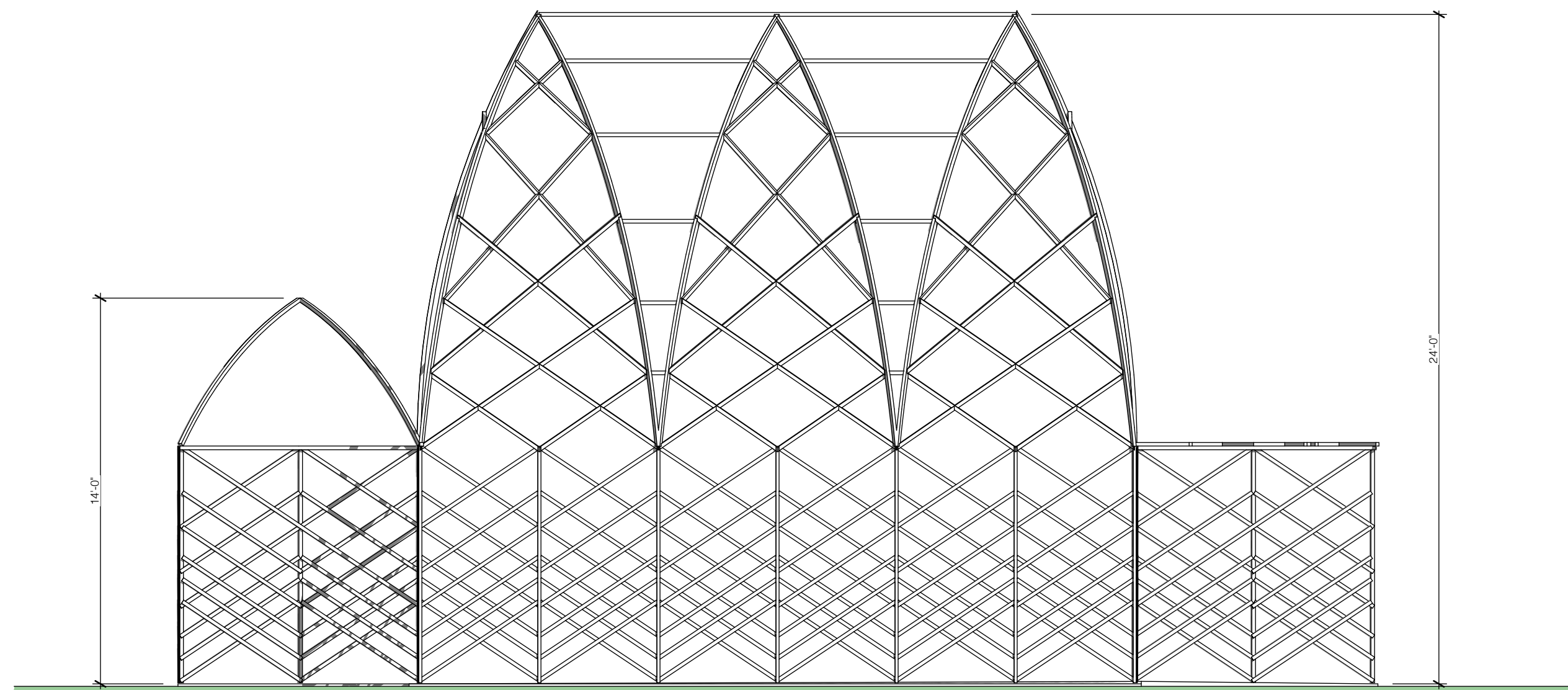
CONDITIONAL USE PERMIT

Date Issued:  
06.07.22 Structural Review  
03.30.23 Conditional Use Permit

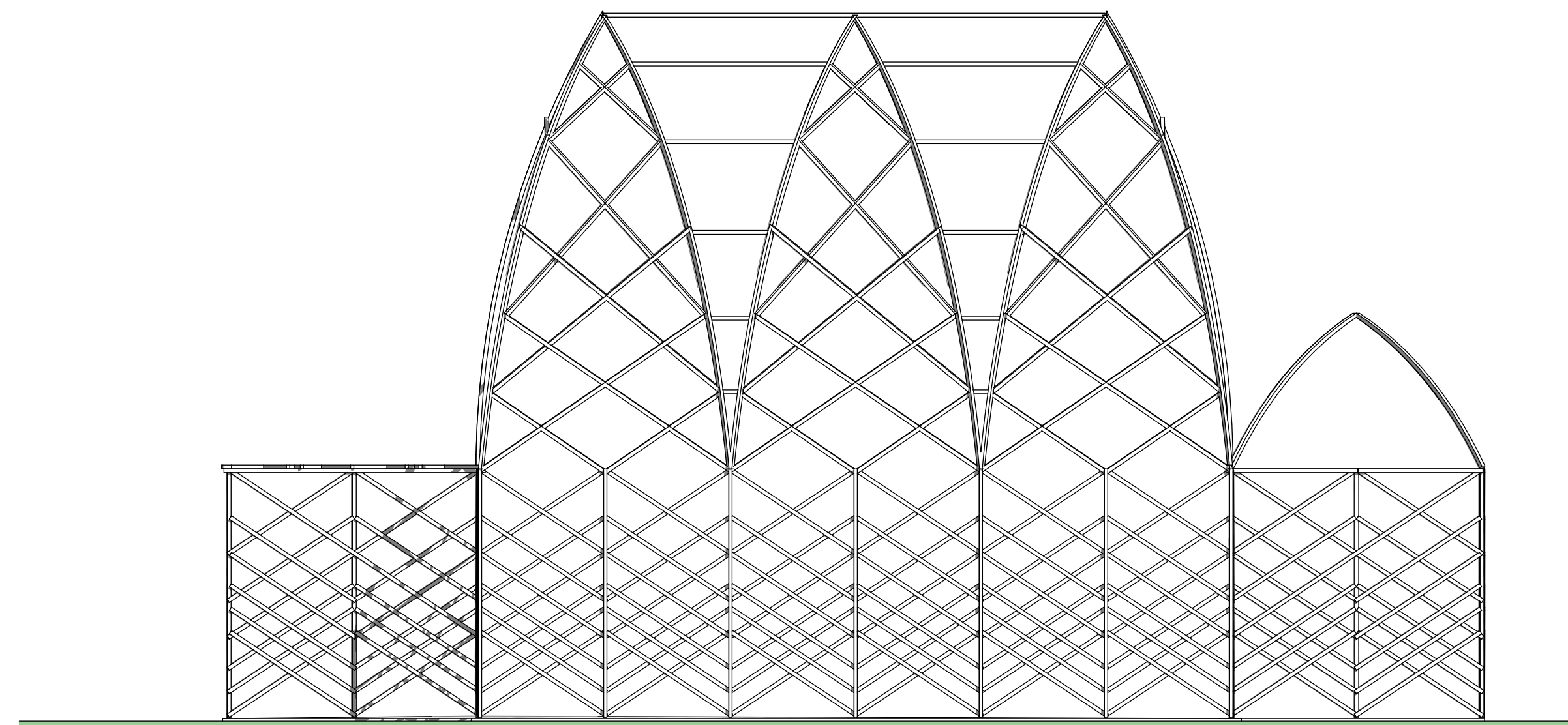
Conditional Use Permit

Proposed Drawings

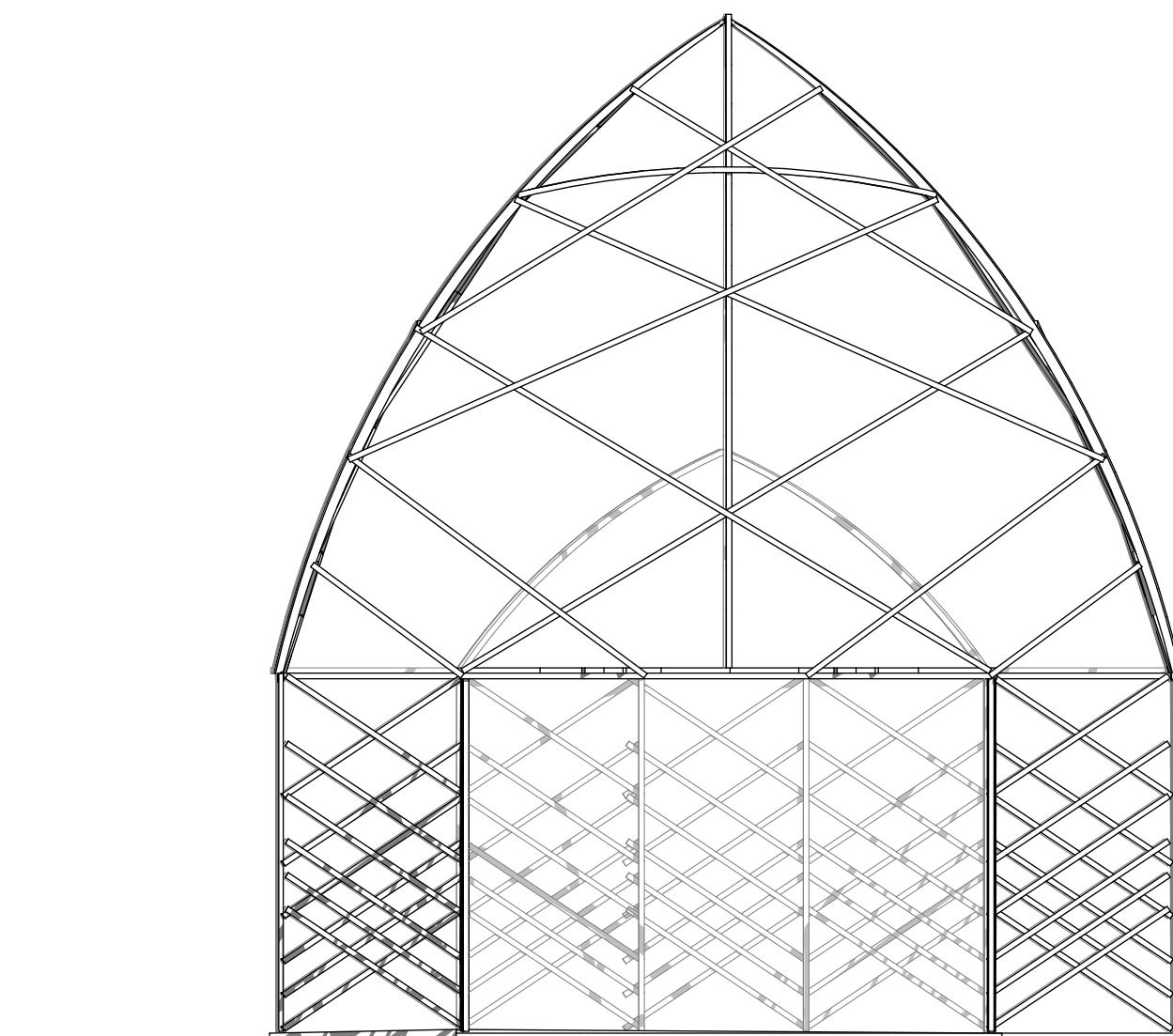
**A1.0**



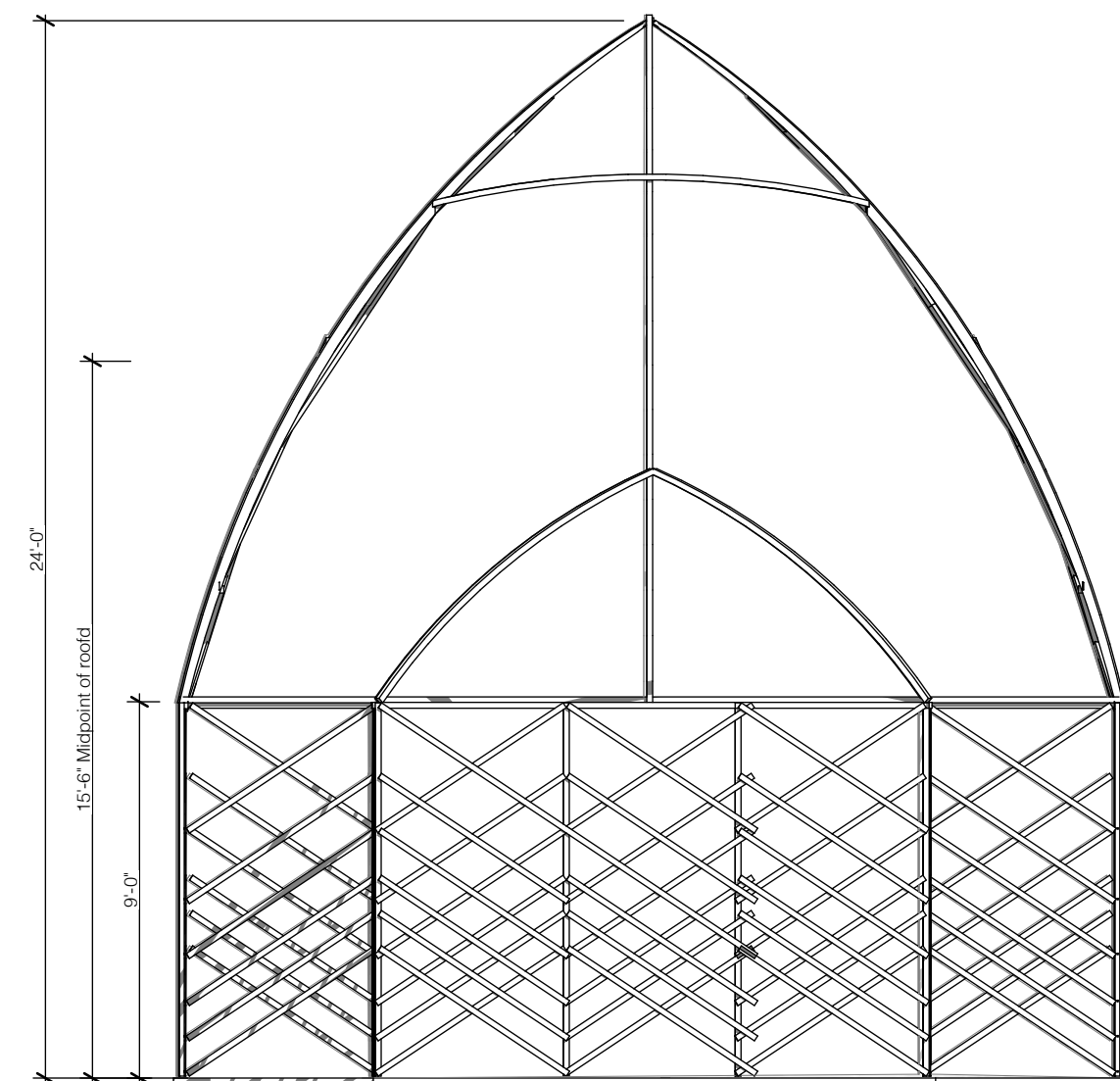
1 Long Elevation  
A1.0 SCALE: 1/4" = 1'-0"



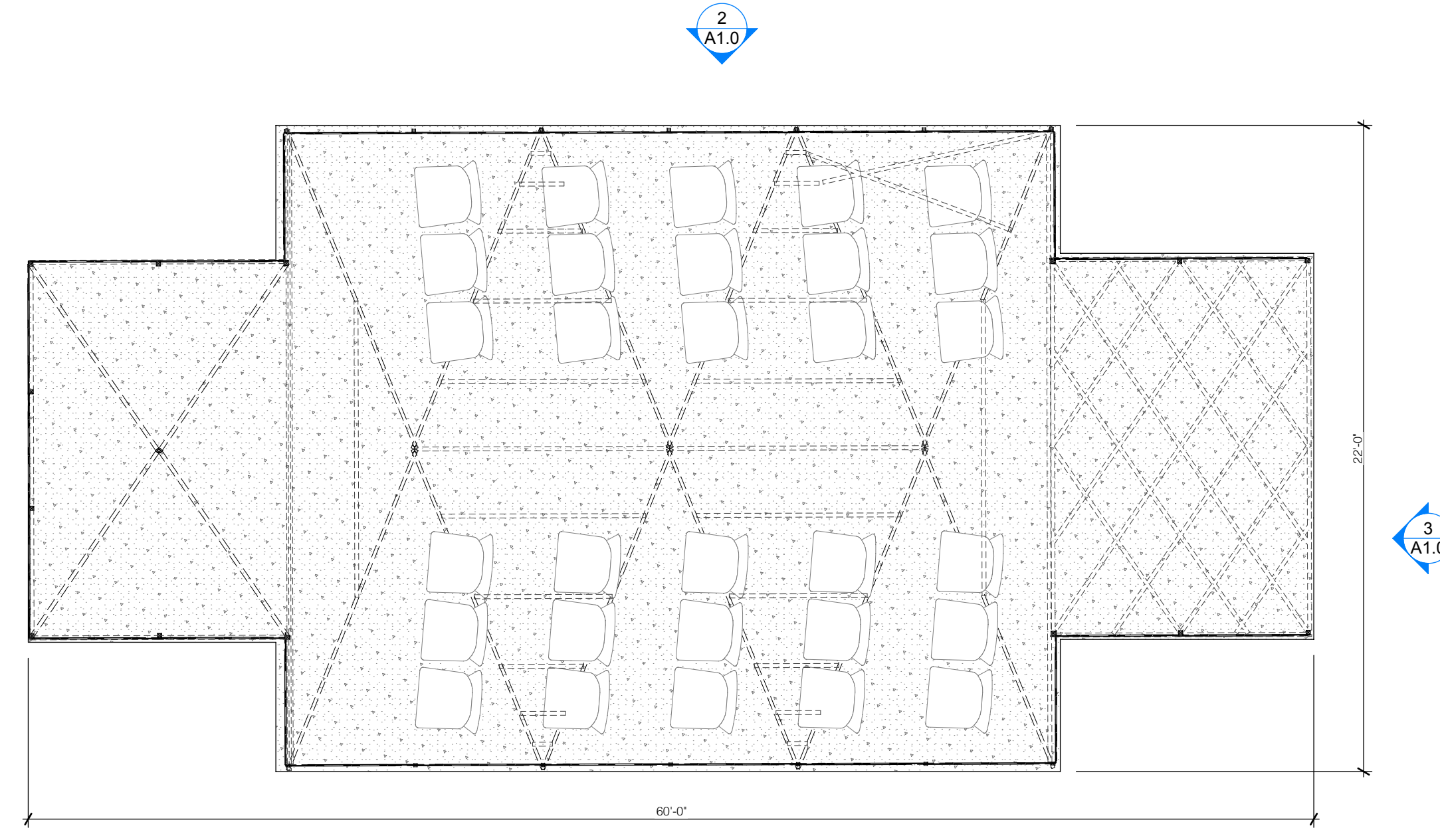
2 Long Elevation  
A1.0 SCALE: 1/4" = 1'-0"



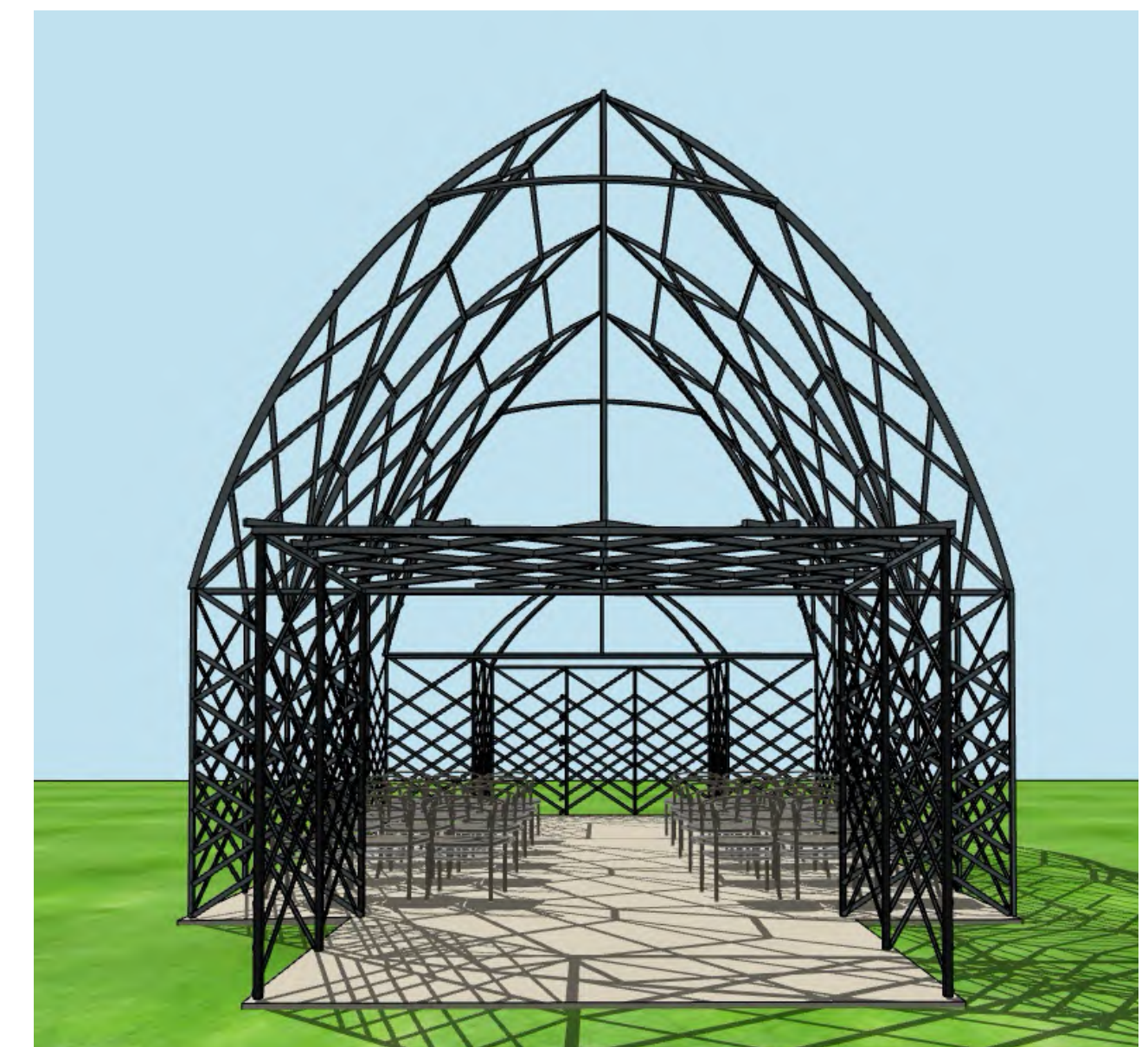
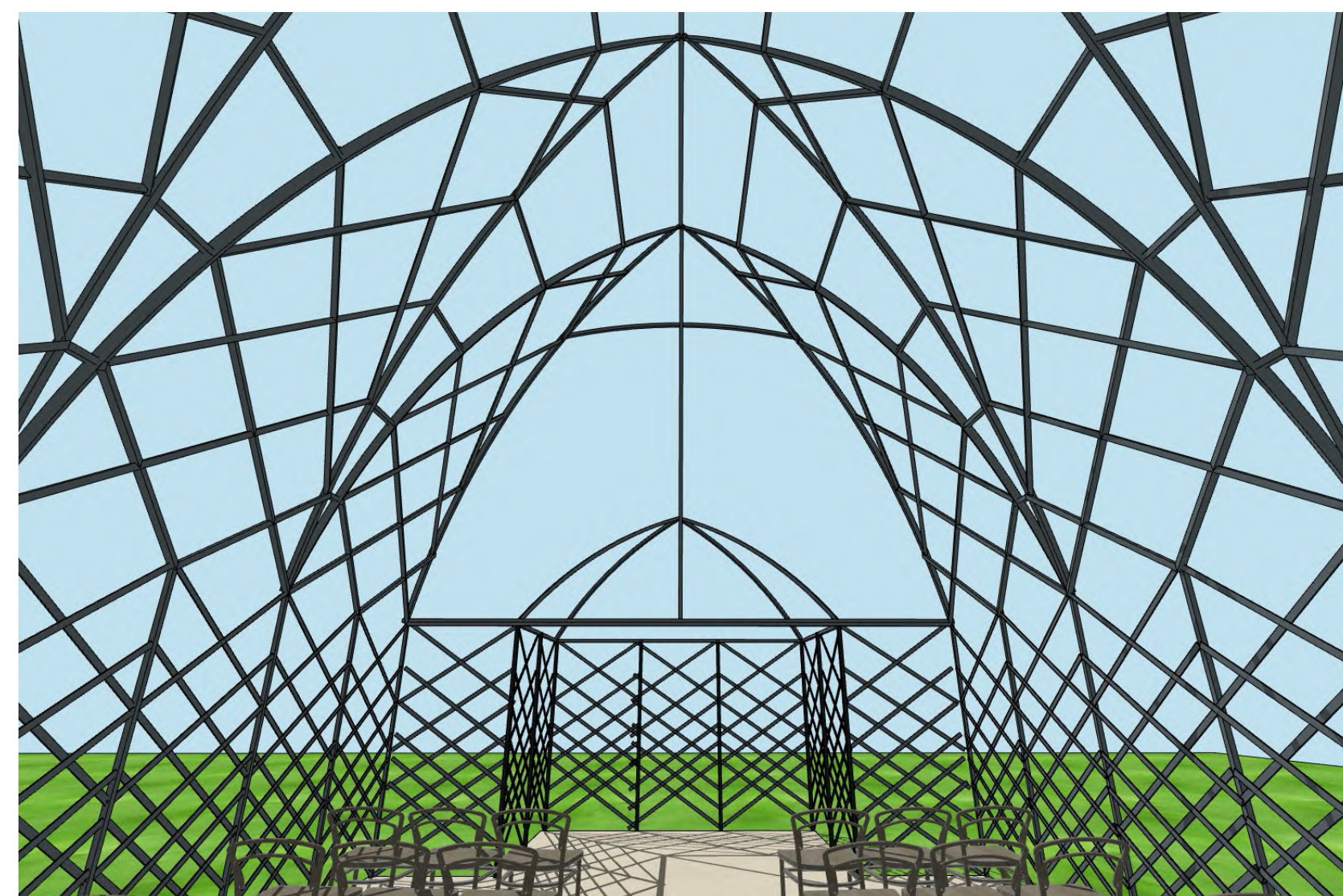
3 East Elevation  
A1.0 SCALE: 1/4" = 1'-0"



4 West Elevation  
A1.0 SCALE: 1/4" = 1'-0"



5 Proposed Main Level Plan  
A1.0 SCALE: 1/4" = 1'-0"





**Staff-drafted  
Site Plan**

**05/24/23**

**Cross of Glory**

**NOT AN ACCURATE SURVEY  
For illustrative purposes only.  
1 inch = approx. 30 ft**

**From:** [Dewey Hassig](#)  
**To:** [Susan Thomas](#)  
**Subject:** Cross of Glory conditional use permit  
**Date:** Tuesday, May 23, 2023 7:33:23 AM

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To: City of Minnetonka

Re: Cross of Glory structure

From: Dewey Hassig 4624 Church Ln. Minnetonka

May 23, 2023

In regards to the proposed structure at Cross of Glory Church, I support the construction of such. The proposed structure would be visible from my property, and a benefit to myself, providing more screening between my property and Excelsior Blvd. Visually, I think it would be an asset to the whole community.

On a related note, Cross of Glory Church, and other churches in Minnetonka, have outdoor services in the summer that are disrupted by loud vehicles. Some more effort by Minnetonka Police to enforce noise ordinances would be appreciated by all residents.

Dewey Hassig

## **Resolution No. 2023-**

### **Resolution approving a conditional use permit for an accessory structure in excess of 12 feet in height at 4600 Shady Oak Road**

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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 4600 Shady Oak Road. It is legally described in Exhibit A of this resolution.
- 1.02 Andy Higgins, in conjunction with Cross of Glory Church, is proposing to construct a steel lattice structure in the northwest corner of the subject property.
- 1.03 The structure, which would ultimately be covered with vines and greenery, would primarily be used as a garden seating space or area for quiet contemplation. Small outdoor gatherings or services could also be held in the structure, which would have seating for up to 60 people.
- 1.03 On June 1, 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 following general standards that must be met for granting a conditional use permit.
- 2.02 City Code §300.16 Subd. 3(f) outlines the following specific standards that must be met for granting a conditional use permit for accessory structures in excess of 1,000 sq. ft. or 12 feet in height.
1. Side and rear setbacks equal to the height of the structure or 15 feet, whichever is greater;
  2. No additional curb cuts to be permitted;

3. Not to be used for commercial activities;
4. Structure to be architecturally consistent with the principal structure;
5. Landscaping to be required to buffer views when the structure is highly visible from adjoining properties; and
6. Site and building plan subject to review pursuant to Section 300.27 of this ordinance.

2.03 City Code §300.27, Subd. 5, states that in evaluating a site and building plan, the city will consider its compliance with the following:

1. Consistency with the elements and objectives of the city's development guides, including the comprehensive plan and water resources management plan;
2. Consistency with this ordinance;
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;
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;
5. Creation of a functional and harmonious design for structures and site features, with special attention to the following:
  - 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;
  - the amount and location of open space and landscaping;
  - 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
  - vehicular and pedestrian circulation, including walkways, interior drives, and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement and amount of parking.

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

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(f).

1. The proposed accessory structure would have a side yard setback of at least 16 feet and a rear yard setback of over 150 feet, meeting the setback requirements.
2. No additional curb cuts are proposed.
3. The applicant indicates that the structure would be used primarily as a garden seating space or area for quiet contemplation. Small outdoor gatherings or services could also be held in the structure, which would have seating for up to 60 people.
4. The structure would be different from the existing church building and residential structure on the site. However, it would be “chapel-like” in design, consistent with the religious use of the site.
5. The structure itself is intended to have vines and greenery surrounding it. Existing vegetation would further screen it from adjacent residential lots, not owned by the church.
6. The structure would meet site and building plan standards, as outlined in section 3.03 of this resolution.

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

1. The proposal has been reviewed by members of the city’s engineering, fire, legal, natural resources, planning, and public works department and divisions. Staff finds it to be consistent with the city’s development guides.

2. The proposal would meet ordinance standards. As a condition of this resolution, the structure must be setback a minimum of 35 feet from the front property line.
3. No grading or associated tree removal would be necessary to construct the structure.
4. The garden-type structure would be appropriately located in proximity to the site's other structures and green spaces.
5. The structure would not impact overall site circulation; it would be appropriately located in proximity to the site's other structures and green spaces and
6. The outdoor garden structure would, by its very nature, promote energy conservation.
7. The city does not anticipate a negative impact on adjacent or neighboring uses. Were the structure lowered three feet in height, only a building permit would be required.

Section 4. City Council Action.

4.01 The above-described conditional use permit is approved, subject to the following conditions:

1. Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, except as modified by the conditions below:
  - Building elevations and plans dated March 30, 2023
  - Staff-drafted site plan, dated May 24, 2023
2. A building permit is required. Prior to issuance of the building permit:
  - a) This resolution must be recorded with Hennepin County.
  - b) Submit the following:
    - 1) A survey illustrating the location of the proposed structure relative to the front and side property lines. It must be set back a minimum of 16 feet from the west property line and 35 feet from the north (front) property line.
    - 2) A tree mitigation plan. The plan must meet mitigation requirements as outlined in the ordinance. However, at the sole discretion of staff, mitigation may be decreased. Based on the submitted plans, the mitigation requirements

would be unclear based upon submitted plans.

- 3) A final landscape plan. The plan must:
    - Meet minimum landscaping and mitigation requirements as outlined in the ordinance. At the sole discretion of natural resources staff, mitigation may be adjusted based on site conditions.
    - Include pollinator-friendly species.
    - Show only small shrubs, perennials, and grasses located in public easements.
  - 4) Cash escrow in the amount of \$1,000. 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:
    - 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
    - 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) Install erosion control and tree protection fencing must be installed for staff inspection. These items must be maintained throughout the course of construction.
3. The city council may reasonably add or revise conditions to address any future unforeseen problems.
  4. Any change to the approved use that results in a significant increase in a significant change in character would require a revised conditional use permit.

Adopted by the City Council of the City of Minnetonka, Minnesota, on June 26, 2023.

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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 meeting held on June 26, 2022.

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

**EXHIBIT A**

That part of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 26, Township 117, Range 22, described as follows: Beginning at a point on the southerly right of way line of the County Road (formerly the Southerly line of St. Paul, Minneapolis and Manitoba Railway) sixty-five (65) feet South and three hundred thirty (330) feet West of the Northeast corner of the Northwest Quarter of the Northeast Quarter of said Section 26, Township 117, Range 22; thence South and parallel to the last line of said Northwest Quarter (NW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of said Section 26, a distance of Two Hundred Sixty-four (264) feet; thence Westerly Two Hundred (200) feet; thence North and parallel to the East line of said Northwest Quarter (NW $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) a distance of two hundred sixty-four (264) feet to the South line of said County Road or the former Railroad right of way; thence East two hundred (200) feet to point of beginning.

# **Minnetonka Planning Commission Meeting**

## **Agenda Item 8**

Public Hearing: Non-Consent Agenda

**MINNETONKA PLANNING COMMISSION**  
**June 1, 2023**

<b>Brief Description</b>	Items concerning Walser Kia at 15700 and 15724 Wayzata Blvd:  <ol style="list-style-type: none"><li>1. Master development plan;</li><li>2. Site and building plan review, with expansion permits and variances;</li><li>3. Floodplain and wetland alteration permits;</li><li>4. Conditional use permit, with variance; and</li><li>5. Preliminary and final plats.</li></ol>
<b>Recommendation</b>	Recommend the city council adopt the resolution denying the proposal.

---

### **Background**

In the fall of 2022, Walser Real Estate LLC presented a concept plan for the redevelopment of the properties at 15700 and 15724 Wayzata Blvd. The plan contemplated the removal of the 50+-year-old retail center and the construction of a new Kia dealership and associated inventory parking lot. The city council generally noted that redevelopment of the site would be appropriate and that, conceptually, the dealership building was attractive. Some council members expressed concern about encroachment into wetland areas. Minutes from the concept plan meeting are attached.

### **Formal Application**

Walser Real Estate LLC has now submitted formal applications for the redevelopment of the combined site. The submitted plans generally reflect the earlier concept. The existing retail building would be removed, and a new dealership building and associated customer and inventory parking lots would be constructed.

### **Proposal Requirements**

The proposal requires the following:

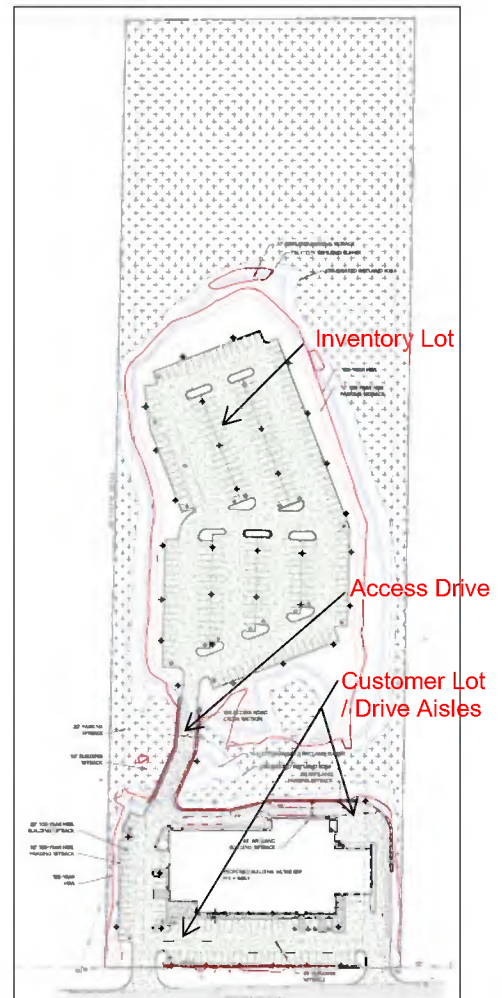
- **Master development plan.** A master development plan is required for the redevelopment of any property within the PID zoning district.
- **Site and building plan review, with expansion permits and variances.** Site and building plan review is required for the construction of any new commercial building. The submitted site plan includes expansion permits and setback variances from property lines, floodplain, and delineated wetlands, as well as wetland buffer variances. These variances are outlined in the “Staff Analysis” section of this report.

- **Floodplain Alteration.** The proposal includes the fill and recreation of floodplain areas, as well as a temporary construction impact on wetland areas.
- **Conditional use permit, with parking ratio variance.** A conditional use permit (CUP) is required for automobile-related uses that have service bays. One of the CUP standards requires that, if a structured ramp is not utilized for inventory storage, total on-site parking not exceed one space for every 200 sq. ft. of building area and that at least 50 percent of those surface stalls be screened. The proposal does not include a parking ramp and exceeds the allowable number of parking stalls.
- **Preliminary and final plats.** The development site includes two separate parcels; a property line bisects the existing retail center. Platting the property would result in the combination of these parcels.

### Proposal Summary

The following is intended to summarize the applicant's proposal. More information associated with the proposal can be found in the "Supporting Information" section of this report.

- **Existing Conditions.** The roughly 11.4-acre site is located on the north side of Wayzata Blvd, directly east of the Minnetonka BMW dealership. A 26,000 sq. ft retail center, originally built in 1965, is located in the southerly portion of the site. The area north of the building contains large amounts of wetland and a 100-year floodplain, as well as an upland area unencumbered by these natural features. Roughly 46 percent of the combined site is considered upland, and 54 percent is considered unbuildable.
- **Proposed Building.** As proposed, an approximately 34,000-square-foot building would be constructed in the same general location as the existing retail center. The building would include a sales floor, service shop, customer lounge, staff offices, meeting spaces, locker rooms, and lounge. The building façade would be comprised of a significant amount of glass, as well as metal and precast concrete panels in gray and black hues.
- **Proposed Parking Lot.** The submitted plans include two parking areas. An area surrounding the proposed building would be used for customer parking and display. This parking area would be connected, via a 22-foot wide drive aisle, to a much larger parking lot north of the building. Service and inventory vehicles would be parked in this lot. In total, the site would include 359 parking stalls.<sup>1</sup>



<sup>1</sup> The applicant narrative and plans suggest 344 and 361 stalls, respectively. Several staff hand counts of the stalls illustrated on the plans suggest 359 stalls.

Parking Area	Number of Stalls
Customer Lot (south)	74
Inventory Lot (north)	285
<b>TOTAL</b>	<b>359</b>

- **Proposed Site Work.** To accommodate the proposed redevelopment, areas of fill and excavation would be necessary. In general, the area around the proposed building and within the access drive to the inventory parking lot would be raised one to four feet; this would include a fill of a 100-year floodplain. Temporary wetland impact would also be needed for the construction of the access drive. Excavation of three to seven feet would occur within and adjacent to the proposed inventory lot; this excavation would result in compensation/recreation of a 100-year floodplain.
- **Proposed Stormwater Management.** As proposed, a pervious concrete pavement would be used for all paved surfaces. This pavement would be the primary stormwater management practice on the site. Secondly, a cistern is proposed to capture rainwater from the roof of the building for reuse in the dealership's car wash.

### Staff Analysis

A land use proposal is comprised of many details. These details are reviewed by members of the city's economic development, engineering, fire, legal, natural resources, planning, and public works departments and divisions. The details are then aggregated into a few primary questions or issues. The analysis and recommendations outlined in the following sections of this report are based on the collaborative efforts of this larger staff review team.

- **Is the proposed use appropriate?**

Yes. A vehicle dealership is an appropriate use for the subject site. Within the general context of the I-394 and Highway 12 corridor, there are many existing dealerships in Minnetonka and neighboring communities. This specific site is also recognized within the Planned I-394 district (PID) as a reasonable location for an "automobile-related use having service bays."<sup>2</sup>

- **Is the proposed building design reasonable?**

Yes. The proposed building has been thoughtfully and attractively designed. Consistent with the PID ordinance, the overall design and variety of exterior materials would reflect a high level of investment.



<sup>2</sup> §300.31 Subd.4(b)(2)(i)

• **Is the proposed site design reasonable?**

No. The buildable area of the site is constrained by the location and configuration of wetlands and floodplain areas. Staff recognizes that – unless a bridge is constructed to span these areas – variances will be necessary to provide access to the northerly portion of the site under any redevelopment scenario. Conversely, the size and design of buildings and parking areas are within the control of a redevelopment applicant. It is the city’s expectation that development and redevelopment be designed to meet natural resource protection ordinances to the greatest extent practicable.

**Expansion Permits**

The existing retail building and associated parking lot have non-conforming setbacks from property lines and wetlands; they were constructed just prior to the adoption of the city’s first zoning ordinance. An expansion permit is required for any alteration that maintains or improves upon an existing non-conformity. Portions of the customer parking lot/drive aisle require expansion permits.

		Setbacks		
		Required	Existing	Proposed
<b>Customer Parking Lot/Drive Aisles</b>				
<b>Property Line Setbacks</b>	South	20 ft	0 ft	4 ft
	East	20 ft	10 ft	14 ft
	West	20 ft	0 ft	14 ft
<b>Wetland Setbacks and Buffers</b>	North	20 ft setback 16.5 ft buffer	0 ft	8 ft
	East	20 ft setback 16.5 ft buffer	3 ft	3 ft
	West	20 ft setback 16.5 ft buffer	0 ft	5 ft
<b>Floodplain Setbacks</b>	North	10 ft	0 ft	0 ft
	East	10 ft	0 ft	0 ft
	West	10 ft	0 ft	6 ft

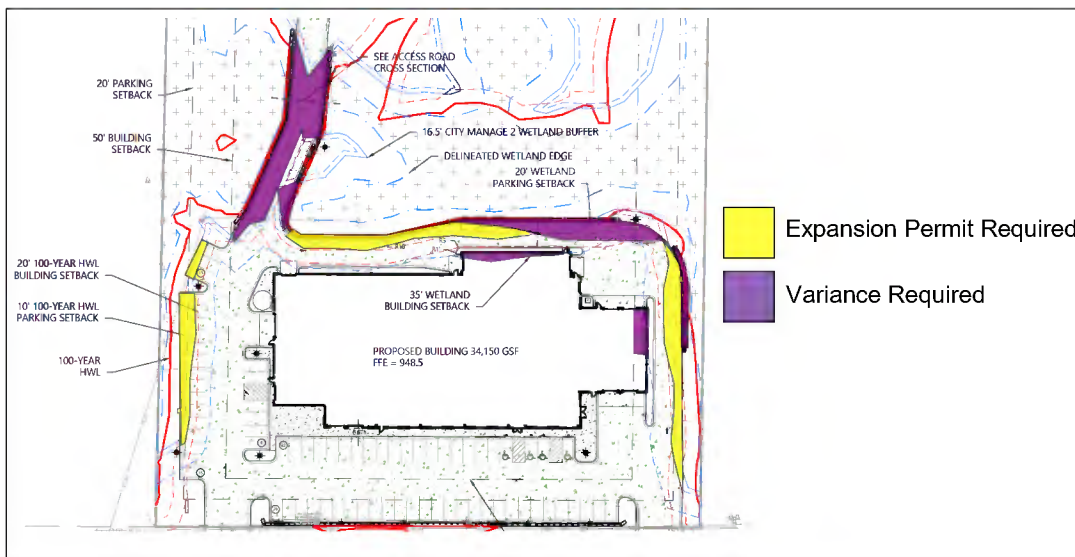
Existing and proposed rounded down to the closest 1 ft

Staff finds that maintaining the footprint of the existing paved surface or improving their setbacks from property lines and natural resources is reasonable. In other words, the staff finds that the requested expansion permits are reasonable.

**Variations**

Portions of the proposed building, customer parking lot/drive aisles, and access drive would encroach further into required setbacks and wetland buffer areas than the existing site improvements. Variations are required.

		Setback	
		Required	Proposed
<b>Buildings</b>			
<b>Property Line</b>	East	50 ft	40 ft
<b>Wetland</b>	North	35 ft	28 ft
	East	35 ft	30 ft
<b>Customer Parking Lot/Drive Aisles</b>			
<b>Wetland and Buffers</b>	North	20 ft	3 ft, setback and buffer
	East	20 ft	2 ft, setback and buffer
<b>Floodplain</b>	North	10 ft	0 ft
<b>Access Drive</b>			
<b>Wetland and Buffers</b>	East	20 ft	1 ft, setback and buffer
	West	20 ft	1 ft, setback and buffer
<b>Floodplain</b>	East	10 ft	0 ft
	West	10 ft	0 ft



Staff finds that the requested setback and buffer variances are not reasonable. Under city code and state law, the city may approve a variance from an ordinance standard when an applicant establishes that there are practical difficulties in complying with the



standards. "Practical difficulties means that the property owner proposes to use the property in a reasonable manner not permitted by this 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. Economic considerations alone do not constitute practical difficulties."<sup>3</sup>

The applicant has suggested reduced setbacks proposed in certain areas are balanced by increased/improved setbacks in other areas. Regardless of these increases/improvements in certain areas, the setback and buffer variances do not meet the unique circumstance test of the variance standard. The size and configuration of the proposed building and customer parking lot are within the control of Kia corporate and Walser Real Estate. Historically, the city has not granted variances in order to meet a corporate specification or mandate. Instead, it is the city's expectation that development and redevelopment be designed to meet the natural resource protection ordinances to the greatest extent practicable.

- **Is a parking ratio variance reasonable?**

No. Within the PID district, automobile uses having service bays are conditionally permitted on properties designated for retail use.<sup>4</sup> The ordinance contains six CUP standards for such uses, and each of these contains several sub-standards. All of the standards are outlined in the "Supporting Information" section of this report.

The Walser Kia proposal would not meet one of the standards/sub-standards. Specifically, by ordinance, parking requirements must comply with one of the following:

- 1) Fifty percent of the total on-site parking spaces must be in a structure ramp, or
- 2) If the city deems it appropriate, surface parking without a ramp under the following conditions:
  - (a) Total on-site parking must not exceed one parking space for every 200 sq. ft. of building area, and
  - (b) Submittal of a plan that adequately screens 50 percent of the total parking spaces from public view.<sup>5</sup>

The proposal does not include structured parking. While 80 percent of the proposed parking spaces would be located behind the proposed building, the site would contain one space per every 94 sq. ft. of building space. Essentially, the site has twice as many parking stalls as allowed. Put another way, for the proposed number of surface stalls to meet the ordinance standard, the dealership building would have to be over twice as large as the building proposed.

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<sup>3</sup> City Code §300.07 Subd.1(a) and State Statute §462.357 Subd.6(2).

<sup>4</sup> In the 2040 Comprehensive Guide Plan, the subject site is designated for mixed-use. Mixed use would include retail.

<sup>5</sup> §300.31 Subd.4(b)2(i)5(j)

	<b>Allowed</b>	<b>Proposed</b>
Parking Spaces	170 spaces	359 spaces

A variance to the parking ratio standard is required. Staff does not support this variance, as it does not meet the unique circumstance test of the variance standard. The decision to forgo a structured ramp and the proposed size of the inventory parking lot are both within the control of the property owner. It is the city's expectation that an auto dealership redevelopment of this site should be designed to meet this standard.

**Summary Comments**

The subject site is large, highly visible, and located in proximity to existing auto dealerships. Staff recognizes that these circumstances make the site attractive for redevelopment for auto dealership use. In fact, the language of the PID ordinance anticipates such use, and staff generally supports a redevelopment to accommodate a dealership. Staff cannot, however, support the specific redevelopment details proposed by Walser Real Estate LLC. It is the position of staff that redevelopment must be designed to account for all site conditions.

**Staff Recommendation**

Recommend the city council adopt the resolution denying the proposal.

## Supporting Information

<b>Subject Property</b>	The subject property is zoned PID and has a mixed-use land use designation in the Comprehensive Guide Plan.
<b>Surrounding Properties</b>	North: Single-household dwellings; zoned R-1 South: Wayzata Blvd and I-394 beyond East: Office building; zoned PID West: BMW dealership building; zoned PID
<b>Plans</b>	The applicant submitted initial plans on March 7, 2023. Staff requested additional information and provided comments and concerns related to the submittal. Revised plans, and responses to staff comments, were submitted on April 28, 2023. Again staff provided comments and noted that it would not support the proposal, primarily due to the variances. Revised plans, and responses to staff comments, were submitted on May 12, 2023; the plans continue to include setback and buffer variances, as well as a parking ratio variance. Staff again noted that it would not support the proposal, generally due to the variances. This report is based on the May 12 plans.
<b>Grading</b>	<p>The highest point of the site is a knoll located on the currently undeveloped upland portion of the property. Grade falls 15 feet in all directions from this knoll.</p> <p>To accommodate the proposed redevelopment, nearly the entirety of the upland area would be graded. In general, the area around the proposed building and within the access drive to the inventory parking lot would be raised. The area of the inventory lot would be lowered. A berm would be recreated north of the proposed inventory lot. The top of the berm would be situated two feet lower than the existing knoll but one to three feet higher than the adjacent inventory parking lot.</p>
<b>Tree Removal</b>	<p>Redevelopment of the site would be subject to the tree protection ordinance. Under the ordinance, up to 35 percent of the site's high-priority trees and 50 percent of the significant trees could be removed to accommodate redevelopment.</p> <p>The tree inventory originally submitted by the applicant was not complete. It did not include all information required by the tree ordinance or correctly calculate tree removal as outlined by the ordinance. Updated/revised tree inventories have been submitted, but they have not provided completed information adequate for analysis. As nearly the entirety of the upland area would be graded, trees located in this area – including trees within the wetland buffer – would be removed or impacted to the extent that they would be considered removed under the ordinance.</p>

Staff cannot say with confidence that the proposal would meet the tree protection ordinance.

**Floodplain Alteration  
Wetland Impact**

Much of the developed portions of the site are located within 100-year floodplain areas. Floodplain fill would likely be needed to construct a building in the same general location as the existing building and to access the northerly upland area. As proposed, through fill and mitigation, floodplain storage on the site would increase by 1.8%. Temporary wetland impacts would occur during the construction of the access drive.

**Stormwater  
Management**

The proposed parking areas would be pervious concrete pavement. Such pavement is intended to allow for infiltration, with curb cuts at low points providing overflow routes. This a creative stormwater management practice, not used to this extent in the city previously. City staff has some concerns regarding the application of this stormwater practice on this specific site. First, under the city's water resources management plan, an infiltration system would not be allowed/feasible on the site due to existing soils. Second, the geotechnical report for the property suggests long-term settlement of the building and pavement. Cracking and uneven pavements are anticipated, and maintenance will be required. The report does not outline the type of maintenance necessary to ensure permeability of the pavement and, therefore, compliance with stormwater management rules. Given that infiltration is not an option, staff would suggest a more typical bituminous treatment with associated underground filtration stormwater practice.

To date, a plan has not been submitted that complies with the city's stormwater management rule.

**Landscaping**

Addressing comments received during the concept plan review, the submitted landscape plans include a variety of conifer and deciduous trees planted on the north side of the inventory parking lot. Smaller shrubbery, annuals, perennials, and grasses would be planted in parking lot islands and around the proposed building.

**Structured Parking**

Between 1988 and 2008, the exterior display, sales, or storage of merchandise, consumer goods, or business-related items was prohibited in the PID district. Auto dealerships that were established prior to 1988 were considered non-conforming. While some site and building improvements were made to those businesses during those years, no significant expansion of the existing dealership occurred, and no new dealerships were constructed.

In 2008, the city amended the PID ordinance to allow for motor vehicle sales, storage, and exterior display on certain properties, so long as certain conditions were met. One of those conditions, outlined on pages 6 and 7 of this report, requires that at least 50 percent of all

parking stalls be enclosed or that a 1 per 200 parking ratio and screening be met.

The BMW dealership west of the proposed Kia dealership was reviewed under this ordinance in 2008. On that site, 59 percent (511) of the property's 863 parking stalls are located within a structured ramp.

### CUP Standards

The proposed auto dealership would not meet the general conditional use permit standards outlined in City Code §300 Subd.4(b)2:

1. The use is in the best interest of the city;

**Finding:** The general use is not contrary to the best interest of the city. The subject site is currently occupied by a 50+-year-old, non-conforming building and parking lot. Given this, the PID ordinance anticipates redevelopment of the site.

2. The use is compatible with other nearby uses; and

**Finding:** A vehicle dealership is an appropriate use for the subject site. Within the general context of the I-394 and Highway 12 corridor, there are many existing dealerships in Minnetonka and in the neighboring communities.

3. The use is consistent with other requirements of this ordinance.

**Finding:** Variances are required for wetland setbacks and buffers, tree removal, and parking ratios. These variances do not meet the unique circumstances of the practical difficulty test. See the "Variance Standard" section below.

The proposed auto dealership would not meet one of the specific conditional use permit standards outlined in City Code §300 Subd.4(b)2(i) for "service stations and other automobile related uses having service bays on property designated for retail use."

1. Must have no unlicensed and inoperable vehicles stored on premises except in storage areas where the contents are completely screened from the view from nearby properties;

**Finding:** This is not the intent of the applicant and could be included as a condition of approval for any dealership redevelopment of the site.

2. Must conduct all repair, assembly, disassembly, and maintenance of vehicles within closed buildings except minor maintenance, such as inflating tires, adding oil, and replacing wipers;

**Finding:** This could be included as a condition of approval for any dealership redevelopment of the site.

3. Must have no public address system audible from any residential parcel;

**Finding:** This could be included as a condition of approval for any dealership redevelopment of the site.

4. Must provide stacking for gas pumps for at least one car beyond the pump island in each direction in which access can be gained to the pump. The required stacking shall not interfere with internal circulation patterns or with designated parking areas and shall not be permitted in any public right-of-way, private access easement, or within the required parking setback;

**Finding:** No customer gas pumps are proposed. Nevertheless, this could be included as a condition of approval for any dealership redevelopment of the site.

5. Must have no sales, storage, or display of motor vehicles unless the following criteria are met:

- a) The parcel is located within the I-394 redevelopment overlay district No. 6 or No. 7;

**Finding:** The subject site is located in overlay district 6.

- b) All inventory and display vehicles located outside of a building or structure must be at finish grade level. No jack stands, risers, or other mechanisms may be used to elevate any vehicle for display purposes;

**Finding:** This could be included as a condition of approval for any dealership redevelopment of the site.

- c) Class II motor vehicle sales (used car sales) are allowed only as an accessory part of the new car sales;

**Finding:** This could be included as a condition of approval for any dealership redevelopment of the site.

- d) The sale of vehicles may occur during the times and days allowed by state law;

**Finding:** This could be included as a condition of approval for any dealership redevelopment of the site.

- e) Vehicles must not be displayed in any yard area, drive aisle, or fire lane;

**Finding:** This could be included as a condition of approval for any dealership redevelopment of the site.

- f) The overall hard surface coverages must not exceed 70%, and floor area ratios must not exceed 0.6 except that the hard surface coverage may extend to 80% with innovative stormwater management methods and treatment measures subject to approval by the city engineer;

**Finding.** As proposed, the site would be 35 percent hard surface and would have a floor area ratio of 0.07.

- g) The architectural and site standards must comply with section 300.31(7)(a);

**Finding.** The proposed building has been thoughtfully and attractively designed. The overall design and variety of exterior materials would reflect a high level of investment.

- h) The landscaping must comply with Section 300.31(7)(b) and must contain a wall, berm, or other feature that is constructed for long-term durability when adjacent to the residentially zoned property to minimize to the greatest extent reasonably possible, noise and visual impacts;

**Finding.** A berm is proposed north of the inventory parking lot. The top of the berm would be one to three feet higher than the adjacent parking lot. The intent of the berm and coniferous and deciduous planting is to buffer the lot from residences to the north.

That said, given that an irrigation system would not be allowed in the wetland buffer and hand watering is proposed, the staff is concerned about the long-term viability of some of the plantings.

- i) Parking lot and site security lighting must comply with section 300.31(7)(c) and in addition, the following requirements:

- 1) Maximum of 450 watts per fixture.
- 2) Maximum height of light standards is 30 feet in outdoor display areas as defined in 300.31

Subd. (4)(a)(3)(b) and 25 feet in all other outdoor areas.

- 3) Maximum of 1 watt per square foot surface parking area.
- 4) The lighting plan shall be designed to have 0.0 foot-candles at residential property lines with the understanding that ambient light from other sources may spill on the property and influence actual on-site measurements.

**Finding:** These standards could be included as a conditions of approval for any dealership redevelopment of the site.

j) Parking requirements must comply with one of the following:

- 1) fifty percent of the total on-site parking spaces must be in a structured parking ramp, or
- 2) if the city deems it appropriate, surface parking without a ramp under the following conditions:
  - (a) total on-site parking must not exceed one parking space for every 200 square feet of building area, and
  - (b) submittal of a plan that adequately screens 50% of the total parking spaces from public view.

**Finding: This standard is not met.** The proposal does not include a parking ramp and far exceeds the allowable number of parking stalls. A variance is required.

k) Vehicles parked within a parking structure must be screened from view from surrounding residential uses;

**Finding:** This standard is not applicable.

l) The customer parking spaces must be clearly signed and may not be used at any time for inventory vehicle parking;

**Finding:** This could be included as a condition of approval for any dealership redevelopment of the site.



- m) All pickups and drop-offs of vehicles must occur on-site and off public streets;

**Finding:** The site has been designed to allow for on-street pickups and drop-offs. This could also be included as a condition of approval.

- n) All loading and unloading of vehicles must occur on-site and off public streets;

**Finding:** The site has been designed to allow for loading and unloading of vehicles. This could also be included as a condition of approval for any dealership redevelopment of the site.

- o) Customer testing of vehicles may occur only on non-residential streets and only with a store employee;

**Finding:** This could be included as a condition of approval for any dealership redevelopment of the site.

- p) No loudspeaker paging system may be used;

**Finding:** This could be included as a condition of approval for any dealership redevelopment of the site.

- q) All rooftop equipment must be fully screened from ground level view of adjacent properties;

**Finding:** This could be included as a condition of approval for any dealership redevelopment of the site.

- r) All signs must be consistent with this code;

**Finding:** This could be included as a condition of approval for any dealership redevelopment of the site.

- s) Poured-in-place concrete curbs must be constructed and maintained on the perimeter of parking lots and traffic islands; and

**Finding:** The site has been designed to meet this standard.

- t) All trash and recyclable materials must be screened from public view.

**Finding:** The site has been designed to meet this standard.

6. Must not be located within 100 feet of any low-density residential parcel or adjacent to medium or high-density residential parcels. The city may reduce separation requirements if the following are provided:
  - a) landscaping and berming to shield the auto service use;
  - b) parking lots not located in proximity to residential uses; and
  - c) lighting plans which are unobtrusive to surrounding residential uses;

**Finding:** The subject site abuts low-density residential properties to the north. However, the parking lot would be located 400 feet from the shared property line and nearly 1,000 feet from the closest home. In addition, landscaping and berming are proposed.

#### **SBP Standards**

The proposal would not comply with all site and building standards as outlined in City Code § 300.27 Subd.5:

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 the city planning, engineering, and natural resources staff. The stormwater management system, as currently designed, is not consistent with the water resources management plan. To date, a stormwater management plan meeting city rules has not been submitted.

2. Consistency with this ordinance;

**Finding:** Variances are required for wetland setbacks and buffers, tree removal, and parking ratios. These variances do not meet the unique circumstances of the practical difficulty test. See the "Variance Standard" section below.

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:** This finding is not met. To accommodate the proposed redevelopment, the entirety of the site's upland area would be graded. Staff recognizes that some amount of grading would be necessary to redevelop the site, given the configuration of existing floodplain, wetland, and upland areas. However, it is the size and

configuration of the proposed inventory lot that results in the extent of the proposed grading.

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 size and design of the proposed building and parking lots result in wetland setback and buffer variances, as well as unnecessary tree removal.

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, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement and amount of parking.

**Finding:** The proposed building has been thoughtfully and attractively designed. Consistent with the PID ordinance, the overall design and variety of exterior materials would reflect a high level of investment.

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

**Finding:** The applicant made considerable effort to include many unique features in the proposal, including pervious pavement, a water reuse cistern, and EV charging stations.

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 has incorporated comments related to landscape buffering of residential areas to the north.

**Variance v.  
Expansion Permit**

A variance is required for any alteration that will intrude into one or more setback areas beyond the distance of the existing, non-conforming structure. An expansion permit is required for any alteration that maintains an existing non-conformity.

**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.

The proposal requires wetland setback, wetland buffer, and parking ratio variances. As noted throughout this report, these variances do not meet the unique circumstance practical difficulties test. Though the site is encumbered by floodplain and wetland areas, the variances are predicated on the design of the proposed building and parking lots. The size and configuration of the proposed building and customer parking lot are within the control of Walser Real Estate, albeit subject to the demands of Kia corporate.

**Expansion Permit  
Standard**

By city code, an expansion permit for a non-conforming use may be granted, but is not mandated, when an applicant meets the burden of proving that: (1) the proposed expansion is reasonable use of the property, considering such things as: functional and aesthetic justifications for the expansions; adequacy of off-street parking for the expansion; absence of adverse off-site impacts from such things as traffic, noise, dust odors, and parking; improvement to the appearance and stability of the property and neighborhood; (2) the circumstances justifying the expansion are unique to the property, are not caused by the landowner, are not solely for the landowner's convenience, and are not solely because of economic considerations; and (3) the expansion would not adversely affect or alter the essential character of the neighborhood.

The proposal requires expansion permits for areas of the proposed customer parking lot and building. Given that, under state law, the existing parking lot and building could be entirely removed and a new parking lot and building of the same size and configuration

constructed, staff supports maintaining these existing non-conforming setbacks.

**Neighborhood Comments**

The city sent notices to 108 area property owners and has received no written comments to date.

**Commission Action**

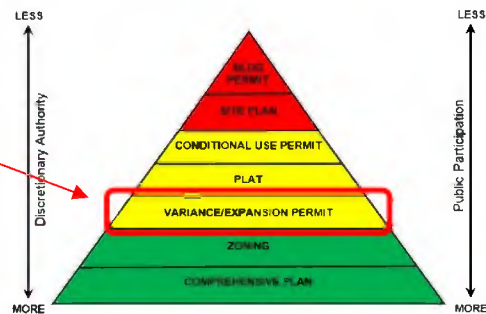
The planning commission will make a recommendation to the city council; a recommendation requires a majority vote of the commission. The planning commission has the following options:

1. Concur with staff's recommendation. In this case, a motion should be made recommending the city council deny the proposal.
2. Disagree with staff's recommendation. In this case, a motion should be made recommending the city council approve the proposal. The motion should include findings outlining how the variance standards are met for the setback, buffer, tree removal, and parking ratio variances.

Unless the applicant waives the statutory 120-day deadline, the commission cannot table this applicant's proposal.

**Pyramid of Discretion**

This proposal:



**Deadline for Action**

June 26, 2023



## LOCATION MAP

Project: Walsler Kia

Location: 15700/15724 Wayzata Blvd



April 28, 2023

John R. Brennan  
Phone: 952-653-3575  
Email: jrbrennan@walser.com

VIA E-MAIL TO:

City of Minnetonka  
Attn: Susan Thomas, AICP, Assistant City Planner  
(stthomas@minnetonkamn.gov)

**Re: Walser Kia – 15700 & 15724 Wayzata Boulevard, Minnetonka**

Dear Ms. Thomas:

Below is a memo in response to various comments from, and discussions with, City of Minnetonka staff over the past few weeks.

I. Project Overview

Walser Automotive Group has been awarded a new Kia franchise on their property at 15700 & 15724 Wayzata Boulevard in Minnetonka. This facility will initially create approximately 50 well-paying jobs. The jobs are all new because this is a new dealership and not a relocation of an existing auto dealership. Salesperson, technician and other jobs will average more than \$65,000 each, excluding the higher paid managers.

Walser proposes to construct a new partial two-story 34,150 square-foot dealership facility for the new Kia franchise. It will be constructed in the approximate location of the existing building on the southern portion of the lot. Most of the parking storage will be screened behind the building.

Over the course of the past nine months, Walser has worked closely with the City of Minnetonka and met numerous times with city staff and technical experts to refine this project in a manner that best suits the unique characteristics of the site. Walser's development vision will dramatically improve the site both aesthetically and economically, while also ensuring protection of the wetlands and other natural aspects of the site. Furthermore, Walser is committed to incorporating sustainability features throughout the project.

II. Building and Parking Layout

The project includes 344 total parking stalls. Fully 80% of the proposed parking (275 stalls) would be at the rear of the site – behind the building and screened from the frontage road and Highway 12. The remaining 69 stalls would be situated in front of the building for customer parking and high priority inventory display. From the start, Walser has been seeking a conditional use permit regarding the number of parking stalls vis a vis the building square footage.

Under ideal conditions, both Walser and Kia Corporation would prefer more parking capacity, but Walser has scaled back the number of stalls significantly from its initial plans. The proposed parking stall count is at the low end of the range to maintain a viable dealership business. Auto dealerships and manufacturers would also rather have most of their parking in front of the building, but we have

adjusted our plans to accommodate this particular site. Walser understands that a conditional use permit would be required to accommodate the number of necessary parking spaces, as is also the case with the adjacent auto dealerships on Wayzata Boulevard.

In addition to situating much of parking and inventory storage behind the building, we have also made the dealership longer and narrower than usual to fit within the existing development footprint of the site. Overall building size is dictated largely by vehicle service capacity requirements, and the size of the proposed building is approaching the minimum square footage required by Kia Corporation.

### III. Operational Logistics and Traffic

Vehicle transport trucks are 45' long and can carry a maximum of 9 vehicles. Transports arrive weekly and would adhere to the following route: enter from frontage road at west entrance/exit of dealership, head directly north across access road, bear right upon entering rear inventory lot, unload between south and north halves of inventory lot, turn left to drive back to access road and exit dealership at west entrance/exit.

The drive lane behind (to the north of) the proposed building is critical for safe and efficient traffic flow for customers and employees, as well as commercial vehicles such as waste disposal trucks.

Walser expects approximately 35 to 40 employees on site daily, as well as 10 to 25 sales customers and 35 to 40 service appointments per day.

Walser Kia sales hours will be 8:30 a.m. to 8:00 p.m. Monday through Thursday, and 8:30 a.m. to 6:00 p.m. on Fridays and Saturdays. The service department runs 7:00 a.m. to 8:00 p.m. Monday through Thursday but closes earlier on Fridays (6:00 p.m.) and Saturdays (4:00 p.m.).

### IV. Mitigation of Impact to Wetlands and Trees

We were informed the City of Minnetonka is in the process of updating floodplain models for the City. The City's proposed floodplain elevation for the area will increase to an elevation of 945.2. With this proposed update, the existing commercial facility on the site will not meet the City of Minnetonka's proposed floodplain regulations. The proposed redevelopment design will accommodate the increased flood elevation and ensure no loss in floodplain storage volume. Additional flood storage area will be created along the east side of the property to mitigate flooding in the surrounding area.

Walser has carefully considered the project's impact to wetlands, trees, and other natural features of the site with input and guidance from city staff and technical experts in the course of many meetings over the past nine months. The current proposed design is the product of this extensive dialogue.

To ensure protection of the wetland, considerable accommodations have been made to reposition the building layout and move most of the parking behind the building in ways that are uncommon for auto dealerships.

In addition, Walser has significantly narrowed the preferred width of the access road that connects the front and rear portions of the project. By narrowing the width from its preferred 32 feet down to 22 feet, Walser has avoided permanent wetland impacts in this area while also allowing for a 2-foot-wide large block retaining wall and guard rails behind the curb on each side. The proposed 22 feet is the narrowest possible width to still allow for two-way traffic of light passenger vehicles. Two-way flow is necessary to accommodate the expected level of customer and employee traffic passing bi-directionally to and from the rear lot. We can manage with one-way flow for vehicle transport trucks and other commercial vehicles that will use the access drive only occasionally. A pedestrian lane is also required as



part of the access road so that employees and customers can safely walk to and from the rear parking area.

Walser has also redesigned the entire rear parking area so as to provide an extensive wetland buffer and stay clear of all City wetland setbacks. Beyond meeting City requirements, the rear parking wetland buffer area proposed also exceeds the governing watershed's wetland buffer area requirements by over 40%.

Wetland variances are requested for the proposed access road and south parking area. As previously discussed, extensive conversation and design work has occurred to not only minimize impacts to wetlands but to improve upon the wetland buffer's current conditions. The existing site conditions do not comply with City's wetland buffers and setbacks. The proposed redevelopment increases the wetland buffer on the east and west sides of the south parking lot. The rear of the proposed building and adjacent pervious pavement encroach into the required wetland buffer to similar extents as the existing conditions. The proposed access road has been located in the optimal location to minimize wetland impacts, however, this location is still unable to meet the full wetland buffer requirements similar to existing conditions.

Walser proposes adding pipes below the rear parking lot and access road to improve the hydrologic connectivity of the site between the east and west boundaries of the wetlands.

To further mitigate wetland impact and improve stormwater flow, Walser plans to install pervious concrete pavement over a specially prepared sub-base throughout the site. Pervious pavements reduce runoff volume and increase water quality through reduction of total suspended solids and total phosphorus. Per the Minnesota Stormwater Manual, pervious pavements also reduce runoff temperatures and other contaminants related to nitrogen, metals, and process oils. Walser has years of experience in successfully installing and maintaining pervious pavement at a number of its dealerships throughout the Twin Cities metro. Walser understands the importance of these maintenance requirements and will effectively and consistently implement them at this site over the long-term.

Tree protection and replacement have been a highly considered component of the project. Proposed grading activities have been constrained to minimize impact to existing trees. The species of new trees and plants have been selected to ensure long lasting and sustainable landscaping with preference given to species native to the area. Landscaping within wetland buffers exclusively consists of native plantings that thrive in the natural conditions of the site, thus not requiring any irrigation once the plant material becomes established. Plant material in the wetland buffer will be hand watered until established.

## V. Additional Sustainability Features

In addition to the above environmentally friendly aspects regarding wetlands, trees, and landscaping, Walser is designing the site with further sustainability features in mind.

Walser will collect rainwater from the facility's roof in a cistern with a capacity of roughly 20,000 gallons. This rainwater will be used in the carwash as well as for lawn and landscape irrigation. The dealership carwash will also incorporate a system to reclaim a substantial portion of the used water.

Kia is a leader in electric vehicles (EV). This new facility is designed to accommodate the ongoing need for servicing EVs and their batteries. There will be both level 2 and level 3 fast chargers on the site. These chargers will be compatible with both Kia and non-Kia EVs.

Walser is exploring the concept of a rooftop solar installation. We intend to install solar panels provided

that such investment is economically feasible.

VI. Settlement Potential

The potential for pavement settlement has been evaluated by the project geotechnical engineer. City engineering representative Jeremy Koenen requested a review of unit weights of the native soils and the proposed pavement section for the development. Based on the soil exploration report prepared by American Engineering and Testing, the existing fill soils in the parking areas have an in-place dry density of 115-120 pounds per cubic foot (PCF). The proposed pavement section will be pervious pavement and consist of 6 inches of pervious concrete supported by approximately 1 foot of No. 57 stone. The unit weights of these materials are 125 PCF and 98 PCF respectively. Based on a one and ½ foot section, the pavement section will have an overall unit weight of 160.5 pounds per square foot (PSF) while the comparable existing soils have a unit weight of 180 psf. Based on this, the proposed pavement section will have a lower unit weight than the native soils. Note that any thicker pavement section would have a lower total weight based on the increased amount of No. 57 stone. Therefore, the new pavement section will not induce consolidation of the underlying soils and settlement is not anticipated to be concern at this site.

VII. Methane

Conducted methane testing which detected elevated methane levels beneath the existing pavement and building area. Walser intends to install a methane mitigation system under the dealership building. Pervious pavement use will allow this naturally occurring methane to vent as the native soils. Therefore, a mitigation system is not required beneath the pavement section.

VIII. Conclusion

Walser remains committed to developing this site in a manner that not only preserves but enhances its natural features, while also significantly increasing the aesthetic and economic value of the property. In close partnership with the city over nearly the past year, we have refined the project in ways that we believe now meet the needs and desires of all stakeholders.

Walser is proud of the work done to get to this point and is excited about the prospect of commencing development this summer. We thank you for your consideration.

Best regards,



John R. Brennan  
Senior Vice President  
Walser Automotive Group

# CITY ENTITLEMENT SUBMITTAL



Vicinity Map  
(NOT TO SCALE)

FOR

## WALSER KIA MINNETONKA

MINNETONKA, MN

PREPARED FOR:

**WALSER REAL ESTATE, LLC**

7700 FRANCE AVENUE SOUTH SUITE 410 N  
EDINA, MN 55435

CONTACT: JOHN BRENNAN

PHONE: 952-653-3575

EMAIL: JBRENNAN@WALSER.COM

PREPARED BY:

**Westwood**

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300  
Fax (952) 937-5822 Minnetonka, MN 55343  
TollFree (888) 937-5150 westwoodps.com

Westwood Professional Services, Inc.

PROJECT NUMBER: 0036502.00

CONTACT: DAVID T. BADE

### SHEET INDEX

Sheet List Table	
SHEET NUMBER	SHEET TITLE
C001	COVER
C002	PRELIMINARY PLAT
C100	EXISTING CONDITIONS WITH PROPOSED SITE OVERLAY
C101	REMOVALS PLAN
C200	OVERALL SITE PLAN
C201	ENLARGED SITE PLAN
C300	OVERALL GRADING PLAN
C301	ENLARGED GRADING PLAN
C400	EROSION CONTROL PLAN
C500	UTILITY PLAN
L100	TREE PRESERVATION PLAN
L200	LANDSCAPE PLAN
L201	LANDSCAPE NOTES

NO.	DATE	REVISION	SHEETS
	04/28/2023	CITY RESUBMITTAL	
	05/11/2023	-	
	-	-	
	-	-	
	-	-	
	-	-	
	-	-	
	-	-	
	-	-	

CITY ENTITLEMENT SUBMITTAL

FOR

WALSER KIA  
MINNETONKA

MINNETONKA, MN

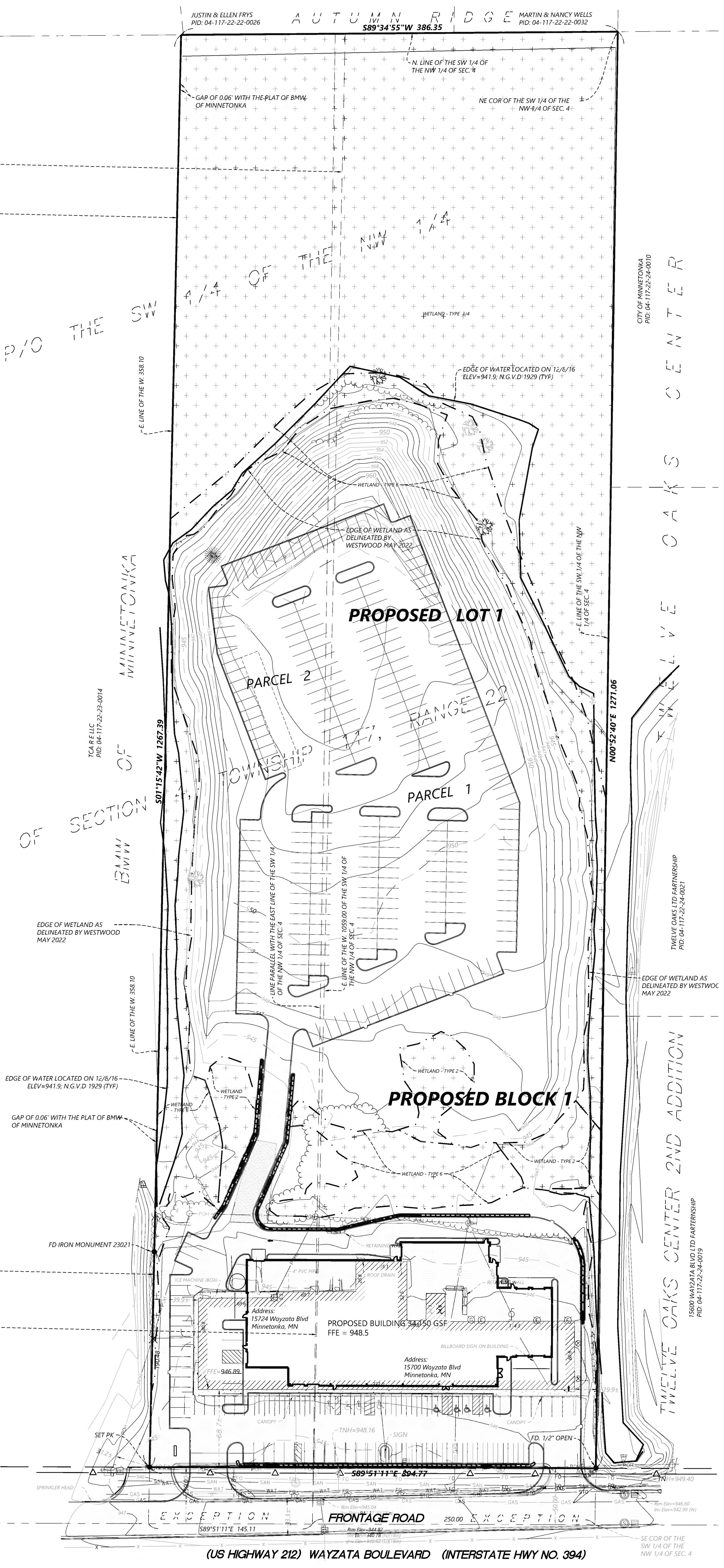
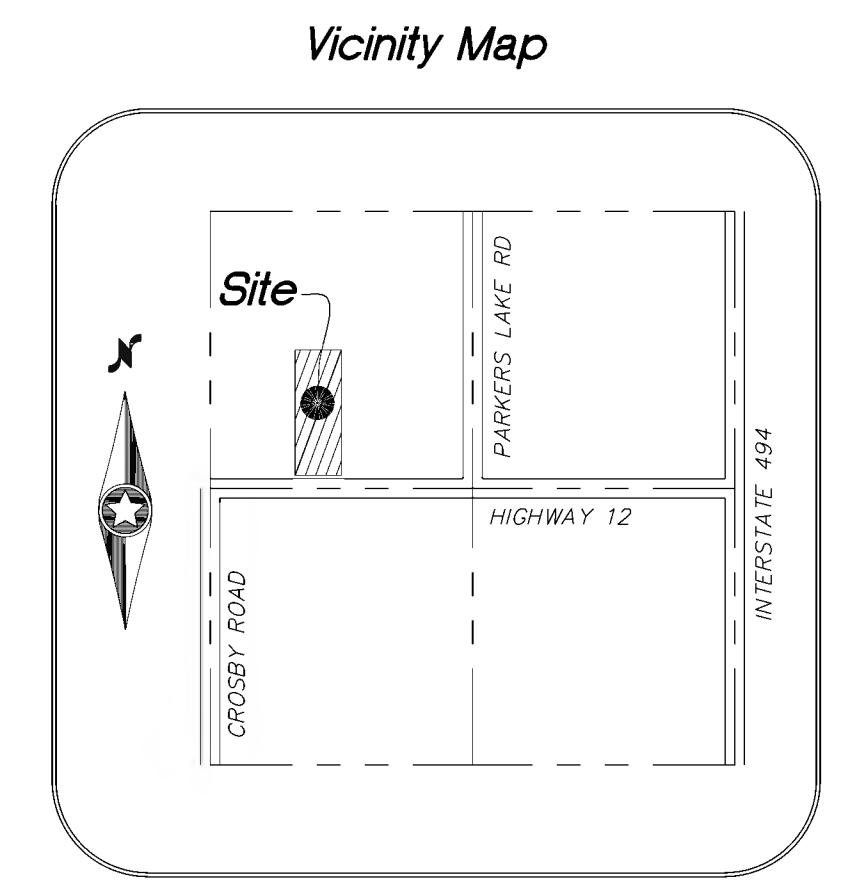
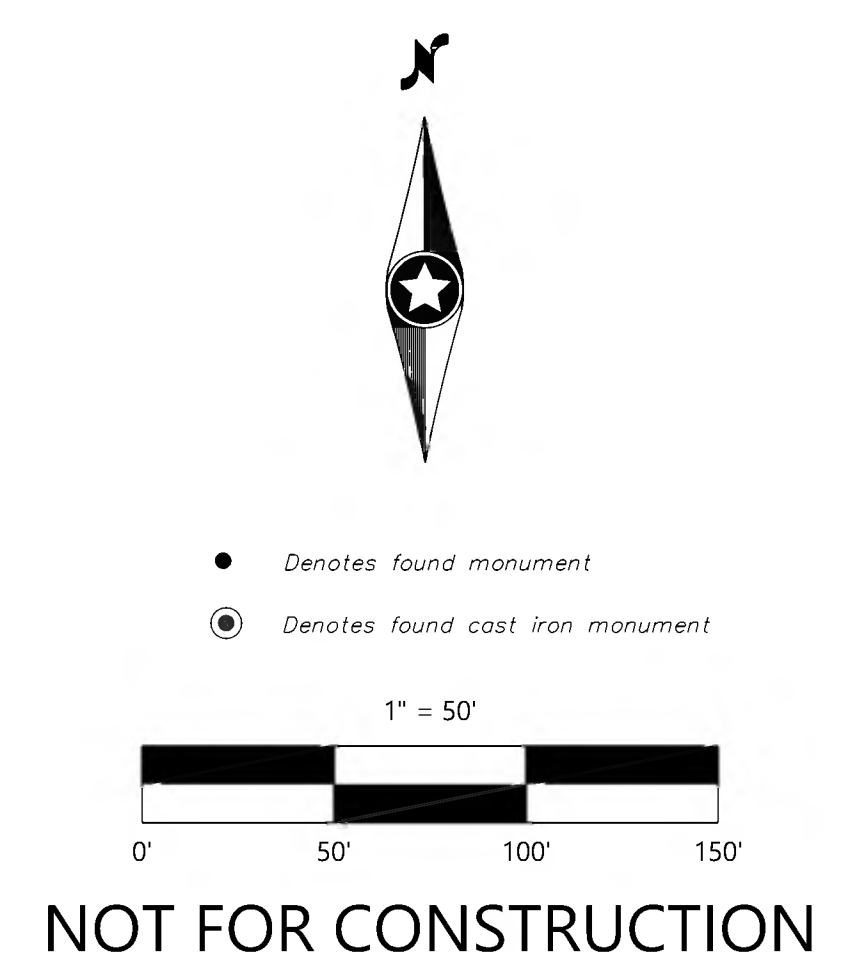
INITIAL SUBMITTAL DATE: 03/06/2023 SHEET: C001

PROJECT NUMBER: 0036502.00

WALSER KIA MINNETONKA

**LEGEND - EXISTING CONDITIONS**

	SANITARY MANHOLE		BULB/SHRUB
	SEWER CLEANOUT		CONIFEROUS TREE
	STORM MANHOLE		DECIDUOUS TREE
	CATCH BASIN		WETLAND
	FLARED END SECTION		TREE LINE
	POWER POLE		CABLE TV
	GUY WIRE		GAS LINE
	ELECTRIC BOX		POWER OVERHEAD
	ELECTRIC METER		POWER UNDERGROUND
	GATE VALVE		SANITARY SEWER
	HYDRANT		STORM SEWER
	WATER METER		TELEPHONE OVERHEAD
	CURB STOP BOX		TELEPHONE UNDERGROUND
	GAS METER		WATERMAIN
	STEELWOOD POST		FIBER OPTIC
	SIGN-TRAFFIC/OTHER		FENCE LINE
	HANDICAPPED STALL		CURB & GUTTER
	CULVERT		ACCESS CONTROL
	TELEPHONE BOX		GAS VALVE
	CABLE TV BOX		CONCRETE SURFACE
	HAND HOLE		BITUMINOUS SURFACE
	STREET LITE		GRAVEL SURFACE



**LEGAL DESCRIPTION (Commitment No. CP70464)**

Parcel 1:  
That part of the Southwest Quarter of the Northwest Quarter of Section 4, Township 117 North, Range 22 West, lying Easterly of the West 1059.1 feet, except the South 50 feet thereof.

Hennepin County, Minnesota  
Abstract Property

Parcel 2:  
That part of the Southwest Quarter of the Northwest Quarter of Section 4, Township 117 North, Range 22 West, described as follows:  
Beginning at a point on the South line of said Southwest Quarter of the Northwest Quarter 250 feet West of the Southeast corner thereof; thence North parallel with the East line of said Southwest Quarter of the Northwest Quarter to the North line thereof; thence West along said North line to the East line of the West 358.1 feet of that part of said Southwest Quarter of the Northwest Quarter described as commencing at a point on the South line of said Southwest Quarter of the Northwest Quarter 556 feet East of the Southwest corner thereof; thence North parallel with the West line of said Southwest Quarter of the Northwest Quarter to the North line thereof; thence East to the Northeast corner thereof; thence South to the Southeast corner thereof; thence West to the point of beginning; thence South along the East line of said West 358.1 feet to the South line of said Southwest Quarter of the Northwest Quarter; thence East to the point of beginning, except the South 50 feet thereof.

Hennepin County, Minnesota  
Abstract Property

Parcel 3:  
That part of the Southwest Quarter of the Northwest Quarter of Section 4, Township 117 North, Range 22 West, lying West of the Easterly line of the West 1059.10 feet of the said Southwest Quarter of the Northwest Quarter, Section 4, Township 117 North, Range 22 West, and lying East of a line described as beginning at a point on the South line of said Southwest Quarter of the Northwest Quarter 250 feet West of the Southeast corner thereof; thence North parallel with the East line of said Southwest Quarter of the Northwest Quarter to the North line thereof; and thence terminating.

Hennepin County, Minnesota  
Abstract Property

**GENERAL NOTES**

- This survey was prepared using Commercial Partners Title, LLC as agent for Stewart Title Guaranty Company, Title Commitment Number 52281 having an effective date of November 28, 2016 at 7:00 am.
- Subject property appears to be classified as Zone X when scaled from Flood Insurance Rate Map Community - Parcel Number 27053C0326P dated November 4, 2016.
- Subject property contains 495,675 Sq. Ft. or 11,379 acres.
- Vertical Datum is at 1928NGVD in US Survey Feet, used the City of Minnetonka Benchmarks.
- No Zoning information provided by the title company.
- The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does verify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities. (State One Call Ticket No. 221360992).
- This survey is based on Hennepin County coordinate system in US Survey Feet.

**AREA TABULATION**

PROPOSED LOT 1, BLOCK 1 = 495,675 Square Feet /11.379 Acres

**OWNER**  
Lindahl Properties LP  
P.O. Box 32  
Wayzata, MN 55391

**SUBDIVIDER**  
Walser Real Estate, LLC  
7700 France Avenue South Suite 410  
Edina, MN 55435

**ENGINEER/SURVEYOR**  
Westwood Professional Services  
12701 Whitewater Drive, Suite 300,  
Minnetonka, Minnesota 55343  
Phone: 952-937-5150

DESIGNED: \_\_\_\_\_  
CHECKED: \_\_\_\_\_  
DRAWN: \_\_\_\_\_  
HORIZONTAL SCALE: 1" = 50'  
VERTICAL SCALE: 1" = 50'

INITIAL ISSUE: 03/06/2023  
SUBMITTAL: CITY RESUBMITTAL  
DATE: 05/12/2023

PREPARED FOR:  
**WALSER REAL ESTATE, LLC**  
7700 FRANCE AVENUE SOUTH SUITE 410 N  
EDINA, MN 55435

DATE: \_\_\_\_\_ LICENSE NO: \_\_\_\_\_

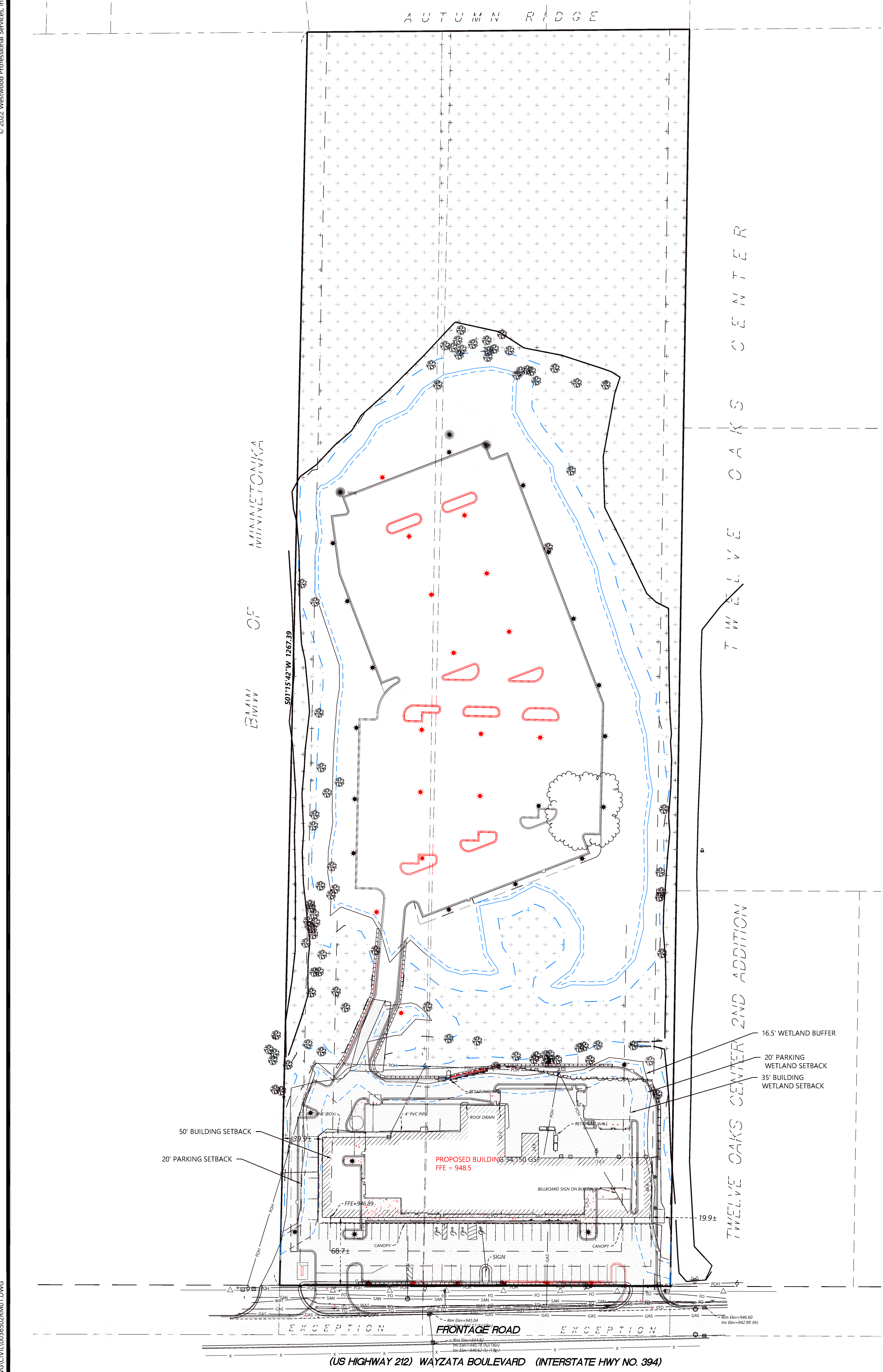
**Westwood**  
Professional Services, Inc.  
12701 Whitewater Drive, Suite 300  
Minnetonka, MN 55343  
Phone: (952) 937-5150  
Fax: (952) 937-5222  
www.westwoodps.com

**PRELIMINARY PLAT**

SHEET NUMBER:  
**C002**

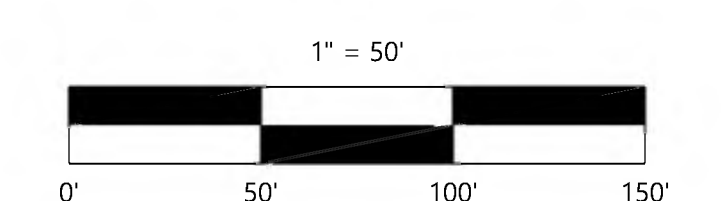
DATE: 05/12/2023  
PROJECT NUMBER: 0036502.00

**WALSER KIA MINNETONKA**



**LEGEND**

⊙	SANITARY MANHOLE	⊙	STEEL/WOOD POST
⊙	SEWER CLEANOUT	⊙	SIGN
⊙	SEPTIC COVER	⊙	MAIL BOX
⊙	STORM MANHOLE	⊙	FLAG POLE
⊙	BEEHIVE CATCH BASIN	⊙	HANDICAPPED STALL
⊙	CATCH BASIN	⊙	BENCH
⊙	FLARED END SECTION	⊙	IRRIGATION MANHOLE
⊙	CULVERT	⊙	IRRIGATION SH
⊙	CATCH BASIN MANHOLE	⊙	IRRIGATION SP
⊙	DOWNSPOUT	⊙	IRRIGATION VALVE
⊙	DRYWELL	⊙	SOIL BORING
⊙	STORM INTERCEPTOR	⊙	PERC TEST
⊙	HYDRANT	⊙	MONITORING WELL
⊙	GATE VALVE	⊙	PIEZOMETER
⊙	WATER METER	⊙	BUSH/SHRUB
⊙	FIRE DEPARTMENT CONNECTION	⊙	CONIFEROUS TREE
⊙	CURB STOP BOX	⊙	DECIDUOUS TREE
⊙	WATER MANHOLE		
⊙	WELL		
⊙	POST INDICATOR VALVE		
⊙	DOUBLE DETECTOR CHECK VALVE		
⊙	FARM HYDRANT	—	BOUNDARY LINE
⊙	REDUCE PRESSURE VALVE	—	RIGHT-OF-WAY LINE
⊙	STOCK TANK	—	LOT LINE
⊙	WINDMILL	—	EASEMENT LINE
⊙	ELECTRIC BOX	—	SECTION LINE
⊙	ELECTRIC METER	—	TREE LINE
⊙	ELECTRIC MANHOLE	—	CABLE TELEVISION LINE
⊙	ELECTRIC TOWER	—	GAS LINE
⊙	STREET LIGHT	—	POWER OVERHEAD
⊙	POWER POLE WITH LIGHT	—	POWER UNDERGROUND
⊙	GUY WIRE	—	SANITARY SEWER
⊙	POWER POLE	—	STORM SEWER
⊙	MAST ARM	—	TELEPHONE OVERHEAD
⊙	MAST ARM W/ LIGHT	—	TELEPHONE UNDERGROUND
⊙	TRAFFIC SIGNAL	—	WATERMAIN
⊙	TELEPHONE BOX	—	FIBER OPTIC
⊙	TELEPHONE MANHOLE	—	FENCE LINE
⊙	HAND HOLE/JUNCTION BOX	—	CONTROLLED ACCESS
⊙	CABLE TV BOX	—	CURB & GUTTER
⊙	CABLE TV MANHOLE	—	CONCRETE SURFACE
⊙	FIBER OPTIC MANHOLE	—	BITUMINOUS SURFACE
⊙	FIBER OPTIC PEDESTAL	—	GRAVEL SURFACE
⊙	NATURAL GAS METER	—	WETLAND
⊙	NATURAL GAS VALVE	—	WETLAND EDGE
⊙	NATURAL GAS MANHOLE	—	16.5' WETLAND BUFFER
⊙	NATURAL GAS RISER/SERVICE	—	WETLAND SETBACKS (20' PARKING, 35' BUILDING)
⊙	NATURAL GAS VENT PIPE	—	EDGE OF WATER (12/08/16)
⊙	NATURAL GAS WELL	●	FOUND MONUMENT (SEE LABEL)
⊙	AIR CONDITIONER	○	SET MONUMENT (SEE LABEL)
⊙	UNKNOWN MANHOLE		
⊙	MISCELLANEOUS METER		
⊙	MISCELLANEOUS PEDESTAL		



NOT FOR CONSTRUCTION

DESIGNED: \_\_\_\_\_  
 CHECKED: \_\_\_\_\_  
 DRAWN: \_\_\_\_\_  
 HORIZONTAL SCALE: \_\_\_\_\_  
 VERTICAL SCALE: \_\_\_\_\_

INITIAL ISSUE: 03/06/2023  
 REVISIONS: 04/26/2023 CITY RESUBMITTAL  
 05/11/2023

PREPARED FOR:  
**WALSER REAL ESTATE, LLC**  
 7700 FRANCE AVENUE SOUTH SUITE 410 N  
 EDINA, MN 55435

MINNETONKA, MINN. LICENSE NO. \_\_\_\_\_ DATE: \_\_\_\_\_

**Westwood**  
 12701 Whittaker Drive, Suite #300  
 Minnetonka, MN 55343  
 Phone: (952) 837-2155  
 Fax: (952) 837-2522  
 Email: info@westwoodps.com  
 Westwood Professional Services, Inc.

**EXISTING CONDITIONS WITH PROPOSED SITE OVERLAY**

SHEET NUMBER:  
**C100**

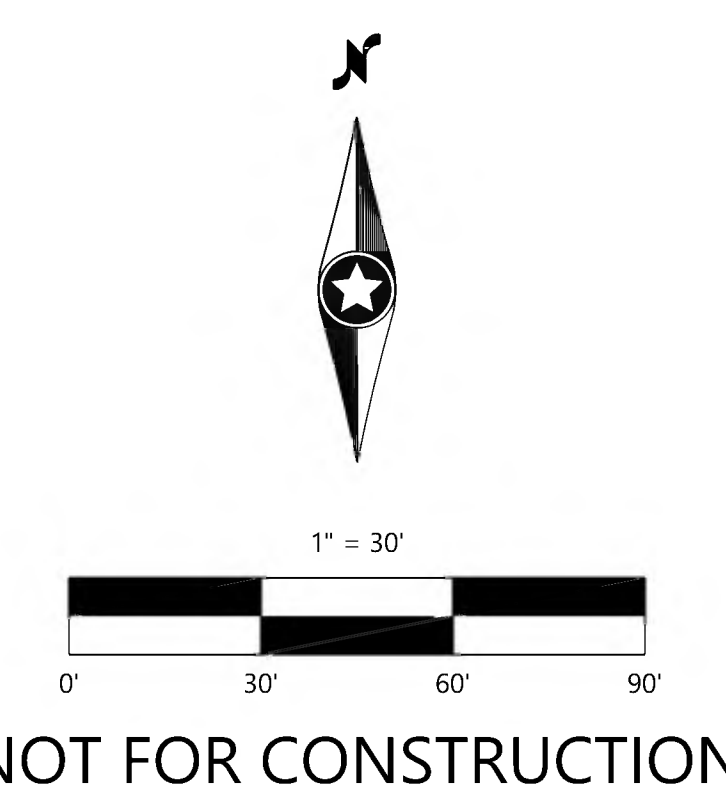
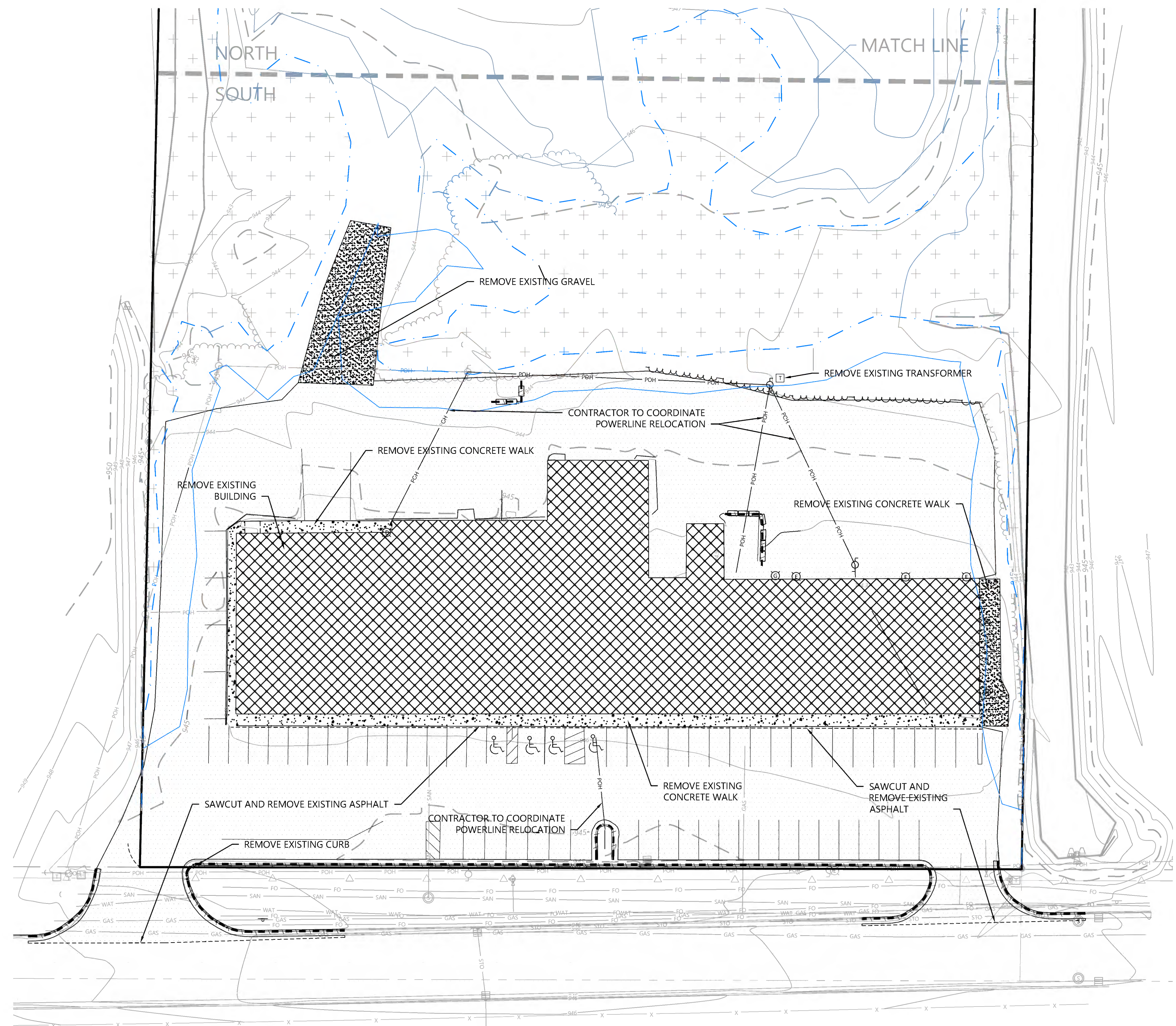
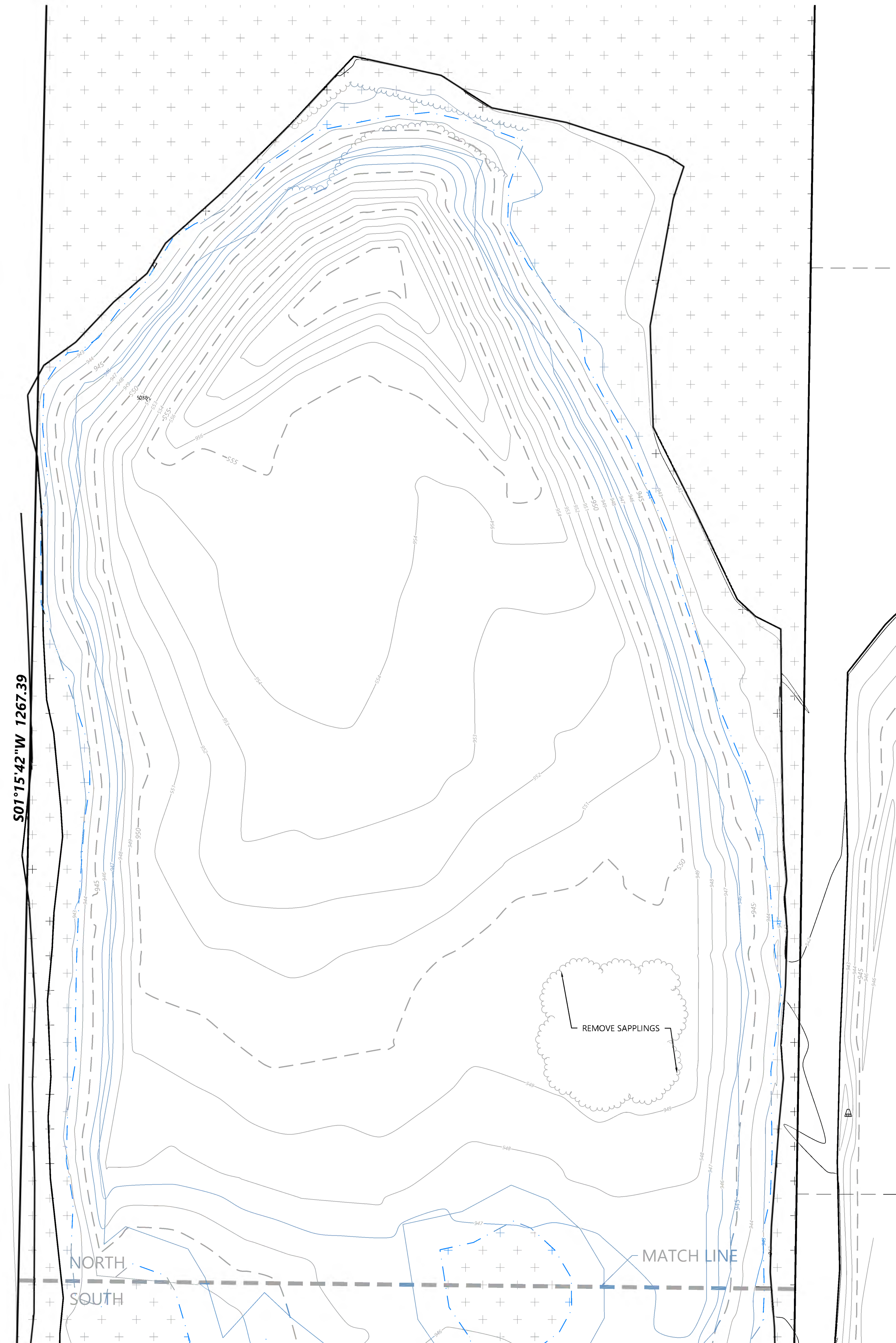
DATE: 05/12/2023  
 PROJECT NUMBER: 0036502.00

### REMOVAL NOTES

1. LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY IF ANY DISCREPANCIES ARE FOUND.
2. CONTRACTOR SHALL COORDINATE LIMITS OF REMOVALS WITH PROPOSED IMPROVEMENTS AND FIELD VERIFY CONDITION OF EXISTING APPURTENANCES TO REMAIN. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING OR REPLACING MISCELLANEOUS ITEMS (SUCH AS FENCES, SIGNS, IRRIGATION HEADS, ETC.) THAT MAY BE DAMAGED BY CONSTRUCTION.
3. CONTRACTOR SHALL PLACE ALL NECESSARY EROSION CONTROL MEASURES REQUIRED TO MAINTAIN SITE STABILITY PRIOR TO EXECUTING ANY SITE REMOVALS.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION WITH UTILITY PROVIDERS FOR REMOVAL AND/OR RELOCATION OF EXISTING UTILITIES AFFECTED BY SITE DEVELOPMENT. ALL PERMITS, APPLICATIONS AND FEES ARE THE RESPONSIBILITY OF THE CONTRACTOR.

### REMOVAL LEGEND

EXISTING	PROPOSED	
		PROPERTY LINE
		SAW CUT PAVEMENT
		DELINEATED WETLAND EDGE
		CURB & GUTTER
		SANITARY SEWER
		WATER MAIN
		HYDRANT
		STORM SEWER
		GAS
		UNDERGROUND ELECTRIC
		OVERHEAD ELECTRIC
		UNDERGROUND TELEPHONE
		OVERHEAD TELEPHONE
		TELEPHONE FIBER OPTIC
		CABLE TELEVISION
		RETAINING WALL
		FENCE
		CONCRETE
		BITUMINOUS
		BUILDING
		TREE
		LIGHT POLE
		TRAFFIC SIGN
		CONSTRUCTION BARRICADE
		SOIL BORING LOCATION
		TREE LINE



DESIGNED	03/06/2023
CHECKED	
DRAWN	
HORIZONTAL SCALE	3/8"
VERTICAL SCALE	3/8"

PREPARED FOR:  
**WALSER REAL ESTATE, LLC**  
7700 FRANCE AVENUE SOUTH SUITE 410 N  
EDINA, MN 55435

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.  
DATE: \_\_\_\_\_ LICENSE NO. \_\_\_\_\_

**Westwood**  
12700 Whitehawk Drive, Suite #300  
Minnetonka, MN 55343  
Phone: (952) 837-5155  
Fax: (952) 837-5222  
www.westwoodps.com  
Westwood Professional Services, Inc.

**WALSER KIA MINNETONKA**  
MINNETONKA, MN

**REMOVALS PLAN**

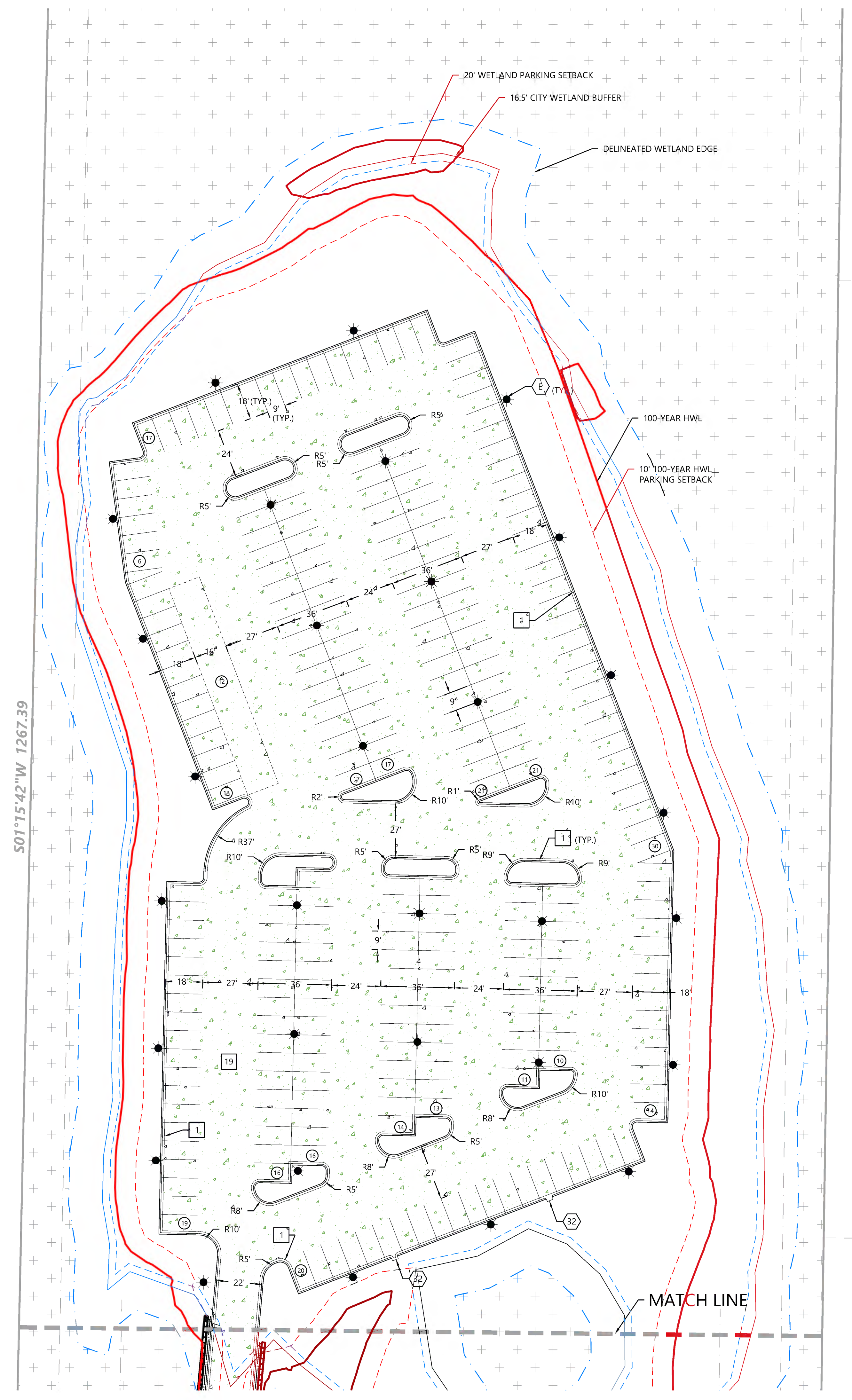
SHEET NUMBER:

**C101**

DATE: 05/12/2023

PROJECT NUMBER: 0036502.00





S01°15'42"W 1267.39

**1 SITE DETAILS (SI-0XX)**

- 1 B612 CURB AND GUTTER
- 2D FLUSH CURB AND GUTTER
- 8 PRIVATE CONCRETE SIDEWALK
- 10 PRIVATE PARALLEL PEDESTRIAN CURB RAMP
- 13 TRAFFIC ARROW
- 15 HANDICAP ACCESSIBLE SIGNAGE AND STRIPING
- 18 BOLLARD
- 19 PAVEMENT SECTIONS
- 22 SAW CUT CONTROL JOINT
- 32 CURB CUT
- 40 LARGE BLOCK RETAINING WALL WITH GUARD RAIL (RECON BLOCK OR APPROVED EQUAL)

**A KEY NOTES**

- A PROPOSED PYLON SIGN (SEE ARCH)
- B NOT USED
- C TRANSITION CURB AND GUTTER - B612 TO FLUSH
- D WATER REUSE CISTERN
- E LIGHT POLE - SEE ARCH

**S.10 SIGN LEGEND**

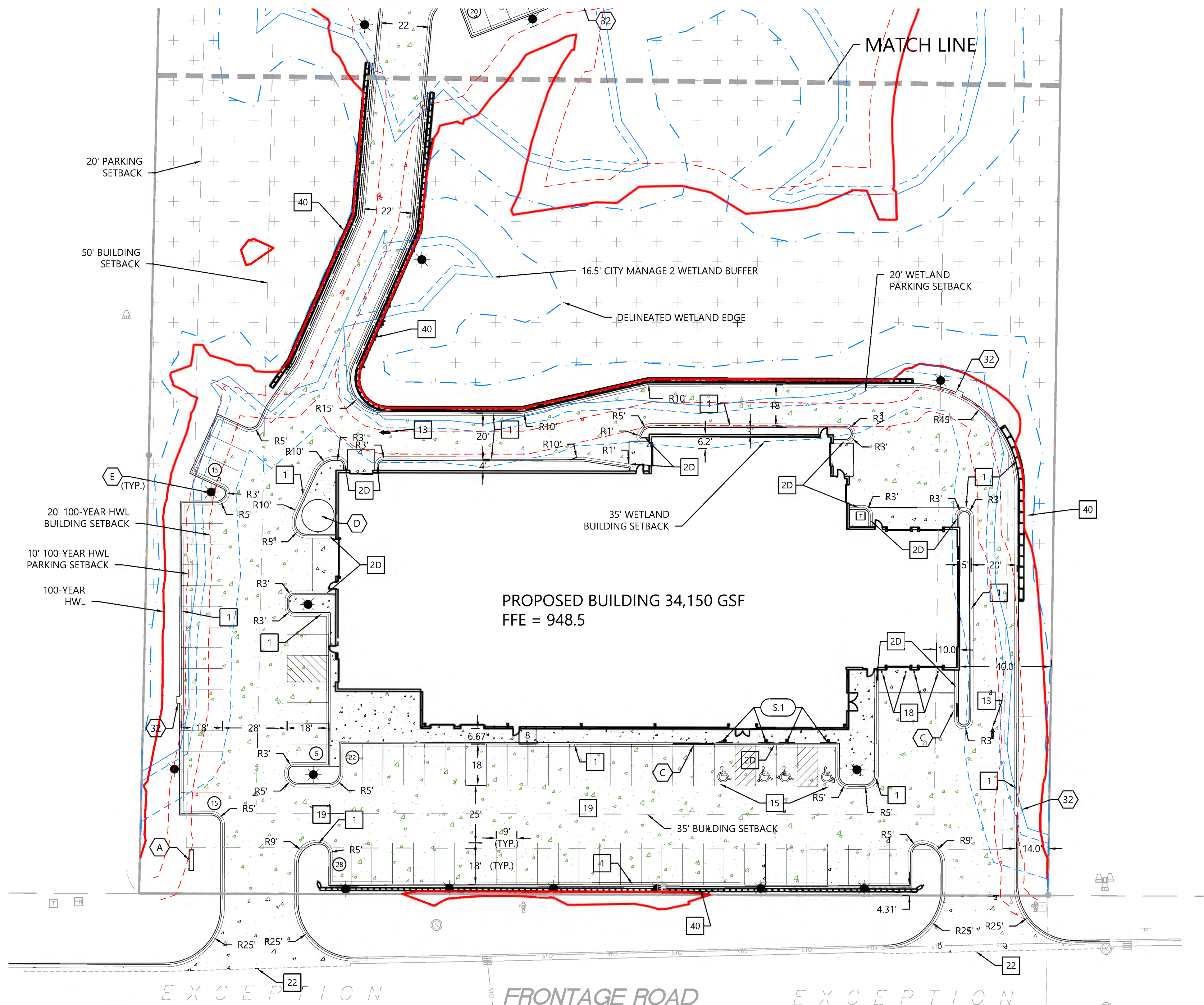
REFERENCE	SIZE	MnDOT DESIGNATION
S.1 HANDICAP ACCESSIBLE	12" X 18"	R7-8M

**PARKING SUMMARY**

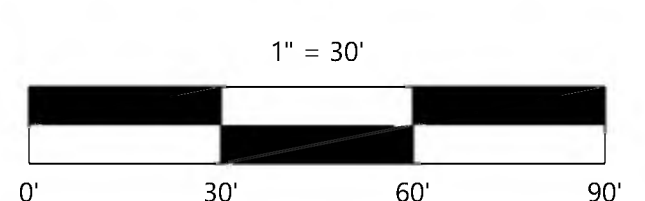
PARKING LOT	9'X18' STALLS	9'X16' DOUBLE STALLS	TOTAL STALLS
INVENTORY - NORTH	275	12	287
CUSTOMER/SERVICE - SOUTH	74	--	74
TOTAL	349	--	361

**SITE LEGEND**

EXISTING	PROPOSED	DESCRIPTION
---	---	PROPERTY LINE
---	---	LOT LINE
---	---	SETBACK LINE
---	---	EASEMENT LINE
---	---	CURB AND GUTTER
---	---	TIP-OUT CURB AND GUTTER
---	---	DELINEATED WETLAND EDGE
---	---	16.5' WETLAND BUFFER
---	---	WETLAND SETBACKS (20' PARKING, 35' BUILDING)
---	---	100-YEAR HWL - 945.2
---	---	100-YEAR HWL SETBACKS
---	---	RETAINING WALL
---	---	FENCE
---	---	PERVIOUS CONCRETE PAVEMENT
---	---	CONCRETE SIDEWALK
---	---	CONCRETE PAVEMENT
---	---	NORMAL DUTY BITUMINOUS PAVEMENT
---	---	NUMBER OF PARKING STALLS
---	---	TRANSFORMER
---	---	SITE LIGHTING
---	---	TRAFFIC SIGN
---	---	POWER POLE
---	---	BOLLARD / POST



(US HIGHWAY 212) WAYZATA BOULEVARD (INTERSTATE HWY NO. 394)



NOT FOR CONSTRUCTION

DESIGNED	CHECKED	PREPARED	HORIZONTAL SCALE	VERTICAL SCALE

PREPARED FOR:  
**WALSER REAL ESTATE, LLC**  
7700 FRANCE AVENUE SOUTH SUITE 410 N  
EDINA, MN 55435

DATE: \_\_\_\_\_ LICENSE NO. \_\_\_\_\_

**WALSER KIA MINNETONKA**  
MINNETONKA, MN

**Westwood**  
12701 Whittaker Drive, Suite #300  
Minnetonka, MN 55343  
Westwood Professional Services, Inc.

**ENLARGED SITE PLAN**

SHEET NUMBER:

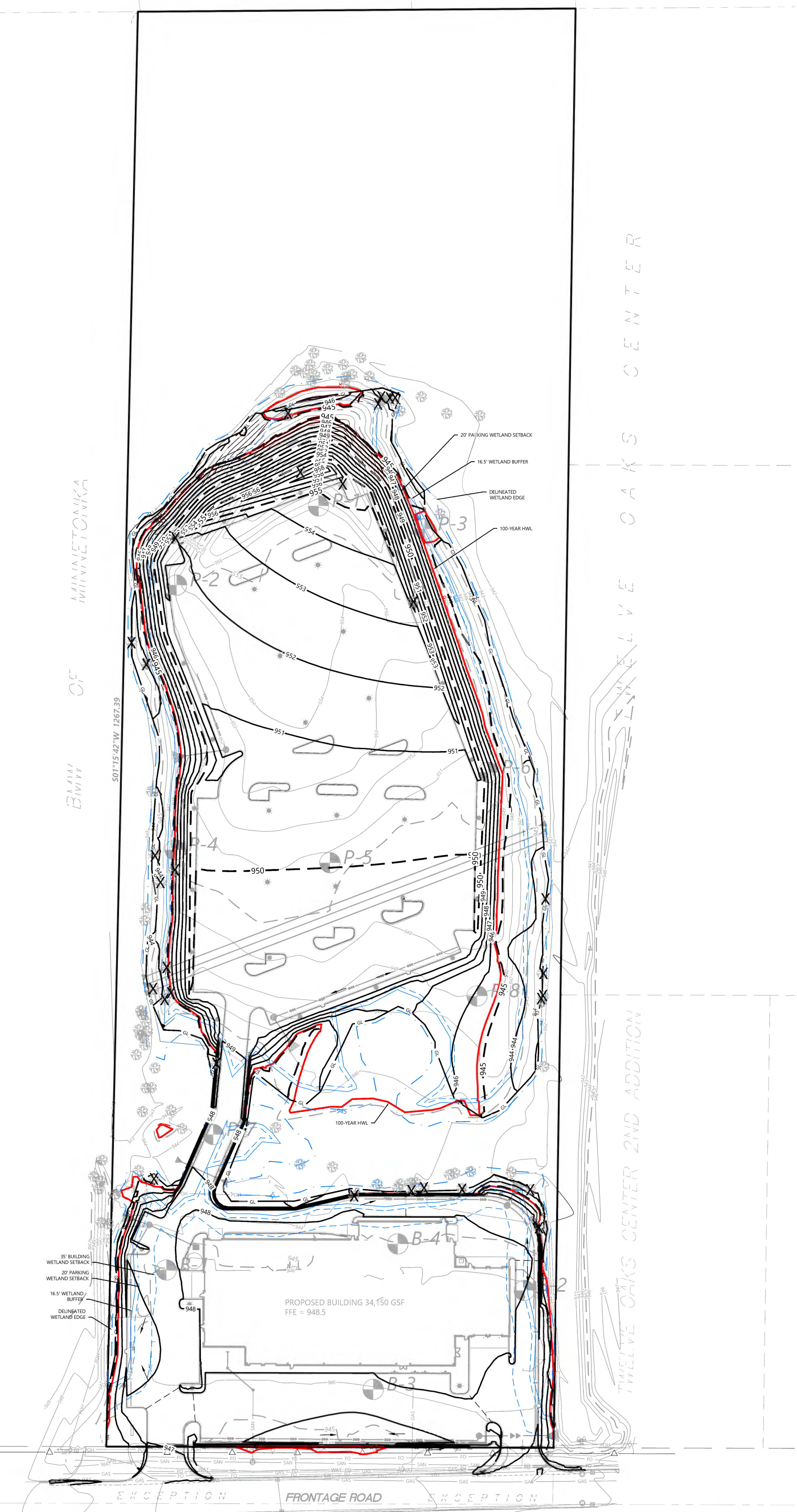
**C201**

DATE: 05/12/2023

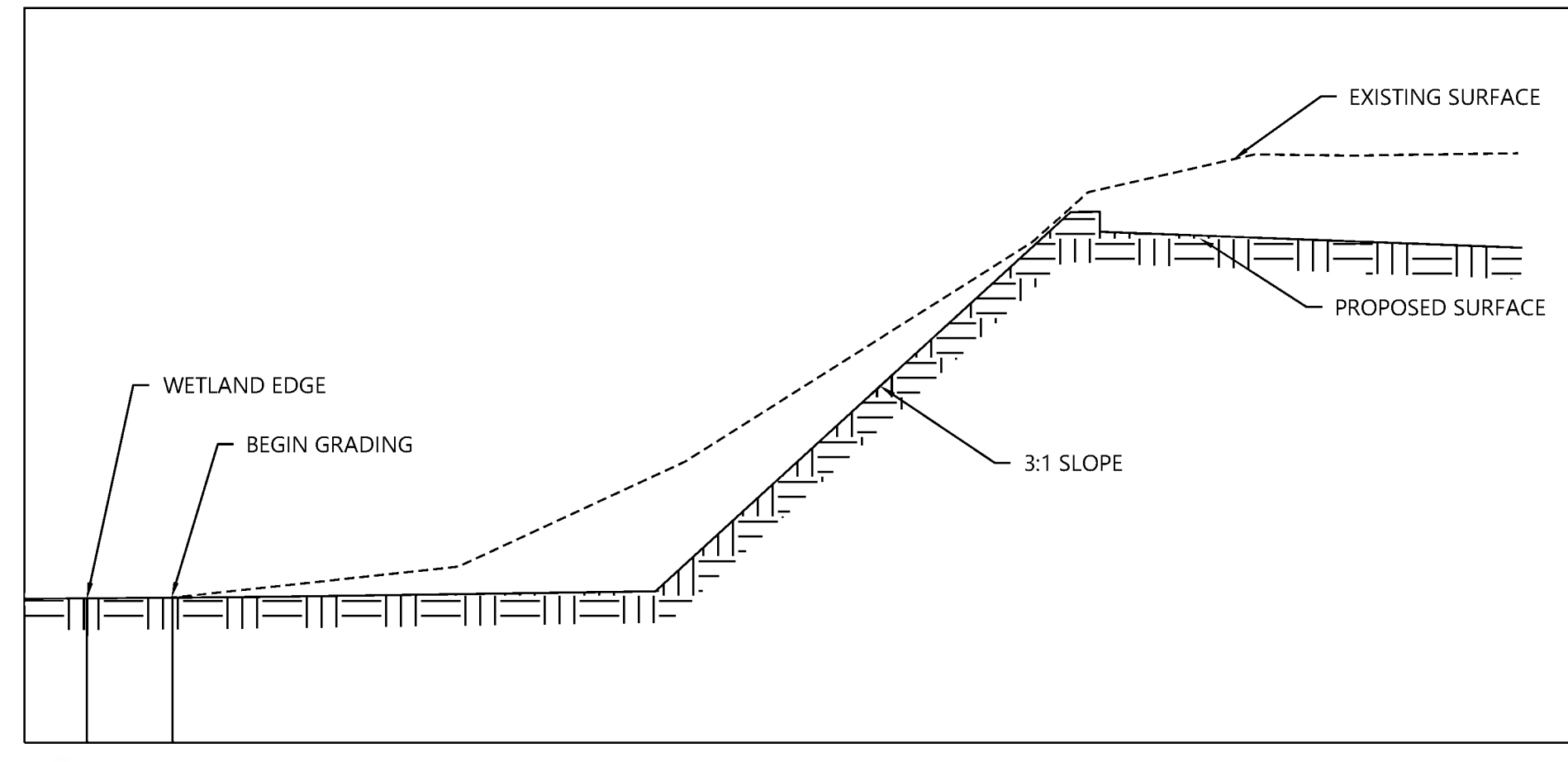
PROJECT NUMBER: 0036502.00



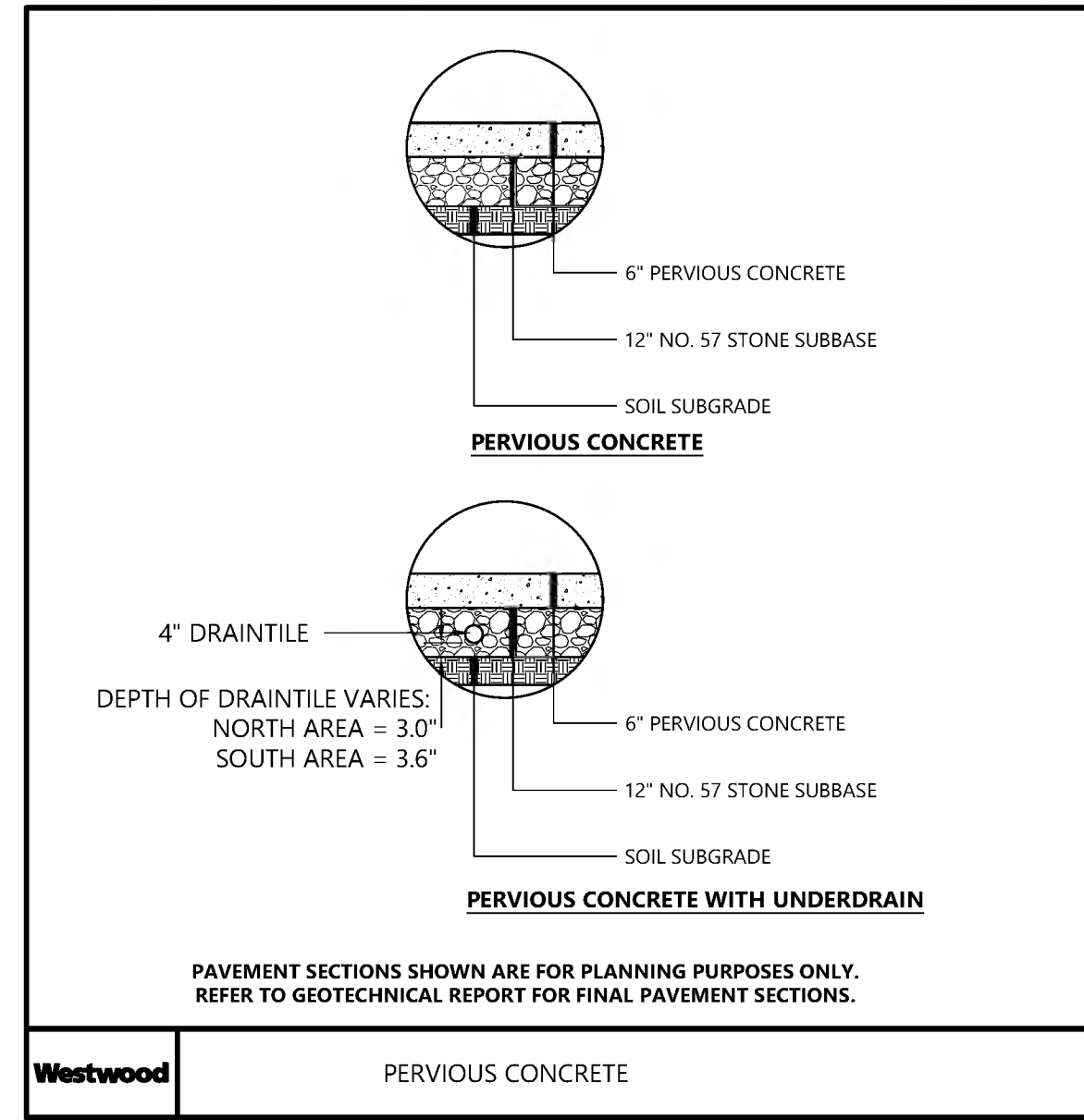
AUTUMN RIDGE



(US HIGHWAY 212) WAYZATA BOULEVARD (INTERSTATE HWY NO. 394)



TYPICAL GRADING - NORTH PARKING SIDE SLOPES NTS



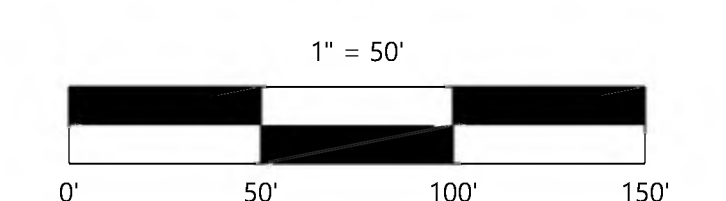
Westwood Pervious Concrete

GRADING LEGEND

EXISTING	PROPOSED	
---	---	PROPERTY LINE
---	---	INDEX CONTOUR
---	---	INTERVAL CONTOUR
---	---	CURB AND GUTTER
---	---	WETLAND EDGE
---	---	STORM SEWER
---	---	FLARED END SECTION (WITH RIPRAP)
---	---	WATER MAIN
---	---	SANITARY SEWER
---	---	RETAINING WALL
---	---	DRAIN TILE
---	---	RIDGE LINE
---	---	GRADING LIMITS
---	---	SPOT ELEVATION
---	---	FLOW DIRECTION
---	---	TW-XXXXXX BW-XXXXXX
---	---	TOP AND BOTTOM OF RETAINING WALL
---	---	E.O.F.
---	---	EMERGENCY OVERFLOW
---	---	SOIL BORING LOCATION

GRADING NOTES

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- CONTRACTORS SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULE, SLOPED PAVEMENT, EXIT PORCHES, RAMPS, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS, EXACT BUILDING UTILITY ENTRANCE LOCATIONS, AND EXACT LOCATIONS AND NUMBER OF DOWNSPOUTS.
- ALL EXCAVATION SHALL BE IN ACCORDANCE WITH THE CURRENT EDITION OF "STANDARD SPECIFICATIONS FOR TRENCH EXCAVATION AND BACKFILL/SURFACE RESTORATION" AS PREPARED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA.
- ALL DISTURBED UNPAVED AREAS ARE TO RECEIVE SIX INCHES OF TOPSOIL AND SOO OR SEED. THESE AREAS SHALL BE WATERED UNTIL A HEALTHY STAND OF GRASS IS OBTAINED. SEE LANDSCAPE PLAN FOR PLANTING AND TURF ESTABLISHMENT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPROPRIATE MNDOT STANDARDS.
- ALL SLOPES SHALL BE GRADED TO 3:1 OR FLATTER, UNLESS OTHERWISE INDICATED ON THIS SHEET.
- CONTRACTOR SHALL UNIFORMLY GRADE AREAS WITHIN LIMITS OF GRADING AND PROVIDE A SMOOTH FINISHED SURFACE WITH UNIFORM SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE SHOWN OR BETWEEN SUCH POINTS AND EXISTING GRADES.
- SPOT ELEVATIONS SHOWN INDICATE FINISHED PAVEMENT ELEVATIONS & GUTTER FLOW LINE UNLESS OTHERWISE NOTED. PROPOSED CONTOURS ARE TO FINISHED SURFACE GRADE.
- SEE SOILS REPORT FOR PAVEMENT THICKNESSES AND HOLD DOWNS.
- CONTRACTOR SHALL DISPOSE OF ANY EXCESS SOIL MATERIAL THAT EXISTS AFTER THE SITE GRADING AND UTILITY CONSTRUCTION IS COMPLETED. THE CONTRACTOR SHALL DISPOSE OF ALL EXCESS SOIL MATERIAL IN A MANNER ACCEPTABLE TO THE OWNER AND THE REGULATING AGENCIES.
- CONTRACTOR SHALL PROVIDE A STRUCTURAL RETAINING WALL DESIGN CERTIFIED BY A LICENSED PROFESSIONAL ENGINEER.
- ALL CONSTRUCTION SHALL CONFORM TO LOCAL, STATE AND FEDERAL RULES INCLUDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS.
- PRIOR TO PLACEMENT OF ANY STRUCTURE OR PAVEMENT, A PROOF ROLL, AT MINIMUM, WILL BE REQUIRED ON THE SUBGRADE. PROOF ROLLING SHALL BE ACCOMPLISHED BY MAKING MINIMUM OF 2 COMPLETE PASSES WITH FULLY LOADED TANDEM AXLE DUMP TRUCK OR APPROVED EQUAL, IN EACH OF 2 PERPENDICULAR DIRECTIONS WHILE UNDER SUPERVISION AND DIRECTION OF THE INDEPENDENT TESTING LABORATORY. AREAS OF FAILURE SHALL BE EXCAVATED AND RE-COMPACTED AS SPECIFIED HEREIN.
- EMBANKMENT MATERIAL PLACED BENEATH BUILDINGS AND STREET OR PARKING AREAS SHALL BE COMPACTED IN ACCORDANCE WITH THE SPECIFIED DENSITY METHOD AS OUTLINED IN MNDOT 2105.3F1 AND THE REQUIREMENTS OF THE GEOTECHNICAL ENGINEER.
- EMBANKMENT MATERIAL NOT PLACED IN THE BUILDING PAD, STREETS OR PARKING AREA, SHALL BE COMPACTED IN ACCORDANCE WITH REQUIREMENTS OF THE ORDINARY COMPACTION METHOD AS OUTLINED IN MNDOT 2105.3F2.
- ALL SOILS AND MATERIALS TESTING SHALL BE COMPLETED BY AN INDEPENDENT GEOTECHNICAL ENGINEER. EXCAVATION FOR THE PURPOSE OF REMOVING UNSTABLE OR UNSUITABLE SOILS SHALL BE COMPLETED AS REQUIRED BY THE GEOTECHNICAL ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOILS TESTS AND INSPECTIONS WITH THE GEOTECHNICAL ENGINEER.



NOT FOR CONSTRUCTION

Call 48 Hours before digging:  
811 or call811.com  
Common Ground Alliance

DESIGNED	03/06/2023
CHECKED	
PREPARED	CITY RESUBMITTAL
DATE	05/11/2023
HORIZONTAL SCALE	
VERTICAL SCALE	

PREPARED FOR:  
**WALSER REAL ESTATE, LLC**  
1700 FRANCE AVENUE SOUTH SUITE 410 N  
EDINA, MN 55435

I HEREBY CERTIFY THAT THE PLAN WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MINNESOTA.  
DAVID T. BADE  
DATE: 05/12/2023 LICENSE NO. \_\_\_\_\_

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12701 Whitewater Drive, Suite #200  
Minnetonka, MN 55343  
www.westwoodps.com  
Westwood Professional Services, Inc.

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Westwood Professional Services, Inc.

**OVERALL GRADING PLAN**

SHEET NUMBER:

C300

DATE: 05/12/2023

PROJECT NUMBER: 0036502.00

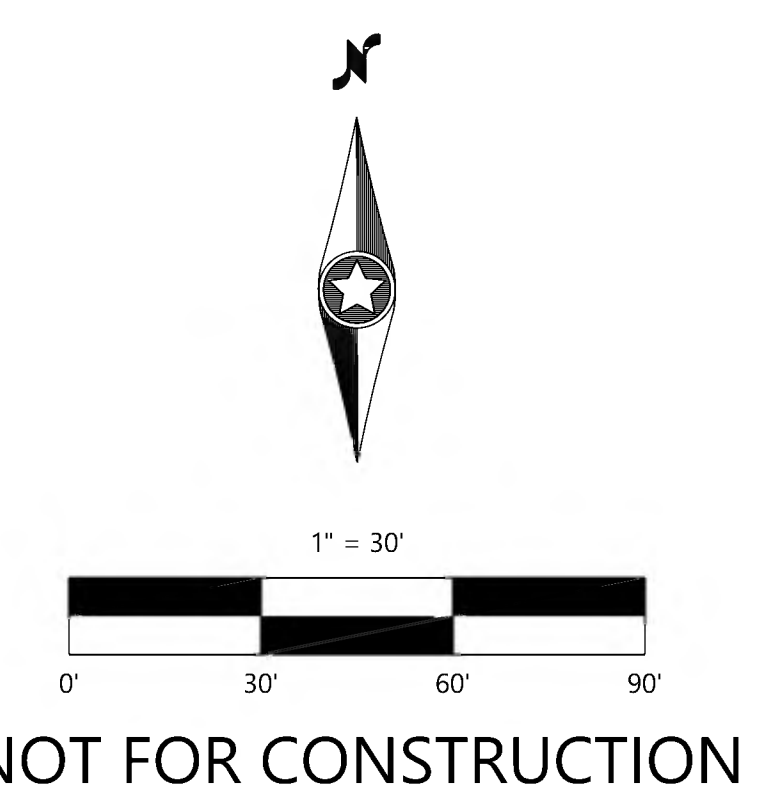
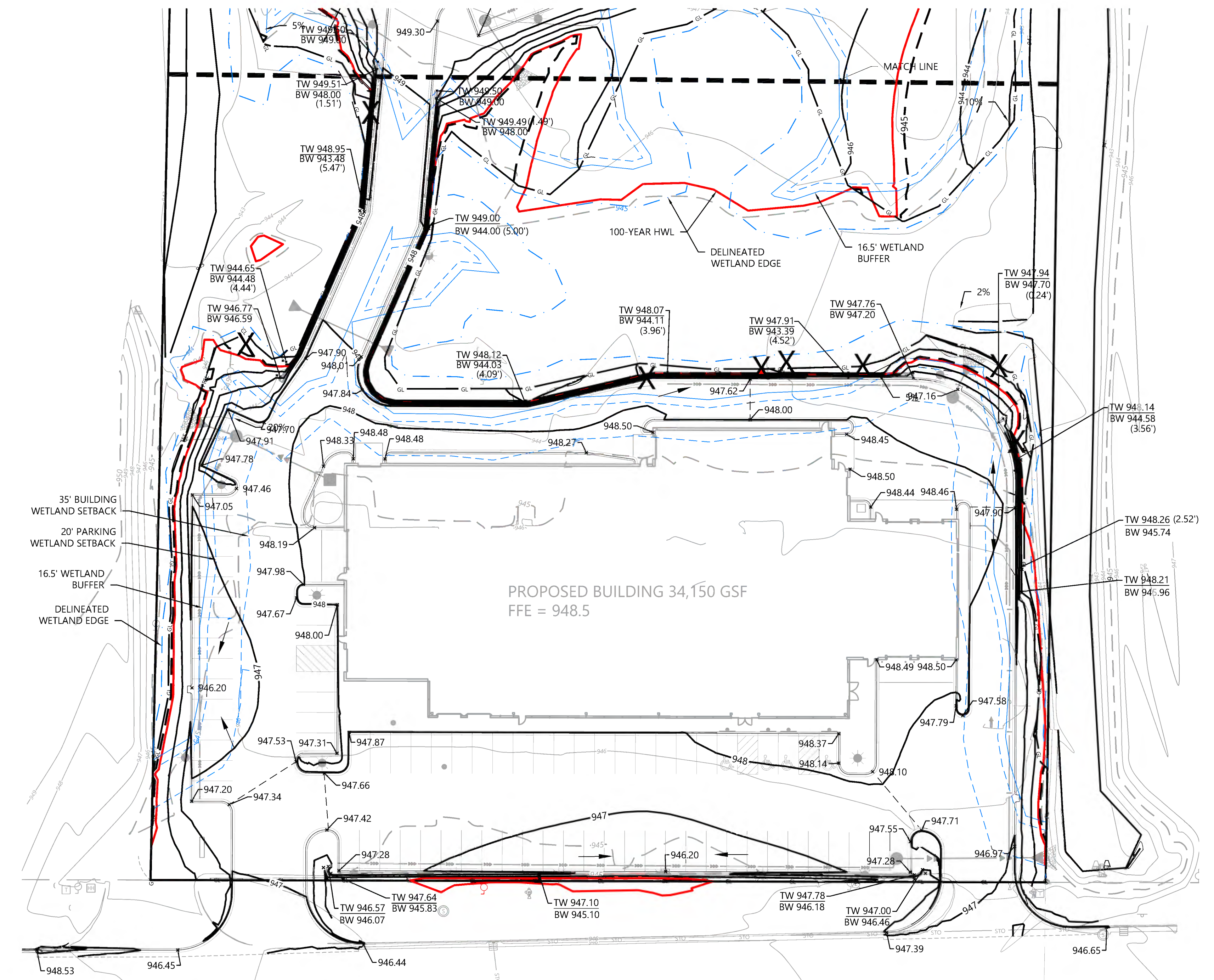
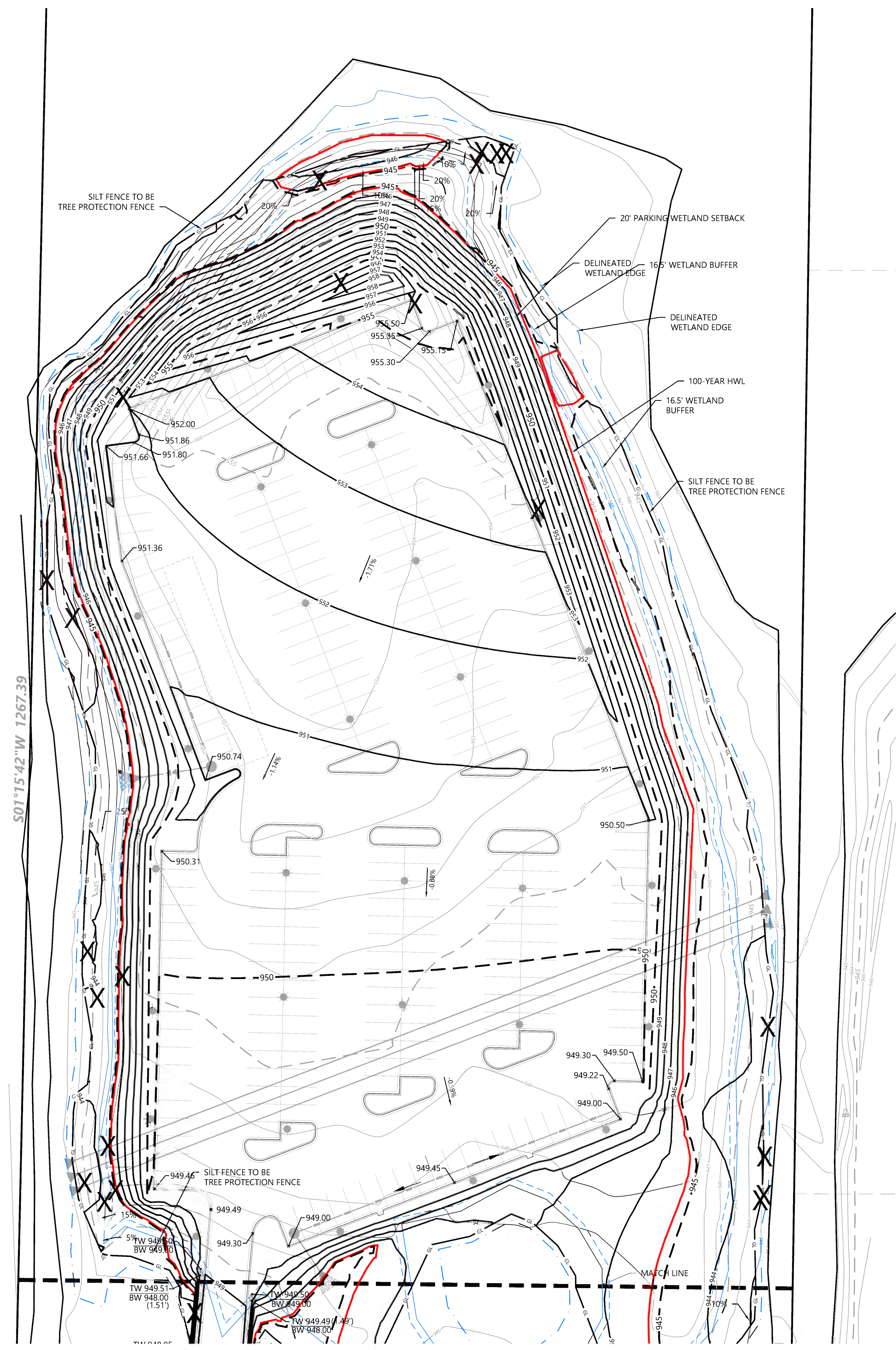
WALSER KIA MINNETONKA

### GRADING NOTES

1. LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY IF ANY DISCREPANCIES ARE FOUND.
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8. **SPOT ELEVATIONS SHOWN INDICATE FINISHED PAVEMENT ELEVATIONS & GUTTER FLOW LINE UNLESS OTHERWISE NOTED. PROPOSED CONTOURS ARE TO FINISHED SURFACE GRADE.**
9. SEE SOILS REPORT FOR PAVEMENT THICKNESSES AND HOLD DOWNS.
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12. ALL CONSTRUCTION SHALL CONFORM TO LOCAL, STATE AND FEDERAL RULES INCLUDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS.
13. PRIOR TO PLACEMENT OF ANY STRUCTURE OR PAVEMENT, A PROOF ROLL, AT MINIMUM, WILL BE REQUIRED ON THE SUBGRADE. PROOF ROLLING SHALL BE ACCOMPLISHED BY MAKING MINIMUM OF 2 COMPLETE PASSES WITH FULLY-LOADED TANDEM-AXLE DUMP TRUCK OR APPROVED EQUAL, IN EACH OF 2 PERPENDICULAR DIRECTIONS WHILE UNDER SUPERVISION AND DIRECTION OF THE INDEPENDENT TESTING LABORATORY. AREAS OF FAILURE SHALL BE EXCAVATED AND RE-COMPACTED AS SPECIFIED HEREIN.
14. EMBANKMENT MATERIAL PLACED BENEATH BUILDINGS AND STREET OR PARKING AREAS SHALL BE COMPACTED IN ACCORDANCE WITH THE SPECIFIED DENSITY METHOD AS OUTLINED IN MNDOT 2105.3F1 AND THE REQUIREMENTS OF THE GEOTECHNICAL ENGINEER.
15. EMBANKMENT MATERIAL NOT PLACED IN THE BUILDING PAD, STREETS OR PARKING AREA, SHALL BE COMPACTED IN ACCORDANCE WITH REQUIREMENTS OF THE ORDINARY COMPACTION METHOD AS OUTLINED IN MNDOT 2105.3F2.
16. ALL SOILS AND MATERIALS TESTING SHALL BE COMPLETED BY AN INDEPENDENT GEOTECHNICAL ENGINEER. EXCAVATION FOR THE PURPOSE OF REMOVING UNSTABLE OR UNSUITABLE SOILS SHALL BE COMPLETED AS REQUIRED BY THE GEOTECHNICAL ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOILS TESTS AND INSPECTIONS WITH THE GEOTECHNICAL ENGINEER.

### GRADING LEGEND

EXISTING	PROPOSED	
		PROPERTY LINE
		INDEX CONTOUR
		CURB AND GUTTER
		POND NORMAL WATER LEVEL
		STORM SEWER
		FLARED END SECTION (WITH RIPRAP)
		WATER MAIN
		SANITARY SEWER
		RETAINING WALL
		DRAIN TILE
		RIDGE LINE
		GRADING LIMITS
		SPOT ELEVATION
		FLOW DIRECTION
		TOP AND BOTTOM OF RETAINING WALL
		EMERGENCY OVERFLOW
		SOIL BORING LOCATION
		WETLAND EDGE



NOT FOR CONSTRUCTION

DESIGNED	03/06/2023
CHECKED	
DRAWN	
HORIZONTAL SCALE	3/8"
VERTICAL SCALE	3/8"

PREPARED FOR:  
**WALSER REAL ESTATE, LLC**  
7700 FRANCE AVENUE SOUTH SUITE 410 N  
EDINA, MN 55435

I HEREBY CERTIFY THAT THE PLAN WAS PREPARED BY ME OR UNDER MY SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MINNESOTA.  
DAVID T. BADE  
DATE: 05/12/2023 LICENSE NO. \_\_\_\_\_

**WALSER KIA MINNETONKA**  
MINNETONKA, MN

**Westwood**  
Professional Services, Inc.  
12700 Whittaker Drive, Suite #200  
Minnetonka, MN 55343  
Phone: (952) 837-2155  
Fax: (952) 837-2222  
www.westwoodps.com

**ENLARGED GRADING PLAN**

SHEET NUMBER:

**C301**

DATE: 05/12/2023

PROJECT NUMBER: 0036502.00

### GENERAL EROSION CONTROL NOTES

- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND LIMITED MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION SHALL NOT BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL VERIFY EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY THE OWNER OR ENGINEER OF DISCREPANCIES.
- ALL SILT FENCE AND OTHER EROSION CONTROL FEATURES SHALL BE IN-PLACE PRIOR TO ANY EXCAVATION/CONSTRUCTION AND SHALL BE MAINTAINED UNTIL VIABLE TURF OR GROUND COVER HAS BEEN ESTABLISHED. EXISTING SILT FENCE ON-SITE SHALL BE MAINTAINED AND OR REMOVED AND SHALL BE CONSIDERED INCIDENTAL TO THE GRADING CONTRACT. IT IS OF EXTREME IMPORTANCE TO BE AWARE OF CURRENT FIELD CONDITIONS WITH RESPECT TO EROSION CONTROL. TEMPORARY PONDING, DIKES, HAYBALES, ETC., REQUIRED BY THE CITY SHALL BE INCIDENTAL TO THE GRADING CONTRACT.
- EROSION AND SILTATION CONTROL (ESC): THE CONTRACTOR SHALL ASSUME COMPLETE RESPONSIBILITY FOR CONTROLLING ALL SILTATION AND EROSION OF THE PROJECT AREA. THE CONTRACTOR SHALL USE WHATEVER MEANS NECESSARY TO CONTROL THE EROSION AND SILTATION INCLUDING BUT NOT LIMITED TO: CATCH BASIN INSERTS, CONSTRUCTION ENTRANCES, EROSION CONTROL BLANKET, AND SILT FENCE. ESC SHALL COMMENCE WITH GRADING AND CONTINUE THROUGHOUT THE PROJECT UNTIL ACCEPTANCE OF THE WORK BY THE OWNER. THE CONTRACTOR'S RESPONSIBILITY INCLUDES ALL IMPLEMENTATION AS REQUIRED TO PREVENT EROSION AND THE DEPOSITING OF SILT. THE OWNER MAY DIRECT THE CONTRACTOR'S METHODS AS DEEMED FIT TO PROTECT PROPERTY AND IMPROVEMENTS. ANY DEPOSITION OF SILT OR MUD ON NEW OR EXISTING PAVEMENT OR IN EXISTING STORM SEWERS OR SWALES SHALL BE REMOVED AFTER EACH RAIN EVENT. AFFECTED AREAS SHALL BE CLEANED TO THE SATISFACTION OF THE OWNER, ALL AT THE EXPENSE OF THE CONTRACTOR. ALL TEMPORARY EROSION CONTROL SHALL BE REMOVED BY THE CONTRACTOR AFTER THE TURF IS ESTABLISHED.
- ALL STREETS DISTURBED DURING WORKING HOURS MUST BE CLEANED AT THE END OF EACH WORKING DAY. A CONSTRUCTION ENTRANCE TO THE SITE MUST BE PROVIDED ACCORDING TO DETAILS TO REDUCE TRACKING OF DIRT ONTO PUBLIC STREETS.
- ALL UNPAVED AREAS ALTERED DUE TO CONSTRUCTION ACTIVITIES MUST BE RESTORED WITH SEED AND MULCH, SOD, EROSION CONTROL BLANKET OR BE HARD SURFACE WITHIN 2 WEEKS OF COMPLETION OF CONSTRUCTION.
- THE SITE MUST BE STABILIZED PER THE REQUIREMENTS OF THE MPCA, NPDES, MNDOT, AND CITY.
  - TEMPORARY (GREATER THAN 1-YEAR) SEED SHALL BE MNDOT SEED MIX 22-111 AT 30.5-POUNDS PER ACRE.
  - TEMPORARY (LESS THAN 1-YEAR) SEED SHALL BE MNDOT SEED MIX 21-112 (FALL) OR 21-111 (SPRING/SUMMER) AT 100-POUNDS PER ACRE
  - GENERAL SEEDING SHALL BE MNDOT SEED MIX 25-151 AT 70-POUNDS PER ACRE.
  - MULCH SHALL BE MNDOT TYPE 1 APPLIED AT 2-TONS PER ACRE.
- FOR AREAS WITH SLOPE OF 3:1 OR GREATER, RESTORATION WITH SOD OR EROSION CONTROL BLANKET IS REQUIRED.
- ALL TEMPORARY STOCKPILES MUST HAVE SILT FENCE INSTALLED AROUND THEM TO TRAP SEDIMENT.
- ALL CONSTRUCTION SHALL CONFORM TO LOCAL AND STATE RULES INCLUDING THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS.
- THE SITE MUST BE KEPT IN A WELL-DRAINED CONDITION AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR TEMPORARY DITCHES, PIPING OR OTHER MEANS REQUIRED TO INSURE PROPER DRAINAGE DURING CONSTRUCTION. LOW POINTS IN ROADWAYS OR BUILDING PADS MUST BE PROVIDED WITH A POSITIVE OUTFLOW.
- PUBLIC STREETS USED FOR HAULING SHALL BE KEPT FREE OF SOIL AND DEBRIS. STREET SWEEPING SHALL BE CONCURRENT WITH SITE WORK.

### EROSION CONTROL LEGEND

EXISTING	PROPOSED	
		PROPERTY LINE
		INDEX CONTOUR
		INTERVAL CONTOUR
		CURB AND GUTTER
		DELINEATED WETLAND EDGE
		SILT FENCE
		BIOROLL
		REDUNDANT SILT CONTROL
		STORM SEWER
		FLARED END SECTION (WITH RIPRAP)
		WATER MAIN
		SANITARY SEWER
		RETAINING WALL
		DRAIN TILE
		GRADING LIMITS
		ROCK CONSTRUCTION ENTRANCE
		EROSION CONTROL BLANKET
		TURF REINFORCEMENT MAT
		EMERGENCY OVERFLOW
		SOIL BORING LOCATION
		INLET PROTECTION

Call 48 Hours before digging:  
811 or call811.com  
Common Ground Alliance

DESIGNED	03/06/2023
CHECKED	
DRAWN	
PROJECT NO.	03/06/2023
CITY RESUBMITTAL	
DATE	05/12/2023
HORIZONTAL SCALE	
VERTICAL SCALE	

PREPARED FOR:  
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EDINA, MN 55435

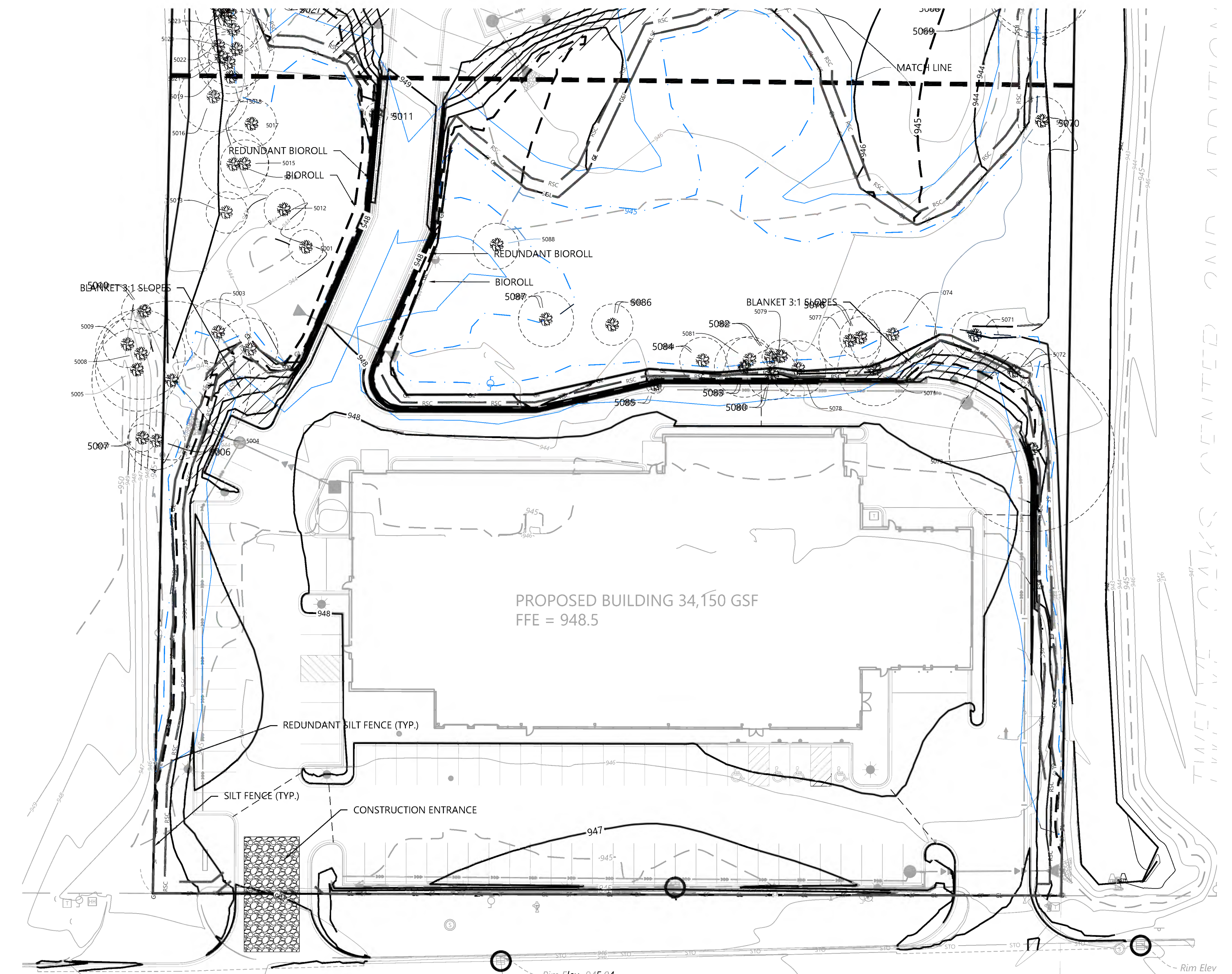
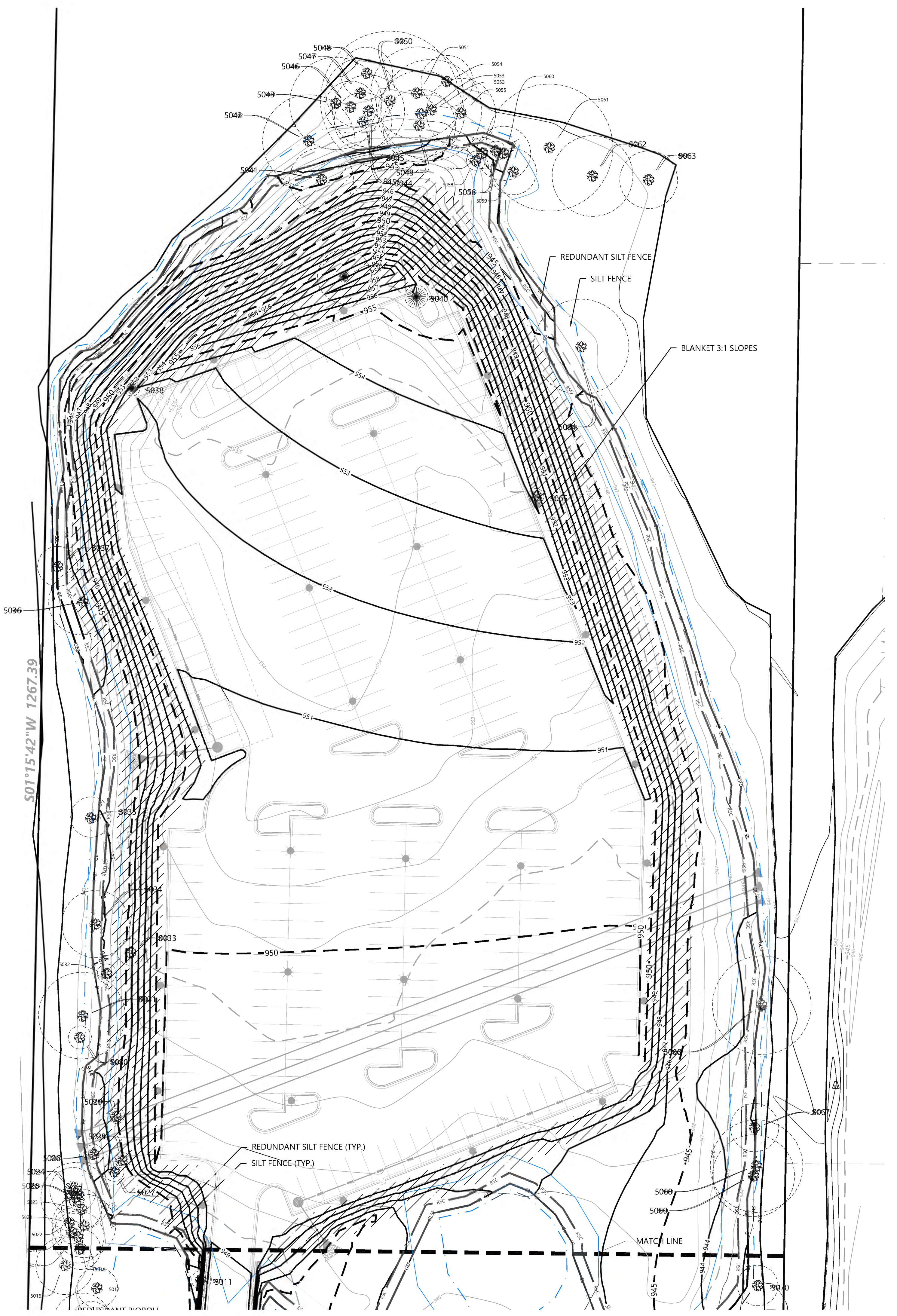
I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA  
DAVID T. BADE  
DATE: 05/12/2023 LICENSE NO. \_\_\_\_\_

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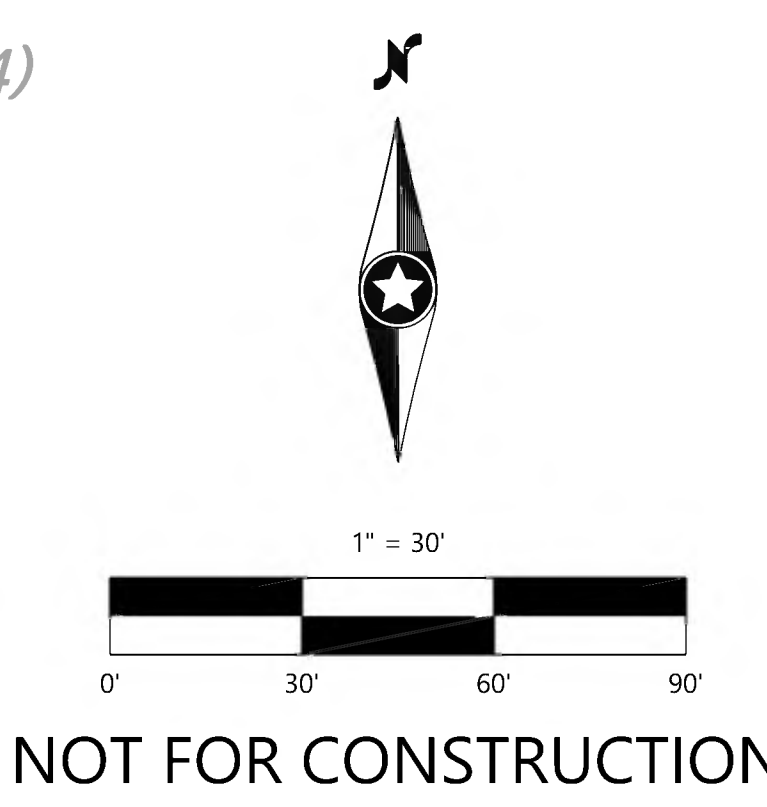
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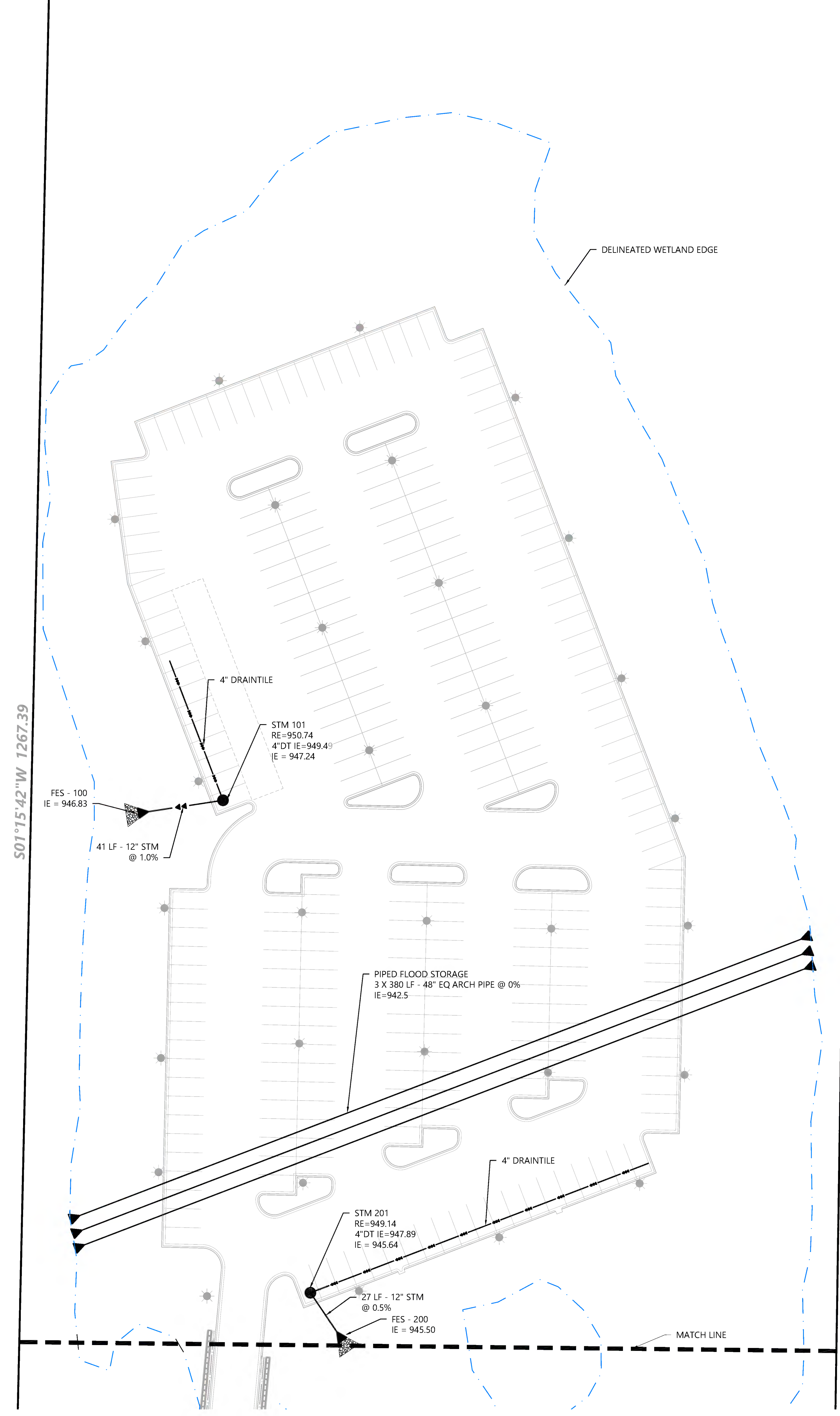
EROSION CONTROL PLAN  
SHEET NUMBER:  
**C400**  
DATE: 05/12/2023  
PROJECT NUMBER: 0036502.00



EXCEPTION FRONTAGE ROAD EXCEPTION

(US HIGHWAY 212) WAYZATA BOULEVARD (INTERSTATE HWY NO. 394)





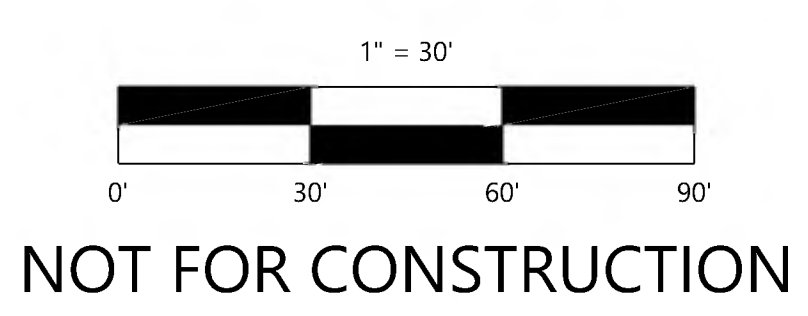
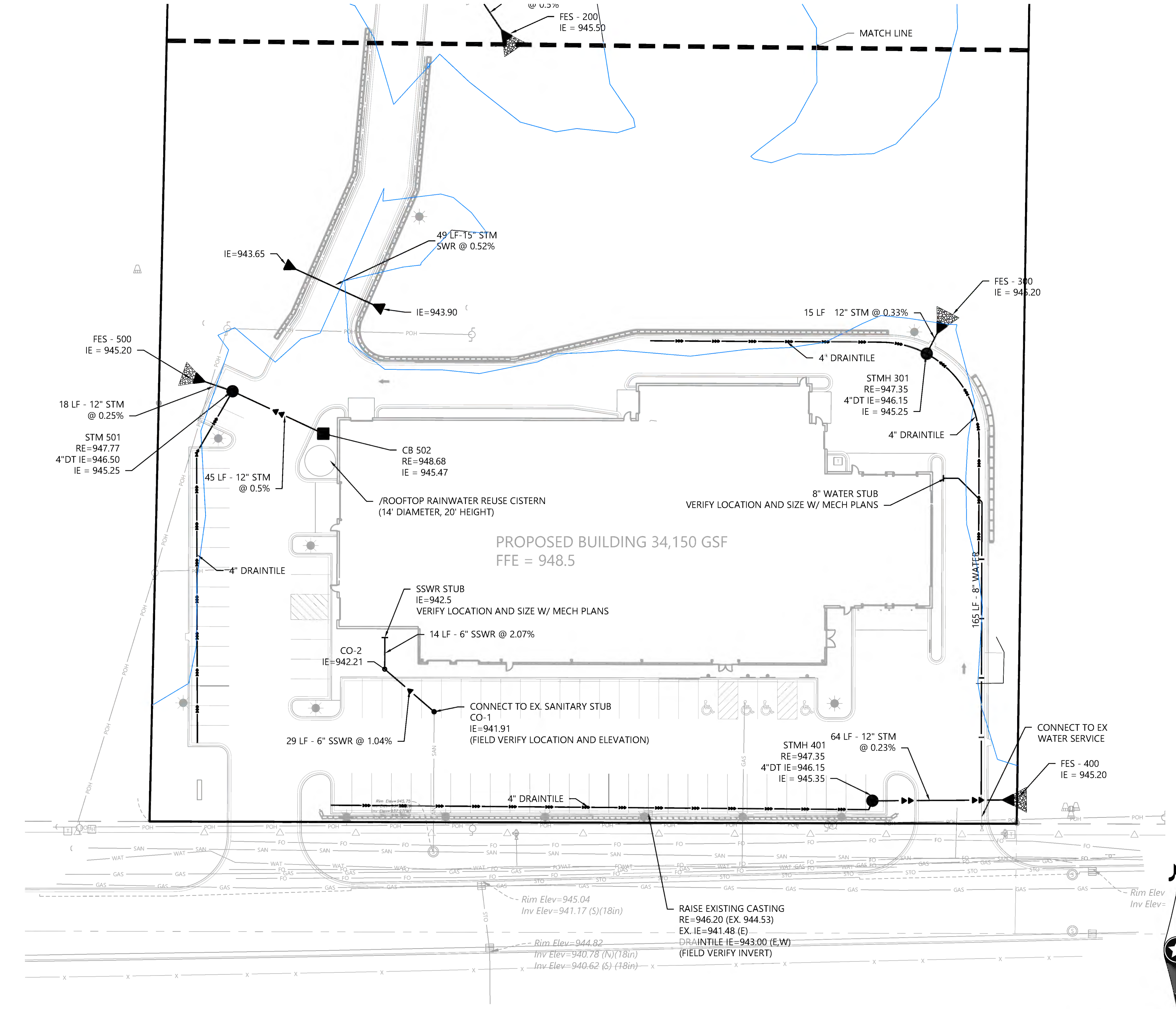
**GENERAL UTILITY NOTES**

- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND LIMITED MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION SHALL NOT BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR SHALL VERIFY EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY THE OWNER OR ENGINEER OF DISCREPANCIES.
- ALL SANITARY SEWER, STORM SEWER AND WATER MAIN MATERIAL AND INSTALLATIONS SHALL BE PER CITY REQUIREMENTS, MINNESOTA PLUMBING CODE, AND IN ACCORDANCE WITH THE CURRENT EDITION OF "STANDARD SPECIFICATIONS FOR WATER MAIN AND SERVICE LINE INSTALLATION AND SANITARY SEWER AND STORM SEWER INSTALLATION" AS PREPARED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA.
- PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL OBTAIN THE NECESSARY FEDERAL, STATE AND LOCAL PERMITS FOR THE PROPOSED WORK OR VERIFY WITH THE OWNER OR ENGINEER THAT PERMITS HAVE BEEN OBTAINED. PERMIT FEES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR UNLESS OTHERWISE ARRANGED WITH THE OWNER.
- CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATION AND DIMENSIONS OF DOORWAYS, RAMPS, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY CONNECTION LOCATIONS.
- ALL PRIVATE UTILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS OF THE APPROPRIATE UTILITY COMPANY. THE CONTRACTOR SHALL COORDINATE THE SERVICE LINE CONSTRUCTION WITH THE UTILITY COMPANIES.
- CONTRACTOR SHALL OBTAIN ALL NECESSARY CITY PERMITS FOR UTILITY CONNECTIONS, AND UTILITIES SHALL BE INSPECTED AND APPROVED BY THE CITY. THE CITY SHALL BE NOTIFIED 48-HOURS PRIOR TO COMMENCING WITH THE UTILITY CONSTRUCTION OR ANY REQUIRED TESTING. CONTRACTOR SHALL NOT OPERATE, INTERFERE WITH, CONNECT ANY PIPE OR HOSE TO, OR TAP ANY WATER MAIN BELONGING TO THE CITY UNLESS DULY AUTHORIZED TO DO SO BY THE CITY. ANY ADVERSE CONSEQUENCES OF SCHEDULED OR UNSCHEDULED DISRUPTIONS OF SERVICE TO THE PUBLIC ARE TO BE THE RESPONSIBILITY OF THE CONTRACTOR.
- WATER MAIN LENGTHS AS SHOWN ARE APPROXIMATE HORIZONTAL LENGTHS. ALLOW FOR ADDITIONAL PIPE WHEN INSTALLING ON SLOPES OR WHEN DEFLECTIONS ARE REQUIRED. THE JOINT DEFLECTIONS SHALL NOT EXCEED THE MAXIMUM RECOMMENDED BY THE PIPE MANUFACTURER OR BY LOCAL GOVERNING SPECIFICATIONS. FITTINGS REQUIRED TO CONSTRUCT WATER MAIN SHALL BE INCLUDED IN WATER MAIN CONSTRUCTION.
- PROVIDE WATER MAIN THRUST RESTRAINTS PER CITY STANDARD REQUIREMENTS.
- A MINIMUM VERTICAL SEPARATION OF 18 INCHES IS REQUIRED AT ALL WATER LINE CROSSINGS WITH SANITARY SEWER OR STORM SEWER. THE WATER LINE SHALL NOT HAVE JOINTS OR CONNECTION WITHIN 10-FEET OF THE CROSSING. INSULATE CROSSINGS WITH STORM SEWER.
- UTILITY SERVICES TYPICALLY TERMINATE 5' OUTSIDE BUILDING WALL UNLESS OTHERWISE SHOWN OR NOTED.
- DUCTILE IRON WATER LINES SHALL BE CLASS 52, PER AWWA C115 OR C151. COPPER WATER LINES SHALL BE TYPE K PER ASTM B88. PVC WATER LINES SHALL BE PER AWWA C900 AND INSTALLED PER AWWA C605 IF ALLOWED BY CITY.
- ALL WATER LINES SHALL HAVE 7.5' MINIMUM COVER. INSULATE WATER MAIN IF LESS THAN 8'

- OF COVER. INSULATION SHALL BE DOW STYROFOAM HI BRAND 35 OR EQUIVALENT, WITH 4 INCHES OF THICKNESS.
- SANITARY SEWER PIPE OUTSIDE THE BUILDING ENVELOPE SHALL BE POLYVINYL CHLORIDE (PVC) SDR 35 OR 26. SDR 26 IS REQUIRED FOR DEPTHS GREATER THAN 15 FEET. SANITARY SEWER PIPE WITHIN 5 FEET OF THE BUILDING AND UNDER FOOTINGS SHALL BE SCHEDULE 40 PER ASTM D2665. ALL PLASTIC SANITARY SEWER SHALL BE INSTALLED PER D2321. SOLVENT WELD JOINTS MUST INCLUDE USE OF A PRIMER WHICH IS OF A CONTRASTING COLOR TO THE PIPE AND CEMENT. ALL SANITARY SEWER SHALL BE TESTED ACCORDING TO MINNESOTA PLUMBING CODE, PART 712.0.
- STORM SEWER PIPE:
  - RCP AND HDPE PIPE MAY BE INSTALLED WITH APPROVAL OF LOCAL GOVERNING AGENCY.
  - REINFORCED CONCRETE PIPE SHALL BE CLASS 5 FOR PIPE DIAMETERS 18" AND SMALLER, CLASS 3 FOR PIPE DIAMETERS 21" AND LARGER UNLESS OTHERWISE NOTED, PER ASTM C76, WITH GASKETS PER ASTM C443.
  - HDPE STORM PIPE 4- TO 10-INCHES IN DIAMETER SHALL MEET REQUIREMENTS OF AASHTO M252. HDPE STORM PIPE 12- TO 60-INCHES IN DIAMETER SHALL MEET REQUIREMENTS OF ASTM F2306. FITTINGS SHALL BE PER ASTM D3212 AND INSTALLED PER ASTM D2321.
  - PVC STORM SEWER PIPE AND FITTINGS SHALL BE SCHEDULE 40 PIPE PER ASTM D2665 AND INSTALLED PER ASTM D2321.
  - CORRUGATED METAL PIPE (CMP) FOR SIZES 18- TO 120-INCH AND MUST MEET ASTM A760 OR ASTM A796 AND BE INSTALLED PER ASTM A798. CMP MAY NOT BE INSTALLED WITHIN 10- FEET OF A WATERMAIN, WATER SERVICE, OR A BUILDING.
  - ALL STORM SEWER JOINTS AND STRUCTURE CONNECTIONS SHALL BE GASTIGHT OR WATERTIGHT AS REQUIRED BY MINNESOTA PLUMBING CODE, PART 707.3. STORM SEWER LOCATED WITHIN 10- FEET OF A BUILDING AND/OR WATER LINE SHALL BE TESTED PER MINNESOTA PLUMBING CODE, PART 712.
- ALL NONCONDUCTIVE PIPE SHALL BE INSTALLED WITH A LOCATE (TRACER) WIRE PER MINNESOTA RULES, PART 7560.0150.
- AFTER CONSTRUCTION IS COMPLETED, THE CONTRACTOR SHALL PROVIDE THE OWNER WITH AN AS-BUILT RECORD OF UTILITY CONSTRUCTION. THE AS-BUILT SHALL INCLUDE LOCATION AND LENGTH DEVIATIONS OR CHANGES TO THE PLAN. CONTRACTOR TO VERIFY WITH OWNER OR ENGINEER WHETHER A PLAN WITH POST-CONSTRUCTION ELEVATIONS IS REQUIRED.
- ALL MAN-HOLE CASTINGS IN PAVED AREAS SHALL BE SUMPED 0.05 FEET. RIM ELEVATIONS ON PLAN REFLECT THE SUMPED ELEVATIONS.
- ALL CATCH BASIN CASTINGS IN CURB SHALL BE SUMPED 0.15 FEET AND MAN-HOLE CASTINGS IN PAVED AREAS SHALL BE SUMPED 0.05 FEET. RIM ELEVATIONS ON PLAN REFLECT THE SUMPED ELEVATIONS.

**UTILITY LEGEND**

EXISTING	PROPOSED	
---	---	PROPERTY LINE
---	---	EASEMENT LINE
---	---	CURB AND GUTTER
---	---	SANITARY SEWER
---	---	SANITARY SEWER FORCE MAIN
---	---	STORM SEWER
---	---	WATER MAIN
---	---	HYDRANT
---	---	GAS
---	---	UNDERGROUND ELECTRIC
---	---	OVERHEAD ELECTRIC
---	---	UNDERGROUND TELEPHONE
---	---	OVERHEAD TELEPHONE
---	---	TELEPHONE FIBER OPTIC
---	---	CABLE TELEVISION
---	---	DRAIN TILE
---	---	GATE VALVE
---	---	FLARED END SECTION (WITH RIPRAP)
---	---	LIGHT POLE



NOT FOR CONSTRUCTION

Call 48 Hours before digging:  
811 or call811.com  
Common Ground Alliance

DESIGNED	03/06/2023
CHECKED	
DRAWN	
HORIZONTAL SCALE	3/8"
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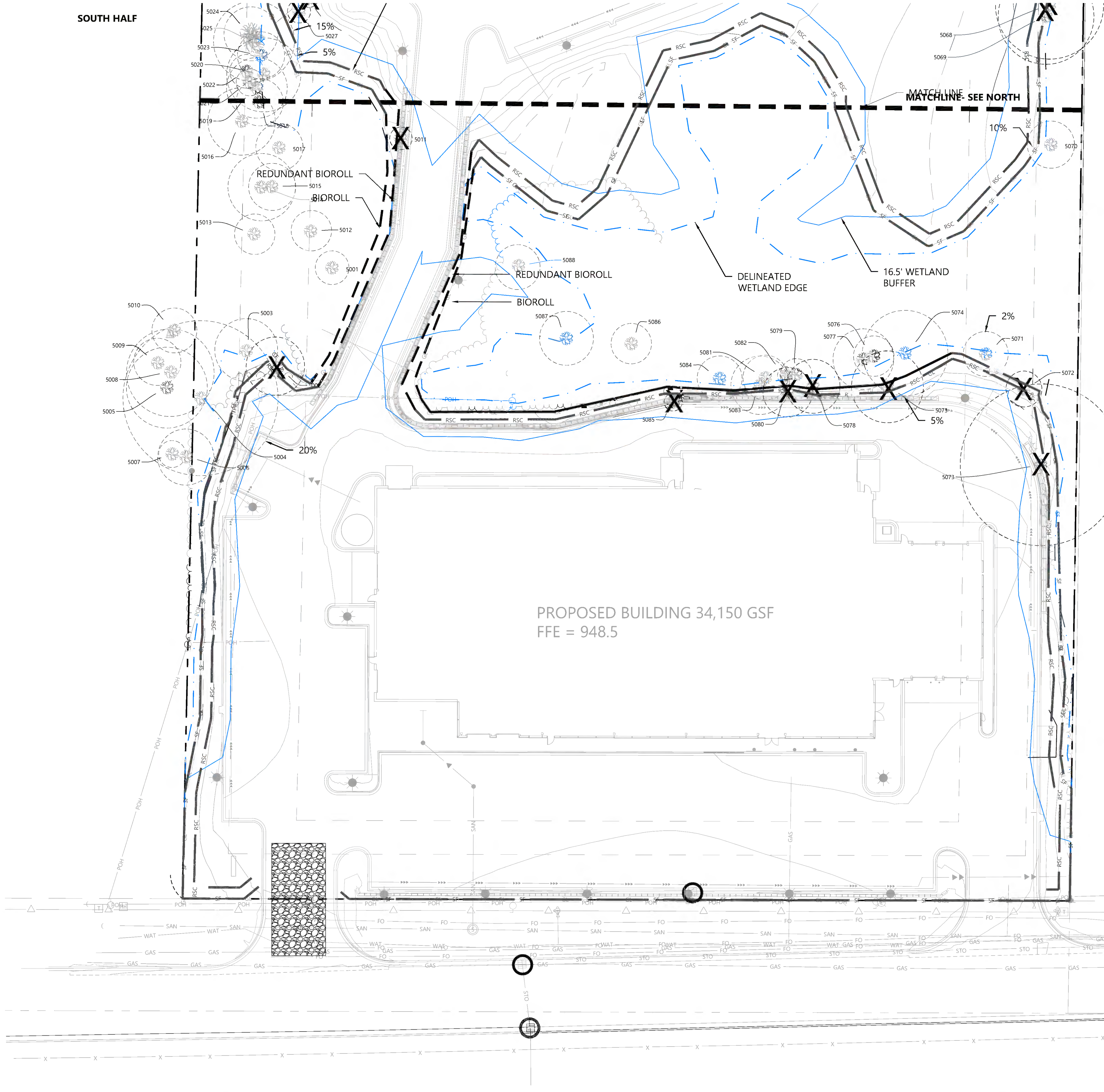
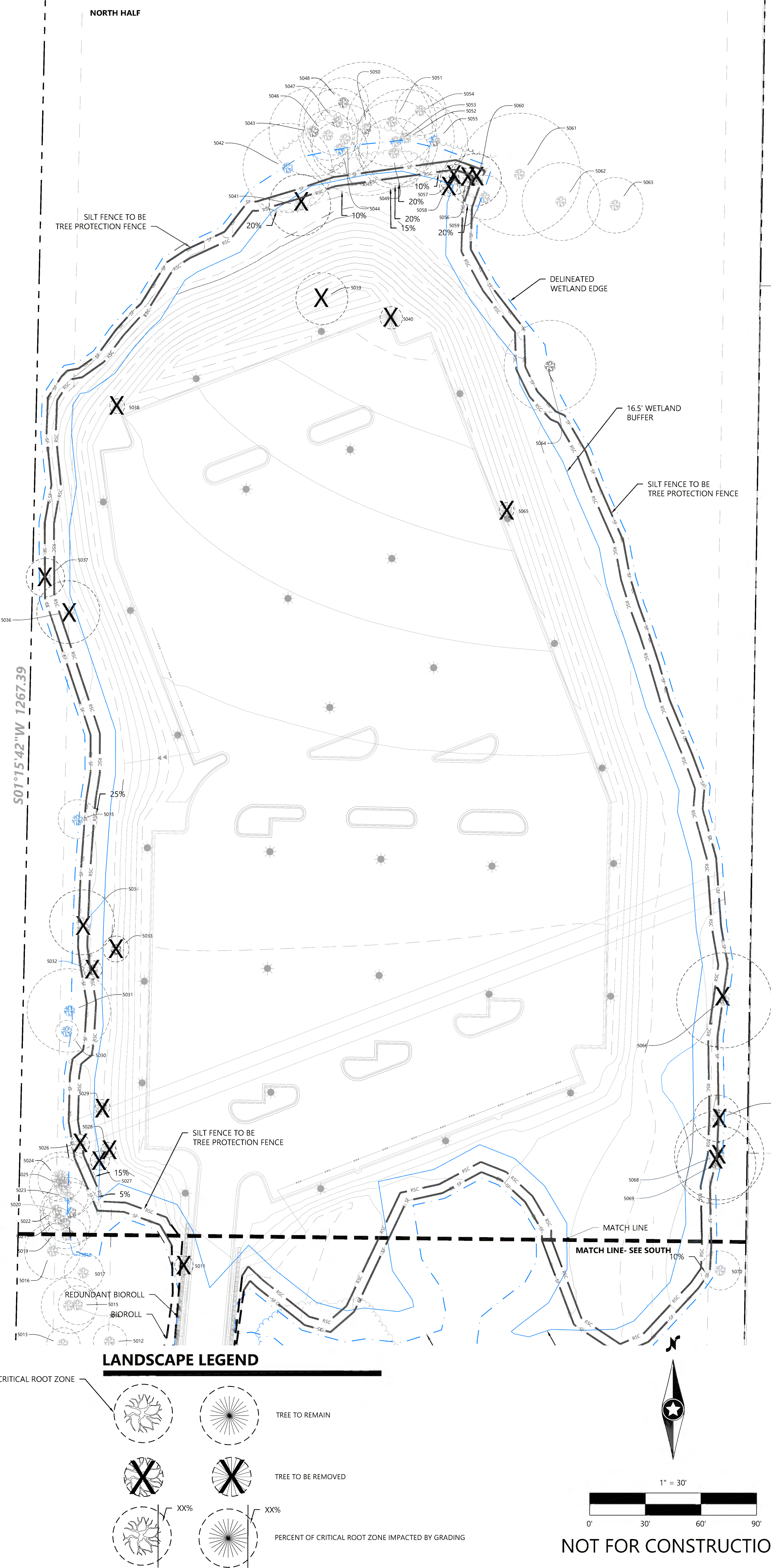
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**UTILITY PLAN**

SHEET NUMBER:  
**C500**  
DATE: 05/12/2023  
PROJECT NUMBER: 0036502.00



### TREE MITIGATION SUMMARY

TREE REMOVALS	
<b>HIGH PRIORITY TREES</b>	
NUMBER OF HIGH PRIORITY TREES=	45
NUMBER EXEMPT**=	10
NUMBER OF TREES EXCLUDING EXEMPT=	35
NUMBER REMOVED=	12
DECIDUOUS REMOVED (DBH in)=	205 in
CONIFEROUS REMOVED (ft)=	55 ft
PERCENT OF TREES ON SITE (50% ALLOWED)=	34% (12/35=34%)
<b>SIGNIFICANT TREES</b>	
NUMBER OF SIGNIFICANT TREES=	37
NUMBER EXEMPT**=	11
NUMBER OF TREES EXCLUDING EXEMPT=	26
NUMBER REMOVED=	11
DECIDUOUS REMOVED (DBH in)=	51 in
CONIFEROUS REMOVED (ft)=	0 ft
PERCENT OF TREES ON SITE (50% ALLOWED)=	42% (11/26=42%)
<b>TOTALS</b>	
NUMBER OF TREES ON SITE=	82
NUMBER EXEMPT**=	21
NUMBER OF TREES EXCLUDING EXEMPT=	61
NUMBER REMOVED=	23
DECIDUOUS REMOVED (DBH in)=	256 in
CONIFEROUS REMOVED (ft)=	55 ft
PERCENT OF TREES ON SITE=	38% (23/61=37%)

\*\*EXEMPT TREES ARE TREES THAT ARE DEAD, DAMAGED BEYOND RECOVERY, INVASIVE, OR ASH TREES.

\*\*FOR ALL TREE SPECIES: A TREE SHALL BE REMOVED ANY TIME COMPACTING, CUTTING, FILLING, OR PAVING 30% OF THE CRITICAL ROOT ZONE. THE CRITICAL ROOT RADIUS IS CALCULATED BY MEASURING THE TREES DSH. FOR EACH INCH IN TREE DIAMETER, 1.5 FT OF ROOT ZONE RADIUS MUST BE PROTECTED.

\*SIGNIFICANT TREE IS A TREE THAT IS STRUCTURALLY SOUND AND HEALTHY AND THAT IS EITHER A DECIDUOUS TREE AT LEAST FOUR INCHES DSH OR A CONIFEROUS TREE AT LEAST 10 FT IN HEIGHT.

\*\*HIGH PRIORITY TREE IS A TREE THAT IS NOT IN A WOODLAND PRESERVATION AREA BUT IS STILL IMPORTANT TO THE SITE, THAT IS STRUCTURALLY SOUND AND HEALTHY THAT IS EITHER A DECIDUOUS TREE THAT IS AT LEAST 10 IN DSH OR CONIFEROUS TREE THAT IS AT LEAST 15 FT IN HEIGHT.

**MITIGATION REQUIRED**

\*\*\*NO MITIGATION REQUIRED- TREE REMOVAL RATES FALL WITHIN ALLOWABLE RATES.\*\*\*

REDEVELOPMENT ON A NON-SINGLE FAMILY PROPERTY REQUIRES MITIGATION FOR:

- HIGH PRIORITY TREES, SIGNIFICANT TREES, AND TREES WITHIN WOODLAND PRESERVATION REMOVED OUTSIDE OF (1) THE BASIC TREE REMOVAL AREA AND (2) THE WIDTH OF REQUIRED EASEMENTS FOR PUBLIC AND PRIVATE STREETS AND UTILITIES
- HIGH PRIORITY AND SIGNIFICANT TREES REMOVED FOR SURFACE STORMWATER PRACTICES.

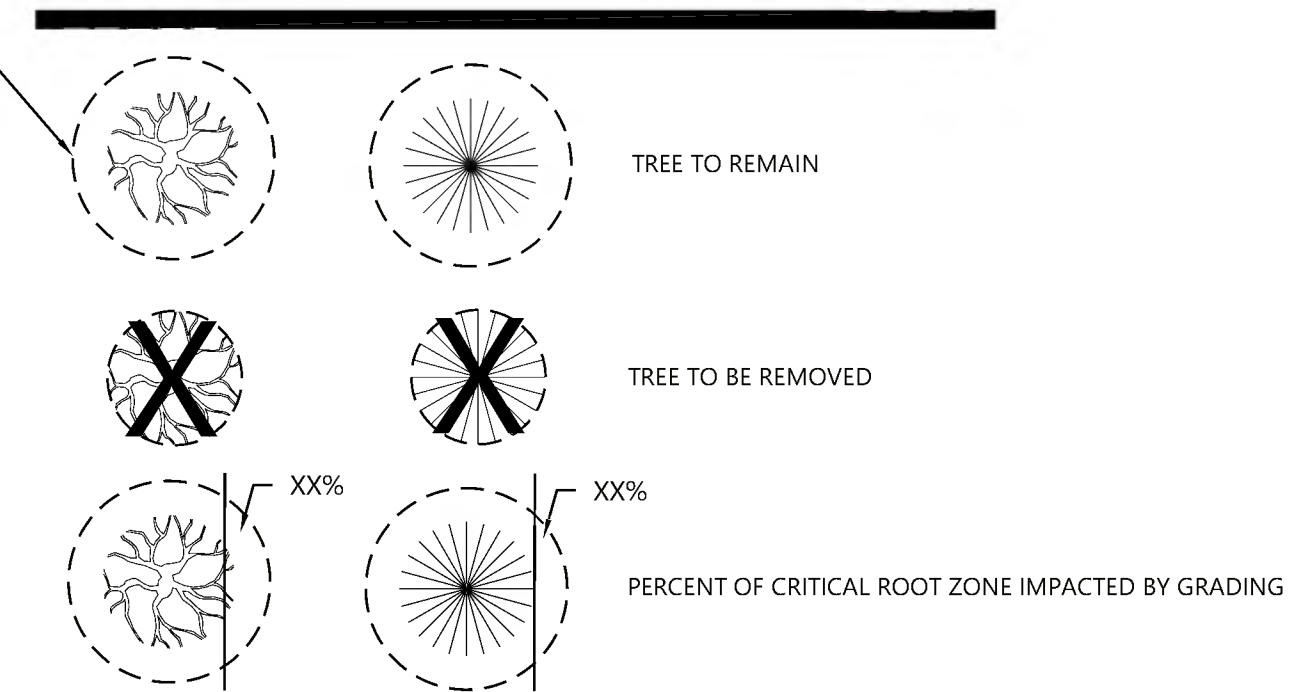
### TREE INVENTORY

NO.	Species	DBH (in.)	High Priority	Significant	Multistem	Damaged	Removal
5001	Black Willow	10	X		X		
5002	Black Willow	13	X		X	trunk split at base	X
5003	Black Willow	14	X		X	severe lean, 40% crown death	
5004	Cottonwood	23	X				
5005	Cottonwood	12	X		X		
5006	Cottonwood	10	X		X		
5007	Green Ash	4		X			
5008	Black Willow	13	X		X		
5009	Cottonwood	7		X	X		
5010	Cottonwood	10	X		X		
5011	Cottonwood	5		X	X		X
5012	Black Willow	6		X	X		
5013	Black Willow	6		X	X		
5014	Black Willow	10	X				
5015	Cottonwood	7		X		30% crown death	
5016	Black Willow	10	X		X		
5017	Black Willow	7		X			
5018	Cottonwood	8		X			
5019	Cottonwood	8		X			
5020	Cottonwood	12	X				
5021	Black Willow	4		X			
5022	Black Willow	5		X			
5023	Black Willow	7		X			
5024	Black Willow	8		X			
5025	Cottonwood	12	X				
5026	Aspen	5		X			X
5027	Aspen	7		X			
5028	Aspen	4		X			
5029	Aspen	4		X		2ft sore on trunk	X
5030	Black Willow	4		X	X		
5031	Black Willow	16	X				
5032	Black Willow	5		X		20% crown death	X
5033	Green Ash	7		X			X
5034	Cottonwood	17	X		X		X
5035	Black Willow	7		X			
5036	Cottonwood	17	X				X
5037	Black Willow	10	X		X	large sore + rot at trunk base, severe lean	X
5038	Red Cedar	4"/15"	X				X
5039	White Spruce	14"/25"	X				X
5040	White Spruce	6"/15"	X				X
5041	Cottonwood	16	X				X
5042	Cottonwood	16	X				X
5043	Cottonwood	16	X				X
5044	Cottonwood	10	X				
5045	Cottonwood	12	X				
5046	Cottonwood	9	X		X		
5047	Cottonwood	12	X		X		
5048	Black Willow	9		X			
5049	Cottonwood	19	X				
5050	Cottonwood	24	X		X		
5051	Cottonwood	16	X				
5052	Black Willow	17	X			25% crown death	
5053	Black Willow	15	X				
5054	Black Willow	9		X		50% crown death	
5055	Cottonwood	12	X				
5056	Cottonwood	5		X	X		X
5057	Cottonwood	8		X	X		X
5058	Cottonwood	5		X	X		X
5059	Cottonwood	8		X			
5060	Cottonwood	14	X				X
5061	Cottonwood	22	X				
5062	Black Willow	14	X		X		
5063	Black Willow	10	X		X	large sore + rot at trunk base	
5064	Cottonwood	24	X				
5065	Green Ash	4		X			X
5066	American Elm	26	X			included bark @ crotch, wilt noted on lower branch	X
5067	Boxelder	12	X				X
5068	Cottonwood	24	X		X		X
5069	Cottonwood	21	X		X		X
5070	Green Ash	7		X			
5071	Black Willow	10	X		X	20% crown death	X
5072	Black Willow	8		X	X		X
5073	Cottonwood	36	X				X
5074	Cottonwood	19	X			15% crown death	X
5075	Cottonwood	16	X			25% crown death	X
5076	Black Willow	6		X	X		
5077	Black Willow	9		X	X		
5078	Black Willow	12	X		X		X
5079	Black Willow	7		X	X		
5080	Cottonwood	11	X				X
5081	Black Willow	10	X		X		
5082	Green Ash	4		X			
5083	Black Willow	13	X				
5084	Black Willow	10	X		X		
5085	Black Willow	4		X	X		X
5086	Green Ash	6		X			
5087	Boxelder	7		X			
5088	Green Ash	8		X		50% crown death	

### TREE INVENTORY LEGEND

Off Property
Exempt: Due to damage, dying, or invasive
Removed- High Priority
Removed- Significant
To Remain- High Priority
To Remain- Significant

### LANDSCAPE LEGEND



NOT FOR CONSTRUCTION

DESIGNED: [ ] CHECKED: [ ] DRAWN: [ ] INITIAL ISSUE: 03/06/2023 CITY RESUBMITTAL: 05/11/2023

PREPARED FOR: **WALSER REAL ESTATE, LLC**  
7700 FRANCE AVENUE SOUTH SUITE 410 N  
EDINA, MN 55435

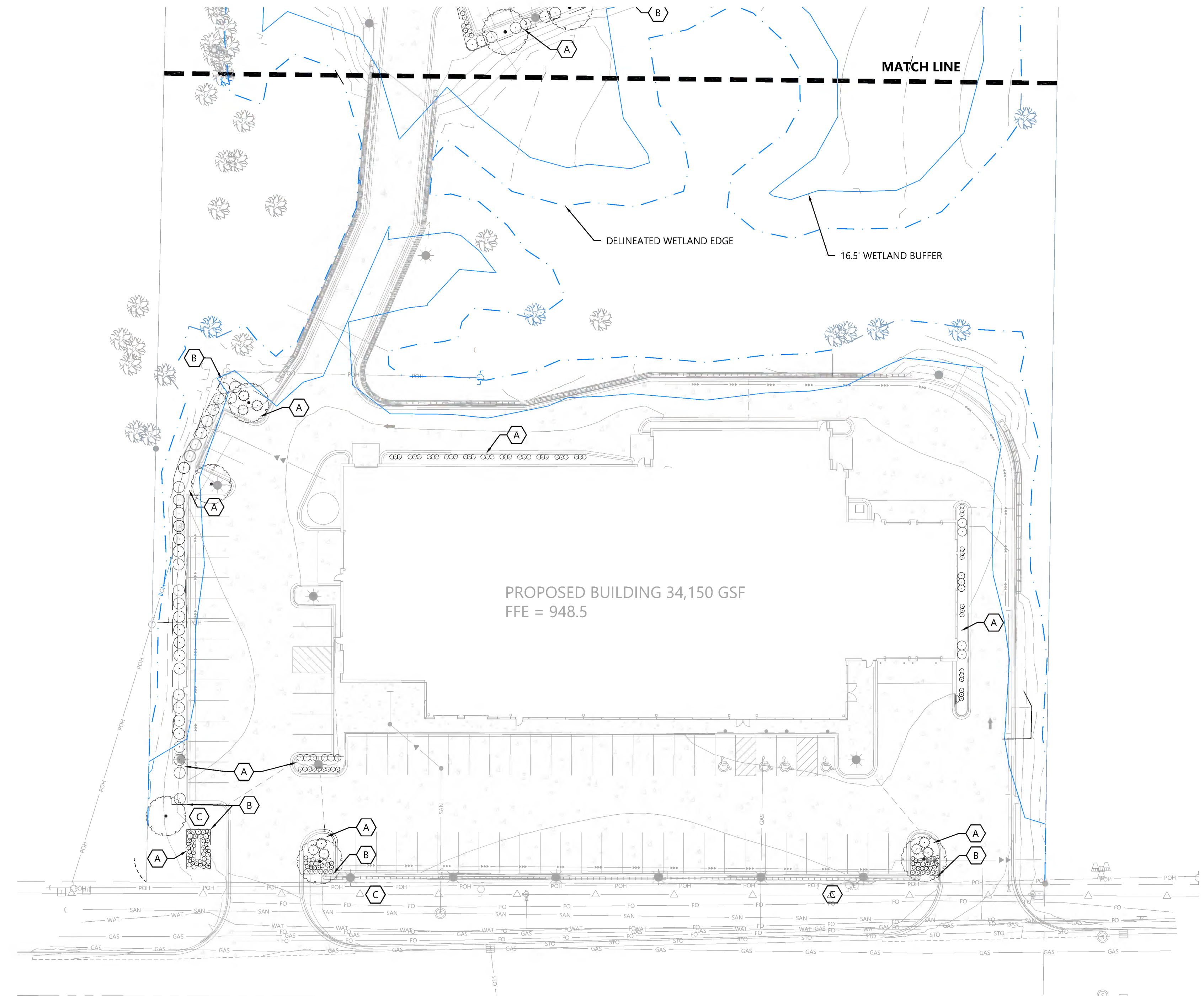
DATE: 05/12/2023 LICENSE NO. [ ]

**Westwood**  
12700 Whitehawk Drive, Suite #300  
Minnetonka, MN 55343  
Westwood Professional Services, Inc.

**TREE PRESERVATION PLAN**

SHEET NUMBER: **L100**

DATE: 05/12/2023 PROJECT NUMBER: 0036502.00

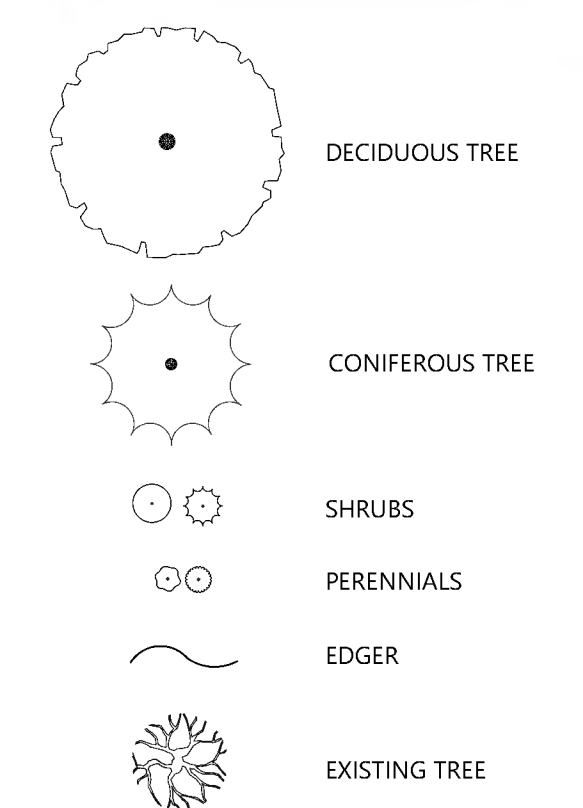


**PLANT SCHEDULE**

COMMON / BOTANICAL NAME	SIZE	SPACING O.C.
<b>CONIFEROUS TREES</b>		
ERC 2 EASTERN REDCEDAR / JUNIPERUS VIRGINIANA	6' HT B&B	AS SHOWN
TAM 5 TAMARACK / LARIX LARICINA	6' HT B&B	AS SHOWN
BLS 6 BLACK SPRUCE / PICEA MARIANA	6' HT B&B	AS SHOWN
<b>DECIDUOUS TREES</b>		
REM 11 RED MAPLE / ACER RUBRUM	2.5' CAL	AS SHOWN
MAM 2 MATADOR™ FREEMAN MAPLE / ACER X FREEMANII 'BAILSTON'	2.5' CAL	AS SHOWN
RIB 6 RIVER BIRCH / BETULA NIGRA	2.5' CAL	AS SHOWN
SKH 5 SKYLINE® HONEY LOCUST / GLEDITSIA TRIACANTHOS INERMIS 'SKYCOLE'	2.5' CAL	AS SHOWN
SIP 4 SIOUXLAND POPLAR / POPULUS DELTOIDES 'SIOUXLAND'	2.5' CAL	AS SHOWN
SWO 5 SWAMP WHITE OAK / QUERCUS BICOLOR	2.5' CAL	AS SHOWN
BLW 6 BLACK WILLOW / SALIX NIGRA	2.5' CAL	AS SHOWN
<b>ORNAMENTAL TREES</b>		
BBE 3 BLUE BEECH / CARPINUS CAROLINIANA	2.5' CAL	AS SHOWN
<b>CONIFEROUS SHRUBS</b>		
CBJ 9 COMMON BUSH JUNIPER / JUNIPERUS COMMUNIS DEPRESSA	#5 CONT.	4'-0" O.C.
<b>DECIDUOUS SHRUB</b>		
RTD 175 RED TWIG DOGWOOD / CORNUS SERICEA	#5 CONT.	5'-0" O.C.
AFD ARCTIC FIRE® RED TWIG DOGWOOD / CORNUS SERICEA 'FARROW'	#5 CONT.	4'-0" O.C.
DBH DWARF BUSH HONEYSUCKLE / DIERVILLA LONICERA	#5 CONT.	3'-0" O.C.
WIN WINTERBERRY / ILEX VERTICILLATA	#5 CONT.	5'-0" O.C.
GLS GRO-LOW FRAGRANT SUMAC / RHUS AROMATICA 'GRO-LOW'	#5 CONT.	5'-0" O.C.
BCV BAILEY'S COMPACT VIBURNUM / VIBURNUM TRILOBUM 'BAILEY COMPACT'	#5 CONT.	3'-0" O.C.
<b>ANNUALS/PERENNIALS</b>		
NEA NEW ENGLAND ASTER / ASTER NOVAE-ANGLIAE	#1 CONT.	18" O.C.
MBC MOONBEAM TICKSEED / COREOPSIS VERTICILLATA 'MOONBEAM'	#1 CONT.	24" O.C.
PJC PURPLE CONEFLOWER / ECHINACEA PURPUREA	#1 CONT.	18" O.C.
PBS PRAIRIE BLAZINGSTAR / LIATRIS Pycnostachya	#1 CONT.	30" O.C.
BES BLACK-EYED SUSAN / RUDBECKIA HIRTA	#1 CONT.	18" O.C.
<b>GRASSES</b>		
KFG KARL FOERSTER FEATHER REED GRASS / CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	#1 CONT.	24" O.C.
SSG SHENANDOAH SWITCH GRASS / PANICUM VIRGATUM 'SHENANDOAH'	#1 CONT.	24" O.C.
BLB BLAZE LITTLE BLUESTEM / SCHIZACHYRIUM SCOPARIUM 'BLAZE'	#1 CONT.	18" O.C.
PDS PRAIRIE DROPSSEED / SPOROBOLUS HETEROLEPIS	#1 CONT.	24" O.C.

\*\*\*ALL NON-NATIVE SPECIES, OR CULTIVARS OF NATIVE SPECIES, TO BE LOCATED WITHIN THE PARKING LOT AND ALONG THE FRONTAGE RD. NO NON-NATIVES TO BE PLANTED IN WETLAND BUFFER AREA\*\*\*

**LANDSCAPE LEGEND**



**LANDSCAPE KEYNOTES**

- A SHREDDED HARDWOOD MULCH (TYP)
- B EDGER (TYP)
- C SOD (TYP)
- D WETLAND SEED MIX

**LANDSCAPE SUMMARY**

**1-394 DISTRICT LANDSCAPE REQUIREMENTS:**

- ALL EFFORTS SHALL BE TAKEN TO PRESERVE EXISTING NATURAL FEATURES.
- A MINIMUM LANDSCAPE PLAN INVESTMENT OF 2 PERCENT OF TOTAL PROJECT VALUE IS REQUIRED.
- DECIDUOUS TREES WILL NOT BE LESS THAN 2 IN BUT NOT MORE THAN 4 IN CALIPER, CONIFEROUS TREES WILL NOT BE LESS THAN 6 FT BUT NOT MORE THAN 8 FT IN HEIGHT.

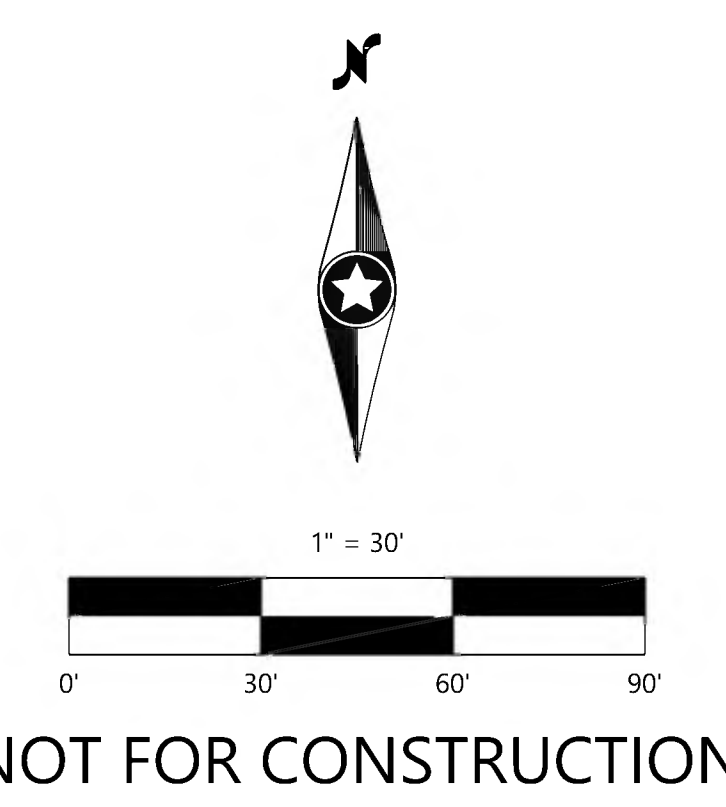
**PARKING LOT LANDSCAPE REQUIREMENTS:**

- ONE TREE FOR EACH 15 SURFACE PARKING SPACES.

**TREES REQUIRED= 24 (356/15=23.73)**

**TREES PROVIDED= 55**  
(13 PROPOSED CONIFEROUS TREES + 39 PROPOSED DECIDUOUS TREES + 3 PROPOSED ORNAMENTAL TREES)

\*\*\*ALL NON-NATIVE SPECIES, OR CULTIVARS OF NATIVE SPECIES, TO BE LOCATED WITHIN THE PARKING LOT AND ALONG THE FRONTAGE RD. NO NON-NATIVES TO BE PLANTED IN WETLAND BUFFER AREA\*\*\*



DESIGNED	03/06/2023
CHECKED	
DRAWN	
APPROVED	
DATE	05/12/2023
SCALE	
SCALE	

PREPARED FOR:  
**WALSER REAL ESTATE, LLC**  
7700 FRANCE AVENUE SOUTH SUITE 410 N  
EDINA, MN 55435

DATE: 05/12/2023 LICENSE NO. \_\_\_\_\_

**WALSER KIA MINNETONKA**  
MINNETONKA, MN

**Westwood**  
12701 Whittaker Drive, Suite #200  
Minnetonka, MN 55343  
Westwood Professional Services, Inc.

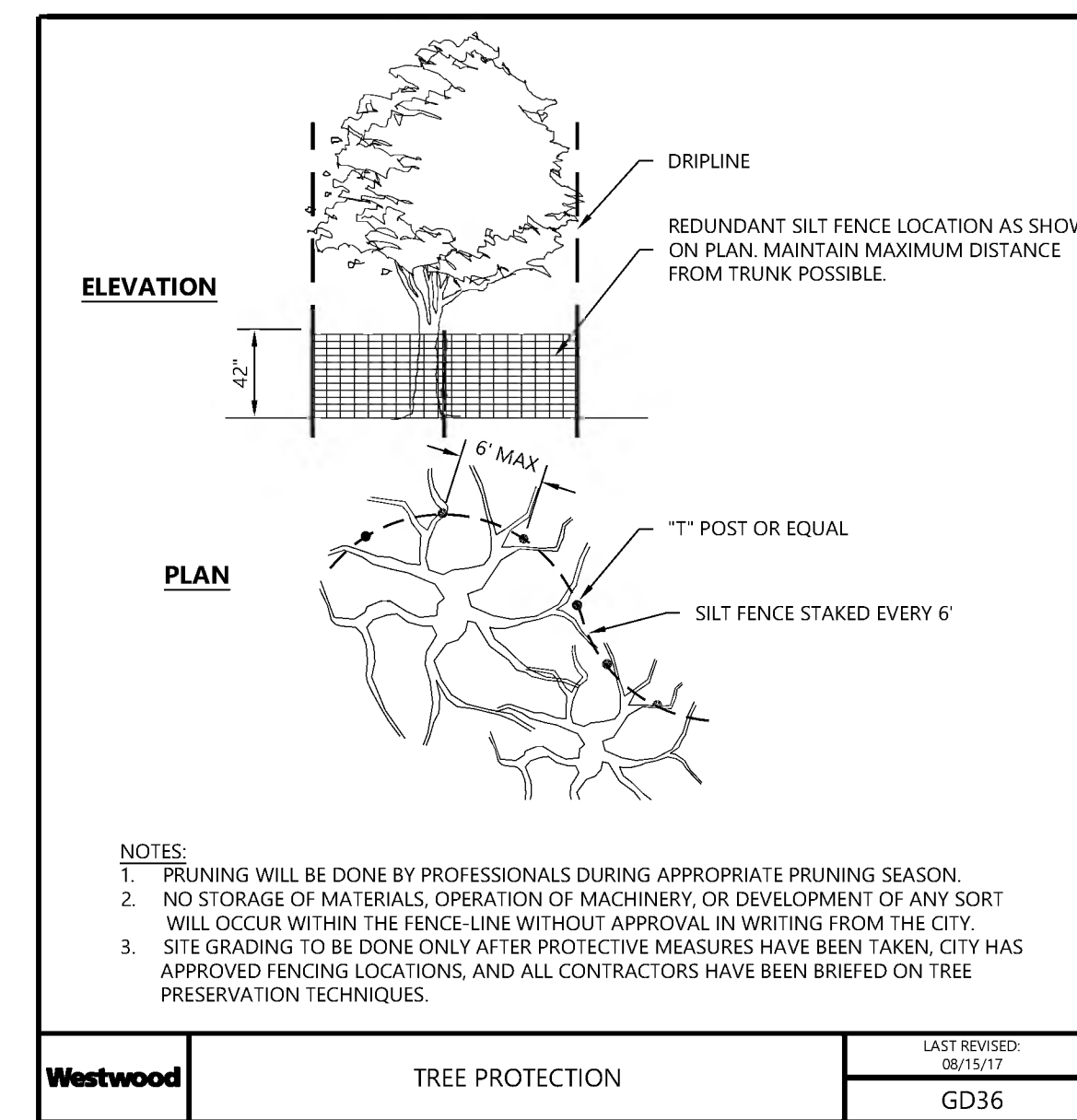
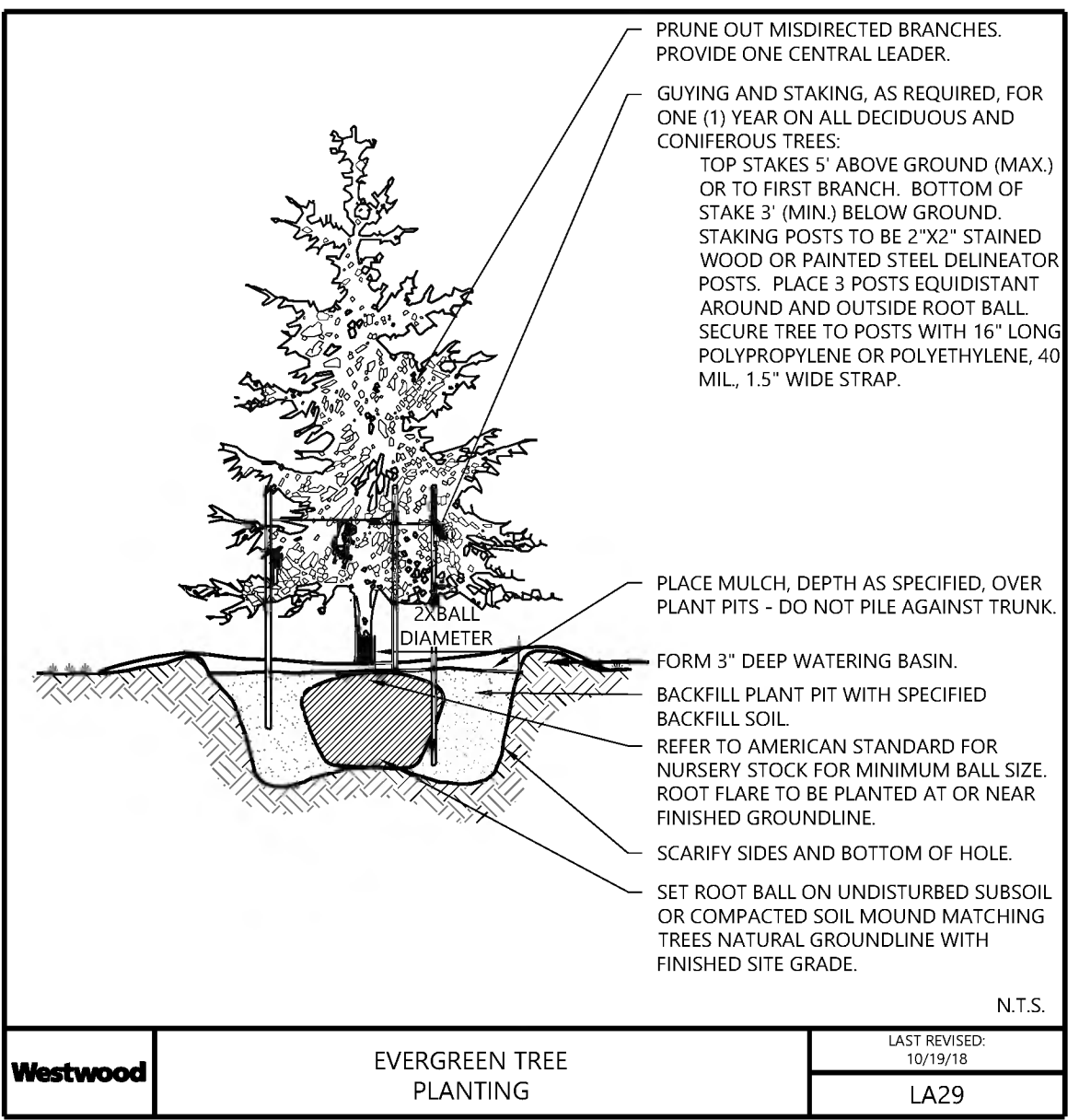
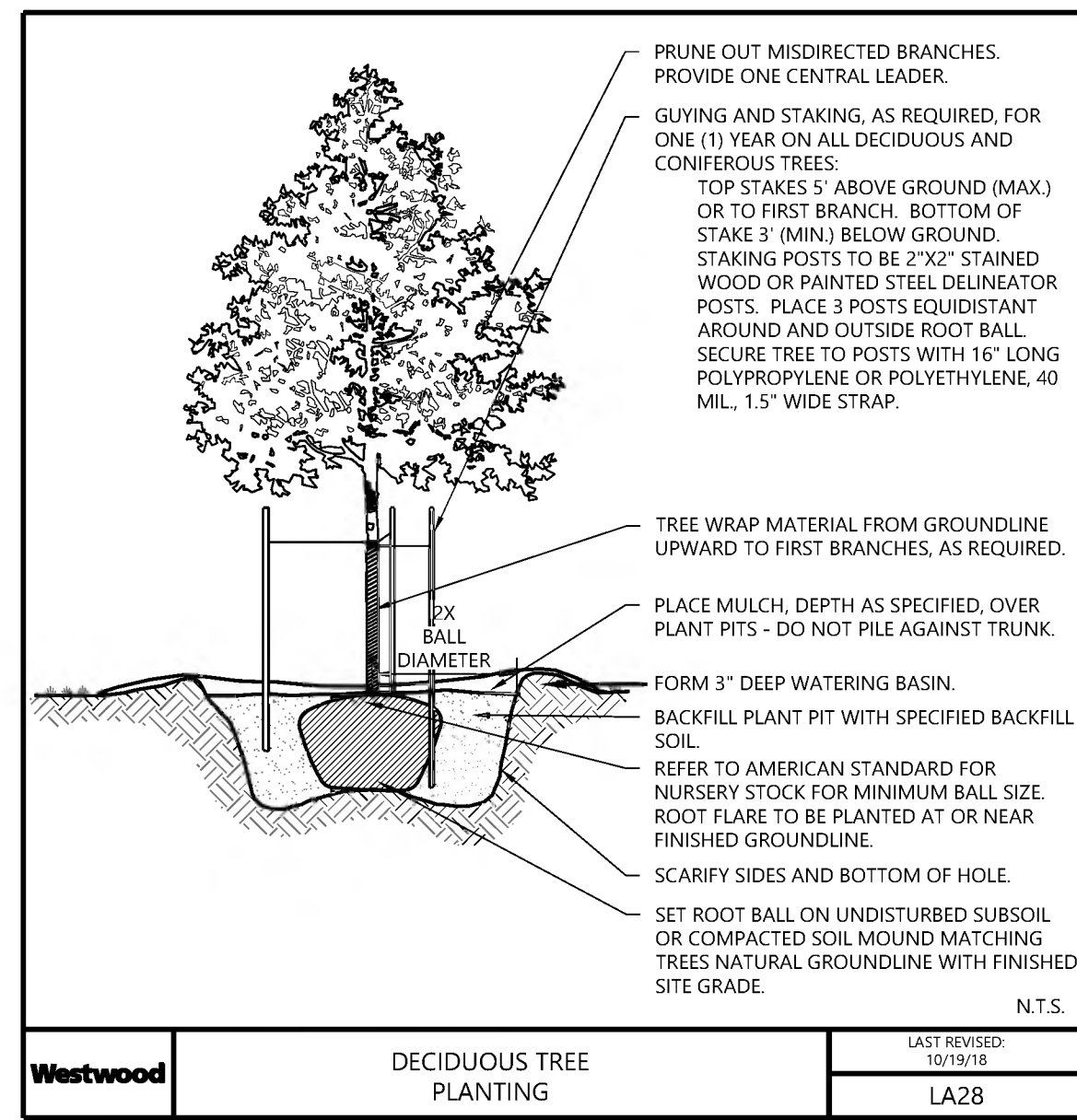
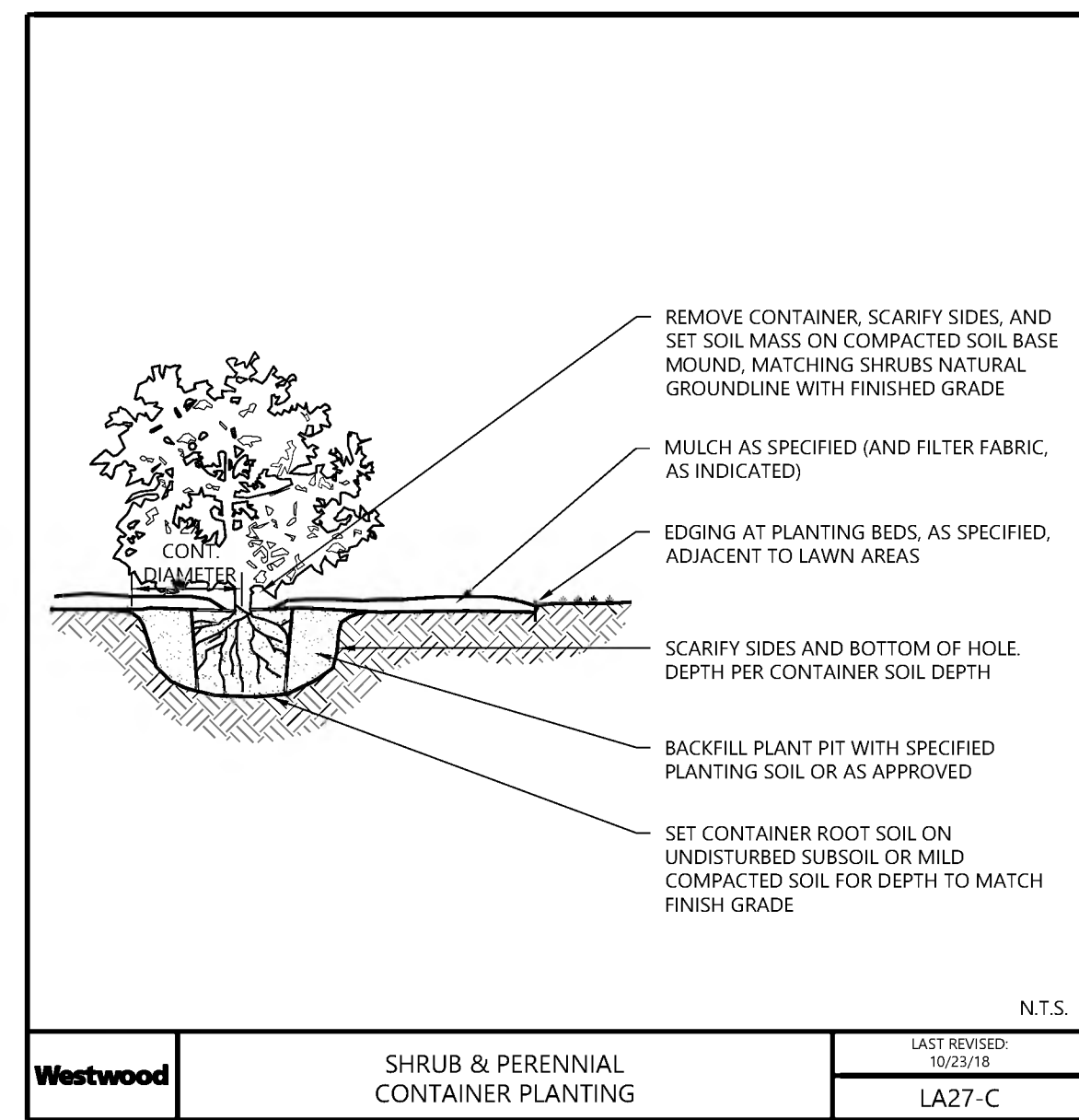
**LANDSCAPE PLAN**

SHEET NUMBER:

**L200**

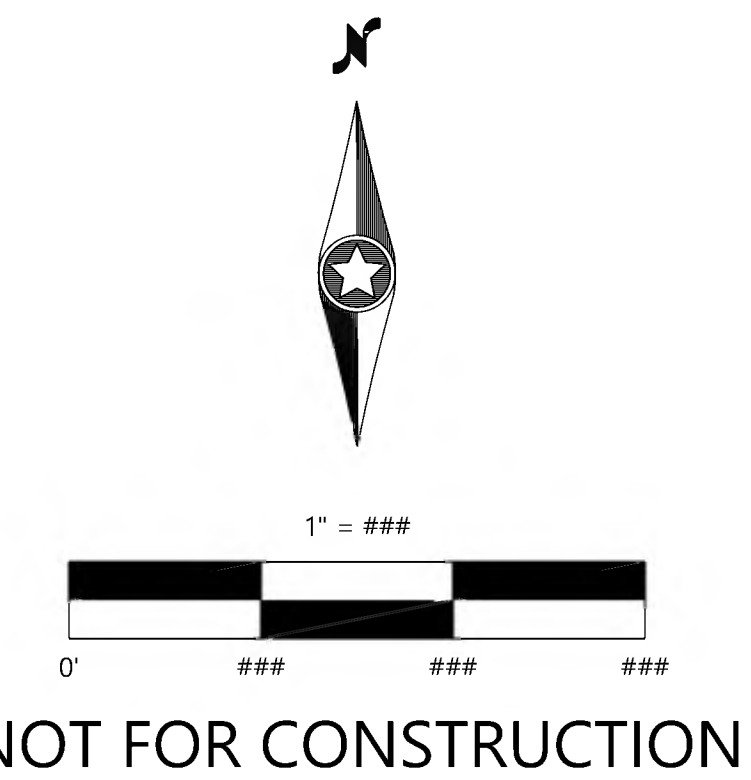
DATE: 05/12/2023

PROJECT NUMBER: 0036502.00



**PLANTING NOTES**

1. CONTRACTOR SHALL CONTACT COMMON GROUND ALLIANCE AT 811 OR CALL811.COM TO VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF ANY PLANTS OR LANDSCAPE MATERIAL.
2. ACTUAL LOCATION OF PLANT MATERIAL IS SUBJECT TO FIELD AND SITE CONDITIONS.
3. NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
4. ALL SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO SUBMISSION OF ANY BID AND/OR QUOTE BY THE LANDSCAPE CONTRACTOR.
5. CONTRACTOR SHALL PROVIDE TWO YEAR GUARANTEE OF ALL PLANT MATERIALS. THE GUARANTEE BEGINS ON THE DATE OF THE LANDSCAPE ARCHITECT'S OR OWNER'S WRITTEN ACCEPTANCE OF THE INITIAL PLANTING. REPLACEMENT PLANT MATERIAL SHALL HAVE A ONE YEAR GUARANTEE COMMENCING UPON PLANTING.
6. ALL PLANTS TO BE SPECIMEN GRADE, MINNESOTA GROWN AND/OR HARDY. SPECIMEN GRADE SHALL ADHERE TO, BUT IS NOT LIMITED BY, THE FOLLOWING STANDARDS:  
ALL PLANTS SHALL BE FREE FROM DISEASE, PESTS, WOUNDS, SCARS, ETC.  
ALL PLANTS SHALL BE FREE FROM NOTICEABLE GAPS, HOLES, OR DEFORMITIES.  
ALL PLANTS SHALL BE FREE FROM BROKEN OR DEAD BRANCHES.  
ALL PLANTS SHALL HAVE HEAVY, HEALTHY BRANCHING AND LEAFING.  
CONIFEROUS TREES SHALL HAVE AN ESTABLISHED MAIN LEADER AND A HEIGHT TO WIDTH RATIO OF NO LESS THAN 5:3.
7. PLANTS TO MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2014 OR MOST CURRENT VERSION) REQUIREMENTS FOR SIZE AND TYPE SPECIFIED.
8. PLANTS TO BE INSTALLED AS PER MNLA & ANSI STANDARD PLANTING PRACTICES.
9. PLANTS SHALL BE IMMEDIATELY PLANTED UPON ARRIVAL AT SITE. PROPERLY HEEL-IN MATERIALS IF NECESSARY; TEMPORARY ONLY.
10. PRIOR TO PLANTING, FIELD VERIFY THAT THE ROOT COLLAR/ROOT FLAIR IS LOCATED AT THE TOP OF THE BALLED & BURLAP TREE. IF THIS IS NOT THE CASE, SOIL SHALL BE REMOVED DOWN TO THE ROOT COLLAR/ROOT FLAIR. WHEN THE BALLED & BURLAP TREE IS PLANTED, THE ROOT COLLAR/ROOT FLAIR SHALL BE EVEN OR SLIGHTLY ABOVE FINISHED GRADE.
11. OPEN TOP OF BURLAP ON BB MATERIALS; REMOVE POT ON POTTED PLANTS; SPLIT AND BREAK APART PEAT POTS.
12. PRUNE PLANTS AS NECESSARY - PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
13. WRAP ALL SMOOTH-BARKED TREES - FASTEN TOP AND BOTTOM. REMOVE BY APRIL 1ST.
14. STAKING OF TREES AS REQUIRED; REPOSITION, PLUMB AND STAKE IF NOT PLUMB AFTER ONE YEAR.
15. THE NEED FOR SOIL AMENDMENTS SHALL BE DETERMINED UPON SITE SOIL CONDITIONS PRIOR TO PLANTING. LANDSCAPE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT FOR THE NEED OF ANY SOIL AMENDMENTS.
16. BACKFILL SOIL AND TOPSOIL TO ADHERE TO MN/DOT STANDARD SPECIFICATION 3877 (SELECT TOPSOIL BORROW) AND TO BE EXISTING TOP SOIL FROM SITE FREE OF ROOTS, ROCKS LARGER THAN ONE INCH, SUBSOIL DEBRIS, AND LARGE WEEDS UNLESS SPECIFIED OTHERWISE. MINIMUM 4" DEPTH TOPSOIL FOR ALL LAWN GRASS AREAS AND 12" DEPTH TOPSOIL FOR TREE, SHRUBS, AND PERENNIALS.
17. MULCH TO BE AT ALL TREE, SHRUB, PERENNIAL, AND MAINTENANCE AREAS. TREE AND SHRUB PLANTING BEDS SHALL HAVE 4" DEPTH OF SHREDDED HARDWOOD MULCH. SHREDDED HARDWOOD MULCH TO BE USED AROUND ALL PLANTS WITHIN TURF AREAS. PERENNIAL AND ORNAMENTAL GRASS BEDS SHALL HAVE 2" DEPTH SHREDDED HARDWOOD MULCH. MULCH TO BE FREE OF DELETERIOUS MATERIAL AND NATURAL COLORED, OR APPROVED EQUAL. MULCH TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
18. EDGING TO BE COMMERCIAL GRADE VALLEY-VIEW BLACK DIAMOND (OR EQUAL) POLY EDGING OR SPADED EDGE, AS INDICATED. POLY EDGING SHALL BE PLACED WITH SMOOTH CURVES AND STAKED WITH METAL SPIKES NO GREATER THAN 4 FOOT ON CENTER WITH BASE OF TOP BEAD AT GRADE, FOR MOWERS TO CUT ABOVE WITHOUT DAMAGE. UTILIZE CURBS AND SIDEWALKS FOR EDGING WHERE POSSIBLE. SPADED EDGE TO PROVIDE V-SHAPED DEPTH AND WIDTH TO CREATE SEPARATION BETWEEN MULCH AND GRASS. INDIVIDUAL TREE, SHRUB, OR RAIN-GARDEN BEDS TO BE SPADED EDGE, UNLESS NOTED OTHERWISE. EDGING TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
19. ALL DISTURBED AREAS TO BE SODDED OR SEEDED, UNLESS OTHERWISE NOTED. PARKING LOT ISLANDS TO BE SODDED WITH SHREDDED HARDWOOD MULCH AROUND ALL TREES AND SHRUBS. SOD TO BE STANDARD MINNESOTA GROWN AND HARDY BLUEGRASS MIX, FREE OF LAWN WEEDS. ALL TOPSOIL AREAS TO BE RAKED TO REMOVE DEBRIS AND ENSURE DRAINAGE. SLOPES OF 3:1 OR GREATER SHALL BE STAKED. SEED AS SPECIFIED AND PER MN/DOT SPECIFICATIONS. IF NOT INDICATED ON LANDSCAPE PLAN, SEE EROSION CONTROL PLAN.
20. PROVIDE IRRIGATION TO ALL PLANTED AREAS ON SITE. IRRIGATION SYSTEM TO BE DESIGN/BUILD BY LANDSCAPE CONTRACTOR. LANDSCAPE CONTRACTOR TO PROVIDE SHOP DRAWINGS TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION OF IRRIGATION SYSTEM. CONTRACTOR TO PROVIDE OPERATION MANUALS, AS BUILT PLANS, AND NORMAL PROGRAMMING. SYSTEM SHALL BE WINTERIZED AND HAVE SPRING STARTUP DURING FIRST YEAR OF OPERATION. SYSTEM SHALL HAVE ONE-YEAR WARRANTY ON ALL PARTS AND LABOR. ALL INFORMATION ABOUT INSTALLATION AND SCHEDULING CAN BE OBTAINED FROM THE GENERAL CONTRACTOR.
21. CONTRACTOR SHALL PROVIDE NECESSARY WATERING OF PLANT MATERIALS UNTIL THE PLANT IS FULLY ESTABLISHED OR IRRIGATION SYSTEM IS OPERATIONAL. OWNER WILL NOT PROVIDE WATER FOR CONTRACTOR.
22. REPAIR, REPLACE, OR PROVIDE SOD/SEED AS REQUIRED FOR ANY ROADWAY BOULEVARD AREAS ADJACENT TO THE SITE DISTURBED DURING CONSTRUCTION.
23. REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.



DESIGNED:	
CHECKED:	
DRAWN:	
HORIZONTAL SCALE:	1" = 100'
VERTICAL SCALE:	1" = 10'

PREPARED FOR:  
**WALSER REAL ESTATE, LLC**  
7700 FRANCE AVENUE SOUTH SUITE 410 N  
EDINA, MN 55435

DATE: 05/12/2023  
LICENSE NO.:

**WALSER KIA MINNETONKA**  
MINNETONKA, MN

**Westwood**  
Professional Services, Inc.  
12701 Whittaker Drive, Suite #200  
Minnetonka, MN 55343  
(952) 837-2150  
(952) 837-2522  
www.westwoodps.com

**LANDSCAPE NOTES**

SHEET NUMBER:  
**L201**  
DATE: 05/12/2023  
PROJECT NUMBER: 0036502.00

Call 48 Hours before digging:  
811 or call811.com  
Common Ground Alliance

**LEGEND**

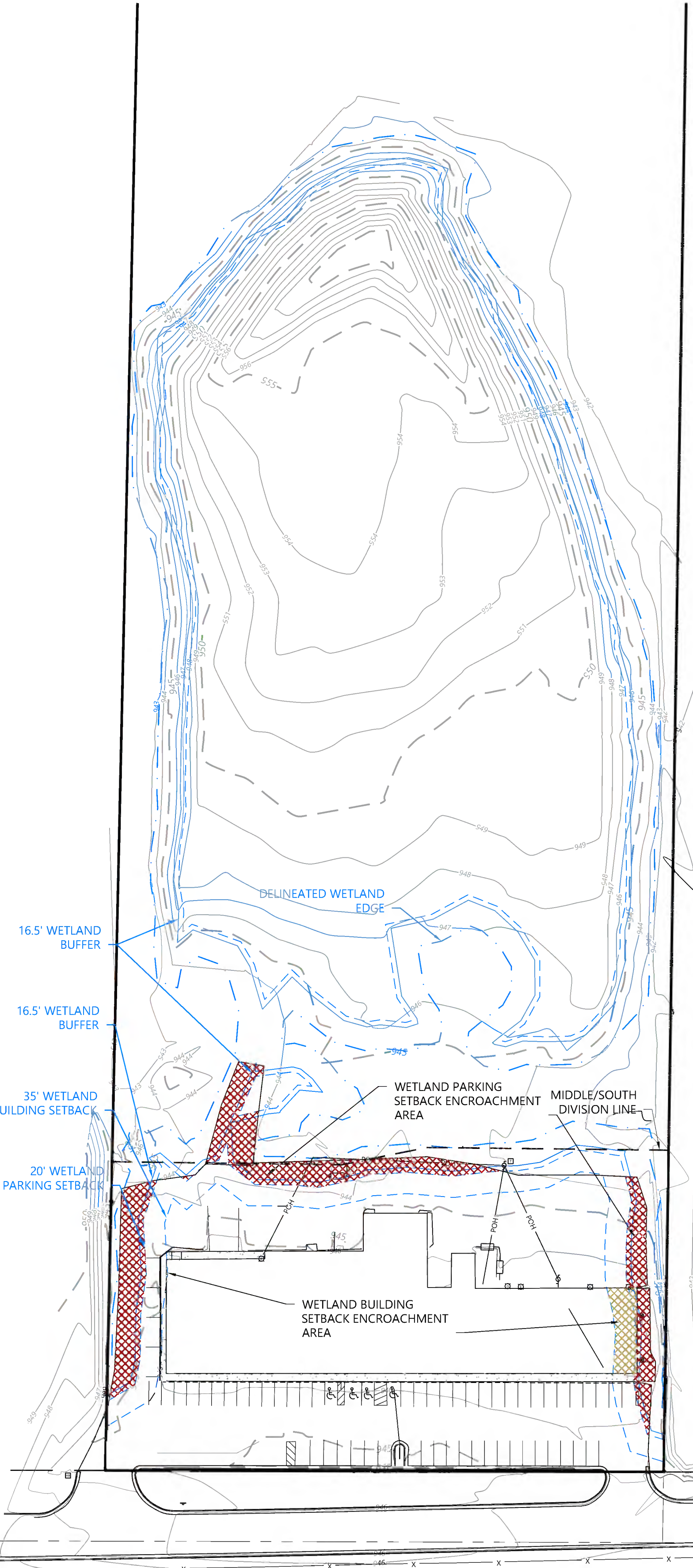
EXISTING	PROPOSED	
		PROPERTY LINE
		INDEX CONTOUR
		INTERVAL CONTOUR
		DELINEATED WETLAND EDGE
		16.5' WETLAND BUFFER (CITY)
		WETLAND BUFFER SETBACKS
		20' PARKING SETBACK (CITY)
		35' BUILDING SETBACK (CITY)
		GRADING LIMITS
		RETAINING WALL
		WETLAND PARKING SETBACK ENCROACHMENT
		WETLAND BUILDING SETBACK ENCROACHMENT

**CITY WETLAND BUFFER AREA SUMMARY**

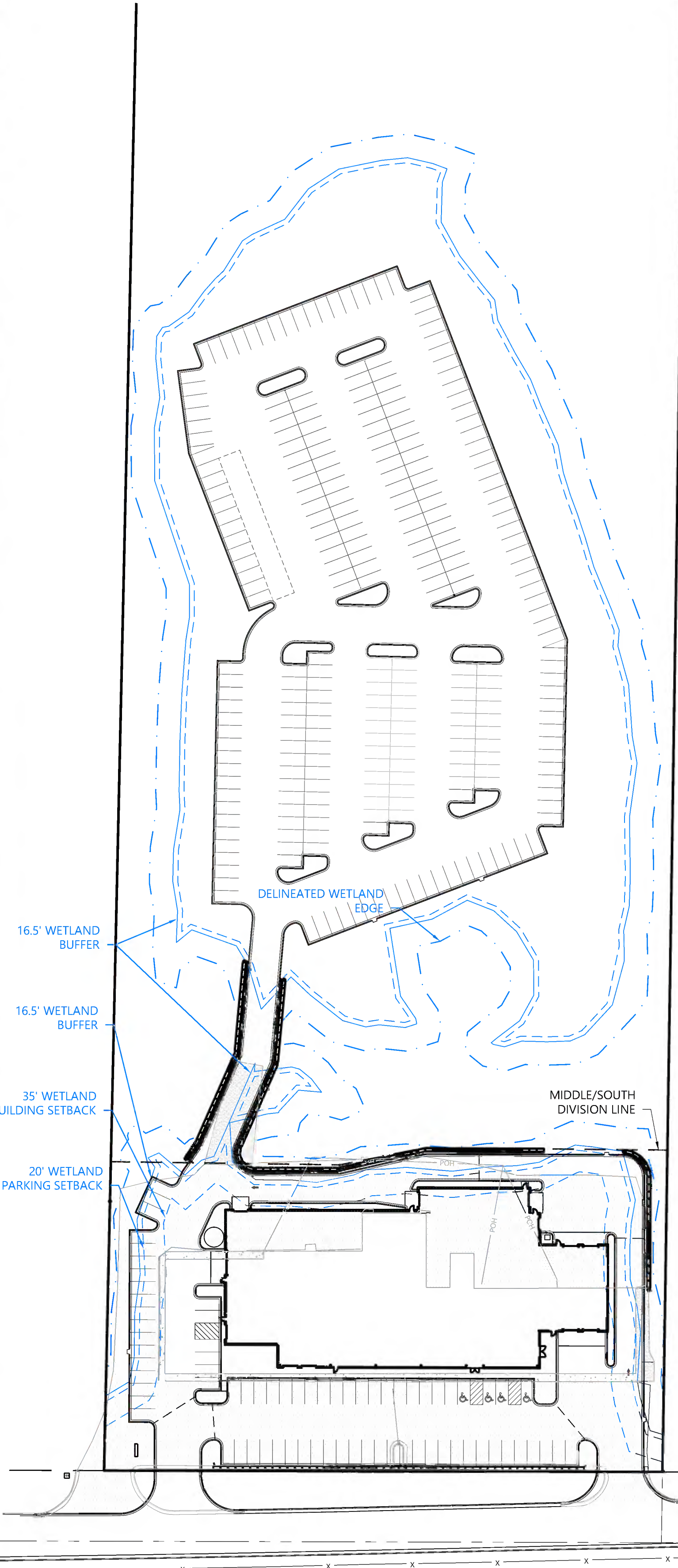
ONSITE WETLANDS CLASSIFIED AS MANAGE 2 PER THE MNRAM FUNCTIONAL ASSESSMENT COMPLETED 04/19/2023.

WETLAND SETBACK ENCROACHMENT AREA	EXISTING	PROPOSED
PRKG SETBACK MIDDLE	1,605 SF	3,988 SF
PRKG SETBACK SOUTH	6,880 SF	6,107 SF
PRKG SETBACK TOTAL	8,485 SF	10,095 SF
BLDG SETBACK TOTAL	1,046 SF	488 SF

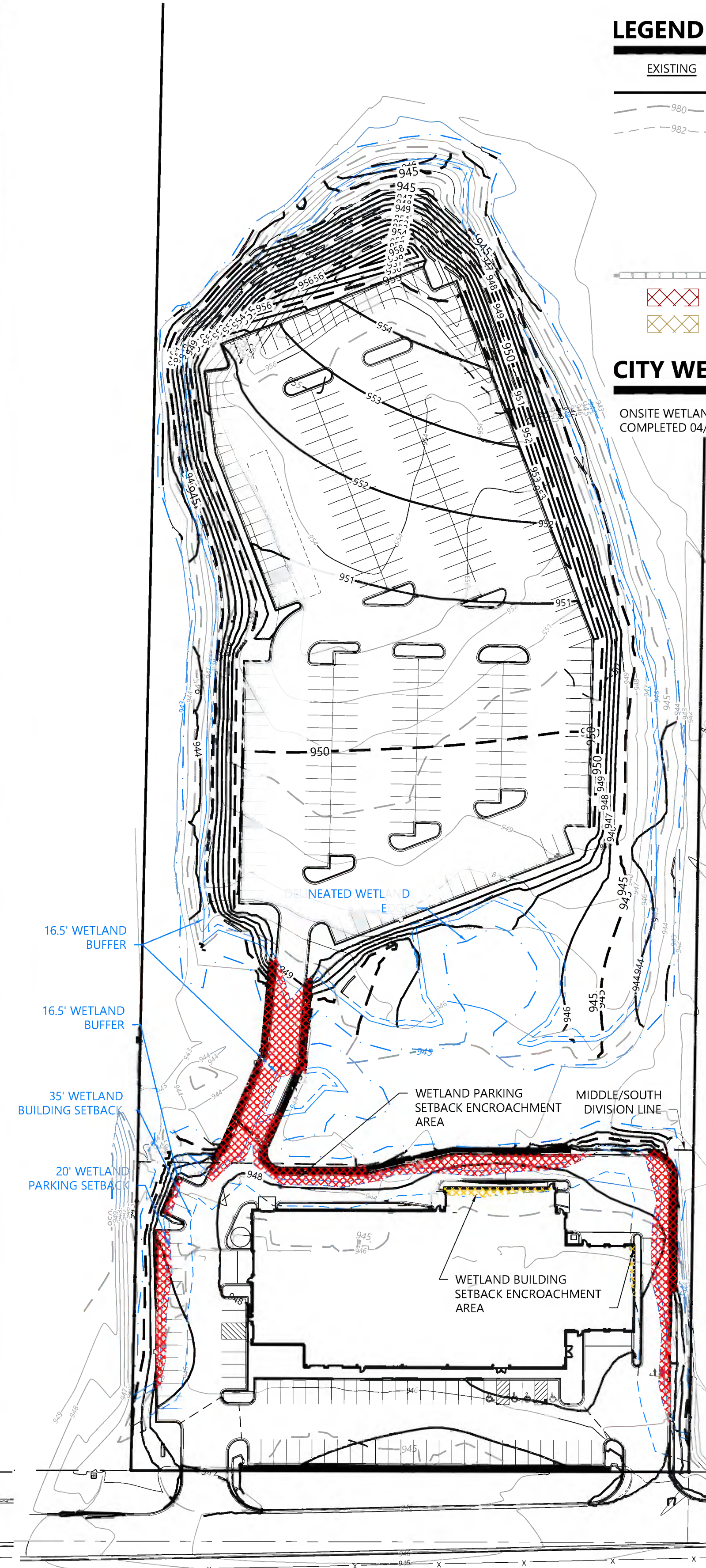
NOTE - A VARIANCE WITH CITY OF MINNETONKA WILL BE PURSUED



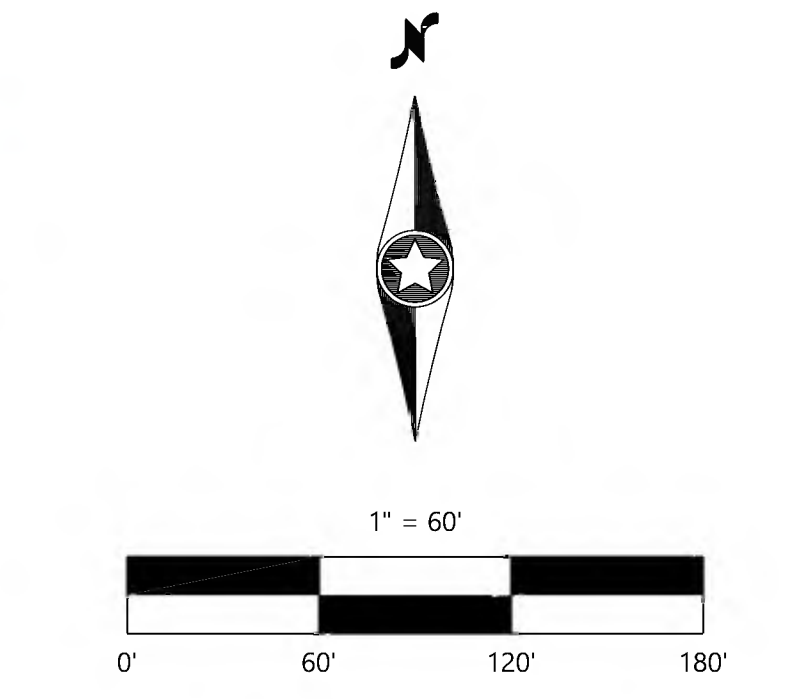
**EXISTING CITY WETLAND SETBACK AREAS**



**PROPOSED SITE OVERLAY ON EXISTING CONDITIONS**



**PROPOSED CITY WETLAND SETBACK AREAS**



NOT FOR CONSTRUCTION

DESIGNED	#####
CHECKED	#####
DRAWN	#####
HORIZONTAL SCALE	#####
VERTICAL SCALE	#####

PREPARED FOR:  
**WALSER REAL ESTATE, LLC**  
7700 FRANCE AVENUE SOUTH SUITE 410N  
EDINA, MN 55435

**PROPOSED SITE PLAN**

**WALSER KIA**  
MINNETONKA, MN

**Westwood**  
17701 Whitehawk Drive, Suite #800  
Minnetonka, MN 55343  
Westwood.com  
Phone: (888) 937-5150  
Fax: (888) 937-5150  
Toll Free: (888) 937-5150  
Westwood Professional Services, Inc.

**CITY WETLAND SETBACK AREAS**

SHEET NUMBER:

**3**

DATE: 04/28/2023

PROJECT NUMBER: 0036502.00

WALSER KIA



### FLOOD STORAGE SUMMARY

PROPOSED CITY FLOODPLAIN ELEVATION = 945.2

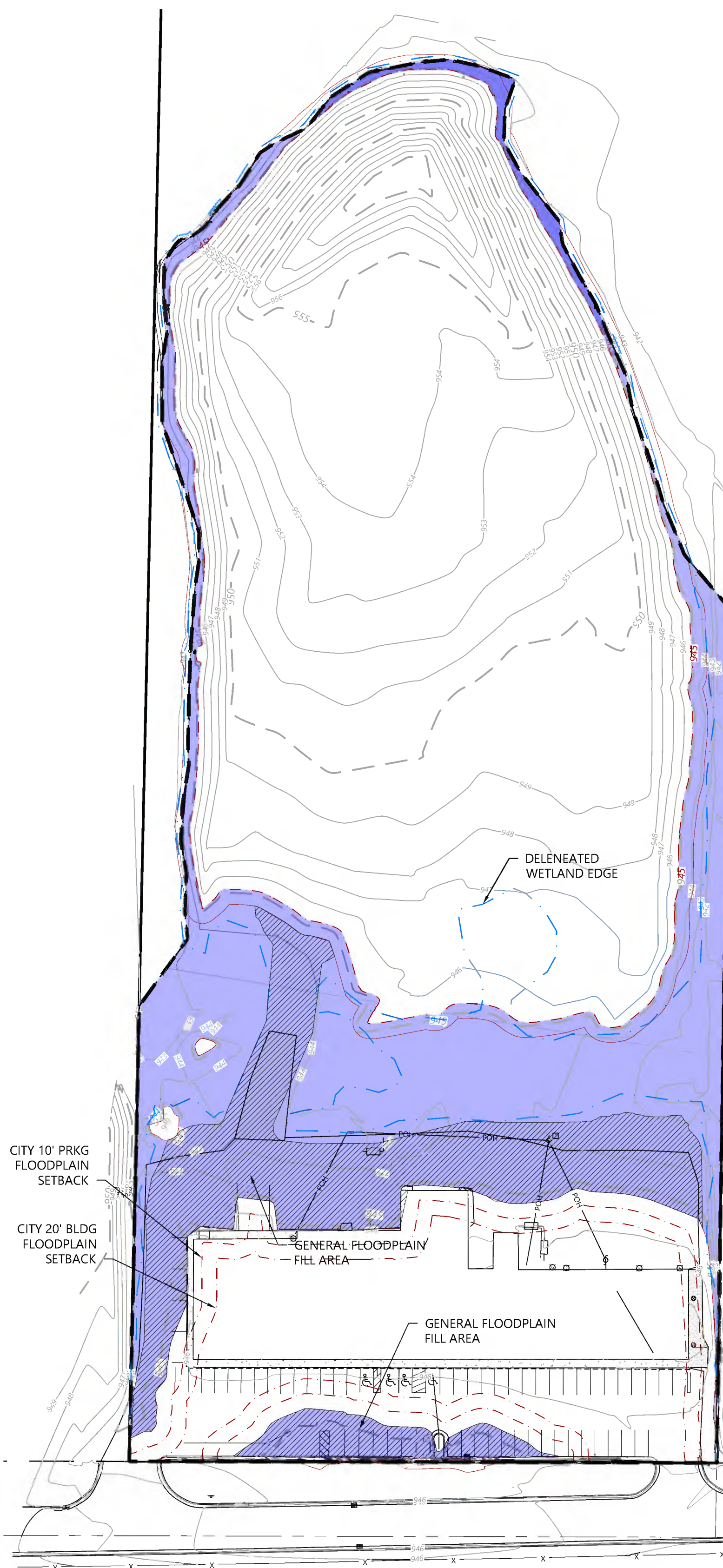
FLOOD STORAGE WITHIN PROJECT AREA ANALYSIS BOUNDARY	
EXISTING	3,687 CY
PROPOSED	3,752 CY
SURFACE BELOW 945.2 3,296 CY	
PIPED STORAGE 456 CY	

NOTE FLOOD STORAGE OUTSIDE OF FLOOD ANALYSIS BOUNDARY WILL REMAIN UNCHANGED FROM EXISTING CONDITIONS AND IS NOT INCLUDED IN FLOOD STORAGE COMPARISON VALUES.

REFER TO WALSER KIA MINNETONKA STORMWATER MANAGEMENT REPORT FOR ADDITION INFORMATION.

### LEGEND

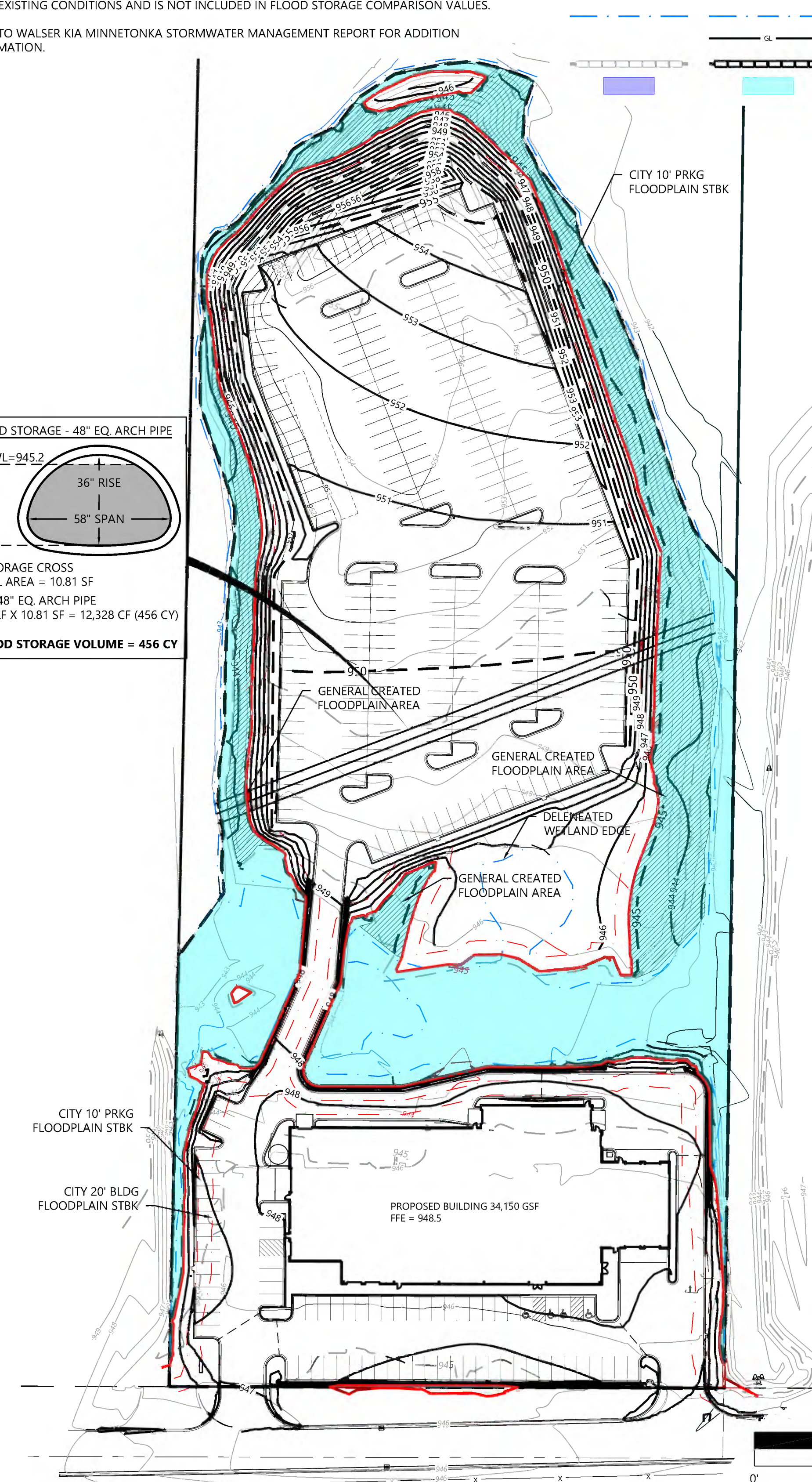
EXISTING	PROPOSED	
		PROPERTY LINE
		INDEX CONTOUR
		INTERVAL CONTOUR
		CITY PROPOSED 945.2 FLOODPLAIN
		CITY FLOODPLAIN SETBACK
		PROJECT AREA ANALYSIS BOUNDARY
		WETLAND LINE
		GRADING LIMITS
		RETAINING WALL
		FLOODPLAIN AREA



EXISTING FLOOD STORAGE



PROPOSED CUT/FILL WITHIN FLOODPLAIN AREAS

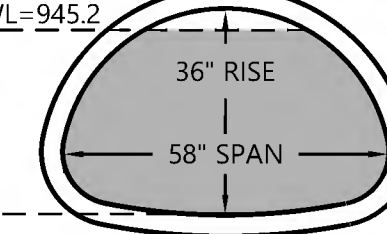


PROPOSED FLOOD STORAGE

NOT FOR CONSTRUCTION

#### PIPED FLOOD STORAGE - 48" EQ. ARCH PIPE

100-YR HWL=945.2



IE=942.5

FLOOD STORAGE CROSS SECTIONAL AREA = 10.81 SF  
3 - 380 LF 48" EQ. ARCH PIPE  
= 3 X 380 LF X 10.81 SF = 12,328 CF (456 CY)

PIPED FLOOD STORAGE VOLUME = 456 CY

DESIGNED	CHECKED	DRAWN	HORIZONTAL SCALE	VERTICAL SCALE
###	###	###	###	###

PREPARED FOR:  
**WALSER REAL ESTATE, LLC**  
7700 FRANCE AVENUE SOUTH SUITE 410N  
EDINA, MN 55435

**WALSER KIA**  
MINNETONKA, MN

**Westwood**  
1701 Whitehawk Drive, Suite #800  
Minnetonka, MN 55343  
Phone: (852) 937-5150  
Fax: (852) 937-5922  
Toll Free: (888) 937-5150  
westwoodps.com  
Westwood Professional Services, Inc.

## FLOODPLAIN STORAGE ANALYSIS

SHEET NUMBER:

1

DATE: 04/28/2023

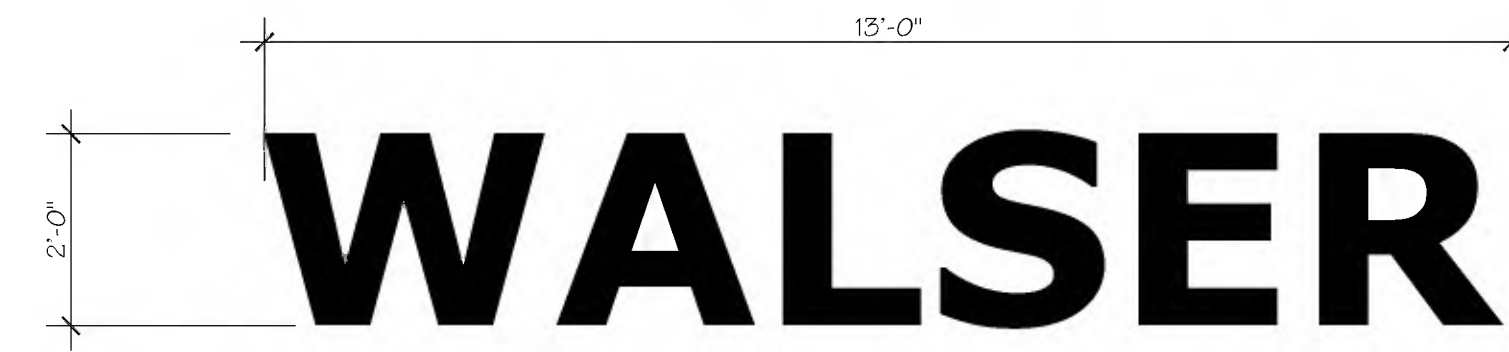
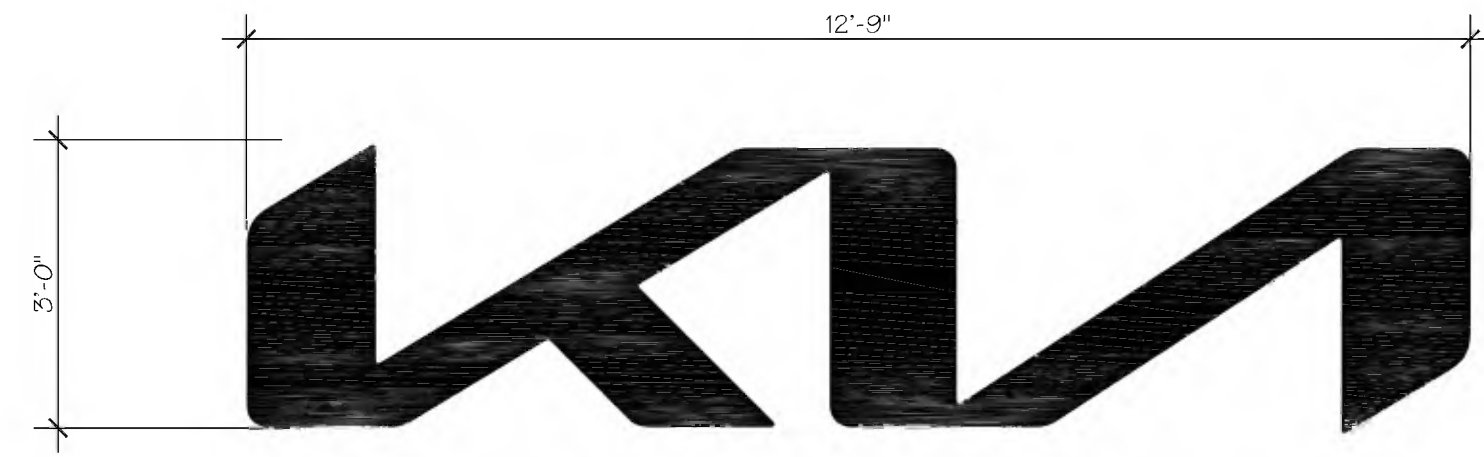
PROJECT NUMBER: 0036502.00

EG-1 FRONT LOGO (38.25 SF)  
THE EG-1 FRONT LOGO IS FABRICATED ALUMINUM PAINTED KIA METALLIC SILVER WITH 2" DEEP ALUMINUM RETURNS AND BACKLIT.

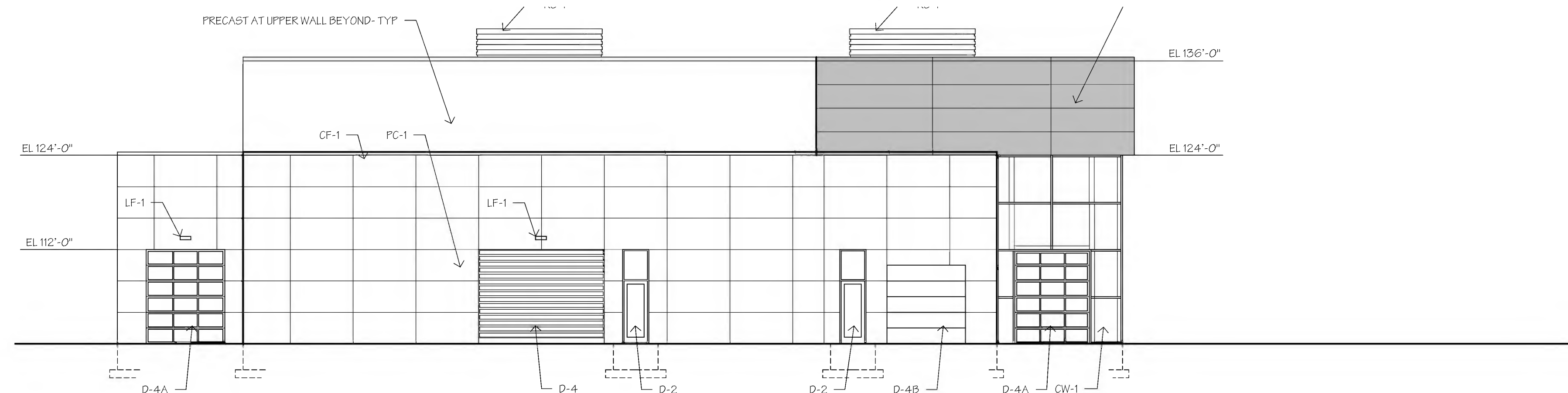
EG-2 SIDE LOGO (38.25 SF)  
THE EG-2 SIDE LOGO IS FABRICATED ALUMINUM PAINTED KIA METALLIC SILVER WITH 2" DEEP ALUMINUM RETURNS AND BACKLIT.

EG-3 WALSER SIGN (26 SF)  
THE EG-3 WALSER SIGN IS AN INTERNALLY ILLUMINATED CAN SIGN. THE FACE IS KIA METALLIC SILVER PERFORATED VENT. THAT WILL ILLUMINATE WHITE AT NIGHT. IT HAS 3" DEEP ALUMINUM RETURNS THAT ARE FLUSH MOUNTED TO THE FACADE.

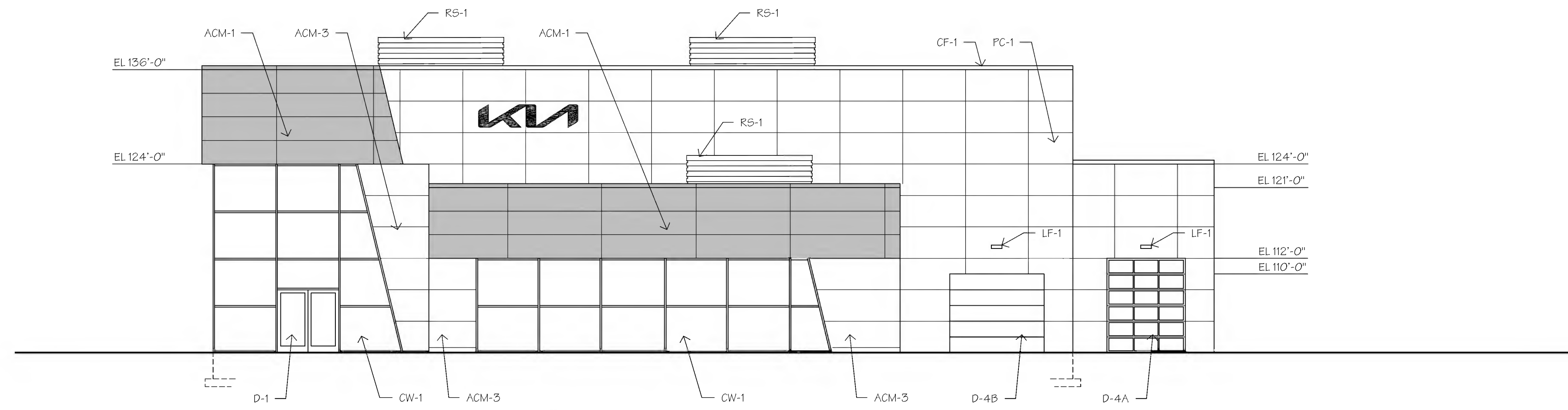
EG-4 SERVICE SIGN (26.5 SF)  
THE EG-4 SERVICE SIGN IS AN INTERNALLY ILLUMINATED CAN SIGN. THE FACE IS KIA METALLIC SILVER PERFORATED VENT. THAT WILL ILLUMINATE WHITE AT NIGHT AND HAS 3" DEEP ALUMINUM RETURNS THAT ARE FLUSH MOUNTED TO THE FACADE.



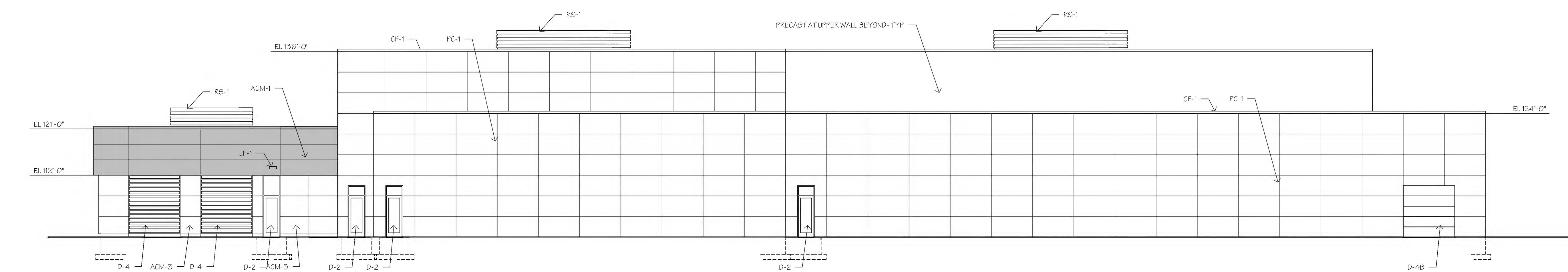
5 BUILDING SIGNS  
A3.0 1/2"=1'-0"



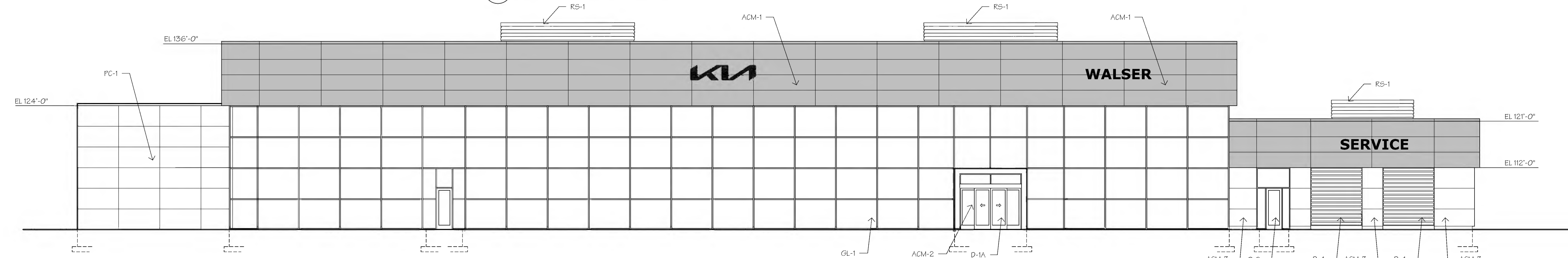
4 WEST ELEVATION  
A3.0 3/32"=1'-0"



3 EAST ELEVATION  
A3.0 3/32"=1'-0"



2 NORTH ELEVATION  
A3.0 3/32"=1'-0"



1 SOUTH ELEVATION  
A3.0 3/32"=1'-0"

KEY

- ACM-1 ACM WALL PANEL - PREFINISHED MANUFACTURED BY - ALPOLIC / FR DRY JOINT SYSTEM COLOR: "TOB BLACK"
- ACM-2 ENTRY PORTAL - ACM WALL PANEL MANUFACTURED BY - ALPOLIC / FR DRY JOINT SYSTEM COLOR: "BOX SILVER METALLIC"
- ACM-3 ACM WALL PANEL MANUFACTURED BY - ALPOLIC / FR DRY JOINT SYSTEM COLOR: SIMILAR TO BENJAMIN MOORE - COVENTRY GRAY
- CF-1 PREFINISHED METAL CAP FLASHING COLOR: TO MATCH WALL BELOW
- CW-1 ALUM FRAME CURTAIN WALL SYSTEM - CLEAR INSULATED GLASS - "CAPPED" WITH ALUM COVER COLOR: CLEAR ANODIZED
- SF-1 STOREFRONT ALUMINUM WINDOW SYSTEM WITH CLEAR INSULATED GLASS COLOR: CLEAR ANODIZED
- PC-1 DECORATIVE PRECAST CONCRETE WALL PANEL COLOR: INTEGRAL COLORED CONC - TO MATCH BENJAMIN MOORE - COVENTRY GRAY SMALL AGGREGATE FINISH TEXTURE
- D-1 "EXTERIOR CAR DOOR" - ENTRY DOOR SYSTEM WITH ALUMINUM FRAMING AND CLEAR INSULATED GLASS COLOR: CLEAR ANODIZED
- D-1A "AUTOMATIC" ENTRY DOOR SYSTEM WITH ALUMINUM FRAMING AND CLEAR INSULATED GLASS COLOR: CLEAR ANODIZED
- D-2 "EXTERIOR MAN DOOR" - ENTRY DOOR SYSTEM WITH ALUMINUM FRAMING AND CLEAR INSULATED GLASS COLOR: CLEAR ANODIZED
- D-3 NOT USED
- D-4 HIGH-SPEED COILING OH DOOR, ALUMINUM FRAMING WITH CLEAR POLYCARBONATE WINDOWS - FULL VIEW COLOR: CLEAR ANODIZED
- D-4A OH DOOR - ALUMINUM FRAMING WITH CLEAR INSULATED GLASS COLOR: CLEAR ANODIZED
- D-4B OH DOOR - PREFINISHED METAL WITH SOLID INSULATED PANELS COLOR: CLEAR ANODIZED
- LF-1 EXTERIOR LIGHT FIXTURE - WALL MOUNTED "DOWN LIGHT" DESIGN
- RS-1 PREFINISHED METAL ROOF SCREEN WITH HORIZONTAL "RIBBED" PROFILE COLOR: DARK GREY

2023 NEW BUILDING FOR:  
**WALSER KIA**  
 WAYZATA BLVD  
 MINNETONKA, MINNESOTA

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**PHILLIPS ARCHITECTS & CONTRACTORS, LTD.**

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

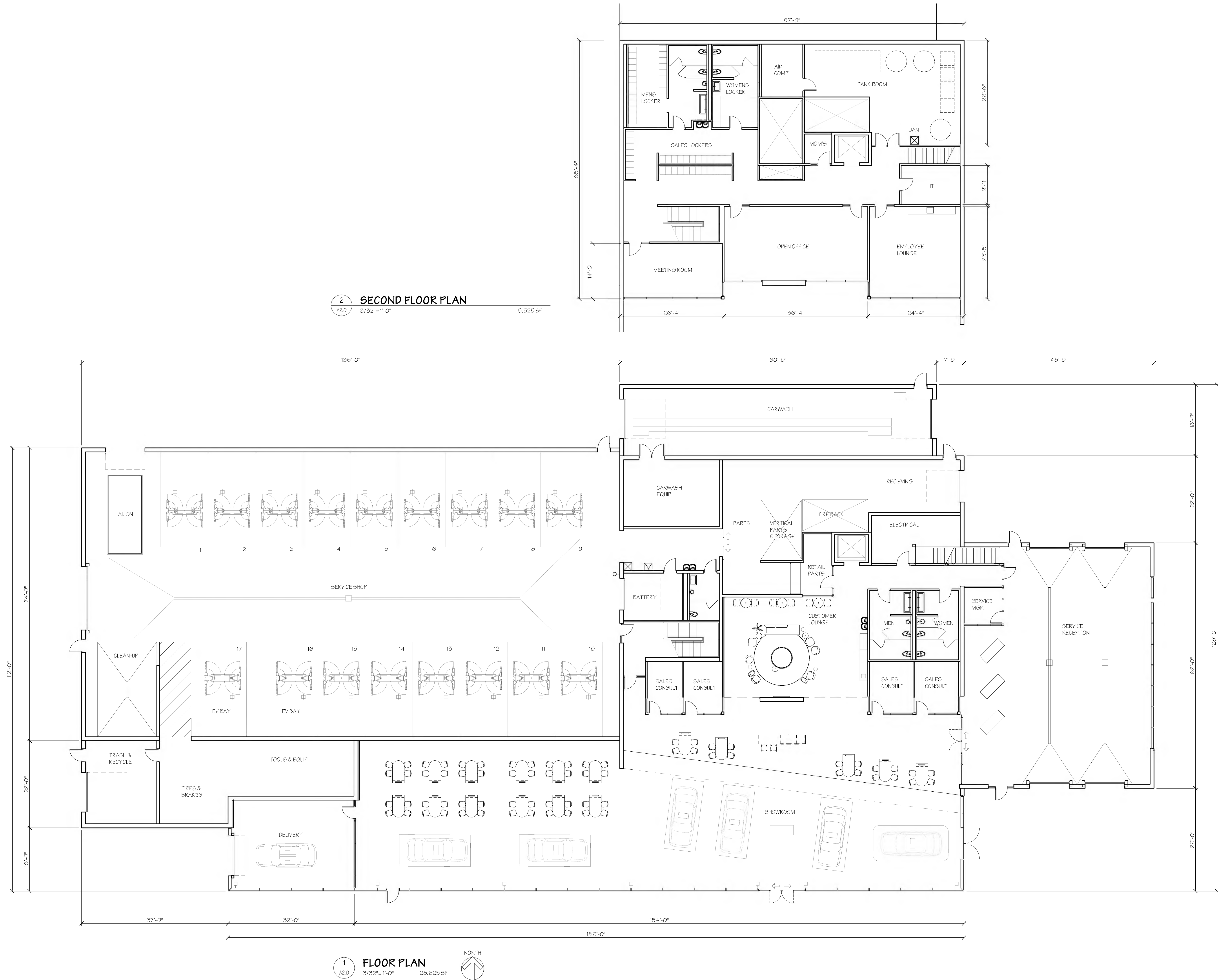
DATE: REG. NO. 17387

ISSUE/REVISION:  
 3/6/2023 ZONING  
 4/28/2023 SUBMITTAL REV

DRAWN BY:  
 CHECKED BY: DAP  
 PROJECT NO.:

**EXTERIOR ELEVATIONS**

**A3.0**



2023 NEW BUILDING FOR:  
**WALSER KIA**  
 WAYZATA BLVD  
 MINNETONKA, MINNESOTA

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

DATE: REG. NO. 17387

ISSUE/REVISION:  
 4/28/2023 CITY SUBMITTAL REV

DRAWN BY:  
 CHECKED BY: DAP  
 PROJECT NO.:

**PRELIMINARY FLOOR PLAN**

**A2.0**







# CITY OF MINNETONKA

14600 Minnetonka Blvd. | Minnetonka, MN 55345 | 952-939-8200 | minnetonkamn.gov

**TO:** Walser Kia Development Team  
**FROM:** Susan Thomas, AICP, Assistant City Planner  
**DATE:** April 6, 2023  
**SUBJECT:** Walser Kia – Preliminary City Staff Review

---

City staff has completed a preliminary review of the Kia Walser applications. Based on this review: (1) some plan revisions and additional information must be submitted; and (2) staff has some initial comments/concerns.

## Plan Revisions and Additional Information

- Additional 100-year floodplain information must be submitted:
  - ✓ A floodplain exhibit specifically showing the area to be filled and the area to be created.
  - ✓ Detailed calculations establishing the volume filled and created.
- A MnRAM must be submitted.
- The wetland delineation, wetland buffers based on the MnRAM, and 100-year elevation must be added to, and clearly noted/highlighted on the survey and plans. Staff is unable to evaluate compliance with city code or necessary variances without this information
- An updated tree inventory must be submitted. The inventory must:
  - ✓ Show areas of dense tree coverage, for example the dense willow thicket in the southeast quadrant of the site around the existing wetland.
  - ✓ Not include Ash trees; given the prevalence of emerald ash borer, these trees do not count “for or against” a development.
  - ✓ Correctly note tree removal thresholds. By ordinance up to 35% of the high-priority trees on the site may be removed/impacted and up to 50% of the significant trees. The submitted inventory notes removals based on total trees.
  - ✓ Be shown on the grading plan. Staff is unable to evaluate tree removal/impact without this information.

## Initial Concerns:

- Wetland alteration. Historically, Minnetonka has only approved wetland alteration for public purposes. For example, the reconstruction of a roadway or the construction of a pedestrian trail. Staff will not support the request for temporary or permanent wetland impacts associated with the construction of +30 ft wide drive aisle. A bridge connection to the north, eliminating wetland impacts, should be considered. The anticipated construction techniques for any and all improvements should be identified to truly understand the construction limits and potential extent of wetland impacts.
- Wetland buffers. The submitted plans suggest wetland buffer averaging, which may be allowed by the Minnehaha Creek Watershed District. However, Minnetonka does not allow buffer averaging; buffers less than those required by code could be approved only by variance. As a new building and parking lot could be designed to accommodate the required buffers, staff is unlikely to support buffer variances.
- Landscaping. Any landscaping proposed within required buffers must be native plantings. Permanent irrigation lines are not allowed. Planting large trees within this area, without irrigation may be problematic in both the short and long term.
- Stormwater Treatment. The submitted plans and documents suggest that the majority of the site will be “pervious,” as it will be covered by pervious pavement. The pervious pavement should be counted as “impervious” for the volume control (volume retention) calculation in the stormwater management plan. The storage underneath the pervious pavement should then be calculated and modeled as a BMP to document compliance with the city’s Volume Control and Water Quality standards.

Further, the long-term maintenance of this pavement would be of the utmost importance. Lack of maintenance/vacuumping and any future settlement repairs, patching of cracks, seal coating, etc. would result in significant non-compliance with the city’s water resources management plan. Retrofitting the site in the future with a more typical BMP would be difficult at best.

City staff will need to evaluate the proposed pervious pavement in greater detail. Additional detail is needed on the pervious pavement cross section and subgrade materials. 3 feet of vertical separation is needed between the bottom of subgrade/the infiltration area and the seasonally high groundwater elevation.

- Geotechnical Report. The submitted geotechnical report included a bituminous pavement design. A report must be completed for the proposed pervious concrete pavement, include a typical section and comment on pavement performance should the potential high water level of the wetland inundate the pavement section. The report should also comment on maintenance needs such as settlement risks,

patching of cracks and any other maintenance activities that could impact the continued pervious performance of the pavement.

If you have general questions regarding the required plan revisions, additional information or initial staff concerns/comments, they can be directed to Susan Thomas at [stthomas@minnetonkamn.gov](mailto:stthomas@minnetonkamn.gov) or 952-939-8292. Specific questions related to trees, wetland, floodplain, and engineering times should be directed to the following, copying Susan on any emails.

Trees/ Wetlands	Sarah Middleton	<a href="mailto:smiddleton@minnetonkamn.gov">smiddleton@minnetonkamn.gov</a>	952-988-8408
Floodplain/ Stormwater	Sarah Schweiger	<a href="mailto:sschweiger@minnetonkamn.gov">sschweiger@minnetonkamn.gov</a>	952-939-8233
Grading/ Geotech	Jeremy Koenen	<a href="mailto:jkoenen@minnetonkamn.gov">jkoenen@minnetonkamn.gov</a>	952-939-8238



## MEMORANDUM

Date: April 28, 2023

Re: Walser Kia – Preliminary City Staff Review  
File 0036502.00

To: Susan Thomas, AICP, Assistant City Planner

From: Walser Kia Development Team

Dear Ms. Thomas,

The comments below were sent from the City of Minnetonka and received by our office on April 6, 2023 as they pertain to the proposed Walser Kia development in Minnetonka, MN. Provided comments are summarized in this memo.

*Westwood responses to the comments are provided in red italics below.*

### Plan Revisions and Additional Information

- Additional 100-year floodplain information must be submitted:
  - A floodplain exhibit specifically showing the area to be filled and the area to be created. *The Floodplain Storage Analysis Exhibit has been updated to provide further clarity on areas with cut and fill.*
  - Detailed calculations establishing the volume filled and created. *Calculations relating to floodplain volume have been included on the Floodplain Storage Analysis Exhibit and are further discussed in the Stormwater Management Plan.*
- A MnRAM must be submitted. *A MnRAM classifying onsite wetlands as Manage 2 has been submitted and approved by City Staff.*
- The wetland delineation, wetland buffers based on the MnRAM, and 100-year elevation must be added to, and clearly noted/highlighted on the survey and plans. Staff is unable to evaluate compliance with city code or necessary variances without this information. *The wetland delineation line, wetland setbacks (buffer, parking, and building), and 100-year HWL have been clarified on the civil plans and exhibits.*
- An updated tree inventory must be submitted. The inventory must:
  - Show areas of dense tree coverage, for example the dense willow thicket in the southeast quadrant of the site around the existing wetland. *Westwood conducted a site visit on 4/25/2023 to verify vegetation species and location. A small area of willow thicket is shown on the existing conditions plan. In addition to the willow thicket, large areas of*

## MEMORANDUM

*invasive species were identified (predominately buckthorn) to the north of the existing parking lot.*

- Not include Ash trees; given the prevalence of emerald ash borer, these trees do not count “for or against” a development. *Noted, Ash trees have been excluded from calculations.*
- Correctly note tree removal thresholds. By ordinance up to 35% of the highpriority trees on the site may be removed/impacted and up to 50% of the significant trees. The submitted inventory notes removals based on total trees. *Tree inventory and removal calculations have been corrected.*
- Be shown on the grading plan. Staff is unable to evaluate tree removal/impact without this information. *Existing trees to remain with associated root zones are shown on the Overall Grading Plan, sheet C300.*

### Initial Concerns

- Wetland alteration. Historically, Minnetonka has only approved wetland alteration for public purposes. For example, the reconstruction of a roadway or the construction of a pedestrian trail. Staff will not support the request for temporary or permanent wetland impacts associated with the construction of +30 ft wide drive aisle. A bridge connection to the north, eliminating wetland impacts, should be considered. The anticipated construction techniques for any and all improvements should be identified to truly understand the construction limits and potential extent of wetland impacts.  
*The mentioned drive aisle has been reduced to 22 feet in width. Due to safety with pedestrians, fire access, and circulation and general business function 22 feet is the minimum width feasible for the development. There are now no permanent wetland impacts resulting from the proposed development. The temporary wetland impacts indicated on the Wetland Impact Exhibit are related to mobility and erosion control for the construction of a retaining wall and storm pipes below the drive for hydraulic connectivity. Specifically, a 5' offset from the retaining walls exterior face is the proposed temporary impact area related to the retaining wall construction. No heavy equipment will be allowed within the wetland areas during construction.*
- Wetland buffers. The submitted plans suggest wetland buffer averaging, which may be allowed by the Minnehaha Creek Watershed District. However, Minnetonka does not allow buffer averaging; buffers less than those required by code could be approved only by variance. As a new building and parking lot could be designed to accommodate the required buffers, staff is unlikely to support buffer variances.  
*North Parking Lot: The proposed development meets or exceeds the City of Minnetonka's wetland buffer and parking setback requirements for the north parking lot area.*

## MEMORANDUM

*South Parking Lot and Access Drive: The southerly portion of the proposed development will seek a variance for wetland setbacks. The existing conditions encroach into the wetland buffers, and site observation identifies large amounts of invasive species like buckthorn within the wetland buffer areas to the north of the building. The proposed development is limited by standards imposed by Kia Corporation and is unable to reduce its building further than has already been done. While the setback distance is less than code, the proposed development is in line with the existing conditions relating to setback distances and will aim to improve the quality of vegetation in the buffers compared to existing conditions.*

- Landscaping. Any landscaping proposed within required buffers must be native plantings. Permanent irrigation lines are not allowed. Planting large trees within this area, without irrigation may be problematic in both the short and long term.  
*The species of new trees and plants have been selected to ensure long lasting and sustainable landscaping with preference given to species native to the area. Landscaping within wetland buffers exclusively consists of native plantings that thrive in the natural conditions of the site, thus not requiring any irrigation once the plant material becomes established. Plant material in the wetland buffer will be hand watered until established. See revised landscape plan sheets for additional plant selections and information.*
- Stormwater Treatment. The submitted plans and documents suggest that the majority of the site will be “pervious,” as it will be covered by pervious pavement. The pervious pavement should be counted as “impervious” for the volume control (volume retention) calculation in the stormwater management plan. The storage underneath the pervious pavement should then be calculated and modeled as a BMP to document compliance with the city’s Volume Control and Water Quality standards.  
*Noted. The Stormwater Management Plan has been updated to include additional information and calculations for the required volume control within the pervious pavement BMP.*

Further, the long-term maintenance of this pavement would be of the utmost importance. Lack of maintenance/vacuuming and any future settlement repairs, patching of cracks, seal coating, etc. would result in significant non-compliance with the city’s water resources management plan. Retrofitting the site in the future with a more typical BMP would be difficult at best.

*Noted. A Maintenance and Operations Plan and agreement with the City will be developed to ensure long term maintenance and functionality of the pervious pavement BMP. Guidance from the Minnesota Stormwater Manual, pervious concrete suppliers, and other pervious concrete projects in different municipalities will be incorporated into the O&M*

## MEMORANDUM

*ensure a BMP that contributes to long term sustainability of the development and City's water resources.*

City staff will need to evaluate the proposed pervious pavement in greater detail. Additional detail is needed on the pervious pavement cross section and subgrade materials. 3 feet of vertical separation is needed between the bottom of subgrade/the infiltration area and the seasonally high groundwater elevation.

*Additional information on the pervious pavement section, elevations, and subgrade materials has been included in the Stormwater Management Plan and the Geotechnical Report.*

- Geotechnical Report. The submitted geotechnical report included a bituminous pavement design. A report must be completed for the proposed pervious concrete pavement, include a typical section and comment on pavement performance should the potential high water level of the wetland inundate the pavement section. The report should also comment on maintenance needs such as settlement risks, patching of cracks and any other maintenance activities that could impact the continued pervious performance of the pavement.

*A revised geotechnical report has been submitted. Refer to the Stormwater Management Plan for additional information on potential for pavement settlement.*



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**TO:** Walser Kia Development Team  
**FROM:** Susan Thomas, AICP, Assistant City Planner  
**DATE:** May 8, 2023  
**SUBJECT:** Walser Kia – City Staff Review

---

City staff has completed the review of the revised Walser Kia plans. We continue to have several concerns and would not recommend approval of the project as currently proposed.

### **Parking.**

As was noted in an email of 04/26, the number of parking stalls proposed would be significantly more than allowed by city code. Under City Code 300.31 Subd.(4)(b)(2)(1), parking at a dealership building must comply with one of the following:

- Fifty percent of the total on-site parking spaces must be in a structure parking ramp, or
- If the city deems it appropriate, surface parking without a ramp under the following conditions:
  - ✓ Total on-site parking must not exceed one parking space for every 200 square feet of building area; and
  - ✓ Submittal of a plan that adequately screens 50% of the total parking spaces from public view.

Based on a 34,150 sq. ft. building, 171 parking spaces would be allowed. The plans suggest 361 stalls. This deviation from code would require a variance. Under city code and state law, the city may grant a variance “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.” The 361 stalls are specifically a circumstance in Walser’s control (created by the land owner). Staff could not support this variance. Either a parking ramp would need to be created or the number of stalls would need to be reduced.

### **Wetland.**

- As proposed, the existing gravel “access drive” would be removed. Doing so would likely alter the hydrology of the site and expose wetland soils. This is not permitted, as it will impact the wetlands on either side.

- As was noted during our 04/21 meeting, maintaining the integrity of the wetland area north of the existing developed space is more important to city staff than “improving” existing setbacks from the wetlands areas east and west of the existing parking lot. Staff cannot support variances to allow the building or parking areas to encroach closer to the northerly wetland than the existing conditions. Like the total number of parking stalls, the design of the building and parking is within the control of the owner. There is an opportunity to shift the building southward, which may result in some reduction in parking, to increase the width of the building design, while reducing the depth, or some combination thereof. Conversely, staff would support a building and parking lot plans that maintain the existing setbacks.
- The proposed walls for the access cannot be placed immediately against the delineated wetland edge. There must be a buffer between the wall and wetlands, even if it is just a foot. This could be achieved through a slight reduction in the width of the access drive.
- Lighting cannot be placed within the wetland buffer along the access point and parking lot areas. Lighting must be attached to the proposed road or retaining wall. Similarly, irrigation systems cannot be placed in the buffer.

### Trees and Landscaping

- Trees located within wetlands cannot be removed.
- The full tree inventory is not reflected on the grading plan. The plan only shows the trees proposed to remain.
- Tree removal thresholds are not calculated correctly. The tree ordinance allows the removal of up to 35% of high-priority trees on the site and 50% of the significant trees. There are no exclusions for where these trees are located. The “basic tree removal” exclusion is for mitigation, not removal. In other words, trees removed in this area are counted in removals but do not need to be mitigated. Staff review of the plans suggests:

	Existing Trees	Removed/Impacted
<b>High Priority</b>	44	22, 50%
<b>Significant</b>	27	10, 37%
<b>Unknown</b>	Red cedar, conifer, required height measurement to classify Multi-stem trees identified with damage	

- The plan indicates hand watering of buffer areas. Generally, this type of maintenance plan has not worked in Minnetonka; trees/plantings do not survive and the property owner and city staff must continually work towards compliance with landscaping requirements.

### Pervious Pavement – Stormwater management, Geotech, and Maintenance

- While the stormwater management plan suggests the presence of Type C soils – which may allow for infiltration – the soil borings indicated Type D soils. Infiltration would not be allowed/feasible and, as such, a filtration system must be used. See the city’s “Volume Retention Compliance Sequencing Approach” in Appendix A of the city’s Water Resources Management Plan.

<https://www.minnetonkamn.gov/government/departments/public-works/engineering/water-resource-management>

- The geotech report suggests long-term settlement of the building and pavement. Cracking and uneven pavements are anticipated and maintenance will be required. The type of maintenance – ensuring the permeability of the pavement and, therefore, compliance with stormwater management – is not outlined. City staff continues to be concerned about this pavement's viability on this specific site. Given that infiltration is not an option, a more typical bituminous treatment with associated underground filtration seems more appropriate.

If you have general questions regarding the required plan revisions, additional information or initial staff concerns/comments, they can be directed to Susan Thomas at [stthomas@minnetonkamn.gov](mailto:stthomas@minnetonkamn.gov) or 952-939-8292. Specific questions related to trees, wetland, floodplain, and engineering times should be directed to the following, copying Susan on any emails.

Trees/ Wetlands	Sarah Middleton	<a href="mailto:smiddleton@minnetonkamn.gov">smiddleton@minnetonkamn.gov</a>	952-988-8408
Floodplain/ Stormwater	Sarah Schweiger	<a href="mailto:sschweiger@minnetonkamn.gov">sschweiger@minnetonkamn.gov</a>	952-939-8233
Grading/ Geotech	Jeremy Koenen	<a href="mailto:jkoenen@minnetonkamn.gov">jkoenen@minnetonkamn.gov</a>	952-939-8238

## MEMORANDUM

Date: May 12, 2023

Re: Walser Kia – Preliminary City Staff Review  
File 0036502.00

To: Susan Thomas, AICP, Assistant City Planner

From: Walser Kia Development Team

Dear Ms. Thomas,

The comments below were sent from the City of Minnetonka and received by our office on May 8, 2023 as they pertain to the proposed Walser Kia development in Minnetonka, MN. Provided comments are summarized in this memo.

*Westwood responses to the comments are provided in red italics below.*

### Parking

As was noted in an email of 04/26, the number of parking stalls proposed would be significantly more than allowed by city code. Under City Code 300.31 Subd.(4)(b)(2)(1), parking at a dealership building must comply with one of the following:

- Fifty percent of the total on-site parking spaces must be in a structure parking ramp, or
- If the city deems it appropriate, surface parking without a ramp under the following conditions:
  - ✓ Total on-site parking must not exceed one parking space for every 200 square feet of building area; and
  - ✓ Submittal of a plan that adequately screens 50% of the total parking spaces from public view.

Based on a 34,150 sq. ft. building, 171 parking spaces would be allowed. The plans suggest 361 stalls. This deviation from code would require a variance. Under city code and state law, the city may grant a variance “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



## MEMORANDUM

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.” The 361 stalls are specifically a circumstance in Walser’s control (created by the land owner). Staff could not support this variance. Either a parking ramp would need to be created or the number of stalls would need to be reduced. ***The required parking for KLA operations has been discussed since the beginning of the project and has been reduced several times already to try and address other staff review comments. No further reduction is feasible, and we request a variance under the CUP application.***

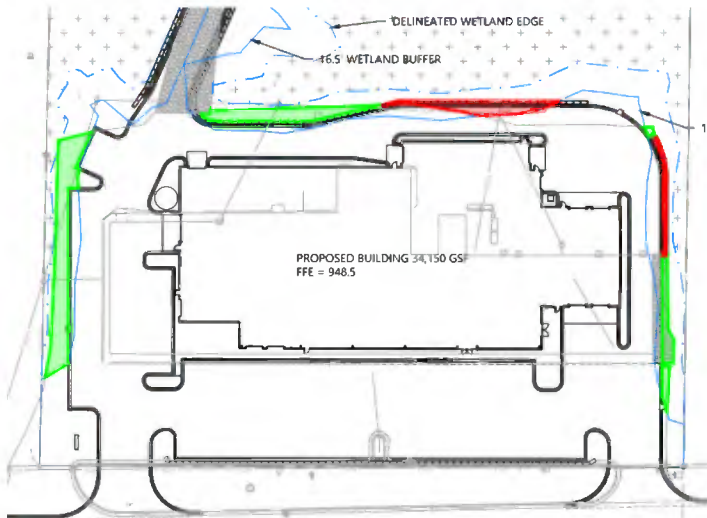
### Wetland

As proposed, the existing gravel “access drive” would be removed. Doing so would likely alter the hydrology of the site and expo and expose wetland soils. This is not permitted, as it will impact the wetlands on either side. ***The existing gravel access drive is upland of the wetland and as such will not alter hydrology. City staff previously requested the access drive to be modified by adding a culvert connection beneath the upland portion of the site to connect the two wetland areas which will alter the hydrology of the site.***

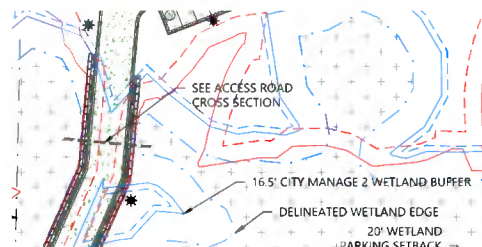
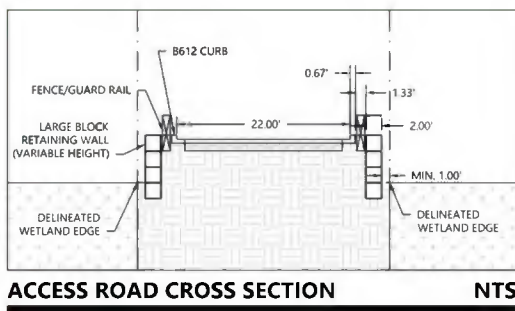
As was noted during our 04/21 meeting, maintaining the integrity of the wetland area north of the existing developed space is more important to city staff than “improving” existing setbacks from the wetlands areas east and west of the existing parking lot. Staff cannot support variances to allow the building or parking areas to encroach closer to the northerly wetland than the existing conditions. Like the total number of parking stalls, the design of the building and parking is within the control of the owner. There is an opportunity to shift the building southward, which may result in some reduction in parking, to increase the width of the building design, while reducing the depth, or some combination thereof. Conversely, staff would support a building and parking lot plans that maintain the existing setbacks. ***As noted below, the proposed pavement and retaining wall located north of the proposed building, and grading limits have been adjusted to avoid or minimize impact to trees/root zones located within the delineated wetland area. Consequently, the proposed pavement areas were reduced. While a small area within the wetland buffer exceeds existing conditions, the overall impact within the wetland buffer is greatly reduced. The overall change in proposed pavement area within the wetland buffer for the southern portion of the site is as follows:***

<i>Pavement Area within Wetland Buffer</i>	<i>Pavement Area Removed (sq)</i>	<i>Pavement/Retaining Wall Added (sq)</i>	<i>Change in Pavement Area</i>
<i>East Side</i>	<i>-395</i>	<i>116</i>	<i>-279</i>
<i>West Side</i>	<i>-1,474</i>		<i>-1,474</i>
<i>North Side</i>	<i>-622</i>	<i>576</i>	<i>-46</i>
<b><i>Total</i></b>	<b><i>-2,491</i></b>	<b><i>692</i></b>	<b><i>-1,799</i></b>

## MEMORANDUM



- The proposed walls for the access cannot be placed immediately against the delineated wetland edge. There must be a buffer between the wall and wetlands, even if it is just a foot. This could be achieved through a slight reduction in the width of the access drive. **Noted. The proposed walls are located a minimum of 1.0 foot from the delineated wetland edge in the previously submitted plans. A cross section detail below demonstrate this distance, at the narrowest upland area.**



- Lighting cannot be placed within the wetland buffer along the access point and parking lot areas. Lighting must be attached to the proposed road or retaining wall. Similarly, irrigation systems cannot be placed in the buffer. **Noted. Light pole locations were previously moved outside of the wetland buffer. Similarly, no irrigation is proposed within the buffer.**

## MEMORANDUM

### Trees and Landscaping

Trees located within wetlands cannot be removed. *Noted. The proposed pavement and retaining wall located north of the proposed building, and grading limits have been adjusted to avoid or minimize impact to trees/root zones located within the delineated wetland area. Impact to tree root zones is limited to the allowable 30% of root zone area.*

- The full tree inventory is not reflected on the grading plan. The plan only shows the trees proposed to remain. *Noted. The existing trees have been added to the overall grading plan, Sheet C300 for reference.*
- Tree removal thresholds are not calculated correctly. The tree ordinance allows the removal of up to 35% of high-priority trees on the site and 50% of the significant trees. There are no exclusions for where these trees are located. The “basic tree removal” exclusion is for mitigation, not removal. In other words, trees removed in this area are counted in removals but do not need to be mitigated. Staff review of the plans suggests:

	Existing Trees	Removed/Impacted
High Priority	44	22, 50%
Significant	27	10, 37%
Unknown	Red cedar, conifer, required height measurement to classify Multi-stem trees identified with damage	

*Response: The tree removals and % of total for each category (High Priority and Significant) have been updated per city comments. See information below and landscape plan Sheet L100.*

#### HIGH PRIORITY TREES

NUMBER OF HIGH PRIORITY TREES= 45  
 NUMBER EXEMPT\*\*\*= 10  
 NUMBER OF TREES EXCLUDING EXEMPT= 35  
 NUMBER REMOVED= 12  
 DECIDUOUS REMOVED (DBH in)= 205 in  
 CONIFEROUS REMOVED (ft)= 55 ft  
 PERCENT OF TREES ON SITE (35% ALLOWED)= 34% (12/35=.342)

#### SIGNIFICANT TREES

NUMBER OF SIGNIFICANT TREES= 37  
 NUMBER EXEMPT\*\*\*= 11  
 NUMBER OF TREES EXCLUDING EXEMPT= 26  
 NUMBER REMOVED= 11  
 DECIDUOUS REMOVED (DBH in)= 51 in  
 CONIFEROUS REMOVED (ft)= 0 ft  
 PERCENT OF TREES ON SITE (50% ALLOWED)= 42% (11/26=.423)

- The plan indicates hand watering of buffer areas. Generally, this type of maintenance plan has not worked in Minnetonka; trees/plantings do not survive, and the property owner and city staff must continually work towards compliance with landscaping requirements. *Irrigation will be provided to upland trees and vegetation areas. The proposed landscape plan has been updated such that*

## MEMORANDUM

*no proposed trees will be planted within the wetland buffer area. Per our landscape notes found on sheet L201, as state the contractor must water all the plant material until established or the irrigation is operational (note #21). The contractor is also required to warranty all plant material for 2 years and any replacement material for an additional one year (note #5).*

### Pervious Pavement – Stormwater management, Geotech, and Maintenance

- While the stormwater management plan suggests the presence of Type C soils – which may allow for infiltration – the soil borings indicated Type D soils. Infiltration would not be allowed/feasible and, as such, a filtration system must be used. See the city’s “Volume Retention Compliance Sequencing Approach” in Appendix A of the city’s Water Resources Management Plan. <https://www.minnetonkamn.gov/government/departments/publicworks/engineering/water-resource-management> *Westwood will work with City staff to provide an acceptable filtration system design per the City’s Volume Retention Compliance Sequencing Approach as a condition of approval.*
- The geotech report suggests long-term settlement of the building and pavement. Cracking and uneven pavements are anticipated and maintenance will be required. The type of maintenance – ensuring the permeability of the pavement and, therefore, compliance with stormwater management – is not outlined. City staff continues to be concerned about this pavement's viability on this specific site. Given that infiltration is not an option, a more typical bituminous treatment with associated underground filtration seems more appropriate.

*The geotechnical report and design will be updated to include a pervious concrete pavement design consistent with the proposed plans that will be structurally sufficient for the intended use and will meet the owners’ criteria.*

*A pavement operations and maintenance plan will be prepared as part of the final design that will follow MPCA standard BMP’s for pervious pavement.*

[Design criteria for permeable pavement - Minnesota Stormwater Manual \(state.mn.us\)](#)

Coakley moved, Kirk seconded a motion to approve the agreement and sub recipient agreement. All voted "yes." Motion carried.

**G. Councilmember's travel expense reimbursement**

Wilburn stated she would be abstaining from voting on this item.

Schack moved, Kirk seconded a motion to approve councilmembers' travel and expenses. Calvert, Schaeppi, Coakley, Kirk, Schack and Wiersum voted "yes." Wilburn "abstained." Motion carried.

**11. Consent Agenda – Items requiring Five Votes: None.**

**12. Introduction of Ordinances:**

**A. Items concerning Walser Kia at 15700 Wayzata Boulevard**

City Planner Loren Gordon gave the staff report.

Kirk commented on the need to buffer this use on the north property line from the adjacent properties. He requested staff gather further information regarding the wetland variances.

Calvert agreed the council needed further information regarding how the wetlands were being disturbed.

Schaeppi explained he lived within the notification area for this project. He stated he appreciated some of the unique aspects of this project. He requested further information regarding the north elevation in order to understand how the homes to the north would be impacted. He discussed how the headlights from the vehicles would be shining across the wetlands to the north. He recommended the planning commission focus on what the overlay ordinance means with respect to this project.

Wiersum commented this was a land use issue which must be the focus. However, he was concerned with the number of Kia and Hyundai cars that were being stolen. He stated this made him wonder if a Kia dealership should be located in Minnetonka. He requested the applicant address this concern through the application process. He agreed the buffering issues were a concern and requested this be taken into consideration by the planning commission.

Kirk moved, Coakley seconded a motion to introduce the ordinance and refer to the planning commission. All voted "yes." Motion carried.

**Resolution No. 2020-**

**Resolution denying items related to a proposed Walser Kia  
at 15700 and 15724 Wayzata Blvd**

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

Section 1. Background.

1.01 The subject properties are located at 15700 and 15724 Wayzata Blvd. They are legally described in Exhibit A of this resolution.

1.02 Walser Real Estate LLC has submitted formal applications for the redevelopment of the properties. As proposed, an existing retail building would be removed, and a new automobile dealership building and associated customer and inventory parking lots would be constructed. The proposal includes the following:

1. Master development plan;
2. Final site and building plans, with:
  - a) The following setback and wetland buffer expansion permits:

		Setbacks		
		Required	Existing	Proposed
<b>Customer Parking Lot/Drive Aisles</b>				
<b>Property Line</b>	South	20 ft	0 ft	4 ft
	East	20 ft	10 ft	14 ft
	West	20 ft	0 ft	14 ft
<b>Wetland and Buffers</b>	North	20 ft setback 16.5 ft buffer	0 ft	8 ft
	East	20 ft setback 16.5 ft buffer	3 ft	3 ft
	West	20 ft setback 16.5 ft buffer	0 ft	5 ft
<b>Floodplain</b>	North	10 ft	0 ft	0 ft

	East	10 ft	0 ft	0 ft
	West	10 ft	0 ft	6 ft

Existing and proposed rounded down to closest 1 ft

b) The following setback and wetland buffer variances:

		Setback	
		Required	Proposed
<b>Buildings</b>			
<b>Property Line</b>	East	50 ft	40 ft
<b>Wetland</b>	North	35 ft	28 ft
	East	35 ft	30 ft
<b>Customer Parking Lot/Drive Aisles</b>			
<b>Wetland and Buffers</b>	North	20 ft	3 ft, setback and buffer
	East	20 ft	2 ft, setback and buffer
<b>Floodplain</b>	North	10 ft	0 ft
<b>Access Drive</b>			
<b>Wetland and Buffers</b>	East	20 ft	1 ft, setback and buffer
	West	20 ft	1 ft, setback and buffer
<b>Floodplain</b>	East	10 ft	0 ft
	West	10 ft	0 ft

- c) Floodplain and wetland alteration permits;
- d) Conditional use permit, with parking ratio variance from 1 stall per 200 sq. ft. to 1 stall per 94 sq.ft.; and
- e) Preliminary and final plats.

1.03

On June 1, 2023, 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, including plans depicting the proposal as outlined in Section 1.02 of the resolution. The comments and staff report are incorporated by reference into this resolution. The commission recommended the city council deny the proposal.

## Section 2. Standards

- 2.01 By City Code 300.31 Subd.3(a), a master development plan which complies with the standards of the planned I-394 ordinance is required for all properties in the planned I-394 district (PID) for which development is proposed.
- 2.02 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 into this resolution by reference.
- 2.03 City Code §300.23 outlines wetland setback and buffer requirements. These are incorporated into this resolution by reference.
- 2.04 City Code §300.24 Subd.9 outlines floodplain requirements. These are incorporated into this resolution by reference.
- 2.05 By City Code 300.31 Subd.4(b)(2), a conditional use permit (CUP) will be issued in the PID district only if the city finds that the CUP standards for each use are met, that the use is in the best interest of the city, that the use is compatible with other nearby uses, and that the use is consistent with other requirements of this ordinance.
- 2.06 City Code 300.31 Subd.4(b)(2)(i) outlines specific CUP standards for automobile uses having services bays. Those standards are incorporated into this resolution by reference.
- 2.07 City Code §300.29 Subd. 3(g) allows expansion of a nonconformity only by variance or expansion permit.
- 2.08 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.

## Section 3. Findings

- 3.01 The proposal would not meet site and building plan standards outlined in City Code §300.27, Subd.5. Specifically:
1. The proposal is not consistent with the ordinance. Several variances are required that do not meet the unique circumstances practical difficulty test as outlined in section 3.04 of this resolution.
  2. The proposal does not preserve the site in its natural state to the extent



practicable. To accommodate the proposed redevelopment, the entirety of the site's upland area would be graded. The size and configuration of the proposed vehicle inventory lot results in the extent of the proposed grading and resultant tree loss.

3.02 The proposal would not meet the general conditional use permit standards outlined in City Code §300.31 Subd.4(b)(2). Specifically, the proposal is not consistent with other requirements of the ordinance. Several variances are required that do not meet the unique circumstances practical difficulty test as outlined in section 3.04 of this resolution.

3.03 The proposal would not meet the specific conditional use permit standards for automobile uses having services bays as outlined in City Code §300.31 Subd.4(b)(2)(i). Specifically, section §300.31 Subd.4(b)(2)(i)(5)(j) requires that:

1. Fifty percent of the total on-site parking spaces must be in a structure ramp, or
2. If the city deems it appropriate, surface parking without a ramp under the following conditions:
  - a) Total on-site parking must not exceed one parking space for every 200 sq. ft. of building area, and
  - b) Submittal of a plan that adequately screens 50 percent of the total parking spaces from public view.

The proposal does not include structured parking. While 80 percent of the proposed parking spaces would be located behind the proposed building, the site would contain one space per every 94 sq. ft. of building space. Essentially, the site has twice as many parking stalls as allowed. Put another way, for the number of surface stalls proposed to meet the ordinance standard, the dealership building would have to be over twice as large as the building proposed.

3.04 The wetland setback, wetland buffer, and parking ratio variances do not meet the variance standard outlined in City Code §300.07, Subd. 1. Specifically, there is no unique circumstance that justifies the variances. Though the site is encumbered by floodplain and wetland areas, the variances themselves are predicated on the design of the proposed building and parking lots. The size and configuration of the proposed building and lots are within the control of Kia Corporate and Walser Real Estate LLC.

Section 4. City Council Action.

4.01 The council hereby denies the proposal as described in Section 1.02 of this resolution. Denial is based on the findings outlined in Section 3 of this resolution and throughout the written report presented to the council on June 26, 2023.

Adopted by the City Council of the City of Minnetonka, Minnesota, on June 26, 2023.

\_\_\_\_\_  
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 June 26, 2023.

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

SEAL

**EXHIBIT A***Parcel 1:*

*That part of the Southwest Quarter of the Northwest Quarter of Section 4, Township 117 North, Range 22 West, lying Easterly of the West 1059.1 feet, except the South 50 feet thereof.*

*Hennepin County, Minnesota  
Abstract Property*

*Parcel 2:*

*That part of the Southwest Quarter of the Northwest Quarter of Section 4, Township 117, Range 22, described as follows:*

*Beginning at a point on the South line of said Southwest Quarter of the Northwest Quarter 250 feet West of the Southeast corner thereof; thence North parallel with the East line of said Southwest Quarter of the Northwest Quarter to the North line thereof; thence West along said North line to the East line of the West 358.1 feet of that part of said Southwest Quarter of the Northwest Quarter described as commencing at a point on the South line of said Southwest Quarter of the Northwest Quarter 556 feet East of the Southwest corner thereof; thence North parallel with the West line of said Southwest Quarter of the Northwest Quarter to the North line thereof; thence East to the Northeast corner thereof; thence South to the Southeast corner thereof; thence West to the point of beginning; thence South along the East line of said West 358.1 feet to the South line of said Southwest Quarter of the Northwest Quarter; thence East to the point of beginning, except the South 50 feet thereof.*

*Hennepin County, Minnesota  
Abstract Property*

*Parcel 3:*

*That part of the Southwest Quarter of the Northwest Quarter of Section 4, Township 117, Range 22, lying West of the Easterly line of the Westerly 1059.10 feet of the said Southwest Quarter of the Northwest Quarter, Section 4, Township 117, Range 22, and lying East of a line described as beginning at a point on the South line of said Southwest Quarter of the Northwest Quarter 250 feet West of the Southeast corner thereof; thence North parallel with the East line of said Southwest Quarter of the Northwest Quarter to the North line thereof, and there terminating.*

*Hennepin County, Minnesota  
Abstract Property*